

This draft represents the first working draft of Bylaw 2500 and is intended for discussion purposes only.



REGIONAL
DISTRICT
OF NANAIMO

For Discussion Purposes Only

Draft Bylaw 2500

Parts 1, 2, 3 and 4

Draft June 22, 2022

Contents

Part 1. Administration.....	2
1.1 Enactment	2
1.2 Other Legislation	2
1.3 General Prohibition	2
1.4 Inspection.....	3
1.5 Violation	3
1.6 Penalty Penalties	3
1.7 Severability.....	4
Part 2. Interpretation.....	6
2.1 Definitions	6
Part 3. Land Use Regulations	33
3.1 General Operative Clauses.....	33
3.2 Accessory Buildings and Structures	35
3.3 Common Accessory Uses	36
3.4 Storage of Fuel	37
3.5 Vehicle Wrecking Yard or Refuse	38
3.6 Keeping of Animals.....	39
3.7 Landscaping.....	40
3.8 Setbacks – Sight Triangle.....	47
3.9 Setbacks – Watercourses, excluding the Sea.....	48
3.10 Setbacks – Sea	50
3.11 Setbacks – Buildings and Structures	51
3.12 Stormwater Management for Farm Use.....	55
3.13 Height Exemptions	56
3.14 Density - Category A Lots	57
3.15 Home Based Business.....	58
3.16 Farm Use Regulations.....	62
3.17 Accessory Farm Use Regulations.....	63
3.18 Gathering for an Event	66
3.19 Temporary Use Permits.....	67

3.20	Pet Breeding or Boarding Facilities	70
3.21	Secondary Suites	71
3.22	Off-Street Parking & Loading Space	73
3.23	Campground Regulations and Standards.....	82
3.24	Residential Mobile Home Park Regulations and Standards.....	90
3.24	Mobile Vendors	96
3.25	Retaining Walls.....	97
3.26	Shipping Containers	100
3.27	Signs.....	102
3.28	Servicing Requirements.....	104
	Schedule 3A: Zoning Maps.....	105
Part 4.	Zones	2
4.1	Establishment of Zones	2
4.2	Agriculture 1 (AG1).....	8
4.3	Agriculture 2 (AG2).....	13
4.4	Nanaimo Airport.....	16
4.5	Commercial Retail & Service (CRS).....	20
4.6	Commercial Resort & Recreation (CRR).....	23
4.7	Conservation 1 (ES1)	26
4.8	Light Industry (LI).....	27
4.9	Medium Industry (MI)	31
4.10	Heavy Industry (HI).....	34
4.11	Public 1 (PU1)	37
4.12	Public 3 (PU3)	40
4.13	Public 4 (PU4)	41
4.14	Public 6 (PU6)	44
4.15	Recreation 1 (RC1).....	45
4.16	Recreation 2 (RC2).....	47
4.17	Recreation 3 (RC3).....	49
4.18	Recreation 4 (RC4).....	51
4.19	Recreation 5 (RC5).....	53
4.20	Recreation 6 (RC6).....	56
4.21	Residential 1 (RS1).....	58

4.22	Residential 2 (RS2).....	61
4.23	Residential 3 (RS3).....	64
4.24	Residential 4 (RS4).....	66
4.25	Residential 5 (RS5).....	68
4.26	Residential 6 (RS6).....	71
4.27	Residential 8 (RS8).....	73
4.28	Resource Management 1 (RM1)	75
4.29	Resource Management 2 (RM2)	77
4.30	Resource Management 3 (RM3)	79
4.31	Resource Management 4 (RM4)	81
4.32	Resource Management 5 (RM5)	83
4.33	Resource Management 6 (RM6)	85
4.34	Resource Management 7 (RM7)	86
4.35	Resource Management 8 (RM8)	88
4.36	Resource Management 9 (RM9)	90
4.37	Rural Residential 1 (RR1).....	92
4.38	Rural Residential 2 (RR2).....	95
4.39	Water 1 (WA1)	98
4.40	Water 2 (WA2)	99
4.41	Water 3 (WA3)	100
4.42	Water 4 (WA4)	101
4.43	Alternative Forms of Rural Development 1 (AF1).....	103
4.44	Bowser Village Comprehensive Development Zone 6 (CD6).....	105
4.45	Fairwinds Comprehensive Development Zone 8 (CD8)	106
4.46	Horne Lake Comprehensive Development Zone 9 (CD9)	108
4.47	Rondalyn Resort Comprehensive Development Zone 13 (CD13)	110
4.48	Englishman River (Block 564) Comprehensive Development Zone 14 (CD14).....	111
4.49	Horne Lake Regional Park Comprehensive Development Zone 24 (CD24)	114
4.50	South Wellington Light Industrial Comprehensive Development Zone 28 (CD28)	121
4.51	Cedar Estates Comprehensive Development Zone 29 (CD29).....	125
4.52	Nanoose Bay Village Centre Comprehensive Development Zone 30 (CD30).....	130
4.53	Horne Lake Road Comprehensive Development Zone 32 (CD32)	137
4.54	Qualicum Bay Seniors Development Comprehensive Development Zone 41 (CD41).....	139

4.55	Crown and Anchor Campground Comprehensive Development Zone 42 (CD42).....	140
4.56	Schooner Bay Manor Seniors Mobile Manufactured Home Park Comprehensive Development Zone 43 (CD43).....	142
4.57	Lakes District Comprehensive Development Zone 44 (CD44)	144
4.58	Schooner Cove Comprehensive Development Zone 45 (CD45)	163
4.59	Lighthouse Villa Comprehensive Development Zone 52 (CD52)	176
4.60	Horne Lake Road Service Commercial Comprehensive Development Zone 54 (CD54)	179
4.61	Resort Commercial Comprehensive Development Zone 55 (CD55).....	183

FIRST DRAFT

Part 1 Administration

This section of the bylaw includes the legal requirements for adopting this bylaw as well as clauses for authority, enactment, prohibitions, violations and penalties.



Part 1. Administration

1.1 Enactment

- (a) Part 3 and Part 4 of this Bylaw shall be deemed to be a zoning bylaw pursuant to Section 903 of the Local Government Act and amendments thereto.
- (b) ~~Schedules '3C' Section 3.23 and '3D'~~ of this Bylaw are enacted pursuant to Section 903 ~~and 694~~ of the Local Government Act and amendments thereto.
- (c) ~~Schedule '3F' Section 3.7~~ of this Bylaw is enacted pursuant to Section 909 of the Local Government Act and amendments thereto.
- (d) ~~Part 4 Part 5~~ of this Bylaw shall be deemed to be a subdivision bylaw pursuant to Sections 938 and 946 of the Local Government Act and amendments thereto.
- (e) For the purpose of this Bylaw, the schedules referred to herein are attached hereto and form an integral part of this Bylaw.
- (f) Regional District of Nanaimo Land Use and Subdivision Bylaw 500 is hereby repealed upon adoption of this Bylaw.
- (g) Regional District of Nanaimo Sign Bylaw 993 is hereby repealed upon adoption of this Bylaw.

This section has been updated to reflect the new structure of the Bylaw, specifically separating the zones into a new Part of the Bylaw. Additional changes include integrated the Sign Bylaw and repealing Bylaw 500.

1.2 Other Legislation

- (a) Nothing contained in this Bylaw shall relieve any person from the responsibility to seek out and comply with other legislation applicable to their undertaking.
- (b) Where land is within an agricultural land reserve created pursuant to the **Agricultural Land Commission Act** and amendments thereto and if any portion of this Bylaw is in any way contrary to, in conflict with, inconsistent with or repugnant to the **Act**, the **Act** shall prevail.

1.3 General Prohibition

No person shall:

- (a) cause, suffer or permit any building or structure to be used, located, constructed, altered, moved or extended;
- (b) use any building or structure constructed, moved or altered;

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

- (c) cause, suffer or permit land to be used;
- (d) use land;
- (e) subdivide land;
- (f) use land without providing off-street parking and loading spaces;
- (g) in contravention of this Bylaw or otherwise fail to comply with the requirements of this Bylaw.

1.4 Inspection

The **General Manager of Planning and Development** ~~Planning Director~~ and ~~his~~ **their** deputies may enter, at all reasonable times, upon any land subject to the regulations of this Bylaw, to ascertain whether such regulations are being obeyed, provided that

This clause has been updated to reflect the current structure of the RDN and be gender neutral.

- (a) consent to inspect the land has been obtained from the owner or occupier of the land; or
- (b) where such consent has been refused, notice of the intent to inspect has been given to the owner or occupier no less than 24 hours prior to the time of inspection.

1.5 Violation

Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw, shall be deemed to have violated the provisions of this Bylaw.

1.6 Penalty Penalties

~~Any person who violates any of the provisions of this Bylaw shall, upon summary conviction thereof, be liable to a penalty of not more than \$2,000.00.~~

This section has been updated to be consistent with other bylaws and different varieties of offences.

- (a) **Any person who (1) contravenes a provision of this bylaw, (2) suffers or permits any act or thing to be done in contravention of this bylaw, (3) refuses, omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed under this bylaw, commits an offence, and each day that a contravention continues amounts to a separate offence.**
- (b) **A person found guilty of an offence under this bylaw is liable:**
 - (i) **if proceedings are brought under the Offence Act, to pay the maximum fine and other penalties, compensation and costs authorized by that Act and the Local Government Act;**

- (ii) if a ticket is issued under Division 3 of Part 8 of the Community Charter, to pay a maximum fine of \$1,000; or
 - (iii) if a bylaw notice is issued under the Regional District of Nanaimo Bylaw Notice Bylaw No. 1786, 2019, to pay a penalty of up to \$500.
- (c) Fines and penalties imposed under this Section are in addition to and not in substitution for any cost recovery, remedial action or other consequence of default or contravention provided for under this bylaw, and do not limit the right of the District to bring civil proceedings or pursue any other remedy available at law.

1.7 Severability

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court, such section subsection, sentence, clause or phrase may be severed from the remaining portion of this Bylaw.

FIRST DRAFT

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

Part 2

Interpretation

This section of the Bylaw includes the definitions for the technical terms throughout the Bylaw. They are listed alphabetically and include supporting graphics where appropriate.



Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

Part 2. Interpretation

2.1 Definitions

In this Bylaw unless the context otherwise requires:

accessory building means a building or structure located on a parcel, the use of which is accessory to the principal permitted use of the land, buildings or structures located on the same parcel, and includes buildings or structures used for storage or work space by the occupants of the property, but specifically excludes buildings used for residential use **and that have facilities for cooking and areas for sleeping;**

Updated Accessory Building definition as per Housekeeping Discussion Paper to clarify what a residential use is.

accessory to means combined with but customarily incidental to;

accessory use means a use combined with but clearly incidental and ancillary to the principal permitted uses of land, buildings or structures located on the same parcel;

agriculture means a use providing for the growing, rearing, producing and harvesting of trees and shrubs; housing livestock, poultry, fur-bearing animals, bees; animal feeding and holding areas; storage crops; and the processing and sale of the primary agricultural products harvested, reared or produced on that farm, including the rough sawing of logs, but excludes animal care, and the following uses on lands that are not in the Agricultural Land Reserve: fur farm, mushroom farm, intensive swine operation, feedlot and cannabis production and specifically excludes horse boarding stable on land located within the Resource Management 3 (RM3) and ~~Rural 5 (RU5)~~ **Rural Residential 2 (RR2)** zones that is not located within the agricultural land reserve, and specifically excludes the following uses on land located within the Resource Management (RM3) and ~~Rural 5 (RU5)~~ **Rural Residential 2 (RR2)** zones that is not located in an agricultural land reserve: feed lot; fur farm; mushroom farm; horse boarding stable; and intensive swine operation;

agriculture education and research means the use of land, buildings, or structures dedicated to researching, promoting, and teaching methods of agriculture and farming in accordance with the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, but specifically excludes schools under the School Act;

~~**agri-tourism** means an activity, or a service that is ancillary to an activity referred to in the definition of agri-tourism on a farm that is carried out on land that is classified as a farm under the Assessment Act, to which members of the public are ordinarily invited, with or without a fee, and in connection with which permanent facilities are not constructed or erected;~~

Removed Agri-tourism and added Agri-tourism activity to align with most recent Agricultural Land Commission Regulations.

agri-tourism activity means a Agri-tourism activity prescribed by the *Agricultural Land Reserve Use Regulation* or which has been approved by the Agricultural Land Commission as an Agri-tourism

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

Activity on a parcel that is located in the Agricultural Land Reserve which meets all of the following conditions:

- (a) the activity is conducted on agricultural land that is classified as a farm under the Assessment Act;
- (b) members of the public are ordinarily invited to the activity, whether or not a fee or other charge is payable; and,
- (c) no permanent facilities are constructed or erected in connection with the activity;

agri-tourism accommodation means the provision of temporary and seasonal accommodation accessory to an agricultural use for the travelling public within an agri-tourism accommodation sleeping unit on land that is classified as farm under the Assessment Act.

agri-tourism accommodation sleeping unit means: ~~a bedroom or other area used as a bedroom for the purpose of agri-tourism accommodation within an agri-tourism accommodation cabin, a tent or recreational vehicle in an agri-tourism accommodation campground or a bedroom within a dwelling unit.~~

Updated Agri-tourism accommodation sleeping unit to align with most recent Agricultural Land Commission Regulations.

- (a) a bedroom or other area used for sleeping located in a residence, cabin or other structure;
 - (b) a vehicle, trailer, tent or other structure located on a campsite, field or other area,
- in accordance with the **Agricultural Land Reserve Use Regulation**.

agri-tourism on a farm means the following:

- ~~(a) an agricultural heritage exhibit displayed on the farm;~~
- ~~(b) a tour of the farm, an educational activity or demonstration in respect of all or part of the farming operations that take place on the farm, and activities ancillary to any of these;~~
- ~~(c) cart, sleigh and tractor rides on the land comprising the farm;~~
- ~~(d) activities that promote or market livestock from the farm, whether or not the activity also involves livestock from other farms, including shows, cattle driving and petting zoos;~~
- ~~(e) dog trials held at the farm;~~
- ~~(f) harvest festivals and other seasonal events held at the farm for the purpose of promoting or marketing farm products produced on the farm;~~
- ~~(g) corn mazes prepared using corn planted on the farm.~~

Removed Agri-tourism on a farm to align with most recent Agricultural Land Commission Regulations.

alpine recreation means snow skiing, snowboarding, snowmobiling, hiking, climbing or mountain biking;

amusement arcade means an establishment that contains four or more electronic or mechanical games for the entertainment of the public;

animal care means a building or structure used for veterinary clinic, animal hospital, or facilities for boarding or breeding household animals or pets;

applicant means a person applying for the approval of a subdivision, Board of Variance appeal, rezoning, a permit or a development, whether as the owner of the land or as the authorized agent of the owner;

aquaculture means the cultivation, rearing and harvesting of aquatic organisms on land or in the water, but specifically excludes seafood processing except on land located in the Agricultural Land Reserve;

archaeological site means land containing material remains of archaeological value;

artisan or craftsman services means a home based business offering products or services related to trades and / or the arts contained within a building.

Added Artisan or Craftsman Services definition as per Home Based Business Discussion Paper

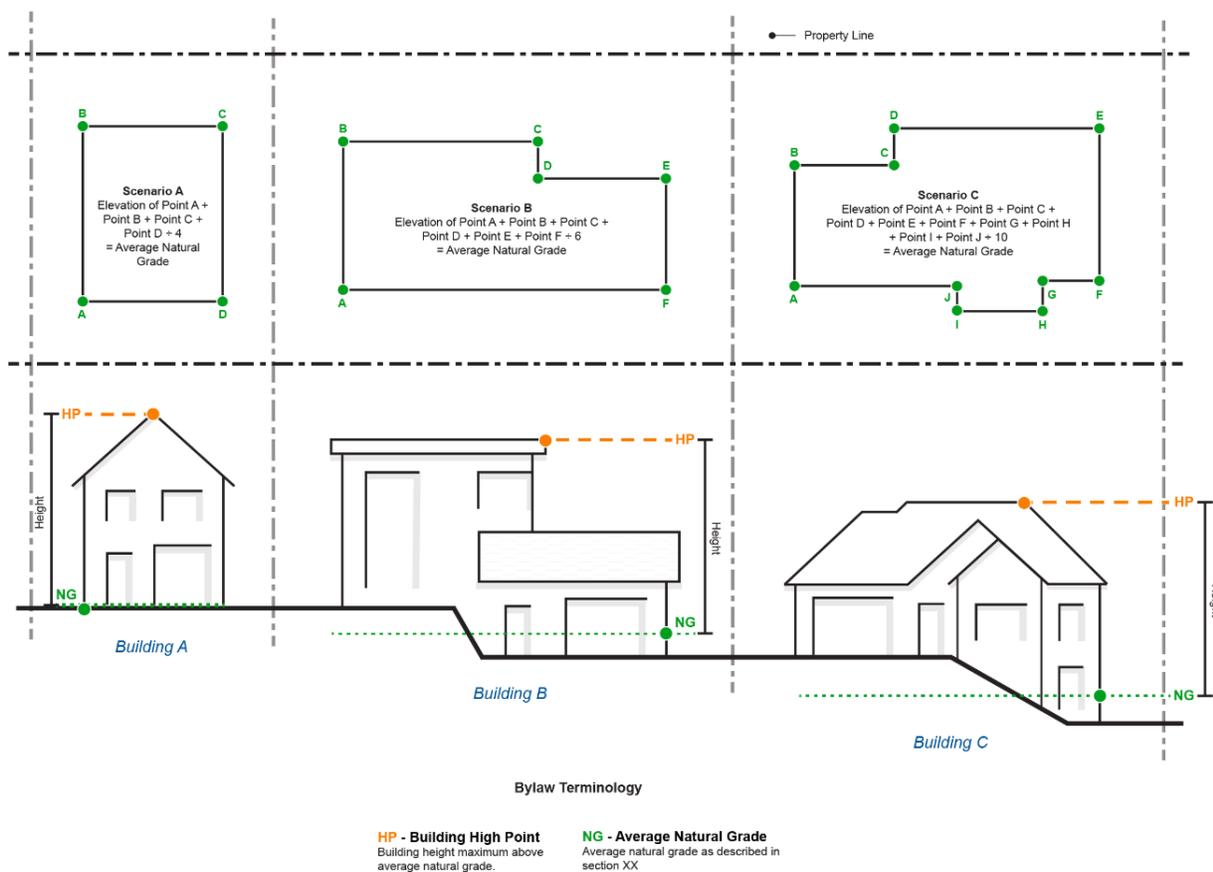
asphalt batch plant means the location on a parcel of a drum mixer asphalt plant;

automotive repair means an establishment which provides mechanical repairs and routine maintenance services to vehicles and vehicle parts within a building;

average natural grade means the elevation which is calculated by adding the natural grade elevations at each exterior corner point of a building or structure and divided that number by the total number of corner points on that building or structure as per the following equation:

Added Average Natural Grade definition and graphic as per Building Height Discussion Paper

$$\text{Elevation of point A} + \text{Elevation of point B} + \text{Elevation of point C...} / \text{the number of points} = \text{Average Natural Grade}$$



bay window means a projection from the wall of a building that contains a window or a series of windows, is cantilevered and may result in the projection of the adjacent floor structure;

bed and breakfast means the economic activity of providing bedrooms within a dwelling unit and the first meal of the day for the temporary accommodation of the traveling public; provided that the occupancy by a member of the traveling public does not exceed 120 days in any calendar year;

boat building and repair means the use of land, buildings, structures or equipment for the manufacturing, servicing or repair of boats;

boat ramp means a structure located on a shoreline to accommodate vehicles or trailers for the purpose of launching and hauling boats out of water;

building means any structure and portion thereof, including mechanical devices, that are used or intended to be used for the purpose of supporting or sheltering any use or occupancy;

cabin means a building or recreational vehicle used for the temporary accommodation of one or more persons;

Moved Cabin definition from CD9 Zone as per Horne Lake Discussion Paper

campground means a parcel providing for the seasonal and temporary accommodation of travelers using tents or recreational vehicles, but specifically excludes a ~~mobile~~ **manufactured** home park or hotel;

camping space means an area within a campground **or** recreational vehicle park ~~or resort vehicle park~~ used for one recreational vehicle or tent;

cannabis means any plant of the genus Cannabis; including:

- (a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;
- (b) any substance or mixture of substances that contains or has on it any part of such a plant; and
- (c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained;

cannabis production means the medical and non-medical commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by the *Access to Cannabis for Medical Purposes Regulations (ACMPR)* and *Bill C-45 (the Cannabis Act)*, and any subsequent regulations or acts which may be enacted henceforth, but excludes the growing of cannabis by an individual for their personal use and consumption⁴;

cannabis products means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption;

category A lot means a parcel:⁶

- (a) located within the Resource Management 7 Zone, Resource Management 9 Zone, Rural 8 Zone, or Rural 9 Zone;
- (b) not located within the Forest Land Reserve or Agricultural Land Reserve; and
- (c) created by registration of a subdivision under the **Land Title Act (British Columbia)** or the Bare Land Strata regulation under the **Strata Property Act (British Columbia)** in the Land Title Office on or before the adoption of "Regional District of Nanaimo Arrowsmith Benson-Cranberry Bright Official Community Plan Bylaw No. 1148, 1999" by the Board of the Regional District of Nanaimo;

Chief Building Inspector means the Chief Building Inspector of the Regional District of Nanaimo;

church means a building used for religious worship and includes a Mosque, Synagogue, Temple, Chapel or religious meeting room;

community sewer system means a system of sewers and sewerage works including sewage treatment facilities owned, operated and maintained by or on behalf of the Regional District, a municipality or an improvement district;

community water system means a system of waterworks owned, operated and maintained by or on behalf of the Regional District, a municipality or an improvement district or which is operated by a person required to hold a certificate of public convenience and necessity under the **Water Utility Act**;

confined livestock area means an outdoor area where livestock, poultry, or farmed game are confined by fences, other structures or topography, and includes paddocks, corrals, exercise yards, and holding areas, but does not include a grazing area;

convenience store means a retail sales outlet contained under one roof, having a floor area not exceeding 200 m², and providing for the sale of items regularly used by households, including food, beverages, books, magazines or household accessories;

correctional facility means federal or provincial correctional facilities including halfway house for parolees where residents are appointed or placed by a court or administrative body for criminal justice;

crawl Space means the space at or below natural grade between the underside of the joists of the floor above and the floor slab on the ground surface below having a vertical clear height less than 1.2 m, and is not counted as floor area;

Added Crawl Space definition as per Horne Lake Discussion Paper

cul de sac means a highway with only one point of intersection with another highway and which terminates in a vehicle turning area;

dark sky compliant means outdoor lighting that meets the International Dark Sky Associations (IDA) guidelines for reducing waste of ambient light and should include IDA Fixture Seal of Approval program lighting;

Added Dark Sky Compliant definition as per Signs Discussion Paper

deck means an open, unroofed platform with or without railings or parapets and supported by columns, foundations, walls or ground;

development area means land defined by numerical map reference situated within a comprehensive development zone which is subject to specific regulations of that zone;

double frontage parcel means a parcel which is either bisected by a highway or which has opposite boundaries, both of which have frontage on a highway;

duplex means two self-contained dwelling units oriented side-by-side with separate ground level entrances and adjoined by a common wall;

dwelling unit means one self-contained unit contained within common walls **or connected by a heated hallway, but not an unheated breezeway** with a separate entrance intended for year-round occupancy and the principal use of such dwelling unit is residential with complete living facilities for one or more persons, including permanent provisions for living, sleeping, cooking **with one kitchen** and sanitation;

Updated Dwelling Unit definition as per Housekeeping Discussion Paper to clarify heated and unheated connections

eaves means the part of a roof that meets or overhangs the walls of a building or structure;

eligible subdivision means lands located within a subdivision of a category A lot;

emergency services means the non-commercial use of land, buildings and structures for fire, police and ambulance services and may include temporary living accommodations for emergency service personnel.

explosives manufacturing means the use of land, buildings and structures for the manufacturing and storage of a product, substance, material or compound used for blasting purposes;

extraction use means the extraction of soil;

fairground means the use of land, buildings and structures for entertainment and recreational activity generally undertaken in an outdoor setting, where the users constitute a significant element in the activity, and includes go-cart track, waterslide, mini-golf course, amusement park;

farm means an occupation or use, for farm purposes, of one or several parcels of land or tenured areas of Crown land;

farm operation means farm operation as defined in the *Farm Practices Protection (Right to Farm) Act* and may include but is not limited to activities such as growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals; aquaculture; and processing or direct farm marketing of products in accordance with the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*;

farm retail sales means the sale to the public of products grown or raised on a farm, from that farm and may include the sale of non-farm products in accordance with the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*.

farm use means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by and in accordance with the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*, and includes but is not limited to activities such as farm retail sales; storing, packing, preparing and processing farm products; a winery or cidery; and agri-tourism activities and includes farm operation;

fascia sign means a sign attached to or supported by the wall of a building with its face parallel to the building wall and which does not project more than 0.4 metres from the wall to which it is attached;

Added Fascia Sign definition as per Signs Discussion Paper

Fascia Sign

Fascia Sign (No Background)



fast food outlet means an eating establishment providing for the sale of prepared food and beverages that can be consumed in vehicles, taken off the premises for consumption or consumed on the premises;

feeder swine means a pig, between the age of 8 weeks and 6 months, weighing less than 102 kilograms;

feed lot means the use of land, buildings, or structures for the purposes of keeping greater than 6 cattle per hectare on land upon which the feed lot is situated;

fence means a barrier assembled of wooden planks or panels, rock, chain link or metal, concrete or brick or any combination thereof;

Added Fence definition as per Landscaping Discussion Paper

final approval means the Approving Officer affixing his signature to a subdivision plan pursuant to the **Land Title Act** and amendments thereto;

floor area means the sum total of the gross horizontal area of each floor of a building as measured from the inside surface of the outermost exterior walls, **and includes carports, covered decks, and similar buildings and structures where there is no visible wall, but excludes commercial cleaning and maintenance rooms, overhangs less than 1.5 m and crawl spaces that are less than 1.5 m in height;**

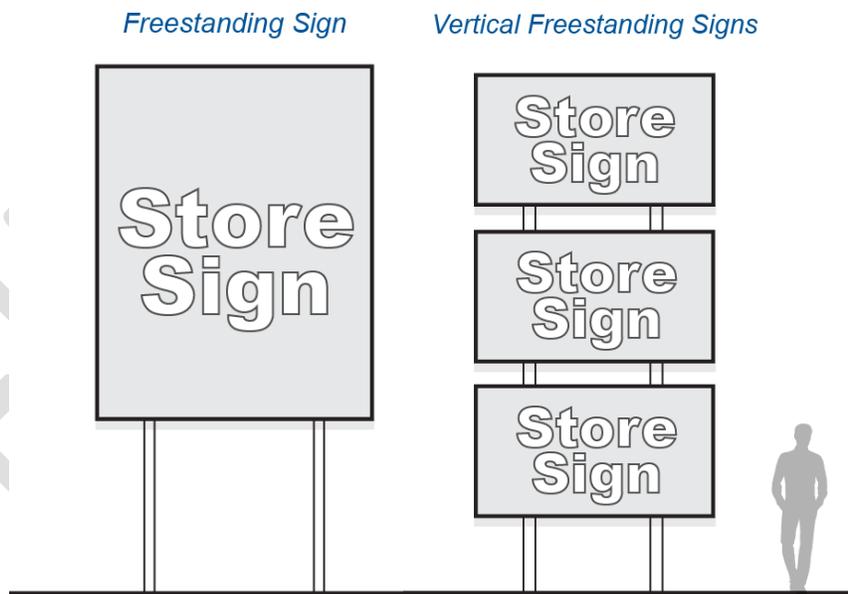
Updated Floor Area definition as per Housekeeping Discussion Paper to clarify what is included in calculating floor area

~~**floor area ratio** means the figure obtained when the floor area of all buildings on a parcel, except those areas of a building providing covered parking area, is divided by the area of the parcel;~~

Floor area ratio definition removed as per Housekeeping Discussion Paper

freestanding sign means a sign supported independently of a building or any other structure, can include multiple signs for different businesses, includes portable signs, and is considered a structure for the purpose of this Bylaw;

Added Freestanding Sign definition as per Signs Discussion Paper



frontage means that length of a parcel boundary which abuts a highway;

funeral parlour means an establishment with facilities for the preparation of the dead for burial or cremation, for viewing of bodies, and for funerals;

fur farm means the use of land, buildings, or structures for the purposes of keeping fur-bearing animals and specifically excludes household animals, pets and rabbits;

gas bar means a premise containing not more than two gasoline pumping stations and which is used solely for the sale of fuel, lubricating oil and minor motor vehicle accessories directly to the users of motor vehicles;

gathering for an event means a gathering on a farm for the purpose of attending:

- (a) a wedding, unless paragraph (c) (ii) applies;
- (b) a music festival; or
- (c) an event, other than:
 - (i) an event held for the purpose of agri-tourism; or
 - (ii) the celebration, by residents of the farm and those persons whom they invite, of a family event for which no fee or other charge is payable in connection with the event by invitees.

grazing area means a pasture or rangeland where livestock, poultry or farmed game are primarily sustained by direct consumption of feed growing in the area and does not include a confined livestock area or feedlot; **gross leasable area** (g.l.a.) means the floor area of a building that is designed to be rented or leased;

gross leasable area (g.l.a.) means the floor area of a building that is designed to be rented or leased;

guest accommodation means temporary accommodation provided within a building or part of a dwelling unit and does not provide any provisions for cooking, sanitation or permanent residential occupancy except for a maximum of 5 guest accommodation units to be used to accommodate seasonal employees and is not subdividable pursuant to the **Strata Property Act**.

heavy equipment display means the use of land, buildings or structures for the display, sale or rental of **mobile manufactured** homes, industrial vehicles and machinery, and includes outdoor sales, and includes accessory servicing of such equipment;

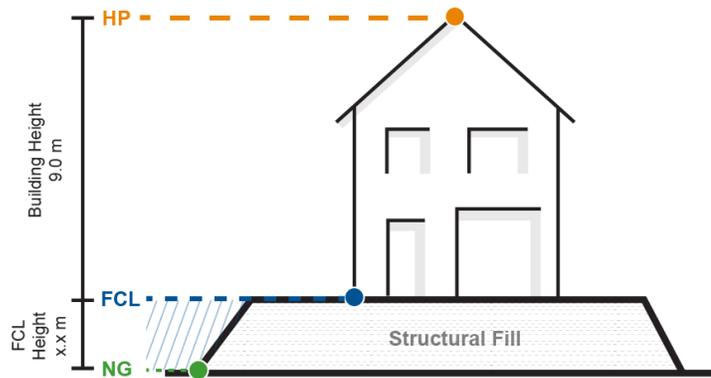
heavy industry means the use of land, buildings or structures for the storage, collection, processing, repairing, salvage or recycling of a product, article, substance, material, fabric or compound and includes a vehicle wrecking yard and seafood processing, but specifically excludes a waste disposal site;

height means the elevation of a **point directly below: that part of the** building or structure being measured above land (or the surface of water at high water), **and where:**

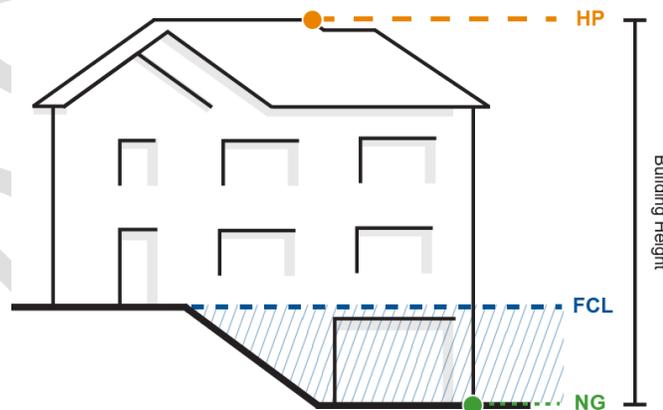
- (a) **elevation is measured between the average natural grade of the on-a-line connecting the two intersections of the natural grade and the outermost exterior building walls or supports and the topmost point of that building or structure as indicated on a plan (see average natural grade definition for illustration) showing any complete vertical section of that part of the building or structure being measured;**

Updated Height definition and added graphic as per Building Height Discussion Paper to clarify how building height is measured

- (b) but specifically excludes chimney mast aerial, church spire, flag pole, watertank, observation and transmission tower, mechanical devices necessary for the operation of a building, and agricultural buildings or structures where permitted in the applicable zone;
- (c) where a building is required to meet the minimum Flood Construction Level height shall be measured from:
 - (i) that part of the building being measured above the Flood Construction Level as prescribed in the “Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006” **where a building does not contain floor area located below the Flood Construction Level or;**



- (i) **that part of the building measured from average natural grade using the method in section (a) above, where a building contains floor area located below the Flood Construction Level.**



highway includes a street, road, lane, **strata road**, bridge, viaduct, and any other way open to the use of the public, but specifically excludes private rights of way on private property;

historic site means land, buildings, or structures of historic or heritage significance;

home based business means an economic activity conducted as an accessory use on a parcel;

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

home based business floor area means the sum total of gross horizontal area of each floor of those portions of a dwelling unit, attached garage or accessory building containing or used for a home based business, as permitted by this Bylaw;

horse boarding stable means the use of land, buildings or structures for the purposes of keeping greater than 6 horses per hectare and specifically excludes accessory recreational uses;

hotel means a motel, resort or lodge, providing accommodation on a temporary basis and is not subdividable pursuant to the **Strata Property Act**;

hotel unit means oneself contained unit comprising a single tenancy with a separate entrance from a public space, corridor, common property or internally through the unit, intended for temporary accommodation and may contain a maximum of one area intended for use for food preparation, but specifically excludes the use of a **mobile**

Updated Hotel Unit definition as per Housekeeping Discussion Paper to clarify a hotel unit is intended for the travelling public

manufactured home as a hotel unit. **A hotel unit is intended for the travelling public and shall not be occupied for a residential use;**

household animal means a domesticated animal kept by a household, which is used or the product of which is used primarily and directly by the household and not for sale or profit, and includes fowl and poultry, but specifically excludes livestock;

household livestock means livestock animals kept by a household, which are used or the products of which are used primarily and directly by the household and not for sale or profit;

household poultry means domesticated hens or ducks kept by a household, which are used or the products of which are used primarily and directly by the household and not for sale or profit;

hutch means a projection from the wall of a building that does not contain a window, is cantilevered and results in the projection of the adjacent floor structure;

illumination means lighting by any artificial means whatsoever, and shall include direct, indirect, internal or external source of illumination, but does not include backlit signs;

Added Illumination definition as per Signs Discussion Paper

include means as an example, but not limited to;

inn means a building used exclusively for the temporary accommodation of the general public in hotel units wherein payment for occupancy is required to be made on a daily or weekly basis;

intensive swine operation means the use of land, buildings or structures for the purposes of keeping greater than 3 brood sows and 4 feeder swine per hectare;

internal access road means an internal access allowance within a campground, **mobile manufactured** home park or multiple dwelling unit development which is suitable for vehicular use;

introduced vegetation means vegetation planted on a parcel to provide **additional landscaping a landscape buffer** and includes ground covers, vines, shrubs and trees, but specifically excludes **weed invasive plant species as defined in the B.C. Invasive Species Early Detection and Rapid Response Plan (EDRR)**;

Updated Introduced Vegetation definition as per Landscaping Discussion Paper

lake means a body of water other than the sea having a surface area of at least 2.0 ha for at least six months of the year;

land includes the surface of water;

landing means an open, unroofed platform or portion thereof with or without railings or parapets at the foot or head of a flight of stairs or between flights of stairs provided that it:

- (a) is used for pedestrian access or egress to a building; and
- (b) has a maximum area equal to the width of the stairs squared;

landscape plan means drawings and specifications, as required by this Schedule, showing proposed landscape **buffer or landscape screen area, plant sizes, and planting materials**;

Added Landscape Area definition and updated Landscape Plan and Landscaping definitions as per Landscaping Discussion Paper

landscaped area means the portion of the site planned for introduced vegetation.

landscaping means the design, construction and maintenance of a landscaped area **buffer, landscape screen**, fencing, land contouring or drainage works;

lane means a highway not less than 6.0 m nor more than 7.5 m wide, which provides secondary access to any abutting parcel;

light industry means the **use of buildings for** wholesale, warehousing, testing, service, repair or maintenance of an article, substance, material, fabric, or compound; ~~and~~ includes artisan and manufacturing shop, having a gross floor area not exceeding 200 m², and retail sales **and outdoor storage** accessory to the principal use;

livestock means animals used for agricultural purposes, which are used or the products of which are sold, and includes any horse, donkey, mule, cow, goat, sheep or pig;

loading space means a space for the loading or unloading of a vehicle either outside or inside a building or structure, but specifically excludes maneuvering aisles and other areas providing access to the space;

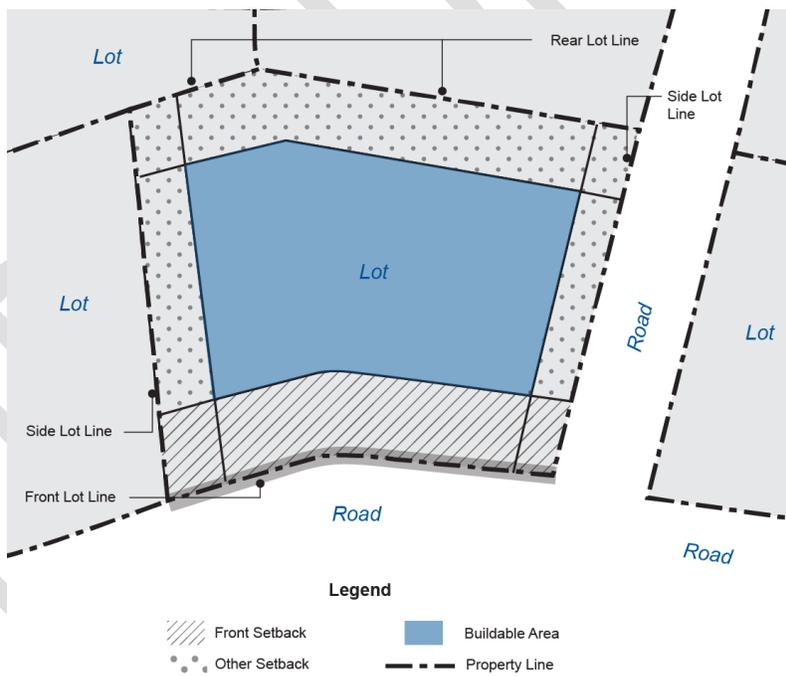
log storage and sorting yard means land used for the storage, dumping, sorting, booming and trans-shipment of logs;

lot means the same as parcel;

lot line means the legally defined line or lines bounding any parcel:

Added graphic and updated definitions for illustrating the different lot lines as per Setbacks Discussion Paper

- (a) **exterior lot line or exterior side lot line** means a lot line or lines not being a front or rear lot line and common to the parcel and a highway, natural boundary, unregistered Crown Land;
- (b) **front lot line** means a lot line common to the parcel and an abutting road highway or, where there is more than one such line, **the front lot line will be consistent with adjacent lots and at the discretion of the Regional District shortest such line shall be considered as a front lot line, and any line which does not conform to any other definition of a lot line shall be deemed to be a front lot line;** for a panhandle lot, the line separating the body of the lot from the panhandle shall be considered the front lot line;
- (c) **interior lot line or interior side lot line** means a lot line not being a rear lot line and common to more than one parcel;
- (d) **rear lot line** means the lot line opposite to and most distant from the front lot line and not abutting a highway road, or where a rear portion of the parcel is bounded by intersecting side lot lines, it shall be the point of such intersection, **and any line which does not conform to any other definition of a lot line shall be deemed to be a rear lot line;**



major road means a highway designated a major road pursuant to an Official Community Plan adopted by the Regional District;

mobile manufactured home means a dwelling unit designed to be moved from time to time, which arrives at the site where it is to be occupied complete and ready for occupancy except for placing on

foundation supports, connection of utilities, and some incidental assembly, and meets or exceeds Canadian Standards Association, Z-240 Standards or the requirements of the Chief Building Inspector, but specifically excludes recreational vehicles;

mobile manufactured home area means that part of a **mobile manufactured** home park used for siting **mobile manufactured** homes;

mobile manufactured home pad means an area within a **mobile manufactured** home space designated, designed and prepared for the support of a **mobile manufactured** home, surfaced with materials and provided with anchorage in accordance with the building regulations adopted pursuant to the **Local Government Act** and amendments thereto;

mobile manufactured home park means an unsubdivided parcel of land, not subdivided pursuant to the **Strata Property Act** and amendments thereto, on which are situated three or more **mobile manufactured** homes for the purposes of providing residential accommodation, but specifically excludes a hotel;

mobile manufactured home space means an area of land within a **mobile manufactured** home area for installation of one **mobile manufactured** home;

marina means moorage and launching facilities, including the rental and maintenance of boats and seaplanes, and which is equipped with public toilets and refuse disposal facilities located on land above the natural boundary;

marina sales means the use of land, buildings or structures for the sale and rental of boats and accessory marine equipment, but specifically excludes boat building and repair;

marine fuel supply station means a structure used primarily for the sale of fuel directly to boaters;

marshalling yard means the use of land, buildings and structures to store and maintain industrial equipment and vehicles;

Medical Health Officer means the Medical Health Officer or his delegate appointed pursuant to the **Health Act** and amendments thereto;

medium industry means the use of land, buildings or structures for assembling, processing, manufacturing or repairing of a product, article, substance, material, fabric or compound, but specifically excludes seafood processing and uses permitted in the **Industrial 4 and Industrial 5 Heavy Industrial (HI)** zones;

micro wind turbine system means a wind energy conversion system consisting of a wind turbine, associated structures and mechanical devices with a nameplate rated capacity of not more than 1 kW.

minimum parcel size means the smallest area into which a parcel may be subdivided;

minimum site area means the smallest contiguous portion of a parcel that is required by law for the development of one permitted use;

mobile vendor means a vendor who sells goods, food or food products from a mobile vending unit which is capable of being moved on its own wheels and is fully self-contained with no service connection required in compliance with Part 3.3 General Regulations of this Bylaw. All provincial health approvals and permits are required and are the responsibility of the owner and/or operator to obtain;

Added Mobile Vendor definition as per Food Trucks Discussion Paper

motocross track means the use of land or structures for motorcycle motocross on a closed dirt track for recreational, training or competitive purposes but specifically excludes buildings and the use of any other type or form of motor vehicle, trailer, traction engine, farm tractor, road building machine and any vehicle drawn, propelled or driven by any kind of power including muscular power whether the vehicle is licensed or not under the **Motor Vehicle Act**;

Mount Arrowsmith employee means an individual either employed or self-employed and whose place of employment is situated within the boundaries of Mount Arrowsmith Regional Park;

Mount Arrowsmith staff means a Mount Arrowsmith employee or individuals cohabiting with a Mount Arrowsmith employee in common occupancy;

multiple dwelling unit development means the establishment of three or more dwelling units on a parcel **except for multiple dwelling units constructed as of the date of approval of this Bylaw where multiple dwelling unit development means the establishment of three or more dwelling units contained within the same building**;

Updated Multiple Dwelling Unit definition as per Housekeeping Discussion Paper

mushroom farm means the use of buildings or structures for the purposes of growing, producing, storing, and processing of mushrooms;

natural boundary means the visible high-water mark on any watercourse where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the watercourse a character distinct from that of the banks thereof, in respect to vegetation as well as in respect to the nature of the soil itself;

natural grade means the undisturbed ground level formed without human intervention and where the undisturbed natural grade cannot be ascertained because of historic site manipulation or existing buildings or structures, the undisturbed estimated grade as established by a British Columbia Land Surveyor;

Added Natural Grade definition as per Building Height Discussion Paper

natural site means land of scenic or environmental significance;

natural vegetation means vegetation existing on site prior to clearing or cutting and includes vegetation native to Southwestern British Columbia, but specifically excludes invasive plant species as defined in the B.C. Invasive Species Early Detection and Rapid Response Plan (EDRR);

Added Natural Vegetation definition as per Landscaping Discussion Paper

neighbourhood pub means an establishment operating under a 'D' type license issued pursuant to the **Liquor Control and Licensing Act** and amendments thereto;

non-resident employee means an employee of a home based business who is not a permanent resident of the parcel on which the home based business is located;

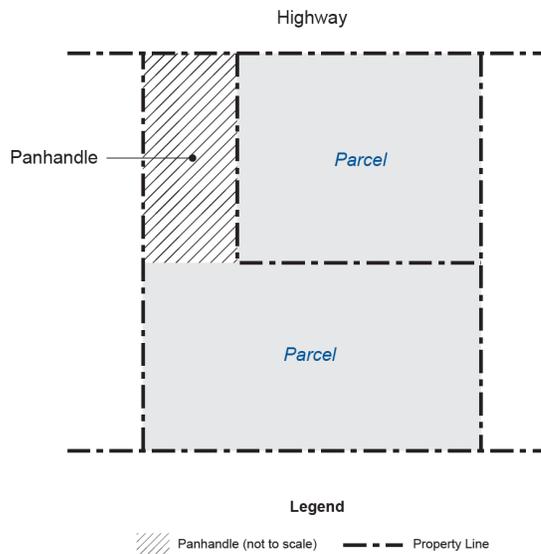
nursery means the use of land principally involved in agriculture or horticulture and accessory product sales and garden supply sales, but specifically excludes the sale of agricultural or horticultural machinery;

office means the occupancy or use of a building for the purpose of carrying out business or professional activities, but specifically excludes retail activities and personal service use;

outdoor recreation means a recreational activity undertaken where the outdoor setting and landscape is a significant element in the activity, and the density of recreational users is not a significant element and includes playing field, botanical garden, arboretum, outdoor exhibit, golf course, driving range and mini golf where the course structures do not exceed 1 m in height;

outdoor sales means the use of land, buildings or structures for the retail sale of lumber and building products and the display, sale or rental of recreational vehicles, automobiles, **mobile manufactured** homes and boats, and includes accessory servicing of such equipment;

panhandle means a strip of land which provides access and highway frontage to a parcel, and which forms part of that parcel, **but is not included in the calculation of parcel size**, as illustrated below:



parcel means the smallest area of land which is registered in the Land Title Office, except that a parcel divided pursuant to the Strata Property Act and amendments thereto and not contained within a Bare Land Strata Plan shall not be considered subdivided for the purpose of this Bylaw;

parcel area means the total horizontal area between the lot lines of a parcel;

parcel coverage means the sum total horizontal area as measured from the outermost perimeter of all buildings or part thereof on the parcel expressed as a percentage of the total parcel area;

parcel depth means the distance between the front lot line and the most distant part of the rear lot line of a parcel;

parcel line means the legally defined line or lines bounding any parcel, **strata boundary, or common road;**

Updated Parcel Line definition as per Setbacks Discussion Paper to include strata boundaries and common roads

park means **all lands intended for use by the public for recreation and conservation purposes** ~~deeded public land used or intended for outdoor recreation purposes,~~ and includes an archaeological, historical or natural site;

parking space means the space for the parking of one vehicle either outside or inside a building or structure, but excludes maneuvering aisles and other areas providing access to the space;

permitted use means the principal permissible purpose for which land, buildings or structures may be used, and for the purpose of this Bylaw all uses not listed as permitted shall be deemed to be a prohibited use in that zone;

personal care means a community care facility developed in accordance with the *Community Care Facility Act* and amendments thereto, or a hospital developed in accordance with the *Hospital Act* and amendments thereto;

personal care unit mean a dwelling unit designed in conjunction with special support facilities, such as food, housekeeping and medical services, and used by persons requiring such services on a regular basis and may include housing for the elderly and handicapped and other residential arrangements operated by a society or organization for charitable, religious, educational or social purposes, but does not include correctional facilities where residents are appointed or placed by a court or administrative body for criminal justice;

personal service use ~~means a use whereby professional or personal services are provided and the sale of goods, wares, merchandise, articles or things accessory to the provision of such services, and includes barber shop, beauty salon, shoe repair shop, dry cleaning shop and launderette~~ **the provision of professional services to a person such as hairdressing, tutoring, massage, or similar services on an individual basis;**

Updated Personal Service Use definition as per Home Based Business Discussion Paper

pet means a tame animal, kept as a favourite by a household and not primarily for sale or profit, and commonly housed within a dwelling unit;

pet boarding means the use of a part of a building for the third-party care of pets;

Added Pet Boarding and Pet Grooming definitions as per Home Based Business Discussion Paper

pet grooming means the short-term use of land, building, or structure for the third-party maintenance and proper care

of pets, for activities such as hair trimming, washing, and / or nail trimming. No overnight stays or boarding is permitted, such as doggie daycare;

Planning Director means the Planning Director of the Regional District;

potable water means water which meets the drinking standards in accordance with regulations of the relevant enactments;

poultry means domesticated birds kept for eggs, meat, feathers, hide, or cosmetic or medicinal purposes, and includes broilers, Cornish hens, layers, breeding stock, replacement pullets, roosters, ducks, geese, turkeys, game birds, and ratites;

preliminary layout approval means a written review by the Approving Officer indicating that a proposed plan of subdivision is acceptable subject to stated conditions which must be fulfilled prior to final approval;

Prescribed agri-tourism activity means:

- (a) an agricultural heritage exhibit displayed on the agricultural land;
- (b) a tour of the agricultural land, an educational activity or demonstration in respect of all or part of the farm operation conducted on that agricultural land, and activities ancillary to any of these;
- (c) cart, sleigh and tractor rides on the agricultural land;
- (d) subject to section 9 [horse facilities], activities that promote or market livestock raised or kept on the agricultural land, whether or not the activity also involves livestock raised or kept elsewhere, including shows, cattle driving and petting zoos;
- (e) dog trials held on the agricultural land;
- (f) harvest festivals and other seasonal events held on the agricultural land for the purpose of promoting or marketing farm products produced on that agricultural land; or,
- (g) corn mazes prepared using corn produced on the agricultural land on which the activity is taking place,

Added Prescribed agri-tourism activity to align with most recent Agricultural Land Commission Regulations.

as prescribed by the *Agricultural Land Reserve Use Regulation*.

primary processing means the use of land, buildings or structures for the moving, crushing, washing, screening, processing or storage of soil;

principal use means the main use of land, buildings or structures as listed under the permitted uses of the applicable zone;

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

processing of goods means the production of articles or goods from raw materials to a finished product such as pottery and similar activities, but does not include industrial processing listed in any Industrial Zone;

Added Processing of Goods definition as per Home Based Business Discussion Paper

produce market means a building or structure providing for the retail sale of agricultural produce including vegetables, fruit and seafood;

produce stand means a building or structure not exceeding 100 m² in area providing for the retail sale of fresh agricultural produce, which are produced on the same farm on which the stand is located;

production of biological integrated pest management products means the use of land, buildings, or structures for the production and development of biological products such as beneficial predatory insects, parasites, pathogens, and weed-feeders to be used in biological integrated pest management programs in accordance with the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*;

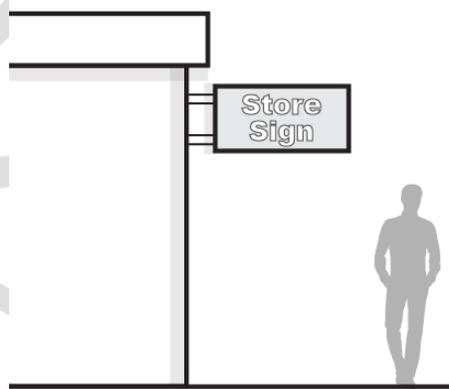
professional practice means business or office-based professions, such as accountants, medical, veterinary or similar professional services;

Added Professional Practice definition as per Home Based Business Discussion Paper

projecting sign means a sign which projects from the face or wall of a building, but does not include an awning sign, canopy sign or fascia sign;

Added Projecting Sign definition as per Signs Discussion Paper

Projecting Sign



public assembly use means the use of land, buildings or structures to accommodate exhibits, special events or meetings and includes auditorium, church, museum, community hall, fraternal lodge, youth centre, theatre;

public utility use means the use of land, buildings or structures for the provision of community water or sewer services, park, public access, pipelines, electric and telephone service, emergency services, government office or cemetery;

railway means a railway and accessory uses as defined by the **Railway Act**;

recreation facility means a facility used and equipped for the conduct of sports and leisure activities and includes pool hall, bowling alley, games court, curling and roller rink, health club, spa, swimming pool, but specifically excludes amusement arcade and fairground;

recreational residence means one cabin, or one cabin and one visitor recreational vehicle;

Added Recreational Residence definition as per Horne Lake Discussion Paper

recreational vehicle means any vehicle, trailer, coach, house-car, structure or conveyance designed to travel or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters by travelers;

recreational vehicle park means a parcel providing for the seasonal and temporary accommodation of travelers for not more than six months of the calendar year using tents or recreational vehicles, not exceeding **13.2 meters in length and 2.6 meters in width 37m² (400 ft²) in floor area**, but specifically excludes a ~~mobile manufactured~~ home park or hotel;

recreational vehicle storage means the storage of vehicles used for temporary and seasonal storage during the periods of time when such vehicles are not in use;

Moved Recreational Vehicle Storage definition from CD9 Zone as per Horne Lake Discussion

Regional District means the Regional District of Nanaimo;

remainder means that portion of a parcel being subdivided which is shown on the same Certificate of Indefeasible Title before and after the subdivision;

residential use means the accommodation and homelife of a person or persons in common occupancy, and shall only be conducted within a dwelling unit;

resort condominium development means a hotel and includes hotel units subdivided pursuant to the **Strata Property Act** and amendments thereto;

resort condominium unit means a hotel unit which is subdivided pursuant to the Strata Property Act and amendments thereto. **A resort condominium unit is intended for the travelling public and shall not be occupied as a residence;**

Updated Resort Condominium Unit definition as per Housekeeping Discussion Paper to clarify intent for travelling public.

