DISTRICT OF HIGHLANDS

# ZONING BYLAW

## Consolidated to June 15, 2026

**Consolidated for convenience only to include Bylaws:**

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**DISTRICT OF HIGHLANDS**
**BYLAW NO. 100**

# A BYLAW TO REGULATE LAND USE AND DENSITY

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

## SECTION 1 - DEFINITIONS

In this Bylaw:

***ACCESSORY*** in relation to a use, *building or structure* means incidental, secondary and exclusively devoted to a *principal use, building or structure* expressly permitted by the Bylaw on the same *lot* or, if the *accessory* use, *building or structure* is located on the common property in a Bare Land Strata Plan, on a strata lot in the strata plan.

***ACCESSORY DWELLING UNIT*** means a *dwelling unit* that is *accessory* to a *principal dwelling unit.*

***ACMPR*** means the Access to Cannabis for Medical Purposes Regulations, SOR/2016-230 under the Controlled Drugs and Substances Act, S.C. 1996, c. 19, or successor legislation.

***AGRICULTURE*** means a use providing for growing, harvesting and sales of agricultural products and the keeping and breeding of livestock, and the primary producing, storage and sales of those agricultural products and livestock that were grown and harvested or kept and bred on that individual *farm.*

***ANIMAL REHABILITATION CENTRE*** means a use that is solely for the rehabilitation of dogs that have been abused or abandoned and is operated by a non profit society.

***ASPHALT AND CEMENT MANUFACTURING OR RECYCLING*** means the manufacture, crushing, screening or processing of asphalt, concrete, cement, rock, brick and other aggregate materials.

***AGRICULTURE, INTENSIVE*** means the use of land, *buildings or structures* by a commercial enterprise or an institution for the confinement of poultry, livestock or fur bearing animals, or the growing of mushrooms.

***ASSEMBLY*** means a use providing for the meeting or gathering of persons for religious, charitable, philanthropic, cultural, political, recreational or educational purposes.

***BED AND BREAKFAST USE*** means a *home-based business* which provides for temporary accommodation of transient guests and may provide breakfast as the only meal to be served for those guests.

***BOARDER*** means an individual who for consideration receives accommodation together with meals from a *home-based business*.

***BUILDING*** means any *structure* used or intended to be used for supporting or sheltering any use, persons, or animals or property.

***BUILDING DEMOLITION WASTE*** means Municipal Solid Waste resulting from or produced by the complete or partial destruction or tearing down of buildings, parking lots, bridges, roads, sidewalks, pipes

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or other man-made structures. *Building demolition waste* includes fixtures, but does not include other waste or materials that are contained within the structure that is demolished.

***BUILDING ENVELOPE*** means the portion of a lot on which this Bylaw permits the location of a building or structure.

***BUILDING PERMIT*** means a permit issued in accordance with the District of Highlands Building Regulation Bylaw.

***BUILDING PRODUCT SALES*** means establishments primarily engaged in retailing a general line of home construction, repair and improvement materials and supplies, such as lumber, doors and windows, plumbing goods, electrical goods, floor coverings, tools, house wares, hardware, paint and wallpaper, and lawn and garden equipment and supplies. The merchandise lines are normally arranged in separate sections. These establishments may provide installation and repair services for the merchandise they retail.

***CANNABIS*** *means any part of the cannabis plant, and includes its preparations and derivatives and any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, but does not include: a non-viable seed of a cannabis plant; a mature stalk of a cannabis plant, without any leaf, flower, seed, or branch, and fiber derived from such stalks; and the roots of any part of the root of a cannabis plant.*

***CANNABIS PRODUCTION*** *means the use of any land, building or structure for the growing, production, processing, destruction, storage or distribution of Cannabis, but does not include:*

*a) Cannabis Sales; or*

*b) Non-commercial activities by a registrant or designated person under Part 2 of the ACMPR.*

***CANNABIS SALES*** *means the retail or wholesale sale of Cannabis, and includes an operation which provides referrals or facilitates access to Cannabis not physically sold on the premises, but does not include sales by a British Columbia Registered Pharmacist in a British Columbia regulated Pharmacy or distribution by a Licenced Producer under the Access to Cannabis for Medical Purposes Regulations.*

***CARETAKER'S DWELLING UNIT*** means a *dwelling unit* that is *accessory* to:

a) an *assembly* use or

b) an *industrial use* or commercial use and is attached to and located above behind the commercial use or *industrial use* or

c) a *golf course* use.

***CARPENTRY SHOPS*** means establishments primarily engaged in finish carpentry work. The work performed may include new work, additions, alterations, maintenance, and repairs, and may include building custom kitchen and bath cabinets, door and window frames, and the installation of residential garage door, millwork, molding or trim, wood or plastic, overhead doors, paneling, prefabricated doors and windows, prefabricated kitchen and bath cabinet, shelving, and stairways.

***COMMERCIAL VEHICLE*** means a *vehicle* upon which is displayed or required to be displayed a valid and subsisting commercial license plate issued pursuant to the *Commercial Transport Act.*

***COMMON MEETING BUILDING*** means a *building* located within common property designated within a strata plan pursuant to the *Strata Property Act*, intended for the exclusive use of all members of the Strata corporation for cultural, social, and recreational activities.

***COMPUTER TECHNOLOGY SALES, SERVICE AND MANUFACTURING*** means a use providing for the development, production or assembly of computer software, computer hardware, electrical, electronic,

communications, telecommunications, fibre optic or pharmaceutical, biotechnological, medical or scientific equipment, and similar products and includes copying, packaging, storing and shipping.

***CONSTRUCTION WASTE*** means Municipal Solid Waste resulting from or produced by the construction of buildings, parking lots, bridges, roads, sidewalks, pipes or other man-made structures.

***CORNER LOT*** means a *lot* at the intersection or junction of two or more *highways;*

***COVERED STORAGE*** means an area not contained within a *building*, but is enclosed on up to three sides and with a roof, where construction materials or construction equipment, lumber, new building materials, monuments or stone products, public service or utility equipment, or other materials, goods, products, equipment or machinery are stored, bailed, placed, piled or handled.

***DENSITY*** means a measure of the intensity of development to the area of the lot, including the number of units on a lot measured in units/area or units/lot or floor area ratio, as the case may be.

***DWELLING UNIT*** means a set of rooms contained in a single *building* and used or capable of being used as the permanent home or residence of one or more individuals living together as a household, of which not more than one room is equipped, or capable of being equipped, for household activities related to the storage, preparation and consumption of food.

***ELECTRONICS MANUFACTURING*** means establishments primarily engaged in manufacturing equipment used to move signals electronically over wires or through the air, such as telephone apparatus, radio and television broadcast equipment, and satellite communications equipment, and also includes establishments primarily engaged in manufacturing electronic audio and video equipment, semiconductors and other electronic components.

***FARM*** means an agricultural business consisting of one or more *lots* which are primarily used for agriculture.

***FARM VEHICLE*** means a *vehicle* used exclusively in the conduct of an *agriculture* use, but does not include a *vehicle* used primarily for the transportation of persons or property on a *roadway*.

***FENCE*** means a vertical *structure* including a railing, gate, trellis or screening used as an enclosure but does not include a retaining wall.

***FILM PRODUCTION STUDIOS*** means the use of land, buildings and structures for the production of art, motion pictures, videos, television or radio programs or sound recording.

***FINANCIAL INSTITUTIONS*** means the use of land, *buildings and structures* for the production of art, motion pictures, videos, television or radio programs or sound recording.

***FINISHED GOUND LEVEL*** means the *height* of a point at the perimeter of the base of a *building or structure* and which is vertically within 1.0 metre of the *natural ground level* of the land prior to the siting, placement or construction of that *building or structure* but excludes a localized depression such as a stairway access to a lower floor.

***FLOOR AREA*** means the total area of all storeys of a *building* measured to the outer surface of the exterior walls.

***FLOOR SPACE RATIO*** means that figure obtained when the area of the *lot* upon which the buildings and structures are situated is divided by the *floor* area of all *buildings and structures* situated on a *lot*.

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***FLOOR SPACE RATIO*** means the number derived by dividing the floor area of all buildings and structures on a lot by its area.

***FRONTAGE*** means the length of that *lot* boundary which borders on a *highway* containing or capable of containing a *roadway.*

***GOLF CLUBHOUSE*** means a building wherein services accessory to a golf course use are provided, including a retail pro shop, office, restaurant, a licensed establishment, and may also include a patio seating area.

***GOLF COURSE*** means an area of land developed for the purpose of playing golf and accessory uses such as office, retail pro shop, golf clubhouse, restaurant, banquet facilities, golf driving range, golf course maintenance facility, caretaker's dwelling unit, accessory motor vehicle parking facilities and licensed establishments.

***GOLF COURSE MAINTENANCE FACILITY*** means an area within a golf course, which may include an enclosed building, where materials, vehicles, equipment or machinery used exclusively in the operation of the golf course are stored, maintained and repaired.

***HEIGHT*** means the vertical distance between the average *finished ground level*, calculated by the average elevation of four points, equally distant from each other along the base of the perimeter of a *building or structure*, and

a) the highest point of the roof surface of a flat roof,
b) the deck line of a mansard roof,
c) the mean level between the eaves and the ridge of a gable, hip, gambrel or other sloping roof or
d) the highest point of a *building or structure* that does not have a roof, whichever is applicable.

***HIGHWAY*** means a street, road, lane, bridge, viaduct and any other way open to public use, but does not include a private right-of-way on private property;

***HOME BASED BUSINESS*** means an activity that provides employment on a *lot* the *principal use* of which is *residential*;

***HOTEL*** means a building with a lobby for the reception and registration of guests, wherein tourist accommodation is provided on a daily rental basis, and where:

- The primary access to the tourist accommodation units is through the lobby of the building;
- Each tourist accommodation unit may include its own kitchenette;
- A guest register is required to be kept pursuant to the *Hotel Guest Registration Act*; and
- Facilities may be provided for the use and enjoyment of the guests occupying the tourist accommodation units, including restaurants, licensed establishments, swimming pools, gymnasiums, indoor or outdoor racquet courts, saunas, health spas, fitness and dance studios, aerobic studios, weight rooms, and the like.

***INCINERATING*** means any combustion of material undertaken within a wood residue incinerator, which incinerator is defined and permitted for the destruction of wood residue by the *Waste Management Act.*

***INDUSTRIAL EXTRACTION*** means a use providing for the removal, crushing, screening, storage, or mixing of sand, soil, gravel, rock, minerals, and peat.

***INERT MUNICIPAL WASTE*** means solid waste and refuse which originates from residential, commercial, institutional, demolition, land clearing or construction sources, and which contains no Putrescible Waste,

that will not leach to any significant extent, that does not constitute a fire hazard and that will not cause pollution.

***INDUSTRIAL USE*** means a use providing for the processing, manufacturing, fabricating, assembling, servicing, storing, transporting, distributing, warehousing, testing, repairing, wrecking, or salvaging of goods, materials or things, with or without an ancillary office to administer the industrial use on the lot, and includes the wholesaling of heavy industrial equipment provided that the merchandise being sold is distributed from the lot, but excludes the processing of fish, live animals, live poultry or other fowl.

***KENNEL*** means uses, *buildings and structures* which provide for the keeping, boarding, training and breeding of animals;

***LAND CLEARING WASTE*** means *Municipal Solid Waste* resulting from land clearing such as trees, tree stumps, brush and other vegetation matter.

***LANDSCAPE AREAS*** means land used for the conservation, installation and maintenance of trees, shrubs, ground covers, herbaceous plants and related soil and water.

***LICENSED ESTABLISHMENT*** means premises licensed to serve for consumption on-site alcoholic beverages, pursuant to the *Liquor Control and Licensing Act.*

***LIGHT MANUFACTURING*** means a commercial undertaking limited to the manufacturing, assembly, fabrication, servicing and packaging of products from processed materials all of which activities are conducted within a wholly enclosed building. This use excludes primary processing of raw materials.

***LODGE*** means a building containing tourist accommodation units each of which provides sleeping accommodation and may have its own water closet and washbasin, but no kitchenette or other cooking facilities:

a) Which may also contain a licensed establishment and recreation facilities for the common use and enjoyment of the guests; and
b) Wherein meals may be prepared and provided in a common dining area to registered guests.

***LODGER*** means an individual who for consideration receives accommodation but not meals, from a home-based business.

***LOT*** means a *parcel*.

***LOT LINE*** means a line which marks the boundary of a *lot* and in particular:

a) **Front Lot Line** means the *lot line* that is common to the *lot* and an abutting *highway* containing or capable of containing a *roadway,* or an access route in a Bare Land Strata Plan; on a *corner lot* means the shortest *lot line* that abuts a *highway* containing or capable of containing a *roadway* or abuts an access route in a Bare Land Strata Plan; and on a *through lot* means the *lot lines* abutting two parallel or approximately parallel *highways*;
b) **Rear Lot Line** means the *lot line* opposite to and most distant from the *front lot line,* or where the rear portion of the *lot* is bounded by intersecting *side lot lines*, it shall be the point of such intersection; and
c) **Side Lot Line** means a *lot line* other than a *front lot line* or a *rear lot line* and also means a line 10 metres on either side of the centerline of a traveled road not contained within a *highway* as defined in Section 4 of the *Highway Act*.

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***MACHINE SHOPS*** means establishments primarily engaged in operating machine shops, which use machine tools, such as lathes and automatic screw machines, for turning, boring, threading or otherwise shaping metal, to manufacture parts, other than complete machines, for the trade. Shops that set up to do production runs of industrial fasteners, such as bolts, nuts and screws, are included within this use.

***MEDICAL CANNABIS PRODUCTION*** *means commercial Cannabis Production by a licenced producer authorized by Part 1 of the ACMPR or designated person authorized by Part 2 of the ACMPR.*

***MEDICAL CLINIC*** means a building wherein professional health services are provided, including but not limited to medical, optometry and dental laboratory services, outpatient care, licensed massage therapy and physiotherapy, and which may also include a pharmacy as an accessory use.

***MINI STORAGE*** means the use of land, buildings, or structures for the purpose of storing personal property for compensation.

***MUNICIPALITY*** means the Corporation of the District of Highlands.

***MUNICIPAL SOLID WASTE*** shall have the same meaning as defined at the *Waste Management Act* ("(a) refuse which originates from residential, commercial, institutional, demolition, land clearing or construction sources, or (b) refuse specified by a manager to be included in a waste management plan"). Clean Soils used for cover material, road, or berm construction shall not be considered *Municipal Solid Waste.*

***NATURAL BOUNDARY*** means the visible high-water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the body of the lake, river, stream, or body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself.

***NATURAL GAS*** shall have the meaning as defined in the *Petroleum and Natural Gas Act* (all fluid hydrocarbons, before and after processing, that are not defined as *petroleum*, and includes hydrogen sulphide, carbon dioxide and helium produced from a well).

***NATURAL GROUND LEVEL*** means the visible height of land undisturbed by human actions and formed by the presence and action of natural geologic forces.

***NURSERIES*** means the use of lands principally involved in floriculture and horticulture, and accessory product sales and garden supply sales, but specifically excludes the sale of agricultural, floricultural or horticultural machinery.

***OFFICES*** means the use of a room or groups of rooms within a building to conduct the affairs of a business, profession, service, industry or government, including administrative offices associated with the assembly, manufacturing, repairing or servicing of goods, but specifically excluding the retail sale or wholesale of goods;

***OUTDOOR STORAGE*** means an area outside of an enclosed building where construction materials and equipment, solid fuels, lumber, new building materials, monuments and stone products, public service and utility equipment, or other materials, goods, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed, whether a principal or accessory use, but shall not be construed to include an automobile salvage or wrecking yard, a display yard, a junk yard, or log sorting and storage.

***PANHANDLE LOT*** means a lot whose sole frontage on a highway or access route on a bare land strata plan is less than 10% of the perimeter of the lot.

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***PARCEL*** means any *lot,* block or other area in which land is held or into which it is subdivided, but does not include a *highway;*

***PETROLEUM*** shall have the meaning as defined in the *Petroleum and Natural Gas Act* (crude petroleum and all other hydrocarbons, regardless of gravity, that are or can be recovered in liquid form from a pool through a well by ordinary production methods or that are or can be recovered from oil sand or oil shale).

***PRINCIPAL BUILDING*** means a *building* which contains, or is intended to contain, a *principal use*.

***PRINCIPAL DWELLING UNIT*** means a *dwelling* unit that is a *principal use* on a lot.

***PRINCIPAL USE*** means the primary purpose for which land, *buildings or structures* are sited, placed, constructed or used.

***PUTRESCIBLE WASTE*** means solid waste that has the potential to decompose with the formation of malodorous byproducts, combustible gases, or toxic leachate.

***RECREATIONAL FACILITIES*** means the use of land, *buildings or structures* for gymnasiums, indoor or outdoor racquet courts, curling rinks, skating rinks, swimming pools, dance studios, aerobic studios or weight rooms, billiard halls, bowling alleys and the like.

***RECREATION VEHICLE PARKING STRUCTURE*** means a roofed *structure* located within common property designated within a strata plan pursuant to the *Strata Property Act*, which is intended for the exclusive use of all members of the Strata Corporation for the purpose of storing *recreational vehicles*, boats, car dollies, utility trailers and the like.

***RECREATION VEHICLE*** means any camper, travel trailer, fifth wheel or motor vehicle with a maximum width of 2.6 metres (8.53 feet) in transit mode which is capable of being licensed for *highway* use pursuant to the *Motor Vehicle Act;* designed for, capable of or used primarily for temporary sleeping accommodation for recreation purposes.

***RECYCLING DEPOT*** means a facility which is used for the collection, sorting and shipping of recyclable materials.

***RESIDENTIAL*** means the occupancy or use of all or a part of a *building* as a *dwelling unit*.

***RESORT*** means the use of land for tourist accommodation in a hotel, lodge, or cabins each containing not more than two tourist accommodation units, where:

a) Each tourist accommodation unit has its own water closet and washbasin and may have a kitchenette; and
b) All units are available at all times for temporary occupancy by the traveling public.

***RESTAURANTS*** mean an eating establishment where food is sold to the public for consumption within the premises, or designated outdoor seating areas, or for off-site consumption and may be licensed to serve beer, wine or spirits.

***RETAIL STORES*** means the use of a floor or floor area, or part thereof, of a building for the purpose of selling or offering for sale to consumers goods, wares or merchandise.

***RIPARIAN*** means an *area of land* adjacent to a *watercourse or wetland.*

***RETREAT ACCOMMODATION*** means accommodation in *buildings* and/or camping spaces and/or *recreational vehicles* for the temporary staying of guests of an associated retreat facility within the same zone, not used as a *dwelling unit* for any residential use, and for this purpose “temporary” means the

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accommodation of any particular person for not more than 180 days in any calendar year, not more than 29 of which may be consecutive, such that the occupier would not become a resident elector of the Municipality by virtue of their occupancy. Units in *buildings* shall not include or provide cooking facilities. There shall be no cooking in camping spaces and in *recreational* vehicles.

***ROADWAY*** means the portion of the *highway* that is improved, designed or ordinarily used for vehicular traffic.

***SAWMILLS & PLANER MILLS*** means an enclosed building where the processing and manufacturing of wood and paper products, including sawmills, planer mills and the sale of products from these operations are undertaken.

***SCIENTIFIC RESEARCH*** means a building where the design, research, manufacture, testing and servicing of commercial products, including computer software and hardware, in the field of electronics, telecommunications, engineering, robotics, bio-technology, health care, or related industries, are undertaken.

***SITE COVERAGE*** means the portion of a lot that is covered by buildings and structures, expressed as a percentage of the lot area, and for this purpose buildings and structures are deemed to cover the portion of a lot that is within the drip line of the roof of the *building or structure*.

***STRUCTURE*** means anything constructed, erected or placed, the use of which requires location on the ground or attachment to something having location on the ground, but excludes surfacing of a *lot* and signs.

***SWIMMING POOL*** means any *structure* or construction, intended primarily for recreational purposes that is, or is capable of being, filled with water to a depth of 0.45 metres (18 inches) or more, which does not include, but is not limited to, fish or ornamental ponds, natural ponds or those constructed along a natural watercourse, sealed tanks or pools fitted with lockable cover capable of supporting the weight of a 68 kilogram (150 pound) person, when closed.

***TENNIS CLUBHOUSE*** means a building wherein services accessory to a tennis court use are provided, including a retail pro shop, office, restaurant, a licensed establishment, and may also include a patio seating area.

***THROUGH LOT*** means a *lot* abutting two parallel or approximately parallel *highways* containing or capable of containing a *roadway*.

***TOURIST ACCOMMODATION*** means accommodation for the temporary lodging of the traveling public, not used as a dwelling unit for any residential use, and for this purpose “temporary” means the accommodation of any particular person for not more than 180 days in any calendar year, not more than 29 of which may be consecutive, such that the occupier would not become a resident elector of the Municipality by virtue of their occupancy.

***TOWNHOUSE*** means a building containing more than one and less than six dwelling units each of which has its own external entrance from ground level.

***TRADE CONTRACTOR’S OFFICES*** means offices associated with the administration of the following trades: building, electrical, heating and air conditioning, painting, plumbing, refrigeration, roofing, septic tank and signs.

***TRADE SCHOOLS*** means establishments primarily engaged in providing post-secondary vocational and technical training in a variety of technical subjects and trades and may lead to non-academic certification in banking, barbering, commercial art, commercial art, computer repair training, construction equipment

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operation, cooking, correspondence, cosmetology, fire training, flying, forestry, navigation and fisheries, radio and television broadcasting, real estate, restaurant operation, hairdressing and beauty culture, truck driving, and fine arts schools, or similar establishments.

***TREATED SOILS*** means cleaned soil which contains contaminants in concentrations at or below the threshold levels for industrial purposes as given in Schedule 4 or Schedule 5 of the *Waste Management Act Contaminated Sites Regulation*.

***UNLICENSED VEHICLE*** means a *vehicle* which does not have attached or affixed thereto in the manner prescribed in the *Motor Vehicle Act Regulations*:

a) motor *vehicle* number plates and validation decal for the current license year issued in respect of that *vehicle*, or
b) a valid interim vehicle license issued in respect of that *vehicle* pursuant to the *Motor Vehicle Act Regulations*.

***USE*** means the purposes for which land or a building or a structure is arranged or intended, or for which either land, a building, or a structure is, or may be, occupied and maintained.

***UTILITY*** means a *use* providing facilities for water, sewage, electrical, telephone or television cable services.

***VEHICLE*** means a device in, on or by which a person or thing is or may be transported or drawn upon a *roadway* but does not include a device designed to be moved by human power.

***VEHICLE AND EQUIPMENT REPAIRS*** means the maintenance and repair of *vehicles* and mechanical equipment undertaken with or without a fee, but excludes motor *vehicle* garages, service stations, and paint and body shops.

***VETERINARY CLINICS*** means any building, structure, or premises in which animals are treated for medical reasons, hospitalized or groomed.

***WAREHOUSES*** means the use or intended use of land, buildings or structures for the purpose of receiving and storage of goods for compensation, and includes the storage of goods by a distributor or supplier who markets goods for retail sale at other locations, but excludes retail sales from the lot.

***WATERCOURSE*** means any natural depression with visible banks, which contains water at some time and includes:

a) any lake, river, stream, creek, swamp or surface source of water, whether containing fish or not;
b) intermittent streams; and
c) surface drainage works which are inhabited by or provide habitat for fish.

***WETLAND*** means *land* which is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances supports, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

***WHOLESALE*** means the use of land, building, or structures, by establishments or businesses engaged in selling merchandise to retail dealers or to other wholesale dealers, or to contractors or to manufacturers, for resale or for use in their business.

***WOODWORKING*** means a use providing for the processing, manufacturing and assembling of wood products but excludes the milling and kiln-drying of timbers.

***ZONE*** means an area of land subject to the regulations of this Bylaw.

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## SECTION 2 - ADMINISTRATION AND ENFORCEMENT

### 2.1 Citation and Repeal

(1) This Bylaw may be cited for all purposes as “Highlands Zoning Bylaw, No. 100, 1998”.

