

City of Kelowna

Regular Council Meeting

AGENDA



Monday, October 4, 2021

9:00 am

Council Chamber

City Hall, 1435 Water Street

Pages

1. **Call to Order**
2. **Confirmation of Minutes** 2 - 3
Regular AM Meeting - September 27, 2021
3. **Reports**
 - 3.1. **City of Kelowna's Draft New Zoning Bylaw - Project Workshop** 90 m 4 - 261

To provide Council with information as it relates to the project scope, timeline, and consultation process for the proposed new Zoning Bylaw.
4. **Resolution Closing the Meeting to the Public**

THAT this meeting be closed to the public pursuant to Section 90(1) (e) of the Community Charter for Council to deal with matters relating to the following:
 - Land Acquisition
5. **Adjourn to Closed Session**
6. **Reconvene to Open Session**
7. **Issues Arising from Correspondence & Community Concerns**
 - 7.1. **Mayor Basran, re: Issues Arising from Correspondence** 15 m
8. **Termination**



**City of Kelowna
Regular Council Meeting
Minutes**

Date: Monday, September 27, 2021
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Luke Stack and Loyal Wooldridge

Members participating remotely Councillors Charlie Hodge*, Brad Sieben and Mohini Singh

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*

Staff participating remotely Legislative Coordinator (Confidential), Arlene McClelland*

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 10:03 a.m.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0895/21/09/27 THAT the Minutes of the Regular AM Meeting of September 20, 2021 be confirmed as circulated.

Carried

Councillor Hodge joined the meeting at 10:05 a.m.

3. Reports

3.1 City Clerk, Verbal re: OCP Amending Procedures

City Manager:

- Provided opening remarks.

City Clerk:

- Provided an overview of how and when an Official Community Plan may or may not be amended.

- Made comment that the Local Government Act Section 470(1) restricts how a bylaw subject to a public hearing may be amended once the hearing is closed; an amendment at this stage cannot alter use or density, therefore would depend what the OCP policy referred to as to whether Council could amend or not amend the OCP post public hearing.
- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Singh

Ro896/21/09/27 THAT Council receive, for information, the verbal report of the City Manager and City Clerk dated September 27, 2021.

Carried

4. Resolution Closing the Meeting to the Public

Moved By Councillor Hodge/Seconded By Councillor Given

Ro897/21/09/27 THAT this meeting be closed to the public pursuant to Section 90(1) (c), (f), (g) and Section 90(2)(b) of the Community Charter for Council to deal with matters relating to the following:

- Labour Relations
- Law Enforcement
- Potential Litigation
- Confidential Information from the Provincial Government

Carried

5. Adjourn to Closed Session

The meeting adjourned to a closed session at 10:10 a.m.

6. Reconvene to Open Session

The meeting reconvened to an open session at 12:00 p.m.

7. Issues Arising from Correspondence & Community Concerns

7.1 Councillor Donn, re: Heritage Assets Update

Councillor Donn:

- Will be looking for a Heritage Assets update late fall or winter

8. Termination

The meeting was declared terminated at 12:01 p.m.

Mayor Basran

sf/acm



City Clerk

Report to Council



Date: October 4, 2021
To: Council
From: City Manager
Subject: Draft New Zoning Bylaw – Project Workshop
Department: Development Planning Department

Recommendation:

THAT Council endorse the proposed new Zoning Bylaw process, as outlined in this report from the Development Planning Department Manager, dated October 4, 2021.

Purpose:

To provide Council with information as it relates to the project scope, timeline, and consultation process for the proposed new Zoning Bylaw.

Background:

Under the *Local Government Act*, a Zoning Bylaw is the principal way that local governments can regulate land use. Zoning bylaws assign a zone to all land within a local government and stipulate specific land uses, density, siting, and size of buildings, as well lot area and dimensions of properties for subdivision. A Zoning Bylaw consists of a set of rules that determine how land can and cannot be used, what can and cannot be built within each zone, and sets out the regulations intended to ensure the orderly development of the community and avoid conflicts between incompatible uses.

A Zoning Bylaw is a separate document from the Official Community Plan (OCP). The OCP is a high-level community-based vision, a long-range plan that sets out the vision and overall management of growth of a city. It is a set of policies and guidelines that are used to generally influence decisions and guide the overall direction of a city. A Zoning Bylaw is a more specific tool to implement land use planning visions expressed in OCP's and growth strategies¹. A new city-wide Zoning Bylaw takes direction from the OCP and conforms with its policy direction.

¹ Province of BC, Zoning Bylaws. <https://www2.gov.bc.ca/gov/content/governments/local-governments/planning-land-use/land-use-regulation/zoning-bylaws>.

The City's first Zoning Bylaw (Bylaw No. 740) was adopted in 1938 and was updated four times² over the decades. The current Zoning Bylaw was adopted in 1998 and largely replicated its precursor, (Bylaw No. 4500) from 1976. The new OCP2040 provides an opportunity to update the bylaw, modernize the regulations and revise the document to be relevant to the development issues and needs of Kelowna residents today.

Discussion:

The proposed new Zoning Bylaw is intended to align with Imagine Kelowna and the City's new 2040 OCP, meet current Provincial legislative requirements, and respond to current development and real estate trends. It will consider the recommendations contained within several previous Council approved planning initiatives and projects including the Healthy Housing Strategy, the Capri-Landmark Urban Centre Plan, the Transportation Master Plan, Kelowna's Agriculture Plan, Kelowna's Urban Centre Roadmap, and recent changes to the BC Building Code – and is intended to act as a base upon which all the future planning initiatives can be layered on.

Additionally, proposed layout and format improvements to the new Zoning Bylaw as well as land use category consolidations are intended to update and simplify the document, making it more user-friendly to the public and community members, developers, staff and Council. The new format will also aid in future updates or amendments to the Zoning Bylaw in the coming years as staff acknowledge the need to keep the document up to date with future planning and development initiatives.

New Zoning Bylaw objectives:

The new Zoning Bylaw is proposing to achieve six key objectives, outline as the following:

1. Consolidate Zones

- Consolidate zones to reduce the overall number of industrial, commercial, and multi-family zones.
- Improve document formatting and layout, searchability function, including the use of zoning tables and hyperlinks.

2. Consolidate Land-Use Categories

- Reduce the overall number of land use categories.
- Update old terminology and modernize land use definitions.
- Reduce overlap and redundancy between categories.

3. Update Building Height Regulations

- Current urban zones have four storey height limits, but the BC building code allows up to six storeys, triggering unnecessary variances.
- Include height provisions in mixed-use and multi-family zones, generally along key transit-oriented corridors.
- Create new mixed-use zones for each Urban Centre to respond to the unique context and character.

4. Allow Towers and Mid-Rise Buildings in the Capri-Landmark Urban Centre

² Bylaw No. 2293 was adopted in 1961; Bylaw No 3500 was adopted in 1973; Bylaw No 4500 was adopted in 1976.

- Permit higher rise buildings (less than 20 storeys) as part of the City's Capri-Landmark Urban Centre Plan.
- Coordinate Capri-Landmark Urban Centre Plan with the new specific zone for the area.

5. *Simplify Density Bonusing Policy*

- Create fair and equitable bonusing provisions in mixed-use and multi-family zones – generally in Urban Centres and along key roadway corridors.

6. *Provide a modernized Zoning Bylaw that will continue to be updated as new policies are adopted.*

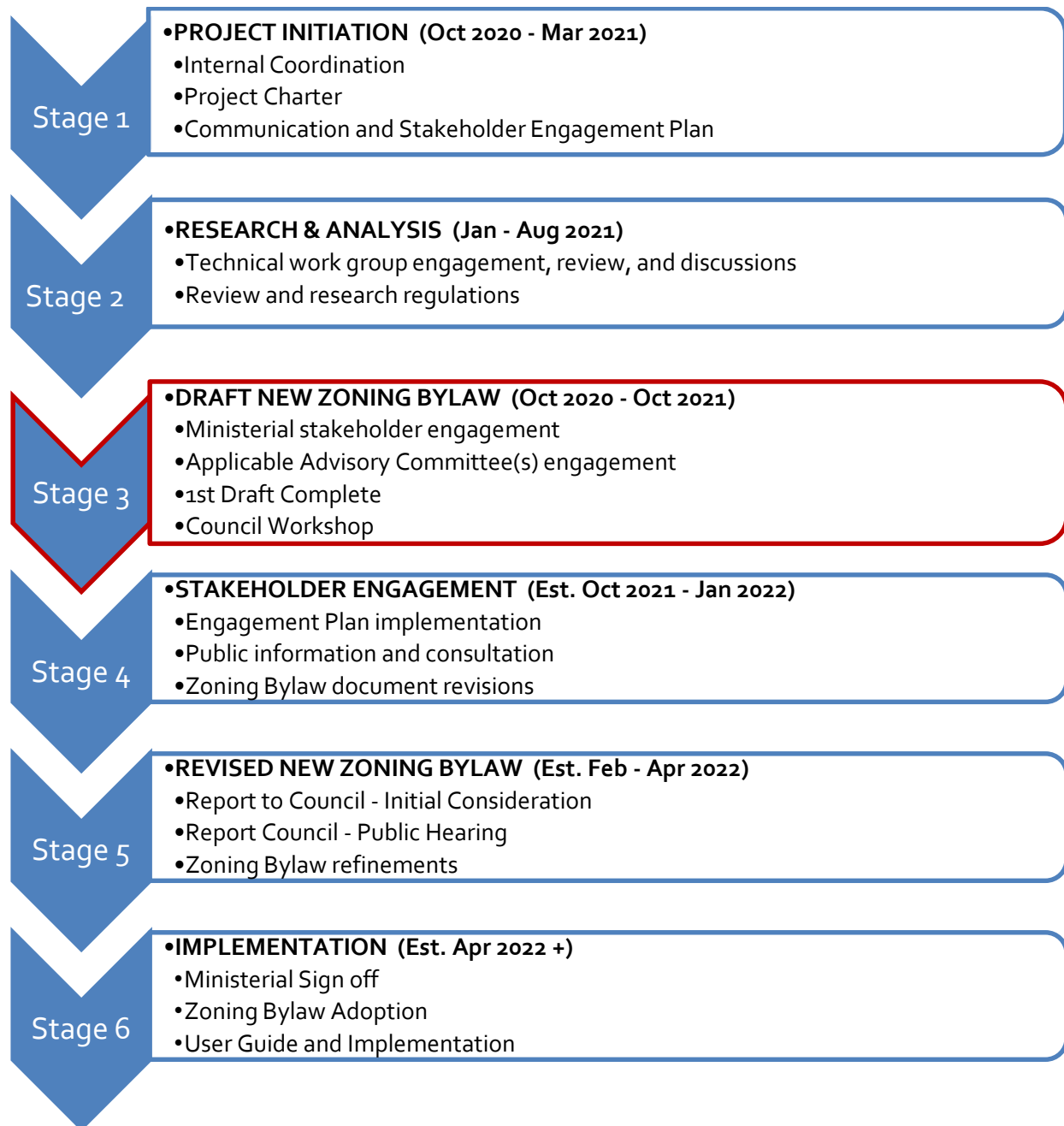
- Transition away from form-based regulations and overly prescriptive rules in favour of promoting more performance-based objectives to leverage private-sector and industry innovation and context sensitive solutions.
- Minimize common variances that are usually supported by the Planning Department and approved by Council.

Project Timeline:

The new Zoning Bylaw project is a six-stage process that began in fall of 2020 (Figure 1), that commenced with Project Initiative stage, involving internal stakeholder coordination, defining the Project Charter as well as the Communication and Stakeholder Engagement Plan. Since then, the project advanced through Research and Analysis stage and a first draft of the new Zoning Bylaw was completed.

The project is now proposed to move forward to the Stakeholder Engagement stage. Once the Stakeholder Engagement stage is completed, the project will advance to the next stages; Council's Initial Consideration of the proposed new Zoning Bylaw and Public Hearing, followed by the Adoption of the Bylaw and finally the Implementation stage.

Figure 1: The New Zoning Bylaw - Project Stages



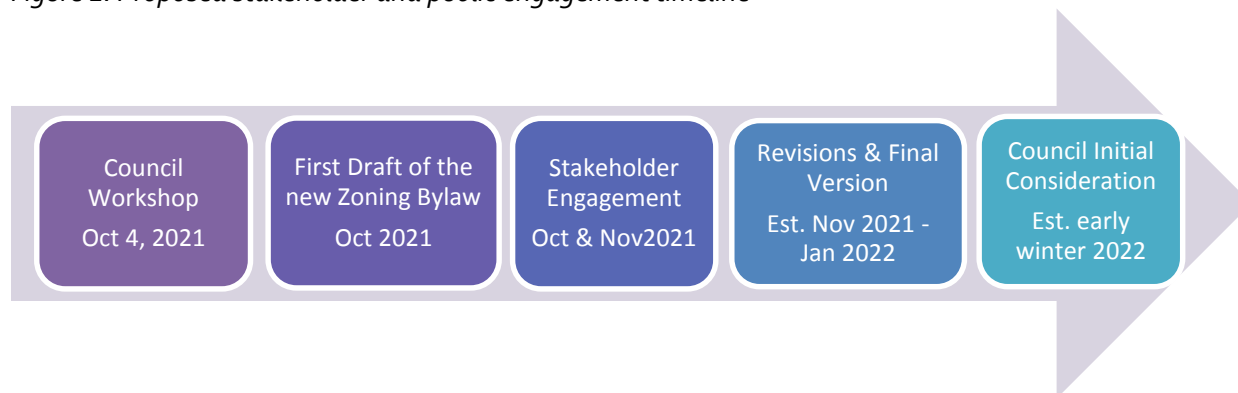
Public and Stakeholder Engagement Process:

Public engagement related to the new Zoning Bylaw was first initiated in 2019 in conjunction with 2040 OCP engagement events. This included multiple open houses, where Staff provided information to the general public on the key objectives of the proposed new Zoning Bylaw.

To date, the Ministry of Agriculture (MoA), Agriculture Land Commission (ALC) and the Agriculture Advisory Committee (AAC) have had the opportunity to provide formal comments in the form of virtual and in-person workshops with preliminary support of the new Bylaw. Additionally, the Ministry of Transportation and Infrastructure (MOTI) was engaged in preliminary review and discussions of the proposed new Zoning Bylaw ahead of a formal review process.

During Stage 4 of the project process, staff will provide the residents and stakeholders the opportunities to review and share feedback on the content of the new Zoning Bylaw. As well, staff will notify stakeholders of such opportunities, provide clear and accurate information via the communication forms listed below, to listen and finally to report back. The proposed stakeholder engagement timeline is summarized in Figure 2.

Figure 2: Proposed stakeholder and public engagement timeline



The engagement process sets out to:

1. Inform public and stakeholders on the proposed changes to the Zoning Bylaw; and
2. Gather resident and stakeholder feedback on the proposed changes to the Zoning Bylaw.

Aligned with these goals is one of the main objectives of the new Zoning Bylaw: to make the new Bylaw document more user friendly through modernization and simplification. One of the goals of the stakeholder consultation is to ensure this objective was achieved.

Due to the COVID-19 public health crisis and the existing provincial health orders, stakeholders and public engagement will aim to be inclusive whilst prioritizing the health and safety of our community. As a result, engagement will take place online. Activities will include:

- **Get Involved platform:** The City's Get Involved platform allows for the development of a variety of engagement tools. Starting in early-October, residents will be able to share feedback and provide comment. Participants will also be able to pose questions directly to staff via the question-and-answer tool.

- **Virtual stakeholder meetings:** Meetings will be held with key community stakeholders to review the draft new Zoning Bylaw and receive feedback on its content. Key stakeholders include the Ministry of Transportation and Infrastructure (MOTI) and the MoA as signing authorities, as well as other stakeholders such as Community Associations and the Urban Development Institute (UDI) as deemed required.

Next Steps:

The launch of the proposed new Zoning Bylaw through the City's Get Involved website will begin in early-October 2021. It will be supported by newsletters, website, and social media postings to deliver information to the public and stakeholders.

Following stakeholder and public engagement, the project will then advance to the final two stages; refinement of the new Zoning Bylaw ahead of Council Initial Consideration and Public Hearing, followed by the Bylaw Adoption and Implementation stage.

The proposed draft new Zoning Bylaw can be accessed on the City of Kelowna's website here, [Draft New Zoning Bylaw](#), as well is attached to this report.

Internal Circulation:

Policy and Planning Department

Considerations not applicable to this report:

Legal/Statutory Authority

Legal/Statutory Procedural Requirements

Existing Policy

Financial/Budgetary Considerations

External Agency/Public Comments

Communication Comments

Prepared by: Barbara B. Crawford, Planner II

Submitted by: Terry Barton, Development Planning Department Manager

Approved for inclusion:



Ryan Smith, Divisional Director, Planning & Development Services

cc:

Policy and Planning Department Manager

Communications Advisor, Community Engagement

Building and Permitting Manager

City of Kelowna Zoning Bylaw

DRAFT VERSION
for review purposes only



"Remember the footnotes convey important information"

DRAFT

Table of Contents

CONSOLIDATED FOR CONVENIENCE

Table of Contents	i
Document Version Control	iv
Forward	v
SECTION 1 - General Administration	1
1.1 Title	1
1.2 Zoning Map	1
1.3 Uses and Regulations	1
1.4 Compliance with Other Legislation	2
1.5 Repeal	3
1.6 Undersized Lots	3
1.7 Applications in Process	3
1.8 General Interpretation	4
SECTION 2 – Interpretation	5
2.1 Rules of Interpretation	5
2.2 Zone Boundaries	5
2.3 General Definitions	6
SECTION 3 – Severability	62
3.1 Severability	62
SECTION 4 – Enforcement	63
4.1 General	63
4.2 Right of Entry	63
4.3 Prohibitions	63
4.4 Penalties	64
SECTION 5 – Amendments	65
5.1 Application	65
SECTION 6 – General Development Regulations	66
6.1 Swimming Pools	66
6.2 Projections Into Yards	66
6.3 Lighting	67
6.4 Setback from Provincial Highways	67
6.5 Utility Services and Cabinets	67
6.6 Riparian Management Area (RMA) Setbacks	67
6.7 Minimum Lot Size – Septic Disposal System	72

6.8 Energy Efficiency	72
6.9 Density and Height Bonus	72
SECTION 7 – Site Layout	74
7.1 General Provisions.....	74
7.2 Landscaping Standards	74
7.3 Refuse and Recycling Bins	78
7.4 Urban Plazas	80
7.5 Fencing and Retaining Walls.....	80
SECTION 8 – Parking and Loading	82
8.1 General Provisions and Development Standards.....	82
8.2 Off-Street Parking Regulations	87
8.3 Required Off-Street Parking Requirements	93
8.4 Off-Street Loading	101
8.5 Off-Street Bicycle Parking	102
8.6 End Of Trip Facilities.....	109
SECTION 9 – Specific Use Regulations.....	110
9.1 Application	110
9.2 Home-Based Businesses	110
9.3 Bed and Breakfast Homes.....	112
9.4 Drive Through Related Land Uses	113
9.5 Dock and Boatlift Regulations.....	114
9.6 Agriculture, Urban	116
9.7 Temporary Farm Worker Housing.....	117
9.8 Minimum Dwelling Unit Size	120
9.9 Cannabis Regulations	121
9.10 Short-Term Rental Accommodation.....	122
9.11 Tall Building Regulations	123
SECTION 10 – Agriculture and Rural Residential Zones.....	125
SECTION 11 - Single Family Zones.....	136
SECTION 12 - Mobile Home and Camping Zones	143
SECTION 13 - Multi-Family Zones.....	145
SECTION 14 – Non-Residential Zones	153
14.9 Allowable Land Uses in Non-Residential Zones	158
14.15 Density Bonus and Height Bonus	173
SECTION 15 – Comprehensive Development Zones	187
15.1 CD – Comprehensive Development.....	187

15.2 Schedule 'B' – Comprehensive Development Zones	188
15.3 Schedule 'B' – Comprehensive Development Zones	190
15.4 Schedule 'B' – Comprehensive Development Zones	196
15.5 Schedule 'B' – Comprehensive Development Zones	199
15.6 Schedule 'B' – Comprehensive Development Zones	208
SECTION 16 – Effective Date	217

Table of Contents - Amended as follows:

Document Version Control

Document Version	Author(s)	Date	Changes

Forward

We acknowledge that our community is located on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

Located in the Okanagan Valley of British Columbia, the City of Kelowna (City) is the traditional, ancestral, unceded territory of the syilx Okanagan people. The City neighbours two of the seven syilx nation in Canada: Westbank First Nation and Okanagan Indian Band. Extending over 69,000 km², the northern and southern boundaries of the territory are between near Mica Lake and Wilbur, Washington, respectively, and between Kaslo and Kootenay Lakes to the east and Nicola Valley to the west.¹

The City's first Zoning Bylaw, Bylaw No. 740, was adopted in 1938 (first edition) and was updated four times over the decades; Bylaw No. 2293 was adopted in 1961 (second edition), Bylaw No 3500 was adopted in 1973 (third edition) and Bylaw No 4500 was adopted in 1976 (fourth edition). The fifth edition, Bylaw No. 8000 was adopted in 1998 and has been amended over the years to respond to changes and new community initiatives.

The new Zoning Bylaw (sixth edition) is intended to align with Imagine Kelowna and the City's new 2040 Official Community Plan, meet current Provincial legislative requirements, and respond to current development and real estate trends. It has considered the recommendations contained within several previous planning initiatives and projects including the Healthy Housing Strategy, the Capri-Landmark Urban Centre Plan, the Transportation Master Plan, Kelowna's Agriculture Plan, Kelowna's Urban Centre Roadmap, and recent changes to the BC Building Code. The intent of the new Zoning Bylaw is to act as a base upon which all the previous initiatives can be layered on.

Additionally, the sixth edition represents a thorough modernization of the City's Zoning Bylaw. It retains the loose-leaf format of prior editions, however, for the first time, the Zoning Bylaw is presented in a new layout and an interactive format. The main objectives of this initiative are to:

- simplify the Zoning Bylaw document;
- make the document more user friendly for the end user; and,
- aid in future updates or amendments of the Zoning Bylaw with ease.

The reformatted and simplified sixth edition of the City's Zoning Bylaw is intended to assist the public and community members, developers, staff, and Council in their functions in a practical and clear manner.

¹ Source: syilx Okanagan Nation Alliance, <https://www.syilx.org/about-us/>

SECTION 1 - General Administration

1.1 Title

1.1.1 This Bylaw shall be referred to as the “City of Kelowna Zoning Bylaw No. 8000”.

1.2 Zoning Map

1.2.1 The City of Kelowna is hereby divided into the zones as described throughout this Bylaw.

1.2.2 The boundaries of those zones are shown on the Zoning Map which is attached as Schedule 'A' to this Bylaw.

1.2.3 In this Bylaw, reference to zones as listed in Column 1 of the Table of Contents shall be deemed to mean and be the same as the zone listed in Column 2 of the Table of Contents and the words and numbers in the said columns shall be deemed to be interchangeable where the context of the Bylaw otherwise requires.

1.2.4 Schedule “A” may contain zone sub-classes as denoted within the Table of Contents.

1.2.5 The Zoning Map does not apply to those lands within the boundaries of the Duck Lake Indian Reserve 7 and Indian Reserve 8.

1.3 Uses and Regulations

1.3.1 Except for legal non-conforming uses or development approved by a Development Variance Permit or a Board of Variance order, or another agreement or permit as authorized by the *Local Government Act*, the use, buildings, structures, in each zone or area shall be in accordance with the uses listed in the zone and all the appropriate regulations and requirements of this Bylaw.

1.3.2 No land, building, or structure, within the City of Kelowna shall be developed, used, constructed, erected, modified, converted, enlarged, re-constructed, altered, placed, or maintained except in conformity with the provisions of this Bylaw.

1.3.3 No building or structure shall be erected in any zone without first obtaining the approval of the Building Official as to the proposed finished grade. The proposed finished grade shall to the extent possible, retain the natural contour of the land, minimize the necessity to use retaining walls and ensure positive drainage away from abutting properties.

Section 1 – General Administration

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

1.3.4 This Bylaw does not apply to the following developments:

- (a) alterations, maintenance and repair to any [building](#) or [structure](#), provided that such work does not involve structural alterations; and does not change the [use](#) or intensity of [use](#) of the [building](#) or [structure](#);
- (b) the construction of a single [storey accessory building or structure](#) not greater than 10 m² in floor area;
- (c) the [use](#) of a [building](#) or part thereof as a temporary polling station, election official's headquarters, candidate's campaign office, and any other official temporary use in connection with a federal, provincial, or municipal election, referendum or census;
- (d) the [use](#) of a [building](#), or part thereof, as a constituency office for a Federal Member of Parliament or a Provincial Member of the Legislative Assembly when located in a [commercial](#), [industrial](#) or [institutional zone](#). Any signage for the constituency office will be required to meet the requirements of the Sign Bylaw No. 11530 for the existing zoning of the property;
- (e) a temporary [structure](#) which is incidental to the erection, maintenance, alteration, or sales of a [building](#), [structure](#), or utility for which a [building](#) or development permit has been issued provided that they are removed within 30 days of project completion or one year following the issuance of a [building permit](#);
- (f) [landscaping](#), where the existing grade and surface drainage pattern is not materially altered and will not create off-site impacts, except where required by Section 7;
- (g) the [use](#) of non-residential or non-agricultural zones for activities such as amusement carnivals, religious gatherings, and music festivals for less than 7 days provided a valid licence has been issued under the City of Kelowna Business License & Regulation Bylaw No. 7878 and an Outdoor Event Permit issued pursuant to Outdoor Events Bylaw No. 8358. Properties that are zoned for [agriculture](#) located within Town Centre areas, as defined by the City of Kelowna's [Official Community Plan](#), and are not within the [Agricultural Land Reserve](#), may also qualify under this section;
- (h) railways except private sidings, pipelines, and irrigation ditches, conduits, flumes, and pump houses; and
- (i) utility services underground or within statutory rights-of-way and utility poles and anchors.

1.4 Compliance with Other Legislation

- 1.4.1 In addition to this Bylaw, a person is responsible for ascertaining and complying with the requirements of all other applicable municipal bylaws, or Provincial or Federal statute and regulations.
- 1.4.2 The provisions of the development permit system included within the [Official Community Plan](#) apply in addition to the regulations in this Bylaw.

Section 1 – General Administration

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- 1.4.3 No person shall construct, place, erect, display, alter, repair or re-locate a sign permitted by this Bylaw except in accordance with Sign Bylaw No. 11530.
- 1.4.4 Any land use permitted with any zone located within the Agricultural Land Reserve shall be subject to the applicable provincial legislation, including superseding land uses and regulations identified within the zone.

1.5 Repeal

- 1.5.1 The City of Kelowna Zoning Bylaw, 1998, No. 8000, as amended, is hereby repealed.

1.6 Undersized Lots

- 1.6.1 Where a lot is reduced in size as a result of a taking for public use by the City, Provincial or Federal Government, an Improvement or Irrigation District, the Board of School Trustees, or a Public Utility by dedication, expropriation, or purchase, the lot and buildings and structures thereon are deemed to conform with the provisions of this Bylaw and the lot shall be considered to exist as it did prior to the taking for the purpose of further development upon the lot under its existing zoning regulations, providing such taking:
- (a) does not exceed 20% of the original lot area except where parcels are in the A1, A2, RR1, or RR2 zones in which case the taking shall not reduce the parcel to less than 2,000 m² in size;
 - (b) does not reduce a minimum front, side or rear yard below 1.5 m unless this Bylaw does not require such yard;
 - (c) the utility installation does not endanger the continuing use of the property as permitted by this Bylaw; and
 - (d) does not result in the parcel being rendered unsuitable for any of the uses permitted in the zone in which the lot is located.

1.7 Applications in Process

- 1.7.1 A completed application for a building permit which is received prior to the effective date of this Bylaw shall be processed in accordance with the City of Kelowna Zoning Bylaw (1976) No. 4500, as amended. Such applications shall be approved or rejected within 12 months of this Bylaw coming into effect and, if rejected, any future development must comply with this Bylaw.

Section 1 – General Administration

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

1.8 General Interpretation

- 1.8.1 Any enactments referred to herein are a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of the [Council](#) of the [City](#) of Kelowna, as amended, revised, consolidated or replace from time to time.
- 1.8.2 The headings given to sections, paragraphs, and sub-sections in this Bylaw are for convenience of reference only. They do not form part of this Bylaw and will not be used in the interpretation of this Bylaw.
- 1.8.3 The schedules attached to this Bylaw form part of this Bylaw.

Section 1 – General Administration – Amended as follows:

Section 1 – General Administration

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 2 – Interpretation

2.1 Rules of Interpretation

- 2.1.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa; and the word "person" includes a corporation, firm, partnerships, trusts, and other similar entities as well as an individual. Words have the same meaning whether they are capitalized or not.
- 2.1.2 The words "shall" and "is" require mandatory compliance except where a variance has been granted pursuant to the *Local Government Act*.
- 2.1.3 The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".
- 2.1.4 Words, phrases, and terms neither defined in this section nor in the *Local Government Act* shall be given their usual and customary meaning.

2.2 Zone Boundaries

- 2.2.1 The zone boundaries on the Zoning Map shall be interpreted as follows:
- (a) where a zone boundary follows a [street](#), [lane](#), railway, pipeline, power line, utility right-of-way, or easement, it follows the centreline, unless otherwise clearly indicated on the Zoning Map;
 - (b) where a [zone](#) boundary is shown as approximately following the City boundary, it follows the City boundary;
 - (c) where a [zone](#) boundary is shown as approximately following the edge, shoreline, or high water mark of a river, lake, or other water body, it follows that line. In the event of change, it moves with the edge or shoreline;
 - (d) where a [zone](#) boundary is shown as approximately following a [property line](#), it follows the [property line](#);
 - (e) where a [zone](#) boundary is shown as approximately following a topographic contour line or a [top of bank](#) line, it follows that line;
 - (f) where a [zone](#) boundary is shown as being generally parallel to or as an extension of any of the features listed above, it shall be so; and
 - (g) in circumstances not covered above, the [zone](#) boundary shall be determined by the scale of the Zoning Map.
- 2.2.2 When any [street](#) is closed, the roadway lands have the same zoning as the [abutting](#) land. When [abutting](#) lands are governed by different [zones](#), the centre of roadway is the [zone](#) boundary unless the [zone](#) boundary is shown clearly following the edge of the roadway. If

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

the roadway is consolidated with an adjoining parcel, the parcel's zoning designation applies to affected portions of the roadway.

2.3 General Definitions

- 2.3.1 The definitions of uses group individual **land uses** into a specified number of classes, with common functional or physical impact characteristics. They define the range of **uses** which are principal and secondary, with or without conditions, within various zones of this Bylaw.
- 2.3.2 The following guidelines shall be applied in interpreting the **use** class definitions:
- (a) typical **uses** listed in the definitions as examples are not intended to be exclusive or restrictive; and
 - (b) where a specific **use** does not conform to the wording of any **use** class definition or generally conforms to the wording of two or more definitions, the **use** conforms to and is included in that **use** class which is most appropriate in character and purpose.
- 2.3.3 The following words, terms, and phrases, wherever they occur in this Bylaw, shall have the meaning assigned to them as follows:

A

ABUT or ABUTTING means immediately contiguous to, or physically touching, and when used with respect to **lots** or **sites** means two that share a common **property line**.

ACCESSORY BUILDING OR STRUCTURE means a separate **building** or **structure** that may be connected to the principal **building** by a **breezeway**, normally ancillary, incidental, subordinate, and located on the same lot as the main **building** or **structure**. Typical **accessory structures** include but are not limited to antennae, propane tanks, satellite dishes, flagpoles, garages, and garden sheds. **Accessory buildings or structures** may not contain a **dwelling** unit. Satellite dishes, radio or television masts in **residential zones** are only permitted in the rear yard (i.e. not in the front or side yard) and is considered a structure for the purpose of maximum heights identified within each **zone**. This category of **buildings** and structures do not apply to **agricultural structures** or to **temporary farm worker housing**.

Accessory buildings are permitted to have one half bathroom with a toilet and sink. The bathroom is permitted to a maximum area of 3 m². **Bedrooms** and / or full bathrooms are not permitted, except one full bathroom is permitted in an **accessory building or structure** used exclusively as a pool house.

ADJACENT means land that **abuts** and is contiguous to a **site**, and also includes land that would be contiguous if not for a **street**, **lane**, walkway, stream, utility lot, underground pipeline, power line, drainage ditch, watercourse, or similar feature.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

AGRICULTURAL ANIMAL UNIT is equivalent to a live farm animal weight corresponding to 455 kilograms (1000 pounds) for [livestock](#), [poultry](#), or any combination of them equalling 455 kilograms.

AGRICULTURAL BY-PRODUCT means a by-product of [agriculture](#) and includes manure, used mushroom medium and agricultural vegetation waste. A full list of agricultural by-products is listed within the Environmental Management Act under the Code of Practice for Agricultural Environmental Management.

AGRICULTURAL LAND COMMISSION (ALC) means the autonomous, administrative tribunal, independent of the provincial government, that is responsible for administering the *Agricultural Land Commission Act* and its regulations which relate to the preservation of agricultural land.

AGRICULTURAL LAND RESERVE (ALR) means land, including Crown Land, that has been defined as being suitable for farm [use](#), and has been designated for preservation under the provisions of the *Agricultural Land Commission Act*.

AGRICULTURAL STRUCTURES are those [buildings](#) or [structures](#) used for [agriculture](#) or [agriculture, intensive](#). [Section 10.3 Permitted Land Uses](#) for [agricultural and rural residential zones](#) outlines different agricultural related land uses and [Section 10.5 – A1 Agricultural and Development Regulations](#) outlines various setbacks, heights, [site coverage](#), and gross floor area limits for agricultural structures and various agricultural related [structures](#).

AGRICULTURE means development or [use of land](#) for the growing of crops or the production of farm products. Parcels within the [ALR](#) shall be inclusive of any farm use as identified by the [ALC](#).

AGRICULTURE, INTENSIVE means the [use](#) of land, [buildings](#) and [structures](#) by a commercial enterprise or an institution for:

- (a) the confinement of [poultry](#), [livestock](#) (excluding horses), or fur bearing animals.
- (b) the growing of mushrooms, including significant composting.

AGRICULTURE, URBAN means the cultivation of a portion of a parcel for the production of food including fruits, vegetables, nuts and herbs for human consumption only. Activities that produce or emit hazards, odour, dust, smoke, noise, effluent, light pollution, glare, or other emission are prohibited. This definition does not include [poultry](#) and/or [livestock](#). [Community gardens](#) are permitted wherever agricultural, urban is permitted but must follow the specific regulations identified in Section 9.6.

[See Section 9.6 Agriculture, Urban for specific regulations.](#)

AGRI-TOURISM means the [use](#) of land for any agri-tourism activity defined under the [Agricultural Land Commission Act](#) and related regulation or policy, as amended from time to time. This [land use](#) excludes agri-tourist accommodations.

AIRCRAFT SALES/RENTALS means development used for the sale, charter, or rental of aircraft together with incidental maintenance services, and the sale of parts and accessories.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

AIRPORTS means any area, designed, prepared, equipped or set aside for the arrival, departure, movement or servicing of aircraft; and includes any associated [buildings](#), installations, hangars, [open space](#), accessory parking and equipment in connection therewith. This also includes aircraft and airport related manufacturing and services.

ALCOHOL PRODUCTION FACILITIES means the production of alcoholic beverages or alcohol products with alcoholic content exceeding 1% by volume. The public tasting and [retail](#) sale of alcoholic product is limited to that which is produced on-site. This public tasting and [retail](#) sale limit can be expanded for properties within the [ALR](#) as permitted by [ALC's](#) regulations and policies.

ALTERATION OF LAND means, but is not necessarily limited to: soil relocation due to [building](#) or [parking lot](#) construction or alteration; removal, alteration, disruption or destruction of vegetation; soil removal or filling; construction or alteration of [retaining walls](#), [patios](#), lawns, agricultural activity or any structural change to a [building](#) or [structure](#) that results in an increase or decrease in the area or volume of the [building](#) or [structure](#); a change in the area, [frontage](#), depth, or width of a lot that affects the required yard, landscaped [open space](#), or parking requirements under this Bylaw; or discontinuance or change, where the new [use](#) is differently defined as the original [use](#), in the [principal use](#) of the [lot](#), [building](#), or [structure](#).

ALTERNATIVE FUEL INFRASTRUCTURE means any one of the following:

- (a) level-3 electric vehicle charging station (also known as a DC fast charger), or its equivalent;
- (b) fast-fill compressed natural gas (CNG) vehicle refuelling station;
- (c) hydrogen vehicle refuelling station; and /or
- (d) liquefied petroleum gas (propane) vehicle refuelling station.

ANCILLARY means subordinate or assisting and in the case of a [building](#) or [structure](#), would include essential structural components necessary to the [building](#) function such as mechanical [penthouses](#), elevator housing, mechanical rooms, communication [structures](#), or chimneys.

ANIMAL CLINICS, MAJOR means those premises where animals are given medical and surgical care and may include outdoor shelter. This [use](#) also includes [animal clinics](#), [minor](#) as well as animal shelters used for the temporary care of lost, abandoned or neglected animals.

ANIMAL CLINICS, MINOR means those premises where domestic pets, animals and birds are treated inside a [building](#) and kept for medical or surgical purposes and are directly or indirectly under the care of a veterinarian. This [use](#) also includes animal grooming, training, and day-care, but does not include an animal shelter. Animals are to be kept overnight only when required for medical supervision.

APARTMENT HOUSING means any physical arrangement of at least two attached [dwelling units](#), intended to be occupied by separate [households](#), which does not conform to the definition of any other residential [use](#) class. It may include any configuration of number of [bedrooms](#).

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

AQUACULTURE means the controlled cultivation, rearing, and harvesting of [fish](#) (finfish, molluscs, crustaceans) aquatic plants and any other aquatic organism but specifically excludes seafood processing.

AUCTIONEERING ESTABLISHMENTS means [buildings](#) and/or land for the auctioning of goods and equipment including the temporary storage of such goods and equipment, but does not include used goods stores.

AUTOMOTIVE AND EQUIPMENT means the [retail](#) sale, rental, servicing, washing, installation, detailing, painting, and repair of new or used automobiles, motorcycles, bicycles, snowmobiles, tent trailers, boats, travel trailers, [recreational vehicles](#), and similar vehicles. This includes any [accessory land use](#) related to automotive and equipment vehicle including land [uses](#) like insurance services as well as the sale, installation, or servicing of related accessories and parts. This includes but is not limited to automobile dealerships, transmission shops, muffler shops, tire shops, automotive glass shops, autobody repair, paint shops, and upholstery shops but it does not include [wrecking yards](#). The sale or rental of new or used vehicles with gross vehicle weight of more than 4100 kg or motorhomes with a length of more than 6.7 m or motorhomes with a gross vehicle weight of more than 5500 kg can only occur within an industrial zone (not a commercial zone).

AUTOMOTIVE AND EQUIPMENT, INDUSTRIAL means development used for the sale, rental, service, or repair of heavy vehicles, machinery or mechanical equipment typically used in [building](#), roadway, pipeline, oil field and mining construction, manufacturing, assembling and processing operations and agricultural production. This does not include standard truck and mobile sales/rentals.

AWNING means a retractable or non-retractable covering of non-rigid materials such as canvas or similar fabric projecting from the exterior wall of the [building](#).

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

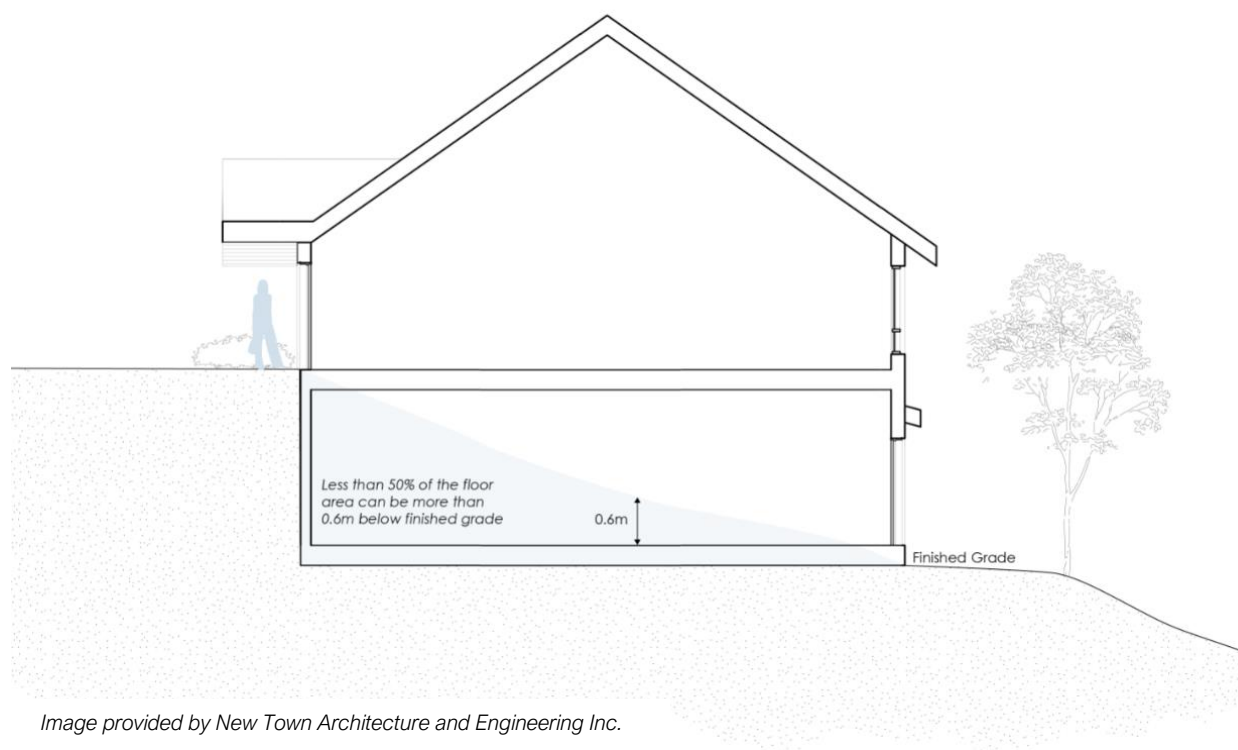
B

BACHELOR DWELLING means a [dwelling](#) in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a unit containing a separate [bedroom](#) or [bedrooms](#).

BALCONY means an uncovered platform, attached to and projecting from the face of a [building](#), above the first [storey](#), which is only accessed from within a [building](#).

BASEMENT means a portion of a [building](#) that is underground, which has more than one third (1/3) of its height above [finished grade](#) but where the height above [finished grade](#) does not exceed 1.8 metres.

BASEMENT, WALKOUT means a portion of a [building](#) which is partly underground, but which has more than 50% of the floor area not greater than 0.6 metres below [finished grade](#), and which has an entrance or exit at grade level (See illustration below).



BED AND BREAKFAST HOMES means the [accessory use](#) of a residence in which temporary overnight accommodation and breakfast is provided to tourists.

See Section 9.3 for specific regulations of bed and breakfast homes.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

BEDROOM means a room located within a [dwelling unit](#) and where the primary function is for sleeping. It may include, but is not limited to: dens, lofts, studies and libraries.

BOARDER means a non-family member who is a lodger, roomer, or person who pays for and takes regular lodging, with or without meals.

BOARDING OR LODGING HOUSES means a [building](#) in which the [owner](#) or manager may supply accommodation for their family, and [sleeping unit](#) accommodation, for remuneration. It may or may not include meal service. It does not include [hotels](#), [motels](#), [temporary shelter services](#), [congregate housing](#), or [bed and breakfast homes](#). [Short-term rental accommodations](#) shall not be permitted to operate within a boarding or lodging house.

BOAT LAUNCHES means a ramp that extends from an upland property or right-of-way across the [foreshore](#) and into the lake, the purpose of which is to facilitate lake placement and removal of boats and other water vessels.

BOAT LIFTS means an uncovered [structure](#), attached to a dock, which facilitates the removal of boats from the water, and which can allow for a boat to be stored above the high water level of the lake.

[See Section 9.5 Dock and Boatlift Regulations for specific regulations.](#)

BOAT STORAGE means the storage of boats and other marine equipment, which are in working order, for the purpose of dry land [moorage](#) where the boats and marine equipment are intended to be launched by the operator of the boat storage facility for short term use by the boat and marine equipment [owner](#). Where the boat storage facility is actively storing 100 or more boats, boat storage includes on-site fuel dispensing for the sole purpose of fuelling the boats and marine equipment stored at the facility. The fuel storage tanks must adhere to the Petroleum Products Storage Tank Bylaw and Best Management Practices outlined in the CCME – Environmental Code of Practice for Aboveground and Underground Storage Tank Systems Containing Petroleum and Allied Petroleum Products. Boat storage does not include major servicing, sales, or major repair of boats or marine equipment.

BREEZEWAY means a connection between [buildings](#) that is not enclosed, not heated, not insulated and is not restricted by intervening doors.

BUILDING means a temporary or permanent [structure](#) having a roof supported by columns or walls for the shelter or enclosure of persons, animals, materials, chattels and/or equipment.

BUILDING FRONTAGE means the measurement of the length of a [building](#) wall which directly faces a [street](#).

BUILDING OFFICIAL means the persons appointed by [City Council](#) to administer and enforce the provisions of the [City](#) of Kelowna [Building](#) Bylaw, 1993, No. 7245 as amended from time to time and the [City](#) of Kelowna Plumbing Regulation Bylaw No. 5968-87 as amended from time to time.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

BUILDING PERMIT means a permit issued in accordance with the City of Kelowna Building Bylaw, 1993, No. 7245.

BULK FUEL DEPOT means lands, buildings, and structures for the bulk storage and distribution of petroleum products and may include key lock retail sales.

BUSINESS means one establishment for carrying on a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other service for gain or profit. This includes a home-based business.

BYLAW ENFORCEMENT OFFICER means the officers or employees appointed by Council as such.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

C

CALIPER means the trunk diameter of a tree measured at a point 300 mm above the top of the root ball.

CAMPSITES means development of land which has been planned and improved for the seasonal short term use of holiday trailers, motor homes, tents, campers and similar [recreational vehicles](#), and is not used as year round storage or accommodation for residential use for a period not to exceed 240 days in one year.

CANNABIS means cannabis as defined in the *Controlled Drugs and Substances Act* and includes any products containing cannabis.

CANNABIS CULTIVATION means a [land use](#) involving the growing of [cannabis](#):

- (a) outdoors in a field; or
- (b) inside a structure that has base consisting entirely of soil (e.g. [greenhouses](#)); or
- (c) in a structure approved by the [ALC](#).

This [land use](#) does not include [on-farm processing of cannabis](#).

CANNABIS PRODUCTION FACILITY means a facility for the producing, processing, setting, providing, shipping, delivering and/or destroying of [cannabis](#) and [cannabis](#) related products can include analytical testing in permitted [industrial zones](#) and must be licensed by Health Canada. This [land use](#) does not include the [retail](#) sale or dispensing of [cannabis](#).

[See Section 9.9 Cannabis Regulations for specific regulations.](#)

CANOPY means a non-retractable hood cover or marquee which projects from the wall of a [building](#). It does not include an [awning](#), projecting roof, roof eaves, or enclosed [structure](#).

CARPORT means a roofed [structure](#) free standing or attached to the principal [building](#) which is not enclosed on the front and at least one side, used by the [building](#) occupants to shelter parked [vehicles](#).

CARRIAGE HOUSE means a [dwelling unit](#) located within a [building](#) that is subordinate to the principal [building](#) on the [lot](#) and is not an [accessory building or structure](#). It shall be a [secondary use](#) only to the [principal use](#) of [single detached housing](#). A [carriage house](#) shall not be stratified.

CAR-SHARE ORGANIZATION means operations that allow members of the general public to book [vehicles](#) on a short-term as-needed basis, paying only for the time they use the vehicle and the distance they drive. The operators are responsible for maintenance, insurance and vehicle booking through an online application.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

CAR-SHARE VEHICLE (CLASSIC) a [vehicle](#) owned or leased by a car-share organization where the vehicle is returned to the same location at the end of every booking to a shared-vehicle parking area.

CAR-SHARE VEHICLE (ONE-WAY) a [vehicle](#) owned or leased by a car-share organization that has no fixed or dedicated parking space.

CAR-SHARE VEHICLE PARKING SPACE a parking space reserved for the exclusive use of a classic or one-way car share [vehicle](#).

CEMETERY means those areas of land that are set aside for the burial of human remains. Typical [uses](#) are memorial parks and burial grounds, including crematoriums.

CHANNELIZED STREAM means permanent or relocated streams that have been dyked, diverted or straightened and carry drainage flows from headwaters or significant sources of groundwater. Reaches of channelized streams may be confined by roads and [fences](#) and in many cases can also meander through fields. Man-made channels that divert irrigation water from a stream but return overflow water back to a stream in a manner that allows [fish](#) access are classified as channelized streams.

CHILD CARE CENTRE, MAJOR means an establishment licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services, and supervision for more than 8 children.

CHILD CARE CENTRE, MINOR means an establishment licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services, and supervision for no more than 8 children. The care must be provided by a principal resident that resides at the [dwelling](#) for more than 240 days of a year.

CITY means the [City](#) of Kelowna.

CLEARANCE means the unobstructed vertical distance between the [finished grade](#) or finished floor and the underside of a [canopy](#), [awning](#), ceiling, or [structure](#).

COMMERCIAL STORAGE means a self-contained [building](#) or group of [buildings](#) containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature.

COMMERCIAL USE means an occupation, employment or enterprise that is carried on for gain or monetary profit by any person.

COMMERCIAL ZONES are any [zones](#) described in Section 14 of this Bylaw or any CD zone in which the predominant [use](#), as determined by its general purpose and list of permitted [uses](#), is of a [commercial use](#) nature.

[See Section 14 Non-Residential Zones for specific development regulations.](#)

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

COMMUNITY GARDEN means the recreational growing of plants on a parcel and does not include the growing and subsequent sale of produce for commercial purposes. Activities that produce or emit hazards, odour, dust, smoke, noise, effluent, light pollution, glare, or other emission are prohibited. This definition does not include the keeping of [poultry](#) and/or [livestock](#).

See Section 9.6 Agriculture, Urban for specific regulations.

CONCRETE AND ASPHALT PLANTS means the processing, manufacturing, recycling, and sales of concrete and asphalt and the accessory manufacture and sales of products made from concrete and asphalt.

CONFINED LIVESTOCK AREA means an outdoor area, other than a [grazing area](#), [seasonal feeding area](#) or temporary holding area, where [livestock](#) or [poultry](#) are confined by structures or topography.

CONGREGATE HOUSING means housing in the form of multiple [sleeping units](#) where residents are provided with common living facilities, meal preparation, laundry services and room cleaning. Congregate housing may also include other services such as transportation for routine medical appointments and counselling. Congregate housing may be in any apartment or townhouse form.

CONSTRUCT OR CONSTRUCTION includes build, erect, install, repair, alter, add, enlarge, move, locate, re-locate, re-construct, upgrade, remove, or excavate.

CONSTRUCTED CHANNEL means man-made drainage channels that carry drainage water from more than one property but do not carry water from headwaters or significant sources of groundwater. Flows in agricultural constructed channels may be year-round and are not regulated. Constructed channels may also deliver water for irrigation purposes.

CONSTRUCTED DITCH means man-made drainage channels that carry drainage water from one property only but do not carry water from headwaters or significant sources of groundwater. Flows in agricultural constructed ditches may be year-round and are not regulated. Constructed ditches may also deliver water for irrigation purposes.

COUNCIL means the Municipal [Council](#) of the [City](#) of Kelowna.

CSA means Canadian Standards Association.

CULTURAL AND RECREATION SERVICES means development for recreation, social, local community multi-purpose purposes, [private clubs](#), [spectator entertainment establishments](#), libraries and cultural exhibits. Typical [uses](#) include but are not limited to community halls, social clubs, [private clubs](#), libraries, museums, art galleries, auditoria, cinemas, and concert halls.

CURB LEVEL means the elevation at the top of curb or edge of pavement at the midpoint of the property [frontage](#).

Image provided by New Town Architecture and Engineering Inc.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

CURB LEVEL DEFINITION DIAGRAM

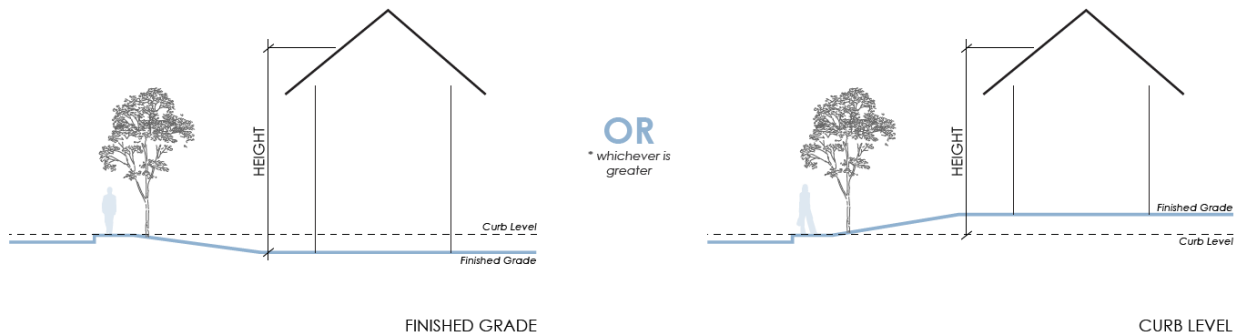


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Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

D

DECK means an uncovered, platform without a roof or walls, which may include visual partitions and railings, and has a surface [height](#) greater than 0.6 m above [finished grade](#).

DENSITY means a measure of the intensity of development to the area of the [lot](#), including the number of units on a [lot](#) measured in units/area or [floor area ratio](#), as the case may be. When calculation of density involves a number of units per [lot](#) and yields a fractional number, the required number of units permitted shall be rounded down to the lowest whole number.

