



DISTRICT OF HIGHLANDS BYLAW NO. 319

A BYLAW TO AMEND THE "HIGHLANDS ZONING BYLAW NO. 100, 1998"

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

1. THAT "Highlands Zoning Bylaw No. 100, 1998" be amended as follows:
 - a) In Section 5 – Establishment and Designation of Zones,
 - a. Under the column labeled "SHORT FORM" under R4, **add**, "R5", and
 - b. Under the column labeled "ZONE" under "Rural 4, **add**, "Rural 5".

- b) **Adding** a new section 7.5 as follows:

SECTION 7.5

RURAL 5 (R5) ZONE

7.5.1 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 5 (R5) Zone:

- (a) *Residential*
- (b) *Home-based business*
- (c) *Agriculture*
- (d) *Accessory uses, building and structures*

7.5.2 Residential Density

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

7.5.3 Siting and Dimensions of Buildings and Structures

- (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 and the *height* of a *building* used for *Agriculture* shall not exceed 12 metres.
- (3) No *building* or *structure* shall be sited within 7.5 metres of a *front lot line* and no *building* used for *Agriculture* shall be sited within 30 metres of a *front lot line*.
- (4) No *building* or *structure* shall be sited within 5 metres of a *side lot line* and no *building* used for *Agriculture* shall be sited within 15 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* and no *building* used for *Agriculture* shall be sited within 15 metres of a *rear lot line*.
- (7) The total *floor area* of all *accessory buildings* on a *lot* shall not exceed 525 square metres and no single *accessory building* shall exceed 300 square metres in *floor area*.

7.5.4 Subdivision Density and Lot Area Requirements

- (1) No *lot* having an area less than 12 hectares (30 acres) may be created by subdivision.
- (2) Despite Section 7.5.4(1), if the amenities described in Section 12.13.1 of this Bylaw are provided, Lot 1, Section 40, Highland District, Plan 31697 except part in Plan VIP63269 if within the R5 Zone may be subdivided into a maximum of 2 *lots* provided that no *lot* shall have an area less than 4.8 hectares (11.8 acres).

c) **Adding** a new section 12.13.1 as follows:

12.13 Rural 5 (R5)

12.13.1 Land with an area of no less than 16.6 hectares in the R5 Zone may be subdivided into a maximum number of *residential lots* and the prescribed *lot* area specified in section 7.5.4(2) of this Bylaw if the following amenities are first provided:

- (1) The donation to the Capital Regional District of approximately 5.3 hectares of land, to be used as undeveloped/conservation (no trail access) regional park land, and is generally the land shown outlined in bold on Schedule “B” to Bylaw 319, such approximate land area to be confirmed in detail by way of a legal survey prior to final subdivision approval by and as agreed upon by the District of Highlands, the Capital Regional District, and the property owner.

2. THAT “Highlands Zoning Bylaw No. 100, 1998” is further amended by changing Schedule “A”, Zoning Map, to designate Lot 1, Section 40, Highland District, Plan 31697 except part in Plan VIP63269, noted as, “Subject Property,” on Schedule “A” attached to this Bylaw, from Rural 4 (R4) Zone to Rural 5 (R5) Zone.

