

REPORT TO COUNCIL



Date: April 23, 2012

To: City Manager

From: Land Use Management, Community Sustainability (AW)

Application: OCP08-0027 / Z08-0104 **Owner(s):** 0823250 B.C. LTD., INC. NO. BC0823250

Address: 695 Webster Road **Applicant:** Architecturally Distinct Solutions (M. Johnston)

Existing OCP Designation: Single/Two Unit Residential

Proposed OCP Designation: Multiple Unit Residential - Low Density

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RM3 Low Density Multiple Housing

1.0 RECOMMENDATION:

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of the OCP and zone Amending Bylaw No's. 10161 (OCP08-0027) and 10162 (Z08-0104), Block 35 Section 26 Township 26 ODYD Plan 264 Except: (1) Plans B991, B4202 and B4348 (2) Parcel A on Plan CG 157, located at 695 Webster Road, Kelowna, B.C. be extended from April 7, 2012 to October 7, 2012.

2.0 LAND USE MANAGEMENT:

The applicant wishes to rezone the subject property from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone to allow a basement suite to be constructed within the existing dwelling.

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;
- b) Any bylaw that has not received final adoption will be of no force and effect;

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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's. 10161 and 10162 received second and third readings on April 7, 2009 after the Public Hearing held on the same date.

On March 28, 2011 an extension report was submitted to Council noting that staff would support an extension until April 7, 2012 and that staff would not support any further extensions for this project.

However, since then, the applicant has submitted a Development Permit amendment and plans to continue moving the project through the approval process. Therefore, the Land Use Management Department recommends Council consider the request for an extension favourably.

Report prepared by:


Alec Warrender, Land Use Planner

Reviewed by:



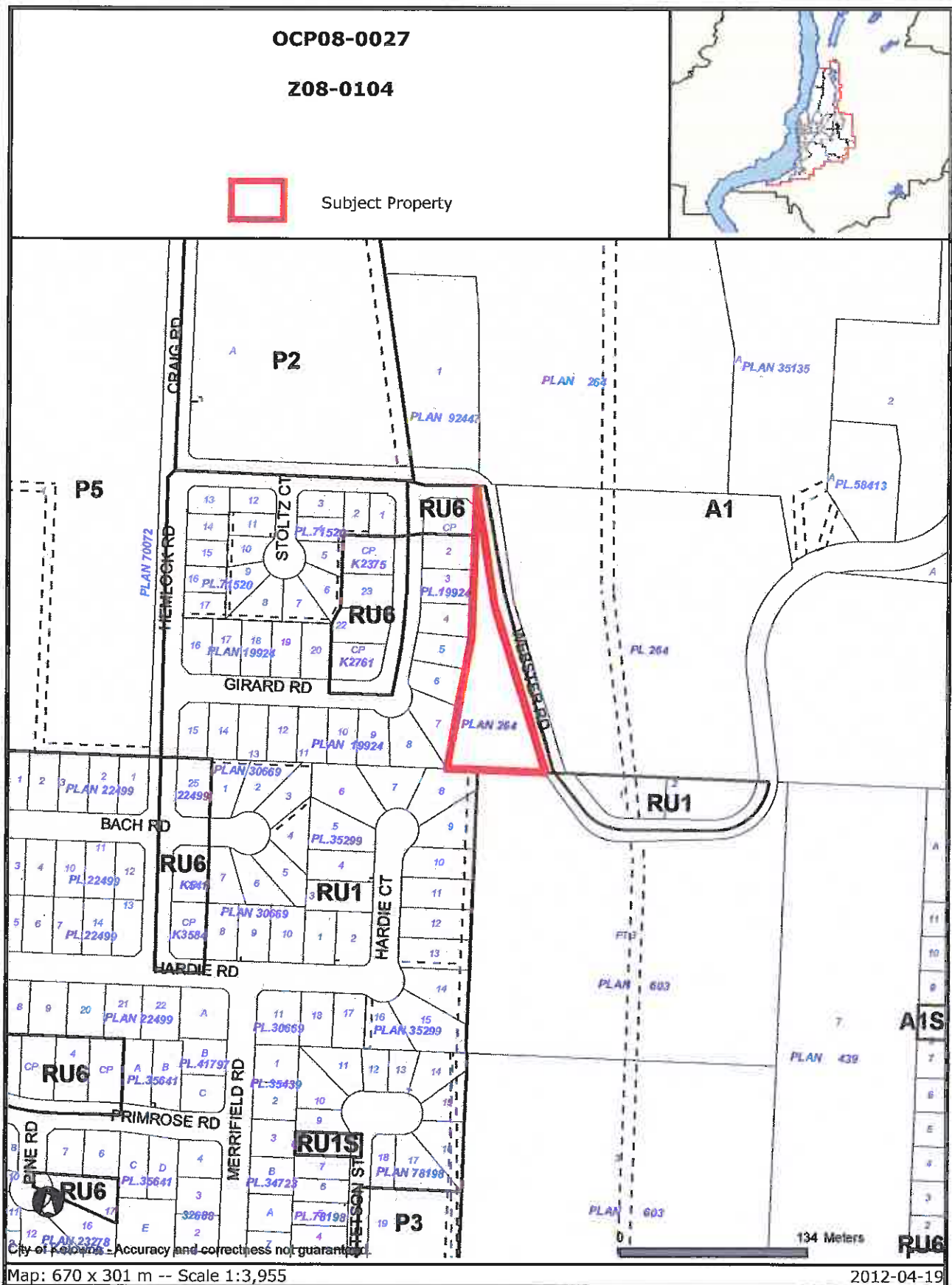
Danielle Noble Manager, Urban Land Use Management

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.