

REPORT TO COUNCIL



Date: January 11, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TY)

Application: OCP11-0011
Z11-0069
TA11-0010

Owner: PRODEV GP LTD., INC. NO. A87135
1378310 ALBERTA LTD.,
NO. A77231

Address: 2755 McCurdy Road

Applicant: PRODEV GP LTD., INC. NO. A87135
1378310 ALBERTA LTD.,
NO. A77231

Subject: Official Community Plan Amendment, Rezoning & Text Amendment Extension Request

Existing OCP Designation: REP - Resource Protection Area
PARK - Major Park & Open Space (Public)

Proposed OCP Designation: REP - Resource Protection Area
PARK - Major Park & Open Space (Public)
S2RES - Single/Two Unit Residential
MRL - Multiple Unit Residential (Low Density)

Existing Zone: A1 - Agriculture 1

Proposed Zone: A1 - Agriculture 1
P3 - Parks and Open Space
RH3 - Hillside Cluster Housing
RHM4 - Hillside Cluster Multiple Housing

1.0 Recommendation

THAT in accordance with the Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Official Community Plan Amendment Bylaw No. 10875 (OCP11-0011) and Rezoning Bylaw No. 10877 (Z11-0069) be extended from July 29, 2015 to July 29, 2016.

2.0 Purpose

To extend the deadline for adoption of Official Community Plan Bylaw No. 10875 and Rezoning Bylaw No. 10877 to July 29, 2016.

3.0 Community Planning

Section 2.12.1 of Development Application Procedures Bylaw No. 10540 states:

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;
- 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 Development Application Procedures Bylaw makes provision that upon written request by the applicant prior to the lapse of the application, Council may extend the deadline for a period of twelve (12) months by passing a resolution to that effect.

The application is to amend the Official Community Plan, Future Land Use for portions of the property as shown on the attached Map "A" from:

EXISTING	PROPOSED
PARK - Major Park / Open Space (Public)	REP - Resource Protection Area
REP - Resource Protection Area	MRL - Multiple Unit Residential (Low Density)
REP - Resource Protection Area	PARK - Major Park / Open Space (Public)
REP - Resource Protection Area	S2RESH - Single / Two Unit Residential

The application is also to rezone portions of the property as shown on the attached Map "B" from:

EXISTING	PROPOSED
A1 - Agricultural 1	P3 - Parks & Open Space
A1 - Agriculture 1	RH3 - Hillside Cluster Housing
A1 - Agriculture 1	RHM4 - Hillside Cluster Multiple Housing

The OCP Amendment and Rezoning application are to facilitate subdivision of the property for development of 343 residential units in the form of multiple family and single family residential as well as dedication of land to the City of Kelowna for public park space.

Official Community Plan Amendment Bylaw No. 10875 and Rezoning Bylaw No. 10877 received second and third readings on July 29, 2014 following the Public Hearing held on the same date. The property remains under the same ownership. The owners have requested the rezoning application be extended for an additional twelve months to consider the options for the property. Options discussed with staff may be to develop fewer residential units on the property.

4.0 Application Chronology

Date of Application Received:	August 24, 2011
Date of Bylaw Second and Third Reading:	July 29, 2014
Date of Original Bylaw Expiry:	July 29, 2015
Date of Proposed Extension:	July 29, 2016

Report prepared by:

Tracey Yuzik, Planner

Reviewed by:

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Todd Cashin, Suburban and Rural Planning Manager

Approved for Inclusion:

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Ryan Smith, Community Planning Department Manager

Attachments:

Subject Property Map

Map "A" OCP Amendment

Map "B" Proposed Zoning