

Memo



Date: September 30, 2010

To: City Manager

From: Land Use Management, Community Sustainability

Application: Z05-0069

Owner: Judston Wickwire

Address: 1281 Highway 33 E

Applicant: Judston and Karen Wickwire

Subject: Rescind Zone Amending Condition

Existing OCP Designation: Agriculture/ Rural

Existing Zone: A1- Agriculture 1

Proposed Zone: : A1s - Agriculture 1 with Secondary Suite

1.0 Recommendation

THAT Council rescind the requirement necessitating registration of a restrictive covenant to prohibit the creation of additional dwellings on the subject property prior to final adoption of the zone amending bylaw;

AND THAT final adoption of the Zone Amending Bylaw No. 9536 be considered by Council.

2.0 Purpose

To rescind a Council endorsed recommendation that back dates to 2005 in order to allow final adoption of the zone amending bylaw.

3.0 Land Use Management

Initial consideration of rezoning application No. Z05-0069 was considered by Council during the December 12, 2005 Regular Meeting, at which time it had been recommended that a restrictive covenant prohibiting additional dwellings on the subject property be required. This was a result of concerns that the basement would also be converted to a suite. The application to rezone the subject property received second and third readings on January 10, 2006 after the Public Hearing held on the same date.

The proposed A1s zoning restricts the number of units permitted on the site to one single family dwelling and one secondary suite and any additional dwellings would be illegal. In light of the volume of secondary suite applications that are currently processed, the requirement to register a restrictive covenant seems redundant and inconsistent with application processes of the current day.

A handwritten signature in black ink, appearing to be "J. Wickwire", with a small number "1" written below it.

4.0 Proposal

Site Context: 1281 Highway 33 E



Project Description:

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.

5.0 Current Development Policies - N/A

6.0 Technical Comments - N/A

7.0 Application Chronology

Date of Application Received: October 18, 2005

Advisory Planning Commission N/A

Ministry of Transportation Sign off: September 2, 2010

Extension Report: September 28, 2010

Report prepared by:

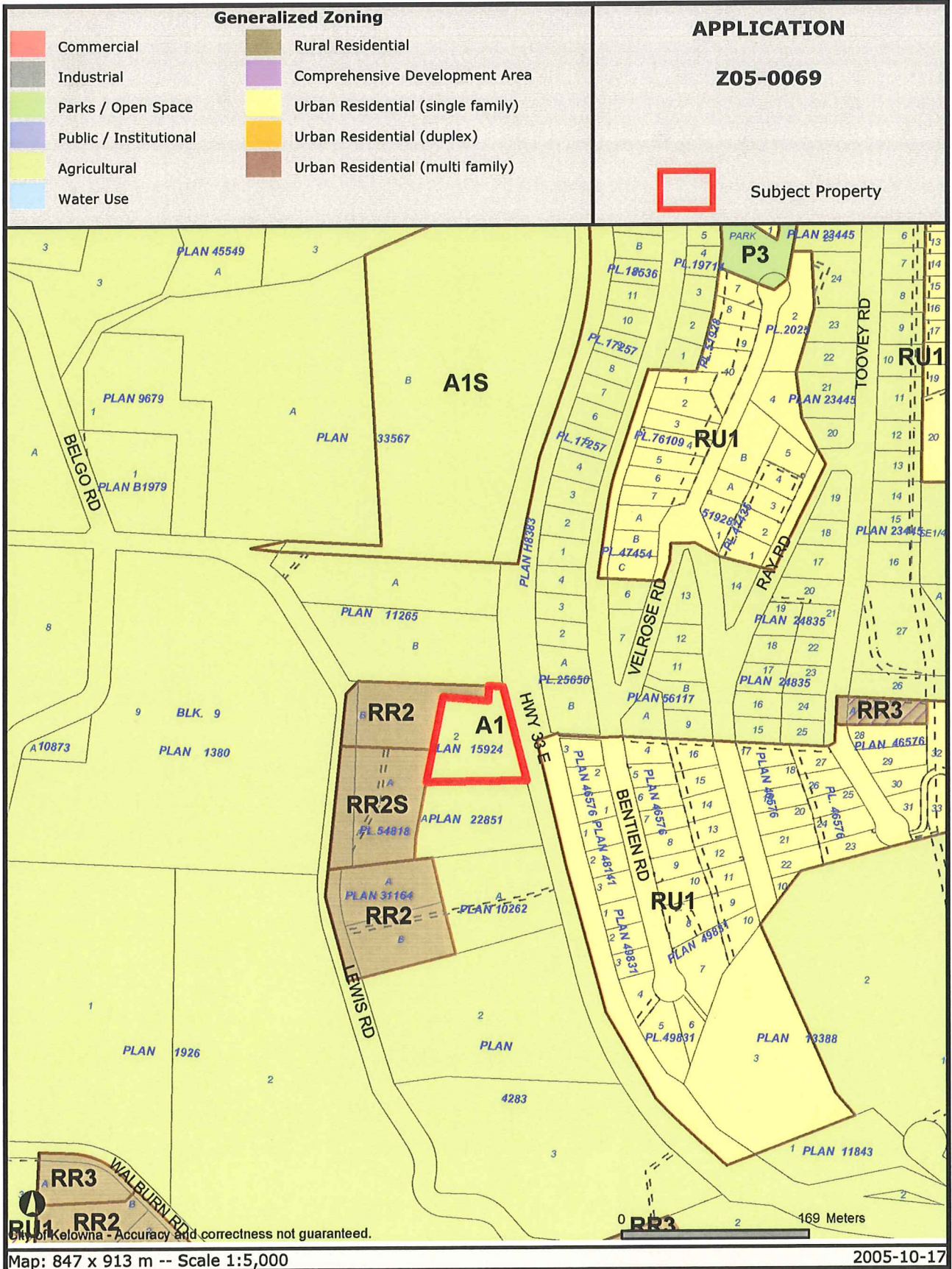
Birte Decloux, Urban Land Use Planner

Reviewed by:  Danielle Noble Manager, Urban Land Use Management

Approved for inclusion:  Shelley Gambacort Director, Land Use Management

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.