

## **Agenda**

### **Regular Council Meeting**

**Tuesday, January 14, 2025, Immediately following the Public Hearing**  
**Council Chambers/Video Conference**  
**10150 Bottom Wood Lake Road**  
**Lake Country, British Columbia V4V 2M1**

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Pages

1. **Call to Order and Territorial Acknowledgement**  
We acknowledge that we are conducting our business today on the unceded territory of squilx"/syilx (Okanagan) peoples. As a Council, we recognize the importance of doing our best to build respectful relationships that contribute to stewarding the land and waters in the community with integrity and consideration for future generations.
2. **Adoption of Agenda**  
Recommendation  
THAT the Regular Council Meeting Agenda of January 14, 2025 be adopted.
3. **Adoption of Minutes**
  - 3.1 **Regular Council Meeting Minutes of December 17, 2024** 6  
Recommendation  
THAT the Regular Council Meeting Minutes of December 17, 2024 be adopted.
4. **Mayor's Report**
5. **Announcements**  
Mark your calendar – drop in to either of the Budget Open House events scheduled for:
  - Tuesday, January 28 5pm-8pm at GESS; and
  - Thursday, February 6 3pm-6pm Municipal Hall

**Come out and chat in person to have your questions answered and learn what is included in the 2025 budget.**

**Submit a question before the meeting through Let's Talk – Lake Country.**  
**(letstalk.lakecountry.bc.ca)**
6. **Delegations**
7. **Planning and Development Applications**
  - 7.1 **Liquor Licence Referral Application | R0000379 | 3950 Irvine Road** 13  
An application for a lounge area endorsement to a manufacturer's licence for Folktale Cider

Recommendation

THAT the following recommendation be forwarded to the Liquor and Cannabis Regulation Branch (LCRB) regarding Liquor Licence Referral Application R0000379 for property located at 3950 Irvine Road:

1. Council has considered the following:
  - The location of the establishment (3950 Irvine Road) and impacts on the surrounding neighbourhood.
  - The person capacity (30) and hours of liquor service (9:00 am to 10:00 pm).
2. Council's comments on the prescribed criteria are as follows:
  - Noise is not expected to be an issue as the proposed location is in an agricultural area which borders commercial development with few rural residential properties nearby.
  - If the application is approved, the impact on the community is expected to be positive as it will support the growth in agri-tourism and offer a new social venue in the community.
3. Council's comment on the views of residents are as follows:
  - The views of residents were solicited by letters to the surrounding property owners and tenants within a 100-metre buffer area, signage on the subject property, and advertisement in the local newspaper for two consecutive weeks on January 2<sup>nd</sup> and January 9<sup>th</sup>, 2025. Residents will have an opportunity to provide comments at the regular Council meeting of January 14<sup>th</sup>, 2025. Council will receive public feedback received by the District during the consultation process. At the Council meeting on January 14<sup>th</sup>, staff will provide Council with a summary of feedback received.
4. Council recommends the issuance of the licence with an endorsement for an interior lounge area for the following reasons:
  - Council believes the proposal will contribute positively to the community. The cidery would provide a unique social venue in the District and would support a new local business in the agri-tourism sector. The 10 pm closing time proposed by the applicant is not expected to be an issue due to limited occupancy of the venue and the rural nature of the property.

**7.2 Agricultural Land Reserve and Zoning Amendment |ALR00192 & Z0000333 |12820 Trewitt Road  
To permit Agri-Tourism Accommodation for a seasonal campsite on a property in the Agricultural Land Reserve.**

24

Recommendation

THAT Agricultural Land Reserve ALR00192 application for Non-Farm Use on the property at 12820 Trewitt Road, (Roll 02907.000; PID 011-888-261) be supported;

AND THAT ALR00192 application for Non-Farm Use be forwarded to the Agricultural Land Commission;

AND THAT Zoning Amendment (Z0000333) Bylaw 1264, 2025 be read a first time.

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**7.3 Development Variance Permit | DVP00398 | 10074 Highway 97  
Development Variance Permit to authorize an existing non-conforming fascia sign and to allow additional building signage.**

Recommendation

THAT Development Variance Permit DVP00398 (Attachment A in the Report to Council dated January 14<sup>th</sup>, 2024) for the property at 10074 Highway 97 (PID: 001-729-721), to authorize an existing non-conforming fascia sign and up to four fascia signs, be approved.

**7.4 Zoning Bylaw Amendment | Z0000335 | 14198 Middle Bench Road  
To rezone a property allowing Agri-tourism accommodation at 14198 Middle Bench Road, within the Agricultural Land Reserve.**

75

Recommendation

THAT Zoning Amendment (Z0000335) Bylaw 1265, 2025 be read a first, and second time;

AND THAT Zoning Amendment (Z0000335) Bylaw 1265, 2025 be forwarded to a public hearing.

**8. Departmental Reports**

**8.1 Development Cost Charge (DCC) Amendment Bylaw 1233, 2024  
Amendment to the Water, Sanitary Sewer, Drainage and Mobility DCCs**

105

**Presentation from UDI.**

Recommendation

THAT third reading of Development Cost Charge (DCC) Amendment Bylaw 1233, 2024 be rescinded;

AND THAT Development Cost Charge (DCC) Amendment Bylaw 1233, 2024 as shown on Attachment C (OPTION 1) to the Report to Council dated January 14, 2025, be read a third time as amended.

**8.2 UBCM-CEPF for ESS Training and Equipment 2025 Intake  
RDCO Application to the UBCM-CEPF for ESS Training and Equipment**

135

Recommendation

THAT the Regional District of Central Okanagan (RDCO) 2025 grant application to the Union of British Columbia Municipalities (UBCM) Community Emergency Preparedness Fund (CEPF) for Emergency Support Services Training and Equipment stream, be supported;

AND THAT the RDCO be authorized to apply for, receive and manage the grant funding on behalf of the District of Lake Country.

**8.3 Subdivision and Development Servicing Amendment (Cash In-Lieu) Bylaw 1262, 2025  
Updates to the provision for Cash In-Lieu for the construction of works and services**

138

Recommendation

THAT Subdivision and Development Servicing Amendment (Cash In-Lieu) Bylaw 1262, 2025 be read a first, second and third time.

**9. Bylaws for Adoption and Readings Following a Public Hearing**

**9.1 Zoning Amendment Bylaw 1243, 2024 | Z0000339 | Strata Hotel / Motel Secondary Use**

142

**Addition of Strata Hotel/Motel as a Secondary Use to 9652 and 9654 Benchland Drive  
Zara at Lakestone**

**Read a 1st and 2nd time October 1, 2024. Public Hearing November 5, 2024.**

Recommendation

Council consideration of options listed under Alternate Recommendations.

- 9.2 Zoning Bylaw Amendment | Z0000341 | Backyard Chickens 148**  
**Zoning Amendment (Backyard Chickens) Bylaw 1246, 2024 for third reading following  
Public Hearing.**

**Read a 1st, and 2nd time October 15, 2024. Public Hearing January 14, 2025.**

Recommendation

THAT Zoning Amendment (Backyard Chickens) Bylaw 1246, 2024 be read a third time.

- 9.3 Fees Amendment (Business Licence) Bylaw 1244, 2024 151**  
**Fees Amendment (Business Licence) Bylaw 1244, 2024 for adoption.**

**Read a 1st, 2nd, and 3rd time December 17, 2024.**

Recommendation

THAT Fees Amendment (Business Licence) Bylaw 1244, 2024 be adopted.

- 9.4 Highways and Building Regulation Bylaw Amendments for Driveways and Driveway 153**  
**Accesses**  
**Highways Amendment Bylaw 1256, 2025 and Building Regulation Amendment Bylaw  
1257, 2025 for adoption.**

**Both bylaws read a 1st, 2nd, and 3rd time December 17, 2024.**

Recommendation

THAT Highways Amendment Bylaw 1256, 2025 be adopted;

AND THAT Building Regulation Amendment Bylaw 1257, 2025 be adopted.

- 9.5 Rezoning Application | Z0000345 | 3223 Woodsdale Rd & 11437 Bottom Wood Lake 156**  
**Road**  
**Zoning Amendment (Z0000345) Bylaw 1252, 2024 for adoption.**

**Read a 1st, 2nd, and 3rd time December 17, 2024.**

Recommendation

THAT Zoning Amendment (Z0000345) Bylaw 1252, 2024 be adopted.

- 9.6 Official Community Plan Amendment | OCP00061 | Map 6 162**  
**Official Community Plan Amendment (OCP00061) Bylaw 1263, 2024 for third reading  
following Public Hearing.**

**Read a 1st, and 2nd time December 17, 2024. Public Hearing January 14, 2025.**

Recommendation

THAT Official Community Plan Amendment (OCP00061) Bylaw 1263, 2024 be read a third time.

**10. Rise and Report from In Camera**

**11. Council Committees**

11.1	Parks and Recreation Advisory Committee DRAFT Meeting Minutes of November 25, 2024	164
11.2	Public Art Advisory Committee DRAFT Meeting Minutes of December 9, 2024	167
11.3	Agricultural Advisory Committee DRAFT Meeting Minutes of December 9, 2024	171
12.	External Committees and Boards	
12.1	Regional District of Central Okanagan Board Report of December 12, 2024	179
13.	Strategic Priorities	180
14.	Report from Councillors	
15.	Adjournment	

posted January 9, 2025  
Reyna Seabrook, Corporate Officer



## Minutes

### Regular Council Meeting

December 17, 2024, 7:00 p.m.  
Council Chambers/Video Conference  
10150 Bottom Wood Lake Road  
Lake Country, British Columbia V4V 2M1

**Council Present:**

Mayor Blair Ireland  
Councillor Tricia Brett  
Councillor Heather Irvine  
Councillor Michael Lewis  
Councillor Todd McKenzie  
Councillor Bib Patel  
Councillor Cara Reed

**Staff Present:**

Paul Gipps, Chief Administrative Officer  
Jeremy Frick, Director of Planning & Development  
Trevor James, Chief Financial Officer  
Darren Lee, Fire Chief  
Matthew Salmon, Director of Engineering & Environmental Services  
Brad Savoury, Director of Legal Services and Risk Management  
Reyna Seabrook, Director of Corporate Services  
Matt Vader, Director of Parks, Recreation & Culture  
Steven Gubbels, Manager of Development  
Greg Price, Manager of Building and Bylaw Services  
Trevor Empey, Senior Planner  
Ruth Sulentich, Economic Development and Public Engagement Specialist  
Jason Tran, Planner  
Scott Unser, Public Works Manager  
Richard Wagner, Manager of Finance  
Kiel Wilkie, Utility Manager  
Brian Zurek, Manager of Planning  
Makayla Ablitt, Legislative Technical Clerk

#### 1. Call to Order and Territorial Acknowledgement

*We acknowledge that we are conducting our business today on the unceded territory of squilx"/syilx (Okanagan) peoples. As a Council, we recognize the importance of doing our best to build respectful relationships that contribute to stewarding the land and waters in the community with integrity and consideration for future generations.*

The Mayor called the meeting to order at 7:00 p.m.

## 2. Adoption of Agenda

### **2024-12-220 It was moved and seconded**

*THAT the Regular Council Meeting Agenda for December 17, 2024 be adopted with the following addition:*

- Item 7.6 Official Community Plan Amendment | OCP00061 | Map 6

**Carried.**

## 3. Adoption of Minutes

### 3.1 Regular Council Meeting Minutes of November 19, 2024

#### **2024-12-221 It was moved and seconded**

*THAT the Regular Council Meeting Minutes of November 19, 2024 be adopted.*

**Carried.**

### 3.2 Regular Council Meeting Minutes of December 3, 2024

#### **2024-12-222 It was moved and seconded**

*THAT the Regular Council Meeting Minutes of December 3, 2024 be adopted.*

**Carried.**

## 4. Mayor's Report

## 5. Announcements

Municipal Hall office will be closed for the holidays December 25-January 1 (reopen January 2). Essential services remain in operation. Visit the website [www.lakecountry.bc.ca](http://www.lakecountry.bc.ca) for any service requests or department contact information.

Bi-weekly fall yard waste pickup ends Tuesday, December 31 this year and resumes again March 3, 2025. Garbage, recycling and yard waste will not be collected on Christmas Day, Wednesday, December 25, or New Year's Day, Wednesday, January 1. As a result, curbside pick-up moves ahead one day. During these two weeks only, residents who normally have collection on Wednesday should put their carts at the curb for collection on Thursday instead.

Thank you to everyone that supported the firefighters' donation collection campaign for the Lake Country Food Bank. They collected over 7,000 lbs of non-perishable food items and over \$14,000 in cash/cheque/online payments. And the online donations are still coming in. The RCMP Cram the Cruiser with toys was also very well supported and the generosity of the community is very much appreciated by the organizations that coordinate the distribution to community members in need throughout the year.

## 6. Delegations

### 6.1 Lake Country Garden Club

### 6.2 Community Engagement Grant from Lake Country Garden Club & WALC

A demonstration garden that will showcase sustainable gardening practices and improving a trail connection to improve safe connections between schools.

**2024-12-223 It was moved and seconded**

*THAT the Community Engagement Grant request in the amount of \$7,000 from the Lake Country Garden Club for a demonstration garden be approved.*

*AND THAT the Community Engagement Grant request in the amount of \$5,000 from Walk Around Lake Country for the Sherman Road trail enhancement be approved.*

**Carried.**

**7. Planning and Development Applications**

**7.1 OCP and Zoning Bylaw Amendment | OPZ00003 | O'Rourke Family Vineyard**

OCP and Zoning Amendment to facilitate a vineyard, winery, event centre, restaurants, and accommodations.

**2024-12-224 It was moved and seconded**

*THAT Official Community Plan Amendment (OPZ00003) Bylaw 1249, 2024 be considered in conjunction with the District's financial plan and waste management plan;*

*AND THAT Official Community Plan Amendment (OPZ00003) Bylaw 1249, 2024 be read a second time;*

*AND THAT Zoning Amendment (OPZ00003) Bylaw 1250, 2024 be read a second time;*

*AND FINALLY THAT Official Community Plan Amendment (OPZ00003) Bylaw 1249, 2024 and Zoning Amendment (OPZ00003) Bylaw 1250, 2024 be forwarded to a Public Hearing.*

**Carried.**

*OPPOSED: Councillors Reed, Irvine*

**7.2 2024 Interim Housing Needs Report**

Assessment of Housing Need following Local Government Act (Bill 44) Legislative Requirements

**2024-12-225 It was moved and seconded**

*THAT the District of Lake Country Interim Housing Needs Report, December 2024, prepared in accordance with Part 20 Division 3 of the Local Government Act, be adopted.*

**Carried.**

**7.3 Rezoning Application | Z0000345 | 3223 Woodsdale Rd. & 11437 Bottom Wood Lake Rd.**

Rezoning from C1 – Town Centre Commercial to CD15 – Comprehensive Development

**2024-12-226 It was moved and seconded**

*THAT Zoning Amendment (Z0000345) Bylaw 1252, 2024 be read a first, second and third time.*

**Carried.**

#### **7.4 Rezoning Application | Z0000337 | 3551 and 3583 Woodsdale Rd.**

Rezoning two parcels from RU1 – Small Scale Multiple Unit Housing to RM5 – Medium Density Multiple Housing

**2024-12-227 It was moved and seconded**

*THAT Zoning Amendment (Z0000337) Bylaw 1251, 2024 be read a first, second and third time.*

*AND THAT prior to adoption the District secure road dedication along the northern boundaries of both subject properties.*

*AND THAT prior to adoption, the District secure an extended servicing covenant to allow for off-site pedestrian improvements.*

**Carried.**

#### **7.5 Zoning Bylaw Amendment | Z0000328 | 11474 Petrie Rd**

To rezone a property allowing future multiple-unit residential development for rental use

**2024-12-228 It was moved and seconded**

*THAT Zoning Amendment (Z0000328) Bylaw 1254, 2024 be read a first, second and third time;*

*AND THAT prior to adoption, the applicant enter into a rental housing agreement with the District to secure rental units on the subject properties for a 10 year term;*

*AND THAT prior to adoption, the District secure road dedication of 10 metres from existing centre line on Pretty Road and an emergency vehicle turnaround at the north end of Petrie Road.*

**Carried.**

#### **7.6 Official Community Plan Amendment | OCP00061 | Map 6**

To amend OCP Map 6 'Sewer Service Infrastructure' to add specific properties on Tyndall Road to the sewer service area as aligned with Map 3 'Urban Containment Boundary'.

The Mayor called a recess at 9:28 p.m. The meeting readjourned at 9:39 p.m.

Councillor Lewis declared a conflict of interest due to property ownership and left the meeting at 9:40 p.m.

**2024-12-229 It was moved and seconded**

*THAT Official Community Plan Amendment (OPC00061) Bylaw 1263, 2024 be read a first time*

*THAT Official Community Plan Amendment (OPC00061) Bylaw 1263, 2024 be considered in conjunction with the District's financial plan and waste management plans;*

*AND THAT Official Community Plan Amendment (OPC00061) Bylaw 1263, 2024 be read a second time;*

*AND FINALLY THAT Official Community Plan Amendment (OPC00061) Bylaw 1263, 2024 be forwarded to a Public Hearing.*

**Carried.**

## **8. Departmental Reports**

### **8.1 2025 Early Approval of Capital and Staffing Requests**

Request for early approval for certain 2025 Capital Projects and Staffing Requests

Councillor Lewis returned at 9:46 p.m.

#### **2024-12-230 It was moved and seconded**

*THAT the following Capital Projects and new staff positions be given early approval to allow expenditure prior to adoption of the 2025-2029 Financial Plan:*

- Economic Development Corporation - \$40,000 (reserves)
- Lake Country Business Park Area Structure Plan - \$540,000 (reserves and development cost charges)
- OCP Update – Revised - \$250,000 (grants and reserves)
- North Aberdeen Guidance Plan - \$50,000 (reserves)
- Finance Budget Software - \$85,000 (reserves)
- Facility Renewal & Replacement - \$200,000 (reserves)
- Swalwell Park Improvements – Construction - \$2,980,000 (reserves and development cost charges)
- Carr's Landing Rd & Commonage Road – Design - \$450,000 (reserves and development cost charges)
- Lodge Road – Sherman Drive to Woodsdale Road – Construction - \$2,800,000 (reserves and development cost charges)
- Water Service Truck - \$250,000 (reserves)
- Thermal Imaging Cameras - \$75,000 (reserves)
- Structure Protection Trailer - \$45,000 (grant funded)
- McCarthy Lift Station – Design - \$250,000 (reserves and development cost charges)
- Lodge Road Forcemain Partial Twinning – Design - \$100,000 (reserves and development cost charges)
- Irvine Road Pump Station/PRV – Supplemental - \$250,000 (reserves)



- Glenmore PRV and Corridor Improvement Project - \$750,000 (reserves)
- Okanagan Centre Small Diameter Watermain Replacement (Phase 2) – Design - \$200,000 (reserves)
- Manager of Corporate Administration - \$40,000 (taxation)
- Accounting Clerk - \$78,000 (taxation)
- Grant Funding Specialist - \$17,000 (taxation)
- Senior Advisor, Intergovernmental Relations - \$40,000 (taxation)
- Manager of Current Planning - \$35,000 (taxation)
- Director of Legal Services - \$70,000 (taxation)
- Engineering Technician - \$117,000 (water & sewer user fees)

***Carried.***

## **8.2 Fees Amendment (Business Licence) Bylaw 1244, 2024**

Business Licence Fee Amendment for Home Based Businesses

***2024-12-231 It was moved and seconded***

*THAT Fees Amendment (Business Licence) Bylaw 1244, 2024 be read a first, second and third time.*

***Carried.***

## **8.3 Highways and Building Regulation Bylaw Amendments for Driveways and Driveway Accesses**

Consider adoption of two bylaw amendments.

***2024-12-232 It was moved and seconded***

*THAT Highways Amendment Bylaw 1256, 2025, be read a first, second and third time;*

*AND THAT Building Regulation Amendment Bylaw 1257, 2025, be read a first, second and third time;*

*AND THAT Driveway Design and Construction Guidelines Policy 200, 2022 be rescinded.*

***Carried.***

## **9. Bylaws for Adoption and Readings Following a Public Hearing**

### **10. Rise and Report from In Camera**

### **11. Council Committees**

#### **11.1 Water Services Advisory Committee DRAFT Meeting Minutes of November 8, 2024**

**12. External Committees and Boards**

- 12.1 Okanagan Regional Library Board of Trustees Regular Meeting Minutes of September 11, 2024**
- 12.2 Board of Education Meeting Highlights of November 13, 2024**
- 12.3 Regional District of Central Okanagan Board Report of November 28, 2024**
- 12.4 Okanagan Basin Water Board Report of December 2024**

**13. Strategic Priorities****14. Report from Councillors**

Councillor Irvine wished the community a Merry Christmas and Happy Holidays. She reminded the community to not drink and drive.

Councillor McKenzie asked if it was possible to change the meeting date for the July 15, 2025 meeting.

Councillor Brett echoed Holiday wishes and looks forward to what the District will accomplish in 2025.

Councillor Patel reminded the community to support local while purchasing Christmas gifts this year, and looks forward to what's coming in 2025.

Councillor Reed echoed comments from around the table. She thanked Carr's Landing for their contributions to the food bank this year, and the firefighters who volunteered to collect donation's. She congratulated staff for 97% on the COR Safety Audit and wished Happy Holidays to the community, however they are celebrated.

Councillor Lewis feels optimistic looking into 2025, and is excited about the changes made in 2024. He reminded the community to exercise patience with each other during this stressful time of year.

Mayor Ireland noted this was an incredible year for accomplishments at the District. He echoed Councillor Lewis in this being a stressful time of year. He cautioned the community to drive carefully as the snow starts to fall, and hopes everyone has a chance to spend time with friends and family over the Holidays.

**15. Adjournment**

The Mayor adjourned the meeting at 10:16 p.m.

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Mayor, Blair Ireland

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Corporate Officer, Reyna Seabrook

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**To:** Mayor and Council  
**From:** Paul Gipps, CAO  
**Meeting Date:** January 14, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Jason Tran, Planner  
**Department:** Planning and Development

**Title:** Liquor Licence Referral Application | R0000379 | 3950 Irvine Road  
**Description:** An application for a lounge area endorsement to a manufacturer's licence for Folktale Cider

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### RECOMMENDATION

THAT the following recommendation be forwarded to the Liquor and Cannabis Regulation Branch (LCRB) regarding Liquor Licence Referral Application R0000379 for property located at 3950 Irvine Road:

1. Council has considered the following:
  - The location of the establishment (3950 Irvine Road) and impacts on the surrounding neighbourhood.
  - The person capacity (30) and hours of liquor service (9:00 am to 10:00 pm).
2. Council's comments on the prescribed criteria are as follows:
  - Noise is not expected to be an issue as the proposed location is in an agricultural area which borders commercial development with few rural residential properties nearby.
  - If the application is approved, the impact on the community is expected to be positive as it will support the growth in agri-tourism and offer a new social venue in the community.
3. Council's comment on the views of residents are as follows:
  - The views of residents were solicited by letters to the surrounding property owners and tenants within a 100-metre buffer area, signage on the subject property, and advertisement in the local newspaper for two consecutive weeks on January 2<sup>nd</sup> and January 9<sup>th</sup>, 2025. Residents will have an opportunity to provide comments at the regular Council meeting of January 14<sup>th</sup>, 2025. Council will receive public feedback received by the District during the consultation process. At the Council meeting on January 14<sup>th</sup>, staff will provide Council with a summary of feedback received.
4. Council recommends the issuance of the licence with an endorsement for an interior lounge area for the following reasons:
  - Council believes the proposal will contribute positively to the community. The cidery would provide a unique social venue in the District and would support a new local business in the agri-tourism sector. The 10 pm closing time proposed by the applicant is not expected to be an issue due to limited occupancy of the venue and the rural nature of the property.

### EXECUTIVE SUMMARY

The application is for a lounge area endorsement to a manufacturer's licence for a cidery. The endorsement area would include the entire main floor of the existing barn building. The maximum occupancy load of the building is 30 people (including patrons and staff). The proposed hours of operation are 9 AM to 10 PM, with liquor service ending at 9:30 PM, seven days a week. The applicant has indicated that hours will vary during shoulder seasons.

The cidery is proposed in an area characterized by agricultural uses to the west and tourism to the east. The expected noise impact on the surrounding community is minimal, and the overall impact of the application, if approved, is likely to be positive. The LCRB requests that the District provide comments, in the form of a resolution, regarding this application.

Staff supports the proposed application.

## BACKGROUND

The application is for a lounge area endorsement to a manufacturer's licence for a cidery. The LCRB refers the application to the local municipality for input based on the following criteria:

1. the location of the establishment;
2. the person capacity and hours of liquor service of the establishment;
3. the impact of noise in the immediate vicinity; and,
4. the impact on the community if the application is approved.

Additionally, the LCRB requests that the local government collect feedback from nearby residents and business owners regarding this application.

Previously, the LCRB granted a manufacturing licence to the applicant with endorsements for on-site sales and outdoor consumption (picnic area) of alcohol. The picnic area endorsement allows up to 60 people. Provincial regulations do not require the LCRB to refer applications for on-site manufacture, sales, or outdoor consumption (picnic area) to local governments for Council consideration.

Application Type	Liquor Licence Application		
File Number:	R0000379		
Roll Number:	01798.001		
Proponent:	Folktale Cider (Blain Weber)	Owners:	Adam Green & Vanessa Trevors
Legal Description:	SECTION 11 OSOYOOS DIV OF YALE LAND DISTRICT PLAN KAP611B TOWNSHIP 14 PART SW 1/4 EXCEPTPLAN 390		
PID	009-378-448		
Civic Address:	3950 IRVINE RD		
OCP Designation:	Agricultural		
Zoning Designation:	A1 – Agriculture 1		
Land Use Contract	N/A		
ALR:	Yes		
Parcel Size:	2.47 ha (6.124 acres)		
Water Supply:	Municipal		
Sewer:	On-site		
Site Summary:		Zoning:	Use:
	<i>North:</i>	A1	Agriculture
	<i>East:</i>	A1TA/C2	Agriculture (Agri-Tourism Accommodation) and Neighbourhood Commercial
	<i>South:</i>	A1	Agriculture
	<i>West:</i>	A1	Agriculture

## DISCUSSION/ANALYSIS

### 1. The location of the establishment

The property is within the Agricultural Land Reserve (ALR), located at Irvine Road and Old Mission Road. It includes two residential sites, several farm buildings, and an existing orchard, as shown in Attachment A (location map). The property has a family-friendly picnic area and on-site parking shown in Attachment B. The property slopes from west to east with views of Kalamalka and Wood Lakes.

The neighborhood primarily consists of agricultural properties with rural residential dwellings to the north, south, and west. The closest residential property is about 35m to the west, and another residential property is located 72m east of the main cidery building.

Commercial-zoned property (Gatzke's Farm Market and Pane Vino Pizzeria) is located along the Pelmewash Parkway, approximately 50m east of the subject property. Across the Pelmewash Parkway, a new EV charging station has recently been established. Wood and Kalamalka Lakes are near the cidery. Local parks and attractions, including the Rail Trail attract a significant number of tourists to the area, especially during the summer.

A new cidery would provide a unique venue serving local residents and tourists. Additionally, the cidery would support surrounding small commercial businesses and diversify the agri-tourism sector.

## 2. The person capacity and hours of liquor service of the establishment

The application requests a lounge area endorsement for the main floor of the existing building and patio (Attachment C). The maximum capacity is 30 people (including patrons and staff), with proposed hours of operation from 9 AM to 10 PM, and liquor service ending at 9:30 PM, seven days a week. The applicant notes that during shoulder seasons, the hours of operation will vary.

The proposed hours of operation are similar to other establishments locally; however, the occupancy load is lower than local businesses. For comparison:

- Peak Cellars:
  - Hours: 12 PM to 9 PM, Monday to Sunday.
  - Occupancy: 150.
- Lake Country Brewing:
  - Hours: 3 PM to 9 PM Wednesday to Friday, 2 PM to 8 PM Saturday, 2 PM to 8 PM Sunday.
  - Occupancy: 105.
- Britannia Brewing:
  - Hours: 10:30 AM TO 9 PM Monday – Thursday, 10:30 to 10 PM Friday, 9 AM to 10 PM Saturday, 9 AM to 9 PM Sunday.
  - Occupancy: 97 indoors, 90 outdoors.

## 3. The impact of noise in the immediate vicinity

The proposed cidery is situated in an area supporting agricultural uses, with commercial and tourism uses to the east. The occupant load of the cidery is low compared to the above-noted venues. The impact of noise in the immediate vicinity is expected to be minimal.

## 4. The impact on the community if the application is approved

If approved, the lounge area endorsement is likely to have a positive impact on the community (Attachment D). The cidery would support agi-tourism in Lake Country and provide an additional social venue for local residents and other community members. The leased area has ample space to accommodate on-site parking for cidery staff and patrons.

## Other Considerations

The applicant will offer curated small bites, such as locally made dips and charcuterie boards, to complement their cider. This complies with LCRB requirements to provide food and non-alcoholic beverages at reasonable prices or free of charge to patrons in the service area under the lounge endorsement.

## Agricultural Land Commission

The applicant must confirm that the licensed establishment will adhere to the requirements laid out in the Agricultural Land Reserve (ALR) Use Regulation.

## Zoning Bylaw

The cidery and proposed ancillary uses comply with the regulations of the A1 - Agriculture 1 zone.

Staff support the proposal.

### **COMMUNICATION**

This application was referred to internal and external departments, including Bylaw and the RCMP. Neither the Bylaw nor RCMP staff noted concerns about the proposal.

A development notice sign has been installed on the property, and letters have been sent to neighboring property owners and tenants within 100m of the property. A newspaper ad was published in the January 2nd and 9th, 2025 editions of the Lake Country Calendar newspaper.

Any public correspondence will be provided to Council and staff will prepare a summary during the presentation of the application.

### **ALTERNATE RECOMMENDATIONS**

- A. THAT the following recommendation be forwarded to the Liquor and Cannabis Regulation Branch (LCRB) regarding Liquor Licence Referral Application R0000379 for property located at 3950 Irvine Road:
1. Council has considered the following:
    - The location of the establishment (3950 Irvine Road) and impacts on the surrounding neighbourhood.
    - The person capacity (30) and hours of liquor service (9:00 am to 10:00 pm).
  2. Council's comments on the prescribed criteria are as follows:
    - Noise is not expected to be an issue as the proposed location is in an agricultural area which borders commercial development with few rural residential properties nearby.
    - If the application is approved, the impact on the community is expected to be positive as it will support the growth in agri-tourism and offer a new social venue for residents.
  3. Council's comment on the views of residents are as follows:
    - The views of residents were solicited by letters to the surrounding property owners and tenants within a 100-metre buffer area, signage on the subject property, and advertisement in the local newspaper for two consecutive weeks on January 2<sup>nd</sup> and January 9<sup>th</sup>, 2025. Residents will be given an opportunity to provide comments at the regular Council meeting of January 14<sup>th</sup>, 2025. Council will receive public feedback received by the District during the consultation process. At the Council meeting on January 14<sup>th</sup>, staff will provide Council with a summary of feedback received.
  4. Council recommends the issuance of the licence with an endorsement for an interior lounge area for the following reasons:
    - Council believes the proposal will contribute positively to the community. The cidery would provide a unique social venue in the District and would support a new local business in the agri-tourism sector; however, Council recommends reduced hours of operation: (insert) PM closing time. Council recommends the proposed closing time of (INSERT) PM for the following reasons:
      - (INSERT).
- B. THAT the following recommendation be forwarded to the Liquor and Cannabis Regulation Branch (LCRB) regarding Liquor Licence Referral Application R0000379 for property located at 3950 Irvine Road:
1. Council has considered the following:
    - The location of the establishment (3950 Irvine Road) and impacts on the surrounding neighbourhood.
    - The person capacity (30) and hours of liquor service (9:00 am to 10:00 pm).
  2. Council's comments on the prescribed criteria are as follows:

- 
- [INSERT comments on the impact of noise on the community in the vicinity of the establishment]
  - [INSERT comments on the general impact on the community if the application is approved]
3. Council's comment on the views of residents are as follows:
- The views of residents were solicited by letters to the surrounding property owners and tenants within a 100-metre buffer area, signage on the subject property, and advertisement in the local newspaper for two consecutive weeks on January 2<sup>nd</sup> and January 9<sup>th</sup>, 2025. Residents will be given an opportunity to provide comments at the regular Council meeting of January 14<sup>th</sup>, 2025. Council will receive public feedback received by the District during the consultation process. At the Council meeting on January 14<sup>th</sup>, staff will provide Council with a summary of feedback received.
4. Council [recommends/does not recommend] the issuance of the licence with endorsements for an interior lounge area for the following reasons:
- INSERT reasons
  - INSERT any recommended conditions placed on endorsements (e.g. restrictions on hours of liquor service, person capacity)

#### **ANAYLSIS OF ALTERNATIVE RECOMMENDATIONS**

OPTION A: Council could support the application but recommend reduced hours of operation. The final decision regarding the approval of the lounge area endorsement will be made by the LCRB.

OPTION B: This option allows Council to create its own resolution either in support of the application, in support of the application with conditions, or in opposition to the application with Council's rationale.

Respectfully Submitted.  
**Jason Tran, Planner**

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**Report Approval Details**

Document Title:	R0000379 - 3950 IRVINE RD - LIQUOR LICENSE.docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A - R0000379 - Location Maps.pdf</li> <li>- Attachment B - R0000379 - Site Plan.pdf</li> <li>- Attachment C - R0000379 - Floor Plan from the LCRB.pdf</li> <li>- Attachment D - R0000379 - Folktale Cider Community Impact Statement.pdf</li> </ul>
Final Approval Date:	Jan 9, 2025

This report and all of its attachments were approved and signed as outlined below:

**Brian Zurek, Manager of Long Range Planning - Jan 7, 2025 - 2:17 PM**

**Jeremy Frick, Director of Development Approvals - Jan 8, 2025 - 4:39 PM**

**Reyna Seabrook, Director of Corporate Services - Jan 8, 2025 - 5:15 PM**

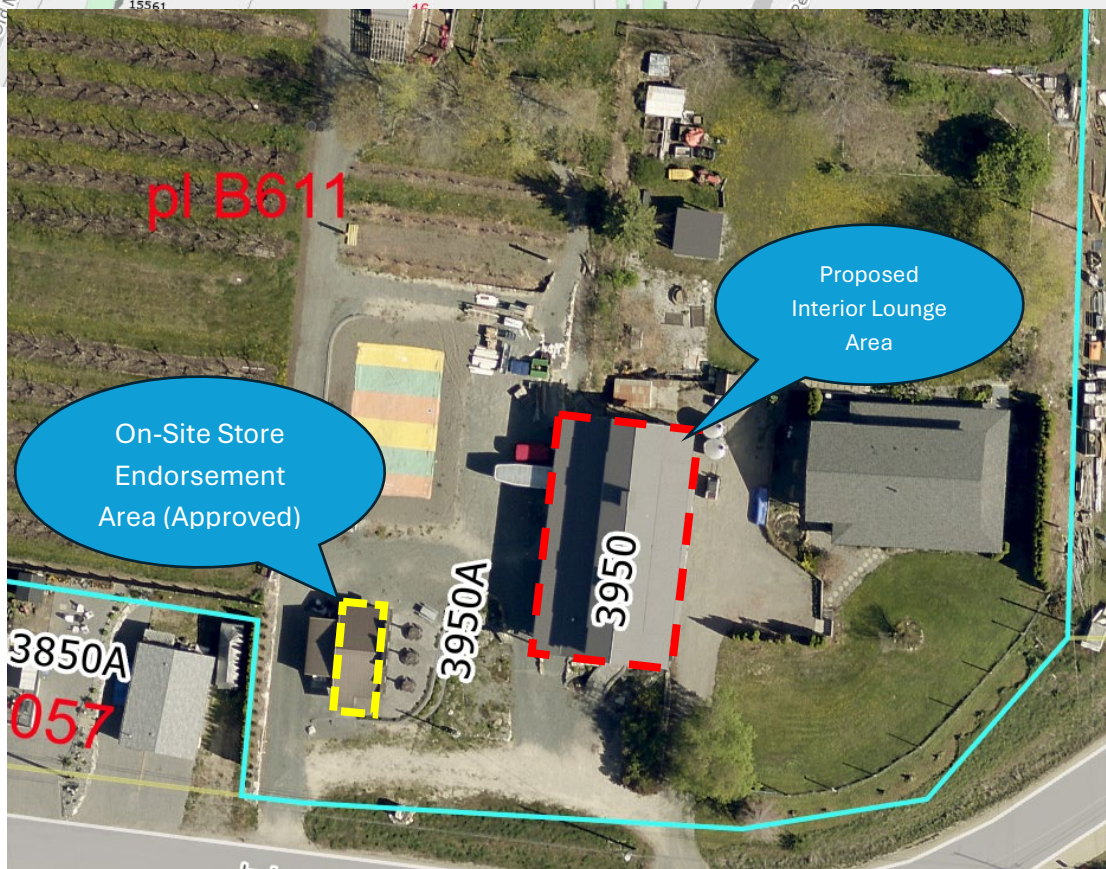
**Paul Gipps, Chief Administrative Officer - Jan 9, 2025 - 8:07 AM**



Attachment A: Location Map and Orthophoto



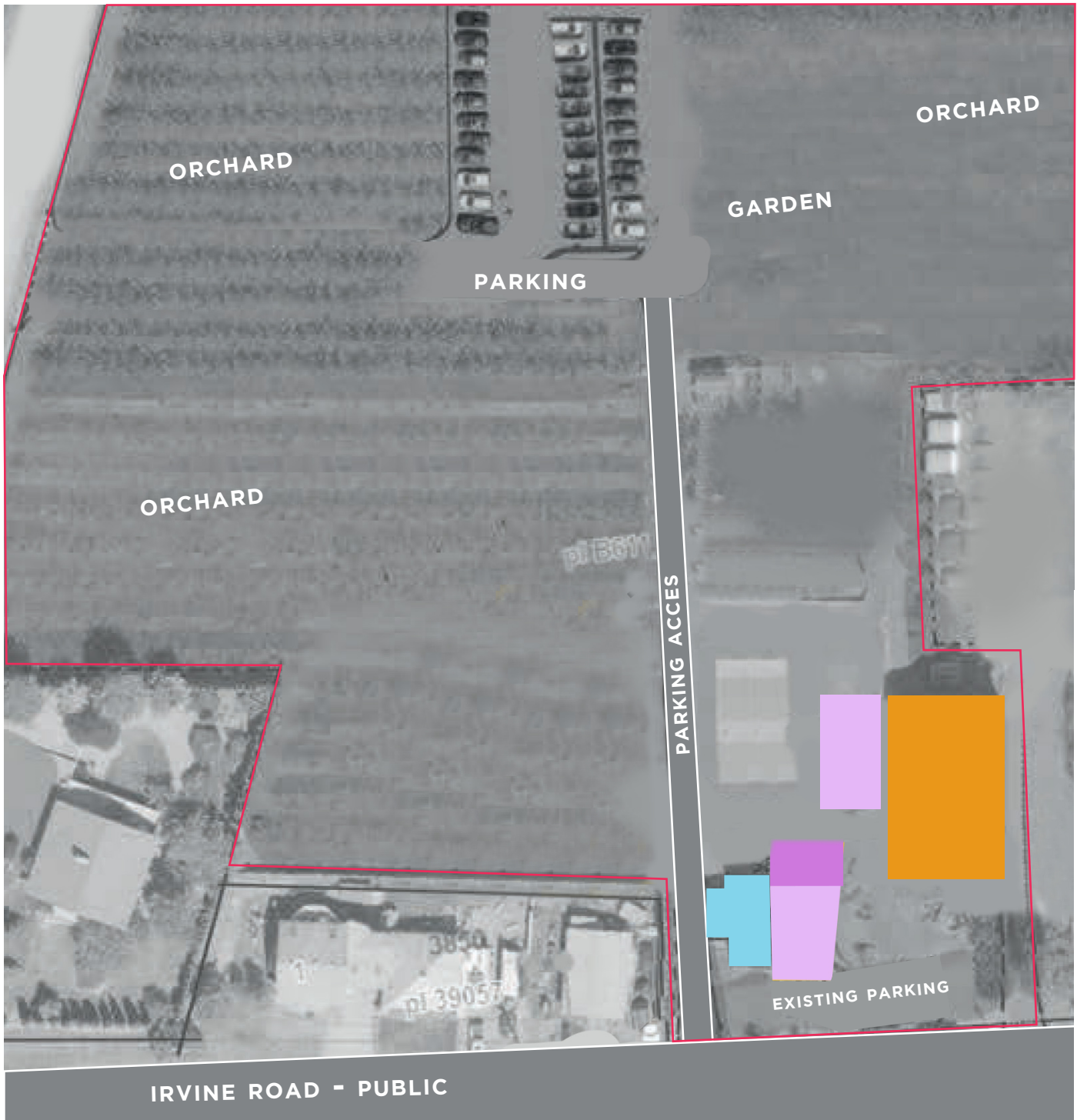
Wood Lake



# SITEPLAN

4.7 ACRES

FOLKTALE  
FINE CIDER



**STORAGE**

**CIDERY**

Manufacturing, patio, and lounge

**PICNIC AREA ENDORSEMENT**

Currently approved by LCRB

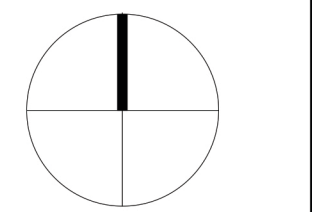
Leased area defined by red outline, surrounded by private residences



**ISSUED FOR BUILDING PERMIT**

- THIS DRAWING MUST NOT BE SCALED.
- VERIFY ALL DIMENSIONS AND DATUMS PRIOR TO COMMENCEMENT OF WORK
- REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT
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2024-10-10

RECORD OF ISSUANCES

NO.	DATE	DESCRIPTION
1	2024.05.29	ISSUED FOR BP
2	2024.10.10	RE-ISSUED FOR BP

RECORD OF REVISIONS

NO.	DATE	DESCRIPTION
-----	------	-------------

Project:

**FOLKTALE CIDERY TENANT IMPROVEMENT**

Okanogan Pressing House Ltd.

