



# REGIONAL DISTRICT OF NORTH OKANAGAN

## BOARD of DIRECTORS MEETING

Wednesday, August 20, 2014

4:00 pm

## PUBLIC HEARING AGENDA

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### A. CALL PUBLIC HEARING TO ORDER

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### B. INTRODUCTION OF BYLAW

1. **Electoral Area “F” Official Community Plan Amendment Bylaw No. 2552, 2012  
Rezoning Bylaw No. 2553, 2012  
NORTH ENDERBY TIMBER [File No. 12-0130-F-OR]**
  - Staff report dated July 3, 2014

#### **Bylaw 2552 – Electoral Area “F” Official Community Plan Amendment**

**Purpose:** A bylaw to:

- amend the land use designation of a 4.9 ha portion of the property legally described as That Part NW 1/4, Sec 2, Lying West of the Spallumcheen River, Twp 19, R9, W6M, KDYD, Except: (1) Plan R170 (2) Parcel A (DD134553F) and located at 6314 Highway 97A, Electoral Area “F” from Agricultural to Industrial
- amend the land use designation of a 4.9 ha portion of the property legally described as Lot A, DL 526, KDYD, Plan KAP60768 and located at 91 Crandlemire Road, Electoral Area “F” from Industrial to Agricultural

#### **Bylaw 2553 – Rezoning Bylaw**

**Purpose:** A bylaw to:

- rezone a 4.9 ha portion of the property legally described as That Part NW 1/4, Sec 2, Lying West of the Spallumcheen River, Twp 19, R9, W6M, KDYD, Except: (1) Plan R170 (2) Parcel A (DD134553F) and located at 6314 Highway 97A, Electoral Area “F” from Large Holding Zone (L.H) to General Industrial Zone (I.2)
- add the following as 602.10.j in *Zoning Bylaw No. 1888, 2003*:  
Notwithstanding the permitted uses listed under Section 602(1) in this bylaw, the use of the 4.9 ha General Industrial (I.2) zoned portion of the property legally described as That Part NW 1/4, Sec 2, Lying West of the Spallumcheen River, Twp 19, R9, W6M, KDYD, Except: (1) Plan R170 (2) Parcel A (DD134553F) and located at 6314 Highway 97A, Electoral Area “F” be limited to the manufacturing, processing, and storage of wood products including lumber and building materials, millwork products, plywood and veneer, poles, prefabricated and structural wood products, shingles, and wood preserving; and

- rezone a 4.9 ha portion of the property legally described as Lot A, DL 526, KDYD, Plan KAP60768 and located at 91 Crandlemire Road, Electoral Area "F" from General Industrial Zone (I.2) to Large Holding Zone (L.H)
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**C. PUBLIC PRESENTATIONS**

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**D. CLOSE PUBLIC HEARING**



**REGIONAL DISTRICT  
of  
NORTH OKANAGAN**

# REPORT

File No.: 12-0130-F-OR

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**TO: Board of Directors**  
**FROM: Planning Department**  
**DATE: July 3, 2014**  
**SUBJECT: Electoral Area "F" OCP Amendment Bylaw No. 2552, 2012 and Rezoning Bylaw No. 2553, 2012 [North Enderby Timber]**

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**RECOMMENDATION:**

That following consideration of comments received at the Public Hearing, Electoral Area "F" Official Community Plan Amendment Bylaw No. 2552, 2012, which proposes to:

- amend the land use designation of a 4.9 ha portion of the property legally described as That Part NW 1/4, Sec 2, Lying West of the Spallumcheen River, Twp 19, R9, W6M, KDYD, Except: (1) Plan R170 (2) Parcel A (DD134553F) and located at 6314 Highway 97A, Electoral Area "F" from Agricultural to Industrial as shown on Schedule "A" attached to and forming part of Bylaw 2552, and
- amend the land use designation of a 4.9 ha portion of the property legally described as Lot A, DL 526, KDYD, Plan KAP60768 and located at 91 Crandlemire Road, Electoral Area "F" from Industrial to Agricultural as shown on Schedule "B" attached to and forming part of Bylaw 2552,

be given Third Reading; and further,

That following consideration of comments received at the Public Hearing, Rezoning Bylaw No. 2553, 2012, which proposes to:

- rezone a 4.9 ha portion of the property legally described as That Part NW 1/4, Sec 2, Lying West of the Spallumcheen River, Twp 19, R9, W6M, KDYD, Except: (1) Plan R170 (2) Parcel A (DD134553F) and located at 6314 Highway 97A, Electoral Area "F" from Large Holding Zone (L.H) to General Industrial Zone (I.2) as shown on Schedule "A" attached to and forming part of Bylaw 2553; and
- add the following as 602.10.j in *Zoning Bylaw No. 1888, 2003*:  
Notwithstanding the permitted uses listed under Section 602(1) in this bylaw, the use of the 4.9 ha General Industrial (I.2) zoned portion of the property legally described as That Part NW 1/4, Sec 2, Lying West of the Spallumcheen River, Twp 19, R9, W6M, KDYD, Except: (1) Plan R170 (2) Parcel A (DD134553F) and located at 6314 Highway 97A, Electoral Area "F" be limited to the manufacturing, processing, and storage of wood products including lumber and building materials, millwork products, plywood and veneer, poles, prefabricated and structural wood products, shingles, and wood preserving; and
- rezone a 4.9 ha portion of the property legally described as Lot A, DL 526, KDYD, Plan KAP60768 and located at 91 Crandlemire Road, Electoral Area "F" from General Industrial Zone (I.2) to Large Holding Zone (L.H) as shown on Schedule "B" attached to and forming part of Bylaw 2553

be given Third Reading.

## **BACKGROUND:**

This report relates to an application which proposes to change the Electoral Area "F" Official Community Plan (OCP) land use designation of a 4.9 ha portion of the 39.2 ha property located at 6314 Highway 97A from Agricultural to Industrial and to change the zoning of the same portion of the property from Large Holdings (L.H) to General Industrial (I.2). The application also proposes to change the OCP land use designation of a 4.9 ha portion of the 8.1 ha property located at 91 Crandlemire Road from Industrial to Agricultural and to change the zoning of the same portion of that property from General Industrial (I.2) to Large Holding (L.H).

If approved, the applicant proposes to subdivide the rezoned 4.9 ha portion of the property located at 6314 Highway 97A and to use it as a log and lumber storage yard and for a new dry kiln, machine shop and weigh scale associated with the adjacent property to the south, which is owned by North Enderby Timber Ltd. The applicant also proposes to subdivide and rehabilitate the rezoned 4.9 ha portion of the property located 91 Crandlemire Road to allow the same portion of the property to be used for agricultural purposes.

The ALC has conditionally approved the proposed development and the application was considered by the Board of Directors at their Regular Meeting of June 20, 2012, at which time the Board resolved to support it in principle and directed staff to prepare an OCP Amendment Bylaw for consideration at a subsequent meeting and a Zoning Amendment Bylaw for which would rezone the properties as proposed and limit the use of the 4.9 ha portion of the property located at 6314 Highway 97A to the manufacturing, processing, and storage of wood products including lumber and building materials, millwork products, plywood and veneer, poles, prefabricated and structural wood products, shingles, and wood preserving.

The Board further resolved that the applicant hold a Public Information Meeting prior to consideration of bylaws for further readings; and that Final Adoption of the OCP and Zoning Amendment Bylaws be withheld until the:

1. Agricultural Land Commission has authorized the proposed non-farm use of the 4.9 ha portion of the property located at 6314 Highway 97A; and,
2. Ministry of Transportation and Infrastructure has endorsed the Zoning Amendment Bylaw.

OCP Amendment Bylaw No. 2552, 2012 was subsequently granted First Reading on July 18, 2012 and in accordance with the *Local Government Act*, was forwarded to affected agencies and First Nations for review and comment.

The applicant conducted a Public Information Meeting at 4:30 p.m. on Thursday, May 8, 2014 at Grindrod Hall located at 6920 Highway 97A in Electoral Area "F" (Grindrod). The results of the Public Information Meeting were presented to the Board of Directors at the Regular Meeting of June 18, 2014 at which time the Board gave Second Reading to OCP Amendment Bylaw No. 2552, 2012, First and Second Readings to Rezoning Bylaw No. 2553, 2012 and forwarded the Bylaws to a Public Hearing.

## **DISCUSSION:**

The applicant has submitted a Development Notification Certificate which confirms that on July 4, 2014 Development Notices were posted on the subject properties 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 have been advertised in the local newspapers and the adjacent land owners of both subject properties have been notified by letter of

Electoral Area "F" OCP Amendment Bylaw No. 2552 and Rezoning Bylaw No. 2553 [North Enderby Timber]  
Report to Board of Directors – July 3, 2014 Page 3

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the Public Hearing, all in accordance with Regional District bylaws 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.

