

# Bylaw No. 1285, 2002

REGIONAL DISTRICT of NANAIMO  
ELECTORAL AREA 'F' ZONING AND SUBDIVISION BYLAW NO. 1285, 2002

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REGIONAL  
DISTRICT  
OF NANAIMO



REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1285

A BYLAW TO REGULATE THE USE OF LAND, THE SUBDIVISION OF LAND,  
THE USE AND LOCATION OF BUILDINGS AND STRUCTURES AND  
THE USE AND SUBDIVISION OF THE SURFACE OF WATER  
IN ELECTORAL AREA 'F' OF THE REGIONAL DISTRICT OF NANAIMO

WHEREAS Part 26 of *Local Government Act* provides that a local government may regulate zoning and other development regulations;

NOW THEREFORE, the Board of the Regional District of Nanaimo, in open meeting assembled, enacts the following:

**Part 1 – Short Title**

This Bylaw may be cited as the “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002”.

**Part 2 - Application**

1. For the purposes of this Bylaw, Schedule 'A' is attached to and forms part of this Bylaw and bears the words "Schedule 'A'"
2. This Bylaw applies to all land, buildings, structures and water surface therein of Electoral Area 'F' of the Regional District of Nanaimo as shown on the zoning and subdivision map bearing the words "Schedule 'B'", which is attached to and forms part of this Bylaw.

**Part 3 - Repeal**

Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1155, 2001 is hereby repealed.

Introduced and read two times this 12<sup>th</sup> day of February, 2002.

Reintroduced and read two times this 12<sup>th</sup> day of March, 2002.

Public Hearing held pursuant to Sections 890 of the *Local Government Act* this 24<sup>th</sup> day of April, 2002.

Read a third time this 14<sup>th</sup> day of May, 2002.

Received approval pursuant to the *Highway Act* this 30<sup>th</sup> day of May, 2002.

Adopted this 25<sup>th</sup> day of June, 2002.

*George Holme*

*Carol Mason*

Chairperson

General Manager, Corporate Services





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ZONING and SUBDIVISION  
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## ADMINISTRATION

## SECTION 1

### 1.1 Purpose

The purpose of this bylaw is to implement regulations for the use of land, including the surface of the water, the subdivision of land, and the use and location of buildings and structures in Electoral Area 'F' of the Regional District of Nanaimo.

### 1.2 Other Legislation <sup>1</sup>

1. Nothing contained in this Bylaw shall relieve any person from the responsibility to seek out and comply with other legislation applicable to their undertaking.
2. 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 Use of Land to Conform to Bylaw

1. From the date of the enactment of this Bylaw, a person shall not use land, including the surface of the water, a building or structure to which this bylaw applies except:
  - a) in accordance with this Bylaw; and
  - b) for the use expressly permitted in this Bylaw.
2. A use that is not expressly permitted in a zone is prohibited.

### 1.4 Application

1. This Bylaw applies to all lands, including the surface of the water, buildings, and structures within Electoral Area 'F', as shown on Schedule 'B' attached to and forming part of this Bylaw.
2. Without limiting Section 1.3.1, this Bylaw applies to strata lots within a strata subdivision.
3. For the purposes of this Bylaw:
  - a) land within a strata subdivision, including a phased strata plan, shall be considered to be a lot for the purposes of calculating setbacks from lot lines, lot coverage, and density.
  - b) the remainder of land not included within the strata subdivision of a phased strata plan shall be considered a lot.

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004



### 1.5 Existing Non-Conforming Uses

1. The lawful use of any land, building or structure existing at the time of the adoption of this Bylaw may be continued, where such use does not conform to the provisions of this Bylaw, subject to the provisions for non-conforming uses set out in Section 911 of the **Local Government Act**.
2. A building or structure existing prior to the date of adoption of this Bylaw, which fails to comply with the siting requirements contained in this Bylaw, may be maintained, extended or altered in accordance with Section 911 of the **Local Government Act**.

### 1.6 Applicable Regulations

1. Where this Bylaw sets out two or more regulations that could apply to a situation, the most restrictive regulation shall apply.
2. Where this Bylaw sets out both general and specific regulations that could apply to a situation, the specific regulation shall apply.
3. The use of land, buildings and structures within the zones set out in Sections 3 and 4.23 must be in accordance with the general regulations in Section 2 and the regulations table applicable to that zone.

### 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 of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid, shall not affect the validity of the remaining portions of the Bylaw.

### 1.8 Violation

Every person who:

- a) violates any provision of this Bylaw;
- b) causes or permits an act or thing to be done in violation to any provision of this Bylaw;
- c) neglects or omits to do anything required by this Bylaw; or
- d) fails to comply with an order, direction or notice made or delivered under this Bylaw;

commits an offence and is liable, upon conviction, to the penalties prescribed under the **Offence Act**.



## 1.9 Amendment

An application to amend this Bylaw shall be made to the Regional District of Nanaimo. All forms, plans, documents as required in accordance with "Regional District of Nanaimo Development Approval Information Bylaw No. 1165, 1999" and amendments thereto and "Regional District of Nanaimo Development Approval Procedures and Notification Bylaw No. 1261, 2002" and amendments thereto shall be provided by the applicant. <sup>1</sup>

## 1.10 Application Fees

Any application made for amendment or subdivision under this Bylaw will be subject to the "Regional District of Nanaimo Fees and Charges Bylaw No. 1259, 2002" and amendments thereto. <sup>2</sup>

## 1.11 Notice of Bylaw Amendment

1. Notice of a bylaw amendment that alters the permitted use or density of an area shall be made pursuant to the regulations specified in the **Local Government Act**.
2. A notice of the bylaw amendment shall be mailed or otherwise delivered to property owners and occupiers of properties within 500 metres of the lot or lots subject to the amendment or as specified in "Regional District of Nanaimo Approval Procedures and Notification Bylaw No. 1261, 2002".

## 1.12 Board of Variance

The Board of Variance of the Regional District of Nanaimo shall hear any appeal of the provisions of this Bylaw, as provided by the **Local Government Act**.

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004





## GENERAL REGULATIONS

## SECTION 2

### 2.1 Applicability of General Regulations

Except as otherwise specified in this Bylaw, Section 2 applies to all zones established under this Bylaw.

### 2.2 Bylaw Definitions

Within this Bylaw, permitted uses are outlined for each zone. These permitted uses are further elaborated and defined in Section 5, “Definitions”, of this Bylaw, where they may differ from their common usage or meaning.

### 2.3 Permitted Uses

Except where specifically excluded, the following uses, buildings, and structures are permitted in every Zone:

- a) highway and transportation rights-of-way held by, or on behalf of, a government;
- b) parks, including playgrounds and playfields, walking, bicycling and equestrian trails, and paths and ecological reserves;
- c) public utilities, such as electrical and telephone lines, pipelines, traffic control devices, public utility poles, and underground utility systems;
- d) radio, television, and cellular and transmission towers;
- e) community water system facilities, including reservoirs, treatment plants, pumping station intake structures, and supply lines;
- f) community sewage system facilities, including treatment plants, sewage pumping stations, storm drainage retention ponds, and sewer service lines;
- g) ditches and culverts;
- h) temporary use of a building or structure as a polling station for government or school board elections, referenda, or census providing such a use does not exceed 60 days.

### 2.4 Prohibited Uses

Except where specifically permitted, the following uses, buildings and structures are prohibited in every Zone:

- a) private airports and heliports, unpaved air strip<sup>1</sup>, except a private airport or heliport used only for emergency landing or evacuation, in connection with a medical emergency or other emergency as defined in the **Emergency Program Act**;
- b) storage of refuse or waste disposal/processing not produced on the property<sup>2</sup>;

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004



- c) kennels, breeding pets, or a boarding facility<sup>1</sup>;
- d) the disposal or storage of hazardous, contaminated, biomedical or toxic waste;
- e) the storage of contaminated soil, if the contaminated soil did not originate on the same legal parcel of land;
- f) vehicle wrecking yard;
- g) slaughtering of livestock, food processing, and the processing of seafood except in the A-1 zone conducted as a farm use in accordance with the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation;<sup>2</sup>
- h) intensive agriculture including feedlots, stockyards, and slaughterhouses except in A-1, subject to Agricultural Land Reserve Commission review;<sup>3</sup>
- i) commercial laundry facility;
- j) commercial composting facility;
- k) chemical manufacturing;
- l) petrochemical refining;
- m) explosives/ammunition manufacturing;
- n) battery manufacturing;
- o) outdoor chemical treatment of poles, fence posts, and wood products;
- p) metal smelting/electroplating;
- q) water bottling facilities;<sup>4</sup>
- r) agri-tourism accommodation except in the A-1 zone;<sup>5 6</sup>
- s) the production, storage, and application of Class A compost in compliance with the Organic Matter Recycling Regulation, B.C. Reg. 18/2002 except in the A-1 zone when conducted as a farm use in accordance with the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation;<sup>7 8</sup>
- t) cannabis production<sup>9</sup>.

## 2.5 Runoff Control Standards

1. This section applies to:
  - a) Lots zoned Industrial, Salvage and Wrecking, Comprehensive Development, Mixed Use, Commercial; and
  - b) Lots on which a Home Based Business is an accessory use and is being carried out.<sup>10</sup>

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<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>2</sup> Bylaw No.1285.26, adopted June 28, 2016

<sup>3</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>4</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>5</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>6</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>7</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>8</sup> Bylaw No.1285.26, adopted June 28, 2016

<sup>9</sup> Bylaw No. 1285.31, adopted April 24, 2018

<sup>10</sup> Bylaw No. 1285.01, adopted April 13, 2004



- c) Lots zoned A-1 where the total impervious area of farm buildings and structures exceeds 3,700 square metres or covers more than 25% of a lot or contiguous lots.<sup>1</sup>
2. Where a building or structure including a roof area has been constructed or land has been developed to include a paved area, the owner must manage and provide for the ongoing disposal of surface runoff and stormwater in accordance with the requirements of Section 2.5.
3. Where a building or structure including a roof area has been constructed or land has been developed to include a paved area, the landowner must provide for the discharge of surface runoff and stormwater by ensuring that the surface runoff and stormwater containing Domestic Waste, Trucked Liquid Waste, Flammable or Explosive Waste, Corrosive Waste, High Temperature Waste, pH Waste, and Disinfectant Process Water, is not discharged or disposed of onto the surface of the land or into a stormwater collection channel or watercourse.
4. Where a building or structure including a roof area, that is greater than 400 m<sup>2</sup>, has been constructed or land has been developed to include an impervious paved parking area with more than 10 spaces, the landowner must provide for the discharge or disposal of all surface runoff and stormwater into stormwater collection and discharge systems that are designed to include grease, oil, and sedimentation removal facilities.
5. Where a building or structure including a roof area has been constructed or land has been developed to include a paved area, the landowner must ensure that any stormwater that contains suspended solids in concentrations that would:
  - a) exceed 75 milligrams per litre, as determined by either a grab sample or a composite sample, or
  - b) cause the water quality in the watercourse receiving the stormwater to exceed the maximum induced suspended sediments guidelines as set out in Table 2 of the British Columbia Approved Water Quality Guidelines (Criteria): 1999 Edition, Updated January 17, 2001 published by Ministry of Environment, Lands and Parks (Ministry of Water, Land and Air Protection);is not discharged into a stormwater collection channel or watercourse.
6. Except for lots where Home Based Business is an accessory use, where a building or structure is to be constructed or land is to be developed to include a paved area, the owner must ensure that movement of surface and subsurface soils and excavations shall be designed and completed not to disturb the impermeable soils protecting the aquifers in the subsurface and a professional engineer shall review all site excavation works to ensure that the natural drainage characteristics of the land will be impaired as little as possible.

## 2.6 Storage of Fuel

1. No lot shall be used for the storage, warehousing, distribution or wholesale of any type of fuel or flammable or combustible liquids in tanks with a capacity in excess of 4546 litres, except for lots that are zoned Industrial or Mixed Use, and for lots permitting a gasoline service station use.

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016



2. No lot shall be used for the underground storage of fuels, solvents, chemicals, fertilizer, and petrochemical products are permitted. All uses that involve the storage of fuels, solvents, chemicals, fertilizer, and petrochemical products, except on parcels zoned residential, must be carried out within double walled containers or on an impervious containment pad designed to contain and store the entire capacity of the storage container in the event that any leaching or spillage occurs.

## **2.7 Accessory Buildings and Structures**

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

- a) that the principal use is being performed on that lot; or
- b) a building or structure for the principal permitted use has been, or is in the process of being, constructed on the lot.

## **2.8 Location and Siting of Buildings**

**No principal building or accessory building or structure shall be located in any required front, side, or rear yard setback.**

## **2.9 Setbacks – Buildings and Structures<sup>1</sup>**

Minimum setbacks for a building or structure shall be 4.5 metres from the front lot line and exterior lot line and 2 metres from all other lot lines except for:

- a) The minimum setback for a building, structure or equipment used for a Temporary Sawmill shall be 15 metres from all lot lines.
- b) The minimum setback for a building, structure or equipment used for a Primary Mineral Processing use, adjacent to lands zoned R-1 or R-2, or R-3, shall be 30 metres from all lot lines.
- c) All buildings and structures on parcels adjacent to the Vancouver Island Highway No. 19 shall be setback a minimum of 30 metres from the Vancouver Island Highway No. 19 right-of-way.
- d) Micro wind turbine systems<sup>2</sup>
  - 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.

<sup>1</sup> Bylaw No. 1285.22, adopted February 24, 2015

<sup>2</sup> Bylaw No. 1285.22, adopted February 24, 2015



- 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.
- e) Small wind turbine systems<sup>1</sup>
  - i) The minimum setback from all parcel boundaries shall be equal to the height of the small wind turbine system as measured from natural grade at the base of the wind turbine tower to the highest vertical extension of a wind turbine at the top of the rotor blade arc.
  - ii) No such system shall be located within 100 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.
- f) Agriculture and Farm Buildings, Structures and Uses<sup>2</sup>

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

	<b>Use(s)</b>	<b>Setback from all lot lines</b>
1)	The following shall apply to all agriculture or farm buildings, structures, and uses	
I.	Outdoor uncovered horse riding rings and exercise yards where no feeding of animals occurs	0 metres
II.	Buildings and structures 10 m <sup>2</sup> or less that house household animals	Front and Exterior side lot lines 4.5 metres All other lot lines 2.0 metres
III.	Buildings and structures 10 m <sup>2</sup> or less that house any livestock or poultry (except household animals), game, or other furbearing farm animals	8.0 metres
IV.	Indoor horse riding rings where no feeding or housing of animals occurs	8.0 metres
V.	Buildings and structures 50 m <sup>2</sup> or less that house any livestock, poultry, game, or other furbearing farm animals	15.0 metres
VI.	Buildings, structures or equipment used for a Temporary Sawmill	
VII.	Confined Livestock Area	

<sup>1</sup> Bylaw No. 1285.22, adopted February 24, 2015

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016



<p>VIII.</p> <p>IX.</p> <p>X.</p> <p>XI.</p> <p>XII.</p>	<p>Buildings and structures more than 50 m<sup>2</sup> that house livestock, poultry, game, or other furbearing farm animals</p> <p>Feedlot</p> <p>Indoor riding rings where feeding or housing of animals occurs</p> <p>Mushroom Barn</p> <p>Buildings, structures, and lands used for:</p> <ul style="list-style-type: none"> <li>a. the storage of agricultural liquid or solid waste</li> <li>b. On-farm composting</li> <li>c. Compost storage</li> </ul>	<p>30.0 metres</p>
<p>XIII.</p>	<p>Cannabis Production in the A-1 zone</p> <p>All buildings and structures except:</p> <ul style="list-style-type: none"> <li>a. The setback shall be 60.0 metres from all lot lines adjacent to non-ALR residential uses and;</li> <li>b. The setback shall be 150.0 metres from any parcel that contains a park or school <sup>1</sup></li> </ul>	<p>30.0 metres</p>
<p>XIV.</p>	<p>Gathering for an Event</p> <p>- All buildings, structures or event area</p>	<p>30.0 metres <sup>2</sup></p>
<p>XV.</p>	<p>All other agricultural buildings and structures</p>	<p>Front and exterior side lot lines 4.5 metres</p> <p>All other lot lines 2.0 metres <sup>3</sup></p>
<p>2)</p>	<p>The following watercourse setbacks shall apply to all agriculture or farm buildings, structures and uses:</p> <ul style="list-style-type: none"> <li>I. All buildings and structures that house any livestock or poultry (except household animals) or store manure and all areas used for a feedlot shall be a minimum of 30 metres from a domestic well, spring, or the natural boundary of a watercourse</li> <li>II. All other agriculture or farm buildings and structures shall be sited in accordance with Section 2.10</li> </ul>	

<sup>1</sup> Bylaw No. 1285.31, adopted April 24, 2018

<sup>2</sup> Bylaw No. 1285.29, adopted May 22, 2018

<sup>3</sup> Bylaw No. 1285.29, adopted May 22, 2018



## 2.10 Setback Requirements from Watercourses

1. The minimum setback for construction of a building or structure from the Little Qualicum River, the portions of French Creek north of Highway 4A, and the Englishman River shall be 30 metres from the natural boundary, or, where there is a bank within 30 metres of the natural boundary, 30 metres from the top of the bank.
2. The minimum setback for construction of a building or structure for all other watercourses identified on Map 3 of the “Regional District of Nanaimo Electoral Area ‘F’ Official Community Plan, Bylaw No. 1152, 1999” shall be 15 metres from the natural boundary, or, where there is a bank within 15 metres of the natural boundary, 15 metres from the top of the bank.
3. The minimum setback for buildings or structures adjacent to all other watercourses not specified in Sections 2.10.1 or 2.10.2 shall be 8 metres from the natural boundary.

## 2.11 Setback Exemptions

1. The following buildings, structures or uses are exempt from minimum setback requirements of this Bylaw, provided that they are not located within a setback established under sections 2.9.c), 2.10 or 2.13 of this Bylaw:
  - a) steps, stairs or ramp;
  - b) arbour/trellis;
  - c) flagpole;
  - d) patio or deck no more than 0.6 metre in height from the existing natural grade;
  - e) radio, television, or cellular and transmission tower;
  - f) parking space, driveways and aisleway;
  - g) fence under 2.5 metres in height, and transparent fencing or transparent vertical extensions greater than 2.5 metres in height where the fence is required for agriculture or farm use;<sup>1</sup>
  - h) landscaping structure or mechanical device less than 1 metre in height and depth including retaining wall, pool, and above ground tank;
  - i) rainwater harvesting structures, equipment and apparatus, including rain barrels and cisterns which are 2.0 metres or less in height and 4,546 litres or less in volume.

## 2.12 Height Exemptions<sup>2</sup>

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

- a) spire, steeple or belfry attached to a church or public building;
- b) observation tower attached to or constructed in relation to an emergency services use;
- c) chimney;
- d) radio, television, cellular and transmission tower, and communication antenna;
- e) flagpole;

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.22, adopted February 24, 2015

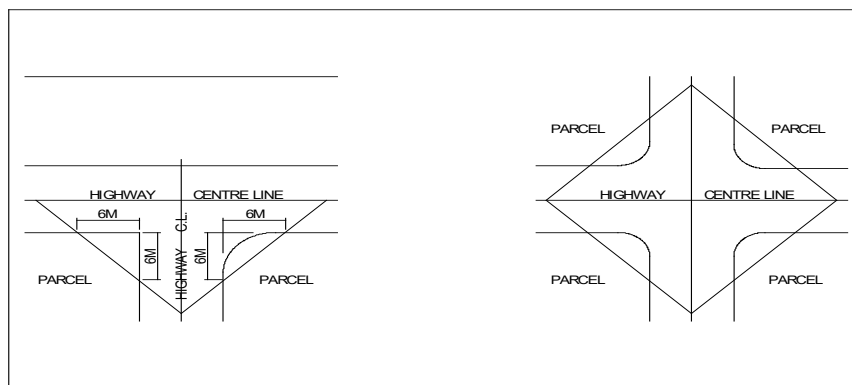


- f) elevator and ventilation shaft;
- g) construction crane;
- h) amusement park ride;
- i) structures required for the operation of a farm in accordance with the **Farm Practices Protection (Right to Farm) Act**;
- j) Components of solar photovoltaic and solar thermal systems where:
  - (i) On a parcel less than 5,000 m<sup>2</sup> in area
    - a. the over-height portion of such system is limited to 50% of the roof width to which the system is attached; and
    - b. no portion of such system exceeds 1.0 metre above the highest point of the roof to which the system is attached.
  - (ii) On a parcel 5,000 m<sup>2</sup> or greater in area, no portion of such system exceeds 1.0 metre above the highest point of the roof to which the system is attached.
- k) One over-height micro wind turbine system per parcel provided that no such system exceeds twice the maximum permitted height, as measured from the natural grade at the base of the wind turbine tower to the top of the highest vertical extension of the wind turbine at the top of the rotor blade arc.
- l) One over-height small wind turbine system per parcel provided that no such system exceeds 30 metres in height as measured from the natural grade at the base of the wind turbine tower to the highest vertical extension of a wind turbine at the top of the rotor blade arc.

