

# REGIONAL DISTRICT OF NORTH OKANAGAN

## BYLAW No. 3074

A bylaw to amend the Electoral Area “F” Official Community Plan Bylaw No. 2702, 2016 and amendments thereto.

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**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 Area “F” Official Community Plan Bylaw No. 2702, 2016*” 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 Area “F” Official Community Plan Amendment Bylaw No. 3074, 2026***”.

### AMENDMENTS

2. The land use designation of the property legally described as Lot 1, Sec 34, Twp 19, R9, W6M, KDYD, Plan KAP90873, Except Plan EPP67730 and located at 64 Schindler Road, Electoral Area “F” is hereby changed on Schedule “C” of the Electoral Area “F” Official Community Plan Bylaw No. 2702, 2016 from Non-Urban and Small Holding to Non-Urban and Country Residential as shown on the attached Schedule “A” attached to and forming part of this Bylaw.

<b>Read a First and Second Time</b>	this	15th	day of	April, 2026
<b>Bylaw considered in conjunction with the Regional District Financial Plan and Waste Management Plan</b>	this	15th	day of	April, 2026

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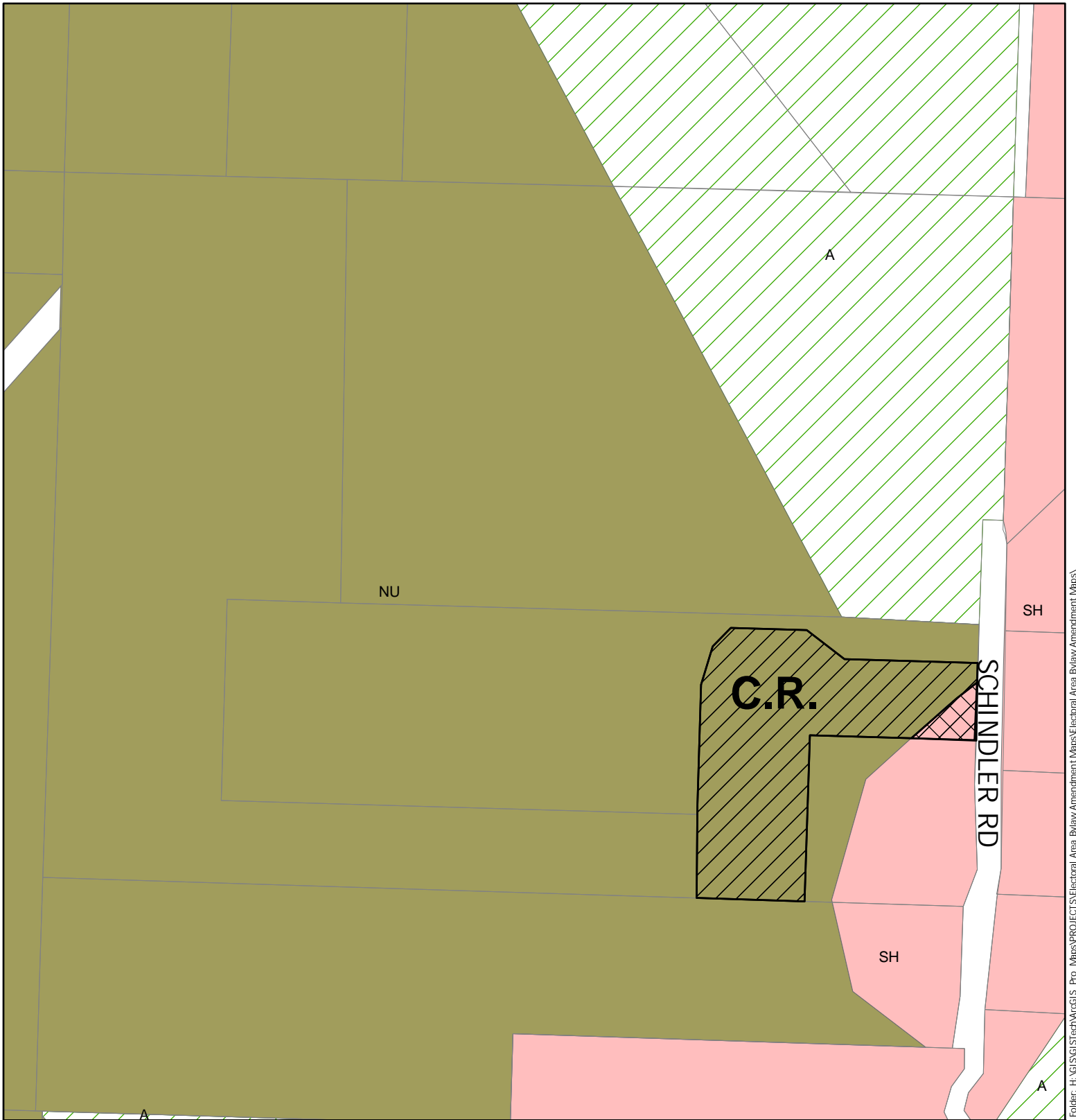
Advertised on	this	24th	day of	April, 2026
	this	28th	day of	April, 2026
Delegated Public Hearing held	this	7th	day of	May, 2026
<b>Read a Third Time</b>	this		day of	, 2026
<b>ADOPTED</b>	this		day of	, 2026

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Chair

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Corporate Officer  
A. Bevan



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REGIONAL DISTRICT NORTH OKANAGAN

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SCHEDULE "A" to accompany Electoral Areas "F" Official Community Plan Amendment Bylaw No. 3074, 2026.

Area redesignated from Non-Urban to Country Residential shown as...



Area redesignated from Small Holding to Country Residential shown as...



I hereby certify this to be a true and correct copy of SCHEDULE "A" to accompany the Electoral Areas "F" Official Community Plan Amendment Bylaw No. 3074, 2026.

Dated at Coldstream, BC this \_\_\_\_\_ day of \_\_\_\_\_, 2026

\_\_\_\_\_  
Corporate Officer

# REGIONAL DISTRICT OF NORTH OKANAGAN

## BYLAW No. 3075

A bylaw to rezone lands and amend the Zoning Map attached to the Regional District of North Okanagan Zoning Bylaw No. 3000, 2023 and amendments thereto.

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**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. 3000, being the “*Regional District of North Okanagan Zoning Bylaw No. 3000, 2023*” 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. 3075, 2026**”.

### AMENDMENTS

2. The zoning of the property legally described as Lot 1, Sec 34, Twp 19, R9, W6M, KDYD, Plan KAP90873, Except Plan EPP67730 and located at 64 Schindler Road, Electoral Area “F” is hereby changed on Schedule “A” of the *Regional District of North Okanagan Zoning Bylaw No. 3000, 2023* from the **Non-Urban (N.U) zone** to the **Non-Urban (N.U) zone** and the **Country Residential (C.R) zone** as shown on the attached Schedule “A” attached to and forming part of this Bylaw.

