

**DISTRICT OF LAKE COUNTRY**

**BYLAW 1250**

**A BYLAW TO AMEND ZONING BYLAW 561, 2007**

The Council of the District of Lake Country, in open meeting assemblies, enacts as follows:

1. Zoning Bylaw 561, 2007 is hereby amended as follows:

1.1. Section 2 General Administration, subsection 2.3. Zoning Map, sub section 2.3.1 is amended by adding the following row to the table titled "Section 19-Direct Control and Comprehensive Development Zones" immediately beneath the row DC12 Direct Control 12 (Turtle Bay Crossing Developments td.):

CD13	Comprehensive Development 13 (O'Rourke Family Vineyard)
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1.2. Section 3 Interpretation, subsection 3.3. General Definitions, section 3.3.3 is amended by adding the following definitions, in alphabetical order:

**AMPHITHEATRE** means a building or outdoor area or structure specifically designed and used as a place of assembly.

**CHILDREN'S CAMP** means the use of a site for provision of indoor or outdoor activities for children, including sports, arts and crafts, entertainment, recreation, educational activities, swimming, fishing, horseback riding, and incidental food service and dormitory accommodation. If incidental to the camp use, camp facilities may be used to provide meeting, recreation, or social facilities for a private association or group.

**EMPLOYEE HOUSING** means a building(s) or portion of a building(s) used to provide sleeping unit(s) or dwelling(s) for persons employed on the property, and where such housing is provided and regulated by the employer.

**EVENT CENTRE** means a facility used for meetings, conferences and similar social, corporate, and governmental events and functions, including but not limited to professional, educational, musical, cultural, and theatrical performances.

**WINERY TOURIST ACCOMODATION** means a building(s) or portion of a building(s) used for the accommodation of tourists and may have self-contained cooking facilities, and such use is associated with a vineyard and winery.

1.3. Section 19-Direct Control and Comprehensive Development Zones, is amended by inserting a new section the 19.12. CD13 – Comprehensive Development 13 (O'Rourke Family Vineyard)' zone, as shown on Schedule A attached to and forming part of this Bylaw, in numerical order and re-numbering subsequent sections.

1.4. By changing the zoning classification of:

Lot 14 Section 5 Township 14 Osoyoos Division Yale District Plan 525  
Lot 16 Section 5 Township 14 Osoyoos Division Yale District Plan 525  
Lot 17 Section 5 Township 14 Osoyoos Division Yale District Plan 525  
Lot 18 Section 5 Township 14 Osoyoos Division Yale District Plan 525  
Lot B Section 5 Township 14 Osoyoos Division Yale District Plan EPP34669  
Lot 22 Section 5 Township 14 Osoyoos Division Yale District Plan 525  
Lot 23 Section 5 Township 14 Osoyoos Division Yale District Plan 525  
Lot 24 Section 5 Township 14 Osoyoos Division Yale District Plan 525  
Lot 25 Section 5 Township 14 Osoyoos Division Yale District Plan 525  
Lot A Section 5 Township 14 Osoyoos Division Yale District Plan EPP87503  
Lot 14 Section 8 Township 14 Osoyoos Division Yale District Plan 712

**From:** A1 – Agriculture 1  
**To:** CD13 – Direct Control 13 (O’Rourke Family Vineyard)

And

Lot 3 Section 5 Township 14 Osoyoos Division Yale District Plan 525  
Lot B Sections 5 and 8 Township 14 Osoyoos Division Yale District Plan EPP88444

**From:** RR1 – Rural Residential 1  
**To:** CD13 – Direct Control 13 (O’Rourke Family Vineyard)

And

Lot 20 Section 5 Township 14 Osoyoos Division Yale District Plan 525

**From:** RR2 – Rural Residential 2  
**To:** CD13 – Direct Control 13 (O’Rourke Family Vineyard)

As shown on Schedule B, attached to and forming part of this bylaw.

2. This bylaw may be cited as “Zoning Amendment (OPZ00003) Bylaw 1250, 2024”.

READ A FIRST TIME this XX day of XX, 2024.

READ A SECOND TIME this XX day of XX, 2024.

ADVERTISED on the XX and XX days of XX, 202x and a Public Hearing held pursuant to Section 464 of the Local Government Act on the X day of XX, 202x.

READ A THIRD TIME this X day of XX, 202x

ADOPTED this xx day of month, 202X.

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Mayor

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Corporate Officer

### Schedule A to Bylaw 1250, 2024

#### 19.12. CD-13 – Comprehensive Development 13 (O’Rourke Family Vineyard)

##### 19.12.1. Purpose

This zone provides for the comprehensive development of land holdings within the Carr’s Landing area and identified as the O’Rourke Family Vineyard including a winery and associated agricultural, tourist and residential uses.