Capital Regional District Bylaw No. 980, being the Langford Zoning Bylaw, 1981 is repealed.

### 2.2 General Interpretation

(1) Any enactments referred to in this Bylaw are a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time, and any bylaw referred to in this bylaw is reference to an enactment of the District of Highlands Council, as amended, revised, consolidated, or replaced from time to time.

(2) The headings given to sections, paragraphs, and sub-sections in this Bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.

(3) The schedules attached to this Bylaw form part of this Bylaw.

### 2.3 Area of Effect

(1) This Bylaw applies to all land, including the surface of water, within the boundaries of the District of Highlands.

### 2.4 Measurements

(1) Metric figures are used in this Bylaw. Imperial figures, which are not a part of this Bylaw, are shown for convenience only as approximate equivalents to the metric figures.

### 2.5 Uses and Regulations

(1) All uses, buildings, and structures within each zone or zone area must comply with the zone's listed uses and all applicable regulations and regulations of this Bylaw.

(2) No land, building, structure, or any part thereof shall be developed, used, occupied, constructed, sited, erected, modified, converted, enlarged, re-constructed, placed, maintained, altered or subdivided except in conformity with this Bylaw.

### 2.6 Compliance with Other Legislation

(1) In addition to this Bylaw a person is responsible for ascertaining and complying with the requirements of all other applicable: municipal bylaws, provincial statutes, provincial regulations, federal statutes, and federal regulations

### 2.7 Enforcement

(1) Right of Entry

(a) All those authorized by Council to enforce the provisions of this Bylaw shall have the right of entry and may enter onto any land or into any building at all reasonable hours in order to

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inspect the same and to ascertain whether the provisions of this Bylaw have been carried out.

(b) No person shall interfere with or obstruct the entry of any Council authorized representative onto any land or any building to which entry is made or attempted pursuant to the provisions of this Bylaw.

(2) Prohibitions

(a) No person shall contravene, cause, suffer, or permit a contravention of this Bylaw.

(b) No person shall authorize, commence, or undertake a use which is not permitted by this Bylaw.

(c) No person shall authorize, commence, or undertake a density which is not permitted by this Bylaw.

(d) No person shall construct, make an addition to, or alter a building or structure, which is not permitted by this Bylaw.

(e) No person shall contravene a condition of a permit issued under this Bylaw.

(f) No person shall modify any description, specifications, or plans that were the basis of the issuance of any permit by any District authorized representative.

(g) No person shall authorize or do any development that is at variance with the description, specifications, or plans that were the basis for the issuance of a building permit.

(h) No owner, lessee, tenant, or person shall permit occupancy of and/or occupy a dwelling unit or accessory dwelling unit or other building/structure which is not permitted in the zone.

(3) Penalties

(a) Every person who violates a provision of this Bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Fifty Thousand Dollars ($50,000.00) plus the costs of prosecution, and six months imprisonment.

(b) Each day a violation of the provisions of this Bylaw exists or is permitted to exist shall constitute a separate offence

## 2.8 Severability

(1) If any provision of this Bylaw is for any reason found invalid by a decision of any court of competent jurisdiction, such decision shall not affect the validity of any other provision of the Bylaw.

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## SECTION 3 - GENERAL REGULATIONS

### 3.1 Attachments to Buildings and Structures

(1) A *structure* or device that is sited, placed or constructed on or attached to any part of a *building or structure* shall be considered part of that *building or structure* for the purposes of determining compliance with this Bylaw.

### 3.2 Exceptions to Regulations

(1) The whole or any part of a permitted *structure* that is sited, placed or constructed wholly below the *finished ground level* may be sited on any portion of a *lot* with the exception of a swimming pool, no portion of which shall be located less than 10 metres from any *lot line*.

(2) A *fence* may be sited, placed or constructed on any part of a *lot*, and

a) shall not exceed a *height* of 2.5 metres where the *fence* is within 10 metres of any *lot line*, and
b) shall not exceed a *height* of 5 metres when the *fence* is not within 10 metres of any *lot line,*

measured from the *natural ground level* of the land prior to the siting, placement or construction of the *fence* or any other alteration of land.

(3) Despite Section 3.2(1) and the prescribed maximum *heights* in this Bylaw, flag poles, transmission towers, utility poles and telecommunication aerials shall not exceed a *height* of 20 metres.

### 3.3 Riparian Regulations

(1) Despite any other provisions of this Bylaw, no part of any *building or structure* shall be constructed, reconstructed, moved or extended nor shall any part of any mobile home or unit, modular home or *structure* be located:

a) within 30 m of the *natural boundary* of the sea;
b) within 30 m of the *natural boundary* of Fizzle Lake, Fork Lake, Mary Lake, Matson Lake, Mitchell Lake, Pease Lake, Second Lake, Teanook Lake or Third Lake;
c) within 30 m of the *natural boundary* of any other lake, pond or *wetland*; or
d) within 30 m of the *natural boundary* of Millstream, Craigflower, Earsman, Hazlitt or Pease Creek or any other *watercourse*.

(2) Despite any other provisions of this Bylaw, the washing of fresh concrete for cleaning or finishing purposes or to expose aggregates and the production, manufacturing, processing, storage or disposal of the following shall be prohibited within 15 metres of the *natural boundary* of the sea, a lake, pond, *wetland or watercourse:*

a) petroleum products including but not limited to oil, gas, grease, fuel oil or heating oil;
b) trash or debris;
c) pet or domestic animal wastes;
d) animal carcasses;
e) manufactured chemicals;
f) paints and solvents;
g) steam cleaning wastes;
h) laundry wastes or vehicle washing wastes;
i) soaps;
j) pesticides, herbicides and fertilizers other than those associated with habitat restoration;


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k) sanitary sewage;
l) liquids released to receiving waters at a temperature above 65 degrees Celsius;
m) chlorinated, chloraminated or brominated water or chlorine, chloramines or bomine, in concentrations above those known to have an adverse impact on aquatic life;
n) degreasers and solvents;
o) bark and other fibrous material;
p) antifreeze, batteries, tires, scrap metal or other automotive products;
q) acids or alkalis;
r) vehicle wastes; and
s) construction materials other than that associated with habitat restoration.

## 3.4 Buildings, Structures and Uses

(1) No *accessory building or structure* shall be sited, placed or constructed on a *lot* unless:

a) the *principal building* on the same *lot* has been or is simultaneously being sited, placed or constructed, or
b) the *principal use* on the same *lot* has been established and is being maintained.

(2) No *accessory use* shall be established or maintained on a *lot* unless:

a) the *principal building* on the same *lot* has been or is simultaneously being sited, placed or constructed, or
b) the *principal use* on the same *lot* has been established and is being maintained.

(3) Swimming pool shall be totally enclosed by a fence or building or structure or a combination of a fence, building or structure, with the following requirements:

a) a fence shall be no less than 1.5m (4.9 ft) above grade and have a self-closing gate equipped with a self-latching device that locks at lease 1.0m (3.3 ft) above grade located on the swimming pool side of the fence or on the outside of the fence at 1.5m (4.9 ft) above grade;
b) the base of every fence shall not be more than 100mm (4 inches) above ground or adjacent grade; and
c) doors and/or gates in a structure or building forming part of the safety barrier enclosing a swimming pool shall be self-closing and equipped with a locking device.

(4) A *building* used as a *dwelling unit* must not be constructed such that any room or group of rooms is connected to the remainder of the *dwelling unit* solely by a corridor, breezeway or other linear structural feature having a length greater than 6m.

## 3.5 Lighting

(1) No flashing or blinking exterior lighting shall be permitted.

(2) All direct and ambient lighting shall be shielded in residential zones so as to not shine directly beyond the boundaries of the lot.

(3) The maximum height for lighting posts is the lesser of the primary building or 7.0 metres.

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## 3.6 Home-Based Business

(1) A *home-based business* use shall be subject to the following regulations in addition to any regulations in the *Zone* in which it is located:

a) The owner or operator of a *home-based business* shall have their principal residence on the property on which the *home-based business* is located;

b) Persons employed in a *home-based business* are limited to the persons who reside in a *dwelling unit* on the *lot* on which that *home-based business* is operated, and to not more than one person who does not reside on the *lot* on which that *home-based business* is operated;

c) With the exception of on-site *vehicle* parking for the employees and customers of a *home-based business* subject to Section 3.5(1)(l), a *home-based business* may only be operated or maintained wholly within a *dwelling unit* on the *lot* on which the *home-based business* is operated;

d) Despite Section 3.5(1)(c), on a *lot* of 5000m$^2$ or more in area, a *home-based business* may only be operated or maintained wholly within a *dwelling unit* and wholly within a *building* which is *accessory* to the *dwelling unit*, on the *lot* on which that *home-based business* is operated;

e) The combined *floor area* of all *accessory buildings* any parts of which are used for a *home-based business* shall not exceed 70 square metres (753 sq. ft.), and any such *accessory building* so used must be sited at least 20 metres from the *front lot line* and 10 metres from each *side lot line* and the *rear lot line* of the *lot* on which they are located;

f) Storage or placement on a *lot* of any object or material associated with the operation of a *home-based business* is permitted only if the object or material is associated with the *home-based business* operated on that *lot,* and is permitted only within a *dwelling unit* or within an *accessory building* used for that *home-based business* pursuant to Section 3.5(1)(d);

g) A *Bed and Breakfast use* or the accommodation of persons as *boarders or lodgers* is permitted only in any Rural Residential, Rural or Greenbelt *Zone*, subject to the regulations in this Bylaw;

h) A *Bed and Breakfast use* or the accommodation of persons as *boarders or lodgers* may, despite Section 3.5(1)(d), only be operated or maintained wholly within a *dwelling unit* on the *lot* on which the *Bed and Breakfast use or boarding or lodging* use is operated;

i) The accommodation of persons as guests of a *Bed and Breakfast use* is limited to a maximum of eight (8) persons on any single night;

j) The accommodation of persons as *boarders or lodgers* is limited to a maximum of two rooms within a *dwelling unit*;

k) A *home-based business* shall not generate more than eight (8) departures or arrivals of *vehicles* per day from or to the *lot* or a parking area on a *highway* within 250 metres of a *lot*, on which the *home-based business* is operated or maintained;

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l) An operator or an employee of a *home-based business* shall not allow or permit to be stored or parked on a *lot*, on which the *home-based business* is operated or within 250 metres from that *lot*, more than one (1) *unlicensed vehicle* that is being or has been repaired or services by that *home-based business*;

m) No use of land, *buildings or structures* in the conduct of a *home-based business* shall create any noise, odour, heat, smoke, dust, glare, vibration or electrical interference which is detectable to a person of ordinary sensitivity or that interferes with ordinary residential uses of land outside the boundary of the *lot* which contains the *home-based business.*

### 3.7 Uses Prohibited in all Zones

(1) Any use not expressly permitted in this Bylaw is prohibited in all *Zones* and where a particular use is expressly permitted in one *Zone*, such use is prohibited in all other *Zones* where it is not also expressly permitted.

(2) Without limiting the generality of Section 3.6(1), the use of a *vehicle, unlicensed vehicle, recreational vehicle*, camper, or *building or structure* other than a *dwelling unit* as a *dwelling unit* is prohibited in all *Zones*.

(3) Except where used as a *home-based business*, the use of land, *buildings, or structures* for *Intensive Agriculture* is prohibited.

(4) Without limiting the generality of Section 3.6(1), no person shall use any land, building or structure for *Cannabis Production, Cannabis Sales,* or *Medical Cannabis Production,* except where such is an expressly permitted use elsewhere in this Bylaw.

### 3.8 Uses Permitted in any Zone

(1) Except where specifically prohibited, the following uses shall be permitted in any *Zone*:

a) *Roadways,*
b) traffic control *structures,*
c) utility *buildings and structures*,
d) fire suppression tanks, ponds, dry hydrants, access routes and gates,
e) parks, trails, playgrounds,
f) communications *structures*,
g) electrical power transmission and distribution lines; and
h) natural habitat conservation, enhancement and restoration.

### 3.9 Vehicles, Driveways and Parking

(1) No more than one (1) *unlicensed vehicle* shall be parked or kept outside a *building* on a *lot.*

(2) In a *Zone* that permits *agriculture* use, no more than three (3) *farm vehicles* shall be parked or kept outside a *building* on a *lot*.

(3) No more than three (3) *recreation vehicles* shall be parked or kept outside a *building* on a *lot*.

(4) With the exception of *farm vehicles*, no detached parts of any *vehicle*, shall be kept or stored outside a *building* on a *lot*.

(5) No *unlicensed vehicle* or *commercial vehicle* shall be parked or kept on a *lot* within 10 metres of any front lot line, side lot line or rear lot line.

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(6) Number of Parking Spaces

a) In addition to parking spaces prescribed in a *Zone*, no land, *building or structure* shall be used unless the number of parking spaces specified below are provided:

| | LAND USE | REQUIRED PARKING SPACES |
|---|---|---|
| i) | for each *principal dwelling unit* | 2 |
| ii) | for each *principal dwelling unit* used for a *home-based business* | 1 |
| iii) | for *accessory buildings* used for a *home-based business* | 1 |
| iv) | for each room that is used for a *boarder, lodger* or for a *bed breakfast* use | 1 |
| v) | for each *accessory dwelling unit* | 1 |
| vi) | Retail | 1 space per 20 $m^2$ gross floor area |
| vii) | Office | 1 .5 space per 40 $m^2$ gross floor area |
| viii) | Storage area | 1.5 space per 200 $m^2$ gross floor area |
| ix) | Restaurant | 1 space per 3 seats |
| x) | Clubhouse | 1 space per 25 $m^2$ gross floor area |
| xi) | Golf Course | 4 spaces per golf hole |
| xii) | Resort | 1 space per tourist accommodation unit |
| xiii) | Hotels | 0.75 space per tourist accommodation unit |
| xiv) | Day Care | 6 spaces plus one per staff |
| xv) | Tennis Courts | 3 spaces per court |
| xvi) | *Assembly* | 1 space per 20$m^2$ gross floor area plus one per staff |
| xvii) | *Retreat Accommodation* | The greater of 1 space per *retreat accommodation* unit or the sum of spaces required by uses other than *retreat accommodation* in the *Zone* |
| xviii | *Caretaker's Dwelling Unit* | 1 |

b) If more than one use occurs on a *lot,* the required number of parking spaces shall be cumulative and in addition to those prescribed in any particular *Zone*, except in the Rural Assembly Zone.

c) Motor vehicle parking areas containing more than 20 spaces in a row shall incorporate surface drainage infiltration galleries, and landscaped planning areas not less than 1.5m in width and 6.0m in length every 20 spaces.

(7) Bicycle Parking

Where not already prescribed, motor vehicle parking areas in *Zones* other than residential shall include facilities to park and store bicycles in a location that is accessible to guests, employees and the public. These shall contain at least 1 bicycle storage space for every 10 required parking spaces.

(8) Accessible Parks Spaces

If not already prescribed in a non-residential *Zone*:

a) Accessible parking spaces shall be provided in the ratios of 1 additional space for the first 20 required parking spaces and 1 additional space for every 40 required parking spaces thereafter.

b) Each accessible parking space shall have a width of 3.7m, occupy the nearest parking space to a *building* entrance that accommodates wheelchair access, and be clearly designated as accessible parking only.

c) Drop curbs shall be provided on any curb between an accessible parking space and the *building* entrance to accommodate wheelchair access.

d) Each accessible parking space shall have a firm, slip-resistant and level surface.

(9) Location of Parking Spaces and Driveways

a) Any required parking space shall be provided on the same *lot* as the *building* or use in respect of which it is provided.

b) With the exception of a driveway used for access from a *roadway* to a required parking space, a required parking space shall not be placed or maintained within ten (10) metres of any *front lot line* or *rear lot line*, or within five (5) metres of any *side lot line.*

c) Driveways on *lots* shall not extend onto a *roadway* except as provided in the District of Highlands Bylaw to Regulate Roads and Traffic.

(10) Dimensions of Parking Spaces and Driveways

a) No building shall be sited, placed or constructed on a *lot* unless a driveway from the *roadway* to the *building*, capable of access by emergency vehicles is built and maintained and such a driveway:

(i) shall not have a centerline radius less than 12 metres,
(ii) shall not have a traveled width of less than 3.6 metres,
(iii) shall not have a "K" value for vertical curves less than "2",
(iv) shall not have any overhead obstructions within 4 metres measured vertically over the required width and length of the driveway,
(v) must provide for the parking of an emergency vehicle not more than 15 metres from the main entrance to the *building*, and
(vi) must provide a turnaround area for emergency vehicles between 15 and 30 metres of the main entrance to the *building* where the driveway exceeds 90 metres in length, measured between its intersection with the *roadway* and the *building* which it serves. Such a turnaround area shall have a minimum length of 10 metres, a minimum width of 5 metres and a maximum grade of 6%.

(11) Slope and Surfacing of Driveways

a) For the purposes of this subsection, "hard surfaced" shall mean the provision of a durable surface of concrete, asphalt or similar materials designed to permit access use under all expected climatic conditions.

b) No part of a driveway shall be built or maintained on a *lot* containing a *building*, without being hard surfaced if:

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(i) any continuous, ten (10) metre length of that driveway, measured on its centerline, exceeds fifteen per cent (15%) in grade, and
(ii) that driveway provides the only *vehicle* access from a *roadway* to a *building* on the *lot* which it serves.

c) No part of a driveway as prescribed in Section 3.8(9)(b) shall be built or maintained if any continuous, ten (10) metre length of that driveway, measured on its centerline, exceeds twenty per cent (20%) in grade.

### 3.10 Temporary Commercial or Industrial Use Permits

(1) Authority to consider the issuance of Temporary Commercial or Industrial Use Permits in accordance with the *Local Government Act* is hereby designated for the property legally described as Section 15, Highlands District, Except those parts in Plans 7077, 7599, and 16010 and located at 1943 Millstream Road.

### 3.11 Accessory Dwelling Units

(1)The total floor area of an *accessory dwelling unit* shall not exceed 90$m^2$.
(2)The property owner must have as their principal residence either the *principal dwelling unit* or the *accessory dwelling unit*.
(3)An *accessory dwelling unit* must not be used for a *home-based business*.
(4)An *accessory dwelling unit* must not be subdivided from the *principal dwelling unit* on the same *lot*.

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## SECTION 4 - SUBDIVISION REGULATIONS

### 4.1 Lot Area

(1) No land shall be subdivided under the *Land Title Act* or the *Strata Property Act* unless:

a) the area of each *lot* proposed to be created is as least as great as the minimum *lot* area prescribed by this Bylaw, and

b) the average area of *lots* in the subdivision is at least as great as the average *lot* area prescribed by this Bylaw.

### 4.2 Lot Frontage and Width

(1) No land shall be subdivided under the *Land Title Act* or the *Condominium Act* unless:

a) where a minimum *frontage* is prescribed by this Bylaw, the *lot* has a *frontage* equal to or greater than the prescribed *frontage*, unless the *lot* is exempted by Council under Section 944 of the *Municipal Act*,

b) where a Bare Land Strata subdivision is proposed, the portion of the boundary of a strata *lot* that abuts a common property access route is no less than 10 per cent (10%) of the perimeter of the same strata *lot*, or

c) where a minimum *lot* width is prescribed by this Bylaw, the width of the *lot* at its narrowest point is at least as wide as the prescribed minimum width.

### 4.3 Lot Area Averaging

(1) If a subdivision is proposed that yields the maximum number of *lots* permitted by the applicable minimum and average *lot* areas prescribed by this Bylaw, and one or more of the *lots* being created has an area equal to or greater than twice the applicable average *lot* area, the applicant must grant a covenant to the Municipality in respect of every such *lot*, prohibiting further subdivision of the *lot*.

(2) If a subdivision is proposed that yields fewer than the maximum number of *lots* permitted by the applicable minimum and average *lot* areas prescribed by this Bylaw, and one or more of the *lots* being created has an area equal to or greater than twice the applicable average *lot* area and one or more of the *lots* being created has an area less than the applicable average *lot* area, the applicant must grant a covenant to the Municipality in respect of every *lot* having an area equal to or greater than twice the applicable average *lot* area, prohibiting the subdivision of the *lot* so as to create a greater total number of *lots* by subdivision and resubdivision of the original *lot* than would have been created had the first subdivision created the maximum number of *lots* permitted by the applicable minimum and average *lot* areas prescribed by this Bylaw.

### 4.4 Lot Exceptions

(1) Despite Sections 4.1 and 4.2, the *lot* areas, widths and *frontages* prescribed by this Bylaw shall not apply to a *lot* created for the operation of a utility service or system or for park use only, if the *Municipality* is granted a covenant restricting the use of the *lot* to that use, or if the *lot* is dedicated as park on the subdivision plan.

(2) Despite Section 4.1, the minimum *lot* areas prescribed by this Bylaw shall not apply if a subdivision creates one or more *lots* for park use only, dedicated as such on the subdivision plan or subject to

a use covenant as described in subsection (1), and if the number of other *lots* in that subdivision is not greater than the maximum number of *lots* that would be permitted by subdivision of the original *lot* under the applicable *lot* areas prescribed by this Bylaw.

## 4.5 Lot Line Adjustments

(1) Despite the *lot* areas prescribed by this Bylaw, *lots* which have areas smaller than the applicable *lot* areas prescribed by this Bylaw may be consolidated and resubdivided into the same or a lesser number of new *lots*, provided that the resubdivision does not result in the reduction of any original *lot* area by twenty per cent (20%) or more of its area that existed prior to the resubdivision.

(2) Despite Section 4.5(1), resubdivision of Lot 1, Plan VIP 52572, Section 14, Highlands District may result in a reduction of its original lot area by 70% of its area that existed prior to a resubdivision.

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**SECTION 5 - ESTABLISHMENT AND DESIGNATION OF ZONES**

(1) For the purpose of this Bylaw, land in the District of Highlands is divided into the following *Zones:*

| SHORT FORM | ZONE |
|---|---|
| | |
| RR1 | Rural Residential 1 |
| RR2 | Rural Residential 2 |
| | |
| RR2A | Rural Residential 2A |
| RR3 | Rural Residential 3 |
| RR4 | Rural Residential 4 |
| RR5 | Rural Residential 5 |
| RR6 | Rural Residential 6 |
| RR7 | Rural Residential 7 |
| RR8 | Rural Residential 8 |
| RR9 | Rural Residential 9 |
| RR10 | Rural Residential 10 |
| RR11 | Rural Residential 11 |
| RR12 | Rural Residential 12 |
| RR13 | Rural Residential 13 |
| RR14 | Rural Residential 14 |
| RR15 | Rural Residential 15 |
| RR16 | Rural Residential 16 |
| R1 | Rural 1 |
| R2 | Rural 2 |
| R3 | Rural 3 |
| R3A | Rural 3A |
| R3B | Rural 3B |
| R3C | Rural 3C |
| **SHORT FORM** | **ZONE** |
| R3D | Rural 3D |
| R4 | Rural 4 |
| R5 | Rural 5 |
| R6 | Rural 6 |
| R7 | Rural 7 |
| R8 | Rural 8 |
| RA | Rural Assembly |
| | |
| GB1 | Greenbelt 1 |
| GB1A | Greenbelt 1A |
| GB2 | Greenbelt 2 |
| | |
| BMCD1 | Bear Mountain Comprehensive Development 1 |
| CD2 | Comprehensive Development 2<br>1150 Bear Mountain Parkway |
| P1 | Park 1 |
| P2 | Public 2 |
| P3 | Public 3 |
| | |

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| | |
|---|---|
| **W1** | **Water 1** |
| **W2** | **Water 2** |
| **M1** | **General Industrial** |
| **M2** | **Medium Industrial** |
| **M3** | **Highwest Industrial** |
| **C1** | **Conservation 1** |
| **C2** | **Conservation 2** |
| **Am1** | **Amenity 1** |
| **Am2** | **Amenity 2** |

## 5.1 Zoning Map

(1) The location and boundaries of the *Zones* established by this Bylaw are shown on the Zoning Map attached to and forming Schedule A to this Bylaw.

