

A Guide to the Keeping of Boats, Motor Homes, Commercial Vehicles & Unlicensed Vehicles on Residential Property in the District of Oak Bay

The keeping of boats, trailers, motor homes, commercial vehicles and unlicensed vehicles on residential properties in Oak Bay is regulated by the Zoning Bylaw. This information is intended for explanatory purposes only. In the event of a discrepancy between this information and the Zoning Bylaw, the latter shall prevail.

DEFINITIONS

For the purposes of the Bylaw, the following definitions apply:

COMMERCIAL VEHICLE

means a motor vehicle

- (a) upon which there is displayed a valid and subsisting commercial licence plate issued pursuant to the Commercial Transport Act; and which either
- (b)
 - (i) has a net weight in excess of 2,650 kilograms;
 - (ii) has a gross vehicle weight in excess of 4,400 kilograms;
 - (iii) has an overall length in excess of 6.4 metres;
 - (iv) has an overall height in excess of 2.4 metres; or
 - (v) displays any lettering, numbering, insignia or graphics indicating a connection with trade or business.

MOTOR HOME

means a motor vehicle designed or used primarily for accommodation during travel or recreation, but does not include a motor vehicle that has mounted upon it a detachable structure designed or used primarily for accommodation during travel or recreation.

RESTRICTED OBJECTS

The following items are deemed to be restricted objects for which the special regulations [described below] apply:

- (a) a motor vehicle which is not licensed for the current year
- (b) a boat, whether or not mounted on a trailer
- (c) a trailer
- (d) a camper body, whether or not mounted on a vehicle
- (e) a motor home of height greater than 2.15 m [7.05 feet]

REGULATIONS

The following regulations are in effect for all residential properties within the boundaries of the District of Oak Bay:

Wrecked Vehicles

The use of the land for the keeping of a wrecked vehicle, other than in a garage is prohibited. A wrecked vehicle is one which does not have a valid current licence, is not capable of being moved by its own motive power, or is reduced to parts, frames or bodies of motor vehicles.

Commercial Vehicles

The keeping or parking of a commercial vehicle on residential property is prohibited except where such vehicle is kept in a garage or during such time as the driver of the vehicle is actually engaged in the delivery of a commercial service on the lot to and for the benefit of the owners or occupants.

Restricted Objects

Provided that all other conditions are met, a person may store up to two [2] restricted objects on a residential lot on which there exists a principal building.

A restricted object may be stored in the following locations:

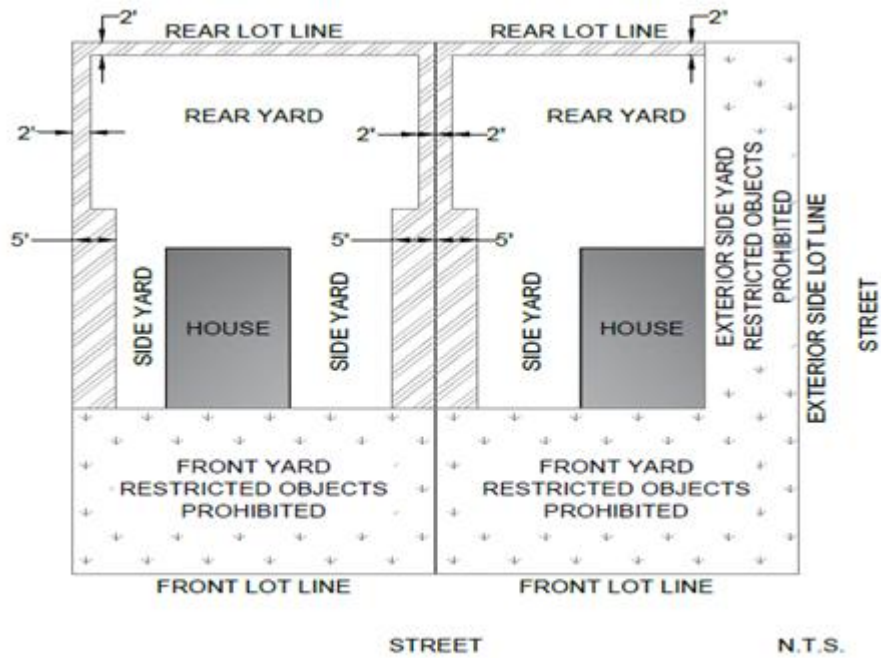
1. In a garage with more than 50% of its total perimeter enclosed by solid walls or doors.
2. In the back yard [between the rear lot line and 25 feet from the rear lot line] *PROVIDED* that the object is at least 2 feet from both the rear lot line and the side lot line adjacent to another property. If the object is to be stored in the backyard at a point that is greater than 25 feet from the rear lot line, then it must be placed at least 5 feet from the side property line. [Special conditions apply for a backyard which abuts a street].
3. In the side yard [in the area which lies between the front and rear face of a building] at least 5 feet from the side property line.
4. In the side yard within the 5 foot setback on a residential property provided the following conditions are met:
 - (a) the height of the restricted object must not exceed 2.6 m [8.5 feet]
 - (b) the length of the restricted object must not exceed 5.6 m [18.4 feet]
 - (c) this exemption applies to only one restricted object

For the purposes of the Zoning Bylaw, a boat mounted on a trailer and a camper body mounted on a vehicle are each deemed to be one object. For the purposes of measuring a boat and trailer combination, however, the height shall be measured inclusive of the trailer, but the length shall be exclusive of the tongue of the trailer hitch.

The regulations which allow a restricted object to be parked in a side yard do not apply should the side yard abut a street [e.g. an exterior lot line].

Diagram on next page





NOTES

1. Parking of restricted objects is not permitted in shaded areas
2. Height and length restrictions apply in the side yard within the 5 foot setback (hatched area)
3. The 2 foot setback rear lot line restriction is waived if abutting a lane.

