

City of Kelowna
Regular Council Meeting
AGENDA



Monday, May 8, 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 - 9

PM Meeting - May 1, 2023

3. Development Application Reports & Related Bylaws

3.1 Supplemental Report – Rezoning Bylaw Reading Consideration

10 - 11

To give Bylaw No. 12517 first reading for a rezoning application for the subject property.

3.2 Wilkinson St 2110, 2120-2122, 2128-2130, 2140 - BL12517 (Z22-0068) - Wilkinson St Holdings Ltd.

12 - 12

To give Bylaw No. 12517 first reading in order to rezone the subject property from the RU4 - Duplex Housing zone to the MF3r - Apartment Housing Rental Only zone.

3.3 Killdeer Rd 5081 - OCP22-0002 (BL12525) Z22-0004 (BL12526) - Frazer Lake Developments GP Ltd., Inc.No. BC1313068

13 - 43

To amend the Official Community Plan to change the future land use designation of portions of the subject property and to rezone portions of the subject property to facilitate the development of a 12-lot residential subdivision.

- 3.4 **Killdeer Rd 5081 - BL12525 (OCP22-0002) - Frazer Lake Developments GP Ltd., Inc.No. BC1313068** 44 - 45
- Requires a majority of all members of Council (5).**
- To give Bylaw No. 12525 first reading in order to change the future land use of portions of the subject property from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation.
- 3.5 **Killdeer Rd 5081 - BL12526 (Z22-0004) - Frazer Lake Developments GP Ltd., Inc.No. BC1313068** 46 - 47
- To give Bylaw No. 12526 first reading in order to rezone portions of the subject property from the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot Housing zone and the P3 – Parks and Open Space zone.
- 3.6 **Frost Rd 940-1030 - DP23-0017 - 0954654 BC Ltd., Inc. No. BC0954654** 48 - 99
- To issue a Development Permit for the form and character of a commercial development.
4. **Bylaws for Adoption (Development Related)**
- 4.1 **Text Amending Bylaws - TA22-0012, TA23-0001, TA23-0002**
- To adopt bylaws that amend the text of Zoning Bylaw No. 12375.
- The following bylaws will be read together unless Council wants to separate one of the bylaws.
- 4.1.1 **BL12497 (TA22-0014) - Amendments to Multiple Sections of Zoning Bylaw 1 of 3 - City of Kelowna** 100 - 136
- To adopt Bylaw No. 12497 in order to amend sections of the Zoning Bylaw.
- 4.1.2 **BL12500 (TA23-0001) - Amendments to Multiple Sections of Zoning Bylaw 2 of 3 - City of Kelowna** 137 - 170
- To adopt Bylaw No. 12500 in order to amend sections of the Zoning Bylaw.
- 4.1.3 **BL12475 (TA23-0002) - Amendments to Multiple Sections of Zoning Bylaw 3 of 3 - City of Kelowna** 171 - 179
- To adopt Bylaw No. 12475 in order to amend sections of the Zoning Bylaw.
5. **Non-Development Reports & Related Bylaws**

5.1	Delegated Authority for Minor Variances	180 - 225
	To introduce delegated authority for minor variances and amend the bylaws and policies necessary to implement the change	
5.2	BL12527 - Amendment No. 3 to the Development Application & Heritage Procedures Bylaw No. 12310	226 - 237
	To give Bylaw No. 12527 first, second and third reading.	
5.3	BL12528 - Amendment No. 14 to the Development Application Fees Bylaw No. 10660	238 - 238
	To give Bylaw No. 12528 first, second and third reading.	
5.4	2023 Audit Committee Meeting review and Financial Statements for the Year Ending December 31, 2022	239 - 251
	To present the Financial Statements to Council for acceptance per the legislative requirement, and to seek approval to include the Financial Statements in the annual report.	
5.5	2022 Surplus Appropriation	252 - 258
	To provide Council with a recommendation on the appropriation of \$11,961,967 of surplus to general reserves and accumulated surplus.	
5.6	2023 UBCM Excellence Award Applications	259 - 270
	To approve staff to apply to the 2023 UBCM Community Excellence Awards.	
5.7	Umo Electronic Transit Fare Collection Systems Updated	271 - 288
	To update Council on transit fare policy changes in support of BC Transit's Umo, electronic fare collection system.	
6.	Resolutions	
6.1	Draft Resolution - Additional Public Hearing	289 - 289
7.	Bylaws for Adoption (Non-Development Related)	
7.1	BL12518 - Amendment No. 6 to the Parks & Public Spaces Bylaw No. 10680	290 - 290
	To adopt Bylaw No, 12518.	
7.2	BL 12519 - Amendment No. 35 to the Bylaw Notice Enforcement Bylaw No. 10475	291 - 291
	To adopt Bylaw No. 12519.	
8.	Mayor and Councillor Items	

9. Termination



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, May 1, 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 and Loyal Wooldridge
Members Absent	Councillor Rick Webber
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Urban Planning Manager, Jocelyn Black*; Planner, Kimberly Brunet*; Divisional Director, Partnership & Investments, Derek Edstrom*; Real Estate Department Manager, Johannes Saufferer*; Property Management Manager, Julia Buck*; Utility Planning Manager, Rod MacLean*; Divisional Director, Corporate Strategic Services, Carla Weaden*; Information Services Director, Jazz Pabla* Legislative Coordinator Confidential (FOI), Rebecca Van Huizen
Staff participating Remotely	Data Services & Analytics Manager, Cheryl Trent*; Legislative Coordinator (Confidential), Arlene McClelland
(* 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.

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 and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

THAT the Minutes of the Regular Meetings of April 24, 2023 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Supplemental Report – Official Community Plan Amendment and Rezoning Application

City Clerk:

- Council had forwarded the application to a Public Hearing at the last meeting.
- Confirmed that bylaws required 1st reading to be sent to Public Hearing.

3.2 Benvoulin Rd 2809 - BL 12520 (OCP22-0010) - Gurdwara Guru Amardas Darbar Sikh Society Inc. No S0040725

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12520 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
Councillor Stack - Opposed

3.3 Benvoulin Rd 2809 - BL 12521 (Z22--0059) - Gurdwara Guru Amardas Darbar Sikh Society Inc. No. S0040725

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12521 be read a first time.

Carried
Councillor Stack - Opposed

3.4 Wilkinson St 2110, 2120-2122, 2128-2130 and 2140 - Z22-0068 (BL12517) - Wilkinson St Holdings Ltd., Inc. No. BC1321697

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Singh

THAT Council forward Rezoning Application Z22-0068 (BL12517) at 2110, 2120-2122, 2128-2130 and 2140 Wilkinson Street to Public Hearing.

Carried

4. Bylaws for Adoption (Development Related)

4.1 Multiple Properties - Rezoning Bylaws - Z22-0056, Z22-0081

4.1.1 Multiple Properties - BL12483 (Z22-0056) - Various Owners

4.1.2 Multiple Properties - BL12490 (Z22-0056) - Various Owners

4.1.3 Multiple Properties - BL12491 (Z22-0056) - Various Owners

4.1.4 Multiple Properties - BL12492 (Z22-0056) - Various Owners

4.1.5 Multiple Properties - BL12493 (Z22-0081) - Various Owners

4.1.6 Multiple Properties - BL12494 (Z22-0081) - Various Owners

4.1.7 Multiple Properties - BL12495 (Z22-0081) - Various Owners

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Bylaw Nos. 12483, 12490, 12491, 12492, 12493, 12494 and 12495 each be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Municipal Boating Facilities Commercial Licenses

Staff:

- Displayed a PowerPoint Presentation summarizing the Municipal Boating Facilities Commercial Licensing Program and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Council receive, for information, the report on Municipal Boating Facilities Commercial Licensing from the Real Estate department dated May 1, 2023;

AND THAT Council gives reading consideration to Bylaw No. 12518 being amendment No. 6 to Parks and Public Spaces Bylaw No. 10680;

AND FURTHER THAT Council gives reading consideration to Bylaw No. 12519 being amendment No. 35 to the Bylaw Notice Enforcement Bylaw No. 10475.

Carried

5.2 BL12518 - Amendment No. 6 to the Parks & Public Spaces Bylaw No. 10680

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12518 be read a first, second and third time.

Carried

5.3 BL 12519 - Amendment No. 35 to the Bylaw Notice Enforcement Bylaw No. 10475

Moved By Councillor DeHart/Seconded By Councillor Wooldridge

THAT Bylaw No. 12519 be read a first, second and third time.

Carried

5.4 GEID Water Supply Boundary Inclusion for 2530 Dubbin Rd

Staff:

- Displayed a map of the proposed water service area boundary amendment.

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Council receives for information, the report from Utility Services dated May 1, 2023, relating to the Glenmore Ellison Improvement District (GEID) Boundary Inclusion for 2530 Dubbin Rd;

AND THAT Council support the request by the GEID to amend its water service area boundary to include 2530 Dubbin Rd as outlined in this report.

Carried

5.5 Digital Transformation Program

Staff:

- Displayed a PowerPoint Presentation providing an overview of the City's digital transformation initiatives and strategy and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receives, for information, the presentation from Information Services dated May 1, 2023 regarding the city's digital transformation initiatives.

Carried

The meeting recessed at 2:44 p.m.

The meeting reconvened at 2:52 p.m.

5.6 Community Task Force on Crime Reduction Terms of Reference

City Manager:

- Provided comments on the proposed Terms of Reference.

Moved By Councillor Lovegrove/Seconded By Councillor DeHart

THAT Council endorses the Community Task Force on Crime Reduction Terms of Reference as attached to the report from the City Manager, dated May 1, 2023;

AND THAT recommendations for Task Force member appointments be brought forward for Council consideration.

Carried

6. Bylaws for Adoption (Non-Development Related)

- 6.1 BL12502 - Five-year Financial Plan Bylaw 2023**
- 6.2 BL12503 - Tax Structure Bylaw 2023**
- 6.3 BL12504 - Annual Tax Rates Bylaw 2023**
- 6.4 BL12505 - Development Cost Charge Reserve Fund Expenditure Bylaw 2023**
- 6.5 BL12506 - Sale of City-Owned Land Reserves Fund Expenditure Bylaw 2023**
- 6.6 BL12508 - Septic Removal Specific Area Reserve Fund Expenditure Bylaw 2023**

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw Nos. 12502, 12503, 12504, 12505, 12506 and 12508 each be adopted.

Carried

6.7 BL12516 - Sterile Insect Release Program Bylaw 2023

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Bylaw No. 12516 be adopted.

Carried

7. Mayor and Councillor Items

Councillor Wooldridge:

- Spoke to their attendance at the SILGA Convention and congratulated Councillor Hodge for being appointed to the SILGA Board of Directors.
- Met with the Consul General of India last week.
- Spoke to their attendance at the Vaisakhi celebrations.
- Spoke to their attendance at the SPCA Fur Ball Fundraiser Event.

Councillor DeHart:

- Spoke to their attendance at the Vaisakhi celebrations.
- Spoke to their attendance at Pastor Tim Schroeder tribute at the Trinity Church.
- Spoke to their attendance at the Kelowna Hospitality Awards.
- Spoke to their attendance at the Southern Interior Construction Association Awards.
- The Chamber of Commerce After Hours Event takes place Thursday, May 4th.
- The Kelowna Fire Department is hosting their annual Pancake Breakfast Event on May 7th at the former Costco parking lot.

Councillor Singh:

- Spoke to their attendance at the TransAtlantic Policy Lab Conference in Toronto.
- Spoke to their attendance at the Vaisakhi celebrations.
- Spoke to their attendance at the Day of Mourning Ceremony.

Councillor Hodge:

- Spoke to their attendance at the SILGA Convention.
- Okanagan Basin Water Board meeting taking place May 2, 2023.

Mayor Dyas:

- Thanked Council for attending events on his behalf while he was in meetings in Vancouver last week.

8. Termination

This meeting was declared terminated at 3:07 p.m.

Mayor Dyas

/acm

 City Clerk

Report to Council



Date: May 8, 2023
To: Council
From: City Manager
Department: Office of the City Clerk
Subject: Supplemental Report – Rezoning Bylaw Reading Consideration

Recommendation:

THAT Council receives, for information, the Supplemental Report from the Office of the City Clerk dated May 8, 2023 regarding a Rezoning Bylaw that requires reading consideration;
 AND THAT Bylaw No. 12517 be forwarded for reading consideration.

Purpose:

To give Bylaw No. 12517 first reading for a rezoning application for the subject property.

Background:

Council considered a rezoning application at 2110, 2120-2122, 2128-2130, 2140 Wilkinson Street on May 1, 2023 and forwarded the rezoning bylaw to a public hearing. The corresponding bylaw must be given first reading consideration prior to the public hearing.

Previous Council Resolution

Resolution	Date
THAT Council forward Rezoning Application Z22-0068 (BL12517) at 2110, 2120-2122, 2128-2130 and 2140 Wilkinson Street to Public Hearing.	May 1, 2023

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: N Beauchamp, Legislative Technician

Approved for inclusion: S Fleming, City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12517

Z22-0068

2110, 2120-2122, 2128-2130 & 2140 Wilkinson 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
 - a. LOT 3 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906 EXCEPT PLANS H14021 AND 36316 located on Wilkinson Street Kelowna, BC;
 - b. LOT 4 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906 EXCEPT PLAN H14021 located on Wilkinson Street Kelowna, BC;
 - c. LOT 5 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906 located on Wilkinson Street Kelowna, BC; and
 - d. LOT 6 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN 10906 located on Wilkinson Street Kelowna, BC

from the RU4 – Duplex Housing zone to the MF3r – Apartment Housing Rental Only zone.

2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 8, 2023

To: Council

From: City Manager

Department: Development Planning

Application: OCP22-0002 Z22-0004 **Owner:** Frazer Lake Developments GP Ltd., Inc.No. BC1313068

Address: 5081 Killdeer Road **Applicant:** Emil Anderson Properties

Subject: OCP Amendment & Rezoning Application

Existing OCP Designation: S – RES – Suburban Residential
NAT – Natural Areas
PARK - Parks

Proposed OCP Designation: S-RES – Suburban Residential
NAT – Natural Areas
PARK - Parks

Existing Zone: RR1 – Large Lot Rural Residential

Proposed Zone: RU2 – Medium Lot Housing
RR1 – Large Lot Rural Residential
P3 – Parks and Open Space

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP22-0002 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot B Section 24 Township 28 SDYD Plan 28853 Except Plans 30846, 30848, 34710, 37381, 39945 and 42749, located at 5081 Killdeer Rd, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation, as shown on Map “A” attached to the Report from the Development Planning Department dated May 8, 2023, be considered by Council;

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

AND THAT Council considers the Public Consultation process to be appropriate consultation for the *Purpose* of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated May 8, 2023;

AND THAT Rezoning Application No. Z22-0004 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot B Section 24 Township 28 SDYD Plan 28853 Except Plans 30846, 30848, 34710, 37381, 39945 and 42749, located at 5081 Killdeer Rd, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot Housing zone and the P3 – Parks and Open Space zone as shown on Map “B” attached to the Report from the Development Planning Department dated May 8, 2023, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment “A” attached to the Report from the Development Planning Department dated May 8, 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 amend the Official Community Plan to change the future land use designation of portions of the subject property and to rezone portions of the subject property to facilitate the development of a 12-lot residential subdivision.

3.0 Development Planning

Staff support the Official Community Plan amendment and Rezoning application to accommodate a 12-lot residential subdivision of the subject property and provide parkland. The proposal is consistent with the Area Structure Plan for Neighbourhood 2, which identified the property as being suitable for residential development. It conforms to OCP Policy which encourages integrating nature into new developments while protecting environmentally sensitive areas. An environmentally sensitive stream, wetland, ravine, and steep hillside would be transferred to the City and include an established trail network. The proposal to amend the Future Land Use Designation is intended to align the boundaries of the proposed development with the natural topography and reflects more detailed site investigation of the topographic condition of the site.

Road connections are identified through the Official Community Plan across other portions of the subject property. As a condition of Rezoning, the applicant will be required to provide a road reserve for the extension of Southcrest Drive between Killdeer Road and Horn Ct, a road reserve for the extension of Killdeer Rd to Cobble Crescent, and a road reserve for a turn around at the terminus of Horn Cr. Construction of these road connections would be contingent on future phases of development.

Staff have reviewed this application, and it may move forward without affecting either the City’s Financial Plan or Waste Management Plan. The remainder of the site which is not subject to this application would be redeveloped through further development applications in the future.

Public consultation was completed in accordance with Council Policy No. 367 by mailing a notice to all property owners within a 50 m radius of the subject property. A summary of the applicant’s public consultation efforts is attached as “Attachment C.”

4.0 Site Context & Background

4.1 Site Context

Orientation	Zoning	Land Use
North	RR1 – Large Lot Rural Residential	Vacant
East	RU1 – Large Lot Housing P3 – Parks and Open Space	Single Detached Housing Hillside Natural Area
South	A2 – Agriculture/Rural Residential	Vacant (Thomson Flats)
West	RU1 – Large Lot Housing RU4 – Duplex Housing RU5 – Multiple Single Detached Housing	Single Detached Housing Semi-Detached Housing Vacant

Subject Property Map: 5081 Killdeer Road



The subject site is located at the end of Benmore Place in the Upper Mission. Frazer Lake is on the property, located to the north of the development site. An unnamed stream flows north-south through the property, into Frazer Lake. The Future Land Use of the surrounding area is S-RES – Suburban Residential, NAT – Natural Area, and R-AGR – Rural – Agricultural and Resource and is zoned RU1 – Large Lot Housing, RR1 – Large Lot Rural Residential, P3 – Parks and Open Space, and A2 – Agriculture/Rural Residential.

4.2 Background

The Neighbourhood 2 Area Structure Plan (ASP) and related OCP Amendments were adopted by Council on January 22, 2001. The Plan envisioned a compact, well-ordered community tailored to the dramatic landscape of the site. The ASP notes that the predominant land use is low to medium density single-family housing, which should be clustered to preserve parkland and located to take the best advantage of natural

topography and views. The subject site was specifically identified in the Area Structure Plan as being suitable for single/two unit residential development.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 7.1.1 Create more complete communities in Suburban Neighbourhoods	
Policy 7.1.1 Area Structure Plan Consistency	Support development that is consistent with adopted Area Structure Plans (ASPs) in Suburban neighbourhoods. Require amendments to ASPs where proposals include significant increases to the number of residential units beyond those signaled in an ASP or where proposals are likely to require significant changes to planned transportation, parks and utility infrastructure.
	<i>The proposed development is in an area that was designated for residential development in the Neighbourhood 2 Area Structure Plan.</i>
Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable	
Policy 7.2.3 Integrate Nature	Integrate the design of active parks with adjacent natural areas while maintaining individual park standards. Reduce the impacts of parks on adjacent natural systems.
	<i>The development proposal would transfer parkland area to the City, including an environmentally sensitive ravine and wetland, steep hillside, and an established trail network.</i>
Objective 10.1 Acquire new parks to enhance livability throughout the City.	
Policy 10.1.15 Natural Areas	Preserve a diversity of Natural Areas for habitat and ecosystem conservation, including ecosystem connectivity corridors, with limited trails access and other low impact activities. The network should contain representative Okanagan ecosystems, contain areas of natural beauty and of high visual sensitivity, with opportunities for viewpoints, staging areas, and linear trails. Aim for contiguous spaces that link to other regionally and provincially protected spaces. Ensure that acquired spaces have adequate access for maintenance and linear trails, and that hazards (e.g. wildfire or rock fall) are mitigated prior to acquisition. Disturbed and weedy areas are not suitable for natural park areas, unless restored to the satisfaction of the City prior to transfer. The cost/benefit of the land must result in an overall benefit to the City rather than a maintenance burden.
	<i>The proposed development would protect an environmentally sensitive ravine and wetland, and steep hillside as natural park area.</i>

6.0 Technical Comments

6.1 Development Engineering Department

- See Attachment A

7.0 Application Chronology

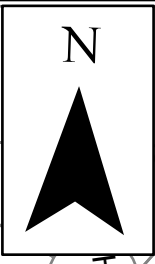
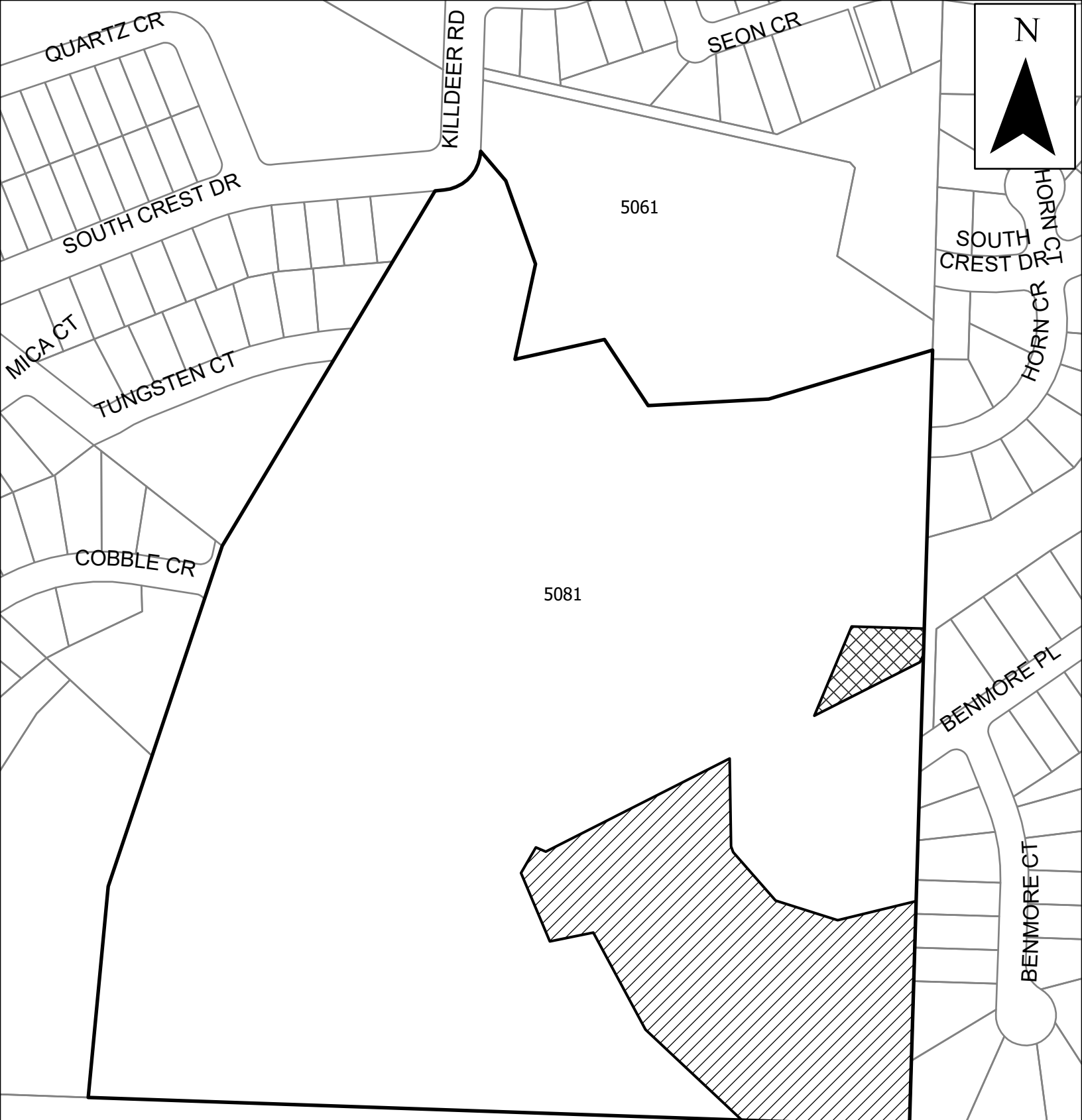
Date of Application Accepted: January 19, 2022

Date Public Consultation Completed: March 20, 2023




Report prepared by: Mark Tanner, 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:

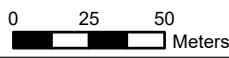
Map A: Official Community Plan Amendment
Map B: Zoning Amendment
Attachment A: Development Engineering Memo
Attachment B: Drawing Package
Attachment C: Public Engagement Summary



**MAP "A" OCP AMENDMENT
OCP22-0002**

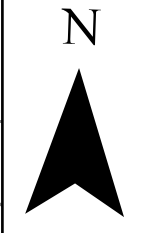
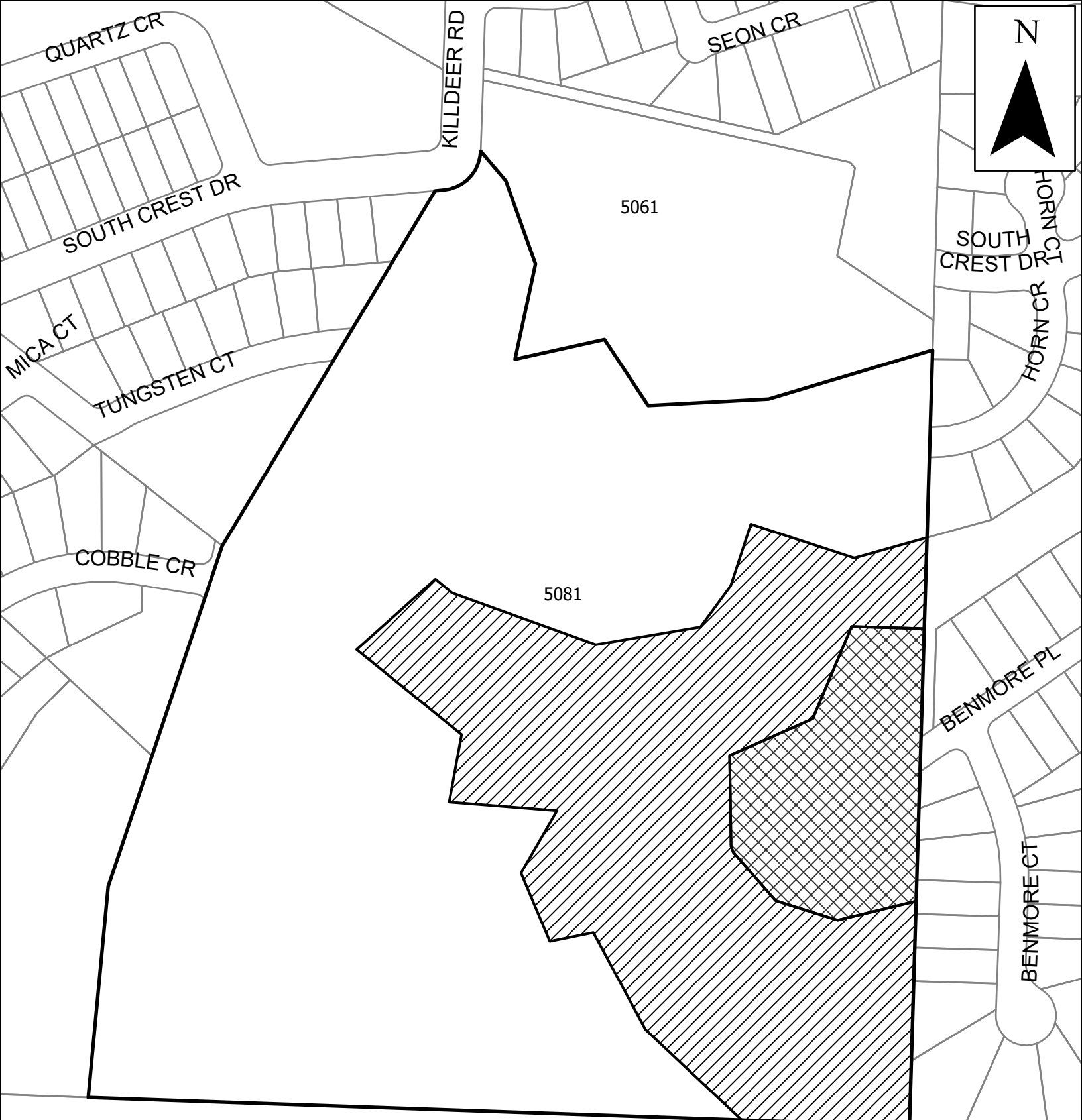
-  Subject Property
-  S-RES - Suburban Residential to NAT - Natural Areas
-  NAT - Natural Area to S-RES - Suburban Residential

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



Rev. Monday, March 27, 2023

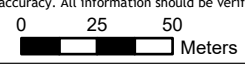




MAP "B" ZONING AMENDMENT Z22-0004

- Subject Property
- RR1 - Large Lot Rural Residential to P3 - Parks and Open Space
- RR1 - Large Lot Rural Residential to RU2 - Medium Lot Housing

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



Rev. Monday, March 27, 2023



CITY OF KELOWNA
MEMORANDUM

Date: March 27, 2023
File No.: Z22-0004
To: Planning and Development Officer (MT)
From: Development Engineering Manager (NC)
Subject: 5081 Killdeer Rd A1 to RU2H

The Development Engineering Branch has the following comments and requirements associated with this application to rezone the subject property from A1 – Agriculture 1 to RU2h – Medium Lot Housing (Hillside Area). The Development Engineering Technologist for this project will be John Filipenko, ASCT (jfilipenko@kelowna.ca).

General

- a. A road connection is required between the South Crest Dr / Killdeer Rd corner and South Crest Dr / Horn Ct intersection.

Provide a road reserve complete with preliminary design for the extension of South Crest Drive between Killdeer Road and Horn Court. The road design is to be consistent with the existing cross section to the East (SS-R7 Standard).
- b. A road connection is required between Killdeer Rd and Cobble Cr.

Provide a road reserve of 14.1-m width for the extension of Killdeer Rd to Cobble Court.
- c. A turn around is required at the terminus of Horn Crescent.

Provide a road reserve and preliminary design for the cul-de-sac
- d. Works and Services requirements have been identified in the memo provided with the subdivision application S22-0002.

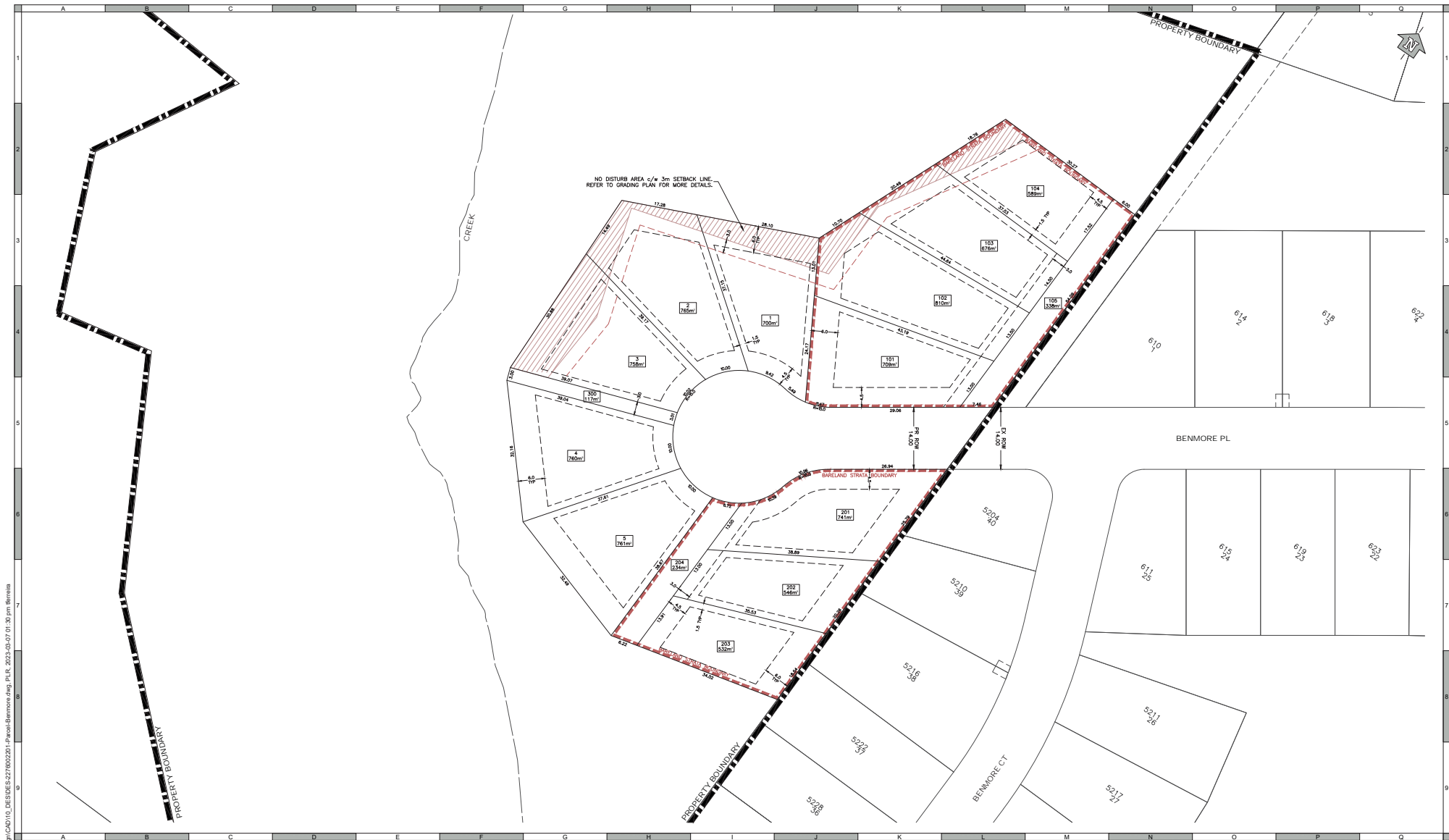

Nelson Chapman, P.Eng
Development Engineering Manager
JF

ATTACHMENT A

This forms part of application
OCP22-0002 Z22-0004

Planner Initials MT


City of Kelowna
COMMUNITY PLANNING



\\urban\p02\227602201\Drawings\CAD\10_DESIGNS\227602201_Planet Benmore.dwg, P.L.R. 2023.03.07 01:30 pm, Revise

ATTENTION:
 This drawing is prepared for the sole use of
 No representations of any kind are made by Urban Systems Ltd. or its employees
 to any party with whom Urban Systems Ltd. does not have a contract.

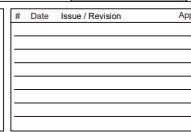
WARNING:
 Utilities or structures shown on this drawing were compiled from information
 supplied by various parties and may not be complete or accurate. Engineer and
 conclusively confirm the location in the field all underground utilities and structures
 indicated on this drawing, all underground utilities in the area of the proposed work
 and any utilities or structures reasonably apparent from an inspection of the
 proposed work. Urban Systems Ltd. assumes no responsibility for loss or damage
 caused by third party negligence or failure to comply with the above.

