

DISTRICT OF LAKE COUNTRY

BYLAW 719

A BYLAW TO AMEND ZONING BYLAW 561, 2007

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

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

Zoning Bylaw 561, 2007 is hereby amended by:

1. Deleting the following under Section 3.3.3:

ACCESSORY BUILDING OR STRUCTURE means a separate building or structure, normally ancillary, incidental, subordinate, and located on the same lot as the main building or structure. Typical accessory structures include but are not limited to antennae, propane tanks, satellite dishes, flagpoles, garages, and garden sheds.

2. Adding the definitions of **ACCESSORY BUILDING OR STRUCTURE, AGRICULTURAL DWELLINGS, ADDITIONAL, FARM, FARM OPERATION, LIVESTOCK, LOT LINE, FRONT – COMMERCIAL, INDUSTRIAL AND MULTI-DWELLING RESIDENTIAL ZONES, POULTRY** and **TOURIST CAMPSITES** under Section 3.3.3:

3. Adding the following in alphabetical order under Section 3.3.3:

ACCESSORY BUILDING means a separate building, normally ancillary, incidental, subordinate, and located on the same lot as the main building or structure. Typical accessory buildings include but are not limited to garages and garden sheds.

ACCESSORY STRUCTURE means a separate structure, normally ancillary, incidental, subordinate, and located on the same lot as the main building or structure. Typical accessory structures include but are not limited to antennae, propane tanks, satellite dishes and flagpoles.

AGRICULTURAL DWELLINGS, ADDITIONAL means any dwelling on a property assessed as a farm by the BC Assessment Authority that is used to house full-time or permanent seasonal farm workers. This may include but is not limited to single detached houses, manufactured homes, or bunkhouses.

FARM means an occupation or use of land as a farm operation, and includes all lands managed as part of a farm business.

FARM OPERATION – means any of the following activities involved in carrying on a farm business:

- (a) growing, producing, raising or keeping animals or plants, including mushrooms, or the primary products of those plants or animals;
- (b) clearing, draining, irrigating or cultivating land;
- (c) using farm machinery, equipment, devices, materials, and structures;
- (d) applying fertilizers, manure, pesticides and biological control agents, including by ground and aerial spraying;
- (e) conducting any other agricultural activity on, in or over agricultural land; including:
 - (i) conducting turf production;
 - (ii) aquaculture;
 - (iii) raising or keeping game;
 - (iv) raising or keeping fur bearing animals;
 - (v) processing or direct marketing by a farmer of:
 - a. the products of a farm owned or operated by the farmer, and
 - b. products not of that farm, provided that products not of that farm make up no more than 50% of the total products processed or sold, or
 - c. products required as inputs for the farm, as long as at least 50% of those products are used on that farm.

to the extent that the processing or marketing of those products is conducted on the farmer's farm;

but does **not** include:

- (f) an activity, other than grazing or hay cutting, if the activity constitutes a forest practice
- (g) breeding pets or operating a kennel; or
- (h) growing, producing, raising or keeping exotic animals, except types of exotic animals prescribed by the Minister of Agriculture and Lands.

LIVESTOCK means cattle, horses, sheep, goats, swine, farmed game and exotic animals as prescribed by the Minister responsible for the administration of the Farm Practices Protect (Right to Farm) Act.

LOT LINE, FRONT – COMMERCIAL, INDUSTRIAL AND MULTI-DWELLING RESIDENTIAL ZONES means the street frontage onto which the primary façade or front yard of the building faces.

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.

TOURIST CAMPSITES means development of land which has been planned and improved for the seasonal short term use of holiday trailers, motor homes, tents, campers and similar recreational vehicles. Tourist campsites are not to be used as year round

storage or accommodation for long-term residential use. Use should not exceed 90 days per client per calendar year. Typical uses include but are not limited to tourist trailer parks, campsites and tenting grounds.

4. Adding the following to Section 5.3.7 after (g):

(h) keep, store or board livestock or poultry on a lot in an urban residential zone.

5. Deleting Section 7.5.3 and replacing it with the following:

7.5.3 Where a lot zoned A1 Agriculture is smaller than 0.5 ha in area, then the development regulations of the RU1 zone, as described in Section 15.1.6, shall apply to the development of the lot.

6. Adding the following to Section 7.5. Undersized Lots after 7.5.3:

7.5.4 Bisected Parcels and Boundary Adjustments

Notwithstanding minimum area requirements to the contrary, where:

- (a) a lot is severed by a named water body, dedicated highway or railway right-of-way; or
- (b) a subdivision or boundary adjustment is proposed between existing parcels, and the subject parcels do not meet the minimum lot size prescribed by the current zoning designation;

the Approving Officer may approve the subdivision of the land even though the parcels being created may not meet the minimum area required for subdivision.

7. Deleting Section 7.7.4 in its entirety.
8. Deleting Section 7.11.1 in its entirety and replacing it with the following:

7.11.1 Notwithstanding section 8.5.13 of this bylaw, all buildings and structures on lots abutting Highway 97 shall be no closer than 15.0 m to the Highway, except where located in the Town Centre, where they may be no closer than 4.5 m.

