

29.0 Development Permit Area #3 (Hillside Residential and Agricultural District)

Goals and Objectives

Protect the surrounding hillside grasslands.

Provide policy in support of the retention of all ALR lands.

Enhance the livability of neighbourhoods and protect environmentally sensitive areas.

Enhance and promote neighbourhood identity and ensure the identity of a neighbourhood is considered and included in new development.

Context (Purpose and Justification)

As per Section 488 of the Local Government Act, the purpose of the designation of lands in the Hillside Residential and Agricultural District as a Development Permit Area is the:

- a. Protection of the natural environment, its ecosystems and biological diversity.
- b. Protection of development from hazardous conditions.
- c. Protection of farming.
- d. Establishment of objectives for the form and character of commercial, industrial or multiple family residential development.
- e. Establishment of objectives to promote energy conservation.
- f. Establishment of objectives to promote water conservation.
- g. Establishment of objectives to promote the reduction of greenhouse gas emissions.

The Hillside Residential and Agricultural District is home to the hillsides and vast grasslands that have helped to make Vernon a unique and scenic city in the Okanagan Valley. It is also home to productive agricultural lands. It is the mandate of this section to protect environmentally sensitive areas, minimize the impact of development on the surrounding hillsides and in doing so the policies will protect view corridors, enhance pedestrian and alternative transportation opportunities, and enhance and increase neighbourhood and open spaces and natural areas.

Guidelines

- 29.1 Lands identified on Map 14 as the Hillside Residential and Agricultural District are designated as Development Permit Area 3.
- 29.2 In addition to the following policies, all development in Development Permit Area 3 is subject to the general Development Permit Area policies within the OCP.
- 29.3 Development in the Bella Vista West Neighbourhood Plan Area shall be consistent with the policies outlined in the Bella Vista West Neighbourhood Plan.
- 29.4 Development in the Okanagan Hills Neighbourhood Plan Area shall be consistent with the policies outlined in the Okanagan Hills Neighbourhood Plan.
- 29.5 Development in the East Bella Vista Highlands Neighbourhood Plan Area shall be consistent with the policies outlined in the East Bella Vista Highlands Neighbourhood Plan.
- 29.6 Development in the Predator Ridge Neighbourhood Plan Area shall be consistent with the policies outlined in the Predator Ridge Neighbourhood Plan.
- 29.7 All lands adjacent to or neighbouring land designated in the Agricultural Land Reserve are subject to the conditions cited in the documents Preserving Our Foodlands: The Agricultural Land Commission's Landscaped Buffer Specifications and the Ministry of Agriculture's Guide to Edge Planning.
- 29.8 As per the document entitled City of Vernon Hillside Guidelines, all new development will be subject to the policies and initiatives set forth by that document.
- 29.9 The City will increase pedestrian connections and transit access to this area by promoting development that encourages alternative transportation.
- 29.10 The City will work with new development to create better pedestrian and alternative transportation access to schools, recreation areas and parks.
- 29.11 Public access along to the Okanagan Lake foreshore shall be addressed as part of any new subdivision or development along the lake.
- 29.12 The City will work with new development to maximize the value of existing and future City assets by promoting development that makes more efficient use of roads, utility infrastructure and City services. This will include exploring a mix of land uses and residential densities in future neighbourhood planning processes.

- 29.13 Any subdivision plans, except for boundary adjustments, party wall subdivisions, phased building strata subdivisions and lease plans, approved on the shared lands on Map 11 (Fire Limits and Interface Area) will require a fire hazard assessment from a registered professional forester, along with any consequent recommendations to reduce fire hazard on the lands to be subdivided and to neighbouring lands. Such recommendations could include alterations, landscaping, land and building maintenance, use of building materials, siting of buildings, and the location and types of trees and other vegetation.

Design Guidelines

- 29.14 Development within the Greater Vernon Recycling and Disposal Facility shall incorporate landscaping to screen buildings, structures and other activity related to the facility from view from the Highway 97 corridor. Landscaping should use native species to give the appearance of an undisturbed hillside, as much as possible.

