

4.6 Permitted and Conditional Uses: Marine Zones

4.6.1 Permitted and Conditional Uses Table: Marine Zones

Use	W1	W1-U	W2	W3
Accessory Use, Building or Structure	P	P	P	
Artist Studio	P	P		
Boathouse			C (4.6.16)	
Boat Launch	P		P	
Boat Repair and Manufacturing	P	C (4.6.6)	C (4.6.6)	
Boat Sales and Rental	P	P	P	
Breakwater			P	P
Brew Pub	C (4.6.2) and (4.6.3)	C (4.6.2) and (4.6.3)		
Class 1 Restaurant	C (4.6.3)	C (4.6.3)	C (4.6.3)	
Class 2 Restaurant	C (4.6.3)	C (4.6.3)	C (4.6.3)	
Customs Facility	P	P	P	
Dwelling Unit	C (4.6.4)	C (4.6.4)		
Education Facility	C (4.6.7)	C (4.6.7)	C (4.6.7)	
Fishing Pier				P
Home Occupation	C (4.6.5)	C (4.6.5)	C (4.6.5)	
Liveaboard			C (4.6.14)	
Loading / Unloading of Marine Cargo	P		P	
Marina	P		P	
Marine Dry Storage	C (4.6.15)	C (4.6.15)		
Marine Fueling Station	P		P	
Marine Fuel Storage	C (4.6.11)			
Marine Rental or Charter Operation	P	P	P	
Office	C (4.6.8)	P	C (4.6.8)	
Outdoor Retail	C (4.6.17)	C (4.6.17)		
Outside Storage	C (4.6.10)	C (4.6.10)		
Pub	C (4.6.3)	C (4.6.3)	C (4.6.3)	
Recreation Rental		P	P	
Retail Sales	C (4.6.12)	C (4.6.13)	C (4.6.12)	
Warehousing, Closed Storage, or Distribution	C (4.6.9)	C (4.6.9)		

4.6.2 Conditional Use Regulations for Brew Pubs

- a. The floor area of the brewing component shall not exceed 200 square metres.

4.6.3 Mitigation of Noise Impacts

- a. Outdoor live or amplified music is not permitted.

- b. All indoor service uses that includes amplified sound as part of their regular operations shall be soundproofed so that the sounds created by such use are not audible on any private property beyond the boundaries of the property on which the use is operated.

4.6.4 Conditional Use Regulations for Dwelling Units

- a. Dwelling units:
 - i. are subject to a restrictive covenant expressing knowledge of surrounding marine industrial and commercial uses;
 - ii. are permitted only on land lots above the natural boundary;
 - iii. are only permitted in conjunction with another permitted or conditional use; and
 - iv. in the W1-U zone, are not permitted within the first storey of a building.

4.6.5 Conditional Use Regulations for Home Occupations

- a. Home occupations shall:
 - i. be conducted wholly within the dwelling unit;
 - ii. have only residents of the dwelling unit engaged in on-site business activities;
 - iii. not use any equipment or process which creates impacts that are detectable outside of the dwelling unit to the normal senses, including, but not limited to:
 - i. noise;
 - ii. fumes;
 - iii. dust;
 - iv. smoke;
 - v. vibration;
 - vi. glare;
 - vii. odours; or
 - viii. electrical interference which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in live voltage outside of the dwelling unit.
 - iv. not involve the display or retail sale of goods, wares, merchandise or foodstuffs from the property;
 - v. not change the outside appearance of the dwelling unit, or create other visible evidence of their existence except as permitted by the Sign Bylaw;
 - vi. involve no external storage of materials, containers, finished products or equipment;
 - vii. not generate vehicle traffic, parking or loading in greater volumes than would normally be expected in a neighbourhood; and
 - viii. not exceed a maximum of one home occupation per dwelling unit.
- b. All home occupations shall be clearly incidental and subordinate to the dwelling unit, such that a home occupation shall not exceed 30% of the gross floor area of the dwelling unit or 50 square metres, whichever is less.
- c. High traffic home occupations are not permitted.

4.6.6 Conditional Use Regulations for Boat Repair and Manufacturing

- a. Outdoor boat repair and manufacturing shall not use any equipment or process which creates excessive levels of noise, odour, fumes, dust and/or smoke that are detectable beyond the boundaries of the lot on which the use is operated.

4.6.7 Conditional Use Regulations for Marine-Oriented Education

- a. Education shall be limited to marine-related training.

4.6.8 Conditional Use Regulations for Offices

- a. Office uses in this zone shall be limited to marine-related businesses or organizations.

4.6.9 Conditional Use Regulations for Warehousing, Closed Storage, or Distribution

- a. Warehousing, closed storage or distribution shall be permitted only for boats or marine equipment and shall be in conjunction with the following uses:
 - i. manufacturing, sale, repair or maintenance of boats or marine equipment; and/or
 - ii. loading and unloading of marine cargo.

4.6.10 Conditional Use Regulations for Outside Storage

- a. Outside storage shall be:
 - i. shall be screened as per **Section 6.2.b**; and
 - ii. permitted only as an accessory use to maintenance facilities for the manufacturing, sale, repair, and maintenance of boats.

4.6.11 Conditional Use Regulations for Fuel Storage

- a. Fuel storage shall be underground and shall be utilized for the purpose of the distribution of boat fuel only.

4.6.12 Conditional Use Regulations for Retail Sales

- a. Retail sales area shall:
 - i. be located in the first storey only; and
 - ii. be restricted to the sale of marine-related goods only.

4.6.13 Conditional Use Regulations for Orientation of Retail Sales

- a. Retail sales area shall:
 - i. front directly onto a street; and
 - ii. be located in the first storey only.

4.6.14 Conditional Use Regulations for Liveboards

- a. Liveboards shall:
 - i. be permitted only in marinas;
 - ii. take up no more than 15% of the moorage capacity of a marina at any one time. Moorage capacity shall be the number of berths, as noted in the marina business licence issued by the Town for the appropriate year; and
 - iii. be required to utilize holding tanks.

4.6.15 Conditional Use Regulations for Marine Dry Storage

- a. Shall be screened as per **Section 6.2.b**.

4.6.16 Conditional Use Regulations for Boathouses

- a. Boathouses shall only be permitted in areas designated as Harbour Road Marine by the Town of Sidney Official Community Plan.

4.6.17 Conditional Use Regulations for Outdoor Retail

- a. Outdoor retail shall not be the primary use on the property.
- b. The vending area for each vendor shall not exceed an area of 20 square metres.
- c. The entire vending area shall not exceed 15% of the subject lot area.
- d. Hours of operation for outdoor retail shall be seven days a week between the hours of 7:00a.m. and 9:00 p.m.
- e. Outdoor retail operations shall be removed from the lot between the hours of 10:00 p.m. and 6:00 a.m.