



REGIONAL DISTRICT OF NORTH OKANAGAN

ELECTORAL AREA ADVISORY COMMITTEE MEETING

Wednesday, May 18, 2016

2:00 pm

DELEGATED PUBLIC HEARING AGENDA

A. CALL DELEGATED PUBLIC HEARING TO ORDER

B. INTRODUCTION OF BYLAW

1. **Bylaw 2716 – Zoning Text Amendment**
DEDOOD, J and J [16-0009-F-TA]
15 Grandview Bench Road, Electoral Area “F”
 - Staff report dated March 7, 2016

Bylaw 2716 – Zoning Text Amendment

Purpose: A bylaw to amend the Permitted Uses of the Non-Urban (N.U) zone on the property legally described as Amended Lot 41 (DD204435F) DL 526, K (Formerly O) DYD, Plan 1010, Except Plan 42675 and located at 15 Grandview Bench Road, Electoral Area “F”.

C. PUBLIC PRESENTATIONS

D. CLOSE DELEGATED PUBLIC HEARING

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REGIONAL DISTRICT
of
NORTH OKANAGAN

REPORT

File No.: 16-0009-F-TA

TO: Board of Directors
FROM: Planning Department
DATE: April 25, 2016
SUBJECT: Zoning Text Amendment Bylaw No. 2716, 2016 [deDood]

RECOMMENDATION:

That following consideration of comments received at the delegated Public Hearing, Zoning Text Amendment Bylaw No. 2716, 2016 which proposes to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 in order to allow a 324 m² portion of a dairy barn building on the property legally described as Amended Lot 41 (DD204435F), DL 526, K (Formerly O) DYD, Plan 1010, Except Plan 42675 and located at 15 Grandview Bench Road, Electoral Area "F" to be used for food services and retail sales of farm and off-farm products be considered for Third Reading.

BACKGROUND:

This report relates to Zoning Text Amendment Bylaw No. 2716, 2016 which proposes to amend the Regional District Zoning Bylaw in order to allow a 324 m² portion of dairy barn building on the property located at 15 Grandview Bench Road to be used for food services and retail sales of farm and off-farm products. The proposal would be a site-specific amendment to the Non-Urban (N.U) zone and would not apply to other properties that are zoned N.U.

At the Regular Meeting of April 18, 2016, the Board of Directors gave First and Second Readings to Zoning Text Amendment Bylaw No. 2716, 2016. The Board resolved that Bylaw No. 2716 be forwarded to a Public Hearing and that the Public Hearing be delegated to the Electoral Area Advisory Committee.

The proposal was previously considered by the Board and the Agricultural Land Commission (ALC) through the review of a non-farm use application that was submitted under Section 20(3) of the ALC Act. At the Regular Meeting held on July 22, 2015, the Board of Directors resolved to forward the application to the ALC with a condition that the floor area of the retail sales and food services be limited to 300 m². The ALC approved the application (Resolution #452/2015) with a condition that the floor area be limited to 324 m².

Notification of Public Hearing

The applicant has submitted a Development Notification Certificate which confirms that on April 21, 2016, 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 will be 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*.

Procedure After Delegated Public Hearing

Section 469.2 of the *Local Government Act* states that if the holding of a Public Hearing is delegated, the local government must not adopt the bylaw that is the subject of the hearing until the delegate reports to the local government, either orally or in writing, the views expressed at the hearing.

As there are no conditions that are required to be met prior to Third Reading of Zoning Text Amendment Bylaw No. 2716, it is recommended that upon consideration of comments received at the delegated Public Hearing, Bylaw No. 2716 be considered for Third Reading.

Final Adoption of Bylaw No. 2716 must be withheld until it has been endorsed by the Ministry of Transportation and Infrastructure.

