

DISTRICT OF LAKE COUNTRY

BYLAW 1227, 2024

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A BYLAW TO ESTABLISH PROCEDURES FOR LAND DEVELOPMENT APPLICATIONS

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

**1. CITATION**

1.1 This Bylaw may be cited as “Development Approval Procedures Bylaw 1227, 2024”.

**2. INTERPRETATION**

2.1 Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time and any bylaw referred to herein is a reference to an enactment of the Council of the District of Lake Country, as amended, revised, consolidated or replaced from time to time.

2.2 If any section, subsection, sentence, clause or phrase of this bylaw is held to be invalid by a court of competent jurisdiction, that section, subsection, sentence, clause or phrase, as the case may be, shall be severed and the validity of the remaining portions of the bylaw shall not be affected.

**3. DEFINITIONS**

**Approving Officer** means the person appointed as the **Approving Officer** of the **District** pursuant to the *Land Title Act*, or their designate.

**CAO** means the person appointed as the **Chief Administrative Officer** for the **District** or their designate.

**Council** means the municipal **Council** of the District of Lake Country and includes the Mayor.

**District** means the municipal organization of the District of Lake Country.

**Development Approval Information (“DAI”)** has the same meaning as section 484 of the *LGA*, which means information on the anticipated impact of a proposed activity or development on the community, including, without limiting this, information regarding impact on such matters as the following:

- (a) transportation patterns including traffic flow;
- (b) local infrastructure;
- (c) public facilities including schools and parks;
- (d) community services;
- (e) the natural environment of the area affected.

**Director** means the person appointed to the position of a Director of Planning and Development and includes their designate.

**Land Alteration** includes, but is not limited to soil removal, deposit or relocation, alteration, disruption or destruction of vegetation or trees, construction or alteration of retaining walls, construction or alteration of patios. For clarity, land alteration does not include planting, landscaping, fire smarting or maintaining existing drainage systems, retaining walls, irrigation or buildings so long as no alteration of the land occurs.

**Official Community Plan (“OCP”)** means the District of Lake Country **Official Community Plan Bylaw** as amended or replaced from time to time.

**Owner** means all persons registered as owners of a property as shown on the Land Title Certificate and includes any person authorized in writing to act as the agent for the **Owner**.

**Permit** includes Development Permits, Development Variance Permits and Temporary Use Permits.

**Phased Development Agreement** means an agreement authorized under Part 14, Division 12 of the *Local Government Act*.

**Substantial construction** means:

- (a) a Building Permit has been issued;
- (b) the **site** is completely fenced for construction purposes;
- (c) partial or complete excavation of the **site** has occurred; and
- (d) more than 50% of the approved footing and foundation is poured, or for an approved phased development 100% of the footing and foundation of the first phase is poured.
- (e) A combination of site works and development completed by the Owner deemed to meet the intent of Substantial construction, as determined by the Director.

**Qualified Professional** means a person who is registered and in good standing with a professional association and eligible to practice in BC, qualified in the area of services being provided and insured against professional liability, including but not limited to: Agrologists, Applied Scientist, Architect, Biologist, Engineer, Foresters, Geoscientist, Geologists, Landscape Architect, Onsite Wastewater Practitioner, Planner, Qualified Environmental Professional, Technician, Technologists, other professional designations deemed to have appropriate specializations.

**Site** means an area of land consisting of a **Lot** or two or more abutting **Lots**.

**Zoning Bylaw** means the District of Lake Country **Zoning Bylaw**, as amended or replaced from time to time.

#### 4. SCOPE

4.1 Pursuant to section 460 of the LGA, this bylaw shall apply to the following land use applications:

Applications requiring the adoption or amendment to a bylaw:

- (a) Amendments to the Official Community Plan (**OCP**) Bylaw
- (b) Amendments to the **Zoning Bylaw**;
- (c) Phased Development Agreements;

Applications for the issuance or amendment to a permit:

- (d) Development Permits (**DP**);
- (e) Development Variance Permits (**DVP**)
- (f) Temporary Use Permit (**TUP**);

Applications requiring approval of the Agricultural Land Commission

- (g) To include land in the Agricultural Land Reserve (**ALR**);
- (h) To exclude land from the **ALR**;
- (i) For a non-farm use in the ALR
- (j) For a non-adhering residential use in the ALR
- (k) To subdivide land within the **ALR**;
- (l) To place fill on, or remove soil from, land in the **ALR**.