3950 Irvine Road  
Oyama BC V4V 2G4

Sheet Title:

**FLOOR PLAN - MAIN FLOOR**

Drawn by: Author

Job Number: 24.1271

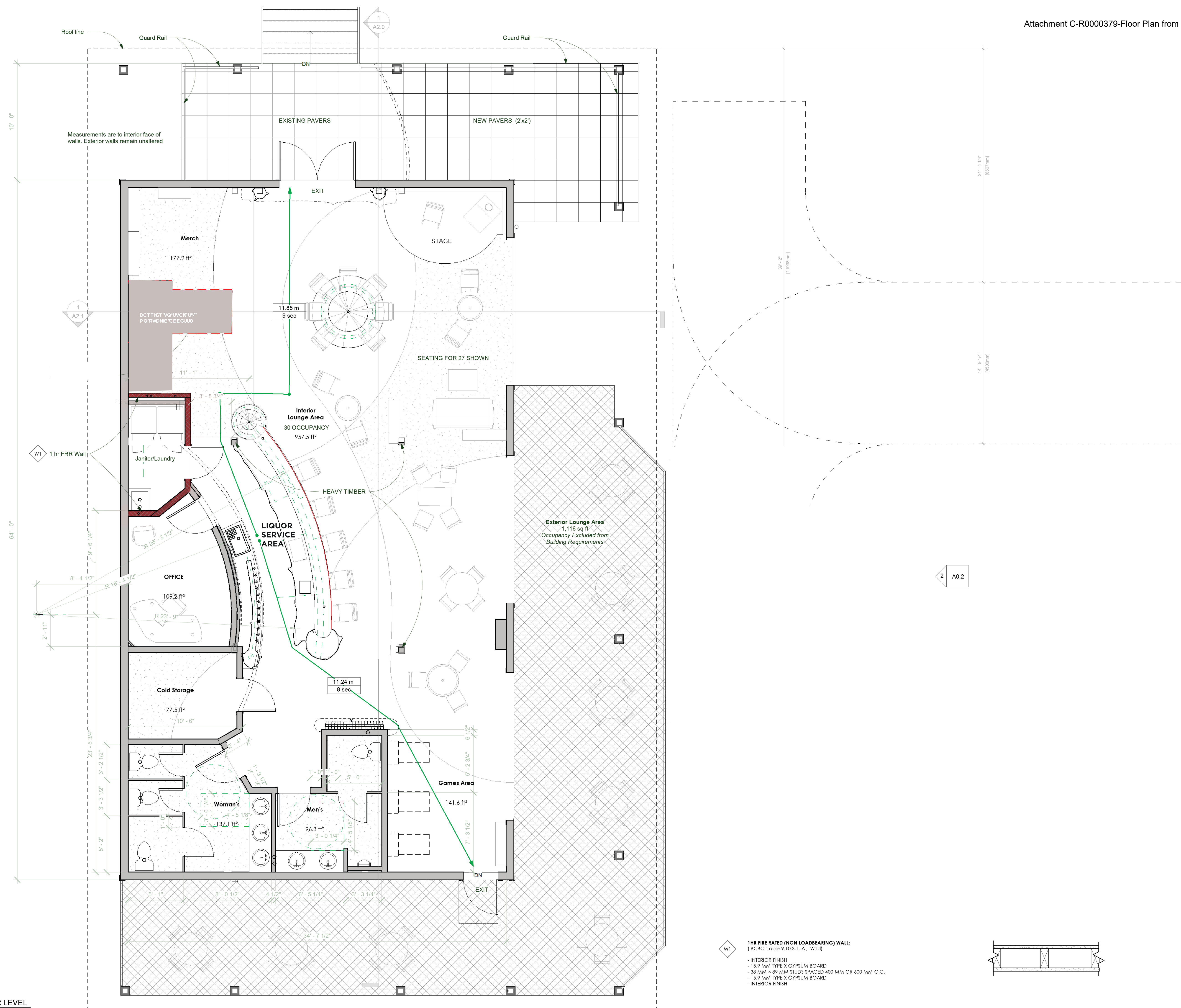
Date: 24.10.10

Scale: As indicated

Revision Number:

Drawing Number

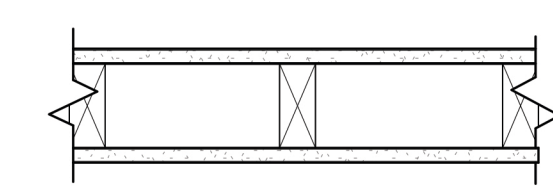
**A1.1**



**1 MAIN FLOOR LEVEL**  
A1.1 1/4" = 1'-0"

**1HR FIRE RATED (NON LOADBEARING) WALL**  
(BCBC, Table 9.10.3.1.A, W1d)

- INTERIOR FINISH
- 15.9 MM TYPE X GYPSUM BOARD
- 38 MM X 89 MM STUDS SPACED 400 MM OR 600 MM O.C.
- 15.9 MM TYPE X GYPSUM BOARD
- INTERIOR FINISH





## Folktale Cider: Community Impact Statement

Oyama offers more than stunning beaches and bountiful orchards—it thrives on a deep sense of community. We take our role in representing Oyama seriously and strive to contribute to its charm. Folktale Cidery will serve as a gathering place for residents and visitors, reflecting the whimsy and warmth of this exceptional corner of the Okanagan.

As a liquor-primary manufacturer, our focus is agritourism—crafting our cider from locally sourced fruit and creating a welcoming space from our family-oriented orchard. Our business model emphasizes on-premise sales and delivering a memorable customer experience.

### Capacity and Liquor Service Hours

- **Capacity:** Indoors: 30 people | Outdoors: 60 people.
- **Hours of Operation:** Open daily, 9:00 AM – 10:00 PM (liquor service ends at 9:30 PM).  
*Note - Hours will vary, and be reduced greatly in shoulder seasons.*

By operating year-round, we aim to provide consistent service to residents throughout the seasons, while the majority of the community closes for the winter months.

Our tasting lounge will adhere to all ALR and LCRB guidelines. While we won't offer a full-service kitchen, we'll provide thoughtfully curated small bites, including locally made dips and charcuterie boards to complement our cider, and work in harmony with the locally-loved Pane Vino, Gatze Farms, and OKF businesses.

### Location and Impact

Folktale Cidery is designed to operate as a respectful tasting lounge and cafe, not a bar. We will maintain reasonable noise levels through managed policies, including:

- **Noise Management:**  
Limiting live music hours and keeping volumes to conversational levels.  
Outdoor family activities will close at 7:00pm to ensure minimal disruption.  
Outdoor music and patio seating will close by 9:00pm to ensure a peaceful atmosphere.
- **Responsible Service:** Encouraging respectful behavior from patrons and providing additional training regarding responsible service.
- **Light Pollution:** Exterior lights will be turned off by 10:30pm to preserve Oyama's serene night skies.

### Enhancing Community and Economy

- **Local Jobs:** We'll create local employment opportunities, reducing commute times, and strengthening the local economy.





- **Supporting Farmers:** Our ciders will be crafted from fruit grown on-site or sourced from nearby farms, sustaining and incentivising local agriculture.
- **Inclusive Environment:** We aim to foster an inviting and accessible space with handicap-friendly facilities and inclusivity training to ensure all guests feel welcome.
- **Culture:** We hear so often that there are limited activities in the area. We will strive to provide opportunities for local musicians, artists, and performers to bring their talents to our humble venue.
- **Active Visitors:** With the Rail Trail nearby, we'll cater to cyclists and hikers by providing bike racks and portable-friendly cider packaging.
- **Showcasing Local Industry:** Beyond cider, we'll spotlight Okanagan beer, wine, and kombucha, supporting the broader beverage industry.

### Reflections on Our First Season

In just our first four months of operating under an outdoor-only picnic license, we had the incredible opportunity to connect with our community and establish our place within it. These months served as a true proof of concept—our visitors embraced not only our cider but also the atmosphere.

During this time, we were honored to receive 30 five-star Google reviews, with many highlighting our family-friendly environment, exceptional product quality, and warm, welcoming leadership.

We also listened closely to feedback from our neighboring residents, using their insights to refine our practices and strengthen our commitment.

### With Appreciation

We look forward to building meaningful connections with the Oyama community and sharing our vision with all who visit.

Sincerely,

Blain and Christine Weber  
*Folktale Cider*

**To:** Mayor and Council  
**From:** Paul Gipps, CAO

**Meeting Date:** January 14, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Jason Tran, Planner  
**Department:** Planning and Development

**Title:** Agricultural Land Reserve and Zoning Amendment | ALR00192 & Z0000333 | 12820 Trewitt Road  
**Description:** To permit Agri-Tourism Accommodation for a seasonal campsite on a property in the Agricultural Land Reserve.

**RECOMMENDATIONS**

THAT Agricultural Land Reserve ALR00192 application for Non-Farm Use on the property at 12820 Trewitt Road, (Roll 02907.000; PID 011-888-261) be supported;  
AND THAT ALR00192 application for Non-Farm Use be forwarded to the Agricultural Land Commission;  
AND THAT Zoning Amendment (Z0000333) Bylaw 1264, 2025 be read a first time.

**EXECUTIVE SUMMARY**

The subject property is zoned A1—Agriculture and is located within the Agricultural Land Reserve (ALR). The applicant proposes to develop seven seasonal campsites (Attachment A – Location and Site Plan) as tourist accommodations.

The Agricultural Land Commission (ALC) has classified this application as a Non-Farm Use under the Agri-Tourism Activities in the Agricultural Land Reserve (ALR) Policy L-04 (Attachment B). The ALC requires the applicant to make an ALR application to evaluate the proposed use (Attachment F – Application Submission).

While the proposal would align with the District's Official Community Plan (OCP), it would require an amendment to the Zoning Bylaw from A1 - Agriculture 1 to A1TA – Agriculture 1 (Agri-Tourism Accommodation). The applicant has submitted two applications: an ALR application (ALR00192) and a zoning amendment application (Z0000333).

Staff support the proposals as the proposed use of the property would provide an alternate income stream for the owner of the agricultural property.

**BACKGROUND**

The subject property is operated as an active orchard. Photos of the property are included as Attachment C.

Property Information			
<b>Application Type:</b>	ALR (ALR00192) Zoning Amendment (Z0000333)	Application Date: Sept 13, 2024	
<b>Folio/Roll #:</b>	02907.000		
<b>PID &amp; Legal Description</b>	011-888-261; LOT 31 SECTIONS 25 AND 26 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT PLAN 1001		
<b>Civic Address:</b>	12820 Trewitt Road		
<b>Applicant:</b>	COONEY, NATHAN	<b>Owner:</b>	Patrick Francis Gallacher

<b>OCP Designation:</b>	Agricultural
<b>Zoning Designation:</b>	A1 – Agriculture 1
<b>Land Use Contract</b>	NA
<b>ALR:</b>	Yes
<b>Parcel Size:</b>	4.35 ha/10.75 ac
<b>Development Permit Areas:</b>	None
<b>Water Supply:</b>	Municipal
<b>Sewer:</b>	On-site

<b>Site Summary:</b>	<b>Zoning:</b>	<b>Use:</b>
North:	A1 - Agriculture 1	agriculture, extensive
East:	A1 - Agriculture 1	agriculture, extensive
South:	A1 - Agriculture 1	agriculture, extensive
West:	A1TA – Agriculture 1 (Agri-Tourism Accommodation)	agriculture, extensive & agri-tourism accommodation

## **ANALYSIS**

The owner has submitted a non-farm use application (Attachment F) to the Agricultural Land Commission (ALC) requesting permission to operate seven campsites (tourist accommodations) on the subject property (Attachment A – Location and Site Plan). Tourist accommodations are not permitted as a standalone use in the ALR (Attachment D). Campsites and other forms of accommodations may be permitted if on-property stays by the travelling public are associated with approved agri-tourism activities. This non-farm use application is required because the owner does not plan to offer agri-tourism activities in conjunction with the proposed tourist accommodations.

The subject property is zoned A1 – Agriculture. The A1 zone does not permit tourist accommodation; however, the A1ta – Agriculture (Agri-Tourism Accommodation) zone does permit the proposed use. In addition to the ALC application, the applicant has applied to rezone the property from A1 – Agriculture to A1ta – Agriculture (Agri-Tourism Accommodation) to permit the proposed campsite accommodations (Attachment G – Amendment Bylaw).

### Agricultural Advisory Committee

The District’s Agricultural Advisory Committee (AAC) reviewed this application on December 9, 2024. After thorough consideration, the AAC did not support the application for the following reasons:

1. Setting a precedent for further Tourist Accommodation of campsites at this location.
2. Issues with the site plan, including the proposed location within an existing orchard and the need for a buffer from spray drift on the north property.
3. Lack of an Agri-Tourism Activities Plan in relation to the Tourist Accommodation.

### Official Community Plan

Agriculture is a vital part of the District of Lake Country’s community identity. The agricultural sector faces challenges in developing and maintaining viable farm-based businesses, exacerbated by climate change and weather-related events in recent years.

The District’s OCP includes policies to foster the agricultural sector and support local producers and related businesses:

14.1.3.i. Allow farm agri-tourism or agri-business initiatives to occur in accordance with Agricultural Land Commission policies.

14.1.9.h. Encourage agri-tourism as an additional income generator for farmers.

14.6 Agri-tourism provides an opportunity for farm operators to diversify their revenue base. The District recognizes the importance of providing agriculturalists an opportunity to develop agri-tourism businesses on active farms as a means of assisting farmers and promoting local tourism. Agri-tourism uses could include on-farm campsites, agriculturally-themed bed and breakfasts along with other on farm activities intended to entertain, accommodate and educate tourists.

The proposal is consistent with the agri-tourism policies of the District's OCP.

#### Zoning Bylaw and ALC

The applicant proposes developing seven campsites for Tourist Accommodation. A summary of the agri-tourism-related zoning regulations is included in the table below.

<b>Zoning Analysis Table</b>			
<b>Development Regulations</b>	<b>A1 – Agriculture Zone</b>	<b>A1ta – Agriculture Zone</b>	<b>Proposed Development</b>
Farm classification (Assessment Act)	Yes		
Agri-Tourism Accommodation	Not Permitted	Permitted	Campsite
Sleeping units	---	Up to 10	7

The proposed development would be consistent with the agri-tourism regulations in the A1ta – Agriculture Zone. The owner would be required to operate the proposed campsites as per the District's regulations regarding noise, vehicle use, and parking established through business licensing.

Staff support the proposed ALR and Zoning Bylaw amendment applications.

#### **COMMUNICATION**

Internal and External Referrals were sent out on October 11, 2024. Should Council (and the ALC) support the proposal, the applicant would be required to obtain a driveway access permit, develop an on-site sewer plan, provide a separate water service for the campsites, and clarify the maximum duration a guest can stay per calendar year. Additionally, the owner would need to apply to the District of Lake Country for a Business Licence. A referral comment letter from the BC Ministry of Agriculture and Food (Attachment E) suggested that the applicant consider measures to manage orchard overspray onto the campground during the summer.

#### **ALTERNATIVE RECOMMENDATIONS**

- A. Agricultural Land Reserve ALR00192 application for Non-Farm Use on the property at 12820 Trewitt Road, (Roll 02907.000; PID 011-888-261) be supported with the following recommendations:
  - Locate the proposed campground away from the orchard (no fruit tree removals); and
  - Develop a management plan to mitigate the risk to campground users of orchard overspray;
 AND THAT ALR00192 application for Non-Farm Use be forwarded to the Agricultural Land Commission; AND THAT Zoning Amendment (Z0000333) Bylaw 1264, 2025 be read a first time.
- B. THAT Agricultural Land Reserve ALR00192 for Non-Farm Use on the property at 12820 Trewitt Road, (Roll 02907.000; PID 011-888-261) not be supported; AND THAT ALR00192 not be forwarded to the Agricultural Land Commission; AND THAT Zoning Amendment (Z0000333) Bylaw 1264, 2025 not be read and the file closed.
- C. THAT Agricultural Land Reserve ALR00178 for Non-Farm Use on the property at 12820 Trewitt Road, (Roll 02907.000; PID 011-888-261) not be supported; AND THAT ALR00192 be forwarded to the Agricultural Land Commission; AND THAT Zoning Amendment (Z0000333) Bylaw 1264, 2025 be deferred pending the ALC decision on the ALR application.

Respectfully Submitted,

Jason Tran, Planner



## Report Approval Details

Document Title:	ALR00192 and Z0000333 - 12820 Trewitt Road Council Report.docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A - ALR00192 - Location and Site Plan.pdf</li> <li>- Attachment B - ALR00192 - ALC Policy L04 - Agri-tourism Activities.pdf</li> <li>- Attachment C - ALR00192 - Site Photos.pdf</li> <li>- Attachment D - ALR00192 - Bulletin 6 Tourist and Agri-tourism Accommodation In ALR.pdf</li> <li>- Attachment E - ALR00192 - Ministry of AF Referral Response.pdf</li> <li>- Attachment F - ALR00192 - ALR Application Submission A.pdf</li> <li>- Attachment G - ALR00192 - Draft Zoning Amendment (Z0000333) Bylaw 1264, 2025.pdf</li> </ul>
Final Approval Date:	Jan 9, 2025

This report and all of its attachments were approved and signed as outlined below:

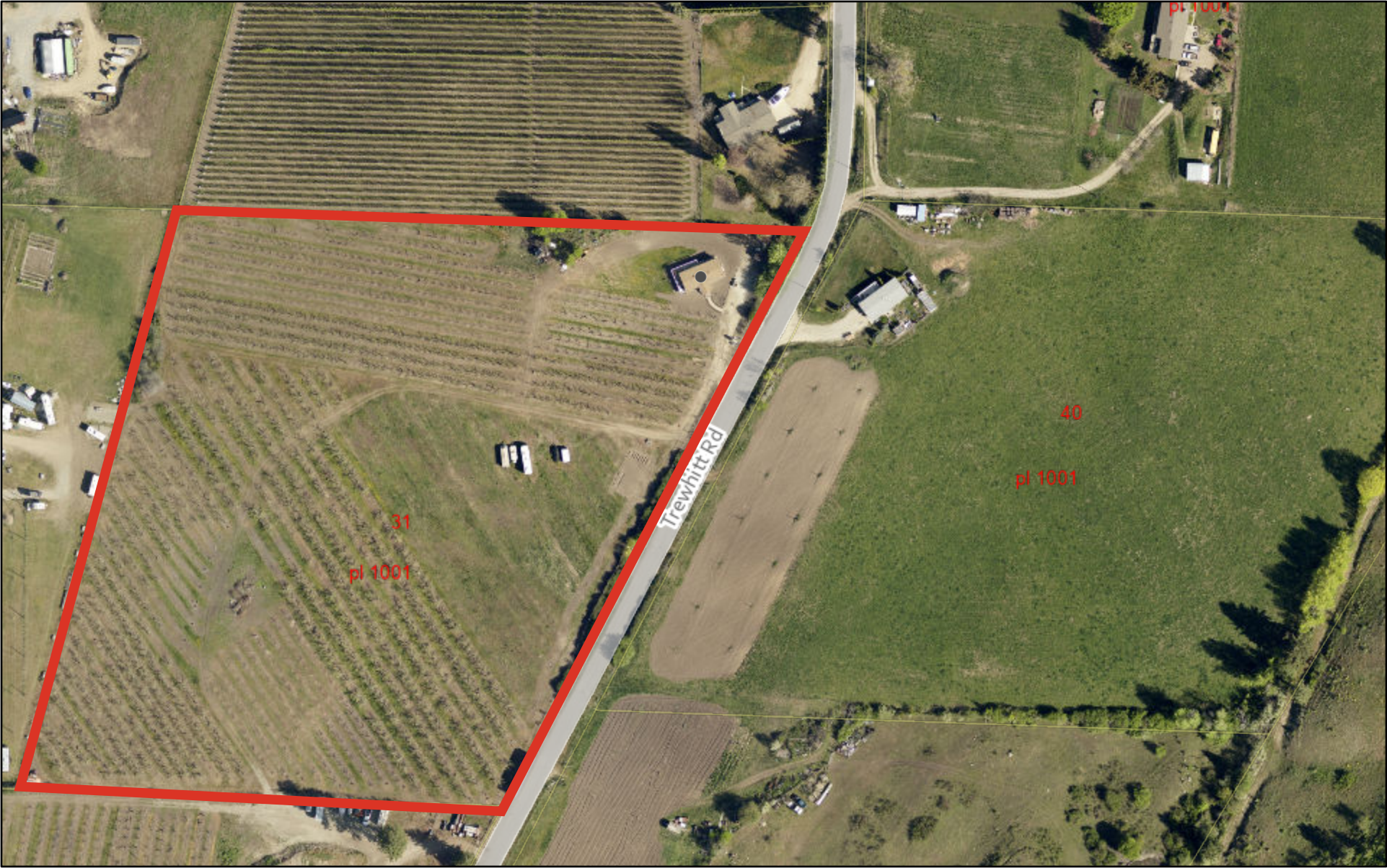
**Brian Zurek, Manager of Long Range Planning - Jan 7, 2025 - 1:37 PM**

**Jeremy Frick, Director of Development Approvals - Jan 8, 2025 - 12:56 PM**

**Reyna Seabrook, Director of Corporate Services - Jan 8, 2025 - 3:14 PM**

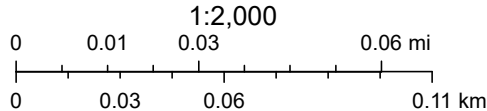
**Paul Gipps, Chief Administrative Officer - Jan 9, 2025 - 7:29 AM**

# District of Lake Country Map



11/15/2024, 10:22:46 AM

- Parcels (On Ortho)
- Parcels
- Streets
- Street
- Lake Country Boundary













 <p><b>Agricultural Land Commission Act</b></p>	<p><b>ACTIVITIES DESIGNATED AS FARM USE:</b></p> <p><b>AGRI-TOURISM ACTIVITIES IN THE ALR</b></p>	<p><b>POLICY L-04</b></p> <p>Amended April 2019 Amended April 2018 October 2016</p>
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*This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act, 2002](#), (the “ALCA”) and BC Regulation 30/2019 ([Agricultural Land Reserve Use Regulation](#)), (the “Use Regulation”). In case of ambiguity or inconsistency, the ALCA and Use Regulation will govern.*

## **INTERPRETATION:**

The highest priority is the agricultural activity that takes place on the farm. Agri-tourism uses shall be secondary, incidental and compatible with the agricultural production activities. The agri-tourism activity must also be similar to the types of activities identified as farm use in the ALCA.

If the definitions in section 1(1) of the Use Regulation apply, agri-tourism activities (other than agri-tourism accommodation) are designated by the Use Regulation as farm uses, and as such, may not be prohibited by a local government bylaw.

The Use Regulation allows agri-tourism activities in the ALR provided the land is assessed as “farm” under the Assessment Act. If the assessment changes, the use is no longer permitted. The farm may be comprised of one or several parcels of land owned or operated by a farmer as a farm business. The farm parcels should be contiguous or in the same general geographic area. Agri-tourism activities include both fee and non-fee based activities.

Permanent facilities must not be constructed or erected for any agri-tourism activity. Permanent facilities include, but are not restricted to, any permanent structure, hard surfacing such as asphalt, concrete or other hard surface paths or parking areas, concrete pads, structural foundations, retaining walls, permanent tents (erected for more than 90 days) and permanent alteration to the landscape (permanent fill, gravel, berms, hills, dugouts, amphitheatres). The conversion of existing buildings and the construction associated with bringing them up to public assembly building code is also interpreted as a permanent facility. If permanent facilities are required, an application and approval of the Agricultural Land Commission (the “Commission”) is necessary.

For the purposes of this policy, parking areas must not be permanent (asphalt, concrete, gravel, etc) and parking must not interfere with the farm’s agricultural productivity. All vehicles visiting the farm for the agri-tourism activity must be parked on site. To minimize impacting farm land, parking should be along field edges, adjacent to internal farm driveways and roads and in farm yard areas or immediately adjacent to farm buildings and structures.

Services ancillary to the agri-tourism activities are services that support or enhance the activity including services such as food product sales (temporary concessions or temporary food trucks/stands), portable washrooms, ticket booths, temporary stages, eating areas. All of the foregoing must be temporary for the event only.

Bistros, cafes and restaurants are not agri-tourism activities and are considered non-farm uses in the ALR. Commercial kitchens are not permitted except those used for processing farm products (but not for food service). An application and approval of the Commission is required for bistros,

cafes and restaurants except for food and beverage service lounges permitted by section 13 of the Use Regulation for wineries, cideries, breweries, distilleries or meaderies.

The following are agri-tourism activities specified in section 12 of the Use Regulation:

- an agricultural heritage exhibit displayed on a farm (e.g. farm equipment displays);
- a tour of the farm, an educational activity or demonstration in respect of all or part of the farming operations that take place on the farm, and activities ancillary to any of these (e.g. milking barn tour, cheese making demonstration, harvest demonstration, farm crafts such as wreath making or garlic braiding);
- cart, sleigh and tractor rides on the land comprising the farm;
- activities that promote or market livestock (e.g. cattle, horses, sheep, goats, poultry) from the farm, whether or not the activity also involves livestock from other farms, including shows, cattle driving and associated domestic livestock petting zoos;
- dog trials held at a farm (e.g. agility and stock dog events);
- harvest festivals and other seasonal events on a farm for the purpose of promoting or marketing farm products produced on the farm (e.g. pumpkin patch, garlic festival, blueberry festival)
- Corn mazes prepared using corn planted on the farm.

Agri-tourism uses that are not listed in the Use Regulation or do not meet the conditions established in the Use Regulation (such as uses that are not taking place on land assessed as farm, that do not promote or market livestock from the farm, that do not promote or market farm products produced on the farm or that require permanent facilities), must make an application for non- farm use and seek approval from the Commission.

Activities that are not considered agri-tourism events include, but are not limited to, paint ball, dirt bike/atv trails, mini-train parks, model aircraft runways, rodeos, helicopter tours, activities operated as a commercial business, permanent food service facilities, permanent mazes, non-domestic animal pettings zoos, etc.

If a farm building (existing or new) is used for an agri-tourism activity and it does not meet the Use Regulation or other regulatory requirements or it has not been approved by the Commission, it will be considered in contravention of the ALCA.

Local governments have the authority to regulate agri-tourism activities with regard to structures and building occupancy (including determining if an existing farm building is appropriate for a gathering or requires upgrades for public assembly), parking, lighting, hours of operation, health and safety, noise, access for police, fire and emergency vehicles, etc.

This policy does not address gathering for an event. See Related Policies.

This policy does not address agri-tourism accommodation, which in some circumstances is a permitted use under section 33 of the Use Regulation for the purpose of the Commission unless prohibited by a local bylaw. See Information Bulletin 06 – Accommodation for Tourists in the ALR.

Farm retail sales are addressed separately under section 11(3) of the Use Regulation and

may qualify as a designated farm use if the specified conditions are met. See Related Policies.

**TERMS:**

**ancillary** means subordinate or supplementary to the primary farm use

**seasonal** means a use or activity that fluctuates according to one or more seasons (spring, summer, fall and winter) (but not all seasons) or available or taking place during one or more seasons (but not all seasons) or at a specific time of the year.

Unless defined in this policy, terms used herein will have the meanings given to them in the ALCA or the Use Regulation.

**RELATED POLICIES:**

ALC Policy L-02 Activities Designated as Farm Use: Farm Retail Sales in the ALR

ALC Policy L-22 Activities Designated as a Permitted Non-Farm Use in the ALR: Gathering for an Event in the ALR

**REFERENCE:**

**Agricultural Land Reserve Use Regulation (BC Reg. 30/2019), Sections 1, 3, 4, 5(1), 12,**

**Definitions**

*Section 1 In this regulation:*

**"agri-tourism activity"** means an activity referred to in section 12 [agri-tourism];

**"farm product"** means a commodity that is produced from a farm use but does not include water;

**If farming extends over multiple parcels**

*Section 3 Unless a contrary intention appears, a reference to a use of agricultural land includes all of the agricultural land on which a single farm operation is conducted, regardless of*

*(a) whether activities are conducted over one parcel or multiple parcels, or*

*(b) whether, in the case of multiple parcels, the parcels are adjacent.*

**Farm uses that may not be prohibited**

*Section 4 The farm uses referred to in this Part may not be prohibited*

*(a) by a local government enactment except a bylaw under section 552 [farming area bylaws] of the Local Government Act, or*

*(b) by a first nation government law, if the activity is conducted on settlement lands.*

**Necessary structures and ancillary services**

*Section 5 (1) Subject to any limits and conditions set out in this Part, the use of agricultural land to construct, maintain or operate any of the following is designated as a farm use and may not be prohibited as described in section 4:*

- (a) a structure, other than a residential structure, that is necessary for a farm use;
- (b) a driveway or utility that is necessary for a farm use

### **Agri-tourism**

Section 12 (1) The use of agricultural land for conducting an agri-tourism activity described in subsection (2) of this section is designated as a farm use and may not be prohibited as described in section 4 if all of the following conditions are met:

- (a) the activity is conducted on agricultural land that is classified as a farm under the Assessment Act;
- (b) members of the public are ordinarily invited to the activity, whether or not a fee or other charge is payable;
- (c) no permanent facilities are constructed or erected in connection with the activity.

(2) The following are agri-tourism activities for the purposes of subsection (1):

- (a) an agricultural heritage exhibit displayed on the agricultural land;
- (b) a tour of the agricultural land, an educational activity or demonstration in respect of all or part of the farm operation conducted on that agricultural land, and activities ancillary to any of these;
- (c) cart, sleigh and tractor rides on the agricultural land;
- (d) subject to section 9 [horse facilities], activities that promote or market livestock raised or kept on the agricultural land, whether or not the activity also involves livestock raised or kept elsewhere, including shows, cattle driving and petting zoos;
- (e) dog trials held on the agricultural land;
- (f) harvest festivals and other seasonal events held on the agricultural land for the purpose of promoting or marketing farm products produced on that agricultural land;
- (g) corn mazes prepared using corn produced on the agricultural land on which the activity is taking place.

### **Agricultural Land Commission Act, S.B.C. 2002, c. 36, Section 1.**

#### **Definitions**

Section 1(1)

"agricultural land" means land that

- (a) is included in the agricultural land reserve under section 15 (1.1), 17(3.1) or 45(1) of this Act, or
- (b) was included under a former Act as agricultural land or land in an agricultural land reserve, unless the land has been excluded from the agricultural land reserve under this Act or from an agricultural land reserve under a former Act;

"farm use"

- (a) means an occupation or use of agricultural land for
  - (i) farming land, plants, mushrooms, truffles or animals,
  - (ii) a farm operation as defined in the Farm Practices Protection (Right to Farm) Act, or
  - (iii) a purpose designated as a farm use by regulation, and
- (b) does not include a residential use or a soil or fill use;



Site Photos at 12820 Trewitt Road



Looking Northwest at the proposed campsite



Looking Northeast at the proposed campsite





Looking South of the driveway between the rows of apple orchard



Looking East from the driveway



# Information Bulletin 06: Tourist and Agri-Tourism Accommodation in the ALR

July 16, 2024

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## 1. Scope of this Information Bulletin

This information bulletin provides guidance to assist in interpreting the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 (“ALCA”) and the Agricultural Land Reserve Use Regulation (the “ALR Use Regulation”), in relation to agri-tourism accommodation and tourist accommodation in the Agricultural Land Reserve (“ALR”). The ALCA and ALR Use Regulation will govern if inconsistent with this bulletin. This information bulletin is directed only to interpretation of the ALCA and the ALR Use Regulation. All other applicable laws, regulations and bylaws related to accommodation for tourists must also be complied with.

## 2. Statute and Regulations

Effective February 22, 2019, the ALCA was amended and the ALR Use Regulation was created. Though many concepts contained in the ALCA and its regulations are unchanged from the past, there were changes to the use of ALR land for agri-tourism accommodation and tourist accommodation, as well as soil removal and fill placement necessary for construction. Agri-tourism accommodation and tourism accommodation are defined as permitted uses in the ALR under s. 33 and s. 34 of the ALR Use Regulation, subject to criteria. All references in this information bulletin to the ALCA and the ALR Use Regulation are as of the date of this bulletin, unless otherwise stated.

## 3. Role of Local Governments

### A. Role as Approving Body

The approvals that an approving body such as a local government may give in respect of the construction or alteration of agri-tourism accommodation and tourism accommodations are limited: ALCA, s. 18.

Any portion of a local government bylaw that purports to allow a use of land in the ALR that is not permitted under the ALCA or the ALR Use Regulation, or contemplates a use of land that would impair or impede the intent of the ALCA or the ALR Use Regulation, is inconsistent with the ALCA or the ALR Use Regulation and has no force or effect: ALCA, ss. 46(4), (5).

For example, **if a zoning bylaw provides for more agri-tourism accommodation or tourism accommodation on ALR land than the ALCA and the ALR Use Regulation does, the zoning bylaw’s provision for that extra accommodation is of no force or effect and cannot be relied on.**

### B. Local Government May Restrict or Prohibit

Local government bylaws can be more restrictive of residential uses in the ALR, including prescribed tourist accommodation and agri-tourism accommodation uses, than the ALCA: ALCA, s. 46(6).





The ALR Use Regulation identifies certain designated farm uses and permitted non-farm uses that local governments must not prohibit but places no such limitation on local government powers to prohibit or otherwise restrict agri-tourism accommodation and tourist accommodation uses of ALR land.

A local government may decide that no agri-tourism accommodation or tourist accommodation should occur in the ALR in their jurisdiction. The local government may expressly prohibit these uses or alternatively, the local government may simply not list those uses among uses that can occur in a particular zone, which accomplishes the same purpose. Where a zoning bylaw is in place, use of land for agri-tourism accommodation and tourist accommodation must be specifically permitted by the bylaw in order for that use to occur. Otherwise, that use cannot occur even if the use would be compliant with the ALCA and ALR Use Regulation.

A local government also has the option of allowing agri-tourism accommodation or tourist accommodation but allowing less than the ALCA and the ALR Use Regulation. For example, a local government bylaw may restrict the number of agri-tourism accommodation sleeping units to fewer than 10 and may specify the maximum number of persons who may be accommodated per sleeping unit.

Further, a local government may have additional requirements related to maximum floor area, type and form of accommodation, parking, signage, setbacks, fire and emergency servicing, etc. Local governments that permit accommodation for tourists on ALR land may wish to develop monitoring methodology or require permits to ensure the occupation of the accommodation meets the requirements of their bylaws.

### C. Areas Without Zoning Bylaws

Some areas of the province do not have zoning bylaws. The absence of a local zoning bylaw does not relieve a landowner from complying with the restrictions in the ALCA and ALR Use Regulation. In other words, a landowner must not exceed the agri-tourism accommodation or tourist accommodation permissions set out in the ALR Use Regulation, regardless of whether or not a zoning bylaw applies to their property, without seeking approval from the Agricultural Land Commission (the "Commission" or "ALC") first.

### D. Applications

Anyone wanting more accommodation than provided for in the ALR Use Regulation must submit an application, through their local government, to the Commission. For more information on the process for making applications to the Commission, please see the Commission's website, at [Applications and Notices](#) as well as Section 9 of this information bulletin.



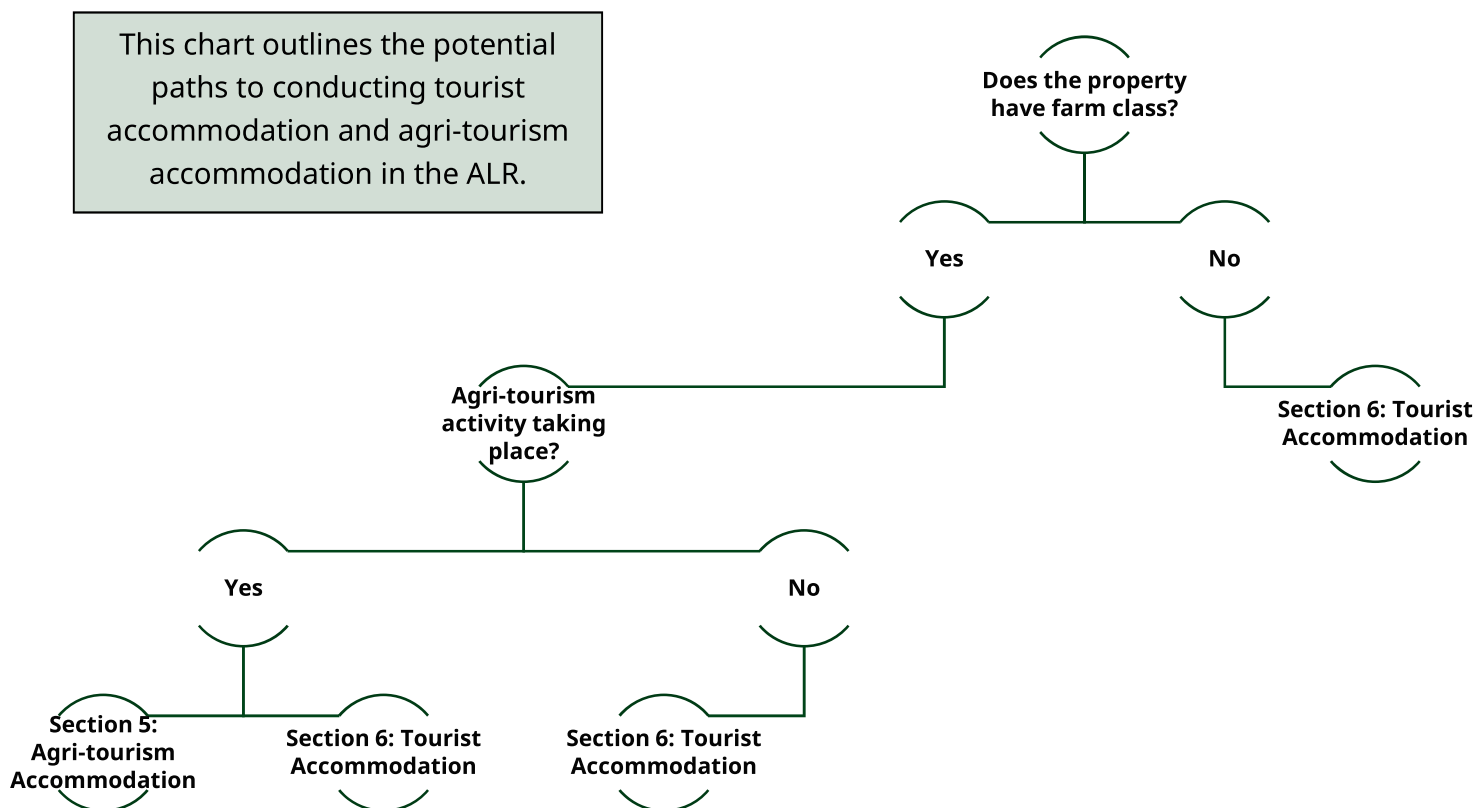
## 4. Types of Permitted Accommodation

The ALR is not intended to be a venue for hotels or motels. The types of accommodation permitted in the ALR are very limited and subject to restrictions for placement of fill and removal of soil. See Section 8 of this information bulletin.

The ALR Use Regulation permits two types of tourism related accommodations in the ALR without requiring an application to the ALC as described below; one type requires active farming to be present and one does not.

**Agri-tourism accommodation** requires the parcel to be actively farmed, have Class 9 - Farm classification under the BC *Assessment Act* ("farm class"), and agri-tourism accommodation to be offered in relation to an agri-tourism activity as defined in section 12(2) of the ALR Use Regulation (see Section 5).

**Bed and breakfast type accommodation** (defined as a tourist accommodation in section 34 of the ALR Use Regulation) does not require the parcel to be farmed or have farm classification to conduct the use but is restricted to no more than 4 bedrooms in the principal residence where the landowner resides (see Section 6).





## 5. Agri-Tourism Accommodation

Agri-tourism accommodation is a way for a farm that is offering agri-tourism activities to provide a more immersive overnight farm experience. Agri-tourism activities are defined in s. 12 ALR Use Regulation which provides a specific list of agri-tourism activities in the ALR. More information can be found in [ALC Policy L-04 Agri-tourism Activities](#). **For clarification, agri-tourism activities and agri-tourism accommodation are related but separate concepts in the ALR Use Regulation; agri-tourism accommodation is not an agri-tourism activity on its own.**

### A. ALR Use Regulation Criteria

The use of land in the ALR for providing accommodation in relation to an agri-tourism activity is permitted under section 33 of the ALR Use Regulation if all of the following apply:

- (1) the accommodation is in relation to an **“agri-tourism activity”**. The agri-tourism activity must be secondary to, incidental to and compatible with the agricultural production activities. Expressly under section 12 of the ALR Use Regulation, **“agri-tourism activity”** is an activity:
  - (a) conducted on land in the ALR that is classified as a farm under the *Assessment Act*;
  - (b) to which members of the public are ordinarily invited, whether or not a fee or other charge is payable;
  - (c) in connection with which no permanent facilities are constructed or erected. See ALC Policy L-04 for further discussion; AND
  - (d) that falls into one of the following categories:
    - i. an agricultural heritage exhibit displayed on the agricultural land;
    - ii. a tour of the agricultural land, an educational activity or demonstration in respect of all or part of the farm operation conducted on that agricultural land, and activities ancillary to any of these;
    - iii. cart, sleigh and tractor rides on the agricultural land;
    - iv. subject to section 9 [*horse facilities*], activities that promote or market livestock raised or kept on the agricultural land, whether or not the activity also involves livestock raised or kept elsewhere, including shows, cattle driving and petting zoos;
    - v. dog trials held on the agricultural land;
    - vi. harvest festivals and other seasonal events held on the agricultural land for the purpose of promoting or marketing farm products produced on that agricultural land;
    - vii. corn mazes prepared using corn produced on the agricultural land on which the activity is taking place;



- (2) the accommodation is located on land in the ALR that is classified as a farm under the *Assessment Act*: ALR Use Regulation, s. 33(2)(a);
- (3) the total developed area for structures, landscaping and access for the accommodation is less than 5% of any parcel: ALR Use Regulation, s. 33(2)(b);
- (4) the accommodation is limited to 10 sleeping units in total, including any bedrooms used for tourist accommodation under section 34 of the ALR Use Regulation: ALR Use Regulation, s. 33(2)(c).; AND
- (5) accommodation is provided on a seasonal or short-term basis only: ALR Use Regulation, s. 33(2)(d).

Note that:

**“Tourist”** is a person who travels for pleasure from place to place away from their permanent residence.

An owner of ALR land who wishes to construct or alter agri-tourism accommodation must also comply with the requirements set out in section 20.1 of the ALCA.

## B. Farm Status Requirement

The ALR Use Regulation allows agri-tourism accommodations in the ALR provided the land is assessed as “farm” under the *BC Assessment Act*. If the assessment changes, the use is no longer permitted.

## C. Sleeping Units

**“Sleeping unit”** means “(a) a bedroom or other area used for sleeping located in a residence, cabin or other structure; (b) a vehicle, trailer, tent or other structure located on a campsite, field or other area”: ALR Use Regulation, s. 33(1).

Section 33 of the ALR Use Regulation permits up to a maximum of 10 sleeping units in total. If a landowner wishes to exceed the maximum number of sleeping units permitted in the ALR Use Regulation they must submit an application to the Commission for its consideration, regardless of compliance with other criteria in section 33 of the ALR Use Regulation.

A local government may prohibit this use or restrict the number of sleeping units to fewer than what the ALR Use Regulation permits. For example, a local government bylaw may restrict the number of sleeping units to any number less than 10.





If tourist accommodation is offered in the principal residence (see Section 6) the number of bedrooms offered in the principal residence are included in the total number of accommodation units offered on the property which is set at a maximum of 10 of all types.

Agri-tourism accommodation units must not be constructed to circumvent the number of permitted residences on a property in the ALR (e.g. including kitchens within sleeping units or cabins), and they should not be constructed in a way that the agri-tourism accommodation could be used or easily converted to a residence. Agri-tourism accommodation may only be conducted if all of the criteria in section 33 of the ALR Use Regulation are met and may be required to be removed if the criteria are no longer met. This should be taken into consideration during the design and construction process.