### 2.13 Visibility at Intersections

1. No fence, wall, structure, hedge, shrub, tree or other growth shall be erected or permitted to grow to a height greater than 1 metre from the established grade of a highway within a sight triangle.
2. For the purposes of this Section, a visibility sight triangle shall include that part of a lot within a triangle formed by joining points on lot lines 6 metres from the point of intersection of a highway as illustrated in Figure 2.1:

**Figure 2.1 Visibility Sight Triangle**







## 2.14 Signs

1. Signs are not permitted in any zone except as permitted in this bylaw. Maximum number and types of signs are permitted in zones as outlined in Table 2.1 below:

**Table 2.1 – Sign Regulations**

	<b>Zone</b>	<b>Regulations</b>
a.	FR-1 R-1 to R-3 MHP-1 MHP-2 <sup>1</sup> P-1 W-1	i.) 1 sign per lot advertising the use on that lot ii.) Maximum size of 1.5 m <sup>2</sup> in sign face area iii.) Maximum height of any portion of a sign shall not exceed 2.5 metres
b.	A-1 CD-1 to CD-15 MU-1 RC-1 to RC-3	i.) 1 freestanding sign per lot advertising the use on that lot not exceeding 3 m <sup>2</sup> in sign face area ii.) 1 fascia sign per business not exceeding 3 m <sup>2</sup> in sign face area iii.) Maximum height of any portion of a sign shall not exceed 9 metres iv.) 1 sign per farm business advertising the farm business use on that lot
c.	C-1 to C-4 I-1 to I-3, I-5 <sup>2</sup> T-1 to T-2	i.) 1 freestanding sign not exceeding 15 m <sup>2</sup> in sign face area ii.) 1 fascia sign per business not exceeding 3 m <sup>2</sup> in sign face area iii.) Maximum height of any portion of a sign shall not exceed 9.0 metres

2. Real estate signs, indicating properties for sale, may be temporarily displayed in any zone provided the sign is located on the property for sale.
3. Temporary real estate directional signs, not exceeding 0.5 m<sup>2</sup> in sign face area, may be sited on any lot to direct the travelling public.
4. All sign structures for lots located adjacent to the Vancouver Island Highway No. 19 or that portion of Highway No. 4, located between the Highway 19 interchange and the Highway No. 4 intersection, must be located within 10 metres of the nearest adjacent highway other than the Vancouver Island Highway No. 19 and the portion of Highway No. 4 located between the Highway 19 interchange and the Highway No. 4A intersection.

## 2.15 Home Based Business – Regulations

1. A Home Based Business shall:
  - a) be accessory to the residential use of a lot;
  - b) be conducted by the permanent residents of the lot on which the home based business activity is located;

<sup>1</sup> Bylaw No. 1285.25, 2016, adopted June 26, 2018

<sup>2</sup> Bylaw No. 1285.36, adopted July 27, 2021



- c) be located within a Dwelling Unit, attached garage or accessory building and may include accessory outdoor storage;
  - d) not be carried out in an area that exceeds 400 m<sup>2</sup> of the floor area of the Dwelling Unit, attached garage or accessory building, including all accessory outdoor storage;
  - e) notwithstanding subsection d), not occupy more than 49% of the floor area of the Dwelling Unit;
  - f) have a maximum of 2 non-resident employees working on the lot;
  - g) limit sales of related or unrelated goods combined with home based business product sales to a maximum of 1/3<sup>rd</sup> of home based business floor area <sup>1</sup>;
  - h) not include on-site retail sale of foods designed for immediate consumption other than breakfast served by a bed and breakfast to guests who have been provided overnight accommodation;
  - i) in the case of a bed and breakfast, provide a maximum of three (3) guest rooms located only within the dwelling unit for use by members of the traveling public.
2. Notwithstanding the regulations in Section 2.15.1(d), for parcels zoned A-1, the Home Based Business shall not be carried out in an area that exceeds 200 m<sup>2</sup> of the floor area of the Dwelling Unit, attached garage or accessory building, and may include accessory outdoor storage in an area that does not exceed 200 m<sup>2</sup>.
  3. Section 2.15.1(d) does not apply to outdoor areas used for the cultivation of fruit, vegetables, flowers or other crops grown as part of a home based business.
  4. Home Based Business may install a sign as outlined in Section 2.14.
  5. The following uses are **not permitted** as a Home Based Business:
    - a) animal breeding in excess of two litters per lot per calendar year;
    - b) animal boarding;
    - c) public assembly use or recreation facility;
    - d) school pursuant to the **Schools Act**;
    - e) processing or manufacturing of chemicals, solvents, paint, varnish, lacquer, rubber;
    - f) slaughtering or butchering of animals;
    - g) seafood processing or canning of foods with a pH level greater than or equal to 4.5;
    - h) laundries or dry-cleaning;
    - i) primary mineral processing;
    - j) funeral home, cemetery, or crematorium;
    - k) vehicle wrecking yard or dismantling of vehicles;
    - l) waste disposal facility, recycling facility, or recycling other than the reuse of a recyclable material in the production of another finished product;
    - m) marshalling of vehicles, equipment, or machinery;

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<sup>1</sup> Bylaw No. 1285.05, adopted October 25, 2005



- n) sale of automotive fuel, oil, or fluids;
  - o) warehousing or storage of goods or chattels of a person other than an owner or occupant of the lot;
  - p) retail sales where no products are produced or processed as part of the Home Based Business;<sup>1</sup>
  - q) cannabis production<sup>2</sup>.
6. Home Based Business shall not be permitted within a secondary suite.
  7. Bed and Breakfast shall not be permitted on a lot that contains a suite.
  8. Where a secondary suite is located on a lot less than 8,000 m<sup>2</sup> in area, the Home Based Business must be contained in a building.

### 2.16 Keeping of Animals<sup>3</sup>

In all zones where Agriculture, Farm Use, or Kennel are not permitted uses, the keeping of animals shall be limited to:

- a) household animals in MHP zones;
- b) household animals on lots 4000 m<sup>2</sup> or less;
- c) household animals and household livestock at a density of 1 household livestock animal per 4000 m<sup>2</sup> on all lots greater than 4000 m<sup>2</sup>.

### 2.17 Parking

1. The owner or occupier of every building shall provide parking spaces in connection with the use of land as prescribed in this Bylaw or Ministry of Transportation standards, whichever is greater.
2. All required parking spaces shall be located on the same lot containing the use, building or structure being served.
3. The minimum number of parking spaces required for a use is calculated as follows:
  - a) the minimum number of parking spaces is set out in Table 2.2;
  - b) where the calculation of the required parking spaces results in a fraction, the nearest whole number above that calculation shall be taken;
  - c) where a building contains more than one use, the required number of spaces to be provided shall be the sum of the requirements for each use;
  - d) where seating accommodation is the basis for a unit of measurement under this Section and consists of benches, pews, booths or similar seating types, each 0.5 metres of length of such seating shall be deemed to be one seat; and
  - e) if a use is not listed in Table 2.2, the required number of parking spaces to be provided shall be calculated on the basis of a similar use that is listed.

<sup>1</sup> Bylaw No. 1285.05, adopted October 25, 2005

<sup>2</sup> Bylaw No. 1285.31, adopted April 24, 2018

<sup>3</sup> Bylaw No. 1285.26, adopted June 28, 2016



4. Each required parking space shall be a minimum of 5.65 metres in length and 2.75 metres in width.
5. Access and egress points to lots require an approved access permit from the Ministry of Transportation and be designed in accordance with Ministry of Transportation standards.
6. Where more than ten (10) parking spaces are provided, every parking area shall provide a minimum of 1 handicapped parking space for every 10 parking spaces. Each handicapped parking space shall be:
  - a) at least 3.7 metres wide;
  - b) located as close as possible to a main accessible building entrance; and
  - c) clearly identified for its restricted usage by a sign incorporating the universal handicapped logo.

**Table 2.2  
REQUIRED PARKING SPACES**

Use	Required Parking Spaces
All uses in an R zone except as specifically listed	2 per Dwelling Unit
All uses in a C zone except as specifically listed	1 per 20 m <sup>2</sup> Floor Area
All uses in an I zone except as specifically listed	1 per 50 m <sup>2</sup> Floor Area
All uses in a T zone except as specifically listed	1 per 20 m <sup>2</sup> Floor Area
All uses in a MU zone except as specifically listed	1 per 50 m <sup>2</sup> Floor Area
All uses in a RC zone except as specifically listed	1 per 20 m <sup>2</sup> Floor Area
All uses in a CD zone except as specifically listed	1 per 20 m <sup>2</sup> Floor Area
All uses in a S zone except as specifically listed	1 per 20 m <sup>2</sup> Floor Area
All uses in a P zone except as specifically listed	1 per 50 m <sup>2</sup> Floor Area
Agriculture, Forestry/Resource/Farm Use <sup>1</sup>	2 per Dwelling Unit plus one additional space per employee attached to a Home Based Business/Farm Business
Agri-tourism Accommodation Cabin	1 per cabin <sup>2</sup>
Farm Retail Sales	1 per 5 m <sup>2</sup> of floor area plus 1 per two Employees <sup>3</sup>
Manufactured Home Park	1 per dwelling unit plus one additional space for every 2 Dwelling Units in a Manufactured Home Park
Accessory Dwelling Unit	1 per accessory Dwelling Unit
Home Based Business	1 space per Home Based Business and one additional space per non-resident employee
Bed and Breakfast	2 per Dwelling Unit plus 1 additional space per Guest Room
Office	1 per 30 m <sup>2</sup> Floor Area
Restaurant, Pub	1 per three seats
Hotel, Motel, Tourist Accommodation	1 per sleeping unit plus 1 additional space per three seats for any eating or drinking establishments
Building Supply/Lumber Outlet	1 per 30 m <sup>2</sup> Floor Area
Manufacturing/Product Assembly	1 per 100 m <sup>2</sup> Floor Area or 1 per 2 employees, whichever is the greater

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>3</sup> Bylaw No. 1285.26, adopted June 28, 2016



Use	Required Parking Spaces
Campground or Recreational Vehicle Space	1 per space plus 1 per employee plus 1 visitor parking per 5 camping or RV spaces
Warehousing/Wholesaling	1 per 200 m <sup>2</sup> Floor Area or 1 per 2 employees, whichever is the greater
Golf Course	2 per golfing hole
Golf Driving Range	1 per tee box
School	2 per classroom
Care Services Unit <ul style="list-style-type: none"><li>• Resident</li><li>• Non-Resident</li></ul>	1 per care services unit 1 per 2 patient beds
Recreation Building, Ice Rink, Arena, Gymnasium, Indoor Swimming Pool	1 per 5 m <sup>2</sup> of assembly area or 1 per 3 spectator seats whichever is greater
Gathering for Events	1 spot per 4 guests must be available on the farm, but must not be permanent nor interfere with the farm's agricultural productivity and must be setback 15.0 m from all other lot lines. <sup>1</sup>

<sup>1</sup> Bylaw No. 1285.29, adopted May 22, 2018



## 2.18 Secondary Suites<sup>1</sup>

1. Secondary suites shall be permitted as a Permitted Accessory Use in the following zones: A-1, R-1, R-2, R-3, R-4<sup>2</sup>, FR-2<sup>3</sup>.
2. 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.
3. Secondary suites shall be subject to the following requirements:
  - a) secondary suites within a principal dwelling unit must not exceed 40% of the habitable floor space of the building that it is located in nor 90 m<sup>2</sup> of total floor space, whichever is lesser;
  - b) must not be located within a duplex, manufactured home, or multiple dwelling unit development;
  - c) must provide at least two (2) additional designated off-street parking spaces (at least one (1) must have direct access to the street);
  - d) shall be maintained under the same legal title as the principal dwelling unit to which it is accessory;
  - e) must meet minimum setback requirements for a dwelling unit located in the applicable Zone Classification.
  - f) must be limited to a maximum of two bedrooms and one cooking facility;
  - g) must, on parcels without community sewer services, have the approval of the local Health Authority with respect to the provision of sewage disposal;
  - h) must have its own entrance separate from that of the principal dwelling unit; and,
  - i) must not be used for short term (less than one month) rentals.
4. A Secondary suite may be located within an accessory building subject to the following:
  - a) The minimum site area requirement shall be 800 m<sup>2</sup> for parcels serviced with community water and community sewer or 8,000 m<sup>2</sup> in all other cases.
  - b) The maximum floor area of an accessory building containing a secondary suite shall not exceed 40% of the habitable floor space of the principal dwelling unit which it is associated with nor 90 m<sup>2</sup> of total floor space, whichever is lesser.
  - c) The secondary suite shall contain no interior access to any part of the accessory building and the means of access and egress must be external to the structure.
5. Home Based Business shall be in accordance with Section 2.15.
6. 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.

<sup>1</sup> Bylaw No. 1285.19, adopted May 27, 2014

<sup>2</sup> Bylaw No. 1285.24, adopted May 26, 2015

<sup>3</sup> Bylaw No. 1285.27, adopted October 24, 2017



## 2.19 Farm Use Regulations<sup>1</sup>

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:

### 1. 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. The use must be temporary and seasonal, and promote or market farm products grown, raised or processed on the farm.

### 2. Farm Retail Sales

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

- a) All of the farm product offered for sale is produced on the farm on which the retail sales are taking place, or
- b) 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 m<sup>2</sup>.

## 2.20 Accessory Farm Use Regulations P27F2

### 1. Agriculture Education and Research

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

- a) the area occupied by any buildings or structures necessary for education or research must not exceed 100 m<sup>2</sup> for each parcel.

### 2. 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:

- a) the area occupied by any buildings or structures necessary for the production or development must not exceed 300 m<sup>2</sup> for each parcel.

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016



### 3. Agri-Tourism Accommodation

As per Section 3 of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, on parcels within the Agricultural Land Reserve and where agri-tourism accommodation is a permitted accessory use, the following general provisions apply:

- a) Agri-tourism accommodation use must be for rental only;
  - b) Agri-tourism accommodation is permitted only on land classified as 'farm' under the BC Assessment Act;
  - c) 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;
  - d) When calculating the total number of agri-tourism accommodation sleeping units all forms of tourist accommodation, including a bed and breakfast, shall be included;
  - e) 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.
4. An agri-tourism accommodation campground must be developed in accordance with the following regulations:
- a) Every campsite shall be unpaved and not exceed 150 m<sup>2</sup> 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 vehicle (RVs) or campers to other sites within the parcel does not constitute the start of a new stay.
5. 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 m<sup>2</sup>;
  - b) Washroom and drinking water facilities shall be provided for in accordance with Island Health's regulations and/or provincial regulations;
  - 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.





## 6. 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 500 m<sup>2</sup>; and
- g. no more than 10 gatherings for an event of any type may occur on the farm within a single calendar year <sup>1</sup>

### 2.21 Temporary Use Permits <sup>234</sup>

1. The Regional District may issue a temporary use permit on any lot to temporarily allow a use not permitted by this bylaw. The following general conditions will guide the consideration of such applications. The Regional District may waive any of the following should they be deemed to not be relevant, and may give consideration to additional conditions relevant to the specific proposal.
  - a) 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.).
  - b) The applicant provides a projection of anticipated impact on local road networks, and proposes mitigating measures if necessary.
  - c) The applicant provides an assessment of the impact of the proposed use on the natural environment, including groundwater, wildlife, and environmentally sensitive areas.
  - d) 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.
  - e) 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.

<sup>1</sup> Bylaw No. 1285.29, adopted May 22, 2018

<sup>2</sup> Bylaw No. 1285.33, adopted December 4, 2018

<sup>3</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>4</sup> Bylaw No. 1285.29, adopted May 22, 2018



- f) The proposal addresses concerns related to visual integrity and buffering of the Inland Island Highway if applicable.
2. Where the land is in the Agricultural Land Reserve, approval from the Provincial Agricultural Land Commission is required prior to issuance of a permit.
3. 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.
4. The Regional District may require security and/or an undertaking to secure the conditions of the permit in accordance with the *Local Government Act*.

## 2.22 Kennel Facilities <sup>1</sup>

The establishment of kennel facilities 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 lots which are 2.0 ha or larger;
- b) All structures and areas utilized in association with the kennel facility shall be sited a minimum of 30.0 metres from all property lines.”

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<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016



**ESTABLISHMENT OF ZONES**

**SECTION 3**

**3.1 Establishment of Zones**

The area within the boundaries of Electoral Area F of the Regional District of Nanaimo shall be divided into the zones identified in Table 3.1.

**Table 3.1 – Zones**

<b>ZONES</b>	<b>DESCRIPTIONS</b>
A-1	Agriculture 1
C-1	Commercial 1
C-2	Commercial 2
C-3	Commercial 3
C-4	Commercial 4
FR-1	Forestry/Resource 1
FR-2	Forestry/Resource 2 <sup>1</sup>
I-1	Industrial 1
I-2	Industrial 2
I-3	Industrial 3
I-5	Industrial 5 <sup>2</sup>
MU-1	Mixed Use Chatsworth Road 1
MHP-1	Manufactured Home Park 1
MHP-2	Manufactured Home Park 2
P-1	Parks and Open Space 1
P-2	Parks and Open Space 2 <sup>3</sup>
R-1	Rural 1
R-2	Rural Residential 2
R-3	Village Residential 3
RC-1	Recreation 1
R-4	Rural 4 <sup>4</sup>
RC-2	Recreation 2
RC-3	Recreation 3
S-1	Salvage and Wrecking 1
T-1	Institutional/Community Facility 1
T-2	Institutional/Community Facility 2
W-1	Water 1
CD	Comprehensive Development Zones

<sup>1</sup> Bylaw No. 1285.27, adopted October, 2017

<sup>2</sup> Bylaw No. 1285.36, adopted July 27, 2021

<sup>3</sup> Bylaw No. 1285.07 adopted January 24, 2006

<sup>4</sup> Bylaw No. 1285.24, adopted May 26, 2015



### **3.2 Zone Title**

The correct name of each zone provided for in this Bylaw is set out in Column 1 of Table 3.1 and the inclusion of the names contained in Column 2 of Table 3.1 is for convenience only.

### **3.3 Location of Zones**

The location of each zone is established on Schedule 'B', the Zoning Map attached to and forming part of this Bylaw, except where the location of a zone is established by reference to the legal description of a lot.

### **3.4 Zone Boundaries**

- a) Where a zone boundary is shown on Schedule B as following a highway, a railway line, statutory right-of-way or easement, the zone boundary shall be the centreline of the highway, the railway line, the statutory right-of-way or easement.
- b) Where a zone boundary does not follow a legally defined line or where a lot is divided by a zone boundary, and where the distances are not set out in Schedule B or elsewhere, the location of the zone boundary shall be determined by scaling from Schedule B.
- c) Where a lot is divided by a zone boundary, the areas created by such division shall be deemed to be separate lots for the purpose of determining lot coverage, setbacks, minimum site area and floor area in this Bylaw.
- d) Where a lot is divided by a zone boundary, such lot shall be considered as two distinct lots for the purpose of determining permitted uses.

### **3.5 Regulations Table**

The Regulations Table included in each zone establishes the category and method of regulating the density, siting and size of uses, buildings, structures, and lots for lands subject to this Bylaw.

### **3.6 Zoning Regulations**

The permitted uses and regulations for each zone established under this Bylaw are outlined in Section 4.

### **3.7 Site Specific and Comprehensive Development Zone Regulations**

- a) In this section "original lot" means a lot in existence as of June 25, 2002.
- b) Notwithstanding subsection a), "original lot" also means those lots considered for a site specific zone or comprehensive development zone in the "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw Amendment Bylaw No. 1285.01, 2003" in existence on April 13, 2004.



- 
- c) The maximum density of use or maximum size of use regulations set out in sections 4.23 to 4.38 apply to the area of the "original lot".
  - d) Where an original lot referred to in sections 4.23 to 4.38 inclusive is subdivided, the maximum density of use or maximum size of use specified in sections 4.23 to 4.38 remains the maximum density of use or maximum size of use permitted within the boundaries of the former original lot, despite the subdivision of the original lot into new or additional parcels.<sup>5</sup>

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<sup>5</sup> Bylaw No. 1285.05, adopted October 25, 2005



**A-1 – AGRICULTURE 1<sup>1</sup>**

**SECTION 4.1**

**4.1.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Farm Use – on lands located in the Agricultural Land Reserve
- c) Agriculture – on lands not located in the Agricultural Land Reserve

**4.1.2 Permitted Accessory Uses to the Dwelling Unit Use**

- a) Accessory Buildings and Structures
- b) Home Based Business
- c) Secondary Suite<sup>2</sup>

**4.1.3 Permitted Accessory Farm Uses**

- a) Agriculture Education and Research
- b) Temporary Sawmill
- c) Agri-tourism Accommodation
- d) Production of Biological Integrated Pest Management Products
- e) Gathering for an Event<sup>3</sup>

**4.1.4 Regulations Table**

Category	Requirements	
a) Maximum Density	1 Dwelling Unit per hectare to a maximum of 2 per lot	
b) Minimum Lot Size	4 ha	
c) Minimum Lot Frontage	100 metres	
d) Maximum Lot Coverage	i. Non-farm buildings and structures	10%
	ii. Farm buildings and structures	25%
	iii. Greenhouses	75%
	iv. In no case shall the combined lot coverage exceed 75%.	
e) Maximum Building and Structure Height	10 metres	
f) Minimum Setback from	i) Front and Exterior Side Lot Lines	4.5 metres
	ii) All Other Lot Lines	2.0 metres
g) Minimum Setback for all farm buildings, structures and uses	Refer to Section 3 – General Regulations	
h) General Land Use Regulations	Refer to Section 3 – General Regulations	

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.19, adopted May 27, 2014

<sup>3</sup> Bylaw No. 1285.29, adopted May 22, 2018



#### 4.1.5 Regulations

- a) 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 principle use.
- b) Accessory Farm uses are only permitted on that part of a parcel that is within the Agricultural Land Reserve.
- c) Specific 'Farm' and 'Permitted' uses as defined in the ***Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*** shall be developed in accordance with Section 2.19 and 2.20 of this Bylaw.
- d) 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 Agricultural Land Commission.

#### 4.1.6 Additional A-1 Zones

Principal and accessory uses as set out in Section 4.23 (A-1.1 to A-1.28 inclusive) are permitted in addition to those uses permitted in the A-1 zone.<sup>1</sup>

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<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004



**C-1 – COMMERCIAL 1**

**SECTION 4.2**

**4.2.1 Permitted Principal Uses**

- a) Care Services
- b) Dwelling Unit
- c) Outdoor Market
- d) Gasoline Service Station
- e) Personal Service
- f) Pub
- g) Retail Store
- h) Restaurant

**4.2.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office

**4.2.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per ha
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	20 metres
d) Maximum Lot Coverage	
i) First 1 ha of Lot	30%
ii) Remainder of Lot Greater than 1 ha	5%
e) Maximum Building and Structure Height	10 metres
f) Maximum Building and Structure Floor Area	1000 m <sup>2</sup>
g) Minimum Setback from	
i) Front and Exterior Side Lot Lines	4.5 metres
ii) All Other Lot Lines	2 metres
h) Minimum Setback from Watercourses	As outlined in Section 2.10
i) Runoff Control Standards	As outlined in Section 2.5
j) General Land Use Regulations	Refer to Section 3 – General Regulations

**4.2.4 Regulations**

Occupancy for a Care Services use shall not exceed ten persons per lot, of whom not more than six shall be persons in care.

