
CITY OF KELOWNA
MEMORANDUM

Date: March 22, 2006
File No.: B/L 9580, 6480-30
OCP06-0003

To: **City Manager**

From: **Corporate and Planning Services Department**

Subject: **Bylaw 7600 Official Community Plan - Amendment Bylaw No. 9580**

Report prepared by: Gary L. Stephen

RECOMMENDATION

THAT OCP Bylaw Text Amendment Bylaw No. 9580 to amend Kelowna Official Community Plan (2000 – 2020) Bylaw No. 7600 as outlined in Schedule 1 attached to the report of the Planning and Corporate Services Department dated March 22, 2006 be considered by Council;

AND THAT staff be directed to follow the consultation process outlined in the report of the Planning and Corporate Services Department dated March 22, 2006, prior to forwarding OCP Bylaw Text Amendment No. 9580 for First Reading;

AND THAT OCP Bylaw Text Amendment No. 9580 be forwarded to the Agricultural Land Commission for comment after First Reading and then forwarded to a Public Hearing for further consideration;

AND FURTHER THAT Interim policy 323 in the Council Policy Manual be rescinded when this OCP amendment is approved.

BACKGROUND

In working with the revised OCP since the last update in June 2004, staff has identified a number of housekeeping items, minor wording changes for clarification, incorporation of policy direction and land use changes previously endorsed by Council and mapping updates based on recent subdivision approvals. There is also a need to clarify the OCP environmental policies and DP guidelines with respect to Riparian Management Areas in order to be in compliance with the provincial *Riparian Areas Regulation* (July 2004). Schedule 1 provides an itemized list of the proposed changes.

As a result of recent amendments to add the Kelowna Springs Golf Course to the City boundary it is necessary to also update OCP mapping to reflect this change.

It is suggested that staff be directed to follow a consultation process that includes posting this proposed amendment package to the City web site and making hard copies available when necessary, advertising in local newspapers to solicit community input (for 1 week / 10 days) related to the posted information and considering any input received for potential changes prior to scheduling First Reading and the Public Hearing.

Staff has confirmed these proposed amendments will not affect either the Financial Plan or the Waste Management Plan in compliance with LGA Section 882(3).

Because the proposed Map 19.1 Generalized Future Land Use amendment related to the designation of the Black Mountain Irrigation District (BMID) Right of Way as a linear corridor is on land located in the ALR it will be necessary to refer OCP Bylaw Amendment No. 9580 to the Agricultural Land Commission (ALC) for their comments between First Reading and Public Hearing. The Public Hearing will not be scheduled until these comments have been received.

DISCUSSION

1. Proposed OCP Text Amendments

Schedule 1 attached to this report provides more detail with respect to the proposed text amendments.

List of Maps

Map 7.2 Wildland Fire Hazard Areas is to be replaced with a new Map 7.2 Wildland Fire Hazard Development Permit Area Designation and the list of maps needs to be amended to reflect this change.

Definitions

In order to comply with the *Riparian Areas Regulation* (RAR) there need to be additions, replacements, deletions and amendments to a number of definitions. Schedule 1 outlines the proposed changes.

Chapter 1 – Introduction

The OCP time frame was updated in January 2004 however, this section was inadvertently missed. The proposed change will provide the correct OCP time from 2000 – 2020 as indicated throughout the rest of the OCP.

Chapter 5 – Growth Management

On February 22, 2005, Council requested interim policy wording to recognize that not all lands within the Future Urban Reserve may be suitable for intensive urban development. Council Policy 323 Future Urban Reserve was adopted by resolution on February 28, 2005. The new policy proposed for the Growth Management Chapter would recognize the potential for limited rural development in Future Urban Reserve areas where no urban development potential exists. Interim policy 323 in the Council Policy Manual should be rescinded when this OCP amendment is approved.

Chapter 6 – Urban Centres

A report from Community Planning Manager dated June 23, 2004 regarding the Community Indicators Report No. 2 was considered by Council at the July 12, 2004 Regular Meeting where the specific Urban Centres policies indicated in Schedule 1 were supported for inclusion in the OCP.

Chapter 7 – Environment (Section 7.3 – Policies 7.3.11 and .12)

In order to comply with the *Riparian Areas Regulation* (RAR) there need to be amendments to these specific policies to reflect the updated provincial legislation and proposed changes to OCP definitions.

Chapter 7 – Environment (Section 7.10 – Policy 7.10.4)

The text of this policy should be updated to reflect the new title of the replacement Map 7.2 – Wildland Fire Hazard Development Permit Area Designation.

Chapter 7 – Environment (Section 7.11 Development Permit Guidelines for the Protection of the Natural Environment, its Ecosystems and Biological Diversity)

In order to comply with the *Riparian Areas Regulation* (RAR) there need to be amendments to the guidelines to reflect updated legislation and proposed changes to OCP definitions. This includes a replacement diagram that illustrates the typical cross section and extent of the Riparian Management Area and the relationship with any public route of access.