DETENTION AND CORRECTION SERVICES means development for the purpose of holding or confining and treating or rehabilitating persons. Typical [uses](#) include but are not limited to prisons, jails, remand centres, and correction centres.

DIRECTOR OF PLANNING & DEVELOPMENT SERVICES means the person appointed as such by [Council](#) and includes his or her lawful designate.

DOCKS means a [structure](#) that is permanently affixed to aquatic land and can be used on a year-round basis. Docks do not include seasonal [temporary moorage](#) facilities which are withdrawn from the water and are stored on the upland during the winter season.

[See Section 9.5 Dock and Boatlift Regulations for specific regulations.](#)

DORMER means a structural element of a [building](#) that projects from the plane of a sloping roof surface. The roof element will not be considered a dormer for the purpose of measuring height if the width of the dormer or dormers exceeds 50% of the width of the roof on which they are located. Further, dormers must follow the following setbacks:

- a) the dormer's cheek wall must be setback horizontally a minimum 0.90 metres from a vertical wall under a sloping roof.
- (a) the dormer's cheek wall must be setback horizontally a minimum 0.90 metres from the outer edge of the eaves.
- (b) the dormer's face wall must be setback horizontally a minimum 0.60 metres from the outer edge of the eaves.

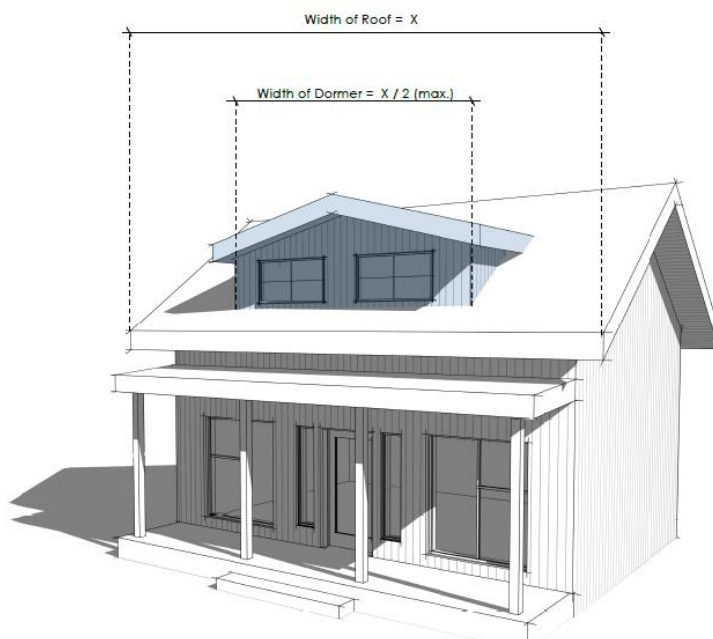


Image provided by New Town Architecture and Engineering Inc.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

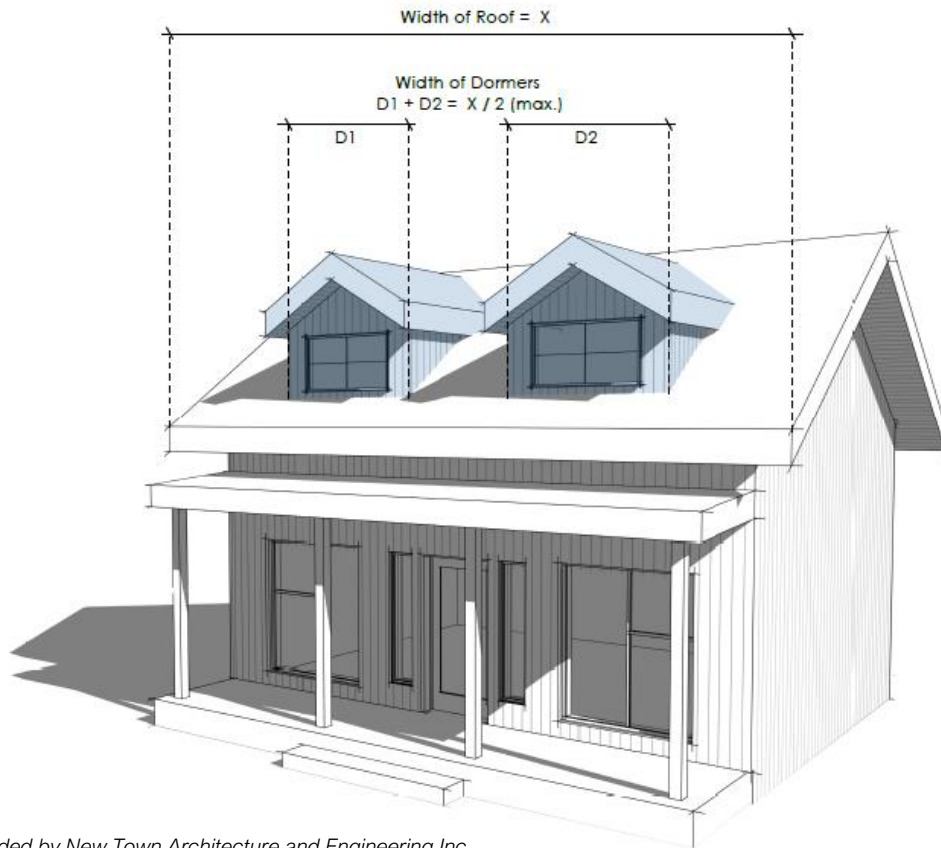


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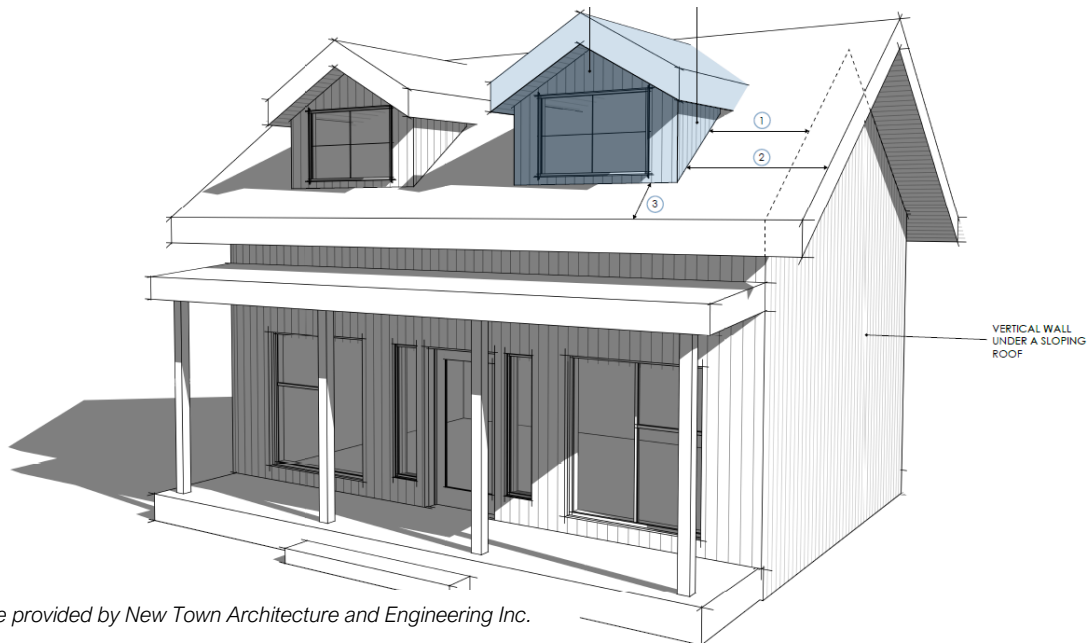


Image provided by New Town Architecture and Engineering Inc.

DRIVE THROUGH means any commercial development providing a product or service where a queuing lane exists onsite where customers typically remain within the [vehicle](#). Drive through must meet the development regulations and siting regulations outlined in Section 9.7.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

DUPLEX HOUSING means a [building](#) designed exclusively to accommodate two [households](#) living independently in separate [dwelling](#) units above or below each other. This type of development is designed and constructed as two [dwelling](#) units at initial [construction](#). It does not include a [secondary suite](#).

DUST FREE SURFACE means surface comprised of asphalt or other hard surface, or chemically treated or washed gravel having a minimum particle size of 100% 2.5 ml gradation.

DWELLING means accommodation providing interconnected, free flowing space including [bedroom\(s\)](#), washrooms, and a [kitchen](#) intended for domestic use, and used or intended to be used permanently or semi-permanently for a [household](#). A dwelling includes only one room which, due to its design, plumbing, equipment, and furnishings, may be used primarily as a [kitchen](#), except where otherwise permitted in the bylaw. One [wet bar](#) is permitted within a dwelling. This [use](#) does not include a room in a [hotel](#) or a [motel](#).

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

E

EDUCATION SERVICES means development used for training, instruction, education, and/or certification in a specific trade, skill, or service. This includes schools, administration [offices](#), gyms, maintenance/storage facilities, outdoor recreation, dormitories, and related [accessory buildings](#). This [use](#) includes but is not limited to commercial schools, private schools, public schools, community colleges, universities, technical schools, and vocational schools.

EMERGENCY AND PROTECTIVE SERVICES means a public facility used by fire protection, police, ambulance, or other such services as a base of operations.

END-OF-TRIP FACILITIES means the suite of complementary common facilities such as clothing lockers, change room, washroom, shower access, bike repair space, and bike wash stations that are necessary to support cyclists, joggers, walkers and other active commuters where these amenities are needed at the end of their trip.

EXHIBITION AND CONVENTION FACILITIES means a [building](#) or site intended to provide permanent facilities for meetings, seminars, conventions, product and trade fairs and similar exhibitions.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

F

FARM RETAIL SALES STANDS means those [accessory buildings and structures](#) for retailing agricultural products on a farm.

FARM UNIT means one or more contiguous or non-contiguous parcels, that may be owned, rented or leased, within [City](#) limits, which forms and is managed as a single farm.

FENCE means a [structure](#) used as an enclosure or for screening purposes about all or part of a [lot](#) or a swimming pool.

FINANCIAL SERVICES means the provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker, insurance company or related [business](#). Insurance companies that cater to a specific sector of the commercial or industrial [business](#) community and do not offer personal, financial, investment or insurance services are not included in this definition.

FISH means shellfish, crustaceans, and marine animals and the eggs, spawn, spat, and juvenile stages of fish, shellfish, crustaceans, and marine animals.

FLEET SERVICES means development using a fleet of [vehicles](#) for the delivery of people, goods or services, where such [vehicles](#) are not available for sale or long term lease. Typical [uses](#) include but are not limited to ambulance services, rental vehicle, taxi services, bus lines, messenger, and courier services. This does not include moving or cartage firms involving trucks with a gross [vehicle](#) weight of more than 3,000 kg.

FLOOR AREA, GROSS (GFA) means the total floor area of the [building](#) or [structure](#) contained within the exterior and [basement](#) walls.

FLOOR AREA, GROSS LEASABLE (GLA) means the total floor area contained within the exterior and [basement](#) walls and which is designed to be used exclusively for tenant occupancy.

FLOOR AREA, NET means the sum of the horizontal areas of each [storey](#) of the [building](#) measured from the exterior faces of the exterior walls providing that in the case of a wall containing windows, the glazing line of the windows may be used. The net floor area measurement is exclusive of areas used exclusively for storage (storage area must be a common facility accessible by more than one [owner](#)), service to the [building](#), attics, attached garages, [carports](#), [breezeways](#), [porches](#), [balconies](#), exit stairways, common/public corridors, parkades, terraces, common amenity spaces, and [building](#) mechanical systems are also excluded. In the case of [congregate housing](#), communal dining and [kitchen](#) facilities are excluded.

FLOOR AREA RATIO means the numerical value of the net floor area on all levels of all [buildings](#) and [structures](#) on a [lot](#), divided by the area of the [lot](#).

FOOD PRIMARY ESTABLISHMENT means development where prepared food and beverages are offered for sale to the public. Typical [uses](#) include but are not limited to licensed restaurants,

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

theatre restaurants, banquet facilities, cafes, delicatessens, tea rooms, lunch rooms, refreshment stands and take-out restaurants. Licensed restaurants may serve any kind of liquor, even to customers who do not order food. However, a full range of appetizers and main courses must be available whenever liquor is available. Restaurants may remain open 24 hours a day but may only serve liquor between 9:00 a.m. and 4:00 a.m. daily. This definition includes [drive throughs](#) unless otherwise stipulated in for specific zones. These establishments may be holders of a [Food Primary](#) .

FOOD PRIMARY LICENCE means liquor licence issued by the Province of British Columbia Liquor Control and Licensing Branch for a business in the hospitality, entertainment or beverage industry including restaurants where the service of food rather than the service of liquor is the primary focus of the business.

FORESHORE means the Crown land between the high and low water levels of a lake.

FORESTRY means the extraction, storage, sorting, and grading of primary forest materials. This [use](#) does not include [natural resource extraction](#).

FRONTAGE means the length of a [lot line](#) which immediately adjoins a [street](#) other than a [lane](#) or walkway.

FUNERAL SERVICES means premises used for the preparation of the dead for burial or cremation and the holding of funeral services.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

G

GAMING FACILITIES means any place that is customarily or regularly used for bingo or other games of chance pursuant to a licence issued by or under the authority of the Provincial Government and includes a social club for which gaming is licensed by the Provincial authority.

GAS BAR means a development used for the sale of motor fuel, lubricating oils, automotive fluids and associated convenience store products. The **gas bar** may be a self-service, full service, key lock, card lock, or other similar operation and may include the servicing, washing, and/or repairing of vehicles as an **accessory use**. **Gas bars** shall adhere to the following:

- (a) all pump islands shall be located at least 6.0 m from any **property line**, parking area on the site, or laneways which is intended to control traffic circulation on the site.
- (b) a canopy over a pump island shall not extend to within 3.0 m of the **property line** of the **site**.
- (c) the canopy area for a gas bar shall not constitute part of the **site coverage**.

GENERAL INDUSTRIAL USE means development used principally for one or more of the following: processing of raw materials; the manufacturing or assembling of semi-finished or finished goods, products or equipment, but not food products directly to the public; the storage, cleaning, servicing, repairing or testing of materials, goods and equipment normally associated with industrial, business or **household use**; terminals for the storage or transshipping of materials, goods and equipment; the distribution and sale of materials, bulk goods and equipment to institutions, industrial or commercial businesses for their direct **use** or to general **retail** stores or other **use** classes for resale to individual customers; or the training of personnel in general industrial operations. Any training educational services, or schooling that is directly related to industrial operations are permitted such as but limited to industrial truck driving training and machinist operations. However, any training, educational services, or schooling that is predominately conducted within a classroom like setting should be located where **educational services** are permitted. Any indoor display, office, technical, administrative support, or **retail** sale operations shall be accessory to the general industrial uses listed above. The floor area devoted to such accessory activities shall not exceed 25% of the **gross floor area** of the **building(s)** devoted to the general industrial use. This **use** includes autobody and repair shops.

General industrial uses are not permitted to have **outdoor storage** of toxic, noxious, explosive, odourous, or radio-active materials. General industrial uses are not permitted to carry out their operations such that there would be a nuisance factor from noise, odour, earthborne vibrations, heat, high brightness light sources, or dust created or apparent outside an enclosed **building** except for I3 zoned properties. However, I3 zoned properties are not permitted to carry out their operations such that there would be a significant nuisance factor created beyond the boundary of the I3 zone.

GRADE, FINISHED means the elevation of the finished surface of the ground at the base of the outside walls of a **building** or **structure**. Finished grade is determined by taking the level of the finished ground surface at every location of change grade along the outside walls of a **building** or

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

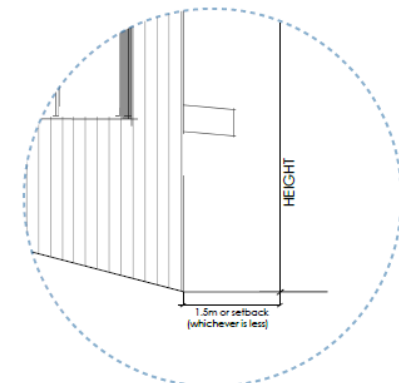
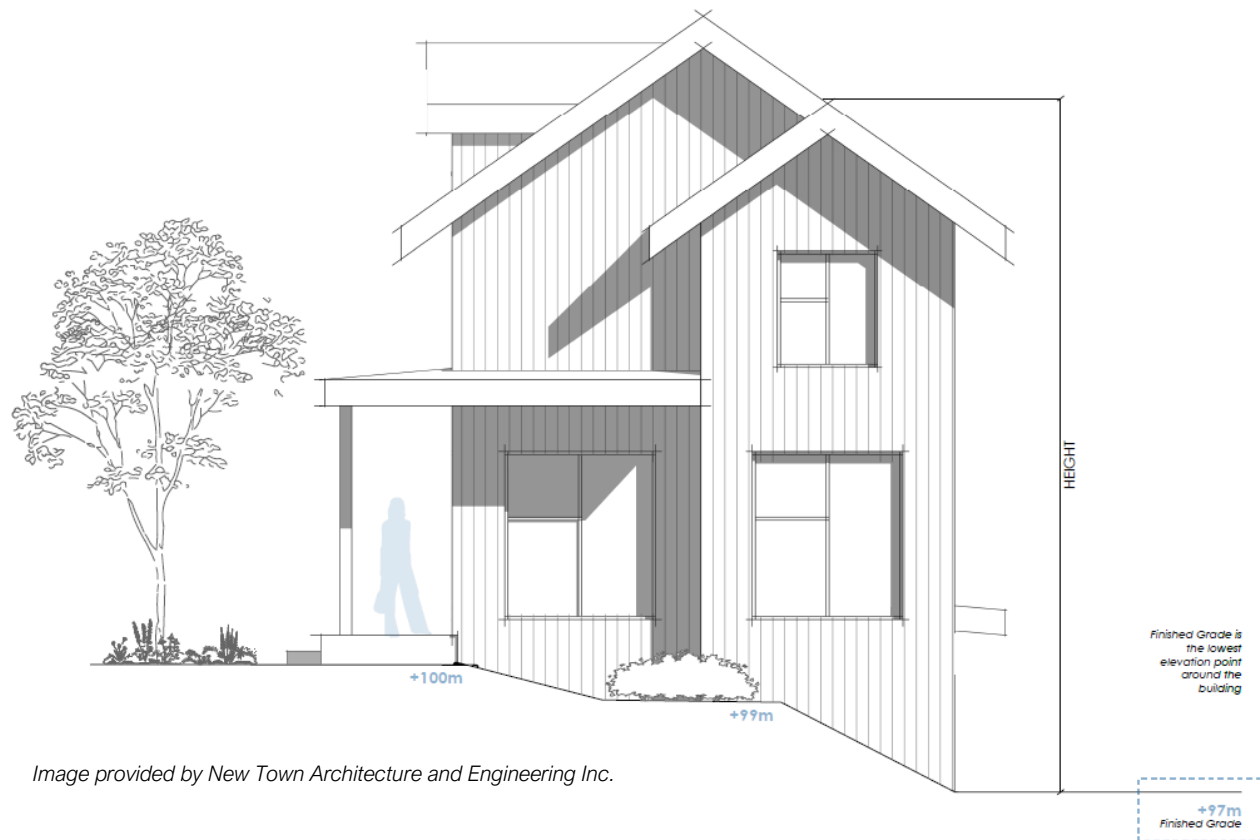
[structure](#). Finished grade must be at least 1.5 metres wide measured from the base of the wall or the width of the setback in that location (whichever is less). Window wells are exempted for determination of finished grade.

See illustrative diagrams below.

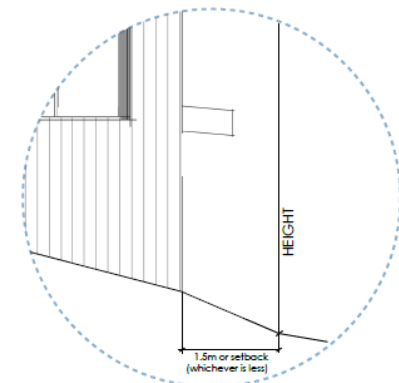
Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

FINISHED GRADE DEFINITION DIAGRAM



In addition to selecting the lowest elevation point, height is to be measured 1.5m away from the edge of outside wall



If the grade slopes away from the building, height is to be measured starting at the elevation point 1.5m away from the edge of outside wall

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

FINISHED GRADE DEFINITION - SLOPED
FRONTING ROAD CONDITION



Image provided by New Town Architecture and Engineering Inc.

Height is taken from lowest elevation
point along sloping frontages

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

DEVELOPMENT REGULATIONS - WALKOUT
BASEMENT HEIGHT OF LOWEST FLOOR
DIAGRAM



Image provided by New Town Architecture and Engineering Inc.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

GRADE, NATURAL means the elevation of the ground surface in its natural state, before man-made alteration, or on sloping or irregular [sites](#), the angled plane, before man-made alteration.

GRAZING AREA means a pasture or rangeland where [livestock](#), [poultry](#) or farmed game is primarily sustained by direct consumption of feed growing in the area.

GREENHOUSE means a [structure](#) covered with translucent material, used for the purpose of growing plants, and is of sufficient size for persons to work within the [structure](#).

GREENHOUSES AND PLANT NURSERIES means development used primarily for the cultivation and storage of produce, bedding, [household](#) and ornamental plants, trees, bushes, sod and related materials. This use does not include [landscaping](#), excavating or soil processing businesses or operations.

GREEN ROOF means a layered roofing system that includes approved waterproof and root-resistant membranes, a drainage system, filter cloth, [growing medium](#), and plants designed to create a roofing system.

GROUND-ORIENTED HOUSING means residential [dwelling](#) units of one or more [storeys](#) in height, each of which has its:

- (a) own private outdoor space attached to the unit (typically situated at ground level).
- (b) primary entrance (i.e., front door) on the exterior of the [building](#), entered directly from a fronting publicly accessible [street](#), walkway, or [open space](#) (i.e., without passing through a shared indoor lobby or corridor). [Ground-oriented housing](#) can also have a second access and egress via a shared lobby and /or common corridor.
- (c) any setback reduction granted to ground-oriented housing can be applied to the main lobby of a development.

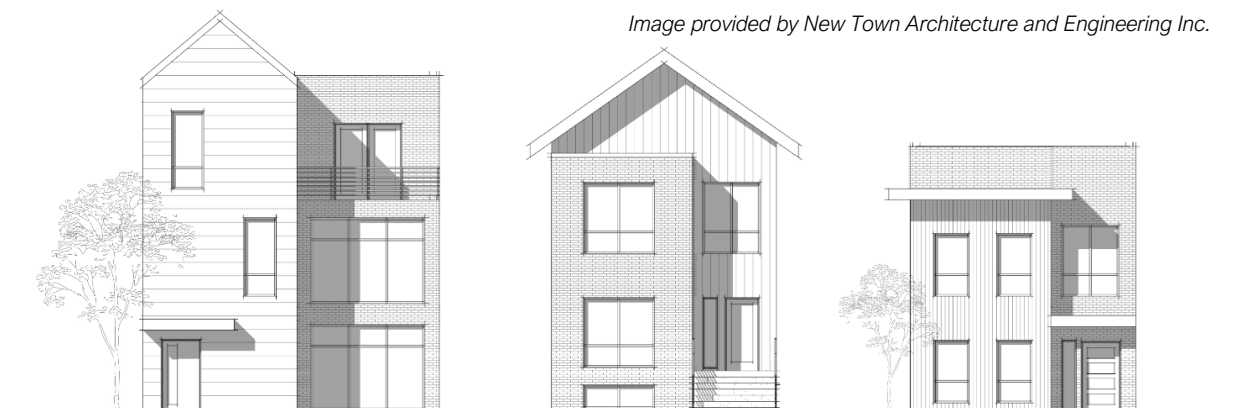


Image provided by New Town Architecture and Engineering Inc.

GROUP HOME, MAJOR means a care facility licensed as required under the *Community Care and Assisted Living Act* to provide room and board for more than 6 residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision, but does not include [boarding or lodging houses](#) or [temporary shelter services](#). [Short-term rental accommodations](#), shall not be permitted to operate within a [group home, major](#).

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

GROUP HOME, MINOR means the use of one [dwelling](#) unit as a care facility licensed as required under the *Community Care and Assisted Living Act* to provide room and board for not more than 6 residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision. A group home, minor may include, to a maximum of four, any combination of staff and residents not requiring care. The character of the use is that the occupants live together as a single housekeeping group and use a common [kitchen](#). This use does not include [boarding or lodging houses](#) or [temporary shelter services](#). [Short-term rental accommodations](#) shall not be permitted to operate within a [group home, minor](#).

GROWING MEDIUM means the material that plants grow in. Growing medium includes existing on site or imported topsoil, soil substitute or mixture of growing medium components and soil-less mixes whose chemical and physical properties fall within the range as set out by the standard or specification. For the purposes of this Bylaw, growing medium must adhere to Canadian Landscape Standard (CLS).

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

H

HEALTH SERVICES means a development used for the provision of physical or mental health services on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counseling nature. Typical **uses** include, but are not limited to, medical and dental **offices**, chiropractors, massage therapists and acupuncture clinics, health clinics, and counseling services. This **use** does not include the **retail** sale or dispensing of **cannabis**.

HEIGHT with respect to a **building** refers to the maximum vertical distance between **finished grade** and the highest point of the **structure** of a non-sloping roof, or the **mid-point** of a sloping roof.

In determining whether a development conforms to the maximum **height** permitted in any zone, **structures** such as chimney stacks, aerials, antennae, water towers, wind machines, monuments, observation and transmission towers, farm silos, steeples, elevator housings, roof stairway entrances, ventilating equipment, firewalls, skylights, or flagpoles for federal, provincial, or municipal flags shall not be considered for the purpose of determining the **height**.

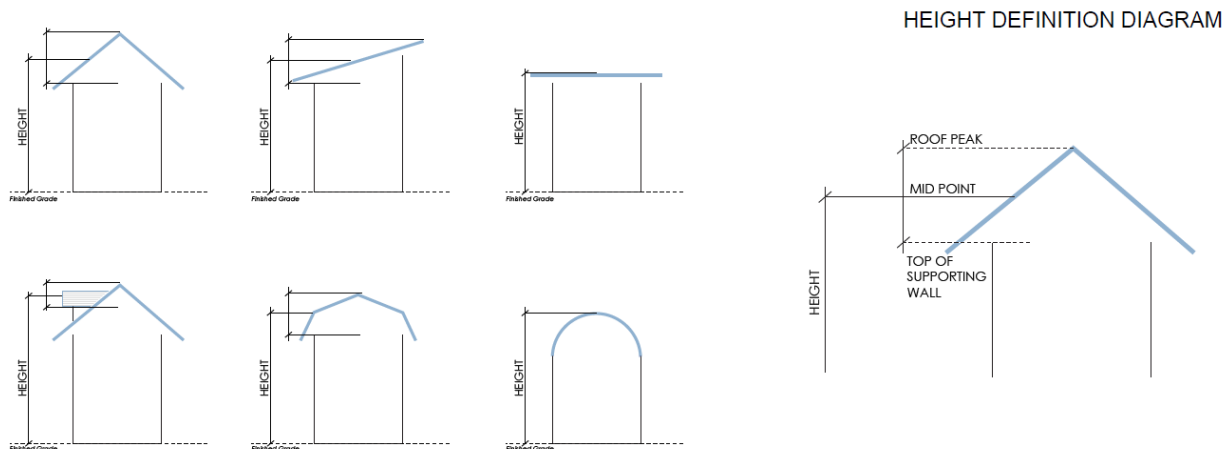


Image provided by New Town Architecture and Engineering Inc.

HERITAGE BUILDING means a **building** or **structure** having heritage value or being a heritage property as defined in the *Local Government Act*.

HOME-BASED BUSINESS means development consisting of the use of a **dwelling** unit or **accessory building** for a business by a resident. The business must be secondary to the residential use of the **building** and shall not change the residential character of the **dwelling** or **accessory building**.

This use does not include **automotive & equipment**. This use also does not include the **retail** sales of products not produced on site, with the exception of mail order sales, website sales, telephone sales, or goods where the customer does not enter the premises to inspect or pick up the goods or products incidental to the service provided.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Home Based Businesses are divided into four categories: **Minor, Major, Rural, and Ground Floor Urban Centre**:

- (a) **Minor** home-based businesses are intended to operate within a [dwelling](#) unit only (not an [accessory building](#)) and have no aspects of business operations detectable from outside the property.
- (b) **Major** home-based businesses are intended to operate within a [dwelling](#) unit (or within an [accessory building](#)).
- (c) **Rural** home-based businesses are intended to operate within a [dwelling](#) unit (or within an [accessory building](#)) and can be more intensive than major home-based businesses. Rural home-based businesses are the only home-based businesses that permit any type of cutting and wrapping of wild game or any other meat.
- (d) **Ground Floor Urban Centre** home-based businesses are intended to be located within an urban centre zone and within a [ground-oriented](#) townhouse or [ground-oriented apartment dwelling](#) unit with direct access to the sidewalk.

[See Section 9.2 for specific Home-Based Business Regulations.](#)

HOSPITAL means a public institution providing [health services](#) for both in-patients and out-patients including room, board, emergency care, and the prevention and treatment of sickness, disease, or injury. This use is intended to include: standard administrative and operational support functions; small [offices](#) for health-related fundraising charities and research advocacy organizations; areas for staff wellness such as gyms and non-residential sleep rooms; provision for compassionate religious services (not to include a regular congregation); a lawfully operated helipad; and institutional cafeteria services. The secondary operation of private medical practices which accommodate patients for specialized procedures or services are permitted only if it is necessary for that procedure or service to be delivered in a hospital setting.

HOTELS means a [building](#) or part thereof with a common entrance lobby and shared corridors, which provides sleeping accommodation for transient visitors and may include public facilities such as restaurants, banquet, beverage, meeting and convention rooms, recreation facilities, and [personal service establishments](#) for the convenience of guests. The maximum length of stay is no more than 240 days.

HOUSEHOLD means:

- (a) a person; or
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one [dwelling](#) unit as a single household using common cooking facilities; or
- (c) a group of not more than five persons, including [boarders](#), who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one [dwelling](#) unit as a single household using common cooking facilities; or

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities;
- (e) in addition, a household may also include up to one housekeeper or nanny.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

I

IMPERMEABLE SURFACE means a surface which either prevents or impedes the entry of water into the soil mantle as under natural conditions prior to development, and/or a hard surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. A surface will be considered impermeable when the runoff coefficient is greater than 0.3 as per the following table. Surfaces other than those listed in the table are to be presented complete with all applicable support material such as historical and manufacturer details to the City Engineer for approval of the proposed runoff coefficient and surface designation. All manufactured surfaces are to be installed with permeable joints and base material. The base material is to be to a depth recommended by the manufacturer to ensure infiltration and storage.

SURFACE		RUN OFF COEFFICIENT
Forested		0.059- 0.2
Lawns, well drained (sandy soil)	Up to 2% slope	0.05 – 0.1
	2% to 7% slope	0.1 – 0.15
	Over 7 % slope	0.15 – 0.2
Lawns, poor drained (clay soil)	Up to 2% slope	0.13 – 0.17
	2% to 7% slope	0.18 – 0.22
	Over 7 % slope	0.25 – 0.35
Asphalt		0.7 – 0.95
Concrete		0.8 – 0.95
Shingle Roof		0.75 – 0.95
Brick Pavers (12mm joint or less)		0.7 – 0.85
Turfstone (with permeable cells)		0.25
Grasspave		0.1 – 0.25
Uni Eco-Stone (with permeable joints)		0.25

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

IMPERMEABLE SURFACES DEFINITION DIAGRAM

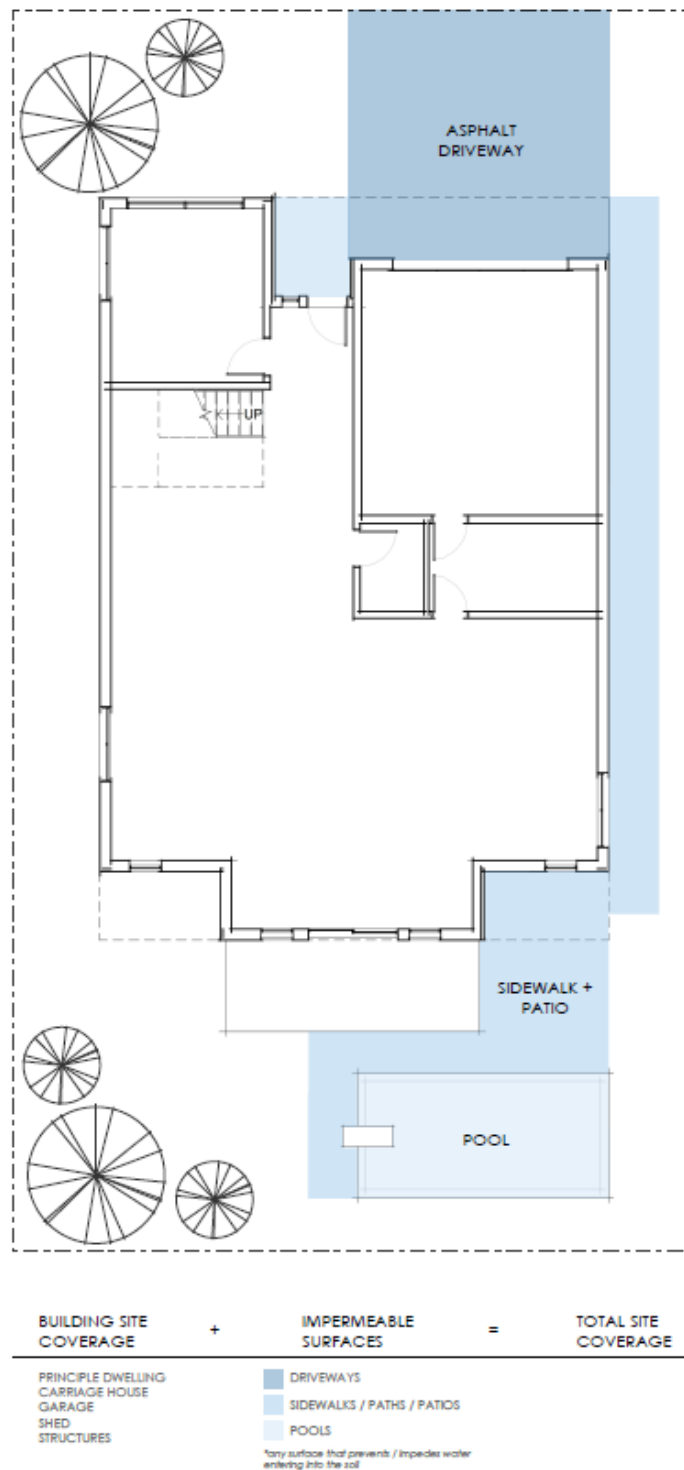


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Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

INDUSTRIAL ZONES are any zones described in Section 14 of this Bylaw or any CD zone in which the predominant [use](#), as determined by its general purpose and list of permitted [uses](#), is of an industrial nature.

[See Section 14 Non-Residential Zones for specific development regulations.](#)

INSTITUTIONAL ZONES are any zones described in Section 14 of this Bylaw or any CD zone in which the predominant [use](#), as determined by its general purpose and list of permitted [uses](#), is of an institutional nature.

[See Section 14 Non-Residential Zones for specific development regulations.](#)

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

K

KENNELS means a [building](#) used for the breeding, buying, selling or overnight boarding of animals including individual dogs, cats, or other domesticated animals excluding [livestock](#) and horses.

KITCHEN means facilities for the preparation or cooking of food, and includes any room containing counters, cabinets, plumbing, or wiring which, may be intended or used for the preparation or cooking of food.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

L

LANDSCAPING means changing, modifying or enhancing the visual appearance of a site including reshaping the earth, planting lawns, shrubs, trees or preserving the original natural vegetation, adding walks, fencing, [patios](#) and other ornamental features for the purpose of beautifying or screening the appearance of a [lot](#). Landscaping excludes those features with roofs and those used for shelter or those [structures](#) that provide opaque (solid) screening beyond the allowable provisions for fencing described in Section 7 of this Zoning Bylaw.

[See Section 7 for specific landscaping regulations.](#)

LANE means a highway under the *Local Government Act* more than 3.0 m but not greater than 8.0 m in width.

LIQUOR PRIMARY ESTABLISHMENT means development where alcoholic beverages are offered for sale to the public from establishments which may include forms of entertainment such as (but not limited to) dancing, singing, or cabaret entertainment. Must hold a [Liquor Primary Licence](#). Off-sales of alcoholic beverages are a permitted ancillary use.

LIQUOR PRIMARY LICENCE means a liquor licence issued the Province of British Columbia Liquor Control and Licensing Branch for a business in the hospitality, entertainment or beverage industry including bars, pubs, nightclubs, recreation centres and stadiums, where the service of liquor is the primary focus of the business.

LIVESTOCK means cattle, horses, sheep, goats, swine, rabbits, [fish](#), farmed game and exotic animals as prescribed by the Specialty Farm Operations Regulation under the Farm Practices Protection (Right to Farm) Act.

LOADING SPACE means an on-site parking space reserved for temporary parking for the purpose of loading or unloading goods and materials.

[See Section 8.4 Off-Street Loading for specific regulations.](#)

LONG-TERM BICYCLE PARKING means bicycle parking that is specifically provided and equipped for residents, students, employees, and others who generally stay at a site for several hours. The parking provided shall be easy to access for a range of users, secure for long periods of time and provide shelter from weather.

LOT means a parcel of land, including Crown Land, which is legally defined either by [registered plan](#) or description.

LOT AREA means the total horizontal area within the [lot lines](#) of a [lot](#).

LOT DEPTH means the horizontal distance between the mid-points of the front and [rear lot lines](#).

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

LOT LINE means the legally defined boundary of any lot or [property line](#).

LOT LINE, FRONT – COMMERCIAL AND INDUSTRIAL means the [street frontage](#) onto which the primary façade or front yard of the [building](#) faces or as approved by the [Director of Planning & Development Services](#).

LOT LINE, FRONT – URBAN AND RURAL RESIDENTIAL means, in the case of an interior lot, a [lot line](#) separating the [lot](#) from the [street](#); or in the case of a [corner lot](#), a line separating the narrowest [street frontage](#) of the lot from the [street](#) not including a corner rounding or corner cut; in the case of a lot extending between two parallel streets, the [front lot line](#) shall be determined by the average [front yard](#) setback on that block; or for a [lot](#) configuration that is not otherwise described in this definition, [front lot line](#) as approved by the [Director of Planning & Development Services](#).

LOT LINE, REAR means either the [lot line](#) opposite to, and most distant from, the [front lot line](#), or, where there is no such [property line](#), the point of intersection of any [property lines](#) other than a [front lot line](#) which is furthest from and opposite the [front lot line](#).

LOT LINE, SIDE means any lot boundary line which is not a [front](#) or [rear lot line](#).

LOT WIDTH means the width of a [lot](#) where it [abuts](#) the [street](#) except in the case of an irregularly shaped [lot](#), where the width shall be the average horizontal distance between the [side lot lines](#) at the minimum [front yard](#) setback. For a [reverse pie lot](#), the [lot width](#) is the average horizontal distance between the [side lot lines](#) at the minimum [rear yard](#) setback.

LOT, BARELAND STRATA means a bareland strata plan defined within the *Strata Property Act* currently meaning:

- (a) a strata plan on which the boundaries of the strata lots are defined on a horizontal plane by reference to survey markers and not by reference to the floors, walls or ceilings of a [building](#), or
- (b) any other strata plan defined by regulation to be a bare land strata plan.

LOT, CORNER means a [lot](#) situated at the intersection of two or more [streets](#), or a [lot](#) that has two adjoining [lot lines](#) [abutting](#) a [street](#) which substantially changes direction at any point where it [abuts](#) the [lot](#).

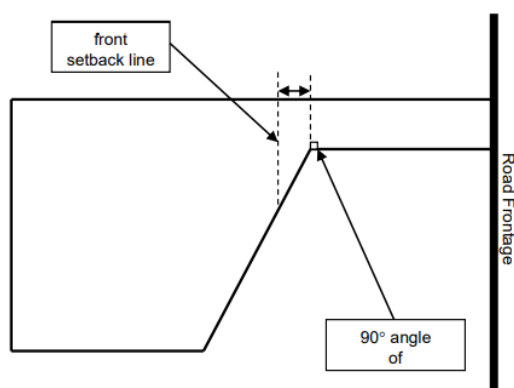
LOT, DOUBLE FRONTING, (or THROUGH) means a [lot](#) which [abuts](#) two [streets](#) which are parallel or nearly parallel to the [lot](#).

LOT, INTERIOR means a [lot](#) other than a [corner lot](#).

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

LOT, PANHANDLE means a lot which has its primary legal access from a street through a narrow strip of land which is an integral part of the lot. This narrow strip is referred to as the panhandle.



LOT, PIE means a lot which is generally configured such that its width at the rear lot line is greater than at its front lot line.

LOT, REVERSE PIE means a lot which is generally configured such that its width at the rear lot line is less than at its front lot line.

LOT, STRATA means a lot shown on a strata plan according to the *Strata Property Act*.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

M

MARINAS means a commercial or government establishment or premises, containing docking or mooring facilities where boats and other water vessels and their accessories are berthed, stored, serviced, repaired, constructed or kept for sale or for rent. Accessory and related uses to marinas are permitted such as a marine sani-dump, a marine fuelling facility, marine equipment rentals, and [retail](#) sales of goods that are convenience in nature and related to the marina operation.

MEZZANINE means an intermediate floor assembly as defined by the BC Building Code.

MICRO SUITE HOUSING means a [dwelling](#) unit which is less than 29 m² in [gross floor area](#).

[See Section 9.8 Minimum Dwelling Unit Size for specific regulations.](#)

MID-POINT, ROOF means the half way point of a roof that falls between the top of the peak and the top of the supporting wall.

MOBILE HOME means a factory made residential [structure](#) designed and manufacturer with a deformation resistant steel frame that is design to be supported on a non-frost protected foundation. Mobile home does NOT include:

- (a) factory made residential [structures](#) designed and manufactured to be supported on BC Building Code compliant frost protected foundations.
- (b) any [structure](#) designated as “Park Model” or “[Recreational Vehicle](#)” (RV).

MOBILE HOME PARK means a parcel of land for the placement of two or more [mobile homes](#). This does not include the situation a [mobile home](#) is used for immediate family on agricultural land.

MOBILE HOME SPACE means an area set aside and designated within a [mobile home park](#) for the installation and placement of a [mobile home](#), including access to an internal road and space for the exclusive [accessory use](#) by the [owner](#) or occupant of that [mobile home](#).

MOORAGE, PERMANENT means the long-term securing of a boat or other water vessel by means of cables, anchors, or other contrivances.

MOORAGE, TEMPORARY means the securing of a boat or other water vessel by means of cables, anchors, or other contrivances on a short-term basis of less than 24 hours.

MOTELS means a [building](#) or group of [buildings](#) divided into self-contained sleeping or [dwelling](#) units, each with a separate exterior entrance and convenient access to on-site parking. Motels may include eating and drinking establishments and [personal service establishments](#). The maximum length of stay is no more than 240 days.

MULTI-RESIDENTIAL SHARED GARDEN means a portion of a parcel, shared with a multi-residential dwelling that is used for the recreational growing of plants for food and/or pleasure for

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

the residents of the multi-residential dwelling. It does not include the growing and sale of produce for commercial purposes.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

N

N/A means not applicable, that there is no particular regulation in that [zone](#) for that category, but that the other regulations in this Bylaw still apply.

NATURAL BOUNDARY means the visible high water mark of any lake, river, stream or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself.

NATURAL RESOURCE EXTRACTION includes the quarrying, processing, removal and off-site sale of sand, gravel, earth or mineralised rock found on or under the [site](#). Typical [uses](#) include but are not limited to quarries, gravel pits, and stripping of topsoil.

NATURAL STREAM means watercourses that have not been significantly altered by human activity and are predominantly in their natural state.

NON-ACCESSORY PARKING means development providing vehicular parking which is not primarily intended for residents, employees, or clients of a particular development. Typical [uses](#) include surface [parking lots](#) and parking [structures](#) located above or below [natural grade](#).

NON-CONFORMING USE means a lawful existing [use](#) made of a [lot](#) or [building](#), intended to be made of a [building](#) lawfully under construction, or a development which is approved under provisions of Section 1.7 of this Bylaw at the date of [Council](#) adoption of this Bylaw, or amendment thereof, which on the date this Bylaw or an amendment thereto becomes effective, would no longer comply with this Bylaw.

NON-RESIDENTIAL ZONES are any zones other than those described in Sections 14 of this Bylaw.

[See Section 14 Non-Residential Zones for specific development regulations.](#)

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

O

OFFICES means development primarily for the provision of professional, management, administrative, consulting, or [financial services](#) in an office setting. Typical [uses](#) include but are not limited to the [offices](#) of lawyers, accountants, architects, travel agents, real estate and insurance firms, technology firms, planners, clerical and secretarial agencies. The main difference between [professional services](#) and office: is [professional services](#) primary function is accepting clients and customers with a reception area, whereas, [offices](#) could function without directly servicing clients/customers entering the premises from the [street](#). This excludes servicing and repair of goods, the sale of goods to the customer on the site, and the manufacture or handling of a product.

OFFICIAL COMMUNITY PLAN means the *Kelowna 2040* Official Community Plan Bylaw No. 7600, as amended from time to time.

ON-FARM CANNABIS PROCESSING means an accessory use to [cannabis](#) production on a [farm unit](#) and includes the drying, sorting, trimming, chopping, testing, packaging, storage or wholesale distribution of [cannabis](#), but does not include secondary processing of [cannabis](#) including but not limited to the production of oils, creams, health products, and food and beverage products.

ON-FARM COMPOSTING means the composting of [agricultural by-product](#) or raw materials, which may include manure, straw, vegetative waste, wood residue, mortalities, processing waste, ground paper, other sources of carbon and nitrogen and bulking agents or a combination of any of these.

ON-FARM PROCESSING means the undertaking of processes, including grading, packing, mixing, drying, canning, size reduction, fermentation, heat treatments, cold treatments, chemical treatments, and biological treatments on a [farm unit](#) to:

- (a) prepare value added products from farm products to sell,
- (b) prepare feed for [livestock](#), [poultry](#), farmed game, located on the farm, or
- (c) process and slaughter animals.

But excludes [on-farm cannabis processing](#), [on-farm composting](#), on-farm soil preparation, and on-farm soilless medium production.

OPEN SPACE means that portion of a [lot](#) not occupied by parking or vehicle areas, [buildings](#), accessible to, and suitable for gardens, [landscaping](#), and recreational use by [building](#) tenants or residents.

OUTDOOR STORAGE means the accessory storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent [structures](#) or the material alteration of the existing state of the land. Typical [uses](#) include but are not limited to pipe yards or vehicle or heavy equipment storage compounds. All outdoor storage areas must be surfaced with a dust-free surface.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

OWNER means the registered owner of an estate in fee simple or his agent authorized in writing, and includes the tenant for life under a registered life estate, the registered holder of the last registered agreement for sale, and the holder or occupier of land held in the manner described in the *Local Government Act*.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

P

PARAPET or PARAPET WALL means that portion of a perimeter [building](#) wall that rises above the roof.

PARK means land used for public recreation purposes for passive or action recreation including tot-lots, playgrounds, walkways, trails, environmentally sensitive areas, band shells, forest reserves, wildlife sanctuaries, green belts, conservation areas, buffers, nature interpretation areas, [landscaping](#), sports fields, tennis courts, lacrosse boxes, recreation centres, swimming pools, field houses, arenas, stadiums, and related [buildings/structures](#) consistent with the general purpose of park land.

PARKING LOT means a [lot](#) or part of a [lot](#) or a [building](#) available to be used for the temporary parking of more than one vehicle by customers, employees and the public at large.

PARKING SPACE means an off-street space of the size and dimensions to park one vehicle, exclusive of driveways, aisles or ramps, which complies with [Section 8 of this Bylaw](#).

PARTICIPANT RECREATION SERVICES, INDOOR means facilities within an enclosed [building](#) for sports, active recreation and performing and cultural arts where patrons are predominantly participants. Typical [uses](#) include but are not limited to athletic clubs, health and fitness clubs, swimming pools, rifle and pistol ranges, bowling alleys, amusement arcades, and racquet clubs.

PARTICIPANT RECREATION SERVICES, OUTDOOR means facilities which are available to the public at large for sports and active recreation conducted outdoors. Typical [uses](#) include but are not limited to regulation length or par-three golf courses, ball fields, and riding [stables](#).

PATIO means a platform, which may or may not be attached and projecting from the face of a [building](#), with a surface height that does not exceed 0.6 m from [natural grade](#) at any point.

PARTY WALL means a wall jointly owned and jointly used by two parties under easement agreement or by right in law, and erected at or upon a line separating two parcels of land, each of which is, or is capable of being, a separate real estate entity.

PAWN means to deposit goods or chattels as security for the payment of money or other consideration.

PAWNSHOP means premises where goods or chattels are taken in pawn.

PENTHOUSE means a [structure](#) projecting above a [building](#) roof or [parapet](#), housing a suite, elevator shaft or stairwell; or forming a wall or screen around equipment mounted on the roof.

PERMEABLE DRIVE SURFACES AND PARKING means pavement with a base and sub-base that allows the movement of storm water through the surface (includes: pervious concrete, porous asphalt, paving stones or concrete or plastic-based pavers). The [use](#) of this drive-surface treatment may be restricted from use on primary fire truck access routes.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

PERSONAL SERVICE ESTABLISHMENTS means [uses](#) which provide personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical [uses](#) include but are not limited to barber shops, hairdressers, tattoo parlours, manicurists, tailors, dress makers, shoe repair shops, dry cleaning establishments, and laundromats but does not include [health services](#).

PORCH means a roofed, open [structure](#) projecting from the exterior wall of a [building](#) with walls which are open or screened to facilitate [use](#) as an outdoor living area.

POULTRY means domesticated birds kept for eggs, meat, feathers, hide or cosmetic or medicinal purposes, and includes broilers, cornish, layers, breeding stock, replacement pullets, roasters, duck, geese, turkeys, game birds and ratites.

PRINCIPAL USE means the main or primary [use](#) of land, [buildings](#) or [structures](#) which is provided for in the list of permitted [uses](#) in the zones of this Bylaw.

PRIVATE CLUBS means a development used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business or fraternal organisation. Private clubs may include rooms for eating, drinking and general assembly and may hold a Liquor Primary Licence.

PROFESSIONAL SERVICES means a business or service that are technical or unique functions performed by independent contractors or consultants whose occupation is rendering such services to the public. The primary difference between professional services and office is: professional services primary function is accepting clients and customers with a reception area, whereas, [office](#) could function without directly servicing clients/customers entering the premises from the [street](#). This [land use](#) includes but is not limited to: household repair services, the sale of goods related to the professional services, the manufacturing or handling of a product related to the professional services, [financial services](#), business support services, broadcasting studios, and [funeral services](#).

PROPERTY LINE means a legal boundary of a [lot](#).

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

R

RECREATIONAL VEHICLE means a transportable conveyance intended as a temporary accommodation for travel, vacation, or recreational use and includes travel trailers, motorized homes, slide-in campers, chassis-mounted campers, boats, all terrain vehicles, snowmobiles and tent trailers but not including mobile homes.

RECREATIONAL WATER ACTIVITIES means leisure activities that could not take place in areas other than the water. Examples include but are not limited to jet skiing, fishing, water skiing, boating, swimming, and diving. Recreational water activities do not include residential or commercial facilities.

RECYCLING DEPOTS means development used for the buying, collection, sorting, and temporary storage of bottles, cans, newspapers and similar household goods for reuse where all storage is contained within an enclosed building. Such establishments shall not have more than four vehicles for the pick-up and delivery of goods. This does not include recycling drop-offs.

RECYCLING DROP-OFF means a development used for the collection and temporary storage of recyclable materials. Recyclable materials include, but are not limited to, cardboard, plastics, paper, metal, bottles and similar household goods or return for deposit items. Recyclable material left at the drop-off centre shall be periodically removed and taken to larger, permanent recycling operations for final recycling. This does not include recycling depots or recycling plants.

RECYCLING PLANTS means a facility within which recyclable materials are recycled, sorted, processed, and treated to return the materials for re-use or as inputs to other processes, and may include Special Wastes under the *Waste Management Act*.

REGISTERED PLAN means a subdivision plan registered in the Provincial Land Title Office.

RELIGIOUS ASSEMBLY means a building wherein people regularly assemble for religious worship and related religious, philanthropic or social activities which is maintained and controlled for public worship. Typical uses include but are not limited to churches, chapels, mosques, temples, synagogues, convents, and monasteries. It also includes accessory manses or rectories.

RESIDENTIAL FOOTPRINT means the portion of a lot that includes all structures, landscaping, driveways and parking areas associated with the principal dwelling, including but not limited to the principal dwelling, mobile home for family, home based business (minor, major and rural), accessory structures including garage and storage, recreation areas (including pools and sport courts), septic fields, and outdoor living areas. Structures not included in the residential footprint are agricultural structures, including greenhouses, farm retail sales stands, and those structures associated with the temporary farm worker housing footprint.

RESIDENTIAL SECURITY/OPERATOR UNIT means a secondary building, a single detached housing, or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker or operator of a commercial establishment, or for the on-duty security personnel at a storage facility when permitted in a zone.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

RESIDENTIAL ZONES means any [rural residential](#), single family, or multi-family zones described in this Bylaw, or any CD zone in which the predominant [use](#) as determined by its general purpose and list of permitted [uses](#) is of a residential nature, and in which the minimum tenancy period is at least 1 month.

RETAIL means premises where goods, merchandise and other material are offered for sale at retail to the general public and includes limited on-site storage or limited seasonal outdoor sales to support that store's operations. Typical [uses](#) include but are not limited to grocery, hardware, pharmaceutical, clothing, appliance, second hand stores, [pawnshops](#), [thrift stores](#), retail liquor stores, used goods store, and sporting goods stores. This [use](#) includes custom indoor manufacturing. This [use](#) excludes [warehousing](#) and sale of gasoline, heavy agricultural and industrial equipment, and retail stores requiring [outdoor storage](#). This [use](#) does not include the retail sale or dispensing of cannabis.

RETAIL CANNABIS SALES ESTABLISHMENT (RCS) means a development used for the retail sale of [cannabis](#) that has been licensed by the Government of British Columbia.

[Section 9.9 Cannabis Regulations for specific regulations.](#)

RETAINING WALL means a [structure](#) constructed to hold back, stabilize or support an earthen bank as a result of differences in [natural grades](#).

RIPARIAN MANAGEMENT AREA means a specified setback area from a [watercourse](#), as outlined in Table 7.1 of [Official Community Plan](#) Bylaw No. 7600. The width of the total area being determined by the attributes of the [watercourse](#) and [adjacent](#) terrestrial ecosystems.

[See Section 6.6 Riparian Management Area Setbacks for specific regulations.](#)

ROOF LINE means the horizontal line made by the intersection of the wall of the [building](#) with the roof of the [building](#) or the top of the edge of the [parapet](#). In the case of a [building](#) with a pitched roof, the roof line shall be at the eave level.

RURAL RESIDENTIAL ZONES are any [zones](#) described in [Section 10 of this Bylaw](#) or any CD [zone](#) in which the predominant [use](#), as determined by its general purpose and list of permitted [uses](#), is of a rural residential nature.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

S

SEASONAL FEEDING AREA means an area:

- (a) used for forage or other crop production, and
- (b) used seasonally for feeding **livestock** or **poultry** or farmed game that is primarily sustained by supplemental feed but does not include a **confined livestock area** or **grazing area**.

SECOND STOREY FLOOR AREA DIAGRAM visually shows the meaning of the regulation:

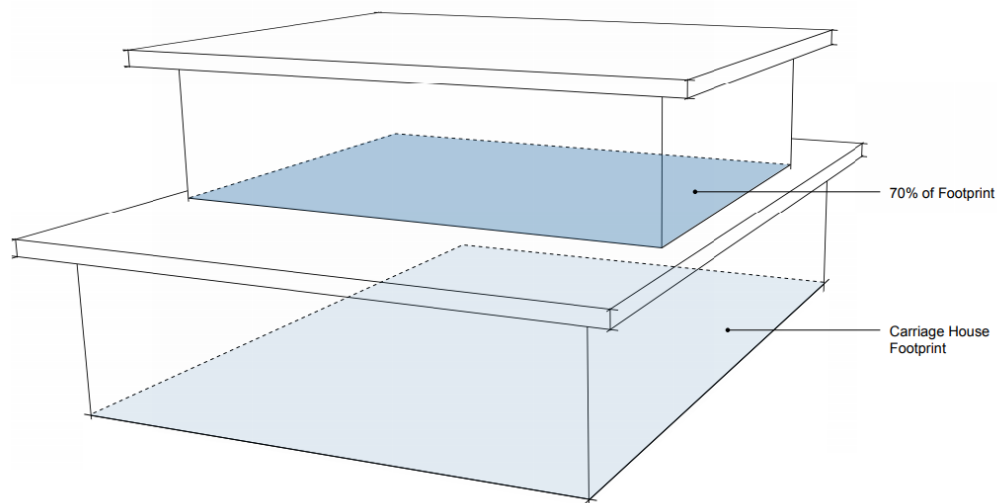


Image provided by New Town Architecture and Engineering Inc.

SECONDARY SUITE means an additional **dwelling** unit that has been issued an occupancy permit, located within a **single detached housing** unit and is subordinate to the principal **dwelling** unit and is a single real estate entity. Secondary suites do not have to be interconnected and free flowing with the **single detached housing**. This **use** does not include **duplex housing**, **semi-detached housing**, **apartment housing**, or **boarding or lodging houses**. **Short-term rental accommodations**, **bed & breakfast**, **boarding & lodging**, **group home minor/major**, shall not be permitted to operate within a **secondary suite**.

SEMI-DETACHED HOUSING means a **building** containing **dwelling** units connected above **finished grade** and designed exclusively to accommodate two **households** living independently in separate **dwelling**s side by side, each having a separate entrance at, or near, **finished grade**. The **dwelling** units in a semi-detached housing form must share a wall. Connecting the foundations below **finished grade** is not sufficient to be classified as a semi-detached housing form.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SEWER SYSTEM, COMMUNITY means a sanitary sewer or a system of sewage disposal works which is owned, operated and maintained by the Municipality.

SEWER SYSTEM, PRIVATE means a sanitary system or a system of sewage disposal works which is owned or, operated and maintained by a person other than the Municipality, but does not include conventional septic tank systems within the meaning of B.C. Regulation 577/75 of the *Health Act*.

SHOPPING CENTRE means one or more [buildings](#) containing more than six [retail](#) stores and other businesses exceeding 2,500 m² of [gross floor area](#) which share common services, parking, and other facilities on one or more [lots](#).

SHORT-TERM BICYCLE PARKING means bicycle parking that is provided for patrons, customers, and visitors of a development in a manner that is convenient and readily accessible for bicycles to park. Short-term parking of bicycles should serve the main entrance of a [building](#) and should be visible to pedestrians and bicyclists.

SHORT-TERM RENTAL ACCOMMODATION means the [use](#) of a [dwelling](#) unit or one or more [sleeping units](#) within a [dwelling unit](#) for temporary overnight accommodation for a period of 29 days or less. This [use](#) excludes [hotels](#) and [motels](#). [Short-term rental accommodations](#) shall not be permitted to operate within a [boarding or lodging house](#), a [group home, minor](#), a [group home, major](#), or within a [secondary suite](#).

[See Section 9.10 for Short Term Rental Accommodation Specific Regulations.](#)

SINGLE DETACHED HOUSING means a detached [building](#) containing only one [dwelling](#) unit, designed exclusively for occupancy by one [household](#). Where a [secondary suite](#) is permitted, this [use](#) class may contain a [secondary suite](#). This [use](#) includes modular homes that exceeds a 5 metre [building](#) width, but not a [mobile home](#).

SITE means an area of land consisting of a [lot](#) or two or more [abutting lots](#).

SITE COVERAGE means the percentage of the total horizontal area of a [lot](#) or [lots](#) that may be built upon including [accessory buildings or structures](#) (including [carports](#) and covered [patios](#) which are 23m² or larger) except it does not include steps, eaves, cornices, cantilevered [balconies](#), pergolas, courtyards garden plots or similar projections permitted by this Bylaw. Site coverage also does not include [swimming pools](#) but [swimming pools](#) are an [impermeable surface](#).

SLEEPING UNIT means a habitable room not equipped with self-contained cooking facilities, providing accommodation for guests.

SOIL BASED LANDSCAPING is [landscaping](#), including turf, shrubs and trees, that is supported by [growing medium](#) that meets the CSLA/CNLA Standard, does not include rock mulch or hard surface treatments, including permeable pavers.

[See Table 7.2 for specific regulations.](#)

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SPECTATOR ENTERTAINMENT ESTABLISHMENTS mean an enclosed **building** designed specifically for the presentation of live artistic performances or the showing of motion pictures. Typical **uses** include but are not limited to auditoria, cinemas, theatres, and concert halls.

SPECTATOR SPORTS ESTABLISHMENTS mean facilities intended for sports and athletic events which are held primarily for public entertainment, where patrons attend on a recurring basis. Typical **uses** include but are not limited to stadiums, arenas, animal, and **vehicle** racing tracks.

STABLES means a **building** with a maximum of 40 permanent horse housing units used for horse riding, training and boarding.

STACKED TOWNHOUSES means **townhouses**, except that **dwelling**(s) may be arranged two deep, either horizontally so that **dwelling**(s) may be attached at the rear as well as the side, or vertically so that **dwelling**(s) may be placed over others. Each **dwelling** will have an individual access to outside, not necessarily at **finished grade**, provided that no more than two units share a corridor, steps or path.

STEPBACK means the horizontal recessing of the **building** facade above a specified **storey**. See illustrative diagrams for visual representation below:

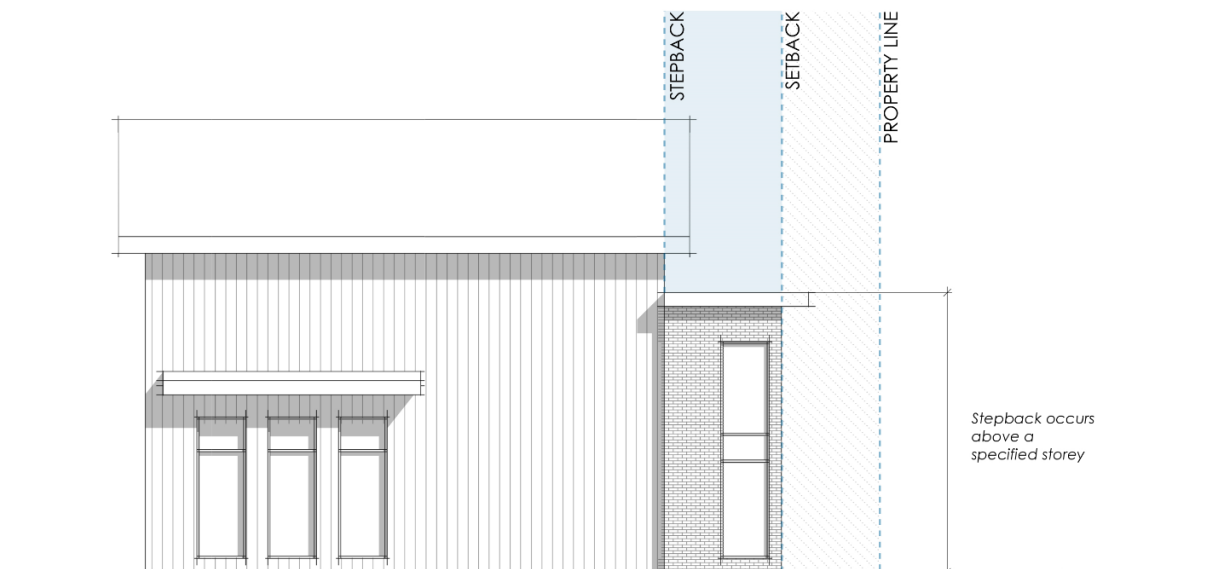


Image provided by New Town Architecture and Engineering Inc.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

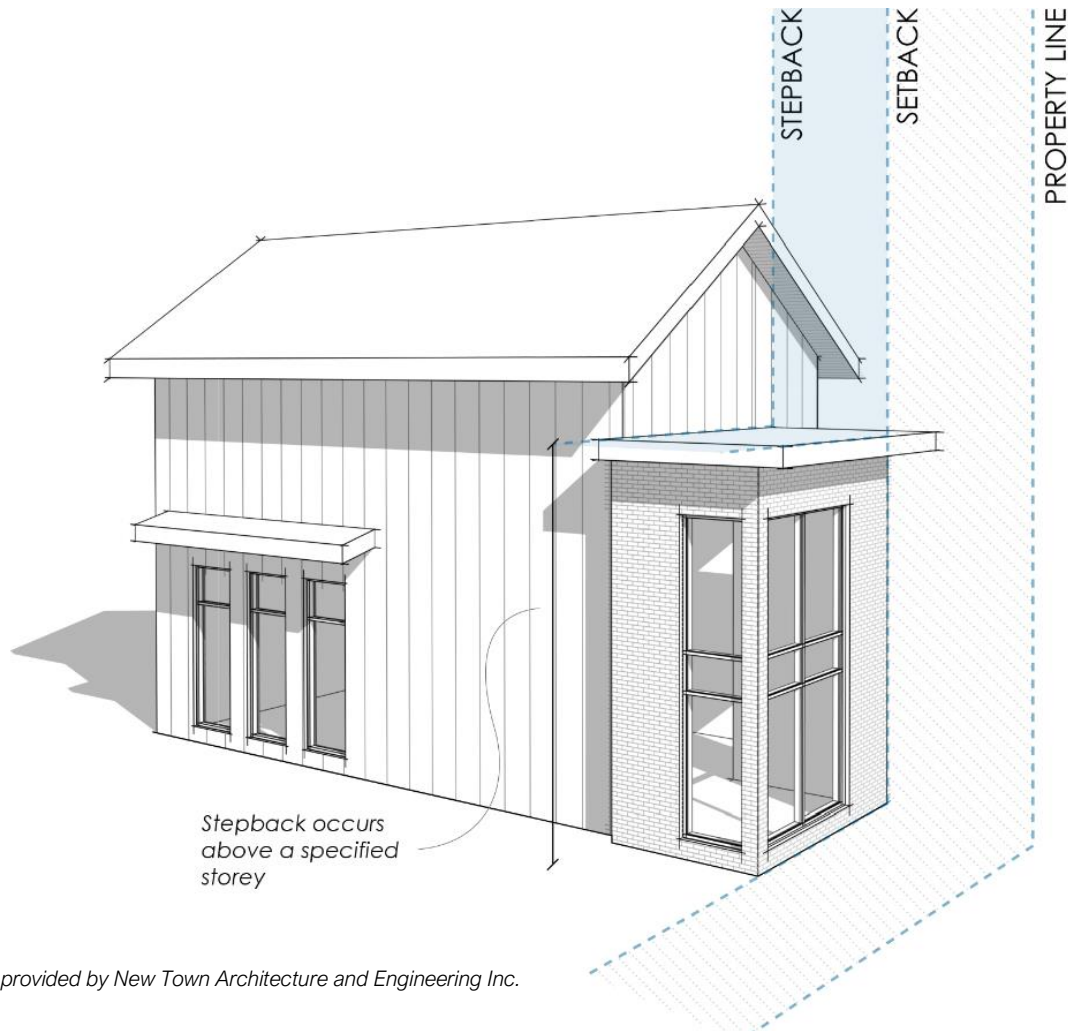


Image provided by New Town Architecture and Engineering Inc.

STOREY means that portion of a **building** which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it. Any portion of **building** (including parkades) having its floor level not more than 2.0 metres above **finished grade** will not be counted as **storey**. **Mezzanines** will not count as a **storey**.

STREET means a highway under the *Local Government Act* over 8.0 m in width which affords the principal access to **abutting** properties. It can include a thoroughfare, street, trail, avenue, parkway, driveway, highway, road, viaduct, alley, bridge, trestleway, or other public right of way which is ordinarily used for vehicular traffic, parking, and pedestrians and is located on publicly owned lands. It includes sidewalks, curbs, boulevards, ditches, and traffic lanes.

STREET, FLANKING means a **street** which **abuts** a **side lot line**.

STRUCTURAL ALTERATION means any change or addition to the supporting members of a **structure**, including but not necessarily limited to the foundation, bearing walls, rafters, columns, beams or girders where the total value of the change or alteration does not exceed 75% of the

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

assessed value of the existing [structure](#). Changes or additions exceeding 75% of the assessed value of the existing [structure](#) are considered a new [structure](#).

STRUCTURE means a construction of any kind whether fixed to or supported by or sunk into land or water including but not limited to towers, flag poles, [swimming pools](#), [docks](#), signs and tanks, and excludes areas of hardsurfacing such as concrete, brick or unit pavers, turfstone, asphalt or similar materials.

SUBDIVISION means the division of a parcel by an instrument; including a condominium plan, the consolidation of, or boundary change to, two or more adjoining parcels; and subdivide has a corresponding meaning.

SUPPORTIVE HOUSING means housing consisting of [dwellings](#) with support services on-site that may or may not include collective dining facilities, laundry facilities, counselling, educational services, homemaking and transportation. Supportive housing can be in the any [apartment](#) or [townhouse building](#) form.

SURVEYOR'S CERTIFICATE means a site plan certified by a registered British Columbia Land Surveyor showing the locations of improvements on a [lot](#) relative to the [lot lines](#).

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

T

TANDEM PARKING means two [parking spaces](#), one behind the other, with a common or shared point of access to a manoeuvring aisle, [lane](#) or [street](#).

TEMPORARY FARM WORKER(S) means an individual or individuals who carry out agricultural work on a temporary and seasonal basis on a [farm unit](#).

TEMPORARY FARM WORKER HOUSING (TFWH) means a [dwelling](#) to temporarily accommodate [temporary farm worker\(s\)](#), which is accessory to a [farm unit](#), that is used to provide space for cooking, sanitary, living and sleeping. Further regulations are described in [Section 9.7 Specific Uses – Temporary Farm Worker Housing](#).

TEMPORARY FARM WORKER HOUSING (TFWH) FOOTPRINT means the portion of a lot that includes all [structures](#), driveways and parking areas associated with the [temporary farm worker housing](#), including but not limited to [structures](#) for cooking, sanitary, living and sleeping. The footprint does not include the vegetated buffer. Further regulations are described in [Section 9.7 Specific Uses – Temporary Farm Worker Housing](#).

TEMPORARY SHELTER SERVICES means the provision of communal, transient accommodation sponsored or supervised by a public authority or non-profit agency intended to provide basic lodgings for persons requiring immediate shelter and assistance for a short period of time. Typical [uses](#) include but are not limited to hostels and over-night shelters.

THIRD STOREY FLOOR AREA DIAGRAM visually shows the meaning of the regulation:

DEVELOPMENT REGULATIONS - 3RD STOREY
FLOOR AREA DIAGRAM

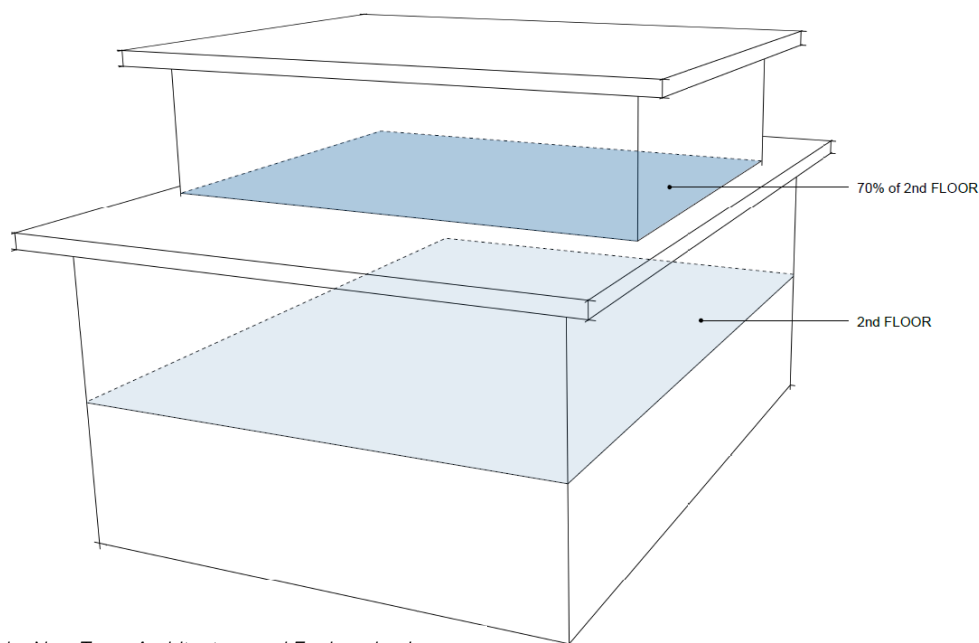


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Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

THRIFT STORES means any store or business operated by a registered non-profit society selling second-hand or used goods, the entire proceeds of which, above the actual bona-fide expenses, are devoted to any charitable purpose.

TOP OF BANK means the natural topographical break where elevation of land is at its peak. With the exception of Mission Creek, if the distance from the high water mark to the toe of the slope is less than 15.0 m, then setbacks should be measured from the first significant and regular break in slope which is at least 15.0 m wide. A break in the slope is defined as a section flatter than 3:1 for a minimum distance of 15.0 m. Terraces less than 15.0 m wide below the slope break shall be included in the leave strip area. Notwithstanding the foregoing, in the canyon areas of the Mission Creek stream corridor east of Mission Creek Regional Park, setbacks shall be measured from the canyon rim.

TOWNHOUSES means a [building](#) containing three or more [dwelling](#) units, which each having a direct entrance at grade. Townhouse definition includes row housing and stacked row housing.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

U

URBAN CENTRE means those areas identified as a 'Urban Centre' as an on Map 6.2 "Areas Subject to Development Permit Area Designation" in the [Official Community Plan](#). When reference is made to a specific urban centre area, it means those urban centre areas as described in Map 13.2 in conjunction with the area descriptions contained in the [Official Community Plan](#).

URBAN SERVICES means the provision of utility infrastructure consisting of a community water system, a storm drainage system, a municipally provided sanitary sewer collection system, and paved roadways [adjacent](#) to the site.

USE means the purposes for which land or a [building](#) is arranged or intended, or for which either land, a [building](#), or a [structure](#) is, or may be, occupied and maintained.

USE, ACCESSORY means a use which is normally ancillary, incidental, subordinate, and located on the same [lot](#) as the [principal use](#). Parking may be an accessory use when it serves the [principal use](#) and does not serve uses on other sites. Accessory uses include recreational amenities in residential developments that are devoted to the exclusive use of residents living on the same site.

USE, SECONDARY means those uses in the lists of secondary uses in the [zones](#) of this Bylaw which must be in conjunction with a [principal use](#). For example, a home based business is a secondary use, not a [principal use](#).

USED GOODS STORES means development used for the [retail](#) sale of second-hand or used major and minor household goods, including the refurbishing and repair of the goods being sold. Typical [uses](#) include but are not limited to the re-sale of items such as antique, used furniture, major appliances, and the resale of clothing, jewellery, stereos and musical instruments. This does not include the sale of used vehicles, recreation craft or construction and industrial equipment, or [auctioneering establishments](#).

UTILITY SERVICES, MAJOR IMPACT means development for utility infrastructure purposes which is likely to have a major impact on [adjacent uses](#) by virtue of their potential emissions or effects, or their appearance. Typical [uses](#) include but are not limited to sanitary land fill sites, sewage treatment plants, water treatment plants, major pumphouses, water towers or tanks, sewage lagoons, snow dumping sites, sludge disposal beds, garbage transfer and compacting stations, power terminal and distributing stations, power generating stations, cooling plants, equipment and material storage yards for vehicles, utilities and services, district heating plants, incinerators, and waste [recycling plants](#).

UTILITY SERVICES, MINOR IMPACT means development for utility infrastructure purposes which is likely to have only minor impact on the environment or [adjacent land uses](#) by virtue of its appearance, noise, size, traffic generation or operational characteristics. Typical [uses](#) in this class include but are not limited to telephone exchanges, wire centres, switching centres, surface reservoirs or storm water lakes including [adjacent landscaping](#) and walkways, minor pumphouses, communication towers, gate stations for natural gas distribution, and transit terminals.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

V

VEHICLE means any motor vehicle as defined in the *Motor Vehicle Act*.

VISUAL EXAMPLE OF MAX FLOOR HEIGHT FOR GROUND ORIENTED HOUSING means the following diagram:



Image provided by New Town Architecture and Engineering Inc.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

VISUAL EXAMPLE OF MIN NET FLOOR AREA ON FIRST FLOOR FOR GROUND-ORIENTED HOUSING means the following diagram:

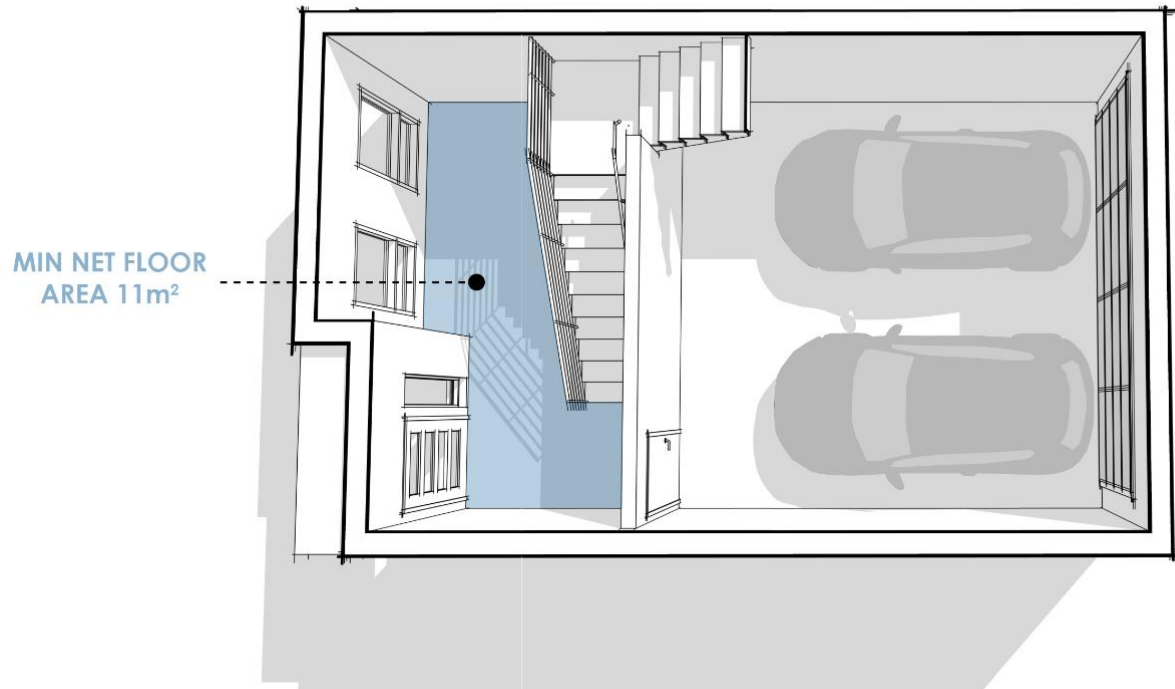


Image provided by New Town Architecture and Engineering Inc.

VISUAL EXAMPLE OF CORNER LOT SETBACKS means the following diagram:

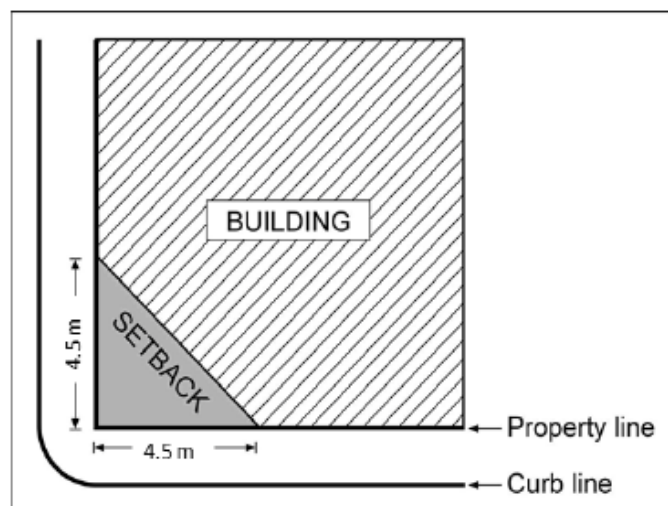


Image provided by New Town Architecture and Engineering Inc.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

W

WAREHOUSING means development used to store products or good before moving them to another location. E-commerce locations that have consumer pickup would be defined as commercial [retail](#) or general industrial depending on the proportion of warehousing. In general, this [land use](#) does not include the [retail](#) sale of services or goods onsite. However, indoor display, office, technical, administrative support, or [retail](#) sale operations can occur but shall limited in scale and be accessory to the [warehousing](#) listed above. The floor area devoted to such accessory activities shall not exceed 10% or 235 m² (whichever is less) of the [gross floor area](#) of the [building\(s\)](#) devoted to the [warehousing](#).

WATER SYSTEM, COMMUNITY means a system of waterworks which includes either private or community waterworks, within the meaning of the *Health Act* which is owned, operated and maintained by the Municipality, an Improvement District under the *Water Act* or the *Local Government Act*, or which is regulated under the *Water Utility Act* and authorized by the Municipal [Council](#).

WATER SYSTEM, PRIVATE means a privately owned utility system certified as a public convenience and necessity under the *Water Utility Act* that provides water services to more than a single [lot](#).

WATERCOURSE means any natural depression with visible banks, which contains water at some time, and includes any lake, river, stream, creek, spring, ravine, swamp, gulch, coulee, wetland, or surface source of water, whether containing [fish](#) or not, including intermittent streams, and drainage works which contain [fish](#).

WET BAR means a small facility that is used exclusively to prepare beverages or other items that do not require cooking. Exhaust fans, 220-volt wiring, natural gas rough-in and permanent cooking facilities of any type are not permitted. The provision of wet bars in no way permits an additional [dwelling](#) to be established.

WIDE LOTS are defined where the [lot width](#) exceeds the [lot depth](#).

WRECKING YARD means any land or [building](#) used for the collection, demolition, dismantlement, storage, salvage, recycling or sale of waste materials including scrap metal, [vehicles](#), machinery, and other discarded materials.

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Y

YARD means an area created by a [building](#) setback from a [property line](#).

YARD, FRONT means the area between [side lot lines](#) extending from the [front lot line](#) to the nearest wall or supporting member of a [building](#) or [structure](#).

YARD, REAR means the area between the [side lot lines](#) extending from the [rear lot line](#) to the nearest wall or supporting member of a [building](#) or [structure](#).

YARD, SIDE means that part of the [lot](#) which extends from a [front yard](#) to the [rear yard](#) between the [side lot line](#) and the nearest wall or supporting member of a [building](#) or [structure](#).

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Z

ZONE means the areas into which the City is divided in accordance with the maps attached as Schedule 'A' of this Bylaw and for which specific regulations are outlined herein for each area.

Section 2 – Interpretation amended as follows:

Section 2 – Definitions

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 3 – Severability

3.1 Severability

- 3.1.1 If any section, paragraph or phrase of this Bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

Section 3 – Severability

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 4 – Enforcement

4.1 General

- 4.1.1 The [Director of Planning & Development Services](#), [Building Official](#), and Bylaw Enforcement Officers are authorized to enforce the provisions of this Bylaw.

4.2 Right of Entry

- 4.2.1 The [Director of Planning & Development Services](#), [Building Officials](#), and Bylaw Enforcement Officers shall have the right of entry and may enter onto any land or into any building at all reasonable hours in order to inspect the same and to ascertain whether the provisions of this Bylaw have been carried out.
- 4.2.2 No person shall interfere with or obstruct the entry of a [Bylaw Enforcement Officer](#) or any authorized [City](#) representative onto any land or into any [building](#) to which entry is made or attempted pursuant to the provisions of this Bylaw.

4.3 Prohibitions

- 4.3.1 No person shall contravene, cause, suffer, or permit a contravention of this Bylaw.
- 4.3.2 No person shall commence or undertake a use which is not permitted by this Bylaw.
- 4.3.3 No person shall construct, make an addition to or alter a [building](#) or [structure](#), which is not permitted by this Bylaw.
- 4.3.4 No person shall contravene a condition of a permit issued under this Bylaw.
- 4.3.5 No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by the [Director of Planning & Development Services](#) or a [Building Official](#).
- 4.3.6 No person shall authorize or do any development that is at variance with the description, specifications or plans that were the basis for the issuance of a [building permit](#).
- 4.3.7 No [owner](#), lessee, tenant, or person shall:
- (a) place or permit a commercial vehicle in excess of 4,100 kilograms licensed gross vehicle weight on a [lot](#) in a [residential zone](#);
 - (b) place or permit a [recreational vehicle](#) in excess of 5,500 kg. licensed gross vehicle weight on a [lot](#) in a [residential zone](#);

Section 4 – Enforcement

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (c) permit a motor vehicle in a state of disrepair or derelict for more than 30 days on a lot in a residential zone;
- (d) place or permit more than two recreational vehicles outdoors on a lot in a rural residential zone, single family zone, or in an agricultural zone;
- (e) permit a fuel storage tank exceeding 205 litres on a lot in a residential zone;
- (f) fail to deflect lighting away from adjacent property as required by Section 6;
- (g) permit a use in a zone where the use is not listed as a principal or secondary use in the zone;
- (h) permit occupancy of a secondary dwelling unit which is not a principal secondary use in the zone; and
- (i) permit occupancy of a secondary dwelling unit prior to an occupancy permit issued pursuant to the City of Kelowna Building Bylaw, 1993, No. 7245 and all necessary approvals and licences being obtained under the provision of this or any other Bylaw.

4.4 Penalties

- 4.4.1 Every person who violates a provision of this Bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Ten Thousand Dollars (\$10,000.00) and the costs of prosecution.
- 4.4.2 Each day a violation of the provisions of this Bylaw exists or is permitted to exist shall constitute a separate offence.

Section 4 – Enforcement amended as follows:

Section 4 – Enforcement

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 5 – Amendments

5.1 Application

- 5.1.1 Any person applying to have any provision of this Bylaw amended shall apply in writing by submitting an application in the form and manner prescribed in Development Application Procedures Bylaw No. 8140.

Section 5 – Amendments

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 6 – General Development Regulations

6.1 Swimming Pools

- 6.1.1 Swimming pools shall not be located in a required [front yard](#) setback.
- 6.1.2 Above ground swimming pools and associated [decks](#) greater than 0.6 m in height shall meet the siting requirements of [accessory buildings](#).
- 6.1.3 At grade swimming pools shall be located at a minimum of 0.9 m from side and rear [property lines](#) and 1.5 m from any [street](#), except for a required [front yard](#).
- 6.1.4 Fencing around swimming pools shall be in accordance with the [City](#) of Kelowna Building Bylaw, 1993, No. 7245 as amended from time to time.

6.2 Projections Into Yards

- 6.2.1 Chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, a cantilevered section of a [building](#), portions of a [building](#) on a foundation or ornamental features may project into a required yard, provided such projections do not exceed 0.6 m. The total area of structural projections, excluding purely architectural or aesthetic features, shall not comprise of more than 30% of the total area of the exterior wall in which they are located. The total area of the exterior wall is to be calculated based on the total area of the wall, generally parallel to the [side lot line](#), measured from the front to the rear of the [building](#), not including [decks](#), trellises, or other open [structures](#). For [buildings](#) or [structures](#) that are more than one [storey](#), the area of the structural projection shall be calculated per [storey](#). No individual structural projection shall exceed 3.0 metres in length. No two structural projections shall be closer than 1.5 metres apart.
- 6.2.2 Unenclosed or enclosed steps, eaves, [awnings](#), [decks](#), [canopies](#), [balconies](#), and [porches](#) shall not project more than 0.6 m into a required yard except they may project 2.5 m into a required [rear yard](#).
- 6.2.3 Entrance [canopies](#) or [awnings](#) in the multi-family zones, the commercial zones, and the urban centre zones for weather protection or [building](#) ornamentation may project up to 3.0 m into a [front yard](#), 3.0 m into a [flanking side yard](#), and 1.5 m into a [side lot line](#).
- 6.2.4 Utilities, storage tanks, underground parking and similar [structures](#) constructed entirely beneath the surface of the ground may encroach into required yards provided such underground encroachments do not result in a grade inconsistent with [abutting](#) properties and the encroachments are covered by sufficient soil depth or surface treatment to foster [landscaping](#), provided that storage tanks containing flammable materials shall be subject to the British Columbia Fire Code.

Section 6 – General Development Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

6.3 Lighting

- 6.3.1 Any outdoor lighting for any development shall be located and arranged so that no direct rays of light are directed at any adjoining properties or interfere with the effectiveness of any traffic control device.
- 6.3.2 Areas with public access shall be lit in keeping with the principles of crime prevention through environmental design and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings, streets, parking areas and walkways.
- 6.3.3 No flashing or blinking exterior lighting shall be permitted.
- 6.3.4 No exterior neon lighting shall be permitted in residential zones.
- 6.3.5 All direct and ambient lighting shall be shielded in residential zones so as to not shine beyond the boundaries of the lot.
- 6.3.6 Lighting posts are not to exceed the lesser of the height of the primary building or 7.0 m.
- 6.3.7 Lighting systems for commercial, industrial and institutional developments are to include automated controls allowing for a reduction in lumen levels and energy use during hours when site is not in active use.

6.4 Setback from Provincial Highways

- 6.4.1 All buildings and structures on lots abutting Highway 97 or Highway 33, shall not be closer than 4.5 m to any lot line abutting the highway.

6.5 Utility Services and Cabinets

- 6.5.1 Minor utility cabinets for the provision of telephone, power, cable television or other utility services need not comply with any yard requirements in any zone.
- 6.5.2 Utility services, minor impact are permitted in all zones, whereas, utility services, major impact are permitted in specific zones.

6.6 Riparian Management Area (RMA) Setbacks

- 6.6.1 In all zones where Riparian Management Area setbacks are required along watercourses, as specified by Kelowna's Official Community Plan, the specified setback distance shall be measured from the top of bank, or from the natural boundary where the top of bank is not clearly defined. The specified setback distance shall be measured to the nearest part of the

Section 6 – General Development Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

building or structure including roofs, eaves, and any over-hanging components or cantilevered portions of a building.

- 6.6.2 No development shall be permitted within a Riparian Management Area that does not conform to the setbacks as prescribed in the City of the Kelowna's Official Community Plan without an authorized development permit.
- 6.6.3 When new lots are created abutting a watercourse where a Riparian Management Area setback is required, the land within the RMA may be used for calculating the minimum lot area and for the determination of permitted density and site coverage.
- 6.6.4 Riparian protection setbacks from watercourses for buildings and facilities in farming areas.
- 6.6.5 Despite lesser setback requirements outlined within each agricultural zone specified in this Bylaw, buildings and facilities identified below shall comply with the following minimum setbacks:

Table 6.6 - Building and Facilities Setbacks from Watercourses for Riparian Protection in Farming Areas				
	Agricultural Buildings and Facility Categories			
WATERCOURSE TYPE	Category 1 ¹	Category 2 ¹	Category 3 ¹	Category 4 ¹
Naturalized Stream	30 metres	15 metres	15 metres	15 metres
Channelized Stream	30 metres	15 metres	15 metres	Twice Channel Width ² (minimum: 10m) (maximum: 15m)
Constructed Channel or Ditch ³	30 metres	15 metres	5 metres ⁴	5 metres ⁴
FOOTNOTES (Section6): ¹ The setback distances for agricultural buildings and facilities to each type of watercourse shall measured from top of bank following the drawings in Figures 6.6.1 to 6.6.6. ² Channel width is determined from the top of the bank on one side to the top of the bank on the opposite side. ³ No differentiation is made between either constructed channels or constructed ditches when determining building setbacks; however, differences between the two exist for drainage maintenance considerations. A constructed ditch that temporarily diverts water for irrigation purposes, but is dry during the non-irrigation season, should be screened to prevent fish access. ⁴ The minimum building setback distance from a constructed channel or constructed ditch for which a municipality is responsible is seven (7) metres.				
DEFINITIONS: AGRICULTURAL BUILDINGS AND FACILITY CATEGORY 1 means specified facilities or				

Section 6 – General Development Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

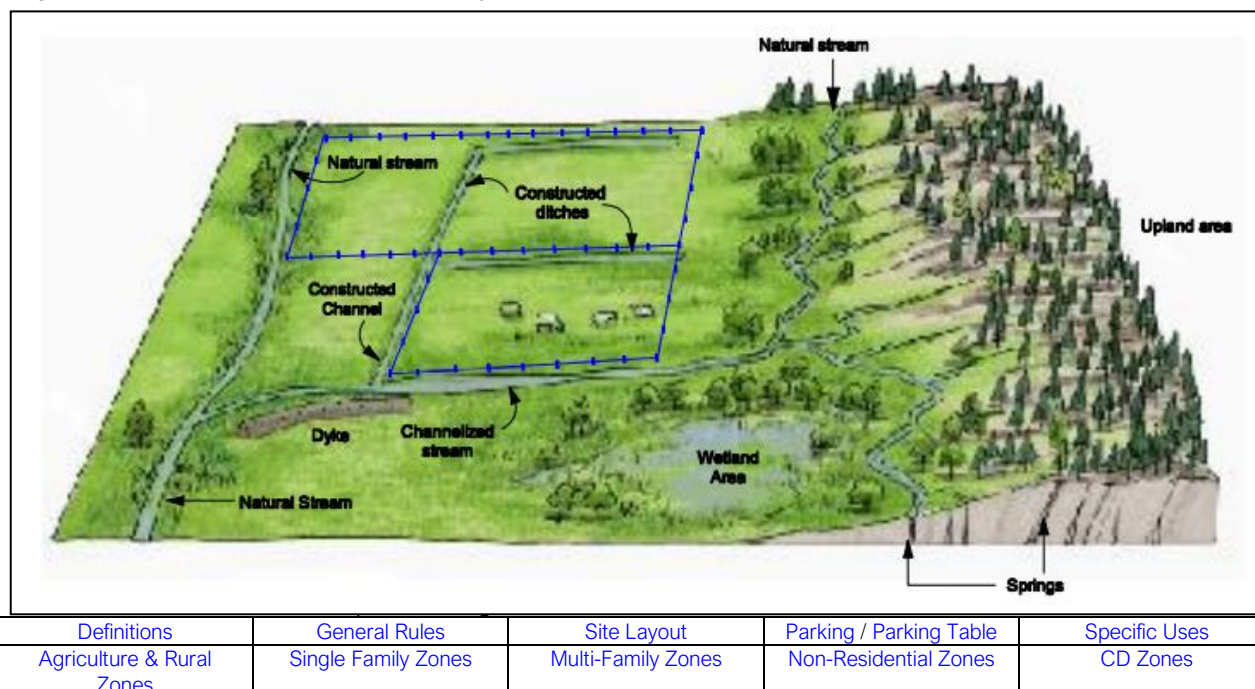
buildings identified by the Ministry's Guide for Bylaw Development in Farming Areas, that are considered to pose a high risk for causing pollution. Category 1 facilities include solid [agricultural by-product](#) field piles for greater than two weeks of storage, [confined livestock areas](#) containing more than ten [agricultural animal units](#), and [seasonal feeding areas](#).

AGRICULTURAL BUILDINGS AND FACILITY CATEGORY 2 means specified facilities covered by the Ministry's Guide for Bylaw Development in Farming Areas and other regulations that are considered to pose a slightly lower risk for causing pollution than those in Category 1. Category 2 structures include [agricultural by-product](#) storage facilities such as engineered manure pits; chemical, compost and wood waste storages; on-farm growing media production areas; mushroom barns; [confined livestock areas](#) containing fewer than ten agricultural units; silos; incinerators; and petroleum storages.

AGRICULTURAL BUILDINGS AND FACILITY CATEGORY 3 means facilities or buildings that pose a higher risk of discharging contaminants than Category 4 buildings and which by definition are not captured by the Ministry's Guide for Bylaw Development in Farming Areas. Examples of Category 3 facilities are [livestock](#) barns, brooder houses, fur farming sheds, [livestock](#) shelters and [stables](#), hatcheries, and milking facilities.

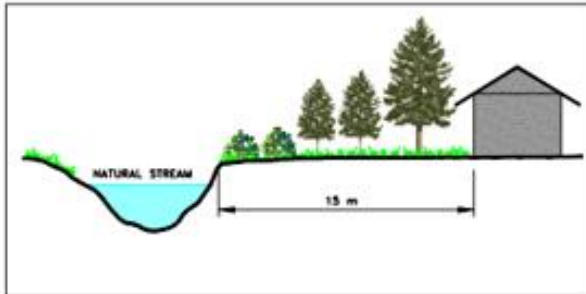
AGRICULTURAL BUILDINGS AND FACILITY CATEGORY 4 means facilities or [buildings](#) from which a risk of discharging contaminants is not likely or from which discharges can easily be contained may allow setbacks to be less than for Category 3 buildings in the case of channelized streams (depending on channel width), but are the same for Category 3 facilities insofar as they apply to [natural streams](#) and constructed channels or ditches. Examples of Category 4 facilities are [greenhouses](#), machine storage [buildings](#), [on-farm processing](#) structures, direct farm marketing [buildings](#), crop storages, granaries, shelters, hives, machine and equipment storages, [alcohol production facilities](#), retention and detention ponds, and other impervious surfaces.

Figure 6.6 Example of Watercourse Types



Top of Bank Watercourse Type Figures

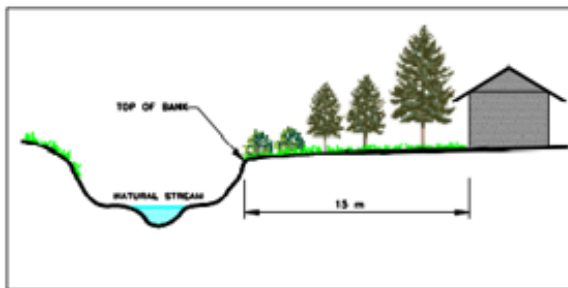
Figure 6.6.1 Setback for a **Natural Stream** with a Single Bank for Categories 2, 3, and 4



Natural Streams with Single Bank

Natural streams with a distinct **top of bank** will have the setback distance measured from the **top of bank** as shown in figure 6.6.1.

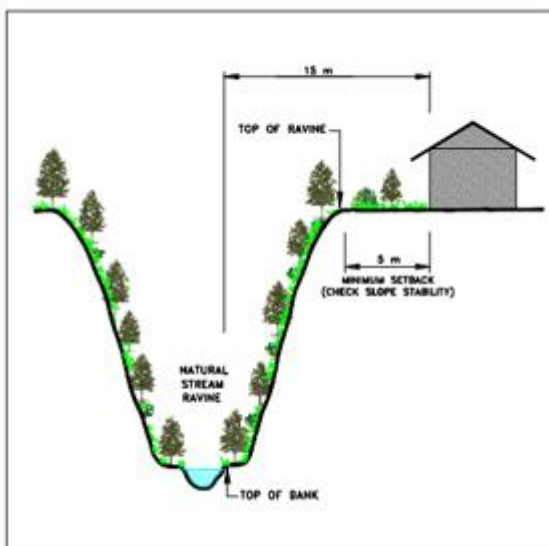
Figure 6.6.2 Setback for a **Natural Stream** with Multiple Banks for Categories 2, 3, and 4



Natural Streams with Multiple Bank

For **natural streams** that may have multiple banks, the setback distance should be measured from the bank that is farthest from the centre of the stream as shown in figure 6.6.2.

Figure 6.6.3 Setback for a **Natural Stream** in a Large Ravine



Natural Streams in a Ravine

For natural streams in a ravine, the setback distance should be measured from the **top of bank** as shown in figure 6.6.3. The setback distance must be at least 15 metres from the stream **top of bank**.

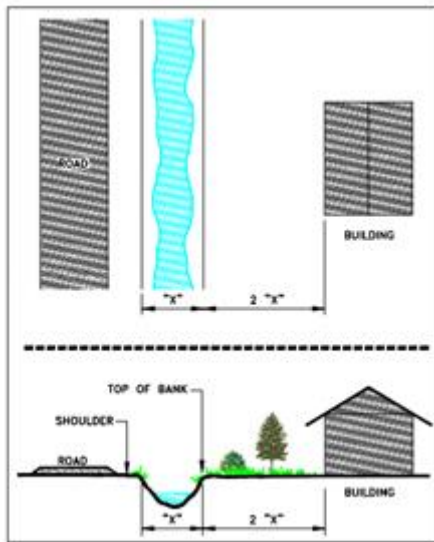
There is also a requirement that the building setback from the top of the ravine be 5 metres.

Where bank stability may be a problem, the setback distance from the top of the ravine should be assessed by a professional. Covenants or further setbacks may apply in situations where slope stability is a problem.

Section 6 – General Development Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

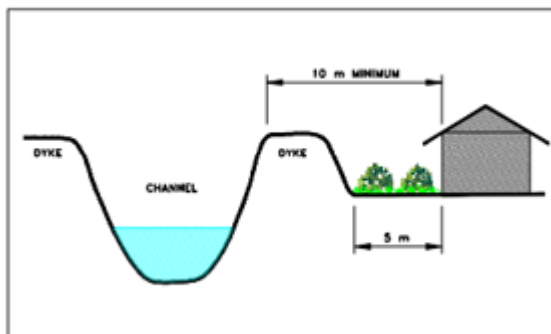
Figure 6.6.4 Setback for a Channelized Stream



Channelized Streams

The setback distance from a channelized stream for Category 4 facilities is determined by multiplying the width of the channel at the **top of bank** by two as shown in figure 6.6.4. For Category 4 facilities on channelized streams, the setback will be no less than 10 metres and the maximum will be 15 metres.

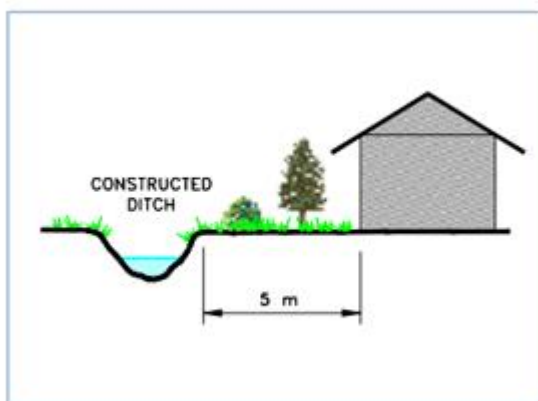
Figure 6.6.5 Setback for a Channelized Stream Confined by a Dyke



Channelized Streams Confined by a Dyke

The setback distance from a channelized stream that is confined by a dyke should be measured from the top surface of the dyke as shown in figure 6.6.5. The setback distance from the channelized stream may often exceed 10 metres for large dyke systems, as the minimum setback distance from the toe of the dyke should always be 5 metres.

Figure 6.6.6 Setback for a Constructed Channel or Ditch



Constructed Channels and Ditches

Constructed channels and ditches by their very nature always have a defined **top of bank**. The setback distance from the **top of bank** as shown in figure 6.6.6. The setback distance from constructed channels and ditches will be 5 metres for Category 3 and 4 facilities. For constructed channels and ditches where the responsibility for maintenance is borne by a municipality, drainage, or dyking district the minimum setback will be 7 metres.

Section 6 – General Development Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

6.7 Minimum Lot Size – Septic Disposal System

- 6.7.1 For any rural residential, residential, industrial, commercial, institutional or comprehensive land use, no [lots](#) shall be created that are less than 1.0 Ha in area unless they are serviced by a community sanitary sewer system. The only exception to this provision are [subdivisions](#) approved by the Provincial Agricultural Land Reserve Commission for a homesite severance or a [subdivision](#) in lieu of a homesite severance, or an institutional [lot](#) for utility services or [park](#) or [open space](#) where there will be no requirement for sewage disposal.

6.8 Energy Efficiency

- 6.8.1 Any Part 9 residential [building](#), as defined by the BC Building Code, that is constructed to Step 5 of the BC Building Code's Energy Step Code or is constructed as a certified Passive House, may reduce the minimum [rear yard](#), [front yard](#), and/or [flanking street](#) requirements of the [zone](#) by up to 0.25 metres, except:
- (a) where there is a minimum requirement of 6.0 m for a [front yard](#) or from a [flanking street](#) to a garage or [carport](#), that 6.0 m may not be reduced;
 - (b) where there is a minimum requirement of 1.5 m or less for a [rear yard](#), that 1.5 m or less may not be reduced.

6.9 Density and Height Bonus

- 6.9.1 Where a zone allows for bonus density, the bonus density may be permitted if payments are made into capital reserve funds as established by Bylaw [XYZ](#) in accordance with the table below.
- 6.9.2 Density bonus payments made pursuant to this Bylaw must be made prior to issuance of a [building permit](#) authorizing the construction of a [building](#) that contains bonus density.

Section 6 – General Development Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 6.9 Density and Height Bonus			
Housing Form & Location	Cost per linear frontage	Rate	Final Contribution
Infill and Townhouse Developments outside an Urban Centre	\$1,300	0.5 times the length of frontage	\$1,300 x 0.5 x length of frontage
Apartment and Mixed Use Buildings Six Storeys or Less outside an Urban Centre	\$1,300	1.0 times the length of frontage	\$1,300 x length of frontage
Commercial & Industrial Developments outside an Urban Centre	\$1,300	1.0 times the length of frontage	\$1,300 x length of frontage
Developments with TC1- Tourist Commercial (Cook / Lakeshore)	\$1,625	2.0 times the length of frontage	\$1,625 x 2 x length of frontage
Developments within UC1 - Downtown Urban Centre	\$1,625	2.0 times the length of frontage	\$1,625 x 2 x length of frontage
Developments within UC2 - Capri-Landmark Urban Centre	\$1,625	2.0 times the length of frontage	\$1,625 x 2 x length of frontage
Developments within UC3 - Midtown Urban Centre	\$1,625	1.0 times the length of frontage	\$1,625 x length of frontage
Developments within UC4 - Rutland Urban Centre	\$1,625	1.0 times the length of frontage	\$1,625 x length of frontage
Developments within UC5 - South Pandosy Urban Centre	\$1,625	1.0 times the length of frontage	\$1,625 x length of frontage

Section 6 – General Development Regulations amended as follows:

Section 6 – General Development Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 7 – Site Layout

7.1 General Provisions

- 7.1.1 The intent of these [landscaping](#) regulations is to contribute to a reasonable standard of liveability and appearance for developments, from the initial placement of the [landscaping](#) through to its mature state, to provide a positive overall image for Kelowna and to encourage good environmental stewardship.

7.2 Landscaping Standards

- 7.2.1 All required landscape areas and installations including irrigation requirements shall meet or exceed the Canadian Landscape Standard (CLS) as jointly published by the Canadian Society of Landscape Architects and the Canadian Nursery Landscape Association.
- 7.2.2 All required landscape areas and installations shall be regularly maintained by property [owners](#) to meet or exceed the Canadian Landscape Standard.
- (a) the landscape maintenance requirements shall address/provide for the following items in regards to plant material: watering, mulching, pruning, fertilizing, liming and tree support as well as weed, pest and disease control.
 - (b) the landscape maintenance requirements shall address/provide for the following items in regards to lawns and grass areas: watering, fertilizing, liming, mowing and trimming, edging, aeration and repairs (regarding, reseeding or resodding) as well as weed, insect and disease control.
 - (c) the execution of the above-mentioned landscape maintenance requirements shall take place on a regular basis as to ensure a healthy, neat and orderly appearance throughout the year.
- 7.2.3 All required setback areas shall be landscaped with various ground cover as recommended by various City policies.
- (a) driveways as well as entrance/exit pathways are permitted to cross the landscape area.
- 7.2.4 All required setback areas shall be landscaped with various tree species as recommended by various City policies. The minimum number of trees shall be provided in accordance with Table 7.2 – Tree Planting Requirements, as follows:
- (a) development on properties adjacent to ALR land must meet [landscaping](#) standards as outlined in the Farm Protection DP Guidelines as outlined in the [City of Kelowna's Official Community Plan](#).