**4.2.5 Additional C-1 Zones**

Principal and accessory uses as set out in Section 4.23 (C-1.1) are permitted in addition to those uses permitted in the C-1 zone. <sup>1</sup>

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004





**C-2 – COMMERCIAL 2**

**SECTION 4.3**

**4.3.1 Permitted Principal Uses**

- a) Amusement Park
- b) Artisan Studio
- c) Tourist Accommodation
- d) Dwelling Unit
- e) Entertainment Centre
- f) Gasoline Service Station
- g) Outdoor Market
- h) Pub
- i) Outdoor Recreation
- j) Restaurant
- k) Retail Store
- l) Tourist Information Booth

**4.3.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office

**4.3.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per ha
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	
i) First 1 ha of Lot	30%
ii) Remainder of Lot Greater than 1 ha	5%
e) Maximum Building and Structure Height	10 metres
f) Maximum Building and Structure Floor Area	1500 m <sup>2</sup>
g) Minimum Setback from	
i) Front and Exterior Side Lot Lines	4.5 metres
ii) All Other Lot Lines	2 metres
h) Minimum Setback from Watercourses	As outlined in Section 2.10
i) Runoff Control Standards	As outlined in Section 2.5
j) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.3.4 Regulations**

- a) Tourist Accommodation use will be limited to 25 tourist accommodation units per ha to a maximum of 50 tourist accommodation units per lot.
- b) No tourist accommodation unit shall be located within setback areas established in this Bylaw.



**C-3 – COMMERCIAL 3**

**SECTION 4.4**

**4.4.1 Permitted Principal Uses**

- a) Artisan Studio
- b) Auction Sales
- c) Building Supply and Lumber Outlet
- d) Care Services
- e) Commercial Cardlock
- f) Dwelling Unit
- g) Equipment Rental
- h) Funeral Home
- i) Food Processing
- j) Pub
- k) Gasoline Service Station
- l) Kennel
- m) Mini Storage
- n) Nursery
- o) Office
- p) Outdoor Market
- q) Outdoor Sales
- r) Product Assembly
- s) Personal Service
- t) Recreation Facility
- u) Restaurant
- v) Retail Store
- w) Service and Repair

**4.4.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

**4.4.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per ha
b) Minimum Lot Size with	1 ha
c) Minimum Lot Frontage	20 metres
d) Maximum Lot Coverage	
i) First 1 ha of Lot	30%
ii) Remainder of Lot Greater than 1 ha	5%
e) Maximum Building and Structure Height	10 metres
f) Maximum Building and Structure Floor Area	1500 m <sup>2</sup>
g) Minimum Setback from	
i) Front and Exterior Side Lot Line	4.5 metres
ii) All Other Lot Lines	2 metres
h) Minimum Setback from Watercourses	As outlined in Section 2.14
i) Runoff Control Standards	As outlined in Section 2.5
j) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.4.4 Regulations**

- a) The minimum setbacks for a building or structure for use as a Kennel shall be 15 metres from all lot lines.
- b) Occupancy for a Care Services use shall not exceed ten persons per lot, of whom not more than six shall be persons in care.



#### **4.4.5 Additional C-3 Zones**

Principal and accessory uses as set in Section 4.23 (C-3.1 to C-3.18 inclusive) are permitted in addition to those uses permitted in the C-3 zone. <sup>1</sup>

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<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

**C-4 – COMMERCIAL 4****SECTION 4.5****4.5.1 Permitted Principal Uses**

- a) Artisan Studio
- b) Dwelling Unit
- c) Entertainment Centre
- d) Gasoline Service Station
- e) Tourist and Convenience Store
- f) Tourist Accommodation
- g) Pub
- h) Outdoor Recreation
- i) Restaurant

**4.5.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office

**4.5.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per ha
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	20%
e) Maximum Building and Structure Height	10 metres
f) Maximum Building and Structure Floor Area	1000 m <sup>2</sup>
g) Minimum Setback from	
i) Front and Exterior Side Lot Lines	4.5 metres
ii) All Other Lot Lines	2 metres
h) Minimum Setback from Watercourses	As outlined in Section 2.10
i) Runoff Control Standards	As outlined in Section 2.5
j) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.5.4 Regulations**

- a) Tourist Accommodation use will be limited to 25 tourist accommodation units per ha to a maximum of 50 tourist accommodation units per lot.
- b) No tourist accommodation unit shall be located within the setback areas established in this Bylaw.



#### **4.5.5 Additional C-4 Zones**

Principal and accessory uses as set out in Section 4.23 (C-4.1) are permitted in addition to those uses permitted in the C-4 zone. <sup>1</sup>

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<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

**FR-1 – FORESTRY/RESOURCE 1****SECTION 4.6****4.6.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Agriculture<sup>1</sup>
- c) Log Storage and Sorting Yard
- d) Primary Mineral Processing
- e) Silviculture
- f) Wood Processing

**4.6.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Farm Business
- c) Home Based Business

**4.6.3 Regulations Table**

Category	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	50 ha
c) Minimum Lot Frontage	400 metres
d) Maximum Lot Coverage	10 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback of all agricultural buildings, structures and uses	Refer to Section 2 – General Regulations <sup>2</sup>
h) Minimum Setback of all buildings or structures for primary mineral processing from all watercourses	30 metres <sup>3</sup>
i) General Land Use Regulations	Refer to Section 2 – General Regulations

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016<sup>3</sup> Bylaw No. 1285.26, adopted June 28, 2016



**FR-2 – FORESTRY/RESOURCE 2<sup>1</sup>**

**SECTION 4.6A**

**4.6A.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Agriculture
- c) Log Storage and Sorting Yard
- d) Primary Mineral Processing
- e) Silviculture
- f) Wood Processing

**4.6A.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Farm Business
- c) Home Based Business
- d) Secondary Suite

**4.6A.3 Regulations Table**

Category	Requirements
a) Maximum Density	1 Dwelling Unit per ha to a maximum of 2 Dwelling Unit per lot
b) Minimum Lot Size	50 ha
c) Minimum Lot Frontage	400 metres
d) Maximum Lot Coverage	10 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from	
i) Front and Exterior Side Lot Lines	4.5 metres
ii) All Other Lot Lines	2 metres
g) Minimum Setback of all agricultural buildings, structures and uses	Refer to Section 2 – General Regulations
h) Minimum Setback of all buildings or structures for primary mineral processing from all watercourses	30 metres
i) General Land Use Regulations	Refer to Section 2 – General Regulations

<sup>1</sup> Bylaw 1285.27, adopted October 24, 2017

**I-1 – INDUSTRIAL 1****SECTION 4.7****4.7.1 Permitted Principal Uses**

- |                         |   |
|-------------------------|---|
| a) Commercial Card Lock | i) Transportation/Trans-shipment Terminal |
| b) Dwelling Unit        | j) Value Added Lumber Remanufacturing     |
| c) Equipment Rental     | k) Heliport                               |
| d) Log Home Building    | l) Warehousing/Wholesaling                |
| e) Product Assembly     | m) Mini-storage <sup>1</sup>              |
| f) Marshaling Yard      | n) Cannabis Production <sup>2</sup>       |
| g) Outdoor Sales        |   |
| h) Service and Repair   |   |

**4.7.2 Permitted Accessory Uses**

- a) Accessory Outdoor Storage
- b) Accessory Buildings and Structures
- c) Accessory Office and Retail Sales

**4.7.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	
i) First 1 ha of Lot with	30%
ii) Remainder of Lot Greater than 1 ha	5%
e) Maximum Building and Structure Height	15 metres
f) Minimum Setback from	
i) Front and Exterior Side Lot Lines	4.5 metres
ii) All Other Lot Lines	2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004<sup>2</sup> Bylaw No. 1285.31, adopted April 24, 2018





#### **4.7.4 Regulations**

All principal and accessory uses, buildings and structures on lots adjacent to the Vancouver Island Highway No. 19 shall be located a minimum of 30 metres from the Vancouver Island Highway No. 19 right-of-way.

#### **4.7.5 Additional I-1 Zones**

Principal and accessory uses as set out in Section 4.23 (I-1.1 to I-1.2 inclusive) are permitted in addition to those uses permitted in the I-1 zone. <sup>1</sup>

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<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004



## I-2 – INDUSTRIAL 2

## SECTION 4.8

### 4.8.1 Permitted Principal Uses

- |                                 |   |
|---------------------------------|---|
| a) Commercial Card Lock         | j) Primary Mineral Processing             |
| b) Concrete/Asphalt Batch Plant | k) Sawmill                                |
| c) Dwelling Unit                | l) Transportation/Trans-shipment Terminal |
| d) Equipment Rental             | m) Warehousing/Wholesaling                |
| e) Log Home Building            | n) Building Supply/Lumber Outlet          |
| f) Manufacturing                | o) Mini-storage <sup>1</sup>              |
| g) Marshaling Yard              | p) Cannabis Production <sup>23</sup>      |
| h) Outdoor Sales                |   |
| i) Outdoor Storage              |   |

### 4.8.2 Permitted Accessory Uses

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

### 4.8.3 Regulations Table

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	
i) First 1 ha of Lot with	30%
ii) Remainder of Lot Greater than 1 ha	5%
e) Maximum Building and Structure Height	15 metres
f) Minimum Setback from	
i) Front and Exterior Side Lot Lines	4.5 metres
ii) All Other Lot Lines	2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards <sup>4</sup>	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>2</sup> Bylaw No. 1285.31, adopted April 24, 2018

<sup>3</sup> Bylaw 1285.18, adopted February 11, 2014

<sup>4</sup> Bylaw No. 1285.01, adopted April 13, 2004



#### **4.8.4 Regulations**

All principal and accessory uses, buildings and structures on lots adjacent to the Vancouver Island Highway No. 19 shall be located a minimum of 30 metres from the Vancouver Island Highway No. 19 right-of-way.

#### **4.8.5 Additional I-2 Zones**

Principal and accessory uses as set out in Section 4.23 (I-2.1 to I-2.3 inclusive) are permitted in addition to those uses permitted in the I-2 zone. <sup>1</sup>

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<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004



## I-3 – INDUSTRIAL 3

## SECTION 4.9

### 4.9.1 Permitted Principal Uses

- a) Dwelling Unit
- b) Primary Mineral Processing
- c) Cannabis Production <sup>1</sup>

### 4.9.2 Permitted Accessory Uses

- a) Accessory Outdoor Storage
- b) Accessory Buildings and Structures
- c) Accessory Office and Retail Sales

### 4.9.3 Regulations Table

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	15 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

<sup>1</sup> Bylaw No. 1285.31, adopted April 24, 2018



## I-5 – INDUSTRIAL 5<sup>1</sup>

## SECTION 4.9B

### 4.9.B.1 Permitted Principal Uses

- a) Commercial Card Lock
- b) Dwelling Unit
- c) Equipment Rental
- d) Log Home Building
- e) Property Assembly
- f) Marshalling Yard
- g) Outdoor Sales
- h) Service and Repair
- i) Transportation/Trans-shipment Terminal
- j) Value Added Lumber Remanufacturing
- k) Heliport
- l) Warehousing/Wholesaling
- m) Mini-storage

### 4.9.B.2 Permitted Accessory Uses

- a) Accessory Outdoor Storage
- b) Accessory Buildings and Structures
- c) Accessory Office and Retail Sales

### 4.9.B.3 Regulations Table

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per Lot
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	40%
e) Maximum Building and Structure Height	15 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2.0 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

### 4.9.B.4 Regulations

All principal and accessory uses, buildings and structures on lots adjacent to the Vancouver Island Highway No.19 shall be located a minimum of 30 meters from the Vancouver Island Highway No.19 right-of-way.

<sup>1</sup> Bylaw 1285.36, adopted July 27, 2021

**MU-1 – MIXED USE CHATSWORTH ROAD 1****SECTION 4.10****4.10.1 Permitted Principal Uses**

- a) Concrete and Asphalt Batch Plant
- b) Dwelling Unit
- c) Marshalling Yard
- d) Primary Mineral Processing
- e) Wood Processing

**4.10.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales
- c) Home Based Business

**4.10.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	50 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	15 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2.0 metres
g) Runoff Control Standards <sup>1</sup>	As outlined in Section 2.5
h) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.10.4 Additional MU-1 Zones**

Principal and accessory uses as set out in Section 4.23 (MU-1.1 to MU-1.2 inclusive) are permitted in addition to those uses permitted in the MU-1 zone. <sup>2</sup>

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004



## MHP-1 – MANUFACTURED HOME PARK 1

## SECTION 4.11

### 4.11.1 Permitted Principal Uses

- a) Manufactured Home
- b) Manufactured Home Park

### 4.11.2 Permitted Accessory Uses

- a) Accessory Buildings and Structures
- b) Accessory Office <sup>1</sup>

### 4.11.3 Regulations Table

Categories	Requirements
a) Maximum Density	1 ha per manufactured home space
b) Minimum Lot Frontage Manufactured Home Park	30 metres
c) Maximum Lot Coverage	30%
d) Maximum Building and Structure Height	7.5 metres
e) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li><li>iii) Other Manufactured Homes</li></ul>	4.5 metres 2 metres 6.0 metres - except as otherwise outlined in Section 2 – General Regulations <sup>2</sup>
f) Minimum Setback from Watercourses	As outlined in Section 2.10
g) General Land Use Regulations	Refer to Section 2 – General Regulations

### 4.11.4 Regulations

- a) One storage shed or utility building may be constructed on each manufactured home space provided that the building has:
  - i) maximum height of 3 metres
  - ii) maximum floor area of 10 m<sup>2</sup>
- b) One Accessory Office for the Management of Manufactured Home Park not exceeding 50 m<sup>2</sup> is permitted in this zone.
- c) The minimum internal access road width requirements shall be 6 metres and no parking shall be allowed on such internal access roads.

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004



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#### **4.11.5 Additional MHP-1 Zones**

Principal and accessory uses as set out in Section 4.23 (MHP 1.1 to MHP-1.14 inclusive) are permitted in addition to those uses permitted in the MHP-1 zone. <sup>1</sup>

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<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004





<b>MHP-2 Manufactured Home Park 2<sup>1</sup></b>	<b>Section 4.11A</b>
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**4.11A.1 Permitted Principal Uses**

- a) Manufactured Home
- b) Manufactured Home Park

**4.11A.2 Permitted Accessory Uses**

- a) Dwelling Unit
- b) Accessory Office
- c) Accessory Buildings and Structures

**4. 11A.3 Regulations Table**

Categories	Requirements
a) Permitted Manufactured Home and Dwelling Unit Density	<ul style="list-style-type: none"> <li>i. A maximum of one (1) manufactured home per 500 m<sup>2</sup> of site area, and</li> <li>ii. One (1) dwelling unit per lot provided the dwelling unit is included in the density calculation in 4.11A.3a(i) above.</li> </ul>
b) Minimum Lot Size	1.0 ha
c) Minimum Manufactured Home Space Area	<ul style="list-style-type: none"> <li>i. 330 m<sup>2</sup> for manufactured homes which are greater than or equal to 4.3 m in width and less than 8.3 metres in width.</li> <li>ii. 370 m<sup>2</sup> for manufactured homes which are 8.3 m or greater in width.</li> </ul>
d) Minimum Lot Frontage	30 metres
e) Maximum Lot Coverage	35 %
f) Maximum Building and Structure Height	
i. Manufactured Home	7.5 metres
ii. Dwelling Unit	10.0 Metres
iii. Alterations to a Manufactured Home (Deck, Carport, Patio)	6.0 metres
iv. Buildings not located on a Manufactured Home Space	10.0 metres

<sup>1</sup> Bylaw No. 1285.25, 2016, adopted June 26, 2018



v. Accessory Building or structure located on a Manufactured Home Space	3.0 metres
g) Maximum Building and Structure Floor Area	
i. Accessory Buildings not located on a Manufactured Home Space	Maximum combined building floor area of 400 m <sup>2</sup> per lot may be constructed.
ii. Accessory Building located on a Manufactured Home Space	A maximum of one (1) accessory building up to 10 m <sup>2</sup> in floor area may be constructed on each manufactured home space.
iii. Porches, Decks, and Carports	<p>a. No buildings or structures other than a manufactured home shall be constructed, erected, or located on a Manufactured Home Space except as follows:</p> <p>I. One or more of the following may be constructed on each Manufactured Home Space not exceeding a maximum combined floor area of 20 m<sup>2</sup>:</p> <ul style="list-style-type: none"> <li>a. Porch</li> <li>b. Deck</li> <li>c. Carport</li> </ul> <p>II. The following are permitted on each manufactured home:</p> <ul style="list-style-type: none"> <li>a. Wheel chair ramps</li> <li>b. One (1) entrance stairway for a secondary access not exceeding a floor area of two (2) m<sup>2</sup>.</li> </ul>
iv. Accessory Office	One (1) accessory office building not exceeding a maximum floor area of 50 m <sup>2</sup> .
h) Minimum Setback Requirements	
i. Setbacks that apply to lot lines, common parking areas, and Internal Access Roads	
a. Front Lot Line and Exterior Side Lot Lines	4.5 metres
b. All Other Lot Lines	2.0 metres
c. Internal access road or common parking area	2.0 metres
ii. Setbacks and Minimum Separation Distances that apply to Manufactured Home Spaces and Between Buildings	



a. Minimum separation between Manufactured Homes or additions thereto	6.0 metres
b. Minimum setback from all manufactured home space boundaries	2.0 metres
c. With the exception of decks, carports, or porches, the minimum separation distance between a manufactured home and all accessory buildings shall not be less than:	<ul style="list-style-type: none"> <li>i. 2.0 metres for buildings with a floor area of 6.0 m<sup>2</sup> or less.</li> <li>ii 6.0 metres for buildings with a floor area greater than 6.0 m<sup>2</sup>.</li> </ul>
d. Minimum separation distance between any portion of a deck, porch, or carport and an adjacent Manufactured Home Space.	1.5 metres
iii. Setbacks that apply to Watercourses	
a. Minimum Setback from Watercourses	As outlined in Section 2.10
i) Minimum Parking Requirements	
i. Minimum parking requirements	One (1) parking space to be located on each Manufacture Home Space.
ii. Additional parking requirements	<ul style="list-style-type: none"> <li>a. All required parking which is in addition to one (1) parking space per manufactured home (dwelling unit) shall be located within the internal access road right-of-way or in grouped parking areas of no larger than 20 parking spaces.</li> <li>b. All parking must be provided and maintained with a hard durable surface that does not produce dust and is designed in accordance with Section 2.5 – Runoff Control Standards.</li> </ul>
j) Runoff Control Standards	
Runoff Control Standards	As outlined in Section 2.5
k) Definitions	
<b>Carpport</b> means a roofed wall-less structure abutting or projecting from a manufactured home typically used to provide shelter to an automobile.	
<b>Deck</b> means a structure abutting or projecting from a mobile home with no roof or walls except for visual partitions and railings and is constructed on piers or a foundation above grade.	
<b>Porch</b> means a structure abutting or projecting from a mobile 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.	



**P-1 – PARKS and OPEN SPACE 1**

**SECTION 4.12A <sup>1</sup>**

**4.12A.1 Permitted Principal Uses**

- a) Park
- b) Outdoor Recreation
- c) Recreation Facility
- d) Dwelling Unit

**4.12A.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

**4.12A.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	20 metres
d) Maximum Lot Coverage	40 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.12A.4 Regulations**

All buildings for housing animals, other than household animals, and for the storage of manure shall be a minimum of 30 metres from a well, watercourse, stream or any property line adjacent to an R-2, R-3 or MHP zone.

<sup>1</sup> Bylaw No. 1285.07, adopted January 24, 2006



## P-2 – PARKS and OPEN SPACE 2

## SECTION 4.12B <sup>1</sup>

### 4.12B.1 Permitted Principal Uses

- a) Park
- b) Outdoor Recreation
- c) Recreation Facility
- d) Dwelling Unit

### 4.12B.2 Permitted Accessory Uses

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

### 4.12B.3 Regulations Table

Categories		Requirements
a)	Maximum Density	1 Dwelling Unit per lot
b)	Minimum Lot Size	50 ha
c)	Minimum Lot Frontage	20 metres
d)	Maximum Lot Coverage	40 %
e)	Maximum Building and Structure Height	10 metres
f)	Minimum Setback from	
	ii) Front and Exterior Side Lot Lines	4.5 metres
	iii) All Other Lot Lines	2 metres
g)	Minimum Setback from Watercourses	As outlined in Section 2.10
h)	General Land Use Regulations	Refer to Section 2 – General Regulations

### 4.12B.4 Regulations

All buildings for housing animals, other than household animals, and for the storage of manure shall be a minimum of 30 metres from a well, watercourse, stream or any property line adjacent to an R-2, R-3 or MHP zone.