The CD-13 zone is divided by use and topography into three sub-areas, as described below and generally depicted in Figure 19.12.1:

**Area A** Agriculture, vineyards, winery including ancillary uses of administration, storage/distribution, wine tasting, service and utility, restaurants, amphitheatre/event centre, tourist accommodation and long-term rentals.

**Area B** Non-contiguous areas with tourist accommodation and long-term rentals and infrastructure for water reservoir and storm water retention.

**Area C** Long term rentals, employee housing, children’s camp, storage buildings, and infrastructure including gravel pit and septic field.

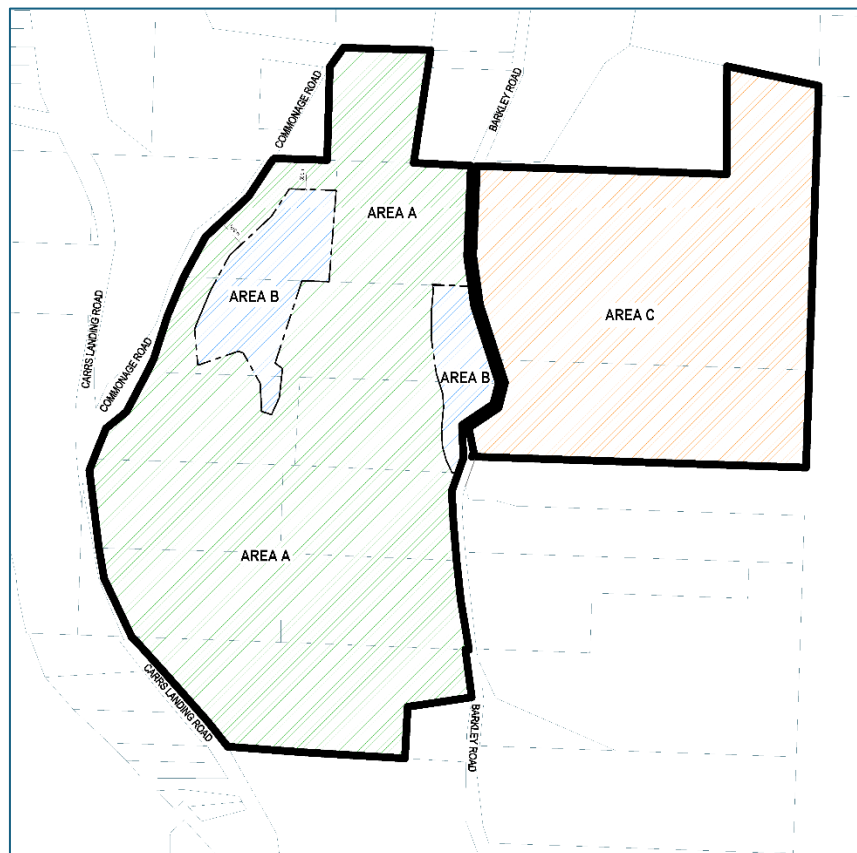


Figure 19.13.1 - CD 13 Zone Use Areas

## 19.12.2 Principal Uses

Principal uses shall occur within specified Area(s) on the land as indicated in the following table and depicted in Figure 19.13.1

Use	Area A	Area B	Area C
(a) Agriculture, extensive	P <sup>1</sup>	P	P
(b) Agri-tourism	P	P	P
(c) Amphitheatre	P		
(d) Dwelling unit	P	P	P
(e) Event Centre	P		
(f) Food Primary Establishment	P		
(g) Food Primary License	P		
(h) Spectator Entertainment Establishment	P		
(i) Wineries, Cideries, and Meaderies	P		

## 19.12.3 Secondary Uses

- (a) Secondary uses shall occur within specified Area(s) on the land as indicated in the following table and depicted in Figure 19.13.1
- (b) Accessory and/or Secondary buildings and uses are permitted on any property within the CD-13 zone, despite any definition or regulation to the contrary.

