

Memo



Date: September 13, 2010

To: City Manager

From: Community Sustainability Division

File No.: Z05-0069

Applicant: Judston Wickwire

Owner: Judston and Karen Wickwire

At: 1281 Highway 33 E

Purpose: To rezone the subject property from the A1- Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone.

Existing Zone: A1- Agriculture 1

Proposed Zone: A1s - Agriculture 1 with Secondary Suite

Report Prepared By: Birte Decloux

1.0 RECOMMENDATION

THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No.9536 (Z05-0069 -Judston Wickwire - Highway 33 E) be extended from December 10, 2008 to June 10, 2009;

AND THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No.9536 (Z05-0069 -Judston Wickwire - Highway 33 E) be extended from June 10, 2009 to December 10, 2009;

AND THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No.9536 (Z05-0069 -Judston Wickwire - Highway 33 E) be extended from December 10, 2009 to June 10, 2010;

AND THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of Zone Amending Bylaw No.9536 (Z05-0069 -Judston Wickwire - Highway 33 E) be extended from June 10, 2010 to December 10, 2010.

2.0 SUMMARY

The above noted development application was originally considered at a Public Hearing by Council on January 10, 2006.

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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.

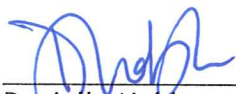
Section 2.10.2 of the Procedure Bylaw makes provision for Council to consider an extension to an amending bylaw for up to 6 months beyond the 12 months deadline as stated in Section 2.10.1.

By-Law No. 9536 received second and third readings on January 10, 2006, after the Public Hearing held on the same date.

The applicant has recently fulfilled all the required recommendations, however prior to final adoption the application must be current, thus four (4) extensions until December 2010 are sought.

Final adoption of the bylaw had been delayed while the applicant negotiated an agreeable settlement with the Ministry of Transportation. This is now complete and sign off by the Ministry of Transportation has been received. The project remains unchanged and is the same in all respects as originally applied for.

The original application sought to rezone the subject property to allow for the construction of a secondary suite in an accessory building. The proposed accessory structure meets all the development regulations of the A1(s) zone.



Danielle Noble
Urban Land Use Manager

Approved for inclusion:



Shelley Gambacort
Director, Land Use Management

Attachments:
Subject Property Map
Site Plan

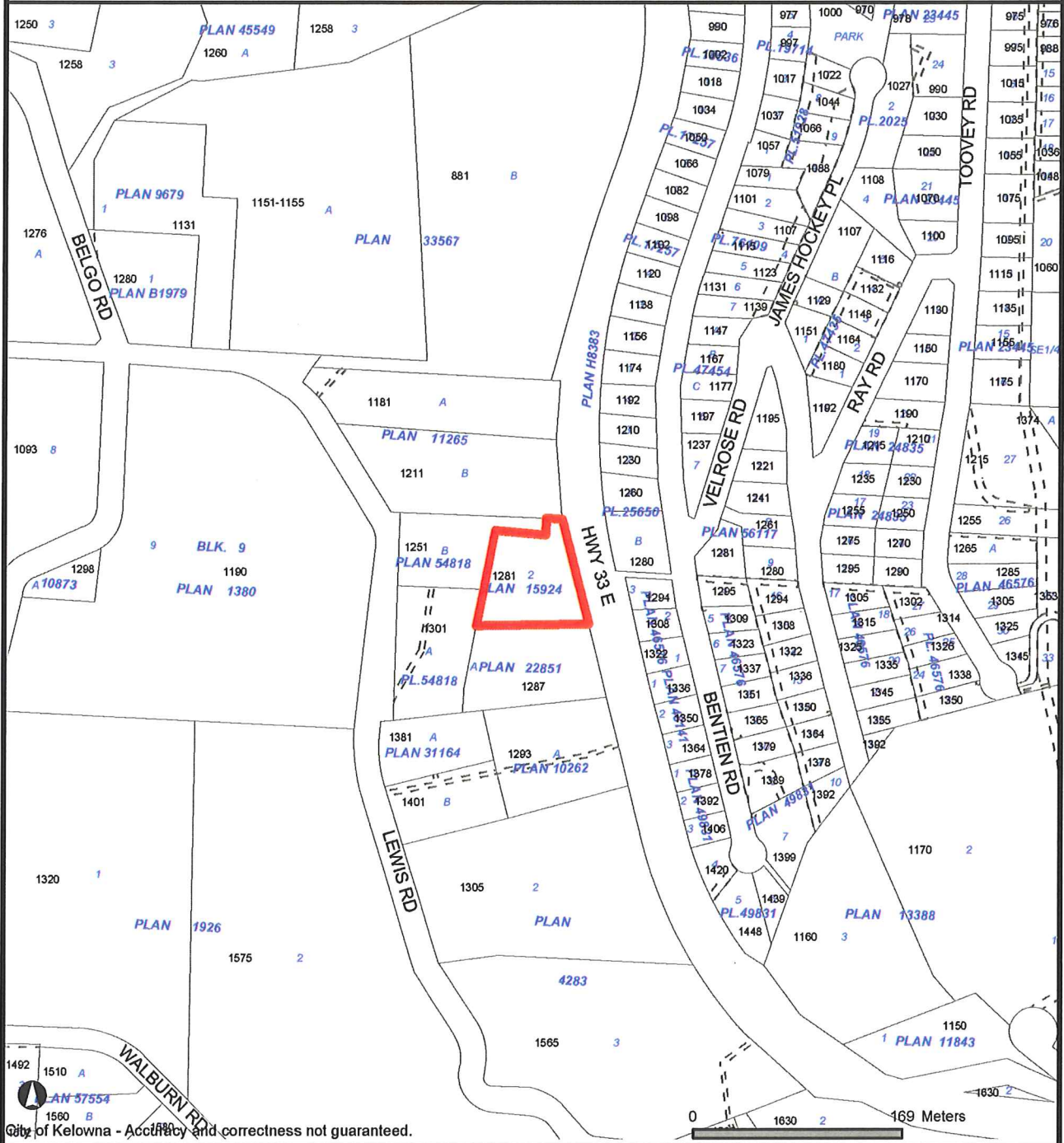
Date Application Accepted from applicant: October 18, 2005
Ministry of Transportation sign off: September 2, 2010

