

City of Kelowna
Regular Council Meeting
AGENDA



Monday, April 3, 2023
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 - 10

PM Meeting - March 20, 2023

3. Committee Reports

3.1 48 Annual Civic Awards Finalist Announcement

11 - 12

To announce Kelowna's 48th annual Civic & Community Awards finalists.

4. Development Application Reports & Related Bylaws

4.1 TA23-0001 (BL12500) - Amendments to Multiple Sections of Zoning Bylaw - 2 of 3 - City of Kelowna

13 - 106

To amend the Zoning Bylaw No. 12375 Part 2 of 3 as per the Zoning Bylaw Transition Plan.

4.2 BL12500 (TA23-0001) - Amendments to Multiple Sections of Zoning Bylaw 2 of 3 - City of Kelowna

107 - 140

To give Bylaw No. 12500 first reading in order to amend sections of the Zoning Bylaw.

4.3 TA23-0002 (BL12475) - Spelling and Grammar Changes - Zoning Bylaw No. 12375 - 3 of 3

141 - 180

To amend the Zoning Bylaw No. 12375 Part 3 of 3 as per the Zoning Bylaw Transition Plan.

- 4.4 **BL12475 (TA23-0002) - Amendments to Multiple Sections of Zoning Bylaw 3 of 3 - City of Kelowna** 181 - 189
- To give Bylaw No. 12475 first reading to amend sections of the Zoning Bylaw.
- 4.5 **Polo Rd 2019 - Z23-0005 (BL12510) - 1383931 B.C. Ltd., Inc.No. BC1383931** 190 - 209
- To rezone a portion of the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a subdivision.
- 4.6 **Sexsmith Rd 2930 - Z22-0019 (BL12511) - Reid Industrial Centre Ltd., Inc.No. BC1326474** 210 - 227
- To rezone the subject property from the A2 – Agriculture / Rural Residential zone to the I2 – General Industrial zone to facilitate the construction of a new industrial development.
- 4.7 **Rezoning Bylaw Supplemental Report to Council** 228 - 229
- To receive a summary of notice of first reading for Rezoning Bylaw No. 12498 and to give the bylaw further reading consideration.
- 4.8 **Russo St 4195 - BL12498 (Z22-0044) - Nationia Mae Sigurdson and Shane Bernard Cartier** 230 - 230
- To give Bylaw No. 12498 first, second and third reading and adopt in order to rezone the subject property from the RU2 - Medium Lot Housing zone to the RU2c - Medium Lot Housing with Carriage House zone.
- 4.9 **Raymer Ave 712-722 - DP22-0203 - Cellar Door Holdings Ltd., Inc.No. 1299686** 231 - 267
- To issue a Development Permit for the form and character of a townhouse development.
5. **Bylaws for Adoption (Development Related)**
- 5.1 **Band Road 1150 - BL12456 (Z21-0083) - 1320467 B.C. Ltd., Inc.No. BC1320467** 268 - 269
- To adopt Bylaw No. 12456 in order to rezone the subject property and a portion of Band Road from the RR1 - Large Lot Rural Residential zone to the RU2 - Medium Lot Housing zone and a portion of Band Road from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.
- 5.2 **Gordon Dr 4998 - BL12474 (OCP22-0007) - 0954654 BC LTD** 270 - 270
- Requires a majority of all members of Council (5).**
- To adopt Bylaw No. 12474 in order to change the Future Land Use designation of the subject property from the S - MU - Suburban Multiple Unit designation to the VC - Village Centre designation.

5.3	OCP Amendment regarding Temporary Use Permit Designation - BL12496 (OCP23-0003) - City of Kelowna	271 - 272
	Requires a majority of all members of Council (5).	
	To adopt Bylaw No. 12496 in order to allow Temporary Use Permits on all lands within the City of Kelowna.	
6.	Non-Development Reports & Related Bylaws	
6.1	Climate Resilient Kelowna Strategy - Vulnerability and Risk Assessment	273 - 298
	To update Council on the outcomes of Phase 2 of the Climate Resilient Kelowna Strategy, the Climate Vulnerability and Risk Analysis.	
6.2	2023 Meet Me on Bernard	299 - 309
	To seek Council approval for the earlier opening date of the Meet me on Bernard program.	
6.3	Festivals Kelowna - Service Agreement	310 - 343
	To seek Council approval for a three (3) year service agreement with Festivals Kelowna.	
6.4	Indoor Recreation Facility Strategy (IRFS)	344 - 369
	To provide Council with an overview of the Indoor Recreation Facility Strategy planning process.	
6.5	Downtown Kelowna Association 2023 Budget	370 - 390
	To authorize the 2023 levy on Class 5 light industry and Class 6 business/other properties located within the Kelowna Downtown Business Improvement Area.	
6.6	Uptown Rutland Business Association 2023 Budget	391 - 411
	To authorize the 2023 levy on Class 5 light industry and Class 6 business/other properties located within the Uptown Rutland Business Improvement Area.	
6.7	Complimentary 2-hr Saturday Parking and Transit for Downtown Kelowna Promotions	412 - 421
	To obtain Council approval to provide complimentary city-wide transit service and complimentary 2 Hour Saturday Parking for Downtown Kelowna Promotions.	
6.8	Accessibility Advisory Committee Terms of Reference	422 - 439
	To establish an Accessibility Advisory Committee and seek applications for membership for the 2022-2026 Council term.	

7. Bylaws for Adoption (Non-Development Related)

7.1 BL12488 - Amendment No. 13 to the Solid Waste Bylaw No. 10106

440 - 442

To adopt Bylaw No. 12488.

8. Mayor and Councillor Items

9. Termination



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, March 20, 2023
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove, Mohini Singh, Luke Stack, Rick Webber and Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Corporate Strategic Services, Carla Weaden*; Divisional Director, Planning & Development Services, Ryan Smith*; Community Planning & Development Manager, Dean Strachan*; Licensing & Systems Improvement Supervisor, Graham March*; Long Range Policy Planning Manager, Robert Miles*; Senior Airport Finance & Corporate Services Manager, Shayne Dyrdal*; Airport Corporate Services Manager, Toni McQueenie*; Finance Director, Joe Sass*; Deputy City Clerk, Laura Bentley*; Legislative Coordinator Confidential (FOI), Rebecca Van Huizen
Staff participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guests	Dr. Neil Fassina*, President Okanagan College

(* Denotes partial attendance)

1. Call to Order

Mayor Dyas called the meeting to order at 1:30 p.m.

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

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2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Lovegrove

THAT the Minutes of the Regular Meetings of March 13, 2023 be confirmed as circulated.

Carried

3. Public in Attendance

3.1 Dr. Neil Fassina, Okanagan College

Dr. Neil Fassina, President Okanagan College

- Displayed a PowerPoint Presentation outlining the Okanagan College activities and their impacts on the community and responded to questions from Council.

4. Reports

4.1 Council Priorities 2023 - 2026

Staff:

- Displayed a PowerPoint Presentation identifying the 2023-2026 Council priorities.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council approve the 2023 – 2026 Council Priorities as attached to the report of the City Manager dated March 7, 2023;

AND THAT Council direct staff to report back on the progress of the 2023 - 2026 Council Priorities in six, twelve and eighteen months.

Carried

5. Development Application Reports & Related Bylaws

5.1 Joe Riche Rd 2458 - A23-0001 - Black Mountain Irrigation District

Staff:

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

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Agricultural Land Reserve Application No. A23-0001 for Lot 8, Sections 18 and 19, Township 27, ODYD, Plan 1991, Except Plans KAP80286 and KAP87038, located at 2458 Joe Riche Road, Kelowna, BC for a Soil or Fill Use in the Agricultural Land Reserve pursuant to Section 20.3 of the Agricultural Land Commission Act, be supported by Council.

AND THAT Council directs staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

5.2 Curtis Rd 840 - A23-0002 - Francis Bowers and Christina Bowers

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Stack

THAT Agricultural Land Reserve Application No. A23-0002 for Lot 2 Sections 3 and 10 Township 23 ODYD Plan EPP28406, located at 840 Curtis Road, Kelowna, BC for a Soil or Fill Use in the Agricultural Land Reserve pursuant to Section 20.3 (5) of the Agricultural Land Commission Act, be supported by Council;

AND THAT Council directs staff to forward the subject application to the Agricultural Land Commission for consideration.

Carried

5.3 Penno Rd 480 - OCP23-0004 (BL 12499) - 480 Penno Road Ltd., Inc. No. BC1381501

Staff:

- Displayed a PowerPoint Presentation summarizing the Official Community Plan amendment.

Moved By Councillor Stack/Seconded By Councillor Lovegrove

THAT Official Community Plan Map Amendment Application No. OCP23-0004 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of Lot B District Lot 123 ODYD Plan EPP41714, located at 480 Penno Road, Kelowna, BC from the IND – Industrial designation to the REC – Private Recreational designation, as outlined in the Report from the Policy & Planning Department dated March 20, 2023, be considered by Council;

AND THAT the Official Community Plan Amending Bylaw No. 12499 be forwarded to a Public Hearing for further consideration;

AND THAT the requirement to hold a Public Information Session, conduct Neighbour Consultation and post a Development Notice Sign, prior to the Official Community Plan Map Amending Bylaw receiving first reading, in accordance with the *Local Government Act*, and the City of Kelowna's Development Application and Heritage Procedures Bylaw No. 12310, be waived.

Carried

5.4 Penno Rd 480 - BL12499 (OCP23-0004) - 480 Penno Road Ltd., Inc. No. BC1381501

Moved By Councillor DeHart/Seconded By Councillor Stack

THAT Bylaw No. 12499 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

Mayor Dyas:

- Read a statement that the owner of Kelowna Springs Golf Course should present and speak at an open public meeting.

Moved By Councillor Webber/Seconded By Councillor Singh

THAT Council schedule a public hearing for OCP23-0004 480 Penno Road Bylaw 12499 on Tuesday, June 6, 2023 starting at 4:00 pm in Council Chambers;

AND THAT the owner of Kelowna Springs Golf Course be given up to 15 minutes to address Council, and up to 10 minutes to respond to any concerns raised, during the public hearing.

Carried

Councillors Cannan and Wooldridge - Opposed

The meeting recessed at 3:18 p.m.

The meeting reconvened at 3:28 p.m.

6. Non-Development Reports & Related Bylaws

6.1 Summer Wood Dr 145 - Business Licence - BL4075809 RTC

Councillor Wooldridge declared a perceived conflict of interest as he holds a home based business license for a similar operation in the Glenmore area and departed the meeting at 3:29 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the reasons for staff not issuing the business license and responded to questions from Council.

Andy Sandhu, Cooper Road, Applicant Representative

- Provided background information regarding family business.
- Confirmed the applicant has no employees connected to this home based business.
- Commented that customer appointments are spaced out so that there is no overlapping.
- Stated there is sufficient parking on-site as well as on-street parking.
- Spoke to previously submitted correspondence in support by neighbours.
- Responded to questions from Council.

Manjeet Sidhu, Owner, Summer Wood Drive

- Responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Hodge

THAT Council authorize the issuance of Business Licence 4075809 for a 'Home-Based Business, Major' located at 145 Summer Wood Dr, Kelowna, BC;

AND THAT Council direct Staff to not enforce Zoning Bylaw regulations for minimum parking required onsite for the subject property located at 145 Summer Wood Dr, Kelowna, BC.

Carried

Councillor Wooldridge returned to the meeting at 4:02 p.m.

6.2 OCP Consistency Policy

Staff:

- Displayed a PowerPoint Presentation outlining the proposed Policy and responded to questions from Council.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Council adopts Council Policy No. 365 - Official Community Plan Consistency Policy as outlined in the Report from the Policy and Planning Department dated March 20, 2023;

AND THAT Council rescinds Council Policy No. 307 – Waiver of Public Hearing as outlined in the Report from the Policy and Planning Department dated March 20, 2023.

Carried

6.3 Airport Advisory Committee Terms of Reference - 2023

Staff:

- Provided an overview of the proposed amendment to the Airport Advisory Committee Terms of Reference and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Singh

THAT Council receives for information the report from Kelowna International Airport dated March 20, 2023, regarding the Terms of Reference for the Airport Advisory Committee;

AND THAT the Terms of Reference for the Airport Advisory Committee be amended to include a member of the Okanagan Indian Band and remove the member of the community-at-large within the City of Kelowna, as attached to the Report of the Airport dated March 20, 2023.

Carried

6.4 2023 Financial Plan - Carryover Budget - Volume 2

Staff:

- Displayed a PowerPoint Presentation summarizing the 2023 Financial Plan Carryover Budget items and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Cannan

THAT the 2023 Financial Plan be increased by \$ 19,404,100 for operating carryover projects and \$217,872,400 for capital carryover projects as summarized in the 2023 Financial Plan – Carryover Budget – Volume 2.

Carried

6.5 Investment of Kelowna Funds 2022

Staff:

- Displayed a PowerPoint Presentation summarizing the City's 2022 Investment portfolio and performance.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Council receives, for information, the Investment of Kelowna Funds for 2022 Report from the Director of Financial Services as presented on March 20, 2023 in alignment with Council's strong financial management priority.

Carried

7. Resolutions

7.1 Draft Resolution - Traffic and Safety Concerns Clifton Road

Councillor Wooldridge:

- Provided background and additional information regarding the motion.

Moved By Councillor Cannan/Seconded By Councillor Lovegrove

THAT Council direct staff to report back on the planned transportation capital improvements for the North Clifton area and applicable timelines to enhance pedestrian and cyclist safety.

Carried

8. Mayor and Councillor Items

Councillor Cannan

- Spoke to a Notice of Motion regarding future transit scheduling for the north Glenmore Wilden area.

Mayor Dyas:

- Spoke to his attendance at a press conference at YLW last Friday where WestJet made an announcement to add flights between western Canada and Kelowna.

9. Termination

This meeting was declared terminated at 4:52 p.m.

Mayor Dyas



City Clerk

/acm

DRAFT

Report to Council



Date: April 3, 2023
To: Council
From: City Manager
Subject: 48th Annual Civic & Community Awards Finalist Announcement
Department: Active Living & Culture

Recommendation:

THAT Council receives, for information, the report from Active Living & Culture, dated April 3, 2023, that announces the finalists for the 48th Annual Civic & Community Awards.

Purpose:

To announce Kelowna’s 48th annual Civic & Community Awards finalists.

Background:

The City of Kelowna’s annual Civic & Community Awards recognize the outstanding achievements and contributions made in our city each year. The program includes 13 awards that honour volunteers, artists, athletes, environmentalists, and businesses. Up to three finalists are selected in each category, with one recipient being announced during the awards ceremony.

Discussion:

The following categories will be awarded as part of the 48th annual awards:

- Bob Giordano Memorial Award – Coach or Sport Administrator of the Year
- Bryan Couling Memorial Award - Athletic Team of the Year
- Male and Female Athlete of the Year
- Augie Ciancone Memorial Award – Top Male & Female High School Athlete of the Year
- Teen Honour in the Arts
- Honour in the Arts
- Champion for the Environment
- Corporate Community of the Year
- The Central Okanagan Foundation - Volunteer Organization of the Year
- Young Citizen of the Year
- The Fred Macklin & Sarah Donalda-Treadgold Memorial Award - Citizen of the Year
- Anita Tozer Memorial Award – selected by Mayor and Council

Two categories also have scholarship components, with finalists in the Young Citizen of the Year Award receiving scholarships from the Payton and Dillon Budd Memorial Fund Youth Scholarship, and the recipient of the Teen Honour in the Arts Award receiving an entrance scholarship to UBC Okanagan.

This year's celebration will include a gala event to celebrate the achievements of the finalists and award winners. In addition, short videos highlighting the accomplishments of the finalists will be shared and promoted throughout the month of April to allow for broader community recognition.

Conclusion:

The 48th Annual Civic & Community Awards Night, to formally announce the award recipients for each category, will be held on Thursday April 20, 2023, at the Laurel Packinghouse. Tickets will be allocated to finalists, their friends and family, sponsors, members of council and special guests.

Each year the award recipients are further recognized at Jim Stuart Park, with their names on an individual name plate.

Internal Circulation:

Communications
Active Living and Culture

Considerations applicable to this report:

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: M. Siggers, Community & Neighbourhood Services Manager

Approved for inclusion: J. Gabriel, Divisional Director, Active Living & Culture

Attachments: 2023-04-03 Presentation – 48th Annual Civic Awards Finalists Announcement

cc:

J. Gabriel, Divisional Director, Active Living & Culture

C. Weadon, Divisional Director, Corporate Strategic Services

REPORT TO COUNCIL



Date: March 20, 2023
To: Council
From: City Manager
Department: Development Planning
Application: TA23-0001
Address: n/a
Subject: Text Amendment Application (2 of 3)
Owner: City of Kelowna
Applicant: City of Kelowna

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA23-0001 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule 'A' be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw No. 12500 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.

2.0 Purpose

The purpose of the text amendment (Part 2 of 3) application package is to follow up on the adoption of the new Zoning Bylaw No. 12375 with a series of amendments that include updates to: Section 1 – General Administration, Section 5 - Definitions & Interpretations, Section 6 – General Development Regulations, Section 13 Multi-Dwelling Zones, Section 14 – Core Area & Other Zones, and Section 15 – Comprehensive Development Zones.

3.0 Development Planning

Following the adoption of Zoning Bylaw No. 12375, a planned set of amendments was identified to bring forward to Council as outlined within the Bylaw Transition Plan. The Bylaw Transition Plan was outlined and approved by Council at initial consideration and subsequent readings of Zoning Bylaw No. 12375. The volume of amendments has been divided into five council reports:

Two Mapping Amendment Reports:

1. Rural and Single-Family zoned parcels; &
2. Multi-Family, Commercial, Industrial, and Institutional zoned parcels;

Three Text Amendment Reports:

1. First half of content updates within the Zoning Bylaw;
2. Second half of content updates within the Zoning Bylaw; &
3. Updates to the spelling and grammar.

During the Zoning Bylaw No. 12375 transition and implementation period, the development industry and staff began utilizing and applying the new Zoning Bylaw in detail. A series of recommended improvements to the new Zoning Bylaw were identified during this period. Staff have compiled and included these improvements in a series of proposed amendments that make up a comprehensive amendment package, which is presented in three separate reports for Council consideration. Part 1 of 3 and Part 2 of 3 both have content changes for Council to consider. Part 3 of 3 focuses on spelling and grammar improvements to the Zoning Bylaw.

4.0 Development Planning - Proposed Content Changes (Part 2 of 3)

In this report (Part 2 of 3), a number of recommended content changes are proposed to the Zoning Bylaw. For a detailed list of changes and the reasons for recommending these changes please see the attached Schedule 'A'. Table 3.1 below provides an executive summary of the changes. The executive summary is organized into thirteen themes.

Table 3.2 Executive Summary of Schedule 'A' Recommended Content Changes		
No.	Area of Change	Additional Detail
1.	Section 1.7 Land Dedication and Section 5 Density (Floor Area Ratio) Definition.	Land dedication definition and density (Floor Area Ratio) definition altered to adjust for multiple different development scenarios. Development regulations are proposed to be based on pre-dedicated lots while ensuring unbuildable areas are not included into density calculations. Unbuildable areas are defined to include riparian areas, water courses, and slopes 30% & steeper. Pre-dedication is important for development regulations such as setbacks so that bus stops, road widenings, and other road dedications are not disincentivized due to onsite development regulations.
2.	Secondary Suites in MF1 zone	Change secondary suite regulations in MF1 zone to allow them in single detached housing with a maximum of one secondary suite per lot.
3.	MF1 Density adjustment	MF1 density eliminate units per hectare to be consistent with multi-family density calculations and remove minimum density when lots fronting onto a Transit Supportive Corridor.
4.	Garage site coverage change in MF1 zone	Recommend excluding garages from building site coverage but keeping garages with impermeable

Table 3.2 Executive Summary of Schedule 'A' Recommended Content Changes		
No.	Area of Change	Additional Detail
		site coverage to encourage larger garages that fit a regular vehicles and garbage / recycling bins.
5.	Change Setback Definition of Ground-Oriented Housing	Change ground-oriented setback regulations in MF2 and MF3 zones to clarify and provide consistent setback amounts across various zones. Added clarifying language on what portion of the building that the setback reduction for ground-oriented residential applies to.
6.	Add Definition of Ground-Oriented Commercial	Added definition of ground-oriented commercial in order to state the setback regulation for ground floor commercial units more clearly.
7.	Change Projections into Yards Regulation	Added clarifying sentence that the rear yard projection of 2.5 metres only applies to single family dwellings and not multi-family or other major developments.
8.	Health uses changes and updates to Multi-Family Sections and Core Area & Other Zones Section	Deleted HD2 zone and incorporated health uses within the existing multi-family zones following the Official Community Plan's Health District future land use designation.
9.	Principal and Secondary Uses in Institutional Zones	Fixed missing institutional uses like Child Care, Major principal use in the P2 zone, Food Primary Establishment secondary use in the P2 zone, and Emergency & Protective Services principal use in the P4 zone.
10.	Setback adjustment CA1 zone setbacks	Front & Flanking Side Yard setbacks for CA1 zone increased from 3.0 metres to 4.5 metres to align with the MF3 zone.
11.	Section 14.15 Site-Specific Regulation adjustments	Update the Site-Specific Regulation for Section 14.15 to align with recent Bylaw 8000 adoptions as well as coordinate the grandfathered short-term rental regulations for specific lots.
12.	Amend CD18 zone	<ul style="list-style-type: none"> • Allow short-term rental regulations as principal permitted use in Area 1 of CD18 as originally permitted under Bylaw 8000 and adjust CD18 short-term rental regulations to accommodate. • Add Stacked Townhouses as a permitted use to have consistent development regulations for all multi-family developments. • Delete maximum dwelling unit size for multi-family dwelling units to have consistent development regulations for all multi-family developments.

Table 3.2 Executive Summary of Schedule 'A' Recommended Content Changes		
No.	Area of Change	Additional Detail
		<ul style="list-style-type: none"> • Add Minimum Common and Private Amenity Space requirement to have consistent development regulations for all multi-family developments. • Add Home-Based Business Minor as a secondary use.
13.	Private and Common Amenity Space requirements	<ul style="list-style-type: none"> • Fixed a discrepancy between private and common amenity spaces rates between different urban development contexts. The new bylaw increased the rate of urban centre private and common amenity space requirements to match the rate outside urban centres. This amendment proposes to restore the different rates for private and common amenity space requirement for urban centre versus multi-family developments outside urban centres. In tight urban centre contexts with zero lot setback and tower designs there is less capacity (generally) to provide the space relative to mid-rise buildings. • Adjust the amenity space requirement for townhouse developments. Small scaled townhouse is to be treated similar to infill housing without a requirement. Medium scaled townhouses (11 to 20 units) shall have a slightly lower rate for amenity space requirement similar to urban centre developments while large townhouse developments (greater than 20 units) are to have the standard amenity space requirement.
14.	Minimum Townhouse Widths	Add a minimum townhouse width when not within walking distance to a Transit Supportive Corridor to ensure the best design practices are implemented for townhouse developments.

Report prepared by: Adam Cseke, Planner Specialist
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:

Schedule 'A': Proposed Text Amendments Part 2 of 3 to Zoning Bylaw No. 12375

TA23-0001 Schedule A – Proposed Text Amendments Part 2 of 3

Content Changes to Zoning Bylaw No. 12375

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 1.7 Land Dedications and Setbacks	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.	Where a lot is reduced in size as a result of a taking for public use by the City , Provincial or Federal Government, an Improvement or Irrigation District, the Board of Education, or a Public Utility by dedication, expropriation, or purchase, the buildings and structures thereon are deemed to conform with the provisions of this Bylaw. For the purpose of further developments, the lot shall be considered to exist as it did prior to the taking but only if the taking is for road dedication, providing such taking: <ul style="list-style-type: none"> a) does not exceed 20% of the original lot area; b) does not reduce a minimum front, flanking, side, or rear yard below 2.0 metres unless this Bylaw does not require such yard; or c) otherwise approved by a Development Variance Permit or Board of Variance order. 	To allow density to be calculated on the pre-dedicated lot but only for road dedications and to allow for reduced setbacks when road takings are necessary.
2.	Section 5.3 General Definitions - G	n/a	GROUND-ORIENTED, COMMERCIAL means any commercial unit that has: <ul style="list-style-type: none"> (a) an entrance / exit door to the exterior of the <u>building</u>, entered directly from a fronting publicly accessible <u>street</u>, walkway, or <u>open</u> 	Add a definition of ground-oriented commercial to ensure appropriate setbacks and minimum floor elevations are planned into commercial and mixed use developments.

No.	Section	Current Wording	Proposed Wording	Reason for Change
			<p>space (i.e., without passing through a shared indoor lobby or corridor). Ground-oriented commercial units can also have a second access and egress via a shared lobby or common corridor;</p> <p>(b) Should be designed to be as universal accessible as possible from the fronting publicly accessible street, walkway, or open space. The maximum floor elevation of the commercial unit above or below the fronting publicly accessible street, walkway, or open space is 1.0 metre in order to be considered ground-oriented; &</p> <p>(c) any setback reduction granted to ground-oriented commercial units only applies to those units and not to other commercial units or to any other floor area, except, the setback reduction can be applied to the main lobby of a building.</p>	
3.	Section 5.3 General Definitions - G	<p>GROUND-ORIENTED HOUSING means residential dwelling units of one or more storeys in height, each of which has its:</p> <p>(a) own private outdoor space attached to the dwelling unit (typically situated at ground level).</p> <p>(b) primary entrance (i.e., front door) on the exterior of the building, entered directly from a fronting publicly accessible</p>	<p>GROUND-ORIENTED, RESIDENTIAL means residential dwelling units of one or more storeys in height, each of which has its:</p> <p>(a) own private outdoor space attached to the dwelling unit (typically situated at ground level);</p> <p>(b) an entrance / exit door to the exterior of the building, entered directly from a fronting publicly accessible street,</p>	Update language to clarify meaning of primary entrance for ground oriented housing and to clarify where the setback reductions apply to.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		<p>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.</p> <p>(c) any setback reduction granted to ground-oriented housing can be applied to the main lobby of a building.</p>	<p>walkway, or open space (i.e., without passing through a shared indoor lobby or corridor). Ground-oriented residential units can also have a second access and egress via a shared lobby or common corridor; &</p> <p>(c) any setback reduction granted to ground-oriented residential units only applies to those dwelling units and not to other dwelling units or to any other floor area, except, the setback reduction can be applied to the main lobby of a building.</p>	
4.	Section 5.3 General Definitions - F	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.	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 minus excluded areas. The excluded areas of the lot are either within: a Riparian Management Area , a water course area defined by the Natural Environment Development Permit Area (identified within the City of Kelowna's OCP), or within any slope 30% or steeper.	To exclude areas of the lot that are unbuildable as for multi-family developments the base density (FAR) was anticipated to be applied to areas of lots that are buildable to balance development regulations onsite.
5.	Section 6.2.2 Projections into Yards	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.	Unenclosed or enclosed steps, eaves, awnings, decks, canopies, balconies, and porches shall not project more than 0.6 metres into a required setback area. Except, unenclosed or enclosed steps, eaves, awnings, decks, canopies, balconies, and porches may project up to 2.5 metres into a required rear yard for all Agricultural	Update projections language to conform with upper floor setbacks regulations in Multi-Dwelling zones, Urban Centre zones, and other zones.

No.	Section	Current Wording	Proposed Wording	Reason for Change
			zones, Rural Residential zones, and Single & Two Dwelling Zones.	
6.	Table 6.8.b Affordable Housing Bonus	n/a	<p>FOOTNOTES (Section 6.8.b):</p> <p>¹ To qualify for the Affordable Housing Bonus a development must contain a minimum of 50 dwelling units. An affordable housing unit is defined by 2% of the total number of dwelling units. For example, a 60-unit development would need to provide \$120,000 to qualify for the bonus ($\\$100,000 \times 60 \times 0.02$).</p>	Add footnote for clarity of affordable housing unit definition.
7.	Section 6.10 Dormers	<p>All dormers must follow the following:</p> <p>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).</p> <p>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).</p> <p>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).</p> <p>d) the dormer's maximum width is 50% of the width of the roof on which the dormer is located (see</p>	<p>6.10.1 All dormers must follow <u>have</u> the following:</p> <p>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).</p> <p>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).</p> <p>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).</p>	Update to numbering for consistency and change of wording for clarity.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		Figure 6.10(b) 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)	
8.	Section 13.3 - Permitted Land Uses	See Chart Z1	See Chart Z2	Updated suite regulations within MF1 zone to reflect original intention and added Health Uses within MF3 zone within the appropriate Future Land Use Designation.
9.	Section 13.5- Development Regulations	See Chart Z3	See Chart Z4	<ul style="list-style-type: none"> • The purpose of excluding garages from building site coverage in the MF1 zone is to allow slightly larger garages to accommodate garbage and recycling within those structures. • Introduce minimum width for townhouses outside the 5 minute walking distance to transit supportive corridors to ensure enough space for 2-car parking garages, living space, and reasonable ground floor interaction with access roads. • To create 3 different Min. Common and Private Amenity Space rates specifically for townhouse developments. Small

No.	Section	Current Wording	Proposed Wording	Reason for Change
				<p>townhouse developments are function more like infill developments with limited capacity for common amenity space. Larger townhouse development should have a higher common amenity space requirement than medium scaled townhouse developments.</p> <ul style="list-style-type: none"> • To align with bylaw drafting policy to not replicate regulations in multiple bylaws. • Change to align with setback and height policies. Added separate rows for ground-oriented setbacks for increased clarity of regulations.
10.	Section 13.6 – Density and Height Development Regulations	See Chart AA	See Chart BB	Reorganization of information and deletion of redundancies. Update wording to provide clarity.
11.	Section 13.7 – Site Specific Regulations – 4 th Row 3 rd Column (Regulation)	This property is permitted to have Apartment housing limited to 3 storeys.	This property is permitted to have 3 storey apartment building on top of a two storey townhouse .	To clarify the permitted height of site based on previous approved development proposals.

No.	Section	Current Wording	Proposed Wording	Reason for Change
12.	Section 14.1 Core Area and Other Zones Categories	See existing text	Delete: HD2 – Residential and Health Support Services	To update the Health District zones and incorporate the health uses within the existing multi-family zones.
13.	Section 14.6 Health District Zone Purposes	See Chart BB1	See Chart BB2	To update the Health District zones and incorporate the health uses within the existing multi-family zones.
14.	Section 14.8 – Core Area and Other Sub-Zones Categories	See Chart CC	See Chart DD	Added sub-zone purposes for added clarity of the usage of certain zones.
15.	Section 14.9 – Permitted Principal and Secondary Land Uses in Core Area and Other Zones	Child Care Centre, Major under the P2 zone the existing text is: "-" (not permitted)	Child Care Centre, Major under the P2 zone the proposed text is: "P" (Principal Use)	To reflect the existing Child Care Centre, Major land uses within this zone.
16.	Section 14.9 – Permitted Principal and Secondary Land Uses in Core Area and Other Zones	Food Primary Establishment under the P2 zone the existing text is: "-" (not permitted)	Food Primary Establishment under the P2 zone the proposed text is: "S" (Secondary Use)	To reflect the existing food primary land uses within schools and other institutional settings.
17.	Section 14.9 – Permitted Principal and Secondary Land	Emergency and Protective Services under the P4 zone the existing text is: "-" (not permitted)	Emergency and Protective Services under the P4 zone the proposed text is: "P" (Principal Use)	Most of the firehalls are zoned P4 and should have Emergency and Protective Services as a principal use.

No.	Section	Current Wording	Proposed Wording	Reason for Change
	Uses in Core Area and Other Zones			
18.	Section 14.9 – Permitted Principal and Secondary Land Uses in Core Area and Other Zones	See Existing Table	Delete HD2 Column	To update the Health District zones and incorporate the health uses within the existing multi-family zones.
19.	Section 14.9 – Permitted Principal and Secondary Land Uses in Core Area and Other Zones	See Existing Table	Delete Single Detached Housing	To update the Health District zones and incorporate the health uses within the existing multi-family zones.
20.	Section 14.10 – Subdivision Regulations	See Existing Table	Delete HD2 Row	To update the Health District zones and incorporate the health uses within the existing multi-family zones.
21.	Section 14.11 – Commercial and Urban Centre Zone Development Regulations	See Chart CC1	See Chart CC2	Change to align with setback and height policies. Added separate rows for ground-oriented setbacks for increased clarity of regulations. Fixed a discrepancy between private and common amenity spaces rates between different

No.	Section	Current Wording	Proposed Wording	Reason for Change
				<p>urban development contexts. The new bylaw increased the rate of urban centre private and common amenity space requirements to match the rate outside urban centres. This amendment proposes to restore the different rates for private and common amenity space requirement for urban centre versus multi-family developments outside urban centres. In tight urban centre contexts with zero lot setback and tower designs there is less capacity (generally) to provide the space relative to mid-rise buildings.</p>
22.	Section 14.13 – Health District Development Regulations	See Chart DD1	See Chart DD2	To update the Health District zones and incorporate the health uses within the existing multi-family zones.
23.	Section 14.14 – Density and Height	See Chart EE	See Chart FF	Updates to punctuation, addition of labels, and delete HD2 row.
24.	Section 14.15 - Site Specific Regulations	See Chart GG	See Chart HH	Principal and secondary uses updated to reflect updated commercial and industrial terminology. Properties adopted site specific

No.	Section	Current Wording	Proposed Wording	Reason for Change
				regulations in the Bylaw Transition Period were added to this list. Short-term rental updates clarified which properties have grandfathered short-term rental regulations.
25.	Map 14.15.2 – HD1 Height Map		Delete Map	Remove map to align with policy.
26.	Map 14.15a – 810 Clement Ave (Area A) & 815 Vaughan Ave Area (B)		Delete Map	Remove map to align with policy.
27.	Map 14.15.3: Properties with Site Specific Short-Term Rental Accommodation regulations		Delete Map	Remove map and re-organize into the Site Specific Table.
28.	Section 15.3.5 & Section 15.7.5 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	6.0 m ² per bachelor dwelling unit 10.0 m ² per 1- bedroom dwelling unit 15 m ² per dwelling unit with more than 1- bedroom	Updated amenity space amount to align with the original Zoning Bylaw requirement for amenity space within an urban centre and reflects a more holistic amenity requirement.

No.	Section	Current Wording	Proposed Wording	Reason for Change
29.	Section 15.3.5 CD17 Development Regulations Footnote .3	^{.3} <u>Common and private amenity space</u> 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 <u>lot</u> . The amount of <u>common and private amenity space</u> dedicated to child care spaces cannot be more than 50% of the total space required.	^{.3} 4.0 m ² per <u>dwelling unit</u> of the <u>Common and Private Amenity Space</u> shall be configured as common area that is accessible to all residents and must not be located within the required setback areas. <u>Common and Private Amenity Space</u> 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 <u>Common and Private Amenity Space</u> dedicated to child care spaces cannot be more than 50% of the total space required.	Updated amenity space requirement to be consistent across the bylaw.
30.	Section 15.4.3 – CD18 Permitted Land Uses	Recycled Materials Drop-Off Centre	Recycled Materials Drop-Off Centre Recycling Drop-Offs	Update wording to provide clarity.
31.	Section 15.4.3 – CD18 Permitted Land Uses (Home Based Business, Minor)	For Area I Village Centre: "-" Not Permitted For Area II Winery and Resort Accommodation: "-" Not Permitted	For Area I Village Centre: "S" Secondary Use For Area II Winery and Resort Accommodation: "S" Secondary Use	All dwelling units should have home based business, minor as a permitted secondary use within the City.
32.	Section 15.4.3 – CD18 Permitted Land Uses (Short-Term Rental Accommodations, AREA I Village Centre)	S	S <u>P</u>	Update designation to align with policy.

No.	Section	Current Wording	Proposed Wording	Reason for Change
33.	Section 15.4.3 – CD18 Permitted Land Uses	Add Stacked Townhouses as a permitted land use in Area I, Area II, Area III, & Area IV.	Add Stacked Townhouses as a permitted land use in Area I, Area II, Area III, & Area IV.	To be consistent within the bylaw to allow stacked townhouses wherever townhouses are permitted.
34.	FOOTNOTES (Section 15.4.3.)	<p>FOOTNOTES (Section 15.4.3.)</p> <p>¹ The maximum capacity for liquor primary establishments is 100 persons.</p> <p>² The retail use shall be limited to 235 m2 gross floor area.</p> <p>³ This use includes any marine equipment rentals.</p> <p>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.</p> <p>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</p>	<p>FOOTNOTES (Section 15.4.3-)</p> <p>¹ The maximum capacity for liquor primary establishments is 100 persons.</p> <p>² The retail use shall be limited to 235 m2 gross floor area.</p> <p>³ This use includes any marine equipment rentals.</p> <p>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.</p> <p>⁵ Deleted</p> <p>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.</p> <p>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 .</p>	Update to footnotes to align with policy. Changes to formatting for consistency.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		<p>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).</p> <p>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.</p> <p>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 .</p>		
35.	Section 15.4.5 – CD18 Development Regulations	Change column header from “Uses” to “Criteria”	Change column header from “Uses” to “Criteria”	To have consistent formatting across the Zoning Bylaw.
36.	Section 15.4.5 – CD18 Development Regulations		<p><u>Max. Net floor Area for Secondary Suites</u></p> <p><u>AREA I 90m²</u></p> <p><u>AREA II 90m²</u></p> <p><u>AREA III 90m²</u></p> <p><u>AREA IV 90m²</u></p>	Addition of category to align with current policy.
37.	Section 15.4.5 – CD18 Development Regulations		<p>Add Criteria: Min. Common and Private Amenity Space for any Apartment Housing, Stacked Townhouses, or Townhouses</p> <p>7.5 m² per bachelor dwelling unit</p> <p>15.0 m² per 1-bedroom dwelling unit</p> <p>25 m² per dwelling unit with more than 1-bedroom ^{.6}</p>	To be consistent across the bylaw that common and private amenity should be required in multi-family developments.

No.	Section	Current Wording	Proposed Wording	Reason for Change
38.	Section 15.4.5 – CD18 Development Regulations	Signage for Area III shall be regulated as if it were a Public and Institutional zone as identified within the Sign Bylaw 11530.	Signage for Area III <u>and Area IV</u> shall be regulated as if it were a Public and Institutional zone as identified within the Sign Bylaw 11530.”	Update wording to provide clarity.
39.	Section 15.5.3 – CD20 Permitted Land Uses	<u>Recycled Materials Drop-Off Centre</u>	Recycled Materials Drop-Off Centre <u>Recycling Drop-Offs</u>	Update wording to provide clarity.
40.	Section 15.7.3 – CD26 Permitted Land Uses	<u>Recycled Materials Drop-Off Centre</u>	Recycled Materials Drop-Off Centre <u>Recycling Drop-Offs</u>	Update wording to provide clarity.
41.	Section 15.7.5 – CD26 Development Regulations Min. Amenities, Within Amenity Area D (b)	(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.	(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.	Change to align with policy

Chart Z1

Original – Section 13.3 Permitted Land Uses

Section 13.3 - Permitted Land Uses			
Uses	Zones		
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)		
	MF1	MF2	MF3
Accessory Buildings or Structures	<u>S</u>	<u>S</u>	<u>S</u>
Agriculture, Urban	<u>S</u>	<u>S</u>	<u>S</u>
Apartment Housing	-	-	<u>P</u>
Child Care Centre, Major	<u>S</u>	<u>S</u>	<u>S</u>
Child Care Centre, Minor	<u>S</u>	<u>S</u>	<u>S</u>
Cultural and Recreation Services	-	-	<u>S</u> .2
Duplex Housing	<u>P</u>	<u>P</u>	-
Food Primary Establishment	-	-	<u>S</u> .2
Group Home	<u>P</u> .1	<u>P</u> .1	-
Home-Based Business, Major	<u>S</u> .5	<u>S</u> .6	<u>S</u> .6
Home-Based Business, Minor	<u>S</u>	<u>S</u>	<u>S</u>
Health Services	-	-	<u>S</u> .2
Professional Services	-	-	<u>S</u> .2

Section 13.3 - Permitted Land Uses			
Uses	Zones		
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)		
	MF1	MF2	MF3
Participant Recreation Services, Indoor	-	-	<u>S</u>
Personal Service Establishments	-	-	<u>S</u> ^{.2}
Retail	-	-	<u>S</u> ^{.2}
Secondary Suite	<u>S</u> ^{.3}	-	-
Semi-Detached Housing	<u>P</u>	<u>P</u>	-
Short-Term Rental Accommodations	<u>S</u>	<u>S</u>	<u>S</u>
Single Detached Housing	<u>P</u>	<u>P</u>	-
Stacked Townhouses	-	<u>P</u>	<u>P</u> ^{.4}
Townhouses	<u>P</u>	<u>P</u>	<u>P</u> ^{.4}

FOOTNOTES (Section 13.3.):

^{.1} [Group homes](#) are only permitted within a [single detached housing](#), [semi-detached housing](#), or a [duplex housing](#) form.

^{.2} These [land uses](#) are only permitted on [transit supportive corridors](#) and these [land uses](#) are not permitted above the first [storey](#).

^{.3} No new [Secondary suites](#) are permitted. Existing [Secondary suites](#) that existed prior to December 4th 2017 are permitted to remain.

Section 13.3 - Permitted Land Uses			
Uses	Zones		
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)		
	MF1	MF2	MF3
<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>			

Chart Z2

Proposed – Section 13.3 Permitted Land Uses

Section 13.3 - Permitted Land Uses			
Uses	Zones		
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)		
	MF1	MF2	MF3
Accessory Buildings or Structures	<u>S</u>	<u>S</u>	<u>S</u>
Agriculture, Urban	<u>S</u>	<u>S</u>	<u>S</u>
Apartment Housing	-	-	<u>P</u>
Child Care Centre, Major	<u>S</u>	<u>S</u>	<u>S</u> .7
Child Care Centre, Minor	<u>S</u>	<u>S</u>	<u>S</u> .7
Cultural and Recreation Services	-	-	<u>S</u> .2
Duplex Housing	<u>P</u>	<u>P</u>	-
Emergency and Protective Services	-	-	<u>P</u> .8
Food Primary Establishment	-	-	<u>S</u> .2
Group Home	<u>P</u> .1	<u>P</u> .1	- .8
Home-Based Business, Major	<u>S</u> .5	<u>S</u> .6	<u>S</u> .6
Home-Based Business, Minor	<u>S</u>	<u>S</u>	<u>S</u>
Health Services	-	-	<u>S</u> .2

Section 13.3 - Permitted Land Uses			
Uses	Zones		
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)		
	MF1	MF2	MF3
Professional Services	-	-	<u>S</u> ^{.2}
Participant Recreation Services, Indoor	-	-	<u>S</u>
Personal Service Establishments	-	-	<u>S</u> ^{.2}
Retail	-	-	<u>S</u> ^{.2}
Secondary Suite	<u>S</u> ^{.3}	-	- ^{.3}
Semi-Detached Housing	<u>P</u>	<u>P</u>	-
Short-Term Rental Accommodations	<u>S</u>	<u>S</u>	<u>S</u>
Single Detached Housing	<u>P</u>	<u>P</u>	- ^{.3}
Stacked Townhouses	-	<u>P</u>	<u>P</u> ^{.4}
Townhouses	<u>P</u>	<u>P</u>	<u>P</u> ^{.4}

FOOTNOTES (Section 13.3.):

^{.1} [Group homes](#) are only permitted within a [single detached housing](#), [semi-detached housing](#), or a [duplex housing](#) form.

^{.2} These [land uses](#) are only permitted on [transit supportive corridors](#) and these [land uses](#) are not permitted above the first [storey](#). Except, [Health Services](#) is permitted as a [principal use](#) without any

Section 13.3 - Permitted Land Uses			
Uses	Zones		
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)		
	MF1	MF2	MF3
<p>floor area or storey restriction when the lot exists within the C-HTH – Core Area – Health District OCP future land use designation.</p> <p>³ Secondary suites are only permitted within single detached housing and a maximum of one secondary suite is permitted per lot. Single detached housing are permitted as a principal use and secondary suites are permitted as secondary use only when the lot exists within the C-HTH – Core Area – Health District OCP future land use designation.</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> <p>⁷ Child care centre, major and child care centre, minor is permitted as a principal use when the lot exists within the C-HTH – Core Area – Health District OCP future land use designation.</p> <p>⁸ Emergency and protective services and group homes are permitted as a principal use only when the lot exists within the C-HTH – Core Area – Health District OCP future land use designation.</p>			

Chart Z3

Original – Section 13.5 – Development Regulations

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}

Section 13.5 – Development Regulations m = metres / m ² = square metres			
	Zones		
	MF1	MF2	MF3
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 13.5 – 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> <ul style="list-style-type: none"> 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. b) The minimum net floor area for ground-oriented residential units on the first floor is 11m². See example diagram. <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>			

Section 13.5 – Development Regulations m = metres / m ² = square metres			
	Zones		
	MF1	MF2	MF3
<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>			

Chart Z4

Proposed – Section 13.5 – Development Regulations

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% ^{.10}	55%	65%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	75% ^{.10}	80%	85%
Min. Front Yard and Flanking Side Yard Setback for all portions of a building that are not Ground-Oriented including Accessory Buildings / Structures	4.0 m ^{.5}	3.0 m ^{.5}	4.5 m ^{.5}
Min. Front Yard and Flanking Side Yard Setback for Ground-Oriented, Residential	4.0 m ^{.5}	3.0 m ^{.3, .5}	3.0 m ^{.3, .5}

Section 13.5 – Development Regulations				
m = metres / m ² = square metres				
		Zones		
		MF1	MF2	MF3
Min. Front Yard and Flanking Side Yard Setback for Ground-Oriented, Commercial		n/a	n/a	2.0 m
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. Dwelling Unit Width		n/a	7.5 m ^{.11}	n/a
Min. Common	For Developments	n/a	n/a	

Section 13.5 – Development Regulations				
m = metres / m ² = square metres				
		Zones		
		MF1	MF2	MF3
and Private Amenity Space	with 1 to 10 Dwelling Units			
	For Developments with 11 to 20 Dwelling Units		6.0 m ² per bachelor dwelling unit 10.0 m ² per 1-bedroom dwelling unit 15 m ² per dwelling unit with more than 1-bedroom .8, .9	7.5 m ² per bachelor dwelling unit 15.0 m ² per 1-bedroom dwelling unit
	For Developments with greater than 20 Dwelling Units		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	25 m ² per dwelling unit with more than 1-bedroom .8, .9

Section 13.5 – Development Regulations m = metres / m ² = square metres			
	Zones		
	MF1	MF2	MF3
Max. Building Frontage	A continuous building frontage shall not exceed 100 m in length.		
<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 for ground-oriented residential units can be reduced to 2.0 metres if both criteria are met:</p> <p style="padding-left: 40px;">c) The maximum height of the first storey floor 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 Figure 5.12.</p> <p style="padding-left: 40px;">d) The minimum net floor area for ground-oriented residential units on the first floor is 11 m². See example diagram Figure 5.13.</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 stepback can occur on any floor above the second storey.</p>			

Section 13.5 – Development Regulations			
m = metres / m ² = square metres			
	Zones		
	MF1	MF2	MF3
<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> <p>^{.10} In the MF1 zone, the garage footprint area shall not be considered building site coverage but does count towards the overall impermeable surface maximum site coverage.</p> <p>^{.11} There is no requirement for minimum dwelling unit width for lots that are within 400 metres of a Transit Supportive Corridor.</p>			

Chart AA

Original - Section 13.6 –Density and Height Development Regulations

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

Section 13.6 –Density and Height Development Regulations				
m = metres / m ² = square metres				
		Zones		
		MF1	MF2	MF3
				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>				

Section 13.6 –Density and Height Development Regulations

m = metres / m² = square metres

	Zones		
	MF1	MF2	MF3

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.

⁴ The increase in [height](#) to 44.0 m and 12 [storeys](#) only applies in situations where:

- (a) [lots](#) are fronting a Provincial Highway; and
- (b) [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
- (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 [OCP](#).
- (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 m² 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 m² 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](#).

Chart BB

Proposed- Section 13.6 –Density and Height Development Regulations

Section 13.6 –Density and Height Development Regulations			
m = metres / m ² = square metres / FAR = floor area ratio / GFA = gross floor area			
	Zones		
	MF1	MF2	MF3
Min. Density & Min. Lot Area for Lots fronting onto a Transit Supportive Corridor	n/a	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	1.0 FAR See Underground Parking Base FAR Adjustments ⁶	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 ⁶
Max. Bonus Density for Public Amenity & Streetscape Bonus	n/a	An additional 0.15 FAR ³	An additional 0.25 FAR ³
Max. Bonus Density for Rental or Affordable Housing Bonus	n/a	An additional 0.3 FAR ³	An additional 0.3 FAR ³

Section 13.6 – Density and Height Development Regulations				
m = metres / m ² = square metres / FAR = floor area ratio / GFA = gross floor area				
		Zones		
		MF1	MF2	MF3
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}
FOOTNOTES (Section 13.6): ^{.1} The base height is 18.0 m & 4 storeys except the maximum height may be increased to 22.0 m & 6 storeys if: <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. 				

Section 13.6 –Density and Height Development Regulations

m = metres / m² = square metres / FAR = floor area ratio / GFA = gross floor area

	Zones		
	MF1	MF2	MF3

- ²The 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.
- ³These 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.
- ⁴The increase in [height](#) to 44.0 m and 12 [storeys](#) only applies in situations where:
 - (a) [lots](#) are fronting a Provincial Highway; and
 - (b) [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
 - (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 [OCP](#).
 - (e) The bonus density and bonus height provisions occur if the provisions of [Section 6.8 Density Bonus](#) are secured.
- ⁵For the purpose of calculating minimum densities the amount of commercial area considered as a unit will be measured at one (1) unit per 125 m² of commercial [GFA](#).
- ⁶If 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](#).

Chart BB1

Original - Section 14.6 – Health District Zones Purposes

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.
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.

Chart BB2

Proposed - Section 14.6 – Health District Zones Purposes

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.

Chart CC

Original - Section 14.8 – Core Area and Other Sub-Zones Categories

Section 14.8 – Core Area and Other Sub-Zones Categories	
Category	Zones
Commercial, Core Area, and Village Centres	<p>C1 – Local & Neighbourhood Commercial</p> <ul style="list-style-type: none"> • rcs – Retail Cannabis Sales <p>C2 – Vehicle Oriented Commercial</p> <ul style="list-style-type: none"> • rcs – Retail Cannabis Sales • dt – Drive Through <p>CA1 – Core Area Mixed Use</p> <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • dt – Drive Through <p>VC1 – Village Centre</p> <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • fg – Fueling and Gas Stations • dt – Drive Through
Urban Centre	<p>UC1 – Downtown Urban Centre</p> <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 <p>UC2 – Capri-Landmark Urban Centre</p> <ul style="list-style-type: none"> • r – Rental Only • rcs – Retail Cannabis Sales • gg – Gaming and Gambling • fg – Fueling and Gas Stations

Section 14.8 – Core Area and Other Sub-Zones Categories	
Category	Zones
	<ul style="list-style-type: none"> • 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

Section 14.8 – Core Area and Other Sub-Zones Categories	
Category	Zones
	<ul style="list-style-type: none"> r – Rental Only
Water	W1 – Recreational Water Use W2 – Intensive Water Use

Chart DD

Proposed - Section 14.8 – Core Area and Other Sub-Zones Categories

Section 14.8 – Core Area and Other Sub-Zones Categories		
Category	Zones and Sub-Zones	Sub-Zone Purposes
Commercial, Core Area, and Village Centres	C1 – Local & Neighbourhood Commercial	
	<ul style="list-style-type: none"> rsc – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	C2 – Vehicle Oriented Commercial	
	<ul style="list-style-type: none"> dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> rsc – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	CA1 – Core Area Mixed Use	
	<ul style="list-style-type: none"> dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> r – 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.
	<ul style="list-style-type: none"> rsc – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	VC1 – Village Centre	
	<ul style="list-style-type: none"> dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.

Section 14.8 – Core Area and Other Sub-Zones Categories		
Category	Zones and Sub-Zones	Sub-Zone Purposes
	<ul style="list-style-type: none"> r – 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.
	<ul style="list-style-type: none"> rCS – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
Urban Centre	UC1 – Downtown Urban Centre	
	<ul style="list-style-type: none"> a – Arena 	The purpose is to provide a sub-zone that creates custom density and height regulations for lots surrounding the arena.
	<ul style="list-style-type: none"> dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.
	<ul style="list-style-type: none"> gg – Gaming and Gambling 	The purpose is to provide a sub-zone that allows Gaming and Gambling on selective lots.
	<ul style="list-style-type: none"> r – 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.
	<ul style="list-style-type: none"> rCS – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	UC2 – Capri-Landmark Urban Centre	
	<ul style="list-style-type: none"> dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.
	<ul style="list-style-type: none"> gg – Gaming and Gambling 	The purpose is to provide a sub-zone that allows Gaming and Gambling on selective lots.

Section 14.8 – Core Area and Other Sub-Zones Categories		
Category	Zones and Sub-Zones	Sub-Zone Purposes
	<ul style="list-style-type: none"> r – 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.
	<ul style="list-style-type: none"> rCs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	UC3 – Midtown Urban Centre	
	<ul style="list-style-type: none"> dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.
	<ul style="list-style-type: none"> r – 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.
	<ul style="list-style-type: none"> rCs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	UC4 – Rutland Urban Centre	
	<ul style="list-style-type: none"> dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.
	<ul style="list-style-type: none"> r – 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.
	<ul style="list-style-type: none"> rCs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	UC5 – Padosy Urban Centre	
	<ul style="list-style-type: none"> dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.

Section 14.8 – Core Area and Other Sub-Zones Categories		
Category	Zones and Sub-Zones	Sub-Zone Purposes
	<ul style="list-style-type: none"> fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.
	<ul style="list-style-type: none"> r – 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.
	<ul style="list-style-type: none"> rCs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
Industrial	I1 – Business Industrial	
	<ul style="list-style-type: none"> rCs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	I2 – General Industrial	
	<ul style="list-style-type: none"> rCs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	I3 – Heavy Industrial	n/a
	I4 – Natural Resource Extraction	n/a
Institutional	P1 – Major Institutional	n/a
	P2 – Education and Minor Institutional	n/a
	P3 – Parks and Open Space	n/a
	P4 – Utilities	n/a
	P5 – Municipal District Park	n/a
Health District	HD1 – Kelowna General Hospital	n/a
Water	W1 – Recreational Water Use	n/a
	W2 – Intensive Water Use	n/a

Chart CC1

Original – Section 14.11 – Commercial and Urban Centre Zone Development Regulations

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	4.5 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	n/a	n/a	3.0 m .14	3.0 m .14	n/a	n/a	n/a	n/a	n/a

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
Yard and Flanking Side Yard									
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			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 .								
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								

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
	corner of an intersection. This setback will only be required at the first storey . See Visual Example of Corner Lot Setbacks .								
Urban Plazas	Any site within an urban centre larger than 1 acre with a building length larger than 100 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. 								

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. 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).								
<p>FOOTNOTES (Section 14.11):</p> <p>^{.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:</p> <ul style="list-style-type: none"> a) The maximum height of the first storey floor 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 11 m². See Example Diagram. <p>^{.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.</p> <p>^{.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.</p> <p>^{.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.</p> <p>^{.5} Except the rear setback is: 3.0 m when abutting a 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.</p> <p>^{.6} The minimum side yard is 4.0 m when abutting a single & two dwelling zone or rural residential zone.</p>									

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
.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 m ² 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 Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.								
.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).								

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>.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>									

Chart CC2

Proposed – Section 14.11 – Commercial and Urban Centre Zone Development Regulations

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

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 , 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 for all portions of a building that are not Ground-Oriented	2.0 m .12	2.0 m .12	4.5 m .12	3.0 m .12	0.0 m ^{.2} ,.12	3.0 m ^{.2} ,.12	3.0 m ^{.2} ,.12	3.0 m ^{.2} ,.12	3.0 m ^{.2} ,.12
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 .12	3.0 m ^{.1} ,.12	3.0 m ^{.1} ,.12	3.0 m ^{.1} ,.12	3.0 m ^{.1} ,.12

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
for Ground-Oriented, Residential									
Min. Front Yard and Flanking Side Yard Setback for Ground-Oriented, Commercial	2.0 m .12	2.0 m .12	2.0 m .12	2.0 m .12	0.0 m ^{.2} ,.12	2.0 m ^{.2} ,.12	2.0 m ^{.2} ,.12	2.0 m ^{.2} ,.12	2.0 m ^{.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	7.5 m ² per bachelor dwelling unit				6.0 m ² per bachelor dwelling unit				

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
Private Amenity Space	15.0 m ² per 1-bedroom dwelling unit				10.0 m ² per 1-bedroom dwelling unit				
	25 m ² per dwelling unit with more than 1-bedroom ^{.11}				15 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 .								
Upper Floor Setbacks	For any portion of a building abutting a street a 3.0 m setback is required for any portion of the building above the lesser of 16 m or four storeys .								
Corner Lots	For any building greater than 18.0 m or 4.5 storeys and located on a corner lot , there shall be a triangular setback 4.5 m in length along the lot lines that meet at each corner of an intersection. This setback will only be required at the first storey . See Visual Example of Corner Lot Setbacks .								
Urban Plazas	Any site within an urban centre larger than 1 acre with a building length larger than 100 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	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).								

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
or Residential Floor Area based on Fronting Street Type	<p>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	<p>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).</p>								

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>FOOTNOTES (Section 14.11):</p> <p>^{.1} The minimum setback for ground-oriented, residential units can be reduced to 2.0 metres if both criteria are met:</p> <p style="margin-left: 40px;">c) The maximum height of the first storey floor 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 Figure 5.12.</p> <p style="margin-left: 40px;">d) The minimum net floor area for ground-oriented, residential units on the first floor is 11 m². See Example Diagram Figure 5.13.</p> <p>^{.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. The minimum setback can be reduced from 3.0 m to 0.0 m for any portion of a building below 16.0 m in height if the ground floor setback is maintained (measured from back-of-curb or edge of road pavement in situations without curb to building face) of at least a 6.0 m in the UC2, UC3, & UC4 zones and 4.5 m in the UC5 zone.</p> <p>^{.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.</p> <p>^{.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.</p> <p>^{.5} Except the rear setback is: 3.0 m when abutting a 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.</p> <p>^{.6} The minimum side yard is 4.0 m when abutting a single & two dwelling zone or rural residential zone.</p>									

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
.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 Residential Ground-Oriented Housing .								
.11	4.0 m ² 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 Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.								
.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).								

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>.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>									

Chart DD1

Original - Section 14.13 Health District Development Regulations

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

Section 14.13 – Health District Development Regulations		
m = metres / m ² = square metres		
Criteria	Zones	
	HD1	HD2
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	1.1 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

Section 14.13 – Health District Development Regulations		
m = metres / m ² = square metres		
Criteria	Zones	
	HD1	HD2
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}
FOOTNOTES (Section 14.13.): ^{.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. ^{.2} 4.0 m ² 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.		

Chart DD2

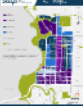

Proposed - Section 14.13 Health District Development Regulations


Section 14.13 – Health District Development Regulations	
m = metres / m ² = square metres	
Criteria	Zones
	HD1
Max. Site Coverage of all Buildings	100%
Max. Site Coverage of all Buildings , Structures , & Impermeable Surfaces (%)	n/a
Max. Density & Max. Height	See Section 14.14 for Density and Height Regulations
Min. Front Yard & Flanking Side Yard Setback	Road Specific ^{.1}
Min. Side Yard Setback	Road Specific ^{.1}
Min. Rear Yard Setback	Road Specific ^{.1}
FOOTNOTES (Section 14.13): ^{.1} The minimum setbacks are from specific streets: 6.0 m from Pandosy Street, 6.0 m from Royal Avenue for buildings up to 10.0 m in height , 9.0 m from Royal Avenue for buildings greater than 10.0 m, 9.0 m from Abbott Street, and 4.5 m on Christleton Laneway.	