Use	Area A	Area B	Area C
(i) Accessory Buildings	P	P	P
(ii) Children's Camp			P
(iii) Dwelling unit	P		
(iv) Employee Housing			P
(v) Licensee Retail Liquor Store	P		
(vi) Liquor Primary Establishment, Major	P		
(vii) Outdoor Storage	P	P	P
(viii) Retail stores, convenience	P		
(ix) Secondary Suite	P	P	P
(x) Winery tourist accommodation	P	P	P
(xi) Utility Services, Minor Impact	P	P	P

<sup>1</sup> P = permitted

## 19.12.3 Subdivision Regulations

	Area A	Area B	Area C
(a) Minimum Area	4.0 ha		
(b) Minimum Depth	30.0 m	100.0 m	100.0 m
(c) Minimum Width	30.0 m	40.0 m	40.0 m

## 19.12.4 Development Regulations

## (a) Density

	Area A	Area B	Area C
(i) Dwelling units	2	3	2
(ii) Amphitheatre / Event Center	10,000 m <sup>2</sup>		
(iii) Children's Camp			80 attendees at a time
(iv) Employee Housing			100 sleeping units
(v) Food and Liquor Establishments and Retail Store, convenience and liquor (combined total)	3,500m <sup>2</sup>		
(vi) Secondary Suite	one per dwelling unit		
(vii) Winery, Cidery, Meadery	7,500 m <sup>2</sup>		
(viii) Winery Tourist Accommodation	25 units	55 units	

## (b) Site Coverage

	Area A	Area B	Area C
(i) Total of all buildings and structures within sub-area	15%	15%	15%

## (c) Height

	Area A	Area B	Area C
(i) Agricultural Buildings	16.0 m		
(ii) Accessory Buildings, unless otherwise specified	4.5 m		
(iii) Accessory buildings, winery	12.0 m		
(iv) Amphitheatre / Event Center / Winery	20.0 m		
(v) Dwelling Unit	10.0 m	10.0 m	
(vi) Children's Camp			10.0 m
(vii) Winery Tourist Accommodation	10.0 m	10.0 m	

- (d) Setbacks: minimum setback required from the building/use to the exterior boundaries of the CD13 zone and nearest lot line adjacent to a dedicated road:

	<b>Public Road Right of Way</b>	<b>North Site Boundary</b>	<b>East Site Boundary</b>	<b>South Site Boundary</b>	<b>West Site Boundary</b>
(i) Agricultural Buildings	10.0 m	10.0 m	10.0 m	10.0 m	10.0 m
(ii) Accessory Buildings (all)	6.0 m	6.0 m	6.0 m	6.0 m	6.0 m
(iii) Amphitheatre / Event Center / Winery	30.0 m	30.0 m	30.0 m	30.0 m	30.0 m
(iv) Winery Tourist Accommodation	6.0 m	15.0 m	15.0 m	15.0 m	15.0 m
(v) All uses not listed separately	10.0 m	10.0 m	10.0 m	10.0 m	10.0 m

#### 19.12.5 Landscaping

Notwithstanding any regulations contained in Section 8 Landscaping and Screening, only the following regulations shall apply to the CD13 zone:

- (a) The minimum Landscape Buffer for the CD13 zone is Level 1, except that:
- (i) the minimum landscaping required for all parking and loading areas is Level 2, as regulated by Section 8.6, and
  - (ii) the minimum landscaping required for access driveways is Level 2, as regulated by Section 8.6., when adjacent to:
    - a. a dedicated road, or
    - b. the exterior boundary of the site.
  - (iii) Site refuse and recycling bins, including all other large receptacles used for the temporary storage of materials, require opaque screening from adjacent lots and streets.

#### 19.12.6 Parking and Loading

Notwithstanding any regulation contained in Section 9 Parking, only the following regulations shall apply to CD-13:

- (a) the minimum number of parking spaces: 200
- (b) the minimum number of loading stalls: 3
- (c) the minimum number of Class I bike parking spaces: 5
- (d) the minimum number of Class II bike parking spaces: 5

19.12.7 Events, Amphitheatre and Spectator Entertainment Regulations

- (a) outdoor events, amphitheatre use and outdoor spectator entertainment shall be limited to the following hours of operation:
  - (i) Sunday through Thursday between 7:00 hours and 22:00 hours, and
  - (ii) Friday, Saturday between 7:00 hours and 23:59 hours, or
  - (iii) Statutory holidays and the day preceding a statutory holiday between 7:00 hours and 23:59 hours
- (b) outdoor events, amphitheatre use and outdoor spectator entertainment shall have a maximum of 500 attendees, except that:
  - (i) there may be up to 4 events annually with a maximum of 1,200 attendees where a traffic management plan is in place (which may include but is not limited to shuttle buses and traffic management personnel at key intersections).

19.12.8 Other regulations

In addition to the regulations listed above, other regulations may apply, including but not limited to:

- (a) Section 7 General Development Regulations shall apply to CD-13, except for:
  - (i) Section 7.12 Lake Development Sight Lines, and
  - (ii) Section 7.13 Hillside Development Sight Lines.
- (b) Section 10 Specific Use Regulations, and
- (c) Section 11 Signs.

Schedule B to Bylaw 1250, 2024

