

# CITY OF KELOWNA

## BYLAW NO. 9760

### Official Community Plan Amendment No. OCP07-0003 – No. 21 Great Projects, Vincent & Pamela Blaskovich, Interval Investment Inc., 392187 BC Ltd., Oracle Investments Inc., City of Kelowna (Stantec Consulting Ltd.) – Ivens & Paret Road, south of Gordon Drive extension.

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A bylaw to amend the "*Kelowna 2020* – Official Community Plan Bylaw No. 7600".

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

1. THAT **DEFINITIONS** of "*Kelowna 2020* – Official Community Plan Bylaw No. 7600" be amended by deleting the definition **Cluster Housing** and replacing it with the following:

“**Cluster Housing** – means a form of residential development that concentrates buildings, driveways, parking areas and other common facilities on a portion of a land parcel to minimize site disturbance, leaving the remainder of the parcel as natural open space (often subject to environmental sensitivity or hazardous conditions).”

2. AND THAT **CHAPTER 8 – HOUSING** be amended by deleting **Policy 8.1.45 – Cluster Housing** and replacing it with the following:

“.45 **Cluster Housing**. Encourage, especially in environmentally sensitive areas and areas of steeper slopes (see Map 7.1), the creation of cluster housing to lessen environmental impact. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features that otherwise could be developed and to maximize open space in order to:

- a) facilitate creative and flexible site design that is sensitive to the land’s natural features and adaptive to the natural topography;
- b) protect environmentally sensitive areas of a development site and preserve them on a permanent basis;
- c) decrease or minimize non-point source (*i.e. asphalt roofs, driveways and parking*) pollution impacts by reducing the amount of impervious surfaces in site development;
- d) promote overall cost savings on infrastructure installation and maintenance; and
- e) provide opportunities for social interaction, walking and hiking in open space areas.”

3. AND THAT **Land Use Designations** of **CHAPTER 19 – FUTURE LAND USES** be amended by adding a new designation as follows:

**“Multiple Unit Residential – Cluster Housing**

Small lot single detached homes (may include a suite), semi-detached buildings used for two dwelling units, or attached buildings containing no more than six (6) ground oriented residential units, in a clustered form of site development to lessen environmental impact, including retention of steeply sloped areas as natural open space, public or private. Complementary uses (i.e. care centres, minor public services/utilities and neighbourhood parks), that are integral components of urban neighbourhoods would also be permitted. This designation may be considered for sites of at least 1ha that otherwise would have been designated single / two unit residential, where a significant portion (e.g. 35-50%) of the site (to be determined through the Environmental / Hazardous Condition DP process) is to be retained in a natural state. Areas to remain undisturbed are to be protected by “no disturb” covenants, recognizing that some disturbance may be necessary for wild land fire mitigation. All areas over 30% slope and/or environmentally sensitive are considered un-developable but that site area may be included for density calculations (to be determined through the Environmental / Hazardous Condition DP process), with maximum building densities generally consistent with the typical yields achievable in small lot single / two unit residential subdivisions if such development were applied to the entire site. Maximum lot coverage and parking requirements will be applied to the net developable portion of the site, rather than to any individual lot. Form and character, including building height, would be similar to typical single / two unit housing. Building densities would also be consistent with the provisions of the Residential Multiple - Cluster Housing (RM1c) zone of the Zoning Bylaw and may include CD Comprehensive Development zoning for similar densities or land uses.”

4. AND THAT **Land Use Designations** of **CHAPTER 19 – FUTURE LAND USES** be amended by deleting the designation **Multiple Unit Residential (Low Density)** and replacing it with the following:

**“Multiple Unit Residential (Low Density)**

Townhouses, garden apartments, apartments, buildings containing three or more residential units. Complementary uses (i.e. care centres, minor public services/utilities, and neighbourhood parks), that are integral components of urban neighbourhoods would also be permitted. Building densities would be generally consistent with the provisions of the RM1 – Four-plex Housing, RM2 – Low Density Row Housing, or RM3 – Low Density Multiple Housing zones of the Zoning Bylaw and may include CD Comprehensive Development zoning for similar densities or land uses.”;

5. AND THAT **Table 19.1 - Potential ASP Development Components of CHAPTER 19 – FUTURE LAND USES** be amended by deleting the reference to “4. S. W. Mission”;
6. AND THAT the list of Area Structure Plans approved by Council in **CHAPTER 19 – FUTURE LAND USES** be amended by adding, at the end of the list:

“Southwest Okangan Mission Neighbourhood Area Structure Plan, Neighbourhood 3, dated January 2007”;
7. AND THAT **MAP 6.2 – URBAN DEVELOPMENT PERMIT AREA DESIGNATION**, be amended by:
  - (a) adding a new Village Centre DP Area – **8 South Gordon** to the area indicated on Map “A” attached and forming part of this bylaw;
  - (b) adding to the legend of Map 6.2, “**8 South Gordon**” as a Village Centre Development Permit Area Designation;
8. AND THAT **MAP 12.1 – 20 YEAR MAJOR ROAD NETWORK & ROAD CLASSIFICATION PLAN**, be amended by adding the “2 Lane Major Collector Roads” and “2 Lane Minor Collector Roads” to the area indicated on Map “B” attached and forming part of this bylaw;
9. AND THAT **MAP 19.1 – GENERALIZED FUTURE LAND USE 2000-2020**, be amended by:
  - (a) changing the **FUTURE LAND USE DESIGNATION** of the area outlined in bold on Map “C” attached to and forming part of this bylaw, from Single/Two Unit Residential designation to Single/Two Unit Residential, Multiple Unit Residential – Cluster Housing, Multiple Unit Residential (Low Density), Multiple Residential (Medium Density), Commercial, Major Park/Open Space, and Educational/Major Institutional designations as indicated;
  - (b) adding the Multiple Unit Residential (Cluster Housing) designation to the legend of Map 19.1;
10. 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;
11. 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

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Mayor

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City Clerk

Portion of Map 6.2  
Urban  
Development Permit Area Designation

Rev. Apr. 3/07



**MAP "B"**



