

DISTRICT OF LAKE COUNTRY

BYLAW 1226

TO ADD THE GENERAL DEVELOPMENT PERMIT EXEMPTION OF LOT CONSOLIDATION OR SUBDIVISION

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

1. Schedule A to Official Community Plan (2018-2038) Bylaw 1065, 2018 is hereby amended as follows:

1.1. In Section 21.3 Development Permit Exemptions, delete and replace section 21.3.1 with the following::

21.3.1 Subdivision of land within a development permit area is exempt from applying for and obtaining a development permit except that the Approving Officer shall consider each of the applicable Development Permit Area guidelines when processing an application through the subdivision approval process.

1.2. In Section 21.11 Stability, Erosion and Drainage Hazard DP Area, the following item is added in alphabetical order under the heading EXEMPTIONS:

“f. Land alteration, construction or alteration of buildings or structures where a restrictive covenant under section 219 of the Land Title Act is registered on title. The covenant shall:

- i. Require a report from a qualified professional confirming safe development of the property for the intended use;
- ii. Require the owner to accomplish the objectives of this DPA; and
- iii. Require indemnity to the benefit of the District.”

1.3. Section 21.12 Wildland Fire DP Area, the following item is added in alphabetical order under the heading EXEMPTIONS:

d. Land alteration or construction of buildings and structures, as long as a restrictive covenant under section 219 of the Land Title Act is registered on title. The covenant shall:

- i. Require the owner to confirm development, ongoing maintenance and use of the property will occur in accordance with BC Fire Smart Guidelines;
- ii. Require indemnity to the benefit of the District.

2. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

3. This Bylaw may be cited as “OCP Amendment (Subdivision) Bylaw 1226, 2024”.

READ A FIRST TIME this 19th day of March, 2024.

READ A SECOND TIME this 19th day of March, 2024.

SECOND READING RESCINDED and READ A SECOND TIME AS AMENDED this 7th day of May, 2024.

ADVERTISED on the 9th and 16th days of May, 2024 and a Public Hearing held pursuant to Section 464 of the *Local Government Act* Held on the 21st day of May, 2024.

READ A THIRD TIME this 21st day of May, 2024.

ADOPTED this ____ day of _____, 2024.

Mayor

Corporate Officer