Chart EE

Original - Section 14.14 – Density and Height

Section 14.14 – Density and Height m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{.1, .7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{.1, .7}	<u>Max.</u> 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><u>Min.</u> Density for lots fronting a Transit Supportive Corridor and with a lane = 4.75 units per 1,000 m² and a <u>Min.</u> 1,050 m² lot area ^{.5, .9}</p> <p><u>Min.</u> Density for lots fronting a Transit Supportive Corridor and without a lane = 3.1 units per 1,000 m² and a <u>Min.</u> 1,600 m² lot area ^{.5, .9}</p> <p><u>Max.</u> 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>	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</p> <p>when lot is fronting a Transit Supportive Corridor</p>	No additional height

Section 14.14 – Density and Height m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{.1,7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{.1,7}	<u>Max.</u> Height with Bonus FAR
	<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>			<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>	
	<p>The areas are identified in Map 4.1 within the OCP (UC1 Downtown)</p> 				
UC1 (Downtown)	<p>For areas identified as PARK = 0.5 FAR ^{.9}</p> <p>For UC1a – Arena properties = 5.0 FAR ^{.9}</p> <p>For areas identified as 3 storeys = 1.5 FAR ^{.9}</p> <p>For areas identified as 6 storeys = 1.8 FAR ^{.9}</p> <p>For areas identified as 12 storeys = 3.3 FAR ^{.9}</p> <p>For areas identified as 20 storeys = 5.9 FAR ^{.9}</p> <p>For areas identified as 26 storeys and up = 7.2 FAR ^{.9}</p> <p>See Underground Parking Base FAR Adjustments ^{.12}</p>	<p>For areas identified as PARK = no bonus ^{.3}</p> <p>For UC1a – Arena properties = no bonus ^{.3}</p> <p>For areas identified as 3 storeys = no bonus ^{.3}</p> <p>For areas identified as 6 storeys = 0.25 additional FAR ^{.3}</p> <p>For areas identified as 12 storeys = 0.5 additional FAR ^{.3}</p> <p>For areas identified as 20 storeys = 0.75 additional FAR ^{.3}</p> <p>For areas identified as 26 storeys = 1.5 additional FAR ^{.3}</p> <p>See additional rental sub-zone bonus</p>	<p>An additional 0.3 FAR for rental only projects or affordable housing ^{.3}</p> <p>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}</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For UC1a – Arena properties = 12 storeys & 44 m</p> <p>For areas identified as 3 storeys = 3 storeys & 12 m</p> <p>For areas identified as 6 storeys = 6 storeys & 22 m</p> <p>For areas identified as 12 storeys = 12 storeys & 44 m</p> <p>For areas identified as 20 storeys = 20 storeys & 73 m</p> <p>For areas identified as 26 storeys and up = 26 storeys & 95 m</p>	<p>For areas identified as PARK = No additional height</p> <p>For UC1a – Arena properties = No additional height</p> <p>For areas identified as 3 storeys = No additional height</p> <p>For areas identified as 6 storeys = No additional height</p> <p>For areas identified as 12 storeys = 3 additional storeys & 12 m ^{.3}</p> <p>For areas identified as 20 storeys = 5 additional storeys & 19 m ^{.3}</p> <p>For areas identified as 26 storeys = 14 additional storeys & 52 m ^{.3}</p>
	<p>The areas are identified in Map 4.3 within the OCP (UC2 (Capri / Landmark))</p> 				

Section 14.14 – Density and Height m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{.1,7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{.1,7}	<u>Max.</u> Height with Bonus FAR
UC2 (Capri / Landmark)	<p>For areas identified as PARK = 0.5 FAR ^{.9}</p> <p>For areas identified as 3 storeys = 1.5 FAR ^{.9}</p> <p>For areas identified as 4 storeys = 1.5 FAR ^{.9}</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = 1.8 FAR ^{.9}</p> <p>For areas identified as 12 storeys = 3.3 FAR ^{.9}</p> <p>For areas identified as 18 storeys = 4.9 FAR ^{.9}</p> <p>For areas identified as 26 storeys = See CD26 Zone for details</p> <p>See Underground Parking Base FAR Adjustments ^{.12}</p>	<p>For areas identified as PARK = no bonus</p> <p>For areas identified as 3 storeys = no bonus ^{.3}</p> <p>For areas identified as 4 storeys = no bonus ^{.3}</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = 0.25 additional FAR ^{.3}</p> <p>For areas identified as 12 storeys = 0.5 additional FAR ^{.3}</p> <p>For areas identified as 18 storeys = 0.7 additional FAR ^{.3}</p> <p>For areas identified as 26 storeys = no bonus ^{.3}</p>	<p>An additional 0.3 FAR for rental only projects or affordable housing ^{.3}</p> <p>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}</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For areas identified as 3 storeys = 3 storeys & 12 m</p> <p>For areas identified as 4 storeys = 4 storeys & 18 m</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = 6 storeys & 22 m</p> <p>For areas identified as 12 storeys = 12 storeys & 44 m</p> <p>For areas identified as 18 storeys = 18 storeys & 66 m</p> <p>For areas identified as 26 storeys = See CD26 Zone for details</p>	<p>For areas identified as PARK = No additional height</p> <p>For areas identified as 3 storeys = No additional height</p> <p>For areas identified as 4 storeys = No additional height</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = No additional height</p> <p>For areas identified as 12 storeys = 3 additional storeys & 12 m ^{.3}</p> <p>For areas identified as 18 storeys = 4 additional storeys & 16 m ^{.3}</p> <p>For areas identified as 26 storeys = No bonus ^{.3}</p>
<p>The areas are identified in Map 4.9 within the OCP (UC3 Midtown)</p> 					
UC3 (Midtown)	<p>For areas identified as PARK = 0.5 FAR ^{.9}</p> <p>For areas identified as 6 storeys = 1.8 FAR ^{.9}</p> <p>For areas identified as 12 storeys = 3.3 FAR ^{.9}</p> <p>For areas identified as 18 storeys = 4.9 FAR ^{.9}</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels</p> <p>See Underground Parking Base FAR Adjustments ^{.12}</p>	<p>For areas identified as PARK = no bonus ^{.3}</p> <p>For areas identified as 6 storeys = 0.25 additional FAR ^{.3}</p> <p>For areas identified as 12 storeys = 0.5 additional FAR ^{.3}</p> <p>For areas identified as 18 storeys = 0.5 additional FAR ^{.3}</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels ^{.11}</p>	<p>An additional 0.3 FAR for rental only projects or affordable housing ^{.3}</p> <p>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}</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For areas identified as 6 storeys = 6 storeys & 22 m</p> <p>For areas identified as 12 storeys = 12 storeys & 44 m</p> <p>For areas identified as 18 storeys = 18 storeys & 66 m</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels</p>	<p>For areas identified as PARK = No additional height</p> <p>For Areas identified as 6 storeys = No additional height</p> <p>For areas identified as 12 storeys = 3 additional storeys & 12 m ^{.3}</p> <p>For areas identified as 18 storeys = 4 additional storeys & 16 m ^{.3}</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels ^{.11}</p>

Section 14.14 – Density and Height m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{.1,7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{.1,7}	<u>Max.</u> Height with Bonus FAR
UC4 (Rutland)	The areas are identified in Map 4.7 within the OCP (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 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}
UC5 (Pandosy)	The areas are identified in Map 4.5 within the OCP (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 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
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

Section 14.14 – Density and Height m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{1,7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{1,7}	<u>Max.</u> Height with Bonus FAR
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:

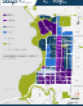

- a) [lots](#) are fronting a Provincial Highway; and
- b) the [abutting](#) [lots](#) are not zoned [RR1](#), [RR2](#), [RU1](#), [RU2](#), [RU3](#), [RU4](#), or [RU5](#); and


Section 14.14 – Density and Height m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{.1.7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{.1.7}	<u>Max.</u> Height with Bonus FAR
<p>c) lots are within the Regional Commercial Corridor Future Land Use Designations as outlined in the OCP.</p> <p>^{.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.</p> <p>^{.6} The maximum height of 6 additional storeys & 22 m only applies in situations where:</p> <ul style="list-style-type: none"> 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. <p>^{.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.</p> <p>^{.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.</p> <p>^{.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.</p> <p>^{.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.</p> <p>^{.11} These parcels identified in Map 14.15.1 do not qualify for any density or height bonusing except the rental bonusing provisions.</p> <p>^{.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.</p>					



Chart FF

Proposed - Section 14.14 – Density and Height

Section 14.14 – Density and Height					
FAR = floor area ratio / GFA = gross floor area / m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{.1, .7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{.1, .7}	<u>Max.</u> 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 additional 3 storeys & 12.0 m ^{.3}
CA1	<p><u>Min.</u> Density for lots fronting a Transit Supportive Corridor and with a lane = 4.75 units per 1,000 m² and a <u>Min.</u> 1,050 m² lot area ^{.5, .9}</p> <p><u>Min.</u> Density for lots fronting a Transit Supportive Corridor and without a lane = 3.1 units per 1,000 m² and a <u>Min.</u> 1,600 m² lot area ^{.5, .9}</p> <p><u>Max.</u> 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 & 22.0 m for any lot size fronting a Transit Supportive Corridor ^{.4}</p>	<p>3 additional storeys & 12.0 m ^{.2, .3}</p> <p>or</p> <p>6 additional storeys & 22.0 m ^{.3, .6}</p>
VC1	<p>Cook Truswell Village Centre = 1.5 FAR ^{.9}</p> <p>Lakeshore Village Centre = 1.5 FAR except 1.8 FAR when lot is fronting a Transit Supportive Corridor ^{.9}</p> <p>Glenmore Village Centre = 1.8 FAR ^{.9}</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 & 22.0 m</p> <p>Lakeshore Village Centre = 4 storeys & 18.0 m except 6 storeys & 22.0 m when lot is fronting a Transit Supportive Corridor</p> <p>Glenmore Village Centre = 6 storeys & 22.0 m</p>	No additional height

Section 14.14 – Density and Height					
FAR = floor area ratio / GFA = gross floor area / m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{.1,7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{.1,7}	<u>Max.</u> Height with Bonus FAR
	<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>			<p>Guisachan Village Centre = 4 storeys & 18.0 metres except 6 storeys & 22.0 m when lot is fronting a Transit Supportive Corridor</p> <p>University Village Centre = 4 storeys & 18.0 m</p> <p>Black Mountain Village Centre = 6 storeys & 22.0 m</p> <p>The Ponds Village Centre = 4 storeys & 18.0 m</p>	
	<p>The areas are identified in Map 4.1 within the OCP (UC1 Downtown) </p>				
UC1 (Downtown)	<p>For areas identified as PARK = 0.5 FAR ^{.9}</p> <p>For UC1a – Arena properties = 5.0 FAR ^{.9}</p> <p>For areas identified as 3 storeys = 1.5 FAR ^{.9}</p> <p>For areas identified as 6 storeys = 1.8 FAR ^{.9}</p> <p>For areas identified as 12 storeys = 3.3 FAR ^{.9}</p> <p>For areas identified as 20 storeys = 5.9 FAR ^{.9}</p> <p>For areas identified as 26 storeys and up = 7.2 FAR ^{.9}</p> <p>See Underground Parking Base FAR Adjustments ^{.12}</p>	<p>For areas identified as PARK = no bonus ^{.3}</p> <p>For UC1a – Arena properties = no bonus ^{.3}</p> <p>For areas identified as 3 storeys = no bonus ^{.3}</p> <p>For areas identified as 6 storeys = 0.25 additional FAR ^{.3}</p> <p>For areas identified as 12 storeys = 0.5 additional FAR ^{.3}</p> <p>For areas identified as 20 storeys = 0.75 additional FAR ^{.3}</p> <p>For areas identified as 26 storeys = 1.5 additional FAR ^{.3}</p> <p>See additional rental sub-zone bonus</p>	<p>An additional 0.3 FAR for rental only projects or affordable housing ^{.3}</p> <p>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}</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For UC1a – Arena properties = 12 storeys & 44.0 m</p> <p>For areas identified as 3 storeys = 3 storeys & 12.0 m</p> <p>For areas identified as 6 storeys = 6 storeys & 22.0 m</p> <p>For areas identified as 12 storeys = 12 storeys & 44.0 m</p> <p>For areas identified as 20 storeys = 20 storeys & 73.0 m</p> <p>For areas identified as 26 storeys and up = 26 storeys & 95.0 m</p>	<p>For areas identified as PARK = No additional height</p> <p>For UC1a – Arena properties = No additional height</p> <p>For areas identified as 3 storeys = No additional height</p> <p>For areas identified as 6 storeys = No additional height</p> <p>For areas identified as 12 storeys = 3 additional storeys & 12.0 m ^{.3}</p> <p>For areas identified as 20 storeys = 5 additional storeys & 19.0 m ^{.3}</p> <p>For areas identified as 26 storeys = 14 additional storeys & 52.0 m ^{.3}</p>
	<p>The areas are identified in Map 4.3 within the OCP (UC2 (Capri / Landmark)) </p>				

Section 14.14 – Density and Height					
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Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{.1,7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{.1,7}	<u>Max.</u> Height with Bonus FAR
UC2 (Capri / Landmark)	<p>For areas identified as PARK = 0.5 FAR ^{.9}</p> <p>For areas identified as 3 storeys = 1.5 FAR ^{.9}</p> <p>For areas identified as 4 storeys = 1.6 FAR ^{.9}</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = 1.8 FAR ^{.9}</p> <p>For areas identified as 12 storeys = 3.3 FAR ^{.9}</p> <p>For areas identified as 18 storeys = 4.9 FAR ^{.9}</p> <p>For areas identified as 26 storeys = See CD26 Zone for details</p> <p>See Underground Parking Base FAR Adjustments ^{.12}</p>	<p>For areas identified as PARK = no bonus</p> <p>For areas identified as 3 storeys = no bonus ^{.3}</p> <p>For areas identified as 4 storeys = no bonus ^{.3}</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = 0.25 additional FAR ^{.3}</p> <p>For areas identified as 12 storeys = 0.5 additional FAR ^{.3}</p> <p>For areas identified as 18 storeys = 0.7 additional FAR ^{.3}</p> <p>For areas identified as 26 storeys = no bonus ^{.3}</p>	<p>An additional 0.3 FAR for rental only projects or affordable housing ^{.3}</p> <p>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}</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For areas identified as 3 storeys = 3 storeys & 12.0 m</p> <p>For areas identified as 4 storeys = 4 storeys & 18.0 m</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = 6 storeys & 22.0 m</p> <p>For areas identified as 12 storeys = 12 storeys & 44.0 m</p> <p>For areas identified as 18 storeys = 18 storeys & 66.0 m</p> <p>For areas identified as 26 storeys = See CD26 Zone for details</p>	<p>For areas identified as PARK = No additional height</p> <p>For areas identified as 3 storeys = No additional height</p> <p>For areas identified as 4 storeys = No additional height</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = No additional height</p> <p>For areas identified as 12 storeys = 3 additional storeys & 12.0 m ^{.3}</p> <p>For areas identified as 18 storeys = 4 additional storeys & 16.0 m ^{.3}</p> <p>For areas identified as 26 storeys = No bonus ^{.3}</p>
	<p>The areas are identified in Map 4.9 within the OCP (UC3 Midtown) </p>				
UC3 (Midtown)	<p>For areas identified as PARK = 0.5 FAR ^{.9}</p> <p>For areas identified as 6 storeys = 1.8 FAR ^{.9}</p> <p>For areas identified as 12 storeys = 3.3 FAR ^{.9}</p> <p>For areas identified as 18 storeys = 4.9 FAR ^{.9}</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels</p> <p>See Underground Parking Base FAR Adjustments ^{.12}</p>	<p>For areas identified as PARK = no bonus ^{.3}</p> <p>For areas identified as 6 storeys = 0.25 additional FAR ^{.3}</p> <p>For areas identified as 12 storeys = 0.5 additional FAR ^{.3}</p> <p>For areas identified as 18 storeys = 0.5 additional FAR ^{.3}</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels ^{.11}</p>	<p>An additional 0.3 FAR for rental only projects or affordable housing ^{.3}</p> <p>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}</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For areas identified as 6 storeys = 6 storeys & 22.0 m</p> <p>For areas identified as 12 storeys = 12 storeys & 44.0 m</p> <p>For areas identified as 18 storeys = 18 storeys & 66.0 m</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels</p>	<p>For areas identified as PARK = No additional height</p> <p>For Areas identified as 6 storeys = No additional height</p> <p>For areas identified as 12 storeys = 3 additional storeys & 12.0 m ^{.3}</p> <p>For areas identified as 18 storeys = 4 additional storeys & 16.0 m ^{.3}</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels ^{.11}</p>

Section 14.14 – Density and Height					
FAR = floor area ratio / GFA = gross floor area / m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{.1,7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{.1,7}	<u>Max.</u> Height with Bonus FAR
UC4 (Rutland)	The areas are identified in Map 4.7 within the OCP (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 For areas identified as 4 storeys = 4 storeys & 18.0 m For areas identified as 6 storeys = 6 storeys & 22.0 m For areas identified as 12 storeys = 12 storeys & 44.0 m	For areas identified as PARK = No additional height For areas identified as 4 storeys = 2 additional storeys & 8.0 m ^{.3} For areas identified as 6 storeys = 3 additional storeys & 12.0 m ^{.3} For areas identified as 12 storeys = 3 additional storeys & 12.0 m ^{.3}
UC5 (Pandosy)	The areas are identified in Map 4.5 within the OCP (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 For areas identified as 3 storeys = 3 storeys & 12.0 m For areas identified as 4 storeys = 4 storeys & 18.0 m For areas identified as 6 storeys = 6 storeys & 22.0 m For areas identified as 8 storeys = 8 storeys & 31.0 m For areas identified as 14 storeys = 14 storeys & 52.0 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 & 8.0 m ^{.3} For areas identified as 8 storeys = 3 additional storeys & 12.0 m ^{.3} For areas identified as 14 storeys = No additional height
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

Section 14.14 – Density and Height					
FAR = floor area ratio / GFA = gross floor area / m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density FAR ^{1,7}	<u>Max.</u> Public Amenity & Streetscape Bonus FAR	<u>Max.</u> Rental or Affordable Housing Bonus FAR	<u>Max.</u> Base Height ^{1,7}	<u>Max.</u> Height with Bonus FAR
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	36.5 m	No additional height
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 outlined within the [City](#) of Kelowna’s [Official Community Plan](#).

² The maximum [height](#) of 3 additional [storeys](#) & 12.0 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 may apply if payment is made as per [Section 6.8.2 Density Bonus](#). The Rental or Affordable Housing bonus density 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](#) & 39.0 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](#).

⁶ The maximum [height](#) of 6 additional [storeys](#) & 22.0 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; &

Section 14.14 – Density and Height					
FAR = floor area ratio / GFA = gross floor area / m = metres / m ² = square metres					
Zones	<u>Min.</u> Density (if applicable) & <u>Max.</u> Base Density <u>FAR</u> ^{.1.7}	<u>Max.</u> Public Amenity & Streetscape Bonus <u>FAR</u>	<u>Max.</u> Rental or Affordable Housing Bonus <u>FAR</u>	<u>Max.</u> Base <u>Height</u> ^{.1.7}	<u>Max. Height</u> with Bonus <u>FAR</u>
<p>d) <u>Lots</u> must be fronting one of these roads: Clement Avenue, Gordon Drive, a Provincial Highway, Spall Road, Enterprise Way, or Springfield Drive.</p> <p>^{.7} Except the maximum base <u>FAR</u> and <u>height</u> may be different on an individual <u>lot</u> basis as identified in Section 14.15 Site Specific Regulations.</p> <p>^{.8} The maximum FAR is increased to 3.0 for <u>lots</u> 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.</p> <p>^{.9} The base <u>FARs</u> are derived from the base <u>height</u> regulation. Therefore, the base <u>FARs</u> remain constant even if an owner successfully applies for a Development Variance Permit or Board of Variance order to the base <u>heights</u>.</p> <p>^{.10} For example: a 12 <u>storey</u> rental project would have a 0.6 <u>FAR</u> bonus and a 26 <u>storey</u> rental project would have a 1.3 <u>FAR</u> bonus.</p> <p>^{.11} These parcels identified in Map 14.15.1 do not qualify for any density or <u>height</u> bonusing except the rental bonusing provisions.</p> <p>^{.12} If eighty percent (80%) of the parking provided on-site is located underground (below <u>finished grade</u>) then the base <u>FAR</u> is increased by 0.25 <u>FAR</u>.</p>					

Chart GG

Original - Section 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

Section 14.15 - Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
			<ul style="list-style-type: none"> • 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.
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	To permit:

Section 14.15 - Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
		(Aqua Project)	<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).	<p>To permit:</p> <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
	Lot A, District Lot 127, Land District 41, Plan KAP55164	2071 Harvey Ave	
	Lot 1, District Lot 127, Plan 31862	2091 Harvey Ave	

Section 14.15 - Site Specific Regulations - Midtown			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
	Lot A, District Lot 127, Plan KAP48113	1840-1920 Cooper Rd	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 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	

Chart HH

Proposed - Section 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 18.0 m.
2.	Lot B Section 30 Township 26 ODYD Plan EPP83554	810 Clement Ave, Kelowna, BC	To permit: <ul style="list-style-type: none"> • Offices • Retail • Personal Service Establishment • Education Services as permitted Secondary Uses in addition to those land uses permitted in Section 14.9
3.	Lot B Section 30 Township 26 ODYD Plan EPP83554	815 Vaughan Ave, Kelowna, BC	To permit: <ul style="list-style-type: none"> • Offices • Professional Services • Health Services • Personal Service Establishment • Retail

Section 14.15 - Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
			<ul style="list-style-type: none"> • Liquor Primary Establishment • Education Services as permitted Principal Uses 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 in addition to those land uses permitted in Section 14.9 .
5.	Lot A, Section 1 & 12, Township 25, ODYD, Plan EPP92691	3838 Capozzi Rd (Aqua Project)	To permit: <ul style="list-style-type: none"> • A maximum permitted height of 15 storeys and 50.0 m. • short-term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9.
6.	Lot 1, District Lot 134, Plan EPP 41204	3773-3795 Lakeshore Rd	The maximum permitted height is 18 storeys and 60.0 m.
7.	Lot A, Section 30, Township 26, ODYD, Plan 18927	907 Ethel Street	To permit: <ul style="list-style-type: none"> • Apartment Housing • Offices • Child Care Centre, Major as a permitted principal uses in addition to those land uses permitted in Section 14.9

Section 14.15 - Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
8.	Lot CP (Strata Unit 101-652) Plan KAS2503	1088 Sunset Dr	To permit 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.
	Lot CP (Strata Unit 101-2003) Plan KAS2849	1128 Sunset Dr	
	Lot CP (Strata Unit PH1, PH2, PH3, PH4, & 101-2604) Plan KAS3589	1075 Sunset Dr	
	Lot CP (Strata Unit 101-420) Plan KAS3589	1083 Sunset Dr	
	Lot CP (Strata Unit 101-418) Plan KAS3589	1089 Sunset Dr	
	Lot CP (Strata Unit 101-415) Plan KAS3589	1093 Sunset Dr	
	Lot CP (Strata Unit 121-441) Plan KAS3589	1099 Sunset Dr	

Section 14.15 - Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
	Lot CP Plan KAS3589	1123, 1129, 1133, & 1139 Sunset Dr	
9.	Strata Plan of Lot 1, District Lot 134, ODYD, Plan KAP77419	648-654 Cook Rd	To permit short-term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9 .
10.	Lot A Section 26 Township 26 ODYD Plan EPP117920	155-179 Rutland Rd N	To permit a maximum floor area ratio of 2.35 and a maximum height of 8 storeys and 32.0 m.
11.	Lot A District Lot 9 ODYD Plan 39328	945 Guy Street	To permit a residential sales centre as a principal use in addition to those land uses permitted in Section 14.9 .
12.	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 15.0 m, except for Apartment Housing and Hotels the maximum permitted height is 12 storeys and 37.0 m.
	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	

Section 14.15 - Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
	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	



City of Kelowna

TA23-0001

**Text Amendment Bylaw –
To Zoning Bylaw #12375 Part 2 of 3
March 20, 2023**

Purpose

- ▶ The purpose of the text amendment application package (Part 2 of 3) is to follow up on the adoption of the new Zoning Bylaw No. 12375 with a series of amendments that include updates to: Section 1 – General Administration, Section 5 - Definitions & Interpretations, Section 6 – General Development Regulations, Section 13 Multi-Dwelling Zones, Section 14 – Core Area & Other Zones, and Section 15 – Comprehensive Development Zones.

Council Reports

▶ Three Text Amendment Reports:

1. First half of content updates within the Zoning Bylaw;
2. Second half of content updates within the Zoning Bylaw; &
3. Updates to the spelling and grammar.

Table 3.2 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of Change	Additional Detail
1.	Section 1.7 Land Dedication and Section 5 Density (Floor Area Ratio) Definition.	Land dedication definition and density (Floor Area Ratio) definition altered to adjust for multiple different development scenarios. Development regulations are proposed to be based on pre-dedicated lots while ensuring unbuildable areas are not included into density calculations. Unbuildable areas are defined to include riparian areas, water courses, and slopes 30% & steeper. Pre-dedication is important for development regulations such as setbacks so that bus stops, road widenings, and other road dedications are not disincentivized due to onsite development regulations.
2.	Secondary Suites in MF1 zone	Change secondary suite regulations in MF1 zone to allow them in single detached housing with a maximum of one secondary suite per lot.
3.	MF1 Density adjustment	MF1 density eliminate units per hectare to be consistent with multi-family density calculations and remove minimum density when lots fronting onto a Transit Supportive Corridor.

Table 3.2 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of Change	Additional Detail
4.	Garage site coverage change in MF1 zone	Recommend excluding garages from building site coverage but keeping garages with impermeable site coverage to encourage larger garages that fit a regular vehicles and garbage / recycling bins.
5.	Change Setback Definition of Ground-Oriented Housing	Change ground-oriented setback regulations in MF2 and MF3 zones to clarify and provide consistent setback amounts across various zones. Added clarifying language on what portion of the building that the setback reduction for ground-oriented residential applies to.
6.	Add Definition of Ground-Oriented Commercial	Added definition of ground-oriented commercial in order to state the setback regulation for ground floor commercial units more clearly.
7.	Change Projections into Yards Regulation	Added clarifying sentence that the rear yard projection of 2.5 metres only applies to single family dwellings and not multi-family or other major developments.

Table 3.2 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of Change	Additional Detail
8.	Health uses changes and updates to Multi-Family Sections and Core Area & Other Zones Section	Deleted HD2 zone and incorporated health uses within the existing multi-family zones following the Official Community Plan's Health District future land use designation.
9.	Principal and Secondary Uses in Institutional Zones	Fixed missing institutional uses like Child Care, Major principal use in the P2 zone, Food Primary Establishment secondary use in the P2 zone, and Emergency & Protective Services principal use in the P4 zone.
10.	Setback adjustment CA1 zone setbacks	Front & Flanking Side Yard setbacks for CA1 zone increased from 3.0 metres to 4.5 metres to align with the MF3 zone.
11.	Section 14.15 Site-Specific Regulation adjustments	Update the Site-Specific Regulation for Section 14.15 to align with recent Bylaw 8000 adoptions as well as coordinate the grandfathered short-term rental regulations for specific lots.

Table 3.2 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of Change	Additional Detail
12.	Amend CD18 zone	<ul style="list-style-type: none"> • Allow short-term rental regulations as principal permitted use in Area 1 of CD18 as originally permitted under Bylaw 8000 and adjust CD18 short-term rental regulations to accommodate. • Add Stacked Townhouses as a permitted use to have consistent development regulations for all multi-family developments. • Delete maximum dwelling unit size for multi-family dwelling units to have consistent development regulations for all multi-family developments. • Add Minimum Common and Private Amenity Space requirement to have consistent development regulations for all multi-family developments. • Add Home-Based Business Minor as a secondary use.

Table 3.2 Executive Summary of Schedule 'A' Recommended Content Changes

No.	Area of Change	Additional Detail
13.	Private and Common Amenity Space requirements	<ul style="list-style-type: none"> • Fixed a discrepancy between private and common amenity spaces rates between different urban development contexts. The new bylaw increased the rate of urban centre private and common amenity space requirements to match the rate outside urban centres. This amendment proposes to restore the different rates for private and common amenity space requirement for urban centre versus multi-family developments outside urban centres. In tight urban centre contexts with zero lot setback and tower designs there is less capacity (generally) to provide the space relative to mid-rise buildings. • Adjust the amenity space requirement for townhouse developments. Small scaled townhouse is to be treated similar to infill housing without a requirement. Medium scaled townhouses (11 to 20 units) shall have a slightly lower rate for amenity space requirement similar to urban centre developments while large townhouse developments (greater than 20 units) are to have the standard amenity space requirement.
14.	Minimum Townhouse Widths	<p>Add a minimum townhouse width when not within walking distance to a Transit Supportive Corridor to ensure the best design practices are implemented for townhouse developments.</p>

Staff Recommendation

- ▶ Staff recommend bylaw be forward to Public Hearing for TA23-0001

CITY OF KELOWNA
BYLAW NO. 12500
TA23-0001 – Amendment to Multiple Sections
of Zoning Bylaw No. 12375

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT **Section 1 – General Administration, 1.7.1 Land Dedications and Setbacks** be amended as follows:

Deleting the following:

"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.";

And replacing it with:

"Where a **lot** is reduced in size as a result of a taking for public **use** by the **City**, Provincial or Federal Government, an Improvement or Irrigation District, the Board of Education, or a Public Utility by dedication, expropriation, or purchase, the **buildings** and **structures** thereon are deemed to conform with the provisions of this Bylaw. For the purpose of further developments, the **lot** shall be considered to exist as it did prior to the taking but only if the taking is for road dedication, providing such taking:

- a) does not exceed 20% of the original lot area;
- b) does not reduce a minimum front, flanking, side, or **rear yard** below 2.0 metres unless this Bylaw does not require such **yard**; or
- c) otherwise approved by a Development Variance Permit or Board of Variance order.";

2. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, "G"** be amended by adding in its appropriate location the following:

"GROUND-ORIENTED, COMMERCIAL means any commercial unit that has:

- (a) an entrance / exit door to 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 commercial units can also have a second access and egress via a shared lobby or common corridor;
- (b) Should be designed to be as universal accessible as possible from the fronting publicly accessible street, walkway, or open space. The maximum floor elevation of the commercial unit above or below the fronting publicly accessible street, walkway, or open space is 1.0 metre in order to be considered groundoriented; &

(c) any setback reduction granted to ground-oriented commercial units only applies to those units and not to other commercial units or to any other floor area, except, the setback reduction can be applied to the main lobby of a building.”;

3. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, “G” GROUND-ORIENTED HOUSING** be amended as follows:

Deleting the following:

“**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.”;

And replacing it with:

“**GROUND-ORIENTED, RESIDENTIAL** 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) an entrance / exit door to 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 residential units can also have a second access and egress via a shared lobby or common corridor; &
- (c) any setback reduction granted to ground-oriented residential units only applies to those dwelling units and not to other dwelling units or to any other floor area, except, the setback reduction can be applied to the main lobby of a building.”;

4. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, “F” FLOOR AREA RATIO** be amended by deleting “.” and replacing it with the following:

“minus excluded areas. The excluded areas of the lot are either within: a Riparian Management Area, a water course area defined by the Natural Environment Development Permit Area (identified within the City of Kelowna’s OCP), or within any slope 30% or steeper.”;

5. AND THAT **Section 6 – General Development Regulations, 6.2.2 Projections Into Yards** be amended as follows:

By deleting the following:

“yard except they may project up to 2.5 metres into a required rear yard.”;

And replacing it with:

"setback area. Except, unenclosed or enclosed steps, eaves, awnings, decks, canopies, balconies, and porches may project up to 2.5 metres into a required rear yard for all Agricultural zones, Rural Residential zones, and Single & Two Dwelling Zones.";

6. AND THAT **Section 6 – General Development Regulations, Table 6.8.b Affordable Housing Bonus** be amended by adding in its appropriate location the following:

"FOOTNOTES (Section 6.8.b):

¹ To qualify for the Affordable Housing Bonus a development must contain a minimum of 50 dwelling units. An affordable housing unit is defined by 2% of the total number of dwelling units. For example, a 60-unit development would need to provide \$120,000 to qualify for the bonus ($\$100,000 \times 60 \times 0.02$).";

7. AND THAT **Section 6 – General Development Regulations, 6.10 Dormers** be amended by adding "6.10.1" before "All dormers must";
8. AND THAT **Section 6 – General Development Regulations, 6.10 Dormers** be amended by deleting "follow" after "All dormers must" and replacing it with "have";
9. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.3 – Permitted Land Uses** be deleted in its entirety and replaced with Section 13.3 outlined in **Schedule A** as attached to and forming part of this bylaw;
10. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.5 – Development Regulations** be deleted in its entirety and replaced with Section 13.5 outlined in **Schedule B** as attached to and forming part of this bylaw;
11. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.6 – Density and Height Development Regulations** be deleted in its entirety and replaced with Section 13.6 outlined in **Schedule C** as attached to and forming part of this bylaw;
12. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.7 – Site-Specific Regulations, 4.777 Denali Drive** be amended as follows:

By deleting the following:

"Apartment housing limited to 3 storeys.";

And replacing it with:

"3 storey apartment building on top of a two storey townhouse.";

13. AND THAT **Section 14 – Core Area & Other Zones, 14.1 Core Area & Other Zone Categories** be amended by deleting “HD2 – Residential and Health Support Services”;
14. AND THAT **Section 14 – Core Area & Other Zones, Section 14.6 – Health District Zone Purposes** be deleted in its entirety and replaced with Section 14.6 outlined in **Schedule D** as attached to and forming part of this bylaw;
15. AND THAT **Section 14 – Core Area & Other Zones, Section 14.8 – Core Area and Other Sub-Zones Categories** be deleted in its entirety and replaced with Section 14.8 outlined in **Schedule E** as attached to and forming part of this bylaw;
16. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses, Child Care Centre, Major** be amended by deleting “-” under “P2” and replacing it with “P”;
17. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses, Food Primary Establishment** be amended by deleting “-” under “P2” and replacing it with “S”;
18. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses, Emergency and Protective Services** be amended by deleting “-” under “P4” and replacing it with “P”;
19. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses** be amended by deleting the “HD2” column in its entirety;
20. AND THAT **Section 14 – Core Area & Other Zones, Section 14.9 – Principal and Secondary Land Uses** be amended by deleting the “Single Detached Housing” row in its entirety;
21. AND THAT **Section 14 – Core Area & Other Zones, Section 14.10 – Subdivision Regulations** be amended by deleting the “HD2” row in its entirety;
22. AND THAT **Section 14 – Core Area & Other Zones, Section 14.11 – Commercial and Urban Centre Zone Development Regulations** be deleted in its entirety and replaced with Section 14.11 outlined in **Schedule F** as attached to and forming part of this bylaw;
23. AND THAT **Section 14 – Core Area & Other Zones, Section 14.13 – Health District Development Regulations** be deleted in its entirety and replaced with Section 14.13 outlined in **Schedule G** as attached to and forming part of this bylaw;
24. AND THAT **Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height** be deleted in its entirety and replaced with Section 14.14 outlined in **Schedule H** as attached to and forming part of this bylaw;

25. AND THAT **Section 14 – Core Area & Other Zones, Section 14.15 – Site-Specific Regulations** be deleted in its entirety and replaced with Section 14.15 outlined in **Schedule I** as attached to and forming part of this bylaw;
26. AND THAT **Section 14 – Core Area & Other Zones, Map 14.15.2 – HD1 Height Map** be deleted in its entirety;
27. AND THAT **Section 14 – Core Area & Other Zones, Map 14.15a – 810 Clement Ave (Area A) & 815 Vaughan Ave (Area B)** be deleted in its entirety;
28. AND THAT **Section 14 – Core Area & Other Zones, Map 14.15.3 – Properties with Site Specific Short-Term Rental Accommodation regulations** be deleted in its entirety;
29. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.3.5 – CD17 Development Regulations, Min. Common and Private Amenity Space** be amended as follows:

By deleting the following:

“7.5 m² per bachelor dwelling unit
5.0 m² per 1-bedroom dwelling unit
25 m² per dwelling unit with more than 1-bedroom”;

And replacing it with:

“6.0 m² per bachelor dwelling unit
10.0 m² per 1-bedroom dwelling unit
15 m² per dwelling unit with more than 1-bedroom”;

30. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.7.5 – CD26 Capri Centre Development Regulations, Min. Common and Private Amenity Space** be amended as follows:

By deleting the following:

“7.5 m² per bachelor dwelling unit
5.0 m² per 1-bedroom dwelling unit
25 m² per dwelling unit with more than 1-bedroom”;

And replacing it with:

“6.0 m² per bachelor dwelling unit
10.0 m² per 1-bedroom dwelling unit
15 m² per dwelling unit with more than 1-bedroom”;

31. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.3.5 – CD17 Development Regulations, Min. Common and Private Amenity Space** be amended as follows:

By deleting the following:

“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.”;

And replacing it with:

“³ 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 Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.”;

32. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.3 – CD18 Permitted Land Uses** be amended by deleting “Recycled Materials Drop-Off Centre” and replacing it with “Recycling Drop-Offs”;
33. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.3 – CD18 Permitted Land Uses, Home Based Business, Minor** be amended by deleting “-” under “AREA I Village Centre” and relacing it with “S”;
34. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.3 – CD18 Permitted Land Uses, Home Based Business, Minor** be amended by deleting “-” under “AREA II Winery” and relacing it with “S”;
35. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.3 – CD18 Permitted Land Uses, Short-Term Rental Accommodations** be amended by deleting “S” under “AREA I Village Centre” and relacing it with “P”;
36. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.3 – CD18 Permitted Land Uses** be amended by inserting a row for “Stacked Townhouses” under the “Single Detached Housing” row and adding “P” to the “Stacked Townhouses” row under “AREA I Village Centre”, under “AREA II Winery and Resort Accommodation”, under “AREA III Hillside Resort Accommodation”, and under “AREA IV Waterfront Resort Accommodations”;

37. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.3 – CD18 Permitted Land Uses** be amended by deleting the “.” After “FOOTNOTES (Section 15.4.3”;
38. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.3 – CD18 Permitted Land Uses** be amended as follows:

Deleting the following:

“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 offsite reservation centre(s).”;

39. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.3 – CD18 Permitted Land Uses** be amended by deleting all “⁵” footnotes;
40. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.5 – CD18 Development Regulations** be amended by deleting “Uses” above “Max. Density¹” and replacing it with “Criteria”;
41. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.5 – CD18 Development Regulations** be amended by inserting a row for “Max. Net Floor Area for Secondary Suites” under the “Min. Setback between Principal Buildings” row and adding “90m²” to the “Max. Net Floor Area for Secondary Suites” row under “AREA I Village Centre”, under “AREA II Winery and Resort Accommodation”, under “AREA III Hillside Resort Accommodation”, and under “AREA IV Waterfront Resort Accommodations”;
42. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.5 – CD18 Development Regulations** be amended by inserting a row for “Min. Common and Private Amenity Space for any Apartment Housing, Stacked Townhouses, or Townhouses” under the “Min. Setback from the CD Zone boundary” row and adding the following to the “Min. Common and Private Amenity Space for any Apartment Housing, Stacked Townhouses, or Townhouses” row under “AREA I Village Centre”, “AREA II Winery and Resort Accommodation”, “AREA III Hillside Resort Accommodation”, and “AREA IV Waterfront Resort Accommodations”:
- 7.5 m² per bachelor dwelling unit
 15.0 m² per 1-bedroom dwelling unit
 25 m² per dwelling unit with more than 1- bedroom⁶”;

43. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.5 – CD18 Development Regulations** be amended by adding “and Area IV” after “Signage for Area III”;
44. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.5.3 – CD20 Permitted Land Uses** be amended by deleting “Recycled Materials Drop-Off Centre” and replacing it with “Recycling Drop-Offs”;
45. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.7.3 – CD26 Permitted Land Uses** be amended by deleting “Recycled Materials Drop-Off Centre” and replacing it with “Recycling Drop-Offs”;
46. AND FURTHER THAT **Section 15 – Comprehensive Development Zones, Section 15.7.5 – CD26 Development Regulations** be amended by deleting “to the accessible open space identified in 1.11 (h)” after “(b) in addition”;
47. 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

SCHEDULE A

Section 13.3 - Permitted Land Uses			
<u>Uses</u>	Zones (<u>'P'</u> Principal Use, <u>'S'</u> Secondary Use, '-' Not Permitted)		
	MF1	MF2	MF3
<u>Accessory Buildings or Structures</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Agriculture, Urban</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Apartment Housing</u>	-	-	<u>P</u>
<u>Child Care Centre, Major</u>	<u>S</u>	<u>S</u>	<u>S</u> ^{.7}
<u>Child Care Centre, Minor</u>	<u>S</u>	<u>S</u>	<u>S</u> ^{.7}
<u>Cultural and Recreation Services</u>	-	-	<u>S</u> ^{.2}
<u>Duplex Housing</u>	<u>P</u>	<u>P</u>	-
<u>Emergency and Protective Services</u>	-	-	<u>P</u> ^{.8}
<u>Food Primary Establishment</u>	-	-	<u>S</u> ^{.2}
<u>Group Home</u>	<u>P</u> ^{.1}	<u>P</u> ^{.1}	- ^{.8}
<u>Health Services</u>	-	-	<u>S</u> ^{.2}
<u>Home-Based Business, Major</u>	<u>S</u> ^{.5}	<u>S</u> ^{.6}	<u>S</u> ^{.6}
<u>Home-Based Business, Minor</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Professional Services</u>	-	-	<u>S</u> ^{.2}
<u>Participant Recreation Services, Indoor</u>	-	-	<u>S</u>
<u>Personal Service Establishments</u>	-	-	<u>S</u> ^{.2}
<u>Retail</u>	-	-	<u>S</u> ^{.2}
<u>Secondary Suite</u>	<u>S</u> ^{.3}	-	- ^{.3}
<u>Semi-Detached Housing</u>	<u>P</u>	<u>P</u>	-
<u>Short-Term Rental Accommodations</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Single Detached Housing</u>	<u>P</u>	<u>P</u>	- ^{.3}
<u>Stacked Townhouses</u>	-	<u>P</u>	<u>P</u> ^{.4}
<u>Townhouses</u>	<u>P</u>	<u>P</u>	<u>P</u> ^{.4}

Section 13.3 - Permitted Land Uses

<u>Uses</u>	Zones (‘P’ <u>Principal Use</u> , ‘S’ <u>Secondary Use</u> , ‘-’ Not Permitted)		
	MF1	MF2	MF3
<p>FOOTNOTES (Section 13.3):</p> <p>¹ <u>Group homes</u> are only permitted within a <u>single detached housing</u>, <u>semi-detached housing</u>, or a <u>duplex housing</u> form.</p> <p>² These <u>land uses</u> are only permitted on <u>transit supportive corridors</u> and these <u>land uses</u> are not permitted above the first <u>storey</u>. Except, <u>Health Services</u> is permitted as a <u>principal use</u> without any floor area or storey restriction when the <u>lot</u> exists within the C-HTH – Core Area – Health District <u>OCP</u> future land use designation.</p> <p>³ <u>Secondary suites</u> are only permitted within <u>single detached housing</u> and a maximum of one <u>secondary suite</u> is permitted per <u>lot</u>. <u>Single detached housing</u> are permitted as a <u>principal use</u> and <u>secondary suites</u> are permitted as <u>secondary use</u> only when the <u>lot</u> exists within the C-HTH – Core Area – Health District <u>OCP</u> future land use designation.</p> <p>⁴ <u>Townhouses</u> and/or <u>stacked townhouses</u> are only permitted if the majority of the residential <u>dwelling units</u> are in the form of <u>apartment housing</u>.</p> <p>⁵ <u>Home-based business, major</u> is only permitted when the <u>lot</u> has two (2) or less principal <u>dwelling units</u>.</p> <p>⁶ <u>Home-based business, major</u> is only permitted within <u>ground-oriented dwelling units</u> fronting <u>transit supportive corridors</u>, <u>ground-oriented dwelling units</u> within <u>urban centres</u>, or <u>ground-oriented dwelling units</u> within <u>village centres</u>.</p> <p>⁷ <u>Child care centre, major</u> and <u>child care centre, minor</u> is permitted as a <u>principal use</u> when the <u>lot</u> exists within the C-HTH – Core Area – Health District <u>OCP</u> future land use designation.</p> <p>⁸ <u>Emergency and protective services</u> and <u>group homes</u> are permitted as a <u>principal use</u> only when the <u>lot</u> exists within the C-HTH – Core Area – Health District <u>OCP</u> future land use designation.</p>			

SCHEDULE B

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% ^{.10}	55%	65%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	75% ^{.10}	80%	85%
Min. Front Yard and Flanking Side Yard Setback for all portions of a building that are not Ground-Oriented including Accessory Buildings / Structures	4.0 m ^{.5}	3.0 m ^{.5}	4.5 m ^{.5}
Min. Front Yard and Flanking Side Yard Setback for Ground-Oriented, Residential	4.0 m ^{.5}	3.0 m ^{.3, .5}	3.0 m ^{.3, .5}
Min. Front Yard and Flanking Side Yard Setback for Ground-Oriented, Commercial	n/a	n/a	2.0 m
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

Section 13.5 – Development Regulations

m = metres / m² = square metres

		Zones		
		MF1	MF2	MF3
Min. Dwelling Unit Width		n/a	7.5 m ^{.11}	n/a
Min. Common and Private Amenity Space	For Developments with 1 to 10 Dwelling Units	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 ^{.8, .9}
	For Developments with 11 to 20 Dwelling Units		6.0 m ² per bachelor dwelling unit 10.0 m ² per 1-bedroom dwelling unit 15 m ² per dwelling unit with more than 1-bedroom ^{.8, .9}	
	For Developments with greater than 20 Dwelling Units		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.		

FOOTNOTES (Section 13.5):

- ^{.1} For lots 17.0 m or wider, the minimum side yard setback is increased to 2.1 m.
- ^{.2} Side yards are not required for semi-detached housing or townhouses on a lot line that has a party wall agreement
- ^{.3} The minimum setback for ground-oriented residential units can be reduced to 2.0 metres if both criteria are met:
 - a) The maximum height of the first storey floor 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 Figure 5.12.
 - b) The minimum net floor area for ground-oriented residential units on the first floor is 11 m². See example diagram Figure 5.13.
- ^{.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.

Section 13.5 – Development Regulations

m = metres / m² = square metres

	Zones		
	MF1	MF2	MF3
<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 stepback 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> <p>^{.10} In the MF1 zone, the garage footprint area shall not be considered building site coverage but does count towards the overall impermeable surface maximum site coverage.</p> <p>^{.11} There is no requirement for minimum dwelling unit width for lots that are within 400 metres of a Transit Supportive Corridor.</p>			

SCHEDULE C

Section 13.6 –Density and Height Development Regulations				
m = metres / m ² = square metres / FAR = floor area ratio / GFA = gross floor area				
		Zones		
		MF1	MF2	MF3
Min. Density for Lots fronting onto a Transit Supportive Corridor		n/a	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	1.0 FAR See Underground Parking Base FAR Adjustments ^{.6}	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 ^{.6}
Max. Bonus Density for Public Amenity & Streetscape Bonus		n/a	An additional 0.15 FAR ^{.3}	An additional 0.25 FAR ^{.3}
Max. Bonus Density for Rental or Affordable Housing Bonus		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 or Flanking 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}

FOOTNOTES (Section 13.6):

^{.1} The base height is 18.0 m & 4 storeys except the maximum height may be increased to 22.0 m / 6 storeys if:

- 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.

^{.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.

^{.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.

^{.4} The increase in height to 44.0 m and 12 storeys only applies in situations where:

Section 13.6 –Density and Height Development Regulations

m = metres / m² = square metres / FAR = floor area ratio / GFA = gross floor area

	Zones		
	MF1	MF2	MF3
(a) lots are fronting a Provincial Highway; and			
(b) lots are within 400 m of a transit stop and that transit stop must be located fronting onto a Provincial Highway or a major arterial road; and			
(c) the abutting lots cannot be zoned A1, A2, RR1, RR2, RU1, RU2, RU3, RU4, or RU5; and			
(d) lots are within the Core Area Neighbourhood Future Land Use Designations as outlined in the OCP.			
(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} 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.			

SCHEDULE D

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.

SCHEDULE E

Section 14.8 – Core Area and Other Sub-Zones Categories		
Category	Zones and Sub-Zones	Sub-Zone Purposes
Commercial, Core Area, and Village Centres	C1 – Local & Neighbourhood Commercial	
	<ul style="list-style-type: none"> • rcs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	C2 – Vehicle Oriented Commercial	
	<ul style="list-style-type: none"> • dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> • rcs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	CA1 – Core Area Mixed Use	
	<ul style="list-style-type: none"> • dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> • r – 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.
	<ul style="list-style-type: none"> • rcs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	VC1 – Village Centre	
	<ul style="list-style-type: none"> • dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> • fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.
<ul style="list-style-type: none"> • r – 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.	
<ul style="list-style-type: none"> • rcs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.	
Urban Centre	UC1 – Downtown Urban Centre	
	<ul style="list-style-type: none"> • a – Arena 	The purpose is to provide a sub-zone that creates custom density and height regulations for lots surrounding the arena.
	<ul style="list-style-type: none"> • dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> • fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.

Section 14.8 – Core Area and Other Sub-Zones Categories

Category	Zones and Sub-Zones	Sub-Zone Purposes
	<ul style="list-style-type: none"> • gg – Gaming and Gambling 	The purpose is to provide a sub-zone that allows Gaming and Gambling on selective lots.
	<ul style="list-style-type: none"> • r – 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.
	<ul style="list-style-type: none"> • rcs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	UC2 – Capri-Landmark Urban Centre	
	<ul style="list-style-type: none"> • dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> • fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.
	<ul style="list-style-type: none"> • gg – Gaming and Gambling 	The purpose is to provide a sub-zone that allows Gaming and Gambling on selective lots.
	<ul style="list-style-type: none"> • r – 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.
	<ul style="list-style-type: none"> • rcs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	UC3 – Midtown Urban Centre	
	<ul style="list-style-type: none"> • dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> • fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.
	<ul style="list-style-type: none"> • r – 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.
	<ul style="list-style-type: none"> • rcs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	UC4 – Rutland Urban Centre	
	<ul style="list-style-type: none"> • dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> • fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.
	<ul style="list-style-type: none"> • r – 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.
	<ul style="list-style-type: none"> • rcs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.

Section 14.8 – Core Area and Other Sub-Zones Categories		
Category	Zones and Sub-Zones	Sub-Zone Purposes
	UC5 – Pandosy Urban Centre	
	<ul style="list-style-type: none"> dt – Drive Through 	The purpose is to provide a sub-zone that allows Drive Throughs on selective lots.
	<ul style="list-style-type: none"> fg – Fueling and Gas Stations 	The purpose is to provide a sub-zone that allows Gas Bars within Urban Centres or Village Centres on selective lots.
	<ul style="list-style-type: none"> r – 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.
	<ul style="list-style-type: none"> rCs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
Industrial	I1 – Business Industrial	
	<ul style="list-style-type: none"> rCs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	I2 – General Industrial	
	<ul style="list-style-type: none"> rCs – Retail Cannabis Sales 	The purpose is to provide a sub-zone that allows Retail Cannabis Sales on selective lots.
	I3 – Heavy Industrial	n/a
	I4 – Natural Resource Extraction	n/a
Institutional	P1 – Major Institutional	n/a
	P2 – Education and Minor Institutional	n/a
	P3 – Parks and Open Space	n/a
	P4 – Utilities	n/a
	P5 – Municipal District Park	n/a
Health District	HD1 – Kelowna General Hospital	n/a
Water	W1 – Recreational Water Use	n/a
	W2 – Intensive Water Use	n/a

SCHEDULE F

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 for all portions of a building that are not Ground-Oriented	2.0 m .12	2.0 m .12	4.5 m .12	3.0 m .12	0.0 m ^{.2} ,.12	3.0 m ^{.2} ,.12	3.0 m ^{.2} ,.12	3.0 m ^{.2} ,.12	3.0 m ^{.2} ,.12
Min. Front Yard and Flanking Side Yard Setback for Ground-Oriented, Residential	2.0 m .12	2.0 m .12	3.0 m .1, .12	3.0 m .1, .12	0.0 m .12	3.0 m ^{.1} ,.12	3.0 m ^{.1} ,.12	3.0 m ^{.1} ,.12	3.0 m ^{.1} ,.12
Min. Front Yard and Flanking Side Yard Setback for Ground-Oriented, Commercial	2.0 m .12	2.0 m .12	2.0 m .12	2.0 m .12	0.0 m ^{.2} ,.12	2.0 m ^{.2} ,.12	2.0 m ^{.2} ,.12	2.0 m ^{.2} ,.12	2.0 m ^{.2} ,.12
Min. Building Stepback from Front	n/a	n/a	3.0 m .14	3.0 m .14	n/a	n/a	n/a	n/a	n/a

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
Yard and Flanking Side Yard									
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	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}				6.0 m ² per bachelor dwelling unit 10.0 m ² per 1-bedroom dwelling unit 15 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.								
Upper Floor Setbacks	For any portion of a building abutting a street a 3.0 m setback is required for any portion of the building above the lesser of 16 m or four storeys.								
Corner Lots	For any building greater than 18.0 m or 4.5 storeys and located on a corner lot, there shall be a triangular setback 4.5 m in length along the lot lines that meet at each corner of an intersection. This setback will only be required at the first storey. See Visual Example of Corner Lot Setbacks.								
Urban Plazas	Any site within an urban centre larger than 1 acre with a building length larger than 100 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. 								

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
	<ul style="list-style-type: none"> 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).								

FOOTNOTES (Section 14.11):

- ^{.1} The minimum setback for **ground-oriented, residential** units can be reduced to 2.0 metres if both criteria are met:
 - a) The maximum **height** of the first storey floor 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 Figure 5.12**.
 - b) The minimum **net floor area** for **ground-oriented, residential** units on the first floor is 11 m². See **Example Diagram Figure 5.13**.
- ^{.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. The minimum setback can be reduced from 3.0 m to 0.0 m for any portion of a building below 16.0 m in height if the ground floor setback is maintained (measured from back-of-curb or edge of road pavement in situations without curb to building face) of at least a 6.0 m in the UC₂, UC₃, & UC₄ zones and 4.5 m in the UC₅ zone.
- ^{.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 the rear setback is: 3.0 m when **abutting** a 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,

Section 14.11 – Commercial and Urban Centre Zone Development Regulations

m = metres / m² = square metres

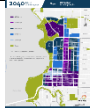
Criteria	Zones								
	C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5
<p>4.10). All high streets, retail streets, and mixed streets are maximum of 100%. All mixed-residential, residential streets and all other street types are maximum of 90%.</p> <p>.10 The maximum height is measured from the grade at the sidewalk directly from a fronting publicly accessible street, walkway, open space or applicable lot line. See Visual Example of Max Floor Height for Residential Ground-Oriented Housing.</p> <p>.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 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>									

SCHEDULE G

Section 14.13 – Health District Development Regulations m = metres / m ² = square metres	
Criteria	Zones
	HD1
Max. Site Coverage of all Buildings	100%
Max. Site Coverage of all Buildings, Structures, & Impermeable Surfaces (%)	n/a
Max. Density & Max. Height	See Section 14.14 for Density and Height Regulations
Min. Front Yard & Flanking Side Yard Setback	Road Specific ^{.1}
Min. Side Yard Setback	Road Specific ^{.1}
Min. Rear Yard Setback	Road Specific ^{.1}
FOOTNOTES (Section 14.13): ^{.1} The minimum setbacks are from specific streets: 6.0 m from Pandosy Street, 6.0 m from Royal Avenue for buildings up to 10.0 m in height, 9.0 m from Royal Avenue for buildings greater than 10.0 m, 9.0 m from Abbott Street, and 4.5 m on Christleton Laneway.	

SCHEDULE H

Section 14.14 – Density and Height					
FAR = floor area ratio / GFA = gross floor area / 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 & 22.0 m for any lot size fronting a Transit Supportive Corridor ^{.4}</p>	<p>3 additional storeys & 12.0 m ^{.2, .3}</p> <p>or</p> <p>6 additional storeys & 22.0 m ^{.3, .6}</p>
VC1	<p>Cook Truswell Village Centre = 1.5 FAR ^{.9}</p> <p>Lakeshore Village Centre = 1.5 FAR except 1.8 FAR when lot is fronting a Transit Supportive Corridor ^{.9}</p> <p>Glenmore Village Centre = 1.8 FAR ^{.9}</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 & 22.0 m</p> <p>Lakeshore Village Centre = 4 storeys & 18.0 m except 6 storeys & 22.0 m when lot is fronting a Transit Supportive Corridor</p> <p>Glenmore Village Centre = 6 storeys & 22.0 m</p>	No additional height


Section 14.14 – Density and Height					
FAR = floor area ratio / GFA = gross floor area / 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
	<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>			<p>Guisachan Village Centre = 4 storeys & 18.0 m except 6 storeys & 22.0 m when lot is fronting a Transit Supportive Corridor</p> <p>University Village Centre = 4 storeys & 18.0 m</p> <p>Black Mountain Village Centre = 6 storeys & 22.0 m</p> <p>The Ponds Village Centre = 4 storeys & 18.0 m</p>	
	<p>The areas are identified in Map 4.1 within the OCP (UC1 Downtown)</p> 				
UC1 (Downtown)	<p>For areas identified as PARK = 0.5 FAR ^{.9}</p> <p>For UC1a – Arena properties = 5.0 FAR ^{.9}</p> <p>For areas identified as 3 storeys = 1.5 FAR ^{.9}</p> <p>For areas identified as 6 storeys = 1.8 FAR ^{.9}</p> <p>For areas identified as 12 storeys = 3.3 FAR ^{.9}</p> <p>For areas identified as 20 storeys = 5.9 FAR ^{.9}</p> <p>For areas identified as 26 storeys and up = 7.2 FAR ^{.9}</p>	<p>For areas identified as PARK = no bonus ^{.3}</p> <p>For UC1a – Arena properties = no bonus ^{.3}</p> <p>For areas identified as 3 storeys = no bonus ^{.3}</p> <p>For areas identified as 6 storeys = 0.25 additional FAR ^{.3}</p> <p>For areas identified as 12 storeys = 0.5 additional FAR ^{.3}</p> <p>For areas identified as 20 storeys = 0.75 additional FAR ^{.3}</p>	<p>An additional 0.3 FAR for rental only projects or affordable housing ^{.3}</p> <p>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}</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For UC1a – Arena properties = 12 storeys & 44.0 m</p> <p>For areas identified as 3 storeys = 3 storeys & 12.0 m</p> <p>For areas identified as 6 storeys = 6 storeys & 22.0 m</p> <p>For areas identified as 12 storeys = 12 storeys & 44.0 m</p> <p>For areas identified as 20 storeys = 20 storeys & 73.0 m</p> <p>For areas identified as 26 storeys and up = 26 storeys & 95.0 m</p>	<p>For areas identified as PARK = No additional height</p> <p>For UC1a – Arena properties = No additional height</p> <p>For areas identified as 3 storeys = No additional height</p> <p>For areas identified as 6 storeys = No additional height</p> <p>For areas identified as 12 storeys = 3 additional storeys & 12.0 m ^{.3}</p>

Section 14.14 – Density and Height

FAR = floor area ratio / GFA = gross floor area / 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
	See Underground Parking Base FAR Adjustments ^{.12}	For areas identified as 26 storeys = 1.5 additional FAR ^{.3}			For areas identified as 20 storeys = 5 additional storeys & 19.0 m ^{.3} For areas identified as 26 storeys = 14 additional storeys & 52.0 m ^{.3}
	The areas are identified in Map 4.3 within the OCP (UC2 (Capri / Landmark))				
UC2 (Capri / Landmark)	<p>For areas identified as PARK = 0.5 FAR ^{.9}</p> <p>For areas identified as 3 storeys = 1.5 FAR ^{.9}</p> <p>For areas identified as 4 storeys = 1.5 FAR ^{.9}</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = 1.8 FAR ^{.9}</p> <p>For areas identified as 12 storeys = 3.3 FAR ^{.9}</p> <p>For areas identified as 18 storeys = 4.9 FAR ^{.9}</p> <p>For areas identified as 26 storeys = See CD26 Zone for details</p> <p>See Underground Parking Base FAR Adjustments ^{.12}</p>	<p>For areas identified as PARK = no bonus</p> <p>For areas identified as 3 storeys = no bonus ^{.3}</p> <p>For areas identified as 4 storeys = no bonus ^{.3}</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = 0.25 additional FAR ^{.3}</p> <p>For areas identified as 12 storeys = 0.5 additional FAR ^{.3}</p> <p>For areas identified as 18 storeys = 0.7 additional FAR ^{.3}</p> <p>For areas identified as 26 storeys = no bonus ^{.3}</p>	<p>An additional 0.3 FAR for rental only projects or affordable housing ^{.3}</p> <p>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}</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For areas identified as 3 storeys = 3 storeys & 12.0 m</p> <p>For areas identified as 4 storeys = 4 storeys & 18.0 m</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = 6 storeys & 22.0 m</p> <p>For areas identified as 12 storeys = 12 storeys & 44.0 m</p> <p>For areas identified as 18 storeys = 18 storeys & 66.0 m</p> <p>For areas identified as 26 storeys = See CD26 Zone for details</p>	<p>For areas identified as PARK = No additional height</p> <p>For areas identified as 3 storeys = No additional height</p> <p>For areas identified as 4 storeys = No additional height</p> <p>For areas identified as 6 storeys & UC2gg zoned lots = No additional height</p> <p>For areas identified as 12 storeys = 3 additional storeys & 12.0 m ^{.3}</p> <p>For areas identified as 18 storeys = 4 additional storeys & 16.0 m ^{.3}</p>



Section 14.14 – Density and Height					
FAR = floor area ratio / GFA = gross floor area / 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 26 storeys = No bonus ^{.3}
UC3 (Midtown)	The areas are identified in Map 4.9 within the OCP (UC3 Midtown) 				
	<p>For areas identified as PARK = 0.5 FAR ^{.9}</p> <p>For areas identified as 6 storeys = 1.8 FAR ^{.9}</p> <p>For areas identified as 12 storeys = 3.3 FAR ^{.9}</p> <p>For areas identified as 18 storeys = 4.9 FAR ^{.9}</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels</p> <p>See Underground Parking Base FAR Adjustments ^{.12}</p>	<p>For areas identified as PARK = no bonus ^{.3}</p> <p>For areas identified as 6 storeys = 0.25 additional FAR ^{.3}</p> <p>For areas identified as 12 storeys = 0.5 additional FAR ^{.3}</p> <p>For areas identified as 18 storeys = 0.5 additional FAR ^{.3}</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels ^{.11}</p>	<p>An additional 0.3 FAR for rental only projects or affordable housing ^{.3}</p> <p>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}</p>	<p>For areas identified as PARK = 2 storeys</p> <p>For areas identified as 6 storeys = 6 storeys & 22.0 m</p> <p>For areas identified as 12 storeys = 12 storeys & 44.0 m</p> <p>For areas identified as 18 storeys = 18 storeys & 66.0 m</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels</p>	<p>For areas identified as PARK = No additional height</p> <p>For Areas identified as 6 storeys = No additional height</p> <p>For areas identified as 12 storeys = 3 additional storeys & 12.0 m ^{.3}</p> <p>For areas identified as 18 storeys = 4 additional storeys & 16.0 m ^{.3}</p> <p>For site specific areas = See Section 14.15 Site Specific Parcels ^{.11}</p>

Section 14.14 – Density and Height

FAR = floor area ratio / GFA = gross floor area / 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
UC4 (Rutland)	The areas are identified in Map 4.7 within the OCP (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 For areas identified as 4 storeys = 4 storeys & 18.0 m For areas identified as 6 storeys = 6 storeys & 22.0 m For areas identified as 12 storeys = 12 storeys & 44.0 m	For areas identified as PARK = No additional height For areas identified as 4 storeys = 2 additional storeys & 8.0 m ^{.3} For areas identified as 6 storeys = 3 additional storeys & 12.0 m ^{.3} For areas identified as 12 storeys = 3 additional storeys & 12.0 m ^{.3}
UC5 (Pandosa)	The areas are identified in Map 4.5 within the OCP (UC5 Pandosa) 				
	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 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}	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 & 12.0 m For areas identified as 4 storeys = 4 storeys & 18.0 m For areas identified as 6 storeys = 6 storeys & 22.0 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

Section 14.14 – Density and Height

FAR = floor area ratio / GFA = gross floor area / 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
	For areas identified as 14 storeys = 3.9 FAR ^{.9} See Underground Parking Base FAR Adjustments ^{.12}	For areas identified as 8 storeys = 0.3 additional FAR ^{.3} For areas identified as 14 storeys = 0.5 additional FAR ^{.3}		For areas identified as 8 storeys = 8 storeys & 31.0 m For areas identified as 14 storeys = 14 storeys & 52.0 m	additional storeys & 8.0 m ^{.3} For areas identified as 8 storeys = 3 additional storeys & 12.0 m ^{.3} For areas identified as 14 storeys = No additional height
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	36.5 m	No additional height
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

Section 14.14 – Density and Height

FAR = floor area ratio / GFA = gross floor area / 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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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](#) & 12.0 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 may apply if payment is made as per [Section 6.8.2 Density Bonus](#). The Rental or Affordable Housing bonus density 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](#) & 39.0 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](#).
- ^{.6} The maximum [height](#) of 6 additional [storeys](#) & 22.0 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 have a 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](#).

SCHEDULE I

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 18.0 m.
2.	Lot B Section 30 Township 26 ODYD Plan EPP83554	810 Clement Ave, Kelowna, BC	To permit: <ul style="list-style-type: none"> • Offices • Retail • Personal Service Establishment • Education Services as permitted Secondary Uses in addition to those land uses permitted in Section 14.9
3.	Lot B Section 30 Township 26 ODYD Plan EPP83554	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 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 (Aqua Project)	To permit: <ul style="list-style-type: none"> • A maximum permitted height of 15 storeys and 50.0 m. • short-term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9.
6.	Lot 1, District Lot 134, Plan EPP 41204	3773-3795 Lakeshore Rd	The maximum permitted height is 18 storeys and 60.0 m.

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 • Child Care Centre, Major as a permitted principal Use in addition to those land uses permitted in Section 14.9
8.	Lot CP (Strata Unit 101-652) Plan KAS2503	1088 Sunset Dr	To permit 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.
	Lot CP (Strata Unit 101-2003) Plan KAS2849	1128 Sunset Dr	
	Lot CP (Strata Unit PH1, PH2, PH3, PH4, & 101-2604) Plan KAS3589	1075 Sunset Dr	
	Lot CP (Strata Unit 101-420) Plan KAS3589	1083 Sunset Dr	
	Lot CP (Strata Unit 101-418) Plan KAS3589	1089 Sunset Dr	
	Lot CP (Strata Unit 101-415) Plan KAS3589	1093 Sunset Dr	
	Lot CP (Strata Unit 121-441) Plan KAS3589	1099 Sunset Dr	
	Lot CP Plan KAS3589	1123, 1129, 1133, & 1139 Sunset Dr	
9.	Strata Plan of Lot 1, District Lot 134, ODYD, Plan KAP77419	648-654 Cook Rd	To permit short-term rental accommodation as a principal use in addition to those land uses permitted in Section 14.9 .
10.	Lot A Section 26 Township 26 ODYD Plan EPP117920	155-179 Rutland Rd N	To permit a maximum floor area ratio of 2.35 and a maximum height of 8 storeys and 32.0 m.
11.	Lot A District Lot 9 ODYD Plan 39328	945 Guy Street	To permit a residential sales centre as a principal use in addition to those land uses permitted in Section 14.9 .

Section 14.15 - Site Specific Regulations

Uses and regulations apply on a site-specific basis as follows:

	Legal Description	Civic Address	Regulation
12.	Lot 1, District Lot 127, Land District 41, Plan KAP31861	2061 Harvey Ave	<p>See Map 14.15.1 to visual identify affected parcels.</p> <p>The maximum FAR is 1.5</p> <p>The maximum permitted height is 4 storeys and 15.0 m, except for Apartment Housing and Hotels the maximum permitted height is 12 storeys and 37.0 m.</p>
	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	

REPORT TO COUNCIL



Date: March 20, 2023
To: Council
From: City Manager
Department: Development Planning
Application: TA23-0002
Address: n/a
Subject: Text Amendment Application (3 of 3)
Owner: City of Kelowna
Applicant: City of Kelowna

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA23-0002 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule 'A' be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw No. 12475 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.

2.0 Purpose

The purpose of the text amendment (Part 3 of 3) application package is to follow up on the adoption of the new Zoning Bylaw No. 12375 with a series of amendments that improves and corrects the spelling and grammar content within the new Zoning Bylaw.

3.0 Development Planning - Background

Following the adoption of Zoning Bylaw No. 12375, a planned set of amendments was identified to bring forward to Council as outlined within the Bylaw Transition Plan. The Bylaw Transition Plan was outlined and approved by Council at initial consideration and subsequent readings of Zoning Bylaw No. 12375. The volume of amendments has been divided into five council reports:

Two Mapping Amendment Reports:

1. Rural and Single-Family zoned parcels; &
2. Multi-Family, Commercial, Industrial, and Institutional zoned parcels;

Three Text Amendment Reports:

1. First half of content updates within the Zoning Bylaw;
2. Second half of content updates within the Zoning Bylaw; &
3. Updates to the spelling and grammar.

