

DISTRICT OF HIGHLANDS

BY-LAW NO. 116

**A BY-LAW TO AMEND THE "HIGHLANDS ZONING
BY-LAW NO. 100, 1998"**

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

1. The "Highlands Zoning By-law, By-law No. 100, 1998" is amended as follows:

A. **Section 5 Establishment and Designations of Zones**

Add in subsection (1) the following in their respective columns:

Short Form

Zone

RR6

Rural Residential 6

RR7

Rural Residential 7

RR8

Rural Residential 8

RR9

Rural Residential 9

CI1

Community Institutional 1

C1

Conservation 1

B. Add the following in numbered sequence:

SECTION 6.6 **RURAL RESIDENTIAL 6 (RR6) ZONE**

6.6.1 Permitted Uses

- (1) In addition to the uses permitted in Section 3.0 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential 6 (RR6) Zone:
- (a) *Residential*
 - (b) *Home-based business*
 - (c) *Accessory uses, buildings and structures*

6.6.2 Residential Density

- (1) There shall be no more than one (1) *dwelling unit* on each *lot*.

6.6.3 Siting and Dimensions of Buildings, Structures and Uses

- (1) The *height* of a *dwelling unit* shall not exceed 10.5 metres.
- (2) The *height* of an *accessory building* or *structure* shall not exceed 6 metres.
- (3) No *building* or *structure* shall be sited within 7.5 metres of a *front lot line*.
- (4) No *building* or *structure* shall be sited within 3 metres of a *side lot line*.
- (5) No *building* or *structure* shall be sited within 7.5 metres of a *side lot line* that abuts a *highway*.
- (6) No *building* or *structure* shall be sited within 10 metres of a *rear lot line*.
- (7) The total *floor area* of a *dwelling unit* shall not exceed 430 square metres.
- (8) The total *floor area* of all *accessory buildings* on a *lot* shall not exceed 275 square metres and no single *accessory building* shall exceed 100 square metres in *floor area*.

6.6.4 Subdivision Density and Lot Area Requirements

- (1) No subdivision plan may be approved unless *lots* created by the subdivision have a minimum area of at least 12 hectares (30 acres).
- (2) Despite section 6.6.4(1), if the amenities described in section 12.4.1 of this Bylaw are provided, a subdivision plan may be approved to create a maximum of 1 *residential lot* with an area no less than 0.8 hectare (2 acres).

SECTION 6.7 **RURAL RESIDENTIAL 7 (RR7) ZONE**

6.7.1 Permitted Uses

- (1) In addition to the uses permitted in Section 3.0 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential 7 (RR7) Zone:
- (a) *Residential*
 - (b) *Home-based business*
 - (c) *Accessory uses, buildings and structures*

6.7.2 Residential Density

- (1) There shall be no more than two (2) *dwelling units* on each *lot*.

6.7.3 Siting and Dimensions of Buildings, Structures and Uses

- (1) The *height* of a *dwelling unit* shall not exceed 10.5 metres.
- (2) The *height* of an *accessory building* or *structure* shall not exceed 6 metres.
- (3) No *building* or *structure* shall be sited within 7.5 metres of a *front lot line*.
- (4) No *building* or *structure* shall be sited within 3 metres of a *side lot line*.
- (5) No *building* or *structure* shall be sited within 7.5 metres of a *side lot line* that abuts a *highway*.
- (6) No *building* or *structure* shall be sited within 10 metres of a *rear lot line*.
- (7) The total *floor area* of a *dwelling unit* shall not exceed 150 square metres.
- (8) The total *floor area* of all *accessory buildings* on a *lot* shall not exceed 30 square metres.

6.7.4 Subdivision Density and Lot Area Requirements

- (1) No subdivision plan may be approved unless *lots* created by the subdivision have a minimum area of at least 12 hectares (30 acres).
- (2) Despite section 6.7.4(1), if the amenities described in section 12.4.1 of this Bylaw are provided, a subdivision plan may be approved to create a maximum of 1 *residential lot* with an area no less than 0.3 hectares (0.75 acre).

SECTION 6.8 RURAL RESIDENTIAL 8 (RR8) ZONE

6.8.1 Permitted Uses

- (1) In addition to the uses permitted in Section 3.0 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential 8 (RR8) Zone:
 - (a) *Residential*
 - (b) *Home-based business* with the exception that no *home-based business* is permitted in common property in a Bare Land Strata Plan
 - (c) *Accessory uses, buildings and structures* with the exception that no *buildings* are permitted in common property in a Bare Land Strata Plan
 - (d) Sewage disposal from a *lot* in a Community Institutional 1 Zone

6.8.2 Residential Density

- (1) There shall be no more than one (1) *dwelling unit* on each *lot*. For the purposes of this subsection, *lot* excludes common property in a Bare Land Strata Plan.

