

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2926, 2022

A bylaw to amend Electoral Areas “B” and “C” Official Community Plan Bylaw No. 2626, 2014 and amendments thereto.

WHEREAS pursuant to Section 472 [Authority to adopt a bylaw] of the *Local Government Act*, 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 Areas “B” and “C” Official Community Plan Bylaw No. 2626, 2014*” as amended 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 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 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. 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 amend the Official Community Plan designation;

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

CITATION

1. This Bylaw may be cited as “***Electoral Areas “B” and “C” Official Community Plan Amendment Bylaw No. 2926, 2022***”.

AMENDMENTS

2. The Official Community Plan marked Schedule “B” attached to and forming part of the Electoral Areas “B” and “C” Official Community Plan Bylaw No. 2626, 2014 and amendments thereto is amended by changing the land use designation of a 100.44 ha portion of the property legally described as The Fractional North 1/2 of Section 36 Township 14 ODYD Except Plans B826, 37599 And H823 and located at Highway 97, Electoral Area “B” from ***Large Holding*** to ***Commercial*** as shown on the attached Schedule “A” attached to and forming part of the this Bylaw.

Read a First Time this day of , 2022

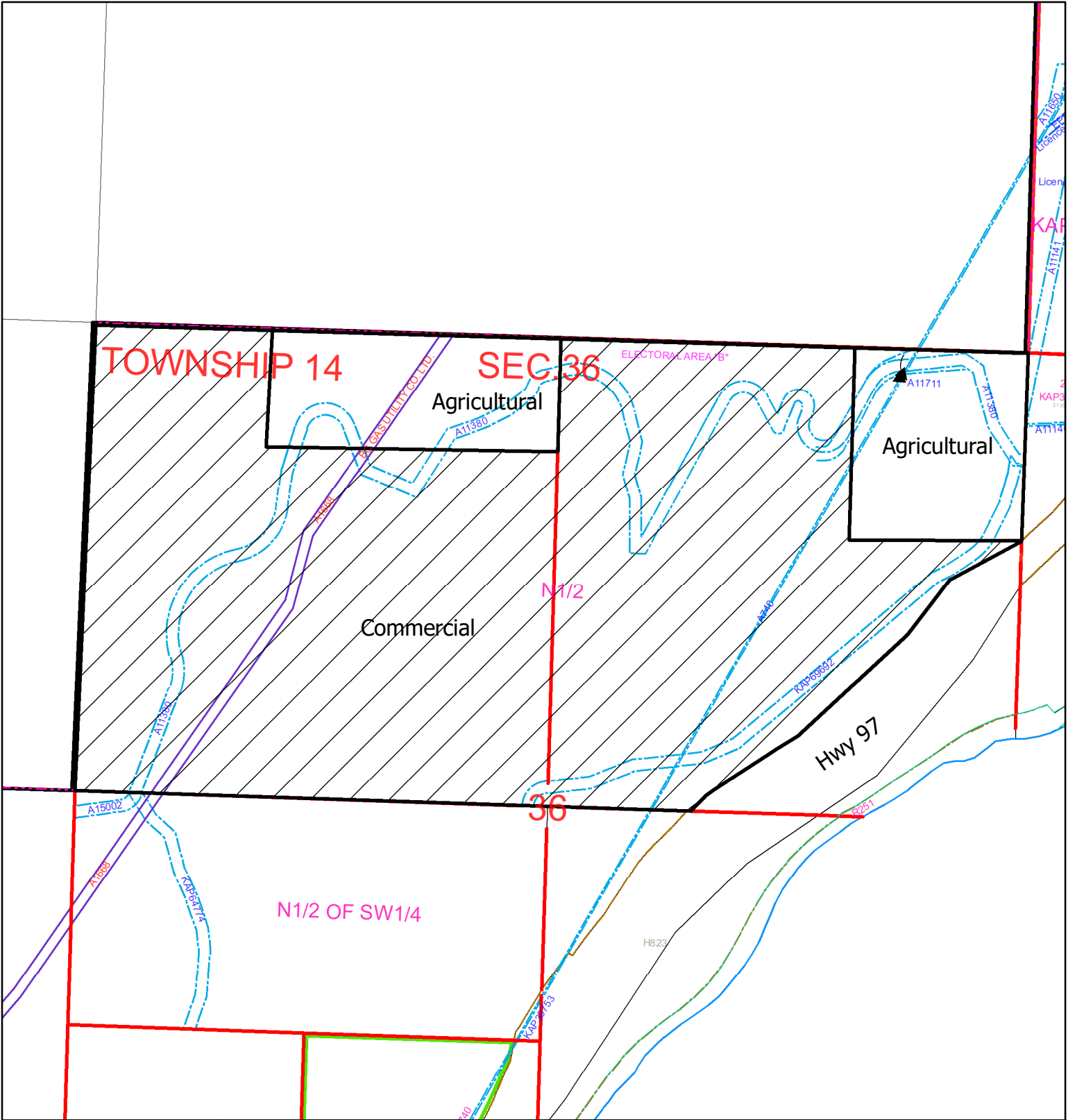
Bylaw considered in conjunction with the Regional District Financial Plan and Waste Management Plan this day of , 2022

