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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** October 30, 2002

**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:** Hilltop Sand & Gravel Co. Ltd.      **Applicant/Contact Person:** Protech Consultants (1989) Ltd./Mike Young

**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, 2003.

### 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. 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 3<sup>rd</sup> reading of Zone Amending Bylaw No. 8460. The zone amending bylaw has been sitting at 3<sup>d</sup> Reading since October 1999 with no apparent development activity occurring. Since then additional extensions were granted by Council the last of which ended October 25, 2002.

However, as we are now in receipt of an application for a Preliminary Layout Review letter, this department is prepared to support a further six month extension.

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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**

1. **APPLICATION NO.:** Z98-1032
2. **APPLICATION TYPE:** Rezoning
3. **OWNER**  
Hilltop Sand & Gravel Co. Ltd./  
Kathleen Mackenzie  
· **ADDRESS** RR 6, Site 9A, Comp. 1 Barnaby Road  
· **CITY/ POSTAL CODE** Kelowna, BC V1Y 8R3  
· **TELEPHONE NO.:** 317-1005
4. **APPLICANT/CONTACT PERSON:** Protech Consultants (1989) Ltd./  
Mike Young  
· **ADDRESS** 200 – 1449 St. Paul Street  
· **CITY/ POSTAL CODE** Kelowna, BC V1Y 2E4  
· **TELEPHONE NO.:** 860-1771/860-1994
5. **APPLICATION PROGRESS:**  
Date of Application: September 1, 1998  
Staff Report to Council: August 4, 1999  
Date of Public Hearing: September 7, 1999  
Date of Third Reading: October 25, 1999  
Servicing Agreement Forwarded to Applicant:  
Servicing Agreement Concluded:
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

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| <b>13. PURPOSE OF THE APPLICATION:</b>              | 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 |
| <b>14. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS</b> | Not Applicable  |

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**Attachments**

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

Location Map