Chapter 7 – Environment (Section 7.12 Development Permit Guidelines for the Protection of Development from Hazardous Conditions)

In order to comply with the provincial requirements with respect to setbacks for flooding there needs to be an amendment to the guidelines with respect to procedures and potential relaxation of requirements. In addition a change to guideline wording to recognize the change in map title for Map 7.2 Wildland Fire Hazard Development Permit Area Designation is required.

Chapter 8 – Housing

Housing policy that allows consideration for rezoning to higher density under specific conditions should be amended to address the neighbourhood impact of higher densities and focus on the provision of affordable housing.

A report from Community Planning Manager dated June 23, 2004 regarding the Community Indicators Report No. 2 was considered by Council at the July 12, 2004 Regular Meeting where the specific Housing policies indicated in Schedule 1 were supported for inclusion in the OCP.

Chapter 13 – Services and Utilities (Policy 13.5.4 and 13.5.5)

Through direction from the Director of Works and Utilities based on discussion with utility providers and development interests, Policy 13.5.4 should be updated to reflect residential setback requirements from electrical transmission wires rather than from the edge of the right-of-way as currently stated. Policy 13.5.5 should be updated to reflect reduced non-residential setback requirements from the edge of high voltage power lines.

Chapter 14 – Parks and Leisure Services (Policy 14.1.32)

In order to comply with the *Riparian Areas Regulation* (RAR) there needs to be an amendment to Policy 14.1.32 to reflect the updated provincial legislation and proposed changes to OCP definitions.

Compliance with the *Riparian Areas Regulation* (RAR) will likely make it more difficult to establish public routes of access along Lake Okanagan and those creeks identified in Table 14.1. The proposed revised policies and guidelines change the City regulations to say that public routes of access must be outside the Riparian Management Area (RMA), which has now been defined as the whole setback area identified in Table 7.1. Therefore there will be a need to acquire additional land beyond the setback area identified in Table 7.1 or to go through the expense and time of preparing an “assessment report” as per RAR in order to receive a relaxation of the RMA to allow public access within. Even after that report provincial and federal authorities could still deny the relaxation. The reality is the City has no choice but to comply.

Chapter 19 – Future Land Use – Land Use Designations

In order to maintain consistency with the Zoning Bylaw, minor wording changes to remove the reference to number of people in care centres within Multiple Unit Residential designations is necessary. Since the last OCP update Council has approved the Vintage Landing Area Structure Plan (ASP) and the list of approved ASP’s should be amended to add the Vintage Landing ASP.

Chapter 19 – Future Land Use – Neighbourhood and Sector Plans

This proposed amendment provides minor wording changes to clarify the relationship of the OCP with Sector and Neighbourhood Plans.

2. Proposed OCP Map Amendments

All the maps need to be updated to include the Kelowna Springs Golf Course within City boundaries and where applicable all the maps need to be updated with a new lots layer from GIS incorporating recent subdivisions and alterations to the water boundaries (creek locations). When a new lots layer is added with new subdivisions it can mean that the boundaries for Environmental or Hazardous Condition Development Permit areas and Future Land Use designations no longer exactly match. These maps will need to be revised to reflect these minor changes but the updated maps must still be authorized by Council through the amendment process. In the case of Map 8.1 Housing Distribution and Map 12.1 20 Year Major Road Network and Road Classification Plan the only changes necessary would be to incorporate the new City boundary for Kelowna Springs Golf Course. Schedule 1 attached provides more detail with respect to the proposed map amendments. A copy of all the updated maps is included in the report package.

Map 6.2 Urban Development Permit Area Designation

Proposed changes to Map 6.2 include the most recent GIS lots layer, the addition of Kelowna Springs Golf Course to the City boundary and an amendment to the boundary of Capri Village Centre to match the new property boundary for the recently approved Centuria project

Map 7.1 Natural Environment / Hazardous Condition Development Permit Area Designation

Proposed changes to Map 7.1 include the most recent GIS lots layer, the addition of Kelowna Springs Golf Course as a Natural Environment DP Area (wetland) and minor adjustments of Natural Environment (water related) and Hazardous Condition (slope related) DP areas to reflect recent updates of the lots layer based on new subdivisions and changes to water boundary (creeks). In addition, recent Sensitive Habitat Inventory Mapping (SHIM) has provided GPS data on creek centerline and top of bank for Mill Creek and the south arm of Bellevue Creek. The SHIM data has been used to further refine Riparian Management Area setbacks on these creeks.

Map 7.2 Wildland Fire Hazard Development Permit Area Designation

Map 7.2 is to be replaced with new map entitled Wildland Fire Hazard Development Permit Area Designation including the most recent GIS lots layer and the addition of Kelowna Springs Golf Course to the City boundary. This map will be displayed at 1:40,000 scale for greater interpretive ability instead of the 8 ½ x 11 version in the current OCP. This change is intended to reflect Wildland Fire Hazard Threat Rating / Analysis work done in 2004.

