

CITY OF KELOWNA

BYLAW NO. 8710

City of Kelowna Official Community Plan Amendment No. 01-013 - Hillside Development Guidelines

A bylaw to amend the "City of Kelowna Official Community Plan (1994 - 2013) Bylaw No. 7600".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT "City of Kelowna Official Community Plan (1994 - 2013) Bylaw No. 7600" be amended by adding the following:
 - (a) Adding Policies Nos. .24 and .25 to **Section 2.13 Hillside Policies of Chapter 2 – Environment** as follows:
 - “.24 **Alternative Hillside Development Standards.** Consider, within the context of a Natural Environment/Hazardous Condition Development Permit, alternative hillside development standards within Zoning Bylaw No. 8000 and the Subdivision, Development and Servicing Bylaw No. 7900. The intent is to minimize the effects of development on the natural environment of the hillside areas, defined as lands in their natural state that have a slope angle of 10% and greater for a height of 6 metres. These effects may include road cuts and fills, tree cutting, regrading and the visual impact in general of urban development on hillsides, while preserving areas with slopes of 30 % and greater;
 - .25 **Application of Alternative Hillside Development Standards.** Consider alternative hillside development standards for hillside areas, proposed to be on urban services and having no through roads or larger areas planned on a comprehensive neighbourhood basis. Due to the potential for impacts on lands adjacent to the more steeply sloped areas, Natural Environment/Hazardous Condition Development Permits will be considered for an entire titled area, notwithstanding that portions of the site may contain areas of lesser slopes.”
 - (b) Deleting the fourth and fifth bullets under **Subsection 13.4.3 Development Guidelines for Natural Environment/Hazardous Condition Development Permit Areas of Section 13.4 Natural Environment/Hazardous Condition Development Permit Areas in Chapter 13 – Development Permit System** in their entirety and replacing them with the following:
 - “Development will be directed to appropriate areas with slopes averaging less than 30%. Where it can be demonstrated that the proposed development will be sensitively integrated with the natural environment and will present no hazards to persons or property, development *may* be permitted on land with a natural slope which averages greater than 30%. Natural vegetation should be retained on slopes in order to control potential erosion, land slip and rock falls. (See also Chapter 2 - Environment - Hillside Development and Kelowna Hillside Development Guidelines dated October 2001).

- The pattern of development in hillside areas should be responsive to the varied topography, taking advantage of views and the surrounding natural landscape by emphasizing cluster development. All new residential development should be located to minimize interference with views of neighbouring properties. In hillside areas, lot size and shape may vary in relation to topography. (See also Chapter 2 - Environment - Hillside Development and Kelowna Hillside Development Guidelines dated October 2001).”
2. AND THAT pursuant to Section 882 of the *Local Government Act*, each reading of this bylaw receive an affirmative vote of a majority of all members of the Council;
 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk