NOT THE OFFICIAL VERSION **FOR REFERENCE ONLY**

DISTRICT OF METCHOSIN

BYLAW NO. 259

A Bylaw to Regulate Land Use, Parking, Screening, and Signage

WHEREAS the *Municipal Act* authorizes a local government to enact bylaws, pursuant to the provisions of Part 29, Division (4) - Land Use Designation,

NOW THEREFORE the Municipal Council in open meeting assembled enacts as follows:

1 This Bylaw may be cited for all purposes as the **Metchosin Land Use Bylaw No. 259**.

2 The regulations attached hereto as Schedule "A" form an integral part of this Bylaw.

3 The District of Metchosin Land Use Bylaw No. 233, with subsequent amendments, is hereby repealed.

Read a First time, this	23rd	day of	October,	1995.
Read a Second time, this	23rd	day of	October,	1995.
PUBLIC HEARING HELD this	**14th**	**day of**	**November,**	**1995.**
Read a Third time, this	14th	day of	November,	1995.

APPROVED PURSUANT TO SECTION 57 OF THE *HIGHWAY ACT*,

ADOPTED, this	20th	day of	November,	1995.

_____ _____

Clerk of the District of Metchosin Mayor

District of Metchosin

Land Use Bylaw

Bylaw 259, 1995

This bylaw has been consolidated **for convenience only**. Please contact staff to verify that the information contained in this document reflects the most current bylaw provisions.

The following amendment bylaws are incorporated:
259, 255*, 256* 257, 292*, 294*, 306*, 315*, 316, 323*, 324, 342, 343*, 369*, 406*, 476, 486*, 488*, 509*, 515*, 520, 541*, 549, 550, 570*, 574, 583, 589, 609, 635, 636 *Mapping amendments, 668*, 713

Consolidated March 2026

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PART 1 - DEFINITIONS

1. In this Bylaw unless the context otherwise requires:

Access Strip means a relatively narrow strip of land which forms an integral part of a panhandle lot to provide frontage on a highway and vehicular access from the highway to the remainder of the lot. The access strip is considered to have ended when the width of the front lot line equals one-tenth of the perimeter of the remainder of the lot. No building may be located within the access strip.

Accessory Building means a building or structure, the use or intended use of which is located on the same lot as the principal building or principal use served, is not attached to the principal building, and the use or intended use of which is customarily incidental, subordinate to and exclusively devoted to the principal use on the lot.

Accessory Dwelling Unit means a self-contained dwelling unit located on the same lot as a principal dwelling, which is secondary to the principal dwelling, and includes secondary suites, detached secondary suites, and carriage houses.

(Bylaw 713)

Accessory Use means a use which is customarily incidental, subordinate to and exclusively devoted to the principal use on the lot.

Agricultural Zone means the AG or AG1 Zones.

Agriculture means a use providing for the growing, rearing, producing and harvesting of food crops, livestock, poultry, bees, and horticultural products which may be conducted as a commercial enterprise; the storage and sale on an individual farm of the products harvested, reared or produced on that farm. It includes as accessory uses the storage, maintenance and repair of farm machinery and implements used on that farm; and the storage of fertilizer, pesticides, medications, feed, dietary additives and all incidental materials used on that farm. It specifically excludes intensive agriculture, cannabis production, medical cannabis production and all manufacturing, processing, storage and repairs not specifically included in this definition.

(Bylaw 636)
(Bylaw 652)

Amenity Residential Zone means the AR1 Zone.

Animal Hospital means a building or part thereof used by veterinarians primarily for the purposes of the consultation, diagnosis and office treatment of household pets. Use as a kennel shall be limited to short-term boarding and shall only be incidental to such hospital use.

Arcade means a place of business where gaming activities are conducted for public or private use.

Assembly means a use providing for the assembly of persons for religious, charitable, philanthropic, cultural, private recreational or private educational purposes. It includes auditoriums, youth centres, social halls and group camps. It excludes churches.

Automotive Service Station means a building and premises used for the repairing and servicing of motor vehicles and may include the retail sale of petroleum products, the sale of automobile accessories, and, where it is incidental to automotive repair and service, auto body work, painting, and welding may be conducted. All sales and storage of accessories or repairing and servicing shall be conducted within a wholly enclosed building. The storage of motor vehicles not in operating condition is specifically excluded.

Balcony means an unenclosed platform projecting horizontally not more than 1.22 m (4') from the face of a wall and which is cantilevered or supported by columns or brackets and used as an outdoor porch or sundeck.

Bank includes credit unions and trust companies.

Basement means that portion of a building having a floor and ceiling which is partially located below natural grade. A basement shall be considered as a storey if the finished floor level directly above a basement is more than 1.8 m (6') above the average natural grade and the interior height of the basement is 2.1 m (6.9') or greater.

Bed and Breakfast means a Home Business within a dwelling unit that provides transient tourist accommodation in which sleeping units are rented on a short-term basis, and may include the provision of a breakfast meal served on the premises.

Beehive means a man-made structure in which bees are kept.

(Bylaw 635)

Boarding means the provision of lodging, with or without meals, for compensation, to not more than four (4) persons within a dwelling unit. Such persons are included in the maximum number of unrelated persons permitted to occupy the dwelling unit. Boarding does not permit the preparation of meals within sleeping rooms.

(Bylaw 713)

Boarding Kennel means premises in which dogs over the age of 8 months and cats are kept, trained, cared for, or boarded. The maximum number of animals shall not exceed 50 dogs and 50 cats. The boarding kennel facility shall be constructed so that animals may be retained indoors between the hours of 8:00 p.m. through 8:00 a.m. The boarding kennel excludes an animal shelter or an animal impounding facility.

Breeding Kennel means premises in which dogs over the age of 8 months are kept and/or bred.

Building means a structure that is used or intended to be used for supporting or sheltering persons or animals or property.

Bylaw Enforcement Officer means the person or his delegate appointed by Council to enforce regulatory bylaws of the Municipality.

Campsite means the use of a lot occupied and maintained, or intended to be occupied and maintained, for the temporary accommodation of vacationing public in travel trailers, tent-trailers, tents or similar transportable accommodation, which is operated as a commercial enterprise, but does not include a manufactured home park, motel or a hotel.

Cannabis means any part of the cannabis plant including its preparations and derivatives 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 or any part of the root of a cannabis plant.

(Bylaw 652)

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: cannabis sales; non-commercial activities by a registrant or designated person under the Access to Cannabis for Medical Purposes Regulations.

(Bylaw 652)

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.

(Bylaw 652)

Carriage House means a detached, accessory dwelling unit located on the same lot as a principal dwelling, situated above an accessory building such as a garage, storage building, or workshop. A carriage house contains complete, independent living facilities, including areas for cooking, eating, sanitation, and sleeping and has a separate entrance. A carriage house may be a Modular Home. *(Bylaw 713)*

Church means a building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship.

Civic means a use providing for public functions under the auspices of a government body. It includes offices, fire halls, police stations, community centres or halls, libraries, museums, and courts of law.

Club means an association of persons, whether incorporated or not, united by some common interest, meeting periodically for cooperation or conviviality. Club shall also mean, where the context requires, premises owned or occupied by members of such association within which the activities of the club are conducted.

Commercial Zone means the C1 and C2 Zones.

Commercial Recreation Zone means the CR1, CR2, CR3, and CR4 Zones.

Common Wall means a wall with a minimum horizontal dimension of 6.25 m (20.5') and a minimum vertical dimension of 2.13 m (7'), common to the dwelling unit and the secondary suite in a dwelling unit containing a secondary suite, and for the purposes of this definition a garage or carport may not be considered a part of a dwelling unit.

Communal Seniors Housing means **a** residential use operated by a non-profit or charitable organization, in which a group of senior residents live together in a single, shared building containing private bedrooms, each with access to a bathroom that may be private or shared, and shared common living, dining, and kitchen facilities. The housing provides a domestic style living arrangement for independent seniors, without personal or health care services, and is not a Community Care Facility or other licenced facility under the *Community Care and Assisted Living Act*. Light services such as meals, housekeeping, and social programming may be provided. An example is an Abbeyfield-style residence model. For the purposes of this Bylaw, Communal Seniors Housing is a distinct use, separate from a dwelling unit, and Community Care Facility.

(Bylaw 713)

Community Care Facility means a facility licensed pursuant to the *Community Care and Assisted Living Act*.

Concession Stand means a structure, or portion thereof, not exceeding 14 m^2 (151 ft^2) used in conjunction with a lot developed as a Golf Course – Class A or Class B, where food and beverage is sold for a fee or charge to patrons of the Golf Course for immediate consumption on the lot but are not consumed within the confines of the concession stand.

Concession/Souvenir Stand means a structure or portion thereof, not exceeding 24 m^2 (258 ft^2), used in conjunction with a lot developed as a Miniature Golf Course, where food and beverage is sold for a fee or charge to patrons of the Miniature Golf Course for immediate consumption on the lot but is not consumed within the confines of the concession stand; and where souvenirs or gift items are kept or offered for sale at retail to patrons of the Miniature Golf Course and which includes storage on the stand premises of limited quantities of such goods, wares or merchandise sufficient only to service such stand, unless otherwise specifically permitted by this Bylaw.

Corner Lot means a lot at the intersection of two or more highways.

Day Care means facility, licensed as such under the Child Care Licensing Regulations pursuant to the *Community Care and Assisted Living Act*, which provides for the care of children and opportunities for their social, emotional, physical and intellectual growth.

Detached Secondary Suite means a detached, accessory dwelling unit situated on the same lot as a principal dwelling, containing complete, independent living facilities, including areas for cooking, eating, sanitation, and sleeping. A detached secondary suite may be a modular home.

(Bylaw 713)

Dwelling Unit means a self-contained set of rooms, providing living, sleeping, cooking and sanitation facilities; containing not more than one kitchen, and used or intended to be used as a permanent residence for one family. A dwelling unit includes an accessory dwelling unit, manufactured home, or modular home. "Dwelling unit" does not include a park model trailer, recreational vehicle, tent or other vehicles or structures intended for temporary or seasonal occupancy.

(Bylaw 713)

Effective Impervious Area (EIA) means the total area of Impervious Surface on a parcel of land, including but not limited to, rooftops, asphalt and concrete parking lots, driveways and roads, whose runoff is directly connected to a watercourse or a receiving water body usually via an overland drainage system (including downspouts that discharge directly to gutters or driveways), but excluding those areas which are not directly connected to a watercourse or receiving water body.

Family means an individual, or two or more persons related by blood, marriage, common law partnership, adoption, or foster parenthood, or a group of not more than seven (7) unrelated persons living together as a single housekeeping unit, including any boarders or lodgers. For the purposes of this bylaw, "Family "does not include Community Care Facility or Communal Seniors Housing.

(Bylaw 713)

Farm means 1 or more lots which are classified as a farm pursuant to the *Assessment Act*, used for the purposes of agriculture or intensive agriculture, and which may or may not be contiguous.

Farm Employee means an individual paid to work on a farm for a minimum of 20 hours per week on an annual basis and who is necessary for the operation of the farm.

Farm Equipment Sales means the use of land, buildings or structures for the storage and sale or rental of farm equipment.

Flanking Street means the highway abutting the side yard of a lot.

Flood Elevation means the 1:200-year recurrence interval flood elevation. Within the Bilston Creek watershed, the Flood Elevation shall be interpreted as the "Upstream Elevation" in "Table 1 - Bilston Creek 200-Year Flood Elevations," as referenced by the letter prepared by FOCUS Engineering dated June 2004.

Floor Area, Gross means the combined area of all floors within every storey in a building on a lot, measured from the exterior surface of the outside walls, including corridors, hallways, landings, foyers, staircases, stairwells, enclosed balconies and mezzanines, enclosed porches or verandahs, but does not include:

- Open, unenclosed decks, balconies or porches
- Exterior stairways
- Unenclosed carport
- Crawl spaces or attic areas with a floor-to-ceiling height of less than 1.8 metres.

(Bylaw 713)

Floor Area, Maximum means the aggregate of the gross floor area of the dwelling unit and/or accessory buildings used for Home Business.

Freestanding Bingo means gaming activity in the form of a bingo game licensed under the B.C. Gaming Commission and which is intended as a social function for charitable fundraising purposes.

Gaming Activity means any game played with cards, dice or any mechanical or electronic device or machine for money or anything of value, but excludes the purchase and sale of lottery tickets.

Garage or Carport means a detached accessory building, or a portion of a principal building, whose principal or intended use is for the parking or temporary storage of motor vehicles, and in which there are no facilities for the commercial repairing, servicing or painting of such vehicles.

Garden Centre means the use of a lot, buildings or structures or part thereof where flowers, bushes, trees or other plant stocks are purchased at wholesale and offered or kept for sale at retail and includes retail sales of related lawn and garden equipment, furnishings, and supplies.

Golf Course – Class A means a golf course having not less than 9 fairways and not exceeding 36 fairways provided that the average length per fairway is not less than 228 m (748').

Golf Course – Class B means a golf driving range, a golf par 3 course, and a golf pitch and putt course and in particular:

Golf Driving Range means a designated area with a minimum of 12 stalls having covered and/or uncovered tees with netting around the driving area if required;

Golf – Par 3 Course or Pitch and Putt Course means a short course having not less than 9 fairways and not more than 18 fairways provided that the average length per fairway is not less than 32 m (105') and not more than 228 m (748');

Golf Course – Miniature means a short course having not less than 9 holes and not more than 36 holes, for putting only, provided that the average distance between holes is not less than 5 m (16.4') and not more than 10 m (32.8').

Golf Pro Shop means a building or portion thereof where golf equipment and accessories are offered or kept for sale at retail including storage on or about the shop premises of limited quantities of such goods, wares or merchandise sufficient only to service such shop, unless otherwise specifically permitted by this Bylaw; where golf equipment and accessories may be repaired, and which may provide an office for the golf course professional.

Grade, Average Natural, for the purpose of determining the height of a building, means the natural grade measured at a minimum of 4 points of a building which is generally the midpoint of each external wall.

Grade, Finished means the final level of the ground or paving surrounding a building or structure.

Grade, Natural means the elevation of the surface of the existing, undisturbed natural ground at any point on a lot. Where the natural grade has been altered by man-made works, the grade may be required to be established by survey.

Greenhouse, Illuminated means a building or structure used for commercial horticultural practices which is illuminated at any time between sunset and sunrise. The flowers, shrubs, trees and similar vegetation which are grown may be sold either at wholesale or retail.

Habitable Floor Area means the floor area of a building or dwelling unit used for living purposes, including kitchens, living rooms, bedrooms, storage and bathrooms, but excluding stairwells, landings, hallways, mechanical rooms, and other non-living spaces.

(Bylaw 713)

Height means the vertical distance from the average natural grade to the highest point of the building or structure.

Highway includes a street, road, lane, bridge, viaduct, and any other way open to the use of the public, and an access route in a bare land strata lot development, but, for the purposes of this bylaw, does not include a trail or pedestrian walkway dedicated pursuant to the *Highway Act* or a private right-of-way on private property.

Home Business means the accessory use of a portion of a dwelling unit, use of a dwelling unit accessory building, or, for horticultural purposes only, of a portion of a lot on which a dwelling unit is situate, for the carrying on of

a business, occupation or profession where such use is secondary and subordinate in area to the area of the dwelling unit and subordinate in extent of use to the use of the lot for residential purposes.

Horticulture means the growing, producing and harvesting of garden vegetables, fruits, flowers, ornamental shrubs and ornamental trees which may be conducted as a commercial enterprise. It excludes the growing of shrubs or trees for the purpose of cutting or the growing, producing, and harvesting of trees on lands which are, pursuant to the *Assessment Act*, included within Property Class 3 or Property Class 7."

Impervious Surface means any constructed surface that has a runoff coefficient greater than 0.8. Types of *impervious surface* include, but are not limited to rooftops, asphalt and concrete parking lots, driveways, and roads. Gravel surfaces and decks are considered pervious unless they cover *impervious surface*s, or are constructed and/or compacted to a degree that causes their runoff coefficient to exceed 0.8.

Industrial means a use providing for the processing, manufacture, storage, transportation, distribution, wholesaling, testing, servicing, repairing, wrecking, or salvaging of goods, materials or, things; includes communication, electric, gas, sanitary service, and the selling of heavy industrial equipment.

Industrial Zone means the M1 and M2 Zones.

Institutional Zone means the P1, P2 and P3 Zones.

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

Land includes the surface of water.

Landscaping Screen means an opaque visual barrier formed by a row of evergreen shrubs or trees, a wooden fence, a masonry wall, a berm or a combination thereof.

Livestock means horses, cattle, pigs, sheep, goats, rabbits, game birds and poultry.

Lot means the smallest unit as shown on the records of the Land Title Office in which land is held, or into which land is subdivided, and includes a strata lot created under the Bare Land Strata Regulations pursuant to the *Condominium Act*, but specifically excludes any other strata lot created pursuant to the *Condominium Act* or highway or portion thereof.

Lot Coverage means the horizontal area within the vertical projection of the outermost walls of the buildings and structures on a lot, expressed as a percentage of the lot area.

Lot Line means a line which marks the boundary of a lot and in particular:

a) **Front Lot Line** means the lot line that divides the lot from the highway. In the case of a corner lot, the shorter lot line that abuts the highway shall be deemed to be the front lot line unless the highway is unconstructed in which case the lot line that divides the lot from the constructed highway will be the front lot line. In the case of a through lot, the lot lines abutting two parallel or approximately parallel highways shall be considered as front lot lines.

b) **Front Lot Line (Panhandle Lot)** means the lot line adjoining and approximately perpendicular to the access strip, produced to the full width of the lot.

c) **Side Lot Line** means a lot line other than a front or rear lot line.

d) **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.

Manufactured Home means a dwelling unit constructed in a factory or other offsite location certified to comply with the *CSA Z240 MH Standard for Manufactured Homes*, built on a steel chassis, designed to be transported to a site for installation, and intended for permanent residential use. A manufactured home shall be installed on a foundation or support system in accordance with the manufacturer's specifications and the *BC Building Code* and may be used as a principal dwelling.

(Bylaw 713)

Manufactured Home Park means a lot on which are installed or intended to be installed for use as dwelling units, two or more manufactured homes.

