

City of Kelowna
Regular Council Meeting
AGENDA



Monday, May 30, 2022
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

This Meeting is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

5 - 12

PM Meeting - May 16, 2022

3. Reports

3.1. Report RCMP Q1 Update

13 - 32

To present Council with an update based on 2022 Q1 public safety and crime data.

4. Development Application Reports & Related Bylaws

4.1. East Kelowna Rd 2830 - A22-0001 FH22-0004 - William and Maria Kitsch

33 - 62

To support an application to the Agricultural Land Commission for a Non-Adhering Residential Use Permit application to allow Temporary Farm Worker Housing to accommodate 2 seasonal workers on the subject property.

4.2. Fleet Court 3480, 3508 - OCP20-0003 (BL12388) Z20-0006 (BL12389) - Midwest Venture Ltd., Inc. No. BC0046021

63 - 87

To amend the Official Community Plan to change the future land use designation of the subject properties from the IND - Industrial designation to the RCOM - Regional Commercial Corridor designation and rezone from the CD15 – Airport Business Park zone to the C9 – Tourist Commercial zone to facilitate a hotel development.

4.3.	Fleet Ct 3480, 3508 - BL12388 (OCP20-0003) - Midwest Ventures Ltd., Inc.No. BC0046021	88 - 88
	Requires a majority of all members of Council (5)	
	To give Bylaw No. first reading in order to change the Future Land Use designation of the subject properties from the IND – Industrial designation to the RCOM – Regional Commercial Corridor designation.	
4.4.	Fleet Ct 3480, 3508 - BL12389 (Z20-0006) - Midwest Ventures Ltd., Inc.No. BC0046021	89 - 89
	To give Bylaw No. 12389 first reading in order to rezone the subject properties from the CD15 – Airport Business Park zone to the C9 – Tourist Commercial zone.	
4.5.	Supplemental Report -McClure Rd 634 - Z22-0008 (BL12370) - McClure Road Development Ltd.	90 - 91
	To receive a summary of notice of first reading for Rezoning Bylaw No. 12370 and to give the bylaw further reading consideration.	
4.6.	McClure Rd 634 - BL12370 (Z22-0008) - McClure Road Development Ltd., Inc.No. BC1284976	92 - 92
	To give Bylaw No. 12370 first, second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.	
4.7.	Supplemental Report -St Paul St 1405 - Z21-0011 (BL12371) - Abacio Properties Ltd.	93 - 94
	To receive a summary of notice of first reading for Rezoning Bylaw No. 12371 and to give the bylaw further reading consideration.	
4.8.	St Paul St 1405 - BL12371 (Z21-0011) - Abacio Properties Ltd	95 - 95
	To give Bylaw No. 12371 first, second and third reading in order to rezone the subject property from the C4 – Urban Centre Commercial zone to the C7 – Central Business Commercial zone.	
4.9.	Supplemental Report -Pasadena Rd 1290 - Z22-0015 (BL12373) - Laul real Estate Group Inc.	96 - 97
	To receive a summary of notice of first reading for Rezoning Bylaw No. 12373 and to give the bylaw further reading consideration.	
4.10.	Pasadena Rd 1290 - BL12373 (Z22-0015) - Laul Real Estate Group Inc., Inc.No. BC1259351	98 - 98
	To give Bylaw No. 12373 first, second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.	

4.11.	Supplemental Report -Benvoulin Ct 2165 - Z21-0109 (BL12374) - JABS Construction Ltd.	99 - 100
	To receive a summary of notice of first reading for Rezoning Bylaw No. 12374 and to give the bylaw further reading consideration.	
4.12.	Benvoulin Ct 2165 - BL12374 (Z21-0109) - JABS Construction Ltd., Inc.No. BC0060327	101 - 101
	To give Bylaw No. 12374 first, second and third reading in order to zone the subject property the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone.	
4.13.	Supplemental Report -Gordon Dr 4563, 4573 - Z22-0017 (BL12381) - Forever Destiny Homes Ltd.	102 - 103
	To receive a summary of notice of first reading for Rezoning Bylaw No. 12381 and to give the bylaw further reading consideration.	
4.14.	Gordon Dr 4563, 4573 - BL12381 (Z22-0017) - Forever Destiny Homes Ltd., Inc.No. BC0903896	104 - 104
	To give Bylaw No. 12381 first, second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.	
4.15.	Supplemental Report -Lawson Ave 959-961, 971 - Z21-0050 (BL12384) - 1258102 BC Ltd.	105 - 106
	To receive a summary of notice of first reading for Rezoning Bylaw No. 12384 and to give the bylaw further reading consideration.	
4.16.	Lawson Ave 959-961,971 - BL12384 (Z21-0050) - 1258102 BC Ltd., Inc. No. BC1258102	107 - 107
	To give Bylaw No. 12384 first, second and third reading in order to rezone the subject property from the RU7 – Infill Housing zone to the RM3 – Low Density Multiple Housing zone.	
4.17.	Matrix Cr 2015 - DP22-0008 - 2271042 Alberta Ltd.	108 - 144
	To issue a Development Permit for the form and character of a four-storey industrial development.	
4.18.	KLO Rd 860-1000 - DP22-0096 - Okanagan College	145 - 202
	To issue a Development Permit for the form and character of student housing.	

- 4.19. City of Kelowna - New Zoning Bylaw No. 12375** 203 - 264
- To approve the new Zoning Bylaw No. 12375 and the Density Bonus for Public Amenities and Streetscape Reserve Fund Bylaw No. 12386 and to direct staff to undertake the proposed Zoning Bylaw Transition Plan.
- 4.20. BL12375 - Zoning Bylaw** 265 - 571
- To give Bylaw No. 12375 first reading.
- 4.21. BL12386 - Density Bonusing for Public Amenities and Streetscape Reserve Fund** 572 - 573
- To give Bylaw No. 12386 first, second and third reading.
- 5. Non-Development Reports & Related Bylaws**
- 5.1. Criminal Justice Advocacy Paper** 574 - 617
- To provide an update on the current state of property crime in Kelowna, with a focus on the catch-and-release cycle of persistent and prolific property offenders, and to expand the existing Advocacy Framework.
- 5.2. BC Electoral Boundaries Commission Submission** 618 - 619
- To direct staff to make an online submission, on behalf of Council, to the BC Electoral Boundaries Commission regarding provincial electoral riding boundaries.
- 6. Mayor and Councillor Items**
- 7. Termination**



City of Kelowna
Regular Council Meeting
Minutes

Date:	Monday, May 16, 2022
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Gail Given, Luke Stack, Mohini Singh and Loyal Wooldridge
Members participating Remotely	Councillor Charlie Hodge
Members Absent	Councillors Ryan Donn and Brad Sieben
Staff Present	City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Development Planning Department Manager, Terry Barton*; Community Planning & Development Manager, Dean Strachan*; Planner, Mark Tanner*; Planner, Tyler Caswell*; Divisional Director, Corporate & Protective Services, Stu Leatherdale*; Community Safety Director, Darren Caul*; Community Policing Coordinator, Jason Bedell*; Divisional Director, Active Living & Culture, Jim Gabriel*; Event Development Supervisor, Chris Babcock*; General Manager, Infrastructure, Mac Logan*
Staff participating Remotely	Legislative Coordinator (Confidential), Clint McKenzie
Guests participating Remotely	Tim Chan*, Vice President, Leger; Jacob Jordan*, Research Analyst, Leger Consulting

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 1:34 p.m.

I would like to acknowledge that we are gathered today on the traditional, ancestral, unceded territory of the syilx/Okanagan people.

As an open meeting, a live audio-video feed is being broadcast and recorded on kelowna.ca.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R0350/22/05/16 THAT the Minutes of the Regular Meetings of May 9, 2022 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Tower Ranch Blvd 2160 - OCP20-0006 (BL12379) Z20-0023 (BL12380) - 0977415 BC Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Stack

R0350/22/05/16 THAT Official Community Plan Map Amendment Application No. OCP20-0006 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot 4, Section 31, Township 27, ODYD, Plan KAP80993 located at 2160 Tower Ranch Blvd, Kelowna, BC from the S-RES – Suburban Residential and the REC– Private Recreational designations to the S-RES – Suburban Residential and REC – Private Recreational designations as shown on Maps “A1 and A2” attached to the Report from the Development Planning Department dated May 16, 2022 be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the Purpose of Section 475 of the Local Government Act, as outlined in the Report from the Development Planning Department dated May 16, 2022;

AND THAT Rezoning Application No. Z20-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 4, Section 31, Township 27, ODYD, Plan KAP80993 located at 2160 Tower Ranch Blvd, Kelowna, BC from the RU1 – Large Lot Housing, RU1h – Large Lot Housing (Hillside) and P3 – Parks and Open Space zones to the RU5 – Bareland Strata Housing and P3 – Parks and Open Space zones as shown on Maps “B1 and B2” attached to the Report from the Development Planning Department dated May 16, 2022 be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule “A” attached to the Report from the Development Planning Department dated May 16, 2022;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Development Permit related to the Natural Environment and Hazard Development Permit Areas;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

3.2 Tower Ranch Blvd 2160 - BL12379 (OCP20-0006) - 0977415 BC Ltd., Inc.No. BC0977415

Moved By Councillor DeHart/Seconded By Councillor Stack

R0351/22/05/16 THAT Bylaw No. 12379 be read a first time;

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

3.3 Tower Ranch Blvd 2160 - BL12380 (Z20-0023) - 0977415 BC Ltd., Inc.No. BC0977415

Moved By Councillor Stack/Seconded By Councillor DeHart

R0352/22/05/16 THAT Bylaw No. 12380 be read a first time.

Carried

3.4 Frost Rd 1055 - OCP21-0010 (BL12382) Z21-0032 (BL12383) - Highstreet Canyon Falls Apartments Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- Responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Singh

R0353/22/05/16 THAT Official Community Plan Map Amendment Application No. OCP21-0010 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot 1, DL 579, SDYD, Plan EPP74481, located at 1055 Frost Road, Kelowna, BC from the VC – Village Centre and the NAT – Natural Areas designations to the VC – Village Centre and the NAT – Natural Areas designations as shown on Map "A" attached to the Report from the Development Planning Department dated May 16th 2022, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the Purpose of Section 475 of the Local Government Act, as outlined in the Report from the Development Planning Department dated May 16th 2022

AND THAT Rezoning Application No. Z21-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 1, DL 579, SDYD, Plan EPP74481, located at 1055 Frost Road, Kelowna, BC from the A1 – Agriculture 1 zone and the RU1h – Large Lot Housing (Hillside Area) zone to the P3 – Parks and Open Space zone and RM5 – Medium Density Multiple Housing zone as shown on Map "B" attached to the Report from the Development Planning Department dated May 16th 2022, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated May 16th 2022;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

Carried

3.5 Frost Rd 1055 - BL12382 (OCP21-0010) - Highstreet Canyon Falls Apartments Ltd

Moved By Councillor Given/Seconded By Councillor Singh

R0354/22/05/16 THAT Bylaw No. 12382 be read a first time;

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

3.6 Frost Rd 1055 - BL12383 (Z21-0032) - Highstreet Canyon Falls Apartments Ltd

Moved By Councillor Given/Seconded By Councillor Singh

R0355/22/05/16 THAT Bylaw No. 12383 be read a first time.

Carried

3.7 Benvoulin Ct 2165 - Z21-0109 (BL12374) - JABS Construction Ltd, INC NO BC0060327

Councillor Stack declared a conflict as his employer owns the adjacent property and left the meeting at 1:50 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application
- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0356/22/05/16 THAT Rezoning Application No. Z21-0109 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of LOT A DISTRICT LOT 128 OSOYOOS DIVISION YALE DISTRICT PLAN KAP89861, located at 2165 Benvoulin Ct, Kelowna, BC from the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated May 16, 2022;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

Carried

Councillor Stack returned to the meeting at 1:53 p.m.

3.8 Gordon Dr 4563 and 4573 - Z22-0017 (BL12381) - Forever Destiny Homes Ltd. Inc. No. BC0903896

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

R0357/22/05/16 THAT Rezoning Application No. Z22-0017 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 357, SDYD, Plan 18353 and Lot B, District Lot 357, SDYD, Plan 18353, located at 4563 and 4573 Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department, dated May 16, 2022;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

Carried

3.9 Lawson Ave 959-961 and 971 - Z21-0050 (BL12384) - 1258102 BC Ltd. Inc. No. BC1258102

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

- Responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Given

R0358/22/05/16 THAT Rezoning Application No. Z21-0050 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 138 ODYD Plan 14934 and Lot 7 District Lot 138 ODYD Plan 2378, located at 959-961 Lawson Avenue and 971 Lawson Avenue, Kelowna, BC from the RU7 – Infill Housing zone to the RM3 – Low Density Multiple Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Engineering Department dated May 16th, 2022;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

Carried

3.10 Supplemental Report - McClure Rd 634 - Z22-0008 (BL12370) - McClure Road Development Ltd. Inc. No. BC1284976

Moved By Councillor Stack/Seconded By Councillor Hodge

R0359/22/05/16 THAT Council receives, for information, the report from the Office of the City Clerk dated May 16, 2022 regarding Rezoning Application Z22-0008 located at 634 McClure Road;

AND THAT Council defers consideration of first reading of Rezoning Bylaw No. 12370 to May 30, 2022.

Carried**4. Bylaws for Adoption (Development Related)****4.1 Fordham Rd 4684 - BL12314 (Z21-0096) - Claire Boti and Paul Domy**Moved By Councillor Singh/Seconded By Councillor WooldridgeR0360/22/05/16 THAT Bylaw No. 12314 be adopted.Carried**5. Non-Development Reports & Related Bylaws****5.1 Community Safety Survey**

Staff:

- Introduced the 2022 Community Safety Survey background and key findings.
- Provided next steps on how the data will be used as baseline measurement and benchmark data to assist in the Community Safety Strategy.
- Responded to questions from Council.

Guests Tim Chan, Associate VP, Jacob Jordan, Research Analyst, Leger Consulting:

- Displayed a PowerPoint presentation summarizing the results of the 2022 Community Safety Survey.
- Commented on neighbourhood safety and perceptions of crime.
- Commented on experiences with crime.
- Responded to questions from Council.
- Provided next steps on how the data will be used as baseline measurement and benchmark data to assist in the Community Safety Strategy.

Moved By Councillor DeHart/Seconded By Councillor HodgeR0361/22/05/16 THAT Council receives for information, the Report from the Community Safety Department, dated May 16, 2022 with respect to the results of the 2022 Community Safety Survey.Carried**5.2 Kelowna Event Strategy**

Staff:

- Displayed a PowerPoint Presentation summarizing the proposed Kelowna Event Strategy.
- Spoke to strategy background and development.
- Presented the vision, guiding principles and strategic goals of the event strategy.
- Responded to questions from Council.

Moved By Councillor Singh/Seconded By Councillor GivenR0362/22/05/16 THAT Council receive for information, the report from the Sport and Event Services Department dated May 16, 2022, regarding the activities related to the development of an Event Strategy;

AND THAT Council endorses Kelowna's Event Strategy, as outlined in the report from the Sport and Event Services Department dated May 16, 2022;

AND THAT Council directs staff to move forward with the development of an implementation plan in conjunction with key stakeholders;
AND FURTHER THAT Council directs staff to report back with periodic progress updates on the implementation strategy.

Carried**5.3 Stewart Road West Improvements**

Staff:

- Commented on the proposed funding allocation for the Stewart Road West project.

Moved By Councillor Stack/Seconded By Councillor HodgeR0363/22/05/16 THAT Council receives for information, the report from Integrated Transportation dated May 16, 2022, with regards to the Stewart Road West Improvements;

AND THAT all costs related to the Stewart Road West improvements be funded from \$80,600 taxation from 2022 Roads Renewal budget and \$439,400 funding from DCC Roads Sector B Reserve;

AND THAT the 2022 Financial Plan be amended as necessary to accommodate the Sector B Top Lift Paving – DCC – Stewart Road West Improvements.

Carried**6. Bylaws for Adoption (Non-Development Related)****6.1 BL12367 - Amendment No. 16 to the Water Regulation Bylaw No. 10480**Moved By Councillor DeHart/Seconded By Councillor StackR0364/22/05/16 THAT Bylaw No. 12367 be adopted.Carried**6.2 BL12387 - Amendment No. 1 to 2022 Tax Rate Bylaw**Moved By Councillor Stack/Seconded By Councillor DeHartR0365/22/05/16 THAT Bylaw No. 12387 be adopted.Carried**7. Mayor and Councillor Items**

Councillor Hodge:

- Would like to see better protection of trees and natural green spaces in the development process.

Councillor Stack:

- Wished everyone a happy Victoria Day long weekend.

8. Termination

This meeting was declared terminated at 2:52 p.m.

Mayor Basran

lb/cm


Deputy City Clerk

Report to Council



Date: May 30, 2022
To: Council
From: Supt. Triance, Officer in Charge – Kelowna RCMP
Subject: 2022 Q1 RCMP Update

Recommendation:
THAT Council receive, for information, the RCMP Quarterly Update report from the Superintendent, Kelowna RCMP Detachment, dated May 30, 2022.

Purpose:
To present Council with an update based on 2022 Q1 public safety and crime data.

Background:
On April 12, 2021, Council approved the 2021-2024 Strategic Plan for the Kelowna RCMP Detachment. The Plan is aligned with Council’s community safety priorities and is focused on achieving measurable outcomes related to public safety initiatives as well as critical frontline policing services, traffic enforcement, drug enforcement and youth engagement. The Plan is comprised of four strategic objectives:

- 1) Increase the sense of safety in our public spaces;
- 2) Decrease the risk of property crime;
- 3) Earn the trust of more citizens that have experienced persons crimes; and
- 4) Show up at our best for every citizen.

In support of the Plan, a comprehensive performance measurement and reporting framework was also adopted in spring 2021. In April 2022, a one-year review of the metrics was conducted. As a result, a small number of metrics have been either refined or, in select cases, removed. Additionally, four new metrics are introduced here:

- 1) Calls for service receiving callback
- 2) Thefts reporting forced entry
- 3) Persons recommended for charges
- 4) Offences by prolific offenders on release

Summary:
Throughout the reporting period, Kelowna RCMP continued to advance efforts to build trust and capacity within our community through our daily interactions with citizens and partners, alike. We continued to actively encourage shared responsibility to prevent and reduce crime through our work with citizens (i.e., gPM Routine) and businesses, as well as collaborative action with essential

government partners. Significantly, alongside the City of Kelowna and provincial government ministries, we proudly launched the Community Safety Plan in April. This Plan serves as an important, tangible roadmap for action in our community, and the RCMP is committed to its implementation.

Kelowna RCMP has reviewed the results of the recently presented 2022 Community Safety Survey. While we are pleased to see that citizens continue to feel safe in their neighbourhoods, generally, the Kelowna RCMP shares the concerns of citizens and remains very committed to reducing property crime. Among other, Kelowna RCMP also noted the decreased number of people who reported incidents of crime. In 2020, we launched an [online crime reporting tool](#) to simplify the process to report select offences, and we will continue to encourage use of this innovative platform.

Statistically, paralleling societal returns to post pandemic lifestyle, Kelowna RCMP's comparison of Q1 2022 with Q1 in 2021 indicates a return to pre-pandemic property crime rates, notably:

- 13.2 per cent increase in commercial break and enters;
- 15.0 per cent increase in residential break and enters;
- 63.3 per cent increase in shoplifting files; and
- 47.8 per cent increase in auto theft, typically involving idling and unlocked vehicles.

Conversely, there were notable decreases in reported theft from vehicles and bike thefts.

Since December 2021, Kelowna RCMP has assisted the City of Kelowna and the BC Urban Mayors' Caucus in its efforts to profile the impact of prolific property offenders in our community with the provincial government. In Q1 this year, 149 files were attributed to a relatively small number of prolific offenders, many who require a multi-agency response.

Within Q1, there is a notable decline in drug trafficking offences. While the raw numbers are relatively low, this decrease largely reflects an ongoing shift in federal enforcement and prosecution policies. A further decline is notable in respect of traffic violation tickets which resulted from a temporary redeployment of traffic services to frontline resourcing to address demands of calls for service, workloads, and pressures relating to human resourcing.

In Q1, Kelowna RCMP experienced a continued increase in calls for service, particularly priority 1 and 2 calls, a 64.4 per cent increase in calls related to downtown Kelowna and an increase in suspicious fires. Analysis reveals that the increased downtown calls relate to a corresponding increase in the number of individuals accessing our emergency shelter system and/or sheltering outdoors.

Also notable in Q1, and of concern for our community and the Kelowna RCMP is a 40.9 per cent increase in assault with a weapon, a concerning trend being experienced by all jurisdictions nationally. In March 2022, Public Safety Canada (PSC) reported an 81 per cent increase in violent offences involving guns since 2009. That month, PSC announced \$250M for community-based prevention initiatives under its Building Safer Communities Fund. Kelowna RCMP, in partnership with the City of Kelowna, will be exploring opportunities under this fund in the coming months.

Quarter 1 Metricsⁱ

The following includes standardized indicators from the Canadian Police Performance Metrics Framework and measures of the 2021-24 Strategic Plan. All indicators relate to the City of Kelowna.

Police Capacity & Response	2021 Q1	2022 Q1	% Change
Total Calls for Service	13501	14001	3.7%
Total Calls for Service from Downtown area	1195	1965	64.4%
Total Calls for Service from Rutland area	Not avail	Not avail	Not avail
Calls for Service, Priority 1 & 2 ⁱⁱ	4618	5010	8.5%
Response Time for Priority 1 Calls (in minutes)	8.7	8.1	-6.9%
Response Time for Priority 2 Calls (in minutes)	10.7	10.3	-3.7%
% of Calls for Service receiving Callback ⁱⁱⁱ	Not avail	23%	Not avail
Officer Hours assigned to public spaces: Downtown, Rutland & parks	Not avail	3313	Not avail
Caseload ^{iv}	26	27	2.7%
Total Property Offences	2422	2560	5.7%
Auto Theft	92	136	47.8%
Theft from Motor Vehicle	524	423	-19.3%
Break & Enter – Business	167	189	13.2%
Shoplifting	270	441	63.3%
Break & Enter – Residential	40	46	15.0%
Bike Theft	96	65	-32.3%
Fraud	161	150	-6.8%
Mischief	507	500	-1.4%
Arson	20	33	65.0%
% of Thefts which reported Forced Entry ^v	Not avail	33.4%	--
Persons recommended for Charges ^{vi}	--	131	
Offences by 28 Prolific Offenders on Release ^{vii}	--	128	--
Total Persons Offences			
Assault (Common)	291	280	-3.8%
Domestic Violence	200	142	-29.0%
Sex Offences ^{viii}	37	43	16.2%
Theft with Violence (known as robbery)	16	20	25.0%
Assault with Weapon	44	62	40.9%
Illegal Drugs			
Illegal Drug Trafficking	30	12	-60.0%
Traffic Safety			
Traffic Violation Tickets	1052	316	-70%
Collisions – Combined	175	262	49.7%
Relevant Social Indicators (reflecting policing complexity in Kelowna)			
Calls for Service with Mental Health Component	773	703	-9.1%
Calls for service, MHA Apprehensions	155	145	-6.5%
Calls for service, Overdose ^{ix}	37	39	5.4%

With our partners in Kelowna Events and other response agencies, Kelowna Regional RCMP has prepared for a summer that embraces our tourism industry, visitor population, and post-pandemic return to public spaces. We have optimized shifting, schedules, and resourcing, detailing plans with readiness and for seasonal events, increased populations, and emergencies. The Okanagan will benefit from the deployment of RCMP officers from around British Columbia, coming to work events and weekends, to ensure adequate staff in our busiest season.

Throughout the seasonal planning and with our restructuring; prioritization of downtown, public spaces and parks remained a focus for Kelowna Regional RCMP. Our commitment to enhanced visibility, a sense of safety, and building strong community partnerships was at the forefront of our mandates, specifically that of our Community Safety Unit. As we prepared for summer, we gave significant consideration to ensure that we have a reasonable capacity to respond to increased populations experiencing homelessness and calls for services related to social disorder.

Conclusion:

The metrics and related data were utilized to inform, through evidenced based analysis, the decisions that have guided the responses to crime and public safety outlined in the quarterly update. Kelowna RCMP Officer in Charge continues to drive change with a focus on sustainable workloads and wellness of the members of Kelowna Detachment. This is being done by creating efficiencies through reprioritization and realignment of administrative work to support staff which in turn increases the operational capacity of front-line members. Our commitment to all initiatives identified in the strategic plan remains our top priority.

Internal Circulation:

Community Safety Department
Communications Department

Submitted by: K. Triance, Superintendent, Kelowna RCMP Detachment

Approved for inclusion:



S. Leatherdale, Divisional Director, Corporate & Protective Services

cc: D. Caul, Community Safety Director
S. Coates, Police Services Manager
C. Cornock, Crime Prevention Supervisor

ⁱ The following annual metrics are used to monitor delivery of our 2022-2024 Strategic Plan:

- Objective 1, Increase the sense of safety in our public spaces: Citizen perceived level of safety in areas including Downtown & Rutland per City of Kelowna bi-annual Public Safety & Crime Survey
- Objective 2, Decrease the risk of property crime: Percent of property offence charges that resulted in a conviction
- Objective 3, Earn the trust of more citizens that have experienced persons crimes: Detachment participation in trauma-informed practice training, Detachment referrals to community supports
- Objective 4, Show up at our best for every citizen: Seats at senior decision-making table held underrepresented groups; Detachment participation in unconscious bias training & Indigenous Cultural Safety; Detachment participation in mental wellness training and crisis debrief supports; Citizen satisfaction with police services as per City of Kelowna Citizen Survey

ⁱⁱ Priority 1 calls are the most serious emergency calls and require immediate police response. They involve a risk of loss of life or grievous bodily harm. Examples include in-progress abductions, assaults, domestic disputes, home invasions, robberies, sexual assaults, screams for help, shootings, stabbings, and suicidal persons. Priority 2 calls are urgent calls that require immediate police attention such as a residential break and enter in progress.

ⁱⁱⁱ False alarms, abandoned calls for service, traffic and online reports, assistance outside of public safety and failure to appear are not indicated for follow up calls. New metric, changes to system was required to capture the data. Changes implemented in March 2022.

^{iv} Case loads are defined as the number of Criminal Code offences (excluding drugs and traffic offences) per authorized strength. They represent the workload per officer, and as a result, are often a better indicator of the demand for police services than either a jurisdiction's population or its crime rate. The case load is calculated by dividing the total number of Criminal Code offences by the authorized strength for the reporting period. *For reference, in 2020, annual caseload for Coquitlam was 40 (pop 152,800) and for Township of Langley (pop 133,951) was 54.*

^v Excludes shoplifting as forced entry is not relevant. New metric, changes to system was required to capture the data. Changes implemented in March 2022.

^{vi} Consistent with national reporting, the "persons charged" category will include the number of people recommended for charges by police (not the number of charges laid or recommended).

^{vii} In Kelowna, prolific offenders are designated by Present Behaviour (any adult or youth offender with a history of non-compliance with release conditions, or more than 10 negative police contacts in a six-month period) or Past Behaviour (3 or more criminal convictions or 3 stayed/withdrawn property charges in the last 3 years). Persons designated as prolific offenders in other jurisdictions who relocate to Kelowna are included.

^{viii} Sexual offences include sexual assault level 3 (aggravated), sexual assault level 2 (weapon or causing bodily harm), sexual assault level 1 (common sexual assault), and sexual violations against children.

^{ix} Overdose counts do not reflect all overdose incidents occurring within police service boundaries as response is frequently by paramedics. Where police do not attend, the occurrence will not appear in police records.



Sourced: Unsplash.com

2022 Q1 Report to Kelowna City Council

Presented by: Supt Kara Triance, Officer in Charge, Kelowna Detachment



RCMP Strategic Plan Objectives

Strategic Enabler: Show up at our best for every citizen

Objective 1: Decrease the risk of property crime

Objective 2: Increase the sense of safety in our public spaces

Objective 3: Earn the trust of more citizens that have experienced persons crime

KELOWNA RCMP
STRATEGIC PLAN 2021-2024

We're working toward these RESULTS

Show up at our best for every citizen

- Gender and cultural diversity
- Unconscious bias training & Indigenous Cultural Safety
- Sustainable workloads
- Mental wellness training and crisis debrief supports

Decrease the risk of property crime

- 9 PM Routine Campaign to help citizens lock up
- Decreased property theft

Increase the sense of safety in public spaces in Downtown & Rutland

- More officer hours
- Fewer street disorder calls
- Reduced response time to calls
- Improved citizen safety

Earn the trust of citizens who have experienced persons crime

- 100% of client-facing officers trained in trauma-informed practice
- 100% of client-facing officers trained in and has adopted 'Start by Believing' Pledge
- Increase in third-party reports
- Increased referrals to community victim services
- Enhanced citizen awareness of reporting options

TOGETHER WE CAN DRIVE CHANGE.



Strategic Enablers are capabilities, capacities, and resources that contribute to the operating effectiveness of an organization.



Show up at our best for every citizen



Resources

- 210 Positions
- Hard/soft Vacancies, approx. 20%
- Service levels reviewed annually

Strategy

- De-tasking Police
- Reassess what is critical for public and police safety
- Modernized approach to policing

Investment

- Recognition of outstanding service
- Time allocation for Crime Prevention
- CISM/Critical Incident Management Stress Team (IMCRT)
- Training





Show up at our best for every citizen

CISM

- 300 Individual Interventions
- 6 Critical Incident Stress Debriefs
- 6 Defusings

Raising EDIA portfolio

- Equity, Diversity, Inclusion + Accessibility (EDIA) Working Group
- Support Provided
- Detachment Signage

Addressing Workplace Culture

- Ensuring workplace culture is addressed consistently
- Performance Management

Leadership Symposium

- Harassment
- City and RCMP alignment on key priorities
- Performance Coaching

Operational Efficiencies

- Watch capacity
- Quality Assurance
- Policing schedules
- Zoning
- Operational Excellence

Multi Year Planning, Strategic Planning, Vacancy Management





Decrease the risk of property crime

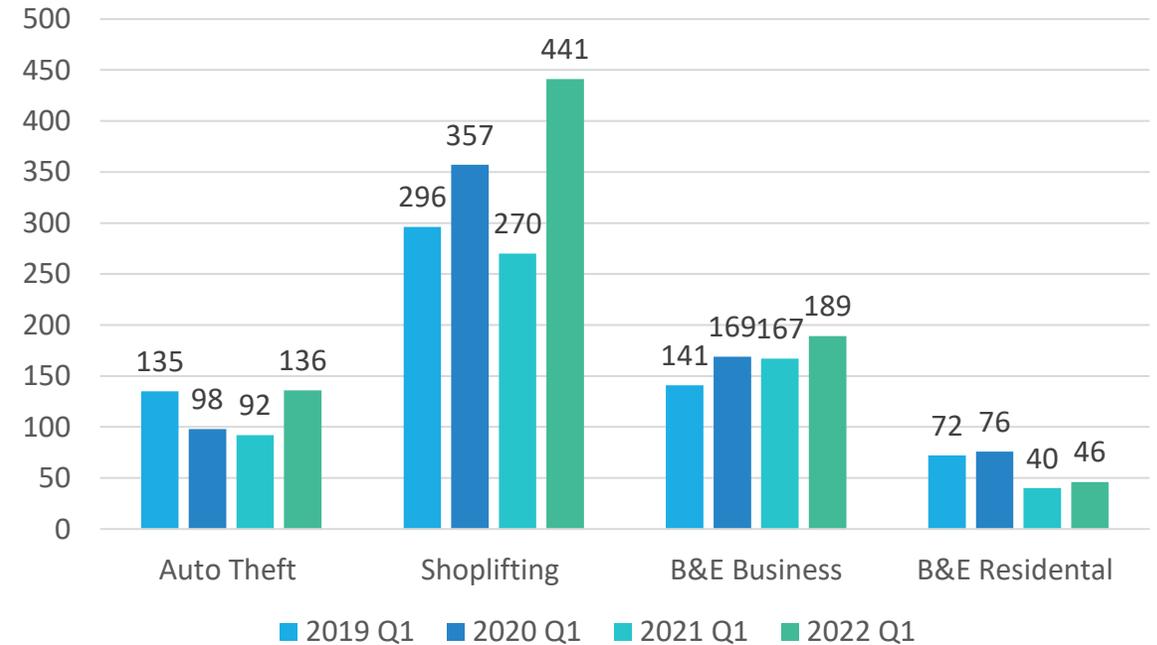
Property Crime Advocacy

Significant issue in our community

Data and analytical led response

System Alignment

Key Issues This Quarter





Decrease the risk of property crime



Auto Theft

- Kelowna ranked 3rd in the province for number of vehicles stolen this week, behind Surrey and Vancouver. Sourced: Impact Provincial Data from April 18-24th.
- Proactive enforcement collaborating with each Watch.
- Prolific offenders targeting idling/unlocked vehicles.
- Community education and provincial advocacy.

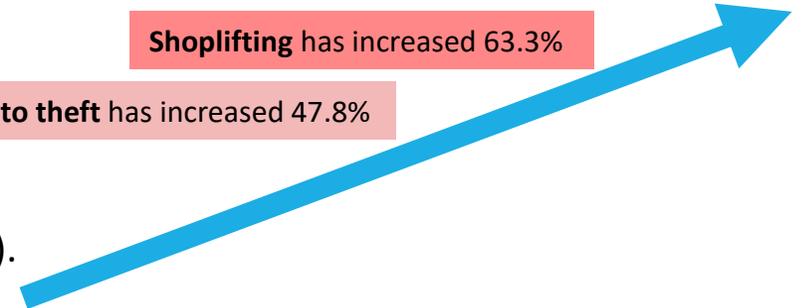


Shoplifting

- Prolific shoplifters have brazen attitude.
- Lack of Loss Prevention Officers (LPO).
- LPOs given direction not to arrest during pandemic.

Auto theft has increased 47.8%

Shoplifting has increased 63.3%





Decrease the risk of property crime

Prolific Offenders

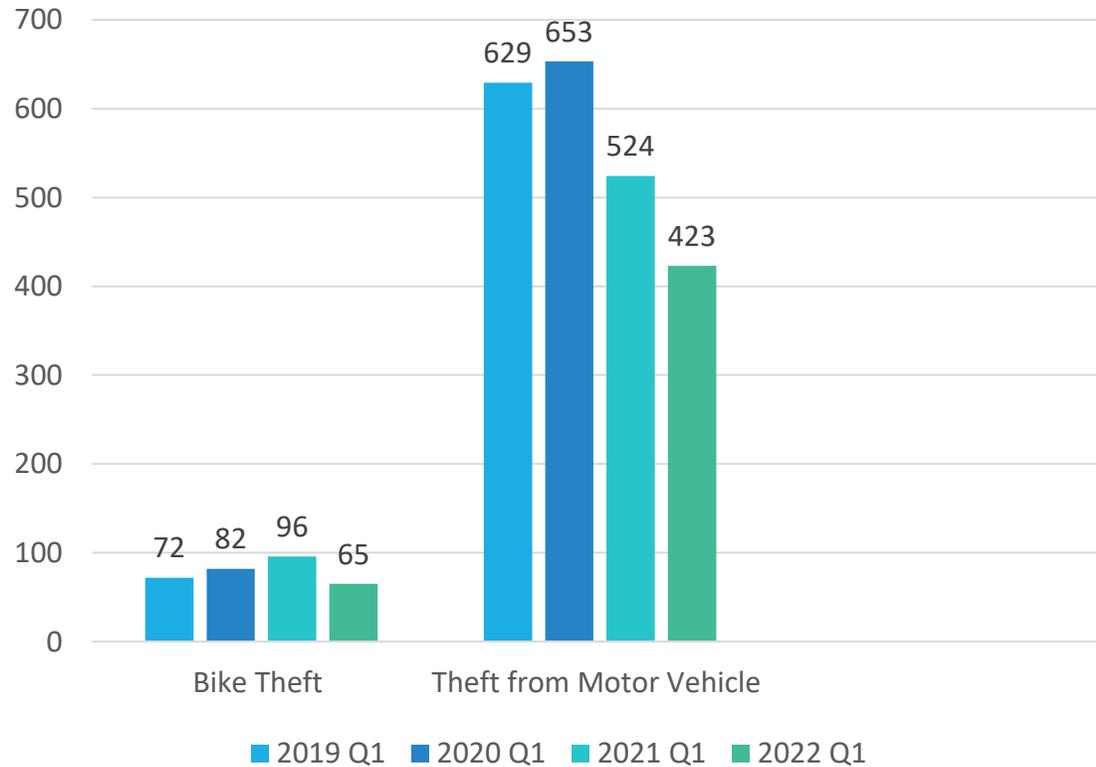
- Half of property crime is committed by approximately 10% of offenders. Source: Attorney General B.C.
- Prolific offenders generated 149 files in Kelowna. The top 3 prolific offenders made up 45% of all prolific files.
- Severe lack of Loss Prevention Officers.
- Brazen attitude in common offences and low value property crime.





Decrease the risk of property crime

Trending Downward



Initiatives this Quarter

- ✓ Bait cars
- ✓ Media 9PM routine
- ✓ 60 recovered stolen vehicles

<https://ocre-sielc.rcmp-grc.gc.ca> > kelowna

Online Crime Reporting | Kelowna RCMP

data + analytics
are used to
deploy resources





Increase the sense of safety in public spaces in Downtown & Rutland

Current Themes

Significant increase in activity within the core of downtown Kelowna.



Shelters and OS4 are at maximum capacity and numbers continue to increase.



Considerable increase in the number of people sleeping in parks as well as social disorder.



Decamping is requiring more time than in previous years.

CSU Response

- ✓ **Increase** response and **enforcement** at shelter sites
- ✓ **Weekly meetings** held with Bylaw Management including community partners and CoK events.
- ✓ RCMP + Bylaw **joint patrols/** collaborations, Leon St. etc.
- ✓ **Continuous engagement** with DKA and URBA





Increase the sense of safety in public spaces in Downtown & Rutland

Overview of Kelowna Integrated Court (KIC)

Purpose of KIC is to identify the root cause of criminal behaviour and try to resolve it.

Client participation is a court ordered requirement.

Treatment is readily accessible.



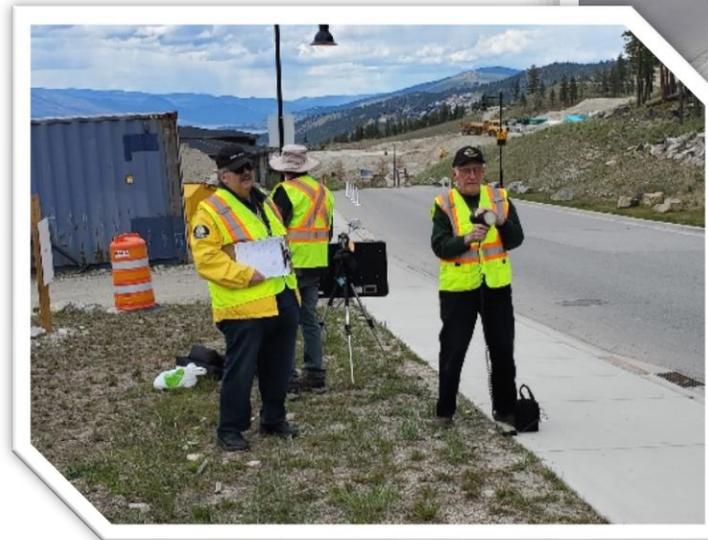


Increase the sense of safety in public spaces in Downtown & Rutland

Current Efforts to Increase Sense of Public Safety

April 28, 2022 marks the first Speed Watch operation.

- High speed area.
- Many complaints regarding specific location.
- Operation involves dedicated RCMP volunteers.





Earn the trust of citizens who have experienced persons crime



Our Focus



Focus on Organized Crime and those economically benefitting from the profit of crime.



Weapons offences have increased by 70.9%.



Strategic focus on high risk mental health clients.

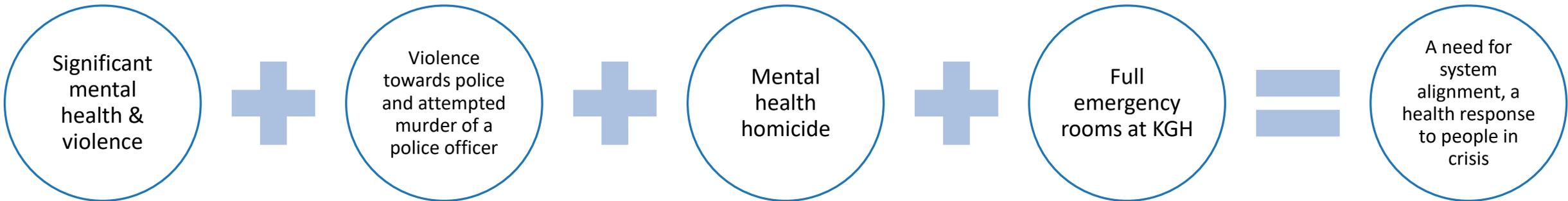




Earn the trust of citizens who have experienced persons crime



Mental Health and Violence Requires System Alignment



Alternatives to jail and hospital: crisis stabilization teams and co-responder teams





**Earn the trust of
citizens who have
experienced
persons crime**

RCMP in our Community

“The wins in this work don’t always come from the criminal justice outcomes. For us, the wins come from the children themselves, when we create an opportunity for them to unburden themselves, to speak their truth in an environment where they feel upheld, supported, and safe, that’s a win.”

Source: iheartradio.ca



Questions?



REPORT TO COUNCIL



Date: May 30, 2022
To: Council
From: City Manager
Department: Development Planning
Application: A22-0001/FH22-0004 **Owner:** William and Maria Kitsch
Address: 2830 East Kelowna Road **Applicant:** Willam and Maria Kitsch
Subject: Application to the ALC for Non-Adhering Residential Use Permit for Temporary Farm Worker Housing
Existing OCP Designation: R-AGR - Rural - Agricultural & Resource
Existing Zone: A1 – Agriculture 1

1.0 Recommendation

THAT Agricultural Land Reserve Application No. A22-0001 for Lot A Section 16 Township 26 ODYD Plan 32982 Except Plan KAP71228 located at 2830 East Kelowna Road, Kelowna, BC for a Non-Adhering Residential Use Permit pursuant to Section 25 of the Agricultural Land Commission Act, be supported by Council;

AND THAT the Council directs Staff to forward the subject application to the Agricultural Land Commission for consideration;

AND THAT Council authorizes the issuance of Temporary Farm Working Housing Permit No. FH22-0004 for for Lot A Section 16 Township 26 ODYD Plan 32982 Except Plan KAP71228 located at 2830 East Kelowna Road, Kelowna, BC subject to the following:

1. Approval by the Agricultural Land Commission of Non-Adhering Residential Use Permit Application A22-0004;
2. The dimensions and siting of the building to be constructed on the land in accordance with Schedule A;
3. Registration of a Section 219 Restrictive Covenant on the Title that states:
 - a. The dwellings will be used for temporary farm workers only;
 - b. The owner will remove the dwellings if the farm operation changes such that if they are not longer required;
 - c. The dwellings will only be used for farm workers for a maximum of ten (10) months of the year;

d. The maximum number of accommodations permitted on this farm unit within this City sector is 60 workers: and,

e. The temporary farm worker housing building footprint is a maximum of 0.3ha.

AND FURTHER THAT this Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To support an application to the Agricultural Land Commission for a Non-Adhering Residential Use Permit application to allow Temporary Farm Worker Housing to accommodate 2 seasonal workers on the subject property.

3.0 Development Planning

Staff support the application for Temporary Farm Worker Housing (TFWH) for up to 2 seasonal agricultural workers on the subject property. The proposed farm worker accommodation meets the regulations of the Zoning Bylaw. The proposal is also consistent with the Ministry of Agriculture standards for temporary farm worker accommodation.

The proposed application complies with the City of Kelowna Official Community Plan (OCP) policies of TFWH requirements. Agriculture is the principal use on the parcel. The applicant has demonstrated that the scale of farm operations is large enough and necessary to accommodate farm employees whose residence on the farm property is considered critical to the overall operation of the farm. The proposed housing will be on non-permanent foundations which is the preferred solution where the need for farm worker housing is justified and is in an area of the property that minimizes the residential impact to agriculture.

4.0 Proposal

4.1 Background

The subject property is 20.0 acres (8.1 hectares) and located on East Kelowna Road, near the intersection with Dunster Road. The subject parcel is used as a vineyard for pinot noir grapes, while the applicants operate on a total of 41.7 acres across 3 properties. The subject property currently has two single-family dwellings.

4.2 Project Description

The applicant is proposing to move an existing house on the subject property and construct an addition to accommodate 2 seasonal farm workers. The house is currently sited in a location where the applicants have been permitted to construct a winery. The existing house is currently used to accommodate 2 seasonal farm workers, and will house an additional 2 workers after the relocation and addition are completed. The existing house contains 2 bedrooms, one bathroom and a kitchen. The proposed addition would contain an additional bedroom. The house with the proposed addition would move to an unplanted area, tie into the existing septic system, and have a footprint of 85 m².

4.3 Site Context

The subject property is located between Hart Road and Grieve Road. The surrounding area is primarily agricultural land within the Agricultural Land Reserve.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Agriculture
East	A1 – Agriculture 1	Agriculture
South	A1 – Agriculture 1	Agriculture
West	A1 – Agriculture 1	Agriculture

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Kelowna 2040 – Official Community Plan Policy Template

Objective 8.1 Protect and preserve agricultural land and its capability (Chapter 8: Rural Lands)	
Policy 8.1.1. Protect Agricultural Land.	Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.
Policy 8.1.9. Farm Help Housing.	<p>As a first option, encourage farm help housing to be located within the Permanent Growth Boundary, providing access to amenities for workers. As a second option, accommodation for farm help on agricultural land on the same farm unit, where approved by the ALC, will be considered only when:</p> <ul style="list-style-type: none"> • Agriculture is the principal use on the parcel; and • The applicant demonstrates that on-site housing for farm workers is necessary for the overall operation of the farm. The primary consideration is whether the scale of the farm operation is large enough that permanent help is deemed necessary.

6.o Application Chronology

Date of Application Received: January 31, 2022
Agricultural Advisory Committee April 14, 2022

The above noted application was reviewed by the Agricultural Advisory Committee at the meeting held on April 14, 2022 and the following recommendations were passed:

THAT the Committee recommends that Council support the application for a non-adhering residential use permit.

Report prepared by: Graham Allison, Planner I
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Site Plan / Floor Plan

Attachment A: ALC Non-Adhering Residential Use Application

Attachment B: Development Engineering Memorandum

Attachment C: Draft Temporary Farm Working Housing Permit (FH22-0004)

Attachment D: Applicant's Rationale



City of
Kelowna

A22-0001

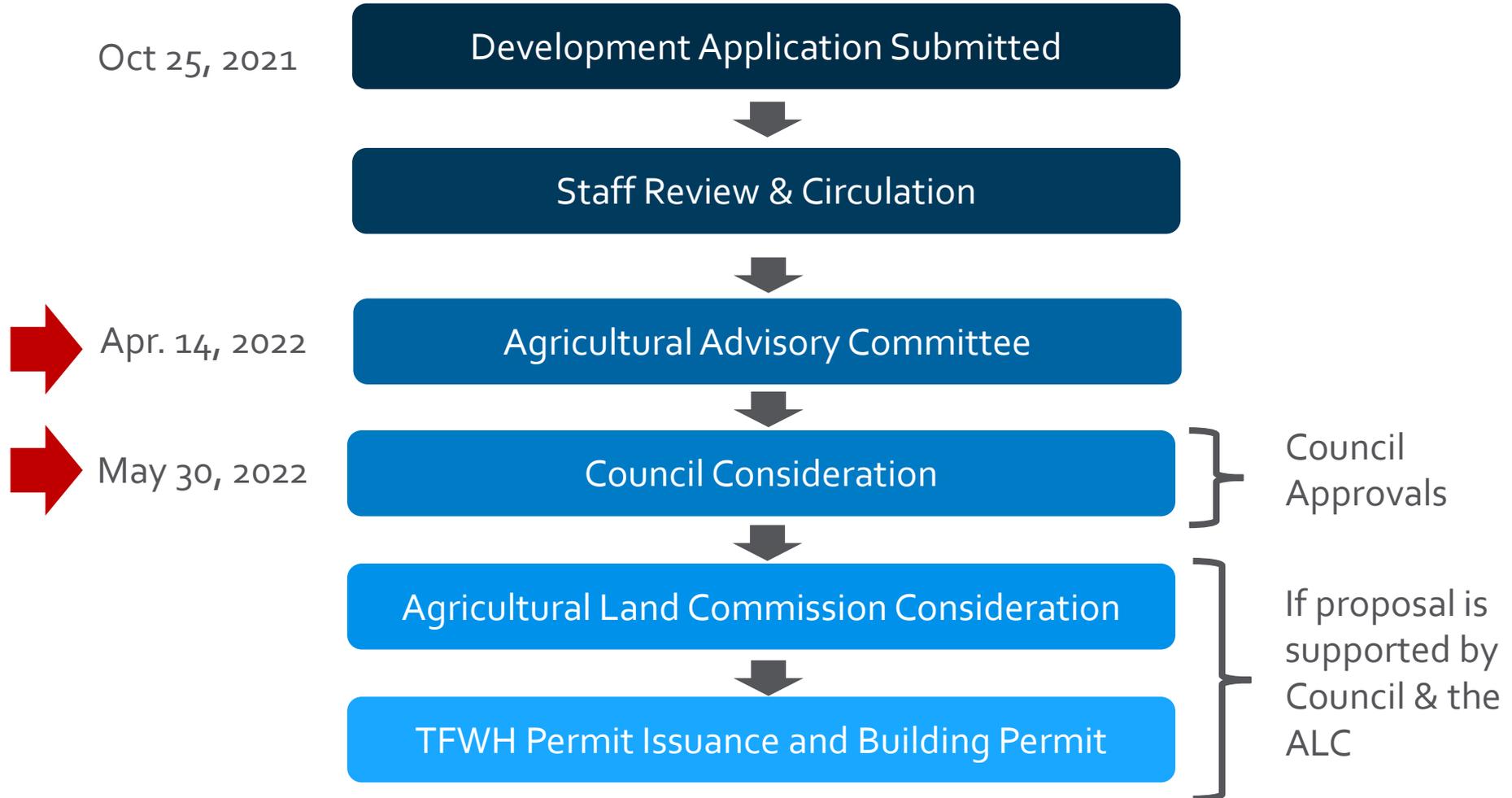
2830 East Kelowna Road

ALR Application for Non-Adhering Residential Use Permit

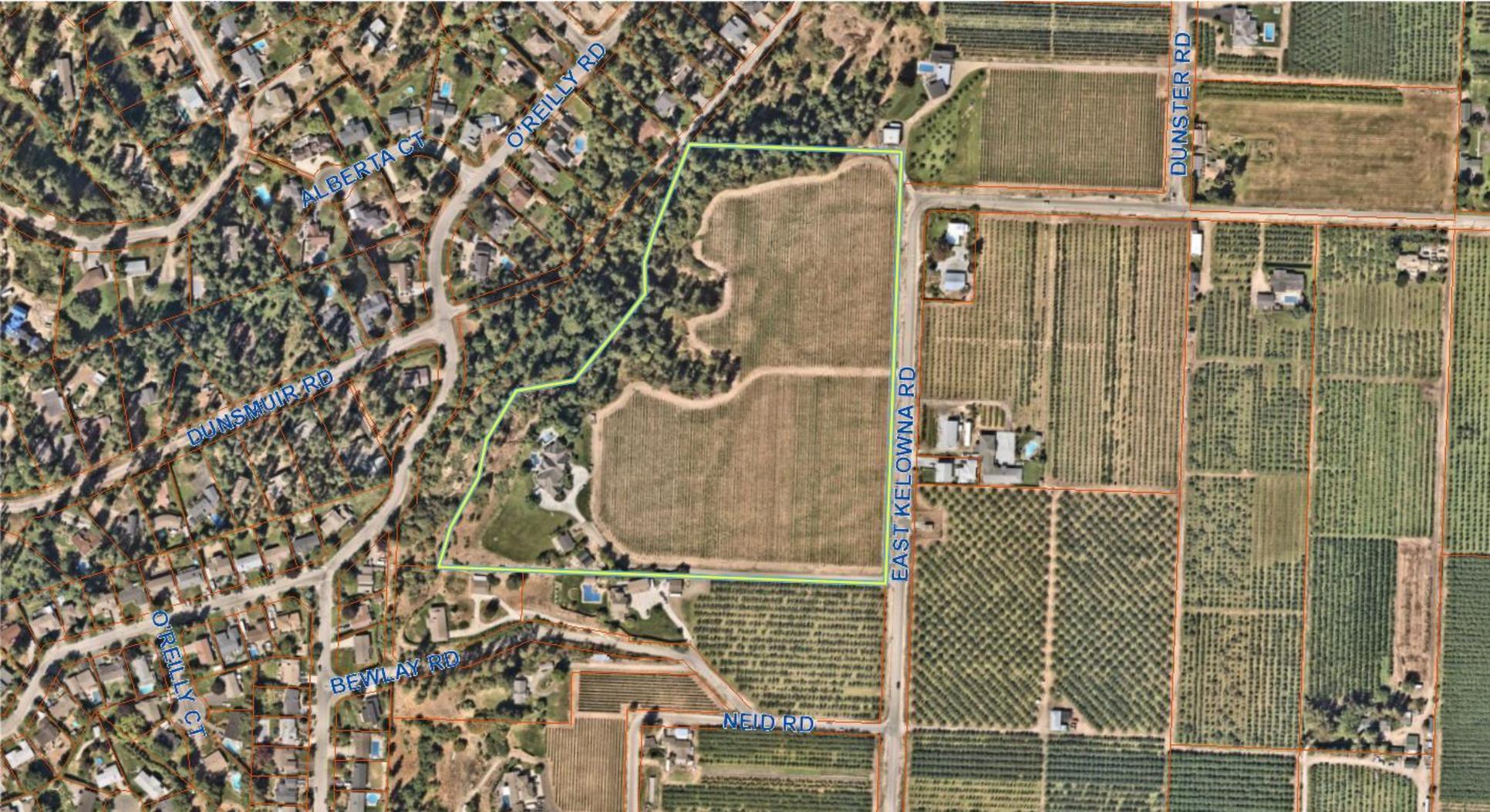
Proposal

- ▶ To consider an application to the Agricultural Land Commission for a Non-Adhering Residential Use Permit application to allow Temporary Farm Worker Housing to accommodate 2 seasonal workers on the subject property

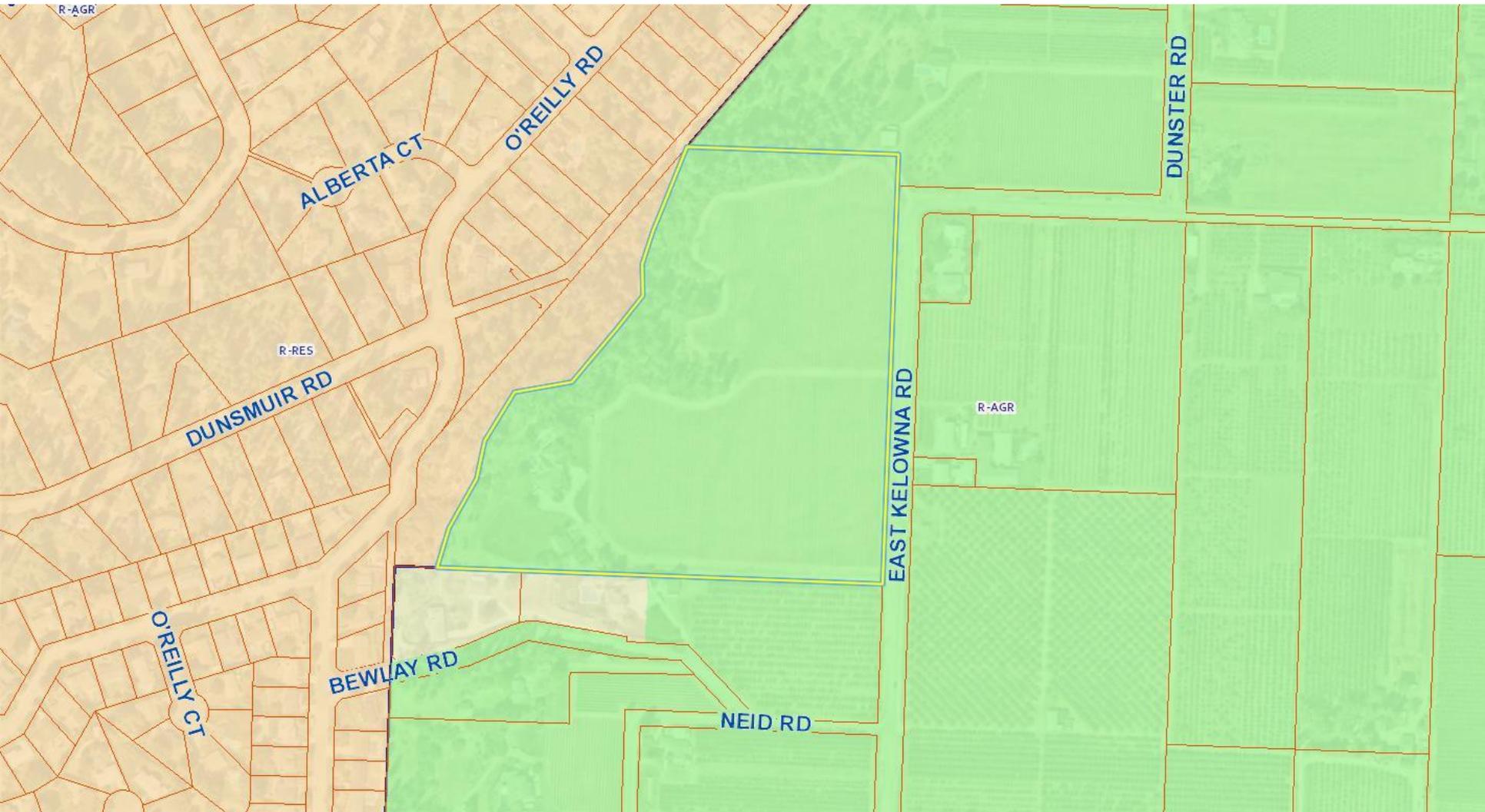
Development Process



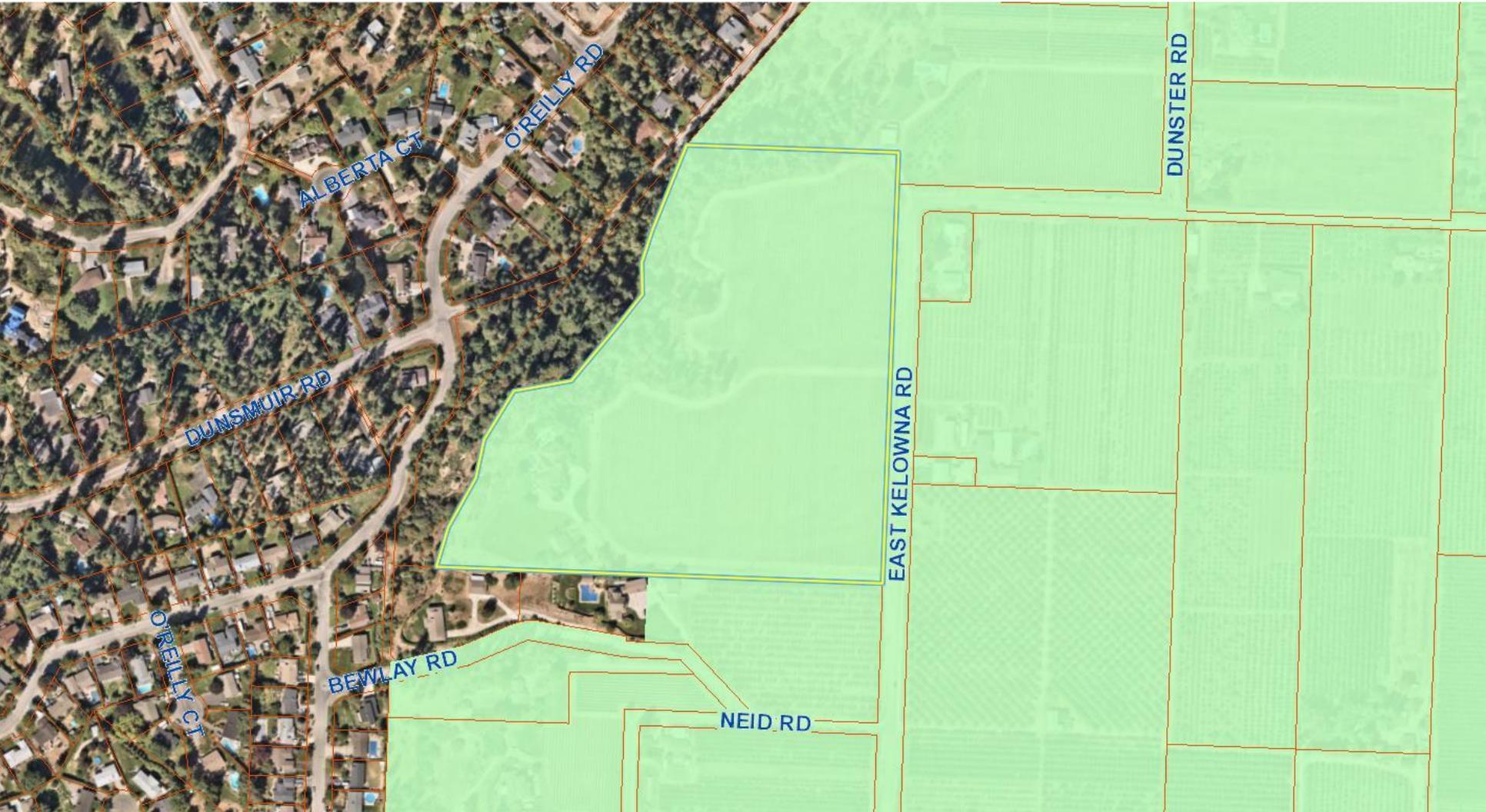
Context Map



OCP Future Land Use / Zoning



Agricultural Land Reserve

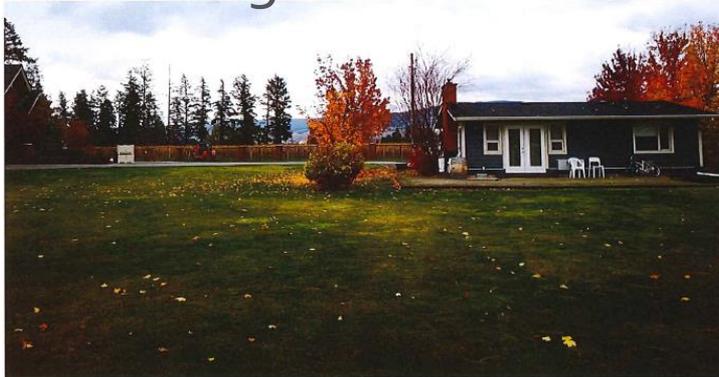


Project Details

- ▶ The applicant is proposing to move an existing house on the subject property and construct an addition to accommodate 2 seasonal farm workers.
- ▶ The existing house is currently used to accommodate 2 seasonal farm workers, and will house an additional 2 workers after the relocation and addition are completed.
- ▶ The proposed addition would make the building 85m² in gross floor area and 1 storey in height.

Site Photos

▶ Existing House



▶ Proposed Location



Development Policy: Zoning Bylaw

Regulation	Meets
Minimum farm unit size: 3.8 ha	<input checked="" type="checkbox"/>
New TFWH structures must include a communal kitchen	<input checked="" type="checkbox"/>
Only occupied during growing, harvesting and pruning periods	<input checked="" type="checkbox"/>
Occupied no more than 10 months of a calendar year	<input checked="" type="checkbox"/>
Maximum TFWH footprint: 0.30 ha for maximum of 60 workers	<input checked="" type="checkbox"/>
Maximum temporary farm workers per city sector: 60	<input checked="" type="checkbox"/>

Development Policy: OCP Policies & Permit Guidelines

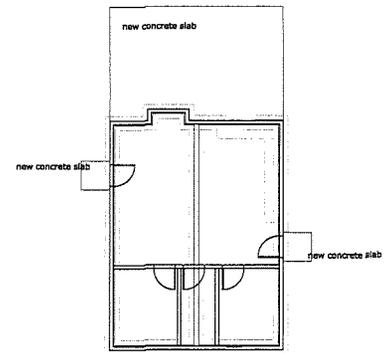
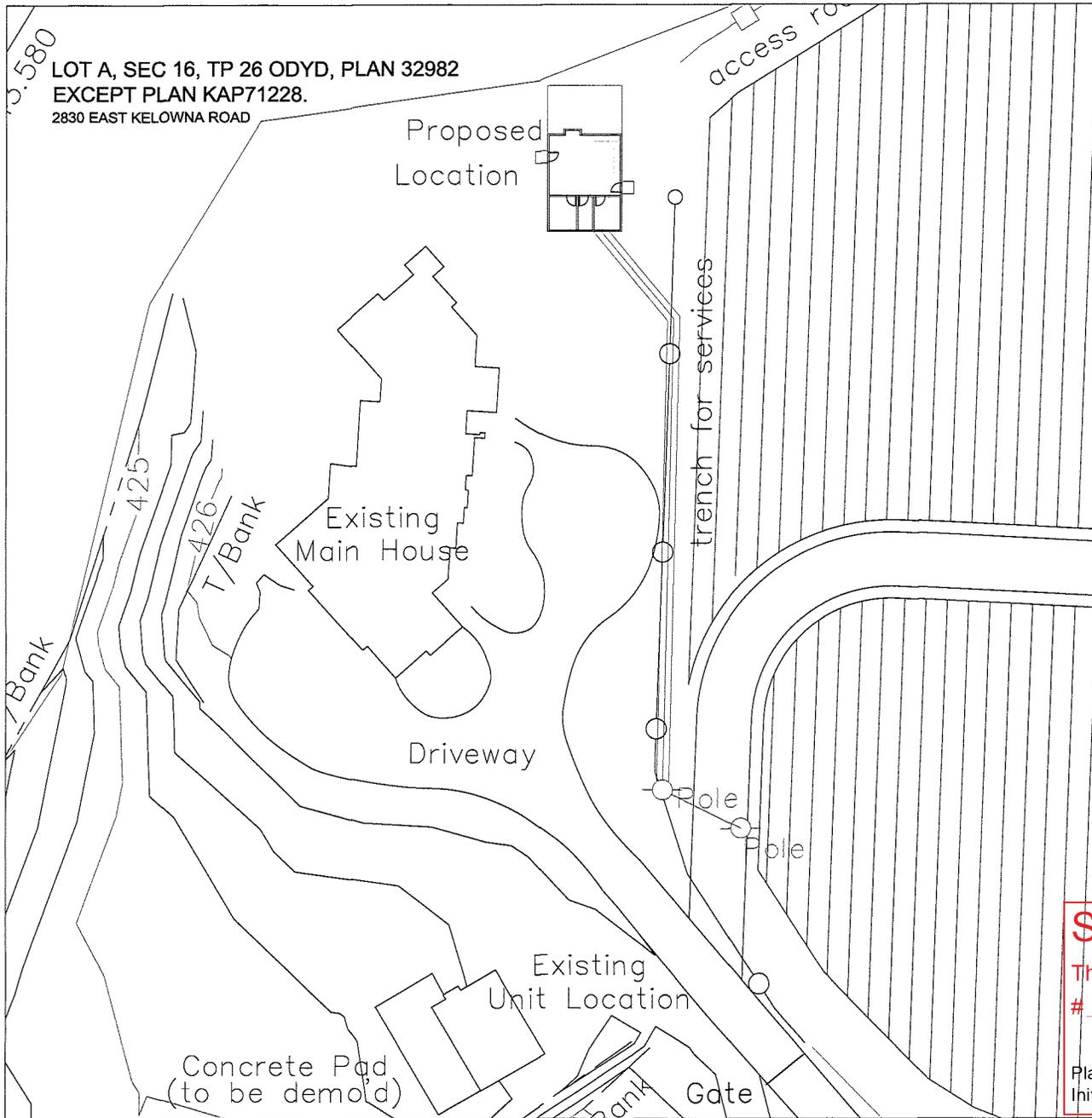
Policy / Guideline	Meets
Agriculture is the principal use on the parcel	☑
Scale of farm operation is large enough that permanent help is deemed necessary	☑
TFWH on non-permanent foundations where the need for farm worker housing is justified	☒
Building footprint within 50 m of the road or located to maximize agricultural potential and limit negative impacts on the farm parcel	☒
Minimum 3 m wide vegetated buffer for screening to adjacent property lines and between TFWH and active farming	☒

Recommendation

- ▶ Staff recommend **support** for the application for Temporary Farm Worker Housing (TFWH) for 2 seasonal agricultural workers on the subject property
 - ▶ Proposal meets the regulations of the Zoning Bylaw
 - ▶ Agriculture is the principal use on the parcel
 - ▶ Consistent with the Ministry of Agriculture standards for temporary farm worker accommodation



Conclusion of Staff Remarks



PROPOSED FLOOR PLAN
1/8" = 1'-0"

new foundation to match existing, ensure 24" of frost protection with R10 insulation

237 BERNARD AVENUE
KELOWNA, B.C.
V1Y 6K2
TEL: 250/8622004
EMAIL: info@mjma.ca



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No.	Date	Revisions
01	2023.03.28	Issued for building permit

Project Title
KITSCH WINES AGRICULTURAL WORKER HOUSE RELOCATION

KELOWNA BC
Drawing Number

A0.00

DRAWINGS ARE NOT TO BE SCALED. ALL DIMENSIONS SHALL BE TAKEN FROM THIS

Drawing Title
PROPOSED SITE PLAN

1/16" = 1'-0"

Date	Drawn By	Checked By

SCHEDULE A

This forms part of application # **FH22-0004**

Planner Initials **GA**

City of **Kelowna**
DEVELOPMENT PLANNING

Provincial Agricultural Land Commission - Applicant Submission

Application ID: 64025

Application Status: Under LG Review

Applicant: Maria Kitsch , Trent Kitsch

Agent: Maria Kitsch

Local Government: City of Kelowna

Local Government Date of Receipt: 10/25/2021

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Adhering Residential Use - Additional Residence for Farm Use

Proposal: Purchased by us in Nov 2018, the property came with a small 2 bedroom home (768sq ft and surface area) and the principal residence (3,700 surface area, 6,500 sq ft). We have applied for and been granted permission to build a winery but the location of the small home is at the spot that makes the most sense for the winery (not arable, close to wastewater, driveway access already exists etc). Because the small home is original, the municipality doesn't have permits for it. This proposal is to request permission to KEEP and MOVE the small home to a new location on the property that is also not farmed. Site plan and home layout included in attachments. Second consideration also being requested to allow a 12x12 bedroom to be added to the footprint of the small home, bringing it to 914sq ft if approved. The addition of this room would allow us to house sufficient workers for our vineyards.

Agent Information

Agent: Maria Kitsch

Mailing Address:

2830 East Kelowna Rd

Kelowna, BC

V1W 4H5

Canada

Primary Phone: (778) 821-1955

Email: ria.kitsch@gmail.com

Parcel Information

Parcel(s) Under Application

1. **Ownership Type:** Fee Simple

Parcel Identifier: 003-268-993

Legal Description: Lot A Plan KAP32982 Section 16 Township 26 Land District 41 Except Plan KAP71228

Parcel Area: 8.1 ha

Civic Address: 2830 East Kelowna Rd

Date of Purchase: 11/05/2018

Farm Classification: Yes

Owners

1. **Name:** Maria Kitsch

Address:

2830 East Kelowna Rd

Kelowna, BC
V1W 4H5
Canada
Phone: (778) 821-1955
Email: ria.kitsch@gmail.com

2. **Name:** Trent Kitsch
Address:
2830 East Kelowna Rd
Kelowna, BC
V1W 4H5
Canada
Phone: (250) 317-5140
Email: trent@kitschwines.ca
-

Ownership or Interest in Other Lands Within This Community

1. **Ownership Type:** Fee Simple
Parcel Identifier: 025-418-726
Owner with Parcel Interest: Maria Kitsch
Parcel Area: 1.3 ha
Land Use Type: Residential
Interest Type: Partial Ownership
-

2. **Ownership Type:** Fee Simple
Parcel Identifier: 005-266-980
Owner with Parcel Interest: Maria Kitsch
Parcel Area: 7.5 ha
Land Use Type: Agricultural/Farm
Interest Type: Unregistered Lease
-

Current Use of Parcels Under Application

1. **Quantify and describe in detail all agriculture that currently takes place on the parcel(s).**
11.5 acres are farmed, all in Pinot Noir grapes. The original two-bedroom home is used for Foreign Workers. The paved area is used to crush grapes into juice which is fermented offsite at the family's licensed location nearby. We have 5 chickens who are often let free range in the vineyard, the eggs are used for personal consumption only.

2. **Quantify and describe in detail all agricultural improvements made to the parcel(s).**
3 acres of planted area was added Spring 2020 (originally was 8.5 acres of cherries).

3. **Quantify and describe all non-agricultural uses that currently take place on the parcel(s).**
We (the owners) reside at the property in a home who's footprint area is 3,700sq ft. We are a family of 4 with 2 dogs.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: Orchard and wine grapes

East

Land Use Type: Agricultural/Farm

Specify Activity: Orchard

South

Land Use Type: Agricultural/Farm

Specify Activity: Orchard

West

Land Use Type: Residential

Specify Activity: 3 acre empty lot on a subdivision

Proposal

1. What is the purpose of the proposal?

Purchased by us in Nov 2018, the property came with a small 2 bedroom home (768sq ft and surface area) and the principal residence (3,700 surface area, 6,500 sq ft). We have applied for and been granted permission to build a winery but the location of the small home is at the spot that makes the most sense for the winery (not arable, close to wastewater, driveway access already exists etc). Because the small home is original, the municipality doesn't have permits for it. This proposal is to request permission to KEEP and MOVE the small home to a new location on the property that is also not farmed. Site plan and home layout included in attachments. Second consideration also being requested to allow a 12x12 bedroom to be added to the footprint of the small home, bringing it to 914sq ft if approved. The addition of this room would allow us to house sufficient workers for our vineyards.

2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

Farmed area is currently 11.5 acres on property and 10.25 leased nearby (where wine is currently manufactured). By MOVING the current farm worker house, we can have a purpose-built wine manufacturing facility on owned property rather than leased property (currently operating out of a residential garage) and grow our volume to match our growing vineyard footprint. By KEEPING the current farm worker house on this property, we can house a couple of workers that come in from Mexico (currently bringing in 2 women April-Oct annually). Our application also includes a potential expansion of 144sq ft to the farm worker house for 1 more bedroom to house 2 more workers (1 worker per 5 acres of vineyard is an industry average, meaning we need at least 4 to farm our 21.75 acres combined), putting the total sq ft at 914 if expansion is approved.

3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

House #1 - original farm house, 2 bedrooms, 1 bathroom, 768sq ft. Used to house two temporary foreign workers annually from April - Oct.

House #2 - Residential home built 2007. 5 bedrooms, 5 bathrooms. Lot coverage of 3,700 sq ft. 3 storeys, total square footage of 6,500. Used to house our family of 4.

4. What is the total floor area of the proposed additional residence in square metres?

85 m²

5. Describe the rationale for the proposed location of the additional residence.

New location is similar to current: both are grassy, non-planted, near edge of property, have vehicle access, are near services and tie-ins. The current location of the farm worker house is on the big grassy area that has been approved by the ALR for building a winery. We are applying so that we keep the farm

worker accommodation which is hard to find and expensive in Kelowna without impacting the farmed area while also giving the winery the best chance for efficient operations. Farm workers have proven to be essential in today's labour market.

6. What is the total area of infrastructure necessary to support the additional residence?

The proposed location already has vehicle access and access to services and tie in to the existing septic. The only need will be a concrete slab for the foundation that is the dimension of the home (768 ft² if the same, 914ft² if additional bedroom is approved).

7. Do you need to import any fill to construct the additional residence or infrastructure?

No

Applicant Attachments

- Agent Agreement-Maria Kitsch
- Proposal Sketch-64025
- Other correspondence or file information-Letter of Rationale and photos
- Other correspondence or file information-Farm house drawing
- Certificate of Title-003-268-993

ALC Attachments

None.

Decisions

None.

CITY OF KELOWNA MEMORANDUM

Date: February 23, 2022
File No.: A22-0001
To: Land Use Planning Manager (TC)
From: Development Engineering Manager (NC)
Subject: 2830 East Kelowna Rd.

ATTACHMENT B
This forms part of application
FH22-0004

Planner Initials **GA**

City of **Kelowna**
DEVELOPMENT PLANNING



temp farm help move

Development Engineering has the following comments at this point in time with regard to this application for Move of Temporary Farm Work Housing to different location on property

Potential requirements are provided for information only and are subject to the policies in effect at the time when a formal building permit application is made by the owners.

1. Domestic water and fire protection.

- a) Our records indicate that the subject property is provided with domestic and non-portable irrigation services.
- b) All charges for service connection and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the developer.
- c) On-site servicing including the utilisation of existing or proposed services as well as fire protection requirements will be reviewed by Building & Permitting.
- d) Meters with double check valve assemblies are required for all services.

2. Sanitary Sewer.

- a) This subject parcel is currently not within the City sewer service area. Sanitary sewage is presently handled by an on-site sewage disposal system.
- b) Existing and proposed on-site servicing upgrades will be reviewed by the Interior Health Authority and Building & Permitting.

3. Electric Power and Telecommunications Services.

- a) It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost


Nelson Chapman P.Eng.
Development Engineering Manager
RO/JF

TEMPORARY FARM WORKER HOUSING PERMIT



APPROVED ISSUANCE OF TEMPORARY FARM WORKER HOUSING PERMIT NO. FH22-0004

Issued To: William and Maria Kitsch
Site Address: 2830 East Kelowna Road
Legal Description: Lot A Section 16 Township 26 ODYD Plan 32982 Except Plan KAP71228

Zoning Classification: A1 – Agriculture 1
Development Permit Area: Temporary Farm Worker Housing



SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

1. TERMS AND CONDITIONS

THAT Temporary Farm Worker Housing Permit No. FH22-0004 Lot A Section 16 Township 26 ODYD Plan 32982 Except Plan KAP712284, located at 2830 East Kelowna Road, Kelowna, BC to allow the development of temporary farm worker housing be approved subject to the following:

- a) The dimensions and siting of the buildings and structures to be constructed on the land be in accordance with Schedule "A";
- b) Registration of a Section 219 Restrictive Covenant restricting the use of the temporary farm worker housing to accommodation for temporary farm workers only, to a maximum sixty (60) temporary farm workers, and to a maximum occupation of ten (10) months of the year;
- c) Registration of a Section 219 Restrictive Covenant on all parcels owned or leased by the farmer in the Southeast Kelowna OCP Sector restricting the total number of temporary farm worker housing to sixty (60) on those parcels; and
- d) Registration of a Section 219 Restrictive Covenant on the farm unit parcels prohibiting the parcels from being sold or otherwise transferred separately; and

AND THAT this Temporary Farm Worker Housing Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.

3. Indemnification

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

4. APPROVALS

Issued and approved by Council on the May 30th, 2022

Terry Barton, Development Planning Department Manager

Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or his or her designates**

DRAFT

Maria (Ria) and Trent Kitsch
2830 East Kelowna Rd
Kelowna, BC, V1W 4H5

ATTACHMENT **D**

This forms part of application
FH22-0004

Planner Initials **GA**

City of **Kelowna**
DEVELOPMENT PLANNING



October 22, 2021

Agricultural Land Commission
201 - 4940 Canada Way
Burnaby, BC, V5G 4K6

Re: Non-Adhering Residential Use Permit, Relocation of Farm Worker House
Subject Property: 2830 East Kelowna Rd, Kelowna BC

Timeline

- Unknown: Original 2 bedroom, 1 bathroom home built (768ft²)
- 2006: 5 bedroom, 5 bathroom home built (3,700 surface area, 6,400 living area)
- November 2018: Property purchased by current owners
- May 2020: 11.5 acres of vineyard planted (including 3.5 acres of previously unplanted area)
- September 2020: ALC approves winery production building on property (Application 59612)
- Summer 2021: ALC announces they will be in support for secondary residences for farm workers

Supporting Information:

The owners of the subject property also own a winery (Kitsch Wines Ltd.) which operates nearby at 3330 Neid Road where 10.25ac more of vines are leased and managed.

In vineyard management, a rule of thumb is 1 worker per 5 acres of vines. The combination of the two vineyards = 21.75 acres and would therefore warrant about 4 workers (2 workers for each site).

The applicants were very pleased to have been granted permission to build a winery at the subject property, but after considering the design, they realized they were going to lose a very valuable asset: the existing farm worker home. In the last year, many other winery locations have been discussed and vetted with architects, geotech and the municipality but it has been confirmed that the approved location is where the winery should go due to area availability and access to roads and services without using arable land. When the ALC announced recently that small farm worker houses would be approved, the applicants decided to make this application.

The existing farm worker home is original, the municipality doesn't have permits for it, but it was renovated prior to 2018 and in great condition. This proposal is to request permission to KEEP and MOVE the small home to a new location on the property that is also not farmed - photos below and site plan attached to application.

Additional consideration also being requested is to allow a 12x12 bedroom to be added to the footprint of the small home, bringing it to 914sq ft, if approved. The addition of this room would allow applicants to house sufficient workers for our vineyards.

The farmed area is currently 11.5 acres on property and 10.25 acres leased nearby (where wine is currently manufactured). By MOVING the current farm worker house, we can have a purpose-built wine manufacturing facility on owned property rather than leased property (currently operating out of a residential garage) and grow our volume to match our growing vineyard footprint. By KEEPING the current farm worker house on this property, we can house the workers that come in from Mexico (currently bringing in 2 women April-Oct annually). Our application also includes a potential expansion of 144sq ft to the farm worker house for 1 more 12x12 bedroom which would allow for 2 more workers (1 worker per 5 acres of vineyard is an industry average, meaning we need at least 4 to farm our 21.75 acres combined), putting the total sq ft at 914 if expansion is approved.

The rationale for moving the small home is the new location is like the current: both are grassy, non-planted, near edge of property, have vehicle access, are near services and tie-ins. The current location of the farm worker house is on the big grassy area that has been approved by the ALR for building a winery. We are applying so that we keep the farm worker accommodation which is hard to find and expensive in Kelowna without impacting the farmed area while also giving the winery the best chance for efficient operations.

The proposed location already has vehicle access and access to services and tie into the existing septic. The only need will be a concrete slab for the foundation that is the dimension of the home (768 ft² if the same, 914ft² if 1 additional bedroom is approved).

In summary, we would like to move the small home approx. 275 feet to another non-farmed area on the property and add one more bedroom, if approved. The reason for moving is it would allow us to build the ALR approved winery where the home currently sits and keep the temporary foreign worker housing.

See Site Photos below



Above: View facing Southwest, showing existing farm house (RV parked in front) and big grassy area where wine production building is proposed and approved by ALR.



Above: View facing Northeast. You can see the back of the farm worker house in it's current location and it's general size. Vineyard is in background as well as a bit of the roofline of the main single family home.



Above: View facing South. RV is parked in front of farm worker house in its existing location in the distance. This photo is taken where new location is proposed. Fence will be taken down and ring road is on other side around the edge of the vineyard. (don't mind the grass, that was for irrigation repairs). The main single family residence is also visible.



Above: View facing North. Future farm worker house proposed location, tucked right up to trees and fence line. The side of the family home facing this area has virtually no windows so the privacy of both homes will be intact. The septic is located under the grass closer to the family home.

REPORT TO COUNCIL



Date: May 30, 2022
To: Council
From: City Manager
Department: Development Planning
Application: OCP20-0003/Z20-0006 **Owner:** Midwest Ventures Ltd.
Address: 3480 & 3508 Fleet Court **Applicant:** Argus Properties Ltd.
Subject: Official Community Plan Amendment and Rezoning Application
Existing OCP Designation: IND - Industrial
Proposed OCP Designation: RCOM – Regional Commercial Corridor
Existing Zone: CD15 – Airport Business Park
Proposed Zone: C9 – Tourist Commercial

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP20-0003 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of Lot 2, Section 14, Township 23, ODYD Plan EPP64815, located at 3480 Fleet Court and Lot 15, Section 14, Township 23, ODYD Plan KAP82802 Except Plan EPP23036, located at 3508 Fleet Court, Kelowna, BC from the IND – Industrial designation to the RCOM – Regional Commercial Corridor designation be considered by Council;

AND THAT Rezoning Application No. Z20-0006 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 14, Township 23, ODYD Plan EPP64815 located at 3480 Fleet Court and Lot 15, Section 14, Township 23, ODYD, Plan KAP82802 Except Plan EPP23036 located at 3508 Fleet Court, Kelowna, BC from the CD15 – Airport Business Park zone to the C9 – Tourist Commercial zone be considered by Council;

AND THAT the Official Community Plan and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT final adoption of the Official Community Plan and Zoning Bylaw be considered in conjunction with Council’s consideration of a Development Permit for the subject properties.

2.0 Purpose

To amend the Official Community Plan to change the future land use designation of the subject properties from the IND - Industrial designation to the RCOM - Regional Commercial Corridor designation and rezone from the CD15 – Airport Business Park zone to the C9 – Tourist Commercial zone to facilitate a hotel development.

3.0 Development Planning

Staff are recommending support for the proposed Official Community Plan (OCP) and Rezoning applications to accommodate future hotel development. The proposal is generally consistent with the Gateway policies and objectives of the City's 2040 Official Community Plan

The site is adjacent to two existing hotels in the Airport Business Park that service the Kelowna International Airport, University of British Columbia Okanagan and the northern gateway to the City. Due to high demand and low inventory of available rooms during peak times, the conversion of the subject properties from industrial to commercial is considered compatible and complementary to the existing land uses. The additional hotel capacity will help in facilitating tourism and economic development for the region. Given the existing commercial uses of the surrounding properties, Fleet Court acts a natural boundary for the commercial node to the north and the lands which will remain for industrial development to the south.

Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

4.0 Proposal

4.1 Background

The subject properties are partially vacant with shared surface parking for the existing hotels and some temporary storage. Both sites are accessed from Fleet Court with 3508 having frontage on Highway 97N. The future land use designations for the properties are IND – Industrial and are zoned CD15 – Airport Business Park.

4.2 Project Description

The proposed amendments would accommodate a 200 room, Courtyard Marriott hotel. The proposed building is six storeys, oriented north to south. The site would be accessed from Fleet Court and have a combination of surface parking and one level of below grade parkade. Surface parking is also currently shared onsite between the adjacent Four Points by Sheraton and Hampton Inn and Suites by Hilton. This parking would remain in addition to the proposed development of the Courtyard Marriott.

The properties are 1.2 and 2.2 acres in size for a total of 3.4 acres. The redesignation of the subject properties from industrial to commercial is considered a minor loss of available industrial land within the City while providing an expansion of existing commercial amenities to service the Kelowna International Airport and UBCO.

4.3 Site Context

The subject properties are in the Gateway District of the City. The Future Land Use is IND – Industrial, are zoned CD15 – Airport Business Park, and within the Permanent Growth Boundary (PGB).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C9 – Tourist Commercial	Hotel/Commercial
East	A1 - Agriculture	Hwy 97 / YLW
South	CD15 – Airport Business Park	Fleet Court / Industrial
West	C9 – Tourist Commercial	Hotel

Subject Property Map: 3480 & 3508 Fleet Court



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Kelowna 2040 – Official Community Plan Policy

The Big Picture: 10 Pillars to Realize our Vision	
1.	Strengthen Kelowna as the region’s economic hub - Nurturing a culture of entrepreneurship, supporting innovation and fostering inclusive prosperity are important parts of Imagine Kelowna. To achieve this vision, the Official Community Plan supports employment growth in the Urban Centres, industrial lands and other areas in the City. Growth and expansion of major post-secondary institutions, like Okanagan College and UBCO, as well as the Kelowna International Airport will continue so that Kelowna can foster more home-grown talent and be more connected to the world.

Objective 6.3. Support the strategic and planned growth of Kelowna International Airport as a regional economic generator.	
Policy 6.3.1. Kelowna International Airport Master Plan.	Support the continued growth of Kelowna International Airport (YLW), through the implementation of the recommendations in the YLW Airport Master Plan 2045 ² , as amended. <i>The additional hotel capacity will support Kelowna International Airport, UBCO and local tourism for the region.</i>

6.0 Technical Comments

6.1 Development Engineering Department

- See attached memo dated January 23, 2020

7.0 Application Chronology

Date of Application Received: January 20, 2020

Date Public Consultation Completed: April 26, 2022

Report prepared by: Wesley Miles, Planner Specialist

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package



CITY OF KELOWNA

MEMORANDUM

Date: January 23, 2020
File No.: Z20-0006 Revised
To: Urban Planning (AJ)
From: Development Engineer Manager (JK)
Subject: 3508-3580 Fleet Ct CD15 to C9

Development Engineering has the following comments and requirements associated with this application to obtain a rezone 3508 Fleet Ct. CD15 to C9 Tourist Commercial

The Development Engineering Technologist for this project is Ryan O'Sullivan

1. General

- a) Applicant will be responsible for a TIA for the proposed development and all improvements including construction associated with TIA.

2. Domestic Water and Fire Protection

- a) The property is located within the GEID service area.
- b) Provide an adequately sized domestic water and fire protection system complete with individual lot connections. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this subdivision to confirm this.
- c) Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits. Note: Private pumps are not acceptable for addressing marginal pressure.
- d) Hydrants are to be spaced at 200m but also must be located within 100m of a building.
- e) Design drawings must be reviewed by GEID prior to the City issuing the drawings for construction. Confirmation of their review must be provided to the City.

3. Geotechnical Report

- a) Provide a comprehensive geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

The Geotechnical report must be submitted prior to submission of Engineering drawings or application for subdivision approval.

- i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- ii. Site suitability for development.
- iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- iv. Any special requirements for construction of roads, utilities and building structures.
- v. Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- vi. Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- vii. Identify slopes greater than 30%.
- viii. Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- ix. Recommendations for items that should be included in a Restrictive Covenant.
- x. Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- xi. Any items required in other sections of this document.
- xii. Recommendations for erosion and sedimentation controls for water and wind.
- xiii. Recommendations for roof drains and perimeter drains.
- xiv. Recommendations for construction of detention or infiltration ponds if applicable.

4. Sanitary Sewer

City of Kelowna's records indicate that this property is connected with 150mm PVC sewer services. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service if necessary.

5. Storm Drainage

- a. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.
 - (a) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual. The drainage study should indicate the size and location of detention and treatment facilities.
 - (b) Provide a Lot Grading Plan.
- b. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- c. Due to possible hydrogen carbon contaminants a OSG system must be installed before out let to City of Kelowna Storm System.

6. Road Improvements

- (a) Extend Sidewalk around Fleet court Cul-de-sac to South Property line.
- (b) Fleet Court frontages must be landscaped to City of Kelowna By-law standards. Irrigation system to be tied into 3580-3508 Fleet court water systems.
- (c) Second access and cross access agreement to be provided for 3508 Fleet Ct. into 5505-5507 Airport Way.

7. Electric Power and Telecommunication Services

- a) All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.
- b) Re-locate existing utilities, where necessary

8. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

9. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

10. Other Engineering Comments

- (a) Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- (b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Fortis, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

11. Development Permit and Site Related Issues

- (a) Access and Manoeuvrability
 - (i) MSU design vehicle must be able to manoeuvre without backing onto Fleet Court.

12. Charges and Fees

- a) Development Cost Charges (DCC's) are payable.
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - ii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



James Kay, P. Eng.
Development Engineering Manager

RO



ATTACHMENT A

This forms part of application
 # OCP20-0003/Z20-0006

Planner Initials WM



City of **Kelowna**
 DEVELOPMENT PLANNING

Revisions

No.	Revision / Issued	yyyy.mm.dd
01	ISSUED FOR DP	2022.04.05

- IT IS THE CONTRACTORS RESPONSIBILITY TO:
- USE FIGURED DIMENSIONS IN PREFERENCE TO SCALING.
 - VERIFY ALL DIMENSIONS AT THE SITE.
 - REPORT ALL DISCREPANCIES TO THE LANDSCAPE ARCHITECT AND AGREE BEFORE PROCEEDING
 - DETERMINE LOCATION OF ALL EXISTING SERVICES PRIOR TO EXCAVATION.
- THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE LANDSCAPE ARCHITECT.

Stamps

Project
 COURTYARD MARRIOTT - KELOWNA

3508 FLEET CT

Project No. 633-003

Drawing Title
 COVER SHEET



EDA
 Planning + Urban Design

5307 - 47 St NW
 Edmonton, Alberta
 T6B 3T4
 Canada

T: 780 423-4990
 E: info@edadesign.ca
 www.edadesign.ca

Date 2020-04-05

Scale AS NOTED

Drawn by GB/TN

Checked by WP

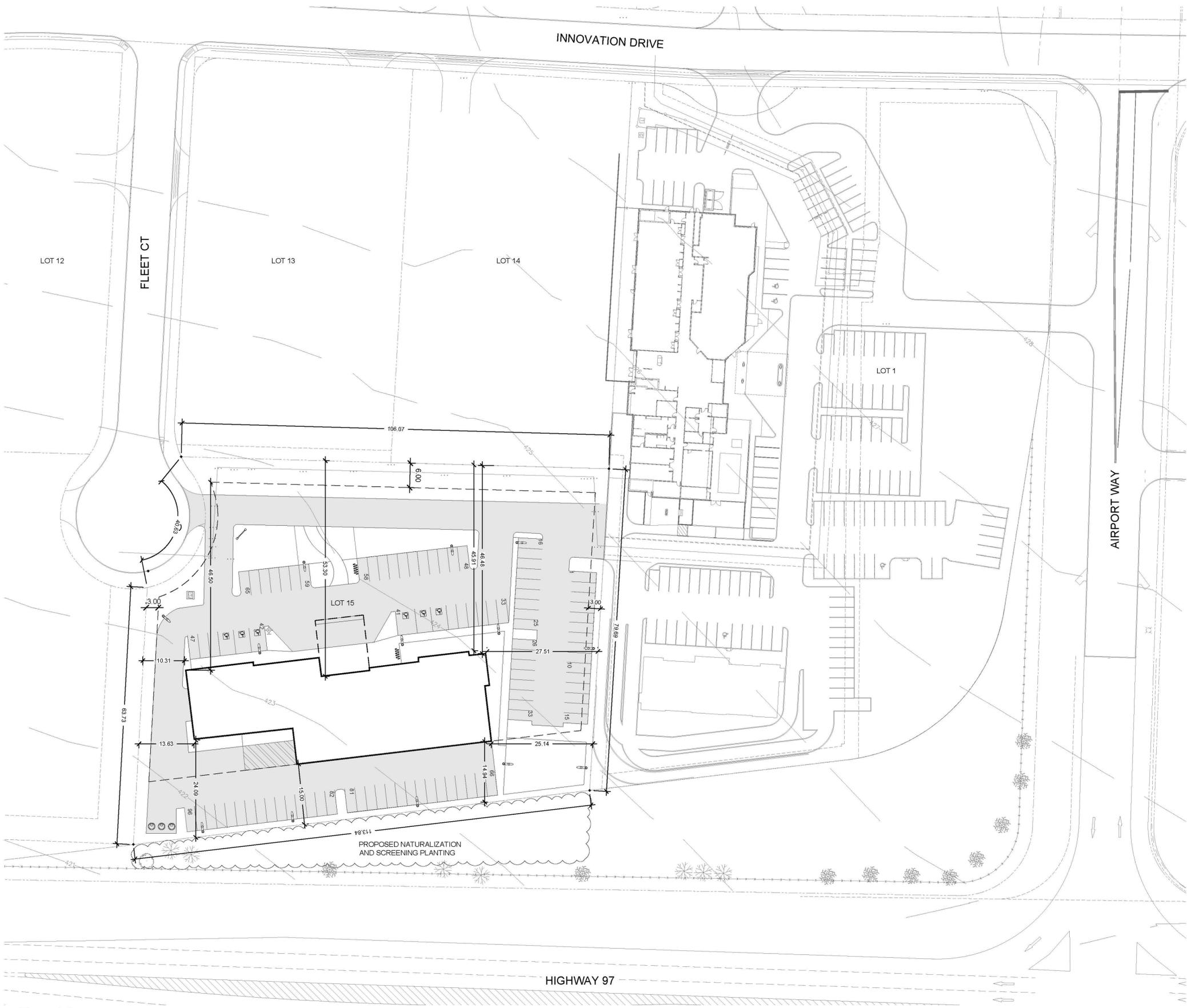
Approved by WP

Drawing No. 100

COURTYARD BY MARRIOTT HOTEL- KELOWNA AIRPORT

DRAWING LIST:

- | | | | |
|--|---|---|---|
| <p>ARCHITECTURAL:
 100 COVER PAGE
 101 SITE PHOTOS
 200 FIRST FLOOR / LOBBY LEVEL PLAN
 201 SECOND FLOOR PLAN
 202 THIRD FLOOR PLAN</p> | <p>MECHANICAL:
 700 CRITERIA PLAN- HVAC
 701 CRITERIA PLAN- HVAC- LOBBY AREAS
 710 CRITERIA PLAN- PLUMBING</p> | <p>ELECTRICAL:
 720 CRITERIA PLAN ELECTRICAL
 721 CRITERIA PLAN- ELECTRICAL- TYPICAL GUESTROOM FLOOR</p> | <p>LANDSCAPE:
 800 SITE CONTEXT PLAN
 810 SITE DEVELOPMENT PLAN
 820 PLANTING PLAN
 830 IRRIGATION PLAN
 840 LANDSCAPE DETAILS</p> |
|--|---|---|---|



PARKING REQUIREMENTS

PARKING REQUIRED: MIN. 200 STALLS
 PARKING PROVIDED: 200 STALLS
 EXTERIOR: 96
 PARKADE: 104

ACCESSIBLE STALLS REQUIRED: 5 + 1 VAN ACCESSIBLE
 ACCESSIBLE STALLS PROVIDED: 5 + 1 VAN ACCESSIBLE

BIKE PARKING REQUIRED: 10 STALLS
 SHORT TERM: 5
 LONG TERM: 5

BIKE PARKING PROVIDED: 10 STALLS
 SHORT TERM: 5
 LONG TERM: 5

LEGEND

- PROPERTY BOUNDARY
- - - - - SETBACK LINE
- - - - - CANOPY LINE
- ▭ BUILDING

SITE DESCRIPTION AND REQUIREMENTS

LEGAL DESCRIPTION: PLAN KAP82802, LOT 15, BLOCK X
 CIVIC ADDRESS: 3508 FLEET CRESCENT
 LOT SIZE: 2.21 ACRES
 BUILDING AREA: 0.37 ACRES (16.7%)
 CURRENT ZONING: CD15
 PROPOSED ZONING: 9C

SETBACKS:
 • FRONT: 6m
 • SIDE: 3m
 • BACK: 15m

Revisions

No.	Revision / Issued	2022.04.05 yyyy.mm.dd
01	ISSUED FOR DP	

IT IS THE CONTRACTORS RESPONSIBILITY TO:

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- VERIFY ALL DIMENSIONS AT THE SITE.
- REPORT ALL DISCREPANCIES TO THE LANDSCAPE ARCHITECT AND AGREE BEFORE PROCEEDING.
- DETERMINE LOCATION OF ALL EXISTING SERVICES PRIOR TO EXCAVATION.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE LANDSCAPE ARCHITECT.

Stamps

Project
 COURTYARD MARRIOTT - KELOWNA

3508 FLEET CT
Project No. 633-003

Drawing Title
 SITE CONTEXT PLAN

Date 2020-04-05

Scale AS NOTED

Drawn by GB/TN

Checked by WP

Approved by WP

Drawing No. 800

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 www.edadesign.ca

1 SITE CONTEXT PLAN
 800 SCALE 1:500





UTILITY SETBACK INFORMATION

TREES SHALL BE SETBACK A MINIMUM DISTANCE, MEASURED FROM THE CENTER OF THE TREE TRUNK, FROM ABOVE AND BELOW GRADE UTILITIES AND PROPERTY LINES AS FOLLOWS:

DISTANCE FROM LIGHT STANDARDS/POWER HARDWARE	3.5m
DISTANCE FROM FIRE HYDRANTS	3.5m
DISTANCE FROM STOP SIGNS	3.5m
DISTANCE FROM YIELD SIGNS	3.5m
DISTANCE FROM TRANSIT ZONES	3.5m*
DISTANCE FROM OTHER SIGNS	2.0m
DISTANCE FROM PRIVATE PROPERTY ON WALKWAY ROW	2.0m
DISTANCE FROM PRIVATE PROPERTY ON OPEN PARKLAND	3.0m
DISTANCE FROM PRIVATE PROPERTY ON BOULEVARDS	1.0m
DISTANCE FROM SHALLOW UNDERGROUND UTILITIES	1.0m
DISTANCE FROM GAS OR OIL ROW	CONTACT UTILITY
DISTANCE FROM DEEP UNDERGROUND UTILITIES	1.5m
DISTANCE FROM SANITARY AND STORM SEWERS	1.8m
DISTANCE TO SANITARY & STORM SEWERS & MANHOLES	2.0m
DISTANCE FROM WATER MAINS	2.5m

TREES SHALL BE SETBACK A MINIMUM DISTANCE, MEASURED FROM THE CENTER OF THE TREE TRUNK, TO WALKWAY AND ROADS AS FOLLOWS:

ARTERIAL ROAD MEDIAN CURB FACE	2.0m*
COLLECTOR ROAD MEDIAN CURB FACE	3.15m*
LOCAL ROAD MEDIAN CURB FACE	2.6m*
ARTERIAL ROAD BOULEVARD CURB FACE	2.0-3.0m**
COLLECTOR ROAD BOULEVARD CURB FACE	1.25m*
LOCAL ROAD BOULEVARD CURB FACE	1.25m*
INDUSTRIAL COLLECTOR ROAD MEDIAN CURB FACE	2.65m
INDUSTRIAL LOCAL ROAD MEDIAN CURB FACE	3.15m*
INDUSTRIAL COLLECTOR ROAD BLVD CURB FACE	1.65m
INDUSTRIAL LOCAL ROAD BOULEVARD CURB FACE	1.25m
DISTANCE FROM DRIVEWAYS	1.5m
DISTANCE FROM SIDEWALKS	1.0m

LEGEND

- PROPERTY BOUNDARY
- SETBACK LINE
- CANOPY LINE
- [Symbol] BUILDING
- [Symbol] PLANTING BED
- [Symbol] NATURALIZED LANDSCAPE BUFFER
- [Symbol] DECORATIVE CONCRETE PAVER
- [Symbol] DECORATIVE CONCRETE WALK
- [Symbol] ROAD AND PARKING
- [Symbol] MOLOK BIN
- [Symbol] BIKE RACK
- [Symbol] SIGN
- [Symbol] TRANSFORMER
- [Symbol] PEDESTRIAN LIGHT

SYMBOL	DESCRIPTION
[1]	DECORATIVE CONCRETE WALK
[2]	ENTRANCE PLAZA
[3]	PLANTING BED
[4]	AMENITY AREA
[5]	BIKE RACK
[6]	MOLOK WASTE RECEPTACLE
[7]	NATURALIZED LANDSCAPE BUFFER
[8]	LOADING AREA
[9]	CANOPY ABOVE
[10]	EXISTING TREE TO REMAIN AND BE PROTETED
[11]	LANDSCAPE MEDIAN
[12]	SIGN

Revisions

No.	Revision / Issued	2022.04.05
01	ISSUED FOR DP	2022.04.05

IT IS THE CONTRACTORS RESPONSIBILITY TO:

- USE FIGURED DIMENSIONS IN PREFERENCE TO SCALING.
- VERIFY ALL DIMENSIONS AT THE SITE.
- REPORT ALL DISCREPANCIES TO THE LANDSCAPE ARCHITECT AND AGREE BEFORE PROCEEDING.
- DETERMINE LOCATION OF ALL EXISTING SERVICES PRIOR TO EXCAVATION.

THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE LANDSCAPE ARCHITECT.