As there are no conditions that are required to be met prior to Third Reading of Bylaw Nos. 2552 and 2553, it is recommended that upon consideration of comments received at the Public Hearing, that Bylaw Nos. 2552 and 2553 be given Third Reading. Final Adoption of the OCP and Zoning Amendment Bylaws be withheld until the:

1. Agricultural Land Commission has granted final approval of the proposed development; and,
2. Ministry of Transportation and Infrastructure has endorsed the Zoning Amendment Bylaw.

After these conditions have been met, both of the Bylaws can be considered for Final Adoption at a future meeting of the Board of Directors.

**SUMMARY:**

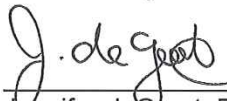
As there are no conditions that are required to be met prior to Third Reading of Bylaw Nos. 2552 and 2553, it is recommended that upon consideration of comments received at the Public Hearing, that Bylaw Nos. 2552 and 2553 be given Third Reading. Final Adoption of the OCP and Zoning Amendment Bylaws be withheld until the:

1. Agricultural Land Commission has granted final approval of the proposed development; and,
2. Ministry of Transportation and Infrastructure has endorsed the Zoning Amendment Bylaw.

After these conditions have been met, both of the Bylaws can be considered for Final Adoption at a future meeting of the Board of Directors.

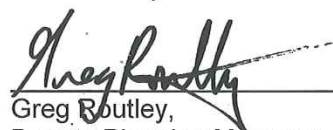
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Submitted by:



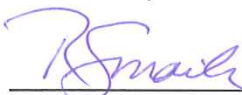
Jennifer deGroot, B.Sc.  
Executive Assistant (Temp.)

Reviewed by:



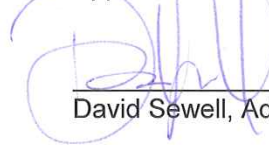
Greg Routley,  
Deputy Planning Manager

Endorsed by:



Rob Smailes, MCIP, RPP  
General Manager, Planning and Building

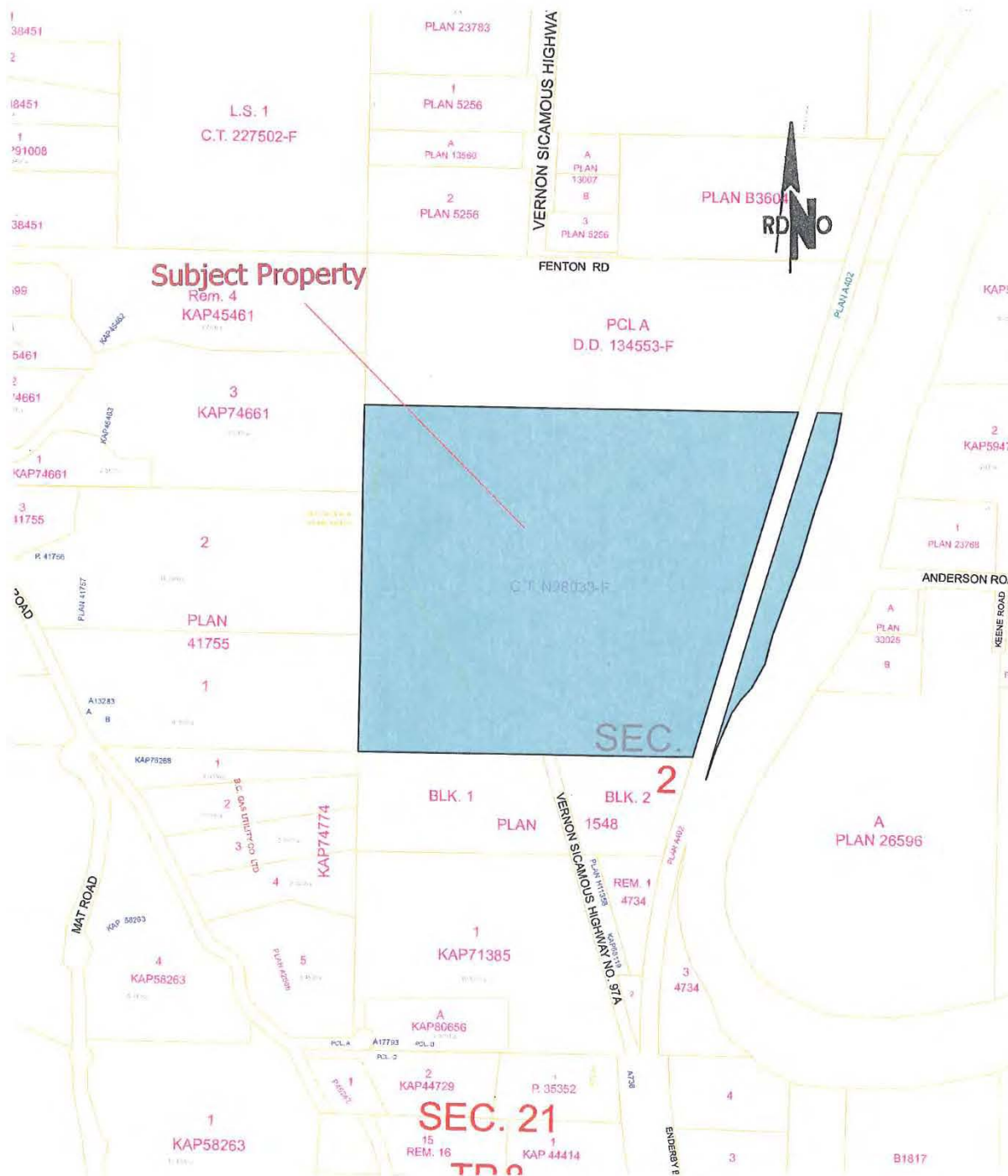
Approved for Inclusion:



David Sewell, Administrator

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

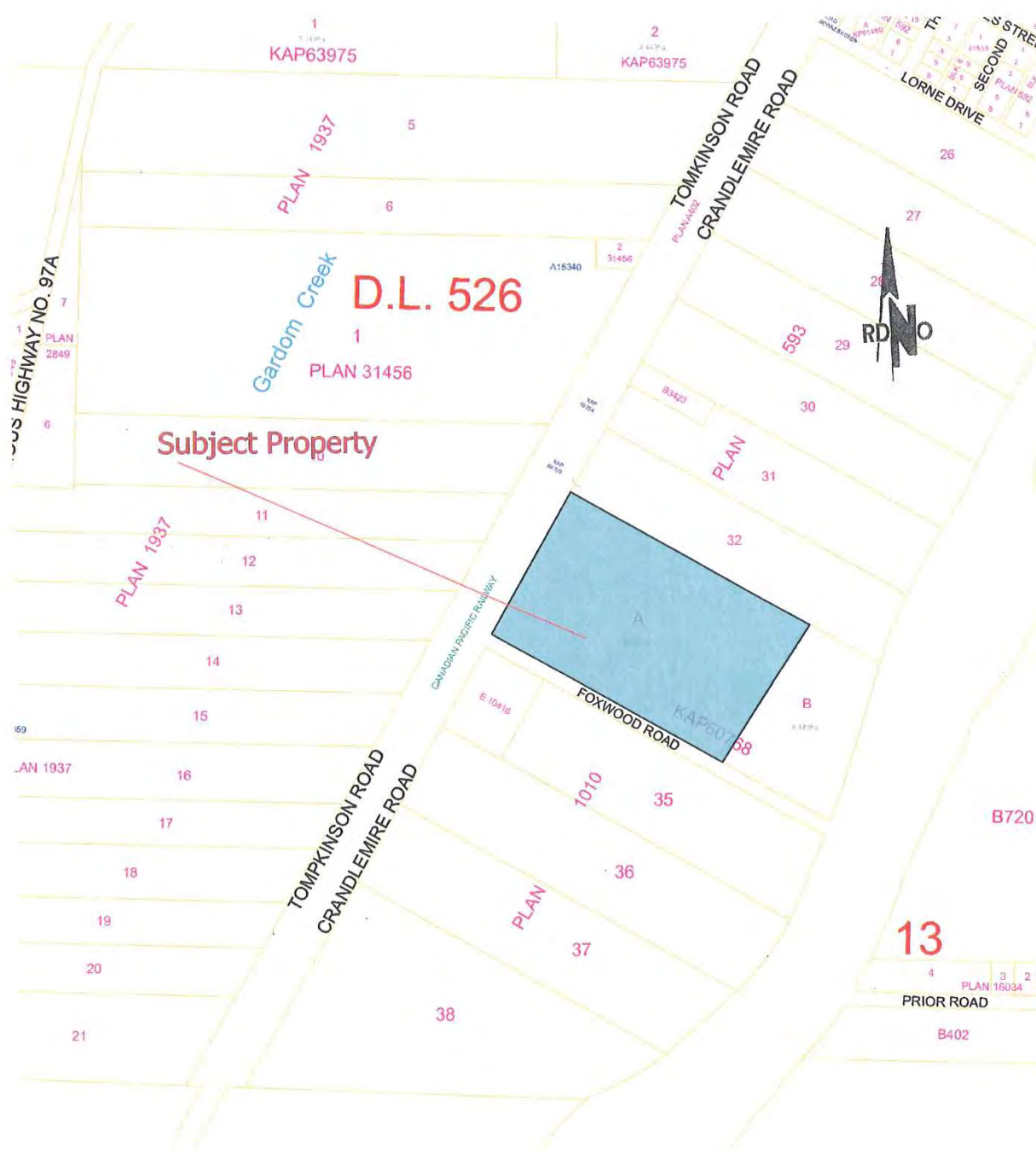
File: 12-0130-F-OR  
Applicant: 0928153 BC Ltd. – North Enderby Timber  
Location: 6314 Hwy 97A





