



REGIONAL DISTRICT OF NORTH OKANAGAN

BOARD of DIRECTORS MEETING

Wednesday, June 20, 2012

4:00 pm

PUBLIC HEARING AGENDA

A. CALL PUBLIC HEARING TO ORDER

B. INTRODUCTION OF BYLAWS

1. **METCALFE, David and Deanna c/o WIERZBICKI, Tim and Dawn**
75 & 57 Parsons Road, Electoral Area "F" [File No. 10-0773-F-OR]
- Staff report dated May 11, 2012

Bylaw 2529, 2011 – Electoral Area "F" Official Community Plan Amendment

Purpose: to amend the land use designation of the properties legally described as Lots 1 and 2, Sec 15, Twp 20, R8, W6M, KDYD, Plan 35737 and located at 75 and 57 Parsons Road, Electoral Area "F" from Country Residential (C.R) to Small Holdings (S.H).

Bylaw 2530, 2011 – Rezoning

Purpose: to rezone the properties legally described as Lots 1 and 2, Sec 15, Twp 20, R8, W6M, KDYD, Plan 35737 and located at 75 and 57 Parsons Road, Electoral Area "F" from Country Residential Zone (C.R) to Small Holding Zone (S.H).

C. PUBLIC PRESENTATIONS

D. CLOSE PUBLIC HEARING



**REGIONAL DISTRICT
of
NORTH OKANAGAN**

REPORT

File No.: 10-0773-F-OR

TO: Board of Directors
FROM: Planning Department
DATE: May 11, 2012
SUBJECT: Electoral Area "F" Official Community Plan Amendment Bylaw No. 2529 and Rezoning Bylaw No. 2530 (Metcalf - Wierzbicki)

RECOMMENDATION:

That following consideration of comments received at the Public Hearing, Electoral Area "F" Official Community Plan Amendment Bylaw No. 2529, 2011 which proposes to amend the land use designation of the properties legally described as Lots 1 and 2, Sec 15, Twp 20, R8, W6M, KDYD, Plan 35737 and located at 75 and 57 Parsons Road, Electoral Area "F" from Country Residential to Small Holdings be considered for Third Reading; and further,

That following consideration of comments received at the Public Hearing, Rezoning Bylaw No. 2530, 2011 which proposes to rezone the properties legally described as Lots 1 and 2, Sec 15, Twp 20, R8, W6M, KDYD, Plan 35737 and located at 75 and 57 Parsons Road, Electoral Area 'F' from Country Residential Zone (C.R) to Small Holding Zone (S.H) be considered for Third Reading.

BACKGROUND:

The applicant is proposing to amend the Official Community Plan (OCP) land use designation of the properties located at 75 and 57 Parsons Road from Country Residential to Small Holdings and to amend the zoning of the subject properties from the Country Residential Zone (C.R) to the Small Holding Zone (S.H). If approved, the owners of each property are proposing to subdivide the properties to create two new 1.0 ha lots on each parcel.

The application received support in principle by the Board of Directors on November 16, 2011, directing staff to prepare an OCP Amendment Bylaw for First Reading. Amending Bylaw No. 2529, 2011 was subsequently granted First Reading on January 4, 2012 and in accordance with the *Local Government Act*, was forwarded to affected agencies and First Nations for review and comment. The referral response period has now passed and no comments were received. Also on November 16, 2011 the Board resolved that the applicant hold a Public Information Meeting prior to further readings. The applicant held their Public Information Meeting on December 19, 2011 for which the results were presented in a previous report to the Board.

At the Regular Meeting of April 4, 2012 the Board of Directors gave Second Readings to Official Community Plan Amendment Bylaw No. 2529, 2011 and First and Second Reading to Rezoning Bylaw No. 2530, 2011 and referred the Bylaws to a Public Hearing.

The applicant has submitted a Development Notification Certificate which confirms that on May 9, 2012 a Development Notice was posted on the subject property in accordance with the *Regional District of North Okanagan Development Application Procedures and Administrative Fees Bylaw No. 2315, 2008*.

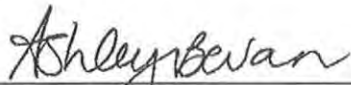
The Public Hearing for the application and associated Bylaws has been advertised in the local newspapers and the adjacent land owners have been notified by letter of the Public Hearing, all in accordance with the Regional District Development Application Procedures and Administrative Fees Bylaw and the provisions of the *Local Government Act*.

The Ministry of Transportation and Infrastructure is required to endorse the Rezoning Bylaw prior to the bylaw being Adopted.

SUMMARY:

It is recommended that Electoral Area "F" OCP Amendment Bylaw No. 2529 and Rezoning Bylaw No. 2530 both be considered for Third Reading and that the Rezoning Bylaw being forwarded to the Ministry of Transportation and Infrastructure for endorsement prior to Adoption. The bylaws propose to redesignate and rezone the subject properties from Country Residential to Small Holdings.

Submitted by:



Ashley Bevan
Executive Assistant

Endorsed by:



Rob Smailes, MCIP
General Manager, Planning and Building

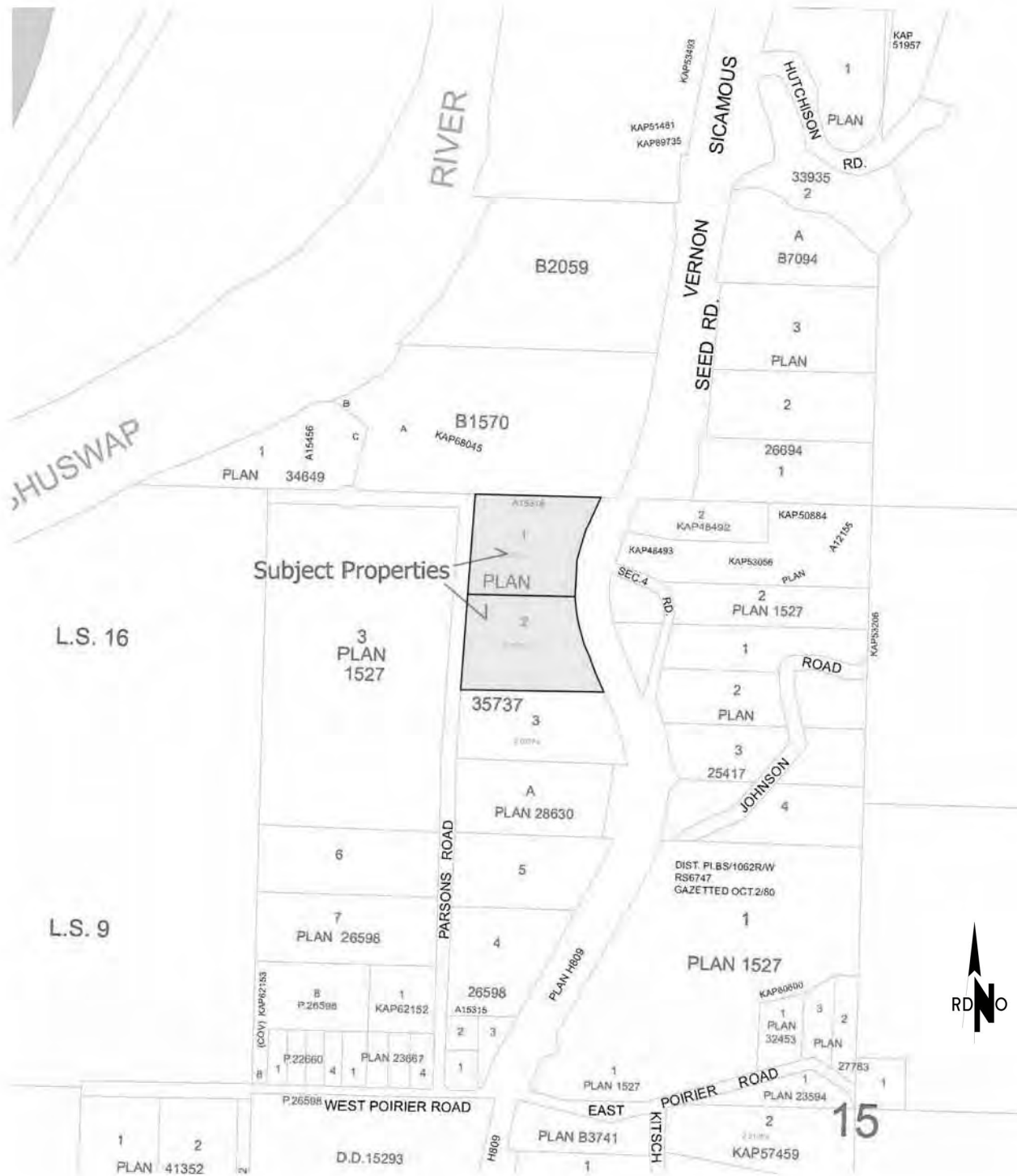
Approved For Inclusion:



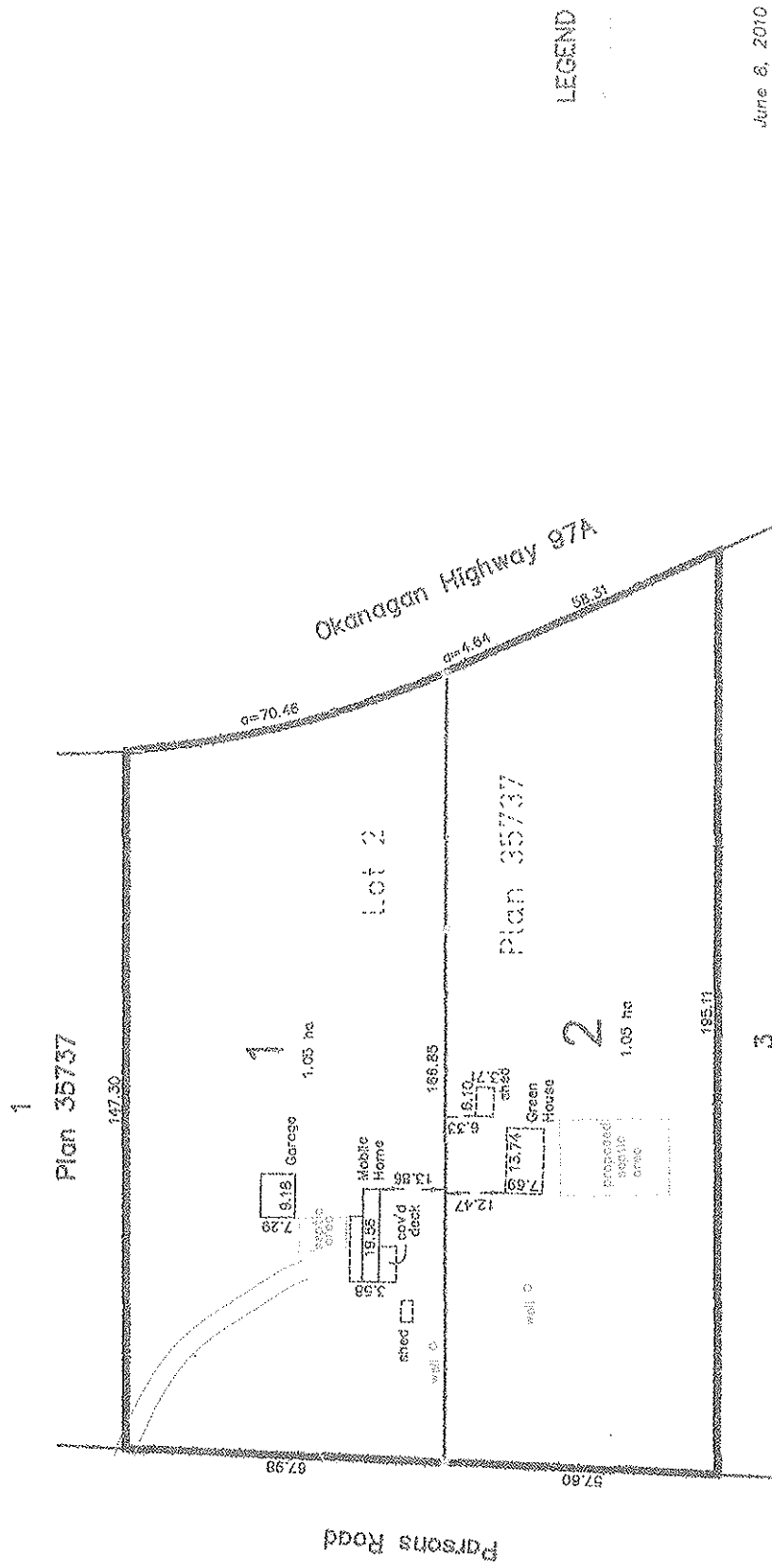
Trafford Hall, Administrator

ELECTORAL AREA "F" OCP/REZONING APPLICATION SUBJECT PROPERTY MAP

File: 10-0773-F-OR
Applicant: David & Deanna Metcalfe c/o Tim & Dawn Wierzbicki
Location: 75 & 57 Parsons Road



Sketch Plan of Proposed Subdivision of
 Lot 2, Plan 35737,
 Sec15, Tp20, R8, W6M, KDYD
 Scale 1:1000