SURVEY INFORMATION
 Prepared by EAC
 Coordinate System: NAD83
 Completion Date: 2021/05/22

ISSUED FOR APPROVAL
 MARCH 7, 2023
 urbansystems.ca

Professional Seals

#	Date	Issue / Revision	App



Scale: 1:500
 0 10 20m

Quality Control by: T.FERREIRA
 Designed by: T.FERREIRA
 Drawn by: T.FERREIRA

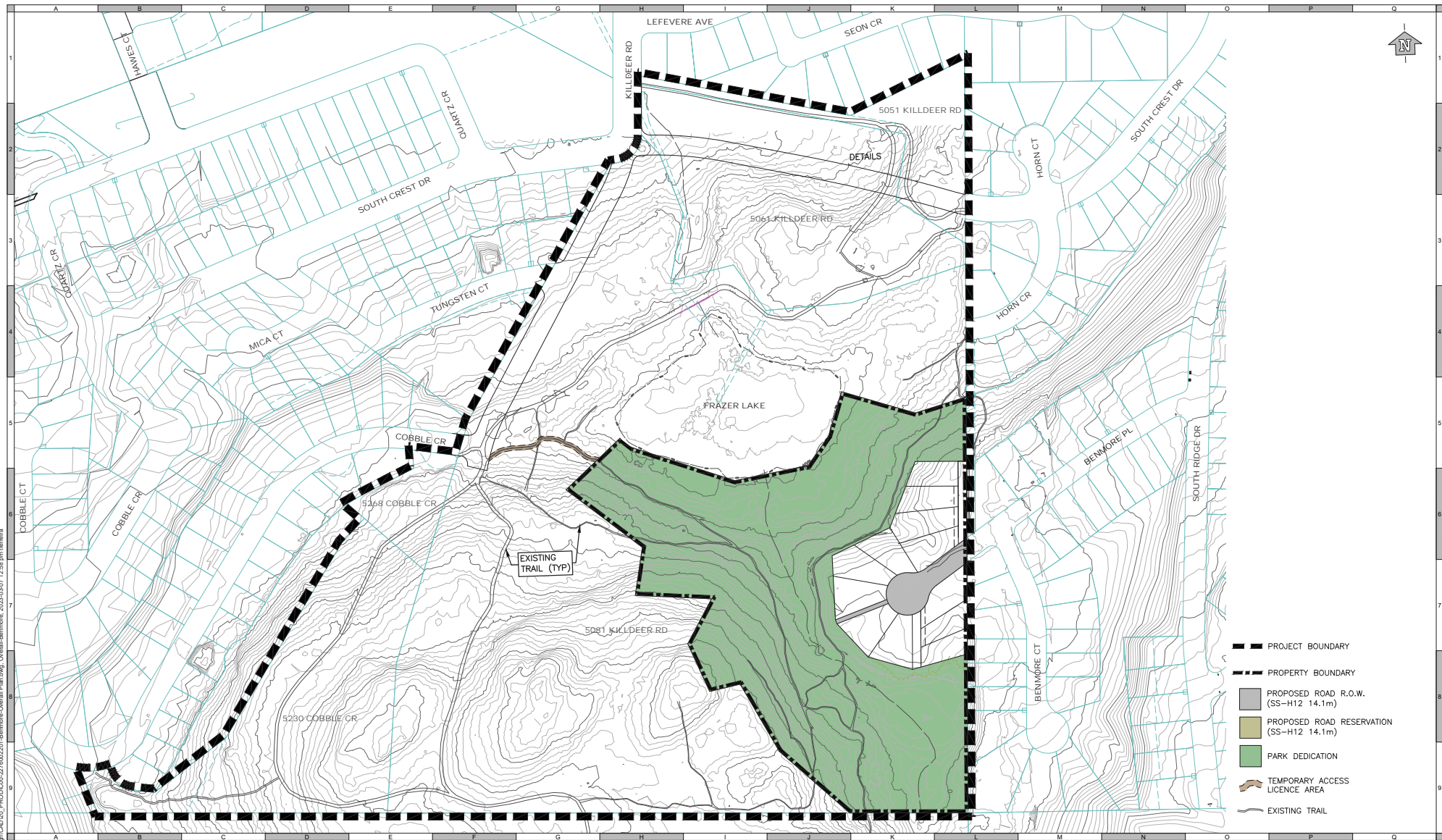
SAGE WATER
 PHASE 1
 BENMORE PL
 LOT LAYOUT

Sheet Number: 3 of 5
 Project Number: 2276.0022.01
 Drawing Number: C03

ANS1 expand D (34.00 x 22.00 inches) 25mm

ATTACHMENT B
 This forms part of application
 # OCP22-0002 Z22-0004
 City of Kelowna
 COMMUNITY PLANNING
 Planner Initials: MT

NOT FOR CONSTRUCTION



ATTENTION:
This drawing is prepared for the sole use of
no representations of any kind are made by Urban Systems Ltd. or its employees
to any party with whom Urban Systems Ltd. does not have a contract.

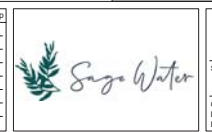
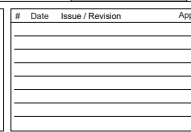
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caused by third party negligence or failure to comply with the above.

SURVEY INFORMATION
Prepared by: EAC
Coordinate System: NAD83
Completion Date: 2017/05/22

ISSUED FOR APPROVAL
MARCH 7, 2023
urbansystems.ca

Professional Seals

#	Date	Issue / Revision	App.



Scale: 1:250
0 25 50m

Quality Control by: T.FERRERA
Designed by: T.FERRERA
Drawn by: T.FERRERA

SAGE WATER
PHASE 1
BENMORE PL
OVERALL PLAN

Sheet Number: 2 of 2
Project Number: 2276.0022.01
Drawing Number: C02

ANSI expand D (34.00 x 22.00 inches) 25mm

ATTACHMENT B
This forms part of application
OCP22-0002 Z22-0004

City of Kelowna
COMMUNITY PLANNING

Planner Initials: MT

NOT FOR CONSTRUCTION

April 3, 2023

City of Kelowna
Community Planning & Real Estate
1435 Water Street
Kelowna, BC
V1Y 1J4

Attn: Mark Tanner

Re: DP22-0011/Z22-0004/S22-0002
5081 Killdeer Road – Sage Water Single Family Development
Public Notification and Consultation

Dear Mr. Mark Tanner,

Please find enclosed the Public Notification and Consultation report, completed by Emil Anderson Properties, in accordance with the Policy 367 of the City of Kelowna. The Public Consultation Report was completed as a requirement for the 5081 Killdeer Road rezoning.

The Public Engagement Plan comprised of the following:

1. Letter mailed via Canada post to all property owners residing in a 50 m radius of 5081 Killdeer Road on March 20, 2023
2. Follow up email correspondence with property owners who inquired with questions.
3. On-site meetings with property owners at the following addresses:
 - 5204 Benmore Court
 - 5210 Benmore Court
 - 5216 Benmore Court
 - 5222 Benmore Court

All of the property owners that we spoke with were aware that the development had been planned for many years and expected the application. We had great conversations with our neighbors and the feedback was positive. The majority of questions pertained to potential construction impacts along the adjacent properties on Benmore Court and we look forward to continuing to work with our neighbors throughout the rezoning and construction stages.

We trust that this package satisfies the Public Engagement requirement as per Policy 367 and request that City staff please advise us of the Council date for Initial Consideration of the Rezoning Bylaw.

Regards,



Karmen Chanasyk
Senior Development Manager
Emil Anderson Properties

Encl.

1. Neighborhood Consultation Feedback Form
2. Emil Anderson Properties letter sent to all homeowners within a 50 m radius

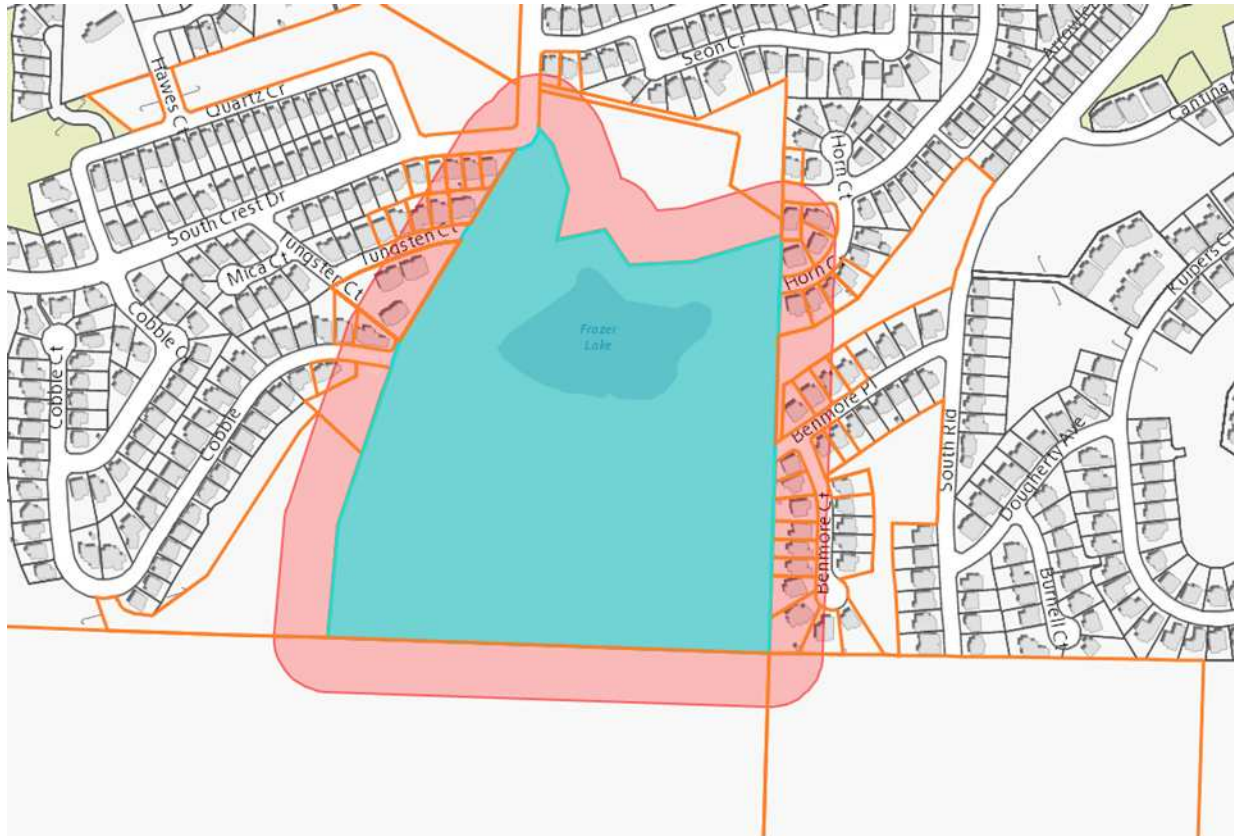
C.c. Ryan Smith, Divisional Director of Planning and Development, City of Kelowna
Terry Barton, Development Planning Department Manager, City of Kelowna
Matthew Temple, Vice President of Development and Construction, Emil Anderson Properties
Ryan P. Malcolm, Director of Development, Emil Anderson Properties

Address List for Public Consultation Letter

Unit Number	Street Number	Street Name
	5204	Benmore Ct
	5210	Benmore Ct
	5211	Benmore Ct
	5216	Benmore Ct
	5222	Benmore Ct
	5228	Benmore Ct
	5234	Benmore Ct
	5240	Benmore Ct
	5241	Benmore Ct
	5246	Benmore Ct
	5252	Benmore Ct
	610	Benmore Pl
	611	Benmore Pl
	614	Benmore Pl
	615	Benmore Pl
	618	Benmore Pl
	622	Benmore Pl
	5230	Cobble Cr
	5264	Cobble Cr
	5265	Cobble Cr
	5267	Cobble Cr
	5268	Cobble Cr
	600	Horn Cr
	601	Horn Cr
	605	Horn Cr
	609	Horn Cr
	612	Horn Cr
	613	Horn Cr
	5020	Killdeer Rd
	5051	Killdeer Rd
	5061	Killdeer Rd
	5081	Killdeer Rd
	523	Lefevere Ave
	529	Lefevere Ave
	530	Quartz Cr



	537	South Crest Dr
	539	South Crest Dr
	541	South Crest Dr
	543	South Crest Dr
	545	South Crest Dr
	569	South Crest Dr
	574	South Crest Dr
	579	South Crest Dr
	5210	South Ridge Dr
	5300	South Ridge Dr
	548	Tungsten Ct
	552	Tungsten Ct
	556	Tungsten Ct
	5265	Upper Mission Dr
	555	Tungsten Ct
	560-562	Tungsten Ct
1	555	Tungsten Ct
2	555	Tungsten Ct
3	555	Tungsten Ct
4	555	Tungsten Ct
5	555	Tungsten Ct
6	555	Tungsten Ct
7	555	Tungsten Ct
8	555	Tungsten Ct
	560	Tungsten Ct
	562	Tungsten Ct
2	609	Horn Cr
2	537	South Crest Dr
2	539	South Crest Dr
2	543	South Crest Dr
2	545	South Crest Dr
2	552	Tungsten Ct



Neighbour Consultation Form
(Council Policy No.367)



A summary of neighborhood consultation efforts, feedback and response must be provided to City staff, identifying how the efforts meet the objectives of this Policy. This form must be filled out and submitted to the File Manager a minimum of 20 days prior to initial consideration by Council.

I, Karmen Chanasyk of, the applicant for Application No. OCP22-0002/Z22-0004
Emil Anderson Properties
 for OCP amendment + Rezoning
 (brief description of proposal)

at 5081 Killdeer Road have conducted the required neighbour
 (address)
 consultation in accordance with Council Policy No. 367.

- My parcel is located **outside** of the Permanent Growth Boundary and I have consulted all owners & occupants within a 300m radius
- My parcel is located **inside** of the Permanent Growth Boundary and I have consulted all owners & occupants within a 50m radius

I have consulted property owners and occupants by doing the following: Letter to all
owners within a 50m radius, follow up via email / in
person meetings. See attached letters

Please initial the following to confirm it has been included as part of the neighbour consultation:

- KC Location of the proposal;
- KC Detailed description of the proposal, including the specific changes proposed;
- KC Visual rendering and/or site plan of the proposal;
- KC Contact information for the applicant or authorized agent;
- KC Contact information for the appropriate City department;
- KC Identification of available methods for feedback.

Please return this form, along with any feedback, comments, or signatures to the File Manager **20 days prior to the anticipated initial consideration by Council date**. On the back of this form please list those addresses that were consulted.

ATTACHMENT C

This forms part of application
 # OCP22-0002 Z22-0004

Planner
Initials

MT

City of
Kelowna
COMMUNITY PLANNING

City of Kelowna
 1435 Water Street
 Kelowna, BC V1Y 1J4
 TEL 250 469-8600
 FAX 250 862-3330
 kelowna.ca

March 20, 2023

Re: Completion of Benmore Place

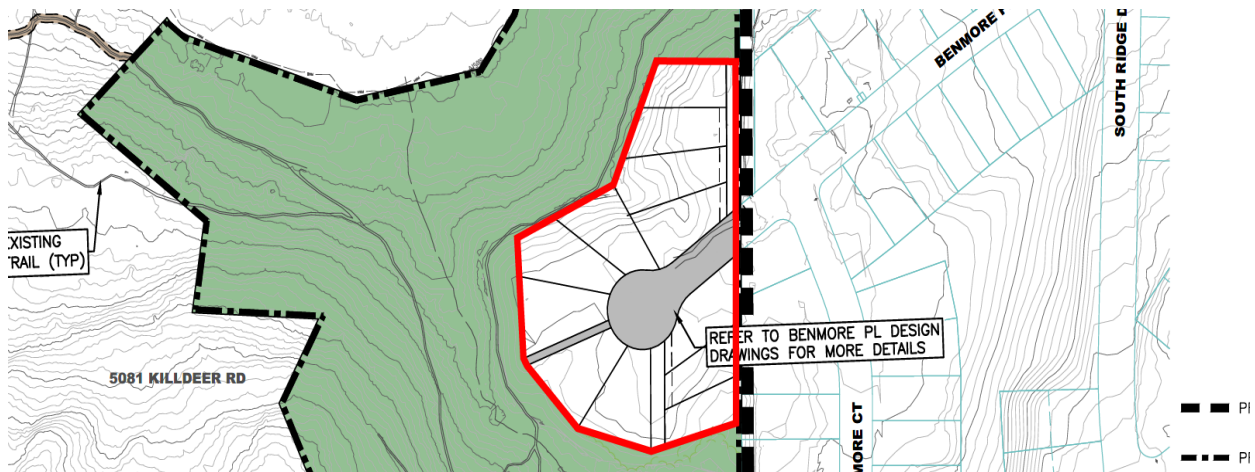
OCP22- 0002/Z22-0004/DP22-0011/S22-0002
5081 Killdeer Road – Sage Water Single Family Development
Rezoning, OCP Amendment, Development Permit and 12 Lot Subdivision

Dear Resident,

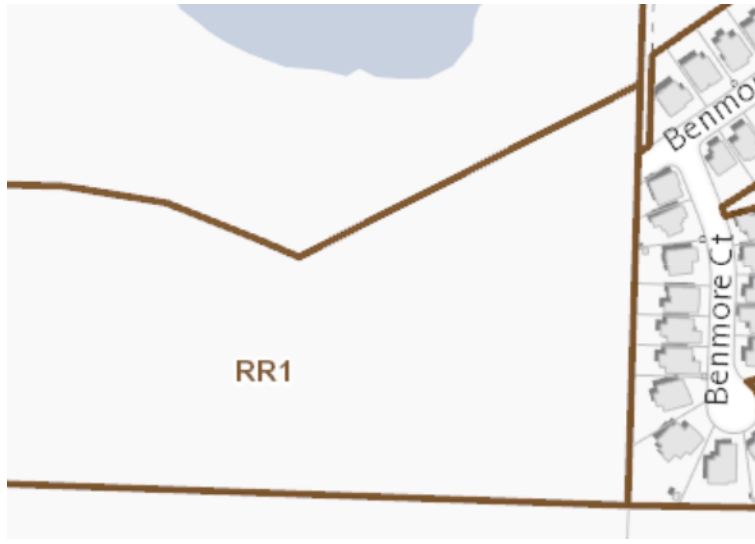
This letter provides an overview of Emil Anderson Properties (EAP) proposed Single Family Subdivision development located at 5081 Killdeer Road, Kelowna BC (the “Property”). You are being informed of this upcoming development application in adherence with the City of Kelowna Public Notification and Consultation Policy as part of the rezoning and OCP amendment process. Please take time to review the information contained within. Should you have any questions or concerns, we are happy to discuss the project details with you further.

Proposed Rezoning

The area outlined in red is the subject section of 5081 Killdeer Rd. and is currently zoned as RR1. The much larger area highlighted in green is to be dedicated as park to the City of Kelowna as part of this development.

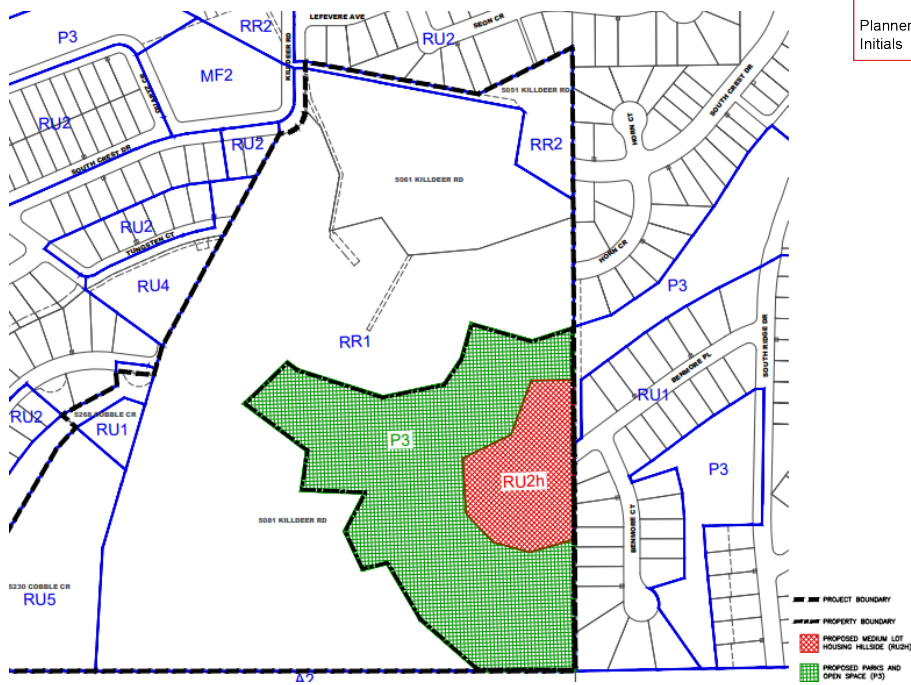


Current Zoning



Proposed Zoning

The proposed zoning is P3 (Parks and Open Space) and RU2 (Medium Lot Housing).



ATTACHMENT C

This forms part of application
OCP22-0002 Z22-0004

Planner Initials MT

The subject property is located within the City of Kelowna’s Permanent Growth Boundary. The site is located within a mature single family residential neighborhood that has been developed by EAP over many years. The focus and intent for this development is to integrate within the surrounding community while working within the site terrain. EAP’s vision for this section of the Property is to finally finish off Benmore Place as planned many years ago by creating a 12 lot subdivision that fits in with the existing community as well as the surrounding natural environment. This development has applied to rezone the property to RU2 – Medium Lot Housing. A rezoning application was filed with the City of Kelowna in January, 2022 (OCP22-0002 Z22-0004).



ATTACHMENT C

This forms part of application
OCP22-0002 Z22-0004

Planner Initials **MT**

City of **Kelowna**
COMMUNITY PLANNING

The End of Unfinished Benmore Place facing West into the Subject Development

Community Design

The overall design focus for this development is based on the site’s surrounding uses and working with existing site terrain. The site is within a mature single family residential zone. The building design will complement the look and feel of the adjacent Benmore neighborhood and the South Ridge community.

Landscaping throughout the site will integrate the local and natural vegetation and will complement the developments overall form and character. EAP has worked closely with City staff and environmental consultants to define the adjacent ravine area, protection of nearby poplar groves, riparian areas, sensitive hillside and slope areas and setbacks, drainage, and environmentally sensitive areas.

The 12 lots have been placed strategically in a cul de sac to complete the Benmore Place Road. The housing units will include both walkouts and rancher style homes.

New trail connections and enhancements of the existing unauthorized trails on the Property are also part of this application to coincide with the significant amount of land to be dedicated as park to the City of Kelowna so that the community will be able to continue to enjoy these pedestrian connections which are currently unauthorized and not maintained. EAP is working with City staff to identify the existing unauthorized and non-conforming trails throughout the Property.

If there are any questions about the information contained within, please don’t hesitate to contact either EAP or the City via phone or e-mail. EAP can share project details that are available, while the City can provide clarity on project process, including Council and Public Hearing dates. Contact information is provided below:

Karmen Chanasyk

Senior Development Manager
Emil Anderson Properties
300 – 966 Crowley Avenue, Kelowna, BC V1Y 1L0
Phone | 250 808-1878
Email | kchanasyk@emilanderson.ca

Mark Tanner

Planner II
City of Kelowna
1435 Water Street, Kelowna BC
Phone | 250 469-8589
Email | mtanner@kelowna.ca

ATTACHMENT C

This forms part of application
OCP22-0002 Z22-0004

Planner Initials **MT**

City of **Kelowna**
COMMUNITY PLANNING



Thank you very much for your time and look forward to discussing the subject development with you soon.

Yours truly,

Emil Anderson Properties



Karmen Chanasyk
Senior Development Manager



City of
Kelowna

OCP22-0002 Z22-0004
5081 Killdeer Rd

Rezoning Application

Purpose

- ▶ To amend the Official Community Plan to change the future land use designation of portions of the subject property and to rezone portions of the subject property to facilitate the development of a 12-lot residential subdivision.

Development Process



Jan 19, 2022

Development Application Submitted



Staff Review & Circulation



March 20, 2023

Public Notification Received



May 8, 2023

Initial Consideration



Public Hearing



Final Reading



Subdivision



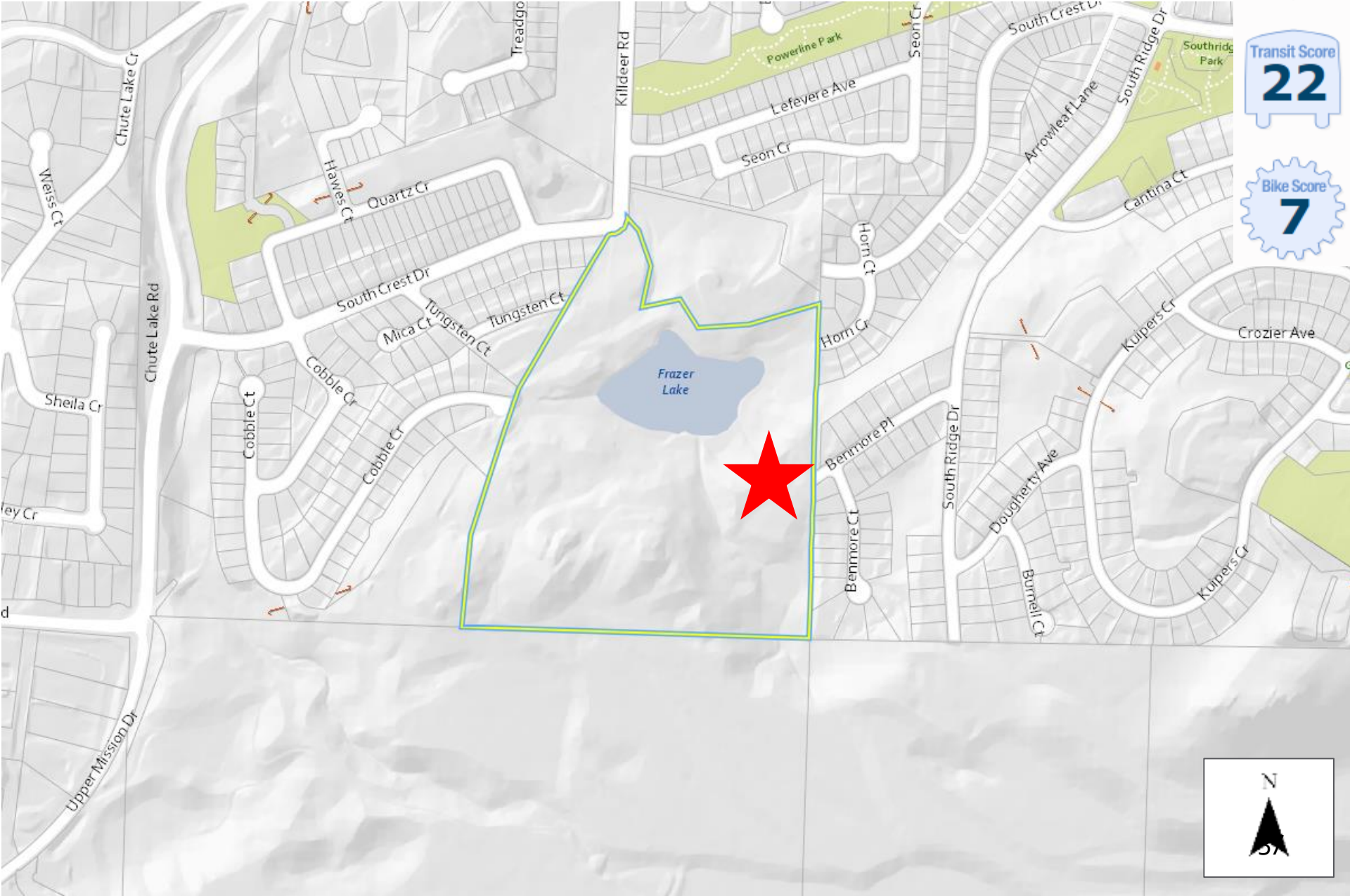
Council Approvals

Context Map

Walk Score
1

Transit Score
22

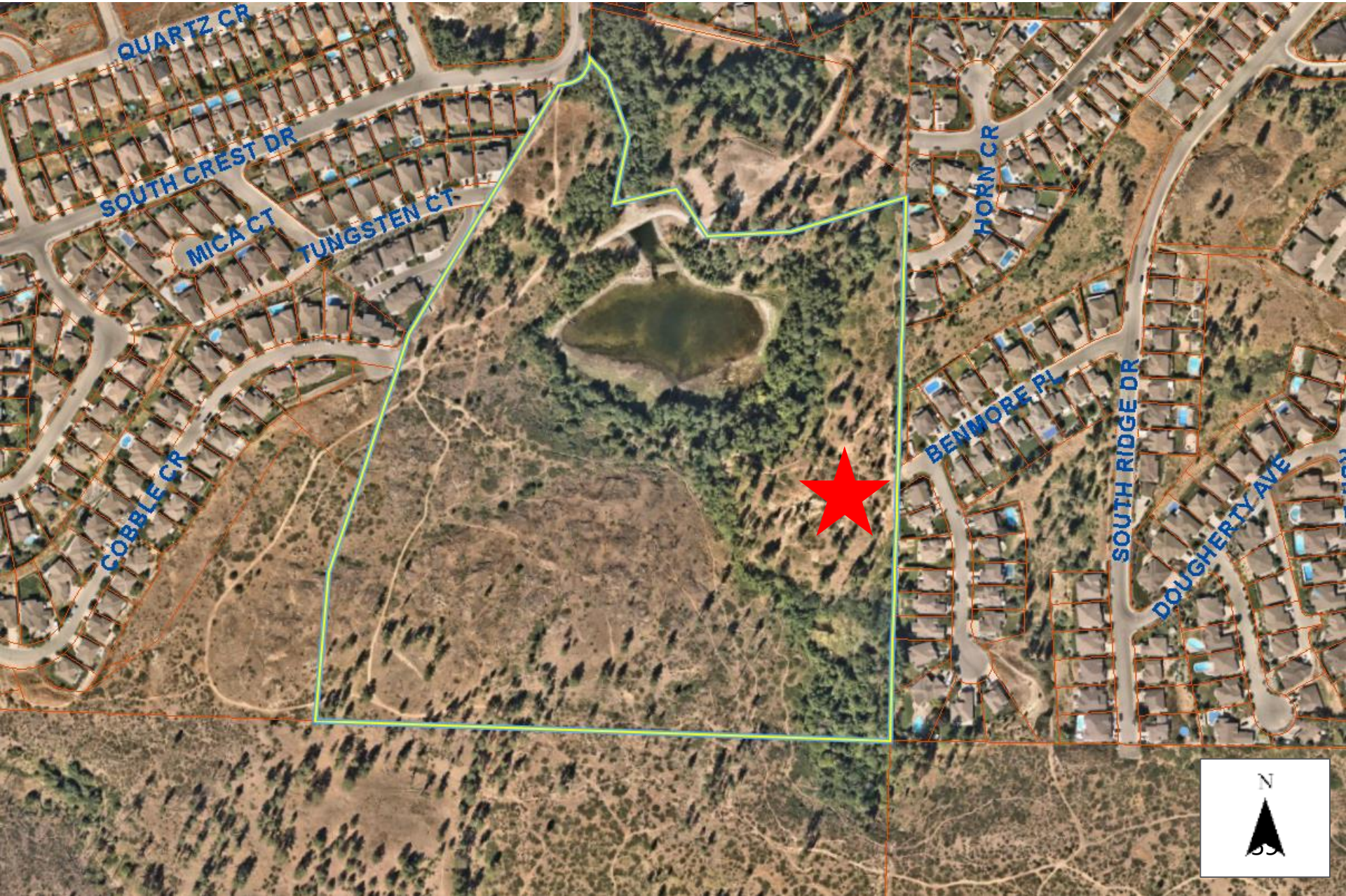
Bike Score
7



OCP Future Land Use



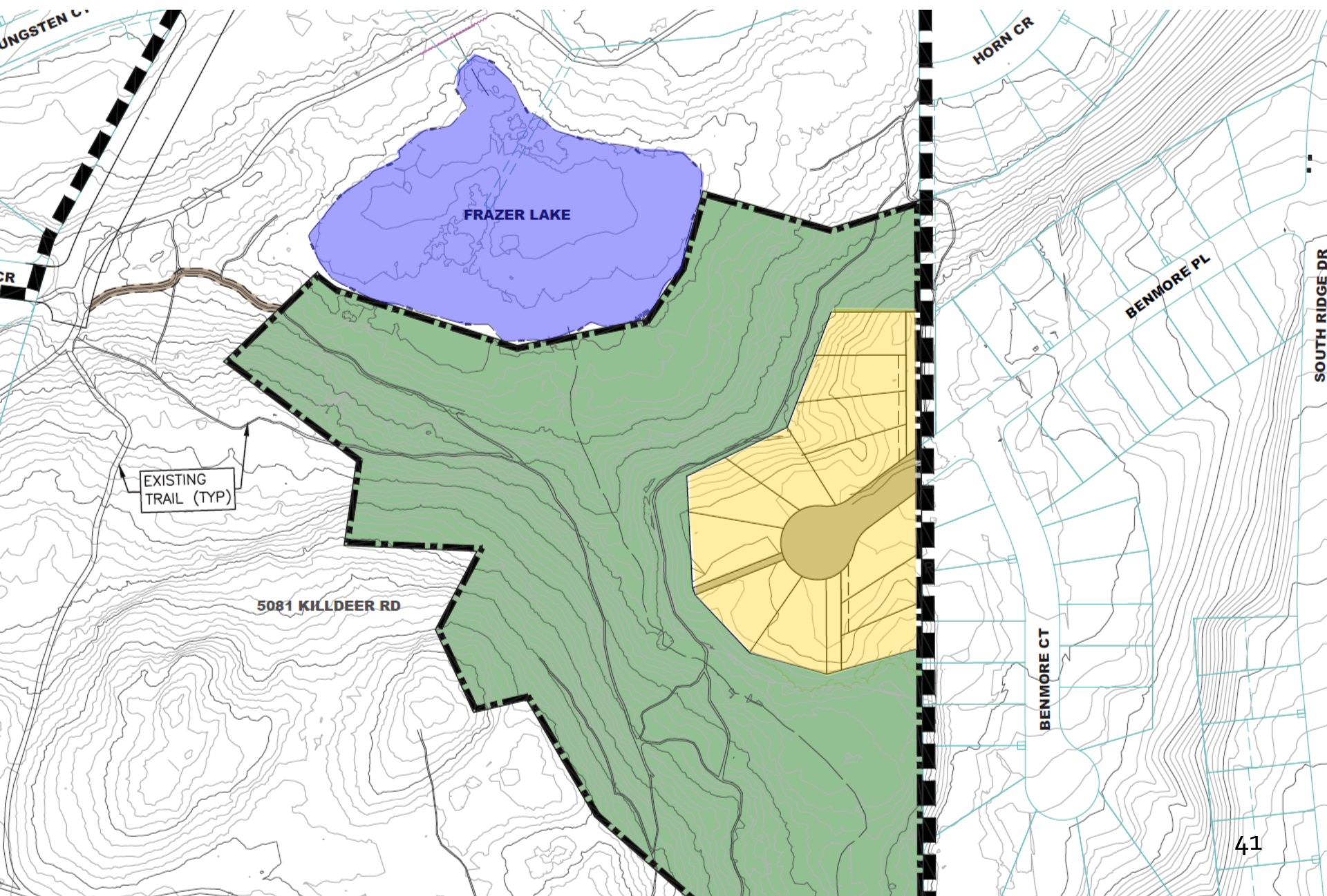
Subject Property Map



Project Details

- ▶ OCP Amendment:
 - ▶ NAT – Natural Area to S-RES – Suburban Residential;
and
 - ▶ S-RES – Suburban Residential to NAT – Natural Area
- ▶ Rezoning: RR₁ – Large Lot Rural Residential to RU₂ – Medium Lot Housing and P₃ – Parks and Open Space
- ▶ 12-lot residential subdivision
- ▶ Parkland dedication includes stream, wetland, riparian area, steep hillside and established trail network

Lot Layout



OCP Objectives & Policies

- ▶ Policy 7.1.1 Area Structure Plan Consistency
 - ▶ Support development that is consistent with adopted Area Structure Plans in Suburban neighbourhoods
- ▶ Policy 7.2.3 Integrate Nature
 - ▶ Integrate the design of active parks with adjacent natural areas
- ▶ Policy 10.1.15 Acquire new parks to enhance livability throughout the City
 - ▶ Preserve a diversity of Natural Areas for habitat and ecosystem conservation, with limited trail access.

Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning as it is consistent with:
 - ▶ OCP Future Land Use Designation
 - ▶ S-RES – Suburban Residential
 - ▶ NAT – Natural Area
 - ▶ OCP Policies:
 - ▶ Policy 7.1.1 Area Structure Plan Consistency
 - ▶ Policy 7.2.3 Integrate Nature
 - ▶ Policy 10.1.15 Acquire new parks to enhance livability throughout the City

CITY OF KELOWNA

BYLAW NO. 12525

Official Community Plan Amendment No. OCP22-0002 5081 Killdeer Road

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 portions of Lot B Section 24 Township 28 SDYD Plan 28853 Except Plans 30846, 30848, 34710, 37381, 39945 and 42749, located on Killdeer Road, Kelowna, B.C., from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation 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 time by the Municipal Council this

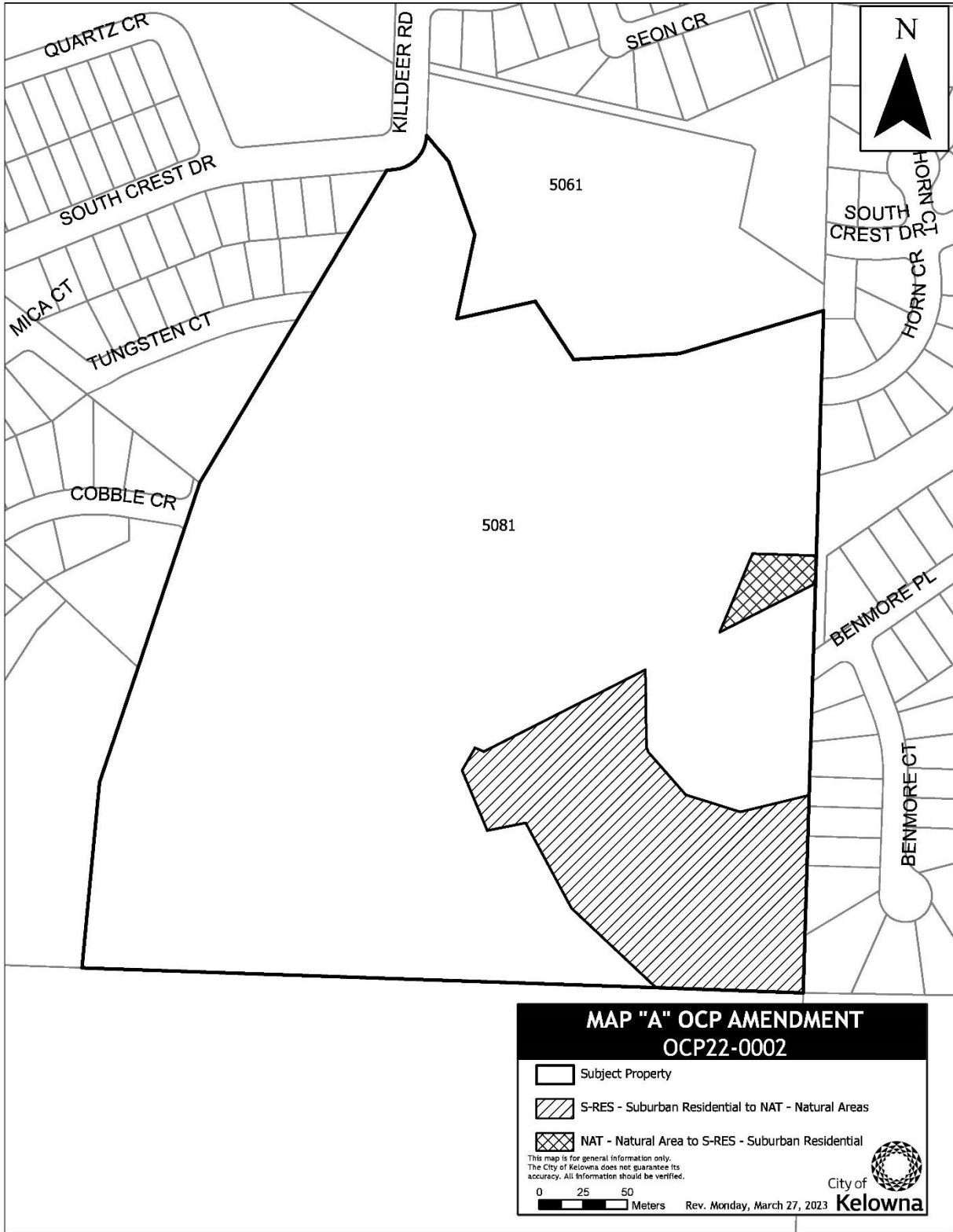
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA

BYLAW NO. 12526

Z22-0004

5081 Killdeer 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 portions of Lot B Section 24 Township 28 SDYD Plan 28853 Except Plans 30846, 30848, 34710, 37381, 39945 and 42749, located on Killdeer Road, Kelowna, BC from the the RR1 – Large Lot Rural Residential zone to the RU2 – Medium Lot Housing zone and the P3 – Parks and Open Space zone as shown on Map "B" 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 time by the Municipal Council this

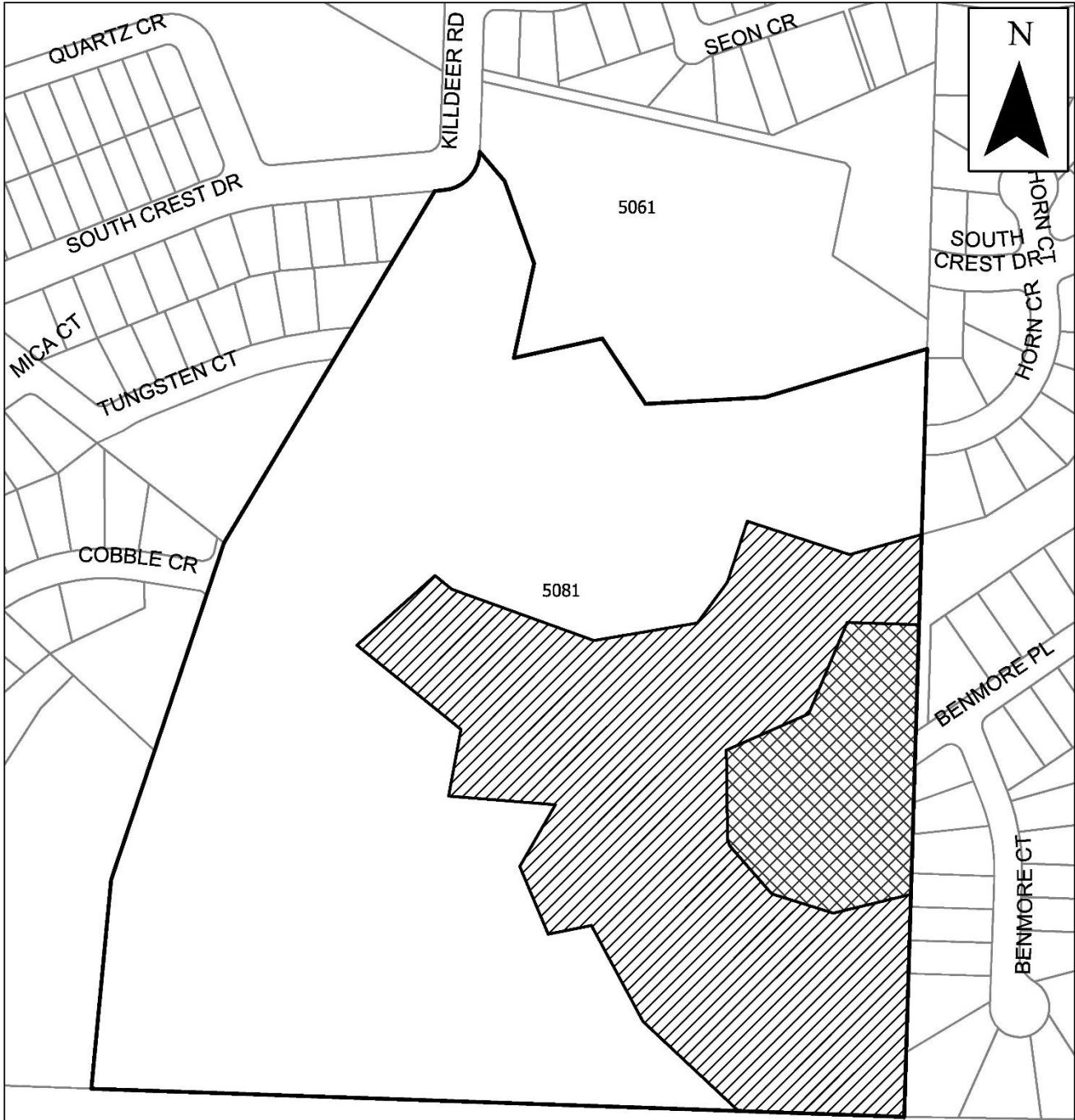
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this




Adopted by the Municipal Council of the City of Kelowna this

Mayor

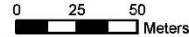
City Clerk



**MAP "B" ZONING AMENDMENT
Z22-0004**

-  Subject Property
-  RR1 - Large Lot Rural Residential to P3 - Parks and Open Space
-  RR1 - Large Lot Rural Residential to RU2 - Medium Lot Housing

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



Rev. Monday, March 27, 2023



REPORT TO COUNCIL



Date: May 8, 2023
To: Council
From: City Manager
Department: Development Planning
Application: DP23-0017
Address: 940 – 1030 Frost Road
Subject: Development Permit
Existing OCP Designation: VC – Village Centre
Existing Zone: VC1 – Village Centre

Owner: 0954654 BC Ltd., Inc. No. BC0954654
Applicant: Callahan Property Group Ltd.

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP23-0017 for Lot A District Lot 579 SDYD Plan EPP127116, located at 940 – 1030 Frost Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the 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 two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

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

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of a commercial development. The subject property is identified for commercial uses in the Area Structure Plan for The Ponds and designated as a Village Centre in the Official Community Plan (OCP).

The proposal aligns with OCP Policy which encourages a range of commercial services in the Village Centre which can support surrounding residential development, orienting buildings toward Frost Road, and making provision for pedestrians including patio and plaza areas.

The proposal is generally consistent with OCP Form & Character Development Permit Area Design Guidelines for Commercial Development. Key guidelines that are met include:

- Orienting buildings towards the street with directly accessible public entries;
- Distributing trees and landscaping throughout the site to soften property edges and defining pedestrian routes and open spaces to provide separation from vehicles;
- Designing site accesses and parking lots to link with adjacent development;
- Providing articulated facades with various design features and integrated signage to differentiate multiple storefronts while using an integrated, consistent range of materials and colors.

4.0 Proposal

4.1 Background

The Neighbourhood 3 Area Structure Plan for "The Ponds" neighbourhood was adopted by Council on April 3, 2007. The Plan envisioned a substantial mixed-use 'Village Centre' with places to live, work, shop, and socialize that would be the focal point of the community.

The subject property was identified as mixed use/commercial. The objective was to establish a conveniently located village centre of a scale sufficient to provide commercial services to meet the day-to-day needs of residents throughout the neighbourhood. The Village Centre in Neighbourhood 3 was planned to accommodate 45,000 m² to 95,000 m² of commercial floor area.

On August 22, 2022, Council considered a Form & Character Development Permit for Phase 1 of the commercial development, on the same parcel. Phase 1 includes 7,773 m² of commercial space.

4.2 Project Description

The proposed development consists of five commercial buildings containing 3340 m² of commercial space. All five buildings are single-storey in height and surround a surface parking lot. Three of the buildings have storefronts directly onto Frost Road.

The site is designed to accommodate pedestrian and vehicle connectivity with the Phase 1 development on the same parcel. 106 vehicle parking stalls, 22 short-term bicycle spaces, and 9 long-term bicycle spaces are provided in this phase of the development, in addition to the 242 vehicle parking stalls, 18 short-term bicycle spaces, and 4 long-term bicycle spaces provided in Phase 1. An end-of-trip bicycle facility including showers, toilets, sinks and storage lockers is also proposed.

Proposed materials include red & grey brick, beige & grey stucco, drystack stone, stone tiles, and fibre cement panels in a variety of colours and textures. The materials and colours are inspired from the surrounding region, including the natural landscape and Myra Canyon Trestles. Proposed landscaping includes 74 trees throughout the subject site including adjacent to sidewalks and patios. A landscaped central green space is provided to break up the surface parking lot.

4.3 Site Context

The subject property is part of The Ponds neighbourhood in the Upper Mission. It is located on the north side of Frost Road between Gordon Drive and Steele Road. Canyon Falls Middle School is 300 m to the east. Transit stops are located on Gordon Drive approximately 300 m to the west.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 – Parks and Open Space	Powerline Park
East	VC1 – Village Centre	Vacant
South	VC1 – Village Centre MF3 – Apartment Housing	Vacant
West	RU1 – Large Lot Housing	Single Detached Dwellings

Subject Property Map: 988 Frost Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	VC1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	750 m ²	42,000 m ²
Min. Lot Width	25 m	~390 m
Min. Lot Depth	30 m	~125 m
Development Regulations		
Max. Floor Area Ratio	1.5	0.24

Max. Site Coverage	75%	24.37%
Max. Height	18 m & 4 storeys	8.0 m & 1 storey
Min. Front Yard	3.0 m	3.0 m
Min. Side Yard (west)	3.0 m	>3.0 m
Min. Side Yard (east)	3.0 m	>3.0 m
Min. Rear Yard	4.5 m	>4.5 m
Other Regulations		
Min. Parking Requirements	100 stalls	106 stalls
Min. Bicycle Parking	22 short-term 7 long-term	22 short-term 9 long-term
Min. Loading Space	2	2

5.0 Current Development Policies

Objective 7.1 Create more complete communities in Suburban Neighbourhoods

Policy 7.1.2 Suburban Village Centre Services	<p>Encourage the provision of a range of services by developing Suburban Village Centres that are scaled to support residential development in the surrounding neighbourhood. Such services may include, but are not limited to:</p> <ul style="list-style-type: none"> • Food, retail, services and programs; • Banks and credit unions; • Medical, health and wellness services; • Daycares and schools; and • Places of worship and other community gathering spaces. <p><i>The proposed development includes a range of commercial buildings, which can be demised into various sizes to accommodate a range commercial services.</i></p>
Policy 7.1.3 Pedestrian Oriented Village Centres	<p>Promote human scaled, walkable Suburban Village Centres. Approaches shall include, but not be limited to:</p> <ul style="list-style-type: none"> • Locating retail, restaurants and services uses at grade; • Public gathering places such as urban plazas; • Providing clear, comfortable pedestrian routes through surface parking lots; and • Strategically locating landscaping and street trees to maximize pedestrian comfort. <p><i>The proposed development includes commercial uses at grade, which could accommodate retail, restaurant and service uses. It includes generous patio areas around several of the buildings and pedestrian routes through the surface parking lot.</i></p>
Policy 7.1.4 The Ponds Village Centre	<p>Support development in the Ponds Village Centre that includes the following characteristics:</p> <ul style="list-style-type: none"> • A mix of commercial and residential development to a maximum height of approximately four storeys; and • Orientation of buildings towards Frost Road, with minimal surface parking between the road and the buildings. <p><i>The proposed development includes single storey commercial buildings. Three of the proposed buildings are oriented with storefronts on Frost Road.</i></p>

6.0 Application Chronology

Date of Application Received: February 3, 2023

Report prepared by: Mark Tanner, 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: Draft Development Permit DP23-0017

Schedule A: Site Plan and Floor Plans

Schedule B: Elevations

Schedule C: Landscape Plan

Attachment B: OCP Form and Character Development Permit Guidelines

Attachment C: Applicant's Design Rationale Letter

Attachment D: Rendering

Development Permit

DP23-0017

ATTACHMENT A

This forms part of application

DP23-0017

Planner
Initials

MT

City of
Kelowna
COMMUNITY PLANNING



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

940 – 1030 Frost Road

and legally known as

Lot A District Lot 579 SDYD Plan EPP127116

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

Retail

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

Date of Council Approval: May 15, 2023

Development Permit Area: Form & Character

Existing Zone: VC1 – Village Centre

Future Land Use Designation: VC – Village 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: 0954654 BC Ltd., Inc. No. BC0954654

Applicant: Callahan Property Group Ltd.

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date of Issuance

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. DP23-0017 for Lot A District Lot 579 SDYD Plan EPP127116, located at 940 – 1030 Frost Road, 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 **\$209,911.25**

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.

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

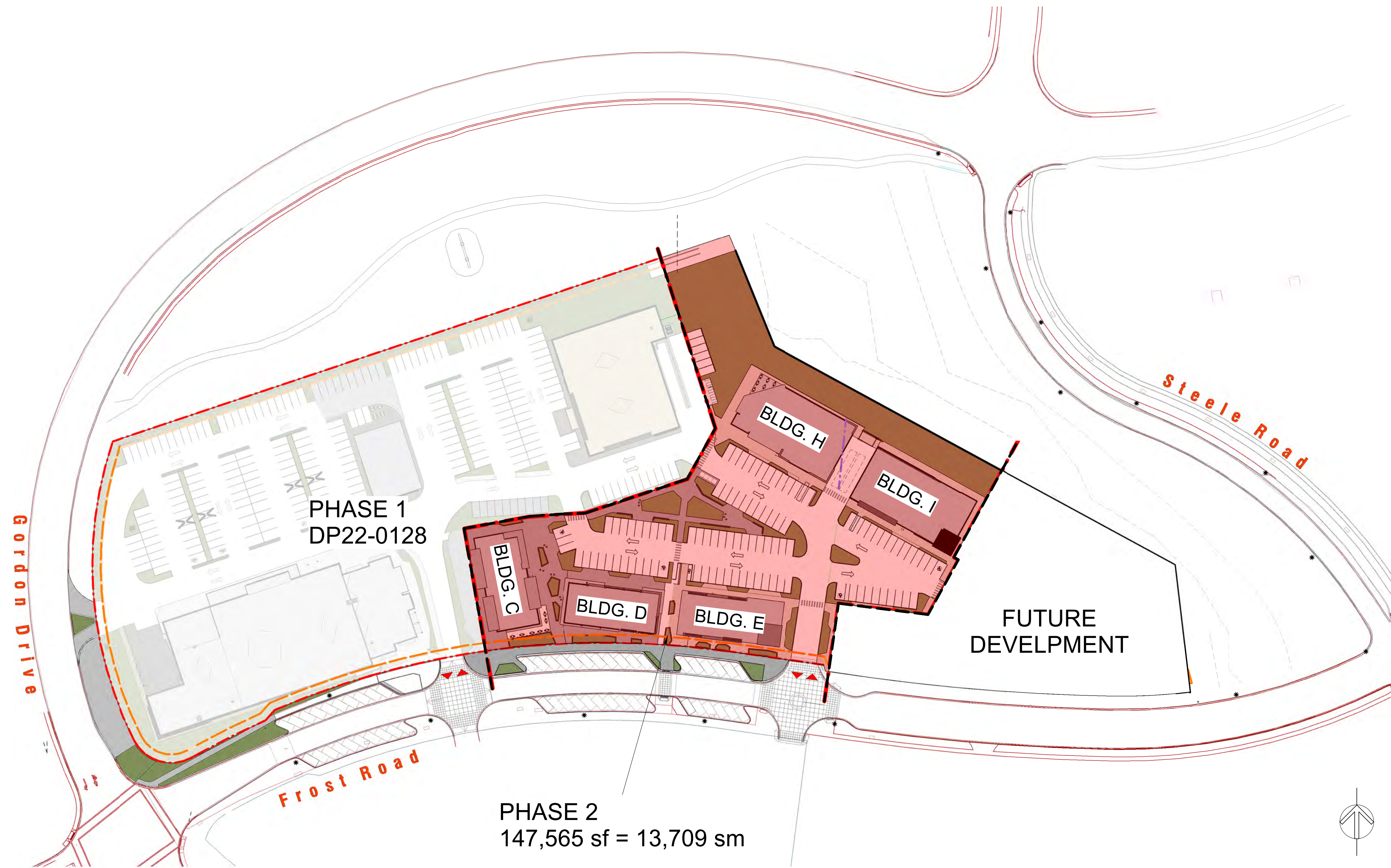
SCHEDULE A

This forms part of application
DP23-0017



City of Kelowna
COMMUNITY PLANNING

Planner Initials **MT**



PROJECT STATISTICS

SCALE: 1" = 80'-0"

SITE STATISTICS

ZONING:	VC1		
USE:	Commercial		
Phase 2 FSR:	0.24		
Phase 2 - % SITE COVERAGE:	24.37%		
Phase 2 - SITE AREA:		SF.	SM.
		147,565	13,709
Phase 2 - GFA:		35,955	3,340

GFA	MAX BUILDING HEIGHT	SF.	SM.
BUILDING C	24'-0" = 7.3 m	6,500	604
BUILDING D	24'-0" = 7.3 m	5,685	528
BUILDING E	24'-0" = 7.3 m	5,520	513
BUILDING H	25'-0" = 7.6 m	8,900	827
BUILDING I	27'-6" = 8.4 m	9,350	869
TOTAL		35,955	3,340

VEHICLE PARKING STALLS	REQ.	PROVIDED
ACCESSIBLE	4	4
VAN ACCESS	1	1
REGULAR STALLS	95	101
TOTAL VEHICLE STALLS	100	106
3.0 spaces per 100 m ² GFA		

BICYCLES STALLS	REQ.	PROVIDED
SHORT TERM		
2.0 per entrance		
BUILDINGS C-D-E- AND I = 2 ENTRANCES	22	22
BUILDINGS H= 3 ENTRANCES		
LONG TERM		
0.2 per 100 m ² of GFA	7	9

END-OF-TRIP FACILITY phase 1 + phase 2			
PHASE	LONG-TERM BICYCLE PARKING SPACES	SF.	SM.
phase 1	11	58,556	5,440
phase 2	9	35,955	3,340
TOTAL	20		
N. OF SHOWERS	N. OF TOILETS	N. OF SINKS	N. OF STORAGE LOCKERS
2	2	2	10

LOADING	REQ.	PROVIDED
1 per 1,900 m ² GFA	2	2

PRINCIPALS

Christopher Block
M Arch, Architect AIBC, AAA,
SAA, OAA, LEED AP BD+C

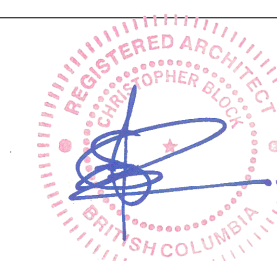
Marcel S. Proskow
CRX, CDP

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2023-01-19

COMMERCIAL DEVELOPMENT SITE

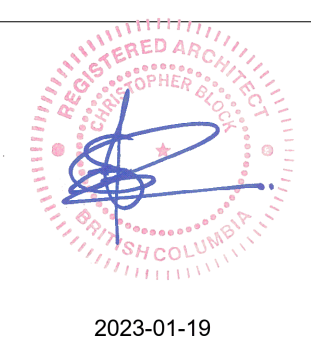
988 Frost Road, Kelowna, BC

PROJECT STATISTICS

PROJECT No: 22005
DATE: Jan 20th 2023
SCALE: 1" = 80'-0"



SITE PLAN
 SCALE: 3/64" = 1'-0"





VIEW C-01



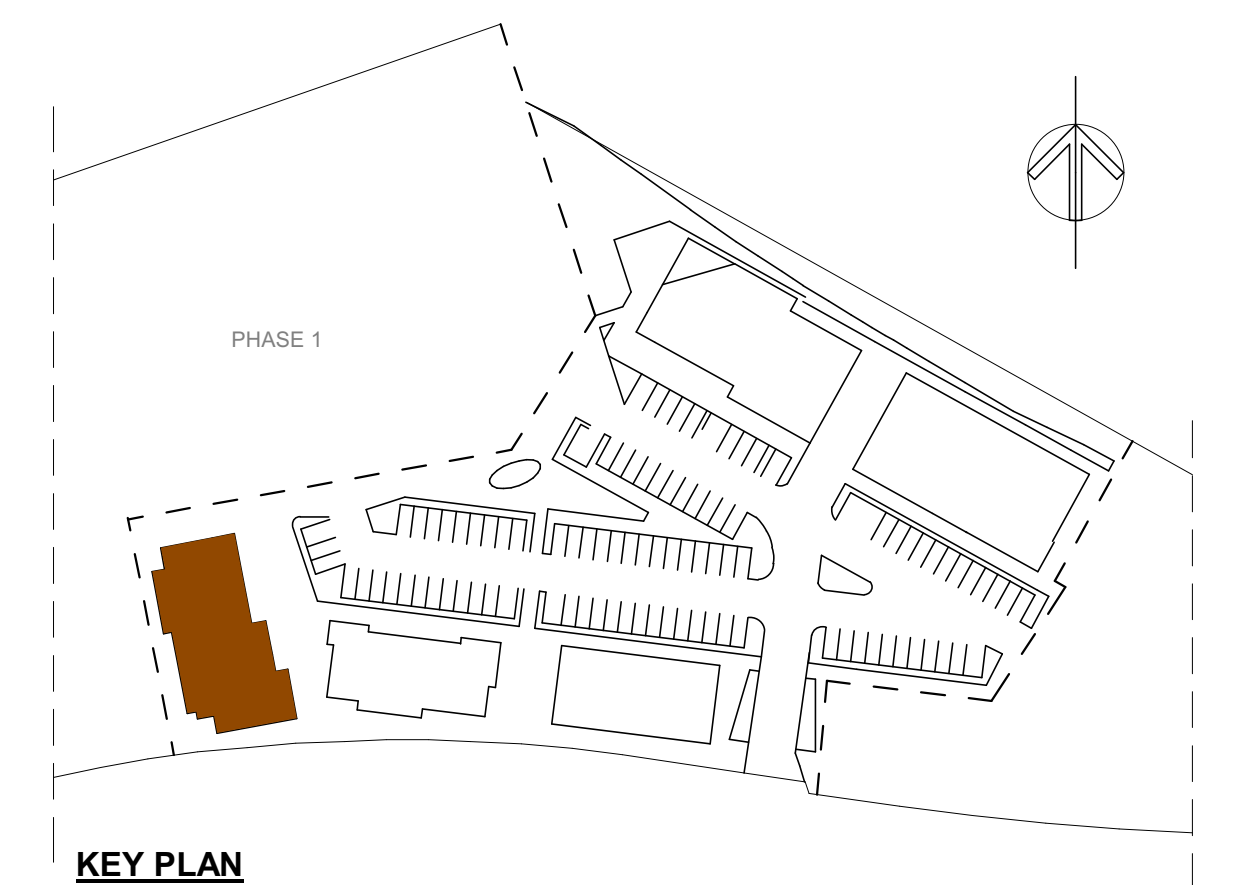
VIEW C-02

SCHEDULE A

This forms part of application
DP23-0017

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



BLDG C PLAN
SCALE: 1/8" = 1'-0"

PRINCIPALS

Christopher Block
M Arch, Architect AIBC, AAA,
SAA, OAA, LEED AP BD+C

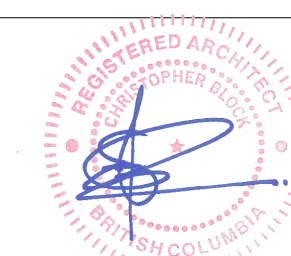
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2023-01-19

COMMERCIAL
DEVELOPMENT SITE

988 Frost Road, Kelowna, BC

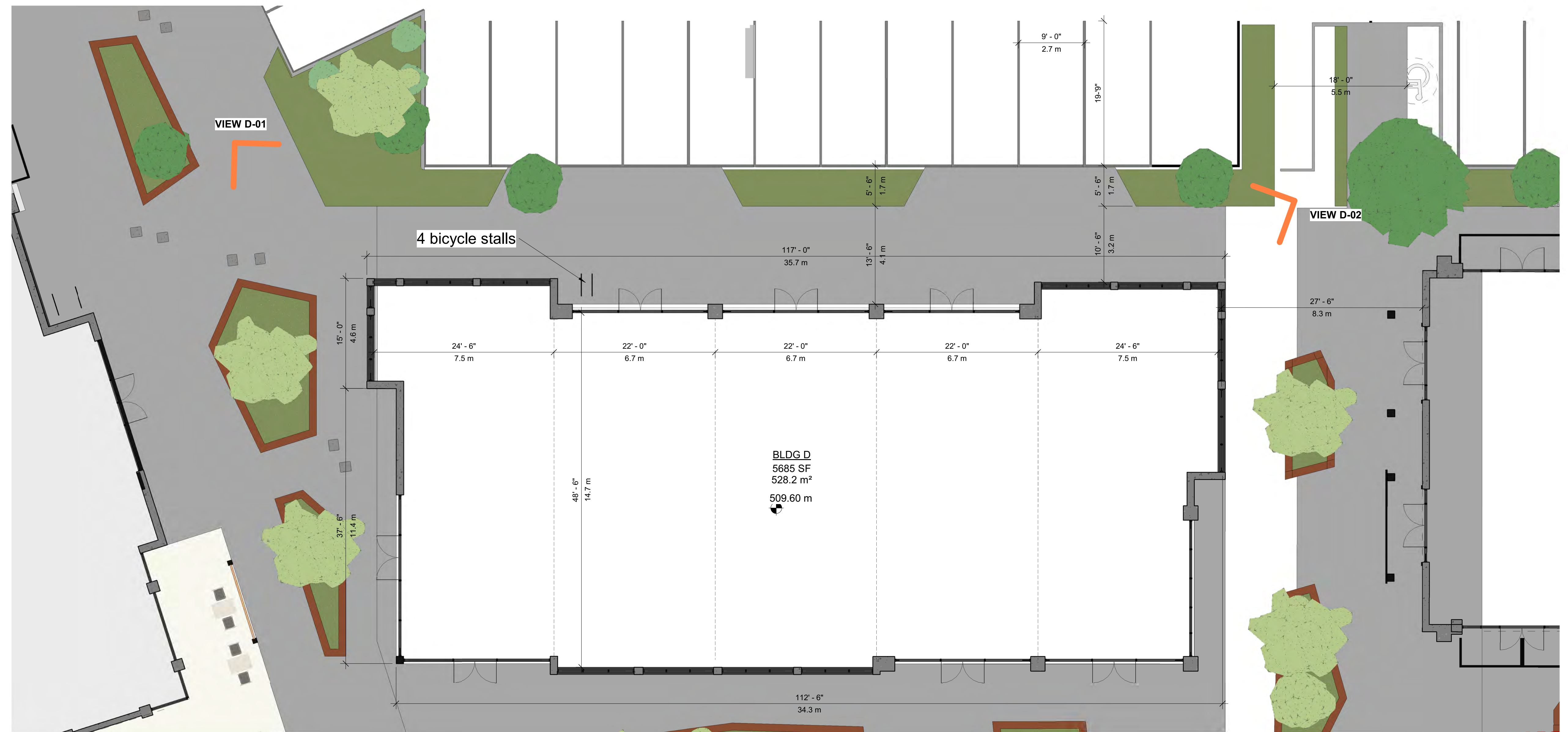
BUILDING C - FLOOR PLAN

PROJECT No: 22005
DATE: Jan 20th 2023
SCALE: 1/8" = 1'-0"

SCHEDULE A
 This forms part of application
 # DP23-0017

Planner Initials **MT**

City of Kelowna
 COMMUNITY PLANNING



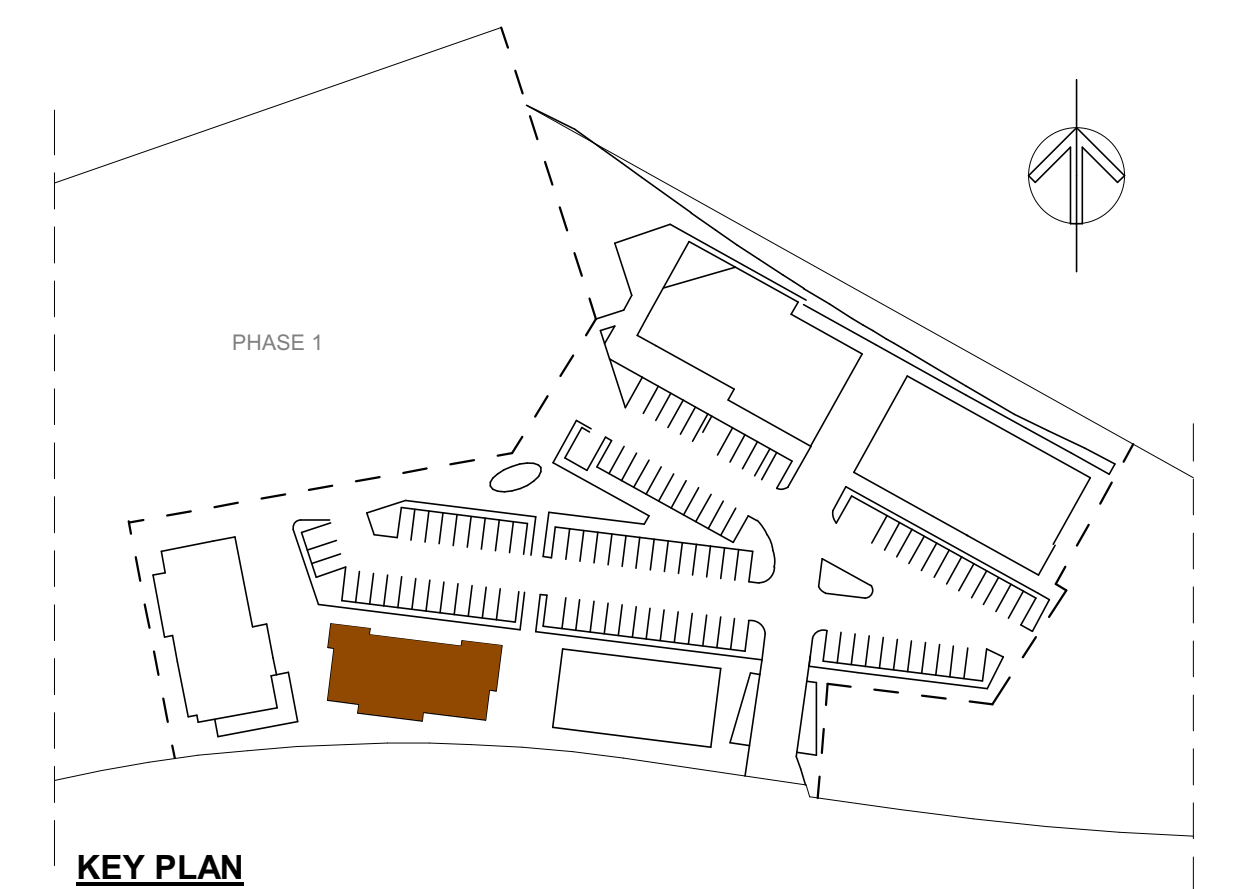
BLDG D PLAN
 SCALE: 1/8" = 1'-0"



VIEW D-01



VIEW D-02



KEY PLAN

PRINCIPALS

Christopher Block
 M Arch, Architect AIBC, AAA,
 SAA, OAA, LEED AP BD+C

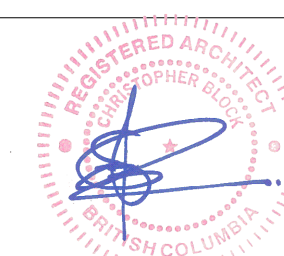
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2023-01-19