Stamps

Project
COURTYARD MARRIOTT - KELOWNA

3508 FLEET CT

Project No. 633-003

Drawing Title
SITE DEVELOPMENT PLAN

Date 2020-04-05

Scale AS NOTED

Drawn by GB/TN

Checked by WP

Approved by WP

Drawing No. 810

EDA
Planning & Urban Design

5307 - 47 St NW
Edmonton, Alberta
T6B 3T4
Canada

T: 780 423-4990
E: info@edadesign.ca
www.edadesign.ca

1 SITE DEVELOPMENT PLAN
810 SCALE 1:250





PLANTING SCHEDULE

TREES	QTY	COMMON NAME
	15	BIG LEAF MAPLE
	7	PAPER BIRCH
	6	AUTUMN PURPLE WHITE ASH
	10	SIBERIAN LARCH

SHRUBS	QTY	COMMON NAME
	108	GOLD PLATE FERNLEAF YARROW
	62	GOLDEN NUGGET JAPANESE BARBERRY
	227	KARL FOERSTER FEATHER REED GRASS
	96	ARCTIC FIRE RED TWIG DOGWOOD
	88	CONEFLOWER
	58	BURNING BUSH
	42	STELLA DE ORO DAYLILY
	102	PURPLE EULALIA GRASS
	153	DWARF MUGO PINE
	57	BRANDON ARBORVITAE

LEGEND

- PROPERTY BOUNDARY
- SETBACK LINE
- CANOPY LINE
- BUILDING
- PLANTING BED
- NATURALIZED LANDSCAPE BUFFER
- DECORATIVE CONCRETE PAVER
- DECORATIVE CONCRETE WALK
- ROAD AND PARKING
- MOLOK BIN
- BIKE RACK
- SIGN
- TRANSFORMER
- PEDESTRIAN LIGHT

Revisions

No.	Revision / Issued	2022.04.05
01	ISSUED FOR DP	2022.04.05
		yyyy.mm.dd

IT IS THE CONTRACTORS RESPONSIBILITY TO:

- USE FIGURED DIMENSIONS IN PREFERENCE TO SCALING.
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Stamps

Project
COURTYARD MARRIOTT - KELOWNA

3508 FLEET CT

Project No. 633-003

Drawing Title
PLANTING PLAN

EDA
Planning + Urban Design

5307 - 47 ST NW
Edmonton, Alberta
T6B 3T4
Canada

T: 780 423-4990
E: info@edadesign.ca
www.edadesign.ca

Date 2020-04-05

Scale AS NOTED

Drawn by GB/TN

Checked by WP

Approved by WP

Drawing No. 820

1
820
PLANTING PLAN
SCALE 1:250



OCP 20-0003 & Z 20-0006 3480 & 3508 Fleet Court

OCP Amendment & Rezoning Application

Proposal

- ▶ To amend the Official Community Plan to change the future land use designation of the subject properties from Industrial (IND) to Regional Commercial Corridor (RCOM) and rezone from CD15 – Airport Business Park to C9 – Tourist Commercial to facilitate a hotel development

Development Process

Jan 20, 2020

Development Application Submitted

Staff Review & Circulation

April 26, 2022

Public Notification Received

May 30, 2022

Initial Consideration

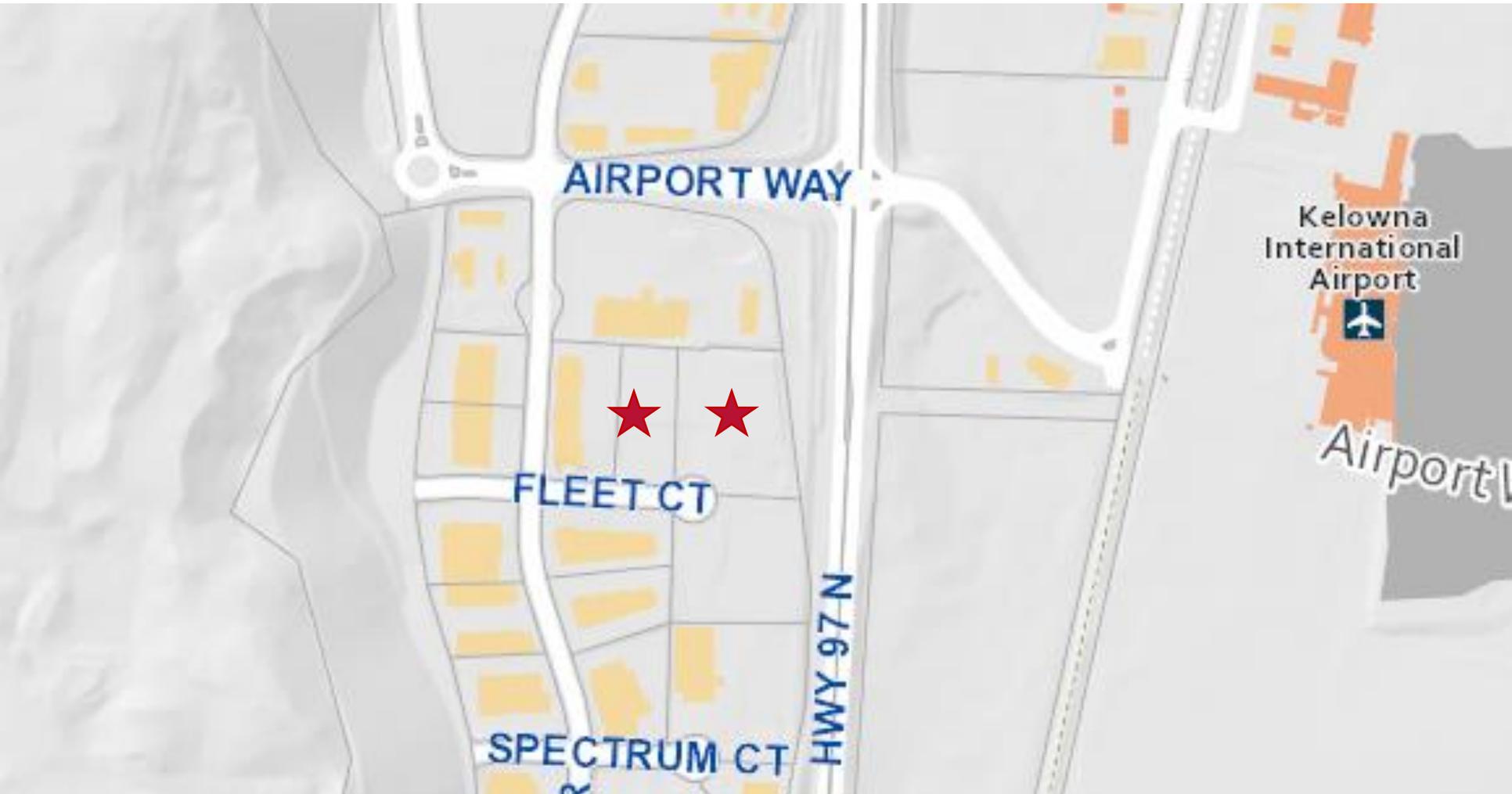
Public Hearing
Second & Third Readings

Final Reading

Development Permit/Building Permit

Council Approvals

Context Map



OCP Future Land Use / Zoning



Subject Property Map



Conceptual Site Plan



Conceptual Renderings



Conceptual Landscape Plan



Kelowna 2040 – Official Community Plan Policy

The Big Picture: 10 Pillars to Realize our Vision

- 1. Strengthen Kelowna as the region’s economic hub** - Nurturing a culture of entrepreneurship, supporting innovation and fostering inclusive prosperity are important parts of Imagine Kelowna. To achieve this vision, the Official Community Plan supports employment growth in the Urban Centres, industrial lands and other areas in the City. Growth and expansion of major post-secondary institutions, like Okanagan College and UBCO, as well as the Kelowna International Airport will continue so that Kelowna can foster more home-grown talent and be more connected to the world.

Objective 6.3. Support the strategic and planned growth of Kelowna International Airport as a regional economic generator.

Policy 6.3.1. Kelowna International Airport Master Plan.	Support the continued growth of Kelowna International Airport (YLW), through the implementation of the recommendations in the YLW Airport Master Plan 2045 ² , as amended.
	<i>The additional hotel capacity will support Kelowna International Airport, UBCO and local tourism for the region.</i>

Staff Recommendation

- ▶ Staff are recommending support of the proposed Official Community Plan (OCP) amendment and rezoning
 - ▶ Meets the intent of the Official Community Plan and Gateway District
 - ▶ Incorporates well into the existing surrounding land use
 - ▶ Supports the Kelowna International Airport, UBCO, tourism and regional economic development.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12388

Official Community Plan Amendment No. OCP20-0003 3480 and 3508 Fleet Court

A bylaw to amend the "*Kelowna 2040* – Official Community Plan Bylaw No. 12300".

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

1. THAT Map 3.1 – **Future Land Use** of "*Kelowna 2040* – Official Community Plan Bylaw No. 12300" be amended by changing the Future Land Use designation of Lot 2 Section 14 Township 23 ODYD Plan EPP64815 and Lot 15 Section 14 Township 23 ODYD Plan KAP82802 Except Plan EPP23036 located on Fleet Court, Kelowna, B.C., from the IND – Industrial designation to the RCOM – Regional Commercial Corridor designation;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12389
Z20-0006
3480 and 3508 Fleet Court

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 Section 14 Township 23 ODYD Plan EPP64815 and Lot 15 Section 14 Township 23 ODYD Plan KAP82802 Except Plan EPP23036 located on Fleet Court, Kelowna, BC from the CD15 – Airport Business Park zone to the C9 – Tourist Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

sign was not posted on the subject property in time to meet the 10 day requirement of Bylaw No. 12310. May 16, 2022, Council deferred consideration of first reading of Rezoning Bylaw No. 12370 to May 30, 2022. This application has now met legislative and bylaw requirements.

Rezoning Application Z22-0008 received zero pieces of written correspondence through Mayor & Council correspondence and the Development Planning staff since initial consideration.

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaw No. 12370, located at 634 McClure Road, further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the Local Government Act, Council may choose to:

- give a bylaw reading consideration,
- give a bylaw first reading and advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: S. Woods, Legislative Technician

Approved for inclusion: L. Bentley, Deputy City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12370

Z22-0008

634 McClure Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 13 District Lot 357, SDYD, Plan 18280 located on McClure Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: May 30, 2022
To: Council
From: City Manager
Department: Office of the City Clerk
Application: Z21-0011 **Owner:** Abacio Properties Ltd
Address: 1405 St Paul Street **Applicant:** Kerkhoff Construction
Subject: Rezoning Bylaw No. 12371 for Z21-0011 Supplemental Report to Council
Existing OCP Designation: UC – Urban Centre
Existing Zone: C4 – Urban Centre Commercial
Proposed Zone: C7 – Central Business Commercial

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated May 30, 2022 with respect to Zoning Bylaw No. 12371;

AND THAT Rezoning Bylaw No.12371 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaw No. 12371 and to give the bylaw further reading consideration.

Background:

Zoning bylaws that are consistent with the OCP do not require a public hearing. Public notice is given before first reading with signage on the subject property, newspaper advertisements, and mailouts in accordance with the Local Government Act and Development Application & Heritage Procedures Bylaw No. 12310.

Discussion:

Rezoning Application Z21-0011 for 1405 St Paul Street was brought forward to Council for initial consideration on [May 9, 2022](#). Notice of first reading was completed as outlined above.

Rezoning Application Z21-0011 received zero pieces of written correspondence through Mayor & Council correspondence. Development Planning staff received zero pieces of written correspondence with concerns about the rezoning application.

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaw No. 12371, located at 1405 St Paul Street, further reading consideration.

Internal Circulation:**Considerations applicable to this report:****Legal/Statutory Authority:**

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the Local Government Act, Council may choose to:

- give a bylaw reading consideration,
- give a bylaw first reading and advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:**Existing Policy:****Financial/Budgetary Considerations:****External Agency/Public Comments:****Communications Comments:**

Submitted by: S. Woods, Legislative Technician

Approved for inclusion: L. Bentley, Deputy City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12371

Z21-0011

1405 St Paul Street

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 139, ODYD, Plan 25942 located on St Paul Street, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C7 – Central Business Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Discussion:

Rezoning Application Z22-0015 for 1290 Pasadena Road was brought forward to Council for initial consideration on [May 9, 2022](#). Notice of first reading was completed as outlined above.

Following initial consideration, Mayor & Council correspondence and Development Planning staff received seven written pieces of correspondence and one petition with 56 signatures in opposition to Rezoning Application Z22-0015.

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaw No. 12371, located at 1290 Pasadena Road, further reading consideration.

Internal Circulation:**Considerations applicable to this report:****Legal/Statutory Authority:**

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the Local Government Act, Council may choose to:

- give a bylaw reading consideration,
- give a bylaw first reading and advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:**Existing Policy:****Financial/Budgetary Considerations:****External Agency/Public Comments:****Communications Comments:**

Submitted by: S. Woods, Legislative Technician

Approved for inclusion: L. Bentley, Deputy City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12373

Z22-0015

1290 Pasadena Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 Section 14, Township 26, ODYD, Plan 19639 located on Pasadena Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: May 30, 2022
To: Council
From: City Manager
Department: Office of the City Clerk

Application: Z21-0109 **Owner:** JABS CONSTRUCTION LTD., INC.NO. BC0060327
Address: 2165 Benvoulin Court **Applicant:** Traine Construction and Development
Subject: Rezoning Bylaw No. 12374 for Z21-0109 Supplemental Report to Council

Existing OCP Designation: UC – Urban Centre
Existing Zone: A1 – Agriculture 1
Proposed Zone: RM5 – Medium Density Multiple Housing

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated May 30, 2022 with respect to Zoning Bylaw No. 12374;

AND THAT Rezoning Bylaw No.12374 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaw No. 12374 and to give the bylaw further reading consideration.

Background:

Zoning bylaws that are consistent with the OCP do not require a public hearing. Public notice is given before first reading with signage on the subject property, newspaper advertisements, and mailouts in accordance with the Local Government Act and Development Application & Heritage Procedures Bylaw No. 12310.

Discussion:

Rezoning Application Z21-0109 for 2165 Benvoulin Court was brought forward to Council for initial consideration on [May 16, 2022](#). Notice of first reading was completed as outlined above.

Rezoning Application Z21-0109 received zero pieces of written correspondence through Mayor & Council correspondence. Development Planning staff received zero pieces of written correspondence with concerns about the rezoning application.

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaw No. 12374, located at 2165 Benvoulin Court, further reading consideration.

Internal Circulation:**Considerations applicable to this report:****Legal/Statutory Authority:**

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the Local Government Act, Council may choose to:

- give a bylaw reading consideration,
- give a bylaw first reading and advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:**Existing Policy:****Financial/Budgetary Considerations:****External Agency/Public Comments:****Communications Comments:**

Submitted by: S. Woods, Legislative Technician

Approved for inclusion: L. Bentley, Deputy City Clerk

cc: Development Planning

CITY OF KELOWNA
BYLAW NO. 12374
Z21-0109
2165 Benvoulin Court

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 128, ODYD, Plan KAP89861 located on Benvoulin Court, Kelowna, BC from the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: May 30, 2022
To: Council
From: City Manager
Department: Office of the City Clerk
Application: Z22-0017 **Owner:**
Address: 4563 and 4573 Gordon Drive **Applicant:**
Subject: Rezoning Bylaw No. 12381 for Z22-0017 Supplemental Report to Council
Existing OCP Designation: S-RES – Suburban Residential
Existing Zone: RU1 – Large Lot Housing
Proposed Zone: RU6 – Two Dwelling Housing

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated May 30, 2022 with respect to Zoning Bylaw No. 12381;

AND THAT Rezoning Bylaw No.12381 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaw No. 12381 and to give the bylaw further reading consideration.

Background:

Zoning bylaws that are consistent with the OCP do not require a public hearing. Public notice is given before first reading with signage on the subject property, newspaper advertisements, and mailouts in accordance with the Local Government Act and Development Application & Heritage Procedures Bylaw No. 12310.

Discussion:

Rezoning Application Z22-0017 for 4563 and 4573 Gordon Drive was brought forward to Council for initial consideration on [May 16, 2022](#). Notice of first reading was completed as outlined above.

Rezoning Application Z22-0017 received zero pieces of written correspondence through Mayor & Council correspondence. Development Planning staff received zero pieces of written correspondence with concerns about the rezoning application.

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaw No. 12381, located at 4563 and 4573 Gordon Drive, further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the Local Government Act, Council may choose to:

- give a bylaw reading consideration,
- give a bylaw first reading and advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: S. Woods, Legislative Technician

Approved for inclusion: L. Bentley, Deputy City Clerk

cc: Development Planning

CITY OF KELOWNA
BYLAW NO. 12381
Z22-0017
4563 and 4573 Gordon Drive

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 357, SDYD, Plan 18353 and Lot B District Lot 357, SDYD, Plan 18353 located on Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Rezoning Application Z21-0050 for 959-961 Lawson Avenue and 971 Lawson Avenue was brought forward to Council for initial consideration on [May 16, 2022](#). Notice of first reading was completed as outlined above.

Rezoning Application Z21-0050 received zero pieces of written correspondence through Mayor & Council correspondence. Development Planning staff received zero pieces of written correspondence with concerns about the rezoning application.

This application was brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaw.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaw No. 12384, located at 959-961 Lawson Avenue and 971 Lawson Avenue, further reading consideration.

Internal Circulation:

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

Following the notification period under s. 467 of the Local Government Act, Council may choose to:

- give a bylaw reading consideration,
- give a bylaw first reading and advance the bylaw to a Public Hearing, or
- defeat the bylaw.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: S. Woods, Legislative Technician

Approved for inclusion: L. Bentley, Deputy City Clerk

cc: Development Planning

CITY OF KELOWNA
BYLAW NO. 12384
Z21-0050
959-961 and 971 Lawson Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of:
 - a) Lot 7 District Lot 138, ODYD, Plan 2378 located on Lawson Avenue, Kelowna, BC
 - b) Lot B District Lot 138, ODYD, Plan 14934 located on Lawson Avenue, Kelowna, BCfrom the RU7 – Infill Housing zone to the RM3 – Low Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 30, 2022
To: Council
From: City Manager
Department: Development Planning
Application: DP22-0008
Address: 2015 Matrix Cres
Subject: Development Permit Application
Existing OCP Designation: IND – Industrial
Existing Zone: CD15 – Airport Industrial Park (Industrial)

Owner: 2271042 Alberta Ltd.
Applicant: Modern Dimensions Design Inc.

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP22-0008 for Lot 16 Section 14 Township 23 ODYD Plan EPP80708, located at 2015 Matrix Cres, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND THAT issuance of the Development Permit be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To issue a Development Permit for the form and character of a four-storey industrial development.

3.0 Development Planning

Development Planning supports the Development Permit application for the form and character of the 4-storey industrial project. The proposed development meets the majority of the Official Community Plan (OCP) Form and Character Development Permit Guidelines including selected building finishes, floor terracing and complimentary landscaping. Allowing the building to be well integrated into the Airport Business Park.

4.0 Proposal

4.1 Project Description

The Development Permit Application is for the form and character of a four storey industrial building that proposes a total gross floor area of 6,568m² the site will be accessed from Pier Mac Way and Matrix Crescent. The industrial building will be for the purpose of commercial storage units and a small office space. The proposal meets all development regulations of the CD15 (industrial) zone.

The proposed building utilizes metal panelling, cladding and corrugated design complimented with wood composite beams and glazing. The overall visual design includes various colours with natural colour tones and vibrant green accents. The landscaping meets the requirements of the CD15 zone including the provision of a minimum 20% coniferous tree species requirement.

4.2 Site Context

The subject property is in the Industrial designated area of the CD15 Airport Business Park zone. Majority of the surrounding area has the Future Land Use Designation of IND – Industrial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD15 – Airport Business Park (industrial)	General Industrial Use
East	CD15 – Airport Business Park (industrial)	Vacant
South	CD15 – Airport Business Park (industrial)	Vacant
West	CD15 – Airport Business Park (industrial)	Vacant

Subject Property Map: 2015 Matrix Cres



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	CD15 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	4000 m ²	4282 m ²
Min. Lot Width	40 m	79 m
Min. Lot Depth	35 m	54 m
Development Regulations		
Max. Floor Area Ratio	1.5	1.23
Max. Site Coverage (buildings)	60%	37.5%
Max. Height	18 m	15.24 m
Min. Front Yard	6 m	6 m
Min. Side Yard (East)	4.5 m	6 m
Min. Side Yard (West)	0.0 m	20.3 m
Min. Rear Yard	0.0 m	6.6 m
Other Regulations		
Min. Parking Requirements	36	38
Min. Bicycle Parking	3	3
Min. Loading Space	3	3

7.0 Application Chronology

Date of Application Received: January 18, 2022

Report prepared by: Jason Issler, Planner I

Reviewed by: Lydia Korolchuk, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Form and Character Checklist

Attachment B: Draft Development Permit DP22-0008

Schedule A: Site Plan

Schedule B: Elevation Drawings

Schedule C: Landscape Plan

2271042 ALBERTA LTD. PROPOSED SELF-STORAGE FACILITY

2015 MATRIX CR KELOWNA, BC

SCHEDULE B

This forms part of application
DP22-0008

Planner Initials **JJ**

City of **Kelowna**
DEVELOPMENT PLANNING



CONCEPT RENDERING

DO NOT SCALE DRAWINGS; ANY DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK



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PROFESSIONAL OF RECORD

APPLICANT

MODERN DIMENSIONS DESIGN
MATTHEW TISSINGTON
MATT@MODERNDIMENSIONSDESIGN.COM
250-826-4686

CONSULTANT

#	DESCRIPTION	DATE
1	For DP	2021-12-21
2	Revised for DP	2022-04-29
3		
4		
5		
6		
7		
8		
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10		
11		

OWNER

2271042 ALBERTA LTD.

Proposed Self-Storage Facility

2015 Matrix CR Kelowna, BC
LOT 16, SEC 14 TWP. 23 PLAN EPP80708

Cover Page

DRAWN BY	JM	A101.1 REVISION
CHECKED BY	CR	
PROJECT NUMBER	21-034-03	2
SCALE		

STALLION PROPERTIES LTD.

PROPOSED SELF-STORAGE FACILITY

2015 MATRIX CR KELOWNA, BC

SCHEDULE A

This forms part of application
DP22-0008

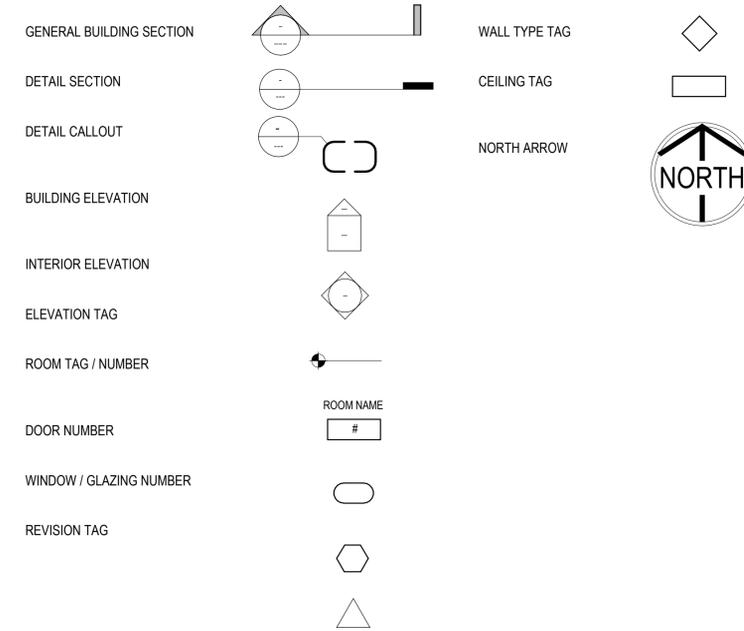
Planner Initials **JJ**

City of Kelowna
DEVELOPMENT PLANNING

GENERAL NOTES:

- SERVICES SHOWN ARE APPROXIMATE ONLY. SEE CIVIL DRAWINGS FOR FINAL LOCATIONS
- CONTRACTOR TO PROVIDE FOOTING AND WALL SURVEYS DURING CONSTRUCTION TO CITY BUILDING DEPT
- SEE MECHANICAL ENGINEERS DRAWINGS FOR FINAL LOCATION OF FIRE DEPARTMENT CONNECTION.
- SEE ELECTRICAL DRAWINGS FOR LOCATION OF PANEL AND SERVICES
- ALL CONSTRUCTION, PRODUCTS AND MATERIALS TO CONFORM FULLY WITH ALL ASPECTS OF THE CURRENT BUILDING CODE, ALL OTHER APPLICABLE CODES REGULATIONS, TESTS, LISTINGS AS WELL AS ALL REQUIREMENTS OF AUTHORITY HAVING JURISDICTION.
- SUBCONTRACTORS ARE SOLELY RESPONSIBLE TO ENSURE THEIR SUPPLIED PRODUCTS FULLY CONFORM TO ALL APPLICABLE CODES AND TEST REQUIREMENTS AND ARE TO HAVE SUPPORTING DOCUMENTATION AVAILABLE, DEMONSTRATING FULL COMPLIANCE WITH ALL APPLICABLE CODES AND TESTING.
- THE CONTRACTOR MUST CONFIRM ALL DIMENSIONS AND OTHERWISE ASSURE HIMSELF OF THE ADEQUACY OF THE PLANS AND REPORT ALL DISCREPANCIES AND ANY PROPOSED CHANGES IN THE WORK IMMEDIATELY TO THE REGISTERED PROFESSIONAL OF RECORD
- ALL DIMENSIONS SHOWN ON THESE DRAWINGS FOR MANUFACTURED COMPONENTS ARE NOMINAL. THE CONTRACTOR SHALL CONFIRM ACTUAL DIMENSIONS WITH THE SUPPLIER MANUFACTURER.
- ALL MATERIALS IN THE CONSTRUCTION TO BE USED FOR THEIR INTENDED PURPOSE AND TO BE APPROVED BY THE AUTHORITY HAVING JURISDICTION. ALL EQUIPMENT AND FITTINGS MUST BE CSA (CANADIAN STANDARDS ASSOCIATION) APPROVED.
- VAPOR BARRIERS SHALL BE CONTINUOUS AND INSTALLED SO THAT ALL JOINTS ARE SEALED OR LAPPED 100mm AND OCCUR AT FRAMING MEMBERS, FURRING OR BLOCKING. ALL HOLES THROUGH VAPOR BARRIERS SUCH AS THOSE CUT FOR THE INSTALLATION OF ELECTRICAL BOXES OR DUCT WORK SHALL BE SEALED TO MAINTAIN THE INTEGRITY OF THE VAPOR BARRIER OVER THE ENTIRE SURFACE.
- THE DESIGNER/ENGINEER IS NOT RESPONSIBLE FOR CHANGES IN CONSTRUCTION FROM WHAT IS SHOWN BY ANY PARTY.
- ALL CONSTRUCTION WORK SHALL BE CARRIED OUT IN ACCORDANCE WITH GOOD BUILDING PRACTICES BASED ON THE CONTRACT DOCUMENTS.
- THERE SHALL BE SHOP DRAWINGS PRODUCED FOR ALL MAJOR BUILDING COMPONENTS. THEY SHALL BE ISSUED IN TIME FOR ADEQUATE CHECKING BY THE COORDINATING REGISTERED PROFESSIONAL AND OTHER CONSULTANTS RESPONSIBLE.
- ANY PROPOSED SUBSTITUTION OF MATERIALS MUST BE APPROVED IN ADVANCE OF ORDERING
- ALL PROPERTY LINE DIMENSIONS & BEARING ANGLES ARE PROPOSED & ARE REQUIRED TO BE CONFIRMED BY SURVEY
- DRAWINGS ARE NOT TO BE SCALED.

STANDARD SYMBOLS:



DRAWING INDEX:

Sheet Number	Sheet Name
A101.1	Cover Page
A101.2	General Notes
A103.1	Key Plan
A103.2	Site Plan
A103.3	Site Details
A103.4	Site Lighting Plan
A104.1	Basement Floor Plan
A104.2	Main Floor Plan
A104.3	Second Floor Plan
A104.4	Third Floor Plan
A104.5	Fourth Floor Plan
A104.6	Detailed Floor Plans
A104.7	Roof Plan
A105.1	Elevations
A105.2	Elevations
A105.3	Street Elevation

ABBREVIATIONS:

BF	-	BARRIER FREE	MAX.	-	MAXIMUM
BLDG.	-	BUILDING	MECH.	-	MECHANICAL
BLK	-	BLOCK	M	-	METERS
CEM.	-	CEMENT	MM	-	MILLIMETERS
CL	-	CENTER LINE	MIN.	-	MINIMUM
CONC.	-	CONCRETE	N/A	-	NOT APPLICABLE
CSP	-	CORRUGATED STEEL PIPE	No. or #	-	NUMBER
DIA	-	DIAMETER	O/C	-	ON CENTER
DN	-	DOWN	O/H	-	OVERHEAD
DW	-	DISHWASHER	REF	-	REFRIGERATOR
DWG	-	DRAWING	S.F	-	SQUARE FEET
DWGS	-	DRAWINGS	T.O	-	TOP OF
ELEC.	-	ELECTRICAL	TYP.	-	TYPICAL
EL/ELEV.	-	ELEVATION	U/S	-	UNDERSIDE
			W/C	-	WATER CLOSET
			W/	-	WITH
			&	-	AND

SATELLITE VIEW:



2 Satellite Plan
A101.2 1 : 1300

PROJECT INFORMATION:

REGISTERED OWNER:
2271042 ALBERTA LTD.

DESCRIPTION OF LAND:
2015 MATRIX CR KELOWNA, BC

LEGAL DESCRIPTION:
LOT 16, SEC 14 TWP. 23 PLAN EPP80708

ZONING: COMPREHENSIVE DEVELOPMENT ZONES - AIRPORT BUSINESS PARK

SITE AREA:
4281.5741m² / 0.428ha

TOTAL SITE COVERAGE:
37.5%

PROPOSED USE: SELF-STORAGE FACILITY

DENSITY RATIO:
TOTAL NET FLOOR AREA / LOT AREA
5257.7387m² / 4281.5741m² = 1.23

AREAS	GROSS FLOOR AREA	NET FLOOR AREA
BASEMENT:	14900.674 ft ²	10994.195ft ²
MAIN FLOOR:	14900.674 ft ²	12217.720ft ²
SECOND FLOOR:	15232.832 ft ²	11162.878 ft ²
THIRD FLOOR:	15099.844 ft ²	11040.967 ft ²
FOURTH FLOOR:	14900.674 ft ²	11178.068 ft ²
TOTAL:	75034.698 ft ²	56593.828 ft ²

SETBACKS:
FRONT: 6.0m
SIDE: 0m
REAR: 0m

DO NOT SCALE DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK

MODERN DIMENSIONS

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PROFESSIONAL OF RECORD

APPLICANT
MODERN DIMENSIONS DESIGN
MATT TISSINGTON
MATT@MODERNDIMENSIONSDESIGN.COM
250-826-4686

CONSULTANT

#	DESCRIPTION	DATE
1	For DP	2021-12-21
2	Revised for DP	2022-04-29
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OWNER
2271042 ALBERTA LTD.

Proposed Self-Storage Facility
2015 Matrix CR Kelowna, BC
LOT 16, SEC 14 TWP. 23 PLAN EPP80708

General Notes

DRAWN BY	J.M	A101.2 REVISION
CHECKED BY	C.R	
PROJECT NUMBER	21-034-03	2
SCALE	As indicated	



1 Key Plan
A103.1 1:500

NOTE:
1. ALL DIMENSIONS ARE IN METERS UNLESS NOTED OTHERWISE

REGISTERED OWNER:
2271042 ALBERTA LTD.
DESCRIPTION OF LAND:
MUNICIPAL ADDRESS: 2015 MATRIX CR
KELOWNA, BC
LEGAL DESCRIPTION: LOT 16, SEC 14 TWP. 23
PLAN EPP80708

SITE INFORMATION:

LOT AREA: 4281.5741 m² / 0.428ha
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5257.7387m² / 4281.5741m² = 1.23

PARKING REQUIREMENTS:
(City of Kelowna Consolidated Zoning Bylaw No. 8000)

INDUSTRIAL USE (WAREHOUSING AND STORAGE):
0.5 PARKING STALL PER 100 m² GROSS FLOOR AREA
6568.817 m² / 100m² / 2 = 33 STALLS REQUIRED

PLUS:
INDUSTRIAL USE (OFFICE):
2.5 PARKING STALL PER 100 m² GROSS FLOOR AREA
83.612 m² / 100 m² = 3 PARKING STALLS REQUIRED

TOTAL = 36 STALL REQUIRED
38 STALLS PROVIDED

ACCESSIBLE PARKING:
MINIMUM NUMBER OF REQUIRED ACCESSIBLE AND VAN ACCESSIBLE PARKING SPACES =
1 SPACE FOR 5-36 REQUIRED PARKING SPACES
1 VAN ACCESSIBLE PARKING SPACE PROVIDED

BICYCLE PARKING:
0.5 STALLS PER 1000m² GROSS FLOOR AREA:
=5303.878m²/1000 = 5.30372 = 3
3 STALLS REQUIRED.
3 STALLS PROVIDED

SITE NOTES:

- CONFIRM ALL REQUIRED SURFACES WITH THE AUTHORITY HAVING JURISDICTION PRIOR TO CONSTRUCTION.
- CONFIRM ALL EXISTING AND PROPOSED UNDERGROUND UTILITY RIGHT OF WAYS PRIOR TO CONSTRUCTION.
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SITE NOTES - CONTINUED:

- ASPHALT & SUBBASE DESIGN PER SOILS REPORT
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SCHEDULE A
This forms part of application
DP22-0008

Planner Initials **JJ**

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MATT@MODERNDIMENSIONSDESIGN.COM
250-826-4686

CONSULTANT

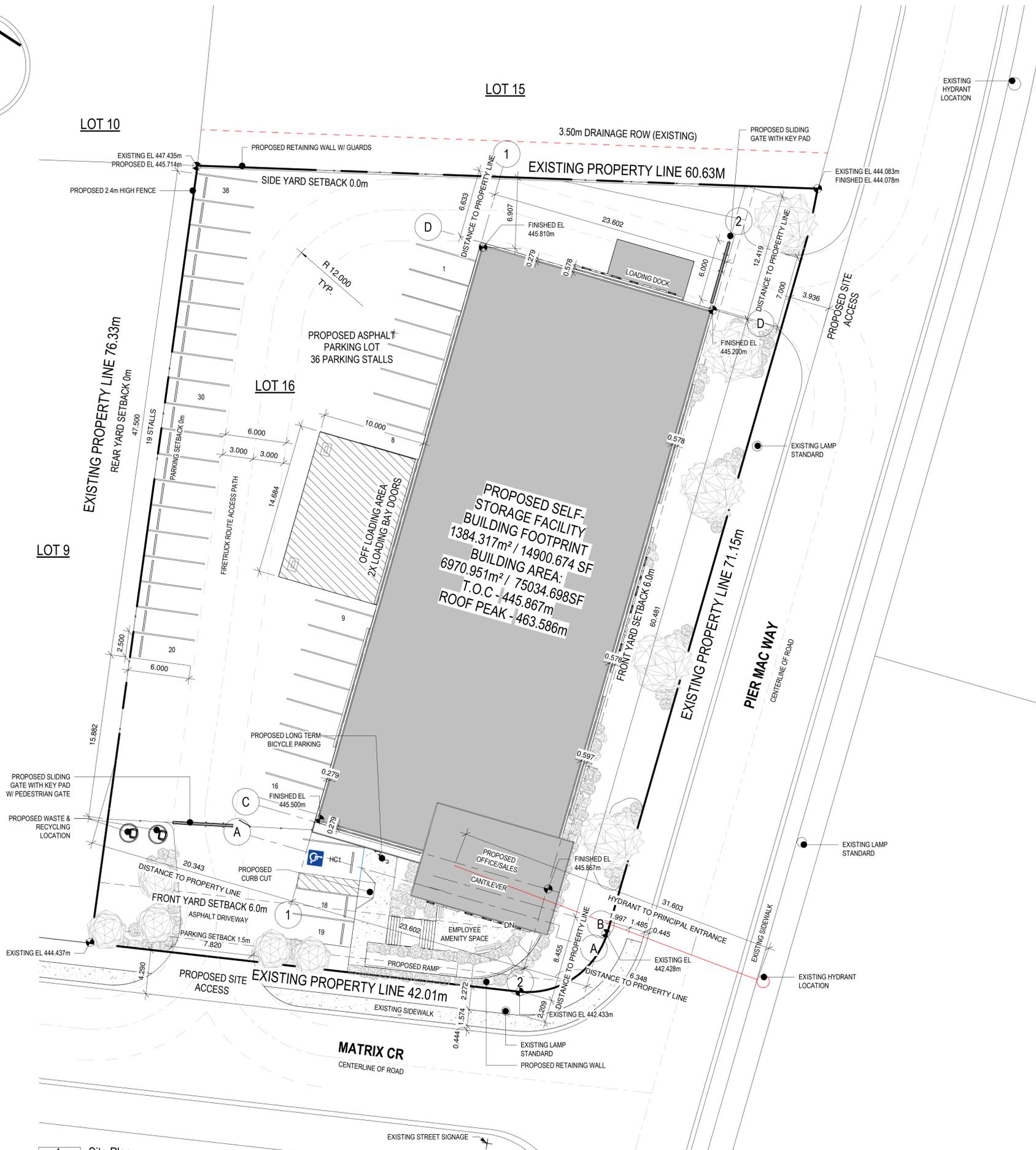
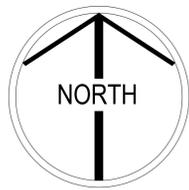
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OWNER
2271042 ALBERTA LTD.

Proposed Self-Storage Facility
2015 Matrix CR Kelowna, BC
LOT 16, SEC 14 TWP. 23 PLAN EPP80708

Key Plan

DRAWN BY	JM	A103.1 REVISION
CHECKED BY	CR	
PROJECT NUMBER	21-034-03	2
SCALE	1:500	



NOTE:
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2271042 ALBERTA LTD.

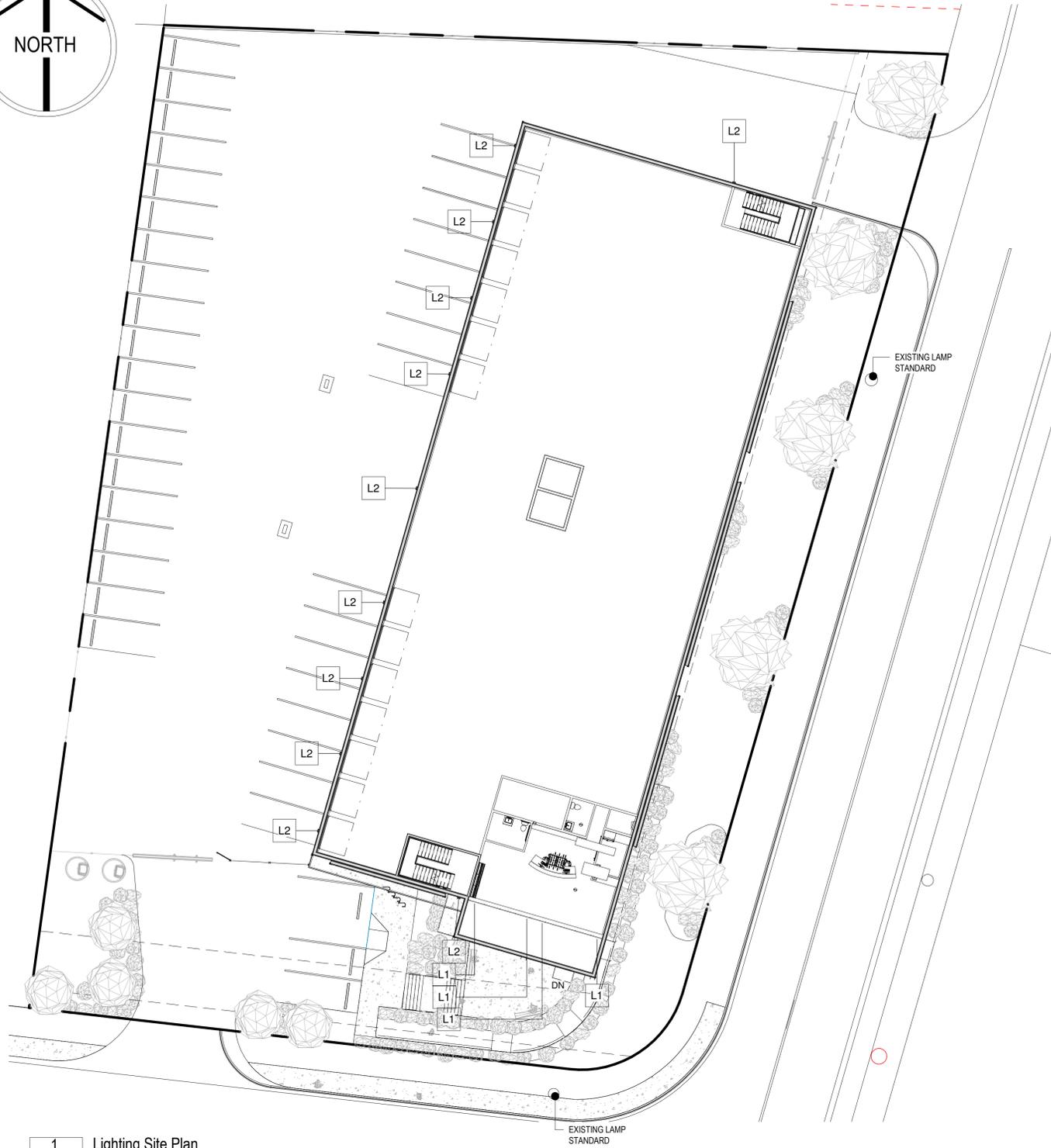
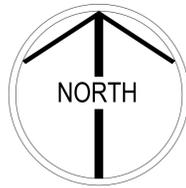
Proposed Self-Storage Facility
2015 Matrix CR Kelowna, BC
LOT 16, SEC 14 TWP. 23 PLAN EPP80708

Site Plan

SCHEDULE A
This forms part of application
DP22-0008
Planner Initials **JJ**
City of Kelowna
DEVELOPMENT PLANNING

DRAWN BY	JM	A103.2
CHECKED BY	CR	REVISION
PROJECT NUMBER	21-034-03	1
SCALE	1:200	

1 Site Plan
A103.2 1:200



1 Lighting Site Plan
A103.4 1:200

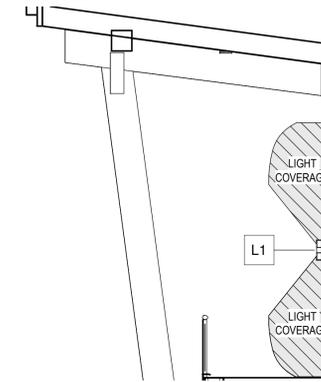
Lighting Schedule						
Type Mark	Description	Count	Manufacturer	Model	Watts	Total Watts
L1	Wall Sconce	10	Eiko	Cylinder Wall Sconce - Westport	20	200
L2	Yard Light	11	Cooper Lighting	AXCS1A	14	154
L3	Pot Light	2	SGI Lighting	18W RND	18	36
Total						390

CONFIGURATOR

MODEL	ARRAY	LUMENS	WATTS	CRI/CCT	VOLTAGE	PHOTOCCELL	FINISH
CWSW : Cylinder Wall Sconce - Westport	31 - 3"; 1 Light	75 - 750 lm	10W - 10W	930 ->90 CRI; 3000K	U - 120-277V	[Blank] - None	BK - Black BZ - Bronze
	32 - 3"; 2 Lights						
	42 - 4"; 2 Lights	150 - 1,500 lm	20W - 20W	830 ->80 CRI; 3000K			
	61 - 6"; 1 Light	162 - 1,620 lm	18W - 18W				
62 - 6"; 2 Lights	324 - 3,240 lm	36W - 36W					



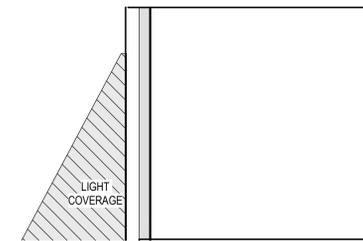
42 - 4"-2 LIGHTS - BK



2 L1 - Wall Sconce
A103.4 1:50



3 L2 - Yard Light
A103.4 1:50



Light Engine	AXCS1A	
Power (Watts)	14	
Input Current @ 120V (A)	0.12	
Input Current @ 240V (A)	0.06	
Input Current @ 277V (A)	0.05	
Input Current @ 347V (A)	0.04	
Input Current @ 480V (A)	0.03	
Configuration		
Full Cutoff	4000K/5000K Lumens	1,806
	3000K Lumens	1,526
	BUG Rating	B1-U0-G0
Refractive Lens	4000K/5000K Lumens	1,915
	3000K Lumens	1,618
	BUG Rating	B1-U3-G2



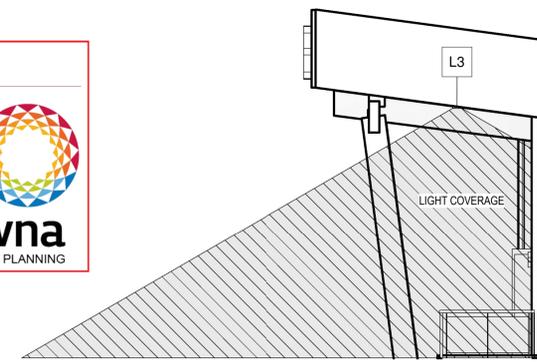
Part Number Configuration - DOWN-18W-SQR-ov-fin-ba-1c

Category	Family	Operating Voltage (ov)	Finish (fin)	Beam Angle (ba)	Light Colour (lc)
DOWN	18W RND	460MA	WHT White SIL Silver	120°	3000K WW 3500K SW 4000K NW 5000K CW

SCHEDULE A

This forms part of application # DP22-0008

Planner Initials **JJ**



4 L3 - Pot Light
A103.4 1:65

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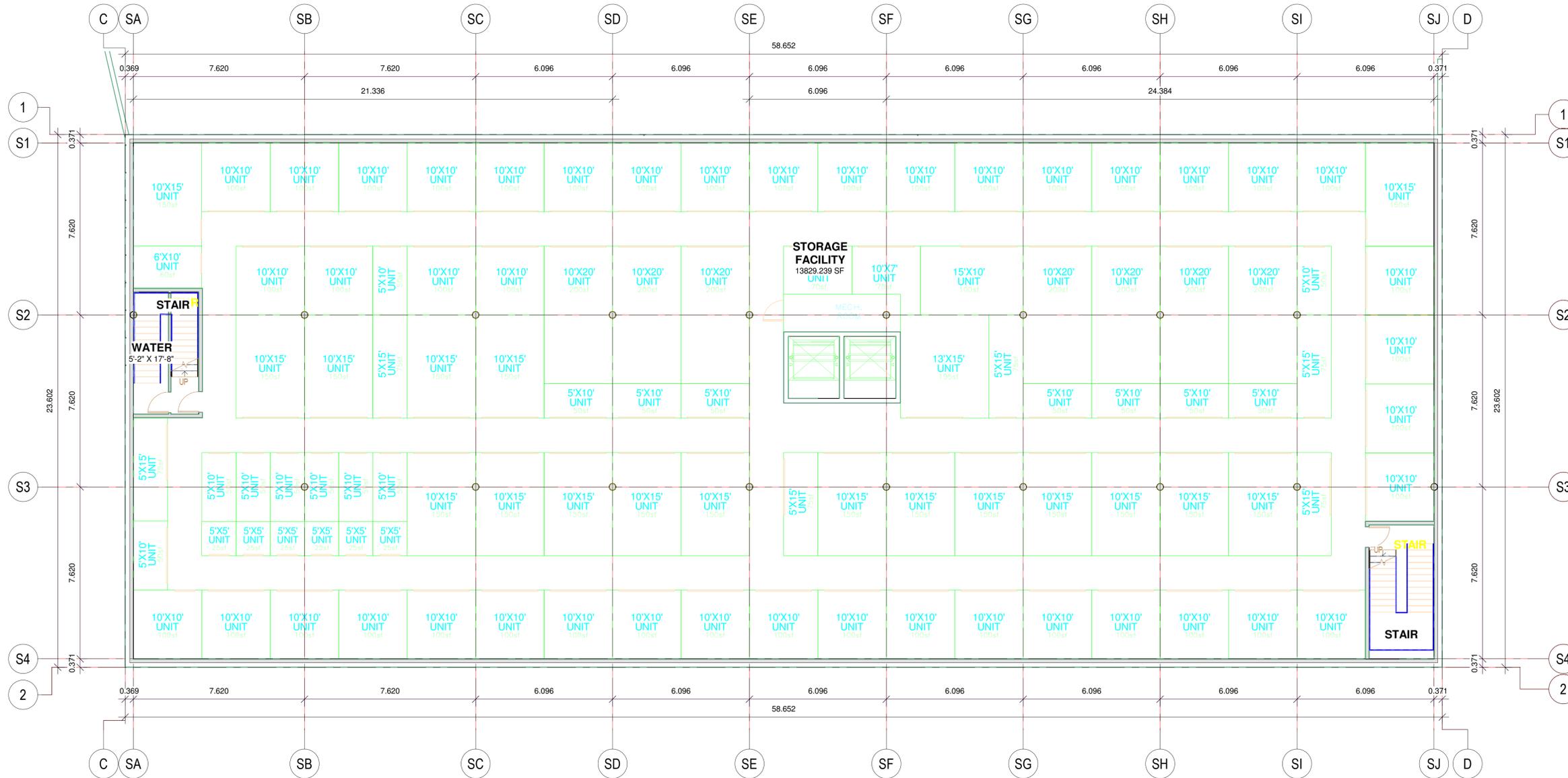
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OWNER
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Site Lighting Plan

DRAWN BY	JM	A103.4 REVISION
CHECKED BY	CR	
PROJECT NUMBER	21-034-03	2
SCALE	As indicated	



1 Basement Floor Plan
A104.1 1:100

SCHEDULE A

This forms part of application
DP22-0008

Planner Initials **JI**

City of Kelowna
DEVELOPMENT PLANNING

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Basement Floor Plan

DRAWN BY	JM	A104.1 REVISION
CHECKED BY	CR	
PROJECT NUMBER	21-034-03	1
SCALE	1:100	



1 Main - Floor Plan
A104.2 1:100

SCHEDULE A

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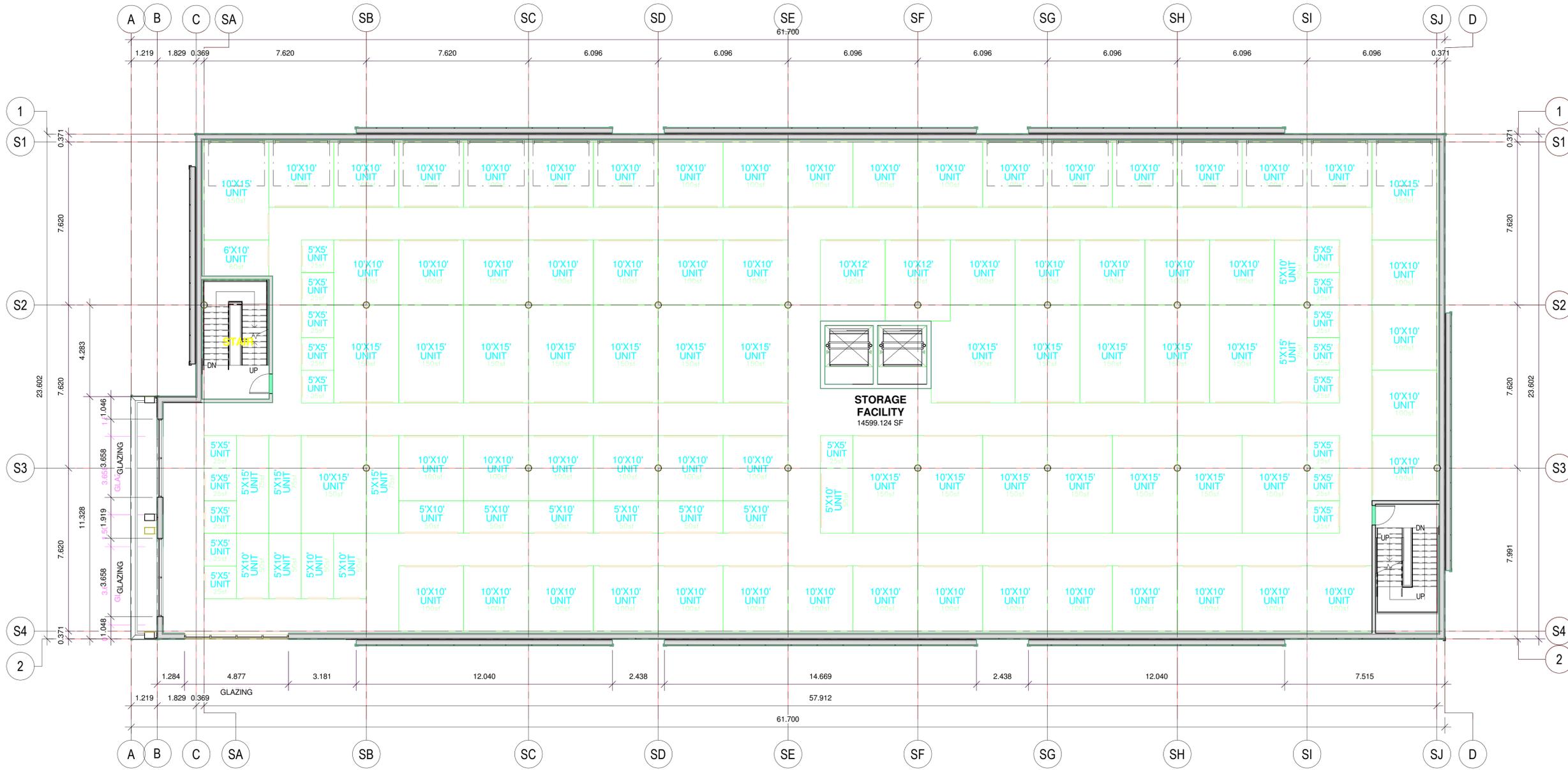
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Main Floor Plan

DRAWN BY	JM	A104.2 REVISION
CHECKED BY	CR	
PROJECT NUMBER	21-034-03	1
SCALE	1:100	



1 3rd Floor
A104.4 1:100

SCHEDULE A

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MATTHEW TISSINGTON
MATT@MODERNDIMENSIONSDESIGN.COM
250-826-4686

CONSULTANT

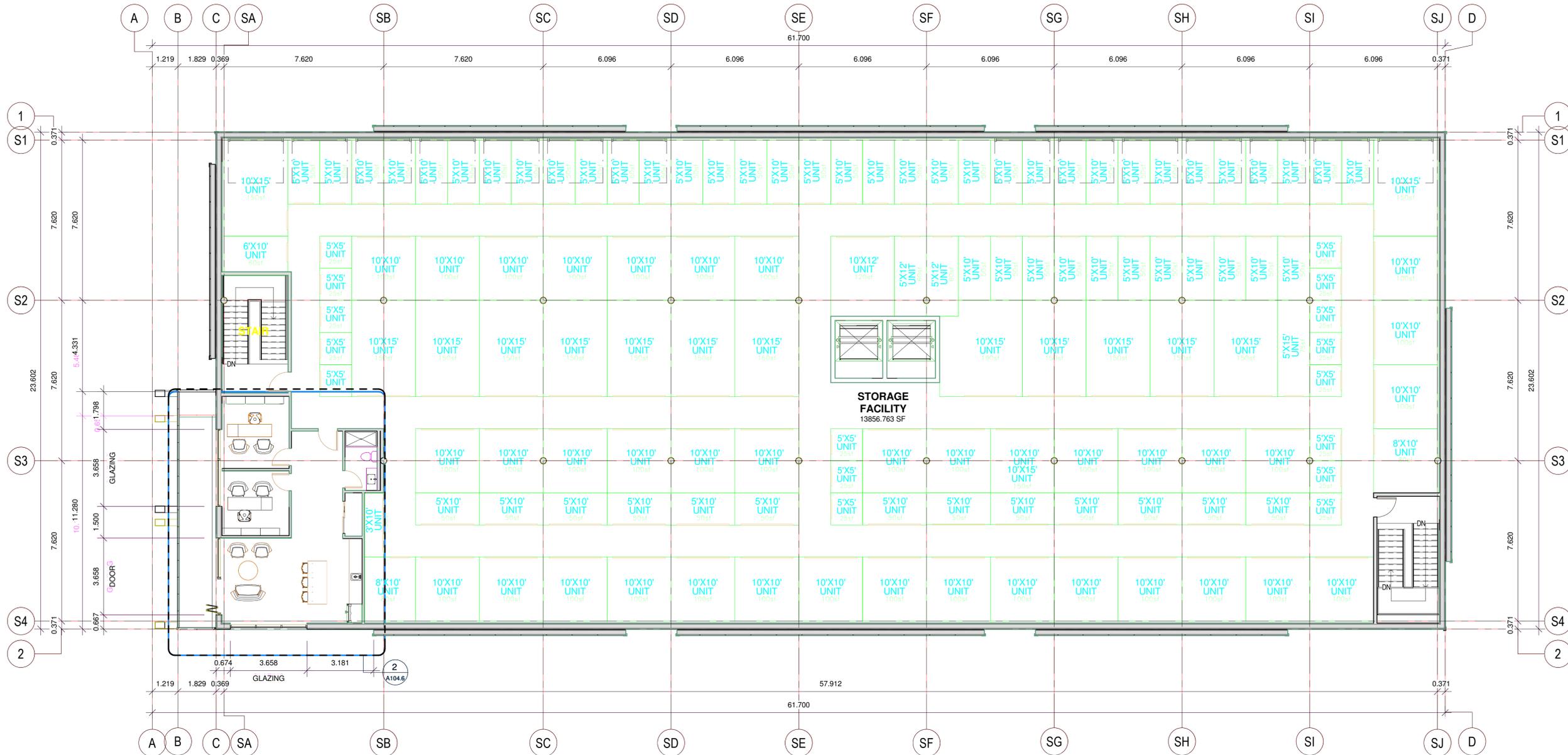
#	DESCRIPTION	DATE
1	For DP	2021-12-21
2	Revised for DP	2022-04-29
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OWNER
2271042 ALBERTA LTD.

Proposed Self-Storage Facility
2015 Matrix CR Kelowna, BC
LOT 16, SEC 14 TWP. 23 PLAN EPP80708

Third Floor Plan

DRAWN BY	JM	A104.4 REVISION
CHECKED BY	CR	
PROJECT NUMBER	21-034-03	2
SCALE	1:100	



1 Fourth Floor
A104.5 1:100

SCHEDULE A

This forms part of application
DP22-0008

Planner Initials **JJ**

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PROFESSIONAL OF RECORD

APPLICANT
MODERN DIMENSIONS DESIGN
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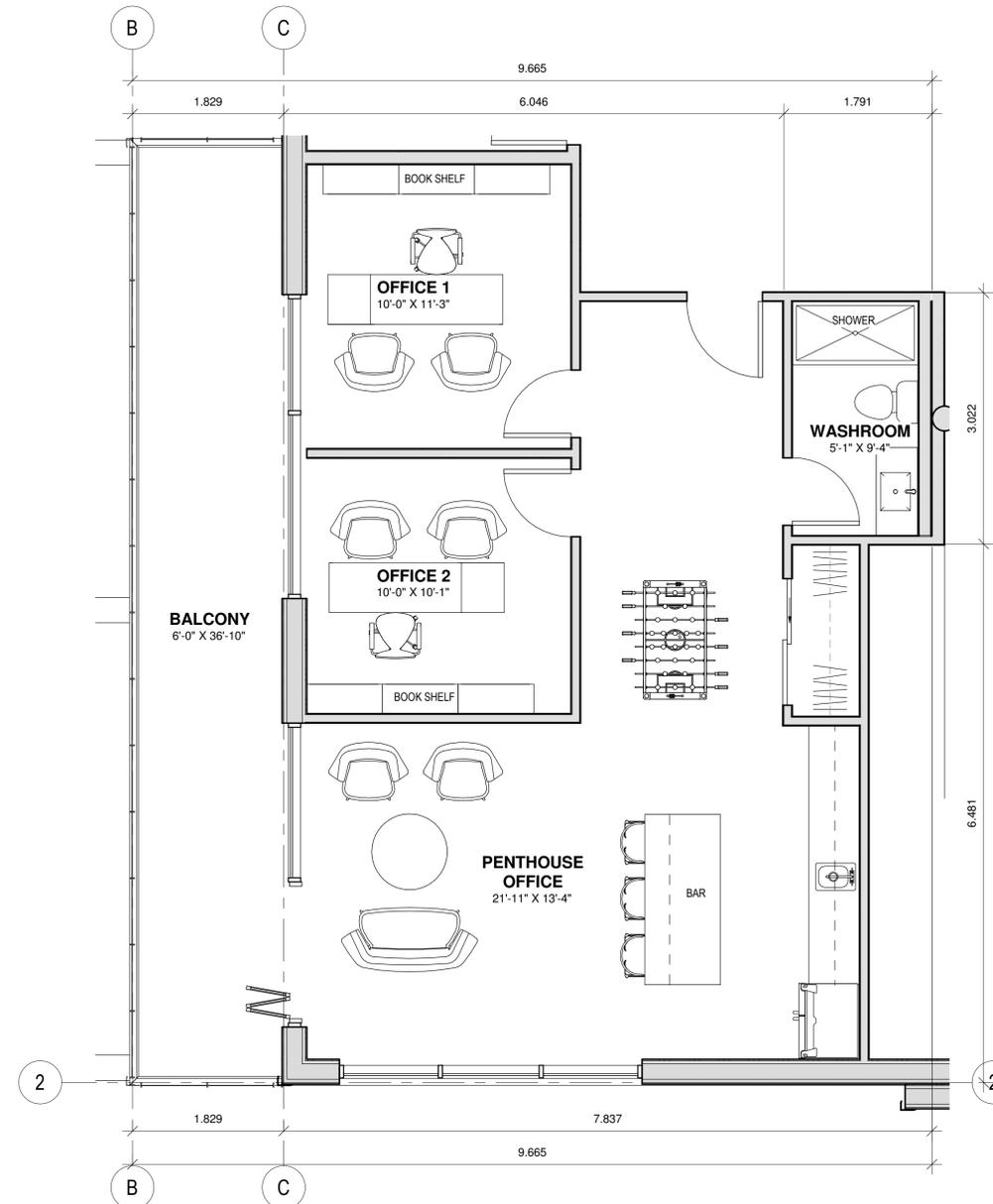
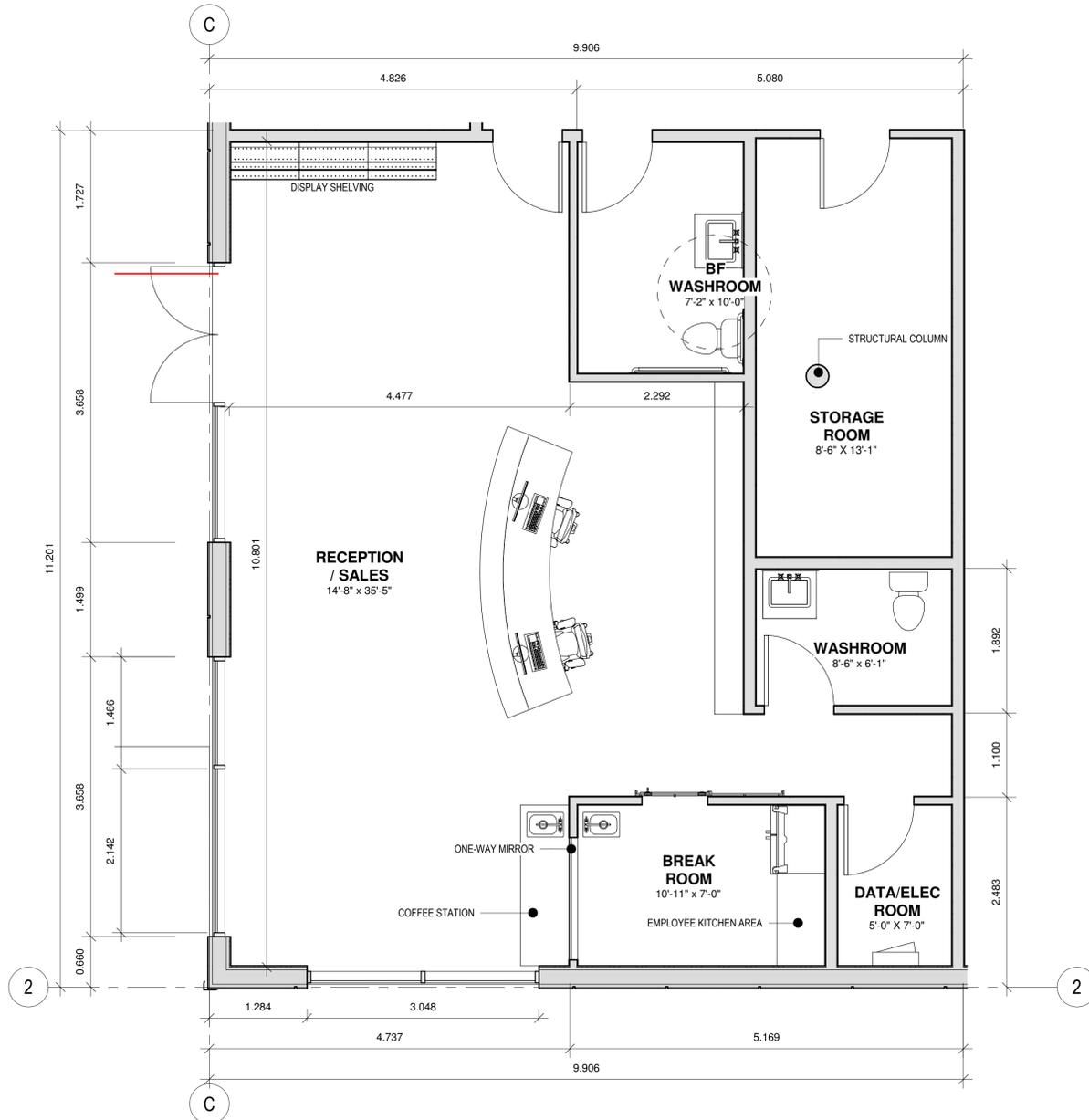
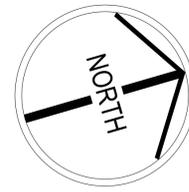
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OWNER
2271042 ALBERTA LTD.

Proposed Self-Storage Facility
2015 Matrix CR Kelowna, BC
LOT 16, SEC 14 TWP. 23 PLAN EPP80708

Fourth Floor Plan

DRAWN BY	JM	A104.5 REVISION
CHECKED BY	CR	
PROJECT NUMBER	21-034-03	2
SCALE	1:100	



SCHEDULE A

This forms part of application # DP22-0008

Planner Initials: **JJ**

City of Kelowna DEVELOPMENT PLANNING

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CONSULTANT

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OWNER
 2271042 ALBERTA LTD.

Proposed Self-Storage Facility
 2015 Matrix CR Kelowna, BC
 LOT 16, SEC 14 TWP. 23 PLAN EPP80708

Detailed Floor Plans

DRAWN BY	JM	A104.6 REVISION
CHECKED BY	CR	
PROJECT NUMBER	21-034-03	2
SCALE	1:40	

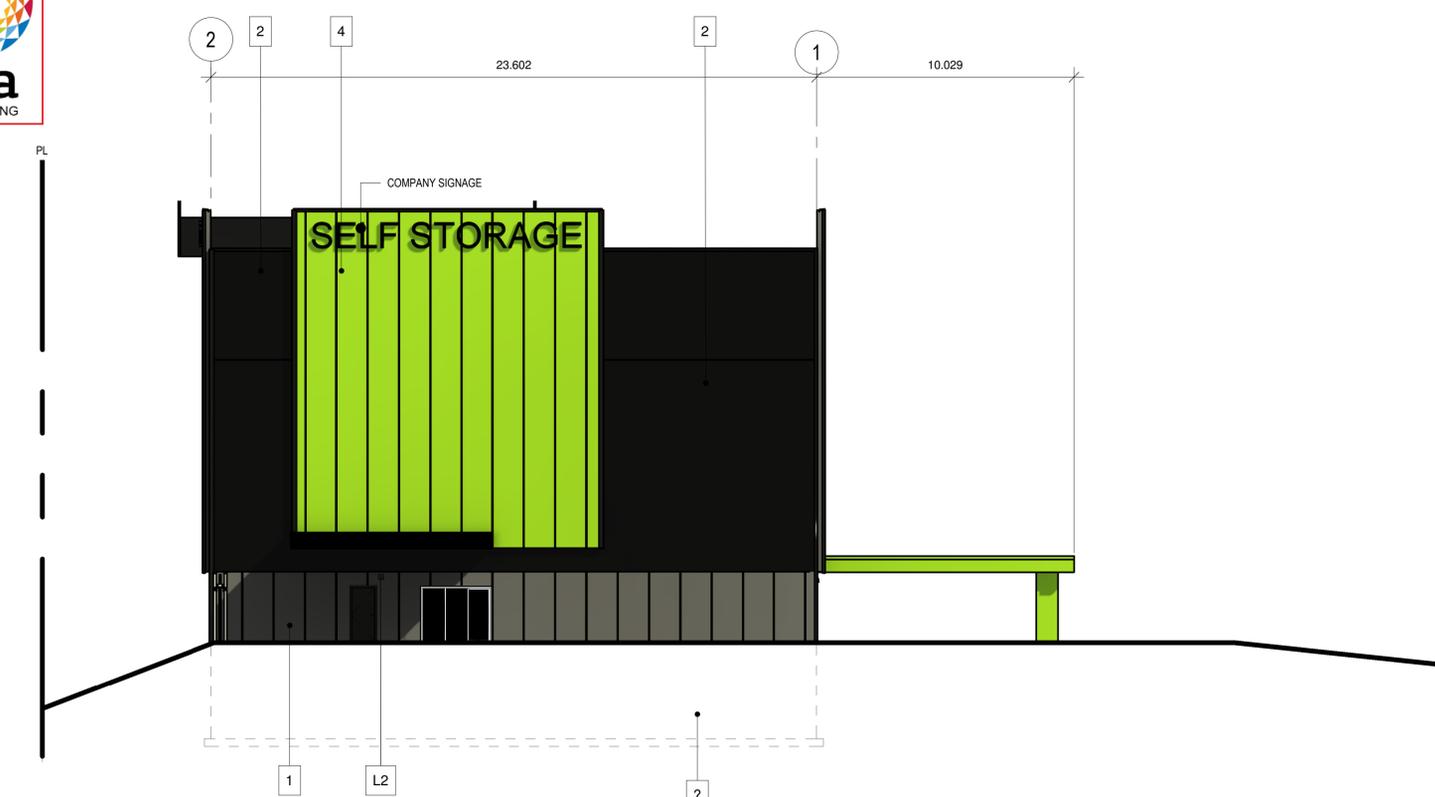
MATERIAL SCHEDULE

Material: Mark	Material: Description	Color
1	Vertical Wall Metal - Charcoal	Charcoal
2	Vertical Corrugated Wall Metal - Black	Black
3	Metal Panels - White	White
4	Vertical Wall Metal - Green	Green
5	Glazing	
6	Spandrel Panel - Black	
7	Post - Green Metal Cladding	Green
8	Wood Cladding	
9	Post - Black Metal Cladding	
10	Vertical Wall Metal - White	White
11	Metal Fascia - Black	



T.O High Parapet	16.764	
T.O Low Parapet	15.240	1.219
4th Floor Ceiling	14.021	3.048
4th Floor	10.973	0.914
3rd Floor Ceiling	10.058	2.743
3rd Floor	6.401	0.914
2nd Floor Ceiling	3.658	2.743
2nd Floor	2.743	0.914
Main Floor Ceiling	0.000	2.743
Main - Floor Plan	-0.914	0.914
Basement Ceiling	-3.658	2.744
Basement Floor Plan	-3.734	0.076
T.O Footing		

1 South Elevation
A105.2 1:130



T.O High Parapet	16.764	
T.O Low Parapet	15.240	1.219
4th Floor Ceiling	14.021	3.048
4th Floor	10.973	0.914
3rd Floor Ceiling	10.058	2.743
3rd Floor	6.401	0.914
2nd Floor Ceiling	3.658	2.743
2nd Floor	2.743	0.914
Main Floor Ceiling	0.000	2.743
Main - Floor Plan	-0.914	0.914
Basement Ceiling	-3.658	3.658
Basement Floor Plan	-3.734	0.076
T.O Footing		

2 North Elevation
A105.2 1:130

SCHEDULE B

This forms part of application
DP22-0008

Planner Initials **JJ**

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PROFESSIONAL OF RECORD

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MATTHEW TISSINGTON
MATT@MODERNDIMENSIONSDESIGN.COM
250-826-4686

CONSULTANT

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OWNER

2271042 ALBERTA LTD.

Proposed Self-Storage Facility

2015 Matrix CR Kelowna, BC
LOT 16, SEC 14 TWP. 23 PLAN EPP80708

Elevations

DRAWN BY	JM	A105.2 REVISION
CHECKED BY	CR	
PROJECT NUMBER	21-034-03	2
SCALE	1:130	



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OWNER

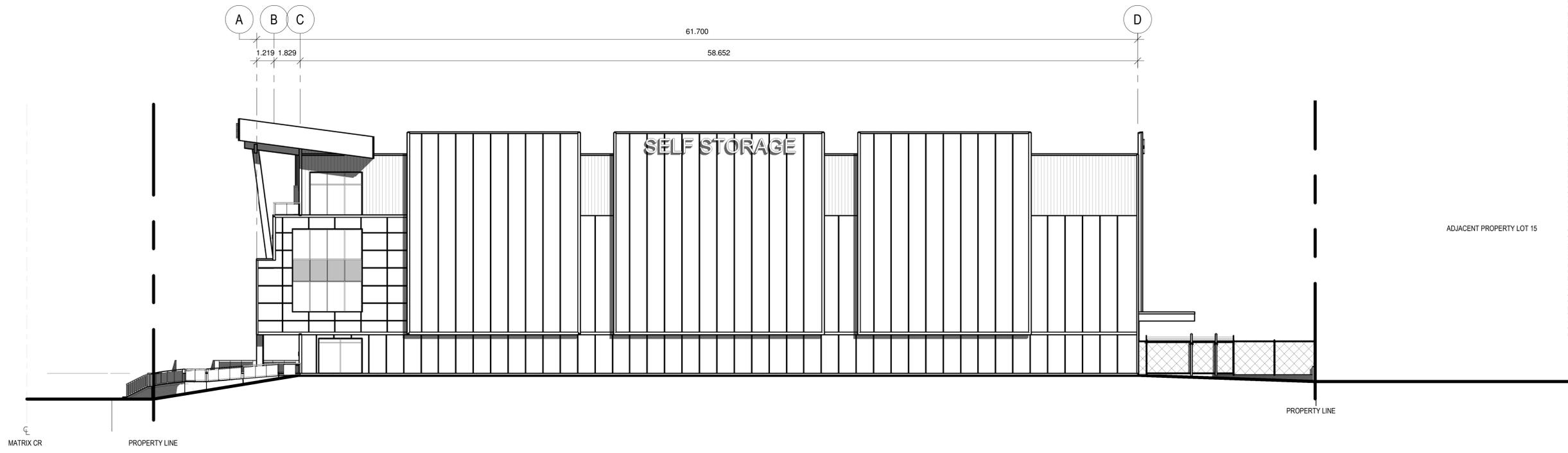
2271042 ALBERTA LTD.

Proposed Self-Storage Facility
 2015 Matrix CR Kelowna, BC
 LOT 16, SEC 14 TWP. 23 PLAN EPP80708

Street Elevation

DRAWN BY	JM	A105.3 REVISION
CHECKED BY	CR	
PROJECT NUMBER	21-034-03	2
SCALE	1:150	

DO NOT SCALE DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF ANY WORK



1 Street Elevation
 A105.3 1:150

SCHEDULE B

This forms part of application
 # DP22-0008

Planner Initials **JJ**

DAVID STOYKO LANDSCAPE ARCHITECT DOES NOT GUARANTEE THE EXISTENCE, LOCATION, AND ELEVATION OF ANY ELEMENT AT THE PROJECT SITE, INCLUDING UTILITIES AND / OR CONCEALED STRUCTURES, OR THE ACCURACY OF ANY INFORMATION PROVIDED FROM OTHER CONSULTANTS OR SOURCES. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL SITE CONDITIONS.

THESE DRAWINGS HAVE BEEN PREPARED FOR THE CLIENT FOR THIS PROJECT, AND SHOULD NOT BE USED OTHERWISE WITHOUT PERMISSION.

DO NOT SCALE OFF OF THESE DRAWINGS. NO RESPONSIBILITY CAN BE TAKEN WITH ANY ERRORS BY MEASURING OFF OF THESE DRAWINGS.

NOT FOR CONSTRUCTION

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3	REVISED PER CITY COMMENTS	22-04-29
2	ISSUED FOR DP APPLICATION	22-01-26
1	ISSUED FOR REVIEW	22-01-25
REVISIONS		

2271042 ALBERTA LTD.

PROPOSED SELF-STORAGE FACILITY

2015 Matrix Crescent
Kelowna, British Columbia

Scale:	1:200
Drawn:	DS
Reviewed:	DS
Project No.:	22-001

LANDSCAPE SITE PLAN



SCHEDULE C

This forms part of application
DP22-0008

Planner Initials
JI



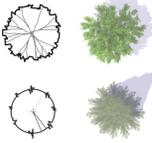
DAVID STOYKO LANDSCAPE ARCHITECT DOES NOT GUARANTEE THE EXISTENCE, LOCATION, AND ELEVATION OF ANY ELEMENT AT THE PROJECT SITE, INCLUDING UTILITIES AND / OR CONCEALED STRUCTURES, OR THE ACCURACY OF ANY INFORMATION PROVIDED FROM OTHER CONSULTANTS OR SOURCES. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL SITE CONDITIONS.

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**NOT FOR
CONSTRUCTION**

PLANT LIST

	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	NOTES	
TREES						
	8	Parrotia persica	Persian Ironwood	6cm cal., B&B	as shown	
	5	Pinus leucodermis	Bosnian Pine	3m ht., B&B	as shown	
SHRUBS						
	41	Berberis 'Ruby Glow'	Dwarf Red Barberry	#3 pot	@750mm O.C.	
	45	Cornus sericea 'Arctic Fire'	Dwarf Dogwood	#2 pot	@750mm O.C.	
	57	Cotoneaster dammeri	Little Leaf Cotoneaster	#2 pot	@600mm O.C.	
	33	Ericameria nauseosus	Rabbit Bush	#2 pot	@600mm O.C.	
	116	Picea abies 'Nidiformus'	Bird's Nest Spruce	#2 pot	@600mm O.C.	
	33	Symphoricarpos albus	Snowberry	#3 pot	@600mm O.C.	
ORNAMENTAL GRASSES						
	88	Sporobolus heterolepis	Prairie Dropseed	#2 pot	@600mm O.C.	
	768	Sodded lawn - SQ.M. Area				

PLANTING NOTES

1. IN CASE OF DISCREPANCY BETWEEN PLANT NUMBERS ON THIS LIST AND ON THE PLAN, THE LATTER SHALL PREVAIL.
2. ALL PLANTING SHALL MEET OR EXCEED THE REQUIREMENTS AS OUTLINED IN THE CANADIAN LANDSCAPE STANDARD, LATEST EDITION. IN CASE OF DISCREPANCY BETWEEN PLANT NUMBERS THIS LIST AND ON THE PLAN, THE LATTER SHALL PREVAIL.
3. ALL PLANTING PLANS TO BE READ IN CONJUNCTION WITH THE LANDSCAPE DETAILS AND SPECIFICATIONS.
4. ALL PLANTING BEDS TO BE MULCHED WITH 2" (50MM) OF COMPOSTED BARK MULCH PER SPECIFICATIONS.
5. FINAL LANDSCAPE BERM / BED LAYOUTS, AS WELL AS ACTUAL TREE AND SHRUB LOCATIONS AND SPACING, TO BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
6. CONTRACTOR TO LAYOUT TREES FOR APPROVAL BY THE CONSULTANT PRIOR TO COMMENCEMENT OF WORK.
7. CONTRACTOR RESPONSIBLE FOR MAINTENANCE INCLUDING IRRIGATION OF ALL PLANTED AREAS FOR 1 FULL YEAR AFTER SUBSTANTIAL COMPLETION.
8. IDENTIFY AND MARK OUT ALL BURIED UTILITIES PRIOR TO WORK. HAND-DIG AROUND ANY EXISTING UTILITIES.

 FULL SUN	 PART SUN / SHADE	 SHADE	
 DROUGHT TOLERANT PLANTS	 POLLINATOR FRIENDLY PLANTS	 SEASONAL INTEREST PLANTS	 EVERGREEN PLANTS
 FOOD RESOURCE PLANTS	 NATIVE PLANTS	 HABITAT VALUE PLANTS	

SCHEDULE C

This forms part of application
DP22-0008

Planner
Initials

JI



City of Kelowna
DEVELOPMENT PLANNING

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3	REVISED PER CITY COMMENTS	22-04-29
2	ISSUED FOR DP APPLICATION	22-01-26
1	ISSUED FOR REVIEW	22-01-25
REVISIONS		

2271042 ALBERTA LTD.
**PROPOSED
SELF-STORAGE
FACILITY**

2015 Matrix Crescent Kelowna, British Columbia	
Scale:	N/A
Drawn:	DS
Reviewed:	DS
Project No.	22-001

**LANDSCAPE
PLANTING
MATERIALS**

L2.0



Planner Initials **JL**

FORM & CHARACTER – DEVELOPMENT PERMIT GUIDELINES

Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

SECTION 6.0: RETAIL, COMMERCIAL AND INDUSTRIAL						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
6.4 Industrial and Service Commercial						
6.4.1 Relationship to the Street	N/A	1	2	3	4	5
a. Design primary entries to be clearly visible and accessible from the street.					x	
b. Site the building’s primary façade parallel to the street and close to the minimum setback to establish a defined street edge.						x
c. Include glazing, as a major component of street facing facades.				x		
d. Maintain and enhance street edge definition by preserving or incorporating street trees.						x
e. Locate the office, reception, or sales component of the building closer to the street than the plant or warehouse component.						x
f. Do not locate service doors (e.g., an overhead loading door) facing the street.						x
6.4.2 Site Planning and Landscaping	N/A	1	2	3	4	5
a. Pedestrian pathways should provide clear sight lines and connect the building to outdoor amenity spaces.					x	
b. Consider providing landscaped green roofs to manage runoff, add visual appeal, improve energy efficiency, reduce heat island effect, and provide amenity value.	x					
6.4.3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a. The preferred location for main parking areas is at the rear and/or side of the building.						x
b. Avoid locating large parking areas between the building and street. A single loaded row of visitor parking and passenger drop-off areas may be located between the building and the street.						x
c. Where parking areas are visible from the street, screen it using strategies such as tree planting, berming, low walls, decorative fencing and/or hedging.						x
d. Break parking areas into smaller blocks defined by landscaping in order to minimize the amount of paved areas.				x		
e. Locate outdoor storage areas within rear yards and/or interior side yards and screened from street view.						x
6.4.4 Building Articulation, Features and Materials	N/A	1	2	3	4	5
a. Avoid facing unarticulated facades to the street and use projections, recesses, plantings, awnings, color and texture to reduce the visual size of any unglazed walls.						x
b. Use different exterior materials to distinguish between the plant/warehouse component of a building from the office/sales component.						x

Development Permit DP21-0008



This permit relates to land in the City of Kelowna municipally known as

2015 Matrix Cres

and legally known as

Lot 16 Section 14 Township 23 ODYD Plan EPP80708

and permits the land to be used for the following development:

CD15 – Airport Industrial Park (Industrial)

ATTACHMENT B

This forms part of application
DP22-0008

Planner Initials JI


City of Kelowna
DEVELOPMENT PLANNING

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision May 30, 2022
Decision By: COUNCIL
Development Permit Area: Form and Character
Existing Zone: CD15 – Airport Industrial Park (Industrial)
Future Land Use Designation: IND - Industrial

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner’s authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: 2271042 Alberta Ltd
Applicant: Modern Dimensions Design Inc
Planner: Jason Issler

Terry Barton
Community Planning Department Manager
Planning & Development Services

Date

1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C"; and
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property owner of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) An Irrevocable Letter of Credit **OR** certified cheque in the amount of **\$78,823.13**

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

5. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

ATTACHMENT B

This forms part of application # DP22-0008

Planner Initials **Jl**



City of Kelowna
DEVELOPMENT PLANNING

The PERMIT HOLDER is the CURRENT LAND OWNER. Security shall ONLY be returned to the signatory of the Landscape Agreement or their designates.

DP22-0008

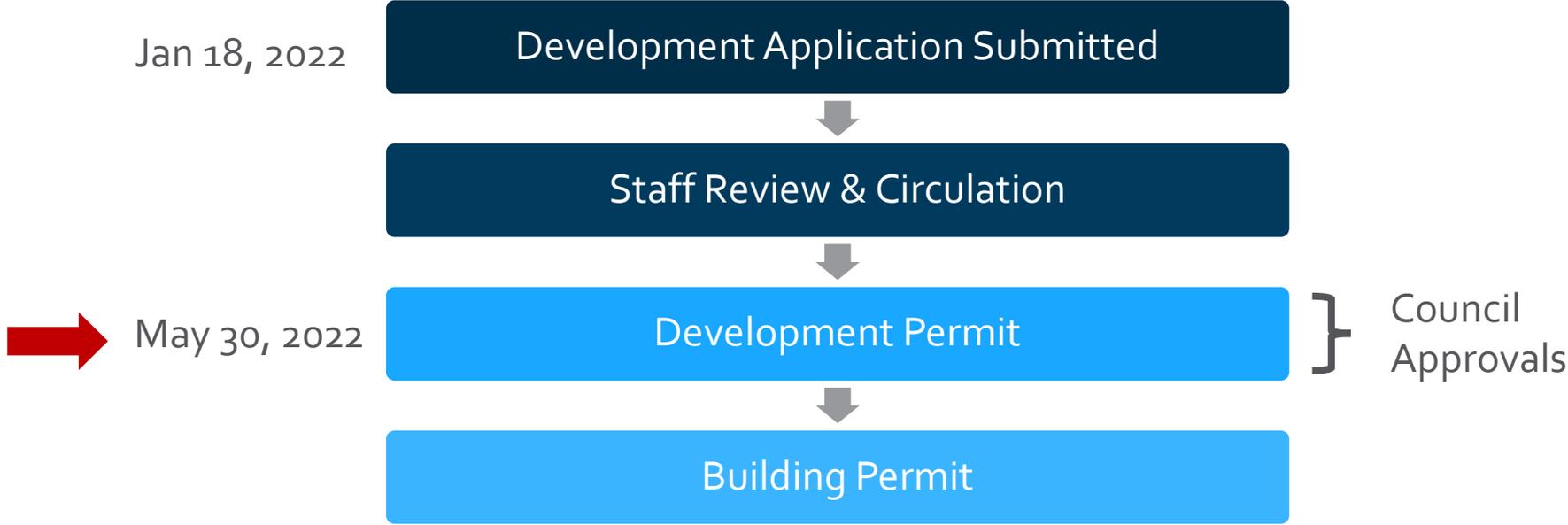
2015 Matrix Cres

Development Permit Application

Proposal

- ▶ To issue a Development Permit for the form and character of a new four-storey industrial development.

Development Process



Context Map



OCP Future Land Use / Zoning



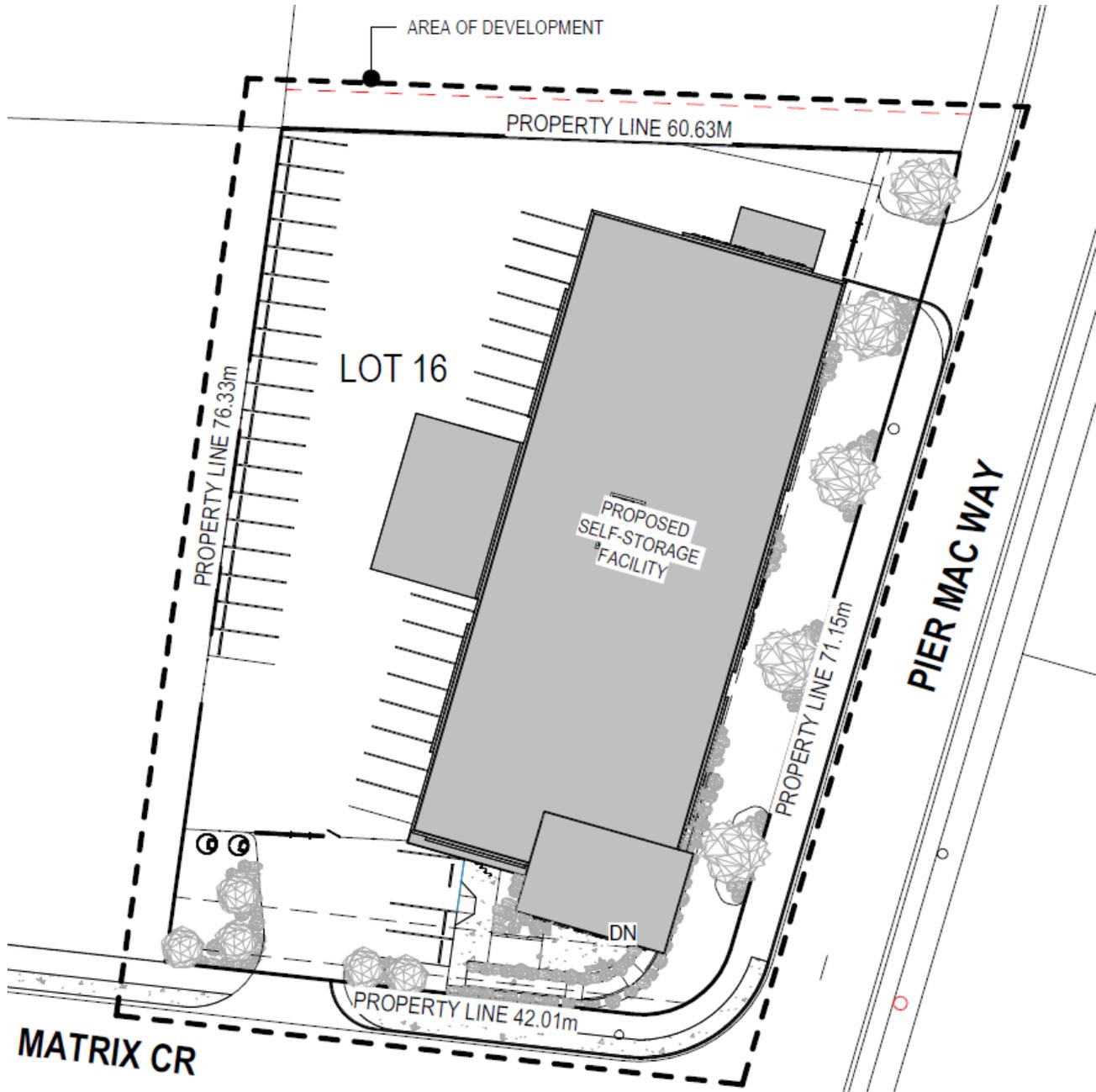
Subject Property Map



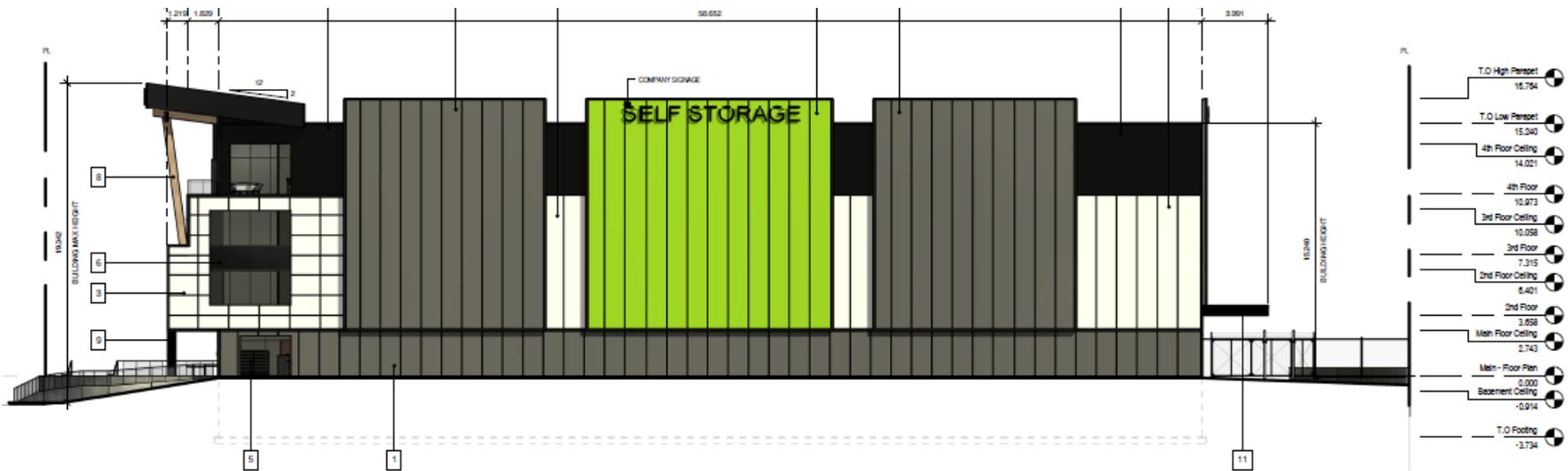
Project/technical details

- ▶ The proposal is a 4-storey building
- ▶ Proposed Design includes gross floor area of 6,568m²
- ▶ Access of Pier Mac Way and Matrix Cres
- ▶ Complies with Development Regulations of CD15 (industrial) zone.

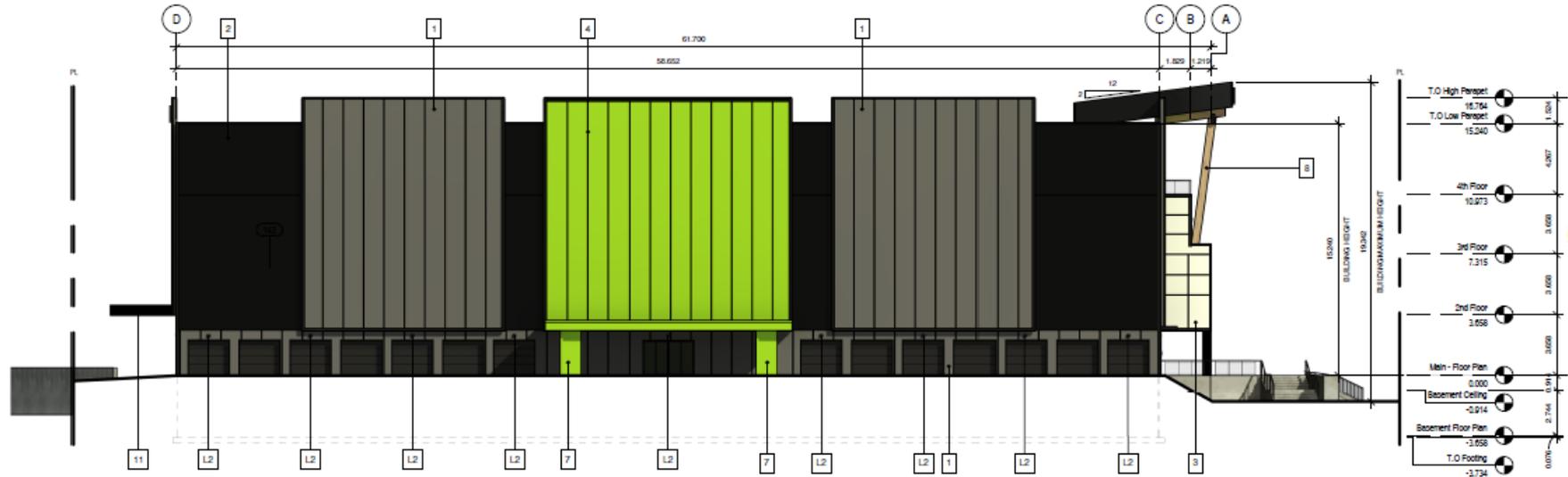
Site Plan



Elevations



1 East (Front) Elevation
A105.1 1:130

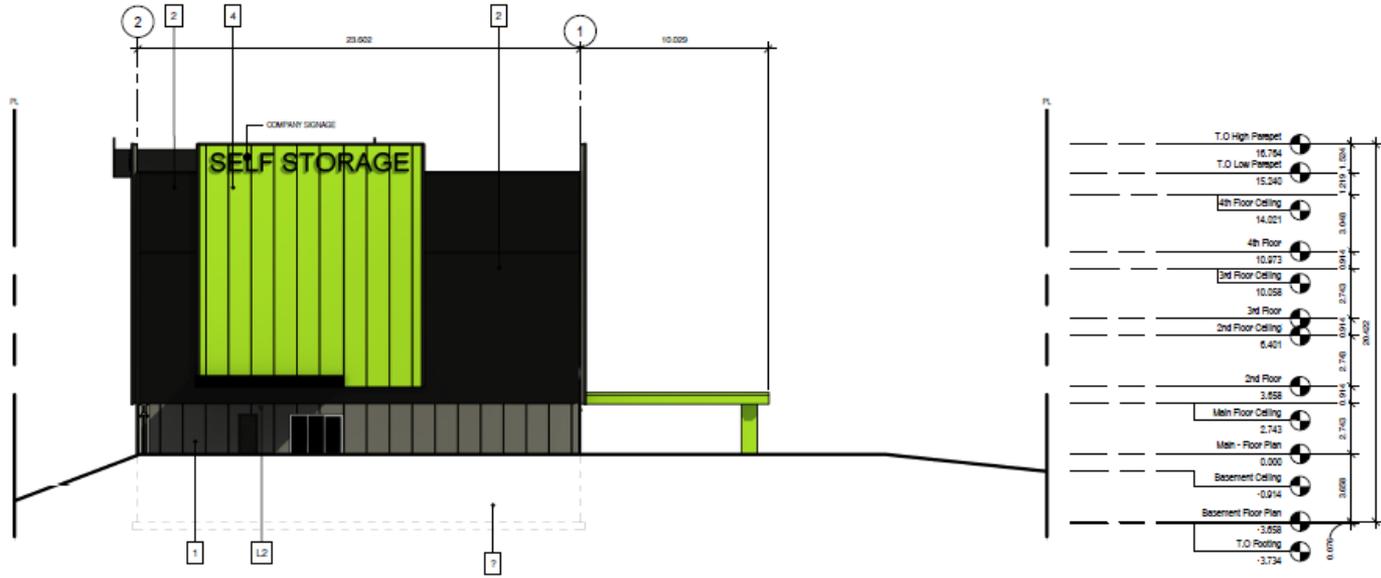


2 West (Rear) Elevation
A105.1 1:130

Elevations



1 South Elevation
A105.2 1:130



2 North Elevation
A105.2 1:130

Renderings



Landscape Plan



Staff Recommendation

- ▶ Staff recommend support of the Development Permit
 - ▶ Consistent with OCP urban design guidelines for industrial developments.
 - ▶ Will meet the intent of the Airport Business Park.
 - ▶ The building will meet all Development Regulations within the CD15 Zone.



Conclusion of Staff Remarks

REPORT TO COUNCIL



Date: May 30, 2022
To: Council
From: City Manager
Department: Development Planning
Application: DP22-0096
Owner: Okanagan College
Address: 860 – 1000 KLO Road
Applicant: Faction Projects Inc. – Alec Warrender
Subject: Development Permit Application
Existing OCP Designation: EDINST – Educational / Institutional
Existing Zone: P2 – Education and Minor Institutional

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP22-0096 for Lot 1, District Lot 135, ODYD, Plan EPP90191, located at 860 – 1000 KLO Road, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security Deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To issue a Development Permit for the form and character of student housing.

3.0 Development Planning

Staff supports the Development Permit for the form and character of a student housing development. The proposal for student housing is consistent with Official Community Plan (OCP) Policy which supports the continued growth of the Okanagan College campus. It aligns with the Pandosy Urban Centre Building Heights Map and Street Character Map which designate the property as six storeys in height with either residential or commercial uses supported at grade.

The proposed form and character generally conforms to the OCP Form and Character Guidelines for residential and institutional buildings. Key guidelines are met including orienting the primary building façade to face the street, providing an inviting interface with the public realm with a prominent entry plaza, avoiding blank, windowless walls, and providing high quality on-site open space. The building itself is clad in brown vertical hardie board siding, with black metal panels on the lower stories, and red metal shades accenting exterior windows. While the building is large and lacks setbacks, some strategies have been employed to provide some articulation and reduce the perceived massing, including a significant bend in the façade and a prominent rounded bump out at the ground level containing amenity space.

The required parking is accommodated at the rear of the site in an expansion of an existing parking lot, with the building screening the view of the parking from KLO Road. The design capitalizes on the proximity to a new Active Transportation Corridor by providing a direct connection to the residence and a dedicated, enclosed bicycle parking facility.

4.0 Proposal

4.1 Background

There is an existing 144-bed student residence on the Okanagan College campus. In March 2021, the Provincial Government announced a student housing initiative that would add 216 beds on the Kelowna campus.

On November 30, 2021, Council approved a Text Amendment Application to the Zoning Bylaw (TA21-0015) for the Okanagan College Campus to increase the maximum permitted height on the Okanagan College campus from 3 storeys to 6 storeys

4.2 Project Description

The development proposal is for a six-storey, 216 bed student housing development on the Okanagan College Campus. The unit mix includes 168 micro units, 4 double units, and 10 quad units. Amenity spaces, including a club room, games room, and study spaces are provided on each floor of the building. Extensive landscaping is proposed, including an arrival plaza at the southwest portion of the site along KLO Road and a Celebration Space courtyard between the existing residence building and the new proposed residence.

Vehicle access is provided from the parking lot for the existing residence from West Campus Road. 67 additional parking spaces are being constructed as an addition to the existing surface parking lot for a total of 172 stalls shared between the existing and new residence. 35 short-term bicycle parking spaces are provided near the entrances to the new building, while 139 long-term bicycle parking spaces are provided in an enclosed parking structure. The bike parking structure will have a direct connection to the new Active Transportation Corridor that has recently been constructed adjacent to the site.

