

**Capital Regional District
Bylaw No. 3797**

A BYLAW TO AMEND BYLAW NO. 2040, THE "SOOKE LAND USE BYLAW, 1992"

The Regional Board of the Capital Regional District, in open meeting assembled, enacts as follows:

1. Bylaw No. 2040 being the "Sooke Land Use Bylaw, 1992" is hereby amended:
 - (a) Part 1, Section 2.0 DEFINITIONS
By amending the definition of RURAL ZONE by adding after the word "A", the word "A-1".
By amending the definition of RURAL ZONE by adding after the word "AG", the word "AG-1".
 - (b) Part 1, Section 3.07 ZONES
By adding "A-1 Rural A-1" to the list of zones after "A Rural".
By adding "AG-1 Agricultural 1" to the list of zones after "Agriculture".
 - (c) Part 2 – ZONING DISTRICTS
By creating a new zone, Rural A-1 (A-1), to be inserted after Section 2.0, and to read as follows:

2A.0 RURAL ZONE – A-1

2A.01 Zone Application

For the purposes of this Bylaw, the Rural A-1 Zone applies only Lot 1, Section 18, Otter District, Plan VIP53538, except part in Plan VIP77828.

2A.02 Permitted Uses

In addition to the uses permitted by Section 4.15 of Part 1 of this Bylaw, the following uses and no others shall be permitted in the Rural A-1 Zone:

- (a) Agriculture;
- (b) Intensive Agriculture, except that sites for piggeries, fur farming and other similar agricultural, horticultural and animal raising activities in which the intensity and nature of the use would be materially more offensive by reason of noise, odour or appearance shall be located at least 150 m from the nearest Residential or Multiple Family Residential Zone;
- (c) Silviculture
- (d) Home Occupations Categories One, Two and Three;
- (e) One-family dwelling;
- (f) Two-family dwelling;
- (g) Animal Hospitals;
- (h) Veterinary Clinics;
- (i) One travel trailer or one camper may be permitted in conjunction with a permitted residential use on a lot, which may be used but not rented for the temporary accommodation of guests or visitors;
- (j) Two Boarders or Lodgers;
- (k) Accessory uses such as on-site logging, and pole- or post- or shake-cutting from trees grown on-site;
- (l) Finfish culture, land-based;
- (m) One secondary suite per lot pursuant to Part 1, Subsection 4.19.
- (n) Detached Accessory Suites pursuant to Part 1, Subsection 4.20.

2A.03	<u>Minimum Parcel Size for Subdivision Purposes</u>	The minimum lot size shall be 2.4ha;
2A.04	<u>Number of Dwelling Units</u>	The maximum density for residential buildings (comprised of one- and/or two-family dwellings) shall not exceed three one-family dwellings or three dwelling units.
2A.05	Height	The maximum height permitted shall be 11m.
2A.06	Lot Coverage	The maximum lot coverage permitted shall be 15 percent.
2A.07	Maximum Size of Residential Buildings	<p>Provided that percolation and septic field requirements are met to the satisfaction of the Medical Health Officer:</p> <p>(a) On lots of less than 1 ha in area, residential buildings and structures shall not exceed a Floor Area Ratio of 0.45 or a Total Floor Area of 418m², whichever is less;</p> <p>(b) On lots of 1ha or more in size, residential buildings and structure shall not exceed a Floor Area Ration of 0.45.</p>
2A.08	Yard Requirements for Residential Buildings	<p>(a) Front yards shall be a minimum of 7.5 m;</p> <p>(b) Side yards shall be a minimum of 6m except for lots of greater than 1ha in size and where residential uses exceed a Total Floor Area of 418m², minimum side yards shall be 15m each side;</p> <p>(c) Flanking yards shall be a minimum of 6m CTS;</p> <p>(d) Rear yards shall be a minimum of 11m.</p>
2A.09	Yard Requirements for Farm Buildings	<p>(a) Front yards shall be a minimum of 30m;</p> <p>(b) Side, flanking and rear yards shall be a minimum of 15m.</p>
2A.10	Yard Requirements for Finfish Culture, Land-Based Uses and Structures	Front, side, flanking and rear yards shall be a minimum of 30m.
2A.11	Yard Requirements for Intensive Agriculture Uses and Buildings	<p>(a) Front yards shall be a minimum of 30m;</p> <p>(b) Side, rear and flanking yards shall be a minimum of 30m.</p>

By creating a new zone, Agricultural 1 (AG-1), to be inserted after Section 4B.0, and to read as follows:

4C.01 AGRICULTURAL 1 ZONE – AG-1

4C.01 Zone Application

For the purposes of this Bylaw, the Agricultural 1 AG-1 Zone applies only Lot 1, Section 18, Otter District, Plan VIP53538, except part in Plan VIP77828.

4C.02 Permitted Uses

In addition to the uses permitted in Section 4.15 of Part 1 of this Bylaw, the following uses and no others shall be permitted in the Agricultural 1 AG-1 Zone:

- (a) Agriculture;
- (b) Intensive Agriculture;
- (c) One-family dwellings;
- (d) Home Occupation Categories One, Two and Three;
- (e) Farm Buildings;
- (f) One travel trailer or one camper may be permitted in conjunction with a permitted residential use on a lot, which may be used but not rented for the temporary accommodation of guests or visitors;
- (g) Accessory uses such as on-site logging, and pole- or post- or shake-cutting, from trees grown on the lot;
- (h) Two boarders or lodgers.

The minimum lot size shall be 3.03ha.

4C.03 Minimum Lot Size for Subdivision Purposes

4C.04 Number of Dwelling Units

One one-family dwelling is permitted on a lot.

4C.05 Height

Maximum height shall be 11m.

4C.06 Lot Coverage

The maximum lot coverage shall be 20 percent.

4C.07 Maximum Size of Residential Buildings

Provided that percolation and septic field requirements are met to the satisfaction of the Medical Health Officer:

- (i) On lots of less than 1 ha in area, residential buildings and structures shall not exceed a Floor Area Ratio of 0.45 or a Total Floor Area of 418m², whichever is less;
- (ii) On lots of 1 ha or more in size, residential buildings and structures shall not exceed a Floor Area Ratio of 0.45.

4C.08 Yard Requirements, Agriculture and Farm Buildings

- (a) Front yards shall be a minimum of 30m;
- (b) Side, rear and flanking yards shall be a minimum of 15m.

4C.09 Yard Requirements for Intensive Agriculture uses and Buildings

- (a) Front yards shall be a minimum of 90m;
- (b) Side, flanking and rear yards shall be a minimum of 30m.

4C.10 Yard Requirements for All Other Permitted Uses and Buildings

- (a) Front yards shall be a minimum of 7.5m;
- (b) Side yards shall be a minimum of 6m; except that for lots of greater than 1ha in

- size and where residential uses exceed a Total Floor Area of 418m², minimum side yards shall be 15m each side;
- (c) Flanking yards shall be a minimum of 6m CTS;
 - (d) Rear yards shall be a minimum of 10m.

2. Bylaw No. 2040 being the "Sooke Land Use Bylaw, 1992" is hereby amended:

- (a) By deleting from the Agricultural (AG) and Rural (A) zones, and adding to the Agricultural 1 (AG-1) and the Rural A-1 zones, for the purpose of permitting a two-lot subdivision of Lot 1, Section 18, Otter District, Plan VIP53538, except part in Plan VIP77828, shown hatched on Plan No.1, attached to and forming part of this bylaw.

3. This bylaw may be cited as the "Sooke Land Use Bylaw, Amendment Bylaw No. 109, 2010."

READ A FIRST TIME THIS	10 th	DAY OF	August	2011
READ A SECOND TIME THIS	10 th	DAY OF	August	2011
READ A THIRD TIME THIS	12 th	DAY OF	October	2011
APPROVED BY THE MINISTER OF TRANSPORTATION AND INFRASTRUCTURE THIS	27 th	DAY OF	October	2011
ADOPTED THIS	9 th	DAY OF	November	2011

Original signed by Geoff Young
CHAIR

Original signed by Sonia Santarossa
CORPORATE OFFICER

Plan No. 1 of Bylaw 3797

Lot 1, Section 18, Otter District, Plan VIP53538, except part in Plan VIP77828 shown hatched on this plan attached to and forming part of this bylaw.