9. Adding Section 7.13.2 after 7.13.1:

7.13.2 Notwithstanding the sightline protection provisions in Section 7.13.1, the maximum height of the plane establishing the structure height on the low lying property shall be the greater of the height calculated under 7.13.1 or 5.5m.

10. Deleting Section 7.16.2(c) in its entirety and replacing it with the following:

7.16.2(c) Farm buildings other than dwelling units, closed-sided livestock buildings and buildings used to store fuel, farm chemicals or other pollutants.

11. Deleting table “Table 7.1: Amenity Provisions for Density Bonusing” of section 7.18 “Density Bonusing and replacing it with the following table:

Table 7.1: Amenity Provisions for Density Bonusing	
Zone	Approved Amenity
RM5 C1 C9 C11 Applicable DC Zones	\$22.00/sq metre for floor space created above the third floor of a building. Funds collected for this amenity are placed in a reserve fund for the future purchase of a ladder truck equipped fire truck, related fire fighting equipment, and related fire hall renovations or construction.

12. Amend Section 8.5.8 to read:

Retaining walls on all residential lots, except those required as a condition of subdivision approval must not exceed a height of 1.5 m measured from grade on the lower side. Retaining walls must be spaced to provide a horizontal separation equal to the height of the wall as a minimum and in no case shall a ratio of vertical rise to horizontal run exceed 1:1 as shown on Diagram 8.7.

13. Adding the following to section 8.5. Fencing and Retaining Walls after Section 8.5.12:

8.5.13 Fences and retaining walls are not subject to required setbacks and may be built to front, side and rear lot lines.

14. Add the following Diagram 8.7 after Section 8.5.13:

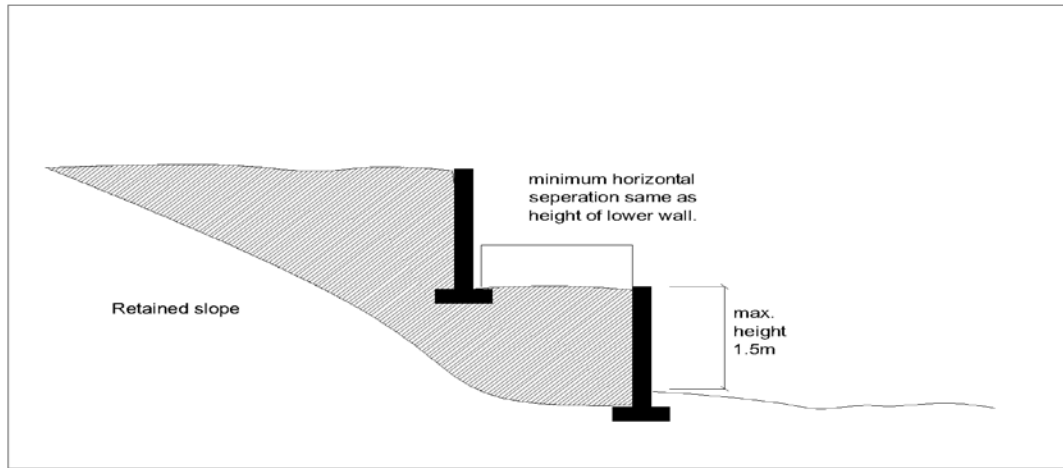


Diagram 8.7: Retaining wall separation

15. Deleting Section 8.6.1(f) in its entirety and replacing it with the following:

8.6.1(f) Level 5 (for lots existing after April 7, 2009): a landscape buffer is required for all non – ALR land abutting ALR land. The minimum buffer shall be 3.0 m wide and consist of coniferous tree or shrub species or native vegetation. An opaque barrier must be located on the ALR side of the buffer. An additional 12.0 m setback from the inner edge of the buffer is also required. This standard may be replaced or modified as a result of conditions of a decision by the Agricultural Land Commission.

16. Deleting Section 10.8.4 in its entirety.

17. Deleting Section 12.1.2(f) in its entirety and replacing it with the following:

12.1.2(f) horse riding, training and boarding, including a facility for horse riding, training and boarding, if the stables do not have more than 40 permanent stalls, and the facility does not include a racetrack licensed by the British Columbia Racing Commission;

18. Adding the following after Section 12.1.3(o) Secondary uses on land classified as “farm” (Assessment Act):

- (p) education and research except schools under the School Act respecting any use permitted in the agricultural zone, to a maximum of 100m² per parcel.
- (q) facilities for biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, to a maximum of 100m² per parcel.

19. Deleting the following under Section 12.1.4. Secondary uses on land with or without “farm” classification:

- (b) animal clinics

20. Adding the following under Section 12.1.4. Secondary uses on land with or without “farm” classification:

- (b) animal clinics, major
- (c) animal clinics, minor

And renumbering the remaining subsections.

21. Adding the following after Section 12.1.5. Buildings and Structures Permitted:

- (g) Accessory Buildings

22. Deleting Section 12.1.7 (g) to and replacing it with the following:

12.1.7 (g) KENNELS/STABLES

Kennels and stables shall not be located on parcels less than 2.0 ha. and must be located a minimum of 15.0 m from all property lines.

23. Deleting Section 14.1.6(b) to and replacing it with the following:

14.1.6(b) HEIGHT

The maximum height is the lesser of 9.5 m or 2½ storeys, except it is the lesser of 8.0 m or 1½ storeys for accessory buildings and 13.0 m for accessory structures.