Read a Second Time this day of , 2022


Advertised on	this	day of	, 2022
	this	day of	, 2022
Public Hearing held	this	day of	, 2022
Read a Third Time	this	day of	, 2022
ADOPTED	this	day of	, 2022

Chair

Deputy Corporate Officer



SCHEDULE "A" to accompany the Regional District North Okanagan Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2926, 2022.

Area redesignated from Large Holding to Commercial shown as 

I hereby certify this to be a true and correct copy of SCHEDULE "A" attached to and forming part of the Electoral Areas "B" and "C" Official Community Plan Amendment Bylaw No. 2926, 2022.

Dated at Coldstream, BC this _____ day of _____, 2022

Corporate Officer



1:9,000

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2927, 2022

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. 2927, 2022**”.

AMENDMENTS

1. The zoning of a 100.44 ha portion of the property legally described as The Fractional North 1/2 of Section 36 Township 14 ODYD Except Plans B826, 37599 And H823 and located at Highway 97, Electoral Area “B” is hereby changed on Schedule “A” of the *Regional District of North Okanagan Zoning Bylaw No. 1888, 2003* from the **Large Holding [L.H]** zone to the **Recreation Commercial [C.5]** zone as shown on the attached Schedule “A” attached to and forming part of the this Bylaw.

Read a First Time	this	day of	, 2022
Read a Second Time	this	day of	, 2022
Advertised on	this	day of	, 2022
	this	day of	, 2022
Public Hearing held	this	day of	, 2022