Marina means a use of land, operated as a commercial enterprise, which contains docking facilities or mooring facilities where boats are berthed, serviced, repaired, or kept for sale or rent, and where facilities for the sale of marine fuels or lubricants, accessory marine supplies or fishing equipment, and sales room for boats may be provided; the berthing or mooring of boats providing overnight accommodation or dwelling unit use is specifically excluded.

Medical cannabis production means commercial cannabis production by a licenced producer authorized by Part 1 of the Access to Cannabis for Medical |Purposes Regulations or designated person authorized by Part 2 of the Access to Cannabis for Medical Purposes Regulations.

(Bylaw 652)

Meeting Room means a room providing for the assembly of persons for recreational, educational, and business purposes.

Mobile Vendor includes the use of a cart, vehicle or other portable means for the sales of goods from a highway or public place or from a lot other than in compliance with the Home Business regulations of this Bylaw.

Modular Home means a dwelling unit constructed in whole or in part in a factory or other offsite location certified to comply with *CSA standard A277*, transported to the building site and installed on a permanent foundation. A modular home may be used as a principal dwelling or accessory dwelling unit. "Modular home" does not include a manufactured home, park model trailer, recreational vehicle, or any structure intended for temporary or seasonal occupancy. *(Bylaw 713)*

Municipality means the District of Metchosin.

Natural Boundary means the visible high-water mark of a watercourse 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 bed of the 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.

Off-Street Parking means an open area of a lot, other than a highway which is used for the parking of motor vehicles of clients, customers, employees, residents, or tenants.

Off-Track Betting includes teletheatre wagering, simulcast wagering and satellite wagering.

Panhandle Lot means a lot which requires an access strip for highway frontage and/or vehicular access to a highway.

Park means a park established under the *Local Government Act*, *BC Park Act*, *BC Park (Regional) Act* or any land so designated under the *Land Title Act* .

Personal Care means a use providing for the care of the sick, injured, young or aged, other than in a public hospital.

Preschool means a facility, licensed as such under the Child Care Licensing Regulations pursuant to the *Community Care and Assisted Living Act*, in which children are provided with opportunities for social, emotional, physical and intellectual growth.

Principal Building means a building which contains the main use on a lot.

Principal Dwelling means a dwelling unit that is the principal use and is located in the principal building on a lot, but does not include an accessory dwelling unit. A principal dwelling may include a manufactured home or modular home.

(Bylaw 713)

Principal Use means the main use of land, buildings and structures on a lot.

Proper Functioning Condition (PFC) – means a condition in which adequate vegetation, landform or large woody debris is present in relation to *Riparian-wetland Areas* to:

- dissipate stream energy associated with high water flows, thereby reducing erosion and improving *water quality*;
- filter sediment, capture bedload, and aid *floodplain* development;
- improve flood-water retention and ground-water recharge;
- develop root masses that stabilize *watercourse* banks against cutting action;
- develop diverse ponding and *channel* characteristics to provide habitat and the water depth, duration and temperature necessary for fish production, waterfowl breeding, and other uses; and,
- support greater biodiversity.

For the assessment of *Proper Functioning Condition*, the *Qualified Professional* shall use the principles and assessment methods defined in A User Guide to Assessing Proper Functioning Condition (PFC) and the Supporting Science for Lotic Areas TR-1737-15 1998 or A User Guide to Assessing Proper Functioning Condition and the Supporting Science for Lentic Areas TR-1737-16 1999 (USDI, Bureau of Land Management and USDA Forest Service).

Public Utility means a use providing for public utility facilities for water, sewer, electrical, telephone and similar services where such use is established by one of the levels of government, a Crown corporation or by a company regulated by a government commission.

Qualified Professional means an applied scientist or technologist, or a team thereof, specializing in a particular applied science or technology including, but not limited to, ecology, agrology, biology, chemistry, engineering, geology or hydrogeology and, (a) who is a registered member in good standing in British Columbia of his or her appropriate professional organization, is acting under that organization's Code of Ethics and is subject to disciplinary action by that organization, and (b) who, through suitable education, experience, accreditation and knowledge, may be reasonably relied on to provide advice only within his or her area of expertise, and (c) who carries sufficient Professional Liability Insurance and General Liability Insurance to defend any recommendations made to the municipality in court and pay the fine if convicted, and (d) who's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and (e) is acting within that particular area of expertise.

Recreational Cabin means the use of a building providing temporary accommodation to the vacationing public which is limited to a gross floor area of not more than 75 m^2 (807 ft^2), and not more than 2 bedrooms.

Residential means the use of a building or part thereof as a dwelling unit.

Restaurant means an establishment where food and beverage is served for a fee or charge to the public for immediate consumption within the premises and specifically excludes a 'Meeting Room' where such 'Meeting Room' is operated in conjunction with a restaurant.

Retail Store means a building where goods, wares or merchandise, are offered or kept for sale at retail, and includes storage on the store premises of limited quantities of such goods, wares or merchandise sufficient only to service such store.

Riding Stable means premises in which horses are kept or boarded, or are available for rent, and may include a riding ring for training of horses and riders.

Riparian Assessment Area means a "Riparian Assessment Area" as defined by and interpreted under the Riparian Areas Protection Regulation.

Riparian Areas Protection Regulation means the Riparian Areas Protection Regulation, B.C. Reg. 178/2019, enacted under the Riparian Areas Protection Act, S.B.C. 1997, c.21 *(Bylaw 713)*

Riparian-wetland Areas means lands that are saturated or inundated at a frequency and duration sufficient to produce vegetation typically adapted for life in saturated soil conditions, or physical characteristics reflective of permanent surface or subsurface water influence. Riparian-wetland Areas include, but are not limited to, areas indicated in Map 4 of the Metchosin Official Community Plan Bylaw, No. 258, 1995.

Roadside Stand means either a portable stand or cart, or a permanent structure which is located or constructed within the front or side yards of a lot and which is used for the sale of vegetables, fruits, flowers or foodstuffs.

Rural Residential Zone means the RR1, RR2, RR3 and RR4 Zones.

Rural Zone means the RU Zone.

Sales Distributorship means a Home Business, involving the sale of goods not produced on the lot on which the Home Business is located, where the goods are delivered or mailed by the distributor to the customer, and where the customer at no time enters onto the lot to view goods or complete the sales transaction.

School means a provincial school as defined by the *Schools Act*, an independent school as defined by the *Independent School Act*, a college as defined by the *College Act*, or a university as defined by the *University Act*. Colleges or universities may include student dormitories and residences for faculty.

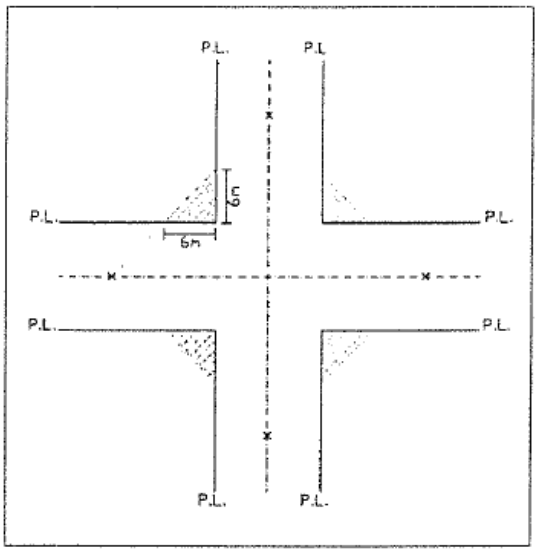
Secondary Suite means an accessory dwelling unit located within a principal dwelling or a mixed-use building, providing complete, independent living facilities, including areas for cooking, eating, sanitation, living and sleeping, with a separate entrance.

(Bylaw 713)

Shade Cloth means a metallic fabric used in Illuminated Greenhouses primarily for retaining heat but also for providing shade.

Sight Triangle means the triangular area formed by two intersecting highway right-of-way boundaries and two points on those boundaries measured 6 m (19.7') from the point of intersection.

SIGHT TRIANGLE DIAGRAM



Sign means any letter, word, symbol, drawing, picture, design, device, article or object that advertises, calls attention to or indicates any premises, persons, products, businesses or activities, whatever the nature of the material and manner of composition or construction and which is displayed in such a manner as to be visible from a highway; does not include a traffic control device, or a sign placed by the Municipality.

Sign Area means the area of the rectangle having 1 side horizontal within which the face of a sign could be completely contained. The area of a freestanding sign shall be exclusive of any supporting structure.

Sign, Billboard means a surface whereon advertising matter is set in view conspicuously and which advertising does not apply to the premises or any use of the premises wherein it is displayed or posted.

Sign, Fascia means a sign displayed on the surface of a building or in a plane parallel to a building and not more than 0.5 m (20”) from the building, and which shall not extend above the roof-line of the building.

Sign, Freestanding means a sign not connected in any way to a building.

Sign, Home Identification means a fascia or freestanding sign identifying a dwelling unit.

Sign, Temporary Political means a sign which promotes a candidate who is running for office in a federal, provincial, or municipal election.

Social Occasion Casino means a gaming activity licensed under the B.C. Gaming Commission and which is intended as a social function for charitable fundraising purposes.

Storey does not include a basement or cellar except as provided in the definition of basement.

Structure means anything constructed, erected or placed in or on the ground or attached to something having location on the ground; but excludes concrete or asphalt or similar surfacing of a lot, fences, and underground sewage disposal facilities.

Taxi Office means an office from which taxis are dispatched to pick up fares.

Term Commercial Sales means commercial activities including the promotion and sale of goods and services where such activity does not occur for more than 12 hours a day for not more than 3 consecutive days and for not more than 20 days in any 1 calendar year.

Through Lot means a lot abutting 2 parallel or approximately parallel highways of 10 m (32.8') or more in width.

Upland Zone means the UP, UP1, or UP2 Zones.

Use means the purpose or function to which land, buildings, or structures on a lot are designed, intended to be put, or put.

Watercourse means a natural drainage course or source of water, whether usually containing water or not, including a lake, pond, river, stream, creek, spring, ravine, swamp and gulch and also includes a man-made depression with well-defined banks and a bed 0.6 m (2') or more below the surrounding land serving to give direction to a current of water at least 6 months of the year or having a drainage area of .32 k m^2 (0.12 sq. miles), any of which may be enclosed or in a conduit, but excludes roadside ditches.

Wildlife Rehabilitation Centre means a facility for the rehabilitation or care of injured or orphaned wildlife for the purpose of release back to the wild.

Yard means that part of a lot which extends between any of the lot lines and the nearest wall or supporting member of a building or structure.

Yard, Front means that part of a lot which extends across the full width of a lot between the front lot line and the nearest wall or supporting member of a building or structure.

Yard, Rear means that part of a lot which extends across the full width of a lot between the rear lot line and nearest wall or supporting member of a building or structure.

Yard, Side means that part of a lot which extends from a front yard to a rear yard between a side lot line and the nearest wall or supporting member of a building or structure.

PART 2 - ADMINISTRATION AND ENFORCEMENT

2. Application

This Bylaw applies to all of the land within the boundaries of the District of Metchosin.

3. Metric Dimensions

Metric dimensions are used in this Bylaw. Imperial equivalents provided in brackets are approximate and for convenience only, and do not form part of this Bylaw.

4. General Compliance

(1) No land, or building or structures on a lot shall hereafter be used or occupied and no building or structure or part thereof shall be erected, moved, altered or enlarged unless in conformity with this Bylaw.

(2) Nothing contained in this Bylaw shall relieve any person from the responsibility to seek out and comply with other legislation applicable to their undertaking.

5. Non-Conforming Uses and Siting

Non-conforming uses and siting are subject to the provisions of the *Local Government Act*.

6. Severability

If any section, subsection, paragraph, subparagraph or phrase of this Bylaw is for any reason found invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Bylaw.

7. Bylaw Amendments

(1) Procedures: Any person applying to have any provision of this Bylaw amended shall apply in writing by submitting an application in the form and manner prescribed in the "Metchosin Land Development Procedures Bylaw" or its successor bylaw.

(2) Approval of Ministry of Transportation and Transit: Pursuant to Section 57 of the *Highway Act*, any amendment to this Bylaw which affects land or improvements within a radius of 800 m (2,625') of the intersection of a controlled access highway with any other highway must be, prior to its adoption, approved in writing by the Minister of Transportation and Transit.

8. Enforcement

(1) The Bylaw Enforcement Officer, or any other officer of the Municipality who may be appointed by Council, is hereby authorized to enter at all reasonable times upon any property, subject to the regulations of this Bylaw, to ascertain whether the regulations of this Bylaw are being or have been observed.

(2) Where a person has been directed to comply with this Bylaw and fails to take the required action, Council may:

(a) direct that the Municipality, by its employees or agents, take the necessary action at the expense of the person in default; and

(b) recover the expense from the person, together with costs and interest at the rate prescribed under Section 11(3) of the *Taxation (Rural Area) Act*, in the same manner as municipal taxes.

9. Violations

Any person who violates any of the provisions of this Bylaw, or who suffers or permits any act in contravention of this Bylaw or who neglects to do or refrains from doing any act or thing to be done or thing which is required to be done by any of the provisions of this Bylaw, commits an offence against this Bylaw and is liable to the penalties hereby imposed. Each day that a violation is permitted to exist shall constitute a separate offence.

10. Penalty

Any person who commits an offence against this Bylaw shall, upon summary conviction thereof, be liable to a fine and penalty of not more than $5,000 and not less than $100 for each offence.

PART 3 - ESTABLISHMENT OF ZONES

11. Zones

For the purposes of this Bylaw, the territorial area of the District of Metchosin is hereby classified and divided into the following zones:

Short Form	Zone
AG	Agricultural (ALR)
AG1	Agricultural 1 (ALR)
UP	Upland
UP1	Upland 1
UP2	Upland 2 (FLR)
RU	Rural
AR1	Amenity Residential 1
RR1	Rural Residential 1
RR2	Rural Residential 2
RR3	Rural Residential 3
RR4	Rural Residential 4 (ALR)
C1	Commercial 1
C2	Commercial 2 (ALR)
CR1	Commercial Recreation 1
CR2	Commercial Recreation 2
CR3	Commercial Recreation 3
CR4	Commercial Recreation 4 (ALR)
M1	Industrial 1
M2	Industrial 2 (ALR)
P1	Community Institutional 1
P2	Community Institutional 2 (ALR)
P3	Park and Open Space

12. Zoning Maps

The location of the zones established by this Bylaw are as shown on Appendix "A" and Appendix "B", Zoning Maps of the District of Metchosin, which form a part of this Bylaw.

Appendix "A" – Zoning Map, 1:12,500
Appendix "B" – Zoning Maps, 1:5,000

13. Zone Boundaries

In the event of uncertainty regarding the precise boundaries of any zone on the Zoning Maps, the location shall be determined by the application of the following rules:

(a where a zone boundary is shown as approximately following a road allowance or railroad right of way, the centre line of such road allowance or railroad right of way shall be the zone boundary;

(b where a zone boundary is shown as approximately following the District boundaries of the District of Metchosin, the District boundary shall be the zone boundary;

(c where a zone boundary does not follow a legally defined line, and where distances are not specifically indicated, the location of such boundary shall be determined by the use of a scale ruler from the Appendix "B" Zoning Map.

14. Properties With More Than 1 Zone

Where a lot is divided into more than 1 zone, each such portion of said lot shall be considered separately for the purposes of determining zone provisions such as minimum lot area for land use or for subdivision, lot frontage, required front yard, required side yard and required rear yard and each such portion shall conform to the provisions of the appropriate zone, but no lot shall have more than 1 dwelling on the whole except as specifically provided in this Bylaw.

15. Designation of Land Not Shown Within a Zone

Any land not shown within a zone is designated UP.

PART 4 - GENERAL REGULATIONS – USES

16. Permitted Uses

Where a particular use is expressly permitted in 1 zone, such use is prohibited in all zones where it is not also expressly permitted.

17. Permitted Uses in Any Zone

The following uses shall be permitted in any Zone:

(a) public utility poles, pipelines, and underground or submarine utility systems, the installations of which may be sited on any portion of a lot;

(b) unmanned telephone exchange buildings;

(c) railway lines and similar public transportation corridors;

(d) multiple-use trails, public parks and playgrounds; and

(e) pumping stations and reservoirs for a community water system where they are a public utility use subject to the following:

(i) a front yard of not less than 7.5 m (24.6') shall be provided;

(ii) side yards of not less than 6 m (19.7') shall be provided;

(iii) a rear yard of not less than 10 m (32.8') shall be provided;

(iv) compliance with the height and lot coverage regulations of the zone in which the use is located.

18. Community Care Facilities

Pursuant to the provisions of the *Community Care and Assisted Living Act*, a community care facility, including day care, is permitted on a lot in any zone provided that the facility:

(a) provides day care for no more than 8 persons; or

(b) is a residence for no more than 10 persons, of whom not more than 6 are in care; and

(c) is eligible to be licensed under Section 5(iii) of the *Community Care and Assisted Living Act*.

19. Dog Boarding and Breeding Kennels

The operation of kennels shall comply with the District of Metchosin Animal Control Bylaw.

20. Height Restriction Exemptions

The following type of structures or structural parts shall not be subject to the building height requirements of this Bylaw: Church spires, belfries or domes, fire and hose towers, public utility poles, chimneys, flag poles, radio towers, television towers, silos, masts, aerials, monitors, elevator and ventilating machinery penthouses, provided that no such structure shall cover more than 20% of the lot or, if located on a building, not more than 10% of the roof area of the principal building.

21. Home Business

General Regulations

(1) Definition – For the purposes of this section, "Dwelling Unit" shall be deemed to include an Accessory Dwelling Unit, defined in Part 1 of this Bylaw. *(Bylaw 713)*

(2) Business Licence – With the exception of Roadside Stands, Home Business is required to obtain a business licence issued pursuant to the Metchosin Business Licence Bylaw.

(3) Number of Home Businesses – Not more than 2 Home Businesses shall be permitted on a lot provided that the maximum number of employees and the maximum floor area as specified in the regulations of Section 21 are not exceeded.

(4) Owner/Operator Employee – The owner and the operator of the Home Business must be a family member who is a resident of the dwelling unit located on the lot on which the Home Business is carried on. Each owner and/or operator is considered to be an employee for the purpose of these provisions.