<b>Read a First and Second Time</b>	this	15th	day of	April, 2026
Advertised on	this	24th	day of	April, 2026
	this	28th	day of	April, 2026
Delegated Public Hearing held	this	7th	day of	May, 2026
<b>Read a Third Time</b>	this		day of	, 2026

**ADOPTED**

this

day of

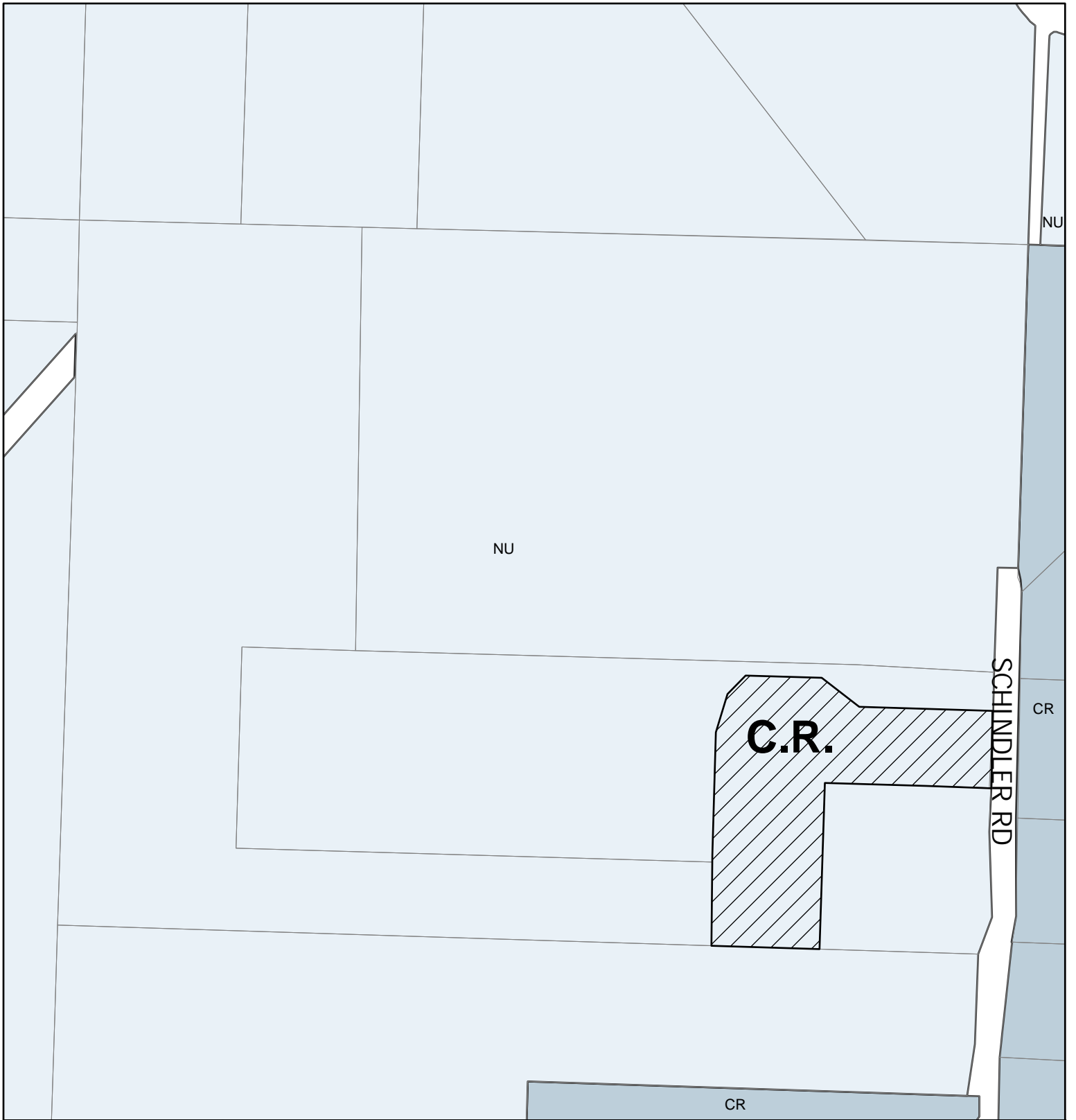
, 2026

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Chair

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Corporate Officer  
A. Bevan



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SCHEDULE "A" to accompany Zoning Amendment Bylaw No. 3075, 2026

Area rezoned from the Non-Urban (N.U) zone to the Country Residential (C.R) zone shown as...



I hereby certify this to be a true and correct copy of Schedule "A" attached to and forming part of Zoning Amendment Bylaw No. 3075, 2026.

Dated at Coldstream, BC this \_\_\_\_\_ day of \_\_\_\_\_, 2026

\_\_\_\_\_  
Corporate Officer

# REGIONAL DISTRICT OF NORTH OKANAGAN

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, April 15, 2026

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**Bylaw 3074 - Electoral Area "F" Official Community Plan Amendment  
Bylaw 3075 - Zoning Amendment  
STERRITT, D. & W. [File No. 25-1040-F-OR]  
64 Schindler Road, Electoral Area "F"**

Moved and seconded

That Electoral Area "F" Official Community Plan Amendment Bylaw No. 3074 which proposes to amend the land use designation of the property legally described as Lot 1, Sec 34, Twp 19, R9, W6M, KDYD, Plan KAP90873, Except Plan EPP67730 and located at 64 Schindler Road, Electoral Area "F" from Non-Urban and Small Holding to Non-Urban and Country Residential as shown on Schedule "A" attached to and forming part of Bylaw No. 3074, be given First and Second Readings; and further,

That Zoning Amendment Bylaw No. 3075 which proposes to amend the zoning of a portion of the property legally described as Lot 1, Sec 34, Twp 19, R9, W6M, KDYD, Plan KAP90873, Except Plan EPP67730 and located at 64 Schindler Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Country Residential (C.R) zone as shown on Schedule "A" attached to and forming part of Bylaw No. 3075 be given First and Second Readings; and further,

That Electoral Area "F" Official Community Plan Amendment Bylaw No. 3074 and Zoning Amendment Bylaw No. 3075 be forwarded to a Public Hearing.

**CARRIED**

Moved and seconded

That the Public Hearing for Bylaw Nos. 3074 and 3075 be delegated to the Electoral Area Advisory Committee under Section 231 of the *Local Government Act*.

**CARRIED**

# REGIONAL DISTRICT OF NORTH OKANAGAN

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, March 18, 2026

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**Electoral Area "F" Official Community Plan / Zoning Amendment Application  
STERRITT, D. & W. [File No. 25-1040-F-OR]  
64 Schindler Road, Electoral Area "F"**

Moved and seconded

That the application to amend the Electoral Area "F" Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of the property legally described as Lot 1, Sec 34, Twp 19, R9, W6M, KDYD, Plan KAP90873, Except Plan EPP67730 and located at 64 Schindler Road, Electoral Area "F" from Non-Urban and Small Holding to Non-Urban and Country Residential be supported in principle and staff be directed to prepare an Official Community Plan Amendment Bylaw for First and Second Readings; and further,

That the referral process outlined in the Planning Department report dated February 12, 2026 be considered appropriate consultation for the purpose of Sections 475 and 476 of the *Local Government Act* and included a referral to First Nations; 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 the application to amend the Regional District of North Okanagan Zoning Bylaw No. 3000, 2023 by changing the zoning of the property legally described as Lot 1, Sec 34, Twp 19, R9, W6M, KDYD, Plan KAP90873, Except Plan EPP67730 and located at 64 Schindler Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Non-Urban (N.U) and the Country Residential (C.R) zones be supported in principle and staff be directed to prepare a Zoning Amendment Bylaw for First and Second Readings; and further,

That the associated Official Community Plan Amendment and Zoning Amendment Bylaws be forwarded to a Public Hearing; and further,

That Final Adoption of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until a covenant is registered on the title of the subject property to:

1. restrict subdivision of the proposed 3.29 ha portion of the property to a boundary adjustment with the property legally described as Lot 1, Plan EPP67730, Sec 34, Twp 19, KDYD and located at 66 Schindler Road, Electoral Area "F"; and
2. restrict further subdivision of the Remainder Lot to two lots.