~~**resort vehicle park** means a parcel providing for seasonal or periodic accommodation of travelers or residents using tents or recreational vehicles not exceeding 37 m² (400 ft²) in floor area, but specifically excludes a mobile home park or hotel;~~

Resort Vehicle Park definition removed as it is the same as Recreational Vehicle Park; listed uses updated throughout Bylaw

restaurant means an eating establishment providing for the sale of prepared foods and beverages to be consumed on the premises, but specifically excludes neighbourhood pub and fast food outlet;

restoration means a planned process that aims to repair ecological integrity and enhance biodiversity;

Added Restoration definition as per Landscaping Discussion Paper

retaining wall means a structure erected to hold back or support a bank of earth;

retail store means a sales outlet contained under one roof, having a gross floor area not exceeding 2000 m² **excluding common areas such as cleaning areas, washrooms, or hallways**, and providing for the retail sale and display of goods, but specifically excludes industrial uses and **gasoline**-service station;

road means the same as highway;

temporary sawmill means a building or structure or area where timber is cut or sawed and at least 50% of the volume of timber supplied is from the farm or parcel on which the sawmill is located and operates during normal daylight hours **designed with an output capacity of producing** less than 60 m³ of lumber daily **based on manufacturers specification or an independent assessment on equipment without a manufacturers rating**;

school means privately funded, parochial and public schools;

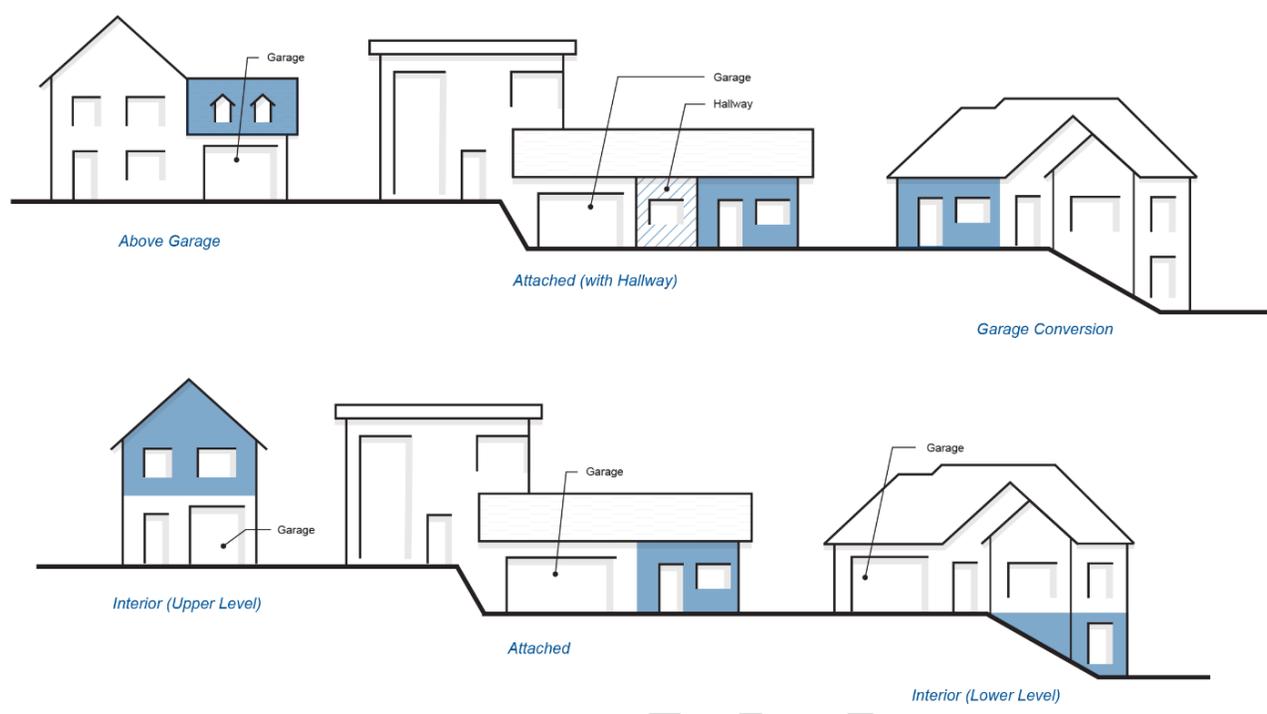
seafood processing means the storage, drying, cooking, packing, preparation and manufacture of any aquatic organism;

secondary suite means one or more habitable rooms and a cooking facility for residential accommodation, consisting of a self-contained unit with a separate entrance but which is clearly accessory to a principal dwelling unit located on the same parcel as the secondary suite and may not be subdivided under the Strata Property Act.

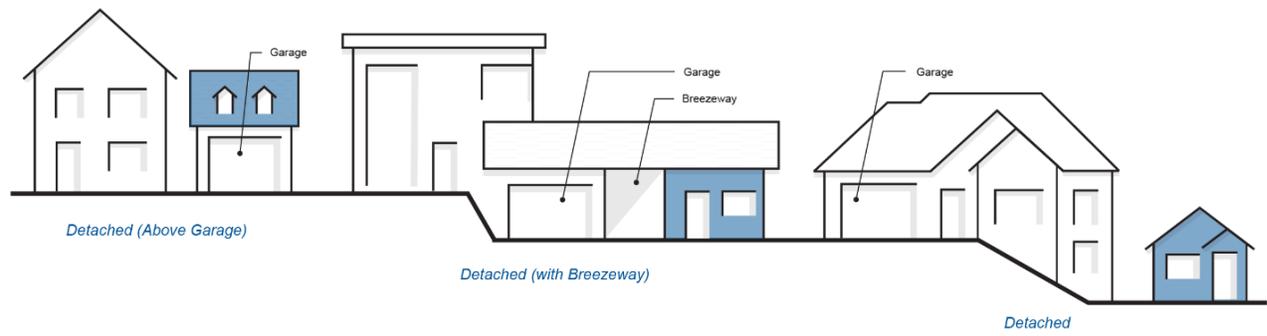
Updated Secondary Suite definition and added graphic as per Secondary Suites Discussion Paper to clarify the different between attached and detached suites

Secondary suites are further categorized as:

- (a) **Attached suites where the suite is attached to the principal dwelling unit within the same building, has the same footprint as the principal dwelling unit and / or is joined by heated space including a heated hallway; and**



(b) **Detached suites where the secondary suite is wholly separate from the principal dwelling unit, but may be connected by an unheated breezeway, or attached to or contained within an Accessory Building.**



separation distance means the minimum horizontal distance between a building or structure or part thereof to another building or structure or part thereof;

gasoline service station means the use of land and structures for gasoline pumping stations, **electric vehicle charging stations** and premises under one roof for:

- (a) a sales outlet, having a gross floor area not exceeding 100 m² providing for the retail sales of items regularly used by households including food, beverages, books, magazines, and household accessories;
- (b) the retail sales of motor vehicle accessories;

(c) the servicing and cleaning of motor vehicles;

but specifically excludes vehicle sales, body work, painting and third party repairs;

setback means the required minimum horizontal distance measured from the respective lot line or natural boundary to any building or structure or part thereof;

shipping yard means the use of buildings, structures or land providing for the trans-shipment of goods;

shopping centre means a group of sales and service outlets, including retail store, personal service, amusement arcade, office, recreation facility, restaurant, contained within a single building or structure sharing a common roof, having a floor area not exceeding 20 000 m², and located on a single parcel;

silviculture means all activities related to the development and care of forests, including the removal of harvestable timber stocks, but specifically excludes the processing of wood or wood products;

sign area means the total area within the outer edge of the frame or border of a sign. Where a sign has no frame or border, the sign area shall be the area contained within the shortest line surrounding the whole group of letters, figures or symbols of such sign. In the case of a

freestanding multi-faced sign, ~~both~~ **only one** sides of the sign shall be counted.

Updated Sign Area definition and graphic as per Signs Discussion Paper to clarify calculation

FIRST DRAFT

Facia Sign Area



Sign Area Calculation (One-Sided)

$A \times B = \text{Sign Area}$

Facia Sign Area (No Background)



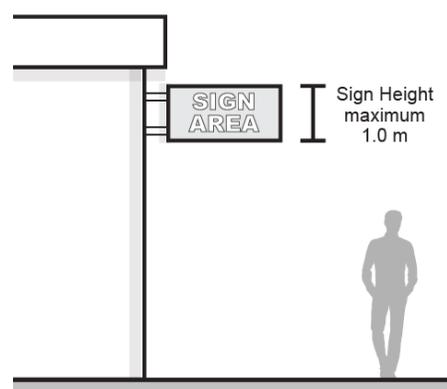
Front of Sign Area

Back of Sign Area

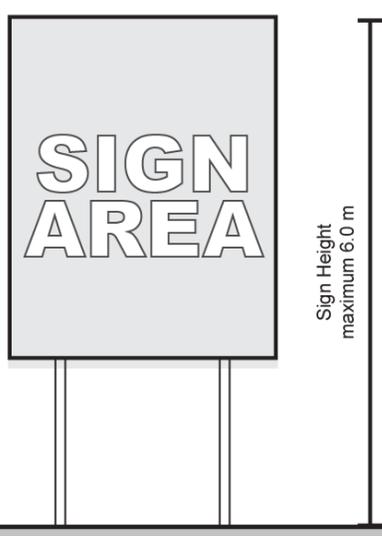
Sign Area Calculation (Two-Sided)

$(A \times B) \times 2 = \text{Sign Area}$

Projecting Sign Area



Freestanding Sign Area



Vertical Freestanding Sign Area



ski lodge means a building within which are located administrative uses of a nature customarily incidental, subordinate and exclusively devoted to an alpine recreation use including office, ticket booth, child care facility, and changing area and lockers. In conjunction with one or more of the administrative uses, a ski lodge may also contain the following commercial uses: hotel unit; sale or rental of alpine recreation equipment; tourist store; restaurant; or establishment operating under a Class A, Recreational Centre License issued pursuant to the **Liquor Control and Licensing Act**;

slope means the figure obtained when the vertical distance of an area of land is divided by the horizontal distance, expressed as a percentage;

soil includes sand, gravel, rock, or other substance of which land is composed;

structure means anything that is **placed**, constructed or erected, and includes swimming pool, **mobile manufactured** home space, camping space, **shipping container, hot tub, heat pump or similar**, and major improvements accessory to the principal use of land, but specifically excludes landscaping, paving improvements and signs under 1.0 m in height, retaining walls under 1.0 m in height ~~that retain less than 1.0 m of earth~~ and fences under 2.0 m in height;

Updated Structure definition as per Structures Discussion Paper to remove retention of earth for retaining walls and add shipping containers and similar structures

swine means any pig, piglet, hog, sow, brood sow or boar being both over the age of 8 weeks and weighing greater than 18 kilograms;

temporary accommodation means the occupation of a cabin for fewer than 180 consecutive days in a calendar year and fewer than 240 days in total during the same calendar year;

Moved Temporary Accommodation definition from CD9 Zone as per Horne Lake Discussion Paper

theatre means a building or structure designed to stage public performances;

tourist means a person who travels for pleasure from place to place away from their permanent residence;

Added Tourist to align with most recent Agricultural Land Commission Regulations.

tourist information booth means a building or structure that is used solely for the purpose of providing information to the traveling public;

tourist store means a retail sales outlet contained under one roof, having a gross floor area not exceeding 200 m² **excluding common areas such as cleaning areas, washrooms, or hallways**, and providing for the retail sale of goods to the traveling public, and provision for personal service use and/or office use;

Top of bank means the first bank slope such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured horizontally from the break. For multiple banks, setback distances will be measured from the top of the bank that is farthest from the centre of the watercourse;

Added Top of Bank definition as per Setbacks Discussion Paper

transportation terminal means the use of land, buildings or structures for taxi, bus, railway stations, airport, and the storage and maintenance of transportation equipment;

unattended public utility use means a public utility use which generally does not require personnel on a regular basis for operation of the facility;

use means the same as permitted use;

vehicle means a vehicle licensed pursuant to the **Motor Vehicle Act**, and any vehicle or portion thereof which does not have a valid license plate on the vehicle and which is not stored in a building shall be deemed to be a derelict vehicle;

vehicle sales means the use of land or buildings for the sale of vehicles;

vehicle wrecking yard means the use of land or a structure not totally enclosed by walls or a roof for the dismantling or wrecking of vehicles, or for the storage of derelict vehicles;

visitor recreational vehicle means a tent or one recreational vehicle other than a mobile manufactured home located within 100 metres of a cabin, which provides for the accommodation of persons visiting the occupants of a cabin;

Moved Visitor Recreational Vehicle definition from CD9 Zone as per Horne Lake Discussion Paper

waste disposal site means the use of land or buildings for the treatment and disposal of solid wastes, operated by the Regional District or a Municipality;

watercourse means any natural or man-made depression with well-defined banks and a bed of 0.6 m or more below the surrounding land serving to give direction to or containing a current of water at least six months of the year and includes the sea or any lake, river, stream, creek, wetland, spring, ravine, swamp, gulch, surface source of water supply or source of groundwater supply whether enclosed or in a conduit;

wood processing means a building, structure or equipment operating during normal daylight hours, processing less than 60 m³ of logs per day including the preparation of logs, fence posts, shakes, poles or firewood;

wood waste disposal facility means the use of lands, buildings, and structures for the processing of sawmill, construction, land clearing wood waste materials under agreement with the Regional District of Nanaimo.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

Part 3

Land Use Regulations

This section includes regulations related to specific uses as well as general interpretation requirements for size, area, dimensions, and setbacks.



Part 3. Land Use Regulations

3.1 General Operative Clauses

(a) Permitted Uses

No land, building or structure in any zone shall be used for any purpose other than that specified for the zone in which it is located in the schedules contained in this Part.

(b) Siting, Size and Shape

No person shall construct, move or alter any building or structure so that:

- (i) its site area is less than required;
- (ii) it encroaches on a setback required;
- (iii) its parcel coverage is greater than permitted;
- (iv) it is taller than permitted;
- (v) ~~its floor area ratio is greater than permitted;~~
- (vi) the land exceeds the total number of units, buildings or structures permitted by the zone in which the building or structure is located, as designed in the schedules to this Part.

Updated this Part of the Bylaw to only include general operative clauses. Changes include re-numbering sections, integrating Schedules '3B' to '3F' into this Part and moving all zones and zone-related sections to Part 4. Each Section will also start on a new page for easier wayfinding of the document.

Floor area ratio definition removed as per Housekeeping Discussion Paper

(c) Parcel Area, Shape and Dimensions

- (i) Land shall not be subdivided to create parcels having a minimum parcel area less than that prescribed by Schedule '5B' of this Bylaw, nor with shape or dimensions contrary to those prescribed by Section 4.4 of this Bylaw.
- (ii) For the purpose of this Bylaw in determining how parcel areas are expressed on plans registered after February 22, 2011, the size of a parcel shall be determined by reference to parcel size established by a B.C. Land Surveyor based on the following table:

Expression of Parcel Areas

Parcel Size	Maximum Number of Decimal Places Accepted
up to 0.1 ha	quote to 0.1m ²
from 0.1 ha up to 1 ha	quote to 0.001 ha

Expression of Parcel Areas

Parcel Size	Maximum Number of Decimal Places Accepted
from 1 ha up to 10 ha	quote to 0.01 ha
from 10 ha up to 100 ha	quote to 0.1 ha
from 100 ha and over	quote to 1 ha

(d) Off-Street Parking and Loading Spaces

Off-street parking and loading spaces shall be provided in accordance with the regulations of this Part.

(e) Setbacks

Setbacks shall be provided in conformity with this Part.

(f) General Regulations

Was formerly Section 3.2

The regulations in Part 3 of this Bylaw specify additional regulations or standards for the uses, defined terms and / or other standards throughout this Bylaw.

FIRST DRAFT

3.2 Accessory Buildings and Structures

Buildings and structures accessory to the permitted use of a parcel are permitted in each zone, unless otherwise specified, provided that:

- (a) the principal use is being performed on the parcel; or
- (b) a building for the purpose of the principal use has been constructed on the parcel; or
- (c) a building for the purpose of the principal use is in the process of being constructed on the parcel.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.3 Common Accessory Uses

(a) Accessory buildings and structures in a multiple dwelling unit development, resort condominium development or development pursuant to the *Strata Property Act*, shall be limited to accessory buildings and structures indicated as common property on the strata plan and generally intended for the common use of property owners or occupiers in the development, and may include facilities for storage, parking, laundry, service and recreation.

(b) On building strata parcels that are limited to single detached dwelling units and are not located on parcels that are zoned for multiple dwelling unit development that are created pursuant to the *Strata Property Act*, the provisions for maximum accessory building floor area and home-based business, and secondary suites shall be based on the parent parcel as follows:

Added to clarify accessory building, home based businesses, and secondary suites in strata subdivisions

- (i) **Maximum accessory building floor area and home based business shall be equal to one half of the maximum allotted floor area permitted by the applicable zone.**
- (ii) **Each strata lot shall be permitted a secondary suite where permitted by section 3.21. Only one detached secondary suite shall be permitted on the parent parcel for which the building strata subdivision was created. To be eligible for the detached secondary suite, approval of all strata owners is required.**

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.4 Storage of Fuel

No parcel shall be used for the storage, warehousing, distribution or wholesale of any type of fuel or flammable or combustible liquids in either above ground or below ground tanks in excess of 4546 litres (1,000 imperial gallons); and further that this regulation does not apply to industrial zones, **gasoline** service stations, marine fuel supply stations, asphalt batch plants or to fuel used for residential heating purposes.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.5 Vehicle Wrecking Yard or Refuse

Unless specifically permitted, no parcel shall be used as a vehicle wrecking yard or for the collection or storage of refuse.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.6 Keeping of Animals

- (a) In all zones where agriculture or farm use is not a permitted use, the keeping of animals shall be deemed to be an accessory use and shall be limited to:
 - (i) on parcels less than 1000 m² in size the keeping of animals is restricted to pets and household poultry in accordance with Subsection 5b;
 - (ii) on parcels 1000 m² or greater in size, the keeping of animals is restricted to household animals and pets;
 - (iii) on parcels 1.0 ha or greater in size, the keeping of pets, household animals, and household livestock is permitted.
- (b) The keeping of household poultry on parcels less than 1000 m² is subject to the following regulations:
 - (i) must be accessory to the residential use of the parcel;
 - (ii) a maximum of 5 hens or ducks are permitted per parcel;
 - (iii) no roosters, cockerels, or peacocks, and the like may be kept on the parcel;
 - (iv) a minimum enclosure of 0.37 m² (4 ft²) per hen or duck must be provided;
 - (v) any building or structure containing household poultry, whether portable or stationary, must:
 - (A) meet the minimum setback requirements of the applicable zone and in no case shall be sited within 2.0 m of any lot line;
 - (B) not be located within the front yard or exterior side yard;
 - (C) have a maximum floor area of 10 m² and a maximum height of 3.0 m.”

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.7 Landscaping

~~Landscaping shall be provided in accordance with the regulations of this Part.~~

Includes Schedule '3F' and updated as per Landscaping Discussion Paper

(a) Requirement

- ~~(i) A landscape buffer shall be provided within the setback area of a parcel adjacent to a designated highway to provide vegetative landscape separation between industrial, commercial and multiple dwelling unit development uses of the parcel from a designated highway.~~
- ~~(ii) A landscape screen shall be provided within the setback area of a parcel adjacent to a designated highway to mask outdoor storage and outdoor industrial activity of a parcel where storage or industrial activity is taking place in conjunction with an industrial, commercial or multiple dwelling unit use of the parcel.~~
- ~~(iii) Where an owner proposes to use a parcel of land in circumstances or in a manner that requires a landscape buffer or landscape screen pursuant to Section 2.1.1 or Section 2.1.2 of this bylaw, the owner shall submit a landscape plan to the Regional District at the time of:
 - ~~(A) application for a building permit;~~
 - ~~(B) actual commencement of the use;~~
 - ~~(C) application for a development permit;~~
 - ~~(D) with respect to those parts of the Regional District not subject to the provisions of "Regional District of Nanaimo Building Regulations and Fees Bylaw No. 800, 1989" at the time of an application to rezone the property.~~~~
- (iv) All proposed landscaping and restoration shall be designed by a registered landscape architect, or similar professional, to be confirmed at the discretion of the Regional District of Nanaimo.
- (v) All landscaping **and restoration** shall be permanently maintained in good condition with the same quality and quantity of landscaping as was initially approved and without alteration of the approved design; the owner shall make provision for permanent irrigation works necessary to water the landscaping.
- (vi) The design of landscaping **and restoration** shall be such that the growth of roots, trunks and branches of natural or introduced vegetation ~~or the location of planted berms~~ shall not conflict with utilities, structures, necessary access or a required sight triangle.

(b) Procedure

In satisfying the requirements of this **Section Schedule**, the applicant shall complete three steps as follows:

- (i) Landscape Plan
 - Drawings and specifications of the proposed landscaping **and / or restoration**, which shall include a schedule of construction and date of completion, shall be submitted in

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

duplicate or electronic form to the Regional District for approval before any landscape works or building construction are started.

(ii) Landscape **and Restoration** Works

The applicant shall complete the proposed work in accordance with the plans and specifications approved by the Regional District.

The Regional District will inspect the landscaping and restoration from time to time for conformity to these standards. There will be no charge for such inspections. The applicant shall be responsible for construction layouts, detailed field supervision of the work and as-constructed drawings.

(iii) Completion and Acceptance

~~Once the work is completed two sets of as-constructed drawings shall be submitted to the Regional District.~~

~~Completion of the landscaping in accordance with the approved landscape plan is required prior to final building inspection for works under a building permit where a landscape plan was required.~~

Confirmation of completion provided by the professional designated by the Regional District of Nanaimo.

(c) Drawings and Specifications

Drawings and specifications required for the review of proposed landscaping shall:

- (i) be **submitted electronically in duplicate**, accurately dimensioned and at a suitable scale;
- (ii) show the location and dimensions of the parcel on which the landscaping is to occur;
- (iii) show the location and extent of proposed and existing buildings, structures, services, utilities and circulation, including paved and concrete surfaces;
- (iv) show the existing and proposed grades at a contour interval of 0.2 m and such grades shall be relevant to existing roadways and/or structures;
- (v) show the location, size and species of all-natural vegetation clearly indicating vegetation that shall remain and vegetation that shall be removed;
- (vi) show the location, size, quantity and species of all introduced vegetation;
- (vii) show the location, extent and materials of any proposed fencing;
- (viii) include sectional details including cross sections of the landscaping taken at sufficient locations to adequately illustrate the effect of landscaping, planting details, finishes and the location at which sectional details are taken is to be noted on a plan;
- (ix) include such other information as is necessary to illustrate all essential features and methods of planting and construction;
- (x) **an itemized cost estimate; and**
- (xi) include an outline of the proposed maintenance schedule.

(d) Variations from Standards

Where the applicant wishes to vary from these standards, the applicant may submit a development variance permit application or development permit application.

~~**(e) Applicability**~~

~~Notwithstanding any other regulation in this Bylaw, the landscaping regulations and standards prescribed herein shall not apply to Electoral Area 'G' of the Regional District of Nanaimo~~

(f) Design Standards – Landscaped Area Screen

The following requirements shall be met in providing a landscaped area screen where required by this Bylaw:

- ~~(i) A landscape screen shall provide at least seventy-five percent screening from grade level to a height of 2.0 m and at least twenty five percent screening from the height of 2.0 m above grade to 5.0 m above grade, as illustrated in Table 1 of this Schedule.~~
- ~~(ii) The landscape screen shall include planting or retaining one evergreen tree for every 4 m of parcel frontage on a designated highway; such trees shall have a minimum height of 2.0 m and may be grouped or clustered.~~
- ~~(iii) All landscaping shall meet the following requirements:~~
 - ~~(iv) a minimum of one (1) tree per 35 m², where 40% of those trees shall be coniferous;~~
 - ~~(v) a minimum of one (1) shrub per 35 m²;~~
 - ~~(vi) where possible, trees shall be planted in groups;~~
 - ~~(vii) at the time of planting 1/2 of the coniferous tree shall be at least 2 metres in height with the other 1/2 being at least 3 metres in height; and 1/2 of the deciduous trees shall have a caliper of at least 50 mm with the other 1/2 a minimum caliper of 85 mm;~~
 - ~~(viii) at the time of planting each shrub shall be at least 600 mm height or spread;~~
 - ~~(ix) all landscaping shall require the following minimum depth of topsoil or amended organic soils on all landscaped areas of a property:
 - ~~(A) Shrubs – 45 cm;~~
 - ~~(B) Groundcover and grass – 30 cm; and,~~
 - ~~(C) Trees – 30 cm around and below the root ball; and~~~~
 - ~~(x) the use of native and / or drought tolerant species is required; and~~
 - ~~(xi) where irrigation is provided, it shall be designed to reduce water.~~

(g) Restoration

Restoration shall use native, non-invasive species as defined in the B.C. Invasive Species Early Detection and Rapid Response Plan (EDRR), to be designed by a professional

restoration expert or qualified environmental professional confirmed by the Regional District of Nanaimo. Restoration must result in equal or improved ecological value in relation to biodiversity, hydrological and ecological function of the disturbed area, and all species, planting locations, and sizes shall be to the satisfaction of the Regional District of Nanaimo.

~~(h) Design Standards – Landscape Buffer~~

~~The following requirements shall be met in providing a landscape buffer where required by this Bylaw:~~

- ~~(i) A landscape buffer shall be a minimum of 5.0 m in width.~~
- ~~(ii) A minimum of 25% of the vegetation shall be evergreen shrubs with a minimum height of 0.5 m, and introduced shrubs shall be a minimum No. 5 pot (5 gallon) nursery standard at the time of planting.~~
- ~~(iii) The landscaping buffer shall include a minimum of one tree for every 10 m of parcel frontage, and such trees shall have a minimum height of 2.0 m and may be grouped or clustered.~~
- ~~(iv) A permanent curb of a minimum 15 cm in height shall be provided to protect landscaping from potential vehicular damage.~~
- ~~(v) The use of a fence is to be accessory to the use of introduced vegetation, existing vegetation, a planted berm or any combination thereof in satisfying the requirements of a landscape buffer or landscape screen. Advertising display shall not be permitted on fences.~~

~~Fences shall be structurally sound and shall be designed and built to withstand wind and snow loads.~~

(i) Selection of Introduced Vegetation

- (i) In the selection of introduced vegetation, species shall be selected which satisfy the objectives of the applicable DPA Guideline and are adapted to the site-specific conditions of the soil, climate and topography on which such vegetation is to be planted.
- (ii) Individual plants to be used in landscaping shall have normal, well-developed branches and vigorous fibrous root systems; such plants shall be healthy, vigorous and free from defects, decay, disfiguring roots, sunscald, injuries, abrasions of the bark, plant diseases, insect pests' eggs, borers and all forms of infestation or objectionable disfigurements.
- (iii) **The use of turf grass should be minimized.**

~~(j) Planted Berms~~

~~The sides of slopes of planted berms within proposed landscaped areas are to be within the following ranges:~~

Type of Planting	Minimum Slope	Maximum Slope
Planted areas with greater than 70% ground cover	1:50	1:2
Lawn and grass	1:50	1:3
Planted areas with less than 70% ground cover	1:50	1:4

(k) Construction

- (i) The coordination and scheduling of all work on the site shall be such that no damage occurs to introduced vegetation before or after installation or to natural vegetation to be retained or to existing soil conditions as determined by local weather conditions and the requirements of living plant material.
- (ii) Imported topsoil shall be free from subsoil, roots, toxic materials, stones over 30 mm in diameter and foreign objects. Topsoil shall be free from crabgrass, couchgrass, equisetum or noxious weeds or seeds or parts thereof.
- (iii) The working area shall be maintained in an orderly manner and shall not be encumbered with equipment, materials, or debris.
- (iv) Clean up shall be a continuing process from the start of the work to final acceptance of the project. Property on which work is in progress shall at all times be kept free from accumulations of waste materials or rubbish. Accumulations of waste materials which might constitute a fire hazard shall not be permitted. Spillage from hauling vehicles on traveled public or private roads shall be promptly cleaned up. On completion of construction, all temporary structures, rubbish and waste materials resulting from the operations, shall be removed.

(l) Security Deposit

- (i) A security deposit shall be submitted to the Regional District for development permits which include landscaping and/or site improvement provisions.
- (ii) The security deposit shall be submitted with the application prior to proceeding to the Electoral Area **Services Committee Planning Committee**. A detailed planting plan as specified in **Section 2.2 Section 3.7 (b) and (c)** shall also be submitted at this time.
- (iii) The security deposit shall be in the form of either a standby irrevocable letter of credit, cash, or a certified cheque, or other acceptable equivalent, and shall be submitted in a form satisfactory to the Regional District.
- (iv) The value of the security deposit shall be equal to the estimated total cost (i.e., materials and installation) of all of the required landscaping and/or site improvements. The total cost of these works shall be **estimated as follows:**
~~(A) \$50.00 per square metre of landscaping as indicated on submitted plans; and~~

Administration	Part 1
Interpretation	Part 2
Land Use Regulations	Part 3
Zones	Part 4
Subdivision Regulations	Part 5
Development Permit Areas	Part 6

- (B) ~~The cost of site improvements shall be~~ determined by an itemized cost estimate of materials and installation. The cost estimate is to be completed by a professional landscape architect, a nursery person or landscape contractor or an equivalent agreed upon by the Regional District, and is to be submitted at the time of application. The developer assumes sole responsibility for undertaking and financing the cost estimate.
- (v) The security shall be released following the completion of all approved landscaping and/or site improvement works as specified in the development permit to the satisfaction of the Regional District. A one-year written guarantee from a landscape contractor is also required, otherwise 25% of the landscaping cost will be retained to ensure proper maintenance for one year period.
- (vi) In the event that the landscaping and/or site improvements are at variance with approved works and/or not completed to an acceptable standard and/or not completed within a specified time period, the Regional District may use the security deposit for the purpose of entering upon the subject property and completing the approved works and/or for pursuing any necessary legal or court judgment as required.
- (vii) In the event that additional time is required to complete the landscaping and/or site improvements due to unforeseen circumstances, a written request shall be made to the Planning Department indicating the reason for an extension and the expected date of completion.
- (viii) When a security deposit is in the form of a standby irrevocable letter of credit, it shall include provisions for its extension and/or renewal in the event that works cannot be completed before its expiry date. A minimum of 45 days' notice of the need for an extension is required. Alternatively, and upon approval by the Regional District, a new standby irrevocable letter of credit with a revised expiry date shall be provided to the Regional District in these situations.

~~(m) Appendix 1: Alphabetical List of Designated Highways~~

- ~~Bennett Road, French Creek~~
- ~~Cedar Road, Cedar~~
- ~~Church Road, French Creek~~
- ~~Dolphin Drive, Nanoose~~
- ~~Eaglecrest Drive, French Creek~~
- ~~Fairwinds Drive, Nanoose~~
- ~~Industrial Road, Lantzville~~
- ~~Island Highway and service roads~~
- ~~Lantzville Road, Lantzville~~
- ~~Lee Road, French Creek~~
- ~~Lowrys Road, French Creek~~
- ~~Morningstar Drive, French Creek~~
- ~~MacMillan Road, Cedar~~
- ~~Northwest Bay Road, Nanoose and Parksville East~~
- ~~Parksville By Pass, Parksville East~~
- ~~Powder Point Road, Nanoose~~
- ~~School House Road, South Wellington~~

Administration	Part 1
Interpretation	Part 2
Land Use Regulations	Part 3
Zones	Part 4
Subdivision Regulations	Part 5
Development Permit Areas	Part 6

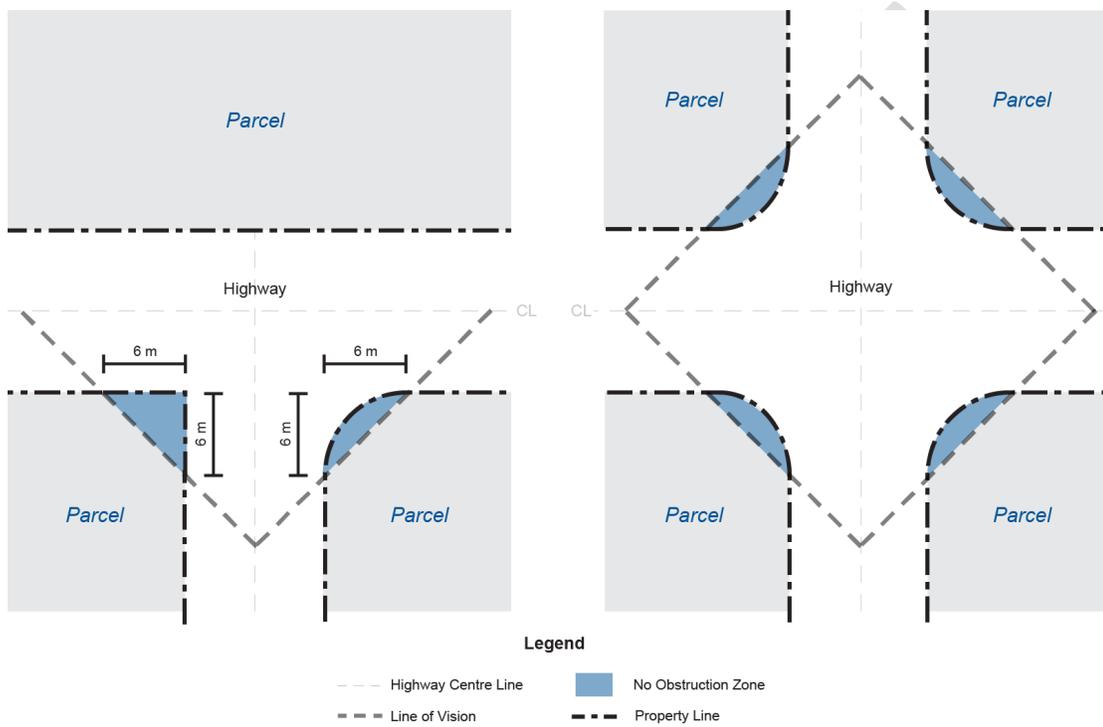
Trans-Canada Highway, Cedar, Cranberry, Bright Area and service roads
Wembley Road, French Creek
Yambury Road, French Creek

FIRST DRAFT

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	---------------------------------------

3.8 Setbacks – Sight Triangle

On a corner parcel in any zone there shall be no obstruction, **including landscaping such as hedges, or any building or structure**, to the line of vision above the height of 0.5 m of the established grade of a highway within the sight triangle, being a triangular area formed by extending a 6.0 m boundary along the parcel lines from the point of the exterior corner intersection of the parcel lines and a line connecting these two points as illustrated below:



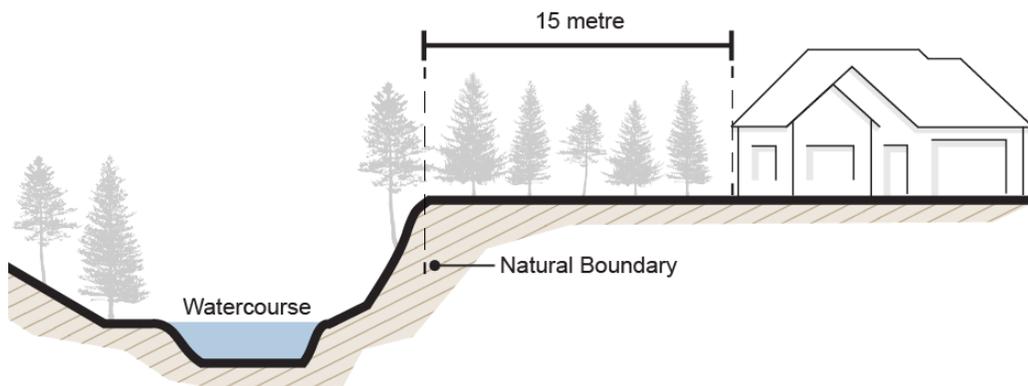
F.R.S.

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

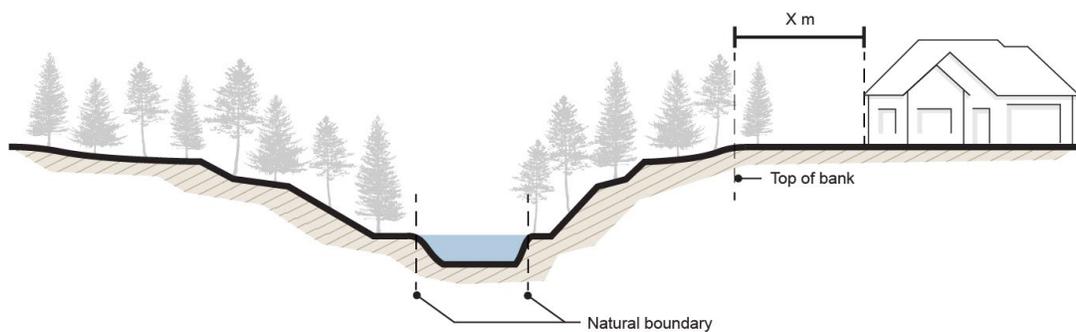
3.9 Setbacks – Watercourses, excluding the Sea

Includes Schedule '3E' and updated as per Setbacks Discussion Paper

- (a) On parcels with an average slope of **5% 30%** or less adjacent to or containing a watercourse, **as measured within 15 metres of the natural boundary**, no building or structure shall be constructed, altered, moved or extended within the following setbacks:
- (i) within 15.0 m horizontal distance from the natural boundary **or within 18.0 m horizontal distance from a stream centerline, whichever is greater as illustrated in the following;**



- (ii) within 30.0 m horizontal distance from the natural boundary of the Nanaimo River, the Englishman River, the Little Qualicum River and the Qualicum River.
- (b) On parcels with an average slope of greater than **5% 30%** adjacent to or containing a watercourse, **as measured within 15 metres of the natural boundary**, no building or structure shall be constructed, altered, moved or extended within the following setbacks:
- (i) within 9.0 m horizontal distance from the top of **bank the slope or the first significant and regular break in the slope** as illustrated in the following:



- (ii) within 30.0 m horizontal distance from the natural boundary of the Nanaimo River, the Englishman River, the Little Qualicum River and the Qualicum River.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.10 Setbacks – Sea

- (a) For all Electoral Areas, except Electoral Area 'E', on parcels adjacent to or containing a coastal watercourse, no building or structure shall be constructed, moved, extended
 - (i) within 8.0 metres horizontal distance inland from the top of a slope of 30% or greater; or
 - (ii) within 8.0 metres horizontal distance from the natural boundary, whichever is greater.

for the purpose of clarifying (i) above, no buildings or structures shall be located between the top of slope of 30% or greater and the toe of that same slope.

- (b) For Electoral Area 'E', on parcels adjacent to or containing a coastal watercourse, no building or structure shall be constructed, moved, extended
 - (i) within 8.0 metres horizontal distance inland from the top of a slope of 30% or greater; or
 - (ii) within 15.0 metres horizontal distance from the natural boundary, whichever is greater.

for the purpose of clarifying (i) above, no buildings or structures shall be located between the top of slope of 30% or greater and the toe of that same slope.

3.11 Setbacks – Buildings and Structures

Renumbered to be easier to read in the new format

(a) Agriculture and Farm Buildings, Structures and Uses

The following minimum setback requirements shall apply to all agriculture or farm buildings, structures and uses:

Use(s)	Setback from all lot lines
(i) Outdoor uncovered horse-riding rings and exercise yards where no feeding of animals occurs	0 m
(ii) Buildings and structures 10 m ² or less that house any livestock or poultry (except household poultry on parcels less than 1000 m ² in area), game, or other furbearing farm animals	0 m
(iii) Indoor horse-riding rings where no feeding or housing of animals occurs	8.0 m
(iv) Buildings and structures 50 m ² or less that house any livestock, poultry, game, or other furbearing farm animals	15.0 m
(v) Confined Livestock Area	15.0 m
(vi) Buildings and structures more than 50 m ² that house any livestock, poultry, game, or other furbearing farm animals	30.0 m
(vii) Feedlot	30.0 m
(viii) Indoor riding rings where feeding or housing of animals occurs	30.0 m
(ix) Mushroom Barn	30.0 m
(x) Temporary Sawmill	30.0 m
(xi) Buildings, structures, and lands used for: <ul style="list-style-type: none"> (A) the storage of agricultural liquid or solid waste (B) On-farm composting (C) Compost storage 	30.0 m
(xii) Cannabis Production - All building and structures except:	30.0 m

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

	(A) the setback shall be 60.0 m from all lot lines adjacent to non-ALR residential uses and;	
	(B) the setback shall be 150.0 m from any parcel that contains a park or school	
(xiii)	Gathering for an Event – All building, structures or event areas	30.0 m
(xiv)	All other agricultural buildings and structures	8.0 m
(xv)	The following watercourse setbacks shall apply to all agriculture or farm buildings, structures and uses:	
	(A) All buildings and structures that house any livestock or poultry (except household poultry) or store manure and all areas used for a feedlot shall be a minimum of 30 m from a domestic well, spring, or the natural boundary of a watercourse.	
	(B) All other agriculture or farm buildings and structures shall be sited in accordance with Sections 3.3.8 3.9 and 3.3.9 3.10	

(b) Micro Wind turbine systems

- (i) For a system installed on the ground, the minimum setback from all parcel boundaries shall be equal to the height of the system as measured from the natural grade at the base of the wind turbine tower to the top of the highest vertical extension of the wind turbine at the top of the rotor blade arc; or
- (ii) For a system installed on a rooftop or side of a building, the minimum setback from all parcel boundaries shall be equal to the height of the system as measured from the lowest point of the micro wind turbine system to the top of the highest vertical extension of the wind turbine at the top of the rotor blade arc.
- (iii) No such system shall be located within 60 metres of any eagle or heron nesting tree, as determined by a Qualified Environmental Professional (QEP), measured from the base of the nesting tree to the base of the wind turbine system.

