



## DISTRICT OF LAKE COUNTRY

### REQUEST FOR COUNCIL DECISION

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**MEETING TYPE AND DATE:** REGULAR COUNCIL MEETING – SEPTEMBER 21, 2021  
**AUTHOR:** TAMERA CAMERON, PLANNER  
**SUBJECT:** LUC2020-001 (13974 OGILVEY LANE) – LAND USE CONTRACT DISCHARGE BYLAW 1164, 2021

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#### ESSENTIAL QUESTION:

Does Council support referring the proposal to discharge a Land Use Contract (LUC) to allow a secondary suite in the existing home on this property to a Public Hearing?

#### OPTIONS:

- A. THAT Land Use Contract Discharge (LUC2020-001) Bylaw 1164, 2021 be read a first and second time;  
AND THAT Land Use Contract Discharge (LUC2020-001) Bylaw 1164, 2021 be forwarded to public hearing.  
OR
- B. THAT Land Use Contract Discharge (LUC2020-001) Bylaw 1164, 2021 be read a first and second time;  
AND THAT prior to public hearing, additional information be provided as identified by Council.  
OR
- C. THAT Land Use Contract Discharge (LUC2020-001) Bylaw 1164, 2021 not be read a first and second time  
and the file be closed.

#### EXECUTIVE SUMMARY:

The property owners are applying for an early discharge of LUC231. If the LUC is discharged, the underlying RR1 – Rural Residential 1 zoning will come into effect, which would allow them to apply for a Building Permit to have a secondary suite. The previous owners applied to have the LUC231 discharged in 2015; however, the bylaw was not given third reading. Per the *Local Government Act*, all Land Use Contracts will be automatically terminated by June 30, 2024 and secondary suites will be permitted at that time.

#### BACKGROUND/HISTORY:

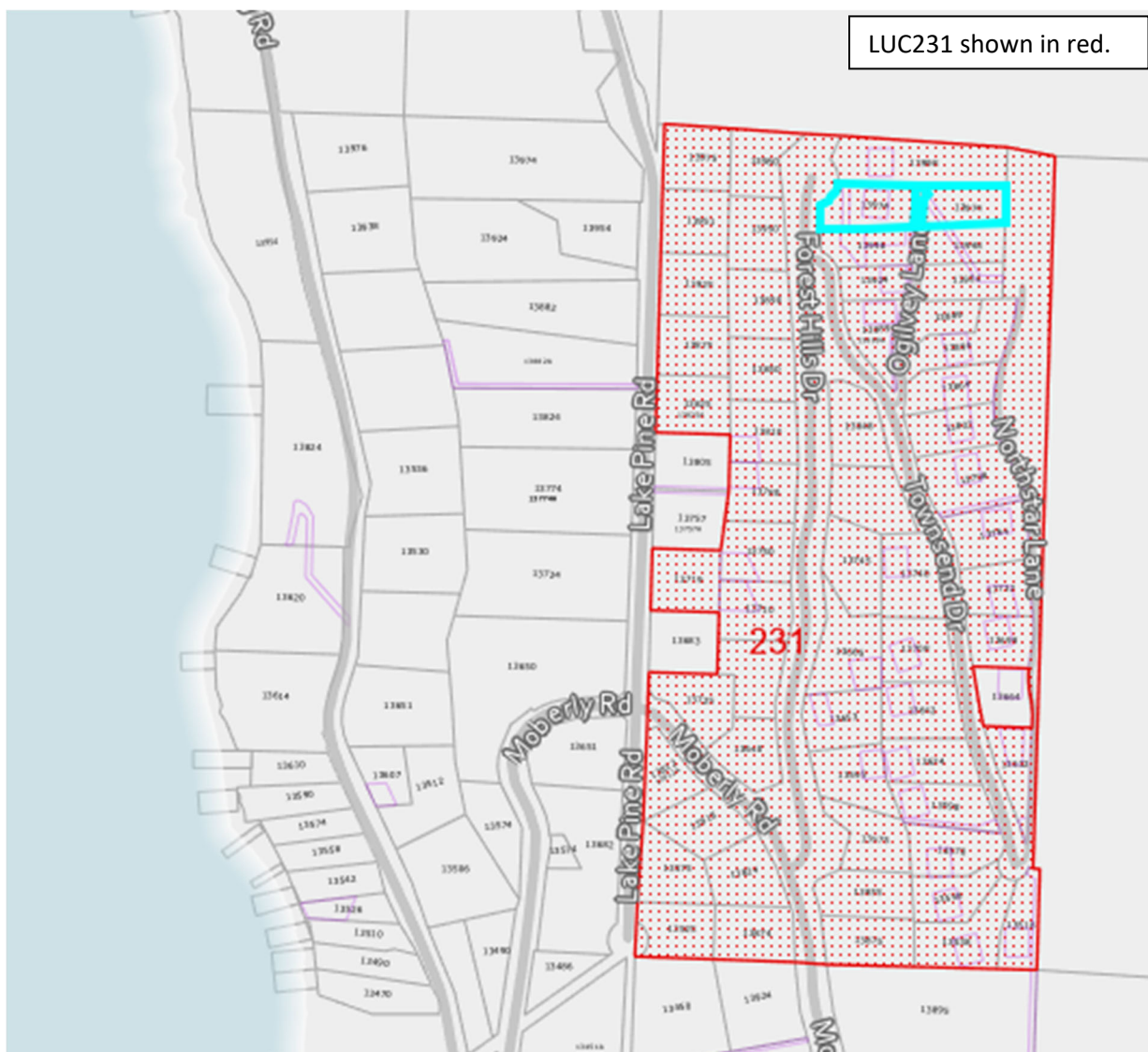
The property is within LUC231, which applies to multiple properties within the Ravenridge Estates development. The existing house was built in 2015/2016. The previous owners applied to discharge LUC231 from the property in 2015. At the September 15, 2015 Regular Council Meeting, the motion to read the bylaw a third time did not receive a seconder and so the file was closed.