**CARRIED**



REGIONAL  
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## PLANNING DEPARTMENT INFORMATION REPORT

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### OCP / ZONING AMENDMENT APPLICATION

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**DATE:** February 12, 2026

**FILE NO.:** 25-1040-F-OR

**OWNER/APPLICANT:** Deborah & Wayne Sterritt

**LEGAL DESCRIPTION:** Lot 1, Sec 34, Twp 19, R9, W6M, KDYD, Plan KAP90873, Except Plan EPP67730

**P.I.D.#:** 028-224-990

**CIVIC ADDRESS:** 64 Schindler Road

**PROPERTY SIZE:** 18.81 ha

**SERVICING:** On-site septic sewage disposal and groundwater well

**PRESENT ZONING:** Non-Urban (N.U)

**PROPOSED ZONING:** Country Residential (C.R) and Non-Urban (N.U)

**PRESENT O.C.P. DESIGNATION:** Non-Urban and Small Holding

**PROPOSED O.C.P. DESIGNATION:** Non-Urban and Country Residential

**PROPOSAL:** Boundary adjustment subdivision

#### PLANNING DEPARTMENT RECOMMENDATION:

That the application to amend the Electoral Area "F" Official Community Plan Bylaw No. 2702, 2016 by changing the land use designation of the property legally described as Lot 1, Sec 34, Twp 19, R9, W6M, KDYD, Plan KAP90873, Except Plan EPP67730 and located at 64 Schindler Road, Electoral Area "F" from Non-Urban and Small Holding to Non-Urban and Country Residential be supported in principle and staff be directed to prepare an Official Community Plan Amendment Bylaw for First and Second Readings; and further,

That the referral process outlined in the Planning Department report dated February 12, 2026 be considered appropriate consultation for the purpose of Sections 475 and 476 of the *Local Government Act* and included a referral to First Nations; 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 the application to amend the Regional District of North Okanagan Zoning Bylaw No. 3000, 2023 by changing the zoning of the property legally described as Lot 1, Sec 34, Twp 19, R9, W6M, KDYD, Plan KAP90873, Except Plan EPP67730 and located at 64 Schindler Road, Electoral Area "F" from the Non-Urban (N.U) zone to the Non-Urban (N.U) and the Country Residential (C.R) zones be supported in principle and staff be directed to prepare a Zoning Amendment Bylaw for First and Second Readings; and further,

That the associated Official Community Plan Amendment and Zoning Amendment Bylaws be forwarded to a Public Hearing; and further,

That Final Adoption of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until a covenant is registered on the title of the subject property to:

1. restrict subdivision of the proposed 3.29 ha portion of the property to a boundary adjustment with the property legally described as Lot 1, Plan EPP67730, Sec 34, Twp 19, KDYD and located at 66 Schindler Road, Electoral Area "F"; and
2. restrict further subdivision of the Remainder Lot to two lots.

#### **SUMMARY:**

This report relates to an application to amend the Official Community Plan (OCP) land use designation and zoning of a 3.29 ha portion of the 18.81 ha property located at 64 Schindler Road in Electoral Area "F" from the Non-Urban and Small Holding designations to the Country Residential designation and the Non-Urban (N.U) zone to the Country Residential (C.R) zone. If approved, the applicant proposes a boundary adjustment subdivision with the neighbouring property located at 66 Schindler Road. The applicant has indicated they would like to create a 3.29 ha new lot which contains existing buildings and related services and add the remaining 15.52 ha vacant portion of the subject property to the property located at 66 Schindler Road.

The Planning Department recommends that the application be supported in principle as the proposal will not create any additional lots and would not change the permitted uses on the properties. Staff recommend that Final Adoption be withheld until a restrictive covenant is registered on the title of the subject property to restrict subdivision of the proposed 3.29 ha portion of the property to a boundary adjustment with the property located at 66 Schindler Road and to restrict further subdivision of the Remainder Lot to two lots.

#### **BACKGROUND:**

##### Application History

In 1992, a previous owner applied to subdivide the property to create a 2.02 ha new lot under Section 996 of the Municipal Act (Subdivision to Create a Residence for a Relative). The subdivision was completed in 1993 under Plan KAP51029. In 2009, a previous owner applied to subdivide the property to create a 20.4 ha new lot. The subdivision was completed in 2010 under Plan KAP90873. In 2016, the current owner applied to subdivide the property to a 7.69 ha new lot. The subdivision was completed in 2017 under Plan EPP67730.

In 2017, a Building Permit was issued to construct a new dwelling on the subject property. The dwelling was completed in 2018.

In 2023, a Building Permit was issued to convert a barn on the subject property into a secondary residence. The secondary residence was completed in 2024.

#### Title Documents

In 1993, as part of the above noted subdivision application by the previous property owner, Covenant No. KG120321 was registered on the subject property's title which prohibits further subdivision under Section 996 of the Municipal Act (Subdivision to Create a Residence for a Relative). Covenant No. KG120322 was registered on the subject property's title in relation to floodplain restrictions for buildings and structures.

In 2010, as part of the above noted subdivision application by the previous property owner, Covenant No. LB388133 was registered on the subject property's title in relation to environmental protection (riparian). Covenant No. KG120323 was also registered on the subject property's title in relation to floodplain restrictions for buildings and structures.

#### Site Context

The subject property is located on the west side of Schindler Road and east of the end terminus of an unconstructed extension of Timms Road. The property is irregularly shaped as shown on the attached site plan. A principal dwelling, a secondary dwelling, pool and a detached garage are located in the east side of the property near Schindler Road. The dwellings are serviced by an onsite well and septic system. The property is accessed via a driveway which connects to Schindler Road. A portion of the driveway is located on the neighbouring property to the north which is protected by easement. The property is mostly treed and slopes up from Schindler Road.

The attached maps show the location, zoning and OCP designation of the subject and surrounding properties. The subject property is not within the Agricultural Land Reserve. The attached orthophoto was taken in 2022.

#### Proposal

The applicant proposes to rezone a 3.29 ha portion of the 18.81 ha subject property from the Non-Urban (N.U) zone to the Country Residential (C.R) zone to potentially allow a boundary adjustment subdivision with the property located at 66 Schindler Road. The property located 66 Schindler Road was subdivided from the subject property in 2018. This property is 7.69 ha and is owned by the daughter of the owner.

The applicant has indicated they would like to create a 3.29 ha new lot which contains the existing buildings and related services and add the remaining 15.52 ha vacant portion of the subject property to the property located at 66 Schindler Road. The proposed new lot would be 3.29 ha and the proposed Remainder Lot would be 23.21 ha. As the proposed new 3.29 ha lot would not meet the 7.2 ha minimum lot size requirement of the Non-Urban Zone and as the proposal would not comply with the boundary adjustment subdivision regulations of the Zoning Bylaw, rezoning this portion of the property is required to complete the proposed boundary adjustment subdivision.