COMMERCIAL DEVELOPMENT SITE

988 Frost Road, Kelowna, BC

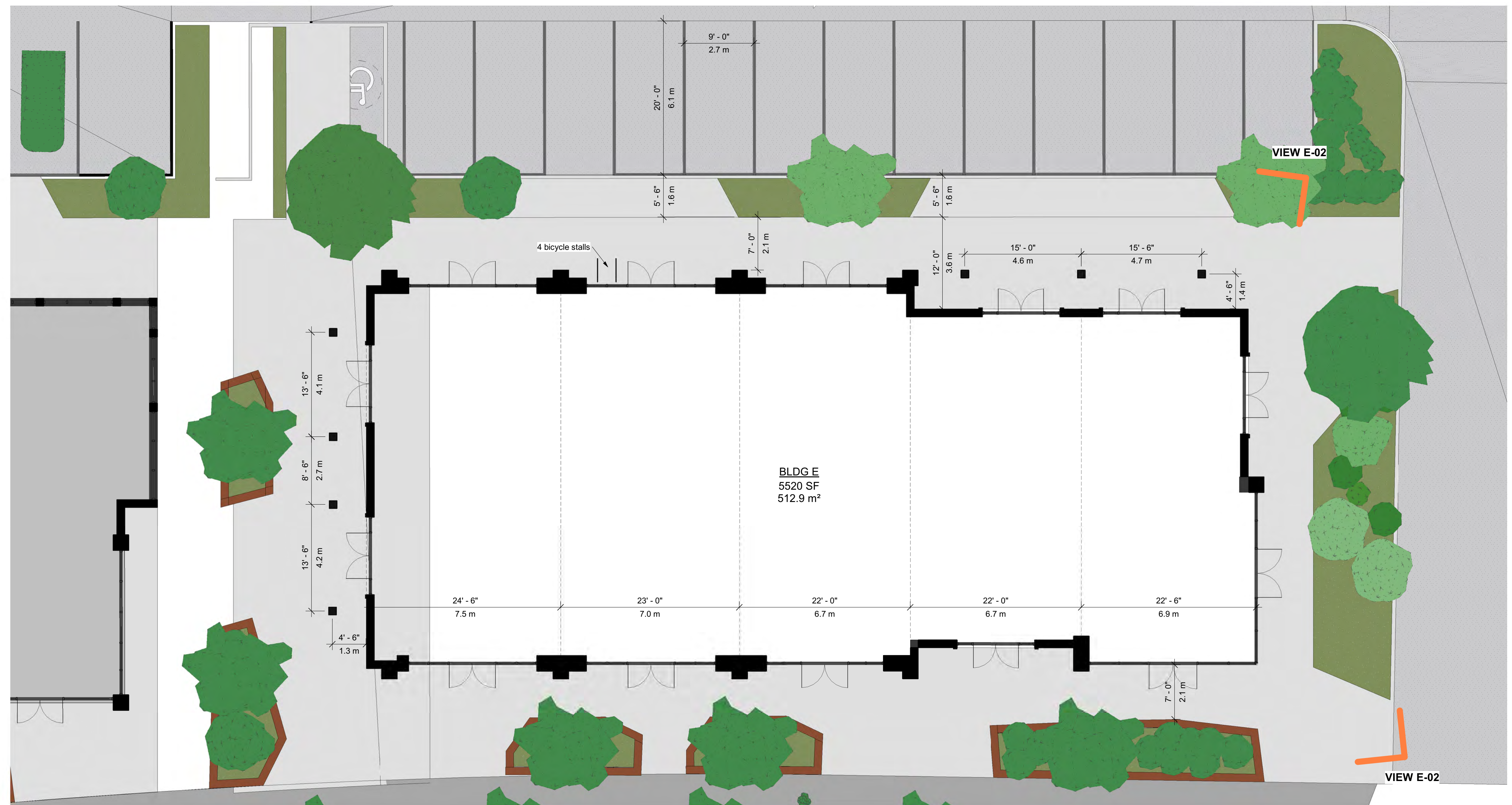
BUILDING D - FLOOR PLAN

PROJECT No: **22005**
 DATE: **Jan 20th 2023**
 SCALE: **1/8" = 1'-0"**

SCHEDULE A

This forms part of application
DP23-0017

Planner Initials **MT**

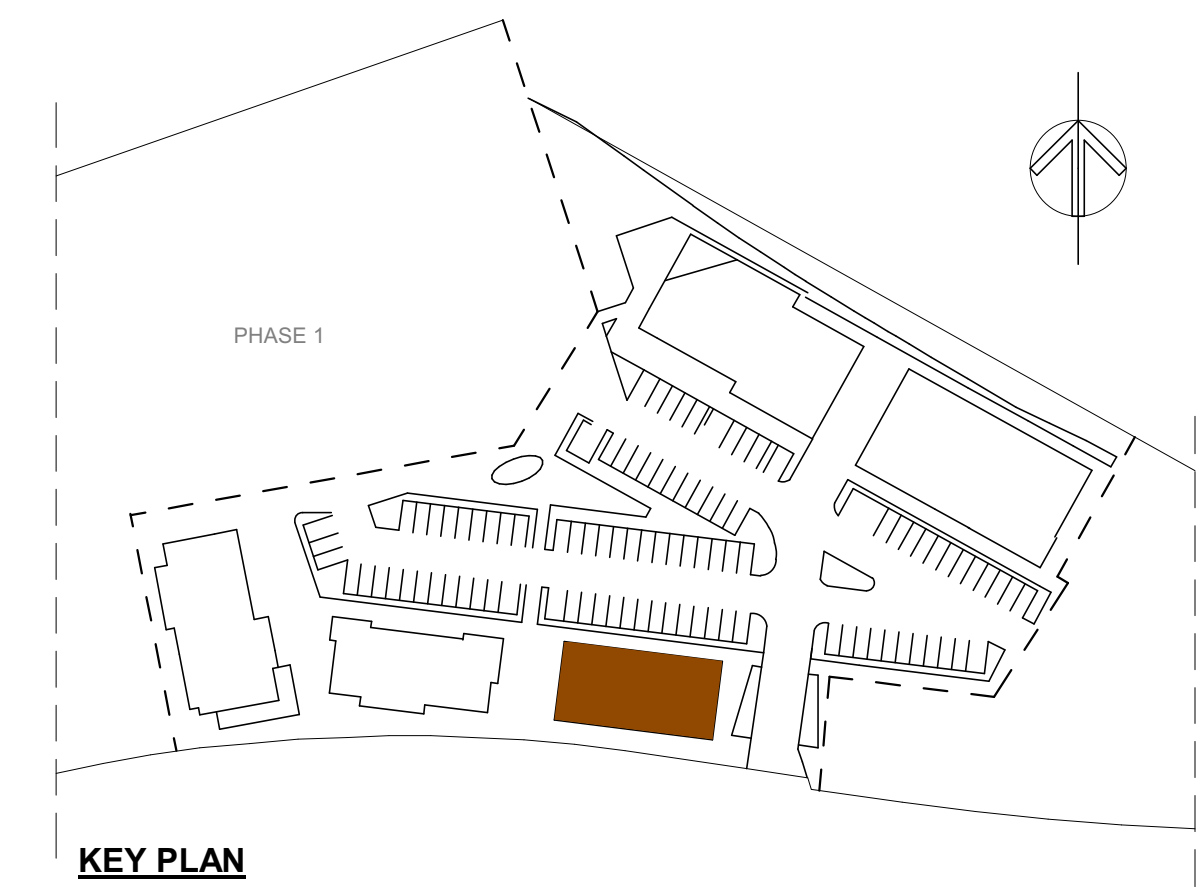
BLDG E FLOOR PLAN
SCALE: 1/8" = 1'-0"



VIEW E-01



VIEW D-E2



KEY PLAN

PRINCIPALS

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SAA, OAA, LEED AP BD+C

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2023-01-19

COMMERCIAL DEVELOPMENT SITE

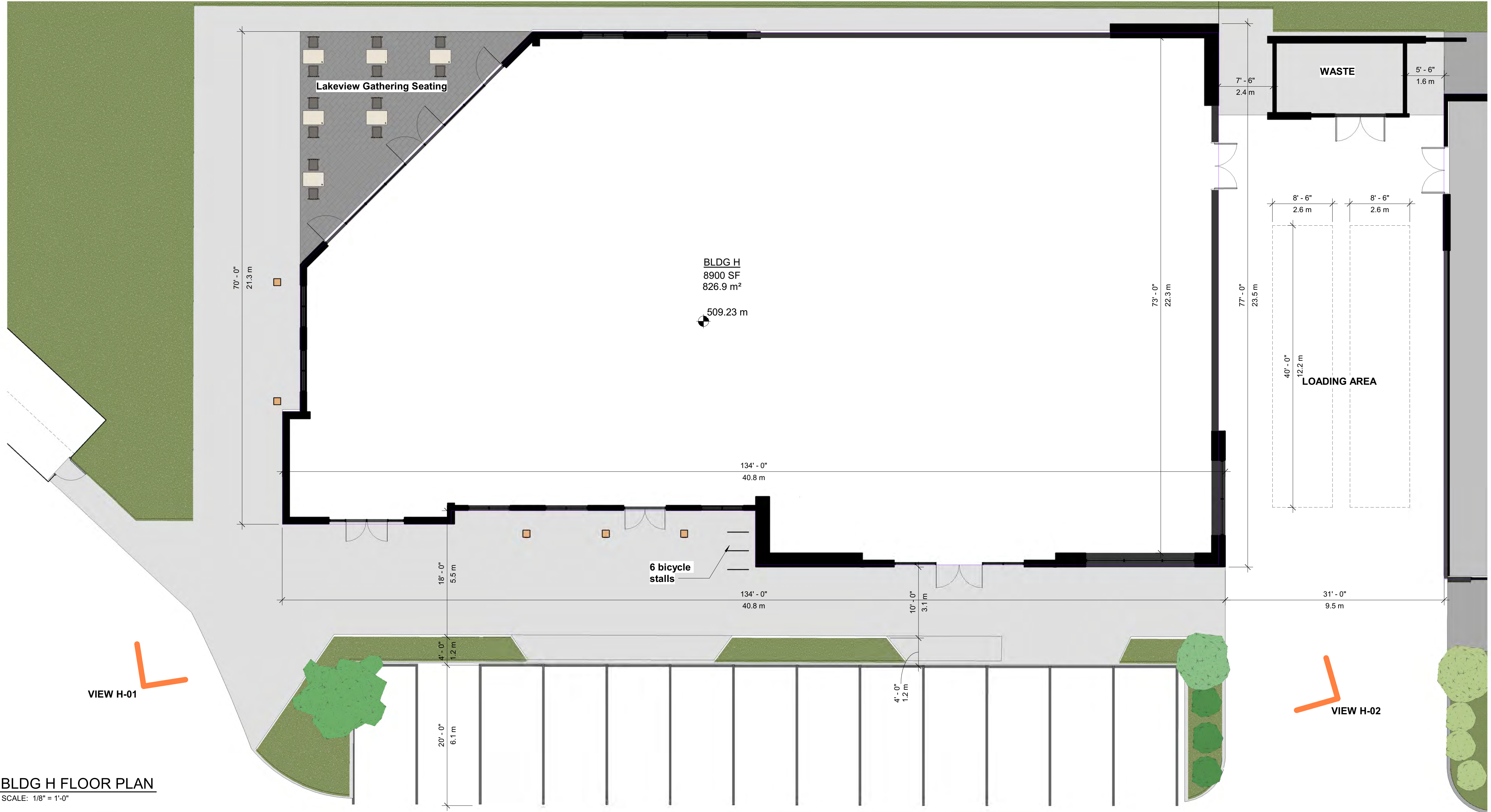
988 Frost Road, Kelowna, BC

BUILDING E - FLOOR PLAN

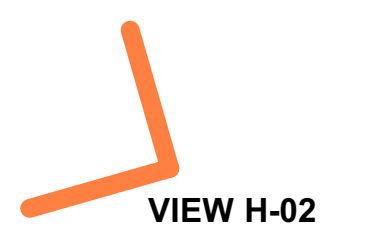
PROJECT No: 22005
DATE: Jan 20th 2023
SCALE: 1/8" = 1'-0"

SCHEDULE A
 This forms part of application
 # DP23-0017

Planner Initials **MT**



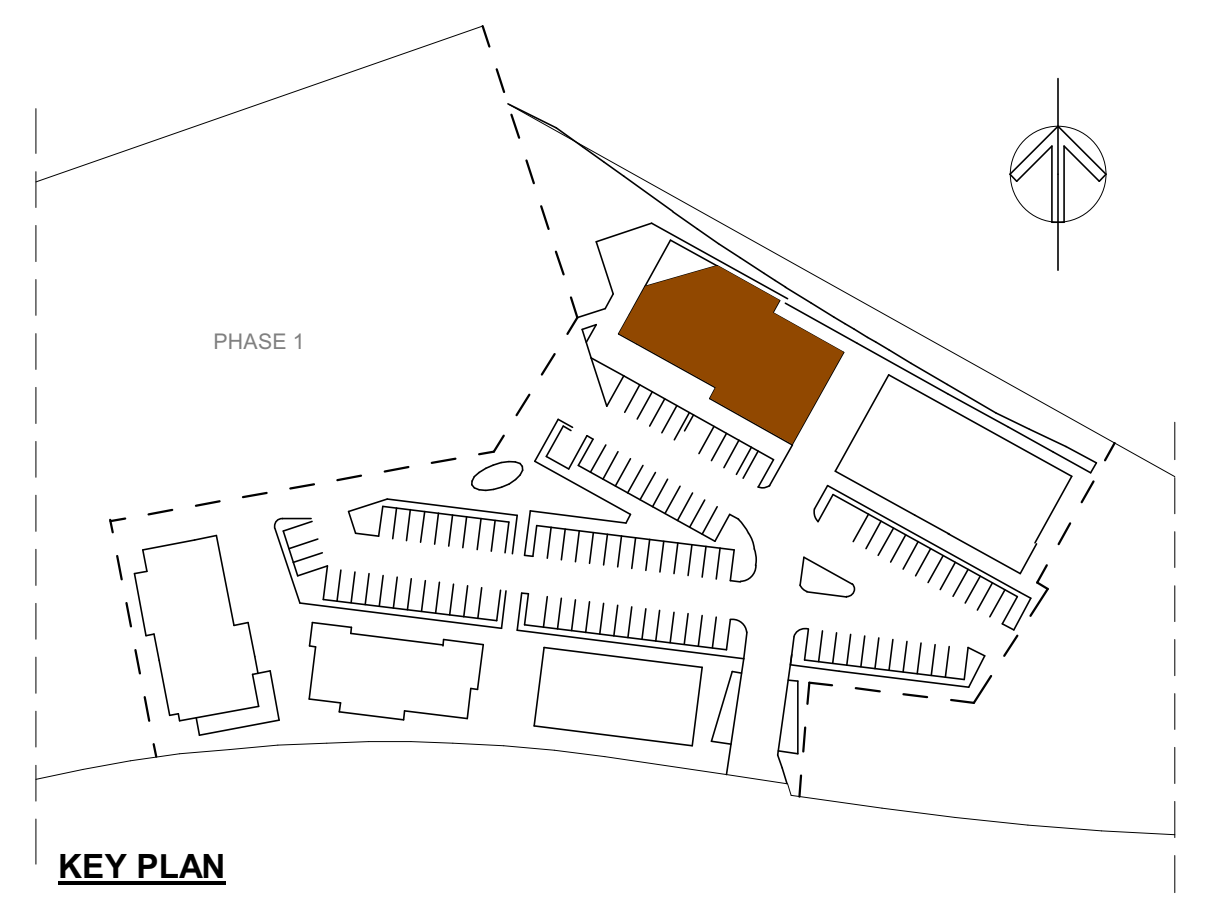
BLDG H FLOOR PLAN
 SCALE: 1/8" = 1'-0"



VIEW H-01



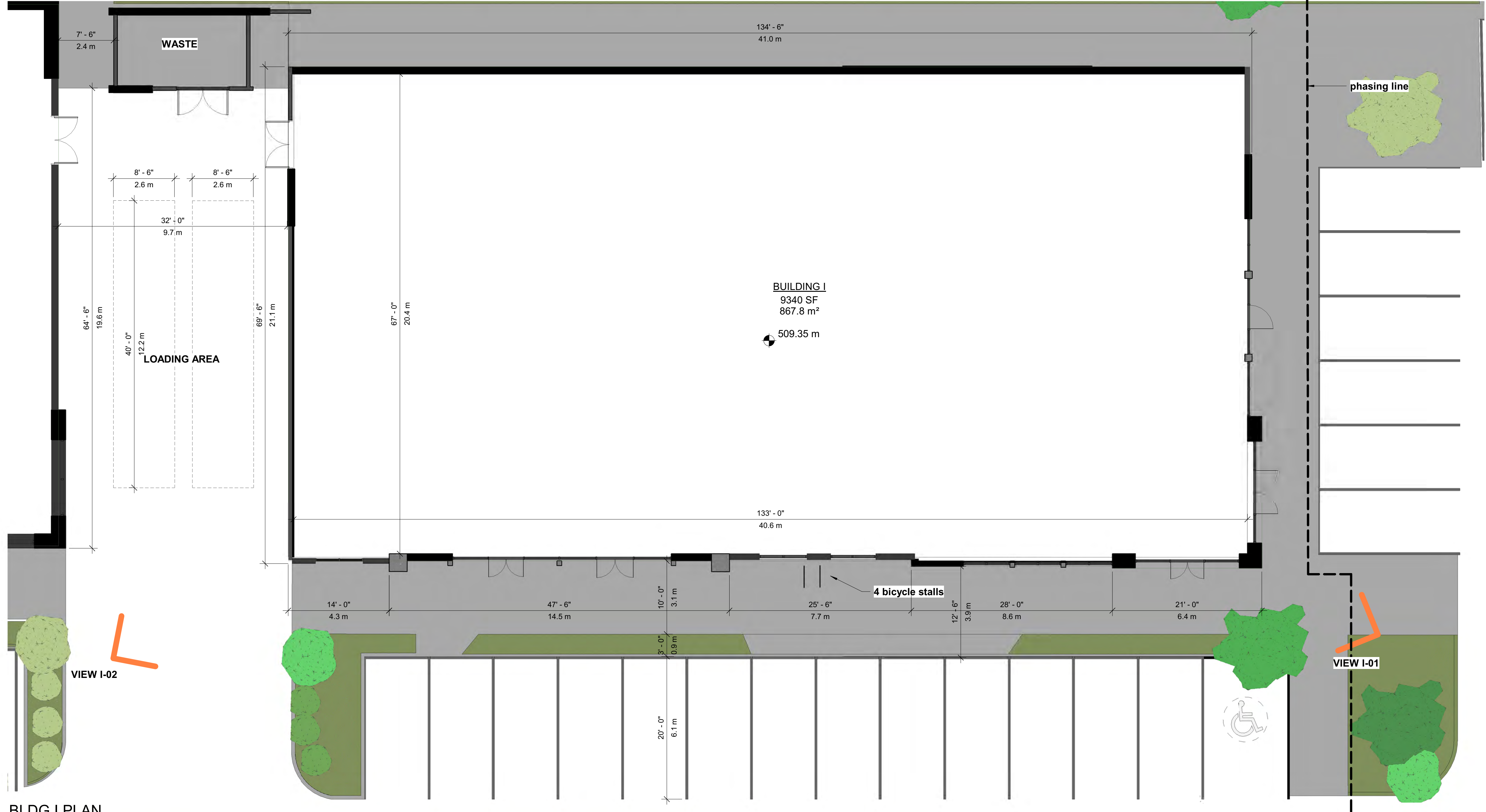
VIEW H-02



SCHEDULE A
 This forms part of application
 # DP23-0017

Planner Initials **MT**

City of Kelowna
 COMMUNITY PLANNING



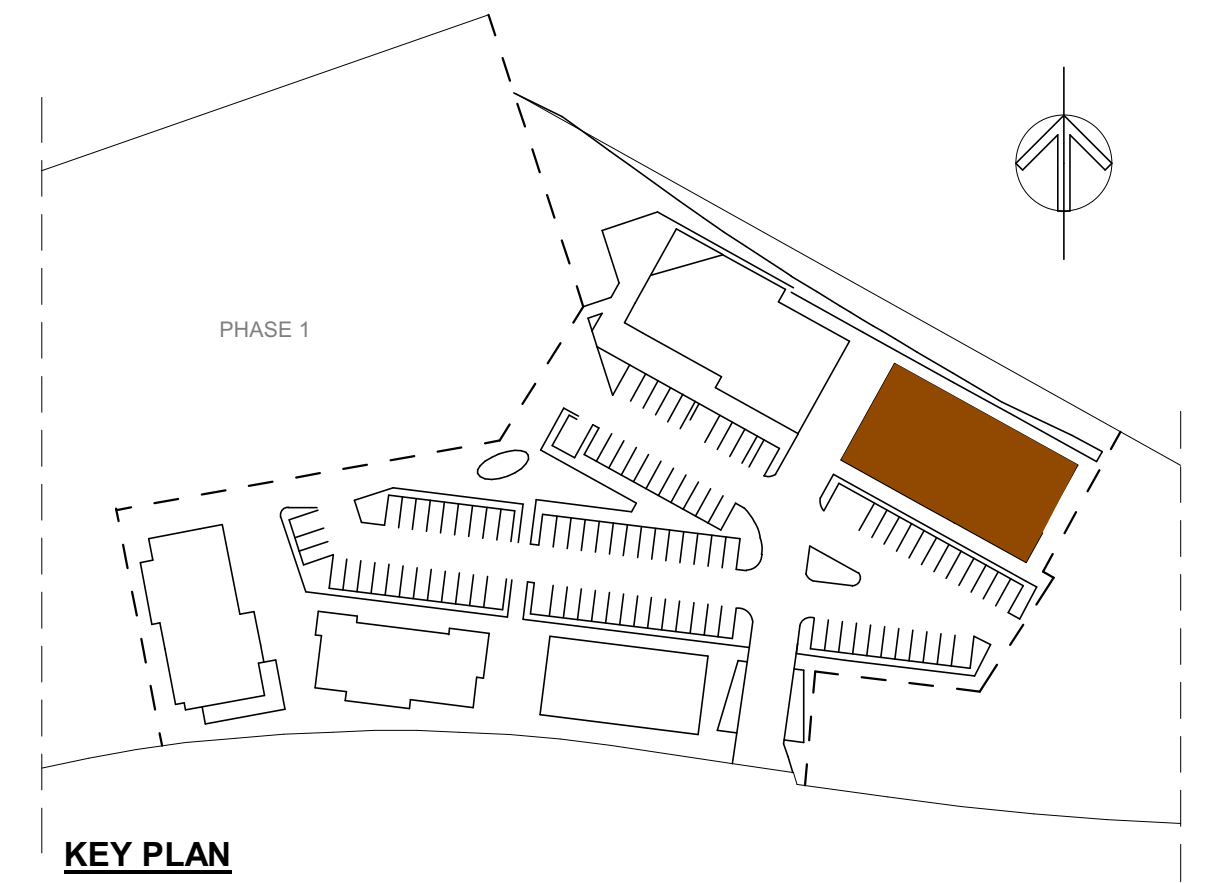
BLDG I PLAN
 SCALE: 1/8" = 1'-0"



VIEW I-01



VIEW I-02



PRINCIPALS

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BLDG C - East Elev.
SCALE: 1/8" = 1'-0"



BLDG C- North Elev.
SCALE: 1/8" = 1'-0"



BLDG C - West Elev.
SCALE: 1/8" = 1'-0"



BLDG C- South Elev.
SCALE: 1/8" = 1'-0"

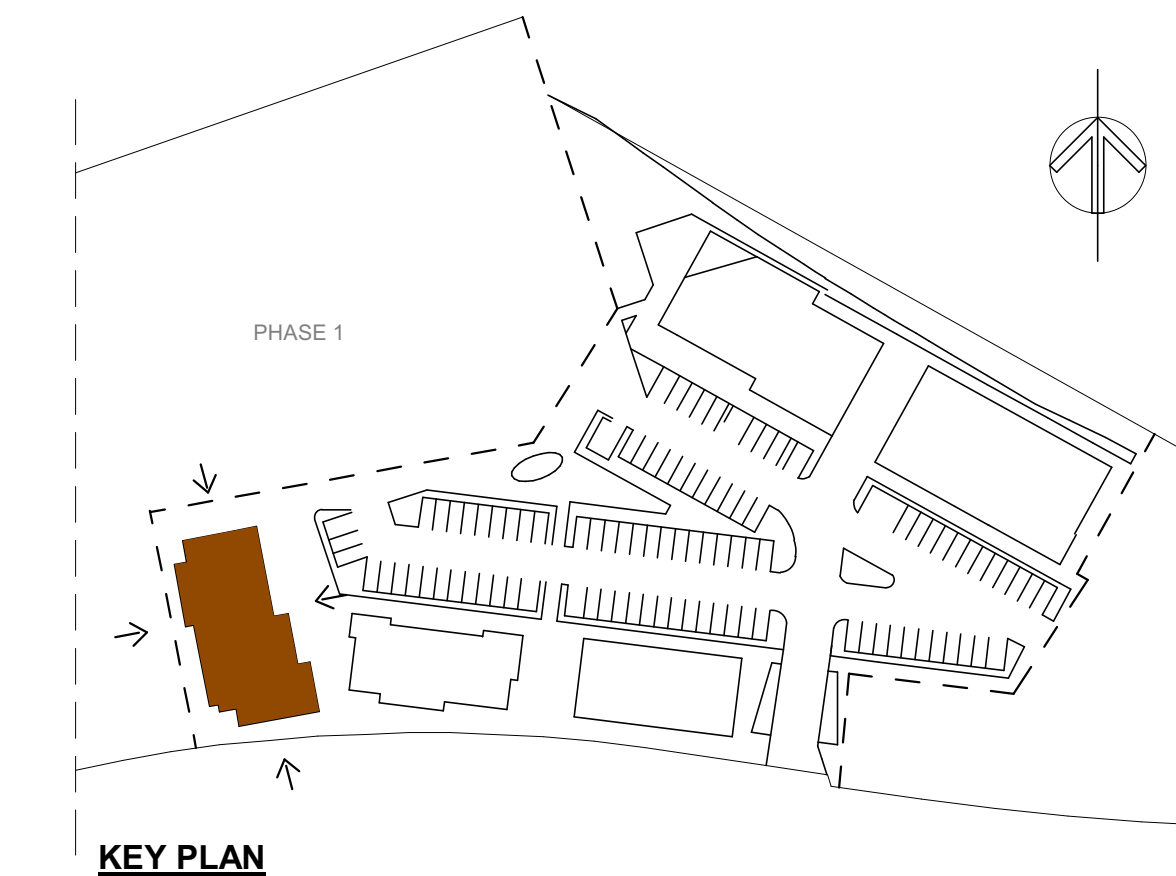
KEYNOTES	
Key Value	Keynote Text
1a	BRICK VENEER, COLOUR: DARK RED
2a	FIBER CEMENT PANEL SIDING, VERTICAL, COLOUR: CHARCOAL
3a	NATURAL STONE, DRYSTAK, COLOUR: BEIGE
3c	NATURAL STONE, TILE, COLOUR: BEIGE
5b	STUCCO PAINT- GREY
5c	STUCCO DECORATIVE ELEMENTS
6a	CMU BLOCK - CHARCOAL
6b	CMU BLOCK - BEIGE
7a	PRE-FINISHED METAL & GLASS CANOPY, PAINTED, COLOUR: BLACK
7c	PRE-FINISHED METAL FLASHING, COLOUR: BLACK
7e	CANOPY, PAINTED, COLOUR: BLACK
8a	CLEAR GLAZING IN ALUMINUM FRAME, COLOUR: CHARCOAL
8b	METAL PANEL, COLOUR: BLACK
10a	WOOD TEXTURE COLUMNS

SCHEDULE B

This forms part of application
DP23-0017

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



PRINCIPALS

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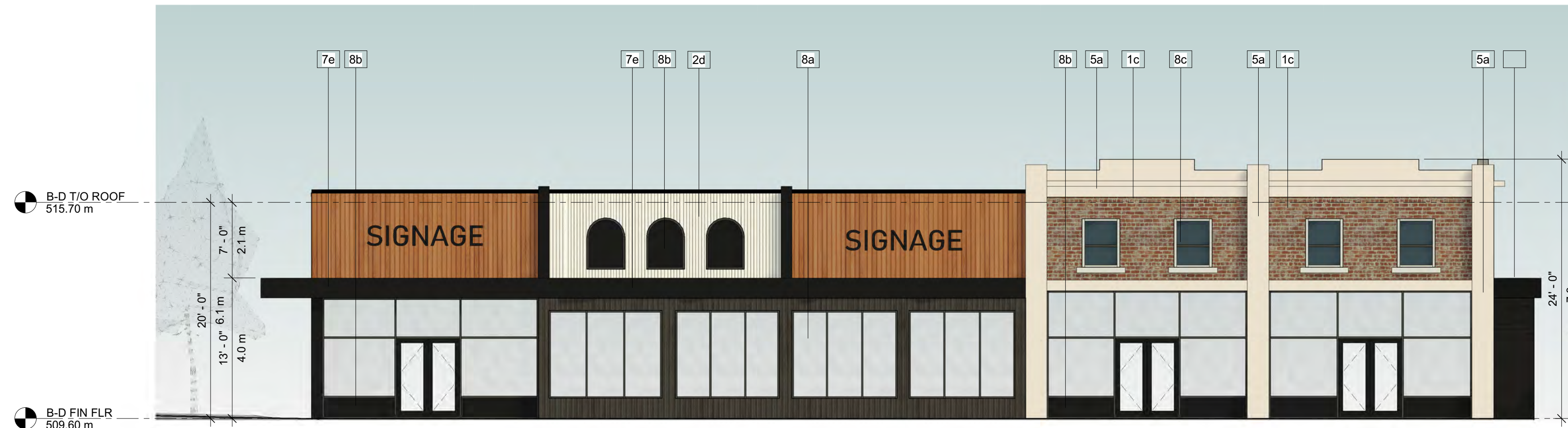
2023-01-19

COMMERCIAL DEVELOPMENT SITE

988 Frost Road, Kelowna, BC

ELEVATIONS BLDG C

PROJECT No: **22005**
DATE: **Jan 20th 2023**
SCALE: **1/8" = 1'-0"**



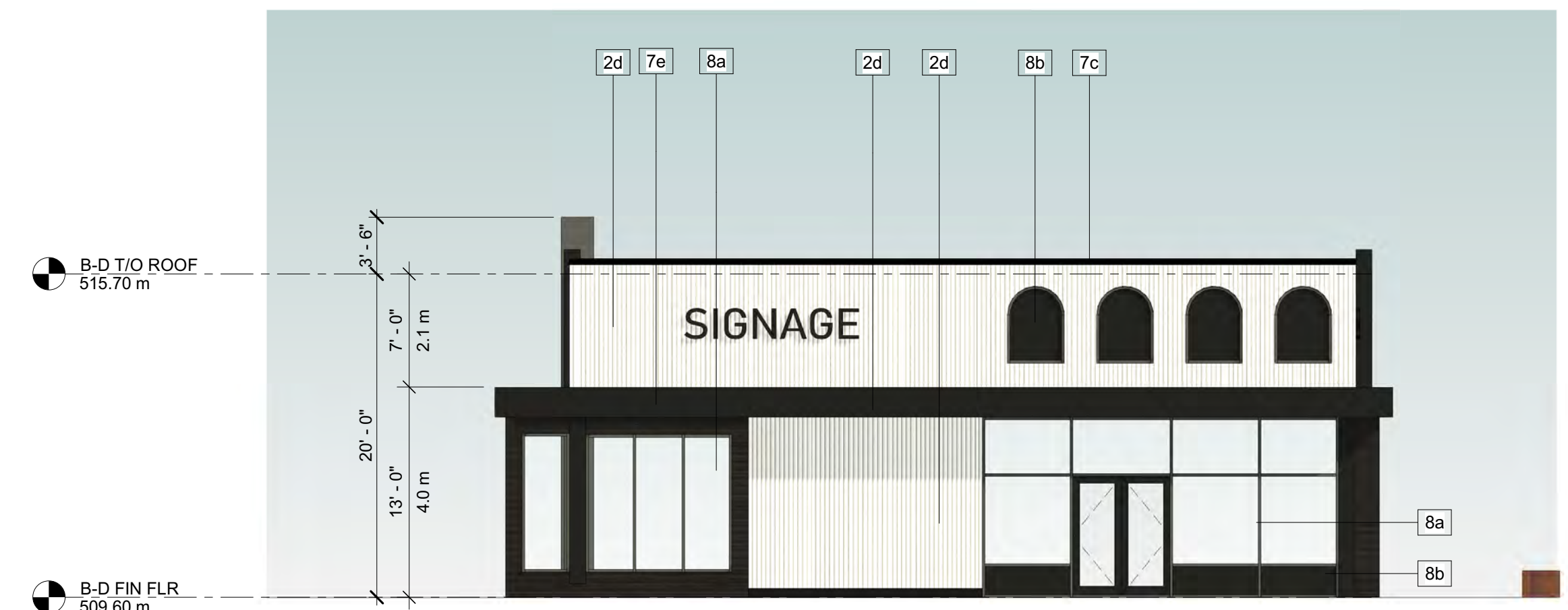
BLDG D - SOUTH ELEV.
SCALE: 1/8" = 1'-0"



BLDG D - EAST ELEV.
SCALE: 1/8" = 1'-0"



BLDG D - NORTH ELEV.
SCALE: 1/8" = 1'-0"



BLDG D - WEST ELEV.
SCALE: 1/8" = 1'-0"

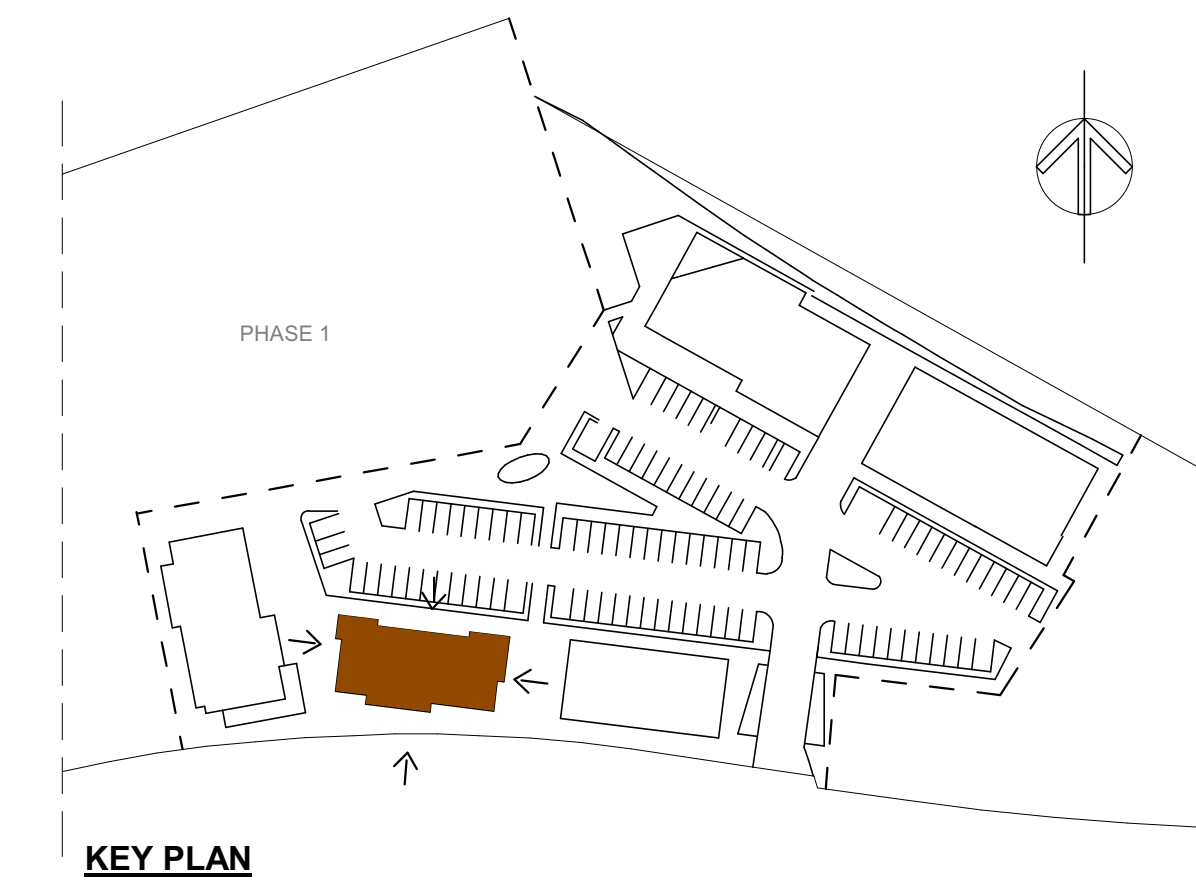
KEYNOTES	
Key Value	Keynote Text
1c	BRICK VENEER, COLOUR: WASHED/RUGGED
2a	FIBER CEMENT PANEL SIDING, VERTICAL, COLOUR: CHARCOAL
2b	FIBER CEMENT PANEL SIDING, VERTICAL, COLOUR: LIGHT WOOD TEXTURE
2d	FIBER CEMENT PANEL SIDING, VERTICAL, COLOUR: WHITE PLANKS
5a	STUCCO PAINT: BEIGE
5c	STUCCO DECORATIVE ELEMENTS
7c	PREFINISHED METAL FLASHING, COLOUR: BLACK
7e	CANOPY, PAINTED, COLOUR: BLACK
8a	CLEAR GLAZING IN ALUMINUM FRAME, COLOUR: CHARCOAL
8b	METAL PANEL, COLOUR: BLACK
8c	SPANDREL GLASS

SCHEDULE B

This forms part of application
DP23-0017

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



PRINCIPALS

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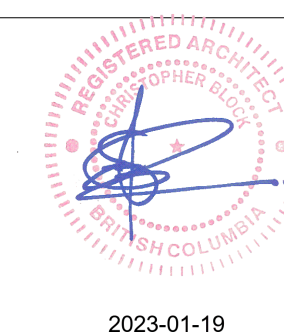
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2023-01-19