(5) External Residential Appearance – The external appearance of the lot on which Home Business is operated shall retain a residential appearance.

(6) Containment Within Building – Home Business, including the storage of materials, tools, equipment, containers, finished and unfinished products associated with the Home Business, must occur wholly within a building which may be either the dwelling unit or an accessory building or both provided that the maximum floor area specified in this Section is not exceeded.

(7) Horticultural and Beekeeping Operations – Subject to the regulations of this Section and notwithstanding Subsection (6), horticulture and beekeeping carried on as a Home Business may be permitted external to a building:

(a) provided that the aggregate lot area, including that covered by buildings, of the portion of the lot used for the operation of a horticultural or beekeeping Home Business, shall not exceed 49% of the lot area; and

(b) subject to the setback restrictions for accessory buildings and agricultural uses.

(Bylaw 635)

(8) Prohibitions – Home Business shall not:

(a) consist of a salvage yard, storage yard, warehouse, or incinerator business or a business involving the use of welding, high-pressure steam water cleaning, compressed-air cleaning or any other industrial use;

(b) produce noise, vibration, smoke, dust, odour, litter, or glare which is detectable from any lot line of the lot on which Home Business is operated; or

(c) create any electrical interference, fire hazard, or traffic congestion.

(9) Sales of Goods – Sales of goods from a lot shall be prohibited except for the sales of goods which have been produced or fabricated on the lot by the Home Business, unless they comply with the following:

(a) the dispensing of medications by licensed health care professionals, who are regulated by Provincial Statute, provided that the sale is in conjunction with a consultation with that

health care professional operating a Home Business; sales exclusive of a consultation are expressly prohibited;

(b) a Sales Distributorship may be operated as a Home Business subject to the following regulations:

(i) the maximum floor area used for the storage of goods sold through the Sales Distributorship shall not exceed 14 m^2 (151 ft^2) on the lot on which the Sales Distributorship is operated; and

(ii) employees shall be limited to 2 family members who are residents of the dwelling unit situated on the lot on which the Sales Distributorship is located;

(c) subject to all Provincial Statutes, sales which include goods not produced on the property may be held on 2 days each year.

(10) Display Area - Subject to the maximum floor area regulations of Section 21, the display to clients of products or goods associated with the Home Business is limited to an area not exceeding 16 m^2 (172 ft^2).

(11) Off-Street Parking – Off-street parking for employees, clients, delivery vehicles, and any personal or business vehicles utilized in the operation of the Home Business shall be provided on the lot on which Home Business is conducted in compliance with the regulations of Section 21 and Part 9 of this Bylaw.

(12) Sign – Only 1 sign, which has a maximum sign area of 0.5 m^2 (5.4 ft^2) for each face with a maximum of 2 faces indicating that Home Business is being carried on, may be exhibited on the lot on which the Home Business is operated provided that a permit is obtained prior to placing the sign.

(13) Medical Health Officer Approval – Any home business involving the preparation or sale of food must comply with the *Public Health Act* and the *Food Premises Regulation* (B.C. Reg. 210/99) and shall not operate without the approval of the Medical Health Officer or their designate. *(Bylaw 713)*

Size of Home Business

(14) Lots of Less Than 2,000 m^2 (0.49 ac) – On lots having an area of less than 2,000 m^2 (0.49ac):

(a) the maximum floor area of a Home Business shall not exceed the lesser of 50 m^2 (538 ft^2) or 40% of the gross floor area of the dwelling unit located on the lot on which the Home Business is operated. A Home Business shall not be operated in an accessory building having a gross floor area greater than the maximum floor area permitted, however, if an accessory building contains a carriage house, a Home Business may be operated within the dwelling unit of the carriage house, subject to the maximum floor area limitations applicable to a Home Business under this section.

(Bylaw 713)

(b) the maximum number of employees permitted on a lot on which Home Business is operated shall be limited to 2 family members who are residents of the dwelling unit located on the lot, and, in addition, 1 non-resident employee shall be permitted; and

(c) not more than 2 vehicles, only 1 of which may be a vehicle having a gross vehicle weight in excess of 5,443 kg (6 tons), that are used in the conduct of Home Business shall be stored or parked in an unenclosed manner on the lot on which Home Business is operated.

(15) Lots of 2,000 m^2 (0.49 ac) to 2 ha (4.94 ac) – On lots having an area of 2,000 m^2 (0.49 ac) up to and including 2 ha (4.94 ac):

(a) the maximum floor area of a Home Business shall not exceed the lesser of 95 m^2 (1,023 ft^2) or 40% of the gross floor area of the dwelling unit located on the lot on which the Home Business is operated. A Home Business shall not be operated in an accessory building having a gross floor area greater than the maximum floor area permitted, however, if an accessory building contains a carriage house, a Home Business may be operated within the dwelling unit of the carriage house, subject to the maximum floor area limitations applicable to a Home Business under this section.

(Bylaw 713)

(b) the maximum number of employees permitted on a lot on which Home Business is operated shall be limited to 2 family members who are residents of the dwelling unit located on the lot, and, in addition, 1 non-resident employee shall be permitted; and

(c) not more than 2 vehicles, only 1 of which may be a vehicle having a gross vehicle weight in excess of 5,443 kg (6 tons), that are used in the conduct of Home Business shall be stored or parked in an unenclosed manner on the lot on which Home Business is operated.

(16) Lots Over 2 ha (4.94 ac) – On lots having an area greater than 2 ha (4.94 ac):

(a) the maximum floor area of a Home Business shall not exceed the lesser of 140 m^2 (1,507 ft^2) or 45% of the gross floor area of the dwelling unit located on the lot on which Home Business is operated. A Home Business shall not be operated in an accessory building having a gross floor area greater than the maximum floor area permitted, however, if an accessory building contains a carriage house, a Home Business may be operated within the dwelling unit of the carriage house, subject to the maximum floor area limitations applicable to a Home Business under this section.

(Bylaw 713)

(b) the maximum number of employees permitted on a lot on which Home Business is operated shall be limited to 4 employees who may either be resident family members of the dwelling unit located on the lot, or a combination of resident family members and up to 2 non-resident employees;

(c) not more than 4 vehicles, 2 of which may have a gross vehicle weight in excess of 5,443 kg (6 tons), that are used in the conduct of Home Business, shall be stored or parked in an unenclosed manner on the lot on which Home-Based Business is operated;

(d) notwithstanding Subsection (6), external storage of materials, tools, equipment, containers or finished products associated with Home Business shall be permitted, provided that such storage is not visible from adjacent highways and neighbouring properties or is kept from view by means of a landscaping screen and provided that the area of the lot used for external storage is included as a part of the maximum floor area subject to the maximum size calculated in Subsection 16(a);

(e) notwithstanding Subsection (8)(a), Home Business may involve welding provided that the welding use does not:

(i) produce noise, vibration, smoke, dust, odour, litter, or glare which is detectable from any lot line of the lot on which the Home Business is operated; or

(ii) create any electrical interference, fire hazard, or traffic congestion.

Specific Home Business Uses

(17) Bed and Breakfast

In addition to the other Home Business regulations included Section 21, Bed and Breakfast establishments shall comply with the following conditions:

(a) the Bed and Breakfast establishment must be operated within a principal dwelling unit and may not be operated in an accessory building, or accessory dwelling unit;

(Bylaw 713)

(b) not more than 3 bedrooms shall be rented as part of the Bed and Breakfast establishment and not more than 6 persons shall be accommodated at any time;

(c) notwithstanding Paragraph (b), where boarding in a dwelling unit is also provided, a maximum of 6 persons shall be accommodated through the combined boarding and Bed and Breakfast uses;

(d) no liquor shall be sold as part of the Bed and Breakfast establishment; and

(e) an approved smoke alarm shall be installed within or adjacent to each room to be rented

(18) Offices for Trades – Home Business which provides offices for businesses, such as building trades, where the business activity is performed at varying locations shall have no restrictions on the number of employees who do not carry out their employment duties on the lot on which the Home Business is operated.

(19) Repair of Motor Vehicles – Notwithstanding the regulations of Section 21, only 1 Home Business involving the repair of internal combustion engines or the repair of motor vehicles shall be permitted on a lot subject to the following:

(a) a maximum of 1 employee, who is a family member resident in the dwelling unit on the lot on which the Home Business is operated, is permitted; and

(b) not more than 2 motor vehicles which are awaiting or undergoing repair or which have been repaired may be stored external to the building in which the Home Business is operated.

(20) Roadside Stands – In addition to the other Home Business regulations included in this Section, Roadside Stands shall be permitted subject to the following:

(a) only 1 Roadside Stand shall be permitted on a lot;

(b) notwithstanding any other regulation in this Bylaw, a Roadside Stand having a gross floor area of not more than 12 m^2 (129.2 ft^2) and a height of not more than 3 m (9.8') is permitted in the front or side yards of a lot;

(c) no Roadside Stand shall be located within a highway right of way.

(d) (i) a Roadside Stand shall be limited to the sales of vegetables, fruits, flowers or foodstuffs which have been grown, produced, or processed on the lot on which the structure is located;

(ii) notwithstanding Subparagraph (i), in an Agricultural, Upland, Rural or Commercial Recreation Zone, where a Roadside Stand is used for the sale of vegetables, fruits, flowers or foodstuffs which have been grown, produced, or processed on the lot on which the structure is located, it may also include the accessory sales of the aforementioned products which are grown, produced, or processed on other lots within the Municipality; and

(e) a building permit shall be required for the construction of a permanent Roadside Stand.

(21) A home business is not permitted within a Communal Seniors Housing building.

(Bylaw 713)

22. Intensive Agriculture – Beef Feedlots and Swineries

The following are minimum yard requirements for buildings, structures, and enclosures or fences used for beef feedlots and swine operations:

Number of Animals	Yard Requirement	Distance to Nearest Adjacent Dwelling Unit
21 – 50	50 m (164')	120 m (393.7')
51 – 100	70 m (229.7')	150 m (492.1')
101 – 200	80 m (262.7')	200 m (656.2')
201 – 300	90 m (295.3')	240 m (787.4')
301 – 400	100 m (328.1')	270 m (885.8')
401 – 500	120 m (393.7')	300 m (984.3')
501 and Over	150 m (492.1')	320 m (1049.9')

23. Accessory Dwelling Units

(Bylaw 713)

1. General

Accessory Dwelling Unit is secondary suites, detached secondary suites and carriage houses.

(a) Accessory dwelling units shall not be used or occupied unless they comply with all provisions of this Bylaw and with all applicable health, fire, and building regulations.

(b) Two off-street parking spaces shall be provided for an accessory dwelling unit in accordance with Section 49 of this Bylaw.

(c) On lots <u>less than</u> 0.8 hectares (1.98 acres), only one accessory dwelling unit is permitted per lot, and it shall be in the form of a secondary suite located within the principal dwelling.

(d) On lots 0.8 hectares (1.98 acres) or greater that are **not** located within the Agricultural Land Reserve (ALR), one accessory dwelling unit is permitted per lot, which may be in the form of a secondary suite, a detached secondary suite or a carriage house.

(e) On lots 0.8 hectares (1.98 acres) or greater that are located within the Agricultural Land Reserve (ALR), one secondary suite within a principal dwelling and one detached accessory dwelling unit, in the form of either a detached secondary suite or a carriage house is permitted on the same lot.

(f) An accessory dwelling unit shall not be strata titled and must constitute a single real estate entity with the associated principal dwelling unit and may not other be subdivided.

(g) No person shall construct a new building or shall convert or alter an existing building to accommodate an accessory dwelling unit without first obtaining a building permit from the District and paying the prescribed fee.

(h) Prior to issuance of a building permit to allow an accessory dwelling unit, the owner of the lot shall provide proof of CRD water, or adequate potable well water (3400 L/day) and an approved means of sewage disposal, including a letter detailing any upgrades that are required to conform with Vancouver Island Health Authority regulations.

2. Secondary Suites

A secondary suite is subject to the following regulations:

(a) The secondary suite and the dwelling must be joined by a wholly common floor/ceiling assembly or by a common wall.

(b) The floor area of a secondary suite shall not exceed 120 m^2 (1,291 ft^2) or 40% of the gross floor area of the principal dwelling, whichever is less, excluding garages and carports.

3. Detached Secondary Suites and Carriage Houses

A detached secondary suite or carriage house is subject to the following regulations:

(a) The gross floor area of a detached secondary suite shall not exceed 90 m^2 (968 ft^2).

(b) A carriage house is a detached accessory dwelling unit that must be combined with an accessory building and shall be located entirely on the upper floor of the accessory building, subject to the following regulations:

i. The habitable floor area of a carriage house, being the dwelling unit portion located on the upper floor of an accessory building, shall not exceed 90 m^2.
ii. The gross floor area of accessory building, not including the carriage house shall not exceed 110 m^2.
iii. The total gross floor area of an accessory building containing both the carriage house and any non-residential accessory use shall not exceed 200 m^2.
iv. Where a carriage house is added to an existing accessory building, the addition of a carriage house shall not increase the total gross floor area of the accessory building beyond 200 m^2.
v. All habitable space associated with the carriage house shall be located on a storey above the non-residential accessory use. The ground- floor level may contain only circulation areas (such as stairs, landings, and hallways), an entrance foyer or mudroom providing access to the dwelling, and mechanical or utility rooms serving the carriage house.

(c) The distance separating a detached secondary suite or carriage house from the principal dwelling located on the same lot shall be not more than 15 m (49.2'), but no less than 1 m (3.3').

(d) A detached secondary suite or carriage house shall be located no closer than 15 m (49.2') from any lot line.

(e) No separate road access is permitted for a detached secondary suite or carriage house.

(f) A detached secondary suite or carriage house shall not have more than one (1) kitchen.

Information Notes:

1. *Upgrades to the existing services for private septic systems or potable water supply may be required. Configuration of adequate services will be required as part of the Building Permit application.*
2. *Despite the definition of gross floor area in this Bylaw, where a detached secondary suite or carriage house is located on land within the Agricultural Land Reserve (ALR), the Agricultural Land Commission's method of determining total floor area applies for the purpose of compliance with the Agricultural Land Commission Act and ALR Use Regulation.* *(Bylaw 713)*

24. Temporary Buildings

A temporary building or structure may be erected for construction purposes on a lot being developed for a period not to exceed the duration of such construction or 1 year, whichever is less, subject to the requirements of the Metchosin Building Bylaw. Upon receipt of a written request, Council may extend the period that the temporary building may remain in place for a maximum of 1 additional year.

24.1 Communal Seniors Housing

(Bylaw 713)

Communal Seniors Housing is not permitted on land within the Agricultural Land Reserve (ALR). Communal Seniors Housing shall be permitted only in zones where it is identified as a permitted use, provided that the use can meet all the following conditions:

(a) is serviced by Capital Regional District (CRD) water;
(b) is located within one single principal building on the lot, containing shared common living, dining, and kitchen facilities;
(c) accommodates no more than ten (10) senior residents and one (1) resident staff member or coordinator, subject to:
    i. written confirmation from an Authorized Person (as defined in the Sewerage System Regulation) that the estimated daily design flow for the proposed number of bedrooms, bathrooms, and shared facilities does not exceed 22,700 litres per day (the threshold under the Sewerage System Regulation), and the proposed sewerage system can be designed, installed and maintained in accordance with the Sewerage System Regulation;
(d) is owned or operated by a non-profit or charitable organization;
(e) is not a licensed community care facility under the *Community Care and Assisted Living Act*, and does not provide personal or health care services to residents;
(f) complies with all applicable regulations regarding setbacks, parking and fire access; and
(g) meets the requirements of this Bylaw and the *British Columbia Building Code* for residential occupancy.

PART 5 - GENERAL REGULATIONS – SITING

25. Building in Required Yard

No building shall be constructed or placed in a required yard except as otherwise specifically provided for in this Bylaw.

26. Projections into Required Yards

The following features may project into a required front, side or rear yard:

(a) steps, eaves and gutters, cornices, sills, chimneys, or other similar features, provided that such projections do not project more than 1 m (39") into the required yard or 0.5 m (20") in the case of a side yard of less than 3 m (9.8') in width; and

(b) balconies and sun shades, provided that such projections do not project more than 1 m (3.3') into the required yard.

27. Setbacks from Roads

(1) Notwithstanding the regulations for yards within all zones of the Bylaw, or any other regulations of the *Highway Act*, principal or accessory buildings or structures shall not be located less than:

(a) 10 m (32.8') from a lot line that abuts any highway, other than an access route in a bare land strata lot development, when the required dedication to achieve the required right of way width, as indicated in the Metchosin Official Community Plan, has not occurred to facilitate widening of the road; or

(b) 7.5 m (24.6') from a lot line that abuts an arterial highway, as designated under the *Highway Act*, when dedication has occurred to achieve a 25 m (82') right of way.

(2) Any reduction in the yard regulations of Subsection (1), respecting an arterial classified highway as designated under the *Highway Act*, may require the prior written consent of the Minister of Transportation and Highways.

28. Sight Triangle Visibility at Intersections

No building, structure, fence, tree, shrub or plant exceeding 0.6 m (2') in width or 0.9 m (3') in height shall be permitted in any sight triangle.

29. Driveway Grades

A dwelling unit or principal building shall be provided with a driveway from the highway to the building for access by fire-fighting and emergency vehicles and the driveway shall be constructed to the following standards:

(a) the driveway is to be designed to support the expected loads imposed by fire-fighting equipment and surfaced with materials designed to permit accessibility under all climatic conditions;

(b) the driveway shall have a minimum centre-line radius of 12 m (39.4');
(c) the minimum width of the driveway shall be 3.6 m (11.1');

(d) the maximum allowable grade shall be 15%, but, subject to the approval of the Municipality, a maximum grade of 20% may be allowed when the driveway is surfaced with concrete or asphaltic pavement to a minimum width of 3 m (9.8');

(e) the minimum "K" value for vertical curves shall be "2";

(f) the driveway shall have a minimum overhead clearance of 4 m (13.1') for its entire width and length;

(g) the driveway must provide for the parking of emergency vehicles not more than 15 m (49.2') from the main entrance of the building; and

(h) driveways exceeding 90 m (295.2') in length, measured from the highway to the building, shall provide a turnaround area within 30 m (98.4') of the main entrance of the building, and the turnaround shall have a minimum length of 10 m (32.8'), a minimum width of 5 m (16.4'), and a maximum grade of 6%.

