

DISTRICT OF LAKE COUNTRY

BYLAW 1228

TO AMEND SUBDIVISION AND DEVELOPMENT SERVICING BYLAW 1121, 2020

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 by:
 - 1.1. In Section 9, Owner's Engineer, deleting and replacing Section 9.2 with the following:

"9.2 If the Owner's Engineer can demonstrate and certifies that an alternative solution meets the intended safety, operational and functional objectives set out in the provisions of this bylaw, then, the District Engineer may permit the alternative solution. Notwithstanding permission granted by the District Engineer in this section, the Owner and Owner's Engineer retain full responsibility for the alternative solution. The District Engineer may require third-party consulting engineer to evaluate the alternative solution, at the Owner's Expense."
 - 1.2. In Section 9, Owner's Engineer, deleting section 9.3. in its entirety.
 - 1.3. In the entire Bylaw, replacing the words "his", "her", or "his or her" with the word "their".
 - 1.4. Deleting and replacing the words "direct", "directed" or "direction" with "require", "required" or "requirement", in the following sections:
 - (a) Section G.3 Transportation Requirement Assessment:
 - (i) subsection G.3.1
 - (b) Schedule H, Design and Construction of Sidewalks, Curbs, Gutters, Boulevards and Landscaping, Section H.1 General
 - (i) subsection H.1.2,
 - (ii) subsection H.1.3 (b) and
 - (iii) subsection H.1.3 (c)
 - (c) Schedule I, Design and Construction of Water Distribution Systems
 - (i) Section I.6 Location and Grade of Water Mains, subsection I.6.7
 - (ii) Section I.7 Services, subsection I.7.3
 - (iii) Section I.12 Valving, subsection I.12.1(a)(iii)
 - (d) Schedule M, Design and Construction of Storm Drainage Systems, Section M.18, Major Storm Drainage System Design, subsection M.18.4(a)
 - 1.5. In Schedule A Definitions, deleting the definition of "Preliminary Layout Review" in its entirety.
 - 1.6. In Schedule B, Application Requirements, deleting Section B.2, Preliminary Layout Review, in its entirety and continuing the existing numbering.
 - 1.7. In Schedule B, Application Requirements, Section B.6, Exemptions, deleting subsection B.6.2 and replacing it with the following:

"B.6.2 Where a Building Permit has been issued for:

 - (a) the construction, renovation or addition to a single-family or two-family building, or for an associated accessory building, the **Owner** shall not be required to:

- (i) construct, install or pay monies in lieu of **highways, walkways, curb, gutter, sidewalk, street lighting, and underground wiring;**
 - (ii) connect to a **water distribution system** unless, in the opinion of the **District Engineer**, the connection can be achieved with a cost-effective main extension.
 - (iii) connect to the **District’s community sewer system** unless:
 - (A) in the opinion of the **District Engineer** the connection can be achieved with a cost-effective main extension or;
 - (B) the construction, renovation or addition complies with the **onsite sewerage system** requirements of this bylaw. For clarity, where the construction, renovation or addition does not comply with onsite sewerage system requirements, a connection to the District’s Community Sewer System is required.
- (b) a renovation of a building where there is no increase to the floor area, the **Owner** shall not be required to construct, install or pay monies in lieu of **highways, walkways, curb, gutter, sidewalk, street lighting, and underground wiring**, unless there is a significant change of use that warrants any or all of these improvements, in the opinion of the District Engineer.”

1.8. In Schedule B, Application Requirements, Section B.6, Exemptions, adding the following subsection B.6.4 immediately following subsection B.6.3:

“B.6.4 Subdivision or Building Permit applications where the District is the owner or agent are exempted from the Works and Services requirements of this Bylaw, unless Council passes as resolution imposing such requirements.”

1.9. In Schedule G, Design and Construction of Highways and Walkways, Section G.1 General, deleting Section G.1.5 and replacing it with the following:

“G.1.5 In the preparation of the Pre-Design Report submission for **highways**, the **Owner’s Engineer** shall address the following general design considerations:

- (a) the sufficiency and suitability of the proposed road system;
- (b) the arrangement, width, grade, and location of all roads in relation to existing and planned roads;
- (c) all District bylaws, plans, programs and policies;
- (d) topographical features,
- (e) public convenience and safety;
- (f) the proposed uses of the land to be serviced by such roads.
- (g) Operation and Maintenance (O&M) requirements
- (h) Continuation of existing **roads**
 - (i) The design and arrangement of **highways** within a **subdivision** shall provide for the continuation or projection of existing **roads** in the surrounding area. In no case shall the arrangement of **highways** within a proposed **subdivision** make impractical the extension of **roads** and the **subdivision** of adjoining **parcels**.
 - (ii) The design and arrangement of **highways** must consider the impact of new development on the surrounding road network. Traffic calming measures must be implemented if the following conditions are expected:
 - A. Potential for short-cutting due to the new connections having a shorter route to a main road;
 - B. Geometric conditions that may facilitate speeding (e.g., high operating speeds and straight roadways); and
 - C. Unsafe conditions due to geometric conditions.

- 1.10. In Schedule G, Design and Construction of Highways and Walkways, Section G.1 General, deleting Section G.1.6 and continuing the existing numbering.
- 1.11. In Schedule G, Design and Construction of Highways and Walkways, Section G.3 Transportation Requirement Assessment, deleting subsection G.3.1 (m).
- 1.12. In Schedule G, Design and Construction of Highways and Walkways, Table G-1-Highway Cross Section Requirements and Amenities is amended by:
 - (a) Deleting and replacing the name of the Table with “Typical Highway Cross Section Requirements and Amenities”; and
 - (b) In the footnotes immediately below Table G-1, deleting the text for footnotes number 1, 2, 6 and 7.
- 1.13. In Schedule G, Design and Construction of Highways and Walkways, Section G.3 Transportation Requirement Assessment, deleting and replacing subsection G.3.2 with the following:

“G.3.2 Where parts of a proposed subdivision or development front on an existing road, the configuration of the improvements will take into consideration the existing road setting and existing and proposed cross section improvements as shown in the District’s Mobility Master Plan and Mobility Improvement Program, as amended from time to time.”
- 1.14. In Schedule G, Design and Construction of Highways and Walkways, Section G.3 Transportation Requirement Assessment, deleting and replacing subsection G.3.4 with the following:

“G.3.4 In determining the Highway Cross Section Requirements, the Owner’s Engineer shall consider the following:

 - (a) Systems Modelling (Section D.3)
 - (b) The sufficiency and suitability of the proposed road (Section G.1.5)
 - (c) Transportation Requirement Assessment (Section G.3)
 - (d) Typical Highway Cross Section Requirements and Amenities (Table G-1)
 - (e) Whether the proposed subdivision or development front an existing road (Section G.3.2)”
2. This bylaw shall be cited as "Subdivision and Development Servicing Amendment Bylaw 1228, 2024".

READ A FIRST TIME this 7th day of May, 2024.

READ A SECOND TIME this 7th day of May, 2024.

READ A THIRD TIME this 7th day of May, 2024.

ADOPTED this 21st day of May, 2024.

Original Signed by Blair Ireland
Mayor

Original Signed by Reyna Seabrook
Corporate Officer