(c) Highway No. 19

For Electoral Area 'G' only, the minimum required setback for all buildings and structures adjacent to the Vancouver Island Highway No. 19 shall be the minimum setbacks prescribed in each zone or 15.0 metres, whichever is greater.

(d) Projections into Required Setbacks

- (i) In **all Residential Zones RS1, RS1.1, RS1.2, RS2, RS2.1, RS2.2, RS3, RS4, and RS5 zones**, decks, stairs, landings and wheel chair ramps less than 0.6 metres above

finished grade immediately adjacent to a building may be located up to 0.6 metres from an interior side lot line and 1.5 metres from a rear lot line.

- (ii) The following table outlines features which may project into the front, rear, interior side or exterior side lot line setback as specified **for all Residential Zones**:

Feature	Zone	Permitted Projection into Required Setbacks			
		Front	Rear	Interior Side	Exterior Side
Hutches, canopies, chimneys, cornices, eaves, gutters, leaders, ornamental features, pilasters, sills, sunshades	RS1	1.75 m	0.6 m	0.6 m	1.75 m
	RS1.1	Not permitted	0.6 m	0.6 m	1.75 m
	RS1.2	Not permitted	0.6 m	Not permitted	1.75 m
	RS2	1.75 m	0.6 m	0.6 m	1.75 m
	RS2.1	1.75 m	0.6 m	0.6 m	1.75 m
	RS2.2	1.75 m	0.6 m	Not permitted	1.75 m
	RS3	1.75 m	0.6 m	0.6 m	1.75 m
	RS4	1.75 m	0.6 m	0.6 m	1.75 m
	RS5	1.75 m	0.6 m	0.6 m	1.75 m
Footings below finished grade	RS1				
	RS1.1				
	RS1.2				
	RS2				
	RS2.1	0.5 m	0.5 m	0.5 m	0.5 m
	RS2.2				
	RS3				
	RS4				
Bay window	RS1	1.75 m	Not permitted	Not permitted	Not permitted
	RS1.1	Not permitted			
	RS1.2	Not permitted			
	RS2	1.75 m			
	RS2.1	1.75 m			
	RS2.2	1.75 m			
	RS3	1.75 m			

Feature	Zone	Permitted Projection into Required Setbacks			
		Front	Rear	Interior Side	Exterior Side
	RS4	1.75 m			
	RS5	1.75 m			

- (iii) For certainty, a projection into a required setback must not obstruct the sight triangle as specified in Section ~~3.3.7~~ **3.8**.
- (iv) For certainty, where a lot line is referenced as other and meets the definition of front, rear, interior side or exterior side lot line, the corresponding permitted projection of this section applies.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.12 Stormwater Management for Farm Use

Where the total impervious area of agriculture or farm buildings and structures exceeds 3,700 square metres or covers more than 25% of a parcel or contiguous parcels a stormwater management plan is required.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.13 Height Exemptions

The following structures, mechanical devices or parts of buildings may exceed a height restriction under this Bylaw:

- (a) Chimney stacks, mast aerials, church spires, flag poles, water tanks, observation and transmission towers, and mechanical devices necessary for the operation of a building.
- (b) Principal agricultural or farm buildings or structures.
- (c) Components of solar photovoltaic or solar thermal systems where:
 - (i) On a parcel less than 5,000 m² in area
 - (A) the over-height portion of such system is limited to 50% of the roof width to which the system is attached;
 - (B) no portion of such system exceeds 0.6 m above the maximum permitted height; and
 - (C) the system must be affixed to a roof with a pitch not exceeding 3:12.
 - (ii) On a parcel 5,000 m² or greater in area, no portion of such system exceeds 0.6 m above the maximum permitted height.
- (d) One over-height micro wind turbine system per parcel provided that no such system exceeds twice the maximum permitted height, as measured from the natural grade at the base of the wind turbine tower to the top of the highest vertical extension of the wind turbine at the top of the rotor blade arc.

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.14 Density - Category A Lots

For clarity, where a category A lot is divided between more than one zone, two dwelling units are permitted on only one parcel located within the eligible subdivision.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.15 Home Based Business

On parcels where a home based business is a permitted use, the following provisions apply:

Updated as per Home Based Business Discussion Paper to clarify existing uses and add new uses to support changing needs of the community

- (a) The following activities shall be permitted as a home based business:
 - (i) **Small scale and value-add processing of goods, such as food preserving, pottery, or similar activities;**
 - (ii) sales of ~~related or unrelated goods combined with home based business product sales to a maximum of 1/3 of home based business floor area~~ **goods produced on site to a maximum of 1/3 of the home based business floor area where the home based business meets all other requirements of this Bylaw;**
 - (iii) bed and breakfast provided the activity is contained wholly within the dwelling unit to a maximum of 2 bedrooms in Residential 1 and 3 zones, a maximum of 2 bedrooms in the Alternative Forms of Rural Development 1 zone and to a maximum of 4 bedrooms in all other zones where permitted by this Bylaw;
 - (iv) rental of non-motorized outdoor recreation equipment; Compost storage
 - (v) personal service use;
 - (vi) professional practice; and
 - (vii) office;
 - (viii) **licensed child care facility for up to 8 children and must meet the requirements of the *Community Care and Assisted Living Act*;**
 - (ix) **medical services;**
 - (x) **artisan or craftsman services;**
 - (xi) **pet grooming;**
 - (xii) **small scale market gardens and related value-added food and goods production intended for sale, excluding a nursery or larger retail operation, where the home based business meets all other requirements of this Bylaw;**
 - (xiii) **catering; and**
 - (xiv) **personal recreation services for classes offered or personal training, such as yoga, martial arts or dance studio with up to 6 students at one time, but does not include classes open to the general public or drop-in.**
- (b) Despite Section ~~3-3-14~~ **3.15**, the following activities are prohibited as a home based business:
 - (i) animal breeding in excess of two litters per calendar year;
 - (ii) dog boarding;
 - (iii) public assembly use;
 - (iv) school pursuant to the Schools Act;

- (v) chemical processing;
- (vi) dry cleaning;
- (vii) slaughtering;
- (viii) butchering;
- (ix) smoking of food;
- (x) seafood processing;
- (xi) canning of foods with a pH level equal to or greater than 4.5;
- (xii) laundries;
- (xiii) manufacturing of fiberglass, pyroxlin or similar products;
- (xiv) paint, varnish, or lacquer manufacturing;
- (xv) primary processing including the processing of fence posts, shakes, and firewood;
- (xvi) rubber manufacturing;
- (xvii) tanneries;
- (xviii) funeral parlour;
- (xix) warehousing, specifically including mini-storage;
- (xx) marshalling of vehicles, equipment, and machinery;
- (xxi) vehicle wrecking or dismantling of vehicles;
- (xxii) spray painting shop;
- (xxiii) recycling facility;
- (xxiv) recreation facility;
- (xxv) sale of food and/or beverages for immediate consumption on or off the premises by an individual or household, and specifically including fast food outlets, neighbourhood pubs and restaurants, but not including breakfast served by a bed and breakfast to the traveling public who have been provided with overnight accommodation, **or the sale of food or beverages primarily produced on site as per (a)(ii);**
- (xxvi) taxidermy;
- (xxvii) dispensing of automotive fuel, oil, or fluids;
- (xxviii) automotive repairs, vehicle restoration or maintenance except on parcels zoned Agriculture 1 and 2 (AG1-AG2) and **Rural Residential 1 and 2 (RR1-RR2) Rural 1 to 4 (RU1-RU4) and Rural 6 to 9 (RU6-RU9)** and Resource Management 1 to 5 (RM1-RM5) and Resource Management 7 to 9 (RM7-RM9);
- (xxix) cannabis **and psychedelic mushroom processing and** production;
- (xxx) **alcohol production;**
- (xxxii) **temporary accommodation other than bed and breakfast; and**

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (xxxii) **nursery.**
- (c) A home based business must:
- (i) be conducted by the permanent residents of the parcel on which the home based business activity is located;
 - (ii) be accessory to the residential use of the parcel;
 - (iii) not change the outside appearance of the premises or create other visible evidence of its existence, other than one sign;
 - (iv) be registered with the Regional District of Nanaimo Business Registry;
 - (v) create no noise, vibration, glare, fumes, odours, dust, or smoke detectable off the parcel to the normal senses;
 - (vi) **not include any outdoor storage;**
 - (vii) be wholly contained within the dwelling unit, garage, and/or accessory building(s), except for outdoor play areas for child care facilities **or outdoor gardening activities;** and
 - (viii) provide **all parking on a hard surfaced portion of off-street parking** on the parcel for all non-resident employees, **visitors and / or drop-off locations in accordance with Section 3.22 of this Bylaw.**
- (d) A maximum of one (1) non-illuminated home based business sign per parcel is permitted, provided that the sign:
- (i) does not exceed .75m² in sign face area;
 - (ii) is displayed on the exterior wall face of a dwelling unit, accessory building or fence, or as a freestanding sign;
 - (iii) if freestanding, does not exceed 1.5 m in height;
 - (iv) if freestanding, is sited within required setbacks of the applicable zone.
- (e) A maximum of one non-resident home based business employee is permitted per parcel or the part time equivalent thereof, **excluding licensed child care facilities in accordance with the *Community Care and Assisted Living Act*.**
- (f) Despite subsection (e), a maximum of two non-resident home based business employees are permitted per parcel in all Residential 2 (RS2) zones, in Agriculture 1 and 2 (AG1– AG2) zones, Rural 1 to 4 (RU1-RU4), Rural 6 to 9 (RU6-RU9) zones, Resource Management 1 to 5 (RM1-RM5) and Resource Management 7 to 9 (RM7- RM9) zones.
- (g) The location of a home based business is as follows:
- (i) For Residential 1 (RS1) and Alternative Forms of Rural Development 1 (AF1) parcels less than 2000 m² in area, all Residential 3 (RS3) parcels, and all Rural 5 (RU5) parcels, a home based business must be contained within the dwelling unit or attached garage, with the exception of outdoor play areas for child care facilities **or outdoor gardening activities.**

- (ii) In all other zones where a home based business is a permitted use, the home based business must be contained within the dwelling unit, attached garage or accessory buildings(s), with the exception of outdoor play areas for child care facilities.
- (h) The maximum allowed home based business floor area is as follows:
 - (i) On Residential 1 (RS1) and Alternative Forms of Rural Development 1 (AF1) parcels less than 2000 m², all Residential 3 (RS3) parcels, and Rural 5 (RU5) parcels, the home based business floor area must not exceed 49% of the combined total floor area of the dwelling unit and attached garage to a maximum of 100 m².
 - (ii) On Residential 1 (RS1) and Alternative Forms of Rural Development 1 (AF1) parcels greater than or equal to 2000 m² and all Residential 2 (RS2) parcels, the home based business floor area must not exceed 49% of the combined total floor area of the dwelling unit and attached garage to a maximum of 100 m², or a maximum of 100 m² combined total for dwelling unit, attached garage, and/or accessory building(s).
 - (iii) On Agriculture 1 and 2 (AG1 – AG2), Rural 1 to 4 (RU1-RU4) and Rural 6 to 9 (RU6-RU9) parcels and Resource Management 1 to 5 (RM1-RM5) and Resource Management 6 to 9 (RM6-RM9) parcels, the home based business floor area must not exceed 49% of the combined total floor area of the dwelling unit and attached garage to a maximum of 150 m² or a maximum of 150 m² combined total floor area for the dwelling unit, attached garage, and/or accessory building(s).
 - (iv) **Outdoor areas required for play areas for child care facilities as per the *Community Care and Assisted Living Act*, or outdoor gardening activities are not included in floor area calculations.**
 - (v) **The maximum combined land area used for outdoor cultivation in association with small scale market gardens shall not exceed 30 % of the total area of the parcel that the home based business is located on to a maximum of 1,000 m².**
- (i) Home Based Business shall not be permitted within a secondary suite nor by the occupants of a secondary suite elsewhere on the subject property.
- (j) Bed and Breakfast shall not be permitted on a parcel that contains a suite.
- (k) Where a secondary suite is located on a parcel less than 4,000 m² in area, the home based business must:
 - (i) be limited to one (1) business; and,
 - (ii) not include any non-resident home based business employees.

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.16 Farm Use Regulations

On lands located within the Agricultural Land Reserve the following activities are permitted farm uses in accordance with the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* and are subject to the following regulations:

(a) Agri-Tourism

~~Agri-tourism activities, other than accommodation, are permitted on land located within the Agricultural Land Reserve that is classified as ‘farm’ under the BC Assessment Act, if the use is temporary and seasonal, and promotes or markets farm products grown, raised or processed on the farm.~~

Updated to align with most recent Agricultural Land Commission Regulations.

Prescribed Agri-tourism activities are permitted on land located within the Agricultural Land Reserve in accordance with the *Agricultural Land Reserve Use Regulation*.

(b) Farm Retail Sales

Farm retail sales is permitted on land located within the Agricultural Land Reserve if:

- (i) All of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or
- (ii) At least 50% of the retail sales area is limited to the sale of farm products produced on the farm on which the retail sales is taking place and the total area, both indoors and outdoors, used for the retail sales of all products does not exceed 300 m².

(c) Cannabis Production

Cannabis production is permitted on land located within the Agricultural Land Reserve if:

- (i) The production of cannabis is contained wholly within licensed facilities as permitted by the Access to Cannabis for Medical Purposes Regulations (ACMPR) and Bill C-45 (the Cannabis Act).
- (ii) The minimum setback for all structures associated with cannabis production is 30.0 metres from all property lines

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.17 Accessory Farm Use Regulations

(a) Agriculture Education and Research

Where agriculture education and research is permitted in this bylaw it shall be subject to the following regulations:

- (i) the area occupied by any buildings or structures necessary for education or research must not exceed 100 m² for each parcel.

(b) Production of Biological Integrated Pest Management Products

Where the production of biological integrated pest management products is permitted in this bylaw it shall be subject to the following regulations:

- (i) the area occupied by any buildings or structures necessary for the production or development must not exceed 300 m² for each parcel.

(c) Agri-tourism Accommodation

Agri-tourism Accommodation shall be in accordance with the following regulations:

Updated to align with most recent Agricultural Land Commission Regulations.

- (i) **Agri-tourism accommodation is permitted only on land classified as 'farm' under the *BC Assessment Act*;**
- (ii) **Agri-tourism Accommodation shall be accessory to a prescribed agri-tourism activity and shall only occur within an agri-tourism accommodation sleeping unit;**
- (iii) **Agri-tourism accommodation is limited to providing short-term accommodation for tourists limited to thirty (30) calendar days per visitor within any twelve (12) month period;**
- (iv) **Agri-tourism accommodation use must be for rental only;**
- (v) **Four agri-tourism accommodation sleeping units shall be permitted on any parcel and one additional agri-tourism accommodation sleeping unit shall be permitted per hectare on parcels greater than or equal to 1.0 ha up to a maximum of ten (10) agri-tourism accommodation sleeping units per farm or parcel;**
- (vi) **When calculating the total number of agri-tourism accommodation sleeping units all forms of tourist accommodation, including a bed and breakfast, shall be included;**
- (vii) **The total developed area for structures, landscaping and access for the accommodation shall be less than five percent (5%) of the total parcel area, in accordance with the *Agricultural Land Reserve Use Regulation*.**
- (viii) **Where agri-tourism accommodation sleeping units occur in a vehicle, trailer, tent or other structure located on a campsite, field or other area, every campsite shall be unpaved and not exceed 150 m² in area;**

- (ix) All agri-tourism accommodation uses shall provide washroom and drinking water facilities in accordance with Section 3.23 Campground Regulations.
- (x) All agri-tourism accommodation sleeping units that occur in an agri-tourism accommodation cabin must be developed in accordance with the following regulations:
 - (A) An agri-tourism accommodation cabin is limited to bedroom or other area used for sleeping;
 - (B) No kitchen or food preparation facilities shall be permitted within an agri-tourism accommodation cabin;
 - (C) The maximum gross floor area of an agri-tourism accommodation cabin shall not exceed 50 m²;
 - (D) One (1) parking space per agri-tourism accommodation cabin is required.
- (A) Four agri-tourism accommodation sleeping units shall be permitted on any parcel and one additional sleeping unit shall be permitted per hectare on parcels greater than or equal to 1.0 ha up to a maximum of ten (10) sleeping units per farm or parcel;
- (B) When calculating the total number of agri-tourism accommodation sleeping units all forms of tourist accommodation, including a bed and breakfast, shall be included;
- (C) The total developed area for an agri-tourism accommodation use, including buildings, landscaping, driveways and parking shall occupy less than five percent (5%) of the total parcel area, in accordance with the Agricultural Land Commission Act.
- (xi) An agri-tourism accommodation campground must be developed in accordance with the following regulations:
 - (A) Every campsite shall be unpaved and not exceed 150 m² in area;
 - (B) Washroom and drinking water facilities shall be provided for in accordance with Island Health's regulations and/or provincial regulations;
 - (C) A maximum consecutive or non-consecutive stay of ninety (90) calendar days per visitor within any twelve (12) month period within any campsite on the parcel. The relocation of recreational vehicles (RVs) or campers to other sites within the parcel does not constitute the start of a new stay.
- (xii) An agri-tourism accommodation cabin must be developed in accordance with the following regulations:
 - (A) The maximum gross floor area of an agri-tourism accommodation cabin shall not exceed 50 m²;
 - (B) Washroom and drinking water facilities shall be provided for in accordance with Island Health's regulations and/or provincial regulations;

Administration	Part 1
Interpretation	Part 2
Land Use Regulations	Part 3
Zones	Part 4
Subdivision Regulation	Part 5
Development Permit Areas	Part 6

- (C) ~~A maximum of one kitchen facility shall be permitted within each agri-tourism accommodation cabin;~~
- (D) ~~A maximum consecutive or non-consecutive stay of ninety (90) days per visitor in any twelve (12) month period within any cabin on the parcel. The relocation of a visitor to another cabin within the parcel does not constitute the start of a new stay;~~
- (E) ~~One (1) parking space per agri-tourism accommodation cabin is required.~~

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.18 Gathering for an Event

As per Section 1 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* on parcels within the Agricultural Land Reserve and where gathering for events is a permitted accessory use in this bylaw, the following general provisions apply:

- (a) The farm must be located on land classified as a farm under the *Assessment Act*;
- (b) permanent facilities must not be constructed or erected in connection with the event;
- (c) parking for those attending the event must be available on the farm, but must not be permanent nor interfere with the farm’s agricultural productivity;
- (d) no more than 150 people, excluding residents and employees of the farm, may be gathered on the farm at one time for the purpose of attending the event;
- (e) the event must be of no more than 24 hours duration;
- (f) maximum site area for events shall not exceed a combined total of 500 m²; and
- (g) no more than 10 gatherings for an event of any type may occur on the farm within a single calendar year.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.19 Temporary Use Permits

- (a) The Regional District may issue a temporary use permit on any lot to temporarily allow a use not permitted by this bylaw. The following general conditions will guide the consideration of such applications. The Regional District may waive any of the following should they be deemed to not be relevant, and may give consideration to additional conditions relevant to the specific proposal.
- (i) The applicant demonstrates how any anticipated impact on the surrounding area will be mitigated (for example: noise, light, hours of operation, dust, odour, vibration, aesthetic impact, etc.).
 - (ii) The applicant provides a projection of anticipated impact on local road networks, and proposes mitigating measures if necessary.
 - (iii) The applicant provides an assessment of the impact of the proposed use on the natural environment, including groundwater, wildlife, and environmentally sensitive areas.
 - (iv) The applicant provides a rationale for the suitability of the location and the inability to conduct the use in another area where the use is already permitted.
 - (v) Submission of a satisfactory decommissioning and reclamation plan, which may require a security deposit to be held by the Regional District until completion of the proposed works.
 - (vi) The proposal addresses concerns related to visual integrity and buffering of the Inland Island Highway if applicable.
 - (vii) The proposed use is not a use referred to in Section 2 3.19 (b).
- (b) Notwithstanding clause 1 above, in some Official Community Plan areas, the issuance of a temporary use permit for specified uses is limited to specified designation as follows, and the following additional conditions will guide consideration of applications. The Regional District may waive any of the following should they be deemed to not be relevant, and may give consideration to additional conditions relevant to the specific proposal.

Official Community Plan Area	Official Community Plan Designation	Use
Arrowsmith Benson – Cranberry Bright	Resource	<ul style="list-style-type: none"> • Primary processing of onsite aggregate or mineral resources • Manufacture of asphalt products • Commercial composting
East Wellington – Pleasant Valley	Resource	<ul style="list-style-type: none"> • Manufacture of asphalt products • Commercial composting solely for the purpose of reclaiming mined land

Official Community Plan Area	Official Community Plan Designation	Use
Nanoose Bay	Resource	<ul style="list-style-type: none"> • Manufacture of asphalt products • Gravel extraction • Commercial composting (only outside of the Agricultural Land Reserve)
Electoral Area G	Rural or Rural Resource	<ul style="list-style-type: none"> • Primary processing • Manufacture of asphalt products • Commercial composting • Concrete ready-mix plant • Yard waste chipping

- (i) lots are in excess of 8.0 hectares in area, or in Electoral Area G are in excess of 4.0 hectares in area;
- (ii) the asphalt is produced in a portable asphalt batch plant;
- (iii) approval is obtained from the province for an industrial access permit and a Waste Management approval pursuant to the Waste Management Act;
- (iv) a separation distance, created by a natural vegetative buffer or berm, is maintained between the temporary use and any dwelling unit not located on the subject property. The width should be sufficient to provide a reasonable buffer to noise, dust and sight;
- (v) a composting activity shall be no closer than 400 metres from the Growth Containment Boundary as identified in the Regional Growth Strategy.
- (vi) where gravel removal and processing are required in conjunction with the manufacture of asphalt products, all requirements for the Approval of Work System and Reclamation Permit under the Mines Act including provisions for rehabilitation of the site after completion, are satisfied;
- (vii) the daily period is limited to minimize noise impacts, including heavy truck traffic, on surrounding lands;
- (viii) the use does not produce odours detectable from adjacent lots;
- (ix) for composting, the uses comply with the provincial Organic Matter Recycling Regulations and any Regional District of Nanaimo Waste Stream Licensing Bylaw;
- (x) in Electoral Area G, consideration is given to future inclusion of the subject property and surrounding land into the City of Parksville or Qualicum Beach and the compatibility of future development with adjoining areas within each municipality.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (c) Where the land is in the Agricultural Land Reserve, approval from the Provincial Agricultural Land Commission is required prior to issuance of a permit.
- (d) The Regional District may specify conditions in a permit including, but not limited to, environmental protection measures, odour abatement, hours of operation, parking, buffering, and groundwater protection.
- (e) The Regional District may require security and/or an undertaking to secure the conditions of the permit in accordance with the *Local Government Act*.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.20 Pet Breeding or Boarding Facilities

The establishment of a facility for breeding or boarding pets on ALR land is not permitted unless by a rezoning of land, except where permitted in this bylaw. The use, if approved, shall be subject to the following specific requirements as well as all other applicable provisions of this bylaw:

- (a) Must be located on parcels which are 2.0 ha or larger,
- (b) All structures and areas utilized in association with the breeding or boarding facility shall be sited a minimum of 30.0 metres from all property lines.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.21 Secondary Suites

Secondary suites shall be permitted in **zones where Secondary Suite is listed as a Permitted or Accessory use. the following zone classifications: AG143, RS1, RS1.1, RS2, and RU1—RU10 (Inclusive).**

~~(a) A maximum of one (1) secondary suite is permitted per single dwelling unit to a maximum of two (2) per parcel of which only one (1) may be detached.~~

~~(b) Notwithstanding Section 2.1, a secondary suite shall be permitted within an accessory building.~~

(c) Secondary Suites shall be subject to the following requirements:

- (i) A maximum of one (1) secondary suite is permitted per single dwelling unit to a maximum of two (2) per parcel of which only one (1) may be detached;
- (ii) secondary suites within a principal dwelling unit must not exceed **49% 40%** of the habitable floor space of the building that it is located in nor 90 m² of total floor space, whichever is lesser; Increased percentage of habitable floor area as per Secondary Suite Discussion Paper
- (iii) must not be located within a duplex, manufactured home, or multiple dwelling unit development;
- (iv) must provide at least two (2) additional designated off-street parking spaces (at least one (1) must have direct access to the street);
- (v) shall be maintained in the same real estate entity as the principal dwelling unit to which it is accessory;
- (vi) must meet minimum setback requirements for a dwelling unit located in the applicable Zone Classification.
- (vii) must be limited to a maximum of two bedrooms and one cooking facility;
- (viii) must, on parcels without community sewer services, have the approval of the local Health Authority with respect to the provision of sewage disposal;
- (ix) must have its own entrance separate from that of the principal dwelling unit; and,
- (x) must not be used for short term (less than one month) rentals.

(d) A Secondary Suite may be located within an accessory building subject to the following:

- (i) The minimum site area requirement shall be 800 m² for parcels serviced with community water and community sewer or **4,000 m² 8,000 m²** in all other cases. Decreased minimum site area requirement as per Secondary Suite Discussion Paper
- (ii) Notwithstanding any other provision in this Bylaw, the maximum height of a building containing a suite shall be 8.0 metres;

- (iii) The maximum floor area of an accessory building containing a secondary suite shall not exceed ~~40%~~ **49%** of the habitable floor space of the principal dwelling unit which it is associated with nor 90 m² of total floor space, whichever is lesser.

Increased percentage of habitable floor area as per Secondary Suite Discussion Paper
- (iv) the secondary suite shall contain no interior access to any part of the accessory building and the means of access and egress must be external to the structure.
- (v) **In an accessory building containing a secondary suite, the total floor area of the accessory building where the suite is located is included in the calculation of secondary suite floor area including any area that is used for the suite, shared spaces, storage rooms, garage, stairwells, and similar spaces.**

Added section (v) to clarify how secondary suites are calculated when in accessory buildings
- (e) Home Based Business shall be in accordance with Section ~~3.3.14~~ **3.15**.
- (f) Despite any regulation in this Bylaw, land established as “Agricultural Land Reserve” pursuant to the ***Agricultural Land Reserve Act***” is subject to the ***Agricultural Land Reserve Act*** and ***Regulations***, and applicable orders of the Land Reserve Commission.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.22 Off-Street Parking & Loading Space

Integrated Schedule '3B' and updated as per Off Street Parking Discussion paper

(a) General Requirements

(i) Location

All off-street parking and loading spaces shall be located:

- (A) on the same parcel as the development, building or use they are intended to serve;
- (B) subject to the setback requirements of the zone that applies to that parcel; and
- (C) **parking on lots with a single detached dwelling unit is exempt from minimum setback requirements.**

(ii) ~~Disability-Accessible~~ Spaces

- (A) ~~When any development, building or use requires or provides more than 20 off-street parking spaces, one parking space shall be provided for the use of persons with a physical disability, together with one additional disability space for each additional 50 off-street parking spaces required or provided. For all commercial, institutional and multi-residential zones, the required number accessible stalls shall be calculated based on the total number of stalls in a parking lot as per the following:~~

Total number of required parking spaces	Maximum number of accessible spaces
1-20	1
21-40	2
41-60	3
>60	1 per 25 stalls

- (B) Each **disability accessible** space shall be:

- (1) a minimum of 4.0 m in width **and 5.5 m in length**;
- (2) marked with the International Symbol of Accessibility for the Handicapped as specified in (f) of this Section Table 3 of this **Section Schedule**; and
- (3) located within convenient access of the development, building or use that it is intended to serve, and with minimum changes in level.

(iii) Surface

When any development, building or use requires or provides more than 4 off-street parking spaces, all parking spaces and loading spaces shall be provided and maintained with a hard durable surface that does not produce dust.

(iv) Gradient

All parking and loading spaces shall have a maximum gradient and cross-slope of 6%.

(b) Off-Street Parking Spaces

(i) Stall and Aisle Dimensions

All off-street parking spaces shall be in accordance with Table 2 of this Section.

(ii) Reduction in Stall Length for Small Cars

When any development, building or use provides more than 100 parking stalls, up to 20% of the total stalls may be ~~reduced~~ **shortened** to 4.6 m in length provided those stalls are combined in groups of at least 20 stalls, and marked with the words "SMALL CAR ONLY" on the pavement or wall facing.

(iii) Access

Adequate provision shall be made for access by vehicles to all off-street parking spaces located in a parking area by means of unobstructed maneuvering aisles, the dimensions of which shall be in conformity with Table 2 of this Schedule.

(iv) Vertical Clearance

The minimum vertical clearance of parking stalls and aisles shall be 2.25 m.

(v) Calculation

(A) The minimum number of off-street parking spaces shall be provided in accordance with Table 1 of this Schedule.

(B) If a use is not listed in Table 1, the number of spaces shall be calculated on the basis of a similar use that is listed.

(C) If more than one use is located on a parcel or parking collectively serves more than one building or use, the total number of spaces shall be the sum of the various classes of uses calculated separately, and the parking or loading space required for one use shall not be included in calculations for any other use.

(D) Where the calculation of a total required space results in a fractional number, the nearest whole number above that calculation shall be taken.

(E) The required number of off-street parking spaces need not be provided where an addition or alteration to a building or a change in its use would result in an increase of less than 10% of the number of spaces required up to a maximum of 5 spaces; where an addition, alteration or change in use requires more than 5 spaces the number of spaces determined by Table 1 shall be provided.

(c) Loading Spaces

(i) Dimensions

All off-street loading spaces shall be a minimum of 9.0 m in length and 3.0 m in width, and have a vertical clearance of 4.0 m.

(ii) Access

Adequate provision shall be made for access by vehicles to all off-street loading spaces by means of a 6.0 m maneuvering aisle and shall be located so that each separate use within a development has access to a space.

(iii) Demarcation

All off-street loading spaces shall be clearly marked with the words "LOADING SPACE ONLY" on the pavement or wall facing.

(iv) Calculation

For commercial, industrial or public use 1 off-street loading space shall be provided for every 2000 m² of floor area or portion thereof of all buildings located on a parcel, except where a use requires less than 4 parking spaces then no loading space shall be required.

(d) Table 1: Required Number of Off-Street Parking Spaces

The minimum number of off-street parking spaces shall be provided in accordance with the following

Use	Required Parking Spaces
Residential	
Mobile-Manufactured Home Parks	(see Schedule '3D' Section 3.24 of this Bylaw)
Multi-unit dwellings	1 per 4 units (visitor) plus
- bachelor	1 per dwelling unit
- 1 bedroom	1.25 per dwelling unit
- 2 bedrooms	1.50 per dwelling unit
- 3 or more bedrooms	2 per dwelling unit
Single dwelling unit and duplex	2 per dwelling unit
Home based business, excluding bed and breakfast	2 plus 1 per non-resident employee
Bed and breakfast	1 per bedroom used for bed and breakfast
Commercial	
Agri-tourism Accommodation Cabin	one per cabin
Animal Care	1 per 20.0 m ² of floor area

Use	Required Parking Spaces
Archery Range	3 per lane
Automotive Repair	1 per 70.0 m ² gross floor area plus 1 per service bay
Bowling Alley	3 per lane
Campground	(see Schedule '3C' Section 3.23 of this Bylaw)
Fairground	1 per 2 employees plus 1 per 100 m ² of site area
Fast Food Outlet	1 per 10.0 m ² of floor area
Farm Retail Sales	one per 5 m ² of floor area plus one per two Employees
Financial Institution	1 per 20.0 m ² of floor area
Funeral Parlour	1 per 4 seats in Chapel
Gathering for Events	1 spot per 4 guests must be available on the farm, but must not be permanent nor interfere with the farm's agricultural productivity and must be setback 15.0 m from all parcel lines.
Golf Course (9 holes)	75 spaces per 9 holes
Golf Driving Range	2 per tee
Health Club, Spa, Games Court, Gymnasium	1 per 10.0 m ² of fitness or gymnasium floor area
Heavy Equipment Display	1 per 70.0 m ² of floor area
Hotel or Resort Condominium	1-2 per unit, plus 1 per 3 seats in restaurant or licensed premises, plus 1 per 4 units (visitor)
Home based business Uses in addition to parking requirements in Section 3.15:	
Bed and breakfast	1 additional stall per bedroom
Personal service use	1 additional visitor stall
Licensed child care facility	3 additional visitor or drop-off stalls
Medical services	1 additional visitor stall
Dog grooming	1 additional visitor or drop-off stall
Personal recreation services	1 additional visitor stall for the maximum number of students at one time
Any use that includes in-person sales	2 additional visitor stalls
Laundromat	1 per 3 washing machines

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Use	Required Parking Spaces
Laundry and Dry Cleaning Establishment	1 per 2 employees counted as a total of 2 shifts
Marina	1 per 2 mooring berths plus 1 per 2 employees
Mini Storage	1 per 15 storage units plus 1 employee stall
Neighbourhood Pub	1 per 3 seats
Nursery	1 per 15.0 m ² of sales building
Office	1 per 15.0 m ² of floor area
- medical	
- single tenant	1 per 32.0 m ² of floor area
- multi tenant	1 per 30.0 m ² of floor area
Personal Service	1 per 50.0 m ² of floor area
Produce Market or Stand	1 per 5.0 m ² of floor area plus 1 per 2 employees
Restaurant	1 per 10.0 m ² of floor area
Retail, Tourist or Convenience Store	1 per 15.0 m ² of floor area
Shopping Centre	6.5 per 100 m ² g.l.a. gross leasable area
- to 5000 m ² g.l.a. gross leasable area	
- to 15 000 m ² g.l.a. gross leasable area	5.5 per 100 m ² g.l.a. gross leasable area
- above 15 000 m ² g.l.a. gross leasable area	1.5 per 100 m ² g.l.a. gross leasable area
Ski Resort	0.5 per person hourly capacity of ski lift
Gasoline Service Station	4 per service bay plus 1 per 15.0 m ² of floor area
Theatre, Drive-in	1 per 2 employees
Industrial	
Medium Industry	1 per 50.0 m ² of floor area
Taxi Stand	1 per taxi plus 1 per office employee
Transportation Terminal (excluding Taxi Stand)	1 per 10.0 m ² of waiting room
All other Industrial Uses	1 per 175.0 m ² of floor area used for storage
	1 per 95.0 m ² of floor area used for display

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

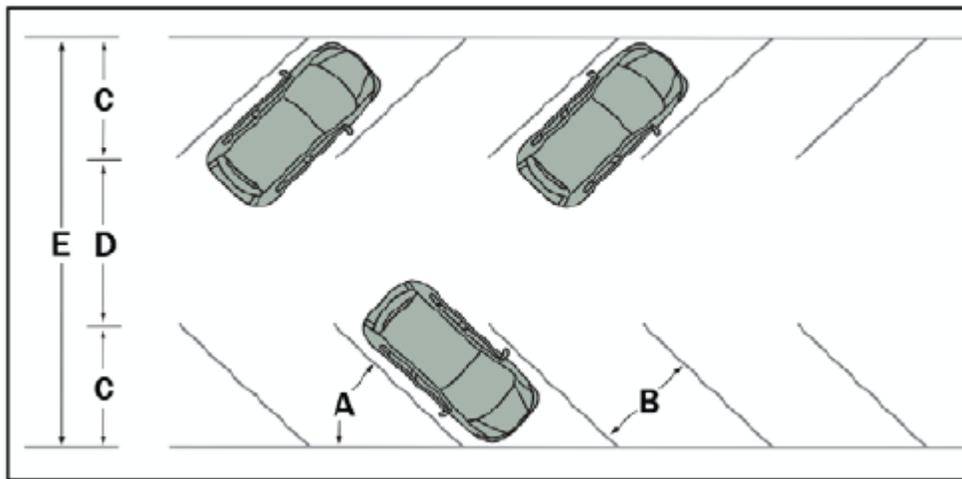
Use	Required Parking Spaces
	1 per 15.0 m ² of floor area used for sales
Public and Institutional Uses	
Beach, Swimming	1 per 9.0 m ² developed beach above high water mark
Cabin	2 per cabin
Church	1 per 4 seats
Church Hall, Lodge Hall, Private Clubs, Community Hall	1 per 20.0 m ² of floor area
College	10 per classroom
Day Care Facility	2 per facility plus 1 per employee
Hospital	1 per 2 employees plus 1 per 5 beds
Personal Care	1 per 3 beds
Police Office, Fire Station, Prison	1 per 2 employees counted as a total of 2 shifts
Recreational or Cultural Facility	1 per 50.0 m ² of floor area or 1 per 3 spectator seats or 1 per 5.0 m ² of floor area used for dancing or assembly or 1 per 4 persons capacity, whichever is the greater
Swimming Pool	1 per 5.0 m ² of pool water surface
Public Utility	1 per employee
School	
- Elementary	2 per classroom
- Secondary	5 per classroom
Tourist Information Booth	4 per employee

(e) **Table 2: Parking Stalls and Aisle Dimensions**

- (i) The minimum parking stall and aisle dimensions shall be in accordance with the following:

Administration	Part 1
Interpretation	Part 2
Land Use Regulations	Part 3
Zones	Part 4
Subdivision Regulations	Part 5
Development Permit Areas	Part 6

A	B	C	D	E
Angle of Stall Perpendicular to Aisle	Stall Width	Stall Depth Perpendicular to Aisle	Aisle Width	Overall Depth
30 degrees	2.6 m	5.0 m	3.6 m	13.6 m
45 degrees	2.6 m	6.5 m	3.6 m	16.6 m
60 degrees	2.6 m	6.5 m	5.5 m	18.5 m
90 degrees	2.6 m	6.0 m	7.0 m	19.0 m



(ii) Where a design is proposed that is different from the above requirements it will be designed and approved by a professional engineer, to the satisfaction of the Regional District of Nanaimo.

(f) **Table 3: Disability Space Accessible Space Designation**

Marking	Minimum Size
Wall facing or sign	0.3 m in width and 0.3 m in height
Pavement marking	1.0 m in width



International Symbol of Accessibility for the Handicapped

(g) Bicycle Parking in Multi-residential and Commercial Zones

- (i) All commercial developments requiring at least 5 parking spaces shall have a bicycle rack capable of accommodating at least 4 bicycles.
- (ii) All multi-unit residential developments shall have a bicycle rack located in the common area that is capable of accommodating the same number of bicycles as dwelling units.
- (iii) Residential parcels with less than 4 dwelling units are encouraged to provide bicycle parking.
- (iv) Where provided, bicycle parking is to be located in a secure, convenient, well-lit location that is easily accessible to, but does not impede, pedestrian circulation and / or building entrances.
- (v) Ramps or similar structures should be provided with stairs for easier and safer bicycle movement.

(h) Vehicle Charging Stations

- (i) All new multi-unit residential development with 4 or more dwelling units shall install, at a minimum, electrical capacity for Level 2 or higher charging stations, to be located on the parent parcel, and based on the following:

Number of Dwelling Units	Number of Charging Stations
4 – 9	Minimum of 1

Number of Dwelling Units	Number of Charging Stations
10 – 29	Minimum of 2
30+	Minimum of 3

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

3.23 Campground Regulations and Standards

Integrated Schedule '3C', no changes

Campgrounds shall be established or extended in accordance with the following regulations and standards:

(a) Layout Standards

(i) Camping Spaces

- (A) Every camping space shall have a minimum area of not less than 110 m².
- (B) Every camping space shall have a maximum slope of 5%.
- (C) No camping space shall be located within:
 - (1) 3.0 m of an internal access road; and
 - (2) the setback areas in the applicable zones established pursuant to **Section 3.11 Part 3.4** of this Bylaw.
- (D) Each camping space shall have one conveniently located parking space adjacent to the internal access road and may be sited in the area allotted for the 3.0 m setback.
- (E) No recreation vehicle or tent shall be located elsewhere in a campground than on a camping space.
- (F) Only one recreational vehicle or tent shall be located on a camping space.

(ii) Buffer Area

- (A) Within a setback area established pursuant to **Section 3.11 Part 3.4** of this Bylaw the following shall not be located:
 - (1) recreational or service area, except for waterfront recreation or amenity areas;
 - (2) a camping space or the residence of the owner or manager;
 - (3) any building or structure, except a fence, a wall or a campground identification sign not exceeding 1.5 m² in area;
 - (4) a sewage disposal system, other than such parts of such a system as may be underground;
 - (5) vehicle parking; or
 - (6) internal access roads except those that directly traverse the setback area to connect the internal access road system of the campground to a highway.

(iii) Internal Access Roads

- (A) All internal access roads in the campground shall be of hard durable surface so as not to produce dust.
- (B) The minimum internal access road width requirement shall be 6.0 m.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (C) Dead-end internal access roads and cul-de-sacs shall have a turning circle radius of 12.0 m.
- (D) The maximum grade of any internal access road shall be 10%.
- (iv) Parking
 - Every campground shall provide for:
 - (A) One parking space for each employee; and
 - (B) Three parking spaces for the owner's or manager's residence.

