

# REPORT TO COUNCIL



**Date:** April 19, 2012

**To:** City Manager

**From:** Land Use Management, Community Sustainability (BD)

**Application:** Z11-0014                                      **Owner:** Smartplans Ltd.

**Address:** 477 Swan Drive                                **Applicant:** Smartplans Ltd.

**Subject:** Rezoning application

**Existing OCP Designation:** Single / Two Unit Residential

**Existing Zone:** RU1h - Large Lot Housing (Hillside Area)

**Proposed Zone:** RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite

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THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10524 Lot 6 Section 24, Township 28, SDYD, Plan KAP88425, located at 477 Swan Drive, Kelowna, BC be extended from March 7, 2012 to September 7, 2012.

## **1.0 Land Use Management**

The above noted development application was originally considered at a Public Hearing by Council on May 3, 2011.

The applicant is proposing to rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite zone in order to facilitate the construction of a new dwelling complete with secondary suite.

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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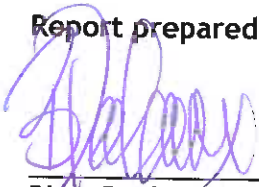
c) In the case of an amendment application, the City Clerk will place on the agenda of a meeting of Council a motion to rescind all readings of the bylaw associated with that Amendment application.

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.10524 received second and third readings on May 3, 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 secure a purchaser for the dwelling. 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:



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Birte Decloux, Land Use Planner

Reviewed by:



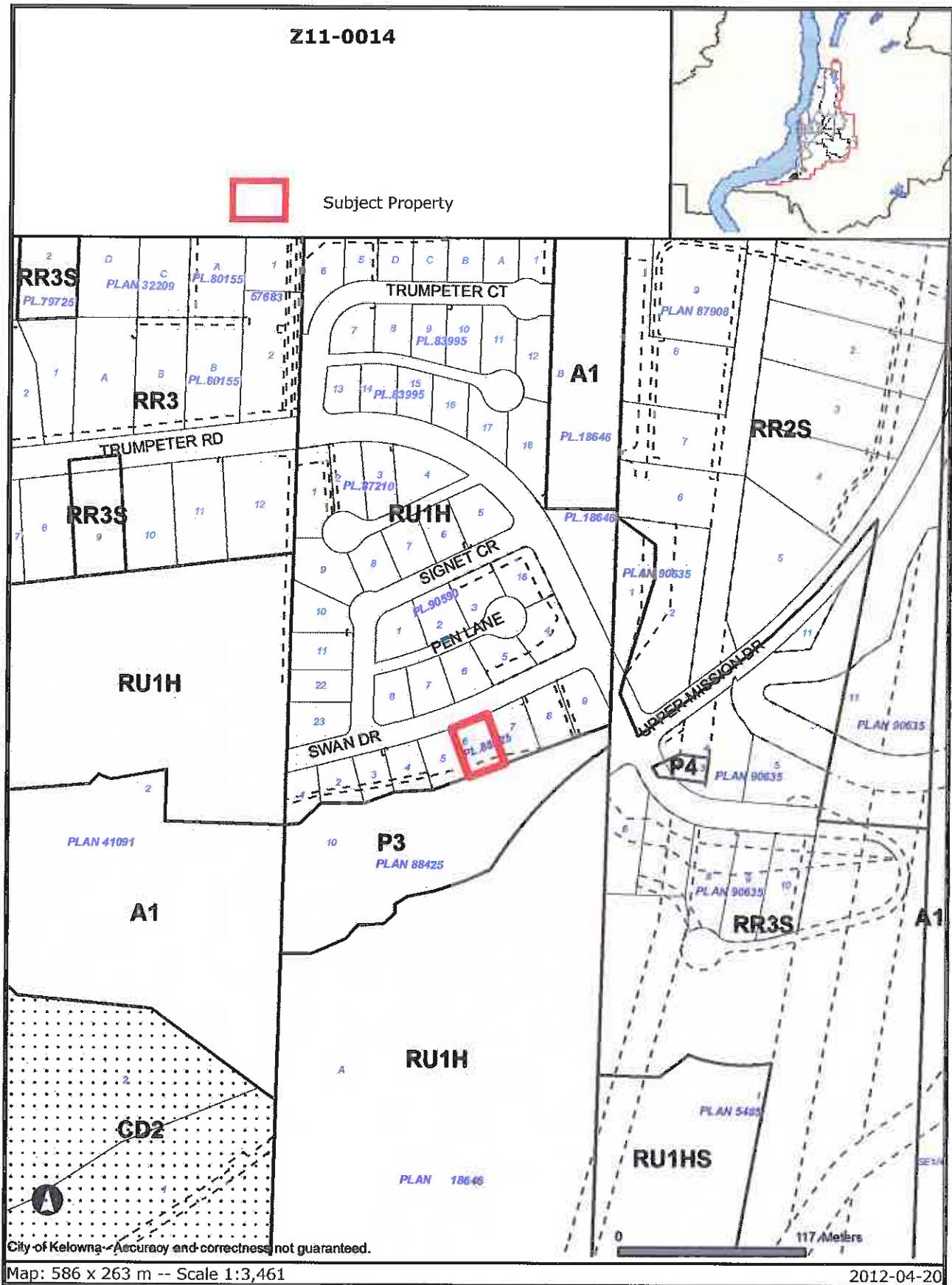
Danielle Noble, Manager, Urban Land Use Management

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

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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.