

REGIONAL DISTRICT OF NORTH OKANAGAN

BYLAW No. 3019

A bylaw to rezone lands and amend the Zoning Map attached to the Regional District of North Okanagan Zoning Bylaw No. 3000, 2023 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. 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. 3019, 2024**".

AMENDMENTS

2. The zoning of the property legally described as Lot 1, DL 341, ODYD, Plan KAP55338 and located at 5753 Ranch Road, Electoral Area "C" 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 **Country Residential [C.R] zone**.

Advertised on	this	8th	day of	November, 2024
	this	12th	day of	November, 2024
Read a First Time	this		day of	, 2024
Read a Second and Third Time	this		day of	, 2024

ADOPTED

this

day of

, 2024

Chair
Shirley Fowler

Deputy Corporate Officer
Ashley Bevan

REGIONAL DISTRICT OF NORTH OKANAGAN

Extract from the Minutes of a Meeting of the

Board of Directors

Held on

Wednesday, September 11, 2024

Rezoning Application

1328278 BC LTD. c/o GUDEIT, D. [File No. 23-0033-C-RZ]

5753 Ranch Road, Electoral Area "C"

Moved and seconded

That notice be given in accordance with Section 467 of the *Local Government Act* that Zoning Amendment Bylaw No. 3019, 2024, which proposes to rezone the property legally described as Lot 1, DL 341, ODYD, Plan KAP55338 and located at 5753 Ranch Road, Electoral Area "C" from the Non-Urban (N.U) zone to the Country Residential (C.R) zone, will be considered for First Reading at a future meeting; and further,

That Second Reading of Zoning Amendment Bylaw No. 3019, 2024 be withheld until:

1. the applicant has provided a hydrogeological report which gives due consideration to the findings of the Keddleston Groundwater Study dated January 31, 2020, and which demonstrates:
 - a. that groundwater sources would be available to service the full buildout potential of the subject property (two lots) in accordance with the provisions of the Regional District's Subdivision Servicing Bylaw No. 2600; and
 - b. that the use of the groundwater supplies would not have a negative impact on the use of existing wells that obtain water from Aquifer 350.

CARRIED



REGIONAL
DISTRICT
NORTH
OKANAGAN

STAFF REPORT

TO: Board of Directors
FROM: Planning Department

File No: 23-0033-C-RZ
Date: August 28, 2024

SUBJECT: Zoning Amendment Bylaw No. 3019, 2024

RECOMMENDATION:

That notice be given in accordance with Section 467 of the *Local Government Act* that Zoning Amendment Bylaw No. 3019, 2024, which proposes to rezone the property legally described as Lot 1, DL 341, ODYD, Plan KAP55338 and located at 5753 Ranch Road, Electoral Area "C" from the Non-Urban (N.U) zone to the Country Residential (C.R) zone, will be considered for First Reading at a future meeting; and further,

That Second Reading of Zoning Amendment Bylaw No. 3019, 2024 be withheld until:

1. the applicant has provided a hydrogeological report which gives due consideration to the findings of the Keddleston Groundwater Study dated January 31, 2020, and which demonstrates:
 - a. that groundwater sources would be available to service the full buildout potential of the subject property (two lots) in accordance with the provisions of the Regional District's Subdivision Servicing Bylaw No. 2600; and
 - b. that the use of the groundwater supplies would not have a negative impact on the use of existing wells that obtain water from Aquifer 350.

BACKGROUND:

This report relates to an application to rezone the property located at 5753 Ranch Road from the Non-Urban (N.U) zone to the Country Residential (C.R) zone. If rezoned, the applicant proposes to subdivide the 4.29 ha subject property into two lots as shown on the attached subdivision plan.

The application originally proposed to rezone the subject property and the adjacent 4.05 ha property to the east (Lot 102, Plan 352) from N.U to C.R. If rezoned, the applicant proposed to subdivide the properties into four lots. The applicant wishes to continue with the rezoning application for the subject property only as the adjacent property to the east has been sold.

