

# REPORT TO COUNCIL



**Date:** November 13, 2012  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (AW)  
**Application:** Z07-0079 / OCP08-0011      **Owner:** Kathleen (Kimble) Mooney  
**Address:** 5007 Chute Lake Rd      **Applicant:** Kathleen (Kimble) Mooney  
**Subject:** Rezoning extension / OCP amendment extension  
**Existing OCP Designation:** Single / Two Unit Residential & Major Park & Open Space  
**Proposed OCP Designation:** Single / Two Unit Residential  
**Existing Zone:** RR1 - Rural Residential 1  
**Proposed Zones:** RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite & RU2h Medium Lot Housing (Hillside Area)

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## 1.0 Recommendation

THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Zone Amending Bylaw No. 10390 and Official Community Plan Bylaw No. 10389 (Z07-0079/OCP08-0011, Kimble Mooney, 5007 Chute Lake Rd), be extended from August 24, 2012 to February 24, 2013.

## 2.0 Purpose

To amend the Official Community Plan Future Land Use Designation for a portion of the subject property from Major Park / Open Space to Single/Two Unit Residential.

To rezone a portion of the subject property from the RR1 - Rural Residential to RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite and RU2h - Medium Lot Housing (Hillside Area) to facilitate an eleven lot residential subdivision.

## 3.0 Land Use Management

The above noted development application was originally considered at a Public Hearing by Council on August 24, 2010.

Section 2.12.2 of Procedure Bylaw No. 10540 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 2.12.2 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 2.12.2.

By-Law No. 10389 and No. 10390 received second and third readings on August 24, 2010 after the Public Hearing held on the same date. The applicant wishes to have this application remain open for an additional six months. 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; however, given the time that has lapsed with no activity, this will be the last extension the staff will favourably endorse.

**Report prepared by:**



Alec Warrender, Land Use Planner

**Reviewed by:**



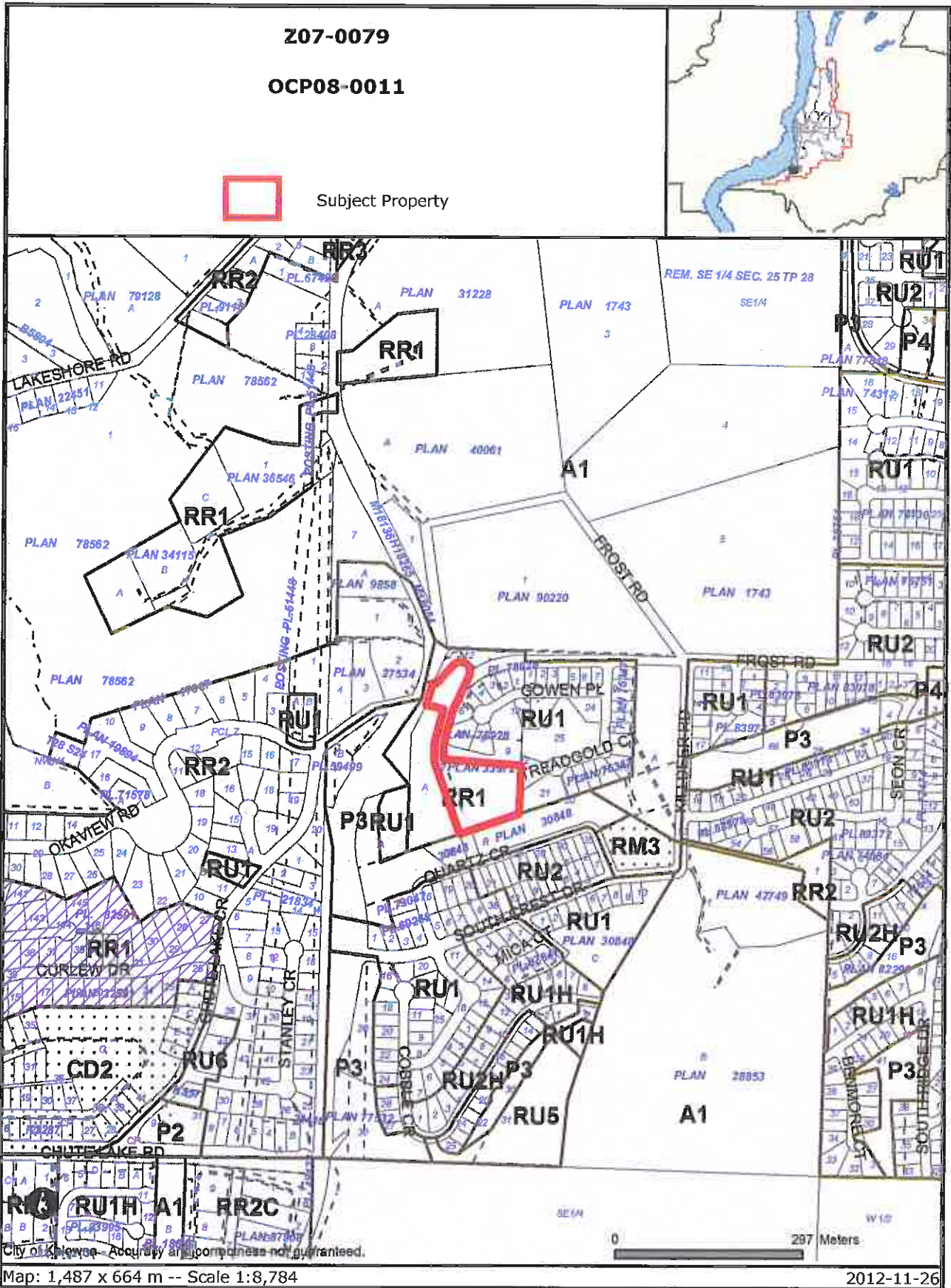
Danielle Noble Manager, Urban Land Use Management

**Approved for Inclusion:**



Shelley Gambacort, Director, Land Use Management

hb



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.