24. Deleting Section 14.2.6(b) to and replacing it with the following:

14.2.6(b) HEIGHT

The maximum height is the lesser of 9.5 m or 2½ storeys, except it is the lesser of 8.0 m or 1½ storeys for accessory buildings and 13.0 m for accessory structures.

25. Deleting Section 14.3.6(b) to and replacing it with the following:

14.3.6(b) HEIGHT

The maximum height is the lesser of 9.5 m or 2½ storeys, except it is the lesser of 8.0 m or 1½ storeys for accessory buildings and 13.0 m for accessory structures.

26. Deleting Section 14.3.7(c)(ii)

27. Deleting Section 15.1.6(b) to and replacing it with the following:

15.1.6(b) HEIGHT

The maximum height is the lesser of 9.5 m or 2½ storeys, except it is the lesser of 5.5 m for accessory buildings and structures

28. Amending Section 16.1.2 Principal Uses to add the following uses in alphabetical order and renumber the subsections:

- Animal clinic, minor
- Drive-in restaurants (Lot A, Plan KAP84477; Lot A, Plan KAP49388; Lot A, Plan KAP 72918)

29. Adding the following to section 16.4.3 Secondary Uses in alphabetical order and renumbering the subsections:

- Outdoor storage

30. That the following Section be inserted after Section 18.2 and renumbering the subsections:

18.3 P3 – Minor Utilities

- 18.3.1 Purpose
The purpose is to provide a zone for private and public utilities.
- 18.3.2 Principal Uses
(a) utility services, minor impact
- 18.3.3 Secondary Uses
(a) outdoor storage
(b) participant recreation services, outdoor
- 18.3.4 Subdivision Regulations
(a) WIDTH
The minimum lot width is 9.0 m
(b) DEPTH
The minimum lot depth is 12.0 m
(c) AREA
The minimum lot area is 108 m²
- 18.3.5 Development Regulations
(a) HEIGHT
The maximum height is 5.5 m for principal buildings or structures and 5.5 m for accessory buildings or structures.
(b) FRONT YARD
The minimum front yard is 6.0 m.
(c) SIDE YARD
The minimum side yard is 4.5 m.
(d) REAR YARD
The minimum rear yard is 6.0 m.
- 18.3.6 Other Regulations
(a) ADDITIONAL REGULATIONS
In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 7 (accessory development, yards, projections into yards, lighting, agricultural setbacks, etc.), the landscaping and fencing provisions of Section 8, the parking and loading regulations of Section 9, the specific use regulations of Section 10, and the sign regulations of Section 11.

31. Deleting Section 19.5.2 (b) Principal Uses and replacing it with:

19.5.2 (b) Two-family residential on strata lots 9, 10, 11, 12, 15, 18 ,
19, 23, 30 and 31, Plan KAS2946 ODYD

32. Amending Section 19.5.4 to add a new subsection (f) as follows:

19.5.4 (f) Structures in the Direct Control 5 zone are not subject to regulations in this bylaw contained in Section 7.13 (Hillside Development Sight Lines)

33. Deleting Section 19.6 DC6 – Direct Control 6 (Renascence) in its entirety.

34. That Schedule “A” to the District of Lake Country Zoning Bylaw #561 is hereby amended by changing the zoning classification of:

- Lot 1 District Lot 169 ODYD Plan KAP45157

From: C11 (Highway Commercial)

To: C10 (Service Commercial)

as shown on Schedule “A” to this bylaw.

35. That Schedule “A” to the District of Lake Country Zoning Bylaw #561 is hereby amended by changing the zoning classification of:

- Lot 99 District Lot 169 ODYD Plan 521

From: RU-1 and RR2

To: RU-1 and RR2

as shown on Schedule “B” to this bylaw.

36. That Schedule “A” to the District of Lake Country Zoning Bylaw #561 is hereby amended by changing the zoning classification of:

- Lot 1 District Lot 169 ODYD Plan 12387
- Lot A District Lot 169 ODYD Plan 20809
- Lot 1 District Lot 169 ODYD Plan 3590, Except Plans 11891 12387 13010 and 20809

From: C2 (Neighbourhood Commercial) & RM4 (Multiple Family Residential)

To: C10 (Service Commercial)

as shown on Schedule “C” to this bylaw.

37. That Schedule “A” to the District of Lake Country Zoning Bylaw #561 is hereby amended by changing the zoning classification of:

- A portion of Plan KAS3274

From: RM5 (Multiple Family Residential)

To: C2 (Neighbourhood Commercial)

as shown on Schedule “D” to this bylaw.

38. That Schedule “A” to the District of Lake Country Zoning Bylaw #561 is hereby amended by changing the zoning classification of:

- Lots 37, District Lot 169 ODYD, Plan 25715

From: P4 (Utility)

To: P3 (Minor Utility)

as shown on Schedule “E” to this bylaw.

39. That Schedule “A” to the District of Lake Country Zoning Bylaw #561 is hereby amended by changing the zoning classification of:

- District Lot 4391

From: A1 (Agriculture)

To: P1 (Park)

as shown on Schedule “F” to this bylaw.