ELEVATIONS BLDG D

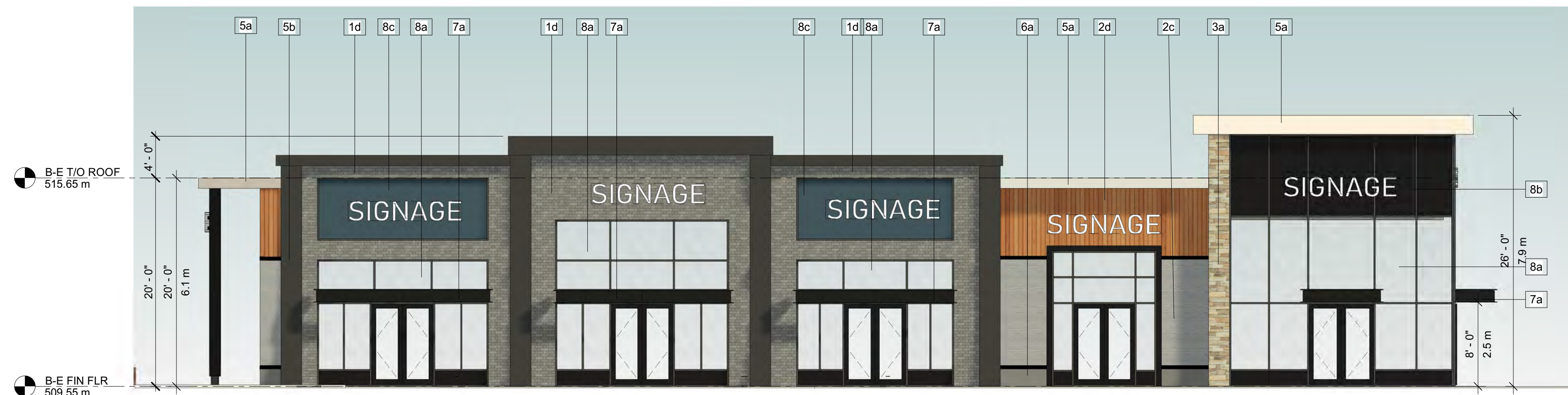
PROJECT No: **22005**
DATE: **Jan 20th 2023**
SCALE: **1/8" = 1'-0"**



BLDG E -North Elev.
SCALE: 1/8" = 1'-0"



BLDG E - East Elev.
SCALE: 1/8" = 1'-0"



BLDG E - South Elev.
SCALE: 1/8" = 1'-0"



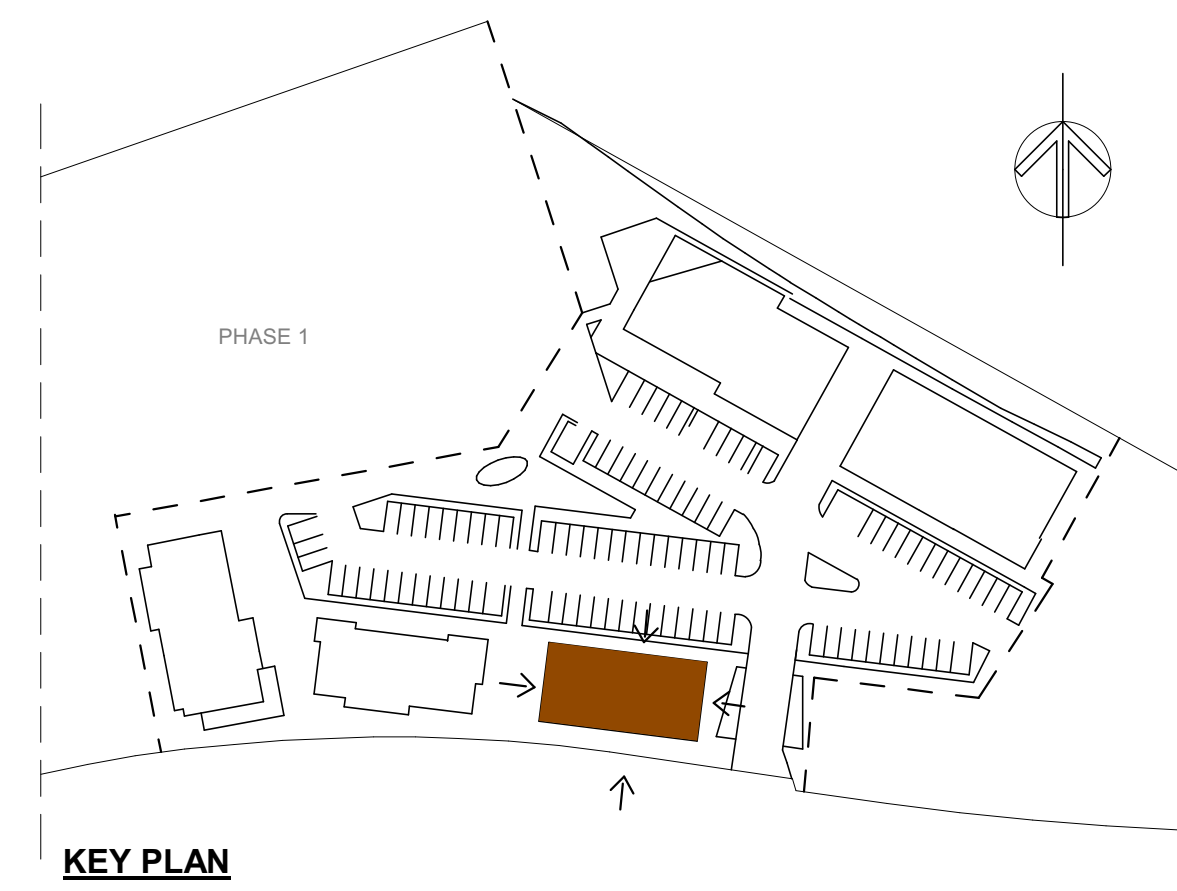
BLDG E - West Elev.
SCALE: 1/8" = 1'-0"

SCHEDULE B

This forms part of application
DP23-0017

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



KEYNOTES	
Key Value	Keynote Text
1d	BRICK VENEER, COLOUR: LIGHT GREY
2b	FIBER CEMENT PANEL SIDING, VERTICAL, COLOUR: LIGHT WOOD TEXTURE
2c	FIBER CEMENT PANEL SIDING, HORIZONTAL, COLOUR: CONCRETE FOG GREY
2d	FIBER CEMENT PANEL SIDING, VERTICAL, COLOUR: WHITE PLANKS
3a	NATURAL STONE, DRYSTAK, COLOUR: BEIGE
5a	STUCCO PAINT- BEIGE
5b	STUCCO PAINT- GREY
6a	CMU BLOCK - CHARCOAL
7a	PREFINISHED METAL & GLASS CANOPY, PAINTED, COLOUR: BLACK
7c	PREFINISHED METAL FLASHING, COLOUR: BLACK
7e	CANOPY, PAINTED, COLOUR: BLACK
8a	CLEAR GLAZING IN ALUMINUM FRAME, COLOUR: CHARCOAL
8b	METAL PANEL, COLOUR: BLACK
8c	SPANDREL GLASS
10b	
15b	

PRINCIPALS

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M Arch, Architect AIBC, AAA,
SAA, OAA, LEED AP BD+C

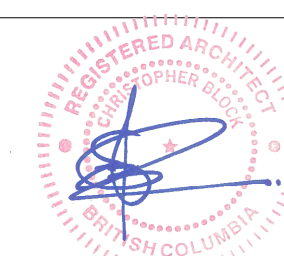
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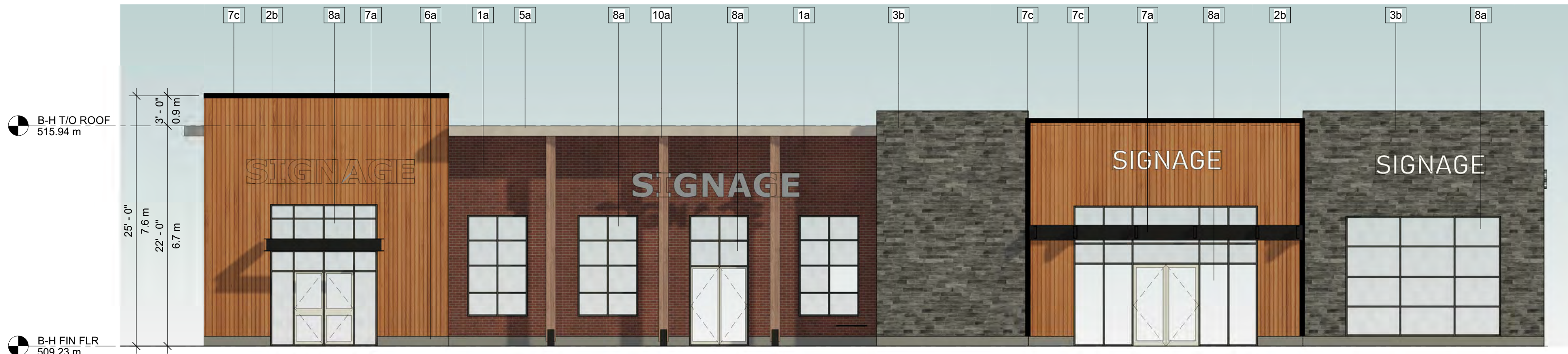
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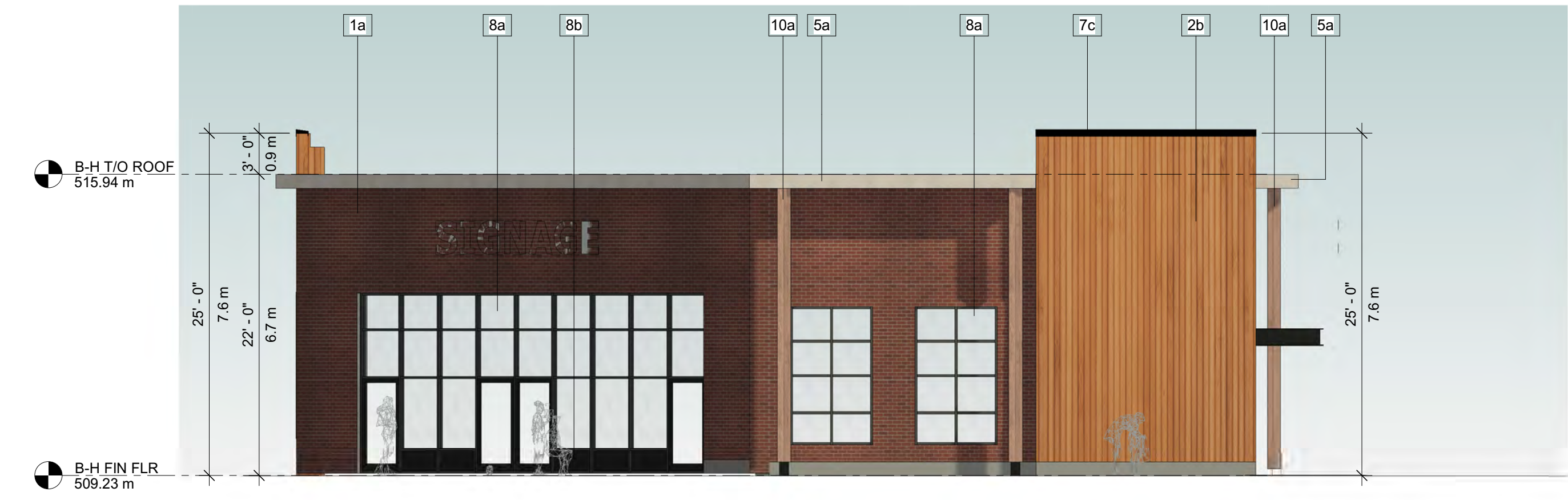
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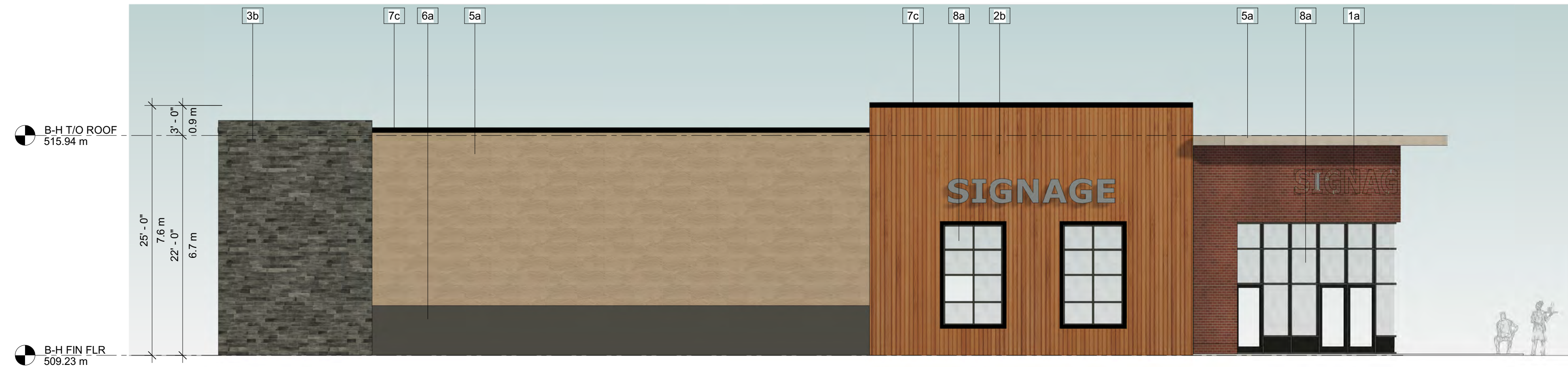
2023-01-19



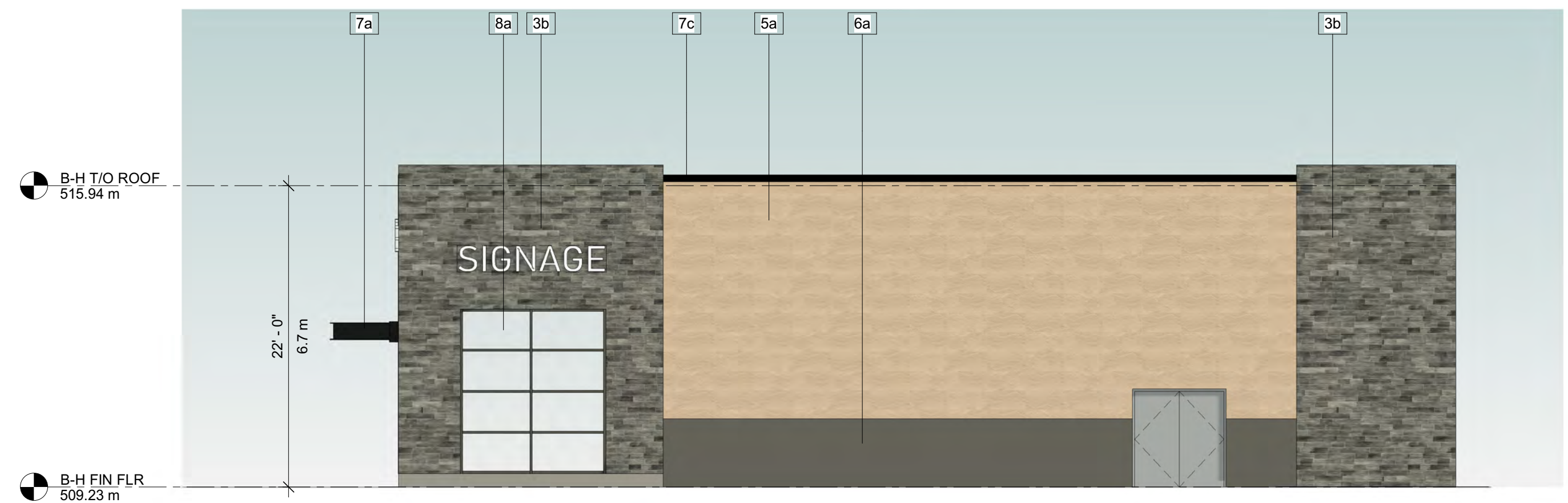
BLDG H - South-West Elev.
SCALE: 1/8" = 1'-0"



BLDG H - North - West Elev.
SCALE: 1/8" = 1'-0"



BLDG H - North - East Elev.
SCALE: 1/8" = 1'-0"



BLDG H - South-East Elev.
SCALE: 1/8" = 1'-0"

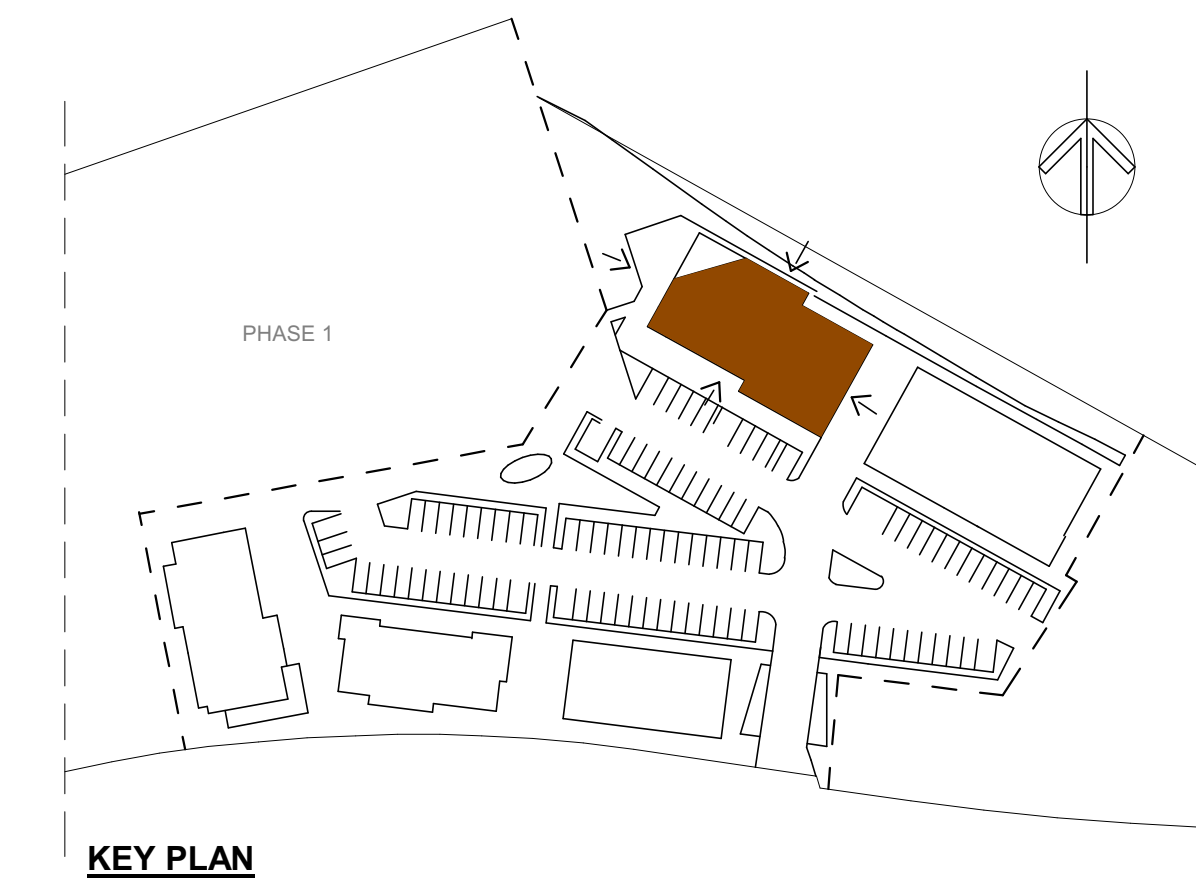
KEYNOTES	
Key Value	Keynote Text
1a	BRICK VENEER, COLOUR: DARK RED
2b	FIBER CEMENT PANEL SIDING, VERTICAL, COLOUR: LIGHT WOOD TEXTURE
3b	NATURAL STONE, DRYSTAK, COLOUR: DARK GREY
5a	STUCCO PAINT- BEIGE
6a	CMU BLOCK - CHARCOAL
7a	PRE-FINISHED METAL & GLASS CANOPY, PAINTED, COLOUR: BLACK
7c	PRE-FINISHED METAL FLASHING, COLOUR: BLACK
8a	CLEAR GLAZING IN ALUMINUM FRAME, COLOUR: CHARCOAL
8b	METAL PANEL, COLOUR: BLACK
10a	WOOD TEXTURE COLUMNS

SCHEDULE B

This forms part of application
DP23-0017

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



PRINCIPALS

Christopher Block
M Arch, Architect AIBC, AAA,
SAA, OAA, LEED AP BD+C

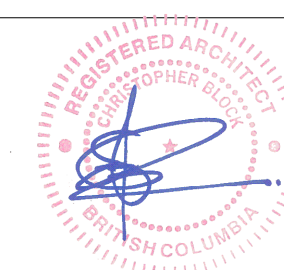
Marcel S. Proskow
CRX, CDP

ADDRESS

a The Marine Building
180, 355 Burrard St.
Vancouver, BC Canada V6C 2G8

t +1 604 687 3390
e office@c-8.ca
s www.c-8.ca

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2023-01-19

COMMERCIAL DEVELOPMENT SITE

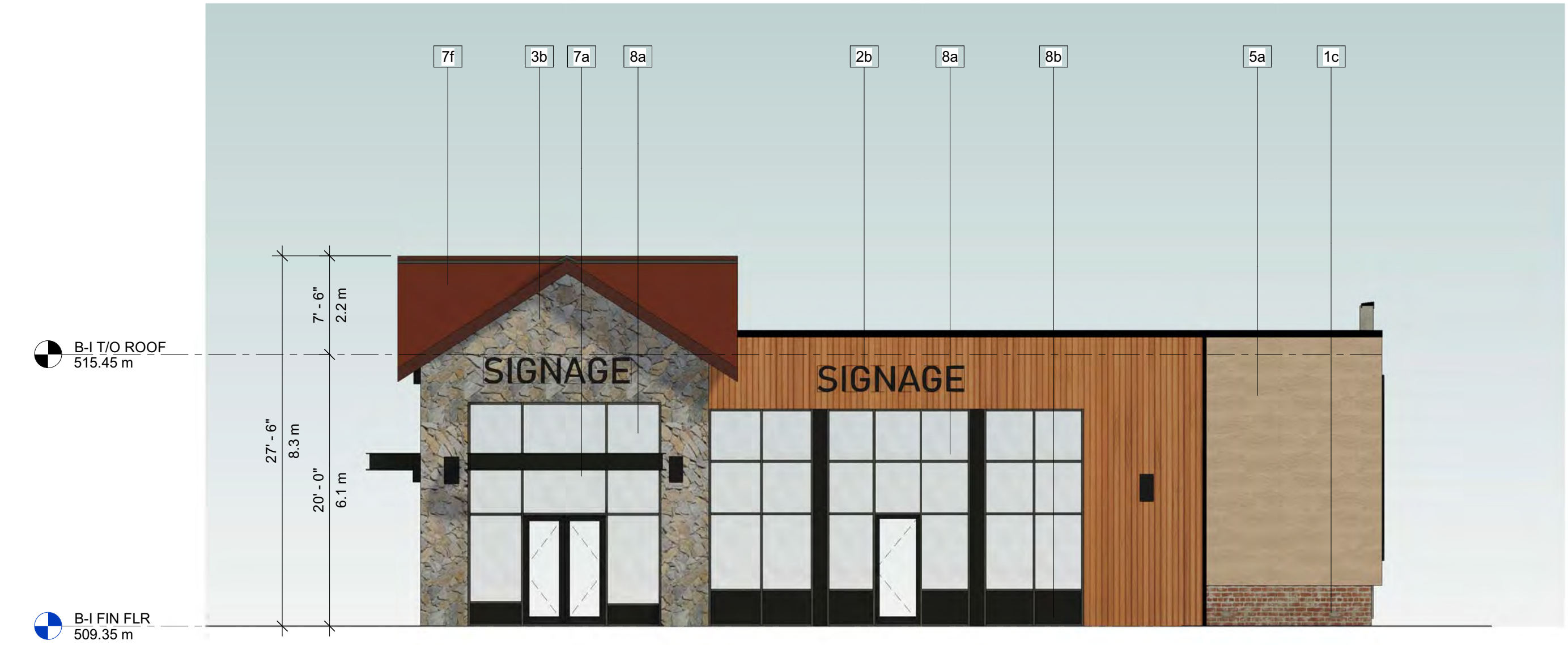
988 Frost Road, Kelowna, BC

ELEVATIONS BLDG H1/2

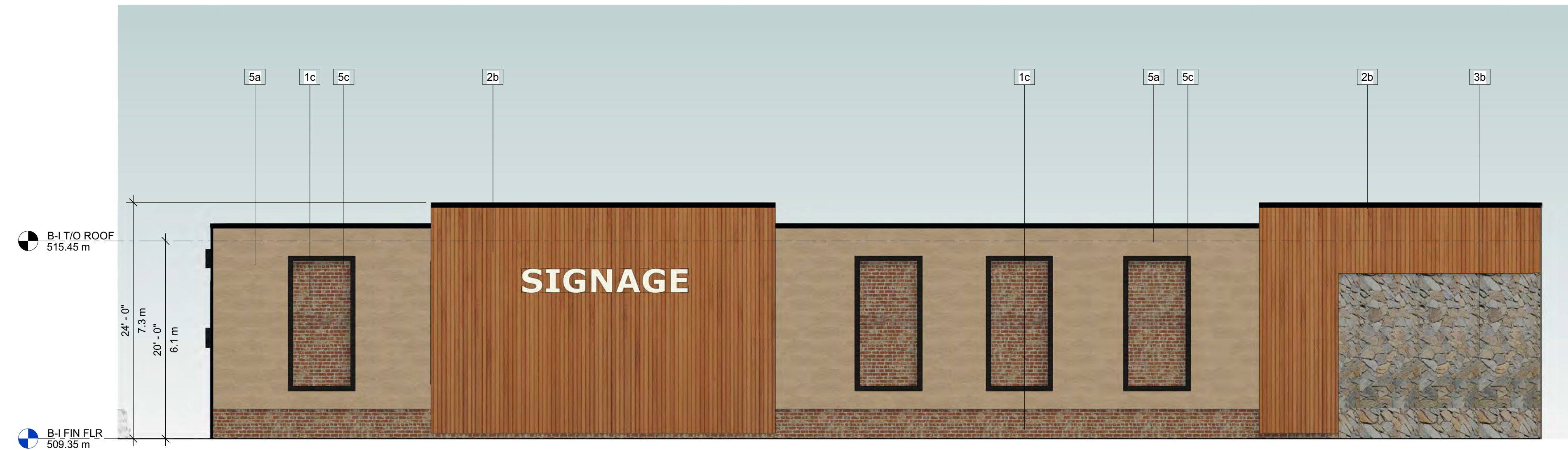
PROJECT No: **22005**
DATE: **Jan 20th 2023**
SCALE: **1/8" = 1'-0"**



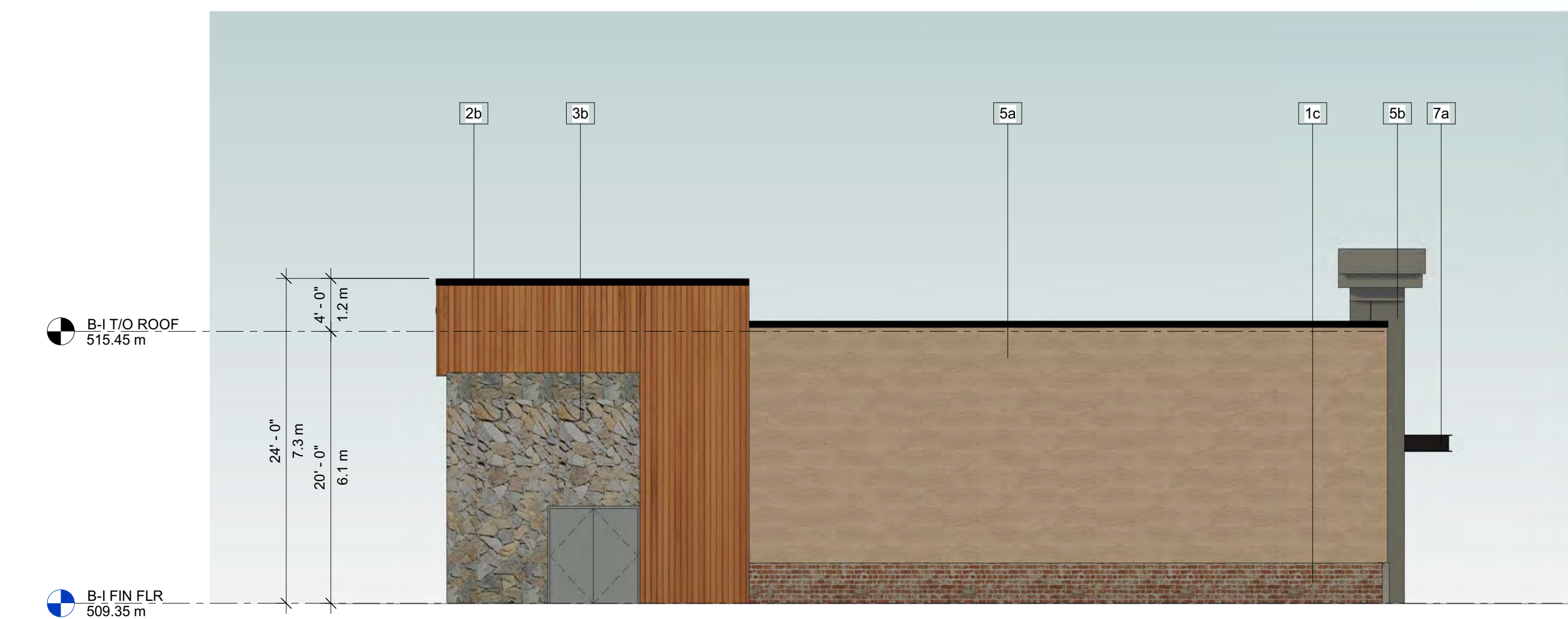
BLDG I - South-West Elev.
SCALE: 1/8" = 1'-0"



BLDG I - South-East Elev.
SCALE: 1/8" = 1'-0"



BLDG I - North-East Elev.
SCALE: 1/8" = 1'-0"



BLDG I - North-West Elev.
SCALE: 1/8" = 1'-0"

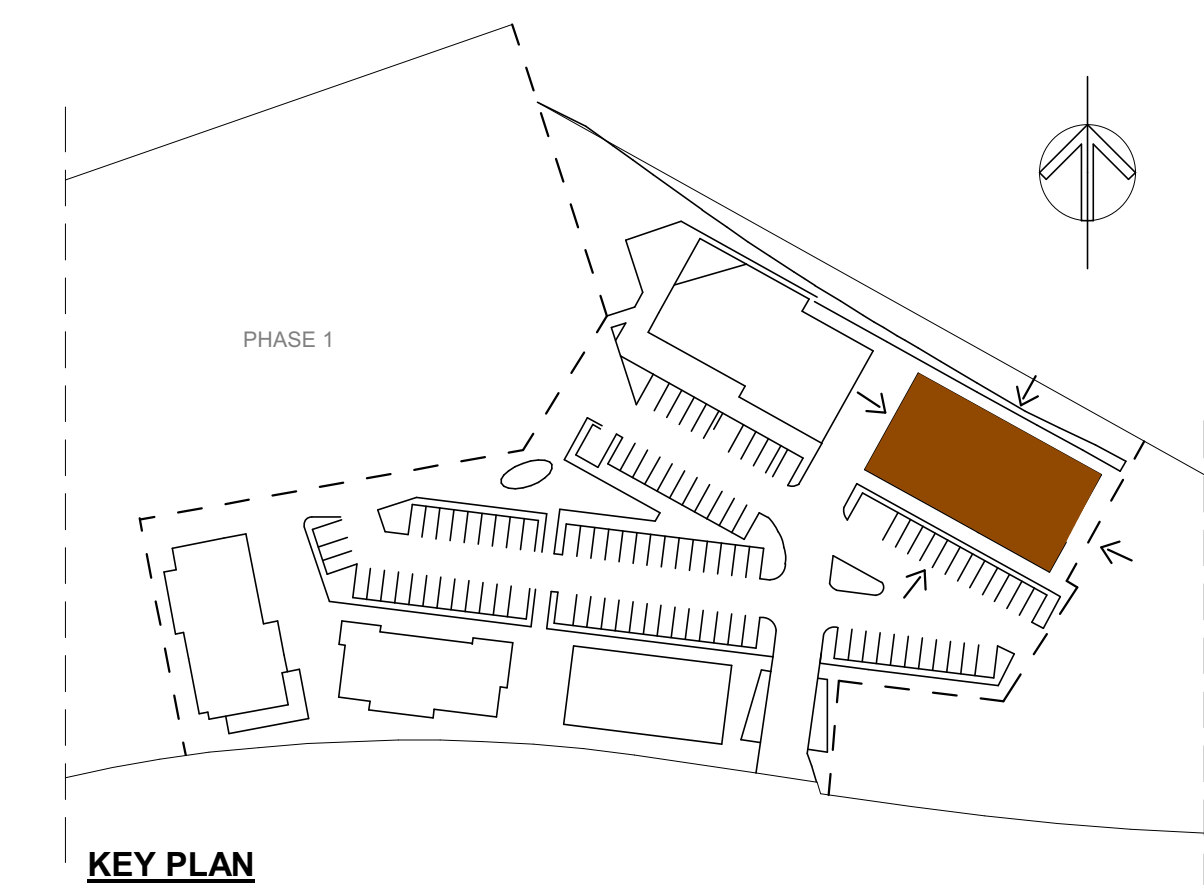
KEYNOTES	
Key Value	Keynote Text
1c	BRICK VENEER, COLOUR: WASHED/RUGGED
2b	FIBER CEMENT PANEL SIDING, VERTICAL, COLOUR: LIGHT WOOD TEXTURE
3b	NATURAL STONE, DRYSTAK, COLOUR: DARK GREY
5a	STUCCO PAINT- BEIGE
5b	STUCCO PAINT- GREY
5c	STUCCO DECORATIVE ELEMENTS
7a	PRE-FINISHED METAL & GLASS CANOPY, PAINTED, COLOUR: BLACK
7f	METAL ROOF
8a	CLEAR GLAZING IN ALUMINUM FRAME, COLOUR: CHARCOAL
8b	METAL PANEL, COLOUR: BLACK

SCHEDULE B

This forms part of application
DP23-0017

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



PRINCIPALS

Christopher Block
M Arch, Architect AIBC, AAA,
SAA, OAA, LEED AP BD+C

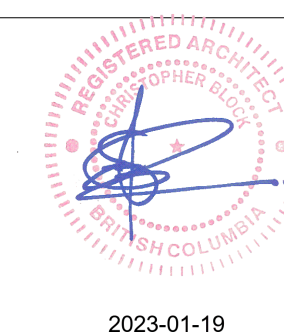
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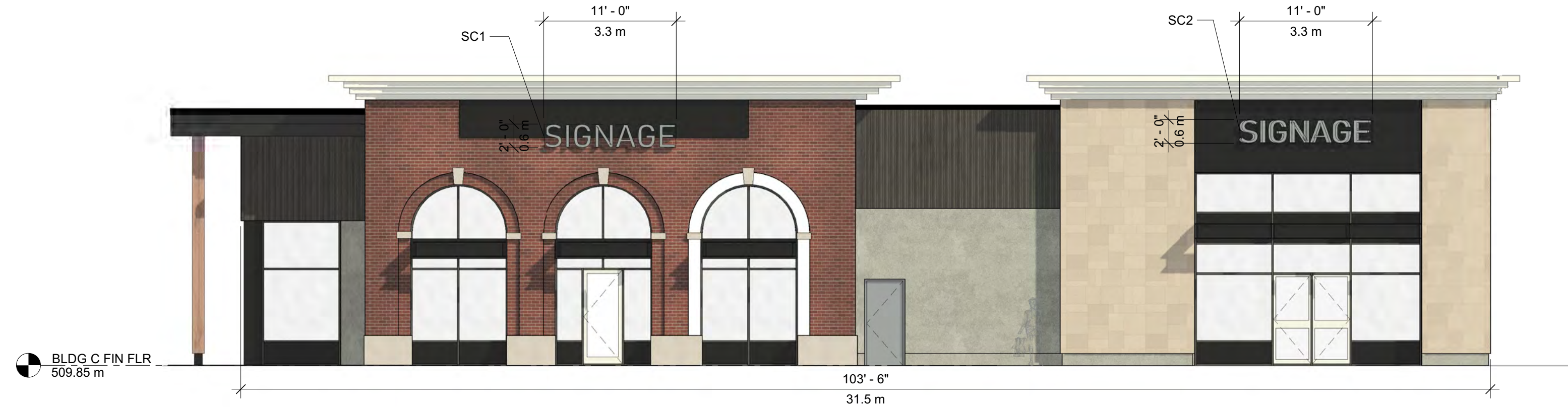
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ELEVATIONS BLDG I

PROJECT No: 22005
DATE: Jan 20th 2023
SCALE: 1/8" = 1'-0"

Signage SC1 - SC2
 Business Frontage = 31.5 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm



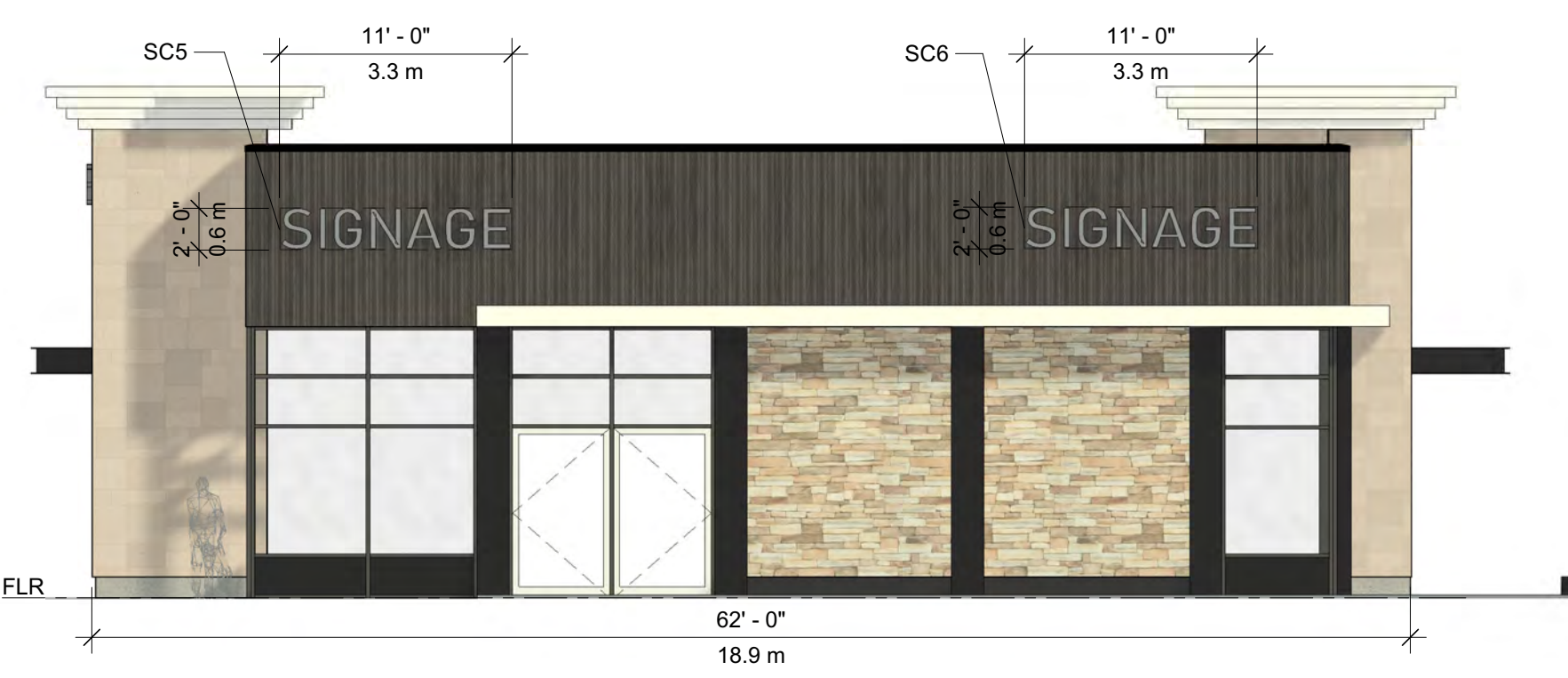
SIGNAGE SC1 - SC2
 SCALE: 1/8" = 1'-0"

Signage SC3 - SC4
 Business Frontage = 33.7 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm



SIGNAGE SC3 - SC4
 SCALE: 1/8" = 1'-0"

Signage SC5 - SC6
 Business Frontage = 18.9 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm



SIGNAGE SC5 - SC6
 SCALE: 1/8" = 1'-0"

Signage SD5
 Business Frontage = 16.3 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 sqm
 Allowed Max: 4.0 sqm



SIGNAGE SD5
 SCALE: 1/8" = 1'-0"

Signage SD1-SD2
 Business Frontage = 35.7 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm



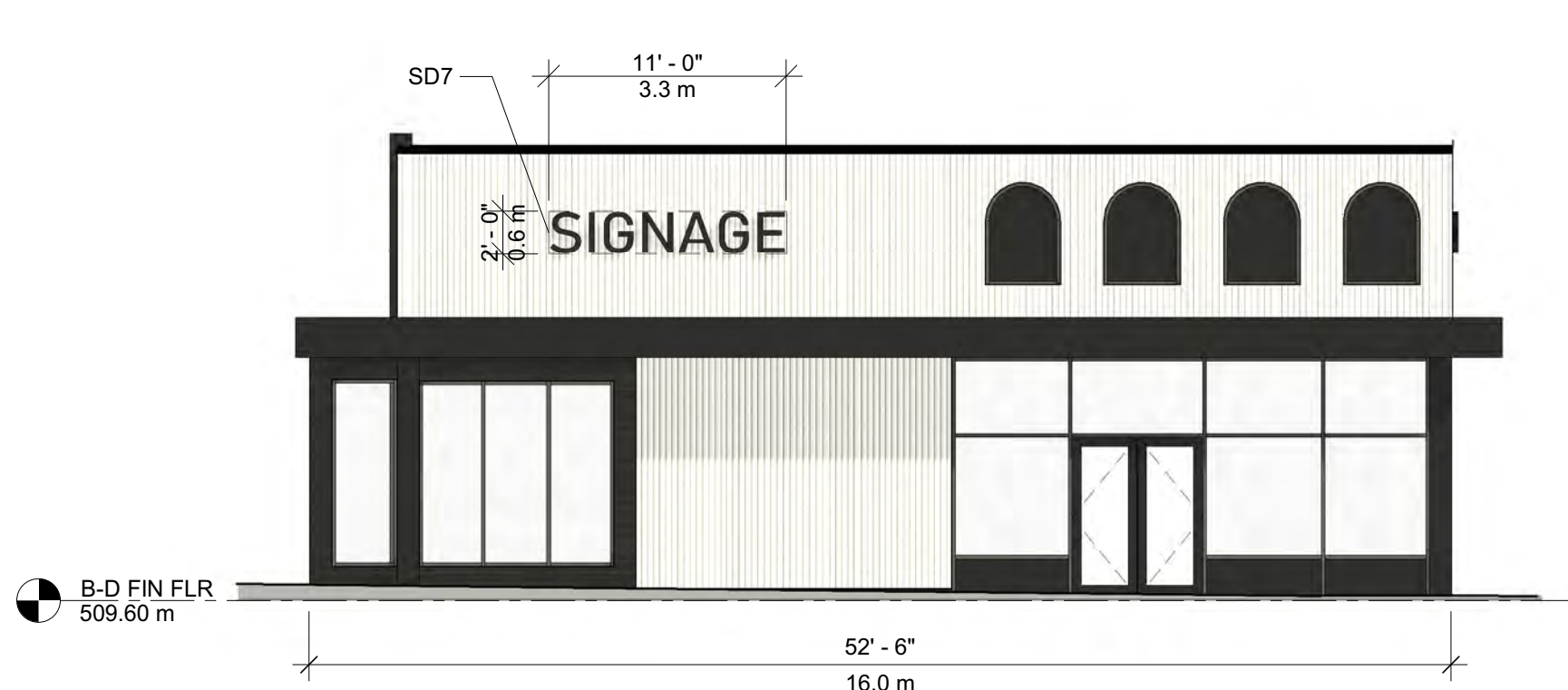
SIGNAGE SD1 - SD2
 SCALE: 1/8" = 1'-0"

Signage SD3 - SD4
 Business Frontage = 33.0 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm



SIGNAGE SD3 - SD4
 SCALE: 1/8" = 1'-0"

Signage SD6
 Business Frontage = 16.0 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 sqm
 Allowed Max: 4.0 sqm



SIGNAGE SD6
 SCALE: 1/8" = 1'-0"

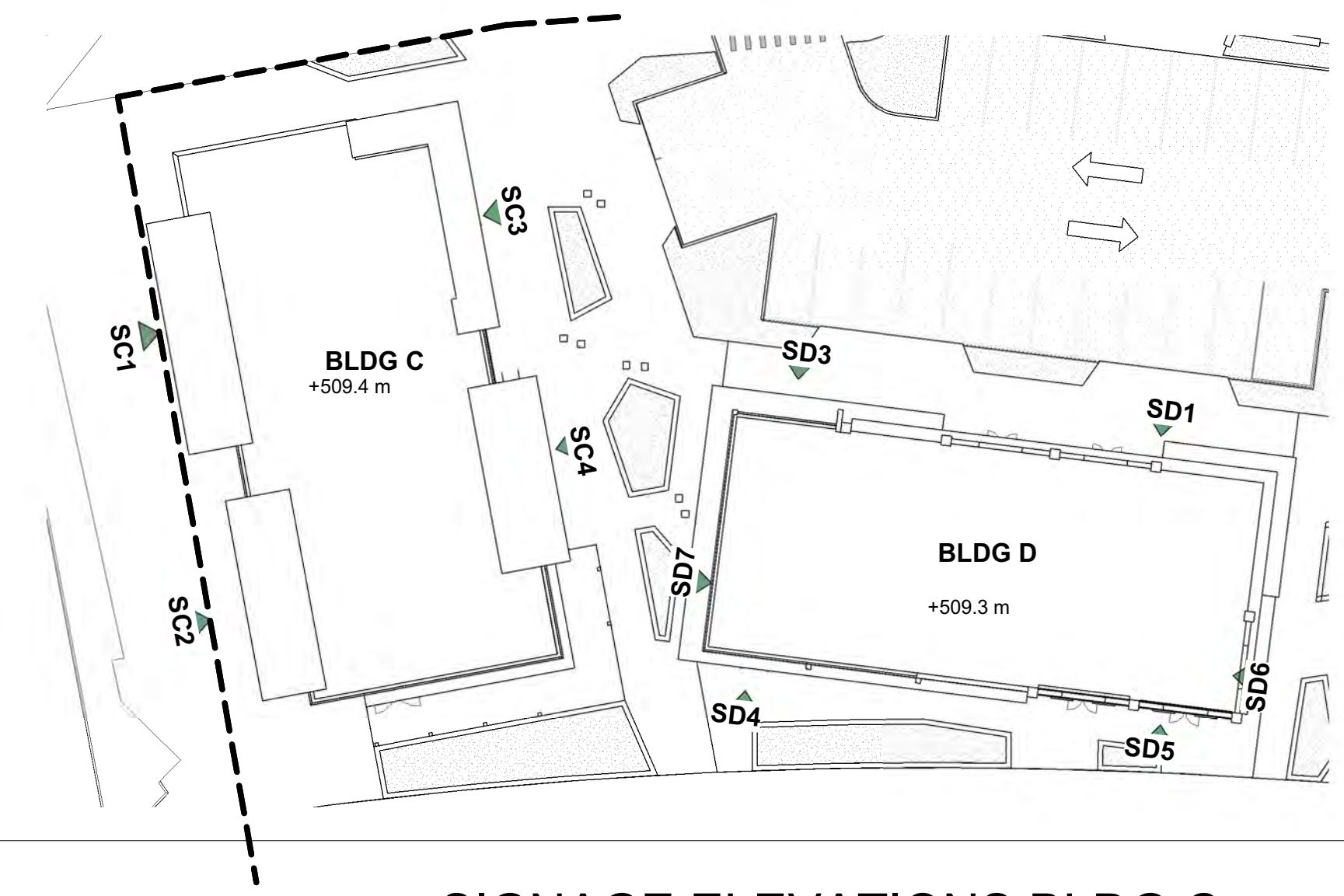
SIGNAGE AREA - Building C and D			
Mark	Width	Height	Area
	5.1	0.7	3.8 m ²
	5.1	0.7	3.8 m ²
SC1	3.3	0.6	2 m ²
SC2	3.3	0.6	2 m ²
SC3	3.3	0.6	2 m ²
SC4	3.4	0.6	2 m ²
SC5	3.3	0.6	2 m ²
SC6	3.3	0.6	2 m ²
SD1	3.3	0.6	2 m ²
SD2	3.3	0.6	2 m ²
SD3	3.3	0.6	2 m ²
SD4	3.3	0.6	1.9 m ²
SD6	3.3	0.6	2 m ²
SD7	3.3	0.6	2 m ²

SCHEDULE B

This forms part of application
 # DP23-0017

Planner Initials **MT**

City of Kelowna
 COMMUNITY PLANNING

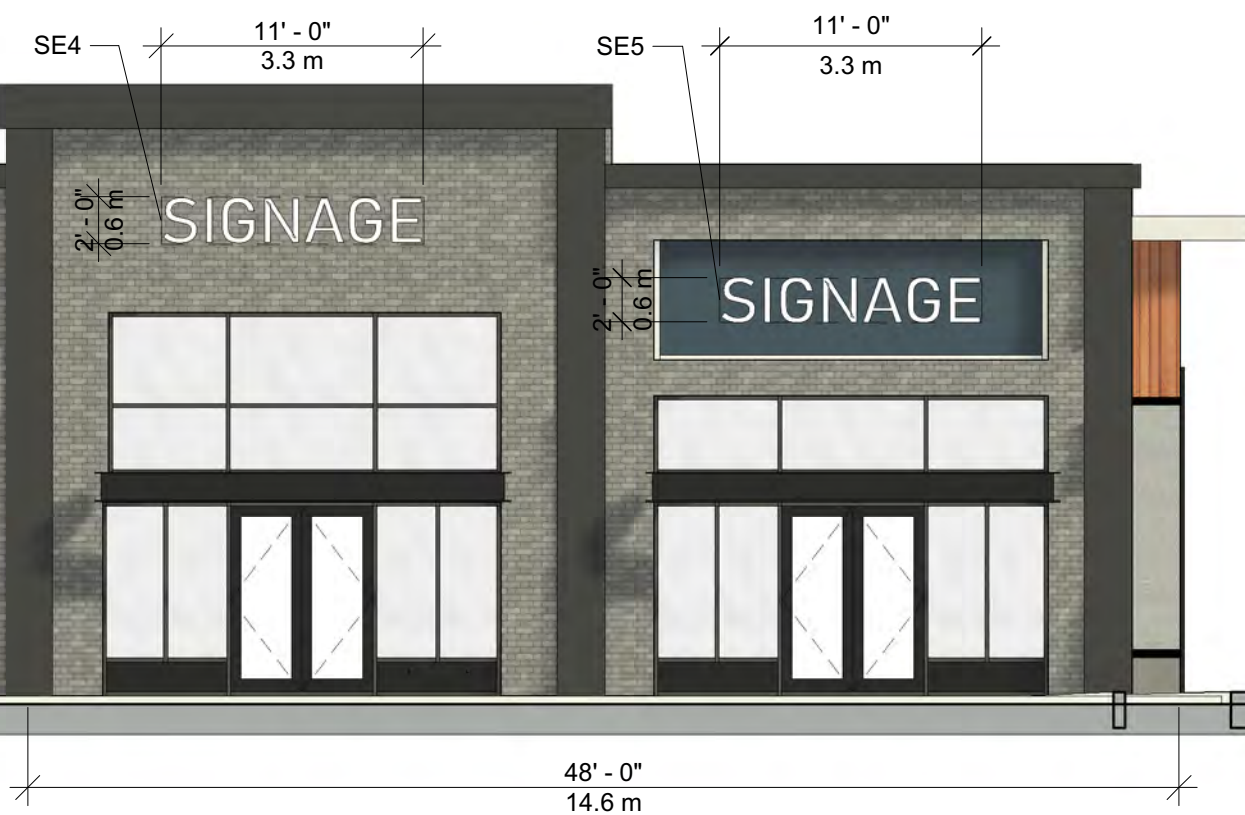


Signage SE1 - SE2
 Business Frontage = 20 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm



SIGNAGE SE1-SE4
 SCALE: 1/8" = 1'-0"

Signage SE3 - SE4
 Business Frontage = 14.6 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm



Signage SE6-SE7
 Business Frontage = 14.6 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm

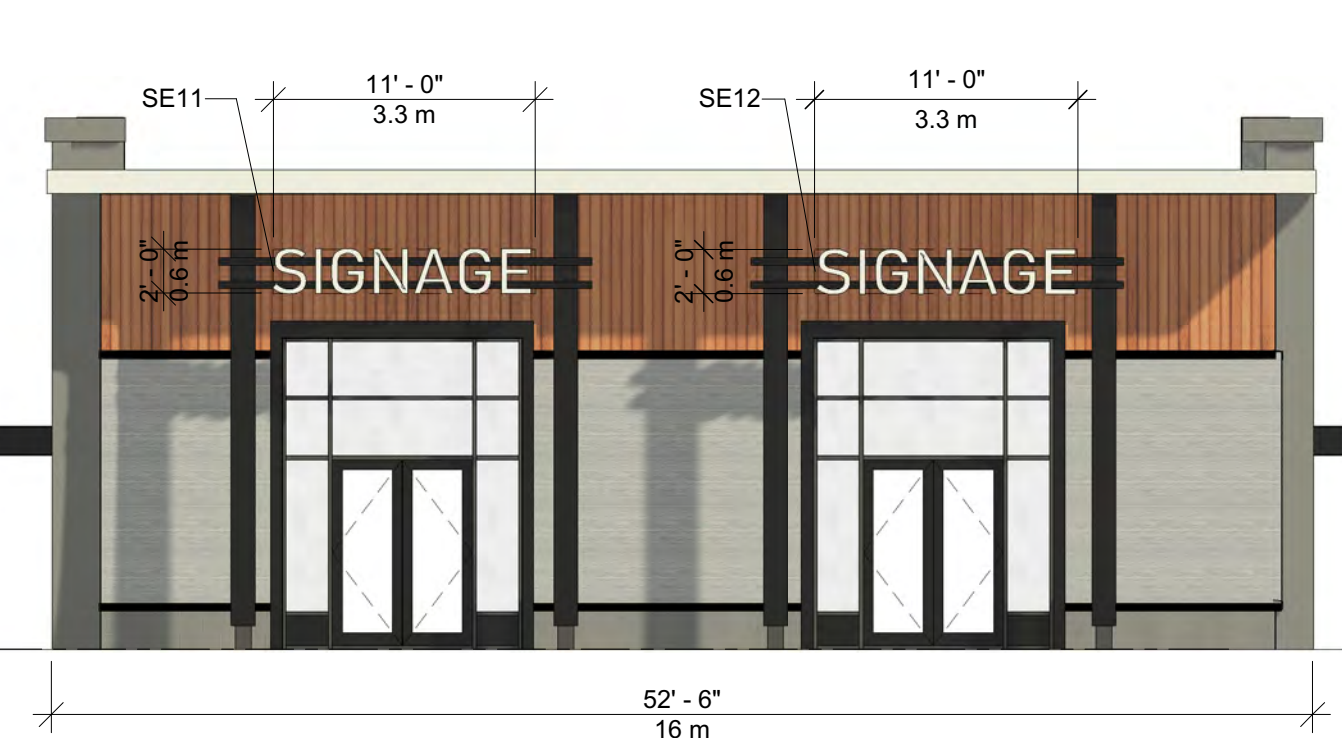


SIGNAGE SE6-SE10
 SCALE: 1/8" = 1'-0"

Signage SE8 - SE9
 Business Frontage = 13.1 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm

Signage SE10
 Business Frontage = 7.2 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 sqm
 Allowed Max: 4.0 sqm

Signage SE11-SE12
 Business Frontage = 16 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm



SIGNAGE SE11-SE12
 SCALE: 1/8" = 1'-0"

Signage SE13
 Business Frontage = 14.2 m
 Proposed Signage Area: 3.6 x 0.6 = 2.16 sqm
 Allowed Max: 4.0 sqm



SIGNAGE SE13
 SCALE: 1/8" = 1'-0"

SCHEDULE B

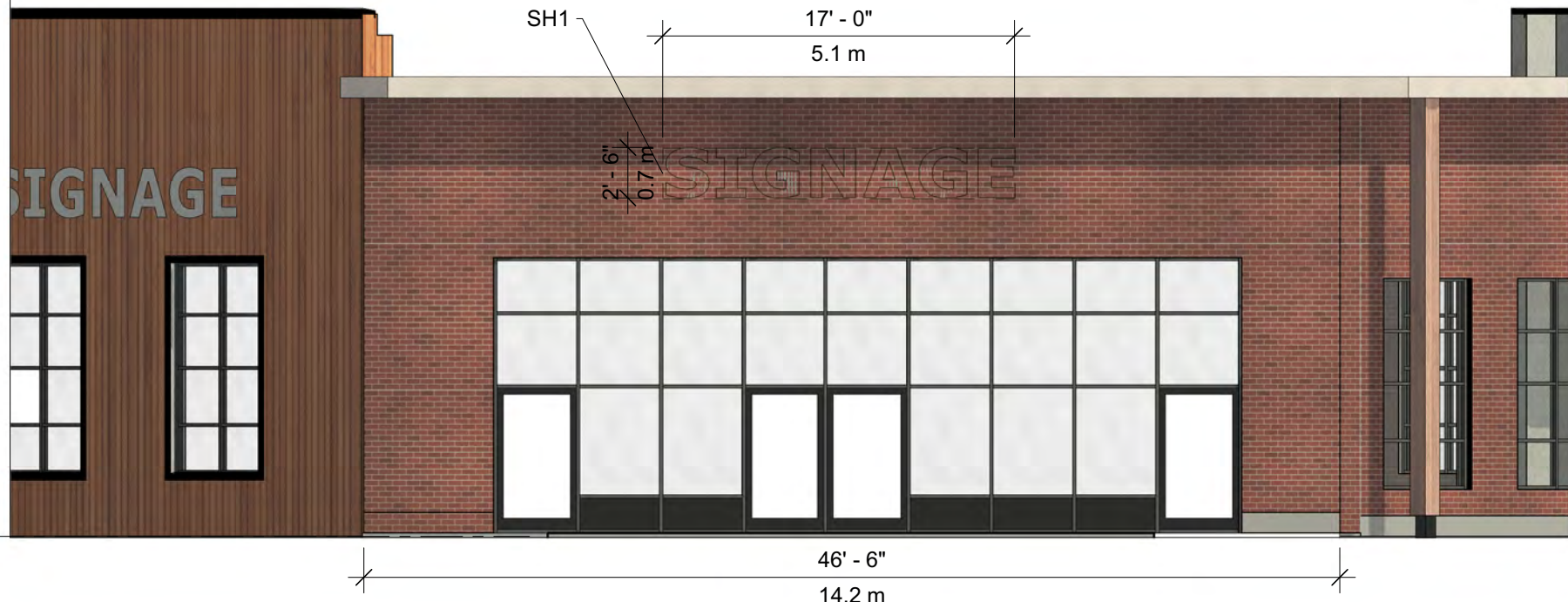
This forms part of application
 # DP23-0017

Planner Initials: MT

City of Kelowna
 COMMUNITY PLANNING

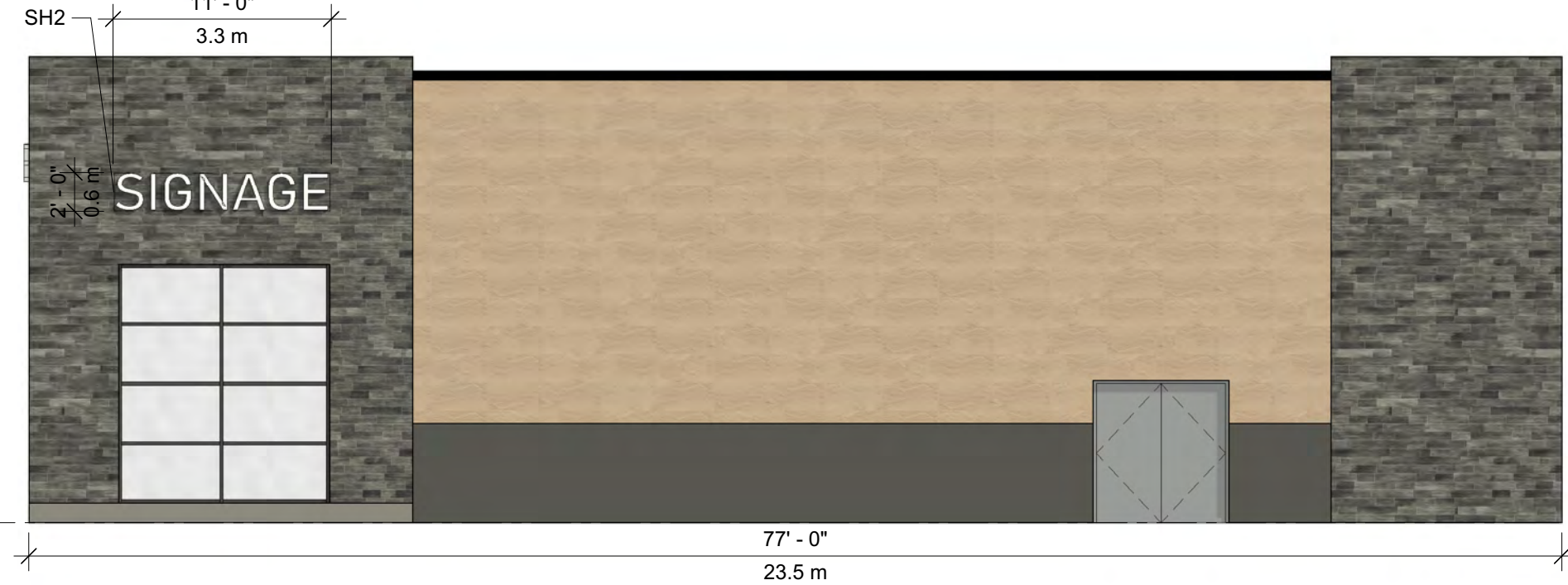
SIGNAGE AREA - Building E			
Mark	Width	Height	Area
SE1	3.3	0.6	1.9 m ²
SE2	3.3	0.6	1.9 m ²
SE3	3.3	0.6	1.9 m ²
SE4	3.3	0.6	2 m ²
SE5	3.3	0.6	1.9 m ²
SE6	3.3	0.6	1.9 m ²
SE7	3.3	0.6	2 m ²
SE8	3.3	0.6	1.9 m ²
SE9	3.3	0.6	1.9 m ²
SE10	3.3	0.6	2 m ²
SE11	3.3	0.6	1.9 m ²
SE12	3.6	0.6	2.2 m ²
SE13	3.3	0.6	1.9 m ²

Signage SH1
 Business Frontage = 14.2 m
 Proposed Signage Area: 5.1 x 0.7 = 3.57 sqm
 Allowed Max: 4.0 sqm

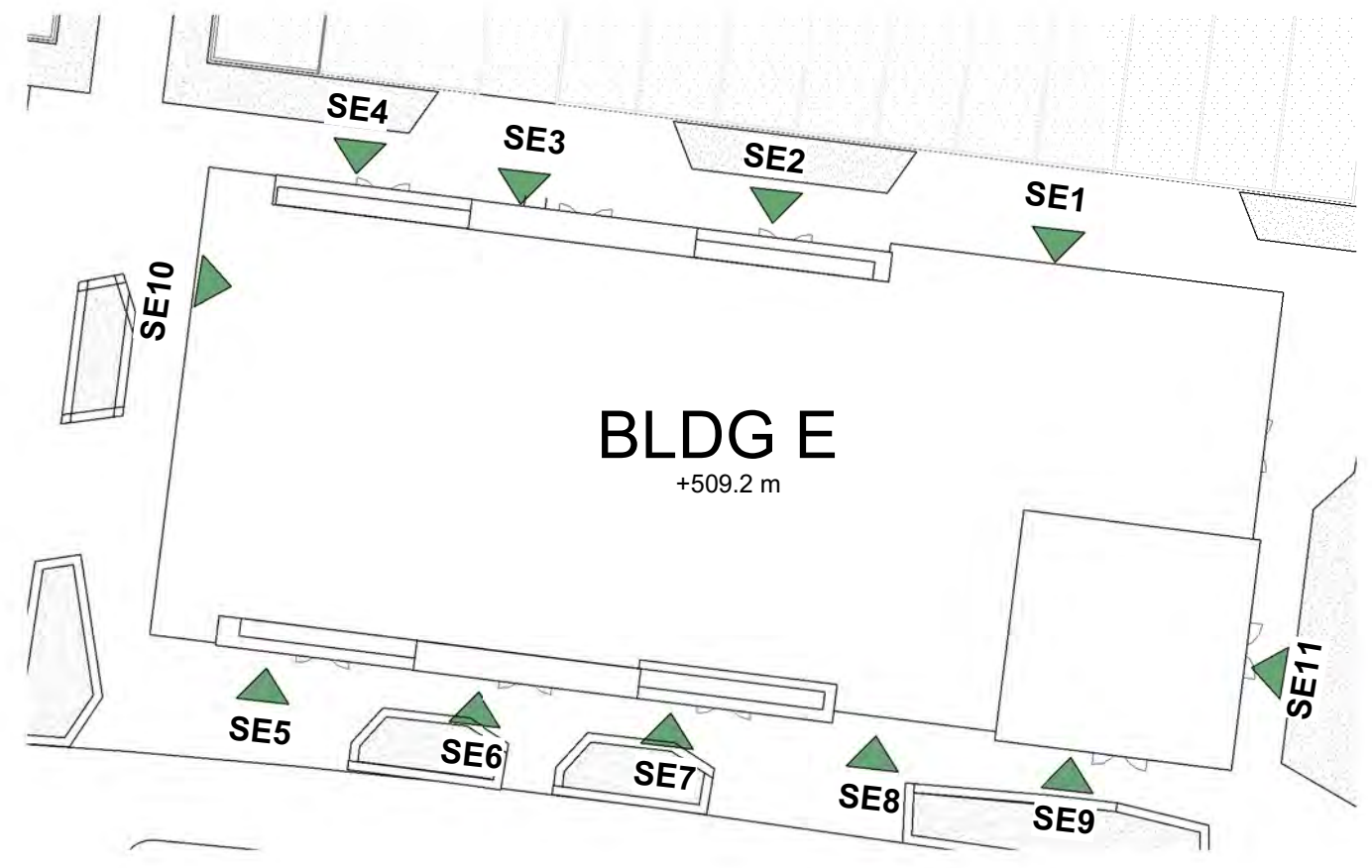


BLDG H SH1
 SCALE: 1/8" = 1'-0"

Signage SH2
 Business Frontage = 23.5 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 sqm
 Allowed Max: 4.0 sqm



BLDG H SH2
 SCALE: 1/8" = 1'-0"

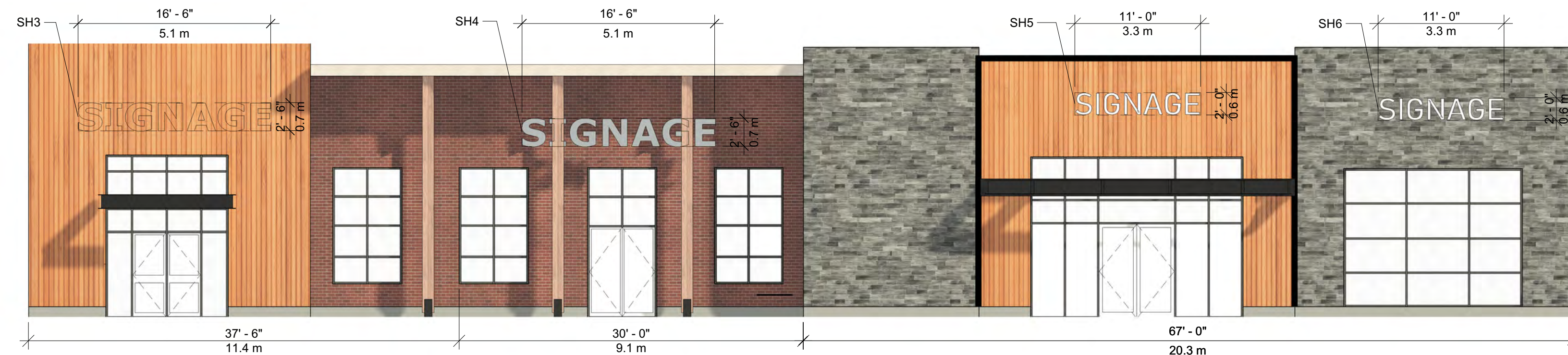


Signage SH3
 Business Frontage = 11.4 m
 Proposed Signage Area: 5.1 x 0.7 = 3.57 sqm
 Allowed Max: 4.0 sqm

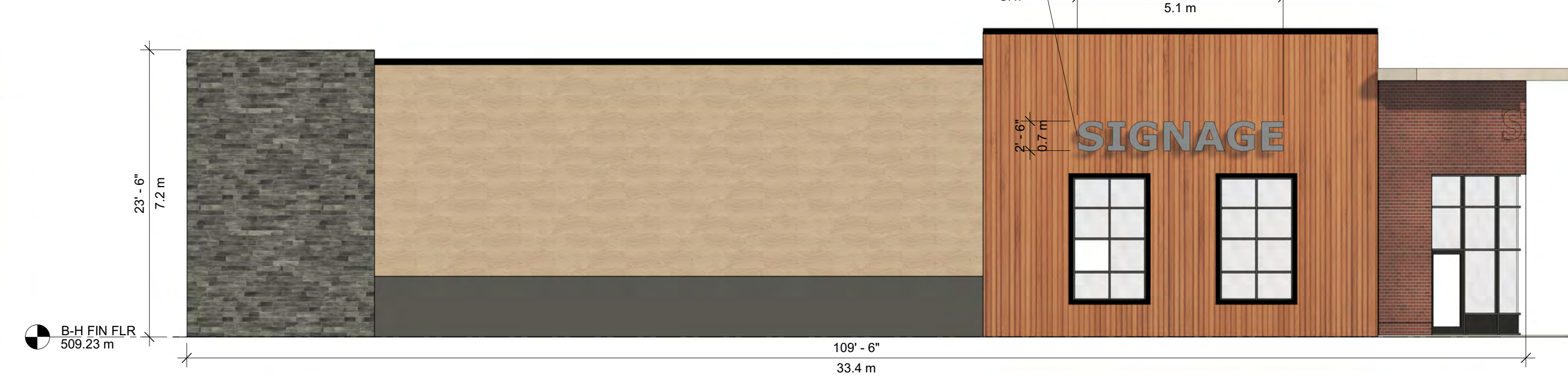
Signage SH4
 Business Frontage = 9.1 m
 Proposed Signage Area: 5.1 x 0.7 = 3.57 sqm
 Allowed Max: 4.0 sqm

Signage SH5-SH6
 Business Frontage = 20.3 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm

Signage SH7
 Business Frontage = 33.4 m
 Proposed Signage Area: 5.1 x 0.7 = 3.57 sqm
 Allowed Max: 4.0 sqm



SIGNAGE SH3-SH6
 SCALE: 1/8" = 1'-0"



SIGNAGE SH7
 SCALE: 1/8" = 1'-0"

