

CITY OF NANAIMO

BYLAW NO.4500.249

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

WHEREAS the Council may zone land, by bylaw, pursuant to Sections 464, 465, 469, 479, 480, and 481 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 “ZONING AMENDMENT BYLAW 2026 NO. 4500.249”.
2. The “City of Nanaimo Zoning Bylaw 2011 No. 4500” is hereby amended as follows:
 - (a) By rezoning the lands legally described as LOT A, SECTION 21, RANGE 3, SECTION 21, RANGE 2 AND 3, SECTION 22, CEDAR DISTRICT, PLAN EPP129133 (950 Phoenix Way) from Rural Resource (AR1) to Industrial (I4) and Parks, Recreation and Culture One (PRC-1) as shown on Schedule A.’
 - (b) By adding the following definitions in “Part 5 – Definitions” in alphabetical order:

FARM OPERATION - means the use of land for intensive agriculture which shall be limited to commercial greenhouses, mushroom, tree fruit and berry/vegetable production.

TEMPORARY FARM WORKER HOUSING - means one or more temporary buildings consisting of sleeping units that typically share common areas, including kitchens and baths, and are used exclusively for the accommodation of farm workers, including farm workers registered with the Federal Seasonal Agricultural Worker Program (SAWP) or similar government program.

- (c) By amending the “Permitted Uses” table in section 13.2.1 by adding the following:

Use	Zones				Conditions of Use
	I1	I2	I3	I4	
Agriculture	--	--	--	SS	

- (d) By amending the table in section 13.2.2 by adding the following permitted accessory use:

Use	Zones				Conditions of Use
	I1	I2	I3	I4	
Temporary Farm Worker Housing	--	--	--	A	Subject to Section 13.3

- (e) By amending the table in section 13.2.3 by adding the following permitted site-specific use:

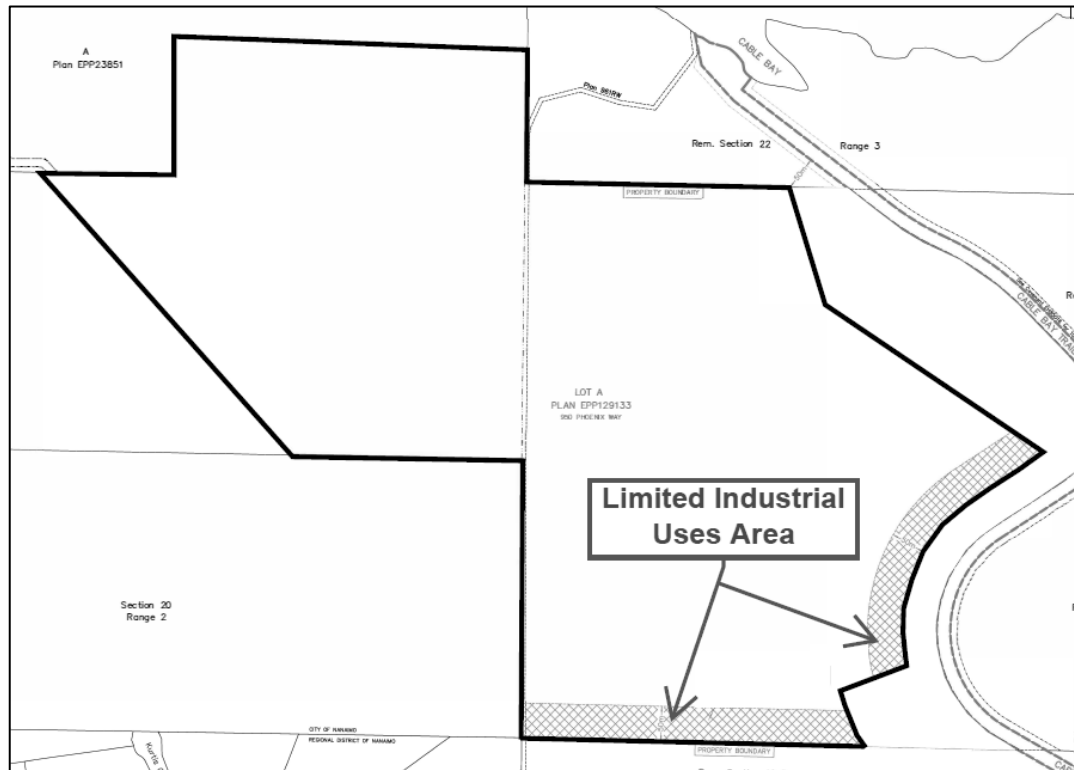
Use	Permitted	
	Location Address	Legal Description of Permitted Location
Agriculture	950 Phoenix Way	LOT A, SECTION 21, RANGE 3, SECTION 21, RANGE 2 AND 3, SECTION 22, CEDAR DISTRICT, PLAN EPP129133