4.3 Site Context

The subject property is the Kelowna Campus of Okanagan College and is within the Pandosy Urban Centre. A new Active Transportation Corridor, which connects Ethel Street with Casorso Road is immediately

adjacent to the subject site. A transit exchange is also located on the property. The surrounding neighbourhood is designated UC – Urban Centre, EDINST – Educational Institutional, and PSU – Public Services / Utilities.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P4 – Utilities	Wastewater Treatment Facility
East	P2 – Education and Minor Institutional	Okanagan College Campus
South	RM5 – Medium Density Multiple Housing	Apartment Housing
West	RU7 – Infill Housing RM3 – Low Density Multiple Housing	Single/Two Family Housing Four dwelling housing

Subject Property Map: 860 – 1000 KLO Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	P2 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Site Coverage (buildings)	40%	20%
Max. Site Coverage (buildings, parking, driveways)	60%	45%

Max. Height	22 m or 6 storeys	19.7 m & 6 storeys
Min. Front Yard	6.0 m	6.0 m
Min. Side Yard (west)	4.5 m	> 4.5 m
Min. Side Yard (east)	4.5 m	> 4.5 m
Min. Rear Yard	7.5	> 7.5 m
Other Regulations		
Min. Parking Requirements	105 stalls	105 stalls
Min. Bicycle Parking	35 short-term 139 long-term	35 short-term 139 long-term

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 4.6 Support infill and redevelopment to promote housing diversity and enhanced services and amenities in the Pandosy Urban Centre	
Policy 4.6.1 Pandosy Building Heights	<p>Undertake a building heights study as part of an Urban Centre Plan process for the Pandosy Urban Centre. Until this process is complete, support development in the Pandosy Urban Centre that is generally consistent with the building heights outlined in Map 4.5 to accomplish the following:</p> <ul style="list-style-type: none"> • Focusing taller buildings along Pandosy Street and Lakeshore Road and tapering heights down towards Okanagan Lake to maximize the area’s visual interest and physical connection to the lake; and • Tapering building heights down east of Richter Street to transition into adjacent Core Area neighbourhoods. <p><i>The proposed six storey building height matches the Pandosy Urban Centre building heights map.</i></p>
Policy 4.6.3 Pandosy Retail Street Character	<p>Support development in the Pandosy Urban Centre that includes the following characteristics at grade as outlined in Map 4.6:</p> <ul style="list-style-type: none"> • Retail space along Pandosy Street and Lakeshore Road integrated with a high-quality urban streetscape experience, reinforcing this corridor as the Urban Centre’s high street; and • Retail space along Tutt Street and nearby streets in the “Pandosy Village” area designated as retail streets to create more dynamic spaces with high levels of pedestrian activity. <p><i>The north side of KLO Road is designated as a “Mixed Street” in the Pandosy Urban Centre retail street character map, which supports either commercial or residential uses at grade. The proposed development provides residential space and amenities at grade.</i></p>
Policy 4.6.5 Okanagan College	<p>Support the continued growth of the Okanagan College KLO campus and its integration with the rest of the Pandosy Urban Centre.</p> <p><i>The proposed development provides student housing for Okanagan College. Multiple dwelling housing is consistent with the direction of the Pandosy Urban Centre.</i></p>

6.o Application Chronology

Date of Application Accepted: April 14, 2022

Report prepared by: Mark Tanner, Planner II

Reviewed by: Lydia Korolchuk, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Development Permit DP22-0096

Schedule A: Site Plan & Floor Plans

Schedule B: Elevations

Schedule C: Landscape Plan

Attachment B: Applicant's Rationale

Attachment C: Project Renderings

Attachment D: Development Permit Guidelines Checklist

Development Permit DP22-0096

ATTACHMENT A
This forms part of application
DP22-0096

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



This permit relates to land in the City of Kelowna municipally known as

860 – 1000 KLO Road

and legally known as

Lot 1, District Lot 135, ODYD, Plan EPPg0191

and permits the land to be used for the following development:

Supportive housing

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

<u>Date of Council Decision</u>	May 30, 2022
<u>Decision By:</u>	Council
<u>Development Permit Area:</u>	Form & Character
Existing Zone:	P2 – Education and Minor Institutional
Future Land Use Designation:	UC – Urban Centre

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner’s authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Okanagan College
Applicant: Faction Projects Inc. Alec Warrender

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date

1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C"; and
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) An Irrevocable Letter of Credit or Certified Cheque in the amount of **\$385,500.00**

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

5. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

SCHEDULE A
 This forms part of application
 # DP22-0096

Planner Initials **MT**

City of Kelowna
 COMMUNITY PLANNING

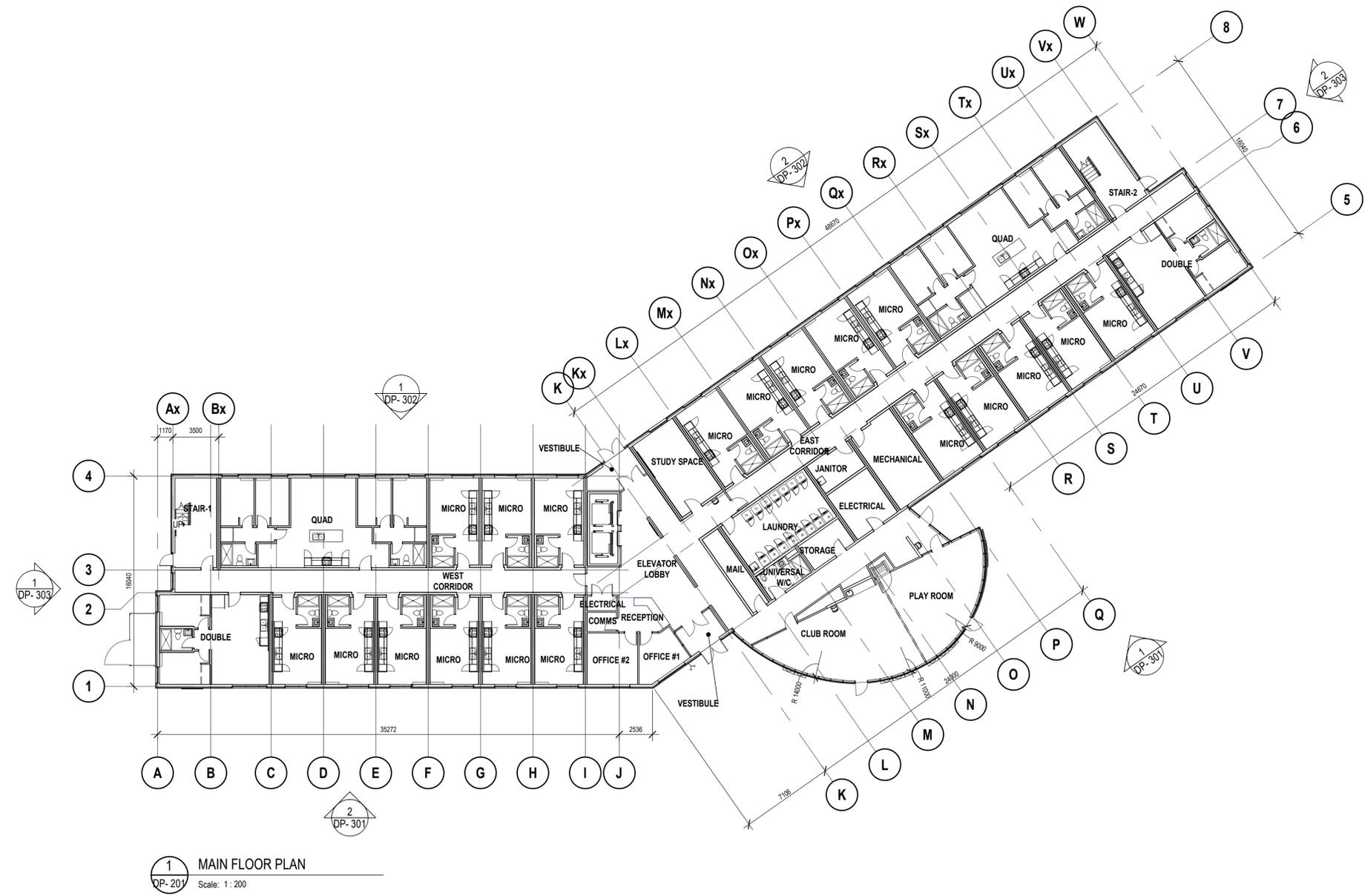


Project Team:
 Prime Consultant
GEC Architecture
 Structural Consultant
RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
WSP

Client
Okanagan College

Seal & Permit

PRELIMINARY - NOT FOR CONSTRUCTION



1 MAIN FLOOR PLAN
 Scale: 1 : 200

1	ISSUED FOR DEVELOPMENT PERMIT	2022-04-07
NO.	ISSUED FOR	DATE

Drawing History

Scale: 1 : 200 Checked By: Checker

Project
OKANAGAN COLLEGE KELOWNA STUDENT HOUSING
 860 - 1000 KLO Rd
 860 - 1000 KLO Rd

Drawing Title
LEVEL 01 FLOOR PLAN

Project Number: 5870 Drawing Number: **DP-201**

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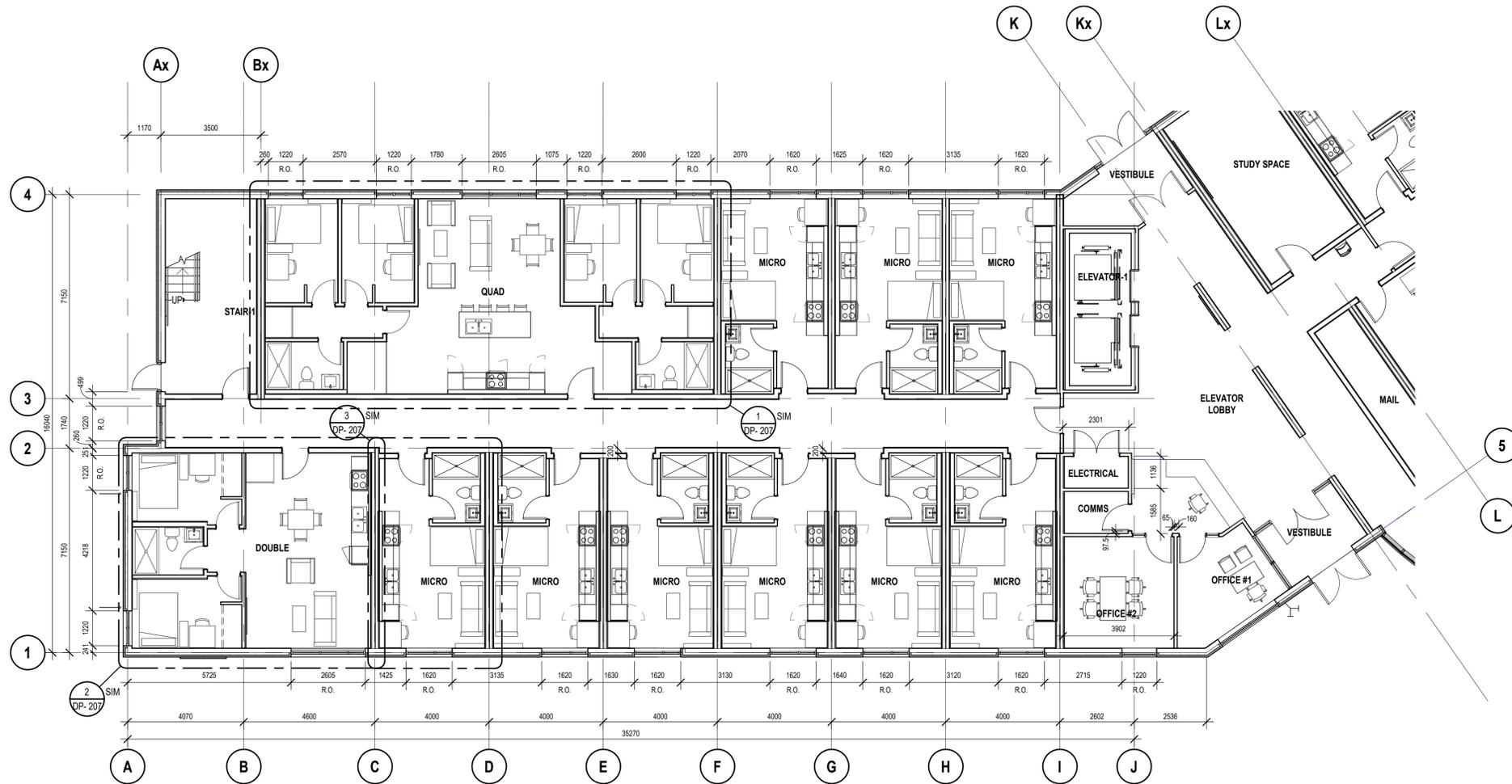
Project Team:
 Prime Consultant
GEC Architecture
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RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
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NO.	ISSUED FOR	DATE

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Scale	Checked By
1:100	Checker

Project
OKANAGAN COLLEGE KELOWNA STUDENT HOUSING
 860 - 1000 KLO Rd
 860 - 1000 KLO Rd

Drawing Title
LEVEL 01 FLOOR PARTIAL PLAN

Project Number
5870

Drawing Number
DP-201A

Project Team:
 Prime Consultant
GEC Architecture
 Structural Consultant
RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
WSP

Client
Okanagan College



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PRELIMINARY - NOT FOR CONSTRUCTION

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NO.	ISSUED FOR	DATE
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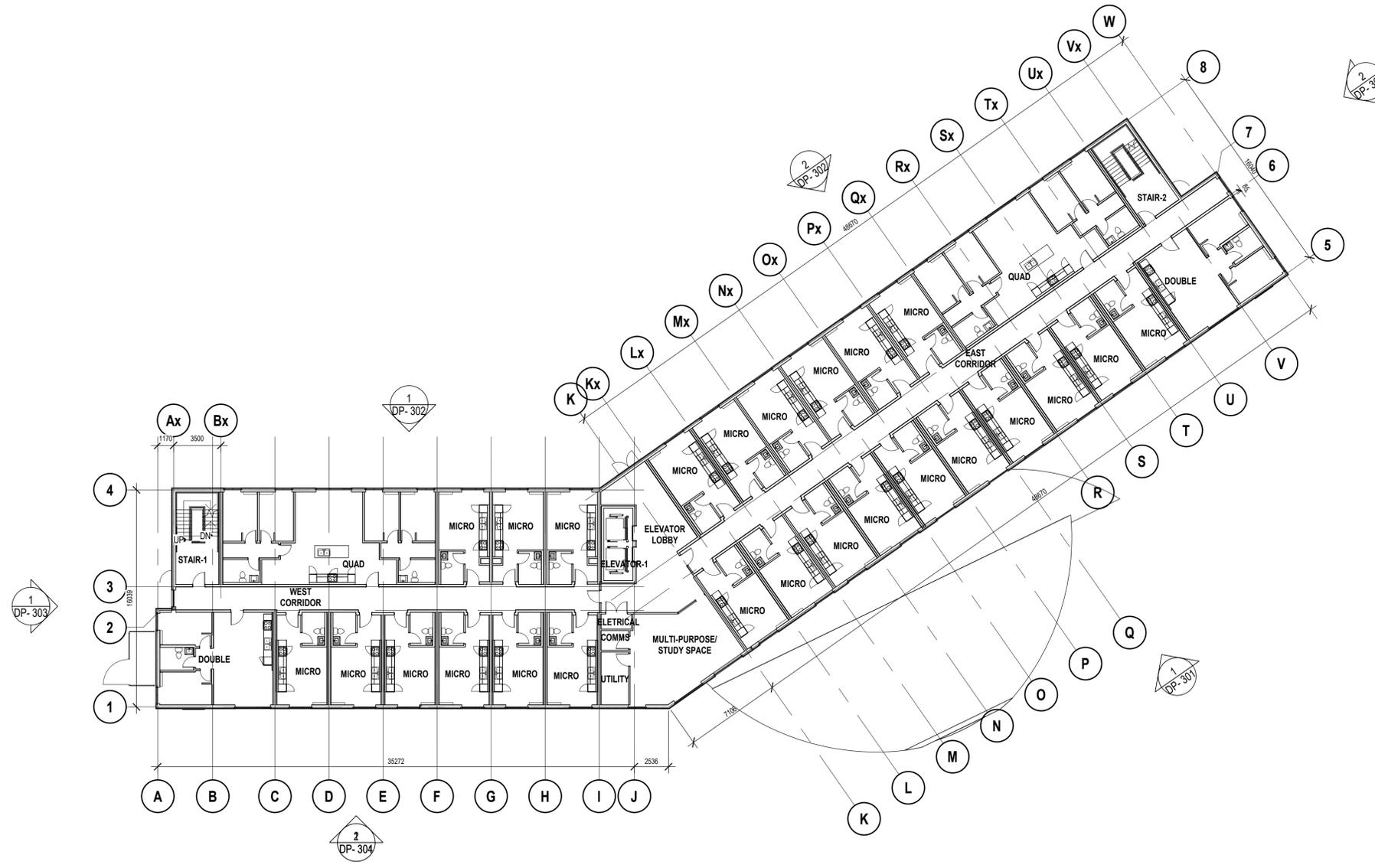
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Project
OKANAGAN COLLEGE KELOWNA STUDENT HOUSING

860 - 1000 KLO Rd
 860 - 1000 KLO Rd

Drawing Title
LEVEL 02 FLOOR PLAN

Project Number	5870	Drawing Number	DP-202
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1 LEVEL 2 FLOOR PLAN
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SCHEDULE A

This forms part of application
DP22-0096

Planner Initials **MT**



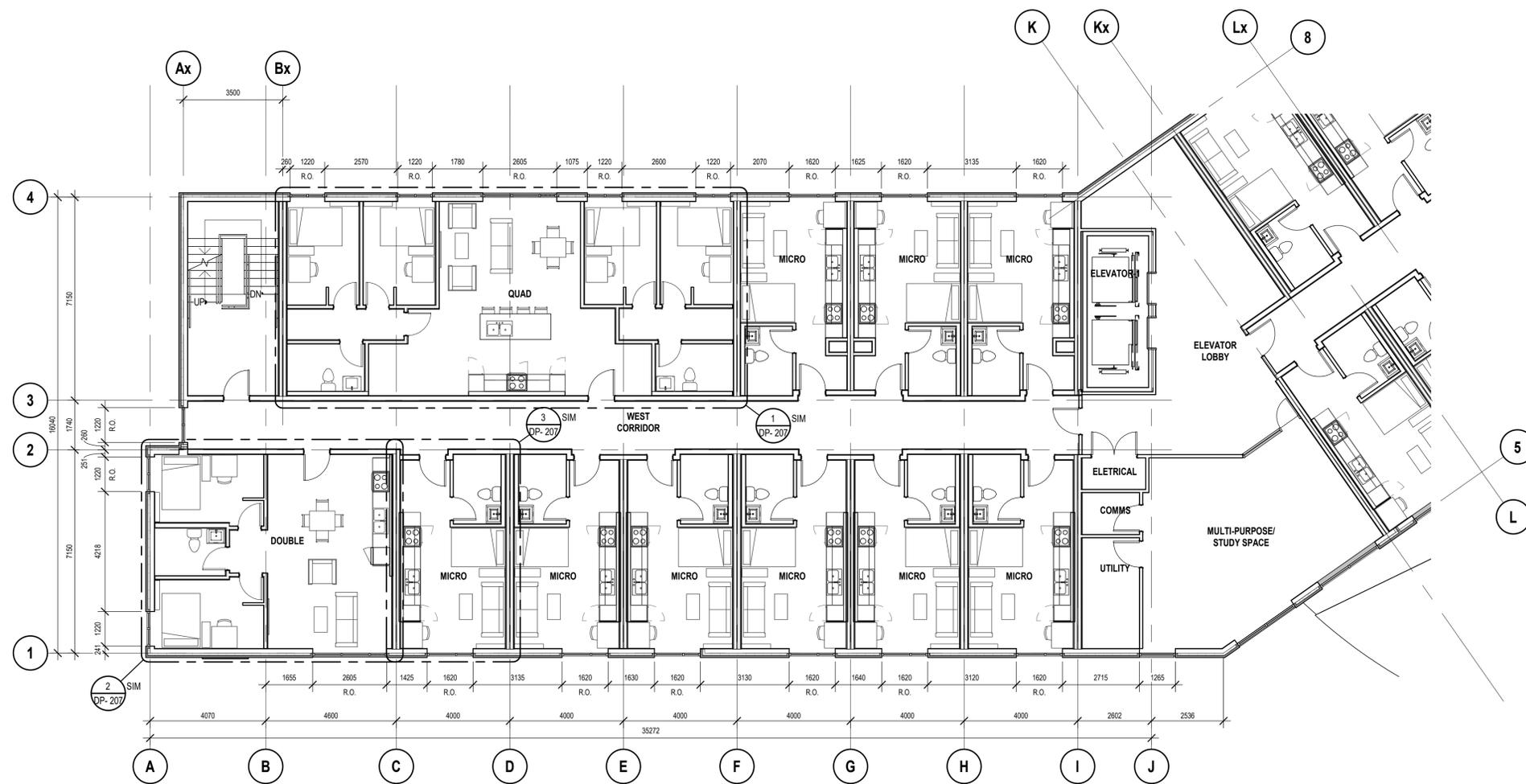
Project Team:
 Prime Consultant
GEC Architecture
 Structural Consultant
RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
WSP

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Okanagan College



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1 TYPICAL FLOOR WEST PLAN
 Scale: 1 : 100

1	ISSUED FOR DEVELOPMENT PERMIT	2022-04-07
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NO.	ISSUED FOR	DATE
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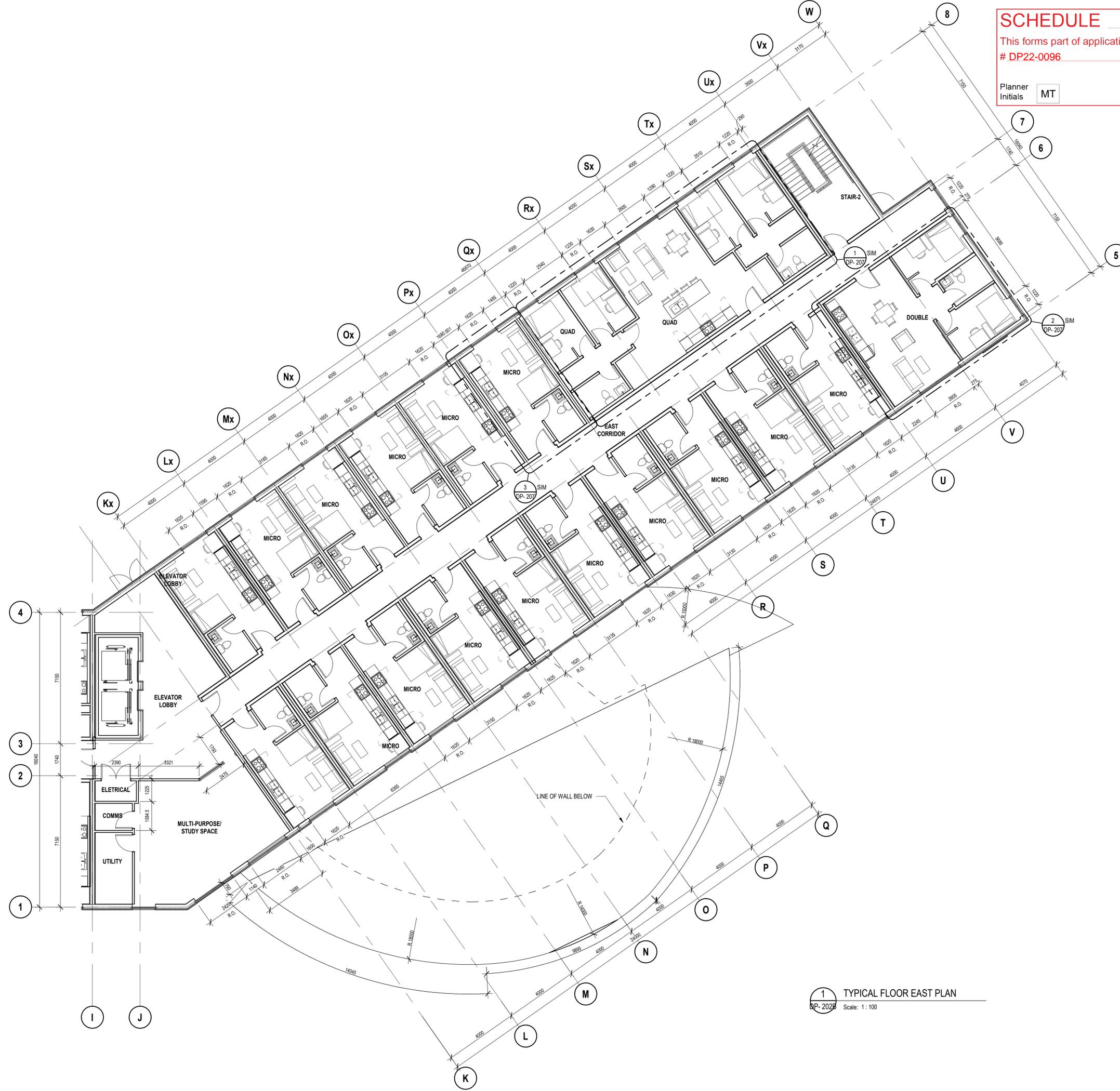
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OKANAGAN COLLEGE KELOWNA STUDENT HOUSING

860 - 1000 KLO Rd
 860 - 1000 KLO Rd

Drawing Title

LEVEL 02 FLOOR PARTIAL PLAN

Project Number	5870	Drawing Number	DP-202A
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SCHEDULE A

This forms part of application
DP22-0096

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



Project Team:

- Prime Consultant: GEC Architecture
- Structural Consultant: RJC Engineers
- Mechanical Consultant: AME Group
- Electrical Consultant: Smith + Andersen
- Civil + Geotechnical Consultant: Ecora Engineering
- Landscape Consultant: WSP

Client

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NO.	ISSUED FOR	DATE
1	ISSUED FOR DEVELOPMENT PERMIT	2022-04-07

Drawing History

Scale: 1:100

Checked By: Checker

Project: OKANAGAN COLLEGE KELOWNA STUDENT HOUSING

860 - 1000 KLO Rd

860 - 1000 KLO Rd

Drawing Title

LEVEL 02 FLOOR PARTIAL PLAN

Project Number: 5870

Drawing Number: **DP-202B**

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1 TYPICAL FLOOR EAST PLAN
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SCHEDULE A

This forms part of application
DP22-0096

Planner Initials **MT**



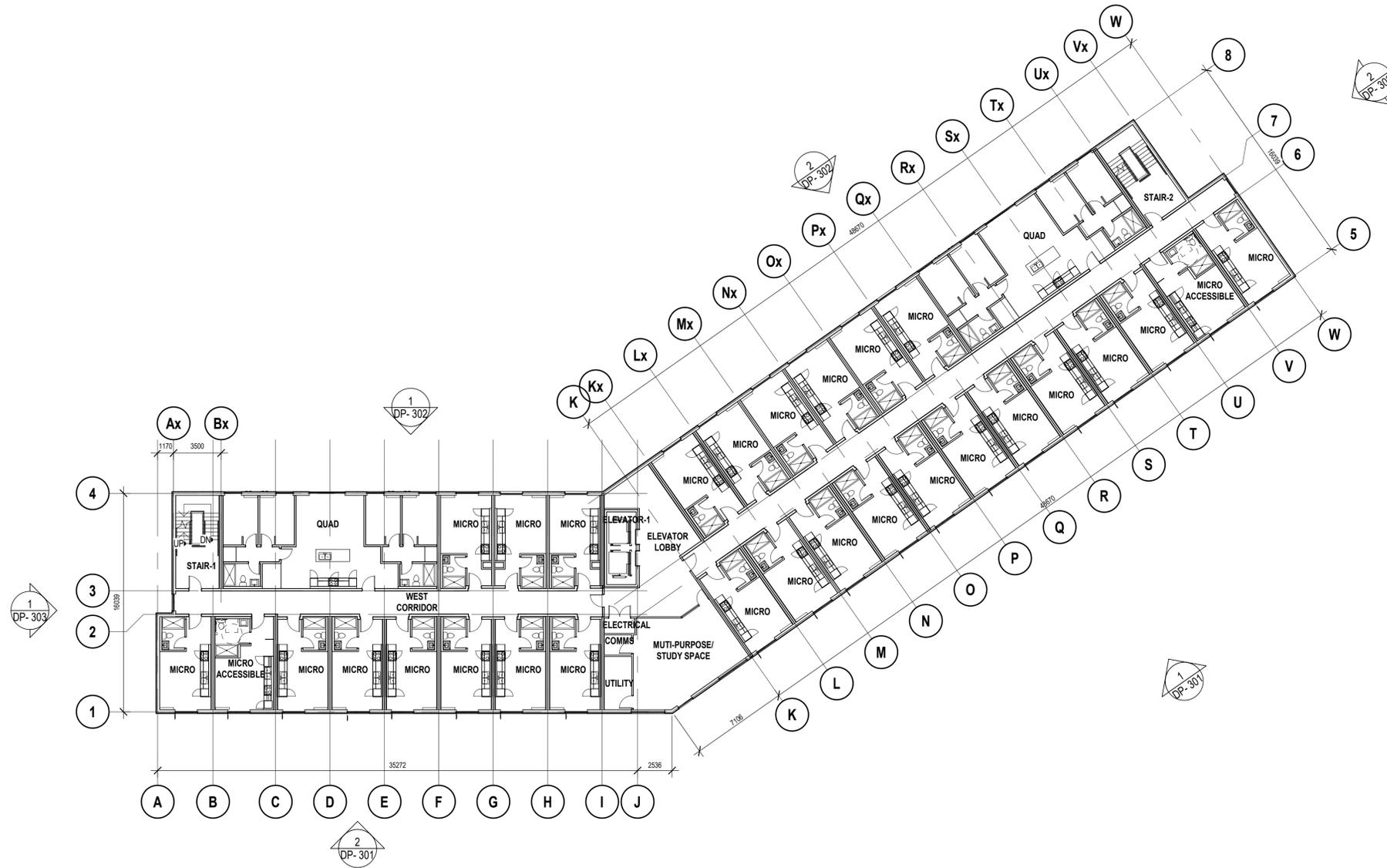
Project Team:
Prime Consultant
GEC Architecture
Structural Consultant
RJC Engineers
Mechanical Consultant
AME Group
Electrical Consultant
Smith + Andersen
Civil + Geotechnical Consultant
Ecora Engineering
Landscape Consultant
WSP

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Okanagan College



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1 LEVEL 03 & 05 FLOOR PLAN
Scale: 1:200

1	ISSUED FOR DEVELOPMENT PERMIT	2022-04-07
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NO.	ISSUED FOR	DATE
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Drawing History	
Scale	Checked By
1:200	Checker

Project
OKANAGAN COLLEGE KELOWNA STUDENT HOUSING
860 - 1000 KLO Rd
860 - 1000 KLO Rd

Drawing Title
LEVEL 03 & 05 FLOOR PLAN

Project Number 5870	Drawing Number DP-203
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SCHEDULE A
This forms part of application
DP22-0096

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING

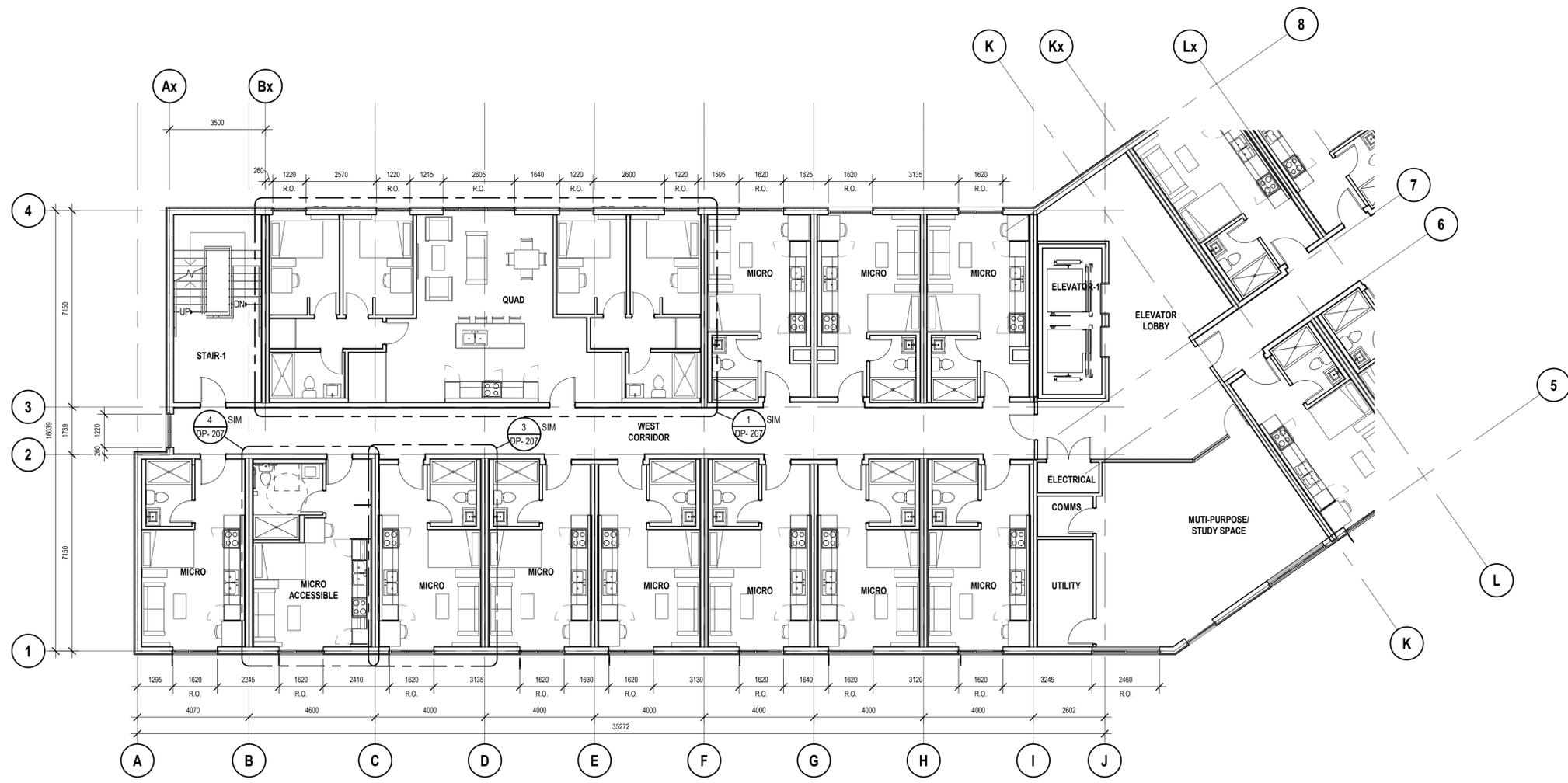
Project Team:
Prime Consultant
GEC Architecture
Structural Consultant
RJC Engineers
Mechanical Consultant
AME Group
Electrical Consultant
Smith + Andersen
Civil + Geotechnical Consultant
Ecora Engineering
Landscape Consultant
WSP

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1 LEVEL 03 & 05 FLOOR PLAN WEST
Scale: 1:100

NO.	ISSUED FOR	DATE
1	ISSUED FOR DEVELOPMENT PERMIT	2022-04-07

Scale	Checked By
1:100	Checker

Project
OKANAGAN COLLEGE KELOWNA STUDENT HOUSING
860 - 1000 KLO Rd
860 - 1000 KLO Rd

Drawing Title
LEVEL 03 & 05 FLOOR PARTIAL PLAN

Project Number
5870

Drawing Number
DP-203A

Project Team:
 Prime Consultant
GEC Architecture
 Structural Consultant
RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
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1	ISSUED FOR DEVELOPMENT PERMIT	2022-04-07
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NO.	ISSUED FOR	DATE
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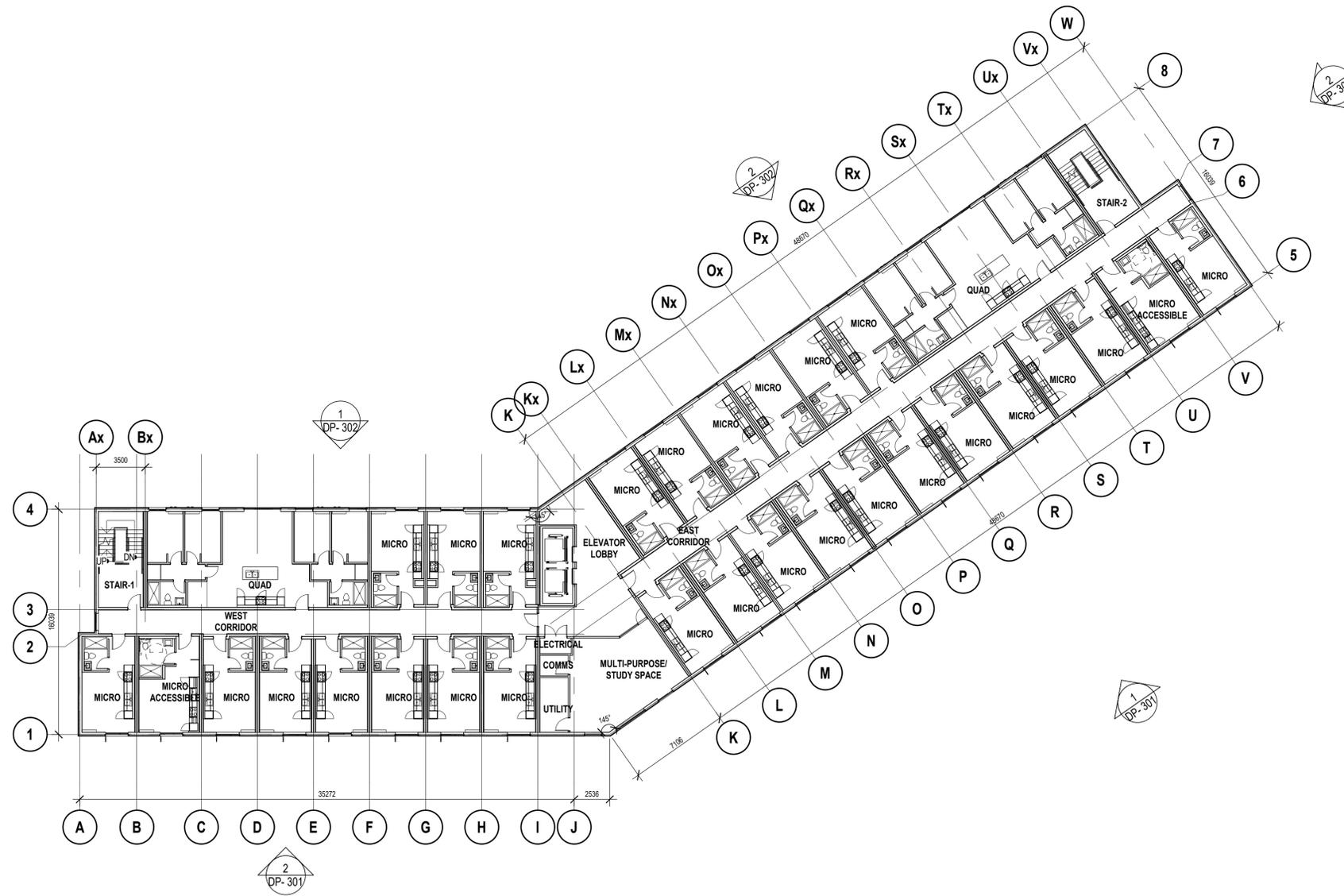
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Project
OKANAGAN COLLEGE KELOWNA STUDENT HOUSING

860 - 1000 KLO Rd
 860 - 1000 KLO Rd

Drawing Title
LEVEL 04 FLOOR PLAN

Project Number
5870
 Drawing Number
DP-204



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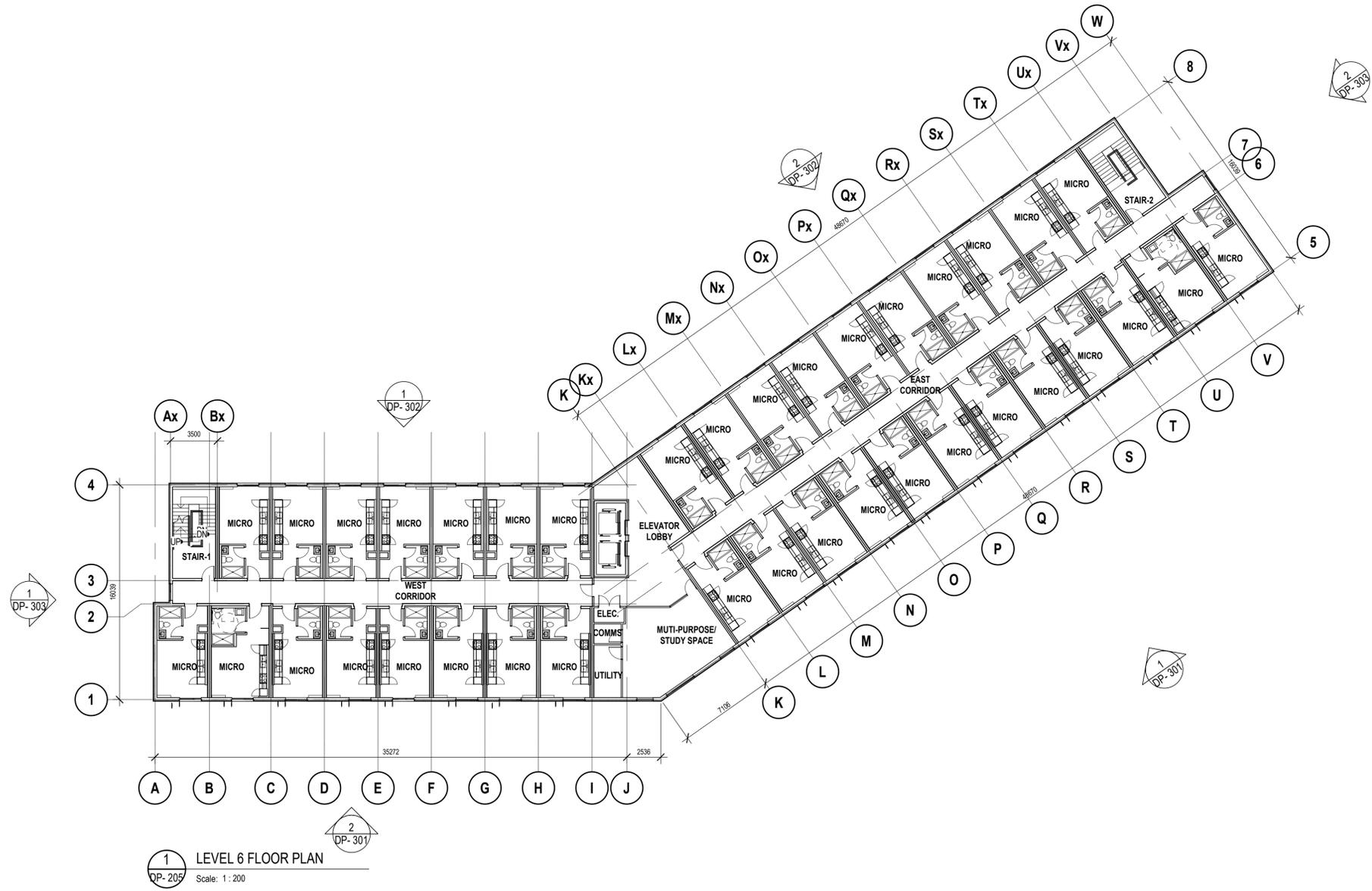
Project Team:
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GEC Architecture
 Structural Consultant
RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
WSP

Client
Okanagan College

Seal & Permit

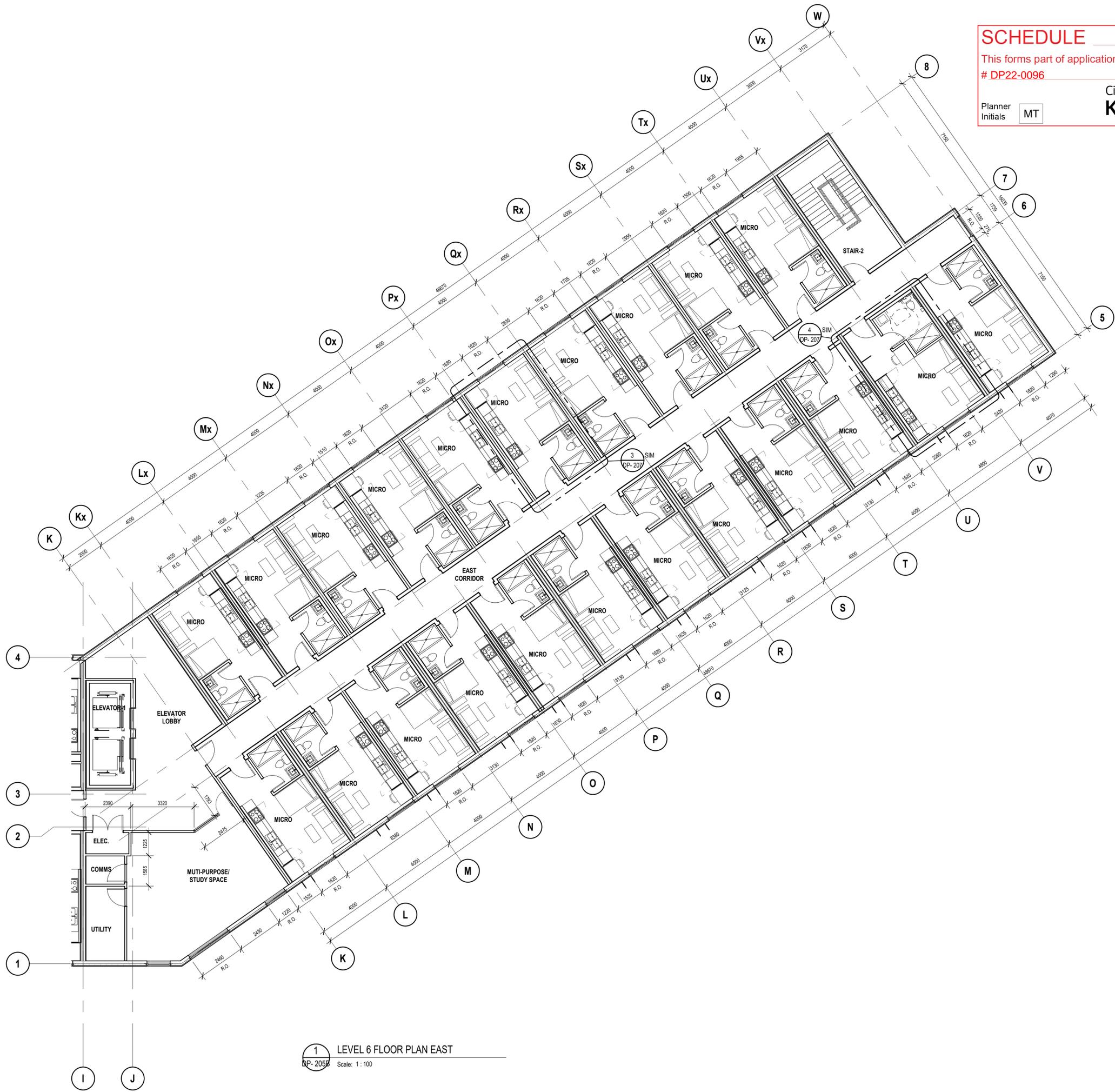
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860 - 1000 KLO Rd 860 - 1000 KLO Rd		
Drawing Title SD- LEVEL 6 FLOOR PLAN		
Project Number 5870	Drawing Number DP- 205	



1 LEVEL 6 FLOOR PLAN
 Scale: 1:200

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SCHEDULE A
 This forms part of application
 # DP22-0096

Planner Initials **MT**

City of Kelowna
 COMMUNITY PLANNING



Project Team:
 Prime Consultant
GEC Architecture
 Structural Consultant
RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
WSP

Client
Okanagan College



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PRELIMINARY - NOT FOR CONSTRUCTION

1	ISSUED FOR DEVELOPMENT PERMIT	2022-04-07
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NO.	ISSUED FOR	DATE
Drawing History		
Scale	1 : 100	Checked By Checker

Project
OKANAGAN COLLEGE KELOWNA STUDENT HOUSING
 860 - 1000 KLO Rd
 860 - 1000 KLO Rd

Drawing Title
LEVEL 06 FLOOR PARTIAL PLAN

Project Number
5870

Drawing Number
DP- 205B

1 LEVEL 06 FLOOR PLAN EAST
 Scale: 1 : 100

Project Team:
 Prime Consultant
GEC Architecture
 Structural Consultant
RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
WSP

Client
Okanagan College



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PRELIMINARY - NOT FOR CONSTRUCTION

NO.	ISSUED FOR	DATE
1	ISSUED FOR DEVELOPMENT PERMIT	2022-04-07

Drawing History

Scale	Checked By
1: 100	Checker

Project
OKANAGAN COLLEGE KELOWNA STUDENT HOUSING
 860 - 1000 KLO Rd
 860 - 1000 KLO Rd

Drawing Title
COLOURED ELEVATIONS

Project Number
5870
 Drawing Number
DP- 304



1 SD - SOUTH ELEVATION COLOURED
 Scale: 1: 100



2 SD - SOUTH ANGLED ELEVATION COLOURED
 Scale: 1: 100

SCHEDULE B

This forms part of application
DP22-0096

Planner Initials **MT**



Project Team:
Prime Consultant
GEC Architecture
Structural Consultant
RJC Engineers
Mechanical Consultant
AME Group
Electrical Consultant
Smith + Andersen
Civil + Geotechnical Consultant
Ecora Engineering
Landscape Consultant
WSP

Client
Okanagan College



Seal & Permit

PRELIMINARY - NOT FOR CONSTRUCTION



2 SD - NORTH ELEVATION COLOURED
Scale: 1:100



1 SD - NORTH ANGLED ELEVATION COLOURED
Scale: 1:100

NO.	ISSUED FOR	DATE
1	ISSUED FOR DEVELOPMENT PERMIT	2022-04-07

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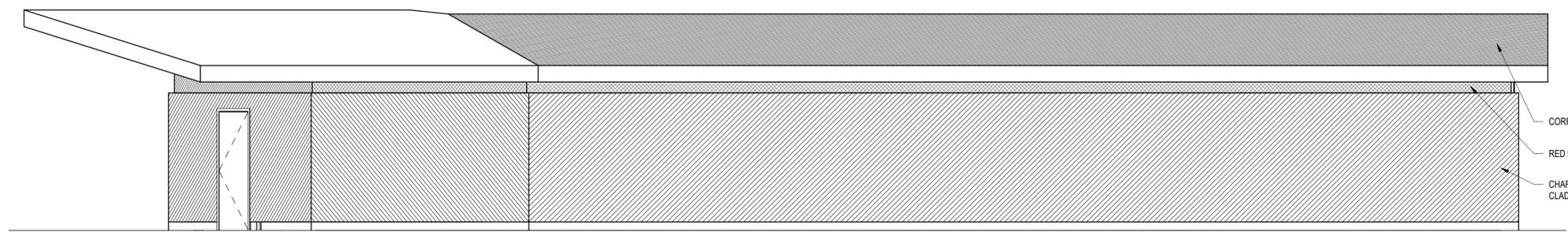
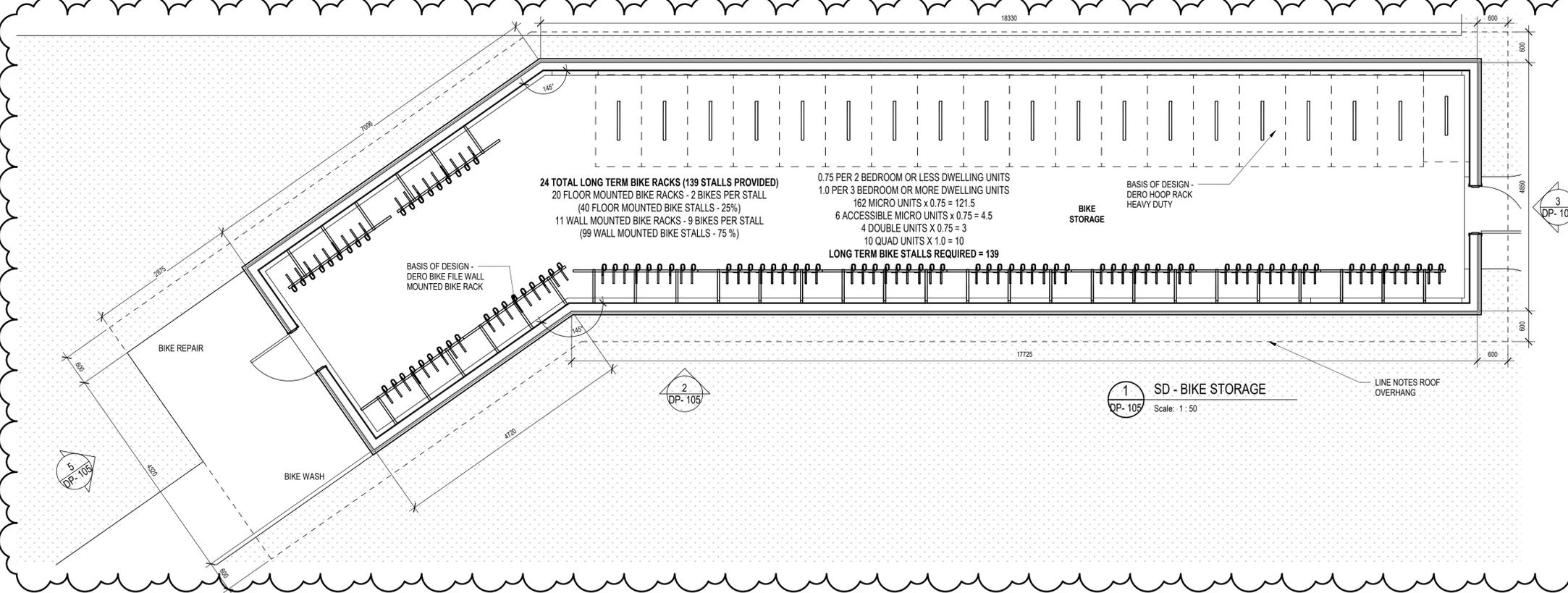
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Project
OKANAGAN COLLEGE KELOWNA STUDENT HOUSING
860 - 1000 KLO Rd
860 - 1000 KLO Rd

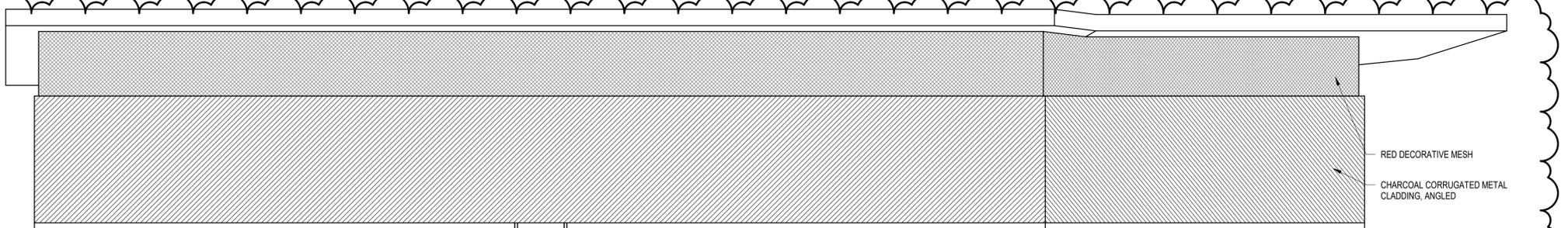
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COLOURED ELEVATIONS

Project Number
5870

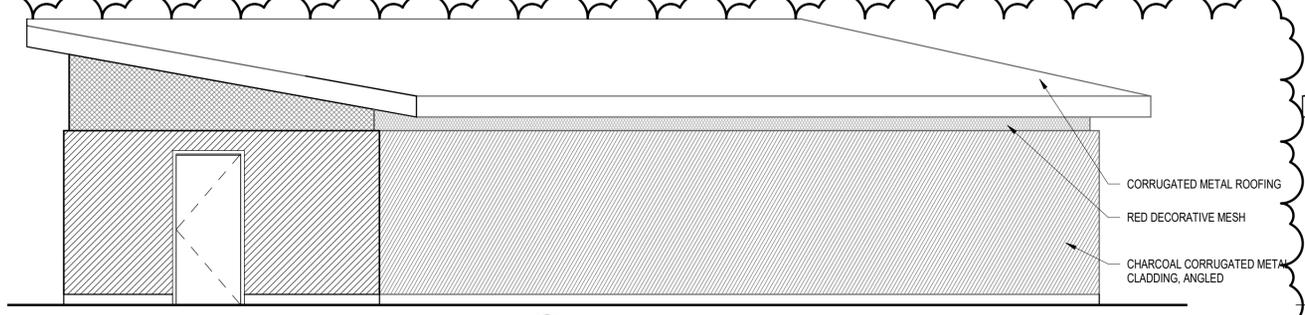
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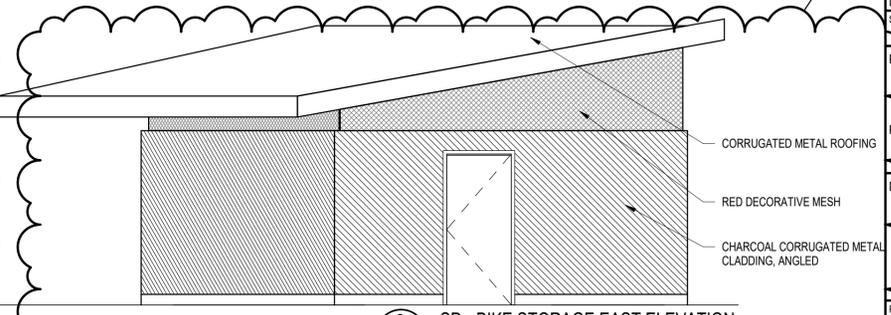
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 Scale: 1 : 50



4 SD - BIKE STORAGE NORTH ELEVATION
 Scale: 1 : 50



5 SD - BIKE STORAGE WEST ELEVATIONS
 Scale: 1 : 50



3 SD - BIKE STORAGE EAST ELEVATION
 Scale: 1 : 50



Project Team:
 Prime Consultant
GEC Architecture
 Structural Consultant
RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
WSP



Seal & Permit

PRELIMINARY - NOT FOR CONSTRUCTION

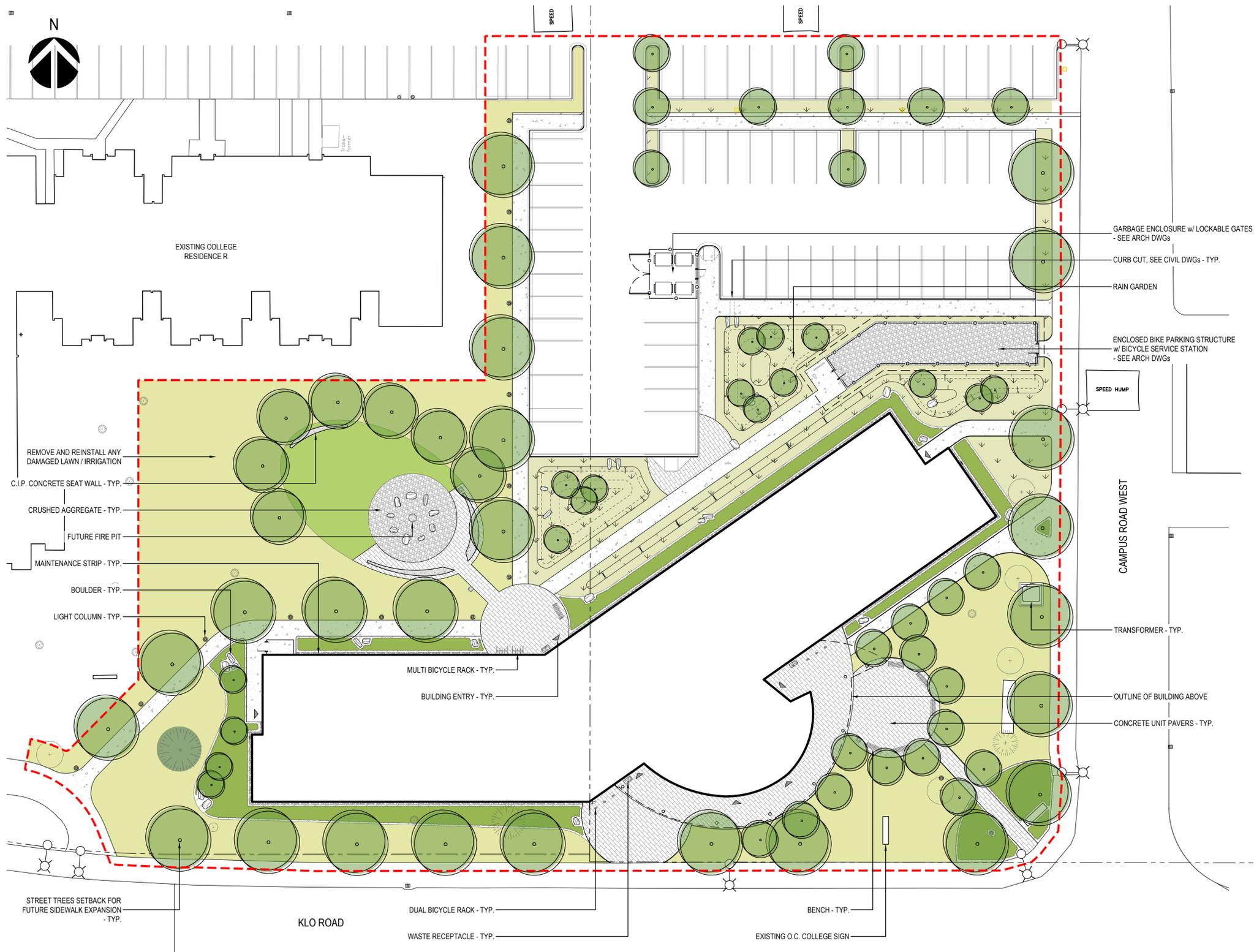
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1	ISSUED FOR DEVELOPMENT PERMIT	2022-04-07

Drawing History
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 Checked By: Checker

Project: **OKANAGAN COLLEGE KELOWNA STUDENT HOUSING**
 Project Address: **880 KLO Rd**

Drawing Title: **SITE DETAILS**

Project Number: **5870**
 Drawing Number: **DP-105**
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SCHEDULE C
 This forms part of application
 # DP22-0096
 Planner Initials **MT**
 City of Kelowna
 COMMUNITY PLANNING



Project Team:
 Prime Consultant
GEC Architecture
 Structural Consultant
RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
WSP



Seal & Permit

PRELIMINARY - NOT FOR CONSTRUCTION

- LEGEND**
- BUILDING ENTRY
 - LIMIT OF WORK
 - BENCH
 - BICYCLE RACK
 - BOULDER
 - C.I.P. CONCRETE PAVING w/ SAWCUTS
 - C.I.P. CONCRETE SEAT WALL
 - CONCRETE PAVING SLABS
 - CONCRETE UNIT PAVERS
 - CRUSHED AGGREGATE
 - EDGER
 - FIRE PIT
 - FENCE
 - LIGHT COLUMN
 - RIVER ROCK COBBLES
 - WASTE RECEPTACLE
 - EXISTING TREE TO BE RELOCATED AS REQUIRED
 - LAWN
 - NATIVE HYDROSEED
 - NATIVE PLANTING
 - PROPOSED CONIFEROUS TREE
 - PROPOSED DECIDUOUS TREE

- DEVELOPMENT PERMIT NOTES:**
1. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION). THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM ACCEPTABLE QUALITY AND SIZE. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY.
 2. ALL PLANTING BEDS SHALL HAVE APPROVED MULCH.
 3. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
 4. THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.



REPRESENTATIVE PLANT LIST

BOTANICAL NAME	COMMON NAME	SIZE	ROOT	MATURE PLANT SIZE (H X W)
TREES				
<i>Acer x freemanii 'Jeffersred'</i>	AUTUMN BLAZE MAPLE	60mm Cal.	B&B	15.00m x 12.00m
<i>Larix occidentalis</i>	WESTERN LARCH	2.5m Hgt.	B&B	15.00m x 5.50m
<i>Populus tremuloides 'NE Arb'</i>	PRAIRIE GOLD ASPEN	50mm Cal.	B&B	12.00m x 3.00m
<i>Quercus palustris</i>	PIN OAK	50mm Cal.	B&B	16.00m x 7.50m
PERRENIALS / GRASSES				
<i>Arctostaphylos uva-ursi</i>	KINNICKINICK	#01	POTTED	0.10m x 0.60m
<i>Calamagrostis rubescens</i>	PINE GRASS	#01	POTTED	0.30m x 0.30m
<i>Cornus sericea kelseyi</i>	KELSEY DOGWOOD	#02	POTTED	0.90m x 0.90m
<i>Echinacea purpurea 'Magnus'</i>				
<i>Mahonia aquifolium 'Compacta'</i>	COMPACT OREGON GRAPE	#02	POTTED	0.90m x 0.90m
<i>Perovskia atriplicifolia</i>	RUSSIAN SAGE	#02	POTTED	1.25m x 1.00m
<i>Salix purpurea 'Nana'</i>	ARCTIC WILLOW	#02	POTTED	0.90m x 1.50m

2	ISSUED FOR DP R1	10/05/2022
1	ISSUED FOR DP	08/04/2022
NO.	ISSUED FOR	DATE
Drawing History		
Scale	1:250	Checked By TC
Project Okanagan College Kelowna Student Housing Design Build		
Project Address		
Drawing Title LANDSCAPE PLAN		
Project Number	5870	Drawing Number
		LDP 1.72

Okanagan College Kelowna Student Housing Design Rationale Statement

Reflective of this region

The new student residence uses exterior materials, colours, and textures that are reflective of the patterns of the Okanagan valley landscape. The project highlights the use of wood as a structural element, an important regional material. Vertical shading elements on the south facades captures the dynamic nature of the Okanagan sun throughout the day. *The image below highlights the exterior materials of the student residence.*

Attractive to students & community

The angled form of the student residence and circular entry volume creates a welcoming and attractive building that will add visual interest to complement the surrounding neighbourhood. The building addresses both KLO Road and West Campus Road creating a sense of prominence and identity to this key entrance to the campus. The new exterior amenity spaces create gathering spaces for community and students.



Integrated into the campus

The new student residence was designed to strengthen pedestrian connections to main campus buildings and the western entrance to campus along West Campus Road. Knowing that student will approach the residence primarily from the northwest corner of the site as well as from the existing promenade in front of the Trades Building, this project has placed importance on developing new sidewalks to create a safe and walkable campus. The siting of the new building was designed to create a vibrant and functional outdoor amenity space shared with the Skaha residence creating a quad between the residences for gathering and circulation.

Integrated interior and exterior space

Large windows throughout the individual suites, multi-purpose spaces, club room and play room connect the interior and exterior spaces, provide daylight and views as well as access to fresh air through operable windows. Landscaping, both formal and natural, is located proximate to entrances and student amenity spaces on the ground floor to create visual and physical connections to the outdoors.

Flexible multi-use space

A range of common amenity spaces are provided to accommodate different activities and functions of those living in the new student residence. Each floor is provided with a central multi-purpose space adjacent the elevator core allowing different activity levels (quiet study or active gathering). The decision to separate the club room and play room from the main structure on the ground floor level allows it to host activities or events without disrupting residents.

Indigenous Design

The Design-Build Team met with representatives from the Westbank First Nation (WFN) to review the project design and solicit feedback on how best to integrate indigenous design principles in a meaningful and culturally relevant way. Our project team is committed to further engagement of the WFN artists moving forward through design and construction. *The following image highlights an area in the lobby designated for an indigenous art opportunity.*



Structural Design

The use of wood as a primary building material speaks to the important relationship between nature and the building occupant. The club room and play room has been designed to mimic the form of a leaf with a radial structural grid of glu-laminated beams that speaks to importance of the circle to indigenous culture. Round wood columns that define the space provide an opportunity to create a cultural narrative through story poles. One idea discussed was to incorporate captikwl stories which instruct how to relate to, and live on, the land, including Syilx natural laws and protocols. The overall structural system of the 'leaf' allows for a significant amount of glazing that connects the student to the natural environment allowing for reflection

ATTACHMENT B

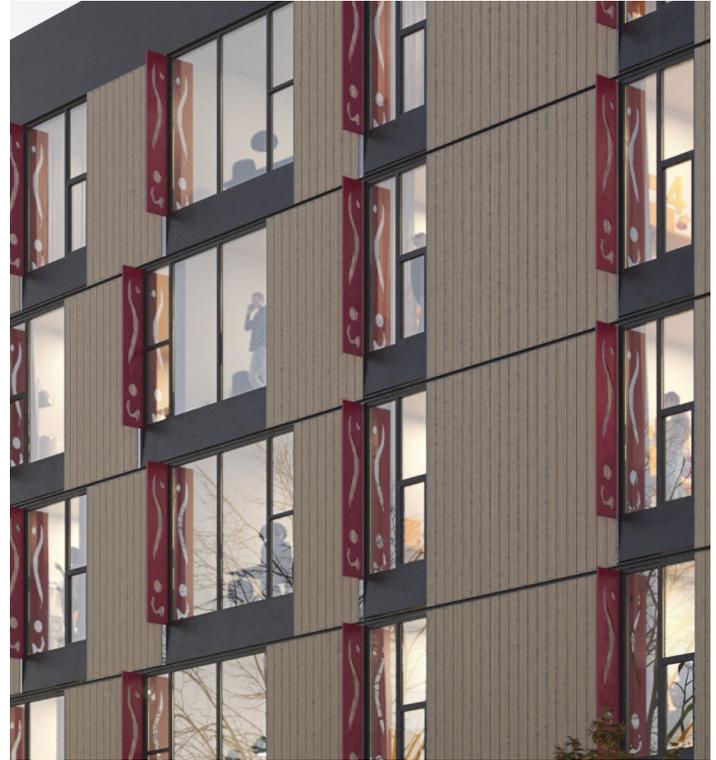
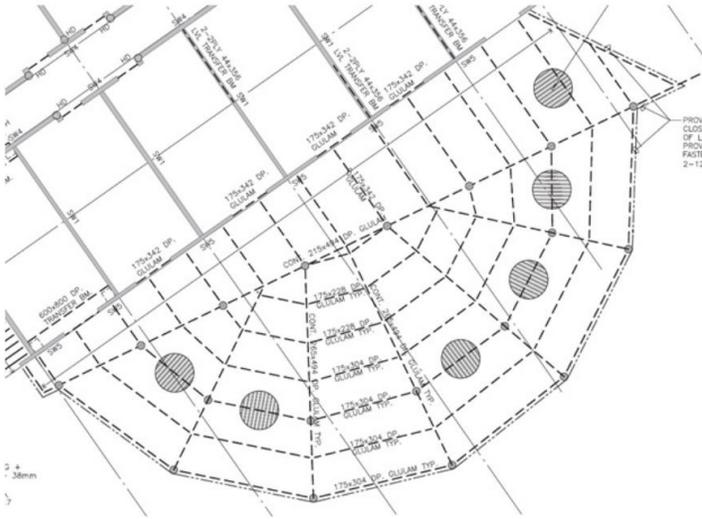
This forms part of application

DP22-0096

Planner Initials **MT**



and comfort. *The following drawing shows the radial structure of the club and play room.*



Spaces for Art and Cultural Installments

The idea behind the exterior metal sunshades is that they provide a place to integrate indigenous art. The intent is to create a narrative that speaks to the traditions and stories of the Syilx People of the Okanagan Nation across the building facade. The building lobby includes two feature walls that are placeholders for indigenous art or incorporation of educational features. These feature walls provide a place to share information on the stories woven into the sunshades and/or to incorporate territorial land acknowledgments. *The following image features the exterior metal sunshades that are dedicated to be an opportunity for indigenous art.*

Functionality of the Spaces

The inclusion of the talking circle within the outdoor celebration space integrates a significant element of first nations culture as a central element of the open space. By centering the celebration space on the talking circle, the hope is to create a gathering place for, and to used by, everyone inclusively. The circular form of the club room and play room was in specific response to the prominence that the circle has to indigenous gatherings. When the operable partition is folded away the space can accommodate a range of gathering and ceremonial activities that can foster mentorship, connection and healing. *The following image depicts the interior of the club room and play room.*



Sustainable Design

From our recent experience working with Okanagan College, we understand your institution’s commitment to sustainable design practices. Bird is committed sustainable construction practices and will aim to divert 75% of construction waste from the landfill.

Energy Use

A high-performance building envelope that prioritizes air tightness and thermal performance aims to reduce energy use overall to achieve the Thermal Energy Demand Intensity required by the Step Code 4. The mechanical systems for this building play a large role in reducing energy consumption and lowering GHG emissions. The systems selected include air-air heat pumps on both the suite terminals units and the central ventilation unit. This allows the building to be almost completely electric with the exception of backup gas heat for ventilation at lower ambient temperatures. This system overall aids in exceeding our Step Code 4 target while keeping occupant health and comfort in mind. Vertical sunshades have been incorporated into the south and southeast facing facades to provide shading during from the south and west light during the hotter times of the day which helps offset the cooling demand

Lifecycle Costing

Our design proposes durable materials and systems to promote long-term sustainability of the student residence. The proposed mechanical system has a positive impact on the lifecycle cost of this building. In coordination with our Mechanical Contractor, we’ve determined that the annual mechanical service cost for this building will be in the range of 50%. This is in large part due to the fact that there will be no boiler maintenance, no water treatment, nor ongoing pump maintenance. In addition to this, the proposed system will yield significant energy cost savings, in the order of 20-30% over a traditional code-minimum building.

CPTED rationale

The landscape design for the new student residence building aims to create an inviting and inclusive space for students living on campus. The front of the building serves as the gateway to the west end of the campus by highlighting the entry point with feature planting and enhancing the landscape for the existing campus sign. The building is accessed by a variety of pathways, connecting it both to the campus and the greater community. An arrival plaza serves as a gathering place for those accessing the residence as well as the larger campus. Seating, shaded by tree canopy, and feature paving as well as opportunities to include public art are key features of the arrival plaza.

The parking lot is accessed by a well-lit pathway that divides the landscape at the rear of the building into 2 separate areas. Separating the parking lot from the building is a rain garden planted with a native grass seed mix and clusters of native planting. This rain garden will take the storm water runoff from the parking area and slowly infiltrate it back into the ground, lessening the volume of water rapidly entering the storm system. The rain garden also buffers the celebration

ATTACHMENT B

This forms part of application

DP22-0096

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Initials **MT**



space from the parking lot and roadways. The open space that separates the new residence building from the existing Skaha residence will serve as a communal gathering space with a talking circle, barbecue area, and seat walls. The inclusion of the talking circle within the outdoor celebration space integrates a significant element of first nations culture as a central element of the open space. By centering the celebration space on the talking circle, the hope is to create a gathering place for, and to used by, everyone inclusively. *The following image shows a precedent image of the healing circle concept.*



Crime Prevention Through Environmental Design principles guiding the landscape design include natural access control, natural surveillance and territorial reinforcement. Natural access control is achieved by strongly defined, well lit foot paths to the main and secondary entrances. The main entrance is highlighted by an arrival plaza with feature paving and seating areas. Windows, which oversee the landscape on all

four sides, will maintain clear views out by adhering to the 2'/6' rule of thumb for planting that maintains a view corridor over shrub planting and under tree canopies. Gathering spaces will generate pedestrian activity, animating spaces both at the front and the back of building.

Additionally, the celebration space can be used as an outdoor classroom generating additional activity during the day, as well as campus events generating activity on weekends. Territorial reinforcement will also be achieved via the gathering spaces by creating a sense of ownership and pride in place of an inclusive and welcoming environment. Maintenance will be simplified by planting native species that thrive in the local conditions and by using hardscape materials that are aesthetic and durable.

All landscaping will meet or exceed minimum standards as set out in the Canadian Landscape Standard (CLS). While every effort will be made to retain existing trees on site, new trees will be planted to achieve the required density as well as minimum soil volumes. Tree density will be achieved in part by including landscape islands in the parking area that include one tree per island. A fully automated high efficiency irrigation system will be part of the design, and native plant material will be used along with a sizable portion of the landscape serving to infiltrate storm water run off, to minimize water use.

ATTACHMENT C

This forms part of application
DP22-0096

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING




Project Team:
 Prime Consultant
GEC Architecture
 Structural Consultant
RJC Engineers
 Mechanical Consultant
AME Group
 Electrical Consultant
Smith + Andersen
 Civil + Geotechnical Consultant
Ecora Engineering
 Landscape Consultant
WSP



Seal & Permit

PRELIMINARY - NOT FOR CONSTRUCTION

NO.	ISSUED FOR	DATE
Drawing History		
Scale	Checked By	Checker

Project
OKANAGAN COLLEGE KELOWNA STUDENT HOUSING
 860 - 1000 KLO Rd
 860 - 1000 KLO Rd

Drawing Title
EXTERIOR RENDERINGS

Project Number
5870

Drawing Number
DP- 307

2022-10-11 14:42:17 PM B:\Users\... \Desktop\... \Okanagan College - 41231.dwg



FORM & CHARACTER – DEVELOPMENT PERMIT GUIDELINES

Chapter 2 - The Design Foundations: apply to all projects and provide the overarching principles for supporting creativity, innovation and design excellence in Kelowna.

- Facilitate Active Mobility
- Use Placemaking to Strengthen Neighbourhood Identity
- Create Lively and Attractive Streets & Public Spaces
- Design Buildings to the Human Scale
- Strive for Design Excellence

The General Residential and Mixed Use Guidelines: provide the key guidelines that all residential and mixed use projects should strive to achieve to support the Design Foundations.

- The General Guidelines are supplement by typology-specific guidelines (e.g., Townhouses & Infill on page 18-19, High-Rise Residential and Mixed-Use on page 18-42), which provide additional guidance about form and character.

Chapter 2 - Design Foundations

Apply To All Projects

Page 18-8

Section 2.1 - General Residential and Mixed Use Design Guidelines

Page 18-9

Section 2.2 - Achieving High Performance

Page 18-17

Chapter 3
Townhouses & Infill

Page 18-19

Chapter 4
Low & Mid-Rise
Residential &
Mixed Use

Page 18-34

Chapter 5
High-Rise
Residential &
Mixed Use

Page 18-42

*Note: Refer to the Design Foundations and the Guidelines associated with the specific building typology.



Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

SECTION 2.0: GENERAL RESIDENTIAL AND MIXED USE						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
2.1 General residential & mixed use guidelines						
2.1.1 Relationship to the Street	N/A	1	2	3	4	5
a. Orient primary building facades and entries to the fronting street or open space to create street edge definition and activity.						✓
b. On corner sites, orient building facades and entries to both fronting streets.					✓	
c. Minimize the distance between the building and the sidewalk to create street definition and a sense of enclosure.						✓
d. Locate and design windows, balconies, and street-level uses to create active frontages and 'eyes on the street', with additional glazing and articulation on primary building facades.					✓	
e. Ensure main building entries are clearly visible with direct sight lines from the fronting street.						✓
f. Avoid blank, windowless walls along streets or other public open spaces.						✓
g. Avoid the use of roll down panels and/or window bars on retail and commercial frontages that face streets or other public open spaces.	✓					
h. In general, establish a street wall along public street frontages to create a building height to street width ratio of 1:2, with a minimum ratio of 11:3 and a maximum ratio of 1:1.75. <ul style="list-style-type: none"> • Wider streets (e.g. transit corridors) can support greater streetwall heights compared to narrower streets (e.g. local streets); • The street wall does not include upper storeys that are setback from the primary frontage; and • A 1:1 building height to street width ratio is appropriate for a lane of mid-block connection condition provided the street wall height is no greater than 3 storeys. 						✓
2.1.2 Scale and Massing	N/A	1	2	3	4	5
a. Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction.						✓
b. Break up the perceived mass of large buildings by incorporating visual breaks in facades.				✓		
c. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: <ul style="list-style-type: none"> • Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and • Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice. 			✓			

2.1.3 Site Planning	N/A	1	2	3	4	5
a. Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of natural features.						✓
b. Use Crime Prevention through Environmental Design (CPTED) principles to better ensure public safety through the use of appropriate lighting, visible entrances, opportunities for natural surveillance, and clear sight lines for pedestrians.				✓		
c. Limit the maximum grades on development sites to 30% (3:1)	✓					
d. Design buildings for 'up-slope' and 'down-slope' conditions relative to the street by using strategies such as: <ul style="list-style-type: none"> Stepping buildings along the slope, and locating building entrances at each step and away from parking access where possible; Incorporating terracing to create usable open spaces around the building Using the slope for under-building parking and to screen service and utility areas; Design buildings to access key views; and Minimizing large retaining walls (retaining walls higher than 1 m should be stepped and landscaped). 	✓					
e. Design internal circulation patterns (street, sidewalks, pathways) to be integrated with and connected to the existing and planned future public street, bicycle, and/or pedestrian network.						✓
f. Incorporate easy-to-maintain traffic calming features, such as on-street parking bays and curb extensions, textured materials, and crosswalks.						✓
g. Apply universal accessibility principles to primary building entries, sidewalks, plazas, mid-block connections, lanes, and courtyards through appropriate selection of materials, stairs, and ramps as necessary, and the provision of wayfinding and lighting elements.				✓		
2.1.4 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a. Locate off-street parking and other 'back-of-house' uses (such as loading, garbage collection, utilities, and parking access) away from public view.						✓
b. Ensure utility areas are clearly identified at the development permit stage and are located to not unnecessarily impact public or common open spaces.						✓
c. Avoid locating off-street parking between the front façade of a building and the fronting public street.						✓
d. In general, accommodate off-street parking in one of the following ways, in order of preference: <ul style="list-style-type: none"> Underground (where the high water table allows) Parking in a half-storey (where it is able to be accommodated to not negatively impact the street frontage); 				✓		



<ul style="list-style-type: none"> Garages or at-grade parking integrated into the building (located at the rear of the building); and Surface parking at the rear, with access from the lane or secondary street wherever possible. 						
e. Design parking areas to maximize rainwater infiltration through the use of permeable materials such as paving blocks, permeable concrete, or driveway planting strips.				✓		
f. In cases where publicly visible parking is unavoidable, screen using strategies such as: <ul style="list-style-type: none"> Landscaping; Trellises; Grillwork with climbing vines; or Other attractive screening with some visual permeability. 				✓		
g. Provide bicycle parking at accessible locations on site, including: <ul style="list-style-type: none"> Covered short-term parking in highly visible locations, such as near primary building entrances; and Secure long-term parking within the building or vehicular parking area. 						✓
h. Provide clear lines of site at access points to parking, site servicing, and utility areas to enable casual surveillance and safety.					✓	
i. Consolidate driveway and laneway access points to minimize curb cuts and impacts on the pedestrian realm or common open spaces.						✓
j. Minimize negative impacts of parking ramps and entrances through treatments such as enclosure, screening, high quality finishes, sensitive lighting and landscaping.	✓					
2.1.5 Streetscapes, Landscapes, and Public Realm Design	N/A	1	2	3	4	5
a. Site buildings to protect mature trees, significant vegetation, and ecological features.				✓		
b. Locate underground parkades, infrastructure, and other services to maximize soil volumes for in-ground plantings.	✓					
c. Site trees, shrubs, and other landscaping appropriately to maintain sight lines and circulation.						✓
d. Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage.						✓
e. Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: <ul style="list-style-type: none"> Locating outdoor spaces where they will receive ample sunlight throughout the year; Using materials and colors that minimize heat absorption; Planting both evergreen and deciduous trees to provide a balance of shading in the summer and solar access in the winter; and Using building mass, trees and planting to buffer wind. 						✓
f. Use landscaping materials that soften development and enhance the public realm.						✓

g. Plant native and/or drought tolerant trees and plants suitable for the local climate.						✓
h. Select trees for long-term durability, climate and soil suitability, and compatibility with the site's specific urban conditions.						✓
i. Design sites and landscapes to maintain the pre-development flows through capture, infiltration, and filtration strategies, such as the use of rain gardens and permeable surfacing.						✓
j. Design sites to minimize water use for irrigation by using strategies such as: <ul style="list-style-type: none"> • Designing planting areas and tree pits to passively capture rainwater and stormwater run-off; and • Using recycled water irrigation systems. 			✓			
k. Use exterior lighting to complement the building and landscape design, while: <ul style="list-style-type: none"> • Minimizing light trespass onto adjacent properties; • Using full cut-off lighting fixtures to minimize light pollution; and • Maintaining lighting levels necessary for safety and visibility. 						✓
l. Employ on-site wayfinding strategies that create attractive and appropriate signage for pedestrians, cyclists, and motorists using a 'family' of similar elements.	✓					
2.1.6 Building Articulation, Features and Materials	N/A	1	2	3	4	5
a. Express a unified architectural concept that incorporates variation in façade treatments. Strategies for achieving this include: <ul style="list-style-type: none"> • Articulating facades by stepping back or extending forward a portion of the façade to create a series of intervals or breaks; • Repeating window patterns on each step-back and extension interval; • Providing a porch, patio, or deck, covered entry, balcony and/or bay window for each interval; and • Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce each interval. 			✓			
b. Incorporate a range of architectural features and details into building facades to create visual interest, especially when approached by pedestrians. Include architectural features such as: bay windows and balconies; corner feature accents, such as turrets or cupolas; variations in roof height, shape and detailing; building entries; and canopies and overhangs. Include architectural details such as: Masonry such as tiles, brick, and stone; siding including score lines and varied materials to distinguish between floors; articulation of columns and pilasters; ornamental features and art work; architectural lighting; grills and railings; substantial trim details and moldings / cornices; and trellises, pergolas, and arbors.						✓
c. Design buildings to ensure that adjacent residential properties have sufficient visual privacy (e.g. by locating windows to	✓					



minimize overlook and direct sight lines into adjacent units), as well as protection from light trespass and noise.						
d. Design buildings such that their form and architectural character reflect the buildings internal function and use.					✓	
e. Incorporate substantial, natural building materials such as masonry, stone, and wood into building facades.				✓		
f. Provide weather protection such as awnings and canopies at primary building entries.						✓
g. Place weather protection to reflect the building's architecture.						✓
h. Limit signage in number, location, and size to reduce visual clutter and make individual signs easier to see.	✓					
i. Provide visible signage identifying building addresses at all entrances.	✓					

SECTION 4.0: LOW & MID-RISE RESIDENTIAL MIXED USE						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
4.1 Low & mid-rise residential & mixed use guidelines						
4.1.1 Relationship to the Street	N/A	1	2	3	4	5
i. Ensure lobbies and main building entries are clearly visible from the fronting street.						✓
j. Avoid blank walls at grade wherever possible by: <ul style="list-style-type: none"> • Locating enclosed parking garages away from street frontages or public open spaces; • Using ground-oriented units or glazing to avoid creating dead frontages; and • When unavoidable, screen blank walls with landscaping or incorporate a patio café or special materials to make them more visually interesting. 						✓
Residential & Mixed Use Buildings						
k. Set back residential buildings on the ground floor between 3-5 m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio. <ul style="list-style-type: none"> • A maximum 1.2 m height (e.g. 5-6 steps) is desired for front entryways. • Exceptions can be made in cases where the water table requires this to be higher. In these cases, provide a larger patio and screen parking with ramps, stairs and landscaping. 	✓					
l. Incorporate individual entrances to ground floor units accessible from the fronting street or public open spaces.	✓					
m. Site and orient buildings so that windows and balconies overlook public streets, parks, walkways, and shared amenity spaces while minimizing views into private residences.						✓
4.1.2 Scale and Massing	N/A	1	2	3	4	5



a. Residential building facades should have a maximum length of 60 m. A length of 40 m is preferred.			✓			
b. Residential buildings should have a maximum width of 24 m.						✓
c. Buildings over 40 m in length should incorporate a significant horizontal and vertical break in the façade.			✓			
d. For commercial facades, incorporate a significant break at intervals of approximately 35 m.	✓					
4.1.3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a. On sloping sites, floor levels should step to follow natural grade and avoid the creation of blank walls.	✓					
b. Site buildings to be parallel to the street and to have a distinct front-to-back orientation to public street and open spaces and to rear yards, parking, and/or interior court yards: <ul style="list-style-type: none"> • Building sides that interface with streets, mid-block connections and other open spaces and should positively frame and activate streets and open spaces and support pedestrian activity; and • Building sides that are located away from open spaces (building backs) should be designed for private/shared outdoor spaces and vehicle access. 						✓
c. Break up large buildings with mid-block connections which should be publicly-accessible wherever possible.	✓					
d. Ground floors adjacent to mid-block connections should have entrances and windows facing the mid-block connection.	✓					
4.1.4 Site Servicing, Access and Parking	N/A	1	2	3	4	5
a. Vehicular access should be from the lane. Where there is no lane, and where the re-introduction of a lane is difficult or not possible, access may be provided from the street, provided: <ul style="list-style-type: none"> • Access is from a secondary street, where possible, or from the long face of the block; • Impacts on pedestrians and the streetscape is minimised; and • There is no more than one curb cut per property. 						✓
b. Above grade structure parking should only be provided in instances where the site or high water table does not allow for other parking forms and should be screened from public view with active retail uses, active residential uses, architectural or landscaped screening elements.	✓					
c. Buildings with ground floor residential may integrate half-storey underground parking to a maximum of 1.2 m above grade, with the following considerations: <ul style="list-style-type: none"> • Semi-private spaces should be located above to soften the edge and be at a comfortable distance from street activity; and • Where conditions such as the high water table do not allow for this condition, up to 2 m is permitted, provided that entryways, stairs, landscaped terraces, and patios are integrated and that blank walls and barriers to accessibility are minimized. 	✓					
4.1.5 Publicly-Accessible and Private Open Spaces	N/A	1	2	3	4	5

a. Integrate publicly accessible private spaces (e.g. private courtyards accessible and available to the public) with public open areas to create seamless, contiguous spaces.						✓
b. Locate semi-private open spaces to maximize sunlight penetration, minimize noise disruptions, and minimize 'overlook' from adjacent units.						✓
Outdoor amenity areas						
c. Design plazas and urban parks to: <ul style="list-style-type: none"> • Contain 'three edges' (e.g. building frontage on three sides) where possible and be sized to accommodate a variety of activities; • Be animated with active uses at the ground level; and • Be located in sunny, south facing areas. 						✓
d. Design internal courtyards to: <ul style="list-style-type: none"> • Provide amenities such as play areas, barbecues, and outdoor seating where appropriate. • Provide a balance of hardscape and softscape areas to meet the specific needs of surrounding residents and/or users. 					✓	
e. Design mid-block connections to include active frontages, seating and landscaping.	✓					
4.1.6 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
a. Articulate building facades into intervals that are a maximum of 15 m wide for mixed-use buildings and 20 m wide for residential buildings. Strategies for articulating buildings should consider the potential impacts on energy performance and include: <ul style="list-style-type: none"> • Façade Modulation – stepping back or extending forward a portion of the façade to create a series of intervals in the façade; • Repeating window pattern intervals that correspond to extensions and step backs (articulation) in the building façade; • Providing a porch, patio, deck, or covered entry for each interval; • Providing a bay window or balcony for each interval, while balancing the significant potential for heat loss through thermal bridge connections which could impact energy performance; • Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval; • Changing the materials with the change in building plane; and • Provide a lighting fixture, trellis, tree or other landscape feature within each interval. 			✓			
b. Break up the building mass by incorporating elements that define a building's base, middle and top.				✓		
c. Use an integrated, consistent range of materials and colors and provide variety, by for example, using accent colors.						✓
d. Articulate the façade using design elements that are inherent to the buildings as opposed to being decorative. For example, create depth in building facades by recessing window frames or partially recessing balconies to allow shadows to add detail and variety as a byproduct of massing.				✓		



e. Incorporate distinct architectural treatments for corner sites and highly visible buildings such as varying the roofline, articulating the façade, adding pedestrian space, increasing the number and size of windows, and adding awnings or canopies.					✓	
f. Provide weather protection (e.g. awnings, canopies, overhangs, etc.) along all commercial streets and plazas with particular attention to the following locations: <ul style="list-style-type: none"> • Primary building entrances; • Adjacent to bus zones and street corners where people wait for traffic lights; • Over store fronts and display windows; and • Any other areas where significant waiting or browsing by people occurs. 						✓
g. Architecturally-integrate awnings, canopies, and overhangs to the building and incorporate architectural design features of buildings from which they are supported.						✓
h. Place and locate awnings and canopies to reflect the building's architecture and fenestration pattern.						✓
i. Place awnings and canopies to balance weather protection with daylight penetration. Avoid continuous opaque canopies that run the full length of facades.						✓
j. Provide attractive signage on commercial buildings that identifies uses and shops clearly but which is scaled to the pedestrian rather than the motorist. Some exceptions can be made for buildings located on highways and/or major arterials in alignment with the City's Sign Bylaw.	✓					
k. Avoid the following types of signage: <ul style="list-style-type: none"> • Internally lit plastic box signs; • Pylon (stand alone) signs; and • Rooftop signs. 	✓					
l. Uniquely branded or colored signs are encouraged to help establish a special character to different neighbourhoods.	✓					

FORM & CHARACTER – DEVELOPMENT PERMIT GUIDELINES

Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

SECTION 7.0 INSTITUTIONAL						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
6.1 General Guidelines						
6.1.1 General Guidelines	N/A	1	2	3	4	5
a. Design institutional buildings to respond to the Design Foundations and General Guidelines while respecting the need for functional (e.g. access or parking) or site-specific design solutions.						✓
b. Key institutional buildings may incorporate landmark or emblematic design features, such as prominent vertical elements, significant corner treatments, and entry plazas or large extensions of the public realm.						✓
c. In large-scale projects, demonstrate variety in massing and materiality.				✓		
d. Design buildings such that their form and architectural character reflect the building’s internal function and use (e.g. a school, a hospital, a museum).				✓		

DP22-0096

860 – 1000 KLO Road

Development Permit Application

Proposal

- ▶ To consider the form and character of a student housing development.

Development Process



April 14, 2022

Development Application Submitted



Staff Review & Circulation



May 10, 2022



Development Permit

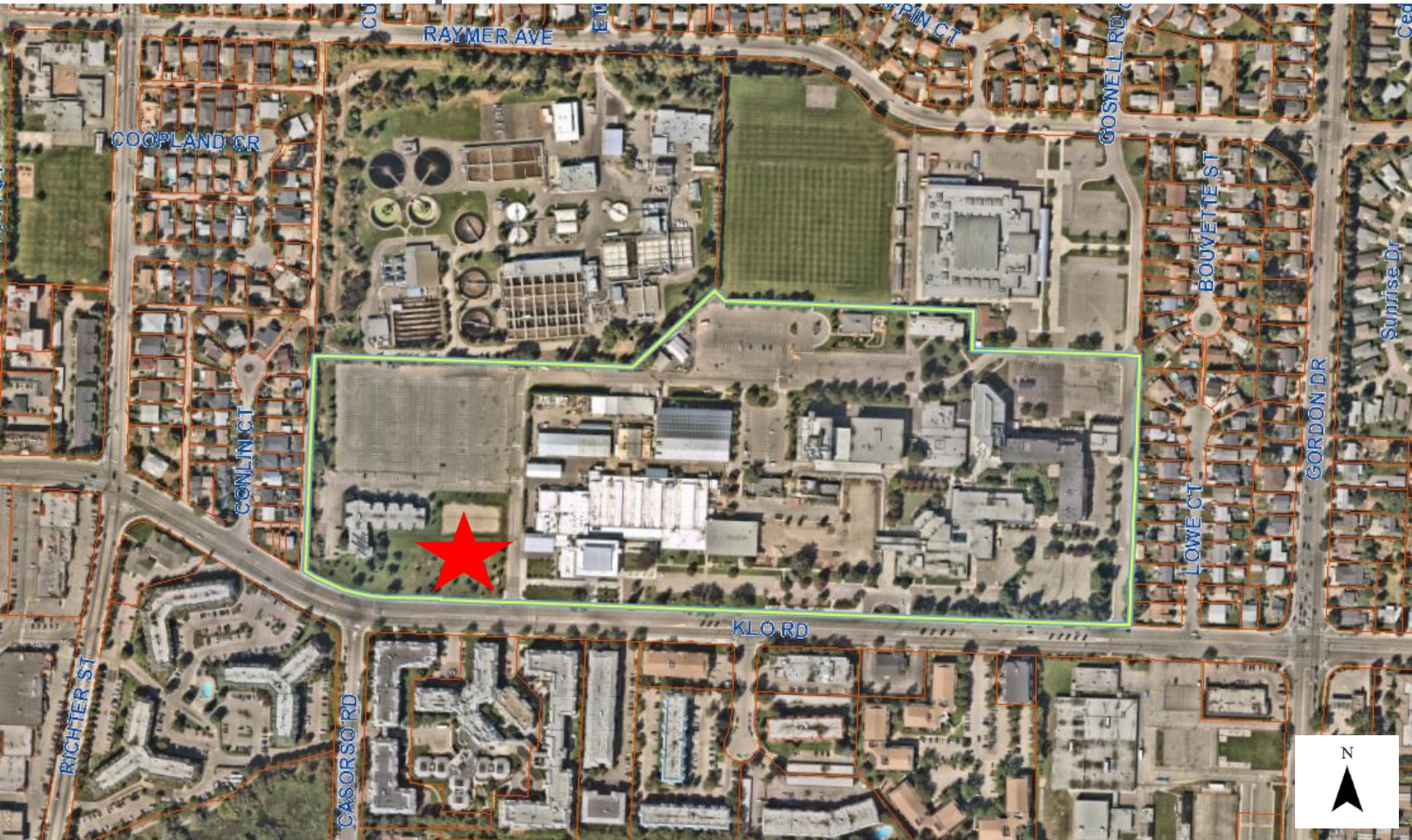


Building Permit

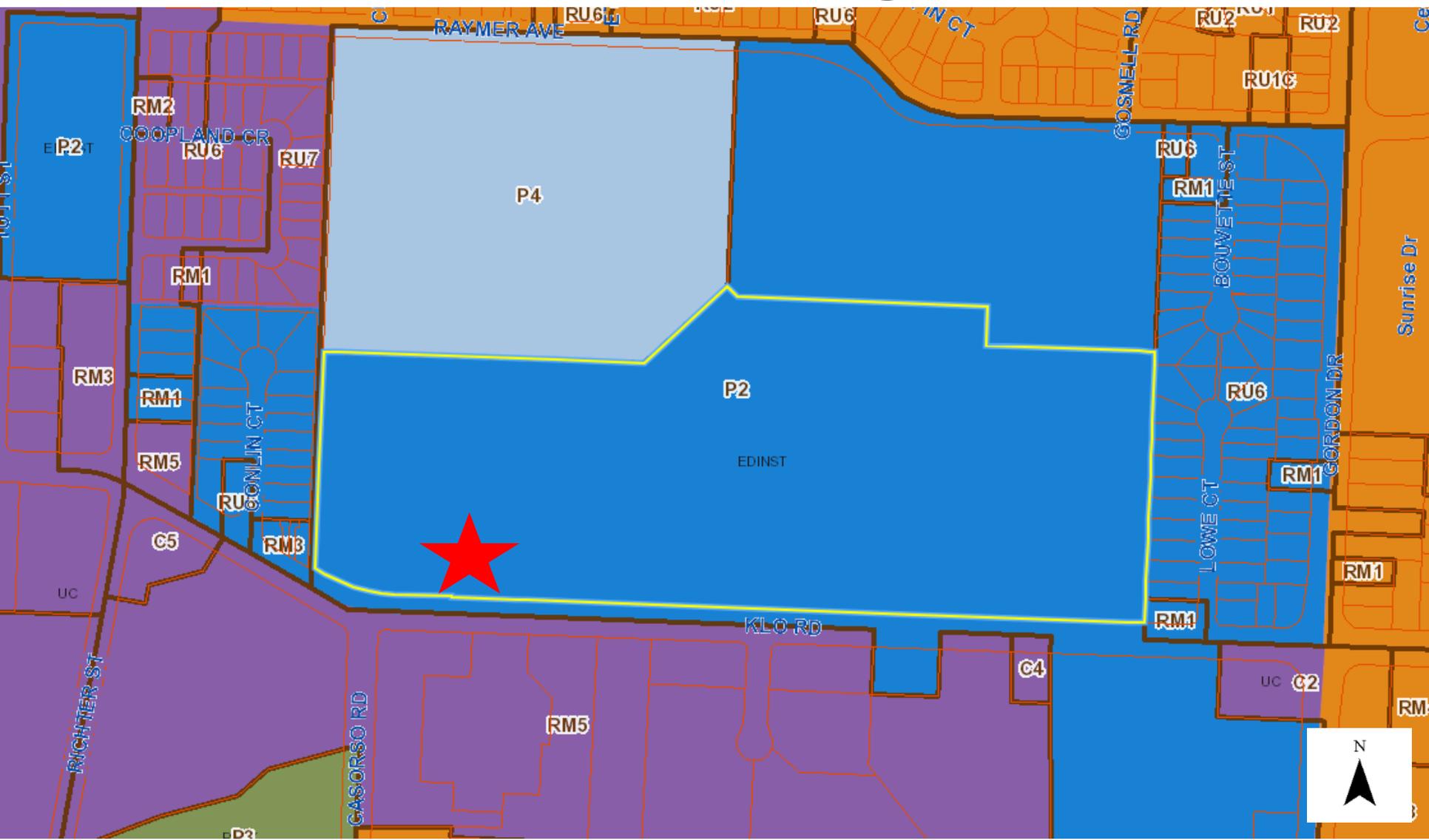


Council Approval

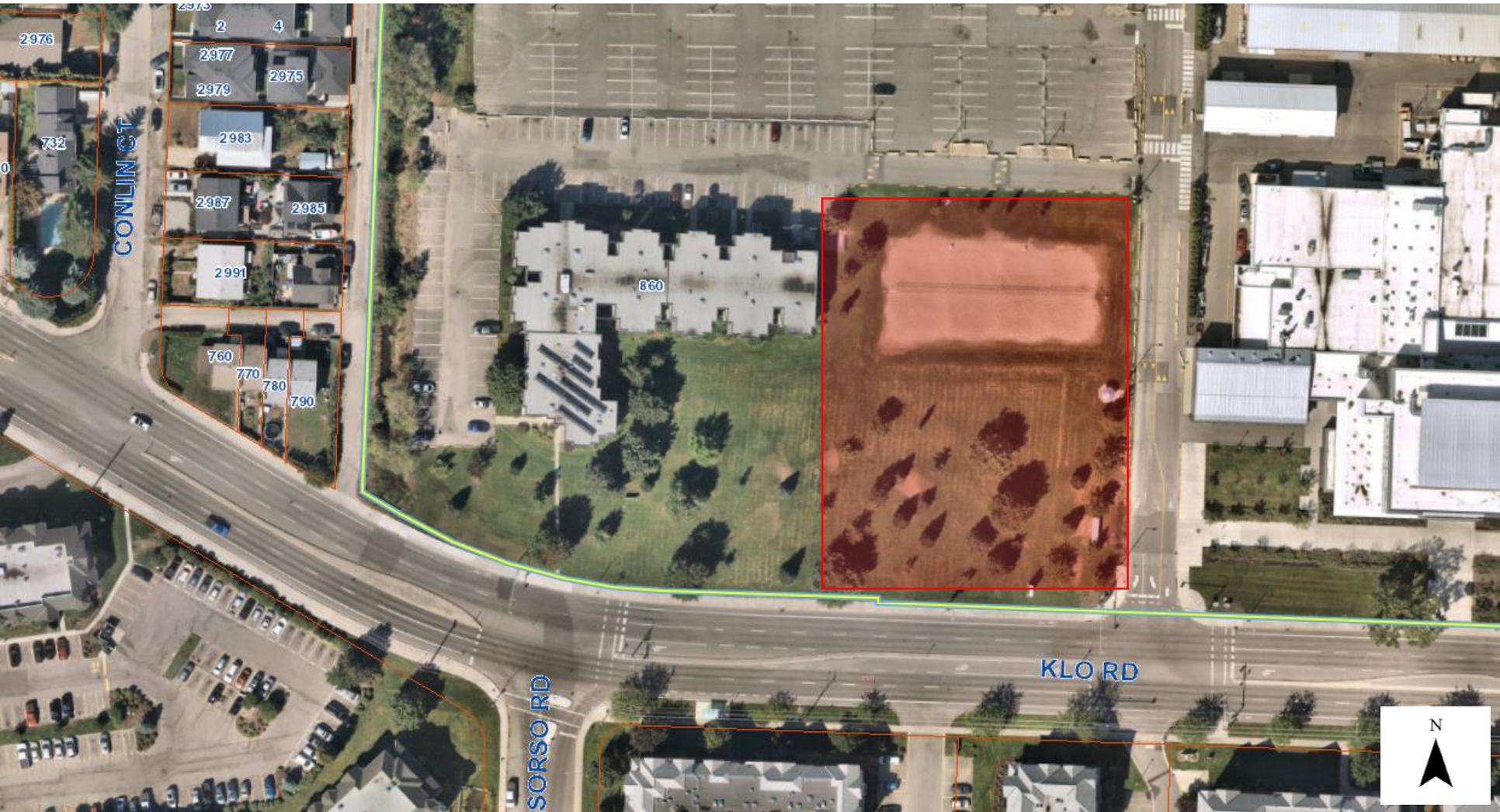
Context Map



Future Land Use / Zoning

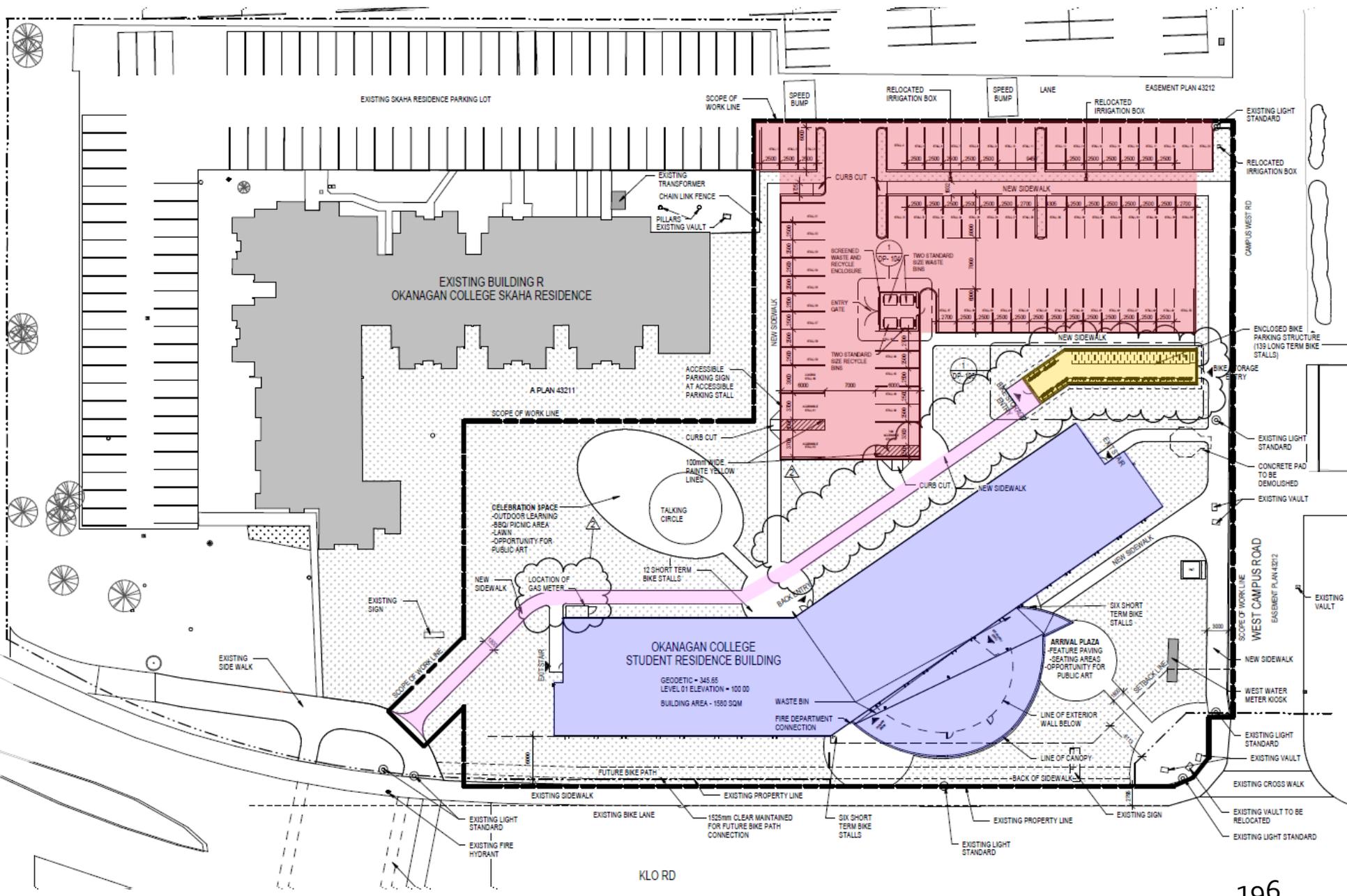


Subject Property Map



Project details

- ▶ Six storey, 216 bed student housing building
 - ▶ 168 micro units, 4 double units, 10 quad units
 - ▶ Amenity spaces include playroom, club room, study room
- ▶ Outdoor amenity spaces
 - ▶ Entry plaza
 - ▶ Celebration space (courtyard)
- ▶ 172 total parking stalls for both residence buildings
 - ▶ 67 new parking stalls
 - ▶ 105 stalls for new building; 67 stalls for existing building
- ▶ Bicycle parking: 139 long term spaces; 35 short term spaces



EXISTING SKAHA RESIDENCE PARKING LOT

EXISTING BUILDING R
OKANAGAN COLLEGE SKAHA RESIDENCE

OKANAGAN COLLEGE
STUDENT RESIDENCE BUILDING

GEODETIC + 345.65
LEVEL D1 ELEVATION + 100.00
BUILDING AREA - 1580 SQM

CELEBRATION SPACE
- OUTDOOR LEARNING
- BBQ PICNIC AREA
- LAWN
- OPPORTUNITY FOR
PUBLIC ART

TALKING CIRCLE

ARRIVAL PLAZA
- SEATING AREAS
- OPPORTUNITY FOR
PUBLIC ART

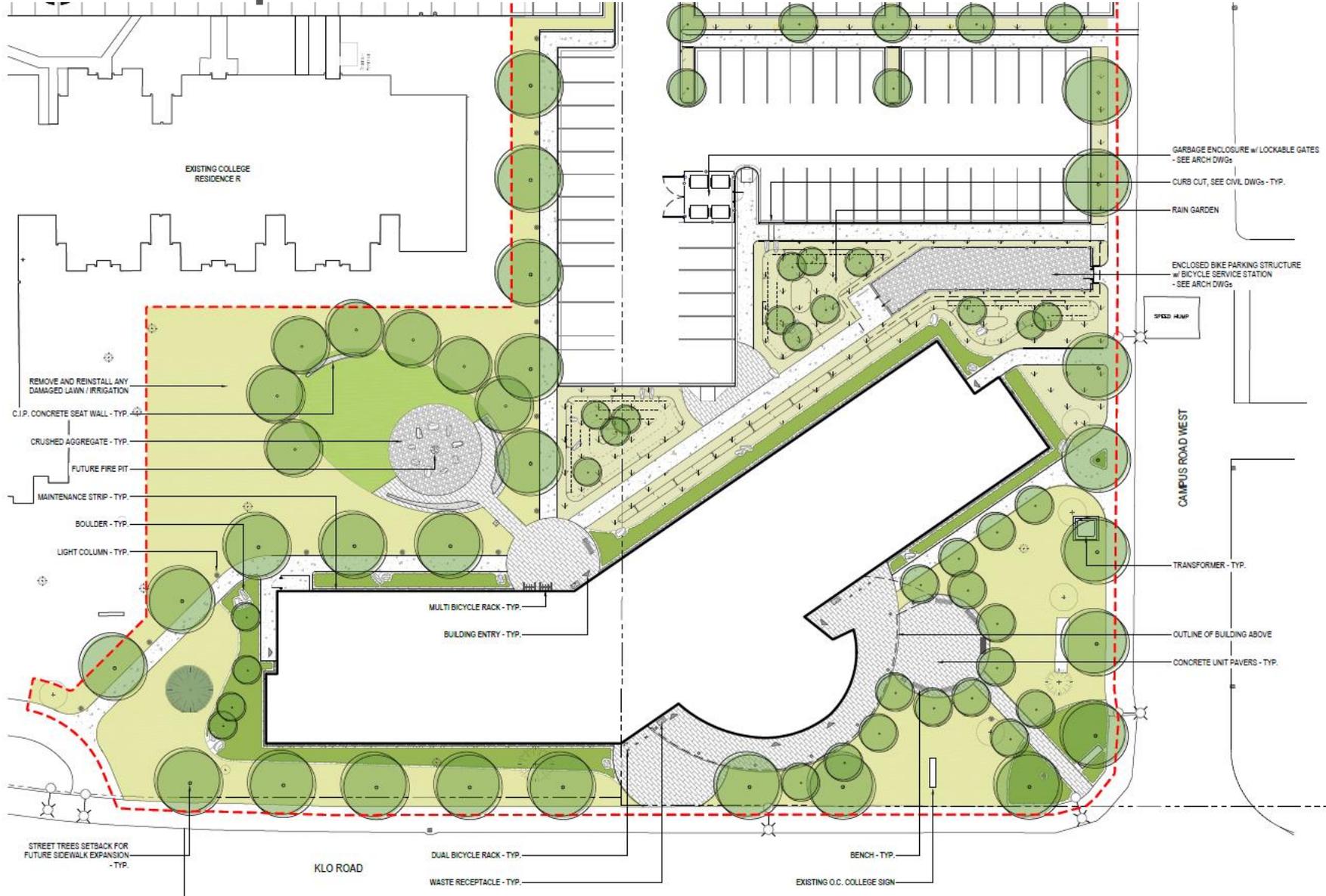
12 SHORT TERM
BIKE STALLS

SIX SHORT
TERM BIKE
STALLS

ENCLOSED BIKE
PARKING STRUCTURE
(139 LONG TERM BIKE
STALLS)

KLO RD

Landscape Plan



REMOVE AND REINSTALL ANY DAMAGED LAWN / IRRIGATION

C.I.P. CONCRETE SEAT WALL - TYP.

