

REPORT TO COUNCIL



Date: February 22, 2012
To: City Manager
From: Land Use Management, Community Sustainability (PMc)
Application: Z10-0043 **Owner:** Simon Wiencki
Address: 2839 Helmcken Road **Applicant:** Simon Wiencki
Subject: Reconsideration of Rescindment of Rezoning Bylaw at 1st, 2nd, & 3rd Readings
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU1s- Large Lot Housing with secondary suite zone

1.0 Recommendation

THAT Council receives, for information, the Report from the Land Use Management branch dated February 22, 2012;

AND THAT Council reconsiders the rescindment of Bylaw No. 10370.

2.0 Purpose

The applicant has requested reconsideration of the rescindment of zone amending Bylaw No. 10370 and that the rezoning file remains open.

3.0 Land Use Management

At the regular Council meeting of February 6, 2012, the above noted file and the associated zone amending bylaw No. 10370 were rescinded and the application file closed.

Subsequently, on February 7, 2012, the applicant contacted the Land Use Management Department after he was contacted by the Bylaw Enforcement Officer that investigated the unauthorized suite on the subject property, and requested that the application remain open.

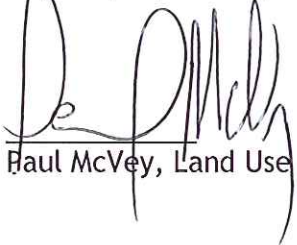
The outstanding condition for final adoption of the rezoning was application for a Building Permit for the suite. The applicant has provided a written request to reconsider the rescindment, and has made a Building Permit application (BP 43745) for the suite on February 15, 2012. Accordingly, staff acknowledges that the Building Permit application demonstrates good faith in proceeding to achieve final adoption, and the legalization of the suite is the preferred course of action.

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4.0 Application Chronology

Date of Application Received:	May 17, 2010
Public Hearing;	July 27, 2010
Registered letter sent;	June 9, 2011
Phone conversation;	June 14, 2011
Phone call, No Answer, no message;	July 19, 2011
Phone call, No Answer, no message;	January 19, 2012
Rescindment Consideration;	February 6, 2012
Phone conversation with applicant;	February 7, 2012
Building Permit application	February 15, 2012

Report prepared by:



Paul McVey, Land Use Planner

Reviewed by:

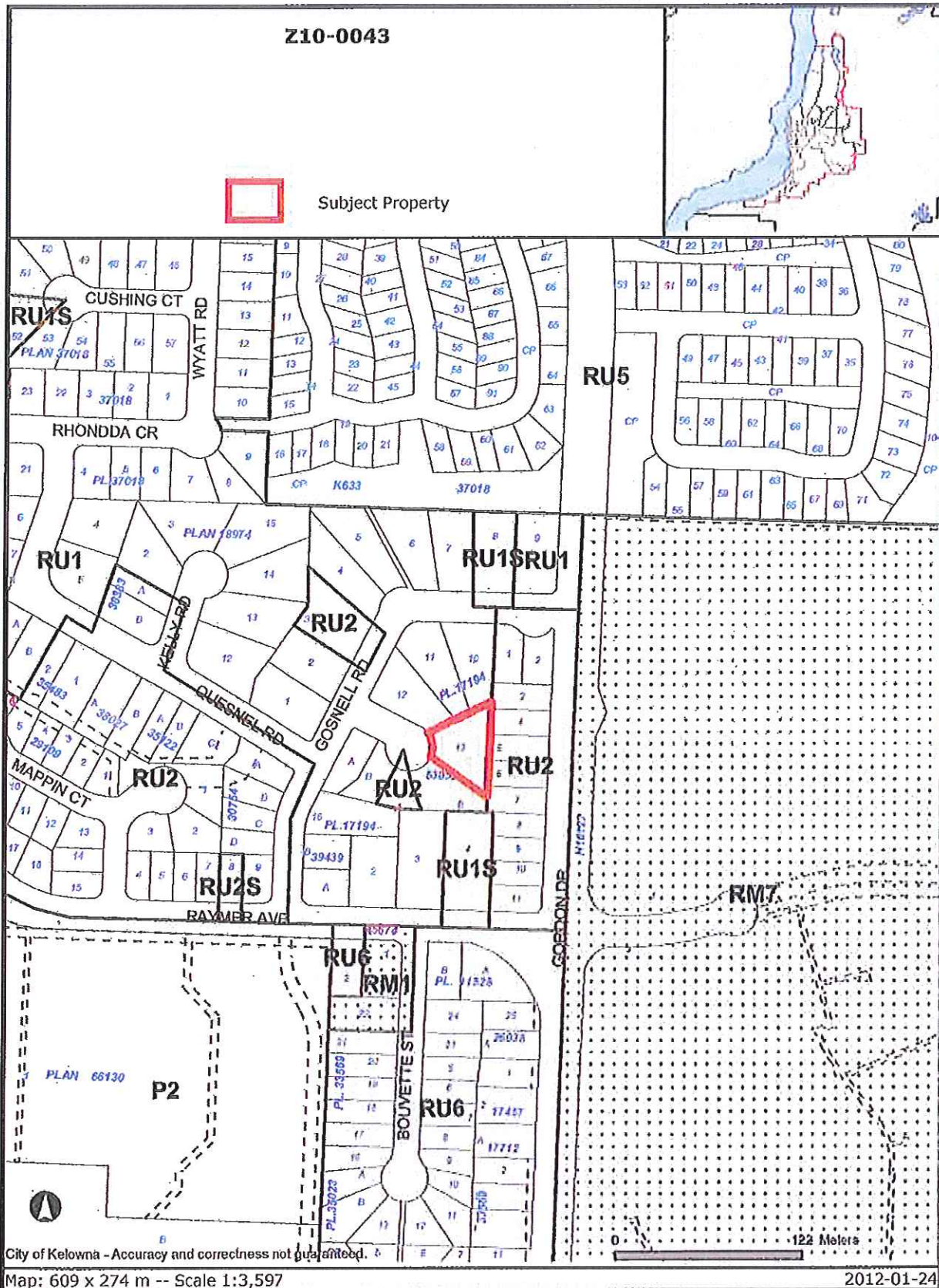


Danielle Noble Manager, Manager, Urban Land Use

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management



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.