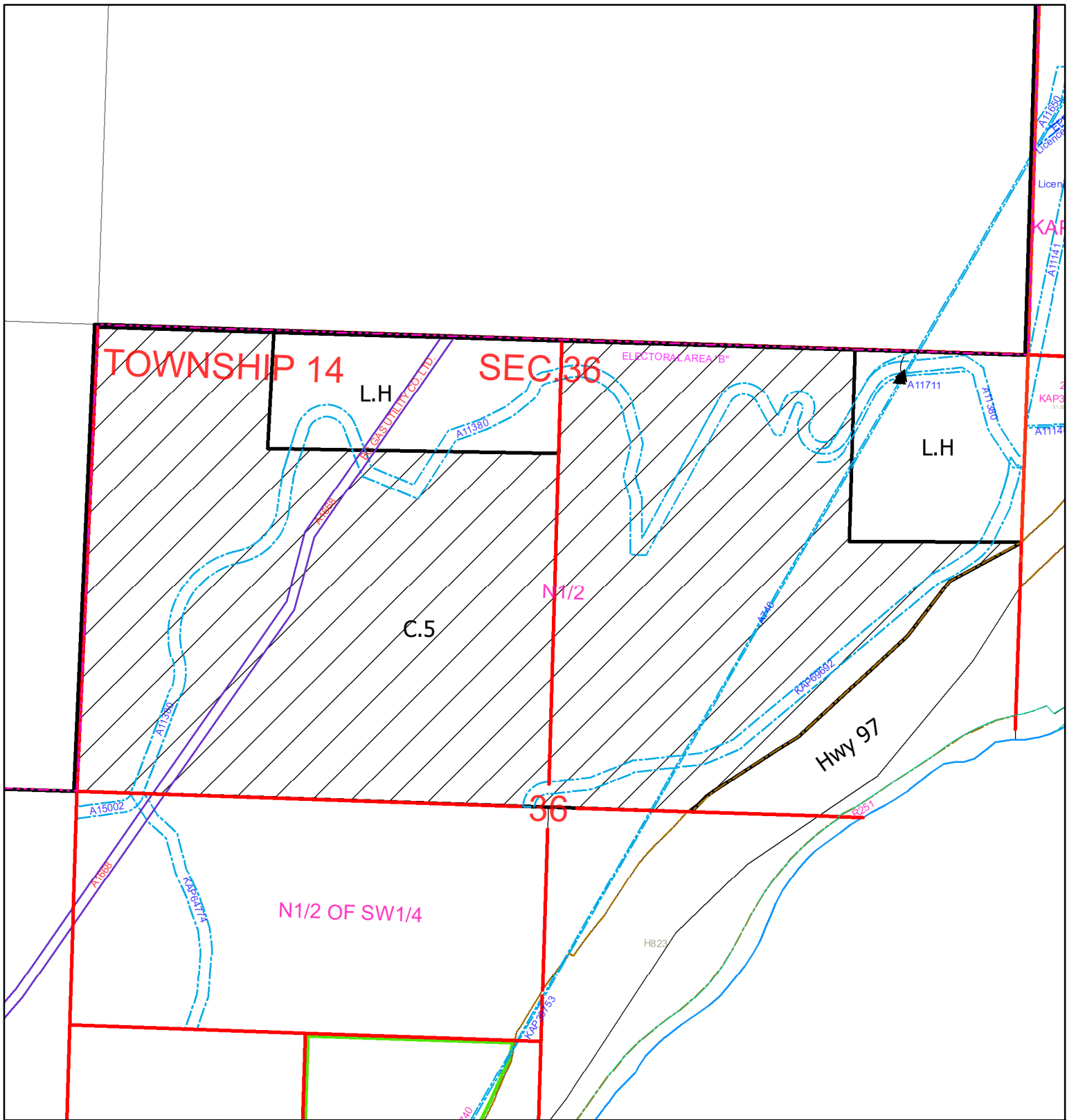
Read a Third Time this day of , 2022

Approved by Minister of Transportation and Infrastructure this day of , 2022
(Transportation Act s. 52(3))

ADOPTED this day of , 2022

Chair

Deputy Corporate Officer



1:9,000

SCHEDULE "A" to accompany the Regional District North Okanagan Zoning Amendment Bylaw No. 2927, 2022.

Area rezoned from the Large Holding (L.H) zone to the Recreation Commercial (C.5) zone shown as 

I hereby certify this to be a true and correct copy of SCHEDULE "A" attached to and forming part of the Regional District North Okanagan Zoning Amendment Bylaw No. 2927, 2022.

Dated at Coldstream, BC this _____ day of _____, 2022

Corporate Officer

REGIONAL DISTRICT OF NORTH OKANAGAN

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, March 16, 2022

Electoral Areas "B" & "C" Official Community Plan Amendment / Zoning Amendment Application

OKANAGAN GONDOLA LTD. c/o C. JAMES, DIALOG DESIGN [File No. 21-1055-B-OR]

Highway 97, Electoral Area "B"

That the application to amend the Electoral Area "B" and "C" Official Community Plan Bylaw No. 2626, 2014 by changing the land use designation of a portion of the property legally described The Fractional N 1/2 of Sec 36, Twp 14, ODYD, Except Plans B826, 37599 & H823 and located at Highway 97, Electoral Area "B" from Large Holding to Commercial be supported in principle and staff be directed to prepare an Official Community Plan Amendment Bylaw for First Reading only; and further,

That the application to amend the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 by changing the zoning of a portion of the property legally described The Fractional N 1/2 of Sec 36, Twp 14, ODYD, Except Plans B826, 37599 & H823 and located at Highway 97, Electoral Area "B" from Large Holding (L.H) to Recreation Commercial (C.5) be supported in principle and staff be directed to prepare a Zoning Amendment Bylaw for First Reading only; and further,

That the referral process outlined in the Planning Department report dated February 18, 2022 be considered appropriate consultation for the purpose of Sections 475 and 476 of the *Local Government Act*; and further,

That in accordance with Section 477 of the *Local Government Act*, the Official Community Plan Amendment Bylaw be considered in conjunction with the Regional District of North Okanagan's Financial Plan and the Regional Solid Waste Management Plan; and further,

That Second Reading of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until:

1. comments have been received from: RDNO Community Services (Parks) department, First Nations, City of Vernon, and the Ministry of Transportation and Infrastructure; and,
2. the applicant has held a Public Information Meeting in accordance with the Public Information Meeting Guide; and
3. the applicant has provided confirmation in writing from a qualified professional Geotechnical Engineer that the subject property is safe for the intended use; and,

4. the applicant has submitted a hydrogeological study to determine the impacts, if any, of the proposed development on the water supply of existing users in the surrounding area and the underlying aquifer; and,
5. the applicant has submitted a study prepared by a professional Geotechnical Engineer which evaluates the subject property and provides recommendations for potential on-site septic sewage disposal associated with the proposed development; and further,

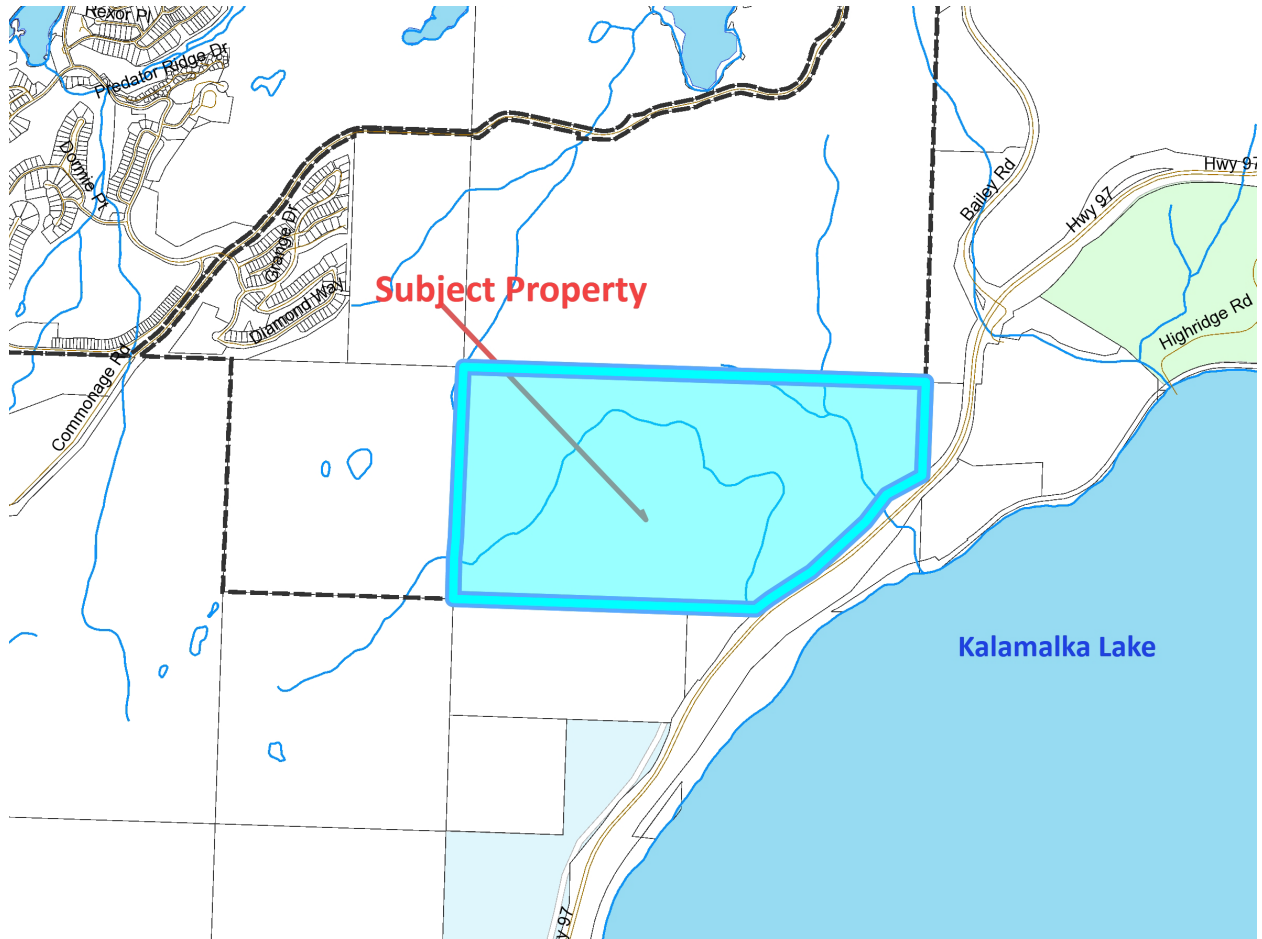
That Final Adoption of the proposed Official Community Plan and Zoning Amendment Bylaws be considered in conjunction with consideration of a Commercial, Environmentally Sensitive Lands, and Riparian and Swan Lake Development Permit associated with the proposed development; and further,