40. That Schedule “A” to the District of Lake Country Zoning Bylaw #561 is hereby amended by changing the zoning classification of:

- Lot 1, Plan KAP 76764
- Lot 2, Plan KAP 76764
- Lot A, Plan 16816

From: RR3 (Rural Residential 3)

To: RU1 (Urban Residential)

as shown on Schedule “G” to this bylaw.

41. That Schedule “A” to the District of Lake Country Zoning Bylaw #561 is hereby amended by changing the zoning classification of:

- Lot A, Plan 35851

From: C10 (Service Commercial)

To: C1 (Town Centre Commercial)

as shown on Schedule “H” to this bylaw.

42. That Schedule “A” to the District of Lake Country Zoning Bylaw #561 is hereby amended by changing the zoning classification of:

- Lot B, Plan KAP 86887

From: RU1 (Urban Residential) and DC3 (Lakestone)

To: P1 (Park and Open Space)

as shown on Schedule “T” to this bylaw.

43. That Schedule “A” to the District of Lake Country Zoning Bylaw #561 is hereby amended by changing the zoning classification of:

- Lot 3, Plan KAP 76989

From: P1 (Park and Open Space)

To: C1 (Town Centre Commercial)

as shown on Schedule “J” to this bylaw.

44. This bylaw may be cited as “Zoning Amendment Bylaw 719, 2009”.

READ A FIRST TIME this 6th day of October, 2009.

READ A SECOND TIME this 20th day of October, 2009

ADVERTISED on the 18th day of November, 2009 and the 25th day of November, 2009 and a Public Hearing held pursuant to the provisions of Section 890 of the Local Government Act on the 1st day of December, 2009.

READ A THIRD TIME this 1st day of December, 2009.

THIRD READING RESCINDED this 6th day of July, 2010.

READ A THIRD TIME AS AMENDED this 6th day of July, 2010.

Certified correct at third reading.

July 7, 2010

“original signed by Hazel Christy”

Dated at Lake Country, B.C.

Clerk

RECEIVED the approval of the Ministry of Transportation this 12th day of July, 2010.

ADOPTED this 20th day of July, 2010.