30. Flood Control and Environmental Protection

(1) Notwithstanding any other provisions of this Bylaw, no buildings or any part thereof shall be constructed, reconstructed, placed, moved or extended, nor shall any manufactured home unit, modular home or structure be located:

(a) (i) within 30 meters (98.4 feet) of the natural boundary of Bilston Creek, Cole Creek, Hewitt Creek, Metchosin Creek, Sherwood Creek, and Veitch Creek;
(ii) within 15 meters (49.2 feet) of the natural boundary of any other watercourse, water body or a Riparian-wetland Area

unless the applicant provides, at his/her expense, a report from a Qualified Professional certifying that a lesser setback will not negatively affect the Proper Functioning Condition of the watercourse or Riparian-wetland Area.

(b) (i) within 15 meters (49.2 feet) of the natural boundary of the sea;
(ii) within 60 meters (196.9 feet) of the top of the bank of the shoreland slope of a Class II or Class III drift-sector beach as designated by the Metchosin Official Community Plan

unless the applicant provides, at his/her expense, a report from a registered professional engineer with geotechnical experience certifying that a lesser setback is safe for the use intended.

(c) within any Riparian Assessment Area unless the development proceeds in accordance with Section 4(2) or Section 4(3) of the Riparian Areas Protection Regulation.

(d) with the underside of the floor system of any area used for habitation, business, or storage of goods damageable by floodwaters, or in the case of a manufactured home or unit, the ground level on which it is located that is:

(i) lower than 600 mm (2 feet) above the 200-year *flood elevation* of Bilston Creek and its tributaries,
(ii) lower than 1.5 meters (4.9 feet) above the natural boundary of the sea.

(2) Where adjacent flood elevations are not available, the hydraulic profile shall be developed through hydraulic analysis, except where the site is clearly above the estimated flood elevations. All habitable structures shall also be protected from flooding by grading drainage away from the structure and

providing overland flow routes through the site that are capable of safely conveying away the 200-year runoff event.

(3) Subsection (1)(b) shall not apply to:

(a) a renovation of an existing building or structure used as a dwelling unit that does not involve an addition thereto;

(b) farm buildings other than dwelling units and closed-sided livestock housing;

(c) dwelling units on lots greater than 8 ha (19.77 ac) in area and within the Agricultural Land Reserve, but such units shall be elevated 1 m (3.3') above the natural ground elevation;

(d) closed-sided livestock housing, but such livestock housing shall be elevated 1 m (3.3') above the natural ground elevation;

(a) The required elevation may be achieved by structural elevation, or by adequately compacted landfill, or by a combination of both structural elevation and landfill.

(5) Where landfill is used to achieve the required elevation, no portion of the landfill slope shall be closer than the distances in Subsection 30(1)(a) or Subsection 30(1)(b) from the natural boundary, and the face of the landfill slope shall be adequately protected against erosion from floodwaters.

(6) The maximum Effective Impervious Area coverage shall be 10% of the lot.

31. Accessory Buildings

General Regulations for All Zones

(1) Where an accessory building or structure is attached at or above grade to the principal building, it is to be considered a part of the principal building and shall comply in all respects with the requirements of the Bylaw applicable to the principal building.

(2) No person shall use an accessory building for sleeping accommodation or as a dwelling unit except in a building containing a detached secondary suite or a carriage house that complies with all applicable regulations in this bylaw.

(3) No accessory building that is not attached to a principal building shall be located less than 1 m (3.3') from any principal building.

(4) Agricultural, Upland, Rural, Amenity Residential, or Rural Residential Zones

In an Agricultural, Upland, Rural, Amenity Residential, or Rural Residential Zone:

(a) Accessory buildings having an aggregate gross floor area of not more than 3.35 m^2 (36 ft^2) and a height of not more than 1.85 m (6.1'), which are constructed for the sole purpose of housing a well head, are permitted in a front, side or rear yard of a lot and shall not be considered a structure for the purposes of this Bylaw.

(b) Accessory buildings or structures located in a rear yard having an individual floor area of not more than 3.35 m^2 (36 ft^2), an aggregate gross floor area of not more than 9.3 m^2 (100 ft^2), and a height of not more than 1.85 m (6.1') are permitted and shall not be considered as a structure for the purposes of this Bylaw.

32. Swimming Pools

Swimming pools and hot tubs shall not be constructed or located within 1.5 m (4.9') of any lot line.

33. Underground Structures

Except for swimming pools, a structure or portion of a structure, which is located beneath the lower of natural grade or finished grade, may be sited not less than 1 m (3.3') from any lot line of the lot on which it is located.

34. Prohibitions

(1) Mobile vendors are not permitted on any land except as may be permitted by this Bylaw.

(2) No lot, building or structure shall be used for an arcade, off-track betting or gaming activity of any kind.

(3) Notwithstanding Subsection (2), social occasion casinos or freestanding bingos shall be permitted on a lot located in the Community Institutional 1 (P1) or Community Institutional 2 (P2) Zone (ALR) for up to an aggregate total of 12 occasions within a calendar year with each occasion having a duration of not more than 6 hours.

(4) 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, or is otherwise permitted through the Agricultural Land Reserve Use Regulations as a farm use, or consistent with a federal licence that supercedes the District's authority to prohibit the use.

(Bylaw 652)

PART 6 - SUBDIVISION

35. Exceptions to Minimum Lot Area Requirements

(1) The minimum lot area requirements specified in this Bylaw shall not apply where the lot being created is to be used solely for:

(a) an unattended public utility use, provided that where the use is a pumping station or reservoir for a community water system, the lot area is not less than 675 m^2 or (7,266 ft^2), or

(b) park use.

(2) For the purpose of a boundary adjustment subdivision, the Approving Officer may approve a subdivision of 2 or more lots which creates a lot or lots which do not conform with the minimum lot area of the Land Use Bylaw where:

(b) one or more of the existing lots proposed to be subdivided do not conform to the minimum lot area requirements of their zone, and

(c) the proposed subdivision will result in no increase in the number of lots, and

(d) the proposed subdivision will result in no increase in the number of lots which do not conform with the minimum lot area of the Land Use Bylaw, and

(e) none of the lots to be created by the subdivision is smaller in area than the smallest of the existing lots of land being subdivided.

PART 7 - SCREENING

36. Illuminated Greenhouses

(1) All glare-emitting surfaces of illuminated greenhouses must be covered by shade cloth.

(Bylaw 636)

PART 8 - SIGNS

37. Definition

For the purposes of Part 8, "highway" is defined as follows:

Highway includes a street, road, lane, bridge, and viaduct or any other way designed, intended for, used, or open to the use of the general public for the passage of vehicles, and every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited.

38. General Regulations

(1) Except for home identification signs, a permit must be obtained prior to the placement of any sign.

(2) No sign shall be placed upon or project over any highway except traffic control devices, street name signs, directional signs or other signs erected by the Municipality, or notices posted by election officials of any government.

(3) No sign shall project more than 0.3 m (1') from the face of the building to which it is attached.

(4) No letter, figure or symbol on any sign shall exceed 0.4 m (16") in height or width.

(5) No sign shall be illuminated except for signs which are lighted by or exposed to artificial lighting directed toward the sign and which are described below:

(a) any permitted sign in a Commercial, Commercial Recreation, Industrial, or Institutional Zone, or

(b) any home identification sign.

(6) Only 1 home identification sign, which has a maximum sign area of 0.5 m^2 (5.4 ft^2) for each face, and which has a maximum of 2 faces, shall be permitted for each dwelling unit on a lot.

(7) Only 1 sign advertising a dwelling unit "for rent" or "for sale", which has a maximum sign area of 1 m^2 (10.8 ft^2) for each face, and which has a maximum of 2 faces shall be permitted for each dwelling unit on a lot.

(8) Only 1 sign, which has a maximum sign area of 0.5 m^2 (5.4 ft^2) for each face with a maximum of 2 faces indicating that Home Business is being carried on, may be exhibited on the lot on which the Home Business is operated.

(9) The top of a freestanding sign shall not exceed 2 m (6.6') above the natural grade.

(10) No roof-top signs or billboard signs are permitted.

(11) Temporary political signs are permitted subject to the regulations of the Metchosin Temporary Political Sign Policy available from the Municipality.

39. Agricultural, Upland, Rural, Rural Residential 3 and Rural Residential 4 Zones

In an Agricultural, Upland, Rural, Rural Residential 3 and Rural Residential 4 Zone, only 1 freestanding sign that identifies an operation and advertises products, uses or services related to an agricultural, intensive agricultural, riding stable, or boarding kennel use is permitted on a lot provided that:

(a) the use is carried on or the service is offered from the lot on which the sign is erected; and

(b) the sign does not exceed a maximum sign area of 2 m^2 (21.5 ft^2) for each face and has a maximum of 2 faces.

40. Commercial, Commercial Recreation, Industrial or Institutional Zones

In a Commercial, Commercial Recreation, Industrial Zone, or Institutional Zone:

(a) Only 1 sign that identifies the business(es) or organization and advertises any product, use or service, and which may be either a freestanding sign or a fascia sign, shall be permitted on a lot provided that:

(i) the business, product, use or service is offered from the lot on which the sign is erected;

(ii) notwithstanding Section 38(9), the top of a freestanding sign shall not exceed 3 m (9.8') above the natural grade;

(iii) the maximum sign area of a freestanding sign shall not exceed 2 m^2 (21.5 ft^2) for each face with a maximum of 2 faces;

(iv) the height of a fascia sign shall not exceed 0.5 m (20") and the length shall not exceed the length of that side of the building which faces the adjacent highway provided that only 1 side of the building shall have a fascia sign;

(b) In addition to the sign permitted in paragraph (a), each business or organization is permitted to place on its premises located on the lot on which the business or organization is operated:

(i) 1 business or organization identification sign having a sign area not exceeding 0.3 m^2 (3.2 ft^2) with a maximum of 1 face; and

(ii) 1 "open" and 1 "closed" sign having a maximum aggregate sign area of 0.3 m^2 with a maximum of 1 face and which, notwithstanding Section 38(5), may be illuminated either externally or internally.

PART 9 - OFF-STREET PARKING AND LOADING REQUIREMENTS

41. Definition

For the purposes of Part 9, "site" means the lot or lots on which the use that requires the provision of parking and loading spaces is conducted.

42. Application

(1) The regulations contained in Part 9 shall not apply to buildings, structures, or uses existing at the time of adoption of this Bylaw, except that:

(a) Where any land, building or structure undergoes a change of use or any increase in the number of dwelling units, gross floor area, seating capacity or other unit of measurement specified hereinafter as a means for determining required off-street parking and loading spaces, such off-street parking or loading spaces shall be increased to equal or exceed the off-street parking and loading space requirements resulting from application of the provisions of Part 9 to the entire building or structure as modified in use or capacity.

(b) Off-street parking or loading spaces existing at the time of adoption of this Bylaw shall not be reduced.

43. Procedure

Every Building Permit Application for a new, enlarged or 40aundroma building, structure, or use shall include a parking site plan drawn to scale and fully dimensioned, showing all off-street parking and loading facilities and related site improvements.

44. Voluntary Establishment of Off-Street Parking and Loading

Where off-street parking or loading areas are provided in excess of the requirements of Part 9, the location, design and operation of such facilities shall comply with all of the regulations of Part 9.

45. Required Number of Off-Street Parking and Loading Spaces and Units of Measurement

(1) The minimum number of off-street parking or loading spaces required for each building class, type or use shall be provided as indicated in Part 9. In the case of a use not specifically mentioned, the required number of off-street parking or loading spaces shall be the same as for a similar use as determined by the Municipality.

(2) Where there is more than 1 use on a site:

(a) the total requirements for off-street parking or loading spaces shall be the sum of requirements for the various uses computed separately except as may be exempted in paragraph (b);

(b) golf driving ranges and putting greens, when operated in conjunction with and on the same site as a Class A Golf Course, shall be exempted from providing off-street parking or loading spaces for a golf driving range use.

(3) Where the number of employees is used as a unit of measurement for determining off-street parking spaces, it shall mean the greatest number of employees at the workplace, at any time of the day or night in a particular building or for a particular building or for a particular use during any season of the year.

(4) Where seating accommodation is used as a unit of measurement for determining off-street parking spaces, and such accommodation consists of benches, pews, booths and the like, each 0.5 m (20") of width of such seating accommodation shall be counted as 1 seat.

(5) Where the calculation of the off-street parking or loading spaces results in a fraction, 1 parking or loading space shall be provided in respect of that fraction.

(6) The off-street parking shall:

(a) be located on or within 150 m (492.1') of the site, provided that, if the off-street parking is not located on the site, the site or portion of the site on which it is located shall be restricted for use as a parking lot by a covenant registered under Section 215 of the *Land Title Act*;

(b) notwithstanding paragraph (a), be located on the same lot as the principal use where the parking is required for a residential or overnight accommodation use.

(7) Where distances are used to determine the location of off-street parking requirements referred to in Subsection (6)(a), such distances shall be deemed as walking distances and measured along highways.

(8) Off-street loading spaces shall be located on the same site as the building or use they serve.

46. Disabled Spaces

(1) Where any development, building or use requires more than 25 off-street parking spaces, parking spaces for the use of persons having a physical disability shall be provided in the ratio of 1 for every 50 parking spaces or part thereof.

(2) Each off-street parking space provided for disabled persons shall meet the requirements of Part 9 except that the off-street parking space shall be:

(a) a minimum of 3.7 m (12.1') in width,

(b) clearly identified as being for use only by disabled persons,

(c) located within convenient access of an accessible building entrance or in a central location where an off-street parking area serves several buildings.

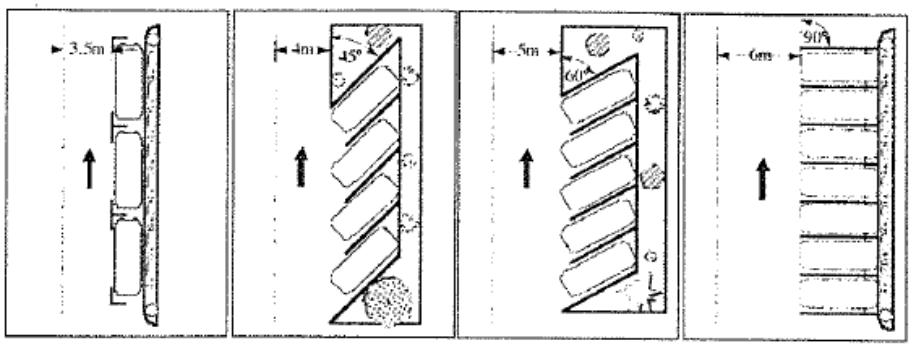
47. Off-Street Parking and Loading Dimensions

(1) The dimensions shown below shall be the minimum dimensions and designs for off-street parking spaces and off-street parking areas as required in Part 9.

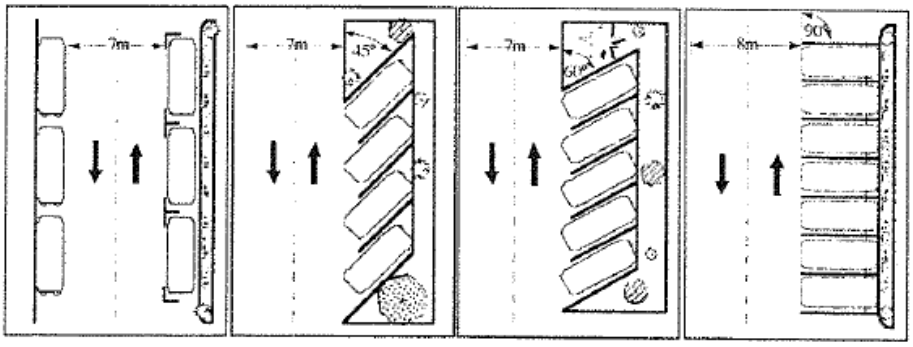
PARKING ANGLE OF STALL (DEGREE)	WIDTH OF SPACE	DEPTH OF STALL	WIDTH OF STALL	WIDTH OF AISLE ONE-WAY	WIDTH OF AISLE TWO-WAY
0	2.5 m*	2.5 m	6.5 m	3.5 m	7.0 m
45	2.8 m*	5.0 m	4.0 m	4.0 m	7.0 m
60	2.8 m*	5.5 m	3.2 m	5.0 m	7.0 m
90	2.8 m*	5.5 m	2.8 m	6.0 m	8.0 m

*The minimum width of each parking space provided for persons having a physical disability shall be 3.7 m.

Diagram of Parking Layouts



One Way Aisle



Two Way Aisle

(2) Each off-street loading space required by Part 9 shall not be less than 9 m (29.5') long, 3 m (9.8') wide and 4 m (13.1') in height. In no case shall the length of the loading space be such that a vehicle in the process of loading or unloading shall project into any highway.

48. Design, Development and Maintenance Standards

General Regulations

(1) The parking area layout and location of all points of ingress and egress to a parking area shall be subject to the approval of the Municipality.

(2) Off-street parking or loading areas shall be permitted in any required yard in any zone subject to any Development Permit guidelines for commercial development in the Official Community Plan.

(3) All off-street parking or loading areas shall be freely accessible to a highway.

(4) The maximum grade for an off-street parking or loading space or for a parking lot which is required by Part 9 shall not exceed 6%.

(5) The maximum grade for a driveway used to access off-street parking or loading areas shall not exceed 15% except as otherwise provided in this Bylaw.

(6) All off-street parking or loading areas shall be graded and drained so as to dispose of all surface water. In no case shall drainage be allowed to flow across highways. Drainage shall be subject to the approval of the Municipality and shall be directed to prevent damage or inconvenience to abutting property and/or highways.

Commercial, Commercial Recreation, Industrial or Institutional Zones

(7) In a Commercial, Commercial Recreation, Industrial or Institutional Zone:

(a) All off-street parking or loading areas shall be provided with adequate curbs, with openings of not less than 30 cm (1 foot) every 3 meters (10 feet), to retain all vehicles within such permitted parking or loading area and to ensure that required fences, screens, walls, hedges or landscape areas, as well as any buildings, are protected from parked vehicles.

