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**CITY OF KELOWNA**

**MEMORANDUM**

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**DATE:** August 21, 2007  
**FILE NO.:** **Z05-0082**

**TO:** City Manager

**FROM:** Planning & Development Services Department

APPLICATION NO. Z05-0082

OWNER: BOGDAN SNARSKI  
BENEDICTE LEE

AT: 1886 AMBROSI ROAD

APPLICANT: CANWEST DESIGN &  
DRAFTING LTD.

PURPOSE: TO EXTEND COUNCIL APPROVAL FOR THE ADOPTION OF  
THE APPLICATION TO REZONE THE SUBJECT PROPERTY  
TO THE PROPOSED C5 – TRANSITIONAL COMMERCIAL  
ZONE TO PERMIT THE USE OF THE PROPERTY FOR A  
MIXED USE DEVELOPMENT

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: C5 – TRANSITIONAL COMMERCIAL

REPORT PREPARED BY: PAUL McVEY

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1.0 RECOMMENDATION

THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 9653 (Z05-0082) – Bogdan Snarski & Benedicte Lee (Canwest Design & Drafting) – 1886 Ambrosi Road be extended from August 22, 2007 to February 22, 2008.

2.0 SUMMARY

The above noted development application was originally considered at a Public Hearing by Council on August 22, 2006.

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 this application for rezoning to permit the development of a two storey mixed use development on the site. Zone amending By-Law No. 9653 received second and third readings on August 22, 2006, after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional six months in order to provide more time to resolve the form and character of the proposed development.

This project remains unchanged and is the same in all respects as originally applied for, except for the proposed form and character.

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

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Shelley Gambacort  
Current Planning Supervisor

Approved for inclusion

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David Shipclark  
Acting Director of Planning & Development Services

PMc/pmc  
Attach.

SUBJECT PROPERTY MAP