#### D. Total Developable Area

The total developed area for agri-tourism accommodation structures, including associated landscaping and access for the accommodation must be less than 5% of any parcel (see Table 1). Agri-tourism accommodation structures only include those structures that contain sleeping units and do not include other structures (e.g. pools, spas, amenity buildings, cooking pavilions, etc). If the developed area exceeds 5% or if additional accessory structures are planned for agri-tourism accommodations, an application to the Commission is required. In addition, restaurants, cafes, and bistros are not permitted without an application to the Commission.

If fill (defined in the ALCA as any material brought onto the parcel including structural aggregate) is required to develop the agri-tourism accommodation (e.g. for driveways, gravel for tent pads, etc), a Notice of Intent is required (see Section 9).

*Table 1. Lot Coverage Limit Calculation Examples*

Parcel Area	Maximum Total Developable Area (5%)
10 ha (~25 acres)	5,000 m <sup>2</sup>
8 ha (~17 acres)	4,000 m <sup>2</sup>
4 ha (~10 acres)	2,000 m <sup>2</sup>
2 ha (~5 acres)	1,000 m <sup>2</sup>
0.8 ha (~2 acres)	400 m <sup>2</sup>

#### E. Short-Term or Seasonal Use

“**Seasonal**” is a use or activity that fluctuates according to one or more seasons (spring, summer, fall and winter) (but not all seasons) or available or taking place during one or more seasons (but not all seasons) or at a specific time of the year.



“**Short-term basis**” means the use by a tourist of accommodation for a period of not more than 30 consecutive days.

Given the seasonal nature of farms, it is likely that most agri-tourism accommodation will be provided during the months when the farm and agri-tourism activities are active and be dormant at other times.

## 6. Tourist Accommodation in a Principal Residence

Tourist accommodation is in the nature of a “bed and breakfast” use. Tourist accommodation may only occur in a principal residence where the landowner resides.

### A. Tourist Accommodation in Lawful Principal Residence

A bed and breakfast (referred to in the ALR Use Regulation as “tourist accommodation”) is permitted in a lawful principal residence including a secondary suite within the principal residence without application to the Commission if all of the following conditions are met:

- the landowner resides in the principal residence;
- the accommodation is limited to a maximum of 4 bedrooms in the principal residence; AND
- the accommodation is provided on a short-term basis only.

Short-term rental of an entire principal residence (i.e. a whole house rental for AirBnB or VRBO) is not permitted by regulation and requires an application to the Commission (see Section 7).

“**Tourist**” is a person who travels for pleasure from place to place away from their permanent residence.

“**Bedroom**” for the purpose of section 34 of the ALR Use Regulation means “a bedroom or other area used for sleeping in a residence”: ALR Use Regulation, s. 34(1).

“**Short-term basis**” means the use by a tourist of accommodation for a period of not more than 30 consecutive days.

### B. Grandfathered Tourist Accommodation in a Principal Residence

Tourist accommodation on ALR land is permitted without application to the Commission in a principal residence that has a total floor area of more than 500 m<sup>2</sup> or that is otherwise of a size or is sited in contravention of a regulation if all of the following conditions are met:

- on February 22, 2019, the number of bedrooms complied with section 3(1)(d) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, as it read immediately before February 22, 2019 (that is, “bed and breakfast use of not more than 4 bedrooms for short term tourist accommodation or such other number of bedrooms as specified in a local government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located”);



- the number of bedrooms is not changed after February 22, 2019 unless (i) permitted under section 25 or 45 of the ALCA, or (ii) the number of bedrooms is not increased by the change; AND
- accommodation is provided on a short-term basis only.

An owner of ALR land who wishes to construct or alter tourist accommodation use in a principal residence on ALR land must also comply with the requirements set out in section 20.1 of the ALCA.

## 7. Short Term Rental Accommodation Act

Effective May 1, 2024 the *Short Term Rental Accommodations Act* (“STRAA”) limits short-term rentals of certain residences, in certain areas of B.C. The STRAA was introduced to regulate short-term rentals and encourage long-term rentals to address B.C.’s housing crisis.

The ALCA and ALR Use Regulation permit a principal residence, a suite within that principal residence, and an additional residence subject to criteria and a local government may prohibit or permit a suite and/or additional residence. Depending on where the property is and whether it includes farmland (BC Assessment Class 9), the STRAA may allow the use of a lawful principal residence including the secondary suite and/or an additional residence in the ALR for short-term rental accommodation subject to criteria.

A parcel in the ALR is subject to the ALCA and ALR Use Regulation and may also be subject to restrictions or exemptions from the STRAA. However, the STRAA does not exempt a landowner from complying with the ALCA and ALR Use Regulation with respect to tourist accommodation and agri-tourism accommodation.

Landowners should seek guidance from their local government on whether the STRAA applies to their property and potential restrictions. More information on the STRAA can be found at [Overview: B.C.’s short-term rental accommodations legislation](#).

## 8. Use of Residential Structures in the ALR for Short-Term Rental

The ALCA and ALR Use Regulation permits a principal residence, a suite within that principal residence, and an additional residence subject to criteria. The ALR Use Regulation specifies which of those residential structures can be used for short-term tourism rental in the form of tourist accommodation and agri-tourism accommodation.

### A. Principal Residence

Section 34 of the ALR Use Regulation permits tourist accommodation in the nature of a “bed and breakfast” only in a principal residence where the host lives. Short-term rental of an entire principal residence (such as a whole house rental for AirBnB or VRBO) is not permitted by regulation and requires an application to the Commission.



## B. Secondary Suite within the Principal Residence

The bedrooms of a secondary suite within the principal residence may be used to count towards the 4 bedrooms permitted under Section 34 of the ALR Use Regulation for tourist accommodation in the principal residence where the host lives. The 4 bedrooms permitted could be located within the secondary suite within the principal residence or elsewhere within the principal residence, or a combination thereof.

Section 33 of the ALR Use Regulation permits agri-tourism accommodation with up to 10 “sleeping units” which may be comprised of a bedroom or other area used for sleeping located in a residence, cabin or other structure; a vehicle, trailer, tent or other structure located on a campsite, field or other area. A secondary suite within the principal residence permitted under section 31 of the ALR Use Regulation may be used to provide “sleeping units” for agri-tourism accommodation.

## C. Additional Residence

Section 33 of the ALR Use Regulation permits agri-tourism accommodation with up to 10 “sleeping units” which may be comprised of a bedroom or other area used for sleeping located in a residence, cabin or other structure; a vehicle, trailer, tent or other structure located on a campsite, field or other area. A lawful additional residence may be used to provide “sleeping units” for agri-tourism accommodation.

The additional residence may only be used for short-term rental if the criteria for agri-tourism accommodation is met.

# 9. Soil or Fill Restrictions for Accommodation Construction

Removing soil from or placing fill on ALR land is permitted for the construction or maintenance of a principal residence if the total area from which soil is removed or on which fill is placed is 1,000 m<sup>2</sup> or less: ALR Use Regulation, s. 35.

Removing soil from or placing fill on ALR land in connection with other residential uses (such as constructing an additional residence or residential structures for agri-tourism accommodation or where the area affected by a principal residence is greater than 1,000 m<sup>2</sup>) is not permitted. An owner of ALR land seeking to remove soil or place fill may submit a Notice of Intent along with payment of the required fee to the ALC’s chief executive officer requesting approval: ALCA, s. 20.3. The landowner may also apply to the Commission for a soil or fill use under s. 25 of the ALCA.

The following types of fill are prohibited on ALR land (ALR Use Regulation, s. 36):

- construction or demolition waste (including masonry rubble, concrete, cement, rebar, drywall and wood waste);
- asphalt;
- glass;
- synthetic polymers;



- treated wood;
- unchipped lumber.

## 10. Applications for Non-Adhering Residential Use

An owner may apply to the Commission for approval under section 25 of the ALCA for a non-adhering residential use: ALCA, s. 20.1(2). A **“non-adhering residential use”** means “any of the following: (a) an additional residence; (b) a principal residence having a total floor area that is more than 500 m<sup>2</sup>; (c) a use of a residential structure that contravenes the regulations”: ALCA, s. 1(1). For example, use of more than four bedrooms in a principal residence for short-term tourist accommodation would be a non-adhering residential use requiring an application (subject to the potential exception for Tourist Accommodation in a Grandfathered Principal Residence discussed above).

For more information on making applications to the Commission, please see the Commission’s website, at [Applications and Notices](#).

Section 25(1) of the ALCA provides that on receiving a use application the Commission may:

- refuse permission for the use applied for,
- grant permission, with or without limits or conditions, for the use applied for, or
- grant permission for an alternative use or subdivision, with or without limits or conditions, as applicable.

Examples of considerations that the Commission may take into account in determining an application are found at [What the Commission Considers](#).

## 11. Related Policies and Information Bulletins

[ALC Land Use Policy L-04 – Agri-tourism Activities in the ALR](#)  
[Information Bulletin 07 Soil and Fill Uses in the ALR](#)

## 12. Glossary

The following key definitions are relevant to this information bulletin:

**“agri-tourism activity”** means “an activity referred to in section 12” of the ALR Use Regulation: ALR Use Regulation, s. 1

**“additional residence”** means “a residence on a parcel of agricultural land, other than the principal residence”: ALCA, s. 1(1)



**“alter”** means “the following: (a) to alter the exterior of a structure so as to increase its size; (b) to move or alter the exterior walls or edges of a structure so as to change its siting”: ALCA, s.1(1)

**“authorization”** means “a permit or other authorization, issued under an enactment, to construct or alter a residence”: ALCA, s. 20.2

**“bedroom”** means “a bedroom or other area used for sleeping in a residence”: ALR Use Regulation, s. 34(1)

**“construct”** means “the following: (a) to build a new structure; (b) to place on land a new structure that is fully or partially pre-fabricated; (c) to replace a structure, 75% or more of which has been substantially damaged or destroyed”: ALCA, s. 1(1)

**“farm use”** means “an occupation or use of agricultural land for (i) farming land, plants, mushrooms, truffles or animals, (ii) a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*, or (iii) a purpose designated as a farm use by regulation”, but “farm use” does “not include a residential use or a soil or fill use”: ALCA, s. 1(1)

**“fill”** means “any material brought onto agricultural land other than materials exempted by regulation”: ALCA, s. 1(1)

**“non-adhering residential use”** means “any of the following: (a) an additional residence; (b) a principal residence having a total floor area that is more than 500 m<sup>2</sup>; (c) a use of a residential structure that contravenes the regulations”: ALCA, s. 1(1)

**“non-farm use”** means “a use of agricultural land other than a farm use, a residential use or a soil or fill use”: ALCA, s. 1(1)

**“pre-existing residential structure”** means “a residential structure that exists on agricultural land on the date this section comes into force [February 22, 2019], and (a) is an additional residence, (b) is a principal residence having a total floor area of more than 500 m<sup>2</sup>, or (c) is of a size or is sited in contravention of a regulation”: ALCA, s. 20.2

**“prescribed residential structure”** is either a “structure” that, or a “vehicle” that, is “used, whether permanently or temporarily, to provide or in connection with providing accommodation as described in [Part 4 of the ALR Use Regulation]”: ALR Use Regulation, s. 29

**“principal residence”** means “the residence permitted under section 20.1(1)(a)”: ALCA, s. 1(1)

**“residential structure”** means “a structure used, during all or part of the year and whether fully or partially, as (a) a residence, (b) if prescribed, accommodation, or (c) if prescribed, in relation to a residence or accommodation”: ALCA, s. 1(1)

**“residential use”** means “a use of agricultural land for a residential structure” but “does not include a farm use or a soil or fill use”: ALCA, s. 1(1)



**“seasonal”** means a use or activity that fluctuates according to one or more seasons (spring, summer, fall and winter) (but not all seasons) or available or taking place during one or more seasons (but not all seasons) or at a specific time of the year

**“short-term basis”** means the use by a tourist of accommodation for a period of not more than 30 consecutive days

**“sleeping unit”** means “(a) a bedroom or other area used for sleeping located in a residence, cabin or other structure; (b) a vehicle, trailer, tent or other structure located on a campsite, field or other area”: ALR Use Regulation, s. 33(1)

**“soil or fill use”** means “the removal of soil from, or the placement of fill on, agricultural land” but “does not include a farm use or a residential use”: ALCA, s. 1(1)

**“tourist”** is a person who travels for pleasure from place to place away from their permanent residence

**“use or subdivision application”** means “an application for permission made under any of the following: (a) section 20 (2) for a non-farm use; (b) section 20.1 (2) (a) for a non-adhering residential use; (c) section 20.3 (5) for a soil or fill use; (d) section 21 (2) for subdivision”: ALCA, s. 1(1).





October 29, 2024

File No.: 0280-30

Local Government File No: ALR00192

Jason Tran

Planner

District of Lake Country

Via E-mail: [jtran@lakecountry.bc.ca](mailto:jtran@lakecountry.bc.ca)

Dear Jason Tran:

**Re: Non-Farm Use Application for 12829 Trehwitt Road (PID: 011-888-261)**

Thank you for providing B.C. Ministry of Agriculture and Food (Ministry) staff the opportunity to comment on the above-noted non-farm use application for tourist accommodation.

- Ministry staff note that there is an active orchard on the property. While the proposed RV sites would be located to the north of the orchard, it appears that the access to the sites will be through the orchard. This will not only remove land from future production, but it may also interfere with orchard operations. At least two of the proposed sites appear to be located where fruit trees have been previously planted, so will also reduce the amount of area in agricultural production.
- There are a number of other parcels on Trehwitt Road that are planted to orchards, and other agricultural operations in the area as well. Along with potential for general road safety issues that could be posed by RVs entering and leaving the site and travelling along Trehwitt Road, Ministry staff are concerned about the flow and safety of farm traffic for those farm owners and operators that need to travel along the road to access their operations.
- The proposed RV sites would be surrounded by orchard operations, both on the Subject Parcel and on the neighbouring properties. Four of the sites appear to be directly adjacent to the orchard to the north and there does not appear to be a plan to buffer the sites. Campground guests will therefore be likely to be subject to the full brunt of the farm operations including noise, dust and spray drift. This could potentially cause an increase in farm practice complaints. The lack of any connection to agri-tourism activities may only exacerbate this issue.



- While Ministry staff acknowledge the benefits of income diversification on farms, the number and layout of the proposed RV sites, and the traffic and other impacts to the area could likely be a detriment to agriculture on this property and to other farms in the area.

If you have any questions, please feel free to contact us at the numbers or emails below.

Sincerely,

A handwritten signature in black ink that reads "Alison Fox". The signature is written in a cursive, flowing style.

Alison Fox, P.Ag.  
Land Use Agrologist  
BC Ministry of Agriculture and Food  
[Alison.Fox@gov.bc.ca](mailto:Alison.Fox@gov.bc.ca)  
(778) 666-0566

Email copy: Chris Zabek, Regional Agrologist, [Chris.Zabek@gov.bc.ca](mailto:Chris.Zabek@gov.bc.ca)  
Claire Buchanan, Regional Planner, ALC, [ALC.Referrals@gov.bc.ca](mailto:ALC.Referrals@gov.bc.ca)

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## Provincial Agricultural Land Commission - Applicant Submission

**Application ID:** 101071  
**Application Type:** Non-Farm Uses within the ALR  
**Status:** Submitted to L/FNG  
**Name:** Galacher  
**Local/First Nation Government:** District of Lake Country

### 1. Parcel(s) Under Application

#### Parcel #1

**Parcel Type** Fee Simple  
**Legal Description** LOT 31 SECTIONS 25 AND 26 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT  
 PLAN 1001  
**Approx. Map Area** 4.34 ha  
**PID** 011-888-261  
**Purchase Date** Dec 9, 1994  
**Farm Classification** Yes  
**Civic Address** 12820 Trehwitt Rd, Lake Country, BC V4V2A4  
**Certificate Of Title** State of Title Certificate KH119075.pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
Patrick Galacher	Not Applicable	██████████	██████████ ██████████	Not Applicable

## 2. Other Owned Parcels

**Do any of the land owners added previously own or lease other parcels that might inform this application process?**

Yes

**Describe the other parcels including their location, who owns or leases them, and their use.**

PID 011-888-270

9 acre parcel adjacent to parcel application is being made for.

Active farm/orchard operation.

Owned by Patrick Galacher (same owner as parcel application is being made for).

This parcel is not applicable to, or impacted by, the application being made.

## 3. Primary Contact

<b>Type</b>	Third-Party Agent
<b>First Name</b>	Nathan
<b>Last Name</b>	Cooney
<b>Organization (If Applicable)</b>	Ascension Professional Services
<b>Phone</b>	██████████
<b>Email</b>	████████████████████

## 4. Government

**Local or First Nation Government:** District of Lake Country

## 5. Land Use

### Land Use of Parcel(s) under Application

**Describe all agriculture that currently takes place on the parcel(s).**

PID 011-888-261: Active farming/orchard operation, primary residential dwelling

**Describe all agricultural improvements made to the parcel(s).**

Irrigation, fencing,

**Describe all other uses that currently take place on the parcel(s).**

Residential, principal residence

## Land Use of Adjacent Parcels

	<b>Main Land Use Type</b>	<b>Specific Activity</b>
<b>North</b>	Agricultural / Farm	active orchard
<b>East</b>	Agricultural / Farm	active farm/grazing
<b>South</b>	Agricultural / Farm	active orchard
<b>West</b>	Agricultural / Farm	active orchard

## 6. Proposal

**How many hectares are proposed for non-farm use?**

0.25 ha

**What is the purpose of the proposal?**

campground to supplement income from farming operations. All camping space will be placed on existing space/land that is currently residential and/or unused for farming operations.

The campground will draw visitors to the farm and potentially generate additional revenue through direct sale of crop.

The proposed use will have zero impact on existing farming operations and there will be no reduction in available land for farm use. Any modifications made the property will be extremely minimal with no tree clearing, paving, additional roads or parking, or degradation of land that could be used for farming now, or in the future.

**Could this proposal be accommodated on lands outside of the ALR?**

No. There is no land available in the area to accommodate the camping space

**Does the proposal support**

Will provide financial support to family operating the farm allowing for

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**agriculture in the short or long term?** continued operation and potentially re-investment/improvements to the farm operations. Will also increase exposure to local farming operations and crops available in the area.

**Proposal Map / Site Plan** Site Plan - 12820 Middle Bench Rd - RV Camping - Pat Galacher.pdf

**Do you need to import any fill to construct or conduct the proposed Non-farm use?** No

## 7. Optional Documents

Type	Description	File Name
Other files that are related	Summary of intended use	Summary of proposal for non-farm use - 12820 Trew hitt Road.pdf

**DISTRICT OF LAKE COUNTRY**

**BYLAW 1264**

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

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

1. District of Lake Country Zoning Bylaw 561, 2007 is hereby amended by changing the zoning classification of: Lot 31 Sections 25 and 26 Township 20 Osoyoos Division Yale District Plan 1001 (PID: 011-888-261)

From: A1 – Agriculture 1

To: At1ta – Agriculture 1(Agri-Tourism Accommodation)

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

2. This bylaw may be cited as “Zoning Amendment (Z0000333) Bylaw 1264, 2025”.

READ A FIRST TIME this X day of XXX , 2025.

READ A SECOND TIME this X day of XXX, 2025.

ADVERTISED on the XX and XX days of XX, 2025 and a Public Hearing held pursuant to Section 464 of the Local Government Act on the X day of XX, 2025.

READ A THIRD TIME this X day of XX, 2025

ADOPTED this xx day of XXX, 2025.

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Mayor

---

Corporate Officer

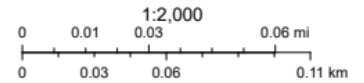


SCHEDULE A  
Bylaw 1264, 2025 ZONING MAP



1/6/2025, 11:20:28 AM

- Building
- Streets
- Parcels
- Street
- Lake Country Boundary



District of Lake Country Online Mapping System  
District of Lake Country

**To:** Mayor and Council  
**From:** Paul Gipps, CAO

**Meeting Date:** January 14, 2024  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Ariel Cawley, Planning Technician  
**Department:** Planning and Development

**Title:** Development Variance Permit | DVP00398 | 10074 Highway 97

**Description:** Development Variance Permit to authorize an existing non-conforming fascia sign and to allow additional building signage.

**RECOMMENDATION**

THAT Development Variance Permit DVP00398 (Attachment A in the Report to Council dated January 14<sup>th</sup>, 2024) for the property at 10074 Highway 97 (PID: 001-729-721), to authorize an existing non-conforming fascia sign and up to four fascia signs, be approved.

**EXECUTIVE SUMMARY**

The applicant requests a variance to increase the number of signs permitted for the existing Dairy Queen business in order to improve their business visibility. Currently there is a fascia sign on each of the north, west and east façades of the building. The business would like to add another fascia sign to the south façade of the building, which currently does not have any signage (Attachment B – Site Plan). Within the C1 - Town Centre Commercial zone, the Signage Regulation Bylaw 501, 2004 permits two signs: one (general) fascia sign per business, and one additional fascia sign per business on the face or the rear of the building. Therefore, the existing fascia signs (three) exceed the permitted maximum (two). In addition, the north fascia sign exceeds the maximum permitted height for this type of sign. This variance request is to permit the existing non-conforming signage on the Dairy Queen building as well as allow for an additional new fascia sign (four) on the south façade.

Property Information			
<b>Application Type</b>	Development Variance Permit		Application Date: 2023-08-24
<b>Variations</b>	<ul style="list-style-type: none"> <li>❶ Variance to the number of permitted fascia signs (two), to allow four fascia signs for the Dairy Queen business (three existing, one proposed), a variance of two signs.</li> <li>❷ Variance to the permitted maximum height of an existing fascia sign from 1.25 m to 1.68 m, a variance of 0.43 m.</li> </ul>		
<b>Folio/Roll #:</b>	02379.000		
<b>PID &amp; Legal Description</b>	001-729-721; LOT C SECTION 10 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT PLAN 12891 EXCEPT PLANS 21017, 24900 AND KAP48919		
<b>Civic Address:</b>	10074 Highway 97		
<b>Applicant:</b>	Five Star Permits	<b>Owner:</b>	0712844 BC LTD
<b>OCP Designation:</b>	Mixed Use Commercial		
<b>Zoning Designation:</b>	C1– Town Centre Commercial		
<b>Land Use Contract</b>	NA		
<b>ALR:</b>	NA		
<b>Parcel Size:</b>	0.27 ha/0.662 acres		

<b>Development Permit Areas:</b>	<ul style="list-style-type: none"> <li>• Town Centre</li> <li>• Agricultural</li> </ul>	
<b>Water Supply:</b>	Municipal	
<b>Sewer:</b>	Municipal	
<b>Site Summary:</b>	<b>Zoning:</b>	<b>Use:</b>
<i>North:</i>	C1 – Town Centre Commercial	Property proposed for redevelopment (commercial retail)
<i>East:</i>	C1 – Town Centre Commercial	Commercial strip mall
<i>South:</i>	C1 – Town Centre Commercial	Mixed commercial
<i>West:</i>	RU6 – Large Lot Small-Scale Multiple Housing	Multifamily residential

## BACKGROUND

A Sign Permit (SP2015-006) was issued in 2015 to allow the existing signage on the building. In 2023 a new sign permit application was made for an additional fascia sign on the south façade of the building. During the review of the 2023 application, it was determined that the 2015 permit authorized signage that did not comply with the Sign Regulation Bylaw (Attachment C – 2015 Sign Drawing (North Façade)). As per Section 8.1 of the Sign Regulation Bylaw 501, 2004, only two fascia signs are permitted per business. Additionally, the maximum height of a fascia sign is 1.25 m. This variance seeks to bring the existing signage into compliance, while also permitting an additional fascia sign for the south façade.

## SITE CONTEXT

The Dairy Queen business building is located in the town centre and is adjacent to highway 97 (Attachment D – Location Map and Orthophoto). A small commercial strip mall is located on the same parcel, and similar commercial development is located on the surrounding properties to the south and east across the highway. The property to the north has recently been rezoned from P2 - Administration, Public Service and Assembly to C1 - Town Centre Commercial, with future mixed-use development proposed.

SIGNAGE REGULATIONS & VARIANCES				
C1 ZONE	PERMITTED	EXISTING	PROPOSED	VARIANCE
Fascia sign (general)	1 per business	1 fascia sign (north façade)	1 additional (south façade)	Increase of 1 sign
Fascia sign, on the face or rear of the building	1 per business	2 signs - 1 on the face (east façade) and 1 on the rear (west façade)	None	Increase of 1 sign
Sign Height	Max. 1.25 m	1.68 m (north façade)	N/A	0.43 m height increase

## ANALYSIS

The existing signage (Attachment E – Site Photos) at the Dairy Queen business has been in place since 2015. The larger size of the north façade sign enables greater visibility for the business as viewed by southbound highway traffic, which is appropriate for a commercial business along a highway corridor. The Official Community Plan, Bylaw 1065, 2018, includes policy supporting higher visibility signage along the Highway 97 corridor: section 11.1.10 (b) *allow for larger signs along Highway 97 than are permitted elsewhere*. The size and scale of this signage is appropriate for the building and is also consistent with the form and character of the commercial development and surrounding businesses.

While the Signage Bylaw only permits two fascia signs per business, it is reasonable for the Dairy Queen business to have additional signage due to its location in a standalone building with four exterior facades. While the permitted number of fascia signs is currently exceeded for this business, other permitted signage for the C1 zone has not been

utilized. The business would be permitted to have one projecting/hanging sign, one additional directional sign and one freestanding sign for the parcel, none of which have been installed.

The proposed new fascia sign meets the permitted size, projection and location of a fascia sign as per Section 7.2 of the Signage Regulation Bylaw 501, 2004 (Attachment F – Proposed Sign (South Façade)). The design matches the existing signage for the Dairy Queen business and is typical for what is expected for a drive-thru restaurant. The addition of a sign will add visual interest to the currently blank south façade of the building.

Should Council approve the proposal, the variances will only apply to the current occupant of the building (Dairy Queen). If a new business requires on-site signage, the business owners would be required to comply with the regulations of the Sign Bylaw.

Staff support the proposed variance.

#### **FINANCIAL IMPLICATIONS**

None       Budget Previously Approved     Other (see below)

#### **COMMUNICATION**

- This application was referred to internal departments for comment. Economic Development noted their support of the application and agreed that the additional signage on the south façade would help improve business visibility. No concerns were noted from Bylaw Enforcement.
- The Ministry of Transportation & Infrastructure reported that they had no objections to the issuance of the Development Variance Permit, as signage on private property is not under their jurisdiction unless digital and/or projected advertising displays (electronic billboards) are proposed.
- The applicant completed Neighbour Consultation as required under the Development Approval Procedures Bylaw 1227, 2024. No public feedback was received as part of the applicant's neighbour consultation.
- As per the Development Approval Procedures Bylaw 1227, 2024, staff have notified properties within 100m of the subject property and one notice sign has been placed on the subject property. Any feedback received prior to the Council Meeting will be shared with Council as per District procedures.

#### **ALTERNATE RECOMMENDATIONS**

- A. THAT Development Variance Permit DVP00398 for the property at 10074 Highway 97 (PID: 001-729-721) to authorize an existing non-conforming fascia sign and up to four fascia signs, not be approved.
- B. THAT Development Variance Permit DVP00398 for the property at 10074 Highway 97 (PID: 001-729-721) to authorize an existing non-conforming fascia sign and up to four fascia signs, be deferred pending receipt of additional information as identified by Council.

Respectfully Submitted,

**Ariel Cawley, Planning Technician II**

## Report Approval Details

Document Title:	DVP00398 - 10074 HIGHWAY 97.docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A - DVP00398 - Draft Development Variance Permit.pdf</li> <li>- Attachment B - DVP00398 - Site Plan.pdf</li> <li>- Attachment C - DVP00398 - 2015 Sign Drawing (North Façade).pdf</li> <li>- Attachment D - DVP00398 - Location Map and Orthophoto.pdf</li> <li>- Attachment E - DVP00398 - Site Photos.pdf</li> <li>- Attachment F - DVP00398 - Proposed Sign (South Façade).pdf</li> </ul>
Final Approval Date:	Jan 9, 2025

This report and all of its attachments were approved and signed as outlined below:

**Brian Zurek, Manager of Long Range Planning - Jan 7, 2025 - 2:24 PM**

**Jeremy Frick, Director of Development Approvals - Jan 8, 2025 - 4:51 PM**

**Reyna Seabrook, Director of Corporate Services - Jan 8, 2025 - 5:29 PM**

**Paul Gipps, Chief Administrative Officer - Jan 9, 2025 - 8:10 AM**



**DEVELOPMENT VARIANCE PERMIT**

**District of Lake Country**  
 10150 Bottom Wood Lake Road  
 Lake Country, BC V4V 2M1  
 t: 250-766-6674 f: 250-766-0200  
 lakecountry.bc.ca

**APPROVED ISSUANCE OF**  DEVELOPMENT VARIANCE PERMIT (pursuant to Sec. 498 of the Local Government Act)

PERMIT #: DVP00398  
 FOLIO #: 02379.000  
 ZONING DESIGNATION: C1– Town Centre Commercial  
 ISSUED TO: 0712844 BC LTD  
 SITE ADDRESS: 10074 Highway 97  
 LEGAL DESCRIPTION: LOT C SECTION 10 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT PLAN 12891 EXCEPT PLANS 21017, 24900 AND KAP48919  
 PARCEL IDENTIFIER: 001-729-721

**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**

Development Variance Permit DVP00398 for 10074 Highway 97 legally described as LOT C SECTION 10 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT PLAN 12891 EXCEPT PLANS 21017, 24900 AND KAP48919, Roll # 02379.000, amends Signage Regulation Bylaw 501, 2004 as follows:

a) Section 8.1: the following signs are permitted in the C1 Town Centre Commercial zone:

**From:** One (1) awning/canopy sign or fascia sign per business; and  
 One (1) awning/canopy or fascia sign per business, on the face or the rear of the building.

**To:** Two (2) awning/canopy sign or fascia signs per business; and  
 Two (2) awning/canopy or fascia signs per business, on the face or rear of the building.

b) Section 7.2 (d): a fascia sign is permitted only if it has a maximum height of:

**From:** 1.25 metres (4.1 feet)  
**To:** 1.68 metres (5.5 feet)

c) The existing north façade signage shall remain in compliance with the attached document:

- **Schedule A:** North Façade Sign Drawing, prepared by Sunset Sign Co. Ltd., dated Feb. 20, 2015.

d) The proposed new fascia sign for the south façade shall be installed in substantial compliance with the attached documents:

- **Schedule B:** South Façade Sign Drawing, prepared by Sunset Sign Co. Ltd. dated June 14, 2023
- **Schedule C:** Elevation Drawing, prepared by Five Star Permits, dated received Aug. 28, 2023.

## 2. DEVELOPMENT

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

The development shall commence within **TWO** YEARS of the date that this permit is issued.

If the Permit Holder does not substantially commence the development permitted by this Permit within **TWO** years of the date of issuance of this permit, this permit shall lapse.

The terms of the permit or any amendment to it are binding on all persons who acquire an interest in the land affected by the permit.

**THIS IS NOT A SIGN PERMIT  
OR A BUILDING PERMIT**

## 3. APPROVALS

Authorization passed by Council on the \_\_\_ day of \_\_\_\_\_, 2025.

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

\_\_\_\_\_  
 Corporate Officer, Reyna Seabrook

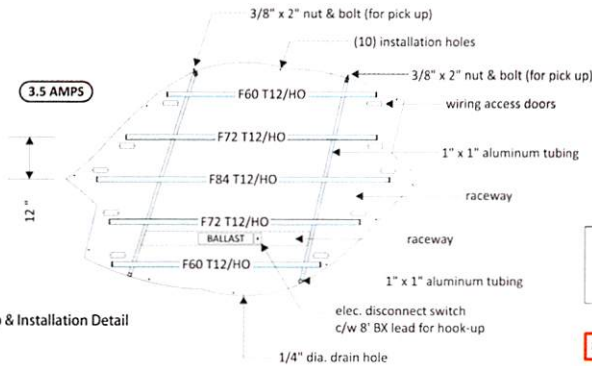
**Schedule A - North Façade Sign Drawing**



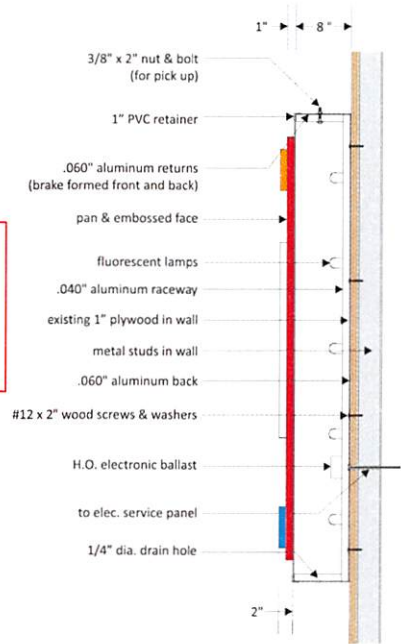
aluminum channel shaped box  
returns painted to match  
light brushed aluminum satin gloss  
c/w pan & embossed polycarbonate face  
1" wide PVC retainer painted to match  
light brushed aluminum satin gloss  
illuminated with:  
(2) F60 T12/HO fluorescent lamps  
(2) F72 T12/HO fluorescent lamps  
(1) F84 T12/HO fluorescent lamp  
(1) UNIESB848-46 120V ballast  
sign installed flush to wall

Area: 46.9 sq. ft.  
Weight: 150 lbs.

**SHOP DRAWING - APPROVED as noted**  
SUBMITTALS ARE REVIEWED FOR CONFORMANCE WITH DESIGN INTENT AND GENERAL COMPLIANCE WITH THE CONTRACT DOCUMENTS ONLY. NOTATIONS DO NOT AUTHORIZE CHANGES TO THE VALUE OF THE CONTRACT.  
**OPAL ENGINEERING INC.**  
BY: saw DATE: sept 21 2015



NOTE: Interior of sign box painted white.



Section View  
Scale: 3/4"=1'

Scale: 3/8"=1'  
Qty. \_\_\_1\_

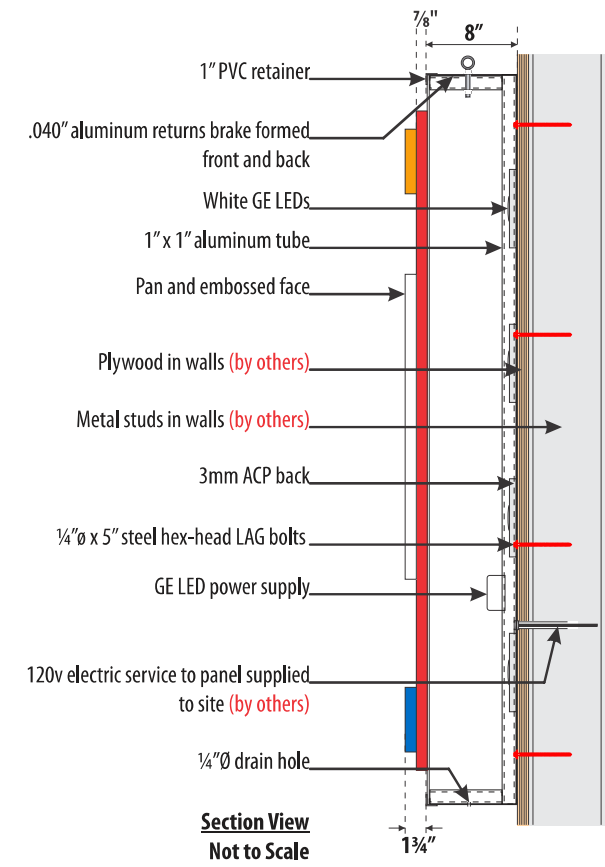
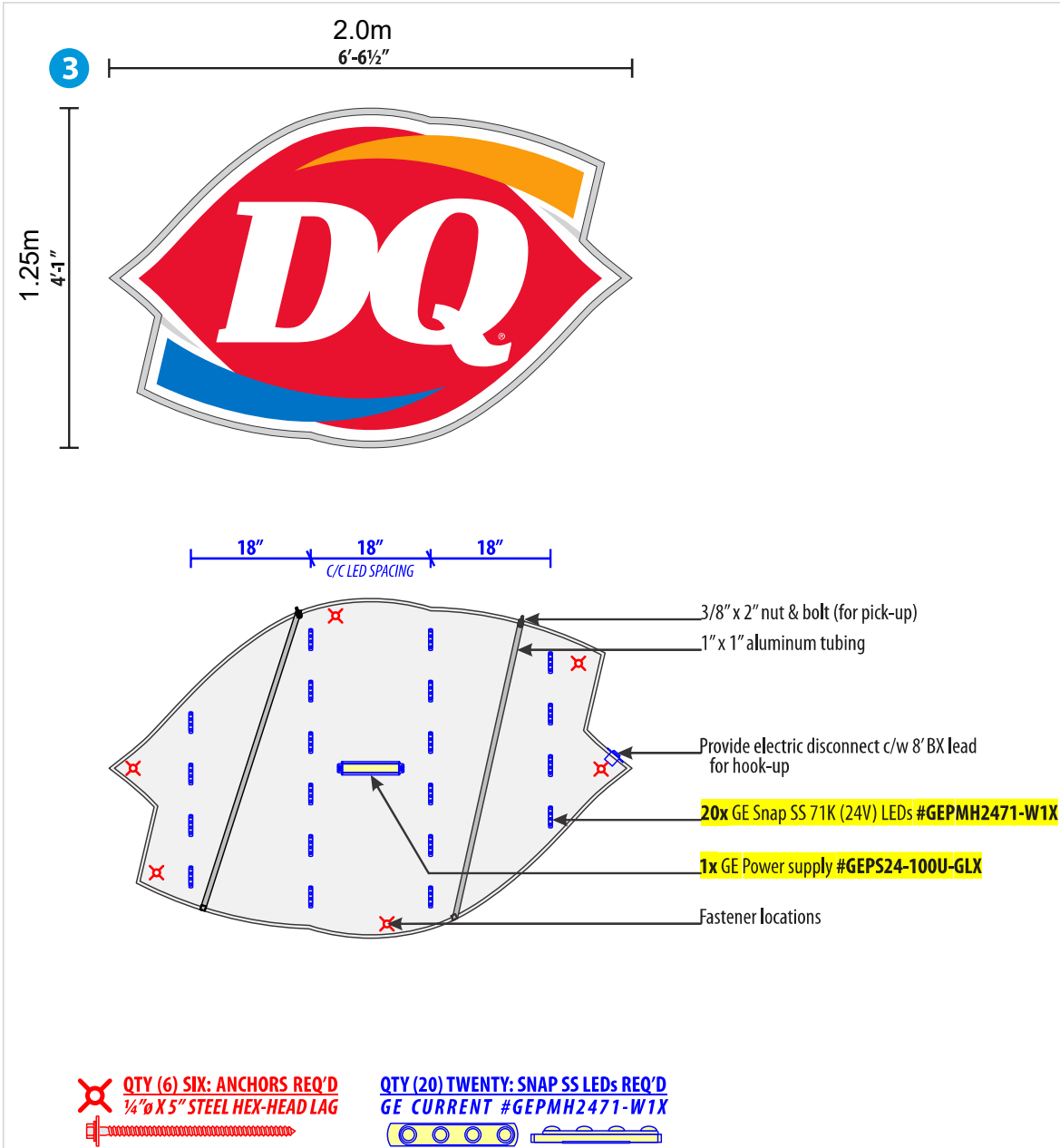
Drawing: Shop Drawing	Revisions: *
Drawn By: bl	
Date: 02/20/15	
Page: 1 of 9	File: DQ/Templates/S Door Cake & Treats, Blue

Approved By:



Dairy Queen 27372  
5 Ft. Logo Fascia Sign Box  
10074 Highway 97  
Lake Country BC.V4V 1H1





**3 DQ LOGO SS 4ft-1in X 6ft-6in**

Supply & install One (1) new single-sided illuminated exterior sign cabinet with vacuum formed face.

- Graphics, Substrate, & Construction:**  
 .187 clear polycarbonate (solar grade) face  
 Embossed face to have four colour translucent painted graphics on second surface  
 1" PVC retainers  
 .040 aluminum break formed filler  
 3mm White ACP backs  
 1" aluminum tube internal bracing
- Illumination**  
 20x GE Snap SS 71K (24V) LEDs #GEMPH2471-W1X  
 1x GE Power supply #GEPS24-100U-GLX
- Paint**  
 Paint filler to match Anodized Aluminum

<b>EST. WEIGHT:</b> ±55 lbs (±25 kg)	<b>120v POWER:</b> ±1.1 Amps	<b>PROFILE AREA:</b> 28 sq ft (2.6 m <sup>2</sup> )
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- Red PMS #185C Paint
- Orange PMS #1375C Paint
- Blue PMS #300C Paint
- Metallic Silver Paint
- White Paint

DATE: June 14, 2023	JR	FILE NAME: 71364 DQ Grande Prairie AB - Next Generation Signs	360
SALES: J.C. Purves		REVISIONS:	
SCALE: 1/2" = 1'-0"			
PAGE: 7 of 41			

Z:\Dairy Queen\71364 DQ Grande Prairie AB\Sunset Drawings

*This drawing is the property of Sunset Neon Ltd. The design and content is reserved by them and is issued on the condition that it not be copied, reproduced, distributed or disclosed to any unauthorized person either wholly or in part without the written consent of Sunset Neon Ltd.*

Date Approved: \_\_\_\_\_  
 Approved By: \_\_\_\_\_  
**#85369**

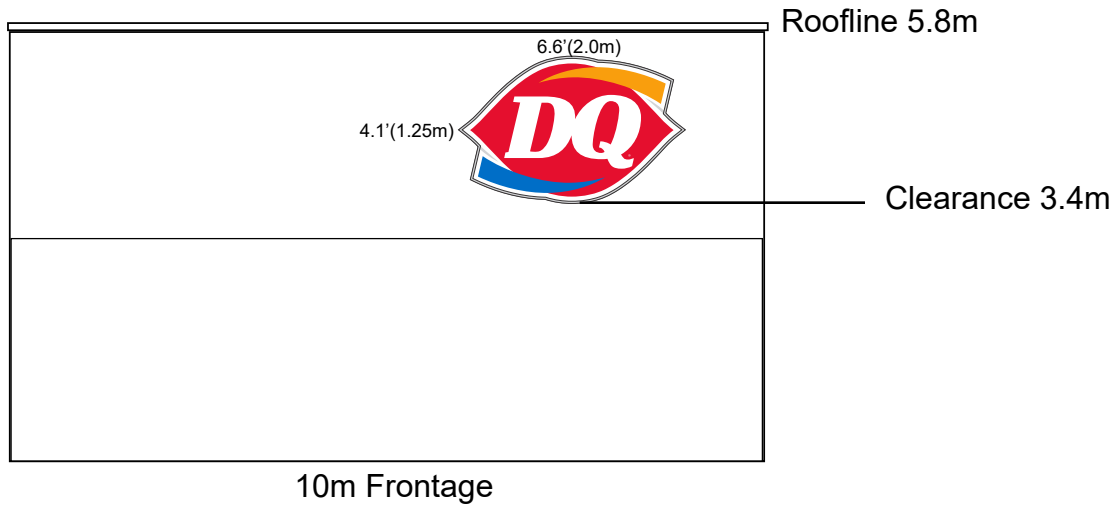
CHECKED BY:  SHOP READY  INTERIOR

CONCEPTUAL  EXTERIOR

905.639.1832  
 www.sunsetsign.ca  
 65 Cascade St., Hamilton, ON

**DQ 27372**  
**10051 BC 97**  
**Lake Country**

**Schedule C: Elevation Drawing**



10m x 5.8m = 58m<sup>2</sup> x 15% = 8.7m<sup>2</sup> Allowable signage  
 Overall sign area = 2.5m<sup>2</sup>



www.fivestarpermits.com  
 637 Lakeside Court  
 Oliver BC V0H 1T4  
 250-487-1210

Date

Scale 1cm=.5m Scale

Client approves sign locations

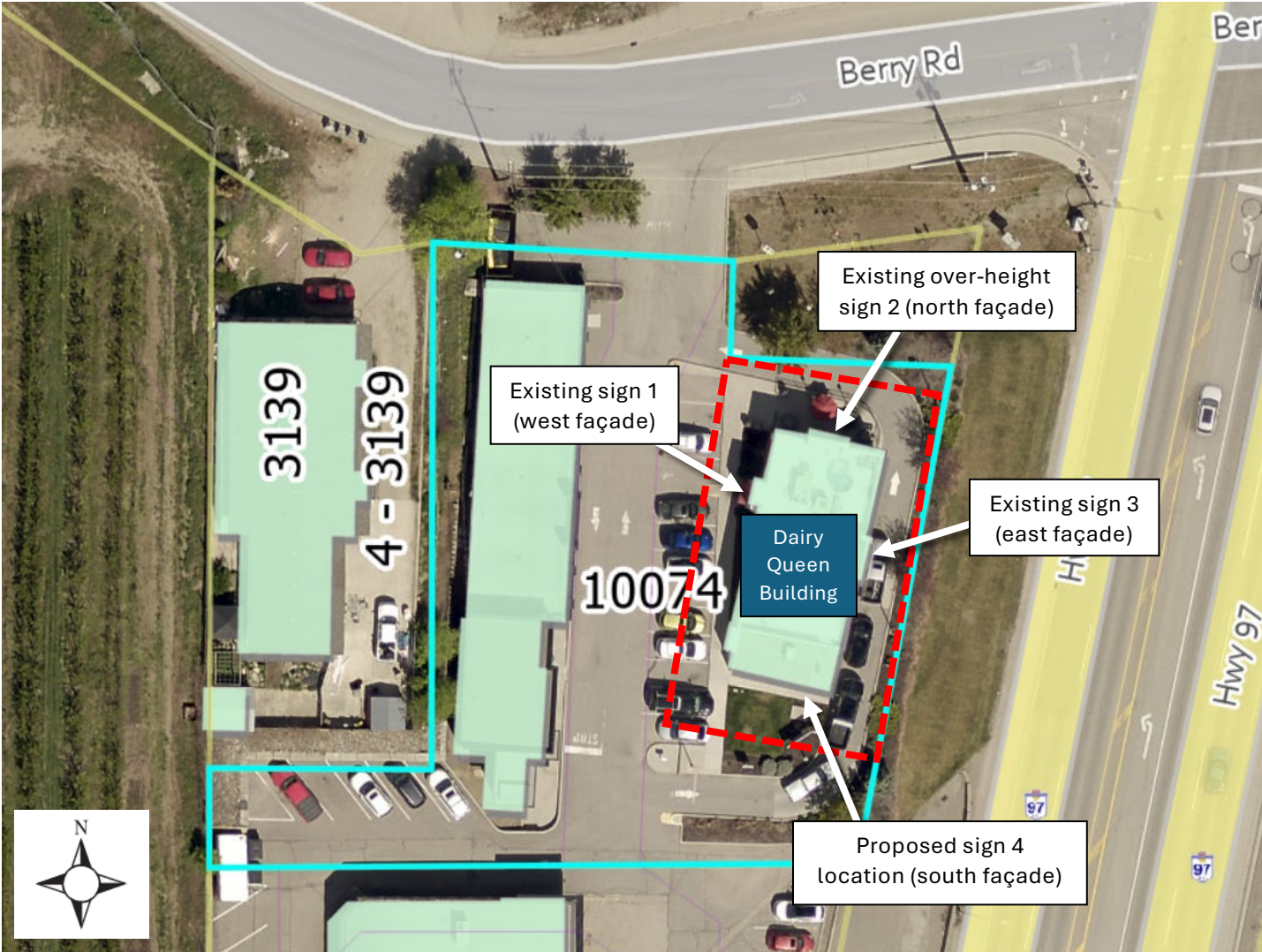


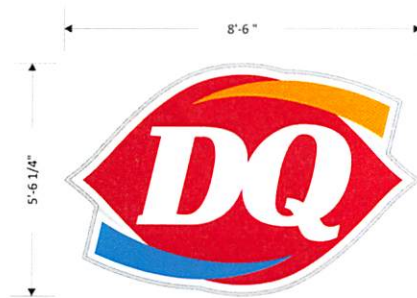
SITE PLAN





SITE PLAN



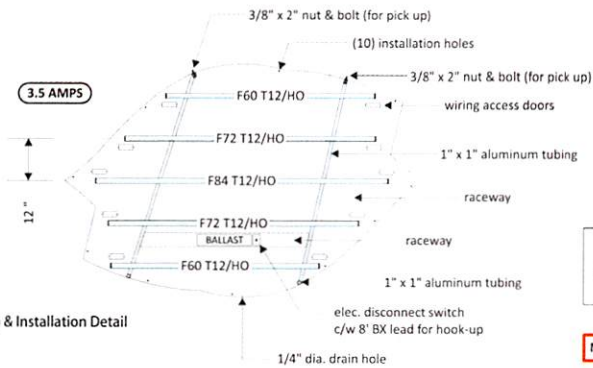


aluminum channel shaped box  
returns painted to match  
light brushed aluminum satin gloss  
c/w pan & embossed polycarbonate face  
1" wide PVC retainer painted to match  
light brushed aluminum satin gloss  
illuminated with:  
(2) F60 T12/HO fluorescent lamps  
(2) F72 T12/HO fluorescent lamps  
(1) F84 T12/HO fluorescent lamp  
(1) UNIESB848-46 120V ballast  
sign installed flush to wall

Area: 46.9 sq. ft.  
Weight: 150 lbs.

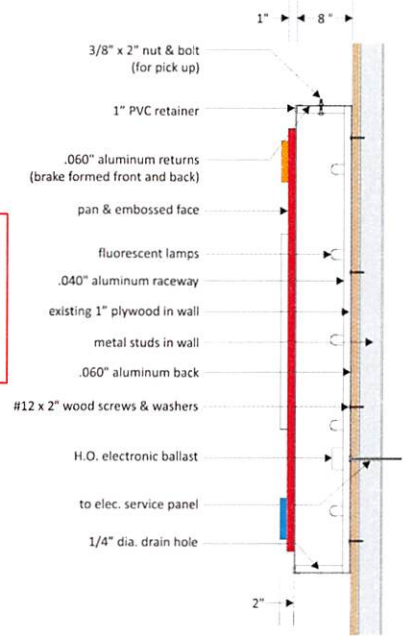
**SHOP DRAWING - APPROVED as noted**

SUBMITTALS ARE REVIEWED FOR CONFORMANCE WITH DESIGN INTENT AND GENERAL COMPLIANCE WITH THE CONTRACT DOCUMENTS ONLY. NOTATIONS DO NOT AUTHORIZE CHANGES TO THE VALUE OF THE CONTRACT.  
**OPAL ENGINEERING INC.**  
BY: saw DATE: sept 21 2015



PMS 185C RED	PMS 1375C ORANGE	PMS 300C BLUE	WHITE

NOTE: Interior of sign box painted white.



Section View  
Scale: 3/4"=1'

Scale: 3/8"=1'  
Qty. \_\_\_1\_

Drawing: Shop Drawing	Revisions: *
Drawn By: bl	
Date: 02/20/15	
Page: 1 of 9	File: DQ/Template/5 Door Cake & Treats, Blue

Approved By:



ph.905.639.1832 • fx.905.639.7132  
www.sunsetneon.com

Dairy Queen 27372  
5 Ft. Logo Fascia Sign Box  
10074 Highway 97  
Lake Country BC.V4V 1H1









**SITE PHOTOS**

**Existing Sign 1 (West Façade)**



**Existing Sign 2 (North Façade)**





Existing Sign 3 (East Façade)



Proposed Sign 4 Location (South Façade)





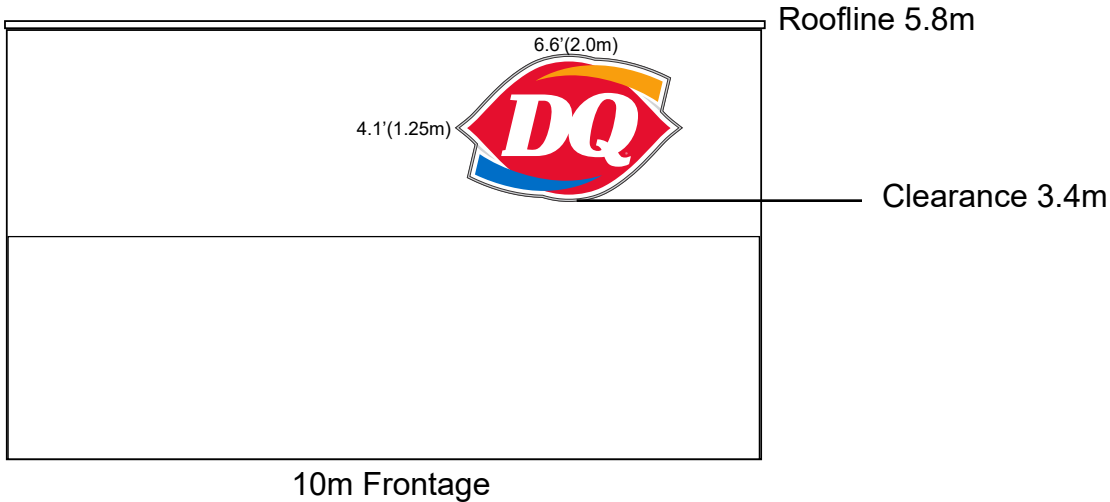
Sign Visibility - View from Highway 97 Northbound



Sign Visibility - View from Highway 97 Southbound







10m x 5.8m = 58m<sup>2</sup> x 15% = 8.7m<sup>2</sup> Allowable signage  
 Overall sign area = 2.5m<sup>2</sup>

**FIVE STAR**

www.fivestarpermits.com  
 637 Lakeside Court  
 Oliver BC V0H 1T4  
 250-487-1210

Date

Scale 1cm=.5m Scale

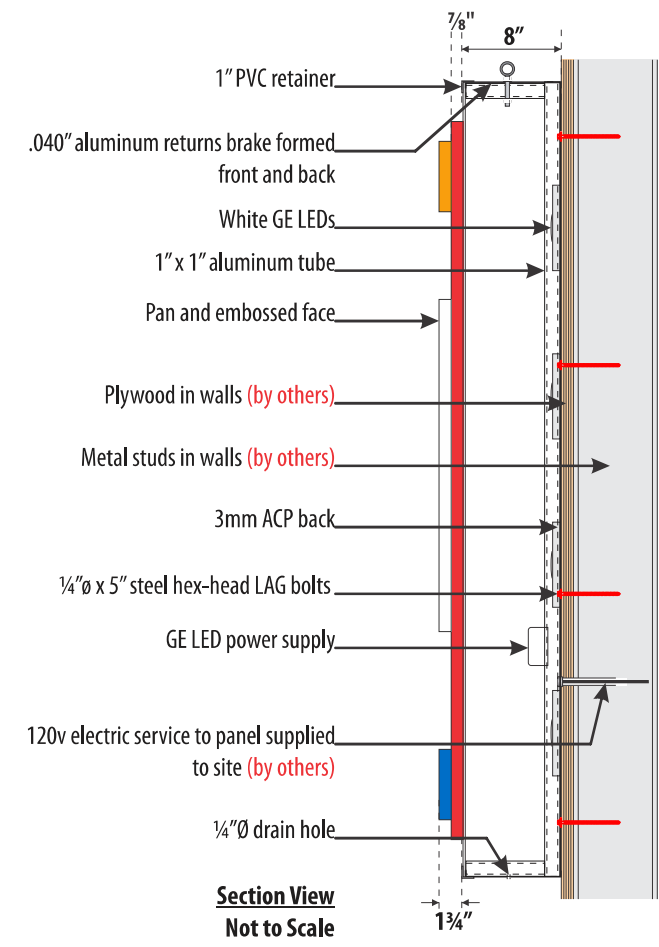
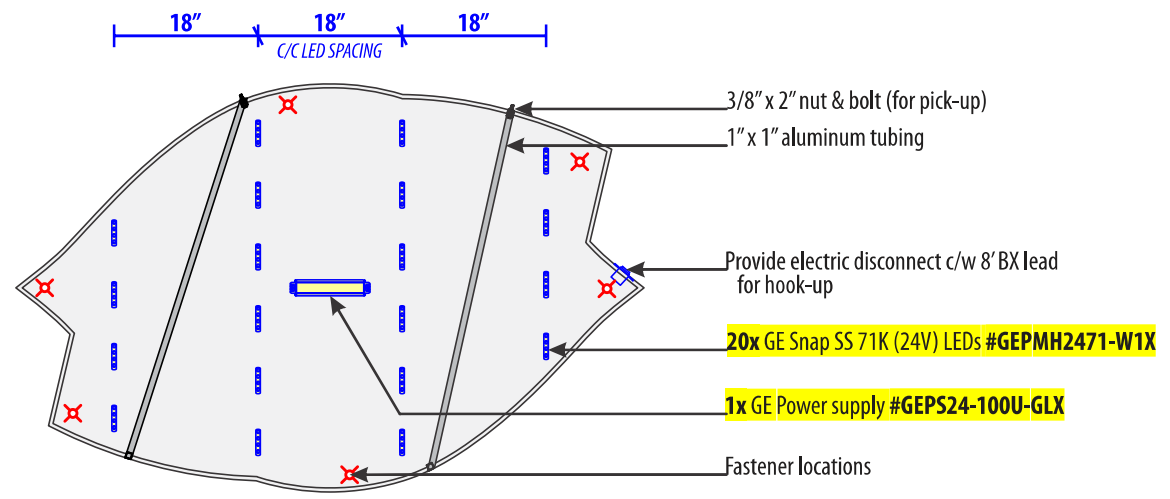
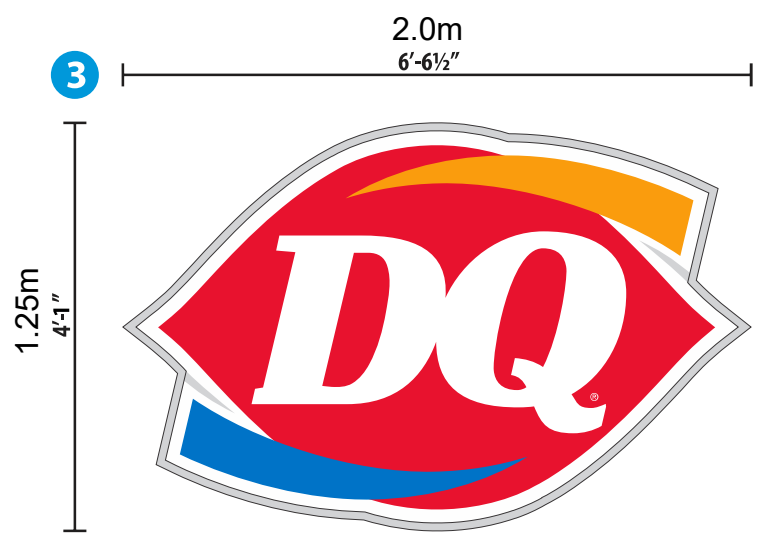
Client approves sign locations



SITE PLAN



**3** **DQ LOGO SS 4ft-1in X 6ft-6in**



Supply & install One (1) new single-sided illuminated exterior sign cabinet with vacuum formed face.

- Graphics, Substrate, & Construction:**
- .187 clear polycarbonate (solar grade) face
  - Embossed face to have four colour translucent painted graphics on second surface
  - 1" PVC retainers
  - .040 aluminum break formed filler
  - 3mm White ACP backs
  - 1" aluminum tube internal bracing
- Illumination**
- 20x GE Snap SS 71K (24V) LEDs #GEPMH2471-W1X
  - 1x GE Power supply #GEPS24-100U-GLX
- Paint**
- Paint filler to match Anodized Aluminum

<b>EST. WEIGHT:</b> ±55 lbs (±25 kg)	<b>120v POWER:</b> ±1.1 Amps	<b>PROFILE AREA:</b> 28 sq ft (2.6 m <sup>2</sup> )
---	---------------------------------	--

- Red PMS #185C Paint**
- Orange PMS #1375C Paint**
- Blue PMS #300C Paint**
- Metallic Silver Paint**
- White Paint**

**QTY (6) SIX: ANCHORS REQ'D**  
1/4" X 5" STEEL HEX-HEAD LAG

**QTY (20) TWENTY: SNAP SS LEDs REQ'D**  
GE CURRENT #GEPMH2471-W1X

<b>DATE:</b> June 14, 2023	<b>JR</b>	<b>FILE NAME:</b> 71364 DQ Grande Prairie AB - Next Generation Signs	<b>360</b>
<b>SALES:</b> J.C. Purves		<b>REVISIONS:</b>	
<b>SCALE:</b> 1/2" = 1'-0"			
<b>PAGE:</b> 7 of 41			

*This drawing is the property of Sunset Neon Ltd. The design and content is reserved by them and is issued on the condition that it not be copied, reproduced, distributed or disclosed to any unauthorized person either wholly or in part without the written consent of Sunset Neon Ltd.*

Date Approved:  CONCEPTUAL  EXTERIOR

Approved By: **#85369**

CHECKED BY  SHOP READY  INTERIOR

905.639.1832  
www.sunsetsign.ca  
65 Cascade St., Hamilton, ON

**DQ 27372**  
**10051 BC 97**  
**Lake Country**

**To:** Mayor and Council  
**From:** Paul Gipps, CAO

**Meeting Date:** January 14, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Jason Tran, Planner  
**Department:** Planning and Development

**Title:** Zoning Bylaw Amendment | Z0000335 | 14198 Middle Bench Road  
**Description:** To rezone a property allowing Agri-tourism accommodation at 14198 Middle Bench Road, within the Agricultural Land Reserve.

**RECOMMENDATION**

THAT Zoning Amendment (Z0000335) Bylaw 1265, 2025 be read a first, and second time;  
AND THAT Zoning Amendment (Z0000335) Bylaw 1265, 2025 be forwarded to a public hearing.

**EXECUTIVE SUMMARY**

The subject property (Attachment A) is zoned A1—Agriculture and is located within the Agricultural Land Reserve (ALR). The applicant proposes to use an existing residential building with five sleeping units for Agri-Tourism Accommodation (Attachment B).

The Agricultural Land Commission (ALC) requires an agri-tourism activity to occur on the farm to permit agri-tourism accommodation. The applicant has submitted a solid proposal for their agri-tourism activities.

The proposal aligns with the District's Official Community Plan (OCP) but necessitates an amendment to the Zoning Bylaw from A1 - Agriculture 1 to A1TA – Agriculture 1 (Agri-Tourism Accommodation).

Staff support the proposal as it offers income diversification for the owner. Should Council support the application, the next step is to forward it to a public hearing.

**BACKGROUND**

The property is ALR and A1 – Agriculture 1; there are two existing residential buildings. The older dwelling, located centrally on the subject property, is the applicant’s location for the proposed agri-tourism accommodations. The newer dwelling, located near the eastern boundary of the parcel, is the owners’ primary residence. The farm is an established vineyard with medicinal herbs and botanicals.

Property Information			
<b>Application Type:</b>	Rezoning Amendment (Z0000335)	Application Date: November 26, 2024	
<b>Folio/Roll #:</b>	03060.000		
<b>PID &amp; Legal Description</b>	011-871-075; LOT D SECTION 36 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT PLAN 974 EXCEPT PLANS 9150 AND 20591		
<b>Civic Address:</b>	14198 Middle Bench Road		
<b>Applicant:</b>	ROHL, JASON	<b>Owner:</b>	10049421 MANITOBA LTD
<b>OCP Designation:</b>	Agricultural		
<b>Zoning Designation:</b>	A1 – Agriculture 1		

<b>Land Use Contract</b>	NA	
<b>ALR:</b>	Yes	
<b>Parcel Size:</b>	3.75 ha/9.26 ac	
<b>Development Permit Areas:</b>	Drainage Hazard	
<b>Water Supply:</b>	Municipal	
<b>Sewer:</b>	On-site	
<b>Site Summary:</b>	<b>Zoning:</b>	<b>Use:</b>
North:	A1 - Agriculture 1	agriculture, extensive
East:	A1 - Agriculture 1	agriculture, extensive
South:	A1 - Agriculture 1	agriculture, extensive
West:	RR3 – Rural Residential 3	single family housing

## ANALYSIS

The owner has submitted a rezoning application to authorize agri-tourism accommodation (up to five units) within an existing residential building on the subject property (Attachment B). The applicant estimates that less than 5% of the parcel will be used for the accommodation portion, including the existing house, landscaping, and road access. The applicant’s rationale letter and summary are in Attachment C.

The property is currently zoned A1 – Agriculture and would require a zoning amendment to change from A1 to A1TA to allow for “agri-tourism accommodation (A1TA only)” as a secondary use on land classified as “farm” under the Assessment Act. The property has farm status from BC Assessment.

The Agri-Tourism Activities in the Agricultural Land Reserve (ALR) Policy L-04 (Attachment D) applies to this application. The policy requires that the parcel be actively farmed, have Class 9 - Farm classification under the BC Assessment Act (“farm class”), and that agri-tourism accommodation be offered in relation to an agri-tourism activity as defined in section 12(2) of the ALR Use Regulation (see Section 5).

The Agri-Tourism Activities plan has been submitted with the application and is attached as Attachment C for the AAC to review. The plan includes two main components:

1. The applicant proposes guided educational tours for guests, including tours of the vineyard and herbal gardens. These tours will provide insights into sustainable farming practices and the benefits of medicinal herbs.
2. The applicant plans to host workshops to teach guests about their herbal concoctions (e.g., bath salts and herbal remedies) made from herbs harvested directly from their land. Multiple examples of their lesson plans are included in the agri-activities plan.

The ALC’s Information Bulletin 6: Tourist and Agri-Tourism Accommodation in the ALR is also attached to this report (Attachment E).

### Agricultural Advisory Committee

The District’s Agricultural Advisory Committee (AAC) reviewed this application on December 9, 2024. The AAC supported the application, provided an appropriate vegetation buffer is placed around the agri-tourism accommodation building.

As noted previously, the proposed agri-tourism accommodations would be located in an existing residence less than 10 m from planted grape vines on the subject property. The owners would ensure that farm operations continue to support the principal activity of farming without impacting the health and safety of guests. Following the recommendations of the AAC, Council could consider securing a management plan (which may include a vegetative buffer) prepared by a Qualified Professional, as a condition of approval.

### Official Community Plan

Agriculture is a vital part of the District of Lake Country's community identity. The agricultural sector faces challenges in developing and maintaining viable farm-based businesses, exacerbated by climate change and weather-related events in recent years.

The District's Official Community Plan (OCP) includes policies to foster the agricultural sector and support local producers and related businesses:

- 14.1.3.i. Allow farm agri-tourism or agri-business initiatives to occur in accordance with Agricultural Land Commission policies.

The proposal is consistent with the agri-tourism policy of the District's OCP.

#### Zoning Bylaw

The applicant proposes using an existing house with five bedrooms for agri-tourism accommodation. The draft bylaw is included as Attachment F.

Zoning Analysis Table	A1TA Requirement	Applicant proposal
Farm classification (Assessment Act)	Yes	Yes
Secondary Uses	Agri-Tourism Accommodation	Agri-Tourism Accommodation
Sleeping units (farm size 2.0-3.9 ha)	5	5

The proposed development would be consistent with the agri-tourism regulations in the A1ta – Agriculture Zone. The owner would be required to operate the proposed agri-tourism business as per the District's regulations regarding length of stay, on-site activities, and vehicle parking established through business licensing.

Should Council support first and second reading of the proposed bylaw amendment, the application would proceed to a public hearing.

Staff support the proposed amendment application.

#### **COMMUNICATION**

Internal and External Referrals were sent out on December 6<sup>th</sup>, 2024. In summary, there were no concerns from staff as there is no charge for on-site services. Economic Development staff comment that Agri-Tourism is an essential part of Lake Country. Diverse service offerings can support local farming operations during challenging market conditions. Increased agri-tourism can support tourism in Lake Country in the long term.

Should the application proceed to a public hearing, the proposal would be advertised as per the Development Approval Procedures Bylaw requirements, including a development notice sign(s) on the subject property, notice letters to surrounding property owners within 100 m of the subject property, and advertisements in two issues of the Lake Country Calendar.

#### **OPTIONS**

The following options are presented for the Council's consideration:

- A. Zoning Amendment (Z0000335) Bylaw 1265, 2025 be read a first, and second time;  
AND THAT Zoning Amendment (Z0000335) Bylaw 1265, 2025 be forwarded to a public hearing;  
AND THAT prior to adoption, the District secure a management plan prepared by a Qualified Professional, to mitigate the risk of agricultural overspray on agri-tourism accommodation guests.
- B. THAT Zoning Amendment (Z0000335) Bylaw 1265, 2025 not be read a first time, and the file be closed.
- C. THAT Zoning Amendment (Z0000335) Bylaw 1265, 2025, be deferred pending receipt of additional information as identified by Council.

Respectfully Submitted,  
Jason Tran, Planner

## Report Approval Details

Document Title:	Z0000335 - 14198 Middle Bench Road - Council Report.docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A - Z0000335 - Location and Orthophoto.pdf</li> <li>- Attachment B - Z0000335 - Site Plan.pdf</li> <li>- Attachment C - Z0000335 - Proposal Summary Re-zoning for Andrea and Jason.pdf</li> <li>- Attachment D - Z0000335 - Agri-Tourism Activities.pdf</li> <li>- Attachment E - Z0000335 - Tourist and Agri-Tourism Accommodation.pdf</li> <li>- Attachment F - Z0000335 - Draft Zoning Amendment Bylaw 1265, 2025.pdf</li> </ul>
Final Approval Date:	Jan 9, 2025

This report and all of its attachments were approved and signed as outlined below:

**Brian Zurek, Manager of Long Range Planning - Jan 7, 2025 - 1:30 PM**

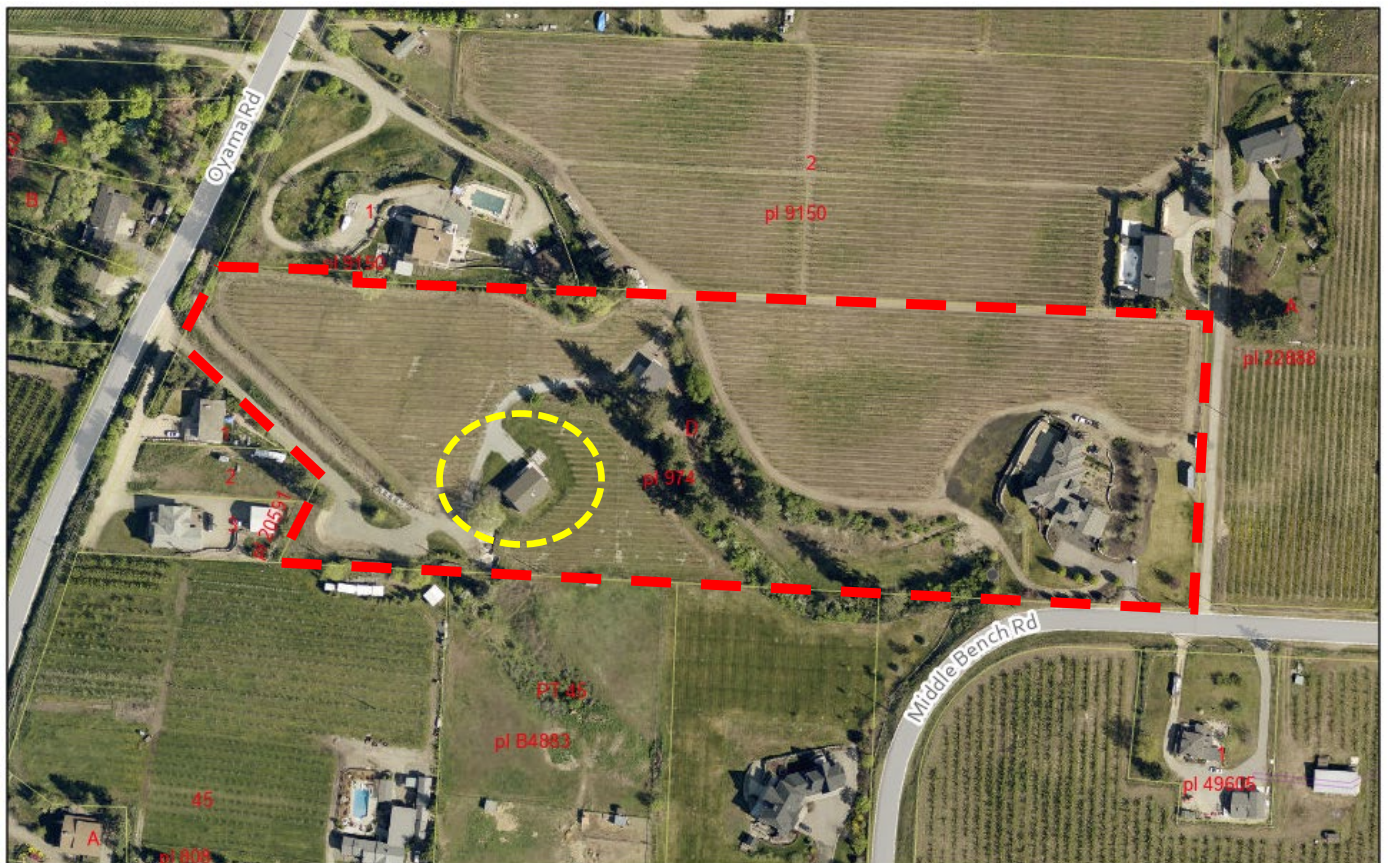
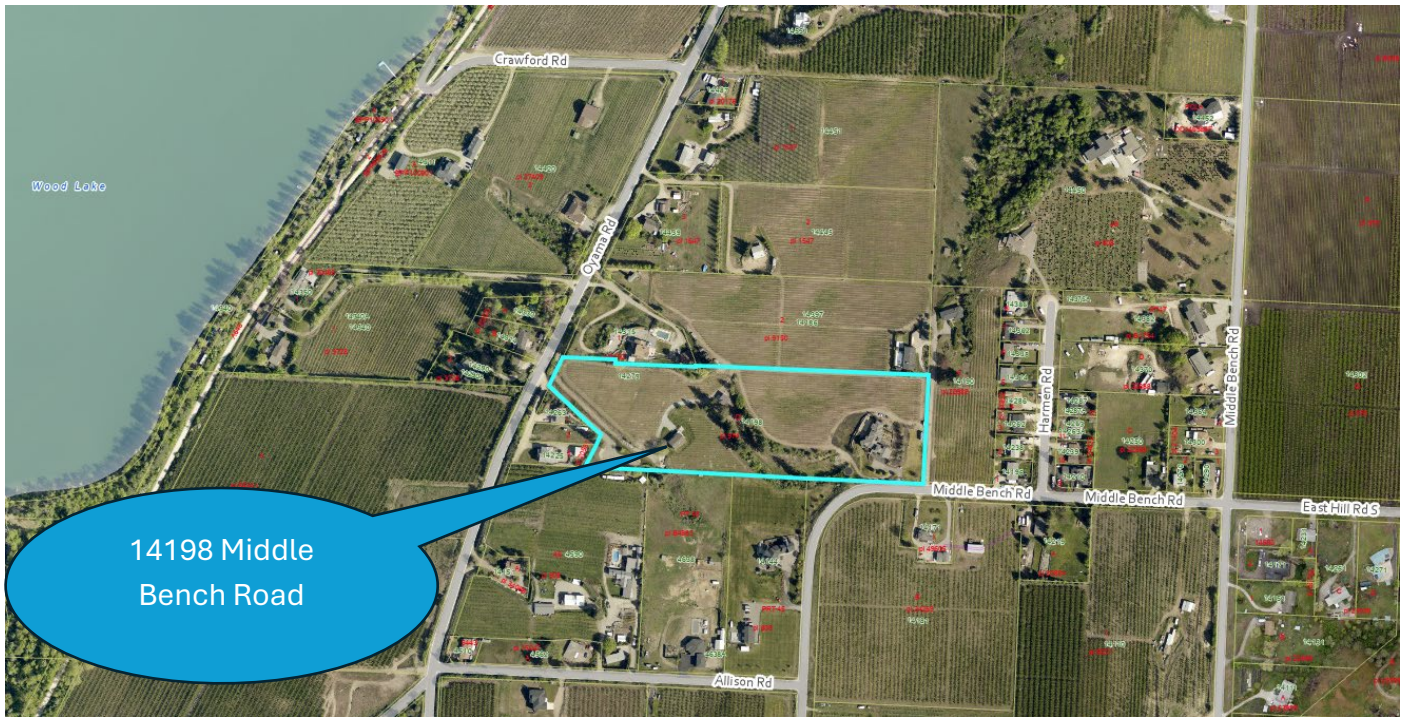
**Jeremy Frick, Director of Development Approvals - Jan 8, 2025 - 5:09 PM**

**Reyna Seabrook, Director of Corporate Services - Jan 8, 2025 - 5:28 PM**

**Paul Gipps, Chief Administrative Officer - Jan 9, 2025 - 8:08 AM**

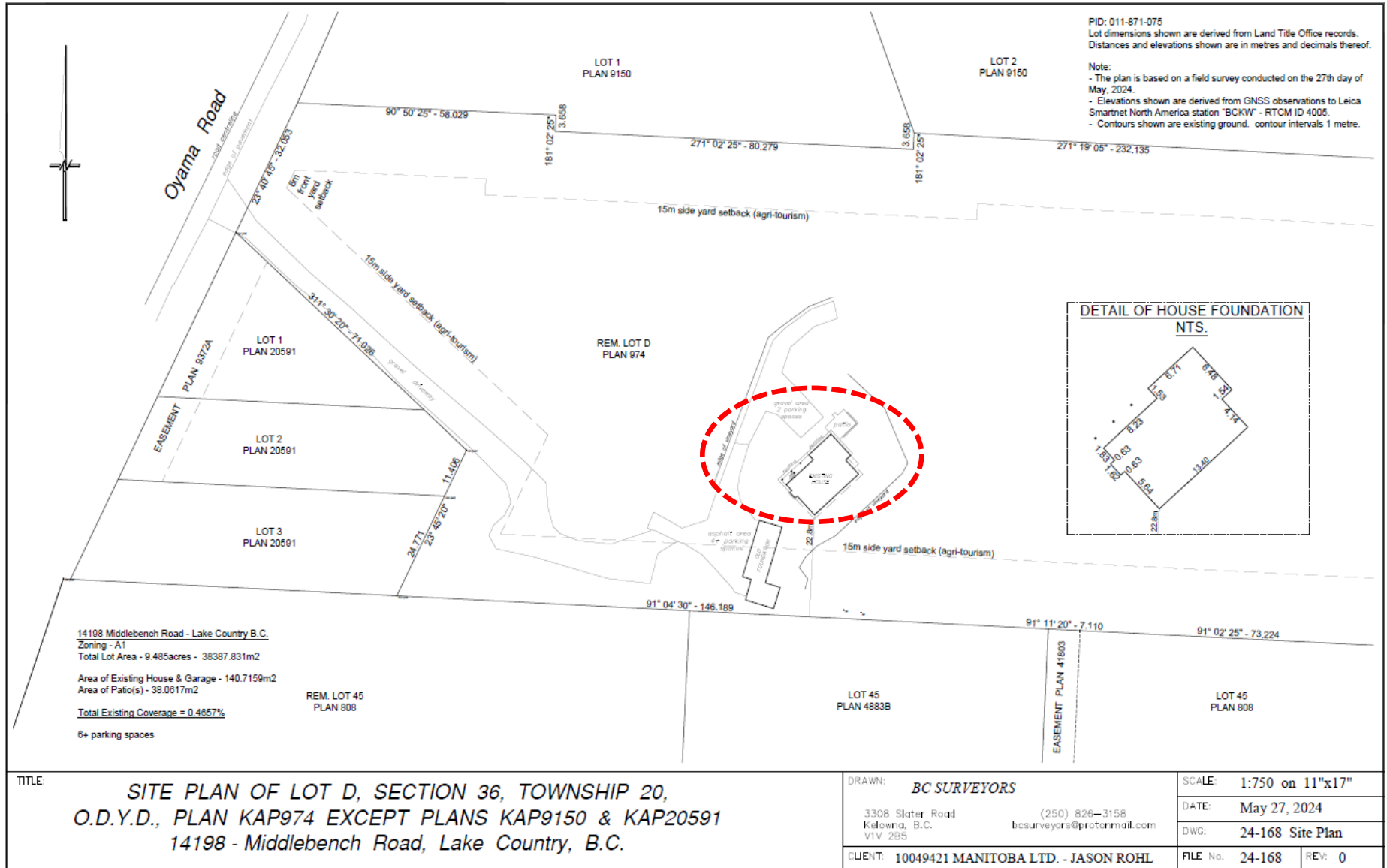


Attachment A: Location Map and Orthophoto





Attachment B: Site Plan



**Proposal Summary:** We are seeking approval for an agri-tourism accommodation on our existing vineyard and herb cultivation farm, located in the Agricultural Land Reserve (ALR). This proposal outlines our plan to enhance our agricultural operations with complementary agri-tourism activities, providing educational and participatory experiences to visitors, while strictly adhering to the regulations under section 33 of the ALR Use Regulation.

**Current Agricultural Operations:** Our farm is an established vineyard complemented by the cultivation of medicinal herbs and botanicals. These operations are classified as a farm under the Assessment Act, fulfilling the primary requirement for agri-tourism accommodations.

**Proposed Agri-Tourism Activities:** To qualify under section 12 of the ALR Use Regulation, we propose the following agri-tourism activities:

1. **Guided Educational Tours:** Visitors will be offered guided tours of the vineyard and herbal gardens, providing insights into sustainable farming practices and the benefits of medicinal herbs.
2. **DIY Herbal Workshops:** We will host workshops teaching visitors how to make their own herbal concoctions, such as bath salts and herbal remedies, using plants harvested directly from our land.

**Accommodation Details:**

The proposed accommodation will consist of up to 5 sleeping units located within the existing structures, ensuring that the total developed area for structures, landscaping, and access remains below 5% of the parcel, in compliance with ALR Use Regulation, s. 33(2)(b). Accommodation will be offered on a seasonal and short-term basis, not exceeding 30 consecutive days, per ALR Use Regulation, s. 33(2)(d).

**Compatibility with Agricultural Operations:**

The agri-tourism activities are designed to be secondary to, incidental to, and compatible with our primary agricultural operations. No permanent new facilities will be constructed for these activities, ensuring full compliance with the ALR Use Regulation.

**Conclusion:**

We are committed to enhancing the agricultural value of our property while offering unique and educational experiences to visitors. This proposal aligns with the agri-tourism

provisions under the ALR Use Regulation, contributing positively to the local community and economy.

## **Example Lesson Plans:**

### **Lesson Plan: Exploring Lavender**

#### **Objective:**

Participants will learn about the benefits and various uses of lavender, including its applications in skincare, aromatherapy, and culinary contexts.

#### **Duration:**

90 minutes

#### **Materials Needed:**

- Fresh and dried lavender
- Carrier oils (e.g., jojoba or almond oil)
- Small glass jars or bottles
- Labels and markers
- Lavender essential oil
- Other essential oils for blending (optional)
- Small cooking pots and stirring utensils
- Ingredients for lavender lemonade (lemons, sugar, water, fresh lavender sprigs)
- Handouts with information and recipes

#### **Class Outline:**

1. **Introduction to Lavender** (15 minutes)
  - Brief history and origin
  - Overview of types of lavender and their best uses
  - Discussion on the growth and harvesting of lavender
2. **Health Benefits** (15 minutes)

- Exploring the therapeutic properties: calming, antibacterial, and skin-healing effects
  - Aromatherapy benefits: stress relief and improved sleep
3. **Skincare Applications** (20 minutes)
- Demonstration: Making a simple lavender-infused oil
  - Discussion on how to use lavender oil in daily skincare
4. **Culinary Uses** (20 minutes)
- Safety tips for using lavender in cooking
  - Making lavender lemonade together (recipe provided below)
  - Other culinary ideas: lavender tea, baking with lavender
5. **Hands-On Activity** (15 minutes)
- Participants make their own small batch of lavender oil to take home
  - Labeling and packaging tips
6. **Q&A and Wrap-Up** (5 minutes)
- Address any questions
  - Distribute handouts with additional recipes and information

### **Recipe for Class Activity: Lavender Lemonade**

#### **Ingredients:**

- 1 cup sugar
- 5 cups water, divided
- 1 tablespoon fresh or dried lavender flowers
- 1 cup freshly squeezed lemon juice (about 4-6 lemons)

#### **Instructions:**

1. In a small saucepan, combine the sugar with 1 cup of water and lavender. Bring to a boil, stirring until the sugar dissolves.

2. Remove from heat and let the lavender steep as the mixture cools to room temperature. Strain out the lavender and discard.
3. In a large pitcher, combine the lavender syrup you just made with the lemon juice and the remaining 4 cups of water. Adjust sweetness and lemon intensity by adding more water or sugar if needed.
4. Chill in the refrigerator. Serve over ice with a sprig of lavender for garnish.

This plan and recipe should offer a comprehensive and engaging introduction to lavender, suitable for a diverse audience interested in herbal and natural health products.

### **Lesson Plan: Relaxing with Lavender Bath Salts**

#### **Objective:**

Participants will learn how to make lavender-infused bath salts and understand their benefits for relaxation and skin health.