That Final Adoption of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until:

1. the applicant has obtained approval from the Agricultural Land Commission for any proposed non-farm use of those portions of the subject property within the Agricultural Land Reserve, any non-farm use of private roads in the ALR, and road construction in the ALR if applicable; and,
2. the applicant has registered a covenant against the title of the property legally described as The Fractional N 1/2 of Sec 36, Twp 14, ODYD, Except Plans B826, 37599 & H823 and located at Highway 97, Electoral Area "B" that would:
 - a. prohibit subdivision of the lands unless and until access to the subject property is provided by a public road other than Highway 97; and,
 - b. restrict the range of uses permitted on the subject property to those which are proposed as part of the subject application or as defined by the Board of Directors.

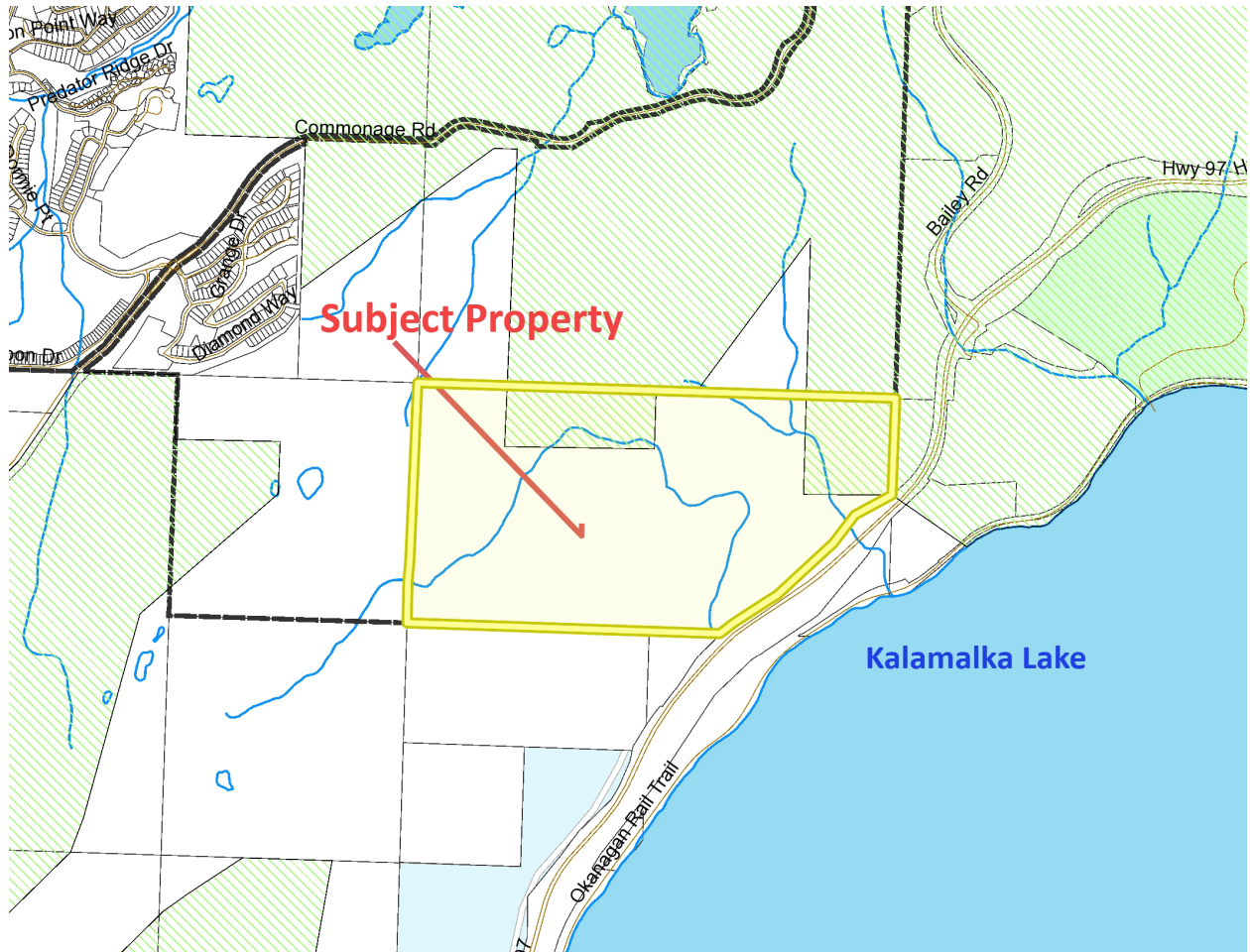
SUBJECT PROPERTY MAP OCP / REZONING

File: 21-1055-B-OR
Location: Highway 97



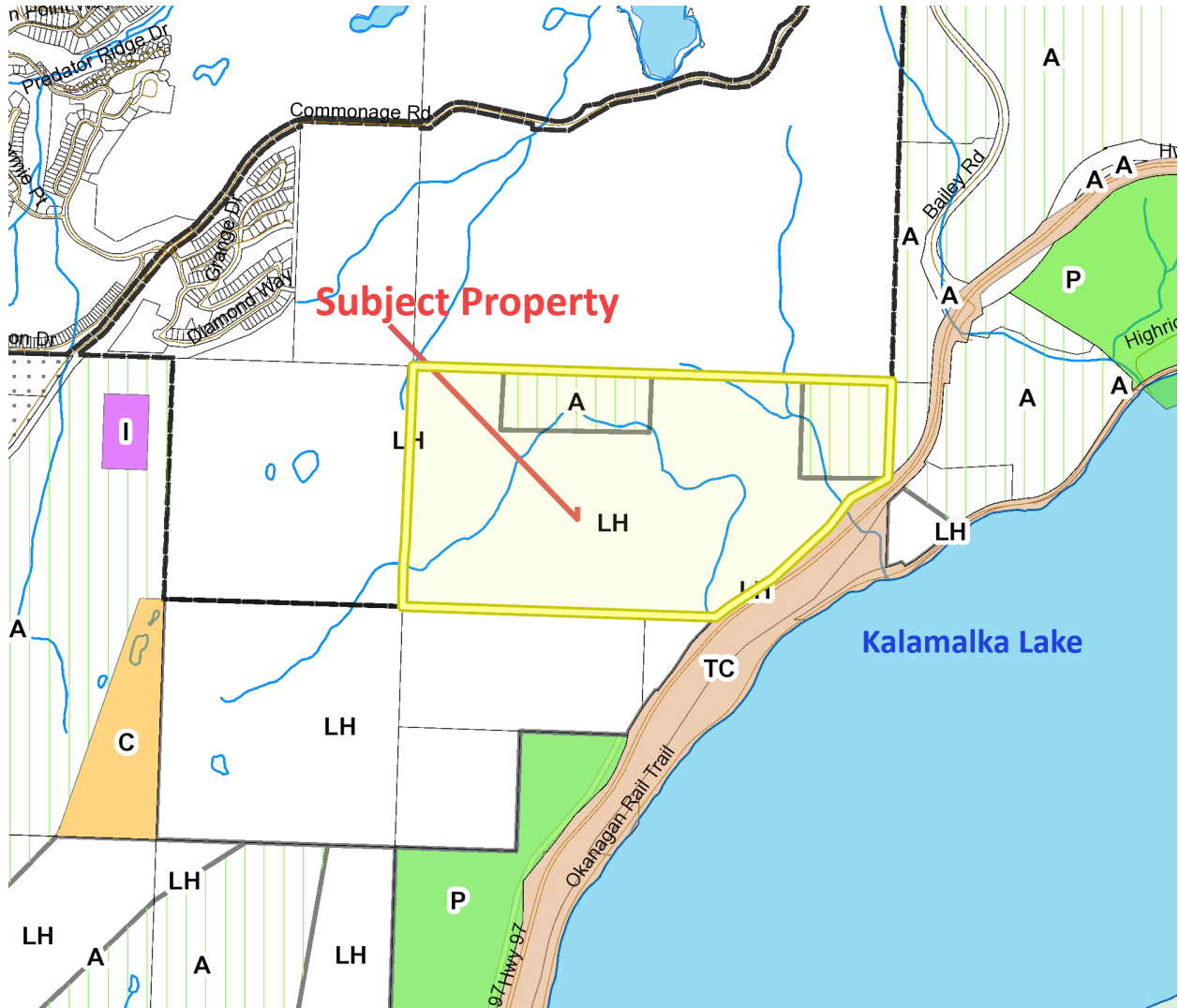
SUBJECT PROPERTY MAP OCP / REZONING – ALR BOUNDARIES

File: 21-1055-B-OR
Location: Highway 97