SUMMARY:

Zoning Text Amendment Bylaw No. 2716, 2016 proposes to amend the Regional District Zoning Bylaw in order to allow a portion of a dairy barn building located on the property located at 15 Grandview Bench Road to be used for food services and retail sales of farm and off-farm products. At the Regular Meeting of April 18, 2016, the Board of Directors gave First and Second Readings to Bylaw No. 2716. The Board also resolved that the Bylaw be forwarded to a Public Hearing and that the holding of the Public Hearing be delegated to the Electoral Area Advisory Committee.

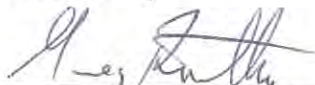
As there are no conditions that are required to be met prior to Third Reading of Zoning Text Amendment Bylaw No. 2716, it is recommended that upon consideration of comments received at the delegated Public Hearing, Bylaw No. 2716 be considered for Third Reading. Final Adoption of Bylaw No. 2716 must be withheld until it has been endorsed by the Ministry of Transportation and Infrastructure.

Submitted by:



Jennifer A. Miles
Planning Assistant

Endorsed by:



Greg Routley
Deputy Planning Manager

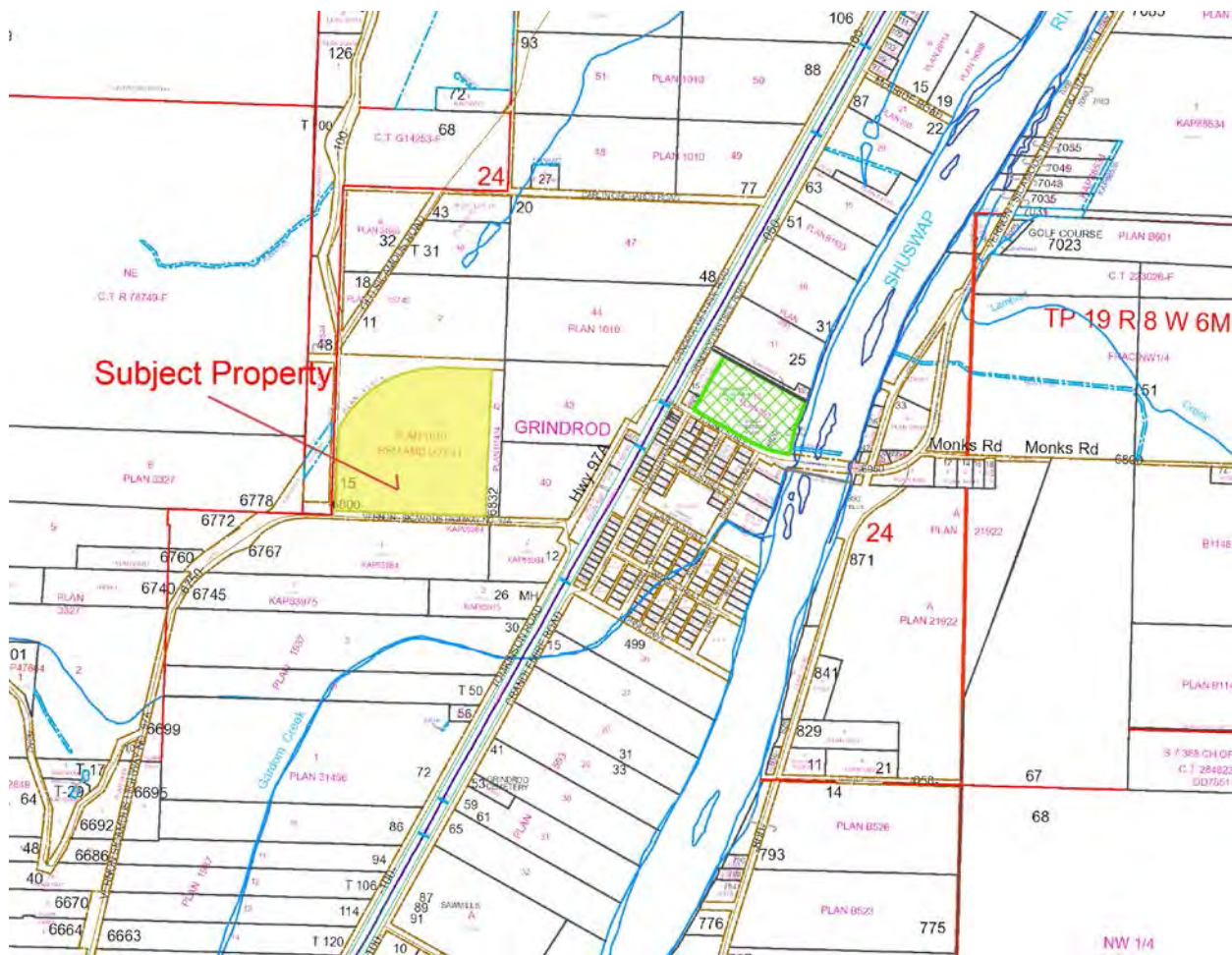
Approved for Inclusion:

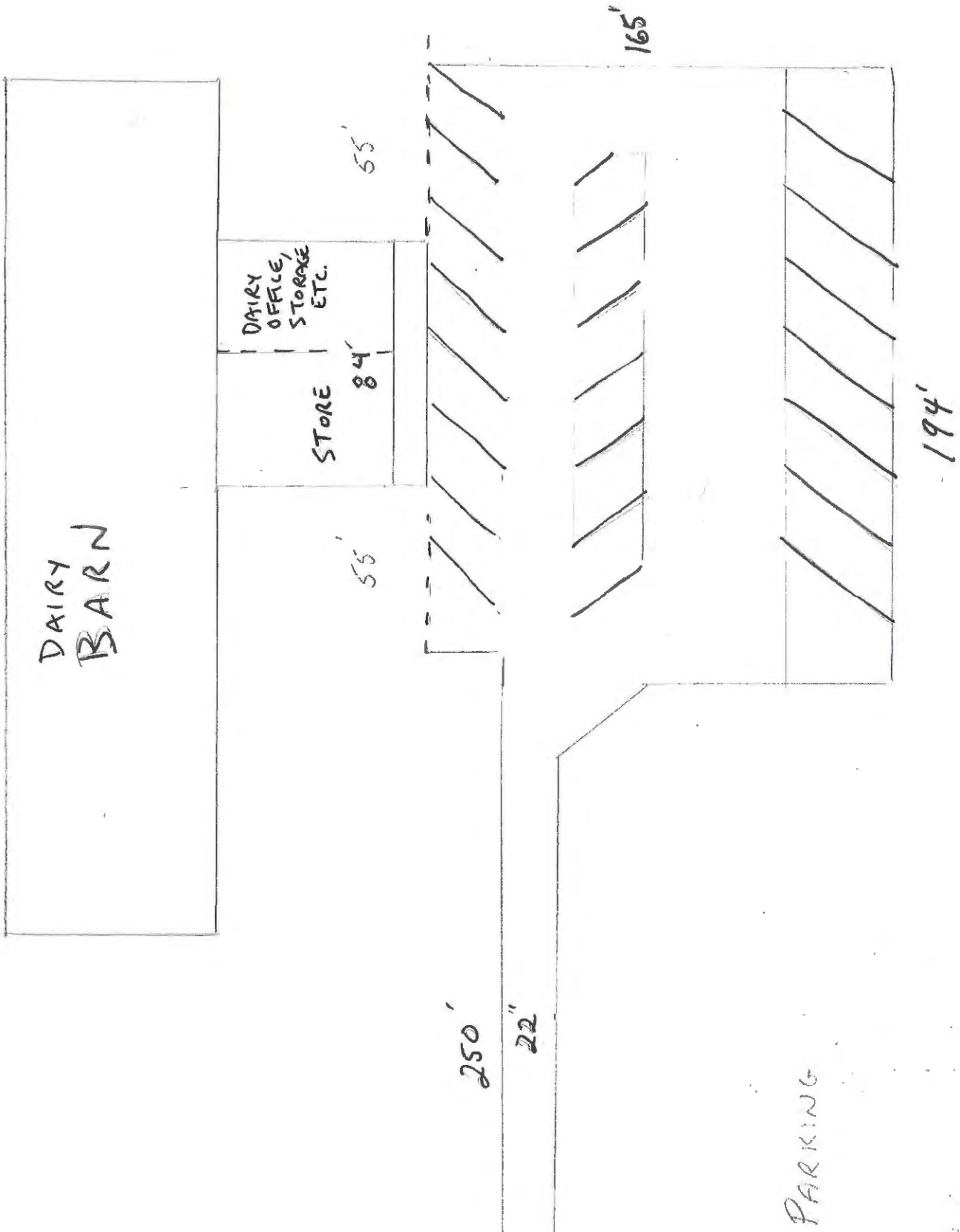


David Sewell
Chief Administrative Officer

ELECTORAL AREA "F" ZONING TEXT AMENDMENT APPLICATION SUBJECT PROPERTY MAP

File: 16-0009-F-TA
Applicant: John & June deDood
Location: 15 Grandview Bench Road