The original application was considered by the Board of Directors at the Regular Meeting held on April 19, 2023, and the Board resolved to consider the associated Zoning Amendment Bylaw No. 2959 for First Reading at a future meeting date. The Board also resolved that Second Reading of Bylaw No. 2959 be withheld until:

1. the applicant has provided a hydrogeological report which gives due consideration to the findings of the Keddleston Groundwater Study dated January 31, 2020, and which demonstrates:


- a. that groundwater sources would be available to service the full buildout potential of the subject property (four lots) in accordance with the provisions of the Regional District's Subdivision Servicing Bylaw No. 2600; and
 - b. that the use of the groundwater supplies would not have a negative impact on the use of existing wells that obtain water from Aquifer 350; and
2. the applicant has provided plans prepared by a BC Land Surveyor or Professional Engineer which show building sites, sewage disposal areas, and driveways on the proposed lots and within Lytton Road, including their existing and proposed grades and the cuts and fill required to achieve those grades.

To continue with the processing of the subject application, Zoning Amendment Bylaw No. 2959 must be replaced with a new zoning amendment bylaw as Bylaw No. 2959 proposed to amend Zoning Bylaw No. 1888, which has been replaced by Zoning Bylaw No. 3000. Zoning Amendment Bylaw No. 3019 has been drafted to replace Bylaw No. 2959. Bylaw No. 3019 has also been drafted to propose the rezoning of the subject property only.

The Planning Department recommends that notice be given in accordance with Section 467 of the *Local Government Act* that Zoning Amendment Bylaw No. 3019 will be considered for First Reading at a future meeting. It is recommended that the conditions of giving Second Reading to Bylaw No. 3019 be the same as those of Bylaw No. 2959 except for the requirement to provide plans that show buildings sites and driveways for the proposed lots. In this regard, it is suggested that the proposed subdivision of the subject property would likely meet the building site and driveway requirements of Zoning Bylaw No. 3000.

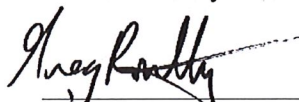
To date, the applicant has not submitted a hydrogeological report as requested by the Board for the original application. The applicant has however provided a Well Construction Report for a well that was installed on the property in May 2024. The report indicates that the well depth is 67.7 m and the estimated yield is 104 L/min (23 IG/min).

Submitted by:



Heather Shannon
Planner

Reviewed by:



Greg Routley
Deputy Planning Manager

Endorsed by:

