

Memo



Date: September 27, 2011
To: City Manager
From: Land Use Management, Community Sustainability
Application: Z07-0088 **Owner:** 655888 BC Ltd.
Address: 5020 Killdeer Rd **Applicant:** Protech Consultants Ltd
Subject: Rezoning extension
Existing Zone: A1-Agriculture 1
Proposed Zone: RU5-Bareland Strata Housing

1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10094 (Z07-0088, Lot A, Section 24, Township 28, SDYD, Plan 30848) be extended from November 3, 2009 to May 3, 2010;

AND THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10094 (Z07-0088, Lot A, Section 24, Township 28, SDYD, Plan 30848) be extended from May 3, 2010 to November 3, 2010;

AND THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10094 (Z07-0088, Lot A, Section 24, Township 28, SDYD, Plan 30848) be extended November 3, 2010 to May 3, 2011;

AND FURTHER THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10094 (Z07-0088, Lot A, Section 24, Township 28, SDYD, Plan 30848) be extended May 3, 2011 to November 3, 2011;

2.0 Purpose

To rezone the subject property from the A1-Agriculture 1 zone to the RU5-Bareland Strata Housing zone in order to allow for the creation of a residential subdivision.

3.0 Land Use Management

The above noted development application was originally considered at a Public Hearing by Council on November 3, 2008.

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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. 10094 received second and third readings on November 3, 2008 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional period given existing land development market conditions. 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. However, staff will not be supporting any future extensions for this development proposal as three years have passed since it was considered by Council at a Public Hearing. The policy context for this area and form of development should be considered under the 2030 Official Community Plan.

Report prepared by:


Luke Turri, Land Use Planner

Reviewed by:



Danielle Noble, Manager, Urban Land Use Management

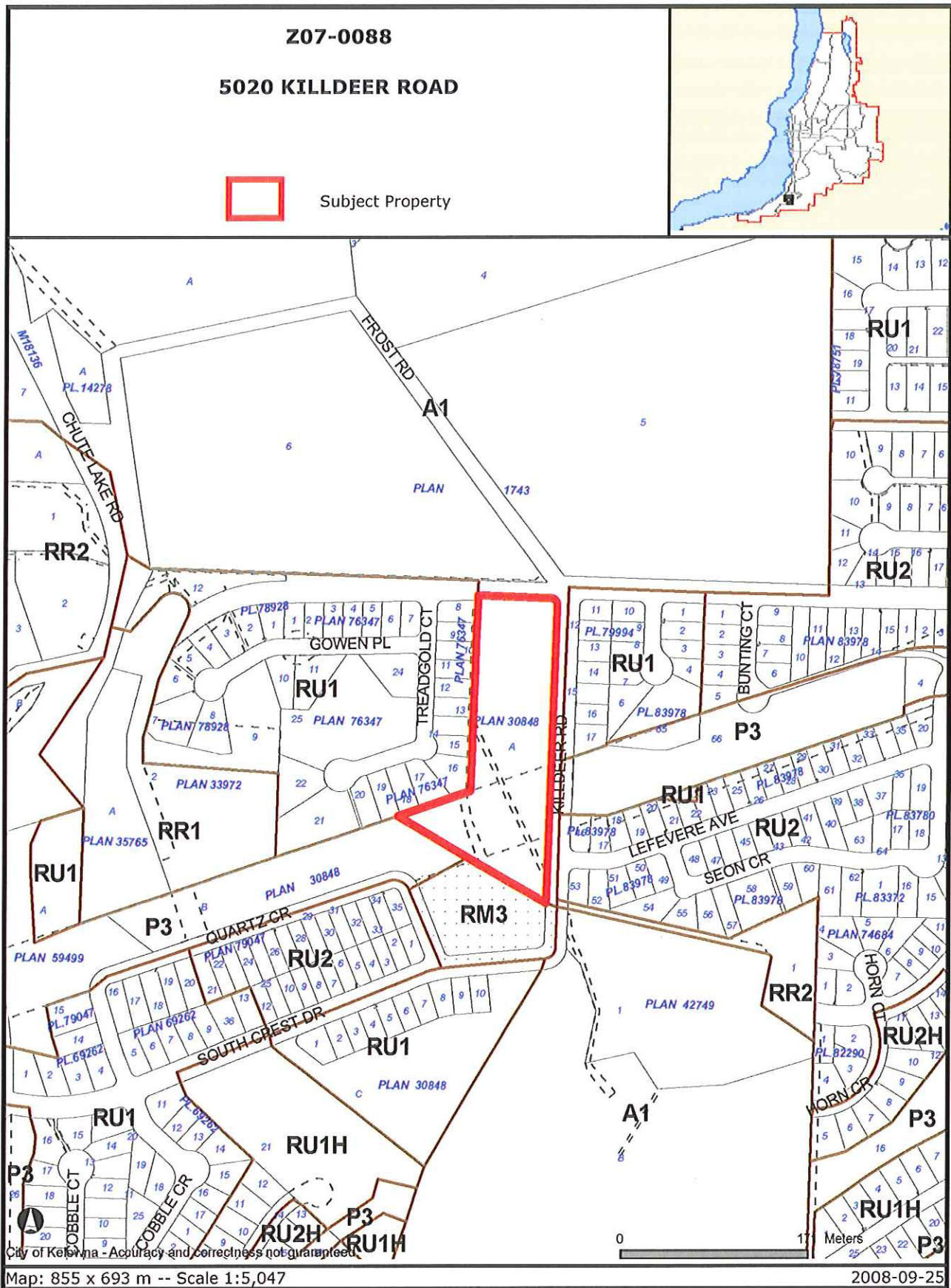
Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

/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.