(b) Servicing

- (i) Sewage Disposal

Sewage disposal shall be by a community sewer system or a septic disposal system constructed to the standards of the relevant enactments.
- (ii) Washroom Facilities

Washroom facilities shall be provided in every campground, and:

 - (A) shall be located in a separate building or buildings;
 - (B) shall be located a maximum of 150 m from any camping space and a minimum of 4.5 m from any camping space;
 - (C) **shall integrate universal and accessible design requirements;**
 - (D) the quantity of toilets, urinals, wash basins and showers shall be provided in accordance with the following table:

No. of Camping Spaces	Toilets	Urinals	Washbasins	Showers
1-15	1	1	1	1
16-30	1-2	1	2	1
31-45	2	1	3	1
46-60	2-3	2	3	2
61-80	3-4	2	4	2
81-100	3-4	2	4	3
101-130	4-5	3	5	4
131-150	5-6	3	5	5

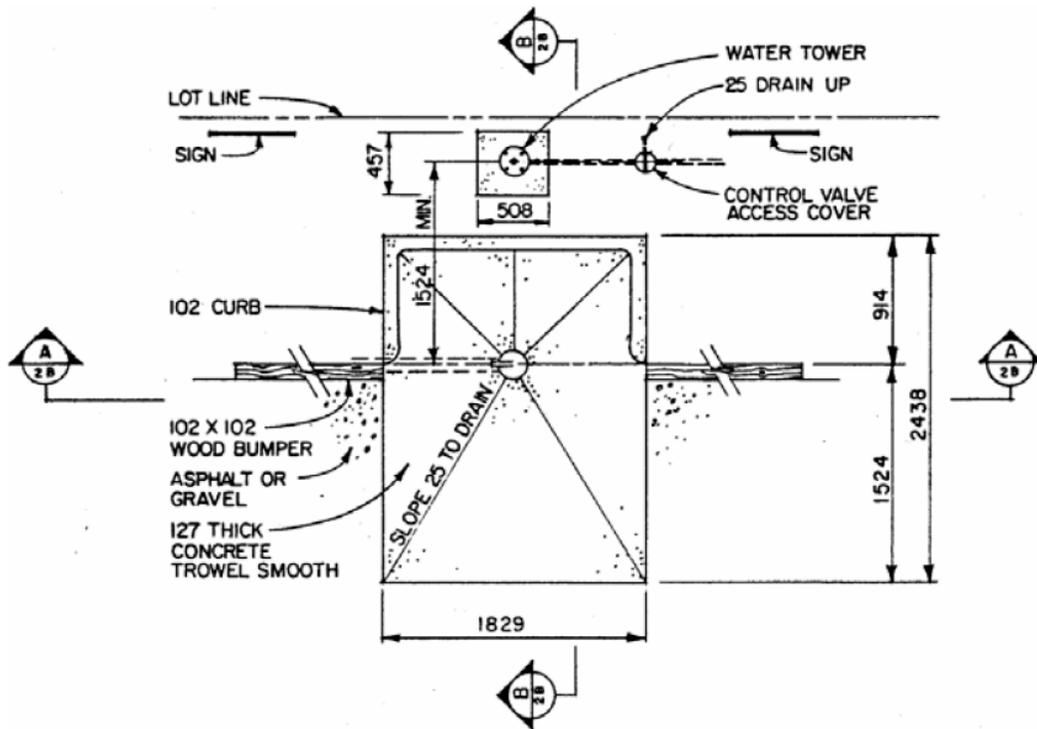
- (iii) Sewage Disposal Station

One sewage disposal station for use by recreational vehicles shall:

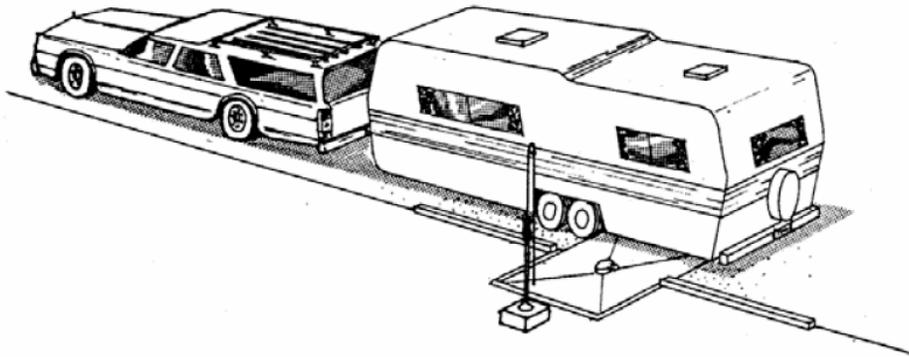
 - (A) be established in every campground that contains more than 60 camping spaces;

- (B) be located in an area apart from any internal access road and to allow easy and convenient access by recreational vehicles for the purpose of disposing of the contents of such vehicle's sewage storage tanks; and
- (C) be constructed in accordance with the following:

TRAILER SEWAGE DISPOSAL SYSTEM

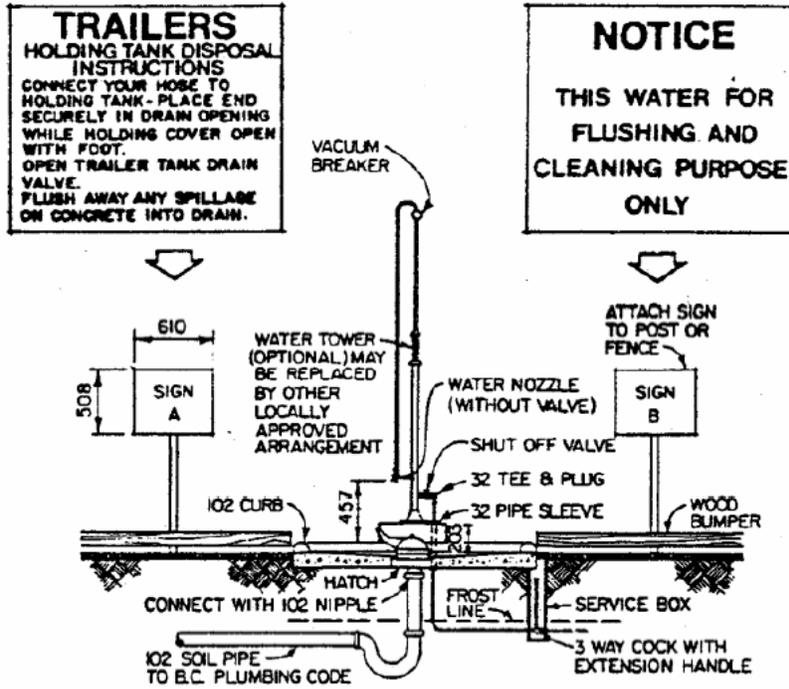


PLAN
(All Dimensions in Millimetres)



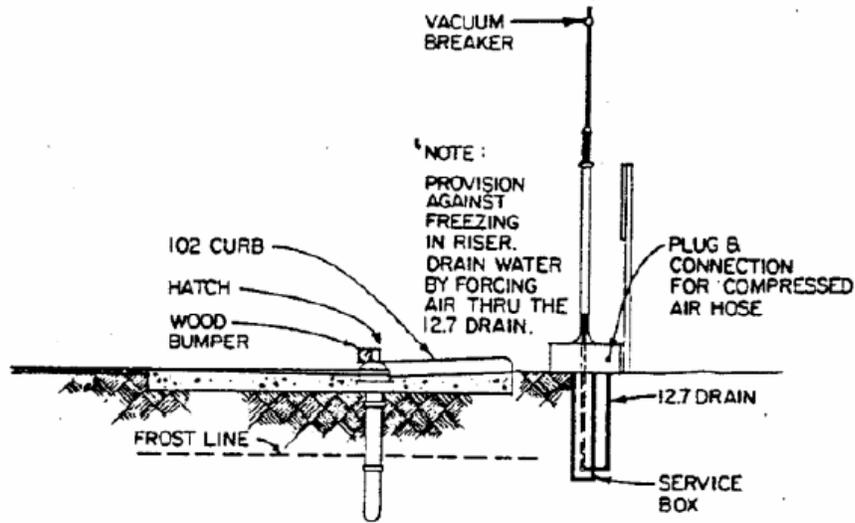
Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

TRAILER SEWAGE DISPOSAL SYSTEM



CROSS-SECTION A-A
 (All Dimensions in Millimetres)

FRK

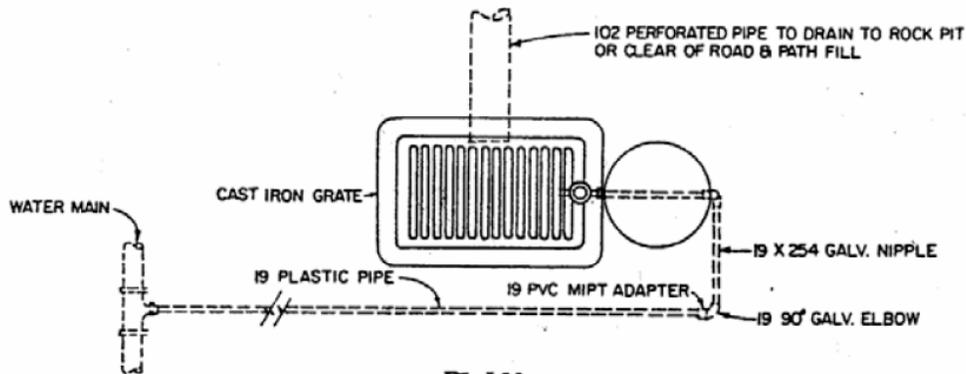


CROSS-SECTION B-B
(All Dimensions in Millimetres)

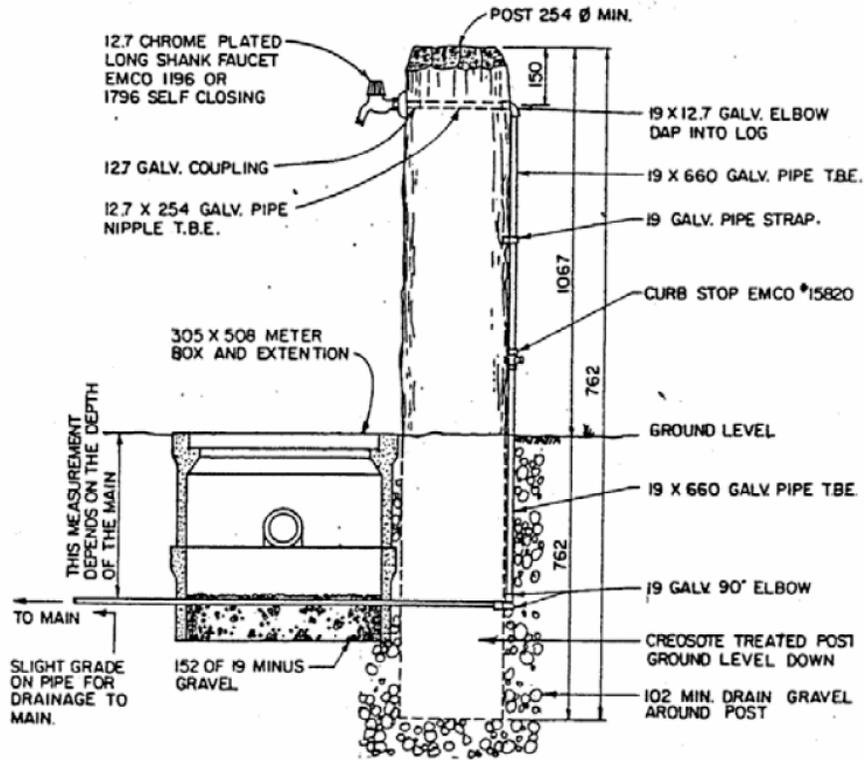
(iv) Water System

- (A) All camping spaces shall be a maximum of 60.0 m from a standpipe, constructed in accordance with the following:

WATER STANDPIPE TAP



PLAN
(All Dimensions in Millimeters)

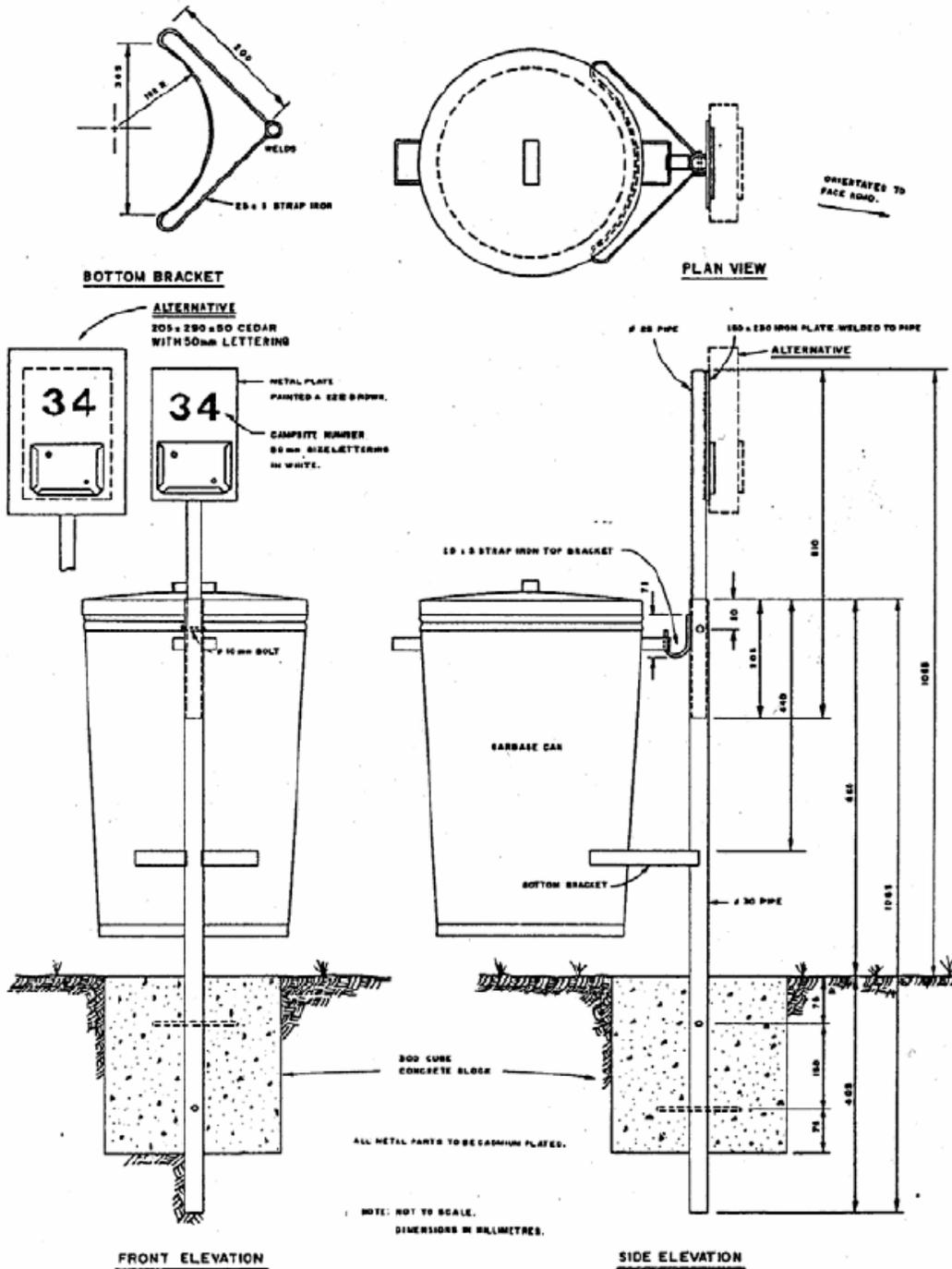


ELEVATION
(All Dimensions in Millimetres)

- (B) Every campground that contains more than 60 camping spaces shall be serviced by a community water system or a water supply system built to the standards of the Regional District of Nanaimo, as specified in Schedule '4D' of this Bylaw, and:
- (1) a minimum of 0.18 m³ per day of potable water per camping space shall be provided;
 - (2) 20% of all camping spaces in the campground shall be equipped with a water hook-up for recreational vehicles.
- (v) Laundry Facilities
Laundry facilities shall be:
- (A) provided in every campground that contains more than 60 camping spaces;
 - (B) provided in the ratio of 1 clothes washing machine and 1 clothes dryer for every 30 camping spaces or portion thereof;
 - (C) located in a separate room of a sanitary facility or building or in a separate building.
- (vi) Garbage Disposal
- (A) For the disposal of garbage a minimum of one container shall be provided for every 2 camping spaces.

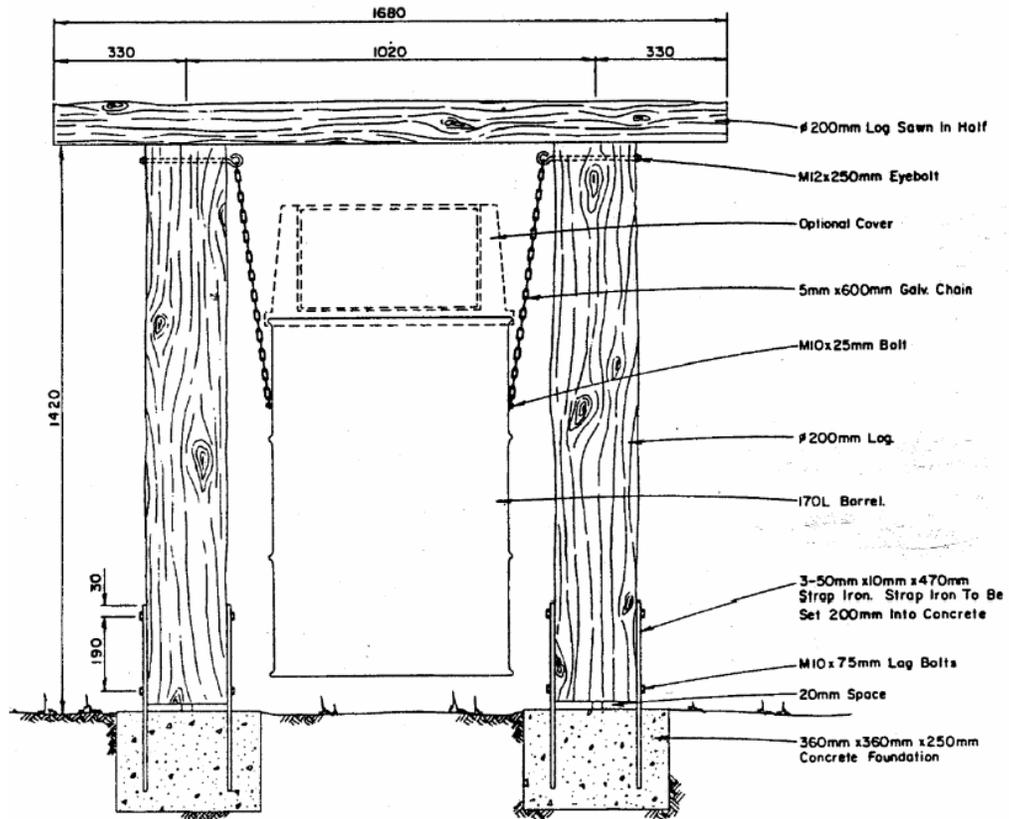
- (B) Each container shall be durable, insect-tight, water-tight and rodent-proof and shall be constructed in general compliance with standards set out in the following:

GARBAGE CAN HOLDER



SUSPENDED GARBAGE CONTAINER

(170 l Oil Barrel)



ELEVATION

FRU

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

~~3.24 Residential Mobile Home Park Regulations and Standards~~

~~Mobile home parks shall be established or extended in accordance with the following regulations and standards:~~

Section removed as Manufactured Home Parks are proposed to be regulated in the RDN Manufactured Home Park Standards Bylaw No. 1738.

~~(a) General Requirements~~

- ~~(i) No person shall establish, construct, alter or subdivide a mobile home park until written approval of detailed plans or specifications is received and a Mobile Home Park Permit is issued by the Regional District.~~
- ~~(ii) Nothing contained in this Schedule shall relieve any person from obtaining the necessary building permits and approvals for buildings and structures constructed, located or relocated in a mobile home park.~~
- ~~(iii) A copy of the Mobile Home Park Permit, a copy of this Part, and Part 3.4.66 of this Bylaw shall be permanently posted in the mobile home park office for the reference of mobile home park occupiers.~~

~~(b) Mobile Home Park Application, Fee, Approval and Permit~~

~~(i) Application~~

~~All applications for approval of plans and specifications shall be made in writing to the Regional District and shall include 2 full sets of working drawings to scale showing:~~

- ~~(A) the name and address of the applicant;~~
- ~~(B) the legal description of the land on which the proposed mobile home park is to be established, constructed, altered or extended;~~
- ~~(C) a north arrow and notations of scales used;~~
- ~~(D) the parcel dimensions;~~
- ~~(E) the location and dimensions of the setback area;~~
- ~~(F) the number, location, dimensions and designation of all mobile home spaces;~~
- ~~(G) the location, dimensions and grade of all internal access roads and their relationship to existing highways;~~
- ~~(H) the location and dimensions of all recreation or common areas;~~
- ~~(I) the location and dimensions of the owner's or manager's dwelling unit and all other accessory buildings;~~
- ~~(J) the location and details of the source of potable water supply, treatment plants, distribution lines and outlets;~~
- ~~(K) the location and details of all connections to the sewer, sewer lines, septic tank and subsurface disposal fields;~~
- ~~(L) the location and details of all on-site refuse disposal areas;~~

- ~~(M) a landscaping plan for the mobile home park;~~
- ~~(N) all watercourses or water frontage within or adjacent to the mobile home park;~~
- ~~(O) all steep banks or slopes within or adjacent to the land concerned; and~~
- ~~(P) any other information the Regional District may deem necessary.~~

~~(ii) Permit Application Fee~~

~~Each application for a Mobile Home Park Permit shall be accompanied by an application fee of \$25.00 for the first mobile home space and \$10.00 for each additional mobile home space shown on the mobile home park plan.~~

~~(iii) Approval of Application and Permit~~

- ~~(A) No person shall establish, construct or alter a mobile home park without a Mobile Home Park Permit issued by the Regional District.~~
- ~~(B) A Mobile Home Park Permit shall permit the establishment of a mobile home park on the land concerned only in compliance with the mobile home park plan as approved and for which a permit has been issued.~~
- ~~(C) A Mobile Home Park Permit shall not be issued until the necessary permits and approvals have been granted by the other authorities also having jurisdiction.~~
- ~~(D) Subsequent to examination of an application the Regional District shall notify the applicant in writing within 60 days that either a Mobile Home Park Permit is issued or that it is refused and the reasons therefore.~~
- ~~(E) In the event that after the issuance of a Mobile Home Park Permit, the construction authorized thereunder is not commenced within 180 days from the date of issuance, then such permit shall be void, and the work shall not be commenced until a new permit has been issued and the fee paid.~~

~~(c) Standards~~

~~(i) Mobile Home Spaces~~

- ~~(A) Every mobile home space shall:

 - ~~(1) have a minimum area of 370 m²;~~
 - ~~(2) have a maximum of 6% longitudinal and 15% cross or crown gradient;~~
 - ~~(3) have 1 conveniently located parking space in the mobile home space area, and such parking space shall have a minimum width of 3.0 m and a minimum length of 6.0 m;~~
 - ~~(4) be properly drained;~~
 - ~~(5) be clearly numbered; and~~
 - ~~(6) have a clearly discernible mobile home pad.~~~~
- ~~(B) No mobile home shall be located elsewhere in a mobile home park than on a mobile home space, and not more than 1 mobile home shall be located on a mobile home space.~~

Administration	Part 1
Interpretation	Part 2
Land Use Regulations	Part 3
Zones	Part 4
Subdivision Regulations	Part 5
Development Permit Areas	Part 6

~~(ii) Mobile Home Standards~~

~~(A) Every mobile home located on a mobile home space shall be supported by a double blocking system of blocking in which blocks of alternate courses are placed at 90 degrees.~~

~~(B) In a mobile home:~~

~~(1) the installation of all woodstoves and chimneys;~~

~~(2) the installation and maintenance of all oil burners and oil burning equipment and appliances using inflammable liquids as fuel;~~

~~(3) the storage and disposal of inflammable liquids and oils;~~

~~(4) the installation, maintenance, carriage and use of compressed gas systems;~~

~~(5) the plumbing and electrical installation; and~~

~~(6) the connections to services; shall be in accordance with the regulations of the authority having jurisdiction.~~

~~(C) Skirtings shall be installed within 60 days of installation of a mobile home on a mobile home pad.~~

~~(iii) Accessory Building and Structures~~

~~(A) One storage shed or utility building may be constructed on each mobile home space provided that the building has:~~

~~(1) a maximum height of 2.5 m;~~

~~(2) a maximum floor area of 9.0 m².~~

~~(B) Common accessory buildings and structures shall be limited to buildings and structures generally intended for the common use of mobile home park occupants and includes facilities for storage, laundry, service and recreation.~~

~~(iv) Owner's or Manager's Dwelling Unit~~

~~The space allotted for the owner's or manager's dwelling unit shall be developed in the same manner as a mobile home space where applicable, except where the residence is not a mobile home, then the minimum space allotted shall be 500 m².~~

~~(v) Siting~~

~~No part of any mobile home or any addition shall be located within:~~

~~(A) 6.0 m of another mobile home or addition thereto;~~

~~(B) 2.0 m of an internal access road or common parking area;~~

~~(C) 1.5 m of rear and side mobile home space lines;~~

~~(D) 6.5 m of any common accessory building.~~

~~(vi) Access~~

- ~~(A) No mobile home park shall be established or extended unless the highway access to the mobile home park is approved by the authority having jurisdiction.~~
- ~~(B) A second access from a highway separated by at least 60.0 m from the first access shall be provided for each mobile home park containing 50 or more mobile home spaces.~~
- ~~(C) Access to all parts of a mobile home park shall be by way of the internal access roads and no part of a mobile home park shall have direct access from a highway.~~

~~(vii) Layout~~

~~The minimum frontage of each mobile home space on the internal access road shall be 12.0 m, except in the case of a mobile home space abutting a cul-de-sac the minimum frontage shall be 6.0 m.~~

~~(viii) Internal Access Roads~~

- ~~(A) All internal access roads within a mobile home park shall be:

 - ~~(1) of a hard durable surface so as not to produce dust;~~
 - ~~(2) well drained;~~
 - ~~(3) maintained;~~
 - ~~(4) adapted to the topography.~~~~
- ~~(B) The maximum grade of all internal access roads shall be 7%.~~
- ~~(C) The minimum internal access road width requirements shall be as follows:

 - ~~(1) access roads from a mobile home park to a highway shall have a minimum surfaced width of 6.5 m and a right of way width of 15.0 m, and no parking shall be allowed on such internal access roads.~~
 - ~~(2) all other internal access roads:

 - ~~(I) with parking on both sides shall have a minimum surfaced width of 11.0 m and a right of way of 14.0 m;~~
 - ~~(II) with parking on one side shall have a minimum surfaced width of 8.5 m and a right of way of 12.0 m;~~
 - ~~(III) with no parking shall have a minimum surfaced width of 5.0 m and a right of way of 12.0 m.~~~~~~
- ~~(D) Cul-de-sacs shall not exceed 100 m in length.~~
- ~~(E) Dead-end internal access roads and cul-de-sacs shall have a turning circle right of way at the dead end with a radius of at least 12.0 m.~~

~~(ix) Parking~~

~~For every 2 mobile home spaces, 1 additional parking space shall be provided, and shall:~~

Administration	Part 1
Interpretation	Part 2
Land Use Regulations	Part 3
Zones	Part 4
Subdivision Regulations	Part 5
Development Permit Areas	Part 6

- ~~(A) be located in the internal access road or in grouped parking areas of no larger than 20 parking spaces;~~
- ~~(B) have a minimum width of 3.0 m and a minimum length of 6.0 m;~~
- ~~(C) be provided and maintained with a hard durable surface that does not produce dust;~~
- ~~(D) be property drained.~~

~~(x) Buffer Area~~

- ~~(A) To provide a buffer area, no mobile home space shall be located within the setback areas provided in Part 3.4 of this Bylaw.~~
- ~~(B) Within a setback required pursuant to Part 3.4 of this Bylaw the following shall not be located:

 - ~~(1) recreational or service areas, except for waterfront recreation or amenity areas;~~
 - ~~(2) mobile home spaces or the owner's or manager's residence;~~
 - ~~(3) any building or structure, except a fence, a wall or mobile home park identification sign not exceeding 1.5 m² in area;~~
 - ~~(4) a sewage disposal system;~~
 - ~~(5) vehicle parking;~~
 - ~~(6) internal access roads, except those that directly connect the road system of the mobile home park to a highway.~~~~

~~(xi) Recreation Area~~

- ~~(A) Not less than 5% of the gross site area of the mobile home park shall be devoted to tenant's recreational uses, and shall be provided in a convenient and accessible location; and for the purpose of calculating recreational space requirements, any indoor recreational space provided shall be counted as double its actual floor area.~~
- ~~(B) The recreation areas shall not include setback areas, parking areas, common accessory buildings, internal access roads and mobile home spaces.~~
- ~~(C) In mobile home parks where more than 1000 m² of recreation space is required, 2 or more recreation areas may be provided.~~
- ~~(D) Recreation areas in the mobile home park, except indoor recreation facilities, shall be of grass or asphaltic surface and shall be property landscaped.~~

~~(xii) Refuse Disposal~~

- ~~(A) No person residing in a mobile home park shall dispose of refuse or any sort of waste except in accordance with the arrangements made by the owner or manager of the mobile home park, and approved by the authority having jurisdiction.~~

Administration	Part 1
Interpretation	Part 2
Land Use Regulations	Part 3
Zones	Part 4
Subdivision Regulations	Part 5
Development Permit Areas	Part 6

~~(B) The owner or manager of a mobile home park may establish 1 or more containers within the park for the collection of refuse. Such containers shall be durable, insect tight, watertight and rodent proof.~~

~~(xiii) Water System~~

~~(A) Pursuant to Part 3.4 of this Bylaw, in the event that the number of mobile homes per mobile home park does not require the provision of a community water system, then every mobile home park shall have a water supply system built to the standards of the Regional District of Nanaimo, as specified in Schedule '5C' of this Bylaw.~~

~~(B) The water supply system shall furnish a constant supply of potable water that is under a minimum working pressure of 200 kPa and not over a maximum working pressure of 350 kPa at all outlets.~~

~~(C) The water supply system shall distribute water to each:~~

- ~~(1) accessory building, if required;~~
- ~~(2) mobile home space by a distribution branch line with a minimum diameter of 18 mm;~~
- ~~(3) hydrant;~~
- ~~(4) hose bib.~~

~~(xiv) Sewage Disposal~~

~~Pursuant to Part 3.4 of this Bylaw, in the event that the number of mobile homes per mobile home park does not require the provision of a community sewer system, then every mobile home park shall be served by a septic disposal system constructed to the standards of the authority having jurisdiction.~~

~~(xv) Fire Hydrants~~

~~Fire hydrants meeting the requirements of the Regional District as specified in Schedule '5C' of this Bylaw shall be installed and connected to the internal water supply of a mobile home park so that no mobile home space is beyond 120.0 m from a fire hydrant, as measured along the internal access road.~~

~~(xvi) Streetlighting~~

~~Streetlighting shall be installed and maintained to adequately illuminate the traveled portion of the internal access roads at the following locations:~~

- ~~(A) the intersection of internal access roads and a highway;~~
- ~~(B) all internal intersections;~~
- ~~(C) the turning circle of cul-de-sacs;~~
- ~~(D) any point at which an internal access road changes direction 30 degrees or more.~~

3.24 Mobile Vendors

New section as per Food Truck Discussion Paper

- (a) **Mobile vendors may operate in all non-rural and non-residential zones and are subject to the following conditions:**
 - (i) **Mobile Vendors in RDN parks may be permitted with an approved Parks Permit.**
 - (ii) **The vending of any goods by a mobile vendor shall not be carried out on any highway, foreshore area, or lands located below the natural boundary;**
 - (iii) **The vending of any goods by a mobile vendor shall not be carried out on any one parcel for more than eight hours per 24-hour period;**
 - (iv) **The mobile vending unit shall be removed from the site by the mobile vendor at the end of the mobile vending period of a maximum of 8 hours;**
 - (v) **No building or structure shall be placed or erected in association with the vending operation; and**
 - (vi) **One temporary freestanding sign no larger than 1.0 square metre may be displayed on each side of a mobile vending unit.**
- (b) **Mobile vendors may operate in any rural or residential zone where the mobile vending unit does not stop and/or locate on any parcel for a duration in excess of fifteen (15) minutes per 24-hour period and no structures are placed or erected in association with the vending operation.**

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

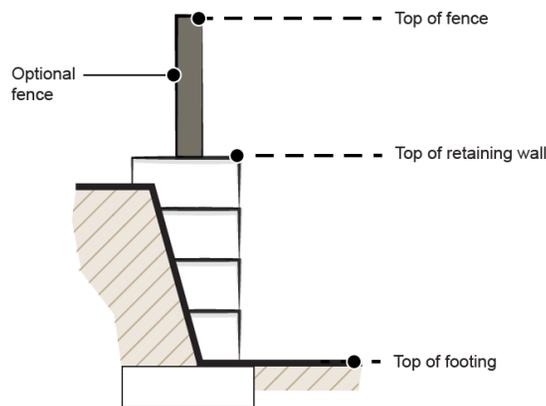
3.25 Retaining Walls

New section as per Structures Discussion Paper

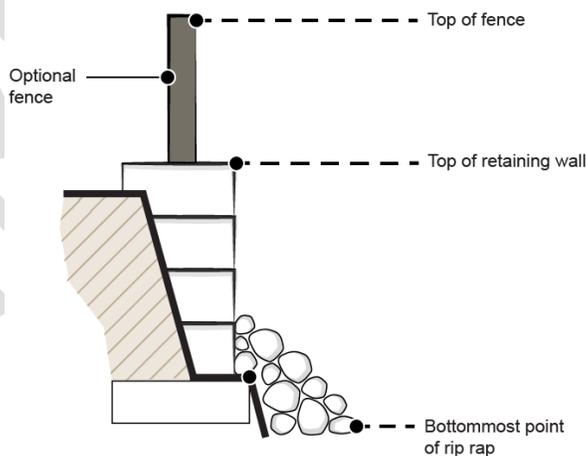
The following regulations are for retaining walls that are considered structures for the purpose of this Bylaw and are subject to minimum setback requirements.

(a) Retaining Wall Height:

- (i) The height of a retaining wall shall be measured from the top of the footing to the top of the retaining wall or fence, whichever is higher, as illustrated below:



- (ii) Where rip rap is included, it will be considered part of the overall retaining wall structure and will be included in the overall height calculation from the bottommost point of the rip rap above surface water to the uppermost point of the retaining wall and / or fence, as illustrated below:

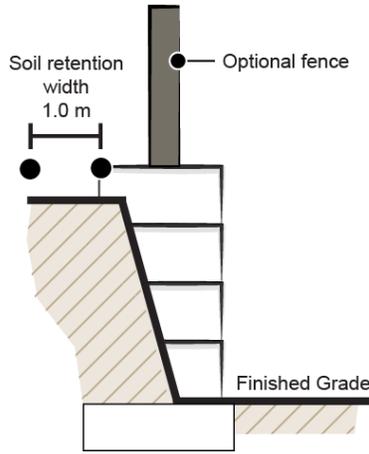


- (iii) The maximum height for a combined retaining wall with either fences and / or rip rap, is 2.5 metres, with the maximum height for a retaining wall without either a fence and/or rip rap to remain at a maximum height of 1 metre.

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

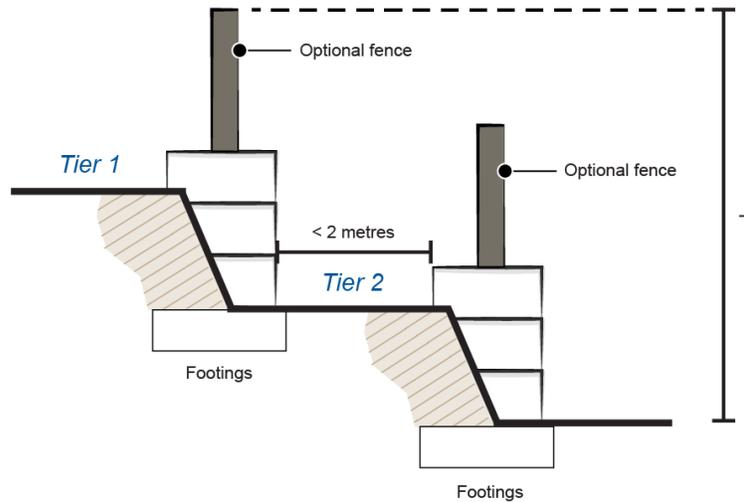
(b) Retaining Wall Width:

- (iv) **The width of a retaining wall and soil retention shall be measured from the back of the retaining wall, as illustrated below:**

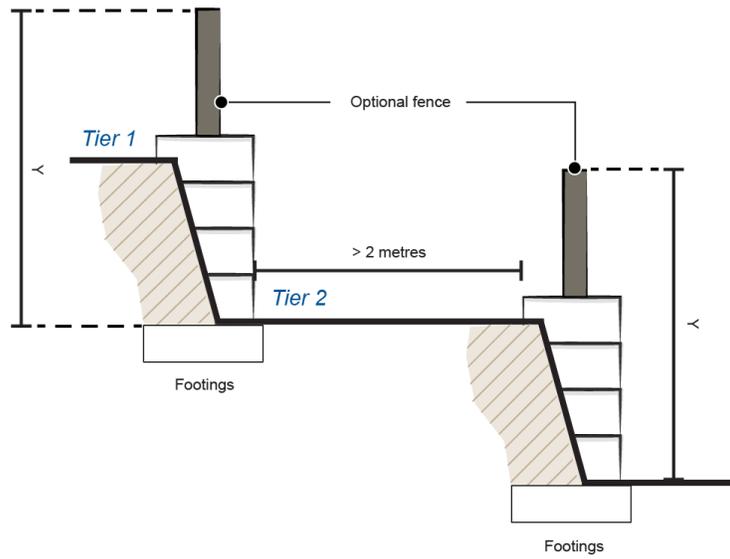


- (c) **For multiple retaining walls, the minimum distance between walls is 2.0 metres as measured from the outer face of each retaining wall. If the minimum distance is less than 2.0 metres, the series of walls will be considered as one wall for the purposes of measuring height.**

Example: Multiple retaining walls with less than 2.0 metres distance between them where height is measured from the top of the footing of the bottom retaining wall to the highest point of the top retaining wall



Example: Multiple retaining walls with greater than 2.0 metres distance between them where height is measured separately for each retaining wall as per 3.25 (a)



FIRST

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

3.26 Shipping Containers

New section as per Structure Discussion Paper

- (a) A Shipping Container shall only be located on a parcel where there is an existing principal use and shall be an accessory use for the purpose of this Bylaw.
- (b) Shipping Containers shall be subject to the minimum setback requirements, parcel coverage and all applicable Development Permit Area guidelines.
- (c) A development that proposes to convert a shipping container to a use other than storage may be required to meet all applicable building and safety code requirements. Once all building and safety code requirements are met, the shipping container would be a building required to meet all applicable building standards and setbacks of this Bylaw and no longer would be a shipping container.
- (d) With the exception of industrial zones, Shipping Containers are temporary and are subject to the following conditions:

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

Zone	Maximum Number of Shipping Containers	Maximum Timeframe	Is Stacking Permitted?
Rural and Agricultural Zones except AG1 and AG2	Up to 2	No limit	No
AG1 and AG2	2	No limit	No
Residential Zones except RM Zones	1	90 consecutive days within a calendar year	No
RM Zones	2	90 consecutive days within a calendar year	No
Commercial Zones	Up to 2 for a purpose associated with the Primary Use	1 calendar year	No
Industrial Zones	Up to 5 for a purpose associated with the Primary Use	No limit	Yes
	No limit as part of a listed Primary Use or if the Primary Use is contained within a shipping container	No limit	Yes
Other Zones	1 for a purpose associated with a Primary Use	30 consecutive days within a calendar year	No

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

3.27 Signs

New section as per Signs Discussion Paper

- (a) **With the exception of one freestanding sign per parcel with a sign area under 2.0 m², all signs are subject to the applicable setbacks for the zone in which it is located and shall conform to the following:**

Use	Permitted Sign Type(s)	Number of Signs	Maximum Size Requirements per Sign
Home Based Business	Freestanding Sign in association with home based business	Maximum of 1 sign per parcel	Maximum Height: 1.5 m Maximum Sign Area: 0.75 m ²
	Fascia Sign in association with home based business		Maximum Height: 1 m Maximum Sign Area: 0.75 m ²
All other Uses	Freestanding Sign associated with an approved business	Maximum of 1 sign per parcel	Where a sign advertises one business: Maximum Height: 4 m Maximum Sign Area: 11 m ²
			Where a sign advertises more than one business: Maximum Height: 6 m Maximum Sign Area: 13 m ²
	Fascia Sign associated with an approved business	Maximum of 1 fascia sign or one projecting sign per business	Maximum Height: 2 m Maximum Sign Area: 11 m ²
	Projecting Sign associated with an approved business	Maximum of 1 projecting sign or one projecting sign per business	Maximum Height: 1 m Maximum Sign Area: 2 m ²

- (b) **All signs shall be dark sky compliant.**
- (c) **Where a sign is illuminated, excluding backlit signs, the sign is subject to the following requirements:**

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

- (i) **All signs may be illuminated unless expressly prohibited in this Bylaw;**
 - (ii) **Full cut-off (shielded) outdoor fixtures shall be installed for all exterior lighting;**
 - (iii) **All signs within 30.0 m of a Residential zone shall be turned off from dusk till dawn controlled with an automatic timer;**
 - (iv) **Emit a maximum of 0.3 foot-candles of light intensity above ambient light;**
 - (v) **Messaging and images must remain static for a minimum of 6 seconds with a transition period of 1 second or less; and**
 - (vi) **Must display only a blank black screen in the event of a malfunction of the display.**
- (d) **Where a conflict occurs between this Section 3.28 and a Development Permit Area Guideline, the Development Permit Area Guideline shall prevail.**
- (e) **The following Rural Village Centres shall be designated as distinct communities for the purpose of making an application to the Ministry of Transportation and Infrastructure (MOTI) to install community identification, entrance, and wayfinding signage within road rights-of-way:**

Electoral Area	Community Name (Village Centre / Neighbourhood)
Electoral Area A	Cassidy
	Cedar
Electoral Area C	Extension
Electoral Area E	Fairwinds
	Red Gap
	Schooner Cove
Electoral Area G	French Creek
Electoral Area H	Bowser
	Qualicum Bay
	Dunsmuir

3.28 Servicing Requirements

New section as per Housekeeping Discussion Paper to effectively address servicing with the removal of minimum site area requirements

- (a) Where proof of servicing is required by this Bylaw, it shall be provided by an owner at the time of Development Permit and where no Development Permit is required prior to the issuance of a building permit and must include:
- (i) Proof of an approved means of potable water;
 - (ii) Proof of an approved means of sewage disposal;
 - (iii) Demonstration of the means to address and manage draining on site;
 - (iv) Demonstration of suitable areas to accommodate parking and landscaping in accordance with this Bylaw;
 - (v) Where capacity is available, requirement to connect to community water, sewer, and drainage services, including improvement district services;
 - (vi) Demonstration of compliance with all applicable Regional District of Nanaimo Bylaws, provincial legislation and regulations; and
- (b) Notwithstanding any other section of this Bylaw, where servicing requirements apply, the use of a parcel shall be limited by the servicing requirements outlined in 3.28 (a).

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

Schedule 3A: Zoning Maps

FIRST DRAFT

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	---------------------------------------

Part 4 Zones

This section of the Bylaw includes all zones. The zones have been listed in Section 4.1.

This Bylaw also establishes sub-zones where specified parcels may have some minor differences from the parent zone. These sub-zones are identified in the Table in Section 4.1 as well as sub-sections within each applicable parent zone.



Zone Classification	Short Title	Sub-zone(s)
Conservation 1 Zone	ES1	
Industrial 1 Zone	IN1	
Industrial 2 Zone	IN2	
Industrial 3 Zone	IN3	
Industrial 4 Zone	IN4	
Industrial 5 Zone	IN5	
Light Industry	LI	LI1 LI2
Medium Industry	MI	MI1 MI2 MI3 MI4
Heavy Industry	HI	HI1
Public 1 Zone	PU1	PU1.1
Public 2 Zone	PU2	
Public 3 Zone	PU3	
Public 4 Zone	PU4	PU4.1
Public 6 Zone	PU6	
Recreation 1 Zone	RC1	
Recreation 2 Zone	RC2	
Recreation 3 Zone	RC3	
Recreation 4 Zone	RC4	
Recreation 5 Zone	RC5	
Recreation 6 Zone	RC6	
Residential 1 Zone	RS1	RS1.1 RS1.2 RS1.3
Residential 1.1 Zone	RS1.1	
Residential 1.2 Zone	RS1.2	
Residential 2 Zone	RS2	RS2.1
Residential 2.1 Zone	RS2.1	
Residential 3 Zone	RS3	
Residential 4 Zone	RS4	

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Zone Classification	Short Title	Sub-zone(s)
Residential 5 Zone	RS5	RS5.1 RS5.2 RS5.3 RS5.4
Residential 6 Zone	RS6	
Residential 7 Zone	RS7	
Residential 8 Zone	RS8	
Resort Commercial	RCM	
Resource Management 1 Zone	RM1	
Resource Management 2 Zone	RM2	
Resource Management 3 Zone	RM3	
Resource Management 4 Zone	RM4	
Resource Management 5 Zone	RM5	
Resource Management 6 Zone	RM6	
Resource Management 7 Zone	RM7	
Resource Management 8 Zone	RM8	
Resource Management 9 Zone	RM9	
Rural 1 Zone	RU1	
Rural 1.1 Zone	RU1.1	
Rural 2 Zone	RU2	
Rural 3 Zone	RU3	
Rural 4 Zone	RU4	
Rural 5 Zone	RU5	
Rural 6 Zone	RU6	
Rural 7 Zone	RU7	
Rural 8 Zone	RU8	
Rural 9 Zone	RU9	
Rural 10 Zone	RU10	
Rural Residential 1	RR1	RR1.1 RR1.2 RR1.3
Rural Residential 2	RR2	RR2.1 RR2.2

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

Zone Classification	Short Title	Sub-zone(s)
Water 1 Zone	WA1	
Water 2 Zone	WA2	
Water 3 Zone	WA3	
Water 4 Zone	WA4	
Alternative Forms of Rural Development 1	AF1	
Schooner House Comprehensive Development Zone 4	CD4	
Wembley Comprehensive Development Zone 5	CD5	
Bowser Village Comprehensive Development Zone 6	CD6	
Fairwinds Comprehensive Development Zone 8	CD8	
Horne Lake Comprehensive Development Zone 9	CD9	
South Wellington Comprehensive Development Zone 10	CD10	
South Wellington 2 Comprehensive Development Zone 11	CD11	
Rondalyn Resort Comprehensive Development Zone 13	CD13	
Englishman River Comprehensive Development Zone 14(BLOCK 564)	CD14	
Kipp Road Industrial Comprehensive Development Zone 15	CD15	
Comprehensive Development Zone 17 (NCID)	CD17	
Schoolhouse Road Light Industrial Comprehensive Development Zone 18	CD18	
Midora Road Comprehensive Development Zone 19	CD19	
Parklands Mobile Manufactured Home Park Comprehensive Development Zone 20	CD20	
Comprehensive Development Zone 21 (Doumont)	CD21	
Horne Lake Regional Park Comprehensive Development Zone 24	CD24	

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

Zone Classification	Short Title	Sub-zone(s)
Claudet Road Rural Comprehensive Development Zone 26	CD26	
South Wellington Light Industrial Comprehensive Development Zone 28	CD28	
Cedar Estates Comprehensive Development Zone 29	CD29	
Nanoose Bay Village Centre Comprehensive Development Zone 30	CD30	
Horne Lake Road Comprehensive Development Zone 32	CD32	
Schoolhouse and Harold Roads Light Industrial Comprehensive Development Zone 33	CD33	
Ridge Town Homes Comprehensive Development Zone 34	CD34	
Rockcliffe Comprehensive Development Zone 35	CD35	
1680 Timberlands Comprehensive Development Zone 36	CD36	
Main Road Light Industrial Comprehensive Development Zone 37	CD37	
Qualicum Bay Seniors Development Comprehensive Development Zone 41	CD41	
Crown and Anchor Campground Comprehensive Development Zone 42	CD42	
Schooner Bay Manor Seniors Mobile Manufactured Home Park Comprehensive Development Zone 43	CD43	
Lakes District Comprehensive Development Zone 44	CD44	
Schooner Cove Comprehensive Development Zone 45	CD45	
Fielding Road Light Industrial Comprehensive Development Zone 49	CD49	
Beck Road Comprehensive Development Zone 50	CD50	
Comprehensive Development Zone 51	CD51	
Lighthouse Villa Comprehensive Development Zone 52	CD52	

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

Zone Classification	Short Title	Sub-zone(s)
Horne Lake Road Service Commercial Comprehensive Development Zone 54	CD54	
Resort Commercial Comprehensive Development Zone	CD55	
Commercial Comprehensive Development Zone	CD56	

- (c) The extent of each zone **and sub-zone** is shown on Schedule '3A'.
- (d) Where a zone boundary is designated as following a highway or a watercourse, the centerline of the highway or the natural boundary of the watercourse or the centerline of a creek shall be the zone boundary.
- (e) Where a zone boundary does not follow a legally defined line, and where distances are not specifically indicated, the location of the boundary shall be determined by scaling from Schedule '3A'.
- (f) Where a parcel is divided by a zone boundary **that differentiates two or more zones within a single parcel**, the areas ~~created by such division of each zone~~ shall be deemed to be separate parcels for the purpose of determining parcel coverage, setbacks, minimum site area and ~~floor area ratio~~ of this Bylaw.
- ~~(g) Where a parcel exists prior to the effective date of this Bylaw and the site area of the parcel does not conform to the provisions of this Bylaw, such parcel having an area less than the specified site area in the applicable zone may:~~
- ~~(i) be used for only one permitted use in the applicable zone, provided that the requirements of the authority having jurisdiction are met with respect to provision of water and method of sewage disposal and the use may not be extended; or~~
 - ~~(ii) be developed in accordance with the provisions and regulations of the Residential 1 zone.~~
 - ~~(iii) Site area requirements do not apply to an unattended public utility use and park; and such uses are permitted in each zone.~~
- (h) **Sub-zones regulate modifications to parent zone and apply to specific parcels identified in Schedule '3A' of this Bylaw. Subzones with letters also regulate subdivision requirements consistent with Part 5 of this Bylaw.**

Updated as per Housekeeping Discussion Paper to clarify calculations for parcels with multiple zones

Floor area ratio definition removed as per Housekeeping Discussion Paper

Minimum site area requirements removed as per Housekeeping Discussion Paper

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.2 Agriculture 1 (AG1)

(a) Intent

The intent of this zone is to support and promote a variety of agricultural uses and food security for lands primarily located in the Agricultural Land Reserve.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted Principal Uses

- (i) Farm Use – on lands located in the Agricultural Land Reserve
- (ii) Agriculture – on lands not located in the Agricultural Land Reserve
- (iii) Residential Use

Permitted Accessory Residential Uses

- (i) Home Based Business
- (ii) Secondary Suite

Permitted Accessory Farm Uses

- (i) Temporary Sawmill
- (ii) Agricultural Education and Research
- (iii) Agri-tourism accommodation **accessory to a Prescribed agri-tourism activity**
- (iv) Production of Biological Integrated Pest Management Products
- (v) Gathering for an Event

Updated to align with most recent Agricultural Land Commission Regulations.

(c) Maximum Number and Size of Buildings and Structures

- | | |
|--|---|
| (i) Accessory residential buildings | combined floor area of 400 m ² |
| <hr/> | |
| (ii) Dwelling units /parcel | |
| (1) on a parcel having an area of 2.0 ha or less | 1 |
| For Electoral Areas 'A', 'C', 'E', and 'H' | 2 |
| (2) on a parcel having an area greater than 2.0 ha | 2 |
| For Electoral Area 'G' | 2 |

(3)	on a parcel having an area equal to or greater than twice the minimum parcel size as established by Schedule '5B Subdivision District – Minimum Parcel Sizes'	
(4)	notwithstanding subsection (3), on a parcel located in this zone and created prior to February 22, 2011 and having an area greater than 2.0 ha	2
(iii)	Height (non-farm and accessory farm buildings and structures)	9.0 m
(iv)	Parcel coverage	Updated Section (iv) as per Housekeeping Discussion Paper to clarify parcel coverage on smaller parcels
(1)	Non-farm buildings and structures	10%
(2)	Despite (1) above, on parcels less than 2,000 m² in area	35%
(3)	Farm or agriculture buildings and structures	25%
(4)	Greenhouses	75%
(5)	In no case shall the combined parcel coverage exceed 75%	
(6)	Notwithstanding (1) to (5) above or any other regulation in this Bylaw, the following agricultural structures shall be exempt from maximum parcel coverage:	
	(I) Permeable detention ponds; and	
	(II) Support structures used for shading, frost and wind protection, netting or trellising.	