#### **Duration:**

60 minutes

#### **Materials Needed:**

- Epsom salts
- Sea salt or Himalayan pink salt
- Baking soda
- Dried lavender flowers
- Lavender essential oil
- Mixing bowls and spoons
- Airtight containers or decorative jars
- Labels and markers
- Handouts on the benefits of bath salts

#### **Class Outline:**

1. **The Benefits of Bath Salts** (10 minutes)



- Discussion on the health benefits: relaxation, muscle relief, and skin softening
  - Importance of choosing the right ingredients
2. **Creating Your Bath Salts** (30 minutes)
    - Demonstration on how to mix the ingredients
    - Participants create their own lavender bath salts to take home
  3. **Packaging and Labeling** (10 minutes)
    - Tips on effective storage and decoration
    - Hands-on activity in labeling their own jars
  4. **Q&A and Wrap-Up** (10 minutes)
    - Discuss additional uses and variations
    - Distribute handouts with more recipes and ideas

### **Recipe for Class Activity: Lavender Bath Salts**

#### **Ingredients:**

- 2 cups Epsom salt
- 1/2 cup sea salt or Himalayan pink salt
- 1/4 cup baking soda
- 1/4 cup dried lavender flowers
- 15-20 drops lavender essential oil

#### **Instructions:**

1. In a large bowl, mix together the Epsom salt, sea salt, and baking soda.
2. Add the lavender flowers and mix evenly.
3. Sprinkle the lavender essential oil over the salt mixture and stir well to distribute the oil evenly.
4. Store the bath salts in airtight containers.

 <p><b>Agricultural Land Commission Act</b></p>	<p><b>ACTIVITIES DESIGNATED AS FARM USE:</b></p> <p><b>AGRI-TOURISM ACTIVITIES IN THE ALR</b></p>	<p><b>POLICY L-04</b></p> <p>Amended April 2019 Amended April 2018 October 2016</p>
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*This policy is intended to assist in the interpretation of the [Agricultural Land Commission Act, 2002](#), (the “ALCA”) and BC Regulation 30/2019 ([Agricultural Land Reserve Use Regulation](#)), (the “Use Regulation”). In case of ambiguity or inconsistency, the ALCA and Use Regulation will govern.*

## **INTERPRETATION:**

The highest priority is the agricultural activity that takes place on the farm. Agri-tourism uses shall be secondary, incidental and compatible with the agricultural production activities. The agri-tourism activity must also be similar to the types of activities identified as farm use in the ALCA.

If the definitions in section 1(1) of the Use Regulation apply, agri-tourism activities (other than agri-tourism accommodation) are designated by the Use Regulation as farm uses, and as such, may not be prohibited by a local government bylaw.

The Use Regulation allows agri-tourism activities in the ALR provided the land is assessed as “farm” under the Assessment Act. If the assessment changes, the use is no longer permitted. The farm may be comprised of one or several parcels of land owned or operated by a farmer as a farm business. The farm parcels should be contiguous or in the same general geographic area. Agri-tourism activities include both fee and non-fee based activities.

Permanent facilities must not be constructed or erected for any agri-tourism activity. Permanent facilities include, but are not restricted to, any permanent structure, hard surfacing such as asphalt, concrete or other hard surface paths or parking areas, concrete pads, structural foundations, retaining walls, permanent tents (erected for more than 90 days) and permanent alteration to the landscape (permanent fill, gravel, berms, hills, dugouts, amphitheatres). The conversion of existing buildings and the construction associated with bringing them up to public assembly building code is also interpreted as a permanent facility. If permanent facilities are required, an application and approval of the Agricultural Land Commission (the “Commission”) is necessary.

For the purposes of this policy, parking areas must not be permanent (asphalt, concrete, gravel, etc) and parking must not interfere with the farm’s agricultural productivity. All vehicles visiting the farm for the agri-tourism activity must be parked on site. To minimize impacting farm land, parking should be along field edges, adjacent to internal farm driveways and roads and in farm yard areas or immediately adjacent to farm buildings and structures.

Services ancillary to the agri-tourism activities are services that support or enhance the activity including services such as food product sales (temporary concessions or temporary food trucks/stands), portable washrooms, ticket booths, temporary stages, eating areas. All of the foregoing must be temporary for the event only.

Bistros, cafes and restaurants are not agri-tourism activities and are considered non-farm uses in the ALR. Commercial kitchens are not permitted except those used for processing farm products (but not for food service). An application and approval of the Commission is required for bistros,

cafes and restaurants except for food and beverage service lounges permitted by section 13 of the Use Regulation for wineries, cideries, breweries, distilleries or meaderies.

The following are agri-tourism activities specified in section 12 of the Use Regulation:

- an agricultural heritage exhibit displayed on a farm (e.g. farm equipment displays);
- a tour of the farm, an educational activity or demonstration in respect of all or part of the farming operations that take place on the farm, and activities ancillary to any of these (e.g. milking barn tour, cheese making demonstration, harvest demonstration, farm crafts such as wreath making or garlic braiding);
- cart, sleigh and tractor rides on the land comprising the farm;
- activities that promote or market livestock (e.g. cattle, horses, sheep, goats, poultry) from the farm, whether or not the activity also involves livestock from other farms, including shows, cattle driving and associated domestic livestock petting zoos;
- dog trials held at a farm (e.g. agility and stock dog events);
- harvest festivals and other seasonal events on a farm for the purpose of promoting or marketing farm products produced on the farm (e.g. pumpkin patch, garlic festival, blueberry festival)
- Corn mazes prepared using corn planted on the farm.

Agri-tourism uses that are not listed in the Use Regulation or do not meet the conditions established in the Use Regulation (such as uses that are not taking place on land assessed as farm, that do not promote or market livestock from the farm, that do not promote or market farm products produced on the farm or that require permanent facilities), must make an application for non- farm use and seek approval from the Commission.

Activities that are not considered agri-tourism events include, but are not limited to, paint ball, dirt bike/atv trails, mini-train parks, model aircraft runways, rodeos, helicopter tours, activities operated as a commercial business, permanent food service facilities, permanent mazes, non-domestic animal pettings zoos, etc.

If a farm building (existing or new) is used for an agri-tourism activity and it does not meet the Use Regulation or other regulatory requirements or it has not been approved by the Commission, it will be considered in contravention of the ALCA.

Local governments have the authority to regulate agri-tourism activities with regard to structures and building occupancy (including determining if an existing farm building is appropriate for a gathering or requires upgrades for public assembly), parking, lighting, hours of operation, health and safety, noise, access for police, fire and emergency vehicles, etc.

This policy does not address gathering for an event. See Related Policies.

This policy does not address agri-tourism accommodation, which in some circumstances is a permitted use under section 33 of the Use Regulation for the purpose of the Commission unless prohibited by a local bylaw. See Information Bulletin 06 – Accommodation for Tourists in the ALR.

Farm retail sales are addressed separately under section 11(3) of the Use Regulation and

may qualify as a designated farm use if the specified conditions are met. See Related Policies.

**TERMS:**

**ancillary** means subordinate or supplementary to the primary farm use

**seasonal** means a use or activity that fluctuates according to one or more seasons (spring, summer, fall and winter) (but not all seasons) or available or taking place during one or more seasons (but not all seasons) or at a specific time of the year.

Unless defined in this policy, terms used herein will have the meanings given to them in the ALCA or the Use Regulation.

**RELATED POLICIES:**

ALC Policy L-02 Activities Designated as Farm Use: Farm Retail Sales in the ALR

ALC Policy L-22 Activities Designated as a Permitted Non-Farm Use in the ALR: Gathering for an Event in the ALR

**REFERENCE:**

**Agricultural Land Reserve Use Regulation (BC Reg. 30/2019), Sections 1, 3, 4, 5(1), 12,**

**Definitions**

*Section 1 In this regulation:*

**"agri-tourism activity"** means an activity referred to in section 12 [agri-tourism];

**"farm product"** means a commodity that is produced from a farm use but does not include water;

**If farming extends over multiple parcels**

*Section 3 Unless a contrary intention appears, a reference to a use of agricultural land includes all of the agricultural land on which a single farm operation is conducted, regardless of*

*(a) whether activities are conducted over one parcel or multiple parcels, or*

*(b) whether, in the case of multiple parcels, the parcels are adjacent.*

**Farm uses that may not be prohibited**

*Section 4 The farm uses referred to in this Part may not be prohibited*

*(a) by a local government enactment except a bylaw under section 552 [farming area bylaws] of the Local Government Act, or*

*(b) by a first nation government law, if the activity is conducted on settlement lands.*

**Necessary structures and ancillary services**

*Section 5 (1) Subject to any limits and conditions set out in this Part, the use of agricultural land to construct, maintain or operate any of the following is designated as a farm use and may not be prohibited as described in section 4:*

- (a) a structure, other than a residential structure, that is necessary for a farm use;
- (b) a driveway or utility that is necessary for a farm use

### **Agri-tourism**

Section 12 (1) *The use of agricultural land for conducting an agri-tourism activity described in subsection (2) of this section is designated as a farm use and may not be prohibited as described in section 4 if all of the following conditions are met:*

- (a) *the activity is conducted on agricultural land that is classified as a farm under the Assessment Act;*
- (b) *members of the public are ordinarily invited to the activity, whether or not a fee or other charge is payable;*
- (c) *no permanent facilities are constructed or erected in connection with the activity.*

(2) *The following are agri-tourism activities for the purposes of subsection (1):*

- (a) *an agricultural heritage exhibit displayed on the agricultural land;*
- (b) *a tour of the agricultural land, an educational activity or demonstration in respect of all or part of the farm operation conducted on that agricultural land, and activities ancillary to any of these;*
- (c) *cart, sleigh and tractor rides on the agricultural land;*
- (d) *subject to section 9 [horse facilities], activities that promote or market livestock raised or kept on the agricultural land, whether or not the activity also involves livestock raised or kept elsewhere, including shows, cattle driving and petting zoos;*
- (e) *dog trials held on the agricultural land;*
- (f) *harvest festivals and other seasonal events held on the agricultural land for the purpose of promoting or marketing farm products produced on that agricultural land;*
- (g) *corn mazes prepared using corn produced on the agricultural land on which the activity is taking place.*

### **Agricultural Land Commission Act, S.B.C. 2002, c. 36, Section 1.**

#### **Definitions**

Section 1(1)

*"agricultural land" means land that*

- (a) *is included in the agricultural land reserve under section 15 (1.1), 17(3.1) or 45(1) of this Act, or*
- (b) *was included under a former Act as agricultural land or land in an agricultural land reserve, unless the land has been excluded from the agricultural land reserve under this Act or from an agricultural land reserve under a former Act;*

*"farm use"*

- (a) *means an occupation or use of agricultural land for*
  - (i) *farming land, plants, mushrooms, truffles or animals,*
  - (ii) *a farm operation as defined in the Farm Practices Protection (Right to Farm) Act, or*
  - (iii) *a purpose designated as a farm use by regulation, and*
- (b) *does not include a residential use or a soil or fill use;*



# Information Bulletin 06: Tourist and Agri-Tourism Accommodation in the ALR

July 16, 2024

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## 1. Scope of this Information Bulletin

This information bulletin provides guidance to assist in interpreting the *Agricultural Land Commission Act*, S.B.C. 2002, c. 36 (“ALCA”) and the Agricultural Land Reserve Use Regulation (the “ALR Use Regulation”), in relation to agri-tourism accommodation and tourist accommodation in the Agricultural Land Reserve (“ALR”). The ALCA and ALR Use Regulation will govern if inconsistent with this bulletin. This information bulletin is directed only to interpretation of the ALCA and the ALR Use Regulation. All other applicable laws, regulations and bylaws related to accommodation for tourists must also be complied with.

## 2. Statute and Regulations

Effective February 22, 2019, the ALCA was amended and the ALR Use Regulation was created. Though many concepts contained in the ALCA and its regulations are unchanged from the past, there were changes to the use of ALR land for agri-tourism accommodation and tourist accommodation, as well as soil removal and fill placement necessary for construction. Agri-tourism accommodation and tourism accommodation are defined as permitted uses in the ALR under s. 33 and s. 34 of the ALR Use Regulation, subject to criteria. All references in this information bulletin to the ALCA and the ALR Use Regulation are as of the date of this bulletin, unless otherwise stated.

## 3. Role of Local Governments

### A. Role as Approving Body

The approvals that an approving body such as a local government may give in respect of the construction or alteration of agri-tourism accommodation and tourism accommodations are limited: ALCA, s. 18.

Any portion of a local government bylaw that purports to allow a use of land in the ALR that is not permitted under the ALCA or the ALR Use Regulation, or contemplates a use of land that would impair or impede the intent of the ALCA or the ALR Use Regulation, is inconsistent with the ALCA or the ALR Use Regulation and has no force or effect: ALCA, ss. 46(4), (5).

For example, **if a zoning bylaw provides for more agri-tourism accommodation or tourism accommodation on ALR land than the ALCA and the ALR Use Regulation does, the zoning bylaw's provision for that extra accommodation is of no force or effect and cannot be relied on.**

### B. Local Government May Restrict or Prohibit

Local government bylaws can be more restrictive of residential uses in the ALR, including prescribed tourist accommodation and agri-tourism accommodation uses, than the ALCA: ALCA, s. 46(6).



The ALR Use Regulation identifies certain designated farm uses and permitted non-farm uses that local governments must not prohibit but places no such limitation on local government powers to prohibit or otherwise restrict agri-tourism accommodation and tourist accommodation uses of ALR land.

A local government may decide that no agri-tourism accommodation or tourist accommodation should occur in the ALR in their jurisdiction. The local government may expressly prohibit these uses or alternatively, the local government may simply not list those uses among uses that can occur in a particular zone, which accomplishes the same purpose. Where a zoning bylaw is in place, use of land for agri-tourism accommodation and tourist accommodation must be specifically permitted by the bylaw in order for that use to occur. Otherwise, that use cannot occur even if the use would be compliant with the ALCA and ALR Use Regulation.

A local government also has the option of allowing agri-tourism accommodation or tourist accommodation but allowing less than the ALCA and the ALR Use Regulation. For example, a local government bylaw may restrict the number of agri-tourism accommodation sleeping units to fewer than 10 and may specify the maximum number of persons who may be accommodated per sleeping unit.

Further, a local government may have additional requirements related to maximum floor area, type and form of accommodation, parking, signage, setbacks, fire and emergency servicing, etc. Local governments that permit accommodation for tourists on ALR land may wish to develop monitoring methodology or require permits to ensure the occupation of the accommodation meets the requirements of their bylaws.

### C. Areas Without Zoning Bylaws

Some areas of the province do not have zoning bylaws. The absence of a local zoning bylaw does not relieve a landowner from complying with the restrictions in the ALCA and ALR Use Regulation. In other words, a landowner must not exceed the agri-tourism accommodation or tourist accommodation permissions set out in the ALR Use Regulation, regardless of whether or not a zoning bylaw applies to their property, without seeking approval from the Agricultural Land Commission (the "Commission" or "ALC") first.

### D. Applications

Anyone wanting more accommodation than provided for in the ALR Use Regulation must submit an application, through their local government, to the Commission. For more information on the process for making applications to the Commission, please see the Commission's website, at [Applications and Notices](#) as well as Section 9 of this information bulletin.



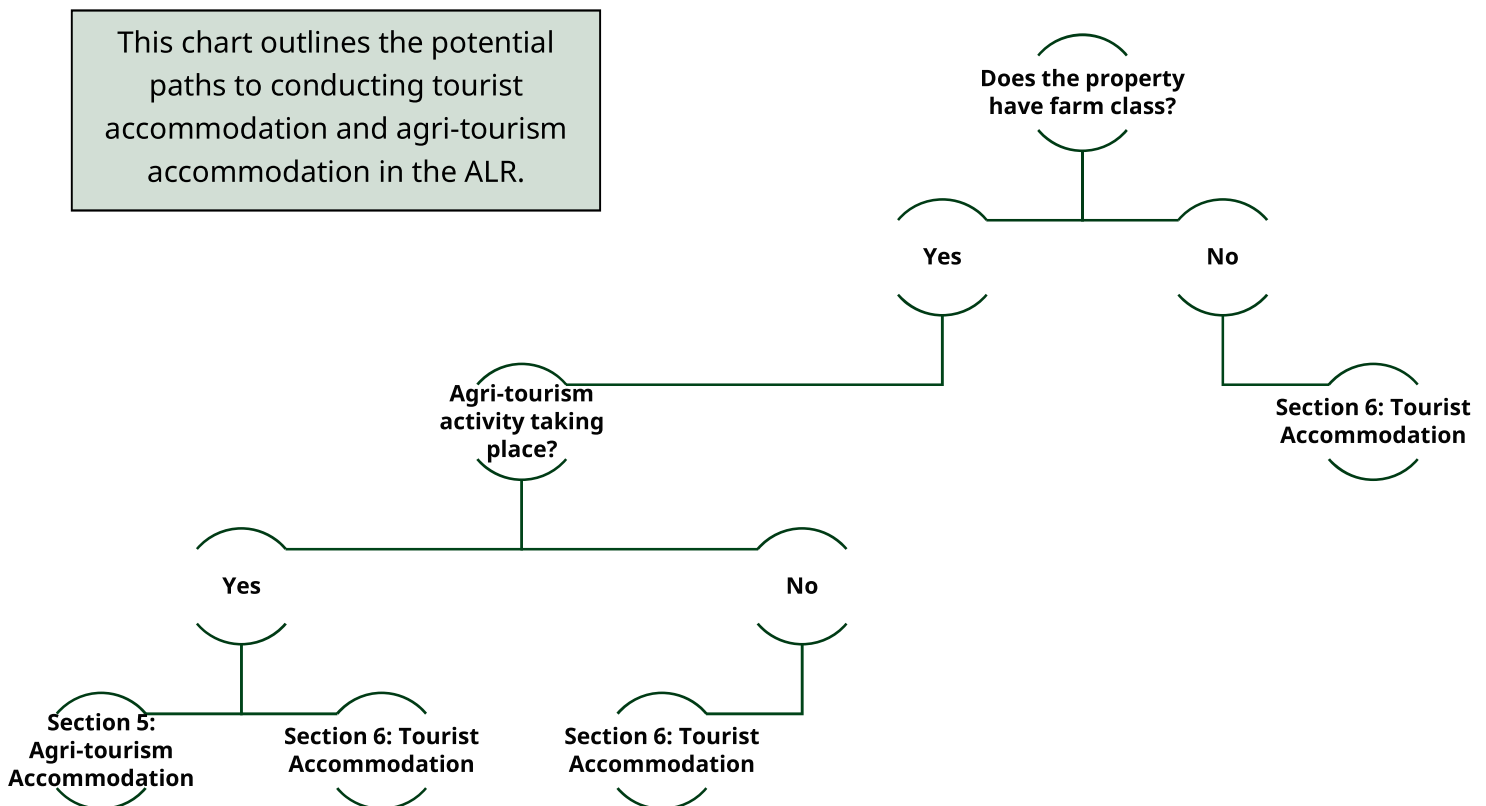
## 4. Types of Permitted Accommodation

The ALR is not intended to be a venue for hotels or motels. The types of accommodation permitted in the ALR are very limited and subject to restrictions for placement of fill and removal of soil. See Section 8 of this information bulletin.

The ALR Use Regulation permits two types of tourism related accommodations in the ALR without requiring an application to the ALC as described below; one type requires active farming to be present and one does not.

**Agri-tourism accommodation** requires the parcel to be actively farmed, have Class 9 - Farm classification under the BC *Assessment Act* ("farm class"), and agri-tourism accommodation to be offered in relation to an agri-tourism activity as defined in section 12(2) of the ALR Use Regulation (see Section 5).

**Bed and breakfast type accommodation** (defined as a tourist accommodation in section 34 of the ALR Use Regulation) does not require the parcel to be farmed or have farm classification to conduct the use but is restricted to no more than 4 bedrooms in the principal residence where the landowner resides (see Section 6).





## 5. Agri-Tourism Accommodation

Agri-tourism accommodation is a way for a farm that is offering agri-tourism activities to provide a more immersive overnight farm experience. Agri-tourism activities are defined in s. 12 ALR Use Regulation which provides a specific list of agri-tourism activities in the ALR. More information can be found in [ALC Policy L-04 Agri-tourism Activities](#). **For clarification, agri-tourism activities and agri-tourism accommodation are related but separate concepts in the ALR Use Regulation; agri-tourism accommodation is not an agri-tourism activity on its own.**

### A. ALR Use Regulation Criteria

The use of land in the ALR for providing accommodation in relation to an agri-tourism activity is permitted under section 33 of the ALR Use Regulation if all of the following apply:

- (1) the accommodation is in relation to an **“agri-tourism activity”**. The agri-tourism activity must be secondary to, incidental to and compatible with the agricultural production activities. Expressly under section 12 of the ALR Use Regulation, **“agri-tourism activity”** is an activity:
  - (a) conducted on land in the ALR that is classified as a farm under the *Assessment Act*;
  - (b) to which members of the public are ordinarily invited, whether or not a fee or other charge is payable;
  - (c) in connection with which no permanent facilities are constructed or erected. See ALC Policy L-04 for further discussion; AND
  - (d) that falls into one of the following categories:
    - i. an agricultural heritage exhibit displayed on the agricultural land;
    - ii. a tour of the agricultural land, an educational activity or demonstration in respect of all or part of the farm operation conducted on that agricultural land, and activities ancillary to any of these;
    - iii. cart, sleigh and tractor rides on the agricultural land;
    - iv. subject to section 9 [*horse facilities*], activities that promote or market livestock raised or kept on the agricultural land, whether or not the activity also involves livestock raised or kept elsewhere, including shows, cattle driving and petting zoos;
    - v. dog trials held on the agricultural land;
    - vi. harvest festivals and other seasonal events held on the agricultural land for the purpose of promoting or marketing farm products produced on that agricultural land;
    - vii. corn mazes prepared using corn produced on the agricultural land on which the activity is taking place;



- (2) the accommodation is located on land in the ALR that is classified as a farm under the *Assessment Act*: ALR Use Regulation, s. 33(2)(a);
- (3) the total developed area for structures, landscaping and access for the accommodation is less than 5% of any parcel: ALR Use Regulation, s. 33(2)(b);
- (4) the accommodation is limited to 10 sleeping units in total, including any bedrooms used for tourist accommodation under section 34 of the ALR Use Regulation: ALR Use Regulation, s. 33(2)(c).; AND
- (5) accommodation is provided on a seasonal or short-term basis only: ALR Use Regulation, s. 33(2)(d).

Note that:

**“Tourist”** is a person who travels for pleasure from place to place away from their permanent residence.

An owner of ALR land who wishes to construct or alter agri-tourism accommodation must also comply with the requirements set out in section 20.1 of the ALCA.

## B. Farm Status Requirement

The ALR Use Regulation allows agri-tourism accommodations in the ALR provided the land is assessed as “farm” under the *BC Assessment Act*. If the assessment changes, the use is no longer permitted.

## C. Sleeping Units

**“Sleeping unit”** means “(a) a bedroom or other area used for sleeping located in a residence, cabin or other structure; (b) a vehicle, trailer, tent or other structure located on a campsite, field or other area”: ALR Use Regulation, s. 33(1).

Section 33 of the ALR Use Regulation permits up to a maximum of 10 sleeping units in total. If a landowner wishes to exceed the maximum number of sleeping units permitted in the ALR Use Regulation they must submit an application to the Commission for its consideration, regardless of compliance with other criteria in section 33 of the ALR Use Regulation.

A local government may prohibit this use or restrict the number of sleeping units to fewer than what the ALR Use Regulation permits. For example, a local government bylaw may restrict the number of sleeping units to any number less than 10.



If tourist accommodation is offered in the principal residence (see Section 6) the number of bedrooms offered in the principal residence are included in the total number of accommodation units offered on the property which is set at a maximum of 10 of all types.

Agri-tourism accommodation units must not be constructed to circumvent the number of permitted residences on a property in the ALR (e.g. including kitchens within sleeping units or cabins), and they should not be constructed in a way that the agri-tourism accommodation could be used or easily converted to a residence. Agri-tourism accommodation may only be conducted if all of the criteria in section 33 of the ALR Use Regulation are met and may be required to be removed if the criteria are no longer met. This should be taken into consideration during the design and construction process.

#### D. Total Developable Area

The total developed area for agri-tourism accommodation structures, including associated landscaping and access for the accommodation must be less than 5% of any parcel (see Table 1). Agri-tourism accommodation structures only include those structures that contain sleeping units and do not include other structures (e.g. pools, spas, amenity buildings, cooking pavilions, etc). If the developed area exceeds 5% or if additional accessory structures are planned for agri-tourism accommodations, an application to the Commission is required. In addition, restaurants, cafes, and bistros are not permitted without an application to the Commission.

If fill (defined in the ALCA as any material brought onto the parcel including structural aggregate) is required to develop the agri-tourism accommodation (e.g. for driveways, gravel for tent pads, etc), a Notice of Intent is required (see Section 9).

*Table 1. Lot Coverage Limit Calculation Examples*

Parcel Area	Maximum Total Developable Area (5%)
10 ha (~25 acres)	5,000 m <sup>2</sup>
8 ha (~17 acres)	4,000 m <sup>2</sup>
4 ha (~10 acres)	2,000 m <sup>2</sup>
2 ha (~5 acres)	1,000 m <sup>2</sup>
0.8 ha (~2 acres)	400 m <sup>2</sup>

#### E. Short-Term or Seasonal Use

“**Seasonal**” is a use or activity that fluctuates according to one or more seasons (spring, summer, fall and winter) (but not all seasons) or available or taking place during one or more seasons (but not all seasons) or at a specific time of the year.





“**Short-term basis**” means the use by a tourist of accommodation for a period of not more than 30 consecutive days.

Given the seasonal nature of farms, it is likely that most agri-tourism accommodation will be provided during the months when the farm and agri-tourism activities are active and be dormant at other times.

## 6. Tourist Accommodation in a Principal Residence

Tourist accommodation is in the nature of a “bed and breakfast” use. Tourist accommodation may only occur in a principal residence where the landowner resides.

### A. Tourist Accommodation in Lawful Principal Residence

A bed and breakfast (referred to in the ALR Use Regulation as “tourist accommodation”) is permitted in a lawful principal residence including a secondary suite within the principal residence without application to the Commission if all of the following conditions are met:

- the landowner resides in the principal residence;
- the accommodation is limited to a maximum of 4 bedrooms in the principal residence; AND
- the accommodation is provided on a short-term basis only.

Short-term rental of an entire principal residence (i.e. a whole house rental for AirBnB or VRBO) is not permitted by regulation and requires an application to the Commission (see Section 7).

“**Tourist**” is a person who travels for pleasure from place to place away from their permanent residence.

“**Bedroom**” for the purpose of section 34 of the ALR Use Regulation means “a bedroom or other area used for sleeping in a residence”: ALR Use Regulation, s. 34(1).

“**Short-term basis**” means the use by a tourist of accommodation for a period of not more than 30 consecutive days.

### B. Grandfathered Tourist Accommodation in a Principal Residence

Tourist accommodation on ALR land is permitted without application to the Commission in a principal residence that has a total floor area of more than 500 m<sup>2</sup> or that is otherwise of a size or is sited in contravention of a regulation if all of the following conditions are met:

- on February 22, 2019, the number of bedrooms complied with section 3(1)(d) of the Agricultural Land Reserve Use, Subdivision and Procedure Regulation, as it read immediately before February 22, 2019 (that is, “bed and breakfast use of not more than 4 bedrooms for short term tourist accommodation or such other number of bedrooms as specified in a local government bylaw, or treaty first nation government law, applicable to the area in which the parcel is located”);



- the number of bedrooms is not changed after February 22, 2019 unless (i) permitted under section 25 or 45 of the ALCA, or (ii) the number of bedrooms is not increased by the change; AND
- accommodation is provided on a short-term basis only.

An owner of ALR land who wishes to construct or alter tourist accommodation use in a principal residence on ALR land must also comply with the requirements set out in section 20.1 of the ALCA.

## 7. Short Term Rental Accommodation Act

Effective May 1, 2024 the *Short Term Rental Accommodations Act* (“STRAA”) limits short-term rentals of certain residences, in certain areas of B.C. The STRAA was introduced to regulate short-term rentals and encourage long-term rentals to address B.C.’s housing crisis.

The ALCA and ALR Use Regulation permit a principal residence, a suite within that principal residence, and an additional residence subject to criteria and a local government may prohibit or permit a suite and/or additional residence. Depending on where the property is and whether it includes farmland (BC Assessment Class 9), the STRAA may allow the use of a lawful principal residence including the secondary suite and/or an additional residence in the ALR for short-term rental accommodation subject to criteria.

A parcel in the ALR is subject to the ALCA and ALR Use Regulation and may also be subject to restrictions or exemptions from the STRAA. However, the STRAA does not exempt a landowner from complying with the ALCA and ALR Use Regulation with respect to tourist accommodation and agri-tourism accommodation.

Landowners should seek guidance from their local government on whether the STRAA applies to their property and potential restrictions. More information on the STRAA can be found at [Overview: B.C.’s short-term rental accommodations legislation](#).

## 8. Use of Residential Structures in the ALR for Short-Term Rental

The ALCA and ALR Use Regulation permits a principal residence, a suite within that principal residence, and an additional residence subject to criteria. The ALR Use Regulation specifies which of those residential structures can be used for short-term tourism rental in the form of tourist accommodation and agri-tourism accommodation.

### A. Principal Residence

Section 34 of the ALR Use Regulation permits tourist accommodation in the nature of a “bed and breakfast” only in a principal residence where the host lives. Short-term rental of an entire principal residence (such as a whole house rental for AirBnB or VRBO) is not permitted by regulation and requires an application to the Commission.



## B. Secondary Suite within the Principal Residence

The bedrooms of a secondary suite within the principal residence may be used to count towards the 4 bedrooms permitted under Section 34 of the ALR Use Regulation for tourist accommodation in the principal residence where the host lives. The 4 bedrooms permitted could be located within the secondary suite within the principal residence or elsewhere within the principal residence, or a combination thereof.

Section 33 of the ALR Use Regulation permits agri-tourism accommodation with up to 10 “sleeping units” which may be comprised of a bedroom or other area used for sleeping located in a residence, cabin or other structure; a vehicle, trailer, tent or other structure located on a campsite, field or other area. A secondary suite within the principal residence permitted under section 31 of the ALR Use Regulation may be used to provide “sleeping units” for agri-tourism accommodation.

## C. Additional Residence

Section 33 of the ALR Use Regulation permits agri-tourism accommodation with up to 10 “sleeping units” which may be comprised of a bedroom or other area used for sleeping located in a residence, cabin or other structure; a vehicle, trailer, tent or other structure located on a campsite, field or other area. A lawful additional residence may be used to provide “sleeping units” for agri-tourism accommodation.

The additional residence may only be used for short-term rental if the criteria for agri-tourism accommodation is met.

# 9. Soil or Fill Restrictions for Accommodation Construction

Removing soil from or placing fill on ALR land is permitted for the construction or maintenance of a principal residence if the total area from which soil is removed or on which fill is placed is 1,000 m<sup>2</sup> or less: ALR Use Regulation, s. 35.

Removing soil from or placing fill on ALR land in connection with other residential uses (such as constructing an additional residence or residential structures for agri-tourism accommodation or where the area affected by a principal residence is greater than 1,000 m<sup>2</sup>) is not permitted. An owner of ALR land seeking to remove soil or place fill may submit a Notice of Intent along with payment of the required fee to the ALC’s chief executive officer requesting approval: ALCA, s. 20.3. The landowner may also apply to the Commission for a soil or fill use under s. 25 of the ALCA.

The following types of fill are prohibited on ALR land (ALR Use Regulation, s. 36):

- construction or demolition waste (including masonry rubble, concrete, cement, rebar, drywall and wood waste);
- asphalt;
- glass;
- synthetic polymers;



- treated wood;
- unchipped lumber.

## 10. Applications for Non-Adhering Residential Use

An owner may apply to the Commission for approval under section 25 of the ALCA for a non-adhering residential use: ALCA, s. 20.1(2). A **“non-adhering residential use”** means “any of the following: (a) an additional residence; (b) a principal residence having a total floor area that is more than 500 m<sup>2</sup>; (c) a use of a residential structure that contravenes the regulations”: ALCA, s. 1(1). For example, use of more than four bedrooms in a principal residence for short-term tourist accommodation would be a non-adhering residential use requiring an application (subject to the potential exception for Tourist Accommodation in a Grandfathered Principal Residence discussed above).

For more information on making applications to the Commission, please see the Commission’s website, at [Applications and Notices](#).

Section 25(1) of the ALCA provides that on receiving a use application the Commission may:

- refuse permission for the use applied for,
- grant permission, with or without limits or conditions, for the use applied for, or
- grant permission for an alternative use or subdivision, with or without limits or conditions, as applicable.

Examples of considerations that the Commission may take into account in determining an application are found at [What the Commission Considers](#).

## 11. Related Policies and Information Bulletins

[ALC Land Use Policy L-04 – Agri-tourism Activities in the ALR](#)  
[Information Bulletin 07 Soil and Fill Uses in the ALR](#)

## 12. Glossary

The following key definitions are relevant to this information bulletin:

**“agri-tourism activity”** means “an activity referred to in section 12” of the ALR Use Regulation: ALR Use Regulation, s. 1

**“additional residence”** means “a residence on a parcel of agricultural land, other than the principal residence”: ALCA, s. 1(1)



**“alter”** means “the following: (a) to alter the exterior of a structure so as to increase its size; (b) to move or alter the exterior walls or edges of a structure so as to change its siting”: ALCA, s.1(1)

**“authorization”** means “a permit or other authorization, issued under an enactment, to construct or alter a residence”: ALCA, s. 20.2

**“bedroom”** means “a bedroom or other area used for sleeping in a residence”: ALR Use Regulation, s. 34(1)

**“construct”** means “the following: (a) to build a new structure; (b) to place on land a new structure that is fully or partially pre-fabricated; (c) to replace a structure, 75% or more of which has been substantially damaged or destroyed”: ALCA, s. 1(1)

**“farm use”** means “an occupation or use of agricultural land for (i) farming land, plants, mushrooms, truffles or animals, (ii) a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*, or (iii) a purpose designated as a farm use by regulation”, but “farm use” does “not include a residential use or a soil or fill use”: ALCA, s. 1(1)

**“fill”** means “any material brought onto agricultural land other than materials exempted by regulation”: ALCA, s. 1(1)

**“non-adhering residential use”** means “any of the following: (a) an additional residence; (b) a principal residence having a total floor area that is more than 500 m<sup>2</sup>; (c) a use of a residential structure that contravenes the regulations”: ALCA, s. 1(1)

**“non-farm use”** means “a use of agricultural land other than a farm use, a residential use or a soil or fill use”: ALCA, s. 1(1)

**“pre-existing residential structure”** means “a residential structure that exists on agricultural land on the date this section comes into force [February 22, 2019], and (a) is an additional residence, (b) is a principal residence having a total floor area of more than 500 m<sup>2</sup>, or (c) is of a size or is sited in contravention of a regulation”: ALCA, s. 20.2

**“prescribed residential structure”** is either a “structure” that, or a “vehicle” that, is “used, whether permanently or temporarily, to provide or in connection with providing accommodation as described in [Part 4 of the ALR Use Regulation]”: ALR Use Regulation, s. 29

**“principal residence”** means “the residence permitted under section 20.1(1)(a)”: ALCA, s. 1(1)

**“residential structure”** means “a structure used, during all or part of the year and whether fully or partially, as (a) a residence, (b) if prescribed, accommodation, or (c) if prescribed, in relation to a residence or accommodation”: ALCA, s. 1(1)

**“residential use”** means “a use of agricultural land for a residential structure” but “does not include a farm use or a soil or fill use”: ALCA, s. 1(1)





**“seasonal”** means a use or activity that fluctuates according to one or more seasons (spring, summer, fall and winter) (but not all seasons) or available or taking place during one or more seasons (but not all seasons) or at a specific time of the year

**“short-term basis”** means the use by a tourist of accommodation for a period of not more than 30 consecutive days

**“sleeping unit”** means “(a) a bedroom or other area used for sleeping located in a residence, cabin or other structure; (b) a vehicle, trailer, tent or other structure located on a campsite, field or other area”: ALR Use Regulation, s. 33(1)

**“soil or fill use”** means “the removal of soil from, or the placement of fill on, agricultural land” but “does not include a farm use or a residential use”: ALCA, s. 1(1)

**“tourist”** is a person who travels for pleasure from place to place away from their permanent residence

**“use or subdivision application”** means “an application for permission made under any of the following: (a) section 20 (2) for a non-farm use; (b) section 20.1 (2) (a) for a non-adhering residential use; (c) section 20.3 (5) for a soil or fill use; (d) section 21 (2) for subdivision”: ALCA, s. 1(1).

**DISTRICT OF LAKE COUNTRY**

**BYLAW 1265**

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

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

1. District of Lake Country Zoning Bylaw 561, 2007 is hereby amended by changing the zoning classification of: Lot D Section 36 Township 20 Osoyoos Division Yale District Plan 974 Except Plans 9150 and 20591 (PID: 011-871-075)

From: A1 – Agriculture 1

To: At1ta – Agriculture 1(Agri-Tourism Accommodation)

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

2. This bylaw may be cited as “Zoning Amendment (Z0000335) Bylaw 1265, 2025”.

READ A FIRST TIME this X day of XXX, 2025.

READ A SECOND TIME this X day of XXX, 2025.

ADVERTISED on the XX and XX days of XX, 2025 and a Public Hearing held pursuant to Section 464 of the Local Government Act on the X day of XX, 2025.

READ A THIRD TIME this X day of XX, 2025

Certified correct at third reading.

\_\_\_\_\_  
Dated at Lake Country, B.C.

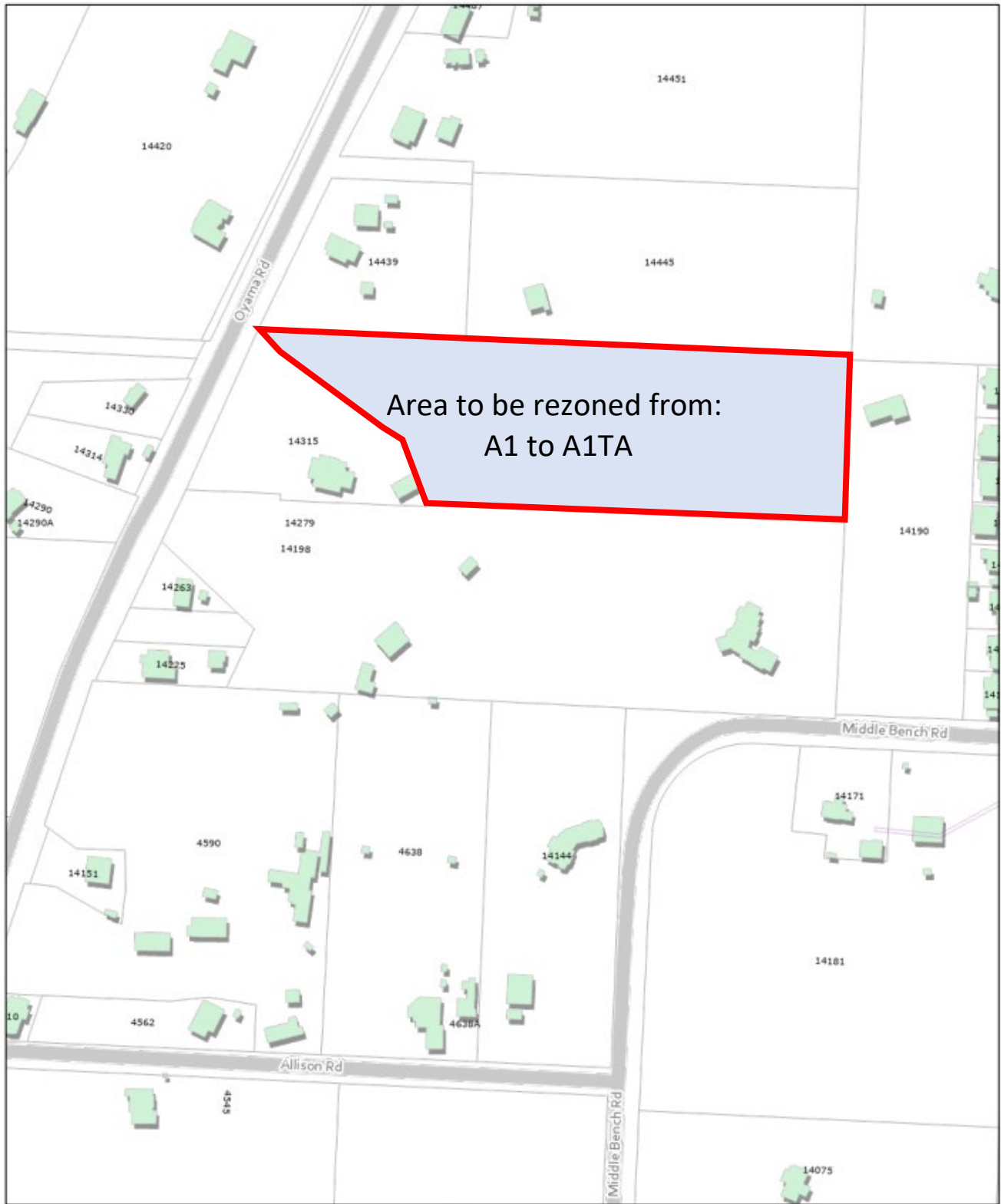
\_\_\_\_\_  
Corporate Officer

ADOPTED this xx day of XXX, 2025.

\_\_\_\_\_  
Mayor

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

SCHEDULE A  
Bylaw 1265, 2025 ZONING MAP



12/16/2024, 1:52:05 PM

Building

1:2,000

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**To:** Mayor and Council  
**From:** Paul Gipps, CAO  
**Meeting Date:** January 14, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Matthew Salmon, Infrastructure & Development Engineering Director  
**Department:** Infrastructure & Development Engineering

**Title:** Development Cost Charge (DCC) Amendment Bylaw 1233, 2024  
**Description:** Amendment to the Water, Sanitary Sewer, Drainage and Mobility DCCs

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### RECOMMENDATION

THAT third reading of Development Cost Charge (DCC) Amendment Bylaw 1233, 2024 be rescinded;  
AND THAT Development Cost Charge (DCC) Amendment Bylaw 1233, 2024 as shown on Attachment C (OPTION 1) to the Report to Council dated January 14, 2025, be read a third time as amended.

### EXECUTIVE SUMMARY

The District is updating the DCC Bylaw for Water, Sanitary Sewer and Roads DCC rates. The proposed DCC Bylaw has been considered by Council on [July 16, 2024](#) and [September 10, 2024](#).

The draft DCC Bylaw was sent to the Inspector of Municipalities subsequent to the third reading. As a result of comments received from the Inspector of Municipalities, the following amendments have been addressed in this version of the DCC Bylaw and can be seen in Attachment B:

1. Secondary Suites – Remove the language regarding exempting suites from DCCs and capture the exclusion within the definition of Secondary Suites.
2. Sewer Boundary – Remove the sewer map from the DCC Bylaw in its entirety and add a text reference clarifying that those developments which are connected to the community sewer system will pay Sewer DCCs.

The District has consulted with development industry stakeholders throughout the preparation of this major DCC update. In response, the Urban Development Institute (UDI), Okanagan Region have requested that Council consider a two-year phasing-in plan of the DCC rates (Attachment A). Currently, the recommended DCC rates do not consider phasing-in of the DCC rates (other than the statutory in-stream protection of 12 months) and are based on a Municipal Assist Factor (MAF) of 1% for all infrastructure categories. This rate structure can be seen in Attachment C-OPTION 1-Staff Recommendation.