Application

Z05-0069

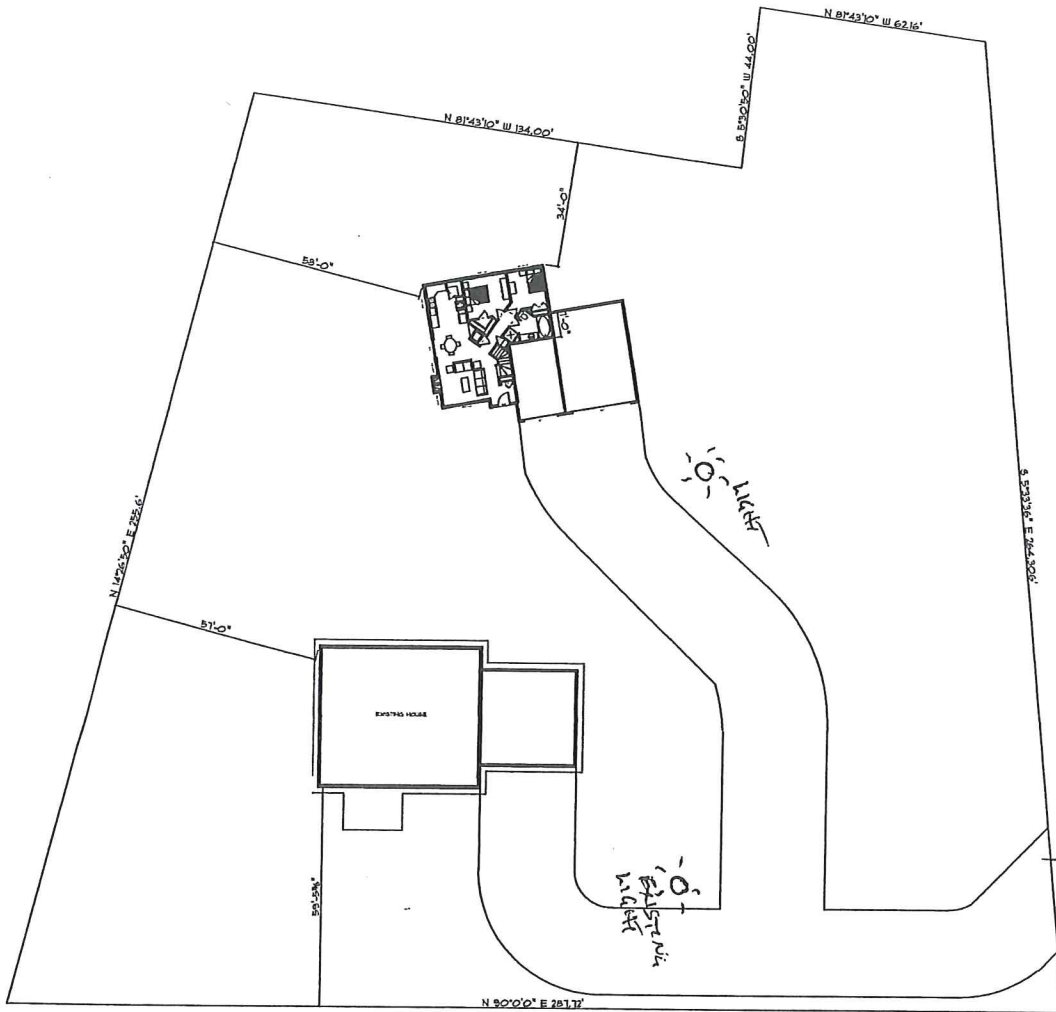


Subject Property

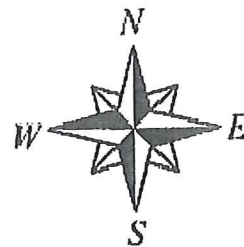


City of Kelowna - Accuracy and correctness not guaranteed.

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.



PROPOSED SITEPLAN
 SCALE: 1/32" = 1'-0"



1281 Hwy 33 East

PID: 008-741-913 Lot 2 Section 13 Township 26
)SYD Plan 15924 Except Plans 22851 and H8383