

PART 19 ACREAGE RESIDENTIAL DISTRICT (RA2)

This District provides for the holding of rural residential land in medium sized parcels.

19.1 Uses Permitted

1. One single family dwelling;
2. Home occupations in accordance with the provisions of Section 4.8;
3. Caretakers cottage in accordance with Section 4.10 or secondary suite; and,
4. Accessory buildings and uses in accordance with Section 4.6.

19.2 Minimum Lot Area

Each lot shall have a minimum area of 4047 square metres (1 acre).

19.3 Minimum Lot Width

Each lot shall have a minimum width of 36.6 metres (120 feet).

19.4 Maximum Building Height

The maximum height of a principal building shall not exceed 10.4 metres (34 feet) nor two storeys.

19.5 Minimum Yard Requirements

1. A front yard of not less than 12.2 metres (40 feet) in depth shall be provided.
2. Side yards of not less than 4.5 metres (15 feet) in width shall be provided on each side of a building.
3. A rear yard of not less than 9 metres (30 feet) in depth shall be provided.

19.6 Maximum Lot Coverage

The maximum lot coverage shall be 15%.

19.7 Off-Street Parking and Other Provisions

In accordance with the provisions of Part 4 and Section 6.3.

PART 4 GENERAL PROVISIONS

4.1 Conformity

No land, buildings, or structures within the District shall be used or occupied, and no buildings, structures or parts thereof shall be erected, moved, altered or enlarged except in conformity with this bylaw.

4.2 Utilities Required Before Commencement

Notwithstanding any right contained in this bylaw, the Bylaw Enforcement Officer may prohibit a person who proposes to erect a building from commencing the erection of such building until firm arrangements have been made to supply such building with public water, sewerage, street and other facilities available or scheduled for installation by the responsible authority.

4.3 Principal Buildings on a Lot:

1. No residential use building shall be located on the same lot as any other residential or non-residential use building, except as otherwise provided for in this bylaw.
2. All permitted uses shall be conducted within a completely enclosed building except for open storage areas, and parking and loading facilities.

4.4 Location and Siting of Buildings:

1. No principal building shall be located in any required front, side or rear yard.
2. No accessory building shall be located in any required front or side yard, except as specifically provided for in this bylaw.
3. Notwithstanding anything else contained in this bylaw, except where relief is granted by the Ministry of Environment, Lands and Parks, no building shall be constructed:
 - a) on ground surface less than 1.5 metres (5 feet) above the natural boundary of the sea, nor within 15 metres (50 feet) of the natural boundary of the sea;
 - b) this distance may be reduced to 9 metres (30 feet) from the natural boundary of the sea, provided the shore line is protected from erosion by a natural bedrock formation or by works designated by a professional engineer;
 - c) these requirements do not apply to industrial or commercial buildings where the use of the waterfront is a necessary subsidiary part of the enterprise, nor do they apply to simple structures used for the storage of boats and their ancillary equipment; and
 - d) within 8 metres (26 feet) of the natural boundary of a lake or any other

natural watercourse, fish bearing.

4. Where a specific zoning designation specified a greater setback than those indicated in Section 4.4 above, the greater setback so specified prevails.

4.5 Height of Buildings and Structures:

The following type of structures or structural parts shall not be subject to the building height requirements of this bylaw: Church spires, belfries, domes, monuments, fire and hose towers, stadiums, transmission towers, silos, chimneys, flag poles, radio towers, masts, aerials, water tanks, monitors, cooling towers, 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.

4.6 Accessory Buildings and Uses:

1. General:

- a) No accessory building or structure shall be independently erected on any lot prior to a principal building or structure.
- b) An accessory building shall be located a minimum of 1 metre (3.3 feet) from the lot line of any abutting lot, except in the case of the lot abutting an existing or proposed lane where the provisions of Section 4.16 shall apply.
- c) An accessory building or structure shall not be used as a dwelling except as otherwise provided for in this bylaw.
- d) Setbacks from flanking streets shall be maintained in accordance with the provisions of principal buildings.

