

REPORT TO COUNCIL



Date: June 25, 2018

RIM No. 1250-04

To: City Manager

From: Community Planning Department (TH)

Application: OCP15-0016 Z15-0053 **Owner:** McBeetle Holdings Ltd., Inc.
No. A0090058

Address: 820 Finns Road **Applicant:** McBeetle Holdings Ltd

Subject: Official Community Plan Amendment and Rezoning Application Extension Request

Existing OCP Designation: IND - Industrial

Proposed OCP Designation: SC – Service Commercial

Existing Zone: A1 – Agriculture 1

Proposed Zone: C10 – Service Commercial

1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 11246 & Bylaw No. 12247, be extended from May 31, 2017 to May 31, 2019; AND THAT Council waives the requirement for a Development Permit to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11246 & Bylaw No. 12247; AND FURTHER THAT Council direct Staff to not accept any further extension requests.

2.0 Purpose

To extend the deadline for adoption of Rezoning Bylaw No. 11246 and Bylaw No. 11247 to May 31, 2019.

3.0 Community Planning

Development application OCP15-0016, Z15-0053 received Third Reading by Council on May 31, 2016. There are three conditions to be completed by the applicant in order to achieve fourth reading and final adoption from the A1 – Agriculture 1 to the C10 – Service Commercial zone.

Conditions of Final Adoption include:

- Council Consideration of a Form and Character Development Permit for the subject property (recommended to be removed).
- Issuance of an Environmental Development Permit for the subject property.
- Riparian Management Area to be dedicated to the City as protected area.

The subject property is one of the remaining parcels from the development and subdivision of land located between Highway 97 N, Finns Road and Stremel Road. The land is also adjacent to Francis Brook. A Porsche automotive dealership now exists on 888 Finns Road, south of the subject parcel. 820 Finns Road is located between Highway 97 N and Finns Road, and is the subject parcel applying to rezone from the A1 – Agriculture 1 to the CD 10 – Service Commercial zone.

3.1 Status

The applicant has been working with the City of Kelowna Community Planning department, moving forward with the above noted conditions since OCP15-0016, Z15-0053 received third reading on May 31, 2016.

Staff are requesting that the first noted condition of a Form and Character Development Permit be removed. This is due to the applicant proposing to subdivide the subject property into two C10 – Service Commercial zone lots. As such, the two future lots will require a site specific Council approved Development Permit at the time of development for each parcel. If Council waives the Development Permit as a condition of this rezoning application, it does not change the fact that a Council approved Development Permit is required to move forward with any construction on the subject parcel, or any future parcels created through a subdivision.

The applicant is required to work with the Ministry of Forests, Lands and Natural Resource Operations to achieve the condition with regards to dedication of land adjacent and environmental standards adjacent to Francis Brook. The required Environmental Development Permit has been applied for and is in progress with provincial government agencies and City Staff.

The third condition has been satisfied as the Riparian Management Area adjacent to Francis Brook has been dedicated to the City as Park land as required in this rezoning application.

4.0 Proposal

Extension to the expiry date for adoption of rezoning of the subject parcel.

Request that Council also consider postponing the Form and Character Development Permit for each future proposed lot until the time of development application for each future parcel.

Subject Property Map: 820 Finns Road



5.0 Application Chronology

Date of Application Received: September 21, 2015

Date of Third Reading: May 31, 2016

Date of Extension Request Application: April 20, 2018

Report prepared by: Tracey Hillis, Planner

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

None