(d) Minimum Setback Requirements

(i)	All non-farm buildings and structures – All lot lines	8.0 m
(ii)	except where:	

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

(1) the parcel is less than 4000 m² in area then the setback from lot lines may be reduced to 2.0 m from an interior side lot line and to 5.0 m from other lot lines, excluding the front lot line;

Updated setbacks as per Setbacks Discussion Paper

(2) any part of a parcel is adjacent to or contains a watercourse or the sea then the regulations in Sections ~~3.3.8~~ **3.9** and ~~3.3.9~~ **3.10** shall apply.

(iii) All agriculture or farm buildings, structures and uses – in accordance with Section ~~3.3.10~~ **3.11**.

(e) Other Regulations

(i) For any part of a parcel in the Agricultural Land Reserve, ‘Farm Use’ shall be a permitted principal use and for any part of a parcel not located in the Agricultural Land Reserve, ‘Agriculture’ shall be a permitted principal use.

(ii) Accessory Farm uses are only permitted on that part of a parcel that is within the Agricultural Land Reserve.

(iii) Specific ‘Farm’ and ‘Permitted’ uses as defined in the **Agricultural Land Reserve Use, Subdivision, and Procedure Regulation** shall be developed in accordance with Section ~~3.3.15~~ **3.16** and ~~3.3.16~~ **3.17** of this Bylaw.

(iv) Despite any regulation in this Bylaw, land established as “Agricultural Land Reserve” pursuant to the **Agricultural Land Commission Act** is subject to the **Agricultural Land Commission Act and Regulations**, and applicable orders of the Land Reserve Commission.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

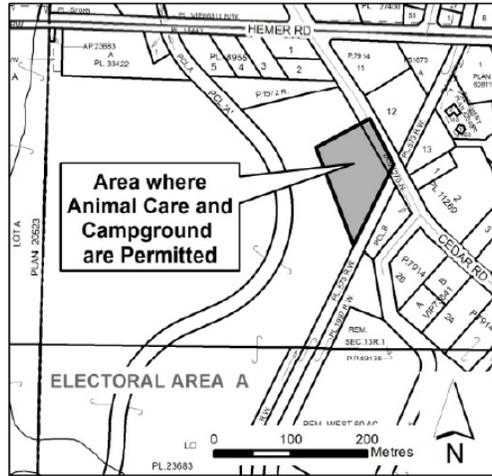
Part 5
Subdivision Regulations

Part 6
Development Permit Areas

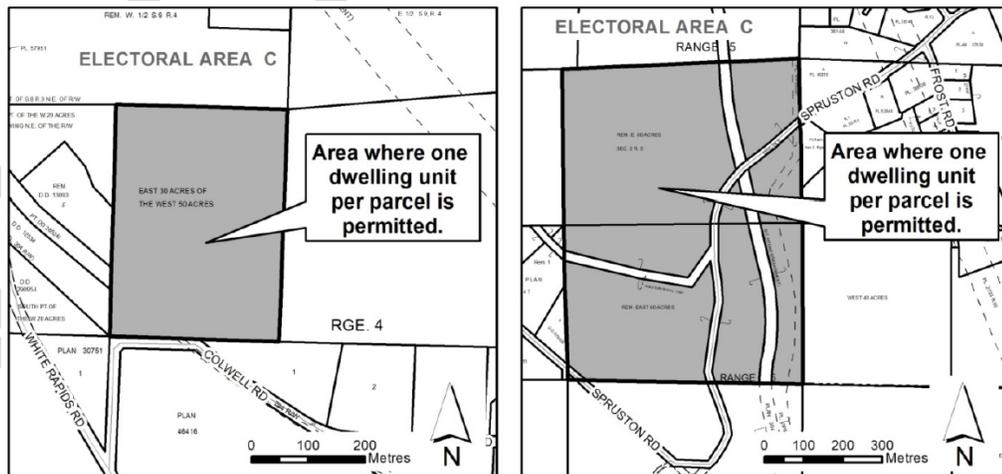
4.2.1 Agriculture 1 Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zone	Modification
AG1.1	Animal Care and Campground shall be permitted in the shaded area outlined in bold in the map below.

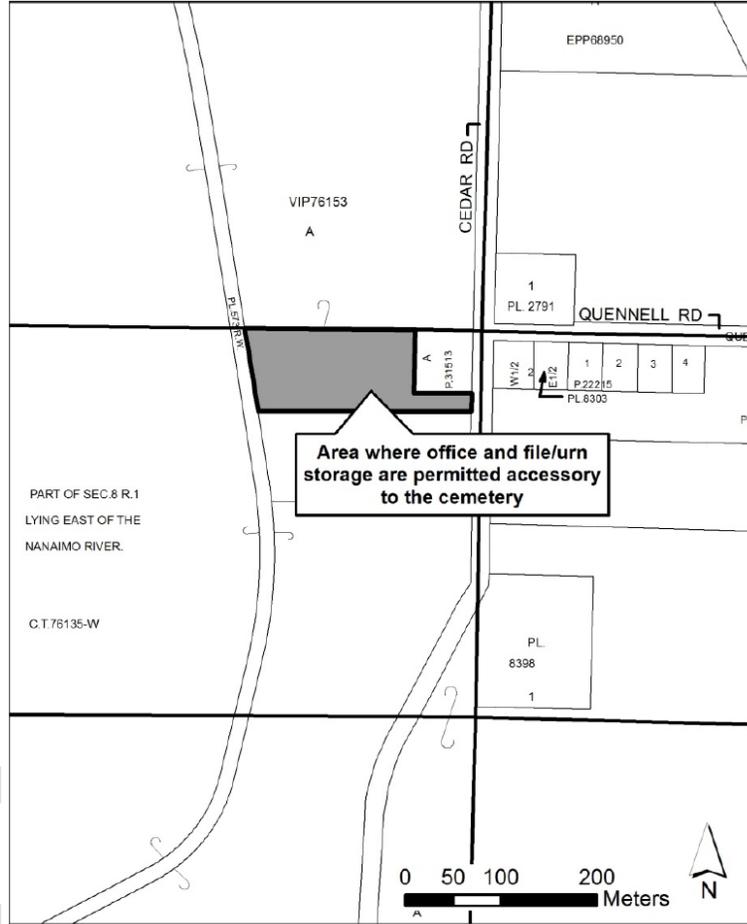


AG1.2	The maximum number of dwelling units permitted in the shaded areas outlined in bold in the maps below shall be limited to one dwelling unit per parcel.
--------------	---



AG1.3

Office and file/urn storage accessory to the cemetery shall be permitted in accordance with ALC non-farm use approval in the shaded area outlined in bold in the map below.



Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.3 Agriculture 2 (AG2)

(a) Intent

The intent of this zone is to accommodate a variety of agricultural and resource-based uses on lands primarily located in the Agriculture Land Reserve.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted Principal uses

- (i) Farm Use – on lands located in the Agricultural Land Reserve
- (ii) Agriculture – on lands not located in the Agricultural Land Reserve
- (iii) Residential Use
- (iv) Extraction Use
- (v) Log Storage and Sorting Yard
- (vi) Primary Processing

Permitted Accessory Residential Uses

- (i) Home Based Business

Permitted Accessory Farm Uses

- (i) Temporary Sawmill
- (ii) Agricultural Education and Research
- (iii) Agri-tourism accommodation **accessory to a Prescribed agri-tourism activity**
- (iv) Production of Biological Integrated Pest Management Products
- (v) Gathering for an Event

Updated to align with most recent Agricultural Land Commission Regulations.

(c) Maximum Number and Size of Buildings and Structures

- | | |
|--|---|
| (i) Accessory residential buildings | combined floor area of 400 m ² |
| (ii) Dwelling units /parcel | |
| (1) on a parcel having an area of 2.0 ha or less | 1 |

For Electoral Areas ‘A’, ‘C’, ‘E’, and ‘H’

- (2) on a parcel having an area greater than 2.0 ha 2

For Electoral Area ‘G’ only

- (3) on a parcel having an area equal to or greater than twice the minimum parcel size as established by Schedule ‘5B Subdivision District – Minimum Parcel Sizes’ 2
- (4) notwithstanding subsection (3), on a parcel located in this zone and created prior to February 22, 2011 and having an area greater than 2.0 ha

- (iii) Height (non-farm and accessory farm buildings and structures) 9.0 m

- (iv) Parcel coverage Section (iv) as per Housekeeping Discussion Paper

- (1) Non-farm buildings and structures 10%
- (2) **Despite (1) above, on parcels less than 2,000 m² in area 35%**
- (3) Farm or agriculture buildings and structures 25%
- (4) Greenhouses 75%
- (5) In no case shall the combined parcel coverage exceed 75%
- (6) Notwithstanding (1), (2), (3), (4) and (5) above or any other regulation in this Bylaw, the following agricultural structures shall be exempt from maximum parcel coverage:
- (I) Permeable detention ponds
- (II) Support structures used for shading, frost and wind protection, netting or trellising.

(d) Minimum Setback Requirements

- (i) All residential and non-farm buildings and structures:
- (1) All residential buildings and structures – All lot lines 8.0 m
- (2) All other non-farm buildings and structures – All lot lines 20.0 m

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(3) Except where any part of a parcel is adjacent to or contains a watercourse or the sea then the regulations in Sections ~~3.3.8~~ **3.9** and ~~3.3.9~~ **3.10** shall apply.

(ii) All agriculture or farm buildings, structures and uses – in accordance with Section ~~3.3.10~~ **3.11**.

(e) Other Regulations

(i) For any part of a parcel in the Agricultural Land Reserve, ‘Farm Use’ shall be a permitted principal use and for any part of a parcel not located in the Agricultural Land Reserve, ‘Agriculture’ shall be a permitted principal use.

(ii) Accessory Farm uses are only permitted on that part of a parcel that is within the Agricultural Land Reserve.

(iii) Specific ‘Farm’ and ‘Permitted’ uses as defined in the ***Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*** shall be developed in accordance with Section ~~3.3.15~~ **3.16** and ~~3.3.16~~ **3.17** of this Bylaw.

(iv) Despite any regulation in this Bylaw, land established as “Agricultural Land Reserve” pursuant to the ***Agricultural Land Commission Act*** is subject to the ***Agricultural Land Commission Act and Regulations***, and applicable orders of the Land Reserve Commission.

(v) **All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.**

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

4.4 Nanaimo Airport

(a) Application

The regulations in this zone regarding permitted uses, height, parcel coverage, setbacks and off-street parking do not apply to buildings or structures that are used or intended to be used for airport or airport-related purposes.

For the purposes of calculating parcel coverage limits for the construction of a building or structure not intended to be used for airport or airport-related purposes, the coverage by airport and airport-related buildings and structures shall be taken into account in determining whether additional buildings and structures for uses other than airport or airport-related use are permitted.

(b) Permitted Principal Uses

The listing of “airport” as a permitted use is not intended to imply that the RDN is “allowing” a non-farm use on the portion of the lands that are in the Agricultural Land Reserve. Instead, “airport” is listed as a permitted use in this zone in recognition that the Nanaimo Airport Commission operates an airport on the lands.

Development Area A - Airport

- (i) Airport
- (ii) Farm Use – on lands located in the Agricultural Land Reserve

Development Area B – Airport Commercial

- (i) Airport
 - (ii) Convenience Store
 - (iii) Fast Food Outlet
 - (iv) Gas Bar
 - (v) Gasoline Station
 - (vi) Hotel
 - (vii) Light Industry
 - (viii) Neighbourhood Pub
 - (ix) Office
 - (x) Public Utility
 - (xi) Parking
 - (xii) Restaurant
 - (xiii) Retail Store
 - (xiv) Tourist Store
 - (xv) Tourist Information Booth
-

- (xvi) Transit Exchange
- (xvii) Transportation Terminal
- (xviii) Uses (ii) through (xvii) above are permitted subject to approval from the Agricultural Land Commissions where covenant EN24091 in favour of the Agricultural Land Commission applies.

Development Area C – Airport Commercial 2

- (i) Airport
- (ii) Outdoor Sales
- (iii) Parking
- (iv) Public Utility

(c) Maximum Height of Buildings and Structures

- | | |
|---------------------|--|
| (i) Hotel Use | 15.0 m or 4 storeys, whichever is less |
| (ii) All Other Uses | 10.0 m or 3 storeys, whichever is less |

(d) Maximum Parcel Coverage

- | | |
|--|-----------------------------------|
| (i) Parcel coverage | 60% including impervious surfaces |
| (ii) A building or structure (including impervious surfaces) that is not intended to be used for airport or airport-related purposes must not be constructed or placed on a parcel if the parcel coverage of all buildings and structures (including impervious surfaces) on that parcel, including those used or intended to be used for airport or airport-related purposes, already exceeds 60% or if the addition of that building or structure would cause the parcel coverage of all buildings and structures (including impervious surfaces) on the parcel, including those used or intended to be used for airport or airport-related purposes, to exceed 60%. | |

(e) Minimum Setback Requirements

- | | |
|---|---|
| (i) All farm buildings, structures and uses: | in accordance with Section 3.3.10
3.11 |
| (ii) All non-farm buildings, structures and uses: | |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(1) External lot lines:	10.0 m
(2) All other lot lines:	5.0 m
(3) except where any part is adjacent to or contains a watercourse, then the regulations in Section 3.3.8 3.9 shall apply.	

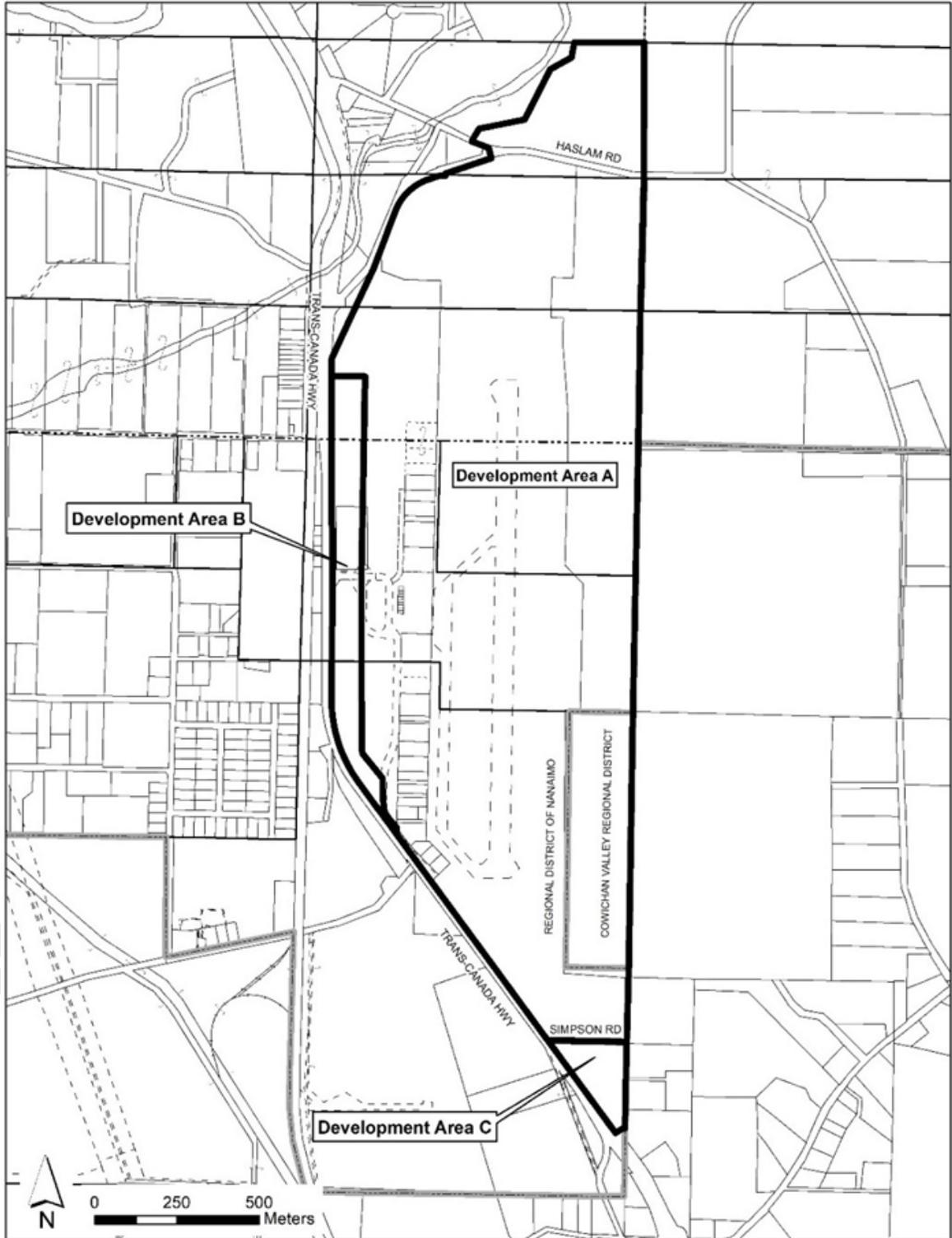
(f) Off Street Parking Requirements

- (i) Parking shall be provided as set out under ~~Schedule '3B'~~ Section 3.22 Off-Street Parking & Loading Spaces.
- (ii) In addition to the requirements of ~~Schedule '3B'~~ Section 3.22 Off-Street Parking & Loading Spaces, the following bicycle parking is required:
 - (1) 1 space per 475 m² commercial floor area adjacent to primary building entrances.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

(g) Development Areas A, B and C



Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.5 Commercial Retail & Service (CRS)

(a) Intent

The intent of this zone is to accommodate a variety of retail and service related uses.

New zone from consolidated CM 1, CM2, CM2.1, CM3 and CM7 with updated uses and new sub-zones as per Zone Consolidation Discussion Paper

(b) Uses

Section (a) added as per Wayfinding Discussion Paper

Permitted uses

(i) Automotive Repair

~~(ii) Convenience Store~~

~~(iii) Restaurant~~

(iv) Funeral Parlour

~~(v) Gas Bar~~

~~(vi) Gasoline Service Station~~

(vii) Nursery

(viii) Office

~~(ix) Outdoor Sales~~

(x) Personal Service Use

(xi) Recreation Facility

(xii) Restaurant

(xiii) Retail Store

~~(xiv) Retail Use~~

(xv) ~~Shopping Centre~~

Convenience Store and Retail Use addressed in Retail Store

Restaurant duplicated

Gas Bar addressed in Service Station; Service Station moved to sub-zone

Outdoor Sales and Shopping Centre moved to sub-zone

Accessory Uses

(i) Residential Use

(c) Maximum Number and Size of Buildings and Structures

(i) Dwelling units / parcel 1

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(i) Height	Height updated for consistency as per Housekeeping Discussion Paper 8.0 m 9.0 m
(ii) Parcel coverage	40%

(d) Minimum Setback Requirements

(i) Front lot line	8.0 m
(ii) Exterior lot line	Interior and exterior setbacks added as per Setbacks Discussion Paper 5.0 m
(iii) Interior lot line	5.0 m
(iv) Other lot lines	5.0 m
(v) except where:	
(1) the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;	
(2) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply.	

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.	Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion
--	--

Administration	Part 1
Interpretation	Part 2
Land Use Regulations	Part 3
Zones	Part 4
Subdivision Regulations	Part 5
Development Permit Areas	Part 6

4.5.1 Commercial Retail & Service Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) CRS1	In additional to the Uses listed in 4.5 (b) above, Shopping Centre will also be a Permitted Use.
(b) CRS2	In additional to the Uses listed in 4.5 (b) above, Outdoor Sales will also be a Permitted Use.
(c) CRS3	Despite any other clause in this Zone, Service Station will not be permitted.
(d) CRS4	Despite 4.5 (b) above, Permitted Uses will be limited to Office, Personal Service Use, and Residential Use.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.6 Commercial Resort & Recreation (CRR)

(a) Intent

The intent of this zone is to accommodate a variety of tourism and recreation related commercial uses.

New zone consolidated from CM4, CM5, and CM6 with updated uses and new sub-zones as per Zone Consolidation Discussion Paper

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Fast Food Outlet
- (ii) Hotel
- (iii) Marina
- (iv) Neighbourhood Pub
- (v) Nursery
- (vi) Office
- ~~(vii) Outdoor Sales~~
- (viii) Personal Service Use
- (ix) Produce Market
- (x) Public Assembly
- (xi) Recreation Facility
- (xii) ~~Resort~~ **Recreational** Vehicle Park
- (xiii) Resort Condominium Development **registered with BC Land Title & Survey prior to [bylaw adoption date]**
- ~~(xiv) Resort Condominium Unit~~
- (xv) Restaurant
- (xvi) Retail Store
- (xvii) ~~Gasoline~~ Service Station
- (xviii) Tourist Information Booth
- ~~(xix) Tourist Store~~

Outdoor Sales moved to sub-zone

Recreational Vehicle Park updated

Resort Condominium Unit addressed in Resort Condominium Development definition

Service Station name and definition updated to include EV charging stations

Tourist Store addressed in Retail Store definition

Accessory Uses

- (ii) Residential Use

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(c) Maximum Number and Size of Buildings and Structures

Floor area ratio definition removed as per Housekeeping Discussion Paper

(i) Dwelling units / parcel

1

~~(ii) Floor area ratio~~

~~0.40~~

(iii) Height

Height updated for consistency as per Housekeeping Discussion Paper

~~8.0 m~~ 9.0 m

(iv) Parcel coverage

40%

(d) Minimum Setback Requirements

(i) Front lot lines

8.0 m

(ii) Other lot lines

5.0 m

(iii) except where:

- (1) the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;
- (2) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ 3.9 shall apply.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

4.6.1 Commercial Resort & Recreation Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) CRR1	In addition to the Uses listed in 4.6 (b), Outdoor Sales will also be a Permitted Use.
(b) CRR2	In addition to the Uses listed in 4.6 (b), the following will also be Permitted Uses: <ul style="list-style-type: none"> (i) Fast Food Outlet (ii) Gasoline Service Station (iii) Heavy Equipment Display (iv) Nursery (v) Produce Market (vi) Public Assembly (vii) Recreation Facility (viii) Restaurant (ix) Retail Store
(c) CRR3Z	<ul style="list-style-type: none"> (i) Despite 4.6 (b), only the following uses will be allowed as a Permitted Use: <ul style="list-style-type: none"> (1) Neighbourhood Pub (2) Retail Store (3) Hotel with a maximum of 11 hotel units (ii) Despite 4.6 (b) and 4.6 (c), one dwelling unit is allowed as an accessory use. (iii) Despite 4.6 (d) a 7.0 metre setback is required for all lot lines.
(d) CRR4	Despite 4.6 (b), Permitted Uses will be limited to Neighbourhood Pub, Restaurant, and Retail Store.

4.7 Conservation 1 (ES1)

(a) Intent

The intent of this zone is to protect historical, natural or archeological sites.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Historic, Natural or Archeological Site
- (ii) Residential Use

(c) Maximum Number and Size of Buildings and Structures

- | | | |
|-------|--|-------|
| (i) | Dwelling units / parcel | 1 |
| (ii) | Height applicable to building and structures intended for residential use | 8.0 m |
| (iii) | Parcel Coverage applicable to building and structures intended for residential use | 20% |

(d) Minimum Setback Requirements

Buildings and structures intended for residential use:

- | | | |
|------|--|-------|
| (i) | All lot lines | 8.0 m |
| (ii) | except where any parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply. | |

4.8 Light Industry (LI)

(a) Intent

The intent of this zone is to accommodate a variety of light industrial uses and supporting accessory uses with minimum off-site impacts.

Zone updated as per Zone Consolidation Discussion Paper

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Light Industry
- (ii) Heavy Equipment Display
- (iii) **Mini Storage limited to within building(s) and can include moving vehicle rental as an Accessory Use**
- ~~(iv) Notwithstanding the Required Site Area, for the property legally described as Lot C, Sections 11 and 12, Range 7, Cranberry District, Plan 21786 both 'Light Industry' and 'Heavy Equipment Display' are permitted uses.~~

Mini Storage added as per Zone Consolidation Discussion Paper

(iv) removed as uses are included in sub-zones

Accessory Uses

- (i) Residential Use
- (ii) Marshalling

(c) Maximum Number and Size of Buildings and Structures

Height increased and clarified as per Zone Consolidation Discussion Paper

- | | | |
|-------|-----------------------------------|------------------------------|
| (i) | Dwelling units / parcel | 1 |
| (ii) | Height excluding Residential Use | 8.0 12.0 m |
| (iii) | Height for Residential Use | 9.0 m |
| (iv) | Parcel coverage | 60% |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(d) Minimum Setback Requirements

Interior and exterior setbacks added as per Setbacks Discussion Paper

(i)	Front lot line	8.0 m
(ii)	Interior lot line	5.0 m
(iii)	Exterior lot line	5.0 m
(iv)	Other lot Lines	5.0 m
(v)	except where:	
	(1) the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;	
	(2) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply.	

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.8.1 Light Industry Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) LI1Z	<ul style="list-style-type: none"> (i) Despite 4.8 (b), only the following uses will be permitted: <ul style="list-style-type: none"> (1) Light Industry (2) Manufacturing Use (3) Mini Storage (ii) Despite 4.8 (b) and 4.8 (c), one dwelling unit per parcel is allowed as an accessory use.
(b) LI2J	<ul style="list-style-type: none"> (i) Despite 4.8 (b), only the following uses will be allowed as Permitted Uses: <ul style="list-style-type: none"> (1) Light Industry (2) Contractor Business (3) Mini Storage (ii) Despite 4.8 (b) and 4.8 (c), only the following uses will be allowed as Accessory Uses: <ul style="list-style-type: none"> (1) Residential Use to a maximum of one dwelling unit per parcel (2) Home Based Business (3) Marshalling (iii) Despite 4.8 (b) through 4.8 (d), the following regulations also apply: <ul style="list-style-type: none"> (1) All uses must be fully contained within a building, with the exception of outdoor storage areas. (2) All outdoor storage areas must be located to the rear of buildings, must not be located between any building and lot line adjacent to Main Road, and must be screened to a minimum height of 3.0 metres with a combination of fencing and landscaping on all sides, excluding entrance ways. (3) No setback requirement shall be required from the front, rear, side, or other lot line for fences 3.0 metres or less in height. (4) All off-street parking areas must be paved. (5) All storm water runoff from buildings and other non-pervious surfaces must be directed through an engineered oil-water separator appropriately sized to accommodate anticipated

flows and must be maintained in accordance with the manufacturer's recommendations.

- (6) All storm water drainage must be retained on site, unless otherwise approved by the Ministry of Transportation.
 - (7) With respect to Home Based Business uses – the regulations set out in Section 3.15 applicable to Residential 2 zone shall apply to this zone.
 - (8) Off-street parking and loading spaces shall be provided in accordance with Section 3.22 Off-Street Parking & Loading Spaces of this Bylaw.
 - (9) Manufacturing Use means the assembling and manufacturing of a product or products fully contained in a building and may include indoor accessory retail sales of the product(s) produced to a maximum of 10% of the floor area of the building and may include an accessory office use.
-

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.9 Medium Industry (MI)

(a) Intent

The intent of this zone is to accommodate a variety of medium industrial uses with supporting uses that may have some off-site impacts.

New zone consolidating IN2 and IN3 as per Zone Consolidation Discussion Paper

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Light Industry
- (ii) Heavy Equipment Display
- (iii) Medium Industry
- ~~(iv) Marshalling Yard~~
- ~~(v) Accessory Marshalling Yard~~
- (vi) **Shipping Yard**

Marshalling Yard moved to Accessory Uses

Shipping Yard moved to sub-zones

Accessory Uses

- (i) Residential Use
- (ii) **Marshalling Yard**

(c) Maximum Number and Size of Buildings and Structures

Height increased and clarified as per Zone Consolidation Discussion Paper

- | | | |
|-------|---|------------------------------|
| (i) | Dwelling units / parcel | 1 |
| (ii) | Height excluding Residential Use | 8.0 12.0 m |
| (iii) | Height for Residential Use | 9.0 m |
| (iv) | Parcel coverage | 45% |

(d) Minimum Setback Requirements

Lot lines clarified

- | | | |
|-----|---------------------------------------|--------|
| (i) | Front All lot lines | 10.0 m |
|-----|---------------------------------------|--------|

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(ii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ 3.9 shall apply.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

FIRST DRAFT

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.9.1 Medium Industry Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) MI1	In additional to the Uses listed in 4.9 (b), Shipping Terminal and Transportation Terminal will also be a Permitted Use.
(b) MI2	[To be confirmed]
(c) MI3	<ul style="list-style-type: none"> (i) Despite 4.9 (b), only the following uses will be permitted: <ul style="list-style-type: none"> (A) Light Industry (B) Medium Industry (C) Mini Storage (ii) Despite 4.9 (b) and 4.9 (c), one dwelling unit per parcel is allowed as an accessory use. (iii) Despite any other clause contained in this bylaw, all uses must be fully contained in a building.
(d) MI4F	Manufacturing must be contained within a building and may include accessory office use and accessory retail sales of the product(s) produced, up to a maximum of 10% of the floor area of a building.

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.10 Heavy Industry (HI)

(a) Intent

The intent of this zone is to accommodate a variety of heavy industrial uses that may have substantial off-site impacts.

Formerly IN4 and IN5 as per Zone Consolidation Discussion Paper

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Heavy Industry
- (ii) ~~Explosive Manufacturing~~

Explosive Manufacturing moved to sub-zone

Accessory Uses

- (i) Residential Use

Added accessory Residential Use as per Zone Consolidation Discussion Paper

(c) Maximum Number and Size of Buildings and Structures

Height increased and clarified as per Zone Consolidation Discussion Paper

- | | | |
|-------|---|------------------------------|
| (i) | Dwelling units / parcel | 1 |
| (ii) | Height excluding Residential Use | 8.0 12.0 m |
| (iii) | Height for Residential Use | 9.0 m |
| (iv) | Parcel coverage | 20% |

(d) Minimum Setback Requirements

- | | | |
|------|---|--------|
| (i) | All lot lines | 10.0 m |
| (ii) | except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply. | |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

FIRST DRAFT

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.10.1 Heavy Industry Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) HI1	In addition to the Uses listed in 4.10 (b), Explosives Manufacturing will also be a Permitted Use.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.11 Public 1 (PU1)

(a) Intent

The intent of this zone is to accommodate a variety of public uses such as health care services, education, public gathering, and similar activities.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Personal Care
- (ii) Personal Care Unit
- (iii) Public Assembly Use
- (iv) Public Utility Use
- ~~(v) Residential Use~~
- (vi) School
- (vii) Notwithstanding the provisions outlined above, the following Accessory Use shall be permitted in conjunction with a school for the parcel legally described as Lot A, District Lot 7, Bright District, Plan 30903:
 - (1) School Accommodation, as defined in this zone.

Accessory Uses

- (i) **Residential Use**

Added accessory uses and moved Residential Use

(c) Maximum Number and Size of Buildings and Structures

Height increased as per Zone Consolidation Discussion Paper

(i)	Dwelling units / parcel	1
(ii)	Height	8.0 m 9.0 m
(iii)	Parcel coverage	50%

(d) Minimum Setback Requirements

Interior and exterior setbacks added as per Setbacks Discussion Paper

(i)	Front lot line	8.0 m
(ii)	Interior lot line	5.0 m
(iii)	Exterior lot line	5.0 m
(iv)	Other lot Lines	5.0 m
(v)	Except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply.	

(e) Other Regulations

(i)	For the purposes of this zone, and for the parcel legally described as Lot A, District Lot 7, Bright District, Plan 30903, <i>School Accommodation</i> means a building or buildings used for temporary lodging or dormitory units for not more than 30 people who require accommodation in conjunction with a school use.	
(ii)	<i>School Accommodation</i> must be located within the same parcel as the school it serves, and shall not be used as a dwelling unit(s) or provide any other form of permanent or temporary accommodation, except as defined in this zone, and may not be subdivided pursuant to the <i>Strata Property Act</i> .	
(iii)	All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.	Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.11.1 Public 1 Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) PU1.1	(i) In addition to the Uses listed in 4.11 (b), Residential Use is allowed as an Accessory Use with a maximum of one dwelling unit per parcel. (ii) Despite 4.11 (c), the maximum parcel coverage is 50%.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.12 Public 3 (PU3)

(a) Intent

The intent of this zone is to accommodate railway requirements.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Railway
- (ii) Railway Station

(c) Maximum Number and Size of Buildings and Structures

- (i) Height 10.0 m
- (ii) Parcel coverage 10%

(d) Minimum Setback Requirements

Interior and exterior setbacks added as per Setbacks Discussion Paper

- (i) Front lot lines 8.0 m
- (ii) **Interior lot line 5.0 m**
- (iii) **Exterior lot line 5.0 m**
- (iv) Other lot lines 5.0 m
- (v) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3 shall apply.

4.13 Public 4 (PU4)

(a) Intent

The intent of this zone is to accommodate the requirements of public utilities only.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Public Utility Use

(c) Maximum Number and Size of Buildings and Structures

- | | |
|----------------------|--------|
| (i) Height | 10.0 m |
| (ii) Parcel coverage | 10% |

(d) Minimum Setback Requirements

Interior and exterior setbacks added as per Setbacks Discussion Paper

- | | |
|---|--------------|
| (i) Front lot lines | 8.0 m |
| (ii) Interior lot line | 5.0 m |
| (iii) Exterior lot line | 5.0 m |
| (iv) Other lot lines | 5.0 m |
| (v) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3 shall apply. | |

(e) Other Regulations

- (i) Notwithstanding the provisions outlined above, for the parcel legally described as Lot 12, Section 14, Range 4, Mountain District, Plan VIP80079, the following shall apply:

(1) Maximum Height	12.5 m
(2) Maximum Parcel coverage	20%

(ii) Off-Street parking shall be permitted within the minimum setback areas

FIRST DRAFT

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	---------------------------------------

4.13.1 Public 4 Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) PU4.1	(i) In addition to the Uses listed in 4.10 (b), Explosives Manufacturing will also be a Permitted Use.
(b)	

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.14 Public 6 (PU6)

(a) Intent

The intent of this zone is to accommodate flood protection, drainage, fish hatcheries, parks, and related activities.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Fish Hatchery and Associated Works
- (ii) Flood Protection and Drainage Works
- (iii) Park

(c) Maximum Number and Size of Buildings and Structures

- | | | |
|------|-----------------|--------|
| (i) | Height | 10.0 m |
| (ii) | Parcel coverage | 10% |

(d) Minimum Setback Requirements

Interior and exterior setbacks added as per Setbacks Discussion Paper

- | | | |
|-------|---|--------------|
| (i) | Front lot lines | 5.0 m |
| (ii) | Interior lot line | 5.0 m |
| (iii) | Exterior lot line | 5.0 m |
| (iv) | Other lot lines | 5.0 m |
| (v) | except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3 shall apply. | |

4.15 Recreation 1 (RC1)

(a) Intent

The intent of this zone is to accommodate campgrounds and related outdoor recreation activities.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Campground
- (ii) Outdoor Recreation
- ~~(iii) Residential Use~~

Accessory uses

- (i) **Residential Use**

Residential Use moved to Accessory Use

(c) Maximum Number and Size of Buildings and Structures

Height increased as per Zone Consolidation Discussion Paper

- | | |
|----------------------------|---|
| (i) Campground | Maximum of 60 camping spaces per parcel developed in accordance with Schedule '3C' Section 3.23 , Campground Regulations and Standards |
| (ii) Dwelling units/parcel | 1 |
| (iii) Height | 8.0 m 9.0 m |
| (iv) Parcel coverage | 10% |

(d) Minimum Setback Requirements

Interior and exterior setbacks added as per Setbacks Discussion Paper

- | | |
|--------------------------------|--------------|
| (i) Front lot lines | 8.0 m |
| (ii) Interior lot line | 5.0 m |
| (iii) Exterior lot line | 5.0 m |

(iv) Other lot lines 5.0 m

(v) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ 3.9 shall apply.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

FIRST DRAFT

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.16 Recreation 2 (RC2)

(a) Intent

The intent of this zone is to accommodate a variety of recreation-based activities including schools, tourism, gathering areas, and related activities.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Guest Accommodation
- (ii) Outdoor Recreation
- (iii) Public Assembly Use
- ~~(iv) Residential Use~~
- (v) School

Accessory uses

- (i) **Residential Use**

Residential Use moved to Accessory Use

(c) Maximum Number and Size of Buildings and Structures

Floor area ratio definition removed as per Housekeeping Discussion Paper

- | | |
|----------------------------------|-----------------|
| (i) Dwelling units/parcel | 2 |
| (ii) Height | 9.0 m |
| (iii) Parcel coverage | 20% |
| (iv) Floor area ratio | 0.20 |

(d) Minimum Setback Requirements

Interior and exterior setbacks added as per Setbacks Discussion Paper

- | | |
|-------------------------------|--------------|
| (i) Front lot lines | 8.0 m |
| (ii) Interior lot line | 5.0 m |

(iii)	Exterior lot line	5.0 m
(iv)	Other lot lines	5.0 m
(v)	except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply.	

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.17 Recreation 3 (RC3)

(a) Intent

The intent of this zone is to accommodate recreational vehicle parks with existing residential uses.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Recreational Vehicle Park
- ~~(ii) Residential Use~~

Accessory uses

- (i) **Residential Use**

Residential Use moved to Accessory Use

(c) Number and Size of Buildings and Structures

Height increased as per Zone Consolidation Discussion Paper

- (i) Maximum Number of Dwelling units/parcel 1
- (ii) Maximum Height ~~8.0 m~~ **9.0 m**
- (iii) Maximum Parcel coverage 10%
- (iv) **Maximum number of camping spaces** **25 per hectare**

(iv) moved from a Permitted Use

(d) Minimum Setback Requirements

- (i) All lot lines 8.0 m
- (ii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ **3.9** shall apply.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

FIRST DRAFT

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.18 Recreation 4 (RC4)

(a) Intent

The intent of this zone is to accommodate activities related to firearms or archery with existing residential uses.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Firearm Range for the use of Non-Restricted, Restricted or Prohibited Firearms as defined by the Federal Firearm Act.
- (ii) Archery Range
- (iii) Silviculture
- ~~(iv) Residential Use~~

Accessory uses

- (i) **Residential Use**

Residential Use moved to Accessory Use

(c) Maximum Number and Size of Buildings and Structures

Height increased as per Zone Consolidation Discussion Paper

(i)	Accessory buildings	combined floor area 1,500 m
(ii)	Dwelling Units/Parcel	1
(iii)	Height	8.0 m 9.0 m
(iv)	Parcel coverage	5%

(d) Minimum Setback Requirements

- (i) All lot lines 30.0 m
- (ii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3-8~~ **3.9** shall apply.

(e) Minimum Setback Requirements – Use

(i)	Firearm or Archery Range	30.0 m from all lot lines
-----	--------------------------	---------------------------

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.19 Recreation 5 (RC5)

(a) Intent

The intent of this zone is to accommodate activities for ski resorts.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Alpine Recreation

Accessory Uses

- (i) Ski Lift
- (ii) Pit Toilet
- (iii) Board Walk, Stairs, Pedestrian Bridge
- (iv) Medical Evacuation Helipad
- (v) Maintenance Facility
- (vi) Kiosk for the collection of fees
- (vii) Washrooms or Showers for a campground
- (viii) Ski Patrol Building
- (ix) Warm Up Huts for use by ski patrol
- (x) Ski Lodge
- (xi) Tourist Store
- (xii) Inn
- (xiii) Restaurant
- (xiv) Campground

(c) Maximum Number and Size of Buildings and Structures

- | | |
|---|--|
| (i) Maintenance Facility | The combined total floor area of all maintenance buildings must not exceed 2,000 m ² . |
| (ii) Ski Patrol Building and Warm Up Huts | The combined total floor area of all ski patrol buildings and warm up huts must not exceed 300m ² . |

- (iii) Accommodation:
- (1) The combined total number of hotel units and camping spaces must not exceed 50.
 - (2) For the purpose of ~~Section 3.4.55.2 (c)(i)~~ **subsection (1)**, from May 1 to October 31 inclusive, not more than 50 camping spaces may be available for occupancy in lieu of constructed hotel units which shall be unavailable for occupancy and shall not be used between May 1 and October 31.
 - (3) No camping space referred to in ~~Section 3.4.55.2(c)(ii)~~ **subsection (2)** may exceed 150 m² in area and the camping spaces must be located adjacent to one another in a maximum of two groupings.
 - (4) The combined total floor area utilized for hotel units shall not exceed the product of the following calculation: number of hotel units X 50 m² of hotel unit floor area.

- (iv) Ski Lodge:
- (1) A maximum of 2 ski lodge buildings will be permitted.
 - (2) The combined total floor area of all ski lodge buildings excluding hotel units and access corridors to hotel units, must not exceed 3,000 m².

- (v) Tourist Store:
- (1) The combined total floor area of all tourist stores within ski lodges must not exceed 200 m².
 - (2) The combined total floor area of all tourist stores not within a ski lodge must not exceed 200 m².

- (vi) Restaurant:
- (1) The combined total floor area of all restaurants within ski lodges must not exceed 400 m².
 - (2) The combined total floor area of all restaurants not within a ski lodge must not exceed 400 m².

- (vii) Height 16.0 m however, this maximum may be exceeded for ski lifts

(d) Minimum Parcel Area

- (i) Subject to **Part 5 Section 4.4.4**, no parcel having an area less than the applicable subdivision district ~~as stated in Section 4.1~~ may be created by subdivision, and for the purposes of this subsection, "parcel" includes a lot created by deposit of a strata plan under the **Strata Property Act** (British Columbia).

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(e) Minimum Setback Requirements

-
- (i) All lot lines 5.0 m
-
- (ii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ **3.9** shall apply.
-

(f) Other Regulations

-
- (i) Mountain bike trails must have a permeable surface.
-
- (ii) Recreational vehicles in campgrounds must not exceed 37 m² in floor area.
-
- (iii) Camping spaces must be developed in accordance with ~~Schedule '3C'~~ Section 3.23, Campground Regulations and Standards.
-
- (iv) For the purposes of this zone, "temporary accommodation" means occupancy of a ski lodge, inn or campground by an individual, other than Mount Arrowsmith staff occupying a hotel unit, for fewer than 4 consecutive weeks in a calendar year and fewer than 120 days in total during the same calendar year.
-
- (v) In the event of inconsistency between any provision of **this Zone Section 3.4.55** and any other provision of this Bylaw, the ~~Section 3.4.55 provision~~ **provisions of this Zone** will apply and the other provision will not apply to the extent of the inconsistency.
-

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.20 Recreation 6 (RC6)

(a) **Intent**

The intent of this zone is to accommodate camping and motocross activities with existing residential uses.

Section (a) added as per Wayfinding Discussion Paper

(b) **Uses**

Permitted uses

- (i) Motocross Track
- (ii) Campground
- ~~(iii) Residential Use~~

Accessory uses

- (i) **Residential Use**

Residential Use moved to Accessory Use

(c) **Maximum Number and Size of Buildings and Structures**

Height increased as per Zone Consolidation Discussion Paper

(i) Campground	50 camping spaces
(ii) Accessory buildings other than spectator seating	combined floor area 200 m ²
(iii) Dwelling Units/Parcel	1
(iv) Height	8.0 m 9.0 m
(v) Parcel coverage	5%

(d) **Minimum Parcel Area**

- (i) Subject to **Part 5 Section 4.4.4**, no parcel having an area less than the applicable subdivision district ~~as stated in Section 4.1~~ may be created by subdivision, and for the purposes of this subsection, "parcel" includes a lot created by deposit of a strata plan under the **Strata Property Act** (British Columbia).

(e) Minimum Setback Requirements

-
- | | | |
|-----|---------------|---------------------------|
| (i) | All lot lines | 30.0 m from all lot lines |
|-----|---------------|---------------------------|
-
- (ii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3-8~~ **3.9** shall apply.
-

(f) Minimum Setback Requirements - Use

-
- | | | |
|-----|------------------|---------------------------|
| (i) | Motorcross Track | 30.0 m from all lot lines |
|-----|------------------|---------------------------|
-

(g) Other Regulations

-
- (i) Recreational vehicles in campgrounds must not exceed 37 m² in floor area.
- (ii) Camping spaces must be developed in accordance with ~~Schedule '3C'~~ Section 3.23, Campground Regulations and Standards.
- (iii) In the event of inconsistency between the following provision of **this Zone Section 3.4.56** on maximum occupancy within a campground and any other provision of this Bylaw, the following provision will apply and the other provision will not apply to the extent of the inconsistency: the maximum occupancy for an individual within a campground is less than 3 consecutive days in a calendar year and less than 30 days in the same calendar year.
-

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.21 Residential 1 (RS1)

(a) **Intent**

The intent of this zone is to permit single detached forms of residential development at a maximum density of one dwelling unit per parcel.

Section (a) added as per Wayfinding Discussion Paper

(b) **Uses**

Permitted uses

- ~~(i) Home Based Business~~
- (ii) Residential Use
- ~~(iii) Secondary Suite~~

Accessory uses

- (i) **Home Based Business**
- (ii) **Secondary Suite**

Home Based Business and Secondary Suite moved to Accessory Uses

(c) **Maximum Number and Size of Buildings and Structures**

Height increased as per Zone Consolidation Discussion Paper

(i) Accessory buildings	combined floor area of 100 m ² or 8% of area of parcel whichever is greater, but shall not exceed 250 m ²
(ii) Accessory building height	6.0 m
(iii) Dwelling units/parcel	1
(iv) Dwelling unit height	8.0 m 9.0 m
(v) Parcel coverage	35%

(d) **Minimum Setback Requirements**

Interior setback updated and exterior setback added as per Setbacks Discussion Paper

(i) Front lot line	8.0 m
--------------------	-------

(ii)	Interior side lot line	2.0 m
(iii)	Exterior lot line	5.0 m
(iv)	Rear lot line	2.0 m
(v)	Other lot lines	5.0 m
(vi)	except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply.	
(vii)	No setback from an interior or rear lot line shall be required for one accessory building not exceeding a floor area of 10 m ² and with a maximum height of 3.0 metres.	

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.21.1 Residential 1 Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) RS1.1	<ul style="list-style-type: none"> (i) Despite 4.21 (c), the maximum dwelling unit height is 10.0 m (ii) Despite 4.21 (d), the minimum setback from all interior lot lines is 2.0 m
(b) RS1.2	<ul style="list-style-type: none"> (i) Despite 4.21 (d), the minimum setback from any garage door or carport entranceway facing a highway is 6.0 m (ii) Despite 4.21 (d), the minimum setback from an interior lot line is 1.5 m
(c) RS1.3	<ul style="list-style-type: none"> (i) Despite 4.21 (c), the maximum parcel coverage is 60%. (ii) Despite 4.21 (d), the minimum setback requirements are as follows: <ul style="list-style-type: none"> (A) Lot line adjacent to Bonnington Drive: 5.0 m (B) Interior side lot line: 1.2 m (C) Lot line adjacent to Common Property: 2.0 m (iii) Despite all other regulations of this Bylaw, Home Based Business is restricted to an office use wholly contained within a dwelling unit to a maximum of 20% of the dwelling unit floor area and where no portion of the Home Based Business is located in an attached garage.