Civic Address:	13974 Ogilvey Lane		
Roll Number:	3017112		
Legal Description:	Lot 2 Section 33 Township 20 Osoyoos Division Yale District Plan KAP91604		
PID:	028-403-380		
Applicant:	John and Deanna Dolhanty	Owner(s):	John and Deanna Dolhanty
OCP Designations:	Rural Residential		
Underlying Zoning Designation:	RR1 – Rural Residential 1 & Parkland and Conservation		

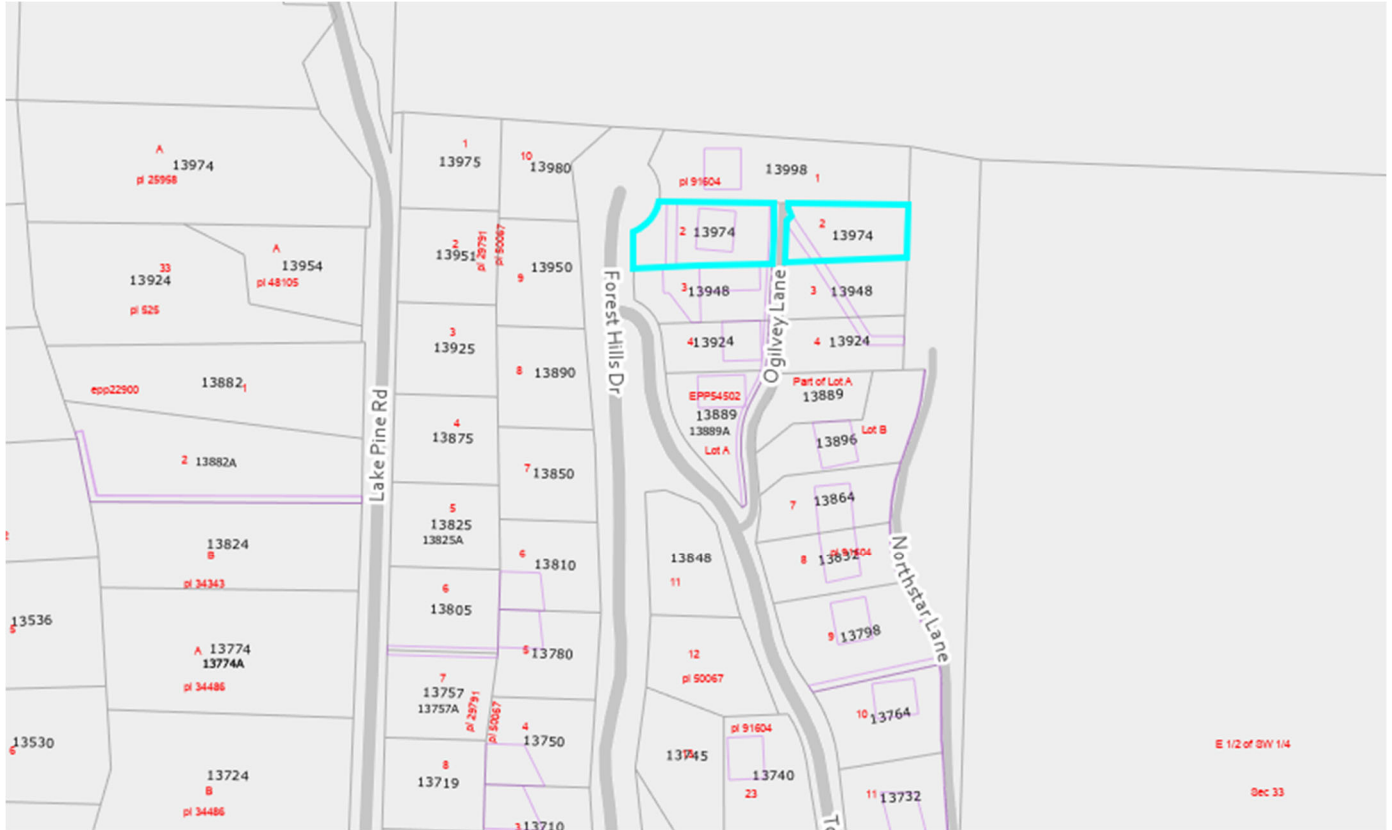
Land Use Contract:	Yes – LUC231	
ALR:	No	
Parcel Size:	0.66 ha (1.62 acres)	
DP Area(s):	Hillside, Wildland Fire, Natural Environment, and GHG Reduction and Resource Conservation	
Water Supply:	Municipal	
Sewer:	Private	
Site Context:	Zoning:	Use:
North:	LUC231	Residential
East:	P1 – Public Park	Spion Kop Park
South:	LUC231	Residential
West:	LUC231	Residential

