

DISTRICT OF LAKE COUNTRY

BYLAW 845

A BYLAW TO AMEND ZONING BYLAW 561, 2007

WHEREAS the Council of the District of Lake Country deems it appropriate to amend District of Lake Country Zoning Bylaw 561, 2007.

NOW THEREFORE, the Council of the District of Lake Country, in open meeting assembled, enacts as follows:

- 1) Delete the definition for AGRI-TOURISM ACCOMMODATION.
- 2) Insert the following definition in alphabetical order:

AGRI-TOURISM ACCOMMODATION means accommodation facilities for rental to transient occupants on land which is classified as “farm” in accordance with the Assessment Act, and such accommodation facilities are subordinate and secondary to the principal agriculture use. This use typically includes but is not limited to seasonal campsites, seasonal cabins or short term use of bedrooms including bed and breakfast bedrooms. The maximum length of stay shall not exceed 30 days in any calendar year. Agri-tourism accommodation units may have self-contained cooking facilities.

- 3) Amend Section 2.3.1 by adding the following into the table in order:

A1ta	Agriculture 1 (Agri-Tourism Accommodation)
------	--

- 4) Delete Section 12.1 and replace it with the following:

12.1. A1 – Agriculture 1

A1ta – Agriculture 1 (Agri-Tourism Accommodation)

12.1.1. Purpose

The purpose is to provide a zone for agricultural uses as well as other complementary uses suitable to an agricultural setting.

12.1.2. Principal Uses

- (a) agriculture, extensive
- (b) agriculture, intensive impact
- (c) agro-forestry, including botanical forest products production
- (d) aquaculture
- (e) greenhouses and plant nurseries
- (f) horse riding, training and boarding, including a facility for horse riding, training and boarding, if the stables do not have more than 40 permanent stalls, and the facility does not include a racetrack licensed by the British Columbia Racing Commission;
- (g) public parks
- (h) production and development of biological products for pest management, except a maximum of 300m² of buildings and or structures may be dedicated to the

production or development of biological products used in an integrated pest management plan

- (i) single dwelling housing or a mobile home
- (j) winery or cidery

12.1.3. Secondary Uses on land classified as “farm” (Assessment Act):

- (a) accessory building (no size limitation)
- (b) agricultural building or structure
- (c) agri-tourism accommodation (A1ta only)
- (d) additional single dwelling housing as per Section 12.1.5.
- (e) festivals and events including weddings, barn dances, music festivals
- (f) food and beverage service on parcels 2ha or larger (combined indoor and outdoor coverage not to exceed 250 m²), but only where:
 - i. 50% of all products or ingredients sold are processed or produced on the farm and with the approval of the Agricultural Land Commission; OR
 - ii. without ALC approval if all products or ingredients sold are processed or produced on the farm.
- (g) manufacture, storage and sales of compost and agriculture bi-products (methane, fertilizers, pursuant to ALC Regulations)
- (h) natural resource extraction (less than 500 cubic metres of material, pursuant to ALC Regulations)
- (i) one mobile or manufactured home as per Section 12.1.5.(b)
- (j) production and storage of organic compost (50% used on farm, pursuant to ALC Regulations)
- (k) retail sales of farm products produced offsite (restricted to 50% of total retail sales area. Total indoor and outdoor floor area of all retail sales for all products not to exceed 300m²)
- (l) retail sales of products produced on the farm
- (m) seasonal accommodation for farm help
- (n) storing, packing, preparation of agricultural products (minimum 50% grown or produced on site, pursuant to ALC Regulations)
- (o) unpaved airstrip and heli pad
- (p) education and research except schools under the School Act respecting any use permitted in the agricultural zone, to a maximum of 100m² per parcel
- (q) facilities for biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, to a maximum of 100m² per parcel.