4.22 Residential 2 (RS2)

(a) **Intent**

The intent of this zone is to permit single detached forms of residential development at a maximum density of up to two dwelling units per parcel.

Section (a) added as per Wayfinding Discussion Paper

(b) **Uses**

Permitted uses

- ~~(i) Home Based Business~~
- (ii) Residential Use
- ~~(iii) Secondary Suite~~

Accessory uses

- (i) **Home Based Business**
- (ii) **Secondary Suite**

Home Based Business and Secondary Suite moved to Accessory Uses

(c) **Number and Size of Buildings and Structures**

- | | | |
|-------|---|---|
| (i) | Maximum Number of Accessory buildings | combined floor area of 100 m ² or 8% of area of parcel whichever is greater, but shall not exceed 250 m ² . |
| (ii) | Maximum Accessory building height | 6.0 m |
| (iii) | Maximum Number of Dwelling units/parcel | 2 |
| (iv) | Maximum Dwelling unit height | 8.0 m 9.0 m |
| | | Height increased as per Zone Consolidation Discussion Paper |
| (v) | Maximum Parcel coverage | 35% |
| (vi) | Maximum Density: | |
| | (1) For parcels connected to community water | 1 dwelling unit per 2000 m² |

(2) For parcels not connected to community water

1 dwelling unit per 1.0 ha

(d) Minimum Setback Requirements

~~(i) Front lot line~~

8.0 m

(ii) Interior line

2.0 m

(iii) Exterior lot line

5.0 m

~~(iv) Other lot lines~~

5.0 m

(v) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ 3.9 shall apply.

(vi) No setback from an interior or rear lot line shall be required for one accessory building not exceeding a floor area of 10 m² and with a maximum height of 3.0 metres.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

4.22.1 Residential 2 Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) RS2.1	<ul style="list-style-type: none"> <li data-bbox="553 436 1219 478">(i) Despite 4.22 (b), Secondary Suite is not allowed <li data-bbox="553 489 1357 531">(ii) Despite 4.22 (b), one duplex is allowed as a Permitted Use <li data-bbox="553 541 1365 625">(iii) Despite 4.22 (c), maximum parcel coverage will not exceed 40% <li data-bbox="553 636 1414 762">(iv) Despite 4.22 (c), one duplex is allowed on parcels at least 1400 m² when serviced with community water or on parcel at least 1.0 hectares when not serviced with community water

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.23 Residential 3 (RS3)

(a) Intent

The intent of this zone is to permit attached and semi-detached forms of residential development.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Residential Use
- (ii) Multiple Dwelling Unit **Development**
- ~~(iii) Home Based Business~~

Accessory uses

- (i) **Home Based Business**

Home Based Business moved to Accessory Uses

(c) Number and Size of Buildings and Structures

Height increased as per Housekeeping Discussion Paper

- | | | |
|-------|--|---|
| (i) | Maximum Number of Accessory buildings | combined floor area of 100 m ² or 8% of area of parcel whichever is greater, but shall not exceed 250 m ² . |
| (ii) | Maximum Height excluding single detached dwelling | 8.0 10.0 m |
| (iii) | Maximum height for single detached dwelling unit | 9.0 m |
| (iv) | Maximum Parcel coverage | 35% |
| (v) | Maximum density | |
| | (1) For parcels connected to community water | 1 dwelling unit per 2000 m² |
| | (2) For parcels not connected to community water | 1 dwelling unit per 1.0 ha |

(d) Minimum Setback Requirements

(i) In a Multiple Dwelling Unit development or on a parcel divided pursuant to the **Strata Property Act** and not contained within a Bare Land Strata Plan:

Strata setbacks updated as per Housekeeping Discussion Paper

(1) All lot lines 10.0 m

(ii) All other buildings and structures:

(1) ~~Front and~~ exterior lot lines 8.0 m

(2) Other lot lines 3.0 m

(iii) except ~~where:~~

(1) ~~an accessory building for individual use is permitted,~~ no setback from an interior lot line shall be required for one accessory building with a maximum height of 2.0 m and a floor area of 9.0 m²;

(2) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ **3.9** shall apply.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.24 Residential 4 (RS4)

Section (a) added as per
Wayfinding Discussion Paper

(a) Intent

The intent of this zone is to permit attached and semi-detached forms of residential development.

(b) Uses

Permitted uses

- (i) Multiple Dwelling Unit **Development**

Permitted accessory uses

- (ii) **Residential Use**

Residential added as accessory use as per Housekeeping Discussion Paper with height added to (c) below

(c) Number and Size of Buildings and Structures

- (i) ~~Floor area ratio~~

Floor area ratio definition removed as per Housekeeping Discussion Paper

~~0.50~~

- (ii) Height

Height clarified as per Housekeeping Discussion Paper

- (1) **Multiple Dwelling Unit**

~~8.0~~ **10.0 m**

- (2) **Residential Use**

9.0 m

- (iii) Parcel coverage

50%

- (iv) Maximum Parcel coverage

35%

- (v) **Maximum density:**

- (1) **For areas with community water and sewer**

1 dwelling unit per 700 m²

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (2) For areas with community water 1 dwelling unit per 1600 m²
- (3) For areas without servicing 1 dwelling unit per 1.0 ha

(d) Minimum Setback Requirements

Setbacks updated as per Setbacks Discussion Paper

- (i) In a Multiple Dwelling Unit development or on a parcel divided pursuant to the **Strata Property Act** and not contained within a Bare Land Strata Plan:
 - (1) All lot lines 10.0 m
- (ii) All other buildings and structures:
 - (1) ~~Front and~~ exterior lot lines 8.0 m
 - (2) Other lot lines 3.0 m
- (iii) except where:
 - (1) an accessory building for individual use is permitted, no setback from an interior lot line shall be required for one accessory building with a maximum height of 2.0 m and a floor area of 9.0 m²;
 - (2) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ 3.9 shall apply.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.25 Residential 5 (RS5)

(a) Intent

The intent of this zone is to permit attached and semi-detached forms of residential development.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Multiple Dwelling Unit Development

Permitted accessory uses

- (i) **Residential Use**

Residential added as accessory use as per Housekeeping Discussion Paper with height added to (c) below

(c) Number and Size of Buildings and Structures

- ~~(i) Floor area ratio~~

Floor area ratio definition removed as per Housekeeping Discussion Paper

0.50

- (ii) Height

Height clarified as per Housekeeping Discussion Paper

- (1) **Multiple Dwelling Unit**

~~8.0~~ **10.0 m**

- (2) **Residential Use**

9.0 m

- (iii) Maximum Parcel coverage

60%

- (iv) **Maximum density:**

- (1) **For areas with community water and sewer**

1 dwelling unit per 500 m²

- (2) **For areas with community water**

1 dwelling unit per 1600 m²

- (3) **For areas without servicing**

1 dwelling unit per 1.0 ha

(d) Minimum Setback Requirements

Setbacks updated as per Setbacks Discussion Paper

- (i) In a Multiple Dwelling Unit development or on a parcel divided pursuant to the **Strata Property Act** and not contained within a Bare Land Strata Plan:
 - (1) All lot lines 10.0 m
- (ii) All other buildings and structures:
 - (1) ~~Front and~~ exterior lot lines 8.0 m
 - (2) Other lot lines 3.0 m
- (iii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ **3.9** shall apply.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.25.1 Residential 5 Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) RS5.1	<ul style="list-style-type: none"> (i) Despite 4.25 (c), the maximum number of dwelling units per parcel is 49. (ii) Despite 4.251 (c), the maximum height for all buildings is 20.0 m. (iii) Despite 4.251 (c), the maximum parcel coverage is 35%.
(b) RS5.2	<ul style="list-style-type: none"> (i) Despite 4.25 (c), the maximum number of dwelling units per parcel is 102. (ii) Despite 4.251 (c), the maximum height for all buildings is 13.0 m. (iii) Despite 4.251 (c), the maximum parcel coverage is 35%.
(c) RS5.3	<ul style="list-style-type: none"> (i) Despite 4.25 (c), the maximum number of dwelling units per parcel is 35. (ii) Despite 4.25 (d), the minimum setbacks will be as follows: <ul style="list-style-type: none"> (A) Lot line adjacent to a Common Property access: 7.0 m (B) Phase strata lot line: 0.0 m (C) All other lot lines: 8.0 m
(d) RS5.4	<ul style="list-style-type: none"> (i) Despite 4.25 (c), Permitted uses will be limited to Multiple Dwelling Unit Development as detached units to a maximum of 20 dwelling units. (ii) Despite 4.25 (d), the minimum setbacks will be as follows: <ul style="list-style-type: none"> (A) Lot lines front the Island Highway: 10.0 m (B) Exterior lot line: 6.0 m (C) Interior lot line: 3.0 m (D) Phased strata lot line: 0.0 m (E) Except one dwelling unit is permitted to be 2.0 metres from an exterior lot line.

4.26 Residential 6 (RS6)

(a) Intent

The intent of this zone is to permit the development of manufactured home parks.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) **Mobile** Manufactured Home Park

(c) Number and Size of Buildings and Structures

- | | | |
|-------|--|--|
| (i) | Maximum Height | 8.0 m |
| (ii) | Maximum Mobile Manufactured homes | subject to servicing requirements (a) above and developed in accordance with Schedule '3D' Section 3.24 |
| (iii) | Maximum Parcel coverage | 40% |
| (iv) | Minimum Site area per Manufactured Home: | |
| | (1) For areas with community water and or sewer | 1 Manufactured Home per 2.0 ha 500 m² |
| | (2) For areas with community water | 1 Manufactured Home per 2.0 ha 2000 m² |
| | (3) For areas without servicing | 1 Manufactured Home per 2.0 ha 1.0 ha |

(d) Minimum Setback Requirements

- | | | |
|-------|--|-------|
| (i) | Front lot line Exterior lot line | 8.0 m |
| (ii) | Other lot lines | 5.0 m |
| (iii) | except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply. | |

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

FIRST DRAFT

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.27 Residential 8 (RS8)

(a) **Intent**

The intent of this zone is to permit attached and semi-detached forms of residential development.

Section (a) added as per Wayfinding Discussion Paper

(b) **Uses**

Permitted uses

- (i) Multiple Dwelling Unit Development

(c) **Maximum Number and Size of Buildings and Structures**

~~(ii) Floor area ratio~~

Floor area ratio definition removed as per Housekeeping Discussion Paper

~~0.75~~

(iii) Height 15.0 m

(iv) Parcel coverage 60%

(v) **Maximum density:**

(1) **For areas with community water and or sewer** 1 Manufactured Home per 310 m²

(2) **For areas with community water** 1 Manufactured Home per 1600 m²

(3) **For areas without servicing** 1 Manufactured Home per 1.0 ha

(d) **Minimum Setback Requirements**

(i) In a Multiple Dwelling Unit development or on a parcel divided pursuant to the **Strata Property Act** and not contained within a Bare Land Strata Plan:

(1) All lot lines 10.0 m

(ii) All other buildings and structures:

(1) ~~Front and~~ exterior lot lines 8.0 m

(2) Other lot lines 3.0 m

(iii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ 3.9 shall apply.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

FIRST DRAFT

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.28 Resource Management 1 (RM1)

(a) Permitted Uses and Minimum Site Area

Permitted Uses

- | | |
|--------|----------------------------|
| (i) | Agriculture |
| (ii) | Aquaculture |
| (iii) | Extraction Use |
| (iv) | Home Based Business |
| (v) | Log Storage & Sorting Yard |
| (vi) | Primary Processing |
| (vii) | Residential Use |
| (viii) | Silviculture |

(b) Maximum Number and Size of Buildings and Structures

- | | | |
|------|--|--|
| (i) | Accessory buildings | combined floor area of 400m ² |
| (ii) | Dwelling units/parcel | 1 |
| | (1) on a parcel having an area of 8.0 ha or less | 1 |
| | For Electoral Areas 'A,C,E and H' | |
| | (2) on a parcel having an area greater than 8.0 ha | 2 |
| | For Electoral Area 'G' | |
| | (3) on a parcel having an area equal to or greater than twice the minimum parcel size as established by Schedule '5B' Subdivision District – Minimum Parcel Sizes' | 2 |
| | (4) Notwithstanding subsection (c), on a parcel located in this zone and created prior to | 2 |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

February 22, 2011 and having an area greater than 8.0 ha

(iii)	Height	9.0m
(iv)	Parcel Coverage	10%

(c) Minimum Setback Requirements

(i)	All agriculture or farm buildings, structures and uses – in accordance with Section 3.3.10 3.11 .	
(ii)	All other buildings and structures	
	(1) All lot lines	20.0 m
(iii)	except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply.	

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.29 Resource Management 2 (RM2)

(a) Permitted Uses and Minimum Site Area

Permitted Uses

- | | |
|--------|--|
| (i) | Agriculture |
| (ii) | Aquaculture |
| (iii) | Extraction Use |
| (iv) | Home Based Business |
| (v) | Log Storage & Sorting Yard |
| (vi) | Primary Processing |
| (vii) | Residential Use |
| (viii) | Silviculture |
| (ix) | Wood Waste Facility for the parcel legally described as Lot A, Section 19, Range 1, Mountain District, Plan VIP76600 |

(b) Maximum Number and Size of Buildings and Structures

- | | | |
|-------|--|---|
| (i) | Dwelling units/parcel | |
| | (1) on a parcel having an area of 8.0 ha or less | 1 |
| | (2) on a parcel having an area greater than 8.0 ha | 2 |
| (ii) | Accessory Buildings | combined floor area of 400 m ² 4 |
| (iii) | Height | 9.0m |
| (iv) | Parcel Coverage | 10% |

(c) Minimum Setback Requirements

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(i) All agriculture or farm buildings, structures and uses – in accordance with Section **3.3.10 3.11**.

(ii) All other buildings and structures

(1) All lot lines 20.0 m

(iii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section **3.3.8 3.9** shall apply.

FIRST DRAFT

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

4.30 Resource Management 3 (RM3)

(a) Permitted Uses and Minimum Site Area

Permitted Uses

Permitted Uses

- | | |
|--------|----------------------------|
| (i) | Agriculture |
| (ii) | Aquaculture |
| (iii) | Extraction Use |
| (iv) | Home Based Business |
| (v) | Log Storage & Sorting Yard |
| (vi) | Primary Processing |
| (vii) | Residential Use |
| (viii) | Silviculture |

(b) Maximum Number and Size of Buildings and Structures

- | | | |
|-------|--|--|
| (i) | Dwelling units/parcel | |
| | (1) on a parcel having an area of 8.0 ha or less | 1 |
| | (2) on a parcel having an area greater than 8.0 ha | 2 |
| (ii) | Accessory Buildings | combined floor area of 400 m ² ⁴ |
| (iii) | Height | 9.0m |
| (iv) | Parcel Coverage | 10% |

(c) Minimum Setback Requirements

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(i) All agriculture or farm buildings, structures and uses – in accordance with Section **3.3.10 3.11.**

(ii) All other buildings and structures

(1) All lot lines 20.0 m

(iii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section **3.3.8 3.9** shall apply.

FIRST DRAFT

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

4.31 Resource Management 4 (RM4)

(a) Permitted Uses and Minimum Site Area

Permitted Uses

- (i) Agriculture
- (ii) Aquaculture
- (iii) Extraction Use
- (iv) Home Based Business
- (v) Log Storage & Sorting Yard
- (vi) Primary Processing
- (vii) Residential Use
- (viii) Silviculture

(b) Maximum Number and Size of Buildings and Structures

- | | | |
|-------|-----------------------|---|
| (i) | Dwelling units/parcel | 1 |
| (ii) | Accessory Buildings | combined floor area of 400 m ² |
| (iii) | Height | 9.0m |
| (iv) | Parcel Coverage | 10% |

(c) Minimum Setback Requirements

- (i) All agriculture or farm buildings, structures and uses – in accordance with Section **3.3.10 3.11.**
- (ii) All other buildings and structures
 - (1) All lot lines 20.0 m

-
- (iii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ **3.9** shall apply.
-

FIRST DRAFT

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	---------------------------------------

4.32 Resource Management 5 (RM5)

(a) Permitted Uses and Minimum Site Area

Permitted Uses

- | | |
|--------|----------------------------|
| (i) | Agriculture |
| (ii) | Aquaculture |
| (iii) | Extraction Use |
| (iv) | Home Based Business |
| (v) | Log Storage & Sorting Yard |
| (vi) | Primary Processing |
| (vii) | Residential Use |
| (viii) | Silviculture |

(b) Maximum Number and Size of Buildings and Structures

- | | | |
|-------|--|---|
| (i) | Dwelling units/parcel | |
| | (1) on a parcel having an area of 8.0 ha or less | 1 |
| | (2) on a parcel having an area greater than 8.0 ha | 2 |
| (ii) | Accessory Buildings | combined floor area of 400 m ² |
| (iii) | Height | 9.0m |
| (iv) | Parcel Coverage | 10% |

(c) Minimum Parcel Area

Subject to **Part 5 Section 4.4.4**, no parcel having an area less than the applicable subdivision district ~~as stated in Section 4.1~~ may be created by subdivision, and for the purposes of this subsection, "parcel" includes a lot created by deposit of a strata plan under the **Strata Property Act** (British Columbia) but excludes a bare land strata lot.

(d) Minimum Setback Requirements

- (i) All agriculture or farm buildings, structures and uses – in accordance with Section ~~3.3.10~~ **3.11**.
- (ii) All other buildings and structures
 - (1) All lot lines 20.0 m
- (iii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ **3.9** shall apply.

FIRST DRAFT

Part 1 Administration	
Part 2 Interpretation	
Part 3 Land Use Regulations	
Part 4 Zones	
Part 5 Subdivision Regulations	
Part 6 Development Permit Areas	

4.33 Resource Management 6 (RM6)

(a) Permitted Uses and Minimum Site Area

Permitted Uses

- (i) Extraction Use
- (ii) Primary Processing
- (iii) Residential Use
- (iv) Wood Waste Disposal Facility

(b) Maximum Number and Size of Buildings and Structures

- (i) Dwelling units/parcel 1
- (ii) Accessory Buildings combined floor area of 400 m²
- (iii) Height 7.8 m
- (iv) Parcel Coverage 5%

(c) Minimum Setback Requirements

- (i) All lot lines 7.5 m
- (ii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ 3.9 shall apply.

4.34 Resource Management 7 (RM7)

(a) Permitted Uses and Minimum Site Area

Permitted Uses

- (i) Agriculture
- (ii) Aquaculture
- (iii) Extraction Use
- (iv) Home Based Business
- (v) Log Storage & Sorting Yard
- (vi) Primary Processing
- (vii) Residential Use
- (viii) Silviculture

(b) Maximum Number and Size of Buildings and Structures

- (i) Dwelling units/parcel
 - (1) on a parcel having an area of 8.0 ha or less 1
 - (2) on a parcel having an area greater than 8.0 ha 2
- (ii) Despite ~~Section 3.4.77.2 a) ii) subsection (i)~~, the permitted density of one of the parcels located within an eligible subdivision shall be two dwelling units provided the parcel is greater than 8.0 ha.
- (iii) After the development of 2 dwelling units on the parcel referred to in ~~Section 3.4.77.2 (b) subsection (ii)~~, the maximum permitted density of all other parcels located within the eligible subdivision shall be 1 dwelling unit per parcel.
- (iv) Accessory Buildings combined floor area of 400 m²
- (v) Height 9.0m
- (vi) Parcel Coverage 10%

(c) Minimum Parcel Area

Subject to **Part 5 Section 4.4.4**, no parcel having an area less than the applicable subdivision district ~~as stated in Section 4.1~~ may be created by subdivision, and for the purposes of this subsection, "parcel" includes a lot created by deposit of a strata plan under the **Strata Property Act** (British Columbia) but excludes a bare land strata lot.

(d) Minimum Setback Requirements

- (i) All agriculture or farm buildings, structures and uses – in accordance with Section ~~3.3.10~~ **3.11**.
- (ii) All other buildings and structures
 - (1) All lot lines 20.0 m
- (iii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ **3.9** shall apply.

4.35 Resource Management 8 (RM8)

(a) Permitted Uses and Minimum Site Area

Permitted Uses

- (i) Agriculture
- (ii) Aquaculture
- (iii) Extraction Use
- (iv) Home Based Business
- (v) Log Storage & Sorting Yard
- (vi) Primary Processing
- (vii) Residential Use
- (viii) Silviculture
- (ix) Wood Processing

(b) Maximum Number and Size of Buildings and Structures

- (i) Dwelling units/parcel
 - (1) on a parcel having an area of 8.0 ha or less 1
 - (2) on a parcel having an area greater than 8.0 ha 2
- (ii) Accessory Buildings combined floor area of 400 m²
- (iii) Height 9.0m
- (iv) Parcel Coverage 10%

(c) Minimum Setback Requirements

(i) All agriculture or farm buildings, structures and uses – in accordance with Section **3.3.10 3.11.**

(ii) All other buildings and structures

(1) All lot lines 7.5 m

(iii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section **3.3.8 3.9** shall apply.

FIRST DRAFT

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

4.36 Resource Management 9 (RM9)

(a) Permitted Uses and Minimum Site Area

Permitted Uses

- | | |
|--------|----------------------------|
| (i) | Agriculture |
| (ii) | Aquaculture |
| (iii) | Extraction Use |
| (iv) | Home Based Business |
| (v) | Log Storage & Sorting Yard |
| (vi) | Primary Processing |
| (vii) | Residential Use |
| (viii) | Silviculture |

(b) Maximum Number and Size of Buildings and Structures

- | | | |
|-------|--|---|
| (i) | Dwelling units/parcel | |
| | (1) on a parcel having an area of 8.0 ha or less | 1 |
| | (2) on a parcel having an area greater than 8.0 ha | 2 |
| (ii) | Despite Section 3.4.79.2 (a) (ii) subsection (i) , the maximum permitted density of one of the parcels located within an eligible subdivision shall be two dwelling units provided the parcel is greater than 8.0 hectares. | |
| (iii) | After the development of 2 dwelling units on the parcel referred to in Section 3.4.79.2 (b) subsection (ii) , the maximum permitted density of all other parcels located within the eligible subdivision shall be 1 dwelling unit per parcel. | |
| (iv) | Accessory Buildings | combined floor area of 400 m ² |
| (v) | Height | 9.0m |
| (vi) | Parcel Coverage | 10% |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(c) Minimum Parcel Area

Subject to **Part 5 Section 4.4.4**, no parcel having an area less than the applicable subdivision district ~~as stated in Section 4.1~~ may be created by subdivision, and for the purposes of this subsection, "parcel" includes a lot created by deposit of a strata plan under the **Strata Property Act** (British Columbia) but excludes a bare land strata lot.

(d) Minimum Setback Requirements

(vii) All agriculture or farm buildings, structures and uses – in accordance with Section ~~3.3.10~~ **3.11**.

(viii) All other buildings and structures

(1) All lot lines 20.0 m

(ix) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ **3.9** shall apply.

4.37 Rural Residential 1 (RR1)

Formerly RU6

(a) Intent

The intent of this zone is to accommodate a variety of agricultural and related activities with one dwelling unit per parcel.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Agriculture
- (ii) Aquaculture
- (iii) Home Based Business
- (iv) Produce Stand
- (v) Residential Use
- (vi) Silviculture
- ~~(vii) Secondary Suite~~

Accessory uses

- (i) **Secondary Suite**

Moved Secondary Suite to Accessory uses

(c) Maximum Number and Size of Buildings and Structures

(i) Accessory buildings	combined floor area of 400m ²
(ii) Dwelling units/parcel	1
(iii) Height	9.0m
(iv) Parcel Coverage	25%

(d) Minimum Setback Requirements

- (i) All agriculture or farm buildings, structures and uses – in accordance with Section **3.3.10 3.11.**
- (ii) All other buildings and structures:
 - (1) All lot lines 8.0 m

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(iii) except for Lots 1 to 18, District Lot 5, Douglas District (situated partly in Cranberry District), Plan VIP 59461 where buildings and structures do not house livestock or store manure, the following setbacks shall apply:

- | | |
|---|-------|
| (1) Front Line | 7.5 m |
| (2) Interior and exterior side lot line | 3.0 m |
| (3) Rear lot line | 4.5 m |
| (4) Other lot lines | 1.5m |

(iv) where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section **3.3.8 3.9** shall apply.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.37.1 Rural Residential 1 Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) RR1.1	<p>(i) In addition to the Uses listed in 4.37 (b), Light Industry will be allowed as a Permitted Use limited to autobody repair with no more than two employees.</p> <p>(ii) In addition to the Uses listed in 4.37 (b), Outdoor Sales will be allowed as a Permitted Use limited to the display and sale of automobiles where a display cannot exceed more than four automobiles at a given time and sale information attached to each automobile cannot exceed 812 cm² displaying information related to year, make, model, description, and sale price.</p> <p>(iii) Despite any other provision of this Bylaw, signage is restricted to not more than 1 freestanding indirectly illuminated sign with a maximum surface area of 4.5 m² and maximum height of 6.0 metres from the supporting foundation. No ribbon flags, pennants or other on-site display props for advertising are permitted.</p>
(b) RR1.2Z	Despite 4.37 (b), Permitted uses will be limited to Residential Use with a maximum density of one dwelling unit per parcel, Agriculture, and Home Based Business.
(c) RR1.3Z	<p>(i) Despite 4.37 (b), Permitted uses will be limited to Residential Use to a maximum density of one dwelling unit per parcel, Home Based Business, and Secondary Suite.</p> <p>(ii) Despite any other provision of this Bylaw, Home Based Business is restricted to an office and must be wholly contained within a single dwelling unit.</p> <p>(iii) Despite any other provision of this Bylaw, the keeping of animals is restricted to pets and household animals.</p>

4.38 Rural Residential 2 (RR2)

(a) Intent

The intent of this zone is to accommodate a variety of agricultural and related activities with two dwelling units per parcel.

New zone consolidated from RU1, RU1.1, RU2, RU3, RU4, RU5, RU7, RU8, RU9 as per Zone Consolidated Discussion Paper

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Agriculture
- (ii) Aquaculture
- (iii) Home Based Business
- (iv) Produce Stand
- (v) Residential Use
- (vi) Silviculture
- (vii) Secondary Suite

(c) Maximum Number and Size of Buildings and Structures

- | | | |
|------|--|--|
| (i) | Accessory buildings | combined floor area of 400m ² |
| (ii) | Dwelling units/parcel | |
| | (1) on a parcel having an area of 2.0 ha or less | 1 |
| | For Electoral Areas 'A, C, E and H' | |
| | (2) on a parcel having an area greater than 2.0 ha for Electoral Area 'G' | 2 |
| | For Electoral Area 'G' | |
| | (3) on a parcel having an area equal to or greater than twice the minimum parcel size as established by Schedule '5B Subdivision District – Minimum Parcel Sizes | 2 |
| | (4) Notwithstanding subsection (3), on a parcel located in this zone and created | 2 |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

prior to February 22, 2011 and having an area greater than 2.0 ha

(5) Notwithstanding (2), (3), or (4) above, a second dwelling unit shall only be permitted upon receipt of confirmation from a BC Land Surveyor or other Qualified Professional to the satisfaction of the Regional District of Nanaimo certifying that the first dwelling unit has been previously occupied for the purpose of Section 241 of the *Strata Property Act*.

(iii) Height 9.0m

(iv) Parcel Coverage 25%

(d) Minimum Setback Requirements

(i) All agriculture or farm buildings, structures and uses – in accordance with Section **3.3.10 3.11**.

(ii) All other buildings and structures

(1) All lot lines 8.0 m

(iii) Except where:

(1) the parcel is less than 4000 m² in area then the setback from lot lines may be reduced to 2.0 m from an interior side lot line and to 5.0 m from other lot lines, excluding the front lot line;

(2) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section **3.3.8 3.9** shall apply.

(e) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.38.1 Rural Residential 2 Sub-zones

The following sub-zones modify the regulations for this Zone as specified below and only apply to parcels identified in Schedule 3A of this Bylaw.

Sub-zones	Modification
(a) RR2.1Z	In addition to the Uses listed in 4.38 (b), Animal Care, Campground and Nursery will be allowed as a Permitted Uses.
(b) RR2.2Z	Despite any other provision of this Bylaw, strata subdivision is not permitted.

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.39 Water 1 (WA1)

(a) Uses

Permitted uses

- (i) Aquaculture
- (ii) Boat Ramp

(b) Maximum Number and Size of Buildings and Structures

- (i) Height 1.0 m above surface of water measured from the natural boundary

(c) Minimum Setback Requirements

- (i) All lot lines or lease boundaries 3.0 m

(d) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

4.40 Water 2 (WA2)

(a) Uses

Permitted uses

- (i) Boat Ramp
- (ii) Marina
- (iii) Marina Sales
- (iv) Outdoor Recreation Use

(b) Maximum Number and Size of Buildings and Structures

- (i) Height 5.0 m above surface of water measured from the natural boundary

(c) Minimum Setback Requirements

- (i) All lot lines or lease boundaries 3.0 m

(d) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

4.41 Water 3 (WA3)

(a) Uses

Permitted uses

- (i) Boat Building & Repair
- (ii) Log Storage & Sorting Yard
- (iii) Marina
- (iv) Marine Fuel Supply Station
- (v) Shipping Yard

(b) Maximum Number and Size of Buildings and Structures

- (i) Height 12.0 m above surface of water measured from the natural boundary

(c) Minimum Setback Requirements

- (i) All lot lines or lease boundaries 5.0 m

(d) Other Regulations

All uses must comply with the servicing provisions of Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion

4.42 Water 4 (WA4)

(a) Uses

Permitted uses

- (i) Dock
- (ii) Boat Ramp
- (iii) Wharf

(b) Maximum Number and Size of Buildings, Structures and Uses

(i) Area

- (1) Dock – A maximum of 25 recreational residences permitted under the Horne Lake CD9 zone may have a maximum of 40m² of dock area excluding access walkways or ramps that do not exceed 1.22m in width and the maximum dock area for all other recreational residences permitted under the Horne Lake CD9 zone shall not exceed 20m² excluding access walkways or ramps that do not exceed 1.22m in width.
- (2) Dock – A maximum of 2 swimming docks not exceeding a maximum dock area of 10m² is permitted for the Horne Lake Regional Park.
- (3) Wharf – A maximum of 1 boat wharf not exceeding a maximum area of 20m² is permitted for the Horne Lake Regional Park excluding access walkways or ramps that do not exceed 1.22m in width.
- (4) Boat ramp – A maximum of 2 boat ramps are permitted at Horne Lake. One located at the Horne Lake Regional Park and one located between strata lots 373 and 374.

(ii) Height

- (1) Docks and wharves shall not exceed 1.0m above the surface of the water excluding diving boards and slides that do not exceed 2.5m above the surface of the water and that are not contained within a building.

(c) Minimum Setback Requirements

- | | | |
|-----|---------------|-------|
| (i) | All lot lines | 0.0 m |
|-----|---------------|-------|

(d) Other Regulations

-
- (i) For the purposes of this zone dock means a floating structure for the mooring of boats.
-
- (ii) For the purposes of this zone no accessory uses, buildings or structures including fences under 2.0 m in height are permitted.
-
- (iii) In the event of inconsistency between any provision of **this Zone Section 3.4.94** and any other provision of this Bylaw, the **this Zone Section 3.4.94** provision will apply and the other provision will not apply to the extent of the inconsistency.
-

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.43 Alternative Forms of Rural Development 1 (AF1)

(a) Uses

Permitted uses

- (i) Residential Use

Accessory uses

- (ii) Home Based Business
- (iii) Secondary Suite

(a) Maximum Number and Size of Buildings and Structures

(i)	Accessory buildings	Combined floor area of 100 m ² or 8% of the area of the parcel, whichever is greater, but shall not exceed 250 m ²
(ii)	Dwelling units / parcel	1
(iii)	Number of parcels within the AF1 zone classification	7
(iv)	Height	9.0 m
(v)	Parcel coverage	35%

(b) Minimum Setback Requirements

(i)	Front Exterior	8.0 m
(ii)	Interior side lot line	2.0 m
(iii)	Rear lot line	2.0 m
(iv)	Other lot lines	5.0 m
(v)	Watercourse setbacks	Notwithstanding the above, Section 3.3.8 3.9 shall apply

(vi) Setback exemption for small buildings	No setback from an interior side or rear lot line shall be required for one accessory building not exceeding a floor area of 10 m ² and with a maximum height of 3.0 m
--	---

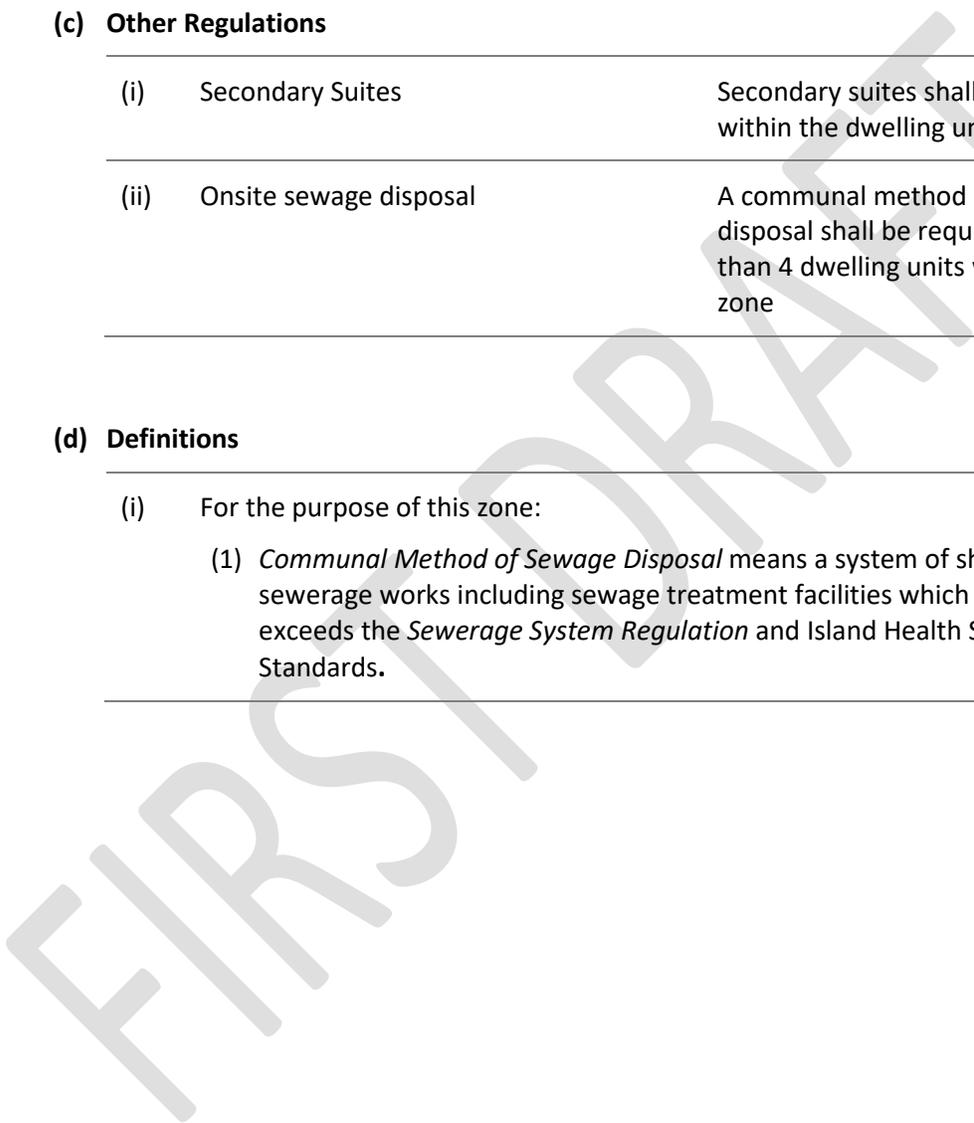
(c) Other Regulations

(i) Secondary Suites	Secondary suites shall only be located within the dwelling unit
(ii) Onsite sewage disposal	A communal method of sewage disposal shall be required for more than 4 dwelling units within the AF1 zone

(d) Definitions

(i) For the purpose of this zone:	
	(1) <i>Communal Method of Sewage Disposal</i> means a system of shared sewers and sewerage works including sewage treatment facilities which meets or exceeds the <i>Sewerage System Regulation</i> and Island Health Subdivision Standards.

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas



4.44 Bowser Village Comprehensive Development Zone 6 (CD6)

(a) Uses

Permitted uses

- (i) Retail Store
- (ii) Office
- (iii) Personal Service Use
- (iv) Restaurant
- (v) Tourist Store
- (vi) Recreation facility (excluding pool hall, bowling alley, curling, roller rink and swimming pool)
- (vii) Multiple Dwelling Unit Development
- (viii) Emergency Services

(b) Maximum Number and Size of Buildings and Structures

Floor area ratio definition removed as per Housekeeping Discussion Paper

(i)	Dwelling units / hectare	5
(ii)	Height	10.0 m
(iii)	Parcel coverage	25%
(iv)	Floor Area Ratio	0.50

(c) Minimum Setback Requirements

- (i) All lot lines 5.0 m
- (ii) except where the adjoining parcel is zoned industrial or commercial than the setback from the common interior ~~side~~ lot line may be reduced to zero.

4.45 Fairwinds Comprehensive Development Zone 8 (CD8)

(a) Uses

Permitted uses

- (i) Office
- (ii) Personal Service Use
- (iii) Recreation Facility
- (iv) Restaurant
- (v) Retail Store

(b) Maximum Number and Size of Buildings and Structures

Floor area ratio definition removed as per Housekeeping Discussion Paper

- | | |
|----------------------------------|---|
| (i) Office | The combined total floor area of all office uses must not exceed 375 m ² |
| (ii) Restaurant | The combined total floor area of all office uses must not exceed 100 m ² |
| (iii) Retail Store | The combined total floor area of all office uses must not exceed 100 m ² |
| (iv) Floor Area Ratio | 0.25 |
| (v) Height | 12.0 m |
| (vi) Parcel coverage | 20% |

(c) Minimum Setback Requirements

- | | |
|--|-------|
| (i) All lot lines | 5.0 m |
| (ii) except where: | |
| (1) the adjoining parcel is zoned industrial or commercial than the setback from the common interior side lot line may be reduced to zero; | |
| (2) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply. | |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(d) Other Regulations

-
- (i) For the purpose of this zone, the use “office” is limited to:
- (1) Real estate sales
 - (2) Real estate information centre
 - (3) Management of business
-
- (ii) For the purpose of this zone, “personal service use” is limited to fitness training services.
-
- (iii) In the event of inconsistency between any provision of **this Zone Section 4.52(d)** and any other provision of this Bylaw, **Section 4.52(d) the provisions of this Zone** will prevail.
-

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.46 Horne Lake Comprehensive Development Zone 9 (CD9)

Updated as per Horne Lake Discussion Paper

(a) Uses

Permitted uses

- (i) Recreational Residence
- (ii) Recreational Vehicle Storage Area

(b) Maximum Number and Size of Buildings and Structures

(i)	Maximum cabin floor area	105 m² 110 m²
(ii)	Combined floor area for decks and porches	40 m ²
(iii)	Combined floor area of accessory buildings	30 m ²
(iv)	Accessory building height	6.0 m
(v)	Recreational Residence per parcel or bare land strata parcel	1
(vi)	Recreational Residence height	6.1 m 8.0 m and 2 storeys

(c) Minimum Setback Requirements

(i)	Front lot line	8.0 m
(ii)	Interior side lot line	2.0 m
(iii)	Rear lot line	2.0 m
(iv)	From common road	4.5 m
(v)	Exterior lot lines	5.0 m
(vi)	From all watercourses except Horne Lake as per DP0120:	
	(1) 0.0 m to 15.0 m for any new and existing structural retaining walls or shoreline stabilization structure greater than 1 metre in height for the purpose of erosion protection and providing slope stability as approved pursuant to Section 9 of the Water Act; and	
	(2) 8.0 m to 15.0 m for any other building or structure.	

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (vii) From Horne Lake as per DP0120:
 - (1) 0.0 m to 8.0 m for any new structural retaining wall greater than 1 metre in height for the purpose of erosion protection and providing slope stability as approved pursuant to Section 9 of the Water Act or otherwise established prior to this Bylaw; and
 - (2) 8.0 m from the natural boundary as shown on the survey plan prepared by Bruce Lewis, BCLS and dated March 15, 2000.

(viii) No setback from an interior or rear parcel line shall be required for one accessory building not exceeding a floor area of 10 m² and with a maximum height of 3.0 metres.

(d) Other Requirements

- (i) The following Lands are designated flood plain:
 - (1) That part of Strata Parcels 1 through 400, of District Parcel 215, Alberni District, Plan VIS5160, below 121.7 metres Geodetic Survey of Canada Datum.
- (ii) All portions of a Recreational Residence located below the Flood Construction Level shall remain fully unenclosed, such as constructed with columns, or be limited to a Crawl Space.
- (iii) No further subdivision is permitted.
- (iv) A visitor recreational vehicle for a given cabin may be located on site for no more than 4 consecutive days within a week with the exception that one visit within a calendar year may extend up to 90 consecutive days.
- (v) No more than 2.02 hectares (5 acres) of land within the Horne Lake Comprehensive Development Zone 9 shall be used for recreational vehicle storage.
- (vi) The area of land used for recreational vehicle storage shall form one contiguous area and vehicle storage shall not take place in different locations within this zone.
- (vii) The area of land used for recreational vehicle storage shall not be closer than 30 metres from the natural boundary of Horne Lake, 30 metres from the top of a bank adjacent to a watercourse and 5 metres from any other parcel line.
- (viii) The keeping of animals for agricultural purposes is not permitted in this zone.
- (ix) In the event of inconsistency between any provision of this and any other provision of this Bylaw, the provisions of this Zone will apply and the other provision will not apply to the extent of the inconsistency.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.47 Rondalyn Resort Comprehensive Development Zone 13 (CD13)

(a) Uses

Permitted uses

- (i) Recreational Vehicle Park

Permitted Accessory uses

- (ii) Any recreation and service uses that are incidental to the Recreational Vehicle Park use intended for the sole use of the RV Park visitors and residents

(b) Number and Size of Buildings and Structures

- (i) Recreational Vehicle Park Maximum of 90 RV / camping spaces developed in accordance with **Schedule '3C' Section 3.23** Campground Regulations and Standards

- (ii) Dwelling units / parcel 2

- (iii) Height Updated as per Housekeeping Discussion Paper

~~8.0 m~~ **9.0 m**

- (iv) Parcel coverage 10%

(c) Minimum Setback Requirements

- (i) Front lot line 8.0 m

- (ii) Other lot lines 5.0 m

- (iii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in ~~Section 3.3.8~~ **Section 3.9** shall apply;

- (iv) and except for one freestanding sign that meets the requirements of Section 3.27 within the required setback.

4.48 Englishman River (Block 564) Comprehensive Development Zone 14 (CD14)

(a) Uses

Permitted uses

- (i) Residential Use
 - (ii) Home Based Business
 - (iii) Agriculture use, within that part of the zone within the ALR
-

Density and Park Amenity

- (i) The maximum number of parcels that may be created by subdivision ~~within the area as shown outlined on Schedule No. 2 of the CD 14 zone~~ shall be:
 - (1) 158 where the Regional Park amenity referred to in **subsection (ii) below section b) of Section 3.4.112.1** is provided to the Regional District; or
 - (2) 36 parcels where the Regional Park has not been provided.
 - (ii) The Regional Park amenity is the transfer of the following portions of the lands legally described as the Remainder of Block 564, Nanoose District, Except That Part Shown Outlined in Red on Plan 613-R and Except Parts in Plans 360RW, 3132RW, 31833, 39893, 42873, VIP66068, VIP67422, VIP69511 and VIP71158 (The Remainder of Block 564, Nanoose District) for Regional Park:
 - (1) A greenway corridor not less than 15.0 metres in width linking a minimum of one (1) accessible location from the top of the bank of the Englishman River to the two (2) locations where Craig Creek crosses the lands and to the location of the unnamed wetland located near the south boundary of the lands;
 - (2) The Craig Creek Corridor and that part of the land east and south of Craig Creek situated west of the Island Highway, including the Bed of the Creek and a minimum 30.0 metres as measured from the top of the bank of the Creek;
 - (3) That portion of land located between DL 57, Nanoose District and the Island Highway that includes all of the area 200 metres south of the Remainder of DL 40 Nanoose District;
 - (4) That portion of land located between the east boundary of DL 57, Nanoose District and the top of the bank of the Englishman River Valley;
 - (5) A 30.0-metre wide strip of land located adjacent to the west side of the Island Highway from the south boundary of the Remainder of DL 40, Nanoose District to Kaye Road; and
 - (6) vi) A 30.0 metre wide strip of land located west of that portion of Lot 1, Block 564 and DL 171 Nanoose District Plan VIP71158 that fronts the Island Highway.
-

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(b) Maximum Number and Size of Buildings and Structures

(i)	Accessory buildings	Combined floor area 400 m ²
(ii)	Dwelling units / parcel	1
(iii)	Height	9.0 m
(iv)	Parcel coverage	10%

(c) Minimum Setback Requirements

(i)	Watercourse	30.0 m
(ii)	Top of bank adjacent to a watercourse	15.0 m
(iii)	All other lot lines	8.0 m
(iv)	Where the top of the bank adjacent to a watercourse is within 30.0 metres of the natural boundary of a watercourse then the setback shall be a minimum of 30.0 metres from the natural boundary of the watercourse or 15.0 metres from the top of the bank, whichever is greater.	

(d) Minimum Parcel Size

(i)	For a parcel with a connection to a community water system	1.0 ha
(ii)	For a parcel without a connection to a community water system or community sewer system	8.0 ha

(e) Other Regulations

(i)	For the purpose of this zone:	
	(1)	Where land in this zone is not within the ALR, the keeping of animals, as set out in Section 3.3.5 3.6 of this bylaw is further restricted to a maximum of 2 livestock animals that may be kept on a parcel at the same time except that no livestock shall be kept on those parcels that front the public lands adjacent to the Englishman River and South Englishman River.
	(2)	Home Based Business Use - the regulations set out in Section 3.3.14 3.15 applicable to the Rural 5 zone apply to this zone.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(f) Community Water System Standards Applicable to this zone

- (i) For the purpose of this zone:
 - (1) The design population to be used in calculating water demand as referred to in Section 2.3 of Schedule 5C of this bylaw shall be 553 persons.
 - (2) The water supply quality as referred to in Section 2.5 of Schedule 5C of this bylaw shall meet or exceed both potable and aesthetic standards according to the current Canadian Drinking Water Standard.
 - (3) The ground water supply source as referred to in Section 2.6 of Schedule 5C of this bylaw shall provide for a minimum demand of 100 imperial gallons per minute developed in accordance with the specifications and testing procedures of Schedule 5C of this bylaw.
 - (4) The reservoir size for water storage as referred to in Section 2.7 (1) of Schedule 5C of this bylaw shall be a minimum of 150,000 imperial gallons and may be located outside the CD14 zone provided the site area of the reservoir and access to the site is secured by statutory right-of-way.
 - (5) The standard for fire hydrant distribution, as referred to in Section 2.10 of Schedule 5C of this bylaw, shall be the spacing of fire hydrants such that the maximum distance from a hydrant to the centroid of any parcel measured along the centreline of the highway and perpendicular to a highway, is 300 metres.
 - (6) No community wells shall produce less than 30 imperial gallons per minute.
-

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.49 Horne Lake Regional Park Comprehensive Development Zone 24 (CD24)

(a) Uses

Permitted uses

- (i) Wilderness Campground
- (ii) Outdoor Wilderness Recreation
- (iii) Tourist Accommodation
- (iv) Day Use Recreation
- (v) Group Camping
- (vi) Public Assembly

Permitted Accessory uses

- (vii) Accessory Office, Building and Structures
- (viii) Boat Ramp
- (ix) Residential Use
- (x) Tourist Store
- (xi) Visitor Centre

(b) Maximum Number and Size of Buildings and Structures

(i) Wilderness Campground	Maximum of 125 individual camp sites and a maximum of 75 camping parties within 3 group camping areas subject to the regulations of this zone
(ii) Tourist Accommodation	Maximum 10 units and shall not exceed 35 m ² in floor area per unit excluding a 7.5 m ² deck
(iii) Dwelling Units / Parcel	1
(iv) Dwelling Unit Height	8.0 m as measured above the flood construction elevation pursuant to the regulations of this zone
(v) Accessory Buildings	Combined floor area of 500 m ²
(vi) Accessory horse boarding stable	Maximum of 10 stalls not exceeding 5 m ² in floor area per stall

(vii)	Tourist Store	Maximum of 20m ² in floor area
(viii)	Accessory Building / Structure Height	8.0 m as measured above the flood construction elevation pursuant to the regulations of this zone except for zip line
(ix)	Parcel coverage	30%

(c) Minimum Setback Requirements

- (i) Buildings and structures for housing livestock or for storing manure:
- (1) All lot lines 30.0 m
 - (2) Horne Lake 30.0 m to natural boundary
 - (3) Qualicum River 30.0 m to natural boundary
 - (4) Internal access roads 30.0 m
-
- (ii) All other buildings, structures, camp sites, campground services (internal roads, parking, water, and waste disposal systems)
- (1) All lot lines 8.0 m
 - (2) Horne Lake 30.0 m to natural boundary
 - (3) Qualicum River 30.0 m to natural boundary

(d) Minimum Setback Requirements

- (i) Individual Camp Sites
- (1) Every camp site shall have a minimum area of not less than 110m².
 - (2) Every camp site shall have a maximum slope of five percent.
 - (3) No camp site shall be located within:
 - a. 3.0 m of another camp site; and
 - b. the setback areas established pursuant to **Section 4.49 (c) Part 3-4.124.4** of this Bylaw.
 - (4) Each individual camp site shall have one conveniently located parking space adjacent to the internal access road and may be sited in the area allotted for the 3.0 m internal road access setback.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

<p>(5) No recreation vehicle or tent shall be located elsewhere in a campground than on a camp site or group camp site.</p> <p>(6) No more than one camping party shall be permitted in one camp site.</p>	Part 1 Administration
<p>(ii) Group Camp Area</p> <p>(1) A maximum of 3 group camping areas with a combined area of 3.0 ha is permitted.</p> <p>(2) A maximum of 75 camping parties are permitted in the 3 group camping areas.</p> <p>(3) A maximum of 2 vehicles per camping party may park within the group camping area.</p> <p>(4) Each group camp area shall have a minimum of a 5 m wide vegetated buffer.</p> <p>(5) Each group camping area shall have a centralized fire pit.</p> <p>(6) Each group camp area shall have a maximum slope of five percent.</p> <p>(7) No recreation vehicle or tent shall be located elsewhere in a campground than on a group camp site.</p> <p>(8) No group camp site shall be located within:</p> <p>a. 3.0 m of another camp site; and</p> <p>b. the setback areas established pursuant to Section 4.49 (c) Part 3.4.124.4 of this Bylaw.</p>	
<p>(iii) Buffer Area</p> <p>(1) Day use recreation is permitted within the setback pursuant to subsection 3.4.124.5B.ii the Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006.</p>	Part 3 Land Use Regulations
<p>(iv) Internal Access Roads</p> <p>(1) All internal access roads shall be of hard durable surface so as not to produce dust.</p> <p>(2) The minimum internal access road width shall be 6.0 metres</p> <p>(3) Dead-end internal access roads and cul-de-sacs shall have a turning radius of 12.0 metres.</p>	Part 4 Zones
<p>(v) Group, Day Use and Trailer Parking</p> <p>(1) These requirements do not apply to parking spaces pursuant to subsection 4.49 (d) (i) (4) 3.4.124.6.a.iv and to subsection 4.49 (d) (ii) (3) 3.4.124.6.b.iii</p> <p>(2) A minimum of 100 parking spaces shall be provided.</p> <p>(3) Parking stall and aisle dimensions shall be in accordance with Schedule '3B' Section 3.22 Table 2 of this Bylaw.</p>	Part 5 Subdivision Regulations
	Part 6 Development Permit Areas

-
- (4) A minimum of 10 disability parking spaces shall be provided.
 - (5) Each disability space shall be:
 - a. a minimum of 4.0 metres wide
 - b. marked with the International Symbol of Accessibility
 - c. located adjacent to the day use area within convenient access of the development, building, or use that it is intended to serve, and any level change shall not exceed 13 mm
 - (6) A minimum of 50 boat trailer parking spaces shall be provided for boat launch patrons once the number of camping parties exceeds 100. Each boat trailer parking space shall:
 - a. enable the vehicle to pull thru; and
 - b. be a minimum length of 11 m.
 - (7) All parking spaces shall be clearly delineated.
 - (8) All parking spaces shall be provided and maintained with a hard durable surface that does not produce dust and is permeable.
 - (9) All parking spaces shall have a maximum gradient and cross-slope of 6%.
-

(e) Campground Servicing

- (i) Washroom Facilities
 - (1) Shall be located in a separate building(s); and
 - (2) Shall be located:
 - a. a maximum of 150 m from any individual camp site or group camping area;
 - b. a minimum of 4.5 m from any camp site;
 - c. a minimum of 15 m from any drinking water source or surface water;
 - d. a minimum of 3 m from any building, internal access road or water supply pipe, and
 - (3) Shall be established as outlined in Table No. 1; and
 - (4) Where holding tanks are utilized for toilets they shall be sealed and have a minimum capacity 200 gal.
 - (5) A minimum of 2 toilets (1 male and 1 female) shall be wheelchair accessible and located adjacent to the primary day use area.
 - (6) A minimum of 2 wash basins and 2 shower (1 male and 1 female) shall be wheelchair accessible.
-

(ii) Sewage Disposal Station (Sani-dump)

- (1) One sewage disposal station for use by recreational vehicles shall:
- a. be established once the number of potential camping parties exceeds 100
 - b. be located:
 - in the North Park;
 - a maximum of 150 m from any individual camp site or group camping area;
 - a minimum of 4.5 m from any camp site;
 - a minimum of 15 m from any drinking water source or surface water; and
 - a minimum of 3 m from any building, internal access road or water supply pipe.

(iii) Water System

- (1) Potable water source shall be provided once the number of potential camping parties exceeds 75.

(iv) Garbage Disposal and Recycling

- (1) Large communal garbage and recycling facilities shall be centrally located in the North and South Park;
- (2) Small garbage and recycling receptacles shall be located in all day use areas; and
- (3) All garbage and recycling facilities and receptacles shall be animal and insect proof.

(f) **Table No. 1**

Number of potential camping parties	Toilet		Washbasins		Showers	
	Female	Male	Female	Male	Female	Male
1 – 75	10	10	0	0	0	0
76 – 120	12	12	2	2	2	2
121 - 200	14	14	4	4	6	6

(g) Other Regulations

For the purpose of this zone:

- (i) "Adventure Camp" means an outdoor wilderness recreation program area including one group camping area.
- (ii) "Camp site (Individual)" means an area within a campground used by one camping party for tents or recreational vehicles.
- (iii) "Camping Party" means a maximum of eight (8) persons including no more than four (4) adults, an adult being a person 16 years of age or over.
- (iv) "Day Use Recreation" means an area consisting of largely of open space, which may include picnic area, playground, gazebo, docks and wharves, or similar use but shall not include a campground.
- (v) "Group Camping Area" means an area used for camping by three or more camping parties and shall include the Adventure Camp.
- (vi) "Outdoor Wilderness Recreation" means a recreational activity undertaken where the outdoor setting and natural landscape is a significant element in the activity, where there is no significant alteration of the land, where there is no hydro service, and the density of recreational users is not a significant element and includes obstacle course, zip line course, orienteering, horse boarding and trail rides, trails, day use recreation.
- (vii) "Temporary accommodation" means the occupation of a camp site to a maximum of 28 days in total per year by any one camping party.
- (viii) "Tourist accommodation" means a one-storey building with a heat source and with no provision for cooking, sanitation or permanent residential occupancy.
- (ix) "Tourist Store" means a detached accessory building or portion of an accessory building that sells supplies and pre-packaged dry goods catering to park users and specifically prohibits the preparation of food.
- (x) "Visitor Centre" means a place in a fully enclosed building for the purposes of viewing or displaying information and exhibits related to natural and cultural history, the natural environment, and wilderness recreation, and where such display is intended, in part, to serve the educational and cultural needs of the community as a whole.

-
- (xi) “Washroom facilities” means a building or buildings that contain toilets, washbasins, and heated showers.
-
- (xii) “Wilderness campground” means an area in Horne Lake Regional Park without hydro service that provides for the temporary accommodation of travellers using tents, tent trailers, or recreational vehicles and specifically excludes a **mobile manufactured** home park or hotel.
-

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.50 South Wellington Light Industrial Comprehensive Development Zone 28 (CD28)

(a) Uses

Permitted uses

- (i) Light Industry
- (ii) Manufacturing Use
- (iii) Recreational Vehicle Sales and Storage
- (iv) Residential Use
- (v) Moving Truck and Moving Trailer Rentals

(b) Number and Size of Buildings and Structures

- | | | |
|-------|-------------------------|-------|
| (i) | Height | 8.0 m |
| (ii) | Parcel coverage | 60% |
| (iii) | Dwelling Units / parcel | 1 |

(c) Minimum Setback Requirements

- | | | |
|------|-----------------|-------|
| (i) | Front lot line | 8.0 m |
| (ii) | Other lot lines | 5.0 m |

(d) Regulation of Signs

- (i) Within this zone, a maximum of two (2) freestanding signs shall be permitted adjacent to the Trans Canada Highway and one (1) freestanding entrance sign shall be permitted adjacent to South Wellington Road.
- (ii) No freestanding sign adjacent to the Trans Canada Highway shall exceed a maximum width of 5.5 metres or height of 6.1 metres as measured from natural grade.
- (iii) The combined sign surface area of all sides of all freestanding signs adjacent to the Trans Canada Highway shall not exceed 35.3 m².

- (iv) The freestanding entrance sign permitted adjacent to South Wellington Road shall not exceed a height nor width of 5.0 metres and the combined sign surface area of all sides shall not exceed 11.0 m².
- (v) One fascia sign not exceeding twenty five percent (25%) of each tenant's store front shall be permitted and each fascia sign shall not exceed a maximum sign face area of 7.0 m².
- (vi) No additional freestanding signs shall be permitted.
- (vii) The use of banners, ribbons, flags, on-site display props, streamers, pennants, or mobile signs are prohibited.
- (viii) Signs may be illuminated internally or externally and the use of neon lighting, or blinking or flashing lights is prohibited.

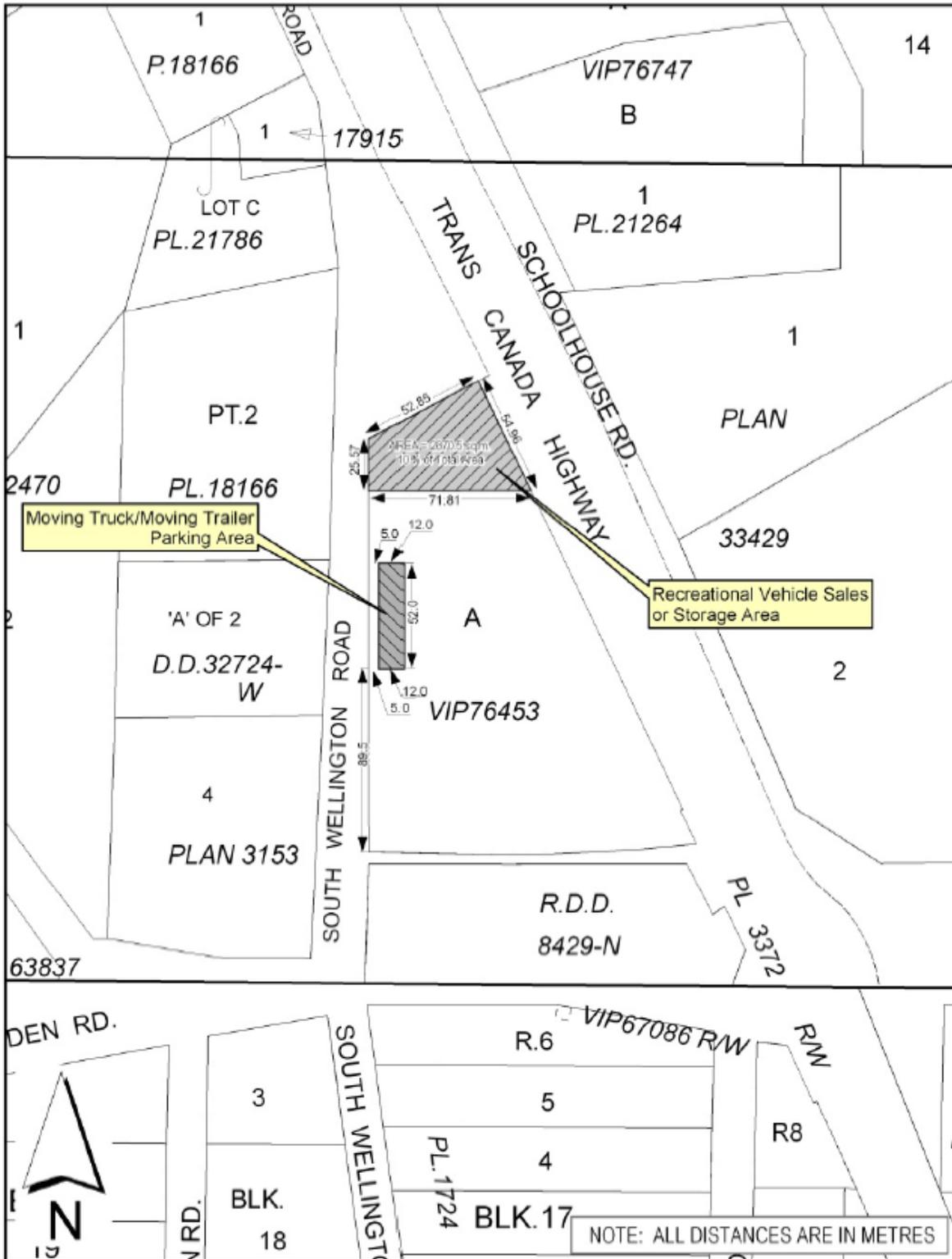
(e) Other Regulations

For the purpose of this zone:

- (i) Manufacturing Use means the assembling and manufacturing of a product or products in a building only and may include indoor accessory retail sales of the product(s) produced to a maximum of ten percent (10%) of the floor area of the building and may include an accessory office use.
- (ii) Recreational Vehicle Sales or Storage means the use of land or buildings for the sale or storage of recreational vehicles to a maximum of ten percent (10%) of the area of the parcel and is permitted only in the hatched area as shown in Schedule 2 of this zone.
- (iii) Moving Truck and Moving Trailer Rentals means the use of land and or buildings for the rental of moving trucks and moving trailers excluding passenger cars and trucks to the general public. The parking of moving trucks and moving trailers is permitted only in hatched area as shown in Schedule 2 of this zone.
- (iv) The Recreational Vehicle Sales or Storage area must be clearly separated from the remainder of the parcel and other uses by landscaping and or fencing or combination of the above to create a continuous barrier at least one metre in height, excluding entrances.
- (v) The Recreational Vehicle Sales or Storage area must be screened from view along all external property lines with landscaping and or fencing to meet or exceed the following landscaping criteria:
 - (1) landscaping shall be provided to the satisfaction of the Regional District of Nanaimo along the perimeter of the Recreational Vehicle Sales and Storage

<p>Area, and shall include, a minimum of seventy-five percent (75%) screening from grade level to a height of 3.0 metres and at least twenty-five percent (25%) screening from a height of 3.0 metres to 5.0 metres above grade;</p> <p>(2) provided the overall density of vegetation is provided, landscaping adjacent to Schoolhouse Road may be grouped. No other landscaping on site may be grouped;</p> <p>(3) landscaping shall include planting one evergreen tree for every 3.0 metres of parcel frontage; and</p> <p>(4) all landscaping abutting parking or other vehicle access areas on site shall be protected by a permanent curb a minimum of 15 cm in height to protect landscaping from potential vehicular damage.</p>	Part 1 Administration
<p>(vi) The Recreational Vehicle Sales or Storage area and the Moving Truck and Moving Trailer parking area must be clearly separated from the remainder of the parcel and other uses by landscaping and or fencing or combination of the above to create a continuous barrier at least 1.0 metre in height, excluding entrances.</p>	Part 2 Interpretation
<p>(vii) The Moving Truck and Moving Trailer parking area shall be screened from view from South Wellington Road by a vegetated buffer a minimum of 5.0 metres in width.</p>	Part 3 Land Use Regulations
<p>(viii) Except where varied by this zone, landscaping shall be provided in accordance with Section 3.7 Schedule 3F— Landscaping Regulations and Standards of this Bylaw No. 500.</p>	Part 4 Zones
<p>(ix) Except for the Recreational Vehicle Sales and Storage and Moving Truck and Moving Trailer Rentals located in the hatched area as shown in Schedule 2 of this zone, all uses must be fully contained within a building.</p>	Part 5 Subdivision Regulations
	Part 6 Development Permit Areas

Comprehensive Development Zone CD28
Schedule 2



BCGS Map Sheet No. 92G.001.4.3

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.51 Cedar Estates Comprehensive Development Zone 29 (CD29)

(a) Uses in Area A

Permitted uses

- (i) Residential Use
- (ii) Home Based Business

(b) Maximum Number and Size of Buildings and Structures in Area A

- | | | |
|-------|---------------------------|---|
| (i) | Accessory buildings | Combined floor area of 100 m ² |
| (ii) | Accessory building height | 5.0 m |
| (iii) | Dwelling Units / parcel | 1 |
| (iv) | Dwelling unit height | 9.0 m |
| (v) | Parcel coverage | 40% |

(c) Minimum Setback Requirements in Area A

- | | | |
|-------|-------------------------|-------|
| (i) | Front lot line | 6.0 m |
| (ii) | Interior side lot lines | 1.5 m |
| (iii) | Rear lot lines | 3.0 m |
| (iv) | Exterior lot lines | 4.0 m |

(d) Other Regulations in Area A

- | | | |
|------|-----------------------|--|
| (i) | Minimum parcel size: | 440 m ² with community water and sewer system. No subdivision permitted without full community services. |
| (ii) | Parking requirements: | Minimum 2 parking spaces per unit to be developed in accordance with Schedule '3B' Section 3.22 of the Bylaw. |

(iii)	Home Based Businesses	Uses are restricted to those uses permitted in the RS1 zone for parcels less than 2000 m ² in area.
-------	-----------------------	--

(e) Uses in Area B

Permitted uses

- (i) Residential Use
- (ii) Home Based Business

(f) Maximum Number and Size of Buildings and Structures in Area B

(i)	Accessory buildings	Combined floor area of 150 m ²
(ii)	Accessory building height	9.0 m
(iii)	Dwelling Units / parcel	2
(iv)	Dwelling unit height	9.0 m
(v)	Parcel coverage	40%

(g) Minimum Setback Requirements in Area B

(i)	Front lot line	6.0 m
(ii)	Interior side & rear lot lines	1.5 m
(iii)	Exterior lot lines	4.0 m

(h) Other Regulations in Area B

(iv)	Minimum parcel size:	500 m ² with community water and sewer system. No subdivision permitted without full community services.
(v)	Parking requirements:	Minimum 2 parking spaces for the first dwelling unit, and 1 parking space for the second

		dwelling unit, to be developed in accordance with Schedule '3B' Section 3.22 of the Bylaw.
(vi)	Second dwelling unit	The 2 nd dwelling unit is considered an accessory use to the first dwelling unit, and is permitted in an accessory building. The second dwelling unit may have a maximum floor area of 75m ² .
(vii)	Home Based Businesses	Uses are restricted to those uses permitted in the RS1 zone for parcels less than 2000 m ² in area.
(i) Uses in Area C		
Permitted uses		
(i)	Personal Care Units	
(ii)	Accessory Convenience Store and Personal Service Use	
(j) Maximum Number and Size of Buildings and Structures in Area C		
(i)	Dwellings / parcel	75 personal care units with a combined maximum occupancy of 75 persons per parcel with community water and community sewer system
(ii)	Height	9.0 m
(iii)	Parcel coverage	40%
(k) Minimum Setback Requirements in Area C		
(i)	Front lot line	6.0 m
(ii)	Interior side lot lines	6.0 m
(iii)	Setback from Plan R573 RW	6.0 m

(I) Other Regulations in Area C

(i)	Minimum parcel size:	4600 m ² with community water and sewer system. No subdivision permitted without full community services.
(ii)	Personal Care Units	Shall not accommodate more than 75 persons in residence.
(iii)	Accessory Convenience Store and Personal Service Use	Are permitted only as accessory uses to Personal Care Units and in the same building as Personal Care Units and may not exceed a combined floor area of 50 m ² .
(iv)	Parking requirements:	Minimum 1 parking space per 3 units, or which 25% may be small car spaces to be developed in accordance with Schedule '3B' Section 3.22 of the Bylaw.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

FIRST DRAFT

4.52 Nanoose Bay Village Centre Comprehensive Development Zone 30 (CD30)

(a) Uses

Permitted uses

- (i) Convenience Store
- (ii) Office
- (iii) Personal Service Use
- (iv) Restaurant
- (v) Retail Store
- (vi) Tourist Store

(b) Number and Size of Buildings and Structures

- (i) Phase 1 Building: 3115 m² maximum total floor area as follows:
 - Level 1 – maximum 1255 m²;
 - Level 2 – maximum 1255 m²; and
 - Level 3 – maximum 605 m²

- (ii) Phase 2 Building 2335 m² maximum total floor area

- (iii) Accessory Building 49 m² maximum total floor area

- ~~(iv) Floor area ratio 0.80~~

Floor area ratio definition removed as per Housekeeping Discussion Paper

- (v) Maximum Height of Buildings and Structures 14.0 m

- (vi) Maximum Height of Clock Tower 6.0 m

- (vii) Maximum Parcel coverage 40%

- (viii) Minimum parcel size 6880 m²

(c) Minimum Setback Requirements

(i)	Lot lines adjacent to Northwest Bay Road including corner cut off	10.0 m
(ii)	Lot lines adjacent to Powder Point Road	5.0 m
(iii)	Lot lines adjacent to Lot 2, District Lot 6, Nanoose District, Plan VIP50996	0.0 m
(iv)	Lot lines adjacent to Lot "A", District Lot 6, Nanoose District, Plan 13317 except that part (Road only) in Plan 49094	5.0 m

(d) Other Regulations

For the purpose of this zone the following regulations apply:

- (i) The site shall be developed in accordance with Schedule No. A - Roof & Site Plan prepared by Chow Low Hammond Architects Inc. and dated November 7, 2007 attached to and forming part of this zone.
- (ii) The Phase 1 Building shall be constructed in accordance with Schedule No. B - Elevations Plan prepared by Chow Low Hammond Architects Inc. and dated June 7, 2007 attached to and forming part of this zone.
- (iii) The landscaping shall be constructed in accordance with Schedule No. C – Conceptual Landscape Plan Consisting of Pages 1 and 2 prepared by Victoria Drakeford Landscape Architect and dated April 18/07 attached to and forming part of this zone.
- (iv) Off-Street Parking Requirements shall be as follows:
 - (1) A minimum of 107 parking spaces shall be provided and constructed in accordance with the **Section 3.22 of this Bylaw Schedule No. '3B' Sections 1.2, 1.4, and Part 2 of Bylaw No. 500, 1987** in association with the Phase 1 Building.
 - (2) A minimum of 40 parking spaces shall be provided and constructed to Bylaw No. 500, 1987 standard in association with the Phase 2 Building.
- (v) Despite **Section 3.22 of this Bylaw Schedule No. '3B' Section 1.1.a) of Bylaw No. 500, 1987**, a maximum of 67 off-street parking spaces of the required off-street parking spaces may be located on Lot 2, District Lot 6, Nanoose District, Plan VIP50996.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

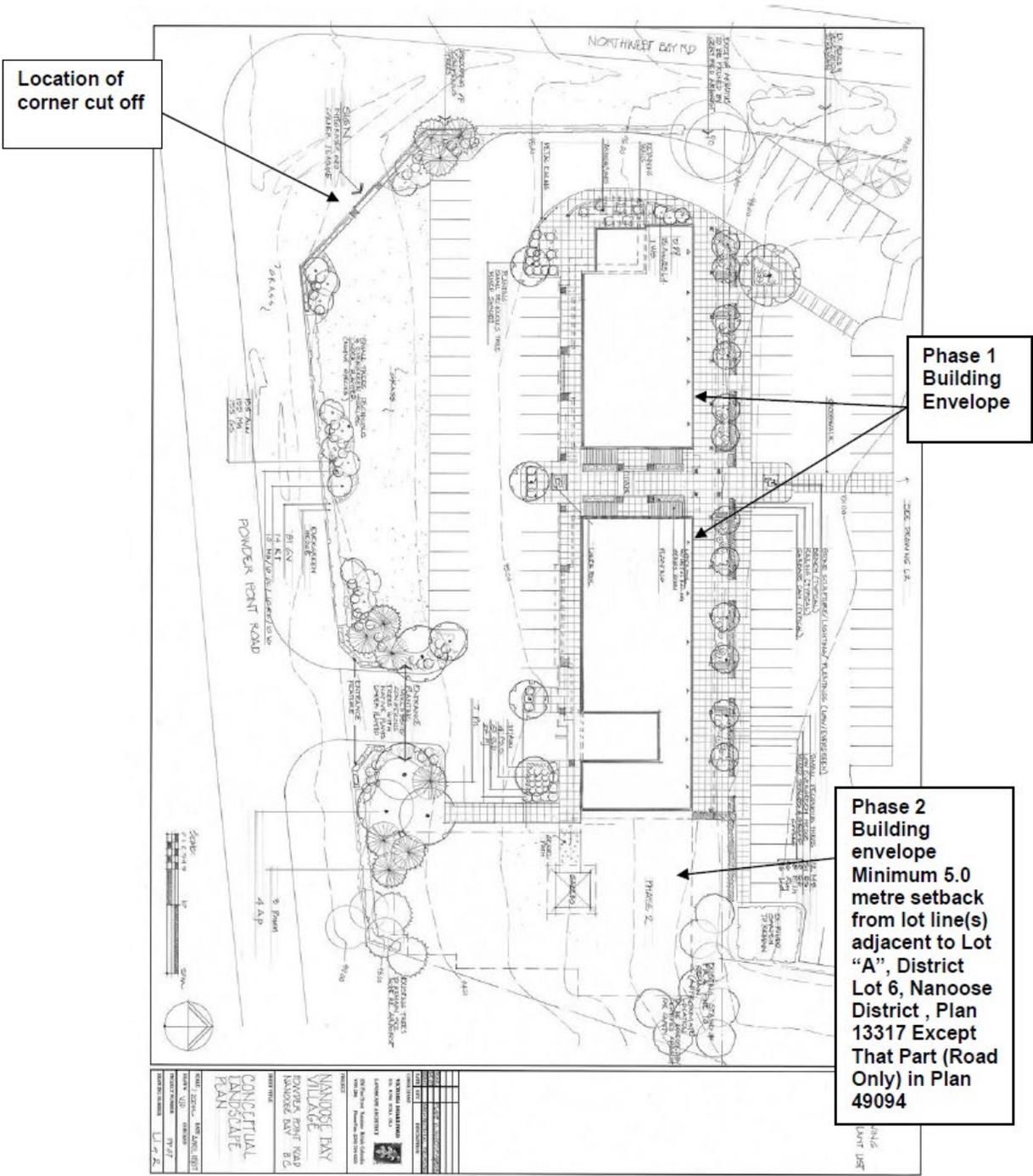
(vi) Despite **Section 3.22 of this Bylaw Schedule No. 3B' Section 1.1.b) of Bylaw No. 500, 1987**, the minimum setback requirement for parking spaces adjacent to the corner cutoff of Northwest Bay Road shall be 3.0 metres.

(vii) A minimum of one (1) off-street loading space shall be provided and constructed in accordance with the **Section 3.22 of this Bylaw Schedule No. '3B' Part 3 Loading Spaces of Bylaw No. 500, 1987**.

FIRST DRAFT

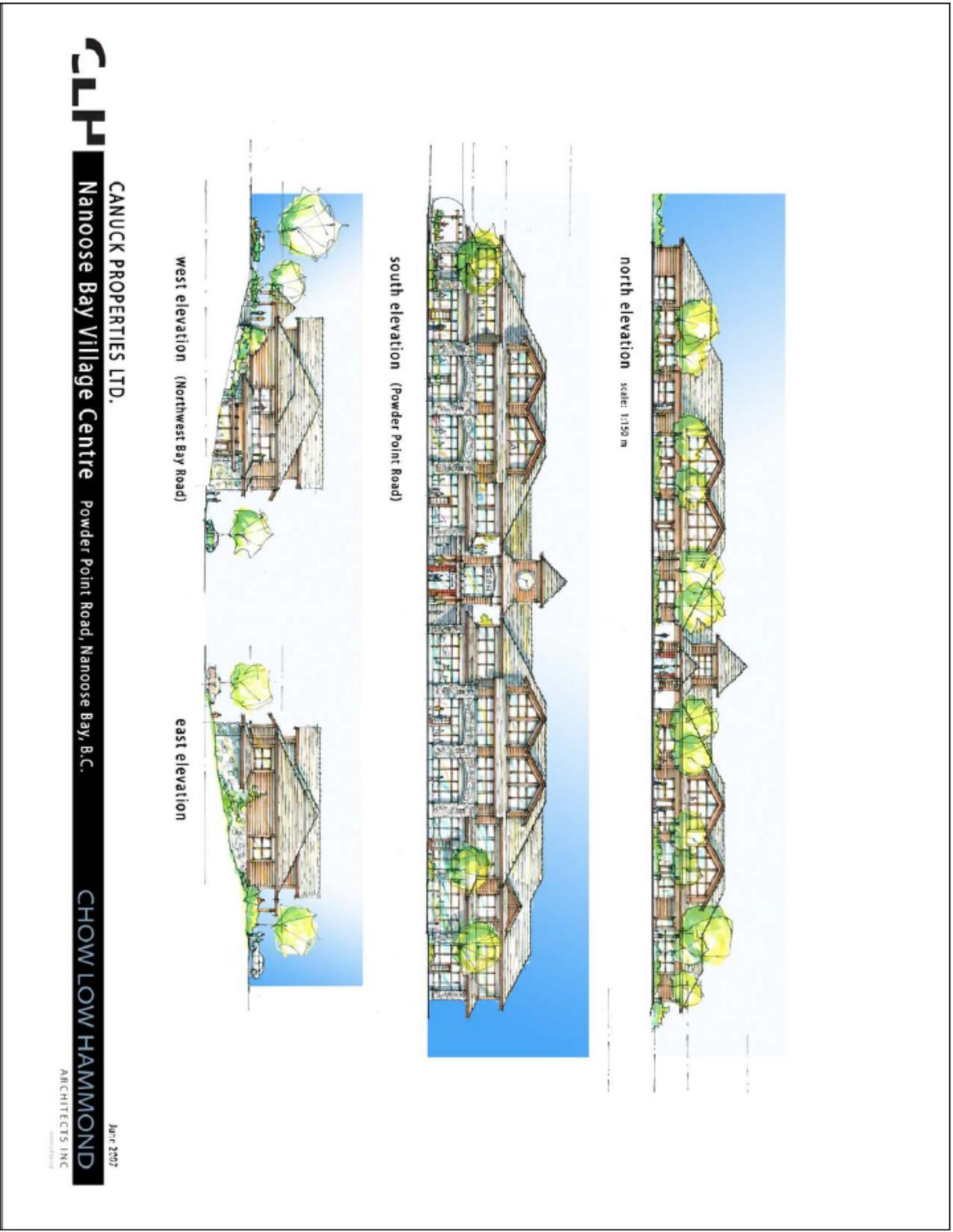
Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

Comprehensive Development Zone CD30 Schedule No. A



Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

**Comprehensive Development Zone CD30
Schedule No. B**



Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

**Comprehensive Development Zone CD30
Schedule No. C (Page 2 of 2)**



4.53 Horne Lake Road Comprehensive Development Zone 32 (CD32)

(a) Uses

Permitted uses

- (i) Residential Use
 - (ii) Temporary Recreational Vehicle Use
 - (iii) **Mobile Manufactured** Home Park
-

(b) Maximum Number and Size of Buildings and Structures

-
- (i) The Maximum number and type of dwelling units permitted shall be:
 - (1) Nineteen (19) dwelling units, thirteen (13) of which must be **mobile manufactured** homes
 - (2) **Mobile Manufactured** homes must not exceed a maximum width of 7.5 metres.
 - (3) The maximum combined floor area of all dwelling units other than **mobile manufactured** homes shall not exceed 340 m²

 - (ii) The maximum dwelling unit height shall be 8.0 metres.

 - (iii) The maximum number and type of accessory buildings shall be:
 - (1) One (1) accessory building per dwelling unit with a maximum floor area of 10.0 m².
 - (2) Accessory building height shall not exceed 3.0 metres.
 - (3) The maximum combined floor area of all common accessory buildings shall not exceed 100.0 m².
 - (4) Common accessory building height shall not exceed 8.0 metres.

 - (iv) No building or structure additions are permitted to **Mobile Manufactured** Homes, except as follows:
 - (1) One (1) porch/deck addition per **mobile manufactured** home not exceeding:
 - a. a maximum floor area of 50.0 m² for existing deck/porch additions, excluding wheel chair ramps, and
 - b. a maximum floor area of 25.0 m² for new decks/porches or additions to existing decks/porches provided the combined total floor area of the deck/porch does not exceed 25.0 m², excluding wheel chair ramps.
 - (2) One (1) set of stairs to a secondary access not exceeding an area of 2.0 m².
-

(c) Minimum Setback Requirements

(i) For all existing building and structures:

- | | |
|---------------------------------------|-------|
| (1) Exterior lot line | 2.4 m |
| (2) North interior side lot line | 0.9 m |
| (3) South and east interior lot lines | 4.0 m |

(ii) All new buildings or structures, or additions or alterations to existing buildings or structures:

- | | |
|---------------------------------------|-------|
| (1) Exterior lot line | 5.0 m |
| (2) North interior side lot line | 2.0 m |
| (3) South and east interior lot lines | 4.0 m |

(iii) All buildings and structures must be separated by a minimum of 2.0 metres.

(d) Other Regulations

For the purpose of this zone:

- (i) Temporary Recreational Vehicle Use means the use of land in designated recreational vehicle spaces for use by the traveling public and shall be limited to two (2) Recreational Vehicles only where such vehicles are fully licensed, have wheels, have no structural skirting, and have no associated decks or additions and must not be occupied for a continuous period exceeding three (3) months.
- (ii) Porch is defined as a structure abutting a **mobile manufactured** home having a roof but with walls that are open and unenclosed to the extent of at least 50% thereof and is constructed on piers or a foundation above ground.
- (iii) Deck is defined as a structure abutting a **mobile manufactured** home with no roof or walls except for visual partitions and railings and is constructed on piers or a foundation above ground.
- (iv) No carports or enclosed garages are permitted.

4.54 Qualicum Bay Seniors Development Comprehensive Development Zone 41 (CD41)

(a) Uses

Permitted uses

- (i) Multiple Dwelling Units

(b) Maximum Size of Buildings and Structures

- | | |
|----------------------|-------|
| (i) Height | 8.0 m |
| (ii) Parcel coverage | 50% |

(c) Minimum Setback Requirements

- | | |
|--|-------|
| (i) Front lot line Exterior Lot Line | 8.0 m |
| (ii) Other lot lines | 5.0 m |
| (iii) except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply. | |

(d) Other Regulations

- (i) For the purpose of this zone, notwithstanding ~~Schedule '3B'~~ Section 3.22 Off-Street Parking & Loading Spaces, Table 1, the number of required parking spaces is as follows:
 - (1) 1 space per dwelling unit plus 6 visitor spaces.

4.55 Crown and Anchor Campground Comprehensive Development Zone 42 (CD42)

(a) Uses

Permitted uses

- (i) Recreational Vehicle Park

Permitted accessory uses

- (ii) Accessory buildings and structures
- (iii) Accessory office and retail store
- (iv) Accessory dwelling unit

(b) Maximum Number and Size of Buildings and Structures

(i)	Dwelling units / parcel	1 (maximum floor area 35 m ²)
(ii)	Accessory office and retail store	A maximum combined gross floor area of 100 m ²
(iii)	Height	8.0 m
(iv)	Parcel coverage	40%

(c) Minimum Setback Requirements

For all buildings and structures unless otherwise set out in this zone:

- (i) All lot lines 3.0 m
- (ii) except where:
 - (1) an internal access road is located within the property then the minimum setback from the lot line may be reduced to 1.0 metre;
 - (2) Any part of a parcel is adjacent to or contains a watercourse then the minimum setback shall be 10 metres for buildings and structures, and 0 metres for an existing pedestrian bridge and internal road crossing; and,
 - (3) The adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero.

(d) Other Regulations

-
- (i) Notwithstanding ~~Schedule '3C'~~ Section 3.23, Campground Regulations and Standards of ~~"Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987"~~ **this Bylaw**, washroom facilities shall be located a maximum of 200 metres from any camping space and a minimum of 4.5 metres from any camping space.
-
- (ii) The recreational vehicle park shall be developed in accordance with ~~Schedule '3C'~~ Section 3.23, Campground Regulations and Standards of ~~"Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987"~~ **this Bylaw**, except as varied in this amendment bylaw.
-

(e) Parking Requirements

-
- (i) Parking shall be provided in accordance with ~~Schedule '3C'~~ Section 3.23, Campground Regulations and Standards of ~~"Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987"~~ **this Bylaw**.
-

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.56 Schooner Bay Manor Seniors ~~Mobile~~ **Manufactured** Home Park Comprehensive Development Zone 43 (CD43)

(a) Uses

Permitted uses

- (i) ~~Mobile~~ **Manufactured** Home Park

Permitted accessory uses

- (ii) Accessory Buildings and Structures for each ~~mobile~~ **manufactured** home and the ~~Mobile~~ **Manufactured** Home Park
- (iii) Accessory Office

(b) Maximum Number and Size of Buildings and Structures

(i) Permitted uses:

- (1) Units per parcel 99 ~~mobile~~ **manufactured** homes
- (2) Height 8.0 m

(ii) Accessory buildings

- (1) Size 10 m² per ~~mobile~~ **manufactured** home
- (2) Height 3.0 m

(iii) Common accessory buildings

- (1) Size Combined floor area of 200 m² for the ~~Mobile~~ **Manufactured** Home Park
- (2) Height 6.0 m

(iv) Accessory Office

- (1) Size 20 m² floor area for the ~~Mobile~~ **Manufactured** Home Park
- (2) Height 6.0 m

(v) Porch / deck / carport additions

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(1) Number and size	1 porch / deck / carport addition per mobile manufactured home unit not exceeding a floor area of 20 m ² , excluding wheel chair ramps
(2) Access	1 entrance stairs to a secondary access not exceeding a floor area of 2 m ²
(3) Height	6.0 m

(c) Minimum Setback Requirements

For all buildings, structures or **mobile manufactured** homes:

- | | | |
|-------|--|-------|
| (i) | All lot lines | 4.5 m |
| (ii) | From other buildings, structures or mobile manufactured homes | 3.0 m |
| (iii) | Internal access road or common area | 2.0 m |
| (iv) | except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply. | |

(d) Other Regulations

- | | | |
|-------|---|--|
| (i) | For the purpose of this zone, notwithstanding Schedule '3D' Section 3.24 , Residential Mobile Manufactured Home Park Regulations and Standards, the number of required parking spaces is 1 space per mobile manufactured home plus 10 visitor spaces for the Mobile Manufactured Home Park. | |
| (ii) | For the purposes of this zone porch is defined as a structure abutting a mobile manufactured home, having a roof but with walls that are open and unenclosed to the extent of at least 50% thereof and is constructed on piers or a foundation above grade. | |
| (iii) | For the purposes of this zone deck is defined as a structure abutting a mobile manufactured home with no roof or walls except for visual partitions and railings and is constructed on piers or a foundation above grade. | |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.57 Lakes District Comprehensive Development Zone 44 (CD44)

(a) Applicability of the Bylaw

The regulations of Regional District of Nanaimo Land Use and Subdivision Bylaw No. ~~500, 1987 2500~~, 1987 shall apply to the lands zoned CD44. In addition to these regulations, and where there is a conflict with these regulations, the regulations of the CD44 Zone shall apply.

(b) Purpose

The purpose of the CD44 Zone is to allow a range of land uses and residential densities with diverse housing types, recreational opportunities, and locally serving commercial services in accordance with Schedule 'B' - Lakes District Neighbourhood Plan in the Nanoose Bay Official Community Plan Bylaw No. 1400, 2005.

The lands encompassed within the CD44 Zone are divided into eight sub-zoning areas including: Regional Park (CD44 - PR1), Community Park (CD44 - PR2), Residential Single Dwelling (CD44 - RS), Residential Single Dwelling & Duplex (CD44 - RSD), Residential Multiple Dwelling (CD44 - RMD), Neighbourhood Mixed Use (CD44 - MU), Lakehouse Centre (CD44 - LC), and Civic Infrastructure (CD44 - CI). Specific regulations apply to each zoning area, in addition to the Definitions and General Regulations as set out in the CD44 Zone.

The extent of each zoning area in the Lakes District Comprehensive Development Zone is shown on Schedule '3A' Zoning Maps of Regional District of Nanaimo Land Use and Subdivision Bylaw No. ~~500, 1987 2500~~.

(c) Definitions

artisan workshop means production, service, repair or maintenance of an article, substance, material, fabric or compound, provided uses are not noxious or offensive to the immediate neighbourhood or the general public by reason of emitting odours, dust, gas, noise, effluent, or hazard; and having a gross floor area not exceeding 200 m² including retail sales accessory to the principal use;

bulk grade means the elevation of the surface of the ground at any point within a parcel as established on a parcel contour plan and which may not increase above natural grade by more than 2.0 m at any point;

commercial use means the occupancy or use of a building or land for the purpose of carrying out business, professional activities, artisan workshop, retail or personal service use;

community garden means a non-commercial facility for the cultivation of fruits, flowers, vegetables or ornamental plants;

community park means use of land, buildings or structures primarily for recreation, including playgrounds, band shells, skateboard parks, canoe and kayak docks, boathouses, playfields, field houses, multi-purpose courts and the like;

duplex means two self-contained dwelling units with separate ground level entrances, and which are adjoined by a common wall;

height means the elevation of a point directly below:

- (i) That part of the building or structure being measured above the land (or surface of water at high water), and;
- (ii) On a line connecting the two intersections of the natural grade and the outermost exterior walls or supports as indicated on a plan showing any complete vertical section of that part of a building or structure where permitted in the applicable zone; or,
- (iii) On a line connecting the two intersections of the bulk grade, as defined on a parcel contour plan, and the outermost exterior walls or supports as indicated on a plan showing any complete vertical section of that part of a building within a Residential Single Dwelling & Duplex, Residential Multiple Dwelling, Neighbourhood Mixed Use or Lakehouse Centre zoning area;

garden centre means the use of land, buildings, or structures for the purpose of retail sales of fruits, flowers, vegetables or ornamental plants, trees, and associated gardening and landscaping supplies and outdoor garden equipment;

impermeable surface area means the sum total horizontal area as measured from the outermost perimeter of all buildings or part thereof together with any ground covering that does not naturally exist on the site and cannot be readily penetrated by water, such as roads, paved parking areas, driveways, patios, games courts and the like, on the parcel expressed as a percentage of the total parcel area;

mobile food cart means a mobile cart from which food and/or drink is dispensed, and where the entire stock of goods offered for sale is carried and contained in the cart and which may change locations from time to time, and which is not located in a permanent building or structure, and is removed from public access when not in use;

multiple dwelling unit development means the establishment of three or more dwelling units within a building on a parcel;

natural grade means the elevation of the surface of the ground in its natural state prior to any human-made alterations as determined by a BC Land Surveyor;

nature park means the use of land, buildings or structures primarily for conservation and enjoyment of natural areas and may include boardwalks, trails, environmentally sensitive areas, nature sanctuaries and the like;

parcel contour plan means a survey plan prepared by a BC Land Surveyor or Professional Engineer at minimum 0.5 m contours and showing natural grade and bulk grade of the surface of the ground;

restaurant means an eating establishment providing for the sale of prepared foods and beverages to be consumed on or off the premises, and may include café, delicatessen, and take-out restaurant, but specifically excludes neighbourhood pub, drive-in and drive-thru establishment;

retail store means a sales outlet contained under one roof, having a gross floor area not exceeding 250 m², and providing for the retail sale and display of goods, but specifically excludes industrial uses and gasoline service station;

secondary suite means one or more habitable rooms, but not more than two bedrooms and one cooking facility, constituting a self-contained dwelling unit with a separate entrance, but which is clearly subordinate to the principal dwelling, and is limited to residential use;

seniors' congregate housing means a residential or institutional facility which provides for seniors' congregate housing units with common living facilities, one or more meals per day and housekeeping services, contains a common dining area with a capacity sufficient to accommodate all residents of the facility, and may contain accessory personal service use and accessory convenience store use;

seniors' congregate housing unit means a sleeping unit or a dwelling unit containing one or more sleeping units within a seniors' congregate housing facility;

sleeping unit means a bedroom or other area which is used or intended to be used for sleeping, or sleeping and living purposes, and which does not contain provisions for cooking;

storage means the use of the land, buildings or structures for the temporary storing of property or goods;

storey means that portion of a building situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of the floor and the ceiling above it;

temporary building means a building which is not supported on permanent foundations and which may or may not be connected to community water or sewer;

tourist accommodation means the rental of a lodging unit in a hotel, motel, or cabin for the temporary accommodation of the traveling public with continuous occupancy not exceeding ninety (90) calendar days and specifically excludes a manufactured home and residential use;

unit density means a measurement of development intensity on a parcel, represented by the total number of dwelling units on a parcel divided by the parcel area in hectares (units per hectare) but excludes dedicated road and dedicated park; and,

utility use means a system of works or services or a facility operated by or on behalf of a government or a utility company to provide or in connection with the provision of water, sewer, drainage, gas, electricity, surface transportation or communication services.

(d) General Regulations

(i) Total Number of Dwelling Units

The total number of dwelling units within the lands zoned CD44 shall not exceed 1,675 dwelling units.

(ii) Uses Permitted in all Zones

The following uses are permitted in all zoning areas of the CD44 Zone:

(A) Community garden

(B) Utility use

(iii) Secondary Suites

Secondary suites are permitted in the Residential Single Dwelling and Residential Single Dwelling & Duplex zoning areas, provided that:

- (A) A secondary suite is permitted only within a principal single dwelling unit on a parcel and is not permitted within a duplex;
- (B) Not more than one secondary suite shall be permitted per single dwelling unit on a parcel;
- (C) The size of a secondary suite within the principal building shall not exceed 40% of the habitable floor space of the principal building to a maximum of 90 m²;
- (D) Secondary suites are not counted as dwelling units for the purpose of calculating the Total Number of Dwelling Units in accordance with ~~the subsection 4.57 (d) (iii) General Regulations Section 3.4.144.4 1)~~ in this Zone;
- (E) A principal dwelling unit may contain either a secondary suite or a bed and breakfast, but not both; and,
- (F) A minimum of one off-street parking space is required for a secondary suite, in addition to parking requirements for the principal dwelling unit set out in **Section 3.22 Schedule '3B'** Off-Street Parking and Loading Spaces.

(iv) Rainwater Harvesting

Where a Building Permit is not required for rainwater harvesting structures, equipment and apparatus, including rain barrels and cisterns, they are excluded from the building setback requirements.

(v) Seniors' Congregate Housing

Seniors' congregate housing, where permitted in the zone, is subject to the following regulations:

- (A) For the purposes of calculating unit density, each sleeping unit, and each sleeping unit within a dwelling unit within a seniors' congregate housing facility is equal to 0.2 units;
- (B) The gross floor area of a seniors' congregate housing unit shall not be less than 26 m² and not more than 50 m²; and
- (C) Accessory personal service and convenience store uses, where provided, shall be contained within the seniors' congregate housing facility and shall be accessible only from an internal hallway or corridor. The combined total floor area of all accessory personal service and convenience store uses shall not exceed 150 m² per seniors' congregate housing facility.

(vi) Temporary Buildings, Structures and Uses for Seasonal Vending

Temporary buildings, structures, or mobile food carts for the purpose of seasonal vending on properties are permitted within any regional park, community park, and commercially zoned properties provided that:

- (A) The parking requirements of **Section 3.22 Schedule '3B'** Off-Street Parking and Loading Spaces are met; and,
- (B) Potable water and washroom facilities are available on-site if food is served.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(vii) Tourist Accommodation

Temporary stays within *tourist accommodation* is limited to a maximum consecutive or non-consecutive stay of ninety (90) calendar days per visitor in any twelve (12) month period within any tourist accommodation unit on a parcel. The relocation of a visitor to another unit within the parcel does not constitute the start of a new stay.

(viii) Building Height

The following regulations apply to building height within all zoning areas of the CD44 Zone:

- (A) A parcel contour plan defining areas where natural grade has been disturbed shall be submitted to the Regional District upon the earlier of the submission of a development permit application or prior to registration of a subdivision plan.
- (B) Structures such as antennae, chimney stacks, steeples, elevator housings, roof stairway entrances, ventilating equipment or enclosures for such equipment, skylights, flagpoles and the like are exempt from the height requirement.
- (C) Structures for sustainable building technologies, such as wind turbines, solar panels and rain barrels, cisterns and the like are permitted to exceed the height requirement provided that:
 - (I) No such structure covers more than 20% of the parcel area; or
 - (II) If located on a building, no such structure covers more than 10% of the roof area; and,
 - (III) No such structure shall exceed twice the maximum building height permitted by the zone.

(ix) Storage

Storage use, where permitted in the zone, is subject to the following regulations:

- (A) Boats, vehicles and recreational vehicles must be operational and capable of being licensed by the applicable licensing authority. Storage use excludes on-site fuel dispensing.
- (B) Storage is accessory to the principal use and is limited to 33% of a parcel area.
- (C) A continuous landscaping buffer with a minimum vegetation height of 2.0 m and width of 2.0 m shall be provided and maintained along all property lines adjacent to a storage use.

(e) Regional Park (CD44-PR1)

(i) Purpose

The intent of the Regional Park zoning area is to provide recreational opportunities associated with passive outdoor activities, and to protect the natural features and wildlife habitat that form an integral part of the landscape in the Lakes District neighbourhood.

(ii) Permitted Principal Uses

- (A) Nature park

(iii) Maximum Size of Buildings and Structures

(A) Height	6.0 m within the setback area 9.5 m outside the setback area
(B) Parcel coverage	10%

(iv) Minimum Setback Requirements

(A) Buildings:	
Front lot line	4.5 m
Exterior side lot line	4.5 m
All other lot lines	3.0 m
(B) Structures:	
Front lot line	0.0 m
All other lot lines	3.0 m

(v) Off-Street Parking Requirements

(A) Major staging area	10 spaces
(B) Minor staging area	4 spaces
(C) Bicycle parking	4 spaces per major or minor staging area

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(f) Community Park (CD44 – PR2)

(i) Purpose

The intent of the Community Park zoning area is to provide programmed park spaces and recreational opportunities and amenities for social gathering and outdoor activities in close proximity to residential neighbourhoods.

(ii) Permitted Principal Uses

- (A) Community park

(iii) Maximum Size of Buildings and Structures

(A) Height	6.0 m within the setback area 9.5 m outside the setback area
(B) Parcel coverage	20%

(iv) Minimum Setback Requirements

(A) Buildings:	
Front lot line	4.5 m
Exterior side lot line	4.5 m
All other lot lines	3.0 m
(B) Structures:	
Front lot line	0.0 m
All other lot lines	3.0 m

(v) Off-Street Parking Requirements

(A) Bicycle parking	6 spaces per parcel
---------------------	---------------------

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(g) Residential Single Dwelling (CD44 – RS)

(i) Purpose

The Residential Single Dwelling zoning area allows residential development on larger urban lots and provides flexibility in building siting for the retention of natural site features and a range of architectural forms.

(ii) Uses

(A) Permitted Uses	Residential Use
(B) Accessory Uses	Home Based Business Secondary Suite

(iii) Minimum and Maximum Requirements

(A) Maximum density for Residential Use	1 dwelling unit per parcel
(B) Minimum parcel size	800 m ² or 850 m ² (corner parcel)
(C) Maximum height	
Principal building	9.5 m
Accessory buildings and structures	6.0 m
(D) Maximum parcel coverage	40%
(E) Maximum impermeable surface area	50% excluding a driveway not exceeding 6.0 m in width and located within a panhandle

(iv) Minimum Setback Requirements

(A) Front lot line	4.5 m
	6.0 m to any garage door or carport entranceway facing a highway
(B) Interior side lot line	2.0 m
(C) Exterior side lot line	4.5 m

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(D) Rear lot line	4.0 m
(E) Except one accessory building is permitted to be 1.0 m from an interior or rear lot line provided the building does not exceed 10 m ² in floor area and 3.0 m in height.	

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

(h) Residential Single Dwelling & Duplex (CD44 – RSD)

(i) Purpose

The intent of the Residential Single Dwelling & Duplex zoning area is to increase the range of housing types offered and provide transition between larger lot single dwelling residential land uses and low to medium density housing. The provision of smaller single dwelling units and duplex homes serves to facilitate cluster development to maintain high conservation and recreation value in the adjacent areas.

(ii) Uses

(A) Permitted Uses	Residential Use Duplex Use
(B) Accessory Uses	Home Based Business Secondary Suite

(iii) Minimum and Maximum Requirements

(A) Maximum density: for Residential Use	
Residential use	1 dwelling unit per parcel
Duplex use	2 dwelling units per parcel
(B) Minimum parcel size	
Residential use	400 m ² or 450 m ² (corner parcel)
Duplex use	750 m ² or 800 m ² (corner parcel)
(C) Maximum height	
Principal building	9.5 m
Accessory buildings and structures	6.0 m
(D) Maximum parcel coverage	
Residential use	60%
Duplex use	65%

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(E) Maximum impermeable surface area		
Residential use		70% excluding a driveway not exceeding 6.0 m in width and located within a panhandle
Duplex use		750% excluding a driveway not exceeding 6.0 m in width and located within a panhandle

(iv) Minimum Setback Requirements

(A) Front lot line		4.5 m
		6.0 m to any garage door or carport entranceway facing a highway
(B) Interior side lot line:		
Residential use		1.5 m
Duplex use		2.0 m
(C) Exterior side lot line		4.5 m
(D) Rear lot line:		
Residential use		3.0 m
Duplex use		4.0 m
(E) Strata road		3.0 m
(F) Except one accessory building is permitted to be 1.0 m from an interior or rear lot line provided the building does not exceed 10 m ² in floor area and 3.0 m in height.		

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

(i) Residential Multiple Dwelling (CD44 – RMD)

(i) Purpose

The Residential Multiple Dwelling zoning area allows for the development of a range of multiple dwelling housing types including duplexes, ground-oriented rowhomes and townhomes, and low-rise condominium buildings. These smaller unit types are intended to provide opportunities for ageing-in-place.

(ii) Uses

(A) Permitted Uses	Duplex use Multiple dwelling unit development use
--------------------	--

(iii) Minimum and Maximum Requirements

(A) Maximum density	75 units per hectare (uph)
(B) Minimum parcel size	
Duplex use	600 m ² or 650 m ² (corner parcel)
Multiple dwelling unit development use	700 m ² or 750 m ² (corner parcel)
(C) Maximum height	
Duplex use	9.5 m
Multiple dwelling unit development use	21.0 m or 5 storeys, whichever is less
Accessory buildings and structures	6.0 m 8.5 m for one accessory building in a multiple dwelling unit development
(D) Maximum parcel coverage	60% 70% where the required parking spaces are located directly beneath the principal building
(E) Maximum impermeable surface area	70% 75% where the required parking spaces are located directly

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

	beneath the principal building (excluding a driveway not exceeding 6.0 m in width and located within a panhandle)
--	---

(iv) Minimum Setback Requirements

(A) Front lot line	4.5 m 6.0 m to any garage door or carport entranceway facing a highway
(B) Interior side lot line	2.0 m
(C) Exterior side lot line	4.5 m
(D) Rear lot line	4.0 m
(E) Strata road	3.0 m
(F) Except one accessory building is permitted to be 1.0 m from an interior or rear lot line provided the building does not exceed 10 m ² in floor area and 3.0 m in height.	

(v) Off-Street Bicycle Parking Requirements

(A) Multiple dwelling unit development use	1 secure interior space per 2 dwelling units and 4 spaces adjacent to the primary building entrance in addition to the bicycle parking in Section 3.22 of this Bylaw
--	--

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

(j) Neighbourhood Mixed Use (CD44 – MU)

(i) Purpose

As a complement to the existing commercial centres at Red Gap and Schooner Cove, the Neighbourhood Mixed Use zoning area is intended to accommodate locally serving civic, commercial and residential uses at the entrance of the Lakes District neighbourhood. A mix of small scale retail, professional office use, live/work, compact housing and other compatible uses will provide community gathering spaces with flexibility to accommodate the future needs of the community.

(ii) Uses

(A) Permitted Uses	Artisan workshop Garden centre Multiple dwelling unit development Office Personal care Personal service use Retail store Restaurant School Seniors' congregate housing Tourist accommodation
--------------------	--

(B) Accessory Uses	Storage
--------------------	---------

(iii) Minimum and Maximum Requirements

(A) Maximum density for residential uses	75 units per hectare (uph)
--	----------------------------

(B) Minimum parcel size	
Commercial / mixed use	2,500 m ²
Multiple dwelling unit development	700 m ² or 750 m ² (corner parcel)

(C) Maximum height	
Commercial / mixed use	10.0 m or 3 storeys, whichever is less

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

Multiple dwelling unit development	21.0 m or 5 storeys, whichever is less
Accessory buildings and structures	6.0 m 8.5 m for one accessory building in a multiple dwelling unit development
(D) Maximum parcel coverage	70% 80% where the required parking spaces are located directly beneath the principal building
(E) Maximum impermeable surface area	70% 75% where the required parking spaces are located directly beneath the principal building (excluding a driveway not exceeding 6.0 m in width and located within a panhandle) 75% for storage use only
(iv) Minimum Setback Requirements	
(A) Commercial:	
Lot lines fronting a highway	4.5 m
All other lot lines	0.0 m
(B) Residential or mixed use:	
Front lot line	4.5 m 6.0 m to any garage door or carport entranceway facing a highway
Interior side lot line	2.0 m
Exterior side lot line	4.5 m
Rear lot line	4.0 m
Strata road	3.0 m

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(C) Except one accessory building is permitted to be 1.0 m from an interior or rear lot line provided the building does not exceed 10 m² in floor area and 3.0 m in height.

(v) Off-Street Parking Requirements

(A) Vehicle parking

Seniors' congregate housing 1 space per employee and 1 per 5 beds

All other uses as per Section 3.22 of this Bylaw

(B) Bicycle parking

Commercial use 1 space per 475 m² commercial floor area adjacent to primary building entrances

Multiple dwelling unit development use 1 secure interior space per 2 dwelling units and 4 spaces adjacent to the primary building entrance

Seniors' congregate housing 1 secure interior space per 10 employees

(vi) Other Regulations

(A) No single use may occupy more than 80% of the total building floor area within a parcel.

(B) Commercial use on the ground floor of a building is only permitted where an additional storey is provided above.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(k) Lakehouse Centre (CD44 – LC)

(i) Purpose

The intent of the Lakehouse Centre zoning area is to allow a commercial recreational centre in the Lakes District community adjacent to Enos Lake park and trails. This privately operated facility may also be used to accommodate Lakes District regional park administration and limited programs for regional park staging as well as some tourist accommodation and other compatible accessory uses.

(ii) Uses

(A) Permitted Uses	Assembly use Recreational facility
(B) Accessory Uses	Convenience store Inn Office Personal care Personal service use Restaurant Retail store School Theatre Tourist accommodation Tourist information booth Tourist store

(iii) Minimum and Maximum Requirements

(A) Maximum density for tourist accommodation		12 units per hectare (uph)
(B) Minimum parcel size		9,000 m ²
(C) Maximum height		
Principal building		10.0 m
Accessory buildings and structures		6.0 m

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

(D) Maximum parcel coverage	40%
(E) Maximum impermeable surface area	50%

(iv) Minimum Setback Requirements

(A) All lot lines	6.0 m
-------------------	-------

(v) Off-Street Bicycle Parking Requirements

(A) Multiple dwelling unit development use	1 space pr 95 m ² of floor area in addition to the bicycle parking in Section 3.22 of this Bylaw
--	---

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

(I) Civic Infrastructure (CD44 – CI)

(i) Purpose

The Civic Infrastructure zoning area allows for community servicing infrastructure and utilities, specifically related the provision of potable water and sanitary sewer servicing and rainwater management.

(ii) Uses

(A) Permitted Uses	Utility use
--------------------	-------------

(iii) Minimum and Maximum Requirements

(A) Maximum height	10.0 m
(B) Minimum parcel coverage	25%

(iv) Minimum Setback Requirements

(A) All lot lines	6.0 m
-------------------	-------

(v) Other Regulations

(A) A minimum 3.0 m wide landscape buffer shall be provided within the setback area of a parcel adjacent to a highway or residential use where buildings or structures are proposed for utility use.
--

4.58 Schooner Cove Comprehensive Development Zone 45 (CD45)

(a) Applicability of the Bylaw

The regulations of Regional District of Nanaimo Land Use and Subdivision Bylaw No. ~~500, 1987~~ **2500**, 1987 shall apply to the lands zoned CD45. In addition to these regulations, and where there is a conflict with these regulations, the regulations of the CD45 Zone shall apply.

(b) Purpose

The purpose of the CD45 Zone is to allow a mixed-use waterfront village with neighbourhood-oriented commercial shops and services, a marina, a range of multiple dwelling housing types, and a publicly accessible network of waterfront boardwalks, plazas, and pathways in accordance with Schedule 'C' – Schooner Cove Neighbourhood Plan in the Nanoose Bay Official Community Plan Bylaw No. 1400, 2005.

The lands encompassed within the CD45 Zone are divided into three sub-zoning areas including: Village Mixed Use (CD45 – MU), Marina (CD45 – MA), and Residential Multiple Dwelling (CD45 – RMD). Specific regulations apply to each zoning area, in addition to the Definitions and General Regulations as set out in the CD45 Zone.

The extent of each zoning area in the Lakes District Comprehensive Development Zone is shown on Schedule '3A' Zoning Maps of Regional District of Nanaimo Land Use and Subdivision Bylaw No. ~~500, 1987~~ **2500**.

(c) Definitions

assembly use means the use of land, buildings or structures to accommodate exhibits, special events or meetings and includes auditorium, church, museum, community hall, fraternal lodge, youth centre, theatre;

artisan workshop means production, service, repair or maintenance of an article, substance, material, fabric or compound, provided uses are not noxious or offensive to the immediate neighbourhood or the general public by reason of emitting odours, dust, gas, noise, effluent, or hazard; and having a gross floor area not exceeding 200 m² including retail sales accessory to the principal use;

boat launching facility means jib crane hoist, boat ramp or other means to launch and/or retrieve watercraft;

commercial parking means use of land, buildings and structures for the purpose of providing short-term commercial parking spaces;

commercial use means the occupancy or use of a building or land for the purpose of carrying out business, professional activities, artisan workshop, retail or personal service use;

community garden means a non-commercial facility for the cultivation of fruits, flowers, vegetables or ornamental plants;

geodetic elevation means the vertical elevation or height of a given point on land or above the surface of the water measured from the geodetic datum as determined by a BC Land Surveyor;

grocery store means a sales outlet contained under one roof, having a gross floor area not exceeding 750 m², and providing for the retail sale and display of food and related goods;

height means that part of a building or structure measured above the geodetic datum as determined by a BC Land Surveyor to the outermost exterior walls or supports as indicated on a plan showing any complete vertical section of that part of a building or structure where permitted in the applicable zone;

impermeable surface area means the sum total horizontal area as measured from the outermost perimeter of all buildings or part thereof together with any ground covering that does not naturally exist on the site and cannot be readily penetrated by water, such as roads, paved parking areas, driveways, patios, games courts and the like, on the parcel expressed as a percentage of the total parcel area;

liquor store means a retail store licensed under the Liquor Control and Licensing Act, and amendments thereto, for the sale of beer, wine and other alcoholic beverages;

live/work unit means the use of a building or portion thereof for an economic activity including artisan workshop, personal service use or office in combination with a dwelling unit;

marina means moorage, boat launching facilities, and outdoor recreation use, including the rental and maintenance of boats and seaplanes, and which may be equipped with administration facilities, washrooms, showers and refuse disposal facilities;

mobile food cart means a mobile cart from which food and/or drink is dispensed, and where the entire stock of goods offered for sale is carried and contained in the cart and which may change locations from time to time, and which is not located in a permanent building or structure, and is removed from public access when not in use;

multiple dwelling unit development means the establishment of three or more dwelling units within a building on a parcel;

neighbourhood pub means an establishment with a liquor primary licence issued pursuant to the *Liquor Control and Licensing Act* and amendments thereto;

resort condominium development means a hotel and includes hotel units subdivided pursuant to the *Strata Property Act* and amendments thereto, with continuous occupancy not exceeding ninety (90) calendar days and does not include residential use;

restaurant means an eating establishment providing for the sale of prepared foods and beverages to be consumed on or off the premises, and may include café, delicatessen, and take-out restaurant but specifically excludes neighbourhood pub, drive-in and drive-thru establishment;

retail store means a sales outlet contained under one roof, having a gross floor area not exceeding 250 m², and providing for the retail sale and display of goods, but specifically excludes industrial uses and gasoline service station;

seniors' congregate housing means a residential or institutional facility which provides for seniors' congregate housing units with common living facilities, one or more meals per day and housekeeping services, contains a common dining area with a capacity sufficient

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

to accommodate all residents of the facility, and may contain accessory personal service use and accessory convenience store use;

seniors' congregate housing unit means a sleeping unit or a dwelling unit containing one or more sleeping units within a seniors' congregate housing facility;

sleeping unit means a bedroom or other area which is used or intended to be used for sleeping, or sleeping and living purposes, and which does not contain provisions for cooking;

storey means that portion of a building situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of the floor and the ceiling above it;

temporary building means a building which is not supported on permanent foundations and which may or may not be connected to community water or sewer;

tourist accommodation means the rental of a lodging unit in a hotel, motel, and cabin for the temporary accommodation of the traveling public with continuous occupancy not exceeding ninety (90) calendar days and specifically excludes a manufactured home and residential use; and,

unit density means a measurement of development intensity on a parcel, represented by the total number of dwelling units on a parcel divided by the parcel area in hectares (units per hectare) but excludes dedicated road and dedicated park.

(d) General Regulations

(i) Total Number of Dwelling Units

The total number of dwelling units within the lands zoned CD45 shall not exceed 360 dwelling units.

(ii) Uses Permitted in all Zones

The following uses are permitted in all zoning areas of the CD44 Zone:

(A) Community garden

(iii) Rainwater Harvesting

Where a Building Permit is not required for rainwater harvesting structures, equipment and apparatus, including rain barrels and cisterns, they are excluded from the building setback requirements.

(iv) Seniors' Congregate Housing

Seniors' congregate housing, where permitted in the zone, is subject to the following regulations:

(A) For the purposes of calculating unit density, each sleeping unit, and each sleeping unit within a dwelling unit within a seniors' congregate housing facility is equal to 0.2 units;

(B) The gross floor area of a seniors' congregate housing unit shall not be less than 26 m² and not more than 50 m²; and

- (C) Accessory personal service and convenience store uses, where provided, shall be contained within the seniors' congregate housing facility and shall be accessible only from an internal hallway or corridor. The combined total floor area of all accessory personal service and convenience store uses shall not exceed 150 m² per seniors' congregate housing facility.
- (v) **Temporary Buildings, Structures and Uses for Seasonal Vending**
 Temporary buildings, structures, or mobile food carts for the purpose of seasonal vending on properties are permitted within any commercially zoned properties provided that potable water and washroom facilities are available on-site if food is served.
- (vi) **Resort Condominium and Tourist Accommodation**
 Temporary stays within resort condominium development or tourist accommodation is limited to a maximum consecutive or non-consecutive stay of ninety (90) calendar days per visitor in any twelve (12) month period within any tourist accommodation unit on a parcel. The relocation of a visitor to another unit within the parcel does not constitute the start of a new stay.
- (vii) **Building Height**
 The following regulations apply to building height within all zoning areas of the CD45 Zone:
- (A) Structures such as antennae, chimney stacks, steeples, elevator housings, roof stairway entrances, ventilating equipment or enclosures for such equipment, skylights, flagpoles and the like are exempt from the height requirement.
- (B) Structures for sustainable building technologies, such as wind turbines, solar panels and rain barrels, cisterns and the like are permitted to exceed the height requirement provided that:
- (I) No such structure covers more than 20% of the parcel area; or
 - (II) If located on a building, no such structure covers more than 10% of the roof area; and,
 - (III) No such structure shall exceed twice the maximum building height permitted by the zone.
- (D) Notwithstanding (vii) (B) above, wind turbines in Area 'A' shall not exceed the maximum permitted building height in as shown on Schedule 1 of the CD45 Zone.

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

(e) Village Mixed Use (CD45-MU)

(i) Purpose

The intent of the Schooner Cove Village Mixed Use zoning area is to establish a vibrant commercial and civic core with a pedestrian-oriented village on the waterfront and ground-oriented commercial uses such as restaurants, shops and services with residential uses above.

(ii) Uses

(A) Permitted uses

- Artisan workshop
- Assembly use
- Grocery store
- Office
- Liquor store
- Live/work
- Multiple dwelling unit development use
- Neighbourhood pub
- Outdoor recreation
- Personal service use
- Recreation facility
- Resort Condominium development use
- Restaurant
- Retail store
- Senior’s congregate care
- Tourist accommodation

(B) Accessory uses

- Commercial parking
- Marina sales
- Tourist information booth

(iii) Minimum and Maximum Requirements

(A) Maximum density 50 dwelling units in CD45- MU Zone

(B) Minimum parcel size:

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Commercial / mixed use	900 m ²
Multiple dwelling unit development	2,000 m ²
(C) Maximum permitted building height as shown on Schedule 1 Maximum Building Height Plan in the CD45 Zone:	
Principal buildings: Area B	18.0 m geodetic elevation or 3 storeys, whichever is less
Principal buildings: Area C	22.0 m geodetic elevation or 3 storeys, whichever is less
Principal buildings: Area D	26.1 m geodetic elevation or 5 storeys, whichever is less
Principal buildings: Area E	31.0 m geodetic elevation or 5 storeys, whichever is less
Accessory buildings: Area D	One accessory building is permitted to a height of 2 storeys provided that a storey does not exceed 5.0 m
(D) Maximum floor area	Total combined floor area for non-residential uses shall not exceed 2,325 m ²
(E) Maximum Parcel coverage	70% 80% where the required parking spaces are located directly beneath the principal building
(F) Maximum impermeable surface area	80% 85% where the required parking spaces are located directly beneath the principal building
<hr/>	
(iv) Minimum Setback Requirements	
(A) Lot lines fronting a highway	4.5 m
(B) Lot lines that are common with Lot B, District Lot 78, Nanoose District Strata Plan 745	4.5 m
<hr/>	

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

(C) All other lot lines	0.0 m
(D) Notwithstanding Section 3.3.9 3.10 b) Setbacks - Sea for Electoral Area 'E', a 0.0 m setback for buildings is permitted for up to a maximum of 35 percent of the length of the parcel boundary that is common to the sea.	
(E) Notwithstanding Section 3.3.9 3.10 b) Setbacks - Sea for Electoral Area 'E', a 0.0 m setback is permitted for structures.	

(v) Off-Street Parking Requirements

(A) Vehicle parking	
Seniors' congregate housing	1 space per employee and 1 per 5 beds
Commercial use, restaurant use, neighbourhood pub use	74 spaces in total plus 1 space per 3 seats where a restaurant or neighbourhood pub exceeds 100 seats
All other uses as per Section 3.22 of this Bylaw	
(B) Bicycle parking	
Commercial use, restaurant use, neighbourhood pub use	1 space per 475 m ² commercial floor area adjacent to primary building entrances
Multiple dwelling unit development use	1 secure interior space per 2 dwelling units and 4 spaces adjacent to the primary building entrance
Seniors' congregate housing	1 secure interior space per 10 employees

(vi) Other Regulations

(A) Non-residential uses shall comprise at least 20% of the total building floor area within a parcel.
(B) A maximum of one grocery store is permitted within the Village Mixed Use Zone.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(C) A landscape buffer is not required for a designated highway adjacent to a commercial use and multiple dwelling unit development.

FIRST DRAFT

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	---------------------------------------

(f) Marina (CD45 – MA)

(i) Purpose

The intent of the Marina zoning area is to allow the operation of a marina business including a moorage, marina office, marine fuel supply station, and other ancillary marina services and facilities.

(ii) Uses

(A) Permitted uses	Boat launching facility Marina use
(B) Accessory uses	Convenience store Marina fuel supply station Marina sales

(iii) Maximum Size of Buildings and Structures

(A) Maximum permitted building height as shown on Schedule 1 Maximum Building Height Plan in the CD45 Zone:	
Area A	7.0 m geodetic elevation or 1 storeys, whichever is less, notwithstanding floating buildings and structures shall be measured from the surface of the water
(B) Maximum parcel coverage	5% provided that no individual building covers more than 1% of a parcel

(iv) Minimum Setback Requirements

Notwithstanding Section **3.3.9 3.10** b) Setbacks - Sea for Electoral Area 'E', a 0.0 m setback is permitted for building and structures.

(vii) Off-Street Parking Requirements

(A) Vehicle parking	
Marina use	1 parking space per 4 marina

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

	slips
Boat launching facility	20 boat trailer parking spaces and located within the lands zoned CD45 - RMD
All other uses as per Section 3.22 of this Bylaw	
(B) A minimum of 25% of the parking required for marina use in the CD45 – MA Zone shall be provided within the lands zoned CD45 – MU and a maximum of 75% of the marina parking may be provided within the lands zoned CD45 – RMD provided that none of the required off-street parking is located within a highway.	
(C) Bicycle parking	
Marina use	8 spaces

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

FIRST DRAFT

(g) Residential Multiple Dwelling (CD45 – RMD)

(i) Purpose

The Residential Multiple Dwelling zoning area allows for the development of multiple dwelling housing types including ground-oriented and low-rise condominium buildings. These smaller unit types are intended to provide opportunities for downsizing and ageing-in-place in close proximity to publicly-accessible open space and village commercial uses.

(ii) Uses

(A) Permitted Uses	Commercial parking Multiple dwelling unit development use Seniors' congregate housing
--------------------	---

(iii) Minimum and Maximum Requirements

(A) Maximum density for CD45 – RMD Zone	310 dwelling units
(B) Minimum parcel size for multiple dwelling unit development	2,000 m ²
(C) Maximum permitted building height as shown on Schedule 1 Maximum Building Height Plan in the CD45 Zone:	
Principal buildings: Area D	26.1 m geodetic elevation or 5 storeys, whichever is less
Principal buildings: Area F	37.0 m geodetic elevation or 5 storeys, whichever is less
Principal buildings: Area G	42.0 m geodetic elevation or 5 storeys, whichever is less
Accessory buildings: Area D, Area E, Area F	One accessory building is permitted to a height of 2 storeys and all other accessory buildings shall not exceed 1 storey provided that a storey does not exceed 5.0 m
(D) Maximum parcel coverage	60% 70% where the required parking spaces are located directly beneath the principal building

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(E) Maximum impermeable surface area	80%	85% where the required parking spaces are located directly beneath the principal building
<hr/>		
(iv) Minimum Setback Requirements		
All lot lines	5.0 m	
<hr/>		
(v) Off-Street Parking Requirements		
(A) Vehicle parking		
Seniors' congregate housing	1 space per 2 employees and 1 per 5 beds	
All other uses as per Section 3.22 of this Bylaw		
<hr/>		
(B) Bicycle parking		
Multiple dwelling unit development use	1 secure interior space per 2 dwelling units and 4 spaces adjacent to the primary building entrance	
Seniors' congregate housing	1 secure interior space per 10 employees	
<hr/>		
(vi) Other Regulations		
(A) A landscape buffer is not required for a designated highway adjacent to a commercial use and multiple dwelling unit development.		

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.59 Lighthouse Villa Comprehensive Development Zone 52 (CD52)

(a) Uses

Permitted uses

- (i) Seniors Housing
- (ii) Residential Use

Permitted accessory uses

- (iii) Accessory Buildings and Structures

Permitted accessory uses to Seniors Housing

- (iv) Medical Office
- (v) Personal Service Use
- (vi) Public Assembly

(b) Maximum Number and Size of Buildings and Structures

(i)	Seniors housing units	40
(ii)	Dwelling units / parcel	2
(iii)	Height	10.0 m
(iv)	Parcel coverage	25%

(c) Minimum Setback Requirements

For all buildings and structures unless otherwise set out in Part 3:

(i)	Front lot line	8.0 m
(ii)	Interior side lot line	5.0 m
(iii)	Rear lot line	5.0 m
(iv)	Exterior side lot line	5.0 m
(v)	except where any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply.	

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(d) Off Street Parking Requirements

-
- (i) Seniors housing 1 space per 2 employees and 1 space per 2 seniors housing units

 - (ii) Medical office 1 space per 15 m² of floor area

 - (iii) For all other uses permitted in this zone, parking shall be provided as set out under **Schedule '3B' Section 3.22** Off-Street Parking & Loading Spaces
-

(e) Other Regulations

For the purpose of this zone:

-
- (i) Accessory personal service and medical office uses, where provided, shall be contained within the seniors housing facility and shall be accessible from an internal hallway or corridor. The combined total floor area of all accessory personal service and medical office uses shall not exceed 150 m² per seniors housing facility.

 - (ii) Personal service use shall be limited to barber shop or beauty salon.

 - (iii) Public Assembly shall be limited to a church contained within the seniors housing facility and special events or meetings held within the common dining area or social room of the seniors housing facility.
-

(f) Definitions

For the purpose of this zone:

-
- (i) Seniors housing means a residential or institutional facility which provides for seniors housing units with common living facilities, and may provide support services such as one or more meals per day, a linen laundry service and may include a common dining area with a capacity sufficient to accommodate all residents of the facility.

 - (ii) Seniors housing unit means a bedroom and associated living area within a seniors housing facility which is used or intended to be used for sleeping and living purposes and may or may not contain provisions for cooking.

 - (iii) Medical Office means the office, clinic or laboratory of a licensed professional and may include a doctor, dentist, optometrist, physiotherapist, chiropractor and medical technician.
-

(g) Conditions of Use

-
- (i) A Housing Agreement shall be required for Seniors Housing.
-
- (ii) Seniors Housing must be serviced by community water.
-

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

4.60 Horne Lake Road Service Commercial Comprehensive Development Zone 54 (CD54)

(a) Uses

Lot B Permitted principal uses

- (i) Gasoline and Electric Vehicle Service Station
- (ii) Artist Studio
- (iii) Convenience Store
- (iv) Cafe

Lot C Permitted principal uses

- (v) Tourist Store
- (vi) Tourist Information Booth
- (vii) Produce Market

Lots B & C accessory uses

- (viii) Residential Use
- (ix) Public Gathering Spaces

(b) Maximum Number and Size of Buildings and Structures

(i) Dwelling units / parcel	1
(ii) Height	10.0 m
(iii) Parcel coverage	25%
(iv) Impermeable surface coverage:	
(1) Lot B	9700 m ²
(2) Lot C	12650 m ²

(c) Minimum Setback Requirements

For all buildings, structures and parking spaces:

- (i) All lot lines 8.0 m

(ii) Except:	
(1) Lot lines adjacent to Island Highway 19	15.0 m
(2) For a freestanding sign adjacent to the Horne Lake Road lot lines	4.5 m
(3) Parking spaces and structures used for lighting adjacent to Horne Lake Road lot lines	5.0 m
(4) Fuel storage tanks, fuel dispensing systems and all other significant sources of contamination	30.0 to any wellhead

(d) Groundwater Protection

(iii) All areas used for fueling, internal roadways or parking of vehicles shall be located on an impermeable surface.
(iv) All storm water runoff from impervious surfaces including internal roadways and parking areas must be directed through an engineered oil-water separator appropriately sized to accommodate anticipated flows and must be maintained in accordance with the manufacturer's recommendations.
(v) Internal roadways and parking areas are permitted within the 30 m well zone area provided they are separated from the well zone area by a minimum 150 mm concrete barrier curb and positively graded away from the well zone into an engineered oil/water separator sump.
(vi) All fuel storage tanks shall be double walled and equipped with an electronic leak detection system and sensors constructed and maintained under the guidance of a qualified engineer.

(e) Signage

(i) One freestanding sign shall be permitted per property with a maximum combined sign surface area of 13.5 m ² and maximum height of 7.5 m.
(ii) Each business may have a fascia, awning, or canopy sign of 4.0 m ² .
(iii) The use of banners, ribbons, flags, on-site display props, streamers, or pennant signs are prohibited.

Administration	Part 1
Interpretation	Part 2
Land Use Regulations	Part 3
Zones	Part 4
Subdivision Regulations	Part 5
Development Permit Areas	Part 6

- (iv) Mobile sandwich board signs are permitted where they advertise a use on the property and are located on the same property.
- (v) Small temporary signs advertising products attached to a building or directional sign are permitted.
- (vi) Signs may be illuminated internally, externally or with channel lit lighting. The use of backlighting, reader board, blinking or flashing lights is prohibited.

(f) Landscaping

- (i) Notwithstanding ~~Section 3.7 Schedule 3f~~ Landscaping Regulations and Standards, a buffer of native vegetation with a minimum 15.0 m width shall be maintained adjacent to the Highway 19. Trails using permeable materials may be permitted in the buffer.
- (ii) The required buffer adjacent to Highway 19 may be reduced to 10 m provided there is a minimum of seventy-five percent screening from grade level to a height of 3.0 m and at least twenty-five percent screening from a height of 3.0 m to 5.0 m.

(g) Definitions

For the purpose of this zone:

- (i) Service Station means the use of land and structures for gasoline pumping stations, electric vehicle charging stations and a retail building providing for the retail sales of items regularly used by households or vehicle accessories.
- (ii) Artist Studio means the use of land or buildings for the creation, display and sale of arts and crafts.
- (iii) Café means an eating establishment, having a floor area not exceeding 200 m², providing for the sale of prepared food and beverages that can be consumed in vehicles, taken off the premises for consumption or consumed on the premises. This café may have a drive-through.
- (iv) Convenience Store means a retail sales outlet contained under one roof, having a floor area not exceeding 300 m², and providing for the sale of items regularly used by households, including food, beverages, books, magazines or household accessories.

(v) Public Gathering Spaces means the use of land for outdoor and passive recreation by the traveling public, including trails, picnic spaces, and playgrounds.

(h) Clarifications

(i) Impermeable surfaces can be the sum of both properties if the lots are consolidated.

(ii) Impermeable surface restrictions do not apply to onsite water storage for firefighting purposes.

FIRST DRAFT

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

4.61 Resort Commercial Comprehensive Development Zone 55 (CD55)

Formerly Resort Commercial Zone

(a) Uses

Minimum Site Area Requirements removed as per Housekeeping Discussion Paper

Permitted Uses

- (i) Tourist Store
- (ii) Residential Use
- (iii) Outdoor Recreation
- (iv) Recreation Facility
- (v) ~~Resort Recreational~~ Vehicle Park
- (vi) Gas Bar on the land identified in illustration No.1 and 2 below
- (vii) ~~Gasoline~~-Service Station on the land identified in illustration 3 below

(b) Maximum Number and Size of Buildings and Structures

Floor area ratio definition removed as per Housekeeping Discussion Paper

(i)	Dwelling units / parcel	1
(ii)	Floor area ratio	0.60
(iii)	Height	9.0 m
(iv)	Parcel coverage	40%
(v)	Resort Recreational Vehicle Park	25 camping spaces / ha to a maximum of 150 camping spaces per parcel developed in accordance with Section 3.23

(c) Minimum Setback Requirements

- (i) ~~Front Exterior~~ lot line 8.0 m
- (ii) Other lot lines 5.0 m
- (iii) except where:

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

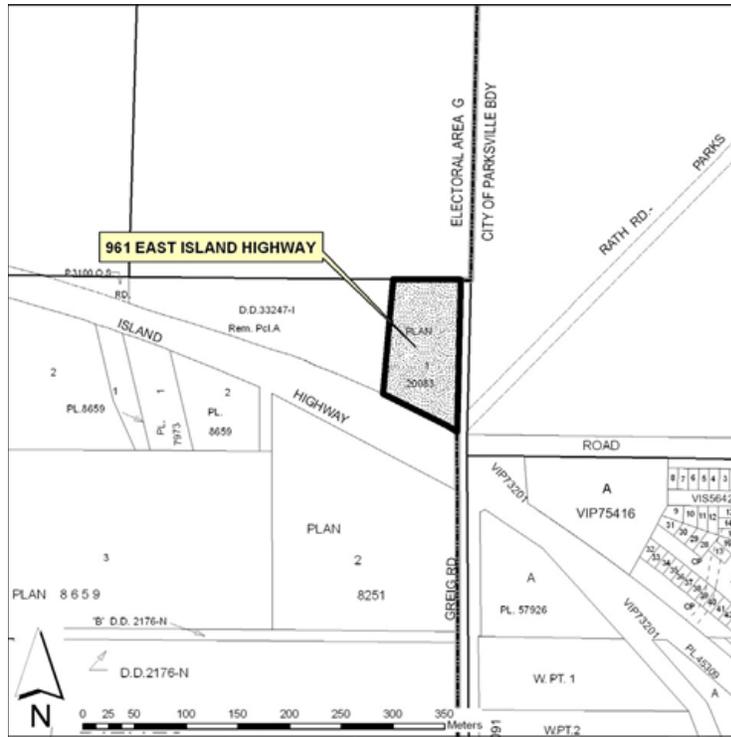
Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (1) the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero;
- (2) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ 3.9 shall apply.

Illustration No. 1 – Gas Bar is permitted on the property shown below



Part 1
Administration

Part 2
Interpretation

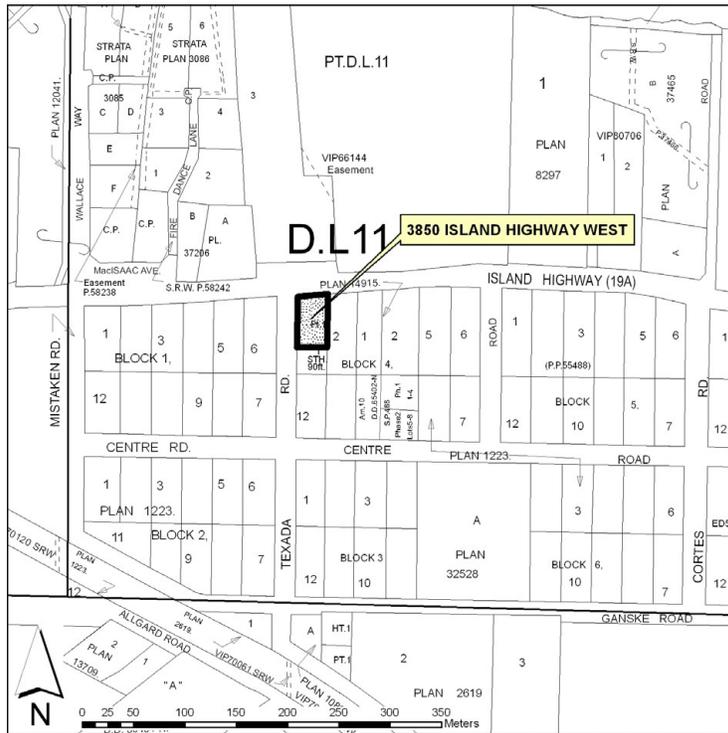
Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Illustration No. 2 – Gas Bar is permitted on the property shown below



Part 1
Administration

Part 2
Interpretation

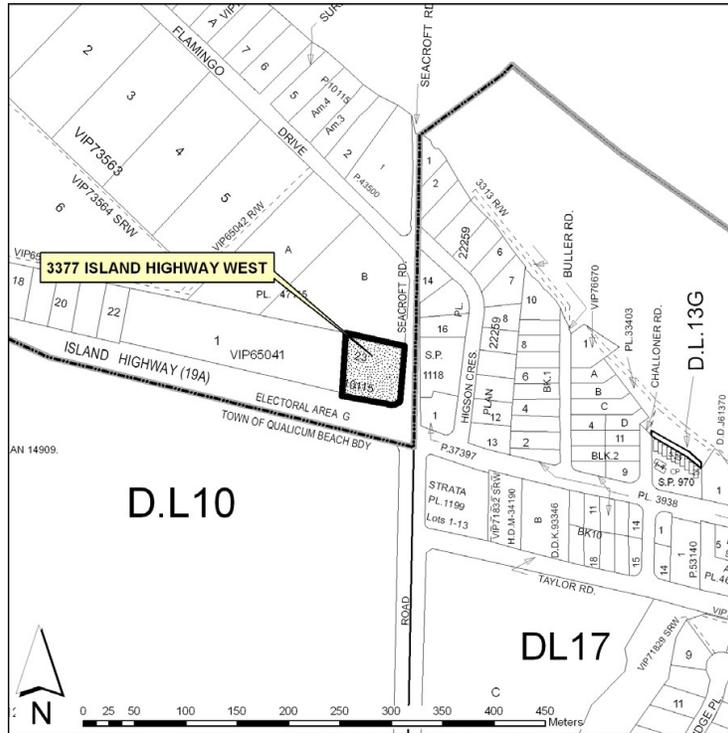
Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Illustration No. 3 – Gasoline Service Station is permitted on the property shown below



Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

4.62 Commercial Comprehensive Development Zone 56 (CD56)

Formerly Commercial 8 Zone

(a) Uses

Permitted Uses

- (i) Campground Use
- (ii) Residential Use
- (iii) Agriculture

(b) Number and Size of Buildings and Structures

(i)	Maximum Number of Camping Spaces	Camping spaces shall be developed in accordance with Section 3.23.
(ii)	Maximum Number of Dwelling units / parcel	1
(iii)	Maximum Height of buildings	<ul style="list-style-type: none"> (1) 8.0 m above the 200 year designated flood level for all buildings and structures subject to the flood construction level requirements of "Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006". (2) 8.0 metres above the natural grade for all buildings and structures exempt from the flood construction level requirements of "Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006". (3) Notwithstanding (a) and (b) above, in the case where a building or structure exempt from the flood construction level requirements of "Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006" is proposed to constructed above the 200 year designated flood level, the maximum height shall be 8.0 metres above the 200 year designated flood level.
(iv)	Maximum Parcel coverage	10 %
(v)	Minimum Parcel Size	2.0 ha

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(c) Minimum Setback Requirements

For all buildings and structures:

- | | | |
|-------|--|---|
| (i) | Front Lot line | 8.0 metres |
| (ii) | All other lot lines | 5.0 metres |
| (iii) | Lot lines adjacent to the Englishman River | The regulations of Section 3.3.8 3.9 apply |

(d) Other Regulations

For the purpose of this zone

- | | |
|-------|---|
| (i) | In this zone Campground Use means the use of a parcel for providing temporary accommodation for travelers who stay no more than 60 days in a calendar year using tents or recreational vehicles, but specifically excludes a mobile manufactured home park or hotel. The following uses shall be permitted in conjunction with and accessory to a campground use: retail sales up to a maximum of 100 m ² of floor area, public assembly, non-motorized recreational vehicle rentals, concession stand, and recreational use. |
| (ii) | Non-Motorized Recreational Vehicle Rentals means the use of land, and or a building or structure not exceeding a maximum floor area of 100 m ² for the purpose of renting non-motorized recreational vehicles and equipment and may include accessory guiding and lessons. |
| (iii) | Concession Stand means the use of a building or structure not exceeding 15 m ² in floor area not including outdoor eating and sitting areas for the sale of food and beverages to be consumed on the subject property, but specifically excludes neighbourhood pub and fast food outlet. |
| (iv) | Recreational Use means the use of land for the conduct of outdoor sports and outdoor leisure activities which may include accessory buildings and structures in association with a recreational use. |
| (v) | Intensive Agricultural Uses including feed lot, fur farm, mushroom farm, horse boarding stable, and intensive swine operation are not permitted in this zone. |
| (vi) | All Recreational Vehicles shall be licensed for use on public roads, have wheels, have no structural skirting, and have no associated decks, patios, additions, or other structural improvements. |

-
- (vii) The 200 year designated flood level shall be determined by interpretation of the "Province of British Columbia, Ministry of Environment – Water Management Branch Floodplain Mapping - Englishman River, drawing number 83-23-1,1980" and may be groundtruthed by a registered hydrologist or geotechnical engineer qualified to determine site specific flood construction levels to determine building-site specific flood construction levels.
-

FIRST DRAFT

Part 1 Administration
Part 2 Interpretation
Part 3 Land Use Regulations
Part 4 Zones
Part 5 Subdivision Regulations
Part 6 Development Permit Areas

Do not delete page

FIRST DRAFT