



DISTRICT OF HIGHLANDS

BYLAW NO. 310

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

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

1. "District of Highlands Zoning Bylaw No. 100, 1998" is hereby amended as follows:
 - a. By **deleting** Section 6.13 Rural Residential 13(RR13) Zone in its entirety and **replacing** it with the following:

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) *dwelling unit* on each *lot*. For the purposes of this zone, *lot* excludes common property in a Bare Land Strata.

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 *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 *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 *dwelling unit*.
- (9) Despite section 3.8(7)(b) of this Bylaw, at least one of the required parking spaces shall be within the *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*.
- (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.

2. This Bylaw may be cited as “Highlands Zoning Amendment Bylaw No. 310, 2008”.

READ A FIRST TIME THIS	18th	DAY OF	August, 2008
READ A SECOND TIME THIS	18th	DAY OF	August, 2008
PUBLIC HEARING HELD THIS	15 th	DAY OF	September, 2008
READ A THIRD TIME THIS	15 th	DAY OF	September, 2008
ADOPTED THIS	15 th	DAY OF	September, 2008

MAYOR

A/ CORPORATE OFFICER