12.1.4. Secondary uses on land with or without “farm” classification:

- (a) accessory building (up to 100m² total)
- (b) animal clinics, major
- (c) animal clinic, minor
- (d) bed and breakfast homes
- (e) care centre, minor
- (f) group home, minor
- (g) home occupation
- (h) kennels and stables
- (i) one secondary suite
- (j) utility services, minor impact

12.1.5. Buildings and Structures Permitted

- (a) one single detached home plus one secondary suite per parcel
or
one manufactured or mobile home per parcel;
- (b) one mobile home (up to 9 m in width) for immediate family members or farm help on parcels classified as “farm” for assessment purposes;
- (c) additional single family dwellings necessary for farm purposes on parcels classified as “farm” for assessment purposes and approved by Council pursuant to Section 18 of the Agricultural Land Commission Act;
- (d) seasonal accommodation facilities to satisfy demand for seasonal farm help on parcels classified as “farm” for assessment purposes. Seasonal accommodations:
 - must include no more than 15m² (150 ft²) of private space per sleeping unit
 - must include shared cooking and washroom facilities
 - must not be placed on a permanent foundation
 - may be built to a ratio of up to 10 sleeping units per hectare of farmland
- (e) agricultural buildings;
- (f) agri-tourism accommodation buildings and structures on parcels classified as “farm” for assessment purposes. (A1ta only)
- (g) accessory buildings;

12.1.6. Subdivision Regulations

- (a) AREA
The minimum lot area is 3.8 ha, except it shall be 2500 m² for homesite severance parcels serviced with community water or 700 m² for homesite severance parcels serviced with community water and community sewer.

12.1.7. Development Regulations

- (a) SITE COVERAGE
 - (i) A maximum of 10% for residential, accessory building development and agri-tourism accommodation; except that agri-tourism accommodation shall not exceed 5% site coverage (including buildings, landscaping, access and parking areas, and servicing/sanitary facilities).
 - (ii) A maximum of 35% for agricultural buildings and structures (including residential development and farm business) except it may be increased to 75% for greenhouses and nurseries with closed wastewater and storm water management systems.
- (b) HEIGHT
 - (i) residential, and seasonal accommodation for farm help: maximum height is the lesser of 9.5 m or 2 ½ storeys
 - (ii) accessory buildings: 6.0 m maximum
 - (iii) agri-tourism accommodation: maximum height is the lesser of 9.5 m or 2 ½ storeys
 - (iv) agricultural buildings and structures: 16.0 m maximum, except for:
 - a. silos: 34.0 m maximum
 - b. combination silo and grain storage: 41.0 m maximum
 - c. grain bins (including delivery equipment): 46.0 m maximum
- (c) FRONT YARD
The minimum front yard is 6.0 m.

- (d) **SIDE YARD**
The minimum side yard is 3.0 m, except it is 4.0 m from a flanking street, and it shall be a minimum of 15.0 m for agri-tourism accommodation.
- (e) **REAR YARD**
The minimum rear yard is 10.0 m, except it is 3.0 m for accessory buildings, and it shall be a minimum of 15.0 m for agri-tourism accommodation.
- (f) **AGRICULTURAL BUILDINGS**
Notwithstanding subsections 12.1.7(c) to (e), confined livestock areas and/or buildings housing more than 4 animals, or used for the processing of animal products, shall be located no less than 15.0 m from any lot line, except where the lot line borders a residential zone, in which case the area, building or stand shall be located no less than 30.0 m from the lot line.
- (g) **KENNELS/STABLES**
Kennels and stables shall not be located on parcels less than 2.0 ha. and must be located a minimum of 15.0 m from all property lines.
- (h) **AGRI-TOURISM ACCOMMODATION (A1ta only)**

- (i) Maximum of 10 sleeping units per farm in accordance with the following table:

farm size (hectares)	< 2.0	2.0 -3.9	4.0-5.9	> 6.0
# of units permitted	0	5	7	10

The total number of Agri-Tourism Accommodation units permitted shall include the number of sleeping units of a bed and breakfast use.

- (ii) Notwithstanding Section 12.1.7.(h)(i), a bed and breakfast may be permitted on lots smaller than 2.0 hectares as per Section 10.9.
- (iii) Signage:
- One (1) non-illuminated freestanding sign with a maximum height of 3.5 metres, maximum sign area of 1.0m², and a minimum setback of 1.0 metre from all lot lines.
 - Two (2) on-site directional signs with a maximum sign area of 0.2m².

