
CITY OF KELOWNA
MEMORANDUM

Date: January 17, 2007
File No.: Z05-0020 and OCP05-0008

To: City Manager

From: Planning & Development Services Department

APPLICATION NO. Z05-0020 **APPLICANT:** Nicola Consiglio
OCP05-0008

AT: 5127 Chute Lake Road **OWNER:** 684761 B.C. Ltd.

PURPOSE: To extend the deadline for adoption of Official Community Plan Amending Bylaw No. 9447 and Zone Amending Bylaw No. 9448 (Consiglio) in accordance with the Development Application Procedures Bylaw.

EXISTING ZONE: A1 – AGRICULTURE 1 ZONE

PROPOSED ZONES:

RR2H – RURAL RESIDENTIAL 2 (HILLSIDE AREA),
RR3H – RURAL RESIDENTIAL 3 (HILLSIDE AREA),
RU1H – LARGE LOT HOUSING (HILLSIDE AREA); AND
P3 – PARKS AND OPEN SPACE; AND
P4 – UTILITIES

REPORT PREPARED BY: NELSON WIGHT

1.0 RECOMMENDATION

THAT in accordance with the Development Application Procedures Bylaw No. 8140 the deadline for adoption of Bylaw No. 9447 – Official Community Plan Amendment Application No. OCP05-0008 and Bylaw No. 9448 – Rezoning Application No. Z05-0020, by Nicola Consiglio be extended for a six (6) month period, beginning January 26, 2007.

2.0 SUMMARY

The above noted development application was originally considered by Council at a Public Hearing on July 26, 2005, and received a six-month extension back in July of 2006, prior to the initial one-year stale-date of the bylaw. The applicant wishes to receive second extension of 6 months in order to allow additional time to address the servicing requirements of the Works and Utilities Department.

The relevant sections of the Development Application Procedures Bylaw are referenced below:

2.10.1 – 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.

2.10.2 – Upon written request by the applicant, Council may extend the 12 month period in sub-section 2.10.1 for one or more periods of 6 months.

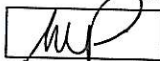
The applicant has provided a letter outlining the rationale for their request to extend the approval. This letter outlines the significant challenges to developing the site, due to the slower than expected response times for FortisBC, and Terasen Gas, who both have significant interests in this property.

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

Shelley Gambacort

Acting Development Services Manager

Approved for inclusion



Mary Pynenburg, MRAIC MCIP

Director of Planning & Development Services

NW/nw

ATTACHMENTS

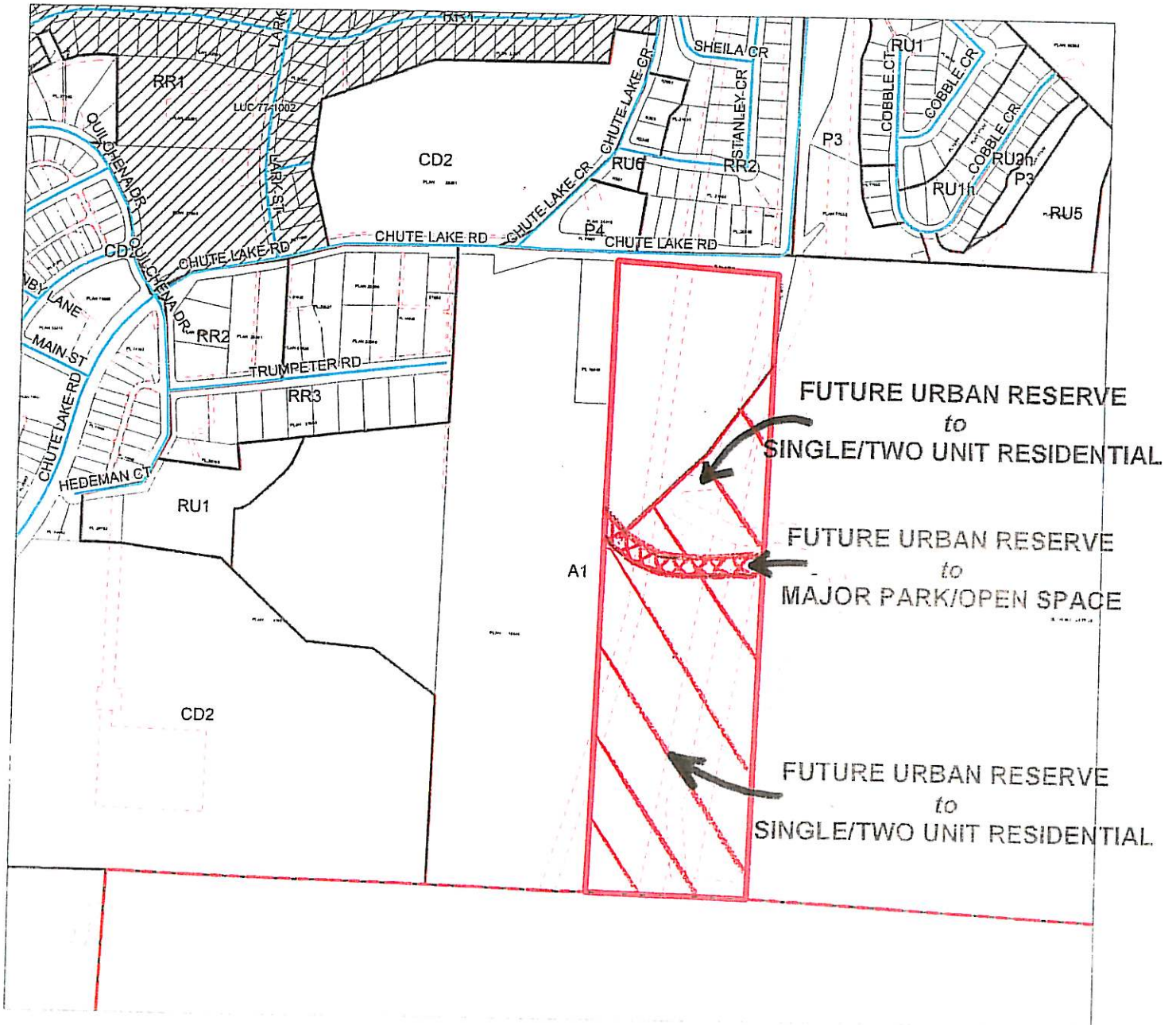
Location of subject property

Map "A"

Map "B"

Applicant's Letter of Rationale

MAP "A"



MAP "B"

