



**DISTRICT OF HIGHLANDS
BYLAW NO. 344**

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

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

1. THAT “Highlands Zoning Bylaw No. 100, 1998” be amended by **changing** Schedule A, Zoning Map, to designate those parts of Parcel Identifier 028-961-056, LOT A, SECTION 4, RANGE 3 WEST AND SECTION 4 AND 5, RANGE 4 WEST, HIGHLAND DISTRICT, PLAN EPP24734 shown darkly outlined on Schedule “A” to Bylaw 344, from Community Institutional 1 (CI1) Zone to Conservation 1 (C1) Zone.
2. THAT “Highlands Zoning Bylaw No. 100, 1998” be amended by **changing** Schedule A, Zoning Map, to designate those parts of Parcel Identifier 028-961-056, LOT A, SECTION 4, RANGE 3 WEST AND SECTION 4 AND 5, RANGE 4 WEST, HIGHLAND DISTRICT, PLAN EPP24734 shown darkly outlined on Schedule “B” to Bylaw 344, from Community Institutional 1 (CI1) Zone and Conservation 1 (C1) Zone to Comprehensive Development 2 (CD2) Zone.
3. THAT “Highlands Zoning Bylaw No. 100, 1998” be amended by **adding** Schedule “C” to Bylaw 344 as Schedule F to Zoning Bylaw 100.
4. THAT “Highlands Zoning Bylaw No. 100, 1998” be amended as follows:
 - a) In Section 5 – Establishment and Designation of Zones,
 - a. Under the column labeled “SHORT FORM” **delete**, “CI1”,
 - b. Under the column labeled “ZONE” **delete**, “Community Institutional 1,”
 - c. Under the column labeled “SHORT FORM” immediately subsequent to BMCD1, **add**, “CD2”,
 - d. Under the column labeled “ZONE” immediately subsequent to “Bear Mountain Comprehensive Development 1,” **add**, “Comprehensive Development 2 – 1150 Bear Mountain Parkway,”
 - b) **Deleting**, “Section 13 Institutional Zones,” in its entirety,
 - c) **Deleting**, “Section 12.7 Community Institutional 1 (CI1),” in its entirety,
 - d) **Renaming**, “Section 15 – Golf Course Zones,” to “Section 15 – Comprehensive Development Zones,”
 - e) **Adding** a new section, “15.2 Comprehensive Development 2 (CD2) Zone – 1150 Bear Mountain Parkway,” as shown in Schedule “D” to Bylaw 344.
5. This Bylaw may be cited for all purposes as “Highlands Zoning Bylaw, 1998, Amendment No. 32, (Comprehensive Development 2 (CD2) Zone – 1150 Bear Mountain Parkway) Bylaw No. 344, 2012.”

