



REGIONAL DISTRICT OF NORTH OKANAGAN

BOARD of DIRECTORS MEETING

Wednesday, November 5, 2014

4:00 pm

PUBLIC HEARING AGENDA

A. CALL PUBLIC HEARING TO ORDER

B. INTRODUCTION OF BYLAW

1. **Zoning Bylaw No. 2656, 2014 [Harvey]**
 - Staff report dated October 22, 2014

Bylaw 2656, 2014 – Rezoning

Purpose: A bylaw to rezone the property legally described as Lot A, Sec 28, Twp 57, ODYD, Plan KAP71752 and located at 112 North Fork Road, Electoral Area "E" from the Non-Urban (N.U) Zone to the Small Holding (S.H) Zone.

C. PUBLIC PRESENTATIONS

D. CLOSE PUBLIC HEARING



**REGIONAL DISTRICT
of
NORTH OKANAGAN**

REPORT

File No.: 14-0190-E-RZ

TO: Board of Directors
FROM: Planning Department
DATE: October 22, 2014
SUBJECT: Rezoning Bylaw No. 2656, 2014 [Harvey]

RECOMMENDATION:

That following consideration of comments received at the Public Hearing, Rezoning Bylaw No. 2656, 2014 which proposes to rezone the property legally described as Lot A, Sec 28, Twp 57, ODYD, Plan KAP71752 and located at 112 North Fork Road, Electoral Area "E" from the Non-Urban (N.U) Zone to the Small Holding (S.H) Zone be given Third Reading; and further,

That Rezoning Bylaw No. 2656, 2014 be forwarded to the Ministry of Transportation and Infrastructure for endorsement.

BACKGROUND:

This report relates to an application to rezone the property located at 112 North Fork Road from the Non-Urban (N.U) zone to the Small Holding (S.H) zone, consistent with the land use designation of the Electoral Areas "D" and "E" Official Community Plan. If successful, the applicant is proposing to subdivide the 3.87 ha property into 2 lots of approximately 1.05 ha and 2.82 ha.

The application was considered by the Board of Directors at the Regular Meeting of September 17, 2014 at which time the Board gave First and Second Readings to Rezoning Bylaw No. 2656, 2014 and also resolved to forward the Bylaw to a Public Hearing.


Notification of Public Hearing

The applicant has submitted a Development Notification Certificate which confirms that on October 22, 2014, 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 Bylaw 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*.

SUMMARY:

Aside from the above noted notification requirements associated with the Public Hearing, no conditions were required to be met prior to forwarding this application to a Public Hearing. The Planning Department therefore recommends that upon consideration of comments received at the Public Hearing, Rezoning Bylaw No. 2656, 2014 be considered for Third Reading. Following Third Reading, the Bylaw must be forwarded to the Ministry of Transportation and Infrastructure for approval. Once the Ministry endorses the Bylaw, it can be considered for Adoption.

Submitted by:




Ashley Bevan
Executive Assistant

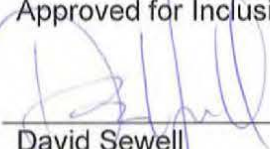


Greg Routley
Deputy Planning Manager

Endorsed by:



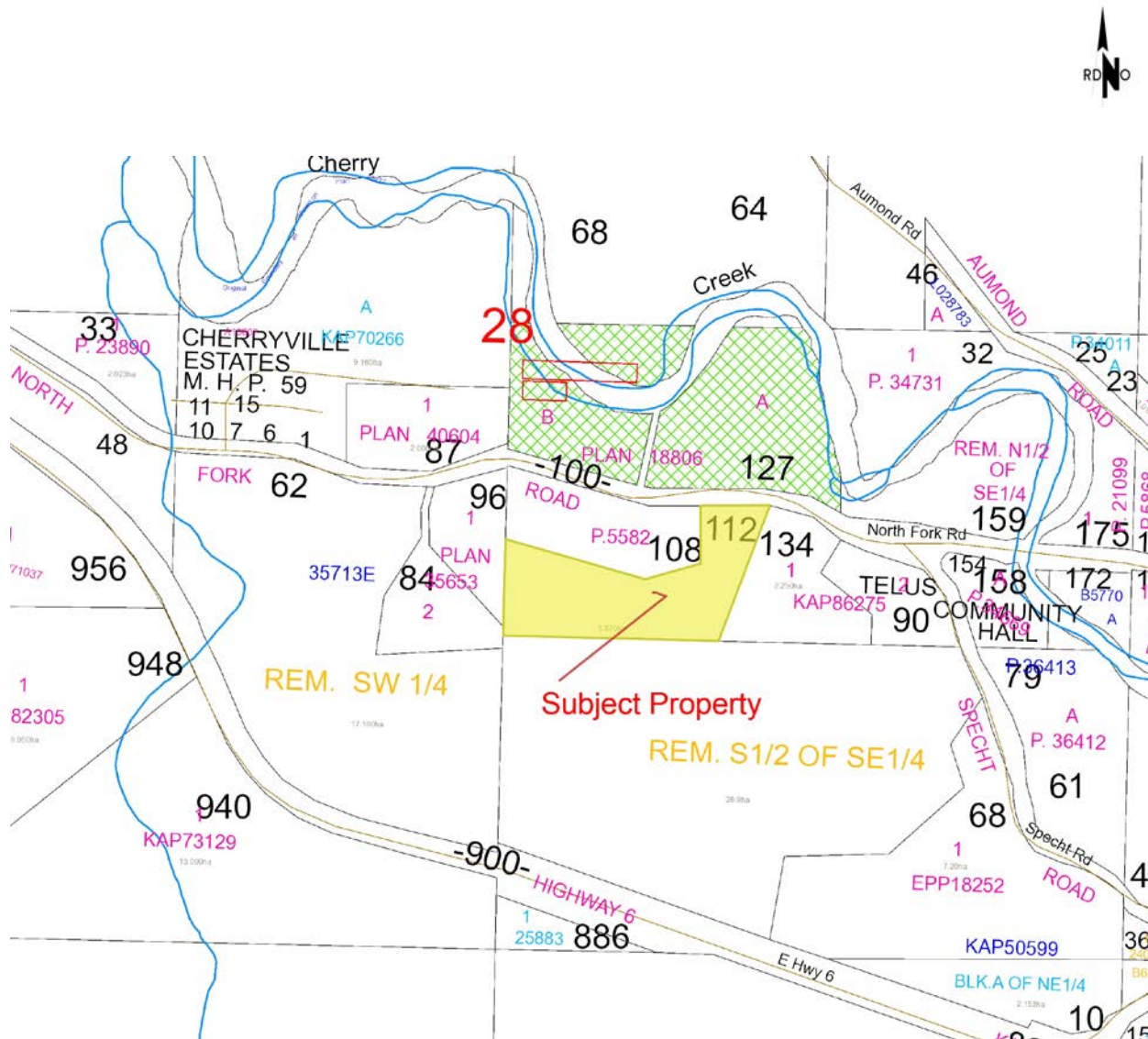
Rob Smailes, MCIP, RPP
General Manager, Planning and Building

Approved for Inclusion:


David Sewell
Chief Administrative Officer

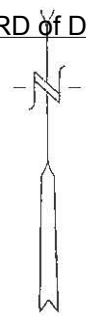
ELECTORAL AREA "E" REZONING APPLICATION SUBJECT PROPERTY MAP

File: 14-0190-E-RZ
Applicant: LANCE & ANGELIA HARVEY
Location: 112 NORTH FORK ROAD



Plan KAP 717 S2.

Aug. 22, 2002
metres.



LEGE
BEARING
● DEN
○ DEN
THIS PL
APPROV

LOT 1
PLAN 35653

Road Widening
497 sq.m.

NORTH FORK ROAD

LOT 1
PLAN 5582

Rem. LOT 1
PLAN 33521

3.67 ha.
722-07807-015

SFD
Shop
LOT-A
3.87 ha.

Drip
well

SRW PLAN A1151

S 1/2 SE 1/4 SEC. 28 TP. 57

Approved as to Dedication of Road
BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
Owners of Charge Number 44165E
by its attorneys in fact (D.F. B. 283872)

AKI JUNKKA LINJUNEN

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2656

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

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 Directors of the Regional District of North Okanagan, in open meeting assembled, enacts as follows:

A. CITATION

This Bylaw may be cited as the "**Rezoning Bylaw No. 2656, 2014**".

B. AMENDMENTS

1. That the property legally described as: Lot A, Sec 28, Twp 57, ODYD, Plan KAP71752 and located at 112 North Fork Road, Electoral Area "E" be rezoned from the **Non-Urban Zone [N.U]** to the **Small Holding Zone [S.H]**.
2. That the Zoning Map, being Schedule "A" to *Zoning Bylaw No. 1888, 2003* be amended accordingly.

Read a First and Second Time	this	17th	day of	September, 2014
Advertised on	this	29th	day of	October, 2014
	this	31st	day of	October, 2014

Public Hearing held pursuant to the provisions of this 5th day of November, 2014
Section 890 of the *Local Government Act*

Read a Third Time this day of , 2014

Approved by Minister of Transportation and Infrastructure this day of , 2014
(Transportation Act s. 52(3))

ADOPTED this day of , 2014

Chair

Corporate Officer