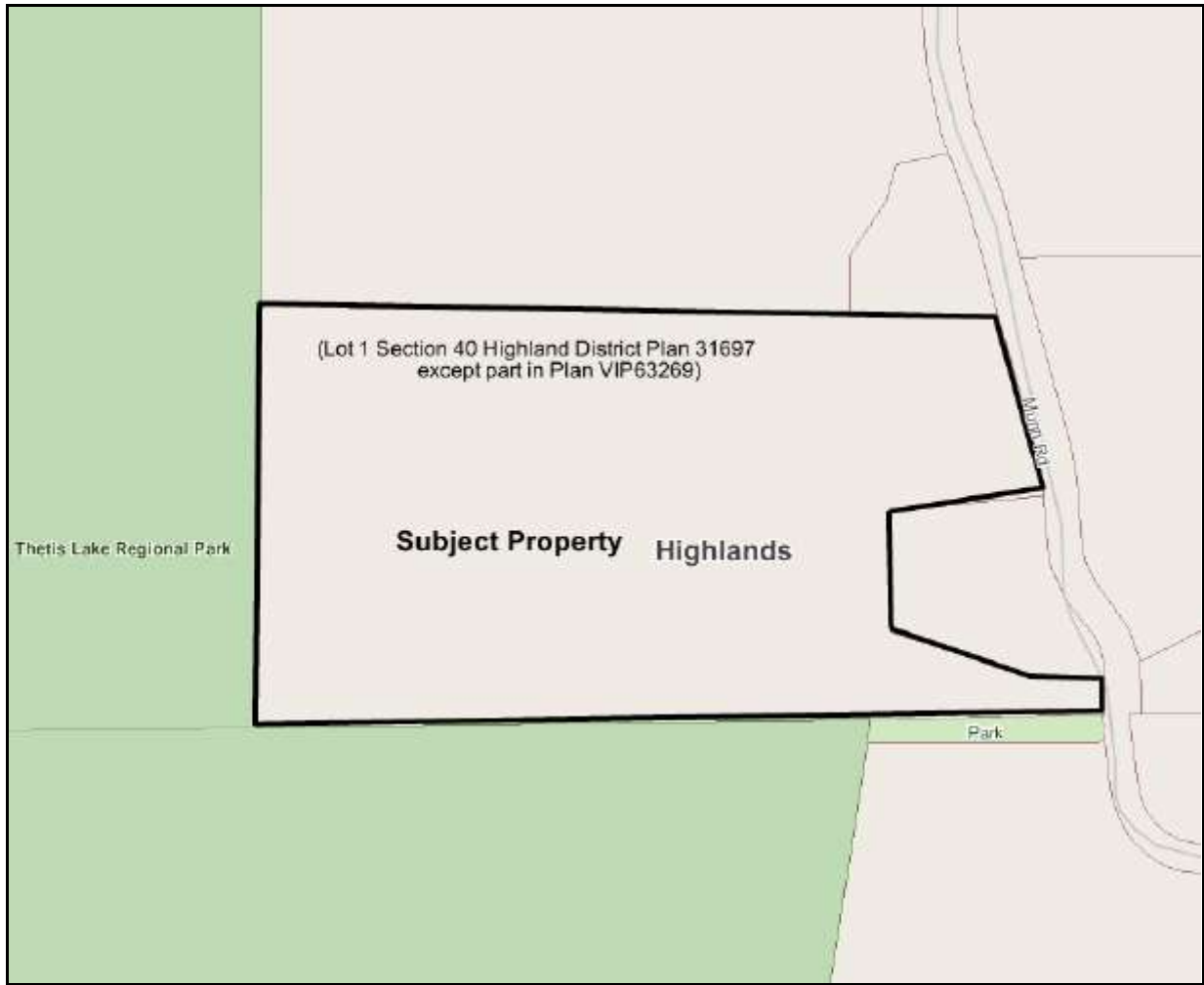
3. This Bylaw may be cited for all purposes as “Highlands Zoning Bylaw, 1998, Amendment No. 30, (Rural 5 Zone - (3813 Munn Road)) Bylaw No. 319, 2009.”

READ A FIRST TIME THIS	15 th	DAY OF	JUNE, 2009
READ A SECOND TIME THIS	15 th	DAY OF	JUNE, 2009
PUBLIC HEARING HELD THIS	13 th	DAY OF	JULY, 2009
READ A THIRD TIME THIS	13 TH	DAY OF	JULY, 2009
ADOPTED THIS	13 TH	DAY OF	JULY, 2009

MAYOR

Acting Corporate Officer

Schedule "A"



Schedule "B"

