

# Report to Council



**Date:** January 11, 2021  
**To:** Council  
**From:** City Manager  
**Subject:** Repeal Housing Agreement for 1094 Lawson Avenue  
**Department:** Development Planning

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## **Recommendation:**

THAT Council receives, for information, the report from the Development Planning Department dated January 11, 2021, with respect to the Housing Agreement for 1094 Lawson Avenue;

AND THAT Council consider a Bylaw that would authorize the City of Kelowna to repeal Housing Agreement Authorization Bylaw No. 9713 being Housing Agreement Authorization Bylaw – 0701849 BC Ltd. – (Herman Planning Group Inc.) 1094 Lawson Avenue, and all amendments there to, for Lot A District Lot 138 ODYD Plan EPP95336, located at 1094 Lawson Avenue, Kelowna, BC;

AND FURTHER THAT Bylaw No. 12131 being Repeal Housing Agreement Authorization Bylaw No. 9713 be forwarded for reading consideration.

## **Purpose:**

To repeal the Housing Agreement Authorization Bylaw No. 9713 for the subject property.

## **Background:**

In 2007 a Housing Agreement was signed between the City of Kelowna and the former owner of 1094 Lawson Ave. The Housing Agreement was signed in conjunction with rezoning the lot to RM4 – Transitional Low Density Housing and stipulates that a maximum of 13 units will be allowed on the lot, and that 2 of these units must be Affordable Ownership Dwelling Units, as defined by the City. The Housing Agreement was registered on Title as a Covenant (LB121610). A Development Permit for the proposed development was eventually issued (DPO6-0092); however, the former owner of the property did not proceed with the proposal and the development permit lapsed.

## **Discussion:**

The ownership of the lot has now changed hands, and the current owner has applied to proceed with a development separate from that permitted under the Housing Agreement. The lot has also been consolidated with the lot to the north for the purpose of facilitating this development. A Development Permit and Development Variance Permit is scheduled to be considered by Council on January 19, 2020. It is now requested that the Housing Agreement be repealed.

**Considerations not applicable to this report:**

Legal/Statutory Authority

Legal/Statutory Procedural Requirements

Existing Policy

Financial/Budgetary Considerations

External Agency/Public Comments

**Submitted by:** A.D. Thibeault, Planner II

**Approved for inclusion:** T. Barton, Development Planning Department Manager

cc:

R Smith, Divisional Director Planning and Development Services