Section 7 – Site Layout

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (b) development on properties zoned A1 and A2 must meet [landscaping](#) standards as outlined in the Farm Protection DP Guidelines as outlined in the [City of Kelowna's Official Community Plan](#).

Section 7 – Site Layout

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 7.2 – Tree & Landscaping Planting Requirements					
Criteria	Single Detached Housing , Semi-Detachment , and Duplex Housing	Infill Housing and Townhouses	Apartments in Multi-Family Zones	Urban Centres & Institutional Zones	Commercial & Industrial Zones
Minimum Tree amounts ³	One Tree ¹	One tree for each 50 m² of setback area or 1 tree per 12 linear metre of setback area (whichever is more)	One tree for each 55 m² or 1 tree per 10 linear metre of setback area (whichever is more) ³	One tree for each 30 m² or 1 tree per 10 linear metre of setback area (whichever is more) ³	One tree for each 30 m² or 1 tree per 10 linear metre of landscape area (whichever is more) ^{3, 6}
Minimum Deciduous Tree Caliper ²	Large: 5 cm Medium: 4 cm Small: 3 cm				
Minimum Coniferous Tree Height	250 cm				
Minimum Ratio between Tree size ⁴	Large: Min 50% Medium: No min or max Small: Max 25%				
Minimum Growing Medium Area ⁵	75% soil-based landscaping groundcover in required setback areas				
Minimum Growing Medium Volumes per Tree ⁵	Large Single: 30 m³ - Large Multiple Connected by Trench or Cluster: 25 m³ Medium Single: 20 m³ - Medium Multiple Connected by Trench or Cluster: 18 m³ Small Single: 15 m³ - Small Multiple Connected by Trench or Cluster: 12 m³				
FOOTNOTES (Section 7): ¹ If the lot is greater than 18 metres in width then two trees are required. ² All deciduous trees shall have a minimum clear stem height of 1.5 metres. ³ The total area and linear metre calculation are used to determine a minimum number of trees that is to be planted within the setback areas. The minimum number of trees on site shall be whichever calculation is greater (the required setback area or the linear metre). The tree spacing should follow all the Urban Tree Guide but there is no minimum or maximum in regards to tree					

Section 7 – Site Layout

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 7.2 – Tree & Landscaping Planting Requirements					
Criteria	Single Detached Housing , Semi-Detachment , and Duplex Housing	Infill Housing and Townhouses	Apartments in Multi-Family Zones	Urban Centres & Institutional Zones	Commercial & Industrial Zones
<p>spacing. This provides landscape plan flexibility to allow grouping of trees where applicable.</p> <p>⁴ Tree size will be defined in the City of Kelowna's Urban Tree Guideline, if only one tree is required, it must be a large tree or conifer. All columnar trees shall be considered medium or small tree for purposes of minimum ratio between tree size.</p> <p>⁵ Minimum growing medium may be the shared through the landscape (tree, turf and shrub).</p> <p>⁶ The landscape area is the setback area up to a maximum of 2 metres with the exception of properties abutting a provincial highway. For example, if the front yard setback is 6 metres then only 2 metres from the front property line is considered the landscaped area. However, if the front yard setback is less than 2 metres then the landscaped area is less than 2 metres (up to and including 0 metres). For properties abutting a provincial highway the landscaped area is the setback area.</p>					

7.2.5 Notwithstanding any other provisions in this Bylaw, where Riparian Management Area are required along stream corridors in accordance with the Official Community Plan, the land and vegetation shall remain undisturbed. In the case of Riparian Management Area along Okanagan Lake, land is to remain in its 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. Retaining walls along the Okanagan Lake waterfront are permitted under the terms of a development permit where required to protect lakefront property.

(a) all site layout and landscaping provisions must be consistent with Section 6 Riparian Management Area.

7.2.6 All construction on-site must occur concurrently with erosion control measures to prevent the pollution, degradation, or siltation of natural areas and water courses. This includes the provision of temporary fencing prior to and during construction.

7.2.7 All lighting components of site design shall follow Section 6 Lighting.

7.2.8 All landscaped areas will be graded to meet the following criteria:

- (a) maximum 1:3 slope (33%) for lawn areas;
- (b) maximum 1:2 slope (50%) for shrub or ground cover area;
- (c) minimum 1:50 slope (2%) for cross slope for any landscape area;

Section 7 – Site Layout

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (d) all areas in which the existing slope exceeds 30% are to be identified;
- (e) all areas developed and [adjacent](#) lands impacted by development with slopes greater than 30% shall be rehabilitated using indigenous vegetation common to the site.

7.2.9 All required landscape areas shall be watered by a fully automatic irrigation system. No run-off onto sidewalks, [streets](#), or parking areas shall be permitted. The following areas are exempt from having permanent fully automatic irrigation systems:

- (a) existing areas of undisturbed native vegetation which have been accepted as landscape area or [Riparian Management Area](#);
- (b) landscape areas specifically designed as xeriscape or drought resistant natural species plantings, however, temporary irrigation may be required; and
- (c) landscape buffers which are established with drought resistant species to return the area to a natural condition, however, temporary irrigation may be required.

7.2.10 Where the retention of native trees and ground cover is required or permitted, a letter from a registered professional landscape architect or registered professional forester shall be submitted, indicating the mitigation measures required during and after the construction to ensure the health of the vegetation.

7.2.11 Any [parking lot](#) over eight (8) vehicles must incorporate landscaped islands as described below:

- (a) shall include a minimum 1.5 metre perimeter landscape area;
- (b) landscaped islands are required at the end of each parking aisle;
- (c) the maximum number of [parking spaces](#) in a consecutive row is 15 with a landscaped island separating the next 15 spaces or drive aisle;
- (d) landscaped islands are not to be longer than the adjacent [parking space](#);
- (e) landscaped islands shall be clearly delineated as separate and in addition to required parking and [loading spaces](#);
- (f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference;
- (g) at a minimum, one tree must be included in a landscape island.

7.3 Refuse and Recycling Bins

7.3.1 When any development is proposed provisions for garbage storage, recycling and collection shall be provided on the same site as the development.

7.3.2 All above [natural grade](#) refuse and recycling bins in zones other than agricultural zones, including all other large receptacles used for the temporary storage of materials shall:

Section 7 – Site Layout

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (a) require opaque screening from adjacent lots and streets.
 - (b) all screening shall be a minimum of 1.3 metres in height to a maximum height that is equivalent to the height of the refuse or recycling bin.
 - (c) all sides open to public view shall be screened by the additional planting of shrub and groundcover material at least 1.5 m in height.
 - (d) all refuse or recycling bins shall be setback a minimum of 3.0 metres from any abutting lot zoned RU1, RU2, RU3, or RU4.
 - (e) an unobstructed access lane with a minimum width of 3.0 m and a minimum vertical clearance of 4.6 m shall be provided to provide access to a required garbage and recycling room or enclosure.
- 7.3.3 All in-ground refuse and recycling must be setback 0.5 metres from a front or side property line.

Section 7 – Site Layout

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

7.4 Urban Plazas

- 7.4.1 Urban plazas must be universally accessible to the public from both the [street](#) and from the development. Urban plazas are a site design element that are intended to break up the massing along the long building [frontages](#).
- 7.4.2 The minimum plaza street [frontage](#) is 7.5 m.
- 7.4.3 The minimum plaza depth is 6.0 m. Urban plazas must have a minimum of 1 tree, with a minimum 90 mm [caliper](#) and rootball of 900 mm.

7.5 Fencing and Retaining Walls

- 7.5.1 Screen [fences](#) shall be consistent with the quality of [building](#) design and materials of the principal [building](#).
- 7.5.2 Screening [fences](#) shall be opaque double-sided construction. Where screen [fences](#) are allowed or required by this Bylaw, they shall be of an opaque or a combination of opaque and lattice design.
- 7.5.3 The maximum height for constructed from [natural grade](#) shall be:
- (a) 2.0 metres in [rural residential zoned](#) properties except, where abutting an [agricultural](#), [industrial](#), or [commercial zone](#), then the maximum height shall be 2.4 metres.
 - (b) 2.4 metres in [commercial](#) or [industrial zoned](#) properties.
 - (c) 2.0 metres in single family, multi-family, tourist commercial, village centre, or urban centre zoned properties except, that it shall not exceed 1.2 metres in height within the minimum [front yard](#) or [flanking yard](#) setbacks.
- 7.5.4 No [fence](#) in a [commercial](#), public and [institutional](#) or [industrial zone](#) shall exceed 2.4 m.
- 7.5.5 [Industrial zones](#) are to have an opaque 2.4 m high [fence](#) around all storage yards, along all [property lines abutting](#) non-[industrial zones](#) and around [wrecking yards](#) that are visible from a [street abutting](#) the [lot](#).
- 7.5.6 No metal [fence](#) shall allow the ends of [fence](#) pickets or finials to extend above a horizontal rail (see Diagram 7.5.6).
- 7.5.7 No barbed wire fencing shall be allowed in any [rural residential](#),

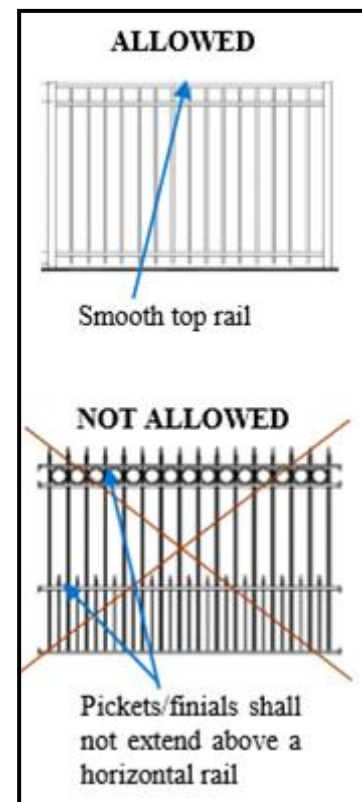


Diagram 7.5.6

Section 7 – Site Layout

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

urban residential, or [institutional zones](#) except in RR1 and RR2 zones for use in [livestock enclosures](#) or in the P1 zone where the site is used for [detention and correction services](#).

- 7.5.8 No razor wire [fences](#) shall be allowed in any zone except where associated with penitentiaries, jails, or places of incarceration.
- 7.5.9 No [fencing](#) shall be permitted at or below the high water mark (geodetic elevation of 343 m) of Okanagan Lake.
- 7.5.10 [Retaining walls](#) on all [lots](#), except those required as a condition of [subdivision](#) approval, must not exceed a height of 1.2 m measured from [natural grade](#) on the lower side, and must be constructed so that any [retaining walls](#) are spaced to provide a 1.2 metres horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4m. Any multi-tier [structure](#) more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.
- (a) a [retaining wall](#) may be higher than 1.2 metres, measured from grade, where the [natural grade](#) of the subject [lot](#) is lower than the [abutting](#) property.
 - (b) the combined height of a [fence](#) on top of a [retaining wall](#) at the [property line](#) or within 1.2 m of the [property line](#) shall not exceed 2.0 m, measured from [natural grade](#) at the [abutting](#) higher property.
 - (c) where an affected property remains at [natural grade](#) and the subject property constructs a [retaining wall](#) and a [fence](#) within 1.2 m of the [property line](#), the maximum height for a [fence](#) on the affected property shall be no greater than 1.8 m above the height of the [retaining wall](#) or 3.0 m, whichever is less.
- 7.5.11 In the case of a [retaining wall](#), the maximum height of a [fence](#), or portion of retaining wall extending above the natural grade of the abutting higher property, or combination thereof, shall be 2.0 m, measured from the natural grade of the abutting higher property.
- 7.5.12 An exposed natural rock surface on a [lot](#) that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer.
- 7.5.13 As per the Engineers and Geoscientists BC's Quality Management Guidelines all [retaining walls](#) including but not limited to, gravity, piling, cantilever, anchored, mechanically stabilized earth (MSE), and geosynthetic reinforced soil (GRS) walls when over 3.0 m high or deemed high risk are included in the requirement to have documented independent reviews conducted by a qualified professional, as [retaining walls](#) fulfil the important structural function of safely retaining soil.

Section 7 – Site Layout amended as follows:

Section 7 – Site Layout

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 8 – Parking and Loading

8.1 General Provisions and Development Standards

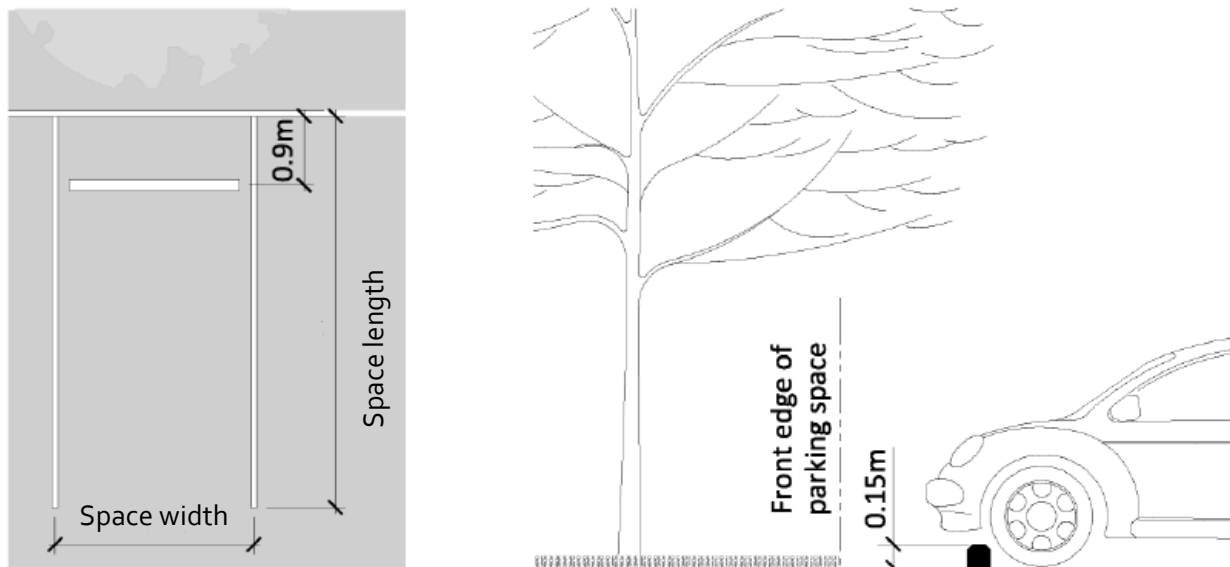
- 8.1.1 Where provision of off-street parking or [loading spaces](#) is required by this Bylaw, a plan of the proposed site layout and landscape plan shall be included with the development permit application or [building permit](#), as the case may be. The plans must be included with the [building permit](#) application. The site plan must be drawn to scale and must clearly illustrate the [lot](#) size and configuration, [building](#) locations, [parking spaces](#), [loading spaces](#), on-site circulation, access driveways, [landscaping](#), [fences](#), and any other details relevant to the review of the development proposal.
- 8.1.2 Off-street [parking spaces](#) shall not be credited as off-street [loading spaces](#) or vice versa.
- 8.1.3 In lieu of providing the required number of off-street vehicular where the [City](#) owns and operates a parking facility within urban centres, a property [owner](#) within an urban centre may pay to the [City](#) a sum of money equal to the number of [parking spaces](#) not provided multiplied by the applicable cash-in-lieu amount as determined from time to time by [Council](#). The sum of money will be deposited in the parking facilities reserve fund for disposition as directed by [Council](#). Cash-in-lieu is not permitted where compliance with Ministry of Transportation & Infrastructure (MOTI) standards is required.
- 8.1.4 Every off-street parking or [loading](#) area (including every access road to such areas) required by this Bylaw to accommodate three (3) or more vehicles:
- (a) shall have a durable, dust-free hard surface of concrete, asphalt or similar material, constructed such that the surface drainage is directed to the public storm sewer system (if available), or alternatively to approved planting areas, or an approved on-site drainage system;
 - (b) despite Section 8.1.4(a), any requirement for hard surfacing such as concrete or asphalt does not apply (but [dust free surface](#) shall be required) to agricultural zones, public parks, or [open space](#) uses;
 - (c) shall clearly delineate individual [parking spaces](#), [loading spaces](#), spaces for the disabled, manoeuvring aisles, entrances, and exits with pavement markings, signs, and/or other physical means;
 - (d) shall be designed to allow forward entry to and exit from the [lot](#) on which the parking or [loading](#) area is located directly to a dedicated public [street](#) or [lane](#), without encumbering any lands other than the subject [lot](#). This provision does not apply where parking or [loading](#) can be provided and accessed directly from an abutting [lane](#). This provision shall not apply where [tandem parking](#) results in the provision of three or more [parking spaces](#) where access is from a local collector road or a road of a lesser standard as identified in the [City](#) of Kelowna's [Official Community Plan](#);

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- 8.1.5 No required parking shall be provided parallel to and flanking a **lane** unless the parking area is accessible by a driveway and is screened from the **lane** by a physical barrier.
- 8.1.6 Landscape island and **parking lot** requirements shall be consistent with Section 7 regulation.
- 8.1.7 Every off-street parking or **loading** area, and access thereto, shall have fencing, curbs, or secured wheel stops to prevent vehicles from encroaching upon **property lines**.
- 8.1.8 All off-street **parking spaces** on **lots** with 5 or more **parking spaces** and abuts a pedestrian walkway or landscaped area without a barrier curb needs to have a wheel stop that is 0.9 metres from the walkway or **landscaping** area and minimum 0.15 metres in height as described Figure 8.1.8. This requirement does not apply to a **parking space** if the **parking space** is configured parallel to the curb or drive aisle.

Figure 8.1.8



- 8.1.9 Where a wheel stop is provided pursuant to Section 8.1.8 the portion of the **parking space** between the wheel stop and the front edge of the **parking space**, as marked in Figure 8.1.8, is exempt from the requirements of section 8.1.4 and may be surfaced with permeable material or **landscaping**, provided that no **landscaping** exceeds 0.15 metres in **height**.
- 8.1.10 Every off-street parking or **loading** area which is illuminated shall have all lighting positioned in such a manner that light falling onto **abutting** properties is minimized.
- 8.1.11 Any trash storage or collection area co-existing with any parking or **loading** area:
- (a) shall be clearly delineated as separate and in addition to required parking and **loading spaces**;

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (b) shall be located such that collection vehicles can gain access without undue interference with the operation of the parking and loading area; and
- (c) shall have a fenced or landscaped screen as required by Section 7.

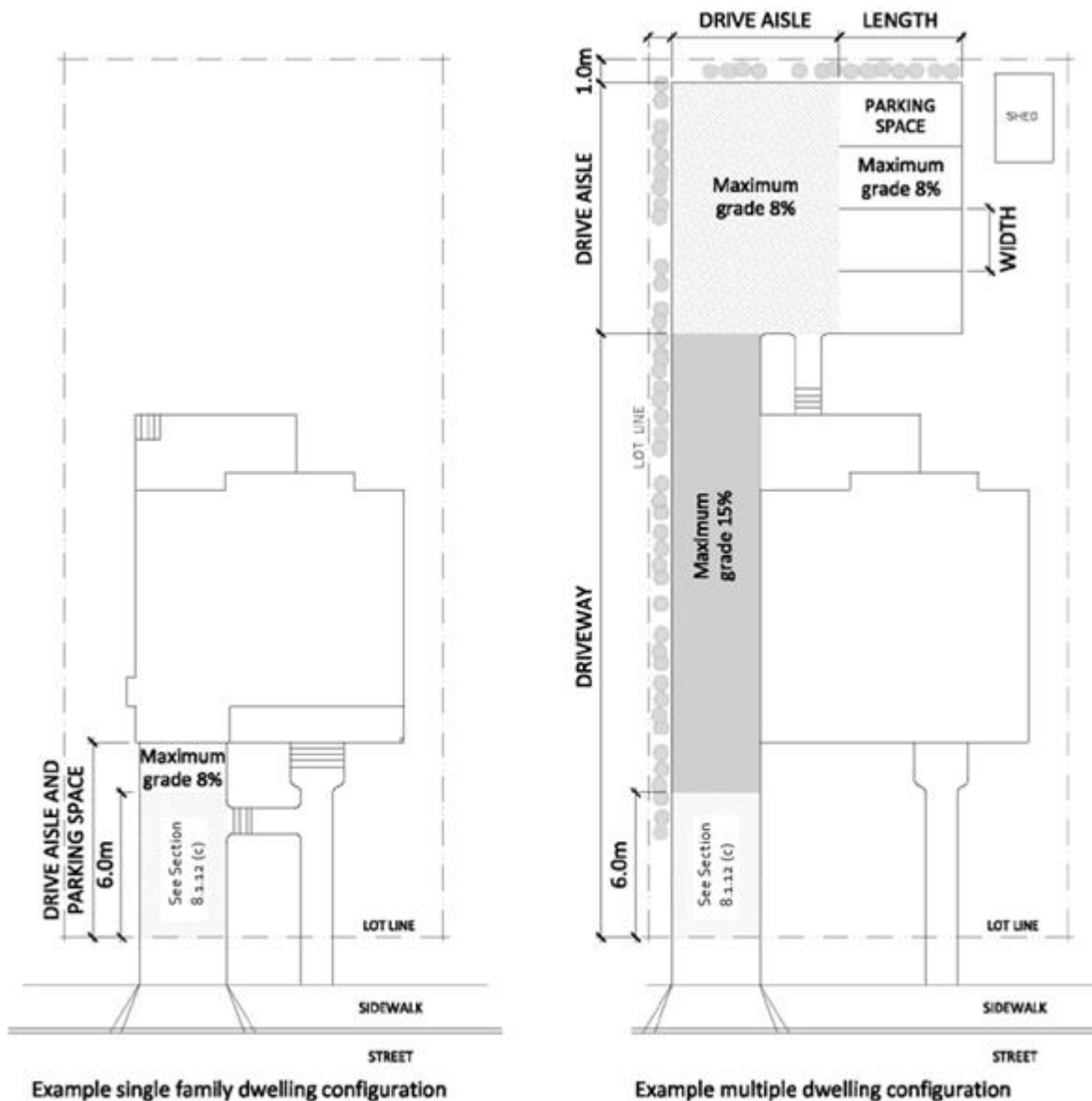
8.1.12 Maximum grades:

- (a) the maximum grade for a drive aisle or a parking space is 8%;
- (b) the maximum grade for a driveway is 15%;
- (c) where a drive aisle or a parking space is located within 6.0 metres of a fronting property line it must comply with applicable grade requirements prescribed in the Subdivision, Development & Servicing Bylaw.

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

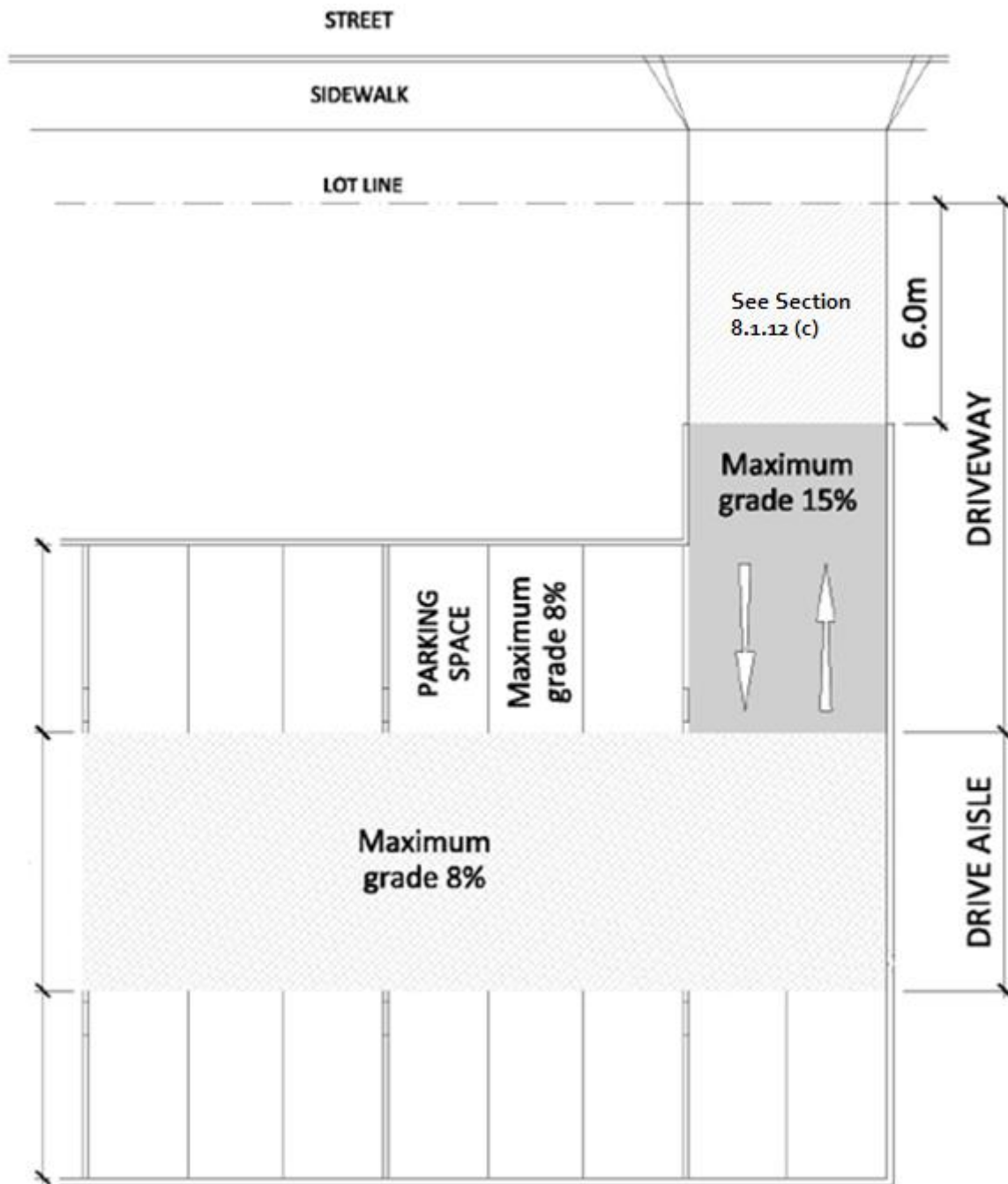
Figure 8.1.12.a - Maximum Grades for Parking Areas



Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Figure 8.1.12.b – Example Parkade Configuration



Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

8.2 Off-Street Parking Regulations

- 8.2.1 Where any development is proposed, including new development, change of use of existing development, or enlargement of existing development, off-street vehicle parking (including parking for the disabled, and visitors) shall be provided onsite by the property owner in accordance with the requirements of this Bylaw.

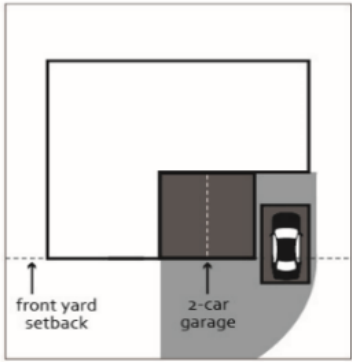
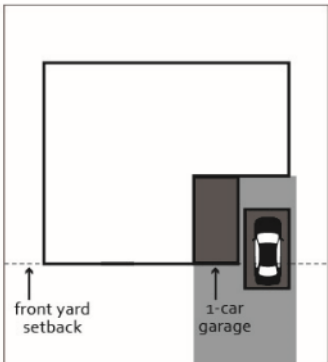
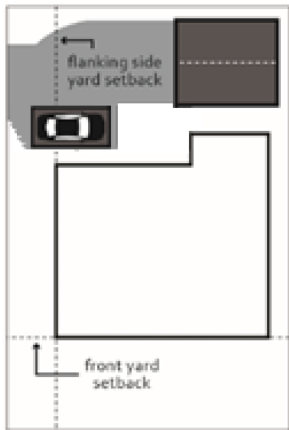
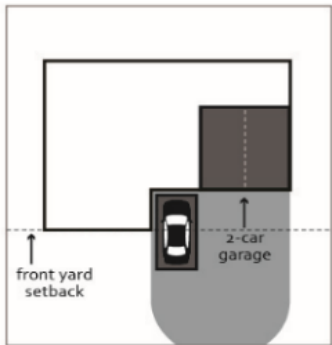
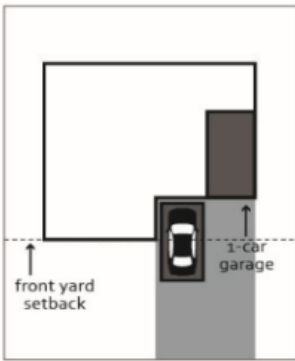
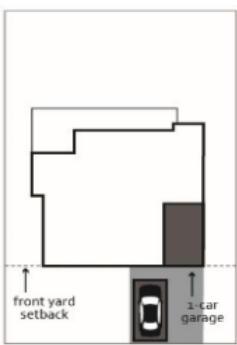
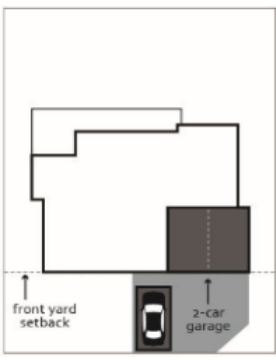
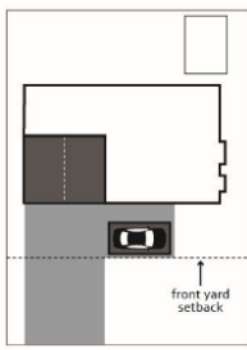
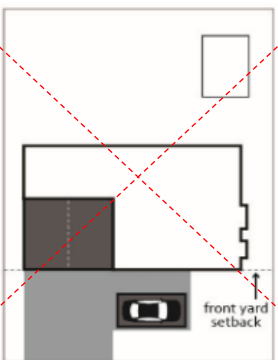
Parking Setbacks

- 8.2.2 All off-street parking for non-residential use classes shall have a minimum 1.5 metre setback from any front lot line, any side or rear property line abutting residential zones, or any lot line abutting a street unless the building setback is smaller. For example, if the building setback is 0 metres then the parking setback is 0 metres.
- 8.2.3 Where a setback for a garage or a carport (as allowed within a particular zone) is measured from the back of curb, edge of pavement, or a sidewalk (whichever is closest), the resulting parking stall can be counted as an off-street parking stall.
- 8.2.4 All off-street parking for residential use classes containing two or less dwelling units shall not have any off-street parking spaces located in the required front yard or flanking street setback area.
- 8.2.5 Notwithstanding Section 8.2.4, off-street parking for residential use classes containing two or less dwelling units may be located in the required front yard or flanking street setback area if:
- (a) the parking spaces are located on a driveway which provides access to a required off-street parking space that is not in the front yard or flanking street setback area; or
 - (b) one off-street parking space may be located in the required front yard or flanking street setback area that does not provide access beyond the front yard or flanking street setback area if the parking space meets one of the permitted parking configurations shown specifically in Figure 8.2.5:

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Figure 8.2.5 - Permitted and Not Permitted Parking Configurations

		
Side Yard Parking – Double Garage	Side Yard Parking – Single Garage	Corner Lot Parking
		
Front Yard Parking 1 – Double Garage	Front Yard Parking 1 – Single Garage	Front Yard Parking 2 – Single Garage
		
Front Yard Parking 2 – Double Garage	Perpendicular Parking – Permitted	Perpendicular Parking – NOT Permitted

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Tandem Parking

8.2.6 Tandem parking spaces is permitted only for the following land uses (not between land uses):

- (a) single detached housing (which may be in tandem with a secondary suite or carriage house);
- (b) short-term rental accommodations;
- (c) duplex and semi-detached housing; and
- (d) townhouses where the lot is located within the Urban Core as defined in the Official Community Plan. Visitor parking stalls cannot be configured in tandem.

Size and Ratio

8.2.7 Each required off-street parking space and parking lot layout shall conform to the following provisions:

Table 8.2.7 (a) Dimensions of Parking Spaces and Drive Aisles			
	Min. Length	Min. Width	Min. Height Clearance
Parking Spaces:			
Regular Size Vehicle parking space	6.0 m	2.5 m	2.0 m
Small Size Vehicle parking space	4.8 m	2.3 m	2.0 m
Accessible parking spaces	6.0 m	3.7 m	2.3 m
Van-Accessible parking spaces	6.0 m	4.8 m	2.3 m
Regular Size Parallel parking space	7.0 m	2.6 m	2.0 m
Small Size Parallel parking space	6.5 m	2.5 m	2.0 m
Drive Aisles:			
All two-way drive aisles serving 90 degree parking (e.g. parking lot, parkade, garage)	n/a	7.0 m	2.0 m
All two-way surface drive aisles without adjacent parking	n/a	6.0 m	2.0 m
One way drive aisles (60 degree parking)	n/a	5.5 m	2.0 m
One way drive aisles (45 degree parking & parallel parking)	n/a	3.5 m	2.0 m

Table 8.2.7 (b) Ratio of Parking Space Sizes		
Uses:	Min. Regular Size Vehicle parking spaces	Max. Small Size Vehicle parking spaces
Single Detached Dwelling, Duplex, or Semi-Detached	50%	50%
Carriage house or secondary suite	0%	100%
Short-term rental accommodations	0%	100%

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 8.2.7 (b) Ratio of Parking Space Sizes		
Uses:	Min. Regular Size Vehicle parking spaces	Max. Small Size Vehicle parking spaces
Dwelling units in the MF1 zone	0%	100%
Townhouses, Stacked Townhouses, and Apartments	50% ^{1,2}	50%
Commercial	100% for customer stalls 50% for all other stalls	0% for customer stalls 50% for all other stalls
Industrial	70%	30%
Institutional	50%	50%
FOOTNOTES (Section 8): ¹ For the purpose of calculating the percentage of regular size vehicle parking spaces, “accessible parking spaces” shall be included in the minimum number regular size vehicle parking spaces. ² All visitor parking stalls must be regular size vehicle parking spaces.		

- 8.2.8 Length, width and height measurements shall be clear of obstructions (including but not limited to columns, property lines, curbs, walls, pipes, roof features, fences, and emergency exit painted areas). Spacing measurements shall be taken from the inside to inside of obstructions.
- 8.2.9 Where a parking space abuts an obstruction (including but not limited to columns, property lines, curbs, walls, pipes, roof features, fences, and emergency exit painted areas) the parking space shall follow the following regulations:
- (a) be an additional 0.2 m wider where the parking space abuts an obstruction on one side;
 - (b) be an additional 0.5 m wider where the parking space abuts an obstruction on both sides; and
 - (c) be an additional 0.8 m wider where the parking space abuts a door way.

Number of Spaces

- 8.2.10 The minimum and maximum number of off-street vehicle parking spaces required for each use (including visitor spaces) is specified in Table 8.3 Required Parking except where additional parking is required by the Ministry of Transportation & Infrastructure (MOTI) if the site has direct access to a provincial highway. The total vehicle parking amount can be reduced with the rental housing incentives (as per Section 8.2.11) and the bicycle parking incentives (as per Section 8.5.8).
- 8.2.11 The minimum number of off-street vehicle parking spaces required for each use (excluding the visitor spaces requirements) specified in Table 8.3 Required Parking may be reduced with as per the following incentives:

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Rental Housing Incentives:

If a development rezones to a sub-rental zone guaranteeing the development as rental housing, then a 20% reduction to the parking requirement (both base and visitor) can be applied if the development is located within an urban centre and a 10% reduction to the parking requirement (both base and visitor) can be applied if the development is located outside an urban centre.

Car-Share Incentives:

Within the Urban Core, University South Village Centre, and Glenmore Valley Village Centre as defined in the Official Community Plan, the total minimum off-street vehicle parking requirements for any residential and any commercial use (e.g. office and retail) can be reduced by five (5) parking spaces per car share vehicle (must provide a new vehicle to a car-share organization) subject to the following regulations:

- (a) the maximum reduction in total required parking is 20% (for base parking requirement); and
- (b) the car-share vehicle parking space must be located on-site or within 100 metres of the subject property, in a highly visible spot, at-grade, publicly accessible at all times (i.e. not within an enclosed parkade), clearly marked for the exclusive use of the shared vehicle, and guaranteed to operate for a minimum of two years.

8.2.12 [Parking spaces](#) for secondary uses shall be provided in addition to the required [parking spaces](#) for the [principal use](#) on a [lot](#).

8.2.13 Where calculation of the total number of [parking spaces](#) yields a fractional number:

- (a) any fraction less than one-half (0.5) rounds down to the nearest whole integer (including zero); and
- (b) any fraction one-half (0.5) or greater rounds up to the nearest whole integer.

8.2.14 Where [gross floor area](#) is used as a unit of measurement for the calculation of required [parking spaces](#), it must exclude all parking and [loading](#) areas, secure bicycle parking areas, common stairways and mechanical rooms within the [building](#).

8.2.15 Where [Table 8.3 Required Parking](#) does not clearly define requirements for a development, the single use class or combination of use classes most representative of the proposed development shall be used to determine the parking requirements.

8.2.16 Where a development consists of a mix of use classes, the total off-street parking requirement shall be the sum of the off-street parking requirements for each use class.

- (a) notwithstanding Section 8.2.16, in mixed-use developments the [parking spaces](#) required for [offices](#) and other [commercial related land uses](#) can be shared with the residential visitor parking requirements. [Parking spaces](#) must be available for both land uses (commercial and visitor) at all times.

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

8.2.17 Accessible Parking Standards:

- (a) the minimum accessible parking shall be provided as a function of the total number of parking space provided onsite as described in Table 8.2.17:

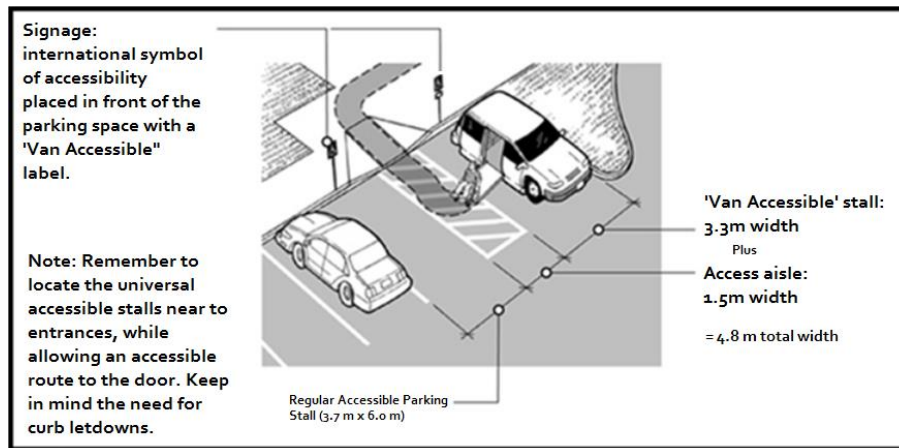
Table 8.2.17 Amount of Accessible Parking Spaces		
Total Number of Parking Spaces Onsite.	Minimum Number of Required Accessible Parking Spaces	Minimum Number of Required Van-Accessible Parking Spaces
1 – 4 spaces	0 spaces	0 spaces
5 – 36 spaces	1 space	1 space
37 – 68 spaces	2 spaces	1 space
69 – 100 spaces	3 spaces	1 space
101-150 spaces	4 spaces	1 space
151-200 spaces	5 spaces	1 space
201-300 spaces	6 spaces	2 spaces
301-400 spaces	7 spaces	2 spaces
401-500 spaces	8 spaces	2 spaces
Over 500 spaces	2% of the total spaces	2 spaces
Note: The minimum number of required van-accessible parking spaces is the amount taken from the total minimum number of required accessible parking spaces column. For example: if a development had 250 parking spaces they would required 6 accessible parking spaces of which 2 of them would need to be van-accessible (i.e. not 8 parking spaces).		

- (b) if a visitor [parking space](#) is required, then at least one of those visitor [parking spaces](#) shall be configured as an accessible [parking space](#);
- (c) designate as an accessible [parking space](#) using appropriate signage;
- (d) include accessible [parking spaces](#) in the calculation of the applicable minimum parking requirement; and
- (e) accessible [parking spaces](#) shall be located as close to a main [building](#) entrance, on a level non-skid surface.

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Figure 8.2.17 Accessible Parking Standards



8.3 Required Off-Street Parking Requirements

Table 8.3 – Required Off-Street Parking Requirements					
Table 8.3.1 Residential Parking					
Land Use / Type of Development	Base Parking Requirement (number of spaces)				Minimum Visitor Parking Requirement ^{3,4}
	Urban Centre and Health District Zones	MF1 Zone, Village Centre Zones, Tourist Commercial Zones, and Zones fronting a Transit Supportive Corridor	All other zones within the Urban Core	All other zones outside the Urban Core	
Apartment Housing Townhouses Stacked Townhouses Residential Security Operator Unit	Min 0.8 spaces & Max 1.25 spaces per bachelor dwelling unit	Min 0.9 spaces & Max 1.25 spaces per bachelor dwelling unit	Min 1.0 space & Max 1.25 spaces per bachelor dwelling unit	Min 1.0 space & Max 1.25 spaces per bachelor dwelling unit	Min 0.14 spaces ³ & Max 0.2 spaces per dwelling unit
	Min 0.9 spaces & Max 1.25 spaces per 1 bedroom dwelling unit	Min 1.0 space & Max 1.25 spaces per 1 bedroom dwelling unit	Min 1.2 spaces & Max 1.6 spaces per 1 bedroom dwelling unit	Min 1.25 spaces & Max 1.6 spaces per 1 bedroom dwelling unit	

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

	Min 1.0 space & Max 1.5 spaces per 2 or more bedroom dwelling unit	Min 1.1 spaces & Max 1.6 spaces per 2 bedroom dwelling unit	Min 1.4 spaces & Max 2.0 spaces per 2 bedroom dwelling unit	Min 1.5 spaces & Max 2.0 spaces per 2 bedroom dwelling unit	
		Min 1.4 spaces & Max 2.0 spaces per 3 bedroom dwelling unit	Min 1.6 spaces & Max 2.5 spaces per 3 bedroom or more dwelling unit	Min 2.0 spaces & Max 2.5 spaces per 3 bedroom or more dwelling unit;	

FOOTNOTES (Section 8):

³ Visitor parking is to be easily accessible to the access points of the corresponding development and/or buildings. Visitor parking is a separate minimum parking requirement that rounds up or down independent of the basic parking requirement.

⁴ Regardless of the parking rate (spaces per unit). The minimum number of dwelling units when the first visitor parking space is required is five (5) dwelling units. For example, a lot with four (4) dwelling units does not require a visitor parking space.

Table 8.3.1.1 Residential Parking

Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ⁵
	Minimum	Maximum	
Bed and Breakfast Homes	1.0 space per sleeping unit	1.5 spaces per sleeping unit	n/a
Boarding or Lodging Houses	1.0 space per 2 sleeping units	1.5 space per 2 sleeping units	n/a
Carriage House Secondary Suites	1.0 space ⁶	2.0 spaces	n/a
Congregate Housing & Supportive Housing	0.35 spaces per sleeping unit; Plus 0.5 spaces per non-resident on-duty employee or 3.0 spaces (whichever is greater)	n/a	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Group Home, Major Group Homes, Minor	1.0 space; plus an additional 1.0 space per 3 beds	2.0 spaces; plus an additional 1.25 spaces per 3 beds	n/a
Home-Based Business, Ground Floor Urban Centre	n/a	n/a	n/a

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 8.3.1.1 Residential Parking			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ⁵
	Minimum	Maximum	
Home-Based Business, Major	1.0 space	2.0 spaces	n/a
Home-Based Business, Major for Health Services that fall within Boundary Map 9.2: Health Services Area Map	3.0 spaces per 100 m ² GFA,	5.0 spaces per 100 m ² GFA	n/a
Home-Based Business, Minor	n/a	n/a	n/a
Home-Based Business, Rural	1.0 space	n/a	n/a
Mobile homes	2.0 spaces per dwelling unit	2.5 spaces per dwelling unit	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Residential Security/Operator Unit	1.0 space per dwelling unit	2.0 spaces per dwelling unit	n/a
Short – Term Rental Accommodation:			n/a
<ul style="list-style-type: none"> Multi-Family Zones and Non-Residential Zones 	No additional parking required (i.e. equivalent to the parking requirements for the principal dwelling unit within that zone).	n/a	
<ul style="list-style-type: none"> Agriculture & Rural Zones and Single Family Zones 	1.0 space per two sleeping units	n/a	
Agriculture & Rural Zones and Single Family Zones	2.0 spaces per dwelling unit	n/a	0.0 spaces or Min 0.14 spaces & Max 0.2 spaces per dwelling unit ⁷
FOOTNOTES (section 8): ⁵ Visitor parking is to be easily accessible to the access points of the corresponding development and/or buildings. Visitor parking is a separate minimum parking requirement that rounds up or down independent of the basic parking requirement. ⁶ Parking space can be located in the driveway and in tandem with the single detached dwelling parking as long as two additional off-street parking spaces are provided for the principal dwelling. Notwithstanding Section 8.1.4, parking for secondary suites or carriage houses can be surfaced with a dust-free material.			

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 8.3.1.1 Residential Parking			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ⁵
	Minimum	Maximum	
⁷ Within residential strata (Non-MF1 zoned developments) with 3 or more dwelling units the visitor parking requirement is 0.14 spaces per dwelling unit.			

Table 8.3.2 Commercial		
Land Use / Type of Development	Parking Requirement	NOTE: GFA = gross floor area
	Minimum	Maximum
Boat Storage	1.0 space per 10 boat storage spaces plus 2 spaces for employees	1.25 spaces per 10 boat storage spaces plus 2 spaces for employees
Hotels / Motels	0.8 spaces per sleeping units plus requirements of other uses in the UC1 zone; 1.0 space per sleeping unit plus requirements of other uses in all other zones	1.5 spaces per sleeping units, plus requirements of other uses
All commercial uses in the UC1 zone even if listed separately below ^{8, 9}	1.3 spaces per 100 m ² GFA	3.0 spaces per 100 m ² GFA
All commercial uses in the UC2, UC3, UC4, UC5, and TC1 zone even if listed separately below ^{8, 9}	0.9 spaces per 100 m ² GFA ¹⁰	2.5 spaces per 100 m ² GFA
Animal Clinics, Major and Minor Health Services (includes dental offices, surgeries, and similar uses)	3.0 spaces per 100 m ² GFA,	5.0 spaces per 100 m ² GFA
Food Primary Establishment Liquor Primary Establishment	2.5 spaces per 100 m ² GFA or 5.0 spaces (whichever is greater)	3.5 spaces per 100 m ² GFA,
Fleet Services	2.0 spaces per 100 m ² GFA; or 1 spaces per vehicle in fleet plus 1 per employee on duty (whichever is greater)	2.5 spaces per 100 m ² GFA; or 1.25 spaces per vehicle in fleet plus 1.25 spaces per employee on duty (whichever is greater)
Personal Services Establishment	2.5 spaces per 100 m ² GFA	3.5 spaces per 100 m ² GFA
Warehousing	0.5 spaces per 100 m ² GFA (minimum 2 spaces); Plus 2.5 spaces per 100 m ² GFA	1.0 space per 100 m ² GFA; Plus 3.0 spaces per 100 m ² GFA for all floor area devoted to

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 8.3.2 Commercial		
Land Use / Type of Development	Parking Requirement NOTE: GFA = gross floor area	
	Minimum	Maximum
	for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.	accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.
Financial Services Offices	2.5 spaces per 100 m ² GFA	3.5 spaces per 100 m ² GFA
All other commercial uses not listed above and for commercial zones not list above: ⁸		
(a) GFA less than 1,000 m ²	2.0 spaces per 100 m ² GFA	2.5 spaces per 100 m ² GFA
(b) GFA 1,000 m ² to 2,000 m ²	2.5 spaces per 100 m ² GFA	3.5 spaces per 100 m ² GFA
(b) GFA 2,000 m ² to 20,000 m ²	3.0 spaces per 100 m ² GFA	4.0 spaces per 100 m ² GFA
(c) GFA greater than 20,000 m ²	4.0 spaces per 100 m ² GFA	5.25 spaces per 100 m ² GFA
FOOTNOTES (Section 8): ⁸ For shopping centres, calculate the area by adding all the tenant spaces together. ⁹ This rule only applies to land use categories that are based on a number of parking spaces per GFA. ¹⁰ The minimum parking requirement may be affected by Diagram 8.3 Parking Exception Areas.		

Table 8.3.3 Agriculture		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Greenhouses and Plant Nurseries	6.7 spaces per 100 m ² GFA of retail sales	n/a
Farm Retail Sales	5.0 spaces per 100 m ² GFA, minimum 4	n/a

Table 8.3.4 Industrial		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Bulk Fuel Depot	1.0 space per employee on duty	n/a
General Industrial Uses	1.0 space per 100 m ² GFA (includes mezzanine area); Plus 2.5 spaces per 100 m ² GFA for all floor area devoted to	2.5 spaces per 100 m ² GFA (includes mezzanine area); Plus 3.0 spaces per 100 m ² GFA for all floor area devoted to

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

	accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.	accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.
Warehousing	0.5 spaces per 100 m ² GFA (minimum 2 spaces); Plus 2.5 spaces per 100 m ² GFA for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.	1.0 space per 100 m ² GFA ; Plus 3.0 spaces per 100 m ² GFA for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.

Table 8.3.5 Institutional		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Cemetery	1.0 space per employee	n/a
Detention and Correction Services	1.0 space per 2 inmates (capacity)	n/a
Emergency and Protective Services	4.0 spaces per 100 m ² GFA	n/a
Hospitals	1.0 space per 100 m ² GFA	n/a
School, Elementary	1.0 space per 100 m ² GFA	n/a
School, Secondary	1.5 spaces per 100 m ² GFA	n/a
Universities or Colleges	2.0 spaces per 100 m ² GFA	n/a
Temporary shelter services	1.0 space per 3 beds	n/a

Table 8.3.6 Community, Recreational, and Cultural		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Bowling Alley	2.0 spaces per alley	n/a
Child Care Centre, Major (includes preschool)	1.0 space per 11 children	n/a
Child Care Centre, Minor	1.0 space plus 1.0 more space if the child care centre contains employees from offsite	

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 8.3.6 Community, Recreational, and Cultural		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Cultural and Recreation Services Exhibition and Convention Facilities	1.0 space per 5 seating spaces; or 20.0 spaces per 100 m ² of floor area used by patrons (whichever is the greater)	n/a
Cultural Facility (e.g. Museum, Art Gallery)	2.5 spaces per 100 m ² GFA	n/a
Curling Rink	4.0 spaces per curling sheet	n/a
Golf Course	6.0 spaces per hole; plus the parking required for other secondary uses	n/a
Golf Driving Range	2.0 spaces per tee	n/a
Library	2.5 spaces per 100 m ² GFA	n/a
Participant Recreation Services, Outdoor (except golf courses) Participant Recreation Services, Indoor (except curling rinks, swimming pools, and racquet clubs)	1.0 space per employee on duty, plus 1.0 space per 3 users	n/a
Racquet Clubs	3 per court	n/a
Recycling Drop-Offs	1 per recycling container, minimum of 2	n/a
Religious Assemblies	1 per 5 seats or 10 per 100 m ² of GFA (whichever is greater)	n/a
Spectator Entertainment Establishment	1 per 4 seats	n/a
Spectator Sports Establishment	1 per 4 seats	n/a
Swimming Pool (Public)	25.0 per 100 m ² of pool water surface	n/a
Campsite	1 per camping space	n/a

Table 8.3.7 Water Uses		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Marinas	1 per 2 boat spaces plus 1 per business	n/a

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Diagram 8.3 Parking Exception Areas



1. Notwithstanding Table 8.3.2 Commercial Parking Requirements, the minimum parking requirement for all UC1 zoned lots in Area 1 & 2 shown in Diagram 8.3 shall be 0.9 stalls

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

<p>per 100 m² of Gross Floor Area (GFA). This rule only applies to land use categories that are based on a number of parking spaces per GFA.</p> <p>2. All lots in Area 2 shown in Diagram 8.3 shall not be required to meet any vehicle parking space requirements if the height of the buildings on the lot are:</p> <ul style="list-style-type: none"> • 15.0 metres or less and 4 storeys or less.
--

8.4 Off-Street Loading

- 8.4.1 Where development is proposed, including new development, change of use of existing development, or enlargement of existing development, off-street [loading spaces](#) shall be provided by the property [owner](#) in accordance with the requirements of this Bylaw. [Detention and correction services](#) located within a security [fence](#) are exempt from providing off-street [loading spaces](#).

Number of Spaces

- 8.4.2 The number of off-street [loading spaces](#), including bus [loading spaces](#), required for each use is specified in [Table 8.4 Minimum Loading Required](#). The maximum number of [loading spaces](#) required by this section is three (3) spaces.
- 8.4.3 Where calculation of the total number of [loading spaces](#) yields a fractional number, the following counting rules apply (unless specifically defined in [Table 8.4 Minimum Loading Required](#)):
- (a) any fraction less than one-half (0.5) rounds down to the nearest whole integer (including zero); and
 - (b) any fraction one-half (0.5) or greater rounds up to the nearest whole integer.
- 8.4.4 Where [gross floor area](#) is used as a unit of measurement for the calculation of required [loading spaces](#), it must exclude all parking and loading areas, secure bicycle parking areas, common stairways and mechanical rooms within the [building](#).
- 8.4.5 Where [Table 8.4 Minimum Loading Required](#) does not clearly define requirements for a particular development, the single use class or combination of use classes is most representative of the proposed development shall be used to determine the [loading space](#) requirement.
- 8.4.6 Where a development consists of a mix of use classes, the total off-street [loading](#) requirement shall be the sum of the off-street [loading](#) requirements for each use class, unless there is a complementary demand or differences in periods of use for [loading](#) that warrants a different requirement.

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Location

- 8.4.7 Off-street [loading spaces](#) shall be provided entirely within the property of the development being served.
- 8.4.8 Off-street [loading spaces](#) shall be oriented away from residential development.

Size and Access

- 8.4.9 Each off-street [loading space](#) shall be of adequate size and accessibility to accommodate the vehicles expected to load and unload, but in no case shall a [loading space](#) be less than 28 m² in area, less than 3.0 m in width, or have less than 4.0 m in overhead clearance.
- 8.4.10 Each required bus [loading space](#) shall be a minimum of 3.6 m in width, a minimum of 12.2 m in length, and have a minimum [clearance](#) of 4.6 m.
- 8.4.11 Access to any [loading](#) area shall be provided, wherever possible, internally to the development or from a [lane](#) abutting the development.
- 8.4.12 Access to any [loading](#) area shall be arranged such that no backing or turning movement of vehicles going to or from the site causes interference with traffic on the abutting [streets](#) or [lanes](#).

Table 8.4 – Minimum Loading Required	
Type of Development (Use)	Required Loading Spaces
Child Care Centre, Major	For 1 – 25 children 0 loading spaces For 26 or more children 1 loading spaces
Commercial Uses (except above) and Industrial Uses	1 per 1,900 m ² GFA
Community, Educational (except below), Recreational and Institutional Uses	1 per 2,800 m ² GFA
Food Primary Establishment	1 per 2,800 m ² GFA
Hotels/Motels	1 per 2,800 m ² GFA
Liquor Primary Establishment	1 per 2,800 m ² GFA
Schools, Universities or Colleges	1.5 car loading spaces per 100 students, minimum 5; plus 3 bus loading spaces

8.5 Off-Street Bicycle Parking

- 8.5.1 Where any development is proposed, including new development, change of use of existing development, or enlargement of existing development, off-street bicycle parking shall be provided by the property [owner](#) in accordance with the requirements of this Bylaw.

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- 8.5.2 The number of [short-term](#) and [long-term bicycle parking](#) spaces required for each use class is specified in Table 8.5 Minimum Bicycle Parking Required.
- 8.5.3 Where calculation of the total number of off-street bicycle parking spaces yields a fractional number:
- (a) any fraction less than one-half (0.5) rounds down to the nearest whole integer (including zero); and
 - (b) any fraction one-half (0.5) or greater rounds up to the nearest whole integer.
- 8.5.4 Where the bicycle parking schedule does not clearly define requirements for a particular development the single use or combination of use most representative of the proposed development shall be used to determine the parking requirement.
- 8.5.5 [Short-term bicycle parking](#) standards:
- (a) [short-term bicycle parking](#) must be conveniently located within: 15 metres of any main entrances (whether inside or outside of the [building](#)), a well-lit area, clearly visible to visitors, and subject to casual surveillance by occupants of the [building\(s\)](#).
 - (b) [short-term bicycle parking](#) spaces shall be provided in a bicycle rack that is permanently anchored to the ground or a wall.
 - (c) design and install [short-term bicycle parking](#) to the minimum dimensions shown in [Table 8.5.1 Minimum Dimensions for Bicycle Parking](#).
- 8.5.6 [Long-term bicycle parking](#) standards:
- (a) [long-term bicycle parking](#) must be located inside a [building](#) or within a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the [building](#).
 - (b) the entry door into the [long-term bicycle parking](#) facility must have a minimum width of 0.9 metres.
 - (c) [long-term bicycle parking](#) spaces can be arranged in a ground-anchored or wall-mounted configuration provided that:
 - i. a minimum 50% of the required [long-term bicycle parking](#) shall be ground-anchored.
 - ii. wall-mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum [long-term bicycle parking](#) if the automobile stall meets the minimum [regular - size vehicle standards](#).
 - (d) a minimum of 75% of the [long-term bicycle parking](#) spaces shall be located at-grade or within one [storey](#) of [finished grade](#) and shall be easily accessible to users.

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (e) [long-term bicycle parking](#) spaces must have a minimum unobstructed height [clearance](#) of 1.9 metres between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.
- (f) design and install [long-term bicycle parking](#) spaces to the minimum dimensions shown in [Table 8.5.1 Minimum Dimensions for Bicycle Parking](#).
- (g) a "bicycle repair and wash station" is required after 20 long term bike parking stalls are required. A "bicycle repair and wash station" includes tools for bikes, a commercial grade pump, access to water, and a way to raise a bikes up to perform simple maintenance.

8.5.7 Bicycle racks shall be:

- (a) constructed of theft resistant material;
- (b) securely anchored with tamper-proof hardware to the floor, [building](#), or ground;
- (c) constructed to support from two points on the bicycle frame for a horizontal rack; and
- (d) constructed to enable the bicycle frame and at least one wheel to both be securely locked to the rack with a single U-style lock.

8.5.8 Bicycle Parking Incentives:

Within the Urban Core, University South and Glenmore Valley Village Centres as defined in the [Official Community Plan](#), the total minimum off-street vehicle parking requirements can be reduced by 20 percent (20%) up to a maximum of five (5) [parking spaces](#) (for the base parking requirement) subject to the provision of the bonus [long-term bicycle parking](#) spaces identified within [Table 8.5](#).

Table 8.5 – Minimum Bicycle Parking Required			
Type of Development (General Uses) ¹¹	Bicycle Parking Spaces ¹⁴		
	Required Long-term	Bonus Long-term	Required Short-term
Institutional Zones	1.0 per 25 employees	n/a	6.0 per entrance
Apartment Housing (includes Supportive Housing)	1.0 per dwelling units	1.25 per bachelor or 1-bedroom dwelling unit 1.5 per 2-bedroom dwelling units 2.0 per 3-bedroom or more dwelling units	6.0 per entrance
Congregate Housing	1.0 per 20 dwelling units plus 1.0 per 10 employees	n/a	6.0 per entrance

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 8.5 – Minimum Bicycle Parking Required			
Townhouses	No requirement ¹⁵	n/a ¹⁶	4.0 or 1 per 5 units (whichever is greater) ¹²
Commercial Uses	1 per 500 m ² of GFA	2.0 per 500 m ² of GFA	2.0 per entrance or 1 space per 750m ² of GFA (whichever is greater)
Industrial Uses	0.5 per 1,000 m ² of GFA ¹³	1.0 per 1,000 m ² of GFA	No requirement
Type of Development (Specific Uses)	Bicycle Parking Spaces ¹⁴		
	Required Long-term	Required Short-term	
Hotels/Motels	1.0 per 20 sleeping units	6.0 per entrance	
Child Care Centre, Major for 15 or more children	1.0 per 10 employees, min 2.0	1.0 for each 10 children of planned capacity, min 2.0	
Elementary and Secondary Schools	1.0 per 10 employees, min 2.0	6.0 per entrance or 3.0 per 10 student seats at entrance (whichever is greater)	
Post-Secondary Schools	1.0 per 10 employees plus 1 for each 10 students of planned capacity, min 2.0	6.0 per entrance or 3 per 10 student seats at entrance (whichever is greater)	
Cultural Facility or Library	1.0 space for 15 employees	2.0 per entrance (for buildings up to 1,000 m ²) 6.0 per entrance (for buildings greater than 1,000m ² GFA) 16.0 spaces per entrance (for buildings greater 2,000m ² GFA)	
Health Services	1.0 space for 15 employees	6.0 spaces per public building entrance or 1.0 per 1,000m ² (whichever is greater)	
Offices	1.0 per 500 m ² of GFA	2.0 per entrance or 1.0 space per 750m ² of GFA (whichever is greater)	
Cultural and Recreation Services	1.0 space per 15 employees	12.0 spaces per public building entrance	
FOOTNOTES (Section 8):			
¹¹ Utilize the 'General Uses' for bicycle parking calculations unless the land use matches the specific uses.			
¹² Regulation only applies to lots with 5 or more dwelling units.			
¹³ Industrial uses (for the purpose of bicycle parking calculations): means any principal or secondary use that is exclusively within an industrial zone. For example, if a principal or secondary use is within a commercial and an industrial zone then that use shall be calculated with the commercial bicycle parking rate (e.g. a food primary or liquor primary establishment located in an industrial area would use the commercial bicycle parking rate).			
¹⁴ All area numbers are based on gross floor area (GFA).			

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 8.5 – Minimum Bicycle Parking Required

¹⁵ The bike parking exclusion for townhouses only applies to dwelling units which each have a private garage, otherwise, the apartment housing category must be used to calculate the long term-bicycle parking requirement.

¹⁶ Townhouses without an attached private garage with direct entry from the garage to the dwelling unit can utilize the bonus bicycle parking provisions within apartment housing.

Table 8.5.1 Minimum Dimensions for Bicycle Parking (in metres)

	Ground Anchored Rack		Wall Mounted Rack	
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a building)	>45 degrees	≤45 degrees	>45 degrees	≤45 degrees
Minimum space depth	1.8 m	1.45 m	1.2 m	1.2 m
Minimum aisle width	1.5 m	1.5 m	1.5 m	1.5 m
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9 m	1.3 m	0.9 m	1.3 m
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45 m	0.65 m	0.45 m	0.65 m
Minimum distance between bicycle racks and wall, entrance door to bicycle storage facility, or other obstacle.	0.6 m	0.6 m	0.6 m	0.6 m

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Figure 8.5.1: Short-Term Bicycle Parking Configuration Example

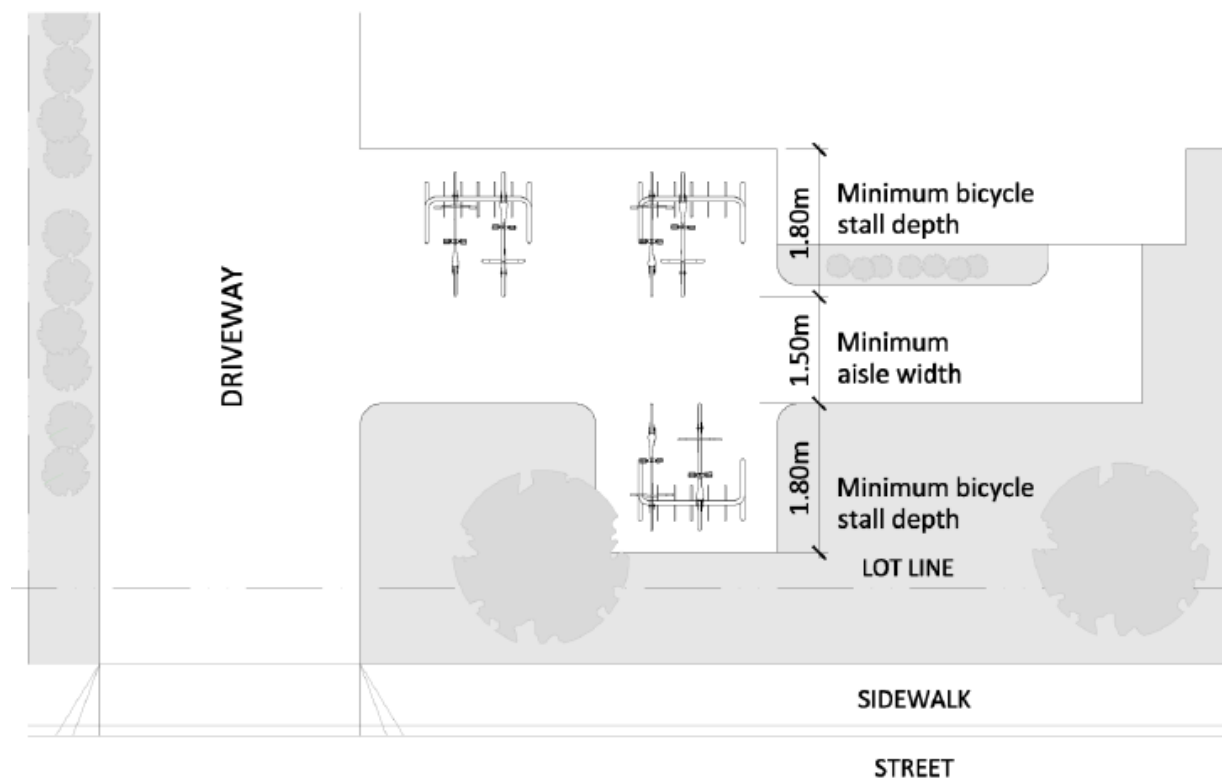
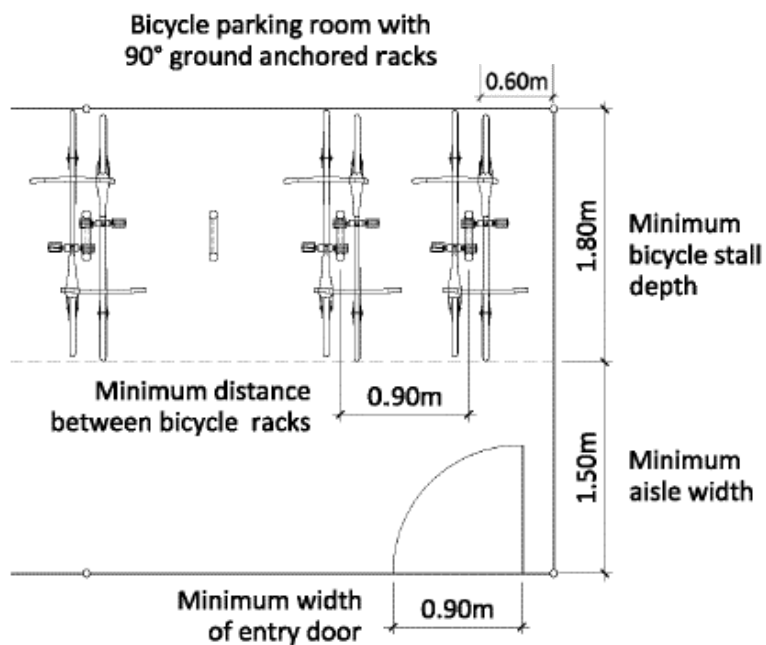
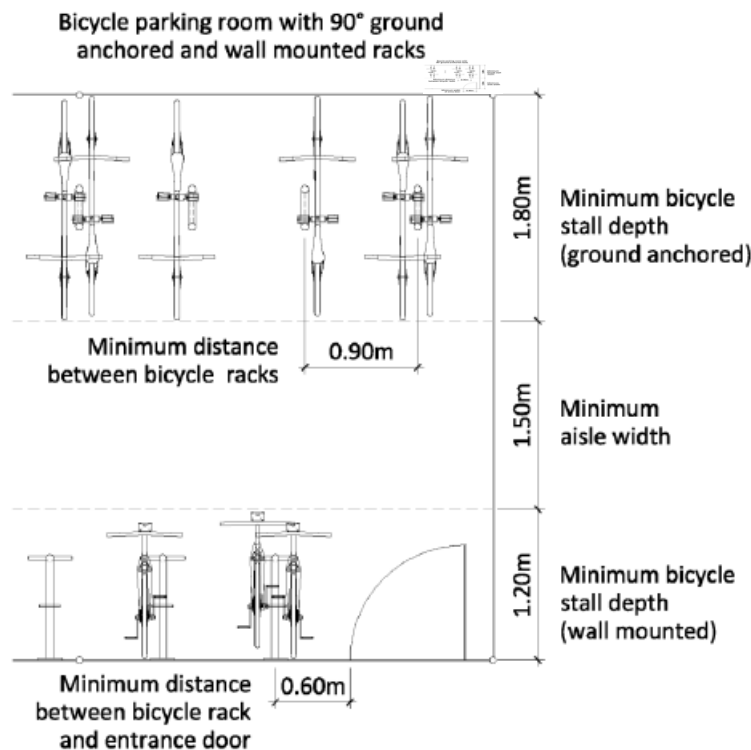
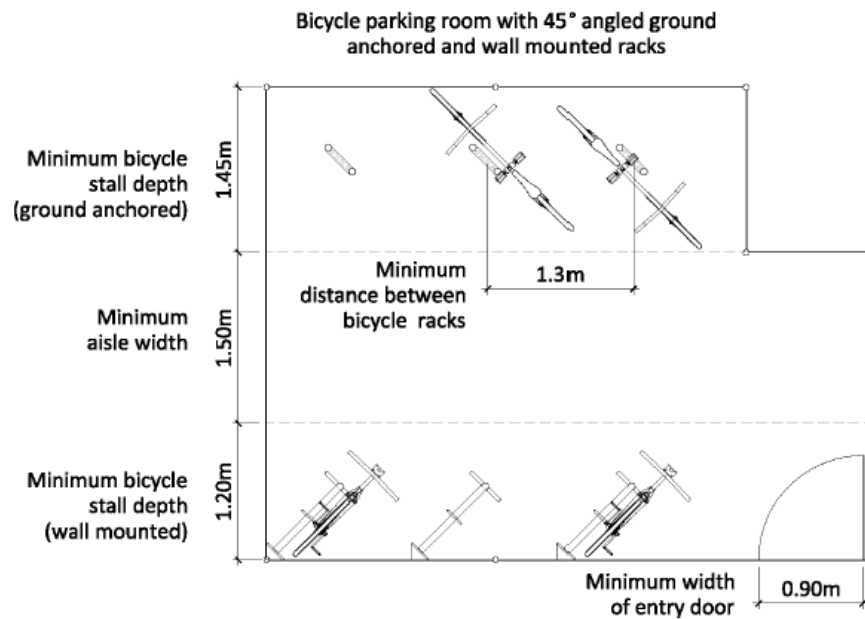


Figure 8.5.2: Long-Term Bicycle Parking Configurations Example



Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

8.6 End Of Trip Facilities

8.6.1 Where any commercial or industrial development is proposed, the [end-of-trip facilities](#) shall be provided in accordance with Table 8.6 below:

Table 8.6 Required End-of-Trip Facilities				
Long-Term Bicycle Parking Spaces	Number of Toilets	Number of Sinks	Number of Showers	Number of Storage Lockers
0-3	0	0	0	0
4-29	2	2	2	0.5 lockers per bicycle space
30-64 ¹⁷	4	4	4	0.5 lockers per bicycle space
65 and over ¹⁷	+2 for each additional 30 bicycle spaces	+2 for each additional 30 bicycle spaces	+2 for each additional 30 bicycle spaces	0.5 lockers per bicycle space
FOOTNOTES (Section 8): ¹⁷ End of trips shall include a "bicycle repair and wash station" including tools for bikes, a commercial grade pump, access to water, and way to raise a bike up to perform simple maintenance. A "bicycle repair and wash station" is required after 4 long term bike parking stalls are required.				

Section 8 – Parking and Loading amended as follows:

Section 8 – Parking & Loading

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 9 – Specific Use Regulations

9.1 Application

9.1.1 The specific [use](#) regulations shall apply to all development unless otherwise exempted in this section.

9.2 Home-Based Businesses

Section 9.2 – Home Based Business Regulations				
Criteria	Minor	Major	Rural	Ground Floor Urban Centre
Operator Restriction	The home-based business must be operated by a resident who resides for more than 240 days of the year and no exterior storage or exterior operation shall be permitted.			
Location	The home-based business shall be conducted within the principal dwelling unit.	The home-based business shall be conducted within in a principal dwelling unit or one accessory building or structure .		The home-based business shall be conducted within the principal dwelling unit.
Residential Character	No variation from the residential character and appearance of land or buildings shall be permitted and no external structural change to any principal building or accessory building or structure for the purpose of accommodating the home-based business shall be permitted.			n/a
Neighbourhood Nuisance	No nuisance from noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the home-based business and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home-based business shall not adversely affect the amenities of the neighbourhood.			
Maximum Number of Clients / Visitors	One client visit to the site from which the business is being operated on any given day.	Two clients to the site from which the business is being operated at any given time. ¹		No restriction
Employee Restriction	No person other than the principal residents of the dwelling unit can	One person maximum other than the principal residents of the	Two persons maximum other than the principal residents of the dwelling unit can be engaged in the home-based business onsite.	

Section 9 – Specific Use Regulations

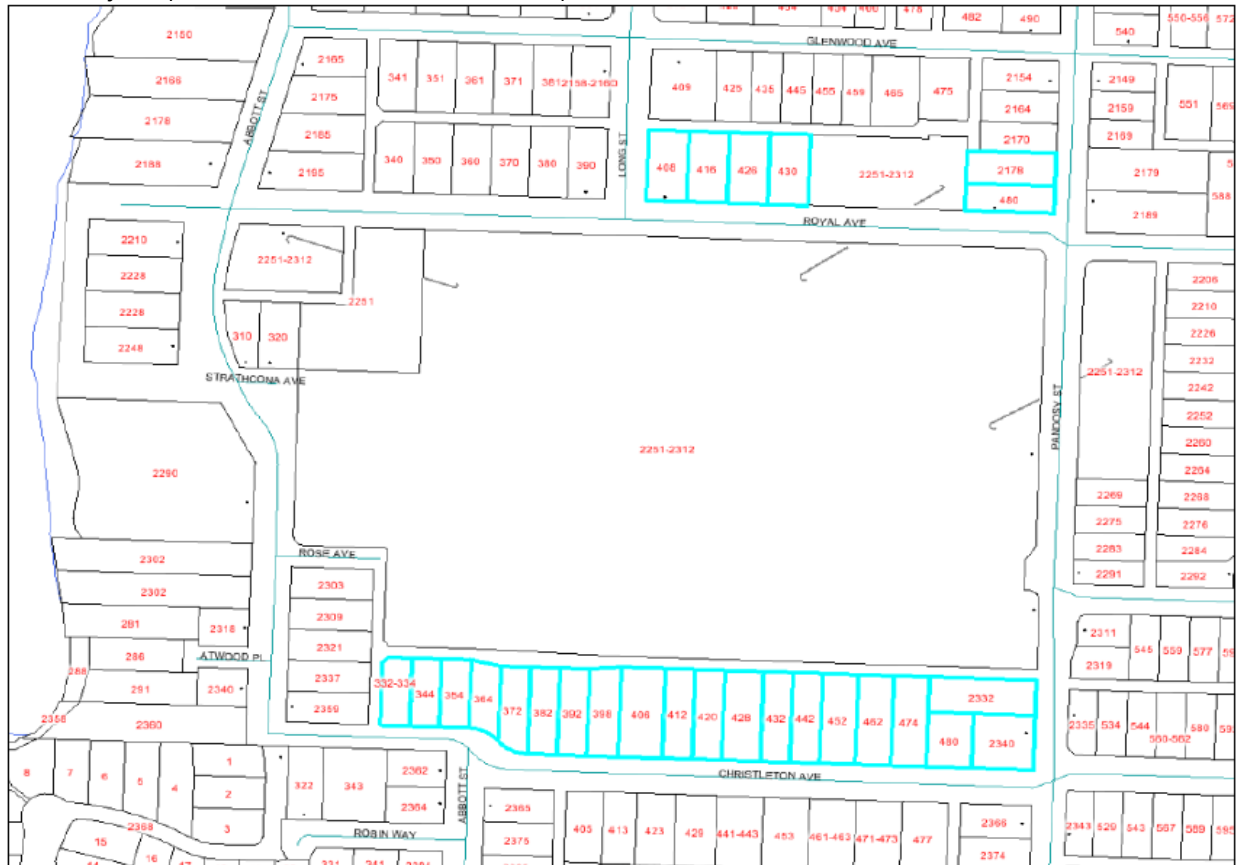
Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 9.2 – Home Based Business Regulations				
Criteria	Minor	Major	Rural	Ground Floor Urban Centre
	be engaged in the home-based business onsite.	dwelling unit can be engaged in the home-based business onsite. ²		
Display Restriction	Sale and/or display of any goods exclusively produced onsite or those goods which constituting the finished product of the home-based business is permitted.			n/a
Food Catering Restriction	A food catering business operating lawfully within a dwelling may establish one additional kitchen provided that its installation is required by the Health Authority and that the kitchen must be removed should the home-based business use cease. The additional kitchen is not permitted to be utilized to establish an additional dwelling .			n/a
Commercial Vehicle Restriction	No parking of commercial vehicles larger than 4,100 kg gross vehicle weight.			
Maximum Gross Floor Area (GFA)	20 m ² and no more than 25% of the floor area of the dwelling	50 m ² (including any accessory structure floor area) and no more than 25% of the floor area of the dwelling	100 m ² (including any accessory structure floor area)	n/a
Minimum Lot Area	n/a	n/a	4,000 m ²	n/a
FOOTNOTES (Section 9): ¹ If the major home-based business is conducting Health Services and the property is located within Boundary Map 9.2 then there is no limit on the number of clients to the site. ² If the major home-based business is conducting Health Services and the property is located within Boundary Map 9.2 then there is no limit on the employee restrictions on the site.				

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Boundary Map 9.2: Health Services Area Map



9.3 Bed and Breakfast Homes

9.3.1 **Bed and breakfast homes** shall comply with the following regulations:

- (a) the bed and breakfast home shall be operated as a secondary use only within the principal **building**, with a maximum 4 **sleeping units** with accommodation for a maximum of two guests per sleeping unit, of a minimum area of 11 m² each; and
- (b) the bed and breakfast homes shall not change the principal residential character or external appearance of the dwelling involved.
- (c) the licensed operator of a bed and breakfast home must reside in the dwelling in which the bed and breakfast operation is located.

Parking areas and **open space** to be used by guests of a **bed and breakfast home** shall be oriented away from **abutting** development to minimize the impact of the operation on neighbouring properties.

All parking area and **open space** to be used by guests of a **bed and breakfast home** have to be visually screened from **abutting** properties by opaque fencing or **landscaping**.

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

9.4 Drive Through Related Land Uses

9.4.1 For **drive through** servicing car washes or food services, the queuing space shall be provided as follows:

- (a) a minimum of five (5) in-bound vehicle storage shall be provided per queuing lane and two (2) out-bound vehicle storage shall be provided per queuing lane.
- (b) each queuing space shall be a minimum of 6.0 m long and 3.0 m wide. Queuing lanes shall provide sufficient space for turning and manoeuvring.

For all other drive throughs, the queuing space shall be provided as follows:

- (c) a minimum of three (3) in-bound vehicle storage shall be provided per queuing lane and two (2) out-bound vehicle storage shall be provided per queuing lane.
- (d) each queuing space shall be a minimum of 6.0 m long and 3.0 m wide. Queuing lanes shall provide sufficient space for turning and manoeuvring.

9.4.2 **Buildings** containing **drive throughs** must be located within a parcel that is fronting one of these roads:

- (a) A provincial highway;
- (b) Lakeshore Road;
- (c) Gordon Drive;
- (d) Springfield Road;
- (e) Glenmore Drive;
- (f) Rutland Road; &
- (g) Hollywood Road

9.4.3 Car washing establishments specifically shall provide upstream vehicle storage for a minimum of 5 vehicles per washing bay except it is a minimum of 2 vehicles where the washing bay is coin operated and the vehicle is manually washed by an occupant of the vehicle.

9.4.4 Upstream storage spaces shall be a minimum of 6.5 m long and 3.0 m wide.

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

9.5 Dock and Boatlift Regulations

- 9.5.1 Non-moorage uses such as beach houses, storage sheds, patios, sundecks, and hot tubs shall not be permitted.
- 9.5.2 The placement of fill, or the dredging of aquatic land, is not permitted. Natural habitat and shoreline processes shall not be altered.
- 9.5.3 Public access along and through the foreshore shall not be impeded. In cases where the dock platform is raised by more than 0.3 m above any point on the public foreshore, steps must be provided for public access over the dock and this access must not be blocked by fences or other means.
- 9.5.4 Development shall be in conformance with federal and provincial regulations, best management practices and guidelines. Prior to construction on the Crown foreshore, permission must be obtained from the pertinent provincial and federal agencies.
- 9.5.5 Moorage facilities consisting of docks and boat lifts shall be permitted if developed consistently with Section 9.5 or as approved by the pertinent provincial and federal agencies.
- 9.5.6 The owner of the moorage facilities shall be the owner of the upland property or is the holder of a Crown land residential lease for the upland property.
- 9.5.7 Dock access ramps and walkways shall not exceed a width of 1.5 m. Any other surface of the dock shall not exceed a width of 3.0 m.
- 9.5.8 L or T shaped dock structures are permitted if the length of the structure which is parallel to the shoreline does not exceed the lesser of 10 m or one half the width of frontage of the upland parcel.
- 9.5.9 Dock access ramps and walkways shall not exceed a width of 1.5 m. Any other surface of the dock shall not exceed a width of 3.0 m.
- 9.5.10 Setback from the side property line of the upland parcel, projected onto the foreshore, shall be a minimum of 5.0 m.
- 9.5.11 Setback from the side property line of the upland parcel, projected onto the foreshore, shall be a minimum of 6.0 m where the adjacent property is a right-of-way beach access or is in a P3 zone.
- 9.5.12 Siting of the dock shall be undertaken only in a manner that is consistent with the orientation of neighbouring docks and avoids impacts on access to existing docks and adjacent properties.
- 9.5.13 No roof, overhead or covered structures shall be placed on the dock.

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- 9.5.14 No fences will be allowed on docks other than fences running parallel to the foreshore where the intent of such a fence would be to prevent public access onto the dock from the foreshore.
- 9.5.15 No roof or covered structures shall be used, constructed, or maintained for boat lifts.
- 9.5.16 No docks, boatlifts, shall be maintained, used or constructed beyond 42.0 m from the natural boundary of the upland parcel. All docks and boatlifts shall be licensed by the Province of B.C. or by other designated approving agencies and be used for boat access purposes only. No commercial and industrial activity or use shall take place thereon.
- 9.5.17 Permanent moorage is intended to be used for the purposes of moorage of tour boats and shall not include permanent live aboard accommodations.
- 9.5.18 Camping is not permitted in these zones. Non-emergency overnight moorage shall be allowed only at federal government approved moorage buoys or at docks licensed by the Province of B.C. Marine fuel facilities and other commercial facilities for Boat Launches and marinas shall provide holding tank pump out facilities and public restroom facilities.

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

9.6 Agriculture, Urban

Section 9.6 – Agriculture, Urban Regulations		
Criteria	Where food is produced for consumption by residents of the subject parcel only and is within a rural residential zone or a single family zone	Where food is produced for the purpose of commercial sale, trade, or distribution offsite, and for agriculture, urban uses not within a rural residential zone or a single family zone
Max Greenhouse Floor Area	30 m ²	30 m ²
Greenhouses and Agricultural Structures	(a) Shall conform to the setbacks for accessory buildings and structures identified within each zone. (b) Greenhouses can be excluded from of site coverage for accessory buildings or structures . (c) The maximum height of greenhouses and agricultural structures is 3.5 metres measure from finished grade .	
Heating Restrictions	Greenhouses , accessory buildings or accessory structures cannot be heated using a wood heat source (i.e. wood stove).	
Food Processing Restriction	n/a	Processing of food products produced on site in all residential zones is prohibited unless in conjunction with an authorized home based business.
Outdoor Storage Restriction	n/a	No outdoor storage of related equipment and materials.
Community Garden Regulations	<ul style="list-style-type: none"> Must be delineated from adjacent streets and/or parking areas by landscaping or fencing. Have no or materials related to the community garden stored outside on the parcel. Have no equipment, building or structure related to the community garden within 1.2 m of an abutting street. Have convenient access to a water source. Must provide an onsite location for odour-free organic waste disposal or transport organic waste to a suitable disposal facility. 	
Multi-Residential Shared Garden	n/a	Multi-residential shared garden can occur in any multi-family, village centre, tourist commercial, and urban centre zone. Multi-residential shared gardens : <ul style="list-style-type: none"> Must be delineated from adjacent streets and/or parking areas by landscaping or fencing. Have no outdoor storage of any equipment or materials. Have no equipment, building or structure

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 9.6 – Agriculture, Urban Regulations		
Criteria	Where food is produced for consumption by residents of the subject parcel only and is within a rural residential zone or a single family zone	Where food is produced for the purpose of commercial sale, trade, or distribution offsite, and for agriculture, urban uses not within a rural residential zone or a single family zone
		<p>related to the multi-residential shared garden within 1.2 m of an abutting street.</p> <ul style="list-style-type: none"> • Have convenient access to a water source. • Must provide an onsite location for odour-free organic waste disposal or transport organic waste to a suitable disposal facility. • Can occur in any setback area.

9.7 Temporary Farm Worker Housing

9.7.1 The following requirements must be met prior to the issuance of a permit for a [Temporary Farm Worker Housing](#) (TFWH) structure:

- farm classification for the parcel, as determined by the *BC Assessment Act*.
- minimum [farm unit](#) size is 38,000 m².
- the need for [temporary farm worker housing](#) onsite to house temporary farm workers must be demonstrated through documentation such as a contract with the federal government through a migrant worker program, such as the Seasonal Agricultural Worker Program, farm receipts and/or previous employment records, and/or a farm plan prepared by a professional agrologist.
- new [TFWH structure\(s\)](#) shall include a communal [kitchen](#).
- the [TFWH](#) shall be occupied only during the [farm unit's](#) growing, harvesting and pruning periods.
- a statutory declaration must be filed with the City of Kelowna annually, by January 31st, stating that the [building](#) will be used only for [TFWH](#) and specify the time(s) of year when the [TFWH](#) will be occupied. The specified period of time may be no greater than ten months of that calendar year.
- if the [temporary farm worker housing](#) is vacant for two consecutive growing seasons, the [owner](#) will remove, at their expense, any temporary [structure\(s\)](#) for [temporary farm worker housing](#), and remove or decommission any existing [buildings](#) that had been repurposed for [temporary farm worker housing](#) purposes, by December 31st of the second year of vacancy.

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

9.7.2 TFWH Footprint Size:

- (a) TFWH Footprint may not exceed 0.20 ha for structure(s) to accommodate a maximum of forty temporary farm workers and may not exceed 0.30 ha for structure(s) to accommodate a maximum of sixty temporary farm workers.

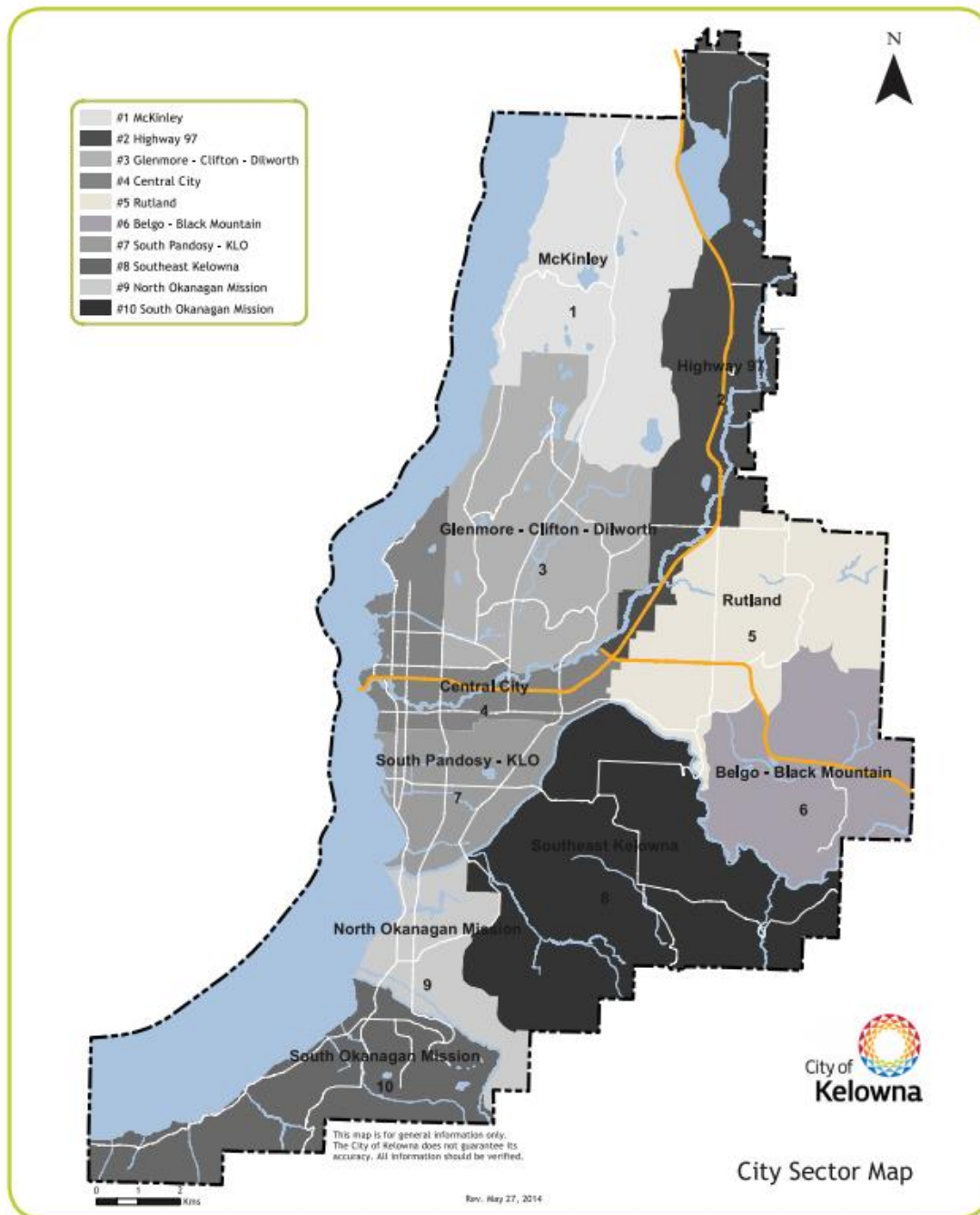
9.7.3 TEMPORARY FARMWORKER ALLOCATION

- (a) structure(s) to accommodate a maximum of forty temporary farm workers per each city sector as identified on Map 9.7 for parcels up to 80,000 m². For parcels 80,000 m² or more, structure(s) to accommodate a maximum of sixty temporary farm workers per each city sector as identified on Map 9.7.
- (b) farm units with greenhouses and/or on-farm processing structures may increase allowable number of workers by 1 worker per each 1000 m² of greenhouse and/or on-farm processing structures.
- (c) where a farm unit comprises multiple parcels of land, a restrictive covenant shall be registered on all farm unit parcels within the same sector of the temporary farm worker housing as identified on Map 9.7 restricting the development of further TFWH on those parcels within that sector.

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Map 9.7 City Sector Map



Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

9.7.4 Site Specific Regulations

Regulations apply for [temporary farm worker housing](#) on a site-specific basis as follows:

	<u>Legal Description</u>	<u>Civic Address</u>	<u>Regulation</u>
1.	Lot 20 Section 34 Township 23 ODYD Plan 500 Except Plan KAP45154 Lot 19 Section 34 Township 23 ODYD Plan 500 Except Plan KAP45154	4085 Shanks Road 4133 Shanks Road	For the purposes of temporary farm worker housing , these parcels shall be considered one farm unit , and the following regulations shall apply to this farm unit only. Notwithstanding the other section 9.7 regulations : <ul style="list-style-type: none"> • TFWH footprint size, the TFWH footprint may not exceed 0.70 ha for structures to accommodate a maximum of 140 temporary farmworkers. • Temporary farmworker allocation, structures to accommodate a maximum of 140 temporary farm workers shall be permitted on this farm unit in this city sector as identified on Map 9.7.
2.	Lot A, Section 12, Township 26, ODYD, Plan EPP71625 located at 2975 Gallagher Road, Kelowna, BC	2975 Gallagher Road	The following regulations shall apply to this farm unit only. Notwithstanding the other section 9.7 regulations : <ul style="list-style-type: none"> • TFWH footprint size, the TFWH footprint may not exceed 0.95 ha for structures to accommodate a maximum of 130 temporary farmworkers.

9.8 Minimum Dwelling Unit Size

9.8.1 The minimum [dwelling unit](#) size is greater than 29 m². Dwelling units less than 29 m² known as [micro suite housing](#) are only permitted on [lots](#) within an Urban Centre or within the University South Village Centre (as defined in the [Official Community Plan](#)).

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

9.9 Cannabis Regulations

- 9.9.1 Cannabis production facilities may not be located within 60 metres of any lot that has a residential use as a principal use, measured from closest lot line to closest lot line.
- 9.9.2 Any retail cannabis sales establishment must be set back a minimum distance of 500 metres from another retail cannabis sales establishment, measured from closest lot line to closest lot line.
- 9.9.3 No more than one retail cannabis sales establishment may exist per lot.
- 9.9.4 Any retail cannabis sales establishment must be set back a minimum distance of 150 metres from any public elementary school, measured from closest lot line to closest lot line.
- 9.9.5 Any retail cannabis sales establishment must be set back a minimum distance of 500 metres from any public middle or secondary school, measured from closest lot line to closest lot line.
- 9.9.6 Any retail cannabis sales establishment must be set back a minimum distance of 150 metres from the following parks, measured from closest lot line to closest lot line:
- | | | |
|------------------------------|-------------------------------|-----------------------------|
| (a) Ben Lee Park | (h) Kinsmen Park | (o) Rotary Beach Park |
| (b) Bluebird Beach Park | (i) KLO Sports Field | (p) Rutland Centennial Park |
| (c) Boyce-Gyro Beach Park | (j) Lombardy Park | (q) Rutland Recreation Park |
| (d) City Park | (k) Mission Recreation Park | (r) Sarsons Beach Park |
| (e) East Kelowna Park | (l) Munson Pond Park | (s) Stuart Park |
| (f) Glenmore Recreation Park | (m) Parkinson Recreation Park | (t) Sutherland Bay Park |
| (g) Kasugai Gardens | (n) Recreation Avenue Park | (u) Waterfront Park |
- 9.9.7 Drive through retail sales of cannabis are not a permitted form of retail cannabis sales establishment.
- 9.9.8 In industrial zones the maximum gross floor area for retail cannabis sales establishment is 250 m².
- 9.9.9 Site specific regulations:

Regulations apply for retail cannabis sales establishments on a site-specific basis as follows:

	<u>Legal Description</u>	<u>Civic Address</u>	<u>Regulation</u>
1.	Lot B, District lot 139, ODYD, Plan 5934	1636-1652 Pandosy	To allow for a retail cannabis sales establishment within 500 metres of the approved retail cannabis sales

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

		St.	establishment located at 547-559 Bernard Avenue.
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9.10 Short-Term Rental Accommodation

9.10.1 Short-term rental accommodation can only occur in principal dwelling unit and must be operated by a resident who resides for more than 240 days of the year at that dwelling unit.

(a) the operator of a short-term rental accommodation does not need to adhere to the residency requirement stated above if that dwelling unit is located within one of the properties:

- i. shown on Map 9.10 (with the current civic addresses as: 1075-1139 Sunset Drive, 1088 Sunset Drive, 1128 Sunset Drive, 1142-1156 Sunset Drive, 1151 Sunset Drive, & 1160 Sunset Drive). However, the short-term rental accommodation must maintain at least 6 months a year of long-term residential use. For example, the 6 months long term residency could be owner occupied or monthly rentals.
- ii. 3838 Capozzi Road, Lot A, Section 1, Township 25, ODYD, Plan EPP92691(Aqua Project).

9.10.2 Short-term rental accommodation is not permitted in a secondary suite or carriage house.

9.10.3 Short-term rental accommodation is not permitted in combination with a bed and breakfast home.

9.10.4 No more than one booking or reservation for short-term rental accommodation is permitted in each dwelling unit at one time.

9.10.5 No more than two adults may occupy a sleeping unit used for short-term rental accommodation.

9.10.6 The maximum number of sleeping units that may be used for short-term rental accommodation within dwelling units in the agriculture & rural zones and the single family zones is three (3) sleeping units. The maximum number of sleeping units that may be used for short-term rental accommodation within dwelling units in the multi-family zones and the non-residential zones is two (2) sleeping units.

9.10.7 Parking must be provided in accordance with the parking and loading regulations of Section 8. Short-term rental accommodations may not use required visitor parking spaces.

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Map 9.10: Properties with Site Specific Short-Term Rental Accommodation regulations



9.11 Tall Building Regulations

9.11.1 Table 9.11 outlines all the regulations that shall apply to any **building** that is designed with a podium and a tower. These regulations will also apply to any project that contains residential dwelling units and is over 6 floors in **height** above **finished grade**.

Table 9.11 – Tall Building Regulations	
Criteria	Regulation
Minimum first floor height (measured floor to floor from finished grade)	4.5 metres
Minimum amount of transparent glazing on first floor frontage façade	75% for commercial frontage n/a for residential frontage
Minimum depth of any commercial unit fronting	6 metres

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 9.11 – Tall Building Regulations	
Criteria	Regulation
a street	
Minimum setback for corner lots applied only to the first storey	There shall be a triangular setback 4.5 metres in length abutting along the property lines that meet at each corner of an intersection. See Visual Example of Corner Lot Setbacks .
Podium height (maximum)	15 metres and 4 storeys
Podium rooftop	The rooftop of the podium shall not be used for parking and there shall be no parking spaces within the parkade that do not have an overhead roof for weather protection.
Building separation measured from exterior face of the building , including balconies (minimum) ³	25 metres
For structures taller than 40.0 metres or 13 storeys (whichever is lesser) in height, the floor plate above 16.0 metres or 4 storeys (whichever is lesser) cannot exceed:	a) 750 m ² for residential use b) 850 m ² for hotel use c) 930 m ² for office and/or commercial uses
Tower stepback above podium, including balconies, on the front building facade and flanking building facade (minimum)	3 metres
Universal accessibility	Every building shall have front entrance at finished grade on the front and/or flanking street. Façade and every entrance and exit (required or superfluous) shall provide universal accessibility to the nearest sidewalk.
FOOTNOTES (Section 9): ³ A balcony shall be considered part of the exterior face of the building for the purposes of measuring tower separation.	

Section 9 – Specific Use Regulations amended as follows:

Section 9 – Specific Use Regulations

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 10 – Agriculture and Rural Residential Zones

Section 10.1 Zone Purposes	
Zones	Purpose
A1 - Agriculture	The purpose is to provide a zone for Agricultural Land Reserve parcels that permit agricultural uses and other complementary uses suitable in an agricultural setting.
A2 – Agriculture / Rural Residential	The purpose is to provide a zone that allows for rural residential and agricultural land uses outside the Agricultural Land Reserve .
RR1 – Large Lot Rural Residential	The purpose is to provide a zone for country residential development on larger lots that permit more rural land uses, minor agricultural, and a holding zone where future development could occur subject to the direction of the Official Community Plan .
RR2 – Small Lot Rural Residential	The purpose is to provide a zone for country residential development on smaller lots , and complementary uses, in areas of high natural amenity and limited urban services.

Section 10.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
A1 - Agriculture	n/a	n/a
A2 – Agriculture / Rural Residential	A2c – Agriculture / Rural Residential with Carriage House	The purpose is to provide a sub-zone for A2 lots to allow carriage houses on a case by case basis where supported by OCP policy.
RR1 – Large Lot Rural Residential	RR1c – Large Lot Rural Residential with Carriage House	The purpose is to provide a sub-zone for RR1 lots to allow carriage houses on a case by case basis where supported by OCP policy.
	RR1cc – Large Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR1 lots to allow child care centre , major on a case by case basis where supported by OCP policy.
RR2 – Small Lot Rural Residential	RR2c – Small Lot Rural Residential with Carriage House	The purpose is to provide a sub-zone for RR1 lots to allow carriage houses on a case by case basis where supported by OCP policy.

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 10.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
	RR2cc – Small Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR1 lots to allow child care centre, major on a case by case basis where supported by OCP policy.

Section 10.3 - Permitted Land Uses				
Uses	Zones (‘P’ Principal Use , ‘S’ Secondary Use , ‘-’ Not Permitted)			
	A1	A2	RR1	RR2
Accessory Buildings or Structures	S	S	S	S
Agriculture	P	P	-	-
Agriculture, Urban	P	P	P	P
Agriculture, Intensive ¹¹	P	-	-	-
Agri-Tourism ¹¹	S	S	-	-
Alcohol Production Facility ¹¹	S	-	-	-
Animal Clinics, Major	-	S ⁵	S ⁵	-
Animal Clinics, Minor	-	S	S	-
Aquaculture	P	P	-	-
Bed and Breakfast Homes	S ²	S ²	S ²	S ²
Cannabis Cultivation ¹¹	P	-	-	-
Child Care Centre, Major	-	-	S ¹	S ¹
Child Care Centre, Minor	S	S	S	S
Carriage House	-	S ^{2,3,8}	S ^{2,3,8}	S ^{2,3,8}
Farm Retail Sales Stands ¹¹	S	-	-	-
Forestry	P	-	-	-
Greenhouses and Plant Nurseries	P ⁴	P ⁴	P ⁴	-
Group Homes, Minor	-	S ²	S ²	S ²

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 10.3 - Permitted Land Uses				
Uses	Zones (‘P’ Principal Use , ‘S’ Secondary Use , ‘-’ Not Permitted)			
	A1	A2	RR1	RR2
Home-Based Business, Major	S	S	S	S
Home-Based Business, Minor	S	S	S	S
Home-Based Business, Rural	S ⁹	S ⁹	S ⁹	-
Kennels	P ⁵	P ⁵	P ⁵	-
Mobile Home	P ⁶	-	-	-
Second Dwelling for immediate family only	S ¹⁰	-	-	-
On-Farm Processing of Cannabis ¹¹	S	-	-	-
On-Farm Processing ¹¹	S	-	-	-
Secondary Suite	S ^{2,3}	S ^{2,3}	S ^{2,3}	S ^{2,3}
Single Detached Housing	P ⁶	P	P	P
Stables	P	P ⁵	-	-
Temporary Farm Worker Housing (TFWH) ¹¹	S ⁷	S ⁷	-	-
FOOTNOTES (Section 10): ¹ The lot must have a child care sub-zone ‘cc’ on the property for a child care centre, major to be permitted. ² Only one of these secondary uses shall be permitted at any one time: Bed & breakfast, secondary suite, carriage house, or group home, minor. ³ Secondary suites and carriage houses must be on a lot serviced with sanitary sewer and water. A lot without sanitary sewer services can allow a secondary suite or a carriage house but the lot area must be 10,000 m ² . ⁴ Greenhouses and plant nurseries may include the accessory sale of landscaping and gardening non-farm products provided that this accessory use is limited to 150 m ² on the lot. ⁵ Minimum lot area for animal clinics, major, kennels, and stables (stables only in the A2 zone) is 20,000 m ² . ⁶ Maximum one single detached housing or mobile home per lot, unless another residence is permitted within the Agriculture Land Reserve as described in the Agriculture Land Commission Act (and related regulation and policy, as amended from time to time). ⁷ Existing structure with a building permit that was approved at least 2 years prior to TFWH application, can be converted into TFWH, on the parcel within the farm unit. New TFWH must be in temporary structures on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.				

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 10.3 - Permitted Land Uses				
Uses	Zones (‘P’ Principal Use , ‘S’ Secondary Use , ‘-’ Not Permitted)			
	A1	A2	RR1	RR2
<p>⁸ The lot must have a carriage house sub-zone ‘c’ on the property for a carriage house to be permitted.</p> <p>⁹ When a home-based business, rural involves the cutting and wrapping of wild game or any meat, the lot must have a minimum lot area greater than 3,300 m².</p> <p>¹⁰ A second dwelling is only permitted if the owner has their principal residence on the lot and the second dwelling must be located on a non-permanent foundation without basement excavation. When no longer occupied by immediate family, the second dwelling must be removed from the lot within 90 days and the site must be restored to a condition suitable for agricultural use.</p> <p>¹¹ Other legislation like the Agriculture Land Commission Act applies and may limit the land use potential.</p>				

Section 10.4 - Subdivision Regulations					
Criteria		Zones			
		A1	A2	RR1	RR2
Lot Width		40.0 m	40.0 m	36.0 m	18.0 m except it is 20.0 m for a corner lot
Lot Depth		n/a	n/a	30.0 m	30.0 m
Lot Area	No Sewer	40,000 m ²	300,000 m ²	40,000 m ²	10,000 m ²
	Sewer	40,000 m ²	40,000 m ²	8,000 m ²	1,600 m ²
	Both Sewer and un-Sewer lots	For the purpose of Minimum Lot area, all areas of the lot with a restrictive covenant (no build & no disturb) for environmental or geotechnical purposes shall not be counted towards the minimum lot area.			

