The Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.389, 2014”.

B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

1. In Part 2 Interpretation Section 2.1 Definitions by adding the following definition after ‘seafood processing’.

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

2. In Part 3 – Land Use Regulations Section 3.3 General Regulation is amended by adding the following after Section 3.3.12(h):

   i. Home Based Business shall not be permitted within a secondary suite nor by the occupants of a secondary suite elsewhere on the subject property.

   j. Bed and Breakfast shall not be permitted on a parcel that contains a suite.

   k. Where a secondary suite is located on a parcel less than 4,000 m² in area, the Home Based Business must:

      i)  be limited to one (1) business; and,
      ii) not include any non-resident home based business employees.

3. In Part 3 – Land Use Regulations Section 3.3 General Regulation is amended by adding the following after Section 3.3.15:

   16) Secondary Suites

      a) Secondary suites shall be permitted in the following zone classifications: RS1, RS1.1, RS2, and RU1 – RU10 (inclusive).

      b) 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.

      c) Notwithstanding Section 2.1, a secondary suite shall be permitted within an accessory building.
d) Secondary Suites shall be subject to the following requirements:

i) 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$^2$ of total floor space, whichever is lesser;

ii) must not be located within a duplex, manufactured home, or multiple dwelling unit development;

iii) must provide at least two (2) additional designated off-street parking spaces (at least one (1) must have direct access to the street);

iv) shall be maintained in the same real estate entity as the principal dwelling unit to which it is accessory;

v) must meet minimum setback requirements for a dwelling unit located in the applicable Zone Classification.

vi) must be limited to a maximum of two bedrooms and one cooking facility;

vii) must, on parcels without community sewer services, have the approval of the local Health Authority with respect to the provision of sewage disposal;

viii) must have its own entrance separate from that of the principal dwelling unit; and,

ix) must not be used for short term (less than one month) rentals.

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

i) The minimum site area requirement shall be 800 m$^2$ for parcels serviced with community water and community sewer or 8,000 m$^2$ in all other cases.

ii) Notwithstanding any other provision in this Bylaw, the maximum height of a building containing a suite shall be 8.0 metres;

iii) The maximum floor area of an accessory building containing a secondary suite shall not exceed 40% of the habitable floor space of the principal dwelling unit which it is associated with nor 90 m$^2$ of total floor space, whichever is lesser.

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

f) Home Based Business shall be in accordance with Section 3.3.12.
g) 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.

4. In Part 3 — Land Use Regulations Section 3.4 Regulations for Each Zone is amended by adding ‘Secondary Suite’ as a Permitted Use as follows:

   I. Section 3.4.61 — 3.4.61.1 Residential 1 and Residential 1.1 Zone after b) Residential Use.

   II. Section 3.4.62 0 — Residential 2 Zone after b) Residential Use- per dwelling unit.

   III. Section 3.4.81- Rural 1 Zone — after f) Silviculture.

   IV. Section 3.4.82 — Rural 2 Zone — after i) Silviculture.

   V. Section 3.4.83 — Rural 3 Zone — after g) Wood Processing.

   VI. Section 3.4.84 — 3.4.89 Rural 4 — Rural 9 Zones — after f) Silviculture.

   VII. Section 3.4.810 — Rural 10 Zone — after b) Home Based Business.

Introduced and read two times this 28th day of January, 2014.

Read a second time as amended this 25th day of March, 2014.

Public Hearing held this 7th day of April, 2014.

Read a third time this 22nd day of April, 2014.

Approved by the Minister of Transportation and Infrastructure pursuant to the Transportation Act this 30th day of April, 2014.

Adopted this 27th day of May, 2014.

[Signatures]
Chairperson
Corporate Officer