
CITY OF KELOWNA

MEMORANDUM

Date: August 7, 2002
File No.: Z00-1026

To: City Manager

From: Planning & Development Services Department

APPLICATION NO. Z00-1026 OWNER: Total Mechanical Systems Inc.

AT: 700 McCurdy Road APPLICANT: Total Mechanical Systems Inc.

PURPOSE: To rezone the subject property from A1 – Agriculture 1 to I2 – General Industrial and to consolidate the subject site with the existing parcel to the east.

EXISTING ZONE: A1 – Agriculture 1

PROPOSED ZONE: I2 – General Industrial

REPORT PREPARED BY: Josephine Duquette

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. 8573 (Z00-1026) not be granted;

AND THAT Rezoning Authorizing Bylaw No. 8573 be advanced for adoption consideration and be DEFEATED by Council.

2.0 SUMMARY

The subject rezoning application was considered at a Public Hearing by Council on June 27, 2000. Section 2.10.1 of Procedure Bylaw No. 8140 states that:

Every amendment bylaw which has not been finally adopted by Council within 12 months after the date it was given third reading, lapses and will be of no force and effect, and an applicant who wishes to proceed with its application must initiate a new application.

Section 2.10.2 of the Procedure Bylaw makes provision for Council to consider an extension to an amending bylaw for up to 6 months beyond the 12 months deadline as stated in Section 2.10.1.

The subject rezoning application was considered at a Regular Meeting by Council on July 16, 2001 and January 28, 2002 and the following resolutions were adopted:

THAT Municipal Council authorize an extension to Rezoning application No. Z00-1026 (Bylaw No. 8573) for a period of not more than 180 days from June 27, 2001.

THAT Municipal Council authorize an extension to Rezoning application No. Z00-1026 (Bylaw No. 8573) for a period of not more than 180 days from December 27, 2001.

Zone Amending By-Law No. 8573 received second and third readings on June 27, 2000, after the Public Hearing held on the same date and an extension was granted on July 16, 2001 and January 28, 2002. The applicant wishes to have this rezoning application remain open for an additional six months in order to provide more time to resolve an outstanding issue regarding his concurrent subdivision application (ie. Removal of an existing single family residential dwelling and consolidation of the two subject properties).

This project remains unchanged and is the same in all respects as originally applied for.

The applicant has been granted sufficient time to comply with the conditions of the zone amending bylaw (+2 years) therefore the Planning and Development Services Department recommends that Council refuse the request for a six month extension from June 27, 2002 to December 27, 2002.

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 the Zone Amending Bylaw No. 8573 (Z00-1026) be extended to December 26, 2002.

R.G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion

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

FACT SHEET

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|-----|---|--|
| 1. | APPLICATION NO.: | Z00-1026 |
| 2. | APPLICATION TYPE: | Rezoning |
| 3. | OWNER: | Total Mechanical Systems Inc. |
| | · ADDRESS | 690 McCurdy Road |
| | · CITY/POSTAL CODE | Kelowna V1X 2P5 |
| 4. | APPLICANT/CONTACT PERSON: | Total Mechanical Systems Inc. |
| | · ADDRESS | 690 McCurdy Road |
| | · CITY/POSTAL CODE | Kelowna V1X 2P5 |
| | · TELEPHONE/FAX NO.: | (250) 765-5542/(250) 765-2044 |
| 5. | APPLICATION PROGRESS: | |
| | Date of Application: | March 24, 2000 |
| | Date Application Complete: | March 24, 2000 |
| | Servicing Agreement Forwarded to Applicant: | |
| | Servicing Agreement Concluded: | |
| | Staff Report to Council: | May 10, 2000 |
| 6. | LEGAL DESCRIPTION: | Lot A, D. L. 143, Sec. 27, Twp. 26 ODYD,
Plan 23765 |
| 7. | SITE LOCATION: | North side of McCurdy Road and east of
Hwy 97 |
| 8. | CIVIC ADDRESS: | 700 McCurdy Road |
| 9. | AREA OF SUBJECT PROPERTY: | 837.73 m ² |
| 10. | AREA OF PROPOSED REZONING: | 837.73 m ² |
| 11. | EXISTING ZONE CATEGORY: | A1 – Agriculture 1 |
| 12. | PROPOSED ZONE: | I2 – General Industrial |
| 13. | PURPOSE OF THE APPLICATION: | To redevelop and consolidate with
adjacent site |
| 14. | MIN. OF TRANS./HIGHWAYS FILES NO.: | 02-081-18536 |
| | NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | |
| 15. | DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | (a) Not Applicable |