CRUSHED AGGREGATE - TYP.

FUTURE FIRE PIT

MAINTENANCE STRIP - TYP.

BOULDER - TYP.

LIGHT COLUMN - TYP.

MULTI BICYCLE RACK - TYP.

BUILDING ENTRY - TYP.

STREET TREES SETBACK FOR FUTURE SIDEWALK EXPANSION - TYP.

KLO ROAD

DUAL BICYCLE RACK - TYP.

WASTE RECEPTACLE - TYP.

BENCH - TYP.

EXISTING O.C. COLLEGE SIGN

GARBAGE ENCLOSURE w/ LOCKABLE GATES - SEE ARCH DWGS

CURB OUT, SEE CIVIL DWGS - TYP.

RAIN GARDEN

ENCLOSED BIKE PARKING STRUCTURE w/ BICYCLE SERVICE STATION - SEE ARCH DWGS

SPEED HUMP

CAMPUS ROAD WEST

TRANSFORMER - TYP.

OUTLINE OF BUILDING ABOVE

CONCRETE UNIT PAVERS - TYP.





Staff Recommendation

- ▶ Staff recommend **support** for the Development Permit:
 - ▶ Consistent with OCP Policy
 - ▶ Building Height Map: Six Storeys
 - ▶ Street Character Map: Mixed Street
 - ▶ Conforms to OCP Form and Character Design Guidelines



Conclusion of Staff Remarks

Report to Council



Date: May 30, 2022
To: Council
From: City Manager
Subject: City of Kelowna – Proposed New Zoning Bylaw 12375
Department: Development Planning

Recommendation:

THAT Council receives, for information, the report from the Development Planning Department, dated May 30, 2022 with respect to the City of Kelowna’s proposed new Zoning Bylaw 12375;

AND THAT Zoning Bylaw No. 12375 be forwarded for reading consideration;

AND THAT the Zoning Bylaw No. 12375 be forwarded to Public Hearing for further consideration;

AND THAT Bylaw No. 12386 being Density Bonus for Public Amenities and Streetscape Reserve Fund be forwarded for reading consideration;

AND THAT Council temporarily waives the requirement for Development Permits and Development Variance Permits to be considered in conjunction with final adoption of rezoning bylaws to amend Zoning Bylaw No. 8000;

AND FURTHER THAT Council endorse the proposed new Zoning Bylaw Transition Plan, as outlined in the report from the Development Planning Department, dated May 30, 2022.

Purpose:

To approve the new Zoning Bylaw and the Density Bonus for Public Amenities and Streetscape Reserve Fund Bylaw and to direct staff to undertake the proposed Zoning Bylaw Transition Plan.

BACKGROUND:

Previous Council Resolution

Resolution	Date
THAT Council endorse the proposed new Zoning Bylaw process, as outlined in this report from the Development Planning Department Manager, dated October 4, 2021.	October 4, 2021
THAT Council receives, for information, the report from the Development Planning Department, dated January 17, 2022, with respect to the City of Kelowna's current Density Bonus Program.	January 17, 2022
THAT Council receives, for information, the report from the Development Planning Department, dated April 11, 2022, with respect to the City of Kelowna's proposed new Density Bonus Program; AND THAT Council endorse the proposed new Density Bonus Program in concept, as outlined in this report from the Development Planning Department Manager, dated April 11, 2022	April 11, 2022
THAT Council receives, for information, the report from the Development Planning Department, dated April 11, 2022, that outlines the public and stakeholder consultation efforts for the new Zoning Bylaw.	April 11, 2022
THAT Council receives, for information, the report from the Development Planning Department dated May 9, 2022, with respect to amending the Official Community Plan and Zoning Bylaw to allow for second residences on properties in the Agricultural Land Reserve; AND FURTHER THAT Council direct Staff to bring forth changes to the 2040 Official Community Plan Bylaw No. 12300 and Zoning Bylaw No. 8000 as outlined in the report from the Development Planning Department dated May 9, 2022.	May 9, 2022

INTRODUCTION:

A zoning bylaw is the principal way that local governments can regulate land use and along with an OCP, a zoning bylaw is one of two primary tools for a City to realize growth and development objectives across a community. 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.

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 OCPs and growth strategies. The new city-wide zoning bylaw takes direction from the OCP and conforms with its policy direction. However, an effective zoning bylaw

should remain broad-based, often considered a “blunt” tool, and provide a specific property owner or developer a degree of flexibility in the way their project uses the zone.

Since a zoning bylaw is a technical document that is regulatory in nature, its impact on a community is significant. A zoning bylaw directly influences the form of the community as well guides opportunities, activities and land uses that are permitted. Given these characteristics, a zoning bylaw should be considered a living, or an organic document that provides a degree of continuity to past land use frameworks as well as continues to evolve to respond to the changing nature of the city. It should be flexible enough to respond to new initiatives with regular updates and revisions.

DISCUSSION:

Project Objectives:

The City’s first Zoning Bylaw (Bylaw No. 740) was adopted in 1938 and was updated four times¹ over the decades. The current Zoning Bylaw 8000 was adopted in 1998 and largely replicated its precursor, Bylaw No. 4500, from 1976. As the City looks to implement its strategic visioning document, Imagine Kelowna and the new 2040 Official Community Plan (OCP), a new and modern zoning bylaw is required that provides relevant and progressive land use regulations for the development industry and the needs of Kelowna residents. Staff have completed a comprehensive review and rewrite of the current Zoning Bylaw No 8000 through an inclusive process with both internal and external stakeholders.

The new Zoning Bylaw and the zoning map can be accessed on the City of Kelowna’s website here, [New Zoning Bylaw 12375](#).

Key objectives of the new Zoning Bylaw were as follows:

1. Align with the 2040 OCP, other key City initiatives and projects, and meet current Provincial legislative requirements;
2. Conduct internal and external stakeholder consultation throughout the process to help inform decision-making.
3. Responds to current planning and development trends;
4. Improves document consistency and provides a format that is user-friendly, easily interpreted, enforceable and effective in regulating land use in the City;
5. Reduces the number of commonly supported variance requests; and,
6. Allows for easy maintenance and updates in the future and a foundation to build upon.

Adoption of the new 2040 OCP earlier this year resulted in numerous land use designation name changes. As a result, the zones in the new Zoning Bylaw 12375 were changed to reflect the new terminology in the 2040 OCP. For example, the 2040 OCP designates five Urban Centres, defined as the City’s most intense activity hubs. The associated zone names in the new Zoning Bylaw were named accordingly to reflect the 2040 OCP land use designation (ex. UC1 to UC5). Attachment B outlines the zone name changes as proposed in the new Zoning Bylaw 12375.

Process to Date:

The new Zoning Bylaw project was a six-stage process that began in Fall of 2020 (Attachment C). Stages 1 and 2 consisted of defining the project team, scope and timelines, and developed the Project Charter as well as the Communication and Stakeholder Engagement Plan. The project team formed technical

¹ Bylaw No. 2293 was adopted in 1961; Bylaw No 3500 was adopted in 1973; Bylaw No 4500 was adopted in 1976.

work groups, held, and lead regularly scheduled focused work group meeting. Through inter-departmental collaboration, the team tackled each section of the Zoning Bylaw. Early on in Stage 3, the project team engage with the Ministry of Agriculture (MoA), the Agriculture Land Commission (ALC), the Agriculture Advisory Committee (AAC), and the Ministry of Transportation and Infrastructure (MoTI), receiving input, guidance, and direction from each stakeholder through series of meetings and workshops. Staff worked closely with each stakeholder in developing the new Zoning Bylaw. These key milestones lead to the completion of first draft of the new Zoning Bylaw. The first Council touch point was completed at the end of Stage 3.

The public engagement and consultation process for the new Zoning Bylaw built on the efforts first initiated in fall of 2019 in conjunction with 2040 OCP engagement events. Public, industry and internal stakeholder engagement activities took place for one-month in Fall of 2021, and then for a second time with a focused group of stakeholders in early 2022. During Stage 4, the project team engaged with internal and external stakeholders, processed, and reviewed close to one thousand comments, refined the draft Zoning Bylaw based on stakeholder feedback, and completed the second draft of the document. A second Council touch point was completed at the end of Stage 4. With the final refinements of the draft new Zoning Bylaw completed following the end of Stage 4, the project has moved to Stage 5. During this stage Staff will present and introduce to Council, and the Public the proposed new Zoning Bylaw, and if endorsed, will be followed by Public Hearing.

Proposed New Zoning Bylaw - Big Moves:

The changes in the updated Zoning Bylaw are the result of detailed research, countless internal and external meetings, community consultation, and review and discussion of feedback and comments. Through this collaborative process, a comprehensive update of the zoning bylaw was achieved, while meeting and realizing the main objectives of the project. An executive summary of key changes to the new Zoning Bylaw is provided in Attachment A and the highlights are summarized below:

1. *Height and Grade:*
Regulations for building height were updated and will now be measured by absolute height in metres rather than the number of storeys. Height will be measured from finished grade based on the proposed site plan.
2. *Site Coverage:*
Regulations have been updated to ensure reasonable expectations of on-site storm water infiltration. Impermeable surfaces that were previously excluded from site coverage calculations have now been included (ex: swimming pools, sidewalks).
3. *Minimum Buildable Area:*
Subdivision regulations in Single and Two Dwelling zones and Rural Residential zones now have a minimum buildable area requirement. The intention is to ensure that there is an adequate buildable area for new proposed lots that are not limited by areas with geotechnical or environmental restrictions.
4. *Use Categories:*
Use categories have been updated and simplified. The permitted uses were reviewed in coordination with the City's Business Licensing Department to ensure consistency and reviewed with respect to development cost charge implementation to clarify differences between commercial and industrial uses. A variety of retail uses (ex: convenience, service commercial, general retail, thrift stores, liquor

stores) that used to be separate have been consolidated into “Retail” as well as refinements to office and professional services for easier administration and clarity to property and business owners. The introduction of land use charts helps to format the Zoning Bylaw and better communicate to users of the Zoning Bylaw.

5. *Density Bonus Program:*

As it was outlined in Staff’s report to Council on the proposed density bonus program (dated April 11, 2022) there is a clear need for more rental and affordable housing options in Kelowna. There is also a significant need for investment in the public sidewalk system in the City’s Urban Core to help support the density and connect people with local amenities, shops and services, parks, schools, and transit. Staff recommend that the re-established density bonus program in the new Zoning Bylaw be aimed at achieving two key urban planning directions as outlined in the 2040 OCP:

- i. Increasing the supply of rental housing and affordable housing stock.
- ii. Improving the quantity and quality of public amenities through investments to sidewalks and the pedestrian realm.

A density bonus program is a tool provided to municipalities by the Province that can help achieve those objectives and can represent a significant source of revenue. The increase in density is well supported by the 2040 OCP in the urban core areas and the new Zoning Bylaw creates an important opportunity to overhaul the existing density bonus program to bring it into alignment with the OCP. This will ensure important public objectives are achieved for the community.

6. *Site Layout:*

Formerly the “Landscaping and Screening” section, the new Zoning Bylaw has introduced minimum ground cover and tree requirements within the front and rear yard setback areas. This is intended to ensure that setbacks are appropriately landscaped and provide opportunities to increase Kelowna’s urban tree canopy.

7. *Urban Centres (UC) and Village Centres:*

New Urban Centre zones apply to each separate Urban Centre. This allows differences between regulations for each Urban Centre and will allow further refinement of Urban Centre zones as detailed individual Urban Centre plans occur. They are intended to translate 2040 OCP height, density, and commercial frontage policies into regulations. The Urban Centre zones and the Village Centre zone aligns with the locations of the various Urban Centres and Village Centres as described in the 2040 OCP Future Land Use Designations. The Village Centre Zone provides different height and density regulations between the different Village Centres identified in the 2040 OCP, but the rest of the development regulations remain consistent.

8. *Core Area Zones:*

The purpose of the Core Area Mixed Use zone is to provide an intensive, mixed-use zone, for developments outside of Urban Centres. This zone will primarily be used adjacent to Transit Supportive Corridors or a Provincial highway. It is similar to the MF₃ – Apartment Housing Zone but provides a larger floor area ratio and higher heights, based on 2040 OCP Policy.

9. *Multi-Dwelling Zones:*

The Multi-Dwelling zones were overhauled and simplified in accordance with the new 2040 OCP and aligned with the 2040 OCP Future Land Use designation of C-NHD – Core Area Neighbourhood. The

zones were created per typology of Multi-Dwelling development (infill, townhouses, and apartment forms). Selective commercial uses have been added to the MF3 – Apartment Housing zone on Transit Supportive Corridors to provide more flexibility within this zone for mixed use developments. This allows the zone to be applicable to more situations and follow the direction of the 2040 OCP that supports commercial space on key corridors. Office uses were intentionally excluded as being inconsistent with 2040 OCP direction. The new land use, Home-Based Business, Urban Centre & Corridor, is intended to facilitate home-based business on Transit Supportive Corridors within ground-oriented townhouses or apartments with direct access to the sidewalk. They do not have a restriction on the number of visiting clients or require any additional parking stalls.

10. *Agriculture and Rural Residential Zones:*

In keeping with aligning the new Zoning Bylaw with Provincial legislation, regulations, Staff allocated the appropriate agricultural zones to all parcels based on their ALR status and created two Agriculture zones:

- i. The A1 – Agriculture zone will apply to all properties that are within the ALR.
- ii. The A2 – Agriculture / Rural Residential zone, will apply to agricultural properties that are not within the ALR

Additionally, permitted land uses in the Agriculture zones were revised to comply and align with Provincial legislation, regulations, and policies and current internal policies and processes. This includes the recent changes to the ALC Act and Regulations for second residences in the ALR. As it was outlined in Staff's report and recommendation to Council (dated May 9, 2022), the new Zoning Bylaw is proposing to allow a carriage house on a property that is 2 hectares or greater.

11. *Commercial and Industrial Zones:*

The new commercial and industrial zones represent a consolidation and simplification of existing zones. They are intended to translate 2040 OCP height and density policy into regulation. For example, the C2 – Vehicle Oriented Commercial zone primarily aligns with the 2040 OCP Future Land Use designation of RCOM – Regional Commercial and the C1 – Local & Neighbourhood Commercial zones aligns with a variety of 2040 OCP designations. As well, in both C1 and C2, permitted uses have increased permissibility; for instance both zones allow office uses in upper storeys. Comparatively, liquor tasting rooms have a restricted floor area in industrial zones; this is to limit the overabundance of commercial uses (liquor service) in industrial areas. In collaboration with MoTI staff, a new subzone has been established for the drive-thrus and car washes to provide specific regulations to those intensive commercial land uses.

12. *Comprehensive Development (CD) Zones:*

The CD section was significantly reduced in number of zones, from 23 in the existing to six in the new zoning bylaw. The remaining CD zones are those that are still under development or have future phases to be developed. The CD zones that were eliminated are those developments that have built out. The list of CD zones is:

- CD12 – Airport
- CD17 – Mixed Use Commercial – High Density
- CD18 - McKinley Beach Resort
- CD20 - University
- CD22 - Central Green
- CD26 - Capri Centre

As part of maintaining the new Zoning Bylaw, when each of the CD zones is completed, it will be the intention to remove the zone and apply the City's more general land use zones.

Public Amenity and Streetscape Reserve Fund:

The purpose of the proposed Public Amenity and Streetscape Reserve Fund is to collect payments associated with proposed density bonus provisions of the new Zoning Bylaw 12375. The Fund would be utilized for urbanization and streetscape amenities, including, sidewalks, curb and gutter, drainage, landscaping, street furniture, bus pullouts, improved on-street parking design and other boulevard streetscape components. The funds collected could be utilized in combination with other funding sources and initiatives including the City's deferred revenue program, extending a developer's immediate frontage improvements to an intersection or other connection point, or in combination with a City capital project. The funds will provide critical urbanization projects that will help support the densities proposed throughout the Core Area as identified within the City's 2040 OCP.

BYLAW TRANSITION PLAN:

The move from the current Zoning Bylaw 8000 to the new Zoning Bylaw 12375 requires a transition plan and process. The challenge is having to address amendment bylaws that are at various stages as they make their way through the bylaw approval process. Staff have drafted a transition plan to help the public understand the process and to make the move as seamless as possible. The recommended transition plan is as follows:

- 1) Establish a pause on new rezoning bylaws being forwarded to Council between First and Third readings of the new Zoning Bylaw.
- 2) New rezoning bylaws may come forward to Council following the Third reading of the new Zoning Bylaw.
- 3) Decouple new rezoning bylaw adoptions from DP/DVP during the transition period. The purpose is to secure technical requirements of the rezoning portion only and not unnecessarily rush the form and character process.
- 4) If a new rezoning bylaw is not adopted prior to the adoption of the new Zoning Bylaw, it will be rescinded and will return for initial consideration under the new Zoning Bylaw.
- 5) Any permits (DP/DVP, HAP, etc.) can proceed to Council without any of the aforementioned restrictions.
- 6) Should an applicant have an approved development permit under the existing Zoning Bylaw 8000 or made building permit application prior to the new Zoning Bylaw coming into effect, they will have 12 months to complete the requirements to be issued a building permit. After that timeframe, all applications and permits will be expected to conform with the new Zoning Bylaw.

Additionally, Staff will track any rezoning bylaw amendments that will be adopted under Zoning Bylaw 8000 and will bring forward any necessary amendments to Zoning Bylaw 12375. This is to ensure these applications receive accurate zoning allocations following the adoption of the new Zoning Bylaw.

NEXT STEPS:

Should Council grant First Reading, the bylaw would be forwarded to an upcoming Public Hearing. Should the bylaw receive Third Reading, Staff will request formal provincial ministerial approval of the new Zoning Bylaw, prior to Council granting final reading. If adopted, the bylaw will come into effect and will be posted on the City’s website, making the document accessible to all users.

Anticipated timeframes for next steps are as follows:



Agriculture Advisory Committee May 13, 2021

THAT the Committee supports the updates to Agriculture development regulations as outlined in Schedule 'C' of the report *City of Kelowna Draft Zoning Bylaw Updates* presented by City staff.

Carried

Anecdotal Comments:

Thirty-five percent site coverage on A1 zoned land is too high for a building structure. The Committee requests that the City review this percentage and consider reducing it.

Staff confirmed the next steps of the Zoning Bylaw review and proposed update will be a workshop with Council and then further public consultation.

Staff and external stakeholders were thanked for their input on developing the proposed changes.

Considerations applicable to this report:

Legal/Statutory Authority: Local Government Act, s. 479 Zoning Bylaws

Existing Policy: 2040 OCP and Imagine Kelowna

Prepared by: Barbara B. Crawford, Planner II
Adam Cseke, Planner Specialist
Submitted by: Terry Barton, Development Planning Department Manager
Approved for inclusion: Ryan Smith, Divisional Director, Planning & Development Services

cc:
Policy and Planning Department Manager
Development Services Director

ATTACHMENTS:

- Schedule A: Proposed New Zoning Bylaw Map
- Attachment A: Executive Summary of Key Changes
- Attachment B: Zone Comparison and Summary
- Attachment C: New Zoning Bylaw Project Stages

Executive Summary of Key Zoning Bylaw Changes

ATTACHMENT A
 This forms part of application # BL12375
 Planner Initials BC
 City of Kelowna
 DEVELOPMENT PLANNING



Table 1: Changes Affecting Multiple Sections

Topic	Section(s) Affected	Key Changes
Base & Bonus Density	Section 13.6 – <i>Multi Dwelling Density and Height Development Regulations</i> Section 14.14 – <i>Core Area and Other Zones Density and Height</i>	<ul style="list-style-type: none"> The base FAR is the same or increased from Zoning Bylaw 8000. Bonusing allows an increase in density beyond the base FAR. Density bonuses are available for use of the rental subzone, affordable housing, or for contributions to the streetscape fund. A detailed analysis of past projects within the City of Kelowna and the FAR achieved within these projects helped inform the proposed density. While density was generally increased, it is intended to not be artificially high so as to lead to height variances and to coordinate other key development regulations like parking, setbacks, and site coverage. Heights follow 2040 OCP policy and the 2040 OCP Building Height maps for Urban Centres. Development Variance Permits for heights in excess of the 2040 OCP Building Height Maps do not require amendments to the 2040 OCP. FAR is consistent per height category.
Height & Grade	Section 2.3 - <i>General Definitions</i> Sections 10 to 15 - <i>Development Regulations</i>	<ul style="list-style-type: none"> Measurement of height has been simplified to ensure consistency and ease of use. Height restrictions based on the number of storeys have been removed. Instead, height is regulated simply by the dimension (meters). Height is now measured from finished grade. The definition of finished grade has been updated based on best practices of other municipalities and in coordination with development industry. Height must now be measured from every point along the edge of the building at the finished grade and height must be within the maximum dimension at every point.
Landscaping	Section 7.2 – <i>Tree and Landscaping Planting Requirements</i>	<ul style="list-style-type: none"> There are now minimum ground cover and tree requirements within landscape areas. This includes the front and rear setback. This is intended to ensure that setbacks are appropriately landscaped and provides for masking or separation of various land uses.
Minimum Buildable Area	Section 2.3 - <i>General Definitions</i> Section 11.4 – <i>Single and Two Dwelling Subdivision Regulations</i>	<ul style="list-style-type: none"> Single and Two Dwelling zone and Rural Residential zone subdivision regulations now have a minimum buildable area required. This regulation is intended to ensure that there is an adequate buildable area for new proposed lots that is not limited by areas with geotechnical or environmental considerations. The area dimensions come from an analysis of previous subdivisions and in coordination with development industry.

Executive Summary of Key Zoning Bylaw Changes



Topic	Section(s) Affected	Key Changes
Site Coverage	Section 2.3 - <i>General Definitions</i> Sections 10 to 15 - <i>Development Regulations</i>	<ul style="list-style-type: none"> • Site coverage regulations have been updated to include all impermeable surfaces. • This is to ensure that there is a reasonable expectation of on-site storm water infiltration on any lot. Impermeable surfaces that were previously excluded from site coverage calculations have now been included (ex: swimming pools). • Impermeable surfaces are defined based on their run-off co-efficient. Common material run-off coefficients have been included in the definition.
Use Categories	Section 2.3 - <i>General Definitions</i> Sections 10 to 15 – <i>Permitted Land Uses</i>	<ul style="list-style-type: none"> • Use categories have been updated and simplified. The permitted uses were reviewed in coordination with the Business Licensing Department to ensure consistency and reviewed with respect to DCC implementation to clarify differences between commercial and industrial uses. • A variety of retail uses (ex: convenience, service commercial, general retail, thrift stores, liquor stores) that used to be separate have been consolidated into “Retail.” • Land Use categories of offices and professional services have been refined. Offices primarily include uses that are not inherently client-oriented and could function without directly serving customers entering from the street. • Professional services, by contrast, primarily function by offering services to the public. Professional services are permitted on the ground floor of buildings, while offices are restricted to upper floors.

ATTACHMENT A

This forms part of application
BL12375

Planner
Initials

BC

City of
Kelowna
DEVELOPMENT PLANNING

Executive Summary of Key Zoning Bylaw Changes



Table 2: Section 10 - Agriculture & Rural Residential Zones

Topic	Section(s) Affected	Key Changes
Purpose of Agricultural Zones	Section 10 - <i>Agricultural and Rural Residential Zones</i>	<ul style="list-style-type: none"> • The A1 – Agriculture zone will apply to all properties that are within the ALR. • The A2 – Agriculture / Rural Residential zone, will apply to agricultural properties that are not within the ALR. • The appropriate agricultural zone will be allocated to all parcels based on their ALR status. This includes properties within the ALR to which ALR rules do not apply (based on the date the parcel was created and its size) and properties within the ALR which previously were not zoned A1. • Zoning based on ALR status provides more clarity as to which rules apply to ALR and non-ALR land. • The zoning will better align with Provincial legislation, policies, and regulations affecting ALR land. • The Agricultural zones align with the 2040 OCP Future Land Use designation of R-AGR – Rural Agricultural and Resource. • Second dwellings within the ALR have been updated as per the updated ALC regulations.
Agricultural Zones - Permitted Land Uses	Section 10.3 - <i>Permitted Land Uses</i>	<ul style="list-style-type: none"> • In consultation with Ministry of Agriculture and Agricultural Land Commission staff, the permitted land uses in the Agricultural zones were revised to comply with Provincial legislation, regulations, and policies.
Purpose of Rural Residential Zones	Section 10 - <i>Agricultural and Rural Residential Zones</i>	<ul style="list-style-type: none"> • Three Rural Residential zones have been consolidated into two Rural Residential zones. • The RR1 and RR2 zones have been combined as RR1 – Rural Residential 1 in the new Zoning Bylaw 12375 as they only had minor differences in Zoning Bylaw 8000. • The previous RR3 zone is now the RR2 – Rural Residential 2 zone and remains intended for small rural residential lots without services. • The Rural Residential align with the 2040 OCP Future Land Use designation of R-RES – Rural Residential. • Within the Suburban areas, properties were updated as per OCP policy based on their access to sewer; lots with access to sewer are zoned an urban residential zone, whereas, lots without access to sewer are zoned a rural residential zone.

Executive Summary of Key Zoning Bylaw Changes



Rural Residential Zones - Permitted Land Uses	Section 10.3 - <i>Permitted Land Uses</i>	<ul style="list-style-type: none">• Consolidation of Rural Residential zones also consolidated permitted land uses to simplify zoning analysis and ensure permitted uses in Rural Residential zones are consistent with the new 2040 OCP.
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Executive Summary of Key Zoning Bylaw Changes



Table 3: Section 11 – Single and Two Dwelling Zone

Topic	Section(s) Affected	Key Changes
Purpose of Single and Two Dwelling Zones	<ul style="list-style-type: none"> Section 11 – <i>Single and Two Dwelling Zones</i> 	<ul style="list-style-type: none"> The Single and Two Dwelling Zones align with the 2040 OCP Future Land Use designations of S-RES – Suburban Residential and C-NHD – Core Area Neighbourhood.
Childcare Centre subzone	<ul style="list-style-type: none"> Section 11.2 – <i>Sub-Zones</i> 	<ul style="list-style-type: none"> Previously, a rezoning to the P2 – Education and Minor Institutional zone was required to allow childcare facilities in single and two dwelling neighbourhoods. Childcare integrates well within existing neighbourhoods and the new subzone will make it easier to adapt existing buildings into childcare centres and encourage childcare units in neighbourhoods.
Suites in RU4 Zone	<ul style="list-style-type: none"> Section 11.3 – <i>Permitted Land Uses</i> 	<ul style="list-style-type: none"> Each principal dwelling unit can have one secondary suite or carriage house (ex: each side of a duplex can have a secondary suite).

Executive Summary of Key Zoning Bylaw Changes



Table 4: Section 13 - Multi-Dwelling Zones

Topic	Section(s) Affected	Key Changes
Purpose of Multi-Dwelling Zones	Section 13 – <i>Multi-Dwelling Zones</i>	<ul style="list-style-type: none"> • The Multi-Dwelling zones were overhauled and simplified in accordance with the new 2040 OCP and align with the 2040 OCP Future Land Use designation of C-NHD – Core Area Neighbourhood. • Zones were created per typology of Multi-Dwelling development (infill, townhouses, and apartment forms).
Permitted Uses in Multi-Dwelling Zones	Section 2.3 - <i>General Definitions</i> Section 13.3 – <i>Multi Dwelling Permitted Land Uses</i>	<ul style="list-style-type: none"> • Selective commercial uses have been added to the MF3 – Apartment Housing zone on Transit Supportive Corridors to provide more flexibility within this zone. This allows the zone to be applicable to more situations and follow the direction of the 2040 OCP that supports commercial space on key corridors. • Office uses were intentionally excluded as being inconsistent with 2040 OCP direction. • The new land use, Home-Based Business, Urban Centre & Corridor, is intended to facilitate home-based business on Transit Supportive Corridors within ground-oriented townhouses or apartments with direct access to the sidewalk. They do not have a restriction on the number of visiting clients or require any additional parking stalls.

Executive Summary of Key Zoning Bylaw Changes



Table 5: Section 14 - Core Area and Other Zones: *Urban Centres and Village Centres*

Topic	Section(s) Affected	Key Changes
Purpose of Core Area Mixed Use Zone	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> The purpose of the Core Area Mixed Use zone is to provide an intensive, mixed-use zone, for use outside of Urban Centres. It is intended for properties that are adjacent to Transit Supportive Corridors or a Provincial highway. It is similar to the MF3 – Apartment Housing Zone but provides a larger floor area ratio and higher heights, based on 2040 OCP Policy. The Core Area Mixed Use zone aligns with the 2040 OCP Future Land Use designation of C-NHD – Core Area Neighbourhood.
Purpose of Urban Centre Zones	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> New Urban Centre zones apply to each separate Urban Centre. This allows differences between regulations for each Urban Centre and will allow further refinement of Urban Centre zones in accordance with future planning of individual Urban Centres. They are intended to translate 2040 OCP height, density, and commercial frontage policies into regulations. The Urban Centre zones align with the locations of the various Urban Centres and the 2040 OCP Future Land Use Designation of UC – Urban Centre.
Permitted Uses in Urban Centre Zones	Section 14.9 – <i>Permitted Principal and Secondary Land Uses in Core Area and Other Zones</i>	<ul style="list-style-type: none"> Permitted uses for ground floor of buildings within the Urban Centre zones are based on the 2040 OCP retail street maps that describe the intended character of streets in the Urban Centres.
Purpose of Village Centre Zones	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> The Village Centre Zone provides different height and density regulations between the different Village Centres identified in the 2040 OCP, but the rest of the development regulations are the same. The Village Centre zone aligns with the 2040 OCP Future Land Use designation of Village Centre.
Front Yard Setbacks in Ground-Oriented Units	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> Front yard setbacks for ground-oriented units are 2 m from property line if certain conditions are met requiring usable space on the ground floor and a maximum height from the curb. This encourages true ground-oriented units with usable space on the ground floor. Front yard setbacks for ground-oriented units have been increased from 1.5 m in Zoning Bylaw 8000 to 2 m based on best practices from other municipalities. The purpose is to

Executive Summary of Key Zoning Bylaw Changes



Topic	Section(s) Affected	Key Changes
		create a usable transition space between the sidewalk and the unit that is not obstructed.
Building Stepback	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> • A 3.0 m building stepback for buildings that are 5 storeys or greater is intended to reduce perceived massing of buildings and implement 2040 OCP design guidelines requiring articulation.
Site Coverage in Urban Centre Zones	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> • Site coverage in Urban Centre zones vary based on the retail street maps within the 2040 OCP.
Minimum Density along Transit Supportive Corridor	Section 14.14 – <i>Core Area and Other Zones Density and Height</i>	<ul style="list-style-type: none"> • Minimum densities along Transit Supportive Corridor are based on a 2-lot consolidation. It is lower for properties without a lane due to the need for on-site drive aisles. • It aligns with 2040 OCP Policy that encourages larger consolidations in order to meet density goals.
Maximum Parkade Exposure	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> • New regulations limiting maximum parkade exposure align with 2040 OCP policy that encourages ground-oriented residential buildings and design guidelines that discourage large, blank walls.
Common Amenity Space	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> • Common amenity space is now required in all multiple dwelling developments including townhouses. • This replaces previous requirements for private open space. It allows common amenity space to be provided indoors or outdoors and provides flexibility for the provision of amenity space within a development.

Executive Summary of Key Zoning Bylaw Changes



Table 5: Section 14 - Core Area and Other Zones: *Commercial and Industrial Zones*

Topic	Section(s) Affected	Key Changes
Purpose of Commercial Zones	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> The new Commercial zones represent a consolidation and simplification of existing zones. They are intended to translate 2040 OCP height and density policy into regulation. The C2 – Vehicle Oriented Commercial zone primarily aligns with the 2040 OCP Future Land Use designation of RCOM – Regional Commercial. The C1 – Local & Neighbourhood Commercial zones aligns with a variety of 2040 OCP designations.
Permitted Uses in the Commercial Zones	Section 14.9 – <i>Permitted Principal and Secondary Land Uses in Core Area and Other Zones</i>	<ul style="list-style-type: none"> Both commercial zones have increased permissibility in allowing office uses in upper storeys. Liquor production has a restricted floor area in Commercial Zones. This is to limit the proliferation of industrial uses (liquor production) in commercial areas.
Commercial Ground-Oriented Unit Setbacks	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> New proposed setback regulations for ground-oriented commercial units align with new Official Community Plan guidelines for streetscape. Commercial units can be 0 m from property line provided that the building face is at least 6.0 m from the back-of-curb. This is intended to provide adequate space for patios and support policies in the 2040 OCP related to the public realm, public-private interface, streetscape animation. It also serves a practical purpose ensuring there is room for pedestrian circulation, boulevards, bus stops, street furniture etc.
Purpose of Industrial Zones	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> The Industrial zones align with the 2040 OCP Future Land Use Designation of IND – Industrial.
Permitted Uses in Industrial Zones	Section 14.9 – <i>Permitted Principal and Secondary Land Uses in Core Area and Other Zones</i>	<ul style="list-style-type: none"> Liquor tasting rooms have a restricted floor area in Industrial zones. This is to limit the proliferation of commercial uses (liquor service) in industrial areas.
Setbacks in Industrial Zones	Section 14.12 – <i>Industrial, Institutional and Water Zone Development Regulations</i>	<ul style="list-style-type: none"> Some setback requirements in the Industrial zones have been reduced. As front and rear yard setbacks now need to be landscaped, this ensures landscaped requirements are not excessive.

Executive Summary of Key Zoning Bylaw Changes



Topic	Section(s) Affected	Key Changes
		<ul style="list-style-type: none">• Reducing front yard setbacks also reduces the demand to place parking in front of industrial buildings. Some Industrial zones prohibited parking in front yards. This will reduce unused space on industrial sites.

Executive Summary of Key Zoning Bylaw Changes



Table 6: Section 14 - Core Area and Other Zones: *Health District Zones*

Topic	Section(s) Affected	Key Changes
Purpose of Health District Zones	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> • The Health District zones align with the 2040 OCP Future Land Use designations of EDINST – Educational / Institutional and C-HTH – Core Area Health District. • The HD 1 – Kelowna General Hospital zone is intended for the hospital campus. • The HD2 – Residential and Health Support Services zone is a consolidation of the existing HD2 and HD3 zones.
Former HD3 Properties	Section 9.2 – <i>Home Based Business Regulations</i>	<ul style="list-style-type: none"> • Properties that were formerly zoned HD3 retain additional home-based business permissions which remove limits on the number of clients on site for major home-based businesses conducting health services.

Executive Summary of Key Zoning Bylaw Changes



Table 7: Section 15 – Comprehensive Development Zones

Topic	Section(s) Affected	Key Changes
Purpose of CD Zones	<ul style="list-style-type: none"> Section 15 – <i>Comprehensive Development Zones</i> 	<ul style="list-style-type: none"> The CD section saw significant reduction in number of zones, from 23 in the existing to six in the new zoning bylaw. The remaining CD zones are those that are still under development or have future phases to be developed. The CD zones that were eliminated are those developments that have built out or are not able to be built out.
CD17 – Mixed Use Commercial – High Density Zone	<ul style="list-style-type: none"> Section 15.3 – <i>CD17 Zone</i> 	<ul style="list-style-type: none"> The purpose is to provide a zone for existing large scale mixed-use commercial / residential developments in the Core Area but outside Urban Centres. This zone is intended to capture lots that have already been constructed prior to the adoption of this bylaw in which the densities and scale of development is generally beyond those recommended by policies outlined in the 2040 OCP.

Zone Conversion Table
Zoning Bylaw No. 8000 vs Zoning Bylaw No. 12375



Zoning Bylaw 8000		Zoning Bylaw 12375	
Existing Zone	Existing Zone Description	Proposed New Zone	Proposed New Zone Description
A1	Agriculture 1	A1	Agriculture (ALR)
		A2	Agriculture/Rural Residential (Non-ALR)
RR1	Rural Residential 1	RR1	Large Lot Rural Residential
RR2	Rural Residential 2	RR1 or RR2	Large or Small Lot Rural Residential
RR3	Rural Residential 3	RR2	Small Lot Rural Residential
RU1	Large Lot Housing	RU1	Large Lot Housing
RU2	Medium Lot Housing	RU2	Medium Lot Housing
RU3	Small Lot Housing	RU3	Small Lot Housing
RU4	Low Density Cluster Housing	RU1, RU2, RU3, RU5	Large, Medium, Small Lot Housing, Multiple Single Detached Housing
RU5	Bareland Strata Housing	RU5	Multiple Single Detached Housing
RU6	Two Dwelling Housing	RU4	Duplex Housing
RU7	Infill Housing	MF1	Infill Housing
RM1	Four Dwelling Housing	MF1	Infill Housing
RM2	Low Density Row Housing	MF1 or MF2	Infill Housing or Townhouses
RM3	Low Density Multiple Housing	MF2	Townhouses
RM4	Transitional Low Density Housing	CA1, MF2, or MF3	Core Area 1, Infill Housing, or Townhouses
RM5	Medium Density Multiple Housing	MF3	Apartments
RM6	High Rise Apartment Housing	MF3, CA1, UC1, UC2, UC3, UC4, UC5	Apartments, Core Area 1 All Urban Centre Zones: Downtown, Capri-Landmark, Midtown, Rutland, Pandosy
RM7	Mobile Home Park	MH1	Mobile Home and Camping
HD1	Hospital	HD1	Kelowna General Hospital
HD2	Hospital and Health Support Services	HD2	Residential and Health Support Services
HD3	Health Services Transitional	HD2	Residential and Health Support Services
C1	Local Commercial	C1	Local Commercial
C2	Neighbourhood Commercial	C1 or VC1	Local Commercial or Village Centre
C3	Community Commercial	VC1, UC1 - UC5, CA1	Village Centre, Urban Centre, or Core Area
C4	Urban Centre Commercial	UC1 - UC5	Urban Centre
C5	Transition Commercial	CA1, VC1, UC3	Core Area 1, Village Centre, or Midtown Urban Centre
C6	Regional Commercial	C2	Vehicle Oriented Commercial
C7	Central Business Commercial	UC1	Downtown Urban Centre
C8	Convention Hotel Commercial	UC1gg	Downtown Urban Centre – Gaming and Gambling
C9	Tourist Commercial	VC1, UC1 - UC5	Village Centre or Urban Centre
C10	Service Commercial	C2	Vehicle Oriented Commercial
I1	Business Industrial	I1	Business Industrial
I2	General Industrial	I2	General Industrial
I3	Heavy Industrial	I3	Heavy Industrial
I4	Central Industrial	I2	General Industrial
I5	Extraction	I4	Natural Resource Extraction
I6	Low-Impact Transitional Industrial	I2	General Industrial
P1	Major Institutional	P1	Major Institutional
P2	Education and Minor Institutional	P2	Education and Minor Institutional
P3	Parks and Open Space	P3	Parks and Open Space
P4	Utilities	P4	Utilities
P5	Municipal District Park	P5	Municipal District Park
P8	Alternate Transportation Corridor Zone	Zone Deleted	
W1	Recreational Water Use	W1	Recreational Water Use
W2	Intensive Water Use	W2	Intensive Water Use
CD1	Comprehensive Development One	MF2	Townhouses
		RU1	Large Lot Housing
CD2	Kettle Valley Comprehensive Residential Development	RU1	Large Lot Housing
		RU2	Medium Lot Housing
		RU3	Small Lot Housing
		RU4	Duplex Housing
		MF2	Townhouses
		CA1	Core Area 1
		P2	Education and Minor Institutional
		P3	Parks and Open Space
CD3	Comprehensive Development Three	C2	Vehicle Oriented Commercial
		MF2	Townhouses
		MF3	Apartments
CD4	Comprehensive Small Lot Housing	RU2	Medium Lot Housing
CD5	Multi-Purpose Facility	UC1a	Downtown Urban Centre - Arena
CD8	Heritage Industrial	UC1	Downtown Urban Centre
CD9	Heritage Commercial	P3	Parks and Open Space
CD10	Heritage Cultural	RU4hc	Duplex Housing with Heritage Commercial
CD12	Airport	CD12	Airport
CD14	Comprehensive High Tech Business Campus	UC2	Capri-Landmark Urban Centre
CD15	Airport Business Park	I2	General Industrial
		C2	Vehicle Oriented Commercial
CD16	Bingo and Gambling	UC2gg	Capri-Landmark Urban Centre – Gaming and Gambling
CD17	Mixed Use Commercial – High Density	CD17	Mixed Use Commercial – High Density
CD18	McKinley Beach Comprehensive Resort Development	CD18	McKinley Beach Resort
CD20	Comprehensive University Development Zone	CD20	University
CD22	Central Green Comprehensive Development Zone	CD22	Central Green
CD23	Public market and Open-Air Market	A1	Agriculture (ALR)
CD24	Comprehensive Development (Hiawatha)	VC1	Village Centre
CD25	Light Industrial – Residential Mixed-Use Zone	Zone deleted	
CD26	Capri Centre Comprehensive Development Zone	CD26	Capri Centre

Zoning Bylaw 12375 – Summary of Zones



Agriculture and Rural Residential Zones

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.

Single and Two-Dwelling Zones

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.

Single and Two-Dwelling Zones (con't)

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. The purpose is to provide a zone for multiple single detached homes, and compatible secondary uses, on a single serviced urban lot.

Multi-Dwelling Zones

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 of 2 storeys.

MF2 – Townhouse Housing

The purpose is to provide a zone for ground-oriented multiple housing (typically townhouse developments) up to 3 storeys on serviced urban lots.

MF3 – Apartment Housing

The purpose is to provide a zone primarily for apartments ranging up to 6 storeys on serviced urban lots with various commercial uses permitted on transit supportive corridors.

Zoning Bylaw 12375 – Summary of Zones



Core Area and Other Zones

Commercial, Core Area and Village Centre Zones:

C1 – Local & Neighbourhood Commercial

The purpose is to provide a zone for the commercial developments outside the Core Area to provide a range of services needed on a day-to-day basis by residents within their neighbourhoods. Generally, building scale includes 2 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

CA1 – Core Area Mixed Use

The purpose is to provide a mixed commercial and residential zone for developments within the Core Area and outside urban centres. Buildings up to 4 storeys will be generally permissible with Buildings up to 6 storeys in certain circumstances based on development policy guidance from the OCP. A further increase to 12 storeys will be acceptable on key Transit Supportive Corridors and within close proximity to transit and Urban Centres

VC1 - Village Centre

The purpose is to provide a zone with an integrated design for a comprehensive mixed-use area which can include a variety of uses as specified to each Village Centre (as identified with the OCP).

Urban Centre Zones:

UC1 – Downtown Urban Centre

The purpose of this zone is to designate and to preserve land for developments of the financial, retail and entertainment, governmental, cultural and civic core of the downtown while also encouraging high density mixed-use buildings

Urban Centre Zones (con't):

UC2 – Capri-Landmark Urban Centre

The purpose is to provide a mixed commercial and residential zone for developments 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 developments within the Midtown Urban Centre

UC4 – Rutland Urban Centre

The purpose is to provide a mixed commercial and residential zone for developments within the Rutland Urban Centre

UC5 – Pandosy Urban Centre

The purpose is to provide a mixed commercial and residential zone for developments within the South Pandosy Urban Centre.

Industrial Zones:

I1 – Business Industrial

The purpose is to provide a zone for developments of planned industrial business parks containing indoor industrial uses with limited outdoor storage and to provide a zone for transition from general / heavy 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 developments 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.

Zoning Bylaw 12375 – Summary of Zones



Core Area and Other Zones (con't)

Industrial Zones (con't)

I4 – Natural Resource Extraction

The purpose of this zone to provide a zone used for natural resource extraction such as gravel extraction and processing.

Institutional Zones:

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 developments 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-kilometer radius and also serve specific recreation facility needs on a city-wide basis.

Health District Zones:

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.

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.

Water Zones:

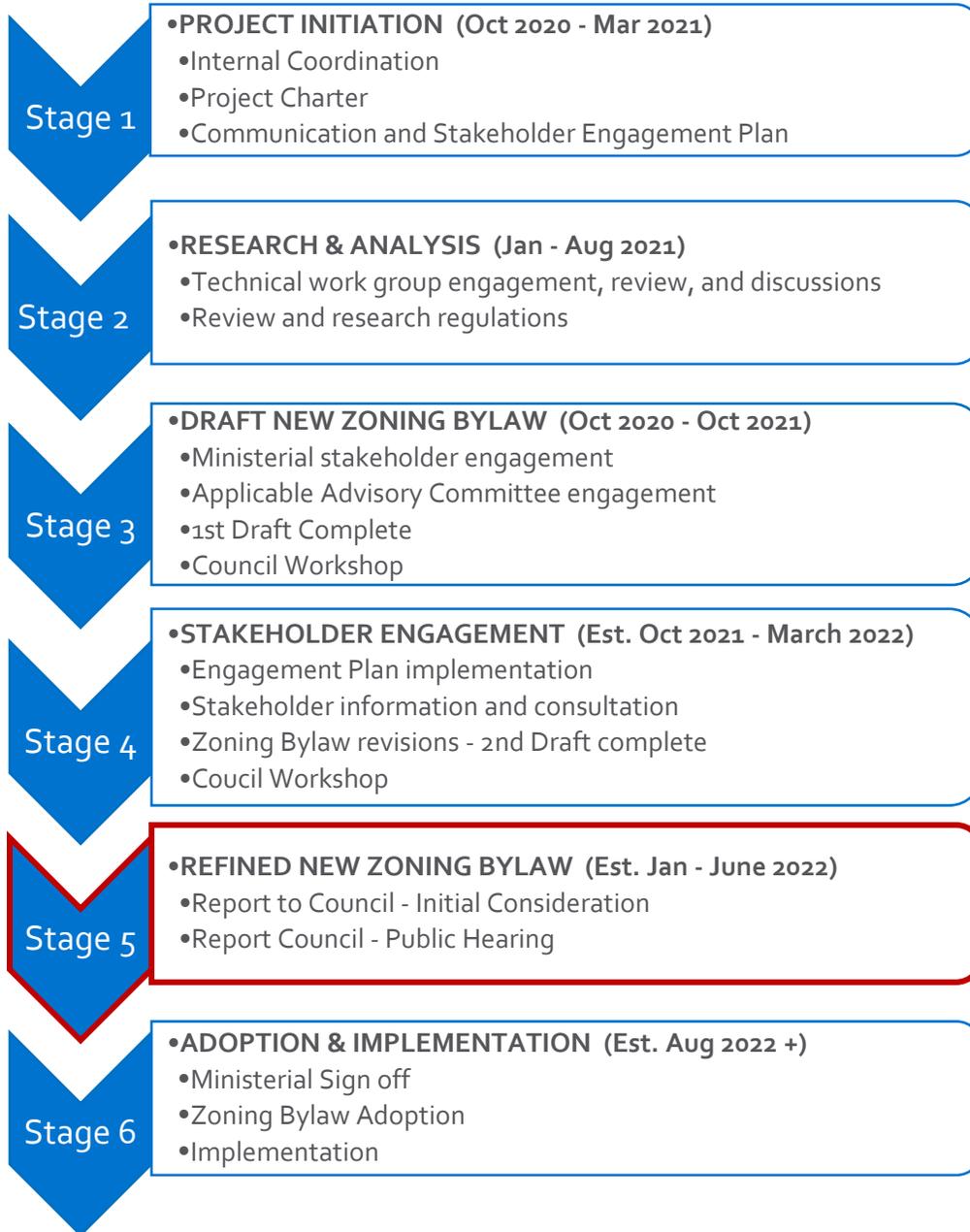
W1 – Recreational Water Use

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.

The New Zoning Bylaw - Project Stages



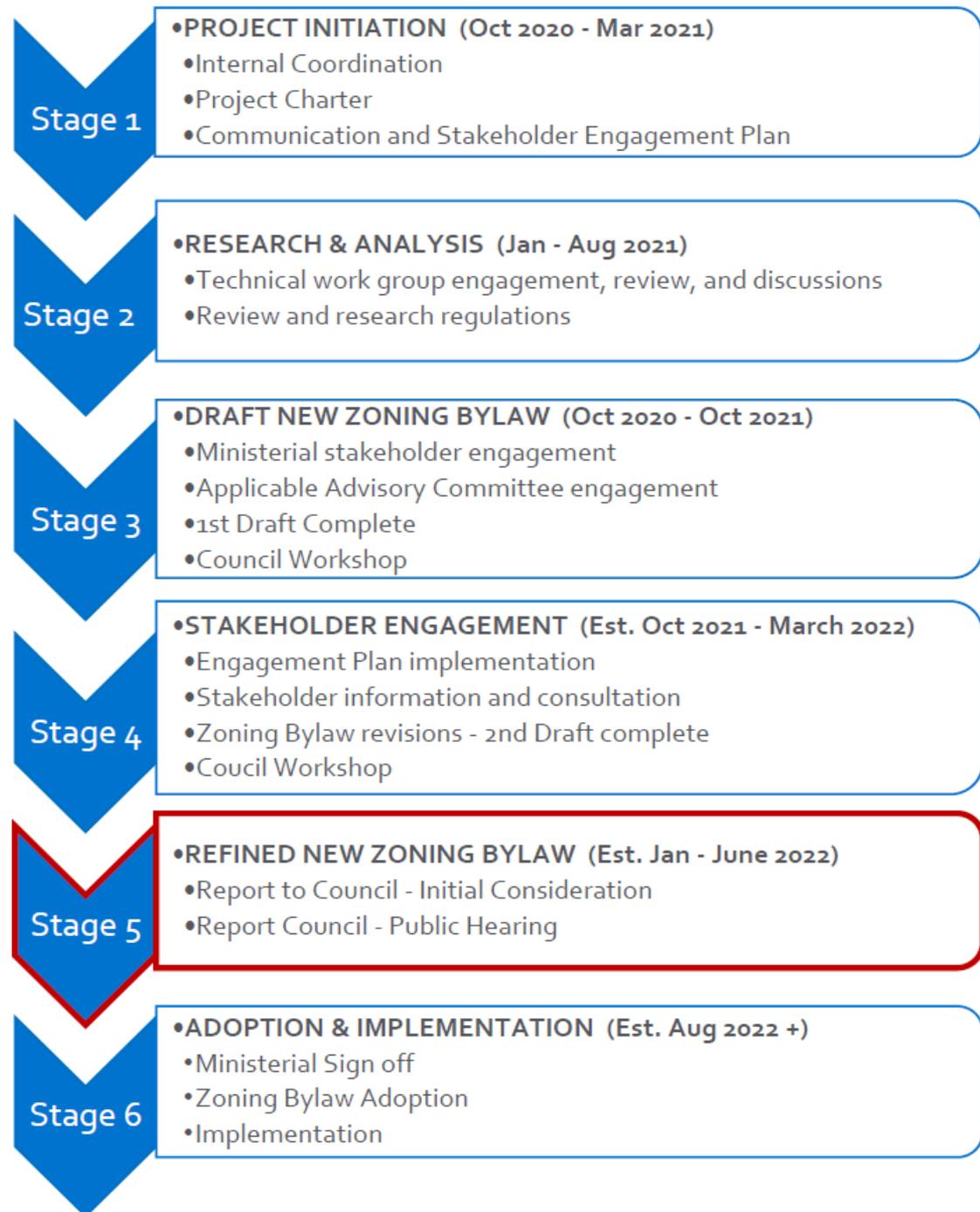


**City of Kelowna
Proposed New Zoning Bylaw
Initial Consideration
May 30, 2022**

Purpose

- ▶ To adopt a new Zoning Bylaw

Project Process



Layout & Formatting Improvements

- ▶ Redesigned format to allow ease of end user navigation & reference
 - ▶ New Layout
 - ▶ Table Format
 - ▶ Zoning Charts
 - ▶ Hyperlinks
- ▶ Consolidated & revised use categories

Simplification & Consolidation

Current Zoning Bylaw	Zoning Bylaw Update
1. Total number of pages	
565	197
2. Reduce number of zones across the City	
66	34
3. Consolidated Land Uses	
120	68

Use Categories

- ▶ Updated land use categories to provide interpretation clarity & effectiveness
- ▶ Coordinated with other bylaws
 - ▶ Business License
 - ▶ Development Cost Charge
 - ▶ Subdivision & Servicing

Agriculture & Rural Residential

Zoning Bylaw 8000	New Zoning Bylaw
A1 – Agriculture 1	A1 - Agriculture
	A2 -Agriculture / Rural Residential
RR1 – Rural Residential 1	RR1 - Large Lot Rural Residential
RR2 – Rural Residential 2	
RR3 – Rural Residential 3	RR2 - Small Lot Rural Residential

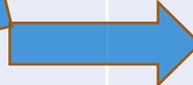
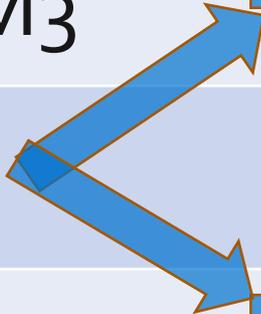
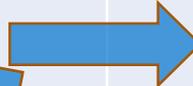
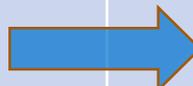
Single & Two-Dwelling Zones

Zoning Bylaw 8000	New Zoning Bylaw
RU1 – Large Lot Housing	RU1 – Large Lot Housing
RU2 – Medium Lot Housing	RU2 – Medium Lot Housing
RU3 – Small Lot Housing	RU3 – Small Lot Housing
RU4 – Low Density Cluster	RU4 – Duplex Housing
RU5 – Bareland Strata Housing	RU5 – Multiple Single Detached Housing
RU6 – Two Dwelling Housing	
RU7 – Infill Housing	

Subzone added for childcare

Multi-Dwelling Zones

Zoning Bylaw 8000	New Zoning Bylaw
RM ₁ + RU ₇	MF ₁ – Infill Housing
RM ₂ + RM ₃	MF ₂ – Townhouse
RM ₄	
RM ₅ + RM ₆	MF ₃ – Apartment



Urban Centre Zones

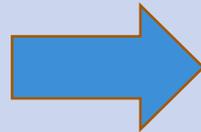
Zoning Bylaw 8000	New Zoning Bylaw
C7 - Central Business Commercial C8 – Convention Hotel Commercial	UC₁ – Downtown Urban Centre
C ₄ - Urban Centre Commercial	UC₂ – Capri-Landmark Urban Centre
	UC₃ – Midtown Urban Centre
	UC₄ – Rutland Urban Centre
	UC₅ – Pandosy Urban Centre ²³⁷

Village Centre Zone

Zoning Bylaw 8000

New Zoning Bylaw

C₃, C₅, C₉



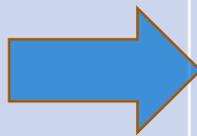
VC₁ – Village Centre

Core Area Mixed Use Zone

Zoning Bylaw 8000

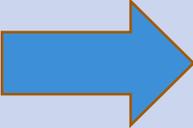
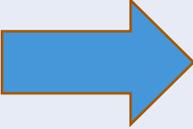
New Zoning Bylaw

RM₄, RM₅, RM₆
C₃, C₄, C₅



**CA1 – Core Area Mixed
Use Zone**

Commercial Zones

Zoning Bylaw 8000	New Zoning Bylaw
C1, C2	 C1 – Local & Neighbourhood Commercial
C6, C10	 C2 – Vehicle Oriented Commercial

Added new subzones for Drive-thru, Car Wash & Fuel

Industrial Zones

New Zoning Bylaw

I₁ – Business Industrial

I₂ – General Industrial

I₃ – Heavy Industrial

**I₄ – Natural Resource
Extraction**

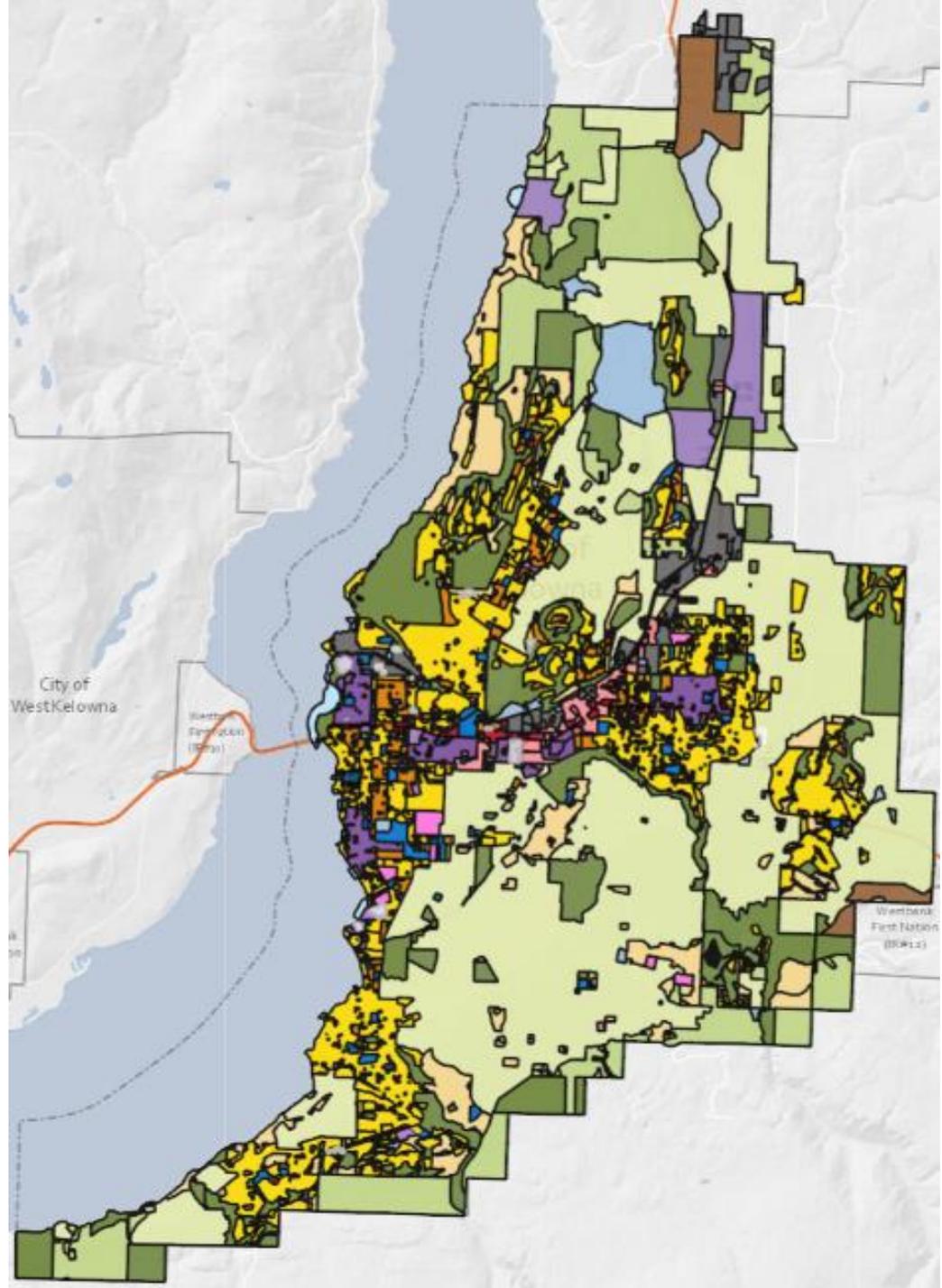
**I₁, I₂, I₃, I₄, I₅,
I₆, CD15**

CD Zones

- ▶ Reduced from 23 to 6 zones:
 - ▶ CD12 - Airport
 - ▶ CD17 - Mixed Use Commercial – High Density
 - ▶ CD18 - McKinley
 - ▶ CD20 - University
 - ▶ CD22 - Central Green
 - ▶ CD26 - Capri Centre

Zoning Map

[Zoning bylaw | City of Kelowna](#)



Align & Implement 2040 OCP

2040 OCP	New Zoning Bylaw
Urban Centres	Urban Centres: UC ₁ -UC ₅
Village Centres	Multi Dwelling: MF ₁ -MF ₃ Commercial: C ₁ , C ₂ Village Centre: VC ₁
Core Area Neighbourhood	Core Area Mixed Use: CA ₁ Single & Two Dwelling: RU ₃ , RU ₄ Multi Dwelling: MF ₁ -MF ₃ Commercial: C ₁ , C ₂
Suburban - Residential	Single & Two Dwelling: RU ₁ -RU ₅
Suburban - Multi Unit	Single & Two Dwelling: RU ₁ -RU ₅ Multi Dwelling: MF ₁ -MF ₃

Building Envelope Area



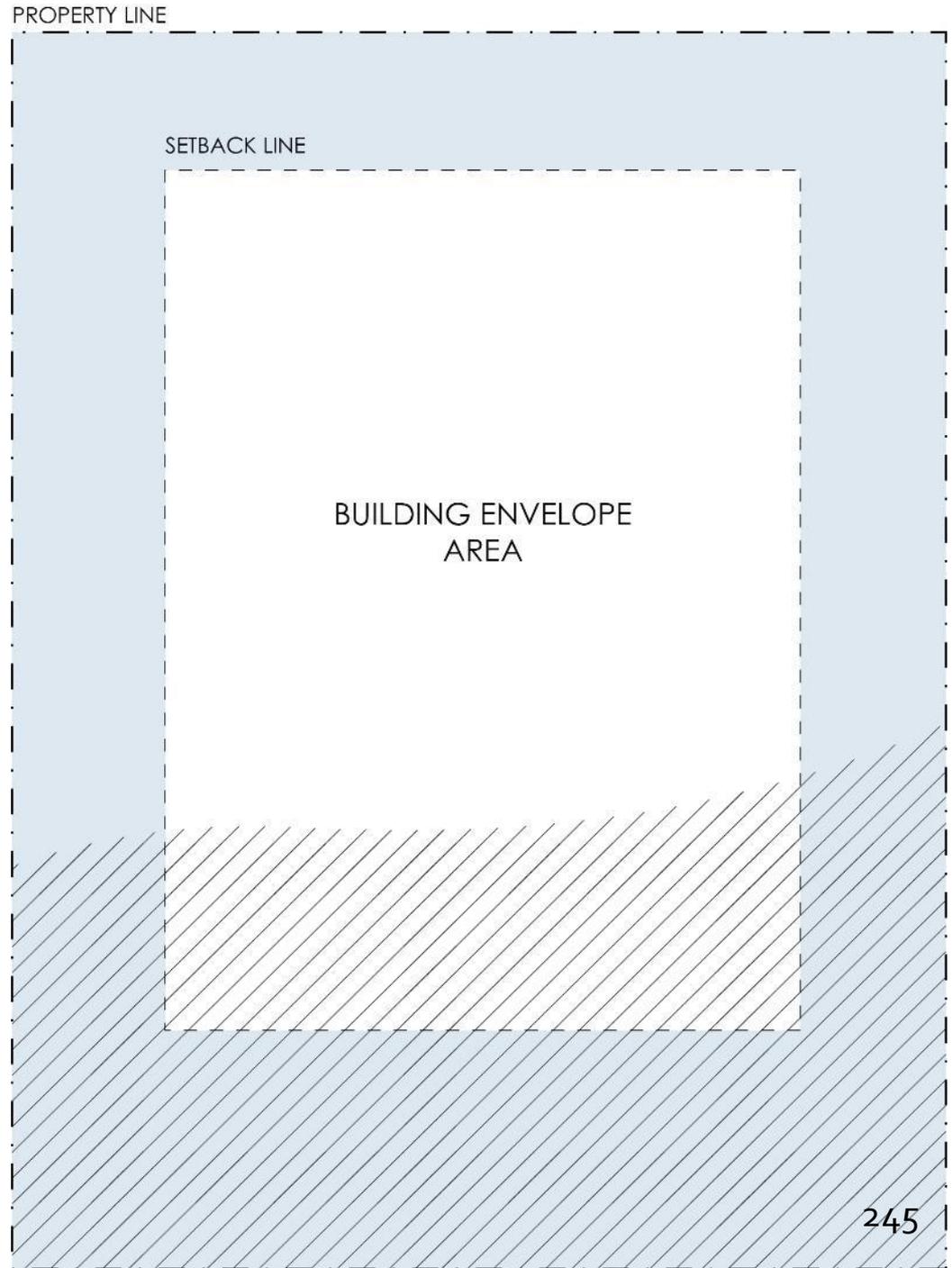
Setback Areas



"No Build" or "No Disturb"
Restrictive Covenants



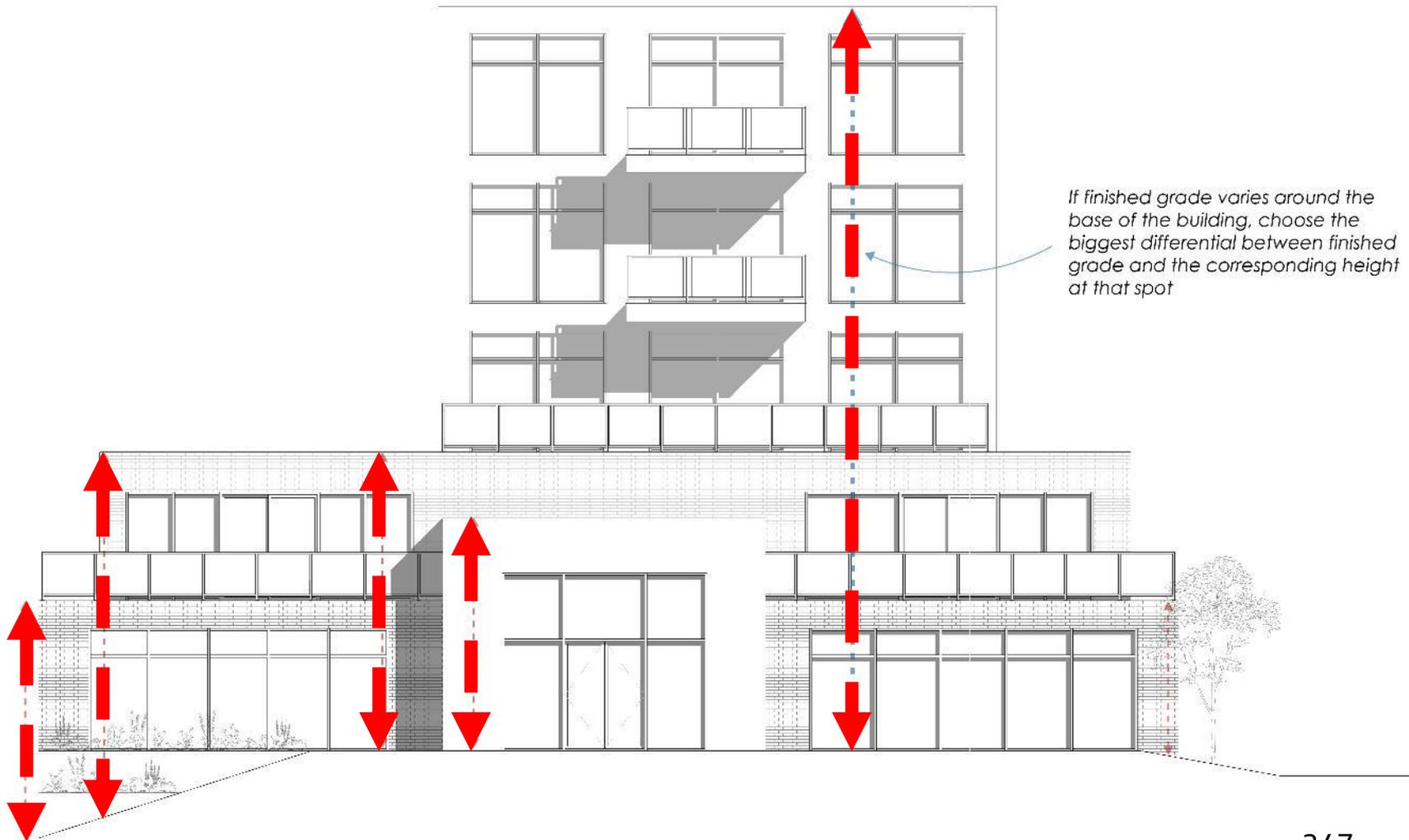
Building Envelope Area
(remaining white area)



Height Definition & Grade



Measuring Building Height



Total Site Coverage

BUILDING SITE COVERAGE

PRINCIPLE DWELLING
CARRIAGE HOUSE
GARAGE
SHED
STRUCTURES



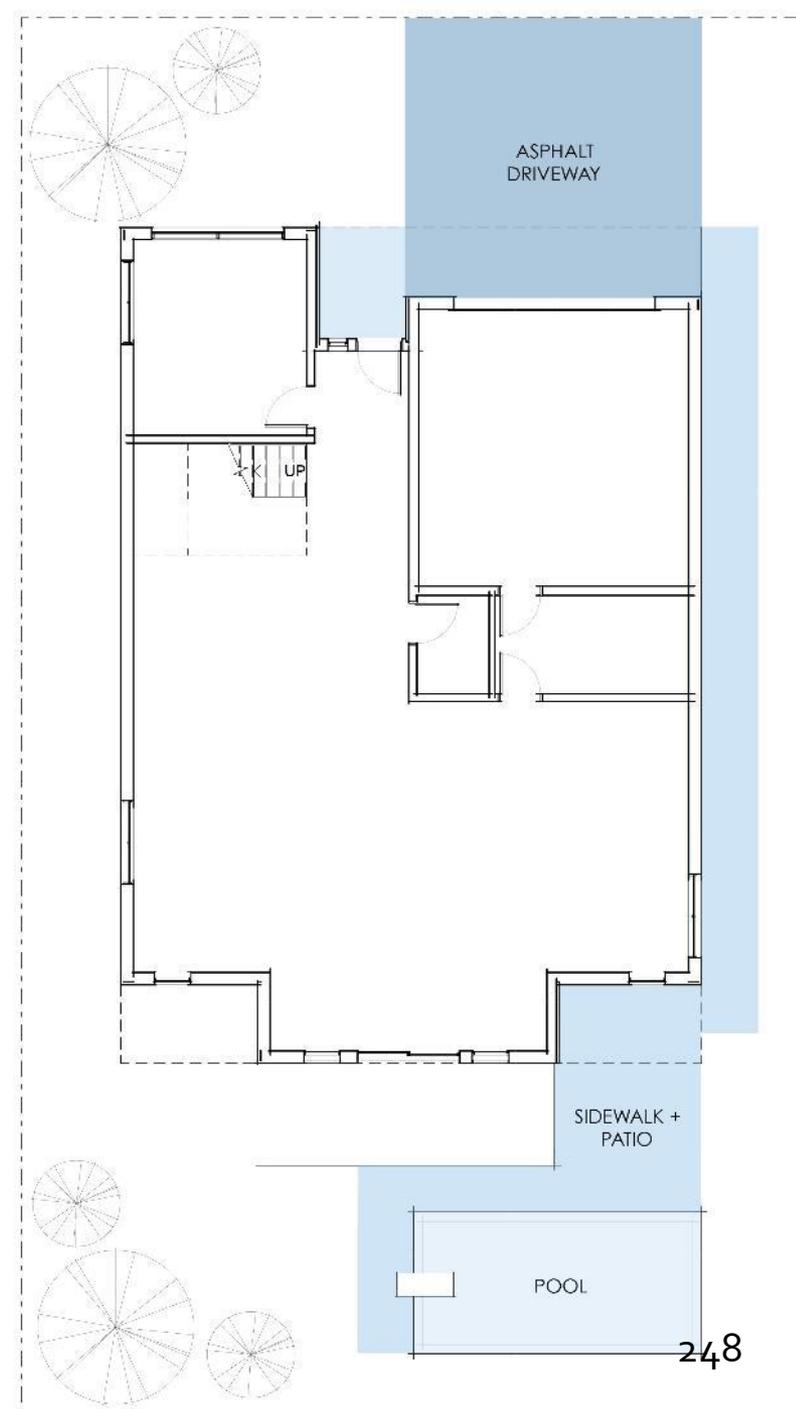
IMPERMEABLE SURFACES

-  DRIVEWAYS
-  SIDEWALKS / PATHS / PATIOS
-  POOLS

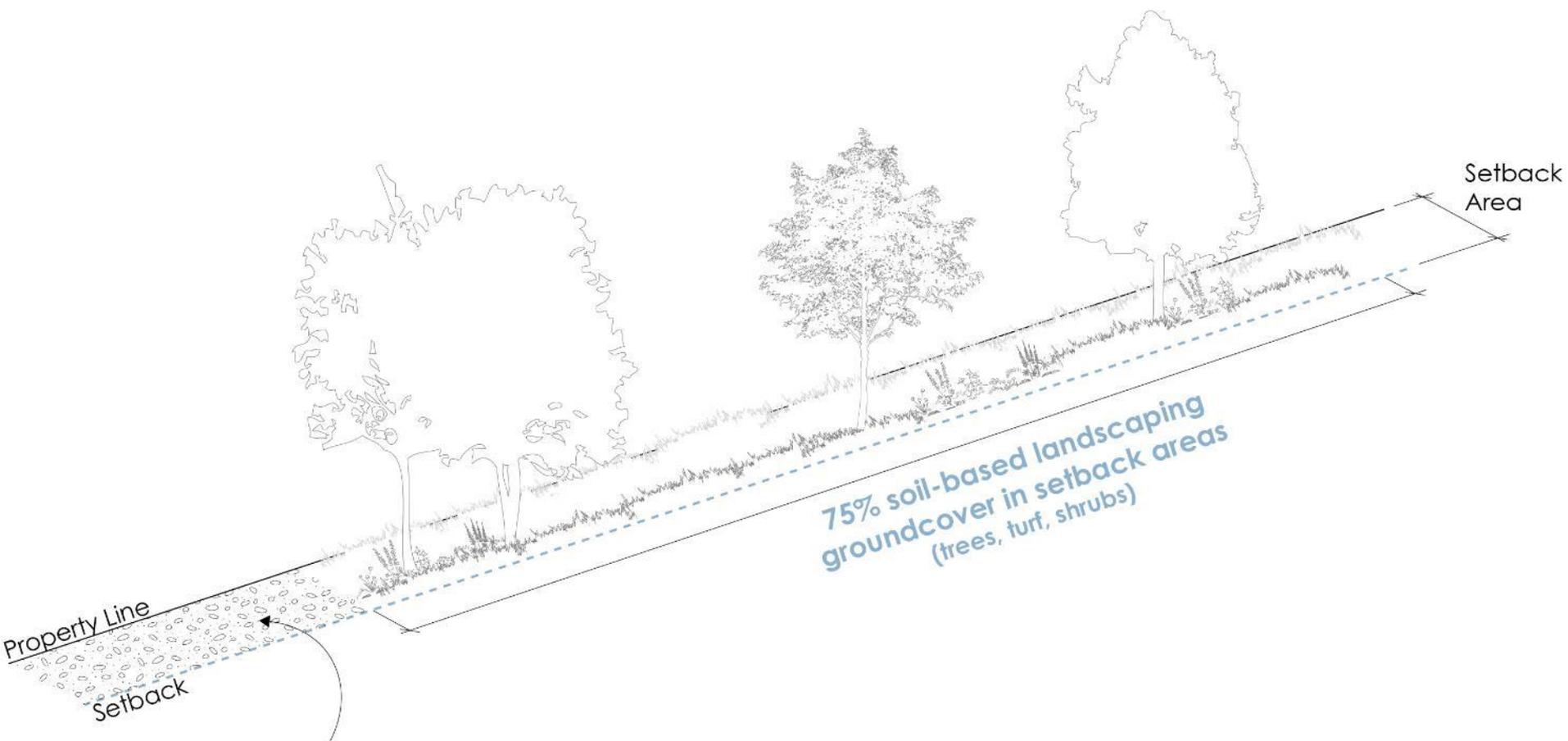
**any surface that prevents / impedes water entering into the soil*



TOTAL SITE COVERAGE



Site Layout

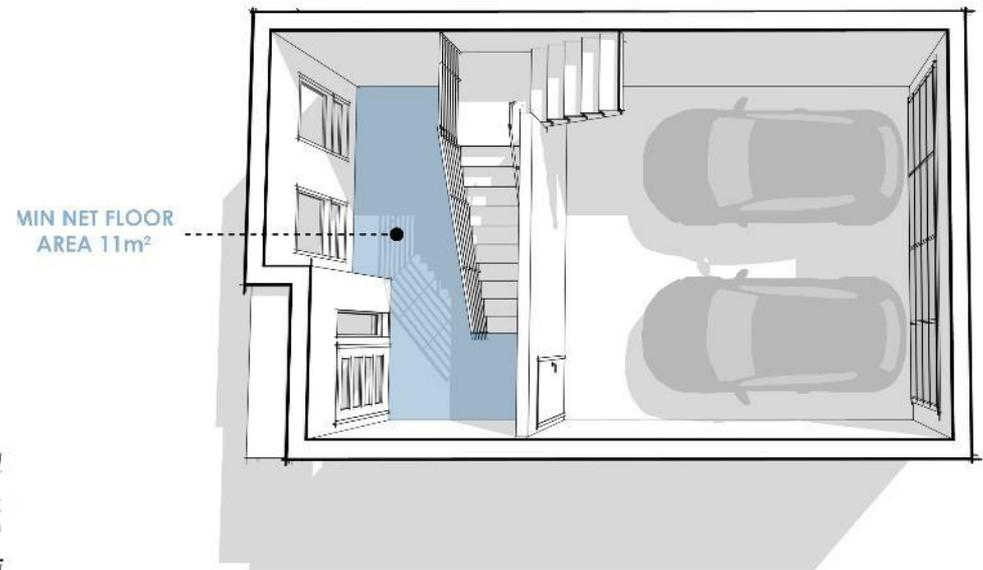


NOTE: maximum of 25% can be rock mulch or surface treatments, including permeable pavers

Ground Oriented Housing



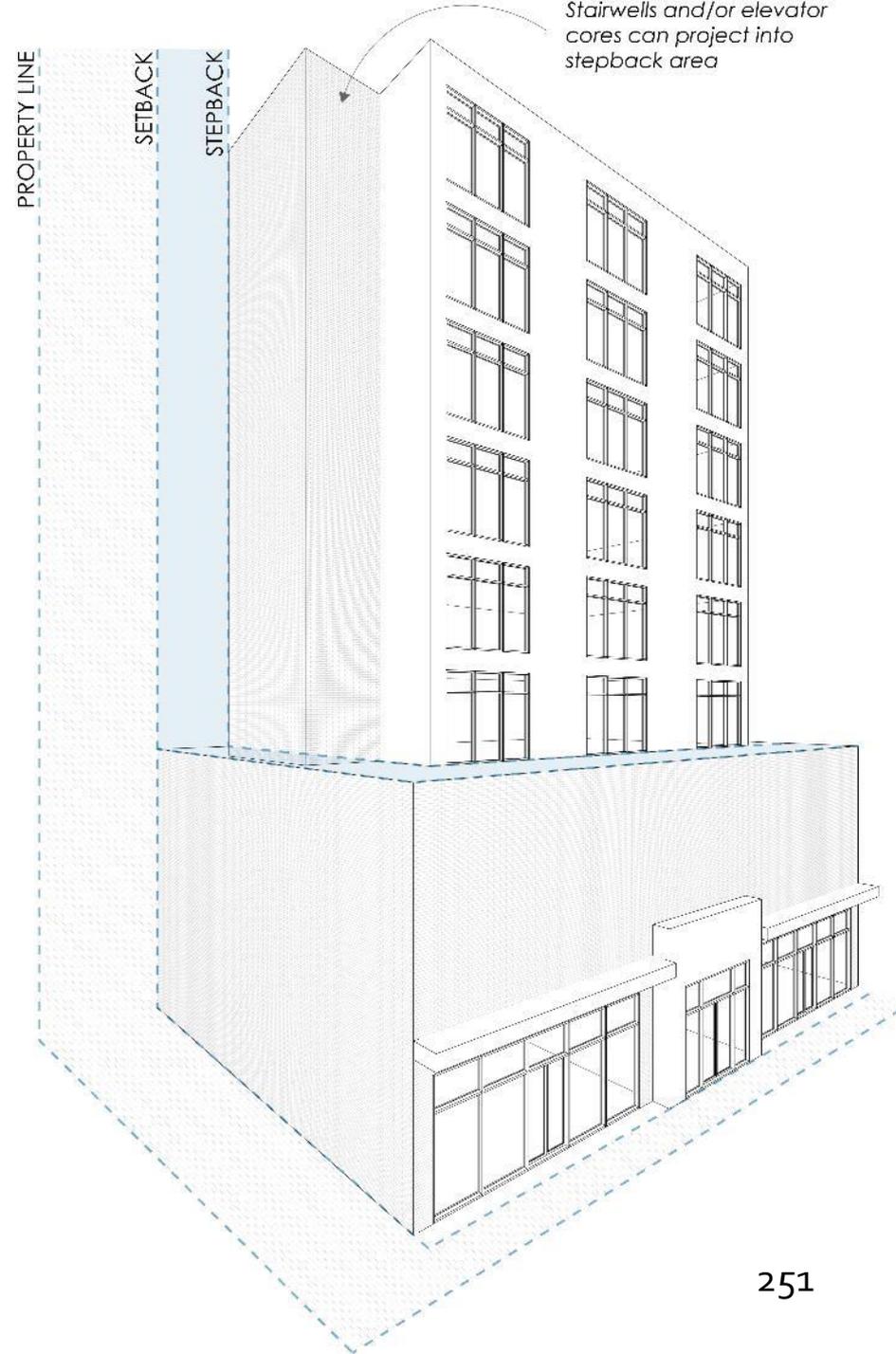
- ▶ Max height above sidewalk



- ▶ Min floor area on ground floor

Building Stepback

- ▶ Above 5+ storeys – applies to apartments, midrise
- ▶ Reduce building massing
- ▶ Improve public realm interface
- ▶ Reduce shadowing impacts

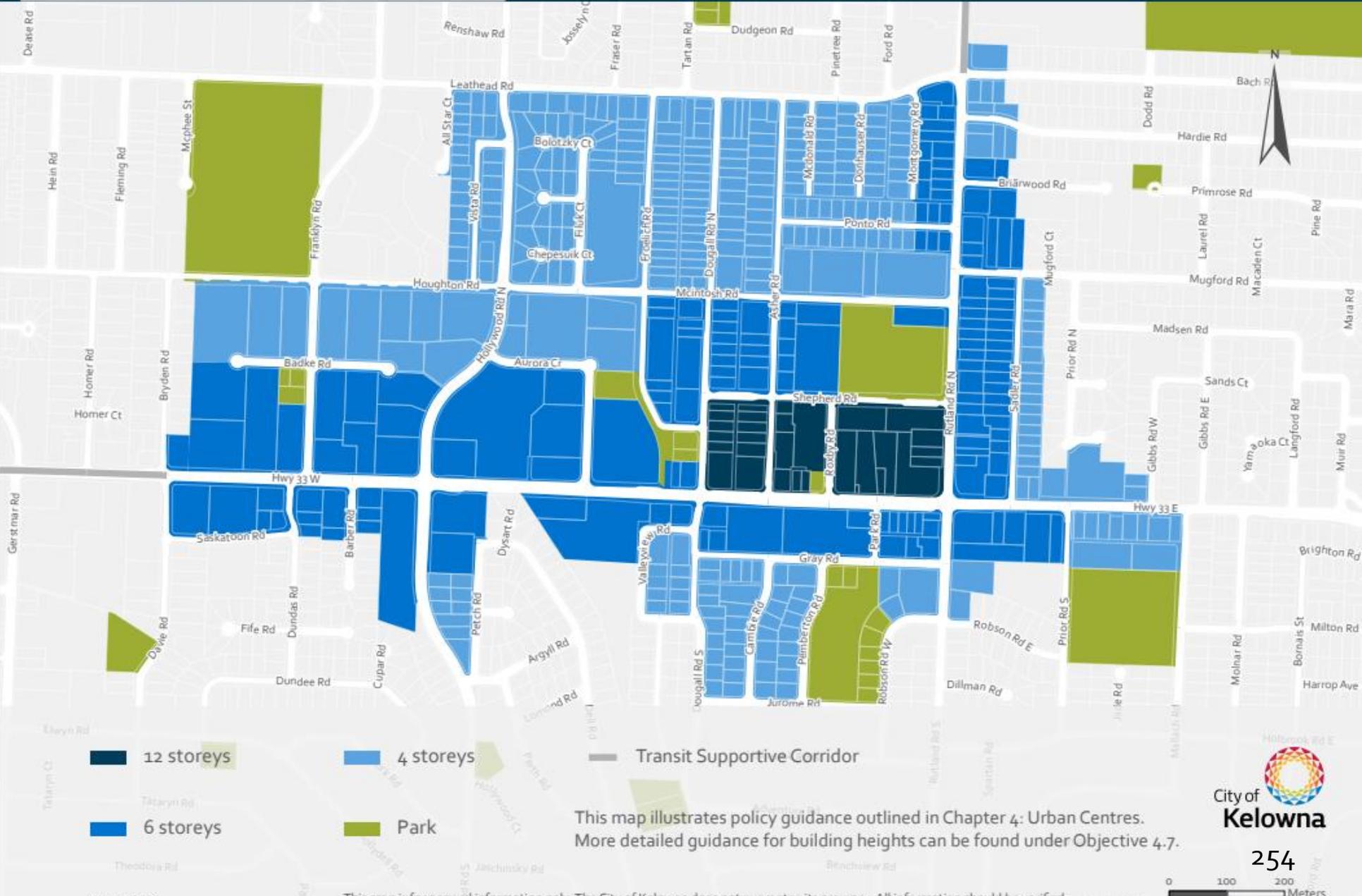


Amenity Space

- ▶ Updated amenity space regulation to include minimum common area
- ▶ Additional amenity requirements in common or private format (decks, patios, yards)
- ▶ Applies to townhouses & apartments

Base Density

- ▶ Establish new base density regulations in Urban Centres
 - ▶ Coordinated with OCP Building Height
- ▶ Build confidence and clarity
- ▶ Not over allocate density – trigger height or parking variances
- ▶ DP process to ensure acceptable form & character



This map illustrates policy guidance outlined in Chapter 4: Urban Centres. More detailed guidance for building heights can be found under Objective 4.7.



Base FAR: Rutland Urban Centre

Min. Density (if applicable) & Max. Base Density FAR

<u>Areas</u>	<u>Density</u>
 4 storeys	1.6 FAR
 6 storeys	1.8 FAR
 12 storeys	3.3 FAR
80% Underground Parking	0.25 FAR

Density Bonus

- ▶ In addition to base density
- ▶ Increase the supply of rental housing & affordable housing stock
 - ▶ Rezone to rental subzone; or
 - ▶ Payment to Housing Opportunities Reserve Fund
- ▶ Improve sidewalk network & pedestrian realm
 - ▶ Payment to public amenity fund
- ▶ Both bonuses can be combined in Urban Centers and Transit Supported Corridors

Bonus FAR: Rutland Urban Centre

Min. Density (if applicable) & Max. Base Density FAR	Public Amenity & Streetscape Bonus FAR	Rental or Affordable Housing Bonus FAR
 4 storeys = 1.6 FAR	0.5 additional FAR	0.3 additional FAR for rental only projects or affordable housing
 6 storeys = 1.8 FAR	0.5 additional FAR	
 12 storeys = 3.3 FAR	0.5 additional FAR	For tall buildings variable bonus rate introduced 0.05 FAR per storey
80% Underground Parking = 0.25 FAR		

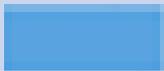
Streetscape Bonus Rate

Building Form & Location	Payment Rate to qualify for Density Bonusing (per m ² of lot area)
Infill & Townhouse outside Urban Centre	\$10
Apartment & Mixed-Use outside Urban Centre & Village Centre	\$20
Commercial & Industrial outside Urban Centre	\$20
VC ₁ - Village Centre	\$20
UC ₁ – Downtown	\$50
UC ₂ – Capri-Landmark	\$50
UC ₃ – Midtown	\$20
UC ₄ – Rutland	\$20
UC ₅ – South Pandosy	\$20

Affordable Housing Bonus Rate

- ▶ 2% of proposed dwelling units achieves 0.3 FAR bonus
 - ▶ \$100,000 per affordable housing unit
- ▶ E.g. 50-unit development = \$100,000

Base & Bonus Height: Rutland UC₄

Max. Base Height	Max. Height with Bonus FAR
 4 storeys & 18 m	2 additional storeys & 8 m
 6 storeys & 22 m	3 additional storeys & 12 m
 12 storeys & 44 m	3 additional storeys & 12 m

Multi-Dwelling Density Bonuses

- ▶ Add minimum density on Transit Supported Corridors
- ▶ MF₁ – zone expanded to lots without lanes
- ▶ MF₂ & MF₃ – base FAR densities coordinated with height categories & Underground Parking
- ▶ Bonus heights coordinated with bonus FAR

Zone	Streetscape Bonus FAR	Rental / Affordable Housing Bonus FAR
MF ₂	0.15	0.3
MF ₃	0.25	0.3

Bylaw Transition Plan

- ▶ No new rezonings between 1st and 3rd reading of new Zoning Bylaw
 - ▶ Allow new rezonings following 3rd reading of new Zoning Bylaw
- ▶ Decouple rezonings and DP/DVP
- ▶ Rescind any rezonings if not adopted prior to the new Zoning Bylaw
- ▶ Track rezonings adopted interim & bring forward amendment package to new Zoning Bylaw
- ▶ Approved DP/DVPs protected up to 1-year after adoption of new Zoning Bylaw

Staff Recommendation

- ▶ Staff recommend **support** to adopt a new Zoning Bylaw No. 12375;
- ▶ To set up the Density Bonus for Public Amenities and Streetscape Reserve Fund Bylaw No. 12386;
- ▶ To endorse the Transition Plan; and,
- ▶ Recommend Zoning Bylaw be forwarded to Public Hearing.



Conclusion of Staff Remarks

Zoning Bylaw



Kelowna.ca/ZoningBylaw



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CONSOLIDATED FOR CONVENIENCE

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SECTION 1 -

General Administration

1.1 Title

1.1.1 This Bylaw shall be referred to as the “City of Kelowna Zoning Bylaw No. 12375”.

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, the Zoning Map (Schedule 'A') will generally refer to the shorthand version of the [zone](#). For example, RU1 – Large Lot Housing, will generally be referenced as RU1 within the maps.

1.2.4 Schedule 'A' may contain zone sub-classes as outlined within each [zone](#).

1.3 Uses and Regulations

1.3.1 Except for [legal non-conforming uses](#) or [developments](#) 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](#), and [structures](#) in each [zone](#) or area shall be in accordance with the [uses](#) (either [principal use](#) and [secondary use](#)) listed in the [zone](#) and all the applicable 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, maintained, or subdivided except in conformity with the provisions of this Bylaw.

1.3.3 This Bylaw does not apply in the following situations:

- (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](#) with a maximum [gross floor area](#) of 10 square metres;
- (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 temporary use in connection with a federal, provincial, or municipal election, referendum, or census;

Section 1 – General Administration

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

- (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 must 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, whichever is earliest;
- (f) 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;
- (g) railways, pipelines, irrigation ditches, conduits, flumes, and pump houses;
- (h) utility services underground or within statutory rights-of-way and utility poles and anchors; and
- (i) those lands within the boundaries of the Duck Lake Indian Reserve No. 7 and Indian Reserve No. 8.

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, provincial statutes, provincial regulations, federal statutes, and federal 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.
- 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.

Section 1 – General Administration

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

1.5 Repeal

1.5.1 The City of Kelowna Zoning Bylaw, 1998, No. 8000, including all amendments is hereby repealed.

1.6 Applications in Process

1.6.1 A [development](#) will be processed in accordance with City of Kelowna Zoning Bylaw No. 8000, as the Bylaw read on the date of repeal, provided a development permit or development variance permit was issued or a complete [building permit](#) was submitted for the development prior to the effective date of this Bylaw. A [building permit](#) for any [development](#) processed in accordance with City of Kelowna Zoning Bylaw No. 8000 must be issued within 12 months of the effective date of this Bylaw. All other development must comply with this Bylaw.

1.7 Land Dedications and Setbacks

1.7.1 Further [developments](#) upon any [lot](#) that is reduced in size as a result of a dedication or purchase for public use by the [City](#), provincial or federal government, an improvement or irrigation district, the Board of Education, or a public utility shall use the new [lot lines](#) for all development regulations unless otherwise approved by a Development Variance Permit or Board of Variance order.

1.8 General Interpretation

1.8.1 Any enactments referred to in this Bylaw 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 in this Bylaw is a reference to an enactment of the Council of the City of Kelowna, as amended, revised, consolidated, or replaced 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

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 2 -

Severability

2.1 Severability

2.1.1 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 2 – Severability

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 3 – Enforcement

3.1 General

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

3.2 Right of Entry

3.2.1 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.

3.2.2 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.

3.3 Prohibitions

3.3.1 No person shall contravene, cause, suffer, or permit a contravention of this Bylaw.

3.3.2 No person shall commence or undertake a [use](#) which is not permitted by this Bylaw.

3.3.3 No person shall construct, make an addition to, or alter a [building](#) or [structure](#), which is not permitted by this Bylaw.

3.3.4 No person shall contravene a condition of a permit issued under this Bylaw.

3.3.5 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](#).

3.3.6 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](#).

3.3.7 No [owner](#), lessee, tenant, or person shall:

- (a) park or store a commercial vehicle in excess of 4,100 kilograms licensed gross vehicle weight on a [lot](#) in a [residential zone](#);
- (b) park or store a [recreational vehicle](#) in excess of 5,500 kilograms. licensed gross vehicle weight on a [lot](#) in a [residential zone](#);
- (c) permit a motor vehicle in a state of disrepair or derelict for more than 30 days on a [lot](#) in a [residential zone](#);

Section 3 – Enforcement

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

- (d) park or store more than two recreational vehicles outdoors on a lot in a rural residential zone, single & two dwelling zone, or in an agricultural zone;
- (e) place or install a flammable / combustible liquid storage container 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) conduct a use in a zone where the use is not listed as a principal or secondary use in the zone;
- (h) permit occupancy of and / or to occupy a secondary dwelling unit which is not a permitted principal or secondary use in the zone; and
- (i) place or store construction materials on a lot in a residential zone without an active building permit on the lot unless the construction material is limited in scale and is used for personal use.

3.4 Penalties

- 3.4.1 Every person who violates a provision of this Bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Fifty Thousand Dollars (\$50,000.00) and the costs of prosecution.
- 3.4.2 Each day a violation of the provisions of this Bylaw exists or is permitted to exist shall constitute a separate offence.

Section 3 – Enforcement

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 4 – Amendments

4.1 Application

4.1.1 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 and Heritage Procedures Bylaw No. 12310](#).

Section 4 – Amendments

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 5 –

Definitions & Interpretations

5.1 Rules of Interpretation

- 5.1.1 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.
- 5.1.2 The words "shall" and "is" require mandatory compliance except where a variance has been granted pursuant to the [Local Government Act](#).
- 5.1.3 The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".
- 5.1.4 Words, phrases, and terms defined neither in this section nor in the [Local Government Act](#) shall be given their usual and customary meaning.

5.2 Zone Boundaries

- 5.2.1 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 of the right-of-way or easement, 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 [lot line](#), it follows the [lot 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.
- 5.2.2 When any [street](#) is closed, the land is deemed to have the same zoning as the [abutting](#) land. When [abutting](#) lands are governed by different [zones](#), the centreline of the previous right-of-way is the [zone](#) boundary unless the [zone](#) boundary is shown following the edge of the right-of-way.

Section 5 – Definitions & Interpretations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

If the right-of-way is consolidated with an adjoining parcel, the parcel’s zoning designation applies to the consolidated portion.

5.3 General Definitions

5.3.1 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.

5.3.2 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.

5.3.3 The following words, terms, and phrases, wherever they occur in this Bylaw, shall have the meaning assigned to them as follows:

Section 5 – Definitions & Interpretations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 **lot 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. This category of **buildings** and **structures** do not apply to **agricultural structures** or to **temporary farm worker housing**.

See Section 6.9 for further accessory building regulations.

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.

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 equaling 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:

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

- (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 **lot** 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 Agriculture, Urban**.

AGRI-TOURISM means the **use** of land for any agri-tourism activity defined under the **Agricultural Land Commission Act** and related regulation or policy. This **land use** excludes agri-tourist accommodations.

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

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 polices.

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 refueling station;
- (c) hydrogen vehicle refueling station; and /or
- (d) liquefied petroleum gas (propane) vehicle refueling 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.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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. The dwelling units within apartment housing may include any configuration of number of bedrooms. The apartment housing use includes any building configured as congregate housing or supportive housing.

AQUACULTURE means the controlled cultivation, rearing, and harvesting of fish (finfish, mollusks, 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.

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 vehicles 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. This land use is restricted to: the sale or rental of new or used vehicles with gross vehicle weight less than 4100 kilograms, motorhomes with a length less than 6.7 metres, or motorhomes with a gross vehicle weight less than 5500 kilograms.

AUTOMOTIVE AND EQUIPMENT, INDUSTRIAL means 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 operations, processing operations and agricultural production. This land use does not include standard truck and mobile sales/rentals. This land use includes: the sale or rental of new or used vehicles with gross vehicle weight more than 4100 kilograms, motorhomes with a length of more than 6.7 metres, or motorhomes with a gross vehicle weight of more than 5500 kilograms.

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.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

B

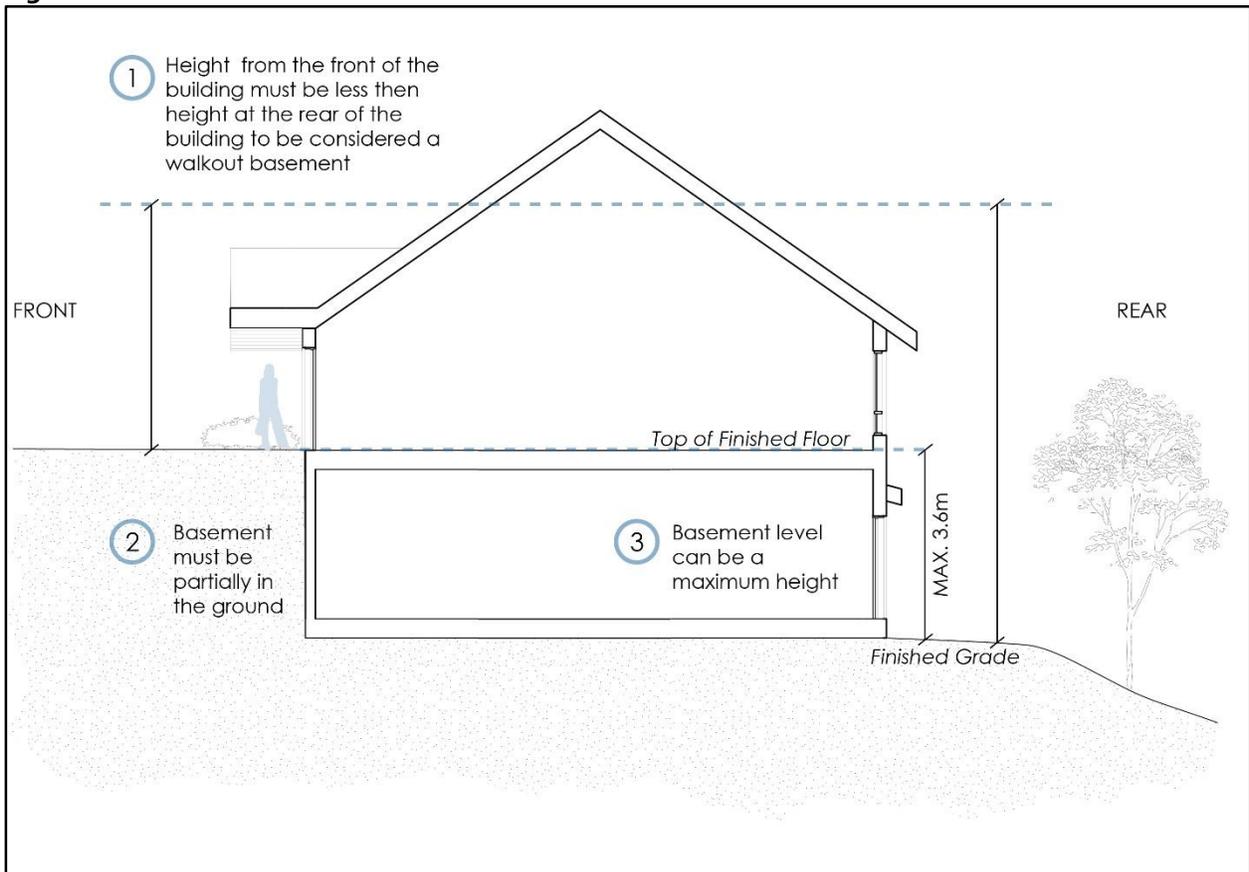
BACHELOR DWELLING means a **dwelling** in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a **dwelling unit** containing a separate **bedroom** or **bedrooms**.

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, and which has an entrance or exit at separate grade levels between the front and rear yards (see **Figure 5.1**). The absolute **height** level from the front of the **building** must be less than the absolute **height** level at the rear of the **building**.

Figure 5.1 - Walkout Basement



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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.

BEDROOM means a room located within a [dwelling unit](#) 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 HOUSE means the [use](#) of a [dwelling](#) unit within [single detached housing](#) and [semi-detached housing](#). The [owner](#) or manager may supply accommodation for their family, and [sleeping unit](#) accommodation, for remuneration. It may or may not include meal service. Boarding or lodging houses must operate as a single [household](#) up to a maximum of 10 persons. [Short-term rental accommodation](#) is not permitted 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 fueling the boats and marine equipment stored at the facility. The fuel storage tanks must adhere to the [Life and Safety Bylaw No.10760](#) 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.

