

Draft Bylaw 2500

Parts 1, 2, 3 and 4

Draft November 2023

Land Acknowledgement

The Regional District of Nanaimo respectfully acknowledges that this Bylaw applies to lands within the territories of several First Nations, including the Snuneymuxw, Stz'uminus, Snaw-Naw-As, Qualicum, and K'ómoks peoples.

Acknowledging that these lands and waters have been home to Indigenous peoples since time immemorial, the Regional District of Nanaimo affirms its commitment to respecting the land as well as indigenous language, history, traditions and cultural heritage. The Regional District of Nanaimo is committed to listening, learning, and working together to create opportunities for a stronger and more resilient region for everyone.

This Bylaw reflects these commitments through land use regulations and development permit area guidelines that promote sustainable development and mitigate the adverse effects of development.

Contents

Part 1. Administration.....	2
1.1 Enactment.....	2
1.2 Other Legislation.....	2
1.3 General Prohibition.....	2
1.4 Inspection Authorized Delegations.....	3
1.5 Violation.....	3
1.6 Penalty Penalties.....	4
1.7 Severability.....	4
Part 2. Interpretation.....	6
2.1 Definitions.....	6
Part 3. Land Use Regulations.....	35
3.1 General Operative Clauses.....	35
3.2 Accessory Buildings and Structures.....	37
3.3 Common Accessory Uses.....	37
3.4 Storage of Fuel.....	37
3.5 Vehicle Wrecking Yard or Refuse.....	38
3.6 Keeping of Animals.....	38
3.7 Landscaping.....	38
3.8 Setbacks – Sight Triangle.....	46
3.9 Setbacks – Watercourses, excluding the Sea.....	46
3.10 Setbacks – Sea.....	47
3.11 Setbacks – Buildings and Structures.....	48
3.12 Stormwater Management for Farm Use.....	52
3.13 Height Exemptions.....	52
3.14 Density - Category A Lots.....	53
3.15 Home Based Business.....	53
3.16 Farm Use Regulations.....	58
3.17 Accessory Farm Use Regulations.....	59
3.18 Gathering for an Event.....	62

3.19	Temporary Use Permits.....	62
3.20	Pet Breeding or Boarding Facilities	64
3.21	Secondary Suites	65
3.22	Off-Street Parking & Loading Spaces	67
3.23	Campground Regulations and Standards.....	76
3.24	Residential Mobile Home Park Regulations and Standards.....	79
3.24	Mobile Vendors.....	85
3.25	Retaining Walls	85
3.26	Shipping Containers	88
3.27	Signs	89
3.28	Servicing Requirements	92
3.29	Temporary Living Arrangements.....	92
	Schedule 3A: Zoning And Subdivision District Maps	94
	Schedule 3B: Category A Lots	95
Part 4.	Zones	97
4.1	Establishment of Zones.....	97
4.2	Agriculture 1 (AG1)	105
4.3	Agriculture 2 (AG2)	109
4.4	Nanaimo Airport (AR1).....	112
4.5	Commercial Retail & Service (CRS)	116
4.6	Commercial (C1).....	121
4.7	Commercial Resort & Recreation (CRR).....	125
4.8	Conservation 1 (ES1).....	127
4.9	Light Industry (LI)	128
4.10	Medium Industry (MI).....	132
4.11	Heavy Industry (HI)	136
4.12	Public Institutional 1 (PU1)	138
4.13	Public Institutional 2 (PU2)	141
4.14	Public 4 (PU4) Institutional 3 (I3)	142
4.15	Public 6 (PU6) Institutional 4	144
4.16	Recreation 1 (RC1)	145
4.17	Recreation 2 (RC2)	147
4.18	Recreation 3 (RC3)	149
4.19	Recreation 4 (RC4)	151
4.20	Recreation 5 (RC5)	153

4.21	Recreation 6 (RC6)	156
4.22	Residential 1 (RS1)	158
4.23	Residential 2 (RS2)	161
4.24	Residential 3 (RS3)	163
4.25	Residential 4 (RS4)	166
4.26	Residential 5 (RS5)	169
4.27	Residential 6 (RS6)	173
4.28	Residential 7 (RS7)	175
4.29	Resource Management 1 (RM1)	178
4.30	Resource Management 2 (RM2)	180
4.31	Resource Management 3 (RM3)	182
4.32	Resource Management 4 (RM4)	184
4.33	Resource Management 5 (RM5)	186
4.34	Resource Management 6 (RM6)	188
4.35	Resource Management 7 (RM7)	189
4.36	Resource Management 8 (RM8)	192
4.37	Resource Management 9 (RM9)	194
4.38	Rural Residential 1 (RR1)	196
4.39	Rural Residential 2 (RR2)	200
4.40	Water 1 (WA1)	204
4.41	Water 2 (WA2)	205
4.42	Water 3 (WA3)	206
4.43	Water 4 (WA4)	207
4.44	Alternative Forms of Rural Development 1 (AF1)	209
4.45	Bowser Village Comprehensive Development Zone 1 (CD1)	211
4.46	Fairwinds Comprehensive Development Zone 2 (CD2)	212
4.47	Horne Lake Comprehensive Development Zone 3 (CD3)	214
4.48	Rondalyn Resort Comprehensive Development Zone 4 (CD4)	218
4.49	Englishman River (Block 564) Comprehensive Development Zone 5 (CD5)	219
4.50	Horne Lake Regional Park Comprehensive Development Zone 6 (CD6)	222
4.51	South Wellington Light Industrial Comprehensive Development Zone 7 (CD7)	229
4.52	Cedar Estates Comprehensive Development Zone 8 (CD8)	233
4.53	Nanoose Bay Village Centre Comprehensive Development Zone 9 (CD9)	238
4.54	Horne Lake Road Comprehensive Development Zone 10 (CD10)	245
4.55	Qualicum Bay Seniors Development Comprehensive Development Zone 11 (CD11)	247

4.56	Crown and Anchor Campground Comprehensive Development Zone 12 (CD12).....	248
4.57	Schooner Bay Manor Seniors Mobile Manufactured Home Park Comprehensive Development Zone 13 (CD13)	250
4.58	Lakes District Comprehensive Development Zone 14 (CD14)	252
4.59	Schooner Cove Comprehensive Development Zone 15 (CD15)	271
4.60	Lighthouse Villa Comprehensive Development Zone 16 (CD16)	283
4.61	Horne Lake Road Service Commercial Comprehensive Development Zone 17 (CD17)	286
4.62	Resort Commercial Comprehensive Development Zone 18 (CD18).....	290
4.63	Commercial Comprehensive Development Zone 19 (CD19)	294
4.64	Jingle Pot Road Comprehensive Development Zone 20 (CD20)	297

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

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 479 903 of the *Local Government Act* and amendments thereto.
- (b) ~~Schedules '3C' and '3D'~~ Section 3.23 and ~~'3D'~~ of this Bylaw are enacted pursuant to Section 479 903 and 694 of the *Local Government Act* and amendments thereto.
- (c) ~~Schedule '3F'~~ Section 3.7 of this Bylaw is enacted pursuant to Section 527 909 of the *Local Government Act* and amendments thereto.
- (d) Section 3.27 of this Bylaw is enacted pursuant to Section 526 of the *Local Government Act* and amendments thereto.
- (e) ~~Part 4~~ Part 5 of this Bylaw shall be deemed to be a subdivision bylaw pursuant to Sections 506 and 514 938 and 946 of the *Local Government Act* and amendments thereto.
- (f) For the purpose of this Bylaw, the schedules referred to herein are attached hereto and form an integral part of this Bylaw.
- (g) Regional District of Nanaimo Land Use and Subdivision Bylaw 500 is hereby repealed upon adoption of this Bylaw.
- (h) 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 integrating 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

- (a) 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 ~~Bylaw Part~~.

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

- (b) No person shall:
- (i) cause, suffer or permit any building or structure to be used, located, constructed, altered, moved or extended;
 - (ii) use any building or structure constructed, moved or altered;
 - (iii) cause, suffer or permit land to be used;
 - (iv) use land;
 - (v) subdivide land;
 - (vi) cause, suffer or permit development activities to occur which are subject to the applicable development permit area guidelines;
 - (vii) use land without providing off-street parking and loading spaces;
- in contravention of this Bylaw or otherwise fail to comply with the requirements of this Bylaw.

1.4 ~~Inspection~~ Authorized Delegations

- (a) 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.
- (i) consent to inspect the land has been obtained from the owner or occupier of the land; or
 - (ii) 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.
- (b) The ~~General Manager of Planning and Development~~ and their deputies are granted general discretion to determine whether a proposed use is a similar use to what is contemplated under this bylaw and therefore permitted.

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 up to a maximum fine of \$50,000 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 \$2,000; or
 - (iii) if a bylaw notice is issued under the Regional District of Nanaimo Bylaw Notice Bylaw No. 1786, 2019, to pay an amount authorized by that bylaw.
- (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.

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 were appropriate.



Bylaw 2500

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 workspace by the occupants of the property, ~~detached secondary suites~~, but specifically excludes buildings used for residential use ~~that have facilities for cooking and areas for sleeping not otherwise defined in this Bylaw~~;

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) 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) zones that is not located in an agricultural land reserve: feed lot, fur farm, mushroom farm, horse boarding stable, and intensive swine operation;~~

Added the exceptions back that were removed in error. The uses crossed out are addressed in the RM3 zone and RR2 subzone.

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.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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 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 a prescribed agri-tourism use in accordance with the *Agricultural Land Reserve Use Regulation*. ~~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. a sleeping unit in accordance with the *Agricultural Land Reserve Use Regulation*.~~

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

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;

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

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

‘annual exceedance probability (AEP)’ means the probability of an event occurring in any given year. For coastal storm events 1:200 years or 0.5% AEP is the minimum provincial standard.

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 services mean businesses or activities that involve the production or sale of handmade or custom-made goods or services, often using traditional or specialized techniques and skills, and may include a variety of different types of businesses, such as craft studios, custom furniture makers, artisan food producers, and more.

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 dividing 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

Elevation of point A + Elevation of point B + Elevation of point C... / the number of points = Average Natural Grade

Part 1
Administration

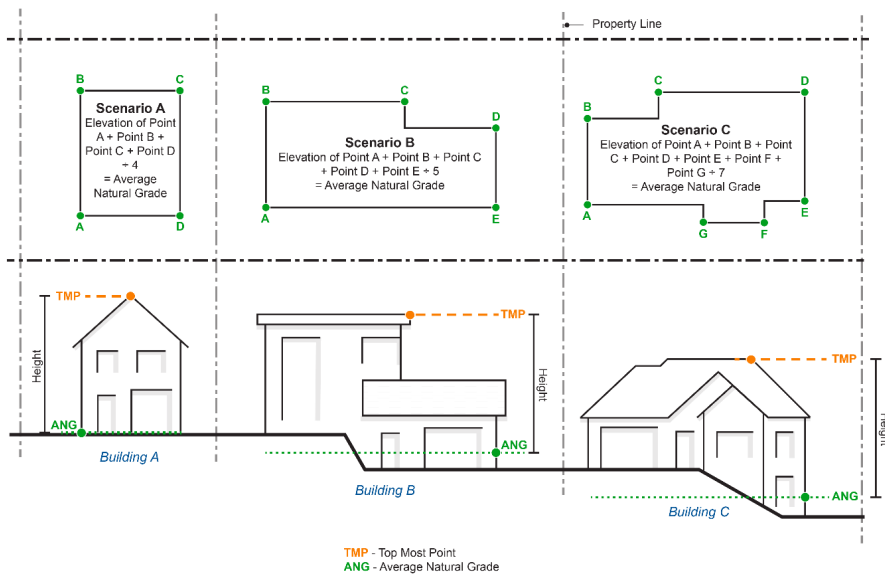
Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas



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;

campground means a parcel providing for the seasonal and temporary accommodation of travelers that is not considered a primary residence 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~~ all applicable Federal and provincial regulations or acts ~~£~~, but excludes the growing of cannabis by an individual for their personal use and consumption;

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 means ~~parcels shown on Schedule 3B of this Bylaw.~~

- ~~(a) located within the Resource Management 7 Zone, Resource Management 9 Zone and Rural Residential 2 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 ~~Official Inspector~~ means the Chief Building ~~Official 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 ~~the~~ RDN, and Improvement District, or a Private Water Utility in accordance with 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;

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

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;

crawlspace means the space at or below natural grade between the underside of the joists of the floor above and the floor slab or the ground surface below;

Updated for consistency with Flood Hazard Mitigation bylaw and Zoning Amendment Bylaw 500. 445.

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 Canadian Guidelines for Outdoor Lighting by the Royal Astronomical Society of Canada for reducing waste of ambient light and should include International Dark-Sky Association (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;

density means for the purpose of this bylaw those measures outlines in Section 3.1 of this Bylaw;

designated storm means a storm that occurs in any given year, of such a magnitude as to equal a storm having the designated annual exceedance probability, where the probability of a particular event being equal or exceeded in any one year.

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 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 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;

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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;

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

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 an upright constructed barrier used as an enclosure or screening around all or part of a parcel or site, and excludes a retaining wall or revetment. ~~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 their signature to a subdivision plan pursuant to the Land Title Act and amendments thereto;

floodplain means an area of low-lying ground, whether diked, flood proofed, or not which, by reasons of land elevation, is susceptible to flooding from an adjoining sea; river, sea, lake or other body of water.

flood construction level means:

- (a) ~~with respect to the~~ for the designated coastal floodplain the minimum elevation specified in a flood hazard assessment report prepared by a Qualified Professional, ~~in a flood hazard assessment report~~ of the underside of a floor system or top of any structural support for any habitable area including any manufactured home.
- (b) for all other designated flood hazard areas, the minimum elevation specified by “Regional District of Nanaimo Flood Hazard Mitigation Bylaw 1872, 2023” of the underside of a floor system or top of any structural support for any habitable area including manufactured home.

flood hazard means a source (the sea) causing potential harm, or a situation with potential for causing harm, in terms of potential damage to property or loss of human life or injury.

flood report means a report prepared by a Qualified Professional in accordance with the Provincial Guidelines and Engineer and Geoscientists of British Columbia’s “Professional Practice Guidelines for Flood Hazard Assessments”.

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 2 m and interior spaces and crawl spaces with a vertical clearance less than 1.2 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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

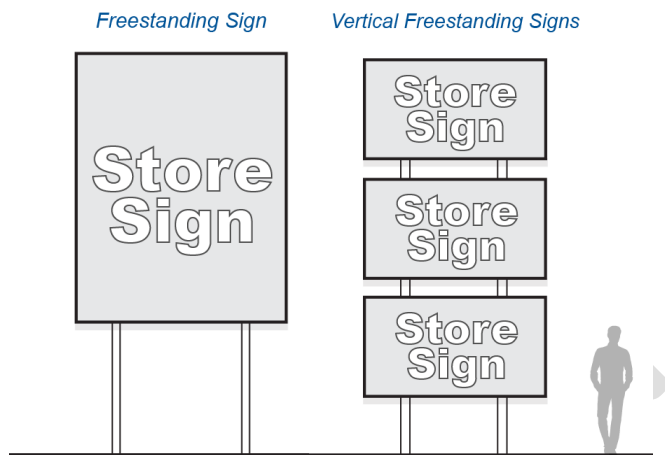
Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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/or electric vehicle charging 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.

general manager means the Regional District of Nanaimo General Manager of Development and Emergency Services or equivalent position as renamed from time to time.

Added General Manager definition to clarify and simplify use of the term.

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;

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;

habitable area means any room or space within a building or structure, used for human occupancy, commercial sales, or storage of goods, possessions or equipment (including furnaces) which would be subject to damage if flooded, and excludes any *Crawlspace*.

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:

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

- (a) elevation is measured between the average natural grade (ANG) 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 (TMP) 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;
- (b) but specifically excludes those structures, mechanical devices or parts of buildings exempt by Section 3.13 – Height Exemptions of this bylaw. chimney mast aerial, church spire, flag pole, water tank, 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 (FCL), height shall be measured from:

Part 1
Administration

Part 2
Interpretation

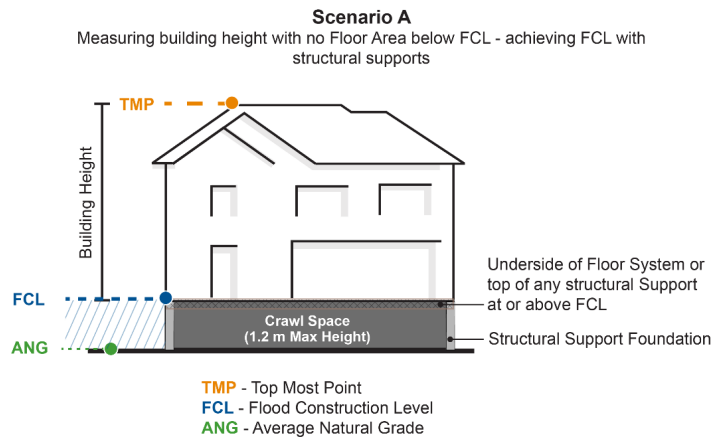
Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

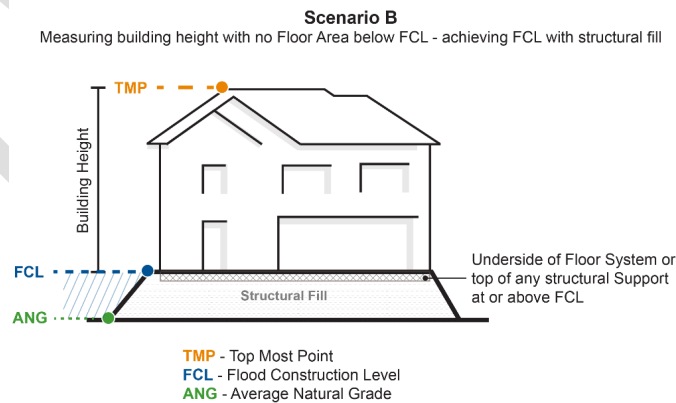
Part 6
Development Permit Areas

- (i) that part of the building being measured above the Flood Construction Level to the topmost point (TMP) of that building or structure as prescribed in the “Regional District of Nanaimo Floodplain Management Bylaw No. 1469, 2006” “Regional District of Nanaimo Flood Hazard Mitigation Bylaw No. 1872, 2023” where a building does not contain floor area located below the Flood Construction Level or;

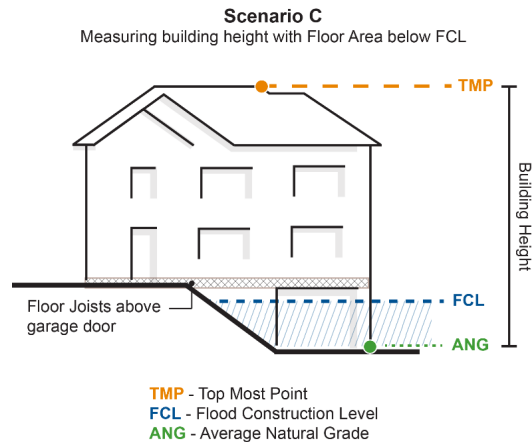


*all Floor Area below FCL must be in accordance with RDN Flood Hazard Bylaw No 1872, 2023 as amended.

- (ii) that part of the building measured from average natural grade (ANG) to the topmost point (TMP) of that building or structure using the method in section (a) above, where a building contains floor area located below the Flood Construction Level.



*all Floor Area below FCL must be in accordance with RDN Flood Hazard Bylaw No 1872, 2023 as amended.



*all Floor Area below FCL must be in accordance with RDN Flood Hazard Bylaw No 1872, 2023 as amended.

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

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

hotel unit means a building used exclusively for the temporary lodging of the general public, wherein payment for occupancy is on a daily or weekly basis to the operator of the premises, ~~which building must include areas used for public~~ includes features such as:

- (a) lobby;
- (b) housekeeping services;
- (c) restaurant;
- (d) assembly;
- (e) entertainment; and
- (f) retail;

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

~~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 home as a hotel unit;~~

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 species that are not native to the province, or are outside of their natural distribution, and can negatively impact BC's environment, people or economy, such as those identified in ~~vegetation planted on a parcel to provide a landscape buffer and includes ground covers, vines, shrubs and trees, but specifically excludes weed species~~ 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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(b) has a maximum area equal to the width of the stairs squared;

landscape plan means drawings and specifications, as required by this [Bylaw 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; [processing and manufacturing shop having a gross floor area not exceeding 200 m²](#), and includes, but specifically excludes seafood processing artisan and, 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) **front lot line** means a lot line common to the parcel and an abutting highway or, where there is more than one such line, the 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;

(b) **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, [common property access road](#), or ~~Canadian Pacific~~ [Railway access](#), phased building strata boundary, or lands held or dedicated as park;

Part 1
Administration

Part 2
Interpretation

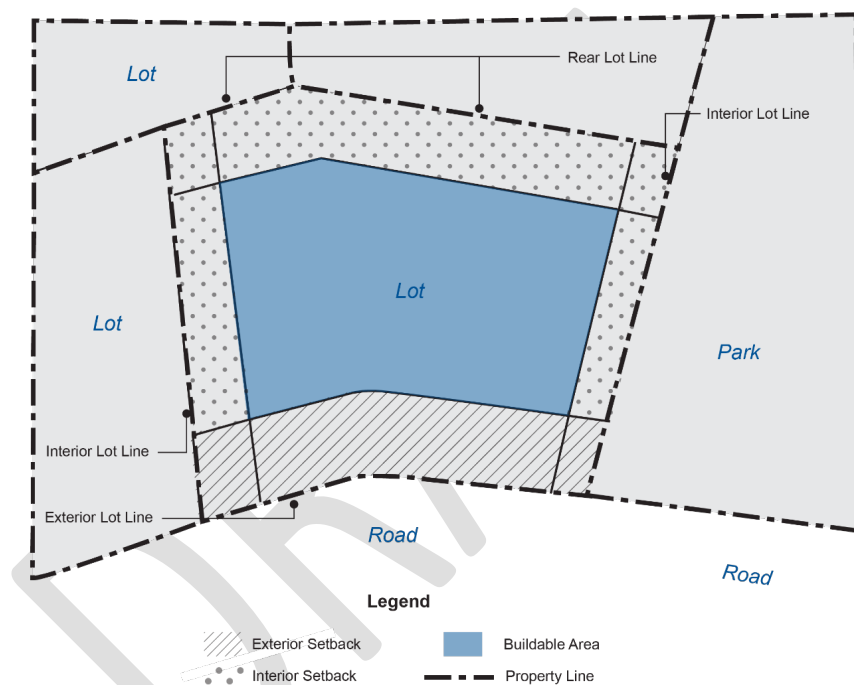
Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (a) **interior lot line or interior side lot line** means a lot line not being a rear lot line or an exterior lot line and common to more than one parcel;
- (b) **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 factory-built dwelling unit designed to be moved on site that is suitable for year-round, long term occupancy but specifically excludes recreational vehicles;

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, **machinery**, and vehicles;

Medical Health Officer means the Medical Health Officer or his delegate appointed pursuant to the Public 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 **such as brewery, food processing, heavy equipment repair, machine shop, textile manufacturing, or similar uses**, 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.

mini storage means a building or buildings containing separate, individual self-storage units each with a separate entrance designed to be rented or leased to the general public for private storage of personal goods, materials, and equipment and does not include outside storage or the rental or lease of moving trucks or moving trailers;

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;

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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;

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 in a building ~~on a parcel~~ except for multiple dwelling unit development 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 on a parcel;

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 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 by the Province of BC;

Added Natural Vegetation definition as per Landscaping Discussion Paper

neighbourhood pub means an establishment operating under a food primary licence ~~'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;

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

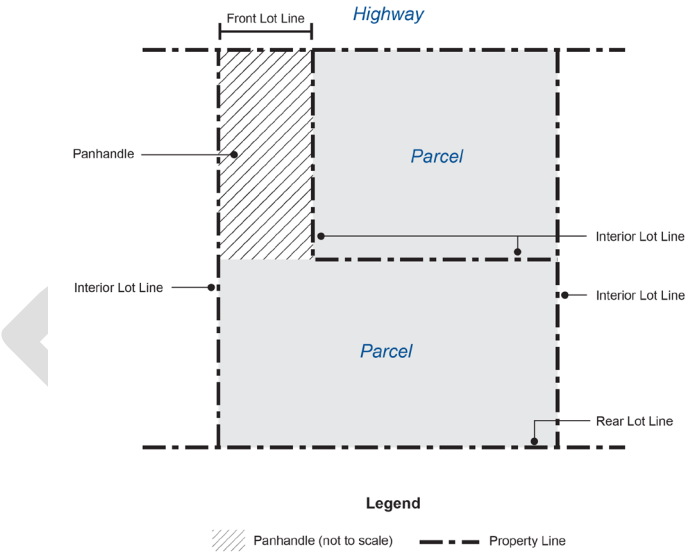
nursery means the use of land principally involved in agriculture or horticulture and accessory product sales and garden supply sales, but specifically excludes the sale of agricultural or horticultural machinery;

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, 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

Reverted back to Bylaw 500 definition of parcel as it provided greater clarification.

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

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 and Assisted Living 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~~ **those with a disability** 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. Personal Service Use may either be part of a Home Based Business or a commercial operation depending on the scale and applicable Zone requirements;

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;

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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, buildings, or structures 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 pet boarding are permitted, and does not include animal care;

~~**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 the activities prescribed by the *Agricultural Land Reserve Use Regulation*.

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

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;

processing of goods means the production of articles, food, beverages 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;

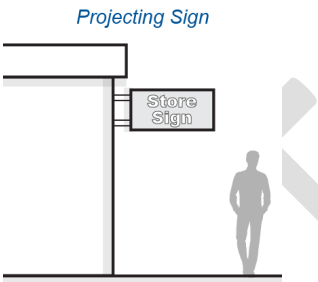
production of biological integrated pest management products means the use of land, buildings, or structures for the production and development of biological products such as beneficial predatory insects, parasites, pathogens, and weed feeders to be used in biological integrated pest management programs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

Added Professional Practice definition as per Home Based Business Discussion Paper

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

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



Provincial Guidelines means policies, strategies, objectives, standards, guidelines and environmental management plans, in relation to flood control, flood hazard management and development of lands that is subject to flooding, prepared and published or commissioned by the Minister under Section 5 of the Environmental Management Act;

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;

Qualified Professional means a person who is registered or licensed or a member in good standing under the provisions of the Professional Governance Act or other professional or trades association and qualified to conduct Flood Hazard Assessments pursuant to the Provincial Guidelines and the Engineer and Geoscientists of British Columbia's "Professional Practice Guidelines for Flood Hazard Assessments" or other work required by this Bylaw.

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 a building used for temporary accommodation for the purpose of recreational use by one or more persons and does not include a recreational vehicle;

Added Recreational Residence definition as per Horne Lake Discussion Paper

recreational vehicle means any vehicle, trailer, coach, park model trailer, tiny house on wheels ~~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;

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

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 Paper

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 residential use;

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 and subject to Section 3.25 of this Bylaw;

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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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;

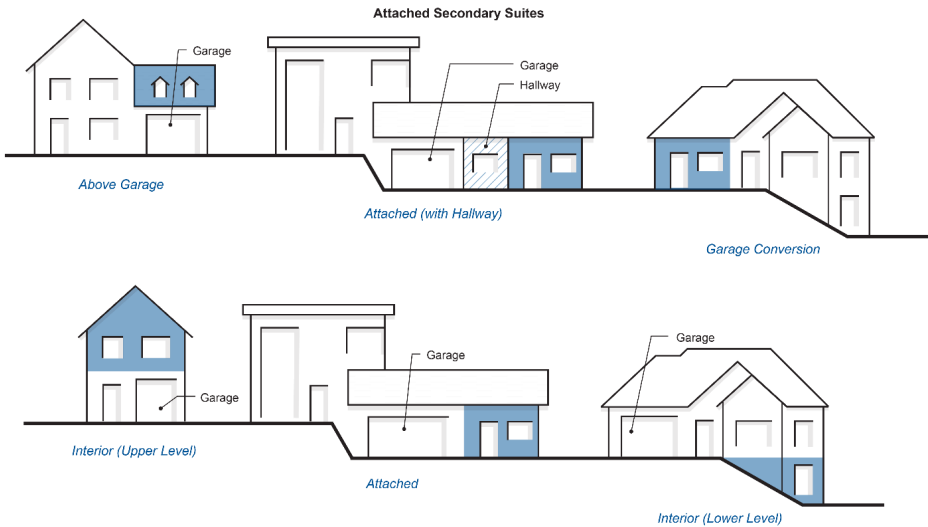
school means privately funded, parochial and public schools;

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. Secondary suites are further categorized as:

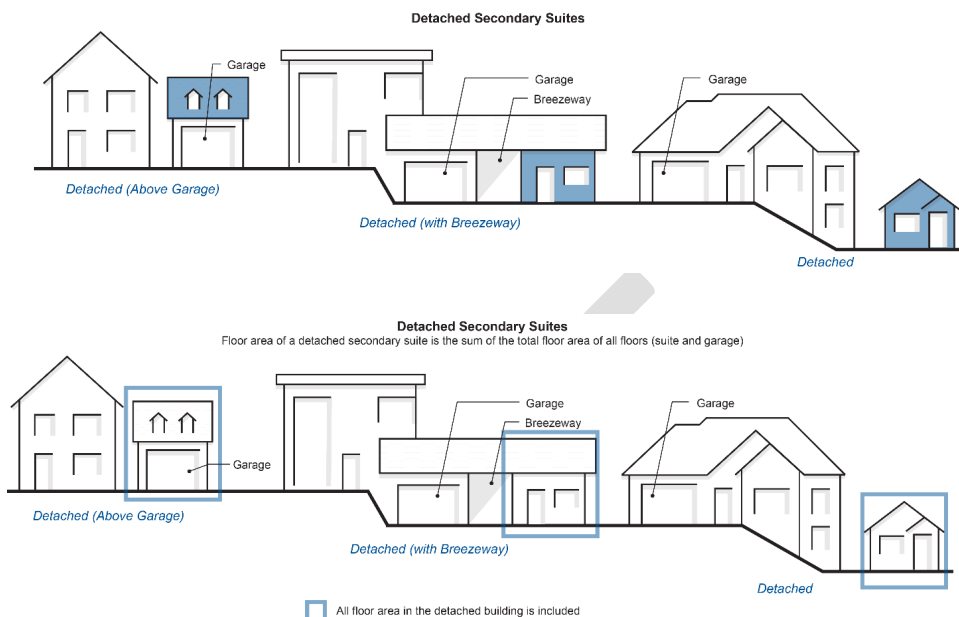
Updated Secondary Suite definition and added graphic as per Secondary Suites Discussion Paper to clarify the different between attached and detached suites

- (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.

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



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, buildings, and structures for fuel gasoline pumping stations, electric vehicle charging stations and premises for: ~~and premises under one roof for:~~

Clarified definition.

- (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, and 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 container means an enclosed unit used for or intended to be used for storing and transporting goods via ship, rail or truck, whether or not it is actually being used for such a purpose, and are subject to Section 3.26 of this Bylaw;

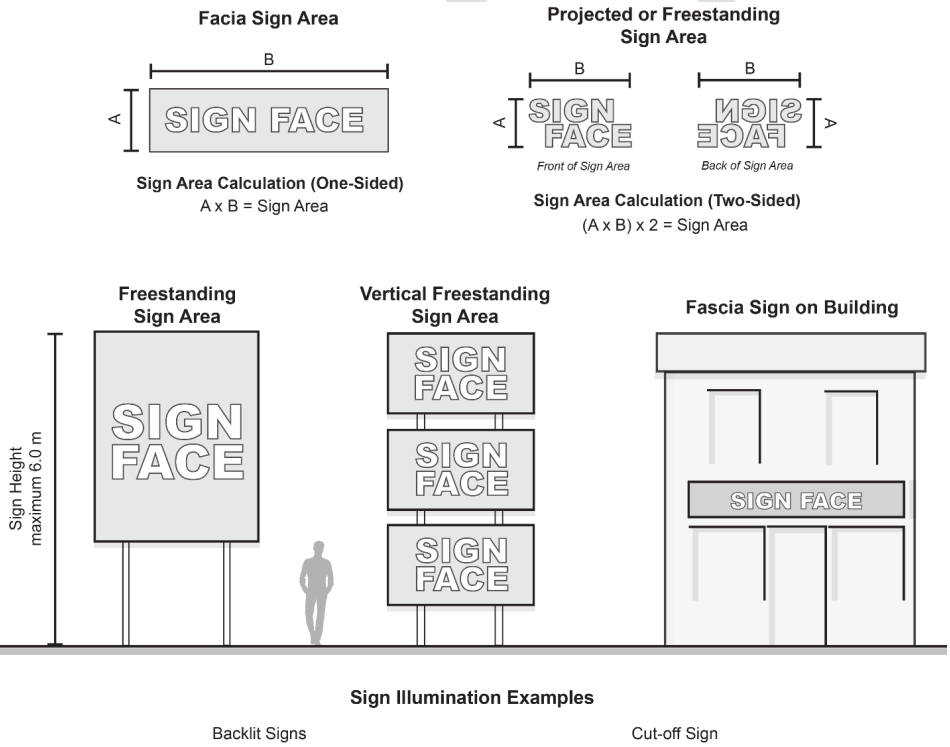
shipping yard means the use of buildings, structures or land providing for the trans-shipment of goods;

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;

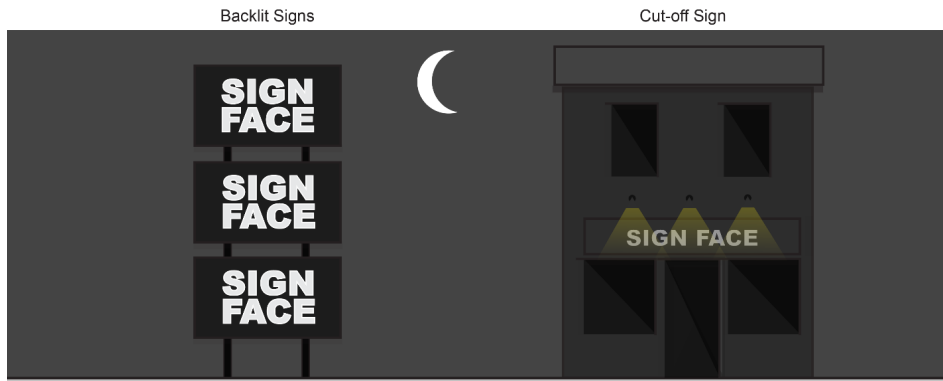
sign area means the total area within the outer edge of the frame or border of a sign. Where a sign has no frame or border, the sign area shall be the area contained within the shortest line surrounding the whole group of letters, figures or symbols of such sign. In the case of a freestanding multi-faced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



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

Sign Illumination Examples



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;

small-scale market garden means the use of land and buildings to grow fresh produce and / or flowers, excluding mushroom cultivation;

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 devices, 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 as per Section 3.25 of this Bylaw under 1.0 m in height that retain less than 1.0 m of earth and fences under 2.0 m in height and transparent fencing or transparent vertical extensions greater than 2.0 m in height where the fence is required for agriculture or farm use;

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;

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

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

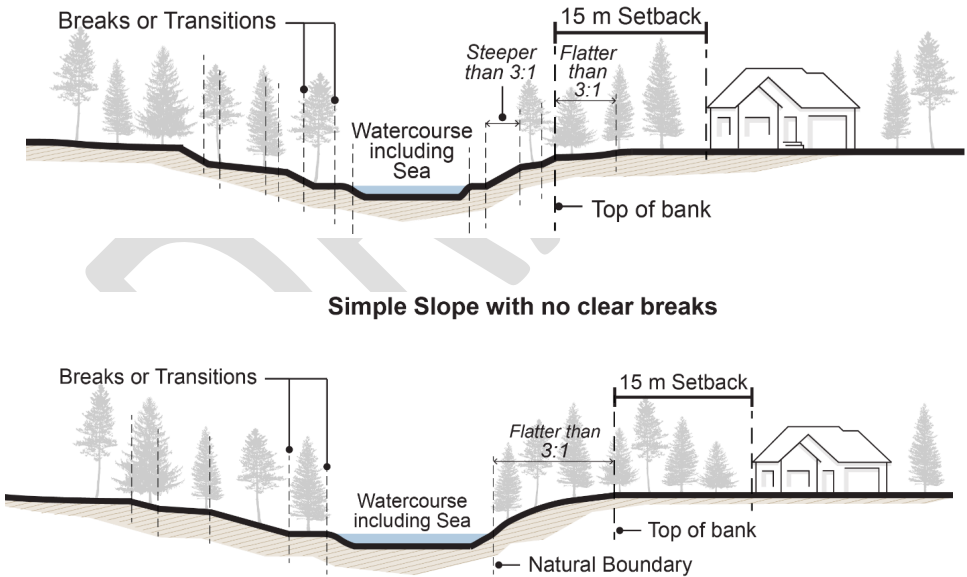
Added Tourist to align with most recent Agricultural Land Commission Regulations.

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 complex slopes with multiple banks, setback distances will be measured from the ~~top of the bank that is farthest from the natural boundary~~ first break that is flatter than 3:1 for a minimum distance of 15 metres measured horizontally from the break;

Added Top of Bank definition as per Setbacks Discussion Paper
Further amended for clarification.



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

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

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;

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;

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, ~~swamp, gulch~~, **wetland**, spring, ravine, 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.

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 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

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 and ~~accordingly to in the schedules regulations~~ contained in this Bylaw ~~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.

(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.

Floor area ratio definition removed as per Housekeeping Discussion Paper

(c) Density

Throughout this Bylaw, density will be measured by the following to indicate the allowable number of units or building size on a lot:

- Number of units per parcel;
- Minimum parcel size;
- Number of units per unit area of land given available servicing;
- In the context of commercial and industrial uses, the square footage of both indoor and outdoor productive areas;
- ~~Maximum size and proportion of a secondary suite in relation to the principal dwelling unit;~~
- ~~Parcel coverage; and/or~~
- ~~Floor area for a variety of uses.~~

Amended in response to further review and for greater clarification.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(d) 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 '5A' of this Bylaw, nor with shape or dimensions contrary to those prescribed by Section 4.4 5.5 [Parcel Shape and Dimensions](#) 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
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

(e) Off-Street Parking and Loading Spaces

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

(f) Setbacks

Setbacks shall be provided in conformity with this Part.

(g) 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. Where the regulations in a Zone may conflict with the General Regulations of this Section, the regulations of the Zone will apply.

(h) General Interpretation

References to an enactment include the enactment as amended or re-enacted from time to time.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

3.2 Accessory Buildings and Structures

Buildings and structures accessory to the permitted **principal** use of a parcel are permitted in each zone, unless otherwise specified **in that zone**, 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, **in which case occupancy for the accessory building cannot be granted prior to occupancy for the principal use.**

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 as measured for each strata lot.
 - (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.

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 4,546 litres (1,000 imperial gallons); and further that this regulation does not apply to industrial zones, **gasoline** service stations, **gas bars**, marine fuel supply stations, asphalt batch plants or to fuel used for residential heating purposes.

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.

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 [subject to setback requirements in Section 3.11\(a\)](#) 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~~ 3.6b;
 - (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.”

3.7 Landscaping

Where landscaping is required by Part 6 of this Bylaw, it shall be ~~landscaping shall be~~ provided in accordance with the regulations of this Part and in accordance with Development Permit Area Guidelines in Part 6 of this Bylaw. Where a conflict exists between this Part and Part 6, the regulations of Part 6 will prevail.

(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,~~

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

- 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.~~
 - (i) All proposed landscaping shall be designed by a registered landscape architect, or similar professional to be confirmed at the discretion of the Regional District of Nanaimo.
 - (ii) All proposed restoration shall be designed by a Qualified Environmental Professional (QEP) ~~registered landscape architect, or similar professional,~~ to be confirmed at the discretion of the Regional District of Nanaimo.
 - (iii) 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.
 - (iv) 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.
 - (v) Invasive species must be kept from establishing in all landscaped and restored areas.

Update for clarification.

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

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

(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 Landscape Architect or Qualified Environmental Professional provided by the Applicant and approved 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) include an itemized cost estimate, equal to the cost of all materials and labour;
- (xi) include an outline of the proposed maintenance schedule; and,
- (xii) include the location and specifications for all irrigation systems and must demonstrate how such irrigation systems are designed to reduce water usage.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(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~~

(e) Design Standards – Landscaped Area

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:~~
 - (i) a minimum of one (1) tree per 35 m², where 40% of those trees shall be coniferous;
 - (ii) a minimum of one (1) shrub per 35 m²;
 - (iii) where possible, trees shall be planted in groups;
 - (iv) at the time of planting trees, shrubs, soil type and soil depth must meet the *British Columbia Landscape Standard* requirements as prepared by the Canadian Society of Landscape Architects;
 - (v) the use of native and / or drought tolerant species is required; and
 - (vi) where irrigation is provided, it shall

Update for clarification.

 be designed to reduce or conserve water usage. Drip irrigation or micro-irrigation systems that consist of water delivered to the root zone of a plant and use less than 20 gallons of water per hour at less than 25 pounds per square inch of pressure are encouraged.

(f) Restoration

- (i) Restoration shall use native, non-invasive species, to be designed by a professional restoration expert or Qualified Environmental Professional (QEP) 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

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

area, and all species, planting locations, and sizes shall be to the satisfaction of the Regional District of Nanaimo.

- (ii) ~~Replacement of trees will meet the minimum standards authorized under the Fisheries Act, Wildlife Act or Land Title Act and much follow the designated requests for authorization accompanied by a tree survey and replacement planning plans completed by a Qualified Environmental Professional (QEP).~~

~~(g) 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.~~

~~(g) Selection of Introduced Vegetation~~

~~To meet the design standards in Section 3.7 (f), the selection of introduced vegetation shall:~~

- (i) ~~In the selection of introduced vegetation, species~~ Be non-invasive species ~~shall be selected~~ which satisfy the objectives of the applicable Development Permit Area Guidelines 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) ~~Minimize the use of turf grass.~~

~~(h) Planted Berms~~

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

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

(h) 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 **invasive species**, 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.

(i) 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 **being considered by the General Manager of Planning and Development or** 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.

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

- (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~~
- ~~(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 nurseryperson or landscape contractor or an equivalent agreed upon by the Regional District, and is to be submitted concurrent with the security deposit at the time of application. The developer assumes sole responsibility for undertaking and financing the cost estimate.
- (v) ~~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) 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. The Regional District shall return 20% of the deposit to the Permittee if:
- ~~(A)~~ The Permittee provides to the General Manager written confirmation, to the General Manager's satisfaction, that the ~~plantings~~ landscaping or restoration works have been installed in accordance with the recommendations of the Revegetation Plan; and
- ~~(B)~~ Following a site visit conducted by RDN staff, and subject to the confirmation of a Qualified Environmental Professional (QEP), the General Manager is satisfied that the ~~plantings~~ landscaping or restoration works have been installed in accordance with the recommendations of the Revegetation Plan;
- and the Regional District shall return 80% of the deposit to the Permittee if:
- ~~(C)~~ The Permittee provides to the General Manager written confirmation, to the General Manager's satisfaction, that the ~~plantings~~ landscaping or restoration works have been maintained in accordance with the recommendations of the Revegetation Plan; and
- ~~(D)~~ Following a site visit conducted by RDN staff, and subject to the confirmation of a Qualified Environmental Professional (QEP), the General Manager is satisfied that the ~~plantings~~ landscaping or restoration works have been maintained for two years in accordance with the recommendations of the Revegetation Plan.
- (vii) 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

Updated to remove inconsistency with vi.

Updated to clarify requirements.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

approved works and/or for pursuing any necessary legal or court judgment as required.

- (viii) 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.
- (ix) When a security deposit is in the form of a standby irrevocable letter of credit, it shall include provisions for its **automatic renewal with no expiry date.** ~~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.~~

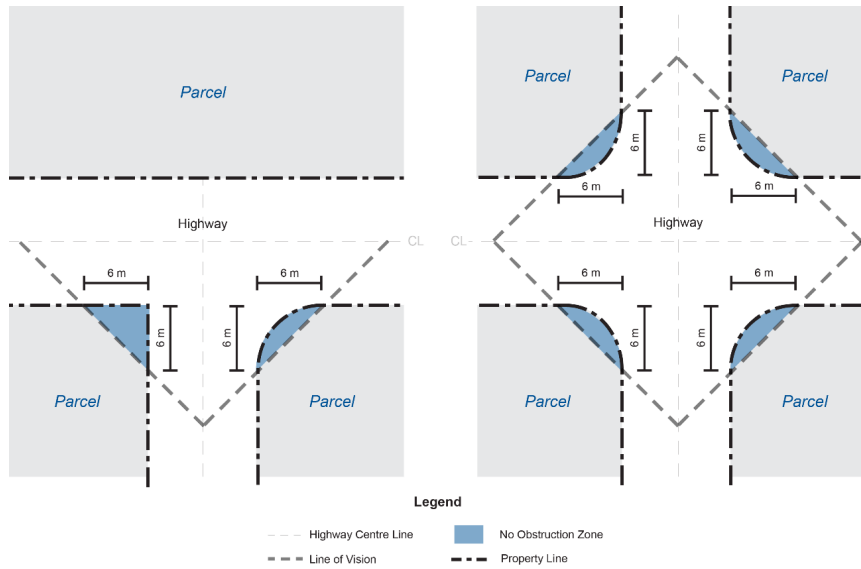
(j) Appendix 1: Alphabetical List of Designated Highways

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

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 fences, 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:



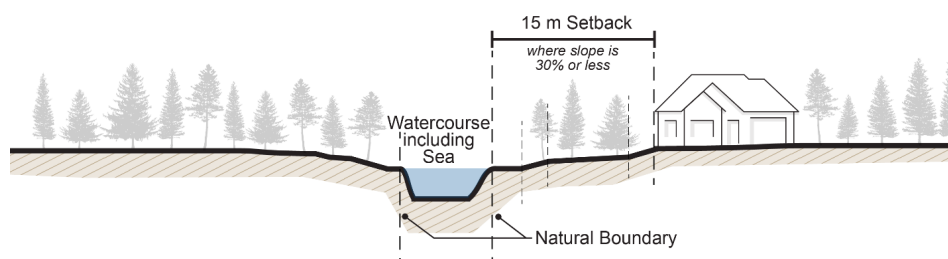
3.9 Setbacks – Watercourses, excluding the Sea

- (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;

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

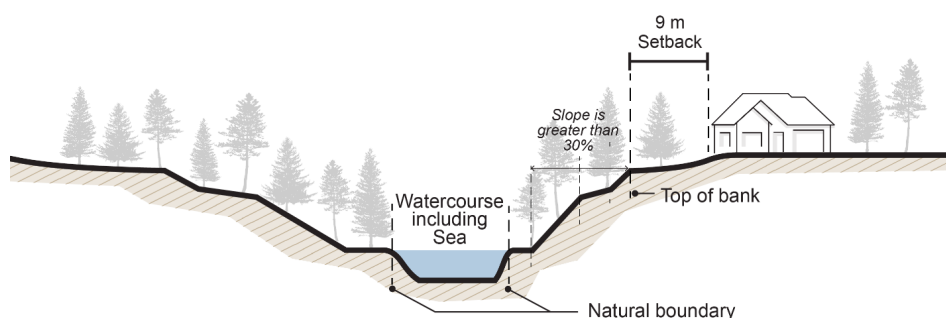
15 m Setback where Average Slope of 30% or less



- (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:

Average Slope of greater than 30%



- (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.

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:

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

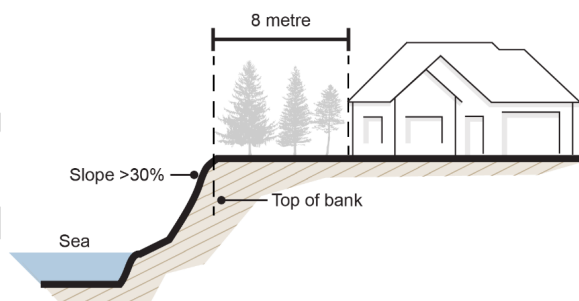
- (i) within 8.0 metres horizontal distance inland from the top of a bank with a slope of 30% or greater; or
- (ii) within 8.0 metres horizontal distance from the natural boundary, whichever is greater.

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



3.11 Setbacks – Buildings and Structures

- (a) **Agriculture and Farm Buildings, Structures and Uses**

Renumbered to be easier to read in the new format

The following minimum setback requirements shall apply to all agriculture or farm buildings, structures and uses, and household animals and livestock excluding household poultry:

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	8.0 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: (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: (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	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

(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 (RS) ~~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.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (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 (RS) Zones, excepting where the British Columbia Building Code (BCBC) requirements take precedence:

Updated table as per discussion paper regarding setbacks.

Feature	Zone	Permitted Projection into Required Setbacks			
		Exterior 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				
	RS5				
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			

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Feature	Zone	Permitted Projection into Required Setbacks			
		Exterior Front	Rear	Interior Side	Exterior Side
	RS3	1.75 m			
	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.~~

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.

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

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

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.

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, and on the parcels identified below.

Amended for clarification.
Added Schedule B to show the location of category A lots.

Category A lots are identified in Schedule 3B – Category A lots of this bylaw.

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 (not in a secondary suite) 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;

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

- (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 pet 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, pyroloxin 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;

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

- (xxv) sale of food and/or beverages for immediate consumption on or off the premises by and 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 mushroom processing and~~ production;
 - (xxx) alcohol production;
 - (xxxi) temporary accommodation other than bed and breakfast; and
 - (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 small scale market garden activities;~~ and
 - (viii) provide ~~all parking on a dust free 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 0.75m² 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;

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

- (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 Residential 1 and 2 (RR1 – RR2)~~ ~~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. [excluding licensed child care facilities in accordance with the Community Care and Assisted Living Act](#).
- (g) The location [and maximum floor area and location](#) of a home based business is as follows:

Zones	Parcel Area	Location	Maximum Floor Area
Residential 1 (RS1) Alternative Forms of Rural Development 1 (AF1)	Less than 2,000 m ²	The home based business must be contained within a dwelling unit or attached garage with the exception of outdoor play areas for child care facilities.	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 m ² .
Residential 1 (RS1) Alternative Forms of Rural Development 1 (AF1)	Greater than or equal to 2,000m ²	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.	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 m ² , or a maximum of 100 m ² combined total for dwelling unit, attached garage, and/or accessory building(s).
Residential 2 (RS2)	Not Applicable	The home based business must be contained within the dwelling unit, attached garage or accessory buildings(s), with	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 m ² , or a maximum of 100 m ²

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

		the exception of outdoor play areas for child care facilities.	combined total for dwelling unit, attached garage, and/or accessory building(s).
Residential 3 (RS3)	Not applicable	Must be contained within a dwelling unit or attached garage with the exception of outdoor play areas for child care facilities.	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 m ² .
Rural Residential 2 (RR2)	Not applicable	Must be contained within a dwelling unit or attached garage with the exception of outdoor play areas for child care facilities.	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 m ² .
In all other zones where home based business is a permitted or accessory use unless otherwise specified in the applicable zone	Not applicable	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.	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 m ² or a maximum of 150 m ² combined total floor area for the dwelling unit, attached garage, and/or accessory building(s)

- (h) 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.
- (i) The maximum combined land area used for outdoor cultivation and all related activities 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.

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

- (j) Home based businesses shall not be located within a ~~Riparian Assessment~~ a Streamside Protection and Enhancement Area.
- (k) Home Based Business shall not be permitted within a secondary suite nor by the occupants of a secondary suite elsewhere on the subject property.
- (l) Bed and Breakfast shall not be permitted on a parcel that contains a suite.
- (m) 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.

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 the Cannabis Act~~ all applicable Federal and Provincial statutes and regulations.

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

- (ii) The minimum setback for all structures associated with cannabis production is 30.0 metres from all property lines

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:

- (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*.

Updated to align with most recent Agricultural Land Commission Regulations.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (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 units that occur in an agri-tourism accommodation must be developed in accordance with the following regulations:
 - ~~(A)~~ An agri-tourism accommodation unit 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; and
 - ~~(C)~~ The maximum gross floor area of an agri-tourism accommodation unit shall not exceed 50 m².
- ~~(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;~~

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 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.~~

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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.

3.19 Temporary Use Permits

- (a) The Regional District may issue a temporary use permit on any ~~lot~~ parcel 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.

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

(vii) The proposed use is not a use referred to in Section 2.3.19 (b).

- (b) Notwithstanding clause 1(a) above, in some Official Community Plan areas, the issuance of a temporary use permit for specified uses is limited to specified land use designations 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 Land Use 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
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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- 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.
- (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*.

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.

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 an 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.~~

(a) 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~~ **floor area** of the building that it is located in nor 90 m² of total ~~floor space~~ **floor area**, whichever is lesser;
- (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.

(b) A Secondary Suite may be located within ~~a~~ **detached** accessory building subject to the following **servicing requirements**:

Increased percentage of habitable floor area as per Secondary Suite Discussion Paper

Changed floor space to floor area to use terms defined in this bylaw.

