



# REGIONAL DISTRICT OF NORTH OKANAGAN

## BOARD of DIRECTORS MEETING

Wednesday, August 19, 2015

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. **OCP/Rezoning Application**  
**Bylaw 2477 – OCP Amendment**  
**Bylaw 2478 – Rezoning**  
**VETTER, T, P & S [File No. 10-0497-F-OR]**  
– Staff report dated August 5, 2015

#### **Bylaw 2477 – Electoral Area “F” Official Community Plan Amendment**

**Purpose:** A bylaw to amend the land use designation of the property legally described as Lot 1, Sec 14, Twp 19, R9, W6M, KDYD, Plan 2168, Except Plans 21604, 23402 and H10220 and located at 64 Highway 97B, Electoral Area “F” from Agricultural to Country Residential.

#### **Bylaw 2478 – Rezoning Bylaw**

**Purpose:** A bylaw to rezone the property legally described as Lot 1, Sec 14, Twp 19, R9, W6M, KDYD, Plan 2168, Except Plans 21604, 23402 and H10220 and located at 64 Highway 97B, Electoral Area “F” from the Non-Urban (N.U) zone to the Country Residential (C.R) zone.

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### C. PUBLIC PRESENTATIONS

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### D. CLOSE PUBLIC HEARING





**REGIONAL DISTRICT  
of  
NORTH OKANAGAN**

# REPORT

File No.: 10-0497-F-OR

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**TO: Board of Directors**  
**FROM: Planning Department**  
**DATE: August 5, 2015**  
**SUBJECT: Electoral Area "F" OCP Amendment Bylaw No. 2477 and Rezoning  
Bylaw No. 2478 (Vetter)**

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**RECOMMENDATION:**

That following consideration of comments received at the Public Hearing, Electoral Area "F" Official Community Plan Amendment Bylaw No. 2477, 2011 which proposes to amend the land use designation of the property legally described as Lot 1, Sec 14, Twp 19, R9, W6M, KDYD, Plan 2168, Except Plans 21604, 23402 and H10220 and located at 64 Highway 97B, Electoral Area "F" from Agricultural to Country Residential be considered for Third Reading; and further,

That following consideration of comments received at the Public Hearing, Rezoning Bylaw No. 2478, 2015 which proposes to rezone the property legally described as Lot 1, Sec 14, Twp 19, R9, W6M, KDYD, Plan 2168, Except Plans 21604, 23402 and H10220 and located at 64 Highway 97B, Electoral Area "F" from the Non-Urban (N.U) zone to the Country Residential (C.R) zone be considered for Third Reading; and further,

That Rezoning Bylaw No. 2478, 2015 be forwarded to the Ministry of Transportation and Infrastructure for endorsement in accordance with the requirements of Section 52(3) of the *Transportation Act*.

**BACKGROUND:**

This report relates to an application to change the Official Community Plan (OCP) land use designation of the property located at 64 Highway 97B from Agricultural to Country Residential and to amend the zoning of the subject property from Non-Urban to Country Residential. If approved, the applicant is proposing to subdivide the property into two 2.0 ha lots.

At the Regular Meeting of June 17, 2015 the Board of Directors gave Second Reading to Electoral Area "F" OCP Amendment Bylaw No. 2477 and First and Second Readings to Rezoning Bylaw No. 2478 and referred the Bylaws to a Public Hearing.

The applicant has submitted a Development Notification Certificate which confirms that on July 16, 2015 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 owners of properties within 100 m of the subject property have been notified by letter of the Public Hearing, all in accordance with Regional District bylaws and the provisions of the *Local Government Act*.

In accordance with the requirements of Section 52(3) of the *Transportation Act*, the Ministry of Transportation and Infrastructure is required to endorse Rezoning Bylaw No. 2478 prior to it being Adopted.

**DISCUSSION:**

As there are no conditions that are required to be met prior to Third Reading of Bylaw Nos. 2477 and 2478, it is recommended that upon consideration of comments received at the Public Hearing, that Bylaw Nos. 2477 and 2478 be given Third Reading and that Bylaw No. 2478 be forwarded to the Ministry of Transportation and Infrastructure for endorsement. After Bylaw No. 2478 has been endorsed by the Ministry of Transportation and Infrastructure, both of the Bylaws can be considered for Final Adoption at a future meeting of the Board of Directors.

