

TEMPORARY USE PERMIT

District of Lake Country
10150 Bottom Wood Lake Road
Lake Country, BC V4V 2M1
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APPROVED ISSUANCE OF TEMPORARY USE PERMIT (pursuant to Sec. 493 of the Local Government Act)

PERMIT #: TUP00111

FOLIO #: 1751015, 1751016, 1751014, 1751021, 1751023 & 1751022

ZONING DESIGNATION: RR3 – Rural Residential 3 & W1 – Recreational Water Use

ISSUED TO: O'Rourke Family Vineyards Ltd

SITE ADDRESS: 14864, 14838 & 14824 Carrs Landing Road

LEGAL DESCRIPTION: LOT 1 SECTION 5 TOWNSHIP 14 OSOYOOS DIV OF YALE LAND DISTRICT PLAN EPP77578,
LOT A SECTION 5 TOWNSHIP 14 OSOYOOS DIV OF YALE LAND DISTRICT PLAN EPP101104,
LOT B SECTION 5 TOWNSHIP 14 OSOYOOS DIV OF YALE LAND DISTRICT PLAN EPP101104

PARCEL IDENTIFIER: 030-326-231, 031-065-317 & 031-065-325

SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

Applicants for Development Permits should be aware that the issuance of a Permit limits the applicant to be in strict compliance with all District bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which have not been identified as required Variances by the applicant or Municipal staff.

If any term or condition of this permit is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this permit.

1. TERMS AND CONDITIONS

Temporary Use Permit TUP00111, for lands located at 14864, 14838 & 14824 Carrs Landing Road and legally described as LOT 1 SEC 5 TWP 14 ODYD PLAN EPP77578 (PID: 030-326-231), LOT A SEC 5 TWP 14 ODYD PLAN EPP101104 (PID: 031-065-317), and LOT B SEC 5 ODYD TWP 14 PLAN EPP101104 (PID: 031-065-325) (the "Lands") is approved allowing limited commercial use of the lands and associated existing docks, subject to the following conditions:

- a) Development and business operations shall be conducted in compliance with the provisions of the District's various bylaws including Nuisance Bylaw 857, 2013, Business Licensing Bylaw 1000, 2017, Signage Regulation

Bylaw 501, 2004, and Zoning Bylaw 561, 2007 except as explicitly varied or supplemented by the terms of this permit subsequent permits, amendments(s) and/or development variance permits;

- b) limited commercial use of the Lands specifically includes: lake-side arrival/departure area (existing docks) and lobby (existing boathouse) for guests of O'Rourke Family Vineyard (OFV) properties within the District of Lake Country, which shall include but is not limited to Peak Cellars Winery, Garden Bistro and the O'Rourke Family Estate (the "Properties");
- c) vessel traffic (boats, etc.) shall be restricted to a maximum of 4 vessels per dock (up to a maximum of 12 vessels combined) at any one time;
- d) no buoys shall be installed by the permittee, and no boats may dock via a buoy;
- e) hours of operation are limited to nautical hours consistent with the following:
 - Jan 1 to Feb 28: 6 AM-6 PM
 - Mar 1 to May 31: 6 AM-9 PM
 - Jun 1 to Aug 31: 6 AM-11 PM
 - Sept 1 to Oct 14: 6 AM-9 PM
 - Oct 15 to Dec 31: 6 AM-6 PM;
- f) all use must occur by appointment only;
- g) all use must occur under direct supervision of an OFV employee;
- h) the permittee shall be responsible and liable for maintaining and insuring safe access a) between the docks and the Lands, and b) between the Lands and the Properties;
- i) the use must maintain an industry standard level;
- j) no new structures or buildings may be constructed as part of this permit;
- k) Temporary Use Permit (TUP) must not occur until all necessary Federal and Provincial permits have been granted;
- l) failure to adhere to any condition contained within this permit can result in the termination of the permit;
- m) this permit, issued as per Section 493 of the Local Government Act, is valid from the approval date to the expiry dated indicated below; and
- n) at the end of the term of this permit all uses on this property must revert back to uses permitted under the zoning bylaw of the day.

2. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms, conditions and provisions of this Permit and any plans and specifications attached to shall form a part hereof.

This permit is not transferrable unless specifically permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

**THIS IS NOT A BUILDING PERMIT
OR A CERTIFICATE TO COMMENCE
CONSTRUCTION**

3. APPROVALS

Authorizing resolutions passed by the Council on the ____ day of ____, 2025.

Issued by the Corporate Officer of the District of Lake Country this ____ day of ____, 2025.

4. EXPIRY

Temporary Use Permit TUP00109 (14864, 14838 & 14824 Carrs Landing Road) expires on the ____ day of ____ 2028.

Corporate Officer, Reyna Seabrook