

**REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1285.29**

**A Bylaw to Amend Regional District of Nanaimo
Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002**

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 Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.29, 2018".
- B. The "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002", is hereby amended as follows:
1. Under **SECTION 2, GENERAL REGULATIONS, 2.9 Setbacks – Buildings and Structures** by deleting Subsection f) 1) XIV. and replacing it with the following:

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| XIV. | Gathering for an Event - All buildings, structures or event area | 30.0 metres |
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2. Under **SECTION 2, GENERAL REGULATIONS, 2.9 Setbacks – Buildings and Structures** by adding the following subsection after 2.9 f) 1) XIV:

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| XV. | All other agricultural buildings and structures | Front and exterior side lot lines 4.5 metres All other lot lines 2.0 metres |
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3. Under **SECTION 2, GENERAL REGULATIONS** by adding the following text into Subsection **2.17 Parking – Table 2.2 REQUIRED PARKING SPACES**:

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| 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. |
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4. Under **SECTION 2, GENERAL REGULATIONS, 2.20 Accessory Farm** Use Regulations by adding the following Subsection after 2.20 5:

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 m²; and
- g. no more than 10 gatherings for an event of any type may occur on the farm within a single calendar year.

5. Under **SECTION 2, GENERAL REGULATIONS**, by deleting Subsection **2.21** and replacing it with the following:

2.21 Temporary Use Permits for Farmers' Markets and Gathering for an Event

In accordance with the *Local Government Act*, the RDN may support temporary use permits for farmers' markets and gathering for an event on any parcel within the area covered by this bylaw.

The following conditions and criteria will be included in the RDN's consideration of such applications depending on the nature of the application being considered.

- a) Where the land is in the ALR, approval from the Provincial Agricultural Land Commission is required.
- b) The RDN may specify conditions of approval including, but not limited to, environmental protection measures, hours of operation, buffering between adjacent uses, parking, and groundwater protection and may require the posting of a bond or other applicable security to ensure compliance with the condition of the permit.
- c) The RDN will consider the impact on local road networks and on-site parking.
- d) The RDN may consider any other condition or criteria as deemed necessary by the RDN.

6. Under **SECTION 4, ZONES, 4.1 A-1 – AGRICULTURE 1** by adding the following Subsection after 4.1.3 d):

e) Gathering for an Event

7. Under **SECTION 5, DEFINITIONS** by deleting and adding the following definition in:

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;

8. Under **SECTION 5, DEFINITIONS** by adding the following definitions in alphabetical order:

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;

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

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

Introduced and read two times this 27th day of March, 2018.

Public Hearing held this 16th day of April, 2018.

Read a third time this 24th day of April, 2018.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this 3rd day of May, 2018.

Adopted this 22nd day of May, 2018.



CHAIR



CORPORATE OFFICER