Specifically, UDI are requesting that the DCC rate increases be adjusted to reflect 50% of the proposed increase in the 1<sup>st</sup> year and another 25% increase in the second year, with full proposed DCC rate coming into effect in the third year. Currently, the proposed DCC increase for Single Family is approximately \$16k, from \$30,663 to \$47,246. UDI's proposal would see the DCC increase by approximately \$8k in Year 1 (from ~\$31k to ~\$39k for single family), and then by another approximately ~\$4k in Year 2 (to ~\$43k) before increasing another ~\$4k in Year 3 to the originally proposed \$47,246 for single family DCCs. To achieve this, the Municipal Assist Factor (MAF) for Year 1 would need to be set at 25% (for mobility, water, and sewer), and for Year 2 it would need to be set at 13% (for mobility, water and sewer). The MAF for drainage and parks DCCs would remain at 1%. This rate structure can be seen in Attachment D – OPTION 2.

As another alternative to the UDI proposed DCC Phase-in (25% and 13% MAF) a more modest two-year phasing option has been provided for Council consideration, with a 10% MAF in Year 1 and a 5% in Year 2. This results in single family DCC rates of \$44,126 in Year 1, \$45,859 in Year 2 before landing at the 1% MAF rate of \$47,246. This rate structure can be seen in Attachment E – OPTION 3.

Additional DCC rate details (for single family and multi-family residential) for the various options are provided in the Table 1 below for quick reference, full details of the rate structure for the various options can be found at Attachment C- OPTION 1, Attachment D - OPTION 2 and Attachment E - OPTION 3 respectively.

Land Use	DCC Rates				
	OPTION 1 - Staff Recommendation (no phasing-in)	OPTION 2 – 2 year phase-in (1% MAF in Year 3 and beyond)		OPTION 3 – 2-year phase-in (1% MAF in Year 3 and beyond)	
	1% Municipal Assist Factor (MAF)	Year 1 - 25% Municipal Assist Factor (MAF)	Year 2 - 13% Municipal Assist Factor (MAF)	Year 1 - 10% Municipal Assist Factor (MAF)	Year 2 – 5% Municipal Assist Factor (MAF)
Single Detached Housing	\$47,246	\$38,937	\$43,086	\$44,126	\$45,860
Multi-Family Residential	\$35,187	\$29,778	\$32,483	\$33,159	\$34,286

**Table 1. Impacts to DCC rates if phasing-in the new DCC rates.**

While it is at the discretion of Council to utilize the Municipal Assist Factor in order to phase-in DCC rates, any additional assistance must be made up by non-DCC revenue sources (e.g. utility rates, general taxation). Based on the MAF options presented above, the estimated financial impacts, i.e. the delta of DCC contributions to be made up by non-DCC revenue sources due to phasing-in the new DCC rates are summarized in the Table 2 below.

Phase in Options	OPTION 2 – 25% and 13% MAF	OPTION 3 – 10% and 5% MAF
Year 1	\$1,732,910.00	\$649,841.00
Year 2	\$866,455.00	\$288,818.00
<b>Total</b>	<b>\$2,599,365.00</b>	<b>\$938,659.00</b>

**Table 2. Estimated financial impact of phasing-in the new DCC rates.**

As shown above, the 2-year phasing option proposed by UDI (25% and 13% MAF) would have an estimated financial impact of approximately \$2.6 million, with the more modest phasing option (10% and 5%) having an estimated financial impact of \$938,000 over the two-year phasing period. The potential fiscal impacts to District taxpayers forms part of the reasoning for the staff recommendation to not phase in the DCC rates.

The Water, Sanitary Sewer and Roads DCC's were last updated in 2016; ideally these rates are updated every 5 years and therefore would have been updated in 2021.

Moreover, the *Local Government Act* provides in-stream protection for any new DCC rates coming into effect, for in-stream subdivision or Building Permit (BP) applications. In-stream applications must achieve subdivision approval or BP issuance within 12 months of date of Adoption.



Staff are recommending not to phase-in the new DCC rates for the following reasons:

- DCC rates have been static for almost 10 years.
- There will be a 1-year in-stream protection period before the new rates come into effect.
- Extensive work has been undertaken to strike the balance between ensuring the capital infrastructure programs reflect the fundamental infrastructure needs to support development within the community whilst being sensitive to DCC's not being a barrier to development. Consideration was given to the potential impact of increasing DCC rates without phasing as it could be argued that lower, or phased-in DCC rates, may attract more development which could offset the delta caused by not introducing the new rate DCC immediately. This is difficult to calculate with any degree of accuracy as it is heavily influenced by many factors that are typically very individualised and historically hard to predict. The risk is that the delta is not covered by DCC's and therefore would have to be funded through taxation. There is also an additional risk that the infrastructure may be required sooner than it can be delivered due an exponential increase in growth.

If Council decides to phase-in the new DCC rates, the 2025 Financial Plan would need amending for years 2-5 as the current draft of the Financial Plan anticipates the new DCC rates come into effect in 2026. Additionally, Council may wish to seek further public input on the additional financial burden to the District's taxpayers by providing additional municipal assistance by increasing the MAF.

#### **ALTERNATE RECOMMENDATION(S)**

##### **OPTION 2**

THAT third reading of Development Cost Charge (DCC) Amendment Bylaw 1233, 2024 be rescinded;  
AND THAT Development Cost Charge (DCC) Amendment Bylaw 1233, 2024, as shown on Attachment D (OPTION 2) to the Report to Council dated January 14, 2025 (2-year phase-in with 25% MAF in year 1 and 13% MAF in year 2) be read a third time as amended.

##### **OPTION 3**

THAT third reading of Development Cost Charge (DCC) Amendment Bylaw 1233, 2024 be rescinded;  
AND THAT Development Cost Charge (DCC) Amendment Bylaw 1233, 2024, as shown on Attachment E (OPTION 3) to the Report to Council dated January 14, 2025 (2-year phase-in with 10% MAF in year 1 and 5% MAF in year 2) be read a third time as amended.

Respectfully Submitted.

**Matthew Salmon, Infrastructure & Development Engineering Director**

#### **Attachments:**

- A. UDI Letter to Mayor & Council
- B. DCC Bylaw 1233, with tracked amendments (Option 1)
- C. DCC Bylaw 1233, without tracked amendments (Option 1)
- D. DCC Bylaw 1233, without tracked amendments (Option 2)
- E. DCC Bylaw 1233, without tracked amendments (Option 3)

## Report Approval Details

Document Title:	Development Cost Charge (DCC) Amendment Bylaw 1233, 2024 .docx
Attachments:	<ul style="list-style-type: none"> <li>- Attachment A-UDI-Phasing request-2024-11-29-1.pdf</li> <li>- Attachment B-DCC Bylaw 1233, 2024-Tracked Amendments.pdf</li> <li>- Attachment C-DCC Bylaw 1233, 2024-OPTION 1-Clean-Staff Recommendation.pdf</li> <li>- Attachment D-DCC Bylaw 1233, 2024 -OPTION 2-Clean.pdf</li> <li>- Attachment E-DCC Bylaw 1233, 2024 -OPTION 3-Clean.pdf</li> </ul>
Final Approval Date:	Jan 9, 2025

This report and all of its attachments were approved and signed as outlined below:

**Reyna Seabrook, Director of Corporate Services - Jan 9, 2025 - 4:14 PM**

**Paul Gipps, Chief Administrative Officer - Jan 9, 2025 - 4:29 PM**



**URBAN  
DEVELOPMENT  
INSTITUTE**  
OKANAGAN

**SUITE 210  
1460 PANDOSY STREET  
KELOWNA, BC V1Y 1P3**

November 29, 2024

**To: District of Lake Country**  
101150 Bottom Wood Lake Road  
Lake Country, BC V4V 2M1

**Re: Request for a Phased-In Implementation of Proposed Development Cost Charges (DCCs)**

Dear Mayor and Council,

On behalf of UDI Okanagan, representing many developers in Lake Country, we respectfully submit this formal request for the District of Lake Country to adopt a phased-in approach to the proposed increases to the Development Cost Charges (DCC) program. Specifically, we propose the following phased implementation schedule:

- **Year 1:** 50% of the proposed increase
- **Year 2:** An additional 25% of the proposed increase
- **Year 3:** The remaining 25% of the proposed increase

This approach seeks to balance the District's need for sustainable infrastructure funding with the development industry's ability to adapt to changing costs. A phased implementation would allow ongoing projects to proceed under existing terms, thereby mitigating disruption, supporting housing affordability, and maintaining Lake Country's competitive position as a desirable location for development.

We acknowledge and commend Council for its diligence in updating the DCC program and for fostering a strong and collaborative relationship with the development community. This constructive partnership has been instrumental in positioning Lake Country as a community of choice for investment and growth.

We also recognize that the assist factor has been determined and is not subject to reconsideration. However, a phased approach would provide a practical and measured transition for both developers and the District. By implementing the proposed changes gradually, the District can ensure continued momentum in housing and infrastructure development while reducing the immediate financial burden on stakeholders.

UDI Okanagan appreciates the District's ongoing commitment to supporting responsible development and creating a welcoming environment for investment. We are confident that



this proposed approach aligns with the shared objective of fostering sustainable growth while addressing housing affordability challenges.

We respectfully request Council's consideration of this proposal and welcome the opportunity to discuss its implementation in greater detail. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Charlene Thomas', written in a cursive style.

Charlene Thomas  
Executive Director  
Urban Development Institute, Okanagan Region

## DISTRICT OF LAKE COUNTRY

### BYLAW 1233

---

#### A BYLAW TO AMEND DEVELOPMENT COST CHARGES

---

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

1. Development Cost Charge Bylaw 950, 2016 is hereby amended by:

1.1. In Section 1, Definitions, subsection 1.2, Aadding the following definitions in alphabetical order:

**“Accessory Dwelling Units (ADUs)”** means an additional residential structure containing **Dwelling Units** separate from the primary-principal dwelling. Examples include; but are not limited to coach houses, garden suites, and accessory garage suites. ~~but does not include a Secondary Suite. See “Secondary Suites” for additional Dwelling Units within the primary dwelling.~~

**“Secondary Suite”** means a self-contained dwelling unit located within a single ~~family detached~~ dwelling unit. ~~A secondary suite has its own separate cooking, sleeping and bathing facilities. It has direct access to outside without passing through any part of the principal unit. This use does not include duplex housing, semi-detached housing, apartment housing or boarding and lodging houses. For the purposes of this bylaw, a Secondary Suite located within a principal dwelling is not considered a separate or Accessory Dwelling Unit and has been accounted for in the development cost charge calculation.~~

1.2. In Section 1, Definitions, subsection 1.2, deleting and replacing the definition of “Single Detached Residential” with the following:

“Single Detached – Residential” means housing on a single titled lot that contains one single family dwelling unit including mobile or modular homes and a Secondary Suite.

~~1.2.1.3.~~ In Section 3. Exemptions, amending items~~subsection:~~

(a) 3.1(b) by deleting and replacing “\$50,000” with “\$100,000” and removing the word “or” at the end of the section;

~~(b) 3.1(c) adding the word “or” at the end of the section;~~

~~(c) 3.1 by adding the following new section (d) immediately following section (c):~~

~~“(d) Secondary Suites that are constructed within the principal dwelling.”~~

~~(d)(b)~~ 3.2 by deleting and replacing “\$50,000” with “\$100,000”.

~~1.3.1.4.~~ In Section 4. Calculation of Applicable Charges, deleting subsection 4.2 and replacing it with the following: amending items:

~~(a) 4.2(a) by removing the word “sewer”;~~

~~(b) 4.2(c) by deleting the text “District’s Water DCC Sector” and replacing with “District’s Sanitary Sewer DCC Sector” and replacing the word “water” at the end of item (c) with the word “sewer”;~~



~~(c) 4.2 by adding the following new section (d) immediately following section (c):~~  
~~“(d) those located within the following District Water Service Area Bylaws as amended from time to time: ———~~  
~~(i) Lake Country Water Service Area Bylaw 695, 2008-~~  
~~(ii) Coral Beach Water System Specified Area Establishment Bylaw 076, 1996-~~  
~~(iii) Lake Pine Local Service Area Establishment Bylaw 736, 2010”~~

“4.2 Development cost charge rates are paid as follows:

- (a) All development within the District of Lake Country shall pay mobility and parks development cost charges;
- (b) All development within the Drainage DCC Sector boundary as shown on Schedule B of this bylaw, shall pay drainage development cost charges;
- (c) All development connected to a community sewer system shall pay sewer development cost charges; and
- (d) All development located within the areas established by:
  - a. Lake Country Water Service Area Bylaw 695, 2008,
  - b. Coral Beach Water System Specified Area Establishment Bylaw 076, 1996, and
  - c. Lake Pine Local Service Area Establishment Bylaw 736, 2010,shall pay water development cost charges.

1.4.1.5. Deleting Schedule A in its entirety and replacing it with Schedule A (Municipal-Wide DCCs), attached hereteto and forming part of this Bylaw.

1.5.1.6. Deleting Schedule B in its entirety and replacing it with Schedule B (Drainage DCC Sector), attached hereteto and forming part of this Bylaw.

1.6.1.7. Deleting Schedule C (Water DCC Sector Boundary) in its entirety and replacing it with Schedule C; (Lake Country Business Park, Area Specific DCCs) attached hereteto and forming part of this bylaw.

~~1.7. — Adding Schedule D in its entirety, attached hereto.~~

2. This bylaw may be cited as “Development Cost Charge (DCC) Amendment ~~(DCC)~~ Bylaw 1233, 2024”

READ A FIRST TIME this 21<sup>st</sup> day of May, 2024.

READ A SECOND TIME AS AMENDED this 16<sup>th</sup> day of July, 2024.

READ A THIRD TIME this 9<sup>th</sup> day of September, 2024.

Certified correct at third reading.

September 13, 2024

Dated at Lake Country, B.C.

Original signed by Reyna Seabrook

Corporate Officer

THIRD READING RESCINDED and READ A THIRD TIME AS AMENDED this x day of x, 2025.

Certified correct at third reading.

Bylaw 1233, 2024

---

| Dated at lake Country, B.C. Corporate Officer

Approved by the Inspector of Municipalities the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Inspector of Municipalities

| ADOPTED this xx day of xx, 20254.

\_\_\_\_\_  
Mayor

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

## Schedule A to Bylaw 1233, 2024

**SCHEDULE A**  
Municipal-Wide DCCs

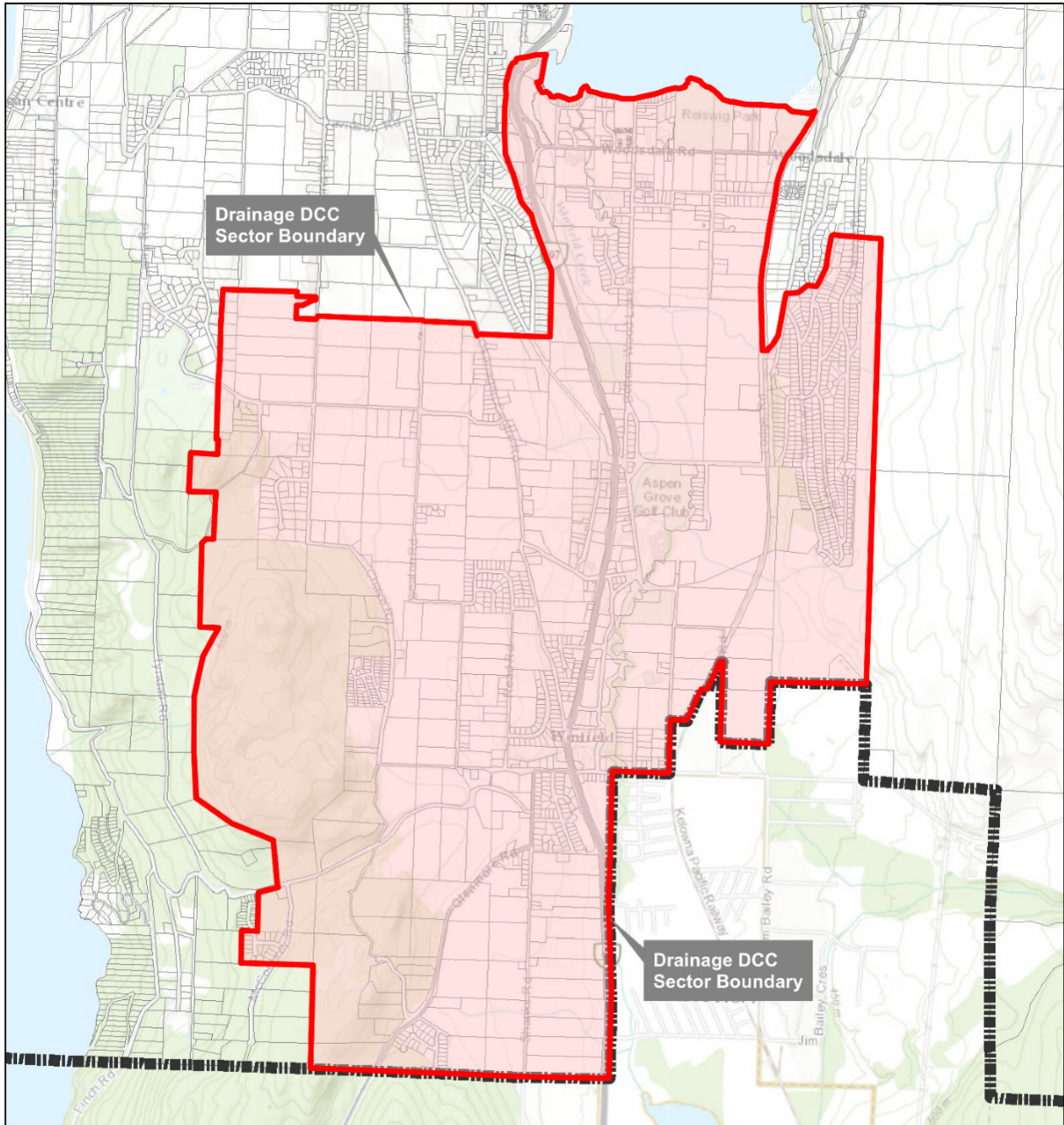
Land Use Category	Collection Basis	Mobility	Water	Sewer	Drainage	Parks	Total
Single Detached Residential	Per Lot	\$10,252	\$11,953	\$11,862	\$389	\$12,790	\$47,246
Multi-Family Residential	Per Unit	\$6,664	\$7,770	\$7,710	<del>\$254</del> <u>253</u>	\$12,790	<del>\$35,488</del> <u>187</u>
Accessory Dwelling Unit	Per Unit	\$3,332	\$3,885	\$3,855	\$127	\$0	\$11,199
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$34.45	\$40.16	\$39.86	\$1.31	\$22.24	\$138.02
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$34.45	\$40.16	\$39.86	\$1.31	\$14.48	\$130.26
Institutional	Per Gross Floor Area in m <sup>2</sup>	\$34.45	\$40.16	\$39.86	\$1.31	\$22.24	\$138.02

**Notes:**

- ~~1. All development in the District shall pay development cost charges for mobility and parks.~~
- ~~2. Development cost charges for drainage will be paid only by those located in the District's Drainage DCC Sector, as defined by the Drainage DCC Sector map (Schedule "B").~~
- ~~3. Development cost charges for sewer will be paid only by those located within the District's Sewer DCC Sector, as defined by the Sewer DCC Sector map (Schedule "C").~~
- ~~4. Development cost charges for water will be paid only by those located within the District's Water Service Area, as defined by: Water Service Area Bylaw 695, 2008; Coral Beach Water System Specified Area Establishment Bylaw 076, 1996; and Lake Pine Local Service Area Establishment Bylaw 736, 2010, all as amended from time to time.~~
- ~~5. 'Single Detached Residential' includes housing on a single titled lot that contains one single family dwelling unit, this includes mobile or modular homes.~~
- ~~6. 'Multi-family Residential' includes housing on a single lot other than a strata lot that contains three or more dwelling units.~~
- ~~7. 'Accessory Dwelling Unit' includes housing that is separate from the primary dwelling and located on the same lot, including but not limited to: coach houses, garden suites and accessory garage suites.~~
- ~~8. A secondary suite which is located within the principal dwelling (i.e. not in an Accessory Dwelling Unit) has been accounted for in the DCC calculation, and as such no additional DCC will be levied.~~
- ~~9. The charge per square metre for the non-residential categories is based on the gross floor area.~~
- ~~9. The metric conversion rate is 1.0 m<sup>2</sup> to 10.76 ft<sup>2</sup>.~~

Schedule B to Bylaw 1233, 2024

SCHEDULE B  
Drainage DCC Sector



Lake Country Development  
Cost Charge Bylaw

Drainage DCC Sector

Legend



Boundary of Drainage DCC Sector

DLC Boundary



Coordinate System:  
NAD 1983 UTM Zone 11N

Data Sources:  
Data provided by -  
District of Lake Country

The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information whether shown or not.

Project #: 1577.0066.01  
Author: BP  
Checked: JS  
Status: FINAL  
Revision: A  
Date: 2016 / 2 / 22



**Schedule C to Bylaw 1233, 2024**

**SCHEDULE C  
Sewer DCC Sector**



District of Lake Country Sewer DCC Boundary

Legend

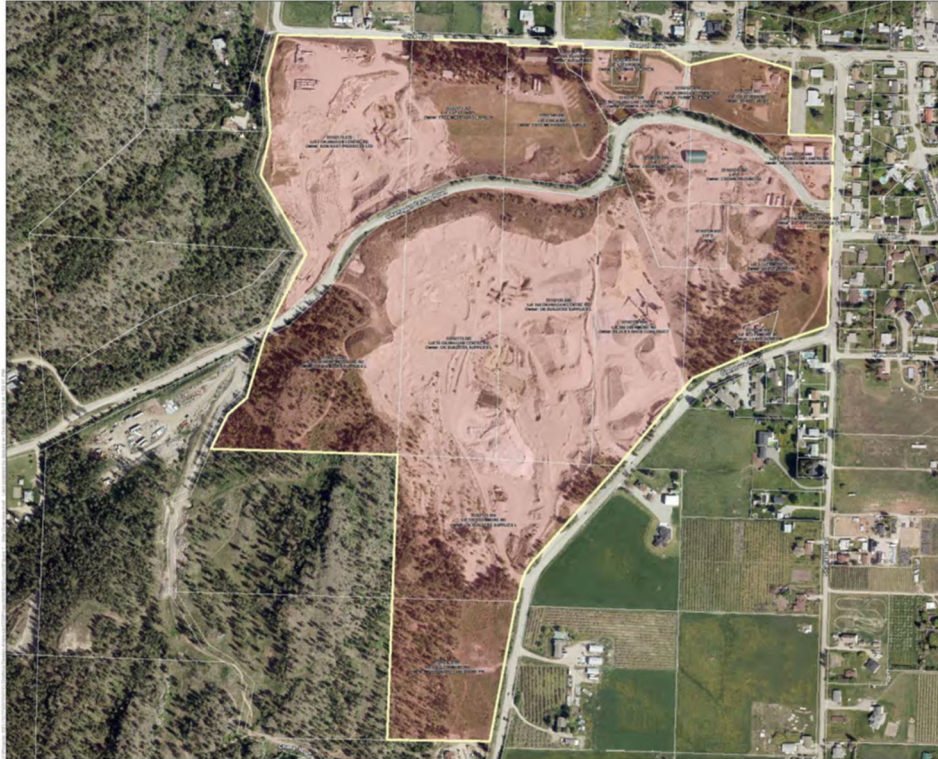
-  Sewer DCC Boundary
-  Lake Country Boundary





Schedule ~~DC~~ to Bylaw 1233, 2024

**SCHEDULE ~~DC~~**  
**Lake Country Business Park**  
**Area-Specific DCCs**



Land Use Category	Collection Basis	Mobility	Water	Sewer	Drainage	Parks	Total
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$45.50	\$14.16	\$7.41	\$0	\$0	\$67.07
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$45.50	\$14.16	\$7.41	\$0	\$0	\$67.07

**Notes:**

- 2.1. All development in the subject area identified above shall pay the Area-Specific development cost charges for mobility, water and sewer as noted in the table above, in addition to the Municipal-Wide development cost charges identified in Schedule A.
- 3.2. Development cost charges are payable based on land use category. Where the land use category is not specified, then no area-specific DCCs are levied for development in that land use category, but the municipal-wide DCCs identified in Schedule A are still payable.

## DISTRICT OF LAKE COUNTRY

### BYLAW 1233

---

#### A BYLAW TO AMEND DEVELOPMENT COST CHARGES

---

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

1. Development Cost Charge Bylaw 950, 2016 is hereby amended by:
  - 1.1. In Section 1, Definitions, subsection 1.2, adding the following definitions in alphabetical order:

**“Accessory Dwelling Units (ADUs)”** means an additional residential structure containing **Dwelling Units** separate from the principal dwelling. Examples include but are not limited to coach houses, garden suites, and accessory garage suites but does not include a Secondary Suite.

**“Secondary Suite”** means a self-contained dwelling unit located within a single-family dwelling unit. For the purposes of this bylaw, a Secondary Suite located within a principal dwelling is not considered a separate or Accessory Dwelling Unit and has been accounted for in the development cost charge calculation.
  - 1.2. In Section 1, Definitions, subsection 1.2, deleting and replacing the definition of “Single Detached Residential” with the following:

“Single Detached – Residential” means housing on a single titled lot that contains one single family dwelling unit including mobile or modular homes and a Secondary Suite.
  - 1.3. In Section 3. Exemptions, amending subsection:
    - (a) 3.1(b) by deleting and replacing “\$50,000” with “\$100,000” and removing the word “or” at the end of the section;
    - (b) 3.2 by deleting and replacing “\$50,000” with “\$100,000”.
  - 1.4. In Section 4. Calculation of Applicable Charges, deleting subsection 4.2 and replacing it with the following:

“4.2 Development cost charge rates are paid as follows:

    - (a) All development within the District of Lake Country shall pay mobility and parks development cost charges;
    - (b) All development within the Drainage DCC Sector boundary as shown on Schedule B of this bylaw, shall pay drainage development cost charges;
    - (c) All development connected to a community sewer system shall pay sewer development cost charges; and
    - (d) All development located within the areas established by:
      - a. Lake Country Water Service Area Bylaw 695, 2008,
      - b. Coral Beach Water System Specified Area Establishment Bylaw 076, 1996, and

c. Lake Pine Local Service Area Establishment Bylaw 736, 2010, shall pay water development cost charges.

1.5. Deleting Schedule A in its entirety and replacing it with Schedule A (Municipal-Wide DCCs), attached to and forming part of this Bylaw.

1.6. Deleting Schedule B in its entirety and replacing it with Schedule B (Drainage DCC Sector), attached to and forming part of this Bylaw.

1.7. Deleting Schedule C (Water DCC Sector Boundary) in its entirety and replacing it with Schedule C (Lake Country Business Park, Area Specific DCCs) attached to and forming part of this bylaw.

2. This bylaw may be cited as "Development Cost Charge (DCC) Amendment Bylaw 1233, 2024"

READ A FIRST TIME this 21<sup>st</sup> day of May, 2024.

READ A SECOND TIME AS AMENDED this 16<sup>th</sup> day of July, 2024.

READ A THIRD TIME this 9<sup>th</sup> day of September, 2024.

Certified correct at third reading.

September 13, 2024

Dated at Lake Country, B.C.

Original signed by Reyna Seabrook

Corporate Officer

THIRD READING RESCINDED and READ A THIRD TIME AS AMENDED this x day of x, 2025.

Certified correct at third reading.

\_\_\_\_\_  
Dated at lake Country, B.C.

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

Approved by the Inspector of Municipalities the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Inspector of Municipalities

ADOPTED this xx day of xx, 2025.

\_\_\_\_\_  
Mayor

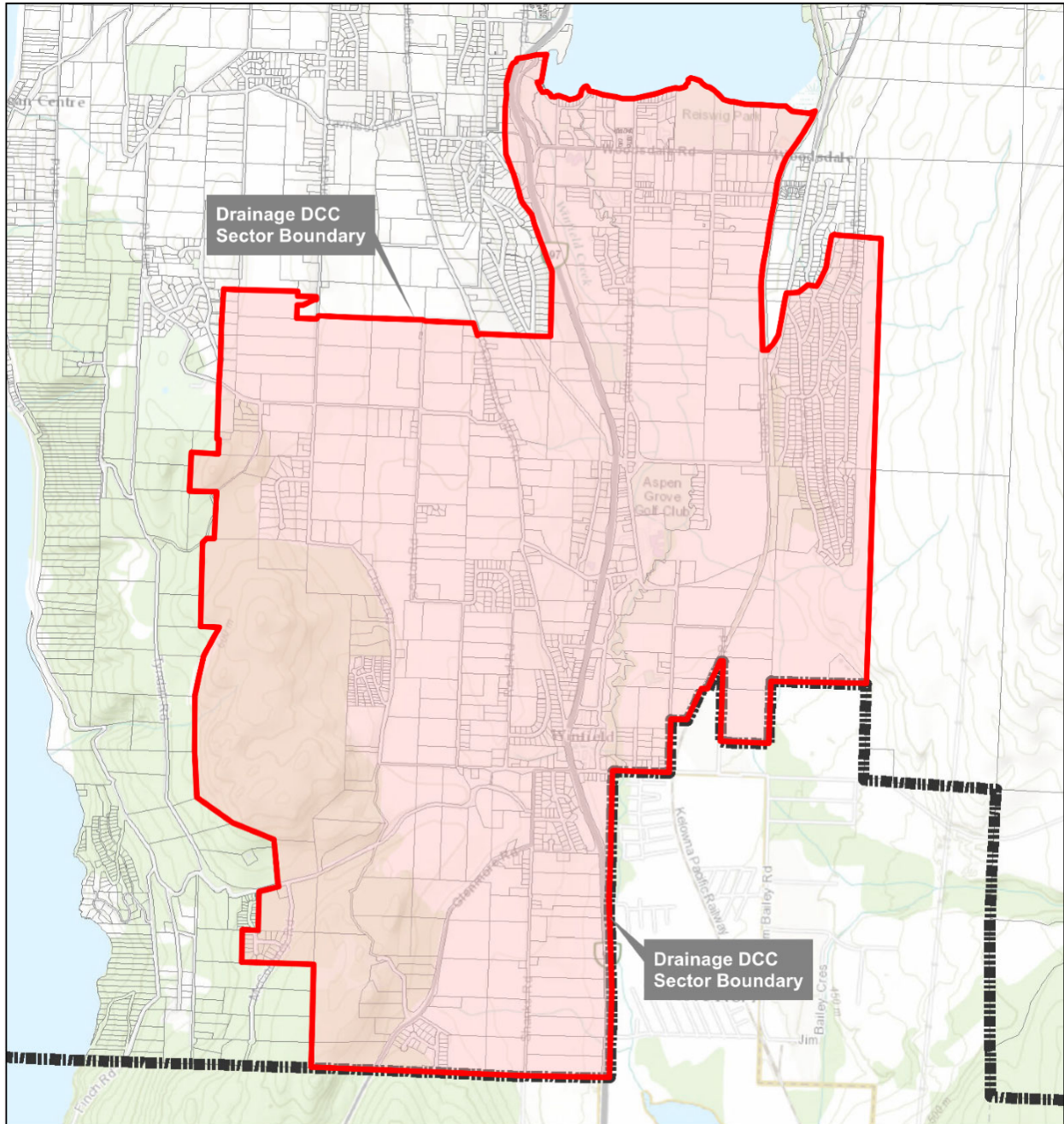
\_\_\_\_\_  
Corporate Officer

**Schedule A to Bylaw 1233, 2024****SCHEDULE A**  
Municipal-Wide DCCs

Land Use Category	Collection Basis	Mobility	Water	Sewer	Drainage	Parks	Total
Single Detached Residential	Per Lot	\$10,252	\$11,953	\$11,862	\$389	\$12,790	\$47,246
Multi-Family Residential	Per Unit	\$6,664	\$7,770	\$7,710	\$253	\$12,790	\$35,187
Accessory Dwelling Unit	Per Unit	\$3,332	\$3,885	\$3,855	\$127	\$0	\$11,199
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$34.45	\$40.16	\$39.86	\$1.31	\$22.24	\$138.02
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Schedule B to Bylaw 1233, 2024



SCHEDULE B  
Drainage DCC Sector



Lake Country Development  
Cost Charge Bylaw

Drainage DCC Sector

Legend

-  Boundary of Drainage DCC Sector
-  DLC Boundary



Coordinate System:  
NAD 1983 UTM Zone 11N

Data Sources:  
Data provided by -  
District of Lake Country

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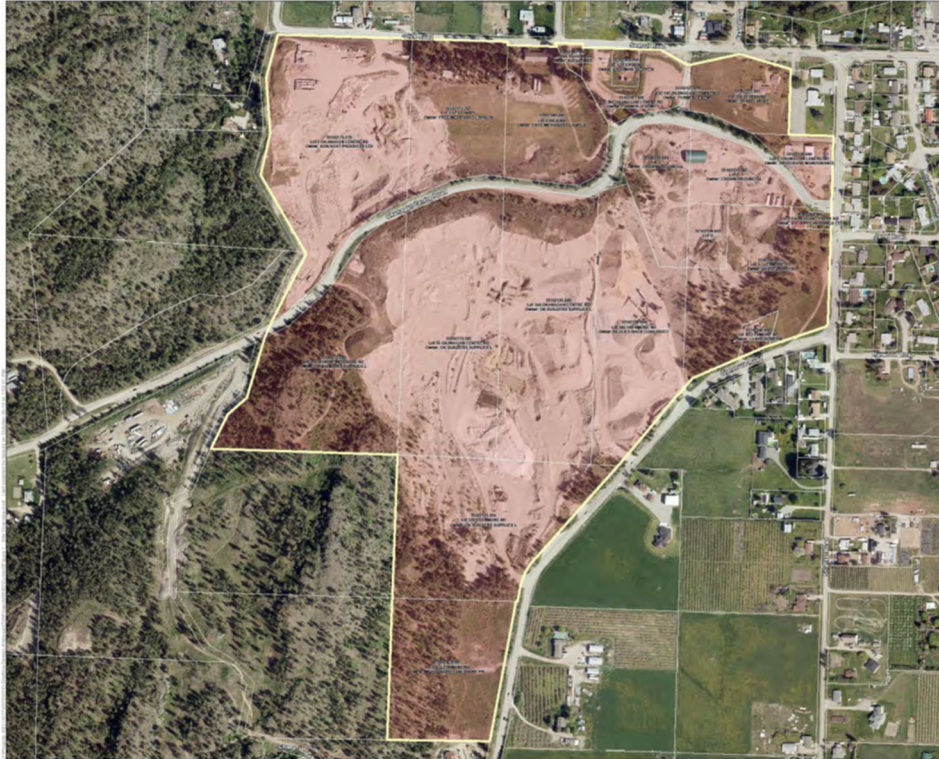
Project #: 1577.0066.01  
Author: BP  
Checked: JS  
Status: FINAL  
Revision: A  
Date: 2016 / 2 / 22





**Schedule C to Bylaw 1233, 2024**

**SCHEDULE C  
Lake Country Business Park  
Area-Specific DCCs**



Land Use Category	Collection Basis	Mobility	Water	Sewer	Drainage	Parks	Total
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$45.50	\$14.16	\$7.41	\$0	\$0	\$67.07
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$45.50	\$14.16	\$7.41	\$0	\$0	\$67.07

1. All development in the subject area identified above shall pay the Area-Specific development cost charges for mobility, water and sewer as noted in the table above, in addition to the Municipal-Wide development cost charges identified in Schedule A.
2. Development cost charges are payable based on land use category. Where the land use category is not specified, then no area-specific DCCs are levied for development in that land use category, but the municipal-wide DCCs identified in Schedule A are still payable.

## DISTRICT OF LAKE COUNTRY

### BYLAW 1233

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#### A BYLAW TO AMEND DEVELOPMENT COST CHARGES

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**“Secondary Suite”** means a self-contained dwelling unit located within a single-family dwelling unit. For the purposes of this bylaw, a Secondary Suite located within a principal dwelling is not considered a separate or Accessory Dwelling Unit and has been accounted for in the development cost charge calculation.
  - 1.2. In Section 1, Definitions, subsection 1.2, deleting and replacing the definition of “Single Detached Residential” with the following:

“Single Detached – Residential” means housing on a single titled lot that contains one single family dwelling unit including mobile or modular homes and a Secondary Suite.
  - 1.3. In Section 3. Exemptions, amending subsection:
    - (a) 3.1(b) by deleting and replacing “\$50,000” with “\$100,000” and removing the word “or” at the end of the section;
    - (b) 3.2 by deleting and replacing “\$50,000” with “\$100,000”.
  - 1.4. In Section 4. Calculation of Applicable Charges, deleting subsection 4.2 and replacing it with the following:

“4.2 Development cost charge rates are paid as follows:

    - (a) All development within the District of Lake Country shall pay mobility and parks development cost charges;
    - (b) All development within the Drainage DCC Sector boundary as shown on Schedule B of this bylaw, shall pay drainage development cost charges;
    - (c) All development connected to a community sewer system shall pay sewer development cost charges; and
    - (d) All development located within the areas established by:
      - a. Lake Country Water Service Area Bylaw 695, 2008,
      - b. Coral Beach Water System Specified Area Establishment Bylaw 076, 1996, and

c. Lake Pine Local Service Area Establishment Bylaw 736, 2010, shall pay water development cost charges.

1.5. Deleting Schedule A in its entirety and replacing it with Schedule A (Municipal-Wide DCCs), attached to and forming part of this Bylaw.

1.6. Deleting Schedule B in its entirety and replacing it with Schedule B (Drainage DCC Sector), attached to and forming part of this Bylaw.

1.7. Deleting Schedule C (Water DCC Sector Boundary) in its entirety and replacing it with Schedule C (Lake Country Business Park, Area Specific DCCs) attached to and forming part of this bylaw.

2. This bylaw may be cited as "Development Cost Charge (DCC) Amendment Bylaw 1233, 2024"

READ A FIRST TIME this 21<sup>st</sup> day of May, 2024.

READ A SECOND TIME AS AMENDED this 16<sup>th</sup> day of July, 2024.

READ A THIRD TIME this 9<sup>th</sup> day of September, 2024.

Certified correct at third reading.

September 13, 2024

Dated at Lake Country, B.C.

Original signed by Reyna Seabrook

Corporate Officer

THIRD READING RESCINDED and READ A THIRD TIME AS AMENDED this x day of x, 2025.

Certified correct at third reading.

\_\_\_\_\_  
Dated at lake Country, B.C.

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

Approved by the Inspector of Municipalities the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Inspector of Municipalities

ADOPTED this xx day of xx, 2025.