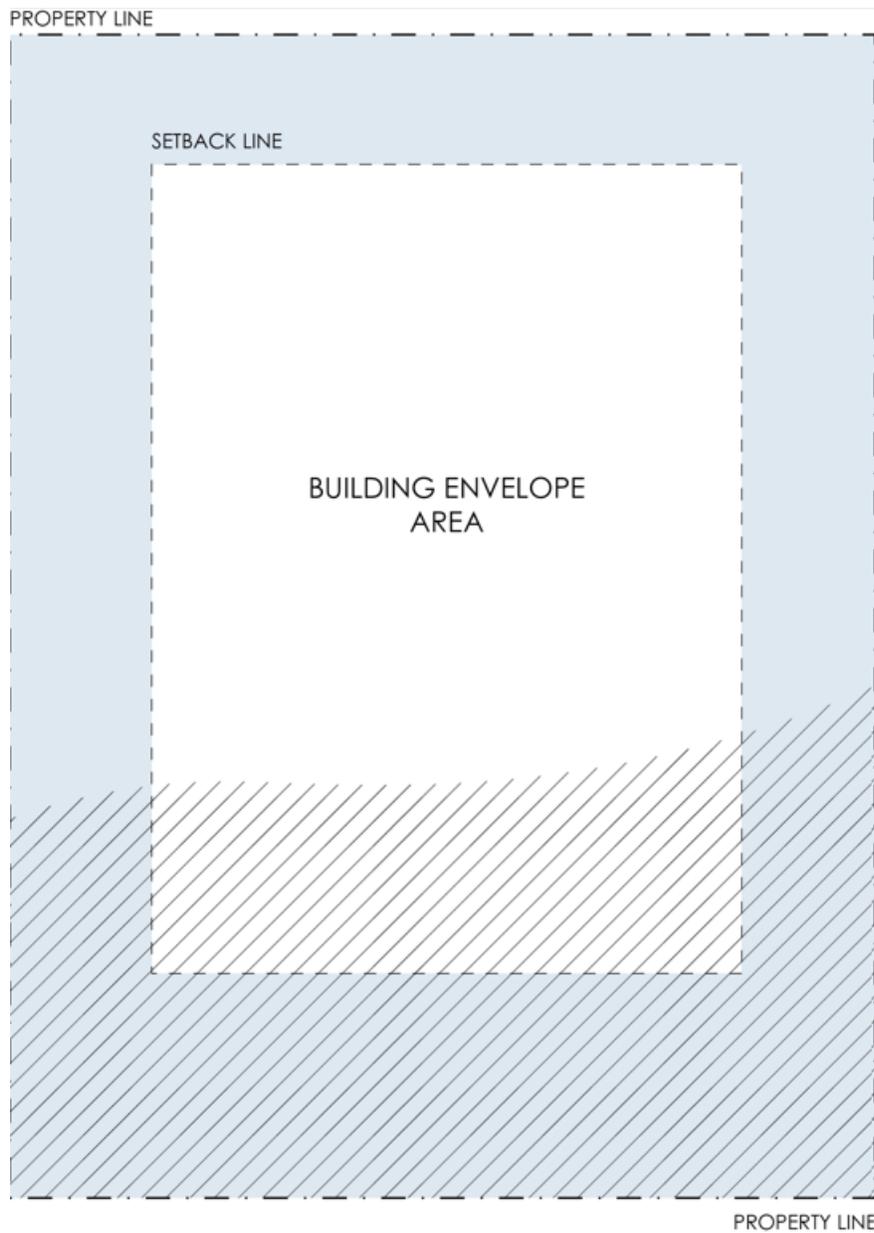
BREEZEWAY means a connection between [buildings](#) that is not enclosed, not heated, not insulated, and is not restricted by intervening doors.

BUILDING ENVELOPE AREA means the remainder area of a [lot](#) after excluding the setbacks areas and all areas of the [lot](#) that have a 'no build' restrictive covenant or a 'no disturb' restrictive covenant for any environmental or geotechnical purposes. (See [Figure 5.2](#)).

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 5.2 – Building Envelope Area



-  Setback Areas
-  "No Build" or "No Disturb" Restrictive Covenants
-  Building Envelope Area (remaining white area)

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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](#) and the [City of Kelowna Plumbing Regulation Bylaw No. 5968-87](#).

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.

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

CAMPSITES means the use 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. This land use is not to be used as year-round storage or accommodation for residential use for more than 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.

CANNABIS PRODUCTION FACILITY means a facility for producing, processing, sorting, 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. 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.

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.

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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. Human constructed channels that divert irrigation water from a stream but return overflow water back to a stream in a manner that allows [fish](#) access is 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. See [Table 8.3.6](#) for parking requirements of Child Care Major uses.

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 Corporation of 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 Core Area and Other Zones](#) 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.

COMMON AND PRIVATE AMENITY SPACE means a useable open space area, exclusive of parking spaces, which is developed for the recreational [use](#) of the residents and includes: indoor common amenity space, outdoor common space, common terraces, common rooftop spaces, private [decks](#), level landscaped recreation areas, and [balconies](#). Landscaped areas required in [Section 7](#) cannot be counted towards common and private amenity space.

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COMMUNITY GARDEN means the recreational growing of plants on a [lot](#) and does not include the growing and subsequent sale of produce for commercial purposes. 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 manufacturing 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. Congregate housing does not include student residences.

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

CONSTRUCTED CHANNEL means constructed 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 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.

CORE AREA means those areas identified as a 'Core Area' within the mapping areas identified within the [Official Community Plan](#).

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.

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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 metres 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 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.

DEVELOPMENT includes any activity that the City is authorized to regulate under Part 14 of the *Local Government Act*.

DIRECTOR OF PLANNING & DEVELOPMENT SERVICES means the person appointed as such by the **City** and includes the person’s 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. *See Section 6.10 for specific regulations including setback requirement.*

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 9.4.*

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**.

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**. **Secondary suites** are considered a separate dwelling unit.

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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, 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.

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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 [lots](#), 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 around all or part of a [lot](#) or a swimming pool.

FIELD STORAGE means storage of agricultural products in the fields for longer than two (2) weeks.

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 kilograms.

FLOOR AREA, GROSS (GFA) means the sum of the horizontal areas of each floor of a [building](#) measured from the interior face of exterior walls providing that in the case of a wall containing windows, the glazing line of the windows may be used.

FLOOR AREA, GROSS LEASABLE (GLA) means the sum of the horizontal areas of each floor of a [building](#) which is designed to be used exclusively for tenant occupancy measured from the interior face of exterior walls providing that in the case of a wall containing windows, the glazing line of the windows may be used.

FLOOR AREA, NET means the sum of the horizontal areas of each floor of a [building](#) measured from the interior face of 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.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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, theatre restaurants, banquet facilities, cafes, delicatessens, tea rooms, lunchrooms, 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. These establishments may be holders of a [Food Primary liquor licences](#).

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.

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.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 land and/or **buildings** 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 metres from any **lot 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 metres of the **lot line** of the **site**.
- (c) the canopy area for a gas bar shall not constitute part of the **site coverage**.

GENERAL INDUSTRIAL USE means land and/or a **buildings** 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 distribution 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 **retail** stores or other **use** classes for resale to individual customers; or the training of personnel in general industrial operations.

Any training services, or schooling that is directly related to industrial operations are permitted (for example: industrial truck driving training, machinist operations, etc.). Any training or schooling which is predominately conducted within a classroom setting is only permitted within zones 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 **net 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, earth borne vibrations, heat, high brightness light sources, or dust created or apparent outside an enclosed **building** except for I3 – Heavy Industrial 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 **structure**. Finished grade

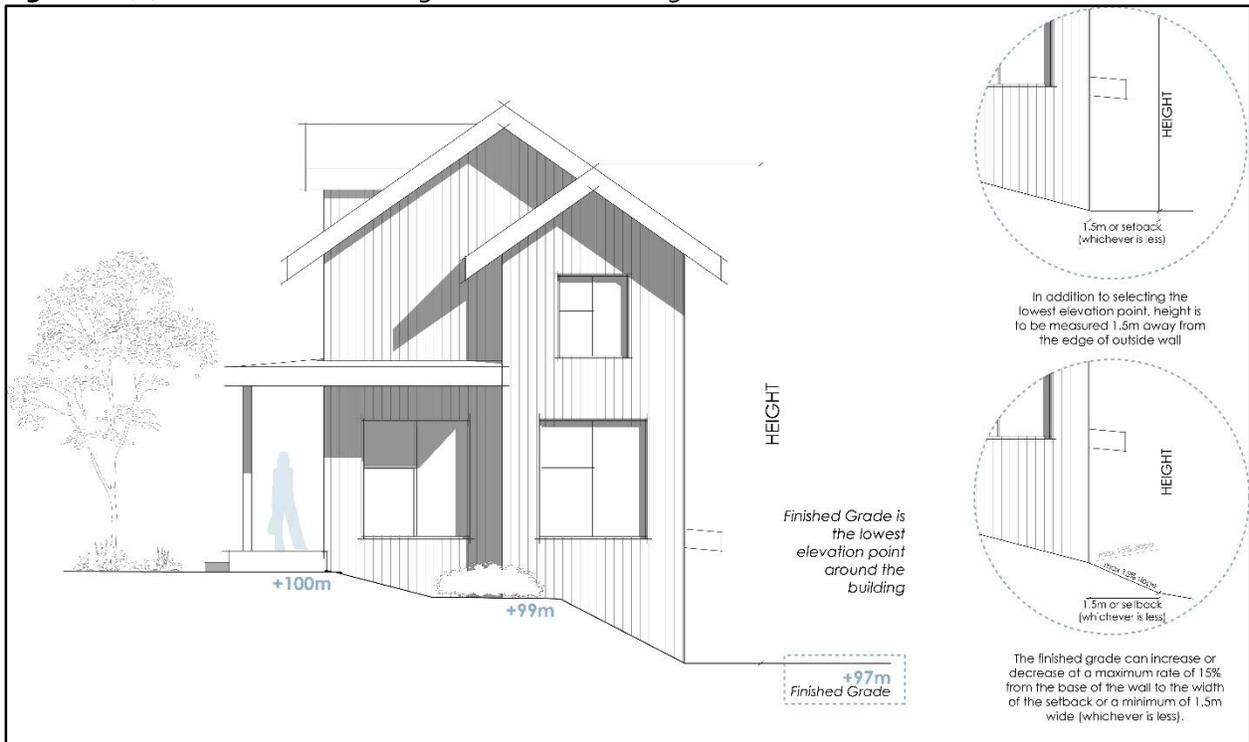
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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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). The finished grade can increase or decrease at a maximum rate of 15% from the base of the wall to the width of the setback at that location or at least 1.5 metres wide (whichever is less). Window wells and access stairwells are exempted for determination of finished grade. See illustrative figures below.

Finished grades shall follow specific grading regulations outlined in [Section 6.11 Grading](#).

Figure 5.3(a) – Finished Grade: Single Detached Housing



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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 5.3(b) – Finished Grade: Apartment



Figure 5.3(c) – Finished Grade: Sloped Fronting Road



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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

GRADE, NATURAL means the elevation of the ground surface in its natural state, before human alteration, or on sloping or irregular sites, the angled plane, before human 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.

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 dwelling 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 building.

Figure 5.4 – Ground Oriented Housing



GROUP HOME means the use of a dwelling unit within single detached housing, semi-detached housing, or a duplex housing with living arrangements whereby clients with disabilities or other unique conditions share personal care resources. These services are designed to maximize independence and to support responsibility in areas such as household management, vocation pursuits, and social relationships. Group Homes cannot have more than 10 persons and no more than 6 persons who are persons in care. The

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

character of group homes is that the occupants live together as a single housekeeping group and use a common kitchen. Short-term rental accommodation is not permitted within a Group Home.

GROWING MEDIUM means the material that plants grow in. Growing medium shall follow the standards identified in the Canadian Landscape Standard (CLS).

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

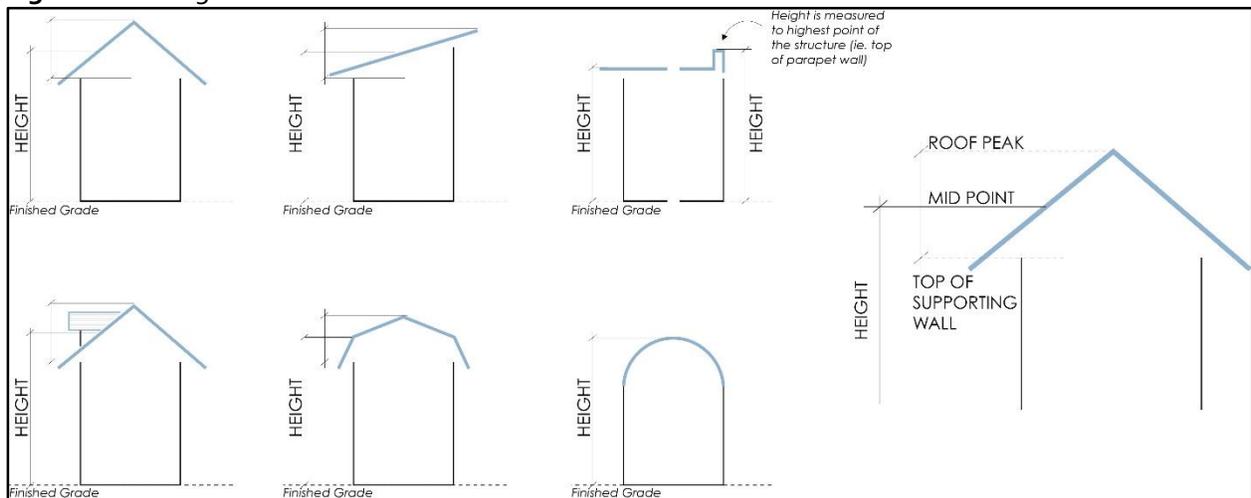
H

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**. **Dormers** will not be considered in the structure’s overall height measurement. However, see **Section 6.10** for specific **dormer** regulations.

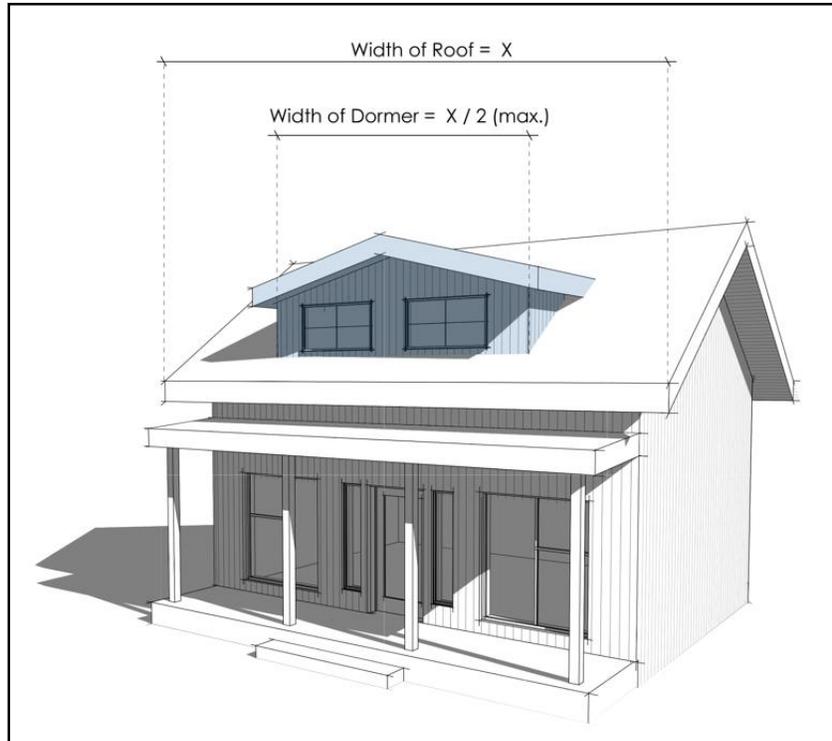
Figure 5.5 – Height measurements



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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 5.6 - Dormers



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.

Home Based Businesses are divided into three categories: **Minor, Major, and Rural**:

- (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 (see [Section 9.2 for differences](#)). 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.

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

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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
- (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.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



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.

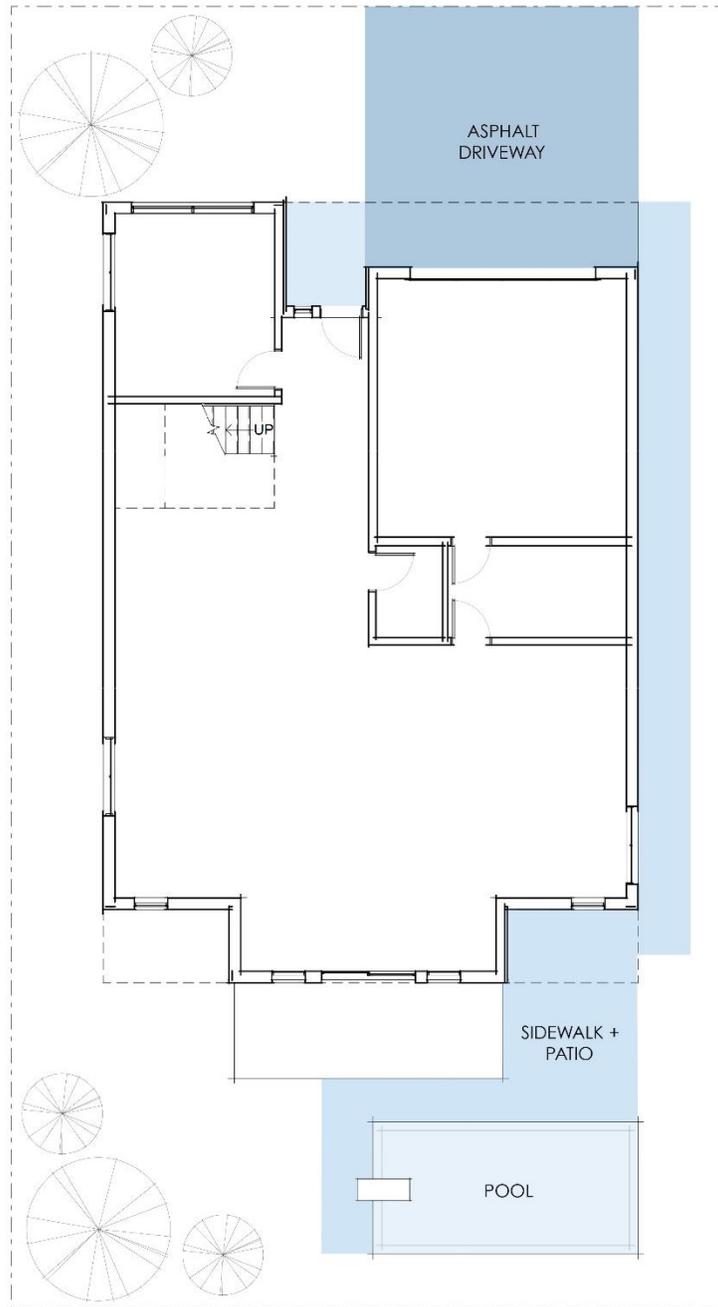
Table 2.1 – Impermeable Surface Run-Off Coefficients

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

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 5.7 – Impermeable surfaces



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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

INDUSTRIAL ZONES are any zones described in [Section 14 Core Area and Other Zones](#) 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.

INSTITUTIONAL ZONES are any zones described in [Section 14 Core Area and Other Zones](#) 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.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

L

LANDSCAPE AREA means the area located within the required [front yard](#) setback areas, [rear yard](#) setback areas, and industrial [side yard](#) setback areas setback area up to a maximum of 3.0 metres.

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 permitted provisions for fencing described in [Section 7 Site Layout](#) of this Zoning Bylaw. See [Section 7 Site Layout](#) for specific landscaping regulations.

LANE means a highway under the [Local Government Act](#) more than 3.0 metres but not greater than 8.0 m in width.

LEVEL 2 CHARGING means a Level 2 electric vehicle charging level as defined by SAE International's J1772 standard.

LEVEL 3 CHARGING means direct current (DC) level 1, or higher, electric vehicle charging station as defined by SAE International's J1772 standard.

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 by [the Province of British Columbia Liquor and Cannabis Regulation 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 loading space reserved for temporary vehicular 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.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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](#).

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; 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 [lot line](#), the point of intersection of any [lot 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 horizontal distance between the [side lot lines](#) at the minimum [front yard](#) setback. For a [reverse pie lot](#), the [lot width](#) is the horizontal distance between the [side lot lines](#) at the minimum [rear yard](#) setback.

LOT, BARELAND STRATA means a lot in 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](#). In these cases, both [streets](#) will be considered [front yards](#) (with no [rear yard](#)).

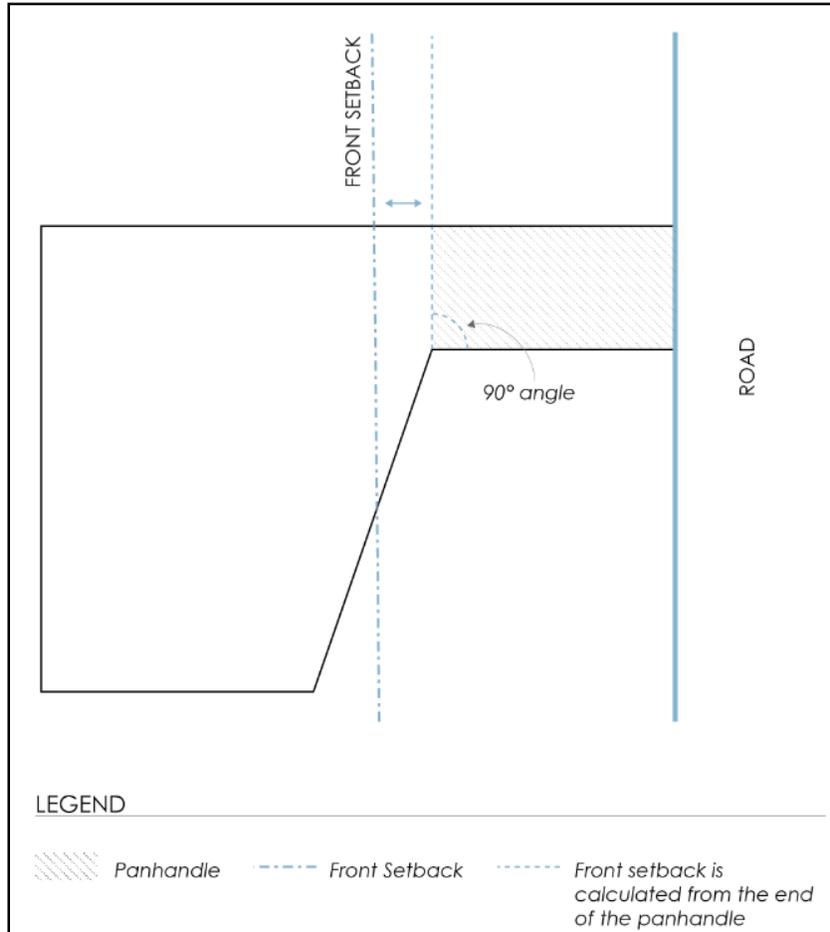
LOT, INTERIOR means a [lot](#) other than a [corner lot](#).

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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.

Figure 5.8 – Panhandle Lot



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*.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 fueling facility, marine equipment rentals, and retail sales of goods that are convenience in nature and related to the marina operation.

MAX is abbreviated for 'maximum' which means the greatest or highest amount possible or permitted.

MEZZANINE means an intermediate floor assembly as defined by the [BC Building Code](#).

MICRO SUITE DWELLING UNIT means a [dwelling](#) unit which is less than 29 square metres in [gross floor area](#).

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

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

MIN is abbreviated for 'minimum' which means the least or smallest quantity possible, attainable, or required.

MOBILE HOME means a factory made residential [structure](#) designed and manufactured 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 where 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.

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 [lot](#), shared with a multi-residential dwelling that is used for the recreational growing of plants for food and/or pleasure for the residents of the multi-residential dwelling. It does not include the growing and sale of produce for commercial purposes.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 mineralized 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.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



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 manufacturing or handling of a product.

OFFICIAL COMMUNITY PLAN means the [Kelowna 2040 - Official Community Plan Bylaw No. 12300](#).

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.

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

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

agreement for sale, and the holder or occupier of land held in the manner described in the *Community Charter*.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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**.

PASSIVE HOUSE means a building achieving the Passive House Building Certification established by Passive House Canada.

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.

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,

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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.

PRIVATE CLUBS means land and/or [buildings](#) used for the meeting, social, or recreational activities of members of a philanthropic, social service, non-profit, athletic, business, or fraternal organizations. 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](#).

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 land and/or buildings 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.

RECYCLING DROP-OFF means land and/or buildings used for the collection and temporary storage of recyclable materials until they can be transferred to a permanent recycling operation for final recycling. Recyclable materials include, but are not limited to, cardboard, plastics, paper, metal, bottles and similar household goods or return for deposit items.

RECYCLING PLANTS means a land and/or buildings 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 *Environmental Management Act*.

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

RELIGIOUS ASSEMBLY means a land and/or buildings 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 located within the ALR 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.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

RESIDENTIAL ZONES means any [rural residential](#), [single & two dwelling](#), or [multi-dwelling](#) 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 (one) 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 (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 21.1](#) (page 298) of the [Official Community Plan Bylaw No. 12300](#). The width of the total area being determined by the attributes of the [watercourse](#) and [adjacent](#) terrestrial ecosystems.

[See Section 6.5 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.

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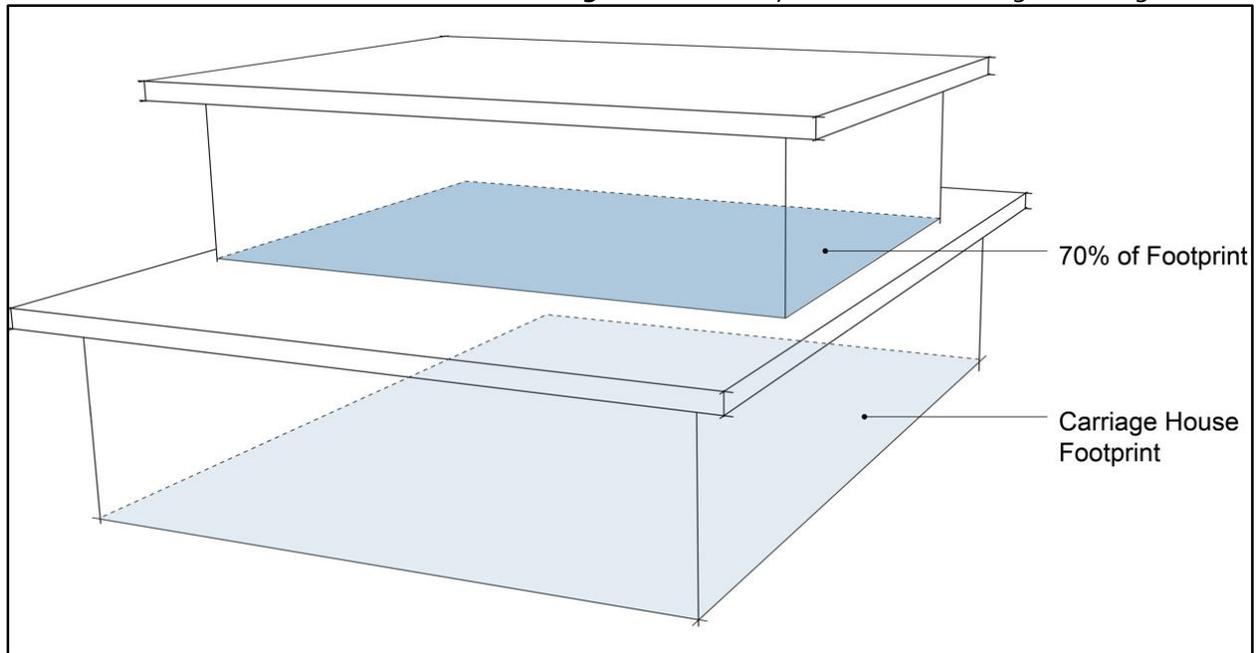
Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 (Figure 5.9) visually shows the meaning of the regulation:



SECONDARY SUITE means a self-contained **dwelling unit** located within a **building** or portion of **building**. The secondary suite shall:

- (a) be fully compliant with the **BC Building Code** at the time of construction;
- (b) completely separated from other parts of the building by fire separations;
- (c) located in a building of only residential occupancy;
- (d) have an issued Occupancy Permit;
- (e) located within a **single detached housing** unit, a **semi-detached housing** unit, or a **duplex** unit (secondary suites cannot be located in an **apartment housing**, or a **boarding or lodging house**);
- (f) located in a building or portion of a building that is a single real estate entity.

The secondary suite and principal **dwelling** are not required to be interconnected through a conditioned doorway. **Short-term rental accommodations, bed & breakfast homes, boarding or lodging homes, and group homes**, shall not be permitted to operate within a **secondary suite**.

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SEMI-DETACHED HOUSING means a [building](#) containing [dwelling](#) units connected above [finished grade](#) and designed exclusively to accommodate two [households](#) living independently in separate [dwellings](#) 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.

SEWER SYSTEM, COMMUNITY means a sanitary sewer or a system of sewage disposal works which is owned, operated and maintained by the [City](#) or an Improvement District.

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 [City](#), but does not include conventional septic tank systems within the meaning of [Sewerage System Regulation](#) under the [Public Health Act](#).

SHOPPING CENTRE means one or more [buildings](#) containing more than six [retail](#) stores and other businesses exceeding 2,500 metres² 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 [carriage house](#), a [group home](#), or within a [secondary suite](#). If the [short-term rental accommodation](#) is a [secondary use](#) then the [short-term rental accommodation](#) must only occur within [principal dwelling unit](#) and must be operated by a resident who resides for more than 240 days of the year at that [dwelling unit](#).

[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 5.0 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 23 square metres or larger) except it does not include steps, eaves, cornices, cantilevered [balconies](#), pergolas, or similar projections permitted by this Bylaw. Site coverage also does not include [swimming pools](#) but [swimming pools](#) are an [impermeable surface](#).

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 and [Figure 7.2.1](#) for visual example of soil-based landscaping

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. This use falls within [cultural and recreation services](#).

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.

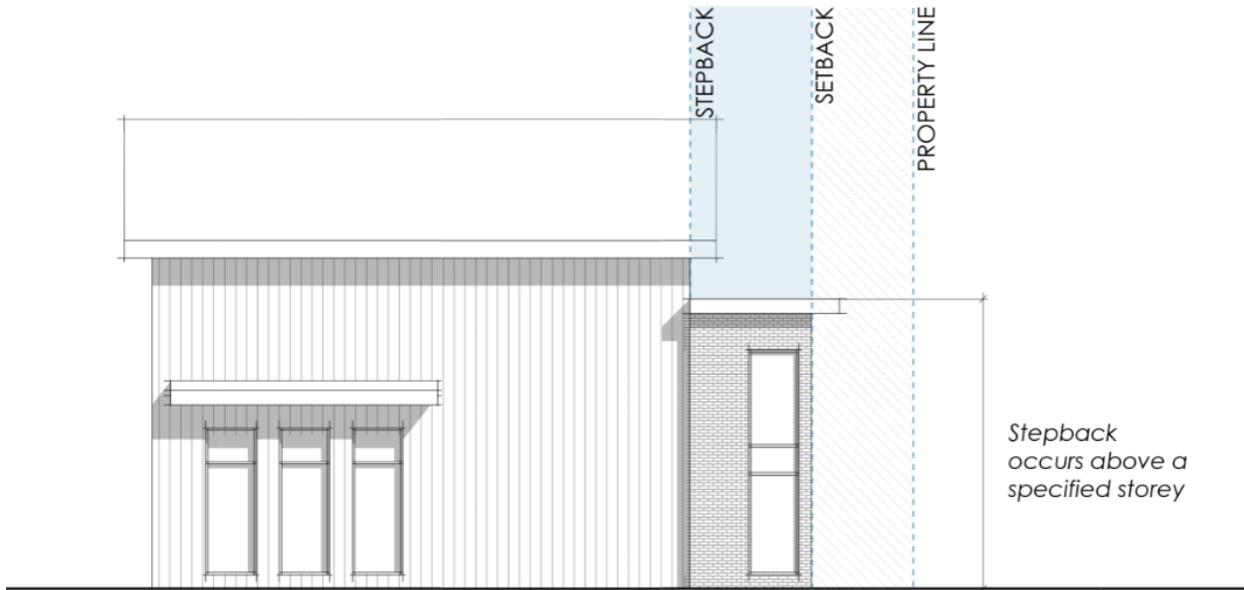
STACKED TOWNHOUSES means [townhouses](#), except that two [dwelling\(s\)](#) are arranged vertically so that [dwelling\(s\)](#) may be placed wholly or partially over the other dwelling. Each [dwelling](#) will have an individual access to outside, not necessarily at [finished grade](#), provided that no more than two units share a corridor, steps, or path.

STEPBACK means the horizontal recessing of the [building](#) facade above a specified [storey](#). Common stairwells, elevators, and the associated common floor areas that access the stairwells and elevators are exempt from requiring to meet the stepback. See illustrative figures for visual representation below:

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

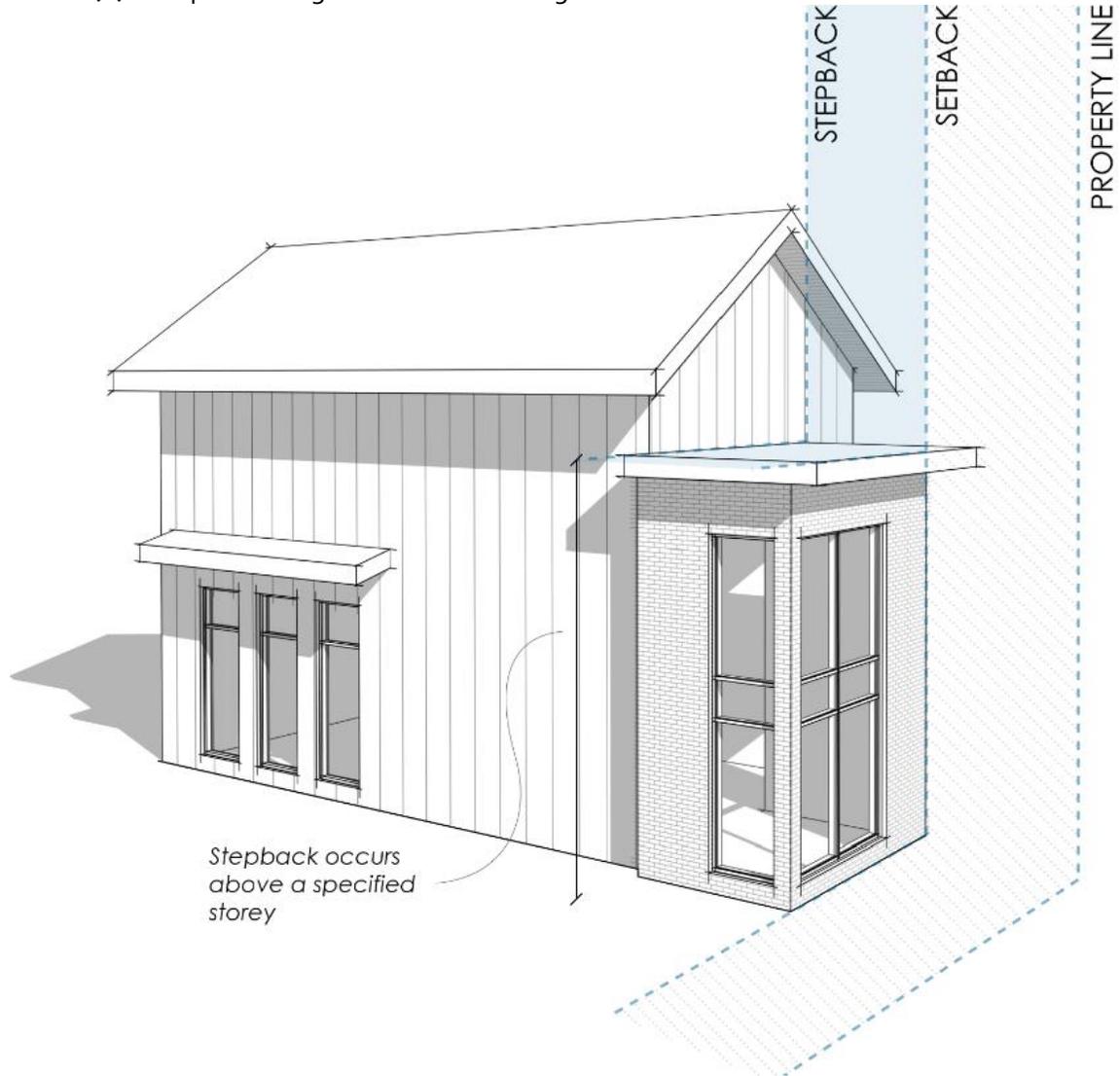
Figure 5.10(a) – Stepback Cross Section



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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

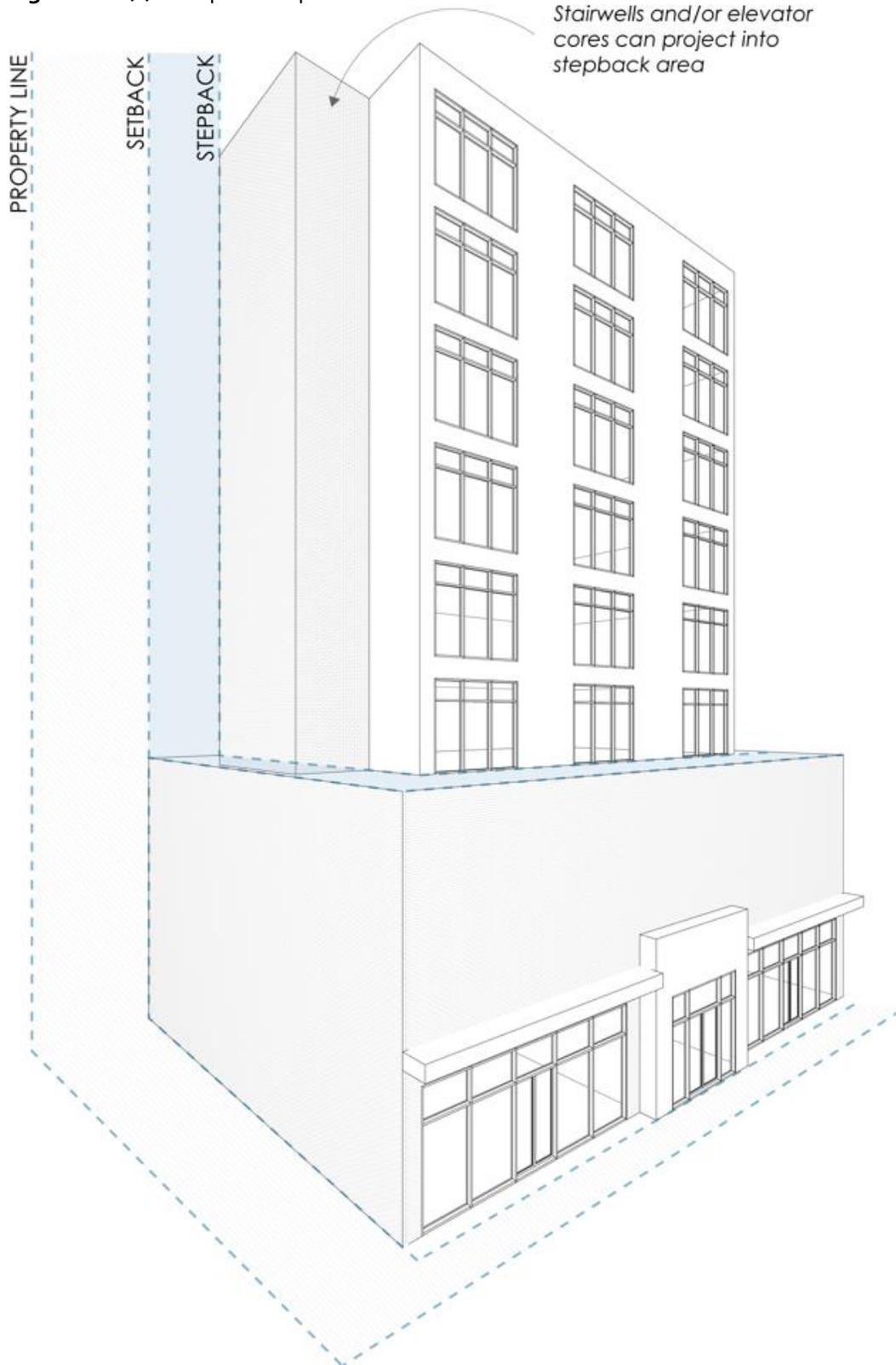
Figure 5.10(b) – Stepback: Single Detached Housing



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Figure 5.10(c) – Stepback: Apartment



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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 ceiling level 2.0 metres or less 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 metres 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, trestle way, 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 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 hard surfacing such as concrete, brick or unit pavers, turfstone, asphalt or similar materials.

SUBDIVISION means the division of a parcel by an instrument; including a strata 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 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](#).

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Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

T

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

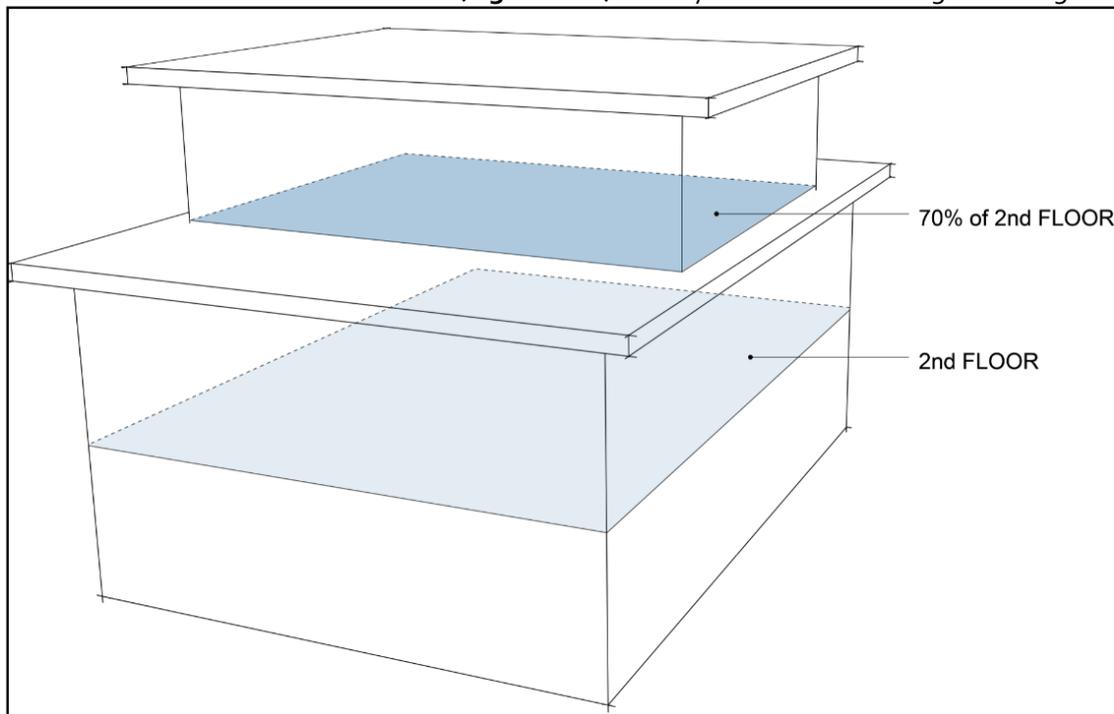
TEMPORARY FARM WORKER(S) means an individual or individuals who carry out agricultural work on a temporary and seasonal basis on a [farm unit](#).

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 (Figure 5.11) visually shows the meaning of the regulation:



Section 5 – Definitions & Interpretations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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.

TRANSIT SUPPORTIVE CORRIDOR means any road identified as Transit Supportive Corridor within the [2040 Official Community Plan](#).

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 meters, then setbacks are measured from the first significant and regular break in slope which is at least 15.0 meters wide. A break in the slope is defined as a section flatter than 3:1 for a minimum distance of 15.0 meters. Terraces less than 15.0 meters 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. The Townhouse definition includes row housing. The townhouse [land use](#) includes any [development](#) configured as [congregate housing](#) or [supportive housing](#).

Section 5 – Definitions & Interpretations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

U

URBAN CENTRE means those areas identified as a ‘Urban Centre’ within the mapping areas identified within 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, PRINCIPAL 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.

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, jewelry, 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, INFRASTRUCTURE 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](#).

Section 5 – Definitions & Interpretations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



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

VILLAGE CENTRE means those areas identified as a 'Village Centre' within the mapping areas identified within the [Official Community Plan](#).

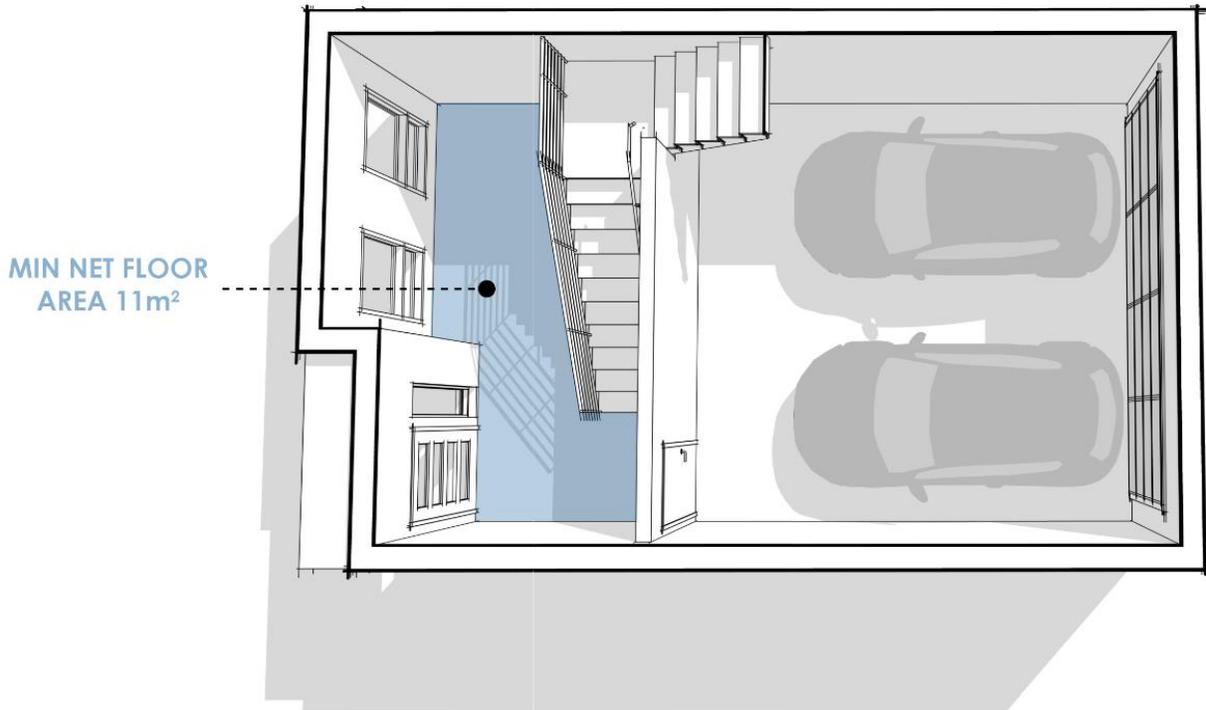
VISUAL EXAMPLE OF MAX FLOOR HEIGHT FOR REDUCED GROUND ORIENTED HOUSING SETBACK (Figure 5.12) means the following figure:



Section 5 – Definitions & Interpretations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

VISUAL EXAMPLE OF MIN NET FLOOR AREA ON FIRST FLOOR FOR REDUCED GROUND-ORIENTED HOUSING SETBACK (Figure 5.13) means the following figure:



Section 5 – Definitions & Interpretations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



WAREHOUSING means [development](#) used to store products or goods before moving them to another location. In general, this [land use](#) does not include the [retail](#) sale of services or goods onsite. However, indoor display, office, technical, administrative support, e-commerce pickup locations, or [retail](#) sale operations can occur but shall be limited in scale and be accessory to the [warehousing](#) listed above. The [net floor area](#) devoted to such accessory activities shall not exceed 10% or 235 square metres (whichever is less) of the [gross floor area](#) of the [building\(s\)](#) devoted to the [warehousing](#). E-commerce locations that have consumer pickup is permitted as long as the warehousing portion is at least 90% of the [gross floor area](#) of the [building](#) and the [gross floor area](#) of the pickup location (including any [retail](#) portion) is not larger than 235 square metres.

WATER SYSTEM, COMMUNITY means a system of waterworks which includes either private or community waterworks, within the meaning of the [Public Health Act](#) which is owned, operated and maintained by the [City](#), an Improvement District under the [Water Utility Act](#) and authorized by [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](#). [Map 21.1](#) in the [OCP](#) illustrates the main lakes, rivers, creeks, and wetlands within the City of Kelowna.

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 5 – Definitions & Interpretations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



YARD means an area created by a [building](#) setback from a [lot 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 5 – Definitions & Interpretations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 5 – Definitions & Interpretations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 metres 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 metres from [side lot line](#) and [rear lot line](#) and 1.5 metres 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](#).

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 metres. The total area of projections 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 adjacent lot line, not including [decks](#), trellises, or other open [structures](#). For [buildings](#) or [structures](#) that are more than one [storey](#), the area of the projection shall be calculated per [storey](#). No individual projection shall exceed 4.0 metres in length. No two 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 metres into a required yard except they may project up to 2.5 metres into a required [rear yard](#).
- 6.2.3 Entrance [canopies](#) or [awnings](#) in the [multi-dwelling zones](#) and [core area and other zones](#) for weather protection or [building](#) ornamentation may project up to 3.0 m into a [front yard](#), 3.0 metres into a [flanking side yard](#), and 1.5 metres 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 / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

6.3 Lighting

- 6.3.1 No flashing or blinking exterior lighting shall be permitted.
- 6.3.2 All direct and ambient lighting shall be shielded in residential zones so as to not shine directly beyond the boundaries of the lot.
- 6.3.3 The maximum height for lighting posts is the lesser of the primary building or 7.0 metres.

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 metres to any lot line abutting the highway.

6.5 Riparian Management Area (RMA) Setbacks

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

6.6 Minimum Lot Size – Septic Disposal System

- 6.6.1 For any rural residential, residential, industrial, commercial, institutional, or comprehensive land use, no lots shall be created that are less than 1.0 hectares 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 an institutional lot for: utility services, park, or open spaces where a restrictive covenant is registered restricting the uses to uses that do not generate sewerage.

6.7 Energy Efficiency

- 6.7.1 Any single detached housing, semi-detached housing, or duplex housing, that is constructed to Step 5 of the BC Building Code’s Energy Step Code or is constructed as a certified passive house,

Section 6 – General Development Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 metres for a [front yard](#) or from a [flanking street](#) to a garage or [carport](#), that 6.0 metres may not be reduced;
- (b) where there is a minimum requirement of 1.5 metres or less for a [rear yard](#), that 1.5 metres or less may not be reduced.

6.8 Density Bonus

- 6.8.1 Where a [zone](#) allows for a bonus density, the bonus density will be permitted if one or both bonus provisions are provided as described in Section 6.8.2 and Section 6.8.3 below. The density bonus provisions in Section 6.8.2 and Section 6.8.3 can both apply only if the [lot](#) is wholly or partially within an [urban centre](#) or on a [transit supportive corridor](#).
- 6.8.2 The Public Amenity & Streetscape Bonus density is permitted if payments are made into the Public Amenity & Streetscape Capital Reserve Fund as established by Bylaw No. 12386 in accordance with [Table 6.8.a](#).
- 6.8.3 The Rental or Affordable Housing Bonus density is permitted in respect of a [building permit](#) authorizing construction of [dwelling units](#) if:
- (a) all of the [dwelling units](#) are zoned for the residential rental tenure and a minimum of 80% of the [dwelling units](#) authorized by the [building permit](#) that are not ground-oriented shall have [balconies](#) with a [gross floor area](#) of at least 5% of the [dwelling unit's gross floor area](#); or
 - (b) a payment is made into Housing Opportunities Reserve Fund as established by [Bylaw No. 8593](#) in accordance [Table 6.8.b](#) in respect of at least 2% of the total number of [dwelling units](#) authorized by the [building permit](#) authorizing the construction of the bonus density.
- 6.8.4 If calculation of the total number of [dwelling units](#) for the purposes of Section 6.8.3(a) or Section 6.8.3(b) yields a fractional number; then any fraction less than one-half (0.5) rounds down to the nearest whole integer (including zero); and any fraction one-half (0.5) or greater rounds up to the nearest whole integer.
- 6.8.5 Density bonus payments 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 / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Table 6.8.a Density Bonus ^{.1} m = metres / m ² = square metres	
Building Form & Location	Payment Rate to qualify for Density Bonusing
Infill and Townhouse Developments outside an Urban Centre	\$10 per m ² of lot area ^{.1, .2}
Apartment and Mixed Use Buildings outside an Urban Centre and outside a Village Centre	\$20 per m ² of lot area ^{.1, .2}
Commercial & Industrial Developments outside an Urban Centre	\$20 per m ² of lot area ^{.1, .2}
Developments within VC1- Village Centre	\$20 per m ² of lot area ^{.1, .2}
Developments within UC1 – Downtown Urban Centre	\$50 per m ² of lot area ^{.1, .2}
Developments within UC2 – Capri-Landmark Urban Centre	\$50 per m ² of lot area ^{.1, .2}
Developments within UC3 – Midtown Urban Centre	\$20 per m ² of lot area ^{.1, .2}
Developments within UC4 – Rutland Urban Centre	\$20 per m ² of lot area ^{.1, .2}
Developments within UC5 – South Pandosy Urban Centre	\$20 per m ² of lot area ^{.1, .2}
FOOTNOTES (Section 6.8.a): ^{.1} The payments stated are for the year 2022. The payments will increase by two percent (2%) every January 1 st . All payments will be rounded to the nearest five (5) dollars. ^{.2} For the purpose of calculating the density bonus payments, the lot area will not include areas of the lot that are subject to a no build or a no disturb restrictive covenant.	

Table 6.8.b Affordable Housing Bonus	
Building Form & Location	Payment-in-lieu of providing secured Affordable Housing
Any development within the City of Kelowna	\$100,000 per affordable housing unit

Section 6 – General Development Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

6.9 Accessory Buildings

- 6.9.1 [Accessory buildings](#) are permitted to have one half bathroom with a toilet and sink. The bathroom is permitted to a maximum area of 3 square metres. [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.
- 6.9.2 [Accessory buildings or structures](#) may not contain a [dwelling](#) unit.
- 6.9.3 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](#).

6.10 Dormers

All [dormers](#) must follow the following:

- a) the [dormer's](#) cheek wall must be setback horizontally a minimum of 0.90 metres from a vertical wall under a sloping roof (see [Figure 6.10\(a\)](#) for illustrated example).
- b) the [dormer's](#) cheek wall must be setback horizontally a minimum of 0.90 metres from the outer edge of the eaves (see [Figure 6.10\(a\)](#) for illustrated example).
- c) the [dormer's](#) face wall must be setback horizontally a minimum of 0.60 metres from the outer edge of the eaves (see [Figure 6.10\(a\)](#) for illustrated example).
- d) the [dormer's](#) maximum width is 50% of the width of the roof on which the [dormer](#) is located (see [Figure 6.10\(b\)](#) for illustrated example).

Section 6 – General Development Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 6.10(a) - Dormer Setback Illustration

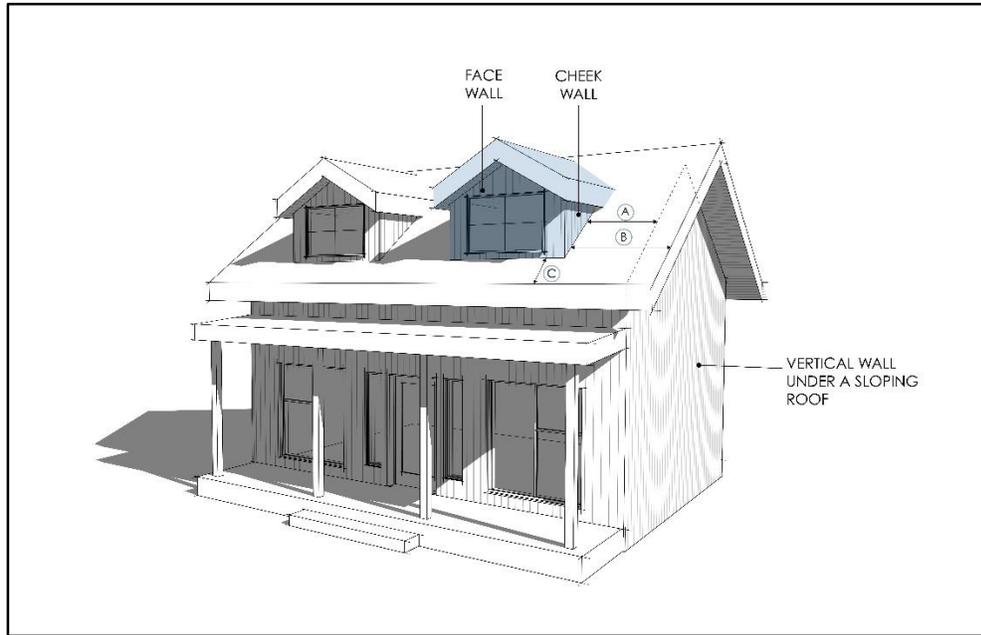
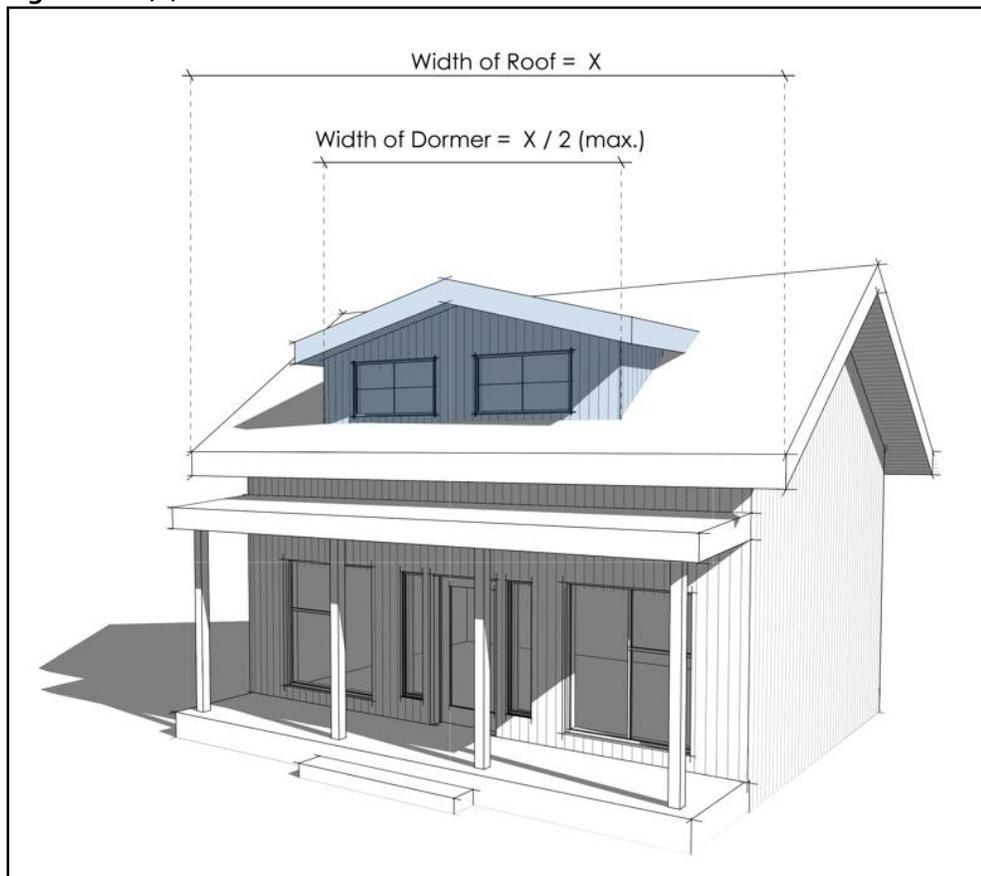


Figure 6.10(b) - Dormer Maximum Width Illustration



Section 6 – General Development Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

6.11 Grading

- 6.11.1 The **finished grade** shall to the extent possible, retain the natural contour of the land (**natural grade**), minimize the necessity to use retaining walls and ensure positive drainage away from abutting properties.
- 6.11.2 **Finished grades** shall not deviate more than 1.0 metre from the rough grading elevation as identified on a lot grading plan, where such a plan has been approved by the City at the time of subdivision when the **lot** was created.
- 6.11.3 Where there is no lot grading plan that was approved by the City at the time of subdivision when the lot was created, the grading of the **lot** should retain the natural contour of the land (**natural grade**) and any grading should have the lot slopes absorbed within the building massing such as stepped foundations to minimize the need for grades steeper than 3:1 ratio.

Section 6 – General Development Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 7 – Site Layout

7.1 General Provisions

7.1.1 The intent of these [landscaping](#) and screening regulations is to contribute to a reasonable standard of livability, aesthetic, and placement of the [landscaping](#), to provide for the masking and separating of various [land uses](#).

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 regarding 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 regarding lawns and grass areas: watering, fertilizing, liming, mowing, 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 Landscaping within the [landscape areas](#) shall follow the regulations within [Table 7.2](#) to provide for the masking or separating of various [land uses](#).

(a) Driveways as well as entrance/exit pathways are permitted to cross the [landscape areas](#).

(b) Parking is not permitted within the [landscape areas](#); except parking is permitted within the [landscape area](#) when the [landscape area](#) is abutting a [lane](#) and when the parking meets the parking setback regulations identified in [Section 8.2](#).

7.2.4 All required setback areas shall be landscaped with various tree species in accordance with [Table 7.2](#) to provide for the masking or separating of various land uses. The minimum number of trees is identified within [Table 7.2](#). In addition to [Table 7.2](#) and to provide appropriate masking and separating of various land uses, the following must also be adhered to:

(a) 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 / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

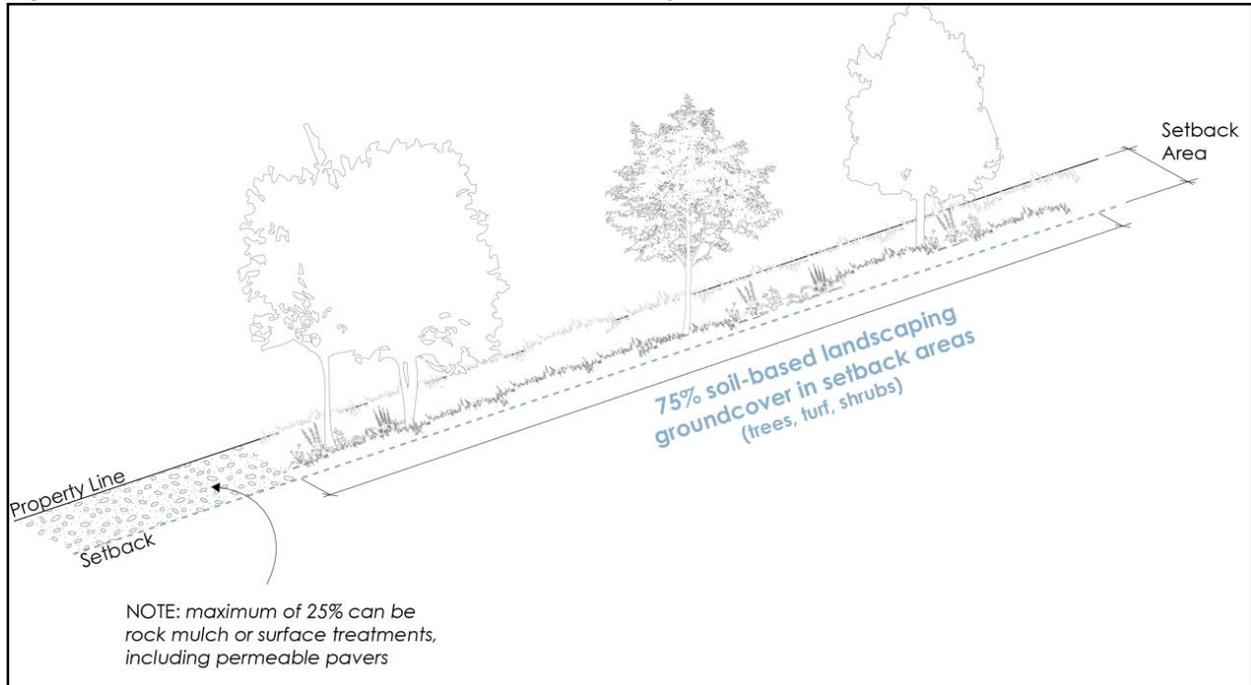
(b) properties zoned A1 and A2 must meet [landscaping](#) standards as outlined in the Farm Protection DP Guidelines as outlined in the [City of Kelowna's Official Community Plan](#).

Table 7.2 – Tree & Landscaping Planting Requirements				
cm =centimetres / m = metres / m ² = square metres				
Criteria	Infill Housing and Townhouses	Apartments in Multi-Dwelling Zones	Urban Centre Zones & Institutional Zones	Commercial Zones & Industrial Zones
Minimum Tree amount. ^{.2}	One tree per 50 m ² of landscape area or 1 tree per 12 linear metres of landscape area (whichever is more) ^{.2}	One tree per 55 m ² of landscape area or 1 tree per 10 linear metres of landscape area (whichever is more) ^{.2}	One tree per 30 m ² of landscape area or 1 tree per 10 linear metres of landscape area (whichever is more) ^{.2}	One tree per 30 m ² of landscape area or 1 tree per 10 linear metres of landscape area (whichever is more) ^{.2}
Minimum Deciduous Tree Caliper ^{.1}	Large: 5 cm Medium: 4 cm Small: 3 cm			
Minimum Coniferous Tree Height	250 cm			
Minimum Ratio between Tree size ^{.3}	Large: Min 50% Medium: No min or max Small: Max 25%			
Minimum Growing Medium Area ^{.4}	75% soil-based landscaping groundcover in landscape areas See Visual Example Figure 7.2.1			
Minimum Growing Medium Volumes per Tree ^{.4}	Large Single: 30 m ³ - Large Multiple Connected by Trench or Cluster: 25 m ³ Medium Single: 20 m ³ - Medium Multiple Connected by Trench or Cluster: 18 m ³ Small Single: 15 m ³ - Small Multiple Connected by Trench or Cluster: 12 m ³			
FOOTNOTES (Section 7.2):				
^{.1} All deciduous trees shall have a minimum clear stem height of 1.5 m.				
^{.2} The total area and linear metre calculation are used to determine a minimum number of trees that is to be planted within the landscape areas . The minimum number of trees on site shall be whichever calculation is greater (the area or the linear metre). The tree spacing shall follow the City of Kelowna's Urban Tree Guide but there is no minimum or maximum regarding tree spacing. This provides landscape plan flexibility to allow grouping of trees where applicable.				
^{.3} Tree size will be defined in the City of Kelowna's Urban Tree Guide , if only one tree is required, it must be a large tree or conifer. All columnar trees shall be considered a medium or small tree for purposes of minimum ratio between tree size.				
^{.4} Minimum growing medium may be shared through the landscape area (tree, turf, and shrub).				

Section 7 – Site Layout

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 7.2.1 - Visual Example of Soil-Based Landscaping



- 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. All site layout and [landscaping](#) provisions must be consistent with the riparian requirements outlined in the [Official Community Plan](#).
- 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 [landscape 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;
 - (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](#).

Section 7 – Site Layout

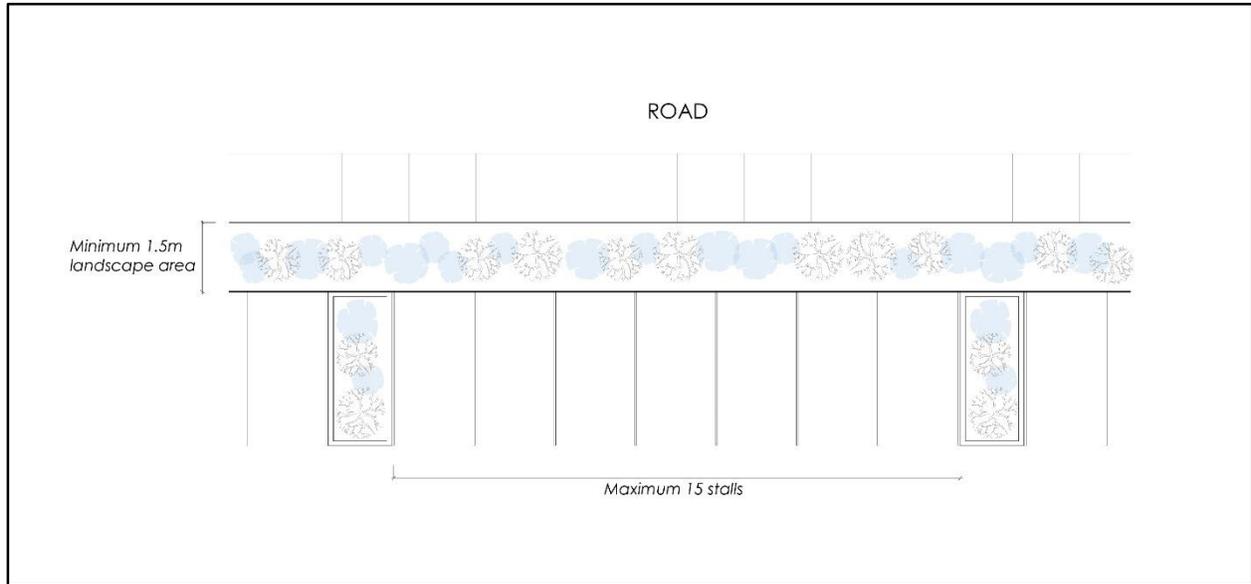
Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

- 7.2.8 All [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
- 7.2.9 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.
- 7.2.10 Any surface [parking lot](#) over 15 vehicles must incorporate landscaped islands as described below:
- (a) Notwithstanding [Section 7.2.3](#), if a [parking lot](#) over 15 vehicles [abuts](#) a [street](#), that interface must have at least a minimum 1.5 metres landscape area (the setback landscaping area might be larger). See [Figure 7.2.10](#);
 - (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 or drive aisle separating the next 15 spaces;
 - (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; and
 - (g) a minimum of one tree must be included in a landscaped island.

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 7.2.10 – Parking Landscape Islands



7.3 Refuse and Recycling Bins

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

- (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 metres in height.
- (d) all refuse or recycling bins shall be setback a minimum of 3.0 metres from any [lot abutting a rural residential, single & two dwelling, or multi-dwelling zone](#).
- (e) an unobstructed access [lane](#) with a minimum width of 3.0 metres and a minimum vertical [clearance](#) of 4.6 m shall be provided to provide access to a required garbage and recycling room or enclosure.

7.3.2 All refuse and recycling bins that are placed in-ground must be set back 0.5 metres from a [front lot line](#) or [side lot line](#).

7.4 Urban Plazas

7.4.1 Urban plazas are a screening or masking site design element required to separate adjacent [uses](#) when large [building](#) frontages are proposed.

Section 7 – Site Layout

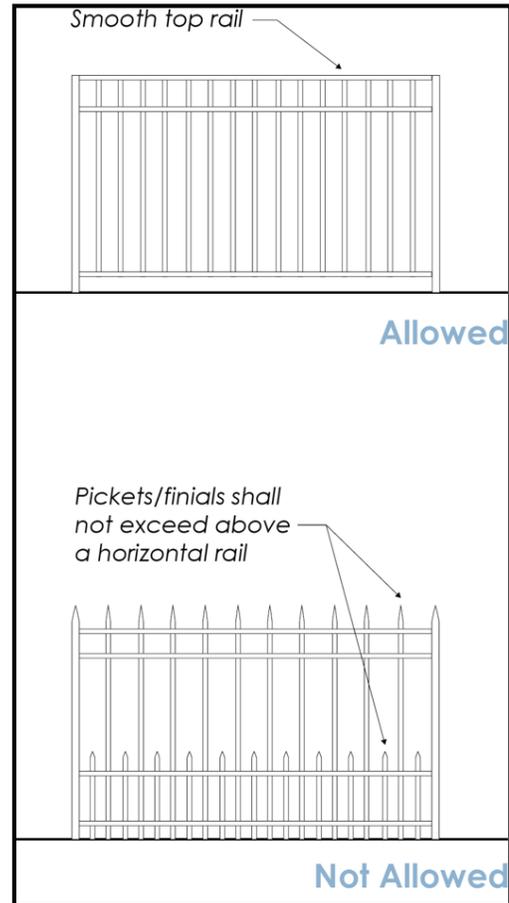
Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

- 7.4.2 The minimum plaza street **frontage** is 7.5 metres.
- 7.4.3 The minimum plaza depth is 6.0 metres. Urban plazas must have a minimum of one tree, with a minimum 90 millimetre **caliper** and rootball of 900 millimetres.

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 **fences** 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 & two dwelling, multi-dwelling, village centre, or urban centre zoned lots** 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 metres in **height**.
- 7.5.5 **Lots** in **industrial zones** are to have an opaque 2.4 metres high **fence** around all storage yards, along all **lot 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 constructed or erected that have the ends of **fence** pickets or finials to extend above a horizontal rail (see Figure 7.5.6).
- 7.5.7 No barbed wire fencing shall be constructed or erected in any **rural residential, single & two dwelling, multi-dwelling, or core area & other zone**, except in the P1 zone where the site is used for **detention and correction services**.
- 7.5.8 No razor wire **fences** shall be constructed or erected in any zone except were associated with penitentiaries, jails, or places of incarceration.
- 7.5.9 No **fencing** shall be constructed or erected at or below the high-water mark (geodetic elevation of 343 metres) of Okanagan Lake.

Figure 7.5.6 – Fencing Types



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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

- 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 metres 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 that may be constructed without a professional design by a qualified professional engineer is two. The maximum total height of any retaining wall system that may be constructed without a professional design by a qualified professional engineer is 2.4 metres.
- (a) a **retaining wall** may be higher than 1.2 metres, measured from **finished 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 **lot line** or within 1.2 metres of the **lot line** shall not exceed 2.0 metres, 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 metres of the **lot line**, the maximum height for a **fence** on the affected property shall be no greater than 1.8 metres above the height of the **retaining wall** or 3.0 metres, 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 metres, measured from the natural grade of the abutting higher property.

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 8 –

Parking and Loading

8.1 General Provisions and Development Standards

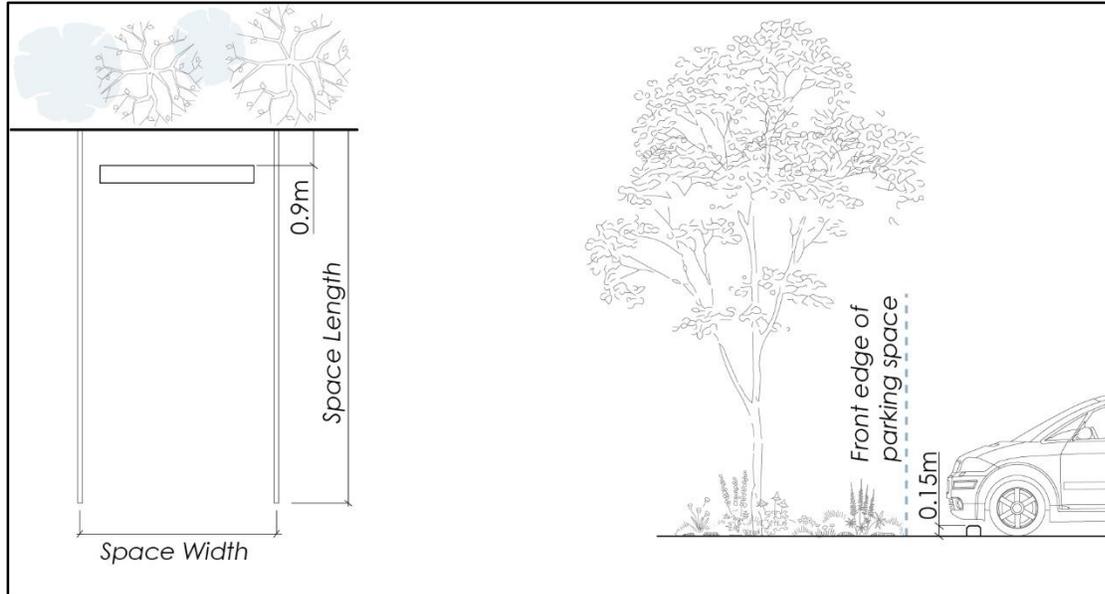
- 8.1.1 Where provision of off-street parking or [loading spaces](#) is required by this Bylaw, a plan of the proposed site layout and landscape plan shall be included with the development permit application or [building permit](#), as the case may be. The plans must be included with the [building permit](#) 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 parking spaces 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 by the [Payment in Lieu of Parking Bylaw No. 8125](#). 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, maneuvering 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](#);
- 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.

Section 8 – Parking & Loading

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

- 8.1.6 Landscaped islands and parking lot requirements shall be consistent with Section 7.
- 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 lot lines.
- 8.1.8 All off-street parking spaces on lots with five (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 – Example of Off-Street Parking



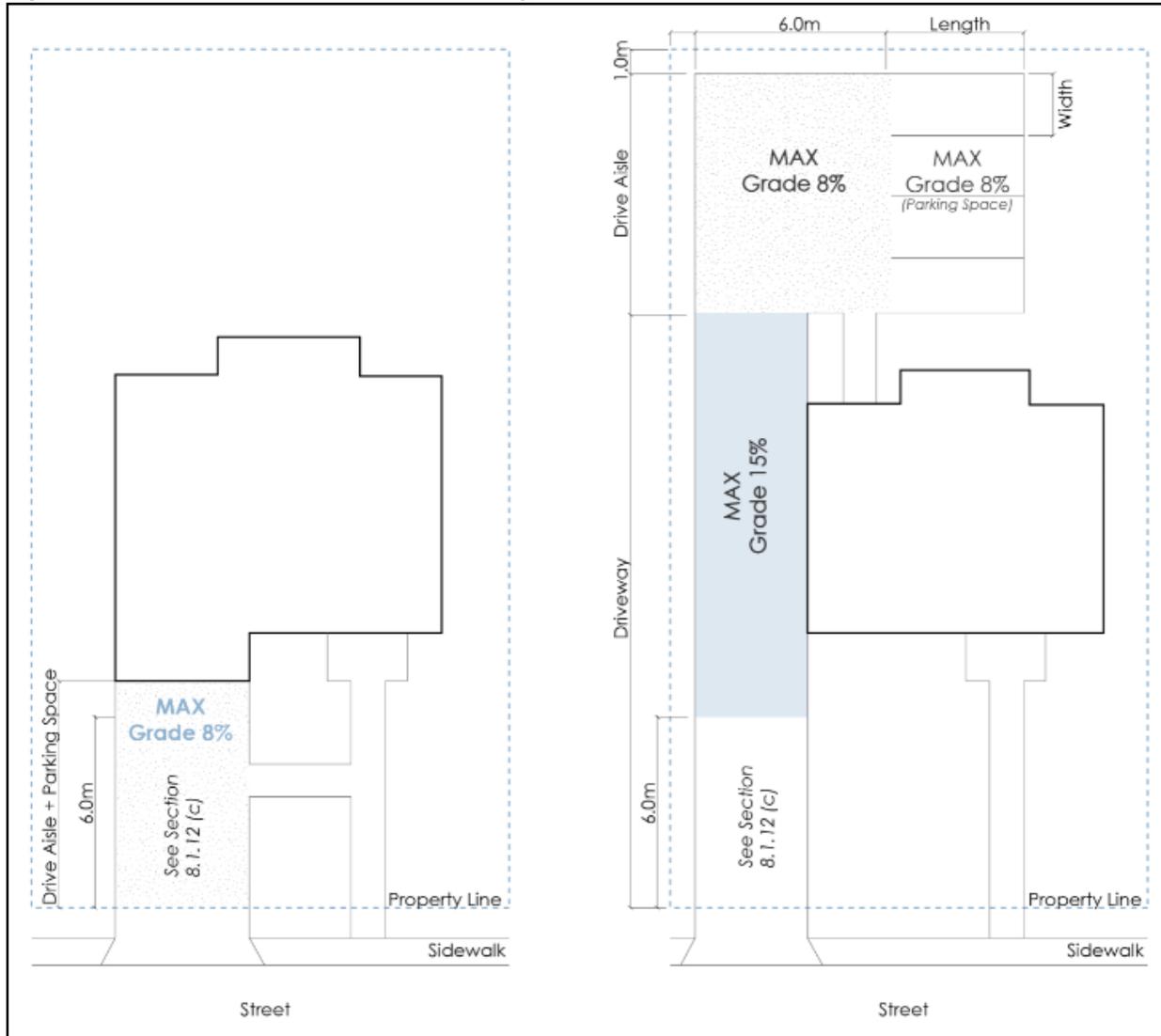
- 8.1.9 Where a wheel stop is provided pursuant to Section 8.1.8 the portion of the parking space between the wheel stop and the front edge of the parking space, as marked in Figure 8.1.8, is exempt from the requirements of Section 8.1.4 and may be surfaced with permeable material or landscaping, provided 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;
 - (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%;

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

- (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 lot line it must comply with applicable grade requirements prescribed in the City of Kelowna's Subdivision and Servicing Bylaw 7900.

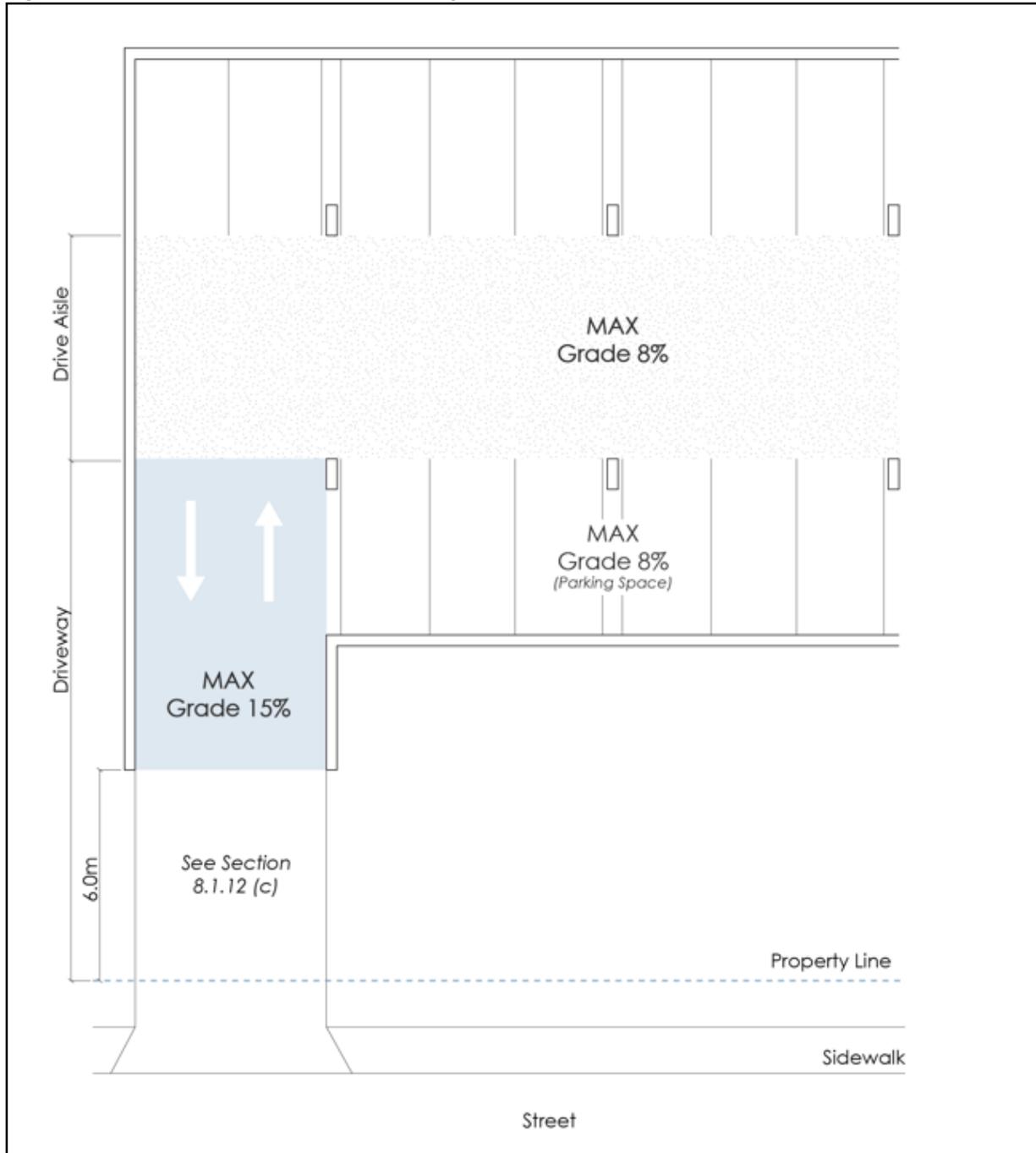
Figure 8.1.12.a - Maximum Grades for Parking Areas



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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 8.1.12.b – Example of Parkade Configuration



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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 shall be restricted from the **landscape areas** as according to **Section 7.2.3**.

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.

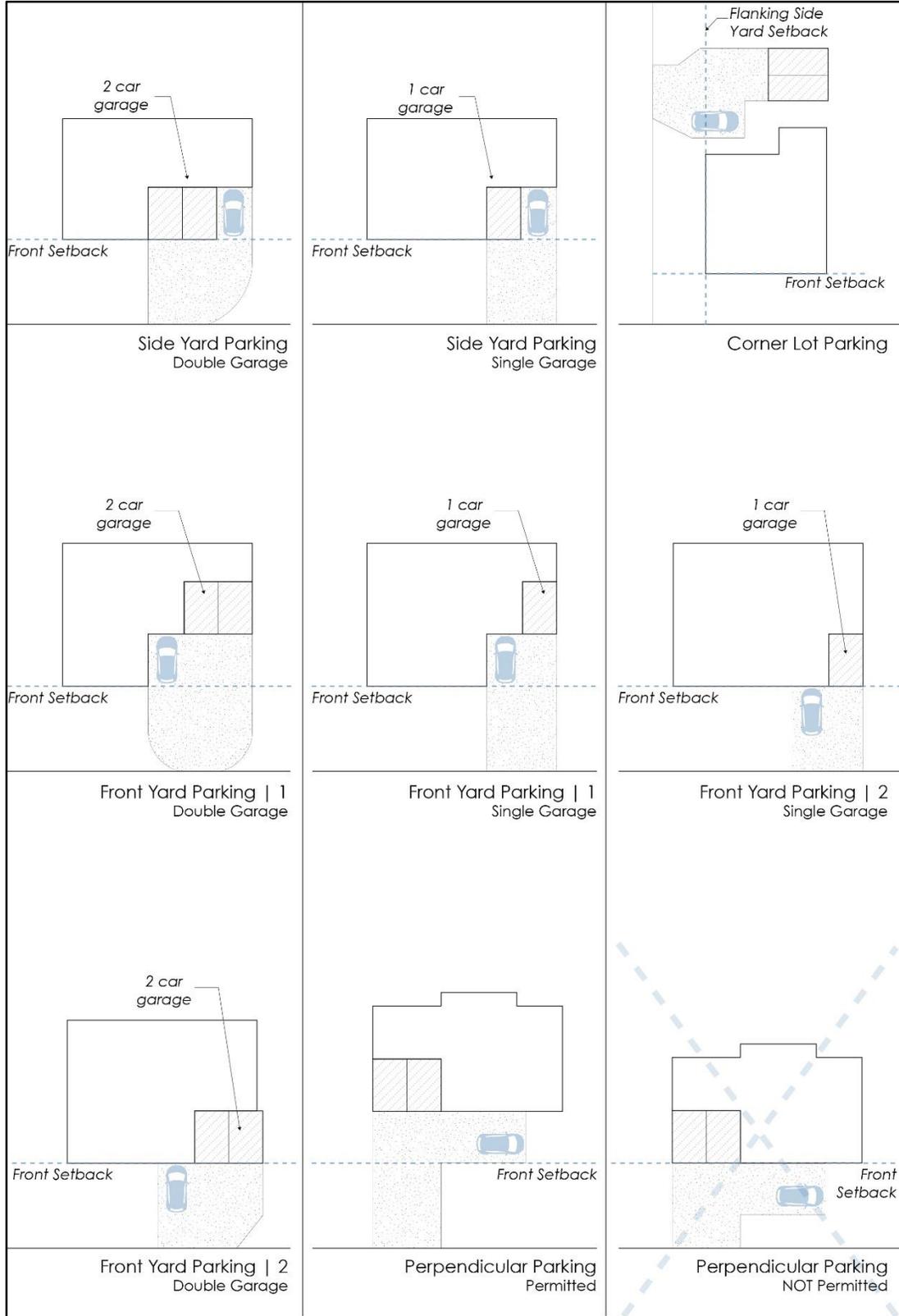
8.2.5 Notwithstanding Section 8.2.4, off-street parking for residential use classes containing two or less **dwelling units** may be located in the required **front yard** or **flanking street** setback area if:

- (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**:

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Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 8.2.5 – Parking Stall Configurations



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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 Core Area. Visitor parking stalls cannot be configured in tandem in any situation.

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			
m = metres			
	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 degrees parking (e.g., parking lot, parkade, garage)	n/a	6.5 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%
Dwelling units in the MF1 zone	0%	100%

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Table 8.2.7.b Ratio of Parking Space Sizes		
Uses:	Min. Regular Size Vehicle parking spaces	Max. Small Size Vehicle parking spaces
Townhouses, Stacked Townhouses, and Apartments	50% ^{.1, .2}	50%
Commercial	70%	30%
Industrial	70%	30%
Institutional	50%	50%

FOOTNOTES (Section 8.2.7):

^{.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, lot 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, lot 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 metres wider where the parking space abuts an obstruction on one side;
 - (b) be an additional 0.5 metres wider where the parking space abuts an obstruction on both sides; and
 - (c) be an additional 0.8 metres wider where the parking space abuts a doorway.

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 vehicles parking spaces required for each use specified in Table 8.3 Required Parking may be reduced as per the following incentives (which may be combined):
- (a) Rental Housing Incentives:
 - i. 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

Section 8 – Parking & Loading

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

parking requirement (both base and visitor) can be applied if the [development](#) is located outside an [urban centre](#).

(b) Car-Share Incentives:

ii. Within the [Core Area](#), University South [Village Centre](#), and Glenmore Valley [Village Centre](#), 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](#) and the car-share spaces are counted to the overall parking count) subject to the following regulations:

- the maximum reduction in total required parking is 20% (for base parking requirement); and
- 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.

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Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Accessible Parking Standards

8.2.17 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 and illustrated in Figure 8.2.17:

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	0 spaces
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

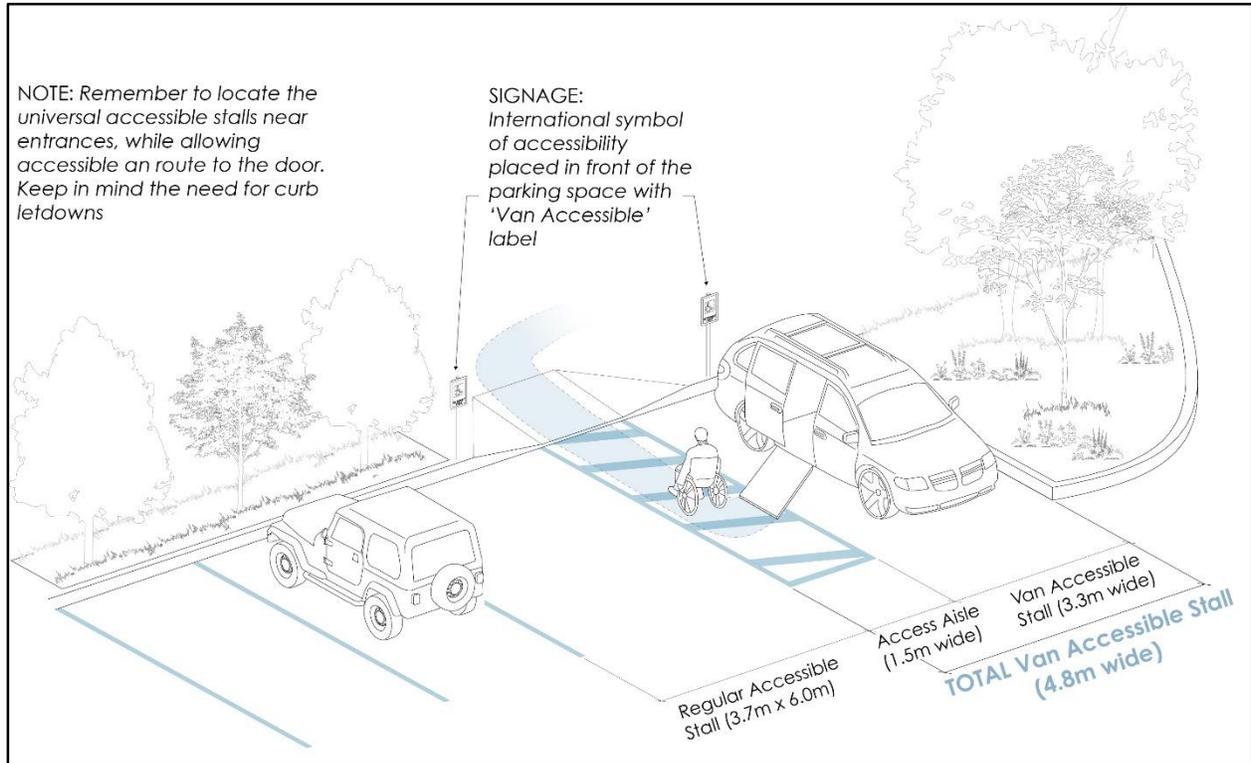
Note: The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.

- (a) if a visitor **parking space** is required, then at least one of those visitor **parking spaces** shall be configured as an accessible **parking space**;
- (b) designate as an accessible **parking space** using appropriate signage;
- (c) include accessible **parking spaces** in the calculation of the applicable minimum parking requirement; and
- (d) 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 / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 8.2.17 - Accessible Parking Standards



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Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

8.3 Required Off-Street Parking Requirements

Table 8.3 – Required Off-Street Parking Requirements					
Table 8.3.1 Residential Multi-Dwelling Parking					
Land Use / Type of Development	Base Parking Requirement (Number of spaces)				Minimum Visitor Parking Requirement ^{.1, .2}
	Urban Centre and Health District Zones	MF1 Zone ^{.4} , Village Centre Zones, and Zones fronting a Transit Supportive Corridor	All other zones within the Core Area	All other zones outside the Core Area ^{.3}	
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 ^{.4} & 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 ^{.1} & Max 0.2 spaces per dwelling unit
	Min 0.9 spaces & Max 1.25 spaces per 1 bedroom dwelling unit	Min 1.0 space ^{.4} & 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	
	Min 1.0 space & Max 1.5 spaces per 2 or more bedroom dwelling unit	Min 1.1 spaces ^{.4} & 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 ^{.4} & 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 8.3.1.):

- ^{.1} 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.
- ^{.2} 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.
- ^{.3} Minimum and maximum parking rates for various Comprehensive Development Zones are outline in Table 8.3.1a Other Residential Parking.

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Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

⁴ For MF1 zoned lots, the first four dwelling units shall have a minimum of one (1) parking space per dwelling unit. The parking rate identified above applies to the fifth dwelling unit and any more dwelling units.

Table 8.3.1a Other Residential Parking			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ¹
	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; plus 0.9 stalls per sleeping unit	1.5 space; plus 2.0 spaces per sleeping unit	n/a
Carriage House Secondary Suites	1.0 space ²	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	1.0 space; plus 0.35 stalls per sleeping unit	2.0 spaces; plus 1.0 stall per sleeping unit	n/a
Home-Based Business, Major	1.0 space	2.0 spaces	n/a
Home-Based Business, Major for Health Services on lots located on Royal Avenue or Christleton Avenue	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 units within the CD20 Zone	1.0 space per dwelling unit, except 0.15 spaces per student only residences	1.5 spaces per dwelling unit	Min 0.14 spaces per dwelling unit, except 0.05 spaces per student only residences & Max 0.2 spaces per dwelling unit

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Table 8.3.1a Other Residential Parking			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ^{.1}
	Minimum	Maximum	
Residential units within the CD22 zone	1.1 spaces per dwelling unit greater than 2 bedrooms 1.0 space per 2 bedroom dwelling unit 0.9 spaces per 1 bedroom dwelling unit 0.75 spaces per bachelor dwelling unit	2.0 spaces per dwelling unit greater than 2 bedrooms 1.6 space per 2 bedroom dwelling unit 1.25 spaces per 1 bedroom dwelling unit 1.0 spaces per bachelor dwelling unit	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Residential units within the CD26 zone	1.0 space per dwelling unit	1.5 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:			
<ul style="list-style-type: none"> Multi-Dwelling Zones and Core Area and Other Zones 	No additional parking required (i.e., equivalent to the parking requirements for the principal dwelling unit within that zone).	n/a	n/a
<ul style="list-style-type: none"> Agriculture & Rural Zones and Single & Two Dwelling Zones 	1.0 space per two sleeping units	n/a	
Agriculture & Rural Zones and Single & Two Dwelling Zones	2.0 spaces per dwelling unit	n/a	0.0 spaces or Min 0.14 spaces & Max 0.2 spaces per dwelling unit ^{.3}

FOOTNOTES (Section 8.3.1a.):

^{.1} 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.

^{.2} 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.

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Table 8.3.1a Other Residential Parking			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ^{.1}
	Minimum	Maximum	
^{.3} Within residential strata (non-MF1 zoned developments) with three (3) or more dwelling units the visitor parking requirement is 0.14 spaces per dwelling unit.			

Table 8.3.2 Commercial m ² = square metres		
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 ^{.1, .2}	0.9 spaces per 100 m ² GFA	3.0 spaces per 100 m ² GFA
All commercial uses in the UC2, UC3, UC4, UC5, and VC1 zone even if listed separately below ^{.1, .2}	1.3 spaces per 100 m ² GFA ^{.3}	4.5 spaces per 100 m ² GFA
All commercial uses in the CD22 zone even if listed separately below ^{.1, .2}	1.0 spaces per 100 m ² net floor area	4.5 spaces per 100 m ² GFA
All commercial uses in the CD26 zone even if listed separately below ^{.1, .2}	1.75 parking spaces per 100 m ² GFA	4.5 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)	4.5 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	4.5 spaces per 100 m ² GFA

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Table 8.3.2 Commercial m ² = square metres		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
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.
Financial Services Offices	2.5 spaces per 100 m ² GFA	4.5 spaces per 100 m ² GFA
All other commercial uses not listed above and for commercial zones not list above: ¹		
• GFA less than 1,000 m ²	2.0 spaces per 100 m ² GFA	2.5 spaces per 100 m ² GFA
• 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
• GFA 2,000 m ² to 20,000 m ²	3.0 spaces per 100 m ² GFA	4.5 spaces per 100 m ² GFA
• 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 8.3.2.):		
¹ For shopping centres, calculate the area by adding all the tenant spaces together.		
² This rule only applies to land use categories that are based on a number of parking spaces per GFA.		
³ The minimum parking requirement may be affected by Figure 8.3 Parking Exception Areas.		

Table 8.3.3 Agriculture m ² = square metres		
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, but a minimum of 4 spaces	n/a

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Table 8.3.4 Industrial m ² = square metres		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Bulk Fuel Depot	2.0 spaces	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 accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.	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 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	0.5 space per 100 m ² GFA	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
Education Services	1.3 spaces per 100 m ² GFA	n/a
Temporary shelter services	1.0 space per 3 beds	n/a

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Table 8.3.6 Community, Recreational, and Cultural m ² = square metres		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Bowling Alley	2.0 spaces per alley	n/a
Campsite	1 per camping space	n/a
Child Care Centre, Major (Includes preschool)	1.0 space per 11 children (capacity)	n/a
Child Care Centre, Minor	1.0 space plus 1.0 more space if the child care centre contains employees from offsite	
Cultural and Recreation Services Exhibition and Convention Facilities:		
(a) GFA less than 1,000 m ²	2.0 spaces per 100 m ² GFA	n/a
(b) GFA 1,000 m ² to 2,000 m ²	2.5 spaces per 100 m ² GFA	n/a
(b) GFA 2,000 m ² to 20,000 m ²	3.0 spaces per 100 m ² GFA	n/a
(c) GFA greater than 20,000 m ²	4.0 spaces per 100 m ² GFA	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 100 m ² GFA, plus 1.0 space per 3 users (capacity)	n/a
Racquet Clubs	3 spaces per court	n/a
Recycling Drop-Offs	1 per recycling container, (minimum of 2 spaces)	n/a
Religious Assemblies	1 per 5 seats or 10 per 100 m ² of GFA (whichever is greater)	n/a
Spectator Entertainment Establishments	1 per 4 seats	n/a
Spectator Sports Establishments	1 per 4 seats	n/a
Swimming Pool (Public)	25.0 per 100 m ² of pool water surface	n/a

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Table 8.3.7 Water Uses		
Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
Marinas	1.0 space per 2 boat spaces plus 1 per business	n/a

Figure 8.3 – Parking Exceptions Area



1. Notwithstanding Table 8.3.2 Commercial Parking Requirements, the minimum parking requirement for all UC1 zoned lots in Area 1 & 2 shown in Figure 8.3 shall be 0.9 stalls per 100 metre² of Gross Floor Area (GFA). This rule only applies to land use categories that are based on a number of parking spaces per GFA.
2. All lots in Area 2 shown in Figure 8.3 shall not be required to meet any vehicle parking space requirements if the height of the buildings on the lot are:
 - 15.0 metres or less and 4 storeys or less.

Section 8 – Parking & Loading

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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.

Location

8.4.7 Off-street **loading spaces** shall be provided entirely within the **lot** of the **development** being served.

8.4.8 Off-street **loading spaces** shall be oriented away from residential **development**.

Section 8 – Parking & Loading

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 metres² in area, less than 3.0 metres in width, or have less than 4.0 metres in overhead clearance.
- 8.4.10 Each required bus **loading space** shall be a minimum of 3.6 metres in width, a minimum of 12.2 metres in length, and have a minimum **clearance** of 4.6 metres.
- 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**.

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 and Industrial Uses	1 per 1,900 m ² GFA
Cultural and Recreation Services and Institutional Uses (except Education Services listed below)	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
Education Services	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.
- 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.

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 and illustrated in Figure 8.5.1

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.
- (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 and illustrated in Figure 8.5.2.
- (g) For any residential development a "bicycle repair and wash station" is required after 20 long-term bicycle parking stalls are required. For any commercial or industrial development see Section 8.6 End-of-Trip Facilities for "bicycle repair and wash station". A "bicycle repair and wash station" includes tools for bikes, a commercial grade pump, access to water, and a way to raise a bike 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;

Section 8 – Parking & Loading

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

- (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 [Core Area](#), University South and Glenmore Valley [Village Centres](#), 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			
m ² = square metres			
Type of Development	Bicycle Parking Spaces ^{.4}		
	Required Long-term	Bonus Long-term	Required Short-term
Apartment Housing (Includes Supportive Housing & Student Residences)	0.75 per bachelor, 1-bedroom, or 2-bedroom dwelling units 1.0 per 3-bedroom or more 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
Townhouses	No requirement ^{.5}	n/a ^{.1}	4.0 or 1 per 5 units (whichever is greater) ^{.2}
Commercial Uses, Health Services, Education Services, Cultural and Recreation Services, & Child Care Centre, Major:			
• GFA less than 1,000 m ²	0.2 per 100 m ² of GFA	0.4 per 100 m ² of GFA	2.0 per entrance
• GFA 1,000 m ² to 2,000 m ²	0.2 per 100 m ² of GFA	0.4 per 100 m ² of GFA	2.0 per entrance
• GFA 2,000 m ² to 20,000 m ²	0.2 per 100 m ² of GFA	0.4 per 100 m ² of GFA	4.0 per entrance
• GFA greater than 20,000 m ²	0.4 per 100 m ² of GFA	0.8 per 100 m ² of GFA	6.0 per entrance
Institutional Zones, except Education Services (See above)	n/a	n/a	6.0 per entrance

Section 8 – Parking & Loading

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Table 8.5 – Minimum Bicycle Parking Required			
m ² = square metres			
Hotels / Motels	1.0 per 20 sleeping units	n/a	6.0 per entrance
Industrial Uses	0.05 per 100 m ² of GFA ^{.3}	0.1 per 100 m ² of GFA	No requirement

FOOTNOTES (Section 8.5.):

- .1 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.
- .2 Regulation only applies to lots with five (5) or more dwelling units.
- .3 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).
- .4 All area numbers are based on gross floor area (GFA).
- .5 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.

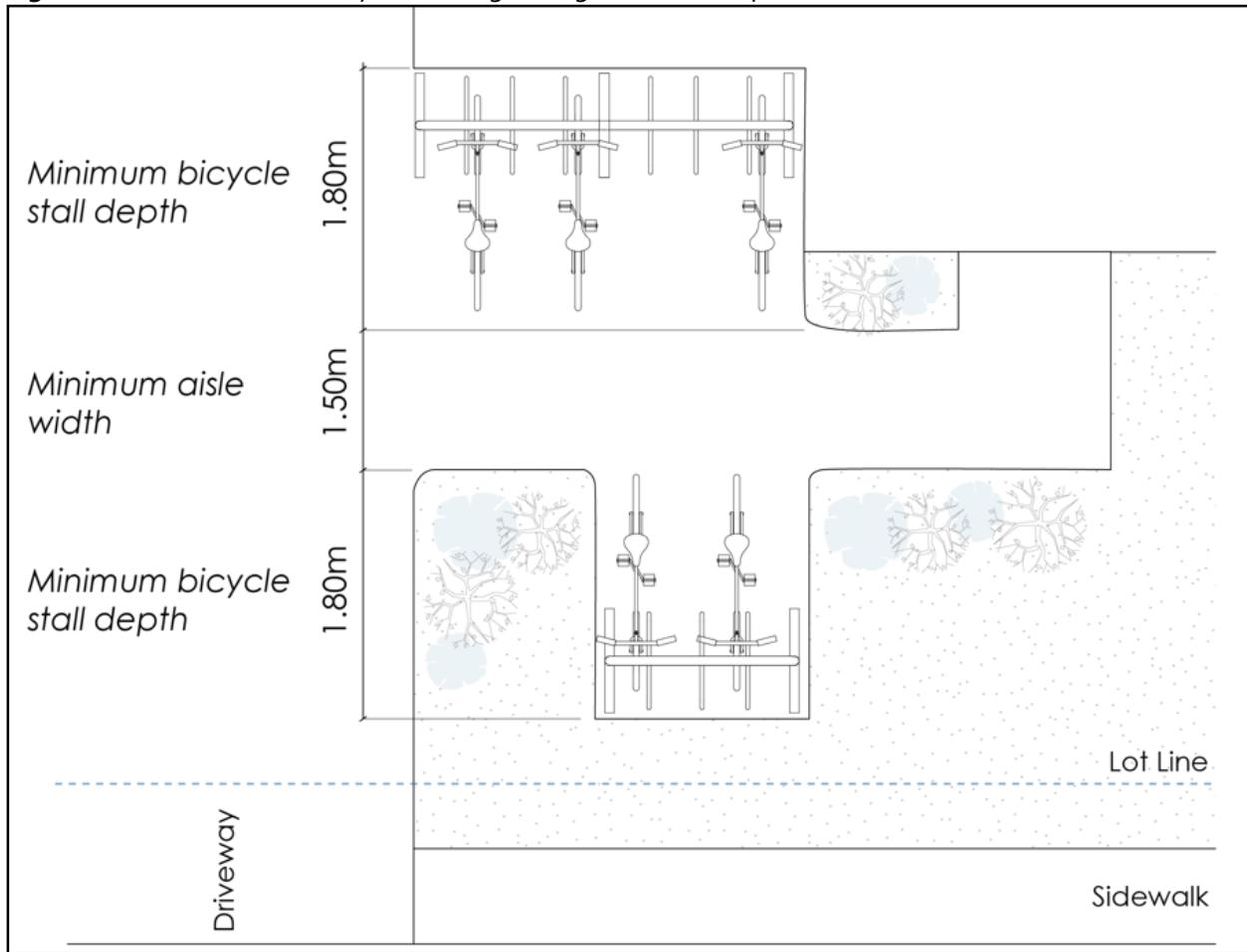
Table 8.5.1 Minimum Dimensions for Bicycle Parking				
m = metres				
	Ground Anchored Rack		Wall Mounted Rack	
	>45 degrees	≤45 degrees	>45 degrees	≤45 degrees
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a building)	>45 degrees	≤45 degrees	>45 degrees	≤45 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

Section 8 – Parking & Loading

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Table 8.5.1 Minimum Dimensions for Bicycle Parking				
m = metres				
Minimum distance between bicycle racks and wall, entrance door to bicycle storage facility, or another obstacle.	0.6 m	0.6 m	0.6 m	0.6 m

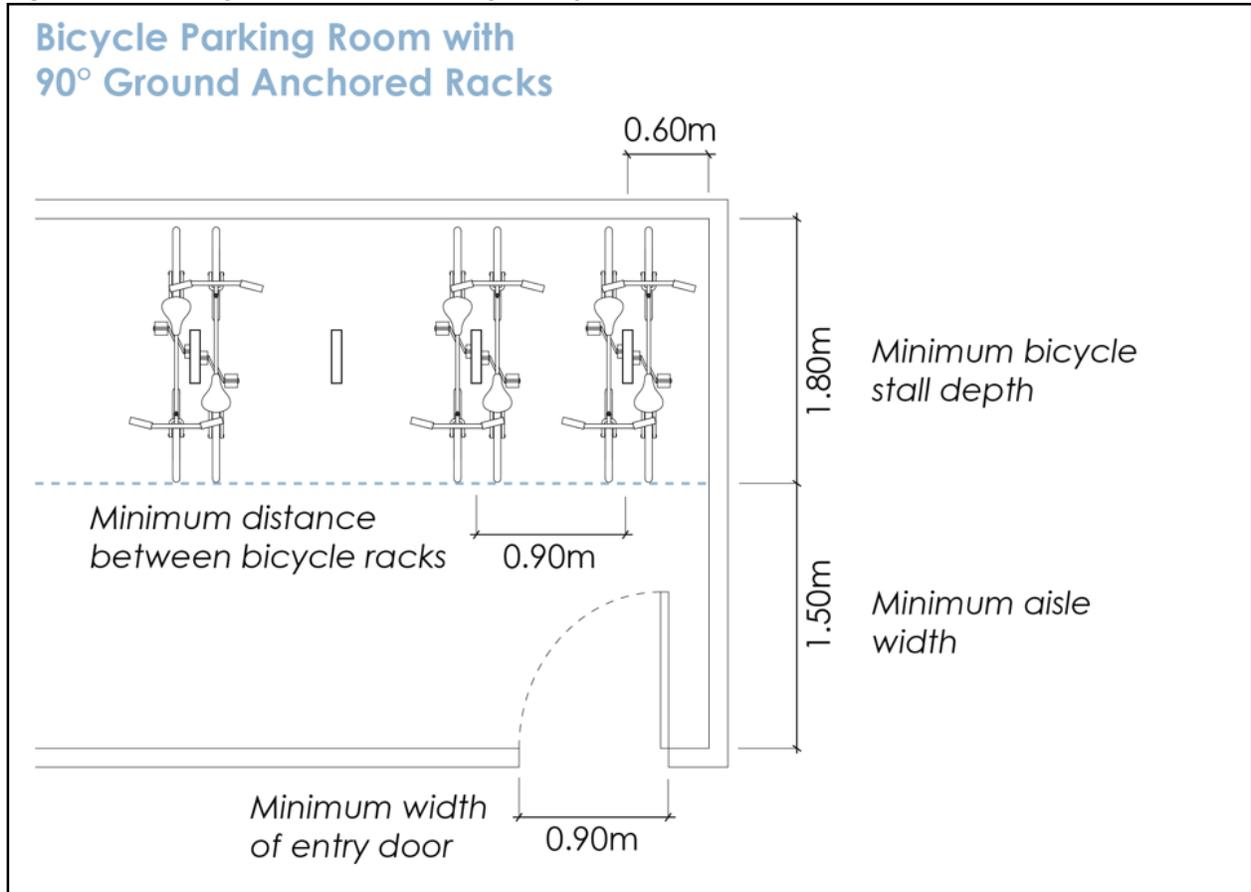
Figure 8.5.1 - Short-Term Bicycle Parking Configuration Example



Section 8 – Parking & Loading

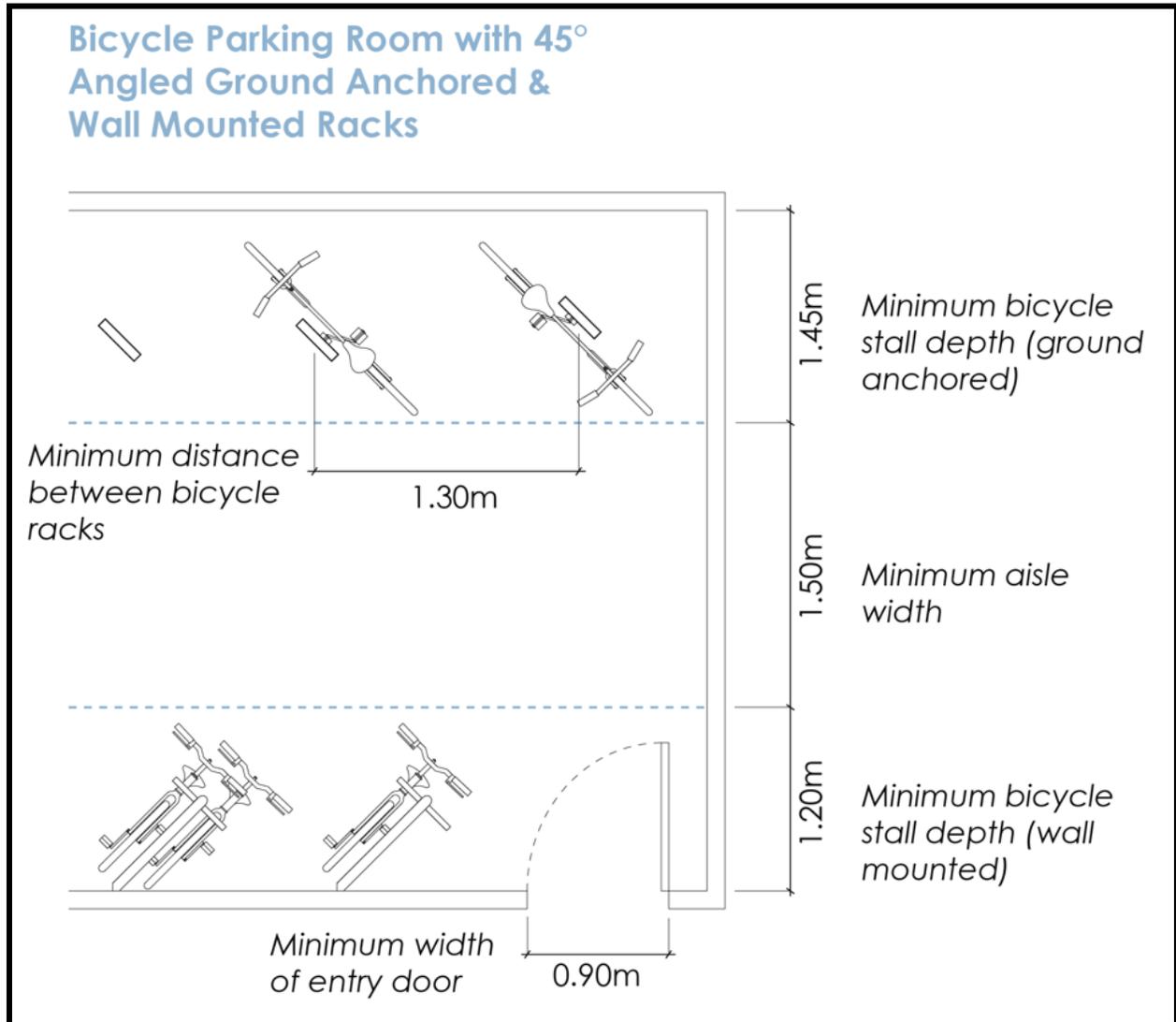
Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 8.5.2 - Long-Term Bicycle Parking Configurations Examples



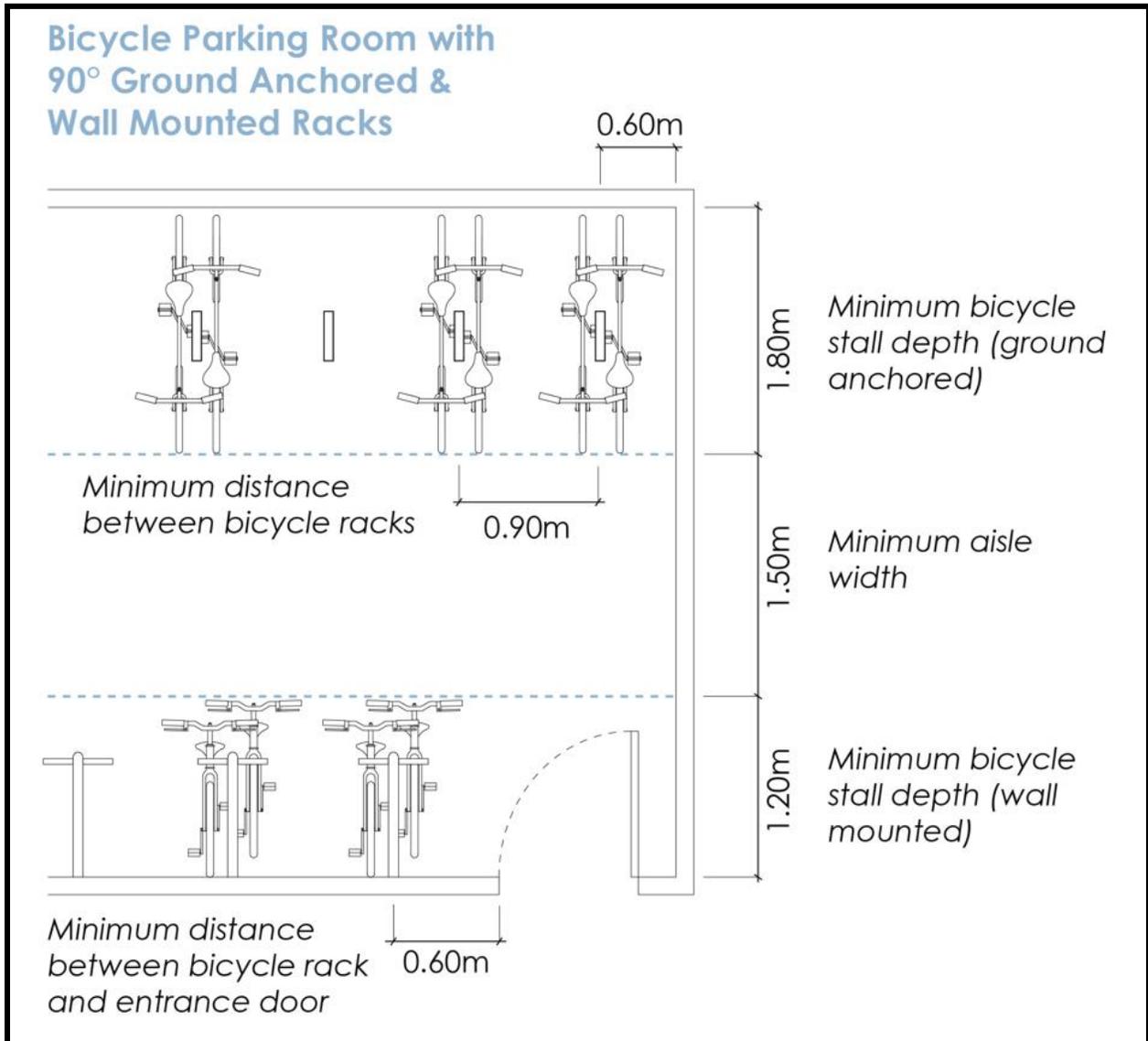
Section 8 – Parking & Loading

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



Section 8 – Parking & Loading

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



Section 8 – Parking & Loading

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 8.6.1:

Table 8.6.1 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
4-15	1	1	1	0.5 lockers per bicycle space
16-29	2	2	2	0.5 lockers per bicycle space
30-64 ^{.1}	4	4	4	0.5 lockers per bicycle space
65 and over ^{.1}	+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 8.6.1.):

^{.1} 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 & Loading

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 9 – Specific Use Regulations

9.1 Application

9.1.1 The specific use regulations shall apply to all developments unless otherwise exempted in this section.

9.2 Home-Based Businesses

Section 9.2 – Home Based Business Regulations			
Criteria	Minor	Major	Rural
Operator Restriction	The home-based business must be operated by a resident who resides for more than 240 days of the year.		
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.	
Exterior Storage	No exterior storage or exterior operation shall be permitted.		
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}	
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}	
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.		
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.		
Commercial Vehicle Restriction	Parking on-site of commercial vehicles larger than 4,100 kilograms gross vehicle weight is not permitted.		

Section 9 – Specific Use Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 9.2 – Home Based Business Regulations			
Criteria	Minor	Major	Rural
Maximum Gross Floor Area (GFA)	20 metres ² and no more than 25% of the GFA of the dwelling	50 metres ² (including any accessory structure GFA) and no more than 25% of the GFA of the dwelling . ³	100 metres ² (including any accessory structure GFA)
Minimum Lot Area	n/a	n/a	4,000 metres ²

FOOTNOTES (Section 9.2.):

¹ If the **major home-based business** is conducting **Health Services** and the property is located on Royal Avenue or Christleton Avenue (and must be west of Pandosy Street) 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 on Royal Avenue or Christleton Avenue (and must be west of Pandosy Street) then there is no limit on the employee restrictions on the site.

³ If the **major home-based business** occurs within a ground-oriented **dwelling unit** that is: fronting a **transit supportive corridor**, within an **urban centre**, or within a **village centre** then there is no absolute maximum **GFA** but the **GFA** of the **major home-based business** cannot be greater than 50% of the **GFA** of the **dwelling**.

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 four (4) **sleeping units** with accommodation for a maximum of two guests per sleeping unit, of a minimum area of 11 metres² each; and
- (b) the licensed operator of a bed and breakfast home must reside in the **dwelling** in which the bed and breakfast operation is located.

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

9.3.3 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 / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 except it is a minimum of two (2) in-bound vehicle storage shall be provided per queuing lane where the washing bay is coin operated and the vehicle is manually washed by an occupant of the vehicle. A minimum of two (2) out-bound vehicle storage shall be provided per queuing lane.
- (b) each queuing space shall be a minimum of 6.0 metres long and 3.0 metres wide. Queuing lanes shall provide sufficient space for turning and maneuvering.

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 metres long and 3.0 metres wide. Queuing lanes shall provide sufficient space for turning and maneuvering.

9.5 Dock and Boating 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 Public access along and through the foreshore shall not be impeded. In cases where the **dock** platform is raised by more than 0.3 metres 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.
- 9.5.3 Moorage facilities consisting of **docks** and boat lifts shall be permitted if developed consistently with the pertinent provincial and federal agencies.
- 9.5.4 The owner of the moorage facilities shall be the owner of the upland **lot** or is the holder of a Crown land residential lease for the upland **lot**.
- 9.5.5 **Dock** access ramps and walkways shall not exceed a width of 1.5 metres. Any other surface of the dock shall not exceed a width of 3.0 metres.
- 9.5.6 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 10.0 metres or one half the width of frontage of the upland **lot**.
- 9.5.7 Setback from the **side lot line** of the upland **lot**, projected onto the foreshore, shall be a minimum of 5.0 metres.
- 9.5.8 Setback from the **side lot line** of the upland **lot**, projected onto the foreshore, shall be a minimum of 6.0 metres where the adjacent **lot** is a right-of-way beach access or is in a P3 zone.
- 9.5.9 No roof, overhead or covered **structures** shall be placed on the **dock**.
- 9.5.10 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.

Section 9 – Specific Use Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

- 9.5.11 No roof or covered structures shall be used, constructed, or maintained for boat lifts.
- 9.5.12 No docks, boatlifts, shall be maintained, used, or constructed beyond 42.0 metres 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.
- 9.5.13 Permanent moorage is intended to be used for the purposes of moorage of tour boats and shall not include permanent live aboard accommodations.
- 9.5.14 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.

9.6 Agriculture, Urban

Section 9.6 – Agriculture, Urban Regulations		
m = metres		
Criteria	Where food is produced for consumption by residents of the subject lot only and is within a rural residential zone or a single & two dwelling 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 & two dwelling zone
Max Greenhouse Gross 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 m 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 lot. • 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. 	

Section 9 – Specific Use Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 9.6 – Agriculture, Urban Regulations		
m = metres		
Criteria	Where food is produced for consumption by residents of the subject lot only and is within a rural residential zone or a single & two dwelling 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 & two dwelling zone
	<ul style="list-style-type: none"> 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	<p>Multi-residential shared garden can occur in any multi-dwelling, village centre, and urban centre zone. Multi-residential shared gardens:</p> <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 related to the multi-residential shared 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. 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:

- (a) farm classification for the parcel, as determined by the BC Assessment Act.
- (b) minimum farm unit size is 38,000 square metres.
- (c) 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.
- (d) new TFWH structure(s) shall include a communal kitchen.
- (e) the TFWH shall be occupied only during the farm unit's growing, harvesting and pruning periods.

Section 9 – Specific Use Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

- (f) 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.
- (g) 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.

9.7.2 TFWH Footprint Size:

- (a) **TFWH Footprint** may not exceed 0.20 hectares 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**.

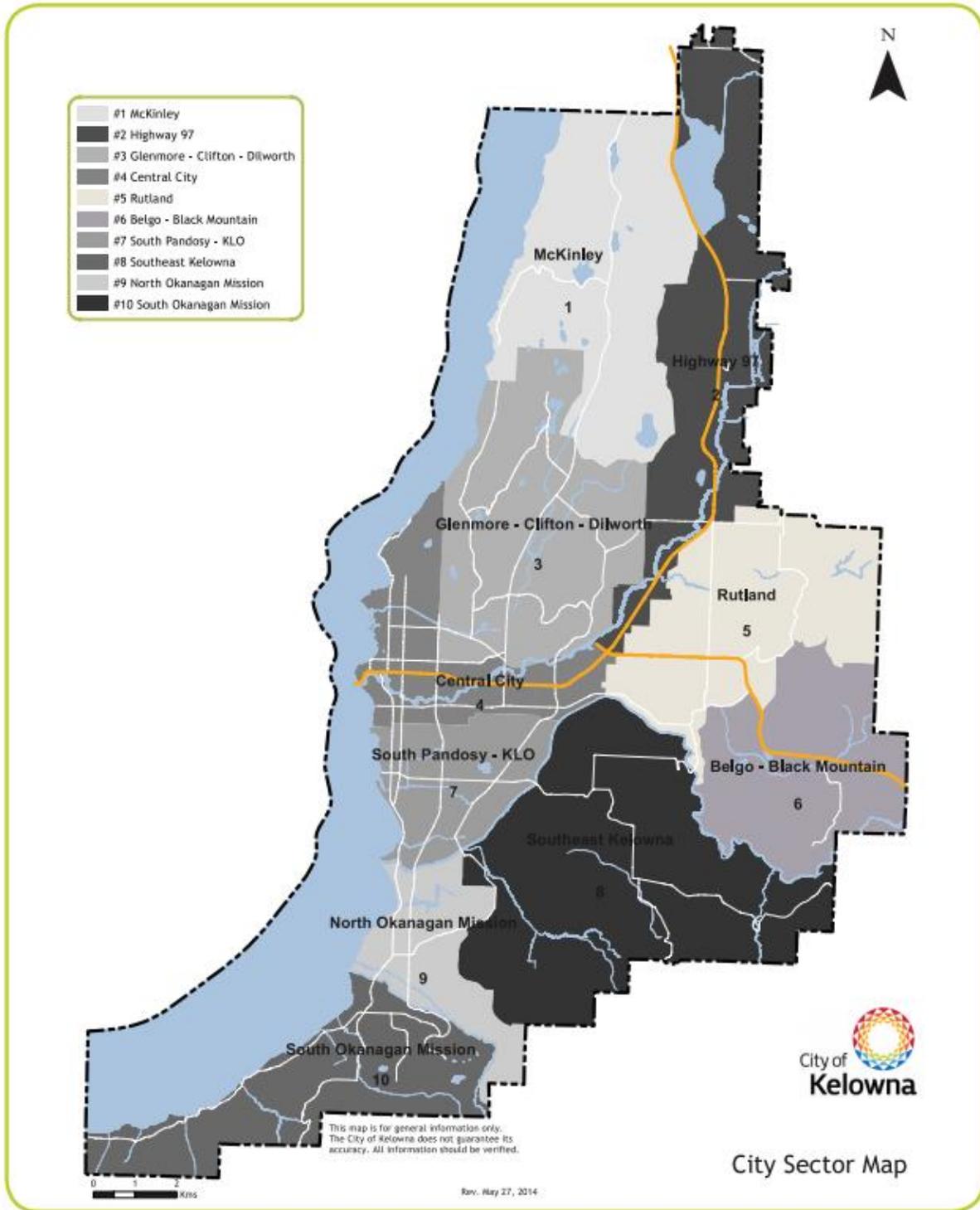
9.7.3 Temporary Farmworker Allocation

- (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 square metres. For parcels 80,000 square metres 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 the number of workers by one (1) worker per each 1000 metre² 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.

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Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Map 9.7 - City Sector Map



Section 9 – Specific Use Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

9.7.4 Site Specific Regulations

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

	Legal Description	Civic Address	Regulation
1.	<p>Lot 20 Section 34 Township 23 ODYD Plan 500 Except Plan KAP45154</p> <p>Lot 19 Section 34 Township 23 ODYD Plan 500 Except Plan KAP45154</p>	<p>4085 Shanks Road</p> <p>4133 Shanks Road</p>	<p>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.</p> <p>Notwithstanding the other section 9.7 regulations:</p> <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 farm workers. • 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.	<p>Lot A, Section 12, Township 26, ODYD, Plan EPP71625</p>	<p>2975 Gallagher Road</p>	<p>The following regulations shall apply to this farm unit only.</p> <p>Notwithstanding the other section 9.7 regulations:</p> <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 farm workers.

9.8 Minimum Dwelling Unit Size

9.8.1 The minimum [dwelling unit](#) size is greater than 29 square metres. [Dwelling units](#) less than 29 square metres known as [micro suite dwelling units](#), are only permitted on [lots](#) within an [Urban Centre](#) or within the University South [Village Centre](#).

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](#).

Section 9 – Specific Use Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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**.

9.9.8 In **industrial zones** the maximum **gross floor area** for **retail cannabis sales** establishment is 250 square metres.

9.9.9 Site specific regulations:

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

	Legal Description	Civic Address	Regulation
1.	Lot B, District lot 139, ODYD, Plan 5934	1636-1652 Pandosy St.	To allow for a retail cannabis sales establishment within 500 metres of the approved retail cannabis sales establishment located at 547-559 Bernard Avenue.

9.10 Short-Term Rental Accommodation

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

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

9.10.3 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 & two dwelling 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-dwelling zones** and the **core area & other zones** is two (2) **sleeping units**.

9.10.4 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 / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

9.11 Tall Building Regulations

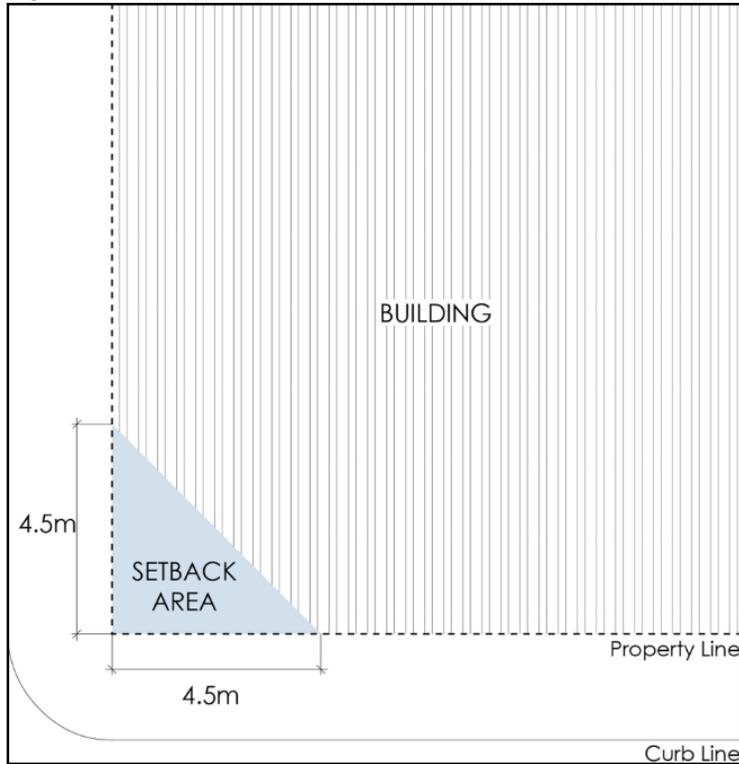
9.11.1 Table 9.11 outlines all the regulations that shall apply to any **building** taller than the lesser of 40.0 metres or 13 **storeys**. See **Figure 9.11.1** for visual illustrations.

Table 9.11 – Tall Building Regulations	
m = metres / m ² = square metres	
Criteria	Regulation (GFA = Gross Floor Area)
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 a street	6 m
Minimum setback for each corner lot applied only to the first storey	There shall be a triangular setback 4.5 m long abutting along the lot lines that meet at each corner of an intersection. Within the volumetric 4.5 m triangular setback there shall be no buildings or structural columns are permitted. See Visual Example.
Podium height (maximum)	16 m 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.
Minimum Building separation measured from exterior face of the building	30 m
For structures taller than 40.0 m or 13 storeys (whichever is lesser) in height, the floor plate ^{.1} above 16.0 m or 4 storeys (whichever is lesser) cannot exceed:	a) 750 m ² GFA for residential use b) 850 m ² GFA for hotel use c) 930 m ² GFA for office and/or commercial uses
Tower stepback above podium, including balconies, on the front building facade and flanking building facade (minimum)	3 m
Barrier free accessibility	Every building shall have front entrance at finished grade on the front and/or flanking street. The main residential entrance and exit shall and all commercial spaces shall provide barrier free accessibility to the nearest sidewalk.
FOOTNOTES (Section 9.11.): ^{.1} The floorplate is the gross floor area per floor of interior space and excludes all exterior spaces such as decks, patios, balconies , etc.)	

Section 9 – Specific Use Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 9.11.1 - Visual Examples of Corner Lot Setback



Section 9 – Specific Use Regulations

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

SECTION 10 –

Agriculture & 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 were 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 were 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 were 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 RR2 lots to allow carriage houses

Section 10 – Agriculture & Rural Residential Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 10.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
		on a case-by-case basis were supported by OCP policy.
	RR2cc – Small Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR2 lots to allow child care centre, major on a case-by-case basis were 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 ^{.10}	P	-	-	-
Agri-Tourism ^{.10}	S	S	-	-
Alcohol Production Facility ^{.10}	S	-	-	-
Animal Clinics, Major	-	S ^{.5}	S ^{.5}	-
Animal Clinics, Minor	-	S	S	-
Aquaculture	P	P	-	-
Bed and Breakfast Homes	S ^{.2, .12}	S ^{.2, .12}	S ^{.2, .12}	S ^{.2, .12}
Cannabis Cultivation ^{.10}	P	-	-	-
Child Care Centre, Major	-	-	S ^{.1}	S ^{.1}
Child Care Centre, Minor	S	S	S	S
Carriage House	S ^{.2, .11}	S ^{.2, .8}	S ^{.2, .8}	S ^{.2, .8}
Farm Retail Sales Stands ^{.10}	S	-	-	-
Forestry	P	-	-	-

Section 10 – Agriculture & Rural Residential Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 10.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	A1	A2	RR1	RR2
Greenhouses and Plant Nurseries	P ^{.4}	P ^{.4}	P ^{.4}	-
Group Home	-	P	P	P
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}	-	-	-
On-Farm Processing of Cannabis ^{.10}	S	-	-	-
On-Farm Processing ^{.10}	S	-	-	-
Secondary Suite	S ^{.2, .3}	S ^{.2, .3}	S ^{.2, .3}	S ^{.2, .3}
Short-Term Rental Accommodations	S ^{.12}	S ^{.12}	S ^{.12}	S ^{.12}
Single Detached Housing	P ^{.6}	P	P	P
Stables	P	P ^{.5}	-	-
Temporary Farm Worker Housing (TFWH) ^{.10}	S ^{.7}	S ^{.7}	-	-

FOOTNOTES (Section 10.3):

- ^{.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, or carriage house.
- ^{.3} Secondary suites must be on a lot serviced with community water.
- ^{.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 m² on the lot.
- ^{.5} Minimum lot area for animal clinics, major, kennels, and stables (stables only in the A2 zone) is 20,000 m².
- ^{.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).

Section 10 – Agriculture & Rural Residential Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 10.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	A1	A2	RR1	RR2
<p>⁷ Existing structure with a building permit that was approved at least two (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.</p> <p>⁸ The lot must have a carriage house sub-zone 'c' on the property for a carriage house to be permitted. Carriage houses must be on a lot serviced with community sanitary sewer and community water, except, carriage houses are permitted on lots without community sanitary sewer services if the lot area is at least 10,000 m².</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 lot area greater than 3,300 m².</p> <p>¹⁰ Other legislation like the Agriculture Land Commission Act applies and may limit land uses.</p> <p>¹¹ Lots with carriage houses in the A1 zone must have a minimum lot area of 20,000 m². Mobile homes may be used as carriage houses in the A1 zone.</p> <p>¹² Short-term rental accommodation is not permitted in combination with a bed and breakfast home.</p>				

Section 10.4 - Subdivision Regulations				
m = metres / m ² = square metres				
Criteria	Zones			
	A1	A2	RR1	RR2
Min Lot Width	40.0 m	40.0 m	36.0 m	18.0 m except it is 20.0 m for a corner lot
Min Lot Depth	n/a	n/a	30.0 m	30.0 m
Min Lot Area	No Sewer Lots	40,000 m ²	300,000 m ²	40,000 m ²
	Sewer Lots	40,000 m ²	40,000 m ²	8,000 m ²
	Both Sewer Lots and Lots without Sewer	Each lot shall have a minimum building envelope area of 150 m ² .		

Section 10 – Agriculture & Rural Residential Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 10.5 – A1 Agricultural and Development Regulations							
m = metres / m ² = square metres							
Agriculture Facilities, Building, & Structures	Max. Site Coverage of all Buildings, Structures, & Impermeable Surfaces ^{.5}	Max. Gross Floor Area ^{.5}	Min. Front & Flanking Side Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Min. ALR Interface Setback ^{.4}	Max. Height
Non-Agricultural Accessory Buildings or Structures	35%	130 m ² ^{.1}	6.0 m	3.0 m	3.0 m	n/a	6.0 m
Apiculture: Bee Hive; Honey House	35%	n/a	7.5 m	7.5 m	7.5 m	n/a	n/a
Agricultural Liquid or Solid Waste Storage (field storage)	35%	n/a	30.0 m	30.0 m	30.0 m	100.0 m	n/a
Agricultural Structures	35%	n/a	4.5 m	3.0 m	3.0 m	n/a	16.0 m
Alcohol Production Facility including Tasting Rooms and Lounges	35%	n/a	6.0 m	6.0 m ^{.9}	10.0 m ^{.9}	n/a	10.0 m
Carriage House	35%	90 m ² ^{.1}	6.0 m	3.0 m	10.0 m	n/a	5.4 m
Compost Storage, On-Farm Composting, and Composting Materials (non-manure storage)	35%	n/a	15.0 m	15.0 m	15.0 m	100.0 m	16.0 m
Chemical Storage	35%	n/a	7.5 m	7.5 m	7.5 m	n/a	16.0 m
Confined Livestock Areas	35%	n/a	15.0 m ^{.3}	15.0 m ^{.3}	15.0 m ^{.3}	100.0 m ^{.7}	16.0 m
Crop Storage (output storage for the farm)	35%	n/a	6.0 m	3.0 m	3.0 m	15.0 m	16.0 m
Farm Retail Sales Stands	35%	300 m ² ^{.2}	7.5 m	4.5 m	4.5 m	n/a	6.0 m

Section 10 – Agriculture & Rural Residential Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 10.5 – A1 Agricultural and Development Regulations

m = metres / m² = square metres

Agriculture Facilities, Building, & Structures	Max. Site Coverage of all Buildings, Structures, & Impermeable Surfaces ^{.5}	Max. Gross Floor Area ^{.5}	Min. Front & Flanking Side Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Min. ALR Interface Setback ^{.4}	Max. Height
Feed Mill, Feed Storage, Silage Storage (i.e., input storage for the farm)	35%	n/a	6.0 m	3.0 m	3.0 m	60.0 m	16.0 m
Greenhouses and Plant Nurseries ^{.8}	35% ^{.6}	n/a	6.0 m	3.0 m	3.0 m	15.0 m	16.0 m
Incinerators	35%	n/a	30.0 m	30.0 m	30.0 m	100.0 m	n/a
Kennels	35%	500 m ² ^{.10}	15.0 m	15.0 m	15.0 m	n/a	10.0 m
Livestock and Poultry Housing	35%	n/a	15.0 m ^{.3}	15.0 m ^{.3}	15.0 m ^{.3}	100.0 m	16.0 m
Mushroom Barns and/or Mushroom Processing Facility	35%	n/a	15.0 m	7.5 m	7.5 m	30.0 m	16.0 m
On-Farm Processing	35%	n/a	6.0 m	3.0 m	3.0 m	n/a	16.0 m
On-Farm Processing of Cannabis	35%	n/a	6.0 m	3.0 m	3.0 m	100 m	16.0 m
Secondary Suite	35%	90 m ²	n/a	n/a	n/a	n/a	n/a
Single Detached Housing	35%	n/a ^{.1}	6.0 m	3.0 m	10.0 m	n/a	10.0 m
Stables	35%	n/a	15.0 m	15.0 m	15.0 m	n/a	16.0 m

FOOTNOTES (Section 10.5.):

^{.1} For any lot 8,000 m² or greater in lot area, 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 carriage houses.

^{.2} 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.

Section 10 – Agriculture & Rural Residential Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 10.5 – A1 Agricultural and Development Regulations							
m = metres / m ² = square metres							
Agriculture Facilities, Building, & Structures	Max. Site Coverage of all Buildings, Structures, & Impermeable Surfaces ^{.5}	Max. Gross Floor Area ^{.5}	Min. Front & Flanking Side Yard Setback	Min. Side Yard Setback	Min. Rear Yard Setback	Min. ALR Interface Setback ^{.4}	Max. Height
<p>^{.3} The setback is increased to 30 m when the lot is abutting: a rural residential zone, a single & two dwelling zone, a commercial zone, a village centre zone, a core area zone, or an urban centre zone.</p> <p>^{.4} ALR interface is the perimeter border of the ALR including all satellite areas. The ALR interface is measured from the lot line on the farm side of the subject property.</p> <p>^{.5} Other legislation like the Agriculture Land Commission Act (and related regulation and policy) regulate gross floor area and site coverage.</p> <p>^{.6} 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>^{.7} Except horse paddocks, which can be setback 15 m.</p> <p>^{.8} These setbacks apply to cannabis cultivation if grown in a greenhouse.</p> <p>^{.9} Outdoor crush pads must be setback 15 m from lot line.</p> <p>^{.10} The maximum building footprint for kennels is 250 m².</p>							

Section 10.6 - Development Regulations			
m = metres / m ² = square metres			
Criteria	Zones		
	A2	RR1	RR2
↓ Regulations that apply to all Buildings, Structures, and Uses ↓			
Max. Site Coverage of all Buildings	20% ^{.4} except 30% when lot is less than 8,000 m ²	20% ^{.4} except 30% when lot is less than 8,000 m ²	30%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	35% ^{.4}	40% ^{.4} except 50% when lot is less than 8,000 m ²	60%
Max. Height for Agricultural Structures	16.0 m	16.0 m	n/a
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 all Principal Dwellings, Non-Agricultural Principal Use Buildings, and Non-Agricultural Principal Use Structures ↓			

Section 10 – Agriculture & Rural Residential Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 10.6 - Development Regulations				
m = metres / m ² = square metres				
Criteria		Zones		
		A2	RR1	RR2
Max. Height		10.0 m	10.0 m	10.0
Max. Height for Buildings with Walkout Basements <small>.4</small>	Front or Flanking Yard	8.6 m	8.6 m	8.6 m
	Rear Building Elevation	12.5 m ^{.3}	12.5 m ^{.3}	12.5 m ^{.3}
Max. Gross Floor Area of a Third (3rd) Storey relative to the Second (2nd) Storey (this does not apply to Dwellings with Walkout Basements)		70% See Example Diagram	70% See Example Diagram	70% See Example Diagram
Min. Front Yard Setback		6.0 m	6.0 m	6.0 m
Min. Front Yard or Flanking Yard Setback for any Attached Garage or Carport		6.0 m ^{.5}	6.0 m ^{.5}	6.0 m ^{.5}
Min. Flanking Yard Setback		4.5 m	4.5 m	4.5 m
Min. Side Yard Setback		3.0 m	3.0 m	2.1 m ^{.1}
Min. Rear Yard setback		10.0 m	9.0 m	7.5 m or 4.5 m on wide lots ^{.1}
↓ Regulations that apply to Carriage Houses, Accessory Buildings or Structures, and Secondary Suites ↓				
Max. Height for Carriage Houses		5.4 m	5.4 m	5.4 m
Max. Height for Accessory Buildings or Structures		4.8 m	4.8 m	4.8 m
Min. Front Yard Setback		12.0 m	12.0 m	12.0 m
Min. Front Yard Setback for Double Fronting Lots		6.0 m ^{.5}	6.0 m ^{.5}	6.0 m ^{.5}
Min. Flanking Yard Setback		6.0 m	6.0 m	6.0 m
Min. Side Yard Setback		1.5 m	1.5 m	1.5 m

Section 10 – Agriculture & Rural Residential Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 10.6 - Development Regulations			
m = metres / m ² = square metres			
Criteria	Zones		
	A2	RR1	RR2
Min. Rear Yard setback	3.0 m	3.0 m	1.5 m ²
Max. Net Floor Area for Single (1) Storey Carriage Houses	100 m ²	100 m ²	100 m ²
Max. Net Floor Area for Two (2) Storey Carriage Houses	90 m ²	90 m ²	90 m ²
Max. Building Footprint for Single (1) Storey Carriage Houses	100 m ²	100 m ²	100 m ²
Max. Building Footprint for Two (2) Storey Carriage Houses	90 m ²	90 m ²	90 m ²
Max. Upper Storey Gross Floor Area for Two (2) Storey Carriage Houses	70% of the carriage house footprint area See Example Diagram	70% of the carriage house footprint area See Example Diagram	70% of the carriage house footprint area See Example Diagram
Max. Net Floor Area for Secondary Suites	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

FOOTNOTES (Section 10.6.):

- ¹ 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.
- ² When the **rear yard** is abutting a **lane**, the minimum **rear yard** setback is 0.9 m.
- ³ 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.
- ⁴ For **greenhouses and plant nurseries** designed with a closed wastewater and storm water management systems then the **site coverage** may be increased to 75%.
- ⁵ Setback shall be measured from edge of sidewalk closest to **lot line**. In situations without a sidewalk the setback shall be measured from the back of curb or edge of street (where pavement ends). However, the minimum setback from the **lot line** is 3.0 m.

Section 10 – Agriculture & Rural Residential Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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</p> <p>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 expand the current footprint.</p>

Section 10 – Agriculture & Rural Residential Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 11 –

Single and Two Dwelling 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 were 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 were supported by OCP policy.
RU3 – Small Lot Housing	n/a	n/a

Section 11– Single and Two Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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 were 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 were 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, .10	S .9, .10	S .9, .10	S .9, .10	-
Boarding & Lodging	-	-	-	P (RU4b only)	-
Carriage House	S .7, .9	S .7, .9	-	S .2, .7, .9	-
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	P	P	P	P	P

Section 11– Single and Two Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

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}	-
Short-Term Rental Accommodations	S ^{.10}	S ^{.10}	S ^{.10}	S ^{.10}	S
Single Detached Housing	P ^{.1}	P ^{.1}	P ^{.1}	P ^{.2}	P ^{.8}

FOOTNOTES (Section 11.3.):

- ^{.1} Maximum one **single detached house** per lot, strata lot or bareland strata lot.
- ^{.2} Each **dwelling unit** (a **single detached house**, a **duplex** unit, or a **semi-detached** unit) is permitted to have one secondary use (a **secondary suite** or a **carriage house**). Each lot can have a maximum of two principal dwelling units (ex. two **single detached houses**, one **duplex**, or a **semi-detached building**).
- ^{.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 **net floor area** of 100 m².
- ^{.6} **Secondary suites** must be on a lot serviced with **community water**.
- ^{.7} For a lot located outside the **Core Area**, 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**, a **carriage house** is a permitted **secondary use** without the necessity of the sub-zone. **Carriage houses** must be on a lot serviced with **community sanitary sewer** and **community water**, except, **carriage houses** are permitted on lots without **community sanitary sewer** services if the lot area is at least 10,000 m².
- ^{.8} The maximum density shall be three (3) units per 1,000 m². The maximum density is one (1) unit per 1,000 m² if the lot is not connected to **community sanitary sewer** and **community water**.
- ^{.9} Only one of these **secondary uses** shall be permitted at any one time per principal **dwelling unit**: **bed & breakfast**, **secondary suite**, or **carriage house**.
- ^{.10} **Short-term rental accommodation** is not permitted in combination with a **bed and breakfast home**.

Section 11– Single and Two Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 11.4 – Subdivision Regulations					
m = metres / m ² = square metres					
	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	RU4 ^{.1}	RU5
Min. Lot Width without access to a Rear Lane	16.5 m	13.0 m	8.5 m	18.0 m ^{.2}	40.0 m
Min. Lot Width with access to a Rear Lane or Strata Road	15.0 m	12.0 m	8.5 m	18.0 m ^{.2}	40.0 m
Min. Lot Width for Corner Lots	17.0 m	15.0 m	10.0 m	20.0 m ^{.2}	40.0 m
Min. Lot Depth	30.0 m	27.0 m	27.0 m	30.0 m	30.0 m
Min. Lot Area ^{.1}	450 m ²	350 m ² ^{.3}	255 m ²	540 m ² ^{.2}	4,000 m ²
Min. Building Envelope Area	150 m ²	130 m ²	n/a	200 m ²	n/a
New lots must have access to side or rear lane	no	no	yes	no	no

FOOTNOTES (Section 11.4.):

^{.1} Minimum **lot width**, **lot depth**, and **lot area** also apply to **bareland strata lots**.

^{.2} Where a **lot** is developed with a **semi-detached housing** form and is being subdivided along a party wall then: the minimum **lot area** is 270 m², the minimum **lot width** is 10 m for **corner lots**, the minimum **lot width** is 9 m for all other **lots**, and the minimum **building envelope area** is 100 m².

^{.3} The minimum **lot area** is 325 m² when the **lot** has access to a **rear lane** or strata road.

Section 11– Single and Two Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 11.5 – Development Regulations						
m = metres / m ² = square metres						
		Zones				
		RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	RU4 ^{.1}	RU5 ^{.1}
↓ Regulations that apply to all Buildings, 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% ^{.6}
Lane Regulations		If a lot is fronting onto a lane then vehicular access is only permitted from the lane.				
↓ Regulations that apply to Principal Dwellings, Principal Use Buildings, and Principal Use Structures ↓						
Max. Height		10.0 m	10.0 m	10.0 m	10.0 m	10.0 m
Max. Height for Buildings with Walkout Basements	Facing Front or Flanking Yard	8.6 m	8.6 m	8.6 m	8.6 m	8.6 m
	Rear Building Elevation	12.5 m	12.5 m	12.5 m	12.5 m	12.5 m
Max. Gross Floor Area of a Third (3 rd) Storey relative to the Second (2 nd) Storey (this does not apply to Dwellings with Walkout Basements)		70% See Example Diagram	70% See Example Diagram	70% See Example Diagram	70% See Example Diagram	70% See Example Diagram
Min. Front Yard and Flanking Yard Setback		4.5 m ^{.7}	4.5 m ^{.7}	3.0 m	4.5 m ^{.7}	4.5 m ^{.5}
Min. Front Yard and Flanking Yard Setback for any attached garage or carport		6.0 m ^{.2}	6.0 m ^{.2}	n/a	6.0 m ^{.2}	6.0 m ^{.5}
Min. Side Yard Setback		2.1 m	1.5 m	1.2 m	2.1 m ^{.3}	3.0 m ^{.3, .5}
Min. Rear Yard Setback		7.5 m	6.0 m	6.0 m	7.5 m	6.0 m ^{.5}
Min. Rear Yard Setback on Wide Lots		4.5 m	4.5 m	4.5 m	4.5 m	n/a

Section 11– Single and Two Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 11.5 – Development Regulations					
m = metres / m ² = square metres					
	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	RU4 ^{.1}	RU5 ^{.1}
Min. Setback between Principal Buildings	n/a	n/a	n/a	2.5 m	2.5 m
↓ Regulations that apply to Carriage Houses, Accessory Buildings / Structures and Secondary Suites ↓					
Max. Height for Carriage Houses	5.4 m	5.4 m	5.4 m	5.4 m	n/a
Max. Height for Accessory Buildings / Structures	4.8 m	4.8 m	4.8 m	4.8 m	4.8 m
Min. Front Yard Setback	9.0 m	9.0 m	9.0 m	9.0 m	9.0 m ^{.5}
Min. Front Yard Setback for Double Fronting Lots	6.0 m ^{.2}	6.0 m ^{.2}	n/a	6.0 m ^{.2}	n/a
Min. Flanking Yard Setback	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m ^{.5}
Min. Side Yard Setback	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m ^{.5}
Min. Rear Yard Setback	1.5 m ^{.4}	1.5 m ^{.4}	1.5 m ^{.4}	1.5 m ^{.4}	1.5 m ^{.5}
Max. Net Floor Area for Single (1) Storey Carriage Houses	100 m ²	100 m ²	n/a	100 m ²	n/a
Max. Net Floor Area for Two (2) Storey Carriage Houses	90 m ²	90 m ²	n/a	90 m ²	n/a
Max. Building Footprint for Single (1) Storey Carriage Houses	100 m ²	100 m ²	n/a	100 m ²	n/a
Max. Building Footprint for Two (2) Storey Carriage Houses	90 m ²	90 m ²	n/a	90 m ²	n/a
Max. Building Footprint for Accessory Buildings / Structures	90 m ²	90 m ²	90 m ²	90 m ²	90 m ²
Max. Upper Storey Gross Floor Area for Two (2) Storey Carriage Houses	70% of the carriage house footprint area See Example Diagram	70% of the carriage house footprint area See Example Diagram	n/a	70% of the carriage house footprint area See Example Diagram	n/a

Section 11– Single and Two Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 11.5 – Development Regulations					
m = metres / m ² = square metres					
	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	RU4 ^{.1}	RU5 ^{.1}
Max. Net Floor Area for Secondary Suites	90 m ²	90 m ²	90 m ²	90 m ²	90 m ²
Lit pathway requirement for Carriage Houses and Secondary Suites	A lighted pathway is required from the entrance of the carriage house and/or the secondary suite to the on-site parking space(s) and to the fronting street.				
FOOTNOTES (Section 11.5): ^{.1} Site coverage, height, and setback regulations also apply to bareland strata lots. ^{.2} Setback shall be measured from edge of sidewalk closest to lot line. In situations without a sidewalk the setback shall be measured from the back of curb or edge of street (where pavement ends). However, the minimum setback from the lot line is 3.0 m. ^{.3} Side yard setbacks are not required for semi-detached on a lot line that has a party wall. ^{.4} When the rear yard is abutting a lane, the minimum rear yard setback is 0.9 m. ^{.5} The front, flanking, side, rear yard setback shall apply to the exterior lot lines of the site and not to the interior separations between single detached housing units and / or accessory structures within a building strata. ^{.6} Private roadways that access more than two dwelling units excluded from the calculation of maximum site coverage of all buildings, structures, and impermeable surfaces. ^{.7} The front yard and flanking yard setbacks can be reduced to 3.0 m for lots within the Suburban Residential S-RES future land use designation identified in the OCP.					

Section 11– Single and Two Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 12 –

Mobile Home and Camping Zones

Section 12.1 - Zone Purposes	
Zones	Purpose
MH1 – Mobile Home and Camping	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
Home-Based Business, Minor	S
Mobile Home Park	P ¹
Offices	S ²

FOOTNOTES (Section 12.2.):

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	
m = metres / m ² = square metres	
	Zones
	MH1
Min. Site Width	n/a
Min. Site Depth	n/a
Min. Site Area	20,000 m ²

Section 12– Mobile Home and Camping Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 12– Mobile Home and Camping Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 12.4 – Development Regulations	
m = metres / m ² = square metres	
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 and Camping Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 13 –

Multi-Dwelling 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 of 2 storeys .
MF2 – Townhouse Housing	The purpose is to provide a zone for ground-oriented multiple housing (typically townhouse developments) up to 3 storeys on serviced urban lots .
MF3 – Apartment Housing	The purpose is to provide a zone primarily for apartments ranging up to 6 storeys on serviced urban lots with various commercial uses permitted on transit supportive corridors .

Section 13.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
MF1 – Infill Housing	MF1r – Infill Housing Rental Only	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	MF2r – Townhouse Housing Rental Only	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	MF3r – Apartment Housing Rental Only	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-Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 13.3 - Permitted Land Uses			
Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)		
	MF1	MF2	MF3
Accessory Buildings or Structures	S	S	S
Agriculture, Urban	S	S	S
Apartment Housing	-	-	P
Child Care Centre, Major	S	S	S
Child Care Centre, Minor	S	S	S
Cultural and Recreation Services	-	-	S ^{.2}
Duplex Housing	P	P	-
Food Primary Establishment	-	-	S ^{.2}
Group Home	P ^{.1}	P ^{.1}	-
Home-Based Business, Major	S ^{.5}	S ^{.6}	S ^{.6}
Home-Based Business, Minor	S	S	S
Health Services	-	-	S ^{.2}
Professional Services	-	-	S ^{.2}
Participant Recreation Services, Indoor	-	-	S
Personal Service Establishments	-	-	S ^{.2}
Retail	-	-	S ^{.2}
Secondary Suite	S ^{.3}	-	-
Semi-Detached Housing	P	P	-
Short-Term Rental Accommodations	S	S	S
Single Detached Housing	P	P	-
Stacked Townhouses	-	P	P ^{.4}
Townhouses	P	P	P ^{.4}

Section 13 – Multi-Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 13.3 - Permitted Land Uses			
Uses	Zones		
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)		
	MF1	MF2	MF3
<p>FOOTNOTES (Section 13.3.):</p> <p>^{.1} Group homes are only permitted within a single detached housing, semi-detached housing, or a duplex housing form.</p> <p>^{.2} These land uses are only permitted on transit supportive corridors and these land uses are not permitted above the first storey.</p> <p>^{.3} No new secondary suites are permitted. Existing secondary suites that existed prior to December 4th 2017 are permitted to remain.</p> <p>^{.4} Townhouses and/or stacked townhouses are only permitted if the majority of the residential dwelling units are in the form of apartment housing.</p> <p>^{.5} Home-based business, major is only permitted when the lot has two (2) or less principal dwelling units.</p> <p>^{.6} Home-based business, major is only permitted within ground-oriented dwelling units fronting transit supportive corridors, ground-oriented dwelling units within urban centres, or ground-oriented dwelling units within village centres.</p>			

Section 13.4 – Subdivision Regulations				
m = metres / m ² = square metres				
		Zones		
		MF1	MF2	MF3
Min. Lot Width	Regular Lots	7.5 m	20.0 m ^{.1}	30.0 m
	Corner lots	9.5 m		
Min. Lot Area	Regular Lots	277.5 m ²	900 m ² . ¹	1,400 m ²
	Corner Lots	350 m ²		
Min. Lot Depth		30.0 m	30.0 m ^{.1}	30.0 m
<p>FOOTNOTES (Section 13.4.):</p> <p>^{.1} Townhouse developments 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.</p>				

Section 13 – Multi-Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 13.5 – Development Regulations			
m = metres / m ² = square metres			
	Zones		
	MF1	MF2	MF3
Max. Height Max. Density	Section 13.6 – Density and Height Development Regulations		
Max. Site Coverage of all Buildings	55%	55%	65%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	75%	80%	85%
Min. Front Yard & Flanking Side Yard setback for Ground-Oriented units	4.0 m	3.0 m ^{.3}	3.0 m ^{.3}
Min. Front Yard & Flanking Side Yard setback for all Buildings including Accessory Buildings / Structures	4.0 m ^{.5}	3.0 m ^{.5}	4.5 m ^{.5}
Min. Building Stepback from Front Yard and Flanking Side Yard	n/a	n/a	3.0 m ^{.6}
Min. Side Yard Setback	1.2 m ^{.1, .2}	3.0 m except 1.2 m from a lane ^{.2}	3.0 m ^{.7}
Min. Rear Yard Setback	3.0 m except 0.9 m from a rear lane	4.5 m except 0.9 m from a rear lane	4.5 m except 3.0 m from a rear lane ^{.4}
Min. Rear Yard Setback for Accessory Buildings / Structures	1.5 m except 0.9 m from a lane	1.5 m except 0.9 m from a lane	1.5 m except 0.9 m from a lane ^{.7}
Min. Separation between Detached Principal Buildings	2.0 m	3.0 m	n/a
Min. Common and Private Amenity Space	n/a	7.5 m ² per bachelor dwelling unit 15.0 m ² per 1-bedroom dwelling unit 25 m ² per dwelling unit with more than 1-bedroom ^{.8, .9}	
Max. Building Frontage	A continuous building frontage shall not exceed 100 m in length.		

Section 13 – Multi-Dwelling Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 13.5 – Development Regulations			
m = metres / m ² = square metres			
	Zones		
	MF1	MF2	MF3
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 7900 .		
<p>FOOTNOTES (Section 13.5.):</p> <p>¹ For lots 17.0 m or wider, the minimum side yard setback is increased to 2.1 m.</p> <p>² Side yards are not required for semi-detached housing or townhouses on a lot line that has a party wall agreement</p> <p>³ The minimum setback can be reduced from 3.0 m to 2.0 m for ground-oriented units if both of these criteria are met:</p> <p style="margin-left: 20px;">a) The maximum first floor height above the adjacent curb level for ground-oriented residential units are 1.2 m. Height is measured from the grade at the sidewalk directly from a fronting publicly accessible street, walkway, open space or applicable lot line. See example diagram.</p> <p style="margin-left: 20px;">b) The minimum net floor area for ground-oriented residential units on the first floor is 11m². See example diagram.</p> <p>⁴ For portions of a parkade with lane access which do not project more than 2.3 m above finished grade, the rear yard setback for the parkade is 1.5 m.</p> <p>⁵ The setback for a garage, a carport, or a parkade door that has direct access to the street shall have a 6 m setback measured from back-of-curb or edge of road pavement, or edge of sidewalk or 4.5 m from lot line (whichever is greater).</p> <p>⁶ Minimum building setbacks apply only to buildings 5 storeys and taller. The setback can occur on any floor above the second storey.</p> <p>⁷ If the property is abutting a Rural – Agricultural and Resource, Rural – Residential, or Suburban – Residential future land use designation as defined in the Official Community Plan then a 1.5 m additional setback needs to be added to the minimums.</p> <p>⁸ Common and Private Amenity Space can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of Common and Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.</p> <p>⁹ 4.0 m² per dwelling unit of the common and private amenity space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas.</p>			

Section 13 – Multi-Dwelling Zones

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 13.6 – Density and Height Development Regulations				
m = metres / m ² = square metres				
		Zones		
		MF1	MF2	MF3
Min. Density for Lots fronting onto a Transit Supportive Corridor		For lots with a lane = 4.75 units per 1,000 m ² and a Min. 1,050 m ² lot area ^{.5} For lots without a lane = 3.1 units per 1,000 m ² and a Min. 1,600 m ² lot area ^{.5}		
Max. Base Density		0.8 FAR with lane 0.6 FAR without lane and max 9.9 dwelling units per 1,000 m ² of lot area	1.0 FAR See Underground Parking Base FAR Adjustments ^{.7}	For 4 storeys and below Max FAR = 1.3 ^{.2} For 5 storeys and above Max FAR = 1.8 ^{.2} See Underground Parking Base FAR Adjustments ^{.7}
Max. Bonus Density (Floor Area Ratio increase)		n/a	An additional 0.15 FAR ^{.3}	An additional 0.25 FAR ^{.3}
Max. Bonus Density for Rental Projects		n/a	An additional 0.3 FAR ^{.3}	An additional 0.3 FAR ^{.3}
Max. Base Height		8.0 m & 2 storeys	11.0 m & 3 storeys	18.0 m & 4 storeys Or 22.0 m / 6 storeys ^{.1}
Max. Base Height for Buildings with Walkout Basements	Front Building Elevation	n/a	10.0 m & 3 storeys	n/a
	Rear Building Elevation	n/a	12.6 m & 3 storeys	n/a
Max. Bonus Height		n/a	n/a	22.0 m & 6 storeys ^{.3} Or 44.0 m & 12 storeys ^{.4}
<p>FOOTNOTES (Section 13.6.):</p> <p>^{.1} The base height is 18.0 m & 4 storeys except the maximum height may be increased to 22.0 m / 6 storeys if:</p> <ul style="list-style-type: none"> The subject property is fronting onto a Transit Supportive Corridor; or The subject property does not abut a RU1, RU2, RU3, RU4, or RU5 zoned lot. <p>^{.2} The base FARs are derived from the base height regulation. Therefore, the base FARs remain constant even if an owner successfully applies for a Development Variance Permit to the base heights.</p> <p>^{.3} These bonuses only apply to lots within the Core Area or within a village centre. The bonus density and bonus height provisions occur if the provisions of Section 6.8 Density Bonus are secured.</p> <p>^{.4} The increase in height to 44.0 m and 12 storeys only applies in situations where:</p> <ol style="list-style-type: none"> lots are fronting a Provincial Highway; and lots are within 400 m of transit stop and that transit stop must be located fronting onto a Provincial Highway or a major arterial road; and 				

Section 13 – Multi-Dwelling Zones

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Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 13.6 –Density and Height Development Regulations			
m = metres / m ² = square metres			
	Zones		
	MF1	MF2	MF3
(c) the abutting lots cannot be zoned A1, A2, RR1, RR2, RU1, RU2, RU3, RU4, or RU5 ; and (d) lots are within the Core Area Neighbourhood Future Land Use Designations as outlined in the OCF . (e) The bonus density and bonus height provisions occur if the provisions of Section 6.8 Density Bonus are secured.			
⁵ For the purpose of calculating minimum densities the amount of commercial area considered as a unit will be measured at one (1) unit per 125 m ² of commercial GFA .			
⁶ For the purpose of calculating minimum densities the amount of commercial area considered as a unit will be measured at one (1) unit per 125 m ² of commercial GFA .			
⁷ If eighty percent (80%) of the parking provided on-site is located underground (below finished grade) then the base FAR is increased by 0.25 FAR .			

Section 13.7 - 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 .
3.	Lot 1, Section 32, Township 26, ODYD, Plan KAP 91641	530 Caramillo Ct.	This property is permitted to have Apartment housing limited to 4 storeys .
4.	Strata Plan of Lot 3 & Remainder Lot 3, Section 28, Township 26, ODYD, PLAN KAP74074 (See Posting Plan EPP 104511)	777 Denali Drive	This property is permitted to have Apartment housing limited to 3 storeys .
5.	Lot B, Section 24, Township 28, Land District 54, Plan KAP30848, EXC EPT Plan KAP79047, EPP23768	530 Quartz Crescent	This property is permitted to have Apartment housing limited to 3 storeys .

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 14 –

Core Area & Other Zones

Section 14.1 – Core Area and Other Zone Categories	
Category	Zones
Commercial Zones	C1 – Local & Neighbourhood Commercial C2 – Vehicle Oriented Commercial
Cora Area Zones	CA1 – Core Area Mixed Use
Village Centre Zones	VC1- Village Centre
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 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.2 – Commercial, Core Area, and Village Centre Zone Purposes	
Zones	Purpose
C1 – Local & Neighbourhood Commercial	The purpose is to provide a zone for the commercial developments outside the Core Area to provide a range of services needed on a day-to-day basis by residents within their neighbourhoods. Generally, building scale includes 2 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.
CA1 – Core Area Mixed Use	The purpose is to provide a mixed commercial and residential zone for developments within the Core Area and outside urban centres . Buildings up to 4 storeys will be generally permissible with Buildings up to 6 storeys in certain circumstances based on development policy guidance from the OCP . A further increase to 12 storeys will be acceptable on key Transit Supportive Corridors and within close proximity to transit and Urban Centres.
VC1- Village Centre	The purpose is to provide a zone with an integrated design for a comprehensive mixed-use area which can include a variety of uses as specified to each Village Centre (as identified with the OCP).

Section 14.3 – Urban Centre Zone Purposes	
Zones	Purpose
UC1 – Downtown Urban Centre	The purpose of this zone is to designate and to preserve land for developments 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 developments 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 developments within the Midtown Urban Centre .
UC4 – Rutland Urban Centre	The purpose is to provide a mixed commercial and residential zone for developments within the Rutland Urban Centre .
UC5 – Pandosy Urban Centre	The purpose is to provide a mixed commercial and residential zone for developments within the South Pandosy Urban Centre .

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.4 – Industrial Zone Purposes	
Zones	Purpose
I1 – Business Industrial	The purpose is to provide a zone for developments of planned industrial business parks containing indoor industrial uses with limited outdoor storage and to provide a zone for transition from general / heavy 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 developments 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 developments 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-kilometer 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 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.6 – Health District Zone Purposes	
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.

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 – Core Area and Other Sub-Zones Categories	
Category	Zones
Commercial, Core Area, and Village Centres	C1 – Local & Neighbourhood Commercial <ul style="list-style-type: none"> • rcs – Retail Cannabis Sales C2 – Vehicle Oriented Commercial <ul style="list-style-type: none"> • rcs – Retail Cannabis Sales • dt – Drive Through CA1 – Core Area Mixed Use <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • dt – Drive Through VC1 – Village Centre <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • fg – Fueling and Gas Stations • dt – Drive Through
	UC1 – Downtown Urban Centre <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • gg – Gaming and Gambling • a – Arena • fg – Fueling and Gas Stations • dt – Drive Through
Urban Centre	UC1 – Downtown Urban Centre <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • gg – Gaming and Gambling • a – Arena • fg – Fueling and Gas Stations • dt – Drive Through

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.8 – Core Area and Other Sub-Zones Categories	
Category	Zones
	UC2 – Capri-Landmark Urban Centre <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • gg – Gaming and Gambling • fg – Fueling and Gas Stations • dt – Drive Through UC3 – Midtown Urban Centre <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • fg – Fueling and Gas Stations • dt – Drive Through UC4 – Rutland Urban Centre <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • fg – Fueling and Gas Stations • dt – Drive Through UC5 – Pandosy Urban Centre <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • fg – Fueling and Gas Stations • dt – Drive Through
Industrial	I1 – Business Industrial <ul style="list-style-type: none"> • rcs – Retail Cannabis Sales I2 – General Industrial <ul style="list-style-type: none"> • rcs – Retail Cannabis Sales I3 – Heavy Industrial I4 – Natural Resource Extraction
Institutional	P1 – Major Institutional P2 – Education and Minor Institutional P3 – Parks and Open Space P4 – Utilities P5 – Municipal District Park
Health District	HD1 – Kelowna General Hospital HD2 - Residential and Health Support Services <ul style="list-style-type: none"> • r – Rental Only
Water	W1 – Recreational Water Use W2 – Intensive Water Use

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

14.9 - Permitted Principal and Secondary Land Uses in Core Area and Other Zones

Section 14.9 – Principal and Secondary Land Uses																							
Uses		Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)																					
		C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5	I1	I2	I3	I4	P1	P2	P3	P4	P5	HD1	HD2	W1	W2
1	Accessory Buildings or Structures	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
2	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
3	Alcohol Production Facilities	-	P ^{.1}	P ^{.1}	P ^{.1}	P ^{.1}	-	-	-	-	-	-	-	-	-	-							
4	Animal Clinics, Major	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-
5	Animal Clinics, Minor	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-
6	Apartment Housing	P ^{.6}	P ^{.6}	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	P	-	-
7	Auctioneering Establishments	-	P	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
8	Automotive & Equipment	-	P	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
9	Automotive & Equipment, Industrial	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-
10	Boat Launches	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
11	Boat Storage	-	-	-	S ^{.13}	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-
12	Bulk Fuel Depot	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-
13	Cannabis Production Facilities	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	-
14	Cemeteries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-
15	Child Care Centre, Major	P	P	P	P	P	P	P	P	P	P	-	-	-	P	-	S	-	S	S	P	-	-
16	Child Care Centre, Minor	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	S	-	-
17	Commercial Storage	-	P	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-
18	Concrete and Asphalt Plants	-	-	-	-	-	-	-	-	-	-	-	P	S	-	-	-	-	-	-	-	-	-
19	Cultural and Recreation Services	P	P	P	P	P	P	P	P	P	P	-	-	-	P	P	S	-	S	-	-	-	-
20	Detention and Correction Services	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-
21	Docks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P ²	P
22	Drive Throughs	-	P ^{.14}	-	-	-	-	-	-	-	-	-	-	-	-	-							

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Agriculture & Rural Zones			Single & Two Dwelling Zones				Multi-Dwelling Zones				Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density		

Section 14.9 – Principal and Secondary Land Uses																							
Uses		Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)																					
		C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5	I1	I2	I3	I4	P1	P2	P3	P4	P5	HD1	HD2	W1	W2
23	Education Services	-	P	P	P	P	P	P	P	P	-	-	-	-	-	P	-	-	-	S	-	-	-
24	Emergency and Protective Services	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	-	-	S	S	P	-	-
25	Exhibition and Convention Facilities	-	-	-	-	P	P	P	P	P	-	-	-	-	P	-	-	-	-	-	-	-	-
26	Fleet Services	-	P	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
27	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}
28	Gaming Facilities	-	-	-	-	P ^{.8}	P ^{.8}	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
29	Gas Bar	P ^{.12}	P ^{.12}	-	P ^{.12}	-	P ^{.12}	-	-	-	-	-	-	-	-	-	-	-					
30	General Industrial Use	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	-
31	Greenhouses and Plant Nurseries	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
32	Group Home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
33	Health Services	P	P	P	P	P	P	P	P	P	-	-	-	-	P	P	-	-	S ^{.3}	-	P	-	-
34	Home-Based Business, Major	-	-	S ^{.10}	-	-	-	-	-	-	-	-	-	-	S ^{.10}	-	-						
35	Home-Based Business, Minor	-	-	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	S	-	-
36	Hospitals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-
37	Hotels / Motels	-	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-
38	Liquor Primary Establishment	P ^{.4, .5}	P ^{.4}	P ^{.5}	P ^{.5}	-	-	S ^{.4}	-	S ^{.4}	-	S ^{.4}	-	-	-	S ^{.4, .5}							
39	Marinas	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
40	Moorage, Permanent	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P
41	Moorage, Temporary	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S
42	Natural Resource Extraction	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-
43	Non-Accessory Parking	-	P	P	P	P	P	P	P	P	-	P	-	-	P	-	-	-	S	-	-	-	-
44	Offices	P ^{.6}	P ^{.6}	P	S	P	P	P	P	P	-	-	-	S	-	-	-	-	-	-	-	-	-
45	Outdoor Storage	-	-	-	-	-	-	-	-	-	-	P	P	S	-	-	-	S	-	-	-	-	-
46	Parks	-	-	S	S	S	S	S	S	S	-	-	-	-	S	S	P	-	P	S	-	-	-

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.9 – Principal and Secondary Land Uses																							
Uses		Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)																					
		C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5	I1	I2	I3	I4	P1	P2	P3	P4	P5	HD1	HD2	W1	W2
47	Participant Recreation Services, Indoor	P	P	P	P	P	P	P	P	P	P	P	-	-	P	S	S	-	S	-	-	-	-
48	Participant Recreation Services, Outdoor	-	-	-	P	-	-	-	-	-	-	-	-	-	-	S	P	S	S	-	-	-	-
49	Personal Service Establishment	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-
50	Professional Services	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-
51	Recreational Water Activities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P
52	Recycling Depots	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-
53	Recycling Plants	-	-	-	-	-	-	-	-	-	-	-	P	S	-	-	-	-	-	-	-	-	-
54	Recycling Drop-Offs	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	-	-	-	-	-	-	-
55	Religious Assemblies	P	P	P	P	P	P	P	P	P	-	-	-	-	P	P	-	-	-	-	-	-	-
56	Residential Security / Operator Unit	S	S	-	-	-	-	-	-	-	S	S	S	S	-	S	S	-	S	-	-	-	-
57	Retail	P	P	P	P	P	P	P	P	P	-	-	-	-	S	-	S	-	S ^{.3}	S	S ^{.5}	-	S ^{.5}
58	Retail Cannabis Sales	P ^{.9}	P ^{.9}	P ^{.9}	P ^{.9}	P ^{.9}	P ^{.9}	P ^{.9}	P ^{.9}	P ^{.9}	S ^{.9}	S ^{.9}	-	-	-	-	-	-	-	-	-	-	-
59	Secondary Suite	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-
60	Short-Term Rental Accommodations	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	S	-	-
61	Single Detached Housing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
62	Spectator Sports Establishments	-	-	-	-	P	P	P	P	-	-	-	-	-	P	-	-	-	S	-	-	-	-
63	Stacked Townhouses	-	-	P	P	P ^{.11}	-	-	-	-	-	-	-	-	-	-	P	-	-				
64	Townhouses	-	-	P	P	P ^{.11}	-	-	-	-	-	-	-	-	-	-	P	-	-				
65	Temporary Shelter Services	-	P	P	P	P	P	P	P	P	-	P	-	-	P	P	-	-	S	-	-	-	-
66	Utility Services, Infrastructure	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	P	-	-	-	-
67	Warehousing	-	P	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	-
68	Wrecking Yards	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.9 – Principal and Secondary Land Uses

Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)																					
	C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5	I1	I2	I3	I4	P1	P2	P3	P4	P5	HD1	HD2	W1	W2

FOOTNOTES (Section 14.9.):

- 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 gross floor area limit. 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. If the lot is fronting onto Richter Street, Clement Avenue, Vaughan Avenue, or Baillie Avenue then 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 remuneration.
- 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 hold a Liquor Primary Licence.
- ⁵ Retail, food primary establishment, liquor primary establishments shall not exceed 235 m² in gross floor area (e.g. neighbourhood pubs) per lot. If the lot is fronting onto Richter Street, Clement Avenue, Baillie Avenue, or Vaughan Avenue then any food primary establishment can exceed the 235 m² gross floor area limit.
- ⁶ Offices are intended to be a minor component within the zone. Offices and Apartment Housing are limited to the uppermost floor within a building. Offices and Apartment Housing cannot occur on the ground floor.
- 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.
- ⁸ Gaming facilities must have ‘gg’ Gaming and Gambling sub-zoning on the property.
- ⁹ Retail cannabis sales must have ‘rcs’ Retail Cannabis Sales sub-zoning on the property.
- ¹⁰ Home-based business, major is only permitted within ground-oriented units fronting Transit Supportive Corridors, ground-oriented units within urban centres, ground-oriented units within village centres, or within single detached housing.
- 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, Map 4.5, Map 4.7).
- ¹² Within an Urban Centre or a Village Centre zone a gas bar must have the ‘fg’ sub-zoning on the property to be permitted. All gas bars are only permitted if an alternative fuel infrastructure is provided on the same lot.
- ¹³ Boat Storage is only permitted with the Cook / Lakeshore Village Centre.
- ¹⁴ Drive Throughs must have ‘dt’ Drive Through sub-zoning on the property. See Section 9.4 for specific drive through related regulations.

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.10 – Subdivision Regulations				
m = metres / m ² = square metres				
Zones	Minimum Lot Width	Minimum Lot Depth	Minimum Lot Area .1	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
CA1	40.0 m except 13.0 m if site abuts a lane .	30.0 m	1,200 m ² except 460 m ² if site abuts a lane .	n/a
VC1 Village Centre	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	1,200 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 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.10 – Subdivision Regulations				
m = metres / m ² = square metres				
Zones	Minimum Lot Width	Minimum Lot Depth	Minimum Lot Area ^{.1}	Maximum Lot Area

FOOTNOTES (Section 14.10.):

^{.1} 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 of Kelowna's Subdivision and Servicing Bylaw 7900). If a lot does not have an installed connection to the community sanitary sewer system, then the minimum lot area is 10,000 m².

Section 14.11 – Commercial and Urban Centre Zone Development Regulations									
m = metres / m ² = square metres									
Criteria	Zones								
	C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5
Max. Site Coverage of all Buildings	50%	65%	75%	75%	100%	100% or 85% ^{.13}	100% or 85% ^{.13}	100% or 85% ^{.13}	100% or 85% ^{.13}
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	70%	85%	85%	85%	100%	100% or 90% ^{.9}	100% or 90% ^{.9}	100% or 90% ^{.9}	100% or 90% ^{.9}
Max. Density and Max. Height	See Section 14.14 for Density and Height Regulations								
Min. Front Yard and Flanking Side Yard Setback	2.0 m ^{.12}	2.0 m ^{.12}	3.0 m ^{.1, .12}	3.0 m ^{.1, .12}	0.0 m ^{.2, .12}	3.0 m ^{.1, .2, .12}	3.0 m ^{.1, .2, .12}	3.0 m ^{.1, .2, .12}	3.0 m ^{.1, .2, .12}
Min. Building Stepback from Front Yard and Flanking Side Yard	n/a	n/a	3.0 m ^{.14}	3.0 m ^{.14}	n/a	n/a	n/a	n/a	n/a
Min. Side Yard Setback	3.0 m	0.0 m ^{.3}	3.0 m	3.0 m ^{.6, .8}	0.0 m ^{.2, .3}	0.0 m ^{.2, .3}	3.0 m ^{.2, .3}	0.0 m ^{.2, .3}	0.0 m ^{.2, .3}
Min. Rear Yard Setback	3.0 m ^{.4}	0.0 m ^{.4}	4.5 m ^{.5, .7}	4.5 m ^{.7, .8}	0.0 m ^{.2}	0.0 m ^{.2, .4}	3.0 m ^{.2, .4}	0.0 m ^{.2, .4}	0.0 m ^{.2, .4}
Min. Common and Private Amenity Space	n/a	n/a	7.5 m ² per bachelor dwelling unit 15.0 m ² per 1-bedroom dwelling unit 25 m ² per dwelling unit with more than 1-bedroom ^{.11}						
Min. Accessory Buildings / 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.								

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.11 – Commercial and Urban Centre Zone Development Regulations									
m = metres / m ² = square metres									
Criteria	Zones								
	C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5
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 (Figure 9.11.1) .								
Urban Plazas	Any site within an urban centre larger than 1 acre with a building length larger than 100 m shall provide an urban plaza at grade.								
Tall Building Regulations	For tower and podium regulations refer to Section 9.11 Tall Building Regulations .								
Min. and Max. Commercial or Residential Floor Area based on Fronting Street Type	<p>The commercial and residential principal use floor area restriction is based on street type as defined in the City of Kelowna’s Official Community Plan (See Maps: 4.2 Downtown, 4.4 Capri-Landmark, 4.6 Pandosy, 4.8 Rutland, & 4.10 Midtown). Secondary uses are permitted in accordance with Section 14.9. Any building on streets classified as a:</p> <ul style="list-style-type: none"> • High Streets or Retail Streets shall provide ground-floor commercial principal uses, 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. Any combination of commercial and residential principal uses is permitted above the ground-floor. • Mixed Streets can contain any combination of commercial and residential principal uses at the ground floor and above. • Mixed Residential Streets can contain any combination of ground-floor commercial or residential principal uses. One hundred percent (100%) of the floor area above the ground-floor shall be residential principal uses. • Residential Streets shall contain one hundred percent (100%) of the floor area as residential principal uses. 								
Max. 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).								

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.11 – Commercial and Urban Centre Zone Development Regulations

m = metres / m² = square metres

Criteria	Zones								
	C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5

FOOTNOTES (Section 14.11.):

- .1 The minimum setback can be reduced from 3.0 m to 2.0 m for **ground-oriented** residential units if both of these criteria are met:
 - a) The maximum first floor **height** above adjacent curb level for **ground-oriented** residential units is 1.2 m. **Height** is measured from the grade at the sidewalk directly from a fronting publicly accessible **street**, walkway, open space or applicable **lot line**. See **Example Diagram**.
 - b) The minimum **net floor area** for **ground-oriented** residential units on the first floor is 11m². See **Example Diagram**.

The minimum setback can be reduced from 3.0 m to 0.0 m for any **ground-oriented** commercial units if at least a 6.0 m setback in the UC2, UC3, & UC4 zones and 4.5 m setback in the UC5 zone is maintained from back-of-curb (or edge of road pavement in situations without curb) to building face.
- .2 Any portion of a **building** above 16.0 m in **height** must be setback a minimum of 3.0 m from any **lot line abutting** a **street** and 4.0 m from any **lot line abutting** another property.
- .3 Except it is 3.0 m when **abutting** a core area neighbourhood (C-NHD) or an education / institutional (EDINST) future land use designation as outlined in the **Official Community Plan**.
- .4 Except it is 6.0 m when **abutting** a core area neighbourhood (C-NHD) or an education / institutional (EDINST) future land use designation as outlined in the **Official Community Plan**.
- .5 Except it the rear setback is: 3.0 m when **abutting** rear **lane**, 6.0 m when **abutting** a **single & two dwelling zone** or **rural residential zone**, and it is 6.0 m for **hotels** or **motels**.
- .6 The minimum side yard is 4.0 m when **abutting** a **single & two dwelling zone** or **rural residential zone**.
- .7 For portions of a parkade with **lane** access which do not project more than 2.3 m above **finished grade**, the **rear yard** setback for the parkade is 1.5 m The site rear yard for **carport structures** is 1.5 m.
- .8 Any **building** over 6 **storeys** in height, the portions of the **building** over 6 **storeys** must be setback a minimum of 10 m from any **lot line abutting** any **single & two dwelling zone** or **rural residential zone**. Bareland strata lots do not have setbacks to internal lots or common access roads. A continuous **building frontage** shall not exceed 100 m in length and must be designed with appropriate architectural breaks or relief where the length of the **building** exceeds 37 m.
- .9 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 4.4, 4.6, 4.8, 4.10). All high streets, retail streets, and mixed streets are maximum of 100%. All mixed-residential, residential streets and all other street types are maximum of 90%.
- .10 The maximum height is measured from the grade at the sidewalk directly from a fronting publicly accessible **street**, walkway, open space or applicable **lot line**. See **Visual Example of Max Floor Height for Ground-Oriented Housing**.
- .11 4.0 m² per **dwelling unit** of the **Common and Private Amenity Space** shall be configured as common area that is accessible to all residents and must not be located within the required setback areas. **Common and Private Amenity Space** can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of **Common and**

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.11 – Commercial and Urban Centre Zone Development Regulations									
m = metres / m ² = square metres									
Criteria	Zones								
	C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5
<p>Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.</p> <p>.12 The setback for a garage, a carport, or a parkade door that has direct access to the street shall have a 6 m setback measured from back-of-curb or edge of road pavement, or edge of sidewalk or 4.5 m from lot line (whichever is greater).</p> <p>.13 The maximum site coverage is dependent on the street type as defined in the City of Kelowna's Official Community Plan (e.g., Map 4.4, 4.6, 4.8, 4.10). All high streets, retail streets, and mixed streets are maximum of 100%. All mixed-residential, residential streets and all other street types are maximum of 85%.</p> <p>.14 Minimum building setbacks apply only to buildings five (5) storeys and taller. The setback can occur on any floor above the second storey.</p>									

Section 14.12 – Industrial, Institutional, and Water Zone Development Regulations											
m = metres / m ² = square metres											
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%	90%	n/a	n/a	70%	60%	n/a	n/a	30%	n/a	n/a
Max. Density & Max. Height	See Section 14.14 for Density and Height Regulations										
Min. Front Yard Setback	2.0 m	2.0 m	2.0 m .2	2.0 m .2	2.0 m	2.0 m .3	6.0 m	6.0 m	6.0 m	n/a	n/a
Min. Flanking Side Yard Setback	2.0 m	2.0 m	2.0 m .2	2.0 m .2	2.0 m	2.0 m .3	4.5 m	6.0 m	6.0 m	n/a	n/a

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.12 – Industrial, Institutional, and Water Zone Development Regulations											
m = metres / m ² = square metres											
Criteria	Zones										
	I1	I2	I3	I4	P1	P2	P3	P4	P5	W1	W2
Min. Side Yard Setback	0.0 m .1	0.0 m .1	0.0 m .2	0.0 m .2	4.5 m	4.5 m .3	3.0 m .1	4.5 m	4.5 m	n/a	n/a
Min. Rear Yard Setback	0.0 m .1	0.0 m .1	2.0 m .2	2.0 m .2	6.0 m	6.0 m .3	3.0 m .2	4.5 m .2	6.0 m	n/a	n/a

FOOTNOTES (Section 14.12.):

- ^{.1} Except the minimum setback is 4.5 m when the lot line abuts a residential zone.
- ^{.2} Except the minimum setback is 6.0 m when the lot line abuts a residential zone.
- ^{.3} Except the minimum setback is 1.2 m for any temporary portable buildings used for education services or childcare services.

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.13 – Health District Development Regulations		
m = metres / m ² = square metres		
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 & Max. Height	See Section 14.14 for Density and Height Regulations	
Road Specific Min. Setbacks	6.0 m from Pandosy Street 6.0 m from Royal Ave for buildings up to 10.0 m in height 9.0 m from Royal Ave for buildings greater than 10.0 m 9.0 m from Abbott Street 4.5 m on southern Christleton Laneway	n/a
Min. Front Yard & Flanking Side Yard Setback	n/a	4.5 m for Single Detached Housing & 4.5 m for Apartment Housing / Health Services / Commercial ⁻¹
Min. Side Yard Setback	n/a	2.1 m for Single Detached Housing & 3.0 m for 1 st & 2 nd floors of Apartment Housing / Health Services / Commercial & 6.0 m for 3 rd floor and above of Apartment Housing / Health Services / Commercial
Min. Rear Yard Setback	n/a	6.0 m for Single Detached Housing & 6.0 m for Apartment Housing / Health Services / Commercial except 3.0 m when abutting a lane
Min. Common and Private Amenity Space	n/a	7.5 m ² per bachelor dwelling unit 15.0 m ² per 1-bedroom dwelling unit 25 m ² per dwelling unit with more than 1-bedroom ⁻²

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.13 – Health District Development Regulations		
m = metres / m ² = square metres		
Criteria	Zones	
	HD1	HD2
<p>FOOTNOTES (Section 14.13.):</p> <p>¹ The minimum front yard & flanking side yard setback can be reduced only for the first two levels of commercial, health services, and/or ground-oriented residential units including lobbies (excluding mechanical, storage space, or parkade walls) to 2.0 m.</p> <p>² 4.0 m² per dwelling unit of the Common and Private Amenity Space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas. Common and Private Amenity Space can be devoted to childcare centres as long as the childcare spaces have direct access to open space and play areas within the lot. The amount of Common and Private Amenity Space dedicated to childcare spaces cannot be more than 50% of the total space required.</p>		

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.14 – Density and Height					
m = metres / m ² = square metres					
Zones	Min. Density (if applicable) & Max. Base Density FAR ^{.1, .7}	Max. Public Amenity & Streetscape Bonus FAR	Max. Rental or Affordable Housing Bonus FAR	Max. Base Height ^{.1, .7}	Max. Height with Bonus FAR
C1	0.75 FAR	n/a	n/a	3 storeys & 12.0 m	No additional height
C2	0.9 FAR, except 1.0 for Hotels	An additional 0.25 FAR ^{.3}	An additional 0.3 FAR for rental only projects or affordable housing ^{.3}	3 storeys & 12.0 m	Only Hotels qualify for an 3 additional storeys & 12 m ^{.3}
CA1	<p>Min. Density for lots fronting a Transit Supportive Corridor and with a lane = 4.75 units per 1,000 m² and a Min. 1,050 m² lot area^{.5, .9}</p> <p>Min. Density for lots fronting a Transit Supportive Corridor and without a lane = 3.1 units per 1,000 m² and a Min. 1,600 m² lot area^{.5, .9}</p> <p>Max. Base FAR = 1.6 FAR except 1.8 FAR when lot is fronting a Transit Supportive Corridor^{.9}</p> <p>See Underground Parking Base FAR Adjustments^{.12}</p>	An additional 0.25 FAR ^{.3}	An additional 0.3 FAR for rental only projects or affordable housing ^{.3}	<p>3 storeys & 12.0 m for lots less than 1,050 m²</p> <p>4 storeys & 18.0 m for lots 1,050 m² or greater</p> <p>6 storeys & 22 m for any lot size fronting a Transit Supportive Corridor^{.4}</p>	<p>3 additional storeys & 12 m^{.2, .3}</p> <p>or</p> <p>6 additional storeys & 22^{.3, .6}</p>
VC1	<p>Cook Truswell Village Centre = 1.5 FAR^{.9}</p> <p>Lakeshore Village Centre = 1.5 FAR except 1.75 FAR when lot is fronting a Transit Supportive Corridor^{.9}</p> <p>Glenmore Village Centre = 1.8 FAR^{.9}</p> <p>Guisachan Village Centre = 1.5 FAR, except 1.8 FAR when lot is fronting a Transit Supportive Corridor^{.9}</p> <p>University Village Centre = 1.5 FAR^{.9}</p> <p>Black Mountain Village Centre = 1.8 FAR^{.9}</p> <p>The Ponds Village Centre = 1.5 FAR^{.9}</p> <p>See Underground Parking Base FAR Adjustments^{.12}</p>	An additional 0.25 FAR ^{.3}	An additional 0.3 FAR for rental only projects or affordable housing ^{.3}	<p>Cook Truswell Village Centre = 6 storeys & 22 m</p> <p>Lakeshore Village Centre = 4 storeys & 18 m except 6 storeys & 22 m when lot is fronting a Transit Supportive Corridor</p> <p>Glenmore Village Centre = 6 storeys & 22 m</p> <p>Guisachan Village Centre = 4 storeys & 18 metres except 6 storeys & 22 m when lot is fronting a Transit Supportive Corridor</p> <p>University Village Centre = 4 storeys & 18 m</p> <p>Black Mountain Village Centre = 6 storeys & 22 m</p> <p>The Ponds Village Centre = 4 storeys & 18 m</p>	No additional height
UC1 (Downtown)	The areas are identified in Map 4.1 within the OCP (UC1 Downtown) 				

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.14 – Density and Height					
m = metres / m ² = square metres					
Zones	Min. Density (if applicable) & Max. Base Density FAR ^{.1, .7}	Max. Public Amenity & Streetscape Bonus FAR	Max. Rental or Affordable Housing Bonus FAR	Max. Base Height ^{.1, .7}	Max. Height with Bonus FAR
	For areas identified as PARK = 0.5 FAR ^{.9} For UC1a – Arena properties = 5.0 FAR ^{.9} For areas identified as 3 storeys = 1.5 FAR ^{.9} For areas identified as 6 storeys = 1.8 FAR ^{.9} For areas identified as 12 storeys = 3.3 FAR ^{.9} For areas identified as 20 storeys = 5.9 FAR ^{.9} For areas identified as 26 storeys and up = 7.2 FAR ^{.9} See Underground Parking Base FAR Adjustments ^{.12}	For areas identified as PARK = no bonus ^{.3} For UC1a – Arena properties = no bonus ^{.3} For areas identified as 3 storeys = no bonus ^{.3} For areas identified as 6 storeys = 0.25 additional FAR ^{.3} For areas identified as 12 storeys = 0.5 additional FAR ^{.3} For areas identified as 20 storeys = 0.75 additional FAR ^{.3} For areas identified as 26 storeys = 1.5 additional FAR ^{.3} See additional rental sub-zone bonus	An additional 0.3 FAR for rental only projects or affordable housing ^{.3} For rental only projects or projects with affordable housing ^{.3} that are 12 storeys and taller the FAR bonus rate is 0.05 FAR per storey ^{.10}	For areas identified as PARK = 2 storeys For UC1a – Arena properties = 12 storeys & 44 m For areas identified as 3 storeys = 3 storeys & 12 m For areas identified as 6 storeys = 6 storeys & 22 m For areas identified as 12 storeys = 12 storeys & 44 m For areas identified as 20 storeys = 20 storeys & 73 m For areas identified as 26 storeys and up = 26 storeys & 95 m	For areas identified as PARK = No additional height For UC1a – Arena properties = No additional height For areas identified as 3 storeys = No additional height For areas identified as 6 storeys = No additional height For areas identified as 12 storeys = 3 additional storeys & 12 m ^{.3} For areas identified as 20 storeys = 5 additional storeys & 19 m ^{.3} For areas identified as 26 storeys = 14 additional storeys & 52 m ^{.3}
	The areas are identified in Map 4.3 within the OCP (UC2 (Capri / Landmark)) 				
UC2 (Capri / Landmark)	For areas identified as PARK = 0.5 FAR ^{.9} For areas identified as 3 storeys = 1.5 FAR ^{.9} For areas identified as 4 storeys = 1.5 FAR ^{.9} For areas identified as 6 storeys & UC2gg zoned lots = 1.8 FAR ^{.9} For areas identified as 12 storeys = 3.3 FAR ^{.9} For areas identified as 18 storeys = 4.9 FAR ^{.9} For areas identified as 26 storeys = See CD26 Zone for details See Underground Parking Base FAR Adjustments ^{.12}	For areas identified as PARK = no bonus ^{.3} For areas identified as 3 storeys = no bonus ^{.3} For areas identified as 4 storeys = no bonus ^{.3} For areas identified as 6 storeys & UC2gg zoned lots = 0.25 additional FAR ^{.3} For areas identified as 12 storeys = 0.5 additional FAR ^{.3} For areas identified as 18 storeys = 0.7 additional FAR ^{.3} For areas identified as 26 storeys = no bonus ^{.3}	An additional 0.3 FAR for rental only projects or affordable housing ^{.3} For rental only projects or projects with affordable housing ^{.3} that are 12 storeys and taller the FAR bonus rate is 0.05 FAR per storey ^{.10}	For areas identified as PARK = 2 storeys For areas identified as 3 storeys = 3 storeys & 12 m For areas identified as 4 storeys = 4 storeys & 18 m For areas identified as 6 storeys & UC2gg zoned lots = 6 storeys & 22 m For areas identified as 12 storeys = 12 storeys & 44 m For areas identified as 18 storeys = 18 storeys & 66 m For areas identified as 26 storeys = See CD26 Zone for details	For areas identified as PARK = No additional height For areas identified as 3 storeys = No additional height For areas identified as 4 storeys = No additional height For areas identified as 6 storeys & UC2gg zoned lots = No additional height For areas identified as 12 storeys = 3 additional storeys & 12 m ^{.3} For areas identified as 18 storeys = 4 additional storeys & 16 m ^{.3} For areas identified as 26 storeys = No bonus ^{.3}
UC3 (Midtown)	The areas are identified in Map 4.9 within the OCP (UC3 Midtown) 				

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.14 – Density and Height					
m = metres / m ² = square metres					
Zones	Min. Density (if applicable) & Max. Base Density FAR ^{.1, .7}	Max. Public Amenity & Streetscape Bonus FAR	Max. Rental or Affordable Housing Bonus FAR	Max. Base Height ^{.1, .7}	Max. Height with Bonus FAR
	For areas identified as PARK = 0.5 FAR ^{.9} For areas identified as 6 storeys = 1.8 FAR ^{.9} For areas identified as 12 storeys = 3.3 FAR ^{.9} For areas identified as 18 storeys = 4.9 FAR ^{.9} For site specific areas = See Section 14.15 Site Specific Parcels See Underground Parking Base FAR Adjustments ^{.12}	For areas identified as PARK = no bonus ^{.3} For areas identified as 6 storeys = 0.25 additional FAR ^{.3} For areas identified as 12 storeys = 0.5 additional FAR ^{.3} For areas identified as 18 storeys = 0.5 additional FAR ^{.3} For site specific areas = See Section 14.15 Site Specific Parcels ^{.11}	An additional 0.3 FAR for rental only projects or affordable housing ^{.3} For rental only projects or projects with affordable housing ^{.3} that are 12 storeys and taller the FAR bonus rate is 0.05 FAR per storey ^{.10, .11}	For areas identified as PARK = 2 storeys & 22 m For areas identified as 6 storeys = 6 storeys & 22 m For areas identified as 12 storeys = 12 storeys & 44 m For areas identified as 18 storeys = 18 storeys & 66 m For site specific areas = See Section 14.15 Site Specific Parcels	For areas identified as PARK = No additional height For Areas identified as 6 storeys = No additional height For areas identified as 12 storeys = 3 additional storeys & 12 m ^{.3} For areas identified as 18 storeys = 4 additional storeys & 16 m ^{.3} For site specific areas = See Section 14.15 Site Specific Parcels ^{.11}
	The areas are identified in Map 4.7 within the OCP (UC4 Rutland) 				
UC4 (Rutland)	For areas identified as PARK = 0.5 FAR ^{.9} For areas identified as 4 storeys = 1.6 FAR ^{.9} For areas identified as 6 storeys = 1.8 FAR ^{.9} For areas identified as 12 storeys = 3.3 FAR ^{.9} See Underground Parking Base FAR Adjustments ^{.12}	For areas identified as PARK = no bonus ^{.3} For areas identified as 4 storeys = 0.5 additional FAR ^{.3} For areas identified as 6 storeys = 0.5 additional FAR ^{.3} For areas identified as 12 storeys = 0.5 additional FAR ^{.3}	An additional 0.3 FAR for rental only projects or affordable housing ^{.3} For rental only projects or projects with affordable housing ^{.3} that are 12 storeys and taller the FAR bonus rate is 0.05 FAR per storey ^{.10}	For areas identified as PARK = 2 storeys & 18 m For areas identified as 4 storeys = 4 storeys & 18 m For areas identified as 6 storeys = 6 storeys & 22 m For areas identified as 12 storeys = 12 storeys & 44 m	For areas identified as PARK = No additional height For areas identified as 4 storeys = 2 additional storeys & 8 m ^{.3} For areas identified as 6 storeys = 3 additional storeys & 12 m ^{.3} For areas identified as 12 storeys = 3 additional storeys & 12 m ^{.3}
	The areas are identified in Map 4.5 within the OCP (UC5 Pandosy) 				
UC5 (Pandosy)	For areas identified as PARK = 0.5 FAR ^{.9} For areas identified as 3 storeys = 1.5 FAR ^{.9} For areas identified as 4 storeys = 1.6 FAR ^{.9} For areas identified as 6 storeys = 1.8 FAR ^{.9} For areas identified as 8 storeys = 2.35 FAR ^{.9} For areas identified as 14 storeys = 3.9 FAR ^{.9} See Underground Parking Base FAR Adjustments ^{.12}	For areas identified as PARK = no bonus ^{.3} For areas identified as 3 storeys = no bonus ^{.3} For areas identified as 4 storeys = 0.1 additional FAR ^{.3} For areas identified as 6 storeys = 0.25 additional FAR ^{.3} For areas identified as 8 storeys = 0.3 additional FAR ^{.3} For areas identified as 14 storeys = 0.5 additional FAR ^{.3}	An additional 0.3 FAR for rental only projects or affordable housing ^{.3} For rental only projects or projects with affordable housing ^{.3} that are 12 storeys and taller the FAR bonus rate is 0.05 FAR per storey ^{.10}	For areas identified as PARK = 2 storeys & 12 m For areas identified as 3 storeys = 3 storeys & 12 m For areas identified as 4 storeys = 4 storeys & 18 m For areas identified as 6 storeys = 6 storeys & 22 m For areas identified as 8 storeys = 8 storeys & 31 m For areas identified as 14 storeys = 14 storeys & 52 m	For areas identified as PARK = No additional height For areas identified as 3 storeys = No additional height For areas identified as 4 storeys = No additional height For areas identified as 6 storeys = 2 additional storeys & 8 m ^{.3} For areas identified as 8 storeys = 3 additional storeys & 12 m ^{.3} For areas identified as 14 storeys = No additional height

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.14 – Density and Height

m = metres / m² = square metres

Zones	Min. Density (if applicable) & Max. Base Density FAR ^{.1, .7}	Max. Public Amenity & Streetscape Bonus FAR	Max. Rental or Affordable Housing Bonus FAR	Max. Base Height ^{.1, .7}	Max. Height with Bonus FAR
I1	1.2 FAR	n/a	n/a	3 storeys & 16.0 m	No additional height
I2	1.5 FAR ^{.8}	n/a	n/a	16.0 m ^{.7}	No additional height
I3	0.75 FAR	n/a	n/a	18.0 m, except 26.0 m for accessory structures	No additional height
I4	0.4 FAR	n/a	n/a	18.0 m, except 26.0 m for accessory structures	No additional height
P1	2.0 FAR	n/a	n/a	6 storeys & 22.0 m	No additional height
P2	1.0 FAR	n/a	n/a	3 storeys & 13.5 m	No additional height
P3	0.1 FAR	n/a	n/a	10.0 m	No additional height
P4	n/a	n/a	n/a	10.0 m, except 23.0 m for accessory structures	No additional height
P5	0.5 FAR	n/a	n/a	6 storeys & 22.0 m	No additional height
HD1	2.2 FAR	n/a	n/a	See Map 14.15.2 – HD1 height for max building heights	No additional height
HD2	1.4 FAR	An additional 0.25 FAR ^{.3}	An additional 0.3 FAR for rental only projects or affordable housing ^{.3}	2 storeys & 10.0 m storey for single detached housing 5 storeys & 16.5 m for apartment housing & health services	1 additional storey & 4 m ^{.3}
W1	n/a	n/a	n/a	n/a	No additional height
W2	n/a	n/a	n/a	10.0 m / 2 storeys	No additional height

FOOTNOTES (Section 14.14.):

- ^{.1} 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.
- ^{.2} The maximum height of 3 additional storeys & 12 metres only applies in situations where:
 - a) Lots are located fronting a collector or arterial road; &
 - b) Lots are within 400 m of transit stop; &
 - c) The abutting lots are not zoned RR1, RR2, RU1, RU2, RU3, RU4, or RU5.
- ^{.3} The Public Amenity & Streetscape bonus density and additional height may apply if payment is made as per Section 6.8.2 Density Bonus. The Rental or Affordable Housing bonus density and additional height may apply if secured as described in Section 6.8.3 Density Bonus.
- ^{.4} The maximum height for hotels is permitted to be 12 storeys & 39 m only in situations where:
 - a) lots are fronting a Provincial Highway; and
 - b) the abutting lots are not zoned RR1, RR2, RU1, RU2, RU3, RU4, or RU5; and
 - c) lots are within the Regional Commercial Corridor Future Land Use Designations as outlined in the OCP.
- ^{.5} For the purpose of calculating minimum densities the amount of commercial area considered as a unit will be measured at 1 unit per 125 m² of commercial GFA.

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.14 – Density and Height

m = metres / m² = square metres

Zones	Min. Density (if applicable) & Max. Base Density FAR ^{.1, .7}	Max. Public Amenity & Streetscape Bonus FAR	Max. Rental or Affordable Housing Bonus FAR	Max. Base Height ^{.1, .7}	Max. Height with Bonus FAR
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- ^{.6} The maximum height of 6 additional storeys & 22 m only applies in situations where:
 - a) Lots are located fronting a Transit Supportive Corridor &
 - b) Lots are within 400 m of transit stop; &
 - c) Lots are within 500 m of an Urban Centre; &
 - d) Lots must be fronting one of these roads: Clement Avenue, Gordon Drive, a Provincial Highway, Spall Road, Enterprise Way, or Springfield Drive.
- ^{.7} Except the maximum base FAR and height may be different on an individual lot basis as identified in Section 14.15 Site Specific Regulations.
- ^{.8} The maximum FAR is increased to 3.0 for lots fronting onto one of these streets: Bay Avenue, Brent Avenue, Clement Avenue, Crowley Avenue, Ellis Street, Ethel Street, Gaston Avenue, Gordon Drive, Guy Street, Laurel Avenue, Recreation Avenue, St. Paul Street, Trench Place, Vaughan Avenue, or Weddell Place.
- ^{.9} The base FARs are derived from the base height regulation. Therefore, the base FARs remain constant even if an owner successfully applies for a Development Variance Permit or Board of Variance order to the base heights.
- ^{.10} For example: a 12 storey rental project would have a 0.6 FAR bonus and a 26 storey rental project would 1.3 FAR bonus.
- ^{.11} These parcels identified in Map 14.15.1 do not qualify for any density or height bonusing except the rental bonusing provisions.
- ^{.12} If eighty percent (80%) of the parking provided on-site is located underground (below finished grade) then the base FAR is increased by 0.25 FAR.

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

14.15 Site Specific Regulations

Section 14.15 - Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
1.	Lot 2 Section 30 Township 26 ODYD Plan 23753	760 Vaughan Ave, Kelowna, BC	To permit: <ul style="list-style-type: none"> • Offices • Professional Services • Retail • Liquor Primary Establishment (no floor area restriction) • Cultural and Recreation Services as permitted Principal Uses in addition to those land uses permitted in Section 14.9. • Maximum building height of 18 metres.
2.	Lot B Section 30 Township 26 ODYD Plan EPP83554 (Area A)	810 Clement Ave, Kelowna, BC	To permit: <ul style="list-style-type: none"> • Offices; • Retail • Personal Service Establishment • Education Services as permitted Secondary Uses within Area 'A' shown in Map 14.15a in addition to those land uses permitted in Section 14.9
3.	Lot B Section 30 Township 26 ODYD Plan EPP83554 (Area B)	815 Vaughan Ave, Kelowna, BC	To permit: <ul style="list-style-type: none"> • Offices • Professional Services • Health Services • Personal Service Establishment • Retail • Liquor Primary Establishment • Education Services as permitted Principal Uses within Area 'B' shown in Map 14.15a in addition to those land uses permitted in Section 14.9 .
4.	Lot A Section 30 Township 26 ODYD, Plan KAP75328, Except Plan KAP87231	1171-1199 Gordon Drive, Kelowna, BC	To permit retail as a permitted principal use addition to those land uses permitted in Section 14.9 .
5.	Lot A, Section 1 & 12, Township 25, Plan EPP92691	3838 Capozzi Rd	The maximum permitted height is 15 storeys and 50 metres.
6.	Lot 1, District Lot 134, Plan EPP 41204	3773-3795 Lakeshore Rd	The maximum permitted height is 18 storeys and 60 metres.

Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 14.15 - Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
7.	Lot A, Section 30, Township 26, ODYD, Plan 18927	907 Ethel Street	To permit: <ul style="list-style-type: none"> • Apartment Housing • Offices as a permitted principal Use in addition to those land uses permitted in Section 14.9
8.	Lot A, Section 1, Township 25, ODYD, Plan EPP92691	3838 Capozzi Road (Aqua Project)	To permit: <ul style="list-style-type: none"> • short-term rental accommodation as a principal Use in addition to those land uses permitted in Section 14.9
9.	Multiple Legal Descriptions	Lots shown on Map 14.15.3 (with the current civic addresses as: 1075-1160 Sunset Drive).	To permit: <ul style="list-style-type: none"> • short-term rental accommodation as a principal Use in addition to those land uses permitted in Section 14.9. Except, 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.

Section 14.15 - Site Specific Regulations - Midtown			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
10.	Lot 1, District Lot 127, Land District 41, Plan KAP31861	2061 Harvey Ave	See Map 14.15.1 to visual identify affected parcels. The maximum FAR is 1.5 The maximum permitted height is 4 storeys and 15 metres, except for Apartment Housing and Hotels the maximum permitted height is 12 storeys and 37 metres.
	Lot A, District Lot 127, Land District 41, Plan KAP55164	2071 Harvey Ave	
	Lot 1, District Lot 127, Plan 31862	2091 Harvey Ave	
	Lot A, District Lot 127, Plan KAP48113	1840-1920 Cooper Rd	
	Lot B, District Lot 127, Land District 41, Plan KAP29104	1890 Cooper Rd	
	Lot 2, District Lot 127, Plan KAP30502	1950 Cooper Rd	
	Lot 3, District Lot 127, Land District 41, Plan KAP30502	1980 - 1990 Cooper Rd	

Section 14 – Core Area and Other Zones

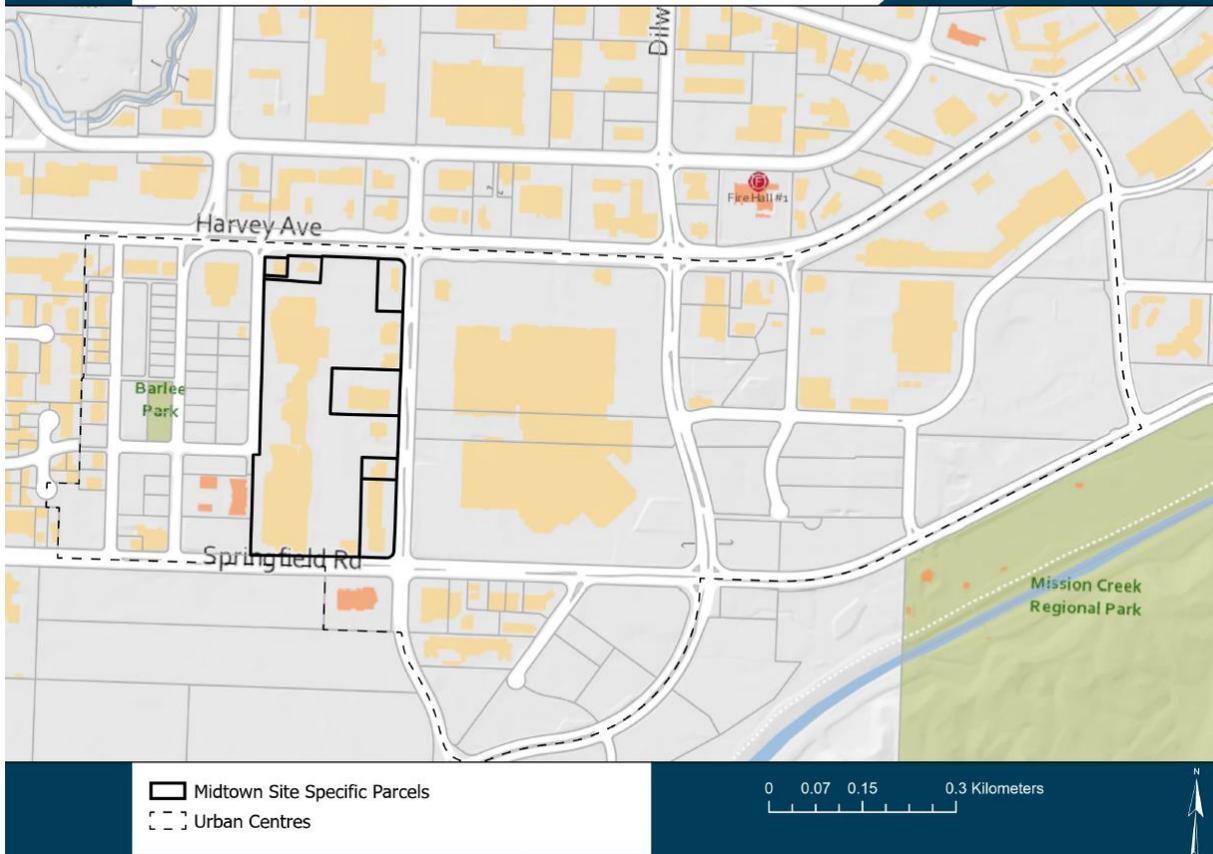
Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Map 14.15a – 810 Clement Ave (Area A) & 815 Vaughan Ave (Area B)



Map 14.15.1

Map 14.15.1 Midtown Site Specific Parcels



Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Map 14.15.2 – HD1 Height Map



Map 14.15.3: Properties with Site Specific Short-Term Rental Accommodation regulations



Section 14 – Core Area and Other Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

SECTION 15 –

Comprehensive Development Zones

15.1 Comprehensive Development Purpose

15.1.1 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.

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

15.2 CD12 - Airport

Section 15.2.1 - Zone Purpose	
Zones	Purpose
CD12 – Airport	The purpose is to provide a zone for the orderly operation of an airport and the development of properties surrounding the airport .

Section 15.2.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
CD12 – Airport	n/a	n/a

Section 15.2.3 – CD12 Permitted Land Uses	
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)
Accessory Buildings or Structures	S
Agriculture, Urban	S
Airports	P
Aircraft sales/rentals	P
Animal Clinics, Minor	P
Automotive and Equipment	P
Bulk Fuel Depot	P
Child Care Centre, Major	S
Commercial Storage	P
Education Services	P
Exhibition and Convention Facilities	P
Fleet Services	P
Professional Services	P
Food Primary Establishment	S ^{.1}
Gas Bars	P

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 15.2.3 – CD12 Permitted Land Uses	
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)
	(The gas bar is only permitted if an alternative fuel infrastructure is also available on the same lot)
General Industrial Use	P
Hotels / Motels	P
Liquor Primary Establishment	S ^{.1}
Non-Accessory Parking	P
Offices	P
Outdoor Storage	P
Retail	P ^{.2}
FOOTNOTES (Section 15.2.3): ^{.1} Liquor primary establishments must hold a Liquor Primary Licence. ^{.2} Retail liquor stores shall not shall not have a gross floor area of greater than 186 m ² .	

Section 15.2.4 – CD12 Subdivision Regulations	
m = metres / m ² = square metres	
Min. Lot Width	30 m
Min. Lot Area	1,000 m ²
Min. Lot Depth	30 m
FOOTNOTES (Section 15.2.4.):	

Section 15.2.5 – CD12 Development Regulations	
m = metres	
Max. FAR	0.65 ^{.1}
Max. Height	(a) The maximum height for all uses is subject to federal and provincial regulations for airports (b) There is no zoning maximum height limit for airport uses. (c) The 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 / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 15.2.5 – CD12 Development Regulations	
m = metres	
Max. Site Coverage of all Buildings	60% ^{.1}
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	85% ^{.1}
Min. Front Yard & Flanking Side Yard for all Buildings	3.0 m
Min. Side Yard setback for all Buildings	4.5 m
Min. Rear Yard setback for all Buildings	3.0 m
FOOTNOTES (Section 15.2.5.): ^{.1} For airport uses the maximum floor area ratio, site coverage, and impermeable surfaces does not apply.	

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

15.3 CD17 – High Density Mixed Use Commercial

Section 15.3.1 - Zone Purpose	
Zones	Purpose
CD17 – High Density Mixed Use Commercial	The purpose is to provide a zone for existing large scale mixed-use commercial / residential developments in the Core Area but outside Urban Centres. This zone is intended to capture lots that have already been constructed prior to the adoption of this bylaw in which the densities and scale of development is generally beyond those recommended by policies outlined in the 2040 Official Community Plan.

Section 15.3.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
CD17 – High Density Mixed Use Commercial	CD17 – High Density Mixed Use Commercial (rcs) – Retail Cannabis Sales	The purpose is to provide a sub-zone that restricts where Retail Cannabis Sales can operate.

Section 15.3.3 – CD17 Permitted Land Uses	
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)
Accessory Buildings or Structures	S
Apartment Housing	P
Agriculture, Urban	S
Child Care Centre, Major	S
Child Care Centre, Minor	S
Cultural and Recreation Services	S
Education Services	P
Food Primary Establishment	S ^{.1}
Home-Based Business, Minor	S
Hotels / Motels	P
Health Services	S ^{.1}
Liquor Primary Establishment	S ^{.1}
Non-Accessory Parking	P

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 15.3.3 – CD17 Permitted Land Uses	
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)
Offices	P
Professional Services	S ^{.1}
Participant Recreation Services, Indoor	S
Personal Service Establishments	S ^{.1}
Retail	S ^{.1}
Short-Term Rental Accommodations	S
Stacked Townhouses	P ^{.2}
Townhouses	P ^{.2}
FOOTNOTES (Section 15.3.3): ^{.1} Commercial land uses are not permitted above the first storey. ^{.2} Townhouses and/or stacked townhouses are only permitted if the majority of the residential dwelling units are in the form of apartment housing.	

Section 15.3.4 – CD17 Subdivision Regulations	
m = metres / m ² = square metres	
Min. Lot Width	30.0 m
Min. Lot Area	1,700 m ²
Min. Lot Depth	35.0 m
FOOTNOTES (Section 15.4.):	

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 15.3.5 – CD17 Development Regulations	
m = metres / m ² = square metres	
Max. FAR	2.0
Max. Height	16 storeys and 55.0 m
Max. Site Coverage of all Buildings	65%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	85%
Min. Front Yard & Flanking Side Yard setback for Ground-Oriented units	2.0 m
Min. Front Yard & Flanking Side Yard setback for all Buildings	6.0 m ^{.2}
Min. Side Yard setback for all Buildings	4.5 m
Min. Rear Yard setback for all Buildings	7.0 m except 4.5 m from a rear lane ^{.1} and 4.5 m for accessory buildings and structures
Min. Common and Private Amenity Space	7.5 m ² per bachelor dwelling unit 15.0 m ² per 1-bedroom dwelling unit 25 m ² per dwelling unit with more than 1-bedroom ^{.3}
Tall building regulations	For tower and podium regulations See Section 9.11.
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 7900.
FOOTNOTES (Section 15.3.5): ^{.1} For portions of a parkade with lane access which do not project more than 2.3 m above finished grade, the rear yard setback is 1.5 m. ^{.2} The setback for a garage, a carport, or a parkade door that has direct access to the street shall have a 6 m setback measured from back-of-curb or edge of road pavement, or edge of sidewalk or 4.5 m from lot line (whichever is greater). ^{.3} Common and private amenity space can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of common and private amenity space dedicated to child care spaces cannot be more than 50% of the total space required.	

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

15.4 CD18 – McKinley Beach Resort

Section 15.4.1 - Zone Purpose	
Zones	Purpose
CD18 – McKinley Beach Resort	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.

Section 15.4.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
CD18 – McKinley Beach Resort	n/a	n/a

Section 15.4.3 – CD18 Permitted Land Uses				
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	AREA I Village Centre ^{.4}	AREA II Winery and Resort Accommodation ^{.4}	AREA III Hillside Resort Accommodation ^{.4}	AREA IV Waterfront Resort Accommodations ^{.4}
Accessory Buildings or Structures	S	S	S	S
Alcohol Production Facility	-	P	-	-
Apartment Housing	P	P	P	P
Agriculture, Urban	P	P	-	P
Boat Storage	P	-	-	S
Child Care Centre, Major	P	-	-	-
Cultural and Recreation Services	P	S	-	-
Education Services	P	-	-	-
Emergency and Protective Services	P	-	-	-
Exhibition and Convention Facilities	P	-	-	-
Food Primary Establishment	P	P	-	P

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 15.4.3 – CD18 Permitted Land Uses				
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	AREA I Village Centre ^{.4}	AREA II Winery and Resort Accommodation ^{.4}	AREA III Hillside Resort Accommodation ^{.4}	AREA IV Waterfront Resort Accommodations ^{.4}
Health Services	P	S	S	-
Home Based Business, Minor	-	-	S	S
Hotels / Motels	P	P	P	P
Liquor Primary Establishments	P ^{.1}	P ^{.1}	-	P ^{.1}
Marinas	-	-	-	P ^{.3}
Non-Accessory Parking	P	-	-	-
Offices	P ^{.6}	-	-	-
Parks	P	-	-	P
Participant Recreation Services, Indoor	S	S	-	-
Participant Recreation Services, Outdoor	S	-	-	-
Personal Service Establishments	P	-	-	-
Professional Services	P ^{.6}	-	-	-
Recycled Materials Drop-Off Centre	S	-	-	-
Religious Assemblies	P	-	-	-
Residential Security / Operator Unit	S	S	S	S
Retail	P ^{.7}	P ^{.2, .7}	-	P ^{.2, .7}
Secondary Suites	S ^{.5}	S ^{.5}	S ^{.5}	S ^{.5}
Semi-Detached Housing	P ^{.5}	P ^{.5}	P ^{.5}	P ^{.5}
Short-Term Rental Accommodations	S	S	S	S
Single Detached Housing	P ^{.5}	P ^{.5}	P ^{.5}	P ^{.5}

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 15.4.3 – CD18 Permitted Land Uses				
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	AREA I Village Centre ^{.4}	AREA II Winery and Resort Accommodation ^{.4}	AREA III Hillside Resort Accommodation ^{.4}	AREA IV Waterfront Resort Accommodations ^{.4}
Townhouses	P ^{.5}	P ^{.5}	P ^{.5}	P ^{.5}

FOOTNOTES (Section 15.4.3.):

- ^{.1} The maximum capacity for liquor primary establishments is 100 persons.
- ^{.2} The retail use shall be limited to 235 m² gross floor area.
- ^{.3} This use includes any marine equipment rentals.
- ^{.4} The principal and secondary uses in this zone vary in accordance with the key resort elements identified in the Vintage Landing Area Structure Plan. This zone has been organized into (4) four distinctive areas as illustrated on Map A. Each area will have its own principal and secondary uses as per this table.
- ^{.5} Resort accommodations which allow 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 net floor area.
Type B:
 Single detached housing with or without secondary suites, semi-detached housing, townhouses with four dwelling 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 dwelling unit (excluding garages). Type B dwelling units must be served by a common on-site or off-site reservation centre(s).
- ^{.6} The maximum gross floor area of all office and professional service uses is 5,000 m² within the CD18 zone. The maximum office and professional service uses in any one building is 2,000 m² gross floor area. The maximum size of any individual office or professional service tenancy shall not exceed 500 m² gross floor area.
- ^{.7} The maximum area for any one individual retail tenancy in Area I is 5,500 m². The maximum area for any one individual retail tenancy in Areas II, III, IV is 400 m².

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 15.4.4 – CD18 Subdivision Regulations				
m = metres / m ² = square metres				
Criteria	Zones			
	Area I Village Centre	AREA II Winery and Resort Accommodation	AREA III Hillside Resort Accommodation	AREA IV Waterfront Resort Accommodations
Minimum Lot Width	n/a	n/a	n/a	n/a
Minimum Lot Depth	n/a	n/a	n/a	n/a
Minimum Lot Area	No Sewer	n/a	n/a	n/a
	Sewer	n/a	n/a	n/a

Section 15.4.5 – CD18 Development Regulations				
m = metres / m ² = square metres				
Uses	AREA I Village Centre	AREA II Winery and Resort Accommodation	AREA III Hillside Resort Accommodation	AREA IV Waterfront Resort Accommodations
Max. Density ^{.1}	The total density for the CD18 Zone shall not exceed 271,500 m ² gross floor area. ^{.1} The maximum number of overall dwelling units for the CD18 Zone is 1300. ^{.1} The maximum gross floor area of all commercial uses is 15,000 m ² for the CD18 Zone. ^{.1}			
Max. Height	9 storeys & 38.25 m ^{.3}	6 storeys & 29.5 m ^{.4}	3 storeys & 11.5 m ^{.2}	6 storeys & 29.5 m ^{.4}
Min. Front Yard and Flanking Yard Setback	0.0 m	0.0 m	0.0 m	0.0 m
Min. Front Yard and Flanking Yard Setback for any attached or detached garage or carport	0.0 m	0.0 m	0.0 m	0.0 m
Min. Side Yard Setback	0.0 m	0.0 m	0.0 m	0.0 m
Min. Rear Yard Setback	0.0 m	0.0 m	0.0 m	0.0 m
Min. Rear Yard Setback on Wide Lots	0.0 m	0.0 m	0.0 m	0.0 m
Min. Setback between Principal Buildings	0.0 m	0.0 m	0.0 m	0.0 m
Min. Setback from the CD Zone boundary	10 m ^{.5}	10 m ^{.5}	10 m ^{.5}	10 m ^{.5}

Section 15 – Comprehensive Development Zones

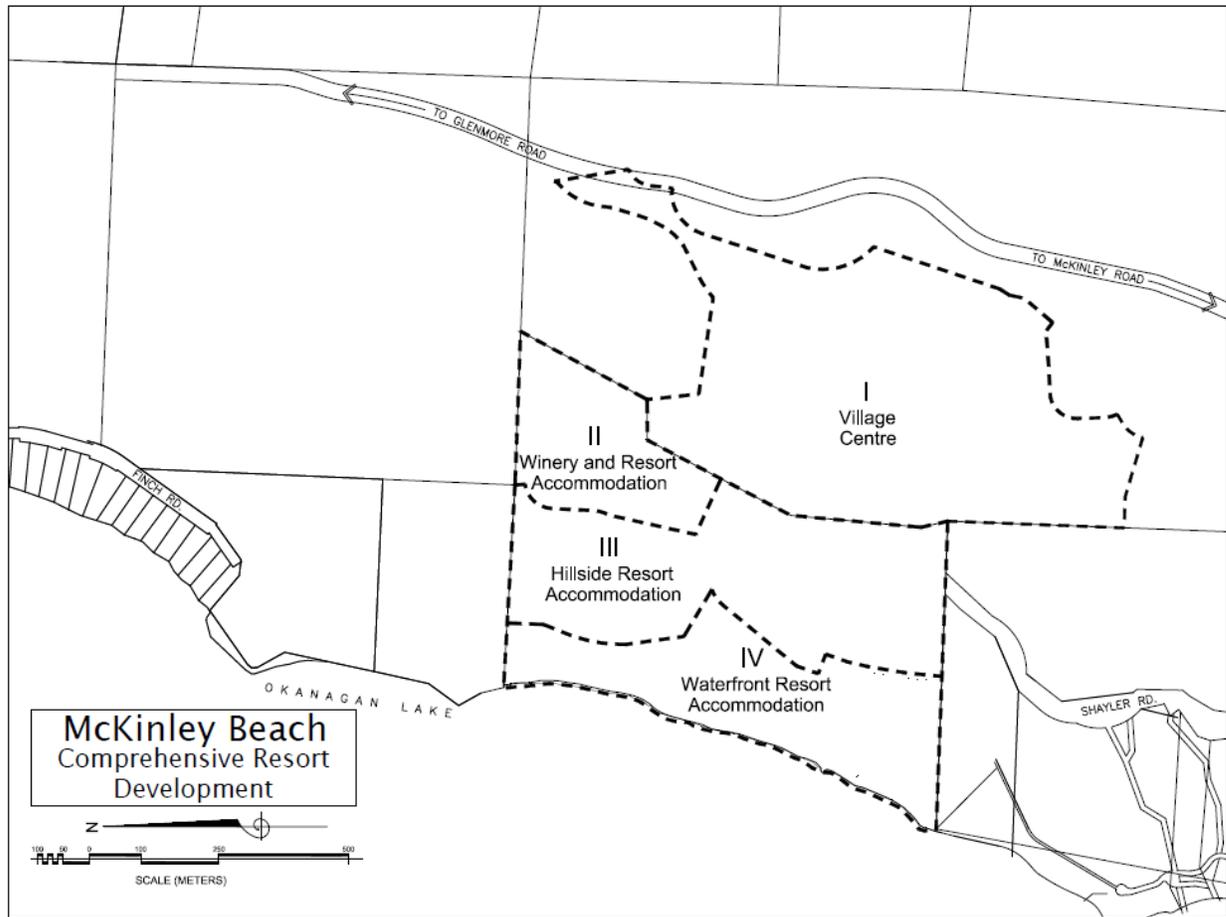
Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones														
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones					
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

Section 15.4.5 – CD18 Development Regulations				
m = metres / m ² = square metres				
Uses	AREA I Village Centre	AREA II Winery and Resort Accommodation	AREA III Hillside Resort Accommodation	AREA IV Waterfront Resort Accommodations
Signage	Signage for Areas I and II shall be regulated as if it were a Local Commercial zone as identified within the Sign Bylaw 11530 .		Signage for Area III shall be regulated as if it were a Public and Institutional zone as identified within the Sign Bylaw 11530 .	
<p>FOOTNOTES (Section 15.4.5):</p> <p>¹ The density in the CD18 zone will be controlled in the form of a 219 Covenant registered on the remainder parcel(s), which will indicate a remainder buildable area equal to the total site density (271,500 m²) minus the already approved buildable area. The registered 219 Covenant will be amended, to reflect the remaining buildable area, as a condition of issuance of every development permit and as a condition of every subdivision approval. The approved buildable area will be determined by the:</p> <p>(a) buildable area approved through all form & character development permits within the CD18 Areas, and</p> <p>(b) 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. <i>For example: if there are 10 lots being approved and eight of those lots are for single detached housing and two of the lots are for semi-detached housing the calculation used to determine the buildable area would be 12x350 m² = 4,200 m².</i></p> <p>² The height measurements begin from the deck elevation. Supportive deck structures cannot exceed 7.0 m in height.</p> <p>³ Any building or structure in area I that exceed 6 storeys then any exposed storey where parking is provided within the building must include 60% of the exposed area as habitable space.</p> <p>⁴ Any building or structure in Areas II and IV that exceed 4 storeys then any exposed storey where parking is provided within the building must include 60% of the exposed area as habitable space.</p> <p>⁵ Except the setback shall be 1.5 m to the CD Zone boundary when that boundary is fronting the Okanagan Lake Riparian Management Area or any park areas.</p>				

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

CD18 -McKinley Beach Comprehensive Resort Development
Map A



Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

15.5 CD20 – University

Section 15.5.1 - Zone Purpose	
Zones	Purpose
CD20 - University	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.

Section 15.5.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
CD20 - University	n/a	n/a

Section 15.5.3 – CD20 Permitted Land Uses	
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)
Any University Related Services	P
Agriculture, Urban	S
Apartment Housing	P
Child Care Centre, Major	S
Cultural and Recreation Services	P
Education Services	P
Emergency and Protective Services	P
Food Primary Establishments	S
General Industrial Use	P
Greenhouses and Plant Nurseries	S
Health Services	S
Hotels / Motels	S
Liquor Primary Establishment	S
Non-Accessory Parking	S

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 15.5.3 – CD20 Permitted Land Uses	
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)
Offices	P
Parks	P
Participant Recreation Services, Indoor	P
Participant Recreation Services, Outdoor	P
Personal Service Establishments	P
Professional Services	P
Recycled Materials Drop-Off Centre	P
Religious Assemblies	S
Retail	S
Short-Term Rental Accommodations	S
Stacked Townhouses	P
Townhouses	P
FOOTNOTES (Section 15.5.3):	

Section 15.5.4 – CD20 Subdivision Regulations	
Min. Lot Width	18.0 m
Min. Lot Area	660 m ²
Min. Lot Depth	30.0 m
FOOTNOTES (Section 15.5.4.):	

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 15.5.5 – CD20 Development Regulations	
m = metres	
Max. FAR	1.5 FAR
Max. Height	10 storeys and 45 m
Max. Site Coverage of all Buildings	40%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	60%
Min. Setbacks	6.0 m from all external campus borders, except 0.0 m setback shall be permitted on internal campus lot lines.
FOOTNOTES (Section 15.5.5.):	

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

15.6 CD22 – Central Green

Section 15.6.1 - Zone Purpose	
Zones	Purpose
CD22 – Central Green	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 .

Section 15.6.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
CD22 – Central Green	n/a	n/a

Section 15.6.3 – CD22 Permitted Land Uses						
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)					
	Sub-Areas A & B ^{.2}	Sub-Areas C & G ^{.2}	Sub-Areas D ^{.2}	Sub-Areas E & F ^{.2}	Sub-Areas H ^{.2}	Sub-Areas I ^{.2}
Accessory Buildings or Structures	S	S	S	S	S	S
Apartment Housing	P	P	P	P	P	-
Agriculture, Urban	P	P	P	P	P	P
Animal Clinics, Minor	S	-	-	-	-	-
Boarding or Lodging Houses	-	P	P	P	P	-
Child Care Centre, Major	S	S	S	S	S	S
Cultural and Recreation Services	S	S	S	S	S	-
Education Services	S	-	-	-	-	-
Food Primary Establishment	S	-	-	-	-	S
Health Services	S	-	-	-	-	-
Home Based Business, Minor	S	S	S	S	S	-
Liquor Primary Establishments	S ^{.1}	-	-	-	-	S ^{.1}

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 15.6.3 – CD22 Permitted Land Uses						
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)					
	Sub-Areas A & B ^{.2}	Sub-Areas C & G ^{.2}	Sub-Areas D ^{.2}	Sub-Areas E & F ^{.2}	Sub-Areas H ^{.2}	Sub-Areas I ^{.2}
Offices	S	-	-	-	-	-
Parks	-	-	-	-	-	P
Participant Recreation Services, Indoor	S	-	-	-	-	S
Participant Recreation Services, Outdoor	-	-	-	-	-	P
Personal Service Establishments	S	-	-	-	-	-
Professional Services	S	-	-	-	-	-
Religious Assemblies	S	-	-	-	-	-
Residential Security / Operator Unit	S	-	-	-	-	S
Retail	P	-	-	-	-	S
Short-Term Rental Accommodations	S	S	S	S	S	S
Stacked Townhouses	P	P	P	P	P	-
Townhouses	P	P	P	P	P	-

FOOTNOTES (Section 15.6.3.):

^{.1} The maximum capacity for liquor primary establishments is 100 persons. Liquor primary establishments must hold a Liquor Primary Licence.

^{.2} This zone has been organized into nine (9) sub-areas as illustrated on Map 15.6. Each area will have its own principal and secondary uses as per this table.

Section 15 – Comprehensive Development Zones

Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 15.6.4 – CD22 Subdivision Regulations						
m = metres / m ² = square metres						
Criteria	Zones					
	Sub-Areas A & B	Sub-Areas C & G	Sub-Areas D	Sub-Areas E & F	Sub-Areas H	Sub-Areas I
Min. Lot Width	n/a	n/a	n/a	n/a	n/a	n/a
Min. Lot Depth	n/a	n/a	n/a	n/a	n/a	n/a
Min. Lot Area	n/a	n/a	n/a	n/a	n/a	n/a
Min. number of Lots	Four	Two ^{.1}	One ^{.1}	Two ^{.1}	One ^{.1}	One ^{.1}

FOOTNOTES (Section 15.6.4.):

^{.1} Any lots are created, shall have the area, size and shape of the corresponding CD22 Central Green sub-areas as shown on Map 15.6.

Section 15.6.5 – CD22 Development Regulations						
m = metres / m ² = square metres						
Criteria	Zone Sub-Areas					
	Sub-Areas A & B	Sub-Areas C & G	Sub-Areas D	Sub-Areas E & F	Sub-Areas H	Sub-Areas I
Max. Density	4.0 FAR	2.0 FAR	2.0 FAR	1.0 FAR ^{.5}	1.7 FAR ^{.6}	0.1 FAR ^{.7}
Max. Height	72 m	16.5 m & 4 storeys	16.5 m & 4 storeys	12 m & 3 storeys	16.5 m & 4 storeys	10.0 m
Max. Site Coverage of all Buildings	50% ^{.1}	50% ^{.1}	50%	40%	50%	n/a
Min. Front Yard and Flanking Side Yard Setback	0.0m ^{.2}	3.0 m	3.0 m	3.0 m	3.0 m	4.5 m
Min. Side Yard Setback	3.0 m ^{.3}	3.0 m ^{.3}	3.0 m	3.0 m	3.0 m	3.0 m
Min. Rear Yard Setback	3.0 m ^{.3, .4}	7.0 m ^{.3, .4}	3.0 m	3.0 m	3.0 m	3.0 m

FOOTNOTES (Section 15.6.5.):

^{.1} Parking structures above finished grade and surfaced with landscaping or useable open space shall not be included in the calculation of site coverage.

^{.2} The front yard is considered Harvey Avenue. The flanking side yard is considered Richter Street.

^{.3} The setbacks exclude the parking structure.

^{.4} The parking structures must have a 0.0 m rear yard setback and the parking structure within sub-areas A & B must be coordinated with of sub-areas C & G to ensure a contiguous public open space is created above the parking structures.

^{.5} If sub-areas E & F are subdivided into two lots then the maximum gross floor area is 2,250 m² per lot. If sub-areas E & F remains as one lot then the maximum gross floor area is 4,500 m².

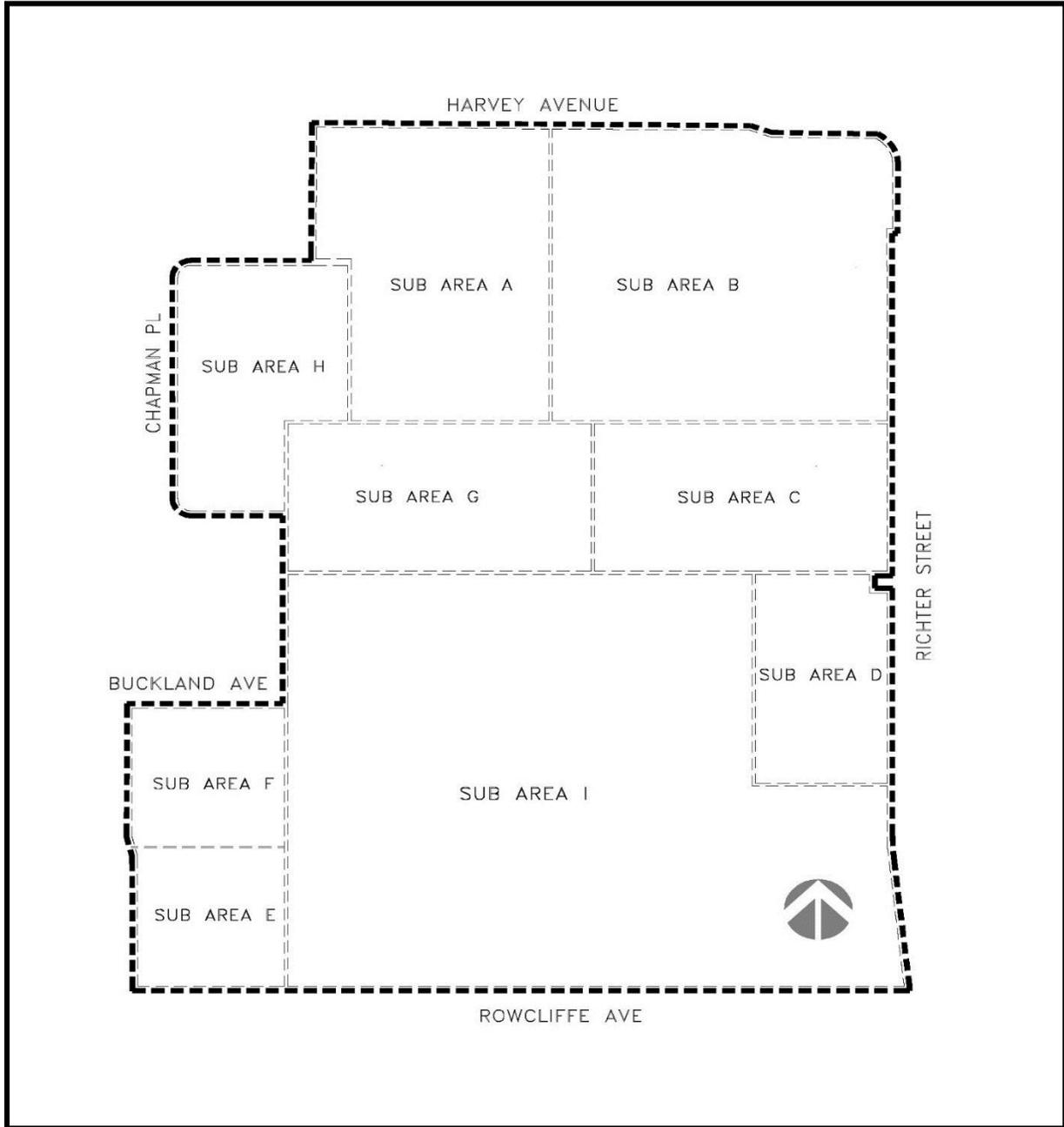
^{.6} The maximum gross floor area in sub-areas H is 6,000 m².

^{.7} The maximum gross floor area for retail use in sub-areas I is 235 m².

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Map 15.6 - CD22 Sub-Areas



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15.7 CD26 – Capri Centre

Section 15.7.1 - Zone Purpose	
Zones	Purpose
CD26 – Capri Centre	The purpose is to provide the framework for the existing uses and for the re - development and use of the Capri Centre in stages, over time, with a mixture of commercial and residential uses that serve more than one neighbourhood.

Section 15.7.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
CD26 – Capri Centre	n/a	n/a

Section 15.7.3 – CD26 Permitted Land Uses	
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)
Accessory Buildings or Structures	P
Apartment Housing	P
Agriculture, Urban	P
Animal Clinics, Minor	P
Boarding or Lodging Houses	P
Child Care Centre, Major	P
Child Care Centre, Minor	S
Cultural Recreation Services	P
Education Services	P
Emergency and Protective Services	P
Food Primary Establishment	P
Gas Bars	P ^{.1}
Health Services	P
Home Based Business, Minor	S

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 15.7.3 – CD26 Permitted Land Uses	
Uses	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)
Hotels	P
Liquor Primary Establishments	P
Offices	P
Participant Recreation Services, Indoor	P
Personal Service Establishments	P
Professional Services	P
Religious Assemblies	P
Recycled Materials Drop-Off Centre	S
Retail	P
Short-Term Rental Accommodations	S
Spectator Sports Establishments	P
Stacked Townhouses	P
Temporary Shelter Services	P
Townhouses	P
FOOTNOTES (Section 15.7.3): ¹ The gas bar is only permitted if an alternative fuel infrastructure is also available on the same lot.	

Section 15.7.4 – CD26 Subdivision Regulations	
m = metres	
Min. Lot Width	13.0 m
Min. Lot Area	460 m ²
Min. Lot Depth	30.0 m
FOOTNOTES (Section 15.7.4.):	

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Section 15.7.5 – CD26 Development Regulations m = metres / m ² = square metres	
Max. FAR	2.6 FAR ^{.1}
Max. Height	<p>Height requirements are as indicated in Figure 15.7.5 and as described below:</p> <p>(a) in the area located within 40 m of the lot 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.</p> <p>(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 metres with except one building or structure shall be a maximum of 26 storeys or 82 m as described in 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.</p>
Max. Site Coverage of all Buildings	75%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	100%
Min. Commercial Area	18,581 m ² (200,000 ft ²) net floor area ^{.2}
Min. Common and Private Amenity Space	7.5 m ² per bachelor dwelling unit 15.0 m ² per 1-bedroom dwelling unit 25 m ² per dwelling unit with more than 1-bedroom ^{.4}
Min. Public Open Space	1.5 acres of publicly accessible open space shall be provided
Min. Balconies	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. and Max. Commercial or Residential Floor Area based on Fronting Street Type	<p>Any building fronting onto Gordon Drive or Harvey Avenue shall provide ground-floor commercial units, 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. Any combination of commercial and residential uses is permitted above the ground-floor units.</p> <p>Any building fronting onto Capri Street or Sutherland Avenue can provide any combination of commercial and residential uses at the ground floor and above.</p>
Tall Building Regulations	For tower and podium regulations refer to Section 9.11 Tall Building Regulations .

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Section 15.7.5 – CD26 Development Regulations

m = metres / m² = square metres

Min. Amenities .3

Within Amenity Area A (See Figure 15.7.6):

- (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;
- (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 (See Figure 15.7.6):

- (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 (See Figure 15.7.6):

- (a) all surface treatments pertaining to private drive aisles, sidewalks, and landscape areas.

Within Amenity Area D (See Figure 15.7.6):

- (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.

Section 15 – Comprehensive Development Zones

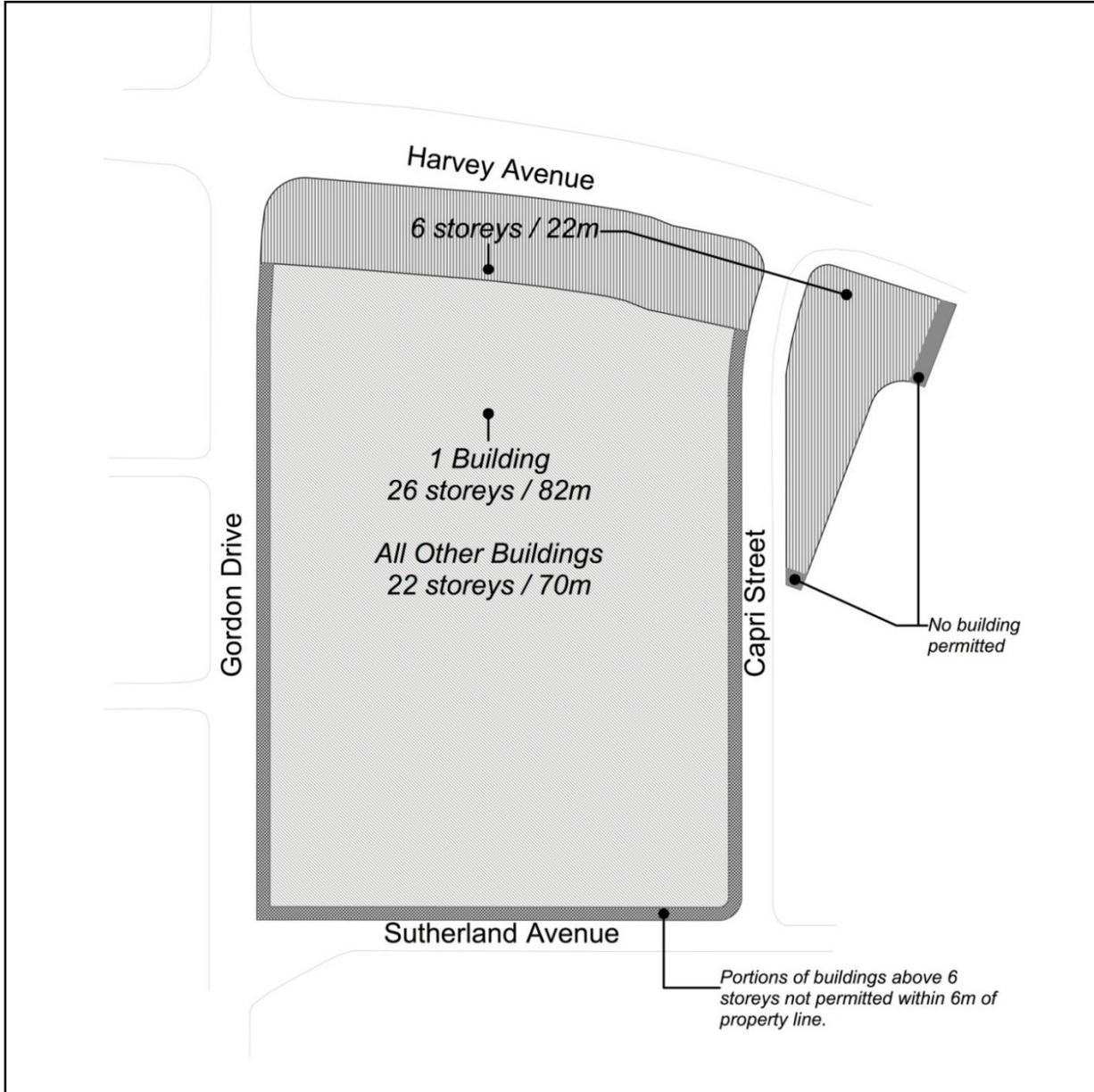
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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Section 15.7.5 – CD26 Development Regulations	
m = metres / m ² = square metres	
	<p>Within Amenity Area E (See Figure 15.7.6):</p> <p>(a) none.</p>
Min. Setbacks	<p>(a) the minimum setback to Harvey Road is 4.5 m.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(f) the minimum setback to Sutherland Drive is 3.0 m, excluding decks and patios.</p> <p>(g) all portions of buildings above 6 storeys shall be setback a minimum of 6 m from Gordon Drive, Sutherland Avenue, and Capri Street.</p> <p>(h) the minimum setback to lands abutting the Capri Centre Lands is 7.5 m.</p>
<p>FOOTNOTES (Section 15.7.5.):</p> <p>¹ The maximum built area of buildings in the CD26 zone is 205,807 m² (2,215,287 ft²).</p> <p>² The minimum commercial area is to be calculated by combining the total commercial area constructed plus commercial area under approved permit.</p> <p>³ The 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 and amenities.</p> <p>⁴ Common and Private Amenity Space can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of Common and Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.</p>	

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 15.7.5 - Height



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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density

Figure 15.7.6 – Amenities Areas CD26



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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density	

SECTION 16 –

Effective Date

The City of Kelowna Zoning Bylaw No. 8000, and all amendments thereto, are hereby repealed.

This Bylaw may be cited for all purposes as the Kelowna Zoning Bylaw No. 12375.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved by the Ministry of Agriculture this

(Minister of Agriculture)

Approved by the Ministry of Transportation and Infrastructure this

(Minister of Transportation and Infrastructure)

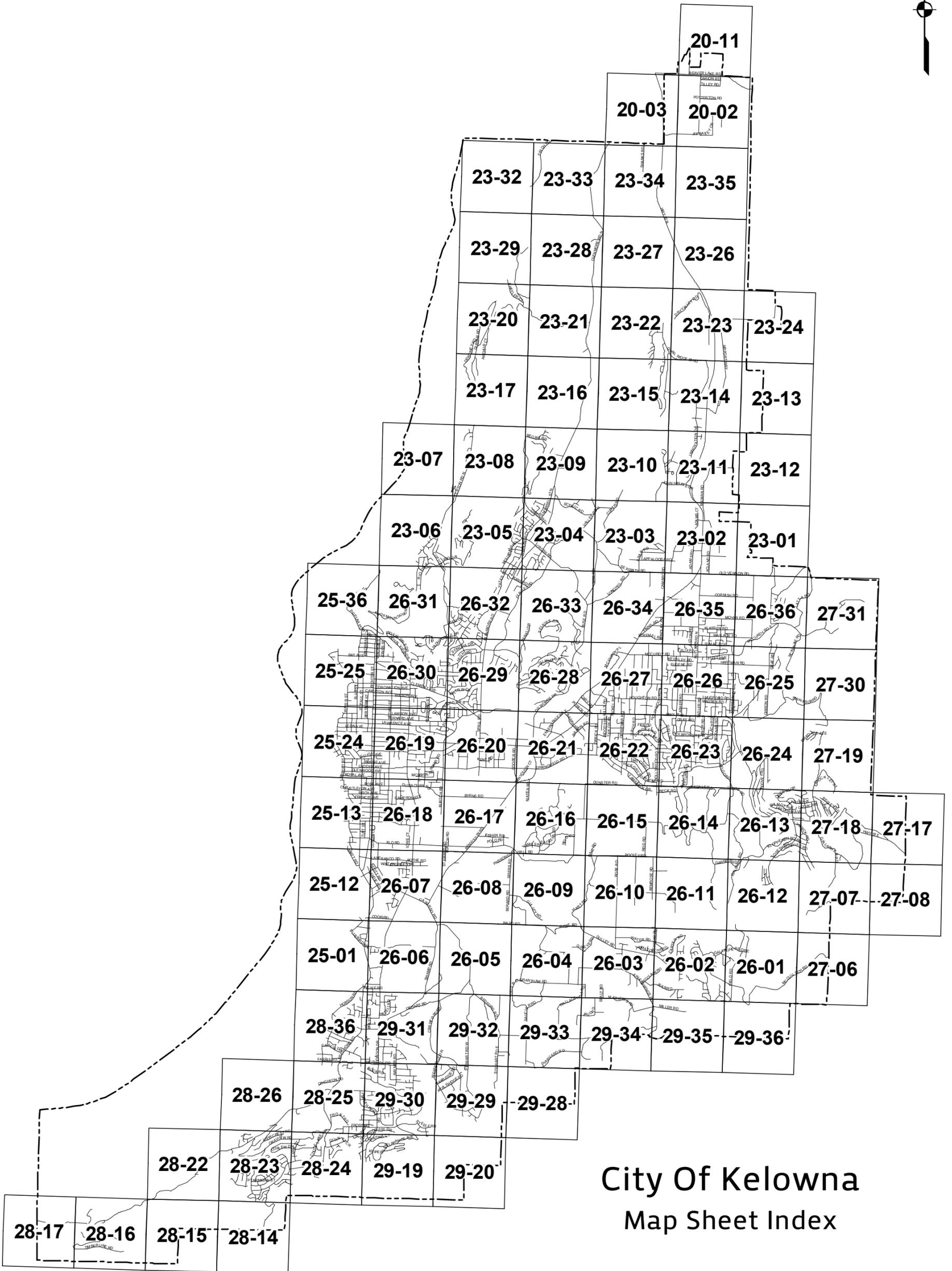
Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Section 16 – Effective Date

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Uses	A1 Regs	Regs	Uses	Sub	Regs	Uses	Regs	Density	Uses	Regs	Ind	Health	Density



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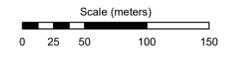
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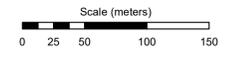
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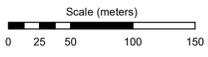
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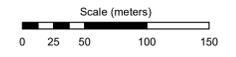
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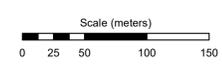
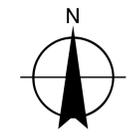
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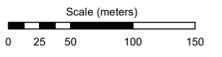
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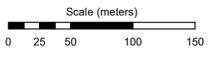
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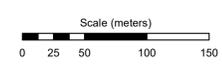
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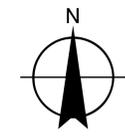
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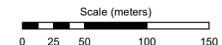
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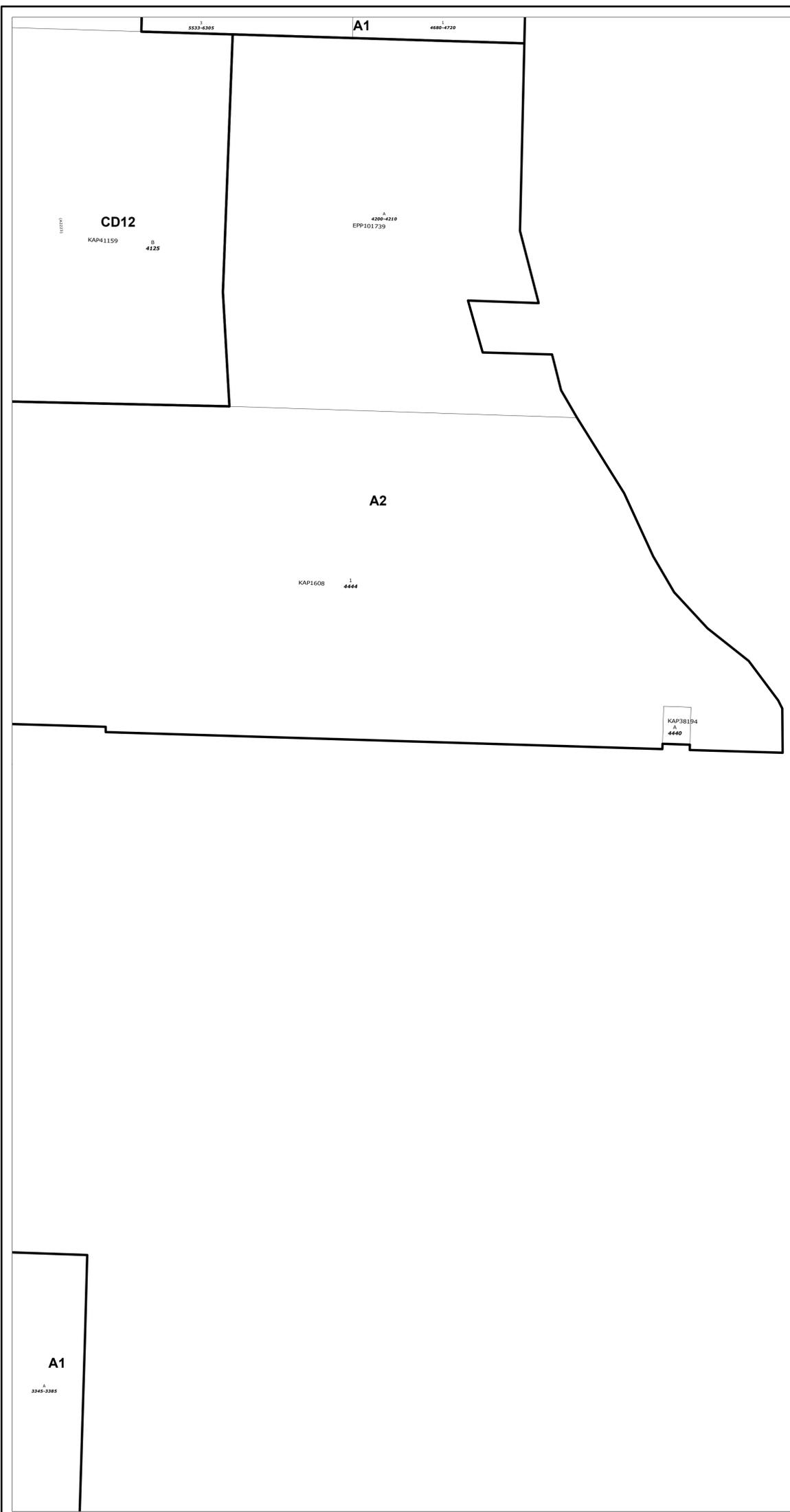


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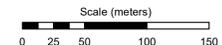
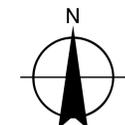
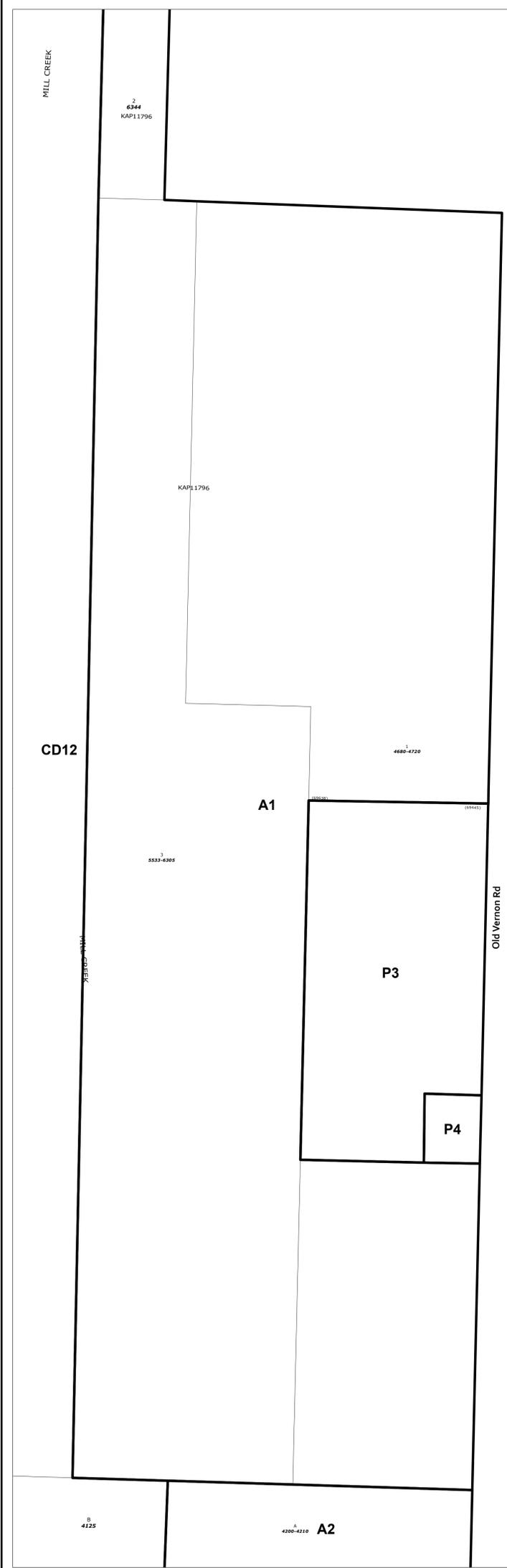
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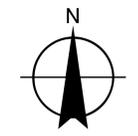
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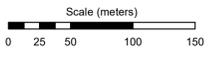
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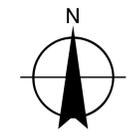
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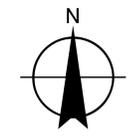
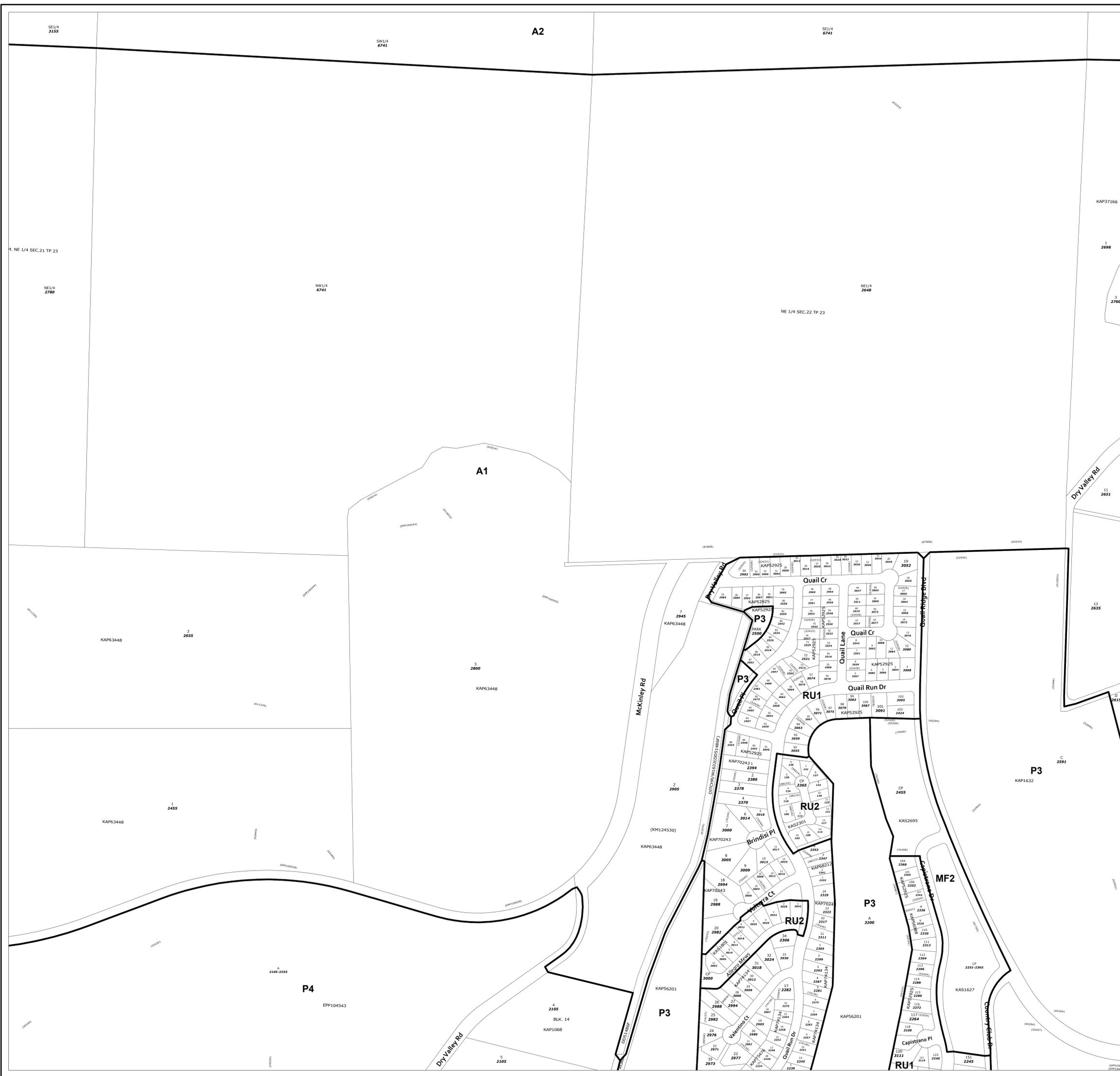
Zoning Bylaw

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- Legend
-  Zoning
 -  Lot Line
 -  City Boundary



Scale: 1:2500

Revision: 5/26/2022

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Legend

-  Zoning
-  Lot Line
-  City Boundary



Scale: 1:2500

Revision: 5/26/2022

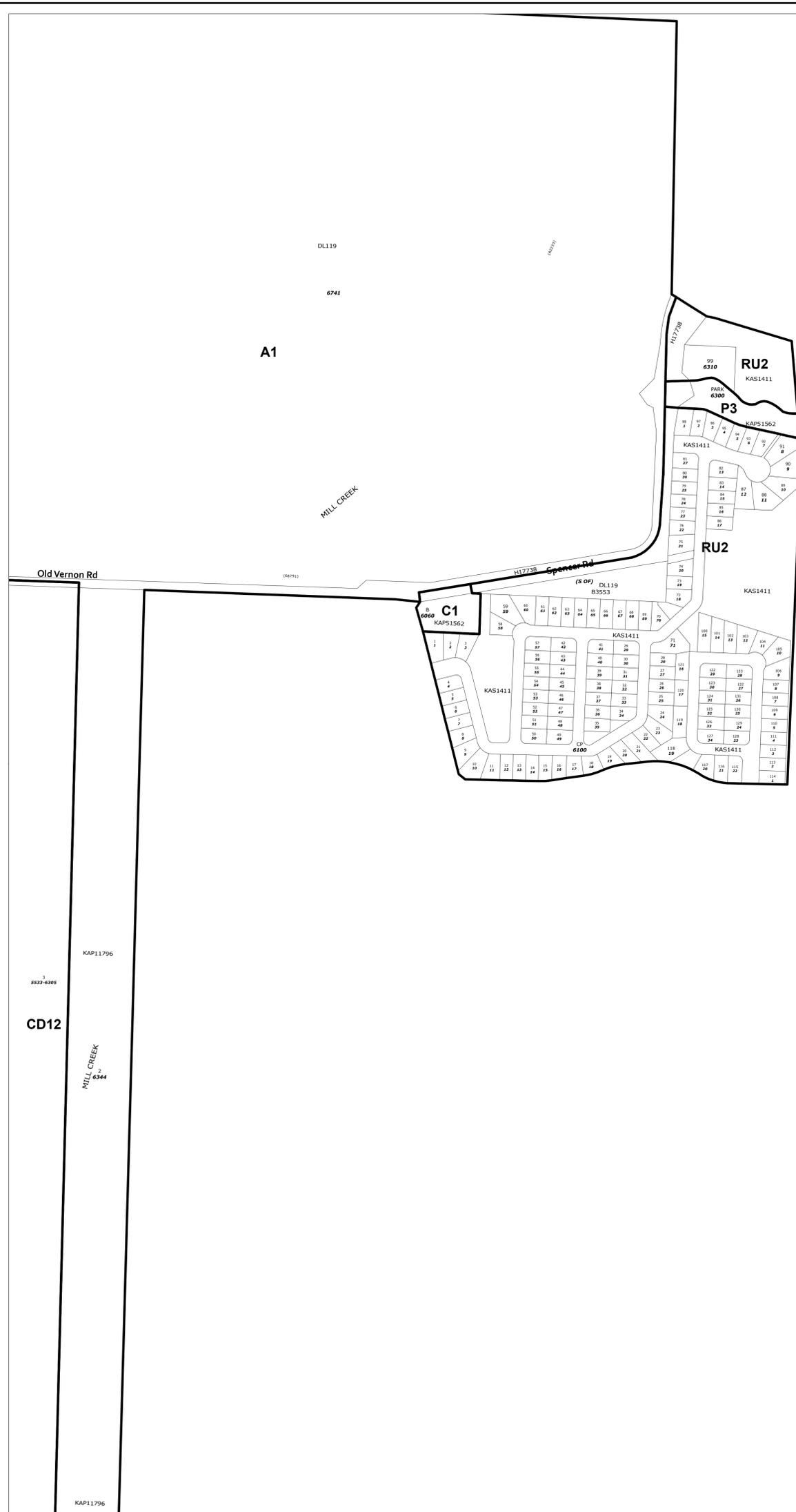
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Legend

-  Zoning
-  Lot Line
-  City Boundary



Scale: 1:2500

Revision: 5/26/2022

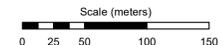
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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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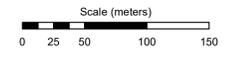
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Zoning Bylaw

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- Legend**
-  Zoning
 -  Lot Line
 -  City Boundary



Scale: 1:2500

Revision: 5/26/2022

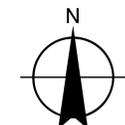
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Legend

-  Zoning
-  Lot Line
-  City Boundary



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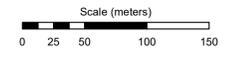
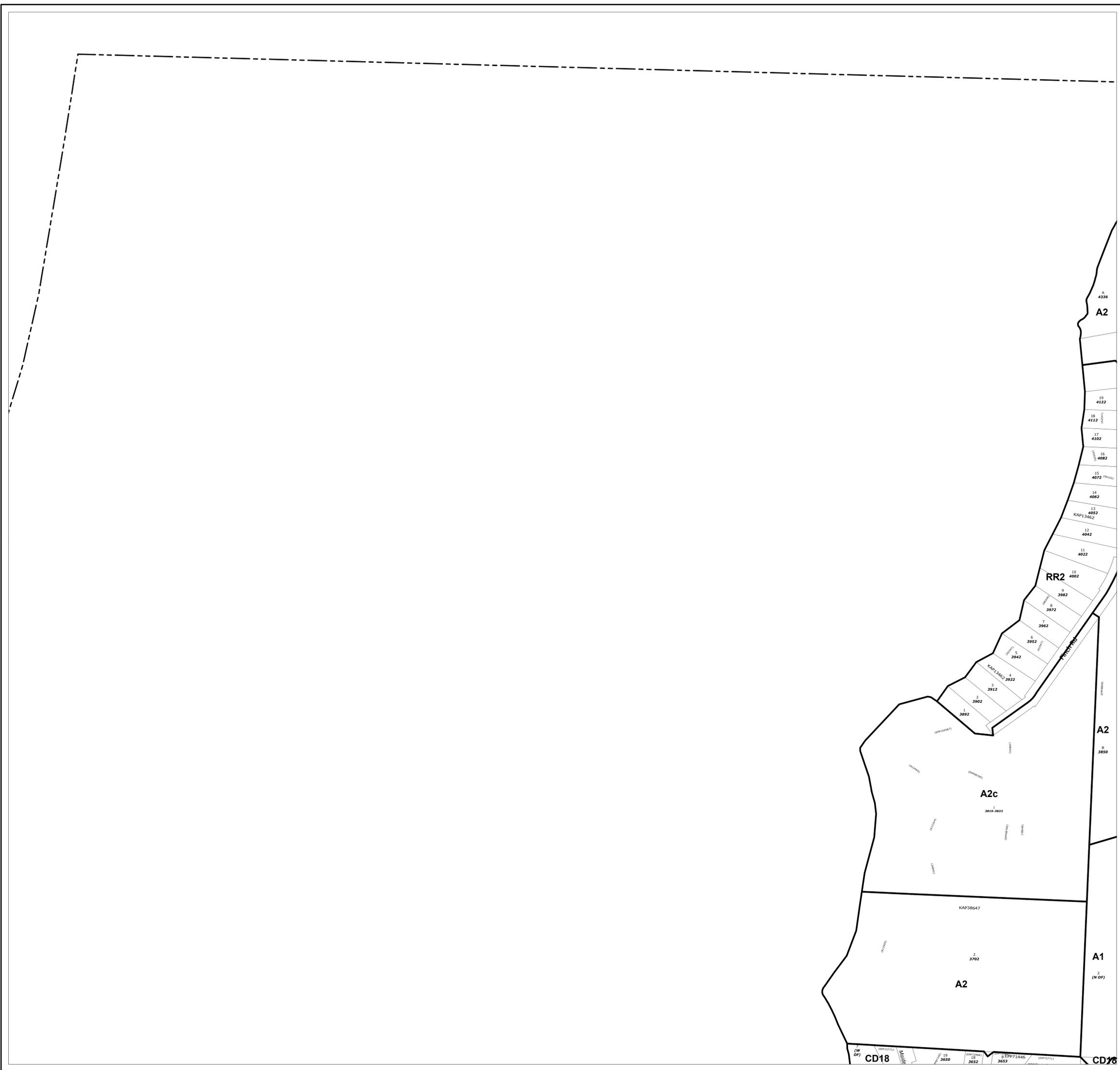


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Legend

	Zoning
	Lot Line
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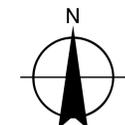
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Legend

-  Zoning
-  Lot Line
-  City Boundary



Scale: 1:2500

Revision: 5/26/2022

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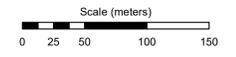
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Zoning Bylaw

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- Legend**
-  Zoning
 -  Lot Line
 -  City Boundary



Scale: 1:2500

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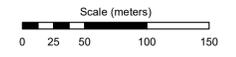
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Zoning Bylaw

No. **23-35**

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- Legend**
-  Zoning
 -  Lot Line
 -  City Boundary



Scale: 1:2500

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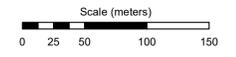
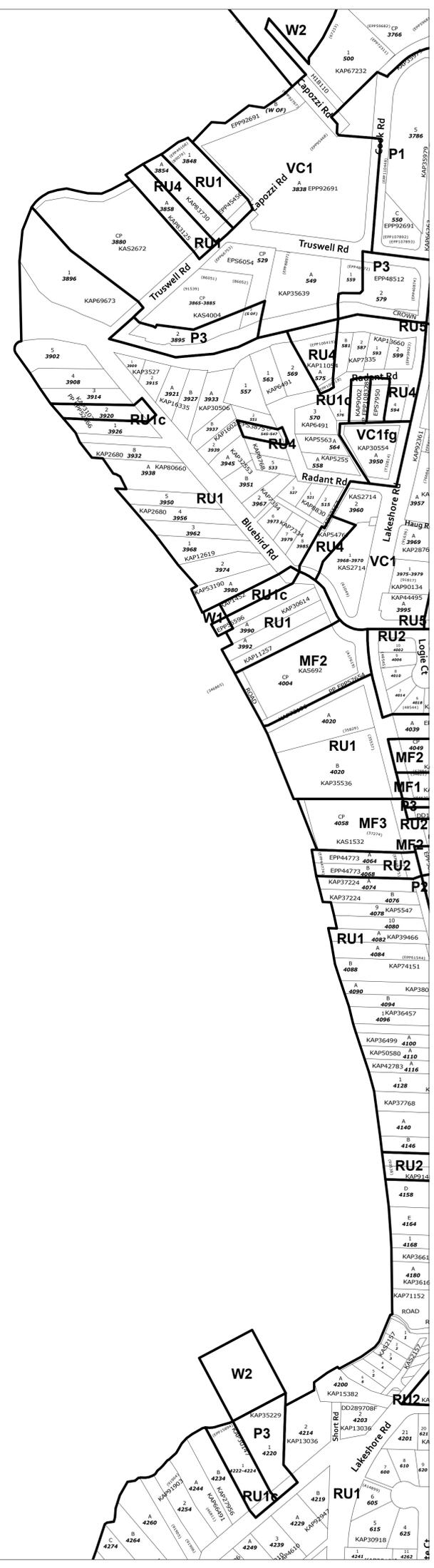
Zoning Bylaw

No. **25-01**

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- Legend
-  Zoning
 -  Lot Line
 -  City Boundary



Scale: 1:2500

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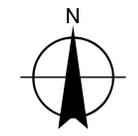
City of Kelowna

Zoning Bylaw

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- Legend
- Zoning
 - Lot Line
 - City Boundary



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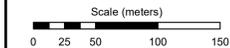
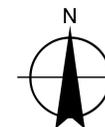
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Legend

- Zoning
- Lot Line
- City Boundary

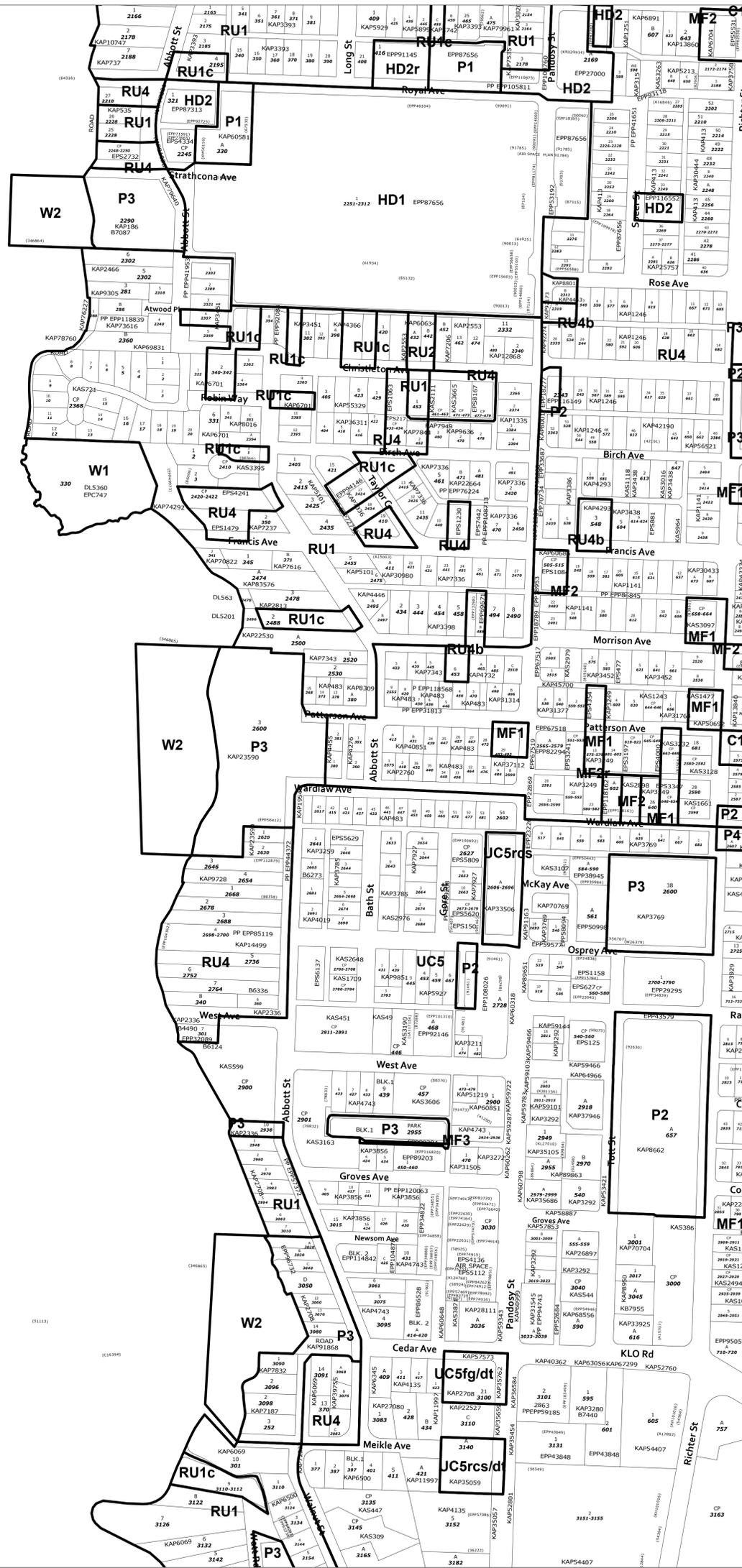


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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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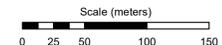
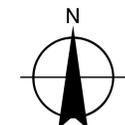
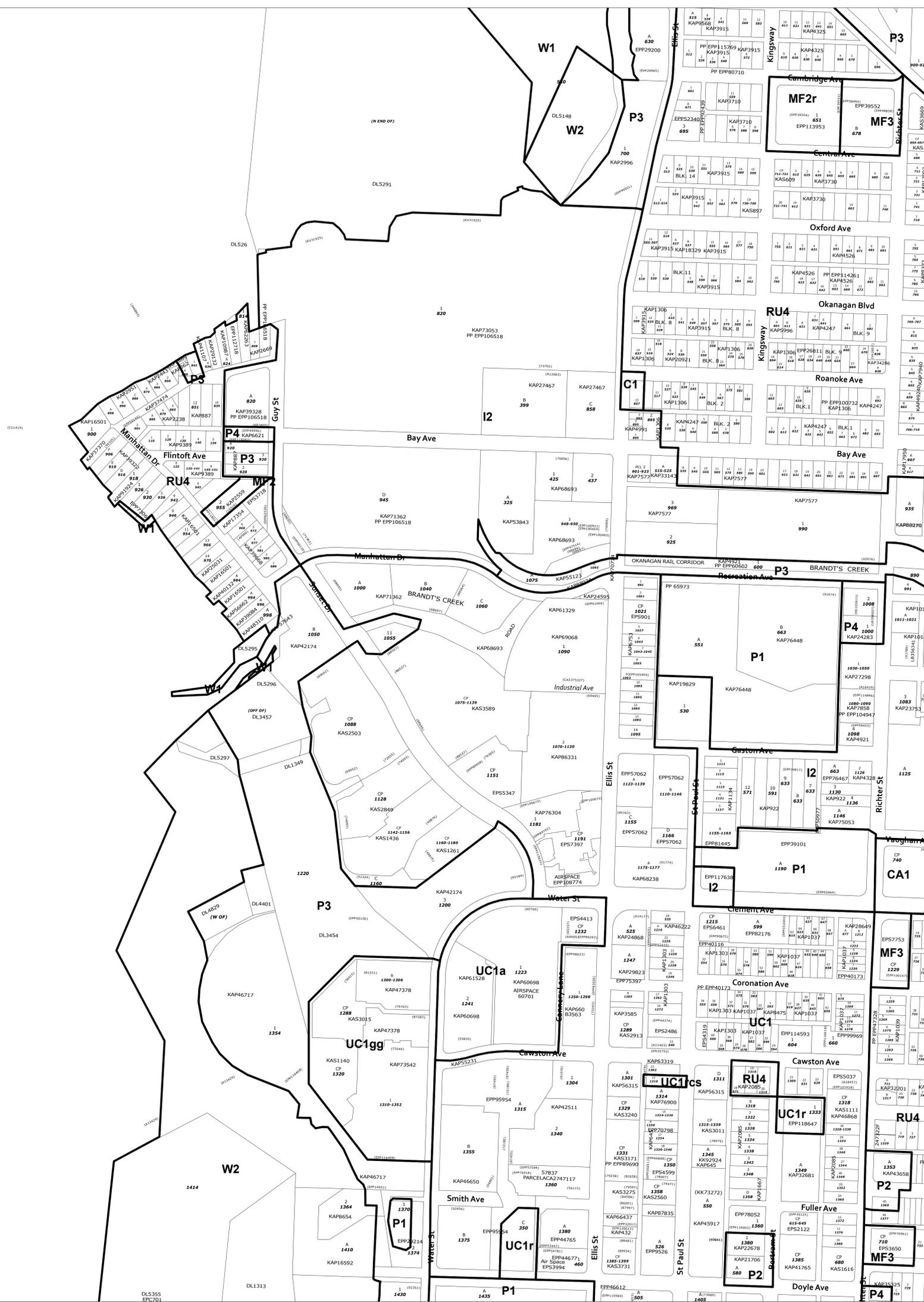
Zoning Bylaw

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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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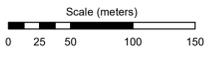
Zoning Bylaw

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- Legend
-  Zoning
 -  Lot Line
 -  City Boundary



Scale: 1:2500

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Legend

- Zoning
- Lot Line
- City Boundary



Scale (meters) 0 25 50 100 150

Scale: 1:2500

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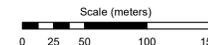
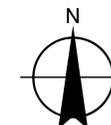
Zoning Bylaw

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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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Zoning Bylaw

No. **26-04**

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- Legend
-  Zoning
 -  Lot Line
 -  City Boundary



Scale (meters)
0 25 50 100 150

Scale: 1:2500

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Zoning Bylaw

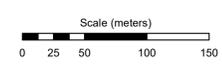
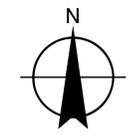
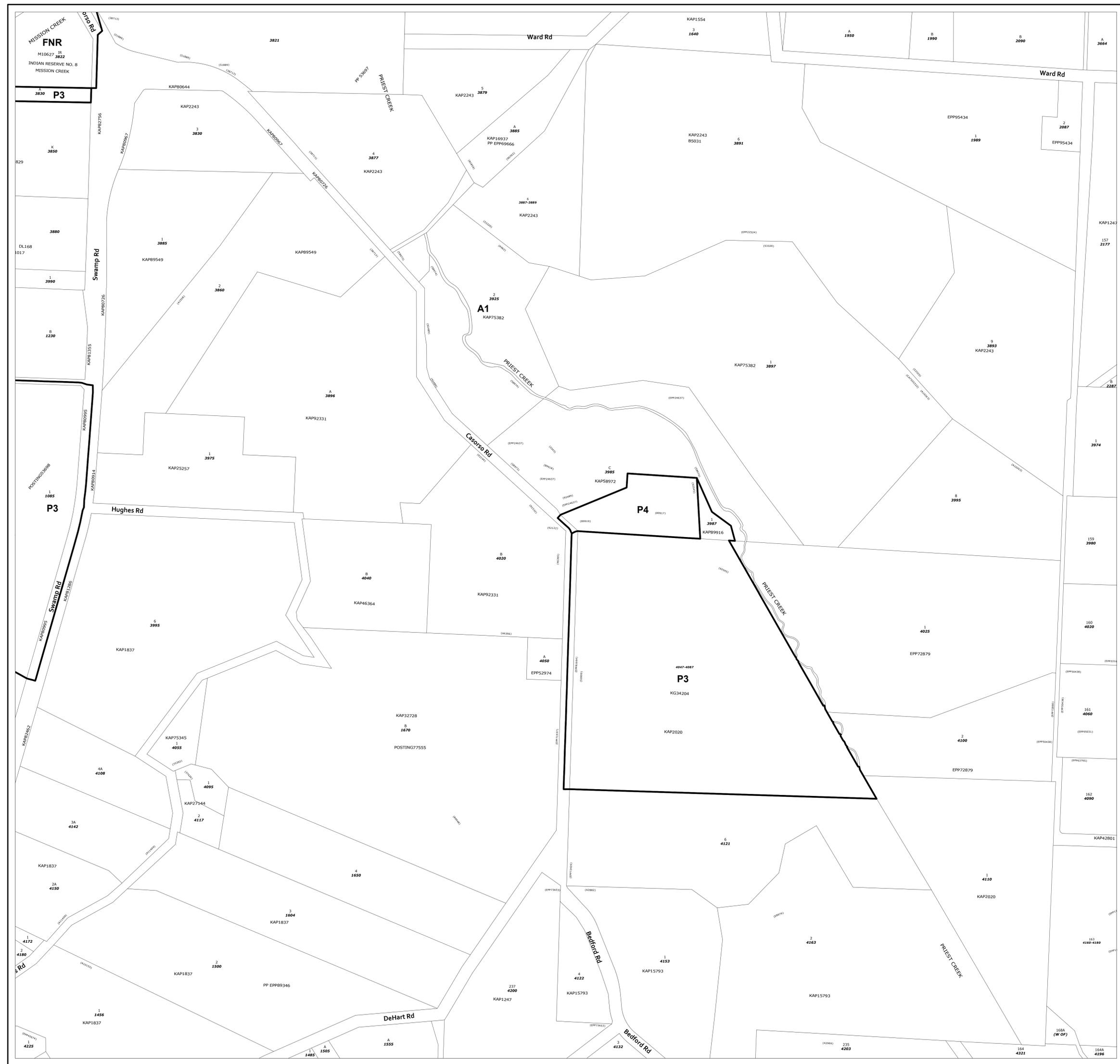
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Legend

-  Zoning
-  Lot Line
-  City Boundary



Scale: 1:2500

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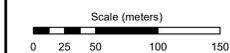
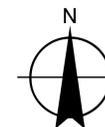
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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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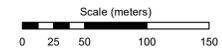
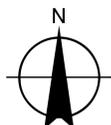




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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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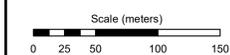




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Legend

- Zoning
- Lot Line
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Zoning Bylaw

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- Legend**
-  Zoning
 -  Lot Line
 -  City Boundary

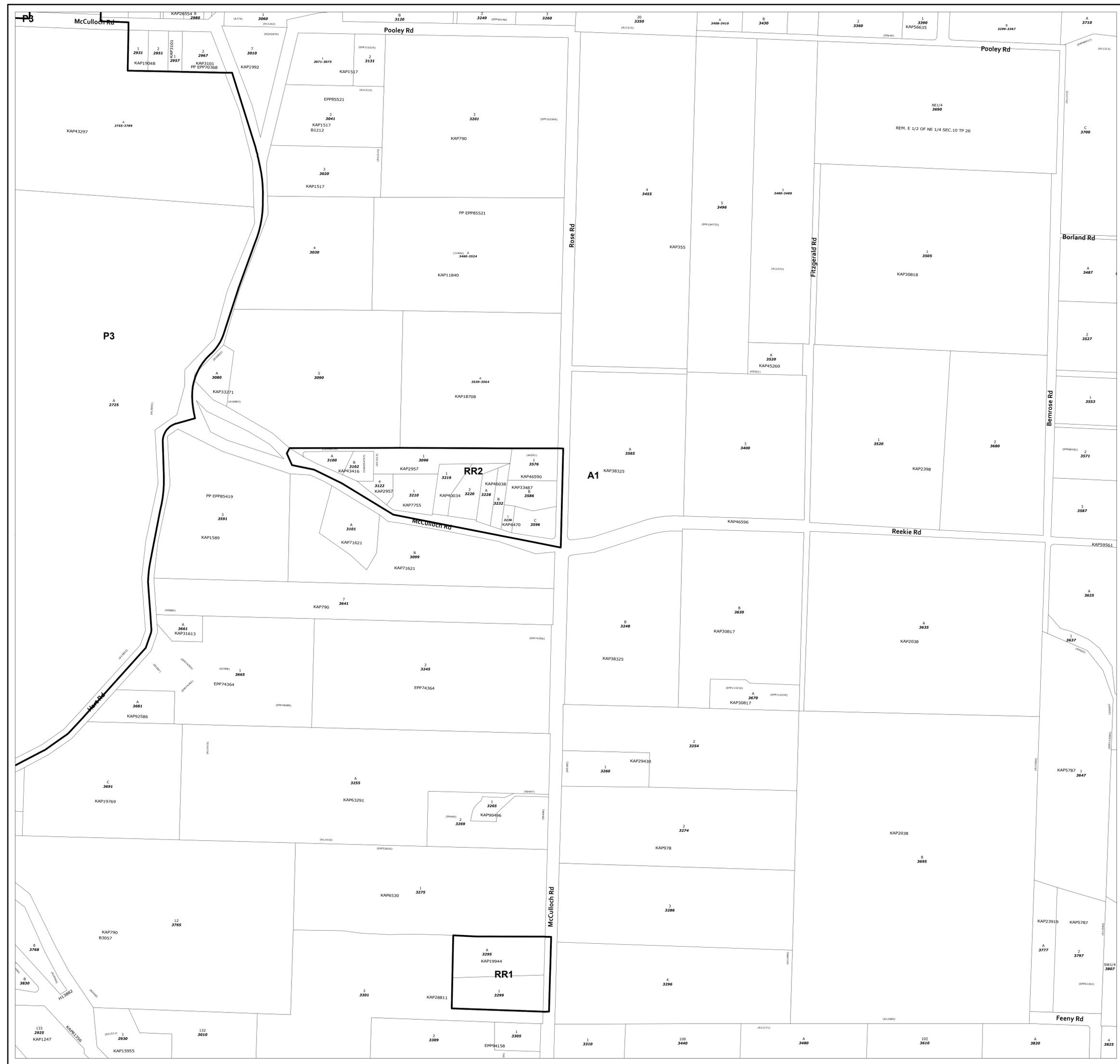


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Zoning Bylaw

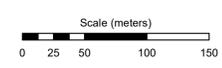
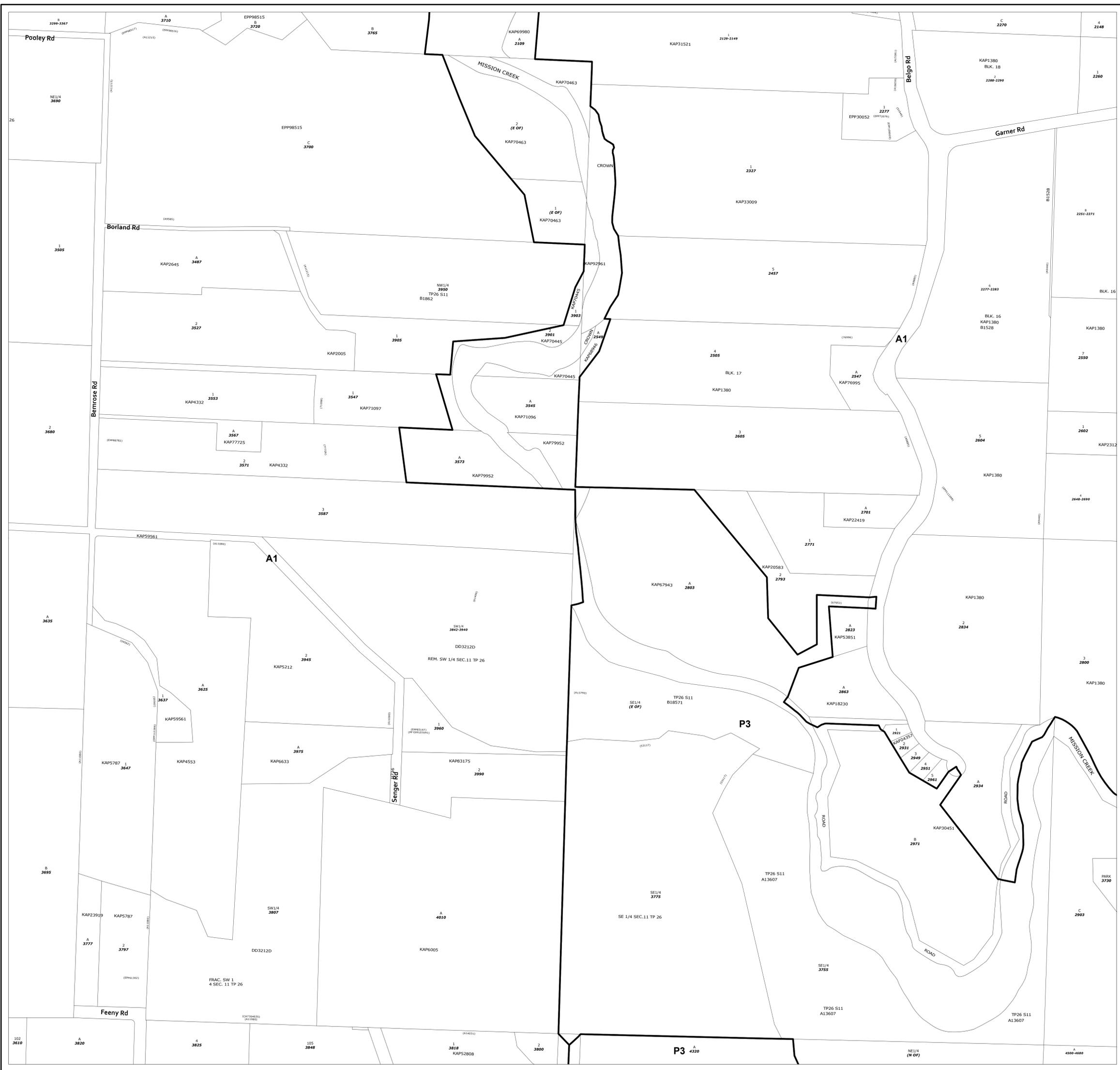
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Legend

-  Zoning
-  Lot Line
-  City Boundary



Scale: 1:2500

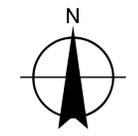
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Legend

-  Zoning
-  Lot Line
-  City Boundary



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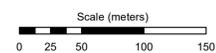
FMR



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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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City of Kelowna

Zoning Bylaw

No. 26-14

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Legend

- Zoning
- Lot Line
- City Boundary

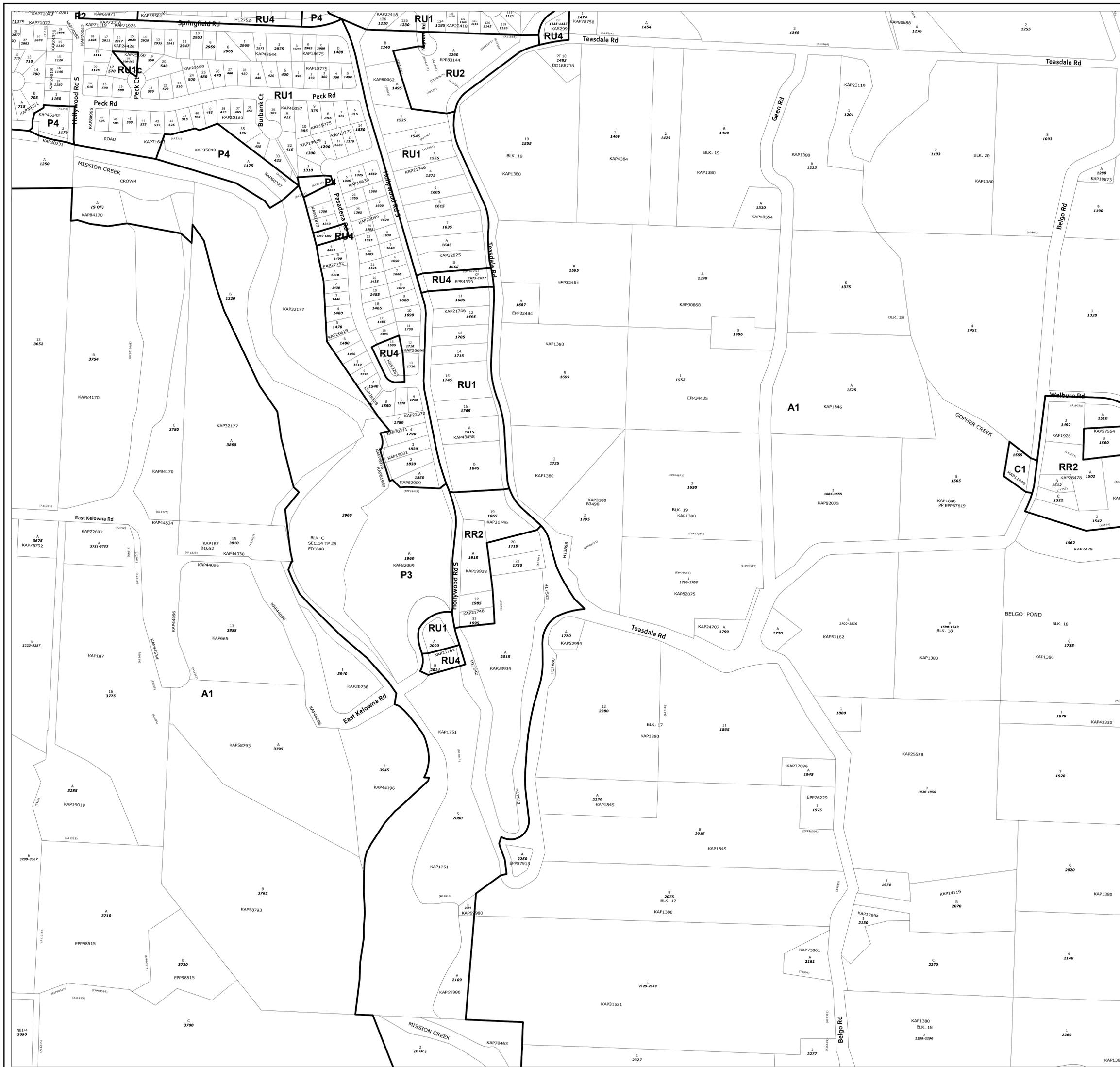


Scale (meters)
0 25 50 100 150

Scale: 1:2500

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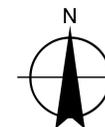
Zoning Bylaw

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Legend

- Zoning
- Lot Line
- City Boundary



Scale (meters)
0 25 50 100 150

Scale: 1:2500

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City of Kelowna

Zoning Bylaw

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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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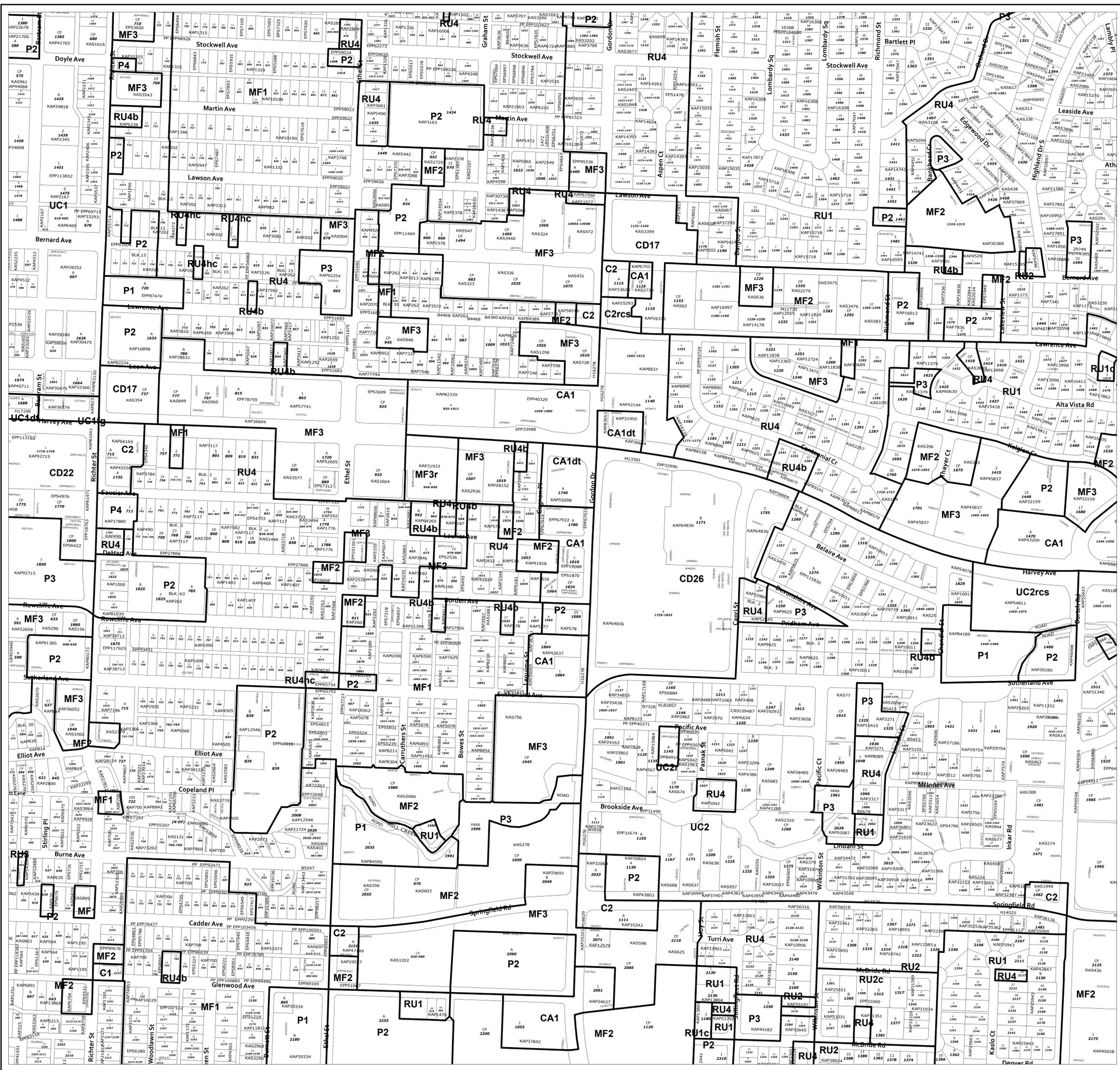
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No. **26-19**

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- Legend
-  Zoning
 -  Lot Line
 -  City Boundary



Scale (meters)
0 25 50 100 150

Scale: 1:2500
Revision: 5/26/2022

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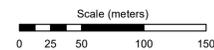
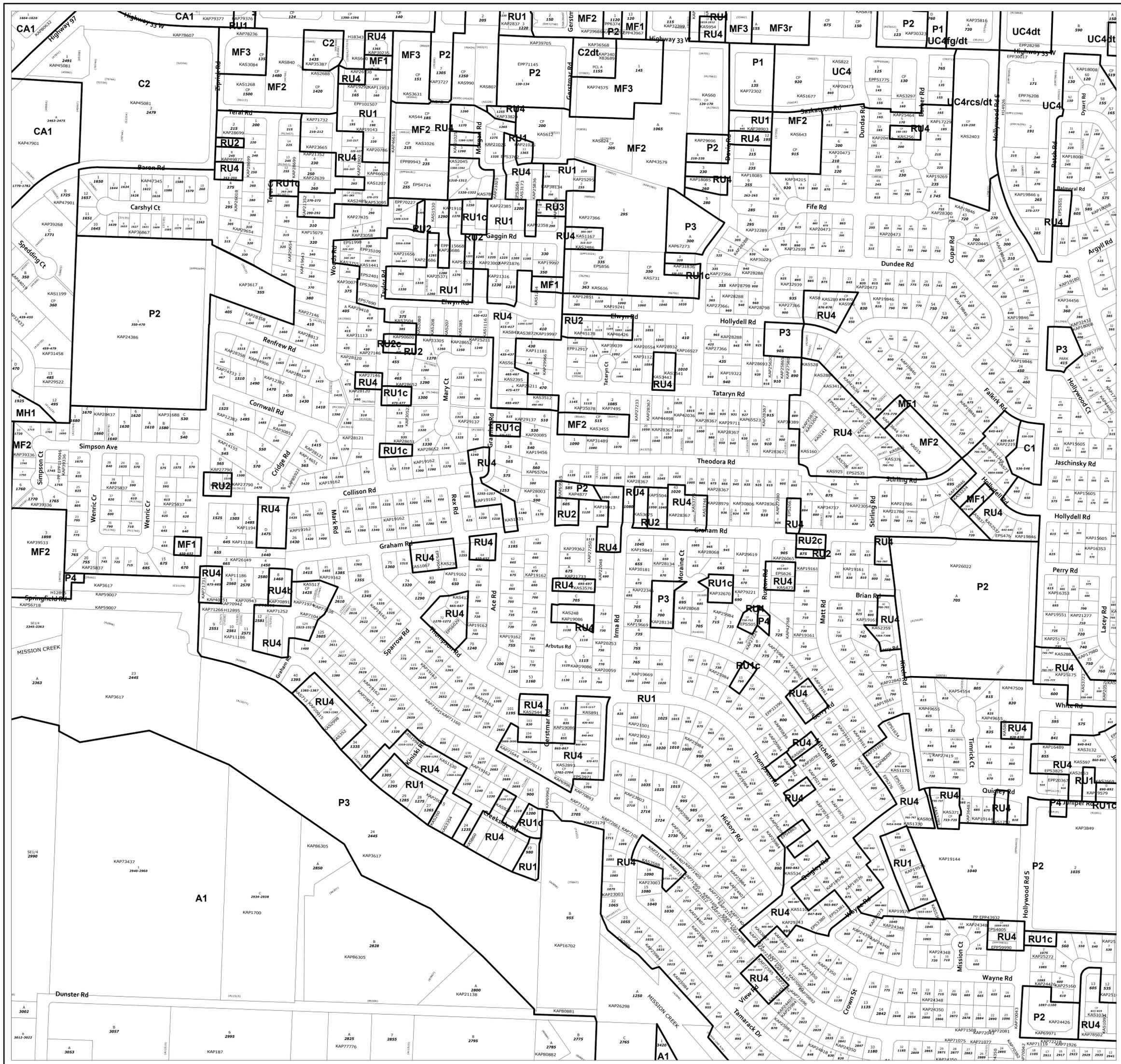


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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

Revision: 5/26/2022

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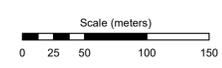
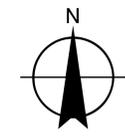
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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500
Revision: 5/26/2022

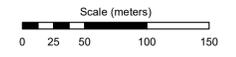
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Zoning Bylaw

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- Legend**
-  Zoning
 -  Lot Line
 -  City Boundary



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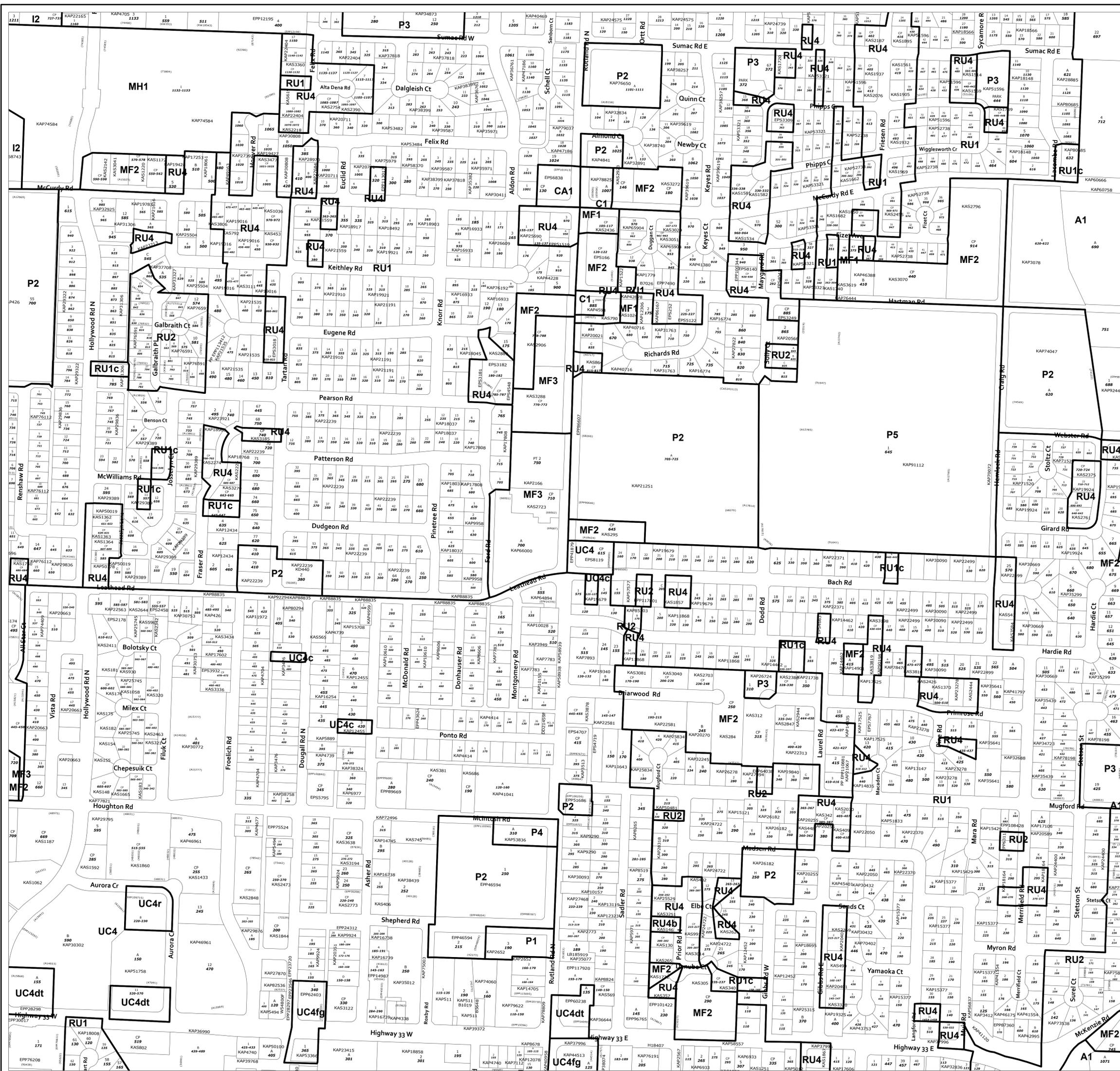
- Zoning
- Lot Line
- City Boundary