<sup>1</sup> Bylaw No. 1285.07, adopted January 24, 2006

**R-1 – RURAL 1****SECTION 4.13****4.13.1 Permitted Principal Uses**

- a) Dwelling Unit

**4.13.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Home Based Business
- c) Secondary Suite<sup>1</sup>

**4.13.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per ha to a maximum of 2 Dwelling Units per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	70 metres
d) Maximum Lot Coverage	10 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot<sup>2</sup> Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.13.4 Additional R-1 Zones**

Principal and accessory uses as set out in Section 4.23 (R-1.1 to R-1.22 inclusive) are permitted in addition to those uses permitted in the R-1 zone. <sup>3</sup>

<sup>1</sup> Bylaw No. 1285.19, May 27, 2014

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>3</sup> Bylaw No. 1285.01, adopted April 13, 2004



## R-2 – RURAL RESIDENTIAL 2

## SECTION 4.14

### 4.14.1 Permitted Principal Uses

- a) Dwelling Unit

### 4.14.2 Permitted Accessory Uses

- a) Accessory Buildings and Structures
- b) Home Based Business
- c) Secondary Suite<sup>1</sup>

### 4.14.3 Regulations Table

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per 1 ha
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	40 metres
d) Maximum Lot Coverage	25 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Line</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) General Land Use Regulations	Refer to Section 2 – General Regulations

### 4.14.4 Additional R-2 Zones

Principal and accessory uses as set out in Section 4.23 (R-2.1 to R-2.55 inclusive) are permitted in addition to those uses permitted in the R-2 zone. <sup>2</sup>

<sup>1</sup> Bylaw No. 1285.19, adopted May 27, 2014

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004

**R-3 – VILLAGE RESIDENTIAL 3****SECTION 4.15****4.15.1 Permitted Principal Uses**

- a) Care Services
- b) Dwelling Unit
- c) Public Assembly
- d) School

**4.15.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Home Based Business
- c) Secondary Suite<sup>1</sup>

**4.15.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per 1 ha
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	20 metres
d) Maximum Lot Coverage	30 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.15.4 Regulations**

Occupancy for a Care Services use shall not exceed ten persons per lot, of whom not more than six shall be persons in care.

**4.15.5 Additional R-3 Zones**

Principle and accessory uses as set out in Section 4.23 (R-3.1 to R-3.8 inclusive) are permitted in addition to those uses permitted in the R-3 zone. <sup>2</sup>

<sup>1</sup> Bylaw No. 1285.19, adopted May 27, 2014

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004





**R- 4 – RURAL 4**

**SECTION 4.15A<sup>1</sup>**

**4.15A.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Agriculture<sup>2</sup>

**4.15A.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Home Based Business
- c) Secondary Suite

**4.15A.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per ha to a maximum of 2 Dwelling Units per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	80 metres
d) Maximum Lot Coverage	10 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback Requirement for all buildings and structures <ul style="list-style-type: none"> <li>i) Front and Exterior Side Lot Lines</li> <li>ii) All Other Lot Lines</li> </ul>	4.5 metres 2 metres
g) Minimum Setback for all agricultural buildings, structures and uses	Refer to Section 2 – General Regulations <sup>3</sup>
h) Minimum Setback Requirement to the Agricultural Land Reserve Boundary <ul style="list-style-type: none"> <li>i) Dwelling Unit and Secondary Suites</li> <li>ii) Accessory buildings and structures</li> </ul>	30.0 metres 15.0 metres
i) General Regulations	Refer to Section 2 – General Regulations

<sup>1</sup> Bylaw No. 1285.24, adopted May 26, 2015

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>3</sup> Bylaw No. 1285.26, adopted June 28, 2016



## RC-1 – RECREATION 1

## SECTION 4.16

### 4.16.1 Permitted Principal Uses

- a) Dwelling Unit
- b) Recreational Vehicle Park

### 4.16.2 Permitted Accessory Uses

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

### 4.16.3 Prohibited

Structural additions to Recreational Vehicles are prohibited in the RC-1 zone.

### 4.16.4 Regulations Table

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	8 ha
c) Minimum Lot Frontage	70 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	9 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) General Land Use Regulations	Refer to Section 2 – General Regulations

### 4.16.5 Regulations

- a) Recreational Vehicle Park uses will be limited to 25 recreational vehicle spaces per ha to a maximum of 50 recreational vehicle spaces per lot.
- b) No recreational vehicle space shall be located within the setback area established in this Bylaw.



## RC-2 – RECREATION 2

## SECTION 4.17

### 4.17.1 Permitted Principal Uses

- a) Boat Ramp
- b) Tourist Accommodation
- c) Dwelling Unit

### 4.17.2 Permitted Accessory Uses

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

### 4.17.3 Prohibited

Manufactured Home Parks and Recreational Vehicle Parks are prohibited in the RC-2 zone.

### 4.17.4 Regulations Table

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	70 metres
d) Maximum Lot Coverage	20 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) General Land Use Regulations	Refer to Section 2 – General Regulations

### 4.17.5 Regulations

- a) Tourist Accommodation use will be limited to 25 tourist accommodation units per ha to a maximum of 50 tourist accommodation units per lot.
- b) No tourist accommodation unit shall be located within setback areas established under this Bylaw.

### 4.17.6 Additional RC-2 Zones

Principle and accessory uses as set out in Section 4.23 (RC-2.1 to RC-2.2 inclusive) are permitted in addition to those uses permitted in the RC-2 zone. <sup>1</sup>

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

**RC-3 – RECREATION 3****SECTION 4.18****4.18.1 Permitted Principal Uses**

- a) Dwelling Unit or Tourist Accommodation

**4.18.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures

**4.18.4 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit or 1 Tourist Accommodation Unit per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	70 metres
d) Maximum Lot Coverage	20 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	Refer to Section 2 – General Regulations
h) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.18.5 Regulations**

No tourist accommodation unit shall be located within setback areas established under this Bylaw.

**4.18.6 Additional RC-3 Zones**

Principal and accessory uses as set out in Section 4.23 (RC-3.1) are permitted in addition to those uses permitted in the RC-3 zone. <sup>1</sup>

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004



## S-1 – SALVAGE AND WRECKING 1

## SECTION 4.19

### 4.19.1 Permitted Principal Uses

- a) Dwelling Unit
- b) Marshaling Yard
- c) Vehicle Wrecking Yard

### 4.19.2 Permitted Accessory Uses

- a) Accessory Outdoor Storage
- b) Accessory Buildings and Structures
- c) Accessory Office and Retail Sales

### 4.19.3 Regulations Table

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	10 %
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

### 4.19.4 Regulations

All outdoor storage shall be located a minimum of 2 metres from any lot line.

### 4.19.5 Additional S-1 Zones

Principal and accessory uses as set out in Section 4.23 (S-1.1 to S-1.2 inclusive) are permitted in addition to those uses permitted in the S-1 zone. <sup>1</sup>

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

**T-1 – INSTITUTIONAL /  
COMMUNITY FACILITY 1****SECTION****4.20****4.20.1 Permitted Principal Uses**

- |                  |                        |
|------------------|------------------------|
| a) Care Services | f) Public Assembly     |
| b) Cemetery      | g) Public Hospital     |
| c) Dwelling Unit | h) Recreation Facility |
| d) Fairground    | i) School              |
| e) Funeral Home  |                        |

**4.20.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

**4.20.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	20 metres
d) Maximum Lot Coverage	40 %
e) Maximum Building Height	15 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.20.4. Regulations**

- a) All buildings for housing animals, other than household animals, and for the storage of manure shall be a minimum of 30 metres from all watercourses, streams or any property line adjacent to an R-2, R-3 or MHP zone.
- b) Occupancy for a Care Services use shall not exceed ten persons per lot, of whom not more than six shall be persons in care.

**4.20.5 Additional T-1 Zones**

Principal and accessory uses as set out in Section 4.23 (T-1.1 to T-1.3 inclusive) are permitted in addition to those uses permitted in the T-1 zone. <sup>1</sup>

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004



## T-2 – INSTITUTIONAL / COMMUNITY FACILITY 2

## SECTION

## 4.21

### 4.21.1 Permitted Principal Uses

- a) Railway
- b) Railway Station

### 4.21.2 Regulations Table

Categories	Requirements
a) Minimum Lot Size	2 ha
b) Minimum Lot Frontage	70 metres
c) Maximum Lot Coverage	10 %
d) Maximum Building Height	10 metres
e) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
f) Minimum Setback from Watercourses	As outlined in Section 2.10
g) General Land Use Regulations	Refer to Section 2 – General Regulations



**W-1 – WATER 1**

**SECTION 4.22**

**4.22.1 Permitted Principal Uses**

- a) Boat Ramp

**4.22.2 Regulations Table**

<b>Categories</b>	<b>Requirements</b>
a) Maximum Building and Structure Height	1 metre above surface of water as measured from the natural boundary
b) Minimum setback from all lot lines or lease boundaries	4.5 metres
c) General Land Use Regulations	Refer to Section 2 – General Regulations





## Site Specific Zoning Regulations

## SECTION 4.23

### Additional A-1 Zones

The following uses and regulations apply to lots in the following zones in addition to the regulations in the A-1 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

Zone	Lot Description	Regulations
A-1.1	Lot 6, District Lot 6, Plan 1889, Cameron District (1015 McLean Road).	Restaurant only
A-1.2	Block B, District Lot 143, Plan 4679, Nanoose District (2540 Alberni Highway)	Vehicle Wrecking Yard, Accessory Office and Retail Sales only
A-1.3	Block C, District Lot 143, Plan 4679, Nanoose District (2560 Alberni Highway)	Winery and Cidery only
A-1.4	Part of Lot 90, District Lot 139, Plan 1913, Nanoose District Lying to the South of McKibben Road as Said Road is Shown on Said Plan, and to the West of a Boundary Parallel to and Perpendicularly Distance 200 Feet from the Westerly Boundary of Said Lot 90 (D.D. F-21288) (1586 McKibben Road)	Vehicle Wrecking Yard as a Home Based Business only
A-1.5	Lot 1, District Lot 4, Plan 38539, Cameron District (3241 Alberni Highway)	Fire Hall only
A-1.6	District Lot 47, Nanoose District (1019 Errington Road)	Restaurant only
A-1.7	Lot A, District Lot 182, Nanoose District, Plan VIP65017 (2570 Peterson Road)	Composting Facility only, specifically excluding Waste Disposal
A-1.8	Lot 2, District Lot 94, Nanoose District, Plan 38808 (1580 Alberni Highway)	Three Dwelling Units and Sawmill to a maximum of 0.4 ha only
A-1.9	Lot 1, District Lot 24, Nanoose District, Plan 40600 (1607 Errington Road)	Manufacturing to a maximum of 1.2 ha only
A-1.10	Rem. Block I, District Lot 143, Nanoose District, Plan 4782 Except Part in Plan 735 RW (2595 Alberni Highway)	Fairground and Public Assembly and Outdoor Recreation only
A-1.11	Block G, District Lot 143, Nanoose District, Plan 4782 (2619 Alberni Highway)	Campground to a maximum of 100 camping spaces <sup>1</sup>
A-1.12 <sup>2</sup>	Lot 2, Block A, District Lot 15, Cameron District, Plan 2017 (3230 Alberni Highway)	Design and metal fabrication shop to a maximum of 234 m <sup>2</sup>

<sup>1</sup> Bylaw No. 1285.21, adopted May 27, 2014

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004



A-1.13 <sup>1</sup> /R2.55	Lot 1, District Lot 139, Nanoose District, Plan 24924 (1290 Ruffles Road)	RV Storage to a maximum of 0.7 ha on the whole parcel <sup>2</sup>
A-1.14 <sup>3</sup> /R 2.48	Lot 2, District Lot 139, Nanoose District, Plan 22824 (1244 Ruffles Road)	A-1 portion horse riding ring, horse boarding and breeding. R-2 portion agriculture <sup>4</sup>
A-1.15 <sup>5</sup>	Lot 17, District Lot 139, Nanoose District, Plan 1913 Except Part in Plan 20397 (1240 Leffler Road)	North Island Recovery Center and related buildings and one suite above the principal residence
A-1.16 <sup>6</sup>	Block J, District Lot 143, Nanoose District, Plan 4791 Except Part in Plan 735 RW & VIP60681 (2685 Palmer Road)	Butterfly World
A-1.17 <sup>7</sup> / C-3	Lot 1, District Lot 43, Nanoose District, Plan 7795 (850 Allsbrook Road)	Moving and storage
A-1.18 <sup>8</sup>	Lot 5, District Lot 139, Nanoose District, Plan 26295 (1273 Fraser Road)	Two Dwelling Units <sup>5</sup>
A-1.19 <sup>6</sup>	Lot 1, District Lot 8, Cameron District, Plan 28493 (1149 Pratt Road)	Two Dwelling Units <sup>6</sup>
A-1.20 <sup>5</sup>	Block H, District Lot 143, Nanoose District, Plan 4782, except those parts in Plans 31757, 735 RW, and VIP60447 (2669 Alberni Highway)	Two Dwelling Units Only <sup>5</sup>
A-1.21 <sup>5</sup>	Lot 1, District Lot 9, Cameron District, Plan VIP55971 (890 Redman Road)	Two Dwelling Units Only <sup>5</sup>
A-1.22 <sup>5</sup>	Block 19, District Lot 140, Nanoose District, Plan 1918 (2040 Grafton Road)	Two Dwelling Units Only <sup>5</sup>
A-1.23 <sup>5</sup>	Lot 36, District Lot 8, Cameron District, Plan 1981, except the Northerly 8.84 Chains (1320 Pratt Road)	Three Dwelling Units Only <sup>5</sup>
A-1.24 <sup>5</sup>	Lot A, District Lot 141, Nanoose District, Plan 50466 (735 Virginia Road)	Three Dwelling Units Only <sup>5</sup>
A-1.25 <sup>5</sup>	Lot 17, District Lot 8, Cameron District, Plan 1981 (1140 Winchester Road)	Two Dwelling Units Only <sup>5</sup>
A-1.26 <sup>5</sup>	Lot A, District Lot 140, Nanoose District, Plan 49180 (2280 Matterson Road)	Two Dwelling Units Only <sup>5</sup>

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>2</sup> Bylaw No. 1285.05, adopted October 25, 2005

<sup>3</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>4</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>5</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>6</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>7</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>8</sup> Bylaw No. 1285.05 adopted October 25, 2005



A-1.27 <sup>5</sup>	That part of Lot 5, District Lot 149, Nanoose District, Plan 1917 Lying North of a Straight Boundary Extending From the Centre Point of the East Boundary to the Centre Point of the West Boundary of Said Lot, Except Parcels “A” (DD 37744N) and “B” (DD 54685N) Thereof (1115 Station Road)	One Dwelling Unit and One Dwelling Unit above the barn <sup>5</sup>
A-1.28 <sup>5</sup>	Parcel A (DD 3792N) of Lot 1, District Lot 74, Newcastle District, (Part of Which is Situated in Cameron District) Plan 2002, Except Part in Plan VIP72673 (961 Clarke Road)	One Dwelling Unit and One Dwelling Unit in the barn <sup>5</sup>

**Additional C-1 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the C-1 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

Zone	Lot Description	Regulations
C-1.1 <sup>1</sup>	Lot 1, District Lot 139, Nanoose District, Plan 15854 (1548 Grafton Road)	Mini-storage, product assembly, office, and outdoor storage to a maximum area of 4,000 m <sup>2</sup>

**Additional C-3 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the C-3 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

Zone	Lot Description	Regulations
C-3.1	Lot P/13, District Lot 156, Plan 1964, Nanoose District (1343 Alberni Highway)	Vehicle Wrecking Yard with outdoor storage limited to 400 m <sup>2</sup> only
C-3.2	Lot A, District Lot 143, Plan 7666, Nanoose District (2430 Alberni Highway)	Two Dwelling Units only
C-3.3	Lot 27, District Lot 156, Plan 1964, Nanoose District (1282 Alberni Highway)	Value Added Lumber Remanufacturing only
C-3.4	Lot 13, District Lot 143, Plan 2064, Nanoose District (2458 Alberni Highway)	Vehicle Wrecking Yard with outdoor storage limited to 400 m <sup>2</sup>

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>5</sup> Bylaw No. 1285.05, adopted October 25, 2005



C-3.5	Lot 2, District Lot 94, Nanoose District, Plan 7379 (994 Errington Road)	Two Dwelling Units only
C-3.6	Lot 5, District Lot 7, Nanoose District, Plan 22313 (3097 & 3103 Van Horne Road)	Three Dwelling Units and 4 Manufactured Homes only
C-3.7	That Part of Lot 4, District Lot 143, Nanoose District, Plan 2064, Lying to the East of a Straight Boundary Parallel to and Perpendicularly Distant to 2.39 Chains From the Easterly Boundary of Said Lot 4 (2443 Alberni Highway)	Manufacturing and Boat Building and Repair only
C-3.8	That Part of Lot 4, District Lot 143, Nanoose District, Plan 2064 Lying to the West of a Straight Boundary Parallel To and Perpendicularly Distant 2.39 Chains from the Easterly Boundary of Said Lot 4 (2451 Alberni Highway)	Manufacturing and Boat Building and Repair only
C-3.9	That Part of Lot 3, District Lots 2 and 7, Cameron District, Plan 22313 Lying to the West of a Boundary Parallel to and Perpendicularly Distant 150 Feet From the East Boundary of Said Lot (3073 Van Horne Rd)	Manufacturing only
C-3.10	Lot 7, Salvation Army Lots, Nanoose District, Plan 1115, Except Parts in Plans 32644, 35528 and 734RW (979 Shearme Road)	Value Added Lumber Remanufacturing and Marshalling Yard only
C-3.11	Lot 1of Salvation Army Lots, Nanoose District, Plan 32644 (999 Shearme Road)	Value Added Lumber Remanufacturing and Marshalling Yard only
C-3.12	Lot 2, Salvation Army Lots, Plan VIP69390, Nanoose District (1696 Alberni Highway)	Value Added Lumber Remanufacturing and Outdoor Storage only
C-3.13	Lot B, District Lot 143, Newcastle District, Plan 8057 (2494 & 2484 Alberni Highway)	Cement Product Manufacturing only
C-3.14 <sup>1</sup>	That Part of Lot 9, District Lot 7, Cameron District, Plan 22313 Lying to the Northwest of a Boundary Parallel to and Perpendicularly Distant 117.5 Feet from the Southeast Boundary of the Said Lot (3090 Rinvold Road)	Two Dwelling Units only
C-3.15 / R-3.8	Lot 5, District Lot 148, Nanoose District, Plan 1115 (1850 Alberni Highway)	Agriculture <sup>2</sup>
C-3.16	Lot 18, District Lot 156, Nanoose District, Plan 1964 Except Part in Plan 39281 (1223 Smithers Road)	Four – two bedroom suites above restaurant
C-3.17	Lot 2, District Lots 2 and 7, Cameron District, Plan 22313 Except Parcel A of DDC21439 (3027 Van Horne Road)	Two Dwelling Units only
C-3.18 <sup>3</sup>	Lot 2, District Lot 2, Cameron District, Plan 21832 (3117 Van Horne Road)	Two Manufactured Homes only

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004 (C-3.14 to C-3.18 inclusive)

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>3</sup> Bylaw No. 1285.01, adopted April 13, 2004 (C-3.14 to C-3.18 inclusive)



### **Additional C-4 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the C-4 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

<b>Zone</b>	<b>Lot Description</b>	<b>Regulations</b>
C-4.1	Lot 1, District Lot 39, Plan VIP54354, Newcastle District (3694 Alberni Highway)	Mini Storage and Metal Fabrication Shop only <sup>1</sup>

### **Additional I-1 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the I-1 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

<b>Zone</b>	<b>Lot Description</b>	<b>Regulations</b>
I-1.1	Remainder of Lot 3, Plan 1964	No buildings, structures, parking or other use of land shall be undertaken within 100 metres of Easement Plan No. 45477, outdoor service and repair, outdoor processing, outdoor assembly and log home building are prohibited in this zone
I-1.2	Rem. Lot 4, District Lot 156, Nanoose District, Plan 1964 (865 Fairdowne Road)	Outdoor service and repair, outdoor processing, outdoor assembly and log home building are prohibited in this zone

### **Additional I-2 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the I-2 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004



Zone	Lot Description	Regulations
I-2.1	Rem. Lot 13, District Lot 156, Nanoose District, Plan 38516 (929 Church Road)	Retail Store and Nursery only
I-2.2	Lot 1, District Lot 156, Nanoose District, Plan VIP57487 (1255 Taylor Road)	Restaurant and Outdoor Market and retail sales to a maximum floor area of 1000 m <sup>2</sup> only
I-2.3	Lot 2, District Lot 156, Nanoose District, Plan VIP57487 (1247 Alberni Highway)	Nursery only

**Additional MHP-1 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the MHP-1 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

Zone	Lot Description	Regulations
MHP-1.1	West Part and East Part of Lot 8, Plan 22313, District Lot 7, Nanoose District (3100 Rinvold Road)	Eighteen Manufactured Homes only
MHP-1.2	Lot 3, Plan 35783, District Lot 148, Nanoose District (1801Schafers Road)	Twenty Manufactured Homes only
MHP-1.3 <sup>1</sup>	Lot A, District Lot 148, Plan VIP68930, Nanoose District (1730 Whibley Road)	Fifteen Manufactured Homes and 8 Recreational Vehicle Spaces only <sup>1</sup>
MHP-1.4	Parcel B, DD26358W, District Lot 148, Nanoose District (1740 Alberni Highway)	Seventeen Manufactured Homes and two Dwelling Units only
MHP-1.5	Remainder of Lot 2, Plan 1115, District Lot 148, Nanoose District (1714 Alberni Highway)	Thirty-four Manufactured Homes and five Recreation Vehicle Sites and three Dwelling Units only
MHP-1.6	Lot 1, District Lot 148, Plan VIP69390, Nanoose District (1702 and 1688 Alberni Highway)	Nineteen Manufactured Homes and one Dwelling Unit and Six Recreation Vehicle Sites only
MHP-1.7 <sup>2</sup>	Lot 1, District Lot 148, Nanoose District, Plan VIP61331 (1050 Bowlby Road)	Nineteen Manufactured Homes only <sup>2</sup>
MHP-1.8	Parcel A, DD 387518I, District Lot 148, Nanoose District (1733 Whibley Road)	Nineteen Manufactured Homes only

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>3</sup> Bylaw No. 1285.01, adopted April 13, 2004



MHP-1.9	Lot A, Plan VIP69355, District Lot 156, Nanoose District (1391 & 1401 Price Road)	Nineteen Manufactured Homes only
MHP-1.10	Lot B, Plan VIP69355, District Lot 156, Nanoose District (1391 Price Road)	Nineteen Manufactured Homes only
MHP-1.11	Lot D, District Lot 4, Cameron District, Plan 48368 (3175 Brooklin Lane)	Five Manufactured Homes only
MHP-1.12 <sup>3</sup>	Strata Lots 1 – 19, District Lot 98, Nanoose District, Strata Plan VIS5369 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lots as shown on Form V (2100 Errington Road)	A maximum of 19 bare land strata lots. A maximum of 1 Manufactured Home per strata lot. <sup>3</sup>
MHP-1.13 <sup>1</sup>	Strata Lots 1 – 47, District Lot 98, Nanoose District, Strata Plan VIS5370 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lots as shown on Form V (2130 Errington Road)	A maximum of 47 bare land strata lots. A maximum of 1 Manufactured Home per strata lot.