During the Zoning Bylaw No. 12375 transition and implementation period, the development industry and staff began utilizing and applying the new Zoning Bylaw in detail. A series of recommended improvements to the new Zoning Bylaw were identified during this period. Staff have compiled and included these improvements in a series of proposed amendments that make up a comprehensive amendment package, which is presented in three separate reports for Council consideration. Part 1 of 3 and Part 2 of 3 both have content changes for Council to consider. Part 3 of 3 focuses on spelling and grammar improvements to the Zoning Bylaw.

4.0 Development Planning - Proposed Content Changes (Part 3 of 3)

In this report (Part 3 of 3), a number of recommended spelling and grammar changes are proposed to the Zoning Bylaw. For a detailed list of changes and the reasons for recommending these changes please see the attached Schedule 'A'.

Report prepared by: Adam Cseke, Planner Specialist
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:

Schedule 'A': Proposed Text Amendments Part 3 of 3 to Zoning Bylaw No. 12375

TA23-0002 Schedule A – Proposed Text Amendments Part 3 of 3

Spelling and Grammar Changes to Zoning Bylaw No. 12375

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 1.3.3 (f) – Uses and Regulations	(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;	(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 <u>License</u> - <u>Licence</u> & Regulation Bylaw No. 7878 and an Outdoor Event Permit issued pursuant to Outdoor Events Bylaw No. 8358;	Update wording to correct spelling and grammar.
2.	Section 5 – Definitions and Interpretations - Section “D”	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.	DRIVE THROUGH means any commercial development providing a product or service where a queuing lane exists on_ <u>s</u> ite where customers typically remain within the vehicle. Drive through must meet the development regulations and siting regulations outlined in Section 9.4.	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
3.	Section 5 – Definitions and Interpretations – Section “H”	Home Based Businesses are divided into three categories: Minor, Major, and Rural:	Home-Based Businesses are divided into three categories: Minor, Major, and Rural:	Update wording to correct spelling and grammar.
4.	Section 5 – Definitions and Interpretations – Section “R”	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 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.	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
5.	Section 5 – Definitions and Interpretations – Section “V”	<p>VISUAL EXAMPLE OF MIN NET FLOOR AREA ON FIRST FLOOR FOR REDUCED GROUND-ORIENTED HOUSING SETBACK (Figure 2.13) means the following figure</p>	<p>VISUAL EXAMPLE OF MIN NET FLOOR AREA ON FIRST FLOOR FOR REDUCED <u>RESIDENTIAL</u> GROUND-ORIENTED HOUSING SETBACK (Figure 2.13) means the following figure</p>	
6.	Section 5 – Definitions and Interpretations – Section “W”	<p>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 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</p>	<p>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 on-site. However, indoor display, office, technical, administrative support, e-commerce pickup locations, or retail sale operations can occur but shall 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</p>	

No.	Section	Current Wording	Proposed Wording	Reason for Change
		<p>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.</p>	<p>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.</p>	
7.	Section 6.10 - Dormers	<p>All dormers must follow the following:</p> <p>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).</p> <p>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).</p> <p>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).</p> <p>d) the dormer's maximum width is 50% of the width of the roof on which the dormer is located (see</p>	<p><u>6.10.1</u> All dormers must follow have the following:</p> <p>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).</p> <p>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).</p> <p>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).</p> <p>d) the dormer's maximum width is 50% of the width of the roof on which the dormer is located (see</p>	<p>Update to numbering for consistency and change of wording for clarity.</p>

No.	Section	Current Wording	Proposed Wording	Reason for Change
		Figure 6.10(b) for illustrated example)	Figure 6.10(b) for illustrated example)	
8.	Section 6.2.1 – Projections Into Yards	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	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 <u>be comprised of</u> 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	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		projections shall be closer than 1.5 metres apart.	projections shall be closer than 1.5 metres apart.	
9.	FOOTNOTES Table 6.8.a Density Bonus ⁻¹	FOOTNOTES (Section 6.8.a):	FOOTNOTES (Section <u>Table</u> 6.8.a):	Update to punctuation.
10.	Section 7.2.2(b) – Landscaping Standards	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.	the landscape maintenance requirements shall address/provide for the following items <u>regrading</u> lawns and grass areas: watering, fertilizing, liming, mowing, trimming, edging, aeration and repairs (regarding <u>regrading</u> , reseeding or resodding) as well as weed, insect, and disease control.	Update wording to correct spelling and grammar.
11.	Section 7.2.5 – Landscaping Standards	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	Notwithstanding any other provisions in this Bylaw, where Riparian Management <u>Areas</u> 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 <u>Areas</u> along Okanagan Lake, land is	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		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.	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.	
12.	Section 7.2.8(b)	landscape areas specifically designed as xeriscape or drought resistant natural species plantings; however, temporary irrigation may be required; and	landscape areas specifically designed as xeriscape or drought resistant natural species plantings; however, temporary irrigation may be required; and .	Update to punctuation.
13.	Section 7.3.1(d) – Refuse and Recycling Bins	(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.	(d) all refuse or recycling bins shall be setback a minimum of 3.0 metres from any lot <u>line</u> abutting a rural residential, single & two dwelling, or multi-dwelling zone.	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
14.	Section 7.5.1. & 7.5.2 – Fencing and Retaining Walls	<p>Screen fences shall be consistent with the quality of building design and materials of the principal building.</p> <p>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.</p>	<p>Screening fences shall be consistent with the quality of building design and materials of the principal building.</p> <p>Screening fences shall be opaque double-sided construction. Where screening fences are allowed or required by this Bylaw, they shall be of an opaque or a combination of opaque and lattice design</p>	Update wording to correct spelling and grammar.
15.	Section 7.5.3 (a) – Fencing and Retaining Walls	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.	2.0 metres in rural residential zoned properties except, z where abutting an agricultural, industrial, or commercial zone, then the maximum height shall be 2.4 metres.	Update to punctuation.
16.	Section 7.5.3 (c) – Fencing and Retaining Walls	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.	2.0 metres in single & two dwelling, multi-dwelling, village centre, or urban centre zoned lots except, z that it shall not exceed 1.2 metres in height within the minimum front yard or flanking yard setbacks.	Update to punctuation.
17.	Section 8.1.4(d) General Provisions and Development Standards	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	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	Update to punctuation.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		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;	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;.	
18.	FOOTNOTES Table 8.2.7.b Ratio of Parking Space Sizes	FOOTNOTES (Section 8.2.7):	FOOTNOTES ((Section Table 8.2.7.b):	Update to punctuation.
19.	Section 8.2.11 (a) Rental Housing Incentives	(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%	(a) Rental Housing Incentives: i. If a development rezones to a sub -rental <u>sub</u> -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%	Update to structure for consistency. Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		reduction to the parking requirement (both base and visitor) can be applied if the development is located outside an urban centre	reduction to the parking requirement (both base and visitor) can be applied if the development is located outside an urban centre.	
20.	Section 8.2.11 (b) Car-Share Incentives	(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 carshare spaces are counted to the overall parking count) subject to the following regulations: <ul style="list-style-type: none"> • 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 	(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 carshare spaces are counted to the overall parking count) subject to the following regulations: <ul style="list-style-type: none"> • 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 	Update to structure for consistency. Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		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.	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.	
21.	Section 8.2.17 Accessible Parking Standards	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:	The minimum accessible parking shall be provided as a function of the total number of parking space provided on-site as described in Table 8.2.17 and illustrated in Figure 8.2.17:	Update wording to correct spelling and grammar.
22.	Table 8.2.17 Amount of Accessible Parking Spaces	Total Number of Parking Spaces Onsite. Minimum Number of Required Accessible Parking Spaces Minimum Number of Required Van-Accessible Parking Spaces	Total Number of Parking Spaces On-site- Minimum <u>Min.</u> Number of Required Accessible Parking Spaces Minimum <u>Min.</u> Number of Required Van-Accessible Parking Spaces	Update wording to correct spelling and grammar.
23.	Table 8.3 – Required Off-Street Parking Requirements Table 8.3.1 Residential Multi-Dwelling Parking FOOTNOTES	FOOTNOTES (Section 8.3.1.):	FOOTNOTES (Section <u>Table</u> 8.3.1.):	Update wording to correct spelling and grammar.
24.	Table 8.3.7 Water Uses	Table 8.3.7 Water Uses	Table 8.3. 7 <u>6</u> Water Uses	Re-number table for consistency.

No.	Section	Current Wording	Proposed Wording	Reason for Change
25.	Table 8.5.1 Minimum Dimensions for Bicycle Parking	Minimum distance between bicycle racks and wall, entrance door to bicycle storage facility, or another obstacle.	Minimum distance between bicycle racks and wall, entrance door to bicycle storage facility, or another obstacle.	Update wording to correct spelling and grammar.
26.	Section 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.	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.	Update to wording to correct terms.
27.	Section 9.2 – Home Based Business Regulations (Employee Restriction)	No person other than the principal residents of the dwelling unit can be engaged in the home-based business onsite.	No person other than the principal residents of the dwelling unit can be engaged in the home-based business on-site.	Update wording to correct spelling and grammar.
28.	Section 9.2 – Home Based Business Regulations	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.	Sale and/or display of any goods exclusively produced on-site or those goods which constituting <u>constitute</u> the finished product of the home-based business is permitted.	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
29.	Section 9.2 – Home Based Business Regulations	Two clients to the site from which the business is being operated at any given time. ^{..1}	Two clients to the site from which the business is being operated at any given time. ^{..1}	Update to punctuation.
30.	Section 9.2 – Home Based Business Regulations	One person maximum other than the principal residents of the dwelling unit can be engaged in the home-based business onsite. ^{..2}	One person maximum other than the principal residents of the dwelling unit can be engaged in the home-based business on-site. ^{..2}	Update to punctuation.
31.	Section 9.2 – Home Based Business Regulations	Section 9.2 – Home Based Business Regulations	Section <u>Table 9.2</u> – Home-Based Business Regulations	Update to labelling for consistency.
32.	FOOTNOTES Section 9.2 – Home Based Business Regulations	FOOTNOTES (Section 9.2.):	FOOTNOTES (Section-Table <u>9.2</u>):	Update to labelling for consistency.
33.	Section 9.4.1 Drive Through Related Land Uses	For drive through servicing car washes or food services, the queuing space shall be provided as follows:	For drive throughs u servicing car washes or food services, the queuing space shall be provided as follows:	Update wording to correct spelling and grammar.
34.	Section 9.5.12 Dock and Boating Regulations	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	No docks, or 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	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		agencies and be used for boat access purposes only. No commercial and industrial activity or use shall take place thereon.	agencies and be used for boat access purposes only. No commercial and industrial activity or use shall take place thereon.	
35.	Section 9.5.14 Dock and Boating Regulations	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.	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 B boat L aunches and marinas shall provide holding tank pump out facilities and public restroom facilities.	Update to punctuation.
36.	Section 9.6 – Agriculture, Urban Regulations	Section 9.6 – Agriculture, Urban Regulations	Section Table 9.6 – Agriculture, Urban Regulations	Update to labelling for consistency.
37.	Section 9.6 – Agriculture, Urban Regulations (Community Garden Regulations)	Must provide an onsite location for odour-free organic waste disposal or transport organic waste to a suitable disposal facility.	Must provide an on-site location for odour-free organic waste disposal or transport organic waste to a suitable disposal facility.	Update wording to correct spelling and grammar.
38.	Section 9.6 – Agriculture, Urban Regulations (Multi-Residential Shared Garden)	Multi-residential shared garden can occur in any multi-dwelling, village centre, and urban centre	Multi-residential shared garden can occur in any multi-dwelling, village centre, and urban centre	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		<p>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. 	<p>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 on-site location for odour-free organic waste disposal or transport organic waste to a suitable disposal facility. • Can occur in any setback area. 	

No.	Section	Current Wording	Proposed Wording	Reason for Change
39.	Section 9.7.1 (c) Temporary Farm Worker Housing	(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.	(c) the need for temporary farm worker housing on-site 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.	Update wording to correct spelling and grammar.
40.	Section 9.9.1 Cannabis Regulations	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.	A 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.	Update wording to correct spelling and grammar.
41.	Section 9.2 – Home Based Business Regulations Minimum Lot Area, Rural	4,000 metres ²	4,000 metres ²	Update to structure for consistency.
42.	Section 10.3 - Permitted Land Uses	Cannabis Cultivation ¹⁰ Child Care Centre, Major Child Care Centre, Minor Carriage House	Cannabis Cultivation ¹⁰ <u>Carriage House</u> Child Care Centre, Major Child Care Centre, Minor Carriage House	Alphabetize uses.

No.	Section	Current Wording	Proposed Wording	Reason for Change
43.	FOOTNOTES Section 10.3 - Permitted Land Uses	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).	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 <u>al</u> Land Commission Act (and related regulation and policy).	Update wording to correct spelling and grammar.
44.	FOOTNOTES Section 10.5 - Permitted Land Uses	⁵ Other legislation like the Agriculture Land Commission Act (and related regulation and policy) regulate gross floor area and site coverage.	⁵ Other legislation like the Agriculture <u>al</u> Land Commission Act (and related regulation and policy) regulate gross floor area and site coverage.	Update wording to correct spelling and grammar.
45.	Section 10.5 - Permitted Land Uses	Agriculture Facilities, Building, & Structures	Agriculture <u>al</u> Facilities, Building, & Structures	Update wording to correct spelling and grammar.
46.	FOOTNOTES Section 10.5 – A1 Agricultural and Development Regulations	FOOTNOTES (Section 10.5.):	FOOTNOTES (Section 10.5 .) :	Update to punctuation.
47.	FOOTNOTES Table 10.5.2	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	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	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		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.	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.	
48.	Section 10.7 - Site Specific Regulations	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.	The C café 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.	Update wording to correct spelling and grammar.
49.	Section 11.1 - Zone Purposes (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.	The purpose is to provide a zone for duplex and semi-detachment ed housing with compatible secondary uses, on larger serviced urban lots.	Update wording to correct spelling and grammar.
50.	Section 11.1 - Zone Purposes	The purpose is to provide a zone for duplex and semi-detachment housing with compatible secondary uses, on larger serviced urban lots.	The purpose is to provide a zone for duplex and semi-detachment semi-detached housing with compatible secondary uses, on larger serviced urban lots.	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
51.	Section 11.2 – Sub-Zones (RU1, Purpose)	The purpose is to provide a sub-zone is to allow for a carriage houses on selective properties.	The purpose is to provide a sub-zone is to allow for a carriage houses-on selective properties.	Update wording to correct spelling and grammar.
52.	Section 11.2 – Sub-Zones (RU2, Purpose)	The purpose is to provide a sub-zone is to allow for a carriage houses on selective properties.	The purpose is to provide a sub-zone is to allow for a carriage houses-on selective properties.	Update wording to correct spelling and grammar.
53.	Section 11.2 – Sub-Zones (RU4, Sub-Zones)	Change order of sub-zones from: RU4hc - Duplex Housing with Heritage Commercia RU4cc – Duplex Housing with Child Care Centre, Major	Change order of sub-zones to: RU4cc – Duplex Housing with Child Care Centre, Major RU4hc - Duplex Housing with Heritage Commercia	Re-order sub-zones to be in alphabetical order
54.	Section 11.3 - Permitted Land Uses	Boarding & Lodging	Boarding or Lodging House	Update the Term to be consistent throught the bylaw
55.	FOOTNOTES Section 11.3 - Permitted Land Uses	FOOTNOTES (Section 11.3.):	FOOTNOTES (Section 11.3.):	Update to punctuation.
56.	FOOTNOTES Section 11.4 – Subdivision Regulations	FOOTNOTES (Section 11.4.):	FOOTNOTES (Section 11.4.):	Update to punctuation.

No.	Section	Current Wording	Proposed Wording	Reason for Change
57.	FOOTNOTES Section 11.5 – Development Regulations	FOOTNOTES (Section 11.5.):	FOOTNOTES (Section 11.5.):	Update to punctuation.
58.	FOOTNOTES Section 12.2 - Permitted Land Uses	FOOTNOTES (Section 12.2.):	FOOTNOTES (Section 12.2.):	Update to punctuation.
59.	Section 12.3 – Subdivision Regulations	Min. Site Width n/a Min. Site Depth n/a	Min. Site Width n/a Min. Site Depth n/a	Strike for redundancy.
60.	Section 13.2 – Sub-Zone Purposes	MF1r – Infill Housing Rental Only MF2r – Townhouse Housing Rental Only MF3r – Apartment Housing Rental Only	MF1r – Infill Housing with Rental Only MF2r – Townhouse Housing with Rental Only MF3r – Apartment Housing with Rental Only	Add the word 'with' to be consistent with sub-zone naming convention
61.	Section 13.3 - Permitted Land Uses	Home-Based Business, Major Home-Based Business, Minor Health Services	<u>Health Services</u> Home-Based Business, Major Home-Based Business, Minor Health Services	Alphabetize uses.
62.	FOOTNOTES Section 13.3 - Permitted Land Uses	FOOTNOTES (Section 13.3.):	FOOTNOTES (Section 13.3.):	Update to punctuation.

No.	Section	Current Wording	Proposed Wording	Reason for Change
63.	Section 13.4 – Subdivision Regulations	Corner lots	Corner <u>L</u> ots	Alphabetize uses.
64.	FOOTNOTES Section 13.4 – Subdivision Regulations	FOOTNOTES (Section 13.4.):	FOOTNOTES (Section 13.4.):	Update to punctuation.
65.	FOOTNOTES Section 13.5 – Development Regulations	FOOTNOTES (Section 13.5.):	FOOTNOTES (Section 13.5.):	Update to punctuation.
66.	Section 13.6 – Density and Height Development Regulations	Front Building Elevation	Front <u>or Flanking</u> Building Elevation	Update wording to correct spelling and grammar.
67.	FOOTNOTES Section 13.6 – Density and Height Development Regulations	FOOTNOTES (Section 13.6.):	FOOTNOTES (Section 13.6.):	Update to punctuation.
68.	FOOTNOTES Section 13.6.4.b	(b) 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	(b) lots are within 400 m of <u>a</u> transit stop and that transit stop must be located fronting onto a Provincial Highway or a major arterial road; and	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
69.	Section 14.1 – Core Area and Other Zone Categories	Cora Area Zones	Cora Core Area Zones	Update wording to correct spelling and grammar.
70.	Section 14.2 – Commercial, Core Area, and Village Centre Zone Purposes	<p>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.</p> <p>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).</p>	<p>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.</p> <p>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 <u>for</u> each Village Centre (as identified with the OCP).</p>	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
71.	Section 14.3 – Urban Centre Zone Purposes (Purpose, UC1)	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.	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.	Update wording to correct spelling and grammar.
72.	Section 14.3 – Urban Centre Zone Purposes (Purpose, UC5)	The purpose is to provide a mixed commercial and residential zone for developments within the South Pandosy Urban Centre.	The purpose is to provide a mixed commercial and residential zone for developments within the South Pandosy Urban Centre.	Update wording to correct spelling and grammar.
73.	Section 14.9 – Principal and Secondary Land Uses	Recycling Depots Recycling Plants Recycling Drop-Offs	Recycling Depots <u>Recycling Drop-Offs</u> Recycling Plants Recycling Drop-Offs	Alphabetize Uses.
74.	Section 14.9 – Principal and Secondary Land Uses	Townhouses Temporary Shelter Services	<u>Temporary Shelter Services (and all the those associated 'P' Principal Use, 'S' Secondary Use, '-' Not Permitted uses identified within each zone column)</u> <u>Townhouses (and all the those associated 'P' Principal Use, 'S' Secondary Use, '-' Not Permitted uses identified within each zone column)</u>	Alphabetize the 'Uses' and all those associated 'P' Principal Use, 'S' Secondary Use, '-' Not Permitted uses identified within each zone column.
75.	FOOTNOTES Section 14.9 – Principal and Secondary Land Uses	FOOTNOTES (Section 14.9.):	FOOTNOTES (Section 14.9.):	Update to punctuation.

76.	FOOTNOTES Section 14.9 – Principal and Secondary Land Uses	Alcohol Production Facilities, I3: P ¹ Docks, W1 : P ²	Alcohol Production Facilities, I3: P ¹ Docks, W1 : P ²	Edit to superscript.
77.	FOOTNOTES Section 14.10 – Subdivision Regulations	FOOTNOTES (Section 14.10.):	FOOTNOTES (Section 14.10.):	Update to punctuation.
78.	FOOTNOTES Section 14.11 – Commercial and Urban	FOOTNOTES (Section 14.11.):	FOOTNOTES (Section 14.11.):	Update to punctuation.

No.	Section	Current Wording	Proposed Wording	Reason for Change
	Centre Zone Development Regulations			
79.	FOOTNOTES Section 14.11 – Commercial and Urban Centre Zone Development Regulations	<p>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.</p> <p>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.</p>	<p>⁵ Except it the rear setback is: 3.0 m when abutting <u>a</u> 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.</p> <p>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.</p>	Update to punctuation.
80. S	FOOTNOTES Section 14.12 – Industrial, Institutional, and Water Zone Development Regulations	FOOTNOTES (Section 14.12.):	FOOTNOTES (Section 14.12.):	Update to punctuation.
81.	FOOTNOTES Section 14.13 – Health District Development Regulations	FOOTNOTES (Section 14.13.):	FOOTNOTES (Section 14.13.):	Update to punctuation.
82.	Section 15.2.3 – CD12 Permitted Land Uses	Airports Aircraft sales/rentals	<u>Aircraft sales/rentals</u> Airports Aircraft sales/rentals	Alphabetize Uses.
83.	Section 15.2.3 – CD12 Permitted Land Uses	Fleet Services Professional Services Food Primary Establishment Gas Bars General Industrial Use Hotels / Motels Liquor Primary Establishment	Fleet Services Professional Services Food Primary Establishment Gas Bars General Industrial Use Hotels / Motels Liquor Primary Establishment	Alphabetize Uses.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		Non-Accessory Parking Offices Outdoor Storage Retail	Non-Accessory Parking Offices Outdoor Storage <u>Professional Services</u> Retail	
84.	FOOTNOTES Section 15.2.3 – CD12 Permitted Land Uses	² Retail liquor stores shall not shall not have a gross floor area of greater than 186 m ²	² Retail liquor stores shall not shall not have a gross floor area of greater than 186 m ²	Update wording to correct spelling and grammar.
85.	Section 15.2.4 – CD12 Subdivision Regulations	FOOTNOTES (Section 15.2.4.):	FOOTNOTES (Section 15.2.4.):	Removal of empty footnotes section.
86.	FOOTNOTES Section 15.2.5 – CD12 Development Regulations	FOOTNOTES (Section 15.2.5.):	FOOTNOTES (Section 15.2.5.):	Update to punctuation.
87.	Section 15.3.3 – CD17 Permitted Land Uses	Accessory Buildings or Structures Apartment Housing Agriculture, Urban Child Care Centre, Major Child Care Centre, Minor Cultural and Recreation Services Education Services Food Primary Establishment Home-Based Business, Minor Hotels / Motels Health Services Liquor Primary Establishment Non-Accessory Parking Offices Professional Services Participant Recreation Services, Indoor	Accessory Buildings or Structures Apartment Housing Agriculture, Urban <u>Apartment Housing</u> Child Care Centre, Major Child Care Centre, Minor Cultural and Recreation Services Education Services Food Primary Establishment <u>Health Services</u> Home-Based Business, Minor Hotels / Motels Health Services Liquor Primary Establishment Non-Accessory Parking Offices Professional Services	Alphabetize Uses.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		Personal Service Establishments Retail Short-Term Rental Accommodations Stacked Townhouses Townhouses	Participant Recreation Services, Indoor Personal Service Establishments <u>Professional Services</u> Retail Short-Term Rental Accommodations Stacked Townhouses Townhouses	
88.	Section 15.3.4 – CD17 Subdivision Regulations	FOOTNOTES (Section 15.4.):	FOOTNOTES (Section 15.4.):	Removal of empty footnotes section.
89.	FOOTNOTES Section 15.3.5 – CD17 Development Regulations	FOOTNOTES (Section 15.3.5.):	FOOTNOTES (Section 15.3.5.):	Update to punctuation.
90.	Section 15.4.3 – CD18 Permitted Land Uses	Accessory Buildings or Structures Alcohol Production Facility Apartment Housing Agriculture, Urban Boat Storage Child Care Centre, Major Cultural and Recreation Services Education Services Emergency and Protective Services Exhibition and Convention Facilities Food Primary Establishment Health Services Home Based Business, Minor	Accessory Buildings or Structures <u>Agriculture, Urban</u> Alcohol Production Facility Apartment Housing Agriculture, Urban Boat Storage Child Care Centre, Major Cultural and Recreation Services Education Services Emergency and Protective Services Exhibition and Convention Facilities Food Primary Establishment Health Services	Alphabetize uses and correct grammar and spelling.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		Hotels / Motels Liquor Primary Establishments Marinas Non-Accessory Parking Offices Parks Participant Recreation Services, Indoor Participant Recreation Services, Outdoor Personal Service Establishments Professional Services Recycled Materials Drop-Off Centre Religious Assemblies Residential Security / Operator Unit Retail Secondary Suites Semi-Detached Housing Short-Term Rental Accommodations Single Detached Housing Townhouses	Home-Based Business, Minor Hotels / Motels Liquor Primary Establishments Marinas Non-Accessory Parking Offices Parks Participant Recreation Services, Indoor Participant Recreation Services, Outdoor Personal Service Establishments Professional Services Recycled Materials Drop-Off Centre Religious Assemblies Residential Security / Operator Unit Retail Secondary Suites Semi-Detached Housing Short-Term Rental Accommodations Single Detached Housing Townhouses	
91.	Section 15.4.4 – CD18 Subdivision Regulations, Criteria	Area I Village Centre	<u>AREA</u> I Village Centre	Update to punctuation.

No.	Section	Current Wording	Proposed Wording	Reason for Change
92.	FOOTNOTES Section 15.4.5 – CD18 Development Regulations	FOOTNOTES (Section 15.4.5.):	FOOTNOTES (Section 15.4.5.):	Update to punctuation.
93.	Section 15.5.3 – CD20 Permitted Land Uses	FOOTNOTES (Section 15.5.3):	FOOTNOTES (Section 15.5.3):	Removal of empty footnotes section.
94.	Section 15.5.4 – CD20 Subdivision Regulations	FOOTNOTES (Section 15.5.4.):	FOOTNOTES (Section 15.5.4.):	Removal of empty footnotes section.
95.	Section 15.5.5 – CD20 Development Regulations	FOOTNOTES (Section 15.5.5.):	FOOTNOTES (Section 15.5.5.):	Removal of empty footnotes section.
96.	Section 15.6.3 – CD22 Permitted Land Uses	<p>Accessory Buildings or Structures</p> <p>Apartment Housing</p> <p>Agriculture, Urban</p> <p>Animal Clinics, Minor</p> <p>Boarding or Lodging Houses</p> <p>Child Care Centre, Major</p> <p>Cultural and Recreation Services</p> <p>Education Services</p> <p>Food Primary Establishment</p> <p>Health Services</p> <p>Home Based Business, Minor</p> <p>Liquor Primary Establishments</p> <p>Offices</p> <p>Parks</p> <p>Participant Recreation Services, Indoor</p> <p>Participant Recreation Services, Outdoor</p> <p>Personal Service Establishments</p>	<p>Accessory Buildings or Structures</p> <p><u>Agriculture, Urban</u></p> <p>Apartment Housing</p> <p>Agriculture, Urban</p> <p>Animal Clinics, Minor</p> <p>Boarding or Lodging Houses</p> <p>Child Care Centre, Major</p> <p>Cultural and Recreation Services</p> <p>Education Services</p> <p>Food Primary Establishment</p> <p>Health Services</p> <p>Home-Based Business, Minor</p> <p>Liquor Primary Establishments</p> <p>Offices</p> <p>Parks</p> <p>Participant Recreation Services, Indoor</p> <p>Participant Recreation Services, Outdoor</p> <p>Personal Service Establishments</p>	Alphabetize uses and correct grammar and spelling.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		Professional Services Religious Assemblies Residential Security / Operator Unit Retail Short-Term Rental Accommodations Stacked Townhouses Townhouses	Professional Services Religious Assemblies Residential Security / Operator Unit Retail Short-Term Rental Accommodations Stacked Townhouses Townhouses	
97.	FOOTNOTES Section 15.6.3 – CD22 Permitted Land Uses	FOOTNOTES (Section 15.6.3.):	FOOTNOTES (Section 15.6.3.):	Update to punctuation.
98.	Section 15.6.4 – CD22 Subdivision Regulations	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.	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.	Update wording to correct spelling and grammar.
99.	FOOTNOTES Section 15.6.4 – CD22 Subdivision Regulations	FOOTNOTES (Section 15.6.4.):	FOOTNOTES (Section 15.6.4.):	Update to punctuation.
100.	Section 15.6.5 – CD22 Development Regulations	FOOTNOTES (Section 15.6.5.):	FOOTNOTES (Section 15.6.5.):	Update to punctuation.
101.	FOOTNOTES Section 15.6.5 – CD22 Development Regulations	FOOTNOTES (Section 15.6.5.):	FOOTNOTES (Section 15.6.5.):	Update to punctuation.
102.	FOOTNOTES Section 15.6.5 – CD22 Development Regulations	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	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	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		is created above the parking structures.	is created above the parking structures.	
103.	Section 15.7.3 – CD26 Permitted Land Uses	Accessory Buildings or Structures Apartment Housing Agriculture, Urban Animal Clinics, Minor Boarding or Lodging Houses Child Care Centre, Major Child Care Centre, Minor Cultural Recreation Services Education Services Emergency and Protective Services Food Primary Establishmen Gas Bars Health Services Home Based Business, Minor Hotels Liquor Primary Establishments Offices Participant Recreation Services, Indoor Personal Service Establishments Professional Services Religious Assemblies Recycled Materials Drop-Off Centre Retail Short-Term Rental Accommodations	Accessory Buildings or Structures <u>Agriculture, Urban</u> Apartment Housing Agriculture, Urban Animal Clinics, Minor Boarding or Lodging Houses Child Care Centre, Major Child Care Centre, Minor Cultural Recreation Services Education Services Emergency and Protective Services Food Primary Establishmen Gas Bars Health Services Home-Based Business, Minor Hotels Liquor Primary Establishments Offices Participant Recreation Services, Indoor Personal Service Establishments Professional Services Religious Assemblies Recycled Materials Drop-Off Centre Retail	Alphabetize uses and correct grammar and spelling.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		Spectator Sports Establishments Stacked Townhouses Temporary Shelter Services Townhouses	Short-Term Rental Accommodations Spectator Sports Establishments Stacked Townhouses Temporary Shelter Services Townhouses	
104.	Section 15.7.4 – CD26 Subdivision Regulations	FOOTNOTES (Section 15.7.4.):	FOOTNOTES (Section 15.7.4.):	Removal of empty footnotes section.
105.	Section 15.7.5 – CD26 Development Regulations	(a) one north-south pathway linkage extending from Harvey Road to the north face of the existing hotel;	(a) one north-south pathway linkage extending from Harvey Road Avenue to the north face of the existing hotel;	Update wording to correct spelling and grammar.
106.	Section 15.7.5 – CD26 Development Regulations	(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;	(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 Avenue;	Update wording to correct spelling and grammar.
107.	Section 15.7.5 – CD26 Development Regulations	(a) the minimum setback to Harvey Road is 4.5 m.	(a) the minimum setback to Harvey Road Avenue is 4.5 m.	Update wording to correct spelling and grammar.
108.	Section 15.7.5 – CD26 Development Regulations Max. Height (b)	(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	(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	Update wording to correct spelling and grammar.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		located beyond 40 m of Harvey Avenue the maximum height of one landmark building or structure shall be 26 storeys or 82 m.	located beyond 40 m of Harvey Avenue the maximum height of one landmark building or structure shall be 26 storeys or 82 m.	
109.	FOOTNOTES Section 15.7.5 – CD26 Development Regulations	FOOTNOTES (Section 15.7.5.):	FOOTNOTES (Section 15.7.5.):	Update to punctuation.



City of Kelowna

TA23-0002

**Text Amendment Bylaw –
To Zoning Bylaw #12375 Part 3 of 3
March 20, 2023**

Purpose

- ▶ The purpose of the text amendment application package (Part 3 of 3) is to follow up on the adoption of the new Zoning Bylaw No. 12375 with a series of amendments that improves and corrects the spelling and grammar content within the new Zoning Bylaw.

Council Reports

▶ Three Text Amendment Reports:

1. First half of content updates within the Zoning Bylaw;
2. Second half of content updates within the Zoning Bylaw; &
3. Updates to the spelling and grammar.

Schedule 'A'

- ▶ A number of spelling and grammar changes are proposed to the Zoning Bylaw.
- ▶ For a detailed list, please see attached Schedule 'A'

Staff Recommendation

- ▶ Staff recommend bylaw be forward to Public Hearing for TA23-0002

CITY OF KELOWNA
BYLAW NO. 12475
TA23-0002 – Amendment to Multiple Sections
of Zoning Bylaw No. 12375

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT **Section 1 – Uses and Regulations 1.3.3 (f)**, be amended by deleting "Kelowna Business License & Regulation Bylaw" and replace it with "Kelowna Business Licence & Regulation Bylaw";
2. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, 5.3.3, Section "D" DRIVE THROUGH**, be amended by deleting "onsite" and replace with "on-site";
3. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, 5.3.3, Section "H" HOME BASED BUSINESSES**, be amended by deleting "Home Based" and replace with "Home-Based";
4. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, 5.3.3, Section "R" RESIDENTIAL FOOTPRINT**, be amended by deleting "home based" and replace with "home-based";
5. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, 5.3.3, Section "W" WAREHOUSING**, be amended by deleting "onsite" and replace with "on-site";
6. AND THAT **Section 6 – General Development Regulations, 6.2 Projections into Yards, 6.2.1**, be amended as follows:

Deleting the following that reads after "do not exceed 0.6 metres.":

"The total area of the projections shall not comprise of more than 30% of the total area of the exterior wall in which they are located."

And replace with:

"The total area of projections shall not be comprised of more than 30% of the total area of the exterior wall in which they are located.";
7. AND THAT **Section 6 – General Development Regulations, Section 6.10 Dormers**, be amended by deleting "must follow the following:" and replace with "must have the following:";
8. AND THAT **Section 6 – General Development Regulations, 6.8 Density Bonus, Table 6.8a Density Bonus, FOOTNOTES**, be amended by deleting "(Section 6.8.a)" and replace with "(Table 6.8.a)";
9. AND THAT **Section 7 – Site Layout, Section 7.2 Landscaping Standards, 7.2.2 (b)**, be amended by deleting all references to "regarding" and replace with "regrading";
10. AND THAT **Section 7 – Site Layout, Section 7.2 Landscaping Standards, 7.2.5**, be amended by changing all references to "Riparian Management Area" to "Riparian Management Areas";

11. AND THAT **Section 7 – Site Layout, Section 7.2 Landscaping Standards, 7.2.8 (b)**, be amended by deleting “and”;
12. AND THAT **Section 7 – Site Layout, Section 7.3 Refuse and Recycling Bins, 7.3.1 (d)**, be amended by adding “line” after the word “lot”;
13. AND THAT **Section 7 – Site Layout, Section 7.5 Fencing and Retaining Walls, 7.5.1 and 7.5.2**, be amended by changing all references to “screen” to “screening”;
14. AND THAT **Section 7 – Site Layout, Section 7.5 Fencing and Retaining Walls, 7.5.3 (a)**, be amended by deleting “except,” and replace with “except;”;
15. AND THAT **Section 7 – Site Layout, Section 7.5 Fencing and Retaining Walls, 7.5.3 (c)**, be amended by deleting “except,” and replace with “except;”;
16. AND THAT **Section 8 – Parking and Loading, Section 8.1 General Provisions and Development Standards, 8.1.4 (d)**, be amended by deleting “Official Community Plan;” and replace with “Official Community Plan.”;
17. AND THAT **Section 8 – Parking and Loading, Section 8.2 Off-street Parking Regulations, Size and Ratio, Table 8.2.7 (b) Ratio of Parking Space Sizes, FOOTNOTES**, be amended by deleting “(Section 8.2.7)” and replace with “(Table 8.2.7.b)”;
18. AND THAT **Section 8 – Parking and Loading, Section 8.2 Off-street Parking Regulations, Number of Spaces, 8.2.11 (a) Rental Housing Incentives**, be amended by deleting “sub-rental zone” and replace with “rental sub-zone”;
19. AND THAT **Section 8 – Parking and Loading, Section 8.2 Off-street Parking Regulations, Number of Spaces, 8.2.11 (b) Car-Share Incentives**, be amended by deleting the word “valley”;
20. AND THAT **Section 8 – Parking and Loading, Section 8.2 Off-street Parking Regulations, Accessible Parking Standards, 8.2.17** be amended by deleting the word “onsite” and replace with “on-site”;
21. AND THAT **Section 8 – Parking and Loading, Section 8.2 Off-street Parking Regulations, Accessible Parking Standards, 8.2.17, Table 8.2.17 Amount of Accessible Parking Spaces** be amended by deleting all references to the word “Minimum” and replace with “Min.”;
22. AND THAT **Section 8 – Parking and Loading, Section 8.3 Required Off-Street Parking Requirements, Table 8.3 – Required Off-Street Parking Requirements, Table 8.3.1 Residential Multi-Dwelling Parking, FOOTNOTES**, be amended by deleting “(Section 8.3.1.)” and replace with “(Table 8.3.1)”;
23. AND THAT **Section 8 – Parking and Loading, Section 8.3 Required Off-Street Parking Requirements, Table 8.3 – Required Off-Street Parking Requirements, Table 8.3.7 Water Uses**, be renumbered as “**Table 8.3.6 Water Uses**”;
24. AND THAT **Section 8 – Parking and Loading, Section 8.5 Off-Street Bicycle Parking, Table 8.5.1 Minimum Dimensions for Bicycle Parking**, be amended by deleting “or another obstacle.” and replace with “or another obstacle”;
25. AND THAT **Section 8 Parking and Loading, Section 8.5 Off-Street Bicycle Parking, 8.5.8 Bicycle Parking Incentives**, be amended by deleting the word “Valley”;
26. AND THAT **Section 9 – Specific Use Regulations, Section 9.2 Home-Based Businesses, Section 9.2 – Home Based Business Regulations, Employee Restriction**, be amended by
 - a. deleting “onsite” and replace with “on-site”;
 - b. deleting the footnote “.2” and replace with “.2”;

27. AND THAT **Section 9 – Specific Use Regulations, Section 9.2 Home-Based Businesses, Section 9.2 – Home Based Business Regulations**, Display Restriction, be amended by deleting the words “onsite” and “constituting” and replace with “on-site” and “constitutes”;
28. AND THAT **Section 9 – Specific Use Regulations, Section 9.2 Home-Based Businesses, Section 9.2 – Home Based Business Regulations**, Minimum Lot Area, be amended by deleting the word “metres²” and replace with “m²”;
29. AND THAT **Section 9 - Specific Use Regulations, Section 9.2 Home-Based Businesses, Section 9.2 – Home Based Business Regulations**, Maximum Number of Clients/Visitors, be amended by deleting under Major and Rural “.1” and replace with “.1”;
30. AND THAT **Section 9 – Specific Use Regulations, Section 9.2 Home-Based Businesses, Section 9.2 – Home Based Business Regulations**, FOOTNOTES , be amended by deleting “(Section 9.2.)” and replace with “(Table 9.2)”;
31. AND THAT **Section 9 - Specific Use Regulations, Section 9.4 Drive Through Related Land Uses**, 9.4.1, be amended by deleting “through” and replace with “throughs”;
32. AND THAT **Section 9 - Specific Use Regulations, Section 9.5 Docks and Boating Regulations**, 9.5.12, be amended by adding the word “or” after the words “No docks,”;
33. AND THAT **Section 9 - Specific Use Regulations, Section 9.5 Docks and Boating Regulations**, 9.5.14, be amended by changing “Boat Launches” to “boat launches”;
34. AND THAT **Section 9 - Specific Use Regulations, Section 9.6 Agriculture, Urban, Section 9.6 – Agriculture, Urban Regulations** be amended by deleting “Section 9.6” and replace with “Table 9.6”;
35. AND THAT **Section 9 - Specific Use Regulations, Section 9.6 Agriculture, Urban, Section 9.6 – Agriculture, Urban Regulations**, Community Garden Regulations, be amended by deleting the word “onsite” and replace with “on-site”;
36. AND THAT **Section 9 - Specific Use Regulations, Section 9.6 Agriculture, Urban, Section 9.6 – Agriculture, Urban Regulations**, Multi-Residential Shared Garden, be amended by deleting the word “onsite” and replace with “onsite”;
37. AND THAT **Section 9 - Specific Use Regulations, Section 9.7 Temporary Farm Worker Housing**, 9.7.1 (c), be amended by deleting the word “onsite” and replace with “on-site”;
38. AND THAT **Section 9 - Specific Use Regulations, Section 9.9 Cannabis Regulations**, 9.9.1, be amended by deleting “Cannabis production facilities” and replace with “A cannabis production facility”;
39. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.3 – Permitted Land Uses**, be amended by moving the row referenced as “Carriage House” directly after the row “Cannabis Cultivation”;
40. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.3 – Permitted Land Uses**, FOOTNOTES⁶, be amended by deleting “Agriculture Land Commission Act” and replace with “Agricultural Land Commission Act”;
41. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.5 – A1 Agricultural and Development Regulations**, FOOTNOTES⁵, be amended by deleting “Agriculture Land Commission Act” and replace with “Agricultural Land Commission Act”;

42. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.5 – A1 Agricultural and Development Land Uses**, be amended by deleting "Agriculture Facilities, Building & Structures and replace with "Agricultural Facilities, Building & Structures";
43. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.5 – A1 Agricultural and Development Regulations**, FOOTNOTES, be amended by deleting "(Section 10.5.))" and replace with "(Section 10.5)";
44. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.5 – A1 Agricultural and Development Regulations**, FOOTNOTES², be amended by deleting "at least 50 percent of the that retail sales area" and replace with "at least 50 percent of the retail sales area";
45. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.7 – Site Specific Regulations**, be amended by deleting the word "Cafe" and replace with "café";
46. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.1 – Zone Purposes**, RU₄ – Duplex Housing, be amended by deleting the word "detachment" and replace with "detached";
47. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.2 – Sub-Zones**, RU₁ - Large Lot Housing, be amended by deleting "The purpose is to provide a sub-zone is to allow for a carriage houses on selective properties" and replace with "The purpose is to provide a sub-zone to allow for a carriage house on select properties";
48. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.2 – Sub-Zones**, RU₂ – Medium Lot Housing, be amended by deleting "The purpose is to provide a sub-zone is to allow for a carriage houses on selective properties" and replace with "The purpose is to provide a sub-zone to allow for a carriage house on select properties";
49. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.2 - Sub-Zones**, RU₄ – Duplex Housing, be amended by changing the order of th SubZones from "RU₄hc, RU₄cc" to "RU₄cc, RU₄hc";
50. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.3 – Permitted Land Uses** be amended by deleting under Uses "Boarding & Lodging" and replace with "Boarding or Lodging House";
51. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.3 – Permitted Land Uses**, FOOTNOTES, be amended by deleting "(Section 11.3.):" and replace with "(Section 11.3):";
52. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.4 – Subdivision Regulations**, FOOTNOTES, be amended by deleting "(Section 11.4.):" and replace with "(Section 11.4):";
53. AND THAT **Section 11 – Single and Two Dwelling Zones, Section 11.5 – Development Regulations**, FOOTNOTES, be amended by deleting "(Section 11.5.):" and replace with "(Section 11.5):";
54. AND THAT **Section 12 – Mobile Home and Camping Zones – Section 12.2 – Permitted Land Uses**, FOOTNOTES, be amended by deleting "(Section 12.2.):" and replace with "(Section 12.2):";
55. AND THAT **Section 12 – Mobile Home and Camping Zones – Section 12.3 – Subdivision Regulations**, be amended by deleting the "Min. Site Width" and "Min Site Depth" rows in their entirety;
56. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.2 – Sub-Zone Purposes**, be amended by adding under Sub-Zone "with" in front of all references to "Rental Only";

57. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.3 – Permitted Land Uses**, Uses, be amended by moving “Health Services” before “Home-Based Business, Major”;
58. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.3 – Permitted Land Uses**, FOOTNOTES, be amended by deleting “(Section 13.3.):” and replace it with “(Section 13.3):”;
59. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.4 – Subdivision Regulations**, be amended by deleting “Corner lots” and replace with “Corner Lots”;
60. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.4 – Subdivision Regulations**, FOOTNOTES, be amended by deleting “(Section 13.4.):” and replace with “(Section 13.4):”;
61. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.5 – Development Regulations**, FOOTNOTES, be amended by deleting “(Section 13.5.):” and replace with “(Section 13.5):”;
62. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.6 – Density and Height Development Regulations**, be amended by deleting “Front Building Elevation” and replace with “Front or Flanking Building Elevation”;
63. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.6 – Density and Height Development Regulations**, FOOTNOTES, be amended by deleting “(Section 13.6.):” and replace with “(Section 13.6):”;
64. AND THAT **Section 13 – Multi-Dwelling Zones, Section 13.6 – Density and Height Development Regulations**, FOOTNOTES (Section 13.6.4(b)) be amended by deleting “within 400m of transit stop” and replace with “within 400m of a transit stop”;
65. AND THAT **Section 14 – Core Area & Other Zones, Section 14.1 – Core Area and Other Zone Categories**, be amended by deleting “Cora Area Zones” and replace with “Core Area Zones”;
66. AND THAT **Section 14 – Core Area & Other Zones, Section 14.2 – Commercial, Core Area, and Village Centre Zone Purposes**, VC1 – Village Centre, be amended by deleting “a variety of uses as specified to each Village Centre” and replace with “a variety of uses as specified for each Village Centre”;
67. AND THAT **Section 14 – Core Area & Other Zones, Section 14.3 – Urban Centre Zone Purposes**, UC1 – Downtown Urban Centre, be amended by deleting “and follows from the Capri-Landmark Urban Centre Plan” and replace with “and follows the Capri-Landmark Urban Centre Plan”;
68. AND THAT **Section 14 – Core Area & Other Zones, Section 14.3 – Urban Centre Zone Purposes**, UC5 – Pandosy Urban Centre, be amended by deleting “within the South Pandosy Urban Centre” and replace with “within the Pandosy Urban Centre”;
69. AND THAT **Section 14 – Core Area & Other Zones, 14.9 – Permitted Principal and Secondary Land Uses in Core Area and Other Zones, Section 14.9 – Principal and Secondary Land Uses in Core Area and Other Zones**, be amended by moving “Recycling Drop-Offs” and all the associated ‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted uses identified within each zone column before “Recycling Plants”;
70. AND THAT **Section 14 – Core Area & Other Zones, 14.9 – Permitted Principal and Secondary Land Uses in Core Area and Other Zones, Section 14.9 – Principal and Secondary Land Uses in Core Area and Other Zones**, be amended by moving “Temporary Shelter Services” and all the

associated 'P' Principal Use, 'S' Secondary Use, '-' Not Permitted uses identified within each zone column before "Townhouses";

71. AND THAT **Section 14 – Core Area & Other Zones, 14.9 – Permitted Principal and Secondary Land Uses in Core Area and Other Zones, Section 14.9 – Principal and Secondary Land Uses in Core Area and Other Zones**, FOOTNOTES, be amended by deleting "(Section 14.9.)" and replace with "(Section 14.9)";
72. AND THAT **Section 14 – Core Area & Other Zones, 14.9 – Permitted Principal and Secondary Land Uses in Core Area and Other Zones, Section 14.9 – Principal and Secondary Land Uses in Core Area and Other Zones**, 3. Alcohol Production Facilities be amended by
 - a. deleting "Facilities" and replace with "Facility";
 - b. deleting "p¹" in the l3 column and replace it with "p²";
73. AND THAT **Section 14 – Core Area & Other Zones, Section 14.10 – Subdivision Regulations**, FOOTNOTES, be amended by deleting "(Section 14.10.)" and replace with "(Section 14.10)";
74. AND THAT **Section 14 – Core Area & Other Zones, Section 14.11 – Commercial and Urban Centre Zone Development Regulations**, FOOTNOTES, be amended by deleting "(Section 14.11.)" and replace with "(Section 14.11)";
75. AND THAT **Section 14 – Core Area & Other Zones, Section 14.11 – Commercial and Urban Centre Zone Development Regulations**, FOOTNOTES⁵, be amended by deleting "Except it the rear setback" and replace with "Except the rear setback";
76. AND THAT **Section 14 – Core Area & Other Zones, Section 14.11 – Commercial and Urban Centre Zone Development Regulations**, FOOTNOTES⁷, be amended by deleting "setback for the parkade is 1.5m" and replace with "setback for the parkade is 1.5m.";
77. AND THAT **Section 14 – Core Area & Other Zones, Section 14.12 – Industrial, Institutional, and Water Zone Development Regulations**, FOOTNOTES, be amended by deleting "(Section 14.12.)" and replace with "(Section 14.12)";
78. AND THAT **Section 14 – Core Area & Other Zones, Section 14.13 – Health District Development Regulations**, FOOTNOTES, be amended by deleting "(Section 14.13.)" and replace with "(Section 14.3)";
79. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.2.3 – CD12 Permitted Land Uses**, be amended by moving "Aircraft sales/rentals" and all the associated 'P' Principal Use, 'S' Secondary Use, '-' Not Permitted uses identified within each zone column before "Airports";
80. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.2.3 – CD12 Permitted Land Uses**, be amended by moving "Professional Services" and all the associated 'P' Principal Use, 'S' Secondary Use, '-' Not Permitted uses identified within each zone column before "Retail";
81. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.2.3 – CD12 Permitted Land Uses**, FOOTNOTES², be amended by deleting "shall not shall not" and replace with "shall not";
82. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.2.4 - CD12 Subdivision Regulations** be amended by deleting "FOOTNOTES (Section 15.2.4.):";
83. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.2.5 – CD12 Development Regulations** be amended by deleting "Section 15.2.5.)" and replace with "(Section 15.2.5)";

84. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.3.3 – CD17 Permitted Land Uses** be amended by
 - a. moving “Apartment Housing” and all the associated ‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted uses identified within each zone column before “Child Care Centre, Major”;
 - b. moving “Health Services” and all the associated ‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted uses identified within each zone column before “Home-Based Business, Minor”;
 - c. moving “Professional Services” and all the associated ‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted uses identified within each zone column before “Retail”;
85. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.3.4 -CD17 Subdivision Regulations** be amended by deleting “FOOTNOTES (Section 15.4.)”;
86. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.3.5 – CD17 Development Regulations, FOOTNOTES**, be amended by deleting “(Section 15.3.5)” and replace with “(Section 15.3.5)”;
87. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.3 – CD18 Permitted Land Uses** be amended by moving “Agriculture Urban” and all the associated ‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted uses identified within each zone column before “Alcohol Production Facility”;
88. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.4 – CD18 Subdivision Regulations** be amended by deleting “Area 1 Village Centre” and replace with “AREA 1 Village Centre”;
89. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.4.5 – CD18 Development Regulations, FOOTNOTES**, be amended by deleting “(Section 15.4.5)” and replace with “(Section 15.4.5)”;
90. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.5.3 – CD20 Permitted Land Uses** be amended by deleting “FOOTNOTES (Section 15.5.3.):”;
91. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.5.4 – CD20 Subdivision Regulations** be amended by deleting “FOOTNOTES (Section 15.5.4.):”;
92. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.5.5 – CD20 Development Regulations** be amended by deleting “FOOTNOTES (Section 15.5.5.):”;
93. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.6.3 – CD22 Permitted Land Uses** be amended by moving “Agriculture, Urban” and all the associated ‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted uses identified within each zone column before “Apartment Housing”;
94. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.6.3 – CD22 Permitted Land Uses, FOOTNOTES** be amended by deleting “(Section 15.6.3.)” and replace with “(Section 15.6.3)”;
95. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.6.4 – CD22 Subdivision Regulations, FOOTNOTES**, be amended by deleting “Any lots are created” and replace with “Any lots created”;

96. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.6.4 – CD22 Subdivision Regulations**, FOOTNOTES, be amended by deleting “(Section 15.6.4.)” and replace with “(Section 15.6.4)”;
97. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.6.5 – CD22 Development Regulations**, FOOTNOTES, be amended by deleting “(Section 15.6.5.)” and replace with “(Section 15.6.5)”;
98. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.6.5 – CD22 Development Regulations**, FOOTNOTES ⁴, be amended by deleting “sub-areas A & B must be coordinated with of sub-areas C & G” and replace with “sub-areas A & B must be coordinated with sub-areas C & G”;
99. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.7.3 – CD26 Permitted Land Uses** be amended by moving “Agriculture, Urban” before “Apartment Housing”;
100. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.7.4 – CD26 Subdivision Regulations** be amended by deleting “FOOTNOTES (Section 15.7.4.)”;
101. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.7.5 – CD26 Development Regulations**, Max. Height (b), be amended by deleting “as described in in the area located beyond 40m” and replace with “as described in the area located beyond 40m”;
102. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.7.5 – CD26 Development Regulations**, Min. Amenities, Within Amenity Area A (a), be amended by deleting “Harvey Road” and replace with “Harvey Avenue”;
103. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.7.5 – CD26 Development Regulations**, Min. Amenities, Within Amenity Area B (a), be amended by deleting “Harvey Road” and replace with “Harvey Avenue”;
104. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.7.5 – CD26 Development Regulations**, Min. Setbacks (a), be amended by deleting “Harvey Road” and replace with “Harvey Avenue”;
105. AND THAT **Section 15 – Comprehensive Development Zones, Section 15.7.5 – CD26 Development Regulations**, Max. Height (b) be amended as follows:
- By deleting the following after 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.”;
- And replace with:
- “except one building or structure shall be a maximum of 26 storeys or 82 m.”;
106. AND FURTHER THAT **Section 15 – Comprehensive Development Zones, Section 15.7.5 – CD26 Development Regulations**, FOOTNOTES, be amended by deleting “(Section 15.7.5.)” and replace with “(Section 15.7.5)”;
107. 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

REPORT TO COUNCIL



Date: April 3, 2023
To: Council
From: City Manager
Department: Development Planning

Application: Z23-0005 **Owner:** 1383931 B.C. LTD., INC.NO. BC1383931
Address: 2019 Polo Rd **Applicant:** James Zeleznik
Subject: Rezoning Application

Existing OCP Designation: S-RES – Suburban-Residential
Existing Zone: RU1 – Large Lot Housing
Proposed Zone: RU2 – Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z23-0005 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of a portion of Lot 12 District Lot 131 ODYD Plan 18771, located at 2019 Polo Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone as shown on Map "A" attached to the Report from the Development Planning Department dated April 3, 2023, 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 Attachment "A" attached to the Report from the Development Planning Department dated April 3, 2023;

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.

2.0 Purpose

To rezone a portion of the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a subdivision.

3.0 Development Planning

Staff support the rezoning application to RU2 – Medium Lot Housing for a portion of the property to facilitate a subdivision. The proposal aligns with the OCP Future Land Use designation of S-RES – Suburban Residential. Suburban Residential lands are intended to accommodate most of the City’s single and two dwelling residential growth. The property is connected to City sewer and is within the Permanent Growth Boundary. With removal to a portion of the garage on the existing home, a subdivision that meets Zoning Bylaw regulations can be achieved.

4.0 Site Context & Background

The subject property is located on Polo Road and the surrounding area is zoned RU1 – Large Lot Housing. The property is near KLO Road and Benvoulin Drive with transit stops in close proximity. Additionally, the subject property is within walking distance to the Mission Creek Greenway and the Kelowna Christian School.

4.1 Context

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Detached Housing
East	RU1 – Large Lot Housing	Single Detached Housing
South	RU1 – Large Lot Housing	Single Detached Housing
West	RU1 – Large Lot Housing	Single Detached Housing

Subject Property Map: 2019 Polo Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 7.2. Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable.		
Policy	7.2.1	Consider a range of low-density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities. <i>The proposed subdivision is sensitive to the neighbourhood in regards to height and siting, and proposes ground-oriented housing.</i>
Ground Oriented Housing		

6.0 Application Chronology

Application Accepted: January 10, 2023
 Neighbourhood Notification Summary Received: February 14, 2023

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: Development Engineering Memo dated February 6, 2023
 Attachment B: Letter of Rationale
 Map A: Zoning Amendment Map Z23-0005

Polo road - Letter of Rationale

To whom it may concern,

This letter is to outline the Rezoning and Subdivision of my Polo Road Development.

At present, there is an existing single-family house on the property with an existing detached double garage which is noted as Lot B on the information given attached.

We now have a building permit to modify this existing house to add in the unfinished basement a legal secondary suite.

It is our intention to remove the existing covered carport on the West side and as well add a covered deck to the back to allow to subdivide off of this parcel one RU 2 lot on the west side

noted as Lot A on our information given attached.

Both lots will be serviced with sewer and water available on the street and power will be supplied to both lots via redoing the existing overhead service and creating an underground service to each lot via Fortis power guidelines.

-- I am staying within all current zoning and building guidelines and not needing any variances and I am also keeping to the character of the subdivision and feel that this project will be a good fit to the neighborhood.

Respectfully James Zeleznik, owner

ATTACHMENT	B
This forms part of application	
# Z23-0005	
Planner Initials	Jl
 City of Kelowna DEVELOPMENT PLANNING	



2010

2020

2030

2040

POLO RD

2009

2019



2029

2020

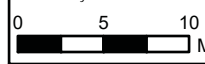
2040

2010

MAP "A" ZONING AMENDMENT Z23-0005

-  Subject Property
-  Large Lot Housing (RU1) to Medium Lot Housing (RU2)

This map is for general information only.
The City of Kelowna does not guarantee its
accuracy. All information should be verified.



Rev. Monday, March 13, 2023



CITY OF KELOWNA
MEMORANDUM

ATTACHMENT	A
This forms part of application # Z23-0005	
Planner Initials	JI
 City of Kelowna DEVELOPMENT PLANNING	

Date: February 6, 2023
File No.: Z23-0005
To: Community Planning and Development Manager (DS)
From: Development Engineering Manager (JI)
Subject: 2019 Polo Rd. RU1 to RU2

The Development Engineering Branch has the following comments for this Rezoning application for the subject property from RU1 - Large Lot Housing to RU2 - Medium Lot Housing to facilitate to 2 lot subdivision. The Development Engineering Technician for this project is Aaron Sangster (asangster@kelowna.ca). The following Works and Services will be a requirement of this development.

1. GENERAL

- a. The following requirements are valid for two (2) years from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- b. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.
- c. There is a possibility of a high-water table or surcharging of storm drains during major storm events. Non-basement buildings may be required. This should be considered in the design of the onsite system, lot grading, and minimum basement elevations.

2. DOMESTIC WATER AND FIRE PROTECTION

- a. Our records indicate that this property is currently serviced with a 25-mm diameter water service off Polo Rd. Only one service will be permitted per legal lot and each lot must be serviced prior to Subdivision.
- b. The Applicant, at their cost, can choose to either engage an engineer and a contractor to design and construct the water services or can choose to have the services installed by City forces at the Applicant's expense. If the Applicant chooses to have the services installed by City forces, they will be required to sign a Third-Party Work Order and pre-pay for the cost of the water services. For estimate inquiries please contact the Development Engineering Technician assigned to the file.

- c. The Applicant's Consulting Engineer will determine the domestic water and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for single detached residential is 60 L/s.

3. SANITARY SEWER SYSTEM

- a. Our records indicate that this property is currently serviced with a 100-mm diameter sanitary sewer service off Berk Ct. Only one service will be permitted for each legal lot and each lot must be serviced prior to Subdivision.
- b. The Applicant, at their cost, can choose to either engage an engineer and a contractor to design and construct the sanitary services or can choose to have the services installed by City forces at the Applicant's expense. If the Applicant chooses to have the services installed by City forces, they will be required to sign a Third-Party Work Order and pre-pay for the cost of the sanitary services.

4. STORM DRAINAGE

- a. The subject property is located within the City of Kelowna drainage service area. The City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b. Provide the following drawings:
- i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill), grading directly to a natural drainage path must include adequate erosion control and water quality improvement measures;
 - ii. A detailed Stormwater Management Plan for this subdivision; and,
 - iii. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- c. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.10.6 *Detention Storage*.
- d. As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- e. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the Lot Grading Plan.
- f. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties and public road right of ways.
- g. If individual lot connections are required, ensure that payment of connection fees has been completed (please provide receipt).

- h. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. Intermittent pumping of groundwater for structures within seasonal range of the groundwater table may be permitted with some conditions. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

5. ROAD IMPROVEMENTS

- a. Polo Rd. must be upgraded to a SS-R3 urban standard along the full frontage of this proposed development including curb and gutter, sidewalk, road fillet paving, storm drainage system, LED streetlighting, landscaped boulevard c/w irrigation, pavement removal and replacement, and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$49,009.75** not including utility service cost.

6. POWER AND TELECOMMUNICATION SERVICES

- a. All proposed distribution and 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. The utility companies are required to obtain the City's approval before commencing construction.
- b. Re-locate existing poles and utilities where necessary. Remove aerial trespass(es).
- c. Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges.

7. GEOTECHNICAL STUDY

- a. Provide a 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.**
- b. The Geotechnical reports must be submitted to the Development Services Department (Subdivision Approving officer) for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
- Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - Site suitability for development.
 - Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - Any special requirements for construction of roads, utilities and building structures.
 - Slope stability, rock fall hazard and slippage including the effects of drainage on the site.

- vi. Top of bank assessment and location including recommendations for property line locations, building setbacks, and ground water disposal locations.
- vii. Recommendations for items that should be included in a Restrictive Covenant.
- viii. Recommendations for erosion and sedimentation controls for water and wind.
- ix. Any items required in other sections of this document.
- x. Recommendations for roof drains and perimeter drains on the site.

8. DEVELOPMENT PERMIT AND SITE-RELATED ISSUES

- a. Only one driveway is permitted per legal lot with a maximum width of 6.0m.

9. OTHER ENGINEERING COMMENTS

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City lands.
- b. If any road dedication affects lands encumbered by a Utility right-of-way, 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.

10. CHARGES, FEES, AND SECURITIES

- a. Fees per the “Development Application Fees Bylaw” include:
 - i. Survey Monument Fee: **\$50.00** per newly created lot (GST exempt).
 - ii. Hydrant Levy Fee: **\$250.00** per newly created lot (GST exempt).
 - iii. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.

- b. Engineering and Inspection Fee:

i. 3.5% of Construction	\$ 1,578.11
ii. GST	\$ 78.91

Total \$ 1,657.02

- c. Cash-in-Lieu of Construction Payments:

**Payment must be made with certified cheque or bank draft*

- i. Polo Rd. Frontage Upgrades **\$49,009.75**



 Nelson Chapman, P.Eng.
 Development Engineering Manager

AS

CITY OF KELOWNA

BYLAW NO. 12510

Z23-0005

2019 Polo Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of a portion of Lot 12 District Lot 131 ODYD Plan 18771 located on Polo Road Kelowna, BC from the RU₁ – Large Lot Housing zone to the RU₂ – Medium Lot Housing zone as shown on Map "A" attached to and forming part of this bylaw.
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





City of
Kelowna

Z23-0005 2019 Polo Rd

Rezoning Application

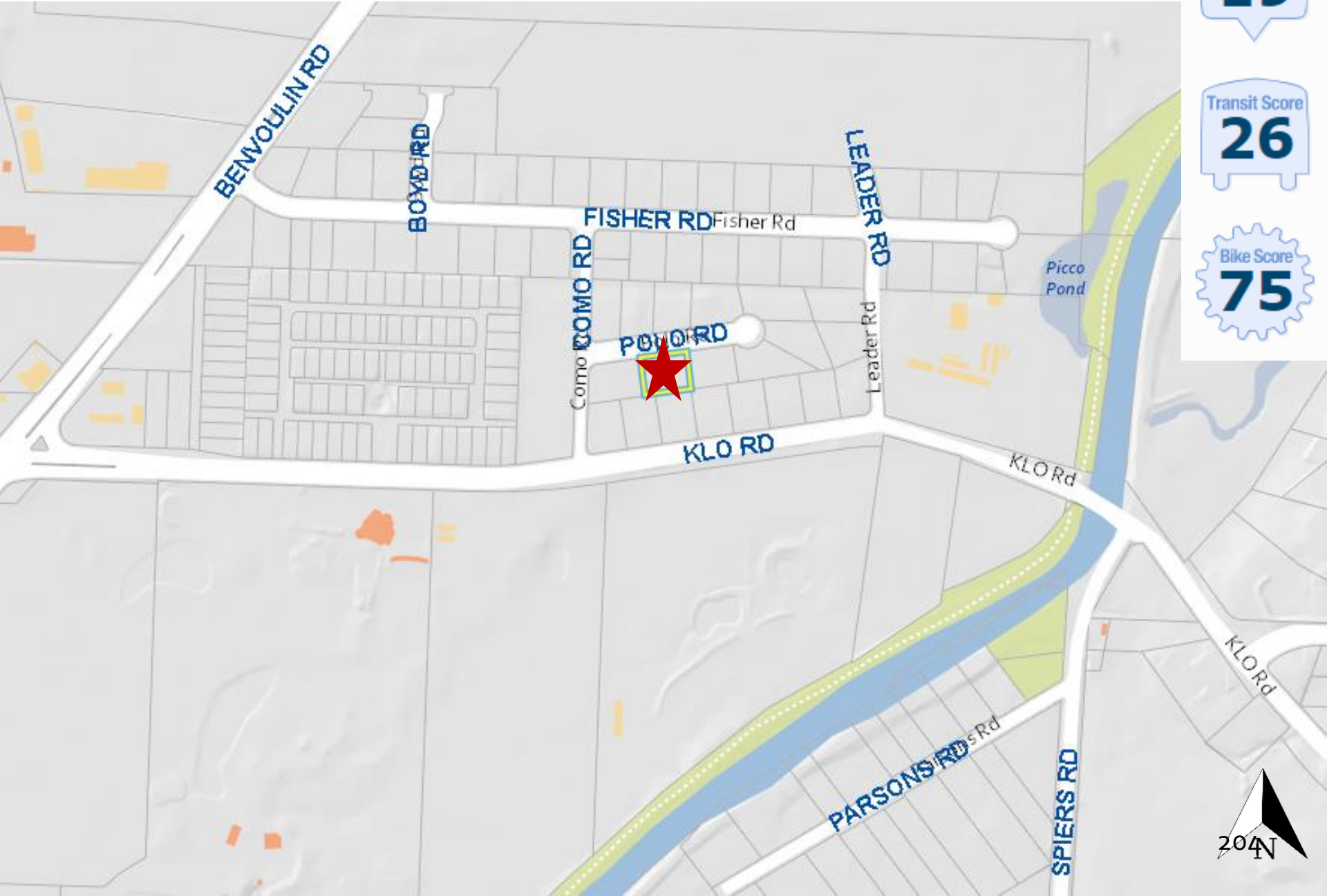
Purpose

- ▶ To rezone a portion of the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a subdivision.