Map 10.1 Sand and Gravel Deposits

Proposed changes to Map 10.1 include the addition of Kelowna Springs Golf Course to the City boundary and adding a portion of Kelowna Springs Golf Course as sand / gravel deposits as per the RDCO Aggregate Supply and Demand Study of June 2000.

Map 11.2 Urban – Rural / Agricultural Boundaries

Proposed changes to Map 11.2 include the addition of Kelowna Springs Golf Course within the urban portion of the Urban – Rural / Agricultural Boundary and an updated ALR boundary from GIS. Kelowna Springs Golf Course is not in the ALR.

Map 13.2 Sanitary Sewer System

Proposed changes to Map 13.2 include the addition of Kelowna Springs Golf Course within the existing sanitary sewer serviced area and updating the existing serviced area, 2020 sanitary sewer limits and remaining sanitary sewer priorities.

Map 13.3 Water Supply System

Proposed changes to Map 13.3 include the addition of Kelowna Springs Golf Course within the Black Mountain Irrigation District service area and adjustments to the Glenmore-Ellison Improvement District to include the former McKinley Waterworks boundary.

Map 14.2 Linear Park Concept Plan

Proposed changes to Map 14.1 include the addition of Kelowna Springs Golf Course to City boundary and an updated ALR boundary from GIS.

Map 19.1 Generalized Future Land Use

Proposed changes to Map 19.1 include the addition of Kelowna Springs Golf Course to the City boundary designated as Private Recreation, land use changes to reflect OCP amendment bylaws approved by Council since June 2004, and minor adjustments of future land uses to reflect recent updates of the lots layer based on new subdivisions (Quail Ridge, Glenmore Highlands, Knox Mountain, Rutland, Bell Mountain, KLO / Benvoulin, North Mission - Fairview, SW Mission - Neighbourhood 2, SE Kelowna – Gallaghers Golf Course).

There are also proposed changes to reflect the acquisition of new park lands or identification of park lands not currently indicated on Map 19.1 (near Magic Estates / Knox Mountain, RDCO - Layer Cake Mountain, Pacific Court – Mill Creek, Stillingfleet Park, Okanagan Mountain Park - Nature Trust of BC) and a proposed change to extend the Francis Brook Public Route of Access west of Findlay Road to Hwy 97 to comply with the Mill Creek Linear Park Master Plan and Table 14.1 and Map 14.2 of the OCP. There are also several other proposed minor land use changes to reflect previous inaccuracies or changes in use not requiring an OCP bylaw amendment.

In addition there are proposed changes as per previous Council direction with respect to lands south of Bay Avenue, between Richter and Ethel Streets (Council Resolution from January 10, 2006), 10m foreshore Major Park / Open Space designation of linear path in the vicinity of Abbott Street near Groves and Newsome Avenue and Major Park / Open Space designation of the BMID Right-of-Way along the Rutland Bench (Council Resolution from September 13, 2004). As noted previously, the BMID ROW is in the ALR and ALC comments on this proposed change to Map 19.1 will be required prior to Public Hearing. The ALC has the authority to deny this portion of the proposed amendment package. It should be noted that there are portions of the old BMID Right-of-Way that have been lost to consolidations with adjoining properties as a result of previous agreements between those property owners and BMID. The location of the linear corridor has been shown in a location close to the original location in order to encourage the future acquisition of a linear corridor in proximity to the historical features the right of way represents.

The report to Council (Council Resolution September 13, 2004) regarding the 10m foreshore Major Park / Open Space designation of linear path in the vicinity of Abbott Street near Groves and Newsome Avenue contained inconsistencies between the legal descriptions outlined in the report and the properties identified on the map attached to the report. Consequently, there was one property not identified as part of this designation that should have been and this OCP amendment package will rectify the error.

Map 19.2 Sector and Neighbourhood Plans

Proposed changes to Map 19.2 include the addition of Kelowna Springs Golf Course to the City boundary as part of the Hwy 97 Sector.

CONCLUSION

It is recommended that the clarification, housekeeping and mapping amendments to OCP Bylaw 7600 - Amendment Bylaw 9580 proposed in the Planning and Corporate Services report of March 22, 2006 be given favourable consideration and that following the consultation outlined in this report, the amending Bylaw be forwarded to First Reading, to the ALC and then to a Public Hearing in that order. Finally, interim policy 323 in the Council Policy Manual should be rescinded when this OCP amendment is approved.

Signe K. Bagh
Manager, Policy / Research / Strategic Planning

Approved for inclusion

R.L. Mattiussi, ACP, MCIP
Director of Corporate and Planning Services

GLS

Attachment

Schedule 1

(OCP Amendments for Bylaw 9580)

1. OCP Text Amendments

List of Maps

- Amend the List of Maps by replacing “Map 7.2 Wildland Fire Hazard Areas” with “Map 7.2 Wildland Fire Hazard Development Permit Area Designation”

Definitions

- Amend the definitions section by adding a new definition of Potential Riparian Vegetation as follows:

Potential Riparian Vegetation – means vegetation must be considered to be “potential” if there is a reasonable ability for regeneration either with assistance through enhancement or naturally, but an area covered by a permanent structure must be considered to be incapable of supporting potential vegetation.”