Decreased minimum site area requirement as per Secondary Suite Discussion Paper

Servicing Connection Scenario

Minimum Parcel Area

- (i) On a parcel where a connection to Community Water and Community Sewer services are provided 800 m²

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(ii) On a parcel where a connection to community water is provided	2,000 m ²
(iii) On all other parcels	4,000 m ²

- (c) Notwithstanding all other requirements of this section, a secondary suite located in an accessory building shall also be subject to the following:

~~(i) The minimum site area requirement shall be 800 m² for parcels serviced with community water and community sewer or 8,000 m² in all other cases.~~

- (i) Notwithstanding any other provision in this Bylaw, the maximum height of an accessory building containing a suite shall be 8.0 metres;

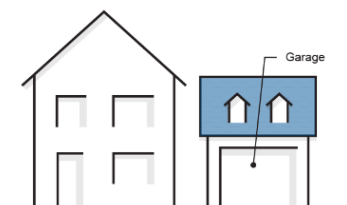
- (ii) The maximum floor area of an accessory building containing a secondary suite shall not exceed 40% 49% of the habitable floor space of the principal dwelling unit which it is associated with nor 90 m² of total floor space, whichever is lesser.

Increased percentage of habitable floor area as per Secondary Suite Discussion Paper

- (iii) the secondary suite shall contain no interior access to any other part of the accessory building and the means of access and egress must be external to the structure.

- (iv) 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 floor 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



Detached (Above Garage)

- (c) Home Based Business shall be in accordance with Section ~~3.3.14~~ 3.15.
- (d) 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.

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 Spaces

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) permitted single detached dwelling units in RS1 and RS2 zones are exempt from parking setback requirements.~~ Despite (B) above, minimum setback requirements shall not apply to minimum off-street parking requirements on parcels zoned RS1 and RS2 as well as the associated subzones.

(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	Minimum 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 Access (ISA) ~~ibility for the Handicapped as specified in (f) of this Section Table 3 of this Schedule;~~
- and

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (3) located within convenient access of the development, building or use that it is intended to serve, and with minimum changes in level or ramps provided.
- (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, demarcated 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%, except that accessible spaces shall have a maximum gradient and cross slope of 2.0%.
 Added gradient for accessible spaces to address universal accessibility.
- (b) Off-Street Parking Spaces
- (i) Stall and Aisle Dimensions
 All off-street parking spaces shall be in accordance with Section 3.22 (e) ~~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 are marked with the words "SMALL CAR ONLY" on the pavement or wall facing.
 Given the scale of development in the RDN, the requirement of groups of 20 prevented small car only spaces.
- (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 Section 3.22 (e) ~~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 required number of off-street parking spaces shall be provided in accordance with Section 3.22 (d) ~~Table 1 of this Schedule.~~
- (B) If a use is not listed in Section 3.22 (d) ~~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

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

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 ~~more additional parking~~ spaces ~~the number of spaces as~~ determined by Section 3.22 (d) ~~Table 1 shall be provided,~~ those parking spaces ~~need to~~ shall be provided. Where 5 or fewer additional spaces are required as per Table 1, those spaces do not need to 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 ~~unpaved loading space location(s)~~.

(iv) Calculation

For commercial, industrial or public use 1 off-street loading space shall be provided for every 2,000 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:

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

Use	Minimum Number of Parking Spaces Required
Residential	
<p>Mobile Manufactured Home Parks</p> <p>Updated in recognition that Schedule '3D' has been removed and is proposed to be replaced with a separate bylaw.</p>	<p>(see Schedule '3D' Section 3.24 of this Bylaw) 1 per-manufactured home plus 1 additional space for every 2 manufactured homes in a manufactured home park.</p>
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 Unit Cabin	one per unit cabin
Animal Care	1 per 20.0 m ² of floor area
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

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

Use	Minimum Number of Parking Spaces Required
	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
Laundry and Dry Cleaning Establishment	1 per 2 employees counted as a total of 2 shifts
Marina with defined berths	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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Use	Minimum Number of Parking Spaces Required
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 30.0 m ² of floor area used for office
	1 per 175.0 m ² of floor area used for storage
	1 per 95.0 m ² of floor area used for display
	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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Use	Minimum Number of Parking Spaces Required
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:

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

Part 1
Administration

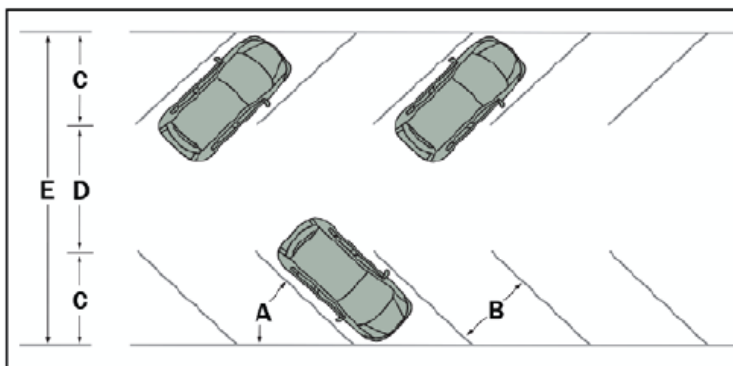
Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas



- (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 Spaces 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
Surface	Stalls and aisleways shall be paved



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-dwelling 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) The owner or occupier of any land or any building or other structure, for each use present on the land or in the building or other structure, must:
 - (A) Provide the following number of energized electric vehicle outlets for parking spaces

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

Number of Dwelling Units	Number of Charging Stations
4 – 9	Minimum of 1
10 – 29	Minimum of 2
30+	Minimum of 3

and

- (ii) Submit a letter of assurance from a qualified registered professional that all energized electric vehicle outlets meet the specifications prescribed in the Electric Vehicle Supply Equipment and Electric Vehicle Energy Management Systems Information Bulletin published by Technical Safety BC issued October 20, 2023 as amended or replaced or other equivalent standard to the satisfaction of the Regional District.
- (iii) Energized electric vehicle outlets shall not be placed within the minimum vehicle parking space dimensions or drive aisle identified Section 3.22 (e).

3.23 Campground Regulations and Standards

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

Integrated Schedule '3C', minimal changes to update regulations

(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~~ Part 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)~~ The following shall not be located within a setback area established pursuant to Part 4 ~~Section 3.11 Part 3.4~~ of this Bylaw ~~the following shall not be located:~~

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (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.
 - ~~(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:

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

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 Master Municipal Construction Document (MMCD). ~~following:~~

(iv) Water System

- (A) All camping spaces shall be a maximum of 60.0 m from a standpipe, constructed in accordance with the Master Municipal Construction Document (MMCD). ~~following:~~
- (B) Every campground that contains more than 60 camping spaces shall be serviced by a community water system or a water supply system constructed in accordance with the Master Municipal Construction Document (MMCD) ~~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;

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- ~~(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 [Master Municipal Construction Document \(MMCD\)](#). ~~following:~~

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:~~

~~(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;~~

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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- ~~(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;~~~~

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

- (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.
- (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 occupiers 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.

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

(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;~~

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

- ~~(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:
- ~~(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 properly 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.~~

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

- ~~(D) Recreation areas in the mobile home park, except indoor recreation facilities, shall be of grass or asphaltic surface and shall be properly 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.~~
- ~~(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;~~

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

- ~~(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 any Commercial Retail & Service (CRS), Commercial 1 (C1), Commercial Resort & Recreation (CRR), Light Industry (LI), or Medium Industry (MI) zones and are subject to the following conditions:
 - (i) Mobile Vendors in RDN parks ~~must be permitted with~~ shall be subject to an approved Parks Permit.
 - (ii) 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;
 - (iii) 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;
 - (iv) No building or structure shall be placed or erected in association with the vending operation;
 - (v) Cannot park on any public highway or common property; and
 - (vi) One temporary freestanding sign up to a maximum of 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 including Agriculture 1 (AG1), Agriculture 2 (AG2), Residential 1 (RS1), Residential 2 (RS2), Residential 3 (RS3), Residential 4 (RS4), Residential 5 (RS5), Residential 6 (RS6), Residential 8 (RS8), Rural Residential 1 (RR1), and Rural Residential 2 (RR2) 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.

3.25 Retaining Walls

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

New section as per Structures Discussion Paper

Amended in response to further review and also to improve clarity and consistency with the definition of structure.

- (a) All retaining walls that:
 - i. are 1.2 metres or more in height; or,
 - ii. contain a fence on top of a retaining wall that have a combined height of 2.0 metres or more

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

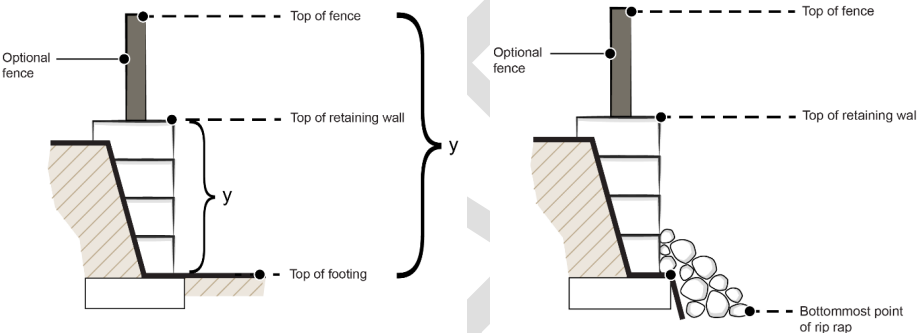
Part 6
Development Permit Areas

are considered structures for the purpose of this bylaw and are subject to minimum setback requirements.

(b) The height (y) of a retaining wall shall be measured from the top of the footing to the top of the retaining wall (x) where:

~~(c) The maximum height of a single retaining wall shall not exceed 1.0 metres as measured from the top of the footing to the top of the retaining wall (x), and with a maximum of 3.0 metres from top to bottom (y) where:~~

- (i) top means either the top of the retaining wall or the top of a fence on top of a retaining wall, whichever is higher; and
- (ii) bottom means either the top of footing or the bottommost point of riprap, whichever is lower as illustrated below.



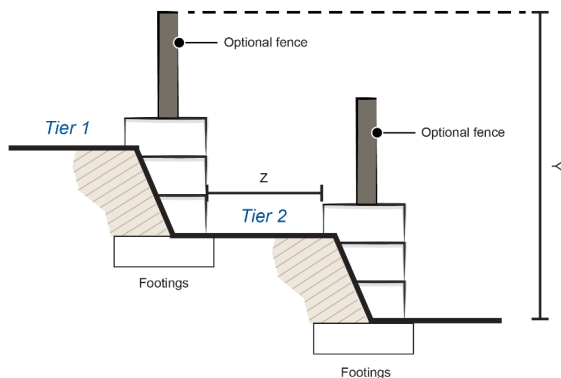
(c) Despite any other provision of this Bylaw, the maximum height of a retaining wall or a retaining wall with a fence on top (y) shall not exceed 3.0 metres.

~~(d) The maximum backslope of soil materials located adjacent to a retaining wall shall not exceed 10%, as illustrated below.~~

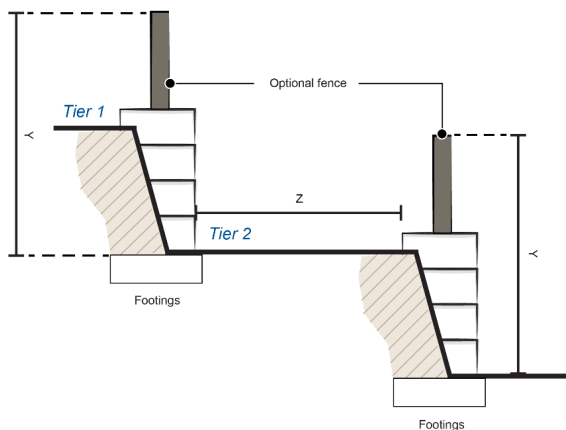
~~(d) The width of a retaining wall and soil retention shall be measured from the back of the retaining wall, as illustrated below:~~

(e) For multiple or tiered retaining walls, where the minimum distance between walls as measured from the outer face of each retaining wall as per (z) below is less than 2 metres, it is considered one structure for the purpose of measuring height (y) as per Section 3.25 (a) of this Bylaw to 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
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------



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



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).

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

- (a) The use of land for the placement of shipping containers shall be prohibited in all zones, with the following exemptions:

New section as per Structure Discussion Paper

- (i) Shipping containers may be used for shipping related to 'Shipping Yard' and 'Transportation Terminal'.
- (ii) Shipping containers shall be permitted as an accessory use for a temporary period subject to the following requirements:

Table amended in response to discussions with the Fire Chief's Association of BC.

- See Fire Chief's Association of BC Position Paper: Intermodal Shipping Container Fire Safety (<https://fcabc.ca/Files/FCABC%20Shipping%20Containers.pdf>)
- See Worksafe Bulletin – Preventing explosions in shipping containers used outside the shipping industry (<https://www.worksafebc.com/en/resources/health-safety/hazard-alerts/preventing-explosions-shipping-containers?lang=en>).
- See Worksafe Document – Ask an Officer, Reusing shipping containers creates risk of explosion (<https://www.worksafebc.com/en/resources/newsletters/worksafe-magazine/worksafe-magazine-marapr-2017/ask-officer?lang=en>).

Zone	Maximum Timeframe	Maximum Number of Shipping Containers	Is Stacking Permitted?
Heavy Industry	2 Years	No more than 2	Yes
Medium, Light Industry	1 Year	No more than 1	Yes
Rural, Resource Management, and Agriculture Zones	6 Months within a calendar year	No more than 1	No
All other zones	30 days within a calendar year	No more than 1	No

- (iii) 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, except where the storage of shipping containers is a permitted use.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (iv) Shipping Containers shall be subject to the minimum setback requirements, parcel coverage and all applicable Development Permit Area guidelines.
- (v) Shipping containers shall not be used for the storage of flammable materials and there shall be no sources of heat or ignition located inside of a shipping container.
- (vi) One shipping container per parcel may be used as for accessory emergency response and emergency preparedness storage in all Institutional zones.
- (vii) 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.
- (viii) Despite any other provision of this bylaw, a shipping container may be placed on any parcel for the storage of non-flammable materials, tools, and supplies during construction or maintenance of any utility, building or structure for which a required building permit has been obtained and remains active, provided the shipping container is removed within 14 days upon completion of construction.

3.27 Signs

- (a) No sign shall be placed, erected, or constructed on a parcel unless in accordance with this Section, except for Park uses.
- (b) 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:

New section as per Signs Discussion Paper

Updated in response to referral response from Parks staff.

Sign regulations amended for greater clarity and to clarify the intent of the 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

	Use	Permitted Sign Type(s)	Number of Signs	Maximum Size Requirements per Sign
i.	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 (0.38 m ² per side)
ii.		Fascia Sign in association with home based business		Maximum Height: 1 m Maximum Sign Area: 0.75 m ²
iii.	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 (5.5 m ² per side)
iv.				Where a sign advertises more than one business: Maximum Height: 6 m Maximum Sign Area: 13 m ² (6.5 m ² per side)
v.		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 6 m ²
vi.		Projecting Sign associated with an approved business	Maximum of 1 projecting sign or one projecting fascia sign per business	Maximum Height: 1 m Maximum Sign Area: 2 m ²
vii.		Notwithstanding (v) and (vi) above, the maximum combined fascia and projecting sign area shall not exceed 24 m ² per parcel and where a development occupies more than one parcel, 24 m ² total sign area for the development in its entirety.		

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

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

- (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.
- (e) Where a conflict occurs between this Section 3.28 and a Development Permit Area Guideline, the Development Permit Area Guideline shall prevail.
- (f) 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

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

3.28 Servicing 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 potable water using a method deemed appropriate by a qualified professional for the proposed use and all uses on the parcel and to the satisfaction of the Regional District;
 - (ii) Proof of an approved means of sewage disposal using a method deemed appropriate by a qualified professional for the proposed use and all uses on the parcel and to the satisfaction of the Regional District;
 - (iii) Demonstration of the means to address and manage drainage on site as demonstrated by a qualified professional;
 - (iv) Demonstration of suitable areas to accommodate parking and landscaping in accordance with this Bylaw; and
 - (v) Where capacity is available, development shall ~~requirement to~~ connect to community water, community sewer, and community drainage services, including private utilities and improvement district services ~~is required prior to issuance of a Building Permit;~~
- (b) For clarity, the above requirements are in addition to all applicable Development Permit Area guidelines and applicable RDN policies.
- (c) Notwithstanding any other section of this Bylaw, where servicing requirements apply, the use of a parcel shall be limited by the servicing capacity of the subject property as demonstrated by compliance with the requirements outlined in 3.28 (a).
- (d) Uses that do not result in increased demand for water, sewage disposal, drainage, or parking are exempt from the requirements of this Section at the discretion and to the satisfaction of the Regional District.

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

Amended for greater clarity.

3.29 Temporary Living Arrangements

- (a) Despite any other regulation in this bylaw, temporary living in a licensed recreational vehicle shall only be permitted, in accordance with the following:
- (i) on a parcel subject to an active building permit for the construction of a permitted dwelling unit;
 - (ii) with an approved means of onsite sewage disposal and potable water;
 - (iii) subject to the issuance of a temporary living permit; and,

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

DRAFT

- (iv) the recreational vehicle is removed from the site to the satisfaction of the General Manager prior to the issuance of occupancy or final inspection of the dwelling unit.
- (b) Despite any other regulation in this bylaw, temporary accommodation in a dwelling unit shall be permitted on parcels that are currently developed in excess of the maximum permitted number of dwelling units, subject to the following:
 - (i) On a parcel subject to an active building permit for the construction of a dwelling unit;
 - (ii) A concurrent demolition permit or alteration permit has been issued to remove the offending dwelling unit or convert it into an accessory building or other permitted building or structure;
 - (iii) Upon removal or decommissioning of the offending dwelling unit, the subject property would be deemed compliant with this bylaw to the satisfaction of the General Manager;

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 And Subdivision District Maps

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

Schedule 3B: Category A Lots

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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.



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

4.1 Establishment of Zones

- (a) Detailed regulations respecting each zone can be found in this Part.
- (b) For the purpose of this Bylaw, the areas [subject to this bylaw described in the section of this Bylaw entitled Application is](#) are hereby divided into zones and sub-zones designated and described by the following classifications and their short title equivalents:

New Part of the Bylaw to separate zones into a separate part so they are easier to find and navigate. Section 4.1 was formerly Section 3.1 and 3.4 from Bylaw 500. Zones have been updated as per Zone Consolidation Discussion Paper; Minimum Site Area Requirements have ben updated as per Housekeeping Discussion Paper.

Table in (b) has been updated with consolidated zones as per Zone Consolidation Discussion Paper

Zone Classification	Short Title	Sub-zone(s)
Agriculture 1	AG1	AG1.1 AG1.2 AG1.3 AG1.4 AG1.5
Agriculture 2	AG2	
Nanaimo Airport	AR1	
Commercial 1 Zone	CM1	
Commercial 2 Zone	CM2	
Commercial 2.1 Zone	CM2.1	
Commercial 3 Zone	CM3	
Commercial 4 Zone	CM4	
Commercial 5 Zone	CM5	
Commercial 6 Zone	CM6	
Commercial 7 Zone	CM7	
Commercial 8 Zone	CM8	
Commercial 9 Zone	CM9	
Resort Commercial Zone	RCM	
Commercial Retail & Service	CRS	CRS1 CRS2 CRS3 CRS4

Zone Classification	Short Title	Sub-zone(s)
		CRS5 CRS6 CRS7 CRS8 CRS9 CRS10
Commercial 1	C1	C1.1 C1.2 C1.3 C1.4 C1.5 C1.6
Commercial Resort & Recreation	CRR	CRR1 CRR2 CRR3 CRR4 CRR5 CRR6
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
Heavy Industry	HI	HI1
Public Institutional 1 Zone	PU1 I1	I1.1 I1.2
Public 2 Zone	PU2	
Public Institutional 2 3 Zone	PU3 I2	
Public Institutional 3 4 Zone	PU4 I3	I3.1 I3.2

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)
Public Institutional 4 & 6 Zone	PU6 I4	
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 RS1.4
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	
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	

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)
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 RR1.4
Rural Residential 2	RR2	RR2.1 RR2.2 RR2.3 RR2.4
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 1	CD6 CD1	
Fairwinds Comprehensive Development Zone 8 2	CD8 CD2	
Horne Lake Comprehensive Development Zone 9 3	CD9 CD3	

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)
South Wellington Comprehensive Development Zone 10	CD10	
South Wellington 2 Comprehensive Development Zone 11	CD11	
Rondalyn Resort Comprehensive Development Zone 13 4	CD13 CD4	
Englishman River Comprehensive Development Zone 14 5 (BLOCK 564)	CD14 CD5	
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 Home Park Comprehensive Development Zone 20	CD20	
Comprehensive Development Zone 21 (Doumont)	CD21	
Horne Lake Regional Park Comprehensive Development Zone 24 6	CD24 CD6	
Claudet Road Rural Comprehensive Development Zone 26	CD26	
South Wellington Light Industrial Comprehensive Development Zone 28 7	CD28 CD7	
Cedar Estates Comprehensive Development Zone 29 8	CD29 CD8	
Nanoose Bay Village Centre Comprehensive Development Zone 30 9	CD30 CD9	
Horne Lake Road Comprehensive Development Zone 32 10	CD32 CD10	
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	

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)
Main Road Light Industrial Comprehensive Development Zone 37	CD37	
Qualicum Bay Seniors Development Comprehensive Development Zone 41 11	CD41 CD11	
Crown and Anchor Campground Comprehensive Development Zone 42 12	CD42 CD12	
Schooner Bay Manor Seniors Mobile Manufactured Home Park Comprehensive Development Zone 43 13	CD43 CD13	
Lakes District Comprehensive Development Zone 44 14	CD44 CD14	
Schooner Cove Comprehensive Development Zone 45 15	CD45 CD15	
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 16	CD52 CD16	
Horne Lake Road Service Commercial Comprehensive Development Zone 54 17	CD54 CD17	
Resort Commercial Comprehensive Development Zone 18	CD18	
Commercial Comprehensive Development Zone 19	CD19	
Jingle Pot Road Comprehensive Development Zone 20	CD20	

- (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 ~~titled~~ 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 A.

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

(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:~~

Minimum site area removed as per Housekeeping Discussion Paper

- (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) Where a parcel exists prior to April 21, 1987 and the density provisions contained in the applicable zone are such that the parcel does not have adequate area to support any permitted use, the parcel may be used:

Added to address the possibility of small parcels that may not meet the minimum density provisions.

- (i) for only one permitted use in the applicable zone, provided that the requirements of Section 3.28 of this bylaw are satisfied, that the authorities 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) For clarity, notwithstanding (1) above, on parcels that permit Multiple Dwelling Unit Development that do not have adequate area to satisfy the density requirements for three dwelling units in a building, the parcel may only be developed in accordance with the provisions of the Residential 1 zone.
 - (iv) For clarity, notwithstanding any other provision contained in this bylaw, on parcels that permit Manufactured Home Park that do not have adequate area to satisfy the density requirements for three or more manufactured homes on a parcel, the parcel may be developed with manufactured homes in accordance with the maximum density of the applicable zone.
- (i) Sub-zones regulate modifications to a 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.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (j) ~~Approved~~ Park and unattended utilities shall be permitted in each zone. ~~occurring in any zone as of the effective date of this Bylaw may continue.~~

Amended to ensure park is permitted in all zones.

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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 |
| (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 | |
| For Electoral Area 'G' | |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(3)	on a parcel having an area equal to or greater than twice the minimum parcel size as established by Schedule '5A 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	2
(iii)	Height for all (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 24,000 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

<p>(1) the parcel is less than 4,000 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 an exterior lot line, excluding the front lot line;</p> <p>(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; and.</p> <p>(3) On a corner parcel, then the regulations in Section 3.8 shall also apply.</p>	Updated setbacks as per Setbacks Discussion Paper
(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 <i>Agricultural Land Reserve Use, Subdivision, and Procedure Regulation</i> 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 <i>Agricultural Land Commission Act</i> is subject to the <i>Agricultural Land Commission Act and Regulations</i> , 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 A of this Bylaw.

Sub-zone	PID	Modification
AG1.1	Part of 000963992	Animal Care and Campground shall be permitted in the shaded area outlined in bold in the map below.
AG1.2	09002464 003031799 003031713	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	025803301	In addition to the uses in 4.2(b) above, 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.
AG1.4	005500605	Despite 4.2(c) above, the maximum height for all buildings and structures shall be limited to 6.5 metres to avoid operational impacts on the Nanaimo Airport. <div>Added in response to a request from the Nanaimo Airport.</div>
AG1.5	004720164	Despite 4.2(c) above, the maximum height for all buildings and structures shall be limited to 7.4 metres to avoid operational impacts on the Nanaimo Airport.

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 |
| <hr/> | |
| (ii) Dwelling units /parcel | |
| (1) on a parcel having an area of 8.0 ha or less | 1 |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Updated to correct typo.

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' only

- (3) on a parcel having an area equal to or greater than twice the minimum parcel size as established by Schedule '5A 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 8.0 ha

- (iii) Height for all 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 4,000 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.

(4) On a corner parcel, then the regulations in Section 3.8 shall also 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.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

4.4 Nanaimo Airport (AR1)

(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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (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: | |
| (1) External Front and Exterior 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

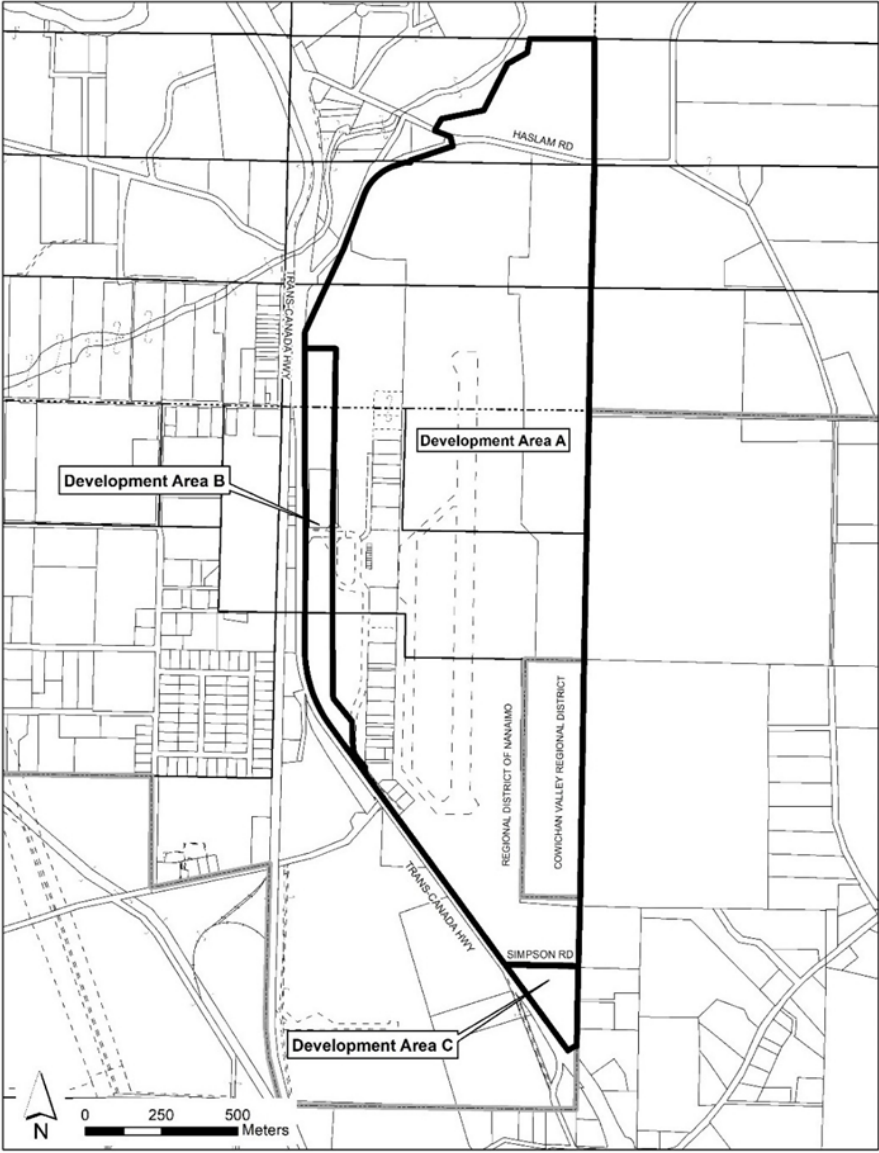
- (2) All other lot lines: 5.0 m
- (3) except where any part is adjacent to or contains a watercourse, then the regulations in Section 3.3.8 3.9 shall apply.
- (4) On a corner parcel, then the regulations in Section 3.8 shall also apply.

(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.

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.

(b) Uses

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~~

Accessory Uses

- (i) Residential Use

(c) Maximum Number and Size of Buildings and Structures

- (i) Dwelling units / parcel 1
- (ii) Height

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

Section (a) added as per Wayfinding Discussion Paper

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

Height updated for consistency as per Housekeeping Discussion Paper

~~8.0 m~~ 9.0 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) Parcel coverage	40%
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(d) Minimum Setback Requirements

(i) Front lot line	8.0 m
(ii) Front and Exterior lot line	Interior and exterior setbacks added as per Setbacks Discussion Paper
	8.0 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; or,
	(3) on a corner parcel, then the regulations in Section 3.8 shall also apply.

(b) Other Regulations

The intensity, and use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.	Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion Paper
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Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.5.1 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 A of this Bylaw.

Sub-zones	PID(s) / Legal	Modification(s)
(a) CRS1	017793025 000038962 023020539	In addition to the Uses listed in 4.5 (b) above, Shopping Centre will also be a Permitted Use.
(b) CRS2	017793025	In addition to the Uses listed in 4.5 (b) above, Shopping Centre and Outdoor Sales will also be a Permitted Use.
(c) CRS3	002751020	Despite any other clause in this Zone, Service Station will not be permitted.
(d) CRS4	002117495 005730961 008093865	Despite 4.5 (b), only the following Uses shall be Permitted: <ul style="list-style-type: none"> • Funeral Parlour • Gas Bar • Nursery • Office • Personal Service Use • Recreation Facility • Restaurant • Residential as a Permitted Use • Retail Use • Accessory Residential Residential Use is also Permitted for the parcel with PID 2117495.
(e) CRS5	023287241 006636268	In addition to the Uses listed in 4.5 (b), Residential shall also be a Permitted Use.

Part 1
Administration

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Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(f) CRS6	005078954 000147303 24885011 006636225 025841556 030185785 011129654 PARK, SECTION 14, RANGE 1, CEDAR DISTRICT, PLAN VIP59634	In addition to the Uses listed in 4.5 (b), Gas Bar shall also be a Permitted Use.
(g) CRS7	000038962	In addition to the Uses listed in 4.5 (b), Shopping Centre and Residential shall also be Permitted Uses.
(h) CRS8	003562361	Despite 4.5 (b), only the following Uses shall be Permitted: <ul style="list-style-type: none"> • Convenience Store • Office • Restaurant • Residential Use
(i) CRS9	002880326	Despite 4.5 (b), Permitted Uses shall be limited to Office, Personal Service Use, and Residential Use. Despite 4.5 (d), the Minimum Setback Requirements are: <div style="border: 1px solid green; padding: 5px; margin: 10px 0;">Interior and exterior setbacks added as per Setbacks Discussion Paper</div> <ul style="list-style-type: none"> • Front and Exterior Lot Lines: 5.0 m • All other Lot Lines: 2.0 m • Front Lot Line: 8.0 m • Interior Side Lot Line: 2.0 m • Rear Lot Line: 2.0 m • Exterior Side Lot Line: 5.0 m

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

(j) CRS10	030185785	<p>Despite 4.5 (c), the maximum height shall be 11.0 m</p> <p>Despite 4.5 (d), the minimum setback requirements shall be 4.5 m for all lot lines except in the case of unenclosed covered entryways, roof overhangs, and canopies the exterior lot lines may be reduced to 2.0 metres;</p> <p>In addition to the Uses listed in 4.5 (b), Gas Bar shall also be a Permitted Use.</p>
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Added in recognition of the CM2.1 zone and the site-specific requirements and variances issued under DP PL2017-069.

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 (C1)

(a) Intent

The intent of this zone is to accommodate a broad range ~~of variety~~ of commercial uses primarily within the Growth Containment Boundary.

New zone consolidated from CM4 ~~and all~~ CM5 parcels within the Growth Containment Boundary, ~~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) Fairground~~

Fairground removed

(ii) Fast Food Outlet

(iii) Hotel

(iv) Marina

(v) Neighbourhood Pub

(vi) Nursery

(vii) Office

~~(viii) Outdoor Sales~~

Outdoor Sales moved to sub-zone

(ix) Personal Service Use

Recreational Vehicle Park updated

(x) Produce Market

(xi) Public Assembly

Resort Condominium Unit addressed in Resort Condominium Development definition

(xii) Recreation Facility

(xiii) ~~Resort~~ Recreational Vehicle Park

(xiv) Resort Condominium Development registered with BC Land Title & Survey Authority prior to the date of adoption of this Bylaw

~~(xv) Resort Condominium Unit~~

Service Station name and definition updated to include EV charging stations

(xvi) Restaurant

(xvii) Retail Store

(xviii) ~~Gasoline~~ Service Station

Tourist Store addressed in Retail Store definition

(xix) Tourist Information Booth

~~(xx) Tourist Store~~

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

(i) Dwelling units / parcel	1
(ii) Floor area ratio	0.40
	Floor area ratio definition removed as per Housekeeping Discussion Paper
(iii) Height	Height updated for consistency as per Housekeeping Discussion Paper
	8.0 m 9.0 m
(iv) Parcel coverage	Amended to be consistent with CM5 zone.
	40% 50%

(d) Minimum Setback Requirements

(i) Front and Exterior 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; or,
	(3) on a corner parcel, then the regulations in Section 3.8 shall also apply.

(e) Other Regulations

The intensity, and use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.	Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion Paper
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Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.6.1 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 A of this Bylaw.

Sub-zones	PID(s)	Modification(s)
(a) C1.1	005300746 023724013 002672677 003671909 003679471	<p>(i) Despite 4.6 (b), only the following uses shall be Permitted Uses:</p> <ul style="list-style-type: none"> • Fast Food Outlet • Service Station • Heavy Equipment Display • Nursery • Produce Market • Public Assembly • Recreation Facility • Restaurant • Retail Store • Outdoor Storage <p>(ii) In addition to the Uses listed above and despite 4.6 (c), Residential Use shall also be an Accessory Use.</p> <div>Not needed as residential is an accessory use in the C1 zone.</div>
(b) C1.2	001309421	<p>(i) Despite 4.6 (b), only the following uses will be allowed as a Permitted Use:</p> <ul style="list-style-type: none"> • Neighbourhood Pub • Retail Store • Hotel with a maximum of 11 hotel units <div>Not needed as residential is an accessory use in the C1 zone.</div> <p>(ii) Despite 4.6 (b) and 4.6 (c), one dwelling unit is allowed as an accessory use.</p> <p>(ii) Despite 4.6 (d) a 7.0 metre setback is required for all lot lines.</p>

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

		<p>(iii) Despite any other Part of this Bylaw, a maximum minimum of 78 parking spaces shall be provided are permitted and can be located within the setback area.</p> <p>(iv) No further subdivision is permitted.</p>
(c) C1.3	029724031	<div>Updated to reflect current uses and height allowed by current zone.</div> <p>(i) Despite 4.6 (b), Permitted Uses will be limited to Neighbourhood Pub, Restaurant, and Retail Store. , and Residential Use.</p> <p>(ii) Despite 4.6 (c), the maximum height shall be 10.0 m.</p>
(d) C1.4	003458814 000462837 001168894 000036315 000484041	<p>(i) Despite 4.6 (b), Service Station shall not be permitted.</p> <p>(ii) Despite 4.6 (b), Residential Use shall be a Permitted Use.</p>

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

4.7 Commercial Resort & Recreation (CRR)

(a) Intent

The intent of this zone is to accommodate a variety of tourism and recreation related commercial uses on lands primarily located outside of the Growth Containment Boundary.

Name change for CM5 and CM6 parcels outside of the Growth Containment Boundary to maintain current uses and regulations

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Hotel
- (ii) Resort Condominium Unit
- (iii) Marina
- (iv) Neighbourhood Pub
- (v) Public Assembly
- (vi) Recreation Facility
- (vii) Residential Use
- (viii) Restaurant
- (ix) ~~Resort~~ Recreational Vehicle Park
- (x) Tourist Information Booth
- ~~(xi) Tourist Store~~

Recreational Vehicle Park updated

Tourist Store addressed in Retail Store definition

Accessory Uses

- (i) Residential Use

(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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(iv) Parcel coverage	40%
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(d) Minimum Setback Requirements

Interior and exterior setbacks added as per Setbacks Discussion Paper

(i) Front and Exterior 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; or,	
(3) on a corner parcel, then the regulations in Section 3.8 shall also apply.	

(e) Other Regulations

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

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

4.7.1 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	PID(s)	Modification(s)
(a) CRR1	005061580 005061601 005061610 005061628 005485525	(i) Despite 4.7 (b), Residential Use shall be a Permitted Use. (ii) Short term accommodation may be permitted in a Dwelling Unit. provided that the occupancy by a member of the traveling public does not exceed 120 days in any 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

4.8 Conservation 1 (ES1)

(a) Intent

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

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

- (i) Historic, Natural or Archaeological 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. | |

(e) Other Regulations

No accessory buildings are permitted for Residential Uses.

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 Light Industry (LI)

(a) Intent

The intent of this zone is to accommodate a variety of light industrial uses, such as storage, warehousing, and equipment repair and sales and other uses which do not have off-site impacts.

Zone updated as per Zone Consolidation Discussion Paper

Section (a) added as per Wayfinding Discussion Paper

Clarified intent statement to provide greater differentiation between light and medium industry.

(b) Uses

Permitted uses

- (i) Light Industry
- (ii) Heavy Equipment Display
- (iii) Mini Storage
- (iv) Outdoor Sales

~~(v) 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.~~

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

Accessory Uses

- (i) Residential Use
- (ii) Rental of moving vehicles accessory to Mini Storage
- (iii) 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	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)	All Front lot lines	8.0 m 5.0 m
(ii)	Other lot Lines	5.0 m
(iii)	except where: <ol style="list-style-type: none">the adjoining parcel is zoned industrial or commercial then the setback from the commoninterior side lot line may be reduced to zero;any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply; or,on a corner parcel, then the regulations in Section 3.8 shall also apply.	

(e) Other Regulations

(i)	The intensity, and use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.	Minimum Site Area Requirements removed and replaced with general servicing requirements as per Housekeeping Discussion Paper
(ii)	Manufacturing in this zone shall be limited to a maximum gross floor area of 200m ² .	

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 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 A of this Bylaw.

Sub-zones	PID(s)	Modification(s)
(a) LI1	027231232	<p>Not needed as this is duplicated in MI2 subzone and the current permitted uses are closely aligned with medium industry.</p> <p>(i) Despite 4.9 (b), only the following uses will be permitted:</p> <p>(1) Light Industry</p> <p>(2) Manufacturing Use</p> <p>(3) Mini Storage</p> <p>(iii) Despite 4.9 (b) and 4.9 (c), one dwelling unit per parcel is allowed as an accessory use.</p>
(b) LI2LI1	005114659 006633625 006633641	<p>(i) Despite 4.9 (b), only the following uses will be allowed as Permitted Uses:</p> <p>(1) Light Industry</p> <p>(2) Contractor Business</p> <p>(3) Mini Storage</p> <p>(ii) Despite 4.9 (b) and 4.9 (c), only the following uses will be allowed as Accessory Uses:</p> <p>(1) Residential Use to a maximum of one dwelling unit per parcel</p> <p>(2) Home Based Business</p> <p>(3) Marshalling</p> <p>(iii) Despite 4.9 (b) through 4.9 (d), the following regulations also apply:</p> <p>(1) All uses must be fully contained within a building, with the exception of outdoor storage areas.</p> <p>(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</p>

		<p>landscaping on all sides, excluding entrance ways.</p> <p>(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.</p> <p>(4) All off-street parking areas must be paved.</p> <p>(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.</p> <p>(6) All storm water drainage must be retained on site, unless otherwise approved by the Ministry of Transportation.</p> <p>(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.</p> <p>(8) Off-street parking and loading spaces shall be provided in accordance with Section 3.22 Off-Street Parking & Loading Spaces of this Bylaw.</p> <p>(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.</p>
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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 Medium Industry (MI)

(a) Intent

The intent of this zone is to accommodate a variety of medium industrial uses, such a processing and manufacturing ~~or outdoors sales~~.

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) Medium Industry
- (ii) Heavy Equipment Display
- (iii) Light Industry
- (iv) Mini Storage
- (v) Outdoor Sales
- ~~(vi) Marshalling Yard~~
- ~~(vii) Accessory Marshalling Yard~~
- ~~(viii) Shipping Yard~~
- ~~(ix) Transportation Terminal~~

Marshalling Yard moved to sub-zones

Amended to reflect intent of discussion paper.

Shipping Yard moved to sub-zones

Transportation Terminal moved to sub-zones

Accessory Uses

- (i) Residential Use
- (ii) Rental of moving vehicles accessory to Mini Storage
- (iii) 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%

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

Lot lines clarified

- | | | |
|-------|--|--------|
| (i) | Front 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. | |
| (iii) | on a corner parcel, then the regulations in Section 3.8 shall also apply. | |

(e) Other Regulations

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements 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

4.10.1 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 A of this Bylaw.

Sub-zones	PID(s)	Modification
(a) MI1	Part of: 003799395 Part of: 002849461	<p>i. In addition to the Uses listed in 4.10 (b), Shipping Terminal and Transportation Terminal will also be a Permitted Use Despite 4.10 (b), only the following uses will be permitted:</p> <ul style="list-style-type: none"> • Marshalling Yard • Shipping Yard • Transportation Terminal <p>ii. Despite 4.10 (b) and 4.10 (c), one dwelling unit per parcel is allowed as an accessory use.</p>
(b) MI2	000181455	<p>(c) Despite 4.10 (b), only the following uses will be permitted:</p> <ul style="list-style-type: none"> • Light Industry • Marshalling Yard • Medium Industry • Mini Storage <p>Not needed as residential is an accessory use in the MI zone.</p> <p>(d) Despite 4.10 (b) and 4.10 (c), one dwelling unit per parcel is allowed as an accessory use.</p> <p>(e) Despite any other clause contained in this bylaw, all uses must be fully contained in a building.</p> <p>Moved as this was not in the correct place.</p> <p>(f) Manufacturing must be contained within a building and may include accessory office use and accessory retail sales of the</p>

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

		product(s) produced, up to a maximum of 10% of the floor area of a building.
(g) MI3F	005583161	<p>a) Despite 4.10(b), manufacturing shall be restricted to assembling, producing, inspecting, finishing, altering, servicing, and repairing of any goods, substance, article, or materials, and 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.</p> <p>b) Despite 4.10(d), the minimum setback from an exterior lot line shall be 4.5 m</p> <p>(a) Despite any provision in this bylaw, where the adjoining parcel is zoned industrial or commercial then the setback from the common interior lot line may be reduced to zero.</p> <p>(b) Despite any provision in this bylaw, for uses that existed prior to the date of adoption of this Bylaw, the minimum number of required parking spaces is 1 per 115 m² of floor area plus 1 loading space per building. All uses established after the adoption of this Bylaw shall be in accordance with Section 3.22 – Off Street Parking & Loading Spaces of this Bylaw.</p>

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 Heavy Industry (HI)

(a) Intent

The intent of this zone is to accommodate a variety of heavy industrial uses such as vehicle wrecking and dismantling, metal recycling, and similar activities.

Formerly IN5 as per Zone Consolidation Discussion Paper

The one parcel currently zoned IN4 is proposed to be zoned RM4.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted uses

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

Explosive Manufacturing removed as it is not occurring.

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 3.2.8 3.9 shall apply.	
(iii)	on a corner parcel, then the regulations in Section 3.8 shall also apply.	

(e) Other Regulations

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

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

4.11.1 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 A of this Bylaw.

The one parcel currently zoned IN4 is proposed to be zoned RM4. Therefore, this subzone is not needed.

Sub-zones	Modification
(a) HI1	(i) In addition to the Uses listed in 4.11 (b), Explosives Manufacturing shall also be a Permitted Use. (ii) Despite 4.11 (b), Heavy Industry shall not be permitted in this Sub-zone.

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 Institutional 1 (PUI1)

(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

(i)	Front lot line All lot lines	8.0 m 5.0 m
(ii)	Other lot lines	5.0 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 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.
- (iv) on a corner parcel, then the regulations in Section 3.8 shall also 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, *School Accommodation* 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) *School Accommodation* 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 ***Strata Property Act***.

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

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

4.12.1 Institutional 1 Sub-zones

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

Sub-zones	PID(s)	Modification(s)
(a) I1.1	001211943	<ul style="list-style-type: none"> (i) Despite 4.12 (b), School Accommodation shall be an Accessory Use. (ii) School Accommodation 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. (iii) School Accommodation 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, and may not be subdivided pursuant to the <i>Strata Property Act</i>.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(b) 11.2	000685119	(i) Despite 4.12(b), Personal Care and Personal Care Unit shall not be permitted.
	001211943	
	002706831	
	006332765	
	Part of 009789651	
	Part of 025803301	

Added in response to a request from the Nanaimo Airport regarding incompatible uses.

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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 Public Institutional 23 (PU3 I2)

(a) Intent

The intent of this zone is to accommodate railway requirements.

Note: Public 2 has been removed as there were no parcels with this zone.

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

- | | | |
|-------|---|------------------------|
| (i) | Front lot line All lot lines | 8.0 m 5.0 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 shall apply. | |
| (iv) | on a corner parcel, then the regulations in Section 3.8 shall also apply. | |

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 4 (PU4)~~ Institutional 3 (I3)

(a) Intent

The intent of this zone is to accommodate a variety of utility uses only. ~~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

Amended to reduce the number of required subzones, consistency with other PU1 zones, and recent amendment at French Creek Pollution Control Centre.

~~10%~~
50%

(d) Minimum Setback Requirements

- (i) ~~Front lot line~~ All lot lines ~~8.0 m~~ 5.0 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 shall apply.

- (iv) on a corner parcel, then the regulations in Section 3.8 shall also apply.

~~(e) Other Regulations~~

Moved to subzone.

- ~~(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%~~

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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

4.14.1 Institutional 3 Sub-zones

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

Sub-zones	PID(s)	Modification
(a) I3.1	024954578	(i) In addition to 4.14 (b) Accessory Residential Use is a Permitted Use up to a maximum density of 1 dwelling unit per parcel. (ii) Despite 4.14 (c) Maximum Parcel Coverage is 50%.
(b) I3.2	026522462	i. Despite 4.14(c), the maximum height shall be 12.5 m ii. Despite any other regulation in this bylaw, off-street parking shall be permitted within the minimum setback areas.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

4.15 Public 6 (PU6) Institutional 4

(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

- | | | |
|-------|---|------------------------|
| (i) | Front lot line All lot lines | 8.0 m 5.0 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 shall apply. | |
| (iv) | on a corner parcel, then the regulations in Section 3.8 shall also apply. | |

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 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) | All Front lot lines | 5.0 m 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. | |
| (iv) | on a corner parcel, then the regulations in Section 3.8 shall also 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

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

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

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 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) | All front lot lines | 5.0 m 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. | |
| (iv) | on a corner parcel, then the regulations in Section 3.8 shall also 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

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

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

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 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

- | | | |
|-------|---|------------------------|
| (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 |

Height increased as per Zone Consolidation Discussion Paper

(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.
- (iii) on a corner parcel, then the regulations in Section 3.8 shall also 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

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

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

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 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 ~~3.2.8~~ 3.9 shall apply.
- (iii) on a corner parcel, then the regulations in Section 3.8 shall also apply.
- (iv) The intensity and use and number of uses shall be determined by the ability to services the combined uses as per Section 3.28 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

(e) Minimum Setback Requirements – Use

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

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

4.20 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 . |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(iii)	Accommodation:	<p>(1) The combined total number of hotel units and camping spaces must not exceed 50.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>
(iv)	Ski Lodge:	<p>(1) A maximum of 2 ski lodge buildings will be permitted.</p> <p>(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.</p>
(v)	Tourist Store:	<p>(1) The combined total floor area of all tourist stores within ski lodges must not exceed 200 m².</p> <p>(2) The combined total floor area of all tourist stores not within a ski lodge must not exceed 200 m².</p>
(vi)	Restaurant:	<p>(1) The combined total floor area of all restaurants within ski lodges must not exceed 400 m².</p> <p>(2) The combined total floor area of all restaurants not within a ski lodge must not exceed 400 m².</p>
(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 3.2.8 3.9 shall apply. | |
| (iii) | on a corner parcel, then the regulations in Section 3.8 shall also apply. | |

(f) Other Regulations

- | | |
|-------|--|
| (i) | Mountain bike trails must have a permeable surface. |
| (ii) | Recreational vehicles in campgrounds must not exceed 37 m ² 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

4.21 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).

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 | 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. | |
| (iii) | on a corner parcel, then the regulations in Section 3.8 shall also apply. | |

(f) Minimum Setback Requirements – Use

Added back original language as it was deleted in error.

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

(g) Other Regulations

- | | |
|-------|--|
| (i) | Recreational vehicles in campgrounds must not exceed 37 m ² 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. |
| (iv) | The intensity and use and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 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

4.22 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 Maximum Density | 1 unit per parcel |
| (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 and Exterior Front lot lines | 5.0 m 8.0 m |
| (ii) | Rear lot line | 2.0 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)	All other lot lines	2.0 m 5.0 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.	
(v)	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.	
(vi)	on a corner parcel, then the regulations in Section 3.8 shall also apply.	

4.22.1 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 A of this Bylaw.

Sub-zones	PID(s)/Short Legal Description	Modification
(a) RS1.1	Lots 6-30, Plan VIP62528 Lots 2-40, Plan VIP76143	<p>(i) Despite 4.22 (c), the maximum dwelling unit height is 10.0 m.</p> <p>Not required as it is covered by parent zone.</p> <p>(iii) Despite 4.22 (d), the minimum setback from all interior lot lines is 2.0 m.</p>
(b) RS1.2	Lots 1-24, Plan EPP57561 Lots 25-33, Plan EPP81102 Lots 33-44, Plan EPP90517 Lots 45-54, Plan EPP102970	<p>(i) Despite 4.22 (d), the minimum setback from any garage door or carport entranceway facing a highway is 6.0 m.</p> <p>(ii) Despite 4.22 (d), the minimum setback from an interior lot line is 1.5 m.</p>
(c) RS1.3	Strata Lots 1-26, Plan VIS6648	<p>(i) Despite 4.22 (c), the maximum parcel coverage is 60%.</p> <p>(ii) Despite 4.22 (d), the minimum setback requirements are as follows:</p> <p>(A) Lot line adjacent to Bonnington Drive: 5.0 m</p> <p>(B) Interior side lot line: 1.2 m</p>

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

		<p>(C) Lot line adjacent to Common Property: 2.0 m</p> <p>Added to reflect that the subdivision has occurred and there is no further subdivision potential.</p> <p>(iii) Despite all other regulations of this Bylaw, no further subdivision shall be permitted.</p> <p>Added for to ensure consistency with CD35 zone (Bylaw 500).</p> <p>(iv) Despite 4.22 (b), a maximum of 1 Common Property Accessory Building, for use by the strata, may be placed within the Common Property area not being used for access or parking purposes, provided the building does not exceed 3.0 metres in height nor a total floor area of 10.0 m². All minimum setbacks are applicable.</p> <p>(v) 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.</p>
(d) RS1.4	Lots 1 -6 Plan VIP87983 and Remainder of DDK83923	Despite the applicable subdivision district and any other provision contained in this bylaw, residential parcels may be averaged based on the total size of the parent parcel divided by the number of residential parcels created provided that the total number of residential parcels not exceed 9 and that no residential parcel is less than 0.5 hectares.

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 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~~

(i) Residential Use

~~(ii) 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

(i) ~~Maximum Accessory Building Floor Area~~ ~~Number of Accessory buildings~~ Combined floor area of 100 m² or 8% of area of parcel whichever is greater, but shall not exceed 250 m².

(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 to a maximum of 2 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

- (2) For parcels ~~with any unit~~ not connected to community water 1 dwelling unit per 1.0 ha to a maximum of 2 per parcel

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

(d) Minimum Setback Requirements

(i) Front lot line	8.0 m
(ii) Front and Exterior lot lines	5.0 m
(iii) All other lot lines	2.0 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 m ² and with a maximum height of 3.0 metres.	
(vii) on a corner parcel, then the regulations in Section 3.8 shall also apply.	

4.23.1 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 A of this Bylaw.

