

CITY OF KELOWNA

BYLAW NO. 9973

A Bylaw to Adopt Housekeeping Amendments to Bylaw No. 7600 *Kelowna 2020 – Official Community Plan*

AND WHEREAS Council wishes to adopt certain housekeeping amendments to Bylaw No. 7600 *Kelowna 2020 – Official Community Plan*;

AND WHEREAS Council may adopt an official community plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all members of Council;

AND WHEREAS after first reading of the bylaw and before third reading of the bylaw, Council held a public hearing on the proposed amendments to the official community plan in accordance with Sections 890 through 894 of the *Local Government Act*;

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

1. THAT **Chapter 14 – Parks and Leisure** be amended by:

- (a) deleting the existing policy 14.1.33 **Linear Park Dedications** in Section **14.1 Parks and Leisure Policies/Considerations in Reviewing Development Applications/Special Requirements** and replacing it with the following:

“.33 **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;”;

2. If any statement, section, sub-section, clause, sub-clause or phrase of this bylaw and the official community plan adopted by this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw and official community plan.

Read a first time by the Municipal Council this 14th day of April, 2008.

Considered at a Public Hearing on the day of , 2008.

Read a second and third time and be adopted by the Municipal Council of the City of Kelowna this day of , 2008.

Mayor

City Clerk