

# Memo



**Date:** January 8, 2010

**To:** City Manager

**From:** Community Sustainability Division

**File No.:** Z08-0030

**Applicant:** Paul Warnock

**Owner:** Paul Warnock

**At:** 1230 Brookside Avenue  
1220 - 1222 Brookside

**Purpose:** To rezone portions of the subject properties from the RU6 - Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone and P3 - Parks and Open Space in order to accommodate 41 residential, assisted-living units for seniors.

**Existing Zone:** RU6 - Two Dwelling Housing zone

**Proposed Zone:** RM5 - Medium Density Multiple Housing zone & P3 - Parks & Open Space zone

**Report Prepared By:** Birte Decloux

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## 1 RECOMMENDATION

THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No. 10105 (Z08-0030 - Paul Warnock - 1230 Brookside Avenue and 1220 - 1222 Brookside) be extended from November 25, 2009 to May 25, 2010.

## 2 SUMMARY

The above noted development application was originally considered at a Public Hearing by Council on November 25, 2008.

Section 2.10.1 of Procedure Bylaw No. 8140 states that:

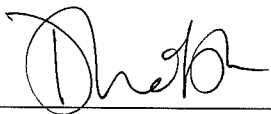
Every amendment bylaw which has not been finally adopted by Council within 12 months after the date it was given third reading, lapses and will be of no force and effect, and an applicant who wishes to proceed with its application must initiate a new application.

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.

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By-Law No. 9761 received second and third readings on November 25, 2008, 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 allow additional time for market place adjustments to occur, making it feasible to proceed with a project of this magnitude. There are outstanding Development Engineering Service requirements that need to be fulfilled. At this time, 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.