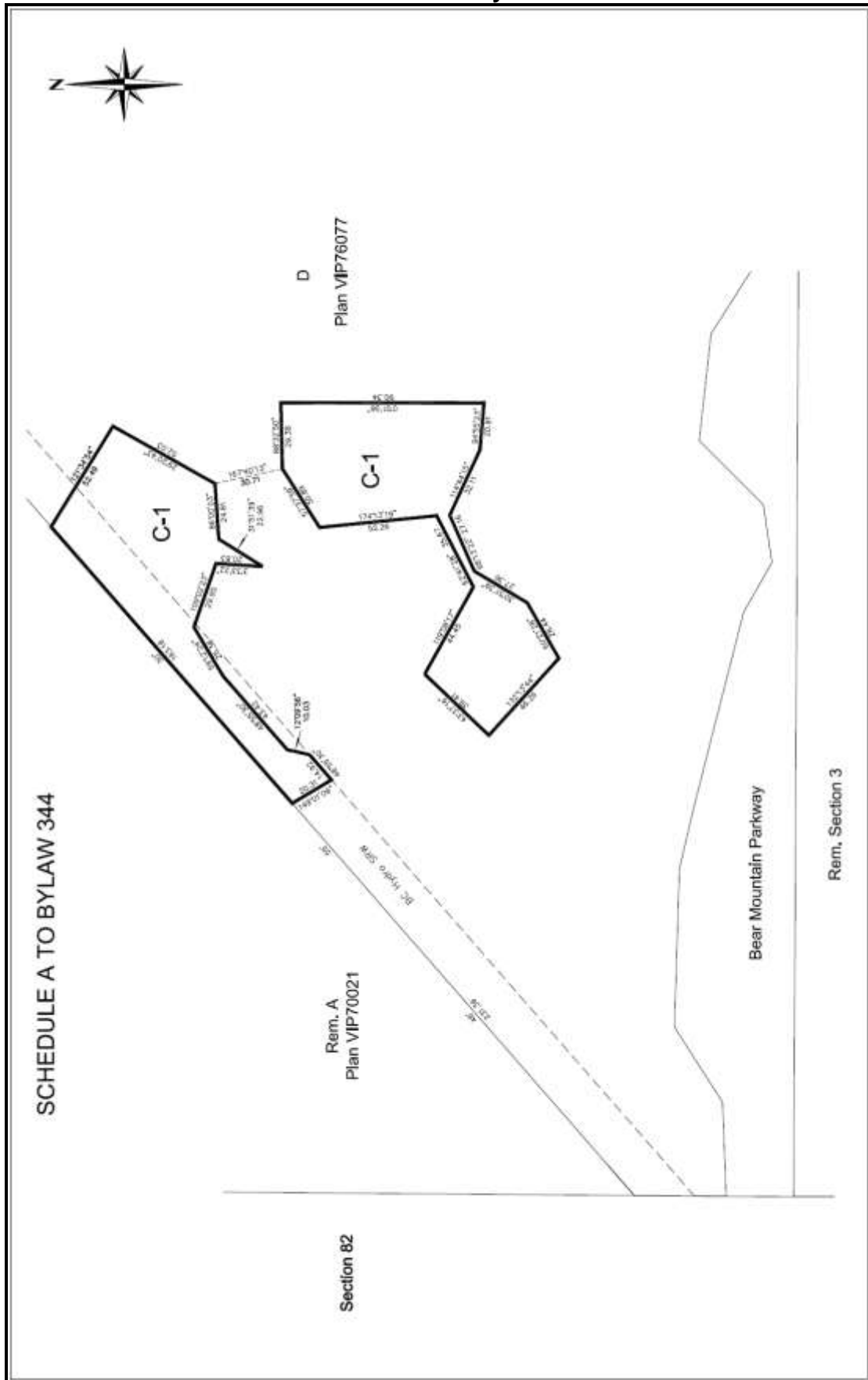
| | | | |
|--------------------------|-----------------|--------|----------------|
| READ A FIRST TIME THIS | 3 rd | DAY OF | December, 2012 |
| READ A SECOND TIME THIS | 3 rd | DAY OF | December, 2012 |
| PUBLIC HEARING HELD THIS | 7 th | DAY OF | January, 2013 |
| READ A THIRD TIME THIS | 7 th | DAY OF | January, 2013 |
| ADOPTED THIS | 7 th | DAY OF | January, 2013 |

