

REPORT TO COUNCIL



Date: September 20, 2012
To: City Manager
From: Land Use Management, Community Sustainability (AW)
Application: Z10-0104 **Owners:** Eric & Margaret Nickel
Address: 1205, 1215, 1223, 1229 Richter St **Applicant:** Garry Tomporowski Arch.
Subject: Rezoning Extension
Existing OCP Designation: Multiple Unit Residential (Medium Density)
Existing Zone: RU6 - Two Dwelling Housing
Proposed Zone: RM5 - Medium Density Multiple Housing

1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Amending Bylaw No. 10544 (Z10-0104), Lots 10-13 District Lot 138 ODYD Plan 1039, located on Richter Street, Kelowna, BC, be extended from September 7, 2012 to March 7, 2013.

2.0 Purpose

The applicant is proposing to extend the bylaw to rezone the subject properties from the RU6 - Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone in order to facilitate a 26-unit apartment building. A Development Permit for the form and character of the proposed development and a Development Variance Permit will be considered by Council at a later date.

3.0 Land Use Management

The above noted development application was originally considered at a Public Hearing by Council on June 14, 2011.

The applicant is proposing to rezone the subject properties from the RU6 - Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone in order to facilitate a 26-unit apartment building.

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. 10544 received second and third readings on June 1, 2011 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional six months to address the outstanding conditions of final adoption. 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:

Alec Warrender, Land Use Planner

Reviewed by:



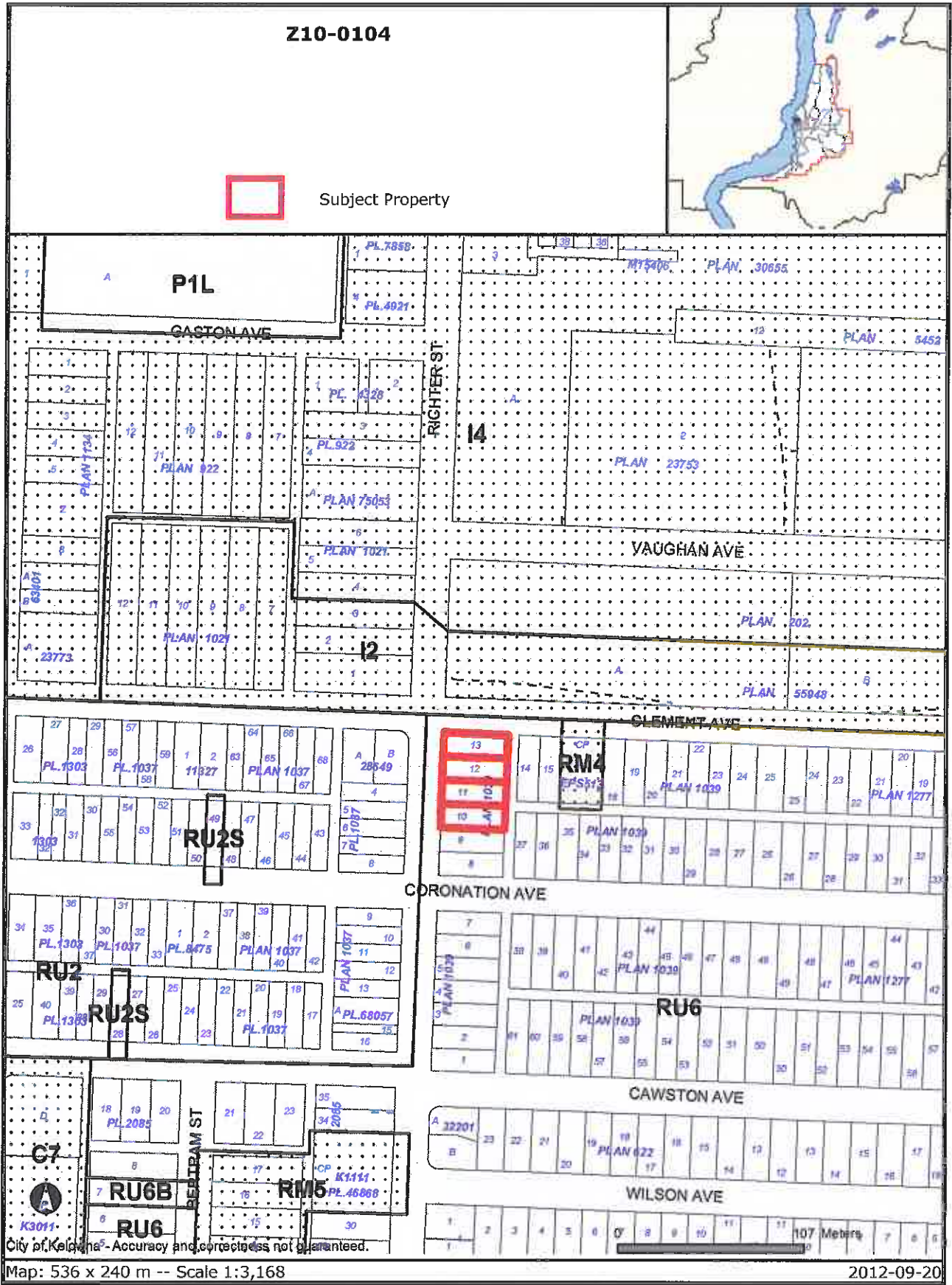
Danielle Noble, Manager, Urban Land Use Management

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.