

DIVISION EIGHT - RURAL ZONES**802 COUNTRY RESIDENTIAL ZONE (C.R.)****1. Permitted Uses of Land, Buildings, and Structures:**

Subject to the provisions of Divisions Three and Four of this Bylaw, the following uses and no others shall be permitted in the *Country Residential Zone (C.R.)*:

- a. Accessory buildings and structures
- b. Accessory farm sales use subject to the provisions of Section 802.9.a. of this Bylaw
- c. Bed and breakfast facilities subject to the provisions of Section 802.9.b. of this Bylaw
- d. Dog kennel subject to the regulations of Section 802.9.i. of this Bylaw.
- e. Small Holding / Country Residential Home occupations subject to the provisions of Section 802.9.c. of this Bylaw
- f. Intensive agricultural use subject to the provisions of Section 802.9.d. of this Bylaw
- g. Limited agricultural use
- h. Single family dwellings which may include secondary suites subject to the provisions of Section 802.9.e. of this Bylaw
- i. Secondary single family dwellings subject to the provisions of Section 802.9.f of this Bylaw (on lots 2 ha. or larger)***
(Bylaw 1819, 2012)
- j. Detached suite subject to the provisions of Section 802.9.g***
(Bylaw 1938, 2017)

2. Buildings Per Lot:

The number of buildings allowed per lot for each of the following uses shall be not more than:

- a. one (1) single family dwelling; and
- ~~b. one (1) secondary single family dwelling subject to the provisions of Section 802.9.f of this Bylaw (on lots 2 ha. or larger)~~
(Bylaw 1819, 2012)
- b. one (1) secondary single family dwelling subject to the provisions of Section 802.9.f of this Bylaw (on lots 2 ha or larger) or one (1) detached suite subject to the provisions of Section 802.9.g (on lots 2 ha or larger).***
(Bylaw 1938, 2017)
- c. one (1) for accessory farm sales use

3. Height of Buildings and Structures:

The height of buildings and structures shall not exceed:

- a. 8 metres (26.25 feet) for accessory residential use; or
- b. 10 m (32.81 feet) for detached suite use; or**
- c. the lesser of 12 metres (39.37 feet) or three (3) storeys for residential use; or
- d. 20 metres (65.62 feet) for agricultural use.

(Bylaw 1938, 2017)

4. Lot Area:

Subject to the provisions of Sections 1301.2.f. and g. of this Bylaw, each lot shall have an area of not less than 2 ha (4.942 acres).

5. Lot Coverage:

Lot coverage shall be not greater than:

- a. Twenty percent (20%) for buildings and structures used for apicultural use; or
- b. Twenty five percent (25%) for buildings and structures used for tree, vine, field and forage crop production; or
- c. Thirty five percent (35%) for buildings and structures used for mushroom growing; livestock, poultry, game and fur production including confined livestock areas; and for nurseries and specialty wood crop production and turf farms; or
- d. Seventy five percent (75%) for greenhouses; or
- e. Thirty percent (30%) for all other uses.

Areas or structures used to store woodwaste or raw materials for compost or soilless medium production may comprise up to half of the lot coverage indicated above.

Detention ponds and support structures for shading, frost and wind protection, netting or trellising are not subject to the lot coverage provisions cited above.

6. Lot Frontage:

Each lot shall have a road frontage in accordance with the provisions of Section 1301.1.e.i. of this Bylaw.

7. Off-Street Parking:

Off-street parking shall be provided and maintained in accordance with the provisions of Schedule "B" of this Bylaw and the number of parking spaces required to be provided on a lot or lots, shall be determined by the use or uses being carried on such lot or lots from time to time.

8. Setbacks: [Subject to the special building line setback provisions of Section 407 of this Bylaw]

a. Agricultural Setbacks:

Principle farm buildings, structures and areas and accessory farm buildings, structures and areas shall be provided with setbacks in accordance with the provisions of Schedule J of this bylaw.

b. Exterior Side Yard:

An exterior side yard free of buildings and structures shall, where applicable, be provided with a depth of not less than 7.5 metres (24.61 feet) for accessory farm sales use, single family dwellings and accessory residential buildings and structures.

c. Front Yard:

A front yard free of buildings and structures shall be provided with a depth of not less than 7.5 metres (24.61 feet) for accessory farm sales use, single family dwellings and for accessory residential buildings and structures.

d. Other Buildings:

Buildings shall not be sited within 3 metres (9.842 feet) of any other building.

e. Rear Yard:

A rear yard free of buildings and structures shall be provided with a depth of not less than 7.5 metres (24.61 feet) for accessory farm sales use, single family dwellings and accessory residential buildings and structures.

f. Side Yards:

Side yards free of buildings and structures shall be provided with a width of not less than 4.5 metres (14.76 feet) for accessory farm sales use, single family dwellings and accessory residential buildings and structures.

g. Water Bodies:

Setbacks from water bodies and the natural boundary of any natural watercourse or source of water shall be in accordance with Section 408 and Schedules H and J of this bylaw.

h. Home Occupations:

Buildings used for Home Occupations, except principal dwellings, shall be provided with a setback of not less than 7.5 metres (24.61 feet) from all property lines.