- Amend the definitions section by deleting the definition of Riparian Management Area (RMA) and replacing it with the following:

Riparian Management Area (RMA) – means an area:

- (a) adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream, and
 - (b) the size of which is determined in accordance with Table 7-1, previously established under the Streamside Protection Regulation, B.C. Reg. 10/2001 Regulation (SPR).
- Amend the definitions section by deleting the definitions of Riparian Management Zone (RMZ) and Riparian Reserve Zone (RRZ).
 - Amend the definitions section by adding a new definition of Top of Ravine Bank as follows:

Top of the Ravine Bank - means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 meters measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.

- Amend the definitions section by deleting the definition of Wetland and replacing it with the following:

Wetland – means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions including swamps, marshes, bogs, fens, estuaries and similar areas that are not part of the active floodplain of a stream.

Chapter 1 – Introduction

Within the Introduction section of the OCP, the reference to the OCP time frame (Page 1-1, Paragraph 3) should be replaced with the following:

The Official Community Plan (OCP) is based on population projections with a base year of 2000. The Plan will guide development activity and provide both short and long-term directions from the date of adoption in 2004 until 2020. The Plan will be re-evaluated every five years to ensure that it continues to reflect community needs and desires.

Chapter 5 – Growth Management

- Amend the Growth Management chapter by adding a new Policy 5.1.11 as follows:

Future Urban Reserve. Lands within the Future Urban Reserve are not supported for any further parcelization. An applicant or land owner may apply to change the future land use designation to Rural/Agricultural if it can be demonstrated that a rural use of the land, such as a rural lot subdivision, is the highest and best use of the subject lands. A proposal to amend the land use designation to Rural / Agricultural may be supported where the land is deemed not to have the potential to be developed as part of a comprehensive urban development in the future.

Chapter 6 – Urban Centres

- Amend the Urban Centre chapter by deleting Policy 6.1.9 and replacing it with the following:

Transit Service. Encourage frequent and convenient bus service between Urban Centres and surrounding urbanized, central areas, as well as institutional and community services, such as the hospital, the college and park facilities, with a particular view of servicing lower income populations that live and work in these areas and may have limited alternate means of transportation;

- Amend the Urban Centre chapter by deleting Policy 6.1.31 and replacing it with the following:

Employment Opportunities. Encourage increased employment opportunities within Urban Centres to support the Transportation Demand Management (TDM) strategies of Chapter 12 – Transportation, and to continue to improve the economic health of the labour force residing within and adjacent to the Urban Centres;

Chapter 7 – Environment (Section 7.3 – Policies 7.3.11 and .12)

- Amend the Environment Chapter – Section 7.3 by deleting policy 7.3.11 and replacing it with the following:

Establish Riparian Management Areas. Require riparian management areas to be provided to limit environmental and hydrological impacts on local watercourses (Table 7.1 in Section 7.11 Development Permit Guidelines). Riparian Management Areas may include provision for public access provided there has been an assessment by a Qualified Environmental Professional demonstrating “no harm” to features, values and functions of fish and fish habitat, and an authorization by the appropriate federal or provincial ministry or agency.

- Amend the Environment Chapter – Section 7.3 by deleting policy 7.3.12 and replacing it with the following:

Varying Requirements. Retain the option to vary, within the context of Table 7.1 requirements, the width of Riparian Management Areas to accommodate the maximum retention of desirable natural vegetation and wildlife habitat, ground formations, water features, and flood control protection. Any proposed relaxation of stream setback widths, storm water requirements, erosion and sediment control requirements are to be referred to the City for review prior to filing the assessment report by a Qualified Environmental Professional (QEP) with the appropriate provincial ministry or agency. Within the Riparian Management Area, restoration of streamside vegetation may be a requirement of the development process;

Chapter 7 – Environment (Section 7.10 Hazardous Condition Policies)

