REGIONAL DISTRICT OF NANAIMO
BYLAW NO. 1285.22
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. 1285.22, 2014".

B. The "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002", is hereby amended as follows:

1. **Section 5 Definitions**, by deleting the definition of "floor area" and replacing with the following:

   floor area 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.

2. **Section 5 Definitions**, by inserting the following definition after "Medical Marihuana Production":

   Micro Wind Turbine System 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.

3. **Section 5 Definitions**, by inserting the following definition after "Silviculture":

   Small Wind Turbine System 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.

4. **Section 2 General Regulations**, by renaming subsection 2.9 Setbacks to:

   2.9 Setbacks – Buildings and Structures

   and add the following text after d):

   e) Micro wind turbine systems

      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.

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.

f) Small wind turbine systems

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.

5. **Section 2 General Regulations, subsection 2.11 Setback Exemptions**, by adding the following text after h):

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.

6. **Section 2 General Regulations, subsection 2.12 Height Exemptions**, by adding the following text after i):

j) Components of solar photovoltaic and solar thermal systems where:

(i) On a parcel less than 5,000 m^2 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^2 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.

Introduced and read two times this ___ day of _____ 20__.

Public Hearing held this ___ day of _____ 20__.

Read a third time this ___ day of _____ 20__.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this ___ day of _____ 20__.

Adopted this___ day of _____ 20__.

Chairperson	Corporate Officer