SUBJECT PROPERTY MAP OCP / REZONING – OCP BOUNDARIES

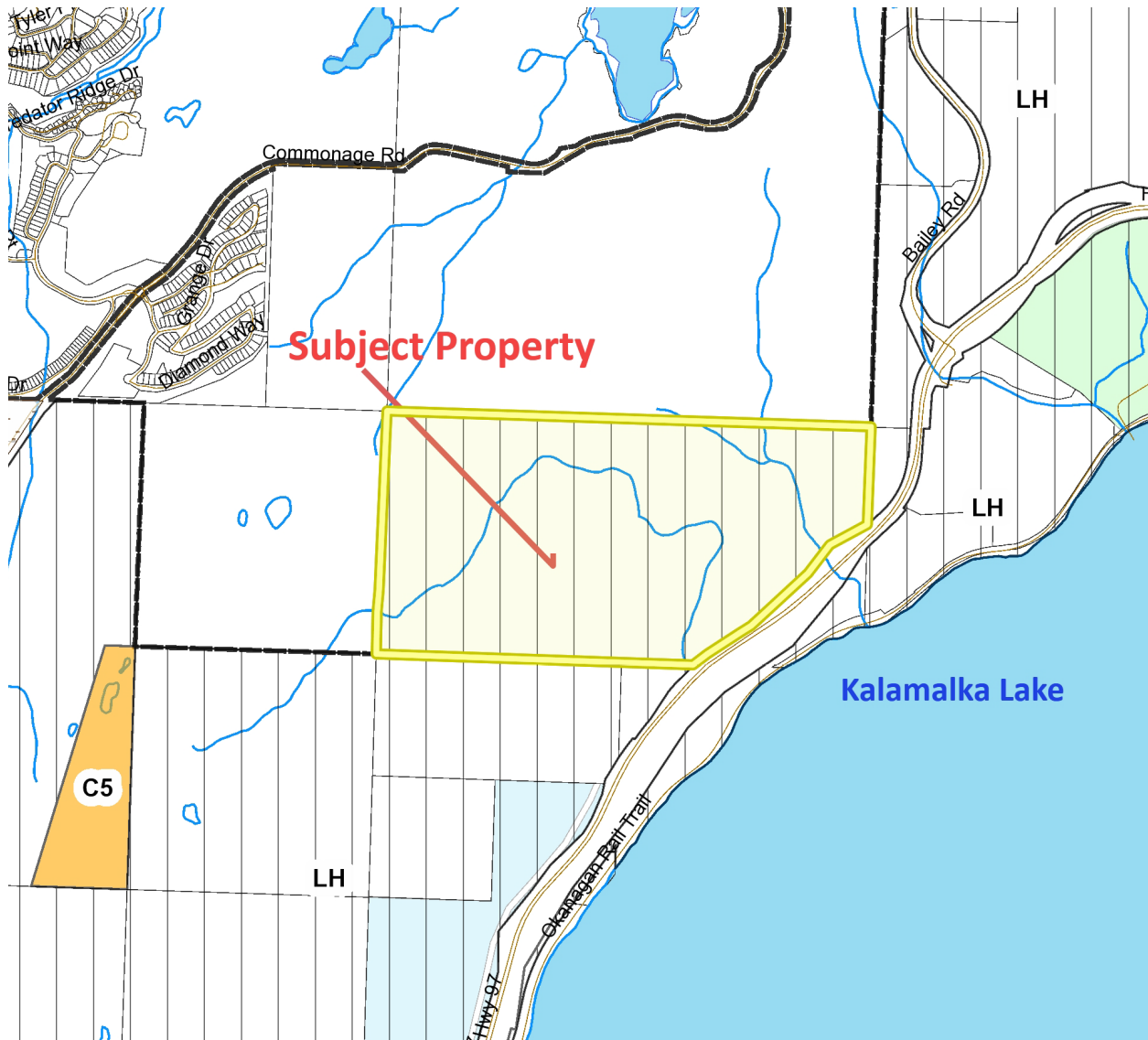
File: 21-1055-B-OR
Location: Highway 97



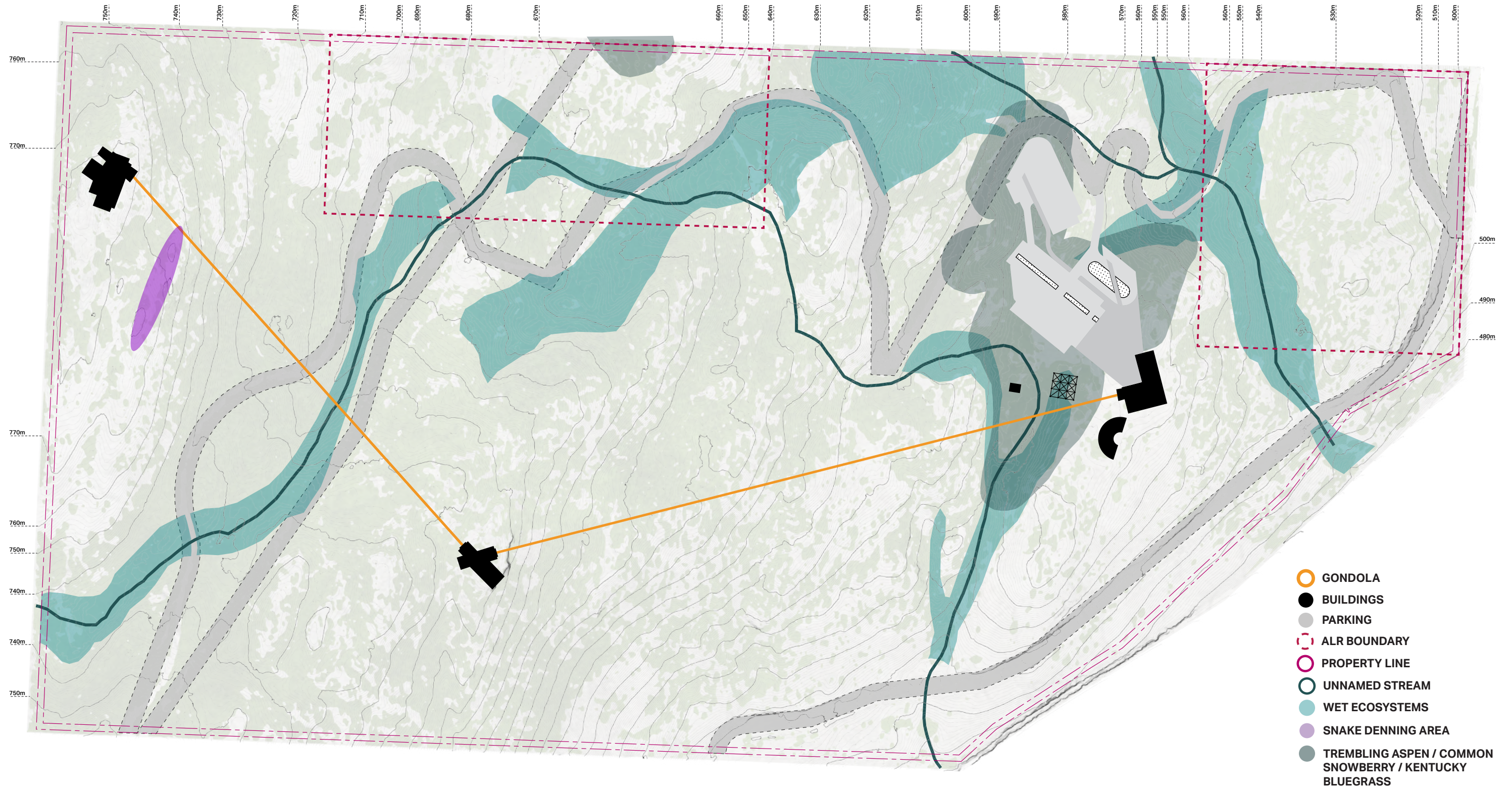
- A – Agricultural
- C – Commercial
- I - Industrial
- LH – Large Holding
- P - Parks

SUBJECT PROPERTY MAP OCP / REZONING – ZONING BOUNDARIES

File: 21-1055-B-OR
Location: Highway 97



C.5 – Recreation Commercial
L.H – Large Holding



GONDOLA