Section 10.5 – A1 Agricultural and Development Regulations							
Agriculture Facilities, Building, & Structures	Max Site Coverage	Max Gross Floor Area	Min Front & Flanking Side Yard Setback	Min Side Yard Setback	Min Rear Yard Setback	Min ALR Interface Setback ¹⁵	Max Height ¹⁹
Non-Agricultural Accessory Buildings or Structures (including detached Garages /	Overall Max Site Coverage of all Buildings, Structures, and Impermeable	130 m ² ¹²	6.0 m	3.0 m	3.0 m	n/a	6.0 m ¹⁹

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 10.5 – A1 Agricultural and Development Regulations							
Agriculture Facilities, Building, & Structures	Max Site Coverage	Max Gross Floor Area	Min Front & Flanking Side Yard Setback	Min Side Yard Setback	Min Rear Yard Setback	Min ALR Interface Setback ¹⁵	Max Height ¹⁹
Carports)	Surfaces is lot size dependent.						
Apiculture: Bee Hive; Honey House	For lots less than 8,000 m ² the Max percentage is 30%	n/a	7.5 m	7.5 m	7.5 m	n/a	n/a
Agricultural Liquid or Solid Waste Storage (field storage) ²⁰	For lots 8,000 m ² or greater the Max percentage is 35% ¹⁷	n/a	30.0 m	30.0 m	30.0 m	100.0 m	n/a
Agricultural Structures		n/a	4.5 m	3.0 m	3.0 m	n/a	16.0 m ¹⁹
Alcohol Production Facility including Tasting Rooms and Lounges		n/a ¹⁶	6.0 m	6.0 m ²²	10.0 m ²²	n/a	9.5 m ¹⁹
Compost Storage, On-Farm Composting, and Composting Materials (non-manure storage)		n/a	15.0 m	15.0 m	15.0 m	100.0 m	16.0 m ¹⁹
Chemical Storage		n/a	7.5 m	7.5 m	7.5 m	n/a	16.0 m ¹⁹
Confined Livestock Areas		n/a	15.0 m or 30.0m ¹⁴	15.0 m or 30.0m ¹⁴	15.0 m or 30.0m ¹⁴	100.0 m ¹⁸	16.0 m ¹⁹
Crop Storage (output storage for the farm)		n/a	6.0 m	3.0 m	3.0 m	15.0 m	16.0 m ¹⁹
Farm Retail Sales Stands		300 m ² ¹³	7.5 m	4.5 m	4.5 m	n/a	6.0 m ¹⁹
Feed Mill, Feed Storage, Silage		n/a	6.0 m	3.0 m	3.0 m	60.0 m	16.0 m ¹⁹

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 10.5 – A1 Agricultural and Development Regulations							
Agriculture Facilities, Building, & Structures	Max Site Coverage	Max Gross Floor Area	Min Front & Flanking Side Yard Setback	Min Side Yard Setback	Min Rear Yard Setback	Min ALR Interface Setback ¹⁵	Max Height ¹⁹
Storage (i.e. input storage for the farm)							
Greenhouses and Plant Nurseries ²³		n/a	6.0 m	3.0 m	3.0 m	15.0 m	16.0 m ¹⁹
Incinerators		n/a	30.0 m	30.0 m	30.0 m	100.0 m	n/a
Kennels		500 m ² ²¹	15.0 m	15.0 m	15.0 m	n/a	9.5 m ¹⁹
Livestock and Poultry Housing		n/a	15.0 m or 30.0 m ¹⁴	15.0 m or 30.0 m ¹⁴	15.0 m or 30.0 m ¹⁴	100.0 m	16.0 m ¹⁹
Mobile Home		300 m ² ¹²	6.0 m	3.0 m	10.0 m	n/a	4.8 m ¹⁹
Mushroom Barns and/or Mushroom Processing Facility		n/a	15.0 m	7.5 m	7.5 m	30.0 m	16.0 m ¹⁹
On-Farm Processing		n/a	6.0 m	3.0 m	3.0 m	n/a	16.0 m ¹⁹
On-Farm Processing of Cannabis		n/a	6.0 m	3.0 m	3.0 m	100 m	16.0 m ¹⁹
Riparian Management Area		See setback requirements for all farming structures and farming uses from watercourses and riparian areas in Table 6.6					
Secondary Suite		90 m ²	n/a	n/a	n/a	n/a	n/a
Single Detached Housing on lots less than 8,000 m ²		n/a ¹⁶	6.0 m	3.0 m	10.0 m	n/a	9.5 m ¹⁹
Single Detached Housing on lots 8,000 m ² or greater		n/a ^{12, 16}	6.0 m	3.0 m	10.0 m	n/a	9.5 m ¹⁹

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 10.5 – A1 Agricultural and Development Regulations							
Agriculture Facilities, Building, & Structures	Max Site Coverage	Max Gross Floor Area	Min Front & Flanking Side Yard Setback	Min Side Yard Setback	Min Rear Yard Setback	Min ALR Interface Setback ¹⁵	Max Height ¹⁹
Stables		n/a	15.0 m	15.0 m	15.0 m	n/a	16.0 m ¹⁹

FOOTNOTES (Section 10):

¹² For lots 8,000 m² or greater, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m². A second residential footprint up to 1,000 m² may be registered for a mobile home for immediate family where permitted.

¹³ Farm retail sales stands, selling only produce grown on the site or another site operated by the same producer do not have a maximum area. If non-farm products are being sold, then the total area, both indoors and outdoors, used for retail sales of all products must not exceed 300 m² and at least 50 per cent of the that retail sales area must be for the sale of farm products produced on the farm.

¹⁴ The 30 metre setback only applies to properties abutting a rural residential or urban residential zone.

¹⁵ ALR interface is the perimeter border of the ALR including all satellite areas. The ALR interface is measured from the property line on the farm side of the subject property.

¹⁶ Other legislation like the Agriculture Land Commission Act (and related regulation and policy, as amended from time to time) regulate gross floor area and site coverage.

¹⁷ For greenhouses and plant nurseries designed with a closed wastewater and storm water management systems then the site coverage may be increased to 75%.

¹⁸ Except horse paddocks, which can be setback 15 metres.

¹⁹ Height shall be measured from finished grade.

²⁰ Field storage for more than two (2) weeks.

²¹ The maximum footprint for kennels is 250 m².

²² Outdoor crush pads must be setback fifteen (15) metres from property line.

²³ These setbacks apply to cannabis cultivation if grown in a greenhouse.

Section 10.6 - Development Regulations			
Criteria	Zones		
	A2	RR1	RR2
↓ Regulations that apply to all Building, Structures, and Uses ↓			
Max. site coverage of all buildings	20% ^{28, 29} except 30% when lot is less than 8,000 m ²	20% ²⁸ except 30% when lot is less than 8,000 m ²	30%

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 10.6 - Development Regulations				
Criteria		Zones		
		A2	RR1	RR2
Max. site coverage of all buildings, structures, and impermeable surfaces		35% ^{28, 29}	40% ²⁸ except 50% when lot is less than 8,000 m ²	60%
↓ Regulations that apply to Principal Buildings and Structures ↓				
Max. height for lots sloping upwards front to back		9.5 m measured from finished grade	9.5 m measured from finished grade	9.5 m measured from finished grade
Max. height for flat lots and for lots sloping downwards front to back		9.5 m measured from finished grade and curb level	9.5 m measured from finished grade and curb level	9.5 m measured from finished grade and curb level
Max. height for buildings with walkout basements ²⁷	Facing front or flanking side yard	8.6 m measured from finished grade and curb level	8.6 m measured from finished grade and curb level	8.6 m measured from finished grade and curb level
	Rear building elevation	12.5 m measured from finished grade ²⁷	12.5 m measured from finished grade ²⁷	12.5 m measured from finished grade ²⁷
Max. height for agricultural structures		16.0 m	16.0 m	n/a
Max. floor area of a third (3 rd) storey relative to the second (2 nd) storey (this does not apply to homes with walkout basements)		70% See Third Storey Floor Area Diagram	70% See Third Storey Floor Area Diagram	70% See Third Storey Floor Area Diagram
Min. front yard setback for principal dwellings		6.0 m	6.0 m	6.0 m
Min. front yard setback for any attached or detached garage or carport measured from back or curb, edge of pavement, or edge of sidewalk		6.0 m	6.0 m	6.0 m
Min. flanking yard setback for principal dwellings		4.5 m	4.5 m	4.5 m
Min. side yard setback for principal dwellings		3.0 m	3.0 m	2.1 m ²⁴

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 10.6 - Development Regulations			
Criteria	Zones		
	A2	RR1	RR2
Min. rear yard setback for principal dwelling	10.0 m	9.0 m	7.5 m or 4.5 m on wide lots ²⁴
Min. Setbacks & Max. gross floor area for any agriculture facility, building, or structure	All Setbacks for any agriculture facility, building, or structure shall follow the minimum setbacks and maximum gross floor area listed in Section 10.5 (except from the ALR interface). Animal clinics shall follow the minimum setbacks (except from the ALR interface) and maximum height as stated for kennels listed in in Section 10.5.		
↓ Regulations that apply to Carriage Houses, Accessory Buildings or Structures, & Secondary Suites ↓			
Max. height for carriage houses	5.4 m measured from finished grade ²⁵	5.4 m measured from finished grade ²⁵	5.4 m measured from finished grade ²⁵
Max. height for accessory buildings or structures	4.8 m measured from finished grade	4.8 m measured from finished grade	4.8 m measured from finished grade
Min. front yard setback for accessory buildings or structures and carriage houses	12.0 m	12.0 m	12.0 m
Min. flanking yard setback for accessory buildings or structures and carriage houses	6.0 m	6.0 m	6.0 m
Min. side yard setback for carriage houses and accessory buildings or structures	1.5 m	1.5 m	1.5 m
Min. rear yard setback for carriage houses and accessory buildings or structures	3.0 m	3.0 m	1.5 m ²⁶
Max. net floor area for 1 storey carriage houses	100 m ²	100 m ²	100 m ²
Max. net floor area for 2 storey carriage houses	90 m ²	90 m ²	90 m ²
Max. building footprint for 1 storey carriage houses	100 m ²	100 m ²	100 m ²
Max. building footprint for 2 storey carriage houses	90 m ²	90 m ²	90 m ²

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 10.6 - Development Regulations			
Criteria	Zones		
	A2	RR1	RR2
Max. upper storey floor area for 2 storey carriage houses	70% of the carriage house footprint area See Second Storey Floor Area Diagram	70% of the carriage house footprint area See Second Storey Floor Area Diagram	70% of the carriage house footprint area See Second Storey Floor Area Diagram
Max. floor area for a secondary suite	90 m ²	90 m ²	90 m ²
Max. building footprint for accessory buildings or structures	n/a	90 m ²	90 m ²
<p>FOOTNOTES (Section 10):</p> <p>²⁴ Where the lot width exceeds the lot depth, the minimum rear yard is 4.5 m provided that one side yard shall have a minimum width of 4.5 m.</p> <p>²⁵ The maximum height of carriage houses for properties outside the core area is 3.0 metres and 1 storey.</p> <p>²⁶ When the rear yard is abutting a lane, the minimum rear yard setback is 0.9 m.</p> <p>²⁷ The height for the lowest floor or walkout basements at the rear elevation cannot exceed 3.6 m measured from finished grade to the top of the finished floor above the slab.</p> <p>²⁸ For greenhouses and plant nurseries designed with a closed wastewater and storm water management systems then the site coverage may be increased to 75%.</p> <p>²⁹ For lots 8,000 m² or greater, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m².</p>			

Section 10.7 - Site Specific Regulations			
Uses and regulations apply to the A1 – Agriculture 1 zone on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
1.	Lot A, Section 24, Township 26, ODYD, Plan EPP714	700 Hwy 33 E	<p>Food Primary Establishment This existing cafe is subject to the Agricultural Land Commission (ALC) Resolution #101/2014 for application #53542 which approved this non-farm use subject to the following condition:</p> <p>The Cafe facility is limited to current size being 25.3 m² (272 ft²) indoor and 34.6 m² (372 ft²) outdoor and that there be submission of notification or an application to the ALC should there be plans in the future for any significant changes or plans to</p>

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 10.7 - Site Specific Regulations			
Uses and regulations apply to the A1 – Agriculture 1 zone on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
			expand the current footprint.

Section 10 - Agriculture and Rural Residential Zones amended as follows:

Section 10 – Agriculture & Rural Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 11 - Single Family Zones

Section 11.1 - Zone Purposes	
Zones	Purpose
RU1 – Large Lot Housing	The purpose is to provide a zone for single detached housing , and compatible secondary uses, on larger serviced urban lots .
RU2 – Medium Lot Housing	The purpose is to provide a zone for single detached housing , and compatible secondary uses, on medium sized serviced urban lots .
RU3 – Small Lot Housing	The purpose is to provide a zone for single detached housing , and compatible secondary uses, on smaller serviced urban lots .
RU4 – Duplex Housing	The purpose is to provide a zone for duplex and semi-detachment housing with compatible secondary uses, on larger serviced urban lots .
RU5 – Multiple Single Detached Housing	The purpose is to provide a zone for multiple single detached homes , and compatible secondary uses, on a single serviced urban lot .

Section 11.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
RU1 – Large Lot Housing	RU1c – Large Lot Housing with Carriage House	The purpose is to provide a sub-zone is to allow for a carriage houses on selective properties.
	RU1cc – Large Lot Housing with Child Care Centre, Major	The purpose is to provide a sub-zone for RU1 lots to allow child care centre, major on a case by case basis where supported by OCP policy.
RU2 – Medium Lot Housing	RU2c – Medium Lot Housing with Carriage House	The purpose is to provide a sub-zone is to allow for a carriage houses on selective properties.
	RU2cc – Medium Lot Housing with Child Care Centre, Major	The purpose is to provide a sub-zone for RU2 lots to allow child care centre, major on a case by case basis where supported by OCP policy.
RU3 – Small Lot Housing	n/a	n/a

Section 11– Single Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 11.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
RU4 – Duplex Housing	RU4b – Duplex Housing with Boarding or Lodging House	The purpose is to provide a sub-zone for RU4 lots to allow for boarding or lodging house land uses on a case by case basis where supported by OCP policy.
	RU4hc - Duplex Housing with Heritage Commercial	The purpose is to provide a sub-zone for the preservation of land and buildings that have heritage value for low density residential uses to expand into complimentary commercial uses related to health services, and minor retail activities.
	RU4cc – Duplex Housing with Child Care Centre, Major	The purpose is to provide a sub-zone for RU4 lots to allow child care centre, major on a case by case basis where supported by OCP policy.
RU5 – Multiple Single Detached Housing	n/a	n/a

Section 11.3 - Permitted Land Uses					
Uses	Zones (‘P’ Principal Use , ‘S’ Secondary Use , ‘-’ Not Permitted)				
	RU1	RU2	RU3	RU4	RU5
Accessory Buildings or Structures	S	S	S	S	S
Agriculture, Urban	P	P	P	P	P
Bed & Breakfast	S ⁹	S ⁹	S ⁹	S ⁹	-
Boarding & Lodging	-	-	-	S (RU4b only) ⁹	-
Carriage House	S ^{6,7,9}	S ^{6,7,9}	-	S ^{2,6}	-
Child Care Centre, Major	S ³	S ³	-	S ³	S ³
Child Care Centre, Minor	S	S	S	S	S
Duplex Housing	-	-	-	P ²	-
Group Home, Minor	S ⁹	S ⁹	S ⁹	S ⁹	S ⁹

Section 11– Single Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 11.3 - Permitted Land Uses					
Uses	Zones (‘P’ Principal Use , ‘S’ Secondary Use , ‘-’ Not Permitted)				
	RU1	RU2	RU3	RU4	RU5
Health Services	-	-	-	P (RU4hc only) ⁴	-
Home-Based Business, Major	S	S	-	S	S
Home-Based Business, Minor	S	S	S	S	S
Retail	-	-	-	S (RU4hc only) ⁵	-
Secondary Suite	S ^{6,9}	S ^{6,9}	S ^{6,9}	S ^{2,6,9}	S ⁹
Semi-Detached Housing	-	-	-	P ²	-
Single Detached Housing	P ¹	P ¹	P ¹	P ²	P ⁸
FOOTNOTES (Section 11): ¹ Maximum one single detached house per lot, strata lot or bareland strata lot . ² Maximum two dwelling units per lot (single detached houses , duplex , semi-detached house , secondary suite , carriage house). ³ The lot must have a child care sub-zone ‘cc’ on the property for a child care centre, major to be permitted. ⁴ The health services use shall not generate more than two (2) clients to the site from which the business is being operated at any given time. ⁵ The retail use shall be limited to those uses related to arts, crafts, or cultural activities such as souvenir, craft, or gift shops, bookstores, art galleries, or photography studios. Individual general retail services are limited to a maximum floor area of 100 m ² . ⁶ The lot must be serviced with sanitary sewer and water or the lot area must be a minimum of 10,000 m ² in size to permit a carriage house or a secondary suite . ⁷ For a lot located outside the Core Area (as defined in the City’s OCP), the lot must have a carriage house sub-zone ‘c’ on the property for a carriage house to be permitted. For a lot located within the Core Area (as defined in the City’s OCP), a carriage house is a permitted secondary use without the necessity of the sub-zone. ⁸ The maximum density shall be 3 units per 1,000 m ² . The maximum density is one (1) unit per 1,000 m ² if the lot is not connected to sanitary sewer & community water. ⁹ Only one of these secondary uses shall be permitted at any one time: bed & breakfast , secondary suite , carriage house , boarding & lodging , or group home, minor .					

Section 11.4 – Subdivision Regulations					
	Zones				
	RU1 ¹⁰	RU2 ¹⁰	RU3 ¹⁰	RU4 ¹⁰	RU5
Min. lot width without access to a rear lane	16.5 m	13.0 m	8.5 m	18.0 m	40.0 m

Section 11– Single Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 11.4 – Subdivision Regulations					
	Zones				
	RU1 ¹⁰	RU2 ¹⁰	RU3 ¹⁰	RU4 ¹⁰	RU5
Min. lot width with access to a rear lane	15.0 m	12.0 m	8.5 m	18.0 m	40.0 m
Min. lot width for corner lots	17.0 m	15.0 m	10.0 m	20.0 m	40.0 m
Min. lot depth	30.0 m	27.0 m	27.0 m	30.0 m	30.0 m
Min. lot area ¹⁰	450 m ²	350 m ²	255 m ²	540 m ²	4,000 m ²
New lots must have access to side or rear lane	no	no	yes	no	no
FOOTNOTES (Section 11): ¹⁰ Min lot width, lot depth, and lot area apply to lots, strata lots, and bareland strata lots. For the purpose of Minimum Lot area, all areas of the lot with a restrictive covenant (no build & no disturb) for environmental or geotechnical purposes shall not be counted towards the minimum lot area.					

Section 11.5 – Development Regulations						
		Zones				
		RU1 ¹¹	RU2 ¹¹	RU3 ¹¹	RU4 ¹¹	RU5 ¹¹
↓ Regulations that apply to all Building, Structures, and Uses ↓						
Max. site coverage of all buildings		40%	40%	40%	40%	40%
Max. site coverage of all buildings, structures, and impermeable surfaces		70%	70%	70%	70%	70% ¹⁶
Lane regulations		If a lot is fronting onto a lane then vehicular access is only permitted from the lane.				
↓ Regulations that apply to Principal Buildings and Structures ↓						
Max. height for lots sloping upwards front to back		9.5 m measured from finished grade	9.5 m measured from finished grade	9.5 m measured from finished grade	9.5 m measured from finished grade	9.5 m measured from finished grade
Max. height for flat lots and for lots sloping downwards front to back		9.5 m measured from finished grade and curb level	9.5 m measured from finished grade and curb level	9.5 m measured from finished grade and curb level	9.5 m measured from finished grade and curb level	9.5 m measured from finished grade and curb level
Max. height for	Facing front or	8.6 m measured	8.6 m measured	8.6 m measured	8.6 m measured	8.6 m measured

Section 11– Single Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 11.5 – Development Regulations						
		Zones				
		RU1 ¹¹	RU2 ¹¹	RU3 ¹¹	RU4 ¹¹	RU5 ¹¹
buildings with walkout basements	flanking side yard	from finished grade and curb level	from finished grade and curb level	from finished grade and curb level	from finished grade and curb level	from finished grade and curb level
	Rear Building Elevation	12.5 m measured from finished grade	12.5 m measured from finished grade	12.5 m measured from finished grade	12.5 m measured from finished grade	12.5 m measured from finished grade
Max. floor area of a third (3 rd) storey relative to the second (2 nd) storey (this does not apply to homes with walkout basements)		70% see third storey floor area diagram	70% see third storey floor area diagram	70% see third storey floor area diagram	70% see third storey floor area diagram	70% see third storey floor area diagram
Min front and flanking yard setback		4.5 m	4.5 m	3.0 m	4.5 m	4.5 m ¹⁵
Min. front and flanking yard setback for any attached or detached garage or carport measured from back or curb, edge of pavement, or edge of sidewalk (whichever is closest).		6.0 m ¹²	6.0 m ¹²	n/a	6.0 m ¹²	6.0 m ^{12, 15}
Min side yard setback		2.1 m	1.5 m	1.2 m	2.1 m ¹³	3.0 m ^{13, 15}
Min. setback between principal buildings		n/a	n/a	n/a	2.5 m	2.5 m ¹⁵
Min rear yard setback for principal dwellings		7.5 m	6.0 m	6.0 m	7.5 m	6.0 m ¹⁵
Min rear yard setback on wide lots for principal dwellings		4.5 m	4.5 m	4.5 m	4.5 m	n/a
↓ Regulations that apply to carriage houses, accessory buildings or structures, & secondary suites ↓						
Max. height for carriage houses		5.4 m measured from finished grade	5.4 m measured from finished grade	5.4 m measured from finished grade	5.4 m measured from finished grade	n/a
Max. height for accessory buildings or		4.8 m measured	4.8 m measured	4.8 m measured	4.8 m measured	4.8 m measured

Section 11– Single Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 11.5 – Development Regulations					
	Zones				
	RU1 ¹¹	RU2 ¹¹	RU3 ¹¹	RU4 ¹¹	RU5 ¹¹
structures	from finished grade	from finished grade	from finished grade	from finished grade	from finished grade
Min. front yard setback for carriage houses and accessory buildings	9.0 m	9.0 m	9.0 m	9.0 m	9.0 m ¹⁵
Min. flanking yard setback for carriage houses and accessory buildings	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m
Min. side yard setback for carriage houses and accessory buildings or structures	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m ¹⁵
Min. rear yard setback for carriage houses and accessory buildings or structures	1.5 m ¹⁴	1.5 m ¹⁴	1.5 m ¹⁴	1.5 m ¹⁴	1.5 m ^{14, 15}
Max. net floor area for 1 storey carriage houses	100 m ²	100 m ²	n/a	100 m ²	n/a
Max. net floor area for 2 storey carriage houses	90 m ²	90 m ²	n/a	90 m ²	n/a
Max. building footprint for 1 storey carriage houses	100 m ²	100 m ²	n/a	100 m ²	n/a
Max. building footprint for 2 storey Carriage Houses	90 m ²	90 m ²	n/a	90 m ²	n/a
Max. building footprint for accessory buildings or structures	90 m ²	90 m ²	90 m ²	90 m ²	90 m ²
Max. upper storey floor area for 2 storey carriage houses	70% of the carriage house footprint area See second storey floor area diagram	70% of the carriage house footprint area See second storey floor area diagram	n/a	70% of the carriage house footprint area See second storey floor area diagram	n/a
Max. floor area for a secondary suite	90 m ²	90 m ²	90 m ²	90 m ²	90 m ²
Lit pathway requirement for carriage houses and	A lighted pathway is required from the entrance of the secondary suite and/or carriage house to the on-site parking stall(s) and to the fronting				

Section 11– Single Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 11.5 – Development Regulations					
	Zones				
	RU1 ¹¹	RU2 ¹¹	RU3 ¹¹	RU4 ¹¹	RU5 ¹¹
secondary suites	street.				

FOOTNOTES (Section 11):

¹¹ Site coverage, height, and setback regulations apply to strata lots and bareland strata lots.

¹² Although the setback for a garage or a carport is measured from back or curb, edge of pavement, or edge of sidewalk (whichever is closest), the garage or a carport cannot be closer than 3.0 m to the front or flanking lot line respectively.

¹³ Side yard setbacks are not required for semi-detached on a lot line that has a party wall.

¹⁴ When the rear yard is abutting a lane, the minimum rear yard setback is 0.9 m.

¹⁵ The front, flanking, side, rear yard setback shall apply to the exterior property lines of the site and not to the interior separations between single detached housing units and accessory structures within the building strata.

¹⁶ Private roadways that access more than two dwelling units excluded from the calculation of maximum site coverage of all buildings, structures, and impermeable surfaces.

Section 11 – Single Family Zones amended as follows:

Section 11– Single Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 12 - Mobile Home and Camping Zones

Section 12.1 - Zone Purposes	
Zones	Purpose
MH1 – Mobile Home and Camping Zone	The purpose is to provide a zone for mobile homes on individual mobile homes spaces in a mobile home park setting and for campsites .

Section 12.2 - Permitted Land Uses	
Uses	Zones (‘P’ Principal Use , ‘S’ Secondary Use , ‘-’ Not Permitted)
	MH1
Accessory buildings or structures	S
Agriculture, urban	S
Campsites	P
Child care centre, minor	S
Group home, minor	S
Home-based business , minor	S
Mobile home park	P ¹
Offices	S ²
FOOTNOTES (Section 12): ¹ Mobile homes and modular homes are permitted dwelling units within a mobile home park . ² Offices are limited to one office for the management and operation of the mobile home park .	

Section 12.3 – Subdivision Regulations	
	Zones
	MH1
Min. site width	50.0 m
Min. site depth	50.0 m
Min. site area	20,000 m ²

Section 12–Mobile Home and Camping Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 12.4 – Development Regulations	
	Zones
	MH1
Max. density	20 mobile home dwelling units / hectare
Max. height	7.6 m & 1 storey
Min. site front yard setback	6.0 m
Min. site side yard setback	4.5 m
Min. site rear yard setback	6.0 m
Min. mobile home space Area	325.0 m ²
Min. mobile home space width	12.0 m
Min. mobile home space depth	25.0 m
Min. mobile home space setback from roadway	No mobile home shall be located closer than 3.0 m to the back curb of an internal roadway or parking area
Min. mobile home space side yard setback	1.5 m to the edge of the mobile home space

Section 12 – Mobile Home & Camping Zones amended as follows:

Section 12–Mobile Home and Camping Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 13 - Multi-Family Zones

Section 13.1 - Zone Purposes	
Zones	Purpose
MF1 – Infill Housing	The purpose is to provide a zone for infill development within the core area of the City limiting development to ground-oriented housing under 2 storeys with select properties up to 3 storeys .
MF2 – Townhouse Housing	The purpose is to provide a zone for ground-oriented multiple housing (typically townhouse developments) under 3 storeys on serviced urban lots .
MF3 – Apartment Housing	The purpose is to provide a zone primarily for apartments ranging from 3 to 6 storeys on serviced urban lots .
MF4 – Mid-Rise Housing	The purpose is to provide a zone for mid-rise apartments up to 12 storeys within key locations within the Urban Core but outside Urban Centres.

Section 13.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
MF1 – Infill Housing	MF1 (r) – Infill Housing (Rental)	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF2 – Townhouse Housing	MF2 (r) – Townhouse Housing (Rental)	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF3 – Apartment Housing	MF3 (r) – Apartment Housing (Rental)	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF4 – Mid-Rise Housing	MF4 (r) – Mid-Rise Housing (Rental)	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.

Section 13 – Multi-Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 13.3 - Permitted Land Uses				
Uses	Zones (‘P’ Principal Use , ‘S’ Secondary Use , ‘-’ Not Permitted)			
	MF1	MF2	MF3	MF4
Apartment housing	-	-	P	P
Agriculture, urban	S	S	S	S
Child care centre, major	S	S	S	S
Child care centre, minor	S	S	S	S
Cultural and recreation services	-	-	S ²	S
Duplex housing	P	P	-	-
Food primary establishment	-	-	-	S ²
Group home, minor	S ¹	S ¹	-	-
Group home, major	-	-	P	P
Home-based business, major	S ⁵	-	-	-
Home-based business, minor	S	S	S	S
Health services	-	-	-	S ²
Professional services	-	-	-	S ²
Participant recreation services, indoor	-	-	S	S
Personal service establishments	-	-	S ²	S ²
Retail	-	-	S ²	S ²
Secondary suite	S ³	-	-	-
Semi-detached housing	P	P	-	-
Single detached housing	P	P	-	-
Stacked townhouses	-	-	P ⁴	P ⁴
Townhouses	P	P	P ⁴	P ⁴

Section 13 – Multi-Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 13.3 - Permitted Land Uses				
Uses	Zones (‘P’ Principal Use , ‘S’ Secondary Use , ‘-’ Not Permitted)			
	MF1	MF2	MF3	MF4
FOOTNOTES (Section 13): ¹ Group home, minor is only permitted within a single detached housing . ² Commercial land uses are not permitted above the first storey. ³ No new secondary suites are permitted. Existing secondary suites that existed prior to December 4 th 2017 are permitted to remain. ⁴ Townhouses and/or stacked townhouses are only permitted if the majority of the residential dwelling units are in the form of apartment housing . ⁵ Home-based business, major is only permitted when the lot has two (2) or less principal dwelling units .				

Section 13.4 – Subdivision Regulations					
		Zones			
		MF1	MF2	MF3	MF4
Min lot width	Regular Lots	7.5 m	20.0 m ⁶	30.0 m	30.0 m
	Corner lots	9.5 m			
Min lot area	Regular Lots	277.5 m ²	900 m ² ⁶	1,400 m ²	1,700 m ²
	Corner Lots	350 m ²			
Min lot depth		30.0 m	30.0 m ⁶	30.0 m	35.0 m
FOOTNOTES (Section 13): ⁶ Townhouse development may be subdivided into smaller lots than the regulations listed above provided the site is comprehensively developed under a single development permit and a party wall agreement is registered on title.					

Section 13.5 – Development Regulations				
	Zones			
	MF1	MF2	MF3	MF4
Max. site coverage of all buildings	55%	55%	65%	65%
Max. site coverage of all buildings, structures, and impermeable surfaces	75%	80%	85%	85%
Max. height Max. density	Section 13.6 – Base Density and Height Development Regulations Section 13.7 – Bonus Density and Height Development Regulations			
Min. net floor area for ground-oriented residential units on the first floor	11 m ² See Diagram	11 m ² See Diagram	11 m ² See Diagram	11 m ² See Diagram

Section 13 – Multi-Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 13.5 – Development Regulations				
	Zones			
	MF1	MF2	MF3	MF4
Max. first floor height above curb level for ground-oriented residential units ⁹	1.2 m See Diagram	1.2 m See Diagram	1.2 m See Diagram	1.2 m See Diagram
Min. front yard & flanking side yard setback for all buildings and structures including accessory buildings and structures	4.0 m with a lane 5.0 m without a lane	3.0 m	4.5 m	6.0 m
Min. front yard, side yard, & flanking side yard setback for a garage, a carport, or a parkade door.	6.0 m ¹¹	6.0 m ¹¹	6.0 m ¹¹	6.0 m ¹¹
Min. front yard & flanking side yard setback for ground-oriented units	n/a	2.0 m	2.0 m	2.0 m
Min. flanking side yard setback	3.0 m	3.0 m	4.5 m	6.0 m
Min. building setback from front yard and flanking side yard	n/a	n/a	3.0 m ¹²	3.0 m ¹²
Min. side yard setback	1.2 m ^{7, 8}	3.0 m except 1.2 m from a lane ⁸	3.0 m for 3 storey buildings and lower & 4.5 m for buildings 4 storeys and taller ¹³	4.5 m ¹³
Min. flanking side yard setback for ground-oriented units	3.0 m	2.0 m	2.0 m	2.0 m
Min. rear yard setback	0.9 m with a rear lane & 4.5 m without a lane	6.0 m except 3.0 m from a rear lane	6.0 m except 4.5 m to a rear lane ¹⁰	7.0 m except 4.5 m to a rear lane ¹⁰
Min. rear yard setback for accessory buildings and structures	0.9 m with a lane & 1.5 m without a lane	0.9 m with a lane & 3.0 m without a lane	4.5 m ¹³	4.5 m ¹³
Between detached principal buildings	2.0 m separation	3.0 m separation	n/a	n/a

Section 13 – Multi-Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 13.5 – Development Regulations					
		Zones			
		MF1	MF2	MF3	MF4
Min. balcony requirements		n/a	n/a	A minimum of 75% of the dwelling units (that are not ground-oriented) shall have a balcony. The minimum balcony area is 5% of the dwelling unit size	
Min. outdoor amenity space		n/a	3.0 m ² per dwelling unit and 4.0 m ² per micro-suite dwelling unit ¹⁴		
Min. indoor amenity space		n/a	n/a	3.0 m ² per dwelling unit and 4.0 m ² per micro-suite dwelling unit ¹⁵	
Minimum lot area	for lots NOT fronting onto transit supportive corridors	n/a	800 m ² for lots with a lane 900 m ² for lots without a lane	1,300 m ² for lots with a lane 2,000 m ² for lots without a lane	
	for lots fronting onto transit supportive corridors	1,300 m ² for lots with a lane 2,000 m ² for lots without a lane			
Minimum frontage	for lots NOT fronting onto transit supportive corridors	n/a	n/a	n/a	n/a
	for lots fronting onto transit supportive corridors	30 m for lots with a lane 45 m for lots without a lane			
Minimum scale of development for lots fronting onto transit supportive corridors		Minimum 12 required parking spaces for lots with a lane. Minimum 18 required parking spaces for lots without a lane. This calculation includes the combination of minimum required parking stalls for the dwelling units, visitor component, and the commercial component (if any).			
Maximum building frontage		A continuous building frontage shall not exceed 100 metres in length, and must be designed with appropriate architectural breaks or relief where the length of the building exceeds 37 metres.			
Tall building regulations		For tower and podium regulations See Section 9.16.			
Vehicular access		Where a lot has access to a lane, vehicular access is only permitted from the lane. If a lot does not have access to a lane then access will come from the street according to the City of Kelowna's Subdivision and Servicing Bylaw.			

Section 13 – Multi-Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 13.5 – Development Regulations				
	Zones			
	MF1	MF2	MF3	MF4
<p>FOOTNOTES (Section 13):</p> <p>⁷ For lots 17.0 metre or wider, the minimum side yard setback is increased to 2.0 metres.</p> <p>⁸ Side yards are not required for semi-detached housing or townhouses on a lot line that has a party wall agreement</p> <p>⁹ The maximum height is measured from the grade at the sidewalk directly from a fronting publicly accessible street, walkway, open space or applicable property line. See Visual Example of Max Floor Height for Ground-Oriented Housing.</p> <p>¹⁰ For portions of a parkade with lane access which do not project more than 2.3 metres above finished grade, the rear yard setback is 1.5 metre.</p> <p>¹¹ The setback may be reduced to 4.5 metres from garage or carport or a parkade door to property line as long as the setback does not go below 6 metres measured from back-of-curb or edge of pavement, or edge of sidewalk (whichever is greater).</p> <p>¹² Minimum building setbacks apply only to buildings 5 storeys and taller. The stepback can occur on any floor above the second storey.</p> <p>¹³ If the property is abutting one of these future land use designations as defined in the Official Community Plan then a 1.5 metre additional setback needs to be added to the minimums:</p> <ul style="list-style-type: none"> • Rural – Agricultural and Resource • Rural – Residential • Suburban – Residential <p>¹⁴ Outdoor amenity space shall not be located within the required setback area. If insufficient area exists on-site to meet the minimum outdoor amenity space then the total area requirement (or proportional deficit) shall be transferred to the total indoor amenity space required.</p> <p>¹⁵ Indoor amenity space can be devoted to child care centres up to a maximum of 1.5 m² per dwelling unit as long as the child care spaces have direct access to open space and play areas within the lot.</p>				

Section 13.6 – Base Density and Height Development Regulations				
	Zones			
	MF1	MF2	MF3	MF4
Max. height ¹⁶	8.0 m & 2 storeys with a lane 9.5 m & 2 storeys without a lane	10.0 m & 3 storeys	18.0 m & 4 storeys Or 22.0 m / 6 storeys ¹⁷	44.0 m & 12 storeys
Density Max. floor area ratio	0.8 with lane 0.65 without lane	1.0	For 4 storeys and below Max FAR = 1.3 For 5 storeys and above Max FAR = 1.75	1.9
FOOTNOTES (Section 13):				

Section 13 – Multi-Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 13.6 – Base Density and Height Development Regulations				
	Zones			
	MF1	MF2	MF3	MF4
¹⁶ Height will be measured from finished grade and curb level. Height will be measured from the finished grade at the base of the deck, post, or column to the highest point of the deck, exclusive of railings.				
¹⁷ The maximum height may be increased to 22.0 metres / 6 storeys if the subject property does not abut an A1, A2, RR1, RR2, RU1, RU2, RU3, RU4, or RU5 zoned lot.				

Section 13.7 – Bonus Density and Height Development Regulations ²¹				
	Zones			
	MF1	MF2	MF3	MF4
Max. height	10.0 m & 3 storeys ¹⁸	n/a	22.0 m & 6 storeys ¹⁹ Or 37.0 m & 12 storeys ²⁰	55.0 m & 16 storeys
Density Max. floor area ratio	An additional 0.1 FAR ¹⁸	An additional 0.2 FAR	An additional 0.3 FAR	An additional 0.3 FAR
<p>FOOTNOTES (Section 13):</p> <p>¹⁸ The bonus height and density only apply to corner lots.</p> <p>¹⁹ The maximum bonus height of 22.0 m / 6 storeys only applies to lots within the urban core or within a village centre as defined in the Official Community Plan.</p> <p>²⁰ The maximum bonus height of 37.0 m & 12 storeys only applies in situations where:</p> <ul style="list-style-type: none"> (a) lots are fronting a Provincial Highway; and (b) lots are within 400 metres of transit stop and that transit stop must be located fronting onto a Provincial Highway or a major arterial road; and (c) the abutting lots cannot be zoned A1, A2, RR1, RR2, RU1, RU2, RU3, RU4, or RU5. <p>²¹ Bonus development regulations may apply if payment is made as per Section 6.9 Density Bonus.</p>				

Section 13.8 - Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
1.	Lot A, District Lot 140, ODYD, Plan KAP58184	1915-1925 Enterprise Way	This property is permitted to have hotels as principal land use.
2.	ODYD, Plan KAS3399	1132-1160 Bernard Ave	This property is permitted to have 16 storeys in height.

Section 13 – Multi-Family Zones amended as follows:

Section 13 – Multi-Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 13 – Multi-Family Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 14 – Non-Residential Zones

Section 14.1 – Non-Residential Zones Categories	
Category	Zones
Commercial Zones	C1 – Local & Neighbourhood Commercial C2 – Vehicle Oriented Commercial C3 – Core Area Mixed Use and Village Centres TC1- Tourist Commercial (Cook / Lakeshore)
Urban Centre Zones	UC1 – Downtown Urban Centre UC2 – Capri-Landmark Urban Centre UC3 – Midtown Urban Centre UC4 – Rutland Urban Centre UC5 – Pandosy Urban Centre
Industrial Zones	I1 – Business Industrial I2 – General Industrial I3 – Heavy Industrial I4 – Natural Resource Extraction
Institutional Zones	P1 – Major Institutional P2 – Education and Minor Institutional P3 – Parks and Open Space P4 – Utilities P5 – Municipal District Park
Health District Zones	HD1 – Kelowna General Hospital HD2 - Residential and Health Support Services
Water Zones	W1 – Recreational Water Use W2 – Intensive Water Use

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.2 – Commercial Zone Purposes	
Zones	Purpose
C1 – Local & Neighbourhood Commercial	The purpose is to provide a zone for the commercial development outside the urban core to provide a range of services needed on a day to day basis by residents within their neighbourhoods. Generally, building scale includes two storey structures with primary commercial accessed at ground level. Residential can be considered on second floors above commercial services.
C2 – Vehicle Oriented Commercial	The purpose is to provide a commercial zone used to accommodate a mix of vehicle oriented commercial land uses along corridor routes and highways. Building scale generally includes two storey buildings with potential for office related uses on upper floors.
C3 – Core Area Mixed Use and Village Centres	The purpose is to provide a mixed commercial and residential zone for development within the City's various village centres and significant mixed use development sites outside urban centres. Buildings up to 4 storeys will be generally permissible with a maximum of 6 storeys in certain circumstances.
TC1- Tourist Commercial (Cook / Lakeshore)	The purpose is to provide a zone with an integrated design for a comprehensive mixed-use area which can include, residential, visitor accommodations, and complementary commercial land uses.

Section 14.3 – Urban & Village Centre Zone Purposes	
Zones	Purpose
UC1 – Downtown Urban Centre	The purpose of this zone is to designate and to preserve land for the orderly development of the financial, retail and entertainment, governmental, cultural and civic core of the downtown while also encouraging high density mixed-use buildings .
UC2 – Capri-Landmark Urban Centre	The purpose is to provide a mixed commercial and residential zone for development within the Capri-Landmark Urban Centre that is consistent with and follows from the Capri-Landmark Urban Centre Plan.
UC3 – Midtown Urban Centre	The purpose is to provide a mixed commercial and residential zone for development within the Midtown Urban Centre.
UC4 – Rutland Urban Centre	The purpose is to provide a mixed commercial and residential zone for development within the Rutland Urban Centre.
UC5 –Pandosy Urban Centre	The purpose is to provide a mixed commercial and residential zone for development within the South Pandosy Urban Centre.

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.4 – Industrial Zone Purposes	
Zones	Purpose
I1 – Business Industrial	The purpose is to provide a zone for the development of planned industrial business parks containing clean industrial and office uses with limited outdoor storage and to provide for industrial business sites for transition from heavier industrial uses to other uses.
I2 – General Industrial	The purpose is to provide for general industrial uses .
I3 – Heavy Industrial	The purpose is to designate and preserve land for the orderly development of industrial uses which, due to appearance, noise, odour, emission of toxic wastes, or fire or explosive hazards may have detrimental effects on other zones.
I4 – Natural Resource Extraction	The purpose of this zone to provide a zone used for natural resource extraction such as gravel extraction and processing.

Section 14.5 – Institutional Zone Purposes	
Zones	Purpose
P1 – Major Institutional	The purpose is to provide a zone primarily for major governmental and publicly or privately funded institutional uses.
P2 – Education and Minor Institutional	The purpose is to provide a zone for private and public educational, residential and recreational uses and religious assemblies .
P3 – Parks and Open Space	The purpose is to provide a zone for the preservation and enhancement of open space and limited public facilities.
P4 - Utilities	The purpose is to provide a zone for private and public utilities.
P5 – Municipal District Park	The purpose is to provide a zone for the development of major Municipal parks and ancillary recreational uses. Park sites generate large numbers of participants and spectators attracted from all areas of the City plus tournament visitors and tourists. These sites serve a population of 45,000 residents within a five-kilometre radius and also serve specific recreation facility needs on a city-wide basis.

Section 14.6 – Health District Zone Purposes	
Zones	Purpose
HD1 – Kelowna General Hospital	To provide a zone for the comprehensive development of buildings that provide health services associated with the Kelowna General Hospital, Interior Health Authority, and the University of British Columbia Clinical Academic Campus. This zone will provide for a range of institutional uses, as well as a limited amount of hospital-related supportive commercial uses.

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

HD2 – Residential and Health Support Services	The purpose is to provide a zone for the conversion and new development of buildings that provide services to the medical community associated with the Kelowna General Hospital, Interior Health Authority, and UBC Medical Programs including staff, clients, patients and their families. This zone will provide for a range of institutional, medical-related commercial and complimentary residential uses within the Official Community Plan Health District future land use designation.
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Section 14.7 – Water Zone Purposes	
Zones	Purpose
W1 – Recreational Water Use	The purpose is to provide a zone that allows for the recreational enjoyment of upland property owners and foreshore public access while minimizing impacts on fish , wildlife, and vegetation communities.
W2 – Intensive Water Use	The purpose is to provide for a diverse and concentrated range of water activities consistent with the upland use, maintaining foreshore public access, and minimizing impacts on fish , wildlife, and vegetation communities.

Section 14.8 – Non-Residential Sub-Zone Categories	
Category	Zones
Commercial	<p>C1 – Local & Neighbourhood Commercial</p> <ul style="list-style-type: none"> • rcs – Retail Cannabis Store <p>C2 – Vehicle Oriented Commercial</p> <ul style="list-style-type: none"> • rcs – Retail Cannabis Store • lp – Liquor Primary <p>C3 – Core Area Mixed Use and Village Centres</p> <ul style="list-style-type: none"> • rcs – Retail Cannabis Store • lp – Liquor Primary <p>TC1 – Tourist Commercial (Cook / Lakeshore)</p> <ul style="list-style-type: none"> • rcs – Retail Cannabis Store • lp – Liquor Primary
Urban Centre	<p>UC1 – Downtown Urban Centre</p> <ul style="list-style-type: none"> • rcs – Retail Cannabis Store • lp – Liquor Primary • gg – Gaming and Gambling • s – Arena • Fuel – Fuelling and Gas Stations <p>UC2 – Capri-Landmark Urban Centre</p> <ul style="list-style-type: none"> • rcs – Retail Cannabis Store • lp – Liquor Primary • gg – Gaming and Gambling • Fuel – Fuelling and Gas Stations <p>UC3 – Midtown Urban Centre</p>

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.8 – Non-Residential Sub-Zone Categories	
Category	Zones
	<ul style="list-style-type: none"> • rcs – Retail Cannabis Store • lp – Liquor Primary • Fuel – Fuelling and Gas Stations UC4 – Rutland Urban Centre <ul style="list-style-type: none"> • rcs – Retail Cannabis Store • lp – Liquor Primary • Fuel – Fuelling and Gas Stations UC5 – Pandosy Urban Centre <ul style="list-style-type: none"> • rcs – Retail Cannabis Store • lp – Liquor Primary • Fuel – Fuelling and Gas Stations
Industrial	I1 – Business Industrial <ul style="list-style-type: none"> • rcs – Retail Cannabis Store I2 – General Industrial <ul style="list-style-type: none"> • rcs – Retail Cannabis Store I3 – Heavy Industrial I4 – Natural Resource Extraction
Institutional	P1 – Major Institutional <ul style="list-style-type: none"> • lp – Liquor Primary P2 – Education and Minor Institutional P3 – Parks and Open Space <ul style="list-style-type: none"> • lp – Liquor Primary P4 – Utilities P5 – Municipal District Park <ul style="list-style-type: none"> • lp – Liquor Primary
Health District	HD1 – Kelowna General Hospital HD2 – Residential and Health Support Services
Water	W1 – Recreational Water Use W2 – Intensive Water Use

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

14.9 Allowable Land Uses in Non-Residential Zones

Section 14.9 – Principal and Secondary Land Uses																							
Uses		Zones																					
		('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)																					
		C1	C2	C3	TC1	UC1	UC2	UC3	UC4	UC5	I1	I2	I3	I4	P1	P2	P3	P4	P5	HD1	HD2	W1	W2
1	Agriculture, Urban	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	S	S	n/a	n/a
2	Alcohol Production Facilities	-	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	P ¹	-	-	-	-	-	-	-	-	-	-
3	Animal Clinics, Major	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-
4	Animal Clinics, Minor	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-
5	Apartment Housing	-	-	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	P	-	-
6	Automotive & Equipment	-	P	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
7	Automotive & Equipment, Industrial	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-
8	Auctioneering Establishments	-	P	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
9	Boat Launches	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
10	Boat Storage	-	-	-	S	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-
11	Bulk Fuel Depot	-	-	-	-	-	-	-	-	-	-	P ¹³	P	-	-	-	-	-	-	-	-	-	-
12	Cannabis Production Facilities	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	-
13	Cemeteries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-
14	Child Care Centre, Major	P	P	P	P	P	P	P	P	P	P	-	-	-	P	-	S	-	S	S	P	-	-
15	Child Care Centre, Minor	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	S	-	-
16	Commercial Storage	-	P	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-
17	Concrete and Asphalt Plants	-	-	-	-	-	-	-	-	-	-	-	P	S	-	-	-	-	-	-	-	-	-
18	Cultural and Recreation Services	P	P	P	P	P	P	P	P	P	P	-	-	-	P	P	S	-	S	-	-	-	-
19	Detention and Correction Services	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-
20	Docks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P ²	P
21	Education Services	-	P	P	P	P	P	P	P	P	-	-	-	-	-	P	-	-	-	S	-	-	-
22	Emergency and Protective Services	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	-	-	S	S	P	-	-
23	Exhibition and Convention Facilities	-	-	-	-	P	P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-	-

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses	Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones
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Section 14.9 – Principal and Secondary Land Uses																							
Uses		Zones ('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)																					
		C1	C2	C3	TC1	UC1	UC2	UC3	UC4	UC5	I1	I2	I3	I4	P1	P2	P3	P4	P5	HD1	HD2	W1	W2
24	Fleet Services	-	P	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
25	Food Primary Establishment	P ⁵	P	P	P	P	P	P	P	P	P ⁵	P ⁵	-	-	P	-	P	-	S	S ⁷	S ⁵	-	S ⁵
26	Gaming Facilities	-	-	-	-	P ⁸	P ⁸	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
27	Gas Bar	P ¹²	P ¹²	-	-	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	-	P ¹²	-	-	-	-	-	-	-	-	-	-	-
28	General Industrial Use	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	-
29	Group Home, Major	-	-	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-
30	Health Services	P	P	P	S	P	P	P	P	P	-	-	-	-	P	P	-	-	S ³	-	P	-	-
31	Hospitals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-
32	Home-Based Business , Ground Floor Urban Centre	-	-	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	-	-	-
33	Home-Based Business , Major	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S ¹⁰	-	-
34	Home-Based Business , Minor	-	-	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	S	-	-
35	Hotels / Motels	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-
36	Liquor Primary Establishment	P ^{4,5}	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁴	P ⁵	P ⁵	-	-	S ⁴	-	S ⁴	-	S ⁴	-	-	-	S ^{4,5}
37	Marinas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
38	Moorage, Permanent	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
39	Moorage, Temporary	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
40	Natural Resource Extraction	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-
41	Non-Accessory Parking	-	P	P	P	P	P	P	P	P	-	P	-	-	P	-	-	-	S	-	-	-	-
42	Offices	-	P ⁶	P	S	P	P	P	P	P	P	-	-	S	-	-	-	-	-	-	-	-	-
43	Outdoor Storage	-	-	-	-	-	-	-	-	-	-	P	P	S	-	-	-	S	-	-	-	-	-
44	Participant Recreation Services, Indoor	P	P	p	P	P	P	P	P	P	P	P	-	-	P	S	S	-	S	-	-	-	-
45	Participant Recreation Services, Outdoor	-	-	-	P	-	-	-	-	-	-	-	-	-	-	S	P	S	S	-	-	-	-
46	Parks	-	-	S	S	S	S	S	S	S	-	-	-	-	S	S	P	-	P	S	-	-	-
47	Personal Service Establishment	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses	Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones
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Section 14.9 – Principal and Secondary Land Uses																							
Uses		Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)																					
		C1	C2	C3	TC1	UC1	UC2	UC3	UC4	UC5	I1	I2	I3	I4	P1	P2	P3	P4	P5	HD1	HD2	W1	W2
48	Professional Services	-	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-
49	Recreational Water Activities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
50	Recycling Depots	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-
51	Recycling Plants	-	-	-	-	-	-	-	-	-	-	-	P	S	-	-	-	-	-	-	-	-	-
52	Recycling Drop-Offs	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	-	-	-	-	-	-	-
53	Religious Assemblies	P	P	P	P	P	P	P	P	P	-	-	-	-	P	P	-	-	-	-	-	-	-
54	Residential Security / Operator Unit	S	S	-	-	-	-	-	-	-	S	S	S	S	-	S	S	-	S	-	-	-	-
55	Retail	P	P	P	P	P	P	P	P	P	-	-	-	-	S	-	S	-	S ³	S	S ⁵	-	S ⁵
56	Retail Cannabis Sales Establishment	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	P ⁹	S ⁹	S ⁹	-	-	-	-	-	-	-	-	-	-	-
57	Secondary Suite	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-
58	Single Detached Housing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
59	Spectator Sports Establishments	-	-	-	-	P	P	P	P	-	-	-	-	-	P	-	-	-	S	-	-	-	-
60	Stacked Townhouses	-	-	-	P	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	-	-	-	-	-	-	-	-	-	-	P	-	-
61	Townhouses	-	-	-	P	P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹	-	-	-	-	-	-	-	-	-	-	P	-	-
62	Temporary Shelter Services	-	P	P	P	P	P	P	P	P	-	P	-	-	P	P	-	-	S	-	-	-	-
63	Thrift Stores	-	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-
64	Utility Services, Major Impact	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	P	-	-	-	-	-
65	Warehousing	-	P	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-
66	Wrecking Yards	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-

FOOTNOTES (Section 14):

¹ In the commercial, village centre, and urban centre zones the total area for manufacturing shall be limited to a maximum of 275 m² per lot. In the industrial zones, there is no manufacturing floor area limit. However, in the I1, I2, and I3 zones, the maximum floor area for tasting, serving, and consumption of alcohol shall not exceed 235 m² in gross floor area per lot except for lots in the City’s north end (north of Clement Ave and South of Bay Ave) there is no floor limit for tasting, serving, and consumption of alcohol.

² Docks can only be used for private purposes and cannot be used as a communal docking facility utilized for renumeration.

³ Health services and retail shall be limited to those types of uses and services incidental to a major sports and recreation facilities. Health services and retail shall be located within a building primary used for district park, participant recreation services indoor, and/or spectator sports establishments. Retail shall not exceed 235 m² or 5% of the gross floor area of the building which it is located (whichever is less). Health services shall not exceed 500 m².

⁴ Liquor primary establishments must have ‘lp’ Liquor Primary sub-zoning on the property.

⁵ Retail, food primary establishment, liquor primary establishments shall not exceed 235 m² in gross floor area (e.g. neighbourhood pubs) per lot.

⁶ Offices are intended to be a minor component within the zone. Offices are limited to the uppermost floor within a building and offices cannot occur on the ground floor.

Section 14.9 – Principal and Secondary Land Uses																						
Uses	Zones																					
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)																					
	C1	C2	C3	TC1	UC1	UC2	UC3	UC4	UC5	I1	I2	I3	I4	P1	P2	P3	P4	P5	HD1	HD2	W1	W2
<div><div>⁷ Food primary establishment shall be limited to a maximum 465 m² GFA. Retail shall be limited to a maximum 465 m² GFA and no more than 50 m² of GFA for any individual tenant space.</div><div>⁸ Gaming facilities must have 'gg' Gaming and Gambling sub-zoning on the property.</div><div>⁹ Retail cannabis sales establishment must have 'rcs' Retail Cannabis Store sub-zoning on the property.</div><div>¹⁰ Home-based business, major shall only apply within single detached housing.</div><div>¹¹ Townhouses and stacked townhouses are only permitted on fronting streets classified as mixed residential street, residential street, or mixed streets as defined in the City of Kelowna's Official Community Plan (e.g. Map 4.3 , 4.5, 4.7).</div><div>¹² Within an Urban Centre zone a gas bar must have the 'fuel' sub-zoning on the property to be permitted. For all zones where gas bars are permitted, the gas bar is only permitted if an alternative fuel infrastructure is also available on the same lot.</div><div>¹³ Bulk fuel depot must be at least 100 metres away from any residential lot.</div></div>																						

Section 14.10 – Subdivision Regulations				
Zones	Minimum Lot Width	Minimum Lot Depth	Minimum Lot Area ¹⁴	Maximum Lot Area
C1	40.0 m except 18.0 m if site abuts a lane.	30.0 m	830 m ²	1,500 m ²
C2	40.0 m except 30.0 m if site abuts a lane.	30.0 m	1,000 m ²	n/a
C3	40.0 m except 13.0 m if site abuts a lane.	30.0 m	1,300 m ² except 460 m ² if site abuts a lane.	n/a
TC1 (Cook / Lakeshore)	25.0 m	30.0 m	750 m ²	n/a
UC1 (Downtown)	6.0 m	30.0 m	200 m ²	n/a
UC2 (Capri /Landmark)	40.0 m except 13.0 m if site abuts a lane.	30.0 m	1,300 m ² except 460 m ² if site abuts a lane.	n/a
UC3 (Midtown)				
UC4 (Rutland)				
UC5 (Pandosy)				
I1	40.0 m	35.0 m	2,000 m ²	n/a
I2			4,000 m ²	n/a
I3			8,000 m ²	n/a
I4	100.0 m	1000.0 m	10,000 m ²	n/a
P1	13.0 m	30.0 m	460 m ²	n/a
P2	18.0 m	30.0 m	660 m ²	n/a
P3	n/a	n/a	n/a	
P4	n/a	n/a	n/a	
P5	13.0 m	30.0 m	460 m ²	n/a
HD1	30.0 m	30.0 m	n/a	
HD2	30.0 m	30.0 m	900 m ²	
W1	n/a	n/a	n/a	
W2	n/a	n/a	n/a	

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.10 – Subdivision Regulations				
Zones	Minimum Lot Width	Minimum Lot Depth	Minimum Lot Area ¹⁴	Maximum Lot Area
FOOTNOTES (Section 14): ¹⁴ The minimum lot area listed in the table above only applies to lots that have a connection to the community sanitary sewer system (as described within the City's Subdivision, Development, & Servicing Bylaw). If a lot does not have an installed connection to the community sanitary sewer system then the minimum lot area is 10,000 m ² .				