### Site Context

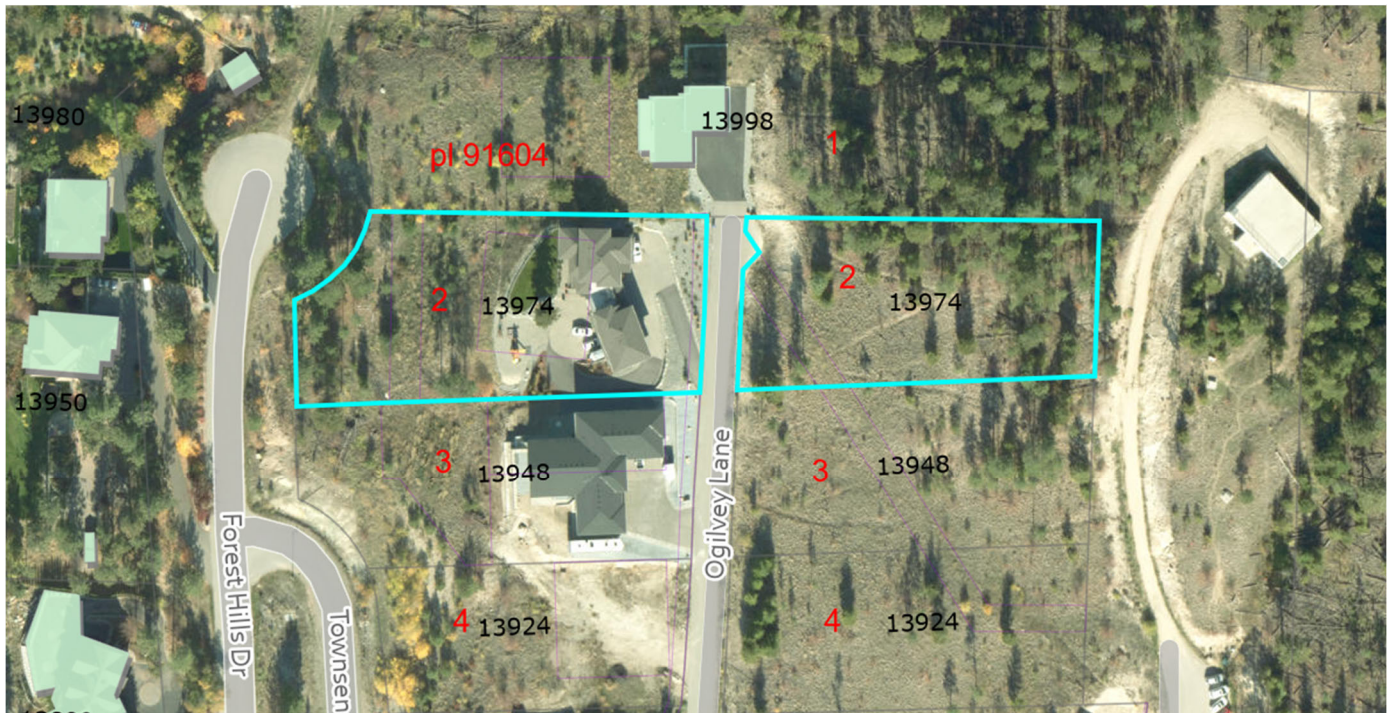
The subject property is in the Ravenridge Estates development in the Okanagan Centre ward. The property is split into two parts by Ogilvey Lane and is steeply sloped. Spion Kop parking is located to the east of the property. Multiple properties in the surrounding development are included in LUC231 (see map below). LUC231 was discharged from four properties in 2016 at the owners' request.



Map 1: Location Map



Map 2: Orthophoto





**Site Photos:**

**Chronology:**

<i>Date:</i>	<i>Event:</i>
2020-06-15	Application submission
2021-02-19	Request for file update sent to owners.
2021-07-07	Proposal review complete and referrals sent.
2021-09-15	Referrals received.

**DISCUSSION/ANAYLSIS:**

The purpose of the early LUC discharge application is for the owners to be able to have a secondary suite within the existing house.

The LUC allows only for single family residential, 2 boarders/lodgers and accessory buildings and structures. If discharged, the property would be subject to the underling zone, RR1 – Rural Residential, which allows one single detached house per lot and either a secondary suite or an accessory suite (which is not permitted on this property as accessory suites are only permitted in areas without community sewer if the land is 1 ha or greater) amongst other uses. Additional land uses allowed in the RR1 zone can be viewed in the table below.

Given the subdivision regulations in the RR1 zone (see table below), the subject property would not have any future subdivision potential should the LUC be discharged.

