THE CORPORATION OF THE DISTRICT OF PEACHLAND

BYLAW NO. 2171, 2017

A Bylaw to regulate the construction of driveways and accesses to Low Density Residential containing up to three (3) dwelling units lots within the boundaries of the District of Peachland.

Amended by: Bylaw No. 2454 Adopted April 28, 2026

WHEREAS the Council of the Corporation of the District of Peachland has established guidelines for development;

AND WHEREAS the Council of the Corporation of the District of Peachland deems it necessary to regulate access, driveways and building sites;

NOW THEREFORE, the Council of the District of Peachland, in Open Meeting assembled, ENACTS AS FOLLOWS:

Title

This bylaw may be cited for all purposes as the "Driveway Access Bylaw No. 2171".

Repeal

The Corporation of the District of Peachland "Peachland Driveway Access Bylaw Number 1231, 1993" and all amendments thereto are hereby repealed.

READ A FIRST TIME, this 14th day of March, 2017.

READ A SECOND TIME, this 14th day of March, 2017.

READ A THIRD TIME, this 14th day of March, 2017.

FINALLY RECONSIDERED AND ADOPTED, this 28th day of March, 2017.

Mayor	Corporate Officer

Dated at Peachland, B.C.
This 28th day of March, 2017.

1. Interpretation

.1 Words used in the present tense include the other tenses and derivative forms;

.1 Words used in the singular include the plural and vice versa; and

.2 The word "person" includes a corporation, firm, partnership, trusts, and other similar entities as well as an individual.

.2 Words have the same meaning whether they are capitalized or not.

.3 The words "shall" and "is" require mandatory compliance.

.4 For the purpose of this Bylaw, the words "includes" and "including" shall be interpreted to mean "includes or including among other things, but not limited to".

.5 The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".

.6 Words, phrases, and terms neither defined in this section nor in the *Local Government Act, Interpretation Act* or *Community Charter* shall be given their usual and customary meaning.

.7 All dimensions and other measurements in this bylaw are expressed in the Standard International Units (Metric) system. Imperial measurement conversions are for convenience only, and do not form part of the Bylaw.

.8 In the event of any inconsistency between the text of this bylaw and any figure or illustration, the text shall govern.

2. Definitions

All words or phrases used in this bylaw have their usual or common meaning unless specifically defined by the *Local Government Act,* the *Interpretation Act,* the *Community Charter,* the District of Peachland Zoning Bylaw, the District of Peachland Building Bylaw as amended, or by the definitions set forth in this section as follows:

"Applicant" means any person who makes application for any access under the provisions of this Bylaw;

"Building Bylaw" means the District of Peachland Building Bylaw, as amended or replaced from time to time;

"District" means the District of Peachland or the area within the Municipal boundaries thereof, as context may require;

"Driveway" means a vehicle access providing a connection from a highway to a private parking area for a single detached, duplex, manufactured home, and fee simple townhouse use, and/or other vehicle routes to accessory or secondary uses within the parcel;

"Driveway Access Permit" means the permit issued pursuant to the bylaws of the District of Peachland;

"Highway" means a street, road, lane, bridge, viaduct, walkway and any other way open to public use, but does not include an easement on private property;

"Inspector" means the Director of Planning and Development Services, the Director of Engineering and Operations or their delegates, including the Building Inspector or Engineering Technologist;

"Low Density Residential Development" means lots zoned for single detached, secondary or garden suites or duplexes only;

"Owner" means the registered owner of an estate in fee simple and/or their agent authorized in writing, and includes the tenant for life under a registered life estate, the registered holder of the last registered agreement for sale, and the holder or occupier of land held in the manner described in the *Local Government Act;*

"Person" includes a corporation, partnership or party, and the personal or legal representatives of a person whom the context can apply according to law;

"Slope" means ground that forms an incline measured in percent;

"Street" includes a highway, road or lane but does not include a private right-of-way on private property;

"Subdivision and Development Servicing Bylaw" means the District of Peachland Subdivision and Development Servicing Bylaw, as amended or replaced from time to time;

"Zoning Bylaw" means the District of Peachland Zoning Bylaw, as amended or replaced from time to time.

3. Regulations

.1 No access shall be constructed or re-constructed unless the owner has received a Driveway Access Permit from the District.

.2 Final inspection and approval of the completed driveway access shall be required prior to regular use of the driveway access.

.3 Driveways shall be constructed to the standards identified in the District of Peachland Subdivision and Development Servicing Bylaw, Schedule 1- Roads, as amended from time to time.

.4 Reciprocal access driveways may service a maximum of three (3) low density residential lots.

.5 An application for a Driveway Access Permit shall be:

.1 Submitted concurrently with a Building Permit application for any new dwelling;

.2 Made on the form prescribed by the District;

.3 Completed in full, signed by the owner(s) of the lot or a duly authorized agent;

4. Exemptions

.1 A permit is not required for entry to a lot for the purpose of assessing preliminary design or determining building construction location provided that neither excavation nor construction of any works, access, driveway or buildings takes place..

5. General

.1 If any part of this bylaw is held to be invalid by any court of competent jurisdiction, the invalid portion will be severed and will not affect the validity of the remainder of this bylaw.

.2 A person who:

.1 Uses a Driveway Access for which a permit is required, without holding a valid Driveway Access Permit, commits an offence and is punishable in accordance with the *Offence Act.*

.2 Violates this bylaw is guilty of an offence and will be subject to the fine under the Bylaw Notice Enforcement Bylaw.

.3 Every day for which an offence continues shall constitute a new offence.