

**DISTRICT OF COLDSTREAM  
BYLAW NO. 1829, 2023**

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**A BYLAW TO AMEND THE ZONING BYLAW NO. 1726, 2018, BY AMENDING  
SCHEDULE 'A' - ZONE 902-RURAL TWO ZONE (RU-ALR)**

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The Council of the District of Coldstream, in open meeting assembled, enacts that the District of Coldstream Zoning Bylaw No. 1726, 2018, be amended as follows:

**TITLE**

1. This Bylaw may be cited as the "DISTRICT OF COLDSTREAM ZONING BYLAW NO. 1726, 2018, AMENDMENT BYLAW NO. 1829, 2023, AMENDMENT NO. 26".

**INTERPRETATION**

2. Unless otherwise provided in this Bylaw, words and phrases used herein have the same meanings as in the *Community Charter*, *Local Government Act* and the *Interpretation Act* as the context and circumstances may require.
3. A reference to an Act in this Bylaw refers to a statute of British Columbia, and a reference to any statute, regulation, bylaw, or other enactment refers to that enactment as it may be amended or replaced from time to time.
4. Words in the singular include the plural, and words in the plural include the singular.
5. Headings are for convenience only and must not be construed as defining or limiting the scope or intent of the provisions.

**SEVERABILITY**

6. If any part of this Bylaw is held to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder of the Bylaw continues to be valid.

**AMENDMENT**

7. Schedule A of the District of Coldstream Zoning Bylaw No. 1726, 2018, is hereby amended as follows:
  - a. **AMEND** Zone 902-Rural Two Zone (RU-ALR) as shown in **RED** in the attached Schedule A of this bylaw.

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READ A FIRST TIME this	24 <sup>th</sup>	day of	July	2023
READ A SECOND TIME this	24 <sup>th</sup>	day of	July	2023
A PUBLIC HEARING was held this		day of		2023
READ A THIRD TIME this		day of		2023
APPROVAL of the MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE was received this		day of		2023
ADOPTED this		day of		2023

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Corporate Officer

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Mayor

Attachment: Schedule 'A' - Zone 902-Rural Two Zone (RU-ALR) – amendments in red

*Notice of the Public Hearing was posted on the bulletin board at the District of Coldstream Municipal Office from August 1, 2023 to XXXXXXXX.*

*Notice of the Public Hearing was published in the XXXXXXXX and XXXXXXXX issues of the Vernon Morning Star and distributed in the District of Coldstream.*

**902 RURAL TWO ZONE**

**INTENT**

902.1 The intent of the Rural Two Zone is to accommodate residential and agricultural uses on large rural lots.

**PERMITTED USES**

902.2	Permitted Uses Table for RU-ALR Zone
	<p>(1) Primary Uses</p> <ul style="list-style-type: none"> <li>(a) Agriculture</li> <li>(b) Agriculture, Intensive</li> <li><del>(c) Bed and Breakfast</del></li> <li>(c) Community Care Facility (minor)</li> <li><del>(d) Dwelling, Single Unit</del> Single Detached Dwelling</li> <li><del>(e) Dwelling, Two Unit</del></li> <li>(e) <del>Modular</del> Manufactured Home</li> <li>(f) Public Park and Playground</li> <li>(g) Veterinary Hospital</li> </ul> <hr/> <p>(2) Secondary uses</p> <ul style="list-style-type: none"> <li>(a) Accessory Buildings and Structures</li> <li>(b) Accessory Residential Use</li> <li>(c) Accessory Use</li> <li>(d) Agri-Tourism</li> <li>(e) Bed and Breakfast</li> <li>(f) Direct Farm Marketing</li> <li>(g) Dog Kennel</li> <li>(h) Gathering for an Event</li> <li>(i) Home Occupation, Rural</li> <li><del>(j) Mobile Manufactured homes subject to section 902.5(9)</del></li> <li>(j) On-Farm Processing</li> <li>(k) On-Farm Product Preparation</li> <li>(l) Secondary Suite</li> <li>(m) Temporary Farm Worker Housing</li> </ul>

**SITE SPECIFIC USE**

902.3 (1) Two single-detached dwellings are permitted on Lot 1 Section 20 Township 6 Osoyoos Division Yale District Plan KAP17218, located at 10257 Ricardo Road.

