

# REPORT TO COUNCIL



**Date:** April 24, 2012  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (PMcV)  
**Application:** Z10-0092 **Owners:** Kimberly & John Berg  
**Address:** 3150 Sexsmith Road **Applicant:** Protech Consultants Ltd.  
**Subject:** Extension Report  
**Existing Zone:** A1 - Agriculture 1  
**Proposed Zone:** I6 - Low-Impact Transitional Industrial

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## 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10443 (Z10-0092, for Lot 27 Section 3 Township 23 ODYD Plan 18861, located at 3150 Sexsmith Road, Kelowna, BC), be extended from May 16, 2012 to November 16, 2012.

## 2.0 Purpose

The applicant proposes to rezone the subject property from the A1 - Agriculture 1 zone to the new I6 - Low-Impact Transitional Industrial zone. This zone is intended to perform a transition role allowing for reasonable industrial land uses between the general industrial land use to the south, and residential land use to the north.

## 3.0 Land Use Management

The above noted development application was originally considered at a Public Hearing by Council on November 16, 2010.

Section 2.12.1 of Procedure Bylaw No. 10540 states that:

In the event that an application made pursuant to this bylaw is one (1) year old or older and has been inactive for a period of six (6) months or greater:

- a) The application will be deemed to be abandoned and the applicant will be notified in writing that the file will be closed;
- b) Any bylaw that has not received final adoption will be of no force and effect;

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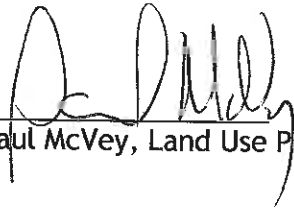
c) In the case of an amendment application, the City Clerk will place on the agenda of a meeting of Council a motion to rescind all readings of the bylaw associated with that Amendment application.

Section 2.12.2 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.

By-Law No. Bylaw Nos. 10443 (Z10-0092), received second and third readings on November 16, 2010 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 complete requirements to the satisfaction of the Development Engineering Branch and Glenmore Ellison Improvement District. 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.

**Report prepared by:**



Paul McVey, Land Use Planner

**Reviewed by:**



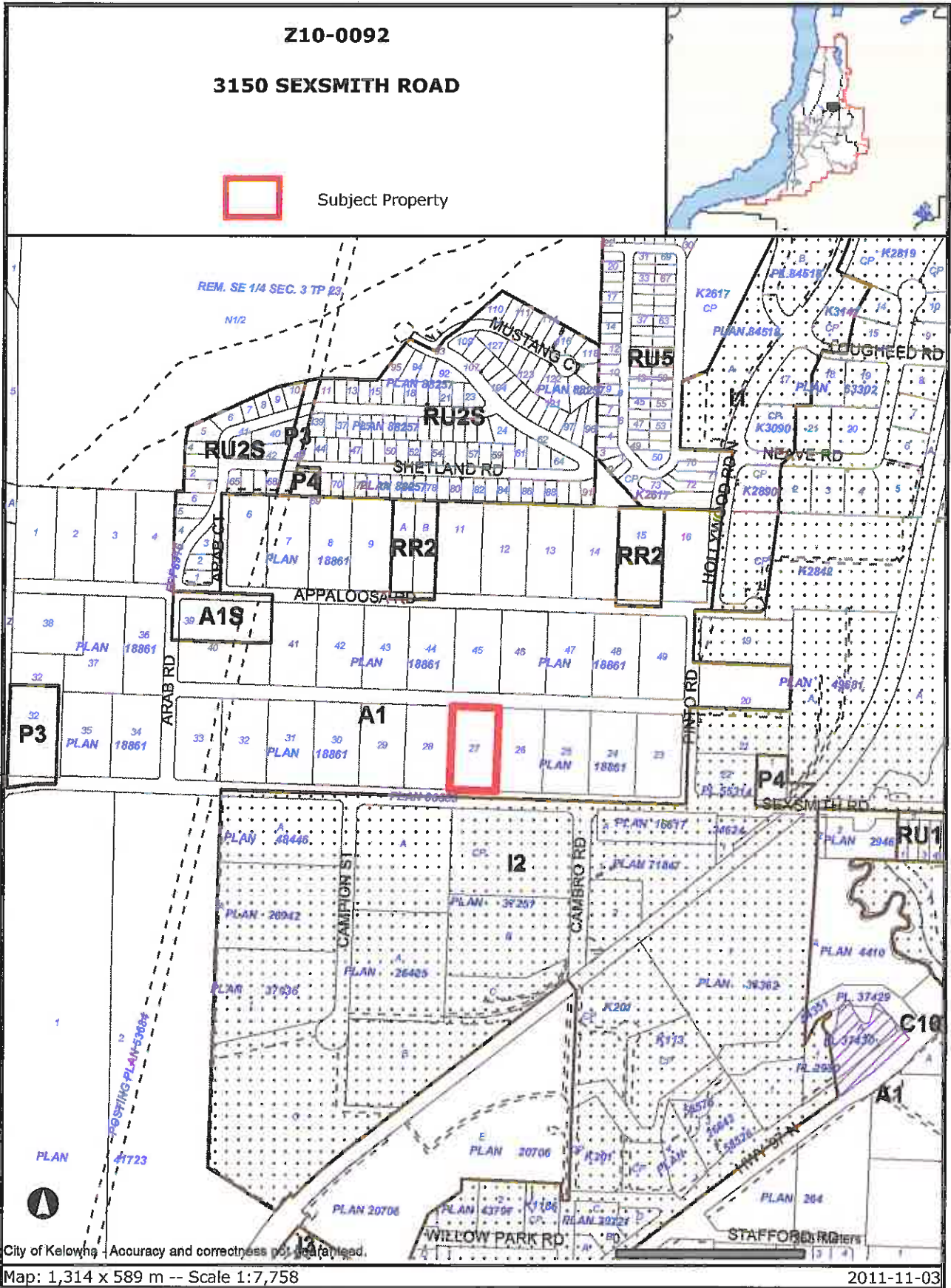
Danielle Noble, Manager, Urban Land Use Management

**Approved for Inclusion:**



Shelley Gambacort, Director, Land Use Management

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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.