**Additional MU-1 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the MU-1 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

Zone	Lot Description	Regulations
MU-1.1	Lots 1 & 2, District Lot 9, Plan 48274, Cameron District (3880 Alberni Highway)	Mini Storage only
MU-1.2 <sup>2</sup>	Lot 7, District Lot 10, Cameron District, Plan VIP 63488 (3702 Tralee Road)	Two Dwelling Units <sup>3</sup>

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>3</sup> Bylaw No. 1285.05, adopted October 25, 2005



**Additional R-1 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the R-1 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

<b>Zone</b>	<b>Lot Description</b>	<b>Regulations</b>
R-1.1	Lot 2, District Lot 23, Plan VIP53338, Nanoose District (1020 Virginia Road)	Heliport only
R-1.2	Lot 1, District Lot 148, Plan 39110, Nanoose District (1042 Shearme Road)	Manufacturing, and Service and Repair as a Home Based Business and three Dwelling Units only
R-1.3	Lot 2, District Lot 74, Plan 2050, Cameron District (1124 Clark Road)	Boat Building and Repair, and 3 Dwelling Units only
R-1.4	Lot A, District Lot 148, Plan VIP68797, Nanoose Land District (1076 Shearme Road)	Service and Repair as a Home Based Business only
R-1.5	Lot 2, District Lot 139, Plan 26115, Nanoose District (1344 Kopernick Road)	Campground Use at a density of 25 camping spaces per ha to a maximum of 50 camping spaces per lot only
R-1.6	District Lot 187, Nanoose District (1015, 1021, 1027 Virginia Road)	Nine Dwelling Units, 3 Manufactured Homes and Retail Store with a Retail Store maximum floor area of 1000 m <sup>2</sup> only
R-1.7	Remainder of Parcel A, DD 4151-N (DD26440-I) District Lot 114, Nanoose District (1831 Matterson Road)	Agriculture <sup>1</sup> only
R-1.8	Lot 6, Block 544, Plan 35625, Nanoose District (1235 Dobson Road)	Kennel only
R-1.9	Lot A, Block 544, Nanoose District, Plan VIP74057 (1750 Fairdowne Road) <sup>2</sup>	Four Dwelling Units only
R-1.11	Lot B, Block 544, Nanoose District, Plan VIP63634 (1091 Dobson)	Three Dwelling Units only
R-1.12	Lot 19, Block 544, Nanoose District, Plan 32293 (1061 Dobson Road)	Kennel to a maximum of 400 m <sup>2</sup> only
R-1.13	Lot 1, District Lot 8, Cameron District, Plan 19049 (1485 Winchester Road)	Marshalling Yard and Outdoor Storage to a combined maximum of 800 m <sup>2</sup> only
R-1.14	Lot K, Block 583, Nanoose District, Plan 41865 (760, 770, and 780 Englishman River Road)	Seven Tourist Accommodation Units only
R-1.15	Lot 11, District lot 140, Nanoose District, Plan 22868 (1439 Tyler Road)	Outdoor Storage limited to 400 m <sup>2</sup> only

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004





Section 4 – Zones

R-1.16 <sup>1</sup>	Lot 13, Block 521, Nanoose District, Plan 35625 (1340 Dobson Road)	Agriculture <sup>2</sup>
R-1.17	Lot A, Block 544, Nanoose District, Plan VIP63634 (1075 Dobson Road)	Four Manufactured Homes only
R-1.19	Lot 21, Block 544, Nanoose District, Plan 39786 (1101 Dobson Road)	Four Dwelling Units <sup>3</sup>
R-1.20	Strata Lot 136, Block 526, Cameron District, Strata Plan VIS4673 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lots as shown on Form 1 (1625 Meadowood Way)	Strata/Real estate Office
R-1.21	Lot B, Block 544, Nanoose District, Plan VIP74057 (1184 Stagdowne Road)	Two Manufactured Homes and One Dwelling Unit only
R-1.22	Lot 1, District Lot 23, Nanoose District, Plan VIP53338 (1040 Virginia Road)	Two Dwelling Units only

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004 (R-1.16 to R-1.22 inclusive)

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>3</sup> Bylaw No. 1285.05, adopted October 25, 2005



**Additional R-2 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the R-2 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

<b>Zone</b>	<b>Lot Description</b>	<b>Regulations</b>
R-2.1	Lot 15, District Lot 99, Plan 20929, Nanoose District (1177 Ruffels Road)	Two Dwelling Units only
R-2.2	Lot A, District Lot 156, VIP57616, Nanoose District (1209 Fair Road)	Four Dwelling Units only
R-2.3	Lot 2, District Lot 114, Plan VIP60195, Nanoose District (1205 Bowlby Road)	Four Dwelling Units and one Manufactured Home only
R-2.4	Lot 2, Block 544, Plan VIP58307, Nanoose District (1229 Dobson Road)	Two Dwelling Units only
R-2.5	Lot A, Block 359, Plan VIP63828, Newcastle District (1135 Corcan Road)	Agriculture <sup>1</sup> only
R-2.6	Lot 2, District Lot 156, Plan 23204, Nanoose District (1423 Price Road)	Personal Service as a Home Based Business only
R-2.7	Lot A, District Lot 114, Plan 40740, Nanoose District (1227 Bowlby Road)	Kennel only
R-2.8	Lot 2, District Lot 74, Plan 23201, Newcastle District (Partly within Cameron District) (3514 Brittain Road)	Manufacturing only and accessory retail sales to a maximum of 140 m <sup>2</sup> <sup>2</sup>
R-2.9	Lot B, District Lot 148, Plan 43287, Nanoose District (1775 Gibbs Road).	Service and Repair to a maximum of 800 m <sup>2</sup> only and outdoor storage to a maximum of 3,000 m <sup>2</sup> <sup>3</sup>
R-2.10	Lot 2, District Lot 156, Plan 19798, Nanoose District (1276 Fair Road).	Service and Repair to a maximum of 800 m <sup>2</sup> only
R-2.11	Lot 1, District Lot 8, Plan VIP52834, Cameron District (3253 Melon Road)	Warehousing/Wholesaling to a maximum of 800 m <sup>2</sup> and Accessory Retail Sales and Outdoor Sales to a maximum of 400m <sup>2</sup> only
R-2.12	South PT A, Plan 2606 DL 39, Newcastle Land District (3704 Melrose Road)	Eight Dwelling Units and 12 Manufactured Homes and Nursery and Service and Repair with Nursery and Service and Repair limited to a combined total floor area of 800 m <sup>2</sup> only
R-2.13	Lot 1, District Lot 11, Cameron District, Plan 33338 (1040 Koen Road)	Two Dwelling Units only
R-2.14	Lot A, District Lot 9, Cameron District, Plan 45420 (1229	Slaughtering and Butchering of Waterfowl,

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004

<sup>3</sup> Bylaw No. 1285.01, adopted April 13, 2004



Zone	Lot Description	Regulations
	Walz Road).	Poultry and Rabbit as a Home Based Business only
R-2.15	Lot 3, District Lot 9, Cameron District Plan 26160 (1254 Chatsworth Road).	Five Dwelling Units only
R-2.16	Block B, District Lot 9, Cameron District, Plan 26160 (1268 Chatsworth Road)	Campground Use at a density of 25 camping spaces per ha to a maximum of 50 camping spaces per lot only
R-2.17	Rem. A, District Lot 139, Nanoose District, Plan 34944 (1371 Grafton Avenue)	Agriculture <sup>1</sup> and Kennel only
R-2.18	Strata Lot A, Block 359, Newcastle District, Plan VIS5127 (1789 Settler Road)	Horse Boarding Stable only
R-2.19	Lot 2, District Lot 156, Nanoose District, Plan 20908 (1364 Price Road)	Greenhouse only
R-2.20	Lot M, District Lot 138, Nanoose District, Plan 42052 (2030 Pierpont Road)	Two Dwelling Units only
R-2.21	Lot B, District Lot 156, Nanoose District, Plan 39983 (1271 Fair Road)	Three Dwelling Units only
R-2.22	Strata Lot E, Block 359, Newcastle District, Plan VIS4169 (1080 and 1090 Koskimo Place)	Two Dwelling Units only
R-2.23	Strata Lot B, Block 359, Newcastle District, Plan VIS4370 (1191 and 1193 Corcan Road)	Two Dwelling Units only
R-2.24	Lot 4, District Lot 156, Nanoose District, plan 16915 (1263 Fair Road)	Wood Processing and Food Processing only to a combined maximum lot coverage of 10%
R-2.25	Lot 3, District Lot 156, Nanoose District, Pan 20900 (1254 Fair Road)	Retail Sales to a maximum of 800 m <sup>2</sup> and warehousing/wholesaling and Accessory Office only
R-2.26	Lot 1,Block 583, Nanoose District, Plan 50957 (724 & 730 Englishman River Road)	Two Dwelling Units only
R-2.27	Lot A, District Lot 58, Nanoose District, Plan 52064 (1470 Geddes Road)	Nursery and Greenhouse only
R-2.28	Lots 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 32, 33, 34, Block 359, Newcastle District, Plan VIP67560 (Meadowood Way and Galvin Place)	Two Dwelling Units per lot only
R-2.29	Lot 3, District Lots 9 and 10, Cameron District, Plan 46347 (1021 Chatsworth Road and 3790 Kriscott Rd)	Two Dwelling Units only
R-2.30 <sup>2</sup>	Lot A, Block 544, Nanoose District, Plan VIP58972 (1221 Dobson Road)	Two Dwelling Units only

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.01, adopted April 13, 2004 (R-2.30 to R-.254 inclusive)



<b>Zone</b>	<b>Lot Description</b>	<b>Regulations</b>
R-2.31	Lot 1, District Lots 9 and 10, Cameron District, Plan 46347 (3810 Kriscott Road)	One Dwelling Units and one suite above workshop only
R-2.32	Lot A, District Lot 138, Nanoose District, Plan VIP53500 (1995 Sun King Road)	Two Dwelling Units only
R-2.33	Lot 1, District Lot 156, Nanoose District, Plan 14854 (1059 Price Road)	Two Dwelling Units only
R-2.34	Lot 4, District Lot 58, Nanoose District, Plan 50268 (1887 Errington Road)	Two Dwelling Units only
R-2.35	Lot 1, District Lot 139, Nanoose District, Plan 26115 (1335 Middlegate Road)	Two Dwelling Units only
R-2.36	Lot 2, Block 521, Nanoose District, Plan 43393 (1874 Errington Road)	Two Dwelling Units only
R-2.37	Strata Lot 2, Block 359, Newcastle District, Strata Plan VIS4392 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot Shown on Form 1 (1081 Corcan Road)	Shake and Shingle Mill. Shop a maximum of 112 m <sup>2</sup> and Outdoor storage to a maximum of 2,000 m <sup>2</sup>
R-2.38	Lot A, District Lot 47, Nanoose District, Plan VIP69316 (1075 Regan Road)	Two Dwelling Units only
R-2.40	Lot 1, District Lot 9, Cameron District, Plan VIP57847 (3617 Tralee Road)	Two Manufactured Homes only
R-2.41	Lot 3, District Lot 99, Nanoose District, Plan 23548 (1169 Fair Road)	Two Dwelling Units only
R-2.42	Lot 29, Block 359, Newcastle District, Plan 41094 (1650 Nahmint Road)	Kennel
R-2.43	Lot H, District Lot 138, Nanoose District, Plan 42052 (1985 Pierpont Road)	Six Manufactured Homes only
R-2.44 / A-1	That Part of Lot 3, District Lot 149, Nanoose District, Plan 1917 Lying to the North of a Boundary Parallel to and Perpendicularly distant 360 ft. from the Northerly Boundary of Said Lot (1211 and 1219 Station Road)	Three Dwelling Units only
R-2.45 / A-1	Parcel A (DD32265W) of Lot 3, District Lot 148, Nanoose District, Plan 1917 (1241 Station Road)	Three Dwelling Units only
R-2.46	Strata Lot 2, District Lot 140, Nanoose District, Strata Plan VIS4842 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot Shown on Form 1 (1347 Tyler Road)	6 unit strata for warehousing/storage and manufacturing. Uses to be contained within the buildings only.



R-2.47	Lot 7, Block 521, Nanoose District, Plan 43393 (1964 Errington Road)	Kennel
R-2.48 / A-1.14	Lot 2, District Lot 139, Nanoose District, Plan 22824 (1244 Ruffles Road)	A-1 portion horse riding ring, boarding and breeding. R-2 portion agriculture <sup>1</sup>
R-2.49	Lot 2, District Lot 138, Nanoose District, Plan VIP56205 (774 Shawn Road)	Two Dwelling Units only
R-2.50	Lot 5, Block 521, Nanoose District, Plan 43393 (1910 Errington Road)	One Dwelling Unit and one suite above the workshop only
R-2.51	Lot B, District Lot 114, Nanoose District, Plan VIP53102 (1810 Gibbs Road)	Two Dwelling Units only
R-2.52	Lot A, District Lot 138, Nanoose District, Plan VIP60112 (2021 Sunking Road)	Two Dwelling Units only
R-2.53	Parcel A (DD 37744-N) of Lot 5, District Lot 149, Nanoose District, Plan 1917 (1119 and 1123 Station Road)	Three Dwelling Units <sup>2</sup>
R-2-54 <sup>3</sup>	Lot 1, District Lot 136, Nanoose District, Plan 21407 (908 Little Mountain Road)	Two Dwelling Units only.
R-2-55/ A-1.13	Lot 1, District Lot 139, Nanoose District, Plan 24924 (1290 Ruffles Road)	RV Storage to a maximum of 0.7 ha on the whole parcel <sup>4</sup>

### **Additional R-3 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the R-3 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

<b>Zone</b>	<b>Lot Description</b>	<b>Regulations</b>
R-3.1	Lot 9, District Lot 143, Plan 2064, Nanoose District (2384 Alberni Highway)	Four Dwelling Units only
R-3.2	Lot 29, District Lot 139, Plan 1989, Nanoose District (1400 Memorial Road)	Vehicle Wrecking Yard as a Home Based Business only
R-3.3	Lot A, District Lot 143, Nanoose District, Plan 23178 (951 Coombs Road)	Two Dwelling Units and a Kennel only

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.05, adopted October 25, 2005

<sup>3</sup> Bylaw No. 1285.01, adopted April 13, 2004 (R-2.30 to R-2.54 inclusive)

<sup>4</sup> Bylaw No. 1285.05, adopted October 25, 2005



Zone	Lot Description	Regulations
R-3.4	Lot A, District Lot 4, Cameron District, Plan 41831 (Hilliers Road)	Two Dwelling Units and Value Added Lumber Remanufacturing and Outdoor Storage only
R-3.5	Lot 3, District Lot 143, Nanoose District, Plan 6589, Except Those Parts in Plans 14236, 18812 and 734 RW (2363 Alberni Highway)	Artisan Studio only
R-3.6 <sup>1</sup>	Lot 18, District Lot 7, Cameron District, Plan 22313 (3085 Rinvold Road)	Two Dwelling Units only
R-3.7	Lot 4, Salvation Army Lots, Nanoose District, Plan 35783 (1010 Bonnell Road)	Marshaling a maximum area of 3,000 m <sup>2</sup> (includes 228 m <sup>2</sup> shop)
R-3.8 / C-3.15	Lot 5, Salvation Army Lots, Nanoose District, Plan 1115 (1850 Alberni Highway)	Agriculture <sup>2</sup>

#### **Additional RC-2 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the RC-2 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

Zone	Lot Description	Regulations
RC-2.1	Lot 4, Block 36A, Cameron District, Plan 4059 (4655 Alberni Highway)	Two Dwelling Units only
RC-2.2	Lot 3, Block 36A, Cameron District, Plan 4059 (4655 Alberni Highway)	Three Dwelling Units only

#### **Additional RC-3 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the RC-3zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

Zone	Lot Description	Regulations
RC-3.1	Lots 174, 175, 176, 177, 173, 172, 171, 178, 179, 182, 181, 180, 183, 184, 185, 186, 268, 269, 262, 270, 267, 261, 266, 271, 272, 265, 273, 274, 264, 275, 263, 276, 277, 278, 279, 280, 281, 282, 283,284, Block 526, Cameron District, Plan VIS4673	Tourist Accommodation Use only.

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004 (R-3.6 to R-3.8 inclusive)

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016



### **Additional S-1 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the S-1 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

<b>Zone</b>	<b>Lot Description</b>	<b>Regulations</b>
S-1.1	Lot 1, District Lot 99, Plan 17920, Nanoose District (1178 Smithers Road)	Mini Storage, Four Dwelling Units, Service and Repair, Outdoor Storage with all Service and Repair, and Outdoor Storage uses limited to combined maximum of 400 m <sup>2</sup> only. Maximum lot coverage for this lot will be 20% only.
S-1.2	Lot 1, District Lot 7, Nanoose District, Plan 15224 (3161 Alberni Highway)	Greenhouse to a maximum of 400 m <sup>2</sup> only

### **Additional T-1 Zones**

The following uses and regulations apply to lots in the following zones in addition to the regulations in the T-1 zone that would otherwise apply. The zoning and permitted uses of the following lots are set out below:

<b>Zone</b>	<b>Lot Description</b>	<b>Regulations</b>
T-1.1	Lot 2, Plan 5372, District Lot 103 and 156, Nanoose District (860 Church Road)	Transfer Station only
T-1.2	Lot 21, District Lot 156, Nanoose District, Plan 1964 (1420 Alberni Highway)	Two Dwelling Units and one Manufactured Home and Service and Repair, and Retail Sales to a maximum combined floor area of 1000 m <sup>2</sup> only
T-1.3	Parcel A (DD350751) of District Lot 4, Cameron District except parts in Plan 4019 and 15924 (855 & 861 Burbank Road)	Two Dwelling Units only <sup>1</sup>

<sup>1</sup> Bylaw 1285.05, adopted October 25, 2005



**CD-1 1805 CHURCH ROAD**

**SECTION 4.24**

**4.24.1 Permitted Principal Uses**

- a) Equipment Rental
- b) Heavy Equipment Salvage
- c) Manufacturing
- d) Marshaling Yard
- e) Outdoor Sales

**4.24.2 Permitted Accessory Uses**

- a) Accessory Outdoor Storage
- b) Accessory Buildings and Structures
- c) Accessory Office and Retail Sales
- d) Dwelling Unit

**4.24.3 Regulations Table**

<b>Categories</b>	<b>Requirements</b>
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	70 metres
d) Maximum Lot Coverage	
i) First 1 ha of Lot	30%
ii) Remainder of Lot Greater than 1 ha	5%
e) Maximum Building and Structure Height	15 metres
f) Minimum Setback	
i) From all lot lines	8 metres
ii) From Vancouver Island Highway	30 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations





#### **4.24.4 Regulations**

- a) All outdoor storage shall be located a minimum of 2 metres from all lot lines.
  
- b) All principal and accessory uses, buildings and structures on lots adjacent to the Vancouver Island Highway No. 19 shall be located a minimum of 30 metres from the Vancouver Island Highway No. 19 right-of-way.



**CD-2 1480 & 1490 GRAFTON AVENUE**

**SECTION 4.25**

**4.25.1 Permitted Principal Uses**

- a) Sawmill

**4.25.2 Permitted Accessory Uses**

- a) Accessory Outdoor Storage
- b) Accessory Buildings and Structures
- c) Accessory Office and Retail Sales
- d) Dwelling Unit

**4.25.3 Regulations Table**

<b>Categories</b>	<b>Requirements</b>
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	7 ha
c) Minimum Lot Frontage	70 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	15 metres
f) Minimum Setback From all Lot Lines	8 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.25.4 Regulations**

- a) All outdoor storage of materials shall be located a minimum of 2 metres from all lot lines.
- b) Where a lot line in this zone is adjacent to a lot zoned R or T, all outdoor storage of material shall be located a minimum of 4.5 metres from that lot line.



**CD-3 817 ALLSBROOK Road**

**SECTION 4.26**

**4.26.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Landscape Supply
- c) Marshaling Yard

**4.26.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

**4.26.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	520 m <sup>2</sup>
c) Minimum Lot Frontage	15 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.26.4 Regulations**

All landscape supply materials shall be located a minimum of 2 metres from all lot lines.



**CD-4 1271 KOPERNICK ROAD**

**SECTION 4.27**

**4.27.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Service and Repair

**4.27.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

**4.27.3 Regulations Table**

<b>Categories</b>	<b>Requirements</b>
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	12 metres
f) Minimum Setback From all Lot Lines	4.5 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations



## CD-5 1420 ROMAIN ROAD

## SECTION 4.28

### 4.28.1 Permitted Principal Uses

- a) Dwelling Unit
- b) Marshaling Yard
- c) Service and Repair

### 4.28.2 Permitted Accessory Uses

- a) Accessory Outdoor Storage
- b) Accessory Buildings and Structures
- c) Accessory Office and Retail Sales

### 4.28.3 Regulations Table

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per ha
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	12 metres
f) Minimum Setback From all Lot Lines	4.5 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

### 4.28.4 Regulations

- a) All outdoor storage shall be located a minimum of 4.5 metres from all lot lines.
- b) The Marshaling Yard, Service and Repair, Outdoor Storage and accessory uses shall be limited to a maximum area of 1 ha of all land within the CD -5 zone.