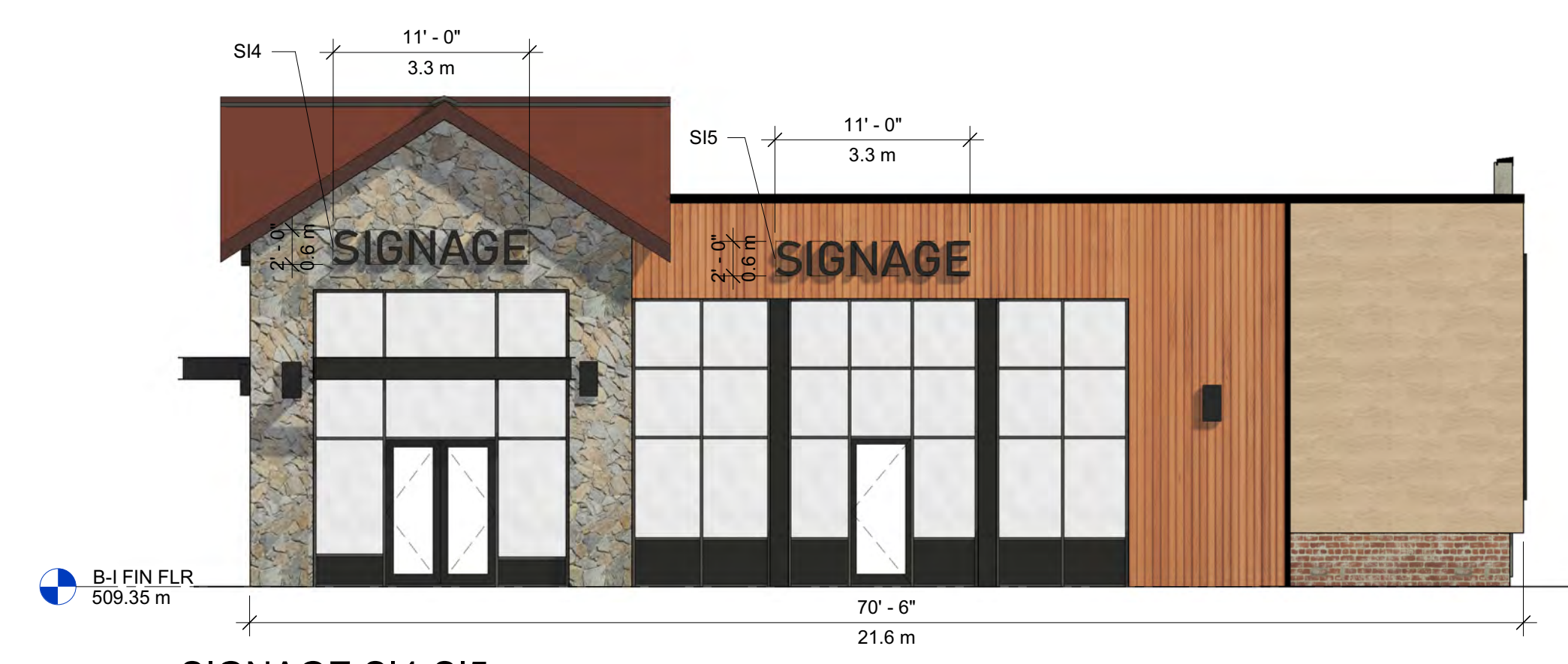
Signage SI1
 Business Frontage = 26.5 m
 Proposed Signage Area: 5.1 x 0.7 = 3.57 sqm
 Allowed Max: 4.0 sqm

Signage SI3
 Business Frontage = 14.9 m
 Proposed Signage Area: 3.6 x 0.6 = 2.16 sqm
 Allowed Max: 4.0 sqm

Signage SI4 - SI5
 Business Frontage = 21.6 m
 Proposed Signage Area: 3.3 x 0.6 = 1.98 x 2 = 3.96 sqm
 Allowed Max: 4.0 sqm

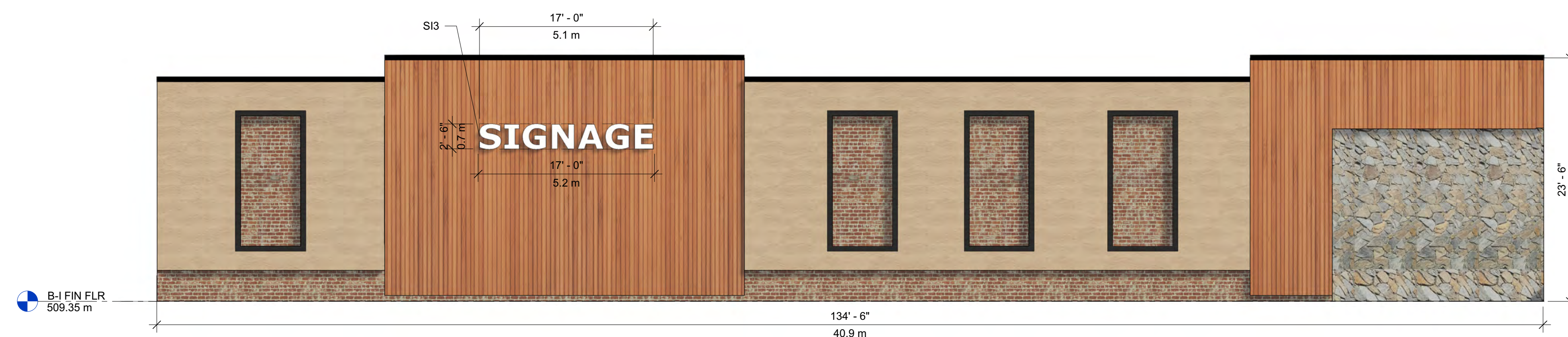


SIGNAGE SI1
 SCALE: 1/8" = 1'-0"



SIGNAGE SI4-SI5
 SCALE: 1/8" = 1'-0"

Signage SI2
 Business Frontage = 40.9 m
 Proposed Signage Area: 5.1 x 0.7 = 3.57 sqm
 Allowed Max: 4.0 sqm



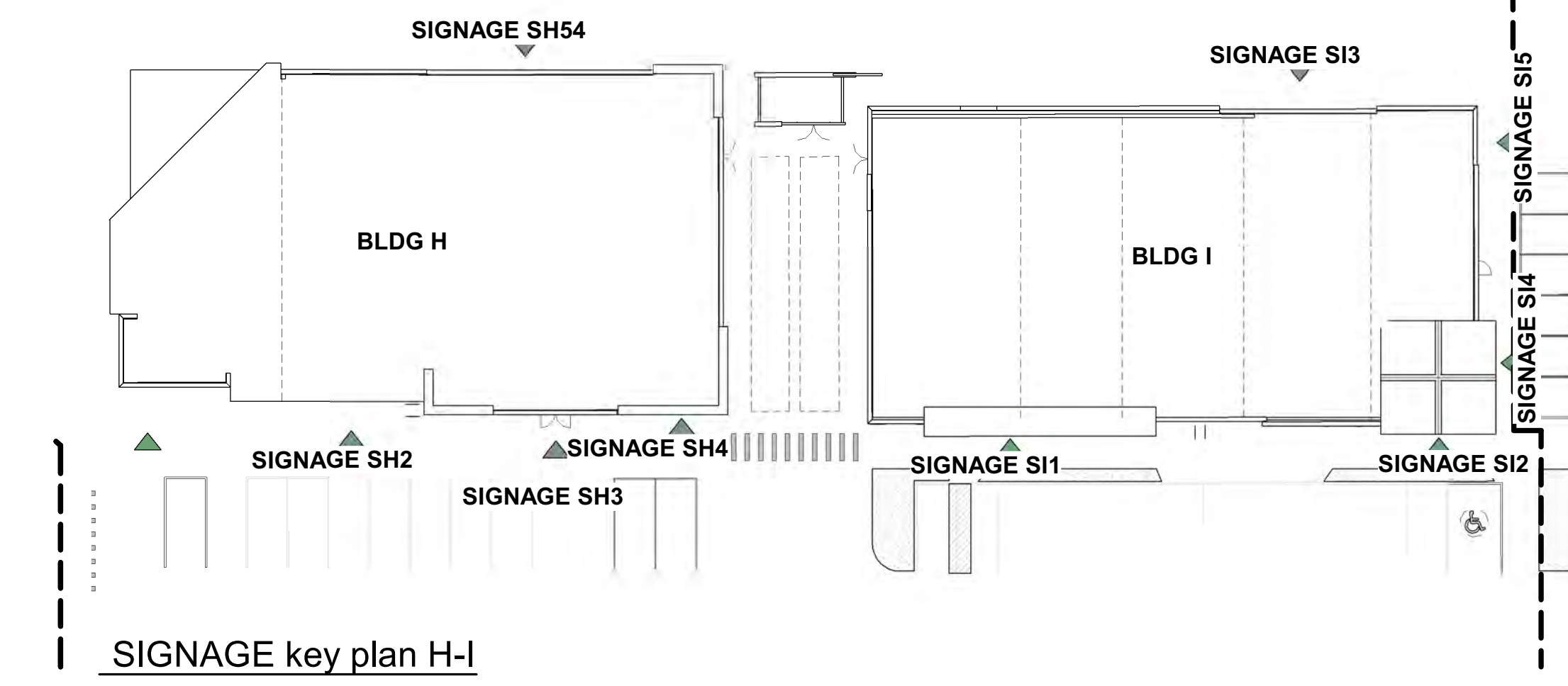
SIGNAGE SI2
 SCALE: 1/8" = 1'-0"

SIGNAGE AREA - Building H and I			
Mark	Width	Height	Area
	5.1	0.7	3.8 m ²
	5.1	0.7	3.8 m ²
SH1	5.1	0.7	3.8 m ²
SH2	3.3	0.6	2 m ²
SH3	5.1	0.7	3.8 m ²
SH4	5.1	0.7	3.8 m ²
SH5	3.3	0.6	2 m ²
SH6	3.3	0.6	2 m ²
SH7	5.1	0.7	3.8 m ²
SI1	5.1	0.7	3.8 m ²
SI2	3.6	0.6	2.3 m ²
SI3	5.1	0.7	3.8 m ²
SI4	3.3	0.6	1.9 m ²
SI5	3.3	0.6	1.9 m ²

SCHEDULE B

This forms part of application
 # DP23-0017

Planner Initials **MT**





- LEGEND:**
- PROPOSED TREES
 - PROPERTY LINE
 - CONCRETE PAVING (REFER ARCHITECT)
 - UNIT PAVERS
 - DECORATIVE ROCK MULCH
 - COMPOSTED BARK MULCH
 - SOD PLANTING
 - SHRUB PLANTING
 - PLANTERS
 - BENCH
 - CUBE SEATING
 - BIKE RACK
 - RUSTIC FENCE

PLANT LIST

QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (HxWxL)
Trees - Deciduous					
5	Acer freemanii 'Jeffersred'	Autumn Blaze Maple	6cm Cal	B&B	15 x 13m
14	Acer rubrum 'Red Rocket'	'Red Rocket' Maple	6cm Cal	B&B	7 x 4.5m
9	Cercidiphyllum japonicum	Katsura Tree	6cm Cal	B&B	9 x 9m
9	Cercis canadensis	Eastern Redbud	6cm Cal	B&B	13 x 10m
11	Gleditsia triacanthos var. inermis 'Skyline'	Thornless Honeylocust	6cm Cal	B&B	7.5 x 7.5m
8	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree	6cm Cal	B&B	12 x 9m
5	Tilia cordata	Greenspire Linden	6cm Cal	B&B	2.5m High
Trees - Coniferous					
13	Pinus nigra	Austrian Pine	2.5m High	B&B	6 x 4.5m
Shrubs					
36	Berberis thunbergii 'Concorde'	Concorde Japanese Barberry	#02	Potted	1 x 1m
23	Cornus alba 'Bahalo'	Ivory Halo Dogwood	#02	Potted	1.5 x 1.5m
8	Cornus stolonifera 'Arctic Fire'	Red osier Dogwood	#02	Potted	1.2 x 1.2m
62	Juniperus sabinina 'Monna'	Calgary Carpet Juniper	#02	Potted	0.3 x 2.1m
82	Mahonia repens	Dwarf Oregon Grape	#02	Potted	1 x 1m
18	Physocarpus opulifolius 'Diabolo'	Common Diabolo	#02	Potted	1.5 x 1.5m
29	Rhus aromatica 'Gro-Low'	Flagrant Sumac	#02	Potted	1 x 1.8m
41	Rosa 'Morden Sunrise'	Morden Sunrise Rose	#02	Potted	0.9 x 0.9m
15	Salix purpurea 'Nana'	Purple Willow	#02	Potted	1.5 x 1.5m
8	Syringa meyeri 'Palibin'	Dwarf Korean Lilac	#02	Potted	1.5m x 1.8m
Ornamental Grasses					
82	Calamagrostis x acutiflora 'Overdam'	Variiegated Reed Grass	#01	Potted	1.5 x 1.2m
69	Helictotrichon sempervirens	Blue Oat Grass	#01	Potted	1 x 0.9m
104	Pennisetum orientale 'Karley Rose'	Karley Rose Oriental Fountain Grass	#01	Potted	1 x 0.75m
Perennials					
76	Aster x frikartii 'Mond'	Frikart's Aster	#01	Potted	0.9m x 0.9m
82	Nepeta x faassenii 'Walker's Low'	Walker's Low Catmint	#01	Potted	0.6m x 0.9m
38	Perovskia atriplicifolia	Russian Sage	#01	Potted	1 x 1.2m

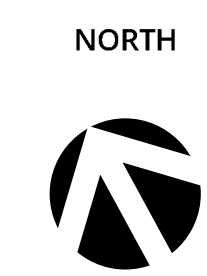
- NOTES:**
- THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.
 - ALL PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO THE MINIMUM STANDARDS SET OUT IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
 - ALL PLANTING BEDS SHALL TO RECEIVE 50mm OF ROCK MULCH UNLESS OTHERWISE NOTED.
 - ALL LANDSCAPE AREAS ARE TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
 - SOIL DEPTH TO BE AS FOLLOWS:
LAWN AREAS 150mm MIN
SHRUB AREAS 300mm MIN
TREES 1000mm MIN UNLESS OTHERWISE NOTED.
 - CoK TREE BYLAW REQUIREMENTS: 126m FROST RD. SETBACK EQUALS 126m : REQUIRES (13) TREES: (6) LARGE, (3) MEDIUM & (3) SMALL. (21) TREES HAVE BEEN PROVIDED. REAR LOT LINE SETBACK 130m: REQUIRES 13 TREES (7) LARGE, (3) MEDIUM, (3) SMALL.
EXISTING (10) HONEY LOCUST TREES WITH TREE GRATES INSIDE THE R.O.W TO BE COUNTED AS BYLAW TREES FOR SETBACK LANDSCAPE AREA PER CITY AGREEMENT WITH CALLAHAN GROUP.
 - CoK BYLAW SOIL REQUIREMENTS FOR BYLAW TREES:
LARGE TREES: 30m³. OR 25m³ SHARED
MEDIUM TREES: 20m³ OR 18m³ SHARED
SMALL TREES: 15m³ OR 12m³ SHARED

SCHEDULE C

This forms part of application # DP23-0017

Planner Initials **MT**

SEAL


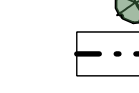






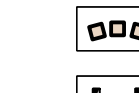
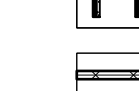
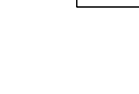




SCALE: 1 : 200

ISSUED FOR:

NO.	DESCRIPTION	DATE
2	ISSUED FOR DEVELOPMENT PERMIT AMMENDMENT	2023-04-25
1	ISSUED FOR REVIEW	2023-03-27
0	ISSUED FOR DEVELOPMENT PERMIT	2023-01-23

LEGEND:

-  PROPOSED TREES
-  PROPERTY LINE
-  CONCRETE PAVING (REFER ARCHITECT)
-  UNIT PAVERS
-  DECORATIVE ROCK MULCH
-  COMPOSTED BARK MULCH
-  SOD PLANTING
-  SHRUB PLANTING
-  PLANTERS
-  BENCH
-  CUBE SEATING
-  BIKE RACK
-  RUSTIC FENCE

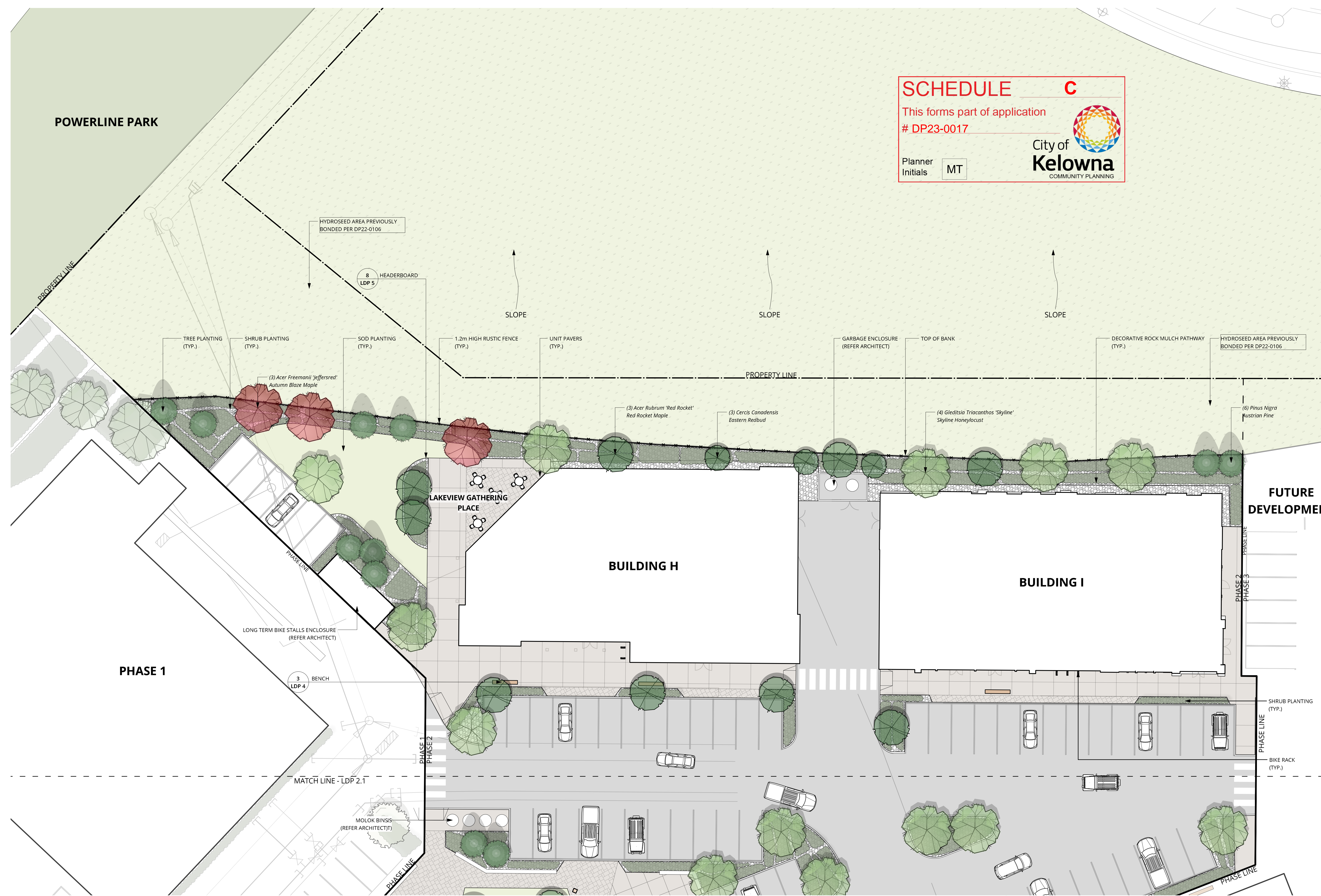
SCHEDULE C

This forms part of application
DP23-0017

Planner Initials MT

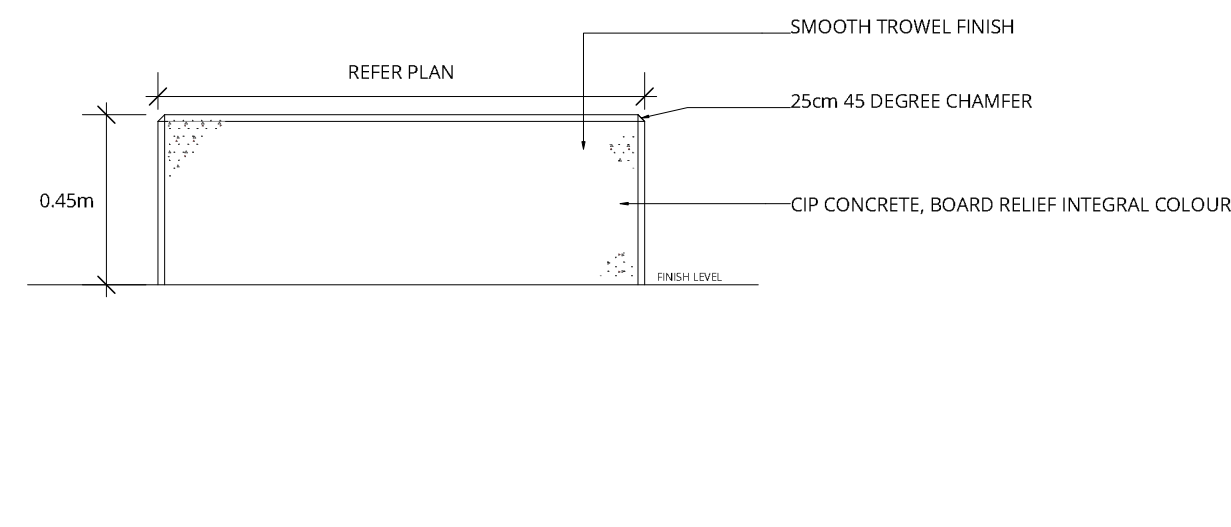


City of
Kelowna
COMMUNITY PLANNING

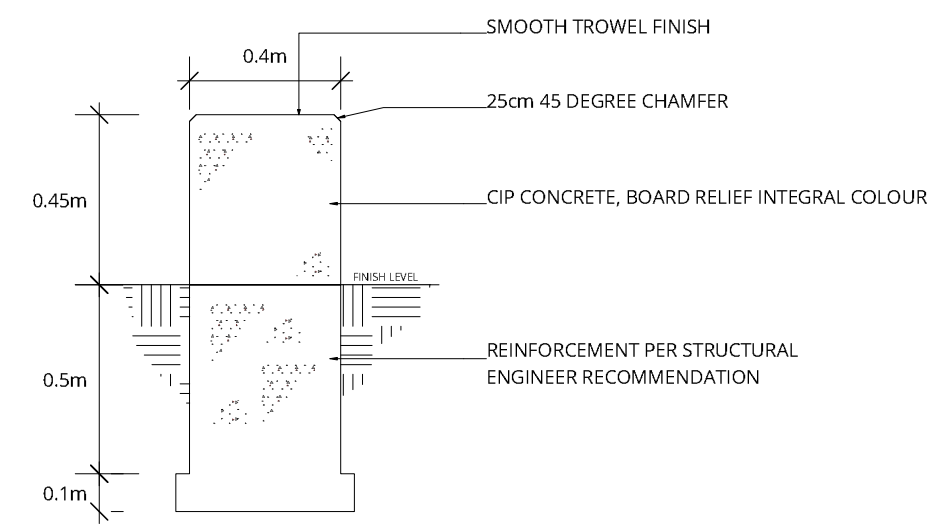


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 2. ALL PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO THE MINIMUM STANDARDS SET OUT IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
 3. ALL PLANTING BEDS SHALL TO RECEIVE 50mm OF ROCK MULCH UNLESS OTHERWISE NOTED.
 4. ALL LANDSCAPE AREAS ARE TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
 5. SOIL DEPTH TO BE AS FOLLOWS:
LAWN AREAS 150mm MIN
SHRUB AREAS 300mm MIN
TREES 1000mm MIN UNLESS OTHERWISE NOTED.
 6. CoK TREE BYLAW REQUIREMENTS: 126m FROST RD. SETBACK EQUALS 126m : REQUIRES (13) TREES: (6) LARGE, (3) MEDIUM & (3) SMALL. (21) TREES HAVE BEEN PROVIDED. REAR LOT LINE SETBACK 130m: REQUIRES 13 TREES (7) LARGE, (3) MEDIUM, (3) SMALL.
EXISTING (10) HONEY LOCUST TREES WITH TREE GRATES INSIDE THE R.O.W TO BE COUNTED AS BYLAW TREES FOR SETBACK LANDSCAPE AREA PER CITY AGREEMENT WITH CALLAHAN GROUP.
 7. CoK BYLAW SOIL REQUIREMENTS FOR BYLAW TREES:
LARGE TREES: 30m³. OR 25m³ SHARED
MEDIUM TREES: 20m³ OR 18m³ SHARED
SMALL TREES: 15m³ OR 12m³ SHARED

NO.	DESCRIPTION	DATE
2	ISSUED FOR DEVELOPMENT PERMIT AMMENDMENT	2023-04-25
1	ISSUED FOR REVIEW	2023-03-27
0	ISSUED FOR DEVELOPMENT PERMIT	2023-01-23



1 LDP 4 CIP CONCRETE BENCH - ELEVATION 1:20



1 LDP 4 CIP CONCRETE BENCH - SECTION 1:20

NOTES:
1. BIKE RACK TO BE "BIKELOCQ - TROPICAL HARDWOOD - BLACK" SURFACE MOUNTED WITH TAMPER RESISTANT BOLT/NUTS. AVAILABLE FROM MMCITE 1 888 890 6257. INSTALL PER MANUFACTURER'S RECOMMENDATION.



2 LDP 4 BIKE RACK NTS

NOTES:
1. BENCH TO BE ROUGH AND READY ++ PRODUCT #3: R&R L6-300+LOW BACKREST (300X59X45CM) SURFACE MOUNTED WITH TAMPER RESISTANT BOLTS AVAILABLE FROM STREETLIFE (QUEBEC) 484-491-8281

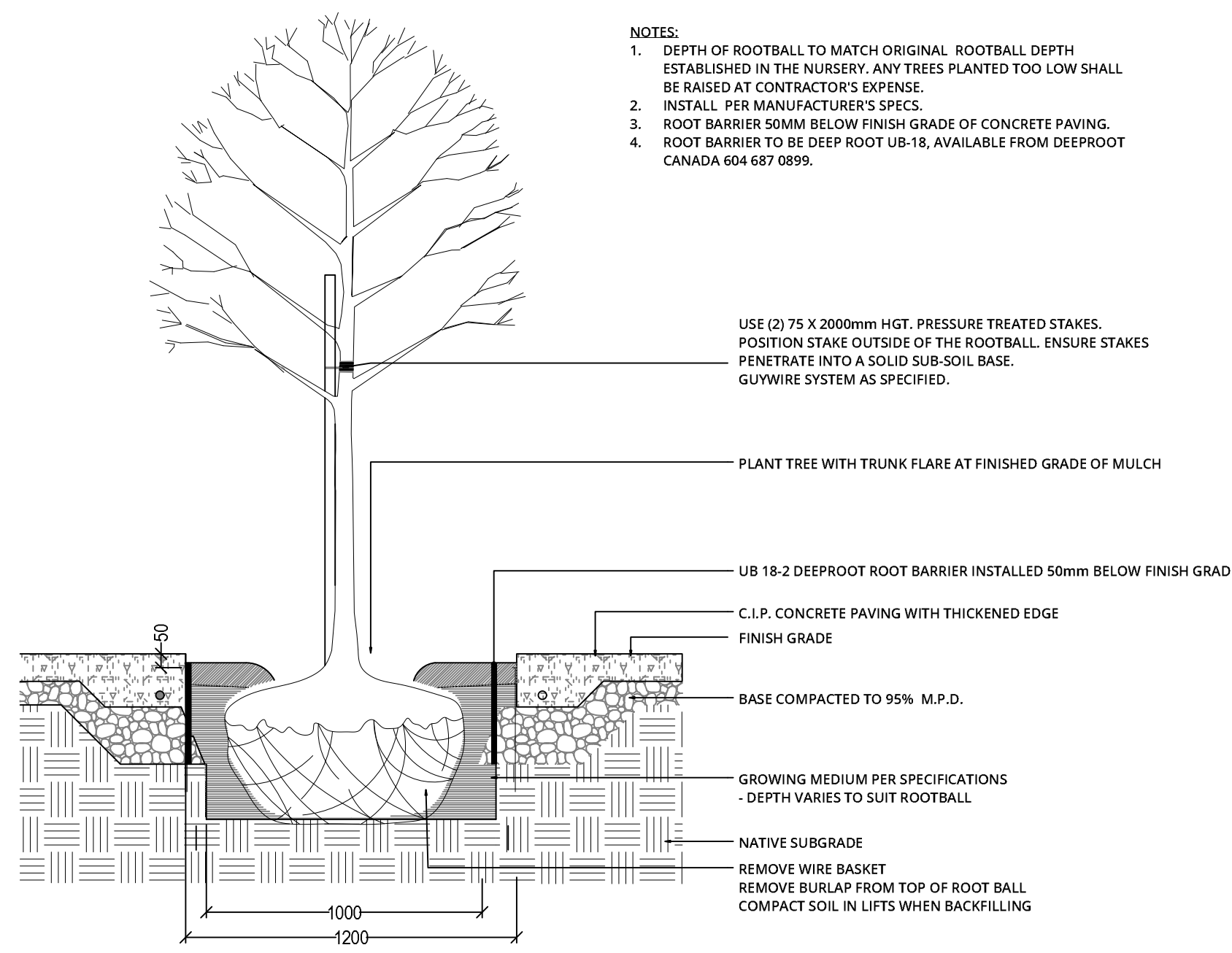


3 LDP 4 WOODEN BENCH NTS

NOTES:
1. SEAT BLOCK TO BE "LOVE TUBS" PRODUCT LOVETUBS-CT-ACCOYA BENCH (85 X 85 X 45cm) INSTALLED WITH TAMPER RESISTANT BOLTS, AVAILABLE FROM STREETLIFE (QUEBEC) 484-496-8281



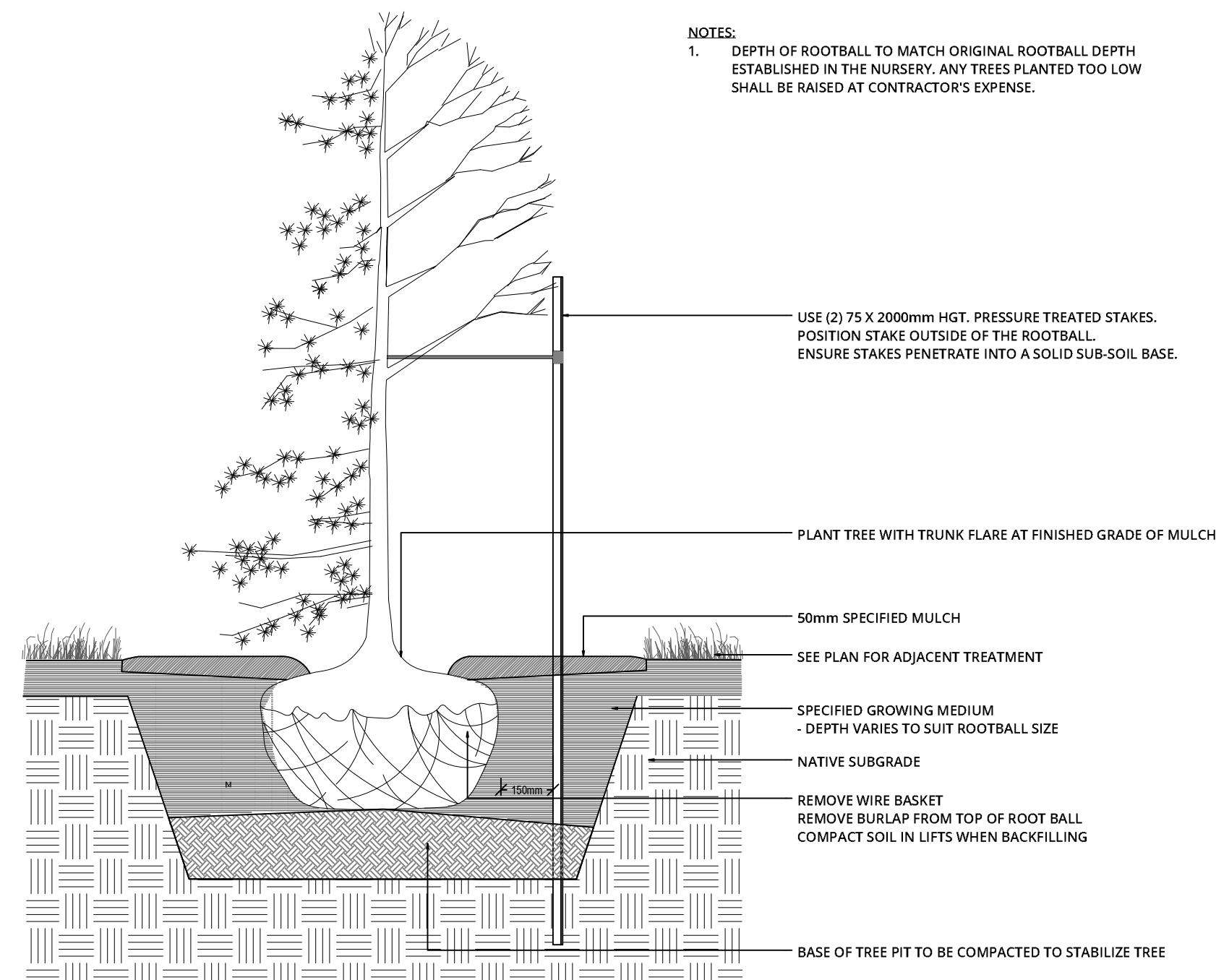
4 LDP 4 SEAT BLOCK NTS



5 LDP 4 ROOT BARRIER 1:20

NOTES:
1. DEPTH OF ROOTBALL TO MATCH ORIGINAL ROOTBALL DEPTH ESTABLISHED IN THE NURSERY. ANY TREES PLANTED TOO LOW SHALL BE RAISED AT CONTRACTOR'S EXPENSE.
2. INSTALL PER MANUFACTURER'S SPECS.
3. ROOT BARRIER 50MM BELOW FINISH GRADE OF CONCRETE PAVING.
4. ROOT BARRIER TO BE DEEP ROOT UB-18, AVAILABLE FROM DEEPROOT CANADA 604 687 0899.

USE (2) 75 X 2000mm HGT. PRESSURE TREATED STAKES. POSITION STAKE OUTSIDE OF THE ROOTBALL. ENSURE STAKES PENETRATE INTO A SOLID SUB-SOIL BASE. GUYWIRE SYSTEM AS SPECIFIED.
PLANT TREE WITH TRUNK FLARE AT FINISHED GRADE OF MULCH
UB 18-2 DEEPROOT ROOT BARRIER INSTALLED 50mm BELOW FINISH GRADE
C.I.P. CONCRETE PAVING WITH THICKENED EDGE FINISH GRADE
BASE COMPACTED TO 95% M.P.D.
GROWING MEDIUM PER SPECIFICATIONS - DEPTH VARIES TO SUIT ROOTBALL
NATIVE SUBGRADE
REMOVE WIRE BASKET REMOVE BURLAP FROM TOP OF ROOT BALL COMPACT SOIL IN LIFTS WHEN BACKFILLING

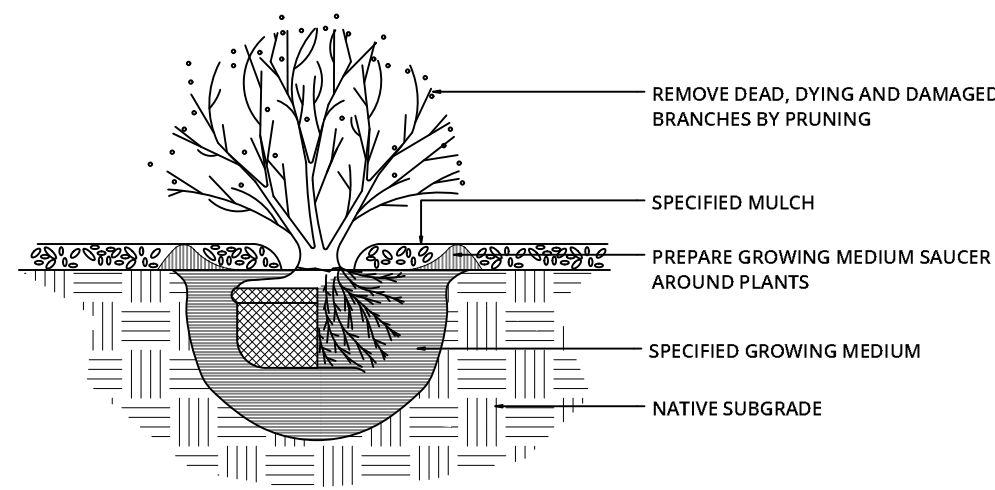


6 LDP 4 TREE PLANTING 1:20

NOTES:
1. DEPTH OF ROOTBALL TO MATCH ORIGINAL ROOTBALL DEPTH ESTABLISHED IN THE NURSERY. ANY TREES PLANTED TOO LOW SHALL BE RAISED AT CONTRACTOR'S EXPENSE.