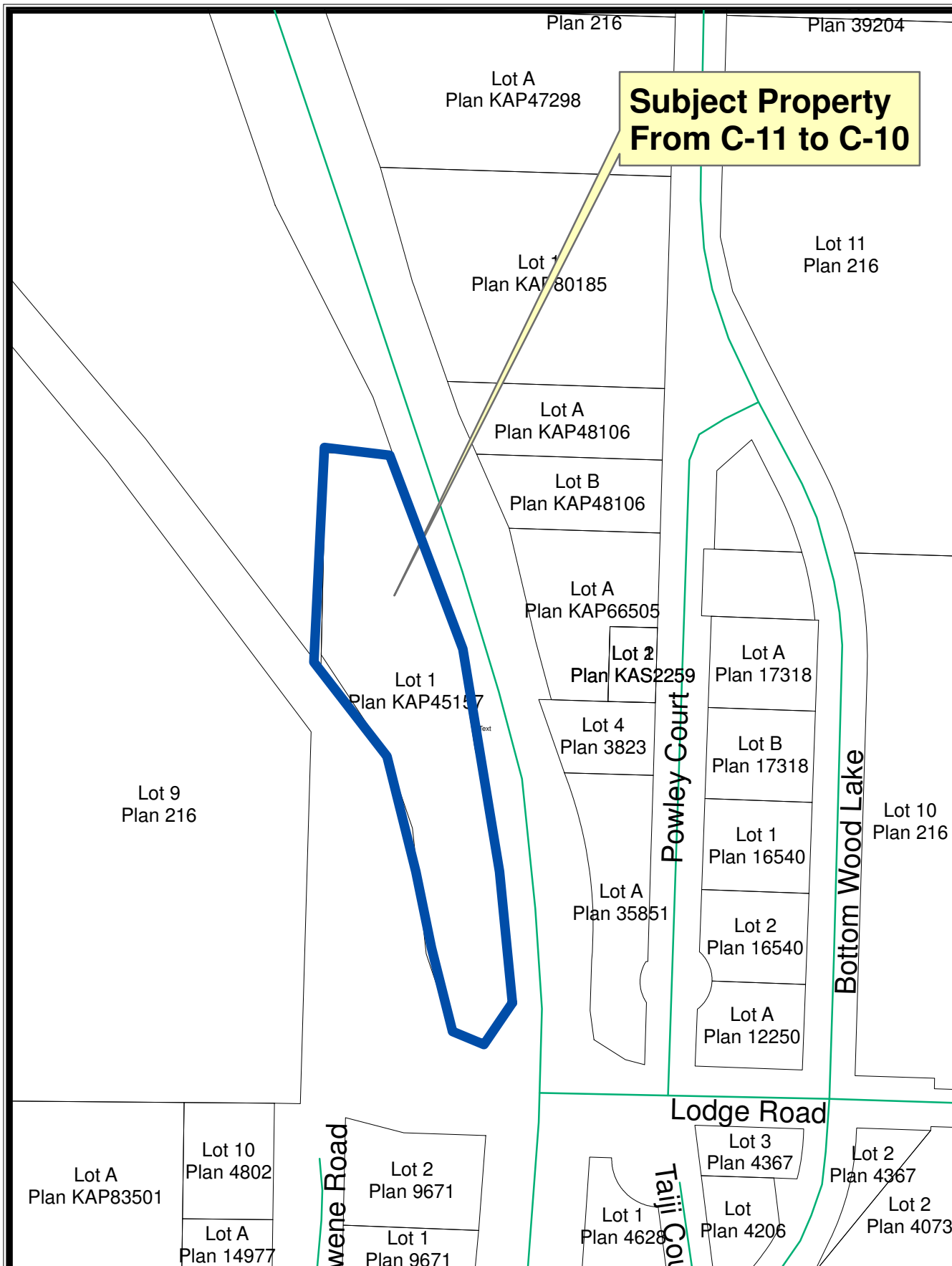
Original signed by James Baker
Mayor

Original signed by Hazel Christy
Clerk

I hereby certify the foregoing to be a true and correct copy of the Bylaw cited as “Zoning Amendment Bylaw 719, 2009” as adopted by the Municipal Council on the 20th day of July, 2010.

Dated at Lake Country, B.C.

Clerk



Zoning Bylaw Amendment

Schedule 'A'
to Bylaw 719



ROAD P1

Plan 28588

Lot A
Plan 32725

Lot 10
Plan 25775

Lot A
Plan KAP83086

RR2

**Subject Property
Amend zoning line
from Dashed Line to
Solid Line**

RR2

Lot 6 Plan KAP63338
 Lot 7 Plan KAP63338
 Lot 8 Plan KAP63338
 Lot 9 Plan KAP63338
 Lot 10 Plan KAP63338
 Lot 11 Plan KAP63338
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 Lot 200 Plan KAP63338