**DEVELOPMENT REGULATIONS**

902.3  
902.4

Development Regulations Table for RU-ALR Zone	
Column I	Column II
(1) Maximum number of Buildings per Lot	<p><del>(a) One 'Dwelling, Single Unit' or One 'Modular Manufactured Home' or One 'Dwelling, Two Unit'; and</del>  <del>(b) One 'Mobile Manufactured Home' (for an immediate family member)</del>  <del>(c) One Accessory Residential Building; and</del>                      (d) One Accessory Farm Sales Use</p> <p>(a) One Single Detached Dwelling; or                      (b) Manufactured Home; and                      (c) One Accessory Residential Building; and                      (d) One Direct Farm Marketing Use</p>
(2) Minimum setbacks for Agricultural Buildings and Structures	(a) As set out in Schedule 'G'
(3) Minimum setbacks (exterior lot line)	(a) 7.5 m <del>(24 ft. 7 in.)</del> (24.7 ft)
(4) Minimum setbacks (front lot line)	(a) 7.5 m <del>(24 ft. 7 in.)</del> (24.7 ft)
(5) Minimum setbacks (rear lot line)	(a) 7.5 m <del>(24 ft. 7 in.)</del> (24.7 ft)
(6) Minimum setbacks (interior lot line)	(a) 4.5 m <del>(14 ft. 9 in.)</del> (14.9 ft)
(7) Height (maximum)	(a) Residential Use – 12.0 m <del>(39 ft. 4 in.)</del> (39.4 ft) (b) Agricultural Use – 20.0 m <del>(65 ft. 7 in.)</del> (65.7 ft) (c) Accessory building – 8.0 m <del>(26 ft. 3 in.)</del> (26.3 ft)
(8) Lot coverage (maximum)	(a) 30% of the lot area for all buildings and structures; and (b) <del>Plus</del> 10% for hard-surfaced areas
(9) Minimum floor area	(a) The floor area for a single dwelling unit shall be not less than 90 m <sup>2</sup> <del>(968.7 sq. ft.)</del> (970 ft <sup>2</sup> )

**SUBDIVISION REGULATIONS**

902.4  
902.5

Subdivision Regulations Table for RU-ALR Zone	
Column I	Column II
(1) Lot area (minimum)	(a) Lots in the ALR – 10.0 ha (24.7 ac.) (b) Lots outside the ALR – 2.0 ha (4.9 ac.)
(2) Lot frontage (minimum)	(a) 1/10 <sup>th</sup> of the perimeter of the lot

**OTHER REGULATIONS**

902.5

902.6

(1) ~~An accessory residential use may include a modular manufactured home and is not permitted on a lot of less than 8.0 ha (19.8 ac.).~~

(1) An **Accessory Residential Use** is permitted on a lot greater than 4.0 ha. (10.0 ac.); and may include the following use:

(a) **Carriage House;**

(b) **Garden Suite;** or

(c) **Manufactured Home** placed on a non-permanent foundation.

(2) Strata titling of an **Accessory Residential Use** is not permitted.

~~(3) Direct farm marketing use~~

(3) A **Direct Farm Marketing** use:

(a) must be ancillary to an agricultural use being carried out on the same property,

(b) must not allow the sales of any farm products other than those farm products grown, reared, raised, or produced on the same parcel except that, for lands that are located within the Agricultural Land Reserve, an accessory farm sales use may include the retail sales of farm products, off-farm products and processed farm products subject to any other regulations in this Bylaw,

~~(d) must, except for the outside display area permitted in paragraph (d), be contained wholly within a building. The farm sales use must occupy a floor area, within that building, not greater than 300 m<sup>2</sup> (3,229.2 sq. ft.) (3,229.2 ft<sup>2</sup>) in size. [For the purpose of calculating the portion of the building 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, is included, but any office area, wholesale storage area, washroom area and processing facilities is not included.~~

- (c) must be contained wholly within a building and occupy an area not greater than 300 m<sup>2</sup> (3,229.2 ft<sup>2</sup>) in size, excluding any office space, washroom facilities, wholesale storage and processing facilities;
- (d) may have an outside display area of not greater than 100 m<sup>2</sup> (1,076.4 sq. ft.) (1,076.4 ft<sup>2</sup>) in size, which area must be contiguous with the ~~farm sales~~ farm retail sales area described in paragraph (c);
- ~~(e) 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,~~
- (e) must provide one off-street parking space per 12 m<sup>2</sup> (129.2 sq. ft.) (129.2 ft<sup>2</sup>) of farm retail sales and display area and the off-street parking and access driveways must meet the requirements of Schedule 'C';
- ~~(g) may, notwithstanding any other provisions of this Bylaw, include not more than one wall sign per fronting street, and one free standing sign, advertising the intended use. Wall signs must meet the sign area requirements of Schedule 'E'. Free standing signs must not exceed 3.0 m (9 ft. 11 in.) in height; must have a sign area not larger than 3 m<sup>2</sup> (32.3 sq. ft.); must be located no closer than 2 m (6 ft. 7 in.) to any property boundary; must not be illuminated; and must be incorporated into an area of the parcel that is not less than 10 m<sup>2</sup> (107.6 sq. ft.) in size and this area shall be landscaped to the standards outlined in Schedule 'F'.~~
- (g) signage is restricted to the following requirements:
  - i. one wall sign;
  - ii. one free-standing sign not exceeding 3.0 m (10.0 ft) in height, a fascia area not exceeding of 3 m<sup>2</sup> (32.3 ft<sup>2</sup>), and a minimum distance of 2.0 m (6.7 ft) from any lot line;
  - iii. must not be illuminated;
  - iv. free-standing signage must be incorporated into an area not greater than 10.0 m<sup>2</sup> (107.6 ft<sup>2</sup>) and landscaped in accordance to Schedule 'F' of this Bylaw; and
  - v. any and all signage must meet requirements under Schedule 'E' of this Bylaw.
- (h) must 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 retail sales use, the outside storage area, or access driveways, and off-street parking areas; and

