

**DISTRICT OF LANTZVILLE
BYLAW NO. 60.29**

A Bylaw to Amend District of Lantzville Zoning Bylaw No. 60, 2005

The Council of the District of Lantzville, in open meeting assembled, enacts as follows:

A. **Schedule 'A'** of "District of Lantzville Zoning Bylaw No. 60, 2005", is hereby amended as follows:

1. Under **PART 2 INTERPRETATION**, following the definition of 'Community water system', by adding the following:

Compost: means a product of composting which is used as a soil amendment, artificial topsoil or growing medium, or for some other application to land.

Composting: means the transformations of raw organic materials into biologically stable, humic substances suitable for a variety of soils and plant uses.

2. Under **PART 2 INTERPRETATION**, following the definition of 'Marine fuel supply station', by adding the following:

Market gardening: means the commercial production of crops such as fruits, vegetables, trees, shrubs or flowers. Market gardening does not include composting for producing mushroom growing media, and does not include storing or spreading uncomposted manure generated off the property or fish products generated off the property.

3. Under **PART 2 INTERPRETATION**, following the definition of 'unattended public utility use', by adding the following:

Uncomposted manure: means fresh or aged manure that has not gone through an active composting phase that has killed pathogens and lessened the odour associated with ammoniacal nitrogen.

4. Under **PART 3 LAND USE REGULATIONS**, after subsection 3.3 11.a)vii), by adding the following:

viii) market gardening.

5. Under **PART 3 LAND USE REGULATIONS**, by deleting subsection 3.3 11.c) iii), which currently reads:

not change the outside appearance of the premises or create other visible evidence of its existence, other than one sign;

and replace it with the following:

not change the outside appearance of the premises or create other visible evidence of its existence, other than one sign, and if applicable, market gardening;

6. Under **PART 3 LAND USE REGULATIONS**, by deleting subsection 3.3 11.c) vi), which currently reads:

be wholly contained within the dwelling unit, garage, and/or accessory building(s), except for outdoor play areas for child care facilities; and

and replace it with the following:

be wholly contained within the dwelling unit, garage, and/or accessory building(s), except for outdoor play areas for child care facilities and market gardening; and

7. Under **PART 3 LAND USE REGULATIONS**, by adding the following text following subsection 3.3 11.g) ii):

iii) Notwithstanding subsections i) and ii) above, market gardening can occur outside. Structures associated with market gardens must meet the provisions outlined under 3.3 11.h).

8. Under **PART 3 LAND USE REGULATIONS**, after subsection 3.3 11.h)iii), add the following:

i) The following regulations apply to market gardening operations:

- i. Compost piles shall be covered through the rainy season, from November to February. The storage and use of compost shall not result in pollution of a watercourse or groundwater or nutrient leaching beyond the parcel boundary. Odour associated with composting should be minimized by ensuring that there is an appropriate carbon to nitrogen ratio (about 25 to 30:1), and aerating the piles.
- ii. Compost piles, bins or structures over 3m³ must be at least 10m from property lines adjoining residential parcels and 30m from wells or watercourses.
- iii. Noise-scaring devices are prohibited.
- iv. The use of mechanized equipment is limited to equipment of the same scale as that which is designed for household outdoor use.
- v. Greenhouses with artificial lighting or mechanized ventilation systems that produce noise are prohibited. Floor area of greenhouses shall count towards floor area permitted for home based businesses in section 11.h) as well as accessory building floor space maximums and parcel coverage limits outlined in zoning schedules in section 3.4.
- vi. Market gardening operations on parcels larger than 0.4 ha (1 ac) must include vegetated landscape buffers at least 3m wide between the market garden and property lines adjoining residential parcels:
 - i. A minimum of 25% of the vegetation in the buffer shall be evergreen shrubs with a minimum height of 0.5m.
 - ii. On lots larger than 1 ha (2.5 ac), the vegetative buffer must include either a fence or a landscape screen, providing at least 75% screening from grade level to a height of 2.0m.

except where the area used for market gardening operations is more than 7.5m from the property line adjoining the residential parcel.

vii. On lots larger than 4 ha (9.9 ac), the area used for market gardening operations must be 7.5 m from all property lines adjoining residential parcels.

- B. This Bylaw may be cited as "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment Bylaw No. 60.29, 2014."

READ A FIRST TIME this 17th day of February, 2014.

READ A SECOND TIME this 14th day of April, 2014.

Public Hearing held pursuant to Section 890 of the *Local Government Act* this 12th day of May, 2014.

READ A THIRD TIME this 27th day of May, 2014.

ADOPTED this 27th day of May, 2014.

Mayor

Director of Corporate Administration

I hereby certify that the above is a true and correct copy of "District of Lantzville Zoning Bylaw No. 60, 2005, Amendment Bylaw No. 60.29, 2014", as adopted by Council of the District of Lantzville on the ____ day of _____, ____.

Director of Corporate Administration