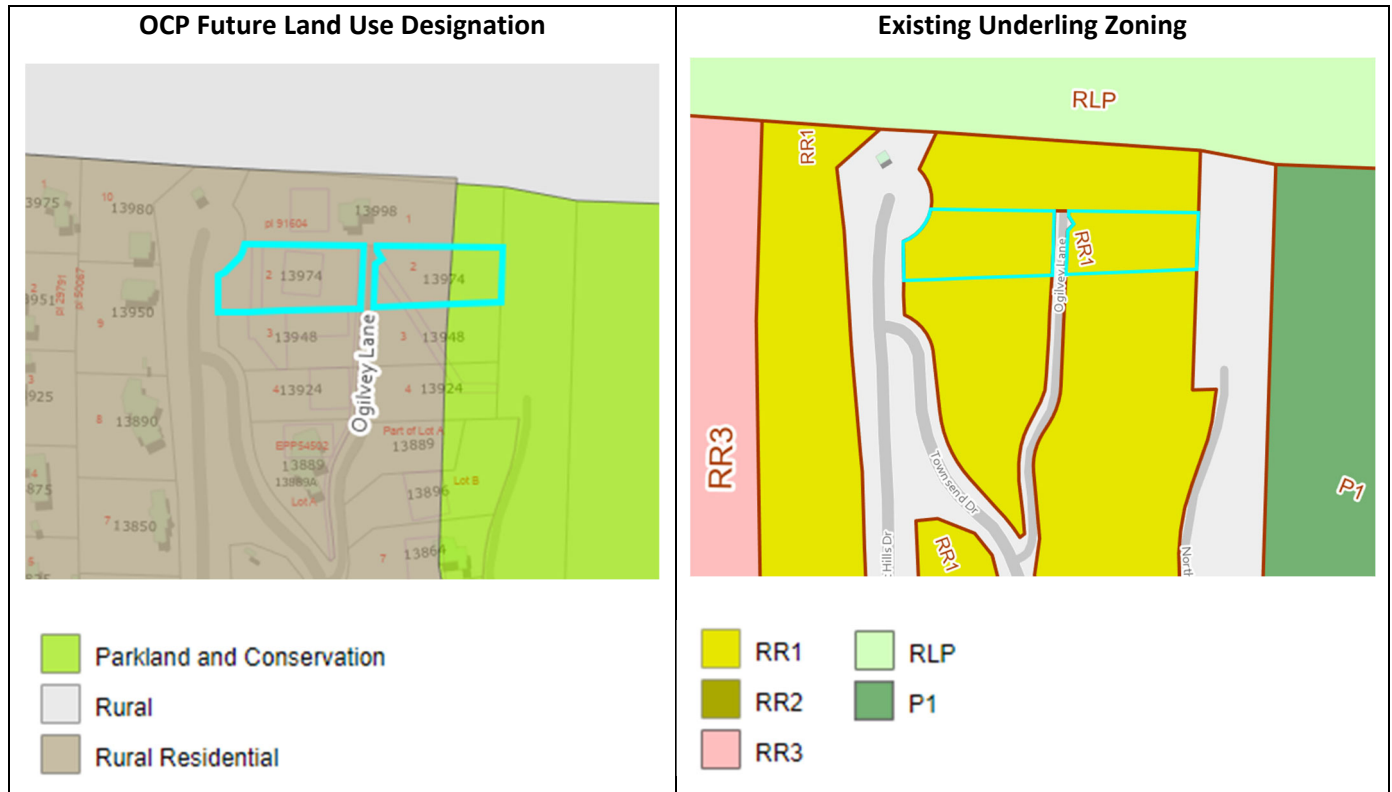
*Zoning Comparison Table*

	<b>LUC231</b>	<b>Underlying RR1 Zone</b>
<b>Permitted Uses</b>	<ul style="list-style-type: none"> <li>• Single Family Residential</li> <li>• Keeping of not more than 2 boarders or lodgers in each dwelling unit.</li> </ul>	<b>Principal Uses</b> <ul style="list-style-type: none"> <li>• Agriculture, extensive</li> <li>• Group homes, minor</li> <li>• Single dwelling housing</li> </ul> <b>Secondary Uses</b> <ul style="list-style-type: none"> <li>• Animal clinics, major</li> <li>• Animal clinics, minor</li> <li>• Bed and breakfast homes</li> <li>• Care centre, minor</li> <li>• Home occupations</li> <li>• Kennels and stables</li> <li>• Secondary suite or accessory suite</li> <li>• Utility services, minor impact</li> <li>• Short term vacation rental</li> </ul>
<b>Permitted Buildings</b>	<ul style="list-style-type: none"> <li>• Single Family Dwelling per lot</li> <li>• Buildings and structures which are accessory to one family dwellings</li> </ul>	<ul style="list-style-type: none"> <li>• One single detached house (which may contain a secondary suite)</li> <li>• Accessory buildings or structures (which may contain an accessory suite)</li> <li>• A mobile or manufactured home as an accessory suite.</li> </ul>
<b>Minimum Lot Area</b>	N/A	4.0 hectares
<b>Minimum Lot Width</b>	N/A	40m
<b>Minimum Lot Depth</b>	N/A	100m

The subject property, and all other properties within LUC231, are designated Rural Residential in the OCP, with a portion of the east side of the subject property within the Parkland and Conservation future land use designation as

well. The Rural Residential future land use designation supports the following future uses: residential, agricultural, utility facilities, institutional facilities, and minor resource extraction.

Per the *Local Government Act*, all LUCs in British Columbia will automatically be discharged on June 30, 2024. Should Council wish to consider alternative zoning on the properties affected by LUCs, the new zoning must be in place by June 30, 2022.



## Legislation & Applicable Policies

### Local Government Act:

Section 547 of the Act states:

**547** (1) All land use contracts are terminated on June 30, 2024.

(2) A local government that has jurisdiction over land subject to a land use contract must, by June 30, 2022, adopt a zoning bylaw that will apply to the land on June 30, 2024.

### Official Community Plan:

Section 13.2 Rural Residential Designation of the OCP states:

Rural Residential lands in Lake Country are located in less developed areas of the community to take advantage of large plots of available land.

These Rural Residential properties will often boast views or are located in areas of high natural amenities. Properties designated Rural Residential often have limited infrastructure services. The desired infrastructure level includes a minimum of on-site sewerage disposal, a proven water source and a paved road network.

In order to protect the valued rural character of Lake Country, the District does not support major development within areas designated as Rural Residential. Subject to appropriate zoning, future uses could include residential, agricultural, utility facilities, institutional facilities, and minor resource extraction.

**Zoning Bylaw:**

The property is zoned RR1 – Rural Residential 1. The purpose of this zone is to provide a zone for residential development, and complementary uses, on larger lots in areas of high natural amenity and rural services. Currently, LUC231 supersedes the underlying RR1 zoning.