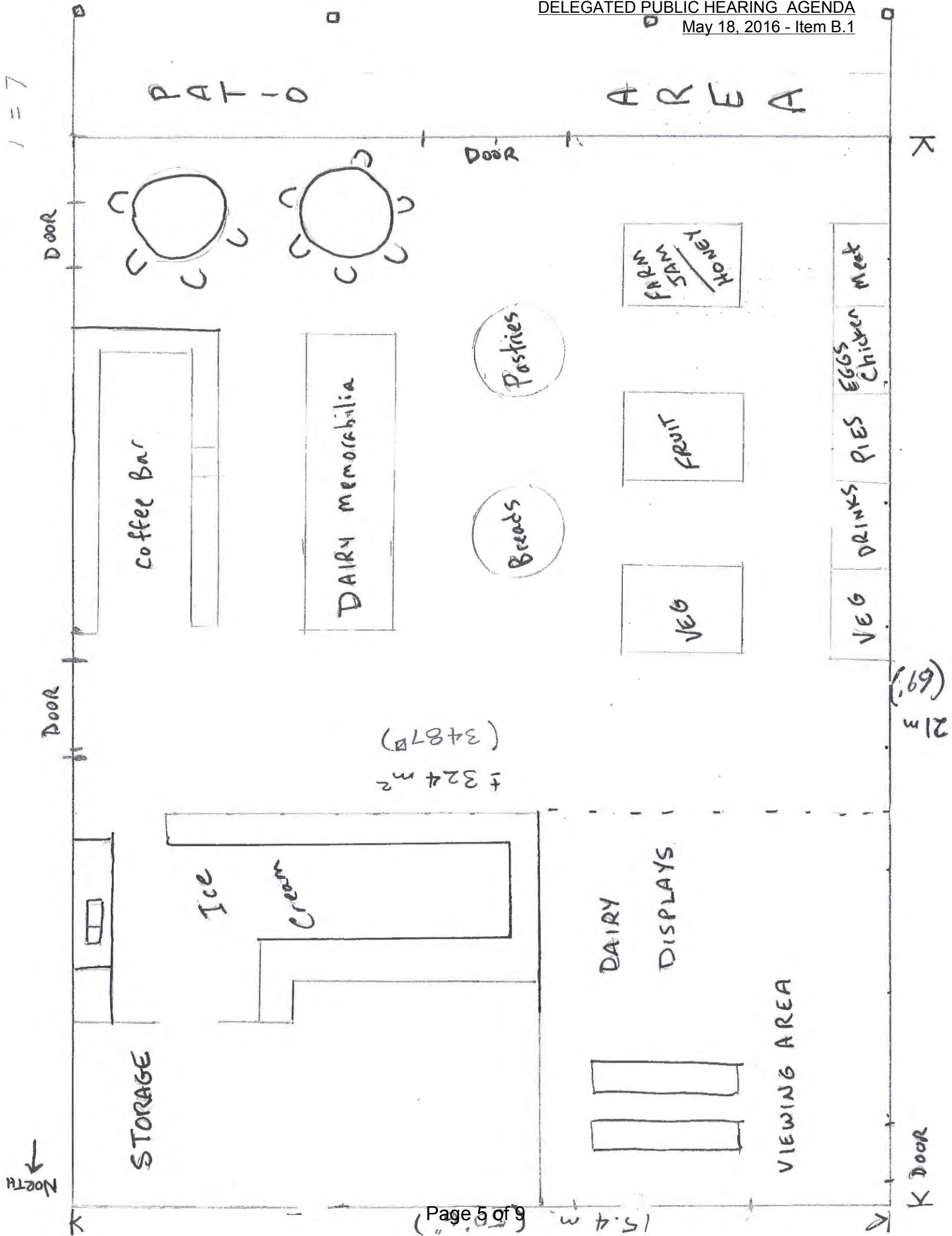




HWY 97 A

1" = 50'

1 = 7



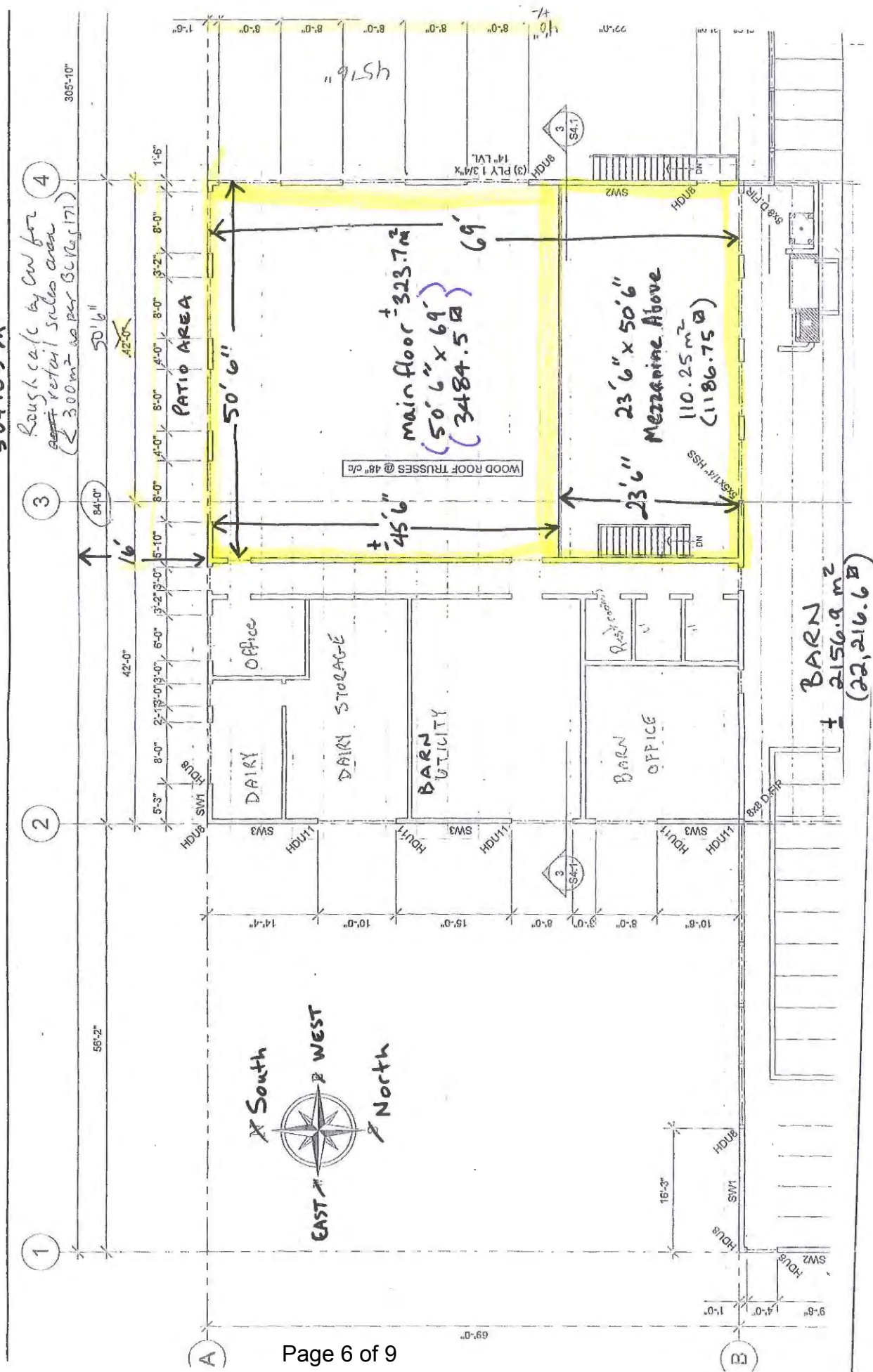
Area calculated by Planning Department:
 store: Main floor ± 323.7 m²
 mezzanine ± 110.25 m²
 patio area ± 75.1 m²
 509.05 m²