Sub-zones	Short Legal	Modification
(a) RS2.1	Strata Lots 1 to 10 and Common Property Plan VIS5953.	(i) Despite 4.23 (b), Secondary Suite is not allowed.
	And	(ii) Despite 4.23 (b), one duplex is allowed as a Permitted Use.
	025458485	(iii) Despite 4.23 (c), maximum parcel coverage will not exceed 40%.
		(iv) Despite 4.23 (c), one duplex is allowed on parcels at least 1400 m ² when serviced with community water or on parcel at least 1.0 hectares when not serviced with community water.

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 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) Residential Use
- (ii) Home Based Business

Home Based Business moved to Accessory Uses

(c) Maximum 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) Height for single detached dwelling unit	9.0 m
(iv) Maximum Parcel coverage	35%
(v) Density for Multiple Dwelling Unit Development	
(A) For parcels connected to community water and sewer	3 dwelling units per 6,000 m ² , then 2,000 m ² per additional dwelling unit
(B) For parcels connected to community water	3 dwelling unit per 6,000 m ² , then 2,000 m ² per additional dwelling unit
(C) For parcels without community servicing	3 dwelling unit per 3.0 ha. then 1.0 ha ² per additional dwelling unit
(vi) Density for Accessory 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

Accessory Residential Use shall be subject to the following density provisions, which are in addition to that included in section (v) above:	
(i) For parcels connected to community water	Satisfy the maximum density requirements of (v) above, plus 1 detached dwelling unit per additional 2000 m ²
(ii) For parcels not connected to community water or community sewer	Satisfy the maximum density requirements of (v) above, plus 1 detached dwelling unit per additional 1.0 ha
(iii) Despite the above, where three or more dwelling units have been established within a building located on a parcel, accessory residential use shall be limited to a maximum density of one detached accessory dwelling unit for every three dwelling units located within a building. For clarity, where the number of dwelling units in a building is not equally divisible by three, the maximum number of detached accessory dwelling units will be rounded down to the next whole number.	Added to address stakeholder feedback in support of allowing a variety of housing types and creativity.

(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 Multiple Dwelling Unit Development	10.0 m 8.0 m from all lot lines
(i) All other buildings and structures:	
(A) Front and Exterior lot lines Front and Exterior lot lines	5.0 m 8.0 m
(B) All other lot lines	3.0 m 2.0 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

- (A) ~~-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 ~~9-10.0~~ m²;
- (B) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3-8~~ 3.9 shall apply; or,
- (C) on a corner parcel, then the regulations in Section 3.8 shall also apply.

(e) Other Regulations

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements 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
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

4.25 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

- (i) Residential Use

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

(c) Maximum Number and Size of Buildings and Structures

~~(i) Floor area ratio~~

Floor area ratio definition removed as per Housekeeping Discussion Paper

~~0.50~~

- (i) Height

Height clarified as per Housekeeping Discussion Paper

(A) Multiple Dwelling Unit Development

~~8.0 m~~ 10.0 m

(B) Residential Use

9.0 m

- (ii) Parcel coverage

50%

- (iii) Maximum Density for ~~Permitted~~ Multiple Dwelling Unit Development:

Updated for clarity and consistency with density provisions of RS4 zone.

(A) For ~~areas with~~ parcels connected to community water and sewer

≥ 3 dwelling units per ~~1,400~~ 2,100 m², then 700 m² per additional dwelling unit

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(B) For areas with parcels connected to community water	2 3 dwelling unit per 3,200 4,800 m ² , then 1,600 m ² per additional dwelling unit
(C) For areas parcels without community servicing	2 3 dwelling unit per 2.0 3.0 ha, then 1.0 ha per additional dwelling unit

(d) Maximum Density for Accessory Residential Use

Accessory Residential Use shall be subject to the following density provisions, which are in addition to that included in section (v) above:	
(i) For parcels connected to community water	Satisfy the maximum density requirements of (iii) above, plus 1 detached dwelling unit per additional 2000 m ²
(ii) For parcels not connected to community water or community sewer	Satisfy the maximum density requirements of (iii) above, plus 1 detached dwelling unit per additional 1.0 ha
(iii) Despite the above, where three or more dwelling units have been established within a building located on a parcel, accessory residential use shall be limited to a maximum density of one detached accessory dwelling unit for every three dwelling units located within a building. For clarity, where the number of dwelling units in a building is not equally divisible by three, the maximum number of detached accessory dwelling units will be rounded down to the next whole number.	Added to address stakeholder feedback in support of allowing a variety of housing types and creativity.

(e) Minimum Setback Requirements

Updated for consistency with definition of multiple dwelling unit development which requires 3 or more units in a building.

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:	
(A)	Multiple Dwelling Unit Development All lot lines	8.0 m from all lot lines
(ii)	All other buildings and structures:	
(A)	Front and Exterior lot lines	5.0 m 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

(B) All other lot lines	3.0 m 2.0 m
(iii) except where:	
(A) 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 10.0 m ² ;	
(B) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply.	
(C) on a corner parcel, then the regulations in Section 3.8 shall also apply.	

(f) Other Regulations

~~(i) For parcels 800m² or less RS1 regulations may apply and take precedence.~~

Removed and replaced with section 4.1(h).

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements 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

4.26 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) ~~Minimum parcel size~~ 1,500 m²

- (ii) ~~Floor area ratio~~ Floor area ratio definition removed as per Housekeeping Discussion Paper

~~0.50~~

- (iii) Maximum Height Height clarified as per Housekeeping Discussion Paper

- (A) Multiple Dwelling Unit 8.0 10.0 m

- (B) Residential Use 9.0 m

- (iv) Maximum Parcel coverage 60%

- (v) Maximum density for Multiple Dwelling Unit Development: Updated for consistency with definition of multiple dwelling unit development which requires 3 or more units in 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

- (A) For ~~areas~~ parcels with community water and sewer 3 dwelling units per 1,500 m², then 500 m² per additional dwelling unit
- (B) For ~~areas~~ parcels with community water 3 dwelling units per 3,200 m², then 1,600 m² per additional dwelling unit
- (C) For ~~areas~~ parcels without servicing 3 dwelling unit per 3.0 ha, then 1.0 ha per additional dwelling unit
- (vi) Maximum Density for Accessory Residential Use
- Accessory Residential Use shall be subject to the following density provisions, which are in addition to that included in section (v) above:
- (A) For parcels connected to community water Satisfy the maximum density requirements of (v) above, plus 1 detached dwelling unit per additional 2000 m²
- (B) For parcels not connected to community water or community sewer Satisfy the maximum density requirements of (v) above, plus 1 detached dwelling unit per additional 1.0 ha
- (C) Despite the above, where three or more dwelling units have been established within a building located on a parcel, accessory residential use shall be limited to a maximum density of one detached accessory dwelling unit for every three dwelling units located within a building. For clarity, where the number of dwelling units in a building is not equally divisible by three, the maximum number of detached accessory dwelling units will be rounded down to the next whole number.

Added to address stakeholder feedback in support of allowing a variety of housing types and creativity.

Setbacks updated as per Setbacks Discussion Paper

(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:	
(A) Multiple Dwelling Unit Development All lot lines	8.0 m from all lot lines
(ii) All other buildings and structures:	
(A) Front and Exterior lot lines	5.0 m 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

(B) All other lot lines	3.0 m 2.0 m
(iii) except where:	
(i) 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 10.0 m ² ;	
(ii) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.3.8 3.9 shall apply.	
(iii) on a corner parcel, then the regulations in Section 3.8 shall also apply.	

(e) Other Regulations

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

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

4.26.1 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 A of this Bylaw.

Sub-zones	PID(s)/Short Legal Description	Modification
(a) RS5.1	Strata Lots 1-49, Plan VIS745	(i) Despite 4.26 (c), the maximum number of dwelling units per parcel is 49. (ii) Despite 4.26 (c), the maximum height for all buildings is 20.0 m. (iii) Despite 4.26 (c), the maximum parcel coverage is 35%.
(b) RS5.2	003585158	(i) Despite 4.26 (c), the maximum number of dwelling units per parcel is 102. (ii) Despite 4.26 (c), the maximum height for all buildings is 13.0 m. (iii) Despite 4.26 (c), the maximum parcel coverage is 35%.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(c) RS5.3	028342259	<p>(i) Despite 4.26 (c), the maximum number of dwelling units per parcel is 35.</p> <p>(ii) Despite 4.26 (d), the minimum setbacks will be as follows:</p> <p>(A) Lot line adjacent to a Common Property access: 7.0 m</p> <p>(B) Phase strata lot line: 0.0 m</p> <p>(C) All other lot lines: 8.0 m</p>
(d) RS5.4	Strata Lots 1-17, Plan EPS5984 Remainder of Lot A, Plan EPP82634	<p>(i) Despite 4.26 (c), Permitted uses will be limited to Multiple Dwelling Unit Development as detached units to a maximum of 20 dwelling units and Home Based Business as an accessory use.</p> <p>(ii) Despite 4.26 (d), the minimum setbacks will be as follows:</p> <p>(A) Lot lines front the Island Highway: 10.0 m</p> <p>(B) Exterior lot line: 6.0 m</p> <p>(C) Interior lot line: 3.0 m</p> <p>(D) Phased strata lot line: 0.0 m</p> <p>(E) Except one dwelling unit is permitted to be 2.0 metres from an exterior lot line.</p>

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 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) Maximum 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%

(d) Maximum Density

	Minimum Parcel Area Required to be eligible for a manufactured home park	Maximum Density
(i) Parcels with community water and sewer service connections	2.0 ha	20 manufactured homes per ha
(ii) Parcels with Community Water Service Connection Only	2.0 ha	5 manufactured homes per ha
(iii) Parcels with no community services	3.0 ha	1 manufactured home per ha

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

- (iv) Notwithstanding the above and in accordance with Section 4.1(h), on parcels that meet or exceed the minimum parcel area eligible for a manufactured home park, the minimum density shall be 3 manufactured homes per parcel.

(e) Minimum Setback Requirements

Setbacks updated as per Setbacks Discussion Paper

- | | | |
|-------|---|-------|
| (i) | Front lot line | 8.0 m |
| (ii) | All 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. | |
| (iv) | on a corner parcel, then the regulations in Section 3.8 shall also apply. | |

(f) Other Regulations

The intensity, and use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements 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

4.28 Residential 8 7 ~~(RS8)~~ (RS7)

(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) 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%

(d) Maximum Density

- (i) Maximum density for Multiple Dwelling Unit Development:

Updated for consistency with definition of multiple dwelling unit development which requires 3 or more units in a building.

- (ii) For ~~areas~~ parcels with community water and sewer 3 dwelling units per 930 m², then 310 m² per additional dwelling unit
- (iii) For ~~areas~~ parcels with community water 3 dwelling units per 3,200 m², then 1,600 m² per additional dwelling unit
- (iv) For ~~areas~~ parcels without servicing 3 dwelling unit per 3.0 ha, then 1.0 ha per additional dwelling unit

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 Density for Accessory Residential Use**

Accessory Residential Use shall be subject to the following density provisions, which are in addition to that included in section (v) above:	
(i) For parcels connected to community water	Satisfy the maximum density requirements of (v) above, plus 1 detached dwelling unit per additional 2000 m ²
(ii) For parcels not connected to community water or community sewer	Satisfy the maximum density requirements of (v) above, plus 1 detached dwelling unit per additional 1.0 ha
(iii) Despite the above, where three or more dwelling units have been established within a building located on a parcel, accessory residential use shall be limited to a maximum density of one detached accessory dwelling unit for every three dwelling units located within a building. For clarity, where the number of dwelling units in a building is not equally divisible by three, the maximum number of detached accessory dwelling units will be rounded down to the next whole number.	Added to address stakeholder feedback in support of allowing a variety of housing types and creativity.

(f) **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:	
(A) Multiple Dwelling Unit Development All lot lines	8.0 m from all lot lines
(B) All other buildings and structures:	
(1) Front and Exterior lot lines	5.0 m 8.0 m
(2) All other lot lines	3.0 m 2.0 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

- (A) 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~~ 10.0 m²;
- (B) any part of a parcel is adjacent to or contains a watercourse then the regulations in Section ~~3.3.8~~ 3.9 shall apply.
- (C) on a corner parcel, then the regulations in Section 3.8 shall also apply.

(g) Other Regulations

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements 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

4.29 Resource Management 1 (RM1)

(a) Intent

The intent of this zone is to accommodate a variety of resource-based uses.

Section (a) added as per Wayfinding Discussion Paper

(b) 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

(c) 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 '5A' Subdivision District – Minimum Parcel Sizes'	2

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

	(4) Notwithstanding subsection (c), on a parcel located in this zone and created prior to February 22, 2011 and having an area greater than 8.0 ha	2
(iii)	Height	9.0m
(iv)	Parcel Coverage	10%

(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.	
(iv)	on a corner parcel, then the regulations in Section 3.8 shall also apply.	

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 2 (RM2)

(a) Intent

The intent of this zone is to accommodate a variety of resource-based uses.

Section (a) added as per Wayfinding Discussion Paper

(b) 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
- (ix) Wood Waste Facility for the parcel legally described as Lot A, Section 19, Range 1, Mountain District, Plan VIP76600

(c) 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%	

(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.	
(iv)	on a corner parcel, then the regulations in Section 3.8 shall also apply.	

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 3 (RM3)

(a) Intent

The intent of this zone is to accommodate a variety of resource-based uses in Electoral Area E.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted Uses

- (i) Agriculture *excluding* horse boarding
- (ii) Aquaculture
- (iii) Extraction Use
- (iv) Home Based Business
- (v) Log Storage & Sorting Yard
- (vi) Primary Processing
- (vii) Residential Use
- (viii) Silviculture

(c) 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%

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

(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.
(iv)	on a corner parcel, then the regulations in Section 3.8 shall also apply.

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 4 (RM4)

(a) Intent

The intent of this zone is to accommodate a variety of resource-based uses.

Section (a) added as per Wayfinding Discussion Paper

(b) 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

(c) Maximum Number and Size of Buildings and Structures

(i)	Dwelling units/parcel	1
(ii)	Accessory Buildings	combined floor area of 400 m²
(iii)	Height	9.0m
(iv)	Parcel Coverage	10%

(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

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 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.
 - (iv) on a corner parcel, then the regulations in Section 3.8 shall also apply.
-

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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 5 (RM5)

(a) Intent

The intent of this zone is to accommodate a variety of resource-based uses.

Section (a) added as per Wayfinding Discussion Paper

(b) 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

(c) 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% |

(d) 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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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.

(e) 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.
- (iv) on a corner parcel, then the regulations in Section 3.8 shall also apply.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

4.34 Resource Management 6 (RM6)

(a) Intent

The intent of this zone is to accommodate a variety of resource-based uses.

Section (a) added as per Wayfinding Discussion Paper

(b) Uses

Permitted Uses

- (i) Extraction Use
- (ii) Primary Processing
- (iii) Residential Use
- (iv) Wood Waste Disposal Facility

(c) 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 | 7.8 m |
| (iv) | Parcel Coverage | 5% |

(d) 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. | |
| (iii) | on a corner parcel, then the regulations in Section 3.8 shall also apply. | |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.35 Resource Management 7 (RM7)

(a) Intent

The intent of this zone is to accommodate a variety of resource-based uses.

Section (a) added as per Wayfinding Discussion Paper

(b) 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

(c) 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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(vi)	Parcel Coverage	10%
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(d) 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.

(e) 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.	
(iv)	on a corner parcel, then the regulations in Section 3.8 shall also apply.	

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

4.35.1 Resource Management 7 Sub-zones

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

Sub-zones	PID(s)/Short Legal/Description	Modification
(a) RM7.1	<div>Subzone clarified using existing bylaw language. Applies to Category A lots.</div> <p>Category A Lots</p>	<p>Further subdivision of Category A Lots, as identified in Section 3.14 will be subject to Section 3.14 and Part 4 of this Bylaw.</p> <p>(i) Despite any other section of this Bylaw, 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 2.0 hectares.</p> <p>(ii) Despite any other provision of this bylaw, after the development of two dwelling units on the parcel referred to in (i) above, the maximum permitted density of all other parcels located within the eligible subdivision shall be one dwelling unit per parcel</p>

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 8 (RM8)

(a) Intent

The intent of this zone is to accommodate a variety of resource-based uses.

Section (a) added as per Wayfinding Discussion Paper

(b) 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
- (ix) Wood Processing

(c) 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%

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

- | | |
|-------|--|
| (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. |
| (iv) | on a corner parcel, then the regulations in Section 3.8 shall also apply. |

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 Resource Management 9 (RM9)

(a) Intent

The intent of this zone is to accommodate a variety of resource-based uses.

Section (a) added as per Wayfinding Discussion Paper

(b) 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

(c) 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) (iii)~~ 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 m²
- (v) Height 9.0m

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(vi)	Parcel Coverage	10%
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(d) 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.

(e) 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.	
(x)	on a corner parcel, then the regulations in Section 3.8 shall also apply.	

4.37.1 Resource Management 9 Sub-zones

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

Sub-zones	PID(s)/Short Legal/Description	Modification
(b) RM9.1	<div>Subzone clarified using existing bylaw language.</div> <div>Category A Lots</div>	<p>Further subdivision of Category A Lots, as identified in Section 3.14 will be subject to Section 3.14 and Part 4 of this Bylaw.</p> <p>(iii) Despite any other section of this Bylaw, 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 2.0 hectares.</p> <p>(iv) Despite any other provision of this bylaw, after the development of two dwelling units on the parcel referred to in (i) above, the maximum permitted density of all other parcels located within the eligible subdivision shall be one dwelling unit per parcel</p>

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 Rural Residential 1 (RR1)

(a) Intent

The intent of this zone is to accommodate a variety of traditional and non-traditional agriculture and related activities with one dwelling unit per parcel.

Formerly RU6

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)	Density Dwelling units/parcel	1 unit per parcel
(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:

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(1) All lot lines	8.0 m
<p>(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:</p> <p>(1) Front and Exterior Lot Lines 5.0 m 7.5 m</p> <p>(2) Interior and exterior side lot line 3.0 m</p> <p>(3) Rear lot line 4.5 m</p> <p>(4) All other lot lines 2.0 m 1.5m</p>	<div>Setbacks updated as per Setbacks Discussion Paper</div> <div>Moved to subzone RR1.4 for consistency.</div>
(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.	
(v) on a corner parcel, then the regulations in Section 3.8 shall also apply.	

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 1 Sub-zones

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

Sub-zones	PID(s)/ Short Legal	Modification
(a) RR1.1	030095450 030095441	<p>(i) In addition to the Uses listed in 4.38 (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 4.38 (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. An outdoor display and sales area of not more than 72 m² is permitted.</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	Lots 1 – 4, Plan VIP80939	Despite 4.38 (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	Lots 1-5 and Park, Plan VIP89179	<p>(i) Despite 4.38 (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>

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(d) RR1.4	Lots 1-18 Plan VIP 59461	(iv) Despite 4.38 (d), the following minimum setback requirements shall apply to buildings and structures that do not house livestock or store manure:	
		Front and Exterior Lot Lines	5.0 m 7.5 m
		Interior and exterior side lot line	3.0 m
		Rear lot line	4.5 m
		All other lot lines	2.0 m 1.5m

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 Rural Residential 2 (RR2)

(a) Intent

The intent of this zone is to accommodate a variety of traditional and non-traditional 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 ~~excluding horse boarding stable on lands located in Electoral Area E care, fur farm, mushroom farm, intensive swine operation, feedlot, and cannabis production~~
- (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 400m²
- (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 '5A' 2

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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

- (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; or,
- (3) on a corner parcel, then the regulations in Section 3.8 shall also apply.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.39.1 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 A of this Bylaw.

Sub-zones	PID(s)/Short Legal/Description	Modification
(c) RR2.1 Z	002849461	In addition to the Uses listed in 4.39 (b), Animal Care, Campground and Nursery will be allowed as a Permitted Uses.
(d) RR2.2 Z	All parcels previously zoned Rural 4 by Bylaw 500 Amended for clarification using the existing bylaw 500 language.	Despite any other provision of this Bylaw, strata subdivision is not permitted no parcel having an area less than 2.0 ha 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) RR2.3	Subzone clarified using existing bylaw language. Applies to Category A lots. Category A Lots	Further subdivision of Category A Lots, as identified in Section 3.14 will be subject to Section 3.14 and Part 4 of this Bylaw. (v) Despite any other section of this Bylaw, 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 2.0 hectares. (v)(vi) Despite any other provision of this bylaw, after the development of two dwelling units on the parcel referred to in (i) above, the maximum permitted density of all other parcels located within the eligible subdivision shall be one dwelling unit per parcel
(f) RR2.4	001778170	Despite 4.39(c), the maximum height for all buildings and structures shall be limited to 8.8 metres to avoid

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

		operational impacts on the Nanaimo Airport.
		Added in response to a request from the Nanaimo Airport.

DRAFT

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

4.40 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

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements 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
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

4.41 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

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements 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
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

4.42 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

The intensity, ~~and~~ use, and number of uses shall be determined by the ability to service the combined uses as per Section 3.28 of this Bylaw.

Minimum Site Area Requirements removed and replaced with general servicing requirements 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
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

4.43 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~~ CD3 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~~ CD3 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.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

- (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.

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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 Alternative Forms of Rural Development 1 (AF1)

(a) Uses

Permitted uses

- (i) Residential Use

Accessory uses

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

(b) Maximum Number and Size of Buildings and Structures

(i)	Accessory buildings	Combined floor area of 100 m2 or 8% of the area of the parcel, whichever is greater, but shall not exceed 250 m2
(ii)	Dwelling units / parcel	1
(iii)	Number of parcels within the AF1 zone classification	7
(iv)	Height	9.0 m
(v)	Parcel coverage	35%

(c) Minimum Setback Requirements

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

(i)	Front and Exterior Front lot lines	5.0 m 8.0 m
(ii)	Interior side lot line	2.0 m
(iii)	Rear lot line	2.0 m
(iv)	All other lot lines	2.0 m 5.0 m
(v)	Watercourse setbacks	Notwithstanding the above, Section 3.3-8 3.9 shall apply
(vi)	Corner lots	Notwithstanding the above, Section 3.8 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

(vii) Setback exemption for small buildings	No setback from an interior side of 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
---	--

(d) 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

(e) Definitions

- (i) For the purpose of this zone:
- (1) *Communal Method of Sewage Disposal* means a system of shared sewers and sewerage works including sewage treatment facilities which meets or exceeds the *Sewerage System Regulation* 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

4.45 Bowser Village Comprehensive Development Zone 1 (CD1)

(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.
- (iii) on a corner parcel, then the regulations in Section 3.8 shall also apply.

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 Fairwinds Comprehensive Development Zone 2 (CD2)

(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; or, | |
| | (3) on a corner parcel, then the regulations in Section 3.8 shall also apply. | |

(d) Other Regulations

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

-
- (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.
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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 Horne Lake Comprehensive Development Zone 3 (CD3)

Updated as per Horne Lake Discussion Paper

(a) Uses

Permitted uses

- (i) Recreational Residence or Recreational Vehicle
- (ii) Recreational Vehicle Storage Area

Accessory Uses

- (k) Visitor Recreational Vehicle
- (l) Temporary Accommodation (see definition in 4.47 (d))

(b) Maximum Number and Size of Buildings and Structures

(i)	Maximum Recreational Residence floor area	Up to a maximum of 105 m ²
(ii)	Combined floor area for decks and porches	Up to a maximum of 40 m ²
(iii)	Notwithstanding (i) and (ii) above, the maximum combined footprint of the recreational residence, Recreational Vehicle, deck, and porch	110 120 m ² <div>Small increase proposed to accommodate usable deck space and maximum cabin floor area.</div>
(iv)	Combined floor area of accessory buildings	30 m ²
(v)	Accessory building height	6.0 m
(vi)	Recreational Residence per parcel or bare land strata parcel	1
(vii)	Recreational Residence height	6.1 m 8.0 m and 2 storeys

Part 1
Administration

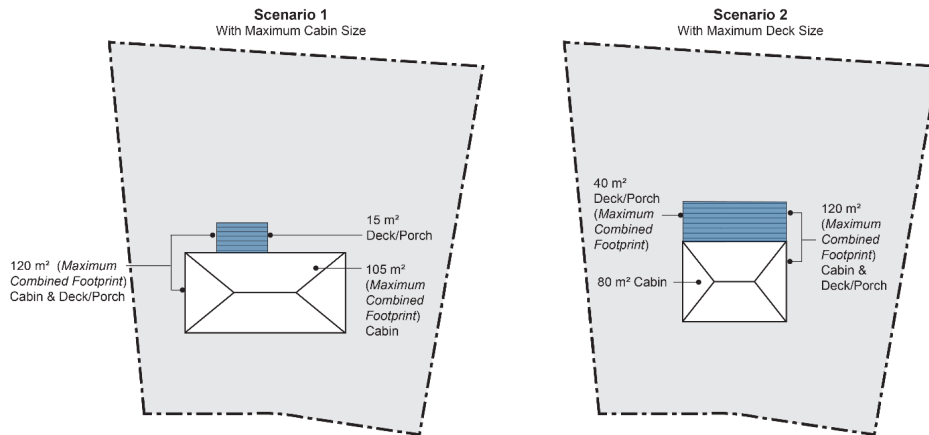
Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas



(c) Minimum Setback Requirements

(i) Front lot line Front and Exterior lot lines	8.0 m 5.0 m
(ii) Interior side lot line Interior All Other Lot Lines	1.5 m
(iii) Rear lot line	2.0 m
(iv) From common road	4.5 m
(v) Exterior lot lines	5.0 m
(vi) Setbacks from Horne Lake and all watercourses:	15.0 m from the natural boundary or where a bank is within 15 metres of the natural boundary, 15.0 m from the top of the bank, whichever is greater., subject to the variances and conditions authorized by Development Permit 0120.
(vii) 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.	
(viii) 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.~~
- (ix) ~~A 15.0 metre setback is required for all new buildings and structures. 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.~~
- ~~(x) A 8.0 metre setback is required for all buildings and structures that existed on or prior to October 31, 2001.~~
- (xi) On a corner parcel, the regulations in Section 3.8 shall also apply.

(d) Other Requirements

- (i) ~~The following All land below 121.7 metre geodetic datum 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.~~
- (i) All portions of a Recreational Residence located below the Flood Construction Level as defined by "Regional District of Nanaimo Flood Hazard Mitigation Bylaw No. 1872, 2023", as amended or replaced from time to time, shall be limited to a crawl space or remain fully unenclosed and not enclose habitable or occupiable storage space. ~~such as constructed with columns, or be limited to a Crawl Space.~~
- (ii) No further subdivision is permitted.
- (iii) 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.
- (iv) No more than 2.02 hectares of land within the Horne Lake Comprehensive Development Zone 3 shall be used for recreational vehicle storage.
- (v) 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.
- (vi) 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.
- (vii) The keeping of animals for agricultural purposes is not permitted in this zone.

Removed as the floodplain designation is now included in the RDN Flood Hazard Mitigation Bylaw.

Updated for clarification and consistency with current zone.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(viii) 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.

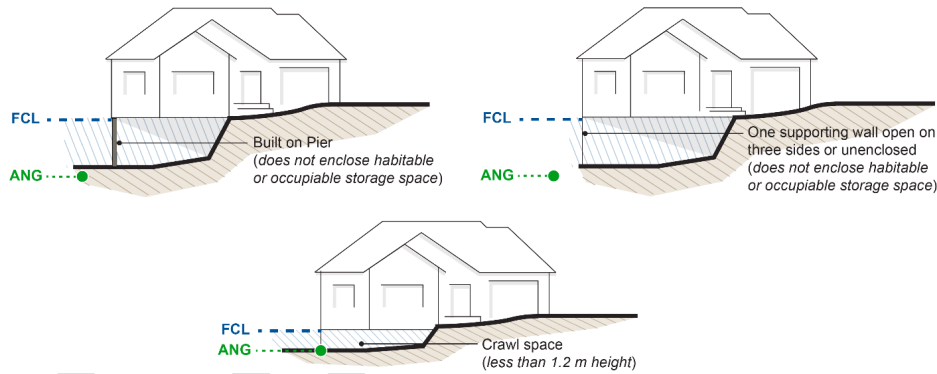
(ix) **temporary accommodation** means the occupation of a recreational residence for fewer than 180 consecutive days in a calendar year and fewer than 240 days in total during the same calendar year.

(x) **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.

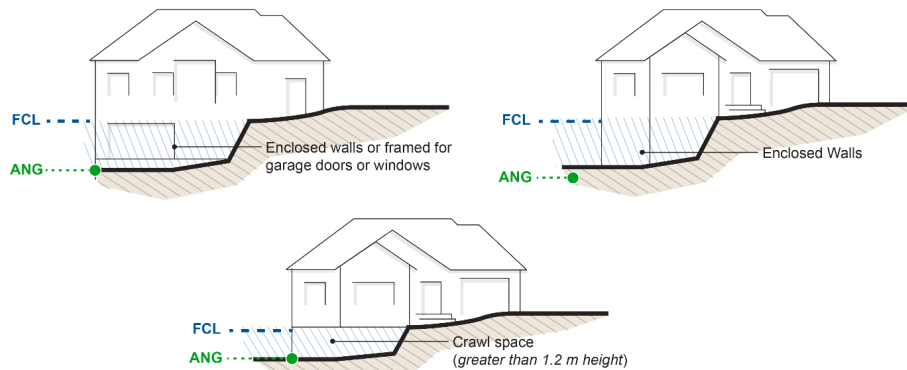
Added for clarification and consistency with current zone.

Acceptable Unenclosed Solutions

Must be limited to minimum required for structural support by BCBC



Unacceptable Unenclosed Solutions



4.48 Rondalyn Resort Comprehensive Development Zone 4 (CD4)

(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 and Exterior Front~~ lot lines 8.0 m
- (ii) All other lot lines 2.0 m ~~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) on a corner parcel, then the regulations in Section 3.8 shall also apply.
- (v) and except for one freestanding sign that meets the requirements of Section 3.26 within the required setback.

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 Englishman River (Block 564) Comprehensive Development Zone 5 (CD5)

(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.	
(v)	On a corner parcel, the regulations in Section 3.8 shall also apply.	

(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.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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- (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.
-

(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 CD5 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

4.50 Horne Lake Regional Park Comprehensive Development Zone 6 (CD6)

(a) Uses

Permitted uses

- (i) Wilderness Campground
- (ii) Outdoor Wilderness Recreation
- (iii) Tourist Accommodation
- (iv) Day Use Recreation
- (v) Group Camping
- (vi) Public Assembly

Zone updated in response to RDN parks staff referral comments.

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

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 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~~ Campground Layout Standards and Parking Requirements

(i)	Individual Camp Sites	
	(1) Every camp site shall have a minimum area of not less than 110m ² .	
	(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.	

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

	<p>(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.</p> <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>
(ii)	<p>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> <ol style="list-style-type: none"> 3.0 m of another camp site; and the setback areas established pursuant to Section 4.49 (c) Part 3.4.124.4 of this Bylaw.
(iii)	<p>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 Flood Hazard Mitigation Bylaw No. 1872, 2023.</p>
(iv)	<p>Internal Access Roads</p> <p>(1) All internal access roads shall be of hard durable surface or treated 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>
(v)	<p>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>

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

- ~~(2) A minimum of 100 parking spaces shall be provided.~~
- (3) Parking requirements ~~stall and aisle dimensions~~ shall be in accordance with ~~Schedule '3B' Section 3.22 Table 2~~ of this Bylaw.
- (4) Employee parking:
 - a. A minimum of one parking space for each employee shall be provided.
 - b. A minimum of three parking spaces for the managers residence shall be provided.
- ~~(5) A minimum of 10 disability parking spaces shall be provided.~~
- ~~(6) 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~~
- ~~(7) 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.~~
- ~~(8) All parking spaces shall be clearly delineated.~~
- ~~(9) All parking spaces shall be provided and maintained with a hard durable surface that does not produce dust and is permeable.~~
- ~~(10) All parking spaces shall have a maximum gradient and cross-slope of 6%.~~

(e) Campground Servicing

- (i) ~~Washroom Toilet 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

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

	<p>(3) A minimum of 4 toilets shall be provided for every 30 potential camping parties shall be established as outlined in Table No. 1; and</p> <p>(4) Where holding tanks are utilized for toilets they shall be sealed and have a minimum capacity 200 gal.</p> <p>(5) A minimum of 2 toilets (1 male and 1 female) shall be wheelchair accessible and located adjacent to the primary day use area.</p> <p>(6) A minimum of 2 wash basins and 2 shower (1 male and 1 female) shall be wheelchair accessible.</p>
(ii)	<p>Sewage Disposal Station (Sani-dump)</p> <p>(1) One sewage disposal station for use by recreational vehicles shall:</p> <ol style="list-style-type: none"> be established once the number of potential camping parties with recreational vehicles exceeds 100 be located: <ul style="list-style-type: none"> 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)	<p>Water System</p> <p>(1) Potable water source shall be provided in compliance with the <i>Drinking Water Protection Act and the Drinking Water Protection Regulation. once the number of potential camping parties exceeds 75.</i></p>
(iv)	<p>Garbage Disposal and Recycling</p> <p>(1) Large communal garbage and recycling facilities shall be centrally located in the North and South Park;</p> <p>(2) Small garbage and recycling receptacles shall be located in all day use areas; and</p> <p>(3) All garbage and recycling facilities and receptacles shall be animal and insect proof.</p>

~~(f) Table No. 1~~

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

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 ~~more than one 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 travelers using tents, tent trailers, or recreational vehicles and specifically excludes a ~~mobile~~ manufactured home park or hotel.

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 South Wellington Light Industrial Comprehensive Development Zone 7 (CD7)

(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 and Exterior Front lot lines | 5.0 m 8.0 m |
| (ii) | All other lot lines | 2.0 m 5.0 m |
| (iii) | On a corner parcel, the regulations in Section 3.8 shall also apply. | |

(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.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (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 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;

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

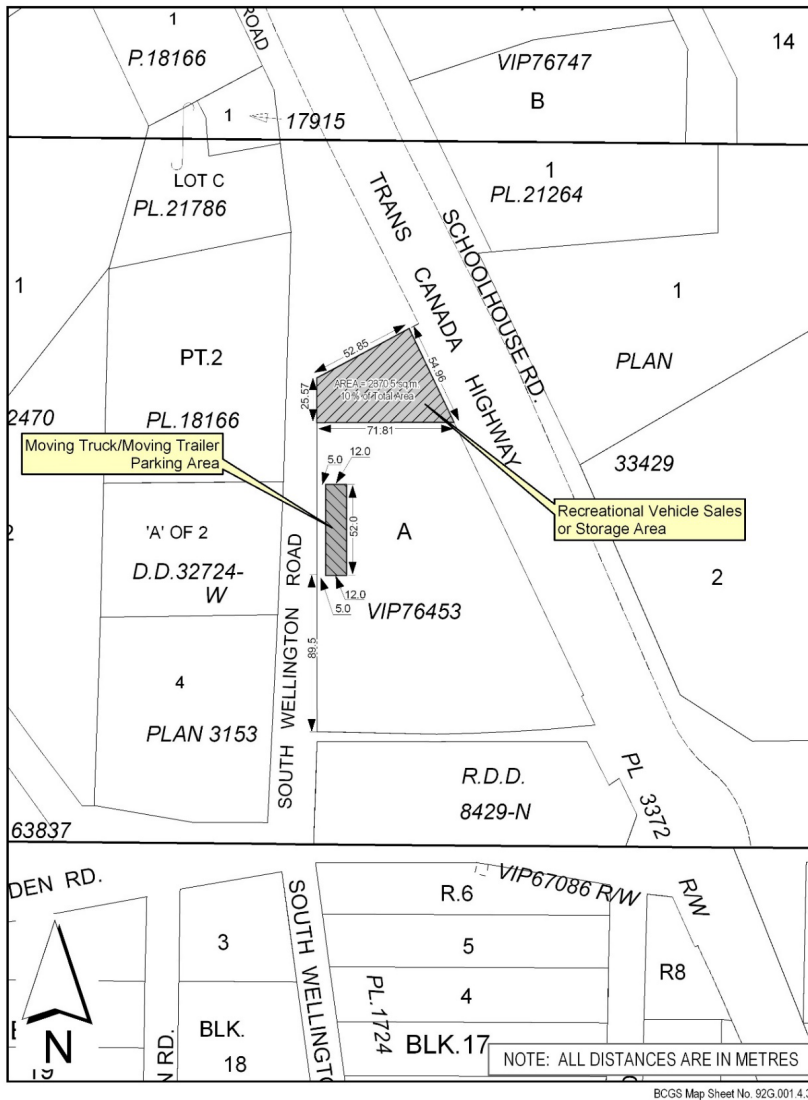
Part 6
Development Permit Areas

	<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>
(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.
(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.
(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 .
(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.

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 CD7

Schedule 2



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

4.52 Cedar Estates Comprehensive Development Zone 8 (CD8)

(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

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

(i)	Front and Exterior Front lot lines	5.0 m 6.0 m
(ii)	All other Interior side lot lines	1.5 m
(iii)	Rear lot lines	3.0 m
(iv)	Exterior lot lines	4.0 m

On a corner parcel, then the regulations in Section 3.8 shall also apply.

(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.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(iii)	Home Based Businesses	Uses are restricted to those uses permitted in the RS1 zone for parcels less than 2000 m ² in area.
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(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 and Exterior Front lot lines	5.0 m 6.0 m
(ii)	All other 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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

	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
- (ii) Accessory Convenience Store and Personal Service Use

(j) Maximum Number and Size of Buildings and Structures in Area C

(i) Personal Care Facility	A maximum of one facility containing up to 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) All Front lot lines	6.0 m
(ii) Interior side lot lines	6.0 m
(iii) Setback from Plan R573 RW	6.0 m

(l) Other Regulations in Area C

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

(i)	Minimum parcel size:	4600 m ² with community water and sewer system. No subdivision permitted without full community services.
(ii)	Personal Care	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

4.53 Nanoose Bay Village Centre Comprehensive Development Zone 9 (CD9)

(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 m ² maximum total floor area as follows: Level 1 – maximum 1255 m ² ; Level 2 – maximum 1255 m ² ; and Level 3 – maximum 605 m ²
(ii)	Phase 2 Building	2335 m ² maximum total floor area
(iii)	Accessory Building	49 m ² 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 m ²

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

(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.	
(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.	

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

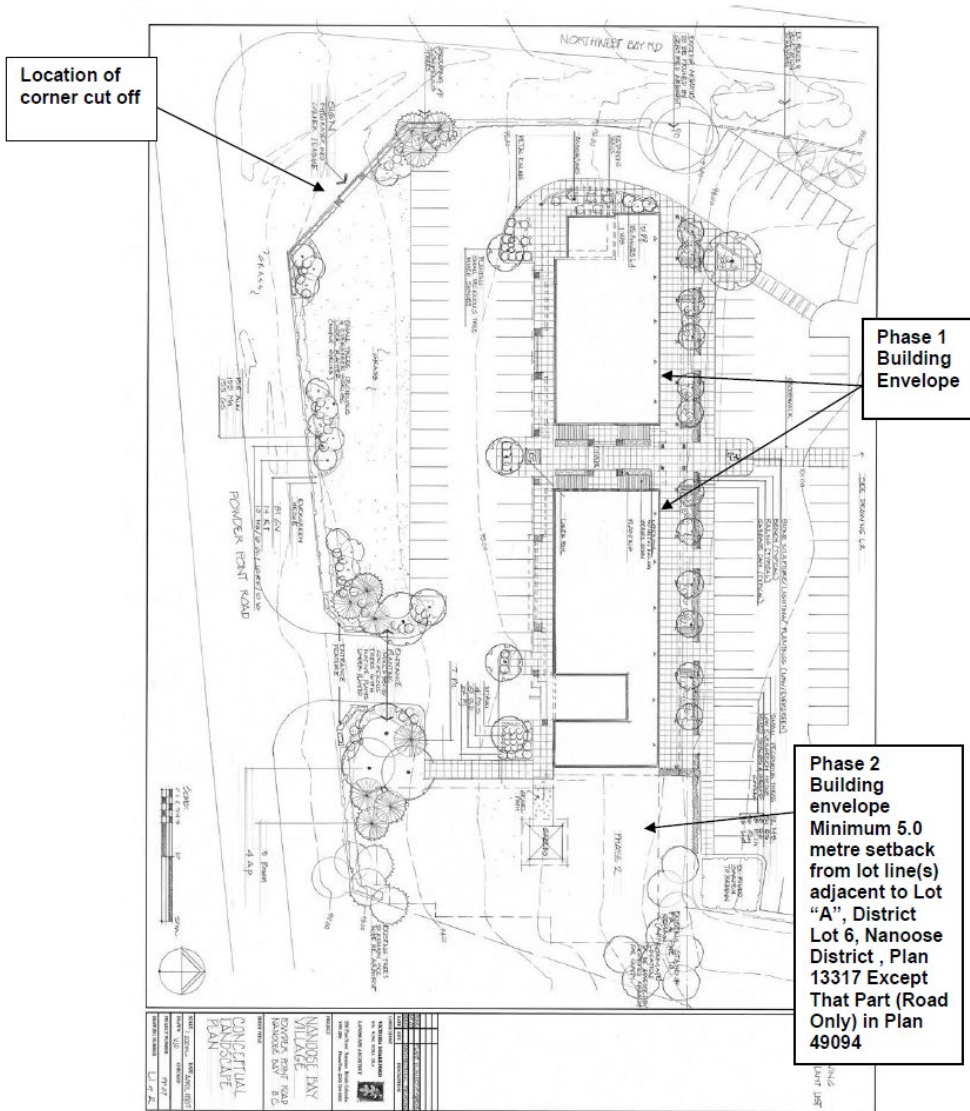
- (vii) A minimum of one (1) off-street loading space shall be provided and constructed in accordance with the [Section 3.22 of this Bylaw](#) ~~Schedule No. '3B' Part 3 Loading Spaces of Bylaw No. 500, 1987.~~

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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 CD9

Schedule No. A



Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

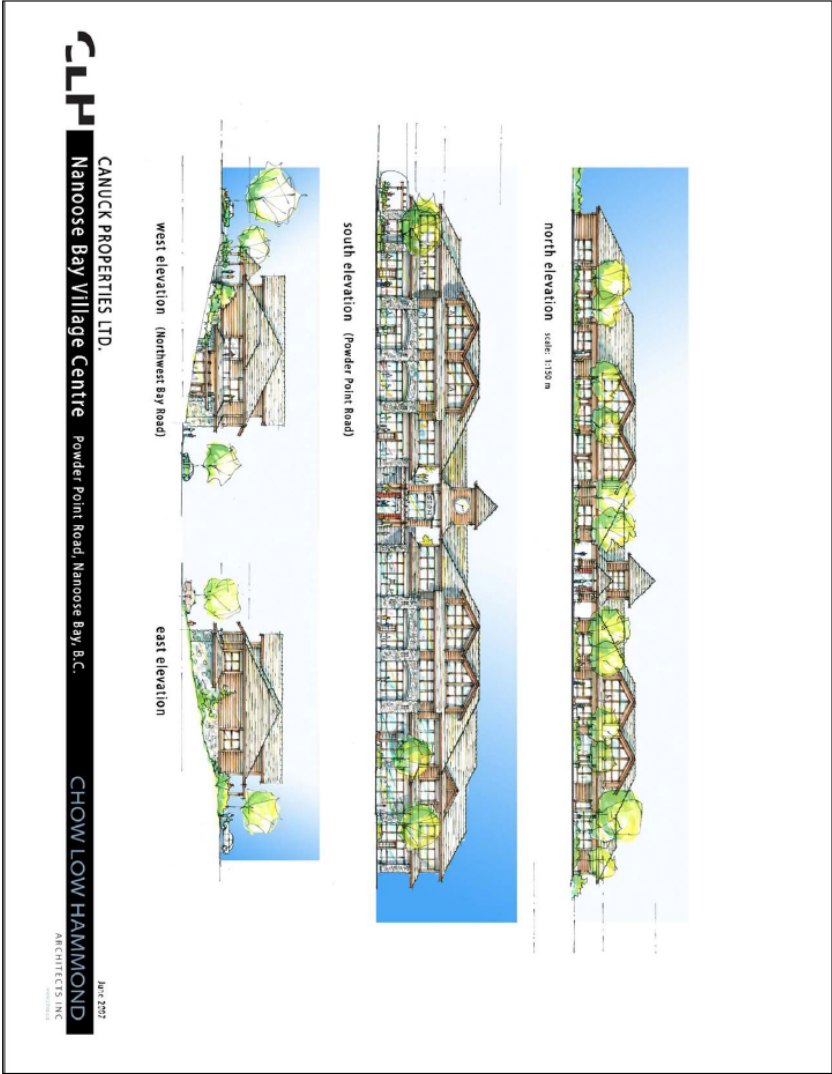
Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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

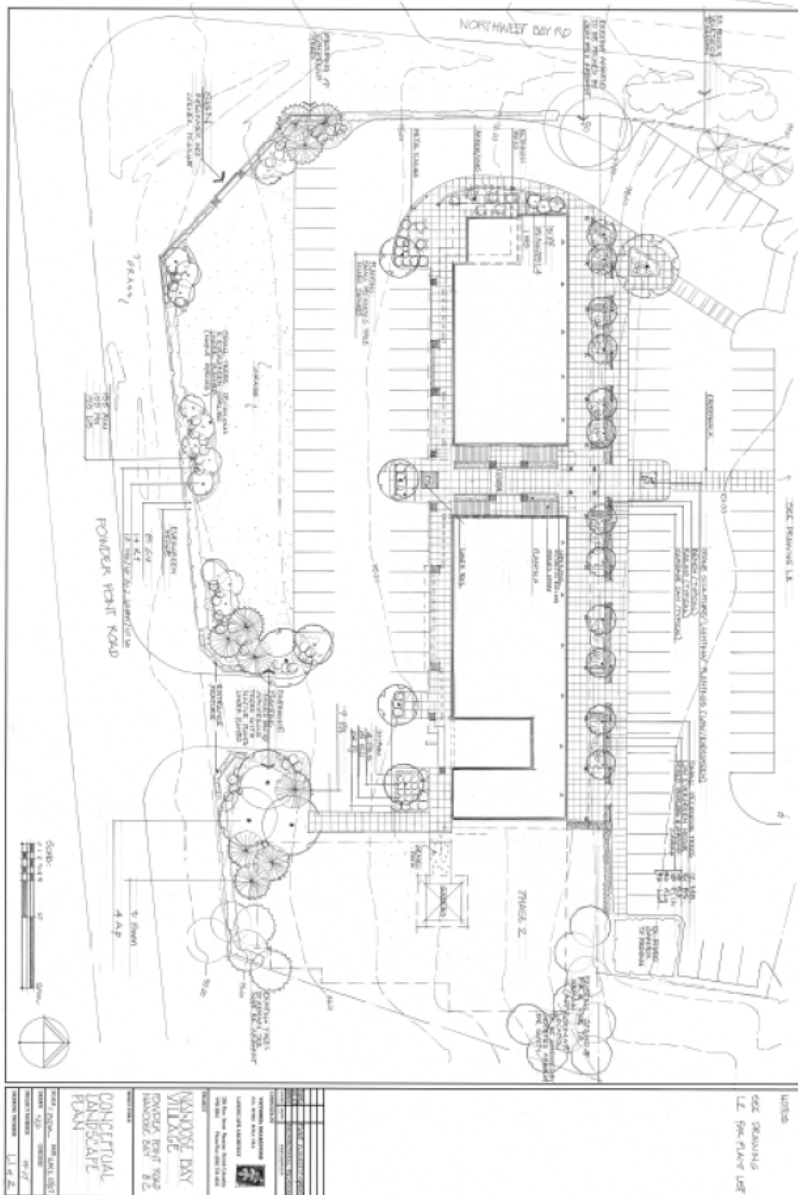
Comprehensive Development Zone CD9

Schedule No. B



Comprehensive Development Zone CD9

Schedule No. C (Page 1 of 2)



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

Schedule No. C (Page 2 of 2)



4.54 Horne Lake Road Comprehensive Development Zone 10 (CD10)

(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 wheelchair 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 wheelchair ramps.
 - (2) One (1) set of stairs to a secondary access not exceeding an area of 2.0 m².

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

(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. |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

4.55 Qualicum Bay Seniors Development Comprehensive Development Zone 11 (CD11)

(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) All ~~Front~~ lot lines 5.0 m ~~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.
- (iv) On a corner parcel, the regulations in Section 3.8 shall also 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.

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 Crown and Anchor Campground Comprehensive Development Zone 12 (CD12)

(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;
 - (3) on a corner parcel, then the regulations in Section 3.8 shall also apply; and,
 - (4) the adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero.

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) 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

4.57 Schooner Bay Manor Seniors ~~Mobile~~ Manufactured Home Park Comprehensive Development Zone 13 (CD13)

(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. | |
| (v) | on a corner parcel, then the regulations in Section 3.8 shall also 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

4.58 Lakes District Comprehensive Development Zone 14 (CD14)

(a) Applicability of the Bylaw

The regulations of Regional District of Nanaimo Land Use and Subdivision Bylaw No. ~~500, 1987~~ 2500, 202X ~~1987~~ shall apply to the lands zoned CD14, only upon the expiration of the Lakes District and Schooner Cove Phased Development Agreement (PDA). In addition to these regulations, and where there is a conflict with these regulations, the regulations of the CD14 Zone shall apply.

For certainty, Schedule “Y” – Land Use and Subdivision Bylaw of the PDA shall take precedence over this bylaw until such time as the PDA expires.

(b) Purpose

The purpose of the CD14 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 CD14 Zone are divided into eight sub-zoning areas including: Regional Park (CD14 - PR1), Community Park (CD14 - PR2), Residential Single Dwelling (CD14 – RS), Residential Single Dwelling & Duplex (CD14 – RSD), Residential Multiple Dwelling (CD14 – RMD), Neighbourhood Mixed Use (CD14 – MU), Lakehouse Centre (CD14 – LC), and Civic Infrastructure (CD14 – CI). Specific regulations apply to each zoning area, in addition to the Definitions and General Regulations as set out in the CD14 Zone.

The extent of each zoning area in the Lakes District Comprehensive Development Zone is shown on Schedule A 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;

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

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,

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

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 CD14 shall not exceed 1,675 dwelling units.

(ii) Uses Permitted in all Zones

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

The following uses are permitted in all zoning areas of the CD14 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

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

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.

(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.

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

(e) Regional Park (CD14-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

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

(A) Buildings:

Front lot line	4.5 m
Front and Exterior side lot lines	4.5 m
All other lot lines	3.0 m

(B) Structures:

Front and Exterior Front lot lines	0.0 m
All other lot lines	3.0 m

On a corner parcel, then the regulations in Section 3.8 shall also apply.

(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 (CD14 – 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

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

(A) Buildings:

Front lot line	4.5 m
Front and Exterior side lot lines	4.5 m
All other lot lines	3.0 m

On a corner parcel, then the regulations in Section 3.8 shall also apply.

(B) Structures:

Front and Exterior 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
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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 (CD14 – 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

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

(A) Front and Exterior Front lot lines	4.5 m 6.0 m to any garage door or carport entranceway facing a highway
(B) All other Interior-side lot lines	2.0 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) Exterior side lot line	4.5 m
(D) Rear lot line	4.0 m
(E) Except one accessory building is permitted to be 1.0 m from an interior of rear lot line provided the building does not exceed 10 m ² in floor area and 3.0 m in height.	
(F) 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.	
(G) on a corner parcel, then the regulations in Section 3.8 shall also apply.	

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 (CD14 – 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		
Interior setback updated and exterior setback added as per Setbacks Discussion Paper		
(A) Front and Exterior Front lot lines		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.		
(G) 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.		
(H) On a corner parcel, then the regulations in Section 3.8 shall also apply.		

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 (CD14 – 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	Interior setback updated and exterior setback added as per Setbacks Discussion Paper
(A) Front and Exterior Front lot lines	4.5 m 6.0 m to any garage door or carport entranceway facing a highway
(B) Interior side lot lines	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.	
(G) 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.	
(H) On a corner parcel, then the regulations in Section 3.8 shall also apply.	
(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 (CD14 – 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	Interior setback updated and exterior setback added as per Setbacks Discussion Paper
(A) Commercial:	
Front and Exterior Lot lines fronting a highway	4.5 m
All other lot lines	0.0 m
(B) Residential or mixed use:	
Exterior Front lot line	4.5 m 6.0 m to any garage door or carport entranceway facing a highway
Interior side lot lines	2.0 m
Exterior side lot line	4.5 m
Rear lot line	4.0 m

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Strata road	3.0 m
<hr/>	
(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 m ² in floor area and 3.0 m in height.	
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(D) 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.	
<hr/>	
(E) on a corner parcel, then the regulations in Section 3.8 shall also apply.	
<hr/>	

(v) Off-Street Parking Requirements

(A) Vehicle parking

Seniors' congregate housing	1 space per employee and 1 per 5 beds
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All other uses as per Section 3.22 of this Bylaw	

(B) Bicycle parking

Commercial 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

- | | |
|--|--|
| <hr/> | |
| (A) No single use may occupy more than 80% of the total building floor area within a parcel. | |
| <hr/> | |
| (B) Commercial use on the ground floor of a building is only permitted where an additional storey is provided above. | |
| <hr/> | |

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 (CD14 – 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
(B) 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.	
(C) On a corner parcel, then the regulations in Section 3.8 shall also apply.	

