



TO: Board of Directors
FROM: Planning Department

File No: 22-0906-C-RZ
Date: January 18, 2023

SUBJECT: Zoning Amendment Bylaw No. 2946, 2022

RECOMMENDATION:

That Zoning Amendment Bylaw No. 2946, 2022 which proposes to rezone the property legally described as Lot A, Sec 25, Twp 8, ODYD, Plan KAP48148, Except Plan EPP23450 and located at 7810 Glenhayes Road, Electoral Area "C" from the Small Holding (S.H) zone to the Residential Apartment and Multi-Family (R.3) zone be given First, Second and Third Readings.

BACKGROUND:

The subject application proposes to rezone the property located at 7810 Glenhayes Road, Electoral Area "C" from the Small Holding (S.H) zone to the Residential Apartment and Multi-Family (R.3) zone. If rezoned, the applicant proposes to subdivide the property into 10 lots when a connection to community sewer becomes available in the future.

At the Regular Meeting held on December 14, 2022, the Board of Directors considered the application and the associated Zoning Amendment Bylaw No. 2946. 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. 2946 be considered for First Reading at a future meeting. The Board also resolved that Final Adoption of Zoning Amendment Bylaw No. 2946 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. prohibit subdivision to create lots which are less than 1.0 ha and restrict the use of the lots to two family dwellings consistent with provisions of the Regional District Zoning Bylaw until the property is connected to community water and sewer services;
 - c. require the lots in any future subdivision to be less than 1 ha once connected to community water and sewer services and to generally conform with the proposed subdivision plan;
 - d. restrict the use of the proposed 10 lots to single family dwellings, secondary suites, ancillary single family dwellings, two family dwellings, three family dwellings, four family dwellings, and row houses consistent with provisions of the Regional District Zoning Bylaw; and,
2. water servicing issues associated with the proposed development have been addressed to the satisfaction of the Greater Vernon Water Utility.

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. 2946 would be considered by the Board of Directors for First Reading on February 15, 2023:

- the applicant posted a Development Notice Sign on the property on January 17, 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 on February 9, 2023.

It is recommended that Zoning Amendment Bylaw No. 2946 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. 2946 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:



Jennifer Miles, RPP, MCIP
Planner II

Reviewed by:



Greg Routley
Deputy Planning Manager

Endorsed by:



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

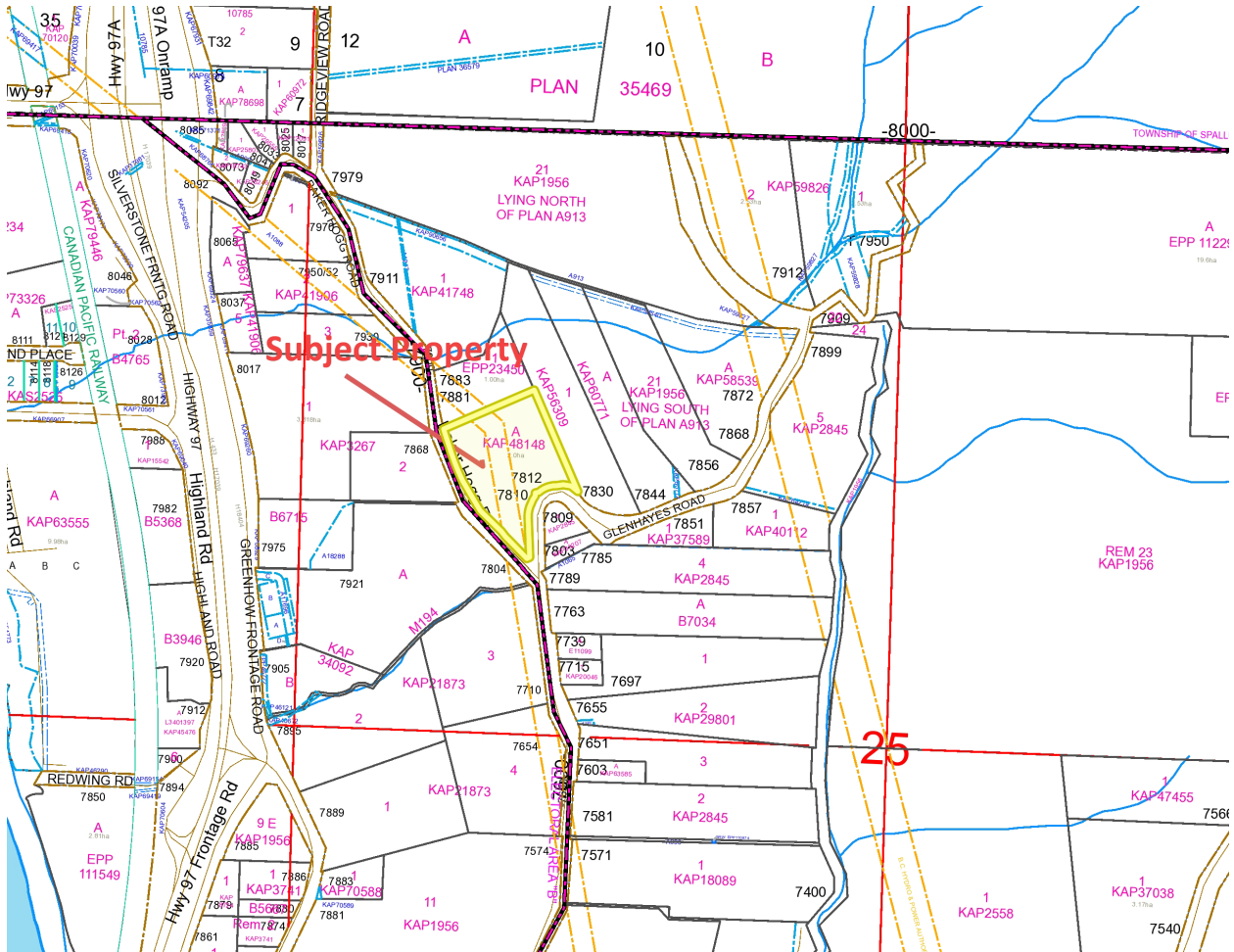
Approved for Inclusion:



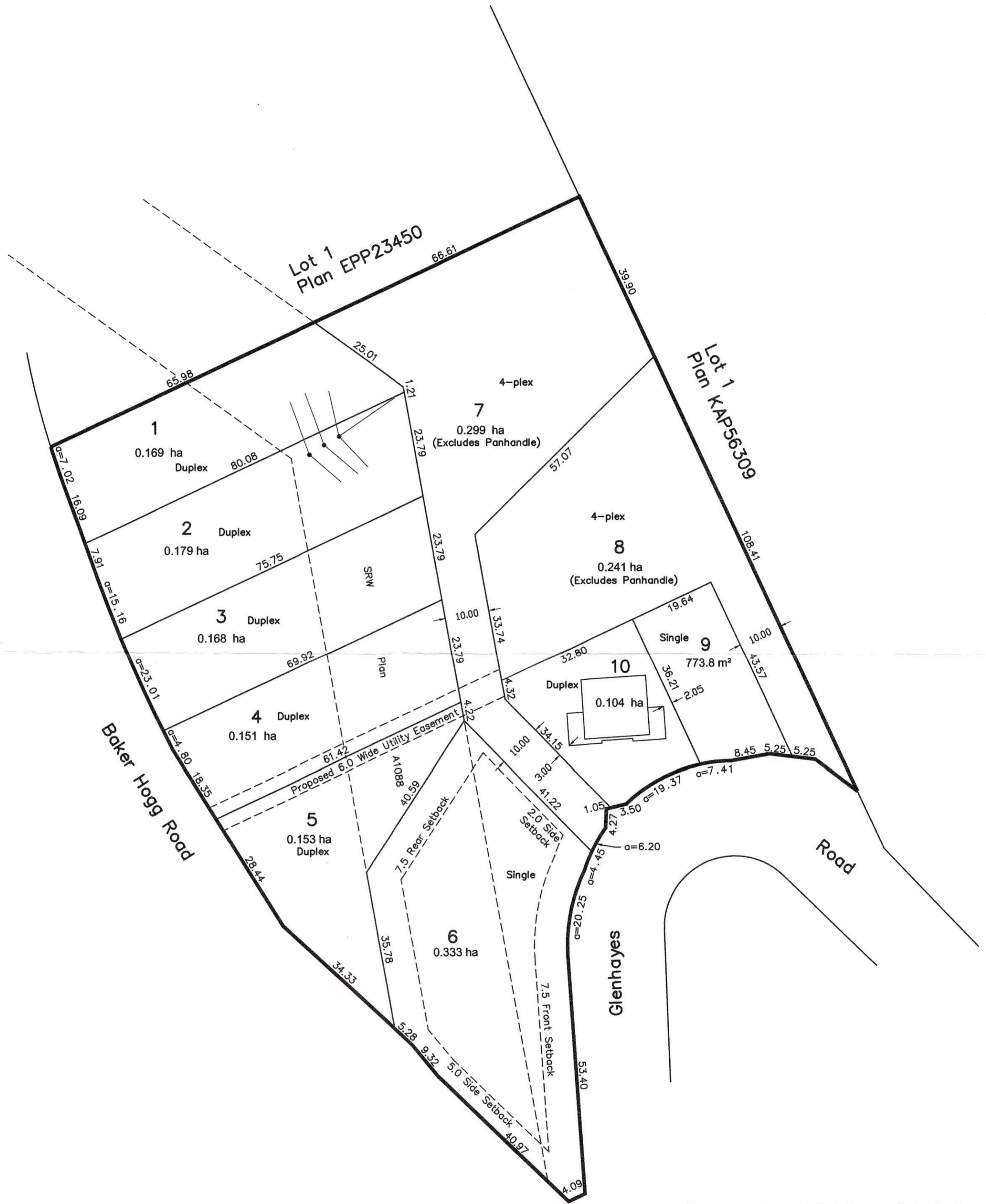
David Sewell
Chief Administrative Officer

SUBJECT PROPERTY MAP REZONING

File: 22-0906-C-RZ
Location: 7810 Glenhayes Road



Option B



Proposed subdivision of Lot A,
Sec 25, Tp 8, ODYD, Plan EPP23450.

SCALE 1: 750 (ALL DISTANCES IN METRES)

September 13th, 2022

THIS PLAN IS PREPARED FOR THE USE OF:
Vistica

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russell shortt

land SURVEYORS

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

FILE: 30397
F.B. Pg.

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 2946

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. 2946, 2022**".

AMENDMENTS

2. The zoning of the property legally described as Lot A, Sec 25, Twp 8, ODYD, Plan KAP48148, Except Plan EPP23450 and located at 7810 Glenhayes Road, Electoral Area "C" is hereby changed on Schedule "A" of the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 from the Small Holding (S.H) zone to the Residential Apartment and Multi-Family (R.3) 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 this day of , 2023
(*Transportation Act s. 52(3)*)

ADOPTED

this

day of

, 2023

Chair

Deputy Corporate Officer