(2) Where a *Zone* boundary does not follow a legally defined boundary, and where the distances are not specifically indicated on Schedule A, the location of the boundary shall be determined by scaling from Schedule A.

(3) When a *Zone* boundary designated on Schedule A follows a *highway* or a *watercourse*, the centerline of the *highway* or *watercourse* shall be the *Zone* boundary.

(4) The boundaries between the W1 and W2 *Zones* and abutting upland *lots* shall be the *natural boundary* of the waterbody or sea, as the case may be.

(5) Where land formerly covered by water has accreted to the upland, it shall upon deposit of a plan under Section 95 of the *Land Title Act* be deemed to have the same *Zone* designation as the adjacent upland.

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## SECTION 6 - RURAL RESIDENTIAL ZONES

## SECTION 6.1 - RURAL RESIDENTIAL 1 (RR1) ZONE

### 6.1.1 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 Rural Residential 1 (RR1) Zone:

*a) Residential*
*b) Home-based business*
*c) Agriculture*
*d) Accessory Uses, buildings and structures*

### 6.1.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.1.3 Siting and Dimensions of Buildings, Structures and Uses

(1) The *height* of a *principal 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 all *accessory buildings* on a *lot* shall not exceed 325 square metres and no single *accessory building* shall exceed 200 square metres in *floor area.*
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700m$^2$.

### 6.1.4 Subdivision Density and Lot Area Requirements

(1) Subject to Section 6.1.4(2), no *lot* having an area less than 0.4 hectares (1 acre) may be created by subdivision. No subdivision plan may be approved unless *lots* created by the subdivision have an average area of at least 0.8 hectares (2 acres).

(2) No lot may be created as prescribed in Section 6.1.4(1) if:

a) that *lot* contains part of an electrical transmission right of way described as Plan 3270 RW or as Plan 3242 RW, and if,
b) that *lot* contains less than 0.6 hectares (1.5 acres) of land that does not contain part of such a right of way.

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## SECTION 6.2 - RURAL RESIDENTIAL 2 (RR2) ZONE

### 6.2.1 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 2 (RR2) Zone:

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

### 6.2.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.2.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of the *principal dwelling unit* shall not exceed 10.5 metres
(2) The *height* of the *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 all *accessory buildings* on a *lot* shall not exceed 325 square metres and no single *accessory building* shall exceed 200 square metres in *floor* area.
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700$m^2$.

### 6.2.4 Subdivision Density and Lot Area Requirements

(1) No *lot* having an area less than 0.8 hectares (2 acres) may be created by subdivision. No subdivision plan may be approved unless *lots* created by the subdivision have an average area of at least 2.0 hectares (5 acres)

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## SECTION 6.2A - RURAL RESIDENTIAL 2A (RR2A) ZONE

### 6.2A.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 2A (RR2A) Zone:

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

### 6.2A.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.2A.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 *principal dwelling unit* shall not exceed 420 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*.

### 6.2A.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 6.2A.4(1), if the amenities described in Section 12.12.1 of this Bylaw are provided, Lot A and B, Section 39, Highland District, Plan 34216 if within the RR2A Zone may be subdivided into a maximum of 14 lots provided that:
(a) no *lot* shall have an area less than 0.8 hectares (2 acres);
(b) the average are of all lots so created is not less than 2.0 hectares (5 acres).

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## SECTION 6.3 - RURAL RESIDENTIAL 3 (RR3) ZONE

### 6.3.1 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 3 (RR3) Zone:

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

### 6.3.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.3.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 all *accessory buildings* on a *lot* shall not exceed 325 square metres and no single *accessory building* shall exceed 200 square metres in *floor area*.
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700$m^2$.

### 6.3.4 Subdivision Density and Lot Area Requirements

(1) No *lot* having an area less than 0.8 hectares (2 acres) may be created by subdivision. No subdivision plan may be approved unless *lots* created by the subdivision have an average area of at least 2.0 hectares (5 acres).

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## SECTION 6.4 - RURAL RESIDENTIAL 4 (RR4) ZONE

### 6.4.1 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 4 (RR4) Zone:

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

### 6.4.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.4.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal dwelling unit* shall not exceed 9 metres
(2) The *height* of an *accessory building or structure* shall not exceed 6 metres
(3) No *building or structure* shall be sited within 20 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 *principal dwelling unit* shall not exceed 420 square metres.

(8) The total combined *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*.

### 6.4.4 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 6.4.4(1), if the amenities described in Section 12.1 of this Bylaw are provided, a subdivision plan may approved to create a maximum of 59 *residential lots* with no *lot* less than 1.25 hectares (3 acres) in the area.

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## SECTION 6.5 - RURAL RESIDENTIAL 5 (RR5) ZONE

### 6.5.1 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 Rural Residential 5 (RR5) Zone:

a) *Residential*
b) *Home-based Business*
c) *Agriculture*
d) *Accessory uses, buildings and structures*

### 6.5.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.5.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal dwelling unit* shall not exceed 9 metres.
(2) The *height* of an *accessory building or structure* shall not exceed 6 metres
(3) No *building or structure* shall be sited within 20 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 *principal dwelling unit* shall not exceed 322 square metres.
(8) The total combined *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.*

### 6.5.4 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 6.5.4(1), if the amenities described in Section 12.2 of this Bylaw are provided, a subdivision plan may be approved to create a maximum of 26 *residential lots* with no *lot* less than 1.2 hectares (3 acres) in area.

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## SECTION 6.6 - RURAL RESIDENTIAL 6 (RR6) ZONE

*(**deleted by Bylaw No. 185, adopted August 6, 2002)*

## 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 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) *principal dwelling units* on each *lot.*

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.7.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 *principal dwelling unit* shall not exceed 150 square metres.
(8) The total combined *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 lots* with no *lot* less than 0.3 hectares (0.75 acres) in area.

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## 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 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) *principal dwelling units* on each *lot*. For the purposes of this subsection, *lot* excludes common property in a Bare Land Strata Plan.

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.8.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 all buildings on a lot shall not exceed 330 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 nine (9) *residential lots* (excluding common property in a Bare Land Strata Plan) with no *lot* less than 0.2 hectares (0.5 acres).

## SECTION 6.9 - RURAL RESIDENTIAL 9 (RR9) ZONE

*(**deleted by Bylaw No. 457, adopted June 17, 2024)*

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## SECTION 6.10 - RURAL RESIDENTIAL 10 (RR10) ZONE

*(**deleted by Bylaw No. 457, adopted June 17, 2024)*

## SECTION 6.11 - RURAL RESIDENTIAL 11 (RR11) ZONE

*(**deleted by Bylaw No. 457, adopted June 17, 2024)*

## SECTION 6.12 - RURAL RESIDENTIAL 12 (RR12) ZONE

*(**deleted by Bylaw No. 457, adopted June 17, 2024)*

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## SECTION 6.13 - RURAL RESIDENTIAL 13 (RR13) ZONE

### 6.13.1 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 Rural Residential 13 (RR13) *Zone*:

a) *Residential*
b) *Home-based Business*
c) *Accessory* uses, *buildings* and *structures*

### 6.13.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.13.3 Siting and Dimensions of Buildings and Structures

(1) All *buildings* and *structures* shall be measured from the property line to the foundation of the *building* or *structure*. Chimneys, cornice, leaders, gutters, pilaster, belt courses, sills, steps, eaves, sunlight control projections, canopies, balconies, or ornamental features may project into a required setback from a *front, side,* or *rear lot line* beyond the face of a *building*, the minimum distances to be reduced by not more than 1 metre but such reduction applies only to the projecting feature.

(2) For the purposes of this zone only,
a) "Front yard" means the area bounded by the *front lot line*, the two *side lot lines* nearest the *front lot line*, and the *dwelling unit's* foundation contour nearest to the *front lot line*.
b) "Rear yard" means the area bounded by the *rear lot line*, the two *side lot lines* nearest the *rear lot line*, and the *dwelling unit's* foundation contour nearest to the *rear lot line*.
c) "Side yard" means the area between a *side lot line* and the *dwelling unit's* foundation contour, specifically excluding the "front yard" and "rear yard" and any area taken up by *accessory buildings* or *structures*.

(3) The *height* of a *dwelling unit* shall not exceed 9 meters.

(4) No *dwelling unit* shall be sited within 5 meters of a *front lot line*.

(5) No *dwelling unit* shall be sited within 1.5 meters of a *side lot line*.

(6) No *dwelling unit* shall be sited within 5 meters of a *side lot line* that abuts a street or *highway*.

(7) No *dwelling unit* shall be sited within 5 meters of a *rear lot line*.

(8) The total *floor area* of a *principal dwelling unit* shall not exceed 350 square meters.
a) Garages and carports shall be included in the 350 square meters total *floor area* of a *principal dwelling unit*.
b) Despite section 6.13.3 (8) (a), up to 29 square meters of a carport only may be excluded from the 350 square meters total *floor area* of a *principal dwelling unit*.

(9) Despite section 3.8(7)(b) of this Bylaw, at least one of the required parking spaces shall be within the *principal dwelling unit,* such as within the carport or the garage.

(10) *Accessory buildings* and *structures* shall only be permitted in the "side yard" or "rear yard".

(11) *Accessory buildings* and *structures* are not permitted within a "side yard" flanking a street or *highway*.


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(12) The height of an *accessory building* or *structure* shall not exceed 5 meters.
(13) No *accessory building* or *structure* shall be sited within 1 meter of a *rear lot line*.
(14) No *accessory building* or *structure* shall be sited within 1 meter of a *side lot line.*
(15) The total *floor area* of all *accessory buildings* and *structures* shall not exceed 100 square meters or 30% of the total combined area of the “side yard” and “rear yard”, whichever is less.

### 6.13.4 Subdivision Density and Lot Area Requirements

(1) No *lot* created shall be smaller than 2.5 hectares.
(2) Despite Section 6.13.4 (1), if the amenities described in Section 6.13.5 of this bylaw are provided, and if the District of Highlands and the Owner have entered into a Development Agreement, a subdivision plan may be approved to create a maximum of 57 *residential lots* (excluding common strata property) with no *lot* having less than 150 square meters (1,614 sq. ft.) in area, except in the case of a corner *lot*, which must not be less than 190 square meters (2,044 sq. ft.) in area.

### 6.13.5 Amenities

(1) Land with an area of not less than 9 hectares in the RR13 *Zone* may be subdivided into the maximum number of *residential lots* and the prescribed *lot* area as specified in Section 6.13.4 (2) of this bylaw, if the amenities described in Section 6.13.6 (2) are provided and the Development Agreement referred to in Section 6.13.4 (2) has been entered into.
(2) The payment of $7,800.00 for each additional *lot* created, to a maximum of $436,800.00 (CDN), the first half of which payment received to be placed in the Fire Department Equipment Replacement Reserve Fund, and next $50,000.00 of which payment received to be placed in the Park Reserve Fund, and the balance of payment received to be placed in the Capital Works and Equipment Reserve Fund.

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## SECTION 6.14 - RURAL RESIDENTIAL 14 (RR14) ZONE

### 6.14.1 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 Rural Residential 14 (RR14) 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.

### 6.14.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.14.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal dwelling unit* shall not exceed 9 metres.
(2) The *height* of an *accessory building or structure* shall not exceed 6 metres
(3) No *building or structure* shall be sited within 20 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 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 all *buildings* on a *lot* shall not exceed 600 square metres.
(8) The total combined *floor area* of all *accessory buildings* on a *lot* shall not exceed 325 square metres and no single *accessory building* shall exceed 200 square metres in *floor area*.

### 6.14.4 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 6.14.4(1), if the amenities described in Section 12.11.1 of this Bylaw are provided, a subdivision plan may be approved to create a maximum of seven (7) *residential lots* (excluding common property in a Bare Land Strata Plan) with no *lot* less than 1 hectare (2.47 acres).

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## SECTION 6.15 - RURAL RESIDENTIAL 15 (RR15) ZONE

### 6.15.1 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 15 (RR15) Zone:

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

### 6.15.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.15.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 all *accessory buildings* on a *lot* shall not exceed 325 square metres and no single *accessory building* shall exceed 200 square metres in *floor area.*
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700$m^2$.

### 6.15.4 Subdivision Density and Lot Area Requirements

(1) No *lot* having an area less than 0.8 hectares (2 acres) may be created by subdivision. No subdivision plan may be approved unless *lots* created by the subdivision have an average area of at least 1.5 hectares (3.8 acres)

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## SECTION 6.16 - RURAL RESIDENTIAL 16 (RR16) ZONE

### 6.16.1 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 16 (RR16) Zone:

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

### 6.16.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 6.16.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 all *accessory buildings* on a *lot* shall not exceed 325 square metres and no single *accessory building* shall exceed 200 square metres in *floor area*.
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700$m^2$.

### 6.16.4 Subdivision Density and Lot Area Requirements

(1) No *lot* having an area less than 0.8 hectare (2 acres) may be created by subdivision. No subdivision plan may be approved unless *lots* created by the subdivision have an average area of at least 1.16 hectares (2.87 acres).

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## SECTION 7 - RURAL ZONES

## SECTION 7.1 - RURAL 1 (R1) ZONE

### 7.1.1 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 Rural 1 (R1) Zone:

a) *Residential*
b) *Agriculture*
c) *Home-based Business*
d) *Accessory uses, buildings and structures*

### 7.1.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.1.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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*.
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700m$^2$.

### 7.1.4 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 12 hectares (30 acres).

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## SECTION 7.2 - RURAL 2 (R2) ZONE

### 7.2.1 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 Rural 2 (R2) Zone:

a) *Residential*
b) *Agriculture*
c) *Home-based Business*
d) *Accessory uses, buildings and structures*

### 7.2.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.2.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 20 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 *principal dwelling unit* shall not exceed 322 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*.

### 7.2.4 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 7.2.4(1), if the amenities described in Section 12.3 of this Bylaw are provided, a subdivision plan may be approved to create a maximum of 22 *residential lots* with no *lot* less than 2 hectares (5 acres) in the area.

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## SECTION 7.3 - RURAL 3 (R3) ZONE

### 7.3.1 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 Rural 3 (R3) Zone:

a) *Residential*
b) *Agriculture*
c) *Home-based Business*
d) *Accessory uses, buildings and structures*

### 7.3.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.3.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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*.
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700$m^2$.

### 7.3.4 Subdivision Density and Lot Area Requirements

(1) No lot having an area less than 0.8 hectares (2 acres) may be created by subdivision. No subdivision plan may be approved unless *lots* created by the subdivision have an average area of at least 4 hectares (10 acres).

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## SECTION 7.3A - RURAL 3A (R3A) ZONE

### 7.3A.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 Rural 3A (R3A) Zone:

a) *Residential*
b) *Kennel*
c) *Agriculture*
d) *Home-based Business*
e) *Accessory uses, buildings and structures*

### 7.3A.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.3A.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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*, no *building* used for *Agriculture* shall be sited within 30 metres of a *front lot line* and no *building* used for a *kennel* shall be sited within 90 metres of a *front lot line*.
(4) No *building* or *structure* shall be sited within 5 metres of a *side lot line*, no *building* used for *Agriculture* shall be sited within 15 metres of a *side lot line* and no *building* used for a *kennel* shall be sited within 30 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* and no *building* used for a *kennel* shall be sited within 30 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*.

### 7.3A.4 Parking for a Kennel

(1) Use of *land, building* or *structures* for a kennel shall not be commenced or maintained on a *lot* unless three (3) parking spaces are provided on the *lot* to serve that *use* of *land,* exclusive of other parking spaces required by this Bylaw for other uses on that *lot.*

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### 7.3A.5 Subdivision Density and Lot Area Requirements

(1) No *lot* having an area less than 0.8 hectares (2 acres) may be created by subdivision. No subdivision plan may be approved unless *lots* created by the subdivision have an average area of at least 4 hectares (10 acres).

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## SECTION 7.3B - RURAL 3B (R3B) ZONE

### 7.3B1 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 Rural 3B (R3B) Zone:

a) *Residential*
b) *Woodworking* contained within a single *building*
c) *Agriculture*
d) *Home-based Business*
e) *Accessory uses, buildings and structures*

### 7.3B.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.3B.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal dwelling unit* shall not exceed 10.5 metres.
(2) The *height* of an *accessory, agriculture or woodworking 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* and no *building* used for *Agriculture* shall be sited within 30 metres of a *front lot line* and no *building* used for *woodworking* shall be sited within 60 metres of a *front lot line*.
(4) No *dwelling unit or accessory 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* and no *building* used for *woodworking* shall be sited within 1 metres of the southern most *side lot line* nor within 40 metres of the northern most *side lot line*.
(5) 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* and no *building* used for *woodworking* shall be sited within 20 metres of a *rear lot line.*
(7) The total *floor area* of all *accessory buildings* on a *lot* shall not exceed 50 square metres, the total *floor area* of all *agriculture buildings* shall not exceed 100 square metres, and the total *floor area* of a *woodworking building* shall not exceed 575 square metres.

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### 7.3B.4 Parking for Woodworking Use

(1) Use of *land, buildings or structures* for *woodworking* shall not be commenced or maintained on a *lot* unless six (6) parking spaces are provided on the *lot* to serve that *use of land*, exclusive of other parking spaces required by this Bylaw for other uses on that *lot.*

### 7.3B.5 Subdivision Density and Lot Area Requirements

(1) No *lot* having an area less than 0.4 hectares (1 acre) may be created by subdivision.

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## SECTION 7.3C - RURAL 3C (R3C) ZONE

### 7.3C.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 Rural 3C (R3C) Zone:

a) *Residential*
b) *Animal Rehabilitation Centre*
c) *Agriculture*
d) *Home-based Business*
e) *Accessory uses, buildings and structures*

### 7.3C.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.3C.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 all *accessory buildings* on a *lot* shall not exceed 325 square metres and no single *accessory building* shall exceed 200 square metres in *floor area*.

### 7.3C.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).

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## SECTION 7.3D - RURAL 3D (R3D) ZONE

### 7.3D.1 Permitted Uses

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 3D (R3D) Zone:

(a) *Residential*
(b) *Day Care as regulated by the Community Care and Assisted Living Act, as amended from time to time*
(c) *Agricultural*
(d) *Accessory uses, buildings and structures*

### 7.3D.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.3D.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal dwelling unit* and/or any *building* or *structure* used for day care 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* use for *Agriculture* shall be sited within 15 metres of a *rear lot line.*
(7) The total *floor area* of all buildings on a *lot* shall not exceed 362 square metres.

### 7.3D.4 Landscaping and Screening

(1) Native vegetative screening of a height of not less than 2.0 metres (6.56 feet), a depth of not less than 1.5 metres (4.9 feet), and a mature height of not less than 6.0 metres (19.69 feet), shall be provided and maintained continuously along Millstream Road. If the native vegetative screening is hedging and is within 5m of a BC Hydro utility pole, the mature height of the hedge shall be not less than 4.0 metres (13.12 feet).

### 7.3D.5 Subdivision Density and Lot Area Requirements

(1) No *lot* having an area less than 0.68 hectare (1.68 acres) may be created by subdivision.

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## SECTION 7.4 - RURAL 4 (R4) ZONE

### 7.4.1 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 Rural 4 (R4) Zone:

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

### 7.4.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.4.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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*.
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700$m^2$.

### 7.4.4 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).

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## 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) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.5.3 Siting and Dimensions of Buildings and Structures

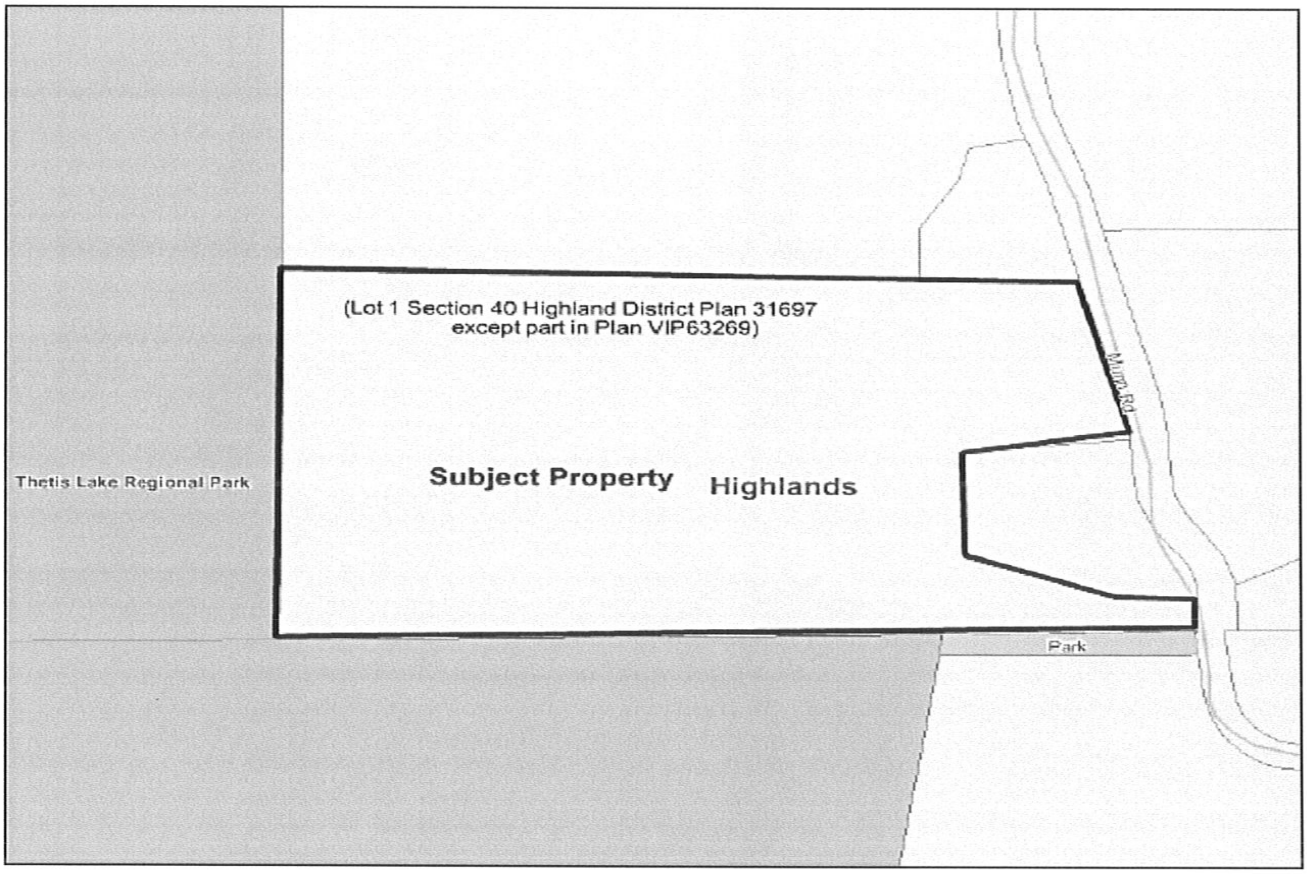
(1) The *height* of a *principal dwelling unit* shall not exceed 10.5 metres.
(2) The *height* of an *accessory building* or *structure* shall not exceed 6 metres and the height of a *building* used for *Agriculture* shall not exceed 12 metres.
(3) No *building* or *structure* shall be sited within 7.5 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.*
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700$m^2$.