LEGEND

June 8, 2010

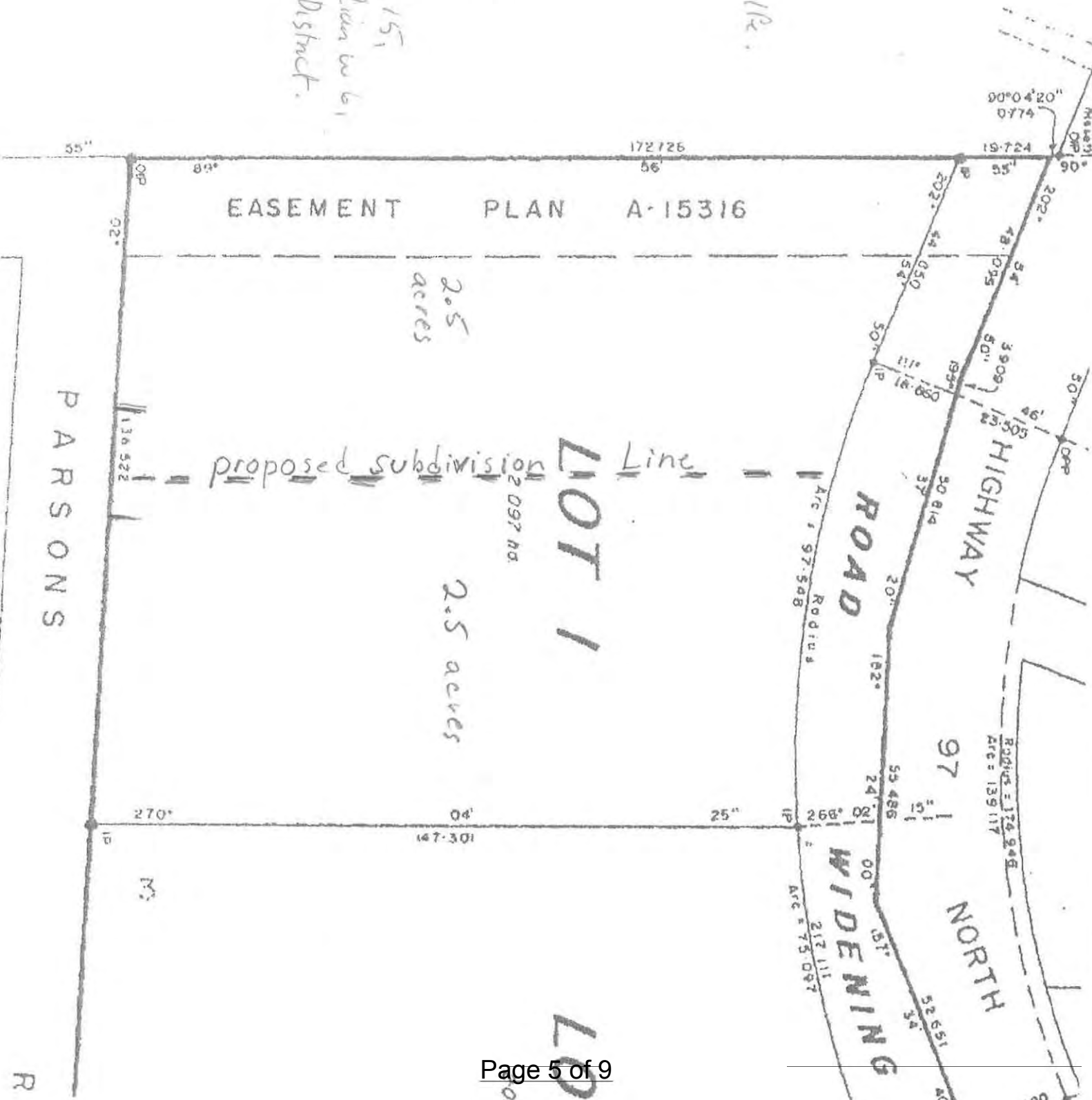
BROWNE JOHNSON LAND SURVEYORS
 B.C. AND CANADA LANDS
 SALMON ARM, B.C. Ph. 250-832-9911
 File: 8-08

Registered owner
 is Deanna Metcalfe.

