

CITY OF NANAIMO

BYLAW NO. 4500.186

A BYLAW TO AMEND THE "CITY OF NANAIMO ZONING BYLAW 2011 NO. 4500"

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WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 466, 469, 479, 480, 481, 482, and 548 of the *Local Government Act*;

THEREFORE BE IT RESOLVED the Municipal Council of the City of Nanaimo, in open meeting assembled, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Zoning Bylaw Amendment Bylaw 2021 No. 4500.186".
2. The "City of Nanaimo Zoning Bylaw 2011 No. 4500" is hereby amended as follows:
  - (1) In Part 5 – Definitions, by deleting the definition of 'Dwelling Unit' and replacing with the following:

**DWELLING UNIT** – means a habitable room consisting of a self-contained unit with a separate entrance for the residential accommodation of only one family and contains a cooking facility but excludes all accommodation for the travelling public other than a Short-Term Rental.
  - (2) In Part 5 – Definitions, by adding the following definition of 'Primary Residence' between 'Pharmacy' and 'Principal Building':

**PRIMARY RESIDENCE** – means the dwelling unit that a person resides in for at least eight months per calendar year, and that a person declares for legal purposes, including voter registration, filing of income taxes, British Columbia Driver's Licence, British Columbia Medical Services Card, Home Owner Grant, and British Columbia Identification Card.
  - (3) In Part 5 – Definitions, by adding the following definition of 'Short-Term Rental' between 'Shopping Centre' and 'Side Yard':

**SHORT-TERM RENTAL** – means the temporary rental (less than 30 consecutive days) of a portion of or the entire dwelling unit, secondary suite or room located on a property that is zoned to permit residential use. This definition specifically includes Bed and Breakfast.
  - (4) In Part 6 – General Regulations, by deleting Sub-Section 6.16 - Bed and Breakfast and replacing it with the following:

**6.16 SHORT-TERM RENTAL**

6.16.1 A Short-Term Rental may be established in any dwelling unit provided the Short-Term Rental is located within the operator's Primary Residence.

6.16.2 The number of guestrooms and guests permitted at one time within a Short-Term Rental shall not exceed the following:

<b>Zones</b>	<b>Maximum Number of Guest Rooms</b>	<b>Maximum Number of Guests</b>
<b>R1/ R1a/ R1b to R5, R7, R10 to R14, AR1, AR2 and CS1</b>	2	4
<b>R6, R8, R9, R15, COR1, COR2, COR3, CC1, CC2, CC3, CC4, CC5, CC6, DT1 to DT12, W2, W3, CD1, CD2, CD4 to CD10</b>	4	6

6.16.3 When a Short-Term Rental is operating within a single residential dwelling which contains a secondary suite, the number of bedrooms in the secondary suite is included when calculating the maximum number of guestrooms permitted, as outlined in Subsection 6.16.2.

6.16.4 When a Short-Term Rental is operating within a single residential dwelling which also includes rooms for boarders and lodgers, the number of rooms and boarders and lodgers shall be included when calculating the maximum number of guestrooms and guests permitted, as outlined in Subsection 6.16.2.

- (5) By amending sub-subsection 7.2.3 by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: R1/R1a/R1b, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13, R14, and R15.
- (6) By amending sub-subsection 8.2.2 by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: AR1 and AR2.
- (7) By amending sub-subsection 9.2.1 by deleting 'Bed and Breakfast' as a permitted use.
- (8) By adding the following as Subsection 9.2.4:

The uses listed in the following table shall be permitted as an accessory use where indicated with an 'A' within each zone as per the Conditions of Use specified:

<b>Use</b>	<b>Zones</b>			<b>Conditions of Use</b>
	<b>COR1</b>	<b>COR2</b>	<b>COR3</b>	
<b>Short-Term Rental</b>	<b>A</b>	<b>A</b>	<b>A</b>	Subject to Part 6

- (9) By amending Section 10.2.4 by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: CC1, CC2, CC3, CC4, CC5, and CC6.
- (10) By amending sub-section 11.2.3 by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: DT1, DT2, DT3, DT4, DT5, DT6, DT7, DT8, DT9, DT10, DT11, DT12
- (11) By amending sub-section 14.2.2 by adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: CS1
- (12) By amending sub-section 15.2.2 by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6' in the following zones: W2 and W3.
- (13) By amending sub-section 16.9.1 in the CD9 zone by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6'.
- (14) By amending sub-section 16.10.1 in the CD10 zone by deleting 'Bed & Breakfast' as a permitted accessory use and adding 'Short-Term Rental' after 'Secondary Suite' with the Condition of Use 'Subject to Part 6'.

PASSED FIRST READING: 2021-SEP-21

PASSED SECOND READING: 2021-SEP-21

PUBLIC HEARING HELD: 2021-OCT-21

PASSED THIRD READING: 2021-OCT-21

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE: 2021-NOV-26

ADOPTED: \_\_\_\_\_

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MAYOR

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CORPORATE OFFICER