12.1.8. Other Regulations

- (a) **ADDITIONAL REGULATIONS**
- (i) In addition to the regulations listed above, lands within the ALR may also be affected by regulations of the Agricultural Land Commission.
- (ii) Where a lot is created with Agricultural Land Commission approval for severance of a home-site or a lot to be used in lieu, and the lot is zoned A1 Agriculture 1, then the development regulations of the RU1 – Single Family Housing zone, as described in section 15.1.6, shall apply to the development of that lot.
- (iii) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 7 (accessory development, yards, projections into yards, lighting, agricultural setbacks, etc.), the landscaping and fencing provisions of Section 8, the parking and loading regulations of Section 9, the specific use regulations of Section 10, and the sign regulations of Section 11.

- 5) Amend Schedule "A" to Zoning Bylaw 561, 2007 by changing the zoning classification of:
- Lot 1 Section 36 Township 20 ODYD Plan 1547 Except Plan 20176
 - Lot 25 Section 26 Township 20 ODYD Plan 1001 Except Plans B6793 and 13848
 - Lot 37 Block D Section 16 Township 20 ODYD Plan 521 Except Plan 31307
 - Lot 33 Section 12 Township 14 ODYD Plan 428
 - Lot 164 Section 15 Township 20 ODYD Plan 521 Except Plan B7232 and KAP48806
 - Lot 33 Section 25 Township 20 ODYD Plan 808 Except Plan 9348
 - Lot 3 District Lot 7 ODYD Plan 17323 Except Plan KAP69897
 - Lot 1 Sections 35 and 36 Township 20 ODYD Plan 27409
 - The South ½ of Lot A, Shown on Plan B519, Section 10 Township 20 ODYD Plan 457

From: A1 – Agriculture 1

To: A1ta – Agriculture 1 (Agri-Tourism Accommodation)

as shown outlined in red on the attached Map 1.

- 6) Amend Schedule "A" to Zoning Bylaw 561, 2007 by changing the zoning classification of the A1 – Agriculture 1 portion of :
- That part of the Fractional South East ¼ of Section 11 outlined Red on Plan B3779; Township 14 ODYD Except: (1) Colored Red on Plan A421 and (2) Plans 8939 and 39746
 - Lot K Section 11 Township 14 ODYD Plan 1818 Except Plans B4158 and 39746

From: A1 – Agriculture 1

To: A1ta – Agriculture 1 (Agri-Tourism Accommodation)

as shown outlined in red on the attached Map 2.

- 7) This bylaw may be cited as "Zoning Amendment (Agri-Tourism) Bylaw 845, 2012".

READ A FIRST TIME this 18th day of September, 2012.

ADVERTISED on the 3rd, 5th, 10th and 12th days of October, 2012 and a Public Hearing held pursuant to the provisions of Section 890 of the *Local Government Act* on the 16th day of October, 2012 .

READ A SECOND TIME AS AMENDED this 4th day of December, 2012.

READ A THIRD TIME this 4th day of December, 2012.

Second and third readings rescinded this 18th day of December, 2012.

RE-READ A SECOND TIME this 18th day of December, 2012.

RE-READ A THIRD TIME this 18th day of December, 2012.

Certified correct at third reading.

December 20, 2012

Dated at Lake Country, B.C.

Original signed by Reyna Seabrook

Corporate Officer

Original signed by Blaine Garrison
Ministry of Transportation and Infrastructure

March 21, 2013
Date

RECONSIDERED AND ADOPTED this 2nd day of April, 2013.