(f) By adding the following after section 13.2.3

13.2.4 Notwithstanding 13.2.1, the following uses are prohibited within that portion of the lands legally described as LOT A, SECTION 21, RANGE 3, SECTION 21, RANGE 2 AND 3, SECTION 22, CEDAR DISTRICT, PLAN EPP129133 (950 Phoenix Way) highlighted in grey in Figure 13-A below:

- (a) Automobile Salvage and Wrecking Yard
- (b) Chemical Plant
- (c) Composting Facility
- (d) Concrete Asphalt Plant
- (e) Livestock Processing
- (f) Petroleum Processing
- (g) Recycling Depot
- (h) Seafood Processing
- (i) Storage of Flammable and Combustible Materials
- (j) Tow Truck Dispatch and Storage Yard
- (k) Waste Transfer
- (l) Wood and Paper Processing

Figure 13-A:



(g) By adding a new section 13.3 as follows and by making consequential numbering alterations:

13.3 DENSITY

13.3.1 Temporary farm worker housing shall be permitted as an accessory use where an agriculture use exists on the same lot, subject to the following conditions of use:

- (a) Temporary farm worker housing shall only be permitted on a lot with a minimum lot size of 4 ha.

- (b) The total number of temporary farm workers shall not exceed 1 temporary farm worker per 500m² of gross floor area of farm buildings used for a farm operation, to a maximum of 320 temporary farm workers for the lands legally described as LOT A, SECTION 21, RANGE 3, SECTION 21, RANGE 2 AND 3, SECTION 22, CEDAR DISTRICT, PLAN EPP129133 (950 Phoenix Way).
 - (c) The maximum gross floor area for temporary farm worker housing shall be 10m² per temporary farm worker.
 - (d) The owner shall:
 - i. Enter into a Housing Agreement with the City, as per Section 483 of the *Local Government Act* specifying that the temporary farm worker housing will only be used by temporary farm workers; and
 - ii. Register a *Land Title Act* Section 219 covenant specifying that the temporary farm worker housing will be removed if the housing is vacant for two consecutive years.
- (h) By adding the following above the "Lot Size and Dimensions" table within section 13.3:
- 13.4.1 The following table specifies the minimum lot size, minimum lot frontage and minimum lot depth of all industrial lots within the corresponding zone:
- (i) By adding the following after the "Lot Size and Dimensions" table within section 13.3:
- 13.4.2 Notwithstanding 13.4.1, the minimum lot size shall be 2 hectares for the lands legally described as LOT A, SECTION 21, RANGE 3, SECTION 21, RANGE 2 AND 3, SECTION 22, CEDAR DISTRICT, PLAN EPP129133 (950 Phoenix Way).
- (j) By amending Section 13.6 by adding the following:
- 13.6.3 Notwithstanding Subsection 13.6.1, for farm buildings the maximum lot coverage shall be 75% for the lands legally described as LOT A, SECTION 21, RANGE 3, SECTION 21, RANGE 2 AND 3, SECTION 22, CEDAR DISTRICT, PLAN EPP129133 (950 Phoenix Way).