Original Signed

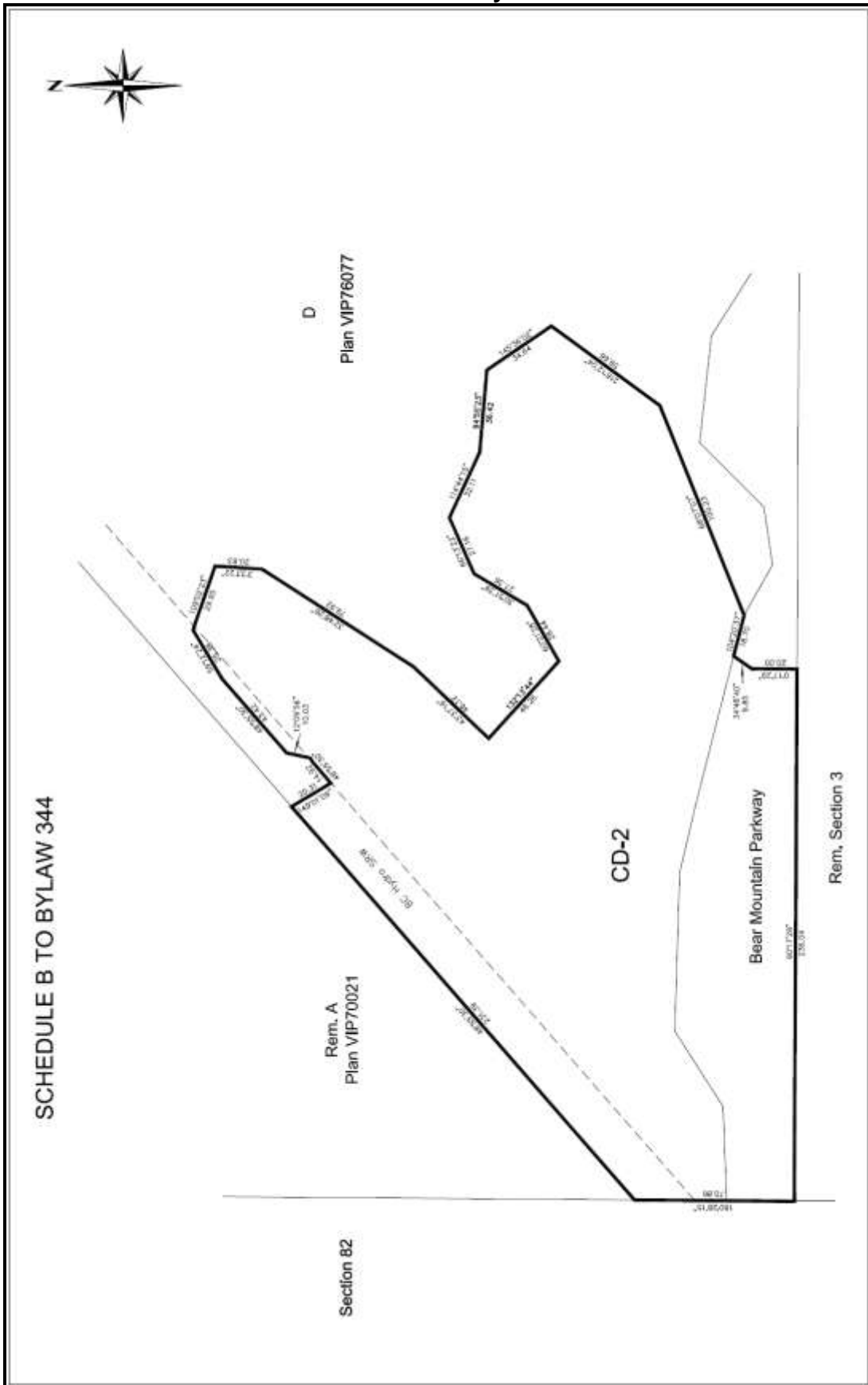
MAYOR

CORPORATE OFFICER

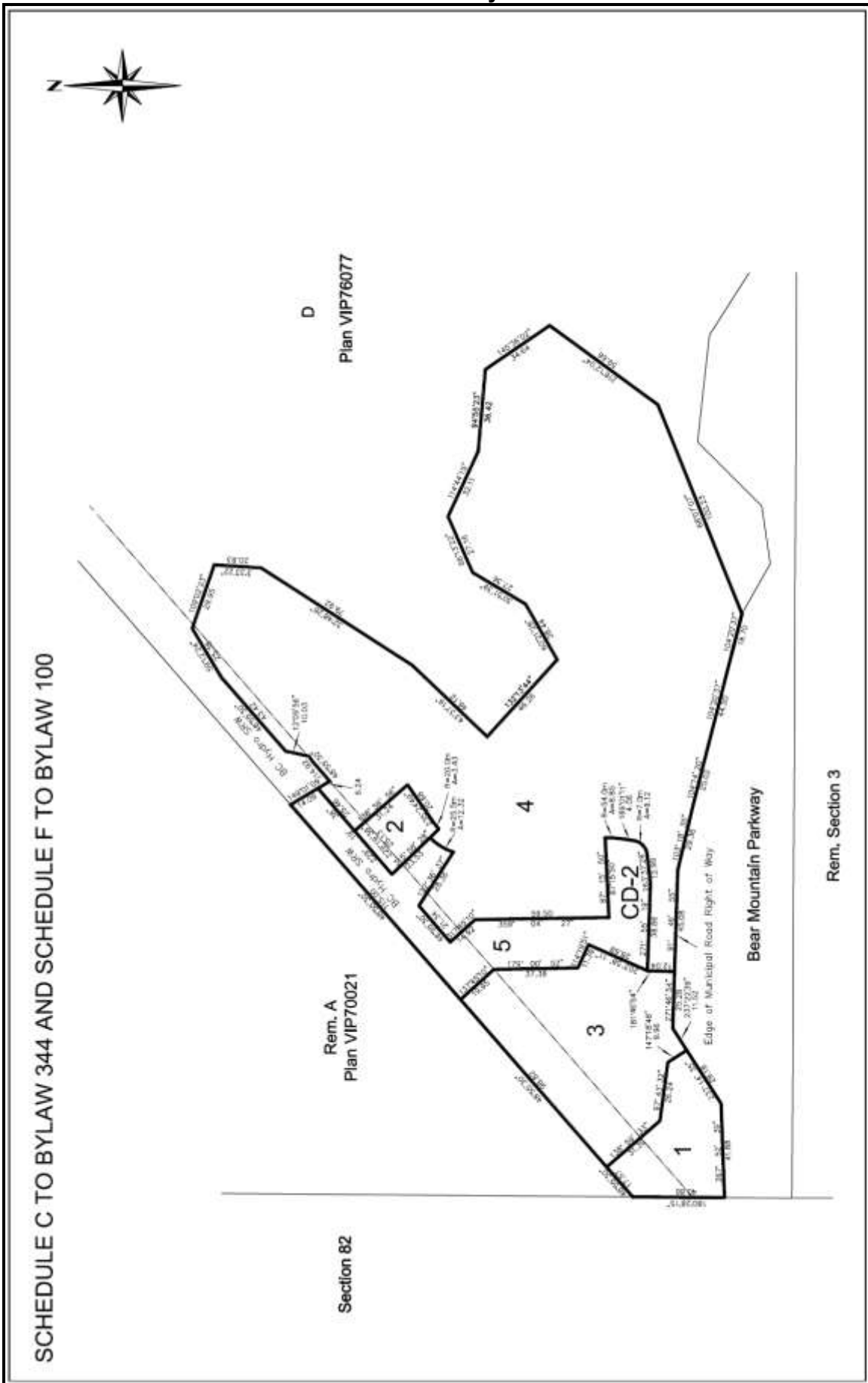
Schedule "A" to Bylaw 344



Schedule "B" to Bylaw 344



Schedule "C" to Bylaw 344



Schedule "D" to Bylaw 344**SECTION 15.2 COMPREHENSIVE DEVELOPMENT 2 (CD2) ZONE****15.2.1 Zone Intent**

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

15.2.2 Density of Development in the CD2 Zone

- (1) There may not be more than four (4) residential dwelling units in the CD2 Zone.
- (2) Despite Section 15.2.2(1), if the following amenities are provided:
 - (a) The payment to the District, within 30 days of adoption of Bylaw No. 344, of \$486,538, to be placed in a General Capital Reserve Fund established by Council;
 - (b) Either:
 - i. the delivery to the District of the existing water pump located at 1150 Bear Mountain Parkway and transfer to the District of clear title to the water pump; or
 - ii. the payment to the District of the proceeds from the sale of the water pump to be placed in a General Capital Reserve Fund established by Council, in lieu of transferring the water pump;
 - (c) The amending of covenant EP1786, statutory right of way EP1787, and document EW143625, and registration of a new covenant, statutory right of way and reference plan of the covenanted area, to the mutual satisfaction of all covenant holders to comply with the recommendations made in the following memos by Aqua-Tex Scientific Consulting Ltd., copies of which are available at the District Office:
 - i. "Forest Health – a Reassessment of Covenanted Landscape – Pursuant to Rezoning Application RZ-02-11 – 1150 Bear Mountain Parkway," dated November 25, 2011, and
 - ii. "Riparian Management Zones – Lot Alignment, RAR and SWM Pursuant to Rezoning Application RZ-02-11 – 1150 Bear Mountain Parkway," dated July 27, 2011,

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

15.2.3 Areas

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

“Area 1 – Existing House”**15.2.3.A1.1 Permitted Uses**

- (1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in “Area 1 – Existing House,” of the Comprehensive Development 2 (CD2) Zone:
- (a) *Residential*
 - (b) *Home-based business*
 - (c) *Accessory uses, buildings and structures*

15.2.3.A1.2 Residential Density

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

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

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

15.2.3.A1.4 Lot Area Requirements

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

“Area 2 – Treehouse”**15.2.3.A2.1 Permitted Uses**

- (1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in “Area 2 – Treehouse,” of the Comprehensive Development 2 (CD2) Zone:
- (a) *Residential*
 - (b) *Home-based business, except that, despite section 3.5 of Bylaw 100, total floor area dedicated to home-based business use may be up to 169 square meters.*
 - (c) *Day Care as regulated by the Community Care and Assisted Living Act, as amended from time to time*
 - (d) *Assembly*
 - (e) *Accessory uses*

15.2.3.A2.2 Residential Density

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

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

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

15.2.3.A2.4 Lot Area Requirements

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

“Area 3 – Cottages”**15.2.3.A3.1 Permitted Uses**

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

15.2.3.A3.2 Residential and Subdivision Density

- (1) There shall be no more than one (1) *dwelling unit* on each *lot* and no more than one *home-based business* in such *dwelling unit*.
- (2) There shall be no more than seven (7) *dwelling units* within Area 3 – Cottages of the Comprehensive Development 2 (CD2) Zone.

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

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

15.2.3.A3.4 Landscaping and Screening

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

15.2.3.A3.5 Parking Spaces

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

“Area 4 – Single Family Lot”**15.2.3.A4.1 Permitted Uses**

- (1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses and no others shall be permitted in “Area 4 – Single Family Lot,” of the Comprehensive Development 2 (CD2) Zone:
 - (a) *Residential*
 - (b) *Home-based business*
 - (c) *Accessory uses, buildings and structures*

15.2.3.A4.2 Residential and Subdivision Density

- (1) There shall be no more than one (1) *dwelling unit* on each *lot* and no more than one *home-based business* in such *dwelling unit*.
- (2) There shall be no more than thirty-seven (37) *dwelling units* total within Area 4 – Single Family Lot of the Comprehensive Development 2 (CD2) Zone.

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

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

15.2.3.A4.4 Lot Area Requirements

- (1) No *lot* having an area less than 493 square metres may be created by subdivision.

“Area 5 – Community Gardens and Green Space”

15.2.3.A7.1 Permitted Uses

- (1) In addition to the uses permitted in Section 3.7 of this Bylaw, the following uses shall be permitted in Area 5 – Community Gardens and Green Space within the Comprehensive Development 2 (CD2) Zone:
- (a) *Community Gardens*
 - (b) *Non-motorized outdoor recreation*
 - (c) *Accessory uses, buildings and structures*

15.2.3.A7.2 Siting and Dimensions of Buildings and Structures

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