

REPORT TO COUNCIL



Date: January 12, 2012
To: City Manager
From: Land Use Management, Community Sustainability (GS)
Application: Z09-0077 **Owner:** Rex Jardine
Address: 4064 Lakeshore Road **Applicant:** Rex Jardine/
Jardine Investments Inc.
Subject: Rezoning Extension
Existing Zone: RU1-Large Lot Housing
Proposed Zone: RU2 - Medium Lot Housing

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10306 (Z09-0077), for Lot 1, Section 1, Township 25 and Section 6, Township 26, ODYD Plan KAP89719, located at 4064 Lakeshore Road, Kelowna, BC be extended from June 15, 2011 to December 15, 2011;

AND THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10306 (Z09-0077), for Lot 1, Section 1, Township 25 and Section 6, Township 26, ODYD Plan KAP89719, located at 4064 Lakeshore Road, Kelowna, BC be extended from December 15, 2011 to June 15, 2012.

1.0 Land Use Management

The above noted development application was originally considered at a Public Hearing by Council on June 15, 2010.

The applicant proposes to rezone the subject property to RU2 - Medium Lot Housing from RU1 - Large Lot Housing in order to facilitate a two lot subdivision. The rezoning and subdivision would allow for the establishment of two dwellings on the proposed lakefront properties where there is currently one. The existing dwelling will be demolished to facilitate the subdivision.

Section 2.12.1 of Procedure Bylaw No. 10540 states that:

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;

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- 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 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.


By-Law No.10306 received second and third readings on **June 15, 2010** after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional six months in order to secure the financing costs to meet site servicing requirements. This project remains unchanged and is the same in all respects as originally applied for.

The Land Use Management Department recommends Council consider the request for an extension favourably.

Report prepared by:

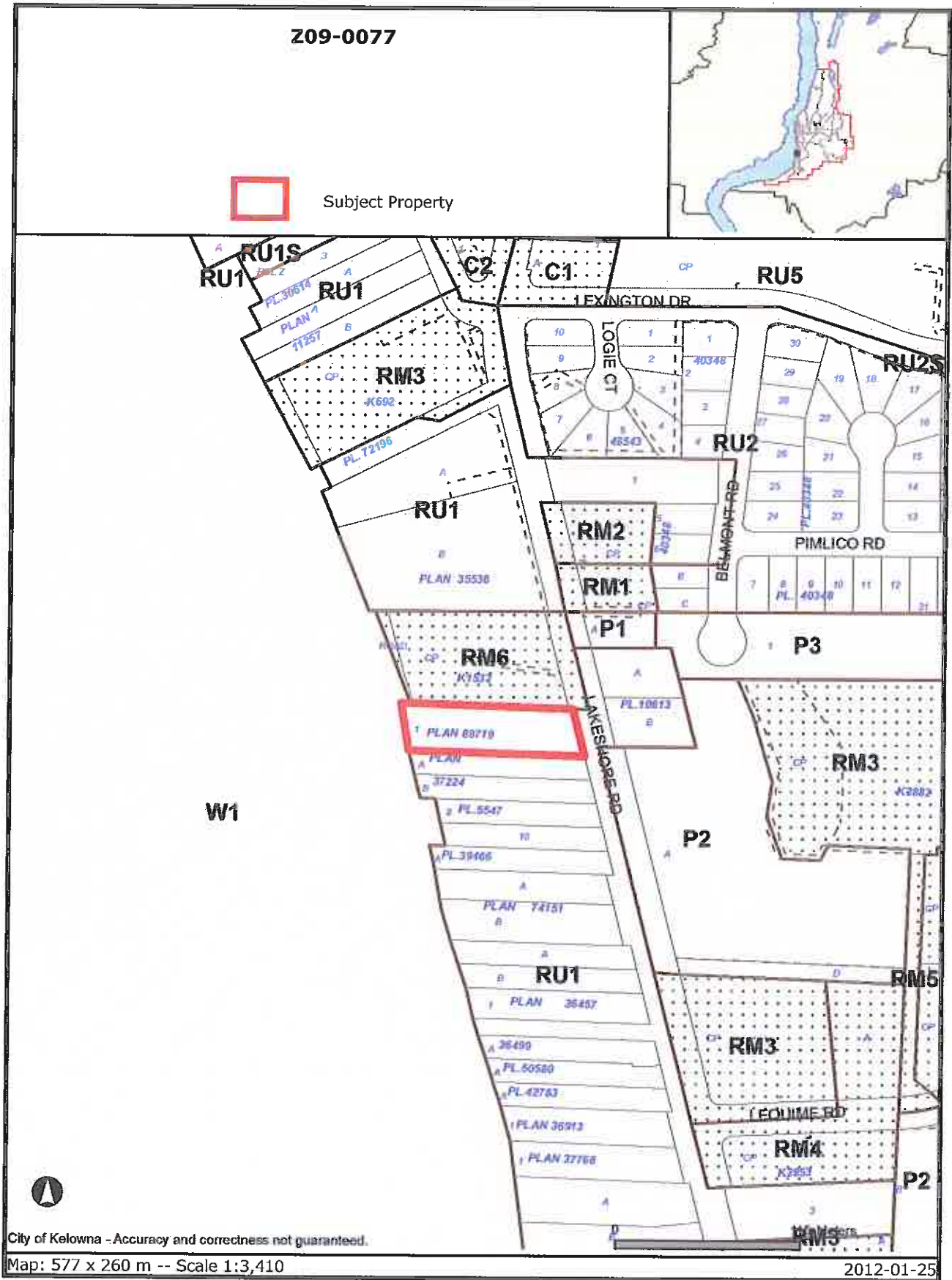


Greg Sauer, Land Use Planner

Reviewed by:  Danielle Noble, Manager, Urban Land Use Management

Approved for Inclusion:  Shelley Gambacort, Director, Land Use Management

hb



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.