2. Residential Districts (A, R, RM and RA, Districts):

- a) Except in an RM District an accessory building may be located within 1 metre (3.3 feet) of a side or rear lot line where it is located to the rear of a principal building, except in the case of a corner lot where the provisions of Section 4.6.3 (a) shall apply.
- b) In A, R and RA Districts, the total combined floor area of accessory buildings shall not exceed 5% of the lot area or 62 square metres (665 square feet), whichever is the greater.
- c) Not more than two-thirds of the width of the rear yard or a maximum of 5% of any lot in an A or R District shall be occupied by accessory buildings.
- d) If for topographical reasons, a private garage or carport cannot be constructed other than in the required front yard, such garage or carport may be constructed in an excavation in a front yard provided that no part of such structure apart from the roof shall extend more than 1.2 metres (4 feet) above the surface of the finished grade at any point other than the driveway, nor be less than 3 metres (10 feet) from the front lot line.
- e) An accessory building in an RM District shall be located not closer than 2 metres (6.5 feet) to the rear lot line of an adjoining lot in an R District.
- f) Notwithstanding Section 4.6.1 (b) above, where an open carport is attached to the principal building, the required side or rear yard adjoining

- said private garage or carport shall be 1 metre (3.3 feet).
- g) Notwithstanding Section 4.6.2 (h), a structure for sheltering a boat may be located between the principal building and a waterway giving boat access, regardless of its location in a required front or side yard.
 - h) Accessory buildings shall not be located in any front yard.
 - i) Accessory buildings shall not be closer than:
 - (i) 1.8 metres (6 feet) from the principal building;
 - (ii) 3 metres (10 feet) from any street line;
 - (iii) 1.5 metres (5 feet) from a lane; and
 - (iv) 1 metre (3.3 feet) from any other rear or side lot line; provided it is located to the rear of a principal building except in the case of a corner lot where an accessory building shall not be located closer to the flanking street than the principal building on the same lot, nor closer than the required setback from the flanking street of the principal building on an adjoining lot, whether or not a lane intervenes.
 - j) Accessory buildings shall not exceed 5.5 metres (18 feet) in height in other than A Districts.
 - k) Except in A Districts, an accessory building may be increased in height by 0.304 metres (1 foot) vertical distance for every 0.609 metres (2 feet) horizontal distance, in excess of a minimum side and rear yard setback requirement established by bylaw for the zoning district within which such accessory building is sited or situated, to a maximum of 35 feet.
 - l) An accessory building in an A District shall not exceed 10.6 metres (35 feet) in height.

3. Non-Residential Districts (C, M, P, H, G, W 1, W 2 and W3 Districts):

- a) On a corner lot an accessory building shall be located not closer to the flanking street than the principal building on the same lot, nor closer than the required setback from the flanking street of the principal building on an adjoining lot, whether or not a lane intervenes.
- b) An accessory building shall be located not closer than 3 metres (10 feet) to the rear lot line of an adjoining lot in an R or RM District.
- c) An accessory building shall not exceed 5.5 metres (18 feet) in height if it is located within a required rear yard.
- d) An accessory dwelling unit located within a commercial building shall:
 - i) have a completely separate main entrance directly to a street; and
 - ii) form an integral part of the principal building;
- e) An accessory building may include required staff accommodation as provided elsewhere.

4.7 Uses Permitted in All Zones

The following uses shall be permitted in any District zone and are not subject to the minimum lot area of any zone.

- a) Public utility structures such as pump stations, water reservoirs, electrical, gas, telephone and similar distribution and communication facilities;
- b) Wharves, piers, floats, private wharves and floats subject to the provisions of

minimum lot area of any zone.

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- b) Wharves, piers, floats, private wharves and floats subject to the provisions of Section 4.17.

4.8 Home Occupations

1. Home occupations may include the following:
 - a) the office of an accountant, architect, clergy, dentist, engineer, lawyer, physician, real estate agent or other professional person;
 - b) the office or studio of an artist, draftsman, chiropractor, picture framer, dressmaker, music or dance teacher, photographer, writer or persons engaged in home crafts or hobbies;
 - c) woodworking, furniture, crafts, locksmiths and electronic instrument repair shops;
 - d) greenhouses, garden produce and plant nurseries;
 - e) the operation of child care, in-home or a daycare, family subject to the *Community Care Facilities Act* and;
 - f) Bed and Breakfast operations in accordance with Section 4.9.
 - g) Short Term Rental operations in accordance with section 4.10
2. No home occupation shall be conducted in a dwelling or accessory building other than that owned or rented by the operator as his principal residence. A home occupation building shall not exceed an area of more than 40% of the gross floor area of the principal dwelling unit in which it is located.
3. No more than two persons of an immediate family occupying the dwelling and one outside assistant shall be employed in the home occupation.
4. No alterations shall be made to the principal building which changes its character as a dwelling.
5. No home occupation shall be conducted in such a manner as to create noise, dust, vibration, smell, smoke, glare, electrical interference or fire hazard other than that normally associated with a dwelling.
6. There shall be no external storage of materials, containers or finished products.
7. In no case shall any article be sold or offered for sale which is not produced on the premises.

4.9 Bed and Breakfast Operations

1. A Bed and Breakfast operation is permitted within a single family dwelling under the following circumstances/conditions:
 - a) Not more than six guests shall be accommodated per Bed and Breakfast operation;
 - b) Not more than three sleeping units shall be used within a Single Family Dwelling for such permitted Bed and Breakfast operation;
 - c) No separate or additional cooking facilities or other such facilities for the

- keeping and preparation of food shall be provided within any bedroom intended for such Bed and Breakfast use;
- d) Such Bed and Breakfast operation is clearly secondary/incidental to the residential use of the lot.
 - e) Not more than one sleeping unit shall be used within a Single Family Dwelling for such permitted Bed and Breakfast operation, where there is a secondary suite.
2. In the interests of clarity, a Bed and Breakfast operation is NOT permitted:
- a) in any Single Family Dwelling located within a Commercial or Industrial Zoning designation and used for residential purposes;
 - b) in any Single Family Dwelling used as staff accommodation in conjunction with a commercial operation;
 - c) within any Two Family Dwelling or within any form of multiple dwelling building;
 - d) in any guest/caretaker cottage, accessory building; or
 - e) within/on any commercial/industrial/institutional zoned lands.

4.10 Short Term Rental Operations

1. A commercial Short Term Rental is permitted under the following circumstances/conditions:
- a) Not more than six (6) guests shall be accommodated per commercial Short Term Rental.
 - b) Not more than three (3) sleeping units shall be used within the building for such Short Term Rental operations.
 - c) No separate or additional cooking facilities or other such facilities for the keeping or preparation of food shall be provided within any sleeping unit intended for Short Term Rental use.
 - d) Not more than one (1) Secondary Suite shall be used within a Single Family Dwelling for Short Term Rental operation.
 - e) A Business Licence is required for the operation of a Short Term Rental business.
 - f) One parking space shall be provided for each sleeping unit utilized for Short Term Rental plus one parking space for the permanent resident.
2. In the interests of clarity, a Short Term Rental operation is NOT permitted:
- a) In any Single Family Dwelling located within a commercial or industrial zone and used for residential purposes.
 - b) Within any form of multiple dwelling building.
 - c) Within or on any commercial, industrial or institutional zoned lands.
 - d) In any accessory building, guest house, or Single Family Dwelling containing a Bed and Breakfast.

- intended for such Bed and Breakfast use;
 - d) Such Bed and Breakfast operation is clearly secondary/incidental to the residential use of the lot.
 - e) Not more than one sleeping unit shall be used within a Single Family Dwelling for such permitted Bed and Breakfast operation, where there is a secondary suite.
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- a) in any Single Family Dwelling located within a Commercial or Industrial Zoning designation and used for residential purposes;
 - b) in any Single Family Dwelling used as staff accommodation in conjunction with a commercial operation;
 - c) within any Two Family Dwelling or within any form of multiple dwelling building;
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- a) Not more than six (6) guests shall be accommodated per commercial Short Term Rental.
 - b) Not more than three (3) sleeping units shall be used within the building for such Short Term Rental operations.
 - c) No separate or additional cooking facilities or other such facilities for the keeping or preparation of food shall be provided within any sleeping unit intended for Short Term Rental use.
 - d) Not more than one (1) Secondary Suite shall be used within a Single Family Dwelling for Short Term Rental operation.
 - e) A Business Licence is required for the operation of a Short Term Rental business.
 - f) One parking space shall be provided for each sleeping unit utilized for Short Term Rental plus one parking space for the permanent resident.
2. In the interests of clarity, a Short Term Rental operation is NOT permitted:
- a) In any Single Family Dwelling located within a commercial or industrial zone and used for residential purposes.
 - b) Within any form of multiple dwelling building.
 - c) Within or on any commercial, industrial or institutional zoned lands.
 - d) In any accessory building, guest house, or Single Family Dwelling containing a Bed and Breakfast.

4.11 Accommodation for an Owner, Caretaker or Manager

1. Living accommodation for an owner, caretaker or manager is a permitted use within C, M, P or W Districts. Such residential uses shall be subject to all applicable provisions of this bylaw and shall be limited to one per lot only.

2. Caretaker's cottages will be allowed in A1, A2, A3, A4, and RA2 Districts with the following provisions:
 - a) only one such cottage per legal lot;
 - b) the lot must be in excess of 0.4 hectare (1 acre) in size;
 - c) the floor area of the cottage must not exceed 70 square metres (750 square feet) maximum or fall below 32.5 square metres (350 square feet) minimum area;
 - d) such a cottage will NOT be permitted unless the principal residence exists on site;
 - e) the cottage must be used for long term residential use only (i.e. not as temporary "tourist" accommodation);
 - f) the maximum height of the cottage must not exceed 6.1 meters (20 feet) nor one and one half storeys;
 - g) the location of the cottage shall be sited in accordance with the principal building setbacks that apply in the zone covering the lot; and
 - h) where a secondary suite is permitted and exists within a principal dwelling on the lot, no caretaker cottage will be permitted.

4.12 Secondary Suites and Living Accommodation in Basements Where Permitted

1. A secondary suite is permitted within a single family dwelling under the following circumstances/conditions:
 - a) It shall be a separate dwelling unit located within a Single Family Dwelling
 - b) It shall be for residential use only
 - c) It shall be located upon a single floor level only within the Single Family Dwelling
 - d) It shall not exceed Seventy (70) square meters (750 square feet) total floor area.
 - e) It shall not be permitted within a Single Family Dwelling located within a commercial, industrial or comprehensive development zone.
2. No dwelling unit or housekeeping unit shall be permitted in any basement unless at least thirty percent (30%) of the perimeter of such dwelling unit or housekeeping unit is external wall all above the finished grade of the adjoining ground.

4.13 Access to Dwelling Units in Multiple Family Developments

Access to every dwelling unit within a multiple family development shall be provided from a public hall or walk and shall be located and arranged to avoid the necessity of passage within 3.65 metres (12 feet) of a window of a habitable room of any other unit unless an effective screen protects the privacy of the room. Balconies which furnish access from one dwelling unit to another shall not be permitted.

4.14 Minimum Residential Floor Area for Dwelling Units

1. No single family dwelling shall contain less than 70 square metres (750 square

feet) of residential floor area on the main floor. No two family dwelling shall contain less than 70 square metres (750 square feet) of residential floor area for each unit in total and, where such dwelling is more than one storey in height, the minimum floor area on the main floor shall not be less than 51 square metres (550 square feet).

2. No dwelling unit in a multiple family housing development shall contain less than 70 square metres (750 square feet) of floor space within each dwelling unit. In addition, where such dwelling units consist of more than one storey in height, the floor area on the main floor level shall not be less than 51 square metres (550 square feet). [For clarification, this subsection does NOT apply to dwelling, apartment buildings].

For the purpose of Subsections 1 and 2 above, “Main Floor” means a floor or level, other than a basement, that contains the majority of habitable floor space within the dwelling, primarily consisting of kitchen, dining room, and living elements.

3. For apartments the following minimum floor areas apply:
 - a) Bachelor Unit 32.5 square metres (350 square feet);
 - b) One Bedroom Unit 51 square metres (550 square feet);
 - c) Two Bedroom Unit 70 square metres (750 square feet);
 - d) Two + Bedroom Unit 13.9 square metres (150 square feet) for each additional bedroom.
4. No single family dwelling or any dwelling unit in a Two Family, Multiple Family or Apartment shall be less than 4.9 metres (16 feet) in width or depth measured from the outside surface of an exterior wall and the centre line of a party wall.
5. A mobile home not located in an authorized mobile home park shall be required to meet the specifications of Subsection 1 and 4 above.

4.15 Minimum Floor Area: Commercial Units

In the case of motel and hotel buildings, the following minimum floor areas shall apply, provided that these floor areas may be reduced by up to twenty percent in not more than forty percent of the units where an equal or greater amount of floor area is provided for recreation purposes or cooking facilities:

Sleeping units	18.6 square metres (200 square feet)
Housekeeping Units	32.5 square metres (350 Square feet)

4.16 Projections

1. The following features may project into a required front, side, or rear yard:
 - a) Steps;
 - b) Eaves and gutters, cornices, sills, bay windows, chimneys or other similar features, provided that such projections do not exceed 1.0 metres (3 feet). Such projections shall not exceed 0.6 metres (2 feet) in the case of a side yard of less than 1.5 metres (5 feet) in width;
 - c) Open porches, marquees, and canopies, provided that such projections do

- d) not exceed 1.8 metres (6 feet) nor 50% of the width of a required side yard; Balconies and sun shades, provided that such projections do not exceed 1.2 metres (4 feet) and are not supported by columns;
- e) An uncovered patio or terrace, which may be open or enclosed, in any yard in an R or RM District, subject to the fence height limitations as specified in Section 4.17 of this bylaw;
- f) Arbours and trellises, fish ponds, ornaments, flag poles, or similar landscape features;
- g) An uncovered swimming pool, provided that such pool shall not be constructed within any required front yard nor nearer than 3 metres (10 feet) to any property line and shall be located within a separate fenced enclosure fitted with a safety gate;
- h) A covered or roofed swimming pool, subject to the provisions of clause (g) above and to the regulations governing accessory buildings contained in Section 4.6 of this bylaw;
- i) Gasoline service pumps or pump islands in a required front yard or a required side yard provided that such pumps or pump islands shall be located not closer than 4.6 metres (15 feet) to any property line. Notwithstanding Section 4.15 (c), canopies erected above such pumps or pump islands may project more than 1.8 metres (6 feet) into a required front yard, provided that such canopies shall be located not closer than 4.3 metres (14 feet) to any property line.

