



MEMORANDUM

TO: Board of Directors

FROM: Planning Department

SUBJECT: Zoning Amendment Bylaw No. 2944, 2022

File No: 22-0659-B-RZ

Date: June 6, 2023

RECOMMENDATION:

That Zoning Amendment Bylaw No. 2944, 2022 which proposes to rezone the property legally described as Lot 3, Secs 25 & 26, Twp 8, ODYD, Plan 21873 and located at 7710 Baker Hogg Road, Electoral Area "B" from the Country Residential (C.R) zone to the Residential Two Family (R.2) zone be given First, Second and Third Readings.

BACKGROUND:

The subject application proposes to rezone the property located at 7710 Baker Hogg Road, Electoral Area "B" from the Country Residential (C.R) zone to the Residential Two Family (R.2) zone. If rezoned, the applicant proposes to subdivide the 2.31 ha subject property into 10 lots when a connection to community sewer becomes available in the future.

At the Regular Meeting held on September 21, 2022, the Board resolved that notice be given in accordance with Section 467 of the *Local Government Act* that Zoning Amendment Bylaw No. 2944 will be considered for First Reading at a future meeting. The Board also resolved that Second Reading of Zoning Amendment Bylaw No. 2944 be withheld until:

1. the applicant provides a site plan prepared by a BC Land Surveyor which shows: the dimensions and area of the future proposed lots; the future proposed road with grades that meet the requirements of the Ministry of Transportation and Infrastructure; and the distances between proposed property lines and existing and proposed buildings; and
2. comments are received from the Parks Department.

The Board resolved that Final Adoption of Zoning Amendment Bylaw No. 2944, 2022 be withheld until:

1. the applicant registers a covenant against the title of the property that would:
 - a. require the property to be connected to a community sewer system once the sewer lines associated with the system have been extended to the subject property;
 - b. require a buffer strip be established on the property consistent with the "Landscaped Buffer Specifications" established by the Agricultural Land Commission;
 - c. require the lots in the proposed Phase II subdivision to be less than 1 ha when subdivided and to generally conform with the proposed Phase II subdivision plan; and
 - d. state that subdivision approval of the proposed Phase II subdivision will not be granted until community water and sewer services are extended to the subject property; and
2. water servicing issues associated with the proposed development have been addressed to the satisfaction of the Regional District.

DISCUSSION:

Site Plan

In follow up to the Board's direction to provide a site plan prepared by a BC Land Surveyor, the applicant has provided the attached plan. The plan indicates Phase I of the proposal would subdivide the property into a 1.27 ha lot (proposed Lot A) and a 1.05 ha lot (proposed Lot B). The existing duplex and accessory buildings would be located on proposed Lot A.

Phase II proposes to subdivide proposed Lot A into four lots and to subdivide proposed Lot B into six lots for a total of ten lots when a connection to community sewer becomes available in the future. The existing duplex and accessory buildings would be located on proposed Lot 5. The original application proposed 29 lots; however due to constraints with road grades and a creek located on the property, the applicant has reduced the number of proposed lots to ten.

The applicant has indicated Phase I would include dedicating a new road adjacent to proposed Lot B and Baker Hogg Road. The proposed new road would provide access to proposed Lot A. A road reserve covenant would also be registered over proposed Lot A in Phase I to facilitate further development of proposed Lots A and B when a connection to community sewer is available (Phase II). When completed, the proposed road would extend north parallel to Baker Hogg Road and then curve west and extend south through the middle of the property. The proposed road would terminate at the south property boundary. The eastern half and mid sections of the road would have a grade of 8%. The western portion of the road would have a grade of 1%.

Parks Comments

In follow up to the Board's direction, the Parks Department also provided the following comments:

- Please proceed without any parks interests on this application.

Notice of First Reading of Zoning Amendment Bylaw No. 2944

In accordance with the Development Application Procedures and Administrative Fees Bylaw No. 2677, Section 467 [Notice if public hearing not held] of the *Local Government Act* and Public Notice Bylaw No. 2931, notice has been provided as outlined below to advise that Bylaw No. 2944 would be considered by the Board of Directors for First Reading on June 21, 2023:

- the applicant posted a Development Notice Sign on the property on May 19, 2023;
- letters were mailed to adjacent landowners on June 9, 2023;
- a Notice was posted in the Public Notice section of the RDNO website on June 12, 2023;
- a Notice was distributed through the RDNO Public Notice email subscription group on June 12, 2023;
- a Notice was posted to the RDNO Facebook page on June 15, 2023; and
- a Notice was placed in the weekly RDNO advertisement on June 15, 2023.

It is recommended that Zoning Amendment Bylaw No. 2944 be given First, Second and Third Readings as notice of the Board's consideration of the Bylaw has been completed and the conditions of Second Reading have been met as indicated above. Bylaw No. 2944 can be adopted at a future meeting once the applicant has resolved the conditions of Adoption and the Ministry of Transportation and Infrastructure has signed the Bylaw.