## 5. GENERAL PROVISIONS

- 5.1 Application fees as set out in the District's Fees Bylaw, as amended from time to time, are due at the time of application.
- 5.2 A development permit must be approved before any **Land Alteration** or development occurs unless the District has confirmed the proposed works are exempt from requiring a development permit.
- 5.3 Where land is subject to more than one development permit area only one development permit application is required however, the application must address the guidelines of all applicable development permit areas and all fees apply. As much as possible the applications will be processed concurrently and be presented to Council as one report.
- 5.4 Fees apply to each parcel of land except where an application includes two or more contiguous parcels of land shall be treated as one application. For clarity, an application with two or more parcels of land that are not contiguous, shall be treated as separate applications.
- 5.5 Where Council has refused or denied an application, the same application shall not be considered within a six-month period from the date of refusal unless Council passes a resolution of two-thirds of all Council members, to consider the reapplication.
- 5.6 Fees as set out in the District's Fees bylaw are non-refundable where the application is for a permit that has been delegated or where an application has already been submitted to Council for consideration. Where an application is withdrawn by the Owner prior to staff preparing a report 50% of the application fees will be refunded.

## 6. DELEGATION OF AUTHORITY

- 6.1 The Director is delegated the authority to:
  - (a) designate the form and content of application or permit forms required for this bylaw;
  - (b) require security as a condition of a permit as per section 502 of the Local Government Act;
- 6.2 The CAO, Director, Director of Engineering and Approving Officer are delegated the authority to:
  - (a) require development approval information for different types of applications as per Section 487 of the Local Government Act;
  - (b) acquire or amend covenants under Section 219 of the *Land Title Act*;
  - (c) acquire or amend statutory rights of way or easements in connection with the operation of a sewer, water or drainage works or for the purpose of trails or pedestrian or vehicular access;
  - (d) acquire or amend a lease or license of real property for the operation and maintenance of the works or activities of the District; and

- (e) discharge documents included in this section where no longer required or replaced, except where the document has been directed by way of Council resolution, the discharge shall require a resolution of Council.
- 6.3 The CAO, Director, Director of Engineering and Corporate Officer are delegated the authority to execute and have registered or discharged documents identified in section 6.2.
- 7. DEVELOPMENT APPROVAL INFORMATION**
- 7.1 Development approval information shall be included as part of an application to facilitate its processing. Development approval information shall be provided by an **Owner** at the **Owner's** expense. All plans identified in this section shall be prepared to scale, in metric, include a north arrow and be dated.
- 7.2 Where a report is required to be prepared by a Qualified Professional, the Director may accept a report prepared by someone with an equivalent level of expertise and experience in the specified field.
- 7.3 **Base Information** required for all applications shall include:
- (a) **Land Title Certificate** no more than 30 days old including copies of all registered encumbrances. If there is a change in ownership for a property that that is subject to an application under this bylaw an updated Land Title Certificate and authorization from all new owners is required;
  - (b) **Owner Authorization** for an agent to act on behalf of the Owner, where applicable, signed by all owners registered on title, which may be provided through signatures on the application form or a separate letter.
  - (c) **Completed Application Form**, including a project description.
  - (d) Description and rationale for a **Variance Request**.
  - (e) **Site Plan** showing information relevant and applicable to the proposed development which may include existing or proposed building and structures, height and elevation, parking, roads, driveways, topographical features, slopes and contours, landscaping. A Site survey prepared by a BC Land Surveyor may be required if relevant to the application as determined by the Director.
- 7.4 In accordance with Section 491 (4) and (5) of the LGA, **Owners** may be required to provide additional information or reports before a permit can be approved, including but not limited to:
- (a) **Access and parking layout** showing proposed layout, dimension of parking spaces, maneuvering aisle dimensions, curb stops, loading bays, bike parking, bike storage areas, **parking** requirement calculations.
  - (b) **Tree and Vegetation Management Plan** or **Assessment Report** or tree retention, removal and replacement plan, prepared by a Qualified Professional.
  - (c) **Building Plans** including uses, functions of areas, elevations, existing and proposed, gross floor area, site coverage, setbacks, height, floor area ratio, and number of units, elevations showing all sides of the building including exterior finishes, roof top, equipment, the natural and finished grades, exterior lighting fixtures and any projecting features, cross-section plans.
  - (d) **Concept plan** showing context photos, colour elevation drawings and list of materials to be used.
  - (e) **Engineering Assessment** indicating the solution for maintaining the natural drainage flow where development is deemed, by the District, to interrupt the flow of water.
  - (f) **Environmental Assessment** and **Environmental Monitoring Plan**.