6.8.3 Siting and Dimensions of Buildings, Structures and Uses

- (1) The *height* of a *dwelling unit* shall not exceed 10.5 metres.
- (2) The *height* of an *accessory building* or *structure* shall not exceed 6 metres.
- (3) No *building* or *structure* shall be sited within 4 metres of a *front lot line*.
- (4) No *building* or *structure* shall be sited within 3 metres of a *side lot line*.
- (5) No *building* or *structure* shall be sited within 7.5 metres of a *side lot line* that abuts an access route in a Bare Land Strata Plan.
- (6) No *building* or *structure* shall be sited within 10 metres of a *rear lot line*.
- (7) The total *floor area* of a *dwelling unit* shall not exceed 280 square metres.
- (8) The total *floor area* of all *accessory buildings* on a residential *lot* shall not exceed 50 square metres.
- (9) Despite section 3.8(7)(b) of this Bylaw, a required parking space shall not be placed or maintained within four (4) metres of any *front lot line*, within ten (10) metres of any *rear lot line*, or within two (2) metres of any *side lot line*.

6.8.4 Subdivision Density and Lot Area Requirements

- (1) No subdivision plan may be approved unless *lots* created by the subdivision have a minimum area of at least 7 hectares (17.3 acres).
- (2) Despite section 6.8.4(1), if the amenities described in section 12.5.1 of this Bylaw are provided, a subdivision plan may be approved to create a maximum of eighteen (18) *residential lots* (excluding common property in a Bare Land Strata Plan) with no *lot* less than 0.2 hectares (0.5 acre).

SECTION 6.9 **RURAL RESIDENTIAL 9 (RR9) ZONE**

6.9.1 Permitted Uses

- (1) In addition to the uses permitted in Section 3.0 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential 9 (RR9) Zone:
- (a) *Residential*
 - (b) *Home-based business*
 - (c) *Accessory uses, buildings and structures*

6.9.2 Residential Density

- (1) There shall be no more than one (1) *dwelling unit* on each *lot*.

6.9.3 Siting and Dimensions of Buildings, Structures and Uses

- (1) The *height* of a *dwelling unit* shall not exceed 10.5 metres.
- (2) The *height* of an *accessory building* or *structure* shall not exceed 6 metres.
- (3) No *building* or *structure* shall be sited within 10 metres of a *front lot line*.
- (4) No *building* or *structure* shall be sited within 10 metres of a *side lot line*.
- (5) No *building* or *structure* shall be sited within 10 metres of a *side lot line* that abuts a *highway*.
- (6) No *building* or *structure* shall be sited within 10 metres of a *rear lot line*.
- (7) The total *floor area* of a *dwelling unit* shall not exceed 322 square metres.
- (8) The total *floor area* of all *accessory buildings* on a residential *lot* shall not exceed 150 square metres.

6.9.4 Subdivision Density and Lot Area Requirements

- (1) No subdivision plan may be approved unless *lots* created by the subdivision have a minimum area of at least 7.2 hectares (17.8 acres).
- (2) Despite section 6.9.4(1), if the amenities described in section 12.6.1 of this Bylaw are provided, a subdivision plan may be approved to create a maximum of nine (9) *residential lots* with no *lot* less than 0.6 hectares (1.5 acres) in area.

SECTION 13.1 COMMUNITY INSTITUTIONAL 1 (CI1) ZONE**13.1.1 Permitted Uses**

- (1) In addition to the uses permitted in Section 3.0 of this Bylaw, the following uses and no others shall be permitted in the Community Institutional 1 (CI1) Zone:
- (a) *Assembly*
 - (b) *Accessory food preparation and service in a restaurant*
 - (c) *Retail sales of goods*
 - (d) *Accessory guest accommodation for the temporary lodging of visitors in self-contained suites which contain rooms for sleeping and living, but not any room equipped or capable of being equipped, for household activities related to the storage, preparation and consumption of food.*
 - (e) *Accessory Residential*
 - (f) *Accessory uses, buildings and structures*
 - (g) **Required Vehicle Parking from a use in the Conservation 1 (C1) Zone.**
 - (h) *Accessory horseback riding and the keeping of horses*