- ~~(i) must 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 under the District's current Business Licence Bylaw or under other applicable statutes, bylaws, and regulations.~~
- (i) must have a valid business issued by the District and operate in compliance with any and all District Bylaws.
- (4) ~~Temporary farm worker housing~~ **Temporary Farm Worker Housing** is not permitted on a lot of less than 4.0 ha (10 ac.) unless such use existed prior to the adoption of this Bylaw.
- ~~(5) The use of temporary farm worker housing as a rental unit for persons other than workers employed on the farm is prohibited.~~
- (6) Temporary farm worker housing is permitted so long as the following conditions are met:
  - ~~(a) A maximum of 40 farm workers per farm operation may reside on the lands;~~
  - ~~(b) Housing for Temporary Foreign Workers must comply with the "Guidelines For Seasonal Housing, For Temporary Farm Workers In BC", established by the BC Agriculture Council, as they may change from time to time.~~
  - ~~(c) Housing for temporary farm workers should be located in a manufactured home or in an existing building. The manufactured home must be constructed in a manner that makes it easily movable from one location to another for residential use or offsite if the housing is no longer required.~~
  - ~~(d) Housing in other than an existing building must be provided on a temporary foundation.~~
  - ~~(e) Total useable floor area of the Temporary Foreign Worker housing should be in the range of 7.44 m<sup>2</sup> (80.1 sq. ft.) to 10.0 m<sup>2</sup> (107.6 sq. ft.) per person maximum. This does not include washrooms, laundry rooms, mechanical rooms, or storage rooms.~~
- (5) A **Temporary Farm Worker Housing** use is permitted on the lot under the following conditions:
  - (a) a maximum of 40 farm workers per farm operation may reside on the lands, except:
    - i. Lot 1 District Lots 57, 79, 84 and 86 Osoyoos Division Yale District Plan EPP27553 Except Plans EPP87268 and EPP91161, where a maximum of 122 temporary farm workers may reside on the lands (ALC 65432).
  - (b) housing for temporary farm workers must comply with the "Guidelines for Seasonal Housing, for Temporary Farm Workers in BC", established by the BC Agriculture Council, or as amended;

- (c) housing for temporary farm workers shall be located within a **Manufactured Home** or an existing **Single Detached Dwelling**;
  - (d) a **Manufactured Home** must be placed on a non-permanent foundation;
  - (e) total useable floor area of the housing of temporary farm workers should be a minimum of 7.44 m<sup>2</sup> (80.1 ft<sup>2</sup>) to a maximum of 10.0 m<sup>2</sup> (107.6 ft<sup>2</sup>) per person, excluding washrooms, laundry rooms, mechanical rooms, or storage areas; and
  - (f) the use of a **Temporary Farm Worker Housing** as a rental unit for persons other than workers employed on the farm is strictly prohibited.
- (6) An intensive agricultural use is not permitted on lands located outside of the Agricultural Land Reserve.
- (7) Dog kennels are not permitted on lots less than 2.0 ha (4.9 ac.) in size, and all kennels and pens must be sited with a setback of not less than 30 m (~~98 ft. 5 in.~~) (98.5 ft) from all property boundaries.
- ~~(8) The use of a modular manufactured home as a dwelling is permitted on a parcel of 2.0 ha (4.9 ac.) or more.~~
- ~~(9) A mobile manufactured home, up to 9 m (29 ft. 6 in.) in width, for use by a member of the owner's immediate family. The mobile manufactured home shall be located temporarily (not on a permanent foundation), and its use as a residence shall be discontinued when no longer occupied by an immediate family member.~~
- (8) For residential buildings, where a lot of less than 0.5 ha. (1.24 ac.) was existing at the effective date of this Bylaw, the Development Regulations for the ~~R1 zone~~ **R1 Zone** apply.