\_\_\_\_\_  
Mayor

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

**Schedule A to Bylaw 1233, 2024****SCHEDULE A**  
Municipal-Wide DCCs*DCC Rates at Date of Adoption*

Land Use Category	Collection Basis	Mobility 25% MAF	Water 25% MAF	Sewer 25% MAF	Drainage 1% MAF	Parks 1% MAF	Total
Single Detached Residential	Per Lot	\$7,756	\$8,942	\$9,060	\$389	\$12,790	\$38,937
Multi-Family Residential	Per Unit	\$5,034	\$5,812	\$5,889	\$253	\$12,790	\$29,778
Accessory Dwelling Unit	Per Unit	\$2,517	\$2,906	\$2,944	\$127	\$0	\$8,494
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$26.02	\$30.05	\$30.44	\$1.31	\$22.24	\$110.06
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$26.02	\$30.05	\$30.44	\$1.31	\$14.48	\$102.30
Institutional	Per Gross Floor Area in m <sup>2</sup>	\$26.02	\$30.05	\$30.44	\$1.31	\$22.24	\$110.06

*DCC Rates at Date of Adoption plus One Year*

Land Use Category	Collection Basis	Mobility 13% MAF	Water 13% MAF	Sewer 13% MAF	Drainage 1% MAF	Parks 1% MAF	Total
Single Detached Residential	Per Lot	\$8,998	\$10,448	\$10,461	\$389	\$12,790	\$43,086
Multi-Family Residential	Per Unit	\$5,849	\$6,791	\$6,800	\$253	\$12,790	\$32,483
Accessory Dwelling Unit	Per Unit	\$2,924	\$3,396	\$3,400	\$127	\$0	\$9,847
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$30.23	\$35.10	\$35.15	\$1.31	\$22.24	\$124.03
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$30.23	\$35.10	\$35.15	\$1.31	\$14.48	\$116.27
Institutional	Per Gross Floor Area in m <sup>2</sup>	\$30.23	\$35.10	\$35.15	\$1.31	\$22.24	\$124.03

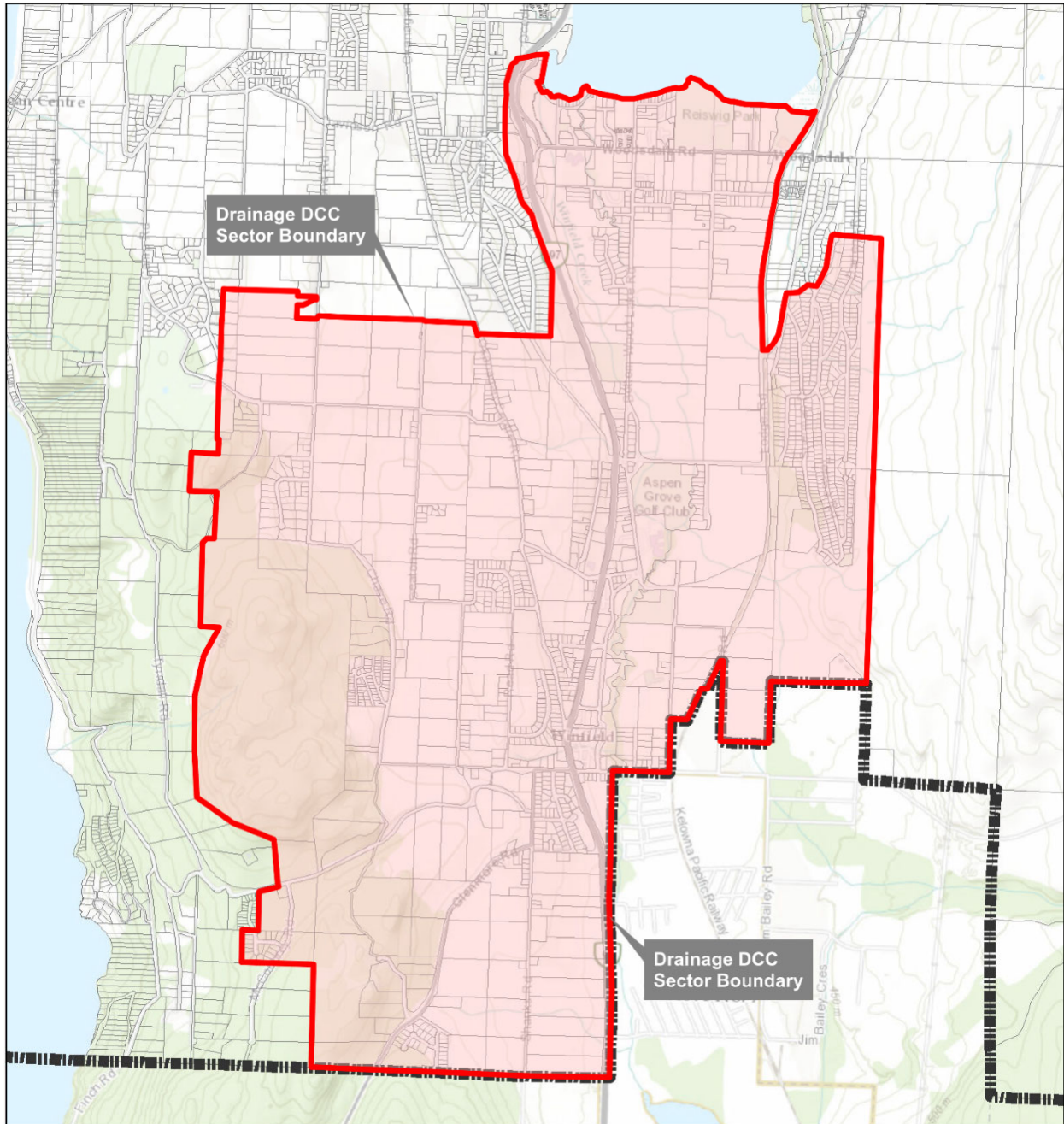
*DCC Rates at Date of Adoption plus Two Years*

Land Use Category	Collection Basis	Mobility 1% MAF	Water 1% MAF	Sewer 1% MAF	Drainage 1% MAF	Parks 1% MAF	Total
Single Detached Residential	Per Lot	\$10,252	\$11,953	\$11,862	\$389	\$12,790	\$47,246
Multi-Family Residential	Per Unit	\$6,664	\$7,770	\$7,710	\$253	\$12,790	\$35,187
Accessory Dwelling Unit	Per Unit	\$3,332	\$3,885	\$3,855	\$127	\$0	\$11,199
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$34.45	\$40.16	\$39.86	\$1.31	\$22.24	\$138.02
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$34.45	\$40.16	\$39.86	\$1.31	\$14.48	\$130.26
Institutional	Per Gross Floor Area in m <sup>2</sup>	\$34.45	\$40.16	\$39.86	\$1.31	\$22.24	\$138.02



Schedule B to Bylaw 1233, 2024



SCHEDULE B  
Drainage DCC Sector



Lake Country Development  
Cost Charge Bylaw

Drainage DCC Sector

Legend

-  Boundary of Drainage DCC Sector
-  DLC Boundary



Coordinate System:  
NAD 1983 UTM Zone 11N

Data Sources:  
Data provided by -  
District of Lake Country

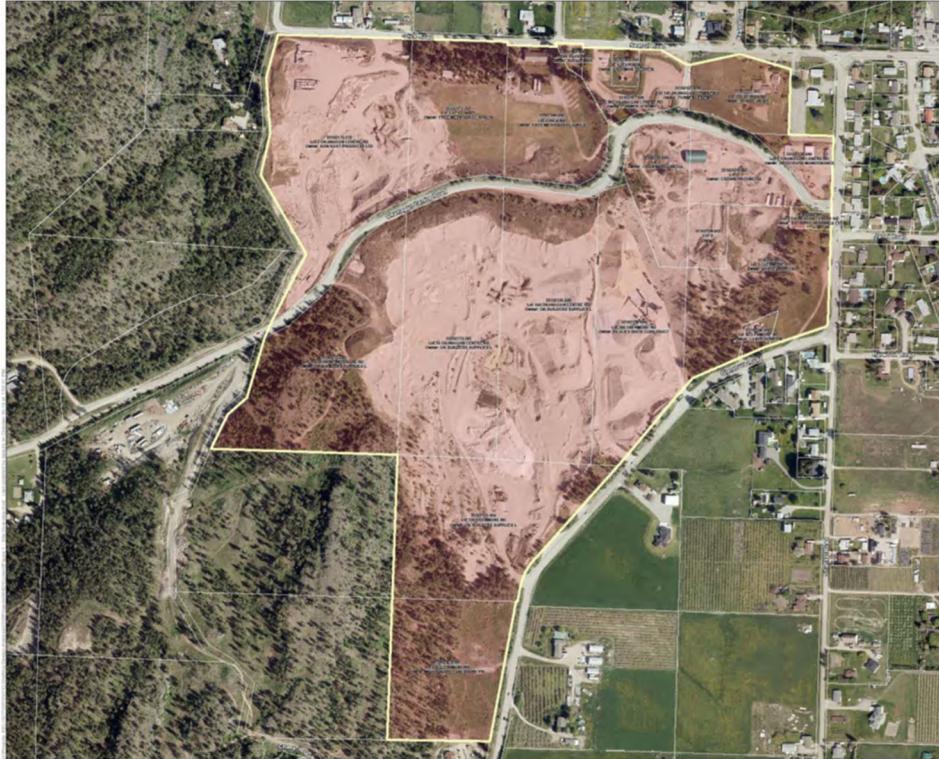
The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information whether shown or not.

Project #: 1577.0066.01  
Author: BP  
Checked: JS  
Status: FINAL  
Revision: A  
Date: 2016 / 2 / 22



**Schedule C to Bylaw 1233, 2024**

**SCHEDULE C  
Lake Country Business Park  
Area-Specific DCCs**



Land Use Category	Collection Basis	Mobility	Water	Sewer	Drainage	Parks	Total
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$45.50	\$14.16	\$7.41	\$0	\$0	\$67.07
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$45.50	\$14.16	\$7.41	\$0	\$0	\$67.07

1. All development in the subject area identified above shall pay the Area-Specific development cost charges for mobility, water and sewer as noted in the table above, in addition to the Municipal-Wide development cost charges identified in Schedule A.
2. Development cost charges are payable based on land use category. Where the land use category is not specified, then no area-specific DCCs are levied for development in that land use category, but the municipal-wide DCCs identified in Schedule A are still payable.

## DISTRICT OF LAKE COUNTRY

### BYLAW 1233

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#### A BYLAW TO AMEND DEVELOPMENT COST CHARGES

---

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

1. Development Cost Charge Bylaw 950, 2016 is hereby amended by:
  - 1.1. In Section 1, Definitions, subsection 1.2, adding the following definitions in alphabetical order:

**“Accessory Dwelling Units (ADUs)”** means an additional residential structure containing **Dwelling Units** separate from the principal dwelling. Examples include but are not limited to coach houses, garden suites, and accessory garage suites but does not include a Secondary Suite.

**“Secondary Suite”** means a self-contained dwelling unit located within a single-family dwelling unit. For the purposes of this bylaw, a Secondary Suite located within a principal dwelling is not considered a separate or Accessory Dwelling Unit and has been accounted for in the development cost charge calculation.
  - 1.2. In Section 1, Definitions, subsection 1.2, deleting and replacing the definition of “Single Detached Residential” with the following:

“Single Detached – Residential” means housing on a single titled lot that contains one single family dwelling unit including mobile or modular homes and a Secondary Suite.
  - 1.3. In Section 3. Exemptions, amending subsection:
    - (a) 3.1(b) by deleting and replacing “\$50,000” with “\$100,000” and removing the word “or” at the end of the section;
    - (b) 3.2 by deleting and replacing “\$50,000” with “\$100,000”.
  - 1.4. In Section 4. Calculation of Applicable Charges, deleting subsection 4.2 and replacing it with the following:

“4.2 Development cost charge rates are paid as follows:

    - (a) All development within the District of Lake Country shall pay mobility and parks development cost charges;
    - (b) All development within the Drainage DCC Sector boundary as shown on Schedule B of this bylaw, shall pay drainage development cost charges;
    - (c) All development connected to a community sewer system shall pay sewer development cost charges; and
    - (d) All development located within the areas established by:
      - a. Lake Country Water Service Area Bylaw 695, 2008,
      - b. Coral Beach Water System Specified Area Establishment Bylaw 076, 1996, and

c. Lake Pine Local Service Area Establishment Bylaw 736, 2010, shall pay water development cost charges.

1.5. Deleting Schedule A in its entirety and replacing it with Schedule A (Municipal-Wide DCCs), attached to and forming part of this Bylaw.

1.6. Deleting Schedule B in its entirety and replacing it with Schedule B (Drainage DCC Sector), attached to and forming part of this Bylaw.

1.7. Deleting Schedule C (Water DCC Sector Boundary) in its entirety and replacing it with Schedule C (Lake Country Business Park, Area Specific DCCs) attached to and forming part of this bylaw.

2. This bylaw may be cited as "Development Cost Charge (DCC) Amendment Bylaw 1233, 2024"

READ A FIRST TIME this 21<sup>st</sup> day of May, 2024.

READ A SECOND TIME AS AMENDED this 16<sup>th</sup> day of July, 2024.

READ A THIRD TIME this 9<sup>th</sup> day of September, 2024.

Certified correct at third reading.

September 13, 2024

Dated at Lake Country, B.C.

Original signed by Reyna Seabrook

Corporate Officer

THIRD READING RESCINDED and READ A THIRD TIME AS AMENDED this x day of x, 2025.

Certified correct at third reading.

\_\_\_\_\_  
Dated at lake Country, B.C.

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

Approved by the Inspector of Municipalities the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Inspector of Municipalities

ADOPTED this xx day of xx, 2025.

\_\_\_\_\_  
Mayor

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

**Schedule A to Bylaw 1233, 2024****SCHEDULE A**  
Municipal-Wide DCCs*DCC Rates at Date of Adoption*

Land Use Category	Collection Basis	Mobility 10% MAF	Water 10% MAF	Sewer 10% MAF	Drainage 1% MAF	Parks 1% MAF	Total
Single Detached Residential	Per Lot	\$9,312	\$10,824	\$10,811	\$389	\$12,790	\$44,126
Multi-Family Residential	Per Unit	\$6,053	\$7,036	\$7,027	\$253	\$12,790	\$33,159
Accessory Dwelling Unit	Per Unit	\$3,026	\$3,518	\$3,514	\$127	\$0	\$10,185
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$31.29	\$36.37	\$36.33	\$1.31	\$22.24	\$127.54
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$31.29	\$36.37	\$36.33	\$1.31	\$14.48	\$119.78
Institutional	Per Gross Floor Area in m <sup>2</sup>	\$31.29	\$36.37	\$36.33	\$1.31	\$22.24	\$127.54

*DCC Rates at Date of Adoption plus One Year*

Land Use Category	Collection Basis	Mobility 5% MAF	Water 5% MAF	Sewer 5% MAF	Drainage 1% MAF	Parks 1% MAF	Total
Single Detached Residential	Per Lot	\$9,834	\$11,452	\$11,395	\$389	\$12,790	\$45,860
Multi-Family Residential	Per Unit	\$6,392	\$7,444	\$7,407	\$253	\$12,790	\$34,286
Accessory Dwelling Unit	Per Unit	\$3,196	\$3,722	\$3,703	\$127	\$0	\$10,748
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$33.04	\$38.48	\$38.29	\$1.31	\$22.24	\$133.36
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$33.04	\$38.48	\$38.29	\$1.31	\$14.48	\$125.60
Institutional	Per Gross Floor Area in m <sup>2</sup>	\$33.04	\$38.48	\$38.29	\$1.31	\$22.24	\$133.36

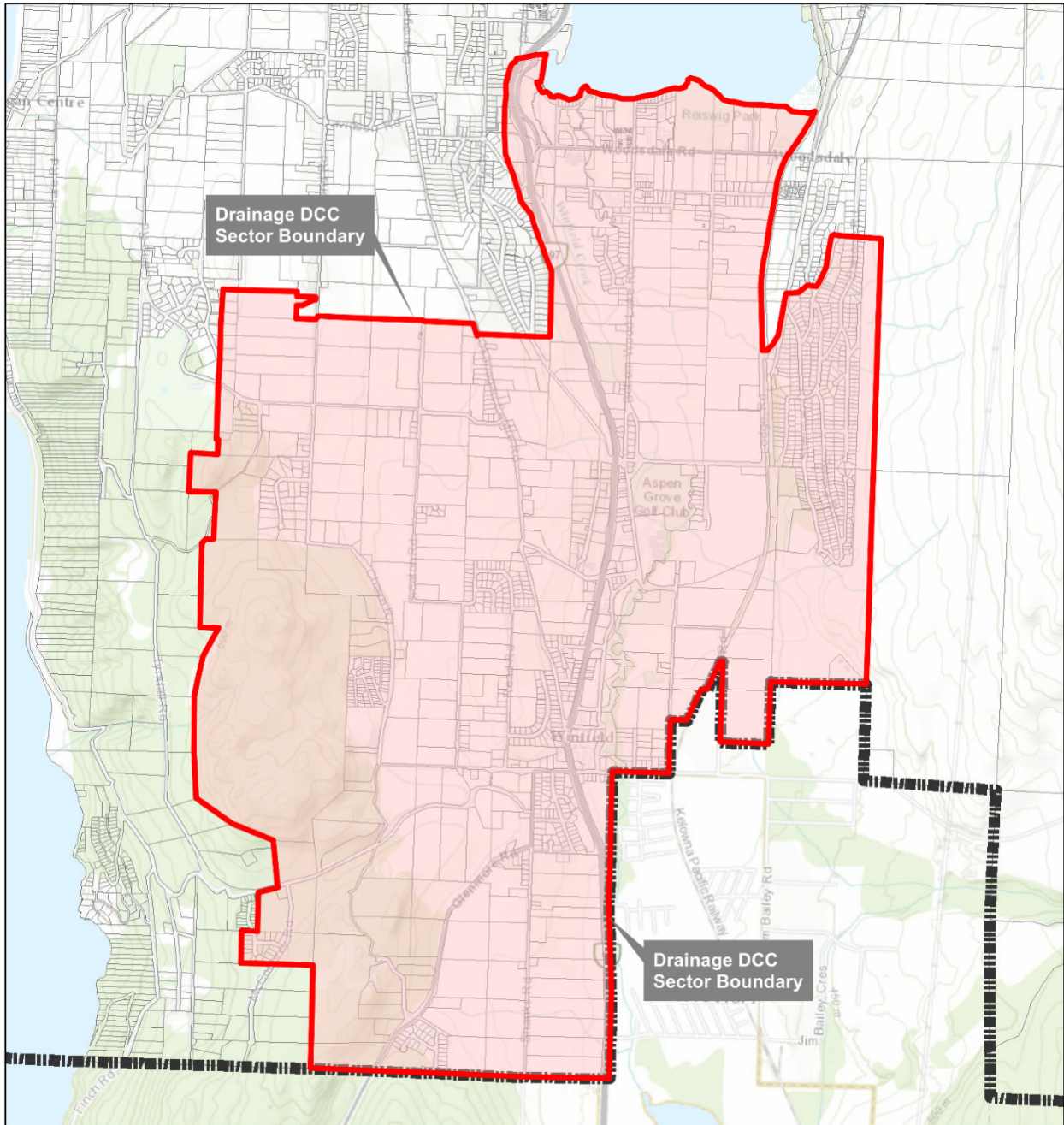


*DCC Rates at Date of Adoption plus Two Years*

Land Use Category	Collection Basis	Mobility 1% MAF	Water 1% MAF	Sewer 1% MAF	Drainage 1% MAF	Parks 1% MAF	Total
Single Detached Residential	Per Lot	\$10,252	\$11,953	\$11,862	\$389	\$12,790	\$47,246
Multi-Family Residential	Per Unit	\$6,664	\$7,770	\$7,710	\$253	\$12,790	\$35,187
Accessory Dwelling Unit	Per Unit	\$3,332	\$3,885	\$3,855	\$127	\$0	\$11,199
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$34.45	\$40.16	\$39.86	\$1.31	\$22.24	\$138.02
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$34.45	\$40.16	\$39.86	\$1.31	\$14.48	\$130.26
Institutional	Per Gross Floor Area in m <sup>2</sup>	\$34.45	\$40.16	\$39.86	\$1.31	\$22.24	\$138.02

Schedule B to Bylaw 1233, 2024

SCHEDULE B  
Drainage DCC Sector



Lake Country Development  
Cost Charge Bylaw

Drainage DCC Sector

Legend



Boundary of Drainage DCC Sector

DLC Boundary



Coordinate System:  
NAD 1983 UTM Zone 11N

Data Sources:  
Data provided by -  
District of Lake Country

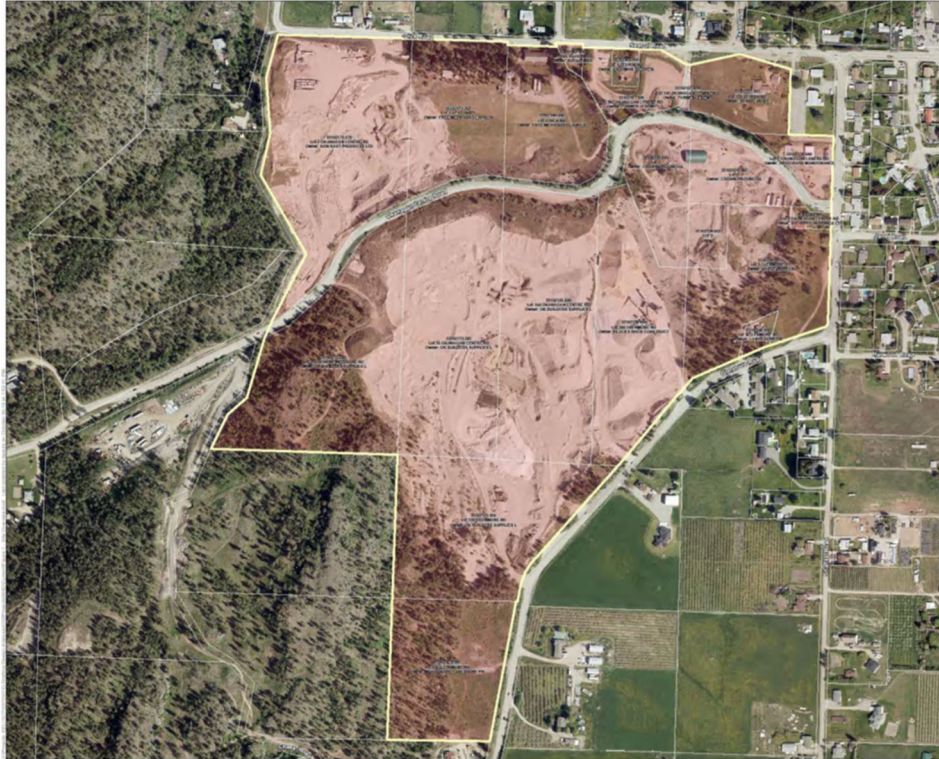
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Project #: 1577.0066.01  
Author: BP  
Checked: JS  
Status: FINAL  
Revision: A  
Date: 2016 / 2 / 22



## Schedule C to Bylaw 1233, 2024

**SCHEDULE C**  
**Lake Country Business Park**  
**Area-Specific DCCs**



Land Use Category	Collection Basis	Mobility	Water	Sewer	Drainage	Parks	Total
Commercial	Per Gross Floor Area in m <sup>2</sup>	\$45.50	\$14.16	\$7.41	\$0	\$0	\$67.07
Industrial	Per Gross Floor Area in m <sup>2</sup>	\$45.50	\$14.16	\$7.41	\$0	\$0	\$67.07

1. All development in the subject area identified above shall pay the Area-Specific development cost charges for mobility, water and sewer as noted in the table above, in addition to the Municipal-Wide development cost charges identified in Schedule A.
2. Development cost charges are payable based on land use category. Where the land use category is not specified, then no area-specific DCCs are levied for development in that land use category, but the municipal-wide DCCs identified in Schedule A are still payable.

**To:** Mayor and Council  
**From:** Paul Gipps, CAO

**Meeting Date:** January 14, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Darren Lee, Fire Chief  
**Department:** Protective Services

**Title:** UBCM-CEPF for ESS Training and Equipment 2025 Intake  
**Description:** RDCO Application to the UBCM-CEPF for ESS Training and Equipment

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### **RECOMMENDATION**

THAT the Regional District of Central Okanagan (RDCO) 2025 grant application to the Union of British Columbia Municipalities (UBCM) Community Emergency Preparedness Fund (CEPF) for Emergency Support Services Training and Equipment stream, be supported;  
AND THAT the RDCO be authorized to apply for, receive and manage the grant funding on behalf of the District of Lake Country.

### **EXECUTIVE SUMMARY**

The [Union of British Columbia Municipalities - Community Emergency Preparedness Fund](#) (UBCM-CEPF) is a suite of funding programs intended to enhance the resiliency and response capacity of First Nations and local government governments to various emergencies.

With Councils support, Regional District of Central Okanagan (RDCO) staff or consultants will submit a joint application to the UBCM-CEPF under the Emergency Support Services (ESS) Training and Equipment stream for the 2025 intake. The partners in the RDCO Regional Emergency Program include the Westbank First Nation, District of Peachland, City of West Kelowna, Regional District of Central Okanagan, City of Kelowna and District of Lake Country. If the combined application is successful, the grant funding will be used to provide training, equipment and technology supports for the RDCO Regional Emergency Program ESS volunteers and ESS staff.

### **DISCUSSION/ANALYSIS**

ESS is a vital component of the RDCO Regional Emergency Program, which provides centralized support to residents and visitors during emergencies such as wildfires and floods. In the aftermath of the 2023 Wildfires, there has been a concerted effort to enhance ESS capacity, resources, and resiliency within the RDCO. By combining eligible funding amounts of all the local governments within the RDCO, ESS volunteers and ESS staff will be better able to deliver services across the region.

In 2024 DLC Council supported the combined application to the UBCM-CEPF for ESS Training and Equipment stream. The estimated combined value of the 2024 application was \$148,000.00 and the RDCO was awarded \$147,500.00. The 2024 funding supported a variety of ESS volunteer and ESS staff training. This included a live exercise at Royal Lepage Place in West Kelowna. The funding also helped to improve available technology, revise public information materials, support ESS volunteer recruitment and support ESS volunteer recognition.

### **Impacts on infrastructure, services or staff capacity**

RDCO staff or consultants will manage the application, administration and delivery of the 2025 UBCM-CEPF ESS Training and Equipment grant. The impact on DLC staff capacity will be reduced due to the partnership with the RDCO.



**Consultation and Communication**

The application to the UBCM-CEPF will require certified resolutions from the RDCO Board as well as supporting certified Council resolutions from each of the partners in the RDCO Regional Emergency Program.

**Applicable legislation, bylaws and policies**

This application is in compliance with the [British Columbia Disaster and Emergency Response Act](#) which was passed into force by the Province of British Columbia in November of 2023. This application is also in compliance with [RDCO Emergency Management Program Bylaw 1444, 2019](#) which was last updated in 2019.

**File Chronology**

Date	Event
2025-01-21	Regular Council Meeting

**FINANCIAL IMPLICATIONS**

None       Budget Previously Approved       Other (see below)

The estimated combined value of the 2025 RDCO application to the UBCM-CEPF is \$148,000.00. This estimate is based on RDCO Regional Emergency Program staff analysis of the total combined eligible grant amounts for the Westbank First Nation, District of Peachland, City of West Kelowna, Regional District of Central Okanagan, City of Kelowna and District of Lake Country. Combining and coordinating efforts will minimize the impact on DLC staff time.

**COMMUNICATION**

This application was referred to the CAO and internal departments.

**ALTERNATE RECOMMENDATION(S)**

THAT Council does not support this report and refer the matter back to Staff for additional comments

Respectfully Submitted.

**Darren Lee, Fire Chief**



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**Report Approval Details**

Document Title:	UBCM-CEPF for ESS Training and Equipment 2025 Intake.docx
Attachments:	
Final Approval Date:	Jan 7, 2025

This report and all of its attachments were approved and signed as outlined below:

**Reyna Seabrook, Director of Corporate Services - Jan 7, 2025 - 10:04 AM**

**Paul Gipps, Chief Administrative Officer - Jan 7, 2025 - 10:15 AM**

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**To:** Mayor and Council  
**From:** Paul Gipps, CAO  
**Meeting Date:** January 14, 2025  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Reyna Seabrook, Director of Corporate Services  
**Department:** Corporate Services

**Title:** Subdivision and Development Servicing Amendment (Cash In-Lieu) Bylaw 1262, 2025  
**Description:** Updates to the provision for Cash In-Lieu for the construction of works and services

---

### **RECOMMENDATION**

THAT Subdivision and Development Servicing Amendment (Cash In-Lieu) Bylaw 1262, 2025 be read a first, second and third time.

### **DISCUSSION/ANALYSIS**

Staff are proposing minor amendments to the Cash in Lieu section of the Subdivision and Development Servicing Bylaw (Schedule T, subsection T.1.4) subsequent to a full review and rewrite of the SDDS bylaw in 2025. The interim amendments will provide clarification and establish clear processes for both staff and applicants related to cash in lieu requirements.

The current language in section T.1.4 sets an absolute dollar value to be paid as cash in lieu (150% of Owner's engineer's fee for design and 125% of design, construction and installation) which may not be practicable in all situations. The updated language delegates authority to the District Engineer to determine the amount of cash in lieu based on sound engineering principles and cost estimates submitted by the Owner's Engineering. It also establishes a maximum dollar value at 125% of design, construction and installation.

The proposed language includes additional regulations for cash in lieu including the requirement to enter into a Subdivision and Development Servicing Agreement, the requirement for funds to be deposited into a reserve and clarification that payment is due before subdivision approval or issuance of a building permit which aligns with the *Local Government Act*.

### **Existing Language**

T.1.4 Cash in Lieu:

- (a) The District Engineer may require the Owner to provide to the District non-refundable cash in lieu of work where works are:
- (i) Required to be constructed or installed under Section B.4 (Building Permit) or B.5 (Subdivision); or
  - (ii) Where works are scheduled to be constructed at a future date pursuant to the Transportation for Tomorrow Plan Development Cost Charge Bylaw or other District Infrastructure master plans; the form of cash in lieu required is as follows:
    - A. 150% of the Owner's Engineer's fee for the design; and
    - B. 125% of the value of the design, construction and installation of the work as estimated and submitted by the Owner's Engineer and approved by the District Engineer. The value of design will be 10% of estimated construction cost.

**Proposed Language**

## T.1.4 Cash-in Lieu

- (a) Notwithstanding Schedule S-Forms, Agreements and Certificates, subsection S.1.3 (See Note) the District Engineer may require an Owner to provide a non-refundable payment in lieu (cash-in lieu) of constructing or installing all, or a portion of, works and services required under the provisions of this bylaw where, as determined by the District Engineer, such works may be undertaken at a future date or concurrently with other works and services in connection with the development of land.
- (b) Cash-in-lieu payments:
  - (i) will be established through a Subdivision and Development Servicing Agreement between the Owner and District;
  - (ii) will be deposited into a reserve fund for the future construction or installation of works and services;
  - (c) are due before the approving officer approves of the subdivision or the building inspector issues the building permit;
  - (d) will not exceed an amount greater than 125% of the costs of design and construction at the time of entering into an agreement, plus any required land acquisition costs.
  - (e) Will be determined by the District Engineer using sound engineering principles and will be based on cost estimates prepared by the Owners Engineer submitted to the District Engineer for acceptance.

**Note:** Subsection S.1.3 requires all works to be completed by the Owner before a subdivision can be approved or a building permit can be issued. Or the Owner can agree to complete the works within one year by entering into an agreement, providing 125% of the tender value plus 125% of Owner's Engineers fee in security and providing 18 months maintenance of the works. There is no ability in Section S.1.3 to approve a subdivision or issue a building permit where cash in lieu has been provided. As such, a notwithstanding clause has been added to subsection T.1.4.(a) thus allowing approval or a permit, in exchange for cash in lieu. Staff are not recommending any changes to the security provisions in section S.1.3 at this time although all language and provisions will be considered during a comprehensive bylaw review and rewrite earmarked for 2025.

**LEGISLATION**

*Local Government Act* section 506 sets out the authority to establish a servicing bylaw establishing the regulation and requirement of works and services for the development of land. Section 506.3 grants authority to require works and services as a condition of building permit or subdivision approval and section 509 authorizes the deposit of a security in exchange for issuance of a permit or approval of a subdivision by way of entering into an agreement that the local government undertake the works.

**FINANCIAL IMPLICATIONS**

None                       Budget Previously Approved     Other (see below)

**ALTERNATE RECOMMENDATION(S)**

Respectfully Submitted.

**Reyna Seabrook, Director of Corporate Services**

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**Report Approval Details**

Document Title:	Subdivision and Development Servicing Amendment (Cash In-Lieu) Bylaw 1262, 2025.docx
Attachments:	- Attachment A-SDDS Amendment (Cash in Lieu) Bylaw 1262, 2024.pdf
Final Approval Date:	Jan 9, 2025

This report and all of its attachments were approved and signed as outlined below:

**No Signature found**

**Steven Gubbels, Development Engineering Manager - Jan 8, 2025 - 3:15 PM**

**No Signature found**

**Matthew Salmon, Infrastructure & Development Engineering Director - Jan 9, 2025 - 12:56 PM**

**No Signature found**

**Brad Savoury, Director of Legal Services and Risk Management - Jan 9, 2025 - 2:00 PM**

**Paul Gipps, Chief Administrative Officer - Jan 9, 2025 - 2:09 PM**

**DISTRICT OF LAKE COUNTRY**

**BYLAW 1262**

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**A BYLAW TO AMEND THE SUBDIVISION AND DEVELOPMENT SERVICING BYLAW**

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

1. Subdivision and Development Servicing Bylaw 1121, 2020 is hereby amended as follows:
  - 1.1. Schedule T FEES AND SECURITY is amended by deleting subsection T.1.4 Cash in Lieu and replacing it with the following:
    - T.1.4 Cash-in Lieu
      - (a) Notwithstanding Schedule S-Forms, Agreements and Certificates, subsection S.1.3 ,the District Engineer may require an Owner to provide a non-refundable payment in lieu (cash-in lieu) of constructing or installing all, or a portion of, works and services required under the provisions of this bylaw where, as determined by the District Engineer, such works may be undertaken at a future date or concurrently with other works and services in connection with the development of land.
      - (b) Cash-in-lieu payments:
        - (i) will be established through a Subdivision and Development Servicing Agreement between the Owner and District;
        - (ii) will be deposited into a reserve fund for the future construction or installation of works and services;
        - (c) are due before the approving officer approves of the subdivision or the building inspector issues the building permit;
        - (d) will not exceed an amount greater than 125% of the costs of design and construction at the time of entering into an agreement, plus any required land acquisition costs.
        - (e) Will be determined by the District Engineer using sound engineering principles and will be based on cost estimates prepared by the Owners Engineer submitted to the District Engineer for acceptance.
2. This bylaw may be cited as “Subdivision and Development Servicing Amendment (Cash-in-lieu) Bylaw xxx, 2024”.

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

READ A SECOND TIME this x day of x, x.

READ A THIRD TIME this x day of x, x.

ADOPTED this xx day of month, x.

---

Mayor

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Corporate Officer



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**To:** Mayor and Council  
**From:** Paul Gipps, CAO  
**Meeting Date:** January 14, 2024  
**Meeting Type:** Regular Council Meeting

**Prepared by:** Ruth Sulentich, Economic Development and Public Engagement Specialist  
**Department:** Planning and Development

**Title:** Zoning Amendment Bylaw 1243, 2024 | Z0000339 | Strata Hotel / Motel Secondary Use  
**Description:** Addition of Strata Hotel/Motel as a Secondary Use to 9652 and 9654 Benchland Drive Zara at Lakestone

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## RECOMMENDATION

Council consideration of options listed under Alternate Recommendations.

## EXECUTIVE SUMMARY

On November 5, 2024 a Public Hearing was held to consider amending the Direct Control Zone for Lakestone (DC3) to clarify secondary uses to include Strata Hotel/Motel to allow for short term rentals. At the well attended public hearing, Council heard from several members of the public, specifically those who live in the Lakestone Community.

Overall – community members who spoke or wrote to Council prior to the hearing, have the following concerns if Zara has Strata Hotel/Motel added as a Secondary Use:

- *Lakestone Master Plan is outdated and should not be upheld;*
- *Decrease of property values if zoning is amended;*
- *Disrespect for the neighbourhood, specifically noise; and*
- *Increase of traffic and parking constraints.*

## DISCUSSION/ANALYSIS

### Lakestone Master Plan is outdated and should not be upheld:

Council adopted the Updated Lakestone Master Plan (May 8, 2012) which includes the following policy:

- Vacation rentals in the Benchlands neighbourhood in up to 120 resort residential units.
- Centrally located 80-unit condominium proposed as a strata-titled resort.

Property owners in Lakestone should be aware and have access to the 2012 Master Plan as it is available on our website and was registered on the title of each property. The Master Plan is meant to provide guidance for future Council decisions pertaining to Lakestone.

If Council approves the amending bylaw the owners of the units as a *Strata* would be permitted to have Strata Hotel/Motel as a secondary use if they could meet the provincial conditions. The owners in the *Strata* would be required to make the decision to operate as a Strata Hotel. If owners adopt a Strata Hotel model, the Strata will determine and manage, through Strata Bylaws:

- Length of stays;
- Parking and parking restrictions;
- Noise mitigation; and
- Guest conduct.

Strata Bylaws must be developed in accordance with District Zoning and Bylaws and Provincial Legislation.

**Decrease of property values if zoning is amended:**

BC Assessment data released January 2025 - confirms that property values along Benchland Drive and surrounding areas have remained steady along with moderate increases over 2024, despite active construction at the Zara site. The Districts experience indicates that once construction of Zara is completed in 2025, it is likely that property values along Benchland Drive will increase due to the neighbourhood being occupied and construction and restoration of the development being completed.

**Disrespect for the neighbourhood, specifically noise:**

In the District's experience conduct of homeowners, renters and visitors related to short term residential, that shares amenities, have in some situations created complaints around noise and parking. As in all complaints with strata properties this would require the Zara property owners and Strata management to manage and rectify issues that may present themselves once the building is occupied. It is anticipated that there will be a several full-time homeowners living at the property and it would be probable that issues would be brought to the strata's attention early in the complaint process for the Strata's consideration and if not resolved the District's Bylaw Department would become involved.

**Increase of traffic and parking constraints:**

Dominium Inc. has confirmed that Zara will have a total of 155 parking spaces.

- 128 for residents
- 12 allocated for visitors
- 15 allocated for commercial

If a condo owner temporarily rents out their unit, the expectation of the Strata would be that the renter(s) will park in the owners assigned spot and/or visitor parking. The District of Lake Country would continue to regulate on-street vehicle parking as per the Highways Bylaw. Parking of boats and/or boat trailers will not be permitted on the street.

It is not anticipated that traffic will be significantly impacted if the property is operated as a Strata Hotel. If owners choose to rent their unit – the impact to traffic will likely be similar as the owner of the unit would not be parking or driving in the area during the rental period.

**APPLICABLE LEGISLATION, BYLAWS AND POLICY**

B.C.'s short-term rental legislation allows Strata Hotels/Motel to operate as short-term vacation rentals, providing the strata complies with all regulations set out in the [legislation](#). If the Strata Hotel/Motel has appropriate municipal zoning and meets requirements set out within the B.C. legislation and municipal bylaws- property owners can be exempt from the Province's principal-residence requirement for short-term rentals, which went into effect on May 1, 2024.

Hierarchy for management of Strata Hotel/Motel is as follows:

- Provincial Legislation and Regulations
- District of Lake Country Zoning & Bylaws
- Strata Bylaws

**SUMMARY:**

If Council chooses to amend DC3(Lakestone) Zoning to include "Strata Hotel/Motel" for the Zara at Lakestone property:

- Amendment would only impact the Zara Development property.

- Strata Hotel language would provide the necessary secondary zoning use to allow owners to offer vacation rentals in accordance with Provincial Legislation, Regulations, District Zoning and Bylaws and Strata Bylaws.
- Strata Hotel Zoning is aligned with the Council adopted Lakestone Master Plan.
- Including Strata Hotel provides clarity and consistency to the definition of Recreational Tourist Accommodation within District Zoning Bylaws.

#### **FINANCIAL IMPLICATIONS**

None                       Budget Previously Approved     Other (see below)

If the District of Lake Country were to apply in the future for the Municipal and Regional District Tax Program (MRDT) revenues of up to 3% could be collected on all short-term vacation rentals including Strata Hotels/Motels. The MRDT was identified as an action item within the Lake Country Tourism Strategy endorsed by Council in 2024.

#### **ALIGNMENT WITH MASTER PLANS**

Tourism Plan

#### **ALTERNATE RECOMMENDATIONS**

1. THAT Zoning Amendment (Z0000339) Bylaw 1243, 2024 be amended by adding the following text at the end of item (g): “where a maximum of up to 43 units (50%) are permitted to be used as Short Term Vacation Rentals at any one time, and a minimum stay of five nights is required.”  
AND THAT Zoning Amendment (Z0000339) Bylaw 1243, 2024 be read a third time as amended.
2. THAT Zoning Amendment (Z0000339) Bylaw 1243, 2024 be amended by adding the following text at the end of the item (g): “where a maximum of up to 26 units (30%) are permitted to be used as Short Term Vacation Rentals at any one time, and a minimum stay of five nights is required.”  
AND THAT Zoning Amendment (Z0000339) Bylaw 1243, 2024 be read a third time as amended.
3. THAT Zoning Amendment (Z0000339) Bylaw 1243, 2024 be read a third time.
4. That first and second reading of Zoning Amendment Bylaw 1243, 2024 be rescinded and the file be closed.

Respectfully Submitted.

**Ruth Sulentich, Economic Development and Public Engagement Specialist**

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**Report Approval Details**

Document Title:	Z0000339 - Recreational Tourist Accommodation Interpretation .docx
Attachments:	- Attachment A - Zoning Amendment Bylaw 1243, 2024 V04.pdf
Final Approval Date:	Jan 9, 2025

This report and all of its attachments were approved and signed as outlined below:

**Reyna Seabrook, Director of Corporate Services - Jan 8, 2025 - 10:45 AM**

**Jeremy Frick, Director of Development Approvals - Jan 8, 2025 - 4:55 PM**

**Paul Gipps, Chief Administrative Officer - Jan 9, 2025 - 12:48 PM**

**DISTRICT OF LAKE COUNTRY**

**BYLAW 1243, 2024**

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

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

1. District of Lake Country Zoning Bylaw 561, 2007 is hereby amended as follows:

1.1. Section 19-Direct Control Zones, 19.3 DC3-Direct Control 3 (Lakestone) subsection 19.3.3 Secondary Uses is amended by adding the following item (g) in alphabetical order:

“(g) Strata Hotel/Motels on Lot 94 Sec 9 Twp 20 ODYD Plan EPP74823; 9652 and 9654 Benchland Dr”

For clarity, the subject property is outlined in blue on Schedule A, attached to and forming part of this bylaw.

1.2. Section 3.3.3 General Definitions, is amended by adding the following definition of “Strata Hotel/Motel” in alphabetical order:

“STRATA HOTEL/MOTEL means a strata-titled hotel or motel as defined in the Short-Term Rental Accommodations Regulation B.C. Reg.268/2023.”

2. This bylaw may be cited as “Zoning Amendment (Z0000339) Bylaw 1243, 2024”.

READ A FIRST TIME this 1<sup>st</sup> day of October, 2024.

READ A SECOND TIME this 1<sup>st</sup> day of October, 2024.

ADVERTISED on the 24<sup>th</sup> and 31<sup>st</sup> days of October, 2024 that a Public Hearing be held on the 5<sup>th</sup> of November, 2024 pursuant to Section 464 of the *Local Government Act*.

READ A THIRD TIME this xx day of xxx, 202x.

ADOPTED this xx day of month, 202x.

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Mayor

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Corporate Officer



**Schedule A to Bylaw 1243**

Lot 94 Sec 9 Twp 20 ODYD Plan EPP74823; 9652 and 9654 Benchland Dr



DISTRICT OF LAKE COUNTRY

BYLAW 1246, 2024

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A BYLAW TO AMEND ZONING BYLAW 561, 2007

---

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

1. District of Lake Country Zoning Bylaw 561, 2007, is hereby amended as follows:
  - 1.1 Section 3.3 General Definitions is amended by adding the following definitions in alphabetical order:

“**BACKYARD CHICKENS** means all domesticated **hens** and does not include roosters”;

“**CHICKEN ENCLOSURE** means an enclosed structure designed for the keeping of **backyard chickens**, and consists of a **hen yard** and **coop**”;

“**COOP** means that part of a **chicken enclosure** that is constructed of solid walls on all sides and covered with a solid roof, with a wood or concrete floor”;

“**HEN** means a female **backyard chicken**”;

“**HEN YARD** means the outdoor part of a **chicken enclosure** that is fully enclosed by wire or mesh, including all sides and top and may consist of a solid roof.”
  - 1.2 Section 3.3 General Definitions is amended by deleting and replacing the following definition:

“**POULTRY** means domesticated birds kept for eggs, meat, feathers, hide or cosmetic or medicinal purposes, and includes broilers, Cornish, layers, breeding stock, replacement pullets, roasters, duck, geese, turkeys, game birds and ratites, but does not include cassowaries or **Backyard Chickens**.”
  - 1.3 Section 5.3 Prohibitions, subsection 5.3.7 (h), is deleted and replaced with the following:

“(h) keep, store, or board livestock or poultry on a lot in an urban residential zone except for **Backyard Chickens** in permitted zones.”
  - 1.4 Section 10-Specific Use Regulations, is amended by adding the following new Section 10.16 immediately following section 10.15:

“**10.16 Backyard Chickens**

    - 10.16.1 The keeping of **Backyard Chickens** is prohibited in all Zones, except:
      - (a) the keeping of **Backyard Chickens** is permitted on properties zoned RR3 and RU1 where the lot is greater than 500 m<sup>2</sup> and there are no more than 2 dwelling units on a lot.

- 10.16.2 No person shall keep **Backyard Chickens** unless they:
- (a) only keep **Backyard Chickens** for personal use;
  - (b) do not sell, trade or barter eggs, manure, meat, or other products derived from the **Backyard Chickens**;
  - (c) ensure all **Backyard Chickens** are kept within a secure and locked coop from dusk until dawn;
  - (d) Construct and maintain a **chicken enclosure** that:
    - (i) is a maximum of 2.0 metres in height;
    - (ii) is constructed in a rear yard;
    - (iii) is located:
      - A. a minimum of 2.0 metres from a rear lot line,
      - B. a minimum of 2.0 metres from an interior side lot line,
      - C. a minimum of 3.0 metres from a flanking side lot line, and
      - D. a minimum of 3.0 metres from a dwelling unit on the property;
    - (iv) includes a **coop** with a floor area of at least 0.4 square metres per hen;
    - (v) includes a **hen yard** that is at least 1 square metre of floor area per hen with a floor consisting of any combination of vegetated or bare earth;
    - (vi) is constructed and maintained to:
      - A. ensure Backyard Chickens are contained at all times;
      - B. prevent access by other animals;
      - C. secure all food and water to avoid attracting other animals;
      - D. remain in good and sanitary condition and repair;
      - E. prevent attraction or harbouring of pests, wildlife or vermin;
      - F. prevent obnoxious odours;
      - G. prevent conditions that interfere with the health or well-being of a hen.
- 10.16.3 Where Backyard Chickens are permitted, no person shall:
- (a) Keep or permit to be kept any rooster on a property they own or occupy;
  - (b) Keep or permit to be kept more than 5 **Backyard Chickens**;
  - (c) Have or permit more than one **chicken enclosure**;
  - (d) Allow **Backyard Chickens** to stray, trespass or graze on a highway, public place, private property or unfenced land;
  - (e) Butcher or euthanize **hens**;
  - (f) Dispose of dead **backyard chickens** except by delivering to a farm, abattoir, veterinarian or other facility legally permitted and able to dispose of backyard chicken carcasses; or
  - (g) Deposit manure from Backyard Chickens in the municipal sewage or storm drain system, or compost manure in such a way as to allow manure to enter the municipal sewage or storm drain system."