Current Official Community Plan / Zoning Amendment Applications

As directed by the Board of Directors, applications for OCP amendments are to be considered in batches so that the cumulative effect they will have on the area can be better analyzed. The subject application is one of four OCP amendment applications received during all of 2025:

In August 2025, the Regional District received an application to change the OCP land use designation and zoning of a 20.57 ha property located at **3315 Enderby Mabel Lake Road**, Electoral Area "F". The applicant has applied to amend the OCP land use designation of a portion of the subject property from Non-Urban to Commercial and to amend the zoning from Non-Urban (N.U) and Service Commercial (C.4) to Recreation Commercial (C.5). If approved, the applicant proposes to develop a 127 site campground.

In October 2025, the Regional District received an application to change the OCP land use designation and zoning of a 2 ha property located at **11 East Poirier Road** in Electoral Area "F" from Country Residential to Small Holding. If approved, the applicant is proposing to subdivide the property into two lots.

In December 2025, the Regional District received an application to rezone a 3 ha portion of the property located at **64 Aumond Road** from the Non-Urban (N.U) zone to the Small Holding (S.H) zone and a 12.37 ha portion of the property from the Non-Urban (N.U) zone to the Country Residential (C.R) zone. If approved, the applicant is proposing to subdivide the property into nine lots. While the property is designated in the OCP as Small Holding and Country Residential, the proposal requires an amendment to the OCP as the proposed zoning boundaries do not align with the boundaries of these land use designations.

Previous OCP / Zoning Amendment Applications

An overview of OCP amendment applications received in Electoral Area "F" since 2012 is provided below:

In December 2023, the Regional District received an application for an amendment to the Official Community Plan (OCP) land use designation and zoning of the property located at **2561 Enderby Mabel Lake Road**. The applicant has applied to amend the OCP land use designation of the subject property from Non-Urban to Commercial and to amend the zoning from Non-Urban (N.U) to Recreation Commercial (C.5). If approved, the applicant proposes to develop a 48 site campground. At the Regular Meeting held on September 11, 2024, the Board supported the application in principle and resolved that Second Reading of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until:

1. the applicant has provided a report prepared by a professional engineer who has:
  - a. reviewed the proposed development, the physical characteristics of the subject property, and location relative to Cooke Creek;
  - b. provided recommendations, if any, regarding the protection of the proposed development from hazards associated with flooding and debris flow from Cooke Creek; and
  - c. has confirmed that the proposed new lots would be safe for the use intended;
2. the applicant has submitted a hydrogeological study prepared by a professional engineer to determine the supply potential and impacts, if any, of the proposed development on the water supply of existing users in the surrounding area and the underlying aquifer;
3. the applicant has submitted a study prepared by a professional engineer which:

- a. evaluates the subject property and provides recommendations for potential on-site septic sewage disposal associated with the proposed development;
  - b. confirms that the proposed sewage system will have no adverse effects on the environment including Cooke Creek, the Shuswap River or other local watercourses.
4. the applicant has submitted a report prepared by a Registered Professional Forester that assesses the proposed development and provides recommendations to minimize the risk of wildfire hazard but are also congruent with Environment and Natural Areas Objectives and considers ecological values specifically wildlife, soil conservation and riparian habitat;
  5. the applicant has held a Public Information Meeting in accordance with the Public Information Meeting Guide and submitted a follow-up report to staff in accordance with the Regional District of North Okanagan Public Information Meeting Guide; and
  6. the Province has reviewed and approved a Riparian Area Assessment to permit the proposed layout of the campground and associated land alteration; and further,  
The Board also resolved that Final Adoption of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until:
    1. Fall Creek Landslide Development Permit and a Commercial Development Permit have been approved by the Regional District; and
    2. the applicant has provided a letter of undertaking to register a covenant against the title of the property that would prohibit fee-simple or bareland strata subdivision.The application is on going.

In June 2022, the Regional District received an application to change the OCP land use designation and zoning of a 4.05 ha property located at the end terminus of **Parkway Road**. The applicant proposes to amend the OCP land use designation of the subject property from Future Park to Commercial and to change the zoning of the property from Non-Urban (N.U) to Recreation Commercial (C.5). If approved, the applicant proposes to develop the property as a 20 site campground and a 10 unit rental cabin accommodation development.

At the Regular Meeting held on June 18, 2025, the Board gave Third Reading to the associated Official Community Plan Amendment and Zoning Amendment Bylaws. The Board resolved that Final Adoption of the Bylaws be withheld until:

1. a Commercial Development Permit has been approved for issuance by the Regional District for the proposed cabin accommodation development;
2. the applicant has entered into an agreement with the Regional District of North Okanagan for public use of the existing trail located on the subject property.

The application is on going.

In March 2022, the Regional District received an application to change the OCP land use designation and zoning of a 32.46 ha property located at **150 Crossridge Road** from Non-Urban to Country Residential. The applicant is proposing to subdivide the property into 15 lots. The OCP and Zoning Amendment Bylaws were adopted in 2024.

In October 2021, the Regional District received an application to amend the OCP land use designation of the property located at **6402 Highway 97A** from Non-Urban to Industrial and to change the zoning of the property from Non-Urban (N.U) to Light Industrial (I.1). If approved, the applicants propose to construct a truck service and repair shop with a caretaker's residence and a commercial storage facility including a mini storage building and outdoor storage area for RVs and boats.

The Board resolved that consideration of the application be withheld until a comprehensive plan which addresses how the proposed development of the subject property may form part of a larger area of existing and potential future industrial land use, including but not limited to consideration of the potential for public road access to be dedicated and/or upgraded to accommodate the potential development while protecting the safety and efficient function of Highway 97A. The Electoral Area "F" Industrial & Service Commercial Lands OCP Amendments were adopted in September 2024 which redesignated the subject property to Service Commercial and Light Industrial. At the Regular Meeting of November 20, 2024, the Board considered the application and resolved to consider the associated Zoning Amendment Bylaw for First Reading at a future meeting date. The Board resolved that Second Reading of the Bylaw be withheld until:

1. the applicant has provided confirmation in writing from a qualified professional Geotechnical Engineer that the subject property is safe for the intended use; and,
2. 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.

The Board also resolved that Final Adoption of the Zoning Amendment Bylaw be withheld until:

1. a letter of undertaking is provided to the Regional District to register a covenant against the title of the property which would:
  - a. restrict uses which are included on Schedule 2 of the Contaminated Sites Regulation unless a report is provided from a Qualified Professional which ensures that hazardous materials storage and handling procedures, facility design and operation will not compromise the integrity of any aquifers below; and,
  - b. require any paved surfaces to drain through an oil/water separator prior to infiltration to ground;
2. an Industrial Development Permit associated with the proposed development has been approved for issuance.

The Zoning Amendment Bylaw received First Reading at the Regular Meeting held on November 19, 2025 and the application of ongoing.

In December 2018, the Regional District received an application to amend the OCP land use designation and zoning of a 22.5 ha portion of a 65.7 ha property located on **Edgar Road** from Non-Urban to Country Residential. If successful, the applicant proposed to apply to subdivide the property into a total of 12 lots. The OCP and Zoning Amendment Bylaws were given First Reading by the Board of Directors in September 2019. In November 2020 the applicant directed staff to close the file as his plans for the property had changed.

