

Memo



Date: May 27, 2011
To: City Manager
From: Community Sustainability Division (DN)
File No: Z07-0046 **Applicant:** Terry & Joan Raisanen
At: 1975 Kane Road **Owner:** Terry & Joan Raisanen
Purpose: Rezoning Extension
Existing Zone: A1 - Agriculture 1
Proposed Zone: RM5-Medium Density Multiple Housing

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 May 27, 2011 to November 27, 2011.

2.0 Purpose

To rezone the subject properties from the A1 - Agriculture 1 zone to the RM5 - Medium Density Multiple Housing zone to allow for the construction of a 4 storey, 123 unit condo development.

3.0 Land Use Management

The above noted 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 as a sale is pending on the property and they wish to maintain the RM5

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zoning at third reading. Accordingly, any project changes will require a new Development Permit application that will evaluate the form and character of the revised proposal.

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

Report prepared by:



Danielle Noble, Urban Land Use Management

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

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