
CITY OF KELOWNA

MEMORANDUM

Date: January 8, 2009
To: City Manager
From: Community Sustainability Division

APPLICATION NO.: DP06-0092/ DVP06-0093 **OWNER:** 0701849 BC Ltd

AT: 1094 Lawson Ave. **APPLICANT:** Ian Swaisland

PURPOSE: THE APPLICANT IS SEEKING TO RESCIND THE CURRENT DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT TO AUTHORIZE BONDING RELEASE ON THE SUBJECT PROPERTY

EXISTING ZONE: RM4 – Transitional Low Density Housing

REPORT PREPARED BY: Danielle Noble

1.0 RECOMMENDATION

THAT Development Permit No. DP06-0092 for Lot 2, DL 138, Township 26, ODYD, Plan 3809, located on Lawson Avenue, Kelowna, B.C., be rescinded by Council;

AND THAT Development Variance Permit No. DVP06-0093 for Lot 2, DL 138, Township 26, ODYD, Plan 3809, located on Lawson Avenue, Kelowna, B.C., be rescinded by Council;

AND THAT Council authorizes the release of the security deposit related to the issuance of DP06-0092.


2.0 SUMMARY

The applicant is seeking to release all the servicing and landscaping bonding relating to the development project that was to accommodate a 13 unit apartment housing building. Accordingly, it is necessary to rescind the Development Permit and Development Variance Permit in order to release the bonding that is tied to those permits.

3.0 LAND USE MANAGEMENT DEPARTMENT

The Land Use Management Department recognizes that the marketplace is in a unique economic climate at this time, and this may influence the viability of some of the in-stream development projects. Accordingly, it is anticipated that some development projects may not be in a position to proceed forward, regardless of the status of their approvals. Legally, it is a requirement to collect bonding relating to utility servicing and

landscaping to satisfy the complete requirements in order for the Development Permit to be issued. However, as developers contemplate if they can complete on their development proposal, some may choose to delay their project indefinitely until a strong economic market returns. Therefore, it is necessary to rescind the Development Permit and the conditions that bind that permit in order to release the bonding to the applicant. Should the developer choose to proceed with the project in the future, a new application for a Development Permit and/or Variance Permit would be required.



Danielle Noble
Urban Land Use Manager

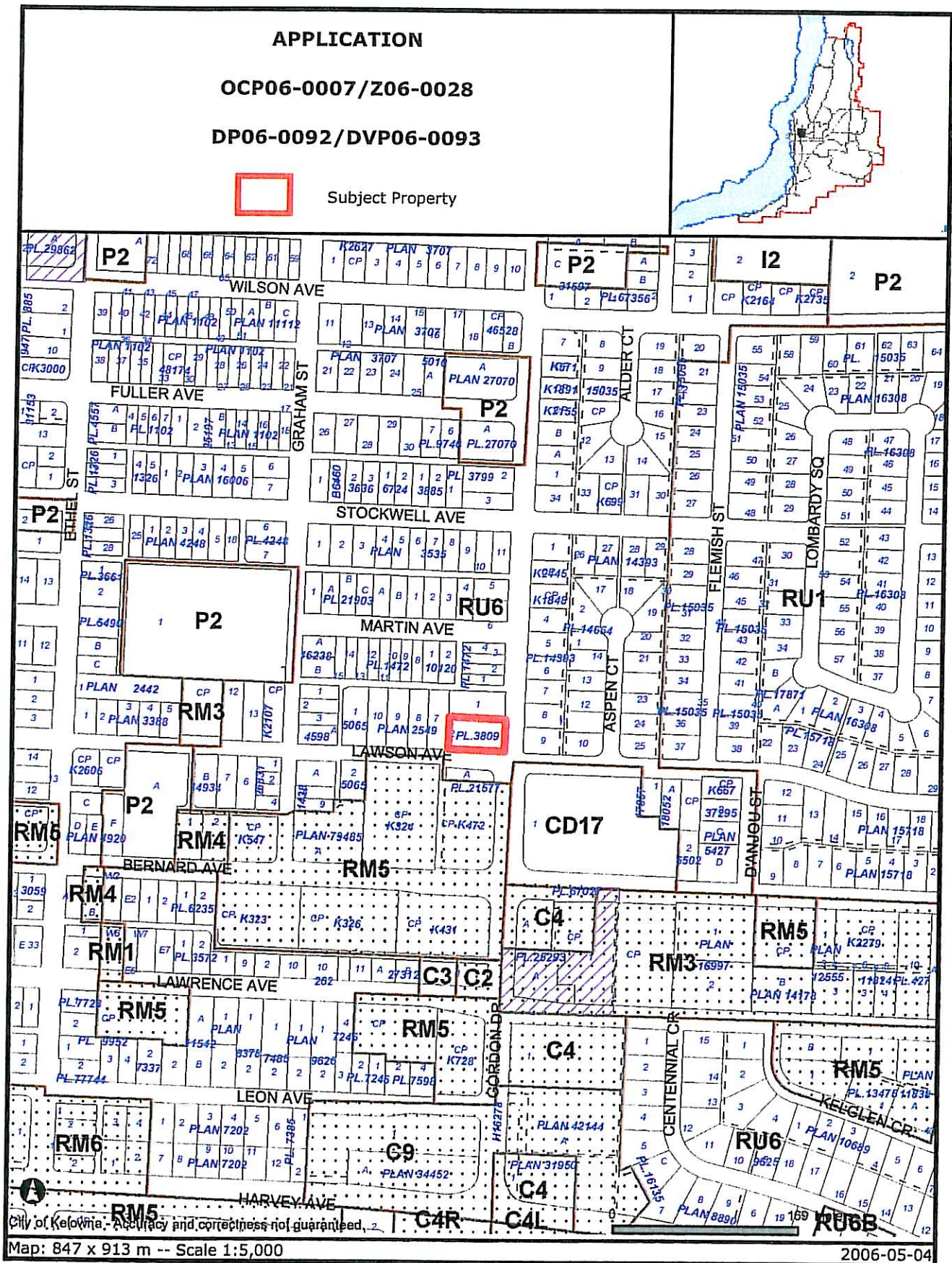
Approved for inclusion

Shelley Gambacort
Director of Land Use Management

DN/SG

Attachments

- Subject Property Map



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.