Lot 2
Plan 35482

Lot 1
Plan 23556

Lot A
Plan 28399

Lot B
Plan 28397

Lot 51
Plan 521

ROAD

Lot 50
Plan 521

Lot A
Plan KAP78211

Lot B
Plan KAP78211

RR2

Lot 99
Plan 521

RU1

Lot 106
Plan 521

RR2

Lot A
Plan KAP78123

Lot B
Plan KAP78123

Lot 100
Plan 521

P1

Lot 105
Plan 521

Lot A
Plan KAP78211

RR2

Lot G
Plan 521

Lot 104
Plan 521

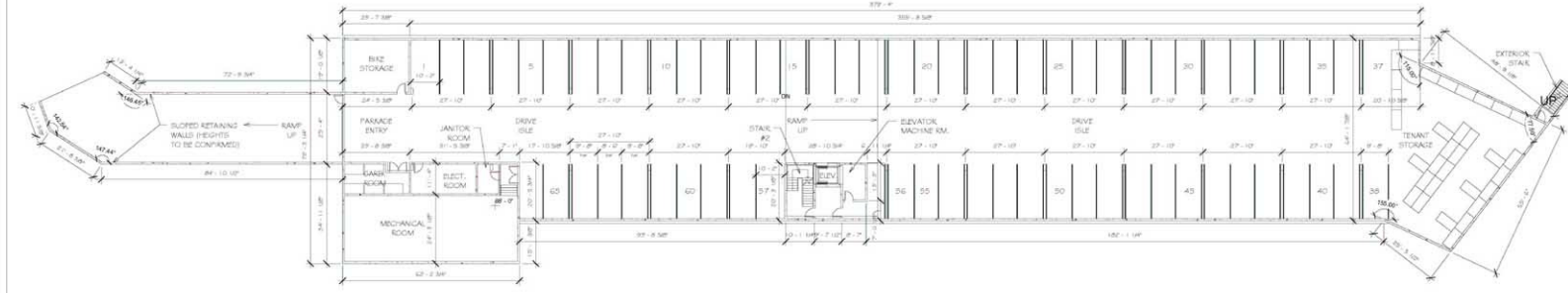
Lot A

McCoubrey Road

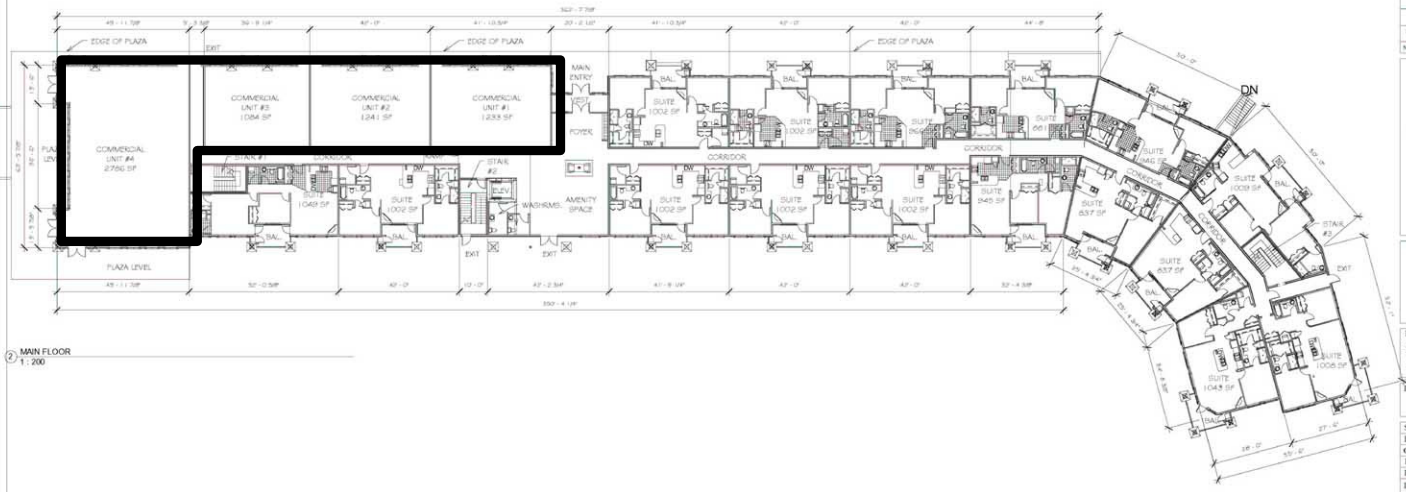
Zoning Bylaw Amendment

Schedule 'B'
to Bylaw 719





1. PARKADE LEVEL
1:200



2. MAIN FLOOR
1:200

- 1. DOB BULK EXISTING PARKADE FOR SF 2004 02 04
- 2. DOB BULK EXISTING PARKADE FOR SF 2004 01 01
- 3. DOB BULK EXISTING PARKADE FOR SF 2004 01 02

DATE	NO.	BY	REVISION

NO.	BY	DESCRIPTION	DATE
1.	DOB	BULK FOR DEVELOPMENT PERMIT	2009 02 07
2.	DOB	REVISION	

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 alvin@alvinarchitect.com

Do not scale the drawing. All dimensions, data and levels, shall be intelligible to construction and all errors or omissions shall be reported to the architect immediately.



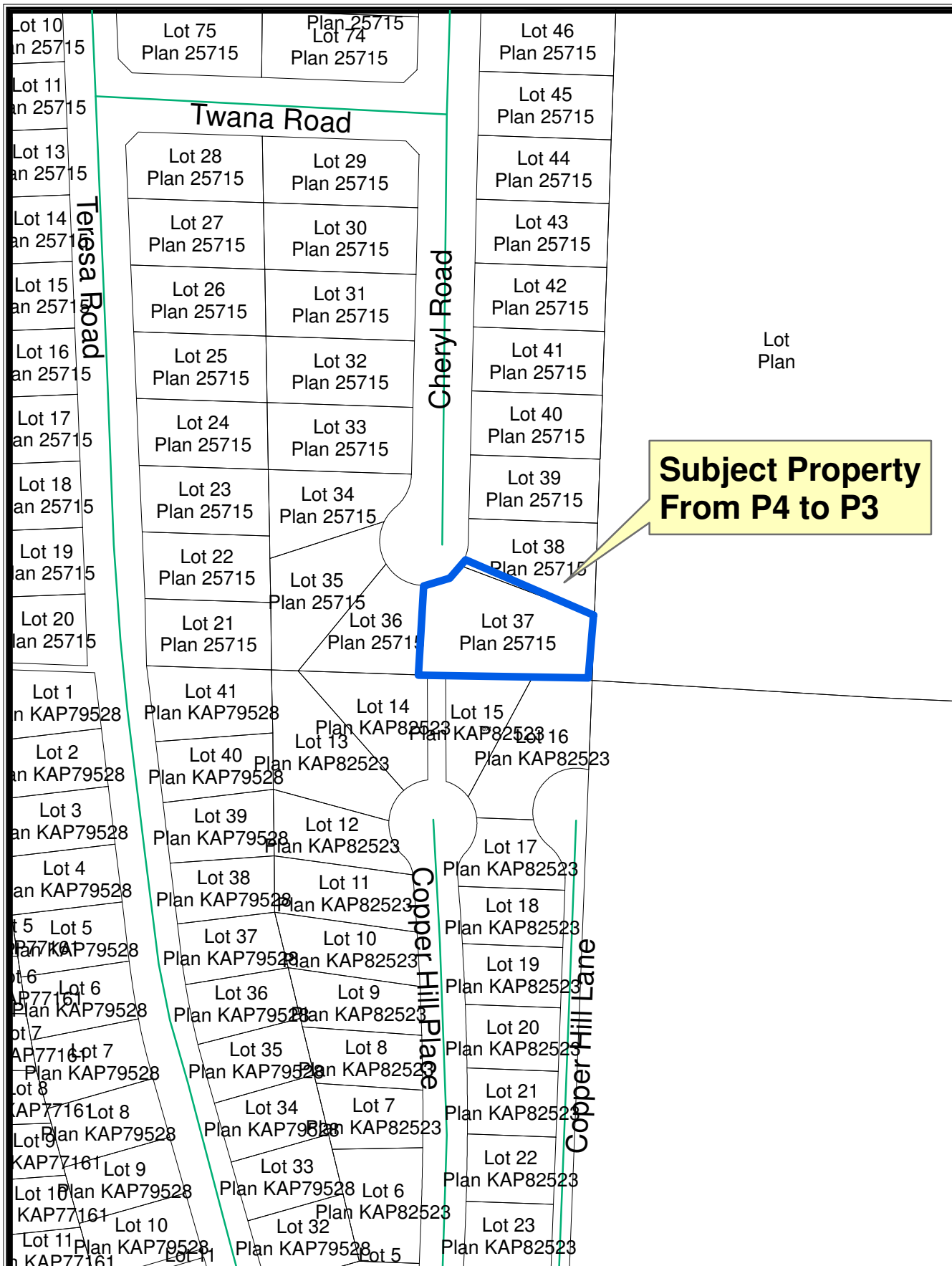
PROJECT: Sitara on the Pond Lake Country, BC