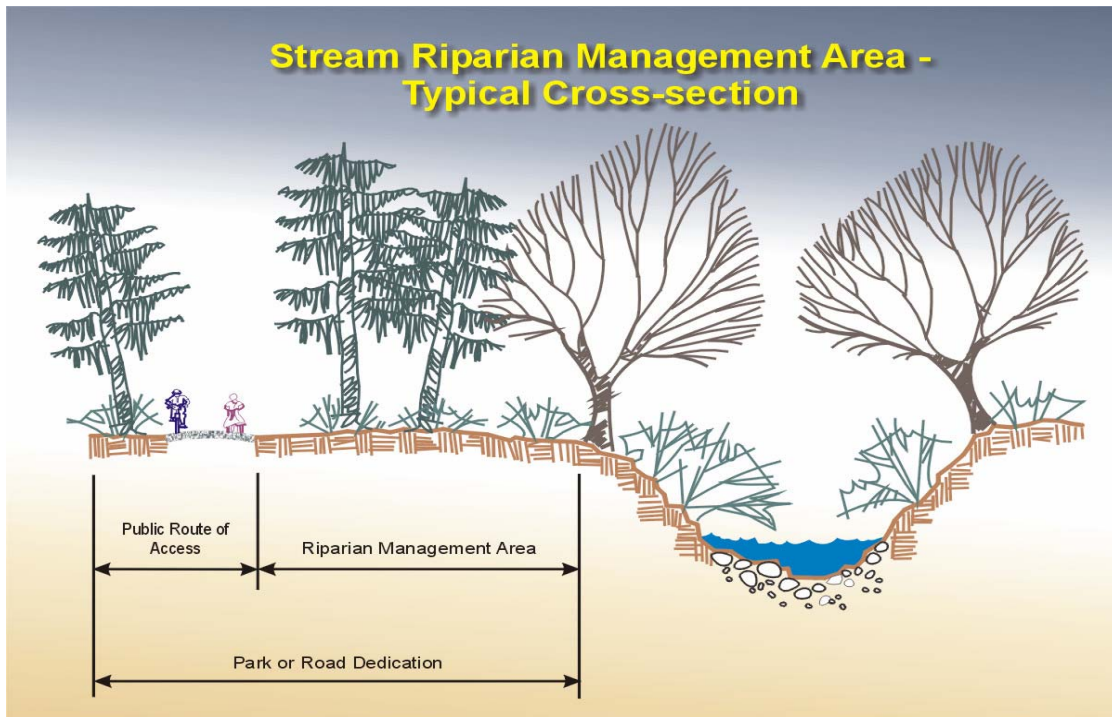
- Amend the Environment Chapter – Section 7.10 by deleting Policy 7.10.4 and replacing it with the following:

Wildland Fire Hazard Protection. Continue to consider, as an exemption to the Hazardous Condition Development Permit requirements of Section 7.12, registration of Section 219 Restrictive Covenants under the *Land Title Act* at the time of subdivision or building permit for properties within or near the Wildland Fire Hazard Development Permit Area Designation on Map 7.2.

Chapter 7 – Environment (Section 7.11 Development Permit Guidelines for the Protection of the Natural Environment, its Ecosystems and Biological Diversity)

- Amend the Environment Chapter – Section 7.11 Objectives by deleting the reference to the definitions of Riparian Management Zone (RMZ) and Riparian Reserve Zone (RRZ).

- Amend the Environment Chapter – Section 7.11 Objectives by deleting the diagram of the Stream Riparian Management Area - Typical Cross-section and replacing it with the following:



- Amend the Environment Chapter – Section 7.11 Properties Qualifying for a Waiver by deleting bullet # 5 and replacing it with the following:
 - The construction or maintenance of public facilities within a designated Riparian Management Area and authorized by the appropriate provincial ministry or agency.
- Amend the Environment Chapter – Section 7.11 Properties Qualifying for a Waiver by deleting bullet # 7 and replacing it with the following:
 - A development when the proposed use is a location which:
 - does not include areas of 30% slope or more;
 - is beyond the boundary of a Riparian Management Area as determined using **Table 7 – 1**; and
 - the proposed development proceeds in accordance with Section 4 (2) or (3) and Section 7 of the *Riparian Areas Regulation*.
- Amend the Environment Chapter – Section 7.11 Guidelines for Development – Riparian Management Areas / Riparian Management Area Requirements by deleting bullet # 3 and replacing it with the following:
 - Where the *Riparian Management Area* occupies more than 30 % of an existing lot, and where a 'hardship' can be demonstrated the City of Kelowna may consider supporting the proponent's application for relaxation for authorization by DFO. Restoration / mitigation in accordance with Section 4 and 7 of the Riparian Areas Regulation (i.e. assessment report prepared by a Qualified Environmental Professional) would be a condition of that support.

- Amend the Environment Chapter – Section 7.11 Guidelines for Development – Riparian Management Areas / Riparian Management Area Requirements by deleting bullet # 4 and replacing it with the following:
 - Within the *Riparian Management Area*, where relaxation is considered, environmental mitigation and restoration in accordance with Section 4, 7 & 8 (3) of the Riparian Areas Regulation will be a requirement of the development process.
- Amend the Environment Chapter – Section 7.11 Guidelines for Development – Riparian Management Areas / Riparian Management Area Requirements by deleting bullet # 6 and replacing it with the following:
 - Any proposed relaxation of *Riparian Management Area* widths, storm water mitigation requirements, or erosion & sediment control requirements are to be referred to the City for review prior to filing the report by a Qualified Environmental Professional (QEP) with the appropriate provincial ministry or agency for authorization.
- Amend the Environment Chapter – Section 7.11 Guidelines for Development – Riparian Management Areas / Measuring Details by deleting bullet # 2 and replacing it with the following:
 - Measure *Riparian Management Areas* along ravines and other stream corridors with steeply pitched banks from the top of ravine bank.
- Amend the Environment Chapter – Section 7.11 Guidelines for Development – Riparian Management Areas / Permitted Uses and Prohibited Uses by deleting them and replacing them with the following:

Activities within Riparian Management Area

- Where it can be demonstrated to the satisfaction of the City and the appropriate provincial ministry or federal agency that there will be no negative effects on fisheries habitat, the *Riparian Management Area (RMA)* may include uses such as public or private pathway, utility corridor, road crossing, etc.
 - Prohibit the development of buildings, structures, and hard-surfacing, such as driveways and parking areas and limit soil deposition and some agricultural practices within the *Riparian Management Area*.
- Amend the Environment Chapter – Section 7.11 Guidelines for Development – Riparian Management Areas / Table 7.1 by adding a note to the bottom of the table as follows:

* Note: Any stream not in the above list is subject to the *Riparian Areas Regulation*.

- Amend the Environment Chapter – Section 7.11 Guidelines for Development – Riparian Management Areas / Notes for Table 7.1 by deleting No. 3 and replacing it with the following:

Riparian Management Areas along Lake Okanagan are to remain in a natural condition or be landscaped in a manner that either enhances conditions for fish and wildlife or maintains conditions equivalent to those that would have existed had no development occurred. Upon review of lakefront development permits, staff shall give recognition to the fact that upland property owners have riparian rights to protect their property from erosion, the right of access to water, and the right of naturally accreted material (gradual and imperceptible natural deposition). This right may in some cases mean that vegetation cannot be preserved or planted.

- Amend the Environment Chapter – Section 7.11 Guidelines for Development – Riparian Management Areas / Notes for Table 7.1 by deleting No. 4 and replacing it with the following:

In areas along Mission Creek (east of Gordon Drive), the City of Kelowna will pursue the establishment of a *Riparian Management Area*, which will average 30 metres in width plus an additional 20 metres (Public Route of Access dedication) for a total width of approximately 50 metres. The Riparian Management Area along Mission Creek may vary in width but shall be of sufficient width to include any significant natural features (e.g., vegetation, water features, fish & wildlife habitat, escarpments, terraces, steep valley sides and cliffs).

Chapter 7 – Environment (Section 7.12 Development Permit Guidelines for the Protection of Development from Hazardous Conditions)

- Amend the Environment Chapter – Section 7.12 Guidelines for Development within Hazardous Condition Areas / Areas Designated by deleting it and replacing it with the following:

The areas shown as Hazardous Condition Development Permit Areas on Map 7.1 and as Wildland Fire Hazard Development Permit Areas on Map 7.2 or affected by the conditions listed in Section 7.12 are designated as Hazardous Condition Development Permit areas.

- Amend the Environment Chapter – Section 7.12 Guidelines for Development within Hazardous Condition Areas / Flooding by deleting bullet # 1 and #2 and replacing them with following:

- Setback development on properties along streams and water bodies in accord with the appropriate provincial ministry or agency required minimum horizontal setback of 15 metres. Applications for a relaxation of the horizontal setback will require a report by a Qualified Environmental Professional (QEP). Require the registration of a S. 219 covenant to save the City of Kelowna and the Province harmless from any future flooding damage resulting from a relaxation of the required floodplain management setback.

Chapter 8 – Housing

- Amend the Housing chapter by deleting Policy 8.1.31 and replacing it with the following:

Rezoning to Higher Densities. Consider supporting an OCP amendment and rezoning application for residential densities greater than those provided for on the Generalized Future Land Use Map 19.1 where a portion of the proposed units are available for affordable, special needs or rental housing identified to be in short supply (guaranteed through a Housing Agreement). To mitigate the neighbourhood impact of higher densities, it is important that:

- supporting infrastructure and park land is sufficient to accommodate the proposed development (or the developer is prepared to upgrade the necessary infrastructure and park land); and
 - the proposed densities do not exceed the densities provided for on Map 19.1 by more than one increment (e.g. medium density multiple units might be entertained where low-density has been provided for, and low-density multiple units might be entertained where single/two unit residential densities have been provided for); and
 - the project be sensitively integrated into the surrounding neighbourhood, with no more than a one-storey height gain between the proposed development and the height permitted within land use designations assigned to adjacent parcels (Where the property being proposed for redevelopment is large, consideration may be given to providing greater heights at the centre of the property provided that the new building is sensitively integrated with the surrounding neighbourhood); and
 - approval of the project not destabilize the surrounding neighbourhood or threaten viability of existing neighbourhood facilities (e.g. schools, commercial operations etc.).
- Amend the Housing chapter by deleting Policy 8.1.38 and replacing it with the following:

Family Housing. Encourage family-oriented townhouses or apartment housing, and work to achieve some family housing that conforms to the City's definitions of affordability (see 8.1.16), especially within, and in proximity to, Urban Centre areas;

