

REPORT TO COUNCIL



Date: November 9, 2015

RIM No. 1250-30

To: City Manager

From: Urban Planning, Community Planning and Real Estate (AW)

Application: Z12-0056/ TA14-0004 **Owner:** RG Properties Ltd

Address: 1755 Capri Street. 1835 Gordon Drive & 1171 Harvey Ave **Applicant:** Dialogue

Subject: Rezoning Application, Extension Request

Existing OCP Designation: Commercial & Mixed Use (Commercial/Residential)

Existing Zones: C4LP, C4LR & C4 - Urban Centre Commercial

Proposed Zones: CD25 - Capri Centre Comprehensive Development Zone

1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Text Amending Bylaw No. 10998 and Rezoning Bylaw No. 11016, for Lot A, D.L. 137, ODYD, Plan KAP64836, located at 1835 Gordon Drive, Lot B, D.L. 137, ODYD, Plan KAP64836, located at 1171 Harvey Avenue, Lot C, D.L. 137, ODYD, Plan KAP64836, located at 1755 Capri Street, Kelowna BC, be extended from October 22, 2015 to October 22, 2016;

AND THAT Council direct staff not to accept any further extension requests.

2.0 Purpose

To extend the date for adoption of Text Amending Bylaw No. 10998 and Rezoning Bylaw No. 11016 to October 22, 2016.

3.0 Community Planning

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 that upon written request by the applicant prior to the lapse of the application, **Council** may extend the deadline for a period of twelve (12) months by passing a resolution to that affect.

By-Laws No. 11016 received second and third readings on October 22, 2014 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional twelve (12) months to complete the conditions of adoption. Given the recent activity on the application, a final extension to October 22, 2016 is supported.

Report prepared by:

Alec Warrender, Planner

Approved for Inclusion:



Ryan Smith, Manager
Community Planning Department

Attachments:

Subject Property Map