1.5 Section 14.3 RR3 – Rural Residential 3, subsection 14.3.3 Secondary Uses, is amended by adding the following item (h) in alphabetical order:

"(h) **Backyard Chickens**";

1.6 Section 15.1 – RU1- Small-Scale Multiple Housing, subsection 15.1.3 Secondary Uses, is amended by adding the following item (h) in alphabetical order:

"(h) **Backyard Chickens**".

2. This bylaw may be cited as “Zoning Amendment (Backyard Chickens) Bylaw 1246, 2024”.

READ A FIRST TIME this 15<sup>th</sup> day of October, 2024.

READ A SECOND TIME this 15<sup>th</sup> day of October, 2024.

ADVERTISED on the 2<sup>nd</sup> and 9<sup>th</sup> days of January, 2025 that a Public Hearing be held pursuant to Section 464 of the *Local Government Act*.

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

ADOPTED this xx day of month, 202X.

\_\_\_\_\_  
Mayor

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

DISTRICT OF LAKE COUNTRY

BYLAW 1251, 2024

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A BYLAW TO AMEND ZONING BYLAW 561, 2007

---

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

1. District of Lake Country Zoning Bylaw 561, 2007 is hereby amended by changing the zoning classification of:

LOT 10 DISTRICT LOT 117 OSOYOOS DIVISION YALE DISTRICT PLAN 3884  
LOT 11 DISTRICT LOT 117 OSOYOOS DIV OF YALE LAND DISTRICT PLAN

**From:** RU1 – Small Scale Multi Housing  
**To:** RM5 – Medium Density Multiple Housing

As shown on Schedule A as Area 'A' attached to and forming part of this bylaw.

2. This bylaw may be cited as "Zoning Amendment (Z0000337) Bylaw 1251, 2024".

ADVERTISED on the 5<sup>th</sup> and 12<sup>th</sup> days of December 2024 that the Public Hearing was Prohibited pursuant to the provisions of Sections 464(3), 464(4), and 467 of the *Local Government Act*.

READ A FIRST TIME this 17<sup>th</sup> day of December, 2024.  
READ A SECOND TIME this 17<sup>th</sup> day of December, 2024.  
READ A THIRD TIME this 17<sup>th</sup> day of December, 2024.

ADOPTED this xx day of month, 2025.

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Mayor

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Corporate Officer

Schedule A to Bylaw 1251, 2024

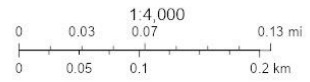
3551 and 3583 Woodsdale Location Map



11/18/2024, 10:52:39 AM

- Building
- Streets
- Parcels
- Easements
- Lakes
- Street
- Lake Country Boundary
- Wetlands

 Subject properties



District of Lake Country Online Mapping System  
District of Lake Country



DISTRICT OF LAKE COUNTRY

BYLAW 1256

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TO AMEND THE HIGHWAYS BYLAW

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

1. Highways Bylaw 1189, 2022 is hereby amended as follows:

1.1 Section 4 Definitions, subsection 4.1, is amended by deleting the definitions of “**Driveway**” and “**Driveway Access**” in their entirety, and replacing them with the following:

“**Driveway** means that portion of land located on private property which has been improved to provide vehicular access to or from a property, starting from a property line onto the private property, and continuing to a building for which a **permit** has been issued in accordance with **District** bylaws.

**Driveway Access** means that portion of land which has been improved to provide vehicular access to or from a property, from a **Highway** between the curb or lateral lines of the **Roadway** to the adjoining property line.”

1.2 Section 9 Driveway Access is amended by:

(a) Deleting subsection 9.4 and replacing it with the following:

“9.4 An application for a **Driveway Access Permit** shall:

(a) be submitted in conjunction with a Building **Permit**; and

(b) be accompanied by a site plan showing:

(i) building location;

(ii) location of **Driveway Access**/grade;

(iii) property lines;

(iv) sight lines;

(v) drainage works;

(vi) centerline and edge of pavement of adjacent **Roadway**;

(vii) existing utilities;

(viii) charges registered on title related to a **Driveway Access** such as easements and statutory rights of way.”

(b) Deleting subsection 9.5 and replacing it with the following:

“9.5 An application for a Driveway Access Permit in accordance with this bylaw may be required where:

(a) modification or alteration to an existing **Driveway Access** will occur; or

(b) There is a change in use on the property that will, in the opinion of the **District Engineer**, potentially impact the safety, functional or operational aspects of any existing access to the **Highway**. “

(c) Deleting subsections 9.13 in its entirety.

(d) Deleting subsection 9.14 (b) and leaving the following numbering in place.

(e) Deleting subsection 9.15 (b) and leaving the following numbering in place.

2. SEVERABILITY

2.1. If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the bylaw and such invalidity shall not affect the validity of the remaining portions of this bylaw.

3. CITATION

3.1. This Bylaw may be cited as “Highways Amendment Bylaw 1256, 2025”.

READ A FIRST TIME this 17<sup>th</sup> day of December, 2024.

READ A SECOND TIME this 17<sup>th</sup> day of December, 2024.

READ A THIRD TIME this 17<sup>th</sup> day of December, 2024.

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

\_\_\_\_\_  
Mayor

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

DISTRICT OF LAKE COUNTRY

BYLAW 1257

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TO AMEND THE BUILDING REGULATION BYLAW

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

1. Building Regulation Bylaw 1070, 2018 is hereby amended as follows:

1.1 Section 3 Definitions, subsection 3.1, is amended by deleting the definitions of “**Driveway**” and “**Driveway Access**” in their entirety and replacing them with the following:

“**Driveway** means that portion of land located on private property which has been improved to provide vehicular access to or from a property, starting from a property line onto the private property, and continuing to a building for which a **permit** has been issued in accordance with **District** bylaws.

**Driveway Access** means that portion of land which has been improved to provide vehicular access to or from a property, from a **Highway** between the curb or lateral lines of the **Roadway** to the adjoining property line.”

1.2 Section 11, Applications, subsection 11.2, is amended by adding the following new section (e) immediately following item (d):

“(e) The grade transition from a **driveway access** to a **driveway** on private property does not create safety issues for vehicles and traffic entering or using the District Highway.”

2. **SEVERABILITY**

2.1. If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the bylaw and such invalidity shall not affect the validity of the remaining portions of this bylaw.

3. **CITATION**

3.1. This Bylaw may be cited as “Building Regulation Amendment Bylaw 1257, 2025”.

READ A FIRST TIME this 17<sup>th</sup> day of December, 2024.

READ A SECOND TIME this 17<sup>th</sup> day of December, 2024.

READ A THIRD TIME this 17<sup>th</sup> day of December, 2024.

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

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Mayor

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Corporate Officer

DISTRICT OF LAKE COUNTRY

BYLAW 1252, 2024

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A BYLAW TO AMEND ZONING BYLAW 561, 2007

---

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

1. Zoning Bylaw 561, 2007 is hereby amended by:
  - 1.1. Section 2 General Administration, subsection 2.3 Zoning Map, subsection 2.3.1 is amended by adding the following row of text to the table titled “Section 19-Direct Control and Comprehensive Development Zones” in the proper order:

CD15	Comprehensive Development 15 (3223 Woodsdale Road/11437 Bottom Wood Lake Rd.)
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- 1.2. Section 19-Direct Control and Comprehensive Development Zones, is amended by inserting a new subsection 19 in numerical order titled ‘CD15 – Comprehensive Development 15 (3223 Woodsdale Road/ 11437 Bottom Wood Lake Road)’ zone, as shown on Schedule A attached to and forming part of this bylaw.

- 1.3. By changing the zoning classification, as shown on Schedule B attached to and forming part of this bylaw, as follows:

Lot A District Lot 169 Osoyoos Division Yale District Plan EPP139349 PID 032-357-834 and  
Lot B District Lot 169 Osoyoos Division Yale District Plan EPP139349 PID 032-357-842

**From:** C1 – Town Centre Commercial  
**To:** CD15 – Comprehensive Development 15 (3223 Woodsdale Road/11437 Bottom Wood Lake Rd.)

- 1.4. This bylaw may be cited as “Zoning Amendment (Z0000345) Bylaw 1252, 2024”.

ADVERTISED on the 5<sup>th</sup> and 12<sup>th</sup> days of December, 2024 that the Public Hearing was prohibited pursuant to Section 467 of the *Local Government Act*.

READ A FIRST TIME this 17<sup>th</sup> day of December, 2024.  
READ A SECOND TIME this 17<sup>th</sup> day of December, 2024.  
READ A THIRD TIME this 17<sup>th</sup> day of December, 2024.

Certified correct at third reading.

December 18, 2024  
Dated at Lake Country, B.C.

Original signed by Reyna Seabrook  
Corporate Officer

Bylaw 1252, 2024

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RECEIVED the approval of the Ministry of Transportation this 19<sup>th</sup> day of December, 2024.

Original signed by James Outhwaite  
\_\_\_\_\_  
Ministry of Transportation and Infrastructure

ADOPTED this xx day of month, 2024.

\_\_\_\_\_  
Mayor

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

## Schedule A

### CD15 - Comprehensive Development Zone 15 (3223 Woodsdale Road/ 11437 Bottom Wood Lake Road):

#### 1.1.1. Purpose

The purpose is to designate orderly development of mixed use commercial and residential neighbourhood scale development

#### 1.1.2. Principal Uses

- (a) animal daycare
- (b) apartment housing
- (c) care centres, major
- (d) financial services
- (e) food primary establishment
- (f) health services
- (g) licensee retail liquor store (smaller than 75 m<sup>2</sup>)
- (h) liquor primary establishment, minor
- (i) offices
- (j) participant recreation services, indoor
- (k) personal service establishments
- (l) public libraries and cultural exhibits
- (m) retail stores, convenience
- (n) retail stores, general
- (o) breweries and distilleries, minor

#### 1.1.3. Secondary Uses

- (a) outdoor storage
- (b) multiple dwelling housing
- (c) apartment housing

#### 1.1.4. Subdivision Regulations

- (a) WIDTH The minimum lot width is 40.0m
- (b) DEPTH The minimum lot depth is 30.0 m
- (c) AREA
  - (i) The minimum lot area is 1500m<sup>2</sup>
  - (ii) The maximum lot area is 1.0ha

#### 1.1.5. Development Regulations

##### (a) FLOOR AREA RATIO

The maximum floor area ratio for developments having only commercial uses is 1.5. For mixed use developments, the maximum floor area ratio is 3.0, except:



- (i) it is up to 3.5 where the developer has provided an amenity in compliance with the density bonusing provisions contained in Section 7.18;
- (ii) where parking spaces are provided totally beneath habitable space of a principal building or beneath useable common amenity areas providing that in all cases, the parking spaces are screened from view, an amount may be added to the floor area ratio equal to 0.2 multiplied by the ratio of such parking spaces to the total required parking spaces, but in no case shall this amount exceed 0.2;
- (iii) where a Housing Agreement is provided pursuant to the provisions of Section 7.10, an amount of 0.1 may be added to the floor area ratio.

(b) HEIGHT

- (i) Apartments: the lesser of 12.4 m or 3 storeys, except when the developer has provided an amenity in compliance with the density bonusing provisions contained in Section 7.18, the maximum height is the lesser of 22.0 m or 6 storeys
- (ii) Other Uses: the lesser of 12.4 m or 3 storeys, except when the developer has provided an amenity in compliance with the density bonusing provisions contained in Section 7.18, the maximum height is the lesser of 16.5 m or 4 storeys.

(c) SETBACKS

- (i) Minimum yard requirements for Lot A (PID 032-357-834):
  - a) North and West front and flanking/exterior side yard: 2.0m.
  - b) South side yard: 0.0m
  - c) East rear yard: 1.2m
- (ii) Minimum yard requirements for Lot B (PID 032-357-842):
  - a) West front yard: 2.0m.
  - b) North side yard: 0.0m.
  - c) South side yard: 1.2m
  - d) East rear yard: 1.2m

1.1.6. PRIVATE OPEN SPACE

A minimum area of 6.0 m<sup>2</sup> of private open space shall be provided per bachelor dwelling, 10.0 m<sup>2</sup> of private open space shall be provided per 1 bedroom dwelling, and 15.0 m<sup>2</sup> of private open space shall be provided per dwelling with more than 1 bedroom.

1.1.7. PARKING

In the CD15 zone, the Parking and Loading regulations of Section 9 - Parking and Loading, shall apply and a maximum of 125% of required parking is permitted.

1.1.8. MIXED USE

A mixed use building incorporating residential and other uses shall provide a commercial use on the first floor which must occupy a minimum of 90% of any building façade facing public road and a minimum of 50% of the gross floor area of the main floor.

1.1.9. LANDSCAPING

- (a) All landscaping requirements of Section 8 shall apply unless modified by this section.
- (b) A landscape buffer shall be provided between the building façade and the adjacent property line with minimum landscape buffer widths as follows:
  - (i) Front: 2.0m
  - (ii) Side, exterior / flanking: 2.0m
  - (iii) Side, interior: Equal to the side yard OR as determined through Development Permit
  - (iv) Rear: Equal to the rear yard OR minimum as determined through Development Permit
- (c) Required landscape islands in parking areas shall have a Level 2 buffer area

1.1.10. ADDITIONAL REGULATIONS

In addition to the regulations listed above, other regulations may apply. These include the Section 7 General Development Regulations (accessory development, yards, projections into yards, lighting, agricultural setbacks, etc.), the Section 8, Landscaping and Screening Regulations, Section 9, Parking and Loading, Section 10, Specific Use Regulations and Section 11, Sign Regulations.

Schedule B to Bylaw 1252, 2024



DISTRICT OF LAKE COUNTRY

BYLAW 1263

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A BYLAW TO AMEND OFFICIAL COMMUNITY PLAN BYLAW 1065, 2018

---

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

1. Official Community Plan Bylaw 1065, 2018 is hereby amended as follows:
  - 1.1. Map 6 – Sewer Service Infrastructure, is amended by adding the following five (5) properties to be included within the Conceptual Sewer Area Boundary:

PID	LEGAL DESCRIPTION	CIVIC ADDRESS
031-768-822	LOT A, PLAN EPP122594, SEC 9, TWP 20, ODYD	10150 TYNDALL RD
010-500-766	LOT 63 SEC 9 & 16 ODYD PLAN KAP13454B TWP 20 EXCEPT PLAN H18660 L 63 PL 521 S/O PL B13454	TYNDALL RD
012-274-020	LOT 64 SEC 9&16 ODYD PLAN KAP13454B TWP 20 EXCEPT PLAN H18660; KAP70483, LOT 64 PLAN 521 S/O PLAN B13454	TYNDALL RD
006-238-611	LOT 65 SEC 9 & 16 ODYD PLAN KAP13454B TWP 20 EXCEPT PLAN H18660 AND PLAN 521	10533 NIGHTHAWK RD
007-574-746	LOT 66 SEC 16 ODYD PLAN KAP13454B TWP 20 EXCEPT PLAN H18660; KAP70483, LOT 66 PLAN 521 S/O PLAN B13454	10650 TYNDALL RD

As shown on Schedule A as “Subject Properties” outlined in black attached to and forming part of this bylaw.

2. This bylaw may be cited as “Official Community Plan Amendment (OCP00061) Bylaw 1263, 2024”.

READ A FIRST TIME this 17<sup>th</sup> day of December, 2024.

READ A SECOND TIME this 17<sup>th</sup> day of December, 2024.

ADVERTISED on the 2<sup>nd</sup> and 9<sup>th</sup> days of January, 2025 and a Public Hearing held pursuant to Section 464 of the *Local Government Act*.

READ A THIRD TIME this xx day of xx, 202x.

ADOPTED this xx day of xx, 202x.

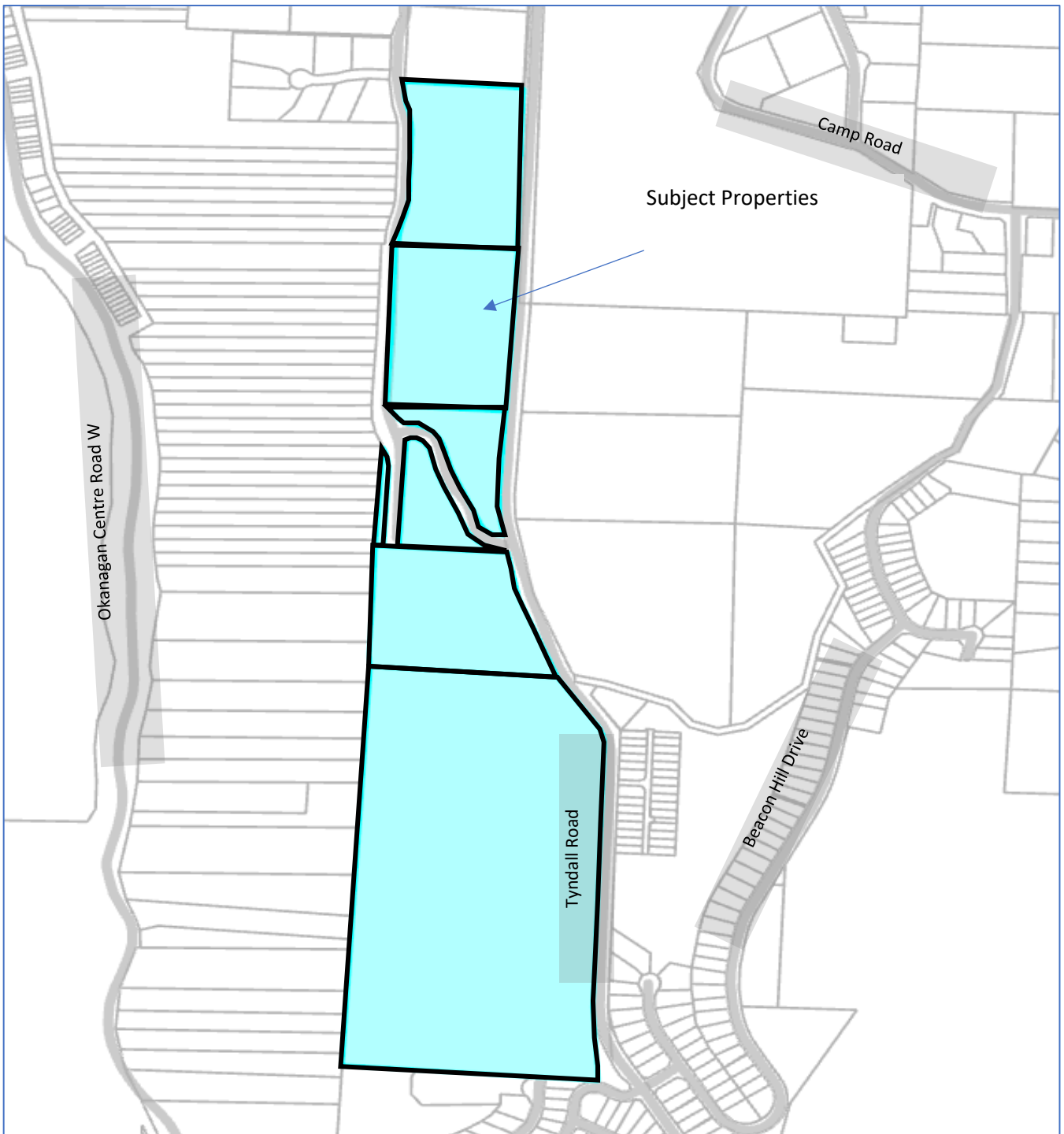
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Mayor

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Corporate Officer

Schedule A to Bylaw 1263, 2024





## Minutes

### Parks and Recreation Advisory Committee Meeting

November 25, 2024, 7:00 p.m.  
Carr's Landing Room, Municipal Hall  
10150 Bottom Wood Lake Road  
Lake Country, British Columbia V4V 2M1

Council Present: Mayor Blair Ireland  
Councillor Bib Patel

Council Absent: Tricia Brett

Staff Present: Nicole Doucet, Parks & Facilities Clerk  
Matt Vader, Director Parks, Recreation and Culture  
Steve Petryshyn, Parks and Landscape Planner

Committee Members Present: Mike Hazen, Chair  
Elisabeth Dahnert  
Sheila Gunn  
Susan Bauhart  
Rob Robertson  
Sharon Andreassen

Absent - Julie Halfnights

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#### 1. Call to Order

*We acknowledge that we are conducting our business today on the unceded territory of squilx"/syilx (Okanagan) peoples. As a Committee, we recognize the importance of doing our best to build respectful relationships that contribute to stewarding the land and waters in the community with integrity and consideration for future generations.*

#### 2. Adoption of Agenda

Moved and Seconded



THAT the Parks and Recreation Advisory Committee Meeting Agenda of November 25, 2024 be adopted.

**3. Adoption of Minutes**

THAT the Parks and Recreation Advisory Committee Meeting Minutes of October 7, 2024 be adopted.

**4. 2025 Parks & Recreation Capital Budget Requests**

The Parks and Landscape Planner provided a preview to the Committee of the 2025 Parks & Recreation budget requests that will be presented to Council.

Moved and Seconded

*THAT the Parks and Recreation Advisory Committee supports the Parks and Recreation budget requests and recommends that Council consider funding the requests as part of the 2025 budget.*

**Carried.**

**5. Parks & Recreation Project Updates**

The parks and landscape planner provided updates on the progress and current status of the following projects.

- Mountain skills bike park
- Fishing dock & kayak launch
- Town Centre Parks & Trails detailed design

Committee Discussions:

- Reviewed the process, costs, and budget considerations for replacing the banners on Main Street.
- Discussed maintenance plans for the new dock and kayak launch.
- Addressed shade structures, including estimated costs; noted that a dermatologist association previously funded sunshades in the Okanagan Valley and could be approached for potential funding.
- Received positive feedback on the tree replanting initiative at Jack Seaton Park.

**6. New Business**

Chair's Request: The Park Committee proposes introducing a weight reduction on Pelme wash and bringing this matter to the Roads Department for consideration.

**7. Next Meeting**

Call of the Chair.

**8. Adjournment**

The Chair adjourned the meeting at 8:30pm.

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Mike Hazen, Chair

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Nicole Doucet, Recording Secretary

DRAFT



## Minutes

### Public Art Advisory Commission Meeting

December 9, 2024, 5:00 p.m.  
Winfield Room, Municipal Hall  
10150 Bottom Wood Lake Road  
Lake Country, British Columbia V4V 2M1

Council Present: Mayor Blair Ireland

Council Absent: Councillor Michael Lewis

Staff Present: Makayla Ablitt, Legislative Technical Clerk  
Ryan Donn, Cultural Development Coordinator  
Steve Petryshyn, Parks and Landscape Planner

Committee Members Present: Sharon McCoubrey, Chair  
Janice Larson  
Pipa Dean-Veerman

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#### 1. Call to Order

*We acknowledge that we are conducting our business today on the unceded territory of squilx"/syilx (Okanagan) peoples. As a Commission, we recognize the importance of doing our best to build respectful relationships that contribute to stewarding the land and waters in the community with integrity and consideration for future generations.*

The Chair called the meeting to order at 5:04 p.m.

#### 2. Adoption of Agenda

It was moved and seconded

THAT the Public Art Advisory Commission Meeting Agenda of December 9, 2024 be adopted.

**Carried.**

#### 3. Adoption of Minutes

It was moved and seconded

THAT the Public Art Advisory Commission Meeting Minutes of September 9, 2024 be adopted.

**Carried.**

**4. Traffic Circle Energy Project**

Janice Larson has had in-formal discussions with potential donors. A common question among the donors was how much money the District is putting into the project. Ryan Donn confirmed with The Director of Finance that the District is able to provide tax receipts to donors for the project.

It was noted that BC Hydro recently held a call for independent power production.

Sharon McCoubrey asked for more information on the PAAC's impact and funds for 2025.

To assist with the grant application process, the Commission discussed it is important to determine what the sculpture will be. Janice Larson noted it is important to take into consideration any restrictions such as setbacks, specific design features for traffic (opacity/sight lines), and how big the space is. Steve Petryshyn will help determining restrictions.

The Commission discussed potential opportunities to participate in the aesthetic of the new EV Charging Stating on Pelmewash.

The Commission further discussed setting deadlines for the Traffic Circle Energy Project. It was determined it will take longer than one year to produce necessary funding however, parts such as what the sculpture will be and restrictions can be sorted out within the first quarter of 2025. No connections to artists that may be interested in this type of work have been made.

**5. Artworks Maintenance**

Arranging the Pelmewash sculpture maintenance during the summer was difficult, and October was too late. Maintenance will now need to wait until spring of 2025.

**6. Birdhouse Sculpture**

Two new bird sculptures were installed. There are still funds for one sculpture. Sharon McCoubrey will ask Byron Johnson. The honorarium is \$2,000.00.

**7. PAAC Membership**

Emma Simpson and Janet Stein have submitted statements for their interest in being members of the Commission. Sharon McCoubrey and Janice Larson will reach out to another potential member. All four applicants will be brought to Council at one time.

At the next meeting there will be a vote for the PAAC Chair for 2025. Janice Larson noted if there were members of the Commission currently that wanted the Chair position she would happily step aside, but as there have been no indications, she will happily take on the roll.

The Commission discussed with Staff there is no opportunity to increase the meeting times from quarterly.

Following the appointment of a new Chair for 2025, Sharon McCoubrey will make a presentation to Council and introduce Janice Larson.

The Commission discussed the best time of year to ask for the PAAC Budget to be increased.

**8. PAAC Inventory**

Sharon McCoubrey noted this is still in progress.

**9. PAAC Archives**

Sharon McCoubrey has a full filing cabinet drawer of PAAC Information that she will pass on the Janice as the new chair. The Commission discussed if there is a desire to keep anything for PAAC, or if the museum could take part in keeping archives.

Pippa Dean-Veerman noted that keeping things of relevance going forward could be useful to future committee members as examples of good work.

Could look at posting on the DLC website once a month regarding PAAC archives.

Ryan Donn will meet with the social media manager for Creekside Theatre for a proposal to collaborate with Sharon McCoubrey to post PAAC Archives on the District website once a month.

**10. PAAC Mandate**

The Commission discussed art being displayed in Lake Country with out PAAC consultation. It was determined this happens frequently through other avenues.

The Commission discussed the Terms of Reference. Sharon McCoubrey mentioned that it will be helpful to review the PAAC Terms of Reference to ensure an accurate interpretation of clauses related to our mandate.

**11. Other**

Margaret Kyle inquired about a temporary space for her ArtWalk sculpture. The commission discussed it be placed in the Municipal Hall Foyer and whether an honorarium for the sculpture was appropriate.

Sharon McCoubrey will send dimensions of the artwork to Steve Petryshyn who will coordinate with Shaun Lesowski, Parks & Facilities Manager whether the Municipal Hall foyer is a feasible space for the sculpture.

The Commission discussed covering the new metal covering panels in the Municipal Hall stairwell with a photo of Lake Country, or artwork from a local artist. The Commission walked to look at the coverings and discussed colouring, and potential photos.

It was moved and seconded

THAT Margaret Kyle be offered \$1,000.00 honorarium for 6 months art placement in the Muni Hall Foyer if approved by the Parks & Facilities Manager, Shaun Lesowski.

**Carried.**

It was moved and seconded

THAT Staff renew the Creative City Network of Canada subscription for 2025.

**Carried.**

**12. Next Meeting**

March 3, 2025 for the next meeting

**13. Adjournment**

The Chair adjourned the meeting at 6:48 p.m.

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Sharon McCoubrey, Chair

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Makayla Ablitt, Recording Secretary

DRAFT





## Minutes

### Agricultural Advisory Committee Meeting

December 9, 2024, 5:00 p.m.  
Carr's Landing Room, Municipal Hall  
10150 Bottom Wood Lake Road  
Lake Country, British Columbia V4V 2M1

Council: Councillor Tricia Brett

Staff Present: Brian Zurek, Manager of Long Range Planning  
Jason Tran, Planner  
Starla Weigel, Planning Clerk  
Carie Liefke, Manager of Current Planning

Committee Members Present: David Grabavac, Chair  
Dave McClure  
Mike Budd  
Sandra Follack

Guests: Kellie Garcia, Cross-Commodity Leadership Support Project  
Chris Zabek, Ministry of Agriculture

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#### 1. Call to Order

*We acknowledge that we are conducting our business today on the unceded territory of squilx"/syilx (Okanagan) peoples. As a Committee, we recognize the importance of doing our best to build respectful relationships that contribute to stewarding the land and waters in the community with integrity and consideration for future generations.*

The Chair called the meeting to order at 5:03 pm.

**2. Adoption of Agenda**

It was moved and seconded.

THAT the Agriculture Advisory Committee Agenda of December 9, 2024 be adopted with the following addition:

- 7.4 (b) BC Government News Article.

**Carried.**

**3. Adoption of Minutes**

It was moved and seconded.

THAT the Agricultural Advisory Committee Meeting Minutes of July 8, 2024 be adopted.

**Carried.**

**4. Zoning Bylaw Amendment | Z0000341 | District of Lake Country**

Proposed Zoning Bylaw Amendment to Authorize the Keeping of Backyard Chickens.

The AAC are not in support of the Zoning Bylaw Amendment Z0000341 to authorize the keeping of backyard chickens and had some concerns.

**Concerns:**

1. The lot size of .125 acre (1/8) seems too small.
2. The amount of 5 hens allowed seems to be too many as there is a potential of over producing eggs and prohibited selling of eggs
3. Possible pest issue such as rat infestation.
4. Avian Influenza; quarantine limitations; what happens to chickens when they can no longer lay as there is a time period?; affects to local poultry producers; improper disposal.
5. The Premise ID system is Provincial and not enforced.
6. Concern about bylaw being followed and amount of staff resources to enforce (selling eggs, uncontrolled disposal of dead birds, neighborhood conflict, etc.)

**Possible Considerations:**

1. Should a larger lot size be considered?
2. Could proof of proper disposal of dead birds be included in the bylaw to keep owners accountable?
3. Could the Premise ID requirement be added to the bylaw?
4. Should a chicken permit fee be required for owners?
5. Could there be a buffer between existing poultry farms and backyard hens? Could there be a requirement that they register with the producers board (license to produce, paperwork required annually)?

It was moved and seconded.

THAT Zoning Amendment (Z0000341) Bylaw 1246, 2024 to authorize the keeping of Backyard Chickens not be supported for the following reasons:

- lot size being too small
- avian influenza (AI) transfer to farms impact to producers
- enforcement/requirement of premise ID
- disposal of birds; and
- and pest issues (rats).

**Carried.**

**5. Agricultural Land Reserve | ALR00192 | 12820 Trewitt Road**

To permit Tourism Accommodation for a short-term RV Campground on a property in the Agricultural Land Reserve.

Jason Tran, Planner, distributed a hard copy of a letter written by Nathan Cooney, property agent as it was a late submittal which is attached to and forms part of these minutes.

It was moved and seconded.

THAT Agricultural Land Reserve (ALR00192) for property at 12820 Trewitt Road, not be supported.

**Carried.**

OPPOSED: Sandra Follack

**6. Zoning within ALR | ALR00194, Z0000335 | 14198 Middle Bench Road**

To consider agri-tourism accommodation at 14198 Middle Bench Road, within the Agricultural Land Reserve.

The Applicant provided a summary of their application as well as a brochure regarding their farm, sprays, and coordination of spray.

It was moved and seconded.

THAT agri-tourism accommodation on the property at 14198 Middle Bench Road, be supported subject to an appropriate vegetation buffer being placed around the agri-tourism accommodation building.

**Carried.**

**7. Other**

The Chair called for a recess at 7:50pm and the meeting readjourned at 8:00pm.

**7.1 ALC Decision - 4551 Chase Road**

Jason Tran provided overview. ALC granted a home-site severance subject to conditions.

## 7.2 Agri-tours update

Kellie Garcia, Guest, presented a PowerPoint presentation to provide an overview of the agri-tour that occurred earlier this year.

Key points to summarize Ms. Garcia's presentation were noted as follows:

- Engage adjacent farms when conducting infrastructure upgrades to ensure their needs are met
- Cost effective agriculture waste management
- Aim for proactive and productive dialogue
- Celebrate agriculture in the community
- Educate residents about agriculture
- Another tour is tentatively scheduled for Spring 2025

## 7.3 Draft 2025 AAC Meeting Schedule

The draft 2025 schedule was unanimously agreed upon and accepted.

## 7.4 General Agricultural Information

- a. New funding supports Indigenous food sovereignty, security

Indigenous farmers, communities and governments can access new funding to help strengthen food security and sovereignty, and increase Indigenous participation in B.C.'s agriculture and food sectors.

[▶ READ MORE](#)

- b. BC Government News Article

A copy of this article was distributed at the meeting which is attached to and forms part of these minutes.

## 8. Next Meeting

January 13, 2025

## 9. Adjournment

The Chair adjourned the meeting at 8:46pm.

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David Grabavac, Chair

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Starla Weigel, Recording Secretary

Nathan Cooney  
Ascension Professional Services  
Lake Country, BC

[REDACTED]

[REDACTED]

Dec 3, 2024

To whom it may concern,

This letter is to provide further relevant information and logic behind the rezoning and non-farm use application for the below property:

12820 Trew hitt Road  
Lake Country, BC  
V4V 2A4  
Lot 31, Section 25, Township 20  
PID 011-888-261

1. The property is currently zoned 'A1' and a rezoning request has been submitted to the District of Lake Country to update to 'A1-ta' to allow for the addition of a small (7 site maximum) short term RV Campground.
2. The property is included in the ALR and this non-farm use will be subject to the approval of the district of Lake Country and the ALC as well.
3. The property is 10.25 acres in size and has a single-family dwelling where the family/owner resides. There are no other outbuildings on the property.
4. The property is an active farm operation (peach orchard) with active farm status from BC Assessment. The desire to establish an RV Campground operation on the property is in order to help offset the significant volatility of the orchard industry and provide some further economic stability for the property owner.
5. The conceptual design/layout of the campground has been created in a way that no significant changes to the property are required.
  - a. There will be zero impact to the existing farming operation.
  - b. There will be zero impact to the existing environment (no tree removals required, no changes to existing boundary fencing)
  - c. Current/existing roadways will remain in place and be used for access to the campsites.
  - d. Current access/egress for the property will remain as is. The current access from Trew hitt road is approximately 30 feet wide and gated.

- e. The non-farm use approval and district re-zoning would allow for up to 7 campsites based on the property size.
- f. There will be no permanent structures added or required as a result of this development and no paving or additional gravel roadways added to the site.
- 6. Current status of the property
  - a. The property has active farm status and is being run as a peach and apple orchard by Connor Orchards Ltd. (corporation is solely owned and operated by the registered property owner, Pat Galacher.
- 7. Agri-Tourism activity
  - a. The owner/operator will not be marketing the operation as an Agri-Tourism business but rather as additional/supplemental tourism accommodation within the Lake Country region.
  - b. There will be communication done with all guests to explain the nature of the farming operation with the potential to allow for 'you pick' experiences for guests depending on the time of year.
- 8. Mitigation of farming activity on accommodation operation
  - a. The accommodation operation will be located/managed on an existing portion of the property that is not usable for farming operations.
  - b. There will be no access to any active farming operation areas, equipment, or other potential hazards that exist with the farming operation
  - c. There is fencing as well as a natural barrier (existing trees) in place to create separation between the accommodation area and the adjacent land used for farming operations.
  - d. There will be signage in place to inform guests regarding the farming operation and to ensure guests do not access the land used for farming operations.
  - e. If necessary additional trees\* will be planted to create further separation
    - i. This natural barrier will also mitigate the risk of any drift from spraying\*\* being done in the adjacent farming operations.

*\*Prune plum trees would be chosen, if necessary, as they do not require spraying of herbicides or pesticides yet will yield supplementary fruit to the farm.*

*\*\*Any spraying of the farm's existing trees that are relatively near to the accommodation area will be done using small, manual equipment (handheld or backpack) to further reduce the likelihood of any drift.*

If there are any questions or further clarifications needed, please advise.

Sincerely,

Nathan Cooney  
Ascension Professional Services  
██████ Middle Bench Road  
Lake Country, BC



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British Columbia News

## **New funding supports Indigenous food sovereignty, security**

<https://news.gov.bc.ca/31798>

Indigenous farmers, communities and governments can access new funding to help strengthen food security and sovereignty, and increase Indigenous participation in B.C.'s agriculture and food sectors.

“The new Indigenous Food Pathways program will help ensure that Indigenous Peoples, entrepreneurs and communities in British Columbia have the resources they need to succeed and grow in the sector,” said Lawrence MacAulay, federal Minister of Agriculture and Agri-Food. “Our government is so pleased to partner with the Government of British Columbia, through our Sustainable Canadian Agricultural Partnership agreement, to deliver this important program.”

The new Indigenous Food Pathways program is supporting new projects, enhancing existing programs and improving Indigenous-led operations in the agriculture and food sector. Projects can receive as much as \$200,000 from the governments of Canada and British Columbia.

“Supporting Indigenous communities as they work toward food security, food sovereignty and economic development goals is important, and we will continue to work together to get the support and tools they require to be successful,” said Lana Popham, B.C. Minister of Agriculture and Food. “This program will help build more resilient food systems in Indigenous communities and support growing Indigenous entrepreneurs, businesses and economies around B.C.”

The program could support food and agriculture through projects such as micro-grants to Indigenous applicants interested in developing food and agriculture businesses, expanding successful Indigenous-led training programs and other initiatives to address gaps affecting Indigenous participation in the food and agriculture sectors.

The Province is also launching a free service to support Indigenous farmers, communities and governments in finding information and resources to start or expand work toward food security, food sovereignty and participation in the food and agriculture sectors. The B.C. Indigenous Pathfinder Service will connect people to existing programs, services and funding opportunities to help Indigenous-led businesses and projects meet their goals for success with food sovereignty and food security.

with goals for success with food sovereignty and food security.

Funding for the Indigenous Food Pathways program and B.C. Indigenous Pathfinder Service is provided through the Sustainable Canadian Agricultural Partnership, a five-year (April 1, 2023, until March 31, 2028), \$3.5-billion investment by federal, provincial and territorial governments to strengthen the competitiveness, innovation and resilience of the agriculture, agri-food and agriculture-based products sector. This includes \$1 billion in federal programs and activities and a \$2.5-billion commitment that is cost-shared 60% federally and 40% provincially/territorially for programs that are designed and delivered by provinces and territories.

### **Learn More:**

Indigenous Food Pathways program:

<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/programs/indigenous-food-pathways-program>

B.C. Indigenous Pathfinder Service:

<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/programs/bc-indigenous-pathfinder-service>

Sustainable Canadian Agriculture Partnership Program:

<https://agriculture.canada.ca/en/department/initiatives/sustainable-canadian-agricultural-partnership>

**Robert Boelens**

Media Relations  
Ministry of Agriculture and Food  
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### **Agriculture and Agri-Food Canada**

Media Relations  
Ottawa, Ont.  
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613 773-7972  
1 866 345-7972

The B.C. Public Service acknowledges the territories of First Nations around B.C. and is grateful to carry out our work on these lands. We acknowledge the rights, interests, priorities, and concerns of all Indigenous Peoples - First Nations, Métis, and Inuit - respecting and acknowledging their distinct cultures, histories, rights, laws, and governments.

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## Highlights of the Regional Board meeting – December 12, 2024

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### Regional Growth Strategy Priority Projects Plan 2024-2028

The Regional Board endorsed the Regional Growth Strategy Priority Project Plan 2024-2028. The Priority Projects Plan will guide regional initiatives over the next several years that cross jurisdictional boundaries and benefit from a regional approach to planning and coordination. While the regional project list is supported in principle, projects will be approved through the annual budget deliberation process.

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### Dietrich Water System Fees and Charges Amendment Bylaw No. 1559

The Regional Board gave first, second and third reading and adopted Dietrich Water System Fees and Charges Amendment Bylaw No. 1559. The bylaw amendment increases fees to cover expenses associated with the Dietrich Water System. The bylaw amendment was initially presented to the Board at the [November 28 meeting](#).

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### 2025 Conference Expense Approval

The Regional Board approved expenses related to registration and attendance for RDCO Board directors for 2025 conferences, forums and conventions. Board approval for estimated costs of attending a seminar or conference over \$100 is required under Board Expense Policy 7.15.

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### Midterm Committee Review

The Regional Board approved pausing the Agricultural Advisory Committee, the Environmental and Climate Advisory Committee and the Planning Advisory Committee until a midterm review is completed and presented to the Regional Board for consideration. The purpose of the review is to clarify the function of each committee to enhance its effectiveness.

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### Regional Board meetings

Regional District office – 1450 KLO Road, Kelowna (Woodhaven Boardroom)

- January 16 – 8:30 a.m.
- January 30 – 8:30 a.m. – Committee of the Whole
- February 20 – 9:30 a.m.

A live stream video link will be available for each meeting in the Upcoming Meeting agenda section of [rdco.com/agenda](http://rdco.com/agenda). When available, a link to the Video recording will be posted in the Past Meetings section for the individual meeting date.

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**LAKE COUNTRY**

Life. The Okanagan Way.

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## **COUNCIL'S VALUES, VISION, AND MISSION STATEMENT**

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### **VALUES**

1. **INTEGRITY:** We practice honesty by showing a consistent adherence to our shared vision and mission statement and through the truthfulness and accuracy of our actions.
2. **ACCOUNTABILITY:** We answer to our citizens with the expectation that we acknowledge and assume responsibility for our actions, decisions, and policies at all times.
3. **EMPATHY:** We make a sincere effort to understand our citizens' perspective and assist them with all our abilities within the boundaries given to us by the law, local regulations and approved policies.

### **VISION**

Lake Country, Living the Okanagan Way. Embracing our Histories and Nurturing our Future

### **MISSION STATEMENT**

To nurture a healthy natural environment, strong rural character and urban core, sustainable infrastructure, economic opportunities, an inclusive community with involved citizens, through respectful, transparent government, focused on balanced strategic decision-making.

### **THE 5 PILLARS OF OUR VISION AND MISSION STATEMENT**

<b>ENVIRONMENT:</b>	Maintaining a healthy and natural environment through responsible use, protection, and sustainable practices.
<b>INFRASTRUCTURE:</b>	Well maintained infrastructure and facilities that meet community needs and allow growth and development for prosperity.
<b>ECONOMY:</b>	Building a strong and vibrant community by attracting, supporting and retaining businesses and residents.
<b>SOCIAL:</b>	Building Social Capital and engaging citizens and partners to improve the well-being and diversity of the community.
<b>GOVERNANCE:</b>	Fiscally sustainable government focused on strategic decision-making, transparency and inclusiveness.

LAKE COUNTRY