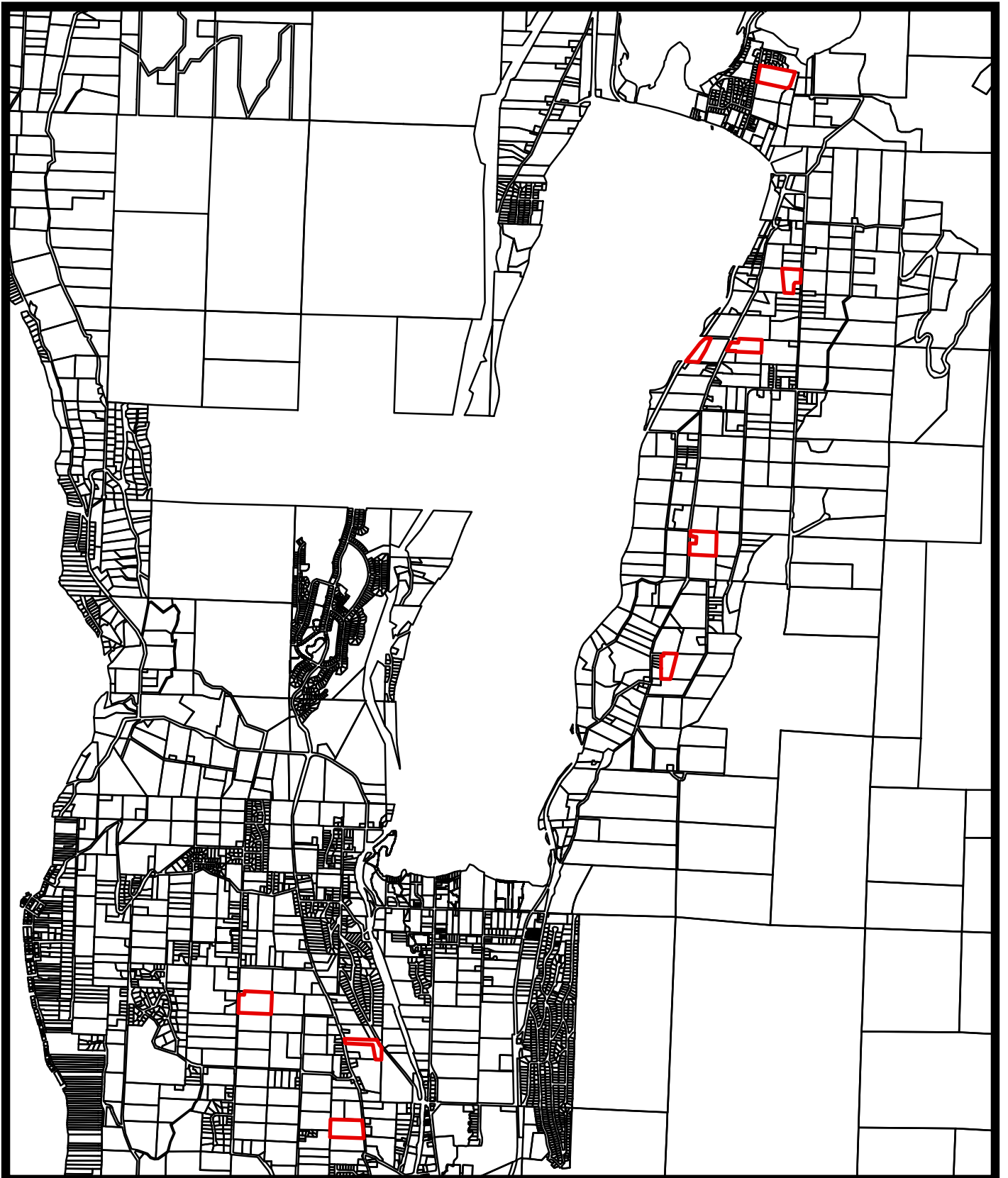
Mayor

Deputy Corporate Officer

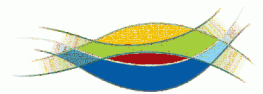
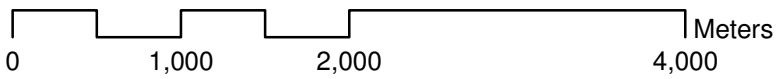
I hereby certify the foregoing to be a true and correct copy of the Bylaw cited as "Zoning Amendment (Agri-Tourism) Bylaw 845, 2012" as adopted by the Municipal Council on the 2nd day of April, 2013.

