

PART 15 - WATERFRONT

15.1 DESCRIPTION OF ZONES

Zone	Abbreviation	Intent of Zone
Waterfront	W1	This zone provides for public access to the waterfront and encourages the enjoyment and exploration of the City's marine environment.
Harbour Waterfront	W2	This zone provides for active marine uses, such as ship yards, fishing fleet support, float homes, moorage and water-based transportation. Marine retail, tourism, and recreational activities will also be permitted. Medium density residential development will also be permitted in this zone and supports a building height of up to four storeys.
Newcastle Waterfront	W3	This zone provides for a mix of uses, including marinas and marine related uses, commercial, recreational, open space, and pedestrian activity. Low to Medium density residential uses are permitted in this zone.
Industrial Waterfront	W4	This zone provides for waterfront uses intended to support the upland heavy industrial uses.

(4500.002; 2011-OCT-03)

15.2 PERMITTED USES

15.2.1 The following uses shall be permitted in the specified waterfront zones:

Use	Zones				Conditions of Use
	W1	W2	W3	W4	
Boat Construction and Repair	--	P	--	P	
Boat and Marine Sales, Service and Rental	--	P	P	--	
Cannabis Retail Store	--	SS	--	--	
Canoe and Kayak Rental	P	P	P	--	The Gross Floor Area of any building constructed for canoe and kayak rentals within the W1 and W3 zones shall not exceed 70m ² .
Convention Centre	--	P	P	--	
Cruise ship Terminal	--	P	--	--	
Ferry Terminal	--	P	P	P	
Floats and Wharves	P	P	P	P	
Hotel	--	P	--	--	
Log Sorting and Storage	--	--	--	P	
Marina	--	P	P	P	
Marine Equipment Sales	--	P	P	--	

Use	Zones				Conditions of Use
	W1	W2	W3	W4	
Marine Fueling Station	--	P	P	P	
Moorage	--	P	P	--	
Multiple Family Dwelling	--	P	P	--	
Museums	--	P	P	--	
Neighbourhood Pub	--	P	P	--	
Piers and Walkways	P	P	P	P	
Public Markets	--	P	--	--	
Railway Yards	--	--	--	P	
Recreational Facility	--	P	P	--	
Research Facility	--	P	--	--	
Restaurant	--	P	P	--	
Retail	--	P	P		The Gross Floor Area of each retail store shall not exceed 500m ² .
Seaplane Terminal	--	P	--	--	
Seafood Processing	--	--	--	P	
Seafood Sales	--	P	--	--	
Single Family Dwelling	--	--	--	--	
Storage of Flammable and Combustible Liquids	--	--	--	P	
Tourist Facility	--	P	P	--	
Truck Terminal	--	--	--	P	
Water taxi	--	P	P	--	
Yacht Club	--	P	P	--	

(4500.002; 2011-OCT-03) (4500.068; 2014-SEP-08) (4500.178; 2020-AUG-31)

P = Permitted use

SS = Permitted as a Site Specific Use

-- = Use not permitted in this zone

15.2.2 The following uses shall be permitted as an accessory use within the specified zones:

Use	Zones				Conditions of Use
	W1	W2	W3	W4	
Float Homes	--	A	--	--	Float homes shall be permitted as an accessory use in a marina within the W2 zone provided not more than 50% of the moorage space of the marina on which the float home is located is occupied by float homes. The maximum allowable height of a float home shall not exceed 8.25m as measured from the surface of the water.
Office	--	A	A	A	
Seafood Processing	--	A	--	--	Seafood processing is permitted in the W2 zone as an accessory to a seafood sales or restaurant use and must be contained within a building.
Single Family Dwelling	--	A	A	A	One dwelling unit permitted in the W2, W3, W4 and W5 zones as an accessory use.
Short-Term Rental	--	A	A	--	Subject to Part 6

A = Use permitted as an accessory use
 -- = Use not permitted in this zone

(4500.002; 2011-OCT-03) (4500.186; 2022-FEB-07)

15.2.3 Notwithstanding Subsection 15.2.1 the following uses shall be permitted on site specific basis:

Use	Permitted Location Address	Legal Description of Permitted Located
Cannabis Retail Store	1840 Stewart Avenue	LEASE PL220 HELD BY THE PROVINCE FOR PUBLIC MARKET/MARINA, NANAIMO DISTRICT, PERMIT# 112942 BLK I, DL 227 & DL 2079 TOGETHER WITH THT PRT OF BLOCK K & DL 2078 FOR MARINA, RESTAURANT, PUB, MARINE COMMERCIAL RETAIL SALES & SERVICES PURPOSES

(4500.178; 2020-AUG-31)

15.3 DENSITY

15.3.1 The maximum allowable density per lot in each respective zone shall be as follows:

Zone	Base Residential Density	Additional Density
W1	No residential units shall be permitted.	
W2	1.00	Additional density shall be permitted as follows: +0.25 where at least 50% of the required parking is underground. +0.25 for development which possess continuous tourist accommodation, and / or tourist facilities and / or public markets of at least 10% of the total floor area with at least one other permitted use. +0.15 where dedicated public access to the waterfront is provided.
W3	0.25	+0.15, where a minimum of 3m wide dedicated public access to the waterfront is provided.
W4	No more than one accessory residential unit shall be permitted	

15.4 LOT SIZE AND DIMENSIONS

Zone	Minimum Lot Area	Minimum Lot Depth	Minimum Lot Width
W1	N/A	N/A	N/A
W2	900m ²	30m	30m
W3	900m ²	20m	30m
W4	900m ²	30m	20m

15.5 SITING OF BUILDINGS

15.5.1 A principal building must be set back from the property lines, as follows:

Zone	Front Yard - Parking	Side Yard	Flanking Side Yard	Rear Yard
W1	4.5m	N/A	1.5m	4m
W2	4.5m	3m in width for one side yard and 6m for the other	4m	10m Except where a restaurant or neighbourhood pub extends no more than 50% of the width of the lot, in which case rear yard setback is not required for the restaurant or neighbourhood pub use.
W3	4.5m	3m in width for one side yard and 6m for the other	4m	10m Except where a restaurant or neighbourhood pub extends no more than 50% of the width of the lot, in which case a rear yard setback is not required for the restaurant or neighbourhood pub use.
W4	0m	0m	0m	0m

15.5.2 Notwithstanding Subsection 15.5.1, general provisions in Part 6 of this Bylaw for the siting of buildings near watercourses will also apply.

15.5.3 Notwithstanding Subsection 15.5.1, where a property line abuts a major road, an additional 2.5m front and/or flanking side yard setback is required when the dedication to achieve the required right-of-way width has not occurred to facilitate the widening of the major road. **(4500.182; 2021-DEC-06)**

15.6 SIZE OF BUILDINGS

15.6.1 The maximum lot coverage and height of a principal dwelling shall be as follows:

Zone	Lot Coverage	Height of a Principal Building	Additional Height
W1	20%	4.5m	N/A
W2	50%	11m	Where at least 60% of the required parking area is located below or beneath a building, an additional 3m of height shall be permitted.
W3	40%	9m	N/A
W4	50%	9m	N/A

15.6.2 Within the W2 and W3 Zones, the height of a principal building shall be measured from the elevation on the centre line of the street on which the site abuts to the highest point of the building, taken as an average of the highway elevation. **(4500.073; 2015-MAR-16)**