



Regional District of Central Okanagan
1450 KLO Road
Kelowna, British Columbia V1W 3Z4
Canada

Your File #: Z18/01
eDAS File #: 2018-02955
Date: Jun/08/2018

Attention: Janelle Taylor

Re: Proposed Rezoning Bylaw for:

PID 011-419-431, DL 3849 ODYD EXCEPT THAT PART LYING SOUTH OF A
BOUNDARY PARALLEL TO AND PERPENDICULARLY NORTH 1300 FEET
FROM THE SOUTH BOUNDARY EXCEPT PLAN EPP73386

The Ministry of Transportation and Infrastructure has performed a quick review of the future subdivision which would be possible if this rezoning were to be approved. Although we have no objections, in principle, to this rezoning, the subdivision plan may not be approved as submitted.

Our main concerns have to do with access. The layout shows access via easement for all lots and it appears that this was done because direct access to Westside Rd is difficult or impossible due to steep grades. However, the alternate access regulations (BC Reg 334/79 - Sec 9) would only allow a 'single' parcel to be created with access by easement. Therefore, the plan would need to be modified to meet the legislation (Sec 75 of the Land Title Act). Contradictorily to the above, Westside Rd is a Controlled Access Highway in which we wish to limit the amount of accesses.

To complicate this further, this proposal may be required to adhere to Sec 75(c) and (d) of the Land Title Act which requires dedication of access to water. This can only be achieved if the parcel has public road access into Westside Rd to connect the water with the overall transportation network.

Development of this land has many challenges but it appears that the applicant has multiple options to address the concerns. He could reduce the number of lots. He could provide a public road (dedication and construction) to the new properties with one intersection point on Westside Rd at an approved location. He could change the subdivision type which would enact different legislation.

Local District Address
Vernon Area Office 4791 23rd Street Vernon, BC V1T 4K9 Canada Phone: (250) 503-3664 Fax: (250) 503-3631

Once the Preliminary Letter has been issued for the subdivision file, the applicant can move forward with modifications to the proposal based on the Provincial Approving Officer's requirements.

If the RDCO approves this rezoning, please send me a copy of the bylaw, after third reading, for endorsement. If you have any questions please feel free to call Desiree Lantenhammer at (250) 503-8963.

Yours truly,

A handwritten signature in black ink, appearing to read "Lantenhammer", with a stylized flourish extending to the right.

Desiree Lantenhammer, BSc
Development Approvals Technician