(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
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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 (CD14 – 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
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(iii) Minimum and Maximum Requirements

(A) Maximum height	10.0 m
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(B) Minimum parcel coverage	25%
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(iv) Minimum Setback Requirements

(A) All lot lines	6.0 m
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(B)	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.
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(C)	on a corner parcel, then the regulations in Section 3.8 shall also apply.
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(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.
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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 Schooner Cove Comprehensive Development Zone 15 (CD15)

(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 CD15. In addition to these regulations, and where there is a conflict with these regulations, the regulations of the CD15 Zone shall apply.~~

The regulations of Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 2500, 202X 1987 shall apply to the lands zoned CD15, only upon the expiration of the Lakes District and Schooner Cove Phased Development Agreement (PDA). In addition to these regulations, and where there is a conflict with these regulations, the regulations of the CD15 Zone shall apply.

For certainty, Schedule “y” – Land Use and Subdivision Bylaw of the PDA shall take precedence over this bylaw until such time as the PDA expires.

(b) Purpose

The purpose of the CD15 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 CD15 Zone are divided into three sub-zoning areas including: Village Mixed Use (CD15 – MU), Marina (CD15 – MA), and Residential Multiple Dwelling (CD15 – RMD). Specific regulations apply to each zoning area, in addition to the Definitions and General Regulations as set out in the CD15 Zone.

The extent of each zoning area in the Lakes District Comprehensive Development Zone is shown on Schedule A 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;

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

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,

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

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 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 CD15 shall not exceed 360 dwelling units.

(ii) Uses Permitted in all Zones

The following uses are permitted in all zoning areas of the CD15 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

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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 CD15 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 CD15 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 (CD15-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 congregare 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 CD15- MU Zone
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Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(B) Minimum parcel size:

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 CD15 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 m²

(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

(iv) Minimum Setback Requirements

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

(A) Front and Exterior Lot lines ~~fronting a~~ highway 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

(B) Lot lines that are common with Lot B, District Lot 78, Nanoose District Strata Plan 745	4.5 m
(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.	
(F) 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.	
(G) on a corner parcel, then the regulations in Section 3.8 shall also apply.	

(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

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

(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. |
| (C) A landscape buffer is not required for a designated highway adjacent to a commercial use and multiple dwelling unit development. |

(f) Marina (CD15 – 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 CD15 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 |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(iv) Minimum Setback Requirements

Notwithstanding Section ~~3.2.9~~ 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 slips
Boat launching facility	20 boat trailer parking spaces and located within the lands zoned CD15 - 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 CD15 – MA Zone shall be provided within the lands zoned CD15 – MU and a maximum of 75% of the marina parking may be provided within the lands zoned CD15 – RMD provided that none of the required off-street parking is located within a highway.

(C) Bicycle parking

Marina use	8 spaces
------------	----------

(g) Residential Multiple Dwelling (CD15 – 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
--------------------	---

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(iii) Minimum and Maximum Requirements

(A) Maximum density for CD15 – 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 CD15 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
(E) Maximum impermeable surface area	80% 85% where the required parking spaces are located directly beneath the principal building

(iv) Minimum Setback Requirements

All lot lines	5.0 m
(A) 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.	
(B) On a corner parcel, then the regulations in Section 3.8 shall also apply.	

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(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

(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
-----------------------------	--

(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

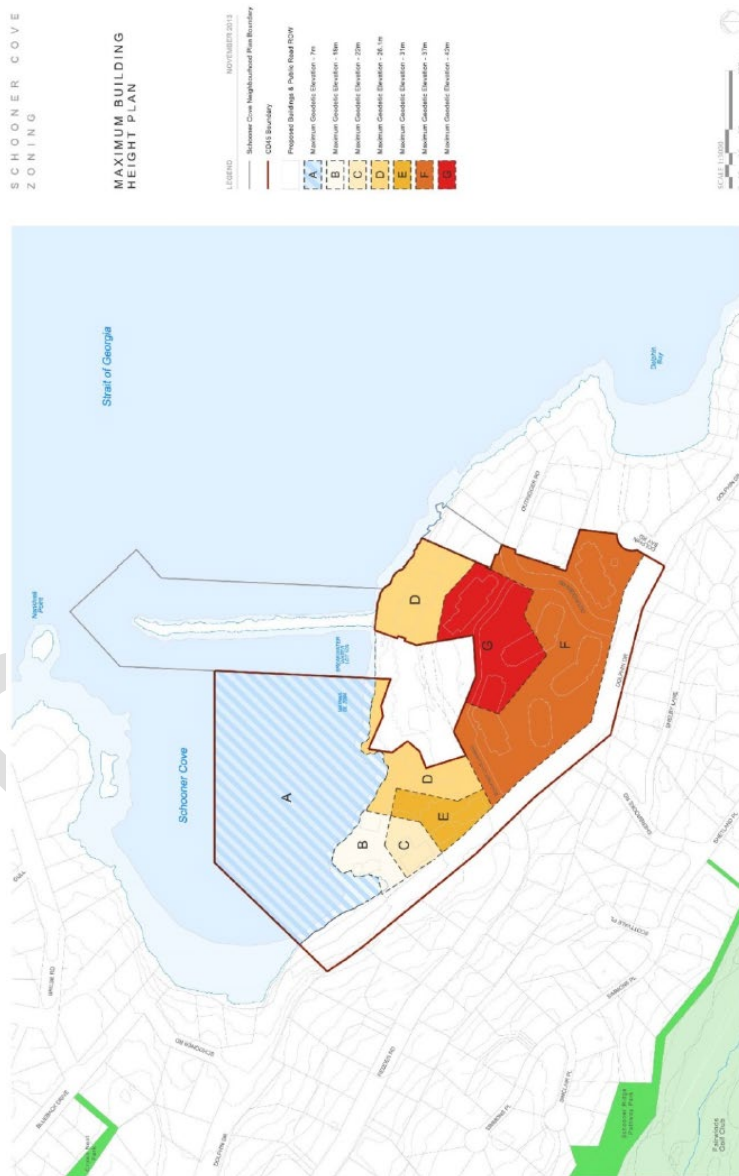
Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Schooner Cove Comprehensive Development Zone CD15

Schedule 1 Maximum Building Height Plan



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 Lighthouse Villa Comprehensive Development Zone 16 (CD16)

(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

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

For all buildings and structures unless otherwise set out in Part 3:

(i)	Front lot line	8.0 m
(ii)	All other lot lines	5.0 m
(iii)	Interior side lot line	5.0 m
(iv)	Rear lot line	5.0 m
(v)	Exterior side lot line	5.0 m

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(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) on a corner parcel, then the regulations in Section 3.8 shall also apply.

(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 m ² 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 m ² 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. | |
|-----|---|--|

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

-
- (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.
-

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 Horne Lake Road Service Commercial Comprehensive Development Zone 17 (CD17)

(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

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:	
(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
(5) 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.	
(6) on a corner parcel, then the regulations in Section 3.8 shall also apply.	

(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.
-----	---

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(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.
(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 m ² , 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.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

-
- (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.
-

DRAFT

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

4.62 Resort Commercial Comprehensive Development Zone 18 (CD18)

(a) Uses

Formerly Resort Commercial Zone

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

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

- ~~(i) Front Exterior lot line 8.0 m~~
- (ii) All ~~other~~ lot lines 5.0 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 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; or,
 - (3) on a corner parcel, then the regulations in Section 3.8 shall also apply.

Illustration No. 1 – Gas Bar is permitted on the property shown below

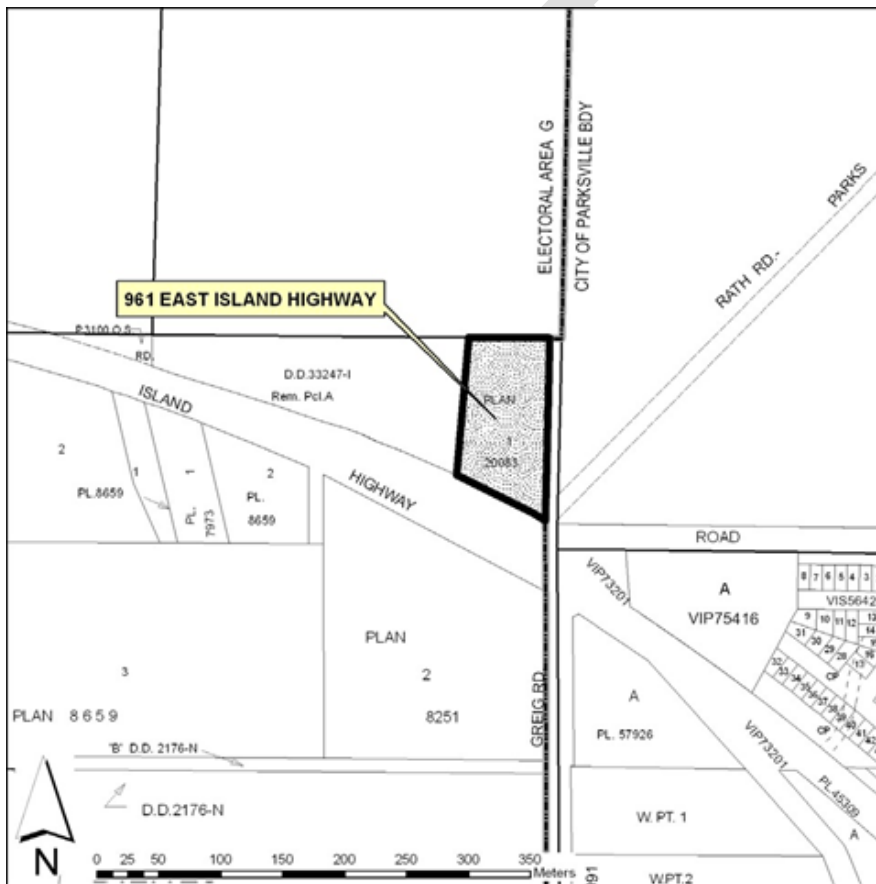
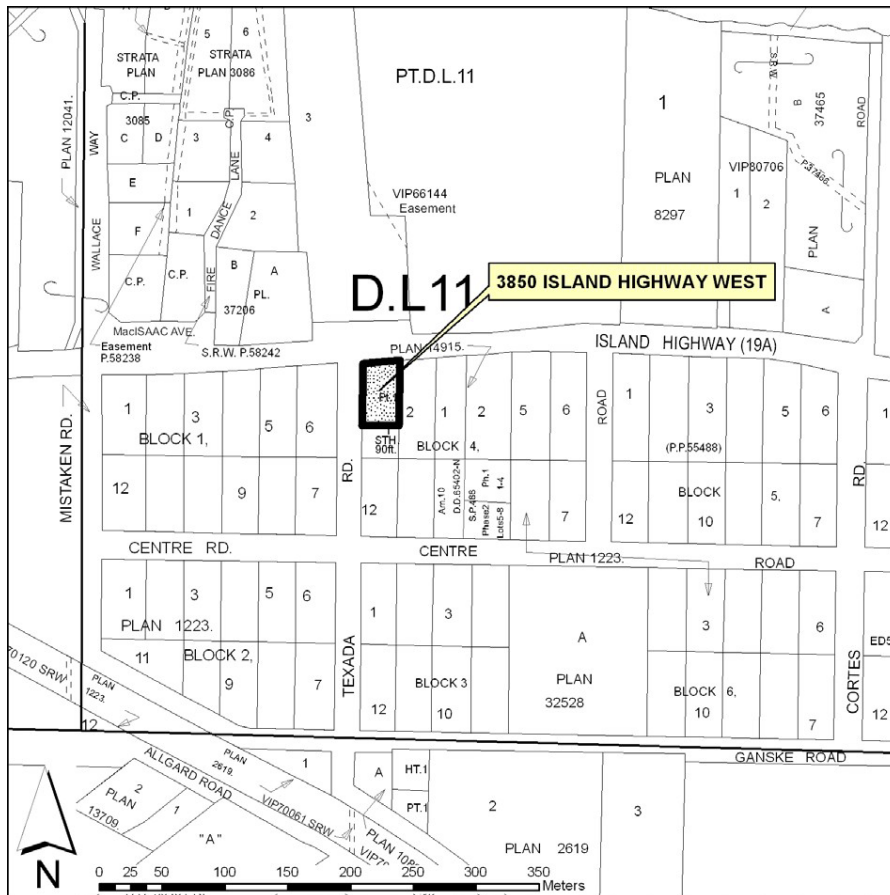


Illustration No. 2 – Gas Bar is permitted on the property shown below



Part 1
Administration

Part 2
Interpretation

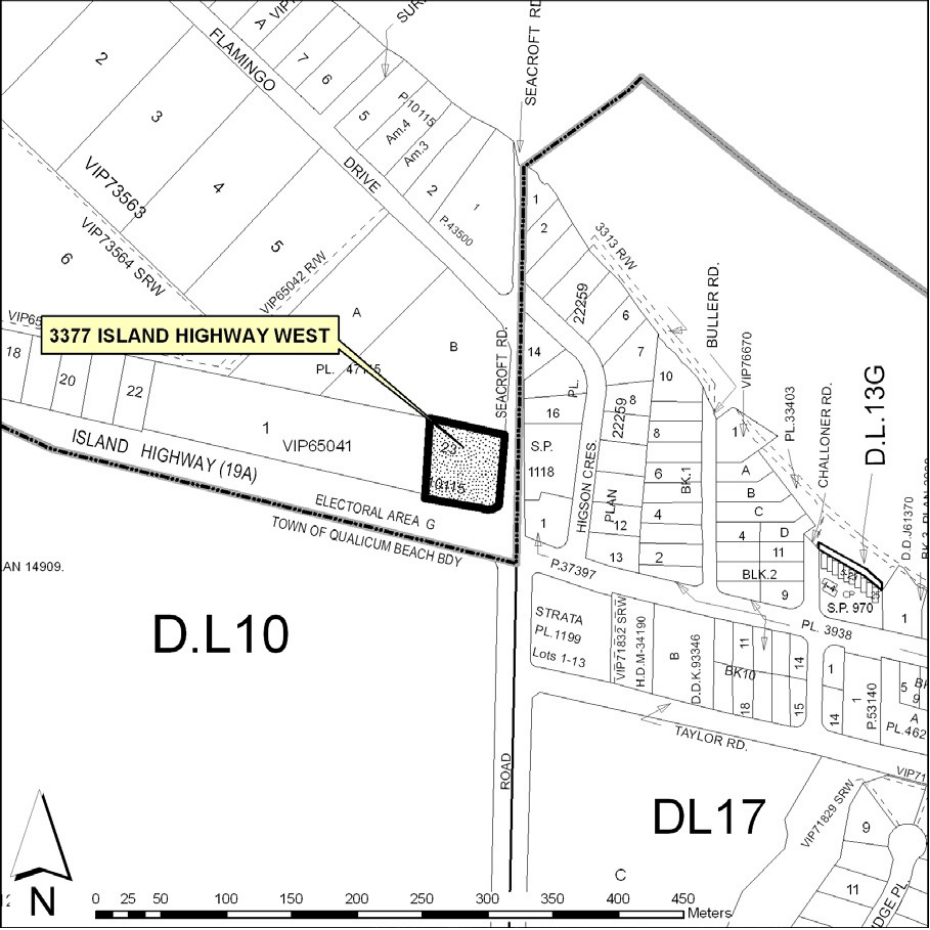
Part 3
Land Use Regulations

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
--------------------------	--------------------------	--------------------------------	-----------------	-----------------------------------	------------------------------------

4.63 Commercial Comprehensive Development Zone 19 (CD19)

Formerly Commercial 8 Zone

(a) 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	<p>(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".</p> <p>(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".</p> <p>(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.</p>
(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

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

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 |
| (iv) | on a corner parcel, then the regulations in Section 3.8 shall also 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. |

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

- (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.

DRAFT

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

4.64 Jingle Pot Road Comprehensive Development Zone 20 (CD20)

(a) Permitted Uses

- (i) Agriculture – on lands not located in the Agricultural Land Reserve
- (ii) Farm Use – on lands in the Agricultural Land Reserve
- (iii) School – on lands in the Agricultural Land Reserve as per ALC Resolutions # 174/2017 and #3/2020

(b) Accessory School Uses

- (i) Day Care Facility

(c) Accessory Farm Uses

- (i) Gathering for an Event

(d) Maximum Number and Size of Buildings and Structures

Height	9.0 m
Parcel coverage	45%

(e) Minimum Setback Requirements

- All non-farm buildings and structures – all lot lines 8.0 m
- Except where:
- (i) The adjoining parcel or zone boundary is zoned Agriculture then the setback from the common lot line or zone boundary may be reduced to zero.
 - (ii) Any part of a parcel is adjacent to or contains a watercourse then the regulations in Section 3.9 ~~3.8~~ shall apply.
 - (iii) All agriculture or farm buildings, structures and uses – in accordance with Section 3.3.11 except where the adjoining parcel or zone boundary is zoned Agriculture, then the setback from the common lot line may be reduced to zero.

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

(f) Other Regulations Applicable to this Zone

(i) Day Care Facility means a facility providing group child care, preschool, multi-age child care, family day care, child minding, or out of school care in accordance with the provisions of the <i>Community Care and Assisted Living Act</i> .
(ii) School and Day Care Facility shall require a minimum of 37 off-street parking spaces total.
(iii) Despite any other regulation in this bylaw, parking and loading spaces: (A) shall be permitted within the applicable minimum setback requirements of this zone; (B) shall be permitted on a gravel or similar permeable surface.
(iv) 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.
(v) Accessory Farm uses are only permitted on that part of a parcel that is within the Agricultural Land Reserve.
(vi) Specific 'Farm' and 'Permitted' uses as defined in the <i>Agricultural Land Reserve Use, Subdivision, and Procedure Regulation</i> shall be developed in accordance with Section 3.3.15 3.16 and 3.3.16 3.17 of this Bylaw.
(vii) Where a parcel is divided by a zone boundary, the areas created by such division shall be deemed to be separate parcels for the purpose of determining parcel coverage.
(viii) Despite any other 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

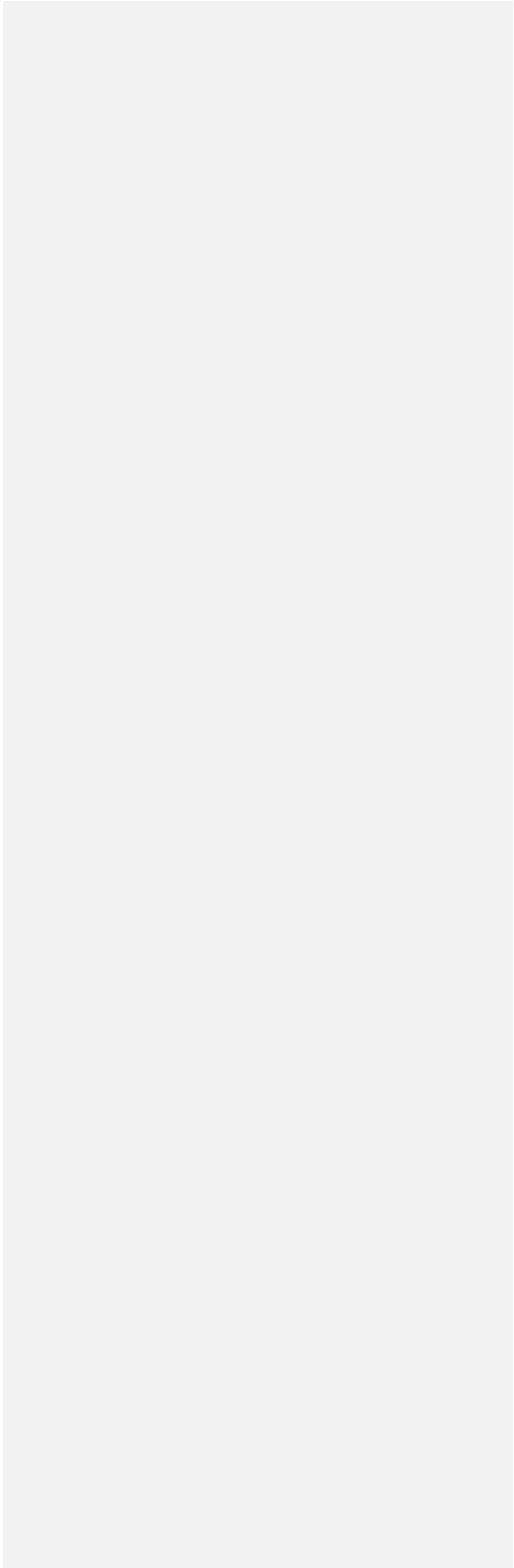
Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

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REGIONAL
DISTRICT
OF NANAIMO

Draft Bylaw 2500

Parts 5 and 6

Draft November 2023

Contents

Table of Contents

Part 5. Subdivision Regulations.....	5
5.1 Subdivision Districts	5
5.2 Prohibition.....	5
5.3 Parcel Size.....	5
5.4 Parcels Exempt from Minimum Parcel Size Requirements.....	6
5.5 Parcel Shape and Dimensions	7
5.6 Highway Requirements	8
5.7 Sewage Disposal Community Water and Sewer System Standards	8
5.8 Water and Sewer Supply.....	12
5.9 Exception	13
Part 6. Development Permit Areas	16
6.1 Development Permit Area Organization	16
6.2 Freshwater and Fish Habitat Development Permit Area	17
6.3 Sensitive Ecosystems Development Permit Area	25
6.4 Eagle and Heron Nesting Trees Development Permit Area	31
6.5 Aquifers Development Permit Area	35
6.6 Marine Coast Development Permit Area	39
6.7 Coastal Flood Hazard Development Permit Area	46
6.8 Hazard Lands Development Permit Area	51
6.8 Farmland Protection Development Permit Area	56
6.9 Yellow Point Aquifer Development Permit Area	60
6.10 South Wellington Industrial – Commercial Development Permit Area	65
6.11 Cedar Main Street Development Permit Area	70
6.12 Cassidy Development Permit Area.....	85
6.13 Cedar Development Permit Area	90
6.14 Extension Village Centre – Commercial Development Permit Area	95
6.15 East Wellington – Pleasant Valley Industrial Development Permit Area	97

6.16	Nanoose Bay Form and Character Development Permit Area	99
6.17	Qualicum Bay and Dunsmuir Village Centres Development Permit Area	102
6.18	Bowser Village Centre Development Permit Area	106
6.19	Multi-Residential, Intensive Residential, Industrial and Commercial Form and Character Development Permit Area	120
6.20	Rural Commercial Development Permit Area.....	126
6.21	Highway Corridor Protection Development Permit Area	129
6.22	Inland Island Highway Corridor Development Permit Area.....	130

Note to readers:

Strikethrough and red and blue text is intended to identify content that is proposed to change in relation to Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987.

Part 5

Subdivision Regulations

This Part includes regulations on subdivision, minimum parcel size and servicing requirements for subdivision.



Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit Areas

Part 5. Subdivision Regulations

5.1 Subdivision Districts

- (a) For the purpose of this Bylaw, the areas subject to this Bylaw are ~~described in the section of this Bylaw entitled Application~~ is hereby divided into subdivision districts as provided in Schedule ~~'5B'~~ '5A'.
- (b) The extent of each subdivision district is shown on Schedule ~~'4A'~~ '3A'.
- (c) Where a subdivision district boundary does not follow a legally defined line, and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from Schedule ~~'4A'~~ '3A'.
- (d) Where a subdivision district boundary is designated as following a highway or watercourse, the centreline of the highway or the ~~present~~ natural boundary of the watercourse or centreline of a creek shall be the subdivision district boundary.
- (e) Any land not included in any subdivision district by Schedule ~~'4A'~~ '3A' shall be deemed to be in Subdivision District A.
- (f) Notwithstanding Schedule ~~'4A'~~ '3A' no parcel shall be created which does not have adequate land area to support at least one permitted use.

5.2 Prohibition

Land shall not be subdivided contrary to this Bylaw.

Subdivision Standards

5.3 Parcel Size

- (a) Minimum parcel size requirements for each subdivision district shall be in accordance with Schedule ~~'4-B'~~ '5A'.
- (b) A panhandle shall not be considered part of a parcel for the purpose of calculating parcel size in any subdivision district described in this Bylaw.
- (c) The minimum parcel size shall be increased as necessary:
 - (i) to suit the topography; and
 - (ii) to demonstrate that all permitted uses can be accommodated on each proposed parcel; and

- (iii) to ensure that the gradient of an access driveway or a panhandle to service the proposed lots shall not exceed 20%.
- (d) Parcels within land to be subdivided may be reduced to 80% of the size otherwise permitted in the applicable subdivision district, provided that:¹
 - (i) a maximum of 50% of the proposed parcels within the land to be subdivided may be reduced in size, unless a higher percentage has been approved by way of a development variance permit; and
 - (ii) the average parcel size of all parcels within the subdivision conforms with the parcel size permitted in the applicable subdivision district; and
 - (iii) a restrictive covenant in favour of the Regional District is registered against all parcels in the subdivision prohibiting further subdivision of the land unless the largest parcel created within the subdivision is less than twice the minimum parcel size applicable to that parcel at the time of subdivision.

5.4 Parcels Exempt from Minimum Parcel Size Requirements

- (a) Where the requirements of the authority having jurisdiction are met with respect to the provisions of water and method of sewage disposal, minimum parcel size and parcel servicing regulations shall not apply to a subdivision:

This section has been updated to reflect the legal requirements for regulating parcel sizes as per Housekeeping Discussion Paper

- (i) combining 2 or more parcels into a single parcel;
- (ii) where the effect of subdivision would not be to increase the number of parcels, but to adjust the boundary between existing parcels, provided that the boundary change does not result in the reduction of either parcel by 20% or more of its original size;
- (iii) adding an accretion to a parcel.

- (b) Parcels created on or before [April 21, 1987](#), which consist of 2 or more parts physically separated by:

Changed to date of adoption of Bylaw 500 to ensure that the number of eligible parcels is not increased.

- (i) a highway which was dedicated prior to [April 21, 1987](#);
- (ii) the Nanaimo River, the Englishman River, the Little Qualicum River, or the Qualicum River;
- (iii) a railway under jurisdiction of the applicable *Railway Act* and amendments thereto; may be subdivided along the dividing highway, the natural boundaries of the noted rivers, or the railway even when the newly created parcels fail to meet the minimum parcel size requirements of this Bylaw, provided the requirements of the authorities having jurisdiction are met with respect to the provision of water, method of sewage

disposal and access.

(c) Parcels proposed for subdivision pursuant to Section 946 514 of the *Local Government Act* shall be permitted provided that:

(i) all requirements of provincial legislation are satisfied; and

(ii) the parent new parcel ~~being created by subdivision~~ is a minimum of 4.0 ha to be eligible ~~1.0 ha~~; except where the parent parcel was connected to a community water service system the minimum parcel size shall be no less than 5,000 m² to be eligible 2500m²; and

~~(iii) the size of the remainder of the parcel is the minimum size required under Schedule '4A' and '5B' of this Bylaw; and~~

(iv) all other requirements of this Bylaw are met.

Design and Servicing Standards

5.5 Parcel Shape and Dimensions

(a) The depth of each parcel of land in a subdivision shall not exceed 40% of the length of the perimeter of the parcel, excluding any panhandle, unless the proposed subdivision will create parcels substantially closer to compliance with this provision than the existing parcel.

~~(b) Unless the pattern of existing subdivision precludes it, side lot lines shall, wherever practicable, be created perpendicular or radial to the adjoining highway.~~

(c) No panhandle shall be created:

(i) narrower than 10.0 m where further subdivision of the parcel is possible; or

(ii) narrower than 6.0 m where further subdivision is not possible.

~~(d) Each portion of a hooked parcel must meet the minimum parcel size. No parcel shall be created which is divided into 2 or more non-contiguous portions of land not included within the parcel or remainder, except a remainder which is divided into non-contiguous portions by the width of a highway allowance, provided that:~~

~~(i) such a highway was in existence prior to the subdivision; and~~

~~(ii) it is impracticable to establish the non-contiguous portions as separate parcels.~~

(e) Where land is deemed to be in part or wholly within the designated coastal floodplain or is influenced by the sea, each parcel created through subdivision shall:

Updated to include amendments related to bylaw 500.445.

- (i) have a viable building envelope on natural grade that is above the Flood Construction Level for future sea level rise as set out in the applicable official community plan, and
- (ii) complies with the setbacks from the sea as prescribed in the applicable official community plan, zoning bylaw and the “Regional District of Nanaimo Flood Hazard Mitigation Bylaw No. 1872, 2023”.

5.6 Highway Requirements

- (a) No proposed highway to be dedicated by a plan of subdivision shall be shown on a plan, dedicated, laid out or constructed unless the design, dimensions, locations, alignment and gradient meet the requirements for highways, as established from time to time, by the Ministry of Transportation and Infrastructure.
- (b) Additional dedicated rights of way of up to 6.0 m may be required for bus stop areas near key intersections.
- (c) A subdivision pursuant to the *Strata Property Act* and amendments thereto the following minimum access route standards shall apply along with any further requirements by the Ministry of Transportation:

Paved Width	Parking
6.0 m	On street parking not permitted - parking provided in accordance with Schedule ‘3B’ Section 3.22
8.5 m	On street parking permitted on one side

5.7 ~~Sewage Disposal~~ Community Water and Sewer System Standards

- (a) ~~Where a parcel is created and is not served by a community sewer system the authority having jurisdiction must be satisfied as to the sewage disposal capability of the parcel.~~
- (b) ~~Any community sewer system, or part thereof, provided within the subdivision, to service the subdivision or to connect the sewage collection system within the subdivision to a Regional District trunk sewage main shall, if constructed after the enactment of this Bylaw, be constructed and installed at the expense of the owner of the land being subdivided and shall be carried out in accordance with the standards and specifications set out in Schedule ‘4D’.~~
- (c) ~~Notwithstanding Section 4.7 (1), for lands within the Lakes District and Schooner Cove Community Water and Sewer Standards Area, all parcels shall be serviced by a community sewer system.~~

~~(d) Notwithstanding Section 4.7 (2), for lands within the Lakes District and Schooner Cove Community Water and Sewer Standards Area, any community sewer system, or part thereof, provided within the subdivision, to service the subdivision or to connect the sewage collection system within the subdivision to a Regional District trunk sewage main shall, be constructed and installed at the expense of the owner of the land being subdivided and shall be carried out in accordance with the standards and specifications set out in Schedule '4D1'.~~

(a) Connection to a Regional District of Nanaimo (Regional District) community water or community sewer system shall be in accordance with this section.

(b) Community water and community sewer system standards in the Regional District shall be in accordance with the latest editions of “Design Guidelines” and “General Conditions, Specifications and Standard Detail Drawing” published by The Master Municipal Construction Documents Association. If necessary, the standards can be modified to meet the requirements of RDN operations, Vancouver Island Health Authority and BC Ministry of Transportation and Infrastructure.

Section added in response to RDN Engineering referral comments. Based on previous Schedule 4D1.

(c) Feasibility Review

All proposed construction of water distribution and sewage collection and conveyance infrastructure shall be submitted to the Regional District for a feasibility review prior to commencement of any detailed design or construction. Such requests shall include a plan of the proposed construction and the area it will serve. The applicable feasibility review fee, in accordance with RDN Bylaw No. 1845 or most recent amendment, and the Letter of Assurance shall also be submitted at this time.

The Regional District will review the proposal and reply in writing indicating the District's decision regarding acceptance or rejection, and/or the necessary amendments required.

(d) Detailed Design

The detailed design and specifications shall be submitted to the Regional District for Design Stage Approval (DSA) prior to construction. All documents submitted as part of the design must be signed and sealed by a Professional Engineer registered with the Engineers and Geoscientists of British Columbia. The applicable engineering review fee, in accordance with RDN Bylaw No. 1845 or most recent amendment, shall also be submitted at this time, along with the Design Professional Engineer's certified cost estimate for the works upon which the fee amount is based. The final determination of the DSA fee shall be determined upon completion of the project and final certification of the construction costs by the Design Professional.

The detailed plans will be returned either approved or with a request for re-submission. Re-submission will be carried out until the Regional District approves the detailed plans and specifications, and issues Design Stage Approval (DSA).

The designer shall submit the RDN approved plans to the Provincial Ministry of Transportation & Infrastructure and Vancouver Island Health Authority for approval permits. Receipt and submission of these permits to the RDN shall also be a prerequisite to the start of construction. Approval permits from other applicable agencies as required shall also be obtained.

(d) Variations from Standards

Where the applicant wishes to vary from these standards, they shall submit a written request with adequate supporting data to the Regional District for review.

The Regional District shall make the final decision in writing as to the standard requirements which shall apply.

(e) Permits

The applicant shall be responsible for obtaining all necessary approvals and permits required prior to commencing construction of a community water or community sewer system.

(f) New Service Areas

Where a community water or community sewer system is to be constructed by an applicant within an area previously unserved by a community water or sewer system, the design and construction for the system shall comply with the requirements of these standards, unless otherwise agreed to in writing by the Regional District.

(g) Existing Service Areas

Where a community water or community sewer system is to be constructed by an applicant within the existing or extended boundaries of an area already being served by a community sewer system, the design and construction of the system shall comply with the requirements of these standards.

(h) Prime Contractor

The owner/applicant shall retain a qualified contractor to carry out the construction. There must be a written signed agreement between the owner/applicant and the contractor designating the contractor as “Prime Contractor”. The Contractor must be registered with WorkSafe BC and be in good standing with remittance up to date throughout the agreement and shall fulfill the Prime Contractor responsibilities as defined in:

- i. WorkSafeBC Occupational Health and Safety Regulation, Notice of Project, Section 20.2, and Coordination of multiple employer workplaces, Section 20.3; and
- ii. Workers Compensation Act (BC), Coordination at multiple-employer workplaces, Section 118, Subsections (1) & (2)

If the owner/applicant does not designate the Prime Contractor through written signed agreement, the owner/applicant will be considered as Prime Contractor and be responsible for overall health and safety of the site.

The owner/applicant shall make sure that the contractor carries sufficient insurance before starting construction. The owner/applicant or their contractor(s) shall indemnify and save harmless the Regional District from all costs, fines, expenses and penalties that may arise due to the negligence of the owner/applicant or the contractor in performing their obligations.

(i) Inspection

The Manager of Water Services of the Regional District or the appointed deputies shall be allowed access and provided adequate facilities for access to any part of the works at all times for the purpose of inspection.

Any connections to or interruption of any existing system will only be permitted be under the direct supervision of the Regional District. Adequate notice to the Regional District of any such interruption to service shall be provided in order that attendance by Regional District personnel can be arranged.

Any connections to or interruption of any existing system will be under the direct supervision of the Regional District. Adequate notice to the Regional District of any such interruption to service shall be provided in order that attendance by Regional District personnel can be arranged.

The Regional District of Nanaimo shall be given 48 hours notice for each required site attendance by Regional District staff. This may include tie-ins, tests, inspection of utilities, etc.

(j) Final Inspection by RDN

Prior to requesting a Final Inspection, the registered B.C. Professional Civil Engineer shall submit to the Regional District complete Record Documents, a completed letter Certification of Installed Works, all applicable inspection and test results (video inspection DVD's, leakage testing, etc.), and Certificate of Approval for electrical works (pump stations, wells, lighting, controls, etc.) The Final Inspection shall be arranged by the Professional Engineer on completion of the work. This shall be directed by the Professional Engineer in the presence of approved representatives of the Regional District and the installation Contractor. A complete list of deficiencies identified during the final inspection shall be prepared by the Professional Engineer. Once the deficiencies have been satisfactorily rectified, the Professional Engineer shall so notify the Regional District. The date of the Final Inspection will generally be regarded as the commencement of the guarantee period, unless significant deficiencies are found at the inspection, at the discretion of the Regional District.

(k) Preparation/Execution of Transfer Agreement by Developer

The Developer shall prepare and execute the Transfer Agreement for the works to the Regional District.

(l) Preparation/Execution of Maintenance Agreement

The Developer shall guarantee the workmanship and the performance of the work as per the

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

Maintenance Agreement, from the date of acceptance (generally the RDN final inspection date) for a period of one year. This shall be additionally secured by way of cash or an irrevocable letter of credit in the amount of 10% of the cost of construction as certified by a B.C. Professional Civil Engineer, or \$10,000.00 (whichever is greater).

The RDN may reduce the length of the guarantee period and/or the amount of the security. The RDN may also require additional payment, or payout a credit as appropriate, related to an adjustment of the initial engineering fee to final construction cost values, in accordance with RDN Bylaw No. 1845 or most recent amendment. Any change to the guarantee period, security amount or the engineering fee is required to be in writing.

(m) Preparation/Execution of Latecomer Agreement

Where a latecomer agreement may be applicable to a portion of the costs of the works, as agreed by the Regional District and any other applicable jurisdictions, the Developer shall pay all costs of both the Regional District and the Developer associated with the preparation, execution, and registration of the necessary Latecomer Agreement. The Regional District will assume any internal staff costs involved in planning, reviewing, approving, and administering the Latecomer Agreement preparation, and any administrative and financial costs involved during the effective time-period of the agreement. Based on current legislation, a Latecomer Agreement expires 10-years after its initial registration.

(n) Letter of Acceptance of the Works by RDN

Following completion of all the foregoing requirements, the Regional District will issue the formal Letter of Acceptance of the Works. The Regional District will also issue a written statement that the new works can be connected to the District's existing system. Such connection shall be undertaken by the applicant under the direct supervision of the District or by the District at a cost to the applicant.

5.8 Water and Sewer Supply

- (a) Where a parcel to be created is not to be served by a community water system and is less than 5.0 ha in area, the applicant shall provide reasonable proof ~~to the satisfaction of the Approving Officer~~ that a minimum year-round potable water supply of 3.5 m³ per day can be provided for each parcel being created.
- (b) Where a parcel is to be served by a water or sewer system operated by a municipality, Improvement District or person required to hold a certificate of public convenience and necessity under the Water Utility Act, the applicant shall provide proof that the requirements for connection to the water or sewer system have been completed.
- (c) Any community water system, or part thereof, provided within the subdivision, to service the subdivision or to connect the water distribution system within the subdivision to a Regional District trunk water main shall, if constructed after the enactment of this Bylaw, be constructed and installed at the expense of the owner of the land being subdivided and shall be carried out in accordance with the standards and specifications set out in the Master Municipal Construction Document ~~Schedule '5C'~~.

- (d) Notwithstanding Section ~~4.8 (1)~~ 5.8 (a), for lands within the Lakes District and Schooner Cove Community Water and Sewer Standards Area, all parcels shall be serviced by a community water system.
- (e) Notwithstanding Section ~~4.8 (2)~~ 5.8 (b), for lands within the Lakes District and Schooner Cove Community Water and Sewer Standards Area any community water system, or part thereof, provided within the subdivision, to service the subdivision or to connect the water distribution system within the subdivision to a Regional District trunk water main shall, be constructed and installed at the expense of the owner of the land being subdivided and shall be carried out in accordance with the standards and specifications set out in the Master Municipal Construction Document ~~Schedule '5C1'~~.
- (f) The standards and specifications set out in the Master Municipal Construction Document ~~Schedule '5C'~~ do not apply to community water system owned, operated and maintained by a municipality or an improvement district, or a community water system which is operated by a person required to hold a certificate of public convenience and necessity under the *Water Utility Act*.
- (g) When community water is available for a newly dedicated park a water service connection shall be provided. This requirement may be waived at the discretion of the Regional District of Nanaimo.

Section (a) added as per parks staff referral comments.

5.9 Exception

Subdivision regulations to not apply to:

- (a) parcels to be used solely for unattended ~~public~~ utility use;
- (b) park; or
- (c) parcels for the sole purpose of ecological conservation.

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

Moved to Section 5.1
Schedule '5A' Subdivision Districts
Minimum Parcel Sizes

The minimum size of any lot created by subdivision shall be determined by the standard of services provided and shall meet the applicable minimal parcel size set out below:

Minimum Parcel Size				
Subdivision District	Community Water & Sewer System	Community Water System —No Community Sewer	Community Sewer System —No Community Water	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	8.0 ha	8.0 ha	8.0 ha	8.0 ha
C	5.0 ha	5.0 ha	5.0 ha	5.0 ha
CC	4.0 ha	4.0 ha	4.0 ha	4.0 ha
D	2.0 ha	2.0 ha	2.0 ha	2.0 ha
E	1.6 ha	1.6 ha	1.6 ha	1.6 ha
F	1.0 ha	1.0 ha	1.0 ha	1.0 ha
G	8000 m ²	1.0 ha	1.0 ha	1.0 ha
H	5000 m ²	1.0 ha	1.0 ha	1.0 ha
J	4000 m ²	6000 m ²	1.0 ha	1.0 ha
K	4000 m ²	4000 m ²	4000 m ²	4000 m ²
L	2000 m ²	2000 m ²	4000 m ²	4000 m ²
M	2000 m ²	2000 m ²	1.0 ha	1.0 ha
N	1600 m ²	1600 m ²	1.0 ha	1.0 ha
P	1000 m ²	1600 m ²	1.0 ha	1.0 ha
Q (EA-G only)	700 m ²	1.0 ha	1.0 ha	1.0 ha
Q (other EAs)	700 m ²	2000 m ²	1.0 ha	1.0 ha
R	500 m ²	1.0 ha	1.0 ha	1.0 ha
S	400 m ²	2000 m ²	1.0 ha	1.0 ha
T	600 m ²	No further subdivision		
V	50.0 ha	50.0 ha	50.0 ha	50.0 ha
Z	No further subdivision			
CD9	400 lots with approved pump and haul service connection			

Part 6

Development Permit Areas

This Part includes all Development Permit Area Guidelines for the Regional District of Nanaimo.



Part 6. Development Permit Areas

6.1 Development Permit Area Organization

- (a) For the area covered by this bylaw, the relevant official community plan designates development permit areas and describes the special conditions or objectives that justify the designations. The applicability, exemption and guidelines for the development permit areas are contained within this bylaw as within Part ~~5~~-6.
- (b) Works conducted by the Regional District or its agents are exempt from requiring a Development Permit where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.

Added in response to RDN Parks referral comments.

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
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6.2 Freshwater and Fish Habitat Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.

(a) Applicability

Terms used in this Development Permit Area that are defined in the provincial *Riparian Areas Regulation*(RAR), of the *Riparian Areas Protection Act*, are intended to be interpreted in accordance with the definition given in the Regulation, as it may be amended from time to time. This Regulation and Act maybe obtained from the Provincial Ministry of Forests, Lands, Natural Resource Operations and Rural Development or from the BC Laws website.

A development permit is required for the following activities wherever they occur within this Development Permit Area, unless specifically exempted:

- (i) removal, alteration, disruption, or destruction of vegetation;
- (ii) disturbance of soils; including grubbing, scraping and the removal of top soils;
- (iii) construction or erection of buildings and structures;
- (iv) creation of non-structural impervious or semi-impervious surfaces;
- (v) flood protection works;
- (vi) construction of roads, trails, docks, wharves, and bridges; and
- (vii) subdivision of land.

(b) Exemptions

The following activities are exempt from any requirement for a development permit.

Exemptions Applicable to all Watercourses

- (i) Development in an area where no stream or watercourse exists, or where the proposed development is clearly outside the development permit area, as determined by the Regional District, a BC Land Surveyor, or a Registered Professional Biologist. This exemption does not apply if the stream or watercourse ecosystem was previously filled or realigned without a development permit.
- (ii) Renovations, repairs, maintenance, the construction of a second storey addition, excluding cantilevered construction to existing buildings within the same footprint (a building permit may still be required).
- (iii) All park or parkland ancillary uses not containing commercial, residential, or industrial activities.

- (iv) Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - (A) emergency flood or protection works;
 - (B) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;
 - (C) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

- (v) Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an imminent threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest are exempt only if a permit under the *Wildlife Act* has been obtained.
- (vi) The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plant Council of BC's 'Grow Me Instead' publication.
- (vii) The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*, is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*, and the lands are assessed as 'farm' under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than five years old); otherwise, land clearing as part of a farm operation is not exempt. Notethat other provincial legislation such as the *Waste Management Act* and the *WaterSustainability Act* may apply to farm operation activities.
- (viii) Digging of observation holes for percolation testing under supervision of a Registered Onsite Wastewater Practitioner or Professional Engineer, and digging of test pits for geotechnicalinvestigation under supervision of a Professional Engineer.
- (ix) Works conducted and/or approved by the Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*.
- (x) All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as 'Forest Lands' on the property

assessment.

- (xi) Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.
- (xii) Subdivision where the minimum lot size is met exclusive of the development permit area, and no works are proposed within the development permit area.

Exemptions Applicable to Streams under the RAR only

- (xiii) Subdivision where the minimum lot size is met exclusive of the Streamside Protection and Enhancement Area (SPEA), and no works are proposed within the Riparian Assessment Area.
- (xiv) Within Electoral Area A, development activities more than 30 metres from the Nanaimo River or Haslam Creek, measured from the top of bank or present natural boundary, whichever is greater, where:
 - (A) a RAR assessment report has been completed by a Qualified Environmental Professional in accordance with the RAR Assessment Methods and submitted to the province; and
 - (B) notification of the assessment report has been received by the provincial ministry responsible and the Regional District.
- (xv) For streams subject to the RAR, in the case where a simple assessment is submitted which assigns a SPEA, a development proposed outside of the SPEA where:
 - (A) the assessment report has been completed by a Qualified Environmental Professional (QEP) in accordance with the RAR Assessment Methods; and
 - (B) notification of the assessment report has been received by the provincial ministry responsible and the Regional District, and there are no measures outside of the SPEA required to protect the SPEA.

Exemptions Applicable to this development permit area where the RAR does not apply

- (xvi) Subdivision involving only lot line adjustment. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the Regional District, BC Land Surveyor, or Registered Professional Biologist, and there are no works proposed within the development permit area.
- (xvii) A property owner may construct a single trail within this development permit area in accordance with the principles and standards of 'Access Near Aquatic Areas' of the Stewardship Series published by the provincial and federal governments, and subject to the following conditions:
 - (A) the trail provides the most direct route or feasible passage through the

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

development permit area while minimizing the extent of vegetation removal or disturbance andminimizing excavation and removal of native soils;

- (B) the ground is stable, ie. erodible stream banks or other erosion prone areas shall be avoided;
- (C) no motorized vehicles are permitted on the trail;
- (D) the trail is not to exceed a maximum width of 1.5 metres;
- (E) no trees, which are greater than 5.0 metres in height and 10.0 centimetres in diameter, are to be removed; instead limbing and pruning of trees shall be done, where necessary,to facilitate the construction of the single trail;
- (F) the trail’s surface shall only be composed of pervious materials.

(xviii) Minor additions to existing buildings or structures to a cumulative maximum of 25 percent of the original ground floor area, if the addition is located on the side or part of the building or structure most distant from the waterbody or stream.

- (xix) The construction of a small accessory building or structure if all the following apply:
 - (A) the building or structure is located within an existing landscaped area;
 - (B) no native trees with a diameter at breast height of 20 centimetres or greater areremoved;
 - (C) there is no permanent foundation;
 - (D) the building or structure is located a minimum of 10 metres from the high water mark or, where the bank has a slope greater than 3:1, 10 metres from the top of the bank;and
 - (E) the total area of the accessory building or structure is less than 10 square metres.

(c) Guidelines

Development permits shall be issued in accordance with the following:

Guidelines applicable to all watercourses

- (i) An assessment must be prepared by a Registered Professional Biologist (a QEP for streams applicable to the RAR) for the purpose of identifying sensitive biophysical features on or nearthe development permit area and providing recommendations and conditions for development to avoid or mitigate impacts to these features. The assessment should list each guideline with anexplanation of how the development is consistent with the guideline, or an explanation as to how the guideline is not applicable. The site plan should indicate the areas for yard and driveway and areas to remain free from development. See Guideline 13 for additional requirements of

this report for streams applicable to the RAR.

- (ii) If development or alteration of land is proposed within the development permit area, it shall be located so as to minimize the impact on the stream or waterbody. The assessment report shall include an explanation as to how locating development entirely outside of the development permit area has been considered, and the reason that it is not being proposed. Variances to the zoning bylaw regulations to minimize development in the development permit area should be considered.
- (iii) Sensitive biophysical features to be assessed in this development permit area include but are not limited to:
 - (A) forest cover and ecological communities;
 - (B) surface drainage patterns;
 - (C) site topography and channel morphology;
 - (D) aquatic and riparian habitat values, condition and function;
 - (E) rare and uncommon species and plant communities; and
 - (F) an overall assessment of the ecological importance of the watercourse.
- (iv) Mitigation measures that should be considered in the biological assessment include but are not limited to:
 - (A) minimization of vegetation removal;
 - (B) maintenance of linkages with adjacent sensitive ecosystems to minimize habitat fragmentation and maintain wildlife corridors;
 - (C) sediment and erosion control;
 - (D) protection of sensitive areas through fencing or other permanent demarcation; and
 - (E) timing of construction to minimize potential impacts.
- (v) Where the applicant's biologist or other qualified professional recommends revegetation and/or enhancement works, the Regional District may require the applicant to submit a landscaping plan and a security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional to the satisfaction of the Regional District.
- (vi) For the SPEA or where the applicant's biologist or other qualified professional recommends other specific areas that must remain free from development:
 - (A) the Regional District may require a Section 219 covenant to be prepared at the applicant's expense, to the satisfaction of the Regional District, to ensure that

the identified areas remain free from development; and

- (B) prior to construction commencing, the installation of temporary fencing or flagged stakes marking the protection area is required to avoid encroachment within the areas to be protected through to the completion of the development.
- (vii) The applicant's biologist or QEP may be required to provide confirmation to the Regional District that the property has been developed in accordance with the QEPs recommendations.

Guidelines Related to Rainwater Management and Protection of Development from Hazardous Conditions

- (viii) On any development where there is potential for silt, petroleum or any other contaminants to enter a watercourse either directly or indirectly through infiltration, provision of oil, grease and sediment removal facilities and the ongoing maintenance of these features will be required.
- (ix) Directing drainage of rainwater from development sites into the SPEA and other watercourses and water bodies shall be avoided. Instead, rainwater is to be managed onsite with an emphasis on infiltration approaches to management. If impacts cannot be avoided through onsite infiltration, a sediment and erosion control plan may be required, and grading plan may be required where fill is placed near the freshwater feature.
- (x) In low-lying areas subject to flooding, development should not increase the flood risk on the subject property or on adjacent or nearby properties. Where the placement of fill is proposed within a floodplain as defined by the RDN Floodplain Management Bylaw, it shall be designed by a Professional Engineer to ensure that the placement of the proposed fill will not restrict the passage of flood waters, redirect flood flows, decrease natural flood storage, result in higher flood flows or result in higher flood potential elsewhere in the floodplain.
- (xi) Where there is a slope greater than 30 percent over a minimum horizontal distance of 10 metres, an assessment report prepared by a Professional Engineer with experience in geotechnical engineering may be required to assist in determining what conditions or requirements shall be included in the development permit so that proposed development is protected from the hazard and no increase in hazard is posed to existing development. The geotechnical report will form part of the development permit terms and conditions, and may include registration of a Section 219 covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.

Additional Guidelines Applicable to Streams Subject to the RAR only

- (xii) No development shall take place within any SPEA except where:
 - (A) a QEP has determined that no serious harm is likely to occur or that it can be

mitigated by following prescribed measures; or

- (B) the owner has obtained an authorization under subsection 35(2) [serious harm to fish] of the *Fisheries Act* or Section 11 [changes in and about a stream] of the *Water Sustainability Act*.
- (xiii) The Regional District shall require the applicant to retain a QEP, at the expense of the applicant, for the purpose of preparing an assessment report, pursuant to Section 4(2) of the RAR and the RAR Assessment Methodology Guidebook, and the assessment report must be electronically submitted to the provincial ministry responsible, via the Riparian Area Regulations Notification System, and a copy must be provided to the Regional District.
- (xiv) In addition to implementing the measures in the assessment report, to ensure the integrity of the SPEA the Regional District and landowner may consider the following:
 - (A) gift to a nature preservation organization all or part of the SPEA; or
 - (B) register a restrictive covenant or conservation covenant on title securing the measures prescribed in the assessment report.
- (xv) For the purpose of subdivision design, proposed lot configuration shall consider the protection of the SPEA and minimize new lot lines in the SPEA. The proposed lot configuration should demonstrate that enough developable land is available on each lot to establish a development envelope that includes a reasonable yard area outside of the SPEA to accommodate wastewater disposal field, driveway, accessory buildings and yard.
- (xvi) Permanent fencing and/or other means of clearly delineating the SPEA boundary such as signage must be designed to follow the standard established by the Regional District and Ministry of Environment shown below. Signage should be installed to the satisfaction of the Regional District prior to land alteration and in the case of subdivision prior to the Regional District notifying the Approving Officer that the conditions of the development permit have been met. Fencing must be maintained in good order.