Report to: Board of Directors
From: Planning Department
Re: Bylaw No. 2944

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Date: June 6, 2023
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Submitted by:



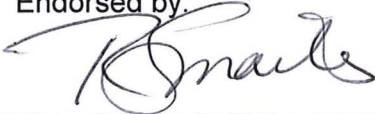
Jennifer Miles, RPP, MCIP
Planner II

Reviewed by:



Greg Routley
Deputy Planning Manager

Endorsed by:



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

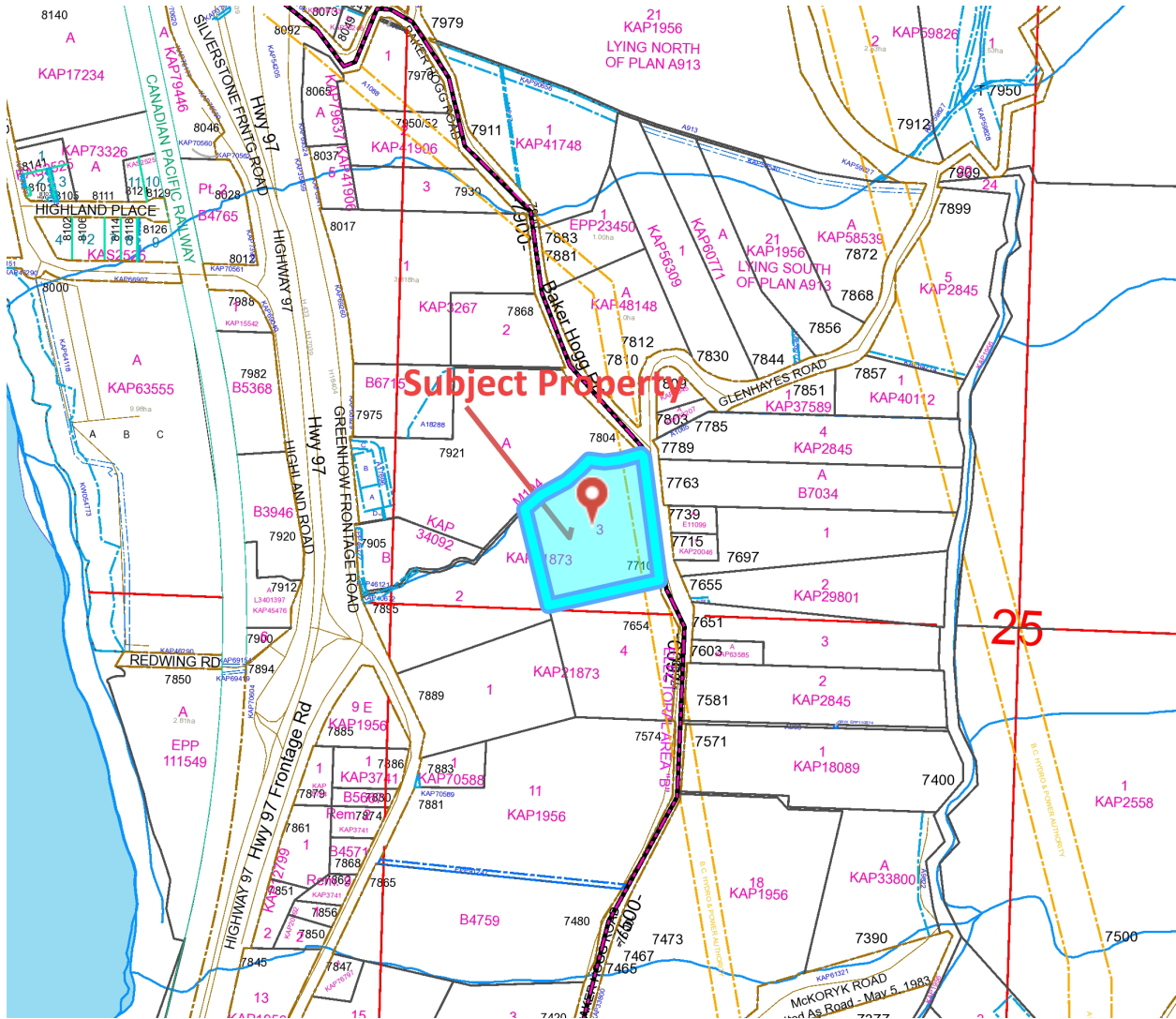
Approved for Inclusion:

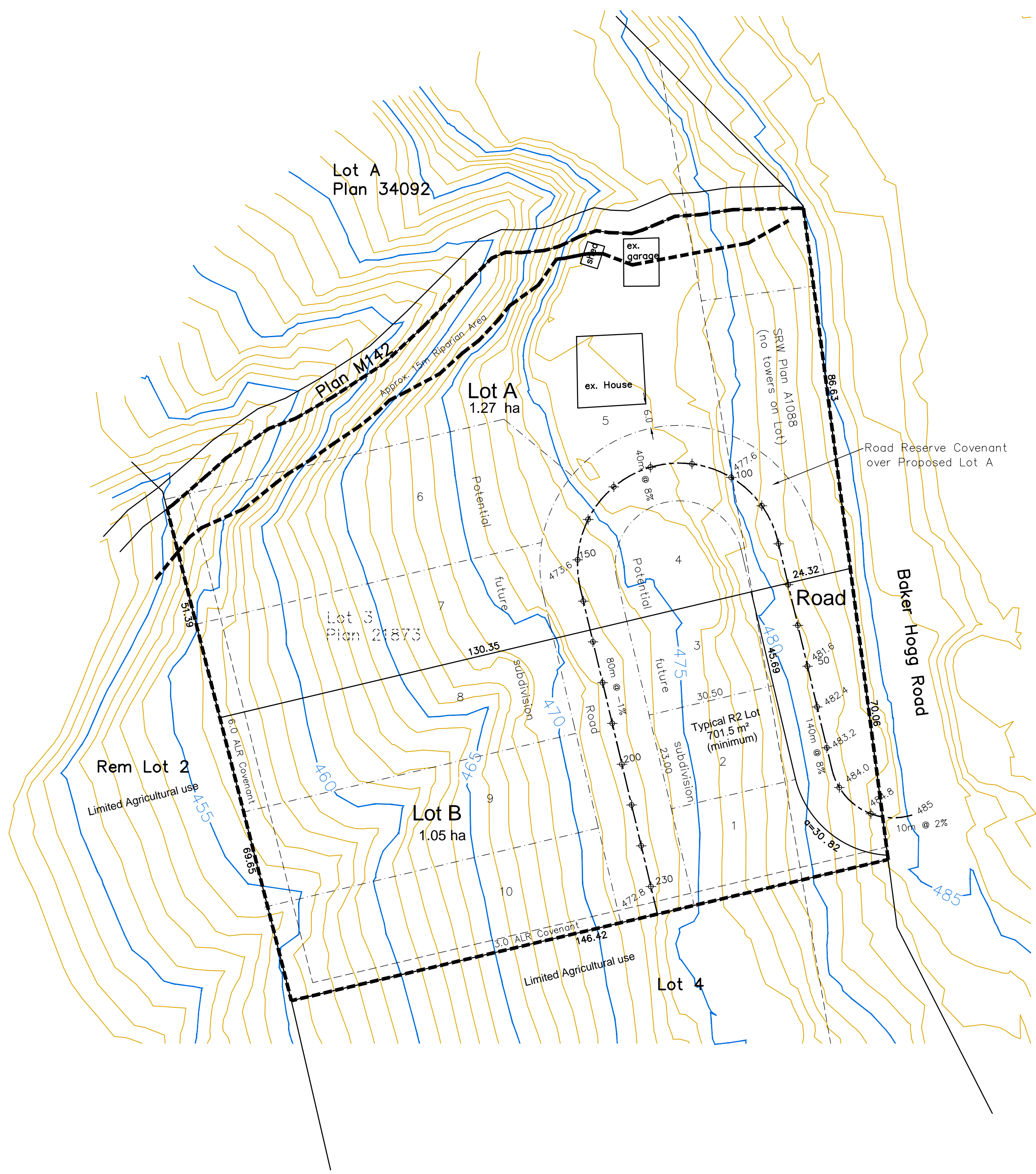
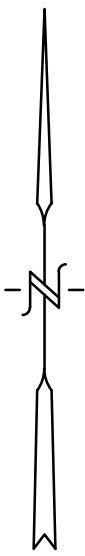


David Sewell
Chief Administrative Officer

SUBJECT PROPERTY MAP REZONING

File: 22-0659-B-RZ
Location: 7710 Baker Hogg Road





Proposed subdivision and rezoning application
 (from CR to R2) of Lot 3, Sec 25 & 26, Tp 8,
 ODYD, Plan 21873.

SCALE 1: 750 (ALL DISTANCES IN METRES)

R2 zone Duplex:
 23m frontage
 700 sq.m. area
 Elevation model from RDNO digital data
 Jan 2, 2023 -- revision
 Dec 14, 2022 -- revision
 Dec 2, 2022 -- revision
 Nov 17, 2022.

THIS PLAN IS PREPARED FOR THE USE OF:
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© JASON R SHORTT, BCLS, 2022

russell shortt
 land SURVEYORS
 2801-32nd Street, Vernon, B.C.
 Phone (250)545-0511 email: jasons@jrshortt.ca

FILE: 30446
 F.B. Pg.

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2944

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 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. 2677, 2018*” 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 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. 2944, 2022**”.

AMENDMENTS

2. The zoning of the property legally described as Lot 3, Secs 25 & 26, Twp 8, ODYD, Plan 21873 and located at 7710 Baker Hogg Road, Electoral Area “B” is hereby changed on Schedule “A” of the *Regional District of North Okanagan Zoning Bylaw No. 1888, 2003* from the Country Residential (C.R) zone to the Residential Two Family (R.2) zone.

Advertised on this 12th day of June, 2023

Read a First, Second and Third Time this day of , 2023

Approved by Minister of Transportation and Infrastructure this day of , 2023
(Transportation Act s. 52(3))

ADOPTED

this

day of

, 2023

Chair

Deputy Corporate Officer