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

File: 12-0130-F-OR  
Applicant: 0928153 BC Ltd. – North Enderby Timber  
Location: 91 Crandlemire Road





**B.C. HYDRO & POWER AUTHORITY**



**Description of Existing Use**

**6314 Highway 97A**

The land (Southern 12 acres located at 6314 Highway 97A Enderby) we are applying to exclude from the ALR is currently used as a hay field that yields approximately two crops a year.



**91 Crandlemire Road**

The subject portion of the property is an old log storage yard that has sat unused for approximately 6 years. One fifth of the yard is grown in with trees that are approximately 20 plus years old.

The lot shown in the following satellite image is 91 Crandlemire Road:



## REGIONAL DISTRICT OF NORTH OKANAGAN

### BYLAW No. 2552

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

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**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*" and amendments thereto.

**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. 2552, 2012**".
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 a 4.9 ha portion of the property legally described as That Part NW 1/4, Sec 2, Lying West of the Spallumcheen River, Twp 19, R9, W6M, KDYD, Except: (1) Plan R170 (2) Parcel A (DD134553F) and located at 6314 Highway 97A, Electoral Area "F" from **Agricultural** to **Industrial** as shown on Schedule "A" attached to and forming part of this bylaw.
3. 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 a 4.9 ha portion of the property legally described as Lot A, DL 526, KDYD, Plan KAP60768 and located at 91 Crandlemire Road, Electoral Area 'F' from **Industrial** to **Agricultural** as shown on Schedule "B" attached to and forming part of this bylaw.

Bylaw No. 2552, 2012

Page 2

**Read a First time**

this 18th day of July, 2012

Bylaw **2552** considered in conjunction with the  
Regional District Financial Plan and  
Waste Management Plan