NOTICE

FISH HABITAT PROTECTION AREA

Maintaining a buffer of native vegetation adjacent to streams, lakes, wetlands and ponds is critically important to the overall health, ecological function and productive capacity of aquatic ecosystems. The land on the other side of this fence is important habitat for fish and other aquatic and terrestrial organisms and must not be cleared or altered without prior approval from the Regional District of Nanaimo. Please respect this land and help preserve these ecosystems for future generations to enjoy.

Aluminum or Dibond 12"x18" Radius corners
 Inline border .14"
 RDN logo: 2"x5.17"
 Ministry of Environment logo: 2.5"x2.92"
 Notice: Arial black type .90"
 Fish Habitat Protection Area: Arial black type .60"
 All other text: Arial bold type .27"

6.3 Sensitive Ecosystems Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.

(a) Applicability

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

- (i) removal, alteration, disruption or destruction of vegetation, including trees, plants and shrubs;
- (ii) disturbance of soils, including grubbing, scraping and the removal of top soils;
- (iii) construction or erection of buildings and structures;
- (iv) creation of non-structural impervious or semi-pervious surfaces; and
- (v) subdivision of land as defined in the [Land Title Act](#) or [Strata Property Act](#).

(b) Exemptions

The following activities are exempt from any requirement for a development permit:

- (i) Development in an area where the sensitive ecosystem does not exist due to mapping inaccuracy, upon written confirmation from a Registered Professional Biologist. For clarity, if the sensitive ecosystem was previously disturbed without a development permit this exemption does not apply.
- (ii) Minor additions to existing buildings or structures to a cumulative maximum of 25 percent of the original ground floor area, provided that the addition is not situated closer to the environmentally sensitive feature for which the development permit area has been identified, than the existing building or structure.
- (iii) Repair, maintenance, or alteration of existing legal buildings, structures or utilities except for shoreline protection structures, provided the footprint of the building is not expanded (a building permit may still be required).
- (iv) A second storey addition, excluding cantilevered construction, to a legally sited structure, provided the second storey addition is within the existing footprint of the existing structure.
- (v) A single trail within this development permit area, subject to the following:
 - (A) the trail provides the most direct route of feasible passage through the development permit area;

- (B) the location is chosen to require a minimum amount of vegetation removal or disturbance, where no rare plants will be disturbed or otherwise impacted, and where there is limited excavation and removal of native soils;
 - (C) the ground is stable, i.e erodible stream banks or other erosion prone areas must be avoided;
 - (D) no motorized vehicles are permitted;
 - (E) the trail is a maximum of 1.5 metres in width;
 - (F) no trees, which are greater than 5.0 metres in height and no trees with a diameter at breast height of 10.0 centimetres or more are being removed; limbing, pruning and topping of trees should be done instead; and,
 - (G) the trail's surface is pervious but may be constructed with materials that limit erosion and bank destabilization (certain structures may require a building permit).
- (vi) The planting of trees, shrubs, or groundcovers for the purpose of enhancing the habitat values and/or soil stability within the development permit area provided the planting is carried out in accordance with the guidelines provided in 'Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia', published by Ministry of Environment, or any subsequent editions.
 - (vii) Gardening and yard maintenance activities within an existing landscaped area, such as lawn mowing, tree and shrub pruning, vegetation planting and minor soil disturbance that do not alter the general contours of the land. For clarity, this exemption does not apply to retaining walls and anything that is considered a structure as defined by the current zoning bylaw.
 - (viii) The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plant Council of BC's 'Grow Me Instead' publication.
 - (ix) Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an imminent threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.
 - (x) The construction of a small accessory building or structure if all the following apply:
 - (A) the building or structure is located within an existing landscaped area;
 - (B) no native trees with a diameter at breast height of 20 centimetres or greater are removed;

- (C) there is no permanent foundation;
 - (D) the building or structure is located a minimum of 10 metres from the natural boundary of the sea or, where the bank has a slope greater than 3:1, 10 metres from the top of the bank; and
 - (E) the total area of the small accessory building or structure is less than 10 square metres.
- (xi) Subdivision where the following criteria is met:
- (A) minimum lot sizes will be met exclusive of the sensitive ecosystem;
 - (B) no development activities including grading, clearing, trenching, or installation of pipes, relating to the creation of all lots will occur within the sensitive ecosystem; and
 - (C) where a covenant is registered to protect the sensitive ecosystem or ecosystems in a manner that is consistent with the applicable development permit area guidelines.
- (xii) Subdivision involving only lot line adjustment. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the Regional District, BC Land Surveyor, or Registered Professional Biologist, and there are no works proposed within the development permit area.
- (xiii) The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*; is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*; and the lands are assessed as 'farm' under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than five years old); otherwise, land clearing as part of a farm operation is not exempt. Not that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.
- (xiv) Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
- (A) emergency flood or protection works;
 - (B) clearing of an obstruction from bridge, culvert, or drainage flow; repairs to bridges and safety fences;
 - (C) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the Federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be

reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

- (xv) Works conducted and/or approved by the Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*.
- (xvi) Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.
- (xvii) All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as ‘forest lands’ on the property assessment.

(c) Guidelines

- (i) If development or alteration of land is proposed within the development permit area, it shall be located where it will cause the least impact on the sensitive ecosystem. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided. It should be demonstrated that variances to minimize development in the development permit area have been obtained or considered.
- (ii) An assessment must be prepared by a Registered Professional Biologist with the objectives of identifying sensitive biophysical features on or near the property and providing recommendations and conditions for development to avoid or mitigate impacts to these features. The assessment should list the guidelines in this development permit area with an explanation of how the proposed development is consistent with them (or an explanation of how a guideline is not applicable) and should indicate on a site plan the areas for yard and driveway and areas to remain free from development.
- (iii) Existing native vegetation should be retained wherever possible to minimize disruption to habitat and maintain ecological processes that support ecosystem function, wildlife ecology, and unique ecosystems. These include, but are not limited to:
 - (A) vegetation, trees, snags and root systems;
 - (B) rare and uncommon species and plant communities;
 - (C) soils and soil conditions (moisture, nutrients and permeability);
 - (D) bird and other wildlife and their habitats, such as nesting and breeding areas;

- (E) wildlife habitat, including but not limited to wildlife breeding areas as well as nesting and perch trees; and
- (F) topography and relative orientation of features on neighbouring properties.
- (iv) Mitigation measures that should be considered in the biological assessment include but are not limited to:
 - (A) maintenance of an effective visual and sound (natural vegetated) buffer around nesting trees;
 - (B) minimization of vegetation removal;
 - (C) maintenance of linkages with adjacent sensitive ecosystems to minimize habitat fragmentation and maintain wildlife corridors; and
 - (D) timing of construction to minimize potential impacts.
- (v) Where the applicant's biologist recommends revegetation and/or enhancement works within the development permit area, the Regional District may require the applicant to submit a landscaping plan and security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional.
- (vi) Where the applicant's biologist recommends specific areas that must remain free from development:
 - (A) the Regional District may require a Section 219 covenant to be prepared at the applicant's expense, to the satisfaction of the Regional District, to ensure that the identified areas remain free from development; and
 - (B) prior to construction commencing, the installation of temporary fencing or flagged stakes marking the protection area is required to avoid encroachment within the areas to be protected through to the completion of the development.
- (vii) The applicant's biologist may be required to provide confirmation to the Regional District that the property has been developed in accordance with the biologist's recommendations.

Guidelines Related to Rainwater Management and Protection of Development from Hazardous Conditions

- (viii) Where there is a slope greater than 30 percent over a minimum horizontal distance of 10 metres, an assessment report prepared by a Professional Engineer with experience in geotechnical engineering may be required to assist in determining what conditions or requirements shall be included in the development permit so that proposed development is protected from the hazard and no increase in hazard is posed to existing development. The geotechnical report will form part of the

development permit terms and conditions, and may include registration of a Section 219 covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.

- (ix) Development or subdivision of land should be designed to:
 - (A) replicate the function of a naturally vegetated watershed;
 - (B) maintain the hydraulic regime of surface and groundwater and pre-development flowrates;
 - (C) not interfere with groundwater recharge; and
 - (D) not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands.
- (x) The use of rain gardens, vegetate
- (xi) d swales, a reduction in impervious surfaces, and other methods for managing rainwater on site should be included in all development proposals considered in this DPA.

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
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6.4 Eagle and Heron Nesting Trees Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.

(a) Applicability

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

- (i) removal, alteration, disruption or destruction of natural features, including plants, trees and shrubs;
- (ii) disturbance of soils, including grubbing, scraping and the removal of top soils;
- (iii) construction or erection of buildings and structures;
- (iv) creation of non-structural impervious or semi-pervious surfaces; and
- (v) subdivision of land as defined in the [Land Title Act](#) or [Strata Property Act](#).

(b) Exemptions

The following activities are exempt from any requirement for a development permit:

- (i) Development or alteration of land to occur outside the designated development permit area, as determined by a BC Land Surveyor, Registered Professional Biologist, or by the Regional District.
- (ii) The landowner has offered and entered into a restrictive covenant to maintain an acceptable no disturbance buffer as determined by a registered professional biologist.
- (iii) A Registered Professional Biologist with relevant experience has confirmed in writing that no Bald Eagle or no Great Blue Heron has established a nest and is present during the breeding and nesting season of the past five years. In general terms, this is from January to September for Great Blue Herons; and January to September for Bald Eagles.
- (iv) Removal, trimming or alteration of vegetation other than the nest tree; onsite sewage disposal system installations and well drilling within the nest tree development permit area is permitted without a development permit where:
 - (A) the activity is conducted entirely outside of the nesting season which is from January 15 to September 15 for Pacific Great Blue Herons and January 1 to September 1 for Bald Eagles, or
 - (B) a Registered Professional Biologist with relevant experience has confirmed in

writing that the activity will not negatively impact the nest tree, or its associated Great Blue Herons or Bald Eagles.

- (v) Subdivision involving only lot line adjustment or lot consolidation. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the Regional District, BC Land Surveyor, or Registered Professional Biologist, and there are no works proposed within the development permit area.
- (vi) Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an immediate threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.
- (vii) The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plant Council of BC's 'Grow Me Instead' publication.
- (viii) Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - (A) emergency flood or protection works;
 - (B) clearing of an obstruction from bridge, culvert, or drainage flow; repairs to bridges and safety fences;
 - (C) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the Federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.
- (ix) Works conducted and/or approved by the Regional District, Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*, and where they have been made aware of the eagle or heron nest.
- (x) All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as 'Forest Lands' on the property assessment.
- (xi) Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines

as determined by the Regional District.

(c) Guidelines

Development permits shall be issued in accordance with the following:

- (i) Development shall be located where it will cause the least impact to the nesting activity of eagles or herons. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided.
 - (A) An assessment must be prepared by a Registered Professional Biologist with relevant experience to assess the potential impact of the proposed development on the function of the nest tree and development or land alteration within the development permit area on the subject property. The report should include, but is not limited to, the following:
 - (B) definition of the study area and the proposed activities in relation to the nesting tree, including a map to identify the location including geographic coordinates of nesting tree or trees, the development permit area, and proposed or existing buildings and structures;
 - (C) identification of the breeding season;
 - (D) assessment of the impacts of the proposed activities in relation to the resident birds (Bald Eagle or Great Blue Heron) and prescribe appropriate measures to preserve, protect, restore or enhance the function of the nesting tree area and any alteration of the development permit area on the subject property;
 - (E) recommendations on how to mitigate negative impacts during and after construction, if permitted under the *Wildlife Act*, to protect the long term integrity of the nesting habitat; and
 - (F) reference to 'Guidelines for Ecosystem and Species Protection' and/or 'Guidelines for Raptor Conservation during Urban and Rural Land Development in BC' found in 'Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia' published by the Province of BC, or any subsequent editions.
- (ii) The recommendations within the assessment report will form part of the development permit terms and conditions, which may include registration of a Section 219 covenant, prepared at the applicant's expense, to the satisfaction of the Regional District.
- (iii) To avoid encroachment within the area to be protected as identified in the Assessment Report, prior to construction commencing and through to the completion of the development, installation of temporary fencing or flagged stakes is required at a distance from the nesting trees as prescribed in the Assessment Report.

- (iv) The applicant's biologist may be required to provide confirmation to the Regional District that the property has been developed in accordance with their recommendations.

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

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.

(a) Applicability

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

- (i) alteration of land, disturbance of soils, including grubbing, scraping and the removal of top soils;
- (ii) construction, alteration, or erection of buildings and structures;
- (iii) creation of non-structural impervious or semi-pervious surfaces;
- (iv) subdivision of land as defined in the [Land Title Act](#) or [Strata Property Act](#); and
- (v) excavation or sub-surface disturbance in the sub-area defined as 'risk of artesian conditions'.

(b) Exemptions

The following activities are exempt from any requirement for a development permit:

- (i) Construction, renovation, repair or addition to a single dwelling unit, duplex dwelling unit, secondary suite, building or structure accessory to residential use including a driveway and except for excavation of a depth greater than 1.5 metres in an area with 'risk of artesian conditions'.
- (ii) Construction of or additions to a building or structure that do not require a building permit.
- (iii) Digging of observation holes for percolation testing under supervision of a Registered Onsite Wastewater Practitioner or Professional Engineer, and digging of test pits for geotechnical investigation under supervision of a Professional Engineer.
- (iv) Onsite wastewater disposal system installation meeting the requirements of the *Sewerage System Regulation* of the *Public Health Act*.
- (v) Subdivision of land within Cedar Village Centre and South Wellington Light Industrial & Commercial Area as designated in the Electoral Area A Official Community Plan, except for intensive residential within the Cedar Main Street Village Plan area (intensive residential is defined in that plan).
- (vi) Subdivision of land where a maximum of three lots are proposed, including the remainder, and where the subject property:

(A) in Electoral Area H has a 'low' vulnerability as identified in the Official Community Plan or;

(B) in Electoral Area G does not have a development subclass of 'heavy' nor a vulnerability class of 'high' or a combination of 'heavy' or 'high' as identified in the Official Community Plan.

(vii) Subdivision of land where the application is limited to lot line adjustment and no additional lots are created.

(viii) Subdivision of land where each lot has an approved connection to a community water system, except for within Cassidy Village Centre.

(ix) The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*, is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*, and the lands are assessed as 'farm' under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than 5 years old); otherwise, land clearing as part of a farm operation is not exempt. Note that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.

(x) All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as 'Forest Lands' on the property assessment.

(xi) Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area Guidelines as determined by the Regional District.

(c) Guidelines

Development permits shall be issued in accordance with the following:

(i) The use or disposal of substances or contaminants that may be harmful to area aquifers is discouraged and steps must be taken to ensure the proper disposal of such contaminants.

(ii) A report must be prepared by a Professional Engineer or Geoscientist with experience in hydrogeology. The report should follow any applicable checklist of the Regional District for preparation of hydrogeological assessment reports and should also include, but is not limited, to the following:

(A) definition of the study area and the relationship of the proposed development to the protected aquifer and known recharge areas, including map(s) indicating community water well locations;

(B) capture zone analysis for existing and proposed new wells;

- (C) an assessment of the ability of the aquifer to accommodate additional groundwater demand proposed by the development, which shall include the anticipated water demand of the proposed uses based on the development potential of the subject property based on the current zoning;
 - (D) identification of potential impacts on adjacent properties and land uses; and
 - (E) recommendations for measures required to ensure the quality and quantity of water in the aquifer is protected.
- (iii) The use of permeable paving and other methods to reduce rainwater runoff are encouraged.
- (iv) Where a proposed development will include any of the purposes or activities listed in Schedule 2 of the Contaminated Sites Regulation, (B.C. Reg. 375/96), the report prepared by a Professional Engineer or Geoscientist with experience in hydrogeology (as described in Guideline 2) shall be required to confirm the protection of the aquifer in relation to the intended uses. In this case, the professional report should additionally include the following:
- (A) as part of the map(s) described in Guideline 2a., also indicate: site location of activities listed in abovementioned regulation, all well locations (abandoned or operational, proposed or existing above ground or underground fuel storage tanks, and underground utilities, such as water, sanitary, and storm water drainage or natural gas lines;
 - (B) assess the potential for contamination and the expected results should a spill occur;
 - (C) identify appropriate site-specific groundwater protection measures;
 - (D) address site design, and best management practices for site drainage, sewage disposal and hazardous material use, handling, storage, disposal and spill response; and
 - (E) provide recommendations, a conclusion and a reference site layout plan.
- (v) A rainwater management plan prepared by a Professional Engineer may be required to ensure that the discharge of any treated effluent and rainwater does not negatively affect groundwater quality. The plan must include recommendations on how to minimize the risk of deleterious substances entering the groundwater.
- (A) Treated effluent and diverted rainwater collection and discharge systems on commercial, industrial, multi-residential, and other developments where there is potential for silt and petroleum-based contaminants to enter a watercourse or infiltrate into the ground must be directed through an appropriately sized and engineered sediment, oil, water and grease separator or other engineered solution. Examples of uses to which this guideline applies includes uses such as vehicle and machinery storage, cleaning and

maintenance, and public parking areas.

(B) The engineer must provide an appropriate maintenance schedule.

(vi) Development or subdivision of land should be designed to:

(A) replicate the function of a naturally vegetated watershed;

(B) not interfere with groundwater recharge;

(C) maintain the hydraulic regime of surface and groundwater and pre-development flow rates which includes no net increase in peak rainwater run-off from the land to adjoining lands.

(vii) Where a proposed development is within a sub-area “risk of artesian conditions” as identified in the applicable official community plan:

(A) the professional report shall determine the depth of the overlying till aquitard, and provide recommendations for its protection during excavation, well drilling, and construction; and

(B) wells must be drilled by a registered well driller who is qualified to control artesian flow.

(viii) Where a proposed development is within the well protection area or well capture zone of a community water system, the professional report must refer to the relevant well protection plan and provide recommendations for the development to ensure mitigation of any potential risk to the community water source.

(ix) All development that proposes a site, facility, or premise where municipal solid waste or recyclable materials will be managed must be conducted in accordance with RDN Waste Stream Management Licensing Bylaw No. 1386, 2004 as amended or replaced from time to time.

(x) Recommendations within the professional report(s) will form part of the development permit terms and conditions, and may include registration of a Section 219 covenant, prepared at the applicant's expense and to the satisfaction of the Regional District. Where a maintenance schedule for a sediment, oil, water and grease separator is recommended, a commitment to the maintenance schedule may be included in the covenant.

(xi) Developments that are found to pose detrimental impact(s) on either the quality or quantity of groundwater which cannot be adequately mitigated shall not be supported by the Regional District.

6.6 Marine Coast Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.

(a) Applicability

A development permit is required for the following activities wherever they occur within this development permit area, unless specifically exempted:

- (i) removal, alteration, disruption or destruction of vegetation, including trees, plants and shrubs;
- (ii) disturbance of soils, including grubbing, scraping and the removal of top soils;
- (iii) construction or erection of buildings and structures;
- (iv) creation of non-structural impervious or semi-pervious surfaces; and
- (v) subdivision of land as defined in the [Land Title Act](#) or [Strata Property Act](#).

(b) Exemptions

The following activities are exempt from any requirement for a development permit:

- (i) Development or alteration of land to occur outside the designated development permit area, as determined by a BC Land Surveyor or by the Regional District.
- (ii) Repair, maintenance, or alteration of existing legal buildings, structures or utilities except for shoreline protection structures, provided the footprint of the building is not expanded (a building permit may still be required). For clarity, repair, maintenance, alteration or reconstruction of shoreline protection works such as riprap and stacked rocks, requires a development permit whether or not they meet the definition of 'structure' in other bylaws of the Regional District.
- (iii) Minor additions to existing buildings or structures to a cumulative maximum of 25 percent of the original ground floor area, provided that the addition is located on the side or part of the building or structure most distant from the foreshore.
- (iv) A second storey addition, excluding cantilevered construction, to a legally sited structure, provided the second storey addition is within the existing footprint of the existing structure.
- (v) Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing.

- (vi) Construction of a fence so long as no native trees with a diameter at breast height of 20 centimetres or greater are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence.
- (vii) Gardening and yard maintenance activities within an existing landscaped area, such as lawn mowing, tree and shrub pruning, vegetation planting and minor soil disturbance that do not alter the general contours of the land.
- (viii) The construction of a small accessory building or structure such as a pump house, gazebo, deck, patio, garden shed or play house if all the following apply;
 - (A) the building or structure is located within an existing landscaped area;
 - (B) no native trees with a diameter at breast height of 20 centimetres or greater are removed;
 - (C) there is no permanent foundation
 - (D) the building or structure is located a minimum of 10 metres from the natural boundary of the sea or, where the bank has a slope greater than 3:1, 10 metres from the top of the bank; and
 - (E) the total area of the small accessory building or structure is less than 10 square metres.
- (ix) Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an imminent threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.
- (x) The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plant Council of BC's 'Grow Me Instead' publication.
- (xi) Works conducted and/or approved by the Regional District, Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*.
- (xii) Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.
- (xiii) Subdivision involving only lot line adjustment or lot consolidation. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the Regional District, BC Land Surveyor, or Registered Professional Biologist, and there are no works proposed within the development permit area.

(c) **Guidelines**

General Guidelines

- (i) Development within the development permit area should be limited and not negatively impact the ecological health of the immediate area, disrupt coastal sediment transport processes, or impede public access along the shore. It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided. It should be demonstrated that variances to minimize development in the development permit area have been obtained or considered.
- (ii) An assessment must be prepared by a Registered Professional Biologist with the objectives of identifying sensitive biophysical features on or near the property and providing recommendations and conditions for development to avoid or mitigate impacts to these features. The assessment should list the guidelines in this development permit area with an explanation of how the proposed development is consistent with them (or an explanation of how a guideline is not applicable) and should indicate on a site plan areas for yard and driveway and areas to remain free from development.
- (iii) Existing native vegetation should be retained wherever possible to minimize disruption to habitat and to protect against erosion:
 - (A) Dune grass is particularly sensitive to foot traffic and often keeping foot traffic away through fencing or signage can result in regeneration in short time periods. Replanting of dune grass and associated plants where it has been previously disturbed may be a condition of a development permit.
 - (B) Coniferous trees provide important perches for eagles, and older trees may be used by eagles for nests. It is important that some trees are retained or replanted within and close to the development permit area when properties are developed, even if the trees are young.
 - (C) Trees and shrubs to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading, storage of fill or building materials, and other development activities.
 - (D) Temporary fencing at a prescribed distance from the natural boundary or top of bank should be required to protect the shoreline vegetation.
- (iv) New, or additions to, upland buildings and structures should be located and designed to avoid the need for shore protection works throughout the life of the building or structure. Only if all options to locate and design without the need for shore protection measures are exhausted should such works be considered.
- (v) Shore protection measures shall not be allowed for the sole purpose of reducing

the setback pursuant to the Floodplain Bylaw or for reclaiming land lost due to erosion.

- (vi) Where shoreline protection works are proposed they shall be designed by a Professional Engineer and:
 - (A) be limited to that necessary to prevent damage to existing structures or established uses on adjacent upland;
 - (B) be the 'softest' possible shore protection measure that will still provide satisfactory protection;
 - (C) not be expected to cause erosion or other physical damage to adjacent or down-current properties;
 - (D) address compatibility with any adjacent shore protection works; and
 - (E) be in compliance with the Regional District's Marine Retaining Wall Policy B1-09.
- (vii) Where a geotechnical report is required, it will form part of the development permit terms and conditions, which may include registration of a Section 219 covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.
- (viii) Where protection from erosion is proposed as either new works or replacement, every effort will be made to design shoreline protection in accordance with the *Green Shores* programs of the Stewardship Centre of BC. These programs provide resources for, and examples of, shoreline erosion protection involving creation or maintenance of low-angle slopes allowing for dissipation of wave energy, retaining native plants and habitat, and providing a natural appearance. Some *Green Shores* approaches rely on use of the beach below the natural boundary, which requires permission from the Province.
- (ix) Where erosion protection works are proposed below the natural boundary, they should not obstruct public access along the foreshore or beach and must be authorized by the Provincial Crown as owner of that land.
- (x) Heavy equipment shall not be permitted on the beach unless existing conditions do not permit upland access and, if required, mitigation methods acceptable to the Regional District shall be identified as part of the application. Procedures shall be in compliance with the Regional District's Marine Retaining Wall Policy B1-09, as amended or replaced from time to time. For commercial and multi-family developments, the *Green Shores for Coastal Developments* program of the Stewardship Centre of BC should be reviewed and referenced, and every effort made to design the development in accordance with its recommendations and best practices.
- (xi) Entirely 'hard' structural shore protection measures such as concrete walls, lock

block, or stacked rock (riprap), may be considered as a last resort only when a geotechnical and biophysical analysis demonstrates that:

- (A) the erosion is not being caused by upland conditions, such as the loss of vegetation and drainage associated with upland development;
 - (B) all possible on site drainage solutions by directing drainage away from the shoreline edge have been exhausted;
 - (C) Green Shores non-structural or structural measures are not feasible or not sufficient to address the stabilization issues;
 - (D) it is not feasible to instead construct a retaining wall that meets the zoning bylaw setback;
 - (E) the shore protection measure is designed so that neighbouring properties are not expected to experience additional erosion; and
 - (F) all shore protection structures are installed upland of the present natural boundary of the sea.
- (xii) Where the installation of a hydrothermal and geotexchange unit is proposed, the Regional District will require the applicant to provide a report by a Registered Professional Biologist with experience in marine ecology, to assess the potential impact of the proposed installation on the marine environment, public users of the foreshore, the anchoring of vessels, and First Nation shellfish harvesting, and provide recommendations to restore or enhance those areas impacted by the proposed development.
- (xiii) Where the applicant's biologist or other qualified professional recommends revegetation and/or enhancement works within the development permit area, the Regional District may require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional.
- (xiv) The applicant may be required to provide confirmation to the Regional District that the property has been developed in accordance with the recommendations of the biologist or engineer, as applicable.

Guidelines Applicable to Subdivisions and New Development

- (xv) Subdivisions should be designed so that the new lots will not require shore protection measures in order for useable, safe building sites to be created above the year 2100 flood construction level when considering sea level rise.
- (xvi) New development on steep slopes or bluffs shall be set back sufficiently from the top of the bluff to ensure that shore protection measures will not be necessary during the life of the structure, as demonstrated by a geotechnical analysis.

- (xvii) New driveways, parking lots, and wastewater disposal systems should not be located in the development permit area. If such a location cannot be avoided, the encroachment into the development permit area must be minimized, and the design and construction of the road, parking lot or wastewater disposal system be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met. These works may be required to be completed prior to final approval of the subdivision.

Guidelines Applicable to Vegetation Management, Restoration and Enhancement

- (xviii) If the area has been previously cleared of native vegetation or where clearing is proposed, replanting should be required in accordance with these guidelines and according to the recommendations of a Registered Professional Biologist. Where it is not practical to replace all vegetation that is or has been removed, replanting should be focused on the areas of highest ecological value such as foreshore dune grass ecosystems, trees suitable for eagle perching, or other areas identified in the biophysical assessment.
- (xix) Vegetation species used in replanting, restoration or enhancement should be salt and wind tolerant, and selected to suit the soil, light and groundwater conditions of the site, should be native to the area, and be selected for erosion control and/or wildlife habitat values as needed. A minor amount of suitably adapted, non-invasive, non-native vegetation may also be considered acceptable subject to supportive recommendations in a biophysical report.
- (xx) All replanting should be maintained by the property owner for a minimum of two years from the date of completion of the planting. This may require removal of invasive, non-native weeds (e.g., Himalayan Blackberry, Scotch Broom, English Ivy) and irrigation. Unhealthy, dying or dead stock should be replaced at the owner's expense within that time in the next regular planting season.

Guidelines Applicable to Beach Nourishment and Upland Fill

- (xxi) Fill on land above the natural boundary greater than 10 cubic metres in volume should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills should be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration, and the Regional District may require a sediment and erosion plan prepared by a qualified professional.
- (xxii) Fill below (seaward of) the natural boundary should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design. This would also require permission from the Province.

Guidelines Applicable to Commercial and Industrial Development

- (xxiii) New boating facilities that provide moorage shall not be constructed unless access is available to adequate and convenient facilities for pump-out of holding tanks.

- (xxiv) New boat maintenance and repair facilities shall be designed, located and operated in a way that ensures there will be no discharge of toxic materials from boats (fuels, oils, maintenance by-products, etc.)
- (xxv) In order to minimize the impact on aquatic life, lighting of commercial and industrial developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high-cutoff angle should be used. Full- spectrum fixtures are preferred. Neon lighting should not be used outside buildings.
- (xxvi) Signs on commercial and industrial developments built over the water surface should not move or be audible and should not incorporate lighting that moves or flashes or gives the impression of doing so.

Guidelines Applicable to Boat Launch Facilities or Ramps

- (xxvii) Boat launch ramps are the least desirable of all water access structures and may only be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of natural geo-hydraulic processes. The ramp width should be minimized, and paved strips versus a full concrete pad is preferable. Development Permit applications must demonstrate all applicable provincial and federal guidelines have been followed and approvals are in place.

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
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6.7 Coastal Flood Hazard Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.

(a) Applicable Activities

A development permit is required for any development occurring on land within the Coastal Flood Hazard Development Permit Area that may be classified as one of the following activities, as per section 489 of the *Local Government Act*:

DPA added as per amendment
bylaw 500.445.

- (i) subdivision of land;
- (ii) construction of, addition to, or alteration of a building or structure; and
- (iii) and alteration directly related to the construction of a building or structure, including without limitation, disturbance of soils including grubbing, scraping, removal of top soils and the creation of non-structural impervious or semi-pervious surfaces.

(b) Exemptions

A Coastal Flood Hazard Development Permit is not required for the following activities:

- (i) Those activities identified as exempt in the Regional District of Nanaimo Flood Hazard and Mitigation Bylaw No.1872, 2023.
- (ii) Subdivision involving only lot line adjustment or lot consolidation. To be exempt, there must be a viable building site on natural grade outside of the development permit area as confirmed by a BC Land Surveyor or Qualified Professional, and no works are proposed within the development permit area.
- (iii) Subdivision where the following criteria is met:
 - (A) required minimum lot sizes are achieved exclusive of the development permit area, as confirmed in writing by a Qualified Professional and by a BC Land Surveyor on the survey plan;
 - (B) no development activities including grading, clearing, trenching, or installation of pipes, relating to the creation of any lots will occur within the area encompassing the development permit area;
 - (C) no new lot lines created within the development permit area; and

(D) where a section 219 covenant is registered to prevent development on those portions of lands deemed subject to flood hazards in a manner consistent with the development permit area guidelines.

(iv) Construction of, or additions to, a building or structure that does not require a building permit.

(v) Public works and services and maintenance activities carried out by, or on behalf of, the Regional District where appropriate measures have been taken to satisfy the applicable development permit area guidelines as determined by the Regional District.

(c) Guidelines

General Guidelines

- (i) Timing of development and construction methods should consider and aim to avoid times of the year more prone to flood events.
- (ii) Impervious surfaces should be limited, which may involve reducing the overall building footprint, roof size, and area of paved surfaces.
- (iii) When retaining walls or structures are necessary due to site constraints, heights and widths should be minimized wherever possible and must be designed by a Qualified Professional.

Flood Hazard/Risk Assessment Guidelines

New construction of a building or structure within the Coastal Flood Hazard Development Permit Area must address the risk of flooding and erosion from the sea. Where risk of river and coastal flooding co-exist, the combined effect shall be accounted for. Requirements include the following:

- (i) All applicants must submit:
 - (A) a completed copy of the Regional District of Nanaimo's Sustainable Site Plan Checklist provided in the Sustainable Site Planning Guide;
 - (B) a geotechnical evaluation (flood report) prepared by a Qualified Professional that:
 - (1) includes a site plan identifying flood hazard, including areas susceptible to flooding, location of the sea, existing and proposed development including roads, trails, buildings, grading, on site topography and any areas that are to remain free from development;
 - (2) clearly states any conditions or recommendations to reduce flood hazards including without limitation recommendations for safe use of a habitable area, and to ensure the proposed development does not increase flood hazards to existing development on or near the subject property, and the rationale for conditions or recommendations provided;

- (3) if applicable, outlines areas on the site that are more at risk of flood hazards and areas with a reduced risk to guide the location of future development on the site;
 - (4) calculates the flood construction level using the Canadian Geodetic Vertical Datum of 2013 as the baseline, where the flood construction level is determined as the sum of:
 - I. 1:200 (0.5%) Annual Exceedance Probability total water level of tides and storm surge;
 - II. allowances for future sea level rise to 1.0 metre by the year 2100 or sooner;
 - III. allowances for regional uplift, or subsidence;
 - IV. estimated wave effects associated with a designated storm with a 0.5% Annual Exceedance Probability; and
 - V. a minimum freeboard of 0.6 metres;
 - (5) cites the following when calculating the flood construction level:
 - I. the Regional District of Nanaimo Electoral Area Regulatory Coastal Floodplain Maps dated April 25, 2022; and
 - II. background information on the flood hazards, including without limitation, storm surges, erosion, wave effects, high tides, sewers, groundwater, reservoirs, road runoff and other natural and artificial water sources;
 - (6) sets out any conditions to enable safe use of the land for the intended purpose. Any assumptions regarding future watershed and/or coastal conditions as they relate to the hazard assessments are to be clearly stated;
 - (7) certify the “subject land may be used safely for the use intended”; and,
 - (8) provides a flood assurance statement that confirms that an appropriate assessment has been conducted and that the Qualified Professional has taken responsibility for the work in the form prescribed in the Engineer and Geoscientists of British Columbia’s Flood Assessment Guidelines.
- (ii) Recommendations within the flood report will form part of the development permit terms and conditions and the applicant may be required to register a section 219 covenant incorporating the flood hazard assessment at the applicant’s expense and to the satisfaction of the Regional District of Nanaimo.
- (iii) A Plan that demonstrates no habitable area below the flood construction level.

Setback Guidelines

(iv) All development should be located in the least hazardous location on the property, as specified by the Qualified Professional.

(v) Any proposed development must be:

- (1) setback a minimum of 15 metres from the natural boundary estimated for 1.0 m of sea level rise; or
- (2) where the development site is at the top of a bluff that is 30 degrees or more from horizontal and where the toe of the bluff is subject to erosion and is less than 15 metres from a natural boundary of the sea, the minimum setback from the top of bluff must be equal to 3 times the height of the bluff as measured from the toe of the bluff to the elevation of the building foundation at its lowest point.

Crawlspace Guidelines

(vi) A crawlspace proposed to be constructed below the flood construction level must meet the following requirements:

- (1) the building must be designed and anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; and
- (2) b. the height of the crawlspace, measured from the interior grade of the crawlspace to the underside of the floor system above must not exceed 1.2 metres at any point.

Landfill Guidelines

(vii) Where landfill is used to raise the natural ground elevation, a drainage plan prepared by a Qualified Professional is required to establish run-off from the site, including from impervious and filled areas, will not be directed to adjacent properties. The drainage plan must indicate:

- (1) existing and proposed grades of the subject property;
- (2) existing grades of adjoining properties measured 3.0 metres from the common property line; and,
- (3) proposed drainage treatments including any use of detention systems or permeable materials to limit or control runoff to adjacent properties.

(viii) The placement of landfill must be supervised by a Qualified Professional to ensure it will not increase flood hazards for adjacent properties or weaken the overall hydraulic conditions of the floodplain.

Subdivision Guidelines

(ix) The permitted building envelope for every proposed lot in a subdivision must:

- (1) have a viable building site on natural grade that is above the Flood Construction Level for future sea level rise as set out in the applicable official community plan, and
- (2) complies with the setbacks from the sea as prescribed in the “Regional District of Nanaimo Flood Hazard Mitigation Bylaw No. 1872, 2023”.

Draft

Part 1
Administration

Part 2
Interpretation

Part 3
Land Use Regulations

Part 4
Zones

Part 5
Subdivision Regulations

Part 6
Development Permit
Areas

6.8 Hazard Lands Development Permit Area

Applicability

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.

A development permit is required for the following activities unless specifically exempt:

- (i) alteration of land, placement of fill, disturbance of soils, including grubbing, scraping and removal of top soils;
- (ii) construction or erection of buildings and structures;
- (iii) creation of non-structural impervious or semi-pervious surfaces; and,
- (iv) subdivision of land.

(a) Exemptions

The following activities are exempt from requiring a development permit:

- (i) Development or alteration of land to occur outside the designated development permit area, as determined by a BC Land Surveyor or by the Regional District.
- (ii) Where there is no flooding or steep slope hazard, confirmation of which may require a letter from a Professional Engineer.
- (iii) The construction of buildings and structures in accordance with the RDN Floodplain Management Bylaw No. 1469, 2006 or a subsequent Floodplain Bylaw, where there is no proposed land alteration, placement of fill, or modification to land within the floodplain outside of the building footprint beyond minor soil disturbance resulting from normal construction practices.
- (iv) Where a geotechnical report for a proposed building or structure is provided to the building inspector and a s.219 covenant regarding building on the land is registered on the title to the land, in circumstances where there is no proposed alteration of land, including placement of fill, other than minor soil and vegetation disturbance of a type and to an extent that is usual in normal construction practices.
- (v) On a lot where the hazard is not due to a steep slope, a second storey addition to an existing structure provided the building footprint remains the same.
- (vi) The construction of a small accessory building or structure if all the following apply:
 - (A) the building is located within an existing landscaped area;
 - (B) no native trees with a diameter at breast height of 20 centimetres or greater are removed;

- (C) is moveable by being not directly affixed to the ground;
 - (D) the building is located a minimum of 10 metres from the high water mark of a watercourse or waterbody or, where a slope greater than 3:1, 10 metres from the top of the slope; and
 - (E) the total area of the small accessory building is less than 10 metres square.
- (vii) The construction of a fence.
- (viii) In the case of an application to subdivide, a development permit is not required where:
- (A) minimum lot areas are met exclusive of the development permit area; and
 - (B) no development activities (such as grading, clearing, trenching, installation of pipes, etc.) relating to the creation of lots or provision of services for those lots will occur within the development permit area.
- (ix) Subdivision involving only lot line adjustment or lot consolidation. For lot line adjustment to be exempt there must be sufficient developable area outside the development permit area as confirmed by the Regional District, BC Land Surveyor, or Professional Engineer, and there are no works proposed within the development permit area.
- (x) Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an imminent threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.
- (xi) The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plan Council of BC's 'Grow Me Instead' publication.
- (xii) The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*, is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*, and the lands are assessed as 'farm' under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than five years old); otherwise, land clearing as part of a farm operation is not exempt. Not that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.
- (xiii) Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
- (A) emergency flood or protection works;

- (B) clearing of an obstruction from bridge, culvert, or drainage flow; repairs to bridges and safety fences;
- (C) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the federal *Fisheries Act*.

Notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.

- (xiv) Digging of observation holes for percolation testing under supervision of a Registered Onsite Wastewater Practitioner or Professional Engineer, and digging of test pits for geotechnical investigation under supervision of a Professional Engineer.
- (xv) Works conducted and/or approved by the Regional District, Department of Fisheries and Oceans and/or Ministry of Environment with respect to trail construction, stream enhancement, fish and wildlife habitat restoration and in-stream works as defined by Section 11 of the *Water Sustainability Act*.
- (xvi) All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as 'Forest Lands' on the property assessment.
- (xvii) Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.

(b) Guidelines

General Guidelines

- (i) An assessment report prepared by a Professional Engineer or Geoscientist with experience in geotechnical engineering, geohazard assessment or river hydrology, as applicable, shall be required to assist in determining what conditions or requirements shall be included in the development permit so that the proposed development is protected from the hazard, and no increase in hazard is posed to existing development on or near the subject property.
 - (A) The assessment report should include a site plan identifying areas susceptible to the flooding, erosion or steep slope hazard, location of watercourses, existing natural vegetation, on site topography, and the location of the proposed development.
 - (B) The assessment report must include a statement from the Professional Engineer that states in their opinion that the property is safe for the intended use.

- (C) The assessment report will form part of the development permit terms and conditions, and which may include registration of a Section 219 covenant, prepared at the applicant's expense and to the satisfaction of the Regional District.
- (ii) It should be demonstrated that locating development entirely outside of the development permit area has been considered, and a description of why that is not being proposed should be provided. It should be demonstrated that variances to minimize development in the development permit area have been obtained or considered.
- (iii) Where the assessment report recommends revegetation and/or enhancement works, the Regional District may require the applicant to submit a landscaping plan and a security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other qualified professional to the satisfaction of the Regional District.
- (iv) Development should:
 - (A) be designed to ensure that development can withstand the hazard;
 - (B) take a form that minimizes the development with any hazardous areas and minimizes impact on the natural features including vegetation, that help to mitigate flood and/or erosion risk; and
 - (C) be conducted at a time of year, and use construction methods, that minimize the impact on the development permit area.
- (v) Prior to construction commencing, the installation of temporary fencing or flagged stakes marking any areas to be avoided due to either hazardous conditions or to avoid disturbance to sensitive vegetation that plays a role in mitigating the hazard, is required.

Guidelines related to flood hazard

- (vi) Development or subdivision of land should be designed to:
 - (A) replicate the function of a naturally vegetated watershed;
 - (B) maintain the hydraulic regime of surface and groundwater and pre-development flow rates; and
 - (C) not interfere with groundwater recharge.
- (vii) Wetlands and other natural water features should be maintained in their natural state to enhance natural flood storage and protect environmentally sensitive ecosystems. Restoration of previously impacted natural freshwater systems should be considered in this development permit area to improve flood hazard mitigation.
- (viii) Site development shall preserve natural vegetation where it contributes to flood

protection and mitigation.

- (ix) Where the placement of fill is proposed within a floodplain, the fill must not restrict the passage of flood waters, redirect flood flows, decrease natural flood storage, or result in higher flood flows or flood potential elsewhere in the floodplain. The Regional District may require a report by a Professional Engineer that ensures the placement of the proposed fill would not restrict the passage of flood waters, redirect flood flows, decrease natural flood storage, or result in higher flood flows or flood potential elsewhere in the floodplain.

Guidelines related to steep slopes

- (x) No unnecessary disturbance of the steep slope shall be permitted. Site development shall preserve natural vegetation on steep slopes and retain the natural terrain, topography of the site, and minimize cutting into the slopes.
- (xi) Development at the top and toe of a steep slope should be designed to prevent negative impacts to slope stability and protect development from the hazard. The assessment report should include recommendations for development such as drainage management, landscaping, and proximity of buildings and structures to the slope.

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

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the applicable official community plans.

(a) Applicability

A development permit is required for the following activities wherever they occur within the Development Permit Area, unless specifically exempted:

- (i) Subdivision of land as defined [Land Title Act](#) or bare land strata under the [Strata Property Act](#).
- (ii) For Electoral Areas A, E and G only where the lot is greater than 5000 m²:
 - (A) alteration of land, disturbance of soils, including grubbing scraping and removal of topsoils;
 - (B) construction or erection of buildings and structures; and
 - (C) creation of non-structural impervious or semi-pervious surfaces.

(b) Exemptions

The following activities are exempt from any requirement for a development permit:

- (i) Development on lands within the ALR.
- (ii) Development in accordance with an existing covenant for maintenance of a landscaped buffer related to adjacency of the ALR.
- (iii) Lands zoned industrial, and proposed to be or being used for industrial purposes.
- (iv) Subdivision where each proposed lot within the DPA have a minimum lot depth of 50 metres measured perpendicular from the ALR boundary.
- (v) The activity is part of a farm operation as defined by the *Farm Practices Protection (Right to Farm) Act*; is a permitted farm use as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedures Regulations*; and the lands are assessed as 'farm' under the *BC Assessment Act*. The farm operation of land clearing is only exempt from the requirement of a development permit if conducted in accordance with a current Environmental Farm Plan (less than five years old); otherwise, land clearing as part of a farm operation is not exempt. Not that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.
- (vi) Construction of a building or structure located further than 15 metres from the boundary of the ALR.

- (vii) Land alteration, disturbance of soils, including grubbing, scraping and removal of top soils greater than 15 metres from the boundary of the ALR.
- (viii) Maintenance of existing buildings and structures.
- (ix) Reconstruction of, redevelopment of, additions (including second storey), or alterations to an existing dwelling unit or other building or structure within the development permit area provided the changes do not result in the buildings or structures being located further within the DPA than the existing buildings or structure.
- (x) Construction of one access driveway provided it is no more than 9.0 metres in width.
- (xi) The construction of a fence provided the area being disturbed to allow for construction and maintenance is 3.0 metres or less in width, and no trees with a diameter at breast height of 10 centimetres or more are being removed.
- (xii) Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:
 - (A) emergency flood or protection works;
 - (B) clearing of an obstruction from bridge, culvert, or drainage flow, repairs to bridges and safety fences;
 - (C) any emergency works to be undertaken in accordance with the Provincial *Water Sustainability Act* and *Wildlife Act*, and the Federal *Fisheries Act*.
 - (D) notwithstanding the above, emergency actions for flood protection and clearing of obstructions by anyone other than the Regional District or Ministry must be reported to the Regional District and applicable Ministry immediately to secure exemption under this provision. Note that once the emergency has passed, a development permit may be required for remediation or permanent protection works.
- (xiii) Removal of trees deemed hazardous by a certified Arborist or Registered Professional Forester that pose an immediate threat to buildings or life safety. Removal of hazardous trees that also contain an eagle or heron nest is exempt only if a permit under the *Wildlife Act* has been obtained.
- (xiv) The small-scale, manual removal of non-native invasive plants or noxious weeds or planting of non-invasive, native vegetation on a small scale conducted in accordance with best practices such as the Invasive Plant Council of BC's 'Grow Me Instead' publication.
- (xv) All forest management activities on lands subject to the *Forest Act* or *Private Managed Forest Land Act* and classified as 'Forest Lands' on the property assessment.

- (xvi) Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.
- (xvii) The construction of a small accessory building or structure if all the following apply:
 - (A) the building or structure is located within an existing landscaped area;
 - (B) no native trees with a diameter at breast height of 20 centimetres or greater are removed;
 - (C) there is no permanent foundation;
 - (D) the building or structure meets setbacks in the zoning bylaw; and
 - (E) the total area of the small accessory building or structure is less than 10 square metres.

(c) Guidelines

- (i) A 15 metre wide vegetated buffer should be retained or established and maintained on land adjacent to an ALR boundary. The buffer shall generally be designed and landscaped using materials set out in *Guide to Edge Planning: Appendix B*, published by the BC Ministry of Agriculture, or any subsequent editions.
- (ii) Within the vegetated buffer area mature trees and existing native vegetation shall be preserved and where possible integrated with the new landscaping. The planting of trees is strongly encouraged.
- (iii) Plant layout, spacing and support shall generally be in accordance with *Guide to Edge Planning: Appendix B*, published by the BC Ministry of Agriculture, or any subsequent editions. The planting material should include non-invasive, low maintenance, native vegetation that can thrive with little or no fertilizer.
- (iv) Where the introduction of vegetation is required within the development permit area, the Regional District may require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.
- (v) New buildings and structures, except for fencing, should not be situated within the 15 metre vegetated buffer area.
- (vi) Despite the above guidelines, a vegetated buffer of less than 15 metres may be considered in cases where 15 metres is not possible due to existing lot size or other natural or human-made constraint, and buildings or structures may be located within the 15 metres area where it is shown there are no other practical options. Where the buffer area is proposed to be less than 15 metres, as much existing buffering vegetation as possible should be retained or enhancement of vegetation

and/or construction of fencing should be undertaken.

- (vii) The vegetated buffer should be installed prior to commencing construction or land alteration, or prior to final subdivision approval.
- (viii) A Section 219 covenant as per the *Land Title Act* may be required to restrict the removal of vegetation and the construction of any buildings or structures other than fencing within the buffer area, and notify any future property owner that the lot is adjacent to the ALR where normal farm practices may produce noise, odour, dust or other impacts.
- (ix) Subdivision design must minimize the impacts that may occur between farm and non-farm uses on adjacent ALR lands including but not limited to the following:
 - (A) Site design to allow the clustering of lots, buildings or structures away from ALR lands.
 - (B) Avoid road endings or stubs which point directly into the ALR, and half roads along the ALR boundary, except where required for access by farm vehicles.
 - (C) Where a parkland dedication is required, the dedication should be located next to the ALR boundary and include the required vegetated buffer.
- (x) Fencing should be constructed generally in accordance with *Guide to Edge Planning: Appendix C – Fencing Specifications*, published by the BC Ministry of Agriculture, or any subsequent editions.

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

6.9 Yellow Point Aquifer Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the [Electoral Area A Official Community Plan](#).

(a) Applicability

A development permit is required for the following activities unless specifically exempt:

- (i) Subdivision of land as defined in the [Land Title Act](#) or the [Strata Property Act](#); and,
- (ii) Construction, alteration, or erection of a dwelling unit(s).

(b) Exemptions

The following activities are exempt from requiring a development permit:

- (i) Subdivision of land which results in three or fewer lots and the parcel proposed to be subdivided has not been subdivided within the past five years.
- (ii) Land alteration.
- (iii) Construction of a dwelling unit or subdivision of land on lands serviced by a community watersystem.
- (iv) Construction and/or alteration of accessory buildings, agricultural buildings, structures andfencing.
- (v) Construction or renovation to commercial, institutional, recreational, and industrial buildings.
- (vi) All additions or alterations to an existing dwelling unit.
- (vii) The replacement or reconstruction of an existing dwelling unit with another dwelling unit withinthe same basic footprint.
- (viii) Construction of a secondary suite.
- (ix) Construction of a dwelling unit where the applicant demonstrates that there is:
 - (A) A well that existed prior to July 26, 2011 which produces a minimum of 3.5 m³ per day year round that will be connected to the proposed dwelling unit;
 - (B) an existing (prior to July 26, 2011) water license with capacity to satisfy at least 30% of total household water use for a 90 day period; or
 - (C) a valid approved source of water which is not groundwater that is currently in use and has adequate capacity to satisfy at least 30% of total household water use for a 90 day period.

- (x) Construction of a dwelling unit where the dwelling unit:
 - (A) Is not to be connected to a groundwater source; and,
 - (B) Is entirely serviced with water through stored and treated rainwater which meets or exceeds Canadian Drinking Water Standards.

Note: for exemption 10 above, prior to the issuance of a building permit, a report from an Engineer or other qualified professional may be required to satisfy the Regional District that the proposed rainwater system has adequate capacity to meet the year round water demands of the dwelling unit being proposed and that the water will be stored and treated to Canadian drinking water standards.

(c) Guidelines

For subdivision, the following guidelines apply:

- (i) Where property is proposed to be subdivided and more than three parcels, including the remainder (if applicable) are proposed, the Regional District shall require the applicant to supply a report prepared by a professional Hydrogeologist or engineer registered in the province of British Columbia and experienced in hydrogeological investigations which includes the following:
 - (A) An assessment of the characteristics and behavior of the aquifer at its most stressed time of the year which includes two cross sections which define the groundwater body and determine where the water comes from. The assessment must also examine the location of proposed wells and their interaction with the Yellow Point Aquifer;
 - (B) The results and professional interpretation of a minimum 72 hour pumping test to occur in at least one location within the lands being subdivided or a greater number as recommended by a professional hydrogeologist or engineer based on the scale of development and aquifer characteristics;
 - (C) An assessment of seasonal water table fluctuations and the ability of the Yellow Point aquifer to provide a sustainable water supply which satisfies the additional groundwater demand without impacting adjacent rural properties or restricting or limiting the availability of water supply for agricultural irrigation;
 - (D) An assessment of the potential for salt water intrusion as a result of the proposed water extraction which is required to service the proposed development; and,
 - (E) Identification of key recharge points located on the subject property and recommended measures to protect them.
 - (F) Recommendations to address the impacts on groundwater quality and quantity identified through the assessments outlined in sections 1.i – v.

The Regional District shall require the applicant to implement the report's recommendations in the proposed development and the recommendations shall become conditions of the development permit.

- (ii) The Regional District may require, at the applicant's expense, and to the satisfaction of the Regional District, a Section 219 covenant registering the Hydrogeologist's and/or engineer's report on the title of the subject property.
- (iii) The Regional District may require the applicant to install a groundwater monitoring device in at least one well within the proposed subdivision. The Regional District may require an agreement be registered on title to allow the Regional District to access the property to collect data from the device
- (iv) Where rainwater management is recommended by the report identified in Guideline 1 above, rainwater must be retained on site and managed using methods such as vegetated swales, rain gardens, or other methods which allow rainwater to return to the ground.

For the construction of a dwelling unit the following guidelines apply:

Siting of Buildings and Structures

- (v) Dwelling units must be sited to allow for the optimal placement of a gravity fed rainwater collection tank which collects rainwater from the roof leaders of the dwelling unit which captures the majority of the rainwater flows.
- (vi) Water storage tanks should be sited in the least obtrusive way possible from the neighboring properties.
- (vii) A site plan should be provided illustrating the location of the proposed water storage tank(s) in relation to the proposed dwelling unit and adjacent property lines. The site plan should illustrate the rainwater harvesting system components and may be prepared by the applicant provided it is drawn to scale and is legible.

Form and exterior design

- (viii) Dwelling units should be designed to optimize opportunities for rainwater capture for the intended use and corresponding cistern volume.
- (ix) Roof surface materials should be selected to accommodate the type of rainwater harvesting system being proposed.

Specific features in the development

- (x) Impervious surfaces should be minimized. The use of impervious paved driveways is discouraged.

Machinery, equipment, and systems external to buildings and other structures

- (xi) The Regional District shall require that all new dwelling units include a rainwater harvesting system which is designed to satisfy a minimum of 30% of the total

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

household water use (indoor and outdoor) for a minimum of 90 consecutive precipitation free days.

- (xii) Rainwater harvesting systems should target a minimum rainwater storage tank volume of 18, 181 litres (4,000 Imperial Gallons). Larger tank sizes are also supported. This figure was derived based on the following information and calculation:

- Average total household water use the RDN is 704 litres per day
- 30% of the total household water use is for outdoor non-potable use
- Storage must satisfy 100% of outdoor watering needs for a 90 day period

Minimum tank volume is calculated as follows:

Average household use per day \times 0.3 \times 90 days = minimum water storage tank volume

$$704 \text{ litres} \times \frac{30}{100} \times 90 \text{ days} = 19,008 \text{ litres}$$

- (xiii) Notwithstanding Guideline 8 above, a waterstorage tank with a lesser volume may be supported where an assessment of total household water use (indoor and outdoor) prepared by a registered plumber, accredited rainwater harvesting professional, or Engineer is provided, and the applicant is proposing to satisfy a minimum of 30% of total household use for a minimum of 90 consecutive precipitation free days with a rainwater harvesting system.



- (xiv) Rainwater harvesting systems may, at the applicant's discretion, be designed for non- potable outdoor use, non-potable indoor use, or potable drinking water use. The design of such systems must reflect their intended use.
- (xv) The rainwater harvesting system design must, at minimum, consider and include the following components:
- Roofing materials that are appropriate for the type of rainwater harvesting system being proposed.
 - Gutters, downspouts, and transport piping to move the rainwater collected

on the rooftop towards the water storage tank and beyond to its end use.

- (C) Debris removal, filters, and first flush diverter sized and designed to accommodate the proposed rainwater harvesting system.
- (D) Provisions for tank overflow.
- (E) A water storage tank(s) rated for potable use while it is strongly recommended that all other components be rated for potable use.
- (F) A pumping system to move the rainwater and distribution system.
- (G) Rainwater filtration, purification, and disinfection (in the case of potable systems).
- (xvi) Rainwater harvesting systems should be designed to facilitate additional storage volume and future connection to the dwelling unit.
- (xvii) All external pipe, plumbing fixtures, and hose bibs where rainwater is used shall be clearly marked with *“Non-Potable Water Do Not Drink”* as shown in Diagram 2 at right.
- (xviii) Although not a requirement of these Development Permit Area Guidelines, where non-potable rainwater harvesting equipment is required, the Regional District shall encourage the applicant to install dedicated plumbing lines within proposed dwelling units to make use of stored rainwater for flushing toilets and other non-potable uses. The Regional District shall assist the applicant in obtaining the necessary building permit approvals.

(d) Definitions

Total household water use means the sum total of all water use in a household during a typical hot dry summer day including gardens and lawns, baths and showers, kitchen (dishwasher, etc.), toilet flushing, laundry, car washing, drinking, property maintenance, and other outdoor uses.

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

6.10 South Wellington Industrial – Commercial Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area A Official Community Plan.

(a) Application

A development permit is required for the following activities unless specifically exempt:

- (i) Alteration of land, disturbance of soils, including grubbing, scraping and removal of top soils;
- (ii) Construction, alteration, or erection of buildings and structures; and,
- (iii) Creation of non-structural impervious or semi-pervious surfaces;

(b) Exemptions

- (i) A development permit shall not be required for the construction, renovation, or addition to single or duplex dwelling units or accessory residential buildings.
- (ii) A development permit shall not be required for the subdivision of land.
- (iii) A development permit shall not be required for alterations or additions to a building which do not require a building permit, **or signage where the only change is the advertisement within an existing sign and the size is not extended.** This exemption excludes new signage which shall require a development permit.

(c) Guidelines

General Design

- (i) The Regional District shall require building elevations prepared by an architect or other qualified designer.
- (ii) The use of non-combustible building materials is encouraged and where feasible locally produced natural building materials should be incorporated into the design without compromising the building or structure's fire resistance.
- (iii) There shall be no net increase in peak rainwater run-off from the land to adjoining lands.
- (iv) Development of land should be designed to:
 - (A) Replicate the function of a naturally vegetated watershed;
 - (B) Maintain the hydraulic regime of surface and groundwater and pre-development flow rates;

- (C) Not interfere with groundwater recharge; and,
- (D) Not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands.
- (v) Public open space and pedestrian walkway linkages to adjacent neighbourhoods which complement existing parks and recreation opportunities and reduce automobile dependence shall be encouraged.
- (vi) The use of energy efficient building materials, techniques, and practices that reduce the amount of energy consumption shall be encouraged.
- (vii) The use of rainwater catchment and reuse as well as other water conservation devices and strategies shall be encouraged.
- (viii) Buildings and structures, located on parcels adjacent to the Trans Canada Highway, South Wellington Road, or Schoolhouse Road, shall generally be sited and shaped in a visually unobtrusive manner.

Parking and Loading

- (ix) Parking and loading areas shall generally be located to the rear of buildings, should be screened from view from the Trans Canada Highway and adjacent residential uses and be located outside of the minimum required zoning setback, unless a variance is being considered. Screenings should consist of landscaping, fencing, or a combination of landscaping and fencing. Parking areas should include landscaped areas, defined by concrete curbs, to provide visual breaks between clusters of approximately ten stalls.
- (x) Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A Professional Engineer may be required to ensure that adequate lane widths and turning radii are provided for all forms of vehicles intended to use the property.
- (xi) Provision should be made for public transit, emergency vehicles, delivery and service vehicles.
- (xii) Safe and effectively designed and located internal roadways, entrance points, parking areas, pedestrian paths, and open spaces shall be provided.

Landscaping and Screening

- (xiii) The applicant may be required to submit a landscaping plan prepared by a landscape architect or equivalent designer which meets the current edition of the British Columbia Landscape Standard and satisfies the following objectives:
 - (A) To use a variety of drought tolerant deciduous and evergreen native plant species that are best suited to the site specific growing conditions;
 - (B) To minimize water consumption through means such as micro-irrigation and

- xeriscaping;
- (C) To provide visual separation from the Tran Canada Highway and compatibility with surrounding single residential uses;
 - (D) To improve the aesthetic appeal of the development;
 - (E) To assist in the safe movement of pedestrians throughout the site;
 - (F) To reduce the amount of impervious surfaces on the site;
 - (G) To complement the development and surrounding uses;
 - (H) To establish or enhance habitat values on the development site where appropriate; and/or,
 - (I) To shade the development from the summer sun.
- (xiv) The landscaping plan must be drawn to scale and show the type, size, and location of proposed landscaping and shall be submitted with the development permit application.
 - (xv) At minimum, and in addition to the requirements specified in [this Bylaw Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987](#) as amended or replaced from time to time, the landscape design should provide:
 - (A) A continuous landscaped screen area of at least 2.0 metres in width along the inside of all property lines, excluding access points and adjacent to all roads and highways;
 - (B) Where landscaping is for the purpose of visual separation, a minimum height of 5.0 metres once mature; and,
 - (C) A landscape buffer of at least 5.0 metres in width to create spatial separation between non-residential and residential zoned properties and should contribute towards the objectives identified in Policy 20 above.
 - (xvi) Notwithstanding Policy 20 above, the landscaped buffer width and enhancement works adjacent to any watercourse shall be determined by a Qualified Environmental professional and shall work towards Policy 20(h) above– to establish or enhance habitat values on the development site.
 - (xvii) Development should be sited in a manner that minimizes the disturbance of existing native vegetation.
 - (xviii) Vegetation species used in replanting, restoration, and enhancement shall be selected to suit the local soils; light conditions, and groundwater regime of the site and should be native to the area, and where applicable, selected for erosion control and/or fish and wildlife habitat values.

~~(xix) 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.~~

Removed as per Landscaping Discussion Paper

(xx) Where irrigation is required to maintain proposed landscaping, it should be designed by an Irrigation Industry Association of British Columbia certified irrigation designer and be installed by an irrigation industry association of British Columbia irrigation contractor or other equivalent to the satisfaction of the Regional District.

(xxi) The Regional District shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other similarly qualified person to the satisfaction of the Regional District to be released upon final inspection by a landscape architect or other similarly qualified person to the satisfaction of the Regional District.

(xxii) Garbage and recycling containers shall be screened with landscaping and solid gated fencing to a minimum height of 2.0 metres. Similarly, utilities, service kiosks, meters, elevator housing, exhaust elements, satellite dishes, etc. shall be screened with fencing, landscaping, or a combination of the two.

(xxiii) Chain link fencing shall be used only when screened by landscaping. Decorative fences are encouraged which complement the materials used for the principle building.

Site Illumination and Signage:

(xxiv) Lighting should be designated for security and safety. However, there should not be glare on neighbouring properties, adjacent roads or light directed towards the sky.

(xxv) All new, replacement, and upgraded exterior lighting in existing and proposed developments shall be in accordance with Section 3.26 ~~Full Cut-off Flat Lens (FCO/FL) luminaries to light roads, parking, loading, and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures.~~

(xxvi) The size, location, and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be integrated into the design of the building.

(xxvii) Signage should be visually unobtrusive; particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective. ~~Illuminated signs shall be consistent with Section 3.26 No~~

~~video, reader board, neon, or LED signs will be supported.~~

- (xxviii) Where there is a conflict between these DPA guidelines and other sections of this Bylaw ~~the RDN Sign Bylaw No. 993, 1995~~, these guidelines shall prevail. However, a variance to the sign bylaw may be required.

Updated as per
Signs Discussion
Paper

Pedestrian and Cyclist Considerations:

- (xxix) Pedestrian sidewalks or defined pathways connecting building entrances to and through parking areas and sidewalks or road right of ways of the adjacent streets should be provided.
- (xxx) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of a clearly delineated pathway or durable low maintenance surface material such as pavers, bricks, or concrete to enhance pedestrian safety and comfort as well as the attractiveness of the walkways.
- (xxxi) Bicycle parking facilities should be considered at grade near primary building entrances.

6.11 Cedar Main Street Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the [Cedar Main Street Village Plan](#).

(a) Application

A development permit is required for the following development activities unless specifically exempt:

- (i) Alteration of land or disturbance of soils such as grubbing, scraping, and removal of top soils;
- (ii) Construction, alteration, or erection of buildings and structures; and,
- (iii) Creation of non-structural impervious or semi-pervious surfaces.
- (iv) Subdivision of land(s).

(b) Exemptions

A Development Permit shall not be required for the following:

- (i) Construction, renovation, or addition to a single or duplex dwelling unit or accessory residential building on a lot.
- (ii) The replacement or repair of an existing sign provided that the sign is not enlarged or moved and is replaced with the same type of sign (i.e. fascia, freestanding, canopy, etc.).
- (iii) Subdivision of land, except in the case of subdivision for intensive residential.
- (iv) Renovations or alterations within a building.
- (v) Alterations or additions to a building which do not require a building permit, except where newsignage requires a development permit.
- (vi) Development activities that are not visible from Cedar Road or other public spaces.
- (vii) Invasive species removal on lands located outside of the 30 metre Riparian Assessment Area or the Streamside Protection and Enhancement Area as established by a Qualified Environmental Professional.
- (viii) Construction of unattended public utilities.
- (ix) Construction of an attended public utility and related accessory buildings and structures (excluding government office) such as a water treatment facility, shall be exempt from DPA guidelines in the following categories: General Guidelines, Building Massing, Site Planning and Pedestrian Design, Façade Design and

Architectural Detailing.

(c) Variances to Bylaw No. 2500

The requirements of the Cedar Main Street Village Plan may not be consistent with [this Bylaw](#) ~~the Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987.~~ Where there is inconsistency between the Cedar Main Street Village Plan and these DPA Guidelines, a variance to Bylaw No. 2500 may be required to meet the intent of the Plan.

(d) Permit Security

- (i) The Regional District may require applicants for any development permits within the Cedar Main Street Development Permit Area to provide security in the form of cash or an unconditional, irrevocable and automatically renewing letter of credit in cases where:

- The Regional District considers that damage to the natural environment (including ground and surface water) could result as a consequence of a contravention of a condition in a development permit issued;
- The permit holder is required to retain, restore or replace vegetation;
- The permit holder is required to provide landscaping; and/or,
- The permit holder is required to provide onsite rainwater management.

The amount of these securities shall be determined by a qualified person and shall be sufficient to cover the cost of materials and labour.

(e) Guidelines

- (i) The Cedar Main Street Development Permit Area Guidelines are organized into the following ten categories:

1. General Guidelines
2. Building Massing
3. Site Planning and Pedestrian Design
4. Green Building
5. Façade Design
6. Architectural Detailing
7. Landscape Design
8. Signage
9. Lighting
10. Parking and Loading

Development applications must generally satisfy all applicable Development Permit Area Guidelines in order for staff to recommend approval of a

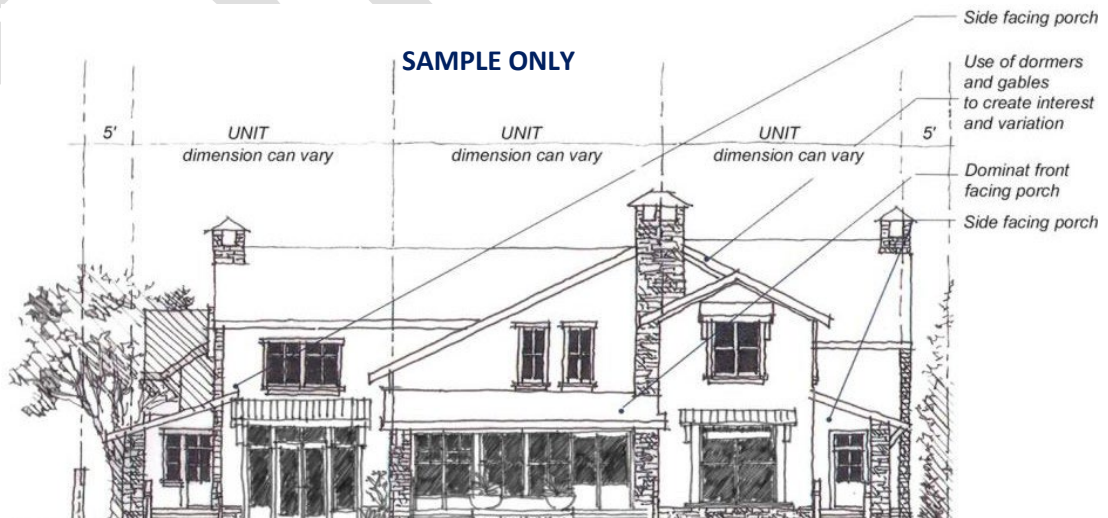
Development Permit application.

General Guidelines

- (ii) Development is encouraged to incorporate design elements and reflect the general intent of the Design Ideas included in Sections 3 and 4 of the Cedar Main Street Village Plan.
- (iii) Where new or alterations to buildings and structures are proposed, the Regional District may require building elevations prepared by an architect or other qualified designer.
- (iv) In the case of subdivision for intensive residential development, each dwelling unit shall be designed in a way which is consistent with the direction provided in this Development Permit Area. Building elevations showing how the proposed buildings comply may be required and may be secured at the time of subdivision through the use of a Section 219 covenant.

Building Massing

- (v) A variety of architectural styles shall be used that create visual interest, complement adjacent buildings, and reflect local culture and history. Applicants are encouraged to refer to the Visual Preference Exercise results contained in the Final Charrette Report dated June 2012 for inspiration.
- (vi) Larger buildings (>12 metres in width) shall be designed in such a way as to avoid large flat building expanses which are visible from Cedar Road. Large expanses shall include trim, design features (such as windows, gables, projections, and porches), varied façade materials, and architectural design.



Sample of how a larger building could be designed to avoid large flat

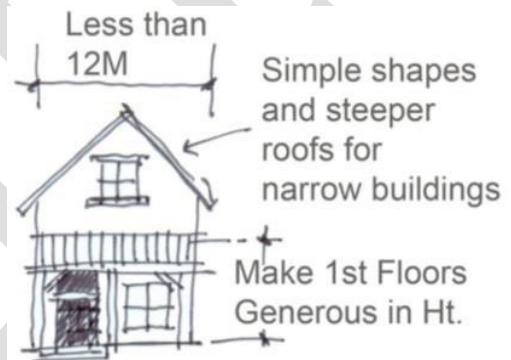
(vii) Larger buildings should be consistent with the height and emerging character of other buildings on the street.

(viii) Smaller buildings (≤ 12 metres in width) should include one or more of the following design features:

- (A) Design which maintains a residential scale and simplicity in façade and roof design;
- (B) Generous first floor heights;
- (C) Front porches or patios;
- (D) A vertical orientation not in a rancher style;
- (E) Gable ends of the roof facing Cedar Road. (exceptions can be made for flat roofed buildings and buildings utilizing passive solar and requiring certain roof orientations; and,
- (F) Architectural design which compliments adjacent buildings through contrasting roof orientations and shapes. Roof design that provides usable space through dormers and gables is strongly encouraged.



Example of building with vertical orientation



(ix) Multi-tenant/Multi-use buildings should include independent entrances and visual separation between uses. Visual separation could include both colour, façade, and/or other design elements.

(x) New buildings should appear to be two storeys as viewed from Cedar Road.

(xi) A third floor can be included where:

- (A) It is fully contained within the roof and the building.
- (B) It maintains a two storey appearance from Cedar Road.
- (C) The building meets the fire protection



Example of third floor space built into the roofscape

and rescue requirements of the North CedarFire Department.

- (xii) Buildings should emphasize a 'small town' or 'rural' scale and should utilize a variety of heights, varied building faces, and artistic design features to add interest to the streetscape.

SAMPLE ONLY



Example of how topography could be used to support third storey within the roof on the downslope side of a parcel

Site Planning and Pedestrian Design

- (xiii) Travel ways which straddle lot lines to accommodate shared access and/or parking facilities are preferred. Travel ways should be avoided between every building.
- (xiv) Mixed use and commercial buildings shall be located in close proximity to the sidewalks and the pedestrian space.
- (xv) Design, siting, and construction of sidewalks shall be determined through discussions with the owner/developer and MOTI where applicable.
- (xvi) Where mixed use or commercial buildings are proposed, avoid large spaces between buildings.
- (xvii) Maximize opportunities for the creation of accessible public space such as patios, plazas, and courtyards.



Example of a covered walkway

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



Example of desirable design elements such as mixed on and off street parking and shared travel ways between developments

(xviii) The use of drive-through shall not be part of building or site design.

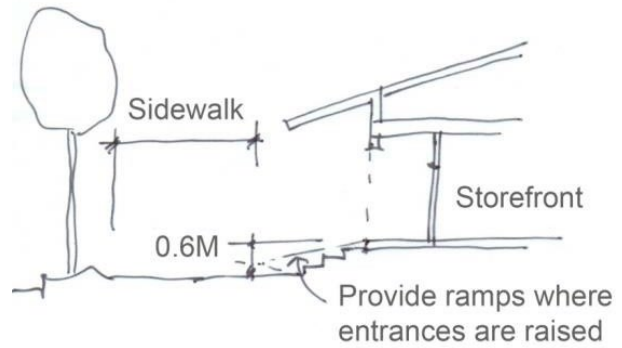
(xix) For commercial and mixed-use developments continuous weather protection for pedestrians should be provided on the exterior of the building. This can be accomplished in a number of ways including:

- (A) Maintaining covered porch areas adjacent to building entrances;
- (B) Providing canopies above storefront doors constructed of wood or other quality, durable materials which are colour-fast and resistant to deterioration caused by dampness; and,
- (C) Extending roof elements at least 1.8 metres past the building envelope provided the roof above is no more than 5.5 metres in average above the storefront threshold.



Example of commercial building storefront located in close proximity to the sidewalk

- (xx) Safe, convenient pedestrian routes for all units should be provided from the unit to an abutting street. All pedestrian access points and routes should be designed for universal access to accommodate persons with disabilities.



Windows have a vertical orientation

Outdoor seating areas are encouraged

Avoid too many steps up to storefronts



- (xxi) Where the possibility for view exists, the protection and creation of view corridors towards York Lake or the Nanaimo River should be incorporated in a site's design.

- (xxii) Where a building is adjacent to Cedar Road, its principal elevation should be oriented towards Cedar Road and designed in such a manner as to promote a lively energetic, pedestrian-oriented, streetscape. Residential developments proposed to be screened from Cedar Road are exempt from this guideline.



Example of outdoor seating area on a corner

- (xxiii) Buildings located on corner lots should be oriented towards both streets and

building design should add significant prominence to the corner.

- (xxiv) Outdoor seating areas should be provided.

Green Building

- (xxv) The use of rainwater harvesting for landscape irrigation and other indoor and outdoor non-potable uses should be used. The use of potable rainwater harvesting systems for potable is encouraged³ where supported by a report from a Professional Engineer or other qualified person that the system⁴ produces water that meets or exceeds Canadian Drinking Water Standards in a quantity sufficient for the proposed use.
- (xxvi) Sites should be evaluated for passive solar gain opportunities. On sites with substantial solar exposure, buildings should be sited, designed, and landscaped to take advantage of passive solar gain in winter and reduce sun exposure in summer.
- (xxvii) Electric vehicle charging stations are encouraged.
- (xxviii) All new commercial, mixed use, and multi-unit residential buildings within the Development Permit Area should strive to achieve a third party certification such as built green gold or Leadership in Energy and Environmental Design (LEED). The Regional District may provide assistance in the Planning and Design Process and may offer grants and incentives in accordance with current offers and rebate programs.
- (xxix) The use of solar panels, geothermal heating and other efficient or renewable energy use alternatives are encouraged in building and site design.

Façade Design

- (xxx) Visually appealing quality siding materials shall be used.
- (xxxi) Building design shall avoid large expanses of any one type or style of cladding.
- (xxxii) The use of vinyl siding should be minimized.
- (xxxiii) To create visual interest the following design strategies shall be used:
 - (A) Create different textures by using both horizontal and vertical façade elements;
 - (B) Break up large building expanses;
 - (C) Separate uses with trim and exterior design features; and,
 - (D) Use a variety of complementary types of siding material, trim, colour, etc.
- (xxxiv) A variety of complementary colours shall be used. The use of at least three different colours on the building exterior is encouraged.

(xxxv) Materials must be high quality, practical, durable, and hard wearing and must be appropriate for a west coast environment. Materials that integrate well within the natural environment should be included in the design.

Architectural Detailing

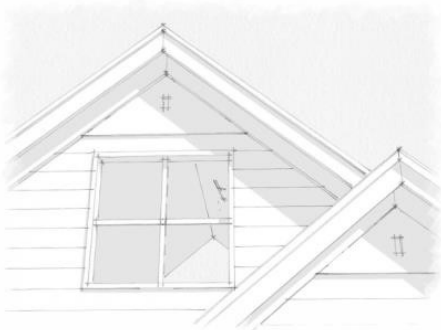
- (xxxvi) Buildings should utilize a variety of high quality complimentary architectural styles rather than a unified design theme.
- (xxxvii) Exposed structural elements such as exposed rafter tails, timber brackets, posts, and beams are encouraged.



Example of different architectural types that are supported



- (xxxviii) At gable ends, encourage the use of friezeboards, details, and other trim.



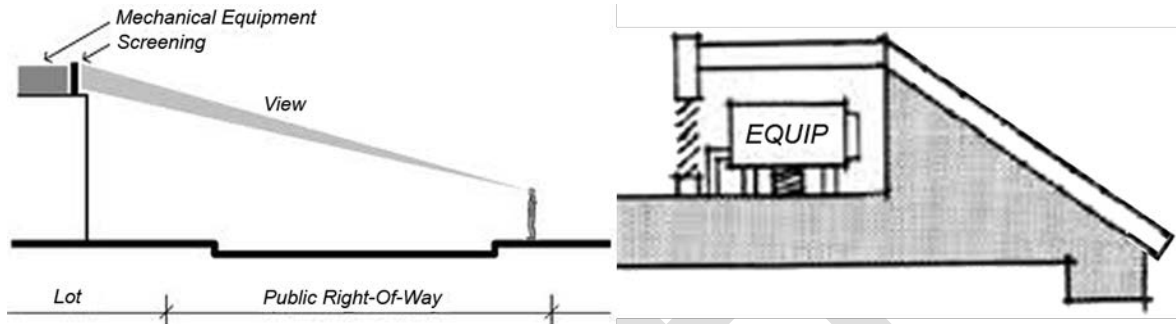
Care should be taken in detailing the façade. Use trim in appropriate dimensions and locations.



Example of the use of frieze boards and other trim

(xxxix) Larger buildings shall utilize accent design features/ strategies to break up large expanses of siding.

(xli) Rooftop mechanical units shall be screened from view with design elements that are incorporated within the architectural massing. Consideration should be given to impacts on adjacent properties.



Examples of rooftop screening

Landscape Design

(xli) Where landscaping is required as part of the development permit, the applicant shall submit a landscaping plan prepared by a landscape architect or equivalent designer which meets the British Columbia Landscape Standard and satisfies the following objectives:

- (A) To use a variety of drought tolerant deciduous and evergreen native plant species that are best suited to the site specific growing conditions;
- (B) To protect, enhance, or retain existing mature healthy vegetation;
- (C) To minimize water consumption through means such as micro-irrigation and xeriscaping;
- (D) To promote compatibility with surrounding uses;
- (E) To improve the aesthetic appeal of the development and adjacent streetscape;
- (F) To assist in the safe movement of pedestrians throughout the site;
- (G) To reduce the amount of impervious surfaces on the site;
- (H) To shade the proposed development from the summer sun;
- (I) To complement the development and surrounding uses; and/or,
- (J) To establish or enhance habitat values on the development site where appropriate.

- (xlii) Notwithstanding Guideline 40 above, edible landscapes (food producing plants, shrubs, and trees) are encouraged and may be considered part of the landscape design where suitable arrangements have been made for ongoing care and maintenance as well as produce harvesting to the satisfaction of the Regional District. Community gleaning is strongly encouraged.
- (xliii) The landscaping plan must be drawn to scale and show the type, size, and location of proposed landscaping and shall be submitted with the Development Permit application.
- (xliv) To provide separation between residential and non-residential uses (excluding mixed use buildings and developments and shared parking and laneways), a landscaped screen of at least 2.0 metres in width along the shared property lines, excluding access points, between all commercial and residential zoned properties should be provided.
- (xlv) Landscaping should be provided adjacent to all roadways to improve aesthetic appeal, minimize impervious surfaces, and provide a visual screen for all outdoor storage, refuse, parking, loading, and unloading facilities and must also work towards the objectives identified in Guideline 6.8.8(1) above.
- (xlvi) Landscaping of boulevards should be provided, including the provision of street trees in accordance with the following:
 - (A) All landscaping and works within the public road right-of-way require MOTI approval with a maintenance agreement arranged between the property owner/developer, MOTI, and the Regional District.
 - (B) Where the opportunity exists, street trees should generally be provided as follows:
 - (1) One high branched tree, of at least 5 centimetre caliper at breast height at time of planting, for every 6.0 metres of street property line with a maximum distance between trees of 12.0 metres, where the type and spacing of trees is to form a sidewalk canopy. Existing native vegetation may be considered provided it satisfies the general intent of this guideline;
 - (2) Tree species should be compatible with the local growing conditions and character of the area; and,
 - (3) A minimum of 3 cubic metres of appropriate soil and growing space is provided for each tree.
- (xlvii) Garbage and recycling containers shall be screened with landscaping and/or gated fencing to a minimum height of 2.0 metres. Chain link fence may only be used in accordance with Guideline 52 below. Similarly, utilities, service kiosks, metres, elevator housing, exhaust elements, satellite dishes, etc. shall be screened with fencing, landscaping, or a combination of the two.

- (xlviii) Buildings and structures should be sited in a manner that minimizes the disturbance of existing native vegetation.
- (xlix) A principle of 'no net loss' of significant native vegetation in any development should be considered. Where it is necessary to remove significant vegetation in order to develop a property, replacement plantings should be provided of a sufficient number, size, type, and maturity to offset its removal.
- (l) Plant species used in replanting, restoration, and enhancement shall be selected to suit the local soils; light conditions, and groundwater regime of the site and should be native to the area, and where applicable, selected for erosion control and/or fish and wildlife habitat values.
- ~~(li) Unless otherwise noted above, 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.~~
- (lii) Where irrigation is required to maintain proposed landscaping, it should be designed by an Irrigation Industry Association of British Columbia certified irrigation designer and be installed by an Irrigation Industry Association of British Columbia irrigation contractor or other equivalent to the satisfaction of the Regional District.
- (liii) The Regional District shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour, as determined by a landscape architect or other similarly qualified person to the satisfaction of the Regional District. The security shall be released following the completion of all approved landscaping and/or site improvements as specified in the Development Permit to the satisfaction of the Regional District. Notwithstanding the above, the Regional District shall withhold 25% of the security for one year to ensure proper maintenance.
- (liv) Chain link fencing shall be used only when screened by landscaping. Decorative fences are encouraged which complement the materials used for the principle building.

Removed as per Landscaping Discussion Paper

Signage

- (lv) Signs should be hand crafted and provide individuality to each establishment.
- (lvi) Materials chosen for signage should be durable enough to last for several years of continuous use, except for the special cases of temporary signage or banners.

(lvii) The following types of signs are not considered acceptable:

- (A) reader board;
- (B) neon;
- (C) flashing;
- (D) animated;
- (E) rotating;
- (F) backlit; and,



Example of a hand crafted sign

- (G) signs which are illuminated in a way which projects light beyond the sign's surface or results in light being directed beyond the sign's surface or towards the sky.

(lviii) Signs should be designed to cater to the pedestrian (limit height, size, and placement) and be inscale with the building and be related to a use or a business within.

(lix) Free standing signage should be consolidated where possible with other businesses or uses as illustrated.

(lx) Creativity in how signs are designed (i.e. different shapes, colours, materials, and fonts) is supported.



Example of a consolidated free standing sign

(lxi) The size, location, and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be complementary to the design of the building.

(lxii) Signage should be visually unobtrusive and particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective.

(lxiii) Signs should graphically communicate a message.

Example of a fascia sign that is complementary to the design of the building and graphically communicates a message



- (lxiv) If there is a conflict between these Development Permit Area guidelines and other sections of this Bylaw the RDN Sign Bylaw No. 993, 1995, as amended or replaced from time to time, these guidelines shall prevail. However, a variance to the sign bylaw may be required.

Updated as per Signs Discussion Paper

Lighting

- (lxv) The use of solar lighting is encouraged.
- (lxvi) Lighting should be designed for security and safety in accordance with Crime Prevention Through Environmental Design (CPTED) principles.
- (lxvii) Site illumination must not result in glare directed towards neighbouring properties, adjacent roads, or light directed towards the sky.
- (lxviii) Building façades may be discreetly illuminated through the use of strategically placed lighting which shines down from the buildings surface.
- (lxix) All new, replacement, and upgraded exterior lighting in existing and proposed developments shall be Full Cut-off Flat Lens (FCO/FL) luminaries to light roads, parking, loading, and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures be



Example of full cut-off light fixtures with direct light below the horizontal plane reducing light pollution and protecting the night sky

in accordance with Section 3.26.

- (lxx) Decorative street lights which are compatible with existing decorative street lighting and are in scale with their surroundings are encouraged.

Parking and Loading

- (lxxi) If on street parking is proposed, it must be designed by a Professional Engineer and approved by the Ministry of Transportation and Infrastructure.
- (lxxii) On site parking and loading areas should generally be located to the rear or side of buildings, should be screened from view from the adjacent road, and be located outside of the minimum required building setback. The screening should consist of landscaping, fencing, or a combination of landscaping and fencing.
- (lxxiii) Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A professional engineer may be required to ensure that adequate lane widths and turning radii are provided for all forms of vehicles intended to use the property.
- (lxxiv) Provision should be made for public transit, emergency vehicles, delivery and service vehicles.
- (lxxv) Safe and effectively designed and located internal roadways, entrance points, parking areas, pedestrian paths and open spaces shall be provided.
- (lxxvi) Parking areas should be designed to be aesthetically pleasing and should include smaller groupings of parking spaces separated by landscaping and shade trees. Large expanses of open parking area should be avoided.
- (lxxvii) The use of permeable paving materials is encouraged in parking areas where it can be demonstrated that oil, water, and other potential contaminants will not enter the aquifer, river, lake, or wetland.
- (lxxviii) Bicycle parking facilities should be provided for each use in accordance with the following:
- (A) Office use: 0.5 - 1 space per 100 m² of gross floor area;
 - (B) Institutional: 0.5 – 0.8 spaces per 100 m² of gross floor area;
 - (C) Commercial: 1 space per 750 m² of gross floor area with a minimum of four spaces per establishment; or,
 - (D) Multi-unit residential: 0.2 spaces per dwelling unit.

Where calculation results in a fractional number, the nearest whole number above the calculation shall be taken.

6.12 Cassidy Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the [Electoral Area A](#) Official Community Plan.

(a) Application

A development permit is required for the following activities unless specifically exempt:

- (i) Alteration of land and disturbance of soils;
- (ii) Construction, alteration, or erection of buildings and structures;
- (iii) Subdivision as defined in the [Land Title Act](#) or the [Strata Property Act](#); and,
- (iv) Creation of non-structural impervious or semi-pervious surfaces;

(b) Exemptions

- (i) A development permit shall not be required for the construction, renovation, or addition to one single or duplex dwelling unit or accessory residential building on one single lot.
- (ii) The replacement or repair of an existing sign provided that the sign is not enlarged or moved and is replaced with the same type of sign (i.e. fascia, freestanding, canopy, etc.).
- (iii) A development permit shall not be required for alterations or additions to a building which do not require a building permit. This exemption excludes new signage which shall require a development permit ~~where the size and illumination are not increasing.~~

(c) Guidelines

General Design

- (i) For commercial, multi residential, The Regional District shall require an applicant to submit building elevations prepared by an architect or other qualified designer.
- (ii) Commercial and mixed use buildings should be designed to reflect the fact that they are located within a pedestrian environment and should be of human scale at street level and should aim to provide functional civic space.
- (iii) The siting of buildings shall be integrated with other existing uses within the Cassidy Rural Village land use designation to promote safe pedestrian linkages and encourage consolidated vehicle access.
- (iv) The use high quality building materials such as Hardiplank, stone, wood, brick, and other exterior natural building materials shall be encouraged.

- (v) Development should generally not be visible from the Trans Canada Highway with the exception of those properties north of Timberlands Road which are designated Commercial by this plan.
- (vi) The architectural design of buildings and structures should be varied, aesthetically pleasing and visually pleasing.
- (vii) Buildings clad entirely in vinyl siding will be strongly discouraged. Where vinyl is used, it should be used sparingly and in combination with other materials.
- (viii) The use of energy efficient building materials, techniques, technologies, and practices that produce local energy and/or reduce the amount of energy consumption shall be strongly encouraged which include, but are not limited to:
 - (A) passive solar gain;
 - (B) district heat and hot water;
 - (C) solar voltaic cells;
 - (D) solar hot water;
 - (E) micro wind; and
 - (F) geothermal.

Parking and Loading

- (ix) Parking areas should be located to rear or side of buildings and should include landscaped boulevards and other aesthetically pleasing landscaping features.
- (x) In cases where parking is not practical to the rear or side of buildings, it may be supported in front of a building provided all parking areas are adequately screened by solid fencing, landscaping, or a combination of the two.
- (xi) Loading areas should be located to the side or rear of buildings and should not be visible from the adjacent road.
- (xii) Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A professional engineer may be required to ensure that adequate lane widths and turning radiuses are provided for all forms of vehicles intended to use the property.
- (xiii) Provision should be made for public transit, emergency vehicles, delivery and service vehicles.
- (xiv) Safe, efficient, and effectively designed and located roadways, entrance points, parking areas, pedestrian paths and open spaces shall be provided.

Landscaping and Screening

- (xv) The Regional District may require the applicant to submit a landscaping plan prepared by a landscape architect or qualified designer which meets the British Columbia Landscape Standard and satisfies the following objectives:
 - (A) To use a variety of drought tolerant deciduous and evergreen native plant species that are best suited to the site specific growing conditions;
 - (B) To minimize water consumption through means such as micro-irrigation and xeriscaping;
 - (C) To improve the aesthetic appeal of the development;
 - (D) To screen the development from the Trans Canada Highway and adjacent established neighbourhoods;
 - (E) To maintain rural character;
 - (F) To shade the proposed development from the summer sun;
 - (G) To assist in the safe movement of pedestrians throughout the site;
 - (H) To reduce the amount of impervious surfaces on the site;
 - (I) To complement the development and surrounding uses; and,
 - (J) To establish or enhance habitat values on the development site where appropriate.
- (xvi) The landscaping plan must be drawn to scale and show the type, size, and location of proposed landscaping and shall be submitted with the development permit application.
- (xvii) Where development is proposed adjacent to Timberlands Road, Hallberg Road, or the Trans Canada Highway, the landscape design should provide a landscaped buffer consisting of native vegetation either maintained, enhanced, or established of sufficient height, width, and density to provide spatial separation and screen the proposed development from view from Timberlands Road, Hallberg Road, and the Trans Canada Highway with the exception of strategically placed and consolidated signage and access and egress points.

~~(xviii) 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.~~

Removed as per
Landscaping Discussion
Paper

- (xix) Where irrigation is required to maintain proposed landscaping, it should be designed by an Irrigation Industry Association of British Columbia certified irrigation designer and be installed by an Irrigation Industry Association of British Columbia irrigation contractor or other equivalent to the satisfaction of the Regional District.
- (xx) The Regional District shall require the applicant to submit a landscaping security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other similarly qualified person to the satisfaction of the Regional District to be released upon final inspection by a landscape architect or other similarly qualified person to the satisfaction of the Regional District.
- (xxi) Garbage and recycling containers shall be screened with landscaping and solid gated fencing to a minimum height of 2.0 metres. Similarly, utilities, service kiosks, meters, elevator housing, exhaust elements, satellite dishes, etc. shall be screened with landscaping, fencing, or a combination of the two.
- (xxii) Decorative fences are encouraged which complement the materials used for the principle building.

Site Illumination and Signage

- (xxiii) Lighting should be designated for security and safety. However, there should not be glare on neighbouring properties, adjacent roads, or the sky.
- (xxiv) All new, replacement and upgraded exterior lighting in existing and proposed developments shall be ~~installed according to Section 3.26 Full Cut-off Flat Lens (FCO/FL) luminaries to light roads, parking, loading, and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures.~~
- (xxv) The size, location, and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be integrated into the design of the building. ~~Illumination shall be in accordance with Section 3.26 No video, neon, reader board, or LED signs will be supported.~~
- (xxvi) The installation of fascia or projecting signs that are handcrafted, hand painted, and individually designed are strongly encouraged.
- (xxvii) Signage should be visually unobtrusive and particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective.
- (xxviii) If there is a conflict between these DPA guidelines ~~other sections of this Bylaw the RDN Sign Bylaw No. 993, 1995, as amended or replaced from time to time~~, these guidelines shall prevail. However, a variance ~~to the sign bylaw~~ may be required.

Updated as per Signs Discussion Paper

Pedestrian and Cyclist Considerations

- (xxix) Pedestrian sidewalks or defined pathways to encourage pedestrian movement throughout the site should be provided.
- (xxx) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of a clearly delineated pathway or durable low maintenance surface material such as pavers, bricks, or concrete to enhance pedestrian safety and comfort as well as the attractiveness of the walkways.
- (xxxi) Bicycle parking facilities should be provided at grade near primary building entrances.

Draft

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

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area A Official Community Plan.

(a) Application

A development permit is required for the following activities unless specifically exempt:

- (i) Alteration of land and disturbance of soils;
- (ii) Construction, alteration, or erection of buildings and structures; and,
- (iii) Creation of non-structural impervious or semi-pervious surfaces;

(b) Exemptions

- (i) A development permit shall not be required for the construction, renovation, or addition to one single or duplex dwelling unit or accessory residential building on one single lot.
- (ii) The replacement or repair of an existing signs provided that the sign is not enlarged or moved and is replaced with the same type of sign (i.e. fascia, freestanding, canopy, etc.).
- (iii) A development permit shall not be required for the subdivision of land.
- (iv) A development permit shall not be required for alterations or additions to a building which do not require a building permit. This exemption excludes new signage which shall require a development permit.

(c) Guidelines

General Design

- (i) The Regional District shall require building elevations prepared by an architect or other qualified designer.
- (ii) Commercial development should be ground-oriented and in scale with the surrounding uses.
- (iii) The use of non-combustible building materials is encouraged and where feasible, locally produced natural building materials should be incorporated in to the design without compromising the building or structure's fire resistance.
- (iv) There shall be no net increase in peak rainwater run-off from the land to adjoining lands.
- (v) Development of land should be designed to:

- (A) Replicate the function of a naturally vegetated watershed;
 - (B) Maintain the hydraulic regime of surface and groundwater and pre-development flowrates;
 - (C) Not interfere with groundwater recharge; and,
 - (D) Not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands.
- (vi) Public open space and pedestrian walkway linkages to adjacent neighbourhoods, which complement existing parks and recreation opportunities and reduce automobile dependence, shall be encouraged.
 - (vii) The use of energy efficient building materials, techniques, and practices that reduce energy consumption shall be encouraged.

Parking and Loading

- (viii) Parking and loading areas should generally be located to the rear of buildings, should be screened from view from the adjacent road, and be located outside of the minimum required zoning setback, unless a variance is being considered. The screening should consist of landscaping, fencing, or a combination of landscaping and fencing.
- (ix) Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A professional engineer may be required to ensure that adequate lane widths and turning radiuses are provided for all forms of vehicles intended to use the property.
- (x) Provision should be made for public transit, emergency vehicles, delivery and service vehicles.
- (xi) Safe and effectively designed and located internal roadways, entrance points, parking areas, pedestrian paths and open spaces shall be provided.

Landscaping and Screening

- (xii) The Regional District may require the applicant to submit a landscaping plan prepared by a landscape architect or equivalent designer which meets the British Columbia Landscape Standard and satisfies the following objectives:
 - (A) To use a variety of drought tolerant deciduous and evergreen native plant species that are best suited to the site specific growing conditions;
 - (B) To minimize water consumption through means such as micro-irrigation and xeriscaping;
 - (C) To promote compatibility with surrounding residential uses;

- (D) To improve the aesthetic appeal of the development;
 - (E) To assist in the safe movement of pedestrians throughout the site;
 - (F) To reduce the amount of impervious surfaces on the site;
 - (G) To shade the proposed development from the summer sun;
 - (H) To complement the development and surrounding uses; and/or,
 - (I) To establish or enhance habitat values on the development site where appropriate.
- (xiii) The landscaping plan must be drawn to scale and show the type, size, and location of proposed landscaping and shall be submitted with the development permit application.
 - (xiv) To provide separation between residential and non-residential uses, a continuous landscaped buffer area of at least 2.0 metres in width along the inside of all property lines, excluding access points, adjacent to all residential zoned property should be provided.
 - (xv) Landscaping should be provided adjacent to all roadways to improve aesthetic appeal, minimize impervious surfaces, and provide a visual screen for all outdoor storage, refuse, parking, loading, and unloading facilities and must also work towards the objectives identified in Guideline 12 above.
 - (xvi) Garbage and recycling containers shall be screened with landscaping and/or solid gated fencing to a minimum height of 2.0 metres. Similarly, utilities, service kiosks, meters, elevator housing, exhaust elements, satellite dishes, etc. shall be screened with fencing, landscaping, or a combination of the two.
 - (xvii) Buildings and structures should be sited in a manner that minimizes the disturbance of existing native vegetation.
 - (xviii) Vegetation species used in replanting, restoration, and enhancement shall be selected to suit the local soils; light conditions, and groundwater regime of the site and should be native to the area, and where applicable, selected for erosion control and/or fish and wildlife habitat values.
 - ~~(xix) 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.~~

Removed as per
Landscaping
Discussion Paper

- (xx) Where irrigation is required to maintain proposed landscaping, it should be designed by an Irrigation Industry Association of British Columbia certified irrigation designer and be installed by an Irrigation Industry Association of British Columbia irrigation contractor or other equivalent to the satisfaction of the Regional District.
- (xxi) The Regional District shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour, as determined by a landscape architect or other similarly qualified person to the satisfaction of the Regional District, to be released upon final inspection by a landscape architect or other similarly qualified person to the satisfaction of the Regional District.
- (xxii) Chain link fencing shall be used only when screened by landscaping. Decorative fences are encouraged which complement the materials used for the principle building.

Site Illumination and Signage

- (xxiii) Lighting should be designated for security and safety. However, there should not be glare on neighbouring properties, adjacent roads or light directed towards the sky.
- (xxiv) All new, replacement, and upgraded exterior lighting in existing and proposed developments shall be Full Cut-off Flat Lens (FCO/FL) luminaries to light roads, parking, loading, and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures.
- (xxv) The size, location, and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be integrated into the design of the building.
- (xxvi) Signage should be visually unobtrusive and particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective.
- (xxvii) If there is a conflict between these DPA guidelines and other sections of this Bylaw ~~the RDN Sign Bylaw No. 993, 1995, as amended or replaced from time to time,~~ these guidelines shall prevail. However, a variance ~~to the sign bylaw~~ may be required.

Updated as per Signs Discussion Paper

Pedestrian and Cyclist Considerations

- (xxviii) Pedestrian sidewalks or defined pathways connecting building entrances to and through parking areas and sidewalks or road right of ways of the adjacent streets should be provided.
- (xxix) All internal pedestrian walkways shall be distinguished from driving surfaces

through the use of a clearly delineated pathway or durable, low maintenance surface material such as pavers, bricks, or concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

- (xxx) Bicycle parking facilities should be considered at grade near primary building entrances.

Draft

6.14 Extension Village Centre – Commercial Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Arrowsmith Benson – Cranberry Bright Official Community Plan.

(a) Applicability

Prior to commencing the construction of, addition to, or alteration of a building or structure the owner must obtain a development permit in accordance with the Village Centre – Commercial, Development Permit Area Guidelines.

(b) Exemptions

A development permit is not required for the following:

- (i) construction, alteration or addition to a building or structure utilized for non-commercial purposes including home based businesses, public utility uses or park uses;
- (ii) internal alterations to an existing building or structure;
- (iii) excluding signs and awnings, building additions or alterations which do not affect more than 20 percent of the area of a building face or increase gross floor area by more than 20 percent;
- (iv) canvas awnings provided no portion exceeds 4.0 metres in height as measured from finished grade and the vertical or horizontal extent of the awning does not exceed 1.5 metres;
- (v) unlit or front lit, suspended, projecting signs provided the sign face does not exceed one (1) square metre and the distance between the sign faces does not exceed 0.1 metre;
- (vi) unlit or front lit signs consisting solely of physically separate letters or symbols attached directly to a building exterior or awning and occupying a rectangular area of not more than one (1) square metre; or
- (vii) subdivision of land.

(c) Guidelines

- (i) All new buildings must be massed to give the impression of small blocks.
- (ii) The architectural design and scale of new buildings must integrate with and enhance the residential character of surrounding buildings.
- (iii) An addition to an existing building must integrate with the overall architectural design and scale of the building.

- (iv) Building elevations, which are visible from the street, must be treated as front elevations for the purpose of ensuring that buildings do not turn their backs on the street. The treatment of these elevations need not be as extensive as the actual front elevation but should promote visual harmony especially in regards to streetscapes.
- (v) The main pedestrian entrance of a building must face the street, and have direct and continuous pedestrian access to the street.
- (vi) Developments must incorporate pedestrian traffic routes along public road frontages and should provide covered walkways to shelter pedestrian movements.
- (vii) On site pedestrian walkways and public pedestrian traffic routes must be hard surfaced.
- (viii) Where possible, off-street parking areas must be located behind the building so that the building screens the parking area from the road.
- (ix) Vehicle accesses should be consolidated where possible.
- (x) Buildings and structures should be sited in a manner that minimizes the disturbance of existing natural vegetation.
- (xi) Landscaping must be comprised primarily of native species, which enhance the architectural characteristics of the development.
- (xii) Signs must be unobtrusive, grouped whenever possible and designed in such a manner as to be complementary to the architectural design and scale of surrounding development.
- (xiii) Site lighting must not utilize high-intensity lights and must be ornamental and in scale with a pedestrian environment. The use of metal halide lighting is encouraged.
- (xiv) Garbage containers, loading, unloading and storage areas must be screened from public view.

6.15 East Wellington – Pleasant Valley Industrial Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the East Wellington – Pleasant Valley Official Community Plan.

(a) Guidelines

- (i) A Development Proposal shall be submitted with the Development Permit application. The proposal should generally provide the following information, in the form of plans and/or written documents:
 - (A) detailed site plan illustrating existing and proposed buildings and structures, topographical features and existing natural vegetation;
 - (B) detailed plans of proposed buildings and structures;
 - (C) detailed storm water management plans; and
 - (D) detailed landscaping plan indicating the location, number and type of proposed plantings.
- (ii) Off-street parking should be located to the rear or sides of buildings and structures wherever possible. Off-street parking proposed to be located to the front of buildings and structures should be suitably screened with a landscape screen.
- (iii) Outside storage and manufacturing areas should be located to the rear of the buildings and structures and be suitably landscaped with a landscape screen.
- (iv) Buildings and structures should be sited and shaped in such a manner as to be visually unobtrusive.
- (v) Signage should be visually unobtrusive and grouped wherever possible. Particular emphasis should be given to signage, which is aesthetically pleasing and has a minimal amount of lighting and specifically excludes neon lighting.
- (vi) Where land use activities involve the handling, storage or manufacture of potential contaminants, provision shall be made that will prevent seepage of such contaminants into the subsurface. All provisions shall be approved by the appropriate provincial agency prior to issuance of a development permit. All parking facilities shall be equipped with oil/water separators.
- (vii) Any new development shall not negatively impact storm water quality or quantity.
- (viii) Facilities for the proposed storage and distribution of propane from tanks or vessels over an aggregate volume of 19,000 litres shall be required to meet the following:
 - (A) have located on site one approved fire extinguisher having a minimum capacity

of 8.0 kilograms of dry chemical with a BC rating;

- (B) meet all requirements of the *Gas Safety Act* and regulations adopted thereto;
- (C) additional fire protection measures may be required in compliance with the NFPA Standard for the Storage and Handling of Liquefied Petroleum Gases; and
- (D) plans shall be forwarded to the Fire Chief of the local fire protection department for review and comment.

Draft

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
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6.16 Nanoose Bay Form and Character Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Nanoose Bay Official Community Plan.

(a) Exemptions

- (i) A development permit shall not be required to construct, renovate or alter a single dwelling unit building or structure accessory to a single dwelling unit.
- (ii) A development permit shall not be required to construct an accessory building to a multiple dwelling unit development where the proposed accessory building is 10 m² or less in size and 3 m in height.
- (iii) A development permit shall not be required for interior alterations or repairs.
- (iv) A development permit shall not be required for the subdivision of land.

(b) Guidelines

- (i) The character of commercial development will generally:
 - (A) Be designed and situated to maximize views wherever possible;
 - (B) integrate with and enhance the character of existing development;
 - (C) incorporate natural materials into the design of the buildings;
 - (D) be designed to maximize the use of the existing topography and natural landscaping; and
 - (E) incorporate crime prevention and public safety features.
- (ii) The character of multi-unit residential development will generally:
 - (A) be in keeping with the character of the village centre and surrounding rural and residential lands;
 - (B) provide a range of housing types and options;
 - (C) be developed to a height that maintains 'human scale' (generally less than three storey);
 - (D) be ground oriented;
 - (E) be designed to maximize the use of the existing topography and natural landscaping;

- (F) incorporate natural building materials into the design of the buildings; and
- (G) be designed and situated to maximize views wherever possible.
- (iii) Safe pedestrian and cycling routes shall be provided through and to commercial or multi-unit residential developments and shall link to existing neighborhoods, parks and the waterfront.
- (iv) Introduced landscaping shall use native plantings, drought tolerant species, and xeriscaping standards, where possible.
- (v) Off-street parking areas shall primarily be located to the rear or side of buildings and include landscape areas or screening.
- (vi) Any outside storage or manufacturing areas shall be located to the rear of buildings unless adequately screened with landscaping.
- (vii) Where appropriate, pedestrian facilities shall be provided to separate pedestrian and traffic circulation on a site and minimize vehicle/pedestrian conflicts.
- (viii) Building and site design should include "public gathering places" (e.g. outdoor plazas) and encourage pedestrian uses. The use of small seating areas, entry areas, plazas, and other meeting places in conjunction with pedestrian areas is encouraged.
- (ix) Where appropriate, cycling facilities should be provided through safe circulation paths with sheltered locations for bicycle security.
- (x) Signage shall complement the design of buildings and structures and be grouped on multiple development sites. The use of natural materials is encouraged.
- (xi) The use of indirect lighting on signage is encouraged.
- (xii) Walls, fences, shrubs, grade changes or other site features should not obscure vehicle driver vision of pedestrian or bicycle routes or provide for concealment.
- (xiii) Applications to rezone land within a village or neighbourhood centre shall be evaluated, at a minimum, on how the following elements are proposed to be incorporated into the development and shown to be compatible with the centre:
 - (A) a mix of uses;
 - (B) building and landscape architectural themes;
 - (C) concept design of public space;
 - (D) public park land requirements;
 - (E) road standards;

- (F) pedestrian facilities;
- (G) treatment of utilities (i.e., street lighting, hydro, etc);
- (H) methods of integrating existing and new developments; and
- (I) where a Village Centre Plan has been prepared for the Red Gap Village Centre, how the development proposal responds to the elements of the Village Centre Plan.

