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**CITY OF KELOWNA**  
**MEMORANDUM**

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**DATE:** October 28, 2008  
**FILE NO.:** OCP06-0005/Z06-0024  
**TO:** City Manager  
**FROM:** Community Sustainability Division

**APPLICATION NO.** OCP06-0005 / Z06-0024      **OWNER:** CARA GLEN ESTATES LTD

**AT:** 1490 CARA GLEN WAY      **APPLICANT:** CARA GLEN ESTATES LTD. (TOBY NOLITT)  
530 CARAMILLO COURT

**PURPOSE:** TO EXTEND COUNCIL APPROVAL FOR THE ADOPTION OF THE OCP AMENDMENT APPLICATION TO CHANGE THE FUTURE LAND USE DESIGNATION OF LOT L PLAN KAP53293 AND LOT A PLAN KAP77707 FROM THE EXISTING "SINGLE/TWO UNIT RESIDENTIAL DESIGNATION" TO THE PROPOSED "MULTIPLE UNIT RESIDENTIAL, LOW DENSITY" DESIGNATION,

TO EXTEND COUNCIL APPROVAL FOR THE ADOPTION OF THE APPLICATION TO REZONE TO REZONE LOT A PLAN KAP 77707 FROM THE EXISTING A1 – AGRICULTURE 1 & P3 – PARKS AND OPEN SPACE ZONES TO THE PROPOSED RM3 – LOW DENSITY MULTIPLE HOUSING ZONE,

**EXISTING ZONE:** A1 – AGRICULTURE 1  
P3 – PARKS AND OPEN SPACE

**PROPOSED ZONE:** RM3 – LOW DENSITY MULTIPLE UNIT RESIDENTIAL

**REPORT PREPARED BY:** PAUL McVEY

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**1.0 RECOMMENDATION**

THAT in accordance with Development Application Procedures Bylaw No. 8140 the deadline for the adoption of OCP Amending Bylaw No. 9787 (OCP07-0005) – Cara Glen Estates Ltd. – Lot L, Sec. 31 & 32, Twp. 26, O.D.Y.D., Plan KAP53293 and Lot A, Sec. 32, Twp. 26, O.D.Y.D., Plan KAP77707 and Zone Amending Bylaw No. 9788 (Z06-0024) – Cara Glen Estates Ltd. – Lot A, Sec. 32, Twp. 26, O.D.Y.D., Plan KAP77707 be extended from June 12, 2008 to December 12, 2008.

## 2.0 SUMMARY

The above noted development application was originally considered at a Public Hearing by Council on June 12, 2007.

Section 2.10.1 of Procedure Bylaw No. 8140 states that:

Every amendment bylaw which has not been finally adopted by Council within 12 months after the date it was given third reading, lapses and will be of no force and effect, and an applicant who wishes to proceed with its application must initiate a new application.

Section 2.10.2 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 as stated in Section 2.10.1.

The applicant has made this OCP Amendment application to change the future land use designation of the subject properties from the "Single / Two Unit Residential" designation to the proposed "Multiple Unit Residential – low density" designation. The applicant has also made the Rezoning application to change the zoning of Lot A, Sec. 32, Twp. 26, O.D.Y.D., Plan KAP77707 from the existing "A1 – Agriculture 1" and P3 – "Parks and Open Space" zones to the proposed "RM3 – Low Density Multiple Housing" zone in order to permit the development of 60 residential unit in 5 residential buildings.

By-Law No. 9787 and By-Law No. 9788 received second and third readings on June 12, 2007, after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional six months in order to provide more time to resolve the servicing issues.

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.

  
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Shelley Gambacort  
Director of Land Use Management

PMc/pmc  
Attach.

SUBJECT PROPERTY MAP