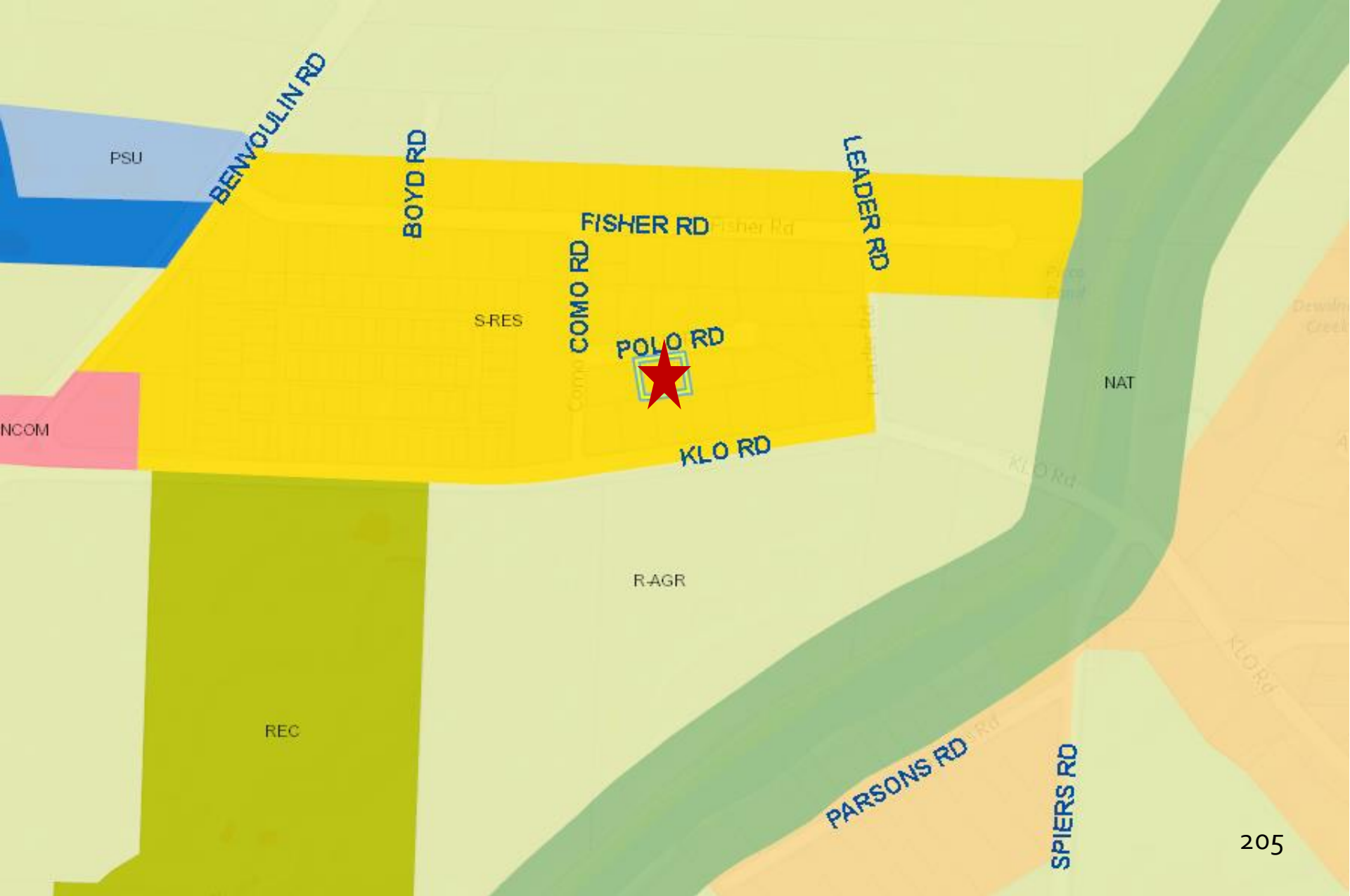
Development Process



Context Map



OCP Future Land Use



Subject Property Map



Project Details

- ▶ S-RES – Suburban Residential
- ▶ Rezoning portion of property to RU2

OCP Objectives & Policies

- ▶ Policy 7.2.1 Ground Oriented Housing
 - ▶ Improves housing diversity and affordability

Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning as it is consistent with:
 - ▶ OCP Future Land Use S-Res
 - ▶ OCP Objectives in Chapter 7 Suburban Neighbourhoods
 - ▶ Ground-Oriented Housing
 - ▶ Low Density

REPORT TO COUNCIL



Date: April 3rd, 2023

To: Council

From: City Manager

Department: Development Planning

Application: Z22-0019

Owner: Reid Industrial Centre Ltd., Inc.
No. BC1326474

Address: 2930 Sexsmith Road

Applicant: Stefano Faedo – Reid Industrial
Centre Limited Partnership

Subject: Rezoning Application

Existing OCP Designation: IND – Industrial

Existing Zone: A2 – Agriculture / Rural Residential

Proposed Zone: I2 – General Industrial

1.0 Recommendation

THAT Rezoning Application No. Z22-0019 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 34 Section 3 Township 23 ODYD Plan 18861, located at 2930 Sexsmith Road, Kelowna, BC from the A2 – Agriculture / Rural Residential zone to the I2 – General Industrial 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 Attachment "A" attached to the Report from the Development Planning Department dated April 3rd, 2023.

2.0 Purpose

To rezone the subject property from the A2 – Agriculture / Rural Residential zone to the I2 – General Industrial zone to facilitate the construction of a new industrial development.

3.0 Development Planning

Staff support the proposed rezoning from the A2 – Agriculture / Rural Residential zone to the I2 – General Industrial zone to facilitate a new industrial development. The subject property has the Future Land Use Designation of Industrial and is within the Permanent Growth Boundary (PGB). As such, the proposed zone

is consistent with the Official Community Plan’s (OCP) objectives. The I2 zone will allow a wide range of industrial uses including manufacturing, production, repair, processing, storage, and distribution activities.

The parcel is a corner property at the intersection of Sexsmith Road and Arab Road. The application will require the dedication of 5.0 m of roadway fronting Sexsmith Road and a 6.0 m radius corner rounding on the Southeast corner of the property.

4.0 Site Context

4.1 Site Context

Orientation	Zoning	Land Use
North	A2 – Agriculture / Rural Residential	Rural Residential / Outdoor Storage
East	I2 – General Industrial	Outdoor Storage
South	A1 – Agriculture	Vacant
West	A2 – Agriculture / Rural Residential	General Industrial Uses

Subject Property Map: 2930 Sexsmith Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 6.4. Support the continued development of industrial lands.	
Policy 6.4.1. Erosion of Industrial Lands.	Discourage the re-designation of industrial lands in the Gateway and ensure their use for industrial purposes to protect employment, production manufacturing, warehousing, logistics and repair function in the City. This includes limiting residential and commercial uses within industrial areas that promote speculation, which make development industrial uses challenging.
	<i>The application is adding industrial lands into the Gateway Region. This includes adding employment and other industrial uses.</i>

6.0 Technical Comments

6.1 Development Engineering Department

6.1.1 Development Engineering Memorandum attached dated April 3rd, 2023

7.0 Application Chronology

Date of Application Accepted: March 10th, 2022

Date Public Consultation Completed: April 4th, 2022 & March 2nd, 2023

Report prepared by: Tyler Caswell, Planner II

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:

Attachment A: Development Engineering Memo

CITY OF KELOWNA

MEMORANDUM

Date: March 14, 2022
File No.: Z22-0019
To: Planning & Development Services Department (TC)
From: Development Engineer Manager (NC)
Subject: 2930 Sexsmith Rd., Lots 34, Plan KAP18861



A2 – I2

Development Engineering has the following comments and requirements associated with this rezoning application to rezone the subject property from A1 – Agriculture 1 to I6 – Low Impact Transitional for three industrial buildings.

1. General

- a) Sexsmith Road is designated as a 4 lane arterial and access will be restricted the subject property. Access is required to Arab Road under this condition.
- b) The following requirements are valid for two (2) years from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- c) This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.
- d) 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.

2. GEOTECHNICAL STUDY

- a. Provide a comprehensive geotechnical report (3 copies), 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.**
- b. The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division 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. Recommendations for items that should be included in a Restrictive Covenant.
- vi. Recommendations for roof drains and perimeter drains.
- vii. Recommendations for erosion and sedimentation controls for water and wind.
- viii. Any items required in other sections of this document.
- c. Should any on-site retaining walls surpass the following limits, an Over Height Retaining Wall Permit will be required:

“Retaining walls on all lots, except those required as a condition of subdivision approval, must not exceed a height of 1.2 m measured from natural grade on the lower side, and must be constructed so that any retaining walls are spaced to provide a 1.2 m horizontal separation between tiers. The maximum number of tiers is two with a maximum total height of 2.4 m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.”

The design of all retaining walls is to conform with Engineer & Geoscientists British Columbia’s Professional Practice Guidelines for Retaining Wall Design. Submission requirements for the Over Height Retaining Wall Permit include Engineer of Record documents (Appendix A of Retaining Wall Design Guideline) and any necessary independent reviews (as per EGBC’s Documented Independent Review of Structural Designs).

- d. Any modified slopes having a finished slope greater than 2H:V1 (50%) and an elevation change greater than 1.2 m must be installed under the direction of a qualified professional engineer.
- e. Any exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer. For adequate Rockfall Protection adjacent to walls and rock cuts, please consider BC MoTI Supplement to TAC Geometric Design Guide 440, page 440-8, which outlines a ditch bottom width depending on wall height. Sidewalks and utilities should be kept out of this protection area. Additional ROW may be required.

Where walls are on the high side, the City’s preference is that the walls remain setback and on private property. Where the walls hold up a public road, the City’s preference is that additional dedication be provided, and the walls be owned by the City. Please design any geogrids or tie-backs so that they do not encroach into the required road ROW.

3. Sanitary Sewer System

- a) The developer’s consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. There is an existing 100mm PVC sanitary service to lot.
- a) The Connection Area #35 charge is currently set by Bylaw at \$16,000 per industrial Equivalent (SFE). This Bylaw 3480 was reviewed for and accepted by Council in 2022.

The assessed value is **\$16,000.00**



4. Water Servicing Requirements

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

5. Storm Drainage

- a. The property is located within the City of Kelowna drainage service area. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems.
- b. Provide the following drawings:
 - i. A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii. A detailed Stormwater Management Plan for this subdivision; and,
 - iii. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900. If a line item for ESC is not included in the Engineer's cost estimate for off-site work, then an additional 3% will be added to the performance security based on the total off-site construction estimate.
- c. On-site detention systems are to be compliant with Bylaw 7900, Schedule 4, Section 3.11.1 *Detention Storage*.
- d. As per Bylaw 7900, Schedule 4, Section 3.1.3 *Climate Change*, the capacity of storm works will include an additional 15 percent (15%) upward adjustment, and applied to the rainfall intensity curve stage (IDF) in Section 3.7.2.
- e. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- f. Register right of ways on private properties for all the storm water infrastructure carrying, conveying, detaining and/or retaining storm water that is generated from the public properties, public road right of ways, and golf course lands.
- g. Where structures are designed or constructed below the proven high groundwater table, permanent groundwater pumping will not be permitted to discharge to the storm system. The City will approve designs that include provisions for eliminating groundwater penetration into the structure, while addressing buoyancy concerns. These design aspects must be reviewed and approved by the City Engineer.

6. Road Improvements

- a.) The frontage of Sexsmith Road will be upgraded to a full 4 lane arterial urban standard (SS-R9) in accordance with Bylaw 7900, complete with curb and gutter, storm works, sidewalk, fillet paving, landscaped and irrigated boulevard, lane markings, street lighting, removal and/or relocation existing utilities as may be required, etc. This construction will be deferred until Sexsmith Road is upgraded to a 4 lane standard and a cash in lieu of construction payment of **\$114,668.75** is required for the combined frontage of the subject property.

b.) a) No further upgrades are required at this time along the Arab Rd frontage.

7. Road Dedication and Subdivision Requirements

- (a) The developer is required dedicate 5m of roadway fronting Sexsmith Road to achieve the 4 lane arterial urban standard width in accordance with Bylaw 7900
- (b) A 6.0 m radius corner rounding is required at the south east property corner.
- (c) Grant Statutory Rights Of Way if required for utility services.
- (d) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, TELUS, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

8. Power and Telecommunication Services

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9. 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 Works & Utilities 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.

10. Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all 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.

11. **DCC Credits**

None of the required improvements qualify for DCC credit consideration, as these levies are collected as cash in lieu.

12. **Bonding and Levies Summary**

Levies

Sexsmith Road upgrades	\$114,668.75
Development Engineering Fee 3.5% Connection. Area #35	\$2,500.98
	\$16,000.00
Total levies	<u>\$131,169.73</u>



Nelson Chapman, P. Eng.
Development Engineering Manager
RO

ATTACHMENT A

This forms part of application
Z22-0019

Planner
Initials

TC


 City of
Kelowna
DEVELOPMENT PLANNING

CITY OF KELOWNA

BYLAW NO. 12511

Z22-0019

2930 Sexsmith Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 34 Section 3 Township 23 ODYD Plan 18861 located on Sexsmith Road Kelowna, BC from the A2 – Agriculture / Rural Residential zone to the I2 – General Industrial 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



City of
Kelowna

Z22-0019 2930 Sexsmith Road

Rezoning Application

Purpose

- ▶ To rezone the subject property from the A2 – Agriculture / Rural Residential zone to the I2 – General Industrial zone to facilitate the construction of a new industrial development.

Development Process

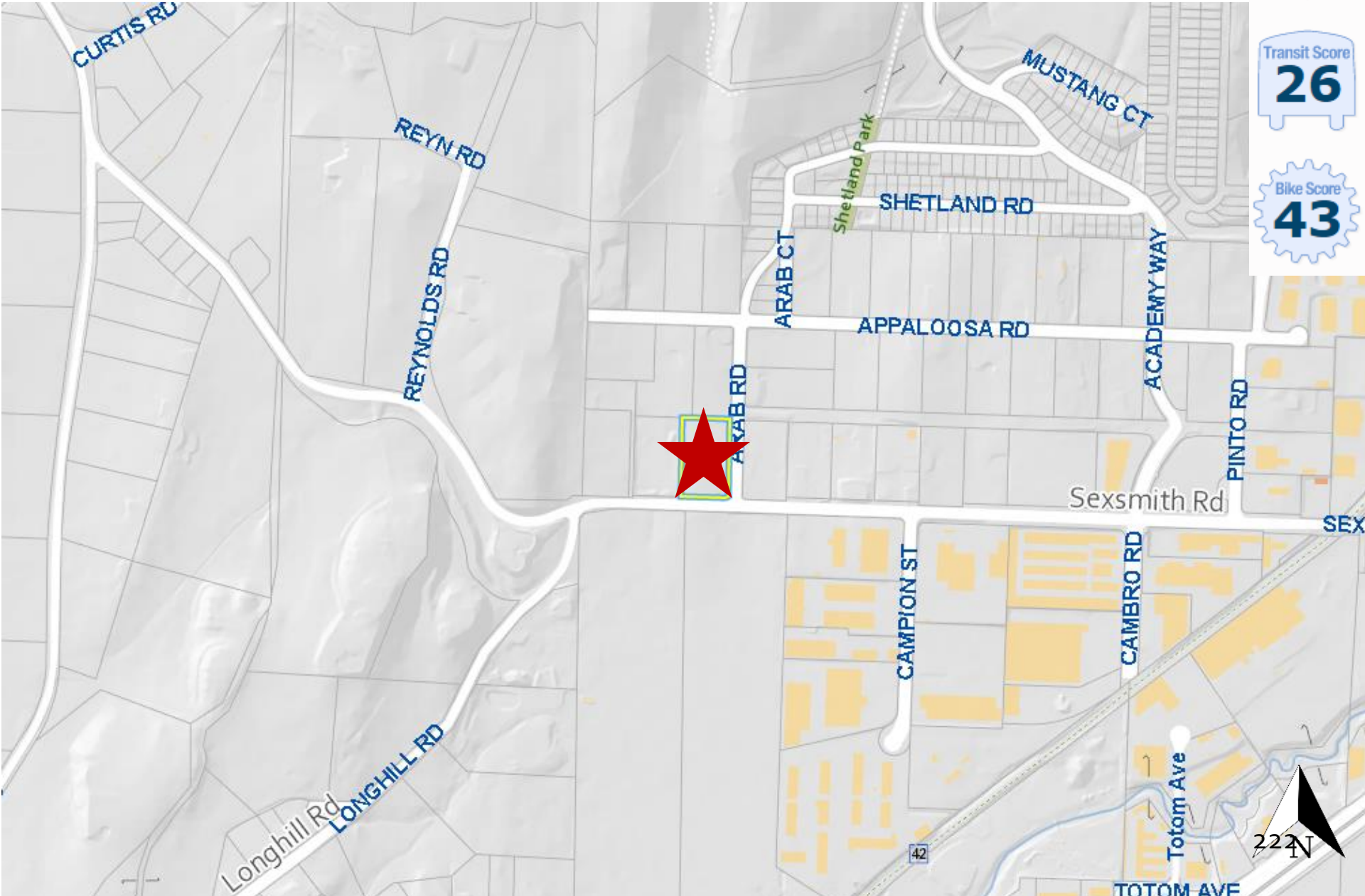


Context Map

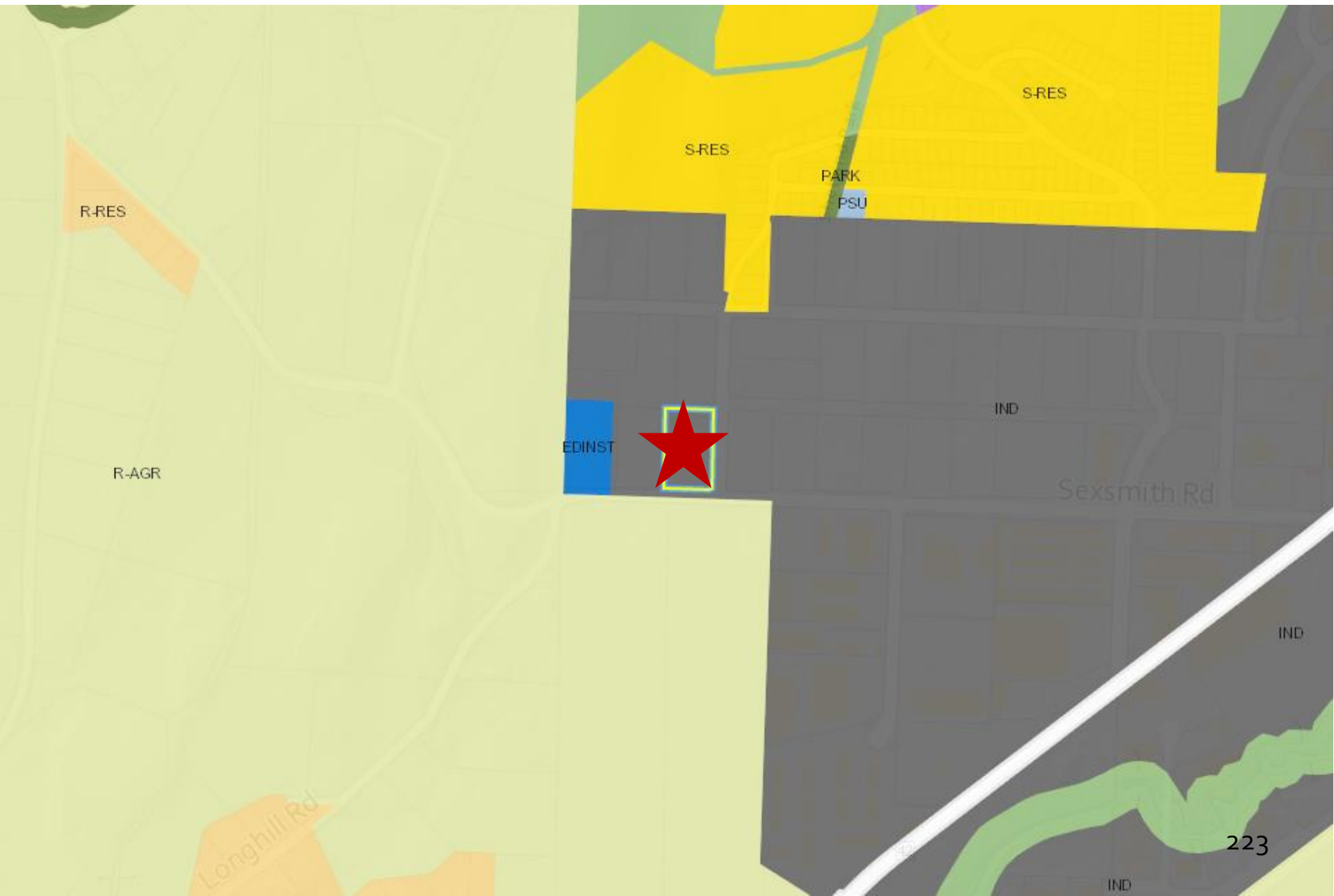
Walk Score
19

Transit Score
26

Bike Score
43



OCP Future Land Use



Subject Property Map



SEXSMITH RD

ARAB RD

2898

2930

2996

224

Project Details

- ▶ The Rezoning to the I2 zone is to facilitate the construction of two new industrial buildings.
- ▶ I2 – General Industrial use allows wide range of uses including manufacturing, production, repair, processing, storage and distribution activities.
- ▶ 5.0m of roadway dedication is required of Sexsmith and 6.0m of corner rounding is required on the SE corner.
- ▶ Surrounding area is zoned Industrial or has the Future Land Use Designation of Industrial

OCP Objectives & Policies

- ▶ Policy 6.4.1. Erosion of Industrial Lands
 - ▶ The proposal adds industrial lands into the Gateway Region.
 - ▶ Adds employment opportunities and other industrial uses.
 - ▶ Continues to develop the Arab/Appaloosa area.

Staff Recommendation

- ▶ Staff recommend support for the proposed rezoning as it is consistent with:
 - ▶ Subject property is within the Permanent Growth Boundary.
 - ▶ Meets the OCP Future Land Use: Industrial.
 - ▶ Continues to add industrial into the Arab/Appaloosa Neighbourhood

Report to Council



Date: April 3, 2023
To: Council
From: City Manager
Department: Office of the City Clerk
Subject: Rezoning Bylaw Supplemental Report to Council

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated April 3, 2023 with respect to Rezoning Bylaw No. 12498;
 AND THAT Rezoning Bylaw No. 12498 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaw No. 12498 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:

The Rezoning Application was brought forward to Council for initial consideration on March 13, 2023. Notice of first reading was completed as outlined above.

Correspondence was received as per the following table:

Address	Application	Bylaw	Recommended Readings	Correspondence Received
4195 Russo St	Z22-0044	12498	1 st , 2 nd , 3 rd , adopt	0

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. 12498 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: N Beauchamp, Legislative Technician

Approved for inclusion: S Fleming, City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12498

Z22-0044

4195 Russo Street

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 49 Section 31 Township 29 ODYD Plan EPP114622, located on Russo Street, Kelowna, BC from the RU2 – Medium Lot Housing zone to the RU2c – Medium Lot Housing with Carriage House 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: April 3rd, 2023

To: Council

From: City Manager

Department: Development Planning

Application: DP22-0203

Owner: Cellar Door Holdings Ltd., Inc.
No. 1299686

Address: 712-722 Raymer Avenue

Applicant: Matt Johnston - LIME
Architecture Inc.

Subject: Development Permit Application

Existing OCP Designation: UC – Urban Centre

Existing Zone: UC₅ – Pandosy Urban Centre

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP22-0203 for Lot 16 District Lot 135 ODYD Plan 3929, located at 712-722 Raymer Ave, 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 amount of 125% of the estimated value of the Landscape Plan, 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 2 (two) years from the date of Council approval, with no opportunity to extend.

Purpose

To issue a Development Permit for the form and character of a townhouse development.

2.0 Development Planning

Staff support the proposed Development Permit for the form and character of the proposed townhouse development. The proposal complies with the Official Community Plan (OCP) policies for the South Pandosy Urban Centre by providing a transition in height to the Core Area Neighbourhood and also providing family-friendly three-bedroom units. The proposal meets all regulations of the Zoning Bylaw, and no variances are requested.

The proposal is also consistent with the OCP Form and Character Design Guidelines for Townhouse Developments including providing ground-oriented units, landscaping, private open spaces and the inclusion of varied architectural features on the building’s façade.

3.0 Proposal

3.1 Project Description

The applicant is proposing a three-storey townhouse development on the subject property containing eight units in total. All units are accessed from ground-level, with seven of the units from Raymer Avenue and one accessed from Richter Street. The proposal includes a drive aisle with direct access from the rear lane, which includes eight parking stalls for residents and one additional stall for visitor parking.

The development proposes a variety of materials including ocean blue and cobble stone hardie panel, grey and black stucco, wood-finish MAC Metal Architectural steel siding, and black and red window and door trim. The landscape plan includes the addition of four new trees and ground-floor common amenity space.

3.2 Site Context

The subject property is in the Pandosy Urban Centre and is located on the corner of Raymer Avenue and Richter Street. The surrounding area is primarily zoned UC5 – South Pandosy Urban Centre and MF1 – Infill Housing. The surrounding area has a mix of single-dwelling housing, semi-detached housing, infill housing, commercial and educational.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	UC5 – South Pandosy Urban Centre	Semi-Detached Housing
East	MF1 – Infill Housing	Semi-Detached Housing
South	UC5 – South Pandosy Urban Centre	Single-Dwelling Housing
West	UC5 – South Pandosy Urban Centre	Commercial

Subject Property Map: 712-722 Raymer Avenue



3.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	UC5 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	460 m ²	931 m ²
Min. Lot Width	13.0 m	17.53 m
Min. Lot Depth	30.0 m	53.34 m
Development Regulations		
Max. Floor Area Ratio	1.8	1.2
Max. Site Coverage (buildings)	85%	60%
Max. Site Coverage (buildings, parking, driveways)	90%	83%
Max. Height	22.0 m (6 storeys)	10.1 m (3 storeys)
Min. Front Yard	2.0 m	2.0 m
Min. Flanking Side Yard (south)	2.0 m	2.0 m
Min. Side Yard (north)	0.0 m	7.9 m
Min. Rear Yard	0.0 m	2.5 m
Other Regulations		
Min. Parking Requirements	8	8
Min. Visitor Parking	1	1
Min. Private Amenity Space	189 m ²	528 m ²
Min. Common Amenity Space	36 m ²	37 m ²

4.0 Current Development Policies

Objective 4.9. Transition sensitively to adjacent neighbourhoods and public spaces.	
Policy 4.9.2. Transitioning to Core Area Neighbourhoods	Use height and scale to ensure that buildings avoid height cliffs and shadowing, transitioning gradually to adjacent Corey Area Neighbourhoods. <i>The subject property borders Core Area Neighbourhood, so the reduced height of three-storeys helps with shadowing and height cliffs.</i>
Objective 4.12. Increase the diversity of housing types and tenures to create inclusive, affordable and complete Urban Centres	
Policy 4.12.2. Family-Friendly Housing	Incorporate ground-oriented units in the design of multi-family developments to support family-friendly housing types. Ensure the multi-unit developments include a variety of unit sizes, encouraging 10 per cent of new units to be three or more bedrooms. <i>Two of the eight (25%) units are 3-bedroom.</i>

5.0 Application Chronology

Date of Application Received: October 21st, 2022

Report prepared by: Tyler Caswell, 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 DP22-0203

Schedule A: Site Plan and Floor Plans

Schedule B: Elevations

Schedule C: Landscape Plan

Attachment B: OCP Form and Character Development Permit Guidelines

Development Permit

DP22-0203



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

712-722 Raymer Avenue

and legally known as

Lot 16 District Lot 135 ODYD Plan 3929

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

Townhouse Development

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

Date of Council Approval: April 3rd, 2023

Development Permit Area: Form and Character

Existing Zone: UC₅ – Padosy Urban Centre

Future Land Use Designation: UC – Urban Centre

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

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: Cellar Door Holdings Ltd., Inc. No. 1299686

Applicant: LIME Architecture Inc.

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date of Issuance

ATTACHMENT	A
This forms part of application # DP22-0203	
Planner Initials	TC
City of Kelowna DEVELOPMENT PLANNING	

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

THAT Council authorizes the issuance of Development Permit No. DP22-0203 for Lot 16 District Lot 135 ODYD Plan 3929 located at 712-722 Raymer Avenue, Kelowna, BC, subject to the following:

- 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";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

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 owner of the day. Should the Developer carry out the development as per the conditions of this permit, the security shall be returned to the Developer or his or her designate following proof of Substantial Compliance as defined in Bylaw No. 12310. There is filed accordingly:

- a) An Irrevocable Letter of Credit **OR** certified cheque **OR** a Surety Bond in the amount of **\$29,255.69**


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.

4. 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	A
This forms part of application # DP22-0203	
Planner Initials	TC
 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.

LOT 16 RAYMER AVE, KELOWNA BC

PROPERTY DESCRIPTION

CVIC: 712 RAYMER AVE, KELOWNA BC
LEGAL: LOT 16, PLAN KAP3929

BC ENERGY STEP CODE COMPLIANCE: STEP 3

ZONING CALCULATIONS:

CURRENT: CITY OF KELOWNA UCS ZONING

SITE INFORMATION:

GROSS SITE AREA= 10,026 SF (931 sm)
GROSS SITE AREA WITH ROAD DEDICATION = 9,556.8 SF (888 sm)

	<u>ALLOWED/REQUIRED</u>	<u>PROPOSED</u>
ALLOWABLE SITE COVERAGE=	85% (8,123 sf)	60% (5,697 sf)
ALLOWABLE SITE COVERAGE & HARDSCAPING=	90% (8,601 sf)	83% (7,935 sf)
F.A.R. =	1.8 (17,202 sf)	1.20 (11,503 sf)

PRIVATE AMENITY SPACE	21 sm x 9 = 189 sm	5,686 sf (528 sm)
COMMON AMENITY SPACE	4 sm x 9 = 36 sm	397 sf (36.9 sm)

HEIGHT=	22.0m (6 STOREYS)	10.1m (3 STOREYS)
---------	-------------------	-------------------

YARD SETBACKS:

FRONT YARD=	2.0m	2.0m
FLANKING STREET=	2.0m	2.0m
SIDE YARD=	0.0m	7.9m
REAR YARD=	0.0m	2.5m

PARKING CALCULATIONS:
1 PER 2 OR MORE BED RESIDENCE=
VISITOR

ALLOWED/REQUIRED

1X8 = 8
0.14x 8 = 1.12

PROPOSED

8
1
8 (GARAGE STORAGE)
4

BICYCLE STORAGE:
REQUIRED LONGTERM
REQUIRED SHORT TERM

N/A
4

UNIT CALCULATIONS			
UNIT	# OF BEDROOMS	UNIT AREA	PRIVATE AMENITY SPACE
UNIT 1 - LEVEL 1		178 SF	
UNIT 1 - LEVEL 2		754 SF	
UNIT 1 - LEVEL 3	3	794 SF	881 SF
UNIT 2 - LEVEL 1		180 SF	
UNIT 2 - LEVEL 2		565 SF	
UNIT 2 - LEVEL 3	2	596 SF	654 SF
UNIT 3 - LEVEL 1		180 SF	
UNIT 3 - LEVEL 2		565 SF	
UNIT 3 - LEVEL 3	2	596 SF	654 SF
UNIT 4 - LEVEL 1		180 SF	
UNIT 4 - LEVEL 2		565 SF	
UNIT 4 - LEVEL 3	2	596 SF	654 SF
UNIT 5 - LEVEL 1		180 SF	
UNIT 5 - LEVEL 2		565 SF	
UNIT 5 - LEVEL 3	2	596 SF	654 SF
UNIT 6 - LEVEL 1		180 SF	
UNIT 6 - LEVEL 2		565 SF	
UNIT 6 - LEVEL 3	2	596 SF	654 SF
UNIT 7 - LEVEL 1		180 SF	
UNIT 7 - LEVEL 2		565 SF	
UNIT 7 - LEVEL 3	2	596 SF	654 SF
UNIT 8 - LEVEL 1		178 SF	
UNIT 8 - LEVEL 2		754 SF	
UNIT 8 - LEVEL 3	3	794 SF	881 SF
TOTAL UNIT AREAS		11503 SF	

SCHEDULE A

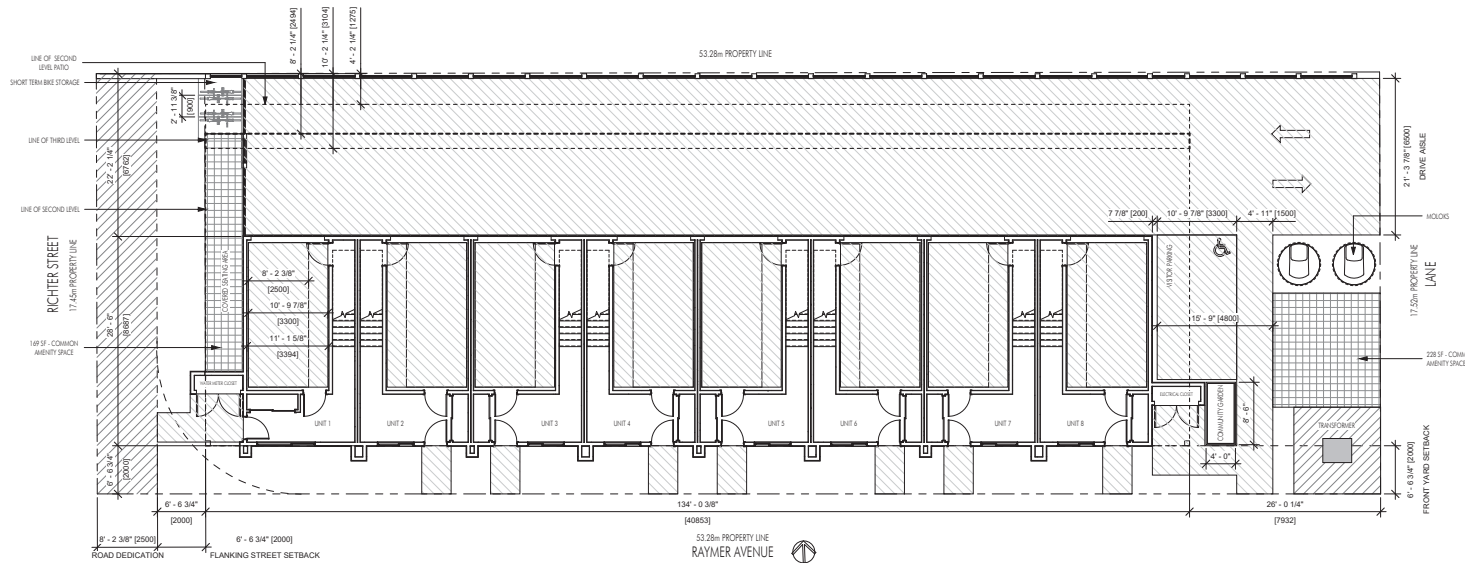
This forms part of application
DP22-0203

Planner Initials

TC



City of Kelowna
DEVELOPMENT PLANNING



1 SITE PLAN
A-001 1/8" = 1'-0"



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All trades are to consult the work in accordance with the current municipality building by-laws and requirements of other local authorities being jurisdiction as well as the British Columbia Building Code. All trades shall ensure full responsibility for the locations and addresses. All trades shall ensure full responsibility for the locations and protection of all under and above ground utilities, wires and conduit connections, including but not limited to water, sewer, gas, fiber and telephone.

Revision No.	Date	Description
07.25.22	FOR REVIEW	
09.14.22	FOR REVIEW	
10.07.22	FOR DP	
01.27.23	FOR REVIEW	
02.28.23	ADDENDUM NO.1	

Plot Date
PROJECT
712 RAYMER AVE
DRAWING TITLE
PROJECT INFORMATION
Drawing No.
A-001



ADDENDUM NO.1

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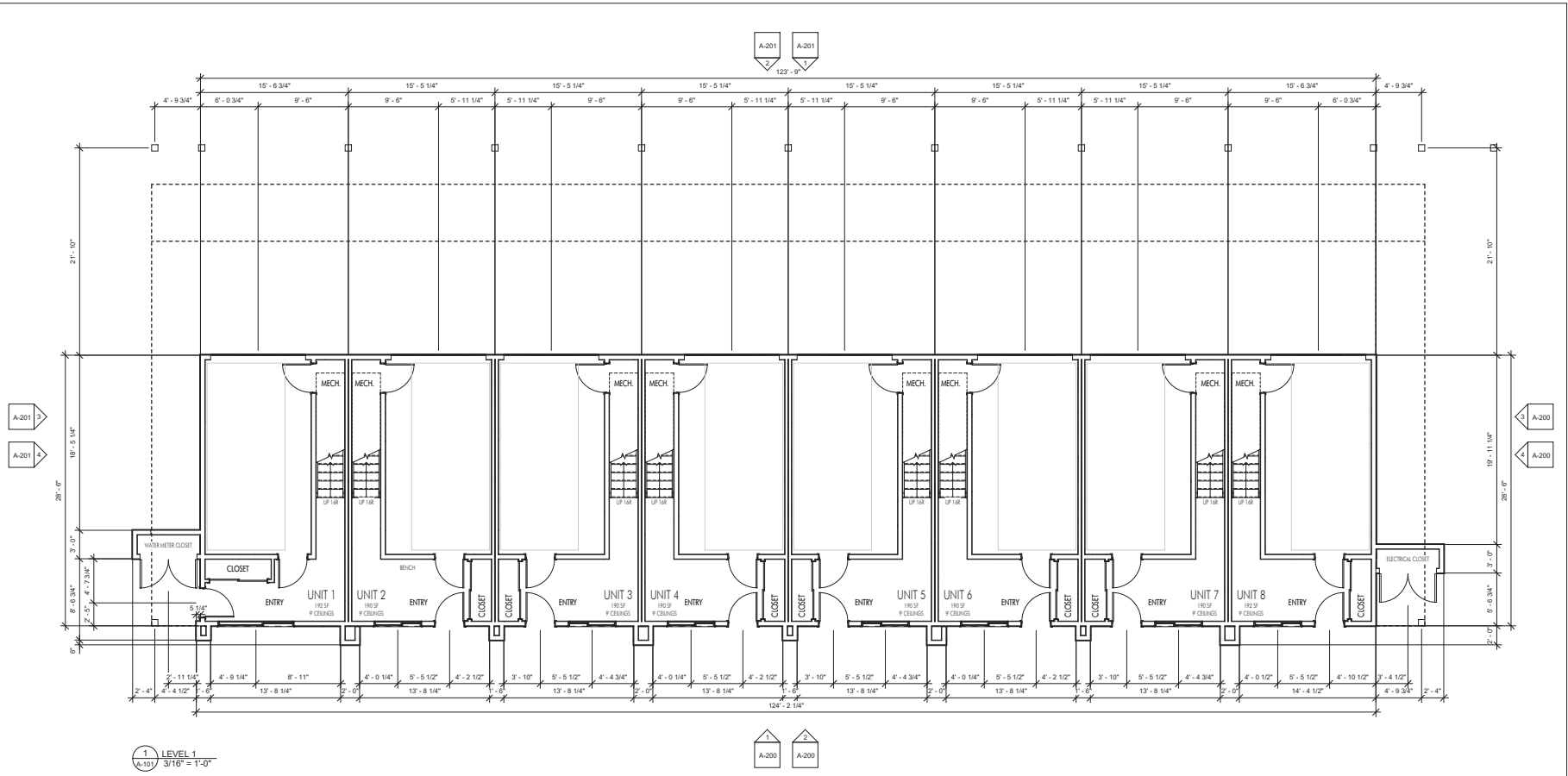
All trades shall coordinate the work in accordance with the current municipality building by-laws and requirements of other local authorities having jurisdiction as well as the British Columbia building code. (Insert recent address including all published revisions and address). All trades shall assume full responsibility for the location and protection of all under and above ground utilities, wires and conduit connections, including but not limited to water, sewer, gas, fiber and telephone.

Revision No.	Date	Description
07.12.22	FOR REVIEW	
07.18.22	FOR REVIEW	
07.25.22	FOR REVIEW	
09.14.22	FOR REVIEW	
10.07.22	FOR DP	
01.27.23	FOR REVIEW	
02.28.23	ADDENDUM NO.1	

Plot Date

PROJECT
712 RAYMER AVE.
DRAWING TITLE
LEVEL 1

Drawing No.
A-101



1 LEVEL 1
A-101 3/16" = 1'-0"

SCHEDULE A

This forms part of application
DP22-0203

Planner Initials **TC**

ADDENDUM NO.1

CONTRACT:
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All trades shall be executed in accordance with the current municipality building by-laws and requirements of other local authorities having jurisdiction as well as the British Columbia building code. The client/owner shall be responsible for all published revisions and addenda. All trades shall ensure full responsibility for the location and protection of all under and above ground utilities, wires and conduits connections, including but not limited to water, sewer, gas, fiber and telephone.

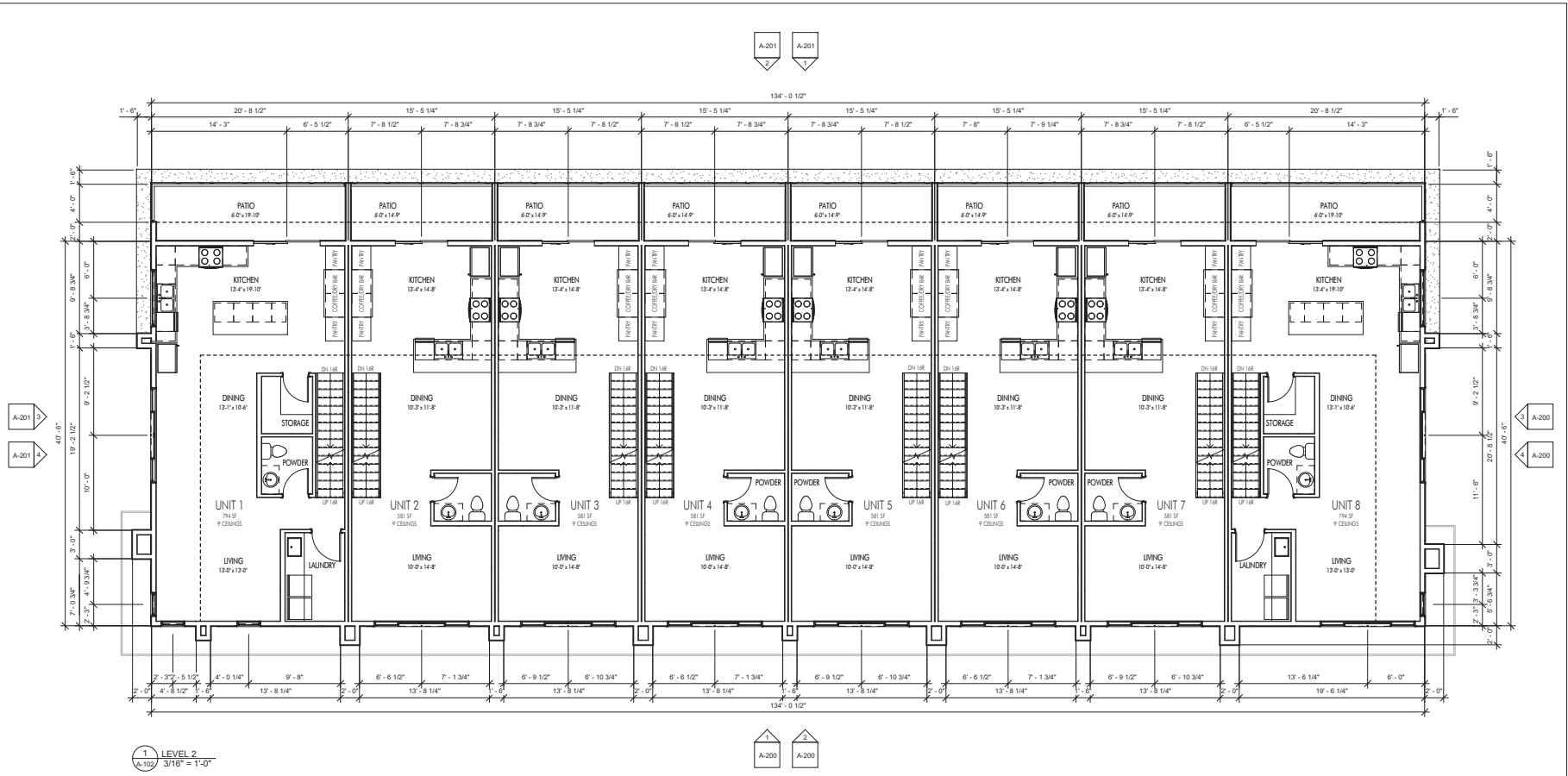
Revision No.	Date	Description
07.12.22	FOR REVIEW	
07.18.22	FOR REVIEW	
07.25.22	FOR REVIEW	
09.14.22	FOR REVIEW	
10.07.22	FOR DP	
01.27.23	FOR REVIEW	
02.28.23	ADDENDUM NO.1	

Plot Date

PROJECT
712 RAYMER AVE.

DRAWING TITLE
LEVEL 2

Drawing No.
A-102



1 LEVEL 2
A-102 3/16" = 1'-0"

SCHEDULE A

This forms part of application
DP22-0203

Planner Initials **TC**

City of **Kelowna**
DEVELOPMENT PLANNING

ADDENDUM NO.1

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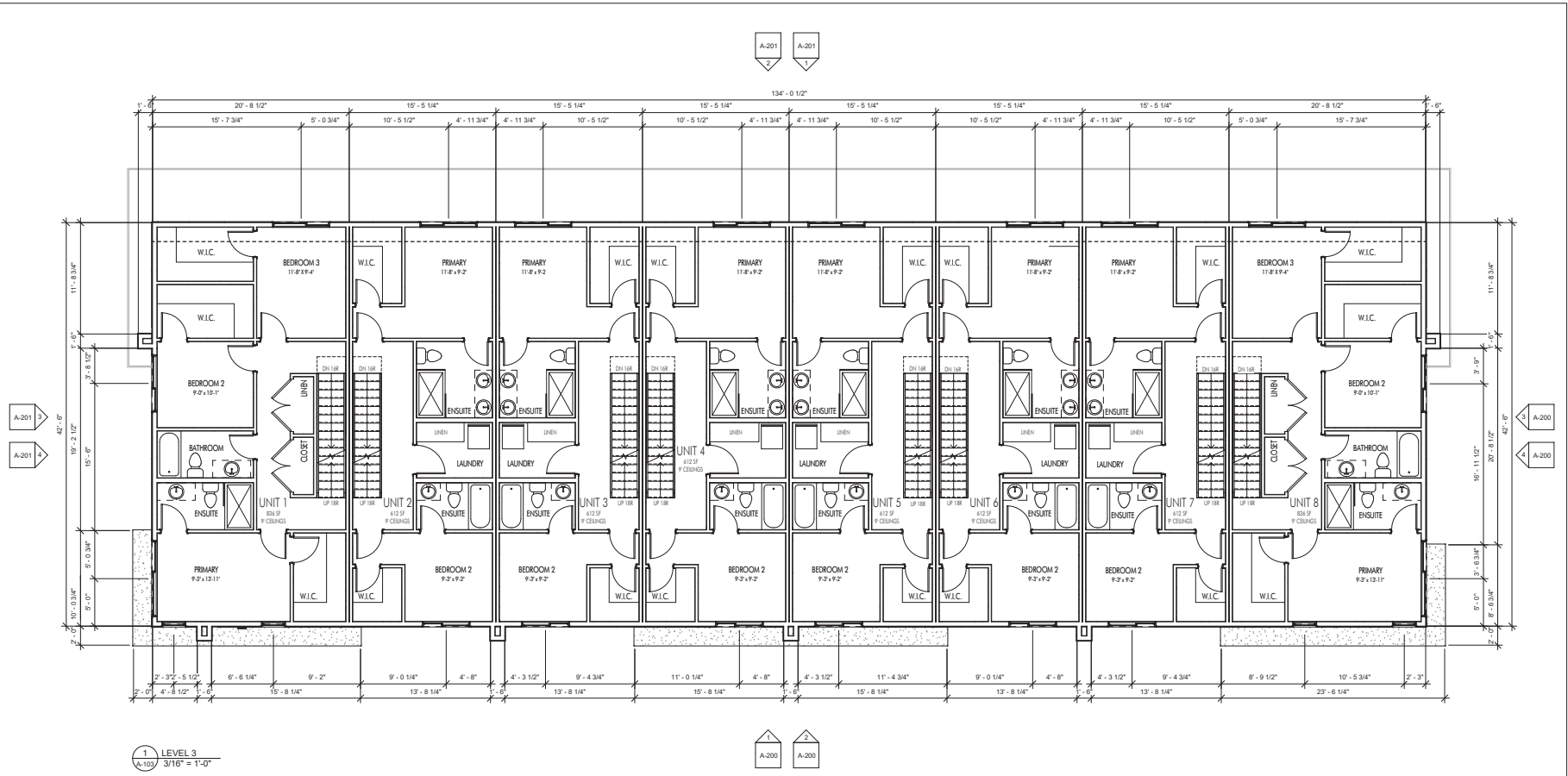
All notes are to describe the work in accordance with the current municipality building by-laws and requirements of other local authorities having jurisdiction as well as the British Columbia building code as the British Columbia building code is the most recent edition including all published revisions and addenda. All notes shall ensure full responsibility for the location and protection of all under and above ground utilities, wires and conduit connections, including but not limited to water, sewer, gas, fiber and telephone.

Revision No.	Date	Description
07.12.22	FOR REVIEW	
07.18.22	FOR REVIEW	
07.25.22	FOR REVIEW	
09.14.22	FOR REVIEW	
10.07.22	FOR DP	
01.27.23	FOR REVIEW	
02.28.23	ADDENDUM NO.1	

Plot Date

PROJECT
712 RAYMER AVE.
DRAWING TITLE
LEVEL 3

Drawing No.
A-103



1 LEVEL 3
A-103 3/16" = 1'-0"

SCHEDULE A

This forms part of application
DP22-0203

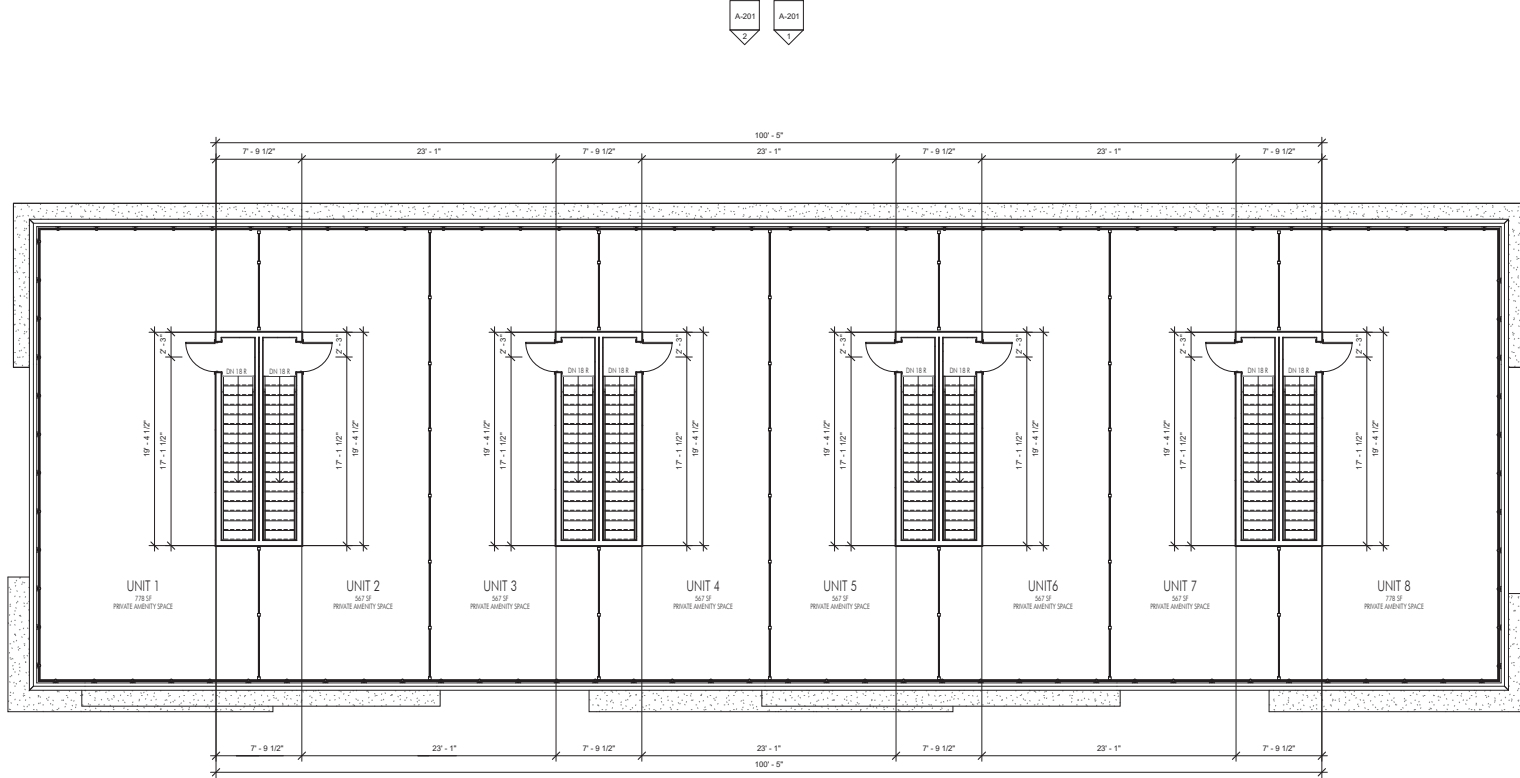
Planner Initials **TC**

ADDENDUM NO.1

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All trades are to consult the work in accordance with the current municipality building by-laws and requirements of other local authorities having jurisdiction as well as the British Columbia Building Code. LIME Architect is not responsible for the location and address. All trades shall ensure full responsibility for the location and protection of all under and above ground utilities, wires and conduit connections, including but not limited to water, sewer, gas, fibre and telephone.

Revision No.	Date	Description
07.25.22	FOR REVIEW	
09.14.22	FOR REVIEW	
10.07.22	FOR DP	
01.27.23	FOR REVIEW	
02.28.23	ADDENDUM NO.1	



1 ROOF DECK
A-104
3/16" = 1'-0"

SCHEDULE A

This forms part of application
DP22-0203



City of
Kelowna
DEVELOPMENT PLANNING

Planner Initials
TC

ADDENDUM NO.1

Plot Date
PROJECT 712 RAYMER AVE.
DRAWING TITLE ROOF DECK
Drawing No. A-104



712 RAYMER AVENUE, KELOWNA BC



PROPERTY DESCRIPTION

CIVIC: 712 RAYMER AVENUE, KELOWNA BC
 LEGAL: LOT 16, PLAN KAP3929

SCHEDULE B
 This forms part of application
 # DP22-0203

City of Kelowna
 DEVELOPMENT PLANNING

Planner Initials: TC

CONSULTANT TEAM

OWNER/ OPERATOR	ARCHITECTURAL	STRUCTURAL	MECHANICAL	ELECTRICAL	CIVIL	CONTRACTOR
Cellar Door Advisors 965 W 17th Avenue Vancouver, BC V5Z 1V5 778-828-3577	LIME ARCHITECTURE INC. 205-1626 Richter Street Kelowna, BC V1Y 2M3 250-448-7801	Ecora 200-2045 Enterprise Way Kelowna, BC V1Y 9T5 250-469-9757	Delta-T Consultants Ltd. 101-1449 St. Paul Street Kelowna, BC V1Y 2E5 250-860-5550	Paralynx Engineering 32034-2151 Louie Drive Westbank, BC V4T 3G2 778-738-2172	Ecora 200-2045 Enterprise Way Kelowna, BC V1Y 9T5 250-469-9757	3RD Generation Homes 202-474 West Avenue Kelowna, BC V1Y 4Z2 250-300-5262
Contact(s): Kelly McQuiggan	Contact(s): Stephanie Sannuto	Contact(s): Kelvin Chand	Contact(s): Cathy Chen	Contact(s): Andy Ou Greg Lynch	Contact(s): Joanne Keopke	Contact(s): Emma Oliver

ARCHITECTURAL SHEET LIST

- A-000 COVER SHEET
- A-001 PROJECT INFORMATION
- A-101 LEVEL 1
- A-102 LEVEL 2
- A-103 LEVEL 3
- A-104 ROOF DECK
- A-200 ELEVATIONS
- A-201 ELEVATIONS



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All trades are to consult the work in accordance with the current municipality building by-laws and requirements of other local authorities having jurisdiction as well as the British Columbia Building Code. (Insert recent edition including all published revisions and addenda. All trades shall ensure full responsibility for the location and protection of all under and above ground utilities, wires and conduit connections, including but not limited to water, sewer, gas, fiber and telephone.

Revision No., Date and Description
 02.28.23 ADDENDUM NO.1

Plot Date
PROJECT
 712 RAYMER AVE
DRAWING TITLE
 COVER SHEET

Drawing No.
A-000



ADDENDUM NO.1



1 SOUTH COLOUR ELEVATION
A-200
1/8" = 1'-0"



2 SOUTH ELEVATION
A-200
1/8" = 1'-0"






3 EAST COLOUR ELEVATION
A-200
1/8" = 1'-0"



4 EAST ELEVATION
A-200
1/8" = 1'-0"

EXTERIOR FINISHES AND COLOURS:

-  FASCIA, TRIM, WINDOWS AND DOORS: BLACK
-  HARDIE: REVEAL PANEL IN DEEP OCEAN
-  HARDIE: REVEAL PANEL IN COBBLE STONE
-  MAC: WOOD COLLECTION IN SMOKED BIRCH
-  STUCCO: BENJAMIN MOORE - DISTANT GRAY 2140-70
-  STUCCO: BENJAMIN MOORE - BLACK BEAUTY 2128-10
-  WOOD PRIVACY SCREEN: STAINED TO MATCH MAC WOOD IN SMOKED BIRCH
-  STRUCTURAL POSTS AND BEAMS: WRAPPED TO MATCH MAC WOOD IN SMOKED BIRCH
-  ACCENT DOORS: RED

SCHEDULE B

This forms part of application
DP22-0203

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING

ADDENDUM NO.1

LIME ARCHITECTURE INC.
PHONE 250-448-7891
305-1628 Rimmer Street, Kelowna, BC V1Y 2R2
www.limearchitecture.com

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Revision No., Date and Description

07.25.22	FOR REVIEW
09.14.22	FOR REVIEW
10.07.22	FOR DP
01.27.23	FOR REVIEW
02.28.23	ADDENDUM NO.1

Plot Date

PROJECT
712 RAYMER AVE.

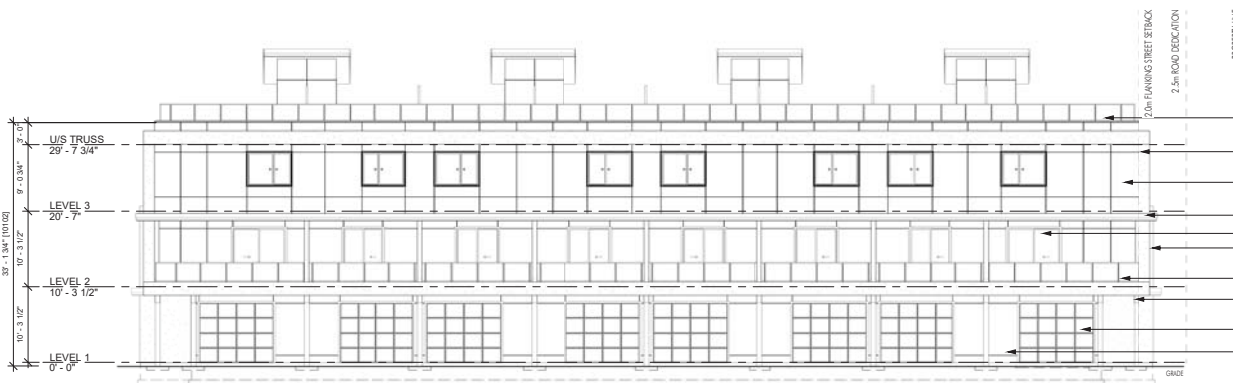
DRAWING TITLE
ELEVATIONS

Drawing No.
A-200

PROFESSIONAL ARCHITECT
REGISTERED ARCHITECT
LIME ARCHITECTURE INC.
L. COLLIER
ARCHITECT



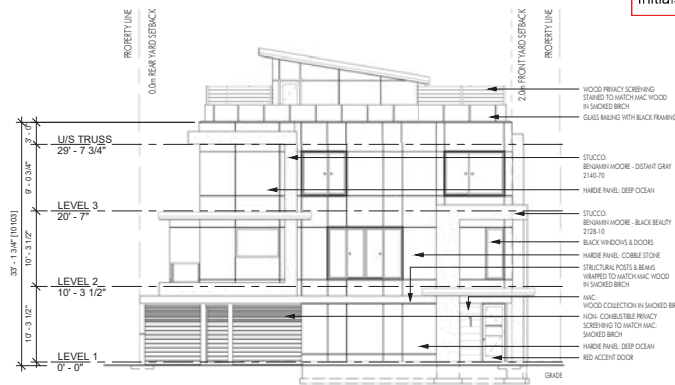
1 NORTH COLOUR ELEVATION
A-201 1/8" = 1'-0"



2 NORTH ELEVATION
A-201 1/8" = 1'-0"





3 WEST COLOUR ELEVATION
A-201 1/8" = 1'-0"



4 WEST ELEVATION
A-201 1/8" = 1'-0"

EXTERIOR FINISHES AND COLOURS:

-  FASCIA, TRIM, WINDOWS AND DOORS:
BLACK
-  HARDEE:
REVEAL PANEL IN DEEP OCEAN
-  HARDEE:
REVEAL PANEL IN COBBLE STONE
-  MAC:
WOOD COLLECTION IN SMOKED BIRCH
-  STUCCO:
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-  STRUCTURAL POSTS AND BEAMS:
WRAPPED TO MATCH MAC
WOOD IN SMOKED BIRCH
-  ACCENT DOORS:
RED

SCHEDULE B

This forms part of application
DP22-0203

Planner Initials **TC**

City of Kelowna
DEVELOPMENT PLANNING



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Revision No.	Date	Description
07.25.22	FOR REVIEW	
09.14.22	FOR REVIEW	
10.07.22	FOR DP	
01.27.23	FOR REVIEW	
02.28.23	ADDENDUM NO.1	

Plot Date

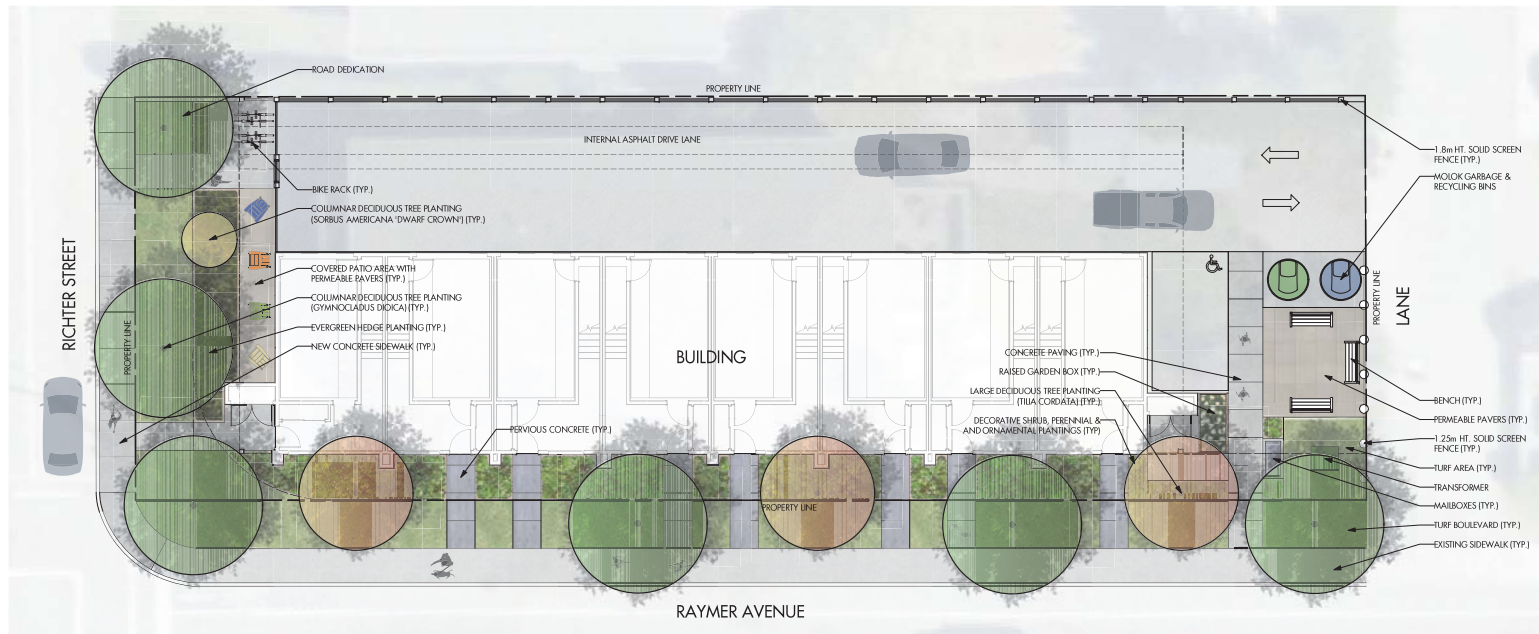
PROJECT
712 RAYMER AVE

DRAWING TITLE
ELEVATIONS

Drawing No.
A-201



ADDENDUM NO.1



PROJECT TITLE
712 RAYMER AVENUE

LOCATION
 Kelowna, BC

DRAWING TITLE
CONCEPTUAL LANDSCAPE PLAN

SUBMIT / REVISION	
1	22.10.07 Review
2	13.02.14 Review
3	
4	
5	

PROJECT NO.	21541
DESIGN BY	PAV/AM
DRAWN BY	JMC
CHECKED BY	TR
DATE	18.04.2022
SCALE	1:100
PAGE SIZE	A4(50)
SEA	



DRAWING NUMBER
L 1/2

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NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CANADIAN LANDSCAPE STANDARDS. ALL OFFSITE LANDSCAPE WORKS TO MEET CITY OF KELOWNA BYLAW 12375 STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm NATURAL WOOD MULCH AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT. SMALL TREE BEDS TO RECEIVE 150mm AND LARGE TREES TO RECEIVE 300mm DEPTH TOPSOIL PLACEMENT TO ACHIEVE SOIL VOLUME PER TREE REQUIREMENTS.
5. TURF AREA FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 150mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.

PLANT LIST

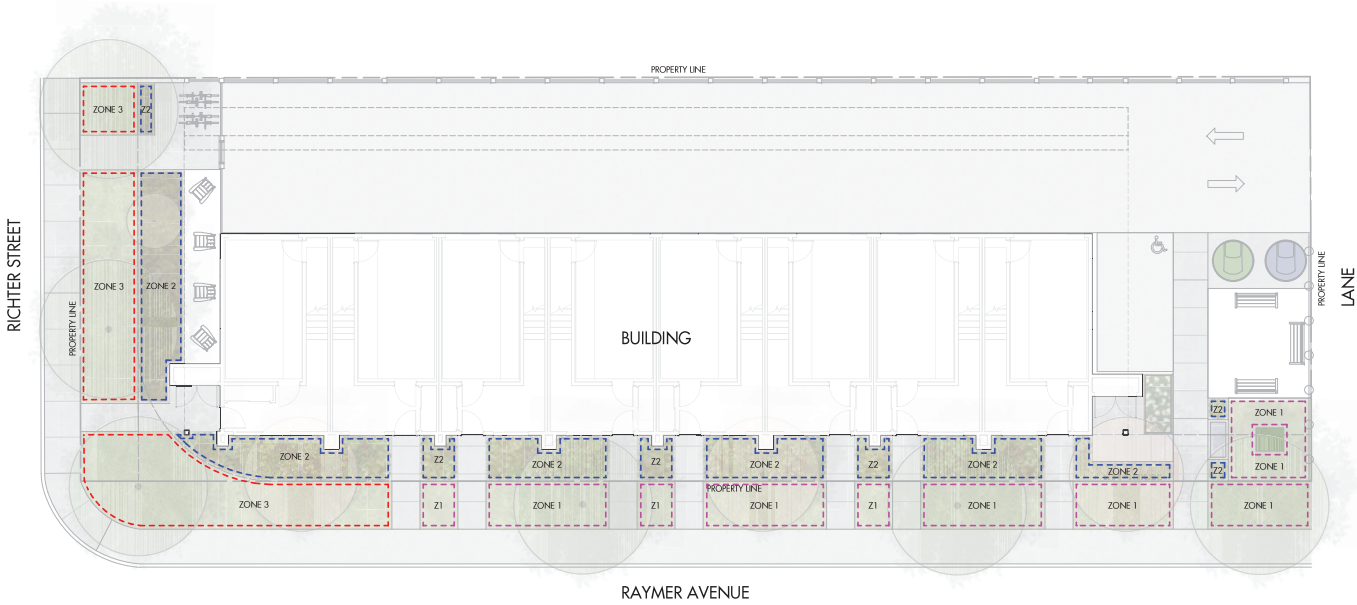
BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
CYMNOCYLADUS DIOICA	KENTUCKY COFFEE TREE	6	5m CAL
SOBORUS AMERICANA 'DWARF CROWN'	AMERICAN MOUNTAIN ASH	1	3m CAL
TILIA CORDATA	LITTLE LEAF LINDEN	3	5m CAL
SHRUBS			
TAXUS X MEDIA 'HICKSII'	HICK'S YEW	13	#02 CONT. /2.4M O.C. SPACING
PERENNIALS & ORNAMENTAL GRASSES			
CASUALGROSTIS ACUTIRIOLA 'KARL FOERSTER'	FOERSTER'S FEATHER REED GRASS	18	#01 CONT. /0.6M O.C. SPACING
MISCANTHUS SINENSIS 'SIRACULUS'	MAIDEN GRASS	4	#01 CONT. /1.2M O.C. SPACING
NIPEETA X FAASSENII 'WALKER'S LOW'	WALKER'S LOW CATMINT	8	#01 CONT. /1.0M O.C. SPACING
SALVIA NEMOROSA 'MAYNIGHT'	MAYNIGHT SALVIA	18	#01 CONT. /0.6M O.C. SPACING
SEDUM 'TRECROCKER'	TRECROCKER STONECROP	18	#01 CONT. /0.6M O.C. SPACING

SCHEDULE C

This forms part of application
DP22-0203

Planner Initials **TC**

City of Kelowna
 DEVELOPMENT PLANNING



IRRIGATION NOTES

1. IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE WATER USE REGULATION BYLAW NO. 1 0480 AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KELOWNA BYLAW 7900 (PART 6, SCHEDULE 5).
2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER PURVEYOR.
3. THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, AND SHUT-OFF VALVE (LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE CITY).
4. AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM ET VALUE OF 71 / MONTH (KELOWNA JULY ET), TAKING INTO CONSIDERATION SOIL TYPE, SLOPE, AND MICROCLIMATE.
5. DRIP LINE AND EMITTERS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTRUSION.
6. IRRIGATION SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES AND FEATURES.
7. IRRIGATION PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m / SEC.
8. A FLOW SENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

IRRIGATION LEGEND

- ZONE #1: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS
 TOTAL AREA: 73 sq.m.
 MICROCLIMATE: SOUTHEAST EXPOSURE, PARTIALLY SHADED BY TREES
 ESTIMATED ANNUAL WATER USE: 63 cu.m.
- ZONE #2: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS
 TOTAL AREA: 82 sq.m.
 MICROCLIMATE: SOUTHWEST EXPOSURE, PARTIALLY SHADED BY TREES
 ESTIMATED ANNUAL WATER USE: 27 cu.m.
- ZONE #3: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS
 TOTAL AREA: 69 sq.m.
 MICROCLIMATE: SOUTHWEST EXPOSURE, PARTIALLY SHADED BY TREES
 ESTIMATED ANNUAL WATER USE: 59 cu.m.

WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WB) = 166 cu.m. / year
 ESTIMATED LANDSCAPE WATER USE (WU) = 149 cu.m. / year
 WATER BALANCE = 17 cu.m. / year
 *REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS

SCHEDULE C

This forms part of application
 # DP22-0203

Planner Initials **TC**

City of Kelowna
 DEVELOPMENT PLANNING



PROJECT TITLE
712 RAYMER AVENUE

LOCATION
 Kelowna, BC

DRAWING TITLE
**WATER CONSERVATION/
 IRRIGATION PLAN**

REVISIONS

NO.	DATE	DESCRIPTION
1	22.10.07	Review
2	23.02.24	Review
3		
4		
5		

PROJECT NO. 21541
 DESIGN BY: WAW/AM
 DRAWN BY: JMC
 CHECKED BY: TB
 DATE: FEB. 24, 2022
 SCALE: 1:100
 PAGE SIZE: 24x36"



DRAWING NUMBER
L2/2

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

SECTION 4.0: TOWNHOUSES & INFILL						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
3.1 Townhouses						
3.1.1 Relationship to the Street	N/A	1	2	3	4	5
a. Design primary unit entrances to provide: <ul style="list-style-type: none"> • A clearly visible front door directly accessible from a public street or publicly accessible pathway via a walkway, porch and/or stoop; • Architectural entrance features such as stoops, porches, shared landings, patios, recessed entries, and canopies; • A sense of transition from the public to the private realm by utilizing strategies such as changes in grade, decorative railings, and planters; and • Punctuation, articulation, and rhythm along the street 						✓
b. A maximum 1.2 m height (e.g. 5-6 steps) is desired for front entryways or stoops. Exceptions can be made in cases where the water table requires this to be higher.						✓
c. In the case of shared landings that provide access to multiple units, avoid having more than two doors in a row facing outward.	✓					
d. For buildings oriented perpendicularly to the street (e.g. shotgun townhomes), ensure that the end unit facing the street is a custom street-oriented unit with primary entry directly accessible from the fronting street and primary living space at grade.						✓
3.1.2 Scale and Massing	N/A	1	2	3	4	5
a. Wherever possible, reflect the positive attributes of adjacent housing while integrating new higher density forms of housing as envisioned in the OCP.				✓		
b. Scale and site buildings to establish consistent rhythm along the street by, for example, articulating individual units through integration of recessed entries, balconies, a change in materials and slight projection/recess in the façade.						✓
c. Limit the number of connected townhouse units to a maximum of 6 units before splitting into multiple buildings. <ul style="list-style-type: none"> • In larger townhouse developments (e.g., master planned communities with internal circulation pattern), integrate a large proportion of 4 unit townhouse buildings to create a finer gran of development and limit visual impacts. 		✓				
3.1.3 Site Planning	N/A	1	2	3	4	5
a. Gated or walled communities are not supported.						✓
b. For large townhouse projects, consider including communal amenity buildings.	✓					
Connectivity						
c. Provide pedestrian pathways on site to connect:						✓

ATTACHMENT B

This forms part of application
DP22-0203

Planner Initials **TC**



City of Kelowna
DEVELOPMENT PERMIT

<ul style="list-style-type: none"> Main building entrances to public sidewalks and open spaces; Visitor parking areas to building entrances; From the site to adjacent pedestrian/trail/cycling networks (where applicable). 						
d. When pedestrian connections are provided on site, frame them with an active edge – with entrances and windows facing the path or lane.						✓
e. For large townhouse projects (e.g. master planned communities with internal circulation pattern): <ul style="list-style-type: none"> Design the internal circulation pattern to be integrated with and connected to the existing and planned public street network. 	✓					
Facing Distances and Setbacks						
f. Locate and design buildings to maintain access to sunlight, and reduce overlook between buildings and neighbouring properties.					✓	
g. Separate facing buildings on site a minimum of 10 – 12 m to provide ample spatial separation and access to sunlight.	✓					
h. Limit building element projections, such as balconies, into setback areas, streets, and amenity areas to protect solar access.						✓
i. Front yard setbacks on internal roads should respond to the height of townhouses, with taller townhouses (e.g. 3 storeys) having greater setbacks to improve liveability and solar access.			✓			
3.1.4 Open Spaces						
a. Design all units to have easy access to useable private or semi-private outdoor amenity space.					✓	
b. Design front yards to include a path from the fronting street to the primary entry, landscaping, and semi-private outdoor amenity space.						✓
c. Avoid a 'rear yard' condition with undeveloped frontages along streets and open spaces.						✓
d. Design private outdoor amenity spaces to: <ul style="list-style-type: none"> Have access to sunlight; Have railing and/or fencing to help increase privacy; and Have landscaped areas to soften the interface with the street or open spaces/ 						✓
e. Design front patios to: <ul style="list-style-type: none"> Provide an entrance to the unit; and Be raised a minimum of 0.6 m and a maximum of 1.2 m to create a semi-private transition zone. 						✓
f. Design rooftop patios to: <ul style="list-style-type: none"> Have parapets with railings; Minimize direct sight lines into nearby units; and Have access away from primary facades. 					✓	
g. Design balconies to be inset or partially inset to offer privacy and shelter, reduce building bulk, and minimize shadowing. <ul style="list-style-type: none"> Consider using balcony strategies to reduce the significant potential for heat loss through thermal bridge connections which could impact energy performance. 					✓	

ATTACHMENT B

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City of Kelowna
DEVELOPMENT PLANNING


h. Provide a minimum of 10% of the total site area to common outdoor amenity spaces that: <ul style="list-style-type: none"> • Incorporate landscaping, seating, play space, and other elements that encourage gathering or recreation; and • Avoid isolated, irregularly shaped areas or areas impacted by parking, mechanical equipment, or servicing areas. 			✓			
i. For large townhouse projects, provide generous shared outdoor amenity spaces integrating play spaces, gardening, storm water and other ecological features, pedestrian circulation, communal amenity buildings, and other communal uses.	✓					
3.1.5 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a. Provide landscaping in strategic locations throughout to frame building entrances, soften edges, screen parking garages, and break up long facades.						✓
Site Servicing						
b. Exceptions for locating waste collection out of public view can be made for well-designed waste collection systems such as Molok bins.				✓		
Parking						
c. Rear-access garage or integrated tuck under parking is preferred in townhouses, in general, and is required for townhouses facing public streets.						✓
d. Centralized parking areas that eliminate the need to integrate parking into individual units are supported.			✓			
e. Front garages and driveway parking are acceptable in townhouses facing internal strata roads, with the following considerations: <ul style="list-style-type: none"> • Architecturally integrate the parking into the building and provide weather protection to building entries; and • Design garage doors to limit visual impact, using strategies such as recessing the garage from the rest of the façade. 	✓					
f. Provide visitor parking in accessible locations throughout the site and provide pedestrian connections from visitor parking to townhouse units. Acceptable locations include: <ul style="list-style-type: none"> • Distributed through the site adjacent to townhouse blocks; and • Centralized parking, including integration with shared outdoor amenity space 						✓
Access						
g. Ensure that internal circulation for vehicles is designed to accommodate necessary turning radii and provides for logical and safe access and egress.						✓
h. For large townhouse projects (e.g. master planned communities with internal circulation pattern), a minimum of two access/egress points to the site is desired.	✓					
i. Locate access points to minimize impacts of headlights on building interiors.						✓

j. Design the internal circulation patter and pedestrian open space network to be integrated with and connected to the existing and planned public street and open space network.						✓
3.1.6 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
a. Design facades to articulate the individual units while reflecting positive attributes of neighbourhood character. Strategies for achieving this include: <ul style="list-style-type: none"> • Recessing or projecting facades to highlight the identity of individual units; and • Using entrance features, roofline features, or other architectural elements. 				✓		
b. To maximize integration with the existing neighbourhood, design infill townhouses to: <ul style="list-style-type: none"> • Incorporate design elements, proportions, and other characteristics found within the neighbourhood; and • Use durable, quality materials similar or complementary to those fond within the neighbourhood. 						✓
c. Maintain privacy of units on site and on adjacent properties by minimizing overlook and direct sight lines from the building using strategies such as: <ul style="list-style-type: none"> • Off-setting the location of windows in facing walls and locating doors and patios to minimize privacy concerns from direct sight lines; • Use of clerestory windows; • Use of landscaping or screening; and • Use of setbacks and articulation of the building. 				✓		

ATTACHMENT B

This forms part of application
DP22-0203

Planner Initials **TC**



City of
Kelowna
DEVELOPMENT PLANNING



City of
Kelowna

Application No. DP22-0203
Property Address: 712-722 Raymer Avenue
Development Permit Application

Purpose

- ▶ To issue a Development Permit for the form and character of a townhouse development.

Development Process



Oct 21, 2022

Development Application Submitted



Staff Review & Circulation



Development Permit Consideration



Apr 3, 2023



Council Approvals



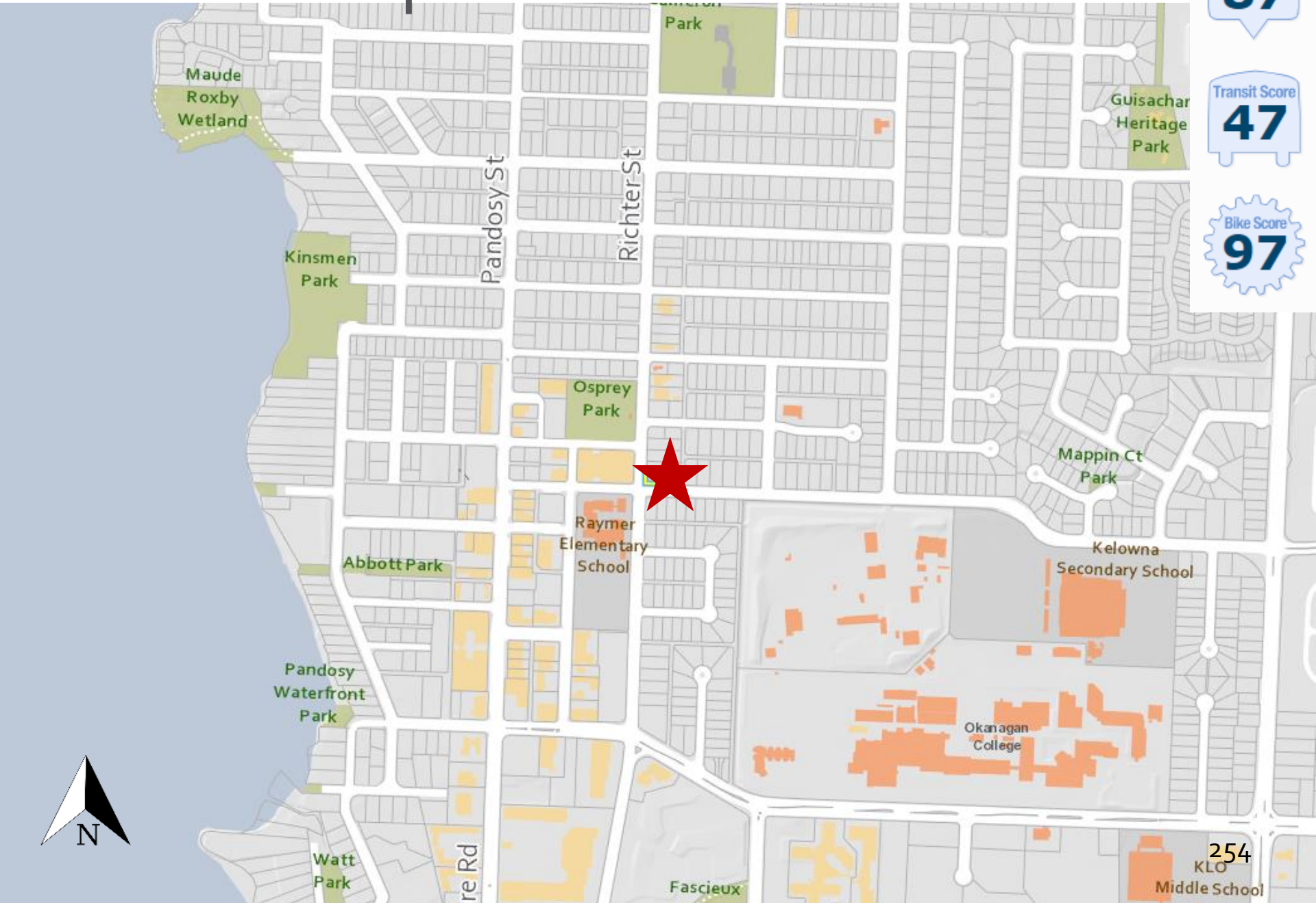
Building Permit

Context Map

Walk Score
87

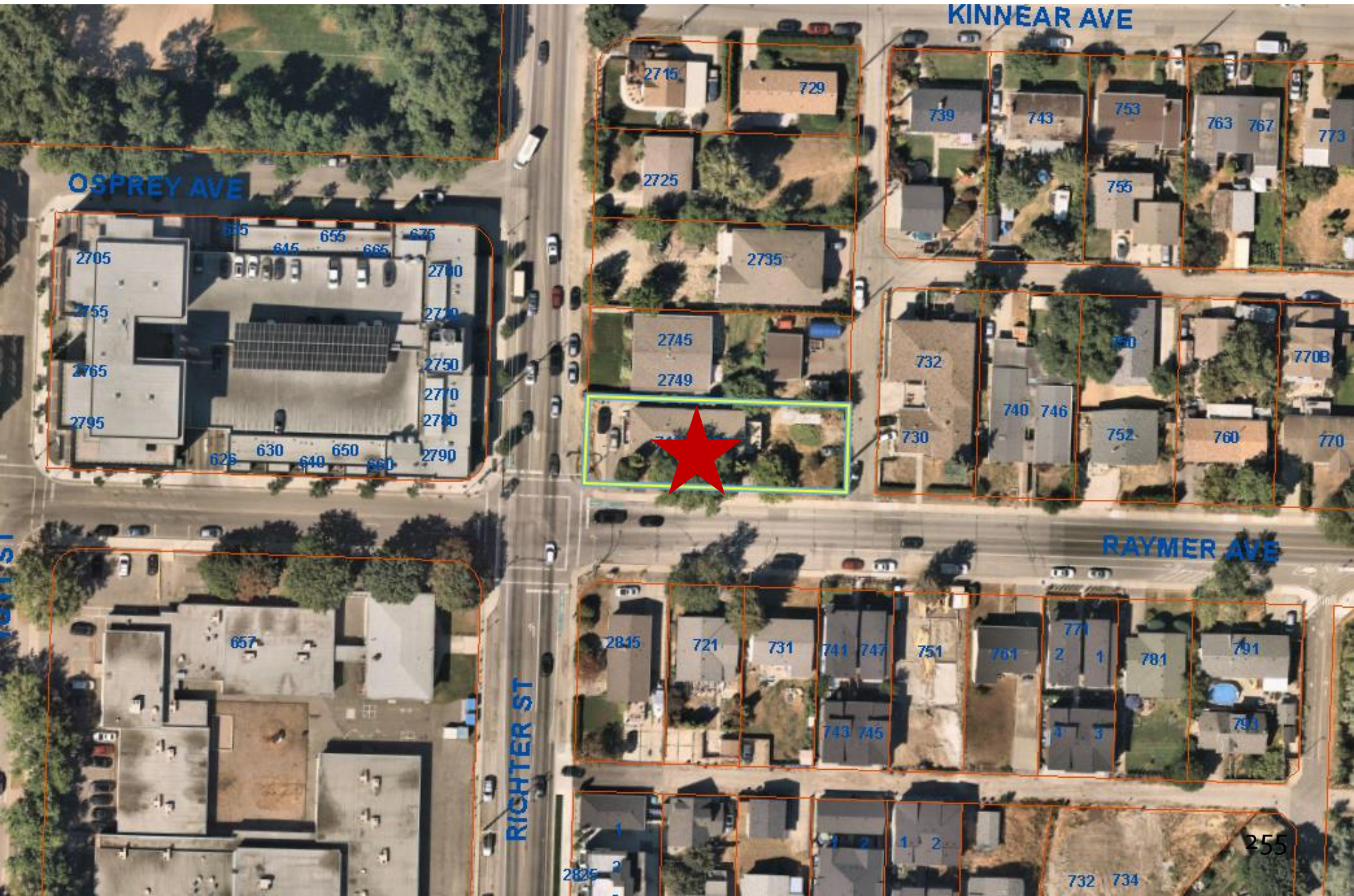
Transit Score
47

Bike Score
97



254
KLO
Middle School

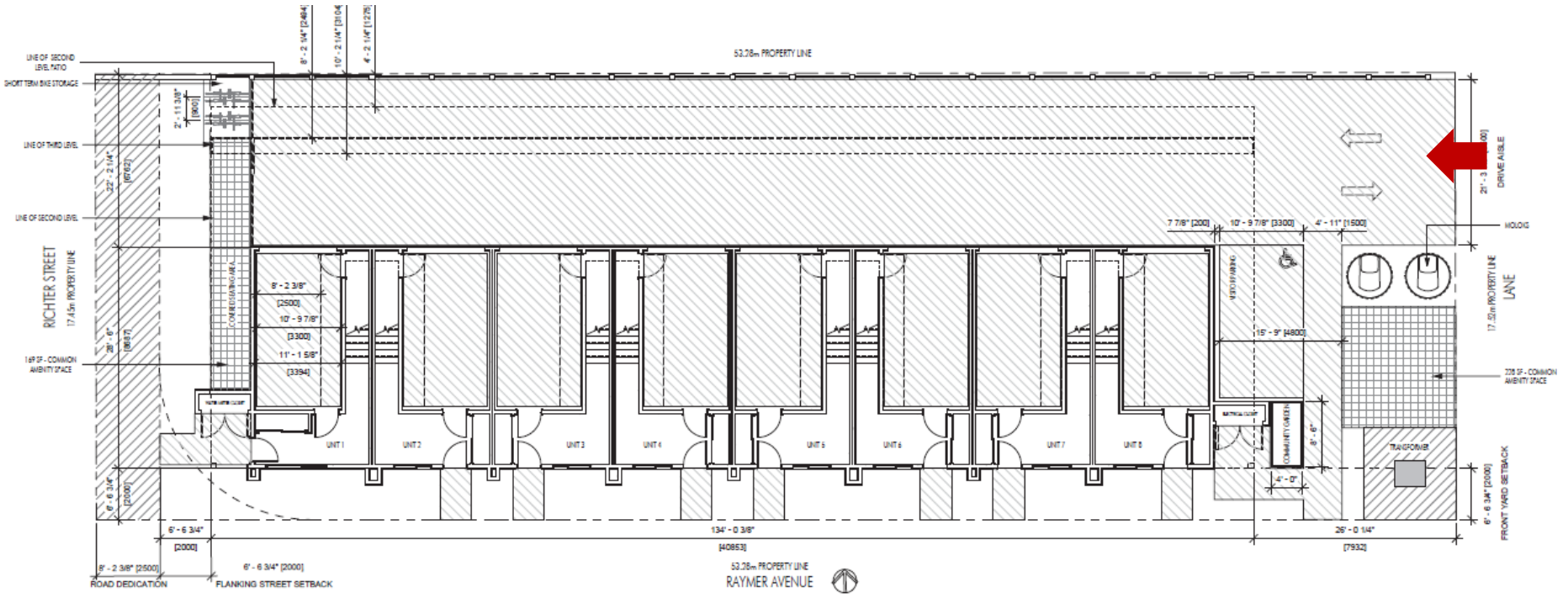
Subject Property Map



Technical Details

- ▶ Development Permit for new three-storey townhouse development.
 - ▶ 8-units in total
 - ▶ 2 three-bedroom units;
 - ▶ 6 two-bedroom units;
 - ▶ All units have ground access.
 - ▶ All units will also have rooftop amenity space.
 - ▶ 8 parking spaces (one per unit)
 - ▶ 1 visitor stall.
 - ▶ Parking accessed from the laneway
 - ▶ 4 short-term bicycle stalls on Richter Street
 - ▶ Common Amenity at ground-level.

Site Plan



Elevation – South



1 SOUTH COLOUR ELEVATION
A-200 1/8" = 1'-0"

EXTERIOR FINISHES AND COLOURS:

- FASCIA, TRIM, WINDOWS AND DOORS: BLACK
- HARDIE: REVEAL PANEL IN DEEP OCEAN
- HARDIE: REVEAL PANEL IN COBBLE STONE
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- WOOD PRIVACY SCREEN: STAINED TO MATCH MAC WOOD IN SMOKED BIRCH
- STRUCTURAL POSTS AND BEAMS: WRAPPED TO MATCH MAC WOOD IN SMOKED BIRCH
- ACCENT DOORS: RED

Elevation – East & West



3 EAST COLOUR ELEVATION
A-200 1/8" = 1'-0"



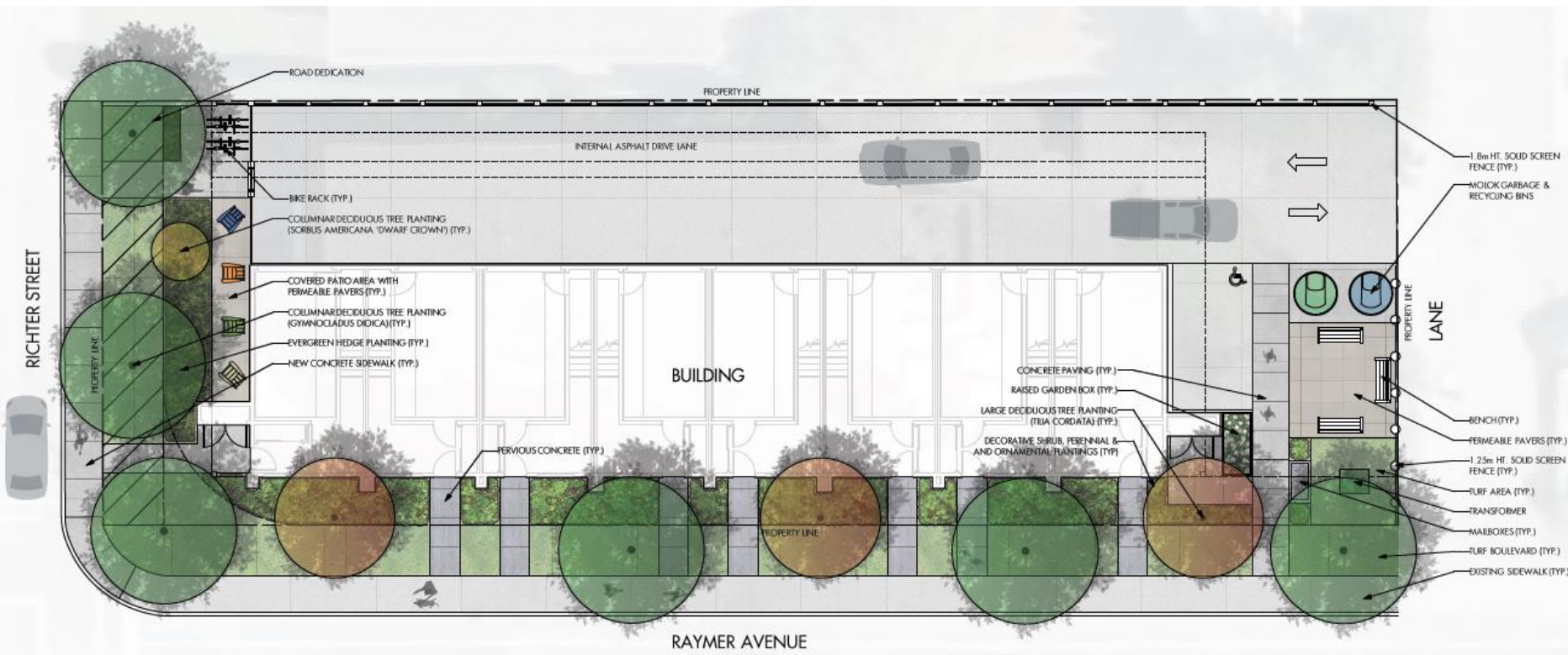
3 WEST COLOUR ELEVATION
A-201 1/8" = 1'-0"

Elevation – North



1 NORTH COLOUR ELEVATION
A-201
1/8" = 1'-0"

Landscape Plan



Rendering - NE



Rendering - South



Rendering - North



OCP Design Guidelines

- ▶ OCP Design Guidelines: Townhouse & Infill Residential Developments:
 - ▶ Ground-Oriented Housing;
 - ▶ Parking off laneway;
 - ▶ Façade includes varied architectural features;
 - ▶ Common Amenity Spaces.

OCP Objectives & Policies

- ▶ Policy 4.9.2. Transitioning to Core Area Neighbourhoods:
 - ▶ The subject property border Core Area Neighbourhood, so the reduced height of three-storeys helps with shadowing and height cliffs.
- ▶ Policy 4.12.2 Family-Friendly Housing
 - ▶ The proposal includes three-bedroom units.

Staff Recommendation

- ▶ Staff recommend support for the proposed Development as it is consistent with:
 - ▶ OCP Design Guidelines;
 - ▶ OCP Policies & Objectives;
 - ▶ Adding Density to an Urban Centre.

CITY OF KELOWNA

BYLAW NO. 12456

Z21-0083

1150 Band Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 12375".

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of:
 - a. Lot 1 Section 13 Township 26 ODYD Plan EPP122639 located on Band Road Kelowna, BC from the RR1 – Large Lot Rural Residential zone and the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone; and
 - b. A portion of road adjacent to 1150 Band Road from the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot Housing zone as shown on MAP "A" attached to and forming part of this bylaw; and
 - c. A portion of road adjacent to 1150 Band Road from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone as shown on MAP "A" attached to and forming part of this bylaw.

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 13th day of February, 2023.

Approved under the Transportation Act this 23rd day of February, 2023.

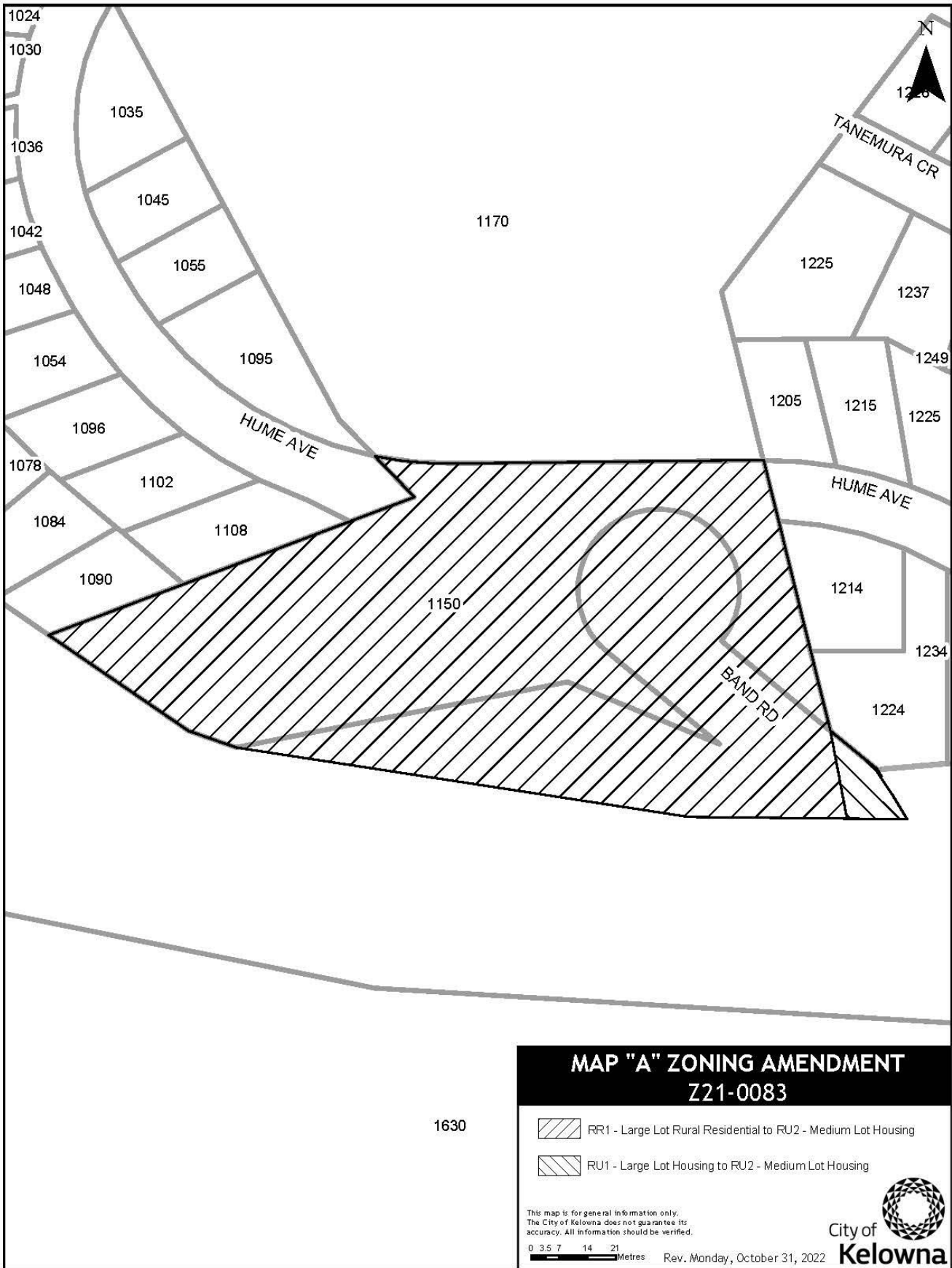
Lesley Goon

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA

BYLAW NO. 12474

Official Community Plan Amendment No. OCP22-0007 4998 Gordon Drive

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 1 District Lot 579 ODYD PLAN EPP45189, located on Gordon Drive, Kelowna, BC from the S-MU – Suburban – Multiple Unit to the VC – Village Centre 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 on this 6th day of March, 2023.

Considered at a Public Hearing on the 21st day of March, 2023.

Read a second and third time by the Municipal Council this 21st day of March, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12496

Official Community Plan Amendment No. OCP23-0003

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 **Schedule "A" Chapter 3 - Future Land Use, Temporary Use Permits**, be amended as follows:

Deleting the following that reads:

"Temporary Use Permits may be considered within the Permanent Growth Boundary (PGB) on all lands designated as Urban Centre, Village Centre, Regional Commercial, Neighbourhood Commercial, Education / Institutional, Industrial, or Public Service / Utility. Temporary Use Permits outside the PGB may be considered on lands designated Rural – Agricultural and Resource, with a stated time period considerably less than the maximum three year time limit. A Temporary Use Permit on lands in the Agricultural Land Reserve (ALR) will require the approval of the Agricultural Land Commission (ALC). All Temporary Use Permits must conform to other policy direction in this OCP, including fit within the character of the neighbourhood and surrounding uses. Appropriate landscaping, screening and buffering will be included as conditions of the permit to protect adjacent land uses.";

And replace with:

"Temporary Use Permits may be considered on all lands within the City of Kelowna. Temporary Use Permits should consider the fit within the character of the neighbourhood and surrounding uses to minimize conflicts and nuisances and as such should consider any mitigating strategies such as landscaping buffering, screening and operational details. Terms and conditions of the permit should specifically address an appropriate time duration up to the maximum limit under the Local Government Act (LGA).";

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 6th day of March, 2023.

Considered at a Public Hearing on the 21st day of March, 2023.

Read a second and third time by the Municipal Council this 21st day of March, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: April 3, 2023
To: Council
From: City Manager
Subject: Climate Resilient Kelowna Strategy: Vulnerability and Risk Assessment and Public Engagement Kickoff
Department: Policy & Planning

Recommendation:

THAT Council receives, for information, the report from Policy & Planning dated April 3, 2023 with respect to the Climate Resilient Kelowna Strategy: Vulnerability and Risk Assessment and Public Engagement Kickoff.

Purpose:

To update Council on the outcomes of Phase 2 of the Climate Resilient Kelowna Strategy, the Climate Vulnerability and Risk Analysis. To also inform Council of the public engagement planned for Phase 3, drafting the Climate Resilient Kelowna Strategy.

Background:

The Climate Resilient Kelowna Strategy is being developed over three phases as illustrated in the diagram below.

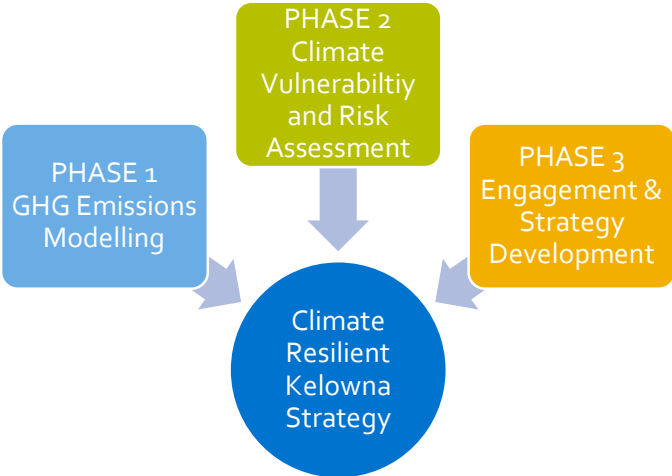


Figure 1: Phases to develop the Climate Resilient Kelowna Strategy

The first phase, completed and presented to [Council in mid-2022](#) (see previous Council Resolution below) was a technical study that modelled the types of action that would be necessary to achieve greenhouse gas (GHG) emission reductions that would align with provincial reduction targets (i.e., 40 per cent below 2007 levels by 2030 and net zero by 2050). Phase 2, a Climate Vulnerability and Risk Assessment (CVRA) has recently completed. The CVRA is a technical analysis that examines the vulnerabilities and risks our community is exposed to due to the changing climate. These two technical studies together with input from the community will inform the third and final phase, the development of a Climate Resilient Kelowna Strategy (the Strategy), which will develop a series of recommendations on how our community can become resilient by reducing GHG emissions (climate mitigation) and preparing for the impacts of climate change (climate adaptation).

Previous Council Resolution

Resolution	Date
<p><u>R0442/22/06/20</u> THAT Council receives for information, the report from the Policy & Planning Department dated June 20, 2022, with respect to Climate Modelling: GHG Reduction Targets and Next Steps for Climate Resilient Kelowna Strategy;</p> <p>AND THAT Council direct staff to update the 2040 OCP with new GHG reduction targets as outlined in the report;</p> <p>AND THAT Council direct staff to use these new GHG reduction targets as a basis for developing a Climate Resilient Kelowna Strategy;</p> <p>AND FURTHER THAT the 2022 Financial Plan be amended to include \$95,000 to complete the Climate Resilient Kelowna Strategy from Intact Insurance’s Municipal Climate Resiliency Grant program, if successful, or \$80,000 from the Climate Action Reserve should the grant not be approved, as outlined in the report.</p>	<p>June 20, 2022</p>

Climate Vulnerability & Risk Assessment Key Findings:

In recent years Kelowna and area has repeatedly experienced climate change hazards: wildfire, flooding, drought, and heat domes, all of which have had significant impacts on our community. The [Climate Projections for the Okanagan Region](#) report predicts that in the coming decades the region will experience hotter temperatures, drier summers, more precipitation (in all seasons except summer), and warmer winters. Seasons may shift, meaning an earlier spring or later fall driving a longer growing season and higher water demand. These changes in climate may exacerbate the hazards our community faces.

The recently completed CVRA highlights the scope of Kelowna’s community adaptation challenges by modelling the climate risks and vulnerabilities to existing and planned growth, out to 2070 (see *Appendix A: Climate Vulnerability and Risk Assessment Executive Summary*). The assessment quantitatively assessed the impacts of three climate hazards: extreme heat, wildfire, and flooding; modelling the hazards potential impact on Kelowna’s people and infrastructure now and in 2070. Table A in Appendix A provides a summary of the impacts to services, the environment, and the economy. Sample potential impacts include:

- **Extreme heat:** Higher average temperatures and more frequent heat domes will result in nearly 100 per cent of the population exposed to heat warning temperature thresholds established by Interior Health (heat above 35° Celsius during the day and above 18° Celsius at night for a period of two or more consecutive days) in 2070 compared to just 25 per cent today.
- **Wildfire:** Determining the risk of wildfire is difficult, as no one can predict where lightning might strike (or where a human caused fire might originate). Due to population growth, nearly three times more people will be exposed to areas that have potential for moderate to extreme wildfire behavior.
- **Flooding:** Increased total precipitation as well as an increase of extreme storms could result in increased frequency and magnitude of flooding. By 2070, flood modelling indicates that damages from frequent floods (10 to 25 year event) could be over 20 per cent higher than those from a rare flood today (50 – 100 year event).

The CVRA assessed four additional climate hazards qualitatively. These included landslides, water security, invasive species, and extreme cold. As illustrated in Appendix A, these hazards also have a variety of impacts on our community such as:

- Human health impacts associated with extreme cold or changes in water quality;
- Agricultural impacts due to water availability or introduction of invasive species;
- Transportation impacts due to disruptions from landslides or frost heaving; and
- Ecosystem changes due to changes in temperature, water scarcity, and invasive species outcompeting native plants and animals.

Next Steps:

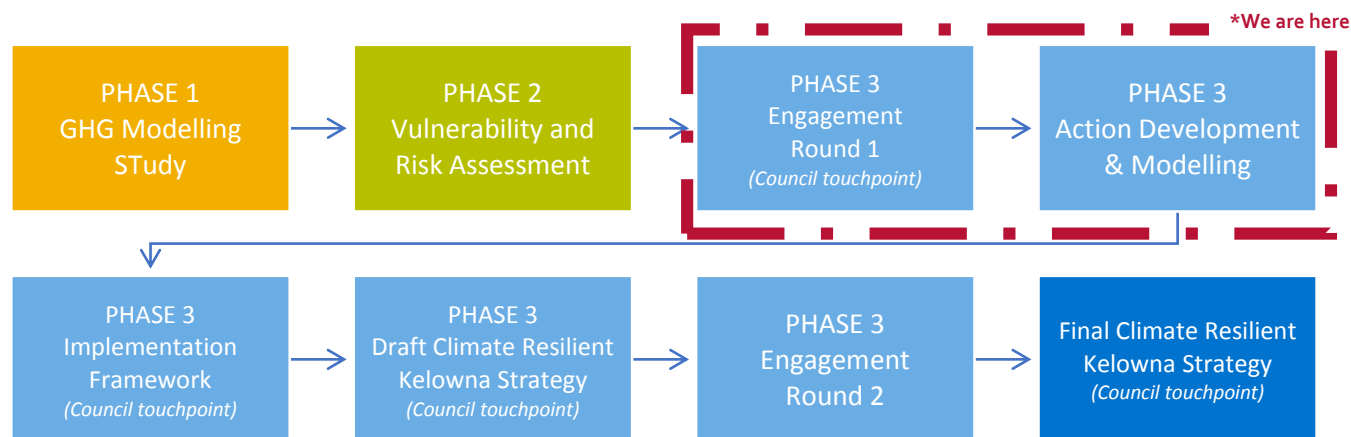


Figure 2: Timeline for developing the Climate Resilient Kelowna Strategy

Phase 3, the development of the Climate Resilient Kelowna Strategy, recently commenced (see Figure 2 above). Staff are working to identify actions that when implemented will reduce community GHG emissions and help the community prepare for the changing climate. Phase 3 also provides the first opportunity for community input to the Strategy development. This first round of engagement is to understand the opportunities and challenges facing the community and how the City can support and encourage climate action. Engagement opportunities include a variety of virtual and in person options.

The results of this engagement, together with input from staff and the technical analysis will build out a series of recommendations that the City and community can implement to both mitigate and adapt to climate change.

As the Climate Resilient Kelowna Strategy is developed, it will focus on climate interventions with multiple benefits from both a climate mitigation and adaptation perspective, but also benefits to other sectors including improving natural systems, infrastructure, public health, and enhanced livability. As illustrated in Figure 3, the Strategy will build upon existing plans, policies & initiatives and inform other work that will benefit our community. The draft strategy is expected to be presented to Council in early fall, followed by the second round of engagement.

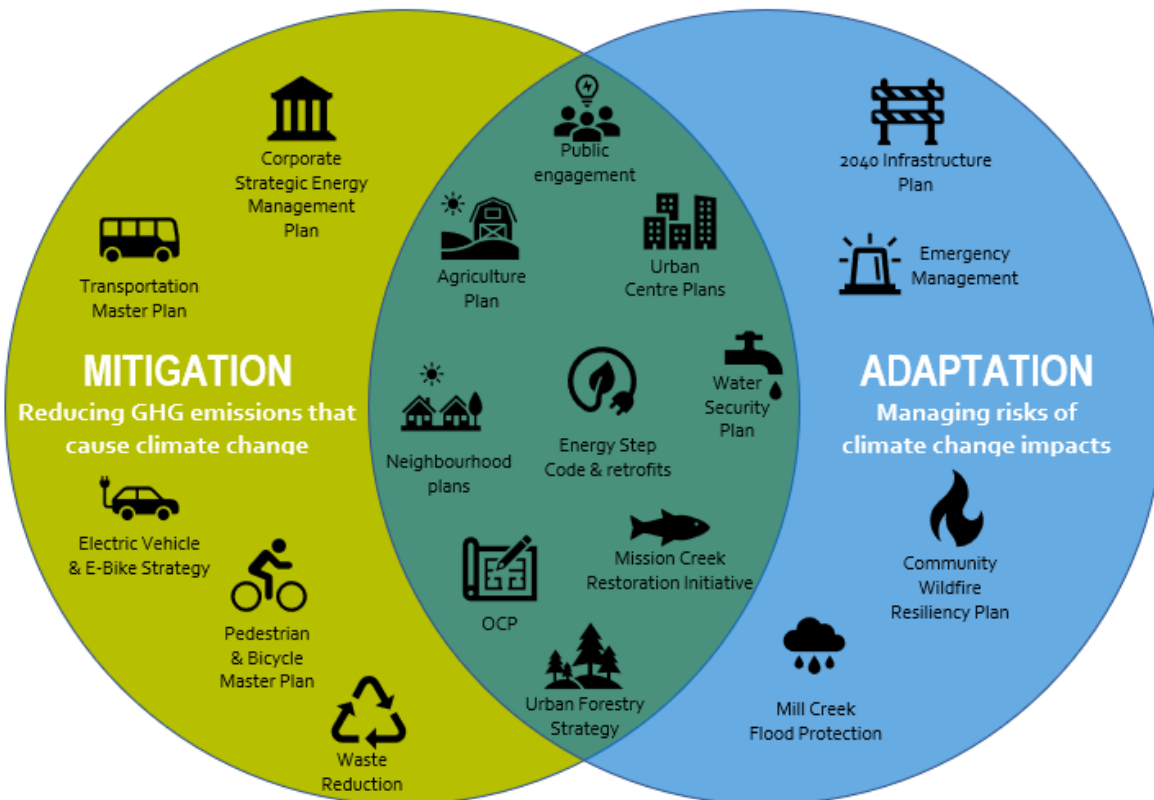


Figure 3: Sample of the relationship between climate resiliency planning and City of Kelowna plans and projects

Conclusion:

The recently completed CVRA reflects the current understanding of Kelowna’s climate risks and vulnerabilities based on present conditions and anticipated projections. While this assessment is a “snapshot in time” it does serve as a strong foundation upon which to review and prioritize the proposed adaptation actions developed in Phase 3 of the project.

Ultimately, for Kelowna to become resilient to climate change, it will require joint action – by all levels of government, businesses and organizations, and the broader community. Local governments, however, are uniquely positioned to influence this shift as to how a community grows, commutes, interacts and protects natural assets for a continued quality of life.

Internal Circulation:

- Utility Services
- Utility Planning
- Urban Forestry

Fire Communications & Emergency Management
Capital Planning & Asset Management
Risk Management
Development Engineering
Suburban & Rural Planning
Energy Management
Community Communications

Considerations applicable to this report:

Existing Policy:

2040 Official Community Plan

- Objective 12.1 Design the Community to be more resilient to a changing climate
- Objective 12.3 Encourage the community to take action to mitigate and adapt to climate change.
- Objective 12.8 Invest in ecosystem services and green infrastructure to mitigate and adapt to a changing climate.
- Objective 12.9 Support the community to prepare for and become resilient to the impacts of climate change.
- Objective 12.10 Adapt to a changing water supply.
- Objective 12.11 Increase resilience to extreme weather events

Legal/Statutory Authority:

Division 4, Section 473 (3) of the Local Government Act states that “an official community plan must include targets for the reduction of greenhouse gas emissions in the area covered by the plan, and policies and actions of the local government proposed with respect to achieving those targets.

Financial/Budgetary Considerations:

Early in 2022 staff applied for a grant from Intact Insurance’s Municipal Climate Resiliency Grant program to complete phase 3, the development of the Climate Resilient Kelowna Strategy. Unfortunately, the grant application was not successful and Phase 3 is being funded through the Climate Action Reserve.

External Agency/Public Comments:

The first phase of public engagement for the Climate Resilient Kelowna Strategy will kickoff in early April with a variety of online and in person options. In addition, staff have also been gathering input from two Climate Resilient Working Groups (one of interested and affected parties and another with youth representatives). The public engagement results and the information gathered through the working groups will help inform the development of the Climate Resilient Kelowna Strategy.

Submitted by:

T. Guidi, Sustainability Coordinator

Approved for inclusion:



D. Noble-Brandt, Policy & Planning Department Manager

Attachments:

Appendix A: Climate Vulnerability and Risk Assessment Executive Summary

Kelowna Climate Vulnerability and Risk Assessment *Executive Summary*

March 2023



Executive Summary

The Climate Vulnerability and Risk Assessment Study (CVRA) describes the scope of Kelowna's community adaptation challenge by modelling the natural and built hazard risks and vulnerabilities to existing buildings, infrastructure and people, and planned growth, out to 2070. As the climate changes, Kelowna must be prepared with adapted and resilient city systems and infrastructure to protect people and ecosystems, and to enable speedy recovery after severe climate events. At the same time, Kelowna's population is growing, requiring new buildings and infrastructure. Decisions as to how and where these elements are constructed must be informed by climate change impact adaptation thinking.

This analysis, together with the GHG Modelling Study completed earlier, will help inform the *Climate Resilient Kelowna Strategy* which will include a series of actions the community can undertake to reduce GHG emissions and prepare to adapt to climate change.

Expected Local Climate Changes

Human-caused climate change is already affecting the local climate, causing heat domes, droughts, wildfires and flooding. The *Climate Projections for the Okanagan Region (2020)* report models the local changes the Okanagan climate is expected to experience in the coming decades including:

- Warmer temperatures year-round;
- Summers that are considerably hotter and drier;
- Increased duration of the growing season;
- Warmer winter temperatures;
- Increased precipitation across all seasons except summer; and
- Shifting seasons.

These expected changes will result in wilder, wetter, and weirder weather. The weather will be increasingly unpredictable and events like winter

storms, droughts, flooding, and wildfires will be more common and more severe.

These climate change impacts pose a threat to ways of life in Kelowna. They will interrupt electricity delivery and personal and freight transportation activities. They will cause damages to personal and public properties. They will interfere with tourism and agricultural industries. As greenhouse gas emissions continue to increase, the severity and frequency of disruptions will worsen.

Demographic Changes

Kelowna's climate change challenges will continue to grow as the city grows. The city's population could reach almost 250,000 people by 2070, an increase of 100,000 people from today. It is anticipated that it will require nearly 50,000 additional dwelling units to accommodate the increase in population. The homes, buildings, infrastructure, and vehicles required to house and move more people will add pressure to the natural ecosystems that regulate the local climate.

Climate Change Hazards and Impacts

The CVRA examines climate hazards today and in 2070. Although a time span ending in 2070 is longer than typical community planning guidelines, it is used as climate projections typically extend to this time horizon or beyond, with the largest changes typically projected to happen towards the end of the time span. Further, many of the decisions made in the shorter term will determine the scale of risk the community will face in the future.

Three climate hazards were quantitatively assessed: extreme heat, wildfire, and flooding, by mapping the hazards and modelling their potential impact on Kelowna's people and infrastructure, now and in 2070. Four other hazards were qualitatively

assessed: landslides, water security, invasive species, and extreme cold. The impacts of these hazards to the community are summarized in Table A.

Multi-hazard Indexes

Climate hazards do not occur in isolation. For example, heat waves and wildfires are often simultaneous, coupled with concerns about water security and drought. By combining the relative risk from each of the three quantitatively modelled hazards (extreme heat, wildfire, and flooding), the cumulative risk to different areas of Kelowna can be understood. A risk rating for each of the three hazards for each zone of the city was assigned, these risks were then summed to give a combined hazard risk and are mapped in Figure A for today and 2070. Each of the maps compares the relative degree of risk for each zone of the City. Note that the risk ranking is calculated relative to all other zones, and a high-risk zone in the present day might be a medium-risk zone in 2070 when compared to all zones in each time period.

Over the coming decades, the number of areas of Kelowna that will be exposed to multiple risks due to the changing climate will increase, particularly in the urban and core areas of the city. Notably, most of the urban downtown area is expected to experience increased risk of multiple hazards. Kelowna's rural and suburban neighbourhoods will experience the least multi-hazard risk change over the next 50 years, which bodes well for the neighbourhoods and critical infrastructure located there.

Areas along rivers and the lakeshore will primarily experience increased flood risk. Downtown will also experience flood risk as well as increased heat risk from an enhanced urban heat island effect. Wooded areas and areas adjacent to forests will primarily experience increased forest fire risk.




Some of Kelowna's critical infrastructure is in areas that are expected to experience multi-hazard risk. Reservoirs, distribution stations, treatment plants, and certain electrical/substation elements could be at increased risk of compromise.





Summary

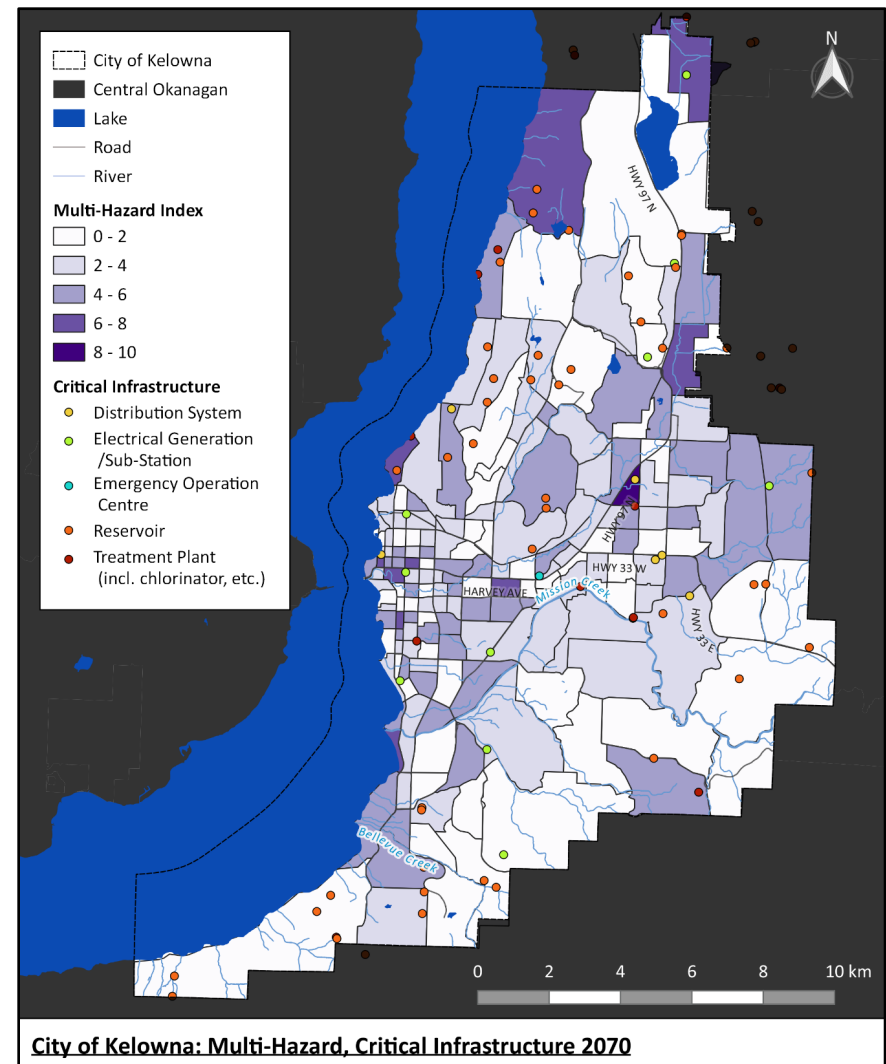
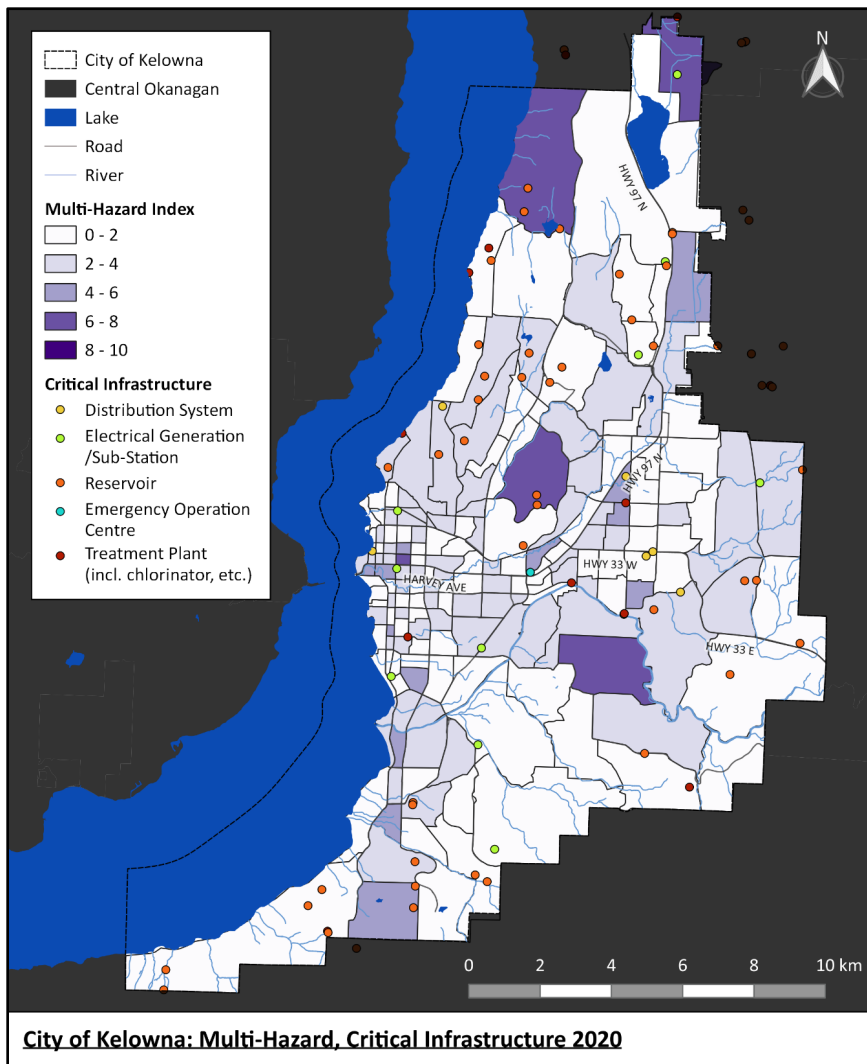
As global atmospheric GHG emissions increase and the climate continues to change, the frequencies and extents of several major climate hazards could impact Kelowna over the next 50 years. Almost every Kelowna neighbourhood is at risk of at least one climate change threat and many of the most populous neighbourhoods are at risk of multiple hazards. Risk is elevated by continued population growth, placing greater numbers of people, buildings, and critical infrastructure in potentially vulnerable areas across Kelowna.

Now that the current and future risks are known, Kelowna can determine adaptation and readiness actions. These actions will be identified and modelled in the next phase of work, defining their costs, damage reduction impacts, and how successful they will be at removing people from risk.

Table A: Summary of potential hazard impacts driven by climate change in Kelowna

Hazard	Changes to hazard due to climate change	POTENTIAL IMPACTS				
		Infrastructure & Critical Infrastructure	Services	People	Environment	Economy
Extreme Heat 	<ul style="list-style-type: none"> • á average temperatures • á heat waves and heat domes • Hotter nights 	<ul style="list-style-type: none"> • á importance of grid stability • Road and airport runway deterioration and disruptions • â hours available for road and infrastructure repairs 	<ul style="list-style-type: none"> • á peak electricity demand • á hospitalizations • á demand for cooling centers 	<ul style="list-style-type: none"> • á population exposed to Health Canada heat thresholds (25% today to almost 100% in 2070) • Highest heat risk in Urban Centres and Core Area neighbourhoods 	<ul style="list-style-type: none"> • â air quality • Tree canopy loss 	<ul style="list-style-type: none"> • â agriculture crop yields and quality • Unhealthy outdoor working conditions • Construction and maintenance sector disruption • â tourism in the summer
Wildfire 	<ul style="list-style-type: none"> • Drier landscape from warmer weather • Longer fire season • á wildfire fuel from heat stress 	<ul style="list-style-type: none"> • Transportation network disruptions • Electricity grid disruptions 	<ul style="list-style-type: none"> • á strain on emergency services • Contaminated drinking water 	<ul style="list-style-type: none"> • ~3 times more people exposed to areas with potential of high to extreme wildfire behavior • Hillside development areas are most exposed to areas of extreme wildfire behavior 	<ul style="list-style-type: none"> • â tree canopy • á soil erosion • â air quality • Ecosystem and habitat destruction 	<ul style="list-style-type: none"> • â tourism • Destroyed crops • Unhealthy working conditions due to air quality
Flooding 	<ul style="list-style-type: none"> • á total precipitation (all seasons except summer) • á winter & spring temperatures affect peak flows during spring freshet 	<ul style="list-style-type: none"> • Bridges and culverts at risk of overtopping during a 200-yr flood event causing road closures • 40 critical infrastructure assets at risk during 200-500 year very rare flood event (e.g. City Hall, Hospital, Wastewater Treatment Facility, and schools) 	<ul style="list-style-type: none"> • Transportation network disruptions from road closures • Lift stations, water, and wastewater treatment facilities disruptions • Electricity disruptions (e.g electrical substation at risk during a 50-100 year rare flood event) 	<ul style="list-style-type: none"> • ~2 times more people at risk of being impacted by a 200-500 year very rare flood event 	<ul style="list-style-type: none"> • á soil erosion on stream banks and lake foreshore • á chance of debris and chemical contaminants in water 	<ul style="list-style-type: none"> • ~25% increase in potential financial impact by 2070 during a 50-100 year rare flood event

Hazard	Changes to hazard due to climate change	POTENTIAL IMPACTS				
		Infrastructure & Critical Infrastructure	Services	People	Environment	Economy
Landslides 	<ul style="list-style-type: none"> • á severe storms with intense precipitation can á slope instability. • Drought can compromise vegetation health, á slope instability. 	<ul style="list-style-type: none"> • Transportation network disruptions 	<ul style="list-style-type: none"> • Access via roads may be disrupted • Contaminated freshwater 	<ul style="list-style-type: none"> • Population within low slope stability areas have higher probability of being exposed to a landslide event 	<ul style="list-style-type: none"> • Natural landscapes compromised • âecosystem connectivity • â water quality 	<ul style="list-style-type: none"> • Financial losses for individuals, businesses, and governments due to building or infrastructure loss
Water Security 	<ul style="list-style-type: none"> • á average temperatures • â snow pack • á growing season • á in consecutive dry days 	<ul style="list-style-type: none"> • Impacts to water supply and storage 	<ul style="list-style-type: none"> • Water supply availability for agricultural irrigation • Water supply availability for catastrophic events (i.e. wildfire) 	<ul style="list-style-type: none"> • Residential water supply disruptions • Water restrictions enforcement 	<ul style="list-style-type: none"> • âgroundwater recharge due to changes in soil during dry periods can reduce water infiltration • â water availability for ecosystems 	<ul style="list-style-type: none"> • Agricultural production disruption due water shortages • Competition for water use from users
Invasive Species 	<ul style="list-style-type: none"> • á presence of invasive species • â biodiversity • á influence on other climate hazards (e.g. wildfire) 	<ul style="list-style-type: none"> • Invasive species can encourage conditions that á vulnerability to other climate hazards like landslides, flooding, and wildfire which all pose substantial risk to infrastructure 	<ul style="list-style-type: none"> • Changes to the regulatory functions of the natural environment will put more stress on human systems (e.g., increased need for air conditioning if the cooling effect of local plants is reduced) 	<ul style="list-style-type: none"> • áinvasive insects, pose a nuisance risk as well as a vector-borne disease risk (e.g. mosquitos carrying West Nile virus) 	<ul style="list-style-type: none"> • â ecosystem biodiversity and impacting ecosystem functions 	<ul style="list-style-type: none"> • Agricultural production disruption • â natural resource yields • Eco-tourism disruption
Extreme Cold 	<ul style="list-style-type: none"> • Disrupted polar vortex as the polar jet stream shifts further south 	<ul style="list-style-type: none"> • Water supply (water main breaks/leaks) 	<ul style="list-style-type: none"> • Transportation network disruptions (e.g. increased de-icing required) • á stress on health facilities 	<ul style="list-style-type: none"> • Health impacts due to exposure (windburn, frostbite, hypothermia) • á demand on energy systems to provide heat 	<ul style="list-style-type: none"> • Changes in the frost line • á potential for freezing rain/ice storms • á iced surfaces 	<ul style="list-style-type: none"> • Disruption to outdoor labour (risk of exposure)



Figures A (left), B (right). Multi-hazard index and critical infrastructure location, by traffic zone, for flooding, heat, wildfire, and landslide vulnerability for present day (A) and 2070 (B). Each hazard is awarded a score which is based on population affected (per capita) per traffic zone. Score values are within the range from 1 to 5 depending on the quintile the results falls in, where a value of 5 represents the highest population affected (per capita). The final index value is normalized on a scale from 1 (low) to 10

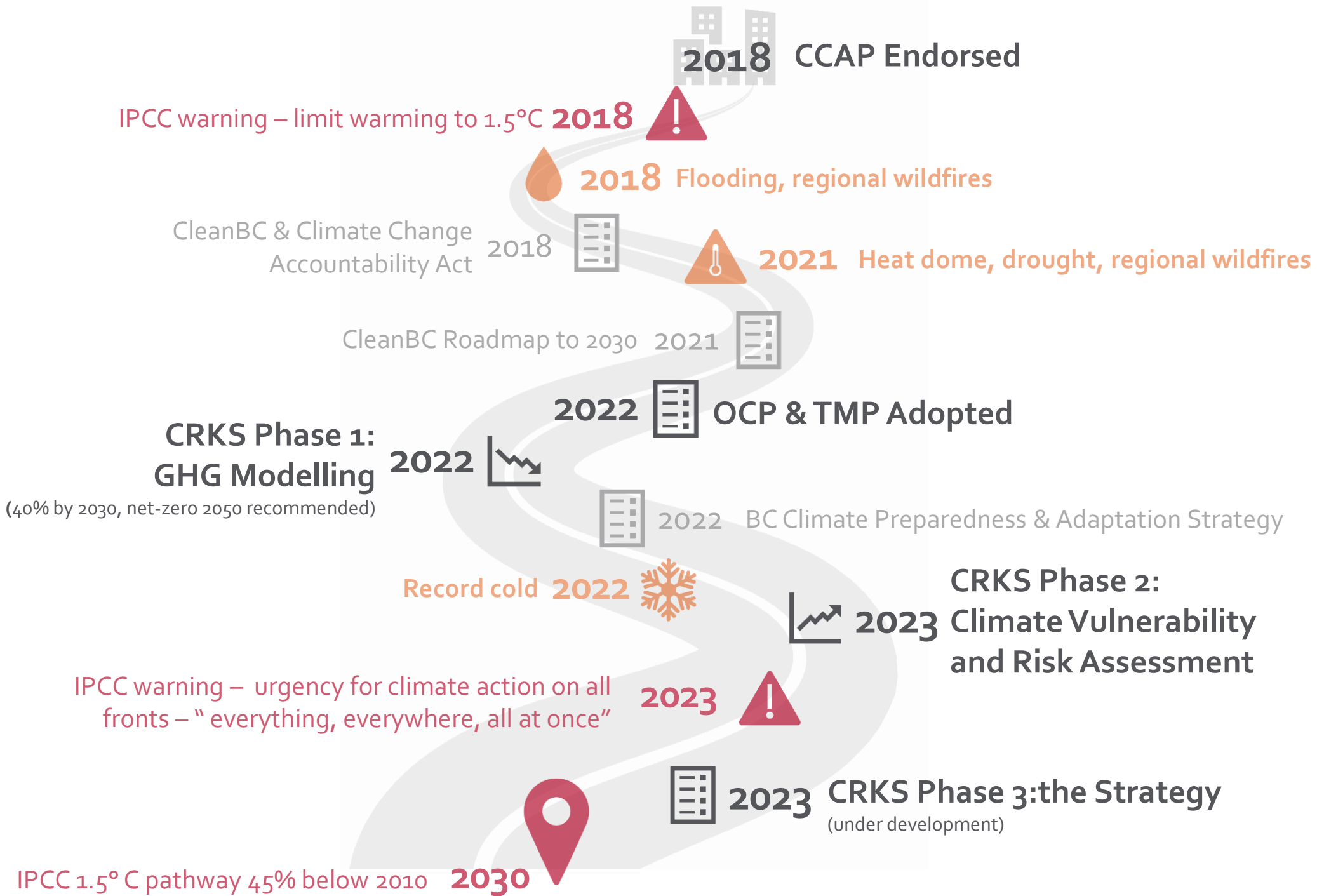


City of
Kelowna

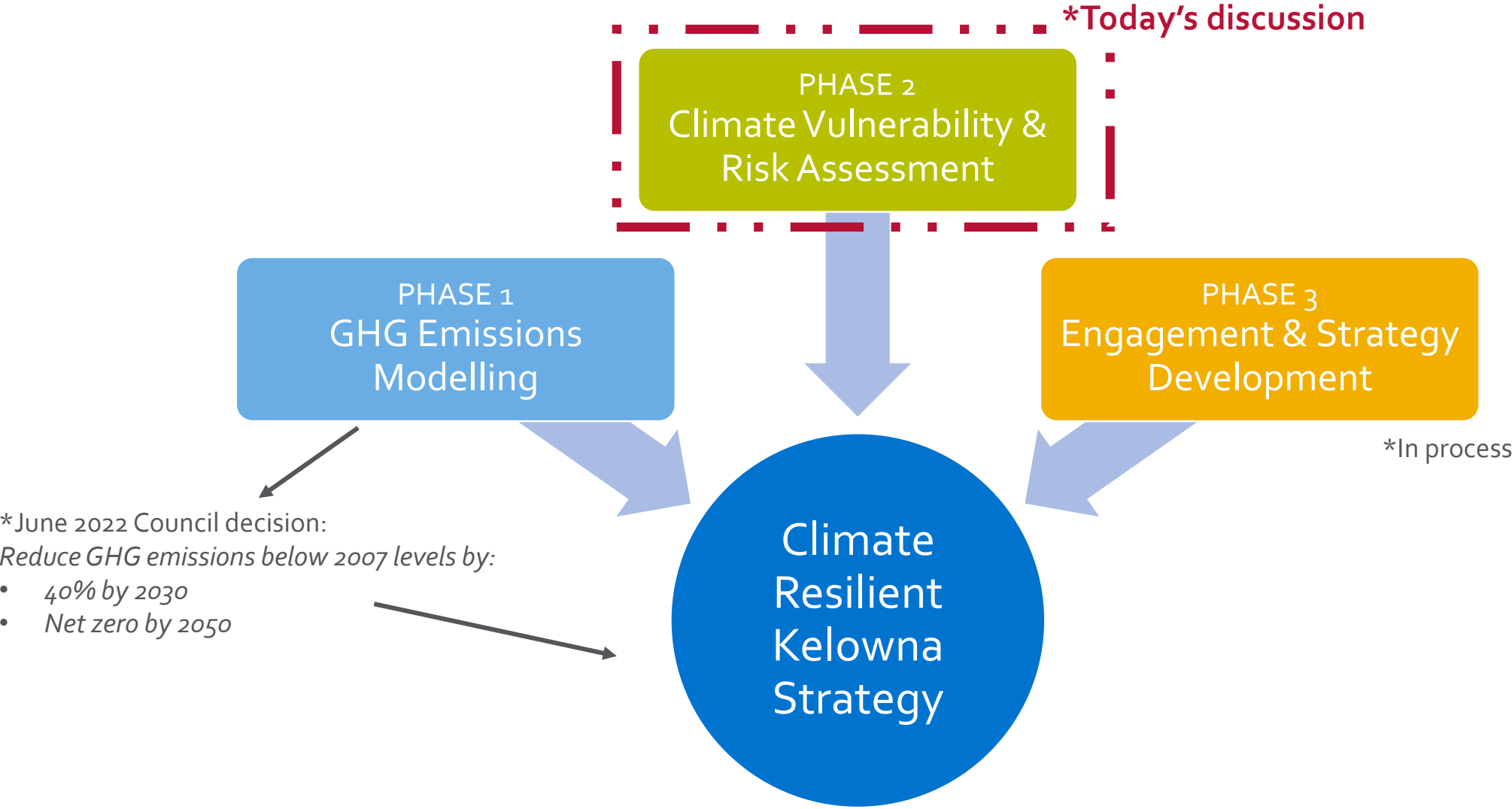
Climate Resilient Kelowna Strategy: Vulnerability & Risk | Engagement

April 2023

Why a Climate Resilient Kelowna Strategy?



Developing the Strategy



Climate change projections



**Warmer
temps**



**Drier
summers**



**More
precipitation**



**Warmer
winters**



**Longer
growing
season**



**Shifting
seasons**

Kelowna
Climate Vulnerability and
Risk Assessment

March 2023

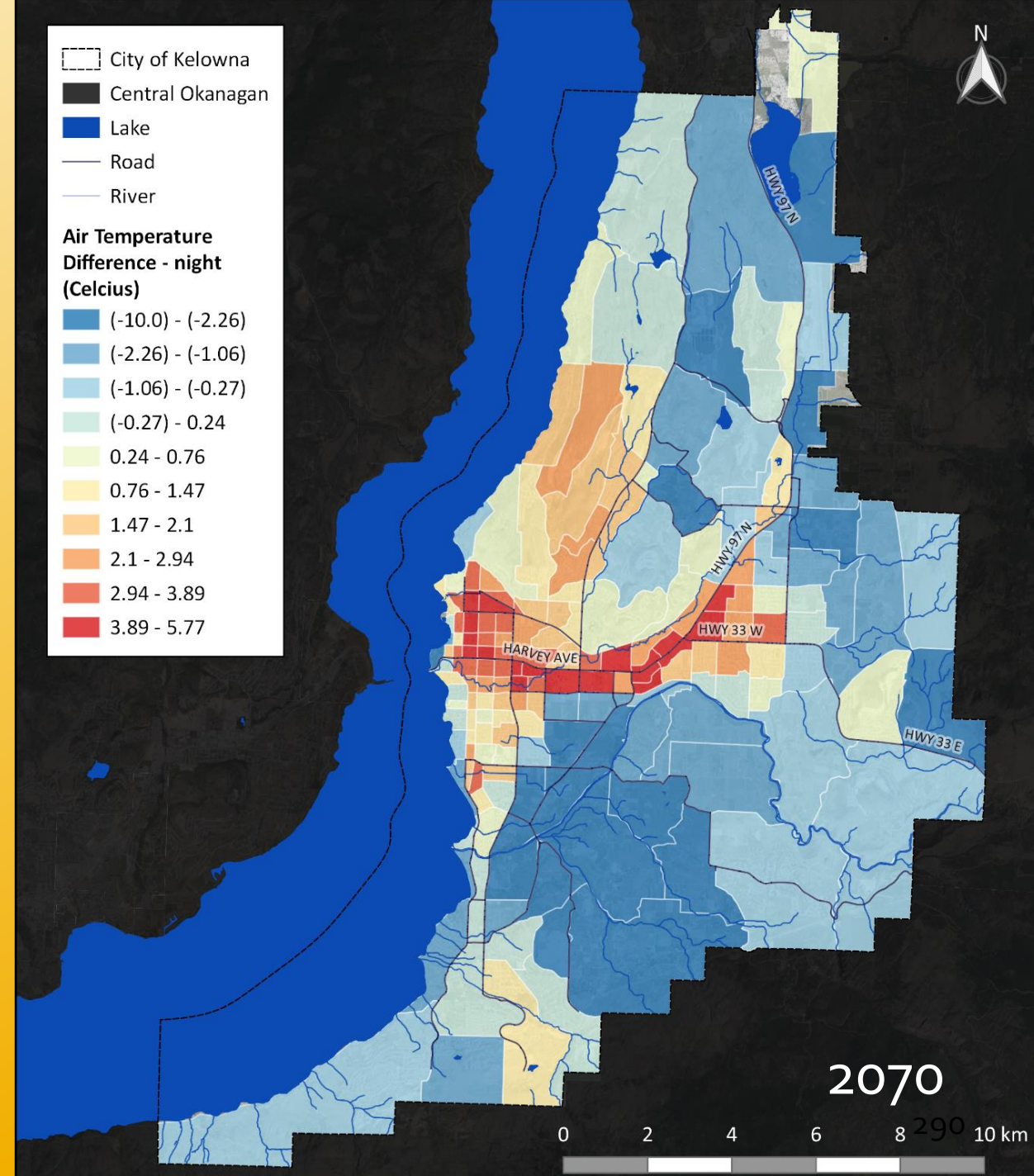


Kelowna's CVRA

- ▶ Examines hazards today and in 2070
- ▶ Takes into account:
 - ▶ ↑ 100,000 people (approx.)
 - ▶ ↑ 50,000 dwelling units (approx.)
 - ▶ Expected local climate changes
- ▶ Hazards modelled
 - ▶ Heat
 - ▶ Flooding
 - ▶ Wildfire
- ▶ Landslides, water security, invasive species and extreme cold qualitatively reviewed

Hazard: Extreme Heat

- ▶ ↑ heat risk for Core Area & Urban Centres
- ▶ ↑ population affected by a 20-year heat event (100% versus 55% now)
- ▶ ↑ peak electricity demand
- ▶ ↑ hospitalizations
- ▶ ↑ tree mortality
- ▶ ↓ air quality
- ▶ ↓ tourism and ↓ crop yields/quality
- ▶ Deterioration of roads



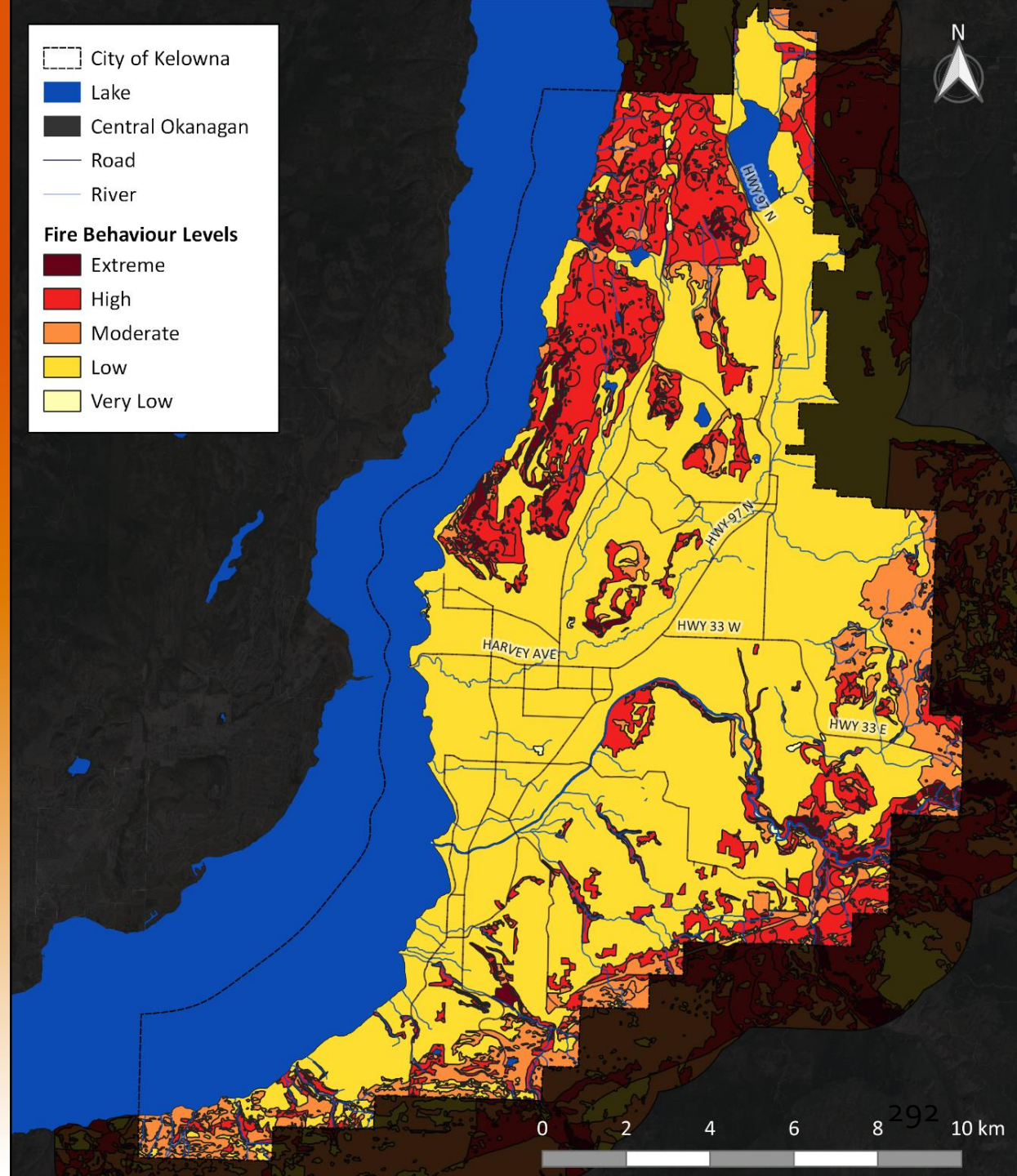


Hazard: Flooding

- ▶ Nearly twice as many people affected by very rare flood
- ▶ 40 critical infrastructure assets at risk
- ▶ Electrical substations, water and wastewater treatment facilities at risk in a rare flood event
- ▶ Total damages from frequent floods in 2070 will be higher than rare floods today
- ▶ ↓ water quality

Hazard: Wildfire

- ▶ 3 x more people living in or near areas with potential for high or extreme fire behaviour
- ▶ ↓ air quality
- ▶ ↓ tourism
- ▶ Unhealthy conditions for outdoor workers



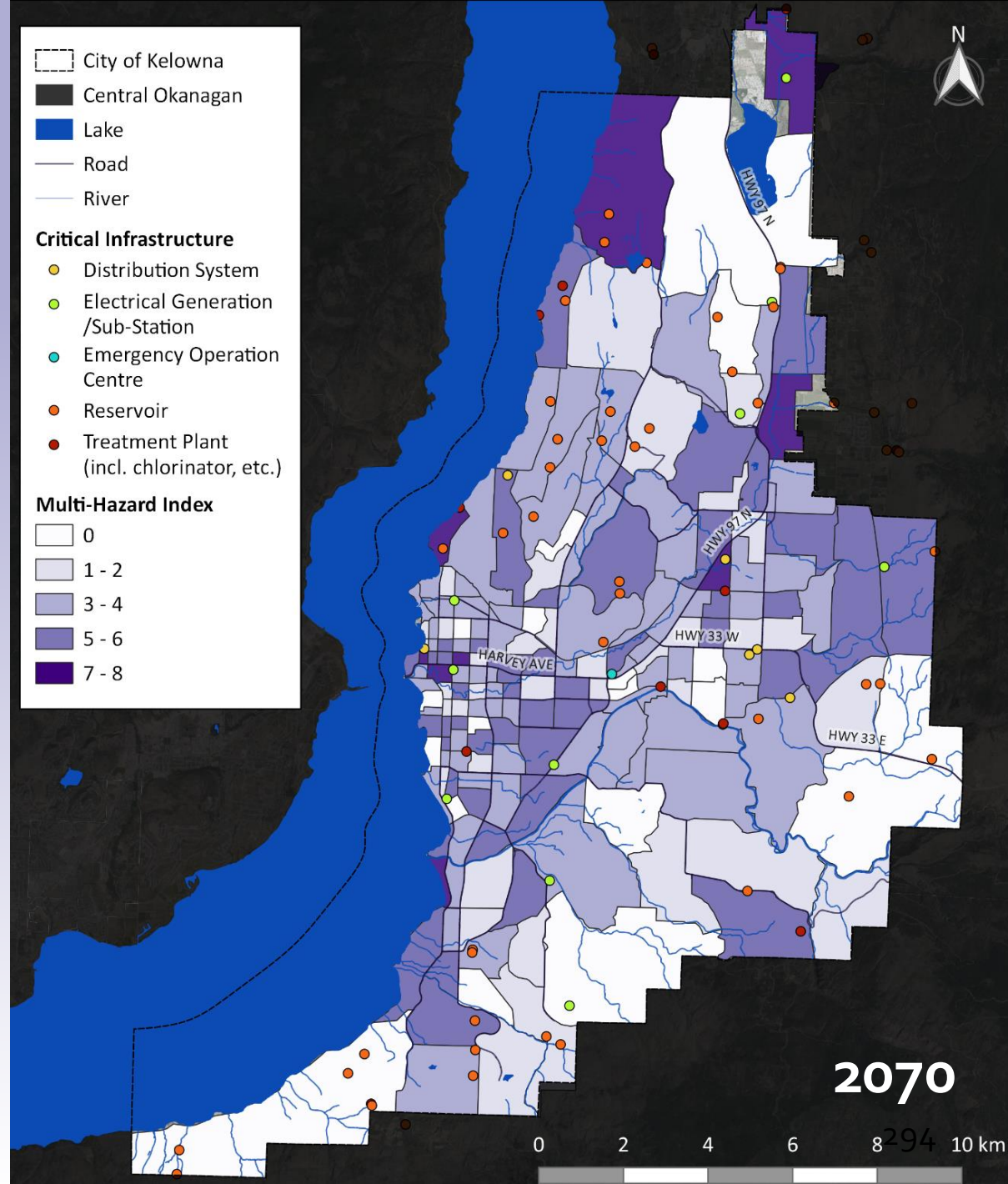


Hazards: Landslides, Water, Invasive Species, & Extreme Cold

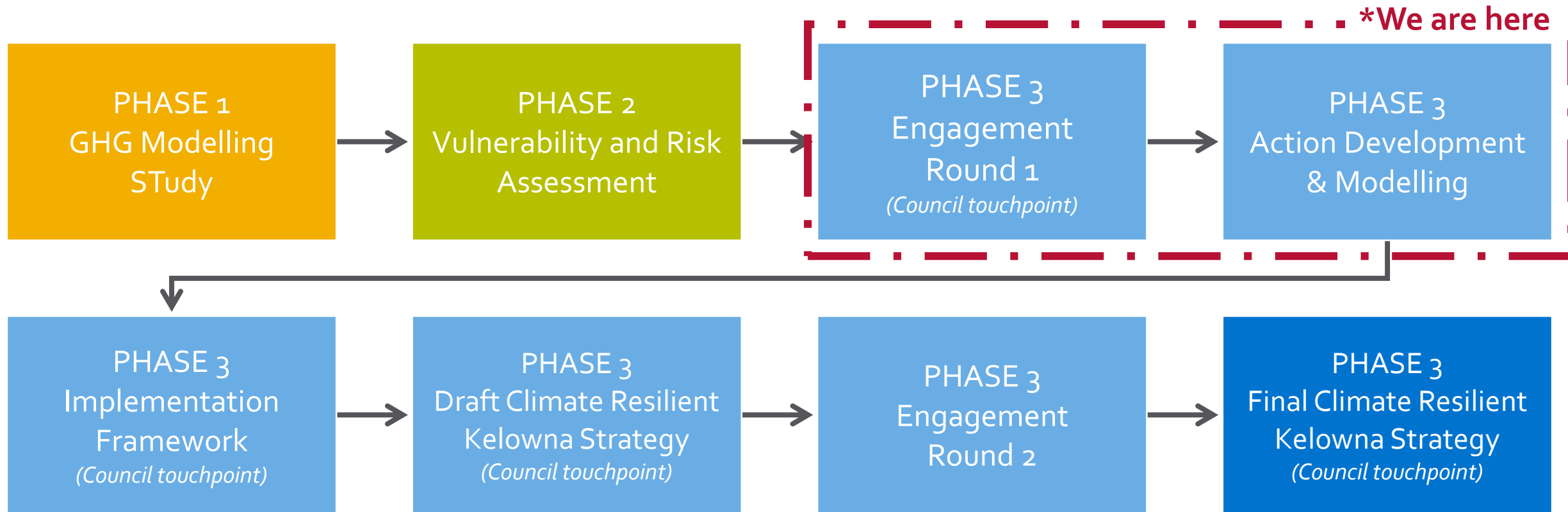
- ▶ Transportation impacts
- ▶ ↓ water quality and/or quantity
- ▶ ↓ biodiversity and degraded habitat
- ▶ Disruption to agricultural production
- ▶ ↑ health impacts

Multi Hazard Analysis

- ▶ Climate hazards may not occur in isolation
- ▶ Combined risk of the three modelled hazards (Heat, Wildfire, Flooding)
- ▶ Risk calculated relative to other zones



Next Steps:



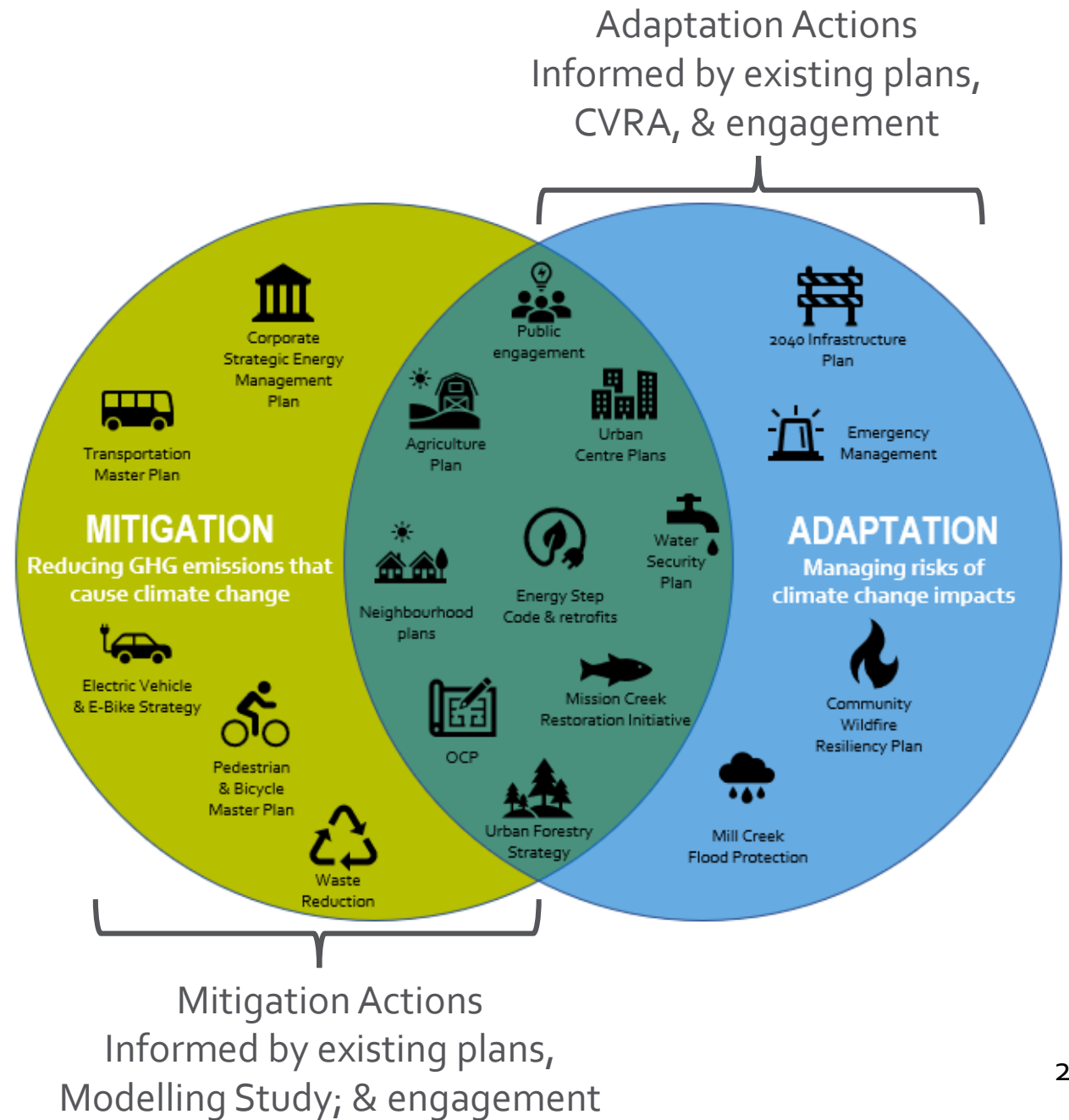
Engagement

In person and online opportunities including:

- ▶ [Getinvolved.kelowna.ca](https://getinvolved.kelowna.ca)
- ▶ Survey (opens April 4)
- ▶ Information sessions (mid April)
- ▶ Focused engagement with interested & affected parties working group (including youth)



Developing the Strategy



Questions?

Report to Council



Date: April 3, 2023
To: Council
From: City Manager
Subject: 2023 Meet me on Bernard
Department: Sport and Event Services Department

Recommendation:

THAT Council receive for information, the report from the Event Development Supervisor, dated April 3, 2023, regarding activities related to the 2023 Meet Me on Bernard program;

AND THAT Council approve an earlier opening date of the May long-weekend for the 200 block of the Meet me on Bernard program;

AND THAT Council approve an earlier opening date of the May long-weekend for patio extensions utilizing only parking stalls for those businesses on the 300-500 blocks wishing to participate.

Purpose:

To seek Council approval for the earlier opening date of the Meet me on Bernard program.

Background:

Since 2020, the 200-500 blocks of Bernard Avenue have been closed to vehicular traffic during the summer months as Kelowna’s ‘main street’ has been transformed into a public plaza that extends restaurant patios and expands social space to allow pedestrians to safely enjoy downtown in a unique and safe manner. Initiatives contributing to the vibrancy, safety, and prosperity of the downtown core through Meet me on Bernard (MМОB) have included:

- Restaurant patio extensions
- Weekly farmers market
- Live music
- Special events
- Street games
- Pop-up opportunities for businesses
- Parklets and public art
- Neighbourhood-style settings

The MMOB committee, comprised of the Downtown Kelowna Association (DKA), Tourism Kelowna, and City staff, recognize that open spaces are important for physical, mental, and social health, and continue to combine resources to deliver a positive experience. The committee has continued the planning and development of MMOB since the conclusion of the 2022 season, focusing on creating a pedestrian corridor designed to celebrate community connections, promote active transportation, and create a safe and attractive destination for both residents and visitors.

Feedback from businesses, the public, and key contributors has been mainly positive over the past few years with highlights being the beautification of the street, event activations, and an inclusive and accessible atmosphere. To the contrary, some business owners cite reduced parking as a barrier to business and additional public feedback citing lack of shade, specifically on the north side of Bernard, as an inhibitor to prolonged visitation.

In 2022, Council directed staff to explore the merits and challenges of a potential earlier opening date and/or later closing date for the Meet me on Bernard Program.

Previous Council Resolution

Resolution	Date
THAT Council direct staff to explore the merits and challenges of a potential earlier opening date and/or later closing date for the 2023 Meet me on Bernard Program and report back to Council before the end of Q1 2023.	April 25, 2022

Discussion:

When exploring the possibility of a potential earlier opening date and/or later closing date for the Meet me on Bernard program, staff met with internal and external stakeholders to explore opportunities. The following considerations were identified and reviewed:

- Operational resources: operationally, street cleaning and waste management resources would be available for an extended MMOB program through the combination of City and DKA efforts.
- Staffing: at this time, staff resources that are required for event support, setup and takedown of equipment, which was previously resourced through summer student programs, would not be available outside of the summer months. However, an earlier or later timeframe focused solely on the 200 block would not require a high level of staffing support due to the space being occupied by patio extensions only and the limited animation required.
- Business support: overall, business owners on the 200 block are favorable to an earlier and later timeframe to participate in an extended MMOB program.
- Ability to animate (physical infrastructure and events): on-street furnishings, such as public art, parklets, and special events that have been features of MMOB in previous years, would not be available until the summer months. Due to the logistics of the patio extensions on the 200 block, these types of infrastructure and activities are not typically located in this area.
- Transit: as in previous years, there are no issues with existing transit schedules as any affected routes would be detoured.
- Parking: an extended MMOB program would have an additional impact on downtown parking capacity (approximately 25-30 stalls), although there would not be a loss of accessible stalls as those would be relocated.

Conclusion:

Based on discussions with program partners, participating staff, and business engagement, the MMOB committee is proposing an earlier program implementation and vehicular traffic closure for the 200 block only, with an option for those businesses on the 300-500 blocks to expand into the adjacent parking stall only. The proposed program would target a May long-weekend opening with the full, regular implementation of the MMOB program (200-500 blocks) beginning July 1. The MMOB committee recommends the MMOB program to end on the traditional date of the September long-weekend to allow for the proper assessment and to fully understand the impacts of an earlier implementation before exploring any further extensions.

This proposal would accommodate the large concentration and enthusiasm of restaurants on the 200 block as well as those businesses on the 300-500 blocks who have expressed interest. The whole MMOB program would be scheduled to end after the September long-weekend.

Internal Circulation:

Active Living & Culture
Communications
Sponsorships & Advertising

Considerations applicable to this report:

Existing Policy: Council's 2023-2026 priorities identified focus areas supporting staff recommendations in this report, including:

- Crime & Safety: providing local Business Improvement Areas support for urban centre safety issues.
- Transportation: Creating more trips by alternative transportation modes

Additionally, the 'Meet me on Bernard' program aligns with key objectives of the Event Strategy and other planning documents including the Kelowna Community Sport Plan, Cultural Plan, and Community for All Action Plan.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: Chris Babcock, Event Development Supervisor, Active Living & Culture

Approved for inclusion: Jim Gabriel, Divisional Director, Active Living & Culture

cc: D. Nicholas, Sport & Event Services Manager

DOWNTOWN KELOWNA

March 27, 2023

Chris Babcock
Event Development Supervisor
City of Kelowna
1435 Water Street
Kelowna, B.C. V1Y 1J4

Dear Chris,

The Downtown Kelowna Association (DKA) represents businesses and commercial property owners in the Downtown core of our City. The DKA acts in the best interests of our members to promote Downtown Kelowna as a thriving place to work, live and play.

The DKA supports the early opening date of the May long weekend for the 200 block of Bernard Avenue only as part of the Meet me On Bernard program for 2023. Further we support the early opening of the patio extensions utilizing only parking stalls for businesses who wish to use them in the 300 to 500 blocks of Bernard Avenue at the same time.

The DKA appreciates the consideration the City has given to all Downtown businesses as ultimately all businesses are affected when any road is closed Downtown. We look forward to continuing to work with the city on projects that enhance the experience of shopping, living, and working in Downtown Kelowna.

Sincerely,



Mark Burley
Executive Director, Downtown Kelowna Association

200 – 287 Bernard Avenue
Kelowna, British Columbia V1Y 6N2
downtownkelowna.com
E. info@downtownkelowna.com
T. 250.862.3515
F. 250.862.5204

March 27, 2023

To: Mayor and Council

City of Kelowna

Via email: Chris Babcock, Event Development Supervisor cbabcock@kelowna.ca

Re: Meet me on Bernard & Patio Extension Program Support

To Whom it may concern,

As the Central Okanagan's leading destination organization, we know that a successful and attractive travel destination needs to offer a wide variety of attractions, events, and business offerings to residents and visitors. Having participated in the Meet Me on Bernard Program in 2021 and 2022 we have witnessed the direct impact that this program has had in creating a vibrant activation driving economic benefit, increased quality of life, and an additional active transportation corridor in Kelowna's downtown.

Tourism Kelowna supports the City Staff recommendation to approve an earlier opening date of the May long weekend for the 200 block of the Meet me on Bernard program, as well as an earlier opening date of May long weekend for patio extensions utilizing only parking stalls for businesses wishing to participate on the 300, 400, and 500 blocks of Bernard Avenue.

Following consultation of businesses on these blocks, and surveying residents and visitors in previous years, we believe these initiatives will enhance the Kelowna experience for visitors to our city and enhance the quality of life for residents.

Sincerely,

Chris Lewis

Chris Lewis

Director of Destination Development



City of
Kelowna

**Meet
me On
Bernard**

April 3, 2023

Background

- ▶ Patio Extensions
- ▶ Live Music
- ▶ Special Events
- ▶ Street Games
- ▶ Parklets
- ▶ Public Art



Public Engagement

- ▶ Beautification
- ▶ Event activations
- ▶ Inclusive and accessible

- ▶ Reduced parking
- ▶ Lack of shade



Logistics

- ▶ Operational resources
- ▶ Staffing
- ▶ Business support
- ▶ Animation
- ▶ Transit
- ▶ Parking



2023 MMOB

▶ 200 Block

- ▶ May long-weekend to September
 - ▶ Full MMOB setup

▶ 300 – 500 Blocks

- ▶ May long weekend to July
 - ▶ Parking stall extensions only
- ▶ July to September
 - ▶ Full MMOB Setup





Questions?

For more information, visit kelowna.ca.

Report to Council



Date: April 3, 2023
To: Council
From: City Manager
Subject: Festivals Kelowna – Service Agreement
Department: Sport & Event Services

Recommendation:

THAT Council approve the City entering into a three (3) year agreement with the Festivals and Special Events Development Society of Kelowna (Festivals Kelowna) as per the general terms and conditions of the agreement attached as schedule A to the report from the Active Living & Culture Division, dated April 3, 2023

AND THAT the Sport & Event Services Manager, or a designate thereof, be authorized to execute all necessary documents pertaining to the Service Agreement with Festivals Kelowna.

Purpose:

To seek Council approval for a three (3) year service agreement with Festivals Kelowna to produce and manage a dynamic schedule of community-focused, accessible and diverse events that animate and energize public spaces throughout Kelowna.

Background:

Festivals Kelowna is a non-profit society, incorporated in 2007, that produces arts-based, community focused, outdoor events and programs in parks and public spaces throughout Kelowna. The City entered into a Service Agreement with Festivals Kelowna to produce and manage several civic events, and activities, with the term of the agreement expiring December 31, 2022. The City and Festivals Kelowna wish to renew their agreement.

Discussion:

Festivals Kelowna’s existing Service Agreement with the City has been in over-holding since its expiration on December 31, 2022. Since that time, Staff have been working with Festivals Kelowna representatives to ensure the new Service Agreement reflects both the City’s, and the non-profit organizations, best interests.

Key terms of the proposed agreement with Festivals Kelowna are summarized below:

- **Commencement date:** January 1, 2023
- **Term:** Three (3) years
- **Option to renew:** Two (2) additional one (1) year terms, at the sole discretion of the City and subject to mutual agreement
- **Annual Payment:** \$256,000/year, adjusted annually by the consumer price index annual average
- **Program and Services:** Festivals Kelowna will produce and manage the following free activities as outlined within the agreement, including but not limited to:
 - **Celebrate Canada Day:** an annual festival held at multiple locations along our lakefront and in the cultural district. This “birthday celebration” includes numerous activities, great food, local artisans, live performances and fireworks; and features Folkfest, the Kelowna City Band, and many other community organizations.
 - **Pianos in the Park:** As part of the international public pianos movement, each year 5-8 pianos are tuned, decorated, and placed in high-profile, accessible, public spaces throughout Kelowna to encourage residents and visitors alike to showcase their “inner Mozart”.
 - **Parks Alive:** an award-winning, multi-venue 9-week concert series that energizes Kelowna’s parks and public spaces each summer through live music & cultural performances.
 - **Kelowna Buskers Program:** a year-round initiative that welcomes and encourages professional and amateur, local and touring, buskers to perform their street-style art form at designated “Busk Stops” or planned events.
 - **Arts on the Avenue:** a one-day outdoor event celebrating and promoting the visual arts community in its many forms and offering a range of activities, including: live performances, hands-on art projects and a unique retail marketplace.
 - **New York New Year’s Eve:** an annual family-friendly celebration to ring in Kelowna’s new year, featuring live entertainment, fun games & activities, and fireworks – this year-end celebration is one of the only all-ages events in Kelowna on New Year’s Eve.

In addition to the terms and program deliverables above, the new agreement reflects a number of measures to ensure the City maintains best-practice standards in its contractual relationships, as managed by the City’s Partnership Office. This includes:

- annual financial reporting (independently reviewed financial statements, operating budgets, etc.)
- annual governance and organizational reporting requirements (society directors, organizational chart, community objectives, good-standing certificate, etc.); and,
- reporting and evaluation of annual programs (attendance, feedback, community impact, etc.)

Conclusion:

Working together with the City of Kelowna, Festivals Kelowna produces and manages a fulsome schedule of community-focused and accessible events that foster vibrant and animated public spaces throughout the year in Kelowna. The proposed service agreement will renew the terms and deliverables between the City and Festivals Kelowna for the next three, or more, years, and support the continued provision of free cultural events, live entertainment and arts-based activities for the benefit of Kelowna residents.

Internal Circulation:

Active Living & Culture
Communications
Finance

Considerations applicable to this report:

Financial/Budgetary Considerations: Administered through the City's Event Services budget, the City of Kelowna will pay to Festivals Kelowna, during the term of the agreement, an annual amount of \$256,000 as a service fee for the delivery of the programs. This annual amount will be adjusted annually starting January 1, 2024, by the BC CPI Annual average for the prior calendar year to a maximum 5% annually. In any calendar year, should the CPI be a negative, no adjustment will occur.

Existing Policy: The proposed agreement aligns with key objectives of the Event Strategy and other planning documents including the Kelowna Community Sport Plan, Cultural Plan, and Community for All Action Plan.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: Doug Nicholas, Sport & Event Services Manager, Active Living & Culture

Approved for inclusion: Jim Gabriel, Divisional Director, Active Living & Culture

Attachments: Appendix 1 – Festivals Kelowna Service Agreement (2023 – 2025)
PowerPoint Presentation – Festivals Kelowna

FESTIVALS KELOWNA SERVICE AGREEMENT

This Agreement dated for reference the 1ST day of January, 2023

BETWEEN:

THE CITY OF KELOWNA, a local government incorporated pursuant to the *Community Charter*, and having a business address of 1435 Water Street, Kelowna, BC V1Y 6N2

(the "City")

AND:

FESTIVALS AND SPECIAL EVENTS DEVELOPMENT SOCIETY OF KELOWNA, a society incorporated pursuant to the *Society Act* under No. S-0051821, and having a business address of 100-1680 Water Street, Kelowna, BC, V1Y 8T8, and operating under the name "Festivals Kelowna"

("Festivals Kelowna")

WHEREAS:

Festivals Kelowna is a non-profit society incorporated in 2007 which has a mandate to produce and manage various programs in parks and public spaces and provide live entertainment and arts-based activities for the benefit of the citizens of Kelowna; and

The City of Kelowna wishes to procure various services from Festivals Kelowna;

NOW THEREFORE, this Agreement is evidence that in consideration of the payments to be made to Festivals Kelowna by the City, and the mutual promises and agreements set out herein (the sufficiency of which are hereby acknowledged by the parties), the parties agree as follows:

PART ONE – TERM

1. Term

The term of this Agreement is for three (3) years, commencing on January 1, 2023, and ending December 31, 2025, subject to earlier termination or extension in accordance with this Agreement (the "Term").

EXTENSION TERM: This Contract has the option, in favour of the City, to extend the same terms and conditions for two (2) additional one (1) year terms. The first of these terms would start January 1, 2026 and end December 31, 2026 and the second of these terms would start January 1, 2027 and end December 31, 2027.

2. Previous Agreements

This Agreement replaces any and all previous agreements, whether written or not, between the City and Festivals Kelowna and the parties agree that any and all previous agreements shall be terminated and be of no further force and effect as of December 31, 2022.

PART TWO - DELIVERY OF PROGRAMS

3. Provision of Programs and Services

During the Term of this agreement, Festivals Kelowna will produce and manage the programs (the 'programs') of live entertainment, cultural events, and arts-based activities outlined in Schedule B which is attached to and forms part of this Agreement.

4. Activities

Activities not reflected in the approved annual program plan (Schedule B) may be undertaken by Festivals Kelowna as an independent organization at its discretion provided that such activities do not compromise or undermine the programs, objectives and standards set out in Schedule B or otherwise conflict with the terms of this Agreement.

5. Use of Parks Alive! Name

The parties agree that the name Parks Alive! is exclusively owned by the City of Kelowna and cannot be used by or under the authority of Festivals Kelowna in conjunction with any programs, services or activities outside the City of Kelowna, nor for any purpose other than the programs provided for in this Agreement, without the express prior approval of the City.

6. Trademarks

The City grants to Festivals Kelowna a non-exclusive license, for the Term of this Agreement, to use the trademarks, trade names, logos, or other identification marks of the City for the sole purpose of allowing Festivals Kelowna to fulfill its obligations under this Agreement, and to provide recognition of the funding support provided by the City of Kelowna.

The license granted to Festivals Kelowna for the purpose of fulfilling its obligations under this Agreement shall not be transferable in whole or in part.

Festivals Kelowna's use of any trademarks, trade names, logos, or other identification marks of the City in accordance with this Agreement will only be in a manner directed by City. The City shall have the right to examine and to approve or disapprove in advance of the contents and appearance of any advertising or promotional materials proposed to be used by Contractor which incorporate such trademark, trade names, logos, or other identification marks.

Upon the expiration or the termination of this Agreement for any reason, Festivals Kelowna shall immediately and permanently discontinue the use of all trademarks, trade names, logos or other identification marks and any Confidential Information which was used in the supply of the products or to which Festivals Kelowna has otherwise gained possession pursuant to this Agreement.

PART THREE – USE OF CITY PARKS

7. No charge for Park rentals

Festivals Kelowna may book space at no charge in City parks for the purpose of Parks Alive! programs, subject to approval by the Event Services Department.

If Festivals Kelowna books space in any City park or facility for a purpose other than Parks Alive! programs described in this Agreement, normal charges will apply unless the City specifically agrees to other arrangements.

8. Event and related permits

Festivals Kelowna will comply with all processes and procedures required by the City of Kelowna Event Services Department relating to use of City Parks, including scheduling, approvals, licenses, electrical and other permits, and insurance, as well as host liquor liability endorsements for events at which alcohol is available.

9. Rentals are non-exclusive

Except for Parks Alive!, Canada Day, and New York New Years Eve events, Festivals Kelowna’s scheduled rentals of any City park are non-exclusive and will be subject to change at the request of the Event Services Department.

10. Issuance of permits and licenses by Festivals Kelowna

Festivals Kelowna staff, once the necessary City approvals and permits are in place, may issue any additional required permits and licenses to performers, vendors, etc. in accordance with their program guidelines as set out in Schedule B.

PART FOUR - FINANCING, REPORTING AND OBLIGATIONS

11. Fiscal responsibility

Festivals Kelowna will operate and provide the programs in a fiscally responsible manner.

12. Annual reporting

By the end of January of each year, Festivals Kelowna will provide to the City an annual report, (the “Annual Report”) in the City’s prescribed format, which includes, but is not limited to, the following information relating to the prior calendar year:

- (a) Professionally prepared and reviewed annual financial statements, approved by the Society’s Board of Directors, for the most recent fiscal year end. Note, annual review must be completed by an independent, reputable provider as approved by the City of Kelowna. Audited financial statements may be required at the City’s request.
- (b) Current year operating and capital budget, as approved by the Society’s Board of Directors, with actuals or forecast to December 31st.
- (c) Evaluation of programs, in a form acceptable to the City, which;
 - Provides reliable measurement of public attendance and participation in the programs.
 - Provides reliable measurements of artist / artisan participation in the programs, such as number of new artists, returning artists, genre, and variety.
 - Reflects both positive and critical feedback from artists, the public and sponsors/partners regarding the programs.
 - Documents particular successes and achievements.
 - Accurately documents budgeted and actual revenues and expenditures for Festivals Kelowna programs.

- Provides qualitative information on the community impact of programs.
- (d) Governance and planning information, which includes:
- A list of the Society’s directors;
 - An organizational chart indicating key management and staff roles and staffing levels;
 - Objectives for the current calendar year; and
 - A realistic self-assessment, including identification of areas where improvements can be made in the areas of programming, organization governance, and financial oversight, along with strategies and processes to achieve improvements.
- (e) Any other information as required

City staff may, in response to the content of this report, make specific recommendations and requests to be fulfilled by Festivals Kelowna within a reasonable period. Failure by Festivals Kelowna to address any specific recommendations and requests within the specified timeline will be cause for termination of this agreement at the discretion of the City and the provisions of paragraph 16 will apply.

13. Payment by the City

Administered through the City’s Event Services budget, the City of Kelowna will pay to Festivals Kelowna, during the Term of this agreement, an annual amount of \$256,000 as a service fee for the delivery of the programs. This annual amount will be adjusted annually starting January 1, 2024, by the BC CPI Annual average for the prior calendar year to a maximum 5% annually. In any calendar year, should the CPI be a negative, no adjustment will occur. The annual amount will be payable in four installments on or before January 15, April 15, July 15, and October 15 of each year. In addition, the City will pay \$14,000 annually for facility rent at Prospera Place on Canada Day.

14. Alteration of instalment amounts and timing

The City may, upon 30 days notice to Festivals Kelowna, alter the instalment amounts and timing if the City determines that Festivals Kelowna is not fulfilling the programs, objectives or standards set out in Schedule B. In the event that such notice is given, the City will specify its concerns and provide a reasonable period within which Festivals Kelowna must address those concerns.

If, within the time specified, the City is satisfied that its concerns have been addressed, the instalment amounts, and timing described in paragraph 13 may at the City’s sole discretion be reinstated as described in this agreement or otherwise adjusted on a continuing basis.

If the City determines that its concerns have not been adequately addressed within the specified time, then the provisions of paragraph 16 will apply.

15. Insurance Requirements

Festivals Kelowna shall procure and maintain during the Term, at its own expense and cost, the insurance policies listed in Schedule A of this Lease. For clarity, the insurance requirements set out in Schedule A are minimum requirements and are not to be interpreted in a manner that limits Festivals Kelowna’s obligations under this Agreement. Festivals Kelowna shall be

responsible for obtaining and maintaining such additional insurance as would a prudent tenant, having similar obligations to those of Festivals Kelowna under the terms of this Agreement. Further, all insurance policies held pursuant to this Agreement shall contain an undertaking by the insurer to notify the City in writing not less than thirty (30) days before any material change, cancellation, or termination.

PART FIVE - DEFAULT

16. a) The City may, subject to the provisions of paragraph 19 below, by written notice of default to Festivals Kelowna terminate the whole or any part of this contract in any one of the following circumstances:
- i) if Festivals Kelowna fails to perform the services within the time specified herein or any extension thereof; or
 - ii) if Festivals Kelowna fails to perform any of the other provisions of this contract, or so fails to make progress as to endanger performance of this contract in accordance with its terms, and in either of these two circumstances, does not cure such failure within a period of ten (10) days, or such longer period as the City may authorize in writing, after receipt of notice from the City specifying any such failure.
 - iii) if Festivals Kelowna becomes insolvent, enters voluntary or involuntary bankruptcy or receivership proceedings, or makes an assignment for the benefit of creditors.
- b) In the event the City terminates this contract in whole or in part as provided in paragraph 16a above, the City may procure, upon such terms and in such manner as the City Purchasing Agent may deem appropriate, supplies or services similar to those terminated, and Festivals Kelowna shall be liable to the City of any excess costs for such similar supplies or services, provided that Festivals Kelowna shall continue the performance of this contract to the extent not terminated under the provisions of this clause.
- c) Festivals Kelowna shall not be liable for any excess costs if any failure to perform the contract arises by reason of strikes, lockouts, acts of God or of the public enemy, acts of the City or fires or floods, due to any of such causes unless the City Purchasing Agent shall determine that the supplies or services to be furnished by the sub-contractor were obtainable from other sources in sufficient time to permit Festivals Kelowna to meet the required delivery schedule.
17. **Repayment of Funds**
Upon the expiry of this Agreement or in the event this Agreement is terminated for any reason, or if Festivals Kelowna ceases to be a legal entity, any funds paid by the City to Festivals Kelowna pursuant to this agreement and remaining on hand in any account of any type under the name of Festivals Kelowna after payment of legitimate expenses confirmed by an external financial review, will be returned to the City immediately.

PART SIX - GENERAL PROVISIONS

18. **Society Act Requirements**

Festivals Kelowna will at all times during the Term fulfill all its obligations under the *Society Act* in order to maintain Festivals Kelowna in good standing, and it will not amend its Constitution or Bylaws without the express written consent of the City.

19. Notice

Any notice given under this Agreement must be in writing and may be delivered by hand or sent by prepaid registered or express mail and, if so mailed, shall be deemed to have been given five (5) days following the date upon which it was mailed, and if delivered by hand or sent by prepaid registered or express mail, shall be deemed to have been given on the day of delivery.

Addresses for notice:

- to the City: Attention Event Development Supervisor, at the address above
- to Festivals Kelowna: Attention Executive Director, at the address above

Either party may at any time give notice in writing to the other of any change of address for the purposes of notice pursuant to this paragraph.

20. Agreement for Services

This is an agreement for the performance of services and Festivals Kelowna is engaged under this Agreement as an independent contractor for the sole purpose of providing those services. Neither Festivals Kelowna nor any of its employees or contractors is engaged by the City as an employee or agent of the City. This Agreement does not create a joint venture or partnership and Festivals Kelowna has no authority to bind the City in any way.

21. Review Process

If Festivals Kelowna determines that a decision made by City staff regarding the interpretation or application of this Agreement requires review, it may submit to the Director of Active Living & Culture, or designate, a written request for review, fully stating the facts and reasons in support of the request. Upon review, the decision of the Director, or designate, will be final.

22. Permits and Licenses

Festivals Kelowna, their employees, agents, and vehicles shall have and maintain valid permits and licenses as required by law for the execution of services related to this agreement.

Festivals Kelowna shall conform to all federal, provincial, and city acts and regulations that may apply to the operation of this contract. Festivals Kelowna is required to obtain and pay for all necessary permits, licenses, and inspection fees.

Upon request by the City, certified copies of required permits/licenses will be made available by Festivals Kelowna.

23. Criminal Records Review

The services shall be performed by Festivals Kelowna and by any other employee, agent, subcontractor or representative of Festivals Kelowna (collectively, the "Contractor's Representatives"). When hiring Contractor's Representatives, Festivals Kelowna shall adhere to

the Criminal Records Review Act, where applicable, and require all Contractor's Representatives to submit to a criminal records review. Festivals Kelowna shall not allow anyone who has a criminal record for an offence of consequence, as determined at the sole discretion of the City, to perform those Services for the City.

24. Assignment

No part of this Agreement may be assigned or subcontracted by Festivals Kelowna without the prior written consent of the City

25. Severance

If any part of this Agreement is held to be invalid by a court of competent jurisdiction, that part is to be considered to have been severed from the rest of this Agreement and the decision that it is severed does not affect the validity of the remainder of this Agreement.

26. Binding on Successors

This Agreement ensures to the benefit or and is binding upon the parties and their respective successors, subcontractors, trustees, and administrators, despite any rule of law or equity to the contrary.

27. Entire Agreement

This Agreement is the entire Agreement between the parties, and it terminates and supersedes all previous communications, representations, warranties, covenants, and agreements, whether verbal or written, between the parties with respect to the subject matter of the Agreement.

28. Governing Law

This Agreement is governed by the law of British Columbia.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed this Agreement on the dates indicated:

THE CITY OF KELOWNA, by its authorized)
signatories:)
)
)
)
)
_____)
Sport & Event Services Manager)
Doug Nicholas)
)
)
_____)
Event Development Supervisor)
Chris Babcock)

Date:

FESTIVALS AND SPECIAL EVENTS)
DEVELOPMENT SOCIETY OF KELOWNA by)
its authorized signatories:)
)
_____)
Director)
)
_____)
Executive Director, Renata Mills)
)
Date:)

SCHEDULE A – INSURANCE REQUIREMENTS

Insurance

At a minimum, Festivals Kelowna shall, without limiting its obligations or liabilities under any other contract with the City, procure and maintain, at its own expense and cost, the following insurance policies:

Comprehensive General Liability Insurance including the following terms:

- Providing for an inclusive limit of not less than five million dollars (\$2,000,000.00) for each occurrence or accident;
- providing for all sums which Festivals Kelowna shall become legally obligated to pay for damages because of bodily injury (including death at any time resulting there from) sustained by any person or persons, or because of damage to or destruction of property caused by an occurrence or accident arising out of or related to this Agreement, services and/or occupancy under this Agreement, or any operations carried out in connection with this Agreement;
- coverage for Products/Completed Operations, Blanket Contractual, Contractor’s Protective, Personal Injury, Contingent Employer’s Liability, Broad Form Property Damage, and Non-Owned Automobile Liability; and
- a Cross Liability clause providing that the inclusion of more than one Insured shall not in any way affect the rights of any other Insured hereunder, in respect to any claim, demand, suit or judgement made against any other Insured.

Automobile liability insurance covering all motor vehicles, owned, operated and used or to be used by Festivals Kelowna directly or indirectly in the performance of the Work or Services. The Limit of Liability shall not be less than \$2,000,000 inclusive, for loss or damage including personal injuries and death resulting from any one accident or occurrence.

“All Risks Insurance” for loss of or damage to all Contractor’s equipment, owned, leased, or for which Contractor may otherwise be responsible and used or to be used in the performance of the Work. This insurance shall be for an amount not less than the replacement cost value of the equipment. In the event of loss or damage, Contractor shall if so requested by the City, forthwith replace such lost or damaged equipment. Such “All Risks Insurance” shall be endorsed to waive all rights of subrogation against the City.

The City Named as Additional Insured

The policies required above shall provide that the City is named as an "Additional Insured" thereunder and that said policies are primary, without any right of contribution from any insurance otherwise maintained by the City.

Society’s Sub-contractors

Festivals Kelowna shall require each of its sub-contractors to provide comparable insurance set forth above.

Certificates of Insurance

Festivals Kelowna agrees to submit certificates of insurance for itself and all of its sub-contractors to the City prior to the commencement of this Agreement. Such certificates shall provide that 30 days written notice shall be given to the City prior to any material changes or cancellations of any such policy or policies. No review or approval of any insurance certificate or insurance policy by the City derogates from or diminishes the City’s rights under this Agreement.

Other Insurance

After reviewing Festivals Kelowna’s Certificates of Insurance, the City may require other insurance or alterations to any applicable insurance policies in force during the period of this contract and will give notifications of such requirement. Where other insurances or alterations to any insurance policies in force are required by the City and result in increased insurance premium, such increased premium shall be at Festivals Kelowna’s expense.

Additional Insurance

Festivals Kelowna may take out such additional insurance, as it may consider necessary and desirable. All such additional insurance shall be at no expense to the City. Festivals Kelowna shall ensure that all of its sub-contractors are informed of and comply with the City’s requirements set out in this agreement.

Insurance Companies

All insurance, which Festivals Kelowna is required to obtain with respect to this Agreement, shall be with insurance companies registered in and licensed to underwrite such insurance in the Province of British Columbia.

Failure to Provide

If Festivals Kelowna fails to do all or anything which is required of it with regard to insurance, the City may do all that is necessary to effect and maintain such insurance in the name and at the expense of Festivals Kelowna, and Festivals Kelowna shall repay any and all costs expended by the City within twenty-one (21) days of receipt of an invoice. For clarity, the City has no obligation to obtain any insurance required to be maintained by Festivals Kelowna under this Agreement.

Non-Payment of Losses

The failure or refusal to pay losses by any insurance company providing insurance on behalf of Festivals Kelowna or any sub-contractor shall not be held to waive or release Festivals Kelowna or sub-contractor from any of the provisions of the Insurance Requirements or this Agreement with respect to the liability of Festivals Kelowna otherwise. Any insurance deductible maintained by Festivals Kelowna or any sub-contractor under any of the insurance policies is solely for their account and any such amount incurred by the City will be recovered from Festivals Kelowna.

Worksafe BC

Festivals Kelowna and any approved Sub-contractors must:

- (a) be registered with Worksafe BC,
- (b) comply with all conditions and safety regulations of WorkSafe BC,
- (c) be in good standing with WorkSafeBC.
- (d) maintain WorkSafe BC coverage for the duration of the Contract.

Prior to receiving any payment, Festivals Kelowna may be required to submit a WorkSafe BC Clearance Letter indicating that all WorkSafe BC assessments have been paid.

INDEMNITY BETWEEN THE PARTIES

Festivals Kelowna as an independent contractor shall be liable for all loss, costs, damages and expenses whatsoever incurred. The Society must save harmless, release and indemnify the City and its elected and appointed officials, officers, employees, agents, successors, and assigns, from any and all liabilities, actions damages, claims, losses, costs and expenses whatsoever (including without limitation, the full amount of all legal fees, costs, charges, and expenses whatsoever) in any way directly or indirectly arising from the occupation, use, activities, or actions of the Society, or any act or omission of the Society. The obligations of the Society shall survive the expiry or earlier termination of this Agreement.



1. SCHEDULE A-1

CERTIFICATE OF INSURANCE

This Certificate is issued to: The City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1 J4

Insured

Name:
Address:

Broker

Name:
Address:

Location and nature of operation or contract to which this Certificate applies:

10917 Festivals Kelowna- Events Provider (various locations)
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Type of Insurance	Company & Policy Number	Policy Dates		Limits of Liability/Amounts
		Effective	Expiry	
Section 1 Comprehensive General Liability including: <ul style="list-style-type: none"> • Products/Completed Operations; • Blanket Contractual; • Contractor’s Protective; • Personal Injury; • Contingent Employer’s Liability; • Broad Form Property Damage; • Non-Owned Automobile; • Cross Liability Clause. 				Bodily Injury and Property Damage \$ <u>2,000,000</u> Inclusive \$ _____ Aggregate \$ _____ Deductible
Section 2 Automobile Liability	Provide ICBC APV47 forms			Bodily Injury and Property Damage \$ <u>2,000,000</u> Inclusive

It is understood and agreed that the policy/policies noted above shall contain amendments to reflect the following:

1. Any Deductible or Reimbursement Clause contained in the policy shall not apply to the City of Kelowna and shall be the sole responsibility of the Insured named above.
2. The City of Kelowna is named as an Additional Insured (Section 1 only).
3. 30 days prior written notice of material change and/or cancellation will be given to the City of Kelowna.

Print Name
Broker)

Title

Company (Insurer or

Signature of Authorized Signatory

Date

SCHEDULE B

Schedule B: Program Plan



FestivalsKelowna

Festivals Kelowna 2023 Program Plan

Introduction

Following discussions with the City of Kelowna, industry peers, and the Festivals Kelowna staff and Board, we believe the event landscape in 2023 will continue to evolve as we move through the tremendous negative impacts COVID had on the festivals and events industry. From reduced festival and event programs to outright cancellations in 2022, the resulting impact included loss of employees from the industry as they sought new, more stable employment opportunities, reduction in capacity or closure of event supplier businesses, loss of visual and performing artists as they also sought more stable employment opportunities and diminishing in-person audiences due to a lingering concern over infection from new strains of COVID or other diseases.

In 2022 Festivals Kelowna took a cautious approach to our Program Plan given the anticipated slow recovery of the events industry that we understand could take at least three to five years. We acknowledged that there was a tremendous desire for the events community to return to producing festivals and events, and this would be supported by a willingness by governments to fund activity as a way to get economies flowing again. However, we recognized that the availability and affordability of suppliers (fencing, washrooms, production), performing artists, and event staff would be unclear during the recovery phase, and we were hopeful that audiences would return in strong numbers after two years of not being able to attend live concerts and other events.

As we plan for 2023 and beyond, we do so with the understanding that the festival and event industry is still in transition. For example, in 2022 while some of our events had strong attendance, others saw softer than expected numbers. We observed that the public continued to be cautious about returning to large community gatherings. As well, because some event producers embraced online elements to their live events, the public found new ways to consume live event experiences other than attending in person and so some made choices to remain at home. We also experienced the impact of significant rising costs from suppliers in 2022 as they faced the challenges of both staffing shortages and the need to increase their wages significantly to attract new staff, higher transportation costs from rising fuel prices, and suppliers limited capacity resulting in them charging more to service fewer events in order to maintain their revenues. Finally, we observed an increasing shift in the kind of content audiences sought out. People were/are looking for unique experiences, smaller but more impactful events, and activities that reflect social issues such as climate change, inclusion and diversity, and the acknowledgement of Indigenous rights and Reconciliation.

Plan for 2023

Our Programming Plan for 2023 reflects a continued evolution of our events and programs as we move through the post- COVID period. It represents a continuation of most of our historical core programs, as well as modifications to these programs resulting from conversations with our key stakeholder, the City of Kelowna, who have focused their own efforts on “quality over quantity” and have asked their

partners, such as Festivals Kelowna, to do the same when considering future program plans. Not only does this approach encourage creativity and innovation, it recognizes the need to be adaptable and resourceful in the face of challenges such as rising costs and a tight labour market, requiring organizations to be creative with their limited resources, be they financial or human. This approach also requires organizations to embrace opportunities for improvement.

Acknowledging the City of Kelowna’s intention to create impact for the community they serve, our 2023 Program Plan reflects an alignment with the City’s vision document, “Imagine Kelowna”, key outcomes:

- 1. Responsible
- 2. Connected
- 3. Collaborative
- 4. Smarter

Through the lens of festivals and events, Festivals Kelowna will align with the Imagine Kelowna principles as follows:

1. Responsible

- “Grow vibrant urban centres and limit sprawl” – We will program events and activities throughout the community so that residents don’t have to always drive elsewhere to experience our events. By programming activities near to where residents live or work, they can access our events using non-driving options
 - Pianos in Parks pianos will be placed in Downtown, Rutland, and Pandosy Town Centres, as well as the Memorial Park Cemetery in Glenmore
 - Parks Alive! concerts will be held in neighborhood parks throughout Kelowna
 - Festivals Kelowna will participate as a member of the Kelowna Made Festival organizing committee and help develop concepts to bring the festival to multiple locations throughout Kelowna

2. Connected

The Festivals Kelowna Vision is to “Connect our Community through festival and events”, thus closely aligning with this Imagine Kelowna principle the most.

- “Create Great Public Spaces” – We will animate public spaces through multiple arts-based, community- focused activities and events that will bring people together and encourage our citizens to connect
 - Parks Alive! concerts will continue to feature diverse and dynamic content to attract audiences of all ages and appeal to a wide range of interests where neighbours can connect over shared enjoyment of cultural experiences
 - Pianos in Parks will provide interactive musical opportunities through local visual artist decorated pianos that also function as public art
 - Kelowna Buskers Program will shift to a Busker focused event concept vs a permitted daily program to enhance public spaces during the summer months and align with the Meet Me on Bernard initiative

- New York New Years, Arts on the Avenue, and Celebrate Canada Day- Kelowna will animate outdoor parks and public spaces through live music and interactive experiences in multiple outdoor public spaces

- “Provide opportunities for all” – We will continue to provide social and recreational opportunities by presenting content that will hold appeal for a diversity of ages and interests. We will work with artists of all experience levels, styles, age, and gender, and we will provide access to the arts for all citizens regardless of their socio-economic status, age, or geographic location.
 - Parks Alive!, Canada Day, and New York New Years will continue to make room on its stages for all styles and abilities of performing artists
 - Celebrate Canada Day will explore continued diversity and cross-cultural sharing through our programming
 - Arts on the Avenue will continue to provide space for emerging visual artists and will connect with the visual arts community to explore artist development opportunities
 - Kelowna Buskers will welcome a diversity of performance styles
 - Pianos in Parks will continue to provide access to a public piano for everyone
 - Events and activities will be held in locations that consider access for citizens with diverse abilities

- “Cultivate an engaging arts and culture scene” – We will continue to contribute to our local arts and culture industry by presenting multiple arts-based events and programs throughout the year and through partnerships and collaborations with other members of the Kelowna arts and culture community as a way to leverage limited resources for greater impact.
 - Festivals Kelowna will
 1. participate in and support local cultural industry initiatives through volunteerism and investment of resources and knowledge (i.e. Breakout West, Central Okanagan Live Music Strategy, etc.)
 2. connect with local performing artists for participation in the new Kelowna Made Festival and assist with the coordination of performance activities at the festival

 - Celebrate Canada Day will
 1. continue to provide opportunities for performing and visual artists from our ethnic communities to represent their culture via artisan markets and stage performances
 2. work with local ethnic communities to explore new and different ways to celebrate their heritage at the event
 3. explore ways to re-engage Kelowna’s arts and heritage organizations in the storytelling of our National culture

 - Parks Alive! will

1. continue to feature a range of artists, from the amateur and developing to the professional and established
 2. collaborate with local arts organizations to feature new and unique art forms on our stages in order to increase profile and build appreciation for the arts, as well as maximize impact through shared resources
 3. produce and present multiple live cultural performances that will hold broad appeal and attract audiences of all ages
 4. explore content that will appeal to and attract a younger adult demographic
 5. invest in the local artist community by continuing to commit to hiring 80% of our performers from the Central Okanagan.
 6. Invest in the next generation of performing artists by providing paid opportunities for developing performers on our stages
- Kelowna Buskers will
 1. seek out and welcome a diversity of performance styles
 2. generate appreciation for the uniqueness of “street style” performances through presentation of new curated, Busker-focused events
 - Arts on the Avenue will
 1. increase the number of Arts on the Avenue events as a way to contribute to the animation of the Meet Me on Bernard Initiative
 2. explore collaboration, partnerships, or amalgamations with other local visual art markets that will reduce competing interests and lead to an increase in quality and longer term program viability
 3. connect with local arts organizations to increase the profile of visual arts in our community through information displays, art engagement experiences, and visual art displays
 - Pianos in Parks will
 1. continue to provide opportunities for local visual artists to showcase their art in high profile, accessible, public spaces by painting a piano in their distinctive style
 2. provide opportunities for musicians to continue developing their skills via access to instruments they may not otherwise have available to them
 - New York New Years will
 1. continue to hire local and touring, high calibre, performing artists across multiple musical genres that will hold broad appeal and help build upon appreciation for live musical
 2. provide opportunities for local developing artists to learn from established performers by performing on the same stage

3 Collaborative

- “Nurture entrepreneurship” – We will support entrepreneurship by

- providing multiple opportunities for visual artists to participate in our events as vendors for a reasonable fee
 - hiring visual artists in a paid capacity that allows them to grow their business by showcasing their work to new audiences, while also enhancing the content of our events
 - prioritizing local event industry suppliers to provide services for our events and programs to help ensure there are service providers in the future
 - hiring performing artists in a paid capacity at market-driven rates to support their development and increase their ability to live and work in Kelowna
 - creating positive performance experiences by working with professional arts industry staff and production personnel
 - maintaining a database of performing artists that helps generate additional bookings for artists through our recommendations to other venues, programs, and events
 - sharing our knowledge and expertise by participating in festival and event industry forums and workshops, and sitting on advisory committees that aim to develop the cultural industry and our local business community
-
- encouraging creative collaborations that will enhance our event and program content and invest in developing arts and cultural businesses to meet the challenges of the future
-
- “Build a fair and equitable community” – We will continue to prioritize access for the community to our arts and cultural events, programs, and experiences by
 - continuing to provide free admission to our events so that financial capacity is not a limiting factor in community participation
 - curating content that holds appeal for a wide range of interests and ages and that reflects the diversity of our community
 - bringing events and activities to parks and public spaces throughout our community so mobility is not a limiting factor in community participation
 - being open to new ideas and continuing to welcome collaboration with partners that may not have knowledge, resources, or capacity yet have a terrific concept that could create impact and positive experiences
 - using processes that encourage both developing and established artists to participate
 - providing access to our events and programs to a diversity of participants with varying experience and skill levels
 - procuring suppliers to support our activities in a transparent manner
 - continuing to act as a resource for the festivals and events community

4 Smarter

- “Build healthy neighborhoods for all” – We will continue to produce and present festivals and events that support a variety of household income levels and life stages by
 - offering programming that appeals to a variety of interests
 - presenting artists that have multi-generational appeal

- holding events in different neighbourhoods throughout our community
- exploring new partnerships and collaborations that will lead to new events and activities in non- traditional outdoor public spaces

Embracing the Imagine Kelowna Vision tenant of “encouraging curiosity and creativity to respond and adapt to change” reinforces the model Festivals Kelowna uses to develop and deliver our programs and events. We have the ability to adapt quickly when a change of plans is needed. Looking ahead, we will continue to evaluate our plans against factors like funding levels, internal staff resources, supplier capacity and availability, vendor interest, artist interest and availability, and a desire by the general public to continue attending and supporting festivals and events.

Program Plan

1) Celebrate Canada Day-Kelowna

Following discussions with City of Kelowna and the FK Board, our plan for 2023 will:

- explore different ways to reflect the multicultural diversity of Canada and its provinces
 - include program content that is Canada-focused over Kelowna-focused
 - highlight the most popular elements of our prior celebrations including fireworks, live performances, Canada Day ceremonies and messages from dignitaries, interactive displays, and the giant birthday cake
 - extend human and financial resources by using fewer venues and refocusing resources toward key activity areas with the most impact
 - maximize use of Waterfront Park and adjacent public spaces vs multiple venues further south into downtown
 - considers a transition of user group activities from Prospera Place to outside park or public spaces
- Date:
 - 2023 festival will be held on July 1st, its 22nd year in existence and its 17th year under the management of Festivals Kelowna (2020 & 2021 were not held due to COVID)
 - Time:
 - The festival will be held from 10:00 a.m. until 10:30 p.m.
 - The annual fireworks display will commence 30 minutes earlier than historically held in order to encourage and support dispersal of large crowds in the downtown core before midnight
 - Festival location(s):
 - centered in Waterfront Park complemented by the use of Jim Stuart Park
 - NEW - pending discussions with our partner groups, the Folk Fest Society and Kelowna City Band, use of Prospera Place may be discontinued if one or both pf the groups transition to outdoor spaces
 - Site layout will consider historically large attendance to avoid congestion
 - Components of the festival are expected to include:

- Live Entertainment - performances will be held on 4 outdoor stages - Parks Alive! Power Stage (Island Stage), Beach Stage (Tugboat beach), Family Stage (Pioneer Gardens) and potential use of Jim Stuart Park stage by Folk Fest and Kelowna City Band
- Multicultural or Provincial Showcase – NEW for 2023, this area will include displays and information by ethnic communities to reflect and showcase their culture and heritage OR a collection of representative elements reflecting the culture, history, and people of Canada’s provinces (Pioneer Gardens/Harmony Bridge)
- Happy Birthday Canada cake – A giant birthday cake located at the Folk Fest celebrations; a partnership between Folk Fest and Festivals Kelowna (JS Park – TBC)
- Canada Day Ceremonies – The official welcoming ceremonies for the annual Canada Day festival; produced by Folk Fest with support from Festivals Kelowna (JS Park – TBC)
- Folk Fest – An annual showcase of food and cultural performances by local ethnic member groups of the Kelowna Folk Festival Society held from 10:00 a.m. to 4:00 p.m.; produced by the Folk Fest society and co- promoted by Festivals Kelowna. (JS Park – TBC)
- Kelowna City Band Concert – A free large band performance from 7:30 to 9:30 p.m.; produced by the Kelowna City Band and co-promoted by Festivals Kelowna (JS Park – TBC)
- Taste of Canada Food Fair – a multicultural taste of Canada, featuring 17-20 food vendors (Concession Plaza)
- Kids Zone – an interactive area for children featuring live performances and activity stations; Activities provided through a combination of local volunteer organizations and hired service providers (i.e. petting zoo, drop-in workshops); goal of 25-30 stations (Pioneer Gardens)
- Community Showcase – A display of local non-profit groups and associations showcasing their contributions to our community; goal of 20 participant groups (Harmony Bridge area)
- Made in Canada Marketplace - a market of handcrafted arts & crafts created in Canada by local, regional, and Western Canadian visual artists; goal of 25 artists (Rhapsody Plaza)
- Canada Day Bazaar – a showcase of products and services from local small and home-based businesses; goal of 15 vendors (Tugboat Beach area)
- Fireworks Display - pyrotechnic display at 10:00 pm; produced by FK (Tugboat Bay)

2) Parks Alive!

Parks Alive! remains an integral part of the annual summer experience in Kelowna for both its citizens and visitors, a “civic asset”. Since the program's inception in 1997 it has responded to changes in community interest and need by creating new events, adding new locations, and expanding content.

Parks Alive! shows will continue to:

- create high calibre, accessible, and engaging entertainment experiences that our citizens feel a sense of "ownership" and pride in
- help neighbors connect
- appeal to a wide range of interests and ages
- offer a diversity of content including musical performances, dance, spoken word and theatre

Date(s):

- 2023 will be the 25th year of Parks Alive!
- 38 events will be held between Tuesday, July 4th through to Saturday, August 26th
- Events will be held 5 days a week, running Tuesday through Saturday

Location(s):

- Pending finalization of the event schedule in early 2023, up to 18 different parks and public spaces located in neighborhoods all over the community will be used
- In collaboration with the DKA, City of Kelowna and Tourism Kelowna, events will be scheduled in coordination with the Bernard Avenue "Meet Me on Bernard" initiative

Programming will include:

1. Community Music Tuesdays on Bernard Avenue and in Community Parks

- This "rotating series" brings events to smaller community parks throughout the City. We will also present concerts on Bernard Avenue in collaboration with MMOB
- Events will be held from 6:30 to 8:30 pm Tuesday nights during July and August
- Will feature solo artists or smaller bands with limited production requirements suitable for a more intimate performance setting
- Entertainment will be complemented by recreation-based programming when appropriate and additional onsite programming when available (i.e. drop-in craft workshops hosted by local community or service groups, partnerships with Park n' Play)

2. Wednesday Night Showcase

- An anchor concert series of the Parks Alive! program
- 8 events will be held on the Island Stage in Waterfront Park from 6:30 to 9:00 pm each Wednesday night in July and August
- An historically well attended series featuring performers from a variety of musical genres, performing groups are usually larger on this evening and tend to have more complex production needs
- In addition to musical performances, this venue's infrastructure and location supports our "Music & A Movie" night held at the end of August

3. Thursday Community Series

- This “rotating series” will showcase performing artists from a variety of genres with entertainment suitable for all ages
- 8 concerts will be held between 6:30 to 9:00 pm each Thursday night in July and August in parks and public spaces throughout Kelowna

4. Theme Weekends

- Another anchor in the program, this series is well attended due to its high profile location in Kerry Park and its proximity to the waterfront and downtown restaurants. NOTE: We are aware location may change and will discuss with City staff
- 16 Concerts will be held on the Kelowna Pride Stage in Kerry Park from 7:00 to 10:00 pm each Friday and Saturday night in July and August
- A diversity of artists and musicians that appeal to all ages will be presented. The size of performing groups will often be larger and have more complex production needs
- Will feature greater number of professional performing artists than other concert series. This is a preferred location for staff to book touring artists due to event budget, supportive venue infrastructure, and guarantee of larger of audiences
- Additional onsite programming is booked to enhance the onstage entertainment and create a festival environment

3) Arts on the Avenue

Introduced in 2015, “Arts on the Avenue” is an arts-focused outdoor event celebrating and highlighting the visual artist community. Through coordination with the Meet Me on Bernard initiative, AonA will animate Bernard Avenue through visual art displays, artisan sales, and complementary live performances.

Date(s):

- AonA has historically been held the last Thursday of July as a prelude to the BC Day long weekend.
- NEW - 2023 will see the addition of a second event as a way to expand beyond musical programming on Bernard Avenue
- NEW - We are exploring an event day earlier in the week to offer patrons activities outside of the usual end of week/weekend programming days
- Proposed dates are Monday, July 17th and Thursday, August 3rd but will work with the Meet me on Bernard committee to confirm.

Time:

- In response to the increasingly intense heat of the summer months impacting artist participation and audience attendance, we are exploring a later start and end time
- Proposed start of 6 pm with 10pm close

Location(s):

- 300 and 400 blocks of Bernard Avenue from Water Street to Ellis Street plus NEW in 2023 inclusion of the 500 block as an expansion space
- Street, sidewalk, and other open areas between MMOB temporary infrastructure
Programming will include:

- We will again feature a variety of elements including retail sales of self-made artwork, art exhibitions and demonstrations, live performances, art installations, and “hands on art” that encourages community interaction and connection to art. Artist participants will be selected through a submission process with limits placed on certain categories in order to ensure a broad mix of artist representation and access
- *NEW Visual Arts Community Showcase* - through 2 interactive stations per block of Arts on the Avenue, the public will be able to engage with demonstrations by our local arts collectives, schools, and guilds. We will continue collaboration with organizations such as the Arts Council of Central Okanagan, the University of British Columbia, and the Rotary Centre for the Arts. These animated spaces will give our arts organizations an opportunity to elevate their profile in the community, promote their programs and services, as well as connect and recruit potential new members
- *Artisan Market* - 15-20 of Kelowna’s visual arts entrepreneurs per block will showcase their diverse perspectives through visual art, networking, and sales of their unique creations
 - To increase our focus on quality, we will explore a collaboration with Fran Callaghan, Manager of multiple Okanagan artisan markets and the BC Association of Farmers’ Markets’ Market Manager of the Year for 2022. Our combined experience will contribute to new opportunities and sustainable growth for both our artisan networks
- *Feature Artists* - local arts organizations that may not have capacity or resources to engage the public with hands-on art creation will be invited to highlight one of their members. Each block of Arts on the Avenue will have a “Feature Artist” provide a live demonstration of their practice with the goal of introducing and educating the public to their artform
- *Roaming Performers* – enhancing the visual art elements, we will also feature 4 live, local artists per block to engage the public through live performance. These live performances will create great public spaces by enhancing the festival atmosphere through dancing, drama, music, and other engaging performing arts while providing further opportunities for our emerging entrepreneurial artists

4) Kelowna Busker's Program

The Kelowna Busker's Program has been in place since 2000 with the purpose to create support and create unique performance opportunities for local and touring artists and to animate the community’s public walkways through cultural performances.

To this day, the art of Busking continues to receive mixed reactions in our fairly conventional community. While our structured program provides benefits to artists and the community, we have observed increasing conflict between our program participants and non-permitted Buskers. Issues have included non-permitted Buskers using our designated “Busk Stops” and not respecting the shared time rule, performing too close to other Buskers resulting in sound bleed and intrusion on another performer, use of amplification without volume limits, inappropriate performance content, and a general disregard for social civility. These behaviours have led to frustration by our program

participants (“why should we follow the rules when others don’t?”), feelings of intimidation by our younger program participants, and a general downslide in positive views of the art of Busking by the downtown business community and general public.

Therefore, following a recommendation by our key partner and upon approval by our Board, Festivals Kelowna will pause its daily Kelowna Buskers Program model effective immediately. In its place, we will develop Busker-based events, such as building upon the existing “Buskers on Bernard” mini-busker festival. By refocusing busk style performances into single day, time limited events, we can curate performances, manage content quality, and help create greater awareness of and appreciation for this unique art form.

As part of the shift to an events-based model for busking, we will:

- Transfer the responsibility of busker sign locations and busker guidelines to the City of Kelowna.
- Maintain a list of Buskers who connect with Festivals Kelowna regarding the former program so that we can hire them for future events
- Continue to present “Buskers on Bernard”, a homegrown solution to the Buskers Festival concept and a way to animate public spaces. “BoB” will feature 15-18 different Buskers hired and placed along Bernard Avenue and/or the lakefront walkways. Buskers are placed on sidewalks on both sides of the street starting at Abbott Street with 3-4 Buskers placed on each block. The Buskers are “seeded” with a starting fee and then welcome to generate additional revenue from the public through their performances. We will look to feature of diversity of performance styles subject to artist availability.

5) Pianos in Parks

Introduced in 2015, from an international “public piano” movement that continues to see success across the globe, this program animates our public spaces with unique works of art that showcase local visual and performing artists, and provide musical opportunities for residents and tourists alike.

Following discussions with our key partner and the FK Board about the lifespan of this popular program and potential threats to its longevity, including the loss of a piano mover and maintenance provider, as well as piano supply, it was agreed that the program will continue in 2023. However, it was also agreed that a re-evaluation will be done each year to determine its continuation pending noted threats.

A self-sustaining, low cost program with modest staff resource requirements, Pianos in Parks will:

- provide artist development opportunities and social connection for our community members who may not have access to their own piano
 - encourage all members of our community to connect equally in public spaces in a positive way
 - protect our environment by giving new life to dozens of pianos that were slated for the landfill
- Date: Pianos will be placed in public from June 13th to September 12th

Location(s): We propose the following accessible, public spaces:

- Roxby Square in Rutland
- under the dome at Promontory Green at the Kelowna Memorial Cemetery in Glenmore
- NEW - Laurel Square behind the Laurel Building, downtown
- South end of the Art Walk in the Cultural District

- NEW - Lakefront promenade on the North end of Stuart Park near the Kelowna Yacht Club
- Lakefront promenade next to Kerry Park
- NEW - Lakefront promenade near the Wubit water park in City Park Programming will include:
- Collaboration with local visual artists to custom paint a piano in their unique style. Previous artists have included local artists such as
 - Alex Fong
 - student artist Sara Richardson
 - Syilx artist Coralee Miller
- Collaboration with members of the local arts and culture networks, such as the Kelowna Arts Council and local schools, to source 4 “new to the program” visual artists
- Partnering with businesses and non-profit organizations as “Piano Ambassadors” to pool resources and maintain the pianos for public enjoyment

6) New York New Years

Introduced in December 2012 in response to requests by the community and our key stakeholder’s desire to create a First Night Celebration, “New York New Years” is an all ages appropriate and family-friendly event with programming that appeals to a broad audience from young children to seniors. Partnerships are formed with local organizations to enhance and maximize activities onsite.

The goals of the event are to:

1. Create an engaging public space and generate positive experiences by providing affordable, all ages friendly entertainment and activities
2. Create a dynamic environment that will connect our community through shared celebration
3. Increase the number of accessible public events in Kelowna’s parks and public spaces. By holding the event in a central location, the free entry, family-friendly program content, and physical space all contribute to making the event accessible for all.

Date: December 31st

Time:

- designed with a with a strategic “early” start and end time, NYNYE will run from 6:00 – 9:15 pm
- short duration allows community to celebrate an “early” New Year together and then continue their own celebrations afterwards
- early event time helps avoid conflict with nightclub patrons and other adult focused revelers

Location(s):

- Jim Stuart Park including the stage, skating rink, walkway on lake side of park, Water street adjacent to park, and grass field North of skating rink
- fireworks display produced in City Park at the site of the former Aquatic Centre dock
- due to recent upgrades and renovations to the KCT, we will not use this space as an indoor venue. Instead, we will explore partial closure of Water Street between the roundabouts at Queensway and Doyle Avenue as an expansion to the event site

Programming will include:

- multiple live musical performances across musical genres
- "Kids Snow Zone" with multiple drop-in children's activities, toss games, karaoke, 'Park n Play' games and dance party, and fresh snow for snow fort and snowman building
- skating rink with onsite skate rentals
- all ages friendly interactive stations
- hot chocolate station serving over 2,000 cups for free
- SWAG provided by our generous sponsors and event partners including 1000's of glow sticks, hand warmers, and treats
- countdown to an "early New Year" with the Mayor of Kelowna
- fireworks display



City of
Kelowna

Festivals Kelowna

April 3, 2023



Background



- ▶ Non-profit society (inc. 2007)
- ▶ Arts-based, community events
- ▶ Current service agreement expired December 31, 2022

Proposed Agreement

- ▶ Term:
3 years
- ▶ Renewal Option:
Two additional 1-year terms
- ▶ Annual Payment:
\$256k
adjusted annually by CPI



Program Delivery



- ▶ Celebrate Canada Day
- ▶ Pianos in the Park
- ▶ Parks Alive!
- ▶ New York New Year's Eve
- ▶ Arts on the Avenue
- ▶ Kelowna Buskers Program

Annual Reporting

- ▶ Financial Operations
- ▶ Organizational Governance
- ▶ Program Delivery





Questions?

For more information, visit kelowna.ca.

Report to Council



Date: April 3, 2023
To: Council
From: City Manager
Subject: Indoor Recreation Facility Strategy (IRFS)
Department: Sport & Event Services

Recommendation:

THAT Council receives, for information, the report from the Active Living & Culture Division, dated April 3, 2023, regarding the activities related to the development of an Indoor Recreation Facility Strategy;

AND THAT Council accepts the Strategic Planning framework, and related directions, as outlined in the report.

Purpose:

To provide Council with an overview of the Indoor Recreation Facility Strategy planning process, a summary of the findings from the research and engagement activities; and, an outline of the approach and directions for future recreation facility development

Background:

The City of Kelowna recognizes that there is an undeniable connection between the availability of indoor recreation facilities and services, and healthy people in vibrant communities. For that reason, the City's program delivery model includes a combination of centralized and decentralized amenity provisions that provide broad community reach and access to important recreation facilities and programming.

Within the City's facility provision, there are several large multi-purpose community facilities, or destination centres, that offer a number of amenity types where people congregate from across the City, as well as smaller more focused neighbourhood-based facilities that target the needs of a more concentrated group of local users with specific recreation needs. This community-wide inventory of indoor recreation facilities provides our citizens with the opportunity to engage in meaningful, accessible recreation experiences that foster individual, community and environmental well-being.

As the City’s population grows and the character of Kelowna’s neighbourhoods change, there will be increased calls for intensified levels of service in the form of new facilities and corresponding programs to meet the needs of the various communities within the City. To optimize investment in these important community assets, staff have been working closely with consultants from the JF Group and RC Strategies on the development of an Indoor Recreation Facility Strategy that aligns with, and advances, the City’s program delivery model.

Discussion:

The [Indoor Recreation Facility Strategy \(IRFS\)](#) is intended to bring clarity to the City’s thinking and decision making related to its future provision of indoor sport and recreation infrastructure. It establishes strategic directions and rationale for why and how the City makes investment decisions and provides a methodology to determine the most appropriate facilities to invest in. Though not directly related to any specific project, the IRFS serves as an overarching document and resource to help assess need and inform community plans and projects.

The development of the IRFS has been informed by a considerable volume of research and public consultation undertaken specifically for this project. The “What We Heard” and “State of Indoor Recreation Facilities” reports summarize the research and consultation findings and outline the current market context applied to existing inventory along with the considerations related to their use. Key findings from those reports are highlighted in Appendix 1.

The IRFS planning process involves two phases: *Strategic Planning* followed by *Tactical Planning*:

Strategic Planning focuses on determining the most appropriate solutions to fill facility provision gaps. It includes a criteria-based methodology to assess service levels and prioritize investment in certain amenities over others and utilizes a three-step framework, as outlined below, for looking critically at the indoor recreation amenities the City invests in.



Within the framework, current and future need are determined by answers to seven questions (criteria) that collectively help to provide an indication of appropriate facility provision levels. An additional three questions are applied to various amenity types to help prioritize the most appropriate application of municipal resources. Once the needs have been assessed and priorities determined, strategies and action plans are identified to guide future decisions and planning. The results of Kelowna's needs assessment (step 1) and prioritization ranking (step 2), along with a summary of the IRFS action plans (step 3) to guide the City's indoor recreation infrastructure focus over the next 5-10 years, are included in Appendix 2.

As demand for indoor recreation amenities is broad, the City may not be able to afford the time and resources necessary to undertake the Strategic Planning process for every potential project. To narrow the field of facility development possibilities, four planning triggers have been developed and the City should consider engaging in a Strategic Planning process if one or more of these triggers are met:

- The project includes amenities in which the City has previously invested in or the project demonstrates alignment with strategic aspirations.
- Similar amenities within the community approach 80% to 90% utilization on a sustained basis.
- The cost to repair an aging facility that includes the same amenities is 50% or more of the cost to replace it.
- The project is being proposed by a credible partner that has, or has access to, significant capital and/or operating resources.

Tactical planning focuses on costs and benefits of a specific investment. It is more project specific and occurs when the City contemplates investment in a facility or site to achieve strategic intentions. High priority facility (or amenity) initiatives that are required to fill identified service gaps should proceed to the tactical planning phase of the development process.

The application of the tactical planning elements advances a potential facility/amenity development from the concept stage to the project stage and involves feasibility and functional planning along with detailed design and construction. This phase also investigates a number of key considerations, including:

- Partnership Opportunities: Strong partnerships can advance corporate objectives, build community capacity and connections, and leverage a number of resources to provide more and better services.
- Asset management: All recreation facilities require continuous reinvestment to ensure the asset is consistently capable of fulfilling its intended purpose and remain relevant in meeting contemporary community needs.
- Development & Operational Plans: Planning for, providing, operating and maintaining an appropriate complement of indoor recreation facilities to serve a growing community

requires a clear and consistent methodology that balances service level needs with optimal development/operational plans and investment priorities.

Having protocols and processes in place for making significant investment choices can help align stakeholders' needs with facility provision standards and ensure that the City has adequate valid and applicable information on which to base informed investment and operating judgements. Even though the investigations necessary to complete tactical planning elements are time consuming and sometimes expensive, they are critical to informing the City about the introduction of new or expanded service levels to meet community need and should be a mainstay in the indoor recreation facility development process.

Conclusion:

Indoor recreation facilities improve quality of life of residents by promoting and enabling healthy lifestyles, fostering social connections, and showcasing the community. The Indoor Recreation Facility Strategy provides a planning framework that will optimize investment in these important community assets and ensure they continue to appropriately serve our citizens and contribute to overall community well-being.

The future is bright for the City, and recreation facilities will play a significant role in ensuring that it is a healthy, connected, and active future

Internal Circulation:

- Active Living & Culture
- Communications
- Financial Services
- Infrastructure
- Parks & Buildings Planning
- Partnerships & Investments

Considerations applicable to this report:

Existing Policy:

Imagine Kelowna called to create great public spaces and opportunities for people of all ages, abilities and identities, grow vibrant urban centres and limit sprawl, build healthy neighbourhoods for all, nurture entrepreneurship and collaboration, support innovation, and take action in the face of climate change.

2040 OCP sets a strategic course for the next 20 years as to how our city should grow.

The Kelowna Community Sport Plan provides a framework for the local sport system that will guide decision making and provide direction for strategic leadership.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: Doug Nicholas, Sport & Event Services Manager

Approved for inclusion: Jim Gabriel, Divisional Director, Active Living & Culture

Attachments: Appendix 1 – IRFS Background Reports – Summary
Appendix 2 – IRFS Needs Assessment & Action Plan
PowerPoint – IRFS Presentation – Apr 3, 2023

Appendix 1 - Indoor Recreation Facility Strategy

Background Reports - Summary

The *Indoor Recreation Facility Strategy What We Heard* report and the *State of Indoor Recreation Facilities* report set the stage for strategic thinking about the City's approach for deciding what and how it will provide indoor recreation facilities. These reports highlight the current market context applied to the existing inventory of facilities as well as contemporary considerations related to the communities that use them. The following summarizes key findings of both background reports. Full reports can be accessed using the links above.

Currently, Kelowna has a robust and healthy level of recreation facility provision. However, there are certain gaps or opportunities for enhanced facility investment.

Gaps

- Several types of Kelowna's indoor recreation facilities are at or near capacity while others are reaching the end of their functional lives.
 - Highly utilized facilities that are challenged to meet existing or future demand include indoor ice arenas, aquatic centres, and fitness/wellness centres.
- The City has apparent geographic gaps in facility provision. Indoor facility types are lacking in certain jurisdictions as well as in areas where significant population growth has occurred (or is anticipated). It is noteworthy however, that select facility types are "destination facilities" and therefore it is less important that users reside near their locations. An example of this situation is the 50m pool at H2O that is popular with competitive swimmers and other organized groups that rent pool time regardless of their residential locations.

What we heard

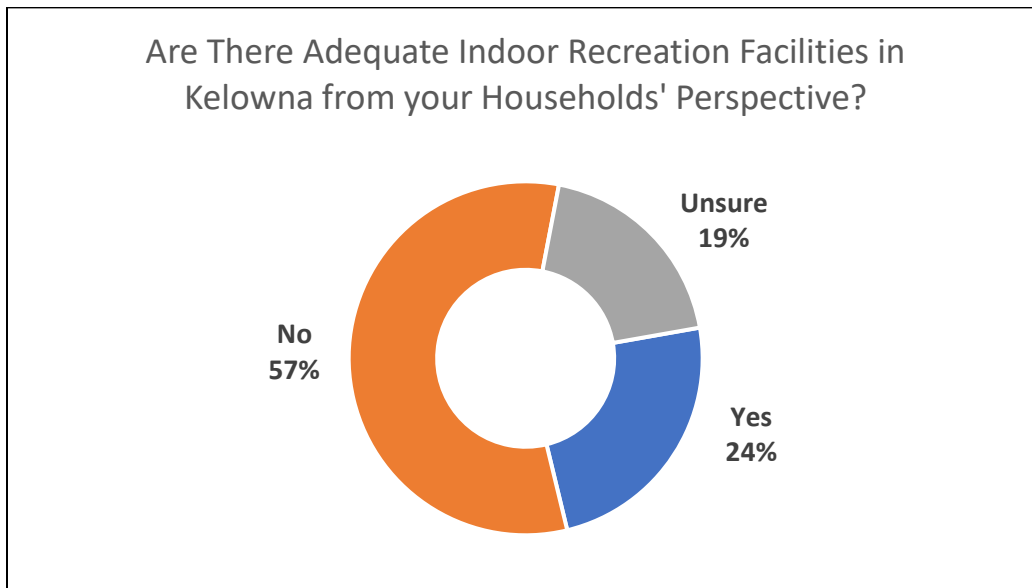
There is general dissatisfaction with the availability of indoor recreation facilities in Kelowna for both households and organizations. Specific attention should be focused on ensuring geographic accessibility and responding to population growth, for example in Glenmore. Other barriers identified include facility overcrowding, costs related to admission fees, and lack of awareness of opportunities.

Less than a third of respondents say there are adequate facilities in Kelowna. Facilities and spaces identified for enhancement or development include fitness facilities, gymnasiums, indoor field spaces, 25m pool, walking/running track, activity centres, and before and after school care.

There is need for more space that can accommodate sporting and special events, while also creating community recreation opportunities. Organizations specifically mentioned a lack of high-level competition and training space within Kelowna. Household respondents would also like to see new facilities be developed, but the facilities should also prioritize recreation opportunities for residents as well as for training and competition.

More than two-thirds of respondents support a property tax increase to support the development of new facilities. More than half are also supportive of a tax increase to support the enhancement of existing facilities.

- Facility types where geographic service provision gaps exist include ice arenas, aquatic centres, gymnasiums, indoor artificial turf/multisport courts and fitness/wellness facilities.
- Geographic areas with more limited access or greater need include the Central City, Glenmore-Clifton, McKinley Landing, Rutland, Pandosy-KLO, South East Kelowna, Black Mountain, and areas of Rutland.
- The physical condition assessment of certain of the City’s existing recreation facilities is “fail” or “poor”. This suggests that these facilities will require significant reinvestment to ensure that existing service levels can be sustained in the future.
- It is likely that vulnerable populations, including low-income households, would benefit from reinvestment in indoor recreation facilities within core/mature areas. This is particularly true if programming and affordability are ensured through either municipal facility ownership or protected through contracted obligations of third-party providers.



- For many years, Kelowna’s recreation facility development has not kept pace with population growth. Over the past decade or so, the facility provision gap has been exasperated by residential growth beyond forecasted levels. Going forward, additional growth will further hinder the City’s ability to offer an adequate supply of indoor recreation facilities. Falling behind in providing a suitable facility inventory could result in a degradation of services, reducing the positive community benefits and other outcomes normally associated with satisfactory levels of facility provision.

Community profile

Kelowna has experienced rapid growth in recent decades; more investment will be needed to accommodate projected population growth.

Kelowna's population is aging and will skew older in the future

Reconciliation with the syilx/Okanagan people is an important priority for the City.

Equity is also an important consideration for indoor recreation facilities, including affordability, accessibility, safety for all users, and providing inclusive spaces for those of all ages, abilities, and identities to connect and participate.

Popular indoor recreation activities for residents include team sports like basketball and ice hockey, individual pursuits such as climbing, walking, and yoga (source: Environics)

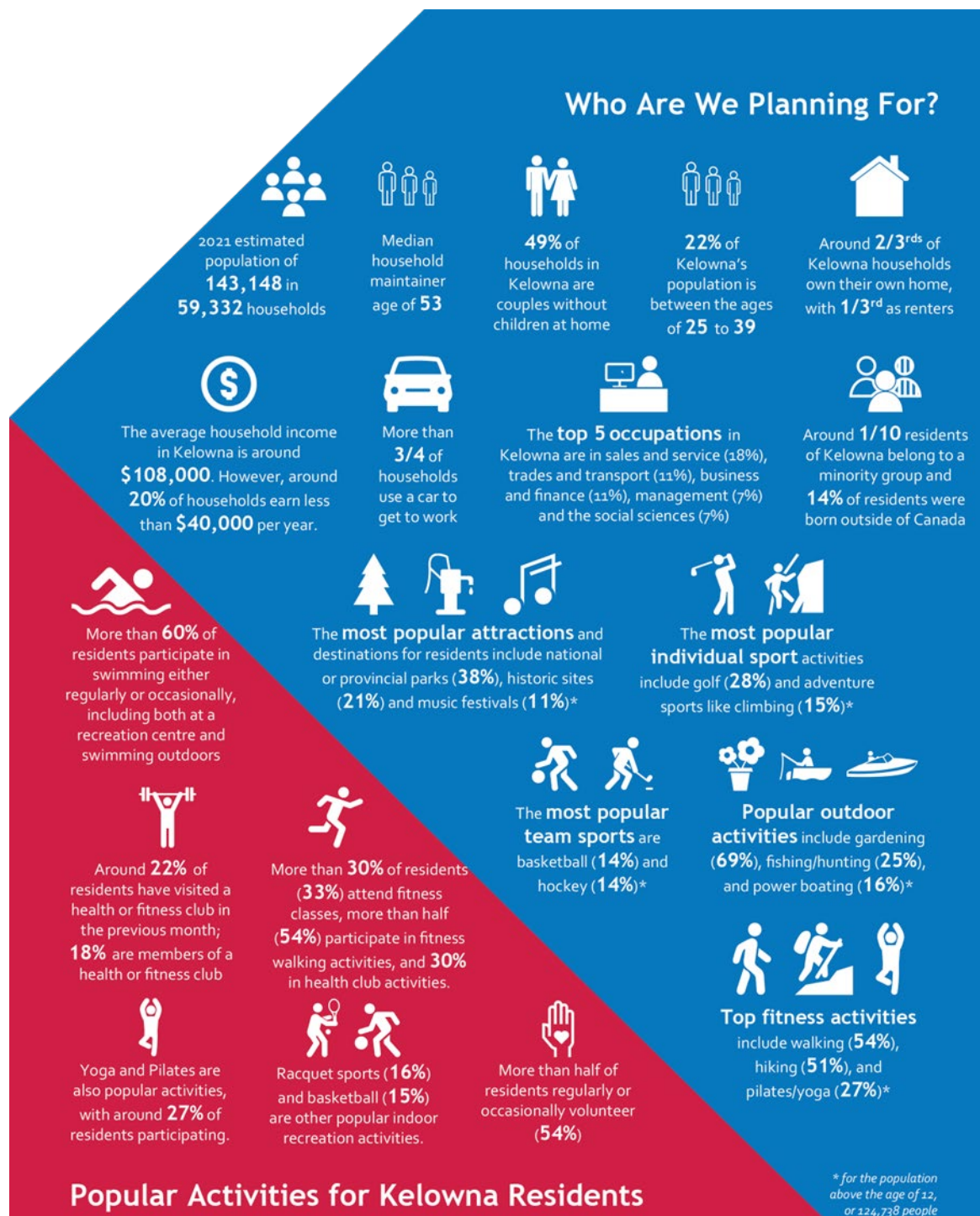
Benchmarking Against Comparable Communities

Except for ice arenas and gymnasia, Kelowna compares favorably in the provision of indoor recreation facilities

Financially, Kelowna is comparable with other municipalities in terms of cost recovery and per capita funding allocations.

There are few policy gaps in terms of how Kelowna approaches recreation when compared to other municipalities.

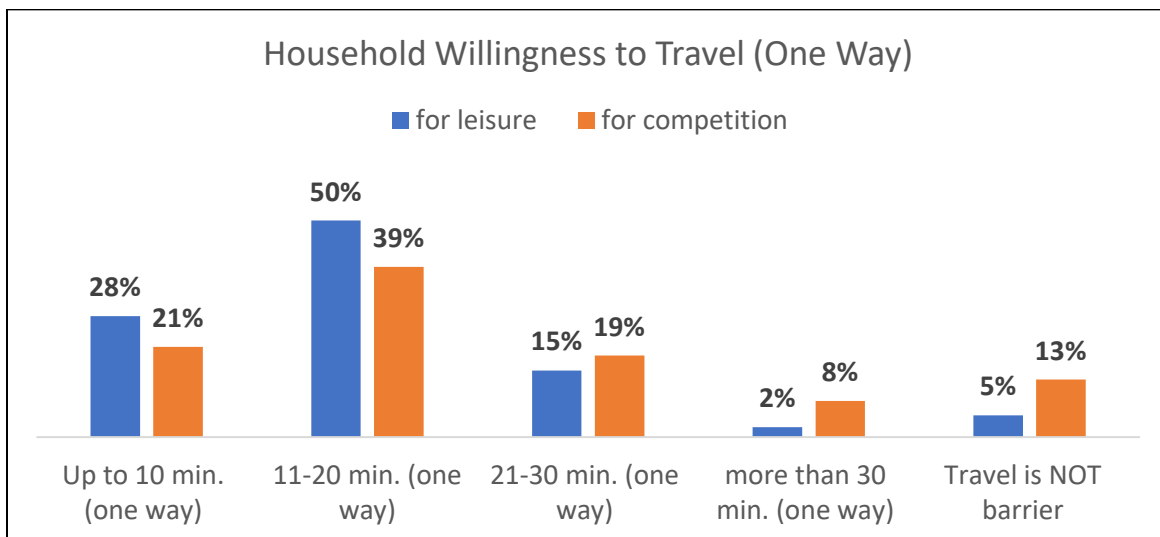
Asset management is important to the City of Kelowna, as is the case with other municipalities examined.



Opportunities

- Many of the City's existing indoor recreation facilities are strategically located in central areas where population growth has been significant. Facilities in these areas include the PRC, CNC, and Mission and Rutland Recreation Parks. Redevelopment of these facilities and sites is particularly advantageous in that the land is already municipally owned and the public is predisposed to frequent these sites to partake in their preferred sport or recreation activities.

- Not surprisingly, the amenities at the above sites experience the most pressure to accommodate existing demand. For a variety of reasons (adjacent to residential areas, proximity to transportation corridors, etc.) it is anticipated that future demand will intensify for aquatic centres, fitness and wellness, and gymnasium space at the PRC and indoor ice arenas at the CNC. As was investigated during functional space planning work for the PRC, opportunities exist for an expanded facility program at the CNC to address ice supply constraints and to expand delivery of other recreation services in this growing area of the City.
- The City’s policy and planning principles directly support investment in indoor recreation facilities. Further, these foundational planning elements play a role in thoughtful planning for Kelowna’s future growth. Public input to this study revealed that Kelowna’s residents support recreation facility investments and the public has wants see new amenities developed and/or existing facilities enhanced.
- As reinvestment is required in existing facilities, the City will also have an opportunity to expand or enhance service levels.
- The City’s service delivery strategy involves a blend of municipal (self) management of facilities plus operating agreements with third-parties such as community organizations, the YMCA and private operators. There are strengths and weaknesses to this approach and consideration should be given to how agreements can be improved to achieve superior public benefits and other positive outcomes. One important area for improvement would be the establishment of common data collection methodologies and uniform annual reporting requirements of contracted managers/operators.



Appendix 2 - Indoor Recreation Facility Strategy

Kelowna Needs Assessment and Prioritization - 2022 Results

Amenity	Service Level Direction	Score	Priority
Gymnasia	Enhance	101	1
Multi-sport courts	Enhance	88	2
Ice arenas	Enhance	82	3
Program / competitive aquatics	Enhance	72	4
Fitness and wellness	Maintain	72	4
Special event facilities	Maintain	72	4
Indoor turf	Maintain	71	7
Leisure aquatics	Maintain	67	8
Program rooms	Maintain	67	8
Other indoor facilities	Maintain	58	10

Action Plan - Summary

The City's indoor recreation infrastructure focus over next 5-10 years will include the following actions:

1. Redevelop the Parkinson Recreation Centre including expanded competitive/program and leisure aquatics, gymnasia/multi-sport court spaces, fitness, and program room amenities.
2. Undertake **feasibility and functional planning** for the following **existing facilities**, that could be upgraded or expanded:
 - Memorial Arena (short term)
 - Capital News Centre (short-mid term)
 - H2O Centre (mid term)
 - Rutland Arena (mid term)
3. Undertake regular physical facility condition assessments of all existing indoor recreation facilities.
4. Conduct analysis of new amenities to ensure current service levels keep pace with population growth. This may include additional feasibility and functional planning for new amenities in: indoor ice arenas; leisure and program/competitive aquatics; indoor fields; gymnasia and multi-sport courts; and fitness & wellness spaces. In the short term, accelerate planning and delivery of neighbourhood facilities, through direct development and/or partnerships, including but not limited to:
 - Mission Activity Centre
 - Glenmore Activity Centre

These summarized actions are based on the 2022 Needs Assessment and Prioritization Results and will need to be revisited as new influences and other related information becomes available.



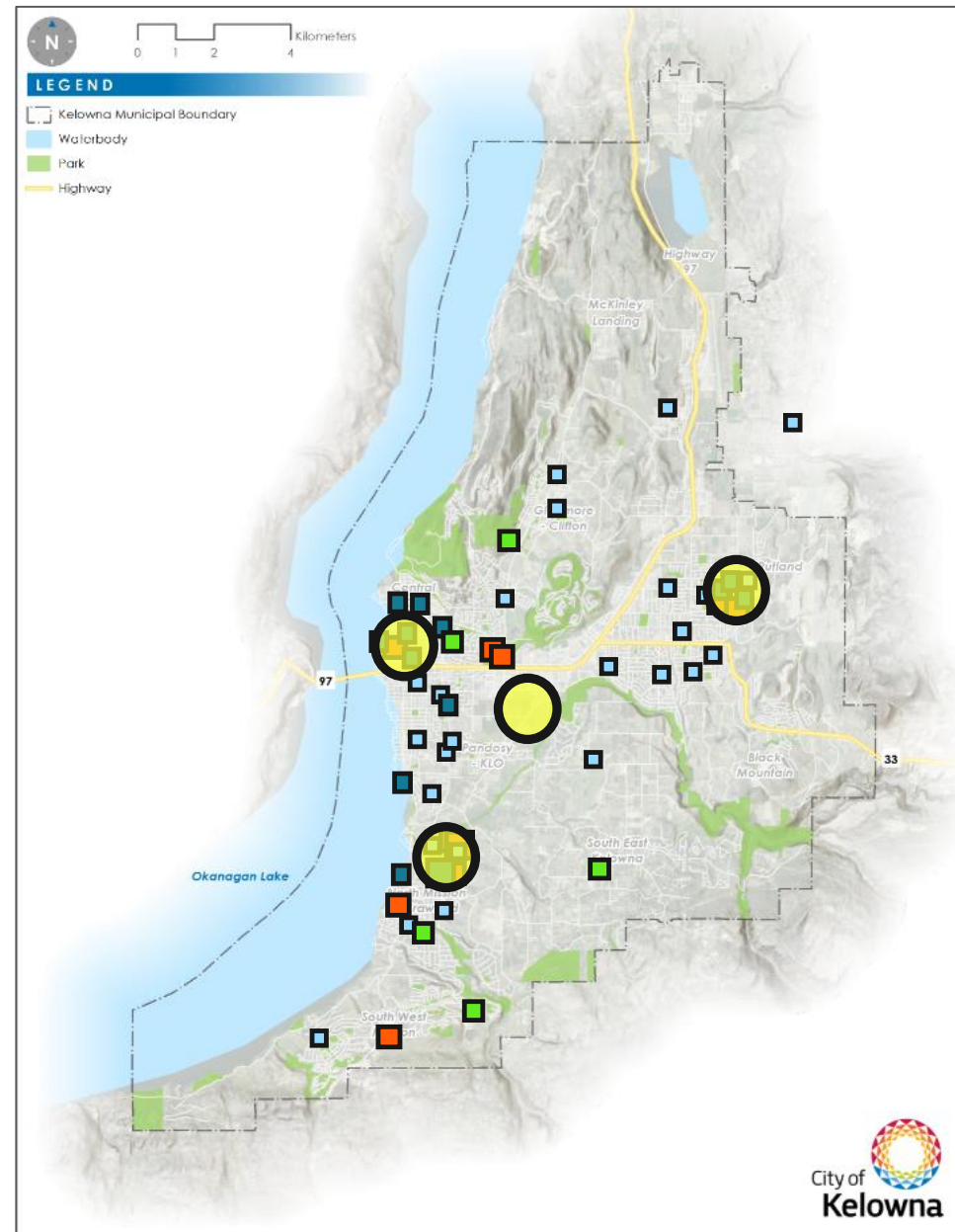
City of
Kelowna

Kelowna Indoor Recreation Facility Strategy

April 3, 2023

Program Delivery Model

- City-owned, City-operated
- City-owned, Third party operated
- SD23 joint use agreement
- Partnerships and facility bookings
- Hubs



Facility Planning Process

Phase 1

Establishing the
State of Indoor
Facilities

Phase 2

Creating the Indoor
Recreation Facility
Strategy

Phase 3

Strategy
Implementation

Why Invest in Recreation Facilities?

The IRFS focuses attention on:

1. **Why** does the City invest in indoor recreation facilities?
2. **What** types of indoor recreation facilities does the City invest in?
3. **When** does the City invest in indoor recreation facilities?

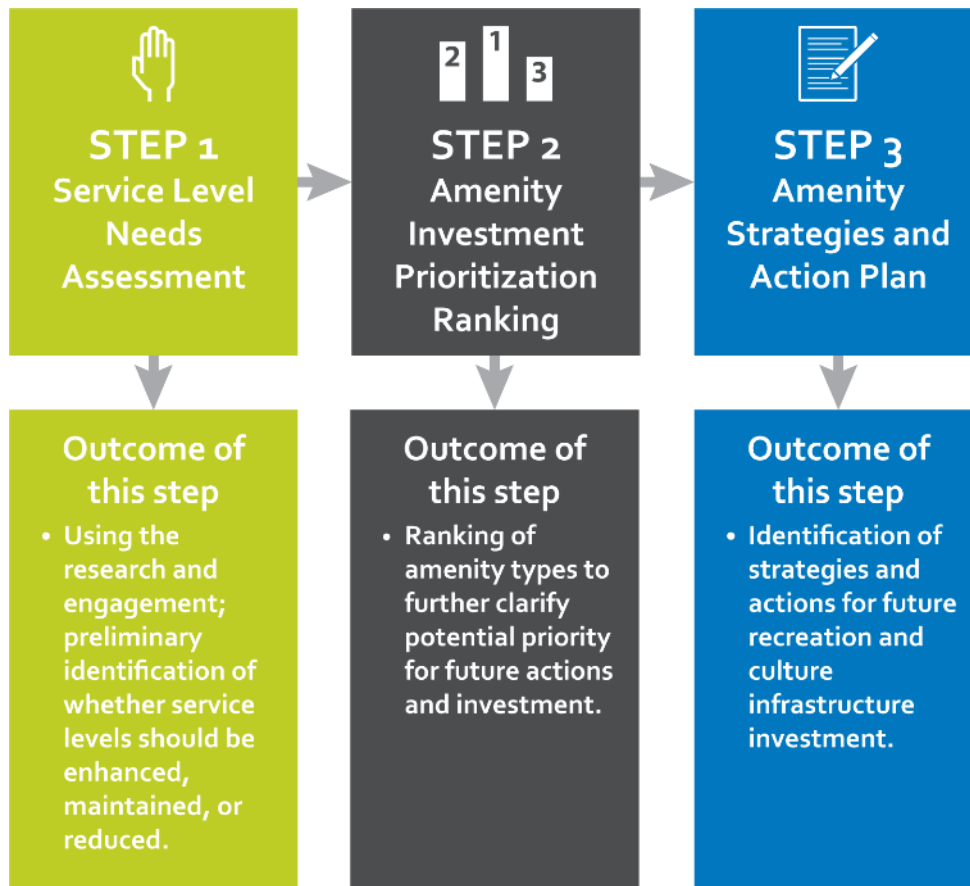
Indoor recreation facilities improve quality of life of residents by promoting and enabling healthy lifestyles, fostering social connections, and showcasing the community and region.

Planning Phases



Strategic Planning

Three Step Framework:



Strategic Planning



STEP 1
Service Level
Needs
Assessment



**Outcome of
this step**

- Using the research and engagement; preliminary identification of whether service levels should be enhanced, maintained, or reduced.

Three Step Framework:

Criteria and scoring related to...

1. General **public** preference
2. Organized **user group** preference
3. Meeting **current demand** pressure
4. Meeting **future demand** pressure
5. Observed **trends and other practices**
6. Existing **supply in the region**
7. Supply compared to **other communities**

Strategic Planning



Three Step Framework:

Criteria and scoring related to...

1. General **public** preference
2. Organized **user group** preference
3. Meeting **current demand** pressure
4. Meeting **future demand** pressure
5. Observed **trends and other practices**
6. Existing **supply in the region**
7. Supply compared to **other communities**
8. **Associated costs and financial impact**
9. **Expected economic impact**
10. **Expected social impact**

Needs Assessment and Prioritization

- ▶ Using **weighted criteria**, each amenity is scored in reference to **the best information available**
(2022 State of Indoor Recreation Facilities and 2022 What We Heard)
- ▶ For example...

	Needs assessment	Enhance	Maintain	Maintain	Decrease
	Prioritization	3 Points	2 Points	1 Point	0 Points
General Public Preference	The degree to which the amenity is identified as a priority of the general public via a reliable source	High priority	Moderate priority	Low priority	Not a priority

Needs Assessment and Prioritization

2022 Results

Amenity	Service Level Direction	Score	Priority
Gymnasia	Enhance	101	1
Multi-sport courts	Enhance	88	2
Ice arenas	Enhance	82	3
Program / competitive aquatics	Enhance	72	4
Fitness and wellness	Maintain	72	4
Special event facilities	Maintain	72	4
Indoor turf	Maintain	71	7
Leisure aquatics	Maintain	67	8
Program rooms	Maintain	67	8
Other indoor facilities	Maintain	58	10

Strategic Planning



STEP 3 Amenity Strategies and Action Plan



Outcome of this step

- Identification of strategies and actions for future recreation and culture infrastructure investment.

Three Step Framework:

Detailed actions plans for each **amenity** including...

1. Investment in **existing facilities** to sustain or enhance service levels
2. Investment in **new facilities** to enhance service levels
3. Direction on how to **manage and maintain facilities**

Action Plan - Summary

The City's indoor recreation infrastructure focus over next 5-10 years:

1. Redevelop the Parkinson Recreation Centre including expanded competitive/program and leisure aquatics, gymnasium/multi-sport court spaces, fitness, and program room amenities.
2. Undertake feasibility and functional planning for the following existing facilities, that could be upgraded or expanded:
 - ▶ Memorial Arena (short term)
 - ▶ Capital News Centre (short-mid term)
 - ▶ H2o Centre (mid term)
 - ▶ Rutland Arena (mid term)

Action Plan - Summary

The City's indoor recreation infrastructure focus over next 5-10 years:

3. Undertake regular physical facility condition assessments of all existing indoor recreation facilities.
4. Conduct analysis of new amenities to ensure current service levels keep pace with population growth. Accelerate planning of the following neighbourhood-based facilities:
 - ▶ Mission Activity Centre (short term)
 - ▶ Glenmore Activity Centre (short term)

Tactical Planning and Implementation

Where, How & By Whom...

- ▶ Feasibility and functional planning
- ▶ Detailed design and construction
- ▶ Other Considerations:
 - ▶ Partnerships
 - ▶ Asset Management
 - ▶ Development & Operational Plans



City of
Kelowna

Questions?

For more information, visit kelowna.ca.

Report to Council



Date: April 3, 2023
To: Council
From: City Manager
Subject: Downtown Kelowna Association 2023 Budget
Department: Financial Services - Controller

Recommendation:

THAT Council approves the Downtown Kelowna Association 2023 Budget as attached to the report of the Revenue Supervisor dated April 3, 2023.

AND THAT Council approves the 2023 levy of \$1,148,954 on Class 5 and Class 6 properties located within the boundaries of the Kelowna Downtown Business Improvement Area.

Purpose:

To authorize the 2023 levy on Class 5 light industry and Class 6 business/other properties located within the Kelowna Downtown Business Improvement Area.

Background:

On September 17, 2018 Council approved the Kelowna Downtown Business Improvement Area Bylaw No. 11645. Bylaw No. 11645 established the local area (Schedule A) for the purpose of annually funding the activity of the Downtown Kelowna Association for a period of 5 years, 2019 to 2023. In the bylaw Council approved the Downtown Kelowna Association’s 2023 budget request of \$1,148,954 in order for the City to tax the affected properties within the improvement area boundary.

Discussion:

Attached is a copy of the 2022 Financial Statements as reviewed by KPMG LLP Chartered Professional Accountants, the Downtown Kelowna Association’s 2023 Budget, which includes the 2023 levy of \$1,148,954 and a list of the Board of Directors for 2022/2023 (Schedule D)

City of Kelowna staff have not participated in or assisted the Downtown Kelowna Association in preparation of their annual budget.

A representative from the Downtown Kelowna Association will be present at the Council meeting to answer any questions.

Conclusion:

It is recommended that Council approve the 2023 budget of \$1,148,954 as set out in Schedule B to be levied on the Class 5 and 6 properties included on Schedule A.

Considerations applicable to this report:

Legal/Statutory Authority:

Council may, by bylaw, grant money to a corporation or other organization that has, as one of its aims, functions or purposes, the planning and implementation of a business promotion scheme, with the establishment of a Business Improvement Area in accordance with Division 5 Section 215 of the Community Charter.

Kelowna Downtown Business Improvement Area Bylaw No. 11645

Legal/Statutory Procedural Requirements:

Council may, by bylaw, impose a parcel tax in accordance with Division 4 Section 200 of the Community Charter to provide all or part of the funding for a service.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Internal Circulation:

Submitted by:

Patrick Gramiak, Revenue Supervisor

Approved for inclusion:



Joel Shaw, Acting Divisional Director, Financial Services

Attachments:

Schedule A – Kelowna Downtown Business Improvement Area Map

Schedule B – Downtown Kelowna Association 2023 Budget

Schedule C – Downtown Kelowna Association 2022 Financial Statements

Schedule D – List of Board of Directors

Schedule A



Downtown Kelowna Association
287 Bernard Avenue, Unit 200
Kelowna, BC V1Y 6N2
downtownkelowna.com

**Kelowna Downtown
Business Improvement Area**

June 2018

**DOWNTOWN KELOWNA BUSINESS IMPROVEMENT AREA SOCIETY
2023 BUDGET**

Revenue	2023 Budget	2022 Year End	2022 Budget
Membership Levy	1,148,954	1,137,572	1,137,572
Downtown On Call	70,000	70,000	70,000
Downtown Clean Team	60,000	39,273	60,000
Events - Winter Street Market / Meet Me on Bernard	45,000	47,682	25,000
Downtown Summer Team	24,800	18,780	21,280
Recovery	-	-	-
Other	-	-	-
	1,348,754	1,313,307	1,313,852
Expenses	2023 Budget	2022 Year End	2022 Budget
Amortization	-	-	-
Business Recruitment	8,000	8,277	11,000
Clean Team	227,388	224,398	210,432
Communications	7,000	5,509	4,800
Downtown Summer Team	32,380	34,117	48,790
Downtown On Call	480,332	480,788	475,664
Events	98,600	131,149	60,000
Insurance	10,000	9,163	10,000
Interest on long term debt	-	-	-
Marketing and Promotions	79,190	94,617	106,420
Office and Administration	49,712	58,505	49,701
Professional Development	3,000	5,774	1,022
Professional Fees	24,800	19,499	24,145
Rent	51,816	49,071	46,026
Wages and Benefits	318,385	320,978	302,521
	1,390,603	1,441,844	1,350,521
			-
Excess/Loss of revenues over expenses	(41,849)	(128,537)	(36,669)
Net assets, beginning of Year	280,490	409,027	409,027

Financial Statements of

**KELOWNA DOWNTOWN BUSINESS
IMPROVEMENT AREA SOCIETY**
(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Year ended December 31, 2022

DRAFT



KPMG LLP
200-3200 Richter Street
Kelowna BC V1W 5K9
Canada
Tel (250) 979-7150
Fax (250) 763-0044

INDEPENDENT PRACTITIONERS' REPORT

To the Members of Kelowna Downtown Business Improvement Area Society

We have reviewed the accompanying financial statements of Kelowna Downtown Business Improvement Area Society (operating as Downtown Kelowna Association) (the "Society"), which comprise the statement of financial position as at December 31, 2022, the statements of operations, changes in net assets and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Practitioner's Responsibility

Our responsibility is to express a conclusion on the accompanying financial statements based on our review. We conducted our review in accordance with Canadian generally accepted standards for review engagements, which require us to comply with relevant ethical requirements.

A review of financial statements in accordance with Canadian generally accepted standards for review engagements is a limited assurance engagement. The practitioner performs procedures, primarily consisting of making inquiries of management and others within the entity, as appropriate, and applying analytical procedures, and evaluates the evidence obtained.

The procedures performed in a review are substantially less in extent than, and vary in nature from, those performed in an audit conducted in accordance with Canadian generally accepted auditing standards. Accordingly, we do not express an audit opinion on these financial statements.



Page 2

Conclusion

Based on our review, nothing has come to our attention that causes us to believe that the financial statements do not present fairly, in all material respects, the financial position of the Society as at December 31, 2022, and its results of operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Report on other legal and regulatory requirements

As required by Section 117(1)(b) of the Societies Act (British Columbia), we are required to state whether these financial statements are prepared on a basis consistent with the basis on which the financial statements that related to the preceding period were prepared. Based on our review, nothing has come to our attention that causes us to believe that the significant accounting policies applied in preparing these financial statements have not been applied on a basis consistent with that of the preceding year.

Chartered Professional Accountants

Kelowna, Canada

March 1, 2023

DRAFT

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)
Statement of Financial Position

December 31, 2022, with comparative information for 2021

	2022	2021
Assets		
Current assets:		
Cash	\$ 187,740	\$ 330,498
Restricted cash and cash equivalents	42,910	42,637
Accounts receivable	4,547	6,898
Prepaid expenses	6,865	1,596
	<u>242,062</u>	<u>381,629</u>
Capital assets (note 2)	36,492	69,185
	<u>\$ 278,554</u>	<u>\$ 450,814</u>

Liabilities and Net Assets

Current liabilities:		
Accounts payable and accrued liabilities	\$ 40,949	\$ 41,817
Net assets:		
Invested in capital assets	36,492	69,185
Internally restricted	42,910	42,637
Unrestricted	158,203	297,175
	<u>237,605</u>	<u>408,997</u>
Commitments (note 4)		
	<u>\$ 278,554</u>	<u>\$ 450,814</u>

See accompanying notes to financial statements.

On behalf of the Board:

_____ Director _____ Director

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Statement of Operations

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Revenue:		
Membership levy	\$ 1,137,572	\$ 1,126,084
Clean team	38,973	58,982
Downtown concierge	14,584	21,280
Downtown on call	70,000	70,000
Events	47,682	17,206
Other	1,202	485
	<u>1,310,013</u>	<u>1,294,037</u>
Expenses:		
Amortization	34,819	32,674
Business recruitment	8,277	-
Clean team	225,594	189,450
Communications	5,509	4,833
Downtown concierge	29,917	42,235
Downtown on call	482,055	485,758
Events	131,149	42,959
Insurance	9,163	9,679
Marketing and promotion	94,617	124,494
Office and administration	58,644	47,150
Professional development	5,774	922
Professional fees	19,499	19,116
Rent	49,071	38,814
Wages and benefits	327,317	255,883
	<u>1,481,405</u>	<u>1,293,967</u>
Excess (deficiency) of revenue over expenses	\$ (171,392)	\$ 70

See accompanying notes to financial statements.

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Statement of Changes in Net Assets

Year ended December 31, 2022, with comparative information for 2021

December 31, 2022	Invested in capital assets	Internally restricted	Unrestricted	Total
Net assets, beginning of year	\$ 69,185	\$ 42,637	\$ 297,175	\$ 408,997
Excess (deficiency) of revenue over expenses	(34,819)	273	(136,846)	(171,392)
Purchase of capital assets	2,126	-	(2,126)	-
Net assets, end of year	\$ 36,492	\$ 42,910	\$ 158,203	\$ 237,605

December 31, 2021	Invested in capital assets	Internally restricted	Unrestricted	Total
Net assets, beginning of year	\$ 70,526	\$ 42,448	\$ 295,953	\$ 408,927
Excess (deficiency) of revenue over expenses	(32,674)	189	32,555	70
Purchase of capital assets	31,333	-	(31,333)	-
Net assets, end of year	\$ 69,185	\$ 42,637	\$ 297,175	\$ 408,997

See accompanying notes to financial statements.

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Statement of Cash Flows

Year ended December 31, 2022, with comparative information for 2021

	2022	2021
Cash provided by (used in):		
Operating activities:		
Cash received from City of Kelowna	\$ 1,251,496	\$ 1,339,057
Cash received from other revenues	60,868	37,466
Cash paid to suppliers and employees	(1,452,723)	(1,245,095)
	(140,359)	131,428
Investing activities:		
Transfer to restricted cash and cash equivalents	(273)	(189)
Purchase of capital assets	(2,126)	(31,333)
	(2,399)	(31,522)
Increase (decrease) in cash	(142,758)	99,906
Cash, beginning of year	330,498	230,592
Cash, end of year	\$ 187,740	\$ 330,498

See accompanying notes to financial statements.

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)
Notes to Financial Statements

Year ended December 31, 2022

Kelowna Downtown Business Improvement Area Society (operating as Downtown Kelowna Association) (the "Society") is a non-profit association, registered under the Society Act (British Columbia), of businesses and individuals whose purpose is to promote the downtown as a safe and desirable place to conduct business, live, work and play through the cooperative and collective efforts of its members and government. The Society is a non-profit organization under the Income Tax Act and, accordingly, is exempt from income taxes, provided certain requirements of the Income Tax Act are met.

1. Significant accounting policies:

These financial statements are prepared in accordance with Canadian accounting standards for not-for-profit organizations. The Society's significant accounting policies are as follows:

(a) Internally restricted net assets:

Internally restricted net assets consists of a contingency reserve established by the Board for approved expenses. The reserve is fully funded at all times and interest earned is retained within the reserve.

(b) Cash and cash equivalents:

Cash and cash equivalents includes cash and short-term, liquid instruments readily convertible into cash.

(c) Capital assets:

Capital assets are recorded at cost, less accumulated amortization. Contributed assets are recorded at fair value at the date of contribution. When Society's management determines that some or all of its capital assets no longer contribute to the Society's ability to carry out its operations, the carrying amount of the assets are written down to their residual value. Amortization is provided using the straight-line method and the following annual rates, when the asset is available for use:

Asset	Rate
Equipment	30%
Furniture and fixtures	25%
Computer equipment	30%
Website	30%
Leasehold improvements	lesser of remaining lease term and 20%

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Notes to Financial Statements (continued)

Year ended December 31, 2022

1. Significant accounting policies (continued):

(d) Revenue recognition:

The Society follows the deferral method of accounting for contributions, which include the membership levy, administered by the City of Kelowna, and government grants (including municipal and federal grants for clean team, downtown concierge and downtown on call). Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount can be reasonably estimated and collection is reasonably assured.

(e) Contributed services:

Individuals and organizations contribute numerous volunteer hours each year to assist the Society in carrying out its operations. Because of the difficulty in determining the fair value of the contributed services, they are not recognized in these financial statements.

(f) Use of estimates:

The preparation of the financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the year. Items subject to such estimates and assumptions include the useful lives of the Society's capital assets. Actual results could differ from those estimates.

(g) Financial instruments:

Financial instruments are recorded at fair value on initial recognition and subsequently recorded at cost or amortized cost, unless management has elected to carry the instruments at fair value. The Society has not elected to carry any such financial instruments at fair value. Transaction costs incurred on the acquisition of financial instruments measured subsequently at fair value are expensed as incurred. All other financial instruments are adjusted by transaction costs incurred on acquisition and financing costs, which are amortized using the straight-line method.

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)

Notes to Financial Statements (continued)

Year ended December 31, 2022

2. Capital assets:

			2022	2021
	Cost	Accumulated amortization	Net book value	Net book value
Equipment	\$ 186,830	\$ 179,608	\$ 7,222	\$ 22,512
Furniture and fixtures	60,768	56,689	4,079	7,509
Computer equipment	21,694	16,331	5,363	7,538
Website	39,325	19,497	19,828	31,626
Leasehold improvements	8,981	8,981	-	-
	\$ 317,598	\$ 281,106	\$ 36,492	\$ 69,185

3. Related party transactions:

During the normal course of its operations, the Society enters into transactions with Downtown Kelowna business, including entities affiliated with its Directors. These transactions are measured at the exchange amount, which is the amount of consideration established and agreed to by the related parties.

4. Commitments:

The Society leases its office space under an operating lease, expiring April 30, 2024. The lease terms provide for base annual rent payments as outlined below plus additional lease costs for common area costs, utilities, property taxes and management fees. Future minimum lease payments to maturity are as follows:

2023	\$ 25,600
2024	8,600
	\$ 34,200

KELOWNA DOWNTOWN BUSINESS IMPROVEMENT AREA SOCIETY

(OPERATING AS DOWNTOWN KELOWNA ASSOCIATION)
Notes to Financial Statements (continued)

Year ended December 31, 2022

5. Remuneration paid to directors, employees and contractors:

In accordance with the Societies Act (British Columbia) Section 36.1 and Societies Regulation 9.2(b):

The Directors of the Society receive no remuneration for the performance of their responsibilities as Directors.

As required by the Societies Act (British Columbia), the Society paid remuneration, including benefits, of \$75,000 or greater to two employees (2021 - one) for services for total remuneration of \$ 164,493.

6. Financial risks:

(a) Economic dependence:

The Society receives funding from the City of Kelowna through a member levy charged and collected by the City through its property tax system. The Society also receives other grant funding from the City and from federal and provincial government programs. Future operations of the Society depend on the continuation of funding from the City of Kelowna and renewal of the City's membership levy by-law. The current by-law expires December 31, 2023.

(b) Liquidity risk:

Liquidity risk is the risk that the Society will be unable to fulfill its obligations on a timely basis or at a reasonable cost. The Society manages its liquidity risk by monitoring its operating requirements. The Society prepares budget and cash forecasts to ensure it has sufficient funds to fulfill its obligations. There has been no change to the risk exposures from 2021.

DOWNTOWN KELOWNA

Board of Directors

Executive

Yarden Gershony	Past President	<i>Rush Ihas Hardwick LLP</i>
Brian Stephenson	President	<i>Pushor Mitchell LLP</i>
Vishaal Sharma	Treasurer	<i>Grant Thornton LLP</i>
Renata Mills	Vice President	<i>Festivals Kelowna</i>
Caroline Bye	Secretary	<i>Kelowna Yacht Club</i>

Board

Shane Austin	<i>Okanagan CoLab</i>
Oktawian Kobryn	<i>Cactus Club Café</i>
Brent Lobson	<i>Impark/Reef Parking</i>
Tanvir Gill	<i>FH&P Lawyers LLP</i>
Chad Haller	<i>Kelowna Concierge</i>
Travis Pye	<i>Lakehouse Homestore</i>
Scott Stanger	<i>Optimiiiize Fitness & Health Inc.</i>
Jenna Kopperson	<i>Deville Coffee</i>
Tina Thygesen	<i>Mission Group</i>
Warren Turner	<i>Turner Group</i>
Councilor Rick Webber	<i>Ex-Officio, City of Kelowna</i>

Downtown Kelowna

Business Improvement Area

2023 Budget

Bylaw No. 11645

- ▶ Council approved Bylaw No. 11645 on September 17, 2018
- ▶ Five-year term of 2019 to 2023
- ▶ Class o5 light industry and o6 business/other

Budget

- ▶ Requesting \$1,148,954 for the fifth year

YEAR	Downtown Kelowna Business Improvement Area
2019	\$924,198
2020	\$1,067,297
2021	\$1,126,084
2022	\$1,137,572
2023	\$1,148,954

Levy

- ▶ Based on assessment values totaling approximately \$929 million for class 05 and 06
- ▶ A general levy of \$1.24 per thousand dollars of assessed value
 - ▶ For example: \$124 would be levied on property that is assessed at 100,000



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: April 3, 2023
To: Council
From: City Manager
Subject: Uptown Rutland Business Association 2023 Budget
Department: Financial Services - Controller

Recommendation:

THAT Council approve the Uptown Rutland Business Association 2023 Budget as attached to the report of the Revenue Supervisor dated April 3, 2023;

AND THAT Council approve the 2023 levy of \$222,547 on the Class 5 and Class 6 properties located within the boundaries of the Uptown Rutland Business Improvement Area.

Purpose:

To authorize the 2023 levy on Class 5 light industry and Class 6 business/other properties located within the Uptown Rutland Business Improvement Area.

Background:

On September 26, 2022 Council approved the Uptown Rutland Business Improvement Area Bylaw No. 12427. Bylaw No. 12427 established the local area (Schedule A) for the purpose of annually funding the activity of the Uptown Rutland Business Association for a period of 5 years, 2023 to 2027. In the bylaw Council approved the Uptown Rutland Business Association’s 2023 budget request of \$222,547 in order for the city to tax the affected properties within the improvement area boundary.

Discussion:

Attached is a copy of the 2022 Financial Statements as reviewed by BDO Canada LLP, the Uptown Rutland Business Association’s 2023 Budget, which includes the 2023 levy of \$222,547 and a list of Board of Directors for 2023 (Schedule D)

City of Kelowna staff have not participated in or assisted the Uptown Rutland Business Association in preparation of their annual budget.

A representative from the Uptown Rutland Business Association will be present at the Council meeting to answer any questions.

Conclusion:

It is recommended that Council approve the 2023 budget \$222,547 as set out in Schedule B to be levied on the Class 5 and 6 properties included on Schedule A.

Considerations applicable to this report:

Legal/Statutory Authority:

Council may, by bylaw, grant money to a corporation or other organization that has, as one of its aims, functions or purposes, the planning and implementation of a business promotion scheme, with the establishment of a Business Improvement Area in accordance with Division 5 Section 215 of the Community Charter.

Uptown Rutland Business Improvement Area Bylaw No. 12427

Legal/Statutory Procedural Requirements:

Council may, by bylaw, impose a parcel tax in accordance with Division 4 Section 200 of the Community Charter to provide all or part of the funding for a service.

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Internal Circulation:

Submitted by:

Patrick Gramiak, Revenue Supervisor

Approved for inclusion:



Joel Shaw, Acting Divisional Director, Financial Services

Attachments:

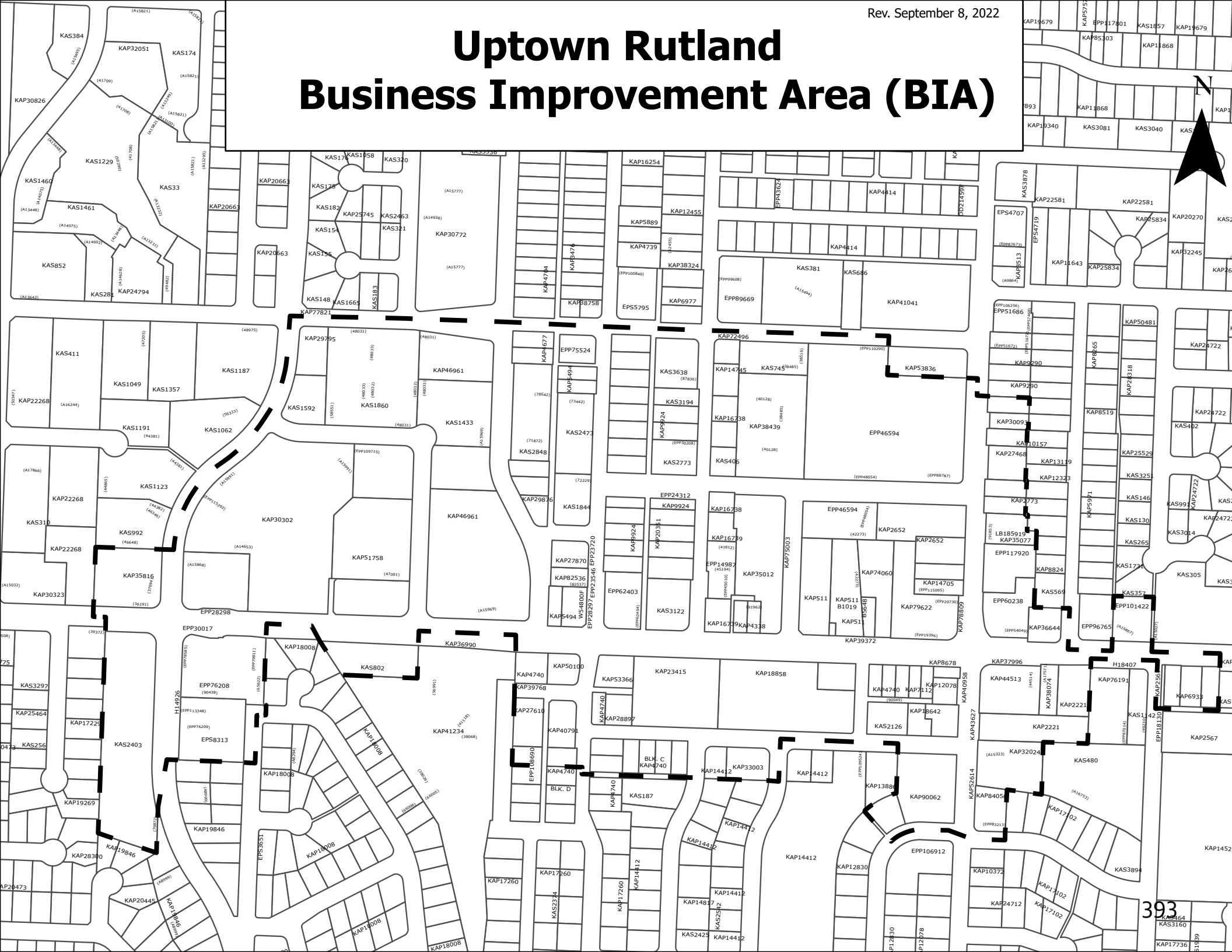
Schedule A – Uptown Rutland Business Improvement Area Map

Schedule B – Uptown Rutland Business Association 2023 Budget

Schedule C – Uptown Rutland Business Association 2022 Financial Statements

Schedule D – List of Board of Directors

Uptown Rutland Business Improvement Area (BIA)





UPTOWN RUTLAND BUSINESS IMPROVEMENT ASSOCIATION		
BUDGET 2023		
REVENUE	2023 BUDGET	2022 YEAR END
Membership Levy	222,547	204,172.00
Events & Promotions & Grants	36,848.00	31,100.00
TOTAL REVENUE	259,395.00	235,272.00
EXPENSES		
Administration & Office Expense	180,641.00	169,648.00
Beautification/Screeescape	41,000.00	81,340.00
Community Safety	3,000.00	0
Events Promotions	8,453.00	0.00
Marketing	38,965.00	34,086.00
TOTAL EXPENSES	272,059	285,074.00
	-12,664.00	-49,802.00

**Uptown Rutland Business
Association
Financial Statements
For the Year Ended December 31, 2022
(Unaudited)**

**Uptown Rutland Business Association
Financial Statements
For the Year Ended December 31, 2022
(Unaudited)**

Contents

Independent Practitioner’s Review Engagement Report	1
Financial Statements	
Statement of Financial Position	2
Statement of Changes in Net Assets	3
Statement of Operations	4
Statement of Cash Flows	5
Notes to Financial Statements	6 - 9



Tel: 250 763 6700
Fax: 250 763 4457
Toll-free: 800 928 3307
www.bdo.ca

BDO Canada LLP
1631 Dickson Avenue, Suite 400
Kelowna, BC V1Y 0B5 Canada

Independent Practitioner's Review Engagement Report

To the directors of Uptown Rutland Business Association

We have reviewed the accompanying financial statements of Uptown Rutland Business Association that comprise the statement of financial position as at December 31, 2022, and the statements of operations, changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Practitioner's Responsibility

Our responsibility is to express a conclusion on the accompanying financial statements based on our review. We conducted our review in accordance with Canadian generally accepted standards for review engagements, which require us to comply with relevant ethical requirements.

A review of financial statements in accordance with Canadian generally accepted standards for review engagements is a limited assurance engagement. The practitioner performs procedures, primarily consisting of making inquiries of management and others within the entity, as appropriate, and applying analytical procedures, and evaluates the evidence obtained.

The procedures performed in a review are substantially less in extent than, and vary in nature from, those performed in an audit conducted in accordance with Canadian generally accepted auditing standards. Accordingly, we do not express an audit opinion on these financial statements.

Conclusion

Based on our review, nothing has come to our attention that causes us to believe that the financial statements do not present fairly, in all material respects, the financial position of Uptown Rutland Business Association as at December 31, 2022, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Other Matter

The financial statements of Uptown Rutland Business Association for the year ended December 31, 2021 are neither audited nor reviewed. Prior year figures have been included with these financial statements for comparative purpose only.

BDO Canada LLP

Chartered Professional Accountants

Kelowna, British Columbia
February 28, 2023

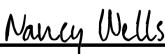
**Uptown Rutland Business Association
Statement of Financial Position
(Unaudited)**

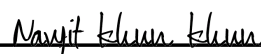
December 31	2022	2021
Assets		
Current		
Cash	\$ 43,230	\$ 78,640
Inventories	1,278	-
Prepays and deposits	4,267	1,896
	48,775	80,536
Capital assets (Note 3)	4,882	11,675
Intangible assets (Note 4)	2,356	3,926
	\$ 56,013	\$ 96,137

Liabilities and Net Assets

Current		
Accounts payable and accrued liabilities (Note 5)	\$ 30,286	\$ 20,608
Net Assets		
Invested in Capital Assets	4,882	11,675
Unrestricted	20,845	63,854
	25,727	75,529
	\$ 56,013	\$ 96,137

On behalf of the Board:

DocuSigned by:

 _____ Director
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DocuSigned by:

 _____ Director
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**Uptown Rutland Business Association
Statement of Changes in Net Assets
(Unaudited)**

For the year ended December 31	Invested in Capital Assets	Unrestricted	2022 Total	2021 Total
Balance, beginning of the year	\$ 11,675	\$ 63,854	\$ 75,529	\$ 114,508
Deficiency of revenues over expenses	<u>(6,793)</u>	<u>(43,009)</u>	<u>(49,802)</u>	<u>(38,979)</u>
Balance, end of the year	\$ 4,882	\$ 20,845	\$ 25,727	\$ 75,529

The accompanying notes are an integral part of these financial statements.

Uptown Rutland Business Association Statement of Operations (Unaudited)

For the year ended December 31	2022	2021
Revenue		
Municipal tax levy	\$ 204,172	\$ 194,449
Municipal contributions	20,000	20,000
Special events and sponsorships	9,104	12,237
Mural merchandise sales	1,996	-
	235,272	226,686
Expenses		
Advertising and promotion	34,086	53,071
Amortization of capital assets	6,793	5,456
Amortization on intangible assets	1,570	1,570
Beautification / Streetscape	81,340	62,094
Insurance	3,306	2,290
Interest and bank charges	202	12
Mural merchandise	1,955	-
Office	12,692	15,558
Professional fees	13,300	8,944
Rental	10,736	11,382
Repairs and maintenance	217	1,560
Salaries and wages	108,561	92,399
Special events	-	4,312
Telephone	5,882	6,110
Training	2,882	-
Travel	1,552	907
	285,074	265,665
Deficiency of revenues over expenses	\$ (49,802)	\$ (38,979)

The accompanying notes are an integral part of these financial statements.

Uptown Rutland Business Association
Statement of Cash Flows
(Unaudited)

For the year ended December 31	2022	2021
Cash flows from operating activities		
Cash receipts from customers	\$ 235,272	\$ 251,814
Cash paid to suppliers and employees	(270,682)	(247,401)
	(35,410)	4,413
 Net (decrease) increase in cash	 (35,410)	 4,413
Cash, beginning of the year	78,640	74,227
Cash, end of the year	\$ 43,230	\$ 78,640

The accompanying notes are an integral part of these financial statements.

Uptown Rutland Business Association

Notes to Financial Statements

(Unaudited)

December 31, 2022

1. Significant Accounting Policies

Nature and Purpose of Organization The Uptown Rutland Business Association is a non-profit organization incorporated without share capital under the British Columbia Society Act on December 14, 2005.

The Uptown Rutland Business Association is funded primarily by a municipal tax levy and services the Uptown Rutland Business Improvement Area by providing a forum for members to share their vision for the community and ensuring that the voice of the business community is heard by municipal, provincial and federal governments.

Basis of Accounting The financial statements have been prepared using Canadian accounting standards for not-for-profit organizations.

Inventories Inventories of mural merchandise are measured at the lower of cost and net realizable value and consists entirely of finished goods. Cost is determined on an average cost basis.

Capital Assets Purchased tangible capital assets are stated at cost less accumulated amortization. Contributed tangible capital assets are recorded at fair value at the date of contribution, unless fair value is not determinable in which case contributed tangible capital assets are recorded at nominal value at the date of contribution. Contributed tangible capital assets are subsequently amortized. Expenditures for repairs and maintenance are expensed as incurred. Betterments that extend the useful life of the tangible capital asset are capitalized.

Amortization based on the estimated useful life of the asset is calculated as follows:

	Method	Rate
Banners	Straight-line	3 years
Brackets	Straight-line	10 years
Leasehold Improvements	Straight-line	5 years
Furniture	Declining balance	20%

Intangible Assets Intangible assets reflect assigned values related to brands and logos acquired by Uptown Rutland Business Association. These assets have a finite life and are amortized on a straight-line basis over their estimated useful life of 10 years.

Uptown Rutland Business Association Notes to Financial Statements (Unaudited)

December 31, 2022

1. Significant Accounting Policies (continued)

Revenue Recognition	<p>The Uptown Rutland Business Association follows the deferral method of accounting for contributions.</p> <p>Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.</p> <p>Amounts received, which relate to a subsequent fiscal period are recorded as deferred revenue in the year of receipt and classified as such on the Statement of Financial Position.</p> <p>Revenue from mural merchandise sales is recognized upon final sale to the customer.</p>
Use of Estimates	<p>The preparation of financial statements in accordance with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from management's best estimates and those estimates and may have impact on future periods.</p>
Financial Instruments	<p>All financial instruments are reported at cost or amortized cost less impairment, if applicable. Financial assets are tested for impairment when changes in circumstances indicate that assets could be impaired.</p>
Contributed Services	<p>Volunteers and local business contribute many hours per year to assist the Uptown Rutland Business Association in carrying out its activities. These in-kind donations are recognized at fair value when this value can be reasonably estimated, the goods or services can be used in the Association's regular operation and the goods or services would otherwise be purchased.</p>

Uptown Rutland Business Association Notes to Financial Statements (Unaudited)

December 31, 2022

2. Re-adoption of Accounting Standards for Not-for-Profit Organizations

The Uptown Rutland Business Association has elected to apply the guidance from Section 1501, First-time Adoption and is applying Section 1501.02A(b) to use Section 1506, Accounting Changes. The Association did not apply ASNPO for the year ended December 31, 2021 as there were no external users that required ASNPO financial statements but resumed preparing financial statements in accordance with ASNPO in the current year ended December 31, 2022 as management considered it necessary to meet the users' needs. There is no impact to the comparatives for this change.

3. Capital Assets

	2022		2021	
	Cost	Accumulated Amortization	Cost	Accumulated Amortization
Banners	\$ 13,782	\$ 13,783	\$ 13,782	\$ 13,782
Brackets	18,900	16,065	18,900	14,175
Leasehold Improvements	-	-	14,632	10,241
Furniture	5,374	3,326	5,374	2,815
	38,056	33,174	52,688	41,013
		\$ 4,882		\$ 11,675

4. Intangible Assets

	2022		2021	
	Cost	Accumulated Amortization	Cost	Accumulated Amortization
Logo	\$ 15,701	\$ 13,345	\$ 15,701	\$ 11,775
		\$ 2,356		\$ 3,926

5. Government Remittances

Included in accounts payable and accrued liabilities are government remittances payable of \$5,689 (2021 - \$5,593).

**Uptown Rutland Business Association
Notes to Financial Statements
(Unaudited)**

December 31, 2022

6. Economic Dependence

87% of the Association's revenues reported in the year (2021 - 86%) are related to a municipal tax levy that is collected by the City of Kelowna on behalf of the Association.

7. Commitments

The Association continues its commitment to lease a photocopier until April 15, 2026 and has entered into an agreement to lease its vehicle until December 31, 2026. The annual payment for the following four years is estimated as follows:

2023	\$	10,425
2024		10,425
2025		10,425
2026		<u>8,289</u>
	\$	<u>39,564</u>

urba
Uptown Rutland
 BUSINESS ASSOCIATION
2023 BOARD OF DIRECTORS

<u>NAME</u>	<u>TITLE</u>	<u>BUSINESS NAME</u>
Nancy Wells	President	KGH Foundation/Rutland Thrift Shop
Domenic Rampone	1 st Vice President	Mara Lumber Home Hardware
Navjit Khun Khun	Treasurer	Benson Law
Justin Bullock	Director	OK Tire
Courtney Fedevich	Director	Venture Commercial
Laura Fitzsimmons	Director	Haus+Home OKGN Interior Design
Terra George	Director	Superior Paint Co. Okanagan Soap
Brad McNaughton	Director	Lux Quality Homes
Parmjeet Sehgal	Director	Canco Petroleum
Devin Welsh	Director	Scotiabank
VACANT	Director	
Mayor Tom Dyas	Ex-Officio	City of Kelowna
Ellen Boelcke	Director (Appointed)	Kelowna Chamber of Commerce
Amanda McFarlane	Director (Appointed)	BrainTrust Canada
Birte Decloux	Director (Appointed)	Urban Options Planning Corp
Karen Beaubier	Executive Director	URBA
Adam Holmes	Admin Assistant/ Digital Marketing Coordinator	URBA

Voting Directors = 11 Non Voting Directors = 4 Quorum = 5

Uptown Rutland Business Improvement Area 2023 Budget

Bylaw No. 12427

- ▶ Council approved Bylaw No. 12427 on September 26, 2022
- ▶ Term of 2023 to 2027
- ▶ Class o5 light industry and o6 business/other

Budget

- ▶ Requesting \$222,547 for the first year

YEAR	Uptown Rutland Business Improvement Area (anticipated levy)
2023	\$222,547
2024	\$233,675
2025	\$245,359
2026	\$257,627
2027	\$270,508

Levy

- ▶ Based on assessment values totaling approximately \$220 million for class 05 and 06
- ▶ A general levy of \$1.01 per thousand dollars of assessed value
 - ▶ For example: \$101 would be levied on property that is assessed at 100,000



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: April 3, 2023
To: Council
From: City Manager
Subject: Complimentary 2-hr Saturday Parking & Transit for Downtown Kelowna Promotions
Department: Real Estate / Transit & Programs

Recommendation:

THAT Council receives, for information, the report from the Real Estate/Transit & Programs departments dated April 3, 2023, with respect to complimentary 2-hour on-street parking and transit service on select Saturdays in 2023;

AND THAT Council approves waiving the first 2-hours of on-street parking fees in the downtown area on April 29th, September 23rd, and the five (5) Saturdays in December 2023;

AND THAT Council approves complimentary transit service, within City of Kelowna service boundaries, on the five (5) Saturdays in December 2023;

AND FURTHER THAT Council directs staff to bring forward an amendment to Delegation of Authority to Enter into Leases and Licences of Occupation Bylaw No. 11550 to delegate authority to staff for future requests from business improvement area associations for complimentary parking.

Purpose:

To obtain Council approval to provide complimentary city-wide transit service and up to 2-hours of complimentary on-street parking in the downtown core on the five (5) Saturday's in December 2023, as well as to provide the up to 2-hours of complimentary parking on two additional Saturday's in April and September.

Background:

From September to May, there is generally no charge for *off-street* parking on weekends in most downtown City owned lots and parkades, except during special events; however, *on-street* pay parking is in effect year-round, Monday to Saturday.

At the request of the Downtown Kelowna Association (the "DKA"), the City has offered complimentary on-street Saturday parking in the downtown core during the month of December for the past twenty-

eight (28) years. This long-standing tradition provides important support for businesses in our community. Additionally, in several prior years, the City has also approved complimentary on-street parking in support of Downtown Kelowna's "Small Shop Saturday" initiatives in the spring and fall of each year.

Previous approvals for complimentary parking in the downtown area included a resolution that Staff consider providing complimentary transit service during this time as well, as per the resolution below.

Previous Council Resolution

Resolution	Date
THAT Council direct staff to investigate and report back on the implications of free transit on Saturdays in the City for the month of December	R1001/21/11/01 November 1, 2021

Discussion:

As per the attached letter ("Schedule A"), the DKA has requested the City's approval for 2-hours of complimentary parking on seven (7) Saturdays in 2023. Staff have reviewed and considered this request in conjunction with the Council resolution reproduced above; accordingly, Staff are also recommending complimentary, city-wide transit service on the five (5) Saturdays in December 2023 for both conventional and custom (handyDART) service.

(It should be noted that restricting complimentary transit specific to the downtown area is not technically possible, and offering complimentary city-wide transit has the added promotional benefit in that it may attract new riders who become regular ongoing customers.)

Conclusion:

The Staff recommendation aligns with the City's corporate objectives of creating vibrant neighborhoods and increasing the economic resiliency of our community, while at the same time supporting alternate modes of transportation and increased transit ridership.

Considerations applicable to this report:

Financial/Budgetary Considerations:

A summary of financial impacts associated with these requests is provided below.

Parking: The estimated forgone revenue as a result of the proposed promotions on the downtown parking reserve is \$40,000. Due to the long-standing nature and consistency of these initiatives, Parking Services' operating budget generally reflects this exclusion.

Transit: The estimated cost of forgone revenue in both the conventional and custom (handyDART) service is \$5,000 per Saturday for a total of \$25,000 for the month of December.

Staff continue to actively seek sponsorship opportunities to support these initiatives without impacting revenue. The shift to 2-hours of complimentary parking (*per customer/per day*) will help to maintain

turnover and allow for the collection of valuable usage data with the use of “no charge” transactions. This data will help inform future initiatives and provide statistics to aid in obtaining a sponsor.

External Agency/Public Comments:

Request letter received from the Executive Director, Downtown Kelowna Association.

Communications Comments:

A press release will be issued to notify the public.

Considerations not applicable to this report:

Internal Circulation

Legal/Statutory Authority

Legal/Statutory Procedural Requirements

Existing Policy

Submitted by: D. Duncan, Manager, Parking Services
J. Dombowsky, Manager, Transit & Programs

Approved for inclusion: J. Säufferer, Department Manager, Real Estate

Attachment: Schedule A – Request Letter (Downtown Kelowna Association)
Schedule B – Power Point

cc: T. Wilson, Manager, Media Relations
K. Mead, Manager, Bylaw Services
J. Hamilton, Manager, Sponsorship & Advertising

DOWNTOWN KELOWNA

March 23, 2023

Dave Duncan, Parking Operations
City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Re: Complimentary Parking in Downtown Kelowna for Small Shop Saturday and December Weekends

Please accept this letter as the Downtown Kelowna Association's formal request to offer complimentary 2-hour Saturday parking in Downtown Kelowna for Small Shop Saturdays on April 29th and September 23rd. We also request the same for Saturdays in the month of December 2023.

Local businesses play a vital role in Kelowna's local economy by providing jobs and preserving the Downtown neighbourhood. These marketing promotions are an important value-added initiative for Downtown retailers, services, and restaurants during the year and holiday shopping season. The change to the first 2 hours complimentary will allow for greater turnover of shoppers to each of our streets Downtown. The Downtown Kelowna Association will be coordinating two Small Shop promotional days again in 2023 to promote shopping local, supporting small businesses, create one day of increased foot traffic and support our local economy.

The Downtown Kelowna Association requests public parking charges be changed to complimentary for the first 2 hours on Saturday April 29th & September 23rd in Downtown Kelowna on the street and in City owned lots. We request the same for Saturdays in December on the 2nd, 9th, 16th, December 23rd and December 30th, 2023.

The City's consideration and approval for these valued programs is greatly appreciated.

Sincerely,



Mark Burley EXECUTIVE DIRECTOR

cc: Councillor Rick Webber

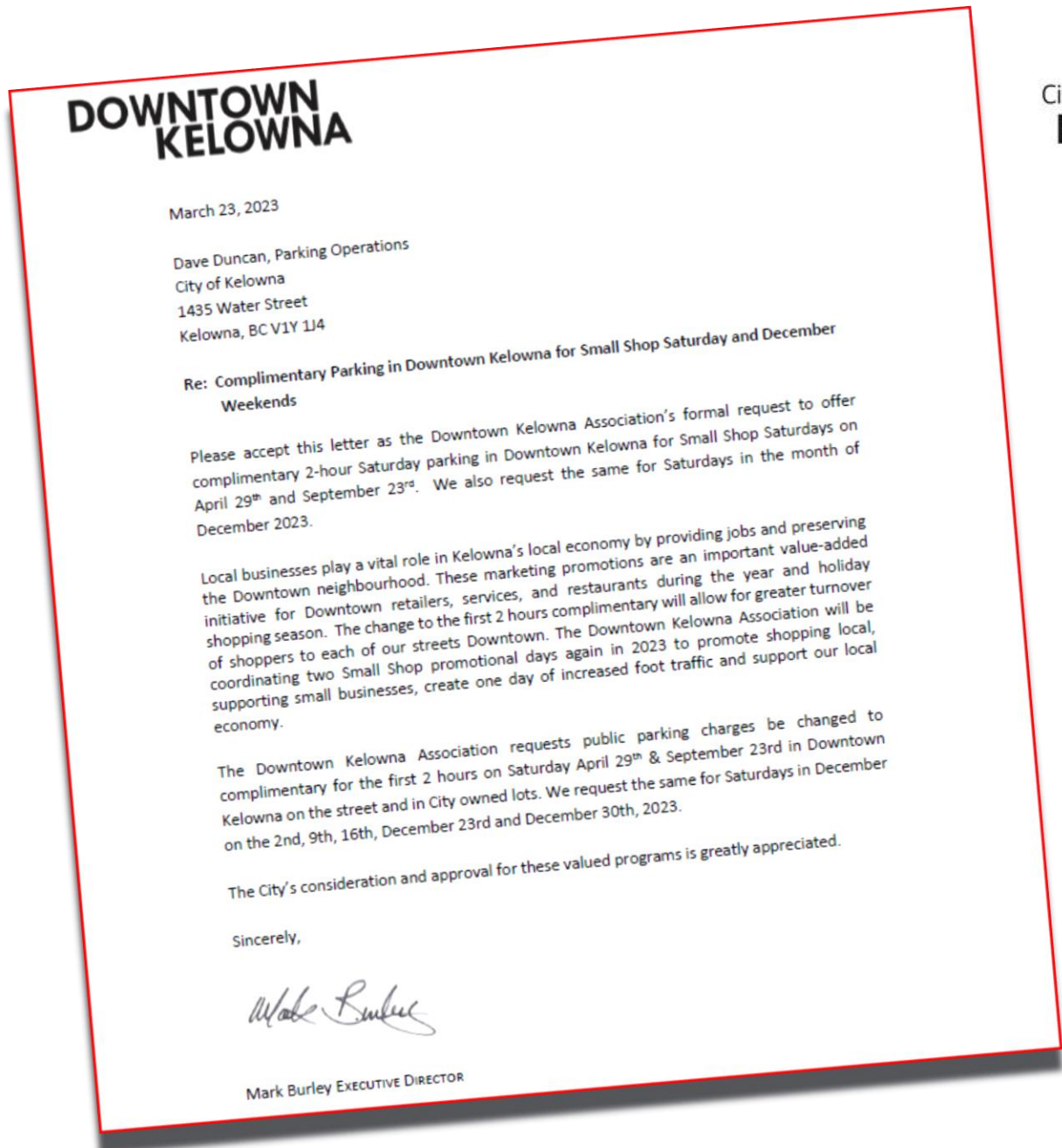
200 – 287 Bernard Avenue
Kelowna, British Columbia V1Y 6N2
downtownkelowna.com
T. 250.862.3515 F. 250.862.5204

Complimentary 2-hr On-Street Saturday Parking & Transit - 2023

April 3, 2023

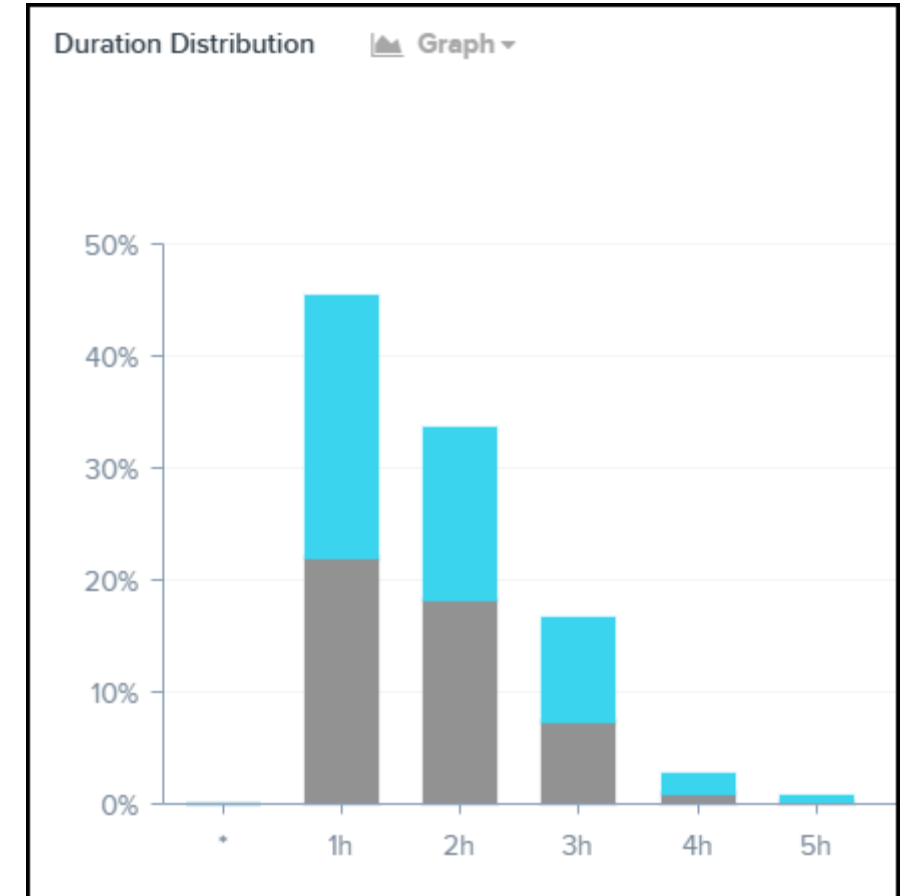
Request

- ▶ Letter received from Executive Director of the Downtown Kelowna Association requesting approval for 2-hrs of complimentary parking on 7 Saturdays in 2023.



Background

- ▶ Council has approved similar requests for the past 28 years
- ▶ Parking in most off-street lots and parkades is currently no-charge every Saturday through the off-season
- ▶ In 2022, most visits (79%) were 2hrs or less



*DT On-Street Zone A – 2022 Length of Stay

Recommendations - Parking

- ▶ Waive parking fees for the first 2-hours of on-street parking on 7 Saturdays in 2023:
 - ▶ *2 Small Shop Saturday Events*
 - ▶ *5 Saturdays in December*
- ▶ Estimated forgone parking revenue is \$40,000 for the 7-days requested
- ▶ Subsequent bylaw amendment for future requests from BIAs to be delegated to staff

2023 Request (7 days):

- ✓ April 29th
- ✓ September 23rd
- ✓ December 2nd
- ✓ December 9th
- ✓ December 16th
- ✓ December 23rd
- ✓ December 30th

Recommendations - Transit

- ▶ Waive transit fares for all trips originating within the City of Kelowna during the month of December 2023
- ▶ Applies to conventional transit and custom (handyDART)
- ▶ Estimated forgone revenue is \$5,000 per Saturday (\$25,000 for the month)

2023 Exemption (5 days):

- ✓ December 2nd
- ✓ December 9th
- ✓ December 16th
- ✓ December 23rd
- ✓ December 30th



Questions?

For more information, visit kelowna.ca/parking.

Report to Council



Date: April 3, 2023
To: Council
From: City Manager
Subject: Accessibility Advisory Committee Terms of Reference
Department: Office of the City Clerk

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated April 3, 2023, with respect to the Accessibility Advisory Committee Terms of Reference;

AND THAT Council endorses the Accessibility Advisory Committee Terms of Reference as attached to the report from the Office of the City Clerk, dated April 3, 2023;

AND THAT Council directs staff to seek applications for membership for the Accessibility Advisory Committee for the 2022-2026 Council term.

Purpose:

To establish an Accessibility Advisory Committee and seek applications for membership for the 2022-2026 Council term.

Background:

Under the *Accessible British Columbia Act*, local governments must now establish an accessibility committee, develop an accessibility plan, and create a mechanism for public feedback about accessibility. The City must have an accessibility committee in place by September 1, 2023 and the Act sets certain requirements for its scope and membership.

Discussion:

The Accessibility Advisory Committee (AAC) will be an advisory committee of Council that makes recommendations to the City on identifying, removing, and preventing barriers to the full and equal participation of people with disabilities. Disabilities relate to the interaction between a physical, sensory, mental, intellectual, or cognitive impairment and a barrier, which may be caused by environments, attitudes, practices, policies, information, communication, or technology.

The Committee's primary objectives are to assist the City with identifying barriers to individuals in or interacting with the City and advise the City on how to remove and prevent those barriers.

To this end, the Committee will:

- be consulted on the City's Accessibility Plan;
- advise Council on policies, plans, and programs related to accessibility;
- assist with identifying barriers related to City infrastructure (e.g., services, online resources, physical infrastructure); and
- advise on a process for receiving public comments related to accessibility.

Council may direct the Committee to undertake other matters related to its objectives.

The Committee will consist of seven voting members with the goal to reflect the diversity of people in Kelowna. Accordingly, at least four members should be persons with disabilities or individuals who support, or are from organizations who support, persons with disabilities, one member should be an Indigenous person, and two members should be from the community at large. Additional qualifications are outlined in the Terms of Reference. The Committee will meet once every two months and a special meeting may be called in accordance with the Terms of Reference.

Staff liaisons from the Active Living & Culture and Partnership & Investments Divisions will support the Committee's objectives, and the Office of the City Clerk will provide meeting management and recording support. Staff will work with the Committee to provide an annual report to Council. Staff will advertise the Committee membership opportunities and reach out to organizations that fit the membership criteria to encourage diverse representation. Applications will be accepted until April 28. Staff will report back to Council with recommended appointments later this spring.

Conclusion:

The AAC will support efforts to identify, remove, and prevent barriers for people with disabilities in Kelowna or interacting with the City. The Terms of Reference establish the Committee's scope, membership, appointment and term, meeting and reporting procedures, and staff support. Following the application submission period, staff will bring recommended Committee appointments to Council.

Internal Circulation:

Active Living & Culture
Corporate & Protective Services
Corporate Strategic Services
Partnership & Investments

Considerations applicable to this report:

Legal/Statutory Authority:

Accessible British Columbia Act, section 9

Accessibility committee

9 (1) An organization must establish a committee to

- (a) assist the organization to identify barriers to individuals in or interacting with the organization, and
- (b) advise the organization on how to remove and prevent barriers to individuals in or interacting with the organization.

- (2) An accessibility committee must, to the extent possible, have members who are selected in accordance with the following goals:
 - (a) at least half of the members are
 - (i) persons with disabilities, or
 - (ii) individuals who support, or are from organizations that support, persons with disabilities;
 - (b) the members described in paragraph (a) reflect the diversity of persons with disabilities in British Columbia;
 - (c) at least one of the members is an Indigenous person;
 - (d) the committee reflects the diversity of persons in British Columbia.

Legal/Statutory Procedural Requirements:

Accessible British Columbia Act, section 11(4)

Accessibility plan

(4) In developing its accessibility plan, an organization must consult with its accessibility committee.

Existing Policy:

Official Community Plan Policies 4.2.3. Accessible and Welcoming Urban Centres and 5.4.3. Accessible and Welcoming Core Area.

Design civic facilities, public spaces, streetscapes, infrastructure, programs and services that are accessible, available and inclusive of all ages, incomes and abilities, including seniors, people with diverse abilities, Indigenous people, and newcomers. Prioritize accessibility retrofits in Urban Centres for existing facilities.

Official Community Plan Policy 10.3.8. Parks for All.

Design for a variety of facilities and amenities that function for a diversity of ages and abilities in parks.

Community for All Action Plan and Parks and Buildings Assessment Report

Financial/Budgetary Considerations:

Committee operations will be funded by allocations within the Active Living & Culture Division and Partnership & Investments Division budgets. Committee recommendations that require funding will go through the regular budget process.

Considerations not applicable to this report:

External Agency/Public Comments:

Communications Comments:

Submitted by:

L. Bentley, Deputy City Clerk

Approved for inclusion: Stephen Fleming, City Clerk

cc:

D. Edstrom, Divisional Director, Partnership & Investments

J. Gabriel, Divisional Director, Active Living & Culture

S. Leatherdale, Divisional Director, Corporate & Protective Services

C. Weaden, Divisional Director, Corporate Strategic Services

Terms of Reference



ACCESSIBILITY ADVISORY COMMITTEE

1. Introduction

The Accessibility Advisory Committee is established in accordance with the Accessible British Columbia Act. It is an advisory committee of Council that makes recommendations on how the City can identify, remove and prevent barriers to the full and equal participation of people with disabilities.

The terms accessibility plan, barrier, disability, impairment, and Indigenous person take their meaning from the definitions in the Accessible British Columbia Act.

2. Objective

The objective of the Accessibility Advisory Committee is to assist the City with identifying barriers and to advise the City on how to remove and prevent barriers to people in Kelowna or people interacting with the City, as they relate to matters within the City's jurisdiction.

3. Scope of Work

To achieve this objective, the Accessibility Advisory Committee will undertake the following activities:

- Advise the City in the development of and updates to its Accessibility Plan;
- Advise Council as it establishes priorities, develops policies and plans, and implements programs related to accessibility;
- Assist the City with identifying barriers related to civic infrastructure including municipal services and online resources;
- Advise the City on a process for receiving comments from the public on the City's accessibility plan and barriers to individuals in or interacting with the organization; and
- Other matters as referred by Council.

4. Membership

In order to provide representation from the community, the committee will consist of seven voting members selected to reflect the diversity of persons in Kelowna in accordance with the following goals:

- At least four members are:
 - persons with disabilities, or
 - individuals who support, or are from organizations that support, persons with disabilities who reflect the diversity of persons with disabilities in British Columbia;
- At least one member is an Indigenous person; and
- Up to two members are from the community at large, selected based on their ability to meet the committee's objectives.

Where insufficient members can be identified to meet the goals they will be appointed from the community at large based on their ability to meet the committee's objectives.

Two alternates may be appointed to replace regular members unable to attend Committee meetings. Alternates will be chosen from the community at large.

5. Qualifications

The following are the minimum qualifications to serve on the Committee:

- resident of, supporting a resident of, or representing an organization in the City of Kelowna;
- available to attend most Committee meetings;
- commitment to the Committee's objectives;
- ability to objectively review plans and policies;
- understanding of the needs of persons with disabilities; and
- access to a computer and an email address or alternate communications in order to receive and respond to communications and information, including meeting packages.

6. Appointment and Term

The Committee will run concurrent with the four-year Council term. Members will be appointed by Council. Council may, at any time, remove any member of the Committee and any member of the Committee may resign at any time upon sending written notice to the Chair of the Committee.

Committee members who are absent for three consecutive meetings will forfeit their appointment, unless such absence is authorized by motion of the Committee.

In the event of a vacancy occurring during a regular term of office, the vacancy may be filled for the remainder of that term upon resolution of Council.

Committee members may stand for re-appointment at the conclusion of their term.

Members of the Committee will serve without remuneration.

7. Chairperson

The Committee will elect a Chair and a Vice-Chair annually. In the absence of the Chair and Vice-Chair, the Committee may elect an Acting Chair from those members present at that meeting.

The Chair may appoint sub-committees to deal with any special matters coming within the scope and jurisdiction of the Committee. Any sub-committee so created will report to the Committee.

All committee members will be provided a training session by the City on procedures for Committees of Council.

8. Meeting Procedures

The Chair will call meetings once every two months unless there are no items to be reviewed. Meetings will be generally held on the first Thursday of each month at City Hall. Alternate dates may occur where special circumstances demand.

The Committee will recognize that each meeting can require a significant commitment of staff resources and meetings should therefore be held when there are clear items of business to address in accordance with the scope of work.

A special meeting may be called by the Chair, at the request of any three members of the Committee, or at the request of the Divisional Director, Active Living & Culture and Divisional Director, Partnership & Investments. Notice of the day, hour, and place of special meeting will be given at least three days prior to the meeting, by leaving a copy of the notice for each member of the Committee and by delivering a copy of the notice to the Office of the City Clerk for posting.

Unless otherwise authorized by the Committee, the public will only address the Committee when they are a scheduled delegation on the Committee meeting agenda.

A majority of the voting members (four) will represent a quorum. A meeting will not proceed if a quorum cannot be achieved. Members must notify the City at least two working days before the meeting if they are unable to attend.

The order of business is to be set out in an agenda package to be provided to the Committee members in advance of the meeting date. Items for the agenda, including presentation materials, will be forwarded electronically to the Office of the City Clerk seven complete working days prior to the meeting date to be posted for the public. Minutes of the meetings will be prepared by the Office of the City Clerk and signed by the Committee Chair. Originals of the minutes will be forwarded to the City Clerk for safekeeping.

Committee members have a responsibility to make decisions based on the best interests of the City-at-large.

Electronic Committee Meetings

Unless otherwise authorized by the *Community Charter* or City of Kelowna Council Procedures Bylaw No. 9200 all meetings will be held in open session and in a location accessible to the public.

Committee meetings may be conducted by means of electronic or other communication facilities. Committee members may participate by means of electronic or other communication facilities and public notice will be given in accordance with sections 9.26 and 9.27 of Council Procedure Bylaw No. 9200.

Committee members are expected to attend meetings in-person whenever possible and electronic participation should reflect in-person participation to maintain openness, transparency, and accountability as outlined in Council Policy No. 386 – Electronic Council Meetings.

Conflict of Interest

Committee members must abide by the conflict of interest provisions of the *Community Charter* and City of Kelowna Council Procedure Bylaw No. 9200.

Members who have a personal, professional and/or pecuniary interest in a matter under discussion are not permitted to participate in the discussion of the matter or to vote on a question in respect of the matter. They must declare their conflict and state the general nature of their conflict, and then leave the meeting or that part of the meeting where the matter is under discussion.

The member's declaration must be recorded in the minutes, and the Committee member must not attempt in any way, whether before, during or after the meeting to influence the voting on any question in respect of the matter.

Voting

Any member who does not indicate their vote, or has temporarily left the meeting without declaring a conflict, is counted as having voted in favour of the question.

If the votes are equal for and against, the question is defeated.

Comments in Public or to the Media

When speaking in public or to the media on an issue, Committee members must distinguish whether they are speaking as a member, a representative of another agency or community group, or as an individual. Committee members need to convey the public interest and remember that they represent the Corporation of the City of Kelowna. This means they must be consistent with the City's position on specific issues.

9. Reporting to Council

The staff liaisons will work with the Committee to provide a status report to Council annually. This report should include a record of work conducted and an indication of the associated costs attached to the Committee's work including staff resources.

The Committee Chair, Vice-Chair, or a Committee member appointed by the committee, will, accompanied by the staff liaison, report to Council on behalf of the Committee.

10. Budget

The routine operations and any special initiatives of the Committee will be funded by allocations within the Active Living & Culture Division and Partnership & Investments Division budgets.

11. Staff Support

The **Divisional Director, Active Living & Culture** and **Divisional Director, Partnership & Investments** will each assign one staff liaison to the Committee.

The staff liaisons will be responsible for:

- preparing and forwarding agenda items to the Office of the City Clerk for electronic distribution and posting;

-
- receiving all correspondence, and preparing correspondence and reports on behalf of the Committee;
 - reviewing the draft minutes and returning them to the Office of the City Clerk to finalize prior to adoption by the Committee; and
 - managing the files of the Committee, as necessary.

The **Office of the City Clerk** will provide meeting management and recording support for the Committee.

Support functions include the following:

- organizing and preparing the meeting agendas, in conjunction with the Chair and staff liaison;
- receiving and organizing all related presentation materials and/or correspondence prior to the meeting date for inclusion in the agenda package;
- distributing the agenda packages to Committee members;
- posting all meeting notices and agendas for the public in accordance with the statutory timelines;
- preparing draft minutes, and providing the final minutes to the City Clerk and staff liaison;
- maintaining the records of the Committee, including posting and retaining minutes for the public record;
- circulating agendas and minutes electronically to all members of Council; and
- providing an annual check-in with the Committee, including meeting management training as necessary.

The Office of the City Clerk, in conjunction with the staff liaisons, will initiate recommendations to Council for Committee appointments and maintain an updated list of appointees, including the date they were appointed.

Endorsed by Council: **Month, Day** 2023



City of
Kelowna

Accessibility Advisory Committee Terms of Reference

April 3, 2023

Background

- ▶ New requirements under the Accessible British Columbia Act
- ▶ Develop an Accessibility Plan
- ▶ Develop a mechanism for public feedback about accessibility
- ▶ Have an Accessibility Committee in place by September 1, 2023
 - ▶ Terms of Reference
 - ▶ Membership applications

Terms

- ▶ Disability: inability to participate fully and equally in society due to interaction of an **impairment** and a **barrier**
- ▶ Impairment: physical, sensory, mental, intellectual, or cognitive impairment, whether permanent, temporary, or episodic
- ▶ Barrier: anything that hinders full and equal participation in society of a person with an impairment
 - ▶ Caused by environment, attitudes, practices, policies, information, communication, technology
 - ▶ May be affected by intersecting forms of discrimination

Committee Objective

- ▶ Make recommendations on matters within the City's jurisdiction to:
 - ▶ Assist the City with identifying barriers to people with disabilities
 - ▶ Advise the City on how to remove and prevent barriers

Committee Scope of Work

- ▶ Be consulted on the City's Accessibility Plan
- ▶ Advise Council on policies, plans, and programs related to accessibility
- ▶ Assist with identifying barriers related to City services, physical infrastructure, online resources, etc.
- ▶ Advise on a process for receiving public comments about accessibility
- ▶ Other matters as referred by Council

Committee Membership

- ▶ Reflect the diversity of people in Kelowna
- ▶ Seven members
 - ▶ At least four are persons with disabilities or individuals who support or are from organizations who support persons with disabilities
 - ▶ One is an Indigenous person
 - ▶ Two are from the community at large
- ▶ Committee elects a Chair and Vice-Chair

Committee Meetings

- ▶ Once every two months, special meetings may be called
- ▶ Open meetings unless a reason to close under the Community Charter
- ▶ Follow procedures in the Community Charter and Council Procedure Bylaw No. 9200

Staff Support

- ▶ Staff liaisons from Active Living & Culture and Partnership & Investments
- ▶ Meeting management and recording from Office of the City Clerk
- ▶ Staff will work with the Committee to report to Council annually

Recommendation & Next Steps

- ▶ Endorse Terms of Reference
- ▶ Direct staff to seek applications for membership
 - ▶ Advertise publicly
 - ▶ Connect with organizations that fit membership criteria
 - ▶ Deadline of April 28
- ▶ Report back to Council with recommended appointments



Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 12488

Amendment No.13 to the Solid Waste Management Regulation Bylaw No. 10106

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Solid Waste Bylaw No. 10106 be amended as follows:

1. THAT Section 1.2 INTERPRETATION be amended by adding the following definition:

“**Mulch**” means a coarse wood product not including ground dimensional lumber;

2. AND THAT **Schedule “B”**, 2.0 be amended by changing the fees and charges tables from:

	2021	2022	2023
Garbage, Yard Waste, Recycling and Curbside Collection fee	\$163.87	\$163.87	\$163.87
CORD Waste Reduction Office Programming	\$17.56	\$17.56	\$17.56
TOTAL	\$181.43	\$181.43	\$181.43

to

	2023	2024
Garbage, Yard Waste, Recycling and Curbside Collection fee	\$163.87	\$174.76
CORD Waste Reduction Office Programming	\$17.56	\$17.56
TOTAL	\$181.43	\$192.32

3. AND THAT **Schedule “E” SANITARY LANDFILL/RECYCLING FEES**, SECTION 1(b) be amended by changing from:

“Wood Waste \$10.00 per metric tonne
(i) Lumber: \$10.00 per metric tonne”

to

“Wood Waste \$25.00 per metric tonne
(ii) Lumber: \$25.00 per metric tonne
(Effective July 1, 2023)”;

4. AND THAT **Schedule "E" SANITARY LANDFILL/RECYCLING FEES**, SECTION 1 (e) (i) be amended by changing:

"Yard Waste \$40.00 per metric tonne"

to

"Yard Waste \$44.00 per metric tonne
(Effective July 1, 2023)";

5. AND THAT **Schedule "E" SANITARY LANDFILL/RECYCLING FEES**, SECTION 1 (h) be amended by changing

"Hydrocarbon Contaminated Soils \$8.00 per metric tonne"

to

"Contaminated Soils \$15.00 per metric tonne
(exceeding Agricultural Quality)

\$25.00 per metric tonne
(exceeding Industrial Quality)
(Waste soils)
(Effective July 1, 2023)";

6. AND THAT **Schedule "E" SANITARY LANDFILL/RECYCLING FEES**, SECTION 1 (w) be amended by changing

"Asphalt shingles for recycling \$85.00 per metric tonne"

to

"Asphalt shingles for recycling \$150.00 per metric tonne"

7. AND THAT **Schedule "E" SANITARY LANDFILL/RECYCLING FEES**, SECTION 3 be amended by changing "\$5.00 per load of wood waste or yard for loads weighing up to and including 250 kg" to "\$6.00 per load of wood waste or yard for loads weighing up to and including 250 kg (Effective July 1, 2023)";

8. AND THAT **Schedule "E" SANITARY LANDFILL/RECYCLING FEES**, SECTION 5.a be amended by deleting the table:

Yards purchased March 1 to February 28	Ogogrow at 551 Commonage Road	Ogogrow at Glenmore Landfill	Glengrow at Glenmore Landfill
Less than 50	\$21.43	\$21.43	\$21.43
50 to 249	\$16.07	\$16.07	\$16.07

250 to 999	\$13.39	\$13.39	\$13.39
1000 to 4999	\$8.00	\$8.00	\$8.00
5000 to 19,999	\$5.00	\$5.00	\$5.00
20,000 and up	\$2.50	\$2.50	\$2.50

and replace it with

Cubic yards purchased per load	Ogogrow at 551 Commonage Road	Ogogrow at Glenmore Landfill	Glengrow at Glenmore Landfill
3 – 7	\$15.00	\$20.00	\$25.00
More than 7	\$4.00	\$7.50	\$8.00

** Per cubic yard

9. AND FURTHER THAT **Schedule "E" SANITARY LANDFILL/RECYCLING FEES**, SECTION 5.b be amended by deleting the table:

Compost material sold at a retail level	
Per supplied bag	\$4.19
Per cubic yard	\$31.43

and replace it with

Compost material sold at a retail level	Glenmore Landfill
Ogogrow or Glengrow - supplied bag	\$4.29
Glengrow per cubic yard (0.5 – 3 yards)	\$30.00
Ogogrow per cubic yard (0.5 – 3 yards)	\$25.00
Mulch per cubic yard (1 yard minimum charge)	\$15.00

This bylaw may be cited for all purposes as "Bylaw No. 12488, being Amendment No. 13 to Solid Waste Bylaw No. 10106."

Read a first, second and third time by the Municipal Council this 13th day of March, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk