

REPORT TO COUNCIL



Date: April 19, 2012
To: City Manager
From: Land Use Management, Community Sustainability (PMc)
Application: Z10-0102
Owner: Kulwinder Singh Dhani & Mandeep Kaur Dhani
Address: 1451 Montenegro Dr.
Applicant: Kulwinder Singh Dhani
Subject: Rezoning Application
Existing Zone: RU1h - Large Lot Housing (Hillside Area)
Proposed Zone: RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10511 Lot 20, Section 13, Township 26, O.D.Y.D., Plan KAP84278, located on Montenegro Drive, Kelowna, BC be extended from April 19, 2012 to October 19, 2012.

1.0 Land Use Management

The above noted development application was originally considered at a Public Hearing by Council on April 19, 2011.

This application is seeking to rezone the subject property from the RU1h- Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with a secondary suite zone in order to legalize an existing secondary suite located within the basement of the single family 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:

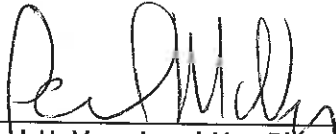
- a) The application will be deemed to be abandoned and the applicant will be notified in writing that the file will be closed;
- b) Any bylaw that has not received final adoption will be of no force and effect;
- c) In the case of an amendment application, the City Clerk will place on the agenda of 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. 10511 received second and third readings on April 19, 2011 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 finalize the building permit for the suite. 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:



Paul McVey, Land Use Planner

Reviewed by:



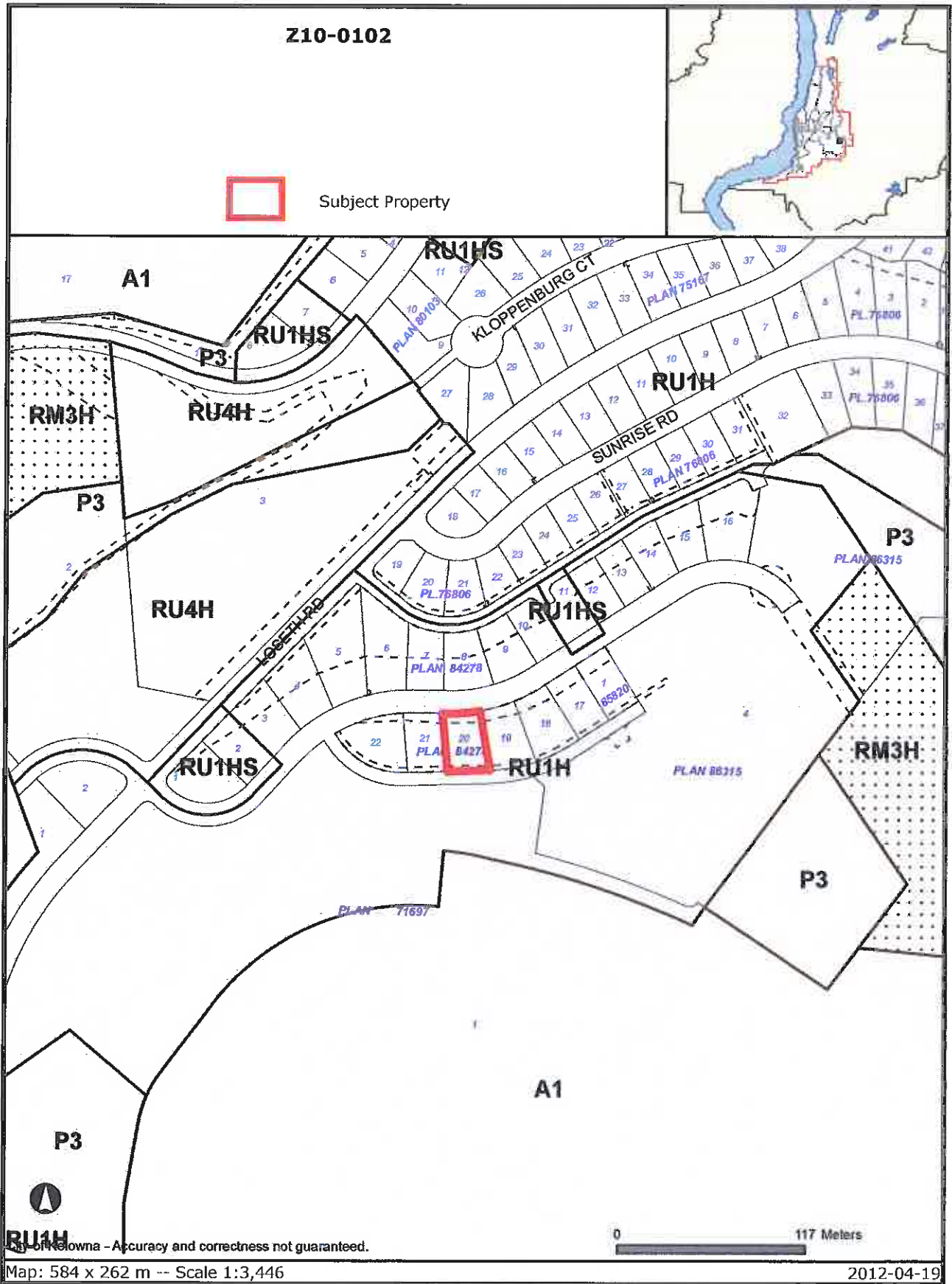
Danielle Noble, Manager, Urban Land Use Management

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.