

RE: REZONING REFERENCE NO. 128/86 (R5 to R9)
5787 HARDWICK STREET

ITEM	4
MANAGER'S REPORT NO.	58
COUNCIL MEETING	89/09/18

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Planning & Building Inspection be adopted.

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TO: MUNICIPAL MANAGER 1989 September 13

FROM: DIRECTOR PLANNING & BUILDING INSPECTION

SUBJECT: REZONING REFERENCE #128/86 (R5 to R9)
X-REFERENCE SUBDIVISION #13/87
5787 HARDWICK STREET

PURPOSE: To provide Council with a brief history of the application.

RECOMMENDATION:

1. THAT Mr. Chysyk be sent a copy of this report.

R E P O R T

BACKGROUND:

The above named rezoning application has been in progress since January, 1987. The original applicant sold the property to Mr. and Mrs. Chysyk in March, 1988. Since then the new owner requested and received a three-month extension of the conditions of subdivision on 1988 April 29 and again on 1989 July 20. The latter three-month extension advised that no further extensions to Tentative Approval of the subdivision would be granted. Prior to the final extension, Mr. and Mrs. Chysyk were sent a letter dated 1989 June 09 (attached) advising of Council policy with regard to abandonment of rezoning bylaws. On 1989 June 13 Mr. Chysyk spoke to staff and advised he would be proceeding. On 1989 August 30, after a telephone call from staff to ask his intentions, Mr. Chysyk submitted his subdivision plan which enabled Third Reading of his application on 1989 September 05.

CURRENT SITUATION:

Council will recall that on 1989 July 10 it gave Final Adoption to an amendment bylaw which becomes effective 1989 November 01 and which will delete a section of the R9 regulations pertaining to small lot subdivision under which Mr. Chysyk's application is being processed. As a result, there will be no authority for approval of this subdivision after 1989 November 01. Furthermore, the subject lot does not qualify for subdivision under the small lot provisions of the R5 zone.

One of the conditions of this subdivision is demolition of an existing dwelling. This work must be completed prior to Final Adoption of the rezoning because the existing dwelling would contravene the new lot line.

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In order for Mr. Chysyk to be considered for Final Adoption and subsequently, Final Approval and registration of his subdivision prior to November 1st, he should ideally have completed all conditions of subdivision, including demolition, by 1989 October 17, or in any event no later than 1989 October 24. This would allow submission of the necessary request to Council for Reconsideration and Final Adoption of the rezoning bylaw on October 23 or at latest on October 30, with approval of the subdivision by the Approving Officer to follow, prior to November 01.

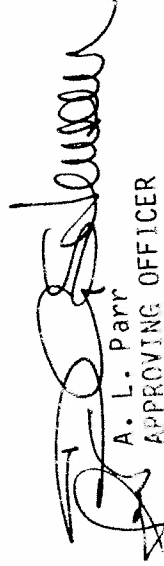
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Mr. Chysyk has advised staff that on August 31, 1989 he gave notice to his tenants and the tenants have indicated that it is unlikely they will be able to relocate prior to October 31st.

Other R9 applicants in a similar situation have advised staff they provided incentives to their tenants to obtain their co-operation.

Under the circumstances, Mr. Chysyk should be encouraged to pursue any arrangements that he may be able to with his tenants, in order to be able to meet the established deadline.

This is for the information of Council.



A. L. Parr
APPROVING OFFICER

AD:hr
Att.