Draft

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
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6.17 Qualicum Bay and Dunsmuir Village Centres Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area H Official Community Plan.

(a) Applicability

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

- (i) Construction, erection, renovation or addition of buildings or structures on the land, including signage over 1.0 meters in height.
- (ii) Alteration of land, removal of vegetation, disturbance of soils, including grubbing, scraping and removal of top soil.

(b) Exemptions

The following activities are exempt from any requirement for a development permit:

- (i) Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
- (ii) Construction, renovation, or addition to single dwelling unit, duplex dwelling unit, or accessory residential buildings.
- (iii) Alterations or additions to a building which does not require a building permit. This exemption excludes new signage.
- (iv) Addition to an existing building or structure that is not visible from a public roadway or other public spaces.
- (v) Subdivision of land except for intensive residential which for the purpose of this exemption, means any residential development with an average minimum parcel size less than 2,000 m² or density greater than five dwellings per hectare whether fee simple or strata.
- (vi) Maintenance of existing landscaping, existing roads, parking areas, paths and trails.
- (vii) Construction of unpaved driveways and walkways not exceeding 4 meters in width.

(c) Guidelines

- (viii) For Qualicum Bay Village Centre, tourist and business frontage for the Village shall be encouraged to be oriented toward the central portion of District Lot 20, Newcastle District and shall provide linkage and integration with the existing commercial lands along the Island Highway No. 19A and institutional uses including the Lighthouse Community Hall, seniors housing and park land.

- (ix) For Dunsmuir Village Centre, the tourist and business frontage for the Village shall be encouraged to be oriented toward Horne Lake Road and existing commercial areas along the Island Highway No. 19A. New development shall provide pedestrian and vehicle linkages with the existing residential areas and currently vacant lands adjacent to Horne Lake Road.
- (x) The character of commercial development will generally:
 - (A) be integrated with and enhance the character of the existing development,
 - (B) be designed with a mix of commercial building styles, and constructed as small scale, low-rise structures that are clustered together,
 - (C) be oriented toward adjacent streets where possible, and
 - (D) be designed to have separate buildings or buildings that appear as small, individual buildings rather than a single large building.
- (xi) The character of multi-family development will generally:
 - (A) be in keeping with the village character and surrounding residential or rural areas,
 - (B) provide a range of housing types,
 - (C) be clustered in small groups,
 - (D) provide pedestrian linkages to areas beyond the development,
 - (E) be ground oriented wherever possible; and
 - (F) incorporate landscaping to separate residential clusters.
- (xii) Incorporating natural materials to create a “west coast” style into the design is encouraged.
- (xiii) Safe pedestrian and cycling routes that connect the property with the waterfront, open spaces and active transportation networks shall be identified and where applicable, constructed in accordance with the Regional District’s Community Parks and Trails Strategy, Regional Parks and Trails Plan, or Active Transportation Plan, and any subsequent editions.
- (xiv) Walls, fences, shrubs, grade changes or other site features should not obscure the vision of vehicle drivers with respect to pedestrians or bicycle routes.
- (xv) Development shall not be separated or ‘gated’ with walled or fenced enclaves.
- (xvi) Off-street parking and off-street loading areas shall be located to the rear of buildings wherever possible, shall be complimentary to the development, and shall

be screened with landscaping. Small clustered parking areas are preferable to large paved areas.

- (xvii) Off-street parking and off-street loading areas, located adjacent to residential or rural land uses, shall be adequately screened from the residential uses.
- (xviii) All outdoor refuse and storage areas shall be screened with a combination of landscape plants and fencing, and wherever possible, located to the rear of the buildings or in unobtrusive locations. For waterfront properties, consideration should also be given to screening these areas from the beach front.
- (xix) Sites and buildings must be designed to use best practices for integrated rainwater management and water conservation techniques, including appropriate source controls such as porous and permeable surfaces, bioswales, absorbent landscaping, infiltration facilities, re-use systems and other techniques. Water quality should be maintained by ensuring that no deleterious substances enter ground or surface water. Rainwater should be managed onsite wherever possible, and management approaches should be aligned with *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*, published by the B.C. Ministry of Environment, or any subsequent editions. The Regional District may require a rainwater management plan prepared by a professional engineer or other qualified professional.
- (xx) Applicants are encouraged to refer to the most recent edition of the British Columbia Landscape Standards published by the BC Society of Landscape Architects when creating their plan. Landscaping should be used in site design to achieve the following list of objectives:
 - (A) retain existing healthy, mature trees to provide shading and enhance the streetscape;
 - (B) new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for local environmental conditions;
 - (C) utilize a variety of native plants that are drought tolerant suitable to local growing conditions;
 - (D) enhance the pedestrian experience (e.g., aesthetics, weather conditions, safe movement throughout site and visual separation from and between uses) and compliment the development and surrounding area;
 - (E) add texture and three dimensional components to the site (e.g., ground level planting, raised beds, shrubs, tree canopy) and avoid creating areas that are predominately bark mulch, gravel or other similar materials;
 - (F) minimize water consumption through conservation techniques such as micro-irrigation and xeriscaping;
 - (G) respect required sightlines from roadways and enhance public views;

- (H) help screen parking areas, electrical and mechanical features, and refuse and recycling facilities; and
- (I) contribute to a sense of personal safety and security.
- (xxi) The design and layout of open spaces that can accommodate buildings and areas for edible landscapes and food production are encouraged (e.g., planter boxes, green house, compost facility, private and/ or community gardens, arbours and associated planting, bee hives.)
- (xxii) Where the introduction of vegetation is required within the development permit area, the Regional District may require the applicant to submit a landscape plan and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.
- (xxiii) Exterior lighting shall be low intensity, pedestrian-oriented with an emphasis on public safety and the prevention of glare onto adjacent properties, roads or sky. The use of solar power lighting is encouraged.
- (xxiv) All new or replacement exterior lighting in commercial areas shall use Full-Cut Off/Flat Lens (FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas.
- (xxv) Signs should be visually unobtrusive, grouped wherever possible and primarily pedestrian-oriented, designed at a pedestrian scale. Handcrafted signs of a professional quality, designed to be effective with minimal lighting and integrated into the overall design of the building and landscape are preferred.
- (xxvi) For land to be developed where a commercial property abuts residential zoned property(s), a landscaped buffer area should be provided between the commercial property and the residential property(s) to provide a visual screen.
- (xxvii) For land to be developed that is adjacent to or adjoining an Agricultural Land Reserve boundary a buffer area containing vegetation or fencing or a combination of both shall be retained, or established and maintained. All buffer areas shall generally be designed and landscaped using materials set out in Guide to Edge Planning: Appendix B, published by the BC Ministry of Agriculture, or any subsequent editions.

6.18 Bowser Village Centre Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the [Bowser Village Centre Plan](#).

(a) Applicability

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

- (i) alteration of land, placement of fill, disturbance of soils, including grubbing, scraping and the removal of top soils;
- (ii) construction of, addition to, or alteration of a building or structure;
- (iii) creation of non-structural impervious or semi-pervious surfaces; and
- (iv) subdivision of land as defined in the Land Title Act or Strata Property Act.

(b) Exemptions

The following activities are exempt from any requirement for a development permit:

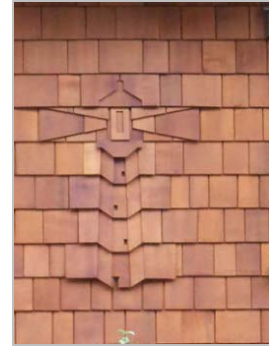
- (i) Construction, renovation, or addition to a single dwelling unit, detached secondary suite or duplex dwelling unit.
- (ii) Addition to an existing building or structure that is not visible from a public road way or other public spaces.
- (iii) The replacement or repair of an existing sign providing the sign is not enlarged or moved and is replaced with the same type of sign (i.e., fascia, freestanding, etc).
- (iv) Subdivision of land as defined in the *Land Title Act* or *Strata Property Act*, except for intensive residential⁵.
- (v) Maintenance and minor modifications to existing landscaping, existing roads, parking areas, paths and trails.
- (vi) Construction of unpaved driveways and walkways not exceeding 4 meters in width.
- (vii) Works conducted by the Regional District or its agents where appropriate measures have been undertaken to satisfy the applicable development permit area guidelines as determined by the Regional District.

(c) Guidelines

Context and Regional Expression

- (i) Incorporate form and images that relate to the natural and cultural landscape of Bowser by integrating one or more of the following themes:

- (A) Lighthouse Country
- (B) First Nations History
- (C) Post 1900's historical themes such as logging, fishing and shellfish aquaculture
- (D) Connect to water such as Thames Creek, Strait of Georgia, surface water and aquifers
- (E) West coast influenced design incorporating BC wood products



Example of desired design detail

- (ii) Through building design and placement, address sunlight penetration, natural ventilation, and protection from different weather elements to improve the pedestrian experience in commercial areas (e.g., covered walkways, awnings, canopies, overhangs, pergolas and shade trees).
- (iii) Protect and enhance public views of landmarks, buildings, open spaces, natural features and the ocean through careful building siting, height and form.



Example of mixed-use building, oriented to the street with covered walkway

Human Scale

- (iv) Design from human scale and visual interest in all building elevations. This can be achieved by placing an emphasis on street facing building entrances, windows and landscaping relative to walls and building structure.
- (v) Mixed use and commercial buildings shall be located in close proximity to the sidewalks and pedestrian spaces.
- (vi) Where mixed use or commercial buildings are proposed, avoid large spaces between buildings.
- (vii) The use of drive-through shall not be a part of building or site design.

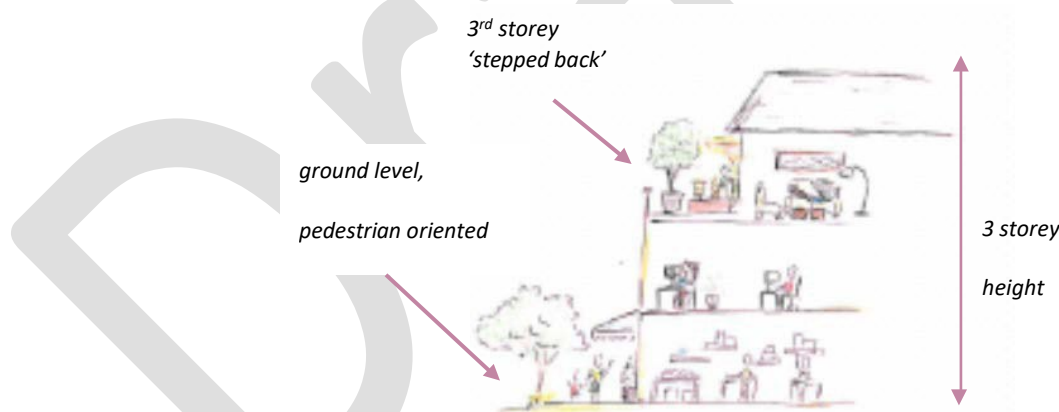


Example of building articulation, varying rooflines & exterior architectural design detail

- (viii) Design, siting and construction of sidewalks or paths in the road right-of-way shall be consistent with the Active Transportation Plan for Electoral Area H, 2017 or provide rationale for taking a different approach as presented in that Plan. Note that approval from the Ministry of Transportation and Infrastructure is required for works in the road right-of-way.

Building Massing, Height and Form

- (ix) Larger buildings (e.g., > 12 meters in width) shall be designed to avoid large, flat building expanses by creating multiple, separate buildings such that individual buildings appear as many small buildings that are compatible in shape, mass, and exterior finishes. Consider using building articulation, visually-interesting rooflines (e.g., variations in cornice lines and roof slopes); architectural elements (e.g., balconies, bay windows, cupolas, dormers), and other detailing that creates rhythm along the lines of the building.
- (x) Utilize landscaping treatments to further soften the mass of building form (e.g., strategic location of trees, hedge borders, trellis and surface materials such as pavers).
- (xi) On slopes, building design should step with the natural topography. Building form should depict a series of buildings nested into the hillside, rather than a single, uniform building form.



- (xii) Building height is limited to a maximum of 12 meters (i.e., 3 storeys) unless otherwise specified.
- (xiii) Where building height is 12 meters (i.e., 3 storeys), incorporate step back and/or terrace above the second floor to reduce visual impact and to strengthen the pedestrian-scale of the building.
- (xiv) Development shall not be separated or 'gated' with walled or fenced enclaves.

Building Style & Exterior Materials

- (xv) High quality, functional exterior finishes suited to a west coast climate should be

used to ensure the integrity of the building envelope and to present an attractive appearance.

- (xvi) Natural, local non-combustible materials should be used to the greatest extent possible, with an emphasis on British Columbia wood products.

- (xvii) Use exterior colours that are found in or complement the area's natural and cultural landscape.

- (xviii) Use materials in combination to create contrast, enhance human scale and reduce massing of a building.



Example of different materials and colours used in combination to create and to reduce massing of a prominent building in the Qualicum Beach village center

Signs, Canopies & Lighting

- (xix) Signs should be visually unobtrusive, grouped wherever possible and primarily pedestrian-oriented, designed at a pedestrian scale. Handcrafted signs of a professional quality, designed to be effective with minimal lighting and integrated into the overall design of the building and landscape are preferred.

- (xx) The following types of signage shall be encouraged:

- (A) projecting two dimensional signs suspended from canopies, awnings or overhangs,
- (B) externally, front lit signs especially with LED lighting,
- (C) fascia signs integrated into the design of the building,
- (D) letter signs mounted on storefronts, and



Examples of desired signage that is attractive and informative for both pedestrians and the travelling public

(E) carved wooden signs.

(xxi) The following types of signage shall be avoided:

(A) awnings as signs or large signage onawnings (letter heights over 30 cm/12 inches),

(B) internally lit, plastic face, aluminum box style signage,

(C) animated, flashing, oscillating or moving signs,

(D) pylon (stand alone) signs, and

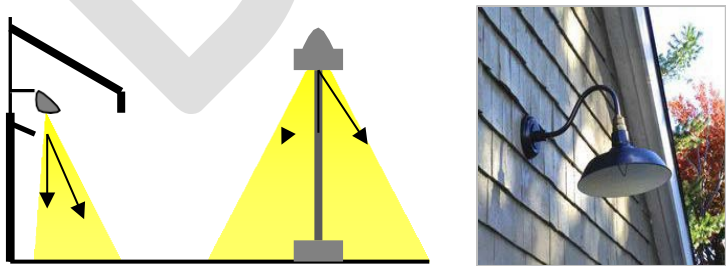
(E) roof top signs.

(xxii) Continuous weather protection for pedestrian’s comfort should be provided in commercial areas (e.g., awnings, canopies, overhangs, pergolas and shade trees). All design elements should complement the overall building and public realm.

(xxiii) Exterior lighting shall be low intensity, pedestrian-orientated with an emphasis on public safety and the prevention of glare onto adjacent properties, roads or sky. The use of solar power lighting is encouraged.

(xxiv) All new or replacement exterior lighting in commercial areas shall ~~use Full-Cut Off/Flat-Lens(FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas~~ be in accordance with Section 3.26.

(xxv) Light fixtures should be concealed, unless they are decorative and then the style shall beconsistent with the design and character of the building.



Examples of full cut off lighting and decorative exterior lighting

Outdoor Public Open Spaces

(xxvi) Outdoor patios and dining areas should be designed to create a compatible and complementary relationship with the adjacent streetscape, building architecture, and uses. These spaces should be well defined by landscaping, decorative fencing



Examples of undesirable signage within the Bowser Village Centre

- or other vertical barriers while being generally open and visible from public areas.
- (xxvii) Public art or features should be considered for public plazas and courtyards.
 - (xxviii) All play areas for children should have adequate shade and seating for adults.
 - (xxix) The retention of natural features (like trees, rock or other landscape features) in open spaces shall be encouraged.
 - (xxx) Street furniture to enhance the pedestrian experience, such as benches, decorative street lamps, bicycle racks and refuse containers shall be incorporated in the landscape design. These shall be required to be consistent, similar, or identical in character to the architectural character of the development and identified by type and source in the application.



Examples of decorative street furniture with complementary landscaping to define public outdoor spaces

Accessibility & Connectivity

- (xxxi) Universal design principals shall be employed to ensure meaningful access for people of all ages, stages and abilities, including children, parents, older adults and seniors. Meaningful, access is determined by the users' complete experience of a building, connecting pathways, sidewalks, entrances, doors and hallways. Features include things such as accessible, barrier-free travel routes to the main building entry, smooth, ground-level entrances without stairs, and wide interior doors and hallways. Consider those using such equipment as wheelchairs, other walking-aids, strollers and bicycles.
- (xxxii) Accessible travel routes shall be provided that incorporate transitions between public walkways, together with private walkways, parking areas, retail shops and services, and roads to provide seamless and interesting access for all users, including those of different ages and abilities.



Examples of accessible laneways that connect commercial areas to public/social spaces

Crime Prevention

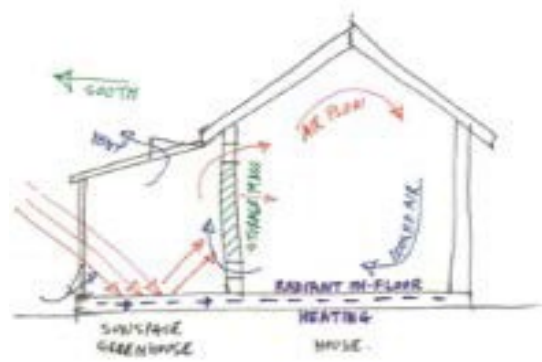
(xxxiii) Best practices for “Crime Prevention through Environmental Design” should be incorporated into building design, such as:

- (A) Natural surveillance, ‘eyes on the street’: visibility, light and openness should maximize the ability to see throughout the site through placement of windows that access all areas, appropriate lighting to avoid darken spaces and walkways, entrances and site features should be designed to avoid areas for hiding.
- (B) Define spaces: creating a clear definition between public and private space that express ownership and boundaries, particularly for multi-residential and mixed-use developments.
- (C) Active Spaces: Encourage legitimate activity in public spaces by locating uses in complementary arrangements. Avoid spaces that appear confined, isolated, or unconnected, or appear without a clear purpose or function.

Green & Healthy Buildings

- (xxxiv) Evaluate site design for passive solar gain and cooling opportunities (e.g., passive solar water heating, solar mass wall, passive solar heating of intake air). On sites with substantial solar exposure, buildings should be sited, designed, and landscaped to take advantage of passive solar gain in winter and reduce sun exposure in summer.
- (xxxv) Minimize exposure to noise and pollution through site and building design, especially for those developments located along busy roads (e.g., triple-pane glazing, orient courtyards, playgrounds, open spaces, and building air intakes away from the road).
- (xxxvi) Utilize sustainable construction methods and materials, including the reuse, rehabilitation, restoration, and recycling of buildings and/or building elements.

(xxxvii) All new commercial, mixed-use, and multi-unit residential buildings within the development permit area are encouraged to be efficient and healthy, and are encouraged to seek third party certification, such as Built Green Gold or Leadership in Energy and Environmental Design (LEED). The Regional District may be able to provide assistance in the planning process and may offer financial assistance in accordance with Regional District's environmental rebate and grant programs.



Example of a passive solar gain designed house

(xxxviii) The design and layout of open spaces that can accommodate buildings and areas for edible landscapes and food production are encouraged (e.g., planter boxes, green house, compost facility, private and/ or community gardens, arbours and associated planting, bee hives).

(xxxix) The installation of electric vehicle charging stations are encouraged. The Regional District maybe able to provide assistance in the planning process and may be able to identify applicable rebate and grant programs.

Relationship to the Street

(xl) Orient residential and commercial buildings to face the street.

(xli) Commercial and mixed-use buildings should be sited within close proximity to sidewalks and the pedestrian space to enhance the pedestrian experience, unless where a setback may be considered to provide transition to adjacent building or pedestrian-friendly features such as a patio, courtyard or plaza.



Example of an animated, mixed-use streetscape that provides a buffer between pedestrians and road traffic

(xlii) Building setbacks from lot lines should:

- (A) Be designed to create an intimate, pedestrian friendly streetscape;
- (B) be between 0.0 m and 3.0 m (RDN in collaboration with MOTI will determine minimum building setbacks from lot lines);

- (C) consider relationship and transition to adjacent buildings;
- (D) corner sites are encouraged to feature landmark design or alternatively to provide asemi-public or public open space; and
- (E) include “corner cuts” or similar treatment to expand sidewalks adjacent to intersections.



Example of site plan demonstrating a ‘corner cut’



Example of site plan demonstrating a ‘woonerf’ style streetscape

- (xliii) Pedestrian sidewalks or defined walkways connecting building entrances to and through parking areas and sidewalks or road right-of-ways of the adjacent streets shall be provided.
- (xliv) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of a clearly delineated pathway or durable, low maintenance surface materials such as pavers, bricks, or concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.
- (xlv) In residential areas, side street should consider ‘woonerf’ style streets that integrate needs of multiple users such as walking, cycling, playing, gardening and socializing.
- (xlvi) Pedestrian sidewalks or defined walkways connecting building entrances to and through parking areas and sidewalks or road right-of-ways of the adjacent streets shall be provided.

Pedestrian Access, Provisions for Cyclists Circulation, Vehicles and Loading

- (xlvii) Clearly defined, safe pedestrian access shall be provided through sites and parking areas to maintain a pattern of active transportation that is integrated with building entrances, walkways, sidewalks, trails and adjacent streets.
- (xlviii) Locate parking areas to the rear of buildings, internal to the building, or below grade.

- (xlix) Avoid large expanses of parking. Provide paved surfaces with visual interest and landscaped areas to create safe pedestrian walkways and visual breaks between clusters of parking stalls (approximately every seven stalls).
- (l) Bicycle and scooter parking facilities should be provided at grade near primary building entrances.



Example of BC Transit bus shelter stop with wet weather shelter and parking areas that integrate active transportation

- (li) Where side road access is not feasible, shared driveways to access business and residential properties from Highway No. 19A shall be encouraged for new development.
- (lii) Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A professional engineer may be required to ensure that adequate lane widths and turning radiuses are provided for all forms of vehicles intended to use the property.
- (liii) All loading and storage areas shall be complementary to the development, screened with landscaping and/or gated fencing to a minimum 2.0 meters as appropriate and wherever possible be located to the rear of the building in unobtrusive areas.
- (liv) Provision should be made for promoting easy access to public transit, emergency vehicle, delivery and service vehicles and may include construction of a bus shelter or pad.

Landscaping & Screening

- (lv) Where landscaping is required within the development permit area, the Regional District may require the applicant to submit a landscaping plan prepared by a landscape architect or other qualified professional and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.
- (lvi) Applicants are encouraged to refer to the most recent edition of the British Columbia Landscape Standards published by the BC Society of Landscape Architects

when creating their plan. Landscaping should be used in site design to achieve the following list of objectives:

- (A) retain existing healthy, mature trees and new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for local environmental conditions;
- (B) utilize a variety of native plants that are drought tolerant suitable to local growing conditions;
- (C) enhance the pedestrian experience (e.g., aesthetics, weather conditions, safe movement throughout site and visual separation from and between uses) and compliment the development and surrounding area;
- (D) add texture and three dimensional components to the site (e.g., ground level planting, raised beds, shrubs, tree canopy) and avoid creating areas that are predominately bark mulch, gravel or other similar materials;
- (E) minimize water consumption through conservation techniques such as micro-irrigation and xeriscaping;
- (F) respect required sightlines from roadways and enhance public views;
- (G) help screen parking areas, electrical and mechanical features, and refuse and recycling facilities;
- (H) contribute to a sense of personal safety and security;
- (lvii) Mitigate undesirable architectural elements (e.g., blank walls can be covered with trellis and vines).
- (lviii) Minimize water consumption through conservation techniques such as micro-irrigation and xeriscaping. Landscaping is to meet the minimum depth of topsoil or



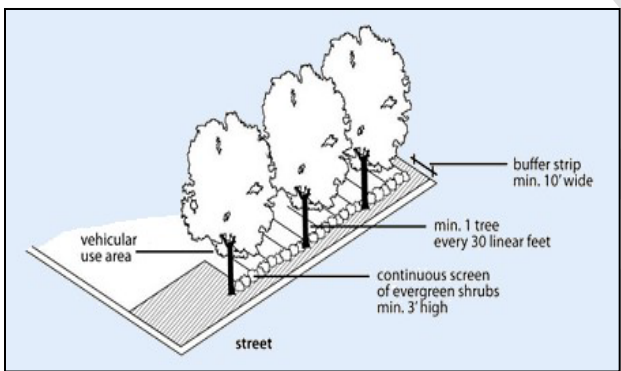
Example of parking plan with safe pedestrian access and landscaping features



Example of vertical green wall system

amended organic soil 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.
- (lix) Landscape plans must be drawn to scale and show type, size and location of proposed landscaping works and planting materials and shall be submitted with the development permit application.
 - (lx) Where irrigation is required to maintain proposed landscaping, it should be designed and installed by an Irrigation Industry Association of British Columbia certified irrigation designer or another qualified person.



Example of landscaped buffer from street or between residential properties



Example of decorative fencing and landscaped screening

- (lxi) Where a commercial property abuts residential zoned property, landscaped buffer area should be provided between the commercial property and the residential property(s).
- (lxii) High-efficiency, water saving, automatic irrigation systems are encouraged.
- (lxiii) All refuse and recycling facilities shall be screened with landscaping and/or gated fencing to a minimum 2.0 meters. Similarly, utilities, electrical and mechanical features shall be screened with fencing, landscaping or a combination of the two.
- (lxiv) Decorative fences are encouraged. Where chain link fencing used, it shall be screened with landscaping.

Rainwater Management

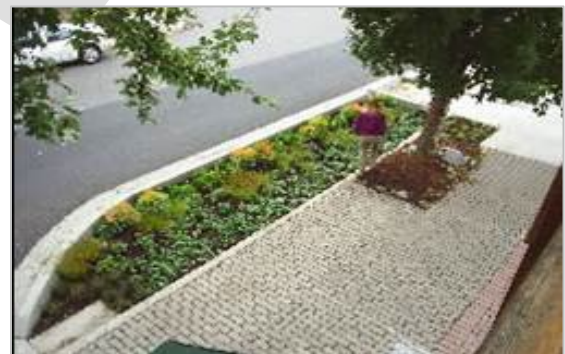
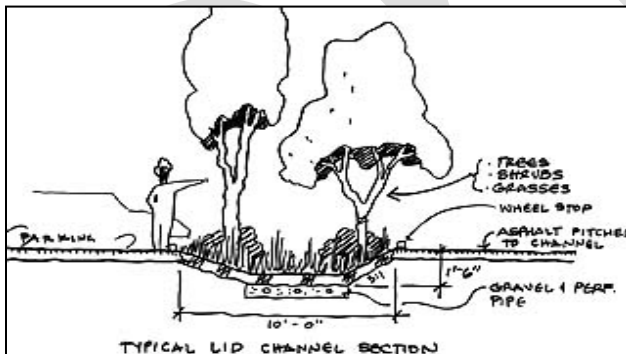
- (lxv) Design sites and buildings to use best practices for integrated rainwater management and water conservation techniques, including appropriate source controls such porous and permeable surfaces, bioswales, absorbent landscaping, infiltration facilities, and re-use systems and other techniques aligned with Develop

with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia, 2014, published by the B.C. Ministry of Environment, or any subsequent editions.



Examples of a rain garden and rainwater harvesting system

- (lxvi) Water quality should be maintained by ensuring that no deleterious substances enter ground or surface water.
- (lxvii) The Regional District may require a rainwater management plan prepared by a Professional Engineer or other qualified professional.
- (lxviii) New buildings are encouraged to include non-potable water harvesting in the form of rainwater catchment or green roofs.



Examples of bioswales, permeable surfaces and absorbent landscaping

Multi-Residential and Intensive Residential Development Guidelines

- (lxix) Residential units should be clustered to make the most efficient use of land and preserve as much land as possible for open space.
- (lxx) Residential land uses should be arranged to achieve gradual transition and minimize conflicts with adjacent housing types and surrounding neighbourhoods.

(lxxi) Residential units shall be designed to allow residents privacy as well as a sense of community such that each unit has at least one private outdoor space with access to or views of adjacent semi-public spaces.

(lxxii) Use landscaping and design to clearly distinguish and provide transitions between public and private spaces especially where residential uses are mixed with commercial uses.



Example of mixed-use building with third floor roof scape

(lxxiii) Children's play areas should be located to facilitate 'natural surveillance' with high visibility from residential units.

Additional Commercial Mixed-Use Development Guidelines

(lxxiv) The maximum floor area for individual retail and commercial units should be 300 m² with the exception of grocery stores where a maximum 1,500 m² of retail space will be allowed.

(lxxv) Building size for institutional and commercial service/light industrial uses shall be a maximum 1,000 m².

Additional Service Commercial/Light Industrial Development Guidelines

(lxxvi) Retail and office uses in commercial service development should be ground oriented, located adjacent to the street with non-retail functions located to the rear of the property.

(lxxvii) Residential 'live-work' units shall be located above street level over top of commercial service uses.

(lxxviii) Where possible residential 'live-work' units should be oriented to overlook public streets.

(lxxix) Residential 'live-work' units shall have at least one private outdoor space with access to or views of adjacent semi-public spaces.

6.19 Multi-Residential, Intensive Residential, Industrial and Commercial Form and Character Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the Electoral Area G Official Community Plan.

(a) Application

A development permit is required for the following activities unless specifically exempt:

- (i) alteration of land, placement of fill, disturbance of soils, including grubbing, scraping, and removal of top soils;
- (ii) construction or erection of buildings and structures;
- (iii) creation of non-structural impervious or semi-pervious surfaces; and
- (iv) subdivision as defined in the *Land Title Act* or the *Strata Property Act*.

(b) Exemptions

The following activities are exempt from requiring a development permit:

- (i) Single residential development and accessory uses, including subdivision, on lands zoned for single residential use.
- (ii) The cutting down of hazardous trees in accordance with the recommendations contained in a report prepared by an Arbourist or other qualified professional. Trees must pose an immediate threat to the safety of persons or existing buildings or structures.

(c) Guidelines

Servicing

- (i) Prior to any phase of a proposed development, the developer must provide a report prepared by a registered professional engineer that provides the following:
 - (A) detailed plans and specifications showing the proposed sewage connection or disposal system (in unserved areas) and rainwater drainage systems to be constructed to service the proposed development;
 - (B) on lands serviced by community water, proof that the proposed development will be connected to the community water system and that the proposed system is compatible with the adjacent municipality's engineering standards; and,
 - (C) on lands serviced with community sewer, proof that the proposed

development will be connected to the community sewer system and that the proposed system is compatible with the adjacent municipalities engineering standards.

General Design

- (ii) The Regional District of Nanaimo shall require an applicant to submit building elevations prepared by an architect or other qualified professional.
- (iii) Commercial development should be ground oriented and in scale with the surrounding uses.
- (iv) The use of non-combustible building materials is encouraged and where feasible locally produced natural building materials should be incorporated in to the design without compromising the building or structures fire resistance. West Coast architecture is strongly encouraged.
- (v) There shall be no net increase in peak rainwater run-off from the land to adjoining lands.
- (vi) Development or subdivision of land should be designed to:
 - (A) replicate the function of a naturally vegetated watershed;
 - (B) maintain the hydraulic regime of surface and groundwater and pre-development flowrates;
 - (C) not interfere with groundwater recharge;
 - (D) not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands.
- (vii) Benches, ornamental street lights, and public art are encouraged throughout the site. Outdoor patios or amenity areas are encouraged.
- (viii) Street furniture such as benches, lamps and refuse containers shall be incorporated in the landscape design. These shall be required to be consistent, similar, or identical in character to the architectural character of the development and identified by type and source in the application.
- (ix) Public open space and pedestrian walkway linkages to adjacent neighbourhoods and to Wembley Mall which complement existing parks and recreation opportunities and reduce automobile dependence shall be encouraged.
- (x) The use of energy efficient building materials, techniques, and practices that reduce the amount of energy consumption shall be encouraged.
- (xi) Comprehensive development proposals that consider the full life cycle of input materials and process by-products as well as seek to minimize energy and raw materials use, minimize waste, and build sustainable economic, ecological and

social relationships (eco-industrial networking) shall be encouraged.

- (xii) Buildings shall be designed so as to avoid presenting an overly massive appearance using roof lines, window treatments, and landscaping to break up their bulk and soften their appearance.

Residential Development Guidelines

- (xiii) Residential developments should include a variety of housing sizes and types. These may range from single dwelling units, condominiums, and townhouses. Residential land uses should be arranged to achieve gradual transition from adjacent housing types and surrounding neighbourhoods.
- (xiv) Developments should be designed to take advantage of sun exposure to reduce winter heating and summer cooling.
- (xv) Multiple dwelling unit buildings should be designed to utilize sunlight for the health and comfort of residents and for energy conservation purposes.
- (xvi) Dwelling units should be designed to allow residents privacy as well as a sense of community such that each unit has at least one private outdoor space with access to or views of adjacent semi-public spaces.
- (xvii) Development shall not be a separate "gated community" with walled or fenced enclaves and shall be integrated with and compatible with surrounding neighbourhoods.
- (xviii) Where practical, clustering of multi-residential development a minimum of 250 metres away from the centre of the FCPCC should be required in order to maximize vegetation retention buffers to limit periodic odour migration.

Parking and Loading

- (xix) Parking and loading areas shall generally be located to the rear of buildings, must be screened from view from adjacent properties, and be located outside of the minimum required zoning setback. The screening should consist of landscaping and/or fencing. Parking areas shall include landscaped areas, defined by concrete curbs, to provide visual breaks between clusters of approximately ten stalls.
- (xx) Vehicular and truck movement patterns must be illustrated on the site plan submitted by the applicant to ensure adequate circulation. A professional engineer may be required to ensure that adequate lane widths and turning radiuses are provided for all forms of vehicles intended to use the property.
- (xxi) Provision should be made for emergency vehicles, moving vans, and service vehicles.
- (xxii) Safe, efficient, and effectively designed and located roadways, entrance points, parking areas, pedestrian paths, and open spaces shall be provided.

Landscaping and Screening

- (xxiii) The Regional District shall require the applicant to submit a landscaping plan prepared by a Landscape Architect or equivalent professional which meets the British Columbia Landscape Standard and satisfies the following objectives:
- (A) to use a variety of drought tolerant deciduous and evergreen native plant species that are best suited to the site specific growing conditions;
 - (B) to minimize water consumption through means such as micro-irrigation and xeriscaping;
 - (C) to provide visual separation from and compatibility with surrounding single residential uses;
 - (D) to improve the aesthetic appeal of the development;
 - (E) to assist in the safe movement of pedestrians throughout the site;
 - (F) to reduce the amount of impervious surfaces on the site;
 - (G) to compliment the development and surrounding uses;
 - (H) to preserve the rural experience and to minimize the visual distraction of development on Highways No. 19, 19A, and Highway 4; and,
 - (I) to establish or enhance habitat values on the development site where appropriate.
- (xxiv) The landscaping plan must be drawn to scale and show the type, size and location of proposed landscaping and shall be submitted with the development permit application.
- (xxv) At minimum the landscape design should provide a continuous landscaped buffer area of at least 2.0 metres in width along the inside of all property lines, excluding access points, adjacent to all roads and highways and adjacent to all residential zoned property and should contribute towards the objectives identified in Guideline 24.
- (xxvi) Notwithstanding Guideline 24, the landscaped buffer adjacent to any watercourse, coastal area, or environmentally sensitive feature shall be determined by a QEP and shall work towards Guideline 23(i) – to establish or enhance habitat values on the development site.
- (xxvii) To separate parking, service or storage areas from adjacent properties, a landscaped buffer area of at least 2.0 metres in width and 2.0 metres in height, shall be provided along the inside of all affected property lines.
- (xxviii) Buildings and structures should be sited in a manner that minimizes the disturbance of existing native vegetation.

(xxix) Vegetation species used in replanting, restoration and enhancement shall be selected to suit the soil, light and groundwater conditions of the site, should be native to the area, and be selected for erosion control and/or fish and habitat wildlife habitat values as needed.

(xxx) All replanting shall be maintained by the property owner for a minimum of five years from the date of completion of the planting. Unhealthy, dying or dead stock will be replaced at the owner's expense during the next regular planting season.

~~(xxxi) 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;~~

~~(C) trees — 30 cm around and below the root ball.~~

Removed as per
Landscaping
Discussion Paper

(xxxii) Where irrigation is required to maintain proposed landscaping, it shall be designed and installed by an Irrigation Industry Association of British Columbia certified irrigation designer.

(xxxiii) The Regional District of Nanaimo shall require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a Landscape Architect or other similarly qualified person to the satisfaction of the Regional District to be released upon final inspection by a Landscape Architect or other similarly qualified person to the satisfaction of the Regional District of Nanaimo.

(xxxiv) Garbage and recycling containers shall be screened with landscaping and fencing and gated to a minimum height of 2.0 metres. Similarly, utilities, service kiosks, meters, elevator housing, exhaust elements, satellite dishes, etc. shall be screened with landscaping and fencing.

(xxxv) Chain link fencing shall be used only when screened by landscaping. Decorative fences are encouraged matching the materials used for the principle building.

(xxxvi) Subject to the approval of the MOT where applicable, the installation of boulevards, street trees, pedestrian pathways, or sidewalks within the public road right of way may be supported. Boulevards must be landscaped, irrigated, and maintained by the subject development.

(xxxvii) Open spaces acting as sites of public assembly shall incorporate special landscape features such as fountains, landscaping or monuments as focal elements.

Site Illumination and Signage:

(xxxviii) Lighting should be designated for security and safety. However, there should not be glare on neighbouring properties, adjacent roads or the sky.

(xxxix) All new, replacement and upgraded exterior lighting in existing and proposed developments shall be Full-Cut Off/Flat Lens (FCO/FL) luminaries to light roads, parking, loading and pedestrian areas. Exterior building lighting will also be required to have FCO lighting fixtures.

(xl) The size, location and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be integrated into the design of the building.

(xli) No roof top signs shall be permitted. Multi-tenant buildings shall provide combined tenant signage.

(xlii) Signage should be visually unobtrusive; particular emphasis should be given to signage which is aesthetically pleasing and requires a minimal amount of lighting or boldness to be effective

Pedestrian and Cyclist Considerations:

(xlili) Pedestrian sidewalks or defined pathways connecting building entrances to and through parking areas and sidewalks or road right-of-ways of the adjacent streets shall be provided.

(xliv) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of a clearly delineated pathway or durable, low maintenance surface materials such as pavers, bricks, or concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

(xlv) Bicycle parking facilities should be provided at grade near the primary building entrances.

6.20 Rural Commercial Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the [Electoral Area H Official Community Plan](#).

(a) Applicability

A development permit is required for the following activities wherever they occur within the development permit area, unless specifically exempted:

- (i) Construction, erection, renovation or addition of buildings or structures on the land, including signage over 1.0 meter in height.
- (ii) Alteration of land, removal of vegetation, disturbance of soils, including grubbing, scraping and removal of top soil.

(b) Exemptions

The following activities are exempt from any requirement for a development permit:

- (i) Exemptions listed in Section 8.3 Development Permit Areas – General Exemptions.
- (ii) Construction, renovation, or addition to single dwelling unit, duplex dwelling unit, or accessory residential buildings.
- (iii) Alterations or additions to a building which does not require a building permit. This exemption excludes new signage.
- (iv) Construction of a building or structure with a total floor area of 10 square meters or less which is not visible from a public roadway.
- (v) Addition to an existing building or structure that is screened from view from a public roadway or other public space by the existing building or structure.
- (vi) Subdivision of land as defined in the [Land Title Act](#) or [Strata Property Act](#).
- (vii) Maintenance of existing landscaping, existing roads, parking areas, paths and trails.
- (viii) Construction of unpaved driveways and walkways not exceeding 4 meters in width.

(c) Guidelines

- (i) The character of the development will generally:
 - (A) be designed to utilize the existing topography and vegetation in a manner that is visually unobtrusive and blends into the surrounding landscape,
 - (B) be designed to mimic the natural water balance by maximizing infiltration

- of uncontaminated rainwater,
- (C) integrated with and enhance the character of existing development to avoid mass and character that would be overwhelming to adjacent non-commercial properties, and
 - (D) include gathering places such as seating areas, patios, garden entry areas that are visible and accessible and encourage pedestrian uses, where possible.
- (ii) Incorporating natural materials to create a “west coast” style into the design is encouraged.
 - (iii) Where buildings present an aspect to the highway or to highly visible areas, continuous blank wall surfaces (longer than 5 meters) shall be avoided. Consider using building articulation, visually-interesting rooflines (e.g., variations in cornice lines and roof slopes); architectural elements (e.g., balconies, bay windows, cupolas, dormers), and other detailing that creates rhythm along the lines of the building.
 - (iv) Safe pedestrian and cycling routes that connect the property with the waterfront, open spaces and active transportation networks shall be identified and where applicable, constructed in accordance with the Regional District’s *Community Parks and Trails Strategy*, *Regional Parks and Trails Plan*, or *Active Transportation Plan*, and any subsequent editions.
 - (v) Walls, fences, shrubs, grade changes or other site features should not obscure the vision of vehicle drivers with respect to pedestrians or bicycle routes.
 - (vi) Off-street parking and off-street loading areas shall be located to the rear of buildings wherever possible, shall be complimentary to the development, and shall be screened with landscaping. Small clustered parking areas are preferable to large paved areas.
 - (vii) Off-street parking and off-street loading areas, located adjacent to residential or rural land uses, shall be adequately screened from the residential uses.
 - (viii) All outdoor refuse and storage areas shall be screened with a combination of landscape plants and fencing, and wherever possible, located to the rear of the buildings or in unobtrusive locations. For waterfront properties, consideration should also be given to screening these areas from the beach front.
 - (ix) For land to be developed where it abuts a residential zoned property(s), a landscaped buffer shall be retained or planted to provide a visual screen.
 - (x) Porous and permeable surfaces should be used where practical and techniques such as rain gardens and vegetative swales to assist in the treatment of rainwater runoff from a site are encouraged in accordance with *Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia*, published by the B.C. Ministry of Environment, or any subsequent

editions. The Regional District may require a rainwater management plan prepared by a Professional Engineer or other qualified professional.

- (xi) Mature trees shall be preserved and, where possible, integrated with new landscaping. The planting of trees is strongly encouraged.
- (xii) Proposed new plantings should consist of indigenous vegetation or other non-invasive vegetation suitable for local environmental conditions.
- (xiii) Where the introduction of vegetation is required within the development permit area, the Regional District may require the applicant to submit a landscape plan and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified professional to the satisfaction of the Regional District.
- (xiv) Exterior lighting shall be low intensity, pedestrian-orientated with an emphasis on public safety and the prevention of glare onto adjacent properties, roads or sky. The use of solar power lightening is encouraged.
- (xv) All new or replacement exterior lighting in commercial areas shall use Full-Cut Off/Flat Lens (FCO/FL) lighting fixtures on exterior to light roads, parking, loading and pedestrian areas.
- (xvi) Signage should be visually unobtrusive and grouped whenever possible. Particular emphasis should be given to signage that is complementary to the scenic qualities of the area and requires a minimal amount of lighting to be effective. Animated, flashing, oscillating or moving signs and roof top signs shall be avoided to retain a rural appearance and not be distracting to drivers.

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
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6.21 Highway Corridor Protection Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the [Nanoose Bay](#) Official Community Plan.

(a) Exemptions

The following are exempt from obtaining a development permit:

- (i) The construction, renovation, or addition to a single dwelling unit, duplex dwelling unit, or accessory residential buildings; and/or
- (ii) The subdivision of land within the ALR.

(b) Guidelines

- (i) Landscaping, screening and the retention of natural vegetation shall be encouraged to enhance the appearance of properties adjacent to the highway in accordance with land use bylaws.
- (ii) Off street parking, loading areas, refuse containers and outdoor storage/manufacturing areas shall, where achievable, be located to the rear of buildings and/or adequately screened from residential and rural lands by a combination of landscape buffering and fencing.
- (iii) Signage on properties bordering the highway should be grouped whenever possible, complementary with the natural character of the area, and employ the use of a minimal amount of direct or indirect lighting to be effective.
- (iv) The Ministry of Transportation and Infrastructure is supported in their initiatives to consolidate access points to major roadways and to provide access through ‘slip’ roads.

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
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6.22 Inland Island Highway Corridor Development Permit Area

Information Note: the designation of this development permit area and description of the special conditions or objectives that justify the designation are located in the [Electoral Area G](#) Official Community Plan.

(a) Application

A development permit is required for the following commercial, industrial, intensive residential andmulti-residential uses unless specifically exempt:

- (i) alteration of land, removal of vegetation, disturbance of soils, including grubbing, scraping, andremoval of top soils;
- (ii) construction or erection of buildings and structures;
- (iii) creation of non-structural impervious or semi-pervious surfaces; and
- (iv) Subdivision as defined in the [Land Title Act](#) or [Strata Property Act](#).

(b) Exemptions

All development activities, including subdivision of land that does not include commercial, industrial, intensive residential or multi-residential development or related activities.

(c) Guidelines

- (i) Development or redevelopment of commercial, industrial, or multi-residential land within theInland Island Highway Development Permit Area shall:
 - (A) reinforce the rural and aesthetic visual image of the Inland Island Highway bymaintaining the rural wooded landscape on adjoining lands;
 - (B) ensure that orderly and aesthetic development or redevelopment of existing industrialzoned lands do not negatively impact the view corridor of the new highway; and,
 - (C) prohibit direct vehicular access from the Inland Island Highway.
- (ii) All industrial, commercial, or multi-residential subdivisions or individual developments should provide a 30 metre visual integrity buffer, adjacent to the Inland Island Highway, where a natural wooded character will be maintained and no buildings, outdoor storage or signage shall be permitted without the approval of both the MOTI and the Regional District Board.
- (iii) Buildings, structures, parking, and storage should be designed and sited to be outside of the visual integrity buffer of the Inland Island Highway and complement the rural integrity of the area. Plans shall be submitted illustrating cross sections of the property and proposed buildings. The Plans shall illustrate the view corridor of

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
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eastbound and westbound traffic and the visual impact of any proposed structures from the Inland Island Highway. In addition, a photographic survey of the site and development proposal shall be submitted, from adjoining parcels and major roadways, to illustrate visual compatibility with surrounding development.

- (iv) No signage shall be visible from the Inland Island Highway. Signage should be visually unobtrusive and grouped whenever possible, and no third party signs shall be permitted within the Development Permit Area.
- (v) Wherever possible development should be oriented with the "front" face of buildings away from the Highway and no loading, storage, or other service functions should be located between the building and the highway.
- (vi) Where the introduction of vegetation is required within the Development Permit Area, the Regional District may require the applicant to submit a landscaping and security deposit equal to the total estimated costs of all materials and labour as determined by a landscape architect or other qualified person to the satisfaction of the Regional District.
- (vii) Where irrigation is required to maintain proposed landscaping, it should be designed and installed by an Irrigation Industry Association of British Columbia certified irrigation designer.

