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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** November 24, 2008

**TO:** CITY MANAGER

**FROM:** COMMUNITY SUSTAINABILITY DIVISION

**APPLICATION NO.** Z07-0046

**OWNER:** TERRY & JOAN RAISANEN

**AT:** 1975 KANE RD.

**APPLICANT:** EIDSE BUILDERS (GARY  
TEBBUTT)

**PURPOSE:** TO EXTEND COUNCIL APPROVAL OF THE ZONE AMENDING BYLAW  
FOR AN ADDITIONAL SIX (6) MONTHS EXTENSION.

**EXISTING ZONE:** A1 – AGRICULTURE 1

**PROPOSED ZONE:** RM5 – MEDIUM DENSITY MULTIPLE HOUSING

**REPORT PREPARED BY:** DANIELLE NOBLE

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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. 9886, (Z07-0046, Eidse Builders - Gary Tebutt), for Lot B, Plan 22004, Sec. 33, Twp. 26, ODYD, located on 1975 Kane Road, Kelowna, BC be extended from November 27, 2008 to May 27, 2009.

**2.0 SUMMARY**

The applicant has a zone amending bylaw at 3<sup>rd</sup> reading to rezone the subject property from the A2 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone to allow for the construction of a 4 storey, 123 unit multi-family development. The development application was originally considered at a Public Hearing by Council on November 27, 2007.

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.



By-Law No. 9886 received second and third readings on November 27, 2007 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional six months. This project remains unchanged and is the same in all respects as originally applied for.

The Land Use Management Department recommends Council consider the request for an extension favourably.



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Danielle Noble  
Urban Land Use Supervisor

Approval for Inclusion

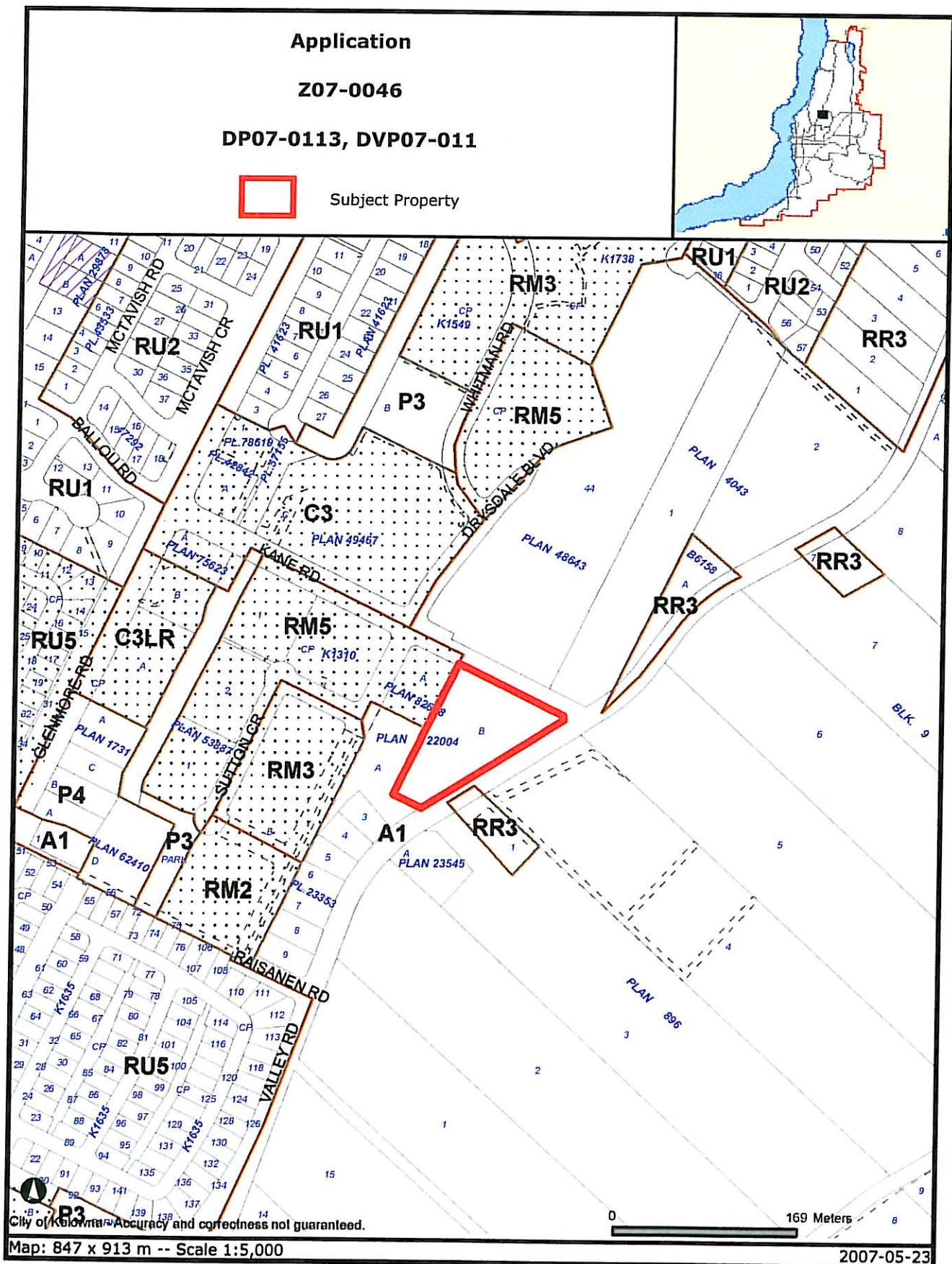


Shelley Gambacort  
Director of Land Use Management

DN/dc

Attachments

- Subject Property Map



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.