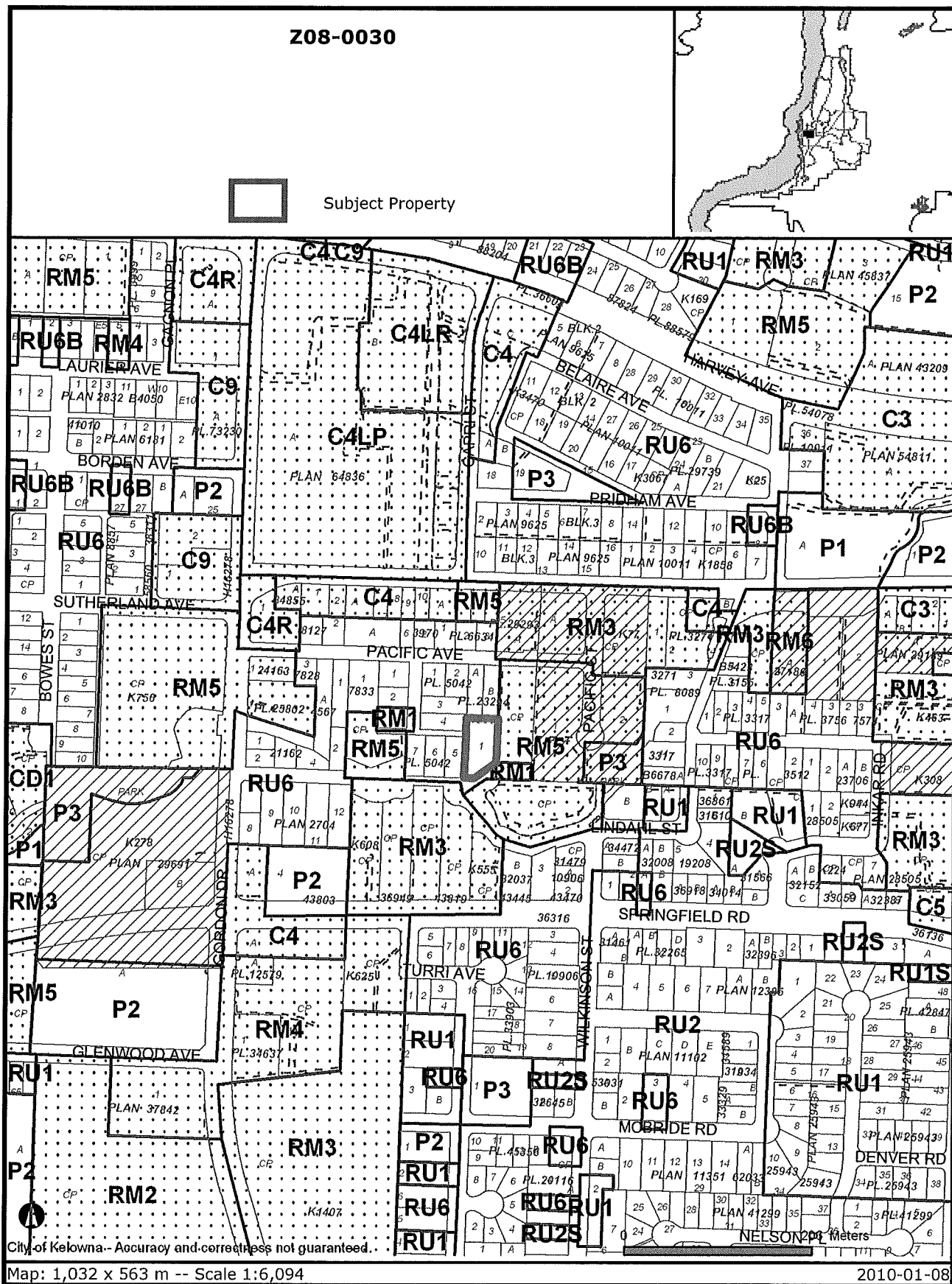


Danielle Noble  
Urban Land Use Manager

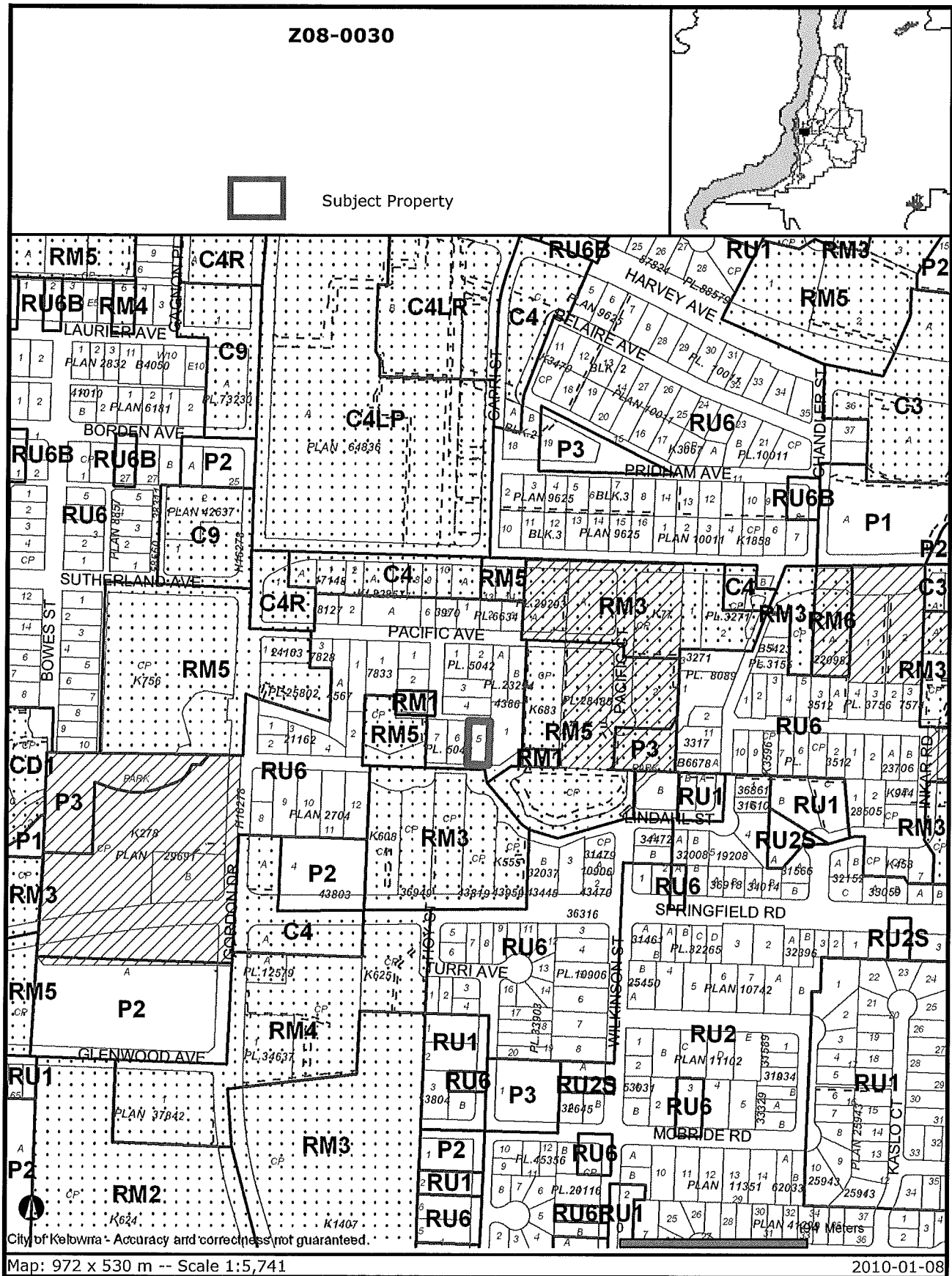
Approved for inclusion:  
Shelley Gambacort  
Director of Land Use Management



BD/hb



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.



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