**CD-6 1108 ERRINGTON ROAD**

**SECTION 4.29**

**4.29.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Marshalling Yard

**4.29.2 Permitted Accessory Uses**

- a) Accessory Outdoor Storage
- b) Accessory Buildings and Structures
- c) Accessory Office and Retail Sales

**4.29.3 Regulations Table**

<b>Categories</b>	<b>Requirements</b>
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	12 metres
f) Minimum Setback From all Lot Lines	4.5 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.29.4 Regulations**

All outdoor storage shall be located a minimum of 2 metres from all lot lines.



**CD-7 1260 FAIR ROAD**

**SECTION 4.30**

**4.30.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Retail Store
- c) Warehousing/Wholesale
- d) Service and Repair

**4.30.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

**4.30.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	12 metres
f) Maximum Building and Structure Floor Area	1500 m <sup>2</sup>
g) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
h) Minimum Setback from Watercourses	As outlined in Section 2.10
i) Runoff Control Standards	As outlined in Section 2.5
j) General Land Use Regulations	Refer to Section 2 – General Regulations



**CD-8 1480 ROMAIN ROAD**

**SECTION 4.31**

**4.31.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Value Added Lumber Remanufacturing

**4.31.2 Permitted Accessory Uses**

- a) Accessory Outdoor Storage
- b) Accessory Buildings and Structures
- c) Accessory Office and Retail Sales

**4.31.3 Regulations Table**

<b>Categories</b>	<b>Requirements</b>
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	2 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	20%
e) Maximum Building and Structure Height	12 metres
f) Minimum Setback From all Lot Lines	4.5 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.31.4 Regulations**

All outdoor storage shall be located a minimum of 4.5 metres from all lot lines.





**CD-9 1096 & 1102 SMITHERS ROAD**

**SECTION 4.32**

**4.32.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Equipment Rental
- c) Outdoor Storage
- d) Service and Repair
- e) Marshalling Yard

**4.32.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

**4.32.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per lot
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	12 metres
f) Minimum Setback from	
i) Front and Exterior Side Lot Lines	4.5 metres
ii) All Other Lot Lines	2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.32.4 Regulations**

All outdoor storage shall be located a minimum of 2 metres from all lot lines.



**CD-10 1160 SMITHERS ROAD**

**SECTION 4.33**

**4.33.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Outdoor Storage
- c) Service and Repair
- d) Product Assembly
- e) Warehousing/Wholesaling

**4.33.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

**4.33.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling per ha to a maximum of 2 per lot
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	12 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.33.4 Regulations**

All outdoor storage shall be located a minimum of 2 metres from all lot lines.



**CD-11 1225 FAIR ROAD**

**SECTION 4.34**

**4.34.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Product Assembly
- c) Wood Processing
- d) Service and Repair

**4.34.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

**4.34.3 Regulations Table**

<b>Categories</b>	<b>Requirements</b>
a) Maximum Density	3 Dwelling Units
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	30%
e) Maximum Building and Structure Height	12 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations



**CD-12 1440 Romain Road**

**SECTION 4.35**

**4.35.1 Permitted Principal Uses** Dwelling Unit

- b) Marshalling yard
- c) Service and Repair

**4.35.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales

**4.35.2 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per ha
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	12 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

**4.35.4 Regulations**

- a) The Marshalling Yard, Service and Repair and accessory uses shall be limited to a maximum area of 1 ha of all land within the CD -12 zone.



**CD-13 1470 Romain Road**

**SECTION 4.36**

**4.36.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Product Assembly
- c) Service and Repair

**4.36.2 Regulations Table**

<b>Categories</b>	<b>Requirements</b>
a) Maximum Density	1 Dwelling Unit per ha
b) Minimum Lot Size	1 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	12 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

**CD-15 2701 Alberni Highway****SECTION 4.38 <sup>1</sup>****4.38.1 Permitted Principal Uses**

- a) Dwelling Unit
- b) Retail Store
- c) Coffee Manufacturing
- d) Service and Repair
- e) Outdoor sales to a maximum area of 3,200 m<sup>2</sup>

**4.38.2 Accessory Uses**

- a) Storage Buildings to a maximum floor area of 190 m<sup>2</sup>

**4.38.3 Signs**

Despite Section 2.14 of this Bylaw the following sign regulations apply to this zone:

- a) A maximum of two freestanding signs with a maximum sign face area of 22 m<sup>2</sup> per sign and the total sign structure for each sign shall not exceed a maximum height of 10 metres.
- b) One freestanding property identification sign with a maximum height of 1.5 metres and a maximum length of 3.5 metres.
- c) All freestanding signs shall have a minimum setback of 4.5 metres from all lot lines.

**4.38.4 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit per ha
b) Minimum Lot Size	1.75
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage	14%
e) Maximum Building and Structure Height	12 metres
f) Minimum Setback from All Lot Lines	4.5 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 – General Regulations

<sup>1</sup> Bylaw No. 1285.01, adopted April 13, 2004



#### **4.38.5 Regulations**

Retail, Coffee Manufacturing, and Service and Repair uses shall not exceed a maximum combined floor area of 2,217 m<sup>2</sup> and specifically, the Coffee Manufacturing use shall be limited to a maximum floor area of 280 m<sup>2</sup> within the maximum allowable combined floor area.

**CD-16 2116 Alberni Highway****Section 4.39****4.39.1 Permitted Principal Uses** <sup>1</sup>

- a) Dwelling Unit
- b) Farm Use
- c) Kennel, for the keeping of Exotic Birds only

**4.39.2 Permitted Accessory Uses**

- a) Accessory Buildings and Structures
- b) Accessory Restaurant
- c) Accessory Retail Sales
- d) Farm Business
- e) Home Based Business

Notwithstanding the Permitted Principal Uses listed above, any use designated or permitted to be a 'farm use' by the Agricultural Land Commission or the Ministry of Agriculture, Food and Fisheries is permitted within this zone.

**4.39.3 Regulations Table**

<b>Category</b>	<b>Requirements</b>
a) Maximum Density	2 Dwelling Units per lot, provided that one Dwelling Unit is a Manufactured Home.
b) Minimum Lot Size	4 ha
c) Minimum Lot Frontage	100 metres
d) Maximum Lot Coverage	10%
e) Maximum Building and Structure Height	10 metres
f) Minimum Setback from <ul style="list-style-type: none"><li>i) Front and Exterior Side Lot Lines</li><li>ii) All Other Lot Lines</li></ul>	<ul style="list-style-type: none"><li>4.5 metres</li><li>4.5 metres</li></ul>
g) Minimum Setback of all agricultural buildings, structures and uses	Refer to Section 2 – General Regulations <sup>2</sup>
h) Runoff Control Standards	As outlined in Section 2.5
i) General Regulations	Refer to Section 2 – General Regulations
j) Parking Regulations	<ul style="list-style-type: none"><li>1 space per 100m<sup>2</sup> of parrot refuge</li><li>1 space per 3 seats of concession</li></ul>
k) Other Parking Requirements	For stall dimensions and handicapped spaces, refer to Section 2.17.4

<sup>1</sup> (CD-16 ) Bylaw 1285.06, 2005, adopted July 28, 2005

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016





#### **4.39.4 Regulations**

- a) The maximum floor area permitted for the accessory restaurant and accessory retail sales shall not exceed a combined floor area of 50m<sup>2</sup>.
  
- b) The maximum number of seats in the accessory restaurant area shall be 20.



**CD-17 1429 Springhill Road**

**Section 4.40**

**4.40.1 Permitted Principal Uses**

- a) Commercial Card Lock
- b) Dwelling Unit
- c) Equipment Rental
- d) Log Home Building
- e) Product Assembly
- f) Marshaling Yard
- g) Outdoor Sales
- h) Service and Repair
  
- i) Transportation/Trans-shipment  
Terminal
- j) Value Added Lumber Remanufacturing
- k) Heliport
- l) Warehousing/Wholesaling



#### 4.40.2 Permitted Accessory Uses

- a) Accessory Outdoor Storage
- b) Accessory Buildings and Structures
- c) Accessory Office and Retail Sales

#### 4.40.3 Regulations Table

Categories	Requirements
(a) Maximum Density	1 Dwelling Unit per lot
(b) Minimum Lot Size	2 ha
(c) Minimum Lot Frontage	30 metres
(d) Maximum Lot Coverage	
i) First 1 ha of Lot with	30%
ii) Remainder of Lot Greater than 1 ha	5%
(e) Maximum Building and Structure Height	15 metres
(f) Minimum Setback from	
i) Front and Exterior Side Lot Lines	4.5 metres
ii) All Other Lot Lines	2 metres
(g) Minimum Setback from Watercourses	As outlined in Section 2.10
(h) Runoff Control Standards	As outlined in Section 2.5
(i) General Land Use Regulations	Refer to Section 2 – General Regulations



#### 4.40.4 Regulations

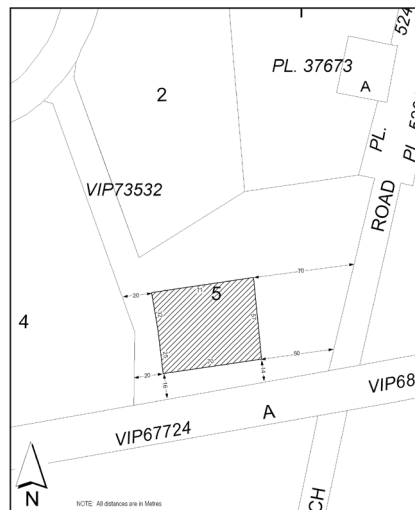
- a) For the purpose of this zone only, Value Added Lumber Remanufacturing means: the use of land, buildings, or structures for preparing, finishing, and assembling lumber and wood products including the cutting and sawing of raw logs fully contained within a building, and outdoor storage, sorting, debarking, and bucking of raw logs for cutting on site.
- b) There shall be no stockpiling of wood wastes on site in volumes in excess of 250 m<sup>3</sup> and no processing of wood wastes
- c) Log storage, sorting, bucking, debarking, and stockpiling may only occur in the hatched area identified in Table No. 1 of Section 4.40.6 and runoff must be directed through an appropriately sized, engineered, and maintained oil/water separator.

#### 4.40.5 Sign Regulations

For the purpose of this zone the following signage shall be permitted.

- a) 1 freestanding sign not exceeding 15.0 m<sup>2</sup> in sign face area
- b) 1 fascia sign per business not exceeding 3.0 m<sup>2</sup> in sign face area
- c) Maximum height of any portion of a sign shall not exceed 9.0 metres.

#### 4.40.6 – Paved Outdoor Log Storage, Log Sort, Bucking, and Debarking Area



#### 4.40.7 – Required Parking Spaces

For the purpose of this zone, the minimum number of parking stalls required shall be 1 parking stall per 100m<sup>2</sup> of floor area.

Bylaw 1285.08, adopted November 22, 2005



## CD-18 Alberni Highway Mini Storage

## Section 4.41

### 4.41.1 Permitted Principal Uses

- a) Mini Storage

### 4.41.2 Permitted Accessory Uses

- a) Accessory Buildings and Structures
- b) Accessory Office and Retail Sales
- c) Accessory Outdoor Storage
- d) Accessory Service and Repair
- e) Accessory Dwelling Unit

### 4.41.3 Regulations Table

Categories	Requirements
a) Maximum Density	One dwelling unit per ha
b) Minimum Lot Size with	5.0 ha
c) Minimum Lot Frontage	20 metres
d) Maximum Lot Coverage	30 % per lot
e) Maximum Building and Structure Height	12metres
f) Maximum Building and Structure Floor Area	1,500 m <sup>2</sup> per building
g) Minimum Setback from: <ul style="list-style-type: none"><li>i) Front Lot Line</li><li>ii) All Other Lot Lines</li></ul>	4.5 metres 2.0 metres
h) Minimum Setback from Watercourses	As outlined in Section 2.10
i) Runoff Control Standards	As outlined in Section 2.5
j) General Land Use Regulations	Refer to Section 2 - General Regulations

### 4.41.4 Regulations

- a) For the purpose of this zone, *Accessory Outdoor Storage* means the use of land for the storage of vehicles, boats, and recreational vehicles entirely covered by a building or structure. Boats, vehicles and recreational vehicles must be operational and capable of being licensed by the applicable licensing authority. This use excludes on-site fuel dispensing.
- b) All *Accessory Outdoor Storage* shall be located a minimum of 2.0 m from all lot lines and shall be limited to a combined maximum floor area of 4,000 m<sup>2</sup> per lot.
- c) Outdoor storage or display of any goods or materials is specifically prohibited within the front lot line setback area and adjacent to Alberni Highway.
- d) For the purpose of this zone, *Accessory Service and Repair* means the servicing, testing, repairing, and installing of parts, machinery and equipment and such use shall be undertaken



entirely within an enclosed building. This use includes the rental or leasing of vehicles and trailers for transporting goods, materials and equipment for private storage.

- e) Not more than 75 percent of the total lot area may be paved or surfaced within impervious surface materials.

#### **4.41.5 Sign Regulations**

Notwithstanding Section 2.14 of the Bylaw and Section 4.41.3 in this Zone, the following signage shall be permitted in this Zone:

- a) A maximum of two free-standing signs per lot, one not exceeding 12.0 m<sup>2</sup> in sign face area, and the other not exceeding 17.0 m<sup>2</sup> in sign face area.
- b) A maximum of two fascia signs per lot, each not exceeding 3.0 m<sup>2</sup> in sign face area.
- c) The maximum height of any portion of a sign shall not exceed 8.0 m.
- d) All free-standing signs shall have a minimum setback of 0.0 m from the front lot line.

#### **4.41.6 Landscaping Regulations**

- a) A continuous landscaping buffer with a minimum vegetation height of 2.5 m shall be provided and maintained along property lines that are common to agriculturally zoned lands.

#### **4.41.6 Parking Regulations**

- a) The minimum number of parking stalls required shall be calculated in accordance with Table 2.2 Required Parking Spaces of Section 2 of this Bylaw.
- b) For the purpose of this zone, additional parking spaces are not required for the mini storage use where loading space is provided within, or adjacent to, a storage building, provided the loading space does not obstruct emergency access and is not located within the setback areas.

Bylaw 1285.17, adopted July 24, 2012



**CD-19 Springhill Road**

**Section 4.42**

**4.42.1 Permitted Principal Uses**

- a) Commercial Card Lock
- b) Dwelling Unit
- c) Equipment Rental
- d) Log Home Building
- e) Product Assembly
- f) Marshalling Yard
- g) Outdoor Sales
- h) Service and Repair
- i) Transportation/Trans-shipment Terminal
- j) Value Added Lumber Remanufacturing
- k) Heliport
- l) Warehousing/Wholesaling
- m) Mini-storage
- n) Go-Cart Race Track

**4.42.2 Permitted Accessory Uses**

- a) Accessory Outdoor Storage
- b) Accessory Building and Structures
- c) Accessory Office and Retail Sales
- d) Accessory Food Concession

**4.42.3 Regulations Table**

Categories	Requirements
a) Maximum Density	1 Dwelling Unit Per lot
b) Minimum Lot Size with	2 ha
c) Minimum Lot Frontage	30 metres
d) Maximum Lot Coverage <ul style="list-style-type: none"> <li>i. First 1 ha of Lot with</li> <li>ii. Remainder of Lot Greater than 1 ha</li> </ul>	30% 5%
e) Maximum Building and Structure Height	15 metres
f) Minimum Setback from: <ul style="list-style-type: none"> <li>i) Front and Exterior Side Lot Lines</li> <li>ii) All Other Lot Lines</li> </ul>	4.5 metres 2 metres
g) Minimum Setback from Watercourses	As outlined in Section 2.10
h) Runoff Control Standards	As outlined in Section 2.5
i) General Land Use Regulations	Refer to Section 2 - General Regulations

Bylaw 1285.20, adopted March 25, 2014



#### **4.42.4 Regulations**

- a) All principal and accessory uses, buildings and structures on lots adjacent to the Vancouver Island Highway No. 19 shall be located a minimum of 30 metres from the Vancouver Island Highway No. 19 right-of-way.
- b) Indoor seating associated with Accessory Food Concession shall not to exceed 20 seats.





## CD-20 – Fairdowne Comprehensive Development<sup>1</sup> SECTION 4.43

The intent of this zone is to provide land-use and siting requirements for the comprehensive development of the Fairdowne Business Centre within the Bellevue-Church Road area.

### 4.43.1 Definitions

Notwithstanding Section 5 of this bylaw, for the purpose of this zone the following definitions apply:

**Active-use Storage** means a building containing separate, individual self-storage units, each with a separate entrance to be rented, leased or sold for the private storage and basic general maintenance of personal goods, materials, motor vehicles and equipment;

**Basic General Maintenance** does not include welding, painting, stripping, power or pressure washing or other similar activities;

**Building Footprint** means the sum total horizontal area on a development site used by a building structure, defined by the perimeter of the building plan;

**Building Strata Lot** means a defined area on a strata plan on which the boundaries are delineated by reference to the floors, walls or ceilings of a building in accordance with the **Strata Property Act**;

**Commercial Use** means any use or activity prepared, done, or acting with intent of gain or financial profit;

**Lot** means any parcel, block or other area in which land is held or into which it is created pursuant to the **Land Title Act** or as a result of deposit of a bare land strata plan pursuant to the **Strata Property Act**;

**Mezzanine** means an intermediate floor assembly between the floor and ceiling of any room or storey that does not exceed 35% of the floor area of the floor below and includes an interior balcony;

**Minimum Lot Size** means the smallest area into which a lot may be created pursuant to the **Land Title Act** or as a bare land strata plan pursuant to the **Strata Property Act**;

**Minimum Building Strata Lot size** means the smallest area into which a building strata lot may be created pursuant to the **Strata Property Act**;

**Storey** means that portion of a building, not including a mezzanine, that is 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 such floor and the ceiling above it;

**Subdivision** means the division of any parcel, block or other area pursuant to the **Land Title Act** or pursuant to the **Strata Property Act**;

**Wash Garage** means a building or structure containing equipment and supplies for washing motor vehicles.

<sup>1</sup> Bylaw No. 1285.25, 2015, adopted November 24, 2015



#### 4.43.2 Subdivision Regulations

The regulations applicable to the creation of lots within this Zone are as follows:

Categories	Requirements
j) Minimum Lot Size	1.2 ha
k) Minimum Building Strata Lot Size	50 m <sup>2</sup>
l) Minimum Lot Frontage	10% of lot perimeter
m) Lot Shape and Configuration	Subdivision of the lands shall be in accordance with and distances may be scaled from Appendix 1

#### 4.43.3 Development Areas

This Zone is divided into Development Areas 1 to 3 as outlined within Appendix 2. Development Areas 1 and 3 contain regulations that stipulate the location of buildings and structures used for Active-use Storage within those Development Areas. Distances may be scaled from Appendix 2.

#### 4.43.4 Permitted Principal Uses

The uses permitted in Development Areas 1 to 3 are as follows:

Development Area 1	Development Area 2	Development Area 3
a) Active-use Storage	a) Commercial Card Lock b) Transportation/Trans-shipment Terminal c) Equipment Rental d) Log Home Building e) Manufacturing f) Outdoor Sales g) Warehousing/Wholesaling h) Outdoor Storage i) Mini-Storage	a) Commercial Card Lock b) Transportation/Trans-shipment Terminal c) Equipment Rental d) Log Home Building e) Manufacturing f) Outdoor Sales g) Warehousing/Wholesaling h) Outdoor Storage i) Mini-Storage j) Active-use storage



#### 4.43.5 Permitted Accessory Uses

Where development areas are used for the applicable permitted use, accessory uses permitted in Development Areas 1 to 3 are as follows:

Development Area 1	Development Area 2	Development Area 3
a) Accessory Structures	a) Accessory Buildings and Structures	a) Accessory Buildings and Structures
b) Accessory Office	b) Accessory Office and Retail Sales	b) Accessory Office and Retail Sales
c) Wash Garage	c) Dwelling Unit	
d) Dwelling Unit		

#### 4.43.6 Development Area 1 Regulations Table

The regulations in Column 2 of the following table apply to developments in Development Area 1:

Categories	Requirements
a) Maximum dwelling Unit Density	One Dwelling Unit not greater than 150 m <sup>2</sup> in floor area
b) Maximum Lot Coverage	40%
c) Maximum Building and Structure Height	15 metres
d) Maximum number of Storeys	1
e) Maximum number of Mezzanine levels	1
f) Maximum accessory Wash Garage area	120 m <sup>2</sup>
g) Maximum permitted Accessory Office units	1
h) Maximum Accessory Office floor area	185 m <sup>2</sup>
i) Minimum Setback from iii) Front and Exterior Side Lot Lines iv) All Other Lot Lines	4.5 metres 2 metres
j) Minimum Setback from Watercourses	As outlined in Section 2.10
k) General Land Use Regulations	As outlined in Section 4.43.9



#### 4.43.7 Development Area 2 and Development Area 3 Regulations Table

The regulations in Column 2 of the following table apply to developments in Development Area 2 and Development Area 3:

Categories	Requirements
a) Maximum Dwelling Unit Density (Development Area 2 and Development Area 3 combined)	One Dwelling Unit not greater than 150 m <sup>2</sup> in floor area
b) Maximum Lot Coverage (Development Area 2 and Development Area 3 combined)	30%
c) Maximum Building and Structure Height	15 metres
l) Maximum number of Storeys if used for Active-use Storage	1
m) Maximum number of Mezzanine levels if used for Active-use Storage	1
d) Minimum Setback from i) Front and Exterior Side Lot Lines ii) All Other Lot Lines	4.5 metres 2 metres
e) Minimum Setback from Watercourses	As outlined in Section 2.10
f) General Land Use Regulations	As outlined in Section 4.43.9

#### 4.43.8 Runoff Control Standards

Notwithstanding Section 2.5 of this bylaw, an owner of land who carries out construction of a paved area or roof area must provide for the disposal of surface runoff and stormwater in accordance with the following:

1. Where a building or structure including a roof area has been constructed or land has been developed to include a paved area or similar impervious surface, the landowner must provide for the discharge of surface runoff and stormwater by ensuring that the surface runoff and stormwater containing Domestic Waste, Trucked Liquid Waste, Flammable or Explosive Waste, Corrosive Waste, High Temperature Waste, pH Waste, and Disinfectant Process Water, is not discharged or disposed of onto the surface of the land or into a stormwater collection channel or watercourse.
2. Where a building or structure including a roof area, has been constructed or land has been developed to include a paved area or similar impervious areas for the parking, maintenance or operation of automobiles or machinery, the landowner must provide for the discharge or disposal of all surface runoff and stormwater into stormwater collection and discharge systems that are designed by a professional engineer and include grease, oil, and sedimentation removal facilities.



