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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** September 5, 2001  
**File No.:** File No. Z98-1032  
(3360-20)

**To:** City Manager

**From:** Planning & Development Services Department

**Purpose:** To extend the deadline for adoption of Zone Amending Bylaw No. 8460 (Hilltop Sand & Gravel Co. Ltd. – Z98-1032) in accordance with the Development Application Procedures Bylaw.

**Owner/Applicant:** Hilltop Sand & Gravel Co. Ltd.      **Contact Person:** Kathleen Mackenzie

**At:** 5065 Frost Road

**Existing Zone:** A1 – Agriculture 1      **Proposed Zones:** RU1 – Large Lot Housing, RU2 – Medium Lot Housing, P2 – Education & Minor Institutional and P3 – Parks & Open Space

**Report Prepared by:** Shelley Gambacort

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SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

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### 1.0 RECOMMENDATION

THAT in accordance with the Development Application Procedures Bylaw No. 8140 the deadline for adoption of Zone Amending Bylaw No. 8460 (Z98–1032) be extended to April 25, 2002.

### 2.0 SUMMARY

The Public Hearing for this application to rezone land located within the Neighbourhood Two Area Structure Plan boundaries of the Southwest Okanagan Mission Sector Plan was held September 7, 1999 and third reading given October 25, 1999 with final adoption of the zone amending bylaw being withheld pending the following:

- i Approval of the neighbourhood pre-plans by the Approving Officer;
- ii Owners being responsible for all Land Title Office fees and charges resulting from the road reserves, subdivisions, rights-of-way, road dedications and road widenings associated with the application; and
- iii The applicants entering into a Servicing Agreement with the City of Kelowna prior to final adoption of the respective zone amending bylaws.

To date the Works and Utilities Department have yet to receive the required design and construction drawings and detailed cost estimates for the off-site requirements in order to prepare the Servicing Agreement. Furthermore, an application for Preliminary Subdivision Layout Review has not been submitted. However, considering the work entailed in the preparation of the Neighbourhood 2 Area Structure Plan, which is the basis for this rezoning application, the Planning & Development Services Department has no objections to this request for a six month extension. It should be noted that no further extensions will be supported by the Planning & Development Services Department unless considerable progress has been made towards meeting the requirements outlined in Council's resolution at 3<sup>rd</sup> reading of Zone Amending Bylaw No. 8460.

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R. G. Shaughnessy  
Subdivision Approving Officer

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

RGS/SG/sg

**FACT SHEET**

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| <b>1. APPLICATION NO.:</b>   | Z98-1032   |
| <b>2. APPLICATION TYPE:</b>  | Rezoning   |
| <b>3. OWNER/APPLICANT<br/>CONTACT PERSON:<br/>· ADDRESS<br/>· CITY/ POSTAL CODE<br/>· TELEPHONE NO.:</b>   | Hilltop Sand & Gravel Co. Ltd./<br>Kathleen Mackenzie<br>RR 6, Site 9A, Comp. 1 Barnaby<br>Road<br>Kelowna, BC V1Y 8R3<br>317-1005   |
| <b>5. APPLICATION PROGRESS:</b><br>Date of Application:<br>Staff Report to Council:<br>Date of Public Hearing:<br>Date of Third Reading:<br>Servicing Agreement Forwarded to<br>Applicant:<br>Servicing Agreement Concluded: | September 1, 1998<br>August 4, 1999<br>September 7, 1999<br>October 25, 1999   |
| <b>6. LEGAL DESCRIPTION:</b>   | Lot 1, DL 357, ODYD, 18352; Part of<br>Lot 1 shown on Plan B7484, DL's<br>357 & 358, ODYD, Plan 4207; and<br>Lot 1, DL 357, SDYD, Plan<br>KAP51584   |
| <b>7. SITE LOCATION:</b>   | North East end of Frost Road and<br>South of Barnaby Road  |
| <b>8. CIVIC ADDRESS:</b>   | 5065 Frost Road, 611 & 625 Barnaby<br>Road   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>  | 29.398 ha  |
| <b>10. AREA OF PROPOSED REZONING:</b>  | 29.398 ha  |
| <b>11. EXISTING ZONE CATEGORY:</b>   | A1 – Agriculture 1   |
| <b>12. PROPOSED ZONE:</b>  | RU1 – Large Lot Housing, RU2 –<br>Medium Lot Housing and P3 – Parks<br>& Open Space  |
| <b>13. PURPOSE OF THE APPLICATION:</b>   | To extend the deadline for adoption<br>of Zone Amending Bylaw No. 8460<br>(Hilltop Sand & Gravel Co. Ltd. –<br>Z98-1032) in accordance with the<br>Development Application Procedures<br>Bylaw |
| <b>14. DEVELOPMENT PERMIT MAP 13.2<br/>IMPLICATIONS</b>  | Not Applicable   |

**Attachments**

*(Not attached to the electronic copy of the report)*

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Location Map  
Plan of Subdivision