Okanagan Hills Neighbourhood Plan Area

- 29.15 Proposed sites for new development shall be of a configuration that does not result in remainders of land that would be difficult to develop for the uses designated on Schedule A of the Predator Ridge Neighbourhood Plan.
- 29.16 The form, siting and character of new commercial and multi-family residential development should take into account established adjacent development and shall, where appropriate, provide screening or a landscape buffer to lessen impact on adjacent lands.
- 29.17 All development on steep topography shall be designed in a manner that minimizes the requirement for cut and fill. Building and roof lines should complement the surrounding terrain.
- 29.18 All developments shall be substantially landscaped and a landscape plan be submitted for each proposed development.
- 29.19 All lands within 15 metres of a watercourse and/or wetland shall be adequately protected from abutting development and, if required, be enhanced. Lands within 15 metres of all watercourses have to remain largely undisturbed.

Foothills Neighbourhood Plan Area

Multifamily Residential

- 29.20 Shared parking access is encouraged to reduce the number and width of driveways.
- 29.21 Buildings should be oriented to the street, where site topography allows.
- 29.22 Site and building design should incorporate Crime Prevention Through Environmental Design (CPTED) principles. At the Development Permit stage, the design will be evaluated to ensure that the following CPTED principles have been addressed:
- Natural surveillance - maximizing the ability of people to see out of a building and into the surrounding areas, allowing them to spot and report suspicious activities.
 - Access control - providing clearly designated entrances to buildings and sites while discouraging entry through other routes.
 - Territoriality - identifying ownership by delineating, through design, private space from public space.
 - Maintenance - ensuring that buildings and sites are clean, graffiti-free and well maintained, reinforcing that this in an area that is respected and cared for.
- 29.23 Buildings should incorporate contrast trim around doors, windows, gable edges and other architectural details to provide a varied and attractive facade.
- 29.24 Building materials should be chosen for their durability and for their consistency with neighbouring development. The use of stone and wood are encouraged. Vinyl siding is not permitted.
- 29.25 Development will be characterized by gabled roofs. Flat roofs are not permitted except in the preferred medium density residential location in the North East quadrant of the Neighbourhood Plan Area.
- 29.26 Landscaping should be designed to soften the appearance of the development along the hillside face and incorporate native plants appropriate to the area.

Neighbourhood Centre

- 29.27 Building materials should be chosen for their durability as well as their functional and aesthetic quality. The use of stone, wood, and standard dimension brick should feature prominently in the design. Where development is proposed adjacent to existing buildings in the neighbourhood centre, the materials should be compatible with those adjacent buildings, either as primary or accent materials.

- 29.28 Exposed concrete should be avoided. Where exposed concrete is unavoidable, such as in a foundation, it should be painted in a high quality finish in a colour that is compatible with the building.
- 29.29 Development should be characterized by gabled roofs. No flat roofs are permitted.
- 29.30 Roof materials should be limited to architectural asphalt shingles, similar in colour to wood, or other materials that provide the same look as wood, as they will be visible to much of the Foothills neighbourhood. Solar shingles are encouraged.
- 29.31 Commercial uses should be oriented to the on-site public thoroughfare.
- 29.32 Where possible, commercial frontage widths should be minimized to contribute to the visual interest of the area.
- 29.33 Building facades should use architectural features to create varied and articulated building facades while encouraging transparency through the use of windows and doorways, particularly on facades that face streets. Blank walls should be avoided where possible.
- 29.34 Contrast trim should be used to emphasize doors, windows, gable edges and other architectural details.
- 29.35 Guidelines for Crime Prevention Through Environmental Design (CPTED) should be followed when considering site planning and building location.
- 29.36 Permeable paving surfaces should be used where feasible to manage water infiltration.
- 29.37 Sign design and colours should be consistent and compatible with the design and colours of the building. Signs with white backgrounds, exposed fluorescent or incandescent bulbs are not permitted. Backlighting is permitted along Silver Star Road but only in close proximity to vehicular entryways.
- 29.38 Fascia, projecting, awning and window signs are encouraged. Rooftop, flashing, and moving signs are discouraged. Commercial signs should be located at street level to add visual interest along the street. Free standing signs are permitted along Silver Star Road but only in close proximity to vehicular entryways.
- 29.39 Chain link fences are not permitted.
- 29.40 All buildings in the neighbourhood centre shall be no higher than 4.5 storeys or 16.5 metres.

Predator Ridge Neighbourhood Plan Area

Form and Character

The following Design Guidelines apply to commercial, institutional and/or multiple unit residential development and have been established to achieve the following objectives:

- To ensure commercial, residential and institutional uses are thoughtfully integrated with their surroundings;
- To build a unique sense of place at Predator Ridge through enhancing the character of development; and
- To encourage a high design quality for commercial, institutional and multiple dwelling unit developments.

