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

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**Date:** February 3, 2004  
**File No.:** (3360-20) **Z00-1013**

**To:** City Manager

**From:** Planning & Corporate Services Department

**Subject:**

APPLICATION NO. Z00-1013                      OWNER: VINCE AND GIOVANNIA  
MAGALDI

AT: 2131 SCENIC ROAD                      APPLICANT: VINCE MAGALDI

PURPOSE: TO DEFEAT THE ZONE AMENDING BYLAW AT 4<sup>TH</sup> READING  
AND CLOSE APPLICATION FILE

EXISTING ZONE: A1 – AGRICULTURE 1 (LUC78-1009)

PROPOSED ZONE: RM3 – LOW DENSITY MULTIPLE HOUSING

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 Bylaw 8714 for Rezoning application No. Z00-1013 be defeated by Municipal Council,

AND THAT Rezoning application No. Z00-1013 be closed.

## 2.0 SUMMARY

Rezoning application Z00-1013 last received an extension in 2003 to lapse on August 28, 2003. There have been no further applications for extension received since that date,

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.

Since the application has already received 2 extensions, and there have been no additional applications to extend the deadline for adoption of this bylaw, it is now appropriate for Council to defeat this zone amending bylaw at 4<sup>th</sup> reading, and have the file closed.

Furthermore, there is a new application for this property that will be forwarded to Council for consideration in the very near future.

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Andrew Bruce  
Manager of Development Services

Approved for inclusion ☐

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

**FACT SHEET**

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|---------------|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------|------------------------------------------------------|
| 1.            | <b>APPLICATION NO.:</b>                     | Z00-1013                                                                                                                                                                                                                          |               |            |                                                      |
| 2.            | <b>APPLICATION TYPE:</b>                    | Rezoning                                                                                                                                                                                                                          |               |            |                                                      |
| 3.            | <b>OWNER:</b>                               | Vince & Giovannia Magaldi                                                                                                                                                                                                         |               |            |                                                      |
|               | . <b>ADDRESS</b>                            | 374 Glenmore Rd. N                                                                                                                                                                                                                |               |            |                                                      |
|               | . <b>CITY</b>                               | Kelowna, BC                                                                                                                                                                                                                       |               |            |                                                      |
|               | . <b>POSTAL CODE</b>                        | V1Y 7P9                                                                                                                                                                                                                           |               |            |                                                      |
| 4.            | <b>APPLICANT/CONTACT PERSON:</b>            | Vince Magaldi                                                                                                                                                                                                                     |               |            |                                                      |
|               | . <b>ADDRESS</b>                            | 374 Glenmore Rd. N                                                                                                                                                                                                                |               |            |                                                      |
|               | . <b>CITY</b>                               | Kelowna, BC                                                                                                                                                                                                                       |               |            |                                                      |
|               | . <b>POSTAL CODE</b>                        | V1Y 7P9                                                                                                                                                                                                                           |               |            |                                                      |
|               | . <b>TELEPHONE/FAX NO.:</b>                 | 762-0640                                                                                                                                                                                                                          |               |            |                                                      |
| 5.            | <b>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:                    | February 3, 2004                                                                                                                                                                                                                  |               |            |                                                      |
| 6.            | <b>LEGAL DESCRIPTION:</b>                   | Lot A, Sec. 4 & 9, Twp 23, O.D.Y.D.,<br>Plan KAP61644                                                                                                                                                                             |               |            |                                                      |
| 7.            | <b>SITE LOCATION:</b>                       | West side of Scenic Road, south of<br>Glenmore Road N.                                                                                                                                                                            |               |            |                                                      |
| 8.            | <b>CIVIC ADDRESS:</b>                       | 2131 Scenic Road                                                                                                                                                                                                                  |               |            |                                                      |
| 9.            | <b>AREA OF SUBJECT PROPERTY:</b>            | 4,994 m <sup>2</sup>                                                                                                                                                                                                              |               |            |                                                      |
| 10.           | <b>AREA OF PROPOSED REZONING:</b>           | 4,994 m <sup>2</sup>                                                                                                                                                                                                              |               |            |                                                      |
| 11.           | <b>EXISTING ZONE CATEGORY:</b>              | A1 – Agriculture 1 (LUC78-1009)                                                                                                                                                                                                   |               |            |                                                      |
| 12.           | <b>PROPOSED ZONE:</b>                       | RM3 – Low Density Multiple Housing                                                                                                                                                                                                |               |            |                                                      |
| 13.           | <b>PURPOSE OF THE APPLICATION:</b>          | To rezone the subject property to the<br>RM3 – Density Multiple Housing zone<br>to permit the construction of 14 semi –<br>detached dwelling units within 7<br>buildings in a multiple family form.                               |               |            |                                                      |
| 14.           | <b>DEVELOPMENT<br/>IMPLICATIONS</b>         | <table border="0" style="width: 100%;"> <tr> <td style="width: 25%;"><b>PERMIT</b></td> <td style="width: 25%;"><b>MAP</b></td> <td style="width: 50%;">13.2 General Multi-Family; notify GIS of<br/>addition</td> </tr> </table> | <b>PERMIT</b> | <b>MAP</b> | 13.2 General Multi-Family; notify GIS of<br>addition |
| <b>PERMIT</b> | <b>MAP</b>                                  | 13.2 General Multi-Family; notify GIS of<br>addition                                                                                                                                                                              |               |            |                                                      |

SUBJECT PROPERTY MAP