- (g) **Farm Business Plan** which may include a description of farm operations, current and proposed area for crop production, type and quantity of livestock, and other farm activities related to labour requirements.
- (h) **Geotechnical Hazard Assessment Report** prepared by a Qualified Professional assessing potential hazard that may affect the site and surrounding properties and a determination of accepted probability of hazard for the intended uses.
- (i) **Grading Concept Plan** including location relative creeks, watercourses, natural drainage routes and other topographic features, including top of bank and ridgelines.
- (j) **Habitat Restoration Plan** that identifies and recommends areas for restoration and details those measures necessary to restore the subject property(s) to an acceptable level.
- (k) **Hazardous Conditions Report** including, but not limited to, mud flow, debris torrents, erosion, land slip, rock falls, subsidence, avalanche, wildfire, flood, inundation or other hazard (including appropriate construction elevations and setbacks
- (l) **Hydrological Assessments** related to infiltration, groundwater, surface water accretion, erosion etc.
- (m) **Landscaping Plan** and Estimate.
- (n) **Lifecycle Costing** of the development to determine costs and impacts to infrastructure capital, operations and maintenance.
- (o) **Riparian Areas Protection Regulation Report** and Approval.
- (p) **Risk Hazard Reports** prepared by a qualified Risk Assessor to address potential risks related to floodplain, wildfire, tsunami, or other identified hazards.
- (q) **Sign** details, including lighting details.
- (r) **Site Survey** by BCLS
- (s) **Site Services Plan** showing existing and proposed services, including sewer, water, storm drain, and underground or overhead electrical service, mechanical equipment, including hydrants, waste collection areas, utility poles, underground utilities, any proposed screening, off-site features, such as transit stops, sidewalks, boulevard trees, and street furniture.
- (t) **Stormwater and Drainage Management Plan** or **Erosion and Sediment Control Plan** addressing site-specific storm water issues including stormwater conveyance systems or drainage facilities including natural drainage courses, streams, ponds, springs, etc. drainage routes, overland emergency drainage routes from low points on the proposed roads, runoff peak flows and volumes from critical rainfall events, analysis of potential downstream problems, fish flow requirements mitigating impacts related to development activities.
- (u) **Streetscape** renderings, showing the existing surrounding buildings and trees.
- (v) **Transportation and Traffic Impact Study** prepared by a Qualified Professional.
- (w) **Wildfire Hazard Mitigation Report** from a **Qualified Professional**, that assures project construction activities comply with Urban Wildfire Interface management principles including mitigation strategy.