this 18th day of July, 2012

**Read a Second time**

this 18th day of June, 2014

Advertised on

this 13th day of August, 2014, and

this 15th day of August, 2014

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

this 20th day of August, 2014

**Read a THIRD Time**

this        day of        , 2014

**ADOPTED**

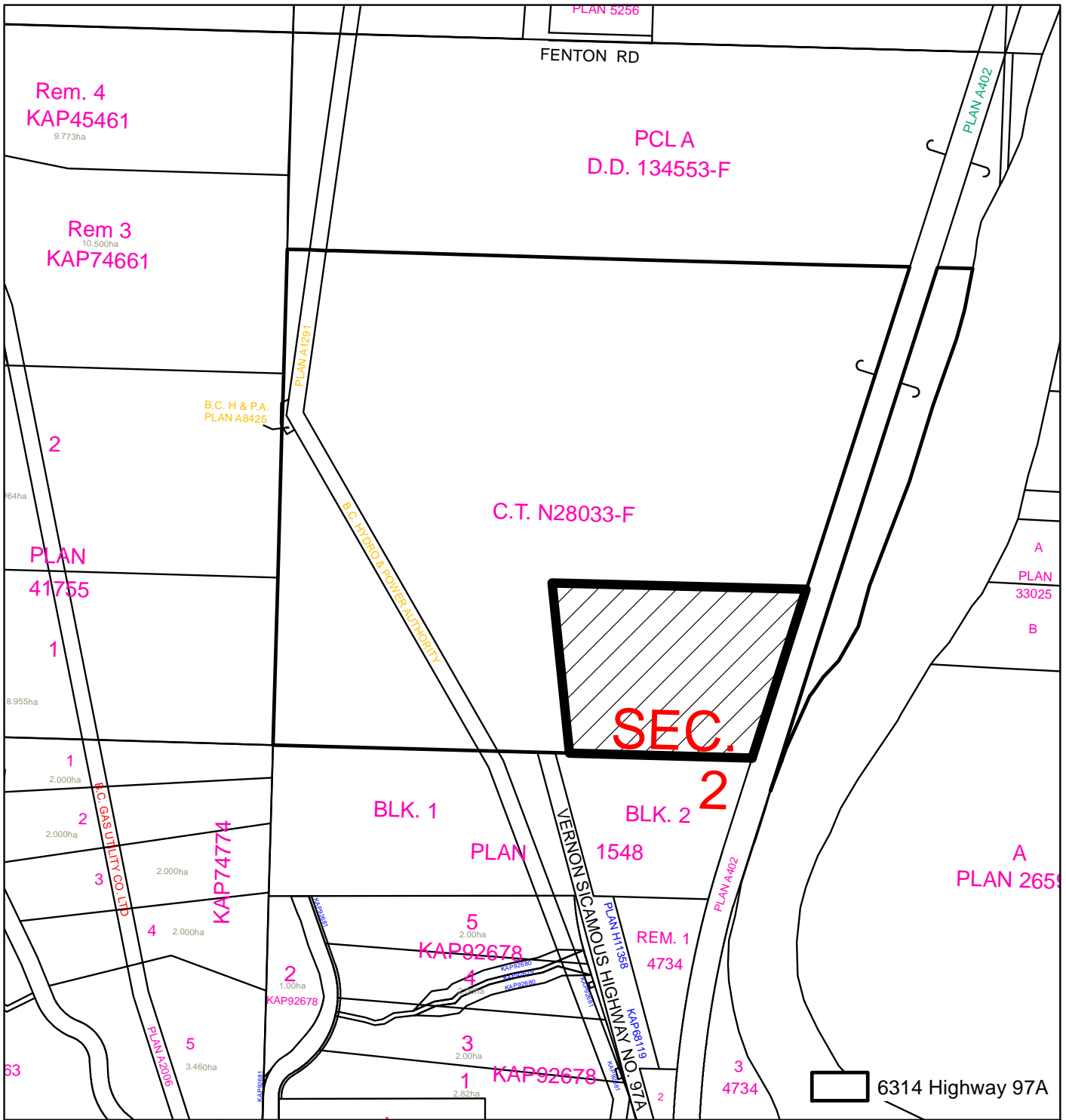
this        day of        , 2014

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Chair

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Corporate Officer



RD NO

1:6,000

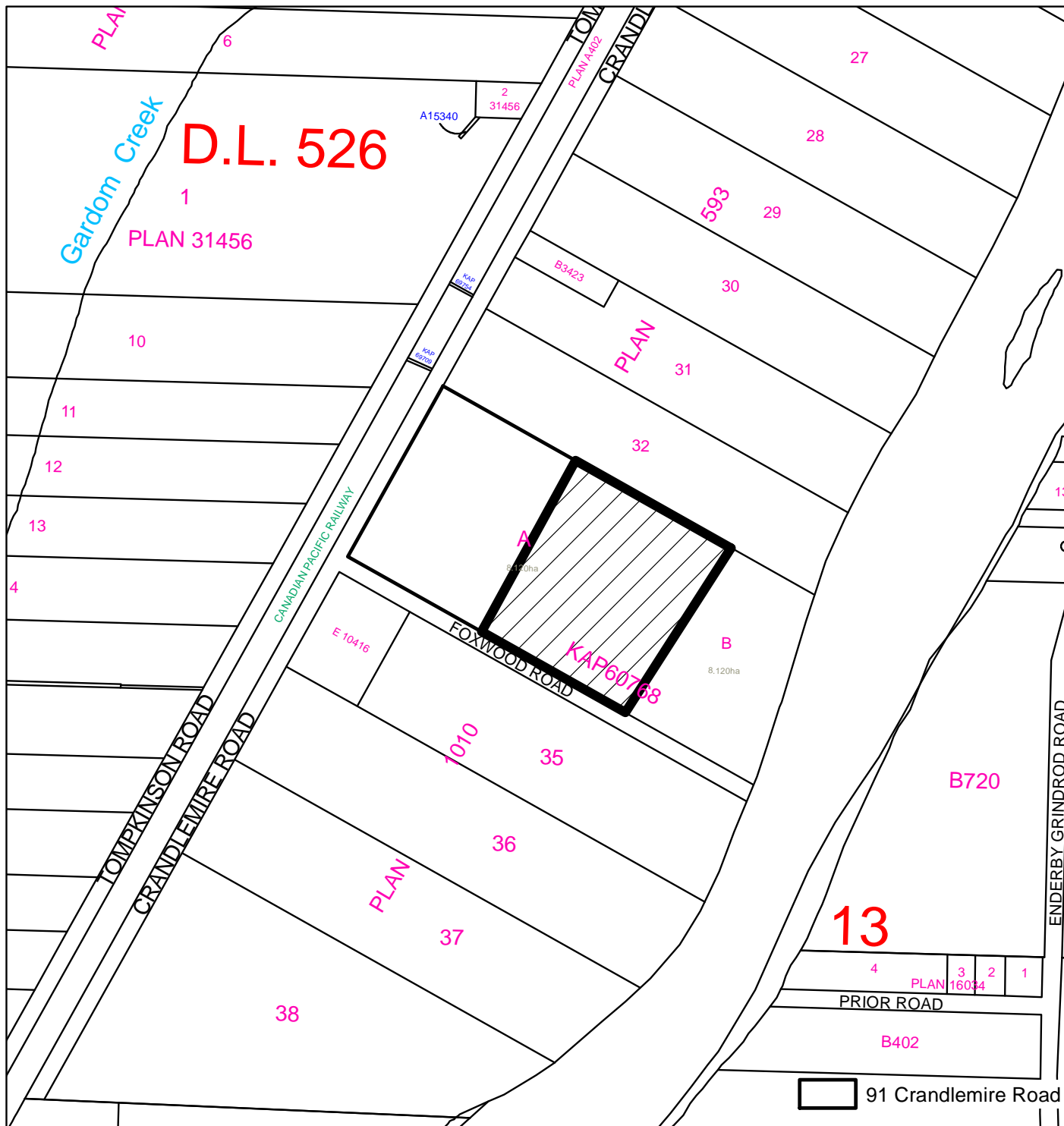
SCHEDULE "A" to accompany the Regional District of North Okanagan "Electoral Area "F" Official Community Plan Amendment Bylaw No. 2552, 2012" (North Enderby Timber).