9. Other Requirements:

a. An accessory farm sales use:

i. shall be ancillary to an agricultural use being carried out on the same property; and

ii. shall not allow the sales of any Farm Products other than those Farm Products grown, reared, raised or produced on the farm unit except that, for lands that are located within the *Agricultural Land Reserve* as established by the *Provincial Agricultural Land Commission*, an accessory farm sales use may include the retail sales of Farm Products, Off-Farm Products and Processed Farm Products subject to the regulations cited elsewhere in this Section; and

iii. shall, except for the outside display areas permitted in iv. below, be contained wholly within a building or buildings and the farm sales use shall occupy a total area, within those buildings, not greater than 140 square metres (1507.00 square feet) in size.

For the purpose of calculating the portion of the buildings to be used for accessory farm sales use, the area of any building or structure used for that purpose, including aisles and other areas for circulation, shelf and display space, counter space for taking payment and packaging, shall be included, but any office area, wholesale storage area, washroom area and processing facilities will not be included; and

iv. may have outside display areas having a total area not greater than 70 square metres (753.50 square feet) in size, which areas must be contiguous with the farm sales area(s) described in iii. above; and

v. may provide for the retail sales of Off-Farm Products and Processed Farm Products, ancillary to the sale of Farm Products,

provided that the area allotted to the sale of Off-Farm Products and Processed Farm Products does not exceed one-third of the total area, both inside and outside, that is used for accessory farm sales use; and

- vi. shall provide one (1) off-street parking space per 12 square metres (129.2 square feet) of retail sales and display area and the off-street parking and access driveways shall meet the requirements of Section 1101 of this Bylaw; and
- vii. may, notwithstanding any other provisions of this bylaw, include not more than one (1) wall sign per fronting street, and one (1) free standing sign, advertising the intended use. Wall signs shall meet the sign area requirements of Section 1601.4.a.i. of this Bylaw. Free standing signs shall not exceed 3 metres (9.842 feet) in height; shall have a sign area of not larger than 3.0 square metres (32.29 square feet); shall be located no closer than 2 metres (6.562 feet) to any property boundary; shall not be illuminated; and shall be incorporated into an area of the parcel that is not less than 10 square metres (107.64 square feet) in size and this area shall be landscaped to the standards outlined in Section 1801.2.b. of this Bylaw.

Accessory farm sales signs may be double sided or may include two (2) signs joined at one end to form a V having an angle not greater than thirty degrees (30°); and

- viii. shall not cause undue glare to neighbouring properties, or to persons travelling on adjacent public highways, if lighting is provided to illuminate the building used for farm sales use; the outside storage area; or access driveways and off-street parking areas; and
- ix. shall not be permitted to be carried out unless the owner of such business or undertaking has obtained a licence for the carrying on of such business or undertaking where such licence is required to be obtained under the provisions of all applicable Statutes, Bylaws, and regulations in force from time to time.

b. Bed and breakfast use operations are permitted provided that:

- i. the bed and breakfast use is contained wholly within the principal dwelling; and
- ii. is restricted to a maximum of three bedrooms; and

- iii. is provided with one additional off-street parking space, two if more than two bedrooms are used; and
 - iv. in no way indicates from the exterior of the building that the premises are being used for a bed and breakfast, except for one unilluminated sign less than 1 square metre (10.76 square feet) in area.
 - v. Bed and breakfast signs may be double sided or may include two (2) signs joined at one end to form a V having an angle not greater than thirty degrees (30°).
- c. Small Holding / Country Residential Home occupations are permitted provided that:
- i. the home occupations are clearly incidental or secondary to the residential/farm use of the property and do not change the character of the site or have any exterior evidence of such secondary use other than one home occupation sign not greater than 1 square metre (10.76 square feet) in area except that if the property abuts Highway 97 or Highway 97A, or is separated by a road or railway therefrom, then one home occupation sign not greater than 3 square metres (32.29 square feet) in area may be permitted.

Home occupation signs may be double sided or may include two (2) signs joined at one end to form a V having an angle not greater than thirty degrees (30°); and
 - ii. all activities, including the storage of materials, equipment and products, are completely enclosed within a dwelling unit, accessory residential building or agricultural building; and
 - iii. the home occupation or occupations occupy a maximum total floor area no greater than 100 square metres (1076.43 square feet). The maximum total floor area includes all areas contained in any dwelling unit, accessory residential building or agricultural building that are used, or proposed to be used, for home occupation purposes. Where more than one home occupation exists, maximum combined total floor area of all home occupations is 100 square metres (1076.43 square feet); and
 - iv. there shall be no restriction on the size of a dwelling unit, accessory residential building or agricultural building within which a home occupation or occupations may be carried out provided that the total floor area used for home occupation

purposes does not exceed the area allowed pursuant to the provisions of subsection iii. above; and

- v. there shall be no restriction on the number of accessory residential buildings and agricultural buildings within which home occupations may be carried out; and
 - vi. only persons residing in the dwelling unit associated with the home occupation use may be involved in a home occupation plus a maximum of two (2) non-resident employees per land registry parcel; and
 - vii. where the property is located within the *Agricultural Land Reserve*, the nature of the home occupation use is not a day care facility, preschool or other educational facility, group home or health and other caregiving facility including homes for the elderly, serving more than eight (8) persons; and
 - viii. no noise, vibration, heat glare, fire hazard, litter, odour or electrical interference is produced which is detectable from outside the premises, and
 - ix. no traffic congestion or air pollution by way of smoke or dust is produced; and
 - x. two (2) off-street parking spaces shall be provided in addition to spaces required for dwelling units in accordance with Schedule B of this Bylaw, plus one (1) off-street parking space for each non-resident employee; and
 - xi. outdoor storage is expressly prohibited.
- d. An intensive agricultural use shall only be permitted on lands that are 0.8094 ha (2 acres) or larger in size that are located within the *Agricultural Land Reserve*.
- e. Secondary suites are permitted provided that:
- i. not more than one (1) secondary suite shall be contained within a building; and
 - ii. the secondary suite shall not exceed the lesser of forty percent (40%) of the floor area of the building which contains the single family dwelling unit or 90 square metres (968.78 square feet); and
 - iii. the secondary suite shall have at least one (1) access to the outside of the building that is separate from that of the single family dwelling; and

- iv. the single family dwelling unit or the secondary suite shall be occupied by at least one (1) of the persons designated on the records of the *Kamloops Land Title Office* as the registered owner of the lot and dwelling unit; and
- v. buildings containing secondary suites shall not be subdivided pursuant to the provisions of the *Strata Property Act*; and
- vi. two off-street parking spaces shall be provided for each secondary suite.

Secondary suites shall not be permitted in cellars.

- f. *A secondary single family dwelling ancillary to an existing principal single family dwelling shall not be permitted on lots located in the Agricultural Land Reserve (ALR) or on lots less than 2 ha. (4.94 acres) in size except that a secondary single family dwelling ancillary to an existing principal single family dwelling shall be permitted on a lot less than 2 ha. (4.94 acres) in size if that lot has been reduced below 2 ha.(4.94 acres) as a result of, and only as a result of, subsequent road dedication.*

(Bylaw 1819, 2012)

- g. *Detached suites are permitted provided that:*
 - i. *the detached suite must be located entirely on one floor and on a floor above the main floor of an accessory residential or agricultural building;*
 - ii. *the main floor of the building which contains a detached suite must only be used for accessory residential or agricultural purposes;*
 - iii. *the detached suite must have access to the outside that is separate from the access to the main floor of the accessory residential or agricultural building;*
 - iv. *no more than one (1) detached suite shall be permitted within an accessory residential or agricultural building;*
 - v. *no more than one (1) detached suite shall be permitted per lot;*
 - vi. *the detached suite shall not be permitted on lots containing a secondary single family dwelling;*
 - vii. *the detached suite shall not be permitted on lots that are smaller than 2 ha;*
 - viii. *the maximum floor area of a detached suite shall not exceed 90 m² (968 square feet);*
 - ix. *one (1) off-street parking space must be provided for each detached suite. The parking space may not be provided in tandem with any other parking space required by this Bylaw;*
 - x. *the detached suite must be located on a property which is a single real estate entity and which shall not be strata titled;*

xi. for properties within the Agricultural Land Reserve, the detached suite may only be located on a lot that is classified as “farm” under the BC Assessment Act and the detached suite must comply with all Agricultural Land Commission regulations.

(Bylaw 1938, 2017)

- h. Insofar as residential buildings are concerned, where a lot of less than 0.5 ha (1.235 acres) was existing at the effective date of this Bylaw, the provisions of Section 701.9. of this Bylaw shall apply.
- i. The unenclosed storage of more than two (2) unlicensed or dismantled automobiles is not permitted.
- j. A dog kennel shall not be permitted on lots smaller than 4 ha. (9.884 acres) and a dog kennel shall be subject to the agricultural setback provisions of Schedule J of this Bylaw.