7.5 Where required, a **Landscaping Plan** may be required to include:

- (a) The location, size and species of existing and proposed plant materials, and identify trees and areas of existing vegetation to be retained.
- (b) Preliminary grading information and proposed soil depth
- (c) Any potential visual impacts from trees or vegetation including view corridors, shadows, visual envelope, prominent features, experiential characteristics and landscape character.
- (d) A proposed plant list of trees, shrubs, perennials and ground covers including quantities, botanical and common names, planting sizes and on center spacing including reference to the Canadian Landscape Standard
- (e) Treatment of the surface areas for driveways, parking spaces, sidewalks, walkways, patios and/or boulevards.

- (f) Location and species of streetscape and boulevard landscaping (if applicable) including street furniture, amenity areas, lighting, and equipment, fence locations and fencing materials height.

7.6 The District may distribute the information received, publicize the results of any Report, and be able to rely on the findings and conclusions contained in the Report.

**8. DEVELOPMENT PERMITS DELEGATION**

8.1 In accordance with section 490 of the *Local Government Act* the Director is delegated the authority to issue, refuse, renew, extend, establish conditions of a permit and to determine whether such requirements and conditions have been met, or amend, Development Permits within the following Development Permit areas established by the OCP:

- (a) Stability, Erosion and Drainage Hazard DP Area
- (b) Natural Environment DP Area; or
- (c) Wildland Fire Hazard DP Area.

8.2 The Director will refer a Development Permit application to Council where:

- (a) the application does not meet the conditions within this section; or
- (b) in the opinion of the Director, it would be in the public interest to have the application considered by Council.

8.3 The Director is delegated the authority to issue amendments to Development Permits, limited to minor design modifications that:

- (a) are generally consistent with the applicable Development Permit guidelines in the OCP; and
- (b) do not require a Development Variance Permit that requires Council approval.

**9. PUBLIC NOTIFICATION AND CONSULTATION**

9.1 Public notification and consultation will be provided in accordance with the LGA and Table 1.

**TABLE 1 – Forms of Public Notification and Consultation**

Application Type	Public Hearing (PH)	Two news-paper ads	Surrounding Property Owner Letters	Public Information Meeting	Notice Sign	Neighbour Consultation
OCP Amendment	L	L	L	✓	✓	✓
Zoning Bylaw Amendment	L	L	L		✓	
Zoning Bylaw Amendment - PH waived or prohibited		L	L		✓	✓
DP Delegated						
DP Council						
DVP Council			L		✓	✓
TUP		L	L		✓	✓
TUP Renewal					✓	✓
Phased Development Agreement	L	L	L	✓	✓	

✓= Required, Blank=not required, L=required under legislation

**Public Hearing**

- 9.2 A **public hearing**, in accordance with section 464 of the *Local Government Act*:
- (a) is mandatory for Official Community Plan bylaws and amendments thereto;
  - (b) may be waived if the proposed zoning is consistent with the OCP;
  - (c) is prohibited if the proposed zoning bylaw is for the purpose of complying with LGA s 481.3, Zoning bylaws and small-scale multi-family housing;
  - (d) is prohibited if the proposed zoning:
    - (i) is consistent with the OCP; and
    - (ii) is solely for residential development, in whole or in part; and
    - (iii) the residential component is at least half the gross floor area of all buildings and structures.

**Notice of Public Hearing**

- 9.3 Notice of a public hearing or notice that a public hearing has been waived or is prohibited, must be published in a local newspaper for 2 consecutive weeks and if the bylaw alters use, density or residential rental tenure, be mailed or otherwise delivered to all Owners within 100 metres of the subject property, not less than 3 and not more than 10 days before the public hearing date or the date of considering first reading. The requirement to mail or otherwise deliver notice does not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration.

**Notice of Temporary Use Permit**

- 9.4 Notice of a temporary use permit must be published in a local newspaper for 2 consecutive weeks not less than 3 and not more than 14 days before consideration of the resolution to issue the permit. If the permit alters use, density or residential rental tenure, notice must be mailed or otherwise delivered to all Owners within 100 metres of the subject property at least 10 days before the consideration of the resolution. The requirement to mail or otherwise deliver notice does not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration.