In March 2018, the Regional District received an application to amend the OCP land use designation of a 3.16 ha portion of the 20.57 ha subject property which is located at **3315 Enderby Mabel Lake Road** from Non-Urban and Agricultural to Commercial and to rezone the same part of the property from Non-Urban (N.U) to Service Commercial (C.4). The applicant proposed to develop a storage facility and a caretaker's residence. The OCP and Zoning Amendments were adopted in September 2018. This property is the subject of the other OCP Amendment application which will be considered in this batch.

In March 2012, the Regional District received an application involving two properties located north of the City of Enderby. The applicant (North Enderby Timber) proposed to change the OCP land use designation of a 4.9 ha portion of the 39.2 ha property, located approximately 1.6 km north of the City of Enderby, at **6314 Highway 97A** from Agricultural to Industrial and to change the zoning of the same portion of the property from Large Holdings (L.H) to General Industrial (I.2). The

application also proposed to change the OCP land use designation of a 4.9 ha portion of the 8.1 ha property, located approximately 5.4 km north of the City of Enderby, at 91 Crandlemire Road from Industrial to Agricultural and to change the zoning of the same portion of that property from General Industrial (I.2) to Large Holding (L.H).

The applicant proposed to subdivide the rezoned 4.9 ha portion of the property located at **6314 Highway 97A** and to use it for log storage and lumber mill purposes and to subdivide and rehabilitate the rezoned 4.9 ha portion of the property located 91 Crandlemire Road to allow the same portion of the property to be used for agricultural purposes. The OCP and Zoning Amendment Bylaws were adopted in November 2014.

### **PLANNING ANALYSIS:**

The proposed OCP amendment and rezoning application is for a 3.29 ha portion of the 18.81 ha subject property to facilitate a proposed boundary adjustment subdivision. The applicant has indicated they would like to create a 3.29 ha new lot which contains the buildings and related services and add the remaining 15.52 ha portion of the property which is vacant to the property located at 66 Schindler Road. As the proposed new 3.29 ha lot would not meet the 7.2 ha minimum lot size of the Non-Urban Zone, rezoning this portion of the property is required to complete the proposed boundary adjustment subdivision and comply with the boundary adjustment provisions of the Zoning Bylaw.

Staff acknowledge the portion of the property which is proposed to be rezoned would be large enough to be subdivided in accordance with the minimum lot size regulations of the Country Residential Zone. Staff also acknowledge that the proposed boundary adjustment subdivision would create a Remainder Lot which would be large enough to be subdivided into three lots whereas currently there is only potential to be subdivided into two lots.

Based on the above, staff recommend that support for the subject application based on the applicant completing a boundary adjustment subdivision as proposed. To ensure the subdivision proceeds as proposed, staff have recommended that Final Adoption of the proposed Official Community Plan and Zoning Amendment Bylaws be withheld until a covenant has been registered on the title of the subject property to restrict subdivision of the 3.29 ha portion of the property to a boundary adjustment only. The applicant has indicated that they are willing to register this covenant. The applicant has also indicated that they are willing to register a covenant to restrict subdivision of the Remainder Lot to no more than two lots which is consistent with what is currently permitted.

Alternatively, the Board could require the applicant to provide information consistent with the OCP policies to indicate that the property could be developed to create a new 3.29 ha lot and the Remainder Lot into three lots. However, the applicant has indicated they would prefer the option of a covenant as indicated above.

The Planning Department recommends that the proposed OCP amendment and rezoning also be supported for the following reasons:

- The portion of the property to be rezoned to Country Residential (C.R) is not out of character for the area as the properties across Schindler Road are zoned Country Residential. There are other smaller lots and Country Residential zoned lots in the immediate vicinity in compliance with OCP policy.

- As the proposed new 3.29 ha lot would not meet the 7.2 ha minimum lot size of the Non-Urban Zone, rezoning this portion of the property is required. Provisions of the Zoning Bylaw and Subdivision Servicing Bylaw otherwise would permit the proposed boundary adjustment subdivision subject to the applicant meeting conditions related to servicing and other bylaw requirements.

#### Public Information Meeting

The OCP states the Board of Directors may direct that an Official Community Plan amendment application be presented at a Public Information Meeting to be hosted in the community by the applicant prior to scheduling of a Public Hearing. However, as the proposal does not create any additional lots, staff do not recommend a Public Information Meeting be held. Should the Board wish for the applicant to hold a Public Information Meeting, the Board may pass a resolution in this regard. The Regional District of North Okanagan Development Application Procedures and Administrative Fees Bylaw No. 2677 states that when an application has been approved in principle by the Board, subject to the applicant holding a Public Information Meeting, the applicant shall cause said meeting to be held in accordance with current Board policy on holding Public Information Meetings together with payment of the applicable fee.

#### **REGIONAL GROWTH STRATEGY:**

The Regional Growth Strategy designates the subject property as being within a Rural Protection Area. The following definition has been provided for Rural Protection Areas:

***“RURAL PROTECTION AREAS: are areas that will not have access to water and sewer infrastructure, consist of large lot sizes and are associated with rural uses. Rural Protection Areas are intended to provide for a variety of rural land uses, including low density rural residential development, natural resources, and agricultural and existing small scale neighbourhood commercial uses. Rural Protection Areas help protect rural landscapes and agricultural lands, prevent unsuitable urban development and densities, limit water and sewer infrastructure extensions beyond the Rural Protection Boundary and maintain rural lifestyle options. Natural lands, open spaces, agricultural lands and environmentally sensitive lands that are unsuitable for residential development are included within the Rural Protection Areas, including: the Agricultural Land Reserve, watersheds, conservation areas, natural habitats, grasslands, forests, wetlands, major parks and recreation areas. Rural developments around drinking water sources and reservoirs should be restricted to protect water quality and quantity.”***

The Regional Growth Strategy (RGS) outlines the regional policies that are to be considered by the Board of Directors when reviewing an OCP/Rezoning Amendment application. The following RGS policies apply with respect to this application:

#### Urban Containment and Rural Protection

UC-2.1: Designate Rural Protection Boundaries, consistent with the Regional Growth Strategy, within Official Community Plans for the purpose of protecting lands within the Rural Protection Area. Lands designated as Rural Protection Areas are intended to accommodate low density development on larger (1 hectare and greater) parcels of land that are not serviced with both community water and sewer systems.

- UC-2.5: Designate lands as Rural Protection Areas: This designation will protect, and at the same time enhance, the rural landscape by encouraging development that is compatible with the rural character of the North Okanagan.
- UC-2.7: Protect the character of rural areas: Rural Protection Areas contain a variety of lands with natural resource value including agriculture and forestry. These lands have historically played a significant role in shaping North Okanagan character and identity, offering rural lifestyle choice, as well as providing important economic benefits. Their long term viability and productivity is increasingly threatened by urban encroachment and the spread of incompatible land uses.
- UC-2.8: Coordinate with provincial agencies on future land use decisions within the Community/Crown Interface Zone designation of the Okanagan Shuswap Land and Resource Management Plan.

