



REGIONAL
DISTRICT
NORTH
OKANAGAN

STAFF REPORT

TO: Board of Directors

FROM: Planning Department

SUBJECT: Zoning Amendment Bylaw No. 2922, 2021 [LCT Investments Inc]

File No: 21-1021-B-RZ

Date: January 31, 2023

RECOMMENDATION:

That Zoning Amendment Bylaw No. 2922, 2021, which proposes to rezone the property legally described as Parcel A (DD 149241F) of Lot 1, Sec 14, Twp 8, ODYD, Plan 3484, Except Plan 19762 and located at 6295 Pleasant Valley Road, Electoral Area "B" from the Residential Single Family (R.1) zone to the Light Industrial (I.1) zone be given First, Second and Third Readings.

BACKGROUND:

The subject application proposes to rezone the property located at 6295 Pleasant Valley Road from the Residential Single Family (R.1) zone to the Light Industrial (I.1) zone. The applicant is proposing to rezone the property to Light Industrial in order to use the property for the sale of building supplies, with associated storage, administration and owner/operator accommodation.

At the Regular Meeting held on January 19, 2022, the Board of Directors considered the application and the associated Zoning Amendment Bylaw No. 2922. After considering the application the Board resolved that notice be given in accordance with Section 467 of the *Local Government Act* that Zoning Amendment Bylaw No. 2922 be considered for First Reading at a future meeting. The Board also resolved that Final Adoption of Bylaw No. 2922 be withheld until:

1. The applicant registers a covenant against the title of the property that would prohibit fee-simple or bareland strata subdivision until a community sewer system is available; and
2. The applicant registers a covenant against the title of the property that would 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; and
3. Water servicing issues associated with the proposed development have been addressed to the satisfaction of the Regional District; and
4. A Development Permit that satisfies the requirements of the Riparian and Swan Lake Development Permit Area and Industrial Development Permit Area under the Electoral Areas "B" and "C" Official Community Plan has been approved for the proposed development; and
5. A covenant is registered against the title of the property that would restrict all on-site septic sewage disposal to a total design flow maximum of 1400 litres per day, and that any permitted industrial or commercial use of the property that would exceed a design flow maximum of 1400 litres per day must be serviced by a holding tank designed and installed in compliance with Holding Tank Bylaw No. 671 until such time as the property is connected to a community sewage collection and disposal system. It is further recommended that such a covenant include, as an alternative to a holding tank, provision for the applicant to provide:

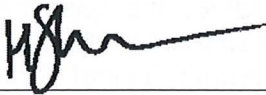
- a hydrological assessment from a hydrological engineer that reviews the local groundwater and surface water conditions with consideration of possible contamination of Swan Lake or a tributary watercourse or ditch; and
- a geotechnical evaluation from a geotechnical engineer that reviews local soil conditions with the identification of a primary and separate backup drainfield location which areas would be protected by a Covenant; and a design for a sewage disposal and stormwater management system prepared by a civil engineer.

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 2931 which was Adopted on June 15, 2022, notice has been provided advising that Bylaw No. 2922 would be considered by the Board of Directors for First Reading on February 15, 2023, as follows:

- a Development Notice sign was posted on the property on January 12, 2023;
- letters were mailed to adjacent landowners on February 3, 2023;
- a notice was posted in the Public Notice section of the RDNO website on February 6, 2023;
- a notice was distributed through the RDNO Public Notice email subscription group on February 6, 2023;
- a notice was posted to the RDNO Facebook page on February 6, 2023; and
- a notice was placed in the weekly RDNO advertisement in the Morning Star on February 9, 2023.

It is recommended that that Zoning Amendment Bylaw No. 2922 be given First, Second and Third Readings as notice of the Board's consideration of the Bylaw has been completed as outlined above, and the Board has not required that any conditions be met in order to give First, Second and Third Readings to the Bylaw. Bylaw No. 2922 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.

Submitted by:



Heather Shannon
Planner

Reviewed by:



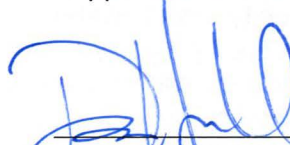
Greg Routley
Deputy Planning Manager

Endorsed by:



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

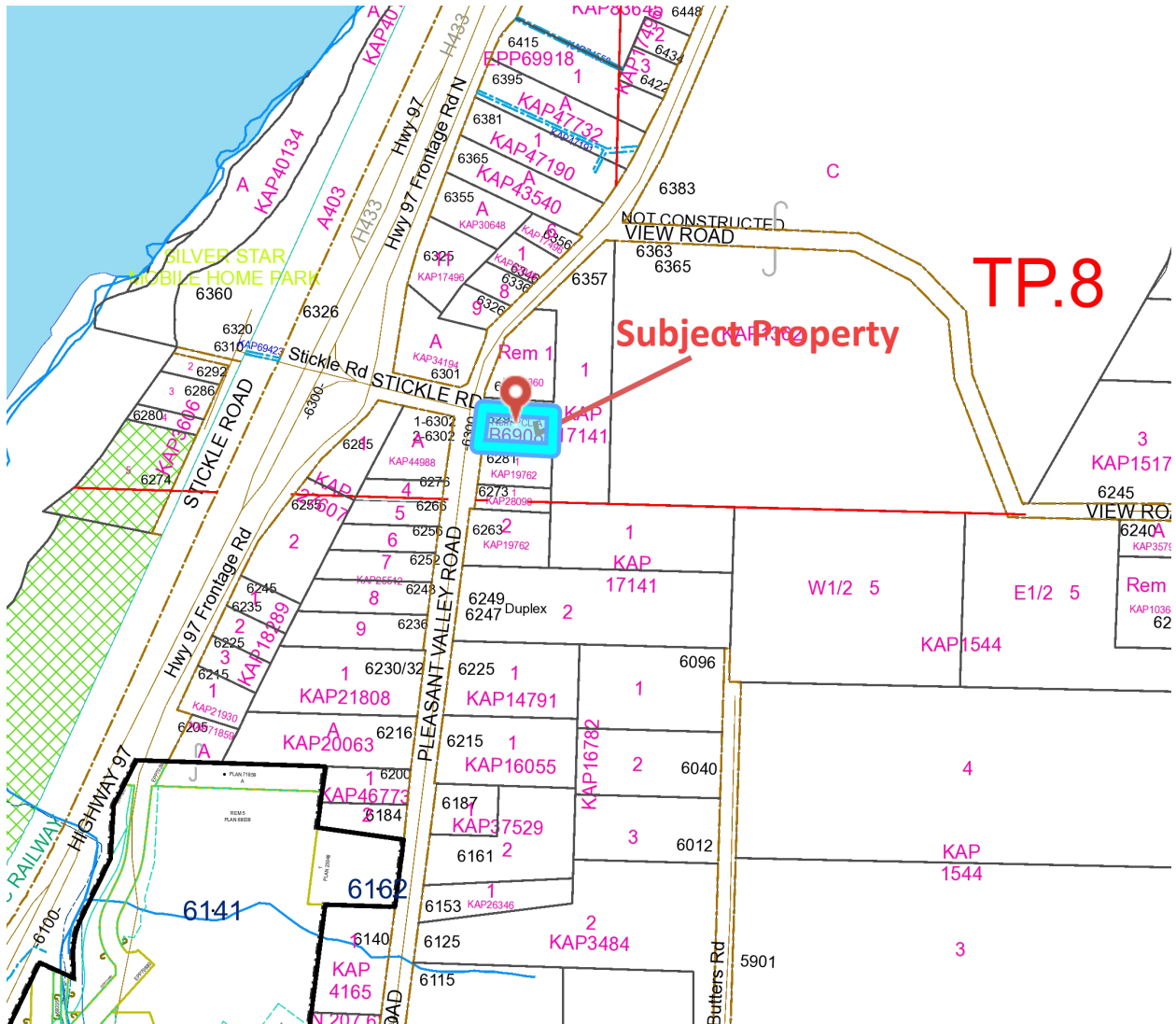
Approved for Inclusion:



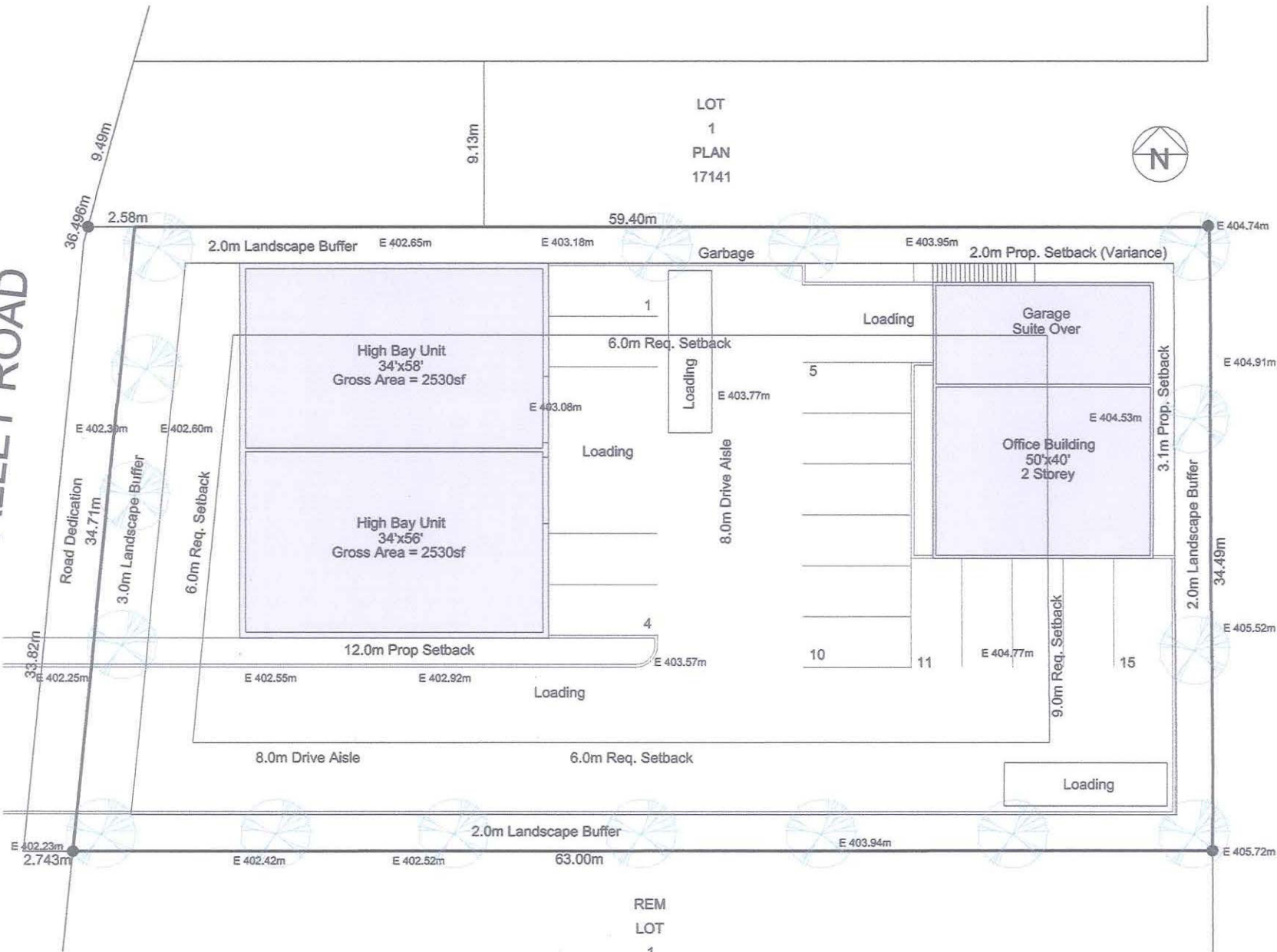
David Sewell
Chief Administrative Officer

SUBJECT PROPERTY MAP REZONING

File: 21-1021-B-RZ
Location: 6295 Pleasant Valley Road



PLEASANT VALLEY ROAD

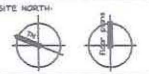


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GENERAL CONDITIONS:
Check and verify all critical details and dimensions prior to the start of construction and contact the office if any clarification is required. Verify dimensions and details. Take precedence over scaled dimensions.
This drawing must be read in conjunction with all drawings it refers to for the project contract. Contractor is responsible to verify design data, including design instructions, details of materials and dimensions, before design/contractor can start design. Holders are the sole responsibility of the Contractor.

DATE:	ISSUED FOR:
Oct. 20, 2020	Issued for Review

PROJECT TITLE:

Proposed Industrial Development

6258 Pleasant Valley Road
Vernon, BC

SHEET TITLE:

Site Plan

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Job No.	2020-211
Date:	Oct. 20, 2020
Scale:	1/8"=1'-0"
Drawn:	DC
Checked:	DC

SHEET NUMBER:

A-101
OF

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2922

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. 2922, 2021**”.

AMENDMENTS

2. The zoning of the property legally described as Parcel A (DD 149241F) of Lot 1, Sec 14, Twp 8, ODYD, Plan 3484, Except Plan 19762 and located at 6295 Pleasant Valley Road, Electoral Area “B” is hereby changed on Schedule “A” of the *Regional District of North Okanagan Zoning Bylaw No. 1888, 2003* from the **Residential Single Family [R.1]** zone to the **Light Industrial [I.1]** zone.

Advertised on this 6th day of February, 2023

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

**Approved by Minister of Transportation and
Infrastructure**
[Transportation Act s. 52(3)]

this day of , 2023

ADOPTED

this day of , 2023

Chair

Deputy Corporate Officer