



DISTRICT OF COLDSTREAM NOTICE OF PUBLIC HEARING

A Public Hearing will be held on Monday, February 27, 2012, at 6:00 p.m. in the Council Chambers of the Municipal Hall, 9901 Kalamalka Road, Coldstream, BC, pursuant to the *Local Government Act*, to consider the following bylaws:

District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1604, 2012, Amendment No. 34

Property

8505 Kalavista Drive (Lot 21, Block 9, District Lot 3888, ODYD, Plan 4068) and that portion of land forming part of the lagoon directly to the west and north of Lot 21, Block 9, District Lot 3888, ODYD, Plan 4068, as shown outlined and crosshatched on the map below.

Purpose

The District of Coldstream is proposing to rezone that portion of land forming part of the lagoon directly to the west and north of Lot 21, Block 9, District Lot 3888, ODYD, Plan 4068 from Residential Single Family (R.1) to Parks and Open Space (P.1). Lot 21, Block 9, District Lot 3888, ODYD, Plan 4068 itself has already been zoned P.1.

A section prohibiting parking used for any purpose which facilitates, assists, or supports the use of any motorized watercraft on the subject property has also been included in the proposed bylaw. Parking on the property located at 8505 Kalavista Drive will be limited to that needed for the future park facility.

District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1603, 2012, Amendment No. 33

The District of Coldstream is proposing to amend Schedule 'E' – Signage Provisions to allow farm operations to place up to three temporary directional farm sales signs off-premise and to require the farm operator to obtain an

“Off-Premise Farm Sales Sign Permit” from the Building Department. In order to qualify for a permit, farm operations must be classified as Farm Class 9 by BC Assessment. The intent of the bylaw amendment is to support agriculture throughout the community and to encourage farm sales of agricultural products.

Questions regarding proposed Bylaw No. 1604, 2012, Amendment No. 34 may be directed to Craig Broderick, Director of Development Services, at 250-545-5304, by fax to 250-545-4733, or by email to planner@district.coldstream.bc.ca. Questions regarding proposed Bylaw No. 1603, 2012, Amendment No. 33 may be directed to Bob Bibby, Bylaw Officer, at 250-550-1503, by fax to 250-545-4733, or by email to building@district.coldstream.bc.ca. The bylaws and supporting documentation may be inspected at the District of Coldstream Municipal Hall at 9901 Kalamalka Road, Coldstream, BC, or viewed online at www.districtofcoldstream.ca, up until February 27, 2012, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding statutory holidays.

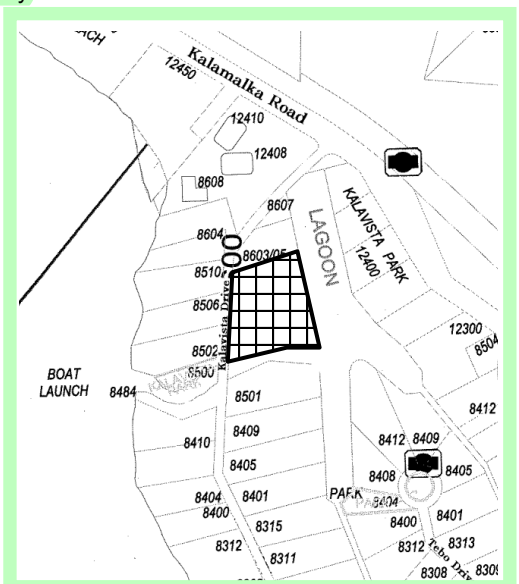
If you believe your interest in property is affected by these bylaw amendments you shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the above-referenced bylaws.

We request that written submissions, emails and faxes be received by the District prior to 12:00 noon on Wednesday, February 22, 2012. Please note that your name and residential address must be included in your submission and that written submissions are subject to public disclosure. Submissions being transmitted by email must be addressed to kaustin@district.coldstream.bc.ca.