**Public Information Meeting**

- 9.5 Public information meetings for District initiated applications will be held at the discretion of the **District**. Where a **public information meeting** is required, the **Owner** will:
- (a) Be responsible for organizing and holding the meeting, at the **Owner's** expense.
  - (b) Provide notice of the meeting as per section 10.3;
  - (c) attempt to hold the meeting during a weekday, Monday through Thursday no later than 7 p.m., excluding holidays, except where in the opinion of the District another date and time is more appropriate.
  - (d) Hold the meeting in the area most affected by the application, where possible.

**Surrounding Property Owner Letters**

- 9.6 Where notice requires letters to surrounding property owners, the District will provide notice of the date, time and location of the public hearing, or the meeting date where Council will consider the application by mailing or otherwise delivering notice to all owners of the subject property and all owners and residents of properties within 100 metres of the subject property not less than 10 days prior to the meeting.

**Notice Sign**

- 9.7 This section shall not apply to persons making applications for text amendments to the Official Community Plan or the Zoning Bylaw. The Director will email the Owner the information and format of the required notice sign including, file or bylaw number, description, a map image of where the proposed development is located, date of the meeting or public hearing, deadline for receiving input, any additional information specified by the **Director**.

**The Owner will:**

- (a) Prepare signs in the specified format on shall be constructed of plywood or other durable material.
- (b) Post the signs on the subject property no more than 3 metres inside the property line ensuring all signs are clearly visible from the street.
- (c) Post one sign for each 100 metres of road frontage, to a maximum of 3 signs,
- (d) Post the signs at least 10 days prior to the meeting date.
- (e) Install the signs 1 to 1.5 metres above the ground on at least 2 supporting posts.
- (f) Provide the District with a statutory declaration or satisfactory evidence that all required signs have been installed in accordance with this bylaw before the date the application is considered by Council. Failure to post signs in accordance with this bylaw may result in consideration of the application being postponed and any resulting costs shall be the **Owner's** responsibility.
- (g) Ensure signs are installed in a safe manner and do not interfere with pedestrian or vehicular traffic or visibility.
- (h) Ensure signs remain in place until a Public Hearing is adjourned, an application is considered, or, where a public hearing is waived or prohibited until adoption of a bylaw.
- (i) Remove signs within 7 days after the dates noted in the item above.
- (j) If the **Owner** fails to remove the required signs within the required timelines the **District** may remove the signs without notice, and any associated expense shall be the Owner's responsibility.

**Neighbour Consultation**

- 9.8 Where neighbour consultation is required, the **Owner** will consult with the owners of properties within 100 metres of subject property. In person consultation is recommended although, at a minimum written notice shall be provided indicating how to contact and submit comments to the Application.

**10. APPLICATION PROCESS**

- 10.1 Applications shall be submitted on the prescribed form, be signed by the Owner or authorized agent, include payment of all required fees and include at least the Base Information identified in Section 7. Submitting an application does not entitle the **Owner** to approval of development.
- 10.2 The **District** may submit **OCP** or **Zoning Bylaw** applications for the community or for individual properties with or without the approval of the property **Owner**.
- 10.3 Upon receipt of a complete application the Director will review and circulate the application to other District departments and outside agencies as required.
- 10.4 After receipt and review of referral comments the Director:
- (a) Will provide preliminary feedback to the **Owner**;
  - (b) May request additional information from the **Owner**. If the requested information is not provided within 3 months of the request, the fee shall be refunded, where applicable, and the file closed.
  - (c) Will prepare a Report to Council for inclusion on a Regular Council Meeting, or where authority has been delegated in accordance with this bylaw, deny or issue a permit.
- 10.5 Where applicable, the Corporate Officer shall prepare a bylaw or place a report on the appropriate Council meeting agenda.



