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

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**Date:** January 6, 2004  
**File No.:** (3360-20) **Z01-1004/OCP01-001**

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

APPLICATION NO. Z01-1004/ OWNER: W. H. & M. W. REID  
OCP01-001

AT: 659 – 687 DEHART RD APPLICANT: WALLY REID

PURPOSE: TO EXTEND COUNCIL APPROVAL FOR;  
1. AN OCP AMENDMENT TO ADD COMMERCIAL AND SINGLE/TWO FAMILY RESIDENTIAL LAND USES, AND TO RELOCATE THE MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL LAND USE DESIGNATIONS ON THE SUBJECT PROPERTY, AND TO  
2. REZONE A PORTION OF THE SUBJECT PROPERTY FROM THE EXISTING RU1 – LARGE LOT HOUSING ZONE TO THE RU5 – BARE LAND STRATA ZONE TO PERMIT DEVELOPMENT OF A 47 LOT BARE LAND STRATA DEVELOPMENT

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU5 – BARE LAND STRATA

REPORT PREPARED BY: PAUL McVEY

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

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**1.0 RECOMMENDATION**

THAT Municipal Council authorize two 6 month extensions to Rezoning application No. Z01-1004 (Bylaw No. 8700) to expire on January 17, 2005.

**2.0 SUMMARY**

The above noted development applications were originally considered at a Public Hearing by Council on July 17, 2001. This application has had one extension of 6 months which will lapsed on January 17, 2003, and 2 additional extensions which will expire on January 17, 2004.

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 (Z01-1004) and an OCP amendment (OCP01-001) to permit the development of a single family bareland strata development on a portion of the subject property. By-Law No. 8700 received second and third readings on July 17, 2001, after the Public Hearing held on the same date. The applicant has already made application for one 6 month extension on July 17, 2002, which lapsed on January 17, 2003, and two additional extensions which are set to lapse on January 17, 2004. The applicant wishes to have this application remain open for an additional twelve 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.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion ☐

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

PMc/pmc  
Attach.

**FACT SHEET**

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| <b>1. APPLICATION NO.:</b>                  | Z01-1004, OCP01-001   |
| <b>2. APPLICATION TYPE:</b>                 | Rezoning & OCP Amendment  |
| <b>3. OWNER:</b>                            | W. H. & M. W. Reid  |
| . ADDRESS                                   | 669 DeHart Road   |
| . CITY                                      | Kelowna, BC   |
| . POSTAL CODE                               | V1W 1V7   |
| <b>4. APPLICANT/CONTACT PERSON:</b>         | Wally Reid  |
| . ADDRESS                                   | #2 – 1985 Burtch Road   |
| . CITY                                      | Kelowna, BC   |
| . POSTAL CODE                               | V1Y 4B4   |
| . TELEPHONE/FAX NO.:                        | 763-9239  |
| <b>5. APPLICATION PROGRESS:</b>             |   |
| Date of Application:                        | January 16, 2001  |
| Date Application Complete:                  | January 21, 2001  |
| Servicing Agreement Forwarded to Applicant: | May 4, 2001   |
| Servicing Agreement Concluded:              | N/A   |
| Staff Report to Council:                    | June 13, 2001, August 6, 2002<br>January 8, 2003, Jan 6, 2004.                            |
| <b>6. LEGAL DESCRIPTION:</b>                | The East ½ of Lot 1, DL 358,<br>O.D.Y.D., Plan 260, Exc. Plans<br>B1546, 18828, and 42674 |
| <b>7. SITE LOCATION:</b>                    | South West Corner of Gordon and<br>DeHart Road  |
| <b>8. CIVIC ADDRESS:</b>                    | 659 – 687 DeHart Road   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>         | 53,964 m <sup>2</sup>   |
| <b>10. AREA OF PROPOSED REZONING:</b>       | 29,656 m <sup>2</sup>   |
| <b>11. EXISTING ZONE CATEGORY:</b>          | RU1 – Large Lot Housing   |
| <b>12. PROPOSED ZONE:</b>                   | RU5 – Bare Land Strata Housing  |

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| <b>13. PURPOSE OF THE APPLICATION:</b>   | OCP Amendment To Add Commercial And Single/Two Family Residential Land Uses, And To Relocate The Medium Density Multi-Family Residential Land Use Designations On The Subject Property, and<br><br>To Rezone A Portion Of The Subject Property From The Existing RU1 – Large Lot Housing Zone To The RU5 – Bare Land Strata Zone To Permit Development Of A 47 Lot Bare Land Strata Development |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:<br/>NOTE: IF LANDS ARE WITHIN 800 m OF A<br/>CONTROLLED ACCESS HIGHWAY</b> | N/A   |
| <b>15. DEVELOPMENT PERMIT MAP 13.2<br/>IMPLICATIONS</b>  | N/A   |