NO SUBMISSIONS ON THE ABOVE BYLAWS WILL BE RECEIVED BY COUNCIL FOLLOWING CONCLUSION OF THE PUBLIC HEARING.

Dated: February 13, 2012

Keri-Ann Austin, Corporate Officer



DISTRICT OF COLDSTREAM

BYLAW NO. 1604, 2012

**A BYLAW TO AMEND DISTRICT OF COLDSTREAM
ZONING BYLAW NO. 1382, 2002**

WHEREAS Section 903 of the *Local Government Act* allows a local government to establish zones and regulations for specific uses within a zone;

NOW THEREFORE the Council of the District of Coldstream in open meeting assembled ENACTS AS FOLLOWS:

1. This bylaw may be cited as “DISTRICT OF COLDSTREAM ZONING BYLAW NO. 1382, 2002, AMENDMENT BYLAW NO. 1604, 2012, AMENDMENT NO. 34”.
2. Section **1001 PARKS AND OPEN SPACE ZONE (P.1)**, is amended by deleting subsection 1001.7.b, under Off-Street Parking, and replacing it with the following:
 - b. The following off-street parking shall be prohibited on Lot 21, Block 9, District Lot 3888, ODYD, Plan 4068:
 - (1) boat trailer parking; and,
 - (2) parking used for any purpose which facilitates, assists, or supports the use of any motorized watercraft which includes but is not limited to power boat storage on racks or otherwise, or as a staging area to facilitate boat launching or boat tie-down.
3. Schedule ‘A’ Mapsheet 82-024-2-3 is amended by changing the zoning of that portion of land forming part of the lagoon directly to the west and north of Lot 21, Block 9, District Lot 3888, ODYD, Plan 4068 and labelled as canal on Plan 4068, from Residential Single Family (R.1) to Parks and Open Space (P.1) as shown in bold and crosshatching on Attachment 1, which is attached to and forms part of this bylaw.

Notice of the Public Hearing was posted on the bulletin board at the District of Coldstream Municipal Office from February 16th to 27th, 2012.

