

**REGIONAL DISTRICT OF NANAIMO**

**LAND USE AND SUBDIVISION BYLAW NO. 500**



**REGIONAL DISTRICT OF NANAIMO**

**BYLAW NO. 500**

**PART 1**

**ADMINISTRATION**

## PART 1 ADMINISTRATION

### 1.1 Enactment

- 1) Part 3 of this Bylaw shall be deemed to be a zoning bylaw pursuant to Section 903 of the **Local Government Act** and amendments thereto.
- 2) Schedules '3C' and '3D' of this Bylaw are enacted pursuant to Section 903 and 694 of the **Local Government Act** and amendments thereto.
- 3) Schedule '3F' of this Bylaw is enacted pursuant to Section 909 of the **Local Government Act** and amendments thereto.<sup>1</sup>
- 4) Part 4 of this Bylaw shall be deemed to be a subdivision bylaw pursuant to Sections 938 and 946 of the **Local Government Act** and amendments thereto.
- 5) For the purpose of this Bylaw, the schedules referred to herein are attached hereto and form an integral part of this Bylaw.
- 6) The following Bylaws are hereby repealed upon adoption of this Bylaw:
  - a) Subdivision and Zoning Regulations adopted by the Regional District of Nanaimo under the provisions of Order-in-Council No. 2929/70 and amendments thereto;
  - b) Greater Nanaimo Advisory Planning Commission Bylaw No. 25, 1970;
  - c) Regional District of Nanaimo Board of Variance Bylaw No. 26, 1970, and amendments thereto;
  - d) Nanoose Bay Advisory Planning Commission Bylaw No. 33, 1971, and amendments thereto;
  - e) Parksville-Qualicum Advisory Planning Commission Bylaw No. 35, 1971, and amendments thereto;
  - f) Deep Bay-Little Qualicum Advisory Planning Commission Bylaw No. 36, 1971;
  - g) South Nanaimo Advisory Planning Commission Bylaw No. 48, 1971, and amendments thereto;
  - h) Regional District of Nanaimo Zoning Bylaw No. 53, 1973, and amendments thereto;
  - i) Regional District of Nanaimo Zoning Bylaw No. 55, 1972, and amendments thereto;
  - j) Untidy and Unsightly Premises Bylaw No. 62, 1972, and amendments thereto;
  - k) Cedar Advisory Planning Commission Bylaw No. 65, 1972;
  - l) Cranberry-Bright Advisory Planning Commission Bylaw No. 66, 1972, and amendments thereto;
  - m) Untidy and Unsightly Premises Bylaw No. 70, 1972;
  - n) Zoning Bylaw Notice Authorization Bylaw No. 106, 1973;
  - o) Untidy and Unsightly Premises Bylaw No. 108, 1973;
  - p) Regional District of Nanaimo Zoning Bylaw No. 159, 1974, and amendments thereto;
  - q) Nanoose Bay Advisory Planning Commission Boundary Amendment Bylaw No. 167, 1974;
  - r) Shaw Hill-Deep Bay Advisory Planning Commission Bylaw No. 170, 1974, and amendments thereto;

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<sup>1</sup> Bylaw No. 500.20 – adopted June 18, 1991

- s) Regional District of Nanaimo Zoning Bylaw No. 178, 1975, and amendments thereto;
- t) Lantzville Planning Commission Bylaw No. 200, 1975, and amendments thereto;
- u) Regional District of Nanaimo Zoning Bylaw No. 203, 1975, and amendments thereto;
- v) Untidy and Unsightly Premises Bylaw No. 242, 1976, and amendments thereto;
- w) Regional District of Nanaimo Zoning Bylaw No. 260, 1976, and amendments thereto;
- x) Gabriola Island Planning Establishment Bylaw No. 295, 1976;
- y) Regional District of Nanaimo Zoning and Subdivision Bylaw No. 395, 1981 and amendments thereto;
- z) Regional District of Nanaimo Zoning Consolidation and Subdivision Bylaw No. 444, 1980, and amendments thereto;
- aa) Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1984, and amendments thereto;
- bb) Regional District of Nanaimo Mobile Home Parks Bylaw No. 502, 1979;
- cc) Regional District of Nanaimo Rezoning Application Fee Bylaw No. 527, 1981;
- dd) Regional District of Nanaimo Advisory Planning Commission Bylaw No. 588, 1982.

## 1.2 Other Legislation

- 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 General Prohibition

No person shall:

- a) cause, suffer or permit any building or structure to be used, located, constructed, altered, moved or extended;
- b) use any building or structure constructed, moved or altered;
- c) cause, suffer or permit land to be used;
- d) use land;
- e) subdivide land;
- f) use land without providing off-street parking and loading spaces;

in contravention of this Bylaw or otherwise fail to comply with the requirements of this Bylaw.

## 1.4 Inspection

The Planning Director and his deputies may enter, at all reasonable times, upon any land subject to the regulations of this Bylaw, to ascertain whether such regulations are being obeyed, provided that:

- a) consent to inspect the land has been obtained from the owner or occupier of the land; or

- b) where such consent has been refused, notice of the intent to inspect has been given to the owner or occupier no less than 24 hours prior to the time of inspection.

**1.5 Violation**

Any person who violates any of the provisions of this Bylaw or who suffers or permits any act or thing to be done in contravention of this Bylaw or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw, shall be deemed to have violated the provisions of this Bylaw.

**1.6 Penalty**

Any person who violates any of the provisions of this Bylaw shall, upon summary conviction thereof, be liable to a penalty of not more than \$2,000.00.

**1.7 Severability**

If any section, subsection, sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court, such section subsection, sentence, clause or phrase may be severed from the remaining portion of this Bylaw.