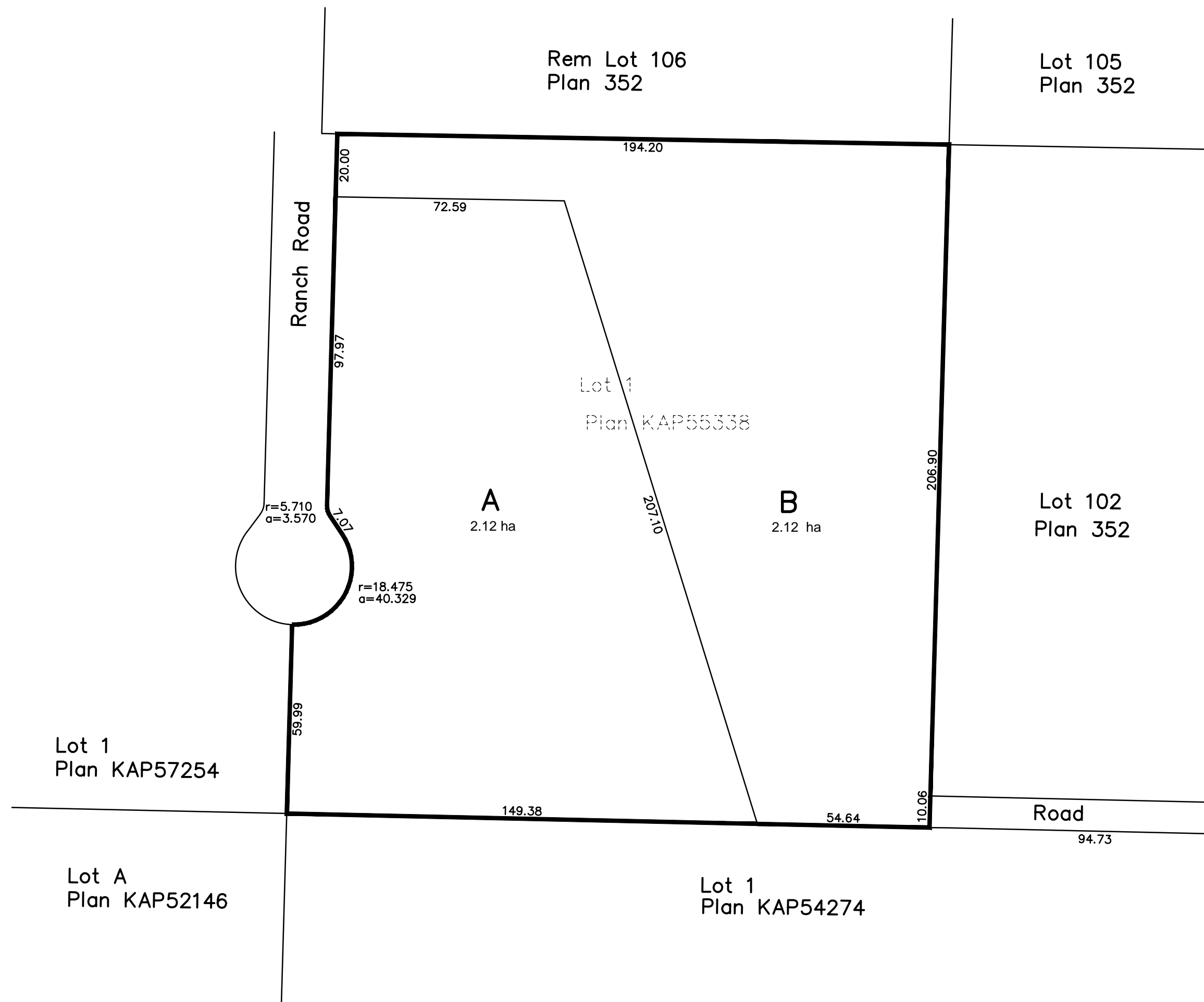
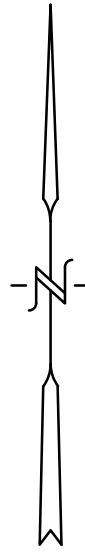


Rob Smailes, RPP, MCIP
General Manager, Planning and Building

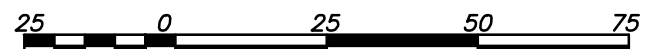
Approved for Inclusion:



David Sewell
Chief Administrative Officer



SCALE 1:1250



The intended plot size of this plan is 560mm in width by 432mm in height (ANSI C) when plotted at a scale of 1:1250

Distances are shown in metres and decimals thereof.

Jason R. Shortt accepts no responsibility for and hereby disclaim all obligations and liabilities for damages including, but not limited to, direct, indirect, special, and consequential damages arising out of or in connection with and direct or indirect use or reliance upon the Plan beyond its intended use.

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This plan was prepared for design purposes and is for the exclusive use of Guideit.

Parcel dimensions are derived from Plan KAP55338/field survey.

This plan has been prepared based on Land Title and Survey Authority records and a field survey completed on Nov 16, 2021. Unregistered interests have not been included or considered.

PLAN OF PROPOSED SUBDIVISION OF
LOT 1, PLAN KAP55338, DL 341, ODYD

Client: GUDEIT
PID: 023-171-197
Civic address: 5753 Ranch Road

June 7, 2024

russell shortt

land SURVEYORS
2801-32nd Street, Vernon, B.C. V1T 5L8
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FILE: 30109

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