



DEVELOPMENT PERMIT

District of Lake Country
 10150 Bottom Wood Lake Road
 Lake Country, BC V4V 2M1
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APPROVED ISSUANCE OF DEVELOPMENT PERMIT (pursuant to Sec. 488 of the Local Government Act)

PERMIT #: DP000819
 FOLIO #: 02395000
 ZONING DESIGNATION: C9 – Tourist Commercial
 DEVELOPMENT PERMIT AREA: Multiple-Unit Development Permit Area
 ISSUED TO: Petrie Road Developments Ltd. Inc. No. BC 1302985
 SITE ADDRESS: 11474 Petrie Road
 LEGAL DESCRIPTION: Lot 53 Section 15 ODYD Plan KAP444 Township 20 Except Plans H936 West of the Public Road shown on Plan M69; & Section 22; & Except Plans 39871 and 41389
 PARCEL IDENTIFIER: 005-460-701

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 Permit DP000819 for 11474 Petrie Road, legally described as Lot 53 Section 15 ODYD Plan KAP444 Township 20 Except Plans H936 West of the Public Road shown on Plan M69; & Section 22; & Except Plans 39871 and 41389 for the development of 4 multi-family buildings, shall be conducted in accordance with the recommendations contained in the following documents attached to and forming part of this permit:

- a) Amend Zoning Bylaw 561, 2007 as follows:
 - i) Section 7.11.1 to reduce the setback from Highway 97:
 - From: 15.0m**
 - To: 14.1m**

- ii) Section 8.5.8 to exceed the **spacing and** height of retaining walls near buildings, driveways, walkways and associated infrastructure:
 - From: 1.5m**
 - To: 4.45m**
- iii) Section 7.1.1 to exceed the angle of inclination from the central line of an adjacent street:
 - From: 65° (degree)**
 - To: 70° (degree)**
- b) The development of the subject shall be conducted in accordance with the following documents to the satisfaction of the Director of Planning and Development:
 - (i) **Schedule A:** The Development Drawings with revision date 2024-08-07, prepared by Casola Koppe Architects;
 - (ii) **Schedule B:** Encroachment Diagram with revision date 2024-08-01, prepared Casola Koppe Architects;
 - (iii) **Schedule C:** Retaining Walls and Daylight Saving Standard Drawing with revision date 2024-08-14, prepared by Casola Koppe Architects;
 - (iv) **Schedule D:** Building Elevations Drawings with revision date 2023-10-23, prepared by Casola Koppe Architects;
 - (v) **Schedule E:** Renderings (Neighbouring Views) with revision date 2024-08-13, prepared by Casola Koppe Architects;
 - (vi) **Schedule D:** Landscape Plan with revision date 2024-06-05, prepared by SMM.
- c) The owner will register to Land Title Act Section 219 covenant to ensure development would provide long-term rental housing to the community for 50 years.
- d) If any archeologically significant item is found during construction activities must cease and the Province of British Columbia notified in conformity with the *Heritage Conservation Act*;
- e) Development and use of the subject property be in compliance with the provisions of the Municipality's various bylaws, except as explicitly varied or supplemented by the terms of this permit, subsequent permits, amendment(s) and/or development variance permits;
- f) A development permit is only valid for the development that is described herein. If a change to development is considered, a new development permit or an amendment to this permit is required before starting any work.
- g) The ownership, and ongoing responsibility to maintain, the retaining wall approved for development through this permit will remain the responsibility of the property owner.

THIS IS NOT A BUILDING PERMIT OR A CERTIFICATE TO COMMENCE CONSTRUCTION

2. PERFORMANCE SECURITY

As a condition of the issuance of this Development Permit, a security deposit is required for \$ 211,833.13 (125% of the Landscape Estimate and Environmental Monitoring Estimate). This will be collected prior to the issuance of the applicable Building Permit.

Upon acceptance of the works by municipal staff, 85% of the security shall be returned. The Municipality shall retain the remaining 15% for a period of 24 months from the date of acceptance of the works, during which time the Municipality may use the remaining security to replace the required works, if necessary. Upon the expiration of the 24

months warranty period, the Permit Holder must provide a statement certified by a qualified professional indicating that the works have met the requirements of the survival monitoring and reporting as identified in the Environmental Assessment Report along with the conditions specified in the Development Permit. The remaining security funds shall be refunded at the expiration of the 24 months warranty period, subject to a final inspection by Municipal staff to confirm the survival of the required works.

3. 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.

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4. APPROVALS

Authorization passed by Council on the ___ day of _____, 2024.

Issued by the Corporate Officer of the District of Lake Country this ___ day of _____, 2024.

**The PERMIT HOLDER is the current land owner.
The Security shall be returned to the PERMIT
HOLDER.**

Corporate Officer, Reyna Seabrook