Area redesignated from Agricultural to Industrial shown .....

I hereby certify this to be a true and correct copy of SCHEDULE "A" attached to and forming part of the Regional District of North Okanagan "Electoral Area "F" Official Community Plan Amendment Bylaw No. 2552, 2012" (North Enderby Timber).


Dated at Coldstream, BC this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
 Corporate Officer



1:6,000

SCHEDULE "B" to accompany the Regional District of North Okanagan "Electoral Area "F" Official Community Plan Amendment Bylaw No. 2552, 2012" (North Enderby Timber).

Area redesignated from Industrial to Agricultural shown 

I hereby certify this to be a true and correct copy of SCHEDULE "B" attached to and forming part of the Regional District of North Okanagan "Electoral Area "F" Official Community Plan Amendment Bylaw No. 2552, 2012" (North Enderby Timber).

Dated at Coldstream, BC this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
 Corporate Officer



## REGIONAL DISTRICT OF NORTH OKANAGAN

### BYLAW No. 2553

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

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**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. 2553, 2012**”.
2. That a 4.9 ha portion of the property legally described as That Part NW 1/4, Sec 2, Lying West of the Spallumcheen River, Twp 19, R9, W6M, KDYD, Except: (1) Plan R170 (2) Parcel A (DD134553F) and located at 6314 Highway 97A, Electoral Area “F” be rezoned from **Large Holding Zone (L.H)** to **General Industrial Zone (I.2)** as shown on Schedule “A” attached to and forming part of this bylaw.
3. That the following be inserted as 602.10.j in *Zoning Bylaw No. 1888, 2003*:

Notwithstanding the permitted uses listed under Section 602(1) in this bylaw, the use of the 4.9 ha General Industrial (I.2) zoned portion of the property legally described as That Part NW 1/4, Sec 2, Lying West of the Spallumcheen River, Twp 19, R9, W6M, KDYD, Except: (1) Plan R170 (2) Parcel A (DD134553F) and located at 6314 Highway 97A, Electoral Area “F” be limited to the manufacturing, processing, and storage of wood products including lumber and building materials, millwork products, plywood and

veneer, poles, prefabricated and structural wood products, shingles, and wood preserving.

4. That a 4.9 ha portion of the property legally described as Lot A, DL 526, KDYD, Plan KAP60768 and located at 91 Crandlemire Road, Electoral Area "F" be rezoned from **General Industrial Zone (I.2)** to **Large Holding Zone (L.H)** as shown on Schedule "B" attached to and forming part of this bylaw.
  
5. That the Zoning Map, being Schedule "A" to *Zoning Bylaw No. 1888, 2003* be amended accordingly.

**Read a First time** this 18th day of July, 2012

**Read a Second time** this 18th day of June, 2014

Advertised on this 13th day of August, 2014, and  
this 15th day of August, 2014

Public Hearing held pursuant to the provisions of  
Section 890 of the *Local Government Act* on this 20th day of August, 2014

**Read a THIRD Time** this            day of            , 2014

**APPROVED by Ministry of  
Transportation & Infrastructure** this            day of            , 2014  
(Transportation Act, Sec. 52(3))

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**ADOPTED** this            day of            , 2014

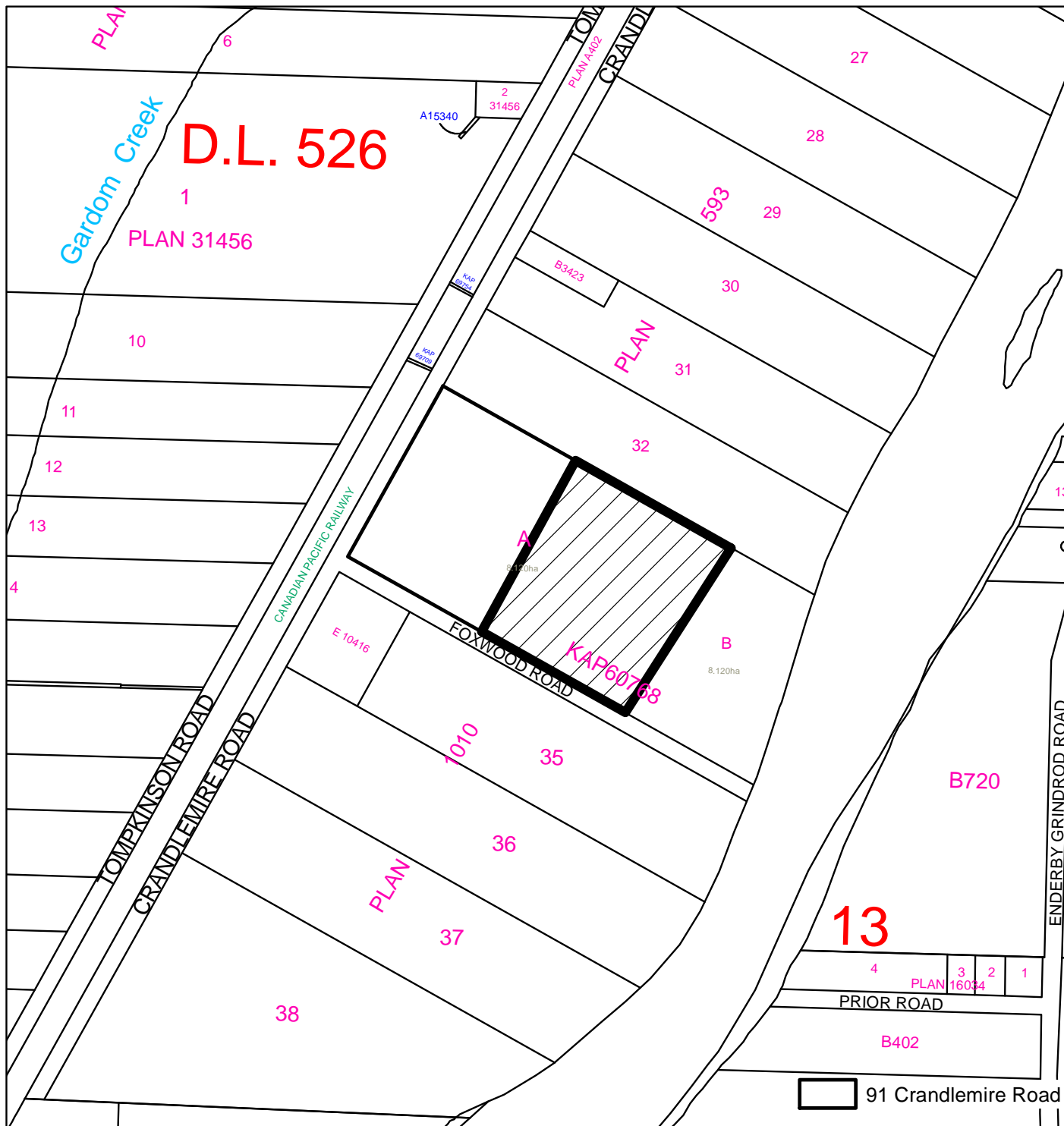
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Chair

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
Corporate Officer





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SCHEDULE "B" to accompany the Regional District of North Okanagan  
 "Rezoning Bylaw No. 2553, 2012" (North Enderby Timber).

Area rezoned from General Industrial Zone to Large Holding Zone shown ... 

I hereby certify this to be a true and correct copy of SCHEDULE "B" attached to and forming part of  
 the Regional District of North Okanagan "Rezoning Bylaw No. 2553, 2012" (North Enderby Timber).

Dated at Coldstream, BC this \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
 Corporate Officer