4
 Rough calc by CW for
 retail sales area
 (300m² per Sec 171)

3

2

1



BARN
 ± 2156.9 m²
 (22,216.6 sq ft)

BOURCET
 ARCHITECT
 1000 W. 10TH AVENUE
 SUITE 200
 DENVER, CO 80202
 TEL: 303.733.0000
 FAX: 303.733.0001
 WWW.BOURCETARCHITECT.COM

DESIGNED BY:
 BOB BOURCET
 DATE: 08/27/2014
 PROJECT NO: 14-010

PROJECT:
 SUNNINGHILL
 POLYESTERS
 1400 W. 10TH AVENUE
 DENVER, CO 80202

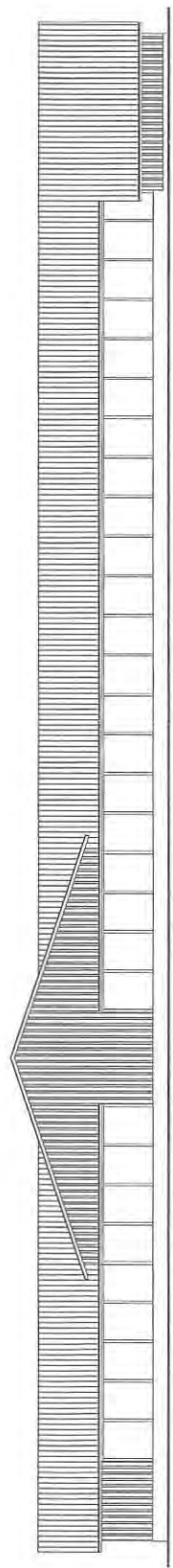
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	08/27/2014
2	ISSUED FOR PERMITS	08/27/2014
3	ISSUED FOR PERMITS	08/27/2014
4	ISSUED FOR PERMITS	08/27/2014

