



## THE CORPORATION OF THE CITY OF VERNON

### MEMORANDUM

**TO:** W. Pearce, Chief Administrative Officer **FILE:** ZON00329  
(DP000972)

**PC:** K. Flick, Director, Community Infrastructure & Development **DATE:** September 27, 2022  
J. Bruns, Manager, Legislative Services

**FROM:** M. Faucher, Planner, Current Planning

**SUBJECT:** **5661 OKANAGAN LANDING ROAD REZONING AMENDMENT BYLAW 5773 – REQUEST FOR PROCESSING TIME EXTENSION**

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A rezoning application (ZON00329) is currently in progress for the subject property at 5661 Okanagan Landing Road to construct a multi-family development on the property. The applicant has requested an additional extension to the processing period. The “Bylaws – Inactive Policy” is attached for reference.

A development permit application (DP000972) was submitted in May 2022 by the applicant on behalf of a developer for a five-unit townhouse project. Administration are actively working with the applicant on the Development Permit review process.

At its Regular Meeting of September 3, 2019, Council passed the following resolution and gave First and Second Readings:

*THAT Council support the application (ZON00329) to rezone Lot 2 DL 66 ODYD Plan19070 (5661 Okanagan Landing Road) from R1: Estate Lot Residential to RM1: Row Housing Residential, subject to the following condition:*

- a) that prior to final adoption of the zoning amendment bylaw, the Development Permit be ready to be issued and that any required variance to Zoning Bylaw 5000, as amended, be evaluated by Council and approved if appropriate.*

At its Regular Meeting of October 15, 2019, Council gave Third Reading to “5661 Okanagan Landing Road Rezoning Amendment Bylaw 5773” – a bylaw to rezone the subject property from ‘R1: Estate Lot Residential’ to ‘RM1: Row Housing Residential’.

At its Regular Meeting of October 26, 2020, Council approved an extension request with the following resolution:

*THAT pursuant to the “Bylaws – Inactive Policy” Council approves a one-year extension to the processing period for 5661 Okanagan Landing Road Rezoning Amendment Bylaw 5773 to October 15, 2021.*

At its Regular Meeting of November 8, 2021, Council approved an extension request with the following resolution:

*THAT pursuant to the "Bylaws – Inactive Policy" Council approves a one-year extension to the processing period for 5661 Okanagan Landing Road Rezoning Amendment Bylaw 5773 to October 15, 2022.*

**RECOMMENDATION:**

THAT pursuant to the "Bylaws – Inactive Policy" Council approves a one-year extension to the processing period for 5661 Okanagan Landing Road Rezoning Amendment Bylaw 5773 to October 15, 2023.

Respectfully submitted:

X

  
Matt Faucher, CPT  
Planner, Current Planning

Attachment: Bylaws – Inactive Policy

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ZONING

AND

REZONING\20

Applications\ZON00329\2




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**Corporate Policy**

Section:	Clerk's	
Sub-Section:	Administration	
Title:	Bylaws - Inactive	

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**RELATED POLICIES**

Number	Title

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**APPROVALS**

POLICY APPROVAL:	AMENDMENT APPROVAL:	SECTION AMENDED
Approved by:  <i>Wayne Lippert</i>	Amendment Approved by:	
Mayor:  Date:  February 12, 2007	Mayor  Date:	

## **POLICY**

Recognizing that Council direction and policy may change during an in-active time period of a bylaw, and that the approval conditions of bylaws which are in-active, may differ from 12 months previously, Council will provide staff with direction in how to proceed with these situations.

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## **DEFINITIONS**

Inactive bylaws are described as being bylaws in which no further action has been taken in regards to further readings of Council or have not proceeded due to conditions set by Council not being completed over a 12 month period from the last official reading of the bylaw.

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## **PROCEDURES**

Staff will review any outstanding bylaws which have been in-active for 12 months.

In rezoning and OCP bylaw amendments, staff will confirm that bylaw is in-active and that the applicant is not actively working on completing the conditions of Council. The applicant will be provided, in writing, a request from City staff as to the status of their amendment bylaw and advised that Council will be proceeding with consideration of rescinding the initial readings of the bylaw due to inactivity. The applicant will be given an opportunity to respond to Council in this regard, and if no response is received within the time frame allotted (30 days), Council will proceed with consideration.

For internal bylaws which may have been deferred pending further information, or not acted upon due to other circumstances, Council may request an update on the bylaw from the originator and then consider rescinding the initial readings of the bylaw.

**SCHEDULE 'A'**

**Attached to and Forming Part of Bylaw 5773**

**“5661 Okanagan Landing Road Rezoning Amendment Bylaw Number 5773, 2019”**