3. Where a building or structure including a roof area has been constructed or land has been developed to include a paved area or similar impervious surface, the landowner must ensure that any stormwater that contains suspended solids in concentrations that would cause the water quality in the watercourse receiving the stormwater to exceed the maximum induced suspended sediments guidelines for aquatic life and wildlife as set out in the most current British Columbia Approved Water Quality Guidelines published by Ministry of Environment is not discharged into a stormwater collection channel or watercourse.
4. Where a building or structure is to be constructed or land is to be developed to include a paved area or similar impervious surface, the owner must provide an assessment report prepared by a professional engineer commenting on all proposed site excavation works to ensure that movement of surface and subsurface soils and excavations shall be designed and completed as to not disturb the impermeable soils protecting the aquifers in the subsurface and that the natural drainage characteristics of the land will be impaired as little as possible.
5. Where a building or structure including a roof area has been constructed or land has been developed to include a paved area or similar impervious surface, the landowner must ensure that no additional surface runoff and stormwater is discharged into the Ministry of Transportation and Infrastructure's drainage system or onto neighbouring properties.
6. Where an oil water separator is required by an engineer as part of a stormwater management plan or collection system, the oil water separator shall be kept in good repair and maintained in accordance with the engineer's recommendations or manufacturer's specifications.

#### **4.43.9 General Zone Regulations**

1. Unless otherwise noted in this Zone, all General Regulations as outlined in Section 2 of this Bylaw apply.
2. The location of Buildings A to G and the Wash Garage in Development Area 1 shall be sited in substantial compliance with Appendix 2.
3. The maximum building footprint of Buildings A to G and the Wash Garage in Area 1 shall be in accordance with Section 4.43.10.
4. The location of the Accessory Office and Dwelling Unit in Development Area 1 shall be located in one of Buildings A to G as shown on Appendix 2.
5. Notwithstanding any other provision in this Bylaw, the required parking spaces for Buildings A to G, the accessory Wash Garage and the Accessory Office in Development Area 1 shall be in accordance with Section 4.43.10.
6. The location of Buildings H and I in Development Area 3 shall be sited in substantial compliance with Appendix 2.



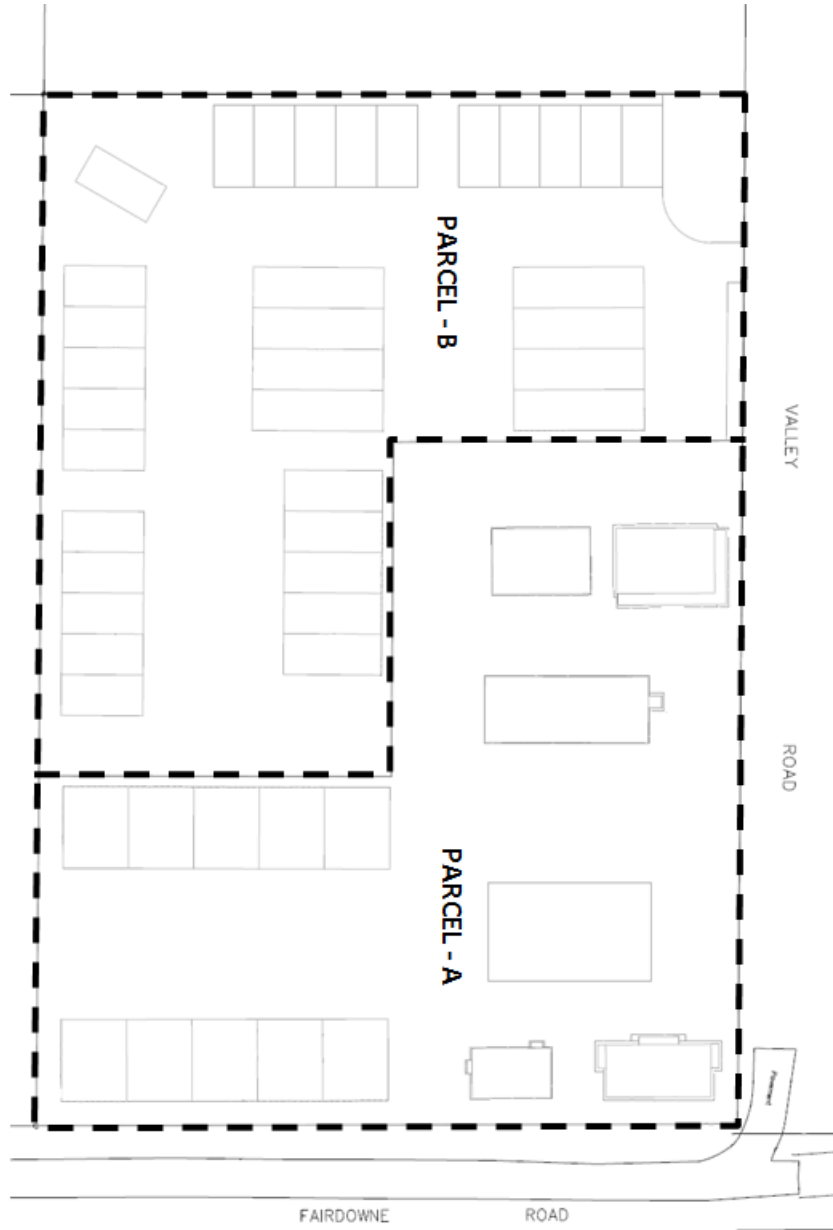
7. The maximum building footprint of Buildings H and I in Development Area 3 shall be in accordance with Section 4.43.10.
8. Notwithstanding any other provision in this Bylaw, the required parking spaces for Buildings H and I in Development Area 3, if used for Active-use Storage, shall be in accordance with Section 4.43.10.
9. Active-use Storage units are for individual and personal use only and are not to be used for Commercial Use.

**4.43.10 Building Footprint and Parking Regulations**

<b>Building</b>	<b>Maximum Building Footprint</b>	<b>Parking Space Requirements for Active-use storage</b>
Area 1 - Buildings A, C, F and G	585 m <sup>2</sup>	1 space per Active-use Storage unit
Area 1 - Buildings B and D	745 m <sup>2</sup>	1 space per Active-use Storage unit
Area 1 - Building E	700 m <sup>2</sup>	1 space per Active-use Storage unit
Area 1 – accessory Wash Garage	120 m <sup>2</sup>	No space required
Area 1 – Accessory Office	n/a	1 space
Area 3 - Buildings H and I	930 m <sup>2</sup>	1 space per Active-use Storage unit



**Appendix 1  
Plan of Subdivision**





### Appendix 2 Development Areas







## DEFINITIONS

## SECTION 5

In this Bylaw all words or phrases shall have their normal or common meaning except where this is changed, modified or expanded by the definitions set forth below:

**Accessory** means the use of land that is subordinate and customarily incidental to a permitted principal use carried out on the same lot;

**Accessory Food Concession**<sup>1</sup> means an eating establishment, accessory to a principal commercial use, providing for the sale of prepared foods and non-alcoholic beverages which are ready for consumption and are to be consumed on the premises;

**Accessory Office** means the use of a building as an office that is accessory to a permitted principal use on the lot and does not exceed a combined floor area of 200 m<sup>2</sup> per lot;

**Accessory Office and Retail Sales** means the use of a building as an office or for retail sales that are accessory to a principal permitted use on the lot and does not exceed a combined floor area of 400 m<sup>2</sup> per lot;

**Accessory Outdoor Storage** means the storage of materials that is accessory to a permitted principal use on the lot;

**Agriculture** means a use providing for growing, rearing, producing and harvesting of agricultural products; boarding of livestock and poultry; and includes the storage and sale on an individual farm of the products harvested, reared or produced on that farm, the storage of farm machinery and implements used on that farm and includes temporary sawmill and excludes medical marihuana production;<sup>2</sup>

**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*;<sup>3</sup>

**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;<sup>4 5</sup>

**Agri-tourism Accommodation** means the provision of temporary and seasonal accommodation accessory to an agricultural use for the travelling public within an agri-tourism accommodation sleeping unit on land that is classified as farm under the *Assessment Act*;<sup>6</sup>

<sup>1</sup> Bylaw No. 1285.20, adopted March 25, 2014

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>3</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>4</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>5</sup> Bylaw No. 1285.29, adopted May 22, 2018

<sup>6</sup> Bylaw No. 1285.26, adopted June 28, 2016



**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;<sup>1</sup>

**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) 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;
- (d) dog trials held at the farm;
- (e) harvest festivals and other seasonal events held at the farm for the purpose of promoting or marketing farm products produced on the farm;
- (f) corn mazes prepared using corn planted on the farm;<sup>2</sup>

**Amusement Park** means the use of land, buildings and structures for entertainment and recreational activities generally undertaken in an outdoor setting, and includes uses such as go-cart track, waterslide, mini-golf course, arcade, and midway rides;

**Artisan Studio** means a workshop with a total floor area not exceeding 400m<sup>2</sup> and may include accessory retail sales;

**Auction Sales** means a building, structure or lands used for the storage of goods and materials, which are to be sold on the premises by public auction, and specifically excludes livestock auctions;

**Average Natural Grade** means the point that represents the average between the natural elevation of the lot at the rear foundation of a building and the natural elevation of the lot at the front foundation of a building;

**Biomedical Waste** means waste as defined in “Guidelines for the Management of Biomedical Waste” established by the Canadian Council of Ministers of the Environment (CCME) and dated February, 1992;

**Boat Building and Repair** means the use of land, buildings, structures or equipment for the manufacturing, finishing, 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 the water;

**Building** means any structure and portion of a structure used or intended to be used for supporting or sheltering any use or occupancy;

**Building Supply/Lumber Outlet** means the use of land, buildings and structures used for the wholesale and retail sale of building, construction, home improvement or related materials;

**Campground** means the temporary accommodation of travellers using tents, travel trailers, tent trailers or recreational vehicles with continuous occupancy not exceeding 3 months, but specifically excludes a manufactured home park or hotel/motel;

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<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.29, adopted May 22, 2018



**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;<sup>1</sup>

**Cannabis Production** means the medical and non-medical commercial production, cultivation, synthesis, harvesting, altering, propagating, processing, packaging, storage, distribution or scientific research of cannabis or cannabis products as permitted by the *Access to Cannabis for Medical Purposes Regulations (ACMPR)* and *Bill C-45 (the Cannabis Act)*, and any subsequent regulations or acts which may be enacted henceforth, but excludes the growing of cannabis by an individual for their personal use and consumption;<sup>2</sup>

**Cannabis Products** means plant material from cannabis and any products that include cannabis or cannabis derivatives, intended for human use or consumption<sup>3</sup>

**Care Services** means a use providing for the care of people, other than a public hospital and includes daycares, pre-schools, private hospitals, assisted living units, nursing homes, and group homes pursuant to the **Community Care Facility Act** as applicable;

**Care Services Unit** means a lodging unit accommodating not more than 2 persons, located within a facility that provides overnight accommodation and is licensed in accordance with the **Community Care Facility Act**;

**Cement Product Manufacturing** means the production of precast cement and concrete products including cultured stone and includes accessory outdoor storage;

**Cemetery** means land that is set apart or used as a place for the interment of the dead and may include facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments;

**Commercial Cardlock** means a use where petroleum products are dispensed from fuel pumps utilizing a cardlock or keylock system but does not include gasoline service stations;

**Community Sewer System** means a system of sewers and sewerage works including sewage treatment facilities to serve one or more lots that is owned, operated and maintained by or on behalf of the Regional District of Nanaimo or a municipality;

**Community Water System** means a system of waterworks including water treatment facilities to serve one or more lots that is owned, operated and maintained by or on behalf of the Regional District of Nanaimo or a municipality;

**Composting Facility** means the use of land, buildings and structures for the commercial composting of vegetative matter and related sales of compost, but specifically excludes a waste disposal facility and transfer station;

<sup>1</sup> Bylaw No. 1285.31, adopted April 24, 2018

<sup>2</sup> Bylaw No. 1285.31, adopted April 24, 2018

<sup>3</sup> Bylaw No. 1285.31, adopted April 24, 2018



**Concrete and Asphalt Batch Plant** means the production of concrete or asphalt on a lot;

**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;<sup>1</sup>

**Corrosive Waste** means any waste with corrosive properties, which by itself or in combination with any other substance, may cause damage to any storm sewer or stormwater management facility, or which may prevent safe entry by authorized personnel;

**Development** includes the construction of a building or structure, the placement of fill, the paving of land or any other alteration to land, which causes a change to the existing drainage characteristics;

**Disinfectant Process Water** means any water from a waterworks containing residual chlorine or chloramines remaining from the disinfection of the waterworks or any part of the waterworks but does not include water containing chlorine or chloramines ordinarily added to a supply of potable water by a municipality, the Regional District or an Improvement District;

**Domestic Waste** means waste, sanitary waste and the water-carried wastes from drinking, culinary uses, washing, bathing, laundering or food processing which is produced on a residential property;

**Dwelling Unit** means one or more rooms which comprise a self-contained unit used or intended to be used for habitation by one or more residents, including living, sleeping and sanitary facilities, and a single kitchen;

**Entertainment Centre** means the use of lands, buildings, and structures for entertainment and recreation use, including the hosting of live and recorded music, dances, concerts, festivals, film and recording studio, museum and exhibit hall;

**Equipment Rental** means the use of land, buildings or structures for the rental of tools, small machinery and vehicles;

**Fairground** means the use of land, buildings and structures for public events including rodeos, equestrian and related events, exhibitions, and outdoor markets;

**Farm** means an occupation or use, for farm purposes, of one or several parcels of land or tenured areas of Crown land; <sup>2</sup>

**Farm Business** means a business in which one or more farm operations are conducted, and includes a farm education or farm research institution to the extent that the institution conducts one or more farm operations;

**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*;<sup>3</sup>

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<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>3</sup> Bylaw No. 1285.26, adopted June 28, 2016



**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;<sup>1</sup>

**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 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; agri-tourism and a winery or cidery and includes farm operation and cannabis production<sup>2 3</sup>;

**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 .4 metres from the wall of which it is attached;

**Feedlot** means a fenced area where livestock, poultry, or farmed game are confined solely for the purpose of growing or finishing, and are sustained by means other than grazing;<sup>4</sup>

**Flammable or Explosive Waste** means any waste, which by itself or in combination with another substance is capable of causing or contributing to an explosion or supporting combustion in any storm sewer, watercourse or stormwater management facility including, but not limited to, gasoline, naphtha, propane, diesel, fuel oil, kerosene or alcohol;

**Floor Area**<sup>5</sup> 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 wall;

**Food Processing** means changing the form of vegetable, mineral or animal food stuffs for distribution or sale;

**Freestanding Sign** means a sign supported independently of a building or any other structure and includes portable signs;

**Frontage** means that length of a lot boundary, which abuts a highway or access route in a strata plan;

**Funeral Home** means an establishment with facilities for the preparation of the dead for burial, for viewing of bodies, and for funerals and may include a crematorium provided that such use is fitted with the proper appliances for the purposes of the cremation of human or animal remains and all things ancillary or incidental to;

**Gasoline Service Station** means the use of land, buildings and structures for a gasoline pumping station and may include retail sales of motor vehicle accessories, and the servicing and cleaning of motor vehicles under one roof;

**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

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.31, adopted April 24, 2018

<sup>3</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>4</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>5</sup> Bylaw No. 1285.22, adopted February 24, 2015



- (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;<sup>1</sup>

**Gift Shop** means a tourist convenience store selling primarily tourist souvenirs, arts and crafts products and household convenience items;

**Go-Cart Race Track** means the use of lands, buildings and structures for the controlled racing of motorized go-carts on a dedicated track;<sup>2</sup>

**Government** means the federal, provincial, and local governments;

**Grab Sample** means a sample of water or stormwater collected at a particular time and place;

**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;<sup>3</sup>

**Greenhouse** means a building for the growing of flowers, plants, shrubs, trees and similar vegetation which are sold directly from such lot as wholesale and may include accessory product sales and garden supply sales limited to 150 m<sup>2</sup>, but specifically excludes the sale of agricultural machinery;

**ha** means hectare;

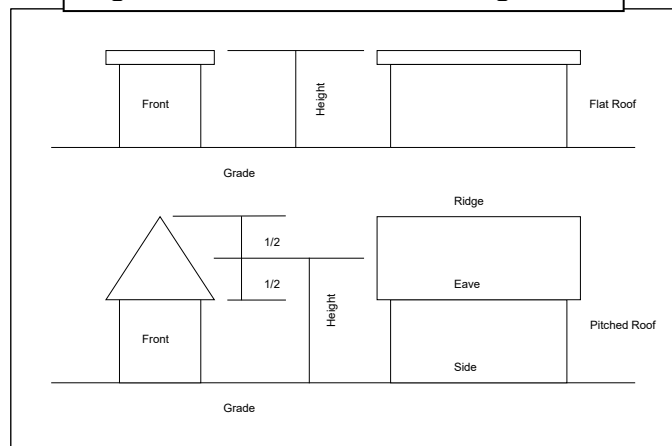
**Heavy Equipment Salvage** means land, buildings and structures used for the wrecking, disassembling, repair and resale of heavy equipment and machinery and specifically excludes light vehicle wrecking and storage;

**Height** means the vertical distance measured from the average natural grade to the highest point of the roof surface of a flat roof, or to the level half way between the eaves and the highest ridge of a pitched roof as shown in Figure 5.1;

**Heliport** means a landing area used by helicopters, which includes all necessary passenger and cargo facilities, maintenance and overhaul, fuelling, service, storage, hangars and other necessary buildings and structures, and open spaces developed in accordance with Transport Canada regulations and aerodrome standards;

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

**Figure 5.1 – Illustration of Height**



<sup>1</sup> Bylaw No. 1285.29, adopted May 22, 2018

<sup>2</sup> Bylaw No. 1285.20, adopted March 25, 2014

<sup>3</sup> Bylaw No. 1285.26, adopted June 28, 2016



**High Temperature Waste** means:

- a) Any waste which, by itself or in combination with another substance, will create heat in amounts which will interfere with the operation and maintenance of a storm sewer or stormwater management facility;
- b) Any waste which will raise the temperature of waste discharged by a storm sewer, watercourse or stormwater management facility by 2 degrees Celsius or more;
- c) Any waste with a temperature of 40 degrees Celsius or more at the point of discharge;

**Home Based Business** means an economic activity conducted accessory to the residential use on a lot;

**Hotel** means a motel, resort or lodge, providing accommodation for the travelling public on a temporary basis with continuous occupancy not exceeding 6 months, and is not sub-dividable pursuant to the **Strata Property Act**;

**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 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;<sup>1</sup>

**Horse Boarding Stable** means the use of land, buildings or structures to accommodate the keeping and care of a maximum of 6 horses per ha, other than the personal horses of the landowner;

**Kennel** means a use undertaken in a building, structure, compound, group of outdoor pens or outdoor cages covering not more than 10% of the lot, where 4 or more household animals are trained, cared for, bred, or boarded;

**Kitchen** means a room or space in a building designed or used for the preparation or storage of food and which contains a sink, a refrigerator, and one or more of a stove, hot plate, or microwave oven;

**Landscape Supply** means the outdoor sale of landscaping materials including but not limited to soils, gravel, compost, manure and bark mulch, but specifically excludes primary mineral processing;

**Livestock** means cattle, horses, sheep, goats, swine and similar farmed or fur bearing animals;<sup>2</sup>

**Log Home Building** means the use of land and accessory buildings and structures for preparing, assembling, and finishing of log homes and may include a log home building school;

**Log Storage and Sorting Yard** means the use of land for the processing, storage, dumping, sorting, and trans-shipment of logs;

**Lot** means any parcel, block or other area in which land is held or into which it is subdivided whether under the **Land Title Act** or under the **Strata Property Act**;

**Lot Area** means the total horizontal area between the lot lines of a lot;

**Lot Coverage** means the sum total horizontal area as measured from the outermost perimeter of all buildings, structures or part thereof on the lot expressed as a percentage of the total lot area;

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016

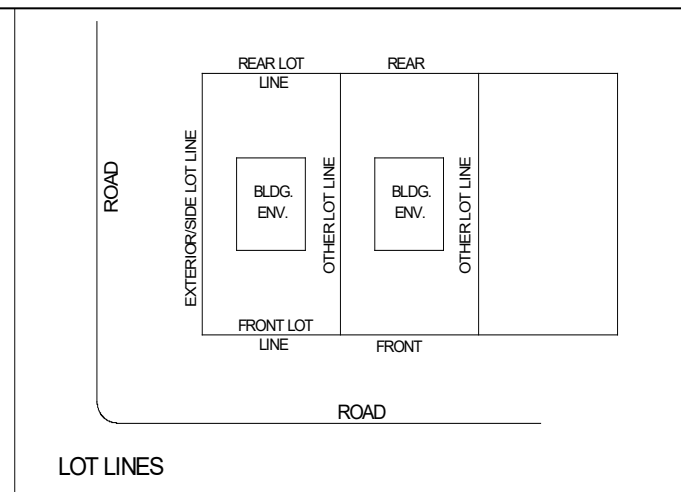




**Lot Line** means the boundary of a lot, and;

- a) **Front Lot Line** means the lot line that is common to the lot and an abutting highway or access route in a bare land strata plan, and where there are two or more such lot lines, the shortest is deemed to be the front lot line, and in the case of a panhandle lot means the line separating the body of the lot from the panhandle;
- b) **Rear Lot Line** means the lot line opposite to the front lot line in the case of a lot having four sides, or the lot line most distant from the front lot line and not abutting a highway for other lots having more or less than four sides, or where a rear portion of the lot is bounded by intersecting side lot lines, it shall be the point of such intersection;
- c) **Exterior Side Lot line** means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway or access route in a bare land strata plan or railway;
- d) **Other Lot Line** means a lot line that is not a front, rear or exterior side lot line; as shown in Figure 5.2.