Lmt 1, p/35737, sec 15,
 Twp 20, range 8, meridian 6,
 Kamloops Div of Yale District.
 RID 001-978-6/4

Rem.
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570



REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2529

A bylaw to amend Electoral Area "F" Official Community Plan Designation Bylaw No. 1934, 2004 and amendments thereto

WHEREAS pursuant to Section 876 [*Authority to adopt a bylaw*] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, the Board of the Regional District of North Okanagan may, by Bylaw, adopt one or more official community plans;

AND WHEREAS the Board has enacted the "*Electoral Area "F" Official Community Plan Designation Bylaw No. 1934, 2004*" and amendments thereto to provide a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan;

AND WHEREAS, pursuant to Section 895 [*Development approval procedures*] of the *Local Government Act*, the Board must, by bylaw, define procedures under which an owner of land may apply for an amendment to an Official Community Plan and must consider every application for an amendment to the plan;

AND WHEREAS the Board has enacted the "*Regional District of North Okanagan Development Application Procedures and Administrative Fees Bylaw No. 2315, 2008 and amendments thereto*" to establish procedures to amend an Official Community Plan, a Zoning Bylaw, or a Rural Land Use Bylaw, or to issue a Permit:

AND WHEREAS the Board is desirable and expedient to amend "*Electoral Area "F" Official Community Plan Designation Bylaw No. 1934, 2004*".

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled, enacts as follows:

GENERAL

1. This Bylaw may be cited as "**Electoral Area 'F' Official Community Plan Amendment Bylaw No. 2529, 2011**".
2. The Official Community Plan marked Schedule "B", attached to and forming part of the "*Electoral Area 'F' Official Community Plan Designation Bylaw No. 1934, 2004 and amendments thereto*" is amended by changing the designation of the properties legally described as Lot 1 & 2, Sec 15, Twp 20, R8, W6M, KDYD, Plan 35737 – located at 75 and 57 Parsons Road, Electoral Area 'F', from **Country Residential** to **Small Holding**.

Read a First time

this 4th day of January, 2012

Bylaw **2529** considered in conjunction with the
Regional District Financial Plan and Waste Management Plan

this 4th day of January, 2012

Read a Second time

this 4th day of April, 2012

Advertised on

this 8th day of June, 2012, and

this 15th day of June, 2012

Public Hearing held pursuant to the provisions of
Section 890 of the *Local Government Act* on

this 20th day of June, 2012

Read a THIRD Time

this day of , 2012

**Received the approval of the Minister of Community, Sport and Cultural Development
pursuant to Section 882 of the *Local Government Act***

this day of , 2012

Approval No. _____

Minister of Community, Sport and
Cultural Development

ADOPTED

this day of , 2012

Chair

Corporate Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2530

A bylaw to rezone lands and amend the Zoning Map attached to the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 to change a zone designation (Metcalf - Wierzbicki)

WHEREAS pursuant to Section 903 [Zoning bylaws] of the *Local Government Act*, R.S.B.C., 1996, Chapter 323, as amended, and Regulations passed pursuant thereto, the Board of the Regional District of North Okanagan may, by Bylaw, divide the whole or part of the Regional District into zones, name each zone, establish boundaries for the zones and regulate uses within those zones;

AND WHEREAS the Board has created zones, named each zone, established boundaries for these zones and regulated uses within those zones by Bylaw No. 1888, being the "*Regional District of North Okanagan Zoning Bylaw No. 1888, 2003*" and amendments thereto;

AND WHEREAS, pursuant to Section 895 [*Development approval procedures*] of the *Local Government Act*, the Board must, by bylaw, define procedures under which an owner of land may apply for an amendment to a Zoning Bylaw and must consider every application for an amendment to the bylaw;

AND WHEREAS the Board has enacted the "*Regional District of North Okanagan Development Application Procedures and Administrative Fees Bylaw No. 2315, 2008*" and amendments thereto to establish procedures to amend an Official Community Plan, a Zoning Bylaw, or a Rural Land Use Bylaw, or to issue a Permit:

AND WHEREAS the Board has received an application to rezone property;

NOW THEREFORE, the Board of the Regional District of North Okanagan, in open meeting assembled, enacts as follows:

GENERAL

1. This Bylaw may be cited as "**Rezoning Bylaw No. 2530, 2011**".
2. That that properties legally described as: Lot 1 & 2, Sec 15, Twp 20, R8, W6M, KDYD, Plan 35737 – located at 75 and 57 Parsons Road, Electoral Area 'F', be rezoned from **Country Residential Zone [C.R]** to **Small Holding Zone [S.H]**.
3. That the Zoning Map, being Schedule "A" to *Zoning Bylaw No. 1888, 2003* be amended accordingly.

Read a First and Second time

this 4th day of April, 2012

Advertised on this 8th day of June, 2012, and
this 15th day of June, 2012

Public Hearing held pursuant to the provisions of
Section 890 of the *Local Government Act* on this 20th day of June, 2012

Read a THIRD time this day of , 2012

**APPROVED by Ministry of
Transportation & Infrastructure** this day of , 2012
(Transportation Act, Sec. 52(3))

ADOPTED this day of , 2012

Chair

Corporate Officer