### 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).

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## SCHEDULE "A"




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## SECTION 7.6 - RURAL 6 (R6) ZONE

### 7.6.1 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 6 (R6) Zone:

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

### 7.6.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.6.3 Siting and Dimensions of Buildings and Structures

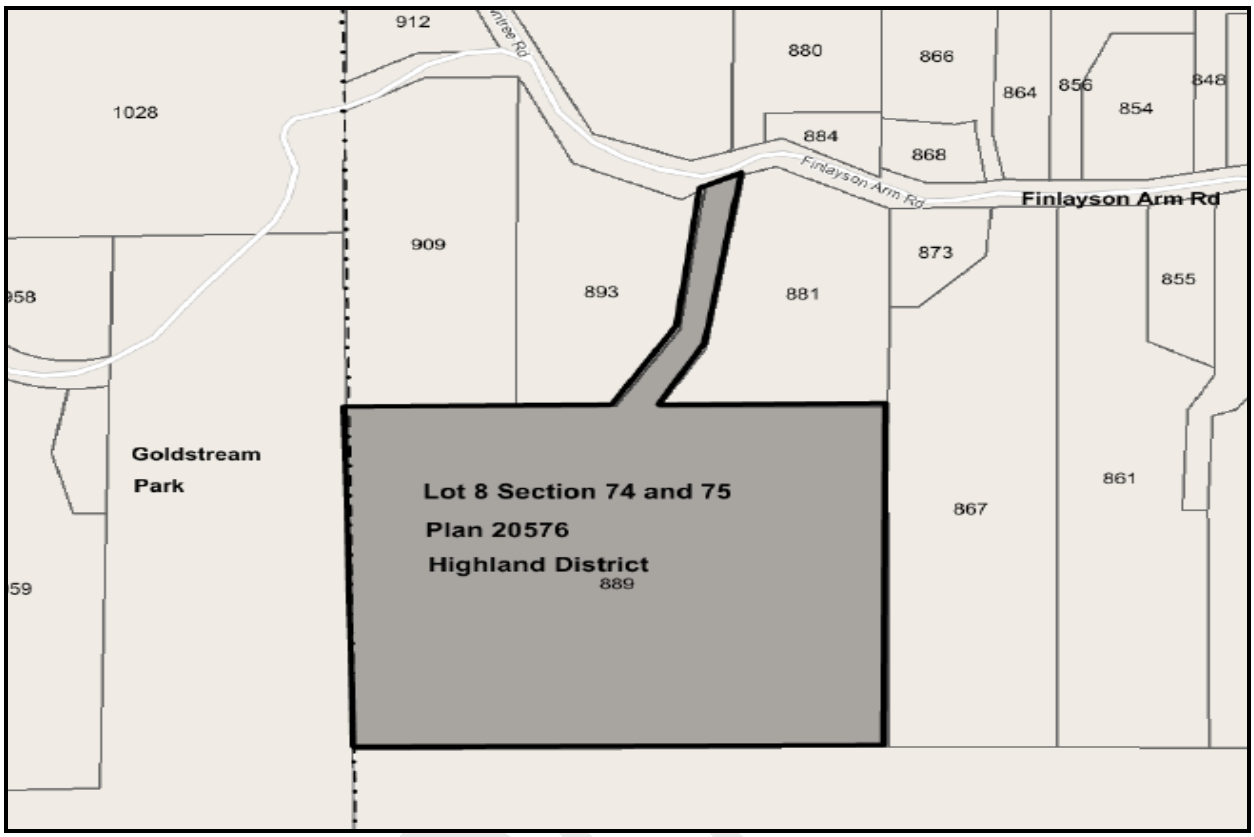
(1) The *height* of a *principal dwelling unit* shall not exceed 10.5 metres.
(2) The *height* of an *accessory building* or *structure* shall not exceed 6 metres and the *height* of a *building* used for *Agriculture* shall not exceed 12 metres.
(3) No *building* or *structure* shall be sited within 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*.
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700m$^2$.

### 7.6.4 Subdivision Density and Lot Area Requirements

(1) No *lot* having an area less than 12 hectares (29.7 acres) may be created by subdivision.
(2) Despite Section 7.6.4(1), if the amenities described in Section 12.15.1 of this Bylaw are provided, Lot 8, Section 74 and 75, Plan 20576, Highland District if within the R6 Zone may be subdivided into a maximum of three (3) *lots* provided that no *lot* shall have an area less than 2.8 hectares (7 acres).

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## Schedule "A"




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## SECTION 7.7 - RURAL 7 (R7) ZONE

### 7.7.1 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 7 (R7) Zone:

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

### 7.7.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.7.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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*.
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700m$^2$.

### 7.7.4 Subdivision Density and Lot Area Requirements

(1) No *lot* having an area less than 10.7 hectares (26.5 acres) may be created by subdivision.
(2) Despite Section 7.7.4(1), if the amenities described in Section 12.17.1 of this Bylaw are provided, Lot B, Section 27, Highland District, Plan VIP60905 if within the R7 Zone may be subdivided into a maximum of two (2) *residential lots* provided that no *lot* shall have an area less than 4.25 hectares (10.5 acres).

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## SECTION 7.8 - RURAL 8 (R8) ZONE

### 7.8.1 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 8 (R8) Zone:

(a) Residential
(b) Day Care as regulated by the Community Care and Assisted Living Act
(c) Agricultural
(d) Accessory uses, buildings and structures

### 7.8.2 Residential Density

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

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 7.8.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal dwelling unit* and/or any *building* or *structure* used for day care 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 3.5 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* use for *Agriculture* shall be sited within 15 metres of a *rear lot line.*
(7) The total floor area of all buildings on a lot shall not exceed 477 square metres.

### 7.8.4 Landscaping and Screening

(1) Native vegetative screening of a height of not less than 2.0 metres (6.56 feet), a depth of not less than 1.5 metres (4.9 feet), and a mature height of not less than 6.0 metres (19.69 feet), shall be provided and maintained continuously along Millstream Road. If the native vegetative screening is hedging and is within 5m of a BC Hydro utility pole, the mature height of the hedge shall be not less than 4.0 metres (13.12 feet).

### 7.8.5 Subdivision Density and Lot Area Requirements

(2) No *lot* having an area less than 0.57 hectare (1.41 acres) may be created by subdivision.

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## SECTION 7.9 - RURAL ASSEMBLY (RA) ZONE

### 7.9.1 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 Rural Assembly (RA) Zone:

a) *Assembly*
b) Retreat facility that may prepare and/or provide food to registered guests
c) *Retreat Accommodation*
d) *Caretaker's Dwelling Unit*
e) *Agriculture accessory* to any *principal use*
f) *Accessory* uses*, buildings* and *structures*

### 7.9.2 Densities

(1) The total combined floor area of all *buildings* or *structures* within all 4 Rural Assembly zoned areas shall not exceed 842 square metres.
(2) For *Retreat Accommodation*, there shall be no more than:
   a. 13 units in *buildings*
   b. 20 camping spaces and
   c. 6 *recreational vehicle* spaces

within all 4 Rural Assembly zoned areas.
(3) There shall be no more than one (1) *caretaker's dwelling unit* within all 4 Rural Assembly zoned areas.

### 7.9.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of any *building or structure* shall not exceed 10.5 metres.
(2) The total floor area for the *caretaker's dwelling unit* shall not exceed 60 square metres.
(3) No *building or structure* shall be sited within 20 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*.

### 7.9.4 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 16.3 hectares (40.3 acres).

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## SECTION 8 – GREENBELT ZONES

## SECTION 8.1 - GREENBELT 1 (GB1) ZONE

### 8.1.1 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 Greenbelt 1 (GB1) Zone:

a) Forest management activities related to timber production and harvesting
b) *Residential*
c) *Agriculture*
d) *Home-based Business*
e) *Accessory uses, buildings and structures*

### 8.1.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 8.1.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 20 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 10 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*.
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700$m^2$.

### 8.1.4 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 12 hectares (30 acres).

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## SECTION 8.1A - GREENBELT 1A (GB1A) ZONE

### 8.1A.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 Greenbelt 1A (GB1A) Zone:

a) Forest management activities related to timber production and harvesting
b) *Residential*
c) *Agriculture*
d) *Home-based Business*
e) *Accessory uses, buildings and structures*

### 8.1A.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot*.
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act* there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act*, in favour of the District of Highlands, prohibiting any *accessory dwelling unit* on the *lot* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 8.1A.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 20 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 10 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) For lots 3 hectares in size and smaller, the total *floor area* of a *principal dwelling unit* shall not exceed 300 square metres.
(8) For lots larger than 3 hectares, the total *floor area* of a *principal dwelling unit* shall not exceed 375 square metres.
(9) For lots 3 hectares in size and smaller, 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*.
(10) For lots larger than 3 hectares and smaller than 20 hectares, the total *floor area* of all *accessory buildings* on a *lot* shall not exceed 375 square metres and no single *accessory building* shall exceed 100 square metres in *floor area*.
(11) For lots 20 hectares and larger, the total *floor area* of all *accessory buildings* on a *lot* shall not exceed 750 square metres and no single *accessory building* shall exceed 300 square metres in *floor area*.

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### 8.1A.4 Subdivision Density and Lot Area Requirements

(2) No subdivision plan may be approved unless *lots* created by the subdivision have a minimum area of at least 48 hectares (120 acres).

(3) Despite section 8.1A.4(1), and in accordance with a density benefit scheme under Section 482 of the *Local Government Act*, land zoned GB1A may be subdivided into a maximum of seven (7) lots as generally shown in Schedule G to Highlands Zoning Bylaw 100 if the following conditions have been satisfied:

a. The land identified on Schedule G as “Proposed Park Dedication,” and in no case less than 0.7 hectare of land has been dedicated as park land to the District,
b. The “Mitchell House,” a house which is located in the approximate area noted on Schedule G has been added to the Highlands Community Heritage Register, and
c. A statutory right of way in favour of the District for emergency access through the area identified on Schedule G as, “Proposed 4m Wide SRW for Emergency Access Only,” has been granted to the District.

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## SECTION 8.2 - GREENBELT 2 (GB2) ZONE

### 8.2.1 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 Greenbelt 2 (GB2) Zone:

a) *Residential*
b) *Agriculture*
c) *Home-based Business*
d) *Accessory uses, buildings and structures*

### 8.2.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot.*
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 8.2.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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 20 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 10 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*.
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 700m$^2$.

### 8.2.4 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).

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## SECTION 9 - PUBLIC ZONES

## SECTION 9.1 - PARK 1 (P1) ZONE

### 9.1.1 Permitted Uses

(1) The following uses shall be permitted in the Park 1 (P1) Zone:

a) non-motorized outdoor recreation

### 9.1.2 Siting and Dimensions of Buildings, Structures and Uses

(1) The *height* of a *building* shall not exceed 6 metres.
(2) No *building* or *structure* shall be sited within 20 metres of a *front lot line.*
(3) No *building* or *structure* shall be sited within 6 metres of a *side lot line.*
(4) No *building* or *structure* shall be sited within 10 metres of a *side lot line* that abuts a *highway.*
(5) No *building* or *structure* shall be sited within 10 metres of a *rear lot line*.
(6) No parking space shall be sited within 6 metres of any *lot line*.
(7) The total *floor area* of all *buildings* on a *lot* shall not exceed 75 square metres (807 sq. ft.)

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## SECTION 9.2 - PUBLIC 2 (P2) ZONE

### 9.2.1 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 Public 2 (P2) Zone:

a) *Assembly*
*b) Community Hall*
*c) Fire Hall*
*d) Municipal Office*
*e) School*
*f) Recreation Facility*
*g) Non-motorized outdoor recreation*
*(**9.2.1(h & i) added under Bylaw No. 385, June 2016*
*h) Community Gardens*
*i) Accessory uses, buildings and structures*

### 9.2.2 Siting and Dimensions of Buildings, Structures and Uses

(1) The *height* of a *building* shall not exceed 12 metres.
(2) No *building* or *structure* shall be sited within 20 metres of a *front lot line.*
(3) No *building* or *structure* shall be sited within 6 metres of a *side lot line.*
(4) No *building* or *structure* shall be sited within 10 metres of a *side lot line* that abuts a *highway*.
(5) No *building* or *structure* shall be sited within 10 metres of a *rear lot line*.
(6) No parking space shall be sited within 6 metres of any *lot line*.
(7) The total *floor area* of all *buildings* on a *lot* shall not exceed 600 square metres (6,460 sq. ft.)

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## SECTION 9.3 - PUBLIC 3 (P3) ZONE

### 9.3.1 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 Public 3 (P3) Zone:

a) *Assembly*
b) *Residential*
c) *Non-motorized outdoor recreation*
d) *Home-based business*
e) *Agriculture*
f) *Accessory uses, buildings and structures*

### 9.3.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot*.
(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 9.3.3 Siting and Dimensions of Buildings, Structures and Uses

(1) The *height* of a *principal dwelling unit* or a *building* shall not exceed 10.5 metres.
(2) No *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 6 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 all *buildings* on a *lot* shall not exceed 500 square metres (5,382 sq. ft.)

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## SECTION 10 - WATER ZONES

## SECTION 10.1 - WATER 1 (W1) ZONE

### 10.1.1 Permitted Uses

(1) The following uses shall be permitted in the Water 1 (W1) Zone:

a) Docks, floats or moorings *accessory* to an adjacent *residential use*
b) Withdrawal of water *accessory* to an adjacent use
c) Non-commercial, non-motorized outdoor recreation *accessory* to an adjacent *residential* use
d) Operation of non-motorized craft
e) Water detention of retention by means of a *structures* such as dams
f) *Accessory* uses and *structures*

## SECTION 10.2 - WATER 2 (W2) ZONE

### 10.2.1 Permitted Uses

(1) The following uses shall be permitted in the Water 2 (W2) Zone:

(a) Outdoor recreation including the operation of water craft
(b) Marine navigation *structures*
(c) Foreshore restoration or protection

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## SECTION 11 - INDUSTRIAL ZONES

## SECTION 11.1 - GENERAL INDUSTRIAL (M1) ZONE

### 11.1.1 Permitted Uses

(1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in the General Industrial (M1) Zone, provided they are not noxious or offensive to any residential neighbour or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent or hazard:

a) *Building product sales*
b) *Carpentry shops*
c) *Computer technology sales, service and manufacturing*
d) *Electronics manufacturing*
e) *Film production studios*
f) *Financial institutions*
g) *Industrial Use*
h) *Machine Shops*
i) *Minis storage*
j) *Nurseries*
k) *Offices*
l) *Outdoor storage*
m) *Recreational facilities*
n) *Recycling Depots*
o) *Rental of goods and equipment*
p) *Restaurants*
q) *Retail stores* as an accessory use, of products manufactured, cleaned, stored or otherwise handled in the primary use.
r) *Sawmills and planer mills*
s) *Scientific or technology research facility*
t) *Trade contractors offices*
u) *Trade schools*
v) *Veterinary clinics*
w) *Wholesale*
x) *Warehouses*
y) *Accessory uses, buildings and structures*

### 11.1.2 Prohibited Uses

(1) In addition to the uses prohibited in Section 3.6 of this Bylaw, the following uses are expressly prohibited in the General Industrial (M1) Zone:

(a) Any uses considered offensive under the *Health Act*
(b) Refuse and garbage burning and landfilling
(c) Fertilizer, herbicide or pesticide manufacturing
(d) Refineries or bulk petroleum product manufacturing
(e) Bulk food product manufacturing
(f) *Industrial uses* within this Zone shall exclude “wrecking and salvaging” operations; and

(g) A use in this zone shall not ordinarily discharge or emit odorous, toxic or noxious matters or vapors, heat, glare, noise, vibration, smoke, dust, effluent or other emission hazards, electrical interference, or radiation across any lot line.

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### 11.1.3 Siting and Dimensions of Buildings, Structures and Uses

(1) In this zone the definition of *finished ground level* is as follows:

***"FINISHED GROUND LEVEL*** means the *height* of a point at the perimeter of the base of a *building or structure* and which is vertically within 1.0 metres of the ground level of the land prior to the siting, placement or construction of that *building or structure* but excludes a localized depression such as a stairway access to a lower floor".

(2) The *height* of a *principal building* shall not exceed 12 metres (39.4 feet).
(3) The *height* of an *accessory building or structure* shall not exceed 8 metres (26.2 feet).
(4) The maximum or combined *height* of containers utilized for the purposes of storage shall not exceed 3.5 metres (11.48 feet).
(5) No *building or structure* shall be sited within 7.5 metres (24.60 feet) of a *front lot line*, provided that where the area between a building front line and a front lot line is landscaped and not used for off-street parking, the minimum setback may be reduced to 4.5 metres (14.76 feet).
(6) Side Yards:
   a) A side yard shall be provided of not less than 5 metres (16.40 feet) in width for 1 side yard and 0 metres for the other.
   b) No *building or structure* shall be sited within 5 metres (16.40 feet) of a *side lot line* that abuts a *highway*.
(7) No *building or structure* shall be sited within 1.5 metres (8.20 feet) of a *rear lot line*.
(8) Despite Sections 11.1.3(5), 11.1.3(6) and 11.1.3(7), no *building or structure* shall be sited within 30 metres (98.4 feet) of a *lot line* that abuts Millstream Road.
(9) Despite Sections 11.1.3(5), 11.1.3(6) and 11.1.3(7), no *building or structure* shall be sited within 10 metres (32.81 feet) of a *lot line* that abuts a non-industrial zoned property.
(10) An *accessory building* must be located to the rear of the *principal building.*
(11) No storage yard or area shall be permitted in a required front yard, nor in any required yard, which abuts a non-industrial zoned lot, or is separated by a highway or lane there from.
(12) Retail sale and display of goods manufactured or stored on the property shall be permitted provided the total gross floor area devoted to such accessory *retail* sale and display does not exceed 25% of the gross floor area of the principal use to which it is accessory.
(13) Materials collected at a *recycling depot* shall be stored within a building or in containers if stored outside of a building.
(14) *Sawmills and planer mills* shall be contained within a completely enclosed building.
(15) Lot coverage of all *buildings and structures* shall not exceed 50%.

### 11.1.4 Subdivision Density and Lot Area Requirements

(1) No subdivision plan may be approved unless *lots* created by the subdivision have a minimum area of 0.2 hectares (0.49 acres) provided that the average overall lot size shall not be less than 0.8 hectares (1.98 acres);
(2) No *lot* may be created having a lot frontage that is less than 20 metres (66 feet).

### 11.1.5 Landscaping and Screening

(1) Landscaping and screening shall be provided and maintained for any use in accordance with the following:

   (a) Landscaped areas shall be provided and maintained continuously along every *lot line* abutting a *roadway* throughout the area that is within 2.0 metres (6.56 feet) of that *lot line.*


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(b) Despite subsection (a), natural or landscaped areas shall be provided and maintained continuously along every *lot line* abutting Millstream Road throughout the area that is within 10.0 metres (32.80 feet) of that *lot line.*

(c) Despite subsections (a) and (b), the landscaped areas may be interrupted provided required *vehicle* access to a *lot* from a *roadway.*

(d) The landscaped areas prescribed in subsections (a) and (b) shall have trees planted within a *height* of not less than 2.0 metres (6.56 feet) and a mature height of not less than 6.0 metres (19.68 feet), spaced not less than 6.0 metres (19.68 feet) apart, unless a greater spacing distance is recommended by a Landscape Architect.

(e) Landscaped planting areas shall be equal to or exceed 10% of the total impervious-surfaced parking and loading areas on-site. Landscaped planting areas shall include native, drought and fire-resistant vegetative ground cover, shrubs and trees, as approved by the Administrator or his delegate.

**Garbage and recycling receptacles**

(f) Garbage receptacles and containers for materials to be recycled shall be stored in an enclosed area abutting the principal building,

(g) All outdoor service areas, dumpsters and garbage receptacles, recycling containers, utility kiosks, and mechanical, electrical or other service equipment located outside or on the roof of a building, shall be setback a minimum of 10 metres (about 32.80 feet) from any lot line adjoining a property zoned for a non-industrial use, or a lot line abutting Millstream Road.

(h) All outdoor service areas, dumpsters and garbage containers, recycling containers, utility kiosks, and mechanical, electrical or other service equipment located outside or on the roof of a building, shall be integrated into the landscape and screened where visible from adjacent parking areas or lots by ornamental structures, landscaping or other means. The minimum treatment shall be either:

  i) evergreen planting a minimum of 2 metres (6.6 feet) in height, or

  ii) a screen wall or fence constructed from the same materials and colors as the principal building, a minimum of 2 meters (6.6 feet) in height, where such structure is supplemented with shrub plantings not more than 1.8 metres (5.9 feet) from the sides of the enclosure exposed to public view.

(i) The foregoing minimum treatment level may be relaxed where natural vegetation or topographic features provide adequate screening of service areas, dumpsters and garbage containers, recycling containers, and utility kiosks.

**Visibility at Intersecting Streets**

(j) On a corner lot nothing shall be placed or allowed to grow in such a manner as to impede vision between a height of 0.75 meters (2.46 feet) and 3.0 meters (9.84 feet) above the centerline grades of the intersecting streets within a triangular area 10 meters (32.81 feet) perpendicular from the intersecting street right of way lines.

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## 11.17 Parking and Loading

(1) Parking and loading areas shall be provided and maintained for any use in accordance with the following:

(a) The required number of parking spaces for each use are as follows:

| | |
|---|---|
| Computer Technology sales, service and manufacturing | 1 space per 45 sq. m. gross floor area |
| Financial Institutions | 1 space per 20 sq. m. gross floor area |
| Recreation Facilities | 1 space per 10 sq. m. gross floor area |
| Restaurants | 1 space per 3 seats or 1 space per 10 sq. m. gross floor area |
| Retail | 1 space per 20 sq. m. gross floor area |
| Sawmills and Planer mills | 1 space per 200 sq. m. gross floor area |
| Scientific / Technology Research | 1 space per 45 sq. m. gross floor area |
| Trade Schools | 1 space per employee and 1 space per 5 students |
| Veterinary clinics | 1 space per 30 sq. m. gross floor area |
| Building Product sales | 1 space per 20 sq. m. gross floor area |
| Carpentry Shops | 1 space per 100 sq. m. gross floor area |
| Film Production Studios | 1 space per 100 sq. m. gross floor area |
| Industrial use | 1 space per 45 sq. m. gross floor area |
| Mini storage | 1 space per 200 sq. m. gross floor area |
| Nurseries | 1 space per 200 sq. m. gross floor area |
| Office | 1 space per 45 sq. m. gross floor area |
| Recycling Depots | 1 space per 50 sq. m. gross floor area |
| Trade Contractor Offices | 1 space per 45 sq. m. gross floor area |
| Wholesale Storage and Warehouse | 1 space per 200 sq. m. gross floor area |

(b) When parking and loading spaces are visible from a flanking street or from an abutting property zoned for non-industrial use, the parking and loading spaces shall be screened such that it is not viewable from the flanking street or abutting property.

(c) Parking areas containing more than 20 spaces in a row shall incorporate surface drainage infiltration galleries, landscaped planning areas not less than 1.5 meters (5 feet) in width and 6.0 meters (19.68 feet) in length every 20 spaces.

(d) No parking or loading area shall be located within 10 meters (32.81 feet) of a property line abutting Millstream Road, Thetis Lake Park, or a non-industrial zoned property.

(e) Bicycle racks or a similar facility to park/store bicycles shall be provided in a location accessible to employees and visitors. At least 1 bicycle space shall be provided for every 10 required off-street parking spaces.

(f) Accessible parking spaces, to be included in the required parking spaces, must be provided as follows:

i. 1-20 parking spaces required
1 accessible parking space

ii. 21 – 100 parking spaces required
1 additional accessible parking space

iii. 101 – 1000 parking spaces required
2 additional accessible parking spaces per 100 required parking spaces

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### 11.1.8 Driveways and Access

(1) No driveway vehicle access shall be located within a required setback area of a lot except to provide essential direct access from the street to a required parking area within that lot.
(2) Driveways to a lot shall be designed and constructed to be at approximately 90 degrees with the intersecting street.
(3) Each driveway shall be constructed not less than 6 meters (about 19.7 feet) in width for one-way traffic and not less than 7.5 meters (about 24.6 feet) in width for two-way traffic.
(4) Proper access and circulation for emergency vehicles shall be maintained at all times.

### 11.1.9 Fences and Walls

(1) No fence or wall shall exceed a height of 2.4 meters (8 feet).
(2) Trees, shrubs or vines shall be provided on the street side of any fence or structural screen. The trees, shrubs or vines shall cover a minimum of 50% of the fence or structural screen in order to soften the fence or screen.