**Figure 5.2 – Illustration of Lot Lines and Yards**



**MMCD** means the **Master Municipal Construction Documents published by The Master Municipal Construction Documents Association Printed 2000** and amendments thereto;

**Manufactured Home** means a dwelling unit greater than 37 m<sup>2</sup>, that is factory built, including mobile homes, modular homes, and is intended to be occupied in a place other than of its manufacture and meets or exceeds the CSA Z240 or CSA A277 certified standard and specifically excludes recreational vehicles;

**Manufactured Home Park** means a parcel of land not subdivided pursuant to the **Strata Property Act**, used or occupied by any person for the purposes of providing spaces for the accommodation of three or more manufactured homes and for imposing a charge or rental for the use of such space;

**Manufactured Home Space** means an area of land within a manufactured home park for installation of one manufactured home;

**Manufacturing** means the use of land, buildings or structures for the purpose of assembling, producing, inspecting, finishing, altering, servicing, repairing of any goods, substance, article, or materials;

**Marshalling Yard** means the use of land, buildings and structures to store and maintain industrial equipment and vehicles and specifically excludes a vehicle wrecking yard, and heavy equipment salvage;





**Micro Wind Turbine System<sup>1</sup>** means a wind energy conversion system consisting of a wind turbine, associated structures and mechanical devices with a nameplate rated capacity of not more than 1 kW;

**Minimum Lot Size** means the smallest area into which a lot may be subdivided;

**Mini Storage** means a building 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;

**Natural Boundary** means the visible high water mark on any watercourse where the presence and action of the water is 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 and in the case of a lot having a surveyed high water mark, means the high water mark;

**Non Conforming Use** means any lawful use existing at the time of the adoption of this Bylaw which does not conform to all the provisions of this Bylaw for the zone in which such a building, structure or use is located;

**Non Resident Employee** means an employee of a home based business who is not a permanent resident of the lot on which the home based business is located;

**Nursery** means the use of land for agriculture or horticulture and accessory product sales and garden supply sales limited to 400m<sup>2</sup>, but specifically excludes the sale of agricultural machinery;

**Office** means the occupancy or use of a building for the purpose of carrying out business or professional activities but specifically excludes retail sales, industrial uses, public assembly and personal service use;

**Official Community Plan** means the Electoral Area 'F' Official Community Plan, Bylaw No. 1152, 1999;

**Outdoor Market** means the use of land and structures selling fresh fruit and vegetables, as well as household goods, souvenirs, and the extent of the use shall be contained within the maximum permitted lot coverage for the zone and specifically excludes Outdoor Sales as defined in this Bylaw;

**Outdoor Recreation** means an activity where interaction with the natural environment is an essential element and includes wildlife management areas and viewing platforms, botanical gardens, arboretum, outdoor exhibits, sports fields, golf course, driving range and mini golf;

**Outdoor Sales** means the use of land for the retail sale of goods and services which require outdoor viewing and/or large space including the display, sale or rental of automobiles, heavy equipment, recreational vehicles, manufactured homes, watercrafts and marine products, lumber and building products and includes accessory servicing of such equipment and shall not exceed the maximum lot coverage of the zone;

**Outdoor Storage** means an area not contained within a building where construction material and equipment, logs, lumber and new building materials, monuments and stone products, and does not include the storage of landfill, waste materials or the salvage of motor vehicles;

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<sup>1</sup> Bylaw No. 1285.22, adopted February 24, 2015



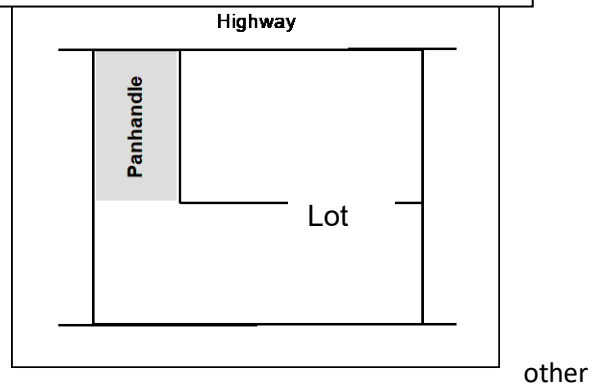
**Panhandle** means a strip of land, which provides access and highway frontage to a lot, and which forms part of that lot, as illustrated in Figure 5.3;

**Park** means private lands, covenanted lands and fully or partially deeded public land used or intended for recreational and conservation purposes;

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

**Personal Service** means providing services to the person including hair dressing, aesthetics, medical or dental practice, veterinarian office, lawyers, engineers, accountants, consultants or professional practices with a gross floor area not exceeding 1000 m<sup>2</sup> per lot;

**Figure 5.3 – Panhandle** (not to scale)



**pH Waste** means any waste which, prior to the point of discharge into a storm sewer or watercourse, has a pH lower than 6.0 or higher than 9.0, as determined by either a grab sample or composite sample;

**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, roasters, ducks, geese, turkeys, game birds, and ratites;<sup>1</sup>

**Private Airport** means the non-commercial use of land for an unlicensed airstrip by a resident or occupant;

**Primary Mineral Processing** means the use of land, buildings or structures for the moving, crushing, washing, screening, processing or storage of aggregates that originate on that lot;

**Principal Permitted Use** means the main purpose(s) for which land, including the surface of water, buildings, or structures is ordinarily used;

**Product Assembly Use** means the assembly of component parts into a finished product, with all assembly undertaken within an enclosed building;

**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*;<sup>2</sup>

**Pub** means a licensed establishment pursuant to the *Liquor Control Act*, serving primarily alcoholic beverages as well as some food, and may include a retail store for beer and wine;

**Public Assembly** 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, emergency services and police station;

<sup>1</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016



**Public Hospital** means a public institution where sick and injured people are given medical or surgical care;

**Public Utility Use** means a system of works or services or a facility operated by or on behalf of a government or a public utility company to provide or in connection with the provision of water, sewer, drainage, gas, electricity, surface transportation or communication services;

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

**Recreation Facility** means the use of land, buildings or structures for recreation and sports facilities carried out principally indoors, including arenas, fitness and health clubs, racquet sports courts, gymnasiums, dance studios, swimming pools and bowling alleys;

**Recreational Vehicle** means any camper, travel trailer, fifth wheel or motor home with a maximum width of 2.6 metres in transit mode and not exceeding 37m<sup>2</sup> in floor area, which can be used to provide sleeping accommodation and which is capable of being licensed pursuant to the *Motor Vehicle Act*;

**Recreational Vehicle Park** means a lot providing for seasonal or periodic accommodation of travellers not exceeding 6 months using licensed recreational vehicles but specifically excludes Manufactured Home Park;

**Regional District** means the Regional District of Nanaimo;

**Restaurant** means an eating establishment providing for the sale of prepared foods and beverages to be consumed on or off the premises, but specifically excludes pub;

**Retail Sales** means the provision for sale of merchandise to the end consumer;

**Retail Store** means a sales outlet located in one or more buildings providing for the retail sale and display of goods and the total combined floor area of retail sales, including accessory retail sales, shall not exceed 1500 m<sup>2</sup> per lot;

**Sawmill** means a building, structure, or area where timber is cut, sawed or planed, either to finished lumber, or as an intermediary step and may include facilities for the kiln drying of lumber and may include the distribution of such products on a wholesale or retail basis;

**School** means a school as defined by the *'School Act'* or the *'Independent School Act'* and does not include overnight accommodation;

**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 lot as the secondary suite and may not be subdivided under the *Strata Property Act*.<sup>1</sup>

**Service and Repair** means the servicing, testing, repairing, and installing of parts, machinery and equipment and such use shall be undertaken within an enclosed building;

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

<sup>1</sup> Bylaw No. 1285.19, adopted May 27, 2014



**Sign** means any device or medium including its supporting structure visible from any highway or lot other than the one on which it is located and which is used to attract attention for advertising, information or identification purposes, excluding civic address signs intended to identify properties for visitors, deliveries and/or emergency services;

**Silviculture** means activities related to the harvesting, development, maintenance and care of forests;

**Small Wind Turbine System**<sup>1</sup> means a wind energy conversion system consisting of a wind turbine, a wind turbine tower and associated equipment, machinery, and structures with a nameplate rated capacity of greater than 1 kW but not more than 10 kW.

**Split Zoned** means a lot divided between two or more zones;

**Structure** means anything constructed, erected or placed, the use of which requires location on the ground or water or attachment to something having location on the ground or water, and excludes retaining walls under 1 metre in height, underground sewage disposal facilities, vehicles, paving for vehicle parking, sidewalks, ground level patios and decks, fences under 2.5 metres in height, and transparent fencing or transparent vertical extensions greater than 2.5 metres in height where the fence is required for agriculture or farm use;<sup>2</sup>

**Temporary Sawmill** means a building or structure or area where timber from the lot is cut or sawed on that lot, operating during normal daylight hours producing less than 60 m<sup>3</sup> of lumber daily, except that where land is located in the Agricultural Land Reserve at least 50% of the volume of timber that is cut or sawed on that parcel is harvested from the farm or parcel on which the sawmill is located;<sup>3</sup>

**Tourist Accommodation** means the rental of a lodging unit in a hotel, motel, cabin, camping space and recreational vehicle space for the temporary accommodation of the traveling public with continuous occupancy not exceeding 6 months and specifically excludes a manufactured home;

**Tourist Accommodation Unit** means one lodging unit in a hotel, motel, lodge, or cabin or one camping space or one recreational vehicle space;

**Tourist and Convenience Store** means a sales outlet located in one or more buildings providing for the retail sale and display of goods including a gift shop and the total combined floor area of retail sales including accessory retail sales, shall not exceed 1000 m<sup>2</sup> per lot;

**Tourist Information Booth** means a building or structure used to provide information to the travelling public;

**Transfer Station**<sup>4</sup> means the use of land or buildings for consolidating waste from multiple collection vehicles into transfer vehicles for shipment to disposal sites and may include accessory office, recycling and vehicle scaling facilities, that is owned, operated and maintained by or on behalf of the Regional District of Nanaimo or a municipality;

**Transportation/Trans-shipment Terminal** means the use of land, buildings or structures for taxi, bus, railway stations, and the storage and maintenance of transportation equipment and includes loading, unloading, assembling or transferring of goods transported by truck, or which provides containerized freight handling facilities or rail truck services, and/or where local pick-up, delivery

<sup>1</sup> Bylaw No. 1285.22, adopted February 24, 2015

<sup>2</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>3</sup> Bylaw No. 1285.26, adopted June 28, 2016

<sup>4</sup> Bylaw No. 1285.01, adopted April 13, 2004



and transitory storage of goods incidental to the primary function of the freight shipment is provided;

**Value Added Lumber Remanufacturing** means the use of land, buildings or structures for the purpose of preparing, finishing, and assembling lumber and wood products from presawn timbers and does not include the processing of raw logs and producing less than 240 m<sup>3</sup> of lumber daily;

**Vehicle Wrecking Yard** means the use of land for the dismantling or wrecking of vehicles, or for the storage of derelict vehicles and may include accessory auto body restoration and repair;

**Warehousing/Wholesaling** means a building or part thereof, used for the housing, storage, adapting for sale, and packaging or wholesale distribution of goods, wares, merchandise, food stuffs, and articles;

**Waste Disposal Facility** means the storage and disposal of refuse or waste where refuse or waste and earth or other suitable cover material are deposited in alternate layers of specified depth on a specified portion of open land, with each layer being compacted by force applied with mechanical equipment;

**Watercourse** means a permanent or non permanent (containing water at least six months of the year) source of water supply that is natural or man made, including a pond, lake, river, creek, brook, ditch, spring or wetland that is integral to a stream, with well defined banks and a bed of 0.6 metres or more below the surrounding land serving to give direction to or containing a current of water but does not apply to a man made pond that does not connect to a stream;

**Wood Processing** means a building, structure or equipment operating during normal daylight hours, producing less than 60 m<sup>3</sup> of lumber per day including the preparation of logs, timbers, timber frame construction components, fence posts, shakes, poles or firewood;

**Zone** means a zone established by this Bylaw;

**Zone A** means a zone located in the A-1 zone or other zone with a prefix of A;

**Zone C** means a zone located in the C-1, C-2, C-3, C-4 zone or other zone with a prefix of C;

**Zone CD** means a zone located in the CD-1 to CD-13 zone or other zone with a prefix of CD;

**Zone FR** means a zone located in the FR-1 zone or other zone with a prefix of FR;

**Zone I** means a zone located in the I -1, I -2, I -3 zone or other zone with a prefix of I;

**Zone MHP** means a zone located in the MHP-1 zone or other zone with a prefix of MHP;

**Zone MU** means a zone located in the MU-1 zone or other zone with a prefix of MU;

**Zone P** means a zone located in the P-1 zone or other zone with a prefix of P;

**Zone R** means a zone located in the R-1, R-2, R-3 zone or other zone with a prefix of R;

**Zone RC** means a zone located in the RC-1, RC-2, RC-3 zone or other zone with a prefix of RC;

**Zone S** means a zone located in the S-1 zone or other zone with a prefix of S;

**Zone T** means a zone located in the T-1 zone or other zone with a prefix of T;

**Zone W** means a zone located in the W-1 zone or other zone with a prefix of W;

**Zoning Map** means the map attached to and part of this Bylaw as Schedule 'B'.



## SUBDIVISION REGULATIONS

## SECTION 6

### 6.1 Prohibition

Land shall not be subdivided contrary to this bylaw.

### 6.2 Exception

Subdivision regulations to not apply to:

- a) lots to be used solely for an unattended public utility use; or
- b) park.

### 6.3 General

An application for subdivision shall:

- a) be completed upon the sample form provided by the Regional District set out in “Regional District of Nanaimo Development Approval Procedures and Notification Bylaw No. 1261, 2002”; and
- b) include all information as set out in “Regional District of Nanaimo Development Approval Procedures and Notification Bylaw No. 1261, 2002”; and
- c) include the required application fee in the amount as set out in “Regional District of Nanaimo Planning Services and Fees Bylaw No. 1259, 2002”.

### 6.4 Minimum Lot Sizes

1. Minimum lot sizes, as established in Section 4 of this bylaw, shall be considered the minimum lot size requirement at the time of subdivision of land.
2. Where a zone 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 ‘B’.
3. Where a zone boundary is designated as following a highway or watercourse, the centreline of the highway or the natural boundary of the watercourse or centreline of a creek shall be the subdivision district boundary.
4. A panhandle shall not be considered part of a lot for the purpose of calculating the lot size of a lot proposed to be created.

### 6.5 Minimum Frontage Requirements

1. Minimum frontage requirements, as established in Section 4 of this bylaw, shall be considered the minimum frontage requirement at the time of subdivision of land.



2. Where a proposed lot or the proposed remainder of a lot cannot meet the minimum frontage requirements, the Regional Board may consider a request from the registered owner of the land to relax the minimum frontage requirement.
3. In taking into consideration a request for the relaxation of a minimum frontage requirement, the Regional Board shall consider the following criteria:
  - a) the suitability of the lot configuration is restricted by the topography of the proposed lot;
  - b) to improve access to the proposed lot provided the maximum gradient of an access driveway or panhandle which serves the proposed lot does not exceed 20%;
  - c) in the case of a panhandle lot, no two panhandle lots are adjacent; or
  - d) the proposed lots front a cul-de-sac road.

#### **6.6 Lot and Shape Dimensions**

1. Unless the pattern of existing subdivision precludes it, side lot lines shall, wherever practical, be created perpendicular or radial to the adjoining highway.
2. No panhandle shall be created:
  - a) narrower than 10 metres where further subdivision of the parent lot is possible; or
  - b) narrower than 6 metres where further subdivision of the parent lot is not possible; and
  - c) without the approval of the Regional Board.

#### **6.7 Lots Exempt from Minimum Lot Size Requirements**

1. Where the requirements of the authority having jurisdiction are met with respect to the provision of water and method of sewage disposal, minimum lot size and lot servicing requirements shall not apply to a subdivision:
  - a) that combines 2 or more lots into a single lot;
  - b) where the effect of subdivision would not be to increase the number of lots, but adjust the boundary between existing lots, provided that the boundary change does not result in the reduction of either lot by 20% or more of its original size; or
  - c) that adds an accretion to a lot.
2. Proposed lots within land to be subdivided may be reduced to 80% of the size otherwise permitted in the applicable zone provided that:
  - a) a maximum of 50% of the proposed lots 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;





- b) the average lot size of all lots within the subdivision conforms with the lot size permitted in the applicable zone; and
  - c) a Section 219 covenant in favour of the Regional District is registered against all lots in the subdivision prohibiting further subdivision of the land.
3. Lots that consist of 2 or more parts physically separated by the following:
- a) a highway which was dedicated prior to the adoption of this Bylaw;
  - b) the Englishman River, the portions of French Creek north of Highway 4A, or the Little Qualicum River;
  - c) a railway under the jurisdiction of the **Railway Act** and amendments thereto;
- may be subdivided along the dividing highway, the natural boundary of the noted streams, or the railway in spite of the fact that the newly created lots fail to meet the minimum lot size requirements of this bylaw, provided that requirements of the authority having jurisdiction are met with respect to the provision of water, method of sewage disposal, and access.
4. Lots proposed for subdivision pursuant to Section 946 of the **Local Government Act** shall be permitted provided that:
- a) all requirements of provincial legislation can be satisfied;
  - b) the lot proposed to be created by subdivision is a minimum of 1 ha in lot size;
  - c) the minimum size of the proposed remainder of the parent lot will meet the minimum lot size requirement under Section 4 of this bylaw; and
  - d) all other requirements of this bylaw can be met.
5. No lot shall be created which is divided into 2 or more non-contiguous portions of land, except a remainder, which is divided into non-contiguous portions by the width of a highway allowance, provided that:
- a) such a highway was in existence prior to the subdivision; and
  - b) it is impracticable to establish the non-contiguous portions as separate lots.

## 6.8 Servicing Requirements - General

The Regional District of Nanaimo hereby adopts the Master Municipal Construction Documents (MMCD) as its specifications for all works and services required pursuant to this bylaw.





### **6.9 Sewage Disposal**

1. Where a lot is proposed to be created and not served by a community sewer system, the authority having jurisdiction must be satisfied with the sewage disposal capability of the lot.
2. Any community sewer system, or part thereof, provided within the subdivision, to service the subdivision, or to connect the community sewage collection system within the subdivision to a trunk sewage main shall be designed, constructed, and installed at the expense of the owner of the land being subdivided and shall be carried out in accordance with the engineering and environmental standards as outlined in the MMCD.

### **6.10 Water Supply**

1. Where a lot to be created is not served by a community water system, the applicant shall provide reasonable proof to the satisfaction of the Approving Officer that a minimum year-round potable water supply of 3.5 m<sup>3</sup> per day can be provided for each lot being created.
2. Any community water system, or part thereof, provided within the subdivision, to service the subdivision or to connect the community water distribution system to a trunk water main shall be designed, constructed and installed at the expense of the owner of the land being subdivided and all public works shall meet the engineering and environmental standards as outlined in the MMCD.

### **6.11 Storm Water**

Any community storm water management and drainage works, or part thereof, provided within the subdivision, to service the subdivision or to connect the community storm water and drainage system to a trunk storm water main shall be designed, constructed and installed at the expense of the owner of the land being subdivided and all public works shall meet the engineering and environmental standards as outlined in the MMCD.



## DEVELOPMENT PERMIT AREAS<sup>1</sup>

## SECTION 7

### 7.1 Development Permit Area Organization

For the area covered by this bylaw, the Electoral Area F 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 Section 7 of this bylaw.

### 7.2 Freshwater and Fish Habitat Development Permit Area

#### 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 may be 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:

1. removal, alteration, disruption, or destruction of vegetation;
2. disturbance of soils; including grubbing, scraping and the removal of top soils;
3. construction or erection of buildings and structures;
4. creation of non-structural impervious or semi-impervious surfaces;
5. flood protection works;
6. construction of roads, trails, docks, wharves, and bridges; and
7. subdivision of land.

#### EXEMPTIONS

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

#### ***Exemptions Applicable to all Watercourses:***

1. 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

<sup>1</sup> Bylaw No. 1285.33, adopted December 4, 2018



exemption does not apply if the stream or watercourse ecosystem was previously filled or realigned without a development permit.

2. 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).
3. All park or parkland ancillary uses not containing commercial, residential, or industrial activities.
4. 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.

5. 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.
6. 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.
7. 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. Note that other provincial legislation such as the *Waste Management Act* and the *Water Sustainability Act* may apply to farm operation activities.



8. 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.
9. 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*.
10. 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.
11. 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.
12. Subdivision where the minimum lot size is met exclusive of the exclusive of the development permit area, and no works are proposed within the development permit area.

***Exemptions Applicable to Streams under the RAR only:***

13. 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.
14. 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 (QEP) 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.
15. 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 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:***

16. 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.

17. 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 development permit area while minimizing the extent of vegetation removal or disturbance and minimizing 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 five metres in height and 10 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.
18. 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.
19. 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 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.



## GUIDELINES

Development permits shall be issued in accordance with the following.

### ***Guidelines applicable to all watercourses:***

1. 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 near the 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 an explanation 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.
2. 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.
3. 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; and
  - e) an overall assessment of the ecological importance of the watercourse.
4. 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.
5. 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.

6. 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.
7. 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:***

8. 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.
9. 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.
10. 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.
11. 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:***

12. 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*.
13. 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.
14. 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.
15. 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.
16. 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.





 REGIONAL DISTRICT OF NANAIMO

  
BRITISH COLUMBIA  
Ministry of Environment

**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"