**Building Regulation Bylaw and BC Building Code:**

Should the LUC be discharged, and the owners decide to apply for a Building Permit for a secondary suite, their application must comply with the *BC Building Code* and the Building Regulation Bylaw.

**Technical Considerations:**

- **Impact on Infrastructure and Other Municipal Services**

There are no significant impacts on municipal infrastructure or services expected because of this proposal. Onsite septic is allowed under the RR1 zoning. The property is already connected to municipal water.

- **Impact on Staff Capacity and Financial Resources (Cost/Benefit Analysis)**

Regular staff time has been used to process this application.

**Comments from Other Government Agencies, Council Committees and Relevant Stakeholders:**

- No comments were received.

**Consultation, Public Feedback, and Communication to and from the Public and the Applicant:**

As per the *Local Government Act*, a Public Hearing will be held prior to third reading. The public will be notified of the Public Hearing through signage on the property, notification to surrounding property owners and tenants and advertisements in the local newspaper.

**ANALYSIS OF OPTIONS FOR CONSIDERATION:**

OPTION A: If Council chooses Option A, the application will be scheduled for a Public Hearing.

OPTION B: If Council chooses Option B, staff will work with the applicants to provide the information Council requested, which will be provided to Council before the scheduled Public Hearing.

OPTION C: If Council chooses Option C, the bylaw will not be given First and Second reading and the file will be closed. Unless Council elects to commence with a District initiated early discharge process for the properties in the LUC231 prior to June 30, 2022 and rezone the property to a zone that does not allow for secondary suites and accessory suites, the LUC231 will be automatically discharged on June 30, 2024 and the underlying RR1 zoning will come into effect. Once the RR1 zone comes into effect, the owners will be able to apply for their Building Permit for a secondary suite.

Respectfully Submitted,

Tamera Cameron, MPPA

Planner

PLANNING AND DEVELOPMENT DEPARTMENT

This report has been prepared with the collaboration of the following individuals:

<b>COLLABORATORS</b>	
<b>TITLE</b>	<b>NAME</b>
Engineering Technician	Evan Smith

This report has been prepared in consultation with the following departments:

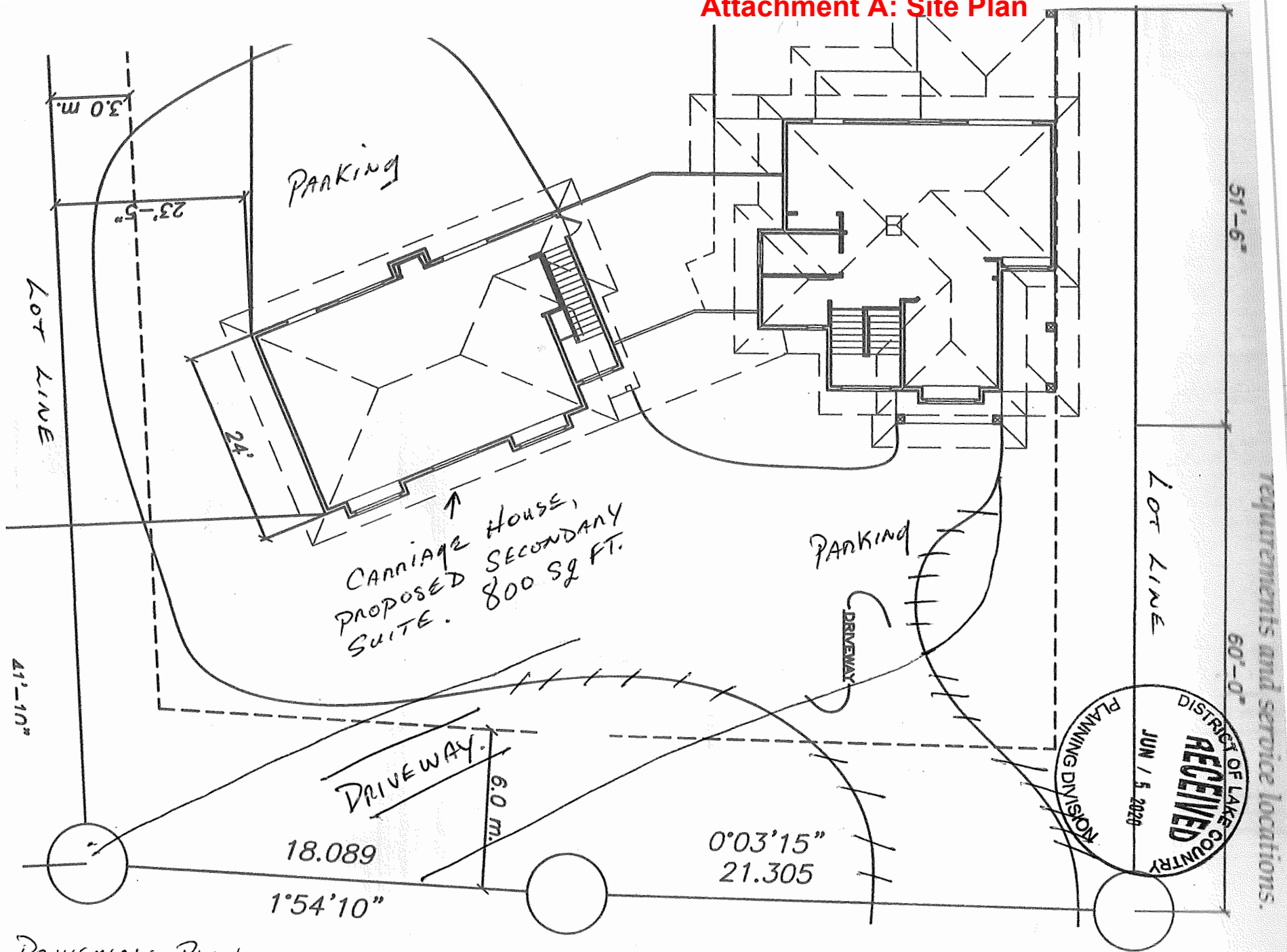
<b>CONCURRENCES</b>	
<b>DEPARTMENT</b>	<b>NAME</b>
Chief Administrative Officer	Tanya Garost
Planning Consultant	Gary Penway
Manager of Planning	Corine (Cory) Gain
Chief Building Official	Zara Rockwell