### 11.1.10 Storage Areas

(1) Exterior storage areas shall be located to the rear of the buildings or structures or to the side when adjacent to an interior side lot line.
(2) Outdoor storage is permitted provided that the materials are on an improved surface and screened from view from adjacent roads and abutting properties containing non-industrial uses.

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## SECTION 11.2 - MEDIUM INDUSTRIAL (M2) ZONE

### 11.2.1 Permitted Uses

(1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in the Medium Industrial (M2) Zone, provided they are not noxious or offensive to any residential neighbour or the general public by reason of emitting odours, dust, smoke, gas, noise, effluent or hazard:

a) *Asphalt and cement manufacturing and recycling*
b) *Building product sales*
c) *Carpentry Shops*
d) Computer technology sales, service and manufacturing
e) *Electronics manufacturing*
f) *Film Production Studios*
g) *Financial Institutions*
h) *Industrial Extraction*
i) *Industrial Use*
j) *Machine shops*
k) *Mini Storage*
l) *Nurseries*
m) *Offices*
n) *Outdoor storage*
o) *Recreational facilities*
p) *Recycling Depots*
q) Rental of goods and equipment
r) *Restaurants*
s) *Retail stores* as an accessory use, of products manufactured, cleaned, stored or otherwise handled in the primary use.
t) *Scientific or technological research facility*
u) *Trade Contractors Offices*
v) *Trade Schools*
w) *Veterinary Clinics*
x) *Wholesale*
y) *Warehouses*
z) *Accessory uses, buildings and structures*

### 11.2.2 Prohibited Uses

(1) In addition to the uses prohibited in Section 3.6 of this Bylaw, the following uses are expressly prohibited in the Medium Industrial (M2) Zone:

(a) Any uses considered offensive under the *Health Act*;
(b) Refuse and garbage burning and landfilling;
(c) Fertilizer, herbicide or pesticide manufacturing;
(d) Refineries, or bulk petroleum product manufacturing; and
(e) Bulk food product manufacturing.

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### 11.2.3 Siting and Dimensions of Buildings, Structures and Uses

(1) In this Zone the definition of *finished ground level* is as follows:

**"*FINISHED GROUND LEVEL*** means the *height* of a point at the perimeter of the base of a *building or structure* and which is vertically within 1.0 metres of the ground level of the land prior to the siting, placement or construction of that *building or structure* but excludes a localized depression such as a stairway access to a lower floor".

(2) The *height* of a *principal building* shall not exceed 12 metres (39.4 feet).
(3) The *height* of an *accessory building or structure* shall not exceed 8 metres (26.2 feet).
(4) The *height* of silo shall not exceed 25 metres (82 feet).
(5) The maximum or combined *height* of containers utilized for the purposes of storage shall not exceed 25 metres (82 feet).
(6) No *building or structure* shall be sited within 7.5 metres (2.60 feet) of a *front lot line,* provided that where the area between a building front line and a front lot line is landscaped and not used for off-street parking, the minimum setback may be reduced to 4.5 metres (14.76 feet).
(7) Side Yards:
  (a) A side yard shall be provided of not less than 5 metres (16.40 feet) in width for 1 side yard and 0 metres for the other.
  (b) No *building or structure* shall be sited within 1.5 metres (16.40 feet) of a *side lot line* that abuts a *highway*.
(8) No *building or structure* shall be sited within 1.5 metres 8.20 feet) of a *rear lot line*.
(9) Despite Sections 11.2.3(6), 11.2.3(7) and 11.2.3(8), no *building or structure* shall be sited within 30 metres (98.4 feet) of a *lot line* that abuts Millstream Road.
(10) Despite Sections 11.2.3(6), 11.2.3(7) and 11.2.3(8), no *building or structure* shall be sited within 10 metres (32.81 feet) of a *lot line* that abuts a non-industrial zoned property.
(11) An accessory building must be located to the rear of the principal building.
(12) No storage yard or area shall be permitted in a required front yard, nor in any required yard, which abuts a non-industrial zoned lot or is separated by a highway or lane there from.
(13) Retail sale and display of goods manufactured or stored on the property shall be permitted provided the total gross floor area devoted to such accessory *retail* sale and display does not exceed 25% of the gross floor area of the principal use to which it is accessory.
(14) Materials collected at a *recycling depot* shall be stored within a building or in containers if stored outside a building.
(15) Lot coverage of all *buildings and structures* shall not exceed 50%.

### 11.2.4 Subdivision Density and Lot Area Requirements

(1) No subdivision plan may be approved unless *lots* created by the subdivision have a minimum area of 0.2 hectares (0.49 acres) provided that the average overall lot size shall not be less than 0.8 hectares (1.98 acres).
(2) No lot may be created having a lot frontage that is less than 20 metres (66 feet).

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11.2.5 **Landscaping and Screening**

(1) Landscaping and screening shall be provided and maintained for any use in accordance with the following:

(a) Landscaped areas shall be provided and maintained continuously along every *lot line* abutting a *roadway* throughout the area that is within 2.0 metres (6.56 feet of that *lot line.*

(b) Despite subsection a), natural or landscaped areas shall be provided and maintained continuously along every *lot line* abutting Millstream Road throughout the area that is within 10.0 metres (32.80 feet) of that *lot line.*

(c) Despite subsections a) and b), the landscaped areas may be interrupted to provide required *vehicle* access to a *lot* from a *roadway*.

(d) The landscaped areas prescribed in subsections a) and b) shall have trees planted with a *height* of not less than 2.0 metres (6.56 feet) and a mature height of not less than 6.0 metres (19.68 feet), spaced not less than 6.0 metres (19.68 feet) apart, unless a greater spacing distance is recommended by a Landscape Architect.

(e) Landscaped planting areas shall be equal to or exceed 10% of the total impervious-surfaced parking and loading areas on-site. Landscaped planting areas shall include native, drought and fire-resistant vegetative ground cover, shrubs and trees, as approved by the Administrator or his delegate.

**Garbage and Recycling Receptacles**

(f) Garbage receptacles and containers for materials to be recycled shall be stored in an enclosed area abutting the principal building, which is screened from view by a fence or landscaping, and which is located to the rear of buildings or structures or to the side when adjacent to an interior side lot line.

(g) All outdoor service areas, dumpsters and garbage receptacles, recycling containers, utility kiosks, and mechanical, electrical or other service equipment located outside or on the roof of a building, shall be setback a minimum of 10 meters (about 32.80 feet) from any lot line adjoining a property zoned for a non-industrial use, or a lot line abutting Millstream Road.

(h) All outdoor service areas, dumpsters and garbage containers, recycling containers, utility kiosks, and mechanical, electrical or other service equipment located outside or on the roof of a building, shall be integrated into the landscape and screened where visible from adjacent parking areas or lots by ornamental structures, landscaping or other means. The minimum treatment shall be either:

i. evergreen planting a minimum of 2 meters (6.6 feet) in height, or

ii. a screen wall or fence constructed from the same materials and colors as the principal building, a minimum of 2 meters (6.6 feet) in height, where such structure is supplemented with shrub plantings not more than 1.8 meters (5.9 feet) from the sides of the enclosure exposed to public view.

(i) The foregoing minimum treatment level may be relaxed where natural vegetation or topographic features provide adequate screening of service areas, dumpsters and garbage containers, recycling containers, and utility kiosks.

**Visibility at Intersecting Streets**

(j) On a corner lot nothing shall be placed or allowed to grow in such a manner as to impede vision between a height of 0.75 meters (2.46 feet) and 3.0 meters (9.84 feet) above the centerline grades of the intersecting streets within a triangular area 10 meters (32.81 feet) perpendicular from the intersecting street right of way lines.

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### 11.2.7 Parking and Loading

(1) Parking and loading areas shall be provided and maintained for any use in accordance with the following:

(a) The required number of parking spaces for each use are as follows:

| | |
|---|---|
| Computer Technology sales, service and manufacturing | 1 space per 45 sq. m. gross floor area |
| Financial Institutions | 1 space per 20 sq. m. gross floor area |
| Recreation Facilities | 1 space per 10 sq. m. gross floor area |
| Restaurants | 1 space per 3 seats or 1 space per 10 sq. m. gross floor area |
| Retail | 1 space per 20 sq. m. gross floor area |
| Scientific/Technology Research | 1 space per 45 sq. m. gross floor area |
| Trade Schools | 1 space per employee and 1 space per 5 students |
| Veterinary clinics | 1 space per 30 sq. m. gross floor area |
| Building Product sales | 1 space per 20 sq. m. gross floor area |
| Carpentry Shops | 1 space per 100 sq. m. gross floor area |
| Film Production Studios | 1 space per 100 sq. m. gross floor area |
| Industrial use | 1 space per 45 sq. m. gross floor area |
| Mini Storage | 1 space per 200 sq. m. gross floor area |
| Nurseries | 1 space per 200 sq. m. gross floor area |
| Office | 1 space per 45 sq. m. gross floor area |
| Recycling Depots | 1 space per 50 sq. m. gross floor area |
| Trade Contractor Offices | 1 space per 45 sq. m. gross floor area |
| Wholesale Storage and Warehouse | 1 space per 200 sq. m. gross floor area |

(b) When parking and loading spaces are visible from a flanking street or from an abutting property zoned for non-industrial use, the parking and loading spaces shall be screened such that it is not viewable from the flanking street or abutting property.

(c) Parking areas containing more than 20 spaces in a row shall incorporate surface drainage infiltration galleries, and landscaped planting areas not less than 1.5 meters (5 feet) in width and 6.0 meters (19.68 feet) in length every 20 spaces.

(d) No parking or loading area shall be located within 10 meters (32.81 feet) of a property line abutting Millstream Road, Thetis Lake Park, or a non-industrial zoned property.

(e) Bicycle racks or a similar facility to park/store bicycles shall be provided in a location accessible to employees and visitors. At least 1 bicycle space shall be provided for every 10 required off-street parking spaces.

(f) Accessible Parking spaces, to be included in the required parking spaces, must be provided as follows:

i. 1-20 parking spaces required
1 accessible parking space

ii. 21 – 100 parking spaces required
1 additional accessible parking space

iii. 101 – 1000 parking spaces required
2 additional accessible parking spaces per 100 required parking spaces

### 11.2.8 Driveways and Access

(1) No driveway vehicle access shall be located within a required setback area of a lot except to provide essential direct access from the street to a required parking area within that lot.

(2) Driveways to a lot shall be designed and constructed to be approximately 90 degrees with the intersecting street.
(3) Each driveway shall be constructed not less than 6 meters (about 19.7 feet) in width for one-way traffic and not less than 7.5 meters (about 24.6 feet) in width for two-way traffic.
(4) Proper access and circulation for emergency vehicles shall be maintained at all times.

### 11.2.9 Fences and Walls

(1) No fence or wall shall exceed a height of 2.4 meters (8 feet).
(2) Trees, shrubs or vines shall be provided on the street side of any fence or structural screen. The trees, shrubs or vines shall cover a minimum of 50% of the fence or structural screen in order to soften the fence or screen.

### 11.2.10 Storage Area

(1) Exterior storage areas shall be located to the rear of buildings or structures or to the side when adjacent to an interior side lot line.
(2) Outdoor storage is permitted provided that the materials are on an improved surface and screened from view from adjacent roads and abutting properties containing non-industrial uses.

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## SECTION 11.3 - HIGHWEST INDUSTRIAL (M3) ZONE

### 11.3.1 Permitted Uses

(1) In addition to the uses permitted in Section 3 of this Bylaw, the following uses shall be permitted in the Highwest Industrial (M3) Zone:
- (a) *Accessory* uses, *buildings and structures*;
- (b) *Covered storage* and *Outdoor storage*, which for this *zone* may also include the storage of *land clearing waste, demolition waste, construction waste or land clearing waste;*
- *(*c) *Incinerating* and subsequent land filling of the incinerated residue from *inert municipal waste, building demolition waste, construction waste or land clearing waste;*
- (d) Industrial *extraction;*
- (e) *Offices;*
- (f) *Outdoor storage* of equipment and materials to be used in the business of construction, or for the maintenance of *buildings* or infrastructure;
- (g) Receiving, and treatment of contaminated soils and subsequent landfilling of *treated soils*;
- (h) Receiving, dismantling, separation, sorting, landfilling and sales of *inert municipal waste, building demolition waste, construction waste or land clearing waste;*
- (i) *Caretaker's Dwelling Unit;*
- (j) *Vehicle and Equipment Repairs* ancillary to any *principal* use undertaken on-site.

### 11.3.2 Prohibited Uses

(1) In addition to the uses prohibited by Section 3 of this Bylaw, the following uses are expressly prohibited in the Highwest Industrial (M3) *Zone*:
- (a) Burning or disposal of *putrescible waste;*
- (b) Storage or dismantling of *vehicles* or equipment for salvage or landfill;
- (c) Asphalt or cement manufacturing;
- (d) Fertilizer, herbicide or pesticide manufacturing or storage;
- (e) Bulk *petroleum or natural gas* product refineries, manufacturing or storage.

### 11.3.3 Density

(1) The maximum allowable *density* of all *buildings and structures* constructed to facilitate the *permitted uses* is limited to a *floor space ratio* (FSR) of 5.

(2) The maximum *floor area* of an *office* use shall be 500 square metres (5,382 $ft^2$).

(3) Notwithstanding the provisions of subsections (1) and (2) of this section, if the owner has paid the District of Highlands $75,000.00 to be placed in a Statutory Reserve Fund for Roads:
- (a) The maximum allowable *density* of all *buildings and structures* constructed to facilitate the *permitted uses* is limited to a *floor space ratio* (FSR) of 10, and
- (b) The maximum permitted *floor area* of an *office* use shall be increased to 4,500 square meters (48,439 $ft^2$).
- (c) Not more than one *dwelling unit* is permitted on a *lot*.
- (d) The maximum *floor area* of *Caretaker's Dwelling Unit* use shall be 350 square meters (3,767.5 $ft^2$).

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### 11.3.4 Siting and Dimensions of Buildings, Structures and Uses

(1) With the exception of *covered storage structures*, which shall not exceed 15 meters (49.2 feet) in *height*, a *principal building* or *accessory building* shall not exceed 10 meters (32.8 feet) in *height.*

(2) No *building* shall be sited within 15 meters (49.2 feet) of any *lot line.*

### 11.3.5 Landscape Areas

(1) *Landscaped areas* shall be provided along every *lot line* with a minimum width of 15 meters (49.2 feet) measured perpendicular of that *lot line*.

### 11.3.6 Off-street Parking and Loading

(1) Whenever a use of land, *buildings or structures* occurs pursuant to any provision in this Bylaw, off street parking spaces and loading areas shall be continuously provided and maintained.

(2) The minimum number of off street parking spaces required for any use shall be calculated in accordance with Table 11.1.

**Table 11.1**

| Use of Building | Required Parking Spaces |
|---|---|
| | |
| **1.0 *Caretaker's Dwelling Unit*** | 1.5 spaces per *Caretaker's Dwelling Unit* |
| **2.0 Commercial** | |
| 2.1 *Offices* | 1 space per 30 square meters (322.0 square feet) of *floor area.* |
| **3.0 Industrial** | |
| 3.1 *Vehicle and Equipment Repairs* | 1 space per 175 square meters (1883.7 square feet) of *floor area* |

(3) The off street loading areas required for any use in this *zone*, except for residential use and uses *accessory* thereto, shall:

(a) be calculated and provided in accordance with Table 11.2: 2,001 m² (21,539.3 ft²) to 4,000 m² (43,057 ft²) or portion thereof

| Floor Area | Required Loading Spaces |
|---|---|
| | |
| 0 to 2,000 m² (21,528.5 ft²) or portion thereof | 1 |
| 2,001 m² (21,539.3 ft²) to 4,000 m² (43,057 ft²) or portion thereof | 2 |
| 4,001 m² (43,067.8 ft²) to 6,000 m² (64,585.6 ft²) or portion thereof | 3 |
| For each additional 2,000 m² (21,528.5 ft²) or portion thereof | 1 |

(b) have dimensions of not less than 3 meters (9.84 feet) in width, 7.5 meters (24.6 feet) in length, and a minimum 4.25 meters (13.9 feet) of clearance between the surface of the loading area and any *structure* above;

(c) be clearly designated as a loading area;


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(4) Handicapped parking spaces shall:

(a) be provided as specified in Table 11.3:

| Total Required Parking Spaces | Required Handicapped Parking Spaces |
|---|---|
| | |
| 1 to 24 | 1 |
| 25 to 149 | 1 |
| 150 to 299 | 2 |
| For each 150 over 300 | 1 |

(b) be a minimum of 3.6 meters (11.8 feet) in width;

(c) occupy the nearest parking space to a *building* entrance that accommodates wheelchair access;

(d) be clearly designated as a handicapped parking space.

### 11.3.7 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 10 hectares (22 acres) and minimum *frontage* the greater of 20 meters or 1/10$^{th}$ the perimeter of the *lot*.

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## SECTION 12 - AMENITIES

## SECTION 12.1 - RURAL RESIDENTIAL FOUR (RR4)

**12.1.1** Land with an area of no less than 100 ha in the RR4 Zone may be subdivided into the maximum number of *residential lots* and the prescribed *lot* area specified in section 6.4.4(2) of this Bylaw, if the following amenities are provided:

(1) The transfer to the Province of B.C. for Provincial Park purposes of approximately 583 ha of land as shown on Schedule B attached to and forming part of this Bylaw.

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## SECTION 12.2 - RURAL RESIDENTIAL FIVE (RR5)

**12.2.1** Land with an area of no less than 50 ha in the RR5 Zone may be subdivided into the maximum number of *residential lots* and the prescribed *lot* area specified in section 6.5.4(2) of this Bylaw, if the following amenities are provided:

(1) The transfer to the Capital Regional District for Regional Park purposes of approximately 140 ha of land as shown on Schedule C attached to and forming part of this Bylaw, no later than March 1st, 1998;

(2) The registration of a Restrictive Covenant under section 219 of the Land Title Act on the lands described in 12.2.1(1), between the District of Highlands and the Capital Regional District and restricting the use of those lands to Regional Park purposes only, no later than March 1st, 1998;

(3) The payment of $350 000 of the funds from the transfer of land specified in Section 12.2.1(1) to be placed in a Special Reserve fund established by the *Municipality* for the purpose of Municipal Park Acquisition and Development;

(4) 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, satisfactory to the owner and the Approving Officer, on a portion of each *residential lot* created under Section 6.5.4(2), for the purposes of preserving land in its natural state;

(5) The payment of $150,000 to be placed in a General Reserve fund established by the *Municipality* for the purpose of the construction of a municipal office *building*; and

(6) The dedication to the District of Highlands for Municipal Park purposes of approximately 3 ha of land as approximately shown on Schedule C.

## SECTION 12.3 - RURAL TWO (R2)

**12.3.1** Land with an area of no less than 80 ha in the R2 Zone may be subdivided into the maximum number of *residential lots* with the minimum *lot* area specified in section 7.2.4(2) of this Bylaw, if the following amenities are provided:

(1) The transfer to the Province of B.C. for Provincial Park purposes of approximately 63 ha of land as shown on Schedule D attached to and forming part of this Bylaw; and

(2) The dedication to the District of Highlands for Municipal Park purposes of approximately of 101 ha of land as shown on Schedule D.

## SECTION 12.4 - RURAL RESIDENTIAL SEVEN (RR7)

**12.4.1** Land with an area of 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 section 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.

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**SECTION 12.5 - RURAL RESIDENTIAL EIGHT (RR8)**

**12.5.1** Land with an area of no less than 4 ha (9.9 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 $189,000 (CDN) to be placed in a Special Reserve fund established by the *Municipality* for the purpose of Municipal Road Improvements.

**SECTION 12.6 - RURAL RESIDENTIAL NINE (RR9)**

*(**deleted by Bylaw No. 457, adopted June 17, 2024)*

**SECTION 12.7 - COMMUNITY INSTITUTIONAL 1 (CI1)**

*(**deleted by Bylaw No. 344, adopted January 7, 2013)*

**SECTION 12.8 - RURAL RESIDENTIAL TEN (RR10)**

*(**deleted by Bylaw No. 457, adopted June 17, 2024)*

**SECTION 12.9 - RURAL RESIDENTIAL ELEVEN (RR11)**

*(**deleted by Bylaw No. 457, adopted June 17, 2024)*

**SECTION 12.10 - RURAL RESIDENTIAL TWELVE (RR12)**

*(**deleted by Bylaw No. 457, adopted June 17, 2024)*

**SECTION 12.11 - RURAL RESIDENTIAL FOURTEEN (RR14)**

**12.11.1** Land with an area of no less than 12 ha. In the RR14 Zone may be subdivided into the maximum number of residential lots and the prescribed lot area specified in section 6.14.4(2) of this Bylaw, if the following amenity is provided:

(1) The transfer to the District of Highlands for Park purposes, the land legally described as:

PARCEL IDENTIFIER: 015-199-401
STRATA LOT 2, SECTION 35, HIGHLAND DISTRICT, STRATA PLAN 1823

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## SECTION 12.12 - RURAL RESIDENTIAL 2A (RR2A)

**12.12.1** Land with an area of no less than 31.3 hectares in the RR2A may be subdivided into the maximum number of residential lots and the prescribed lot areas specified in section 6.2A.4(2) of this Bylaw if the following amenities are first provided:

(1) The payment to the District of $9,739 (CDN) per lot to a maximum of $116,868 (CDN) to be placed in a Reserve Fund for the purpose of providing Fire Fighting Equipment to enhance the delivery of fire suppression services within the municipality;

(2) Roadside trail construction pursuant to Development Agreement dated 28th day of September, 2005 made between the District and 685567 BC Ltd. which Agreement is on file in the office of the District Clerk.

(3) The dedication to the District of Highlands of approximately 10.8 hectares of land described as "Rem. A" to the Development Agreement dated 28th day of September, 2005 made between the District and 685567 BC Ltd. which Agreement is on file in the office of the District Clerk.

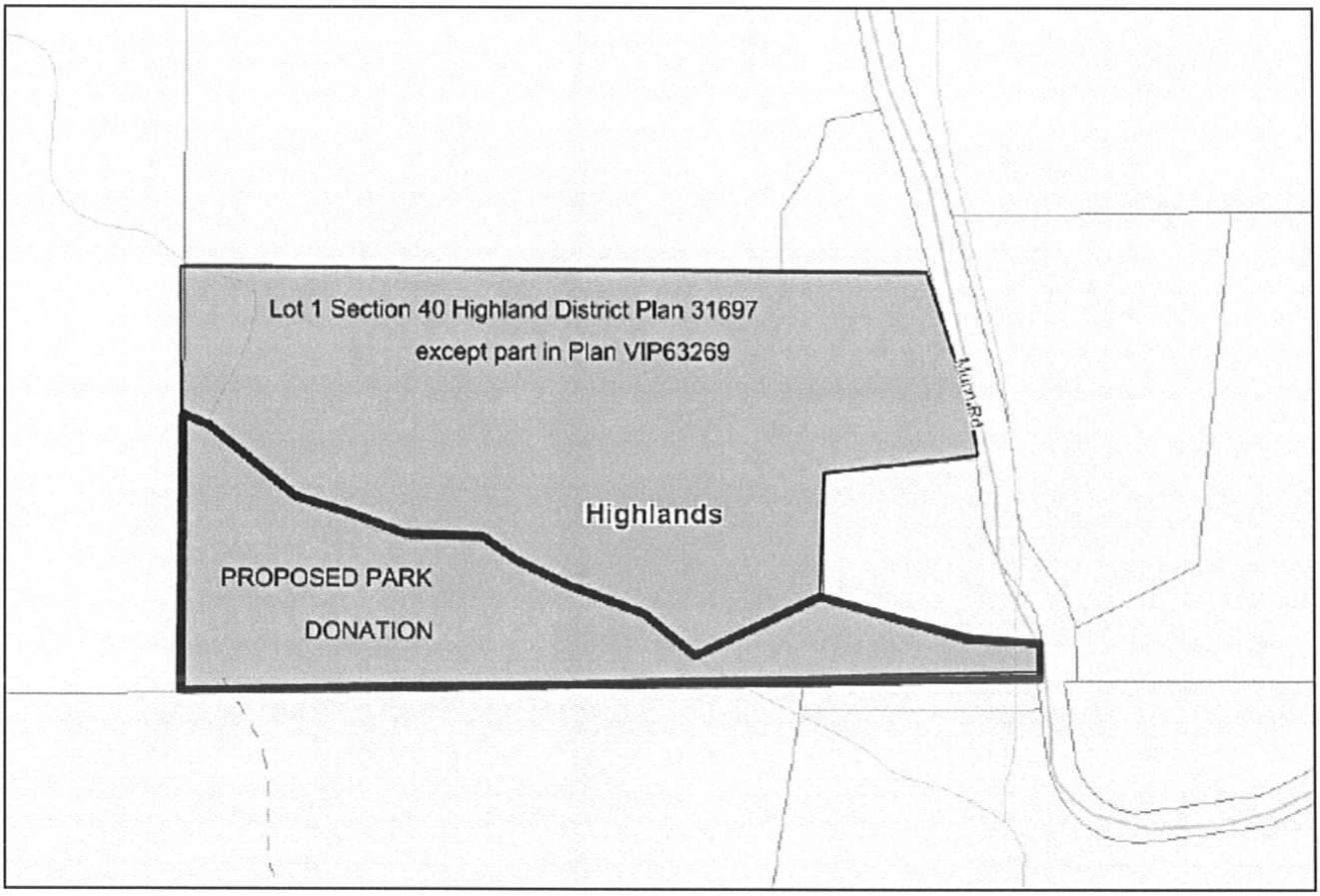
## SECTION 12.13 - RURAL 5 (R5)

**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.

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## SCHEDULE "B"




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## SECTION 12.14 – AMENITY 1 (Am1) ZONE

### 12.14.1 Permitted Uses

(1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in the Amenity 1 (Am1) Zone:

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

### 12.14.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot* and no more than one *home-based business* in such *dwelling unit.*

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 12.14.3 Siting and Dimensions of Buildings and Structures

(1) The *height* of a *principal 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.*
(8) The total *floor area* of a *dwelling unit* shall not exceed 420 square metres.
(9) The total combined *floor area* of all *buildings* or *structures* on a *lot* shall not exceed 1,000 square metres.

### 12.14.4 Subdivision Density and Lot Area Requirements

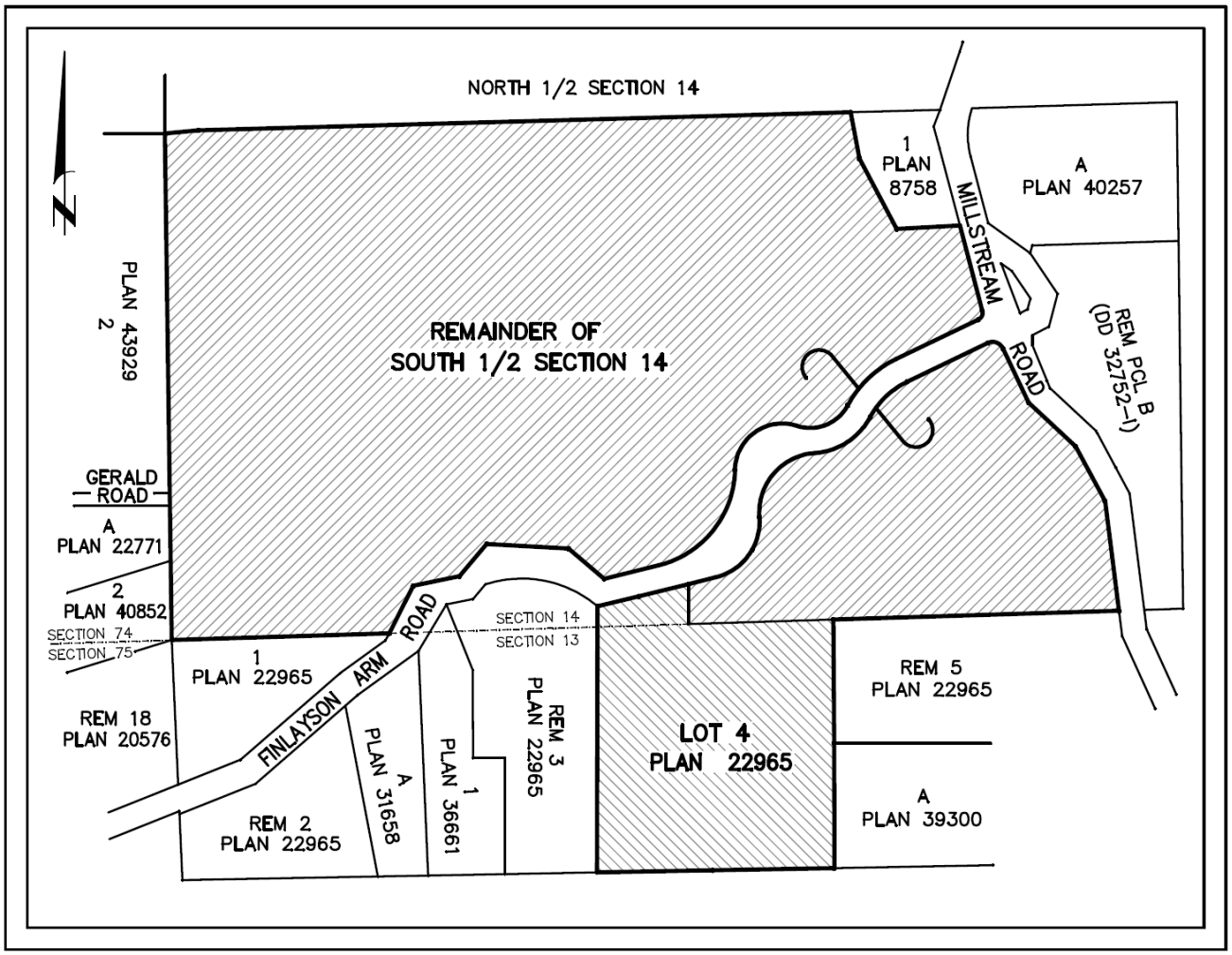
(1) No *lot* having an area less than 12 hectares (30 acres) may be created by subdivision.
(2) Despite Section 12.14.4(1), if the amenity described in Section 12.14.5 of this Bylaw are provided:
(a) Lot 4, Sections 13 and 14, Highland District, Plan 22965 and
(b) South ½ of Section 14, Highland District, Except Parcel B (DD 32752I) and Except Parts in Plans 8758, 22965, 40257 and 2812 RW (collectively referred to as the "Lands") if within the Am1 Zone, may be subdivided into a maximum of 11 *lots* provided that no *lot* shall have an area less than 1.2 hectares (2.9 acres).

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**12.14.5**

The Lands shown on Schedule A to Bylaw 331 may be subdivided into a maximum number of *residential lots* and the prescribed *lot* area specified in section 12.14.4(2) of this Bylaw if the following amenity is first provided:

Subdivision and transfer to the District of Highlands of approximately 8.3 hectares of land, generally shown shaded and outlined in bold on Schedule "B" to Bylaw 331, to be used for community centre/hall purposes, which transfer shall be a transfer in fee simple free and clear of all charges and encumbrances except those acceptable to the District in the exercise of its absolute discretion.





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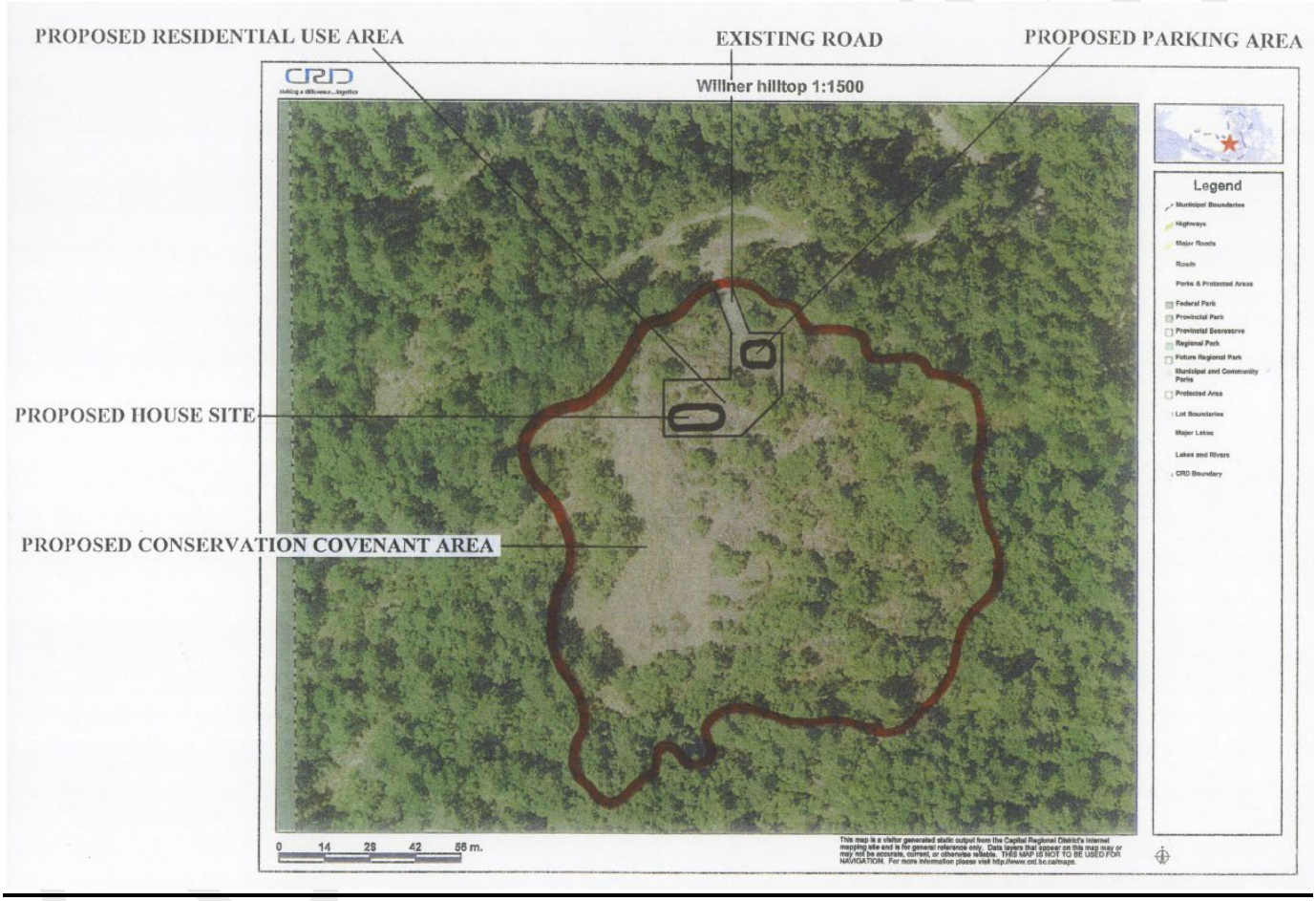
## SECTION 12.15 - RURAL 6 (R6)

**12.15.1** Land with an area of no less than 12 hectares in the R6 Zone may be subdivided into a maximum of three (3) *residential lots* of the prescribed lot area specified in section 7.6.4(2) of this Bylaw provided that the following provisions are made relating to community amenity:

(1) Payment to the District of $8,769.00 per lot to a maximum of $17,538.00 to a Reserve Fund for the purpose of building a community centre/hall;

(2) The granting of a *Land Title Act* section 219 Covenant to the District providing for: the conservation as an amenity of the eco-sensitive lands generally identified in Schedule "B" attached to and forming part of this Bylaw.

**Schedule "B"**



## SECTION 12.16 - AMENITY 2 (Am2) ZONE

### 12.16.1 Permitted Uses

(1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in the Amenity 2(Am2) Zone:

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

### 12.16.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot* and no more than one *home-based business* in such *dwelling unit.*

(2) In accordance with a density benefit scheme under Section 482 of the *Local Government Act*, there may be no more than one (1) *accessory dwelling unit* on each *lot* if the property owner grants a covenant pursuant to Section 219 of the *Local Government Act,* in favour of the District of Highlands, prohibiting the *accessory dwelling unit* from being subdivided under the *Land Title Act* or the *Strata Property Act*, or their successor legislation, from the *principal dwelling unit*.

### 12.16.3 Siting and Dimensions of Buildings and Structures

(1) The height of a *principal* dwelling unit or a building used for agriculture shall not exceed 9 metres.
(2) The height of an accessory building or structure shall not exceed 6 metres.
(3) No building or structure shall be sited within 20 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 *principal* dwelling unit shall not exceed 375 square metres.
(8) The total floor area of all accessory buildings including buildings used for agriculture on a lot shall not exceed 275 square metres and no single accessory building or building used for agriculture shall exceed 100 square metres in floor area.

### 12.16.4 Subdivision Density and Lot Area Requirements

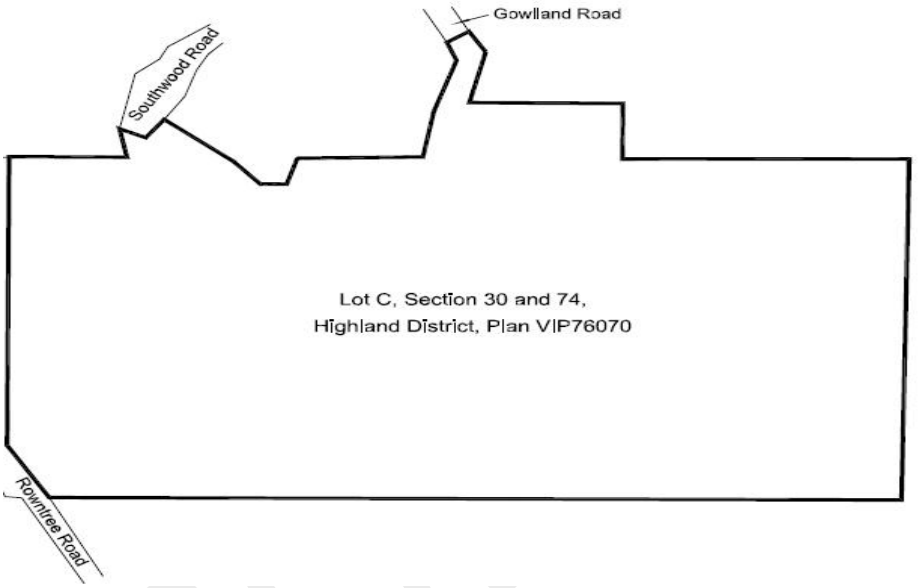
(1) No *lot* having an area less than 12 hectares (30 acres) may be created by subdivision.
(2) Despite Section 12.16.4(1), if the amenities described in Section 12.16.4(3) of this Bylaw are provided, Lot C, Sections 30 and 74, VIP76070 if within the Am2 Zone, may be subdivided into a maximum of 13 *residential lots* provided that no *lot* shall have an area less than 1 hectares (2.47 acres).
(3) The Lands shown on Schedule “A” to Bylaw 346 may be subdivided into a maximum number of *residential lots* and the prescribed *lot* area specified in section 12.16.4(2) of this Bylaw if the following amenities are first provided:
   i. Subdivision and transfer to the Capital Regional District of approximately 16.4 hectares of land to be used for regional park and trail purposes, generally shown outlined in bold on Schedule “B” to Bylaw 346, 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; and
   ii. The payment of $75,000 to the District to be placed in a Reserve Fund established by Council for the purpose of building a community centre/hall.

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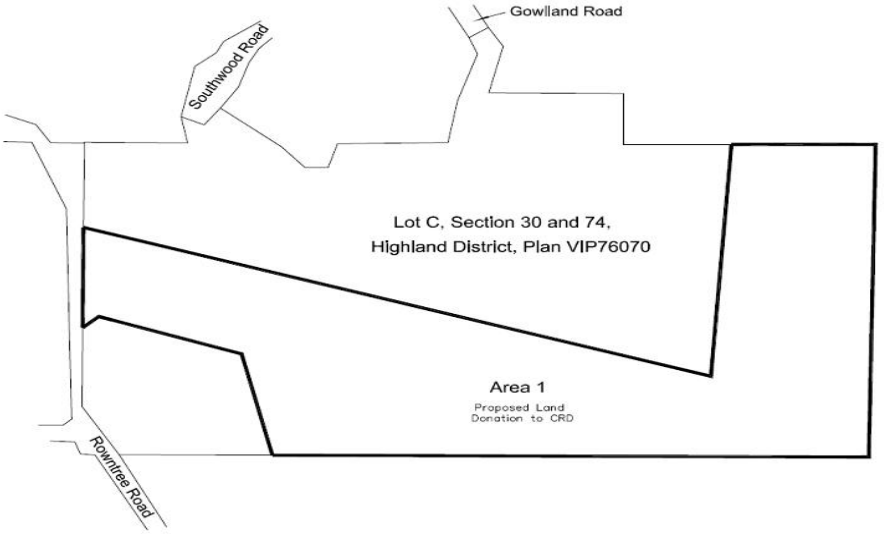
iii. The payment of $25,000 to the District to be placed in a Reserve Fund established by Council for the purpose of Community Gardens and related appurtenances that shall include:

- A water well for the purposes of providing water for the Community Garden;
- Fencing adequate to protect the Community Garden from deer;
- A shed, adequate to store and protect from the environment and trespassers, a pump for the well and gardening equipment all for the Community Garden;
- Leveling and gravel surfacing for a parking area for users of the Community Garden.

**Schedule "A"**




**Schedule "B"**

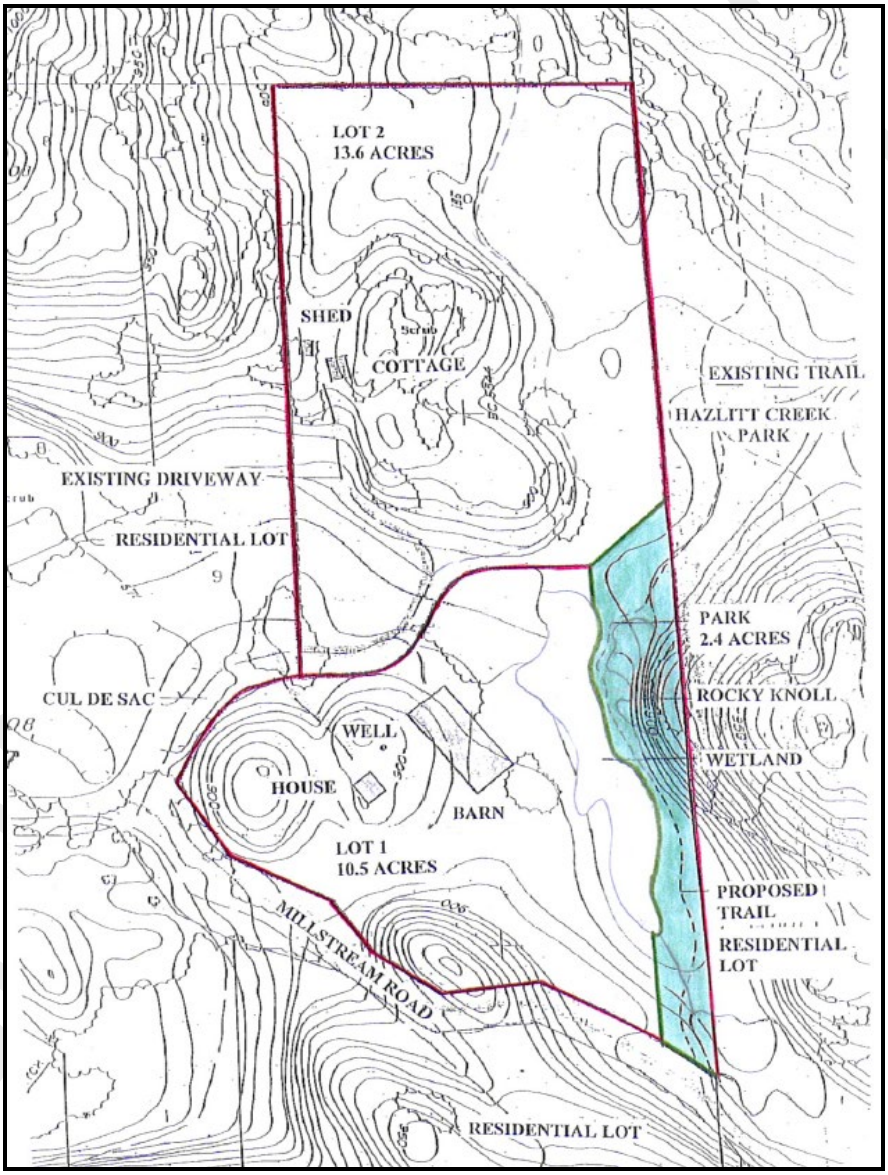


## SECTION 12.17 - RURAL 7 (R7)

**12.17.1** Land with an area of no less than 11.73 hectares in the R7 Zone may be subdivided into a maximum of two (2) *residential lots* of the prescribed lot area specified in section 7.7.4(2) of this Bylaw provided that the following provisions are made relating to community amenity:

(1) The donation to the District of Highlands of approximately 0.97 of a hectare of land, to be used as park land, and is generally the land shown shaded in green on Schedule "B" to Bylaw 349, 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 and the property owner.

**Schedule "B"**





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## SECTION 13 - INSTITUTIONAL ZONES

*(**deleted entirely by Bylaw No. 344, adopted January 7, 2013)*

## SECTION 14 - CONSERVATION ZONES

## 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) *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 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).

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## SECTION 14.2 - CONSERVATION 2 (C2) ZONE

### 14.2.1 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 2 (C2) Zone:

i. *Assembly*

### 14.2.2 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 16.3 hectares (40.3 acres).

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## SECTION 15 - COMPREHENSIVE DEVELOPMENT ZONES

## SECTION 15.1 - BEAR MOUNTAIN COMPREHENSIVE DEVELOPMENT 1 (BMCD1) ZONE

### Zone Intent

This zone is intended to provide for a destination resort, consisting of an 18-hole golf course and driving range; tourist accommodation facilities consisting of a hotel, a resort including cabins and lodges; and residential and townhouse units and a small free-standing commercial area.

### Areas

The BMCBD1 Zone is divided into five Areas that contain the lands described for each Area, as shown in Schedule E to this Bylaw, and references in this Section 15 to "Areas" are references to the Areas shown in that Schedule

### 15.1.1 Permitted Uses

In addition to the uses permitted in **Section 3.7 of this Bylaw**, the following uses and no others shall be permitted in the respective Areas BMCD1 Zone:

(1) Within the "Residential" Area:
- (a) Single Family Residential
- (b) Townhouse Residential, on lots having an area of at least 900 m
- (c) Accessory Buildings and Uses

(2) Within the "Resort" Area:
- (a) Hotel
- (b) Resort
- (c) Medical Clinics
- (d) Retail Stores
- (e) Offices
- (f) Tennis Courts and *Tennis Clubhouse*
- (g) Accessory buildings and uses, which may include laundromats, licensed establishments, storage and supply facilities associated with the above principal uses.

(3) Within the "Golf Course" Area:
- (a) Golf Clubhouse
- (b) Office
- (c) Driving Range
- (d) Golf Course
- (e) Golf Course Maintenance Facility
- (f) Caretaker's Dwelling Unit

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(4) Within the "Commercial" Area:
- (a) Offices
- (b) Retail Stores including premises licensed pursuant to the *Liquor Control and Licensing Act*
- (c) Storage
- (d) Restaurants, including licensed establishments; excluding drive-in and drive-through
- (e) Caretaker's Dwelling Unit
- (f) Public Utility Use
- (g) Light Manufacturing
- (h) Medical Clinic

(5) Within the "Park" Area:
**(**a) Outdoor recreation limited to nature appreciation, hiking, cycling and horseback riding

### 15.1.2 Subdivision Lot Requirements

(1) No panhandle lot may be created unless the lot area is greater than 1,115 $m^2$
(2) No lot having an area less than 400 $m^2$ may be created;
(3) No lot having a lot width less than 14 m may be created;
(4) No lot for a residential use may be created having a building envelope width less than 7 m nor a building envelop area less than 150 $m^2$.

### 15.1.3 Density of Development on Individual Lots

(1) There may not be more than one residential building on a lot;
(2) In the Residential Area floor space ratio shall not exceed 1;
(3) Maximum site coverage of all buildings on a lot is 35%;
(4) Despite **Subsection 15.1.3(1)**, there may be more than one residential building on a lot if all of the residential buildings on the lot are in the same strata plan.
(5) The density of townhouse residential uses may not exceed one dwelling per 285 $m^2$ of lot area.
(6) The floor space ratio of a building for a commercial use may not exceed 0.5:1, unless all required parking is provided underground in which case the floor space ratio may not exceed 1:1.

### 15.1.4.1 Density of Development in the BMCD1 Zone

(1) (a) There may not be more than 13 residential dwelling units in the BMCD1 Zone.
(b) Notwithstanding **Subsection 15.1.4(1)(a)**, the number of residential dwelling units in the BMCD1 Zone may be increased from 13 to 62, on the condition that the owner provides payment to the District of $18,249.00 per dwelling unit in the BMCD1 Zone in respect of which the District issues a permit. These monies are to be placed in a reserve fund established by Council to assist in the provision of a Community Hall, a Fire Hall and a Municipal Hall within the District of Highlands as amenities for the residents of the District.

(2) Notwithstanding **Subsection 15.1.4(1)**, the number of residential dwelling units in the BMCD1 Zone may be increased from 62 to 150, if

(a) the Capital Regional District has amended Capital Regional Growth Strategy Bylaw No. 1, 2002, and specifically Map 4 to include the BMCD-1 Zone within the Regional Urban Containment and Servicing Area, or all residential dwelling units including those referred to in S.15.1.4(1)(a) and (b) are serviced by a community water service having a source other than a well and are serviced by a community sewer service; and

(b) as a condition relating to the provision of amenities within the District of Highlands, payment is made to the District if:

i. $18,249.00 per each such dwelling unit in respect of which the District issues a building permit; and

ii. in the event that the total of such payments at the rate of $18,249.00 per dwelling unit in excess of 62 dwelling units to be made to the District during any calendar year does not equal at least $250,000 by the end of the calendar year, the difference between the amount that has been paid during that calendar year and $250,000 must be paid on or before December 31st in that calendar year,

provided that the aggregate amount, pursuant to this S 15.1.04(2), shall not exceed $1,624,161.00 all of which funds shall be divided equally and placed in the reserve funds referenced in S 15.1.4(1)(b) for the provision of a Community Hall, a Fire Hall and a Municipal Hall as amenities within the District of Highlands.

(3) Within the "Residential" Area:

(a) The number of townhouse dwelling units must not exceed 30.
(b) The total floor area of all accessory buildings on a lot shall not exceed 100 m², and no single accessory building shall exceed 60 m² in floor area.
(c) No accessory building or structure may be used as a dwelling unit and no dwelling unit may contain a secondary suite.

(4) Within the "Resort Area:

(a) The total floor area of a lodge use shall not exceed 3,000 m².
(b) The total floor area of a tourist accommodation unit in a resort cabin shall not exceed 80 m².
(c) The total floor area of all accessory buildings within the "Resort" Area shall not exceed 700 m² and no single accessory building shall exceed 300 m² in floor area.
*(**15.1.1.1(4)(c) amended by Bylaw No. 374, adopted June 1, 2015)*
(d) The total number of tourist accommodation units within the "Resort" Area shall not exceed 250.
(e) Notwithstanding **Subsection 15.1.4(4)(d)**, 100 of the tourist accommodation units must be contained in a hotel.
(f) The total floor area of a *Tennis Clubhouse* shall not exceed 1,000 m².

(5) Within the "Golf Course" Area:

(a) The total floor area occupied by retail stores, golf clubhouses, and accessory uses within the "Golf Course" Area shall not exceed 5,000 m².
(b) The total area occupied by a golf maintenance facility and accessory maintenance uses within the "Golf Course" Area shall not exceed 20,000 m².
(c) The total floor area occupied by a caretaker's dwelling unit shall not exceed 100 m², and not more than one caretaker's dwelling unit shall be permitted within the "Golf Course" Area.

(6) Within the "Commercial" Area:

(a) No lot shall be created having an area of less than 0.216 ha.

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(b) The combined total floor area of all buildings shall not exceed 100 $m^2$ provided that if all buildings are services by community water having a source other than a well then combined total floor area permitted may be increased to 1,100 $m^2$.

### 15.1.5 Regulations for Accessory Buildings

(1) Notwithstanding any other regulations in this Bylaw, accessory buildings on lots immediately adjacent to a golf course must not be located closer to the lot line abutting the golf course than the setback distance required from the front lot line for the principal building.

### 15.1.6 General Regulations for Use

(1) In addition to the requirements of Section 3.8 of this Bylaw, at least one fully enclosed parking space, provided either within a principal building or within an accessory building, is required in conjunction with any one-family residential dwelling.
(2) No building, structure or use in the Commercial area shall have any motor vehicle access directly to or from Millstream Road.

### 15.1.7 Height and Size of Principal Use Buildings

(1) No residential dwelling may exceed a height of 9 m.
(2) No commercial building may exceed a height of 13 m or two (2) storeys whichever is less.
(3) No building containing a tourist accommodation unit shall exceed a height of 13 m.
(4) Despite **Section 15.1.7.3,** the maximum building height may be increased to 15 m or four (4) habitable storeys, whichever is less, where the construction to such height complies with the British Columbia Building Code and Fire Code and the Building Bylaw of the District.

### 15.1.8 Setbacks for Buildings and Structures

(1) Within the "Residential" Area

(a) On lots with areas greater than or equal to 400 $m^2$ and less than 550 $m^2$, no building or structure may be located:

i) Within 6 m of any front lot line when the lot fronts on and has access from a highway or access route in a bare land strata plan, nor within 6 m of the front lot line in the case of a detached garage, or portion of a building comprising an attached garage, connected to the highway or access route by a driveway.
ii) Within 6 m of any rear lot line;
iii) Within 3 m of any exterior side lot line; or
iv) Within 1.2 m of any interior side lot line.

(b) On residential lots with areas greater than or equal to 550 $m^2$ and less than1,100$m^2$, no single family dwelling may be located:

i) Within 6 m of any front lot line;
ii) Within 6 m of any rear lot line;
iii) Within 1.5 m of any interior side lot line; or
vi) Within 4.5 m of any exterior side lot line.

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(c) Not withstanding **Section 15.1.8 (a) and (b)**, on lots directly adjacent to a golf course, or lots larger than 1,100 $m^2$, no principal building or structure may be located:

i) Within 7.5 m from any front lot line;
ii) Within 10 m from any rear lot line;
iii) Within 4.5 m from any exterior side lot line; or
iv) Within 3 m of any interior side lot line not adjoining a golf course.

(d) No townhouse building may be located:

i) Within 6 m from any front lot line;
ii) Within 10 m from any rear lot line;
iii) Within 6 m of any exterior lot line; or
iv) Within 3 m of any interior side lot line.

(2) Within the "Resort" Area:

(a) No building shall be located:

i) Within 10 m from any Crown Land or Park Land; or
ii) Within 10 m from the boundary of the BMCD1 Zone.

(3) Within the "Golf Course" Area:

(a) No building shall be located:

(i) Within 10 m from the boundary of any Crown Land or Park Land; or
(ii) Within 10 m from the boundary of the BMCD1 Zone.

(4) Within the "Commercial" Area:

(a) No building for a commercial use may be located:

i) Within 4.5 m of any interior side lot line;
ii) Within 7.5 m of a front lot line or a rear lot line, provided that where the area between a building front line and a front lot line is landscaped and not used for off-street parking, the minimum setback may be reduced to 4.5 m;
iii) Within 5 m of an exterior side lot line;
iv) Within 10 m of Millstream Road.

### 15.1.9 Landscaping Screening

(1) The regulations of **Section 3.21** apply.

(2) Parking areas shall be screened from any abutting residential, commercial or golf course uses by a landscape screen not less than 3 m in width and 1.8 m in height, measured at the time of planting.

(3) Landscaping in the form of grass, shrubs, ground cover, native plant communities, plants, trees or flowers or a combination of them shall be installed and maintained in a total of not less than 10% of the site area.

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## SECTION 15.2 - COMPREHENSIVE DEVELOPMENT 2 (CD2) ZONE

### 15.2.1 Zone Intent

This zone is intended to provide for the orderly development of land.

### 15.2.2 Density of Development in the CD2 Zone

(1) There may not be more than four (4) residential dwelling units in the CD2 Zone.

(2) Despite Section 15.2.2(1), if the following amenities are provided:

a. The payment to the District, within 30 days of adoption of Bylaw No. 344, of $486,538, to be placed in a General Capital Reserve Fund established by Council;

b. Either:

i. the delivery to the District of the existing water pump located at 1150 Bear Mountain Parkway and transfer to the District of clear title to the water pump; or

ii. the payment to the District of the proceeds from the sale of the water pump to be placed in a General Capital Reserve Fund established by Council, in lieu of transferring the water pump;

c. The amending of covenant EP1786, statutory right of way EP1787, and document EW143625, and registration of a new covenant, statutory right of way and reference plan of the covenanted area, to the mutual satisfaction of all covenant holders to comply with the recommendations made in the following memos by Aqua-Tex Scientific Consulting Ltd., copies of which are available at the District Office:

i. "Forest Health – a Reassessment of Covenanted Landscape – Pursuant to Rezoning Application RZ-02-11 – 1150 Bear Mountain Parkway," dated November 25, 2011, and

ii. "Riparian Management Zones – Lot Alignment, RAR and SWM Pursuant to Rezoning Application RZ-02-11 – 1150 Bear Mountain Parkway," dated July 27, 2011,

lands within the CD2 Zone may be developed in accordance with section 15.2.3 and Schedule F to Zoning Bylaw 100.

### 15.2.3 Areas

The CD2 Zone is divided into five (5) "Areas" the lands of which are also mapped and described in Schedule F to this Bylaw (Highlands Zoning Bylaw 100).

***"Area 1 – Existing House"***

### 15.2.3.A1.1 Permitted Uses

(1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in "Area 1 – Existing House," of the Comprehensive Development 2 (CD2) Zone:

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

### 15.2.3.A1.2 Residential Density

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot* and no more than one *home-based business* in such *dwelling unit.*

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(2) There shall be no more than three (3) *accessory dwelling units* on each *lot.*

**15.2.3.A1.3 Siting and Dimensions of Buildings and Structures**

(1) The *height* of a *principal dwelling unit* shall not exceed 8.0 metres.
(2) The *height* of an *accessory building* or *structure* shall not exceed 3.75 metres.
(3) No *building* or *structure* shall be sited within 6.0 metres of a *front lot line.*
(4) No *building* or *structure* shall be sited within 3.0 metres of a *side lot line.*
(5) No *building* or *structure* shall be sited within 3.0 metres of a *side lot line* that abuts a *highway.*
(6) No *building* or *structure* shall be sited within 6.0 metres of a *rear lot line.*
(7) The total *floor area* of a *principal dwelling unit* shall not exceed 354.9 square metres.
(8) The total *floor area* of all *accessory buildings* on a *lot* shall not exceed 50 square metres.

**15.2.3.A1.4 Lot Area Requirements**

(1) No *lot* having an area less than 2,024 square metres may be created by subdivision.

***"Area 2 – Treehouse"***

**15.2.3.A2.1 Permitted Uses**

(1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in "Area 2 – Treehouse," of the Comprehensive Development 2 (CD2) Zone:

(a) *Residential*
(b) *Home-based business, except that, despite section 3.5 of Bylaw 100, total floor area dedicated to home-based business use may be up to 169 square meters.*
(c) *Day Care as regulated by the Community Care and Assisted Living Act, as amended from time to time*
(d) *Assembly*
(e) *Accessory uses*

**15.2.3.A2.2 Residential Density**

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot* and no more than one *home-based business* in such *dwelling unit.*

(2) There shall be no more than three (3) *accessory dwelling units* on each *lot*.

**15.2.3.A2.3 Siting and Dimensions of Buildings and Structures**

(1) The *height* of the *building* used for a single or combination of *principal use(s)* shall not exceed 10.5 metres.
(2) No *principal building* or *structure* shall be sited within 2.16 metres of a *front lot line.*
(3) No *principal building* or *structure* shall be sited within 2.95 metres of a *side lot line.*
(4) No *principal building* or *structure* shall be sited within 6.0 metres of a *rear lot line.*
(5) The total *floor area* of the *building* used for a single or combination of *principal use(s)* shall not exceed 324.0 square metres.

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**15.2.3.A2.4 Lot Area Requirements**

(1) No *lot* having an area less than 740 square metres may be created by subdivision.

***"Area 3 – Cottages"***

**15.2.3.A3.1 Permitted Uses**

(1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in "Area 3 – Cottages," of the Comprehensive Development 2 (CD2) Zone:
   (a) *Residential*
   (b) *Home-based business*
   (c) *Accessory uses, buildings, and structures*
   (d) *Parking for Community Gardens and Green Space in "Area 5 – Community Gardens and Green Space"*

**15.2.3.A3.2 Residential and Subdivision Density**

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot* and no more than one *home-based business* in such *dwelling unit.*

(2) There shall be no more than three (3) *accessory dwelling units* on each *lot*.

**15.2.3.A3.3 Siting and Dimensions of Buildings and Structures**

(1) The *height* of a *principal dwelling unit* shall not exceed 7.5 metres.
(2) The *height* of an *accessory building* or *structure* shall not exceed 3.75 metres.
(3) No *building* or *structure* shall be sited within 2.0 metres of a *front lot line.*
(4) No *building* or *structure* shall be sited within 2.0 metres of a *side lot line.*
(5) No *building* or *structure* shall be sited within 2.0 metres of a *side lot line* that abuts a *highway.*
(6) No *building* or *structure* shall be sited within 2.0 metres of a *rear lot line.*
(7) The total *floor area* of all *buildings* and *structures* shall not exceed 160.0 square metres (includes garage).

**15.2.3.A3.4 Landscaping and Screening**

(1) Landscaped areas shall be provided and maintained continuously along every lot line abutting a BC Hydro right-of way that is within 2.0 metres (6.56 feet) of that lot line.
(2) Despite subsection (1), the landscaped areas may be interrupted to provide for a rock wall required for a parking turnaround area.
(3) The landscaped areas prescribed in subsection (1) shall have trees planted with a height of not less than 2.0 metres (6.56 feet) and a mature height of not less than 6.0 metres (19.68 feet), spaced not less than 6.0 metres (19.68 feet) apart, unless a greater spacing distance is recommended by a Landscape Architect.

**15.2.3.A3.5 Parking Spaces**

(1) Despite section 3.8 (6) a) (i), one (1) parking space is required for each *dwelling unit* (cottage) in Area 3 of the CD2 Zone.

**15.2.3A3.6 Lot Area Requirements**


**Consolidated for Convenience purpose only: It is not a certified copy

(1) No *lot* having an area less than 1,243 square metres may be created by subdivision.

***"Area 4"***

**15.2.3.A4.1 Permitted Uses**

(1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in "Area 4" of the Comprehensive Development 2 (CD2) Zone:

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

**15.2.3.A4.2 Residential and Subdivision Density**

(1) There shall be no more than one (1) *principal dwelling unit* on each *lot* and no more than one *home-based business* in such *dwelling unit.*

(2) There shall be no more than three (3) *accessory dwelling units* on each *lot*.

**15.2.3.A4.3 Siting and Dimensions of Buildings and Structures**

(1) The *height* of a *principal dwelling unit* shall not exceed 9.0 metres.
(2) The *height* of an *accessory building* or *structure* shall not exceed 3.75 metres.
(3) No *building* or *structure* shall be sited within 6.0 metres of a *front lot line.*
(4) No *dwelling unit* shall be sited within 2.0 metres of a *side lot line.*
(5) No *dwelling unit* shall be sited within 6.0 metres of a *rear lot line.*
(6) No *accessory building* or *structure* shall be sited within 1.5 metres of a *side* or *rear lot line.*
(7) No *building* or *structure* shall be sited within 3.0 metres of a *side lot line* that abuts a *highway.*
(8) The total *floor area* of a *principal dwelling unit* shall not exceed 290.0 square metres (includes garage).
(9) The total *floor space ratio* of all *accessory buildings* and *structures* shall not exceed 0.10.

**15.2.3.A4.4 Lot Area Requirements**

(1) No *lot* having an area less than 1,094 square metres may be created by subdivision.

***"Area 5 – Community Gardens and Green Space"***

**15.2.3.A7.1 Permitted Uses**

(1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses shall be permitted in Area 5 – Community Gardens and Green Space within the Comprehensive Development 2 (CD2) Zone:

(a) *Community Gardens*
(b) *Non-motorized outdoor recreation*
(c) *Accessory uses, buildings and structures*


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**15.2.3.A7.2 <u>Siting and Dimensions of Buildings and Structures</u>**

(1) The *height* of a *building* or *structure* shall not exceed 3.75 metres.
(2) No *building* or *structure* shall be sited within 1.5 metres of a *front, rear,* or *side lot line.*
(3) No *building* or *structure* shall be sited within 3.0 metres of a *side lot line* that abuts a *highway.*
(4) The total *floor area* of all *buildings* and *structures* shall not exceed 50.0 square metres.

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# District of Highlands

## Zoning Designations

(Consolidated Schedule A to Bylaw No. 100, 1998)

N W E S

Squally Reach

Finlayson Arm

Elbow Point

Gowlland Tod Provincial Park

Cal Revelle Nature Sanctuary

Jocelyn Hill

Hazlitt Creek Park

LoneTree Regional Park

Lone Tree Hill

Mount Work Regional Park

Thetis Lake Regional Park

Stewart Mtn.

Scafe Hill

Sawluctus Island

District of Saanich

City of Langford

Town of View Royal

Pease Lake W1

Third Lake W1

Second Lake W1

Fork Lake W1

Mitchell Lake W1

Fizzle Lake W1

Matson Lake W1

Teanook Lake W1

Mary Lake RA

Hatcher Swamp Municipal Hall P2

Transmission Lines



## Legend

### Zoning Designations

**Amenity Zones**
- AM1 Amenity 1
- AM2 Amenity 2

**Comprehensive Development Zones**
- BMCD1 Bear Mountain Comprehensive Development 1
- CD2 Comprehensive Development 2

**Conservation Zones**
- C1 Conservation 1
- C2 Conservation 2

**Greenbelt Zones**
- GB1 Greenbelt 1
- GB1A Greenbelt 1A
- GB2 Greenbelt 2

**Industrial Zones**
- M1 General Industrial
- M2 Medium Industrial
- M3 Highwest Industrial

**Park Zones**
- P1 Park 1

**Public Zones**
- P2 Public 2
- P3 Public 3

**Rural Assembly**
- RA Rural Assembly

**Rural Zones**
- R1 Rural 1
- R2 Rural 2
- R3 Rural 3
- R3A Rural 3A
- R3B Rural 3B
- R3C Rural R3C
- R3D Rural R3D
- R4 Rural R4
- R5 Rural R5
- R6 Rural R6
- R7 Rural R7
- R8 Rural R8

**Rural Residential Zones**
- RR1 Rural Residential 1
- RR2 Rural Residential 2
- RR2A Rural Residential 2A
- RR3 Rural Residential 3
- RR4 Rural Residential 4
- RR5 Rural Residential 5
- RR7 Rural Residential 7
- RR8 Rural Residential 8
- RR13 Rural Residential 13
- RR14 Rural Residential 14
- RR15 Rural Residential 15
- RR16 Rural Residential 16

**Water Zones**
- W1 Water 1
- W2 Water 2

0 0.5 1 Km

1:10,000

DISTRICT OF HIGHLANDS

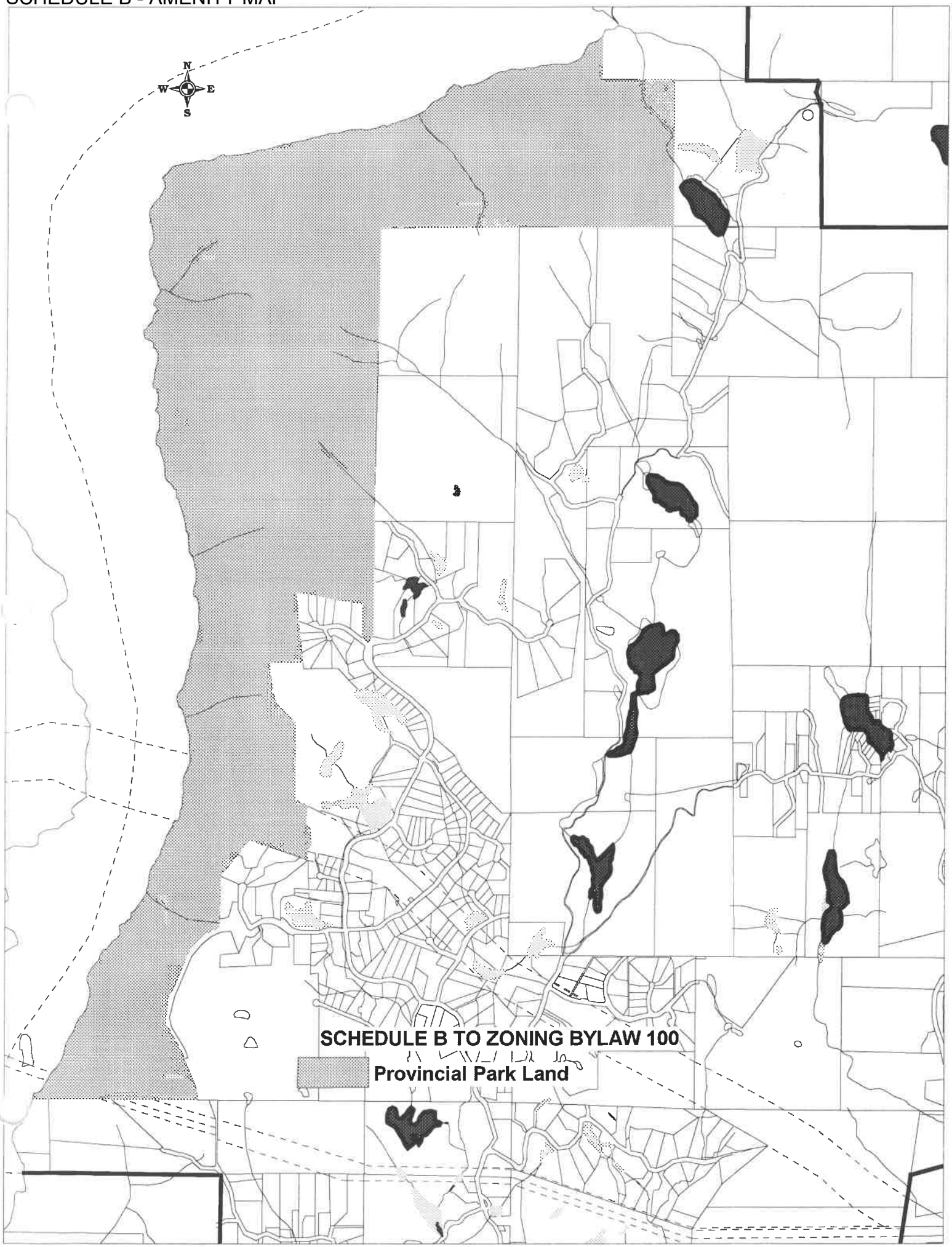
As adopted February 16, 1998 and modified by subsequent amendments up to and including Bylaw No. 463.
Zoning boundaries are approximate, please refer to the documents on file at the District office for the exact location of boundaries.