- Amend the Housing chapter by deleting Policy 8.1.48 and replacing it with the following:

Housing for Lower Income Singles. Actively encourage affordable housing in accordance with the City's definitions, for lower income singles, in response to the documented shortage of housing for this particular group and focus on locating housing for this population both within and in proximity to Urban Town Centres;

- Amend the Housing chapter by adding in the section titled “Uses to be Encouraged” a new Policy 8.1.49 as follows:

Housing in the Urban Corridor: A more varied housing supply and means of increasing affordability should be actively sought for the neighbourhoods surrounding and including the Urban Town Centres and the Highway 97 corridor extending to the north boundary of the City, north, south and east of Highway 97 as it changes to a northerly direction.

- Amend the Housing chapter to re-number the policies after 8.1.49.

Chapter 13 – Services and Utilities

- Amend the Services and Utilities Chapter by deleting Policy 13.5.4 and replacing it with the following:

Residential Setback. Encourage new residential development setbacks of 30 metres from the edge of the transmission line wires for feeder lines;

- Amend the Services and Utilities Chapter by deleting Policy 13.5.5 and replacing it with the following:

Non-Residential Setback. Encourage new non-residential development setbacks of 6 metres from the edge of high voltage power lines or as required by the electrical utility owner;

Chapter 14 – Parks and Leisure Services

- Amend the Parks and Leisure Services Chapter by deleting Policy 14.1.32 and replacing it with following:

Linear Park Dedications. At subdivision for all development types and at rezoning for multiple unit housing, commercial, industrial and institutional developments, secure a 10-metre statutory right-of-way for public access where trails are included in **Table 14.1** and/or are shown on **Map 14.2**. The 10-metre access corridor may be in addition to, and outside, any riparian management area requirements imposed through the Environment Chapters of the OCP. On the private property side of the public access corridor, the City may, as necessary, consider stipulating additional “no disturb” zones. Lot line adjustments or other subdivision applications not resulting in the creation of new lots suitable for the construction of buildings permitted under the applicable zoning will be considered exempt from this policy;

Chapter 19 – Future Land Use – Land Use Designations

- Within the designations of Multiple Unit Residential – medium and high density – amend the text reference to “care centres up to 25 people” by removing the words “up to 25 people”.

Chapter 19 – Future Land Use – Mapping Notes / Area Structure Plans

- Amend the list of adopted Area Structure Plans to include “Vintage Landing Area Structure Plan, dated July 2005” at the end of the list.

Chapter 19 – Future Land Use – Sector and Neighbourhood Plans

- Replace the first paragraph under Sector and Neighbourhood Plans with the following:

More detailed Plans have been prepared for a number of areas in the City. The areas of the City covered by these plans are illustrated on **Map 19.2**. After endorsement of the Sector Plan or Neighbourhood Plan and the undertaking of any required refinements, the land use designations (**Map 19.1 Generalized Future Land Use**) and relevant policy wording that has applicability to the wider City context from these plans was incorporated as part of the Official Community Plan. Sector Plans and Neighbourhood Plans are prepared to provide a refinement to the level of detail within the context of the Official Community Plan, but these Plans are not statutory documents, they have not been adopted by bylaw and once endorsed they have not been updated on an on-going basis. With respect to land use the current OCP is the relevant policy document.

2. OCP Map Amendments

Map 6.2 Urban Development Permit Area Designation

- Replace Map 6.2 with a new Map 6.2 using the most recent GIS lots layer
 - Addition of Kelowna Springs Golf Course to City boundary
 - Amend boundary of Capri Village Centre to match new property boundary for Centuria project

Map 7.1 Natural Environment / Hazardous Condition Development Permit Area Designation

- Replace Map 7.1 with a new map 7.1 using the most recent GIS lots layer
 - Addition of Kelowna Springs Golf Course as a Natural Environment DP Area (wetland)
 - Minor adjustments of DP areas to reflect recent update of the lots layer based on new subdivisions and changes to water boundary (creeks)

Map 7.2 Wildland Fire Hazard Development Permit Area Designation

- Replace Map 7.2 with a new map 7.2 Wildland Fire Hazard Development Permit Area Designation
 - Addition of Kelowna Springs Golf Course to City boundary

Map 8.1 New Housing Distribution

- Replace Map 8.1 with a new Map 8.1
 - Addition of Kelowna Springs Golf Course to City boundary

Map 10.1 Sand and Gravel Deposits

- Replace Map 10.1 with a new Map 10.1
 - Addition of Kelowna Springs Golf Course to City boundary
 - Portion of Kelowna Springs Golf Course shown as sand / gravel deposits

Map 11.2 Urban – Rural / Agricultural Boundaries

- Replace Map 11.2 with a new Map 11.2
- Addition of Kelowna Springs Golf Course within the urban portion of the Urban - Rural / Agricultural Boundary
- Updated ALR boundary from GIS