13.1.2 Density of Uses

- (1) The maximum density of permitted uses is as follows:
- (a) for the *assembly* uses permitted in section 13.1.1(1)(a), a total *floor area* of a *building* no greater than 50 square metres,
 - (b) for the *accessory food preparation and service* uses permitted in section 13.1.1(1)(b), a total *floor area* of a restaurant no greater than 50 square metres,
 - (c) for the retail sales of goods uses permitted in section 13.1.1(1)(c), a total *floor area* of a *building* no greater than 30 square metres,
 - (d) for the *accessory guest accommodation* uses permitted in section 13.1.1(1)(d), a maximum of one (1) self-contained suite with a total *floor area* no greater than 100 square metres,
 - (e) for the *accessory residential* uses permitted in section 13.1.1(1)(e), there shall be no more than one (1) *dwelling unit* on each *lot*, and the total *floor area* of an *accessory residential dwelling unit* shall not exceed 70 square metres, and
 - (f) for the *accessory building* uses permitted in section 13.1.1(1)(f), a total *floor area* of all *buildings* no greater than 100 square metres.

13.1.3 Maximum Density of Uses with the Provision of Amenities

- (1) Despite section 13.1.2, if the amenities described in section 12.7.1 of this Bylaw are provided the maximum density of permitted uses is as follows:
- (a) for the *assembly* uses permitted in section 13.1.1(1)(a), a total *floor area* of a *building* no greater than 1200 square metres,
 - (b) for the *accessory food preparation and service* uses permitted in section 13.1.1(1)(b), a total *floor area* of a restaurant no greater than 400 square metres,
 - (c) for the retail sales of goods uses permitted in section 13.1.1(1)(c), a total *floor area* of a *building* no greater than 100 square metres,

- (d) for the *accessory* guest accommodation uses permitted in section 13.1.1(1)(d), a maximum of twenty (20) self-contained suites with a total *floor area* no greater than 2000 square metres,
- (e) for the *accessory residential* uses permitted in section 13.1.1(1)(e), there shall be no more than four (4) *accessory residential dwelling units* on each *lot*, and the total *floor area* of an *accessory residential dwelling unit* shall not exceed 200 square metres, and
- (f) for the *accessory building* uses permitted in section 13.1.1(1)(f), a total *floor area* of all *buildings* no greater than 200 square metres.

13.1.4 Siting and Dimensions of Buildings, Structures and Uses

- (1) The *height* of a *principal building* shall not exceed 12 metres.
- (2) The *height* of an *accessory building* or *structure* shall not exceed 8 metres.
- (3) No *building* or *structure* shall be sited within 3 metres of a *side lot line*.
- (4) No *building* or *structure* shall be sited within 10 metres of a *front or rear lot line*.

13.1.5 Number and Location of Parking Spaces

- (1) The required number of parking spaces on a *lot* shall be as follows:
 - (a) One parking space for each 20 square metres of floor area used for *assembly*.
 - (b) One parking space for each 10 square metres of floor area used for a restaurant.
 - (c) One parking space for each 15 square metres of floor area used for retail sales.
 - (d) One parking space for each self-contained unit used for guest accommodation.
 - (e) One parking space for each accessory residential dwelling unit
 - (f) One parking space for each 4 horse stalls in a horse stable.
- (2) There shall be a minimum of one (1) handicapped parking space for each 20 parking spaces.

13.1.6 Subdivision Density and Lot Area Requirements

- (1) No subdivision plan may be approved unless *lots* created by the subdivision have a minimum area of at least 22 hectares (54 acres).

SECTION 14.1

CONSERVATION 1 (C1) ZONE

14.1.1 Permitted Uses

- (1) In addition to the uses permitted in Section 3.0 of this Bylaw, the following uses and no others shall be permitted in the Conservation 1 (C1) Zone:
 - (a) Outdoor recreation limited to nature appreciation, hiking, cycling and horseback riding
 - (b) Camping within a campground which is an area of land in which a campsite is used for the temporary accommodation of visitors in a tent. The total number of campsites on a *lot* shall not exceed 30.
 - (c) *Accessory uses, buildings and structures*

14.1.2 Siting and Dimensions of Buildings, Structures and Uses

- (1) The *height* of an *accessory building* shall not exceed 6 metres.
- (2) No *building* or *structure* shall be sited within 80 metres of a *front lot line*.
- (3) No *building* or *structure* shall be sited within 10 metres of a *side lot line*.
- (4) No *building* or *structure* shall be sited within 10 metres of a *rear lot line*.
- (5) The total *floor area* of all *accessory buildings* on a *lot* shall not exceed 50 square metres.

14.1.3 Number and Location of Parking Spaces

- (1) The required number of parking spaces shall be one parking space for each 4 campsites.
- (2) No parking spaces shall be permitted on a *lot* in the Conservation One (C1) Zone. The required number of parking spaces in section 14.1.3 are to be located on a lot in a Community Institutional 1 (CI1) Zone.

14.1.4 Subdivision Density and Lot Area Requirements

- (1) No subdivision plan may be approved unless *lots* created by the subdivision have a minimum area of at least 22 hectares (54 acres).

SECTION 12 AMENITIES

12.4 Rural Residential Six (RR6) and Rural Residential Seven (RR7)

12.4.1 Land with an area of no less than 0.8 ha in the RR6 Zone and no less than 0.3 ha in the RR7 Zone may be subdivided into the maximum number of *residential lots* and the prescribed *lot* area specified in sections 6.6.4(2) and 6.7.4(2) of this Bylaw, if the following amenity is provided:

- (1) The registration of a Conservation Covenant under section 219 of the Land Title Act between the owner, the District of Highlands and (a nature conservancy organization) on approximately 22 ha of land zoned as Conservation 1 and shown on Appendix A attached to and forming part of this Bylaw for the purposes of preserving land in its natural state and prohibiting subdivision.**

12.5. Rural Residential Eight (RR8)

12.5.1 Land with an area of no less than 7 ha (17.3 acres) in the RR8 Zone may be subdivided into the maximum number of *residential lots* and the prescribed *lot* area specified in section 6.8.4(2) of this Bylaw, if the following amenities are provided:

- (1) The registration of a Conservation Covenant under section 219 of the Land Title Act between the owner, the District of Highlands and (a nature conservancy organization) on approximately 22 ha of land zoned as Conservation 1 and shown on Appendix A attached to and forming part of this Bylaw for the purposes of preserving land in its natural state and prohibiting subdivision, and**
- (2) The payment of \$21,000 per *lot* to a maximum of \$378 000 (Cdn) to be placed in a Special Reserve fund established by the *Municipality* for the purpose of Municipal Road Improvements.**

12.6 Rural Residential Nine (RR9)

12.6.1 Land with an area of no less than 4.73 ha (11.7 acres) in the RR9 Zone may be subdivided into the maximum number of *residential lots* and the prescribed *lot* area specified in section 6.9.4(2) of this Bylaw, if the following amenities are provided:

- (1) The registration of a Conservation Covenant under section 219 of the Land Title Act between the owner, the District of Highlands and (a nature conservancy organization) on approximately 22 ha of land zoned as Conservation 1 and shown on Appendix A attached to and forming part of this Bylaw for the purposes of preserving land in its natural state and prohibiting subdivision, and**
- (2) The payment of \$21,000 per *lot* to a maximum of \$189 000 (Cdn) to be placed in a Special Reserve fund established by the *Municipality* for the purpose of Municipal Road Improvements.**

12.7 Community Institutional 1 (CI1)

12.7.1 Land in the CI1 Zone may be used to the maximum density prescribed in section 13.1.3(1) of this Bylaw, if the following amenity is provided:

- (1) The registration of a Conservation Covenant under section 219 of the Land Title Act between the owner, the District of Highlands and (a nature conservancy organization) on approximately 22 ha of land zoned as Conservation 1 and shown on Appendix A attached to and forming part of this Bylaw for the purposes of preserving land in its natural state and prohibiting subdivision, and**
 - (2) The payment of \$25,000 (Cdn) to be placed in a Special Reserve fund established by the *Municipality* for the purpose of construction of a municipal office**
2. Schedule A (the Zoning Map) is amended by deleting from the Greenbelt Two (GB2) Zone and including in the Rural Residential Six (RR6), Rural Residential Seven (RR7), Rural Residential Eight (RR8), Rural Residential Nine (RR9), Community Institutional One (CI1), Conservation One (C1) and Park 1 (P1) Zones, those areas of land marked as such on the map attached to this Bylaw as Appendix A.
3. This By-law may be cited as "Highlands Zoning Amendment By-law No. 116, 1999"

READ A FIRST TIME THIS	21ST DAY OF	JUNE,	1999.
READ A SECOND TIME THIS	21ST DAY OF	JUNE,	1999.
PUBLIC HEARING HELD THIS	12TH DAY OF	JULY,	1999.
READ A THIRD TIME THIS	19TH DAY OF	JULY,	1999.
ADOPTED THIS	19TH DAY OF	JULY,	1999.

MAYOR

CLERK