

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. 10105 received second and third readings on November 25, 2008, after the Public Hearing held on the same date.

The Land Use Management Department noted in their extension report dated September 30, 2011, that considering the length of time that has lapsed with no formal activity to advance this project, no further support for extensions would be granted. Notably, this application has received numerous extensions as follows:

1. November 25, 2009 to May 25, 2010
2. May 25, 2010 to November 25, 2010
3. November 25, 2010 to May 25, 2011
4. May 25, 2011 to November 25, 2011
5. November 25, 2011 to May 25, 2012

Since the time of the original application, the 2030 OCP has been adopted providing a higher degree of guidance on the urban design criteria. Additionally, the infrastructure servicing, parks and environmental department requirements of the time are outdated and would need to be reviewed for the project to proceed. Significantly, to advance to final adoption the applicant must provide a building design signed by a registered architect for the Development Permit. Given these outstanding requirements, it does not appear that the client will be in a position to complete all requirements within a six months time frame that an extension would afford.

At the regular Council meeting of January 9, 2012, Council granted a final 6 month extension provided that the applicant worked with Staff to meet the outstanding requirements. To date, this has not been accomplished. Since this time the applicant has moved offices and all attempts by Staff to contact the application were unsuccessful. Staff, in good faith, are recommending that one more extension be granted.

Report prepared by:



Birte Decloux, Land Use Planner

Reviewed by:



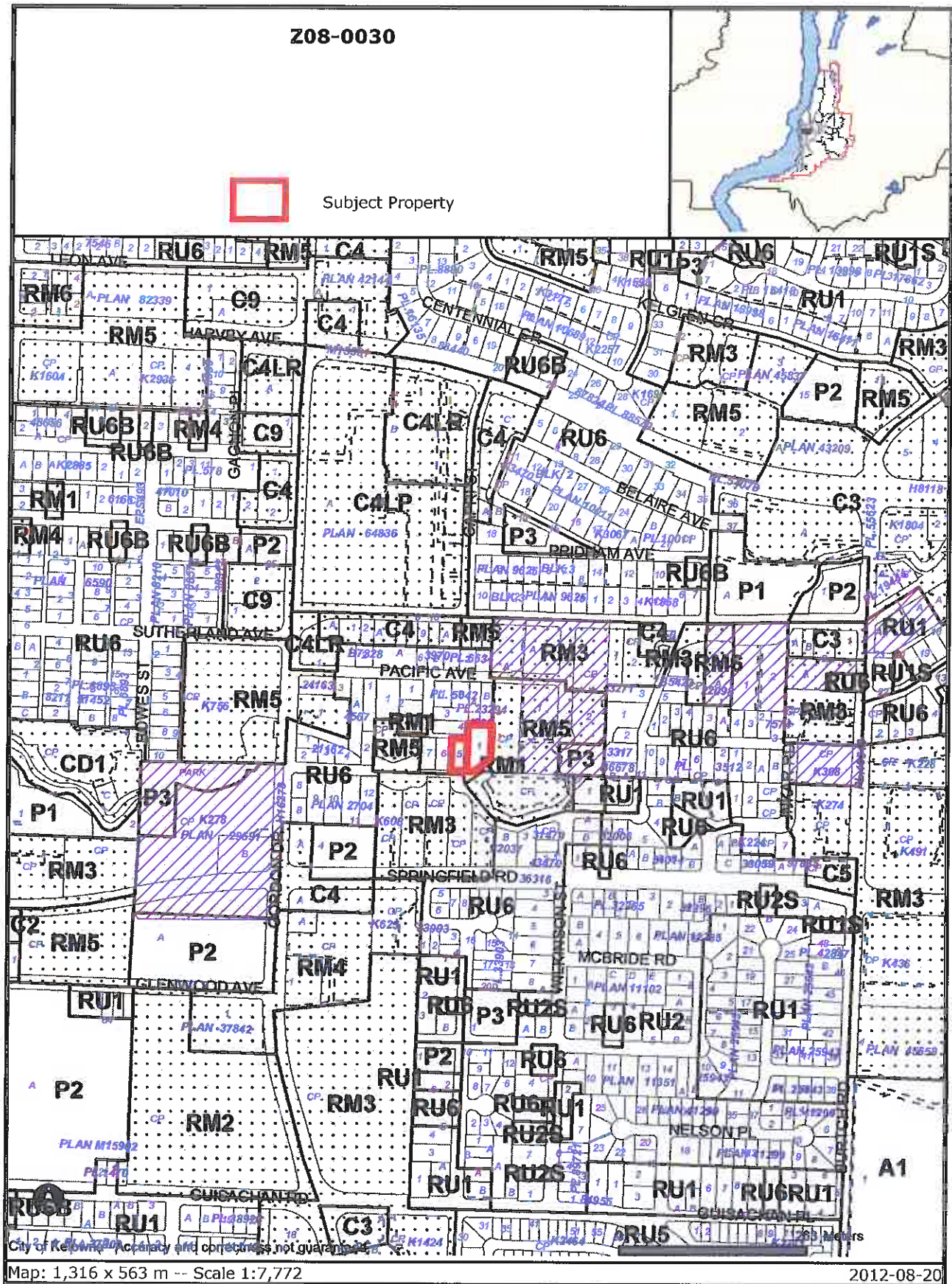
Danielle Noble, Manager, Urban Land Use Management

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

BD/th



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.