

---

**MEETING TYPE AND DATE:**

REGULAR COUNCIL MEETING – DECEMBER 7, 2021

**AUTHOR:**

PAUL DUPUIS, SENIOR PLANNER

**SUBJECT:**

**DP2019-041-C & SRP2019-005 – EXTENSION REQUEST TO MEET PRIOR TO CONDITIONS FOR PERMIT ISSUANCE**

---

**ESSENTIAL QUESTION:**

Does Council support granting a three-month extension to a Development Permit (DP2019-041-C & SRP2019-005) for property located on Okanagan Centre Road West, legally described as Lot 144, Section 3, 4 and 9, Township 20, ODYD, Plan 521, Roll 2126000 (approved by Council on May 18, 2021) to allow the applicant until January 18, 2022, to meet the Development Permit conditions?

**OPTIONS:**

- A. THAT** the request for a three-month extension (until January 18, 2022) to Development Permit DP2019-041-C & SRP2019-005 for property located on Okanagan Centre Road West, legally described as Lot 144, Section 3, 4 and 9, Township 20, ODYD, Plan 521, Roll 2126000, be granted, OR
- B. THAT** the request for a three-month extension to Development Permit DP2019-041-C & SRP2019-005 for property located on Okanagan Centre Road West, legally described as Lot 144, Section 3, 4 and 9, Township 20, ODYD, Plan 521, Roll 2126000, be denied, the file be closed, and the applicant be advised to reapply for a new Development Permit.

**EXECUTIVE SUMMARY:**

The applicants have requested an extension to allow them until January 18, 2022, to meet the prior to conditions as resolved by Council. The Development Permit is for the construction of a Concrete Batch Plant on the property, and the Soil Regulation Permit is to allow for mining of gravel from the site. Staff has no concerns with extending the time as requested as there are no unintended consequences anticipated should Council grant this extension. The timeline begins from the date of the resolution of Council, so in this case, January 18, 2022, is exactly eight months from the resolution date of May 18, 2021.

**BACKGROUND/HISTORY:**

Council approved DP2019-041-C and SRP2019-005 at the May 18, 2021, Regular Council Meeting. Before the Development Permit is issued, the owners must meet certain conditions, including:

- having the Driveway Access Permit amended to aid with dust control;
- providing a Security Deposit in the amount of \$6,250.00;
- Providing a Drainage, Erosion and Sediment Control Plan to the satisfaction of the District Engineer

For the Soil Regulation Permit to be issued, the applicant must provide:

- a Security for dust control of \$10,000.00.

The Development Approval Procedures Bylaw notes that applicants have five months to meet the pre-requisite conditions, as follows:

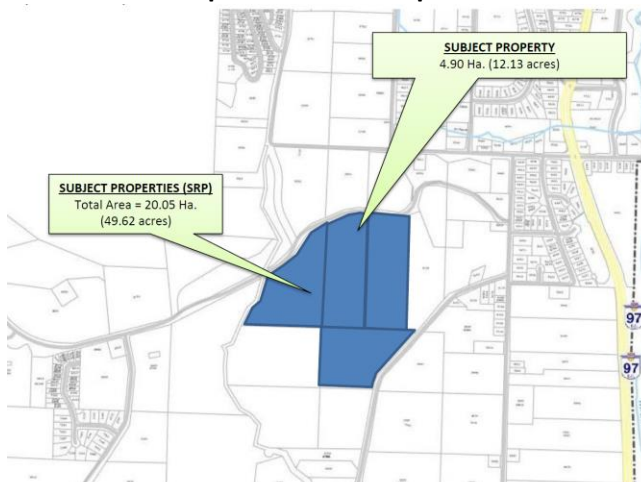
Section 14.2(c) states:

Once a DP has been approved by Council or, where applicable, by the CAO, Director or Approving Officer, the Applicant has five (5) months to complete any pre-requisite conditions. Upon written application by the Applicant, Council may extend the five (5) month period once for up to three (3) months. If no application for extension is received, the file will be closed, and the permit will not be issued.

The applicants are applying for a 3-month extension request, which would allow them until January 18, 2022, to meet the Development Permit and Soil Regulation Permit conditions, should Council grant the request. See the attached Extension Request Email from the applicant.

Application Type	Development Permit & Soil Regulation Permit		
File Number:	DP2019-041-C & SRP2019-005		
Roll Number:	2126000		
Proponent:	OK Ready Mix	Owner(s):	OK Builders Supplies Ltd.
Legal Description:	Lot 144 Sections 3, 4 and 9 Township 20 ODYD Plan 521		
PID	012-274-542		
Civic Address:	Okanagan Centre Rd Lake Country BC		
OCP Designation:	Industrial		
Zoning Designation:	A1; Agriculture 1 I5; Soil Processing		
Land Use Contract	No		
ALR:	Yes		
Parcel Size:	4.90 Hectares (12.13 acres)		
DP Area(s):	Greenhouse Gas Reduction; Hillside; Industrial;		
Water Supply:	n/a		
Sewer:	n/a		
Site Summary:		Zoning:	Use:
	<i>North:</i>	A1 - Agriculture 1	Residential
	<i>East:</i>	A1 - Agriculture 1 I5 - Soil Processing	Industrial
	<i>South:</i>	I1 - General Industrial	Industrial
	<i>West:</i>	A1 - Agriculture 1 I5 - Soil Processing	Industrial

**Map 1: Location Map**



**Map 2: Orthophoto**



**DISCUSSION/ANALYSIS:**

The Development Approval Procedures Bylaw allows Council to approve a one-time three-month extension if the applicant cannot complete the pre-requisites required within five months of the Council decision.

**ANALYSIS OF OPTIONS FOR CONSIDERATION:**

OPTION A: If Council approves the extension request, the owners will have until January 18, 2022, to complete the prior to conditions for the Development Permit and Soil Regulation Permit.

OPTION B: If Council denies the Development Permit extension, the file will be closed, and the Development Permit and Soil Regulation Permit will not be issued. The owners will have to make new applications to proceed with the proposed development, requiring additional staff time.

Respectfully Submitted,

Paul Dupuis, MCIP, RPP  
SENIOR PLANNER  
PLANNING AND DEVELOPMENT DEPARTMENT

This report has been prepared in consultation with the following departments:

<b>CONCURRENCES</b>	
<b>DEPARTMENT</b>	<b>NAME</b>
Chief Administrative Officer	Tanya Garost
Acting Director of Planning & Development	Gary Penway
Manager of Planning	Corine (Cory) Gain

**ATTACHMENTS:**

A: Extension Request Email from Applicant