4.17 Vision Clearance at Intersections

In any zoning district, no fence, wall or structure other than a permitted principal building shall be erected to a greater height than 1.2 metre (4 feet) and no hedge, bush, shrub, tree or other growth shall be maintained or allowed to grow so as to obstruct vision clearance in the area bounded by:

- a) The intersecting lot lines at a street corner and a line adjoining points along said lot lines 9 metres (30 feet) from their point of intersection.
- b) The intersecting lot lines at a lane corner and a line joining points along said lot lines 6 metres (20 feet) from their point of intersection. A lane intersection shall include the intersection of a lane with any other lane or with a street.

4.18 Fences

1. Except in A Districts, subject to the vision clearance provisions of Section 4.16, the following height limitations shall apply to fences, walls, and hedges:
 - a) If located within a required front yard, fences shall not exceed a height of 1 metre (3.5 feet);
 - b) Fences located along a side or rear lot line shall not exceed a height of 1.8 metres (6 feet), except in a C 3 or M District where they shall not exceed a height of 2.4 metres (8 feet);
 - c) Notwithstanding a) and b) above, open mesh or chain link type fences erected on cemetery, public playground, park, playing-field, elementary or high school areas, and on the site of uses permitted in the M districts shall not exceed a height of 3.7 metres (12 feet);

2. The height of a fence or wall shall be determined by measurement from the ground level at the average finished grade level within 1 metre (3 feet) of both sides of such fence, wall or hedge.
3. That portion of a retaining wall which projects above the surface of the ground which it supports shall be considered as a fence and subject to the regulations of this subsection.
4. Notwithstanding Section 4.17.2, in cases where a retaining wall has been constructed along a property line, the height of a fence or wall shall be determined by the measurement from the surface of the ground which the retaining wall supports at the average grade level within 1 metre (3 feet) of such retaining wall.

4.19 Strata Buildings

Notwithstanding the definition of "lot", where a building is subdivided by a strata plan, the lot from which the strata plan is derived is deemed to be the lot which is subject to the regulations of this bylaw.

4.20 Accessory Storage Yard in C and M Districts

1. No storage area shall be permitted in a required front yard.
2. Any part of a lot used or intended to be used as an outside storage area shall be enclosed by a view obscuring fence or hedge with a minimum height of 2 metres (6.5 feet) on any side not facing directly upon the principal building on the lot, and no material shall be piled to extend above such screening except as provided in Section 4.17.

accommodation consists of benches, pews, booths and the like, each 0.5 metres (1.6 feet) of length of such seating accommodation shall be counted as one seat.

4. When the calculation of parking and loading requirements results in a fractional parking or loading space of 0.5 or more, one parking or loading space shall be provided to meet this fractional requirement.

6.3 Required Off-Street Parking Spaces

Off-street parking spaces shall be provided and maintained in conformance with the following minimum standards:

USE	PARKING REQUIREMENTS
RESIDENTIAL	
a) Single Family Dwelling and Two Family Dwelling	1.5 spaces per dwelling unit
b) Three Family Dwelling and Four Family Dwelling	1.1 spaces per dwelling unit
c) Townhouses, Apartments and Dwelling Units as part of a Commercial Building	1.0 space per dwelling unit plus 1 additional space per 8 units
d) Senior Citizens Housing	1.0 space per dwelling unit plus 1 additional space per 8 units
e) Hostel Use	1.0 space per 5 bed spaces
f) Bed and Breakfast or Guest Room operation	1.0 space per 3 bed spaces
g) Secondary Suite	1.0 space per suite
h) Short Term Rental	1.0 space per Sleeping Unit
i) Resort Condominium	1 space per unit and 1 space per staff accommodation unit
INSTITUTIONAL	
a) Buildings for Hospitals, Rest Homes and Group Homes	1 space per 5 beds plus 1 space per 3 employees
b) Churches	1 space per 6 seats
c) Art galleries, libraries, museums and similar	1 space per 25 sq. m (269 sq. ft) of gross floor area