DATE: 08/27/2014
 PROJECT: SUNNINGHILL POLYESTERS
 DRAWING NO: EX-01
 SHEET NO: 1 OF 3

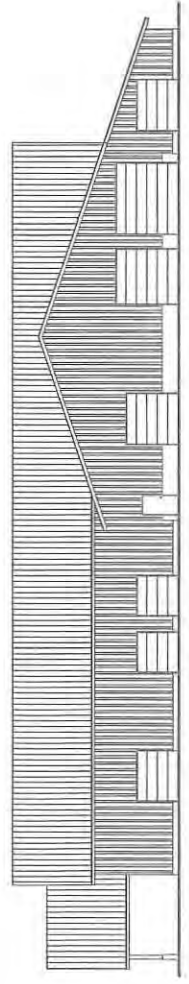
PROJECT:
 SUNNINGHILL
 POLYESTERS
 1400 W. 10TH AVENUE
 DENVER, CO 80202

SEAL

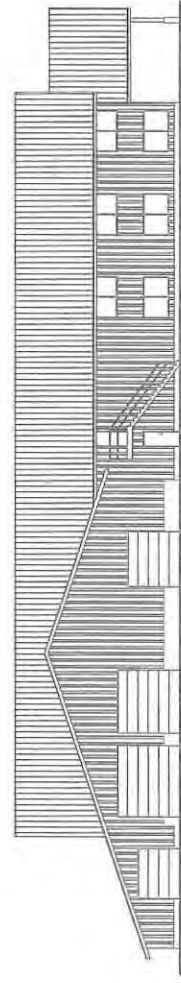
 DATE: 08/27/2014
 SCALE: 3/32" = 1'-0"
 CHECKED BY: BOB BOURCET, P.E.
 SHEET NUMBER: S3.1
 REV: 1
 OF 3



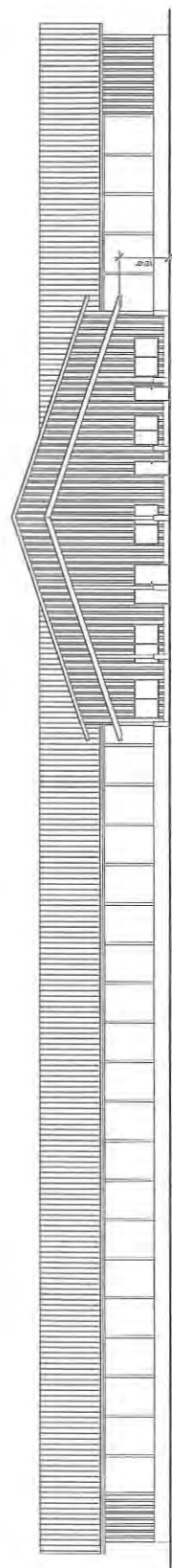
1 SOUTH EXTERIOR ELEVATION
 SCALE: 3/32"=1'-0"



2 WEST EXTERIOR ELEVATION
 SCALE: 3/32"=1'-0"



3 EAST EXTERIOR ELEVATION
 SCALE: 3/32"=1'-0"



4 NORTH EXTERIOR ELEVATION
 SCALE: 3/32"=1'-0"

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2716

A bylaw to amend the text of Zoning Bylaw No. 1888, 2003

WHEREAS pursuant to Section 479 [Zoning bylaws] of the *Local Government Act*, 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*" as amended;

AND WHEREAS, pursuant to Section 460 [*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*" as amended 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 desirous to amend the text of *Zoning Bylaw No. 1888*;

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 Text Amendment Bylaw No. 2716, 2016***".

AMENDMENTS

2. Section 803.10 is hereby amended by adding the following:

Notwithstanding the Permitted Uses of the Non-Urban (N.U) zone as outlined in Section 803.1 of this Bylaw, a dairy barn building located on the property legally described as Amended Lot 41 (DD204435F) DL 526, K (Formerly O) DYD, Plan 1010, Except Plan 42675 and located at 15 Grandview Bench Road, Electoral Area "F" may be used for retail sales of farm and off-farm products and for food services subject to the following:

1. ***at least 50% of the total area must be limited to the sale of farm products produced on the farm on which the retail sales are taking place; and***
2. ***the total area, both indoors and outdoors, used for the retail sales of all products and for food services consisting of ice cream, coffee, tea, bakery items, soup and sandwiches, may not exceed 324 m².***

Read a First and Second Time	this	18th	day of	April, 2016
Advertised on	this	11th	day of	May, 2016
	this	13th	day of	May, 2016
Delegated Public Hearing held	this	18th	day of	May, 2016
Read a Third Time	this		day of	, 2016
ADOPTED	this		day of	, 2016

Chair

Deputy Corporate Officer