

# DISTRICT of METCHOSIN

## Land Use Bylaw

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Bylaw No. 259

Upland (UP) Zone

### 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 Metchosin Animal Regulation and Impounding Bylaw including issuance of a kennel licence, and subject to Subsections (5) and (6)

(d) Dwelling unit

Accessory uses and buildings permitted only with a 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) Secondary suite, subject to Section 23

(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 Regulation and Impounding Bylaw

### **(3) Density**

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

(b) Only 1 secondary suite shall be permitted per lot except that a secondary suite shall not be permitted on a lot which has more than 1 dwelling unit.

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

### **(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<sup>2</sup> (10,011 ft<sup>2</sup>) in area, the maximum lot coverage shall be 186 m<sup>2</sup> (2,002 ft<sup>2</sup>).

### **(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<sup>2</sup> (1.98 ac):

(a) for each 4,000 m<sup>2</sup> (.99 ac) of lot area or pro-rated portion thereof if less than 4,000 m<sup>2</sup> (.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 Boarding Kennel or Intensive Agriculture Use**

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

### **(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.

(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 dwelling unit or an accessory building shall not exceed 10.5 m (34.5').

## **(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.

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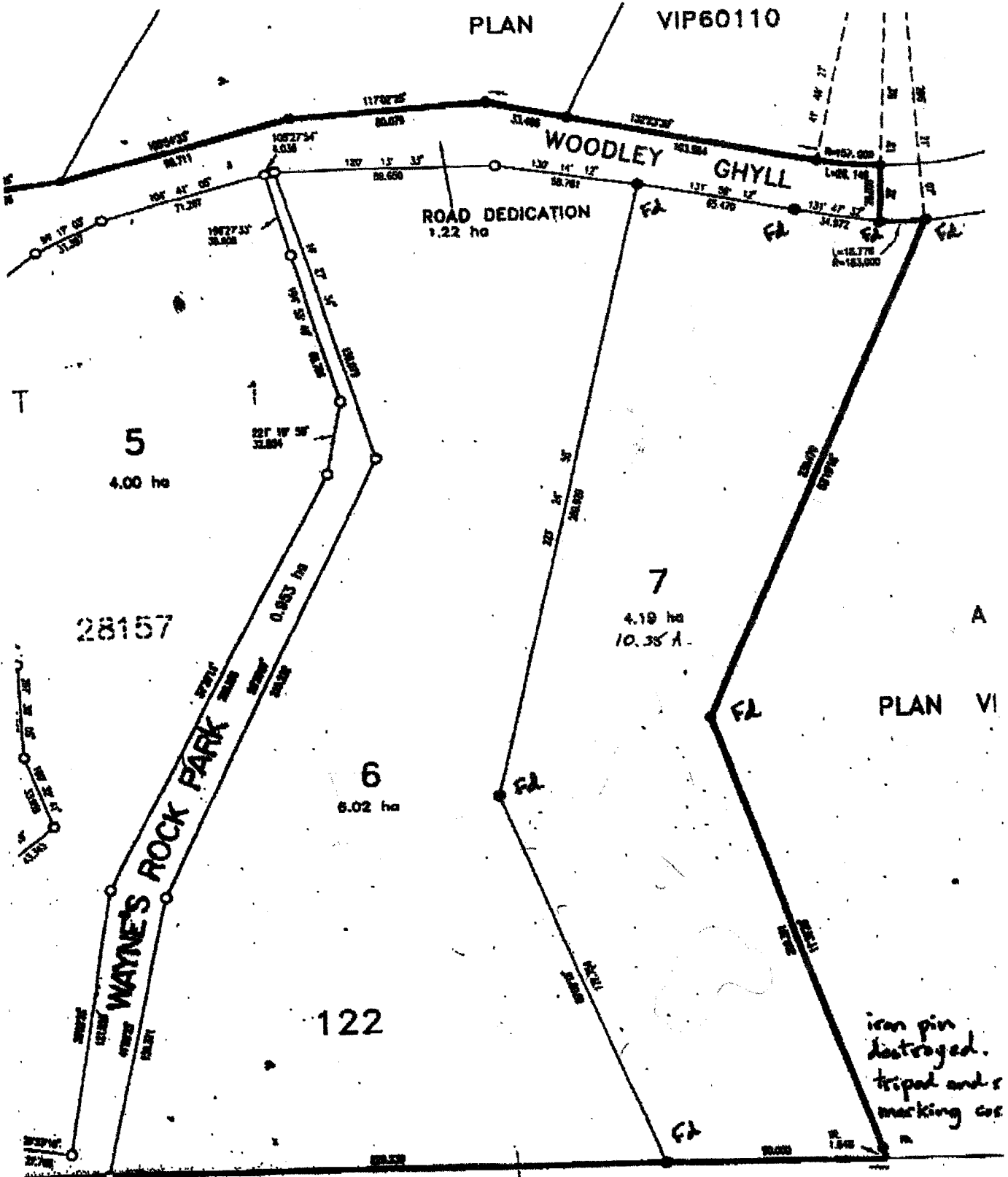
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