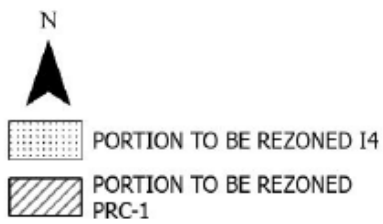
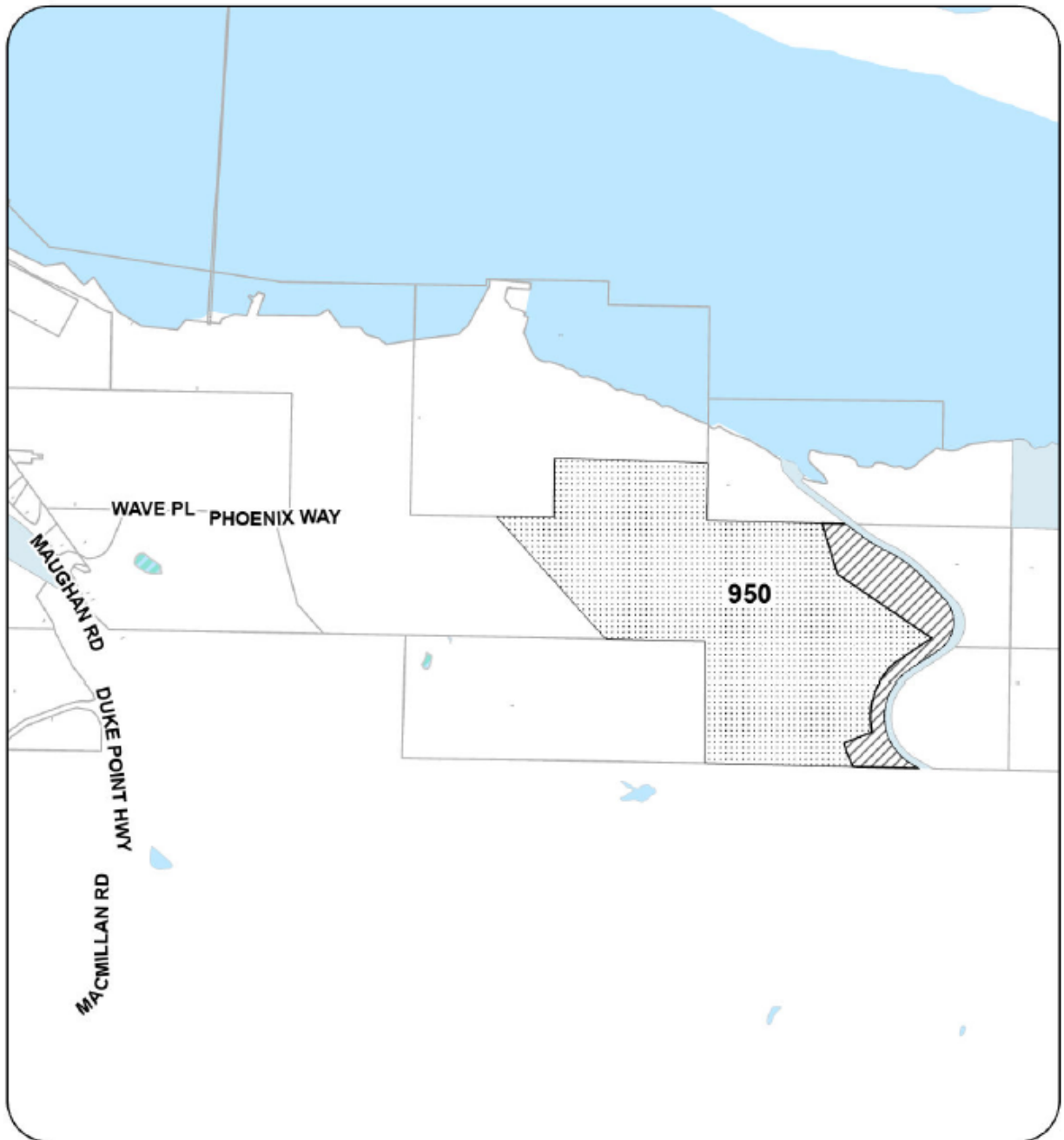
PASSED FIRST READING: 2026-MAR-23
PASSED SECOND READING: 2026-MAR-23
PUBLIC HEARING HELD: _____
PASSED THIRD READING: _____
ADOPTED: _____

MAYOR

CORPORATE OFFICER

File: RA000503
Address: 950 Phoenix Way

SCHEDULE A



REZONING APPLICATION NO. RA000503

CIVIC: 950 PHOENIX WAY
LEGAL: LOT A, SECTION 21, RANGE 2 AND 3 SECTION CEDAR DISTRICT
PLAN EPP129133