**ATTACHMENTS:**

- A: Site Plan
- B: Land Use Contract 231
- C: RR1 – Rural Residential 1 Zoning Regulations
- D: Land Use Contract Discharge Bylaw 1164, 2021



# Attachment A: Site Plan



NOTE: DRIVEWAY PLAN  
CHANGED AFTER BLUEPRINT  
WAS PRINTED.

OGILVIE LANE

# Attachment B: Land Use Contract 231

## LAND USE CONTRACT

THIS CONTRACT made the 11th day of July, 1978

BETWEEN:

REGIONAL DISTRICT OF CENTRAL OKANAGAN

(hereinafter called the "Regional District")

OF THE FIRST PART

AND:

ODERMATT'S DAIRY LTD. 992 Ryder Drive, Kelowna, British Columbia  
(Incorporation No. 43480)

(hereinafter called the "Landowner")

OF THE SECOND PART

WHEREAS the Regional District, pursuant to Section 702A and 798A of the Municipal Act, may, notwithstanding any by-law of the Regional District, enter into a land use contract containing such terms and conditions for the use and development of land as may be agreed upon with a Landowner, and thereafter the use and development of the land shall be in accordance with the land use contract;

AND WHEREAS the Municipal Act requires that the Regional Board consider the criteria set out in Section 702(2) and 702A(1) in arriving at the terms, conditions and consideration contained in a land use contract and the Regional Board of the Regional District have considered such criteria in arriving at the terms and conditions herein contained;

AND WHEREAS the Landowner has presented to the Regional District a scheme of use and development of the within described lands and premises that would be in contravention of the Zoning By-law of the Regional District and has requested that the Regional Board of the Regional District enter into this contract under the terms, conditions and for the consideration hereinafter set forth;

AND WHEREAS the Land is within an area of the Regional District designated as a development area pursuant to Section 702A(2) of the Municipal

Act, R.S.B.C. 1960;

AND WHEREAS if the Land is within a radius of one-half mile of a controlled access highway, the approval of the Minister of Highways of the Province of British Columbia to the terms hereof must be obtained;

AND WHEREAS the Regional District and the Landowner both acknowledge that the Regional Board of the Regional District cannot enter into this Contract, until the Regional Board has held a public hearing in relation to this Contract, and considered any opinions expressed at such hearing, and unless two-thirds of the Directors of the Regional Board present at the meeting at which the by-law to approve this Contract is adopted vote in favour of the Regional District entering into this Contract;

NOW THEREFORE THIS CONTRACT WITNESSETH that in consideration of the premises and the conditions and covenants hereinafter set forth, the Regional District and the Landowner covenant and agree as follows:

OWNER

1. The Landowner is entitled to become on payment in full of certain agreements for sale (registered under numbers L66630 to L66636 inclusive, M50350 and L69146, all as modified by M50351) the registered owner of an estate in fee simple of all and singular those certain parcels or tracts of land and premises, situate, lying and being in the Regional District of Central Okanagan, in the Province of British Columbia and being more particularly known and described as:

- Firstly: Lots A,B,C,D & E  
Section 33  
Township 20  
Osoyoos Division Yale District  
Plan 25639
- Secondly: Lots F & G  
Section 33  
Township 20  
Osoyoos Division Yale District  
Plan 25639 (except Plan 27209)
- Thirdly: The West  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of  
Section 33  
Township 20  
Osoyoos Division Yale District  
except Plans 25639 and 27209
- Fourthly: Lot 1  
Section 33  
Township 20  
Osoyoos Division Yale District  
Plan 27209

(herein called the "Land")

CONSENTS

2. The Landowner has obtained the consent of all persons having a registered interest in the Land as set out in the schedule prefacing the consents to the use and development set forth herein which consents are attached hereto.

INCORPORATIONS

3. The Schedules attached hereto hereinbefore referred to are hereby incorporated into and made a part of this Contract.

STS

The Landowner shall pay to the Regional District on invoice by the Regional District, all legal, surveying and advertising costs incurred by the Regional District in the preparation and registration of this Contract.

IMPLIANCE

Except for the matters otherwise specifically provided for here-in the Landowner shall comply with all of the by-laws of the Regional District as the same apply to the Land.

PRESENTATIONS

It is understood and agreed that the Regional District, has made no representations, covenants, warranties, guarantees, promises or agreements (verbal or otherwise) with the Landowner other than those set out in this Contract.

REGISTRATION

This contract shall be construed as running with the Land and shall be registered in the Land Registry Office by the Regional District pursuant to the provisions of Section 702A(4) of the Municipal Act.

INTERPRETATION

Wherever the singular or masculine is used herein, the same shall be construed as meaning the plural, feminine or body corporate or politic where the context or the parties so require.

