

---

**CITY OF KELOWNA**  
**MEMORANDUM**

---

**Date:** April 29, 2003  
**File No.:** (3360-20) **Z00-1013**

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

APPLICATION NO. Z00-1013

OWNER: VINCE AND GIOVANNIA  
MAGALDI

AT: 2131 SCENIC ROAD

APPLICANT: VINCE MAGALDI

PURPOSE: TO EXTEND COUNCIL APPROVAL TO REZONE THE SUBJECT  
PROPERTY TO THE RM3 – LOW DENSITY MULTIPLE  
HOUSING ZONE TO PERMIT THE CONSTRUCTION OF 14  
SEMI - DETACHED DWELLING UNITS WITHIN 7 BUILDINGS  
IN A MULTIPLE FAMILY FORM

EXISTING ZONE: A1 – AGRICULTURAL (LUC78-1009)

PROPOSED ZONE: RM3 – LOW DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: PAUL McVEY

---

**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

---

**1.0 RECOMMENDATION**

THAT Municipal Council authorize an extension to Rezoning application No. Z01-1004 (Bylaw No. 8714) for a period of not more than 180 days from February 28, 2003, to lapse on August 28, 2003.

**2.0 SUMMARY**

The above noted development applications were considered at a Public Hearing by Council on August 28, 2001, and extended to lapse on February 28, 2003. 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 applicant has made applications for rezoning (Z00-1013) to permit the development of 14 dwelling multiple unit development in a semi-detached form on the subject property. By-Law No. 8700 received second and third readings on August 28, 2001, after the Public Hearing held on the same date. The applicant made application in August 2002 to have this approval extended to February 2003, and wishes to have this application remain open for an additional six months in order to provide more time to resolve a number of outstanding issues.

This project remains unchanged and is the same in all respects as originally applied for. The Planning and Development Services Department recommends Council consider the request for an extension favourably.

---

Andrew Bruce  
Current Planning Manager

Approved for inclusion

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

PMc/pmc  
Attach.

**FACT SHEET**

- |  |   |
|--|---|
| <b>1. APPLICATION NO.:</b>   | Z00-1013  |
| <b>2. APPLICATION TYPE:</b>  | Rezoning  |
| <b>3. OWNER:</b>   | Vince & Giovannia Magaldi   |
| . ADDRESS  | 374 Glenmore Rd. N  |
| . CITY   | Kelowna, BC   |
| . POSTAL CODE  | V1Y 7P9   |
| <b>4. APPLICANT/CONTACT PERSON:</b>  | Vince Magaldi   |
| . ADDRESS  | 374 Glenmore Rd. N  |
| . CITY   | Kelowna, BC   |
| . POSTAL CODE  | V1Y 7P9   |
| . TELEPHONE/FAX NO.:   | 762-0640  |
| <b>5. APPLICATION PROGRESS:</b>  |   |
| Date of Application:   | August 25, 1997   |
| Date Application Complete:   | September 3, 1997   |
| Servicing Agreement Forwarded to Applicant:  | June 15, 2001   |
| Servicing Agreement Concluded:   | June 27, 2001   |
| Staff Report to Council:   | April 29, 2003  |
| <b>6. LEGAL DESCRIPTION:</b>   | Lot A, Sec. 4 & 9, Twp 23, O.D.Y.D.,<br>Plan KAP61644   |
| <b>7. SITE LOCATION:</b>   | West side of Scenic Road, south of<br>Glenmore Road N.  |
| <b>8. CIVIC ADDRESS:</b>   | 2131 Scenic Road  |
| <b>9. AREA OF SUBJECT PROPERTY:</b>  | 4,994 m <sup>2</sup>  |
| <b>10. AREA OF PROPOSED REZONING:</b>  | 4,994 m <sup>2</sup>  |
| <b>11. EXISTING ZONE CATEGORY:</b>   | A1 – Agricultural 1 (LUC78-1009)  |
| <b>12. PROPOSED ZONE:</b>  | RM3 – Low Density Multiple Housing  |
| <b>13. PURPOSE OF THE APPLICATION:</b>   | To extend Council approval to rezone<br>the subject property to the RM3 –<br>Density Multiple Housing zone to<br>permit the construction of 14 semi –<br>detached dwelling units within 7<br>buildings in a multiple family form. |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:</b><br><b>NOTE: IF LANDS ARE WITHIN 800 m OF A</b><br><b>CONTROLLED ACCESS HIGHWAY</b> | N/A   |

**15. DEVELOPMENT PERMIT MAP 13.2  
IMPLICATIONS**

General Multi-Family; notify GIS of  
addition

Property Location Map