Scale (meters) 0 25 50 100 150

Scale: 1:2500
Revision: 5/26/2022

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Legend

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-  City Boundary



Scale: 1:2500

Revision: 5/26/2022

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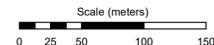
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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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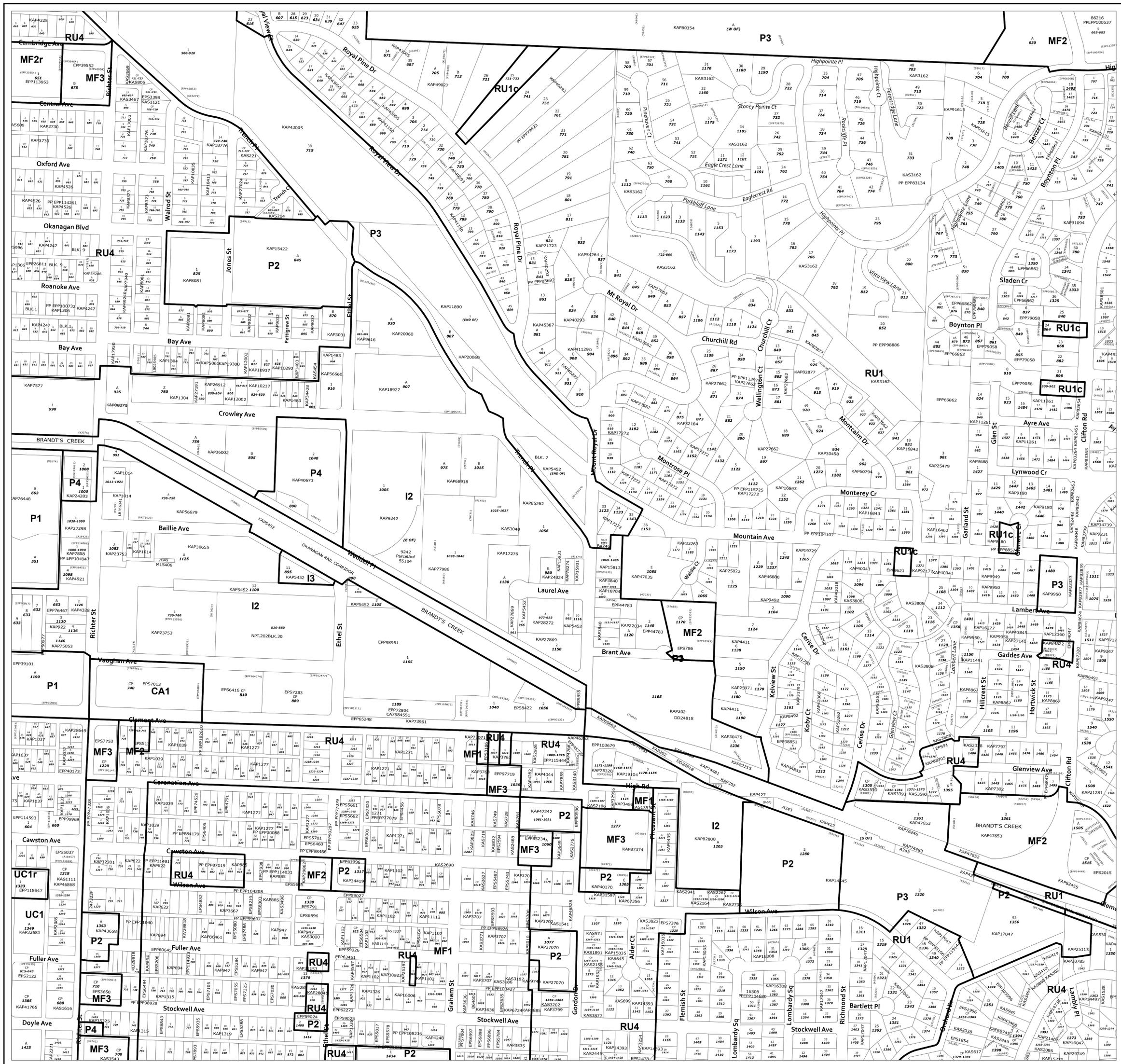


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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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- Legend
- Zoning
 - Lot Line
 - City Boundary



Scale: 1:2500

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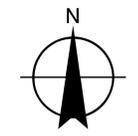
Zoning Bylaw

No. **26-33**

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- Legend
-  Zoning
 -  Lot Line
 -  City Boundary



Scale: 1:2500
Revision: 5/26/2022

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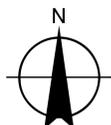
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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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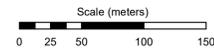
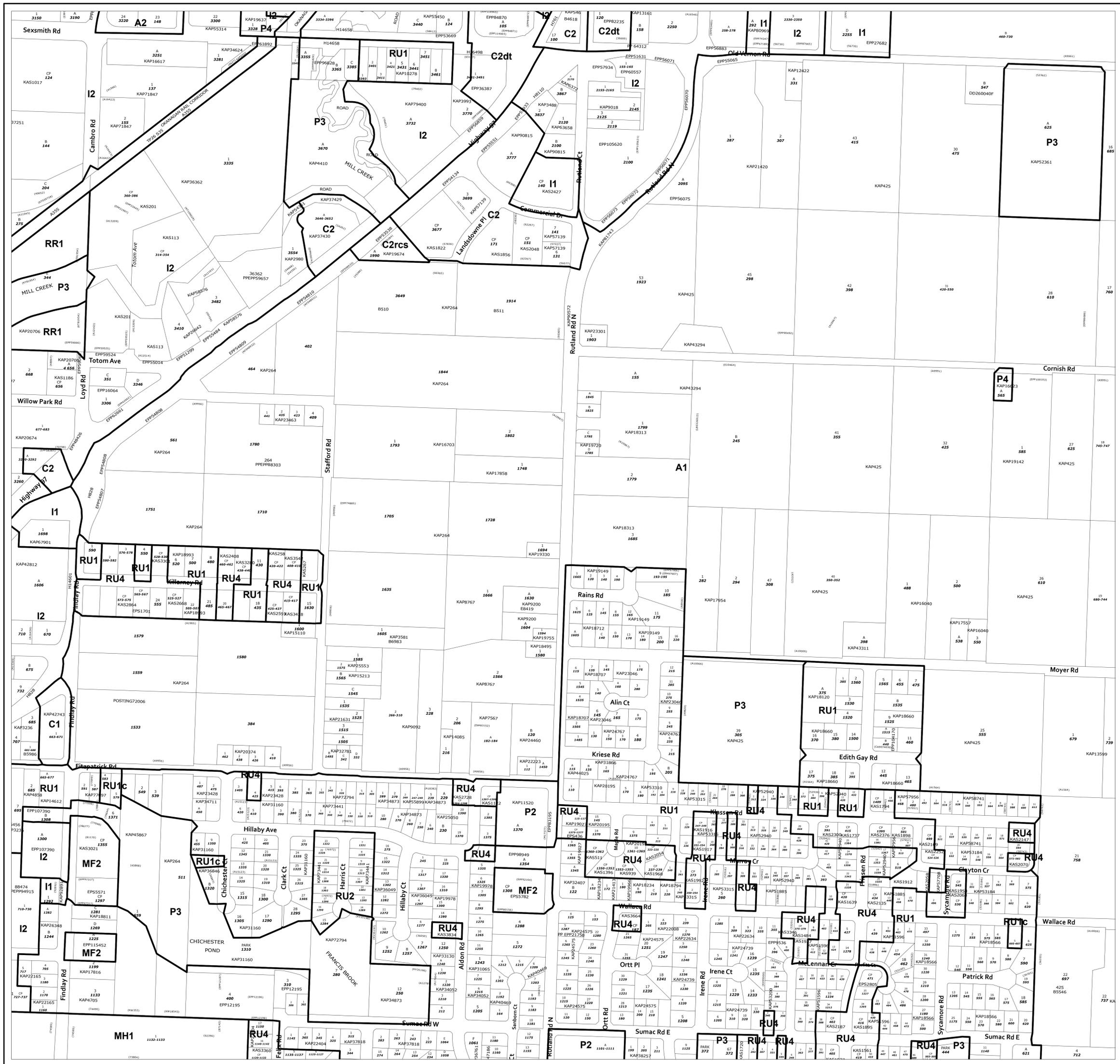




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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

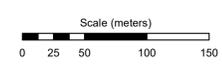
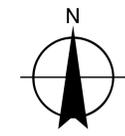
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- Legend**
-  Zoning
 -  Lot Line
 -  City Boundary



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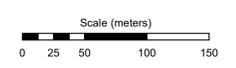
Zoning Bylaw

No. **27-06**

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Legend

-  Zoning
-  Lot Line
-  City Boundary



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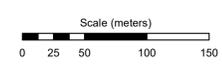
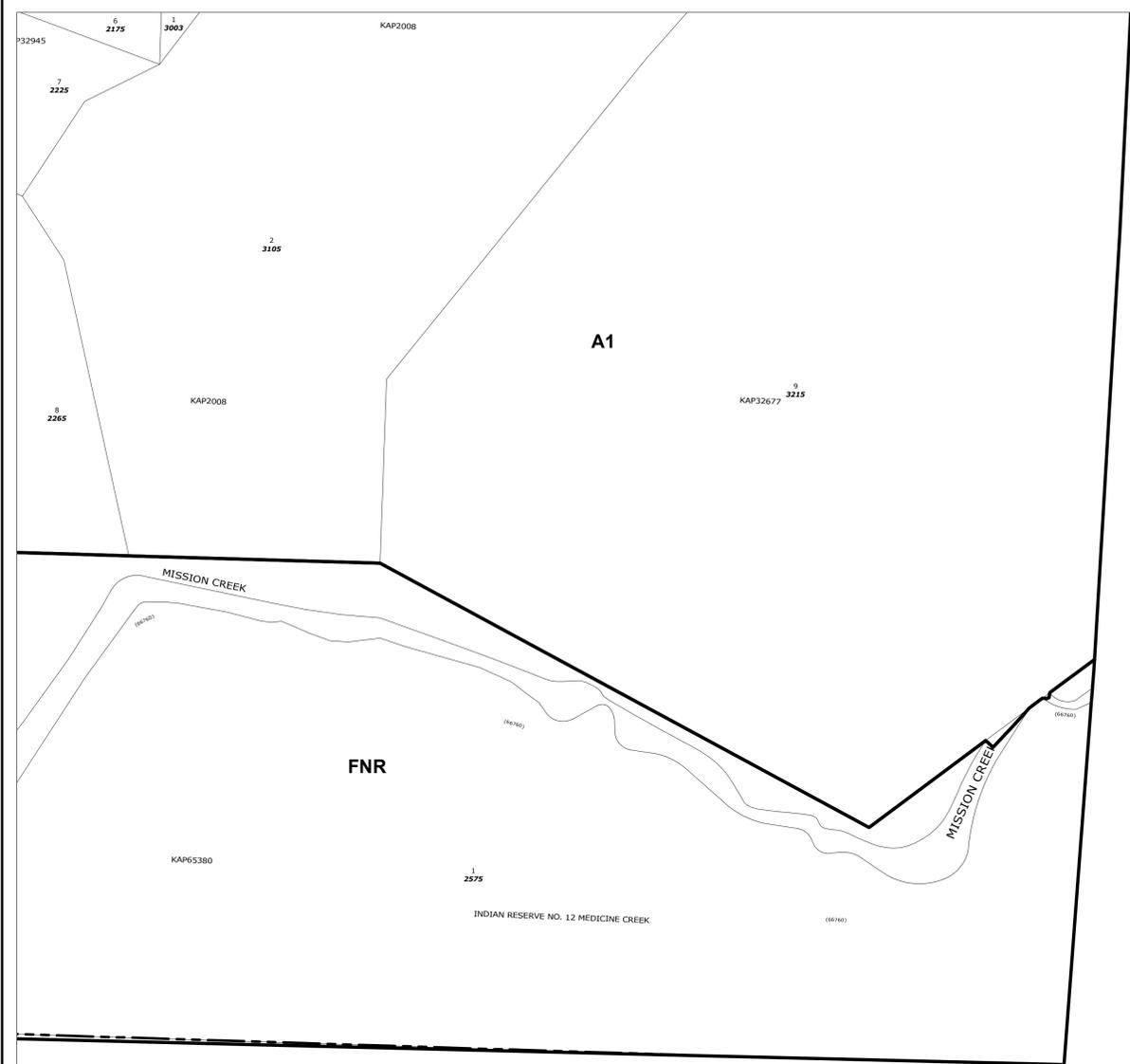
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Legend

	Zoning
	Lot Line
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City of Kelowna

Zoning Bylaw

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Legend

- Zoning
- Lot Line
- City Boundary



Scale (meters)
0 25 50 100 150

Scale: 1:2500

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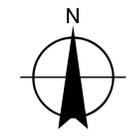


Zoning Bylaw

No. **27-19**

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- Legend**
-  Zoning
 -  Lot Line
 -  City Boundary



Scale: 1:2500

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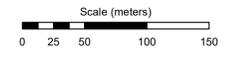


Zoning Bylaw

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- Legend**
- Zoning
 - Lot Line
 - City Boundary



Scale: 1:2500

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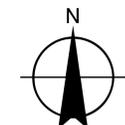
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Legend

-  Zoning
-  Lot Line
-  City Boundary

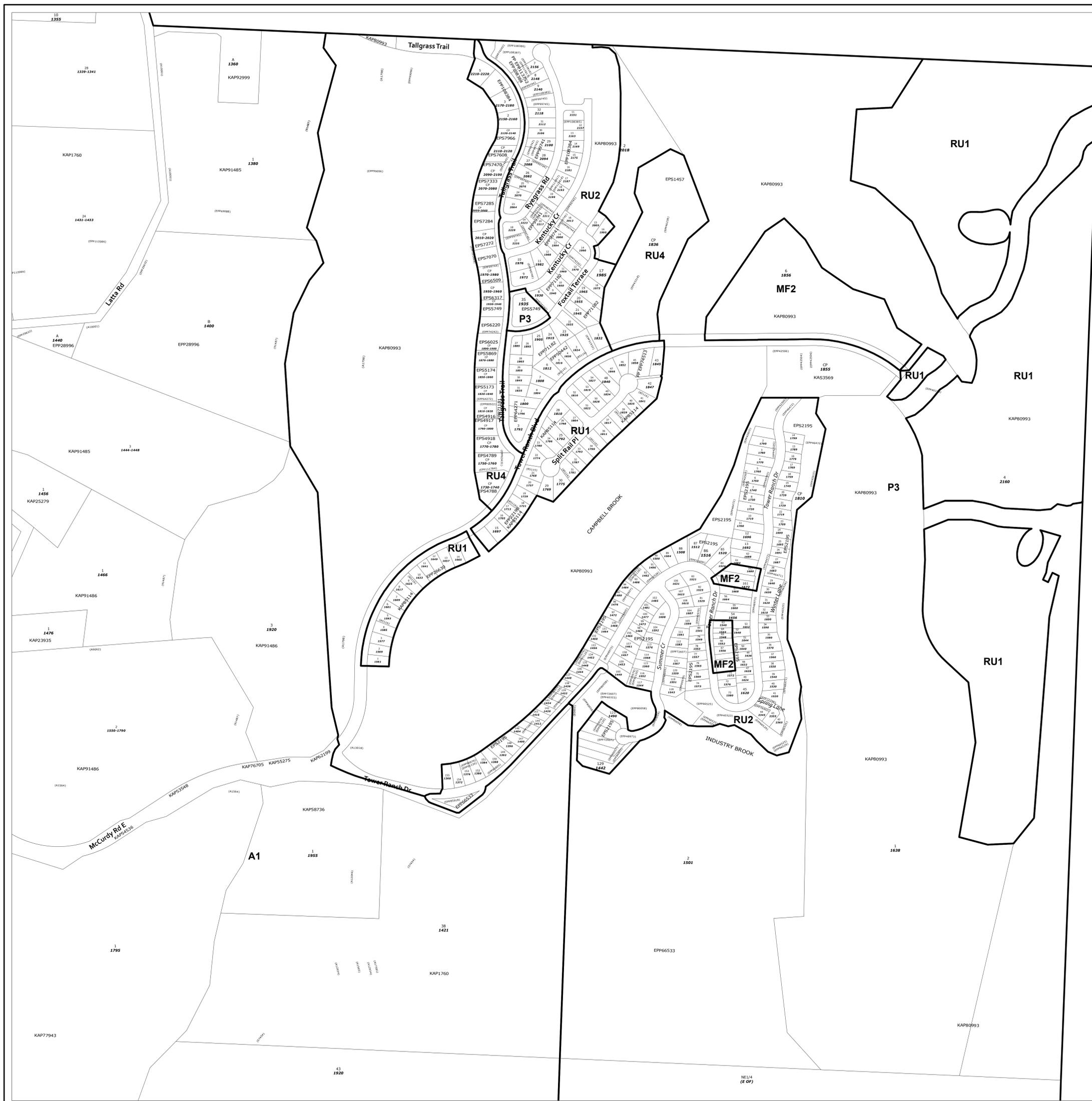


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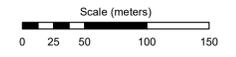
City of Kelowna

Zoning Bylaw

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- Legend**
- Zoning
 - Lot Line
 - City Boundary

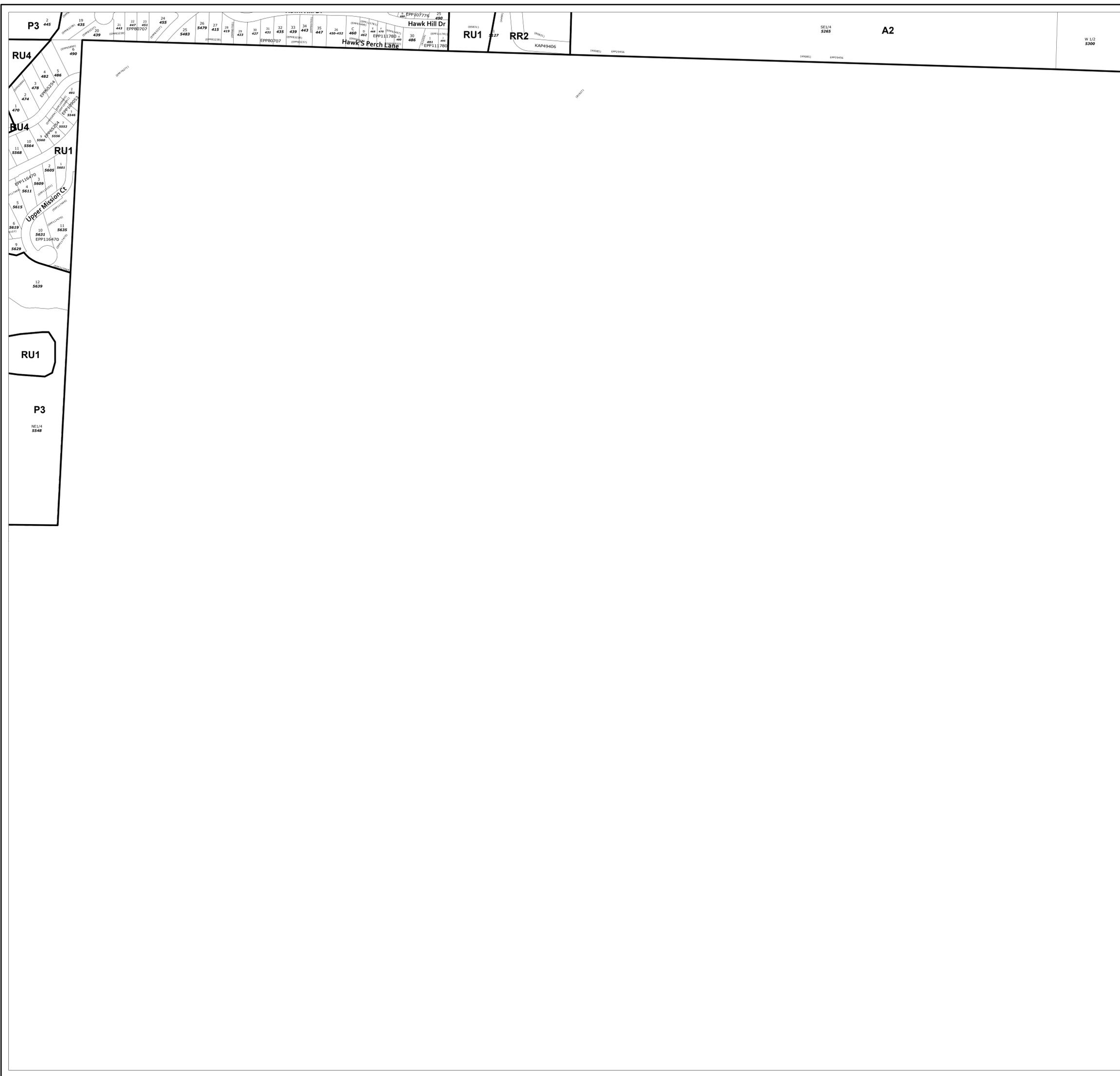


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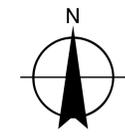
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- Legend
-  Zoning
 -  Lot Line
 -  City Boundary



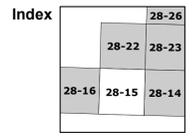
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- Legend
-  Zoning
 -  Lot Line
 -  City Boundary

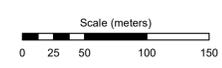
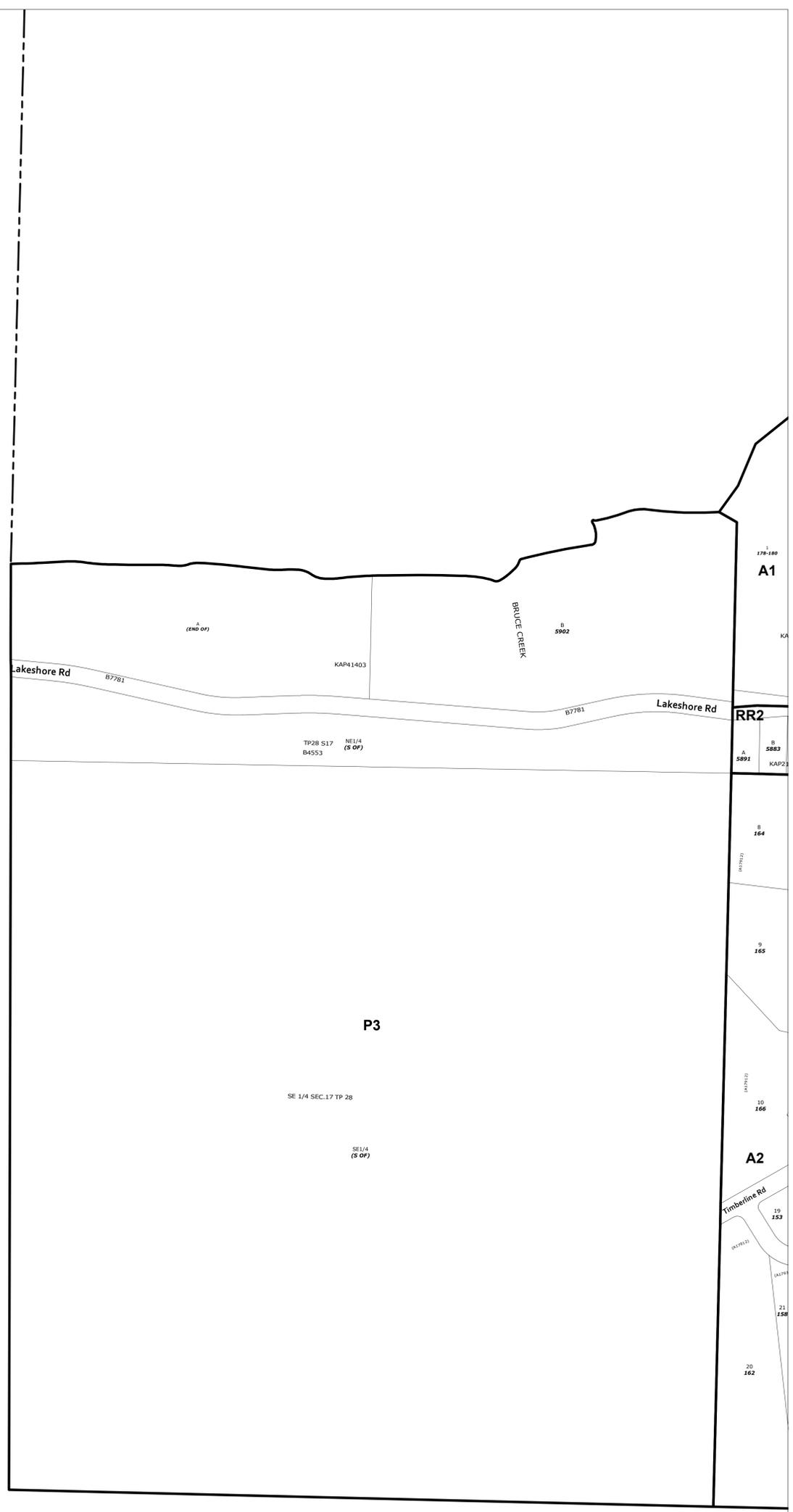
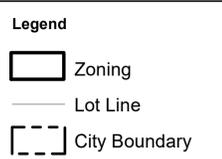
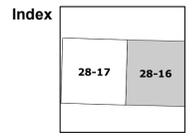


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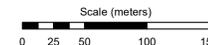
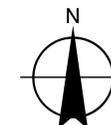


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Legend

- Zoning
- Lot Line
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Scale: 1:2500

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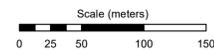




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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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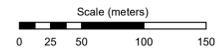
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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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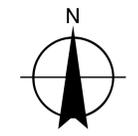
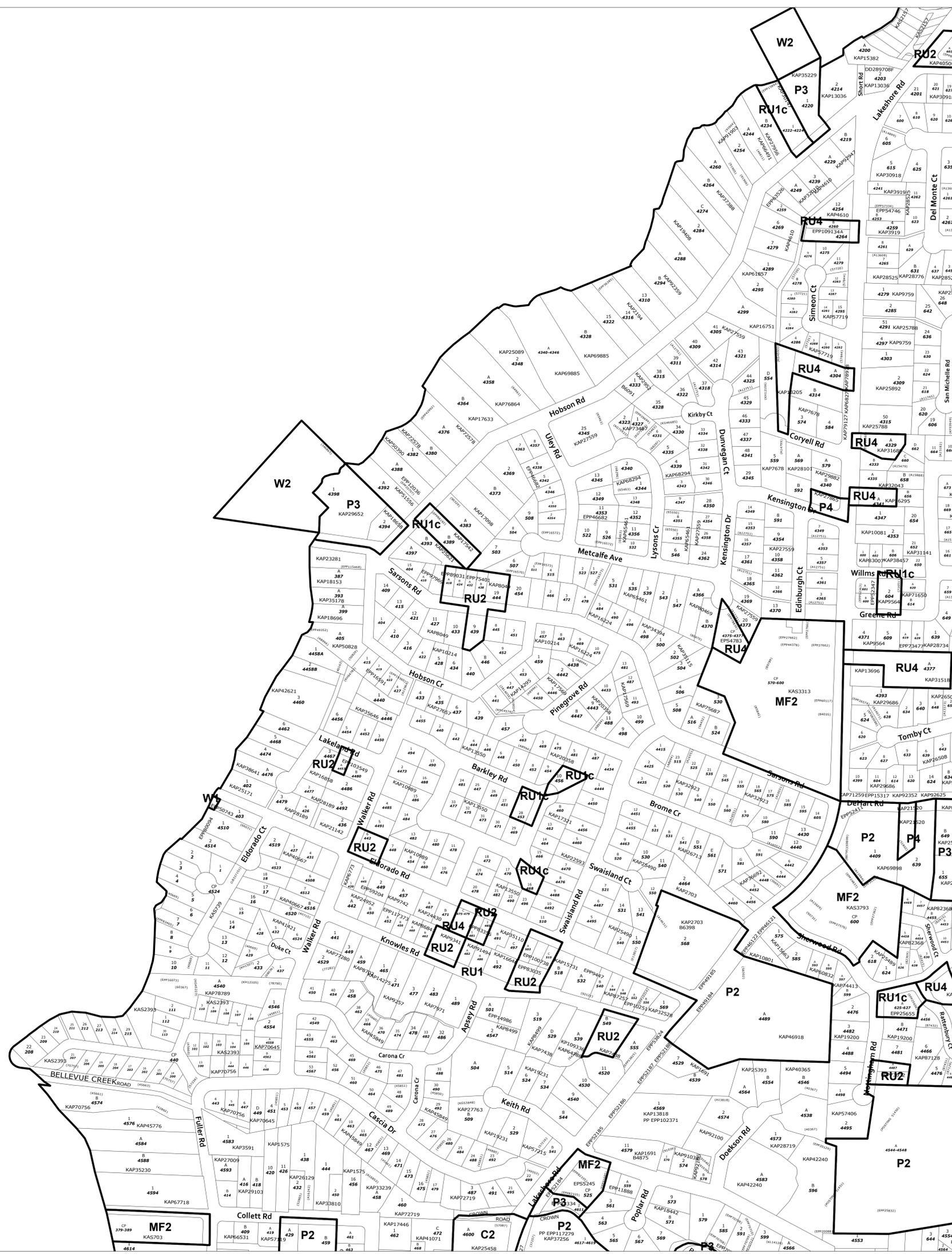
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- Legend
- Zoning
 - Lot Line
 - City Boundary



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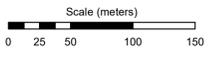
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Zoning Bylaw

No. **29-29**

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- Legend**
-  Zoning
 -  Lot Line
 -  City Boundary



Scale: 1:2500

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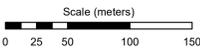
Zoning Bylaw

No. 29-30

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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500
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Zoning Bylaw

No. 29-31

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Legend

- Zoning
- Lot Line
- City Boundary



Scale: 1:2500

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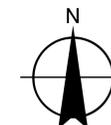
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Legend

- Zoning
- Lot Line
- City Boundary



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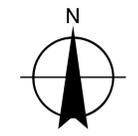


Zoning Bylaw

No. **29-34**

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- Legend**
-  Zoning
 -  Lot Line
 -  City Boundary



Scale: 1:2500

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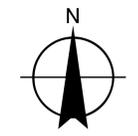
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Zoning Bylaw

No. **29-35**

Index	26-10	26-11	26-12
	26-03	26-02	26-01
	29-34	29-35	29-36

- Legend**
-  Zoning
 -  Lot Line
 -  City Boundary



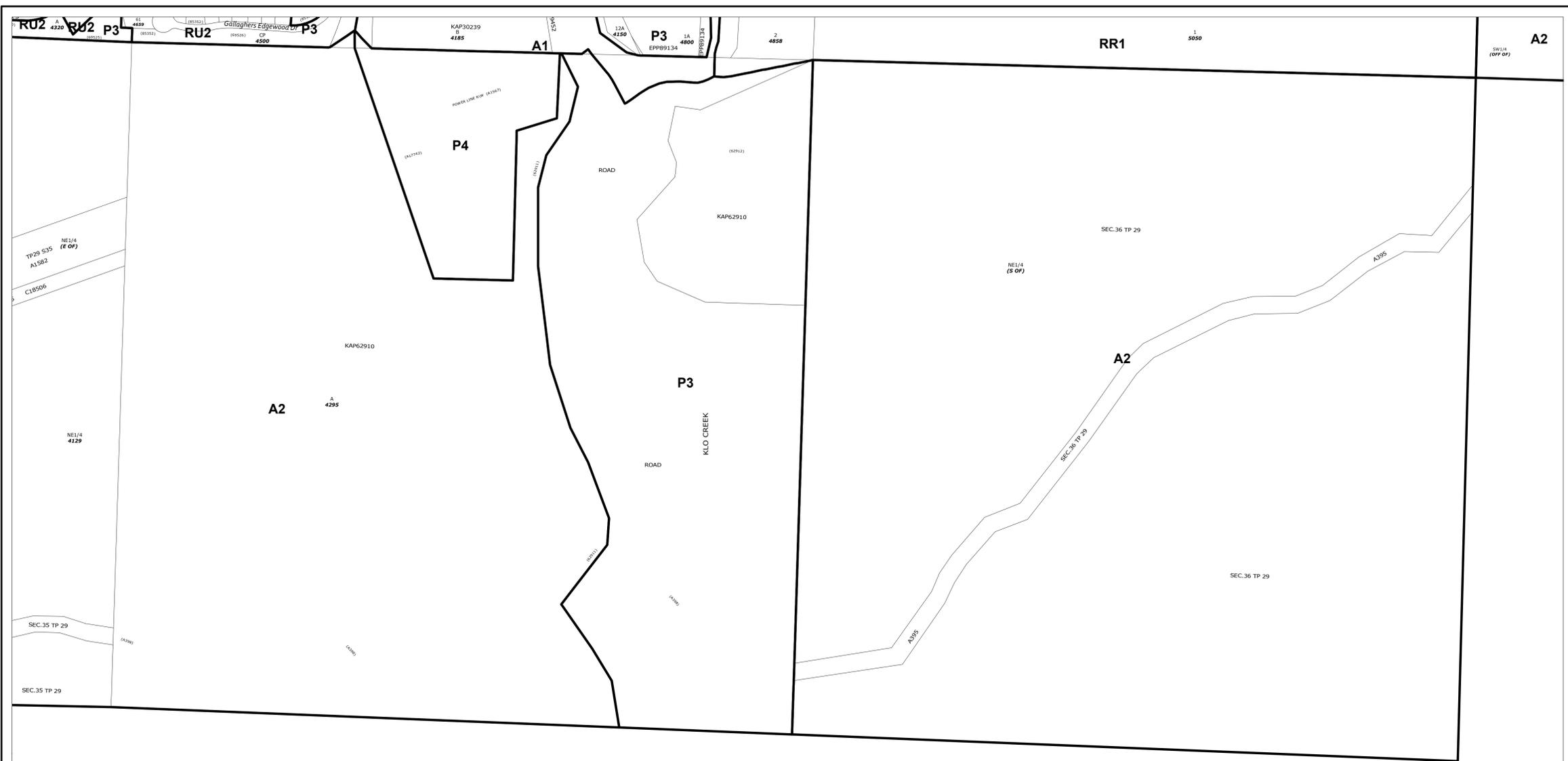
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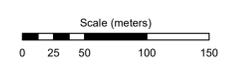


Zoning Bylaw

No. **29-36**

Index	
26-02	26-01
29-35	29-36

- Legend**
- Zoning
 - Lot Line
 - City Boundary



Scale: 1:2500
Revision: 5/26/2022

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CITY OF KELOWNA

Density Bonusing for Public Amenities and Streetscape Reserve Fund Bylaw No. 12386

WHEREAS the establishment, maintenance and usage of financial reserves is necessary for management of funds collected for design and construction of urbanization and streetscape amenities;

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

1. The purpose of this Bylaw is to establish a reserve for the City to hold and manage the funds collected for the design and construction of sidewalks, landscaping, street furniture, drainage, and other infrastructure located within the boulevard;
2. Except as provided in S. 189 of the *Community Charter*, the only purpose for which funds from the Reserve Fund may be expended is for the provision of funds identified in Section 1 of this bylaw.
3. In this bylaw:
 - 3.1 'reserve fund' means the Density Bonusing for Public Amenities and Streetscape Reserve Fund established by this bylaw;
 - 3.2 'urbanization and streetscape amenities' means sidewalks, landscaping, street furniture, drainage, and other infrastructure located within the boulevard that are:
 - (a) not included in the calculations used to determine the amount of any development cost charge under Section 559 of the Local Government Act, and
 - (b) not required to be provided by an applicant for subdivision or a building permit by any bylaw or resolution enacted under Section 506 of the Local Government Act.
4. There is hereby established a Density Bonusing for Public Amenities and Streetscape Reserve Fund pursuant to Sections 188 and 189 of the Community Charter.
5. All monies received pursuant to the reserve fund, as provided for in the density bonusing provisions within City of Kelowna Zoning Bylaw No. 12375 or as otherwise provided for in either the *Local Government Act* or the *Community Charter*, must be credited to this Reserve Fund.
6. Monies in the reserve fund, including any interest earned, shall be used to provide urbanization and streetscape amenities on any street in the City.
7. This bylaw may be cited for all purposes as "Density Bonusing for Public Amenities and Streetscape Reserve Fund Bylaw No. 12386".
8. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: May 30, 2022
To: Council
From: City Manager
Subject: Community Confidence in Justice: Advocacy Paper
Department: Community Safety Department / Partnerships Office

Recommendation:

THAT Council receive, for information, the report from the Community Safety Department titled Community Confidence in Justice: Advocacy Paper.

THAT Council direct staff to amend the Advocacy Framework priorities to include advocacy to senior levels of government on the increasing challenge with prolific property offenders in the community and the impact of the catch-and-release cycle of the justice system

Purpose:

To provide an update on the current state of property crime in Kelowna, with a focus on the catch-and-release cycle of persistent and prolific property offenders, and to expand the existing Advocacy Framework.

Background:

We are not alone. After a 2020 pandemic-driven decline in property related offending, communities across British Columbia are once again experiencing increased property crime. Frustratingly, a disproportionate amount of property crime is committed by offenders who persistently re-offend, unabated by a catch-and-release justice system.

While Kelowna citizens say they feel safe, overall, they consistently express concern about property crime and social issues. Accordingly, in 2019, City Council established community safety as a priority for its term. Since, the City has led, launched and/or supported numerous community safety and social development initiatives including the Journey Home Strategy, Kelowna Integrated Court (led by John Howard Society of Okanagan & Kootenay) and, most recently, a five-year Community Safety Plan.

City Council has invested in policing/community safety resources at unprecedented levels. Since 2016, the City added 47 RCMP members, 40 support staff, and nine Bylaw Officers. Today, the RCMP contract budget is 84 per cent higher than it was in 2016. In the 2022 Financial Plan, community safety reflected the largest budget investment and accounted for 35 per cent of the Plan.

Crime statistics offer, at best, a consistent and imperfect barometer, particularly in Kelowna given crime *rates* fail to consider the impact of an estimated two million visitors annually in our region. Notwithstanding, it is evident, after a temporary, pandemic-driven decline in 2020, property crime is increasing; significantly and rapidly.

Property offences consistently account for nearly 60 per cent of all *reported* crimes across all jurisdictions. Impacting countless citizens and businesses, property crime threatens our individual sense of safety, our quality of life, the economic viability of businesses, and our reputation as a safe, thriving community which welcomes – and relies upon - an estimated two million visitors annually. Once again, respondents to the City’s most recent (2022) community safety survey cited property crime as the top crime related priority for Council and police.

A relatively small number of persistent and prolific property offenders are responsible for an overwhelming portion of property crime incidents, and present extreme pressures on finite police resources. In December 2021, RCMP Southeast District identified 15 offenders who had 1,039 negative contacts with police in the first 11 months last year. One offender was responsible for generating 346 RCMP files since 2016, an average of more than one per week for six years.

The impact of prolific property offenders on our communities, police and local governments are escalating, particularly in the current context of provincial health, housing and justice systems that provide inadequate care for an offender’s underlying issues (i.e., trauma, mental health, and problematic substance use) and inadequate consequences. These systems are under apparent strain and while health and housing-oriented solutions are critically needed and increasingly cited alternatives to the justice system (i.e., integrated courts and complex care housing and supports), these solutions remain in their infancy.

In December 2021, the BC Urban Mayors’ Caucus (BCUMC) raised the issue of prolific property offenders with the Honourable David Eby, BC Attorney General and Minister Responsible for Housing. At the Minister’s request, the BCUMC collected and provided additional information to the Minister and his colleague, the Honourable Mike Farnworth, Solicitor General and Public Safety Minister, in April 2022. This submission led to a joint announcement between the Provincial Government and the BCUMC in May 2022 to commission a prompt examination of varied policy options to hold prolific property offenders accountable with a summary report expected in the early fall.

Conclusion:

The City of Kelowna understands and supports a balanced approach – care and consequences, heart and hammer - as evidenced by its ongoing commitment to housing first solutions, its most recent advocacy for complex needs housing and supports in 2021, and its advocacy for improved offender accountability. This paper seeks to illuminate the issue and impact of prolific property offenders to generate awareness, discussion, and an agenda for advocacy within the purview of the Provincial Government, including the need and opportunity for:

1. Increased local BC Prosecution Service (BCPS) resources, including dedicated Crown for prolific offender files;
2. Provincial review of the [2021 BCPS’ Charge Assessment Guidelines](#), including its’ full disclosure policies;
3. Increased data accessibility within BCPS’ annual reports;

4. Provincial review of the [2021 BCPS' Bail – Adult Policies](#) and/or its practices; and
5. City collaboration with the provincial government on advocacy to the federal government.

The City of Kelowna appreciates a strong history of collaboration and partnership with the Provincial Government on addressing issues of mutual concern. With Council's direction to expand its Advocacy Framework priorities to include advocacy on addressing the challenges with prolific offenders, staff will be able to proceed with bringing the issues raised in this Paper forward to the Province for continued discussion and action.

Internal Circulation:

Social Development

Communications Department

Submitted by: D. Caul, Community Safety Director
A. Bazett, Intergovernmental Relations Manager

Approved for inclusion:



S. Leatherdale, Divisional Director-Corporate & Protective Services

cc: D. Edstrom, Division Director – Partnerships & Investments
C. Weaden, Division Director - Corporate & Strategic Services
J. Gabriel, Division Director - Active Living & Culture
Supt. K. Triance, Officer in Charge, RCMP Kelowna Region

Community Confidence in Justice: Advocacy Paper

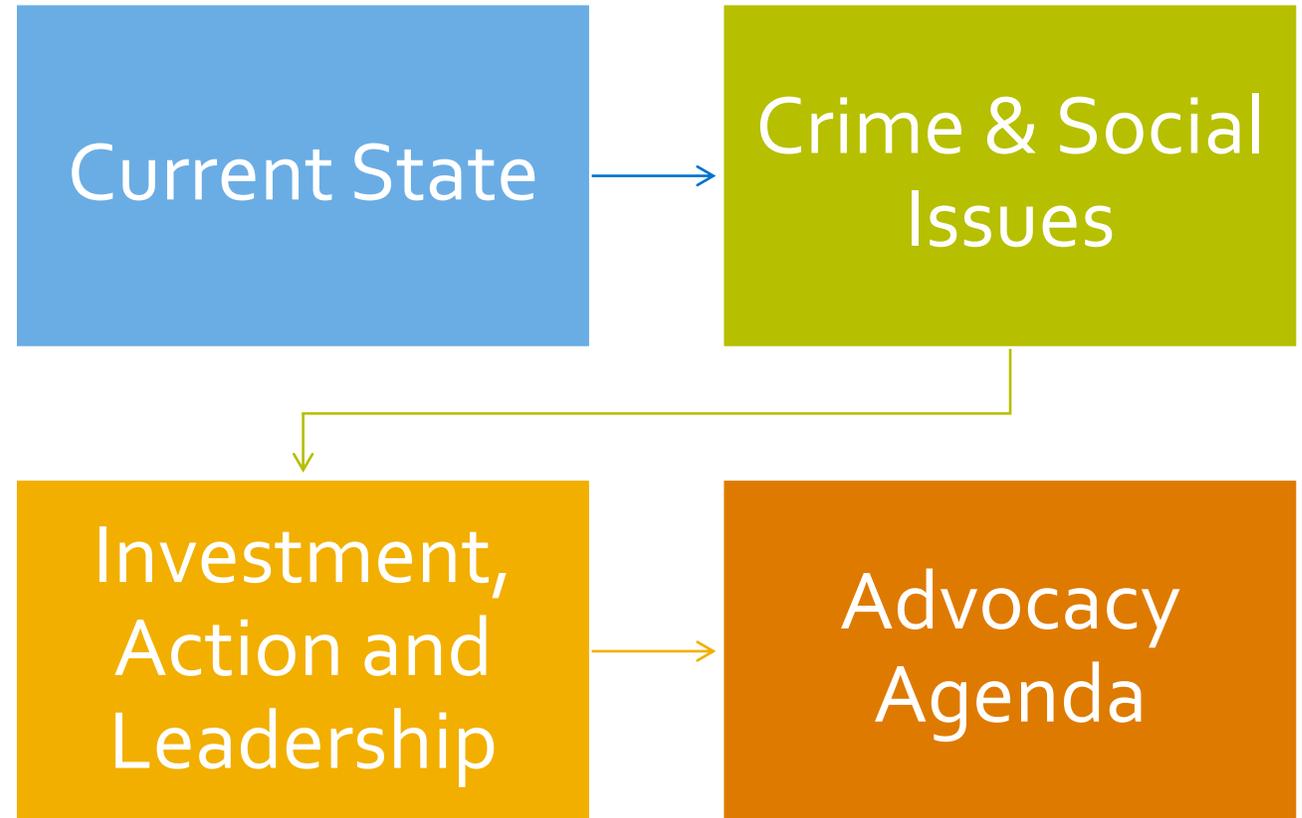
City Council
May 30, 2022

Advocacy Opportunity

- ▶ Council's Advocacy Framework priorities
 - ▶ Recommendation to add criminal justice advocacy on:
 - ▶ Challenge with prolific offenders in the community
 - ▶ Impact of the *catch-and-release* cycle of the justice system
- ▶ Focused dialogue with the Province
- ▶ BC Urban Mayors' Caucus – leadership role
- ▶ Provincial announcement on May 5, 2022 with Minister Eby, Minister Farnworth, Mayors



Presentation Overview



A scenic landscape photograph showing three people sitting on a wooden fence on a hillside, looking out over a large lake and mountains. The sun is low in the sky, creating a bright glow and long shadows. The person on the left is wearing a yellow jacket with 'm&m's' on the back. The person in the middle is wearing a red jacket, and the person on the right is wearing a blue jacket. The background features a large body of water, a city or town, and distant mountains under a cloudy sky.

Current State: Perceptions & Statistics

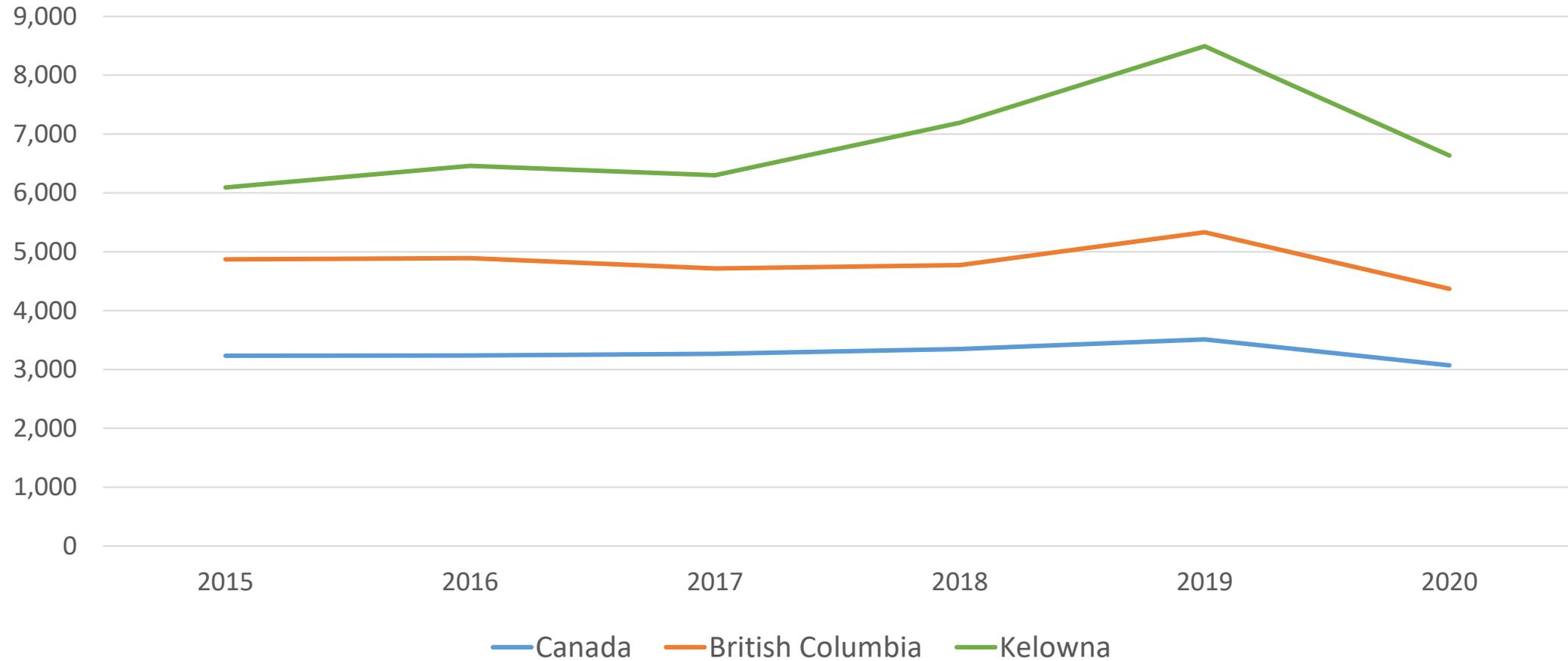
2022 Community Safety Survey

- ▶ 96 per cent feel safe in their neighbourhood during day and 77 per cent at night

However...

- ▶ 43 per cent cited property crime as the most important crime-related problem
- ▶ cited as “highest priority” for police / Council to keep community safe (96 per cent)
- ▶ 68 per cent *perceived* level of property crime increased in the past 24 months
- ▶ 52 per cent of victims did *not* report the incident to police

Property Crime / 100,000 by Jurisdiction (2015-20)



Prolific Offenders: Profile & Responses

Repeat / Prolific Property Offenders



- ▶ Varied terms and thresholds used across police agencies
- ▶ RCMP Southeast District reviewed “*repeat offenders*”
 - ▶ Specifically individuals who are active criminally, using a weighted ranking methodology, with high numbers of negative contacts and criminal convictions.
- ▶ In 2021, RCMP identified 15 individuals as repeat offenders
 - ▶ responsible for 1,039 negative contacts (Jan to Nov 2021)

Repeat Property Offenders

(Dec 2021)

Offender #1:

- Since 2016, 346 RCMP files generated and 29 convictions for property crime and assault offences
- Currently has “no go” conditions for 11 business locations
- Routinely released with conditions and reoffends

Offender #2:

- Aug – Dec 2021, 17 criminal code charges for property crime, driving and failure to comply
- Since 2016, 51 criminal charges, including 29 for failure to comply with court orders

Offender #3:

- Since November 2018, 194 police files
- In 2021, subject of 23 criminal convictions for property crime and breaching court orders
- In November 2021, offender received two weeks’ custodial sentence for 17 convictions

No Single Repeat Offender Profile

- ▶ Housing and health-related issues (i.e., trauma, mental health and problematic substance use) common but not all
- ▶ Health issues devolved to police; the “most expensive, least appropriate first responders”
 - ▶ 50 – 80 percent of police calls are for non-criminal matters
- ▶ Adequate care *and* consequences necessary - ‘heart and hammer”





Changing Landscape

- ▶ Justice, health, social and housing systems under duress; triaging and downloading (to police and local governments)
- ▶ Caselaw requiring *more* police investigative work and *more* administrative work to accomplish *less*, AND...to be done in *less* time.
- ▶ Communities frustrated and declining confidence in justice system

"Jails and hospitals are decreasingly accessible to police in their response to crime. There is inadequate care and consequences for offenders."



City Investment, Action & Leadership



Leading and Supporting Action

- ▶ Community safety: a top Council priority
 - ▶ Journey Home Strategy - 350+ new supportive housing units since 2018
 - ▶ Community Inclusion Team (2019)
 - ▶ Supported Kelowna Integrated Court (2021)
 - ▶ (John Howard Society of Okanagan & Kootenay)
 - ▶ Complex Care Advocacy Paper (2021)
 - ▶ Community Safety Plan (2022)



Investing in Community Safety

- ▶ Community safety: a top Council priority
 - ▶ Since 2016, 47 additional RCMP members, 40 city support staff and 9 Bylaw Officers added
 - ▶ Policing costs increased 84 per cent between 2016 and 2022 (\$27.9M to \$51.4M)
 - ▶ Community safety accounts for 35 per cent of Kelowna's Financial Plan 2022

With 222 members (supported by 107 professional city staff), Kelowna RCMP is the third largest RCMP contingent in Canada



City of
Kelowna

CITY HALL

CITY HALL

Advocacy Agenda



Advocacy Agenda

- ▶ Increase BCPS' Prosecutors locally, and dedicate Crown for prolific offender files;
- ▶ Review BCPS' Charge Assessment Guidelines, incl. full disclosure policies;
- ▶ Increase data in BCPS Annual Reports;
- ▶ Review BCPS' Bail Policies; and
- ▶ City support for Provincial Government advocacy on areas of mutual interest (i.e., federal legislation)

Advocacy Agenda #1

Increase local BCPS, including dedicated Crown

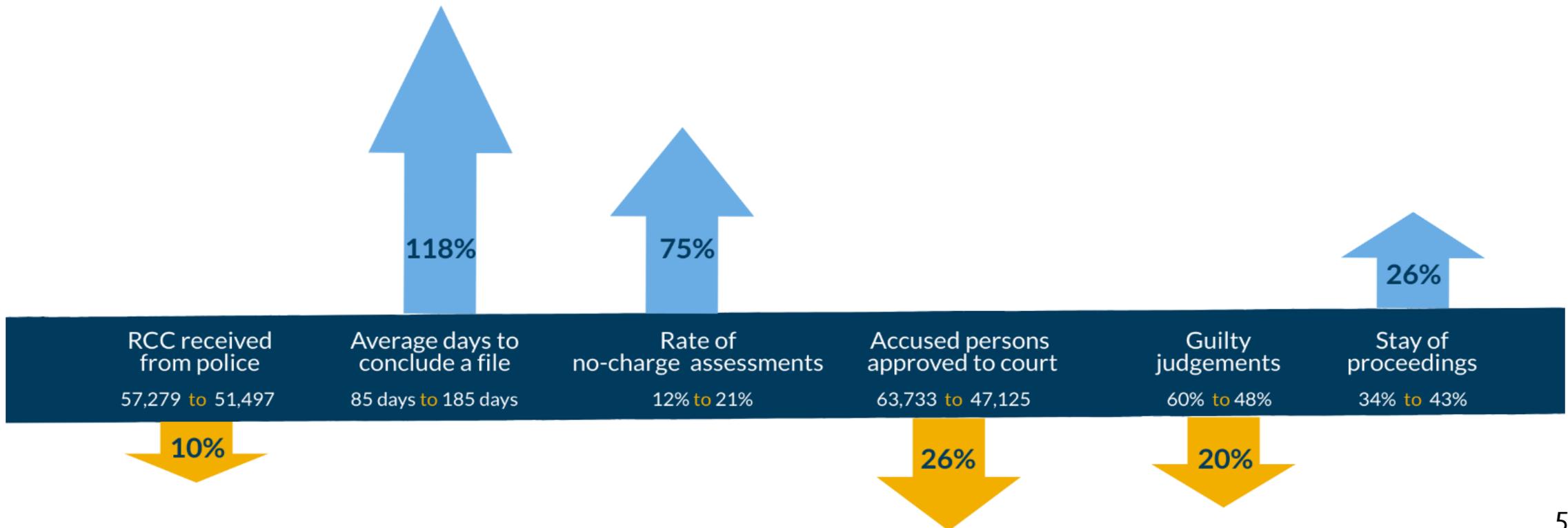
Call to action: immediately increase BCPS' resources locally (>5), including dedicated crown for prolific offender files.

Issue: volume, procedural complexity and presumptive time limits require sufficient crown resources. Without, BCPS must triage-out lesser offences (i.e., Property crime).

Advocacy Agenda #2: BCPS' Data

BCPS Annual Reports

2016/17 to 2020/21



Advocacy Agenda #3

Review BCPS' Charge Assessment Guidelines

Call to Action: Review 2021 BCPS Charge Assessment Guidelines, including full disclosure policies.

Issue 1: Police recommended charges re: property offenders, even if they are provable, routinely not approved on basis of “not in the public interest”.

Issue 2: BCPS' full disclosure policies can result in extended periods of person accused of serious offences being in community

Advocacy Agenda #4

Review BCPS' Bail Policies

Call to Action: Review 2021 BCPS' Bail – Adult Policies (and/or practices) to optimize offender attendance to court, protection of public, and to maintain public confidence in justice.

Issue: Bail reform / release is changing rapidly. Prolific offenders routinely released, without effective conditions, frequently fail to appear, and reoffending; a “catch-and-release” cycle without consequences.

How can BCPS mitigate this issue?

Advocacy Agenda #5

Support Provincial Government Advocacy

Call to Action: Support Provincial Government advocacy on matters of mutual concern (i.e., federal bail system).

Issue: While increased BCPS resourcing, dedicated Crown for prolific offender files and stronger guidelines / policies are necessary, Canada's bail system is federally legislated.





Community Confidence in Justice: Advocacy Paper

May 2022

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Executive Summary

We are not alone: after a 2020 pandemic-driven decline in property related offending, communities across British Columbia are once again experiencing increased property crime. Frustratingly, a disproportionate amount is committed by offenders who persistently re-offend; seemingly unabated by a “catch and release” justice system.

In support of City Council’s community safety priority, this paper builds on the [City’s Complex Needs Advocacy Paper](#) (July 2021) by reiterating the need for adequate care while focusing on the continued imperative for adequate consequences in relation to prolific property offenders in our community. We hear, know, and share the frustration that residents and business owners are experiencing with property crime in our community.

PROPERTY CRIME

- Breaking and entering
- Mischief
- Theft (including identity)
- Possession and trafficking of stolen property
- Fraud
- Mischief
- Arson
- Altering / destroying a vehicle ID number

This paper seeks to contextualize property crime locally, underline the impact of prolific property offenders, and highlight the provincial health and criminal justice challenges driving a “catch and release” system of offender management. This system is impacting police responses, affecting local government taxation, and sowing discontent in our community while undermining public confidence in the administration of justice. It cannot be understated that public trust in the institutions we rely on to keep us safe affects the social fabric of our community and is critical to our quality of life.

Statistically, Kelowna’s reported property crime rate is among the highest in Canada, yet these misleading media taglines use base population for calculations and fail to consider the effect of an estimated two million visitors to our region annually. Notwithstanding, property crime is, indeed, a significant and real issue for our community. In recent years, the City has

invested unprecedented resources in policing, community safety and social development initiatives. We are proud of these investments and progressive steps. However, it is the submission of this paper that the most impactful solutions reside with provincial and federal governments through their mandates for health, housing, and justice.

Crime and social issues are extraordinarily complex. While many offenders experience underlying health, mental health and social environment conditions, our community requires – and deserves – effective and accessible health *and* justice responses to address offender needs and behaviour. This paper is not intended to over-simplify the issues nor go into academic depth. Rather, its aim is to generate awareness and discussion specific to select issues in our justice system, and to advocate for provincial action.

Ultimately, focused advocacy for our community will afford the opportunity for meaningful dialogue and collaborative engagement with the provincial government as we aim for adequate care *and* consequences for offenders. While upholding the need for improved access to health-based responses, this paper brings a balanced approach with its focus on five recommended areas for criminal justice advocacy.

ADVOCACY ACTION:

1. Increase local BC Prosecution Service (BCPS) resources, including dedicated Crown for prolific offenders;
2. Provincial review of the [2021 BCPS’ Charge Assessment Guidelines](#), including its full disclosure policies;
3. Increase data accessibility within BCPS’ annual reports;
4. Provincial review of the [2021 BCPS’ Bail – Adult Policies](#) and/or practices; and
5. City collaboration with the provincial government on advocacy to the federal government.

1.0 Introduction

We are approaching a precipice in our communities' safety, sense of safety, and confidence in the criminal justice system. Property crime is increasing in Kelowna despite considerable investment and initiative in recent years by the City, RCMP and our partners. This situation detrimentally impacts our residents and businesses.

Despite a 2020 pandemic-driven decline in property crime, these improvements have since been erased. Our residents are, once again, experiencing more property crime offences and are increasingly frustrated by the inadequate sanctions and responses of a "catch and release" system. The City and RCMP share the frustration of our community given, in large part, the levers for impactful change lie with the provincial and federal governments, outside of local government and police authorities.

Upstream, social issue drivers – including housing, mental health, and problematic substance use – are provincially mandated, although local governments are reluctantly assuming increased roles and costs given the imperative need for action. Criminal justice processes via Crown, the Courts and Corrections are provincially and federally mandated and significantly directed by precedent-setting case law.

The legislative landscape has rapidly and significantly changed in the past two decades. Today, more police resources are required to complete significantly more investigative and administrative work, as required by the courts, than ever before. Further, since the Supreme Court of Canada (SCC) precedent setting Jordon case in 2016, this work must now also be completed faster. While local governments increase police budgets at unsustainable rates in response, the impacts – and symptoms – of this altered landscape are evident across the criminal justice system.

While policing time and costs are increasing, a review of BC Prosecution Service (BCPS) Annual Reports (2016/17 to 2020/21) uncovers that, today, files take longer to conclude while charge approvals, conviction rates and sentencing outcomes are decreasing. Specifically, the Reports illuminate:

- Average days for BCPS to conclude a file increased 118 per cent (85 to 185 days);
- Decisions of "no charge assessment" increased by 75 per cent;
- Accused persons approved to court declined 25 per cent; and
- Of those that do make it to court, guilty judgements declined by 20 per cent and stays of proceedings increased by 26 per cent.

These outcomes, aggravated by an increasing profile on routine bail of persistent and prolific property offenders, undermine public confidence in the administration of justice. To be clear, it is evident and well-known that the BCPS and its highly professional staff are working tirelessly within a legislatively and administratively complex system. It is equally evident that systemic change at the provincial (and federal) level is urgently needed to ensure a balanced approach; one that enables social / health responses (care) to address offender's underlying conditions while also improving accountability (consequences) - especially for those without underlying conditions - to disrupt their pattern of reoffending and the cost to our community.

"When offenders repeatedly commit property crime without consequences or public denunciation as part of a catch-and-release system, people's personal sense of safety, their ability to fully participate in all that Kelowna has to offer, and the success of our local businesses unjustly suffer. It undermines essential public confidence and trust in our justice system."

Darren Caul
Community Safety Director

In recent years, City Council has invested in additional policing resources at unprecedented levels. Although insufficient on its own, it is an important lever necessary to reduce crime and increase community safety. This investment is among numerous driven and/or supported by the City of Kelowna in recent years.

City of Kelowna Safety Investments

- \$32 million invested to increase public safety personnel (2016-2022)
- 84 per cent increase in the RCMP Contract budget (\$27.9M in 2016 to \$51.4M in 2022)
- Established Social Development Manager (2017) and Community Safety Director (2019) positions
- Sponsor of the Journey Home Strategy
- Facilitated the addition of 350+ new supportive housing units and 125+ net new emergency shelter beds
- \$4M in government grants accessed for social development projects
- Launched (2019) and co-leading a cross-sectoral Community Inclusion Team
- Supported and advocated for the Kelowna Integrated Court (launched 2021)
- Developed Complex Needs Advocacy Paper (2021)
- Leading Kelowna's first Community Safety Plan (2022): a tangible, five-year action plan in collaboration with government and community partners to address local drivers of crime.

These efforts, in conjunction with the City's role as a provincial leader in its advocacy for complex care housing and supports, are vitally important yet they cannot accomplish the level of impact necessary for our community. Systemic change is required at provincial levels to improve upstream outcomes such as improved social and health prevention/intervention and downstream outcomes such as improved accountability and reduced risk of re-offending. Offenders require care (i.e., treatment), management, and meaningful consequences (i.e., criminal justice sanctions) to reduce their risks and reoffending.

Hospitals and jails are provincial institutions for which doctors/health authorities and the Crown/judiciary are, appropriately, the gatekeepers. Police serve to investigate reported crime, *recommend* individuals to be charged, and/or present accused to be remanded into a correctional or hospital facility. The path to change for a better local outcome is for local government and police to continue taking concrete action within their scope of authority, while driving a provincially directed, informed advocacy approach.

We are committed to a continued path of leadership and action, including advocacy toward a balanced approach of adequate care and consequences for offenders.

2.0 Crime Reduction and Community Safety: A Priority for All

The City's Community Safety and Citizen surveys consistently find that while citizens generally feel safe in our community and their neighbourhood, property crime is worrisome and their top crime concern. In the 2020 Citizen Survey, 87 per cent of citizens stated that they feel Kelowna is a safe community. In the most recent Community Safety Survey (2022), 96 per cent of respondents stated that they feel safe in their neighbourhood during the daytime and 77 per cent feel safe during the night, although this reflected a 3 per cent and 5 per cent, respectively, decline.

At the same time, three in five residents (59 per cent) stated that they "worry most or some of the time" about vehicle-related theft in their neighbourhood while nearly two in five residents (38 per cent) cite that they worry

about home burglary. Indeed, about a quarter of residents surveyed in 2022 and 2019 stated that they were a victim of crime in the previous year, with 88.5 per cent falling victim to property crime. However, it was notable that nearly six in ten property crime victims experienced crime more than once in the previous 12 months.

Given these figures, it is no surprise that more than half (51 per cent) of surveyed residents perceived that crime, generally, has increased while 68 per cent believed property crime has increased over the last two years. It followed that residents cited property crime / breaking and entering as “the most important crime-related problem” in Kelowna in 2022 (43 per cent). Further, residents cited “decreasing property, petty and drug crime rates” as the top police / Council priority in keeping our city safe. The experiences, perceptions and messages from residents surveyed were heard. They are clear, consistent and valid; supported by crime statistics that, while imperfect, persistently highlight the problem of property crime in our community.

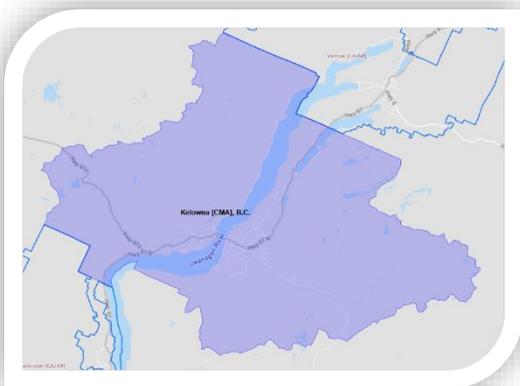
3.0 Property Crime: A Statistical Picture

Crime statistics offer the most accessible metrics for understanding the scope of the problem. However, they serve as an imperfect barometer, at best, and their shortcomings cannot be understated. Foremost, crime statistics capture only incidents that are detected *and* reported.

For a variety of reasons, victims choose to not report crime to police. By example, 51 per cent of 2022 Community Safety Survey respondents who were a crime victim the previous year indicated that they did not report the crime, an increase from 46 per cent in the 2019 survey. Significant to this paper, these respondents cited a feeling that “police could not do anything” most often (42 per cent) as their reason for not reporting the crime. It is also notable that crime statistics can be impacted significantly by global events (i.e., pandemic), demographic changes, socio-economic factors, police enforcement priorities and reporting practices, technological advancements, and legislative amendments.

Crime statistics are typically presented as rates / 100,000 population to enable cross-jurisdictional comparisons. In Kelowna, however, dividing total property crime by our population (144,500 in 2021) fails to contemplate the impact of the two million visitors we welcome annually. Consequently, official crime statistics and national comparisons present a significantly skewed picture of Kelowna’s actual crime problem. This misrepresentation feeds media headlines which, unfortunately, can impact resident’s sense of safety, and our city’s reputation.

3.1 KELOWNA CMA & CRIME SEVERITY OVERVIEW



The Kelowna Census Metropolitan Area (CMA) includes Kelowna, West Kelowna, Lake Country, and Peachland. According to Statistics Canada, between 2016 and 2020, Kelowna CMA’s non-violent (property) crime severity consistently ranked between second and fifth among the 35 national CMAs; second in 2019 and 2020. In contrast, Kelowna CMA’s violent crime severity ranked 14th and ninth of the 35 CMAs in 2019 and 2020, respectively.

Driven by statistically high property crime rates, Kelowna CMA’s *total* crime (non-violent & violent) severity ranked between third and sixth among Canada’s 25 CMAs between 2016 and 2020; fourth in 2019 and third in 2021.

3.2 KELOWNA – PROPERTY CRIME PROFILE

Across Canada, property crime consistently accounts for nearly three in five reported crimes yet Kelowna’s statistical *rate* of (reported) property crime presents (Table 1) as consistently and significantly higher than provincial and national rates. As discussed previously, Kelowna’s high ratio of visitors to population produces a significantly skewed and troublesome statistical picture.

TABLE 1: Property Crime Rate / 100,000 Population by Jurisdiction (2015 to 2020)

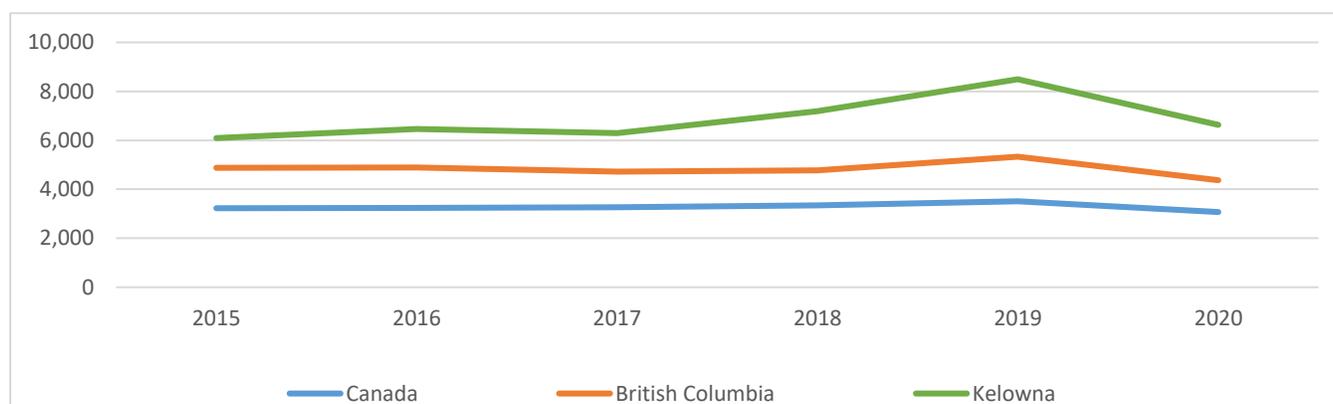


Table 2 provides the actuals by jurisdiction between 2015 and 2020 and illustrates that while property crime rates were relatively stable from 2015 to 2018 (2017 in Kelowna), rates rapidly and significantly increased by 2019 in Kelowna and across British Columbia. In fact, Kelowna’s 2019 reported property crime rate increased an alarming 39.4 per cent between 2015 and 2019, compared to 9.4 per cent provincially and 8.6 per cent nationally.

Of note is that our provincial property crime rate is also consistently and significantly higher than national rates. In fact, between 2015 and 2020, the British Columbia property crime rate was, on average, 47 per cent higher than the national rate year over year. Our provincial property crime rate in 2019 was its highest in a decade.

TABLE 2: Actual Property Crime Violations / 100,000 Population by Jurisdiction (2015-2020)

	2015	2016	2017	2018	2019	2020
Canada	3,231	3,239	3,265	3,349	3,510	3,071
British Columbia	4,871	4,892	4,717	4,775	5,331	4,370
Kelowna	6,092	6,460	6,299	7,194	8,495	6,637

In 2020, the most recent year for comparative data, all jurisdictions experienced a significant decline in property crime; an anomaly explained only by the altered daily routines brought on by the COVID-19 pandemic. These declines ranged from 13 per cent nationally, 18 per cent provincially to 22 per cent in Kelowna.

However, residents and businesses, particularly, experienced an alarming increase in property crime in summer 2021. Kelowna RCMP responsively increased patrols in known problem areas and restructured to create a larger Proactive Enforcement Team, including a Target Team dedicated to property crime and prolific offenders.

In March 2022, Kelowna RCMP publicly presented its [preliminary 2021 crime data report](#) which affirmed what our community experienced; property crime rebounded to levels only marginally below the high 2019 pre-pandemic figures. Upon closer examination, the impact of persistent and prolific property offenders was evident.

4.0 Prolific Property Offenders

A cursory review of several police agencies in British Columbia suggests there is no universal system to define or differentiate between various levels of repeat offenders. Terminology amongst the police agencies ranges from *priority offenders*, *repeat offenders*, *prolific offenders*, and *super prolific offenders*. Further, the threshold for the quantity of offences used for each term varies from five to 30+. However, what is overwhelmingly consistent among varied cities and police agencies is that a relatively small number of individuals are responsible for a very high-volume of offences, require significant police resources and attention, and persistently return to the community – sometimes hours later - only to re-offend again, thus perpetuating the “catch and release” cycle.

For the purposes of this paper, the Southeast District RCMP, inclusive of Kelowna, uses the term *repeat offenders* to describe individuals who are active criminally with a high number of “negative contacts” (Suspect, Suspect Chargeable, Charged, Recommended Charges) and criminal convictions. In December 2021, the District identified 15 individuals as repeat offenders responsible for an aggregate of 1,039 negative contacts year to date. The majority (779) were in the Kelowna Regional Detachment area. These 15 repeat offenders accumulated an aggregate of 262 charges. At the time of reporting, RCMP noted that while six were in custody, the remaining nine were out in the community.

The costs for our police, court, and correctional systems to respond to these offenders cannot be understated. However, while there has been a growing interest generally to monetize the cost of crime in Canada, there appears to be only limited and outdated research available, even less specific to prolific property offenders.



4.1

PROLIFIC OFFENDERS: A POLARIZED PROFILE

In its 2021 analysis of prolific offenders locally, the Southeast District RCMP illustrated the breadth and depth of offender activities through three anonymized profiles:

Offender #1:

- Since 2016, 346 RCMP files generated and 29 convictions for property crime and assault offences.
- Currently has “no go” conditions for 11 business locations.
- Routinely released with conditions and reoffends.

Offender #2:

- Since 2016, 51 criminal charges, including 29 for failure to comply with court orders.
- 17 criminal code charges (Aug to Dec 2021) for property crime, driving offences and failure to comply.
- Accused released with few conditions (Sept. 2021), arrested for breaching conditions (Oct 2021) and re-released.

Offender #3:

- Since November 2018, 194 police files.
- In 2021, subject of 23 criminal convictions for property crime and breach of court orders.
- In November 2021, offender received two weeks’ custodial sentence for 17 convictions.

The underlying causes of criminality and its solutions are among the most complex issues of our time. They are systemic, social, and economic; cross cutting all orders of government and their multiple departments, especially provincial health and justice departments. Discussions and debates around crime are difficult, political, and

ideological. Too often, the problem and proposed responses are over-simplified and polarized based upon one's view of offenders as fitting neatly into one of two profiles:

- 1) people offend because of underlying social, economic and health conditions (i.e., trauma, mental health, problematic substance use, poverty, and homelessness) for which treatment and access to support services are seen as necessary and sufficient to prevent criminality or "break the cycle;" or
- 2) people *choose* to commit crime for which swift, certain, and proportional criminal justice sanctions will, presumably, deter them from choosing crime in the future. While simple "tough on crime" notions (i.e., longer custodial sentences) are contrary to evidence about what works to deter crime, sentencing also serves the purpose to denounce unlawful conduct, separate offenders from society and provide reparations for harm done.

In fact, police report that the profile of prolific property offenders varies. While many are known to experience some form of underlying mental health, trauma, or addiction-related health condition, this is not true for all. At the same time, it is known that the rate of victimization, generally, experienced by vulnerable individuals is disproportionately high. It follows that just as there is no single profile of an offender, there is no single solution that will work for all. Every individual, their criminal offending, and what will work to interrupt their current cycle of criminality differs yet, universally, all require provincial health and/or justice system responses.

There is no single, simple profile of a prolific property offender. The most effective solutions are not based upon a model of care or consequences but, instead, a tailored and balanced approach along a continuum of care and consequence.

CARE AND COMPASSION FOR OUR MOST VULNERABLE

There are complex links, although not always direct, between homelessness, mental illness, and addictions.

While there are some individuals experiencing these vulnerabilities and health issues who are engaged in criminal activities, it is also true that people in vulnerable situations are more likely to be the victims of crime.

Frustratingly for police, the public and local governments, the capacity and responsiveness of the health and justice systems are increasingly constrained. Consequently, response options for police who routinely arrest the same offender are decreasingly accessible day and night. Whether it is decreased accessibility to treatment, support services, health professionals and hospitals, depleted Crown resources affecting decreasing charge approvals, or legislative and policy changes driving increased use of bail with limited restrictions, the compounded effects are evident.

While these circumstances are largely beyond local control, police are unfortunately perceived and projected as part of the "catch and release" system and under pressure to do more. Responsively, local governments are funding police at unsustainably increasing rates. Continued local government investment is, indeed, necessary to maintain a base level of police responsiveness to crime generally, especially for timely response to emergencies / crimes in progress. However, over-reliance on police to

curb property crime, especially prolific property offenders, is misguided given the levers necessary for impactful improvement reside within the provincial health and justice systems.

Encouragingly, it appears that our community is becoming increasingly aware of the complexities of the issues, the nuanced roles and limitations of local police and government, as well as the imperative role of provincial health, among other. In the 2022 Community Safety Survey, while 77 percent of residents overall believe police

play a large role in community safety, this was immediately followed by hospitals (67 per cent), schools (62 per cent), mental health services (59 per cent), community services (57 per cent) and family, youth, and social services (56 per cent).

This awareness and understanding, however, does not affect the bottom-line for our residents and businesses. Property crime is too prevalent. It continues to increase and is having a negative impact in our community while becoming increasingly costly and exasperating to the victims, to police officers and to the City. Accordingly, Council and the City have prioritized community safety and have proudly advanced and/or supported numerous initiatives in recent years.

5.0 City of Kelowna Investment, Action, and Leadership

In 2019, as part of a plan to advance the community's [Imagine Kelowna Vision 2040](#), City Council identified six priorities for its 2019-2022 term. Among these, community safety was established with a clear mandate to:

- reduce crime, particularly property crime;
- increase sense of safety; and
- use data and analysis to understand problems and target responses.

The City established new specialized positions and departments to lead action in the areas of social development (2017) and community safety (2019).

Investing in more police officers

In recent years, City Council has invested in community safety at unprecedented levels. In Kelowna's 2022 Financial Plan, community safety reflected the largest budget investment and accounted for 35 per cent of the Plan.

Since 2016, the City added 47 RCMP members, 40 support staff, and nine Bylaw Officers. Today, the RCMP contract budget is 84 per cent higher than it was in 2016 (\$51.4M compared to \$27.9M). In 2022, with 222 RCMP Members budgeted for our City, Kelowna ranks as the fourth largest RCMP contingent in Canada.

COMMUNITY SAFETY
accounted for
35%
of the City's 2022 Financial Plan. This is the largest investment area in this year's budget.

Between 2010 and 2020 (the most recent year available for comparison), Kelowna added 58 RCMP members, more than all other communities in British Columbia except Surrey and Richmond. During the same period, the provincial government increased provincial RCMP resources in our region by one.

Journey Home Strategy & 350+ new supportive housing units

Since 2017, the City of Kelowna has invested increasingly in social development resources and related initiatives, most notably the [Journey Home Strategy](#). Today, City staff routinely work in partnership with key provincial partners (i.e., Interior Health and BC Housing) alongside several local non-governmental agencies toward improving the underlying social conditions in our community, including for those experiencing homelessness.

Through the Journey Home Strategy, and in partnership with BC Housing, seven new housing with supports buildings opened between 2017 and 2021 providing stable, supportive shelter for more than 350 people who may, otherwise, be sheltering outdoors. During the same period, an additional two net new shelter sites opened to provide more than 125 emergency beds. The escalating demands, however, continue to outpace this growth. Today, there are more than 100 people *visibly* sheltering outdoors in just the downtown and north end, alone.

Community Inclusion Team

In 2020, the City launched a “Community Inclusion Team” which brings together provincial government and non-governmental organizations involved in the housing sector to better coordinate efforts and enable a smooth transition of new emergency or supportive housing sites in neighbourhoods. Today, new supportive housing sites are subject of considerable joint planning and coordination, including community engagement / committees, a crime prevention through environmental design audit and improvement process, and dedicated community safety resources to prevent and otherwise identify and address issues early.

Kelowna Integrated Court

In 2021, after years of leadership by the John Howard Society of Okanagan and Kootenay (JHSOK) supported by City advocacy, the provincial government [launched](#) the Kelowna Integrated Court; the third in the province. For offenders concurrently experiencing problematic substance use, mental health and/or homelessness, the Court enables a comprehensive assessment of an individual’s needs and a sentencing plan that reflects the need for care and consequences. While the Court celebrates its first year, its success relies upon the accessibility of necessary health and housing supports/services and its ability to enforce alternative sentencing measures.

Community Safety Plan

In 2021, the City joined a small list of local governments in western Canada taking initiative to lead a cross-sector of community and governmental partners in the creation of a Community Safety Plan. This is a tangible, focused, five-year action plan to collaboratively improve local conditions that may contribute to an individual’s risk to become criminally involved or vulnerable to crime. In partnership with provincial government ministries, [Kelowna’s Community Safety Plan](#) launched in April 2022 and represents a significant and sustained commitment to action and leadership.

6.0 Advocacy for Adequate Care and Consequences

Continued City investment, action and leadership is vitally important. These efforts reflect considerable progress toward an understanding that many offenders require housing and health-based responses to address their underlying needs and curb their repeat offending. The provincial government is clear in its intention to ensure that individuals whose offending behaviour is fueled by addictions and/or mental health are not unduly criminalized but, rather, receive the care they need. The City of Kelowna, as evidenced with its [Complex Needs Advocacy Paper](#) (July 2021), is supportive of such policy notions if they ensure timely and sustained access to a requisite level of effective services, supports and treatment.

Indeed, incarcerating individuals with underlying illnesses for short periods of provincial custody, during which they will not have access to the level of care needed, is not the answer. [Provincial leadership and investment in development of complex care housing and supports](#), therefore, is bold and applauded. However, it is critically important to highlight that:

- Complex care housing and supports sites are currently in the preliminary planning stages - not yet in place in our community - and will not likely meet the full scope of current local needs; and
- Not all property offenders have underlying health conditions driving their offending behaviour or, alternatively, are ready or committed to a *voluntary* treatment path.

Therefore, when discussing the issue of property crime and prolific offenders in our community today, caution should be exercised before citing (planned) complex care as the answer. Until such time as complex care sites,

reflective of the size and realities of this population, are operational in Kelowna (and the Okanagan Region), our community continues to grapple with property crime while police continue to operate within a “catch and release” system.

Especially in the continued absence of an appropriate, accessible health-based response to crime, the ability of the criminal justice system to respond remains imperative; to stop property offenders from committing further crimes, protect the public, and maintain public confidence in the administration of justice. The criminal justice system must continue its work to protect society and to contribute to respect for the law and the maintenance of a just, peaceful, and safe society by imposing sanctions that achieve its purpose and principles of sentencing, relevant to repeat property offenders, which includes:

- to denounce unlawful conduct and the harm done to victims or the community that is caused by unlawful conduct;
- to deter the offender and other persons from committing offences; and
- to promote a sense of responsibility in offenders, and acknowledgement of the harm done to victims or the community.

A focus of concern that we are experiencing, as are other communities across British Columbia, is the sense of diminished attention and priority within the criminal justice system in relation to individuals that routinely commit property offences and flaunt criminal justice conditions and court orders (i.e., breaches of conditions or failures to appear).

Some offenders appear emboldened, unabated by a system that is seemingly incapable to hold them accountable and to denounce the unlawful conduct.

When criminals consistently cycle through the justice system, or back-and-forth between the health and justice systems, and persistently re-offend without intervention or sanction, “the system” is not working; justice and our community is not being served. On behalf of our community, the City is well-positioned to advocate for change based on the following facts and observations:

- City of Kelowna is increasingly investing in police and community safety resources at significant local taxpayer expense;
- Local police are in an untenable position, unreasonably expected to remediate property crime without adequate, enabling provincial health and justice systems;
- Driven by an ever-changing legislative landscape, the criminal justice system is evidently under-resourced and under duress;
- BCPS, locally, is under-resourced and appears to be in the unenviable position of reluctantly triaging-out police-recommended charges “in the public interest” of pursuing more serious crimes; and
- A costly and vexing “catch and release” system frustrates community, undermines economic prosperity among our businesses, and diminishes public confidence in the administration of justice.

It is opined here that there are tangible actions the provincial government can and should consider which would address some of the current challenges that prolific property offenders present and serve to restore the public’s perception of justice being served.



6.1 ADEQUATE CROWN PROSECUTION RESOURCES LOCALLY

As with most communities, the impact of prolific property offenders cannot be understated. In December 2021, Southeast District RCMP identified 15 in the district, predominately Kelowna, who were subjects of an alarming number of property-offences and police calls (>1,000). This creates tremendous pressure and resource strain for local police and, thereafter, the Crown (BCPS) which is responsible for assessing police recommendations to charge an accused person. This process involves police remitting a Report to Crown Counsel (RCC) to the BCPS which, in turn, independently, objectively, and fairly assesses whether to charge based on the available evidence against a two-part test:

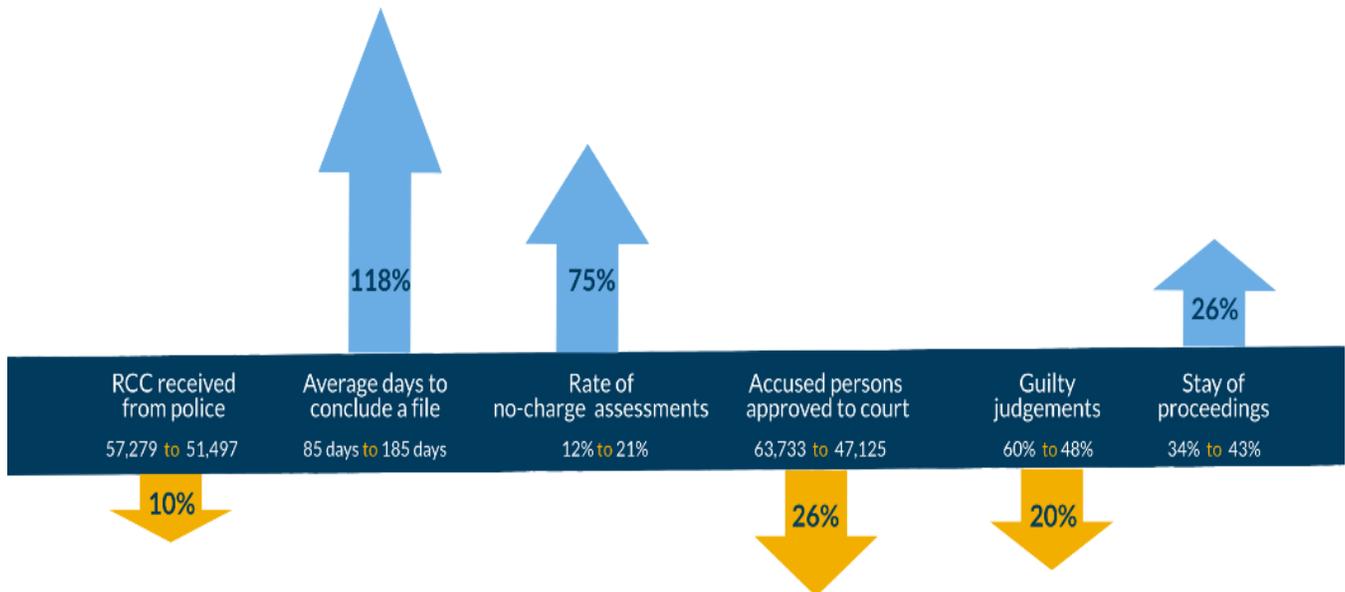
1. Whether there is a substantial likelihood of conviction; and, if so,
2. Whether the public interest requires a prosecution.

It is widely understood that the legislative landscape in Canada has rapidly and significantly impacted all facets of the criminal justice system. Driven by precedent setting cases, and federal legislation, the volume, procedural complexity, and timeliness of work required by police, Crown and courts today is exponentially more than just 10 years ago. In particular, the 2016 Supreme Court of Canada case of *R v. Jordan* imposed presumptive time limits to compel the system to reduce delay, or risk having cases involving the most serious of offences stayed.

It is evident that system leaders and decision-makers are working earnestly to adapt to these new demands. It is equally apparent, however, that the system has insufficient capacity (i.e., courthouses, judges, court clerks, and Crown). Consequently, it appears that the system is adapting by streamlining processes, downloading where feasible, and adopting guidelines and policies that enable necessary deferral or diversion of lower priority or less serious offences (i.e., property crime). A review of the BCPS' Annual Reports from 2016/17 to 2020/21 offers an insightful and concerning picture of its workload and outcomes.

BCPS Annual Reports

2016/17 to 2020/21



For local government and police, the cumulative effect is that they require *more* police and city support resources to do *more work* that is more procedurally complex *in shorter timeframes* in the face of heightened legislative thresholds with outcomes including:

- decreased charge approvals;
- fewer accused people proceeding to court; and
- fewer found guilty when they do.

These outcomes are undoubtedly discouraging for all who are involved in the criminal justice system, and most certainly for the people and businesses who rely on the system to protect them from further harm.

Numerous court decisions have exponentially increased the volume, complexity, and timeliness of work required by police and Crown. These dedicated professionals are doing their best within a significantly and rapidly changing landscape.

Of particular concern locally is that the regional BCPS office is understaffed. In March 2022, the BC Crown Counsel Association publicly shared that “at least five more prosecutors” are required in the Kelowna office which, purportedly, has 15 prosecutors. Based on local observations, this is likely a conservative figure. The Association added, “it’s important that we have a properly resourced justice system to make sure criminals are arrested and prosecuted in a timely manner to protect the public.”

The contention of this paper is that any system with inadequate resources is pressured to adapt and, in this case, the BCPS adapted with its January 2021 adoption of guidelines / policies that enable and perhaps encourage its independent prosecutors to triage out less serious offences (i.e., property crime) “in the public interest”.

ADVOCACY ACTION:

Call on the Province for at least five prosecutors to be immediately added to the Kelowna BCPS’ office and, further, that one or more prosecutors be dedicated to managing prolific offender files.



6.2 BCPS’ CHARGE ASSESSMENT GUIDELINES

In January 2021, the BCPS updated its [Charge Assessment Guidelines](#). These are used by prosecutors in the course of their duties to assess whether to approve charges recommended by police. At issue is whether the interpretation and application of these Guidelines is resulting in fewer provable property offences being approved for court and, consequently, a catch and release system without accountability for even the most prolific property offenders; questions which can be answered through an independent review of the Guidelines and increased BCPS data reporting in its annual reports.

The concern raised here is whether the Guidelines, intentionally or unintentionally, enable and encourage an under-resourced local BCPS to triage out less serious offences (i.e., property crime) without sufficient deference to the volume, persistence, and impact of these offences in our community. More to the point, are local prosecutors in the unenviable position of reluctantly *not* approving police recommended charges – rationalized as “not in the public interest” - because doing so would inhibit their ability to prosecute more serious offences?

Similar concerns and questions were raised by Terrace City Council in March 2022 before it passed a [resolution](#) to lobby the provincial government to ensure the BCPS “consider “public safety and fairness when dealing with prolific offenders” and develop guidelines as to what constitutes “the public interest”.

Specifically, the Guidelines comprehensively advance numerous factors for BCPS’ prosecutors to consider during their assessment of police recommended charges, including:

- Resources of the criminal justice system;
- Costs of prosecution;
- Seriousness of the offence;
- Loss or harm was minor in nature; and
- Likelihood of a significant sentence upon conviction.

Further, the Guidelines urge restraint noting that:

- Justice does not require that every provable offence must be prosecuted; and
- Prosecution should be reserved for cases requiring the full force of the criminal justice system, with all its available sanctions.

When these are considered in the context of property offenders, the Guidelines appear to enable, empower and even encourage BCPS prosecutors to *not* approve recommended charges, even in provable cases where there is a substantial likelihood of conviction. Of particular concern is the extent to which BCPS’ resource constraints locally are driving an interpretation and application of the Guidelines which is leading to:

- a reduction in the number of property crime RCCs receiving charge approval by BCPS;
- any reactionary reduction in the number of property-crime RCCs submitted by police; and
- an overall reduction in offender accountability, and public confidence in our justice system.

Noteworthy, the Guidelines favour charging *repeat* offenders by directing consideration of the following factors:

- the alleged offender was under an order of the court at the time of the offence; and
- reasonable grounds for believing the offence is likely to be continued or repeated; and
- the offence occurs frequently in the location it was committed.

The Guidelines also encourage consideration of the “...need to maintain public confidence in the administration of justice.” However, given the alarming catch and release cycle of prolific offenders, many who were under an order at the time of their offence and re-released, as well as the high frequency of documented property crime, we are left to seriously question the extent to which these factors are being duly considered or weighed locally.

The volume of property crime impacts a remarkably high number of people in our community, including their personal sense of safety and overall quality of life. For some in our business community who experience repeated property crime and are incurring escalating security-related costs, this issue threatens their economic viability while also undermining Kelowna’s international reputation, and economic reliance, as a tourist destination.

Any system under duress must adapt but triaging out prolific offenders is downloading the problem to local police and government while eroding public confidence in the administration of justice.

BCPS' Charge Assessment: Full Disclosure Policy

A second, more technical issue arising from BCPS charge assessment practices relates to its policy requiring full disclosure from police before charge approval (subject to exceptional circumstances or public safety concerns). Full disclosure is a process that can take police several weeks or even months if laboratory work is required. This policy arose from 2018 recommendations following a BCPS [review](#) after a stay of proceedings in a first-degree murder case.

In an October 2021 case, highlighted by the Kelowna RCMP through the [media](#), the interpretation and application of this policy resulted in a person accused of murder being released on bail, "free" within the community within hours of the alleged offence and arrest. It is noted that once the BCPS receives full disclosure from police, charge approval may be significantly delayed further while BCPS completes its review of what are often very complex files. Moreover, as discussed below, recent federal caselaw makes it more difficult to detain an accused pre-trial, to impose conditions while the accused is in the community on bail, and to charge or convict an accused for breaching conditions.

Of concern is the extent to which the convergence of BCPS' full disclosure policy and recent caselaw may be resulting in more people accused of serious, violent offences being released and "free" for extended periods in communities while the wheels of justice churn. The impact of this situation on public confidence in the administration of justice is real, while its impact on public safety is less clear. A review of the BCPS' full disclosure policy in this broader legislative and public context would uncover whether the risks mitigated by the policies continue to outweigh any ensuing risks invited.

ADVOCACY ACTION:

It is recommended to advocate for provincial review of the 2021 BCPS' Charge Assessment Guidelines, including the interpretation and application of its full disclosure policy, to assess impacts and uncover any consequences they are inviting.

It is further recommended that advocacy include encouraging the BCPS to include more detailed data respecting its resources and outcomes (i.e., RCC charge approvals by crime type) comparatively by region in its annual reports.

While the BCPS is notably independent, such enhanced transparency and accountability will better enable communities to understand its pressures, recognize the demanding work of its professional staff, and become better informed about its role as the "gate-keeper" to our criminal justice system.



6.3 BCPS' BAIL POLICIES IN CONTEXT

Bail in Canada refers to the release (or detention) of a person charged with a criminal offence prior to being tried in court or sentenced. The Canadian Bill of Rights and the Canadian Charter of Rights and Freedoms guarantee the right *not to be denied reasonable bail without just cause*. It is linked to the fundamental presumption of innocence. Unlike charge assessment which affords considerable latitude for BCPS' discretion, whether a person is detained in a correctional centre or released to a community while awaiting trial is more prescribed by the Criminal Code of Canada and case law. Pre-trial detention, referred to as remand (in custody), can only occur:

- To ensure the accused’s attendance in court;
- For the protection or safety of the public;
- To maintain confidence in the administration of justice.

In recent years, precedent-setting SCC cases have resulted in a higher threshold to detain accused people pre-trial, and reduced control and accountability among those who are on bail awaiting trial in communities, notably:

- R. v Antic (2017) punctuates that accused must be released to community unless otherwise justified;
- R. v Zora (2020) requires Crown to prove an accused “knowingly or recklessly” breached their bail condition for any conviction to occur.

In plain terms, these cases mean that accused persons must, generally, be released into the community, with the least restrictive conditions if any, and the legal threshold to charge and convict a person for breaching any conditions while on bail is higher than ever before. The implications for police and BCPS are obviously significant, and undoubtedly contributing to the evident “catch and release” system that is eroding public confidence in the administration of justice.

Moreover, since the beginning of the pandemic in spring 2020, enhanced health risks inherent to overcrowded correctional facilities in BC have led provincial correctional officials to depopulate provincial centres, as reported in the [media](#). Whether pandemic or legislatively driven, the number of active property offenders who would have been incapacitated while awaiting trial or serving a short provincial sentence are, instead, in our community.

It is within this context that the BCPS released its revised [Bail – Adult Policies](#) in January 2021. While it is difficult to distinguish which of the above factors are most detrimental, police report a noticeable change in offender behaviour and system response that warrants further examination, specifically:

- A perceived increase in bail and, more concerning, bail with few or no conditions;
- Increase in the frequency and number of accused failing to appear in court, as required;
- Decreased accountability for administrative breaches (i.e., failure to appear / abide by court orders); and
- A concerning increase in bail for accused persons facing even the most violent of charges (i.e., homicide) while awaiting full disclosure from police, as highlighted in local [media](#), and described above.

Of particular concern is the expected increase and public profile of cases wherein the accused is routinely bailed, with limited or no conditions, not held accountable for breaches and subsequently accused of recommitting crime while on bail. Particularly if the accused is charged with a more egregious, violent offence, such scenarios will have chilling effect on public sense of safety and confidence in the justice system.

Accordingly, Kelowna RCMP are now closely monitoring and tracking instances of accused reoffending while on bail (with or without conditions), accused failing to appear in court and their corresponding resource implications, as well as sanctions / accountability imposed for those who fail to abide by conditions or fail to appear in court.

Within the purview of the provincial government, it is the position here that an adequately resourced BCPS, with dedicated Crown personnel for prolific offenders, are best positioned to prepare and present cases appropriate for pre-trial detention, bail with strict conditions, and/or advance charges for breach of bail conditions.

ADVOCACY ACTION:

Advocacy for provincial review of the 2021 BCPS’ Bail Policies, including their interpretation and application in the context of limited resources and a constrained federal legislative framework, to optimize accused attendance to court, protection / safety of public and public confidence in justice.



6.4 SUPPORT FOR PROVINCIAL GOVERNMENT ADVOCACY

We recognize and value that the City of Kelowna and the provincial government have a strong history of working together on solutions. As an example of successful advocacy to date and demonstrating a willingness to start addressing the challenges with prolific offenders collaboratively, the [May 5, 2022 announcement by the Province](#) is now investigating this issue. There is a genuine desire and commitment to improve conditions in Kelowna surrounding crime and prolific property offenders in partnership with the provincial government.

The focus of this advocacy paper is, intentionally, on actions that are within the purview of the provincial government and which, if advanced, will impact local crime conditions in Kelowna. Notwithstanding, it is recognized that just as local police and governments are limited and constrained, so too are provincial governments. Some changes – particularly in relation to the current legislative state of Canada’s bail system – rests with the federal government.

ADVOCACY ACTION:

The City of Kelowna would be well-served to support the provincial government in collaborative advocacy efforts for mutually agreed changes to legislation or policies federally.

While bail legislation and policies are at issue here, there is another relevant and rapidly emergent policy shift noted amidst the ongoing opioid crisis, specifically one focused to protect individuals experiencing addictions from being criminalized and subject to criminal justice responses. The Public Prosecution Service of Canada (PPSC) – responsible for prosecuting drug-related offences - issued [new guidelines](#) in summer 2020 for its federal prosecutors to avoid prosecuting simple drug possession cases unless major public safety concerns are at play.

With similar features found in the 2021 BCPS’ Guidelines, the PPSC Guideline on Prosecution of Controlled Substances is to pursue drug-related charges only in "the most serious cases", to seek alternative measures (i.e., restorative justice or drug treatment court) to divert simple possession cases away from system, and to assess whether prosecution "serves the public interest".

This situation is included here as another example of a low-profile, yet high-impact guideline introduced - in this case by federal Crown - that the public is largely unaware of; another guideline that impacts community safety and sense of safety and has invited misplaced critique of police as unresponsive when they are, in fact, legislatively and systemically constrained. At a minimum, federal public education about the shifting policy landscape will equip community members to better understand the rationale for such change and its effect on police responses to their drug related calls for service.

It is recognized that just as police and local governments are limited and constrained, so too are provincial governments. There is a desire and commitment to improve conditions in Kelowna in partnership with the provincial government.

7.0 Conclusion

While overall Kelowna citizens say they feel safe, they consistently express concern about property crime and social issues. Accordingly, in 2019, City Council established community safety as a priority for its term. Since, the City has led, launched, or otherwise supported numerous community safety and social development initiatives including the Journey Home Strategy, the JHSOK Kelowna Integrated Court, a Complex Needs Advocacy Paper and, most recently, a five-year Community Safety Plan. During this period, Council has invested in policing and community safety resources at unprecedented levels, although it is recognized that yet more is needed.

Crime statistics offer, at best, a consistent and imperfect barometer, particularly in Kelowna given crime rates fail to consider the impact of two million visitors annually in our region. Notwithstanding, it is evident after a temporary, pandemic-driven decline in 2020, property crime has increased significantly and rapidly. Accordingly, respondents to the City's bi-annual 2022 Community Safety Survey expectedly identified property crime as the top crime related problem to be addressed.

Property offences consistently account for nearly 60 per cent of all reported across all jurisdictions. Impacting countless citizens and businesses, property crime threatens our individual sense of safety, our quality of life, the economic viability of businesses, and our reputation as a safe, thriving community which welcomes – and relies upon – an estimated two million visitors annually.

A relatively small number of prolific property offenders are responsible for an overwhelming portion of property crime incidents. Their offending puts extreme pressures on finite police resources, particularly in the context of health, housing, and justice systems that provide inadequate care for an offender's underlying issues (i.e., trauma, mental health, and problematic substance use) and/or consequences for their persistent offending. These systems are under evident strain and while the health-oriented alternatives to the justice system (i.e., integrated courts and complex care housing and supports) are encouraging, these remain in their infancy.

The City of Kelowna understands and supports a balanced approach – care and consequences, heart and hammer – as evidenced by its continued commitment to housing first approaches, advocacy for the Kelowna Integrated Court, development of its Complex Needs Advocacy Paper, and its advocacy here for improved offender management and accountability. This paper illuminates the issue and impact of persistent and prolific property offenders to generate awareness, discussion, and an advocacy agenda; one that is within the purview of the provincial government, focused on opportunities we believe will better position and guide the independent and professional BC Prosecution Service in its mission to promote public safety, justice, and respect for the rule of law.

The City of Kelowna appreciates a strong history of collaboration and partnership with the provincial government on issues of mutual concern and looks forward to bringing the issues raised here forward for continued discussion and action.

Report to Council



Date: May 30, 2022
To: Council
From: City Manager
Subject: BC Electoral Boundaries Commission Submission
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from Office of the City Clerk dated May 30, 2022 regarding BC Electoral Boundaries Commission Submission;

AND THAT Council directs staff to make an online submission in support of amending boundaries to have the City of Kelowna represented by three ridings on the east side of Lake Okanagan.

Purpose:

To direct staff to make an online submission, on behalf of Council, to the BC Electoral Boundaries Commission regarding provincial electoral riding boundaries.

Background:

The BC Electoral Boundaries Commission is seeking public input on changes to existing electoral boundaries. BC currently has 87 electoral districts and the Commission can recommend creating up to six more. The City is currently represented across three ridings: Kelowna-Lake Country, Kelowna-Mission, and Kelowna West (see Attachment A Maps). The Commission considers population growth and other geographic and demographic factors in making its recommendations. This is its first phase of public input with a preliminary report expected in fall 2022.

Discussion:

Provincially, the average population per electoral district is 57,481. Kelowna’s ridings have among the highest deviation from the average by population, suggesting the City is underrepresented at the provincial level. The population and deviation is shown by riding in Table 1.

Table 1: Population and Deviation by Riding

Riding	Population	Deviation
Kelowna-Lake Country	75,047	30.6%
Kelowna-Mission	67,994	18.3%
Kelowna West	73,035	27.1%

In 2021, the City's population was 144,576. The 2040 Official Community Plan (OCP) anticipates an average annual growth rate of 1.43% to 2040. The growth rate is higher for the first half of the OCP timeframe, with Kelowna projected to grow by 1.53% annually or approximately 22,500 new residents from now to 2031. Growth is expected to be highest in the Downtown, Capri-Landmark, and Core Central areas followed by Rutland, Glenmore, Midtown, and South Pandosy ([OCP Map 2.1](#)).

Staff recommend that Kelowna be represented by three ridings entirely on the east side of Okanagan Lake. This supports representation more consistent with the provincial average and allows for the high population growth expected over the next several years. Based on population, it is expected the ridings would include some areas outside of City limits.

The Federal Electoral Boundaries Commission also started the separate process of reviewing federal electoral boundaries. In early May the Commission released its proposed recommendations for federal ridings in BC. Staff are reviewing the proposal and will report back to Council. The Commission is holding a public hearing in Kelowna on Tuesday June 14.

Conclusion:

Staff recommend making an online submission to the BC Electoral Boundaries Commission in support of amending boundaries to have the City of Kelowna represented by three ridings entirely on the east side of Okanagan Lake.

Internal Circulation:

Policy & Planning

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

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