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

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**Date:** April 5, 2004  
**File No.:** (3360-20) **Z00-1052**

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

APPLICATION NO. Z00-1052                      OWNER: MR. B.W. & MRS. M.E.  
DRODOVECH

AT: 1561 SUTHERLAND                      APPLICANT: AS ABOVE

PURPOSE: TO EXTEND COUNCIL APPROVAL FOR REZONING THE  
SUBJECT PROPERTY TO COMMERCIAL ZONE TO ALLOW  
THE CONSTRUCTION OF A PROFESSIONAL BUILDING

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: C3 – COMMUNITY COMMERCIAL

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 a 6 month extension to Rezoning application No. Z00-1052 (Bylaw 8726) to expire on October 3, 2004.

2.0 SUMMARY

The above noted development application was originally considered at a Public Hearing by Council on October 2, 2001. This application has had one extension of 6 months which lapsed on April 2, 2003. There are now new owners of the property, and they wish to proceed with this application.

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 (Z00-1052) and a Development Variance Permit (DVP01-10,0055) to permit the development of a 320 m<sup>2</sup> office building. The original applicant has already made application for one 6 month extension, and the new owners made two additional six month extensions which lapsed on April 2, 2004. The new owners wish to have this application remain open for an additional six months in order to provide more time to complete the outstanding issues.

This project remains unchanged and is the same in all respects as originally applied for, except that there are now new owners.

The Planning and Development Services Department recommends Council consider the request for an extension favourably.

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Andrew Bruce  
Manager of Development Services

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Community and Corporate Services

PMc/pmc  
Attach.

**FACT SHEET**

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|---|--|
| 1. APPLICATION NO.:   | Z00-1052   |
| 2. APPLICATION TYPE:  | Rezoning   |
| 3. OWNER:   | Mr. B.W. & Mrs. M.E. Drodovech   |
| . ADDRESS   | 860 Camelia Rd.  |
| . CITY  | Kelowna, BC  |
| . POSTAL CODE   | V1X 3N1  |
| 4. APPLICANT/CONTACT PERSON:                                      | Mr. B.W. & Mrs. M.E. Drodovech   |
| . ADDRESS   | 860 Camelia Rd.  |
| . CITY  | Kelowna, BC  |
| . POSTAL CODE   | V1X 3N1  |
| . TELEPHONE/FAX NO.:  | 862-2727/862-2787  |
| 5. APPLICATION PROGRESS:  |  |
| Date of Application:  | October 30, 2000   |
| Date Application Complete:  |  |
| Servicing Agreement Forwarded to Applicant:                       |  |
| Servicing Agreement Concluded:                                    |  |
| Staff Report to Council:  | Sept. 27, 2002, October 3, 2003.<br>April 5, 2004                              |
| 6. LEGAL DESCRIPTION:   | Lot 7, DL 141, O.D.Y.D., Plan 3736   |
| 7. SITE LOCATION:   | South Side of Sutherland Ave,<br>between Burtch Rd and HWY 97                  |
| 8. CIVIC ADDRESS:   | 1561 Sutherland Ave.   |
| 9. AREA OF SUBJECT PROPERTY:                                      | 836 m <sup>2</sup>   |
| 10. AREA OF PROPOSED REZONING:                                    | 836 m <sup>2</sup>   |
| 11. EXISTING ZONE CATEGORY:                                       | RU1 – Large Lot Housing  |
| 12. PROPOSED ZONE:  | C3 – Community Commercial  |
| 13. PURPOSE OF THE APPLICATION:                                   | To rezone the property to allow the<br>construction of a professional building |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:                            | 02-081-18957   |
| NOTE: IF LANDS ARE WITHIN 800 m OF A<br>CONTROLLED ACCESS HIGHWAY |  |
| 15. DEVELOPMENT PERMIT MAP 13.2<br>IMPLICATIONS                   | N/A  |

