

REGIONAL DISTRICT OF CENTRAL OKANAGAN

LAKEVIEW AREA OFFICIAL COMMUNITY PLAN

BYLAW #672

WHEREAS the Regional District of Central Okanagan wishes to adopt an official community plan pursuant to Part 29 of the Municipal Act;

AND WHEREAS the Regional Board may adopt an official community plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all members of the Board;

AND WHEREAS after first reading of the bylaw the Regional Board shall, in sequence, examine the official community plan in conjunction with its most recent capital expenditure program under Section 266 of the Municipal Act and any waste management plan or economic strategy plan that is applicable in the Regional District to ensure consistency between them;

AND WHEREAS if the official community plan applies to land in an agricultural land reserve established under the Agricultural Land Commission Act, the Regional Board shall refer the official community plan to the provincial Agricultural Land Commission for comment;

AND WHEREAS the official community plan has been prepared in consultation with the member municipalities of the Regional District, Elected Electoral Area Representatives and the Minister of Municipal Affairs of the Province of British Columbia;

AND WHEREAS the Regional Board shall, in the course of preparing its official community plan, consult with the school boards for those school districts included within the official community plan;

AND WHEREAS before the Regional Board gives third reading to the bylaw, the Regional Board shall hold a public hearing on the proposed official community plan in accordance with Sections 956 through 959 of the Municipal Act;

AND WHEREAS the Regional Board of the Regional District of Central Okanagan has complied with all requirements of the Municipal Act prior to adoption of this bylaw and official community plan including all of the foregoing;

AND WHEREAS after the bylaw adoption of the official community plan has received final reading, the plan is an official community plan of the Regional District of Central Okanagan;

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in open meeting assembled, enacts as follows:

1. "Lakeview Area Official Community Plan 1996" attached hereto as Schedule "A" and forming part of this bylaw is adopted as the official community plan of the Regional District of Central Okanagan.
2. The bylaw shall apply only to that portion of the Regional District of Central Okanagan shown outlined on the attached "B" (the location map) of this bylaw.
3. If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the official community plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw and official community plan.
4. Pursuant to Section 949 of the Municipal Act, zoning bylaws currently being considered by the Regional Board but not adopted as of the date of adoption of this bylaw and the official community plan adopted by this bylaw are deemed to be consistent with the official community plan adopted by this bylaw in accordance with the following:
 - (a) In this section, "zoning bylaw" means a bylaw to amend the Regional District of Central Okanagan Zoning Bylaw, Bylaw #176 as amended, which amending bylaw has received first reading and has been referred by Regional Board resolution to a public hearing prior to the adoption of this official community plan adoption bylaw;
 - (b) Despite any other provision of this bylaw or the official community plan adopted by this bylaw, every zoning bylaw adopted within one year of the date of adoption of this bylaw is deemed to be consistent with the official community plan adopted by this bylaw.
5. "Lakeview Area Official Community Plan Bylaw #348, 1988" together with all amendments, is hereby repealed.
6. This bylaw may be cited for all purposes as the "Lakeview Area Official Community Plan (1996) Bylaw #672"

READ THE FIRST TIME this 27th day of May 19 96

A PUBLIC HEARING PURSUANT TO SECTION 956 & 957 of the Municipal Act was held on the 17th day of June 19 96

READ THE SECOND TIME this 22nd day of October 1996

READ THE THIRD TIME this 22nd day of October 1996

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING on the 20th day of January 1997

UPON ADOPTION OF THIS BYLAW, THE LAKEVIEW AREA OFFICIAL COMMUNITY PLAN BYLAW #348 IS REPEALED.

RECONSIDERED AND ADOPTED this 10th day of February 1997



Chairman



Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 672 as read a third time by the Regional District of Central Okanagan on the 22nd day of October 1996

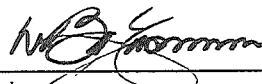
Dated at Kelowna this 9th day of December 1996



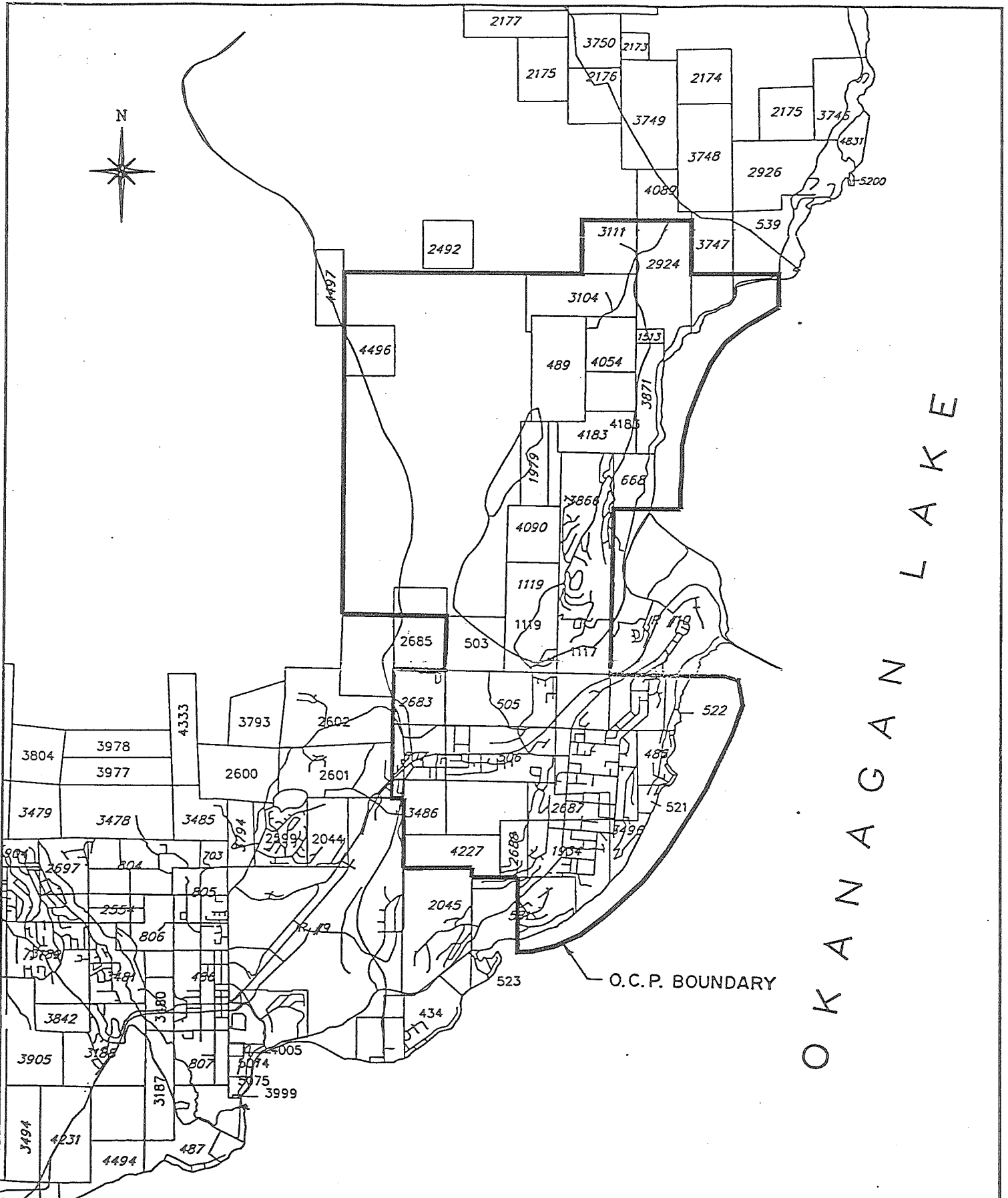
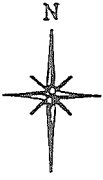
Secretary

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 672 which was Reconsidered and Adopted by the Regional District of Central Okanagan on the 10th day of February 1997

Dated at Kelowna this 5th day of MARCH 1997



Secretary



OKANAGAN LAKE

O.C.P. BOUNDARY



LAKEVIEW OFFICIAL COMMUNITY PLAN SCHEDULE B



January 24, 1997

AL HARRISON
SECRETARY
REGIONAL DISTRICT OF CENTRAL OKANAGAN
1450 KLO ROAD
KELOWNA BC V1W 3Z4

Dear Al Harrison:

Re: Bylaw Approval

Please find enclosed one copy of the below noted bylaw(s) approved by the Minister of Municipal Affairs and Housing pursuant to section(s) 948 of the *Municipal Act*.

<u>BYLAW</u>	<u>APPROVED</u>	<u>APPROVAL NUMBER</u>
672	January 20, 1997	970028

The bylaw has been approved with the understanding that the Regional District Board will make the required changes to the official community plan to include the concerns of the Ministry of Forests as requested in the attached letter within six months of its adoption.

Please note that the Ministry has not reviewed the bylaw for the purpose of determining if it is valid or lawful and the Minister's approval does not represent or guarantee the legal certainty of the bylaw, nor the process under which it may be

.../2

Al Harrison
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adopted, and does not validate or otherwise make legal any provision of the bylaw.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Gary Paget". The signature is stylized and cursive.

Gary Paget
Executive Director
Planning and Corporate Relations

Attachments

pc: Barbara L. Pryce, Planning Officer
Penticton Forest District
Ministry of Forests

~~Our File: Bylaw 672RD07.36.02~~

Province of British Columbia



No. 970028

Statutory Approval

Under the provisions of section 948
of the MUNICIPAL ACT

I hereby approve Bylaw No. 672
of REGIONAL DISTRICT OF CENTRAL OKANAGAN,
a copy
of which is attached hereto.

Dated this 20th day
of January, 1997

A handwritten signature in cursive script, reading "Michel Fournier".

Minister of Municipal Affairs and Housing