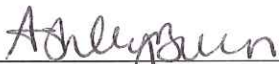
**SUMMARY:**

This report relates to an application to change the Official Community Plan land use designation of the property located at 64 Highway 97B from Agricultural to Country Residential and to rezone the property from Non-Urban (N.U) to Country Residential (C.R). If approved, the applicant proposes to subdivide the property into two 2.0 ha lots.

It is recommended that upon consideration of comments received at the Public Hearing, Electoral Area "F" OCP Amendment Bylaw No. 2477 and Rezoning Bylaw No. 2478 be considered for Third Reading and Rezoning Bylaw No. 2478 be forwarded to the Ministry of Transportation and Infrastructure for endorsement prior to Adoption.

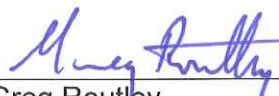
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Submitted by:



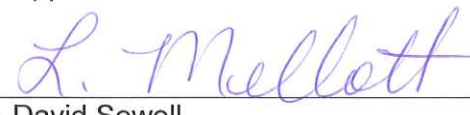
Ashley Bevan, Executive Assistant

Endorsed by:



Greg Routley  
Deputy Planning Manager

Approved for Inclusion:



for: David Sewell  
Chief Administrative Officer



# Sketch Plan of Proposed Subdivision of Lot 1, Sec 14, Tp 19, R 9, W6M, KDYD, Plan 2168

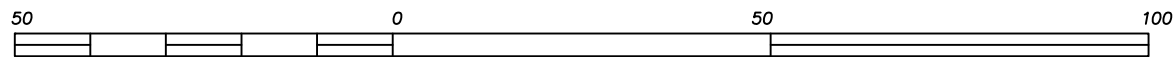
Except Plans 21604, 23402 and H10220

Scale 1:1000

BCGS 82L.065

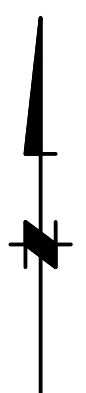
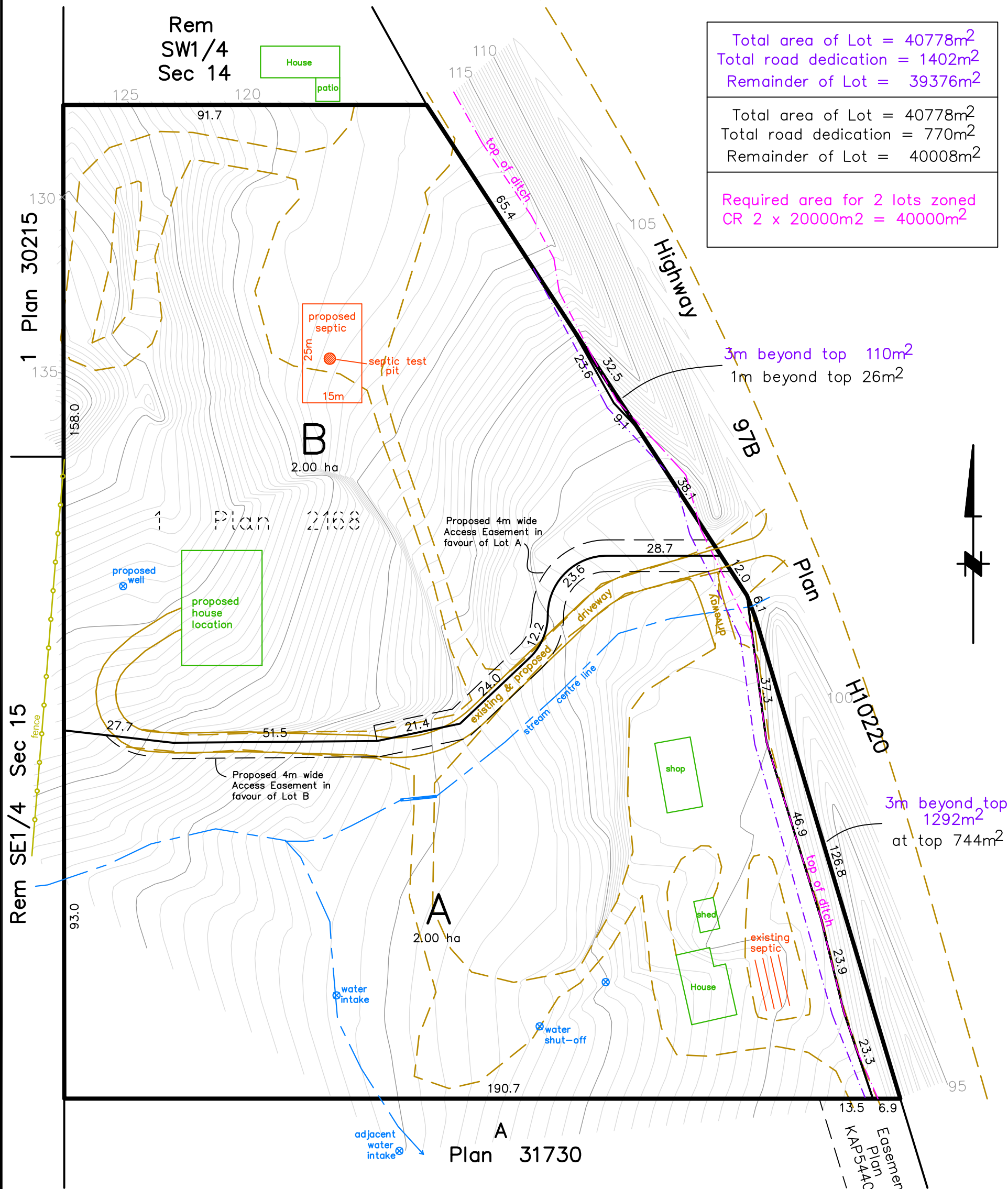
## LEGEND