- 10.6 Upon receipt of an application for a phased development agreement, development permit, development variance permit or temporary use permit, Council may, as applicable:
- (a) approve or deny a phased development agreement;
  - (b) approve a permit, which may or may not include conditions or amendments by Council;
  - (c) request additional professional reports from the **Owner**;
  - (d) hear from members of the public by passing a resolution to do so;
  - (e) deny the application; or
  - (f) defer or otherwise deal with the application.
- 10.7 A development permit application denied by Council will indicate the guidelines that have not been complied with.
- 10.8 Applications requiring approval by the Agricultural Land Commission shall be submitted through their website and include all required information. After a complete application has been submitted on-line, a copy of the documents and the application fee shall be provided to the District to initiate the application.
- 10.9 Upon receipt of an application under the *Agricultural Land Commission Act*, **Council** may:
- (a) support the application and forward to the Agricultural land Commission;
  - (b) deny the application and forward the application to the Agricultural Land Commission with comments from Council;
  - (c) deny the application and not forward to the Agricultural Land Commission.
- 10.10 Where applicable, the **Owner** and the District will undertake the required public notification and consultation as required by the *Local Government Act* and this bylaw.
- 10.11 Upon receipt of an application to amend the OCP or the zoning bylaw, Council may:
- (a) decide to waive or hold a public hearing where the proposed zoning application is consistent with the OCP;
  - (b) give a bylaw first, second and/or third readings where notice has been provided in accordance with the LGA;
  - (c) request additional professional reports from the **Owner**;
  - (d) reject or refuse the application; or
  - (e) defer or otherwise deal with the application.
- 10.12 **Council** may adopt an OCP or Zoning amendment bylaw where a bylaw has been given three readings, all statutory requirements have been met and where ministerial approval has been received, where required. Third reading and adoption of a zoning or OCP amendment bylaw or a phased development agreement may be given at the same meeting.
- 10.13 **Owners** shall be notified of **Councils** decisions within 21 days of the decision in writing by mail, email or delivery to the address provided on the application form.

## 11. RECONSIDERATION

- 11.1 An **Owner** may request Council reconsider the Director's decision to deny a permit, provide development approval information or a provision of the permit. Requests must be submitted in writing to the Corporate Officer within 30 business days of receiving such decision or request, and must include:
- (a) the decision or request to be reconsidered;

- (b) the date of the decision or request and the name of decision maker;
  - (c) the reason for reconsideration and the alternate decision being requested of **Council** including supporting reasons; and
  - (d) a copy of any materials the **Owner** considers relevant to the reconsideration.
- 11.2 Upon receiving a request for reconsideration, the Corporate Officer will:
- (a) place the reconsideration on a Council Meeting agenda no more than 10 weeks after the date the request was received, including a written report from the Director with all materials used in making the original decision;
  - (b) Give notice of the reconsideration in the same manner as the original notice;
  - (c) Notify the **Owner** of the meeting date where reconsideration will take place.
- 11.3 During reconsideration **Council** must consider the same material considered by the delegate in making the decision.
- 11.4 The **Owner** and any other person interested in the decision are entitled to be heard by **Council** during reconsideration.
- 11.5 Council may confirm the original decision, substitute its own decision including conditions or adjourn a decision to a future meeting.
- 12. PERFORMANCE SECURITY**
- 12.1 The **Owner** shall provide security where landscaping construction and planting is a condition of a permit in the amount of 125% of the cost of works (excluding GST) with a minimum of \$1,000.00. Where a phased landscaping plan has been approved, security will be provided for each phase. The cost of works shall be determined using estimates from a Qualified Professional, provided by the **Owner** at the **Owners** expense including the cost of inspections, monitoring, maintenance, irrigation, fencing, labour, and planting materials, conditions specified by the Director, the cost to the District to restore, replant, or otherwise re-establish any tree designated in the landscape plan for retention.
- 12.2 The **Owner** shall provide security for an unsafe condition or damage to the environment in the amount determined by the Director.
- 12.3 Security shall be provided by certified cheque or an irrevocable letter of credit in a form acceptable to the District. Security must be paid in full prior to a permit being issued.
- 12.4 If landscape construction and planting are not complete by the date of expiry of the permit or there is a unsafe condition or damage to the natural environment has resulted as a consequence of a violation of the permit, the District may draw on the security for the purposes of entering upon the property and completing the landscape construction and planting or to undertake works to correct the unsafe condition or correct the damage to the natural environment. In the event of drawing upon a security resulting in a surplus, that surplus will be returned to the Owner. Where security is insufficient to carry out the required works, the Owner shall be responsible for such costs and invoiced by the District.
- 12.5 Security shall be returned to the Owner as follows:
- (a) 100% upon receipt of a Letter of Assurance from a **Qualified Professional** certifying an unsafe condition or damage to the natural environment has been corrected;

