

REPORT TO COUNCIL



Date: June 5, 2012
To: City Manager
From: Land Use Management, Community Sustainability (PMc)
Application: OCP07-0022 / Z07-0073 **Owner:** Al Stober Construction Ltd.
Address: 477 Osprey Avenue & 2728 Pandosy Street **Applicant:** Meiklejohn Architects Inc.
Subject: Rezoning Extension
Existing Zone: P2 - Education and Minor Institutional
Proposed Zone: C4 - Urban Centre Commercial

1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540 the deadline for the adoption of Official Community Plan Amending Bylaw No. 10265 and Zone Amending Bylaw No. 10266, for Lot 1, D.L. 14, ODYD, Plan 4280 located on 477 Osprey Avenue, Kelowna, BC, be extended from June 15, 2012 to December 15, 2012.

2.0 Purpose

The applicant is seeking to rezone the subject property to the C4 - Urban Centre Commercial zone in order that the subject property can be consolidated with the adjacent property to the east (Lot A, D.L. 14, O.D.Y.D., Plan 27700, except Plan KAP60318). As the subject property is currently designated as a "Multiple Unit Residential - Medium Density" future land use, it has been necessary for an OCP Amendment application to change the future land use designation of the subject property from the current "Multiple Unit Residential - Medium Density" designation to the proposed "Commercial" designation.

3.0 Land Use Management

The above noted development applications were originally considered at a Public Hearing by Council on December 15, 2009.

The applicant is proposing to develop the consolidated site with a seven storey, mixed-use development consisting of grade level retail, five storeys of office uses, and one storey of apartment housing.

A handwritten signature in black ink, located in the bottom right corner of the page.

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.

OCP By-Law No. 10265 and Rezoning Bylaw 10266, received second and third readings on December 15, 2009 after the Public Hearing held on the same date.

The applicant wishes to have this application remain open in order to provide more time to resolve the outstanding servicing issues which they have been working on to date.

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

Report prepared by:

Paul McVey, Urban Land Use Planner

Approved for Inclusion:



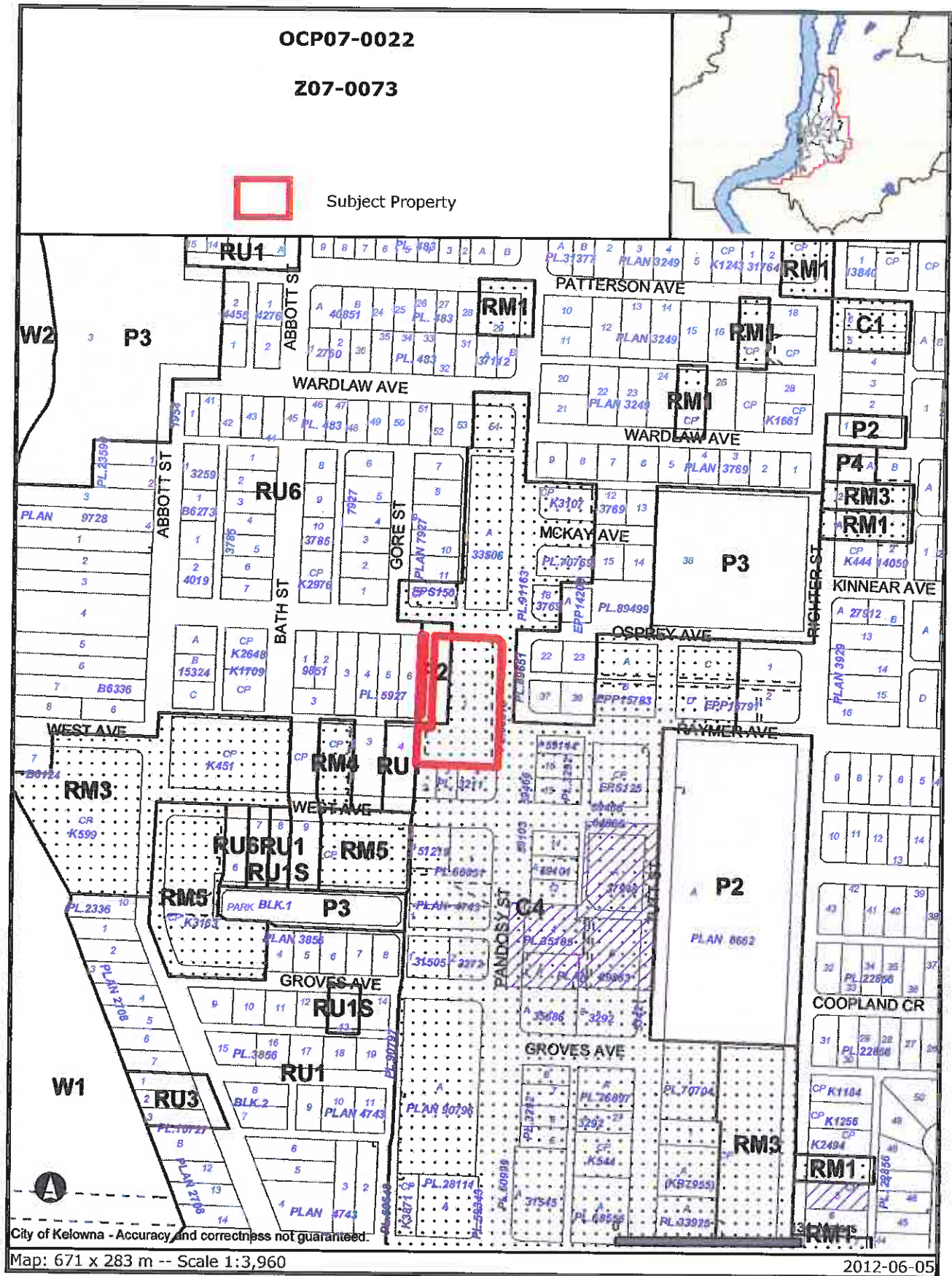
Danielle Noble, Manager, Land Use Management

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.