Map 12.1 20 Year Major Road Network and Road Classification Plan

- Replace Map 12.1 with a new Map 12.1
 - Addition of Kelowna Springs Golf Course to City boundary

Map 13.2 Sanitary Sewer System

- Replace Map 13.2 with a new Map 13.2
 - Addition of Kelowna Springs Golf Course into the existing sanitary sewer service area
 - Update of existing service area, 2020 sanitary sewer service limits and remaining sanitary sewer priorities

Map 13.3 Water Supply System

- Replace Map 13.3 with a new Map 13.3
 - Addition of Kelowna Springs Golf Course to BMID service area
 - Amend map with new GEID Boundaries:
 - All lands within McKinley Waterworks boundary to be added;
 - Remainder of SE1/4, Sec. 3, Twp 23 to be added

Map 14.2 Linear Park Concept Plan

- Replace Map 14.1 with a new Map 14.1
 - Addition of Kelowna Springs Golf Course to City boundary
 - Updated ALR boundary from GIS

Map 19.1 Generalized Future Land Use

- Replace Map 19.1 with a new Map 19.1 using the most recent GIS lots layer
 - Land use changes to reflect OCP amendment bylaws approved by Council since June 2004
 - Minor changes to match new lots layer / subdivisions:
 - Adjust Private Recreation / Single / Two Unit Residential boundary - Quail Ridge Golf Course
 - Adjust Major Park / Open Space and Single / Two Unit Residential boundary near Long Ridge Dr. (Glenmore Highlands)

- Adjust Educational / Major Institutional and Single / Two Unit Residential boundary on Marigold Crescent (Glenmore Valley)
- Expand Educational / Major Institutional designation to include full lot at the SE corner Rutland Rd N / Sumac Rd E for Sikh Temple
- Adjust Major Park / Open Space and Single / Two Unit Residential designations to match new lots / subdivision at the east end of Mugford Road
- Adjust land uses in Bell Mountain ASP – new lots
- Adjust Institutional / Multiple Unit Residential - low density boundary near Lequime Rd (Fairview)
- Adjust Major Park / Open Space and Single / Two Unit Residential boundary (Gallaghers Golf Course)
- Adjust Major Park / Open Space and Single / Two Unit Residential boundary in Neighbourhood 2 (Marin / Carmel Cres.)
- Adjust boundary of ASP #3
- Road line work adjustments:
 - Amend Gallagher Road link through Kirschner Mountain to match land use
 - Adjust line on map for Clifton Road near Marshall property
 - Adjust line on map for Burtch Road extension near proposed WWTP
- Minor changes at Council direction:
 - Change Industrial designation to Single / Two Unit Residential along the south side of Bay Ave between Richter and Ethel (Council Resolution January 10, 2006)
 - Maximum 10 metres of foreshore to be designated as Major Park / Open Space from Lots 2,3,4,5,6 and 7, Plan 2708 (Council Resolution September 13, 2004).
 - Designation of BMID ditch right-of-way along Rutland bench as Major Park / Open Space (Council Resolution September 13, 2004).
 - Road network changes:
 - Add Water / Pandosy link south of Hwy 97 as per Council approval of OCP Amendment Bylaw 9376
- Other proposed changes:
 - Addition of Kelowna Springs Golf Course to City boundary and to designate as Private Recreation
 - Change Rural / Ag designation to Major Park / Open Space for lot at 1870 Mantle Court (RDCO park acquisition)
 - Add 15m Major Park / Open Space designation along Francis Brook east of Findlay Rd to Hwy 97 - pull back Industrial designation to match (coincides with Table 7.1 / 14.1, Map 14.2 and Mill Creek Linear Park Master Plan)
 - Change Single / Two Unit Residential designation to Major Park / Open Space designation on two lots in Magic Estates - Camelot Ct (Knox Mountain Park)
 - Change Major Park / Open Space to Single / Two Unit Residential designation on Churchill Court / Marshall property near Clifton Road / adjust ASP boundary
 - Change Institutional designation to Commercial – Post Haus Pub (Hwy 33 E.)
 - Change Educational / Major Institutional designation to Multiple Unit Residential - medium density for one lot on Barlee Rd

- Change Major Park / Open Space designation to Multiple Unit Residential - medium for lot on Pacific Court and change Multiple Unit Residential - low designation to Major Park / Open Space for one lot on Brookside Ave
- Change Single / Two Unit Residential designation to Major Park / Open Space for Stillingfleet Park
- Adjust Public Services / Utilities and Major Park / Open Space boundary near Munson pond
- Change Single / Two Unit Residential designation to Public Services / Utilities for 803 Steele Rd
- Change Future Urban Reserve designation to Major Park / Open Space for Nature Trust of BC property (leased to Crown) at the end of Lakeshore Rd

Map 19.2 Sector and Neighbourhood Plans

- Replace Map 19.2 with a new Map 19.2
 - Addition of Kelowna Springs Golf Course to City boundary as part of the Hwy 97 Sector