Part 1 Administration	Part 2 Interpretation	Part 3 Land Use Regulations	Part 4 Zones	Part 5 Subdivision Regulations	Part 6 Development Permit Areas
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RDN ZONING BYLAW 2500

Schedule 3A:
Zoning and Subdivision District Maps

Sheet 1 of 6

ELECTORAL AREA A

BYLAW 2500

AG1

D

Subdivision District

Zone Classification

Short Title

Bylaw 2500 Boundary (no change)

RU1D to RR2D

Proposed Bylaw 2500 Zoning Revision

AG1.2

Proposed Bylaw 2500 Subzone

BYLAW 1285

A-1

Zone Classification

Short Title

Bylaw 1285 Boundary

A-1.3

Site Specific Zoning

Land Use Contracts

Electoral Area A

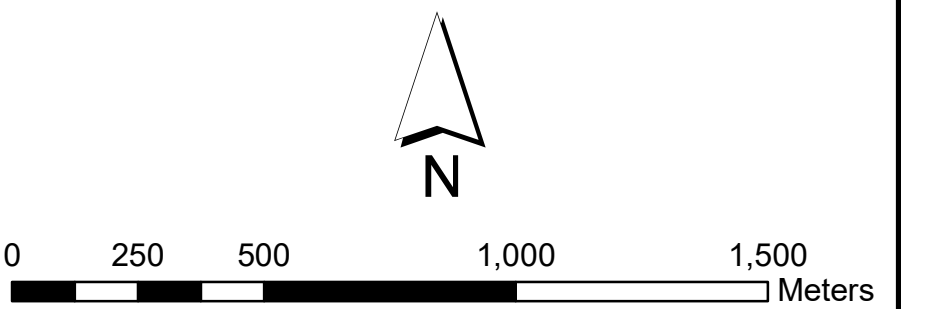
Electoral Area / Municipal Boundary

REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 2500
SCHEDULE 3B SUBDIVISION DISTRICTS - MINIMUM PARCEL SIZES

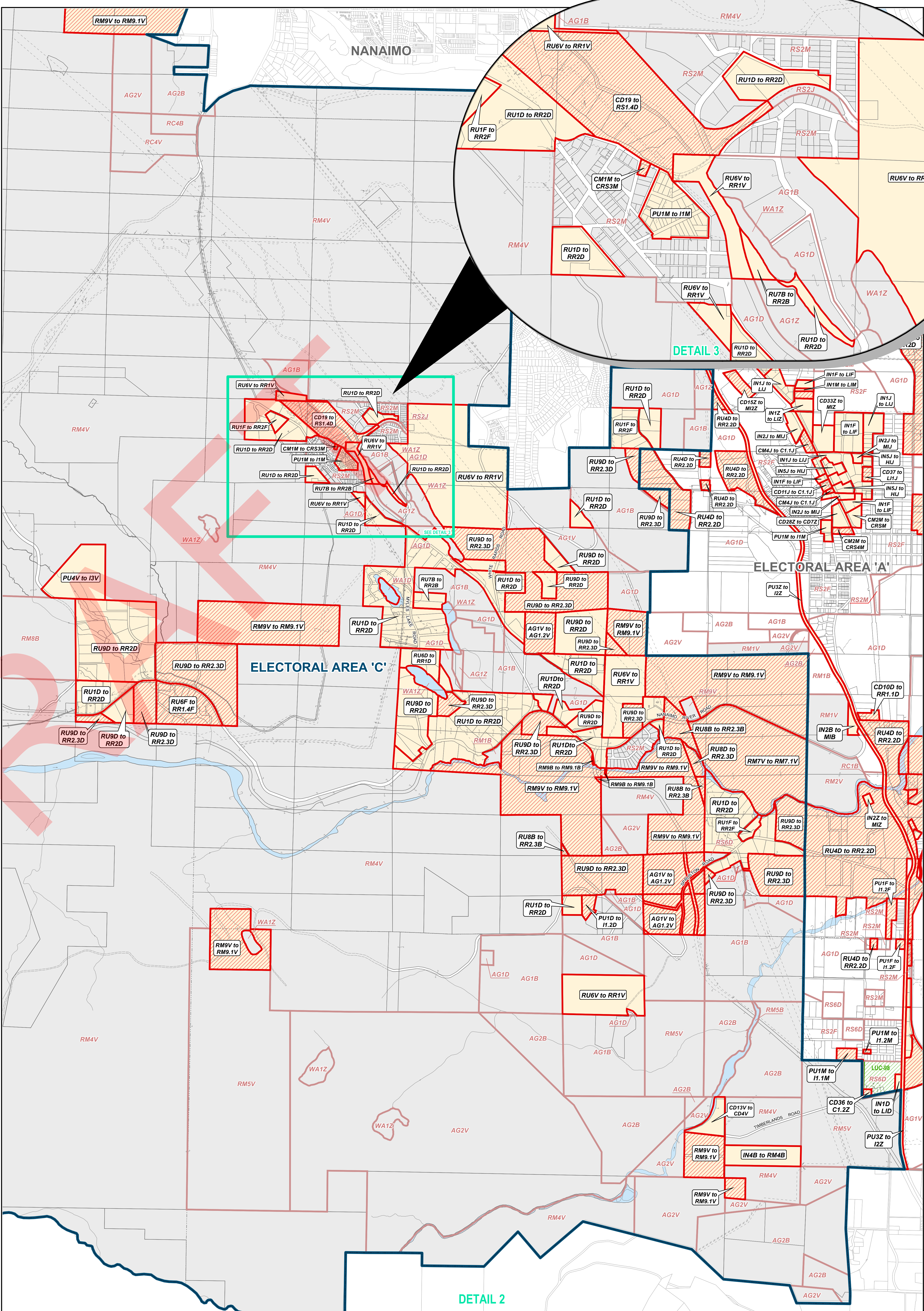
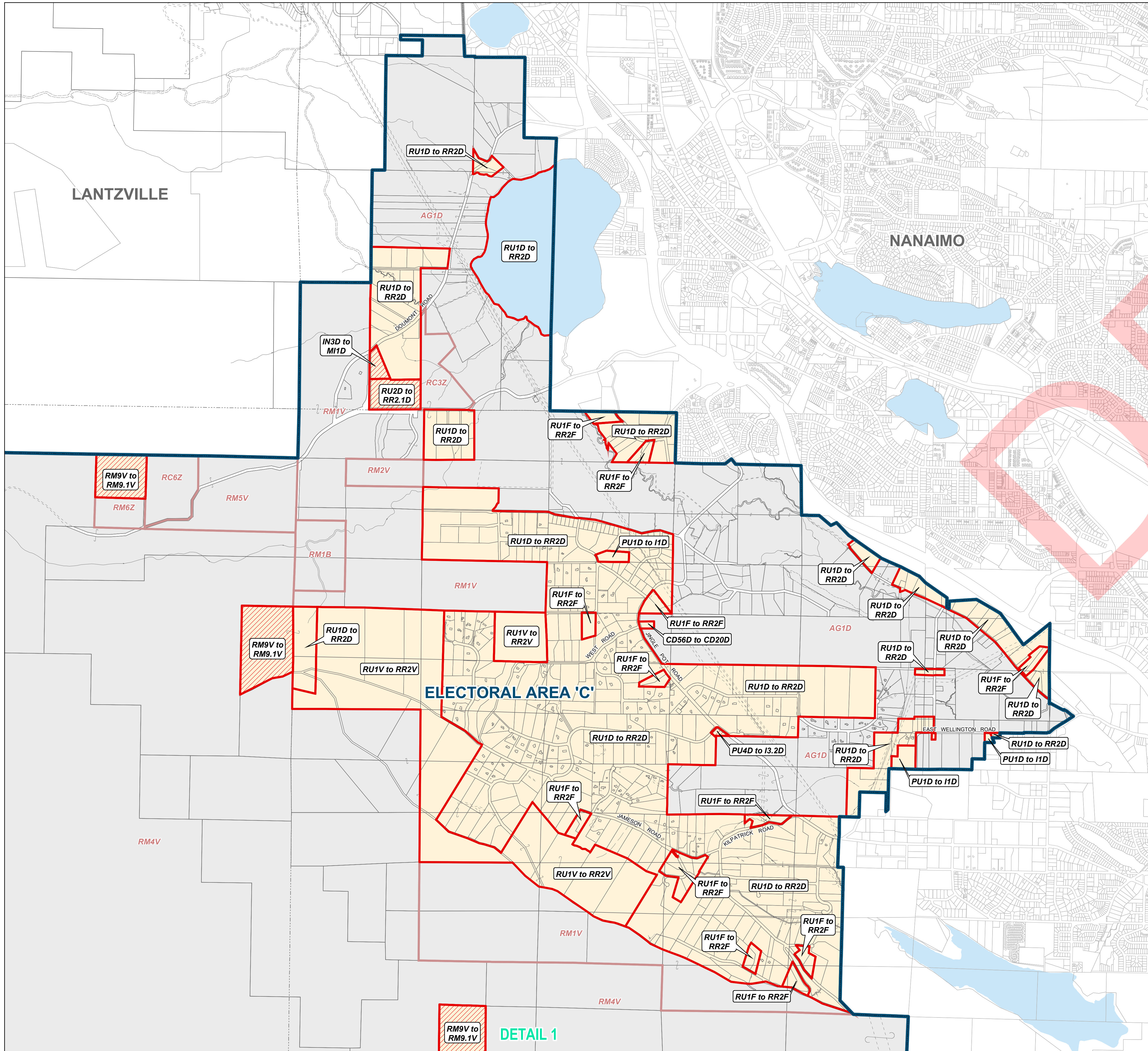
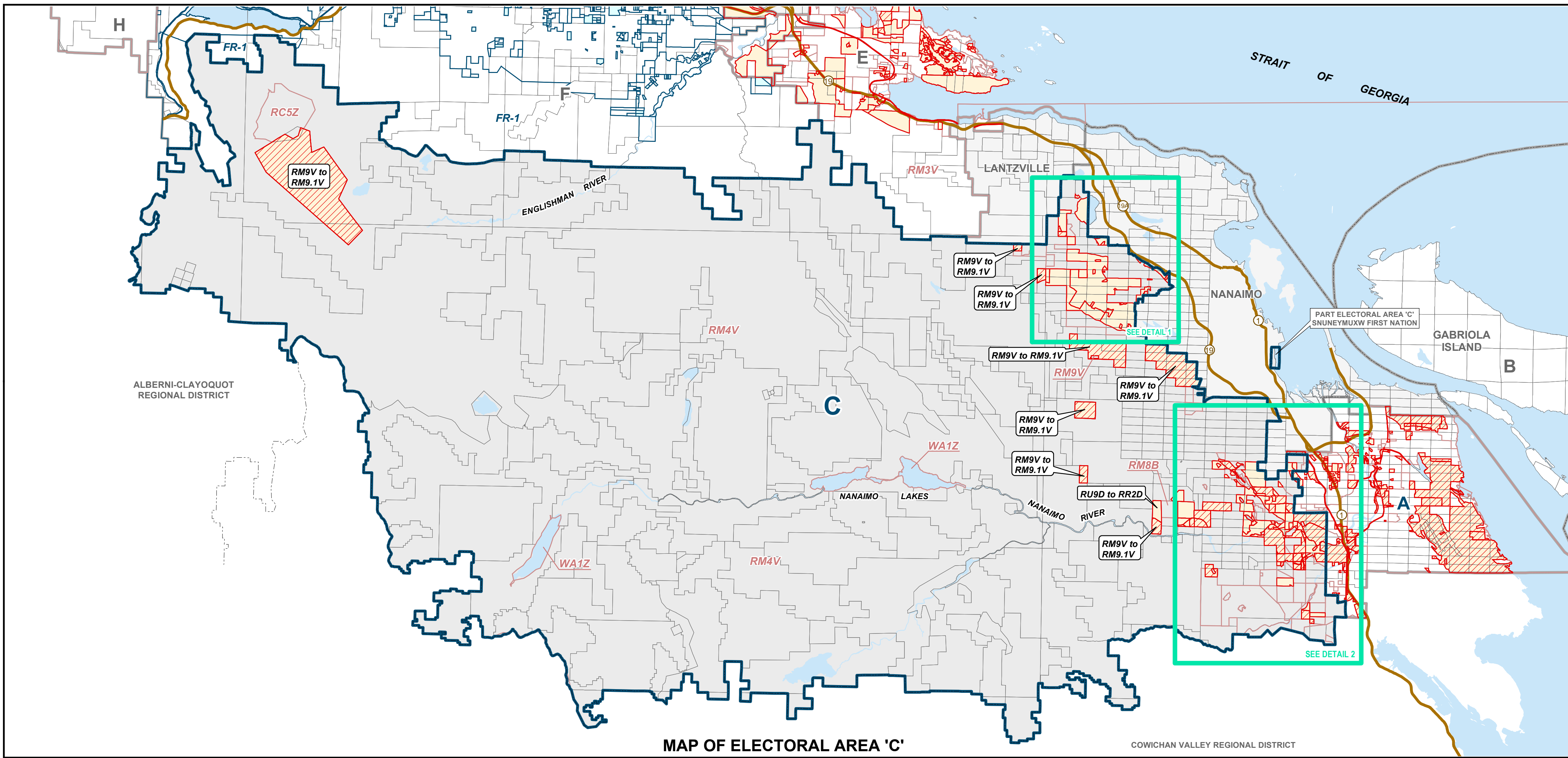
The minimum size of any lot created by subdivision shall be determined by the standard of services provided and shall meet the applicable minimum parcel size set out below.¹

Subdivision District	Minimum Parcel Sizes			
	Community Water & Sewer System	Community Water System - No Community Sewer	Community Sewer System - No Community Water	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	8.0 ha	8.0 ha	8.0 ha	8.0 ha
C	5.0 ha	5.0 ha	5.0 ha	5.0 ha
CC1	4.0 ha	4.0 ha	4.0 ha	4.0 ha
D	2.0 ha	2.0 ha	2.0 ha	2.0 ha
E	1.0 ha	1.0 ha	1.0 ha	1.0 ha
F	1.0 ha	1.0 ha	1.0 ha	1.0 ha
G	8000 m ²	1.0 ha	1.0 ha	1.0 ha
H	5000 m ²	1.0 ha	1.0 ha	1.0 ha
I	4000 m ²	1.0 ha	1.0 ha	1.0 ha
J	4000 m ²	4000 m ²	4000 m ²	4000 m ²
K	2000 m ²	2000 m ²	2000 m ²	2000 m ²
L	2000 m ²	2000 m ²	2000 m ²	2000 m ²
M	2000 m ²	2000 m ²	2000 m ²	2000 m ²
N	1600 m ²	1600 m ²	1600 m ²	1600 m ²
P	1000 m ²	1000 m ²	1000 m ²	1000 m ²
Q (all other)	700 m ²	700 m ²	700 m ²	700 m ²
Q (all other)	700 m ²	700 m ²	700 m ²	700 m ²
R	500 m ²	500 m ²	500 m ²	500 m ²
S	400 m ²	400 m ²	400 m ²	400 m ²
T	600 m ²	No further subdivision	No further subdivision	No further subdivision
V	50.0 ha	No further subdivision	No further subdivision	No further subdivision
Z	50.0 ha	No further subdivision	No further subdivision	No further subdivision
CU9 II	400 lots with approved pump and haul service connection			

Note:
- All lots that were Rural 4 are proposed to go to RR.2.
The rationale for the subzone is to maintain existing regulations.
- All Category A lots are proposed to go to RR.2.3 to clarify the existing regulations at the time of subdivision.



Revision Date: November 2023



REGIONAL DISTRICT OF NANAIMO

RDN ZONING BYLAW 2500

Schedule 3A: Zoning and Subdivision District Maps

Sheet 2 of 6

ELECTORAL AREA C

BYLAW 2500

[AG1] [D] Subdivision District

Zone Classification Short Title

Bylaw 2500 Boundary (no change)

[RU1D to RR2D] Proposed Bylaw 2500 Zoning Revision

[AG1.2] Proposed Bylaw 2500 Subzone

BYLAW 1285

[A-7] Zone Classification Short Title

Bylaw 1285 Boundary

[A-7.3] Site Specific Zoning

Land Use Contracts

Electorate Area C

Electorate Area / Municipal Boundary

REGIONAL DISTRICT OF NANAIMO

SCHEDULE 3A: SUBDIVISION DISTRICTS - MINIMUM PARCEL SIZES

The minimum size of any lot created by subdivision shall be determined by the standard of service provided and shall meet the applicable minimum parcel size set out below:

Subdivision District	Community Water & Sewer System	Community Water System - No Sewerage	Community Sewer System - No Sewerage	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	8.0 ha	8.0 ha	8.0 ha	8.0 ha
C	4.0 ha	4.0 ha	4.0 ha	4.0 ha
D	2.0 ha	2.0 ha	2.0 ha	2.0 ha
E	1.0 ha	1.0 ha	1.0 ha	1.0 ha
F	0.5 ha	0.5 ha	0.5 ha	0.5 ha
G	0.25 ha	0.25 ha	0.25 ha	0.25 ha
H	0.125 ha	0.125 ha	0.125 ha	0.125 ha
I	0.0625 ha	0.0625 ha	0.0625 ha	0.0625 ha
J	0.03125 ha	0.03125 ha	0.03125 ha	0.03125 ha
K	0.015625 ha	0.015625 ha	0.015625 ha	0.015625 ha
L	0.0078125 ha	0.0078125 ha	0.0078125 ha	0.0078125 ha
M	0.00390625 ha	0.00390625 ha	0.00390625 ha	0.00390625 ha
N	0.001953125 ha	0.001953125 ha	0.001953125 ha	0.001953125 ha
O	0.0009765625 ha	0.0009765625 ha	0.0009765625 ha	0.0009765625 ha
P	0.00048828125 ha	0.00048828125 ha	0.00048828125 ha	0.00048828125 ha
Q	0.000244140625 ha	0.000244140625 ha	0.000244140625 ha	0.000244140625 ha
R	0.0001220703125 ha	0.0001220703125 ha	0.0001220703125 ha	0.0001220703125 ha
S	0.00006103515625 ha	0.00006103515625 ha	0.00006103515625 ha	0.00006103515625 ha
T	0.000030517578125 ha	0.000030517578125 ha	0.000030517578125 ha	0.000030517578125 ha
U	0.0000152587890625 ha	0.0000152587890625 ha	0.0000152587890625 ha	0.0000152587890625 ha
V	0.00000762939453125 ha	0.00000762939453125 ha	0.00000762939453125 ha	0.00000762939453125 ha
W	0.000003814697265625 ha	0.000003814697265625 ha	0.000003814697265625 ha	0.000003814697265625 ha
X	0.0000019073486328125 ha	0.0000019073486328125 ha	0.0000019073486328125 ha	0.0000019073486328125 ha
Y	0.00000095367431640625 ha	0.00000095367431640625 ha	0.00000095367431640625 ha	0.00000095367431640625 ha
Z	0.000000476837158203125 ha	0.000000476837158203125 ha	0.000000476837158203125 ha	0.000000476837158203125 ha
AA	0.0000002384185791015625 ha	0.0000002384185791015625 ha	0.0000002384185791015625 ha	0.0000002384185791015625 ha
AB	0.00000011920928955078125 ha	0.00000011920928955078125 ha	0.00000011920928955078125 ha	0.00000011920928955078125 ha
AC	0.000000059604644775390625 ha	0.000000059604644775390625 ha	0.000000059604644775390625 ha	0.000000059604644775390625 ha

Note:

- All lots that were Rural 4 are proposed to go to RR2.2.
- The rationale for the subzone is to maintain existing regulations.
- All Category A lots are proposed to go to go to RR2.3 to clarify the existing regulations at the time of subdivision.

400 lots with approved pump and haul service connection

Revision Date: November 2023

RDN ZONING BYLAW 2500

Schedule 3A:
Zoning and Subdivision District Maps

Sheet 3 of 6

ELECTORAL AREA E

BYLAW 2500

Legend for Bylaw 2500:

- AG1: Zone Classification Short Title
- D: Subdivision District
- Bylaw 2500 Boundary (no change)
- RU1D to RR2D: Proposed Bylaw 2500 Zoning Revision
- AG1.2: Proposed Bylaw 2500 Subzone

BYLAW 1285

Legend for Bylaw 1285:

- A-1: Zone Classification Short Title
- Bylaw 1285 Boundary
- A-1.3: Site Specific Zoning
- Land Use Contracts
- Electorate Area E
- Electorate Area / Municipal Boundary

NOTE: All CD14 zones were previously defined as CD44 zones as per BL 1692.

REGIONAL DISTRICT OF NANAIMO				
BYLAW NO. 2500				
SCHEDULE '3B' SUBDIVISION DISTRICTS - MINIMUM PARCEL SIZES				
The minimum size of any lot created by subdivision shall be determined by the standard of services provided and shall meet the applicable minimum parcel size set out below.				
Subdivision District	Minimum Parcel Sizes		All Other Subdivisions	
	Community Water & Sewer System	Community Water System - No Community Sewer	Community Sewer System - No Community Water	
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	8.0 ha	8.0 ha	8.0 ha	8.0 ha
C	5.0 ha	5.0 ha	5.0 ha	5.0 ha
CD	4.0 ha	4.0 ha	4.0 ha	4.0 ha
D	2.0 ha	2.0 ha	2.0 ha	2.0 ha
E	1.0 ha	1.0 ha	1.0 ha	1.0 ha
F	1.0 ha	1.0 ha	1.0 ha	1.0 ha
G	8000 m ²	1.0 ha	1.0 ha	1.0 ha
H	5000 m ²	1.0 ha	1.0 ha	1.0 ha
I	4000 m ²	6000 m ²	4000 m ²	1.0 ha
J	2000 m ²	2000 m ²	4000 m ²	8000 m ²
K	2000 m ²	2000 m ²	1.0 ha	1.0 ha
L	1600 m ²	1600 m ²	1.0 ha	1.0 ha
M	1600 m ²	1600 m ²	1.0 ha	1.0 ha
N	1600 m ²	1600 m ²	1.0 ha	1.0 ha
O	1600 m ²	1600 m ²	1.0 ha	1.0 ha
P	1600 m ²	1600 m ²	1.0 ha	1.0 ha
Q	1600 m ²	1600 m ²	1.0 ha	1.0 ha
R	1600 m ²	1600 m ²	1.0 ha	1.0 ha
S	1600 m ²	1600 m ²	1.0 ha	1.0 ha
T	1600 m ²	1600 m ²	1.0 ha	1.0 ha
U	1600 m ²	1600 m ²	1.0 ha	1.0 ha
V	1600 m ²	1600 m ²	1.0 ha	1.0 ha
W	1600 m ²	1600 m ²	1.0 ha	1.0 ha
X	1600 m ²	1600 m ²	1.0 ha	1.0 ha
Y	1600 m ²	1600 m ²	1.0 ha	1.0 ha
Z	1600 m ²	1600 m ²	1.0 ha	1.0 ha
QDR	400 lots, with approved pump and haul service connection			



0 100 200 400 600 800 1,000 1,200 1,400 Meters

Revision Date: November 2023

RDN ZONING BYLAW 2500

Schedule 3A: Zoning and Subdivision District Maps

Sheet 4 of 6

ELECTORAL AREA G

BYLAW 2500

[AG1] [D]
Subdivision District
Zone Classification Short Title
Bylaw 2500 Boundary (no change)
[RUID to RR2D] Proposed Bylaw 2500 Zoning Revision
[AG1.2] Proposed Bylaw 2500 Subzone

BYLAW 1285

[A-1]
Zone Classification Short Title
Bylaw 1285 Boundary
[A-1.3] Site Specific Zoning
Land Use Contracts
Electoral Area G
Electoral Area / Municipal Boundary

REGIONAL DISTRICT OF NANAIMO					
BYLAW NO. 2500					
SCHEDULE 3B: SUBDIVISION DISTRICTS - MINIMUM PARCEL SIZES					
The minimum size of any lot created by subdivision shall be determined by the standard of values provided and shall meet the applicable minimum parcel size set out below:					
Subdivision District	Community Water & Sewer System	Community Water System: No Community Water	Community Water System: No Community Water	Community Water System: No Community Water	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	10.0 ha	10.0 ha	10.0 ha	10.0 ha	10.0 ha
C	5.0 ha	5.0 ha	5.0 ha	5.0 ha	5.0 ha
D	2.0 ha	2.0 ha	2.0 ha	2.0 ha	2.0 ha
E	1.0 ha	1.0 ha	1.0 ha	1.0 ha	1.0 ha
F	0.5 ha	0.5 ha	0.5 ha	0.5 ha	0.5 ha
G	0.2 ha	0.2 ha	0.2 ha	0.2 ha	0.2 ha
H	0.1 ha	0.1 ha	0.1 ha	0.1 ha	0.1 ha
I	0.05 ha	0.05 ha	0.05 ha	0.05 ha	0.05 ha
J	0.02 ha	0.02 ha	0.02 ha	0.02 ha	0.02 ha
K	0.01 ha	0.01 ha	0.01 ha	0.01 ha	0.01 ha
L	0.005 ha	0.005 ha	0.005 ha	0.005 ha	0.005 ha
M	0.002 ha	0.002 ha	0.002 ha	0.002 ha	0.002 ha
N	0.001 ha	0.001 ha	0.001 ha	0.001 ha	0.001 ha
O	0.0005 ha	0.0005 ha	0.0005 ha	0.0005 ha	0.0005 ha
P	0.0002 ha	0.0002 ha	0.0002 ha	0.0002 ha	0.0002 ha
Q	0.0001 ha	0.0001 ha	0.0001 ha	0.0001 ha	0.0001 ha
R	0.00005 ha	0.00005 ha	0.00005 ha	0.00005 ha	0.00005 ha
S	0.00002 ha	0.00002 ha	0.00002 ha	0.00002 ha	0.00002 ha
T	0.00001 ha	0.00001 ha	0.00001 ha	0.00001 ha	0.00001 ha
U	0.000005 ha	0.000005 ha	0.000005 ha	0.000005 ha	0.000005 ha
V	0.000002 ha	0.000002 ha	0.000002 ha	0.000002 ha	0.000002 ha
W	0.000001 ha	0.000001 ha	0.000001 ha	0.000001 ha	0.000001 ha
X	0.0000005 ha	0.0000005 ha	0.0000005 ha	0.0000005 ha	0.0000005 ha
Y	0.0000002 ha	0.0000002 ha	0.0000002 ha	0.0000002 ha	0.0000002 ha
Z	0.0000001 ha	0.0000001 ha	0.0000001 ha	0.0000001 ha	0.0000001 ha
CD	0.00000005 ha	0.00000005 ha	0.00000005 ha	0.00000005 ha	0.00000005 ha
CD 10: 400 lots with approved pump and haul service connection					

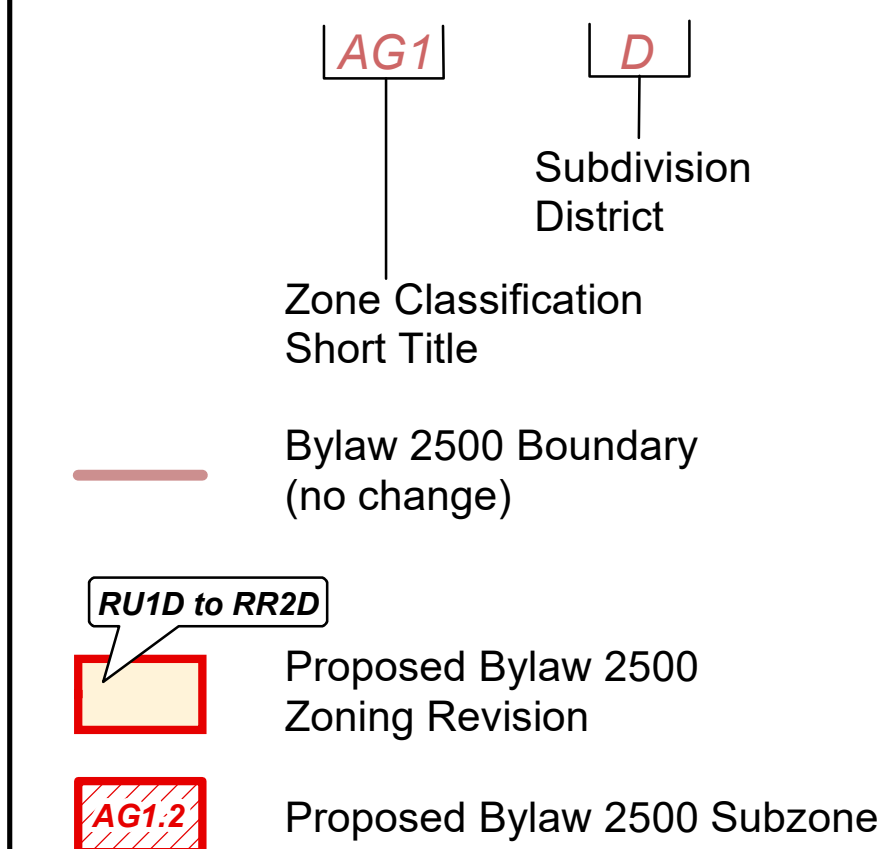
RDN ZONING BYLAW 2500

Schedule 3A: Zoning and Subdivision District Maps

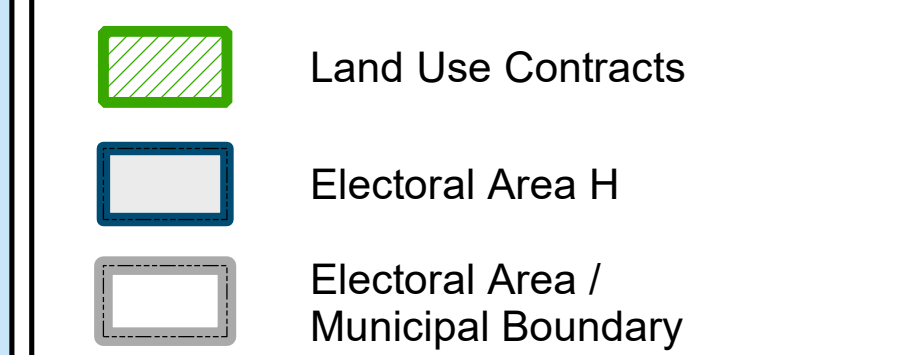
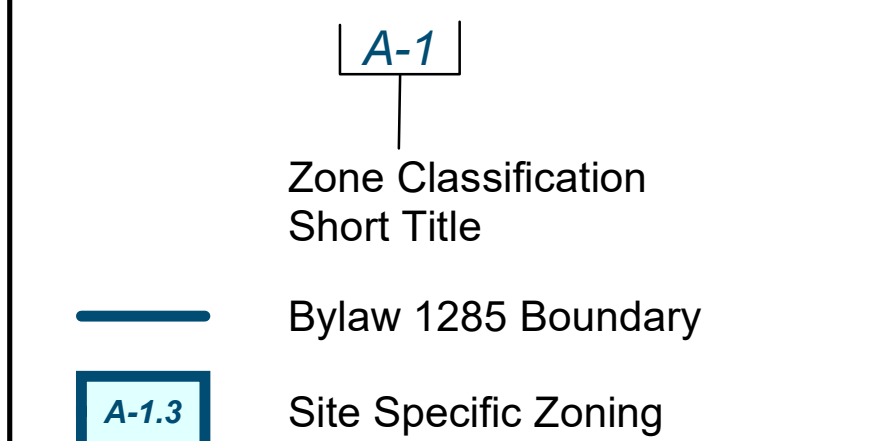
Sheet 5 of 6

ELECTORAL AREA H (NORTH)

BYLAW 2500



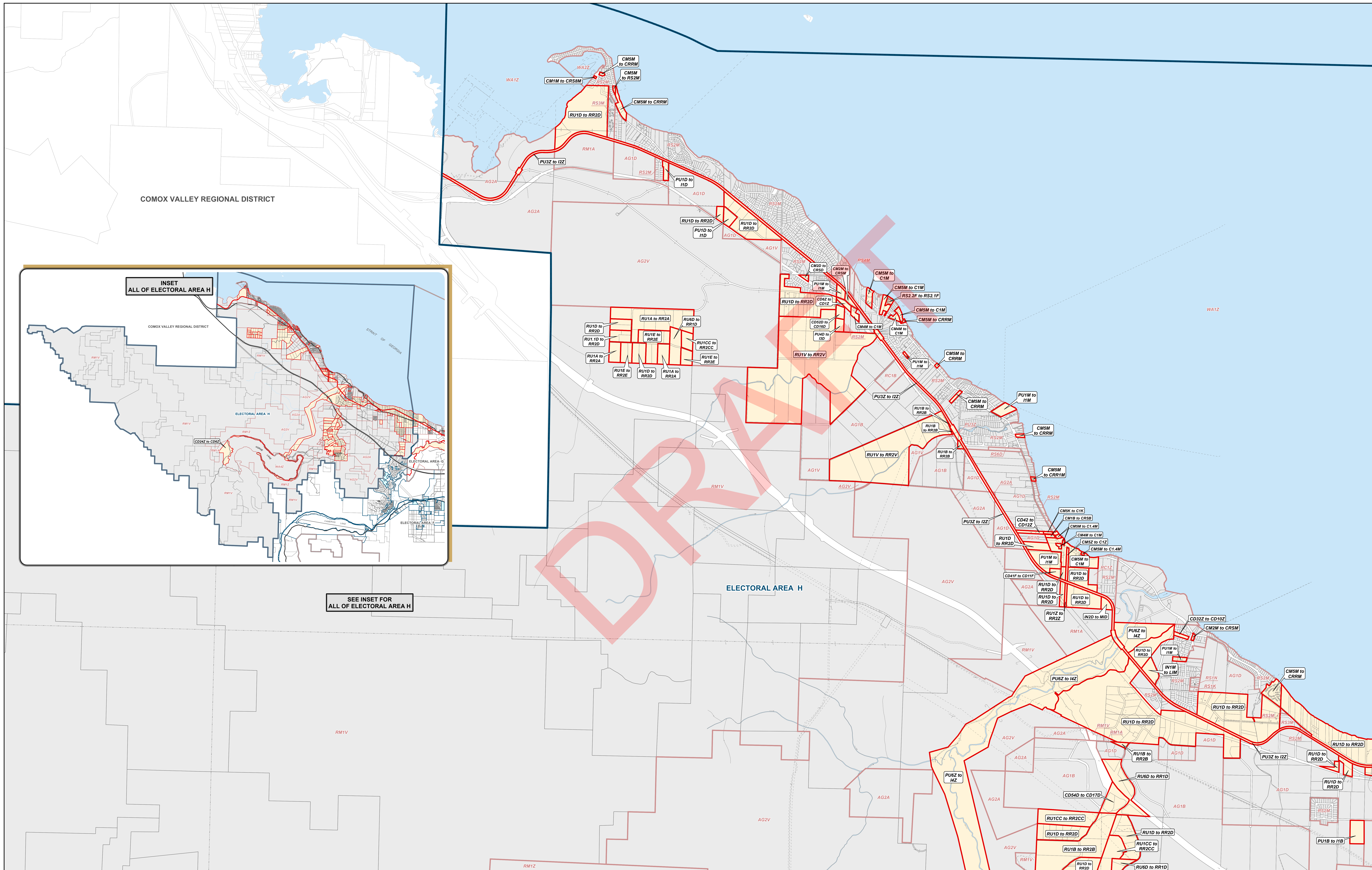
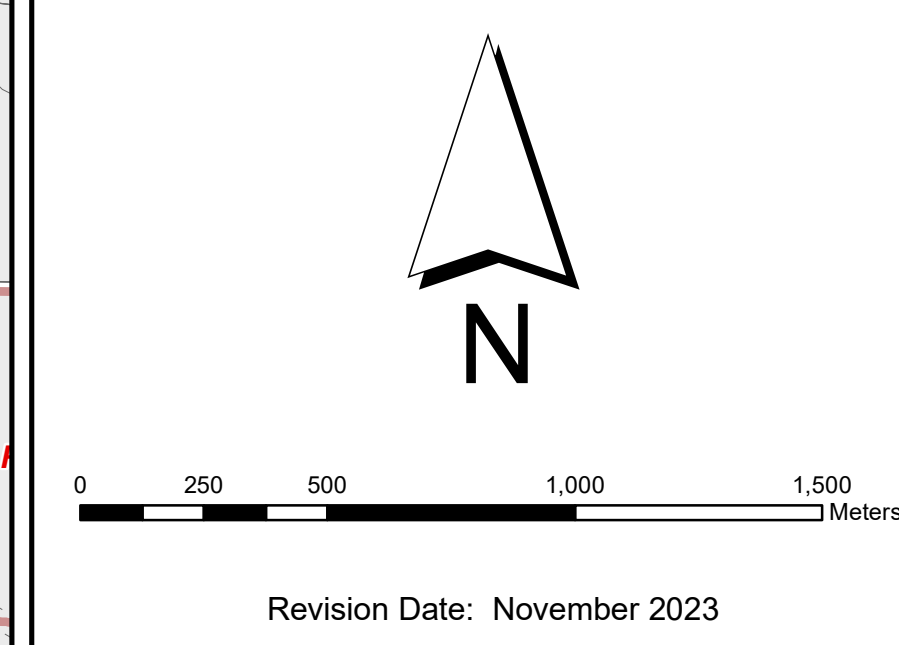
BYLAW 1285



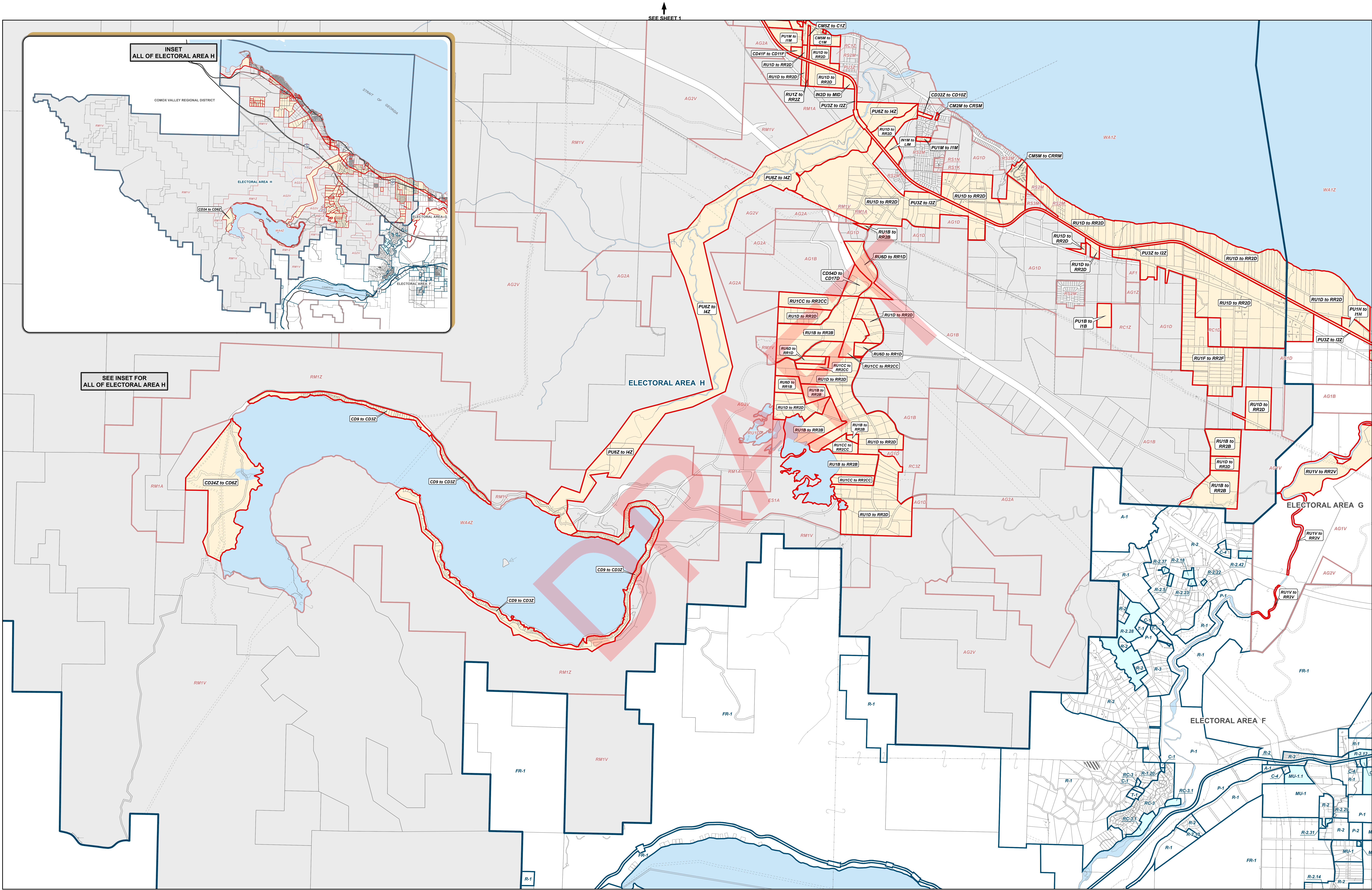
REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 2500
SCHEDULE 3A: SUBDIVISION DISTRICTS - MINIMUM PARCEL SIZES

The minimum size of lots created by subdivision shall be determined by the standard of sections provided and shall meet the applicable minimum parcel size set out below:

Subdivision District	Community Water & Sewer System	Community Water System - No Community Sewer	Community Sewer System - No Community Water	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	5.0 ha	5.0 ha	5.0 ha	5.0 ha
C	5.0 ha	5.0 ha	5.0 ha	5.0 ha
CD	5.0 ha	5.0 ha	5.0 ha	5.0 ha
D	2.0 ha	2.0 ha	2.0 ha	2.0 ha
E	1.0 ha	1.0 ha	1.0 ha	1.0 ha
F	1.0 ha	1.0 ha	1.0 ha	1.0 ha
G	1.0 ha	1.0 ha	1.0 ha	1.0 ha
H	1.0 ha	1.0 ha	1.0 ha	1.0 ha
I	1.0 ha	1.0 ha	1.0 ha	1.0 ha
J	1.0 ha	1.0 ha	1.0 ha	1.0 ha
K	1.0 ha	1.0 ha	1.0 ha	1.0 ha
L	1.0 ha	1.0 ha	1.0 ha	1.0 ha
M	1.0 ha	1.0 ha	1.0 ha	1.0 ha
N	1.0 ha	1.0 ha	1.0 ha	1.0 ha
O	1.0 ha	1.0 ha	1.0 ha	1.0 ha
P	1.0 ha	1.0 ha	1.0 ha	1.0 ha
Q	1.0 ha	1.0 ha	1.0 ha	1.0 ha
R	1.0 ha	1.0 ha	1.0 ha	1.0 ha
S	1.0 ha	1.0 ha	1.0 ha	1.0 ha
T	1.0 ha	1.0 ha	1.0 ha	1.0 ha
U	1.0 ha	1.0 ha	1.0 ha	1.0 ha
V	1.0 ha	1.0 ha	1.0 ha	1.0 ha
W	1.0 ha	1.0 ha	1.0 ha	1.0 ha
X	1.0 ha	1.0 ha	1.0 ha	1.0 ha
Y	1.0 ha	1.0 ha	1.0 ha	1.0 ha
Z	1.0 ha	1.0 ha	1.0 ha	1.0 ha



SEE SHEET 2



**RDN ZONING
BYLAW 2500**

**Schedule 3A:
Zoning and Subdivision
District Maps**

Sheet 6 of 6

**ELECTORAL AREA H
(SOUTH)**

BYLAW 2500

Legend:

- AG1** Subdivision District
- D** Zone Classification Short Title
- Bylaw 2500 Boundary (no change)**
- Proposed Bylaw 2500 Zoning Revision**
- Proposed Bylaw 2500 Subzone**

BYLAW 1285

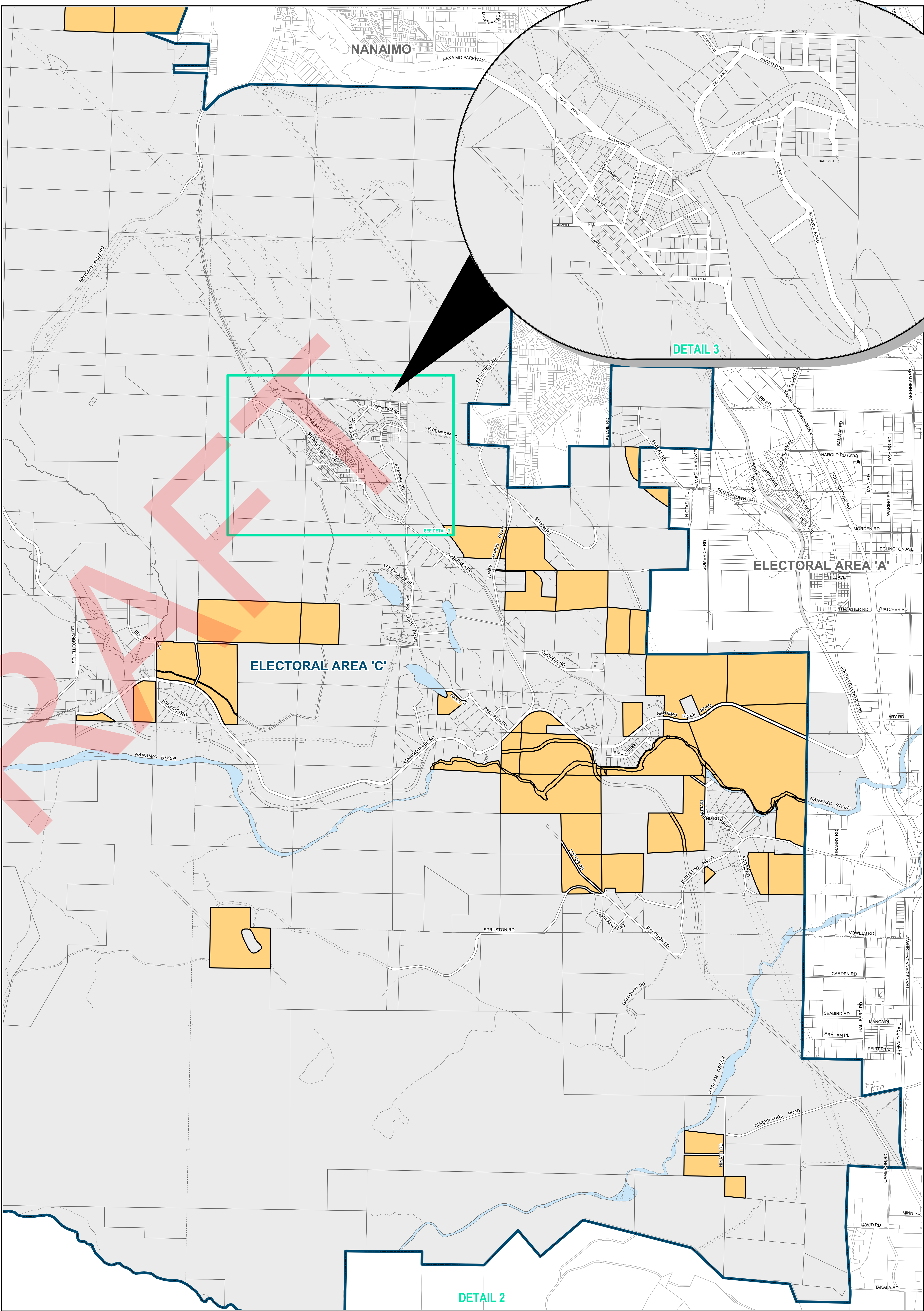
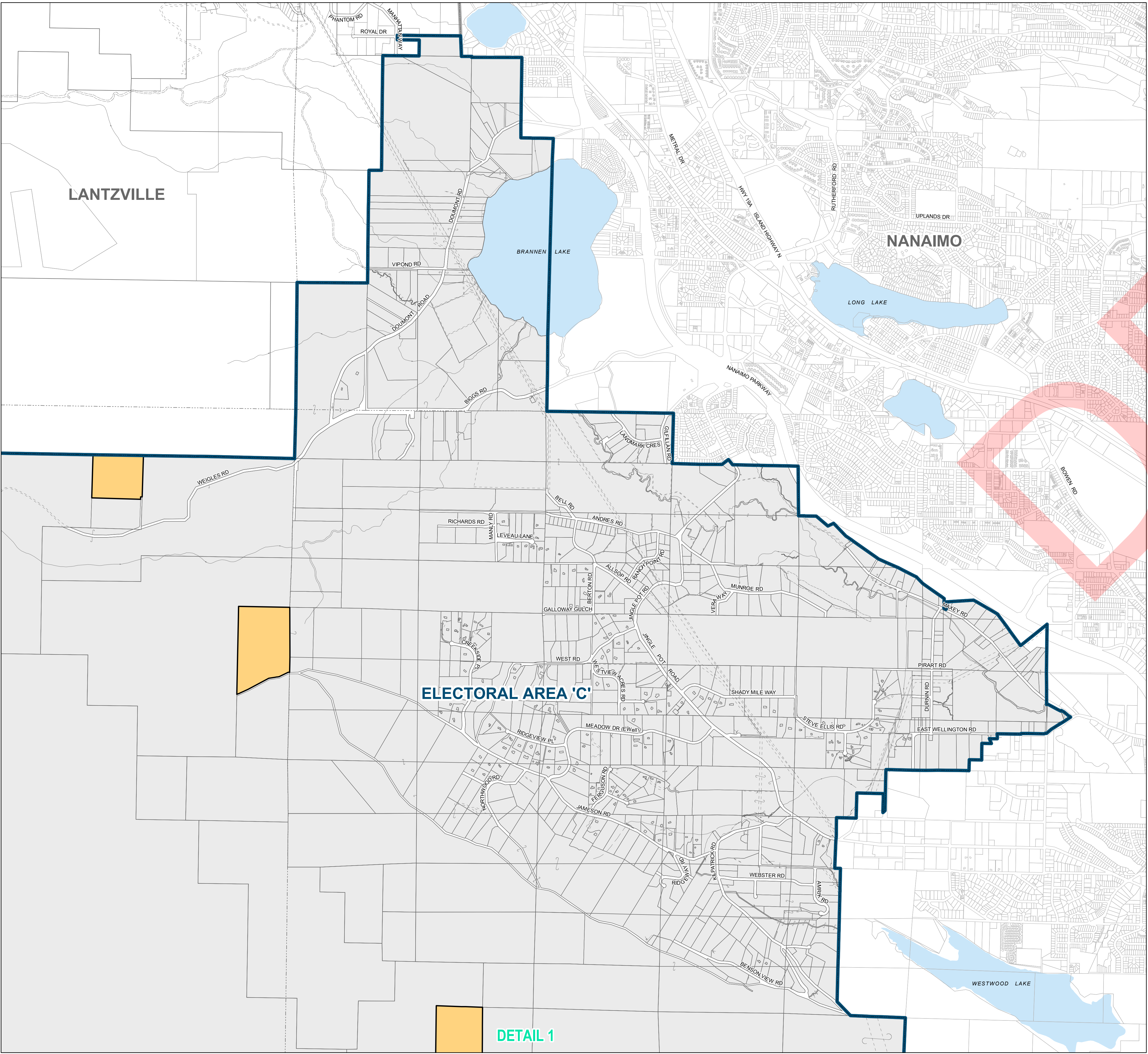
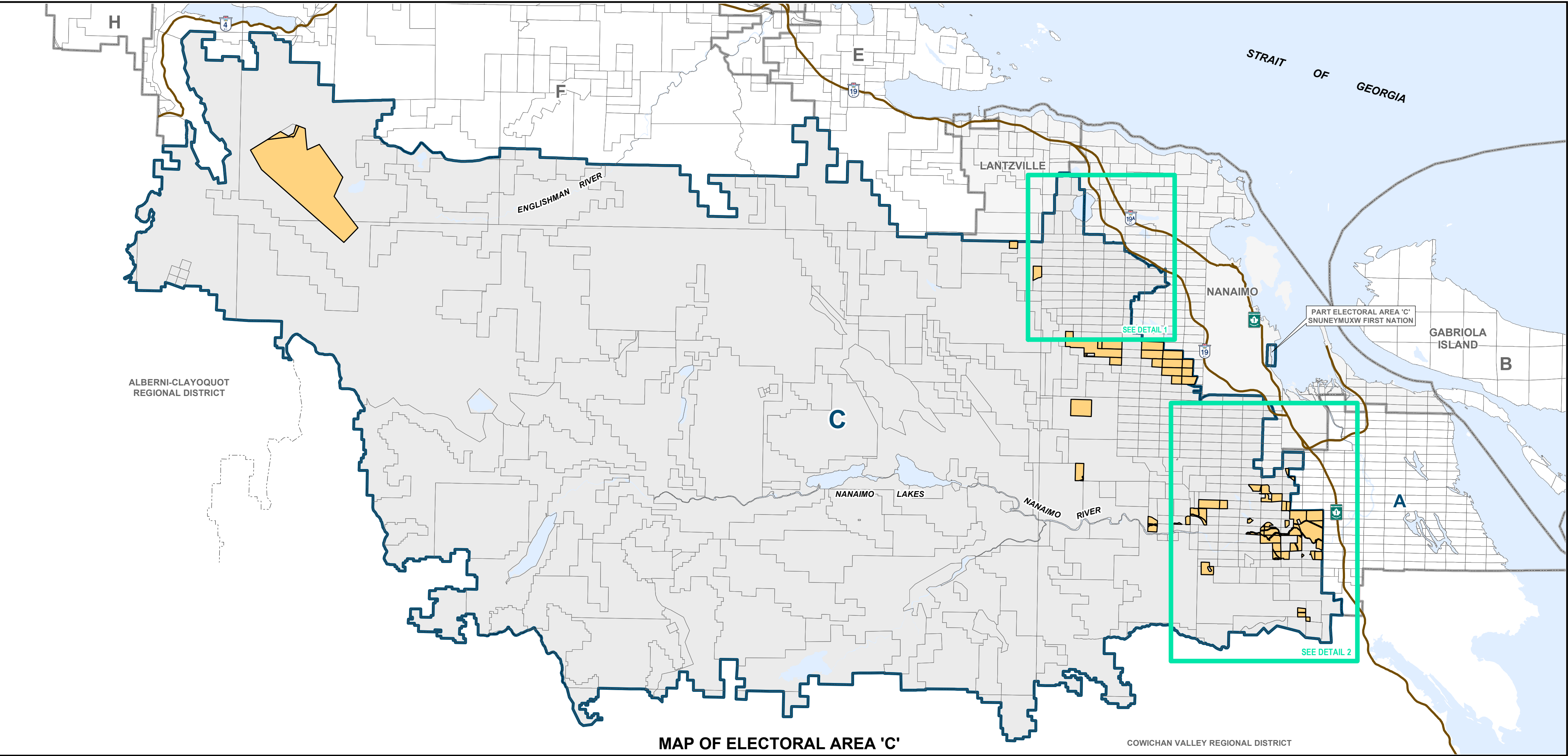
Legend:

- A-1** Zone Classification Short Title
- Bylaw 1285 Boundary**
- A-1.3** Site Specific Zoning
- Land Use Contracts**
- Electorat Area H**
- Electorat Area / Municipal Boundary**

REGIONAL DISTRICT OF NANAIMO BYLAW NO. 360 SCHEDULE "B" SUBDIVISION DISTRICTS - MINIMUM PARCEL SIZES				
The minimum size of any lot created by subdivision shall be determined by the standard of service provided and shall meet the applicable minimum parcel size set out below.				
Subdivision District	Community Water & Sewer System	Community Water System - No Community Sewer	Community Sewer System - No Community Water	All Other Subdivisions
A	20.0 ha	20.0 ha	20.0 ha	20.0 ha
B	8.0 ha	8.0 ha	8.0 ha	8.0 ha
C	2.0 ha	2.0 ha	2.0 ha	2.0 ha
CC	4.0 ha	4.0 ha	4.0 ha	4.0 ha
D	2.0 ha	2.0 ha	2.0 ha	2.0 ha
E	1.0 ha	1.0 ha	1.0 ha	1.0 ha
F	1.0 ha	1.0 ha	1.0 ha	1.0 ha
G	8000 m ²	1.0 ha	1.0 ha	1.0 ha
H	3000 m ²	1.0 ha	1.0 ha	1.0 ha
I	4000 m ²	1.0 ha	1.0 ha	1.0 ha
J	4000 m ²	1.0 ha	1.0 ha	1.0 ha
K	2000 m ²	1.0 ha	1.0 ha	1.0 ha
L	2000 m ²	1.0 ha	1.0 ha	1.0 ha
M	1000 m ²	1.0 ha	1.0 ha	1.0 ha
N	1000 m ²	1.0 ha	1.0 ha	1.0 ha
O	1000 m ²	1.0 ha	1.0 ha	1.0 ha
P	1000 m ²	1.0 ha	1.0 ha	1.0 ha
Q	1000 m ²	1.0 ha	1.0 ha	1.0 ha
R	1000 m ²	1.0 ha	1.0 ha	1.0 ha
S	1000 m ²	1.0 ha	1.0 ha	1.0 ha
T	1000 m ²	1.0 ha	1.0 ha	1.0 ha
U	1000 m ²	1.0 ha	1.0 ha	1.0 ha
V	1000 m ²	1.0 ha	1.0 ha	1.0 ha
W	1000 m ²	1.0 ha	1.0 ha	1.0 ha
X	1000 m ²	1.0 ha	1.0 ha	1.0 ha
Y	1000 m ²	1.0 ha	1.0 ha	1.0 ha
Z	1000 m ²	1.0 ha	1.0 ha	1.0 ha

Scale: 0 250 500 1,000 1,500 Meters

Revision Date: November 2023



**RDN ZONING
BYLAW 2500**

Schedule 3B:

Category A Lots

- Category A Lots
- Electoral Area C
- Electoral Area / Municipal Boundary

See Section 3.14 of "Regional District of Nanaimo Zoning Bylaw 2500, 2024" for regulations pertaining to Category A Lots.