Dated at Lake Country, BC

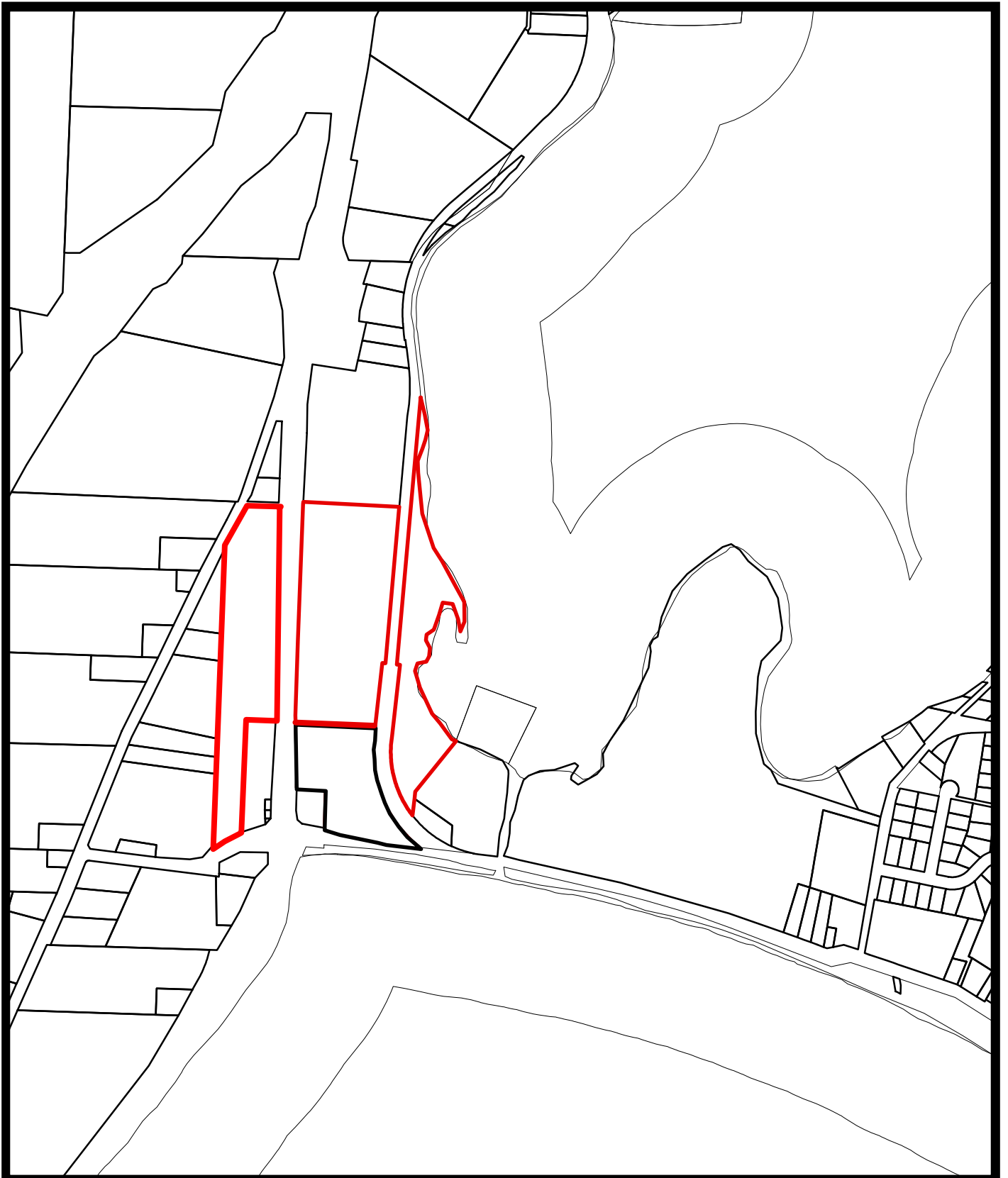
Deputy Corporate Officer



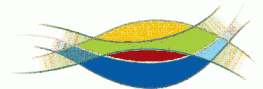
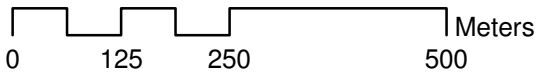
Bylaw 845, 2012
Map 1



LAKE COUNTRY
Life. The Okanagan Way.



Bylaw 845, 2012
Map 2



LAKE COUNTRY
Life. The Okanagan Way.