
CITY OF KELOWNA
MEMORANDUM

Date: May 16, 2003
File No.: (8757) **Z01-1045/OCP01-011**

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. Z01-1045 OWNER: RYCHJOHN INVESTMENTS
AT: 3163 RICHTER STREET APPLICANT: CARL SCHOLL DESIGN

PURPOSE: TO EXTEND COUNCIL APPROVAL FOR A REZONING TO C5 – TRANSITIONAL COMMERCIAL ON A PORTION OF THE SUBJECT PROPERTY TO ACCOMMODATE A COMMERCIAL ADDITION;

EXISTING ZONE: RM5-MEDIUM DENSITY MULTIPLE HOUSING

PROPOSED ZONE: C5-TRANSITION COMMERCIAL

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize an extension to Rezoning Application No. Z01-1045 (Bylaw No. 8757) for a period of not more than 180 days from June 11, 2003.

2.0 SUMMARY

The above noted development applications were considered at a Public Hearing by Council on December 11, 2001. 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 (Z01-1045) and an OCP amendment (OCP01-011) to permit an addition to the "Creekside" Professional Building. The applicant would also like to rezone an adjacent multi-family lot to accommodate the required parking. By-Law No. 8757 received second and third readings on December 11, 2001, after the Public Hearing held on the same date. Council has already granted the applicant a six month extension which began December 11 of 2002 and will expire June 11 of 2003. The applicant has yet to resolve several issues and is requesting an additional six month extension.

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

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

RWS.
Attach.

FACT SHEET

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| 1. APPLICATION NO.: | Z01-1045, OCP01-011 |
| 2. APPLICATION TYPE: | Rezoning & OCP Amendment |
| 3. OWNER: · ADDRESS · CITY · POSTAL CODE | Rychjohn Investments 126 Lakeshore Cr. Saskatoon, SA S7J 3J3 |
| 4. APPLICANT/CONTACT PERSON: · ADDRESS · CITY · POSTAL CODE · TELEPHONE/FAX NO.: | Carl Scholl Design 1474 Water Street Kelowna, BC V1Y 1J6 763-7800/860-5165 |
| 5. APPLICATION PROGRESS: Date of Application: Date Application Complete: Servicing Agreement Forwarded to Applicant: Servicing Agreement Concluded: Staff Report to Council: | May 15, 2003 May 15, 2003 N/A N/A |
| 6. LEGAL DESCRIPTION: | Common Property KAS896 |
| 7. SITE LOCATION: | East side of Richter Street, south of KLO Road |
| 8. CIVIC ADDRESS: | 3163 KLO Road |
| 9. AREA OF SUBJECT PROPERTY: | 3.6ha |
| 10. AREA OF PROPOSED REZONING: | 1046.5m ² |
| 11. EXISTING ZONE CATEGORY: | RM5 – Medium Density Multiple Family |
| 12. PROPOSED ZONE: | C5 – Transition Commercial |
| 13. PURPOSE OF THE APPLICATION: | To rezone the subject property to C5 – Transition Commercial and change the future land use designation to “Commercial” |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | N/A |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | General Commercial Natural Environment/Hazardous Conditions |