(b) All off-street parking or loading areas shall have vehicle stops not less than 1 m (3.3') from the end of each off-street parking or loading space except in the case of parallel parking.

(c) Where continuing curbs are used as wheel stops, the measured depth of off-street parking spaces, except for a parking angle of 0□, may be reduced by 1 m (3.3') from that which is required in Section 47(1). In such instances, the parking layout should allow for the vehicle to overhang the curb by 1 m (3.3') and such overhang area must be clear of all obstructions (signs, vegetation, etc.) and may not be regarded as required landscape area.

(d) All off-street parking or loading areas shall be surfaced with asphalt, concrete, pavers or suitable permeable surface such as porous concrete, grass pave or turfstone, so as to provide a surface that is durable and dust-free.

(e) All lighting used to illuminate any off-street parking or loading area shall be arranged and installed so that all direct rays of light are reflected upon such parking area and not on adjoining premises.

(f) In no event shall off-street parking or loading spaces be provided in a manner requiring the backing out of vehicles onto highways. Stacking of parking (i.e. providing 1 space behind another) is prohibited.

(g) Pedestrian sidewalk ramps shall be provided for disabled persons giving access from off-street parking areas to the building served.

(h) All off-street parking facilities, including parking spaces, aisles and loading facilities shall be kept free of dust, loose particles, and debris and shall be promptly cleared of snow and ice.

(i) Signs or other markers shall be utilized within an off-street parking or loading area to ensure efficient and safe traffic operation and shall be maintained in a neat and legible condition.

(j) All off-street parking or loading spaces shall be marked by durable painted lines at least 10 cm (4 inches) wide and extending the length of the space, or other durable markers suited to the parking surface.

49. Required Parking Spaces

Lots and buildings are classified by use and the required number of off-street parking spaces for each lot use or building class, type or use are prescribed below:

BUILDING OR USE	**REQUIRED NUMBER OF SPACES**
Residential *(Bylaw 713)*	
Residential	2 per principal dwelling unit and 2 per accessory dwelling unit provided that a front yard driveway which provides access to a parking space that is not within the front yard may be considered as the provision of a second parking space that is in tandem
Boarding and Lodging	1 for each sleeping unit
Home Business - Bed and Breakfast - Motor Vehicle Repair - Roadside Stand - Sales Distributorship	2 per each Home Business except as follows: 1 per room to be rented 2 1 per 2 non-resident employees 0
Manufactured Home Park	2 per manufactured home site plus 1 per 5 manufactured home sites
Communal Seniors Housing	1 space per resident bedroom/unit plus 3 spaces for visitor parking, and for staff/caregiver parking, 1 space
Agricultural Sales	
Nurseries and Greenhouses	1 per 15 m^2 (161 ft^2) of gross floor area
Farm Market	4 per sales clerk

Assembly, Cultural and Recreational

Billiard, Pool Hall	1 space per 5 m^2 (54 ft^2) of gross floor area
Bowling Alley	4 spaces for each alley
Church	1 per 4 seats plus 1 for each 20 m^2 (215 ft^2) of gross floor area used for assembly within a church building or church hall
Club, Hall, or Lodge	1 per 10 m^2 (108 ft^2) of gross floor area
Community Centre	1 per 20 m^2 (215 ft^2) of gross floor area
Government Office	1 per 20 m^2 (215 ft^2) of gross floor area
Library, Gallery, Museum or similar places of Public Assembly	1 per 10 m^2 (108 ft^2) of gross floor area

Commercial, Recreational

Boat Sales & Repairs	1 per 2 employees plus 1 per 70 m^2 (753 ft^2) of sales floor area plus 5
Campsite	1 per space plus 3
Golf Course – Class A	8 spaces per fairway
Golf Course – Class B (Par 3 Course and Pitch and Putt course)	4 per fairway plus 1 per 2 employees
Golf Course – Miniature	1 per hole plus 1 per 2 employees
Golf Driving Range	1 per tee plus 1 per 2 employees
Golf Pro Shop	1 per 25 m^2 (269 ft^2) of gross floor area
Marina	1 per 2 mooring berths plus 1 per 2 employees
Riding Stable	1 per boarded horse or rental horse plus 1 per 2 employees
Tourist Attraction	1 per 3 persons capacity

Commercial, Retail

Building Materials Supply	1 per 2 employees plus 8 per 200 m^2 (2,153 ft^2) of covered sales and storage
Commercial Enterprises	1 per employee plus 5
Garden Centres sale of items offered for sale	1 per 2 employees plus 1 per 80 m^2 (861 ft^2) of lot area used for the storage and
Grocery, Neighbourhood	1 per 15 m^2 (161 ft^2) of gross floor area of retail portion of building, plus 1 per 2 employees

Machinery Sales	1 per 2 employees plus 1 per 100 m^2 (1,076 ft^2) of sales floor
Retail store, and other Retail Personal Uses, except Neighbourhood Grocery	1 per 15 m^2 (161 ft^2) of gross floor area plus 1 per 2 employees
Supermarkets, Liquor Stores	1 per 13 m^2 (140 ft^2) of gross floor area

Commercial, Service

Animal Hospital	1 per 2 employees plus 3 per veterinarian
Appliance Repair Shop	1 space for each 20 m^2 (215 ft^2) of gross floor area
Automotive Service Station	1 per 2 employees on duty plus 2 per service bay
Salons, Beauty, Health and Barber	2 per 10 m^2 (108 ft^2) of gross floor area
Laundromat	1 per 2 washing machines
Post Office	1 per employee, plus 2
Premises holding an "A", "C", "D", "E", and/or "F" licence issued pursuant to the Liquor Control and Licensing Act	1 per 2 seats
Printing, Publishing, Bookbinding	1 space for each 20 m^2 (215 ft^2) of gross floor area
Restaurant or Coffee Shop	1 per 2 seats, plus 1 for each 2 seats of waiting area

Industrial

Precast Concrete Products Manufacturing	1 per employee, plus 1 per 100 m^2 (1,076 ft^2) of gross floor area
Sawmill, Shakemill	1 per employee, plus 5

Institutional

College or University	1 per employee plus 1 per 5 students
Hospital	1 per 3 beds plus 1 per 2 employees
Schools, Public or Private:	
Daycare	1 per employee plus 1 per 6 children in care
Elementary	1 per employee plus 1 per classroom
Junior Secondary	1 per employee plus 1 per classroom
Senior Secondary	1 per employee plus 0.5 per classroom plus 1 per 10 students

Personal Care Facilities including but not limited to:	
Group Homes, Rest Homes, and Community Care Facilities	1 space per 3 sleeping units
Congregate Care	1.25 spaces for each sleeping unit

Office and Financial Institutions

Banks & Financial Institutions	1 per 16 m^2 (172 ft^2) of gross floor area
Offices, Medical	5 per doctor or dentist plus 1 per 2 employees
Offices, General	1 per 25 m^2 (269 ft^2) of gross floor area

50. Required Loading Spaces

Buildings are classified by use and the required number of off-street loading spaces for each use are prescribed below:

USE OF BUILDING	TOTAL FLOOR AREA OF BUILDING	REQUIRED NUMBER OF OFF-STREET LOADING SPACES
Commercial, Commercial Recreational, Industrial or other similar use	300 m^2 to 500 m^2 (3,229 – 5,382 ft^2)	1
	501 m^2 to 2,500 m^2 (5,393 – 26,911 ft^2)	2
	Each additional 2,500 m^2 (26,911 ft^2) or fraction thereof	1 additional
Club or Lodge, Convalescent Home, Hospital, Institution, Office, Public Assembly, School, or other similar use	300 m^2 to 3,000 m^2 (3,229 – 32,293 ft^2)	1
	Each additional 3,000 m^2 (32,293 ft^2) or fraction thereof	1 additional

PART 10 - ZONE REGULATIONS

51. AGRICULTURAL (AG) ZONE (ALR)

(1) Subdivision Requirements

(a) The minimum area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Agricultural (AG) Zone (ALR):

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture, subject to Subsection (5)
(c) Agricultural fairground
(d) Principal dwelling unit
Accessory uses and buildings permitted only with a principal dwelling unit:
  (i) Boarding in a dwelling unit of not more than 4 persons
  (ii) Breeding kennel, subject to the Animal Control Bylaw including issuance of a kennel license, and Subsection (5)
  (iii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
  (iv) Accessory dwelling unit, subject to Section 23

(Bylaw 713)

(e) Intensive agriculture, subject to Subsection (6) and Section 22
(f) Riding stable
(g) Cannabis and medical cannabis production, where designated as a farm use that must not be prohibited under the Agricultural Land Reserve Use, and subject to federal and/or provincial licencing requirements.

(Bylaw 652)

(h) Illuminated Greenhouse

(Bylaw 636)

(3) Density *(Bylaw 713)*

(a) Only 1 principal dwelling unit is permitted per lot.

(b) On lots less than 0.8 hectares (1.98 acres), only 1 secondary suite is permitted per lot. On lots 0.8 hectares (1.98 acres) or greater, 1 secondary suite within the principal dwelling and 1 detached accessory dwelling in the form of a detached secondary suite or carriage house is permitted per lot.

(c) The gross floor area of an accessory building shall not exceed 200 m2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(b) Notwithstanding Paragraph (a), where a lot is less than 930 m^2 (10,011 ft^2) in area, the maximum lot coverage shall be 186 m^2 (2,002 ft^2).

(5) Non-Conforming Lots – Keeping of Livestock and Breeding Kennels

Notwithstanding the provisions and regulations of this zone, on lots having an area of less than 8,000 m^2 (1.98 ac):

(a) for each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(i) 1) 2 horses or cattle, or
2) 8 pigs, sheep, or goats, or
3) any combination of the above with 1 animal from 1) being the equivalent of 4 from 2)

(ii) in addition to (i) above, 24 rabbits, game birds or poultry.

(b) a breeding kennel is limited to a maximum of 10 dogs.

(6) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for an intensive agriculture use is 2 ha (4.94 ac.)

(b) The minimum lot area required for a detached secondary suite or carriage house is 0.8 ha (1.98 acres). *(Bylaw 713)*

(7) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for breeding kennels or for the keeping of livestock or other farm animals, or for an agriculture use other than an intensive agriculture use, shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line;

(ii) for an intensive agriculture use, shall be located not less than 60 m (196.9') from the front lot line and not less than 20 m (65.6') from any other lot line, subject to minimum setbacks established in Section 22 for beef feedlots and swineries.

(iii) for a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(iv) for cannabis production or medical cannabis production, where permitted as a farm use by the Agricultural Land Reserve Use, Regulation, shall be located not less than 30 m (98.4') from any lot line, but no closer than 200 m (656.2') from any property zoned as Community Institutional and used as a school, or zoned as Park and Open Space.

(Bylaw 652)

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(8) Height of Buildings

(a) The height of a principal building shall not exceed 12 m (39.4').

(b) Notwithstanding Paragraph (a), the height of a principal dwelling unit or of an accessory building – including an accessory building that contains a carriage house - shall not exceed 10.5 m (34.5').

(Bylaw 713)

(c) Notwithstanding paragraph (b), the height of a detached secondary suite shall not exceed 8 m (26.2').

(9) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(10) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(11) *Agricultural Land Commission Act*

No provision of this Bylaw shall be interpreted as superseding the intent of the *Agricultural Land Commission Act* that all lands except those exempted under Section 19 of that Act or a General Order of the Agricultural Land Commission are subject to the provisions of the *Agricultural Land Commission Act*, Regulations thereto and Orders of the Commission (thereby not permitting the subdivision of land or the development of new non-farm uses unless approved by the Agricultural Land Commission).

***Information Note**: As of February 22, 2019 the Agricultural Land Commission Act was amended to limit the maximum size of the principal residence to 500 m^2, with or without a secondary suite. Any proposal to increase the permitted size must be approved by the Agricultural Land Commission for a non-adhering residential use. This information note is provided for convenience only and proponents should review the Agricultural Land Commission regulations, as may be amended from time to time.* *(Bylaw 713)*

52. AGRICULTURAL 1 (AG1) ZONE (ALR)

(1) Subdivision Requirements

(a) The minimum area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Agricultural 1 (AG1) Zone (ALR):

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture
(c) Agricultural fairground
(d) Principal dwelling unit
Accessory uses and buildings permitted only with a principal dwelling unit:
  (i) Boarding in a dwelling unit of not more than 4 persons
  (ii) Breeding kennel, subject to the Animal Control Bylaw including issuance of a kennel license, and Subsection (5)
  (iii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
  (iv) Accessory dwelling unit, subject to Section 23

(Bylaw 713)

(d) Intensive agriculture, subject to Subsection (6) and Section 22
(e) Riding stable
(g) Cannabis and medical cannabis production, where designated as a farm use that must not be prohibited under the Agricultural Land Reserve Use, and subject to federal and/or provincial licencing requirements.

(Bylaw 652)

(h) Illuminated Greenhouses

(Bylaw 636)

(3) Density *(Bylaw 713)*

(a) Only 1 principal dwelling unit is permitted per lot.

(b) On lots less than 0.8 hectares (1.98 acres), only 1 secondary suite is permitted per lot. On lots 0.8 hectares (1.98 acres) or greater, 1 secondary suite within the principal dwelling and 1 detached accessory dwelling in the form of a detached secondary suite or carriage house is permitted per lot.

(c) The gross floor area of an accessory building shall not exceed 200 m2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(b) Notwithstanding Paragraph (a), where a lot is less than 930 m^2 (10,011 ft^2) in area, the maximum lot coverage shall be 186 m^2 (2,002 ft^2).

(5) Non-Conforming Lots – Keeping of Livestock and Breeding Kennels

Notwithstanding the provisions and regulations of this zone, on lots having an area of less than 8,000 m^2 (1.98 ac):

(a) for each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(i) 1) 2 horses or cattle, or
2) 8 pigs, sheep, or goats, or
3) any combination of the above with 1 animal from 1) being the equivalent of 4 from 2)

(ii) in addition to (i) above, 24 rabbits, game birds or poultry.

(b) a breeding kennel is limited to a maximum of 10 dogs.

(6) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for an intensive agriculture use is 2 ha (4.94 ac).

(b) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres). *(Bylaw 713)*

(7) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for breeding kennels or for the keeping of livestock or other farm animals, or for an agriculture use other than an intensive agriculture use, shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line;

(ii) for an intensive agriculture use, shall be located not less than 60 m (196.9') from the front lot line and not less than 20 m (65.6') from any other lot line, subject to minimum setbacks established in Section 22 for beef feedlots and swineries.

(iii) for a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(iv) for cannabis production or medical cannabis production, where permitted as a farm use by the Agricultural Land Reserve Use Regulation, shall be located not less than 30 m (98.4') from any lot line, but no closer than 200 m (656.2') from any property zoned as Community Institutional and used as a school, or zoned as Park and Open Space.

(Bylaw 652)

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(8) Height of Buildings

(a) The height of a principal building shall not exceed 12 m (39.4').

(b) Notwithstanding Paragraph (a), the height of a principal dwelling unit or of an accessory building – including an accessory building that contains a carriage house - shall not exceed 10.5 m (34.5').

(Bylaw 713)

(c) Notwithstanding paragraph (b), the height of a detached secondary suite shall not exceed 8 m (26.2').

(9) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(10) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(11) *Agricultural Land Commission Act*

No provision of this Bylaw shall be interpreted as superseding the intent of the *Agricultural Land Commission Act* that all lands except those exempted under Section 19 of that Act or a General Order of the Agricultural Land Commission are subject to the provisions of the *Agricultural Land Commission Act*, Regulations thereto and Orders of the Commission (thereby not permitting the subdivision of land or the development of new non-farm uses unless approved by the Agricultural Land Commission).

Information Note: *As of February 22, 2019 the Agricultural Land Commission Act was amended to limit the maximum size of the principal residence to 500 m^2, with or without a secondary suite. Any proposal to increase the permitted size must be approved by the Agricultural Land Commission for a non-adhering residential use. This information note is provided for convenience only and proponents should review the Agricultural Land Commission regulations, as may be amended from time to time.* *(Bylaw 713)*

53. UPLAND (UP) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Upland (UP) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture, subject to Subsection (5)
(c) Boarding or Breeding kennel, subject to the Animal Control Bylaw including issuance of a kennel licence, and subject to Subsections (5) and (6)
(d) Principal dwelling unit
Accessory uses and buildings permitted only with a principal dwelling unit:
  (i) Boarding in a dwelling unit of not more than 4 persons
  (ii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
  (iii) Accessory dwelling unit, subject to Section 23

(Bylaw 713)

(e) Intensive agriculture, subject to Subsection (6) and Section 22
(f) Riding stable
(g) Wildlife rehabilitation centre, subject to the regulations of the Metchosin Animal Control Bylaw
(h) Communal Seniors Housing, subject to Section 24.1 *(Bylaw 713)*

(3) Density

(Bylaw 713)

(a) A lot may contain either one principal dwelling unit or one Communal Seniors Housing residence.

(b) Only one accessory dwelling unit is permitted per lot, and no accessory dwelling unit is permitted on a lot that contains more than one dwelling unit or a Communal Seniors Housing residence.

(c) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(b) Notwithstanding Paragraph (a), where a lot is less than 930 m^2 (10,011 ft^2) in area, the maximum lot coverage shall be 186 m^2 (2,002 ft^2).

(5) Non-Conforming Lots – Keeping of Livestock and Breeding Kennels

Notwithstanding the provisions and regulations of this zone, on lots having an area of less than 8,000 m^2 (1.98 ac):

(a) for each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(i) 1) 2 horses or cattle, or
2) 8 pigs, sheep, or goats, or
3) any combination of the above with 1 animal from 1) being the equivalent of 4 from 2)

(ii) in addition to (i) above, 24 rabbits, game birds or poultry.

(b) a breeding kennel is limited to a maximum of 10 dogs.

(6) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a boarding kennel or an intensive agriculture use is 4 ha (9.88 ac).

(b) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres). *(Bylaw 713)*

(7) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for a breeding kennel, boarding kennel or wildlife rehabilitation centre use or for the keeping of livestock or other farm animals, or for an agriculture use other than an intensive agriculture use, shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line;

(ii) for an intensive agriculture use, shall be located not less than 60 m (196.9') from the front lot line and not less than 20 m (65.6') from any other lot line, subject to minimum setbacks established in Section 22 for beef feedlots and swineries.

(iii) for a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(8) Height of Buildings

(a) The height of a principal building shall not exceed 12 m (39.4').

(b) Notwithstanding Paragraph (a), the height of a principal dwelling unit or of an accessory building – including an accessory building that contains a carriage house - shall not exceed 10.5 m (34.5').
(Bylaw 713)

(c) Notwithstanding paragraph (b), the height of a detached secondary suite shall not exceed 8 m (26.2')

(9) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(10) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

54. UPLAND 1 (UP1) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Upland 1 (UP1) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture, subject to Subsection (5)
(c) Principal dwelling unit
Accessory uses and buildings only permitted with a principal dwelling unit:
(i) Boarding in a dwelling unit of not more than 4 persons
(ii) Breeding kennel, subject to the Animal Control Bylaw including issuance of a kennel licence, and subject to Subsection (5)
(iii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
(iv) Accessory dwelling unit, subject to Section 23
(Bylaw 713)
(d) Intensive agriculture, subject to Subsection (6) and Section 22
(e) Riding stable
(f) Communal Seniors Housing, subject to Section 24.1 *(Bylaw 713)*

(3) Density *(Bylaw 713)*

(a) There shall not be more than two principal dwelling units per lot or one Communal Seniors Housing residence per lot.

(b) Only one accessory dwelling unit is permitted per lot, except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit or a Communal Seniors Housing residence.

(c) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(b) Notwithstanding Paragraph (a), where a lot is less than 930 m^2 (10,011 ft^2) in area, the maximum lot coverage shall be 186 m^2 (2,002 ft^2).

(5) Non-Conforming Lots – Keeping of Livestock and Breeding Kennels

Notwithstanding the provisions and regulations of this zone, on lots having an area of less than 8,000 m^2 (1.98 ac):

(a) for each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(i) 1) 2 horses or cattle, or
2) 8 pigs, sheep, or goats, or
3) any combination of the above with 1 animal from 1) being the equivalent of 4 from 2)

(ii) in addition to (i) above, 24 rabbits, game birds or poultry.

(b) a breeding kennel is limited to a maximum of 10 dogs.

(6) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for an intensive agriculture use is 4 ha (9.88 ac).

(b) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres). *(Bylaw 713)*

(7) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for a breeding kennel use or for the keeping of livestock or other farm animals, or for an agriculture use other than an intensive agriculture use, shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line;

(ii) for an intensive agriculture use, shall be located not less than 60 m (196.9') from the front lot line and not less than 20 m (65.6') from any other lot line, subject to minimum setbacks established in Section 22 for beef feedlots and swineries.

(iii) for a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(8) Height of Buildings

(a) The height of a principal building shall not exceed 12 m (39.4').

(b) Notwithstanding Paragraph (a), the height of a principal dwelling unit or of an accessory building – including an accessory building that contains a carriage house - shall not exceed 10.5 m (34.5').
(Bylaw 713)

(c) Notwithstanding paragraph (b), the height of a detached secondary suite shall not exceed 8 m (26.2').

(9) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(10) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

55. UPLAND 2 (UP2) ZONE (FLR)

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Upland 2 (UP2) Zone (FLR):

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture, subject to Subsection (5)
(c) Principal dwelling unit
Accessory uses and buildings permitted only with a principal dwelling unit:
(i) Boarding in a dwelling unit of not more than 4 persons
(ii) Breeding kennel, subject to the Animal Control Bylaw including issuance of a kennel licence, and Subsection (5)
(iii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
(iv) Accessory dwelling unit, subject to Section 23
(Bylaw 713)
(d) Intensive agriculture, subject to Subsection (6) and Section 22
(e) Riding stable
(f) Timber production and harvesting of primary forest products and related forest management activities, excluding sawmilling and all manufacturing and dry land log sorting operations
(g) Communal Seniors Housing, subject to Section 24.1 *(Bylaw 713)*

(3) Density *(Bylaw 713)*

(a) Only one principal dwelling unit or one Communal Seniors Housing residence is permitted per lot.

(b) Only one accessory dwelling unit is permitted per lot except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit or a Communal Seniors Housing residence.

(c) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(b) Notwithstanding Paragraph (a), where a lot is less than 930 m^2 (10,011 ft^2) in area, the maximum lot coverage shall be 186 m^2 (2,002 ft^2).

(5) Non-Conforming Lots – Keeping of Livestock and Breeding Kennels

Notwithstanding the provisions and regulations of this zone, on lots having an area of less than 8,000 m^2 (1.98 ac):

(a) for each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(i) 1) 2 horses or cattle, or
2) 8 pigs, sheep, or goats, or
3) any combination of the above with 1 animal from 1) being the equivalent of 4 from 2)

(ii) in addition to (i) above, 24 rabbits, game birds or poultry.

(b) a breeding kennel is limited to a maximum of 10 dogs.

(6) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for an intensive agriculture use is 4 ha (9.88 ac).

(b) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres). *(Bylaw 713)*

(7) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for a breeding kennel use or for the keeping of livestock or other farm animals, or for an agriculture use other than an intensive agriculture use, shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line;

(ii) for an intensive agriculture use, shall be located not less than 60 m (196.9') from the front lot line and not less than 20 m (65.6') from any other lot line, subject to minimum setbacks established in Section 22 for beef feedlots and swineries.

(iii) for a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(8) Height of Buildings

(a) The height of a principal building shall not exceed 12 m (39.4').

(b) Notwithstanding Paragraph (a), the height of a principal dwelling unit or of an accessory building – including an accessory building that contains a carriage house- shall not exceed 10.5 m (34.5').
(Bylaw 713)

(c) Notwithstanding paragraph (b), the height of a detached secondary suite shall not exceed 8 m (26.2').

(9) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(10) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(11) *Private Managed Forest Land Act*

No provision of this Bylaw shall be interpreted as superseding the intent of the *Private Managed Forest Land Act*. On land located within the *Private Managed Forest Land Act*, subdivision and uses not expressly permitted by this Act must be approved by the Private Managed Forest Land Council.

56. RURAL (RU) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 2 ha (4.94 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 2 ha (4.94 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(e) Notwithstanding paragraph (a) the minimum lot area that may be created by subdivision under the *Land Title Act* or the *Strata Property Act* of the land legally described as Lot 1, Section 57 Esquimalt District, Plan 38477, or any part of that land, shall be 16 hectares (39.5 acres).

(Bylaw No. 668)

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Rural (RU) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture, subject to Subsection (5)
(c) Principal dwelling unit
Accessory uses and buildings permitted only with a principal dwelling unit:
(i) Boarding in a dwelling unit of not more than 4 persons
(ii) Breeding kennel, subject to the Animal Control Bylaw including issuance of a kennel licence, and Subsection (5)
(iii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
(iv) Accessory dwelling unit, subject to Section 23

(Bylaw 713)

(d) Intensive agriculture, subject to Subsection (6) and Section 22
(e) Riding stable
(f) Communal Seniors Housing, subject to Section 24.1 *(Bylaw 713)*

(3) Density

(Bylaw 713)

(a) Only one principal dwelling unit or one Communal Seniors Housing residence is permitted per lot.

(b) Only one accessory dwelling unit is permitted per lot, except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit or a Communal Seniors Housing residence.

(c) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(b) Notwithstanding Paragraph (a), where a lot is less than 930 m^2 (10,011 ft^2) in area, the maximum lot coverage shall be 186 m^2 (2,002 ft^2).

(5) Non-Conforming Lots – Keeping of Livestock and Breeding Kennels

Notwithstanding the provisions and regulations of this zone, on lots having an area of less than 8,000 m^2 (1.98 ac):

(a) for each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(i) 1) 2 horses or cattle, or
2) 8 pigs, sheep, or goats, or
3) any combination of the above with 1 animal from 1) being the equivalent of 4 from 2);

(ii) in addition to (i) above, 24 rabbits, game birds or poultry.

(b) a breeding kennel is limited to a maximum of 10 dogs.

(6) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for an intensive agriculture use is 4 ha (9.88 ac).

(b) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres).

(Bylaw 713)

(7) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for a breeding kennel use or for the keeping of livestock or other farm animals, or for an agriculture use other than an intensive agriculture use, shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line;

(ii) for an intensive agriculture use, shall be located not less than 60 m (196.9') from the front lot line and not less than 20 m (65.6') from any other lot line, subject to minimum setbacks established in Section 22 for beef feedlots and swineries.

(iii) for a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(8) Height of Buildings

(a) The height of a principal building shall not exceed 12 m (39.4').

(b) Notwithstanding Paragraph (a), the height of a principal dwelling unit or of an accessory building – including an accessory building that contains a carriage house - shall not exceed 10.5 m (34.5').
(Bylaw 713)

(c) Notwithstanding paragraph (b), the height of a detached secondary suite shall not exceed 8 m (26.2').

(9) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(10) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

56.1 AMENITY RESIDENTIAL 1 (AR1) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act*, and the average lot size which may be created under the Bare Land Strata Regulation shall be:

(i) 4 ha (9.88 ac) for "Area 1",

(ii) 2 ha (4.94 ac) for "Area 2", and

(iii) 8,000 m^2 (1.98 ac) for "Area 3",

as shown on Addendum "1" attached to and forming part of this Bylaw.

(b) Notwithstanding Paragraph (a), if the condition in Paragraph (c) has been fulfilled, the minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act*, and the average lot size which may be created under the Bare Land Strata Regulation shall be 8,000 m^2 (1.98 ac) provided that not more than 13 lots, other than lots necessary for the purposes mentioned in Section 35(1)(a), shall be subdivided within the combined areas of Areas 1, 2 and 3.

(c) As a condition under Section 482(2)(a) of the *Local Government Act*, Paragraph (b) applies only if not less than 18.36 ha (45.36 ac) of the parcels legally described as Parcel A (DD 384795-I), Section 114, Metchosin District, Except Part in Plan VIP65715 and Plan VIP65892 and Lot 30, Section 22, Metchosin District, Plan 23895, generally as shown within heavy bold line and labelled as "Park" on Addendum "2", have been dedicated as park by deposit of a subdivision, reference or explanatory plan under Section 107 of the *Land Title Act*.

(d) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(e) Notwithstanding Paragraph (d), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(f) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Amenity Residential 1 (AR1) Zone:

(a) Accessory uses and buildings, subject to Section 31, including:
- (i) Boarding in a dwelling unit of not more than 4 persons
- (ii) Breeding kennel of not more than 10 dogs, subject to Animal Control Bylaw including issuance of a kennel licence
- (iii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
- (iv) The keeping of livestock, subject to Subsection (5)
- (v) Accessory dwelling unit, subject to Section 23 *(Bylaw 713)*

(b) Principal dwelling unit *(Bylaw 713)*

(3) Density *(Bylaw 713)*

(a) Only one principal dwelling unit is permitted per lot.

(b) Only one accessory dwelling unit is permitted per lot, except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit.

(c) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(5) Requirements for the Keeping of Livestock

For each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(a) (i) 2 horses or cattle, or

(ii) 8 pigs, sheep or goats, or

(iii) any combination of the above with 1 animal from Subparagraph (i) being the equivalent of 4 from Subparagraph (ii).

(b) in addition to Paragraph (a) above, 24 rabbits, game birds or poultry.

(6) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for a breeding kennel use or for the keeping of livestock shall be located not less than 30 (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line.

(ii) For a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(7) Height of Buildings

(a) The height of a building or carriage house shall not exceed 10.5 m (34.5'). *(Bylaw 713)*

(b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(8) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(9) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw."

(10) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres).

(Bylaw 713)

57. RURAL RESIDENTIAL 1 (RR1) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4,000 m^2 (.99 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4,000 m^2 (.99 ac), and no lot less than the average lot sizes shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential 1 (RR1) Zone:

(a) Accessory uses and buildings, subject to Section 31, including:
- (i) Boarding in a dwelling unit of not more than 4 persons
- (ii) Breeding kennel of not more than 4 dogs, subject to Animal Control Bylaw including issuance of a kennel licence
- (iii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
- (iv) The keeping of livestock and bees, subject to Subsection (5) *(Bylaw 635)*
- (v) Accessory dwelling unit, subject to Section 23

(b) Principal dwelling unit

(c) Communal Seniors Housing, subject to Section 24.1 *(Bylaw 713)*

(3) Density *(Bylaw 713)*

(a) Only one principal dwelling unit or one Communal Seniors Housing residence is permitted per lot.

(b) Only one accessory dwelling unit is permitted per lot, except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit or a Communal Seniors Housing residence.

(c) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(b) Notwithstanding Paragraph (a), where a lot is less than 930 m^2 (10,011 ft^2) in area, the maximum lot coverage shall be 186 m^2 (2,002 ft^2).

(5) Requirements for the Keeping of Livestock and Bees

(Bylaw 635)

For each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(a) (i) 2 horses or cattle, or

(ii) 8 pigs, sheep or goats, or

(iii) any combination of the above with 1 animal from Subparagraph (i) being the equivalent of 4 from Subparagraph (ii).

(b) in addition to Paragraph (a) above, 24 rabbits, game birds or poultry.

(c) in addition to Paragraphs (a) and (b) above, 15 beehives per 4,000 m^2 (0.99 acre) of lot area or pro-rated portion thereof.

(d) notwithstanding paragraph (c), where a lot is less than 4,000 m^2 (0.99 acres) in area, a maximum of 4 beehives is permitted.

(6) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for a breeding kennel use or for the keeping of livestock shall be located not less than 30 (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line.

(ii) for a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(7) Height of Building

(a) The height of a building or carriage house shall not exceed 10.5 m (34.5'). *(Bylaw 713)*

(b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(8) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(9) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(10) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres). *(Bylaw 713)*

58. RURAL RESIDENTIAL 2 (RR2) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 8,000 m^2 (1.98 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 8,000 m^2 (1.98 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential 2 (RR2) Zone:

(a) Accessory uses and buildings, subject to Section 31, including:
- (i) Boarding in a dwelling unit of not more than 4 persons
- (ii) Breeding kennel of not more than 10 dogs, subject to Animal Control Bylaw including issuance of a kennel licence
- (iii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
- (iv) The keeping of livestock and bees, subject to Subsection (5) *(Bylaw 635)*
- (v) Accessory dwelling unit, subject to Section 23

(b) Principal dwelling unit

(c) Communal Seniors Housing, subject to Section 24.1 *(Bylaw 713)*

(3) Density *(Bylaw 713)*

(a) Only one principal dwelling unit or one Communal Seniors Housing residence is permitted per lot.

(b) Only one accessory dwelling unit is permitted per lot, except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit or a Communal Seniors Housing residence.

(c) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(b) Notwithstanding Paragraph (a), where a lot is less than 930 m^2 (10,011 ft^2) in area, the maximum lot coverage shall be 186 m^2 (2,002 ft^2).

(5) Requirements for the Keeping of Livestock and Bees

(Bylaw 635)

For each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(a) (i) 2 horses or cattle, or

(ii) 8 pigs, sheep or goats, or

(iii) any combination of the above with 1 animal from Subparagraph (i) being the equivalent of 4 from Subparagraph (ii).

(b) in addition to Paragraph (a) above, 24 rabbits, game birds or poultry.

(c) in addition to Paragraphs (a) and (b) above, 15 beehives per 4,000 m^2 (0.99 acre) of lot area or pro-rated portion thereof.

(d) notwithstanding paragraph (c), where a lot is less than 4,000 m^2 (0.99 acres) in area, a maximum of 4 beehives is permitted.

(6) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for a breeding kennel use or for the keeping of livestock shall be located not less than 30 (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line.

(ii) for a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(7) Height of Buildings

(a) The height of a building or carriage house shall not exceed 10.5 m (34.5'). *(Bylaw 713)*

(b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(8) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(9) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(10) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres).

(Bylaw 713)

59. RURAL RESIDENTIAL 3 (RR3) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 8,000 m^2 (1.98 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 8,000 m^2 (1.98 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential 3 (RR3) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Boarding or breeding kennel, subject to the Animal Control Bylaw including issuance of a kennel licence
(c) Principal dwelling unit
Accessory uses and buildings permitted only with a principal dwelling unit including:
(i) Boarding in a dwelling unit of not more than 4 persons
(ii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
(iii) The keeping of livestock and bees, subject to Subsection (5)
(Bylaw 635)
(iv) Accessory dwelling unit, subject to Section 23
(d) Communal Seniors Housing, subject to Section 24.1
(Bylaw 713)

(3) Density

(Bylaw 713)

(a) Only one principal dwelling unit or one Communal Seniors Housing residence is permitted per lot.

(b) Only one accessory dwelling unit is permitted per lot, except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit or a Communal Seniors Housing residence.

(c) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(b) Notwithstanding Paragraph (a), where a lot is less than 930 m^2 (10,011 ft^2) in area, the maximum lot coverage shall be 186 m^2 (2,002 ft^2).

(5) Requirements for the Keeping of Livestock and Bees

(Bylaw 635)

For each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(a) (i) 2 horses or cattle, or

(ii) 8 pigs, sheep or goats, or

(iii) any combination of the above with 1 animal from Subparagraph (i) being the equivalent of 4 from Subparagraph (ii).

(b) in addition to Paragraph (a) above, 24 rabbits, game birds or poultry.

(c) in addition to Paragraphs (a) and (b) above, 15 beehives per 4,000 m^2 (0.99 acre) of lot area or pro-rated portion thereof.

(Bylaw 635)

(d) notwithstanding paragraph (c), where a lot is less than 4,000 m^2 (0.99 acres) in area, a maximum of 4 beehives is permitted.

(Bylaw 635)

(6) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for a breeding kennel use or for the keeping of livestock shall be located not less than 30 (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line.

(ii) for a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(7) Height of Buildings

(a) The height of a building or carriage house shall not exceed 10.5 m (34.5'). *(Bylaw 713)*

(b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(8) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(9) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(10) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres).

(Bylaw 713)

60. RURAL RESIDENTIAL 4 (RR4) ZONE (ALR)

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 8,000 m^2 (1.98 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 8,000 m^2 (1.98 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Rural Residential 4 (RR4) Zone (ALR):

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture, subject to Subsection (5)
(c) Principal dwelling unit
Accessory uses and buildings permitted only with a principal dwelling unit including:
(i) Boarding in a dwelling unit of not more than 4 persons
(ii) Breeding kennel of not more than 10 dogs, subject to Animal Control Bylaw including issuance of a kennel licence
(iii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
(iv) Accessory dwelling unit, subject to Section 23

(Bylaw 713)

(c) Illuminated Greenhouses

(Bylaw 636)

(3) Density

(Bylaw 713)

(a) Only one principal dwelling unit is permitted per lot.

(b) On lots less than 0.8 hectares (1.98 acres), only one secondary suite is permitted per lot. On lots 0.8 hectares (1.98 acres) or greater, one secondary suite and one detached accessory dwelling unit in the form of a detached secondary suite or carriage house is permitted per lot.

(c) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 20% of the lot.

(b) Notwithstanding Paragraph (a), where a lot is less than 930 m^2 (10,011 ft^2) in area, the maximum lot coverage shall be 186 m^2 (2,002 ft^2).

(5) Non-Conforming Lots – Keeping of Livestock and Bees

(Bylaw 635)

For each 4,000 m^2 (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m^2 (.99 ac) of lot area, the keeping of livestock shall be limited to the following maximum numbers:

(a) (i) 2 horses or cattle, or

(ii) 8 pigs, sheep or goats, or

(iii) any combination of the above with 1 animal from Subparagraph (i) being the equivalent of 4 from Subparagraph (ii).

(b) in addition to Paragraph (a) above, 24 rabbits, game birds or poultry.

(c) in addition to Paragraphs (a) and (b) above, 15 beehives per 4,000 m^2 (0.99 acre) of lot area or pro-rated portion thereof.

(d) notwithstanding paragraph (c), where a lot is less than 4,000 m^2 (0.99 acres) in area, a maximum of 4 beehives is permitted.

(6) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) Side yards of not less than 3 m (9.8') shall be provided.

(c) (i) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

(ii) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures:

(i) for a breeding kennel use or for the keeping of livestock shall be located not less than 30 (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line.

(ii) for a detached secondary suite and carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(7) Height of Buildings

(a) The height of a building or carriage house shall not exceed 10.5 m (34.5'). *(Bylaw 713)*

(b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(8) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(9) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(10) *Agricultural Land Commission Act*

No provision of this Bylaw shall be interpreted as superseding the intent of the *Agricultural Land Commission Act* that all lands except those exempted under Section 19 of that Act or a General Order of the Agricultural Land Commission are subject to the provisions of the *Agricultural Land Commission Act*, Regulations thereto and Orders of the Commission (thereby not permitting the subdivision of land or the development of new non-farm uses unless approved by the Agricultural Land Commission).

(11) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres). *(Bylaw 713)*

Information Note: *As of February 22, 2019 the Agricultural Land Commission Act was amended to limit the maximum size of the principal residence to 500 m^2, with or without a secondary suite. Any proposal to increase the permitted size must be approved by the Agricultural Land Commission for a non-adhering residential use. This information note is provided for convenience only and proponents should review the Agricultural Land Commission regulations, as may be amended from time to time.* *(Bylaw 713)*

61. COMMERCIAL 1 (C1) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 1,800 m^2 (.44 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 1,800 m^2 (.44 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Panhandle lots are not permitted.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Commercial 1 (C1) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Animal hospital
(c) Appliance repair shop
(d) Automotive Service Station
(e) Bakery, not exceeding a total of 200 m^2 (2,153 ft^2) of floor area
(f) Bank
(g) Dwelling unit
(h) Garden Centre
(i) Office
(j) Personal service establishment, including but without limiting the generality of the foregoing, barber shop, beauty parlour, laundromat (automatic self-service only), optical or watch repair shop, and shoe repair
(k) Photographic studio
(l) Post office
(m) Premises licensed pursuant to the *Liquor Control and Licensing Act*
(n) Printing, publishing and bookbinding
(o) Private club and lodge
(p) Public assembly and entertainment use, including but without limiting the generality of the foregoing, auditorium, billiard and pool hall, bowling alley
(q) Restaurant
(r) Retail store
(s) Taxi office

(3) Density

(a) Only 1 dwelling unit is permitted per lot.

(b) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2)

(4) Lot Coverage

The maximum lot coverage shall be 50% of the first 1,800 m^2 (.44 ac) of lot area and 20% of the remainder of lot area.

(5) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) (i) Except as otherwise provided in Subsection (5), side yards of not less than 3 m (9.8') shall be provided.

(ii) Where a lot abuts a lot in an Agricultural, Rural, or Rural Residential Zone, side yards of not less than 6 m (19.7') shall be provided.

(iii) On a corner lot, the side yard which adjoins a flanking street shall not be less than 7.5 m (24.6').

(c) A rear yard of not less than 7.5 m (24.6') shall be provided.

(d) An accessory building on a corner lot shall not be located closer to the front lot line or to a flanking street than the principal building on the same lot.

(e) Notwithstanding Paragraphs (a) through (d), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(6) Height of Buildings

The height of a building shall not exceed 10.5 m (34.5').

(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

62. COMMERCIAL 2 (C2) ZONE (ALR)

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 1,800 m^2 (.44 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 1,800 m^2 (.44 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Panhandle lots are not permitted.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Commercial 2 (C2) Zone (ALR):

(a) Accessory uses and buildings, subject to Section 31
(b) Animal hospital
(c) Appliance repair shop
(d) Automotive Service Station
(e) Bakery, not exceeding a total of 200 m^2 (2,153 ft^2) of floor area
(f) Bank
(g) Dwelling unit.
Accessory uses and building permitted only with a dwelling unit:
(i) Accessory dwelling unit, subject to Section 23 *(Bylaw 713)*
(h) Garden Centre
(i) Office
(j) Personal service establishment, including but without limiting the generality of the foregoing, barber shop, beauty parlour, laundromat (automatic self-service only), optical or watch repair shop, and shoe repair
(k) Photographic studio
(l) Post office
(m) Premises licensed pursuant to the *Liquor Control and Licensing Act*
(n) Printing, publishing and bookbinding
(o) Private club and lodge
(p) Public assembly and entertainment use, including but without limiting the generality of the foregoing, auditorium, billiard and pool hall, bowling alley
(q) Restaurant
(r) Retail store
(s) Taxi office
(t) Farm equipment sales

(3) Density *(Bylaw 713)*

(a) Only one principal dwelling unit is permitted per lot.

(b) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(c) Only one accessory dwelling unit is permitted per lot except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit.

(4) Lot Coverage

The maximum lot coverage shall be 50% of the first 1,800 m^2 (.44 ac) of lot area and 20% of the remainder of lot area.

(5) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) (i) Except as otherwise provided in Subsection (5), side yards of not less than 3 m (9.8') shall be provided.

(ii) Where a lot abuts a lot in an Agricultural, Rural, or Rural Residential Zone, side yards of not less than 6 m (19.7') shall be provided.

(iii) On a corner lot, a side yard which adjoins a flanking street shall not be less than 7.5 m (24.6').

(c) A rear yard of not less than 7.5 m (24.6') shall be provided.

(d) An accessory building on a corner lot shall not be located closer to the front lot line or to a flanking street than the principal building on the same lot.

(e) Notwithstanding Paragraphs (a) through (d), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(6) Height of Buildings

(a) The height of a building or carriage house shall not exceed 10.5 m (34.5'). *(Bylaw 713)*

(b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(9) *Agricultural Land Commission Act*

No provision of this Bylaw shall be interpreted as superseding the intent of the *Agricultural Land Commission Act* that all lands except those exempted under Section 19 of that Act or a General Order of the Agricultural Land Commission are subject to the provisions of the *Agricultural Land Commission Act*, Regulations thereto and Orders of the Commission (thereby not permitting the subdivision of land or the development of new non-farm uses unless approved by the Agricultural Land Commission).

(10) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres). *(Bylaw 713)*

63. COMMERCIAL RECREATION 1 (CR1) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 2 ha (4.94 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 2 ha (4.94 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Panhandle lots are not permitted.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Commercial Recreation 1 (CR1) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Campsite
(c) Dwelling unit
Accessory uses and buildings permitted only with a dwelling unit including:
(i) Boarding in a dwelling unit of not more than 4 persons
(ii) Accessory dwelling unit, subject to Section 23 *(Bylaw 713)*
(d) Marina
(e) Miniature golf course
Accessory use permitted with a Miniature Golf Course only
(i) Concession/Souvenir Stand
(f) Manufactured home park
(g) Premises licensed pursuant to the *Liquor Control and Licensing Act*
(h) Recreational cabin
(i) Restaurant
(j) Riding stable

(3) Density

(a) Only one dwelling unit is permitted per lot.

(b) There shall be only one accessory dwelling unit per lot. *(Bylaw 713)*

(c) The maximum density of a campsite, recreational cabin and manufactured home park use shall not exceed one unit per 675 m^2 (7,266 ft^2) of lot area except where an accessory dwelling unit is located on a lot, the permitted number of units shall be reduced by one unit.

(d) Secondary suites and boarding uses are not permitted in manufactured homes located within a manufactured home park.

(e) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

(a) The maximum lot coverage shall be 30% of the lot.

(b) Subject to Subsection (6), manufactured homes within a manufactured home park and recreational cabins on a lot shall be sited so that each recreational cabin or manufactured home, as the case may be, is separated from all others by a minimum of 14 m (46 ft) measured from all points along the exterior walls of the recreational cabins or manufactured home or the boundary of the campsite.

(5) Condition of Use

No person shall occupy a campsite or recreational cabin for more than a total of 6 months in a calendar year.

(6) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) (i) Side yards of not less than 6 m (19.7') shall be provided.

(ii) On a corner lot, a side yard which adjoins a flanking street shall not be less than 7.5 m (24.6').

(c) A rear yard of not less than 10 m (32.8') shall be provided.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures associated with a riding stable and required for sheltering horses, shall be located not less than 30 m (98.4') from a front lot line and not less than 15 m (49.2') from any other lot line.

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(g) Notwithstanding paragraphs (a) through (f) buildings and structures for a detached secondary suite, or carriage house shall be located not less than 15 m (49.2') from any lot line."

(7) Height of Buildings

(a) The height of a building or carriage house shall not exceed 10.5 m (34.5'). *(Bylaw 713)*

(b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(8) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(9) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(10) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres). *(Bylaw 713)*

64. COMMERCIAL RECREATION 2 (CR2) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Panhandle lots are not permitted.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Commercial Recreation 2 (CR2) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture
(c) Dwelling Unit
Accessory uses and buildings permitted only with a dwelling unit including:
(i) Boarding in a dwelling unit of not more than 4 persons
(ii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
(iii) Accessory dwelling unit, subject to Section 23 *(Bylaw 713)*
(d) Golf Course – Class A
Accessory uses and buildings permitted only with a Class A Golf Course:
(i) Clubhouse including the following:
1) Restaurant
2) Premises licensed pursuant to the *Liquor Control and Licensing Act*
3) Golf Pro Shop
4) Meeting Rooms
(ii) Concession Stand
(iii) Course Maintenance Buildings
(iv) Course Pump Houses
(v) Course Storage Buildings
(vi) Course Toilets
(e) Golf Course – Class B
Accessory uses and buildings permitted only with a Class B Golf Course:
(i) Restaurant
(ii) Concession Stand
(iii) Golf Pro Shop
(f) Miniature Golf Course
Accessory use and building permitted only with a Miniature Golf Course:
(i) Concession/Souvenir Stand
(g) Riding Stable

(3) Density

(a) Only one dwelling unit is permitted per lot.

(b) Only one accessory dwelling unit is permitted per lot, except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit.

(Bylaw 713)

(c) Except for accessory buildings required for a Golf Course – Class A use or for a Golf Course – Class B use, the gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

The maximum lot coverage shall be the lesser of 7,432 m^2 or 5% of the first 4 ha (9.88 ac) of the lot and 1% of the remaining area of the lot.

(5) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) (i) Side yards of not less than 6 m (19.7') shall be provided.

(ii) On a corner lot, a side yard which adjoins a flanking street shall not be less than 7.5 m (24.6').

(c) A rear yard of not less than 10 m (32.8') shall be provided.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures for the keeping of livestock or other farm animals, or for an agriculture use shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line.

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(g) Notwithstanding paragraphs (a) through (f) buildings and structures for a detached secondary suite, or carriage house, shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(6) Height of Buildings

(a) The height of a building or carriage house shall not exceed 10.5 m (34.5'). *(Bylaw 713)*

(b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(9) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a detached secondary suite or carriage house is 0.8 ha (1.98 acres).

(Bylaw 713)

65. COMMERCIAL RECREATION 3 (CR3) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 2 ha (4.94 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 2 ha (4.94 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Panhandle lots are not permitted.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Commercial Recreation 3 (CR3) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture
(c) Dwelling Unit
Accessory uses and buildings permitted only with a dwelling unit including but not limited to:
(i) Boarding in a dwelling unit of not more than 4 persons
(ii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
(iii) Accessory dwelling unit, subject to Section 23 *(Bylaw 713)*
(d) Golf Course – Class A
Accessory uses and buildings permitted only with a Class A Golf Course:
(i) Clubhouse including the following:
1) Restaurant
2) Premises licensed pursuant to the *Liquor Control and Licensing Act*
3) Golf Pro Shop
4) Meeting Rooms
(ii) Concession Stand
(iii) Course Maintenance Buildings
(iv) Course Pump Houses
(v) Course Storage Buildings
(vi) Course Toilets
(e) Golf Course – Class B
Accessory uses and buildings permitted only with a Class B Golf Course:
(i) Restaurant
(ii) Concession Stand
(iii) Golf Pro Shop
(f) Miniature Golf Course
Accessory use and building permitted only with a Miniature Golf Course:
(i) Concession/Souvenir Stand
(g) Riding Stable

(3) Density

(a) Only one dwelling unit is permitted per lot.

(b) Only one accessory dwelling unit is permitted per lot, except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit.

(Bylaw 713)

(c) Except for accessory buildings required for a Golf Course – Class A use or for a Golf Course – Class B use, the gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

The maximum lot coverage shall be the lesser of 7,432 m^2 or 5% of the first 4 ha (9.88 ac) of the lot and 1% of the remaining area of the lot.

(5) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) (i) Side yards of not less than 6 m (19.7') shall be provided.

(ii) On a corner lot, a side yard which adjoins a flanking street shall not be less than 7.5 m (24.6').

(c) A rear yard of not less than 10 m (32.8') shall be provided.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures for the keeping of livestock or other farm animals, or for an agriculture use shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line.

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(g) Notwithstanding paragraphs (a) through (f) buildings and structures for a detached secondary suite, or carriage house shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(6) Height of Buildings

(a) The height of a building or carriage house shall not exceed 10.5 m (34.5'). *(Bylaw 713)*

(b) Notwithstanding paragraph (a), the height of a detached secondary suite shall not exceed 8 m (26.2').

(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(9) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres).

(Bylaw 713)

66. COMMERCIAL RECREATION 4 (CR4) ZONE (ALR)

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Panhandle lots are not permitted.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Commercial Recreation 4 (CR4) Zone (ALR):

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture
(c) Dwelling Unit
Accessory uses and buildings permitted only with a dwelling unit including but not limited to:
(i) Boarding in a dwelling unit of not more than 4 persons
(ii) Home Business, subject to Section 21, including bed and breakfast, subject to 21(17)
(iii) Accessory dwelling unit, subject to Section 23 *(Bylaw 713)*
(d) Golf Course – Class A
Accessory uses and buildings permitted only with a Class A Golf Course:
(i) Clubhouse including the following:
1) Restaurant
2) Premises licensed pursuant to the *Liquor Control and Licensing Act*
3) Golf Pro Shop
4) Meeting Rooms
(ii) Concession Stand
(iii) Course Maintenance Buildings
(iv) Course Pump Houses
(v) Course Storage Buildings
(vi) Course Toilets
(e) Golf Course – Class B
Accessory uses and buildings permitted only with a Class B Golf Course:
(i) Restaurant
(ii) Concession Stand
(iii) Golf Pro Shop
(f) Miniature Golf Course
Accessory use and building permitted only with a Miniature Golf Course:
(i) Concession/Souvenir Stand
(g) Riding Stable
(h) Illuminated Greenhouses

(Bylaw 636)

(3) Density

(a) Only one dwelling unit is permitted per lot.

(b) Only one accessory dwelling unit is permitted per lot, except that no accessory dwelling unit shall be permitted on a lot which has more than one dwelling unit.

(Bylaw 713)

(c) Except for accessory buildings required for a Golf Course – Class A use or for a Golf Course – Class B use, the gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

The maximum lot coverage shall be the lesser of 7,432 m^2 or 5% of the first 4 ha (9.88 ac) of the lot and 1% of the remaining area of the lot.

(5) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) (i) Side yards of not less than 6 m (19.7') shall be provided.

(ii) On a corner lot, a side yard which adjoins a flanking street shall not be less than 7.5 m (24.6').

(c) A rear yard of not less than 10 m (32.8') shall be provided.

(d) Notwithstanding Paragraphs (a) through (c), buildings and structures for the keeping of livestock or other farm animals, or for an agriculture use shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line.

(e) In addition, buildings and structures referred to in Paragraph (d) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(f) Notwithstanding Paragraphs (a) through (e), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(g) Notwithstanding paragraphs (a) through (f) buildings and structures for a detached secondary suite, or carriage house shall be located not less than 15 m (49.2') from any lot line. *(Bylaw 713)*

(6) Height of Buildings

(a) The height of a building or carriage house shall not exceed 10.5 m (34.5'). *(Bylaw 713)*

(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(9) *Agricultural Land Commission Act*

No provision of this Bylaw shall be interpreted as superseding the intent of the *Agricultural Land Commission Act* that all lands except those exempted under Section 19 of that Act or a General Order of the Agricultural Land Commission are subject to the provisions of the *Agricultural Land Commission Act*, Regulations thereto

and Orders of the Commission (thereby not permitting the subdivision of land or the development of new non-farm uses unless approved by the Agricultural Land Commission).

(10) Minimum Lot Area for Specific Uses

(a) The minimum lot area required for a detached secondary suite or carriage house use is 0.8 ha (1.98 acres). *(Bylaw 713)*

68. INDUSTRIAL 1 (M1) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Panhandle lots are not permitted.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Industrial 1 (M1) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Dwelling unit
(c) Sawmill, shakemill and accessory lumber sales

(3) Density

(a) Only 1 dwelling unit is permitted per lot.

(b) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

The maximum lot coverage shall be 20% of the lot.

(5) Yard Requirements

(a) For any principal or accessory building associated with sawmill, shakemill, or accessory lumber sales use:

(i) A front yard of not less than 15 m (49.2') shall be provided.

(ii) Side yards of not less than 15 m (49.2') shall be provided.

(iii) A rear yard of not less than 20 m (65.6') shall be provided.

(b) For any building associated with dwelling unit use:

(i) A front yard of not less than 7.5 m (24.6') shall be provided.

(ii) Side yards of not less than 3 m (9.8') shall be provided.

(iii) 1) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

2) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(c) Notwithstanding Paragraphs (a) and (b), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(6) Height of Building

The height of a building shall not exceed 10.5 m (34.5').

(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

69. INDUSTRIAL 2 (M2) ZONE (ALR)

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 2 ha (4.94 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 2 ha (4.94 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Panhandle lots are not permitted.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Industrial 2 (M2) Zone (ALR):

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture
(c) Dwelling unit
(d) Precast concrete products manufacturing and the wholesale distribution of said products
(f) Illuminated Greenhouses

(Bylaw 636)

(3) Density

(a) Only 1 dwelling unit is permitted per lot.

(b) The gross floor area of an accessory building shall not exceed 200 m^2 (2,153 ft^2).

(4) Lot Coverage

The maximum lot coverage shall be 10% of the lot.

(5) Yard Requirements

(a) For any principal or accessory building associated with precast concrete products manufacturing or the wholesale distribution of said products:

(i) A front yard of not less than 15 m (49.2') shall be provided.

(ii) Side yards of not less than 15 m (49.2') shall be provided.

(iii) A rear yard of not less than 20 m (65.6') shall be provided.

(b) For any building associated with agricultural or dwelling unit use:

(i) A front yard of not less than 7.5 m (24.6') shall be provided.

(ii) Side yards of not less than 3 m (9.8') shall be provided.

(iii) 1) A rear yard of not less than 10 m (32.8') shall be provided for a principal building.

2) A rear yard of not less than 3 m (9.8') shall be provided for an accessory building.

(c) Notwithstanding Paragraph (b), buildings and structures for the keeping of livestock or other farm animals, or for an agriculture use shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line.

(d) In addition, buildings and structures referred to in Paragraph (c) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(e) Notwithstanding Paragraphs (a) through (d), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(6) Height of Building

The height of a building shall not exceed 10.5 m (34.5').

(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(9) *Agricultural Land Commission Act*

No provision of this Bylaw shall be interpreted as superseding the intent of the *Agricultural Land Commission Act* that all lands except those exempted under Section 19 of that Act or a General Order of the Agricultural Land Commission are subject to the provisions of the *Agricultural Land Commission Act*, Regulations thereto and Orders of the Commission (thereby not permitting the subdivision of land or the development of new non-farm uses unless approved by the Agricultural Land Commission).

70. COMMUNITY INSTITUTIONAL 1 (P1) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Community Institutional 1 (P1) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Assembly
(c) Church
(d) Civic use
(e) Community care facility
(f) Dwelling unit
(g) Hospital
(h) Personal care
(i) School

(2.1) Notwithstanding Section 70(2), the following uses only are permitted on lands legally described as Parcel E (DD 43589-I) Section 74, Metchosin District:

(a) Accessory uses and buildings, subject to Section 31
(b) Day Care
(c) Dwelling Unit
(d) Preschool
(e) School

(3) Density

(a) Only 1 dwelling unit is permitted per lot.

(b) Notwithstanding Paragraph (a), a college or university may provide the following accommodation on a lot:

(i) dormitories to house not more than 300 students; and

(ii) not more than 20 dwelling units for faculty members.

(4) Lot Coverage

The maximum lot coverage shall be the greater of 1,600 m^2 (17,223 ft^2) or 20% of the lot.

(5) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) (i) Side yards of not less than 6 m (19.7') shall be provided;

(i) On a corner lot, a side yard which adjoins the flanking street shall not be less than 7.5 m (24.6').

(c) A rear yard of not less than 10 m (32.8') shall be provided.

(d) An accessory building on a corner lot shall not be located closer to the front lot line or to a flanking street than the principal building on the same lot.

(e) Notwithstanding Paragraphs (a) through (d), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(6) Height of Building

The height of a building shall not exceed 10.5 m (34.5').

(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

71. COMMUNITY INSTITUTIONAL 2 (P2) ZONE (ALR)

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6').

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Community Institutional 2 (P2) Zone (ALR):

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture
(c) Agricultural fairground
(d) Assembly
(e) Church
(f) Civic use
(g) Community care facility
(h) Dwelling unit
(i) Park
(j) School
(k) Term commercial sales
(l) Illuminated Greenhouses

(2.1) Notwithstanding Section 71(2), the following uses only are permitted on lands legally described as Parcel E (DD 43589-I), Section 74, Metchosin District:

(a) Accessory uses and buildings, subject to Section 31
(b) Agriculture
(c) Day Care
(d) Dwelling Unit
(e) Preschool
(f) School

(2.2) In addition to Section 71(2), the following uses are permitted on lands legally described as Lot A, Plan 17774, Section 1, Metchosin Land District:

(a) Office
(b) Artist studio and gallery
(c) Retail store

(3) Density

(a) Only 1 dwelling unit is permitted per lot.

(4) Lot Coverage

The maximum lot coverage shall be the greater of 1,600 m^2 (17,223 ft^2) or 20% of the lot.

(5) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) (i) Side yards of not less than 6 m (19.7') shall be provided;

(ii) On a corner lot, a side yard, adjoining the flanking street, of not less than 7.5 m (24.6') in width;

(c) A rear yard of not less than 10 m (32.8') shall be provided.

(d) An accessory building on a corner lot shall not be located closer to the front lot line or to a flanking street than the principal building on the same lot.

(e) Notwithstanding Paragraphs (a) through (d), buildings and structures for the keeping of livestock or other farm animals, or for an agriculture use shall be located not less than 30 m (98.4') from the front lot line and not less than 15 m (49.2') from any other lot line.

(f) In addition, buildings and structures referred to in Paragraph (e) shall be located to the satisfaction of the Medical Health Officer in respect of all nearby wells or watercourses which in his opinion could suffer contamination therefrom.

(g) Notwithstanding Paragraphs (a) through (f), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(6) Height of Building

The height of a building shall not exceed 10.5 m (34.5').

(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

(9) ***Agricultural Land Commission Act***

No provision of this Bylaw shall be interpreted as superseding the intent of the *Agricultural Land Commission Act* that all lands except those exempted under Section 19 of that Act or a General Order of the Agricultural Land Commission are subject to the provisions of the *Agricultural Land Commission Act*, Regulations thereto and Orders of the Commission (thereby not permitting the subdivision of land or the development of new non-farm uses unless approved by the Agricultural Land Commission).

72. PARK AND OPEN SPACE (P3) ZONE

(1) Subdivision Requirements

(a) The minimum lot area that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 4 ha (9.88 ac). For the purposes of the Bare Land Strata Regulations, the average lot size shall not be less than 4 ha (9.88 ac), and no lot less than the average lot size shall be created by a strata plan.

(b) The minimum highway frontage that may be created by subdivision under the *Land Title Act* or the *Condominium Act* shall be 10% of the perimeter of the lot.

(c) Notwithstanding Paragraph (b), the minimum width of the access strip of a panhandle lot shall be 20 m (65.6'). Panhandle lots are to be permitted only when the Approving Officer is satisfied that there is no other means of access.

(d) In the case of a panhandle lot, the minimum lot area shall be exclusive of the access strip.

(2) Permitted Uses

In addition to the uses permitted by Sections 17 and 18 of this Bylaw, the following uses and no others shall be permitted in the Park and Open Space (P3) Zone:

(a) Accessory uses and buildings, subject to Section 31
(b) Civic use
(c) Dwelling unit
(d) Park

(3) Density

(a) Only 1 dwelling unit is permitted per lot.

(4) Lot Coverage

The maximum lot coverage shall be 10% of the lot.

(5) Yard Requirements

(a) A front yard of not less than 7.5 m (24.6') shall be provided.

(b) (i) Side yards of not less than 6 m (19.7') shall be provided;

(ii) On a corner lot, a side yard, adjoining the flanking street, of not less than 7.5 m (24.6') shall be provided.

(c) A rear yard of not less than 10 m (32.8') shall be provided.

(d) An accessory building on a corner lot shall not be located closer to the front lot line or to a flanking street than the principal building on the same lot.

(e) Notwithstanding Paragraphs (a) through (d), the general provisions in Sections 27 and 30 for the siting of buildings from highways and watercourses shall also apply.

(6) Height of Building

The height of a building shall not exceed 10.5 m (34.5').

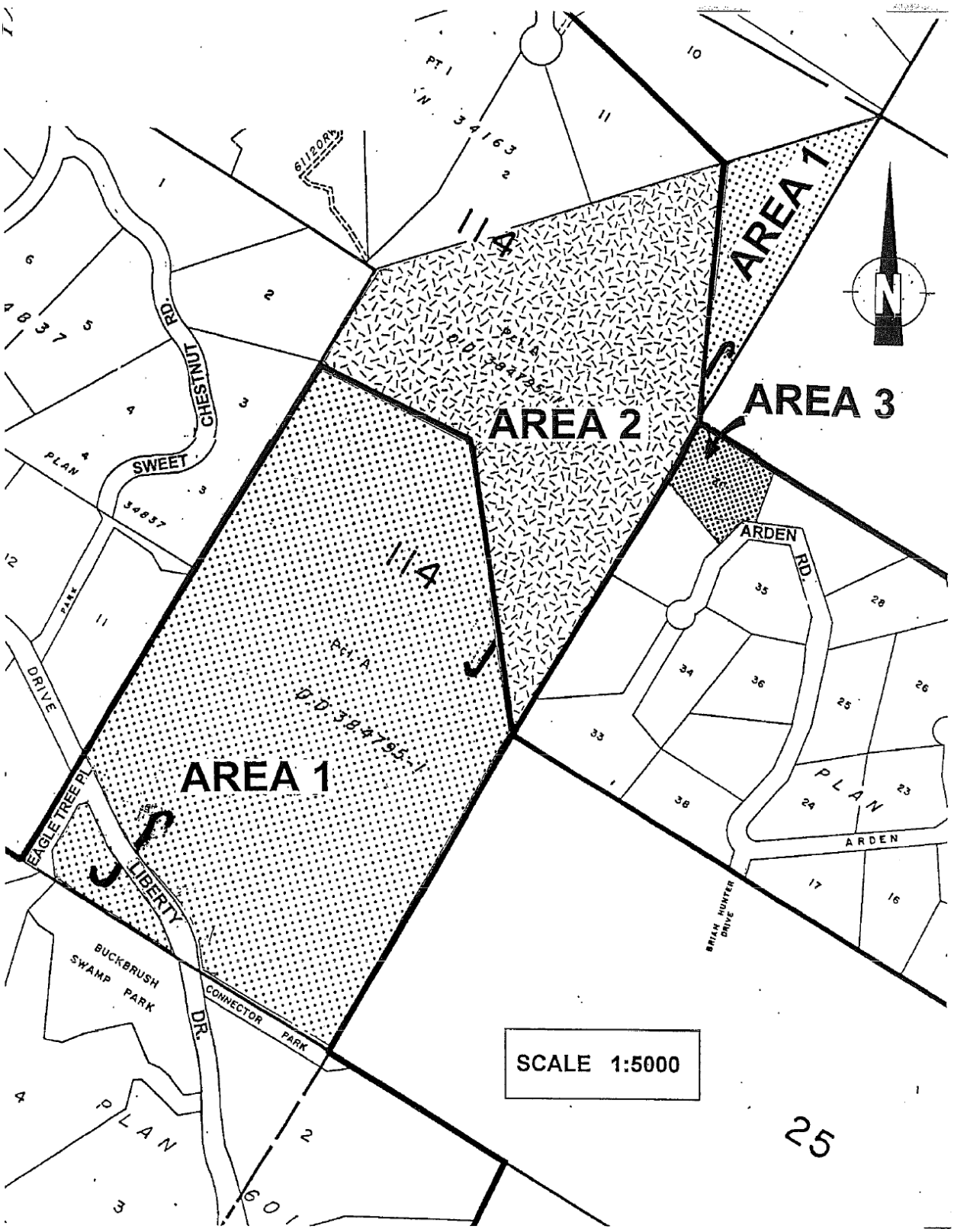
(7) Off-Street Parking and Loading

Off-street parking and loading shall be provided and maintained in accordance with the Off-Street Parking and Loading Regulations as contained in Part 9 of this Bylaw.

(8) Placement of Signs

The placement of signs shall comply with Part 8 of this Bylaw.

ADDENDUM 1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AREA 3
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I/A
N
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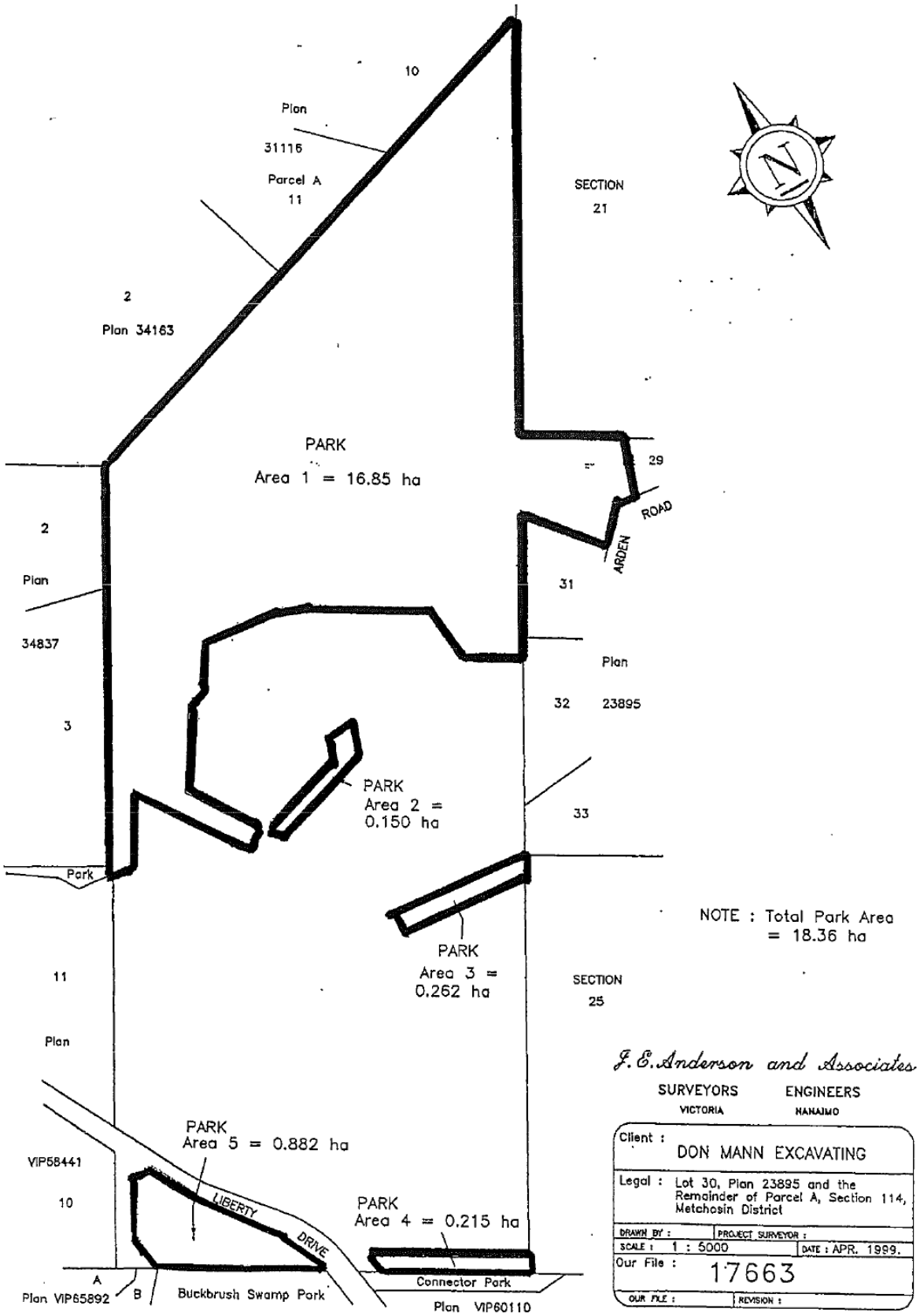
SWEET
PLAN
34837
ARDEN RD.
ARDEN
PLAN
BRIAR HUNTER DRIVE
EAGLE TREE PL.
LIBERTY DR.
CONNECTOR PARK
BUCKBRUSH SWAMP PARK
DRIVE
PARK
PLAN
34163
61120RW
25

ADDENDUM 2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Parcel A
11
SECTION
21
2
Plan 34163
PARK
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29
ROAD
ARDEN
2
Plan
34837
31
Plan
32
23895
3
PARK
Area 2 =
0.150 ha
33
Park
NOTE : Total Park Area
= 18.36 ha
PARK
Area 3 =
0.262 ha
11
SECTION
25
Plan
PARK
Area 5 = 0.882 ha
VIP58441
10
LIBERTY
DRIVE
PARK
Area 4 = 0.215 ha
A
Plan VIP65892
B
Buckbrush Swamp Park
Connector Park
Plan VIP60110
J. E. Anderson and Associates
SURVEYORS
VICTORIA
ENGINEERS
NANAIMO
Client :
DON MANN EXCAVATING
Legal : Lot 30, Plan 23895 and the Remainder of Parcel A, Section 114, Metchosin District
DRAWN BY :
PROJECT SURVEYOR :
SCALE : 1 : 5000
DATE : APR. 1999.
Our File :
17663
OUR FILE :
REVISION :