BINDING

This Contract shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

SUBDIVISION FIRST PHASE


i) The Regional District agrees to permit the Landowner to subdivide part of the land into sixteen lots which are to be strictly in compliance with the attached Plan marked Schedule "A", outlined in red and shown as the first phase on said plan and the remainder of the land shall be consolidated into one parcel.

ii) No subsequent subdivision of the 16 lots so created shall be permitted.



iii) The Plan marked Schedule "A" referred to above shall be granted Preliminary Layout Approval by the Regional Approving Officer of the Ministry of Highways prior to reconsideration and adoption of Land Use Contract By-law No. 231.

#### SUBSEQUENT SUBDIVISION OF THE REMAINING LAND



Any subsequent subdivision of the remainder of the Land shall be carried out in stages and each stage be subject to the approval of the Regional Board prior to approval by the Regional Approving Officer of the Ministry of Highways.

#### PERMITTED USES

The following uses and no others shall be permitted:

1. Single family residential
2. The keeping of not more than two (2) boarders or lodgers in each dwelling unit.

#### PERMITTED BUILDINGS AND STRUCTURES

The following buildings and structures and no others shall be permitted:

1. Single family dwelling per lot
2. Buildings and structures which are accessory to one family dwellings

#### DOMESTIC WATER

Each proposed lot shall be served with domestic water, to be approved by the Water Rights Branch and the Health Unit. Approval must be obtained prior to reconsideration and adoption of Land Use Contract By-law #231.

#### SEPTIC TANK DRAINTILE FIELDS

The septic tank draitile fields for each proposed lot must be approved by the Health Unit prior to reconsideration and adoption of Land Use Contract By-law #231.

#### PAVE HALL SITE

The Landowner shall transfer to the Regional District upon registration of the subdivision plan, proposed Lot number 11, as shown on attached plan marked Schedule "A" for the nominal sum of one dollar (\$1.00).

#### BUILDING INSPECTOR

That the Chief Building Inspector for the Central Okanagan Regional District or his Appointee shall be authorized to enter upon the premises for

the purpose of carrying out inspection to see that the provisions of the Land Use Contract are being followed.

A public hearing on this Contract was held on the 2nd day of February, 1978.

This Contract was adopted by an affirmative vote of at least two-thirds of the members of the Regional Board of the Regional District present at the meeting at which the by-law to authorize this Contract was adopted by the Regional Board of the Regional District on the 10th day of July 1978.

IN WITNESS WHEREOF the said parties to this Contract have hereunto set their hands and seals the day and year first above written.

THE CORPORATE SEAL OF THE  
REGIONAL DISTRICT OF CENTRAL  
OKANAGAN was hereunto affixed  
in the presence of:

James H. Stuart  
Chairman

[Signature]  
Secretary-Treasurer

(SEAL)

SIGNED, SEALED AND DELIVERED  
by the LANDOWNER in the presence  
of:

Name [Signature]

Address: 540 Grand Ave

Kelowna BC

Occupation: Planning Director

Odermatt's Dairy Ltd

[Signature]

THE CORPORATE SEAL OF  
ODERMATT'S DAIRY LTD.  
was hereunto affixed in  
the presence of:

[Signature]  
[Signature]  
[Signature]

(SEAL)

[Signature]  
President

LAND USE CONTRACT

Schedule of Persons Having a Registered Interest In the Land Whose Consents Are Required

<u>Full Name</u>	<u>Address</u>	<u>Occupation</u>	<u>Nature of Charge</u>
ike Pine Estates Ltd. ncorporation No. 84114)	1636 Pandosy Street, Kelowna, B.C.		Registered Owner
ank of British Columbia			Mortgage #L41842

CONSENT

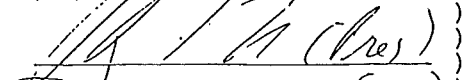
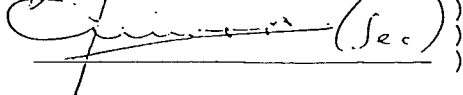
KNOW ALL MEN by these presents that:

LAKE PINE ESTATES LTD. (Incorporation No. 84114), 1636 Pandosy Street, Kelowna, British Columbia, being the Vendor under certain Agreements for Sale registered in the Land Registry Office at Kamloops under numbers L66630 to L66636 inclusive, M50350 and L69146, all as modified by M50351 against all and singular those certain parcels or tracts of lands and premises situate, lying and being in the Regional District of Central Okanagan, in the Province of British Columbia and known and described as:

- Firstly:        Lots A, B, C, D & E  
                  Section 33  
                  Township 20  
                  Osoyoos Division Yale District  
                  Plan 25639
- Secondly:        Lots F & G  
                  Section 33  
                  Township 20  
                  Osoyoos Division Yale District  
                  Plan 25639 (except Plan 27209)
- Thirdly:        The West  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of  
                  Section 33  
                  Township 20  
                  Osoyoos Division Yale District  
                  except Plans 25639 and 27209
- Fourthly:        Lot 1  
                  Section 33  
                  Township 20  
                  Osoyoos Division Yale District  
                  Plan 27209

in consideration of the sum of One Dollar (\$1.00) hereby agrees and consents to the registration of a Land Use Contract, made between ODERMATT'S DAIRY LTD. and the REGIONAL DISTRICT OF CENTRAL OKANAGAN dated the 11th day of July, 1978 against the aforementioned Lands in priority to the said charges in the same manner and to the same effect as if it had been dated and registered prior to the said charges and hereby further agrees that the said Land Use Contract shall run with and bind the aforementioned Lands notwithstanding the cancellation of all or any of the said charges.

THE CORPORATE SEAL OF LAKE PINE )  
ESTATES LTD. was hereunto )  
affixed in the presence of its )  
proper officers in that behalf: )

 (Pres)  
 (Sec)



CONSENT

KNOW ALL MEN by these presents that:

BANK OF BRITISH COLUMBIA of  
being  
the holders of a charge by way of mortgage registered  
in the Land Registry Office at Kamloops under  
Number L41842 against all and singular that certain parcel of  
tract of land and premises being in the Regional District of Central Okanagan  
in the Province of British Columbia and known and described as:

- Firstly: Lots A, B, C, D & E  
Section 33  
Township 20  
Osoyoos Division Yale District  
Plan 25639
- Secondly: Lots F & G  
Section 33  
Township 20  
Osoyoos Division Yale District  
Plan 25639 (except Plan 27209)
- Thirdly: The West  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of  
Section 33  
Township 20  
Osoyoos Division Yale District  
except Plans 25639 and 27209
- Fourthly: Lot 1  
Section 33  
Township 20  
Osoyoos Division Yale District  
Plan 27209

in consideration of the sum of One Dollar (\$1.00) hereby agrees and consents  
to the registration of a Land Use Contract, made between the Registered Owner  
of the said Lands and the Regional District of Central Okanagan dated  
the 11th day of July 1978, against the aforementioned  
Lands in priority to the said charge in the same manner and to the same effect  
as if it had been dated and registered prior to the said charges.

THE CORPORATE SEAL OF BANK OF )  
BRITISH COLUMBIA was here- )  
unto affixed in the presence )  
of its proper officers in )  
that behalf: )

[Signature] )  
[Signature] )  
SUPERINTENDENT )

## SECTION 14 -- RURAL RESIDENTIAL ZONES

### 14.1.RR1 – Rural Residential 1

#### 14.1.1. Purpose

The purpose is to provide a zone for residential development, and complementary uses, on larger lots in areas of high natural amenity and rural services.

#### 14.1.2. Principal Uses

- (a) agriculture, extensive
- (b) group homes, minor
- (c) single dwelling housing

#### 14.1.3. Secondary Uses

- (a) animal clinics, major
- (b) animal clinics, minor
- (c) bed and breakfast homes
- (d) care centre, minor
- (e) home occupations
- (f) kennels and stables
- (g) secondary suite or accessory suite
- (h) utility services, minor impact
- (i) short term vacation rental

Added by Bylaw 1053

#### 14.1.4. Building and Structures Permitted

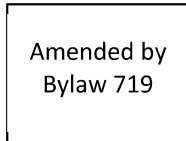
- (a) one single detached house (which may contain a secondary suite);
- (b) accessory buildings or structures (which may contain an accessory suite).
- (c) A mobile or manufactured home as an accessory suite

#### 14.1.5. Subdivision Regulations

- (a) AREA  
The minimum lot area is 4.0 ha.
- (b) WIDTH  
The minimum lot width is 40.0 m.
- (c) DEPTH  
The minimum lot depth is 100.0 m.

#### 14.1.6. Development Regulations

- (a) COVERAGE  
The maximum site coverage is 10%



- (b) **HEIGHT**  
The maximum height is the lesser of 9.5 m or 2½ storeys, except it is the lesser of 8.0 m or 1½ storeys for accessory buildings and 13.0 m for accessory structures.
- (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.
- (e) **REAR YARD**  
The minimum rear yard is 10.0 m, except it is 3.0 m for accessory buildings.
- (f) **FARM BUILDINGS**  
Notwithstanding subsections 14.1.6(c) to (e), buildings housing more than 4 animals, or used for the processing of animal products or for agricultural and garden stands, shall not be located any closer 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 not be located any closer than 30.0 m from the lot line.

#### 14.1.7. Other Regulations

- (a) **ADDITIONAL REGULATIONS**  
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.
- (b) **SECONDARY SUITE**
  - (i) A secondary suite, in accordance with Section 10.7, may only be located within a single detached dwelling.
  - (ii) One secondary suite or accessory suite is permitted per parcel.
- (c) **ACCESSORY SUITE**
  - (i) An accessory suite, in accordance with Section 10.8, may only be located within an accessory building to a single detached dwelling which is no closer than 5.0 m to the principal building.
  - (ii) A mobile or manufactured home may be considered an accessory suite.
  - (iii) One secondary suite or accessory suite is permitted per parcel.
- (d) **ANIMAL CLINICS**  
Major animal clinics shall not be located on parcels less than 2.0 ha.
- (e) **KENNELS/STABLES**  
Kennels and stables shall not be located on parcels less than 2.0 ha. and must be located a minimum of 50.0 m from all property lines.

# Attachment D: Land Use Contract Bylaw, 1164, 2021

## DISTRICT OF LAKE COUNTRY

### BYLAW 1164

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#### A BYLAW TO DISCHARGE LAND USE CONTRACT 231

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

1. The Council of the District of Lake Country hereby discharges Land Use Contract 231 from Lot 2 Section 33 Township 20 Osoyoos Division Yale District Plan KAP91604 located in the District of Lake Country.
2. This bylaw may be cited as "Land Use Contract Discharge Bylaw 1164, 2021".

READ A FIRST TIME this \_\_\_\_ day of \_\_\_\_, 2021.

READ A SECOND TIME this \_\_\_\_ day of \_\_\_\_, 2021.

ADVERTISED on the \_\_\_\_ and \_\_\_\_ days of \_\_\_\_, 2021 and a Public Hearing held pursuant to the provisions of Section 464 of the *Local Government Act* on the \_\_\_\_ day of \_\_\_\_, 2021.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_, 2021.

ADOPTED this \_\_\_\_ day of \_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer