
CITY OF KELOWNA

MEMORANDUM

Date: April 30, 2002
File No.: File No. Z98-1032

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

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT a further extension of the deadline for adoption of Zone Amending Bylaw No. 8460 (Z98–1032) not be granted;

AND THAT Rezoning Authorizing Bylaw No. 8460 be advanced for adoption consideration and be DEFEATED by Council.

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. At the Regular Meeting of Council September 17, 2001, staff advised Council that no further extensions would be supported by the Planning & Development Services Department unless considerable progress has been made towards meeting the requirements outlined in Council's resolution at 3rd reading of Zone Amending Bylaw No. 8460. The zone amending bylaw has been sitting at 3^d Reading since October 1999 with no apparent development activity occurring.

Should Council not support staff's recommendation the following alternate recommendation is submitted for Council's consideration.

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 October 25, 2002.

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

Attachments

(Not attached to the electronic copy of the report)

Location Map