DRAWING TITLE: PARKADE & MAIN FLOOR

SCALE: 1:200
 DRAWN BY: DOB
 CHECKED BY: AF
 DATE: NOVEMBER 2009
 PROJECT NO.: 0402 2009
 DRAWING NO.: **DD2.1**

Schedule 'D' to Bylaw 719

Portion of the first floor of structure on Plan KAS 3274 to be rezoned from RM5 to C2

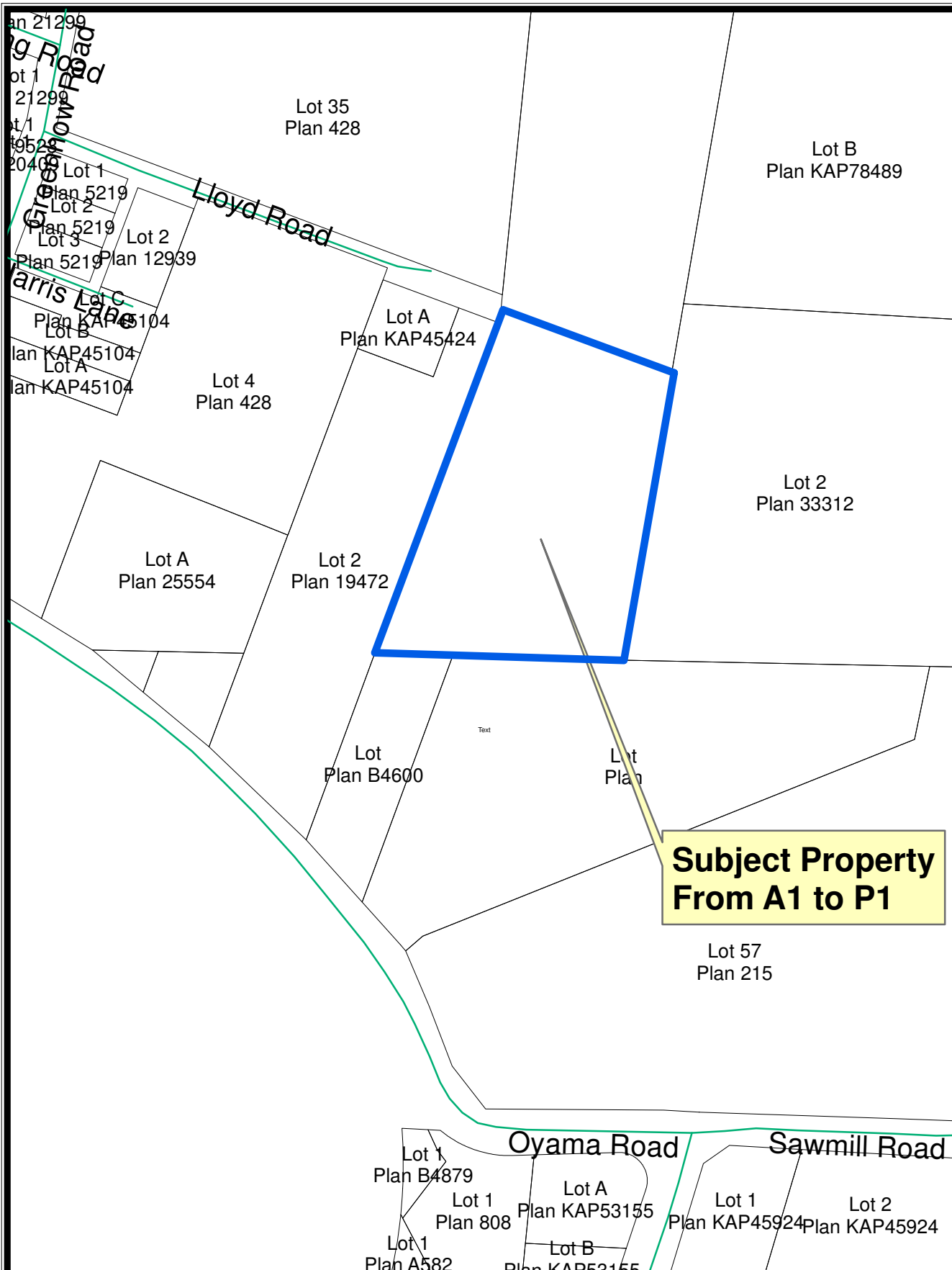


**Subject Property
From P4 to P3**

Zoning Bylaw Amendment

Schedule 'E'
to Bylaw 719



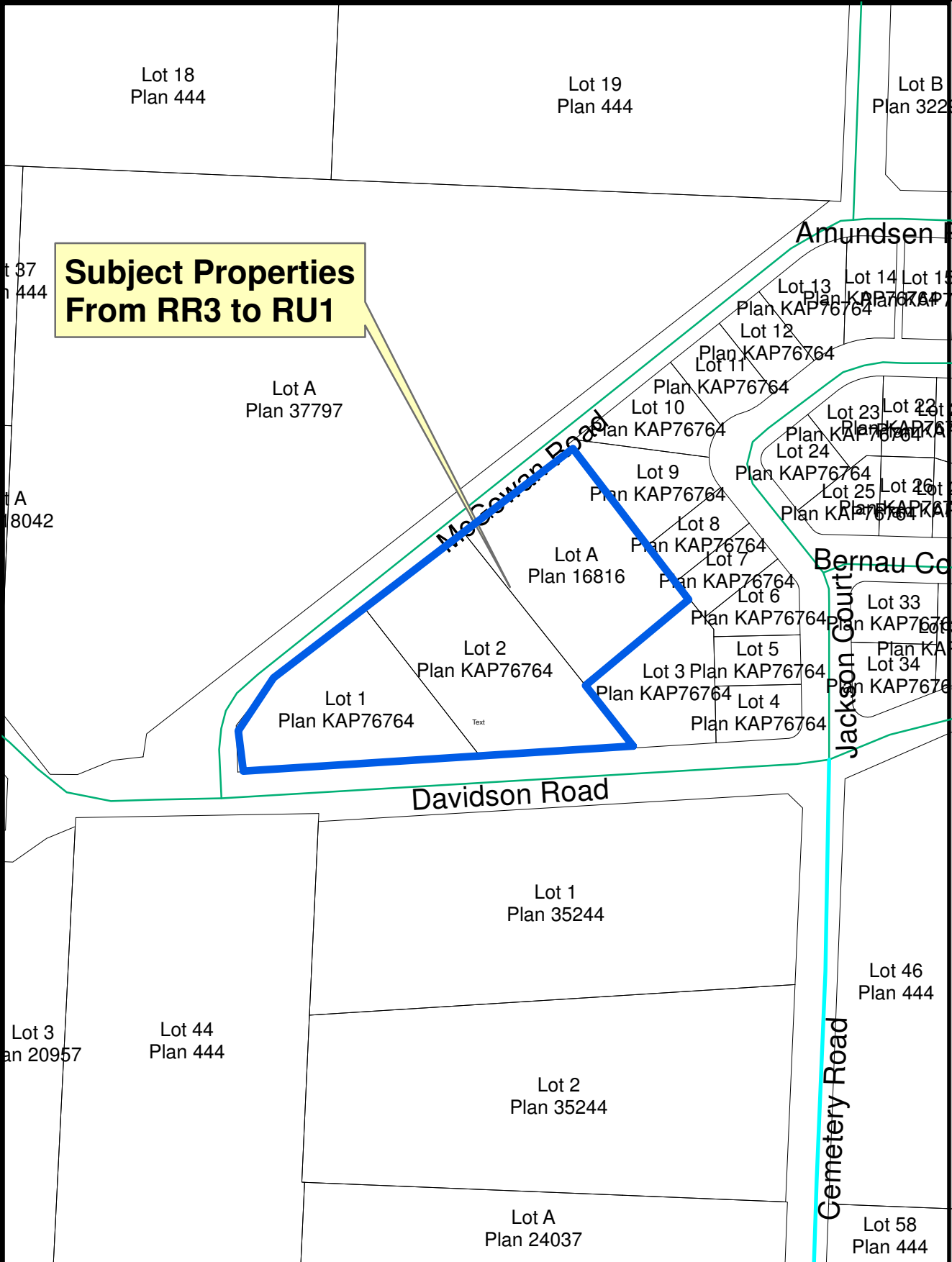


Zoning Bylaw Amendment

Schedule 'F'
to Bylaw 719



**Subject Properties
From RR3 to RU1**



Zoning Bylaw Amendment

Schedule 'G'
to Bylaw 719



**Subject Property
From C10 to C1**

Lot A
Plan KAP66505

Lot 2
Plan KAS2259

Lot A
Plan 17318

Lot 4
Plan 3823

Lot B
Plan 17318

Lot 1
Plan KAP45157

Lot 1
Plan 16540

Lot A
Plan 35851

Lot 2
Plan 16540

Lot A
Plan 12250

Powley Court

Lodge Road

Lot 2
Plan 9671

Lot 3
Plan 4367

Lot 1
Plan 4628

Lot
Plan 4206

Taji Co

Zoning Bylaw Amendment

Schedule 'H'
to Bylaw 719





Schedule 'I' to Bylaw 719

Portion to be re-zoned from
RU-1 to P-1

Lot 1
Plan KAP76989

Lot 3
Plan KAP76989

**Subject Property
From P1 to C1**

Lot 40
Plan 457

Lot 2
Plan KAP76989

Lot A
Plan 39109

Lot 2
Plan KAP76617

Lot 4
Plan 5144

Lot 1
Plan KAP76617

Lot 5
Plan 5144

Lot 6
Plan 5144

Lot 7

Lot 39

Main Street North

Text

Zoning Bylaw Amendment

Schedule 'J'
to Bylaw 719