General Design

- 29.41 The character of development at Predator Ridge will generally:
- a. respect the character of the surrounding neighbourhoods;
 - b. be designed to integrate into the existing topography and natural landscape;
 - c. incorporate a variety of local, natural building materials into the design of the buildings;
 - d. be designed to respond to the local climate and situated to maximize views and natural sunlight wherever feasible; and,
 - e. encourage buildings to address the street, or greenway/other public space or both, so as to create a highly permeable public realm edge.
- 29.42 Outdoor patios, landscaped commons and/or amenity areas are encouraged.
- 29.43 Street furniture, such as benches, light fixtures, bicycle racks, signage, and recycling/refuse containers, shall be incorporated in the landscape design. These shall be consistent, similar, or identical in character to the architectural character of the development.
- 29.44 Public open space and pedestrian walkway linkages to adjacent neighbourhoods (to complement recreational opportunities and reduce automobile dependence) shall be encouraged.
- 29.45 Development shall not be a separate "gated community" with walled or fenced enclaves and shall be integrated with and compatible with surrounding neighbourhoods.

Building Siting, Height, Size & Massing

- 29.47 Building placement and design shall consider setting buildings into the hillside and stepping upper storeys back to respect views from the adjacent existing residences where feasible.
- 29.48 Buildings shall be designed to avoid presenting an overly massive appearance using varying architectural massing, roof line and balcony/terrace design, window treatments, and landscaping to reduce monolithic forms and improve their aesthetic appearance.
- 29.49 Human-scaled architectural elements are required to minimize the visual impact of larger multiple dwelling housing forms.
- 29.50 Deep overhangs and/or covered balconies and patios adjacent to the primary living areas shall be provided where feasible. Shallow overhangs are suitable if combined with shading devices such as trellises or small shading structures over windows and doors.
- 29.51 Continuous weather protection over main entrances and over building facades shall be encouraged.
- 29.52 Building siting and internal spaces should be designed to promote natural ventilation, reducing reliance on mechanical means. Shading devices should be used to control solar heat gain during summer months while permitting sunlight into living space during the cold months.
- 29.53 Stepped roof lines that scale buildings from major to minor elements are strongly encouraged.

Materials & Exterior Finishes

- 29.54 The use of non-combustible building materials is encouraged.
- 29.55 Where feasible, a variety of locally produced natural building materials should be incorporated into the design without compromising the building or structure's fire resistance.
- 29.56 Authentic detailing and application of exterior finishes is strongly encouraged. Unfinished building walls, including exposed basements, are discouraged.
- 29.57 Colours shall be selected to complement the natural environment, inspired by site vegetation and vistas: earth-based warm greys, browns and umbers, and moss greens as well as cooler colours inspired from the sea and sky, such as pale blues and greys. Lighter tones can be used to provide accent trim and in base areas, projecting elements and entries. Bolder colours will be acceptable, assuming the overall palette is complementary.

Parking and Loading

- 29.58 Parking areas should be integrated with the topography where feasible consisting of a series of smaller parking areas, screened through landscape design to establish a pedestrian-friendly environment while reducing the visual impact of surface parking areas. Underground parking is preferred, where feasible.
- 29.59 Where feasible, parking and loading areas shall be to the rear of the front-face of buildings.
- 29.60 Shared loading areas will be considered when compatible uses are in the same development.

Landscaping and Screening

- 29.61 Landscape Plans shall satisfy the following objectives:
- a. to use a variety of native or similarly hardy, drought tolerant deciduous and evergreen plant species, perennials and grasses that are best suited to the site specific growing conditions;
 - b. to minimize water consumption through means such as micro-irrigation and xeriscaping;
 - c. to provide visual separation from and compatibility with surrounding single family dwelling uses;
 - d. to improve the aesthetic appeal of the development;
 - e. to assist in the safe movement of pedestrians throughout the site while limiting access to sensitive areas;
 - f. to reduce the amount of impervious surfaces on the site;
 - g. to complement the development and surrounding uses;
 - h. to preserve natural character and delineate between amenity space and natural areas; and,
 - i. to establish or enhance habitat values on the development site where appropriate.
- 29.62 Retention of natural vegetation is encouraged wherever possible both during construction and throughout the life of the development.
- 29.63 Plant species used in replanting, restoration and enhancement shall be selected to suit the soil, light and groundwater conditions of the site with temporary irrigation required, should be native to the area, and be selected for erosion control and/or habitat values as needed.
- 29.64 Low impact stormwater control measures shall be integrated into paving treatments and landscape design to encourage detention and improve water quality.
- 29.65 Where appropriate, establish landscape buffers that create a natural transition between the public, semi-public and private uses through the use of hard and soft landscaping, such as areas containing layers of shrubs, trees and low walls where required.
- 29.66 Garbage recycling containers (bear/animal proof), utilities, service kiosks, meters, elevator housing, exhaust elements, satellite dishes, etc. shall be screened or enclosed with a combination

of landscaping, trees, fencing and gates to a minimum height of 2.0 metres. Any outside storage areas shall be located to the rear of buildings unless adequately screened.

- 29.67 Chain link fencing shall be used only when screened by landscaping. Decorative fences are encouraged.
- 29.68 Exposed foundation walls should match the exterior finish of the building – including parkade structures and/or exposed basements.
- 29.69 Landscaping at intersections shall protect visual triangles.

Pedestrian and Cyclist Considerations

- 29.70 Pedestrian sidewalks and pathways should provide direct/convenient connections between building entrances, parking areas and sidewalks/pathways of adjacent streets.
- 29.71 Sidewalks and parking areas designed according to barrier free access standards are required.
- 29.72 Walls, fences, landscaping, grade changes or other site features should not obscure vehicle driver vision of pedestrian or bicycle routes or provide for concealment.
- 29.73 Where appropriate, pedestrian facilities shall be provided to separate pedestrian and traffic circulation on a site and minimize vehicle/pedestrian conflicts.
- 29.74 Public and private street designs shall provide pedestrian amenities such as benches, human-scaled lighting, street trees, and recycling/refuse receptacles where appropriate.
- 29.75 Safe pedestrian routes shall be provided to link commercial and multi-unit residential developments to and through existing neighbourhoods, parks and neighbourhood destinations.
- 29.76 All internal pedestrian walkways shall be distinguished from driving surfaces through the use of attractive clearly delineated pathway or durable, low maintenance surface materials such as pavers, bricks, or concrete with consideration of pedestrian safety, abilities and comfort.

Site Illumination and Signage

- 29.77 Signage shall complement the design of buildings and structures and be grouped, where possible, in multiple business development sites. The use of natural materials is encouraged.
- 29.78 The size, location and design of freestanding signage shall be architecturally integrated with the overall design of the buildings and landscaping. The design of fascia signs containing individual business signage shall be integrated into the design of the building.

- 29.79 No roof top signs shall be permitted. Multi-tenant buildings shall provide combined tenant signage.
- 29.80 Signage should be visually unobtrusive; signage should be designed to be aesthetically pleasing and require a minimal amount of lighting or boldness to be effective.
- 29.81 The use of indirect and/or accent lighting on signage is encouraged.
- 29.82 Lighting should be designed, both outside and inside developments, in accordance with “dark sky” guidelines to improve safety, minimize glare and preserve the ambiance of the night sky. The use of back-lit signage and LED or video signage is not permitted.
- 29.83 All new, replacement and upgraded exterior lighting in existing and proposed developments shall use Full-Cut Off/Flat Lens (FCO/FL) luminaries as required for roads, parking, loading and pedestrian areas. Exterior building lighting will also be required to use FCO lighting fixtures.

Residential – Low Density – Conservation

The following Development Permit Guidelines apply to areas designated as Residential – Low Density – Conservation and are considered in addition to the existing DPA (All Areas) and DPA3 Development Permit Area Guidelines as mentioned above.

Developed in accordance with the findings of the Environmental Management Plan and recommendations of Registered Professional Biologists, the following Residential – Low Density – Conservation DPA guidelines were established to, preserve landscape character, habitat value and wildlife connectivity. The Residential - Low Density – Conservation DPA is subject to a set of strict guidelines and serves to:

- Facilitate development within the identified Residential – Low Density – Conservation Development Permit Areas;
- Reduce overall unit density (from 12 upa to 1 upa – equivalent to rural residential zoning);
- Prescribe a process through which to determine most appropriate homesites (which include Hillside Guidelines, the Environmental Management Areas Strategy and guidelines for fire protection) in consultation with a Qualified Environmental Professional (QEP) and other professionals as appropriate;
- Restrict the physical extents of residential development (i.e. minimize footprint);
- Clearly identify and delineate the boundaries of conservation areas proposed; and,
- Ensure greater performance measures with respect to landscape preservation, site sensitive design and green building.

In addition to a significant reduction of permitted density from 12 upa to 1 upa (equivalent to rural residential zoning), specific development areas within lands designated within the Residential – Low Density – Conservation DPA will be managed through the following structure:

Development Area

The Development Area is the limited portion of a lot where improvements are permitted, outside of the designated Conservation Area. Buildings, structures, indoor and outdoor living spaces, driveways, utilities, vegetation clearing and general landscaping are examples of improvements to be contained within the Development Area, restricted to a maximum of 25% of the total lot area (exclusive of common driveways and/or pathways).

Conservation Area

The Conservation Area is the portion or percentage of a Lot where Improvements are not permitted. Conservation Areas are established – based on field surveys of natural features, such as rock outcrops, significant vegetation and watercourses – to protect environmentally sensitive areas in accordance with City of Vernon policies, Best Management Practices and covenants registered on title and required at a minimum 75% of the total lot area (inclusive of common driveways and/or pathways). The benefits of these designations, beyond environmental protection, are in maintaining the beauty of the natural landscape and enhancing values of residential sites. Scenic areas, sensitive plant communities, and feature landforms are preserved in perpetuity through the development of covenanted conservation areas and maintain contiguous conservation habitat areas.

The following guidelines provide further detail in regard to Sensitive Habitats, Landscaping/Irrigation, Storm Water Management, Fire Protection, Invasive Species/Biocide Restrictions and Green Building Objectives:

Sensitive Habitat: Avoid rock outcrops, talus slopes, grasslands, vegetated draws, woodlands, wildlife trees, and other sensitive habitats wherever possible. A habitat assessment at the scale of 1:750 is to be completed by a Qualified Environmental Professional prior to development permit as defined by City of Vernon permitting requirements. Sensitive areas within the designated Conservation Area are to be protected with a 219 Conservation Covenant registered on title at the time of development permit.

Landscaping / Irrigation: Landscaping should emphasize native, non- invasive, and drought tolerant plants (xeriscaping) plants. Plants should be grouped together with similar water requirements and the irrigation system designed and controlled specific to each plant zone. Overwatering into native areas must be avoided as this changes the hydrology and will change the ecology, weakening the native plants and encouraging establishment of invasive species.

29.84 **Stormwater Management:** Storm water should be directed to ground with as many input points as possible, to mimic the original storm water infiltration pattern. Around structures and roads,

use vegetated swales, splash pads, bioretention areas, infiltration trenches, foundation planters, rain gardens, permeable paving wherever possible to mimic the original storm water pattern. Encourage green roofs and the capture and reuse of rainwater in irrigation.

29.85 Invasive Species / Biocide Restrictions: Invasive plants must be controlled by hand, mechanical or biological controls. Biocides (fertilizers, pesticides, herbicides and fungicides) are not permitted. Invasive horticultural plants should not be planted (e.g. english ivy, bishops weed, bachelor's button, virginia creeper, trumpet vine, etc.).

29.86

29.87 Green Building Objectives: The neighbourhood and individual structures are encouraged to be built using green building technology and targets. Green technology for energy and water use are encouraged, such as water and energy efficient fixtures and appliances and green energy solutions (e.g. solar hot water, solar heating or geothermal, as appropriate), programmable thermostats. Local building materials should be used as much as possible.

Guidelines

29.88 A development permit is required for the following activities unless specifically exempt:

- a. removal, alteration, disruption or destruction of natural features, including mature and native vegetation;
- b. disturbance of soils, including grubbing, scraping, and removal of top soils;
- c. construction or erection of buildings and structures;
- d. creation of non-structural impervious or semi-pervious surfaces; and,
- e. subdivision as defined in the Land Title Act or the Strata Property Act.

Implementation: Defining the Development Area and Conservation Area

29.89 At the time of subdivision application (to include detailed extents of proposed conservation areas, development areas, road/driveway and trail alignments and the location of all services), a habitat assessment at the scale of 1:750 is to be completed by QEP and shall include the following site-specific natural features, functions, and conditions that support wildlife and unique ecosystems:

- a. location of vegetation, trees, snags, and root systems;
- b. location of rare, protected and uncommon species and plant communities;
- c. soils and soil conditions (moisture, nutrients and permeability);
- d. location of bird and other wildlife and their habitats, such as nesting and breeding areas;
- e. maintenance of an effective visual and sound (natural vegetated) buffer around eagle and heron nesting sites or the sensitive ecosystem;
- f. demonstrate wildlife corridor connectivity and promote a contiguous conservation area between properties to minimize fragmentation
- g. location of all ponds, wetlands, streams and ephemeral waterbodies;

- h. topography and relative location of features on neighbouring properties; and,
 - i. hydrology and impacts to adjacent areas with respect to post-development drainage regimes.
- 29.90 The report prepared by a QEP shall include recommendations to lessen impacts and will include candidate areas for conservation covenants and lot specific procedures for covenant monitoring which address specific areas of sensitivity as determined at the time of subdivision and Development Permit.
- 29.91 Establish the Development Area based on the recommendations of the habitat assessment as described above, restricted to a maximum of 25% of the total lot area (exclusive of common driveways and/or pathways).
- 29.92 Establish the Conservation Area based on the recommendations of the habitat assessment as described above, required at a minimum 75% of the total lot area (inclusive of common driveways and/or pathways).
- 29.93 Through acceptable transition landscaping, staking and/or other approved means, demonstrate the extent of the Development Area, to clearly demarcate the Conservation Areas (for management and monitoring purposes).
- 29.94 Require conservation covenants (under Section 219 of the Land Title Act, registered against title to the land and in favor of the City of Vernon) to ensure no disturbance within the designated Conservation Area and to establish requirements for monitoring (to be managed by the strata association and undertaken by an established third party monitoring body approved by the City of Vernon).

Implementation: General Design & Construction

- 29.95 All development proposals should be designed in substantial compliance with the guidelines contained in Section 3 (Site Development & Management) of the document: "Develop with Care: Environmental Guidelines for Urban and Rural Land Development in British Columbia" published in March 2006 by the Ministry of Environment, taking into account provisions which have been applied at the Neighbourhood Plan level.
- 29.96 Should the Riparian Areas Regulation apply, all development within the Development Permit Area must be in compliance with the Riparian Areas Regulation and a QEP must be retained at the expense of the applicant for the purpose of preparing a report pursuant to Section 4(2) of the Riparian Areas Regulation (RAR) and the RAR Assessment Methodology Guidebook. The report must be electronically submitted to the Ministry of Environment (MOE) Fisheries and Oceans Canada (DFO), and a hard copy must be provided to the City of Vernon.
- 29.97 Development or subdivision of land is to be designed to:

- a. replicate the function of a naturally vegetated watershed;
 - b. retain and protect, with a buffer of 5m, all ponds, wetlands and ephemeral streams in the Development Permit Area;
 - c. maintain the hydraulic regime of surface and groundwater and pre-development flow rates; and,
 - d. not introduce or remove materials where it would cause erosion of or the filling in of natural watercourses or the shoreline.
- 29.98 All new development should be designed to conserve water by:
- a. minimizing impervious surfaces;
 - b. maintaining the hydraulic regime of surface and groundwater and pre-development flow rates at the watershed scale; and
 - c. not introducing or removing materials where it would cause erosion of or the filling in of natural watercourses and/or wetlands.
- 29.99 Design sites and buildings to use best practice rain water management and water conservation techniques, and encourage the use of rainfall capture for landscape irrigation through the use of rain barrels or other residential scale devices.
- 29.100 Encourage the use of green rooftops, balconies, patios and courtyards as to moderate effects of building temperature (heat island effect).
- 29.101 The use of energy efficient building materials, techniques, heating and cooling systems (geo-exchange systems) and practices that reduce the amount of energy consumption shall be encouraged;
- 29.102 Comprehensive development proposals that consider the full life cycle of input materials and process by-products as well as seek to minimize energy and raw materials use, minimize waste, shall be encouraged.
- 29.103 To the extent feasible, development should be designed to take advantage of sun exposure to reduce winter heating and natural ventilation to reduce summer cooling.
- 29.104 Conduct a pre-construction plant species at risk survey by a qualified vegetation ecologist/botanist to identify plants that can salvaged from the homesite at time of construction.
- 29.105 Establish a clear boundary (using temporary construction fencing) to limit construction activities within the Development Area and avoid impacts to the Conservation Area, as identified on each lot.

Management, Monitoring and Stewardship

- 29.106 Provide an Environmental Homeowner's Manual, detailing best practices for living in wildlife interface areas, including but not limited to: neighbourhood specific sensitive plant communities and landscaping standards, wildlife and associated migration patterns; and safety techniques for living with wildlife (including garbage management and domestic pet care).
- 29.107 Landscaping plants are to be North Okanagan native and non-invasive species.
- 29.108 Landowners are to use integrated pest management practices for landscape planning and maintenance of all non-covenanted common lands (such as trails and shared driveways) following environmentally friendly practices to control pests without the use of pesticides (which will negatively impact native, non-pest species) and under the direction of a certified Integrated Pest Management specialist.
- 29.109 All trails within the Conservation DPA shall be designated as on-leash only.
- 29.110 Perimeter fencing and/or wildlife fencing of the Conservation Area is not permitted.
- 29.111 Retention of natural vegetation is encouraged and introduced landscaping shall use native plantings, drought tolerant species, and xeriscaping standards, where feasible.
- 29.112 Predetermined fire protection areas are to be maintained, but not exceeded, to ensure threat of fire is reduced without impacting the Conservation Areas of each lot.
- 29.113 The strata association shall be required to retain the services of an established third party monitoring body approved by the City of Vernon to conduct a monitoring assessment on a regular basis and provide the results to the City of Vernon.
- 29.114 An appropriate instrument shall be utilized to inform landowners that all domestic pets are to be kept indoors or on a leash when outside for the dual protection of the domestic pet(s) and wildlife in the area.

Fees and Non-Compliance

- 29.115 Establish an environmental management amenity charge / strata fee dedicated to the ongoing management, maintenance, enhancement and/or restoration of sensitive habitat, as prescribed by a QEP, where appropriate.

29.116 Prior to completion of the development of the neighbourhood, Predator Ridge is to provide funding for the establishment and initial monitoring responsibilities, until such a time as strata fees are sufficient to cover the costs.

29.117 Fines for non-compliance are to be approved by the City of Vernon and established within the strata bylaw of the affected properties.

Exemptions

Where an owner is proposing to alter the land, commence a subdivision, construct or alter a building or structure within this Development Permit Area, the following activities are exempt from requiring a development permit:

29.118 Development outside of the Streamside Protection and Enhancement Area (SPEA) where notification of an assessment report prepared in accordance with Section 4(2)(a)(i)(ii) of the Riparian Areas Regulation (RAR) and the RAR Schedule of Assessment Methods has been received by the City of Vernon and electronically submitted to the Ministry of Environment;

29.119 Maintenance of existing landscaping and planting native trees, shrubs, or ground cover and the maintenance or repair of buildings and structures within the existing footprint (Building Permit may be required).

29.120 Removal of invasive plants or noxious weeds to be undertaken regularly following removal directions provided by weed removal specialists within the Development Permit Area.

29.121 Minor additions to existing buildings and structures to a maximum of 25% of the total floor area of the existing building or structure, provided that the proposed addition is not situated closer to the conservation area established identified, than the existing building or structure.

29.122 Construction of a single trail per subdivision subject to the following:

- a. the physical trail must be no greater than a maximum 1.5 metres in width;
- b. the trail's surface must be pervious but may be constructed with materials that limit erosion and bank destabilization (certain structures may require a building permit);
- c. the trail provides the most direct route of feasible passage through the Development Permit Area;
- d. sensitive habitat will not be impacted by the presence of the trail;
- e. the ground must be stable, i.e. erodible banks or other erosion prone areas must be avoided;
- f. no trees, greater than 5 metres in height and 10 centimetres in diameter, are to be removed. If limbing, pruning and topping of trees must occur, a minimum of 60% of the original crown of any tree should be retained to maintain tree health and vigour; and,
- g. no vehicles are permitted.

29.123 Emergency procedures to prevent, control, or reduce erosion, or other immediate threats to life and property including:

- a. emergency actions for flood protection and erosion protection;
- b. clearing of an obstruction from bridge, culvert, or drainage flow; repairs to bridges and safety fences in accordance with the Federal Fisheries Act and Wildlife Act; and,
- c. removal of hazardous trees that present a danger to the safety of persons or are likely to damage public or private property.
- d. Restoration works under the supervision of a qualified professional. Any activity within the Development Permit Area, requires compliance with Provincial and Federal legislation, and notification to the City of Vernon.