



REGIONAL DISTRICT OF NORTH OKANAGAN

BOARD of DIRECTORS MEETING

Wednesday, January 20, 2016

4:00 pm

PUBLIC HEARING AGENDA

A. CALL PUBLIC HEARING TO ORDER

B. INTRODUCTION OF BYLAW

1. **Bylaw 2698 – Rezoning**
FOISY, E. and S. [15-0379-E-RZ]
39 Specht Road, Electoral Area “E”
 - Staff report dated December 16, 2015

Bylaw 2689 – Rezoning

Purpose: A bylaw to rezone the property legally described as Lot 1, Sec 27, Twp 57, ODYD, Plan 19296, Except Plans 24045 and 25218 and located at 39 Specht Road, Electoral Area “E” from the Non-Urban (N.U) Zone to the Country Residential (C.R) Zone.

C. PUBLIC PRESENTATIONS

D. CLOSE PUBLIC HEARING



**REGIONAL DISTRICT
of
NORTH OKANAGAN**

REPORT

File No.: 15-0379-E-RZ

TO: Board of Directors
FROM: Planning Department
DATE: December 16, 2015
SUBJECT: Zoning Amendment Bylaw No. 2698, 2015 [Foisy]

RECOMMENDATION:

That following consideration of comments received at the Public Hearing, Zoning Amendment Bylaw No. 2698, 2015 which proposes to rezone the property legally described as Lot 1, Sec 27, Twp 57, ODYD, Plan 19296, Except Plans 24045 and 25218 and located at 39 Specht Road, Electoral Area "E" from the Non-Urban (N.U) Zone to the Country Residential (C.R) Zone be given Third Reading; and further,

That Rezoning Bylaw No. 2698, 2015 be forwarded to the Ministry of Transportation and Infrastructure for endorsement.

BACKGROUND:

This report relates to an application to rezone the property located at 39 Specht Road from the Non-Urban (N.U) zone to the Country Residential (C.R) zone. If successful, the applicant proposes to subdivide the 5.78 ha lot into two lots of approximately 2.4 ha and 3.4 ha. The application was considered by the Board of Directors at the Regular Meeting of November 18, 2015 at which time the Board gave First and Second Readings to Zoning Amendment Bylaw No. 2698, 2015 and also resolved to forward the Bylaw to a Public Hearing.

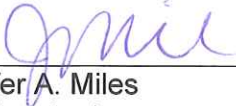
Notification of Public Hearing

The applicant has submitted a Development Notification Certificate which confirms that on December 15, 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 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, Zoning Amendment Bylaw No. 2698, 2015 be considered for Third Reading. Following Third Reading, the Bylaw must be forwarded to the Ministry of Transportation and Infrastructure for endorsement. Once the Ministry endorses the Bylaw, it can be considered for Adoption by the Board of Directors.

Submitted by:



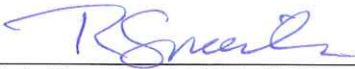
Jennifer A. Miles
Planning Assistant

Reviewed by:



Greg Routley
Deputy Planning Manager

Endorsed by:



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

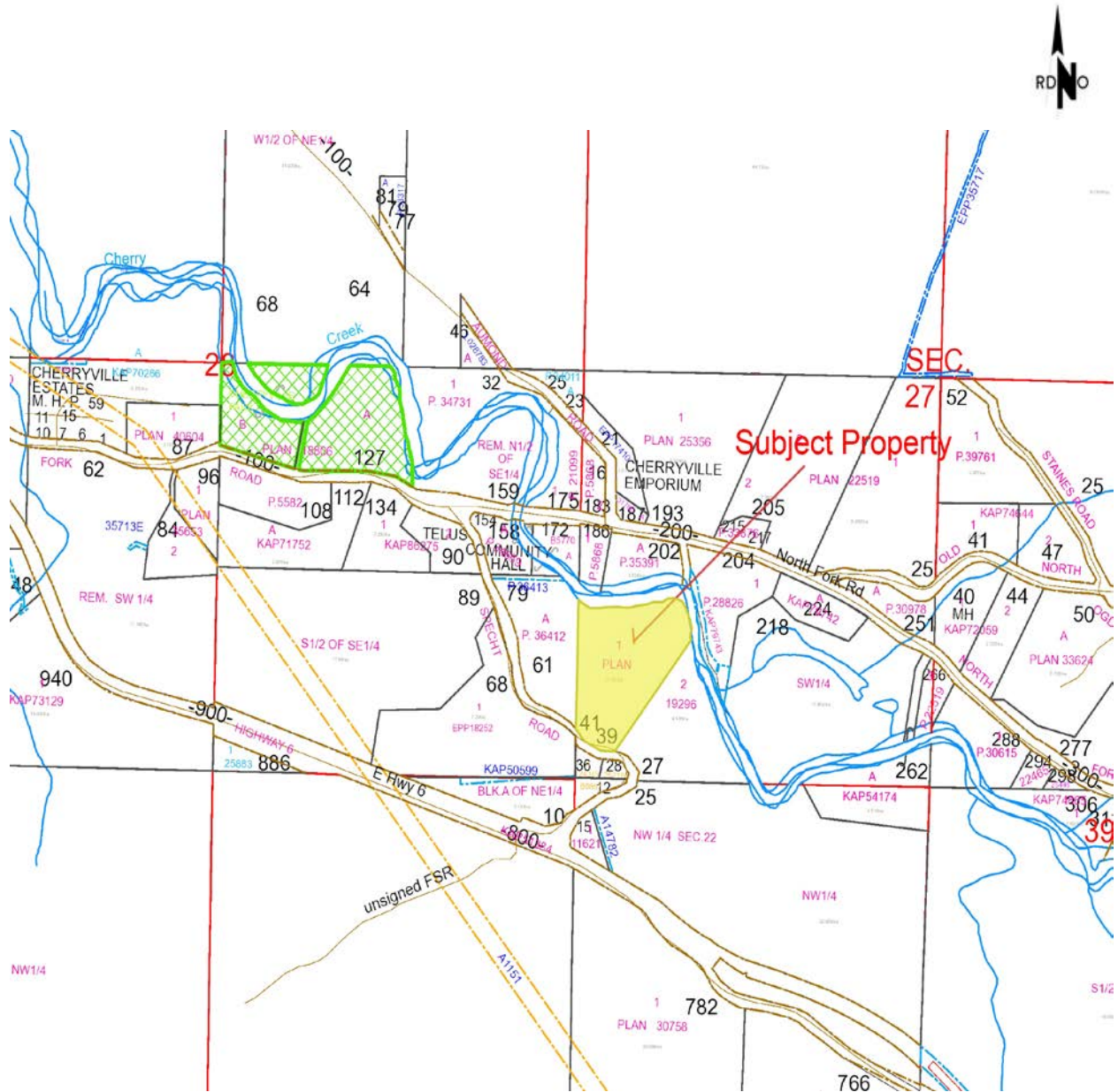
Approved for Inclusion:

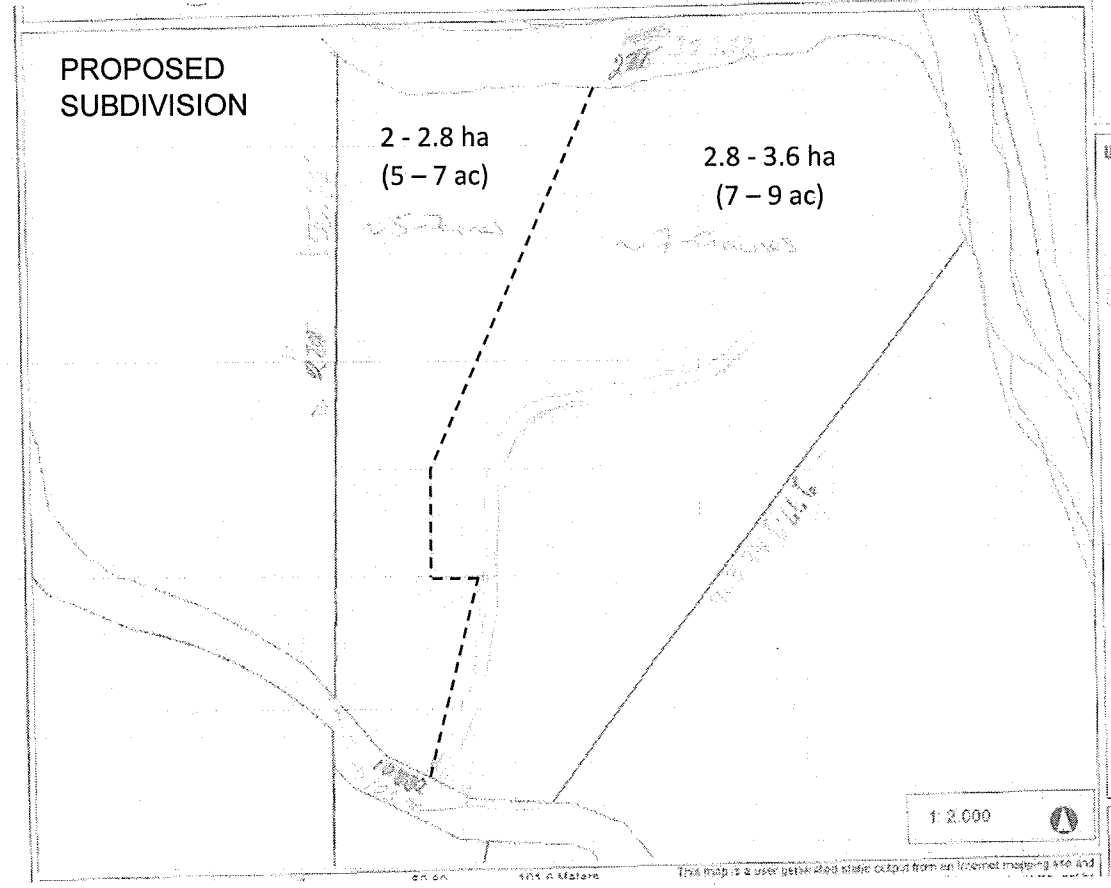
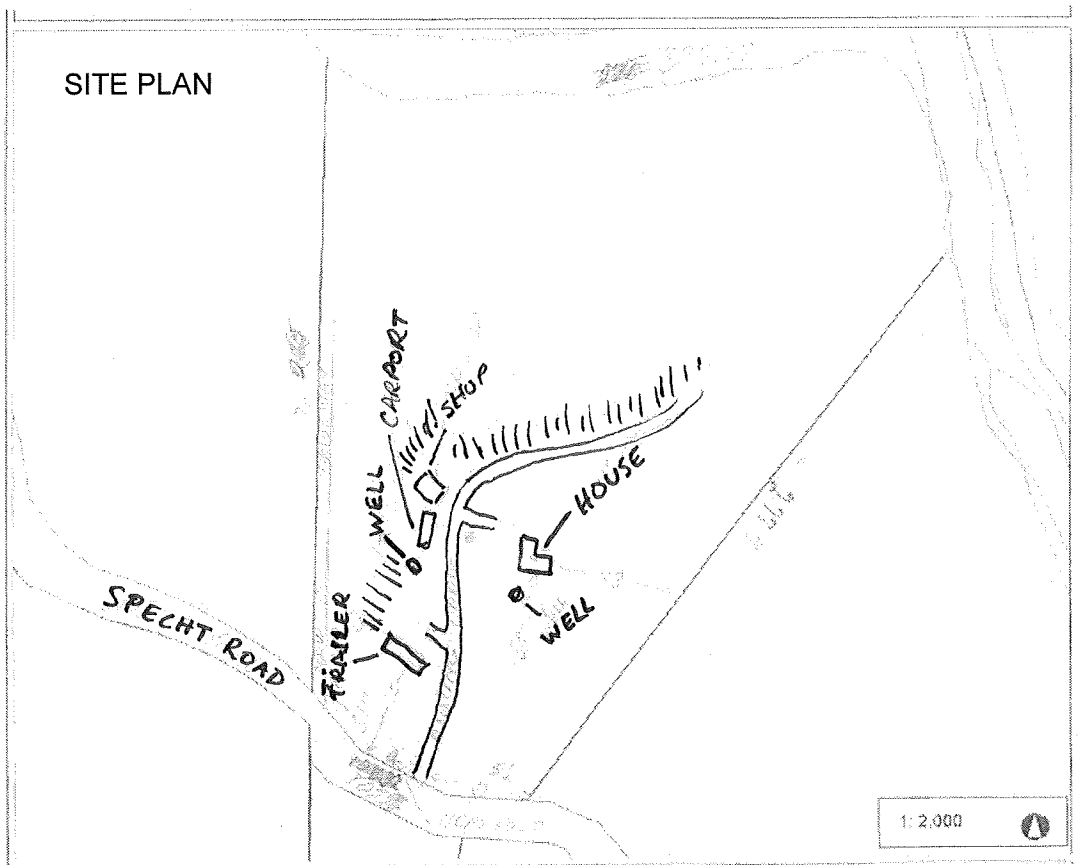


David Sewell
Chief Administrative Officer

ELECTORAL AREA "E" REZONING APPLICATION SUBJECT PROPERTY MAP

File: 15-0379-E-RZ
Applicant: Eugene & Sonja Foisy
Location: 39 Specht Road





REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2698

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

CITATION

1. This Bylaw may be cited as "**Zoning Amendment Bylaw No. 2698, 2015**".

AMENDMENTS

2. The property legally described as Lot 1, Sec 27, Twp 57, ODYD, Plan 19296, Except Plans 24045 and 25218 and located at 39 Specht Road, Electoral Area "E" is hereby rezoned from the **Non-Urban [N.U] Zone** to the **Country Residential [C.R] Zone**.
3. The Zoning Map, being Schedule "A" to *Zoning Bylaw No. 1888, 2003* is hereby amended accordingly.

Read a First and Second Time	this	18th	day of	November, 2015
Advertised on	this	13th	day of	January, 2016
	this	15th	day of	January, 2016
Public Hearing held pursuant to the provisions of Section 890 of the <i>Local Government Act</i>	this	20th	day of	January, 2016

Read a Third Time this day of , 2016

Approved by Minister of Transportation and Infrastructure this day of , 2016
(Transportation Act s. 52(3))

ADOPTED this day of , 2016

Chair

Deputy Corporate Officer