- (b) 85% upon receipt of a Letter of Assurance from a Qualified Professional certifying substantial completion of landscaping or evidence acceptable to the District satisfying substantial completion of landscaping.
  - (c) 100% where a phased landscape plan is approved upon receipt of a Letter of Assurance from a Qualified Professional certifying substantial completion of all phases.
- 12.6 The District may withhold 15% of the security for 2 years to ensure plantings become established and remain healthy. The remaining security will be returned upon receipt of a Letter of Assurance certifying landscaping remains in substantial compliance with the permit.
- 12.7 Where a permit is cancelled, and no work has occurred related to the security deposit the security will be returned to the Owner.

### **13. RENEWAL, EXTENSION AND LAPSE**

- 13.1 A permit:
- (a) shall expire 2 years from the date approved by Council or the Director where delegated;
  - (b) with no prerequisite conditions will lapse if substantial construction does not start within 2 years from the date the permit is approved;
  - (c) will not be registered on Title until all prerequisite conditions have been satisfied;
  - (d) has 12 months to complete all prerequisite conditions, where applicable.
- 13.2 Subsequent phases of a phased development must start substantial construction within 2 years unless otherwise indicated in an approved Phased Development Agreement, or the permit shall lapse.
- 13.3 An Owner may:
- (a) request a permit be renewed or extended prior to the lapse of the permit;
  - (b) apply to extend the time required to complete prerequisite conditions for one 6-month period, provided the total time does not exceed 18 months from the date the permit is approved;
  - (c) apply to extend the time to start substantial construction for one 12-month period, provided the total time does not exceed 36 months from the date approved.
- 13.4 Where an application has lapsed the Owner will be notified of such writing and a new application will be required, including applicable Fees.

### **14. INSPECTION**

- 14.1 The District's employees or agents shall have the right to enter any site, at all reasonable times for the purpose of determining whether the regulations and provisions of this bylaw are being or have been complied with.

### **15. OFFENCE**

- 15.1 Every person who violates a provision of this bylaw commits an offence and is liable on summary conviction to a penalty not exceeding fifty thousand dollars (\$50,000) and the costs of prosecution. Each day shall constitute a separate offence.

15.2 No person shall interfere with or obstruct the entry of a **Bylaw Enforcement Officer** or any other authorized **District** representative onto any land or into any building to which entry is made or attempted pursuant to the provisions of this bylaw.

15.3 No person will do, authorize, or permit the alteration of a building or land:  
(a) in a **development permit** area unless a development permit has been issued; or  
(b) contrary to the conditions and requirements imposed by an approved **permit**.

**16. REPEALS**

16.1 District of Lake Country Development Approval Procedures Bylaw 1133, 2021 and all amendments thereto are hereby repealed in their entirety.

READ A FIRST TIME this 18<sup>th</sup> day of June, 2024.

READ A SECOND TIME this 18<sup>th</sup> day of June, 2024.

READ A THIRD TIME this 18<sup>th</sup> day of June, 2024.

ADOPTED this this 2<sup>nd</sup> day of July, 2024.

Original signed by Blair Ireland  
Mayor

Original signed by Reyna Seabrook  
Corporate Officer