**OFFICIAL COMMUNITY PLAN:**

The Official Community Plan designates the land use of the subject property as Non-Urban and Small Holding. The following OCP Policies are applicable to the application:

Rural Lands Policies

1. Population projections and a vacant land inventory prepared in conjunction with the 2015 Official Community Plan review indicate that the existing land use designations can accommodate projected population growth and associated housing needs in Electoral Area "F" over the 2016-2026 time period.
2. Rural lands may have the potential for resource extraction and may not be suitable for development due to limitations of elevation, slope, water, accessibility, disruption of existing resource or agricultural uses, or interference with watershed conservation.
3. Upon receipt of an OCP Amendment and/or Rezoning application for any Rural development, the Board of Directors will give consideration to the fire protection issues in the local area with particular respect to wildfire interface areas.
4. Subdivision of rural residential lands shall be in a manner that will conform to the site characteristics and retain a sense of rural identity and community.
5. Official Community Plan and Zoning amendment applications should include information maps showing how the rezoning area can be developed under the proposed zoning including (as applicable) the location of any new roads, environmental protection measures, lot layouts, and any community amenities.
6. The following information and considerations are relevant to the review of the subject application which may or may not be approved by the Board of Directors:
  - a. Because of the importance of an adequate water supply in rural areas and the uncertainty about water supply in some areas, in conjunction with an OCP amendment and/or rezoning application assurance about the proposed water supply should be provided and the Board of Directors may request that a hydrogeological study be provided to determine impacts, if any, of the proposed development on the water supply of existing users in the surrounding area and the underlying aquifer.
  - b. Property proposed for development should not be subject to flooding, high water table, or terrain instability.
  - c. A proposed development should not require excessive public expenditures for services such as roads, utilities, and school busing.

- d. Terrain should be suitable for development whereby each new lot would have a building site and driveway access in compliance with the Zoning Bylaw.
  - e. Each new lot shall have area suitable for on-site sewage disposal including area for a reserve on-site sewage disposal area.
  - f. Each new lot shall have access to a public road system meeting Ministry of Transportation and Infrastructure standards in which emergency egress must be considered.
  - g. Access via no-thru roads in excess of 150 m in length and/or no-thru roads without an adequate turnaround is not supported.
  - h. Natural features or other sensitive environmental attributes should not be negatively impacted by a proposed development.
  - i. Information other than that cited in this Section may be necessary in order to adequately evaluate Official Community Plan and Zoning amendment applications.
  - j. Notwithstanding the policies of this Section, the Regional District will be guided by all relevant community goals, objectives, and policies cited in this Plan as may be appropriate in the consideration of any application.
7. The Board of Directors may direct that an Official Community Plan amendment application be presented at a Public Information Meeting to be hosted in the community by the applicant prior to scheduling of a Public Hearing.

#### Public Facilities & Services

1. Continue to recognize that Electoral Area “F” is a rural area where residents acknowledge and accept that beyond the Shuswap Fire Protection District, fire protection services are not provided.
2. Because of the importance of an adequate water supply in rural areas and the uncertainty about water supply in some areas, in conjunction with an OCP amendment and/or rezoning application assurance about the proposed water supply should be provided and the Board of Directors may request that a hydrogeological study be provided to determine impacts, if any, of the proposed development on the water supply of existing users in the surrounding area and the underlying aquifer.

#### Development Permit Areas

The OCP designates the property as being located within a Development Permit Area for the protection of development from hazardous (wildfire) conditions. Development on land within a Wildfire Hazard DP Area will require a DP prior to issuance of a subdivision. However, Section 17.5.8.a of the OCP states that subdivision for the purpose of lot consolidation, boundary adjustment, or road widening whereby additional parcels would not be created do not require a Wildfire Hazard Development Permit.

#### **ZONING BYLAW:**

The subject property is zoned Non-Urban (N.U). The minimum parcel size in the N.U zone is 7.2 ha. The uses permitted in the N.U zone include agricultural uses, assembly, civic and public service uses, resource use, manufactured homes, single family dwellings, two family dwellings, bed and breakfast uses, boarding house uses, home occupation uses, secondary dwellings and secondary suites.

The subject property is proposed to be zoned Country Residential (C.R). The minimum parcel size in the C.R zone is 2 ha. The uses permitted in the C.R zone include agricultural uses, assembly, civic and public service uses, intensive resource use, manufactured homes, single family dwellings, two family dwellings, bed and breakfast uses, boarding house uses, home occupation uses, secondary dwellings and secondary suites.

#### Boundary Adjustment Subdivisions

Section 5.5 of the Zoning Bylaw states that notwithstanding the provisions of this Bylaw, the minimum lot area and lot frontage requirements of this Bylaw do not apply to boundary adjustment subdivisions between two or more existing lots subject to the following:

1. There is no increase in the number of lots.
2. No lot is enlarged to a size permitting further subdivision under the existing zoning.
3. No lot that complies with the minimum lot area requirement is reduced to a size that does not comply.
4. No lot that is greater than 1 ha in size is reduced to a size that is less than 1 ha where it is serviced by an on-site sewage disposal system.
5. The subdivision complies with the permitted use, number of buildings per lot, and lot coverage provisions of this Bylaw.
6. The subdivision complies with the lot frontage requirements of this Bylaw, unless otherwise waived by the Regional District.

#### Dwellings Per Lot

Under the C.R and N.U zones, lots larger than 1.0 ha would be permitted to have: one single family dwelling and either one secondary dwelling or one secondary suite; OR one manufactured home and one secondary dwelling; or one two family dwelling.

Under the C.R zone, properties which are 2 ha or greater but less than 14.4 ha would be permitted to have one single family dwelling and one secondary dwelling and one secondary suite; or one manufactured home and one secondary dwelling; or one two family dwelling and one secondary dwelling. Properties which are 14.4 ha or greater but less than 21.6 ha would be permitted to have one single family dwelling and one secondary dwelling and one secondary suite and one additional single family dwelling; or one manufactured home and one secondary dwelling and one additional single family dwelling and one secondary suite; or one two family dwelling and one secondary dwelling and one additional single family dwelling and one secondary suite where a lot does not contain a secondary dwelling; or one two family dwelling and one manufactured home and one secondary dwelling.

Under the N.U zone, properties which are 2 ha or greater but less than 4 ha would be permitted to have one single family dwelling and one secondary dwelling and one secondary suite; or one manufactured home and one secondary dwelling; or one two family dwelling and one secondary dwelling. For properties 4 ha or greater would be permitted to have one single family dwelling and one secondary dwelling and one secondary suite and one additional single family dwelling; or one manufactured home and one secondary dwelling and one additional single family dwelling and one secondary suite; or one two family dwelling and one secondary dwelling and one additional single family dwelling and one secondary suite where a lot does not contain a secondary dwelling; or one two family dwelling and one manufactured home and one secondary dwelling.

Building Sites and Lot Frontage

Section 5.6 of the Zoning Bylaw requires that all lots created within the S.H zone contain a contiguous area of land 2,000 m<sup>2</sup> or larger in size to service as a suitable building site. A building site must be less than 30% natural slope and must be accessible from a public highway via a private access driveway meeting the width and slope standards of Section 5.6. Lots are also required to have road frontage of not less 20 m.

**SUBDIVISION SERVICING BYLAW:**

Section 303 of the Subdivision Servicing Bylaw states that where an application proposes to adjust parcel boundaries, and whereby additional parcels would not be created, and the proposed parcels are serviced with existing services required by this bylaw, the services are not required to be upgraded to comply with the requirements of this bylaw. The applicant must, however, provide a plan drawn to scale with metric dimensions and areas indicating the locations of all existing and proposed property lines, existing buildings, structures, streams, and services including power, water, sewer, and onsite disposal. Where the existing services are not located within the proposed parcel which they will service, the location and access to service shall be protected by an easement. Additional servicing or upgrading of existing services may be required by other agencies. Where an application proposes to adjust parcel boundaries, and whereby additional parcels would not be created and the proposed parcels are not serviced with existing services required by this bylaw, the subdivision must comply with the servicing requirements outlined in Section 400 of the Bylaw.

**REFERRAL COMMENTS:**

Section 475 of the *Local Government Act* states that during the amendment of an OCP, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected, and must consider whether the opportunities for consultation should be early and ongoing. Section 475 also states local governments must specifically consider whether consultation is required with First Nations. Section 476 states that the local government must consult with the local school district. Section 477 of the *LGA* requires that, after First Reading, a local government consider an OCP amendment in conjunction with its Financial Plan and any applicable Solid Waste Management Plan.

In the event an Official Community Plan Amendment Bylaw associated with this application is given First Reading, to address the requirements of Sections 475 and 476, the subject application has been referred to the following for their review and comment:

1. **Building Inspection Department**
2. **RDNO Environmental Services Department**
3. **RDNO Protective Services Manager**
4. **RDNO Community Services Manager**
5. **RDNO Chief Financial Officer**
6. **RDNO Rural Services Manager**
7. **OKIB**
8. **Splatsin**
9. **School District 83**

**10. Ministry of Transportation and Transit**


Section 52(3)(a) of the Transportation Act does not apply, and the zoning will not require Ministry endorsement. The Ministry has not received a subdivision application from the landowner to subdivide the subject lot. Conditions of subdivision are reviewed and determined by the Provincial Approving Officer.

**11. RDNO Parks Department**

RDNO Parks has no comments or concerns.

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Submitted by:



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Jennifer Miles, RPP, MCIP  
Planner II

Reviewed by:



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Greg Routley  
Planning Manager

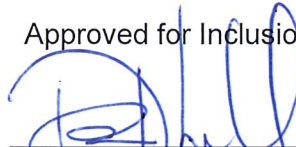
Endorsed by:



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

Approved for Inclusion:



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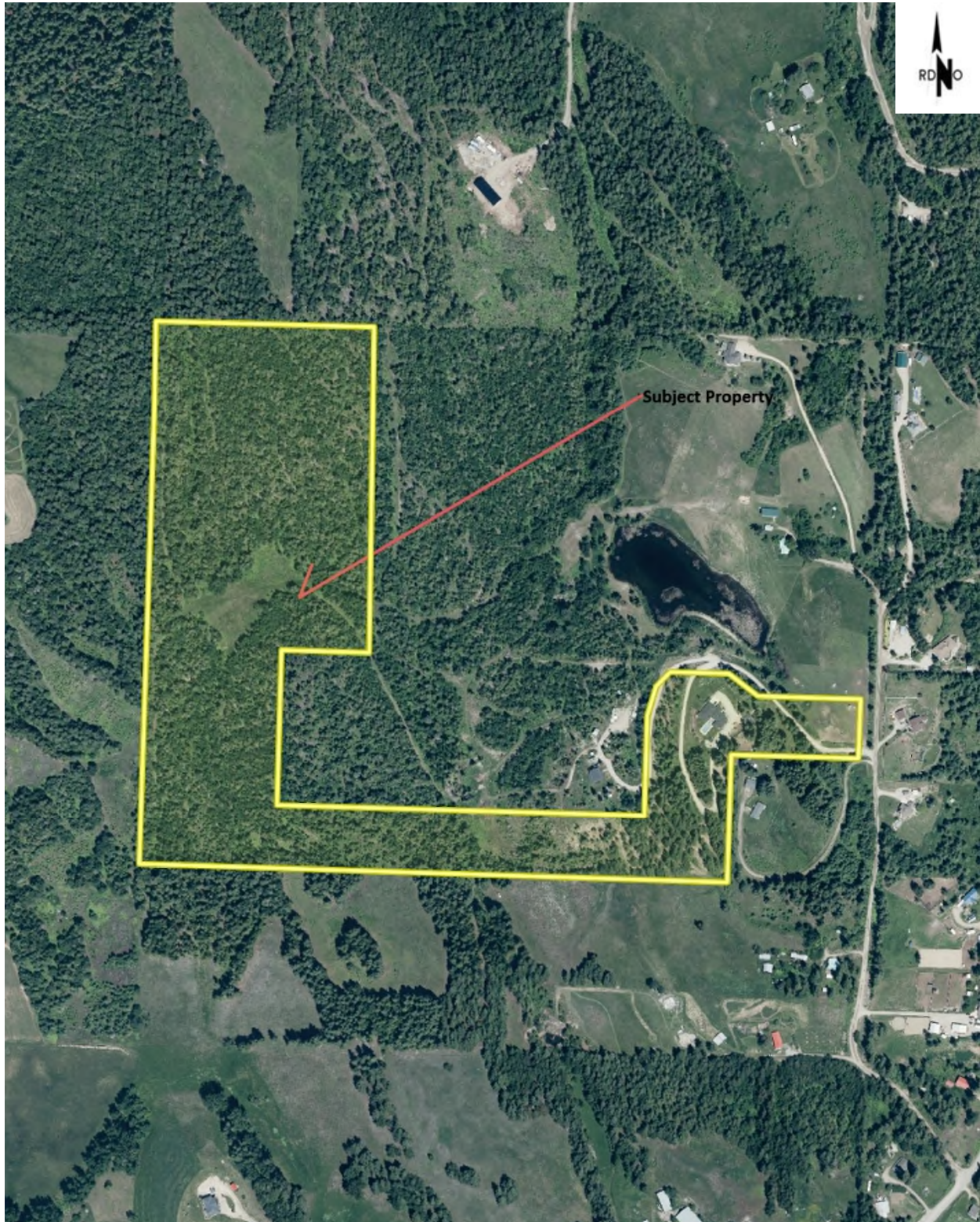
David Sewell  
Chief Administrative Officer



# SUBJECT PROPERTY MAP OCP / REZONING ORTHOPHOTO

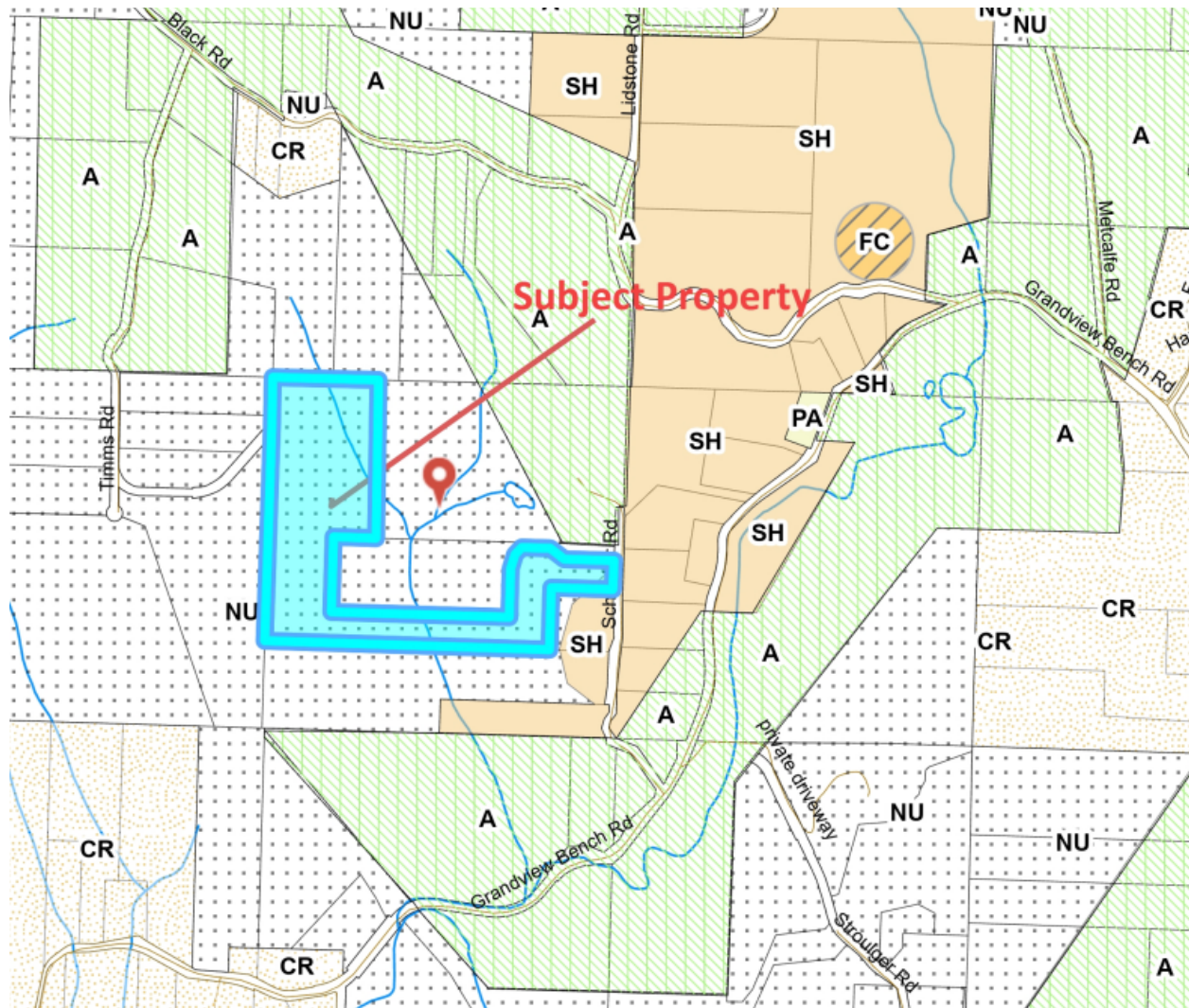
File: 25-1040-F-OR  
Location: 64 Schindler Road

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# SUBJECT PROPERTY MAP OCP / REZONING OCP BOUNDARIES

File: 25-1040-F-OR  
Location: 64 Schindler Road

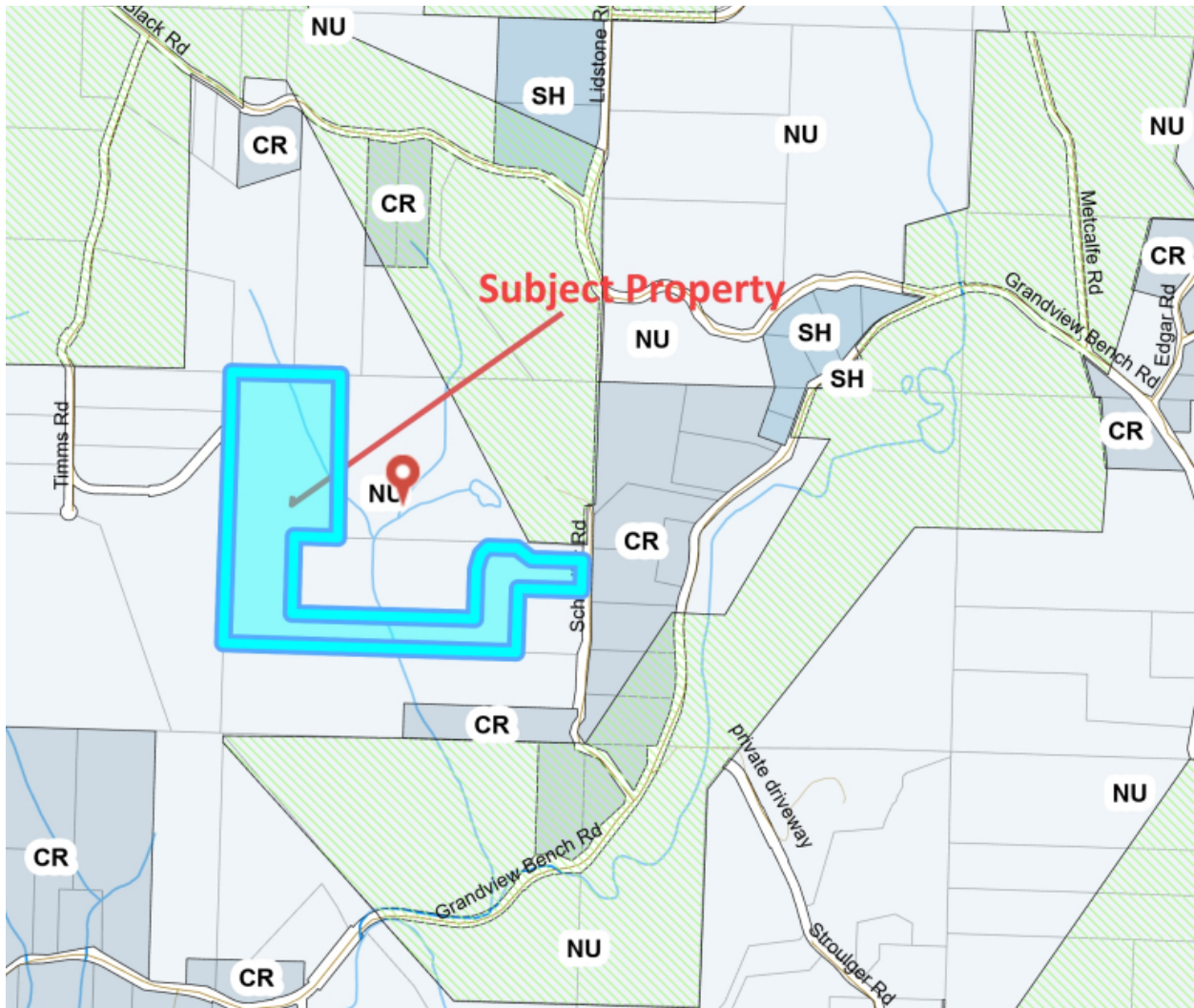


A – Agricultural  
CR – Country Residential  
FC – Future Commercial  
NU – Non-Urban  
SH – Small Holding

# SUBJECT PROPERTY MAP OCP / REZONING ZONING BOUNDARIES

File: 25-1040-F-OR  
Location: 64 Schindler Road

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C.R – Country Residential  
N.U – Non-Urban  
S.H – Small Holding

34

87

76

71

REM 1  
KAP90873  
18.81ha

C.T. 180834-F

Schindler  
lake

69

1  
EPP67730  
7.89ha

House

#66  
Schindler

68.54 m

121.60 m

66

64

61

Area: 3.29 ha  
Perimeter: 927.29 m

3.77 m

71.99 m

50

53

Garage  
KAP51029  
2.020ha

109.49 m

142.60 m

75.20 m

100.65 m

Schindler Rd  
-050- SCHINDLER

A

#64 After - 3.29 ha

#66 After - 23.21 ha

31

DI ANI 20020