

Joe Rich Rural Land Use Bylaw

A guide to amending the Joe Rich Rural Land Use Bylaw

**Regional
District of
Central
Okanagan**

**Development
&
Environmental
Services**

1450 KLO Rd.
Kelowna, BC
V1W 3Z4

Phone
(250) 469-6227
Fax
(250) 762-7011

E-mail:
planning@
cord.bc.ca

On this page

What is the Joe Rich Rural Land Use Bylaw?

How is a RLUB designation changed?

How do RLUB policies affect an application?

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This guide explains:

- The purpose of the Joe Rich Rural Land Use Bylaw (RLUB)
- RLUB applications
- The RLUB process
- Commonly asked questions

What is the Joe Rich Rural Land Use Bylaw (RLUB)?

The Joe Rich Rural Land Use Bylaw (RLUB) is a set of regulations and policies that govern the area located in the vicinity of Highway 33, east of the City of Kelowna. The RLUB is a bylaw which designates land uses for a rural area.

Land use designations within the RLUB are outlined on a Land Use map. Each designation has a set of regulations and permitted uses.

The RLUB also contains a section that outlines policies for future land use. These policies help guide Regional Board decisions related to proposed amendments.

How is a land use designation changed?

To change from one designation to another requires a RLUB amendment application to the Regional District.

A summary of the Regional District's process is outlined in this brochure.

How do RLUB policies affect an application?

The RLUB contains policies that provide a framework for making land use decisions. The policies are used in evaluating applications. All development must conform to the relevant policies of the RLUB.

It is important to remember that the land use policies reflect the objectives of the community and are the result of a long process involving considerable public input.

How is a redesignation application made?

The Development & Environmental Services Department has application packages that outline the required information, drawings and fees. It is important to make an appointment with planning staff before submitting a formal application. Staff will be pleased to review requirements and provide information. This will ensure a complete application and prevent any unnecessary delays.

If the Regional Board defeats an application there is a 6-month waiting period before an applicant can re-apply.



- Any legal fees such as legal interpretation, or the registering of amendments or restrictive covenants on the title of the subject property

What is the amendment process?

The Local Government Act regulates the process for an application. A summary of the process is outlined on the proceeding page.

Included in the process are public notification, public hearing, and four (4) opportunities for consideration of the application by the Regional Board (called 'readings'). The application is approved when given fourth and final reading.

It is important to remember that submitting an application does not guarantee approval.

How long does the application process take?

Regional District staff does their best to ensure that applications are dealt with in a timely manner. Most typical applications take approximately 6 to 8 months to proceed through the evaluation and approval process. More complex applications may take up to 12 months.

Additional information may be requested at any time during the process and cannot proceed before that information is provided. An applicant can considerably reduce any delays by supplying prompt replies with complete information.

On this page

How is an application made?

What are the costs?

What is the Process?

How long does the process take?

What are the application costs?

The cost of a RLUB application can vary greatly depending upon the complexity of the application. Some typical costs are:

- The application fee. Please refer to the "Application Fee Schedule".
- Any documents/plans necessary to complete application requirements, such as legal surveys, site plans, etc.
- Any professional reports or information required by the Development & Environmental Services Department or the Regional Board
- Any offsite requirements such as a road improvements, drainage issues or fire fighting needs.



The Amendment Process

Discuss the proposal with staff at Development & Environmental Services

Submit a complete application

Application reviewed

Staff, relevant government agencies, and the Advisory Planning Commission (plus other applicable advisory groups) are asked to provide comments. Planning staff then prepares a report to the Regional Board.

Public notification

The applicant is required to place a notification sign(s) on the property. Prior to Public Hearing the RDCO notifies the community through ads and letters.

Consideration of 1st reading by the Regional Board

At first reading the Regional Board may:

- not approve the bylaw,
- defer and request more information, or
- give first reading to the bylaw. The Regional Board may require some conditions be met before setting a date for the public hearing.

Public hearing

An official public hearing provides the opportunity for the public and the applicant to present their comments to the Regional Board.

Consideration of 2nd and 3rd readings by the Regional Board

The Regional Board may:

- not approve the bylaw, or
- give further reading(s) to the bylaw. The Regional Board may require that certain conditions be met prior to further consideration.

Consideration of 4th and final reading

This is the final step in the process. Granting of fourth reading means that the RLUB designation is officially changed.

What advisory groups does the Regional District have?

The Regional District has three (3) advisory groups, which provide comments on the various applications/referrals. These comments are considered in any decision made by the Regional Board.

Members of an advisory group are appointed by the Regional Board based on their background of civic activity, interest or expertise.

Applications may be referred to one or more of the following advisory groups:

- Advisory Planning Commission
 - Central Okanagan West
 - Central Okanagan East
- Agricultural Advisory Committee
- Environmental Advisory Committee

Applicants are informed when their application is being reviewed by an advisory group. Applicants have the right to speak and be heard at these meetings.

On this page

What advisory groups does the Regional District have?

What is the role of the Ministry of Transportation?

The RLUB amendment process flowchart

What is the Role of the Ministry of Transportation & Infrastructure?

Ministry of Transportation and Infrastructure (MoT) is responsible for all public roads within the Regional District (except on First Nation land or the incorporated areas of Kelowna, Lake Country, Peachland, and West Kelowna).

This means that MoT has an important role in RLUB amendment applications and meeting their requirements is important. The Ministry can be contacted at:

Ministry of Transportation & Infrastructure
#300 – 1358 St. Paul Street
Kelowna, B.C. V1Y 2E1
Phone (250) 712-3660

On this page

How to find more information?

For more information...

For more information, please contact staff at the Development & Environmental Services Department at (250) 469-6227. We will be pleased to help you and answer any questions that you might have.

This brochure is to be used in conjunction with our other informational brochures and as an aid in discussions with staff. It is general in nature, and is not a legal document. Any contradiction, dispute or difference between the contents of this brochure and applicable bylaws, plans, policies or guidelines will be resolved by reference to the bylaws or other official documents.

This brochure does not apply to incorporated areas within the Regional District of Central Okanagan such as Peachland, Kelowna, Westside, or Lake Country, nor does it apply to First Nation land.

You should always refer to the official copies of the Official Community Plans, Zoning Bylaw, Subdivision and Development Bylaws and other formal Regional District documents if you are unsure of any procedure or requirements. Staff will be pleased to be of assistance.