Map Projection: Universal Transverse Mercator - Nad 83 Z-10 N

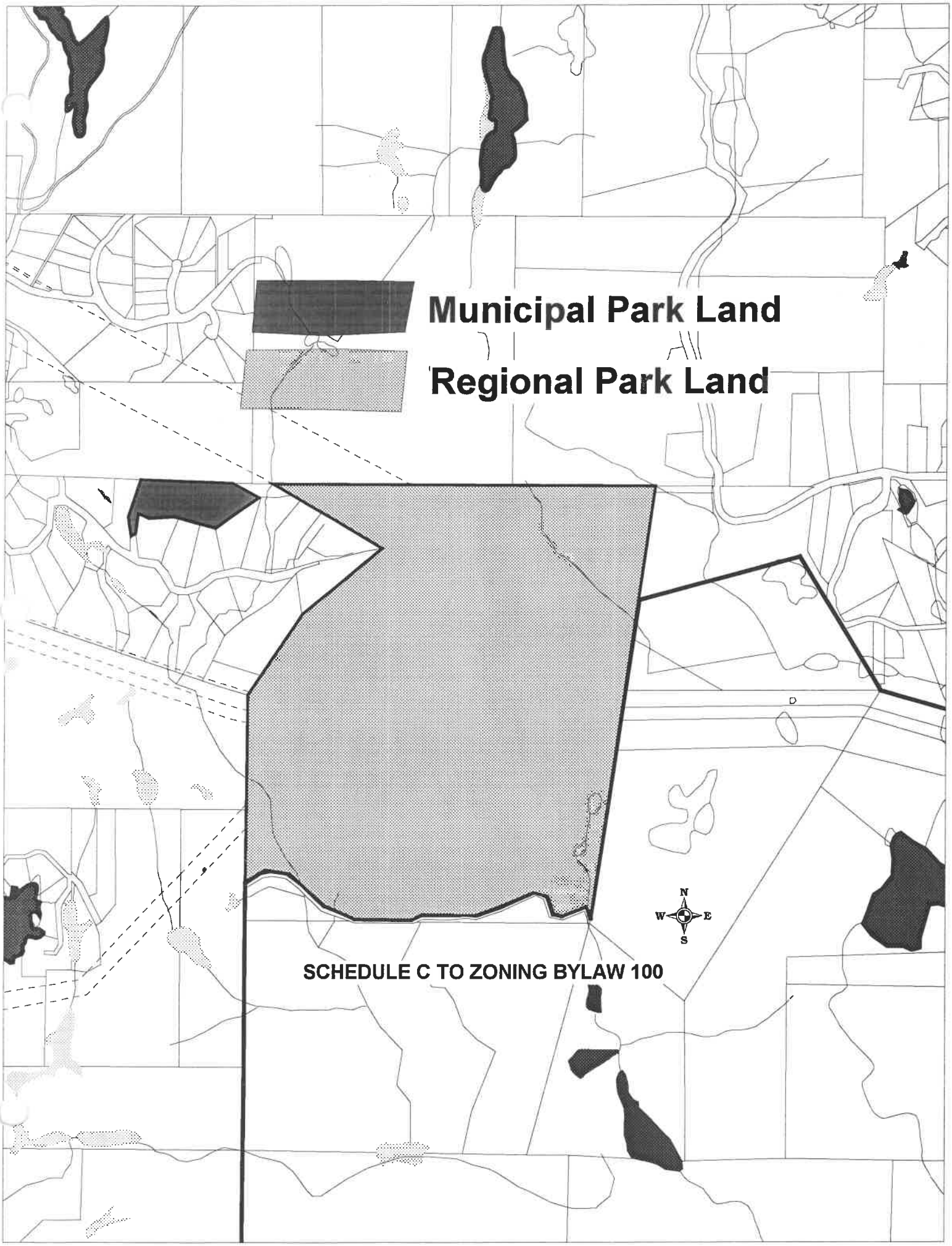
Last Revision: December, 2025


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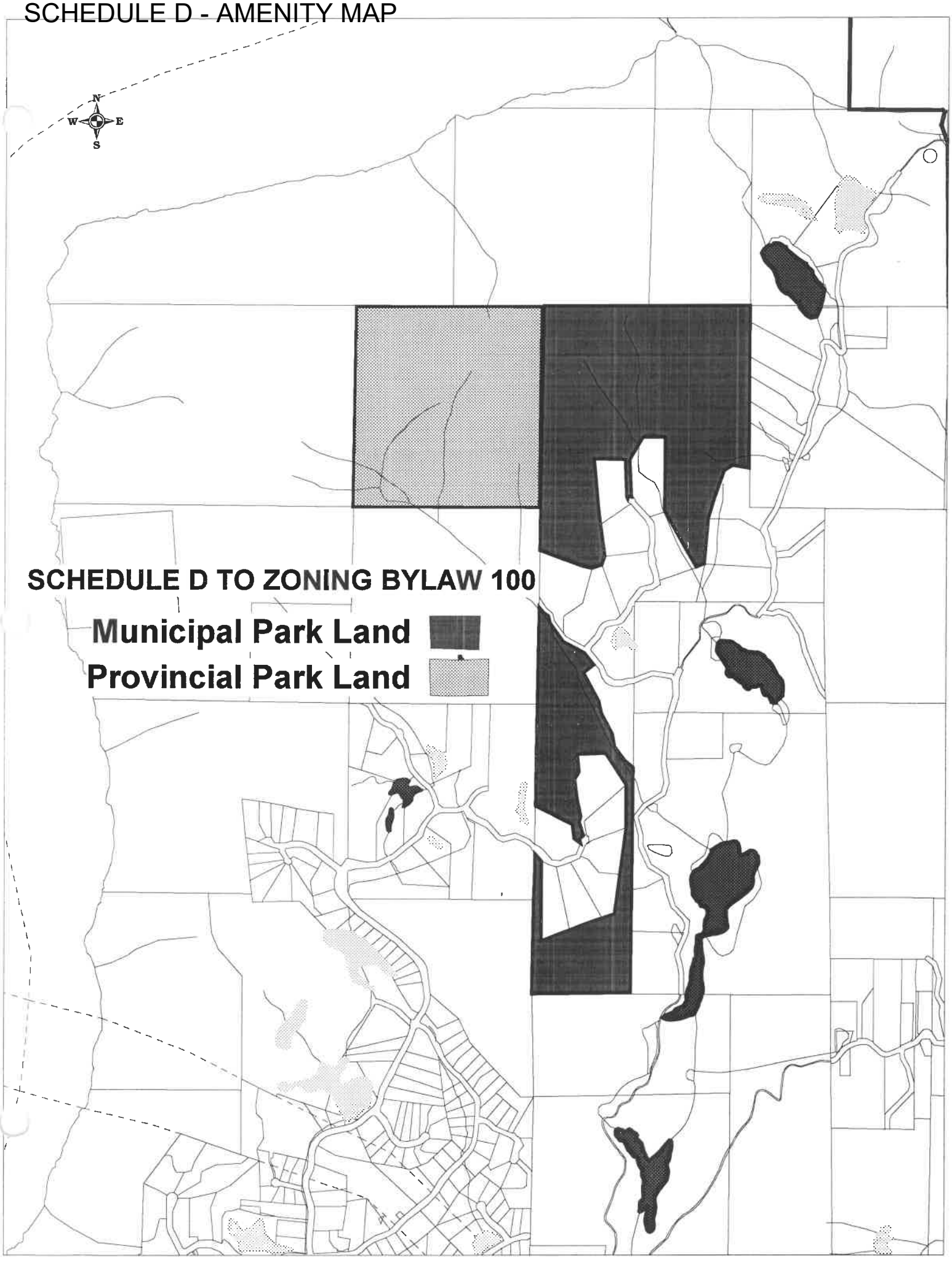
SCHEDULE B - AMENITY MAP



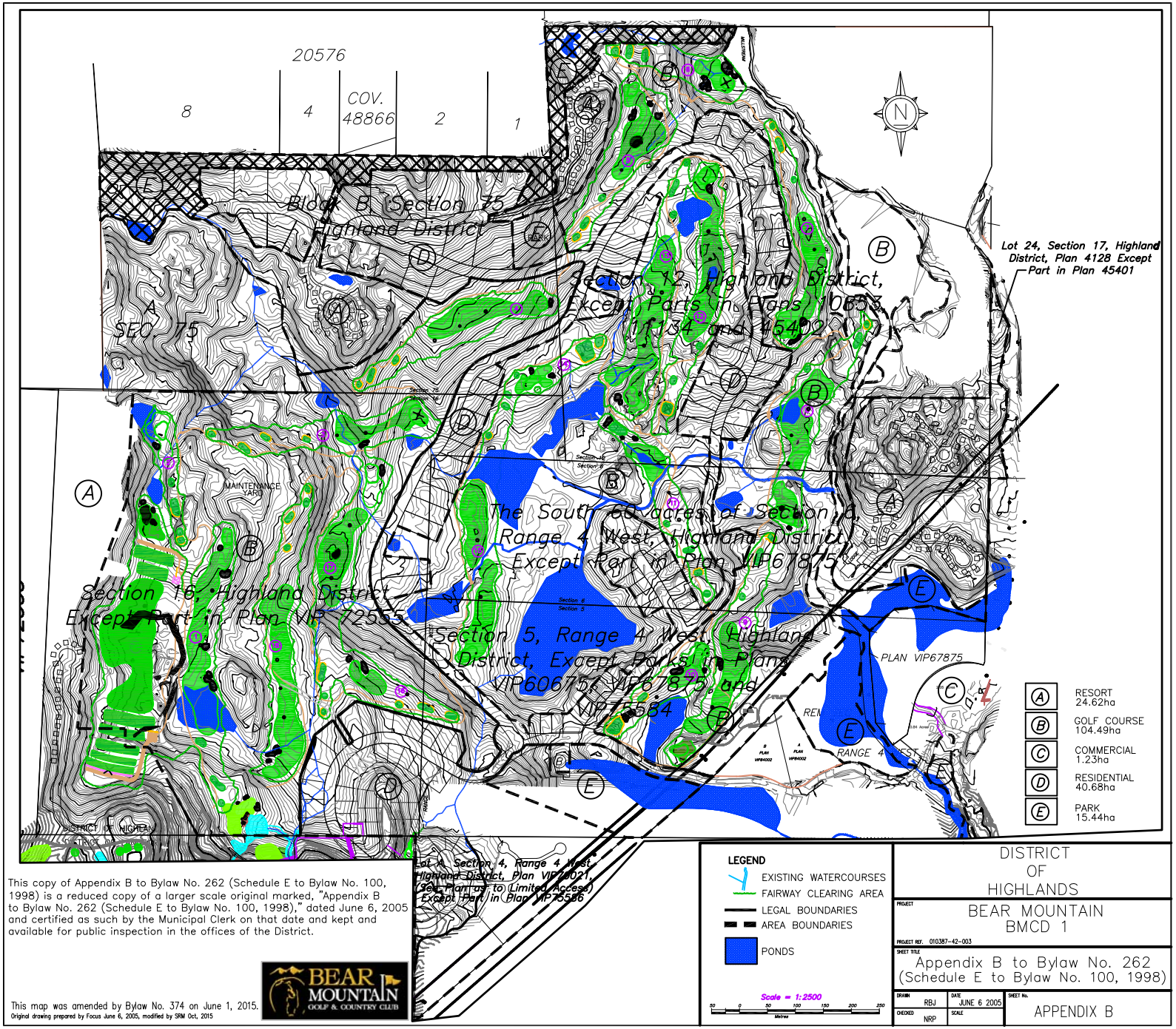
SCHEDULE C - AMENITY MAP



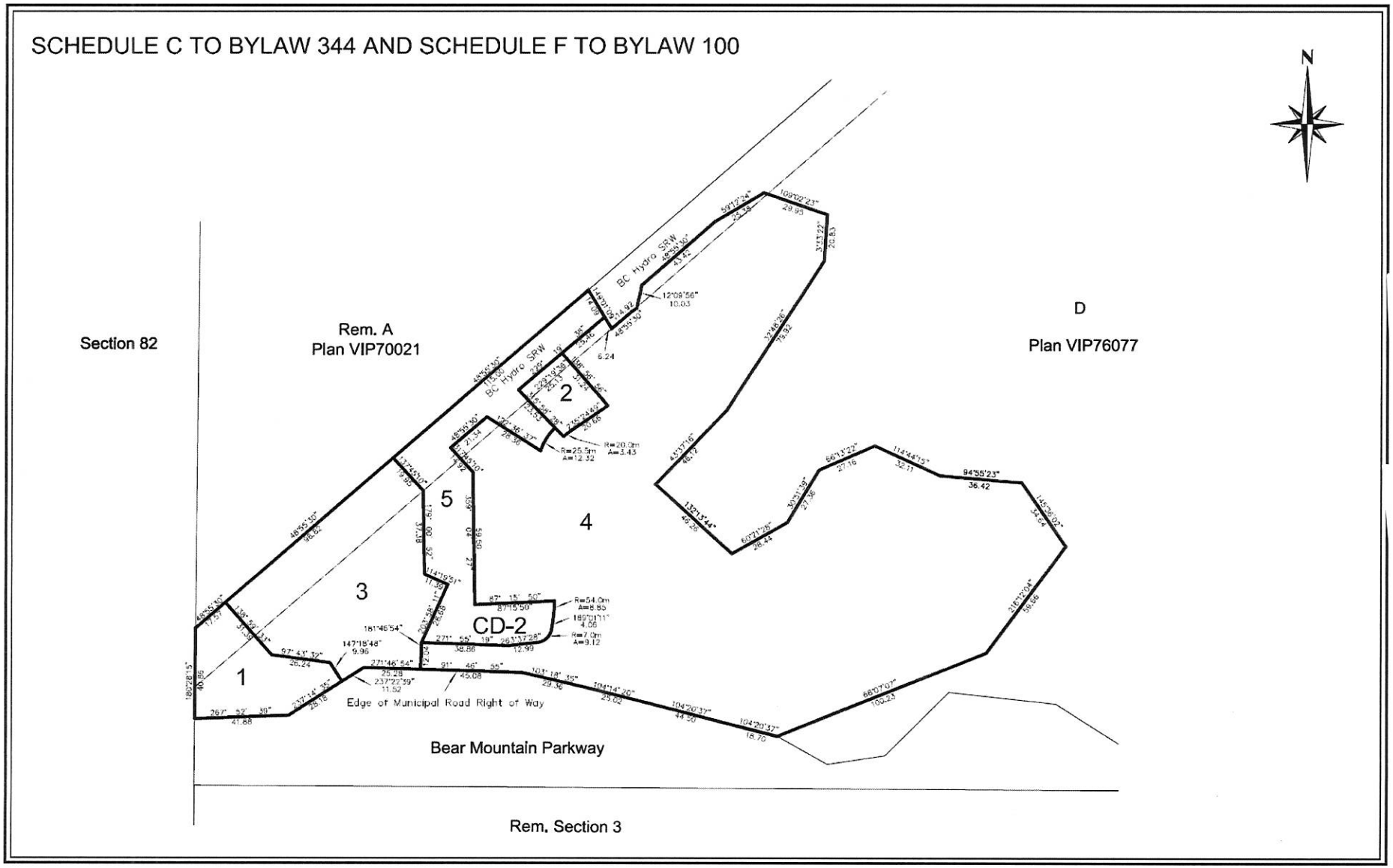
SCHEDULE D - AMENITY MAP



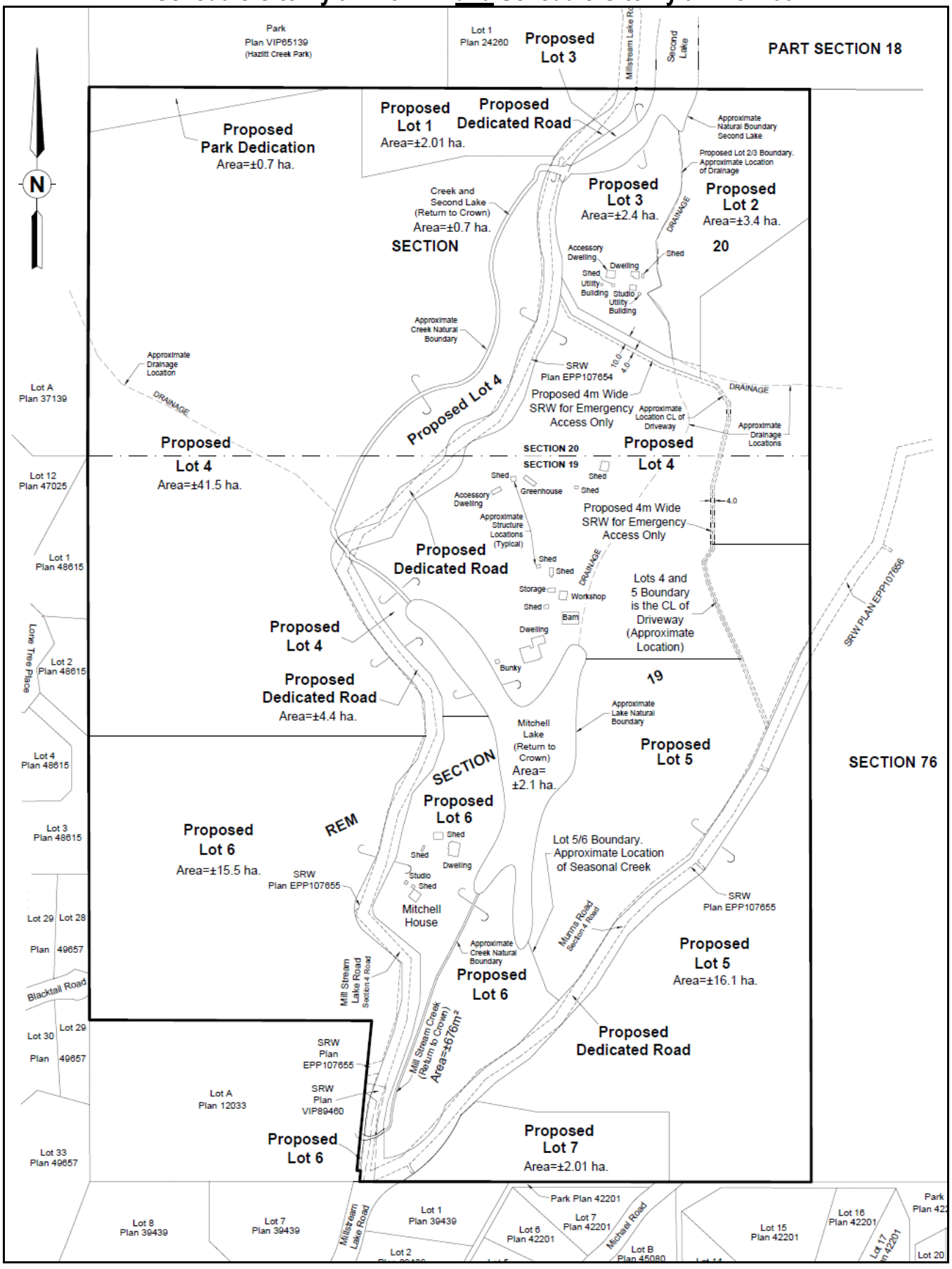
# SCHEDULE E – BEAR MOUNTAIN COMPREHENSIVE DEVELOPMENT



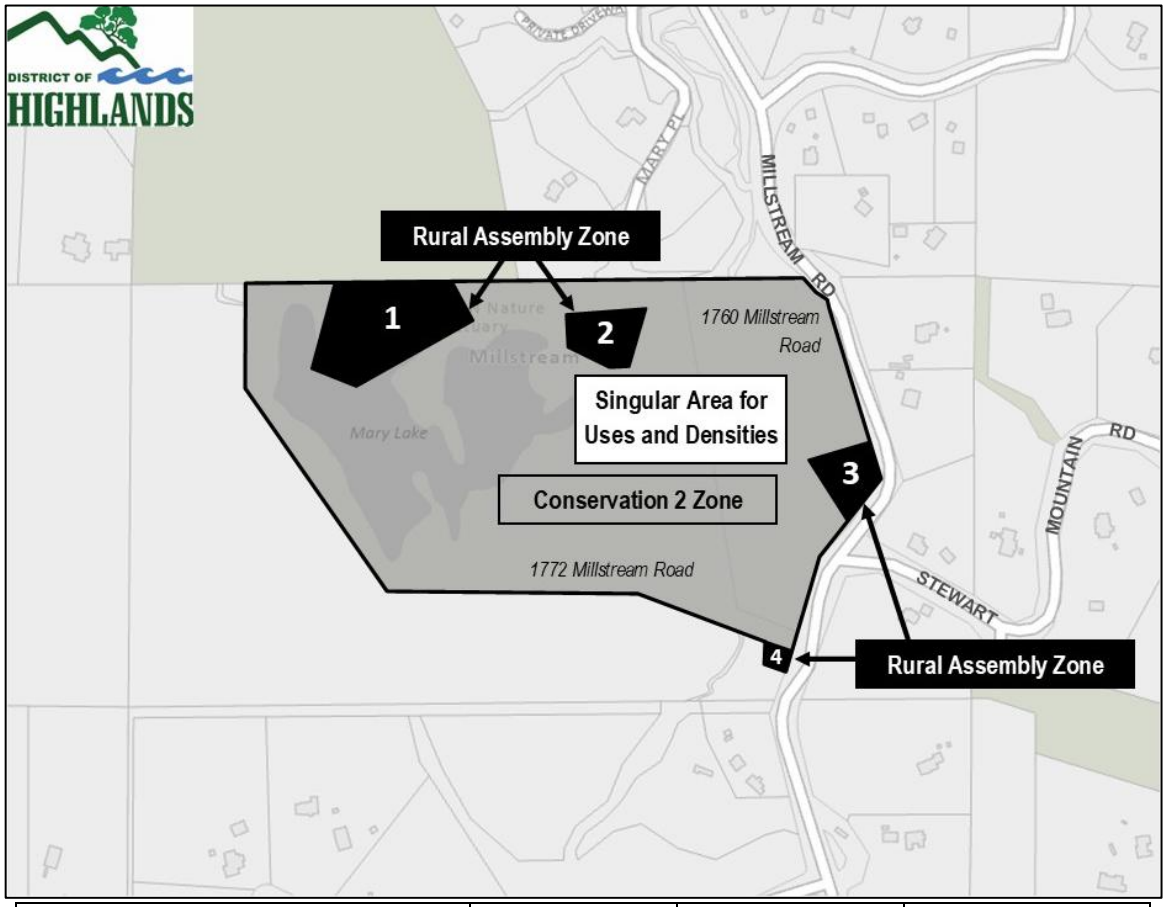
# SCHEDULE F – 1150 BEAR MOUNTAIN PARKWAY



## Schedule C to Bylaw No. 442 *and* Schedule G to Bylaw No. 100



# Schedule H to Bylaw No. 100




| Rural Assembly Zone Area | Corner | Latitude | Longitude |
|---|---|---|---|
| 1 | Northwest | 48.50063° N | 123.51924° W |
| | Northeast | 48.50065° N | 123.51783° W |
| Size: 9,662m$^2$ | East | 48.50036° N | 123.51752° W |
| Perimeter: 407m | South | 48.49976° N | 123.51894° W |
| | Southwest | 48.49984° N | 123.51958° W |
| 2 | Northwest | 48.50032° N | 123.51616° W |
| | Northeast | 48.50038° N | 123.51508° W |
| Size: 3,378m$^2$ | Southeast | 48.49986° N | 123.51529° W |
| Perimeter: 236m | South | 48.49983° N | 123.51553° W |
| | Southwest | 48.50003° N | 123.51609° W |
| 3 | West | 48.49909° N | 123.51294° W |
| | North | 48.49929° N | 123.51219° W |
| Size: 2,982m$^2$ | East | 48.49898° N | 123.51207° W |
| Perimeter: 232m | South | 48.49848° N | 123.51257° W |
| 4 | Northwest | 48.49758° N | 123.51357° W |
| | Northeast | 48.49749° N | 123.51320° W |
| Size: 516m$^2$ | Southeast | 48.49731° N | 123.51329° W |
| Perimeter: 93m | Southwest | 48.49738° N | 123.51356° W |