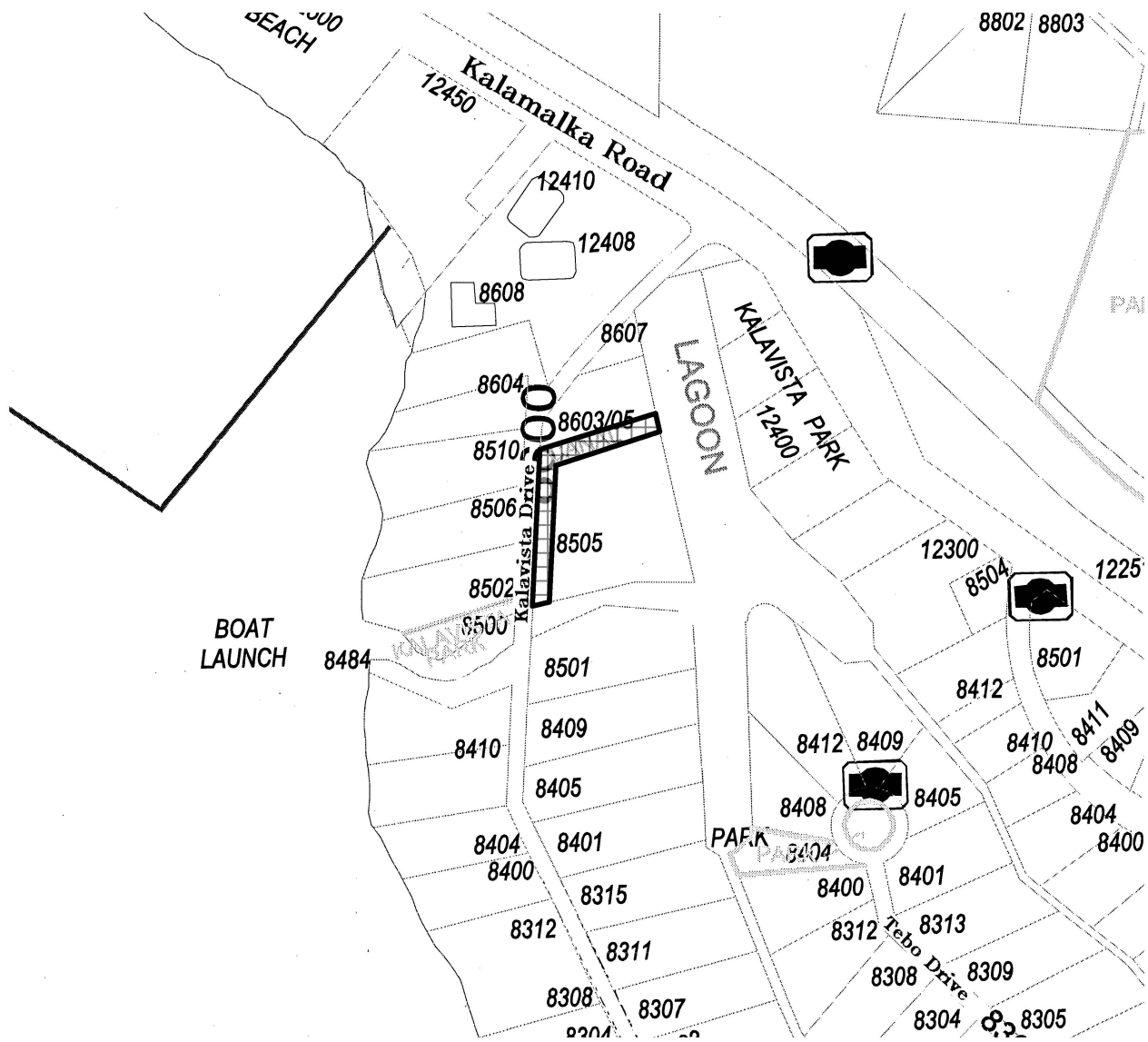
Notice of the Public Hearing was published in the February 17th and 19th, 2012 issues of the Vernon Morning Star and distributed in the District of Coldstream.

READ A FIRST TIME this	23 rd	day of	January	2012
READ A SECOND TIME this	23 rd	day of	January	2012
A PUBLIC HEARING was held this		day of		2012
READ A THIRD TIME this		day of		2012
FINALLY PASSED AND ADOPTED this		day of		2012

Corporate Officer

Mayor

Attachment 1





DISTRICT OF COLDSTREAM REPORT

- Regular
 In-Camera
 CoW
 CoW In-Camera

TO Mayor and Council

FILE Bylaw No. 1604, 2012
NO. Roll No. 356-000
0890-01
6130

FROM Craig Broderick, MCIP
Director of Development Services &
Michelle Austin, Planning Technician

DATE January 17, 2012

SUBJECT Proposed Amendment Bylaw No. 1604, 2012 for "The Log House";
8505 Kalavista Drive; Lot 21, Block 9, District Lot 3888, Plan 4068

1. Purpose

The purpose of this report is to present Council with Amendment Bylaw No. 1604, 2012 and recommend that it be given first and second reading.

2. Origin

At their Regular Meeting held December 19, 2011, Council requested that staff bring forward the proposed Zoning Bylaw amendments for the Log House property to the Committee of the Whole (COW) meeting scheduled for January 16, 2012.

3. Background/Discussion

On November 28, 2012, the subject property was rezoned from Residential Single Family to Parks and Open Space Zone (P.1).

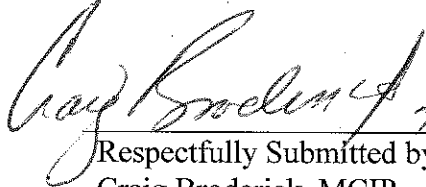
At their Regular Meeting, the COW endorsed Option #2, as attached.

The Regional District North Okanagan Parks staff have requested that the proposed Bylaw not be forwarded to Council until the Greater Vernon Advisory Committee and the Regional Board have had time to review it further.

5. Recommendation

THAT "District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1604, 2012, Amendment No. 34", be read a first and second time by title only;

AND THAT a Public Hearing to consider "District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1604, 2012, Amendment No. 34", be held on February 27, 2012 at 6:00 pm in the District of Coldstream Municipal Hall Council Chambers located at 9901 Kalamalka Road, Coldstream, BC.


Respectfully Submitted by:

Craig Broderick, MCIP
Director of Development Services &
Michelle Austin, Planning Technician



Reviewed by: Michael A. Stamhuis
Chief Administrative Officer

Attachment

DISTRICT OF COLDSTREAM

BYLAW NO. 1604, 2012

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ZONING BYLAW NO. 1382, 2002**

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NOW THEREFORE the Council of the District of Coldstream in open meeting assembled ENACTS AS FOLLOWS:

1. This bylaw may be cited as "DISTRICT OF COLDSTREAM ZONING BYLAW NO. 1382, 2002, AMENDMENT BYLAW NO. 1604, 2012, AMENDMENT NO. 34".
2. Section **1001 PARKS AND OPEN SPACE ZONE (P.1)**, is amended by deleting subsection 1001.7.b, under Off-Street Parking, and replacing it with the following:
 - b. The following off-street parking shall be prohibited on Lot 21, Block 9, District Lot 3888, ODYD, Plan 4068:
 - (1) boat trailer parking; and,
 - (2) parking used for any purpose which facilitates, assists, or supports the use of any motorized watercraft which includes but is not limited to power boat storage on racks or otherwise, or as a staging area to facilitate boat launching or boat tie-down.
3. Schedule 'A' Mapsheet 82-024-2-3 is amended by changing the zoning of that portion of land forming part of the lagoon directly to the west and north of Lot 21, Block 9, District Lot 3888, ODYD, Plan 4068 and labelled as canal on Plan 4068, from Residential Single Family (R.1) to Parks and Open Space (P.1) as shown in bold and crosshatching on Attachment 1, which is attached to and forms part of this bylaw.

Notice of the Public Hearing was posted on the bulletin board at the District of Coldstream Municipal Office from [] to [] 2012.

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FINALLY PASSED AND ADOPTED this	■	day of	■	2012

Corporate Officer

Mayor

Attachment 1



DISTRICT OF COLDSTREAM MEMORANDUM

TO Mayor and Council

FILE NO. Bylaw No. 1604, 2012
Roll No. 356-000
0890-01
6130

FROM Craig Broderick, MCIP
Director of Development
Services

DATE December 13, 2011

SUBJECT Zoning Amendment for "The Log House";
8505 Kalavista Drive; Lot 21, Block 9, District Lot 3888, Plan 4068

Purpose

The purpose of this report is to present Council with two Zoning Bylaw amendment options with respect to parking restrictions for the property located at 8505 Kalavista Drive (i.e., the log house).

The subject property was rezoned on November 28, 2011 from Residential Single Family (R.1) to Parks and Open Space (P.1).

Origin

At the November 28, 2011 Regular Meeting of Council the following resolution was carried:

AND THAT staff be directed to bring forward a text amendment, which would add the wording from the final property sale agreement, in a future zoning bylaw amendment.

At that meeting, Council also discussed the possibility of extending the P.1 Zone to the area directly in front of or west of the subject property. As a part of this report, staff have added the portion of the canal directly north of the subject property.

Background/Discussion

On October 11, 2011, Council adopted Bylaw No. 1593, 2011, which established the P.1 Zone, designed to preserve land for public parks and open spaces and to meet recreational needs in the community. With respect to off-street parking applicable to all properties zoned P.1, Section 1001.7 reads as follows:

7. Off-Street Parking
 - a. Parking shall be limited to that needed for the park facility.

The subject property was rezoned on November 28, 2011 from R.1 to P.1. That zoning amendment added the following restriction:

- b. *Boat trailer parking is prohibited on Lot 21, Block 9, District Lot 3888, ODYD, Plan 4068.*

The wording of the purchase agreement states that:

The Buyer warrants that it will obtain an undertaking from the District of Coldstream that the District will rezone the land to a new zone (Green Park zone) created to allow park type use, and will restrict parking to specific uses for that park and not for boat and trailer parking or for any purpose which facilitates, assists or supports the use of any motorized watercraft.

The rezoning amendment, that was passed on November 28, 2011, achieved two of the three conditions set out in the purchase agreement. The proposed text amendment serves to satisfy the third condition (i.e. *for any purpose which facilitates assists or supports the use of any motorized watercraft*) by rewording subsection b. to read:

- b. *The following off-street parking shall be prohibited on Lot 21, Block 9, District Lot 3888, ODYD, Plan 4068:*
- (1) *boat trailer parking; and,*
 - (2) *parking used for any purpose which facilitates, assists, or supports the use of any motorized watercraft which includes but is not limited to power boat storage on racks or otherwise, or as a staging area to facilitate boat launching or boat tie-down.*

Two zoning amendment options are attached for consideration by Council:

Option 1 adds the above-noted wording but does not add any area to the P.1 Zone.

Based on the discussion at the November 28, 2011 Council Meeting, Option 2 adds the above-noted wording and proposes to rezone the area in front of and to the side of the subject property (i.e. the canal directly west and north).

It should be noted that there are ramifications associated with Option 2. If the canal to the west and north is rezoned to P.1, this area would be limited to the uses set out in the P.1 Zone. Specifically, the area would not be able to be used for road widening or for a sidewalk along Kalavista Drive in the future. Currently, the 'canal', as shown on Plan 4068, forms part of the Lagoon. The existing zoning is R.1. The purchase agreement dealt specifically with the subject property and not any adjacent lands. As such, extending the P.1 Zone exceeds the commitments set out in the purchase agreement. Further, having the area in question zoned P.1 unduly burdens this area and may limit transportation and infrastructure options of the District of Coldstream in the future.

Lastly, the draft Kalavista Neighbourhood Plan includes policies to "Upgrade the pedestrian connection between the boat launch and boat launch parking in order to minimize conflict between vehicles, cyclists and pedestrians" and to "Ensure infrastructure investment in the area is designed to decrease conflict between vehicles and other road users (i.e., pedestrians and cyclists). As such, the proposed Option 2 would appear to be at odds with

these two goals that form part of the draft Kalavista Neighbourhood Plan.

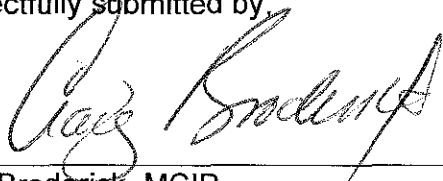
Recommendation

THAT the Committee of the Whole recommends that Council support Option 1, as outlined in the report from the Director of Development Services, dated December 13, 2011, and entitled "Zoning Amendment for (The Log House); 8505 Kalavista Drive; Lot 21, Block 9, District Lot 3888, Plan 4068";

AND THAT "District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1604, 2012, Amendment No. 34", be read a first and second time by title only;

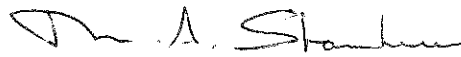
AND FURTHER THAT a Public Hearing to consider "District of Coldstream Zoning Bylaw No. 1382, 2002, Amendment Bylaw No. 1604, 2012, Amendment No. 34", be held on February 27, 2012 at 6:00 pm in the District of Coldstream Municipal Hall Council Chambers located at 9901 Kalamalka Road, Coldstream, BC.

Respectfully submitted by,



Craig Broderick, MCIP
Director of Development Services

Reviewed by,



Michael Stamhuis
Chief Administrative Officer

Attachment

Option1: Text amendment as per the Purchase Agreement

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Attachment 1