- - - - - top of ditch
- - - - - 3m beyond top
- — — — — 1m beyond top



All distances are in metres.

Total area of Lot = 40778m <sup>2</sup> Total road dedication = 1402m <sup>2</sup> Remainder of Lot = 39376m <sup>2</sup>
Total area of Lot = 40778m <sup>2</sup> Total road dedication = 770m <sup>2</sup> Remainder of Lot = 40008m <sup>2</sup>
Required area for 2 lots zoned CR 2 x 20000m <sup>2</sup> = 40000m <sup>2</sup>



October 27, 2014  
 BROWNE JOHNSON LAND SURVEYORS  
 B.C. AND CANADA LANDS  
 SALMON ARM, B.C. Ph.250-832-9701  
 File: 394-14 (237-10)

## REGIONAL DISTRICT OF NORTH OKANAGAN

### BYLAW NO. 2477

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*".

**NOW THEREFORE**, the Board of the Regional District of North Okanagan, in open meeting assembled, hereby ENACTS AS FOLLOWS:

#### CITATION

1. This Bylaw may be cited as "***Electoral Area "F" Official Community Plan Amendment Bylaw No. 2477, 2011***".

#### AMENDMENTS

1. 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 property legally described as Lot 1, Sec 14, Twp 19, R9, W6M, KDYD, Plan 2168, Except Plans 21604, 23402 and H10220, located at 64 Highway 97B, from ***Agricultural*** to ***Country Residential***.

**Read a First Time** this 2nd day of February, 2011

**Bylaw considered in conjunction with the Regional District Financial Plan and Waste Management Plan** this 2nd day of February, 2011

**Read a Second Time** this 17th day of June, 2015

Bylaw No. 2477

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Advertised on this 12th day of August, 2015  
this 14th day of August, 2015

Public Hearing held pursuant to the provisions of this 19th day of August, 2015  
Section 890 of the *Local Government Act*

**Read a Third Time** this day of , 2015

**ADOPTED** this day of , 2015

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Chair

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Deputy Corporate Officer



## REGIONAL DISTRICT OF NORTH OKANAGAN

### BYLAW No. 2478

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

#### CITATION

1. This Bylaw may be cited as the "**Rezoning Bylaw No. 2478, 2015**".

#### AMENDMENTS

1. That the property legally described as: Lot 1, Sec 14, Twp 19, R9, W6M, KDYD, Plan 2168, Except Plans 21604, 23402, and H10220 and located at 64 Highway 97B, Electoral Area "F", be rezoned from the **Non-Urban Zone [N.U.]** to the **Country Residential Zone [C.R.]**.
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	June, 2015
Advertised on	this	12th	day of	August, 2015
	this	14th	day of	August, 2015
Public Hearing held pursuant to the provisions of Section 890 of the <i>Local Government Act</i>	this	19th	day of	August, 2015