Section 14.11 – Commercial and Urban Centre Zone Development Regulations									
Criteria	Zones								
	C1	C2	C3	TC1	UC1	UC2	UC3	UC4	UC5
Max. site coverage of all buildings	50%	60%	70%	70%	100%	80%	80%	80%	80%
Max. site coverage of all buildings, structures, and impermeable surfaces	70 %	70 %	75%	75%	100%	100% or 90% or 80% 23	100% or 90% or 80% 23	100% or 90% or 80% 23	100% or 90% or 80% 23
Max. density and max height	See Section 14.14 for Base Density and Height Regulations See Section 14.15 for Bonus Density and Height Regulations								
Min. front yard or flanking side yard setback from property line to building face	4.5 m	2.0 m	6.0 m 15, 16	6.0 m 15, 16	0.0 m 16	2.0 m 15, 16	2.0 m 15, 16	2.0 m 15, 16	2.0 m 15, 16
Min. front yard or flanking side yard setback from back-of-curb to building face	n/a	n/a	n/a	6.0 m	6.0 m 27	6.0 m 27	6.0 m 27	6.0 m 27	6.0 m 27
Min. side yard setback	3.0 m	0.0 m 17	3.0 m 16, 17	4.0 m 20, 22	0.0 m 16, 17	0.0 m 16, 17	3.0 m 16, 17	0.0 m 16, 17	0.0 m 16, 17
Min. rear yard setback	3.0 m 18	0.0 m 18	0.0 m 16, 19	9.0 m 21, 22	0.0 m 16	0.0 m 16, 18	3.0 m 16, 18	0.0 m 16, 18	0.0 m 16, 18
Min. balcony requirements	n/a	n/a	A minimum of 75% of the dwelling units (that are not ground-oriented) shall have a balcony. The minimum balcony area is 5% of the dwelling unit size						
Min. outdoor amenity space	n/a	n/a	3.0 m² per dwelling unit and 4.0 m² per micro-suite dwelling unit 23						
Min. indoor amenity space	n/a	n/a	3.0 m² per dwelling unit and 4.0 m² per micro-suite dwelling unit 24						
Min. net floor area for ground-oriented	11 m² (See Visual Example of Min Net Floor Area on First Floor for Ground-								

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.11 – Commercial and Urban Centre Zone Development Regulations									
Criteria	Zones								
	C1	C2	C3	TC1	UC1	UC2	UC3	UC4	UC5
residential units on the first floor	Oriented Housing)								
Max. first floor height above curb level for Ground-oriented residential units ²⁴	1.2 m (See Visual Example of Max Floor Height for Ground-Oriented Housing)								
Min. accessory buildings or structures setbacks	An accessory building or structure shall follow the setbacks within that zone except the setback shall not be less than 1.6 m when abutting a urban residential or rural residential zone.								
Upper floor setbacks	For any portion of a building abutting a street a 3.0 m setback is required for any portion of the building above the lesser of 16 m or four storeys.								
Corner lots	For any building greater than 18.0 m or 4.5 storeys and located on a corner lot, there shall be a triangular setback 4.5 m in length along the lot lines that meet at each corner of an intersection. This setback will only be required at the first storey. See Visual Example of Corner Lot Setbacks.								
Urban plazas	Any site within an urban centre larger than 1 acre with a building length larger than 100 metres shall provide an urban plaza at grade.								
Tall building regulations	For tower and podium regulations refer to Section 9.11 Tall Building Regulations.								
Mixed streets & mixed residential streets	Mixed streets can contain any combination of commercial and residential uses at the ground floor and above. Mixed residential streets can contain any combination of commercial and residential uses at the ground floor, however, above the ground floor must contain all residential uses.								
Min. commercial frontage for high streets & retail streets	Any building on streets classified as a high street or retail street as defined in the City of Kelowna’s Official Community Plan shall provide a functional commercial space on the first floor, which must occupy a minimum of 90% of the street frontages. Access driveways or other portions of the street frontage not used as a building will not be considered for the purpose of this calculation.								
Commercial floor area restriction.	Any building on streets classified as a mixed residential street as defined in the City of Kelowna’s Official Community Plan (e.g. Map 4.3 , 4.5, 4.7) shall not contain any commercial floor area above the first storey.								
Maximum parkade exposure	On the first floor, there shall be no parkade exposure to the primary street and the secondary street may have up to 25% of that frontage (access driveways will not be considered as exposure).								
FOOTNOTES:									
¹⁵ The minimum front yard or flanking side yard setback can be reduced only for the first two levels of commercial and/or residential space including lobbies and dwelling units (excluding mechanical, storage space, or parkade walls) to zero (0) metres for commercial space or 2.0 metres for ground-oriented residential space.									

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.11 – Commercial and Urban Centre Zone Development Regulations									
Criteria	Zones								
	C1	C2	C3	TC1	UC1	UC2	UC3	UC4	UC5
<p>¹⁶ Any portion of a building above 16.0 metres in height must be setback a minimum of 3.0 m from any property line abutting a street and 4.0 metres from any property line abutting another property.</p> <p>¹⁷ Except it is 4.5 metres when abutting a core area neighbourhood (C-NHD) or an education / institutional (EDINST) a future land use designation as outlined in the Official Community Plan.</p> <p>¹⁸ Except it is 6.0 metres when abutting a core area neighbourhood (C-NHD) or an education / institutional (EDINST) a future land use designation as outlined in the Official Community Plan.</p> <p>¹⁹ Except it is: 3.0 metres if there is no abutting rear lane, 6.0 metres if site abuts a residential zone, and it is 6.0 m for hotels or motels.</p> <p>²⁰ The minimum side yard is 4.0 metres for a portion of a building not over 2½ storeys, and 6.0 metres for portions of a building in excess of 2½ storeys.</p> <p>²¹ The minimum site rear yard is 9.0 metres, except it is 7.0 metres where there is a rear lane. For portions of a parkade with lane access which do not project more than 2.0 metres above natural grade, the site rear yard is 1.5 metres. The site rear yard is 6.0 metres for accessory buildings. The site rear yard for carport structures is 1.5 metres.</p> <p>²² Any building over 6 storeys in height, the portions of the building over 6 storeys must be setback a minimum of 10 metres from any property line abutting any rural residential or urban residential zone. Bareland strata lots do not have setbacks to internal lots or common access roads. A continuous building frontage shall not exceed 100 metres in length and must be designed with appropriate architectural breaks or relief where the length of the building exceeds 37 metres.</p> <p>²³ The maximum site coverage of all buildings, structures, and impermeable surfaces is dependent on the street type as defined in the City of Kelowna's Official Community Plan (e.g. Map 4.3 , 4.5, 4.7). All high streets and retail streets are maximum of 100%. All mixed streets are maximum of 90%. All residential and all other streets are maximum of 80%.</p> <p>²⁴ The maximum height is measured from the grade at the sidewalk directly from a fronting publicly accessible street, walkway, open space or applicable property line. See Visual Example of Max Floor Height for Ground-Oriented Housing.</p> <p>²⁵ Outdoor amenity space shall not be located within the required setback area. If insufficient area exists on-site to meet the minimum outdoor amenity space then the total area requirement (or proportional deficit) can be transferred to the total indoor amenity space required.</p> <p>²⁶ Indoor amenity space can be devoted to child care centres up to a maximum of 1.5 m² per dwelling unit as long as the child care spaces have direct access to open space and play areas within the lot.</p> <p>²⁷ This setback only applies on streets identified as retail street or mixed street according to the various retail street maps identified in the 2040 OCP.</p>									

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.12 – Industrial, Institutional, and Water Zone Development Regulations											
Criteria	Zones										
	I1	I2	I3	I4	P1	P2	P3	P4	P5	W1	W2
Max. site coverage of all buildings (%)	60%	60%	80%	10%	50%	40%	n/a	n/a	n/a	n/a	n/a
Max. site coverage of all buildings, structures, & impermeable surfaces (%)	80%	80%	n/a	n/a	70%	60%	n/a	n/a	30%	n/a	n/a
Max. density and Max. height	See Section 14.14 for Density and Height Regulations										
Min. front yard setback	6.0 m	7.5 m	10.0 m	30 m	6.0 m	6.0 m	6.0 m	6.0 m	6.0 m	n/a	n/a
Min. flanking side yard setback	4.5 m	6.0 m	7.5 m	30 m	6.0 m	6.0 m	4.5 m	6.0 m	6.0 m	n/a	n/a
Min. side yard setback	0.0 m ²⁸	0.0 m ²⁹	7.5 m	7.5 m	4.5 m	4.5 m	3.0 m ³⁰	4.5 m ³¹	4.5 m	n/a	n/a
Min. rear yard setback	0.0 m ²⁸	0.0 m ²⁸	7.5 m	15 m	7.5 m	7.5 m	3.0 m ³⁰	4.5 m ³¹	7.5 m	n/a	n/a
FOOTNOTES (Section 14): ²⁸ Except the minimum setback is 10.0 metres if the site abuts a residential zone. ²⁹ Except the minimum setback is 4.5 metres if the site abuts a residential zone. ³⁰ Except it is a 4.5 metres setback when the property line abuts a residential or agricultural zone. ³¹ Except it is a 7.5 metres setback when the property line is adjacent to a residential zone.											

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.13 – Health District Development Regulations		
Criteria	Zones	
	HD1	HD2
Max. site coverage of all buildings	100%	65%
Max. site coverage of all buildings, structures, & impermeable surfaces	n/a	80%
Max. density and Max. height	See Section 14.14 for Density and Height Regulations	
Road specific Min. setbacks	6.0 m from Pandosy St. 6.0 m from Royal Ave for Bldgs up to 10.0 m in height 9.0 m from Royal Ave for Bldgs 10.0 m up to 18.0 m in height 12.0 m from Royal Ave for Bldgs 18.0 m up to 25.0 m in height 12.0 m from Abbott St for Bldgs up to 10.0 m in height 15.0 m from Abbott St for Bldgs 10.0 m and above in height 4.5 m on southern Christleton Laneway	n/a
Min. front yard setback	n/a	4.5 m ³²
Min. flanking side yard setback	n/a	4.5 m for 1 st & 2 nd floors & 7.0 m for 3 rd floor and above of apartment housing
Min. side yard setback	n/a	2.1 m for single detached housing & 4.0 m for 1 st & 2 nd floors of apartment housing / Health Services & 7.0 m for 3 rd floor and above of apartment housing
Min. rear yard setback	n/a	6.0 m except 3.0 m abutting a lane

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.13 – Health District Development Regulations		
Criteria	Zones	
	HD1	HD2
Min. balcony requirements	n/a	A minimum of 75% of the dwelling units (that are not ground-oriented) shall have a balcony. The minimum balcony area is 5% of the dwelling unit size
Min. outdoor amenity space	n/a	3.0 m ² per dwelling unit and 4.0 m ² per micro-suite dwelling unit ³³
Min. indoor amenity space	n/a	3.0 m ² per dwelling unit and 4.0 m ² per micro-suite dwelling unit ³⁴
<p>FOOTNOTES (Section 14):</p> <p>³² The minimum front yard setback can be reduced only for the first two levels of commercial, health services, and/or residential space including lobbies and dwelling units (excluding mechanical, storage space, or parkade walls) to 1.5 metres as long as the setback does not go below 6 metres from back-of-curb to building face.</p> <p>³³ Outdoor amenity space shall not be located within the required setback area. If insufficient area exists on-site to meet the minimum outdoor amenity space then the total area requirement (or proportional deficit) can be transferred to the total indoor amenity space required.</p> <p>³⁴ Indoor amenity space can be devoted to child care centres up to a maximum of 1.5 m² per dwelling unit as long as the child care spaces have direct access to open space and play areas within the lot.</p>		

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.14 – Base Density and Height		
Zones	Max. Base. FAR ³⁵	Max. Height ³⁵
C1	0.75	3 storeys & 12.0 m measured from finished grade
C2	0.9, except 1.0 for Hotels	3 storeys & 12.0 m measured from finished grade 6 storeys & 23 metres for Hotels
C3	1.6	3 storeys & 12.0 m for lots less than 1,050 m ² 4 storeys & 15.0 m for lots 1,050 m ² or greater measured from finished grade and curb level
TC1	1.5	50 m / 15 storeys measured from finished grade and curb level
All Urban Centre Zones	For all lots less than 1,600 m ² the maximum FAR is 0.5	For all lots less than 1,600 m ² the maximum height is 2 storeys
UC1 (Downtown)	The areas are identified in the OCP (UC1 Downtown)	The areas are identified in the OCP (UC1 Downtown)
	For areas identified as PARK = 0.5 FAR For UC1a – Arena properties = 5.0 FAR For areas identified as 3 storeys = 1.5 FAR For areas identified as 6 storeys = 1.75 FAR For areas identified as 12 storeys = 3.0 FAR For areas identified as 20 storeys = 5.0 FAR For areas identified as 26 storeys and up = 6.5 FAR	For areas identified as PARK = 2 storeys For UC1a – Arena properties = 12 storeys & 37 metres For areas identified as 3 storeys = 3 storeys & 13 metres For areas identified as 6 storeys = 6 storeys & 23 metres For areas identified as 12 storeys = 12 storeys & 39 metres For areas identified as 20 storeys = 20 storeys & 65 metres For areas identified as 26 storeys and up = 26 storeys & 77 metres measured from finished grade & curb level
UC2 (Capri /Landmark)	The areas are identified in the OCP (UC2 Capri / Landmark)	The areas are identified in the OCP (UC2 Capri / Landmark)

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.14 – Base Density and Height		
Zones	Max. Base. FAR ³⁵	Max. Height ³⁵
	<p>For areas identified as PARK = 0.5 FAR</p> <p>For areas identified as 3 storeys = 1.5 FAR</p> <p>For areas identified as 4 storeys = 1.5 FAR</p> <p>For areas identified as 6 storeys = 1.75 FAR</p> <p>For areas identified as 12 storeys = 3.0 FAR</p> <p>For areas identified as 18 storeys = 4.5 FAR</p> <p>For areas identified as 26 storeys = See CD26 Zone for details</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For areas identified as 3 storeys = 3 storeys & 13 metres</p> <p>For areas identified as 4 storeys = 4 storeys & 18 metres</p> <p>For areas identified as 6 storeys = 6 storeys & 23 metres</p> <p>For areas identified as 12 storeys = 12 storeys & 39 metres</p> <p>For areas identified as 18 storeys = 18 storeys & 59 metres</p> <p>For areas identified as 26 storeys = See CD26 Zone for details measured from finished grade and curb level</p>
UC3 (Midtown)	The areas are identified in the OCP (UC3 Midtown)	The areas are identified in the OCP (UC3 Midtown)
	<p>For areas identified as 6 storeys = 1.75 FAR</p> <p>For areas identified as 12 storeys = 3.0 FAR</p> <p>For areas identified as 18 storeys = 4.5 FAR</p>	<p>For areas identified as 6 storeys = 6 storeys & 23 metres</p> <p>For areas identified as 12 storeys = 12 storeys & 39 metres</p> <p>For areas identified as 18 storeys = 18 storeys & 59 metres measured from finished grade and curb level</p>
UC4 (Rutland)	The areas are identified in the OCP (UC4 Rutland)	The areas are identified in the OCP (UC4 Rutland)
	<p>For areas identified as PARK = 0.5 FAR</p> <p>For areas identified as 4 storeys = 1.6 FAR</p> <p>For areas identified as 6 storeys = 1.75 FAR</p> <p>For areas identified as 12 storeys = 3.0 FAR</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For areas identified as 4 storeys = 4 storeys & 18 metres</p> <p>For areas identified as 6 storeys = 6 storeys & 23 metres</p> <p>For areas identified as 12 storeys = 12 storeys & 39 metres measured from finished grade and curb level</p>
UC5 (Pandosy)	The areas are identified in the OCP (UC5 Pandosy)	The areas are identified in the OCP (UC5 Pandosy)

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.14 – Base Density and Height		
Zones	Max. Base. FAR ³⁵	Max. Height ³⁵
	<p>For areas identified as PARK = 0.5 FAR</p> <p>For areas identified as 3 storeys = 1.5 FAR</p> <p>For areas identified as 4 storeys = 1.6 FAR</p> <p>For areas identified as 6 storeys = 1.75 FAR</p> <p>For areas identified as 8 storeys = 2.3 FAR</p> <p>For areas identified as 14 storeys = 3.0 FAR</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For areas identified as 3 storeys = 3 storeys & 13 metres</p> <p>For areas identified as 4 storeys = 4 storeys & 18 metres</p> <p>For areas identified as 6 storeys = 6 storeys & 23 metres</p> <p>For areas identified as 8 storeys = 6 storeys & 31 metres</p> <p>For areas identified as 14 storeys = 14 storeys & 49 metres measured from finished grade and curb level</p>
I1	1.2	3 storeys & 16.0 m measured from finished grade
I2	1.5	14.0 m measured from finished grade
I3	0.75	18.0 m, except 26.0 m for accessory structures measured from finished grade
I4	0.4	<u>18.0 m, except 26.0 m for accessory structures measured from finished grade</u>
P1	2.0	6 storeys & 22.0 m measured from finished grade
P2	1.0	3 storeys & 13.5 m measured from finished grade
P3	0.1	10.0 m measured from finished grade
P4	n/a	10.0 m, except 23.0 m for accessory structures measured from finished grade
P5	0.5	6 storeys & 22.0 m measured from finished grade
HD1	2.2	See Map 14.14.1 – HD1 height for max building heights measured from finished grade
HD2	1.4	<p>2 storeys & 9.5 m storey for single detached housing measured from finished grade</p> <p>5 storeys & 16.5 m for apartment housing & Health Services measured from finished grade and curb level</p>
W1	n/a	n/a

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 14.14 – Base Density and Height		
Zones	Max. Base. FAR ³⁵	Max. Height ³⁵
W2	n/a	9.5 m / 2 storeys measured from finished grade
FOOTNOTES (Section 14): ³⁵ When referencing maximum base FAR and maximum height regulations the “areas” referenced are the building height maps outline within the City of Kelowna’s Official Community Plan .		

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

14.15 Density Bonus and Height Bonus

14.15.1 Properties within an urban centre zone may exceed the maximum base density and height to that indicated below in Table 14.15 Bonus Density provided the requirements in the [amenity density bonus section of the general regulations](#) are met.

Table 14.15 Bonus Density ³⁷		
Zone	Maximum Bonus Density	Maximum Bonus Height
C3	2.1	6 storeys & 23 metres ³⁶
TC1 (Cook / Lakeshore)	n/a	n/a
UC1 (Downtown)	The areas are identified in the OCP (UC1 Downtown)	The areas are identified in the OCP (UC1 Downtown)
	For areas identified as PARK = no bonus For UC1a – Arena properties = no bonus For areas identified as 3 storeys = no bonus For areas identified as 6 storeys = 0.2 additional FAR For areas identified as 12 storeys = 0.5 additional FAR For areas identified as 20 storeys = 0.75 additional FAR For areas identified as 26 storeys = 2.5 additional FAR	For areas identified as PARK = no bonus For UC1a – Arena properties = no bonus For areas identified as 3 storeys = no bonus For areas identified as 6 storeys = no bonus For areas identified as 12 storeys = 3 additional storeys & 12 m For areas identified as 20 storeys = 5 additional storeys & 20 m For areas identified as 26 storeys = 14 additional storeys & 56 m measured from finished grade and curb level
UC2 (Capri /Landmark)	The areas are identified in the OCP (UC2 Capri / Landmark)	The areas are identified in the OCP (UC2 Capri / Landmark)
	For areas identified as PARK = no bonus For areas identified as 3 storeys = no bonus For areas identified as 4 storeys = no bonus For areas identified as 6 storeys = 0.2 additional FAR For areas identified as 12 storeys = 0.5 additional FAR For areas identified as 18 storeys = 0.5 additional FAR For areas identified as 26 storeys = no bonus	For areas identified as PARK = no bonus For areas identified as 3 storeys = no bonus For areas identified as 4 storeys = no bonus For areas identified as 6 storeys = no bonus For areas identified as 12 storeys = 3 additional storeys & 12 m For areas identified as 18 storeys = 4 additional storeys & 16 m For areas identified as 26 storeys = No bonus measured from finished grade and curb

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 14.15 Bonus Density ³⁷		
Zone	Maximum Bonus Density	Maximum Bonus Height
		level
UC3 (Midtown)	The areas are identified in the OCP (UC3 Midtown)	The areas are identified in the OCP (UC3 Midtown)
	For areas identified as 6 storeys = 0.2 additional FAR For areas identified as 12 storeys = 0.5 additional FAR For areas identified as 18 storeys = 0.5 additional FAR	For Areas identified as 6 storeys = no bonus For areas identified as 12 storeys = 3 additional storeys & 12 m For areas identified as 18 storeys = 4 additional storeys & 16 m measured from finished grade and curb level
UC4 (Rutland)	The areas are identified in the OCP (UC4 Rutland)	The areas are identified in the OCP (UC4 Rutland)
	For areas identified as PARK = no bonus For areas identified as 4 storeys = 0.5 additional FAR For areas identified as 6 storeys = 0.5 additional FAR For areas identified as 12 storeys = 0.5 additional FAR	For areas identified as PARK = no bonus For areas identified as 4 storeys = 2 additional storeys & 8 m For areas identified as 6 storeys = 3 additional storeys & 12 m For areas identified as 12 storeys = 3 additional storeys & 12 m measured from finished grade and curb level
UC5 (S. Pandosy)	The areas are identified in the OCP (UC5 Pandosy)	The areas are identified in the OCP (UC5 Pandosy)
	For areas identified as PARK = no bonus For areas identified as 3 storeys = no bonus For areas identified as 4 storeys = 0.1 additional FAR For areas identified as 6 storeys = 0.2 additional FAR For areas identified as 8 storeys = 0.3 additional FAR For areas identified as 14 storeys = 0.5 additional FAR	For areas identified as PARK = no bonus For areas identified as 3 storeys = no bonus For areas identified as 4 storeys = no bonus For areas identified as 6 storeys = 2 additional storeys & 8 m For areas identified as 8 storeys = 3 additional storeys & 12 m For areas identified as 14 storeys = no bonus measured from finished grade and curb level
FOOTNOTES (Section 14): ³⁶ The maximum bonus height of 6 storeys & 23 metres only applies in situations where: 1. Lots are located fronting a collector or arterial road; & 2. Lots are within 400 metres of transit stop; & 3. The abutting lots cannot be zoned A1, A2, RR1, RR2, RU1, RU2, RU3, RU4, or RU5. ³⁷ Bonus Development Regulations may apply if payment is made as per Section 6.9 Density		

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Table 14.15 Bonus Density ³⁷		
Zone	Maximum Bonus Density	Maximum Bonus Height
Bonus		

Section 14 – Non-Residential Zones amended as follows:

Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



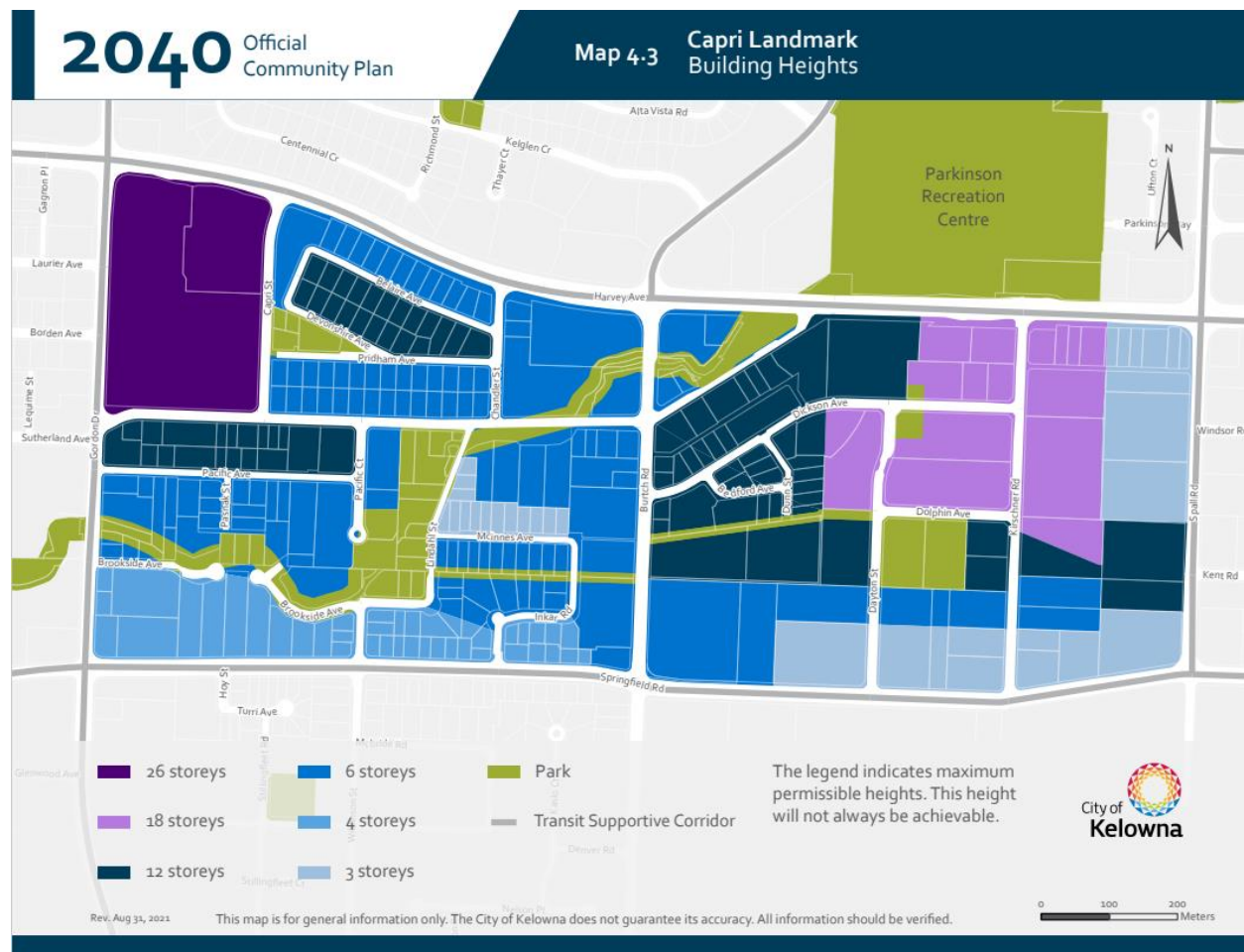
Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



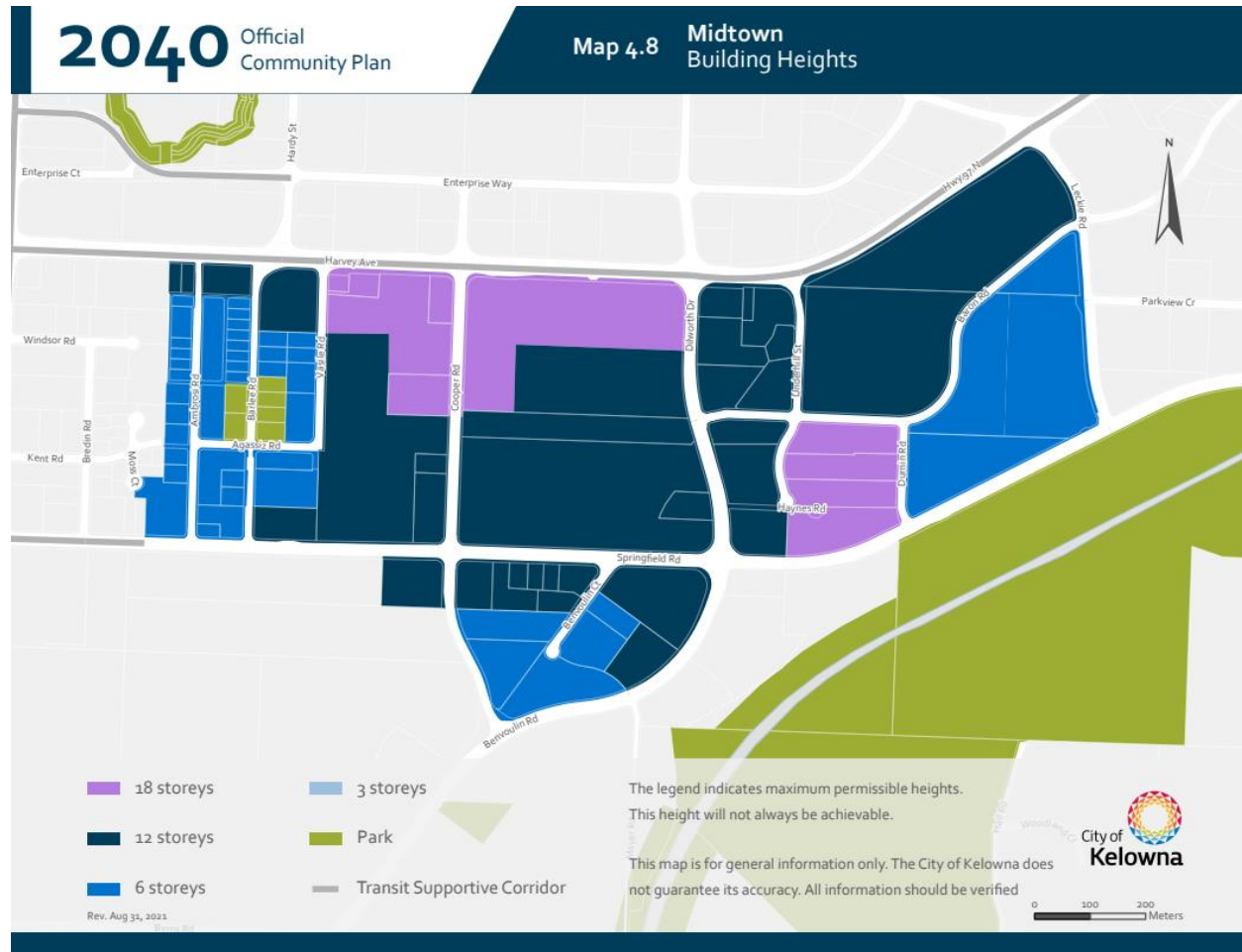
Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



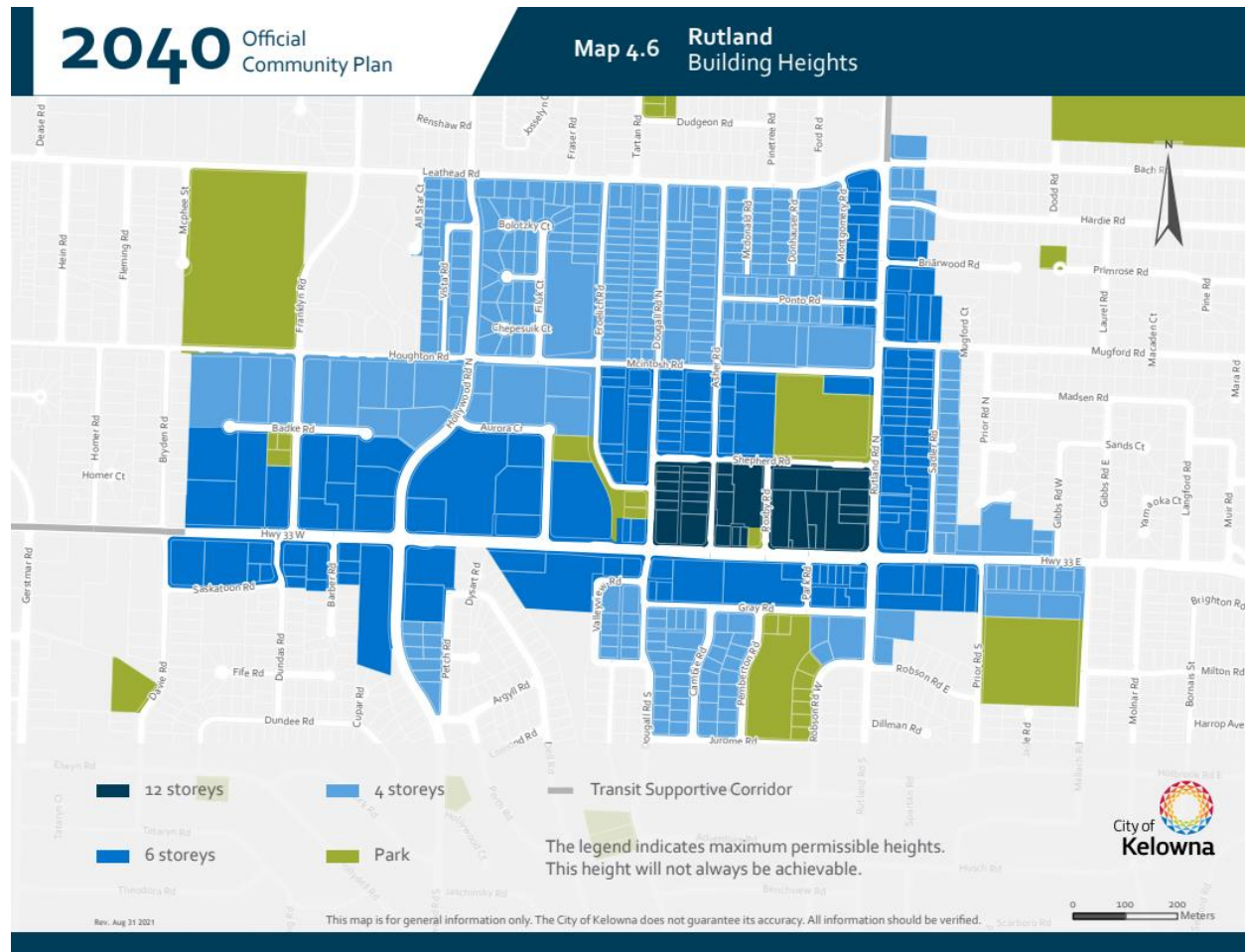
Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



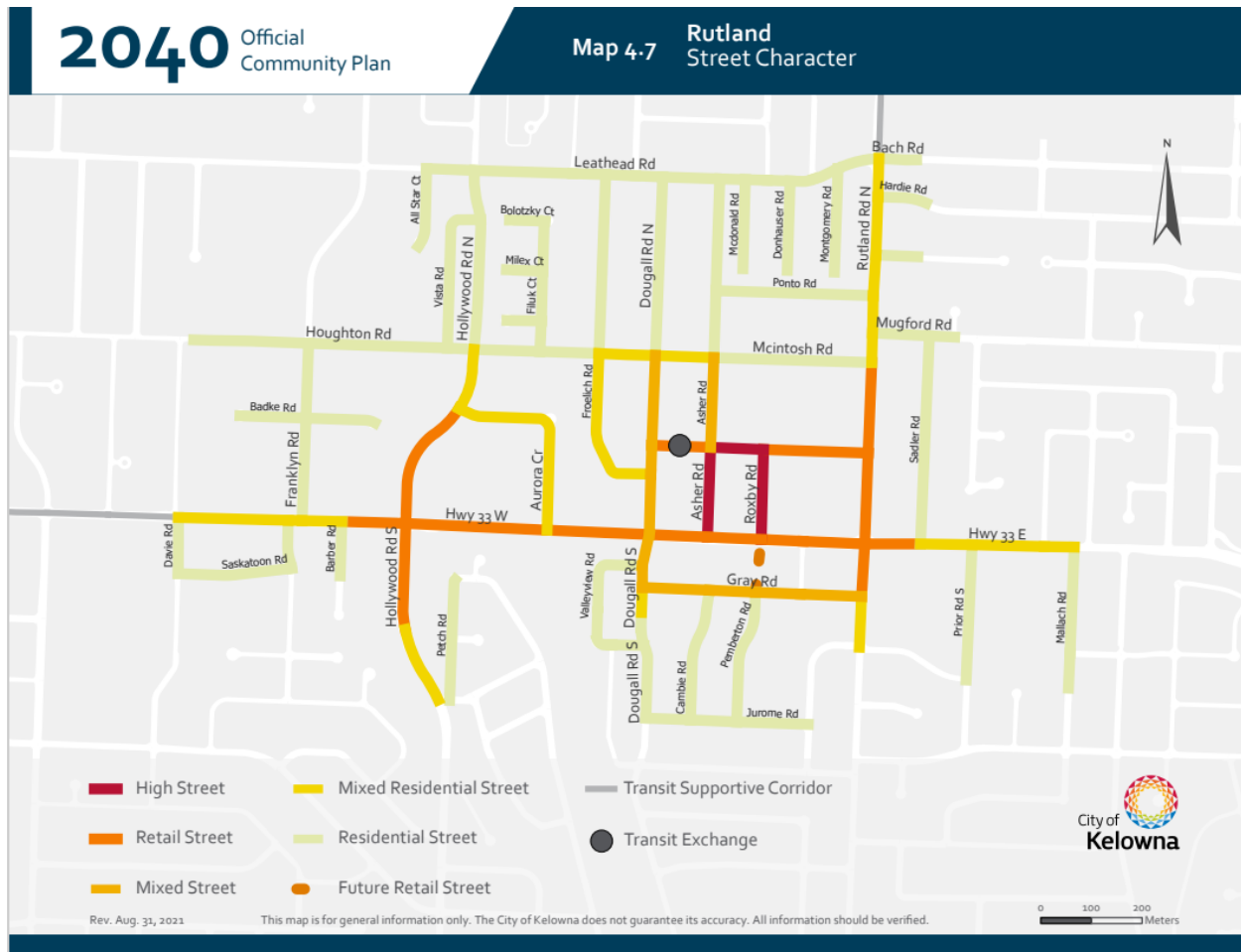
Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



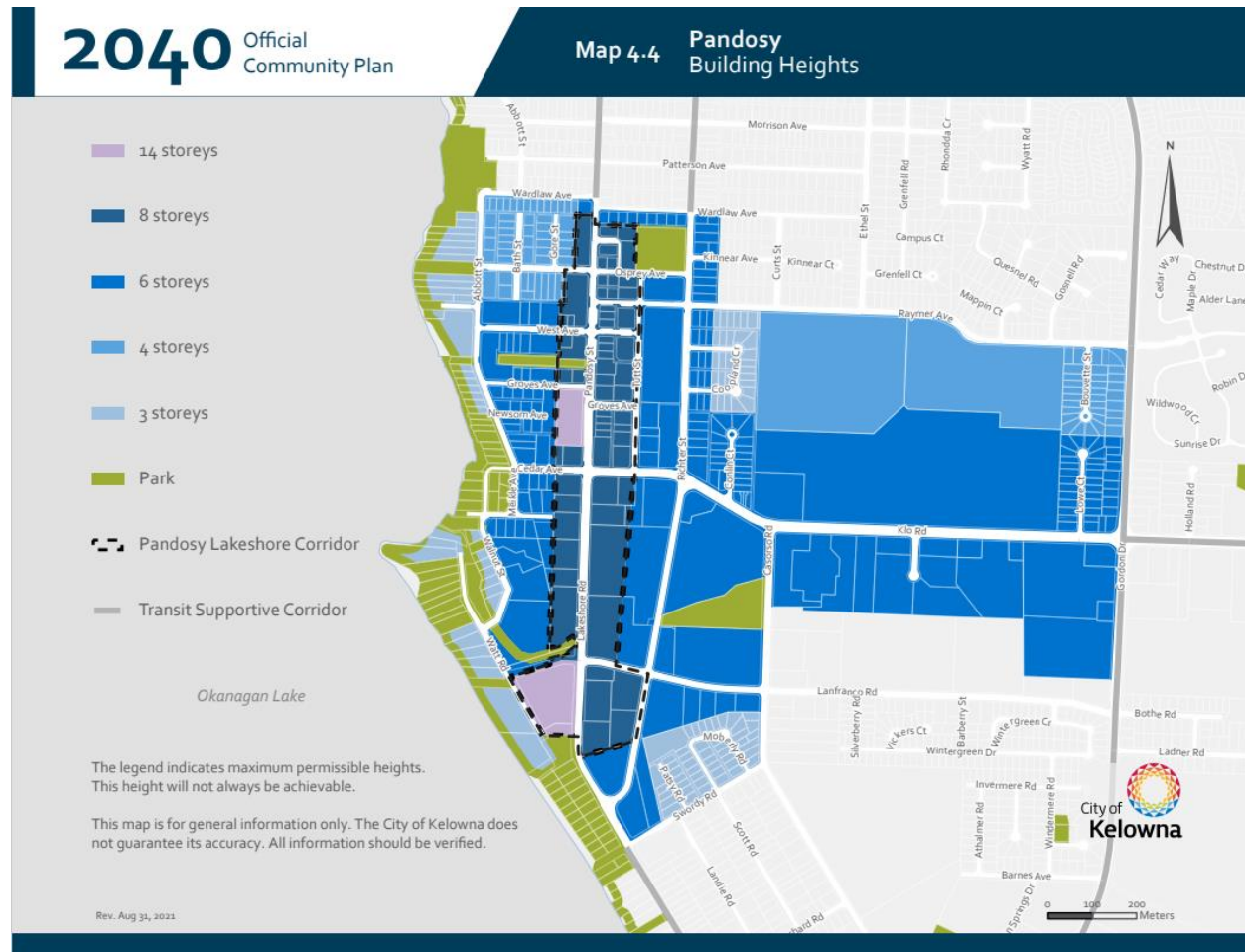
Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



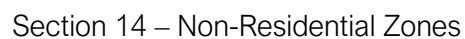
Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

200

Map 14.4.1 – HD1 Height Map



Section 14 – Non-Residential Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 15 – Comprehensive Development Zones

15.1 CD – Comprehensive Development

Purpose

- 15.1.2 The purpose is to provide a [zone](#) which will allow for the creation of comprehensive [site](#) specific land use regulations on a specific [site](#) within the [City](#) where the circumstances are such that control by other [zones](#) would be inappropriate or inadequate, having regard to existing or future surrounding developments and to the interest of the applicant and the public.

Application

- 15.1.3 This zone shall only be created where the following conditions are met:

- (a) the proposed development is, in the opinion of [Council](#), considered appropriate for the site, having regard for the policies and objectives of the [Official Community Plan](#) and any other applicable municipal plan or policy; or
- (b) the use of any other zone of this Bylaw to accommodate the proposed development would, in the opinion of [Council](#), result in potential conflicts with the scale and character of existing or future surrounding development, should the full development potential of such zone be utilized; or
- (c) the proposed development is of a scale, character, or complexity requiring comprehensive planning and implementation that, in the opinion of [Council](#), is of a unique form or nature not contemplated or reasonably regulated by another zone.

- 15.1.4 In approving a Comprehensive Development Zone, [Council](#) shall specify those uses which may be principal or secondary in the CD zone.

- 15.1.5 The development regulations for the CD zones shall be prescribed in the individual zone.

- 15.1.6 Every section within this Bylaw shall apply to all development within sites zoned as CD, unless such regulations are specifically excluded or modified by the CD zone.

- 15.1.7 If located in a development permit area, the Comprehensive Development Zone shall specify the nature of development which may permitted or which requires a development permit in accordance with the [Official Community Plan](#).

- 15.1.8 CD zones shall be designated on the Zoning Map by 'CD' followed by the reference number of the CD zone.

- 15.1.9 CD zones shall be included in Schedule 'B' of this Bylaw.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.2 Schedule 'B' – Comprehensive Development Zones

CD12 – Airport/

CD12lp– Airport (Liquor Primary)

15.2.1 Purpose

The purpose is to provide a [zone](#) for the orderly operation of an [airport](#) and the development of properties surrounding the [airport](#).

15.2.2 Principal Uses

The [principal use](#) in this [zone](#) are:

- | | | |
|--|--|--|
| (a) airports | (b) aircraft sales/rentals | (c) animal clinics, minor |
| (d) automotive and equipment | (e) child care centre, major | (f) commercial storage |
| (g) fleet services | (h) professional services | (i) food primary establishment |
| (j) general industrial use | (k) hotels | (l) liquor primary establishment |
| (m) motels | (n) non-accessory parking | (o) offices |
| (p) outdoor storage | (q) retail | |

15.2.3 Secondary Uses

The secondary uses in this zone are:

- (a) [gas bars](#) (the [gas bar](#) is only permitted if an [alternative fuel infrastructure](#) is also available on the same lot).

15.2.4 Subdivision Regulations

- (a) the minimum [lot width](#) is 30 m.
- (b) the minimum [lot depth](#) is 30 m.
- (c) the minimum [lot area](#) is 1000 m².

15.2.5 Development Regulations

- (a) maximum [height](#) for [airport](#) uses is subject to federal and provincial regulations for [airports](#).
- (b) maximum [height](#) for non-[airport](#) uses is the lesser of 9.0 m or 2 [storeys](#), except that it may be increased to the less of 12.0 m or 3 [storeys](#) where the maximum [site coverage](#) including driveways and parking areas does not exceed 50%.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (c) the maximum **floor area ratio** for non **airport** uses is 0.65.
- (d) the maximum **site coverage** for non-**airport** uses is 60%.
- (e) the minimum front yard is 6.0 m.
- (f) the minimum side yard is 4.5 m.
- (g) the minimum rear yard is 4.5 m.

15.2.6 Other Regulations

- (a) retail liquor sales establishments shall not have a **gross floor area** of greater than 186 m².
- (b) **liquor primary establishments** greater than 100 person capacity must have the CD12lp – Airport (Liquor Primary) sub-zoning in order to be permitted.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.3 Schedule 'B' – Comprehensive Development Zones

CD18 – McKinley Beach Comprehensive Resort Development

15.3.1 PURPOSE

The purpose is to provide a zone for the development of a comprehensively planned multifaceted destination community having a variety of commercial and accommodation uses organized around a central lifestyle village.

15.3.2 PRINCIPAL AND SECONDARY USES

The principal and secondary uses in this zone vary in accordance with the key resort elements identified in the Vintage Landing Area Structure Plan adopted as part of the Kelowna [Official Community Plan](#). Pursuant to the Area Structure Plan this zone has been organized into (4) four distinctive areas as illustrated on Map A. Each area will have its own allowable principal and secondary uses as follows:

15.3.3 AREA I Village Centre

Principal Uses:

The [principal uses](#) in the area designated as area I on Map 1 are:

- | | | |
|--|---|--|
| (a) apartment housing | (b) boat storage | (c) child care centre, major |
| (d) cultural and recreation services | (e) emergency and protective services | (f) exhibition and convention facilities |
| (g) food primary establishment | (h) health services | (i) hotels |
| (j) liquor primary establishments
(maximum 100 person capacity) | (k) non-accessory parking | (l) offices |
| (m) personal service establishments | (n) education services | (o) parks |
| (p) religious assemblies | (q) retail | (r) townhouses subject to 1.3g |
| (s) single detached housing subject to 1.3g | (t) semi-detached housing subject to 1.3g | |

Secondary Uses:

The [secondary uses](#) for the area designated as Area I on Map 1 are:

- | | | |
|---|--|---|
| (a) emergency and protective services | (b) participant recreation services indoor | (c) participant recreation services outdoor |
|---|--|---|

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (d) recycled materials drop-off centre
- (e) residential security / operator unit
- (f) secondary suites in single detached housing subject to 1.3g

15.3.4 AREA II Winery and Resort Accommodation

Principal Uses:

The **principal uses** for the area designated as Area II on Map 1 are:

- (a) apartment housing
- (b) alcohol production facility
- (c) food primary establishment
- (d) hotels
- (e) motels
- (f) townhouses subject to 1.3g
- (g) single detached housing subject to 1.3g
- (h) semi-detached housing subject to 1.3g

Secondary Uses:

The **secondary uses** for the area designated as Area II on Map 1 are:

- (a) health services
- (b) cultural and recreation services
- (c) participant recreation services indoor
- (d) residential security / operator unit
- (e) retail (limited to 235 m² gross floor area)
- (f) secondary suites in single detached housing subject to 1.3g

15.3.5 AREA III Hillside Resort Accommodation

Principal Uses:

The **principal uses** for the area designated as Area III on Map 1 are:

- (a) apartment housing
- (b) hotels
- (c) motels
- (d) townhouses subject to 1.3g
- (e) single detached housing subject to 1.3g
- (f) semi-detached housing subject to 1.3g

Secondary Uses:

The **secondary uses** for the area designated as Area III on Map 1 are:

- (a) health services
- (b) home based business, minor
- (c) residential security / operator unit
- (d) secondary suites in single detached housing subject to 1.3g

15.3.6 AREA IV Waterfront Resort Accommodations

Principal Uses:

The **principal uses** for the area designated as Area IV on Map 1 are:

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- | | | |
|--|---|--------------------------------|
| (a) apartment housing | (b) food primary establishment | (c) hotels |
| (d) liquor primary establishments
(maximum 100 person capacity) | (e) marinas | (f) marine equipment rentals |
| (g) motels | (h) parks | (i) townhouses subject to 1.3g |
| (j) single detached housing subject to 1.3g | (k) semi-detached housing subject to 1.3g | |

Secondary Uses:

The secondary uses for the area designated as Area IV on Map 1 are:

- | | | |
|---|---|---------------------------------------|
| (a) boat storage | (b) personal service establishments | (c) cultural and recreation services |
| (d) home based business, minor | (e) residential security / operator unit | (f) retail liquor sales establishment |
| (g) retail (limited to 235 m ² gross floor area) | (h) secondary suites in single detached housing subject to 1.3g | |

15.3.7 DEVELOPMENT REGULATIONS

- (a) total density for the CD18 Zone shall not exceed 271,500 m² in accordance with the Vintage Landing [McKinley Beach] Area Structure Plan adopted as part of the Kelowna Official Community Plan.
- (b) the maximum number of overall units for the CD18 Zone is 1300.
- (c) the maximum area of all commercial uses is 15,000 m².
- (d) the maximum allowable area of all office use is 5,000 m². The maximum area of office space in any one building is 2,000 m² and the maximum size of any individual office tenancy shall not exceeding 500 m².
- (e) the maximum area for any one individual retail tenancy in Area I is 5,500 m², in Areas II, III, IV the maximum area for any one tenancy is 400 m².
- (f) density in the CD18 zone will be controlled in the form of a 219 covenant registered on the remainder parcel(s), which will indicate an allowable buildable area equal to the total site density of 271,500 m² as outlined in section 1.3(a) and which will be reduced by the:
 1. buildable area approved through all form & character Development Permits within the CD18 Areas, and
 2. for those lots not requiring a form & character Development Permit it will be through the subdivision approval process based on a calculation of 350 m² per unit (based on 1.3(g) Type B below). For example: if there are 10 lots being approved and eight of those lots are for single detached housing and

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

two of the lots are for semi-detached housing the calculation used to determine the buildable area would be $12 \times 350 \text{ m}^2 = 4,200 \text{ m}^2$.

The registered 219 Covenant will be amended, to reflect the remaining buildable area, as a condition of issuance of every Development Permit under 1.3(f)1 and as a condition of every subdivision approval under 1.3(f)2.

(g) resort accommodation which allows for short-term stays is made up of two types:

Type A:

Attached apartment housing, hotel, motel units or townhouses units (units in buildings exceeding 4 units with common amenities) – maximum area of 150 m² per unit floor area net.

Type B:

Single detached housing with or without secondary suites, semi-detached housing, townhouses with four units or less, with amenities that may be in separate buildings. The maximum gross floor area is 350 m² per unit (excluding garages). The main floor footprint (excluding garage) may not exceed 175 m² per unit (excluding garages). Type B units must be served by a common on-site or off-site reservation centre(s).

(h) spectator and entertainment establishments exclude permanent stadiums, arenas, cineplex's and multiplexes.

(i) natural environment/hazardous conditions

1. impact to Environmentally Sensitive Areas designated as "High Value" or ESA 1 will be limited to infrastructure and utilities, where possible, and will strive to minimize impact to these areas. If development should occur within these areas, mitigation will promote no net loss to the habitat. If development is pursued in ESA 2 areas, portions of the habitat should be retained and integrated to maintain the contiguous nature of the landscape.
2. both ESA 1 and ESA 2 areas will require a Natural Environment/ Hazardous Condition Development Permit to address the specific habitat or conditions outlined in the ESA Assessment Report. Some loss to these ESA areas can be offset by habitat improvements to the remaining natural areas found within the ASP boundary.
3. any development that impacts slopes over 30% will require a Natural Environment/Hazardous Condition Development Permit. For any development to occur in these areas, it would have to be demonstrated that it will be sensitively integrated with the natural environment and will present no hazards to persons or property.

(j) building height:

1. the maximum height of buildings and structures in this zone are as follows:
 - Area I - Village Centre is the lesser of 8½ storeys or 38.25 m.

Section 15 – Comprehensive Development Zones

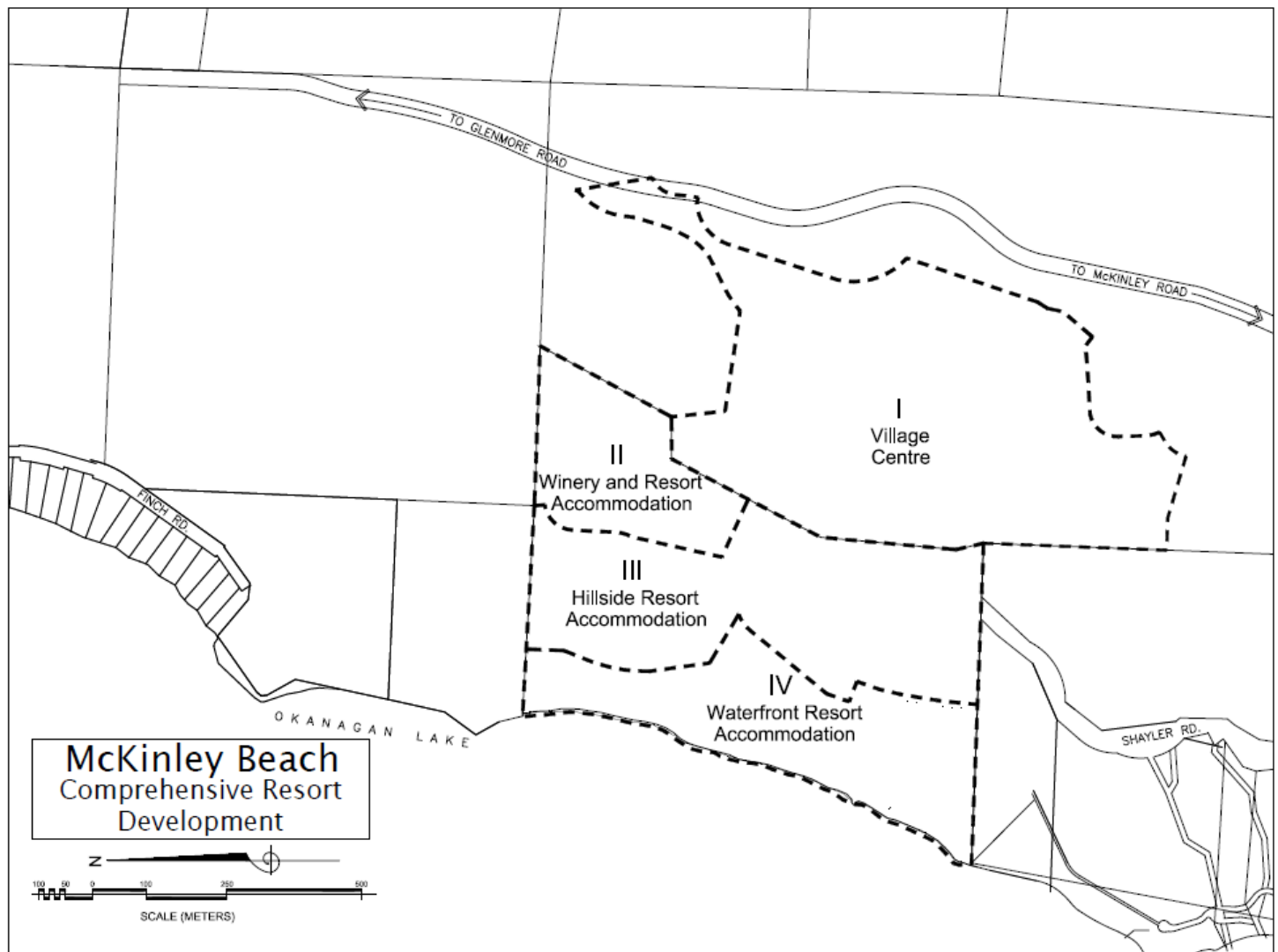
Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- Area II - Winery and Resort Accommodation is the lesser of 6 storeys or 29.5 m.
 - Area III - Hillside Resort Accommodation is the lesser of 3 storeys or 11.5 m starting from deck elevation. Supportive deck structures cannot exceed 7.0 m in height.
 - Area IV - Waterfront Resort Accommodation is the lesser of 6 storeys or 29.5 m.
2. for any buildings or structures in area I that exceed 6 storeys any exposed storey where parking is provided within the building must include 60% of the exposed area as habitable space.
 3. for any buildings or structures in areas II and IV that exceed 4 storeys any exposed storey where parking is provided within the building must include 60% of the exposed area as habitable space.
- (k) setbacks:
- the minimum setback from the CD Zone boundary for all uses shall be 10 m (33 ft.) with the exception of the CD Zone boundary that fronts Okanagan Lake Riparian Management Area or any park areas where the setback will be 1.5m.
 - the minimum front yard is 0.0 m.
 - the minimum side yard is 0.0 m.
 - the minimum rear yard is 0.0 m.
- (l) signs:
1. signs for Areas I and II shall be regulated as if in a C2 zone.
 2. signs for Area III shall be regulated as if in a W-2 zone.
- (m) in accordance with the Official Community Plan (OCP), all development, except single-detached dwellings with or without secondary suites, within the zone shall require a Form and Character Development Permit.
- (n) the parking and loading regulations of Section 8 will apply.
- (o) a publicly accessible trail system will be provided by statutory right-of-way in favour of the City of Kelowna throughout the development property. Specific locations and right-of-way widths will be determined at time of Development Permit and in general accordance with the Vintage Landing Area Structure Plan.
- (p) road design will be as per the City of Kelowna's October 2009 Hillside Standards as may be amended.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

CD18 -McKinley Beach Comprehensive Resort Development Map A



Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.4 Schedule 'B' – Comprehensive Development Zones

CD20 – Comprehensive University Development Zone

15.4.1 Purpose

The purpose of this zone is to allow the full range of academic, research and miscellaneous supporting land-uses essential to a leading-edge university program and campus.

15.4.2 Principal Uses

The **principal uses** permitted in this **zone** are:

- (a) **education services**
- (b) **emergency and protective services**
- (c) **cultural and recreation services**
- (d) **personal service establishments**
- (e) **professional services**

15.4.3 Secondary Uses

The **secondary uses** permitted in this **zone** are:

- (a) **parks**
- (b) **non-accessory parking**
- (c) **child care centre, major**
- (d) **food primary establishments**
- (e) **liquor primary establishments**
- (f) **any University related service**

15.4.4 Subdivision Regulations

- (a) the minimum **lot width** is 18 m.
- (b) the minimum **lot depth** is 30 m.
- (c) the minimum **lot area** is 660 m²

15.4.5 Development Regulations:

Density: **Floor Area Ratio**: the total density for the entire campus site area, shall be a maximum of 1.5 **FAR**.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Site Coverage:

- (a) **site coverage** all **buildings** shall be maximum 40% of entire campus land area.
- (b) **site coverage** of combined **buildings**, and paved areas excluding dedicated roads shall be maximum 60% of entire campus land area.

Height:

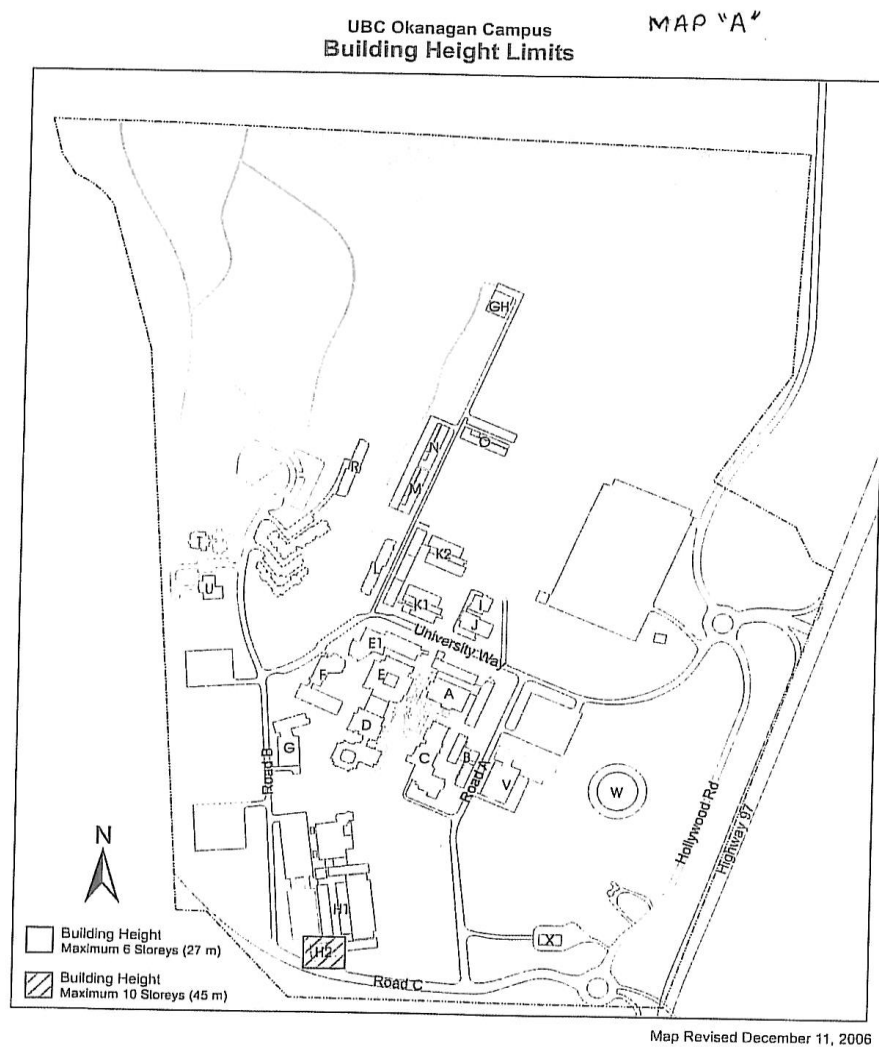
- (c) **height** of all **structures** shall be maximum 6 **storeys** or 27 m , whichever less, except that area shown outlined in Map “A”, where **height** of **structures** shall be a maximum of 10 **storeys** or 45 m, whichever is less.

Setbacks:

- (d) the minimum setbacks shall be:
 - 1. 30 m from all external campus borders, except in the following limited areas it shall be 6 m:
 - the east campus border between University Way and the north **lot line**.
 - the north west campus border area cut off by a Quail Ridge road crossing.
 - 0 m setback shall be permitted on internal campus **lot lines**.
 - 6 m **frontage** shall be provided along any arterial road.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.5 Schedule 'B' – Comprehensive Development Zones

CD22 – Central Green Comprehensive Development Zone

15.5.1 Purpose

The purpose of this Central Green Comprehensive Development Zone is to provide for the integrated design of a comprehensive development of the Central Green Lands as a low environmental impact mixed use development.

15.5.2 Central Green Lands

The Central Green Lands consist of nine Sub-Areas A through I inclusive ("CD22 Sub-Areas") as shown on Plan CG-1.

15.5.3 Regulations

In the CD22 Central Green Comprehensive Development Zone, regulations may be different for different CD22 Sub-Areas as set out in the CD22 Sub-Area Zoning as show on Schedules 7 through 12.

15.5.4 Parking and Loading

All [parking spaces](#), bicycle parking, loading facilities, shall be provided and designed in accordance with the regulations of [Section 8 – Parking and Loading](#) of this Bylaw with the exception that the minimum number of [parking spaces](#) required must be in accordance with Table 1 of this CD22 Central Green Zone:

Table 1 - Parking

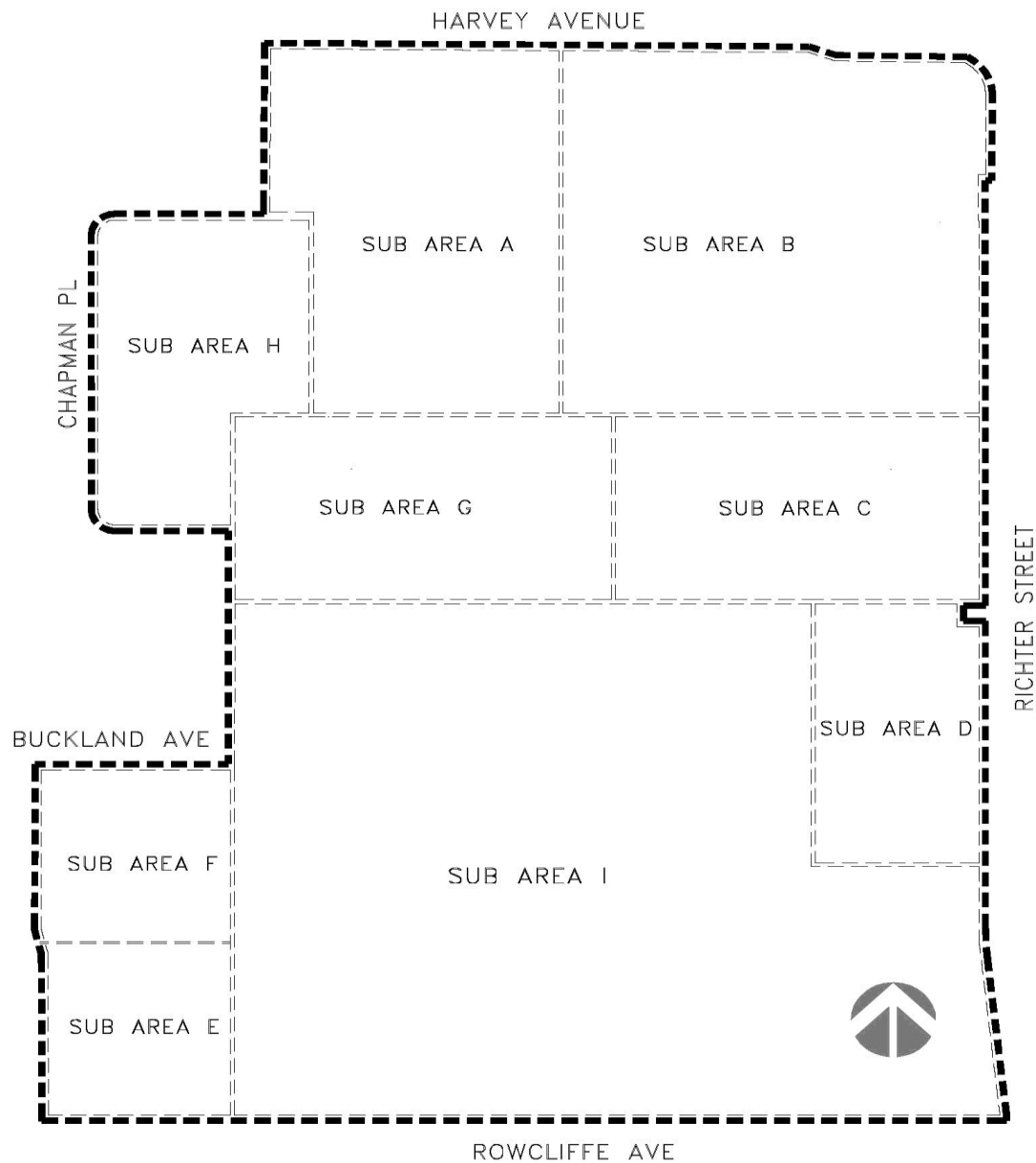
Use	Minimum Parking Space Requirement
Commercial	1.0 spaces per 100 m ² net floor area
Residential, except supportive housing / congregate housing	1.0 space per dwelling unit / 2 bedroom apartment 0.9 spaces per dwelling unit / 1 bedroom apartment 0.75 spaces per dwelling unit / Studio apartment
Supportive housing / congregate housing	1.0 space per every three beds
<ul style="list-style-type: none"> - with the exception of Sub-area H & I, all off street parking spaces must be screened from view and wholly contained under building and amenity areas. - the maximum number of parking spaces for each use class in Table 1 	

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

must not exceed 125% of the minimum [parking space](#) requirement.

PLAN CG-1



Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SCHEDULE 7 - CD22 Sub-Areas A & B Zoning

15.5.5 Permitted Uses

The following uses of land, **buildings** and **structures** are permitted in Sub-areas A & B and all others are prohibited:

15.5.6 Principal Uses

The **principal uses** in this zone are:

- (a) **apartment housing**

15.5.7 Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **animal clinics, minor**
- (b) **child care centre, major**
- (c) **animal clinics, minor**
- (d) **food primary establishment**
- (e) **liquor primary establishments**
(maximum 100 person capacity)
- (f) **group homes, major**
- (g) **health services**
- (h) **home based businesses, minor**
- (i) **offices**
- (j) **participant recreation services, indoor**
- (k) **personal service establishments**
- (l) **cultural and recreation services**
- (m) **religious assemblies**
- (n) **retail**

15.5.8 Parcel Size

The maximum number of **lots** to be created from these sub-areas A and B is four.

15.5.9 Density

The maximum permitted **FAR** in sub-area A and B shall be 4.0.

15.5.10 Height

The maximum **height** of **buildings** located within sub-area A and B shall not exceed 72 m.

15.5.11 Site Coverage

A maximum **site coverage** of 50%. Parking **structures** above **finished grade** and surfaced with **landscaping** or useable open space shall not be included in the calculation of **site coverage**.

15.5.12 Setbacks

- (a) the minimum setback along Harvey Avenue is 0.0 m.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (b) the minimum setback along Richter Avenue is 0.0 m.
- (c) the minimum side yard setback where not fronting Richter is 3.0 m.
- (d) the minimum rear yard setback, excluding the parking structure is 3.0 m.
- (e) the parking structures must have a 0.0 m rear yard setback and must be coordinated with the parking structure of sub-areas C and G to ensure a contiguous public open space is created above the parking structures.

SCHEDULE 8 - CD22 Sub-Areas C & G Zoning

15.5.13 Permitted Uses

The following uses of land, buildings and structures are permitted in sub-areas C and G and all others are prohibited:

Principal Uses

The principal uses in this zone are:

- (a) apartment housing
- (b) group home, major
- (c) boarding and lodging houses

Secondary Uses

The secondary uses in this zone are:

- (a) child care centre, minor
- (b) home based businesses, minor
- (c) cultural and recreation services

15.5.14 Parcel Size

The maximum number of lots to be created from the combined sub-areas C and G is two and if created, such parcels shall have the area, size and shape of CD22 Central Green sub-areas C and G, all as shown on Plan CG-1.

15.5.15 Density

- (a) the maximum permitted FAR in sub-area C shall be 2.0.
- (b) the maximum permitted FAR in sub-area G shall be 2.0.

15.5.16 Height

The maximum permitted height for any buildings in sub-areas C and G shall be the lesser of 16.5 m or 4 storeys.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.5.17 Site Coverage

A maximum **site coverage** of 50%. Parking **structures** above **finished grade** and surfaced with **landscaping** or useable open space shall not be included in the calculation of **site coverage**.

15.5.18 Setbacks

- (a) the minimum **front** and side yard setbacks, excluding the parking **structure**, shall be 3.0 m.
- (b) the minimum rear yard setback, excluding the parking **structure**, shall be 7.0 m.
- (c) the parking **structure** must have a 0.0 m rear yard setback and must be coordinated with the parking **structure** of sub-areas A and B to ensure a contiguous public open space is created above the parking **structures**.

SCHEDULE 9 - CD22 Sub-Area D Zoning

15.5.19 Permitted Uses

The following uses of land, **buildings** and **structures** are permitted in sub-area D and all others are prohibited:

Principal Uses

The **principal uses** in this **zone** are:

- (a) **apartment housing**
- (b) **group home, major**
- (c) **boarding and lodging houses**

Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **child care centre, minor**
- (b) **home based businesses, minor**
- (c) **cultural and recreation services**

15.5.20 Parcel Size

The area, size, and shape of a parcel created in this sub-area D must be the area, the size, and shape of sub-area D as shown on Plan CG-1.

15.5.21 Density

The maximum permitted **FAR** in sub-area D shall be **FAR 2.0**.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.5.22 Height

The maximum permitted **height** for any **building** in CD22 Central Green sub-area D shall be the lesser of 16.5 m or 4 **storeys**.

15.5.23 Site Coverage

A maximum of 50%.

15.5.24 Setbacks

The minimum **front**, **rear** and **side yard** setbacks shall be 3.0 m.

SCHEDULE 10 - CD22 Sub-Areas E & F Zoning

15.5.25 Permitted Uses

The following uses of land, **buildings** and **structures** are permitted in sub-areas E & F and all others are prohibited:

Principal Uses

The **principal uses** in this **zone** are:

- (a) **apartment housing**
- (b) **group home, major**
- (c) **boarding and lodging houses**

Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **child care centre, minor**
- (b) **home based businesses, minor**
- (c) **cultural and recreation services**

The uses set out above are permitted, provided that:

- (a) off-street vehicular parking and off-street loading must only be sited and located below grade at **street** level.

15.5.26 Parcel Size

The maximum number of lots to be created from the combined sub-areas E and F is two and if created, such parcels shall have the area, size and shape of the CD22 Central Green sub-areas E and F, as shown on Plan CG-1.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.5.27 Density

If the lands in sub-areas E and F are subdivided into two parcels, then the maximum permitted density on each parcel be the lesser of **gross floor area** 2,250 m² or **FAR** 1.0; however, if the lands in sub-areas E and F are not subdivided to create two parcels and constitute a single parcel, then the maximum permitted density shall be the lesser of **gross floor area** 4,500 m² or a **FAR** of 1.0.

15.5.28 Height

The maximum permitted **height** for any **building** in CD22 Central Green sub-areas E and F shall be the lesser of 12.0 m or 3 **storeys**.

15.5.29 Site Coverage

A maximum of 40%.

15.5.30 Setbacks

The minimum **front**, **rear** and **side yard** setbacks shall be 3.0 m.

SCHEDULE 11 - CD22 Sub-Area H Zoning

15.5.31 Permitted Uses

The following uses of land, **buildings** and **structures** are permitted in sub-area H and all others are prohibited:

Principal Uses

The **principal uses** in this **zone** are:

- (a) **apartment housing**
- (b) **group home, major**
- (c) **boarding and lodging houses**

Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **child care centre, minor**
- (b) **home based businesses, minor**
- (c) **cultural and recreation services**

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.5.32 Parcel Size

The area, size, shape and dimensions of any parcel created from sub-area H must be the area, size shape and dimensions of sub-area H as shown on Plan CG-1.

15.5.33 Density

The permitted density in this sub-area H must not exceed the lesser of **gross floor area** of 6,000 m² or **FAR** of 1.7.

15.5.34 Height

The maximum permitted **height** for any **building** in sub-area H shall be the lesser of 16.5 m or 4 **storeys**.

15.5.35 Site Coverage

A maximum of 50%.

15.5.36 Setbacks

The minimum **front**, **rear** and **side yard** setbacks shall be 3.0 m.

SCHEUDLE 12 - CD22 Sub-Area I Zoning

15.5.37 Permitted Uses

The following uses of land, **buildings** and **structures** are permitted in sub-area I and all others are prohibited:

15.5.38 Principal Uses

The **principal uses** in this **zone** are:

- (a) **agriculture, urban**
- (b) **participant recreation services, outdoor**
- (c) **parks**

Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **child care centre, minor**
- (b) **cultural and recreation services**
- (c) **food primary establishment**
- (d) **liquor primary establishment** (limited to a maximum 100 person capacity)

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (e) participant recreation services, indoor
- (f) residential security/operator units
- (g) retail

15.5.39 Parcel Size

The area, size, shape and dimensions of any parcel created from sub-area I, must be the area, size, shape and dimensions of sub-area I as shown on Plan CG-1.

15.5.40 Development Regulations

- (a) the maximum floor area ratio is 0.1.
- (b) the maximum height is 10.0 m.
- (c) the minimum front yard is 6.0 m.
- (d) the minimum side yard is 3.0 m, except it is 4.5 m from a flanking street or a residential or agricultural zone.
- (e) the minimum rear yard is 3.0 m, except it is 4.5 m from a flanking street or a residential or zone.
- (f) retail is limited to 235 m² in gross floor area.

15.5.41 The Central Green Lands as identified and delineated on Plan CG-1 are hereby re-zoned from P-2 - Education and Housing Institution or C-4 Town Centre Commercial, as the case may be, to CD22 Central Green Comprehensive Development Zone.

15.5.42 The Zoning Map is hereby amended to show the Central Green Lands zoned CD22 Central Green Comprehensive Development Zone, to identify each of the Sub-Areas as shown and delineated on Plan CG-1, and to make all consequential amendments to the legal notations, markings and colouring on the Zoning Map necessary to effect the purposes of this CD22 Central Green Comprehensive Zone.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.6 Schedule 'B' – Comprehensive Development Zones

CD26– Capri Centre Comprehensive Development Zone

15.6.1 Purpose

The purpose is to provide the framework for the existing uses and for the redevelopment and use of the Capri Centre in stages, over time, with a mixture of commercial and residential uses that serve more than one neighbourhood.

15.6.2 Capri Centre Lands

The Capri Centre Lands consist of 3 legal lots as shown in Figure 15.6.2. Character-area designations indicated in Annexure “1” are for the purpose of the application of guidelines only. The application of the zoning regulations applies for all areas within the Capri Centre Lands irrespective of character area.

Figure 15.6.2: Capri Centre Lands



Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.6.3 Design Guidelines

The CD 26 - Capri Comprehensive Development 26 Zone has been designated as a Development Permit Area by the [Official Community Plan](#) for the purpose of guiding the form and character of development.

15.6.4 Principal Uses

The [principal uses](#) in this [zone](#) are:

- (a) [animal clinics, minor](#)
- (b) [apartment housing](#)
- (c) [boarding or lodging houses](#)
- (d) [child care centre, major](#)
- (e) [education services](#)
- (f) [emergency and protective services](#)
- (g) [food primary establishment](#)
- (h) [gas bars](#) (the [gas bar](#) is only permitted if an [alternative fuel infrastructure](#) is also available on the same lot)
- (i) [group home, major](#)
- (j) [health services](#)
- (k) [hotels](#)
- (l) [liquor primary establishment](#)
- (m) [non-accessory parking](#)
- (n) [offices](#)
- (o) [participant recreation services, indoor](#)
- (p) [personal service establishments](#)
- (q) [education services](#)
- (r) [cultural recreation services](#)
- (s) [recycled materials drop-off centres](#)
- (t) [religious assemblies](#)
- (u) [retail](#)
- (v) [temporary shelter services](#)
- (w) [townhouses](#)

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.6.5 Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **child care centre, minor**
- (b) **home based businesses, minor**

15.6.6 Subdivision Regulations

- (a) the minimum **lot width** is 13.0 m.
- (b) the minimum **lot depth** is 30.0 m.
- (c) the minimum **lot area** is 460 m².

15.6.7 Density

- (a) the maximum allowable built area of **buildings** in this Capri Centre Zone is 205,807 m² (2,215,287 ft²) or 2.60 **FAR**.
- (b) the maximum **site coverage** is 75% to be calculated on a net basis on the Capri Centre Lands.
- (c) the minimum commercial area (to be calculated by combining the total commercial area constructed plus commercial area under approved permit) is 18,581 m² (200,000 ft²) net floor area.

15.6.8 Height

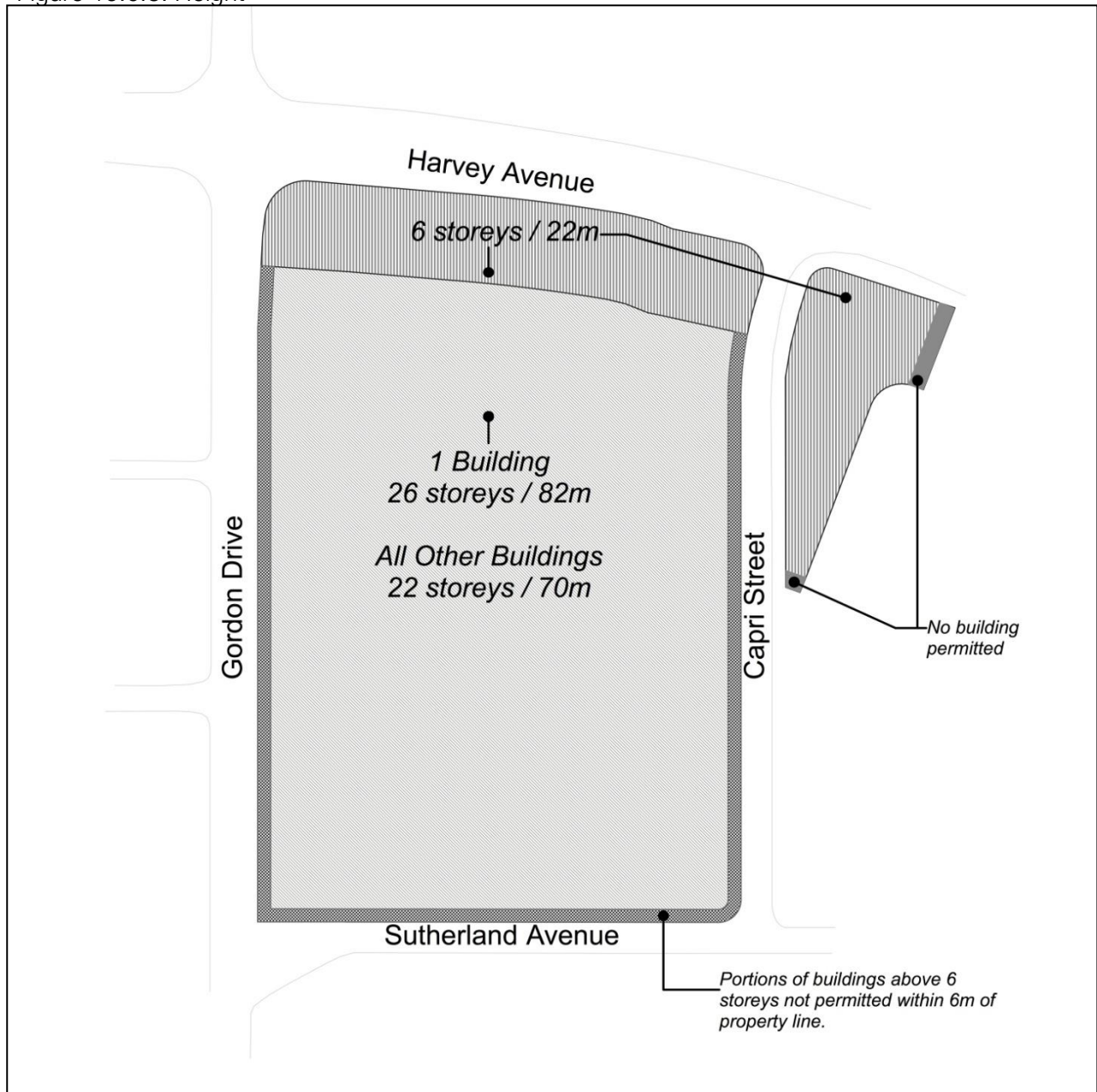
Height requirements are as indicated in Figure 15.6.8 and as described below:

- (a) in the area located within 40 m of the **property line abutting** Harvey Avenue and in all areas east of Capri Street the maximum **height** of all **buildings** and **structures** shall be 6 **storeys** or 22 m.
- (b) in the area located beyond 40 m of Harvey Avenue the maximum **height** of all **buildings** and **structures** shall be 22 **storeys** or 70 m with one exception as described in 1.9(c).
- (c) in the area located beyond 40 m of Harvey Avenue the maximum **height** of one landmark **building** or **structure** shall be 26 **storeys** or 82 m.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Figure 15.6.8: Height



Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.6.9 Setbacks

- (a) the minimum setback to Harvey Road is 4.5 m.
- (b) the minimum setback to Gordon Drive for all buildings or portions of the building located within 40 m of Harvey Avenue is 0.0 m.
- (c) the minimum setback to Gordon Drive for all buildings or portions of the building located beyond 40 m of Harvey Avenue is 3.0 m, excluding decks and patios.
- (d) the minimum setback to Capri Street for all buildings or portions of the building located within 40 m of Harvey Avenue is 0.0 m.
- (e) the minimum setback to Capri Street for all buildings or portions of the building located beyond 40 m of Harvey Avenue is 3.0 m, excluding decks and patios.
- (f) the minimum setback to Sutherland Drive is 3.0 m, excluding decks and patios.
- (g) all portions of buildings above 6 storeys shall be setback a minimum of 6 m from Gordon Drive, Sutherland Avenue, and Capri Street.
- (h) the minimum setback to lands abutting the Capri Centre Lands is 7.5 m.

15.6.10 Tall Buildings

- (a) the minimum separation distance between portions of buildings above 12 storeys is 30 m.
- (b) the maximum floor plate for portions of buildings above 12 storeys is 650 m² (7,000 ft²) with one exception as described in 1.11(c).
- (c) the maximum floor plate for portions of one landmark building above 12 storeys is 696 m² (7,500 ft²).

15.6.11 Public Open Space

- (a) a minimum of 1.5 acres of publicly accessible open space shall be provided.

15.6.12 Amenities

Amenities shall be phased and provided concurrent with substantial new construction in a development stage and will be secured via Statutory Right of Way being registered on title securing public access. amenities are:

Within Amenity Area A:

- (a) one north-south pathway linkage extending from Harvey Road to the north face of the existing hotel;
- (b) an additional north-south pathway linkage located approximately near the bus station extending from Harvey Avenue to an internal drive aisle;

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (c) a surface parking area that includes landscape elements, trees, and electric hook-ups for occasional events;
- (d) all surface treatments pertaining to drive aisles , sidewalks, and landscape areas.

Within Amenity Area B

- (a) one north-south pathway linkage extending the full length of amenity area B, ensuring that the site is accessible for pedestrians and cyclists and connects the private drive aisle with Harvey Road;
- (b) all surface treatments pertaining to private drive aisles, sidewalks, and landscape areas.

Within Amenity Area C

- (a) all surface treatments pertaining to private drive aisles, sidewalks, and landscape areas.

Within Amenity Area D

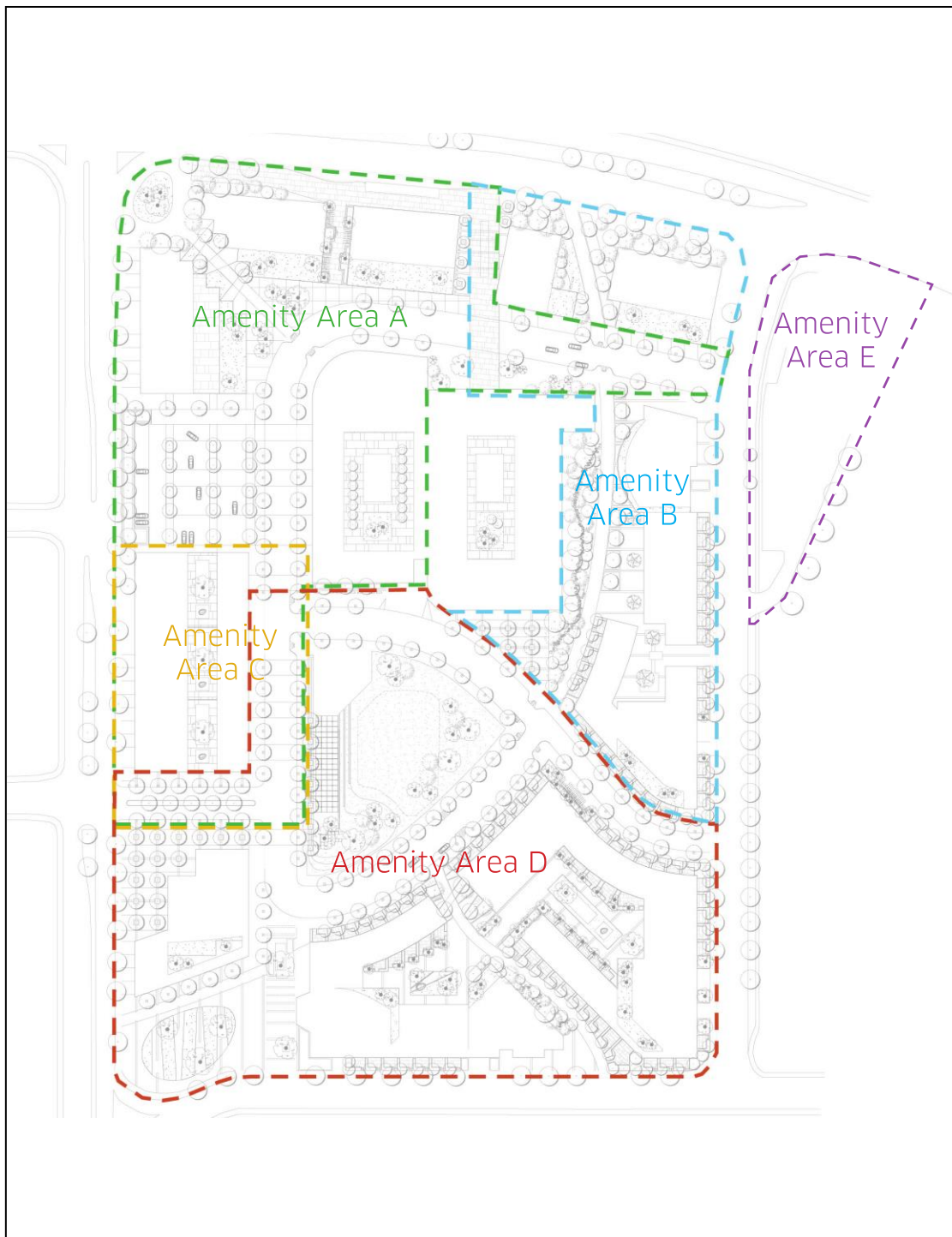
- (a) one publicly accessible open space that is flanked on at least one side by an internal drive aisle for a distance no less than 20 m and has an area of 5,000 m² and includes an outdoor ice surface that is convertible to other uses outside of winter.
- (b) in addition to the accessible open space identified in 1.11(h), one publicly accessible open space that is flanked on at least one side by an internal drive aisle or public street for a distance no less than 20 m and has an area of 1,250 m².
- (c) two pathway linkages, ensuring that the site is accessible for pedestrians and cyclists and connects well with the surrounding community.
- (d) all surface treatments pertaining to drive aisles, sidewalks, and landscape areas.

Within Amenity Area E

- (a) none.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

15.6.13 Parking and Loading

Parking spaces, bicycle parking, and loading facilities shall be provided and designed in accordance with the parking regulations of [Section 8 – Parking and Loading](#) of this Bylaw, with the exception that the minimum number of **parking spaces** and loading facilities required must be in accordance with Table 15.6.13(a) & Table 15.6.13(b) of this CD26 Zone.

Table 15.6.13(a): Parking Requirements

Residential	1.0 space per dwelling unit
Visitor	0.14 spaces per dwelling unit
Commercial uses	1.75 parking spaces per 100 m ² GFA
Hotel	1.0 space per 1 sleeping unit

Table 15.6.13(b): Loading Requirements

Commercial uses , excluding retail liquor sales establishments and grocery stores exceeding 1,858 m ² (20,000 ft ²)	1.0 space per building with a commercial uses
Retail liquor sales establishment	1.0 space per retail liquor sales establishment
Grocery store exceeding 1,858 m ² (20,000 ft ²)	2.0 spaces per grocery store exceeding 20,000 ft ²
Hotel	2.0 spaces per hotel

15.6.14 Other Regulations

- apartment housing** and **major group homes** require access to grade separate from the commercial uses. In the case of elevator equipped **buildings**, uses can share elevators provided security measures are in place to restrict access to residential areas.
- a minimum of 75% of the dwelling units (that are not ground-oriented) shall have a **balcony**. The minimum **balcony** area is 5% of the dwelling unit size.
- a minimum outdoor amenity space of 3.0 m² per dwelling unit and 4.0 m² per micro-suite dwelling unit is required. Outdoor amenity space shall not be located within the required setback area. If insufficient area exists on-site to meet the minimum outdoor amenity space then the total area requirement (or proportional deficit) shall be transferred to the total indoor amenity space required.
- a minimum indoor amenity space of 3.0 m² per dwelling unit and 4.0 m² per micro-suite dwelling unit is required. Indoor amenity space can be devoted to child care centres up to a maximum of 1.5 m² per dwelling unit as long as the child care spaces have direct access to open space and play areas within the lot.
- in addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, accessory development, lighting, stream protection, etc.), the **landscaping** and **fencing** provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9.

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

- (f) **financial services** shall have a maximum total **gross floor area** of 500 m² unless a larger branch of the **financial services** establishment is located within the Downtown Urban Centre.

Section 15 - Comprehensive Development Zones Amendments

Section 15 – Comprehensive Development Zones

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

SECTION 16 – Effective Date

16.1 This Bylaw comes into force and takes effect on the date of adoption.

Read a first time by the Municipal Council this _____ day of _____, _____.

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

Read a second and third time by the Municipal Council this _____ day of _____, _____.

Approved under The Highways Act this _____ day of _____, _____.

J. BRYANT

(Approving Officer - Ministry of Transportation & Highways)

Adopted by the Municipal Council of the City of Kelowna this _____ day of _____, _____.

Mayor

"Colin Basran"

City Clerk

"Stephen Fleming"

I HEREBY CERTIFY THIS TO BE A TRUE
CONSOLIDATED COPY OF CITY OF
KELOWNA ZONING BYLAW AS OF **DATE**

Date

City Clerk

Section 16 – Effective Date

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones

Section 19 – Effective Date amended as follows:

*BL10541 renumbered this Section from Section 18 – Effective Date to Section 19 – Effective Date

Section 16 – Effective Date

Definitions	General Rules	Site Layout	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



City of Kelowna
Proposed New Zoning Bylaw
Council Workshop – October 4, 2021

Purpose

- ▶ THAT Council endorse the proposed new Zoning Bylaw process, as outlined in this report from the Development Planning Department Manager, dated October 4, 2021

Agenda

- ▶ Background
 - ▶ Zoning Bylaw
 - ▶ The Official Community Plan
- ▶ Project Purpose
- ▶ Key Objectives
- ▶ Project Stages
- ▶ Communication Strategy
- ▶ Next Steps

What is a Zoning Bylaw?

- ▶ LGA – local governments to regulate land use
- ▶ Assign Zones
 - ▶ Land use
 - ▶ Density
 - ▶ Siting and size of building
- ▶ What can / cannot be built, how land can / cannot be used



Planning Hierarchy

More
Strategic

Regional Growth Strategy

Official Community Plan

- Neighbourhood Plans
- Development Permit Areas

Zoning Bylaw

Subdivision & Servicing Bylaw

Building Bylaw

More
Technical

New Zoning Bylaw - Purpose

- ▶ Alignment - Imagine Kelowna and draft OCP 2040
- ▶ Meet current Provincial legislative requirements
- ▶ Respond to current development
- ▶ Update and consolidate rules and regulation
- ▶ Layout and format improvements

Modernize
User-friendly

Simplify
Progressive

Six Key Objectives

1. Consolidate Zones
2. Consolidate Land Use Categories
3. Update Building Height Regulations
4. Allow Towers and Mid-Rise Buildings in the Capri-Landmark Urban Centre
5. Simplify Density Bonusing Policy
6. Provide a Modernized Zoning Bylaw that will Continue to be Updated as New Policies are Adopted.

Modernize

Objective:

- ▶ Developed to reflect Kelowna's changing needs and goals
- ▶ Reflects the vision of Imaging Kelowna and the new OCP 2040



Modernize: How we did it

Current Zoning Bylaw	New Zoning Bylaw
Second-hand stores Pawnshops Thrift stores Used goods stores Sporting goods stores	Retail



Simplified

Objective:

- ▶ Easier to identify the zones and what is permitted
- ▶ Aid in bylaw conformance
- ▶ Improved developer and public useability
- ▶ Higher customer service outcome



Simplified: How we did it

Current Zoning Bylaw	New Zoning Bylaw
1. Total number of pages	
565	216
2. Reduce number of zones across the City	
70	36
3. Reduced number of Commercial zones	
10	4
4. Remove redundant Comprehensive Development zones	
23	5
5. Reduced number of Multi Family Zones	
7	4
	244

Simplified: How we did it

Interpretation Section Update

92 definitions removed

14 definitions added

66 definitions simplified to **25** definitions

233 definitions unchanged

from **391**  **272** total definitions

User-Friendly

Objective:

- ▶ Redesigned formatting to allow the end user to navigate and reference the document with ease
 - ▶ New Layout
 - ▶ Table Format
 - ▶ Zoning Charts
 - ▶ Hyperlinks



User-Friendly: How we did it

9.2 Home-Based Businesses

Section 9.2 – Home Based Business Regulations				
Criteria	Minor	Major	Rural	Ground Floor Urban Centre
Operator Restriction	The Home-Based Business must be operated by a resident who resides for more than 240 days of the year and no exterior storage or exterior operation shall be permitted.			
Location	The Home-Based Business shall be conducted within the principal dwelling unit.	The Home-Based Business shall be conducted within in a principal dwelling unit or one accessory building or structure		The Home-Based Business shall be conducted within the principal dwelling unit.
Residential Character	No variation from the residential character and appearance of land or buildings shall be permitted and no external structural change to any principal building or accessory building or structure for the purpose of accommodating the home-based business shall be permitted.			n/a
Neighbourhood Nuisance	No nuisance from noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the home-based business and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the Home-Based Business shall not adversely affect the amenities of the neighbourhood			
Maximum Number of Clients / Visitors	One client visit to the site from which the business is being operated on any given day	Two clients to the site from which the business is being operated at any given time. ¹		No restriction
Employee Restriction	No person other than the principal residents of the dwelling unit can be engaged in the Home-Based Business onsite.	One person maximum other than the principal residents of the dwelling unit can be engaged in the Home-Based Business onsite. ²	Two persons maximum other than the principal residents of the dwelling unit can be engaged in the Home-Based Business onsite.	
Display Restriction	Sale and / or display of any goods exclusively produced onsite or those goods which constituting the finished product of the home-based business is permitted.			n/a
Food Catering Restriction	A food catering business operating lawfully within a dwelling may establish one additional kitchen provided that its installation is required by the Health Authority and that the kitchen must be removed should the Home-Based Business use cease. The additional kitchen is not permitted to be utilized to establish an additional dwelling .			n/a
Commercial Vehicle Restriction	No parking of commercial vehicles larger than 4,100 kg gross vehicle weight.			

- New Layout
- Table Format

Section 9 – Specific Use Regulations

Definitions	General Rules	Landscaping	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



► Zoning Charts

Single Family Zones



User-Friendly: How we did it

►Hyperlinks

6.3 Lighting	34
6.4 Setback from Provincial Highways	35
6.5 Utility Services and Cabinets	35

6.4 Setback from Provincial Highways

6.4.1 All [Buildings](#) and [structures](#) on lots [abutting](#) Highway 97 or Highway 33, shall not be closer than 4.5 m to any [lot line abutting](#) t highway.

ABUT or ABUTTING means immediately contiguous to, or physically touching, and when used with respect to **lots** or **sites** means two that share a common [property line](#).

Section 2 – Definitions

Definitions	General Rules	Landscaping	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Homes	Multi-Family Zones	Non-Residential Zones	CD Zones

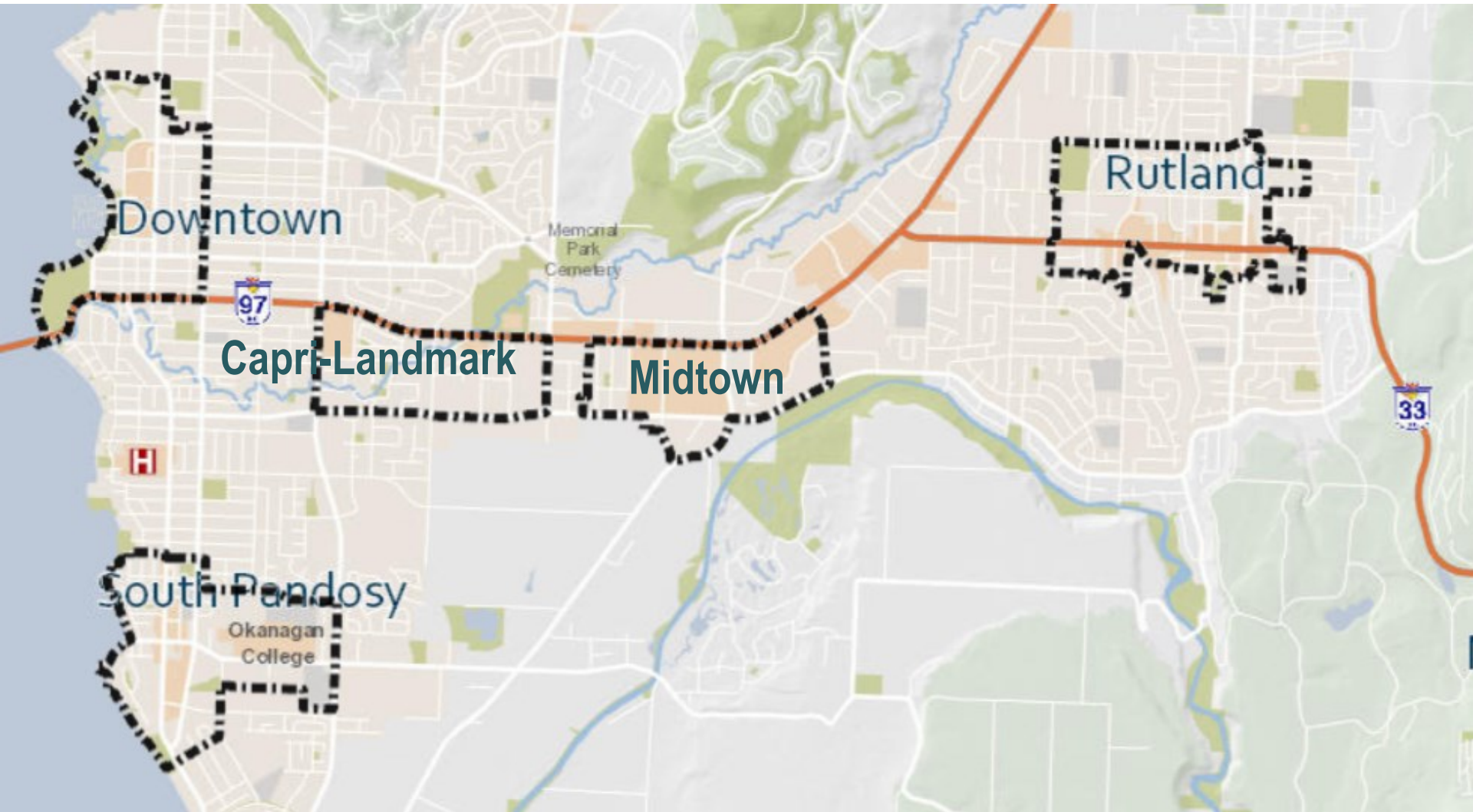
Progressive

Objective

- ▶ Designed to grow and develop along with our growing City
 - ▶ Integrated provincial agriculture regulations
 - ▶ BC Building Code with six-storey buildings
 - ▶ Urban Centre zones



Progressive: How we did it



Source: Draft 2040 OCP



Alignment with the OCP

2040 OCP	New Zoning Bylaw
Urban Centres	Urban Centres: UC1-UC5
Village Centres	Multi Family: MF1-MF4 Commercial: C1, C3 Institutional: P1-P5 Tourist Commercial: TC1
Core Area Neighbourhood	Single Family: RU3, RU4 Multi Family: MF1-MF4 Commercial: C1, C3
Suburban - Residential	Single Family: RU1-RU5
Suburban – Multi Unit	Single Family: RU1-RU5 Multi Family: MF1-MF3

Alignment with the OCP

2040 OCP: Suburban – Multi Unit Summary

Supported Uses	Supported Forms	Density (FAR)
<ul style="list-style-type: none">•Single and two dwelling residential•Ground oriented multi-dwelling residential•Low rise apartments•Secondary suites and carriage houses	<ul style="list-style-type: none">•Attached and detached buildings up to 4 storeys	Up to approx. 1.3



New Zoning Bylaw

Proposed Zones	Uses and Forms	Density (FAR)
RU1 to RU5	<ul style="list-style-type: none">•Single, semi-detached, duplex housing•Carriage house•Secondary suite	N/A
MF1 to MF3	<ul style="list-style-type: none">•Semi-detached, duplex housing•Ground oriented and stacked townhouse•Low rise apartment	0.8 to 1.3

Project Process



Collaboration

Zoning Bylaw

1. Staff Members	32
2. Work Groups	10
3. Inter-departmental Meetings	76
4. Work Group Hours	130
5. GIS/Mapping Coordination Hours	140
6. Action items	790



Process Roadmap

Oct 2020 -
Mar 2021

- **Stage 1: Project Initiation**
- Internal Coordination
- Project Charter
- Communication and Stakeholder Engagement Plan

Jan - Aug
2021

- **Stage 2: Research and Analysis**
- Technical work group engagement, review and discussions
- Review and research regulations

Oct 2020 -
Oct 2021

- **Stage 3: Draft New Zoning Bylaw**
- Ministerial stakeholder engagement
- Applicable Advisory Committee(s) engagement
- 1st Draft complete – Sr. Review
- ***Council Workshop – Oct 4, 2021***



Process Roadmap

Est. Oct 2021
– Jan 2022

- **Stage 4: Stakeholder Engagement**
- Engagement Plan implementation
- Public information and consultation
- Zoning Bylaw revisions

Est. Feb -
Apr 2022

- **Stage 5: Revised New Zoning Bylaw**
- Report to Council - Initial Consideration
- Report to Council - Public Hearing
- Zoning Bylaw refinements

Est. Apr 2022
+

- **Stage 6: Implementation**
- Ministerial Sign off
- Zoning Bylaw Adoption
- User Guide and implementation

Communication Strategy

- ▶ Provide an opportunity to stakeholders to be informed
- ▶ Engage with identified stakeholders by involvement
- ▶ Seek feedback on the proposed changes



Stakeholder Engagement Timeline



Next Steps

Key Milestones	Estimated Date
<i>Council - Project Workshop</i>	<i>October 4, 2021</i>
Stakeholder Engagement	Early Oct-Early Nov 2021
Council – Initial Consideration	Early Winter 2022
Council – Public Hearing	Early Spring 2022
Ministerial Approvals and Sign-off	Early Spring 2022
Council - Adoption	Mid-Spring 2022
New Zoning Bylaw Implementation	Mid- Spring 2022



Conclusion of Staff Remarks