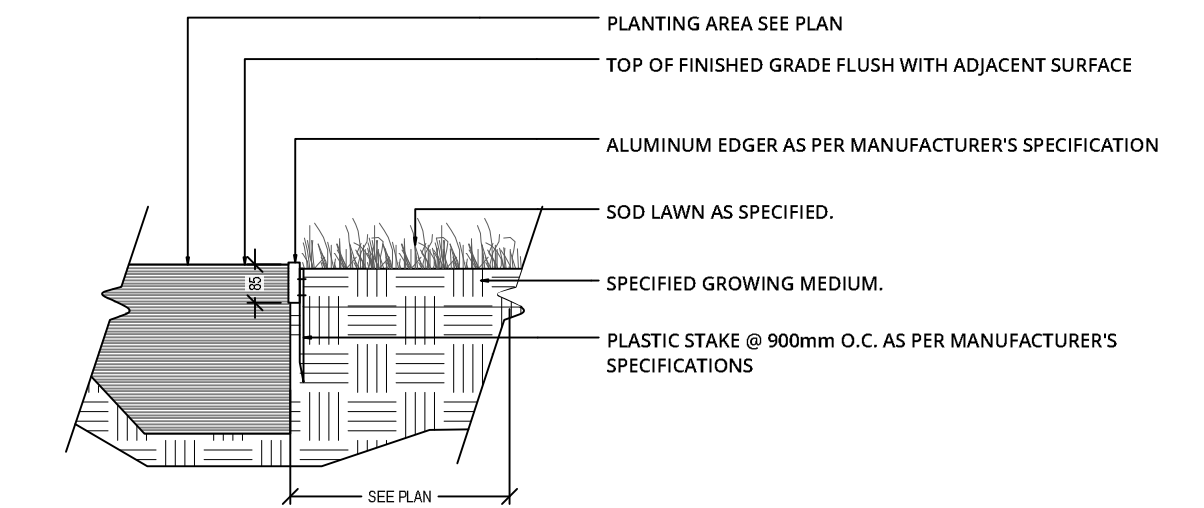
USE (2) 75 X 2000mm HGT. PRESSURE TREATED STAKES. POSITION STAKE OUTSIDE OF THE ROOTBALL. ENSURE STAKES PENETRATE INTO A SOLID SUB-SOIL BASE.
PLANT TREE WITH TRUNK FLARE AT FINISHED GRADE OF MULCH
50mm SPECIFIED MULCH
SEE PLAN FOR ADJACENT TREATMENT
SPECIFIED GROWING MEDIUM - DEPTH VARIES TO SUIT ROOTBALL SIZE
NATIVE SUBGRADE
REMOVE WIRE BASKET REMOVE BURLAP FROM TOP OF ROOT BALL COMPACT SOIL IN LIFTS WHEN BACKFILLING
BASE OF TREE PIT TO BE COMPACTED TO STABILIZE TREE

NOTES:
1. REMOVE CONTAINER WITHOUT DISTURBING THE ROOT SYSTEM OF THE PLANT.
2. CONTRACTOR TO ALLOW FOR SETTLEMENT WHEN PLANTING.



7 LDP 4 SHRUB PLANTING 1:20

NOTES:
1. HEADERBOARD TO BE PERMALOC ALUMINUM EDGER - CLEANLINE, 4.8mm TH X 5.5mm MT X 4.8mL, MILL FINISH WITH STANDARD 305mm STAKE. AVAILABLE FROM PERMALOC PRODUCTS 616 399 9600. INSTALL PER MANUFACTURER'S RECOMMENDATION.



8 LDP 4 HEADERBOARD 1:20

SCHEDULE C
This forms part of application # DP23-0017
Planner Initials **MT**
City of Kelowna COMMUNITY PLANNING

NO.	ISSUED FOR :	DATE
2	ISSUED FOR DEVELOPMENT PERMIT AMMENDMENT	2023-04-25
1	ISSUED FOR REVIEW	2023-03-27
0	ISSUED FOR DEVELOPMENT PERMIT	2023-01-23
NO.	DESCRIPTION	DATE

FORM & CHARACTER – DEVELOPMENT PERMIT GUIDELINES

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

SECTION 6.o: RETAIL, COMMERCIAL AND INDUSTRIAL						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
6.1 General Guidelines						
6.1.1 Relationship to the Street	N/A	1	2	3	4	5
a. Orient the long side of each building to be parallel to the public street.					✓	
b. Locate entries to be visible and directly accessible from the public street.					✓	
c. For buildings fronting highways, entries can be located away from the street, as long as there is a direct pedestrian connection to the site.	✓					
d. Avoid blank walls adjacent to the highway, streets, walkways, parks, or other amenity spaces.						✓
6.1.2 Site Planning and Landscaping	N/A	1	2	3	4	5
a. Locate buildings to ensure good sight lines for vehicular and pedestrian traffic.						✓
b. Provide direct, safe, continuous, and clearly defined pedestrian access from public sidewalks, parking areas, and transit stops to building entrances.					✓	
c. Use large canopy trees to define the public realm (e.g. at the sidewalk and property edge facing the street)				✓		
d. Distribute trees and landscaping throughout the site in order to: <ul style="list-style-type: none"> • Soften property edges facing the street; • Define internal roads, pedestrian routes, and open spaces; • Create pleasant pedestrian conditions; • Screen parking, loading, service, and utility areas; • Manage stormwater on-site; and • Break up large rows of parking by substituting a parking stall with a canopy tree in planter every 8-10 parking stalls; 						✓
e. Provide on-site bio-retention facilities (e.g. bioswales, rain gardens) to collect, store and filter stormwater from parking areas.	✓					
f. Pedestrian pathways should provide clear sight lines and connect the following: <ul style="list-style-type: none"> • Parking areas to building entrances; • Main building entrances to public sidewalks (where applicable); • Main building entrances to transit stopes (where applicable); • Between buildings on adjacent lots. 						✓
g. Provide separation between vehicular routes (especially truck access/loading) and pedestrian routes on-site to avoid conflict and					✓	

distinguish pedestrian routes from driving surfaces by using varied paving treatments and/or raising walkways to curb level.						
h. Base new development on an internal circulation pattern that allows logical movement throughout the site and that will accommodate, and not preclude, intensification over time.						✓
6.1.3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a. Design site accesses to provide the potential for future shared access with neighbours and to minimize curb cuts.						✓
b. Where practical, link access drives and parking lots of adjacent properties in order to allow for circulation of vehicles between sites.						✓
c. The preferred location for main parking areas is at the rear and/or side of the building. Avoid locating large parking areas between the building and the street.						✓
d. Where parking areas are visible from the street, screen them using strategies such as tree planting, berming, low walls, decorative fencing and/or hedging.	✓					
e. Break parking areas into smaller blocks defined by landscaping in order to minimize the amount of paved areas.						✓
f. Locate loading, utilities, mechanical equipment and garbage collection areas away from public view by: <ul style="list-style-type: none"> Integrating these facilities into the footprint of the building; or Screening using fencing, walls, and/or landscaping 						✓
g. Provide areas for temporary snow storage that do not conflict with site circulation, landscaping, and access to utility boxes. For example, by providing access via a lane away from public view.						✓
6.1.4 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
a. Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience						✓
b. Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry.					✓	
c. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall).						✓
d. Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building.						✓
e. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site.						✓
f. Locate, size and design ground-mounted signs to be oriented to pedestrians as opposed to vehicles.	✓					
g. Provide shielded, down lighting to provide security and ambient lighting while minimizing light pollution and spill over lighting into adjacent properties.	✓					

h. Provide weather protection at building entrances close to transit stops, and in areas with pedestrian amenities.			✓			
i. Incorporate substantial, natural building materials such as masonry, stone, and wood into building facades.						✓
j. Use an integrated, consistent range of materials and colors and provide variety by, for example, using accent colors.						✓
6.2 Boutique Retail						
6.2.1 Relationship to the Street	N/A	1	2	3	4	5
a. Buildings on a corner parcel should orient frontages towards both streets is possible and included distinct architectural features, such as: <ul style="list-style-type: none"> • Special or decorative canopies; or • Bay windows, balconies, turrets, or articulated roof line features; or • A corner entrance. 	✓					
b. Avoid blank walls adjacent to the highway, streets, lanes, walkways, parks, or other amenity spaces.						✓
6.2.2 Site Planning and Landscaping	N/A	1	2	3	4	5
a. Provide site furnishings, such as seating, bike racks, and shelters at building entrances and amenity areas.						✓
6.2.2 Site Planning and Landscaping	N/A	1	2	3	4	5
a. Provide sheltered bicycle parking in visible and well-lit locations near building entrance and pedestrian walkways.					✓	
6.2.4 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
a. Design the façade of buildings with multiple storefronts so that each is defined through individual signage, entrances, canopies and/or materiality.						✓
b. Create transparent retail frontages with visual access to the interior of retail stores, and avoid the use of: <ul style="list-style-type: none"> • Materials such as black out advertising panels; • Dark and/or reflective glass 						✓

January 20th, 2023

Re: COMMERCIAL DEVELOPMENT SITE, 988 Frost Road, Kelowna, BC

Our File No.: 22005

RE: DESIGN RATIONALE

INTRODUCTION

ATTACHMENT C

This forms part of application
DP23-0017

Planner Initials **MT**

City of Kelowna
COMMUNITY PLANNING



The proposed Phase 2 development is approximately 3.4 acres in size and is located east of Phase 1, on Frost Road in the Ponds area of Upper Mission in Kelowna. The development is bounded by Phase 1, currently with an approved Development Permit, to the west, Frost Road to the south and by the Hydro right of way / Powerline Park to the north, with the remaining undeveloped property to the east.

The site is designated as a Village Centre and as such is designed to serve the immediate surrounding area, providing basic day to day services for the area and serves as a hub of activity for the surrounding community. The site plan offers a number of public spaces and plazas that provide a community amenity, creating small activity hubs and allows residents to travel shorter distances for day-to-day errands.

Strong visual references throughout the development - along the perimeter and within the development are critical in establishing this development as a “place maker” for the neighbourhood. The stylized wood trestle elements are a nod to the iconic train trestles in the outlying areas of Kelowna and have been integrated into the design of the buildings, signage and landscape to create repetitive elements that create a recognizable character for the site. Along with the use of red brick on most buildings, we have layered an historic patina on a modern design aesthetic to create a striking neighbourhood centre.

COLOURS AND MATERIALS

Materials and colours have been selected to create a rich and textured palette. Taking cues from the local environment, the colour palette is rich in natural earth tones from warm greys and blacks, through to ambers, taupes and reds. The materials used inherently provide much of the rendered colours – from the local red brick, stone and timbers to coated metal panels and canopies.

PEDESTRIAN ORIENTED / CONNECTIVITY

This second phase of the proposed development continues the incorporation of fundamental qualities and characteristics required for a successful village retail development. The smaller individual retail buildings continue the natural pedestrian flow from the larger retail anchors in Phase 1, drawing patrons across the development from the first phase through to the second phase site. The retail units are designed to activate both the internal circulation system as well as along Frost Road, with ample glazing, a mix of materials and active entrances on all sides of the units. The following principles have been considered in the development of the site plan:

- Creation of an internal main pedestrian route, connected through entry points along Frost Road to the village centre where the smaller stores surround a central green space.
- The central green space is one of a series of enhanced “connection points” within the site, designed as areas for the public to meet, connect and rest while shopping or passing through the development.
- Large sidewalks and secondary plazas throughout the site create another level of public gathering areas that act as informal seating areas with benches and also can act as extension of patio areas associated with potential restaurant and café spaces.
- A localized internal vehicle circulation route provides access to all retail storefronts while remaining secondary to pedestrian routes.
- Strong visual connections throughout the site promote shoppers circulating through the development.
 - All retail, restaurants and service uses are at grade
 - Strategically locating landscaping and street trees to maximize pedestrian comfort.

INTEGRATE NATURE

The overall plan integrates landscaping that reflects the surrounding natural environment and integrates an active green space in the centre of the village. Street trees along the perimeter of the site as well as trees within the site create a comfortable, well planted development. The landscape design reflects the natural environment through the use of indigenous trees, shrubs and grasses, along with the use of hard landscaping materials including benches and planters using local aggregate in the mix.

SOCIAL INTERACTION + CULTURAL / ARTISITIC EXPRESSION

The development integrates small-scale spaces where the public can experience and participate in local cultural programs, public events and performances. Opportunities for local art exist within these public spaces.

CPTED

CPTED principles are integrated into the design on all levels of the development from site layout, landscaping, lighting and individual building design. Considerations incorporated into the conceptual design include:

- View corridors throughout the development present long uninterrupted vistas
- Natural surveillance is maximized through visual connections to streets along the perimeter and through the development.
- Pathways with integrated landscaping will come with low plantings and high canopies to provide view corridors with no areas of concealment.
- Lighting levels will be appropriate, balancing security with comfort and ambience.
- Exterior building materials will be impact resistant and come with graffiti resistant finishes (texturing and coating)
- Buffer plantings will include a number of plants to discourage traffic through the buffer areas.
- Landscaping used to screen the parking areas will be designed to allow visibility from the streets offering a good level of surveillance for cars and pedestrians.
- Extensive glazing provides visibility and transparency and opportunities for “eyes on the street”.

Very truly yours,

collabor8 Architecture + Design (BC) Inc.



Chris Block, Architect, AIBC

ATTACHMENT D

This forms part of application

DP23-0017

Planner
Initials **MT**





City of
Kelowna

Application No. DP23-0017 940 – 1030 Frost Road

Development Permit

Purpose

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

Development Process

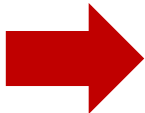


Feb 3, 2023

Development Application Submitted



Staff Review & Circulation



May 8, 2023

Development Permit



Council Approval



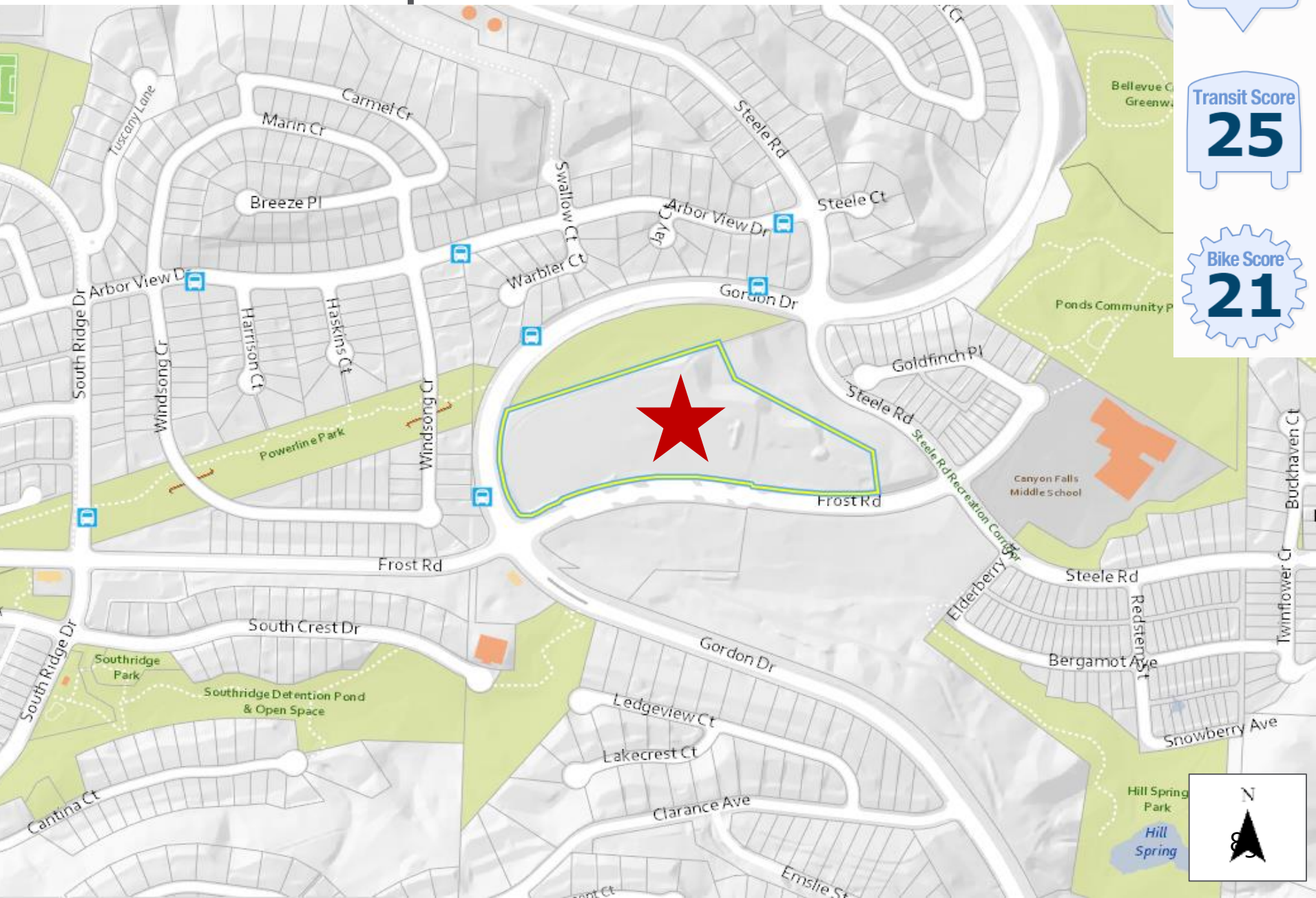
Building Permit

Context Map

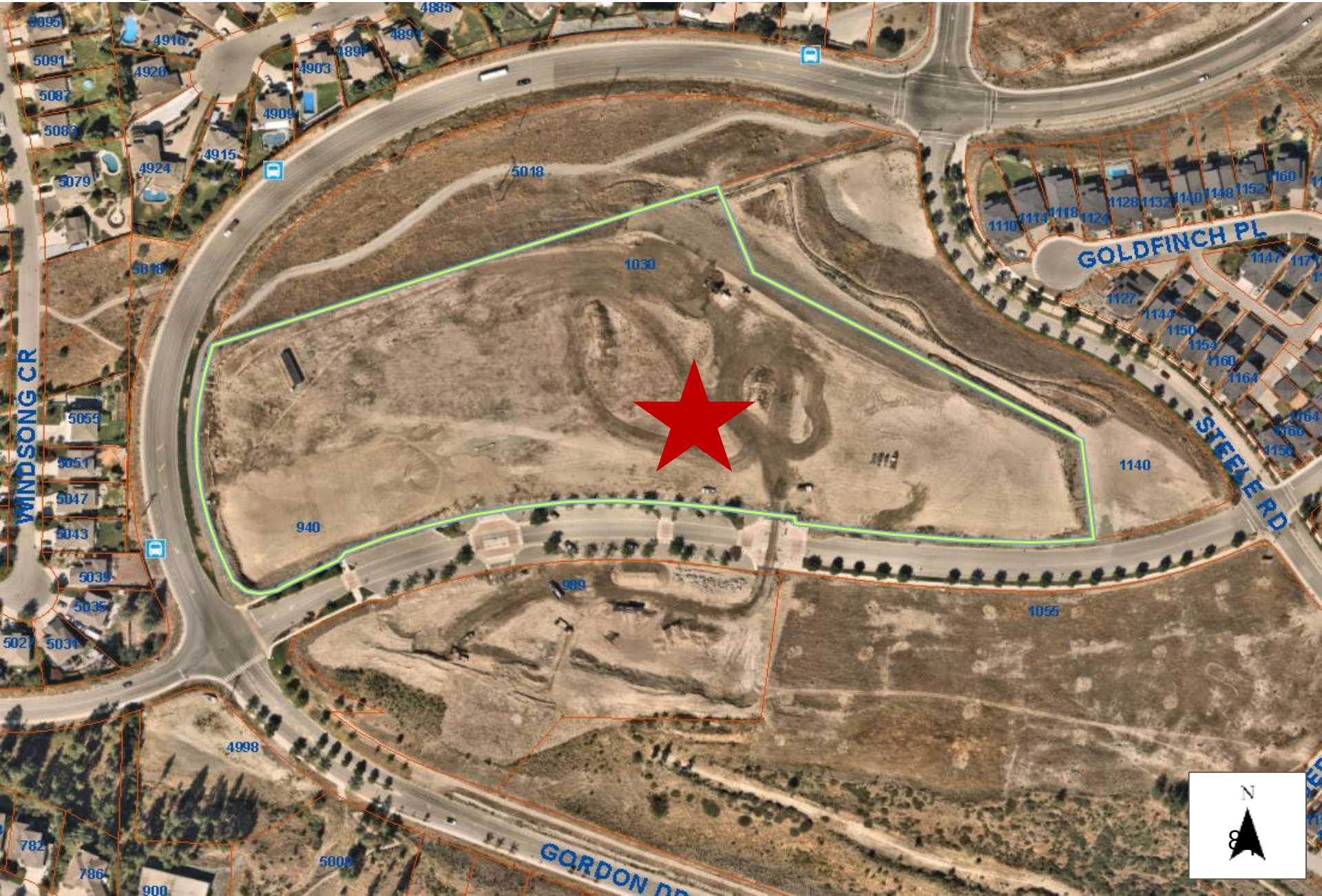
Walk Score
7

Transit Score
25

Bike Score
21



Subject Property Map



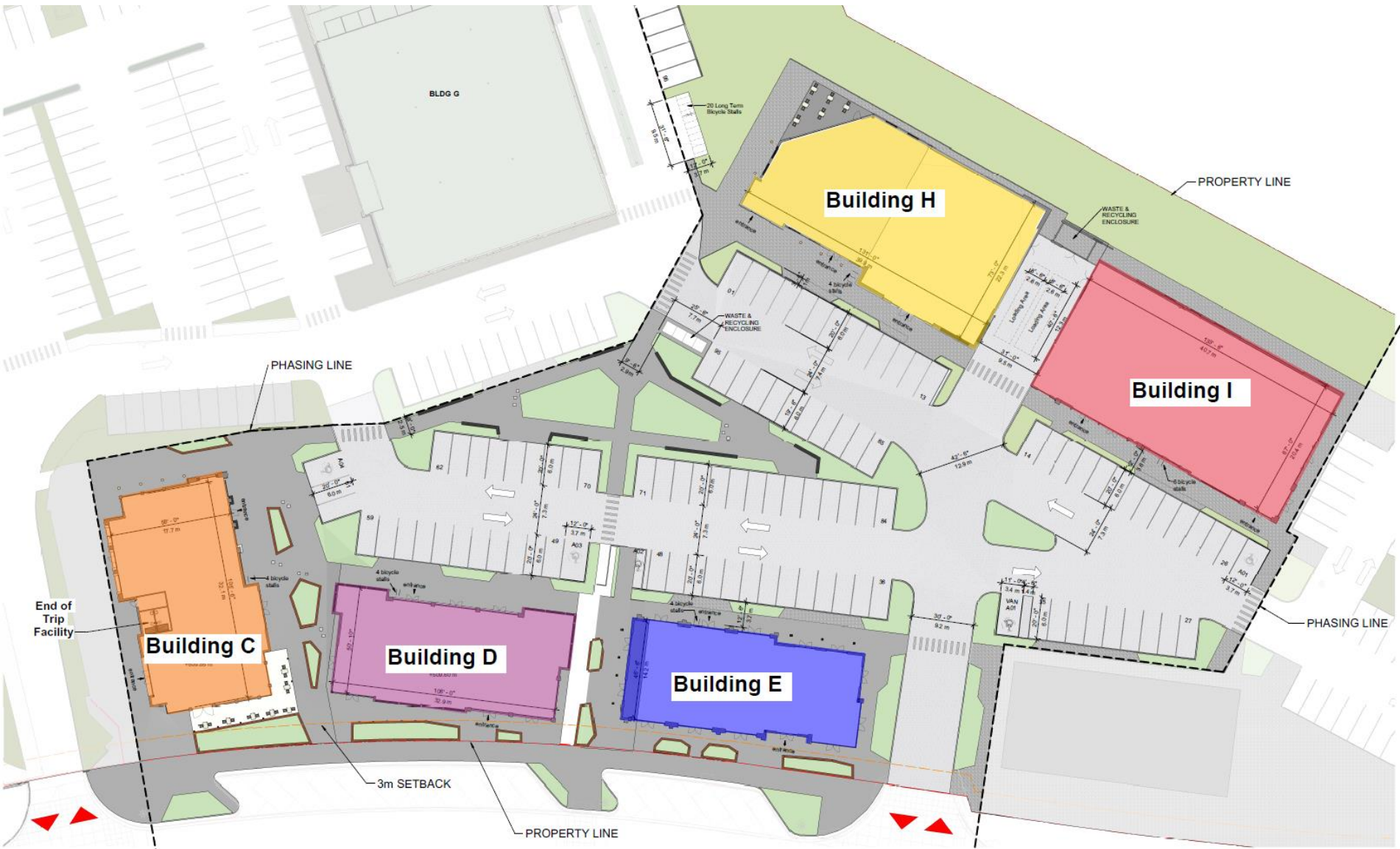
Technical Details

- ▶ 5 commercial buildings
 - ▶ Single storey
 - ▶ 3340 m² of commercial space
 - ▶ 3 are oriented towards Frost Road
- ▶ Surface parking lot
 - ▶ 106 vehicle parking stalls
- ▶ Materials coordinated with Phase 1
 - ▶ Take inspiration from natural landscape
- ▶ Landscaping
 - ▶ 74 trees

Overall Site Plan



Site Plan



Elevation – Building C



BLDG C - East Elev.
SCALE: 1/8" = 1'-0"



BLDG C - North Elev.
SCALE: 1/8" = 1'-0"



BLDG C - West Elev.
SCALE: 1/8" = 1'-0"



BLDG C - South Elev.
SCALE: 1/8" = 1'-0"

Elevation – Building D



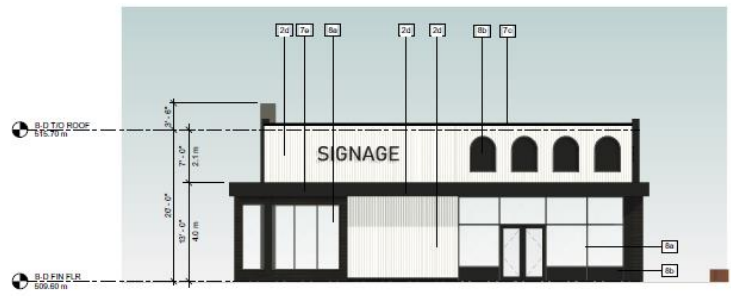
BLDG D - SOUTH ELEV.
SCALE: 1/8" = 1'-0"



BLDG D - EAST ELEV.
SCALE: 1/8" = 1'-0"



BLDG D - NORTH ELEV.
SCALE: 1/8" = 1'-0"



BLDG D - WEST ELEV.
SCALE: 1/8" = 1'-0"

Elevation – Building E



BLDG E - North Elev.
SCALE: 1/8" = 1'-0"



BLDG E - East Elev.
SCALE: 1/8" = 1'-0"



BLDG E - South Elev.
SCALE: 1/8" = 1'-0"



BLDG E - West Elev.
SCALE: 1/8" = 1'-0"

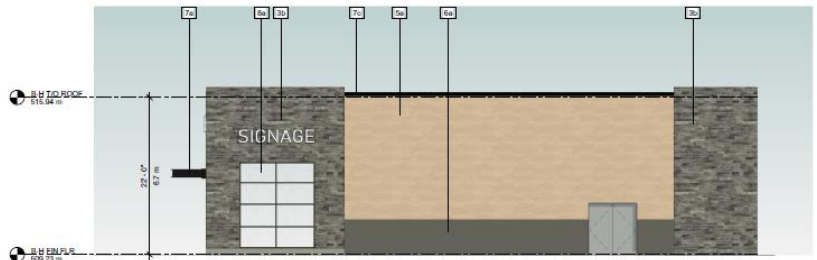
Elevation – Building H



BLDG H - South-West Elev.
SCALE: 1/8" = 1'-0"



BLDG H - North - West Elev.
SCALE: 1/8" = 1'-0"



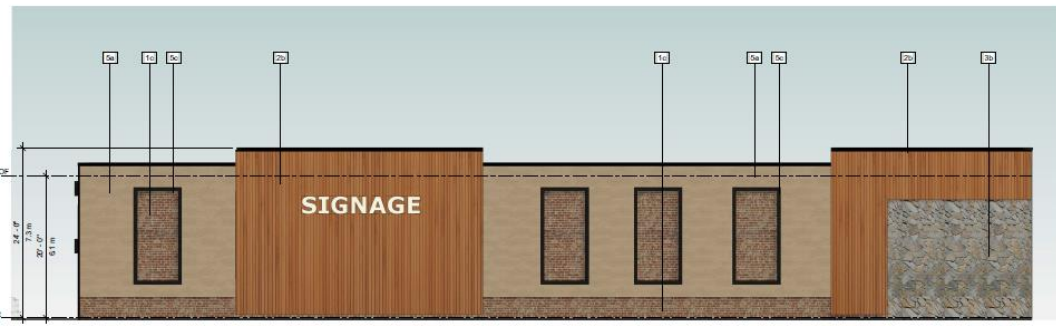
Elevation – Building I



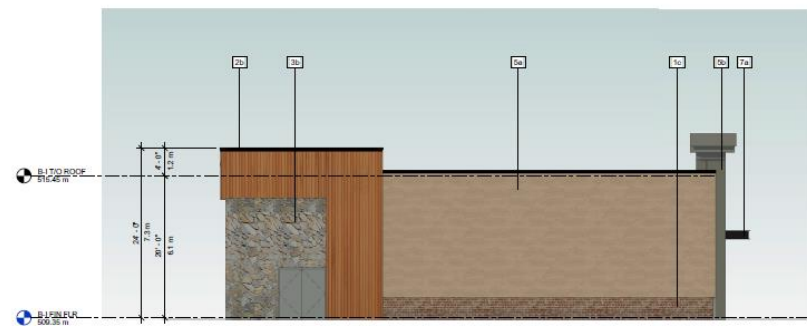
BLDG I - South-West Elev.
SCALE: 1/8" = 1'-0"



BLDG I - South-East Elev.
SCALE: 1/8" = 1'-0"



BLDG I - North-East Elev.
SCALE: 1/8" = 1'-0"



BLDG I - North-West Elev.
SCALE: 1/8" = 1'-0"

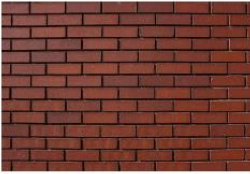
Materials Board



OKANAGAN LAKE



MYRA CANYON TRAIL



1a - BRICK DARK RED



1c - WASHED BRICK RED



1d - BRICK LIGHT GREY



5a - SAND STUCCO BEIGE



2a - CEMENT BOARD - DARK VERTICAL SIDING



2b - CEMENT BOARD - WOOD TEXTURE VERTICAL SIDING



2c - CEMENT BOARD FOG GREY



2d - WHITE VERTICAL SIDING



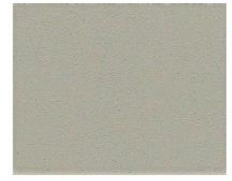
3a - DRYSTACK STONE



3b - DRYSTACK STONE



3c - STONE TILES



5b - SAND STUCCO GREY



MAIN ST KELOWNA, 1909

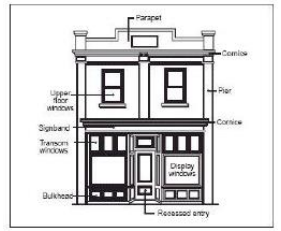


Illustration 4
Typical historic building facade showing major components

Landscape Plan - East



Rendering



OCP Policies

- ▶ Policy 7.1.2 Suburban Village Centre Services
 - ▶ Encourage a range of services in Suburban Village Centres that are scaled to support residential development in surrounding neighbourhoods
- ▶ Policy 7.1.3 Pedestrian Oriented Village Centres
 - ▶ Provide human scaled, walkable Suburban Village Centres
- ▶ Policy 7.1.4 The Ponds Village Centre
 - ▶ Mixed of commercial and residential development to a maximum height of four storeys and orientation of buildings towards Frost Road

OCP Design Guidelines

- ▶ Orient buildings toward the street
- ▶ Distribute trees and landscaping throughout the site to soften property edges and define pedestrian routes
- ▶ Design site accesses and parking lots to link with adjacent development
- ▶ Provide articulated facades with various design features
- ▶ Consistent, integrated range of materials and colours

Staff Recommendation

- ▶ Staff recommend **support** for the proposed Development Permit as it:
 - ▶ Aligns with OCP Policy for the Ponds Village Centre
 - ▶ Conforms with the OCP Form and Character Design Guidelines for Commercial Development

CITY OF KELOWNA
BYLAW NO. 12497
TA22-0014 – 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 5 – Definitions & Interpretations, 5.3 General Definitions, "B" BEDROOM** be amended as follows:

Deleting the following after "is for sleeping.":

"It may include, but is not limited to, dens, lofts, studies, and libraries.";

And replace with:

"Regardless of the room's name (including but not limited to) dens, flex rooms, lofts, studies, libraries, etc. if the room's layout could be utilized primarily for sleeping then the room shall be considered a bedroom.";

2. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, "E" EDUCATION SERVICES** be amended by adding the following:

"Residential dwelling units are permitted within Education Services if the dwelling units are administered by the Education Service.";

3. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, "F" FLOOR AREA, NET** be amended by deleting "attached" before "garages, carports, breezeways.";

4. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, "L" LANDSCAPE AREA** be amended as follows:

Deleting the following:

"means the area located within the required front yard setback areas, rear yard setback areas, and industrial side yard setback areas setback area up to a maximum of 3.0 metres.";

And replace with:

"means the area up to a maximum of 3.0 metres located into a required: front yard setback area, flanking side yard setback area, rear yard setback areas, or industrial side yard setback area.";

5. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, “M” MOBILE HOME** be amended by deleting “steel frame that is design” after “resistant” and replace with “frame that is designed”;

6. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, “R” RESIDENTIAL SECURITY/OPERATOR UNIT** be amended as follows:

Deleting the following:

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

And replace with:

“means secondary building or portion of a building used to provide a single on-site accommodation for: persons employed on the property, a site caretaker, an operator of a commercial establishment, or an on-duty security personnel.”;

7. AND THAT **Section 5 – Definitions & Interpretations, 5.3 General Definitions, “S” SLEEPING UNIT** be amended as follows:

Deleting the following:

“means a habitable room not equipped with self-contained cooking facilities, providing accommodation for guests.”;

And replace with:

“means a habitable room that may or may not be equipped with self-contained cooking facilities (i.e. a partial or full kitchen), which provides accommodation for guests.”;

8. AND THAT **Section 6 – General Development Regulations, 6.8.3 Density Bonus** be amended as follows:

Deleting the following:

“ (a) all of the dwelling units are zoned for the residential rental tenure and a minimum of 80% of the dwelling units authorized by the building permit that are not ground-oriented shall have balconies with a gross floor area of at least 5% of the dwelling unit’s gross floor area; or

(b) a payment is made into Housing Opportunities Reserve Fund as established by Bylaw No. 8593 in accordance Table 6.8.b in respect of at least 2% of the total number of dwelling units authorized by the building permit authorizing the construction of the bonus density.”;

And replace with:

“(a) all the dwelling units are zoned for the residential rental tenure and a minimum of 80% of the dwelling units authorized by the building permit that are not ground-oriented shall have balconies with a gross floor area of at least 5% of the dwelling unit’s gross floor area This does not include any additional height associated with bonus FAR; or

(b) a payment is made into Housing Opportunities Reserve Fund as established by Bylaw No. 8593 in accordance with Table 6.8.b in respect to the total amount of affordable housing units authorized by the building permit authorizing the construction of the bonus density.”;

9. AND THAT **Section 7 – Site Layout, Table 7.2 Tree & Landscaping Planting Requirements, Criteria** be amended by deleting “Infill Housing and Townhouses” and replace with “MF1 & MF2 Zones”;
10. AND THAT **Section 7 – Site Layout, Table 7.2 Tree & Landscaping Planting Requirements, Criteria** be amended by deleting “Apartments in Multi-Dwelling Zones” and replace with “MF3 zone, Core Area Zone, and Health District Zones”;
11. AND THAT **Section 7 – Site Layout, Table 7.2 Tree & Landscaping Planting Requirements, Criteria** be amended by adding, “Village Centre Zone,” after “Urban Centre Zones”;
12. AND THAT **Section 7 – Site Layout, Table 7.2 Tree & Landscaping Planting Requirements, Criteria** be amended by deleting “Commercial Zones & Industrial Zones” and replace with “Commercial Zones, Industrial Zones, & Comprehensive Development Zones”;
13. AND THAT **Section 8 – Parking and Loading, 8.1.4(c) General Provisions and Development Standards** be amended by deleting “the disabled” after “spaces for” and replace with “universal accessibility”;
14. AND THAT **Section 8 – Parking and Loading, 8.2.1 Off-Street Parking Regulations** be amended by deleting “the disabled” after “including parking for” and replace with “universal accessibility”;
15. AND THAT **Section 8 – Parking and Loading, Table 8.2.7.a Dimensions of Parking Spaces and Drive Aisles** be deleted in its entirety and replaced with Table 8.2.7.a as outlined in **Schedule A** attached to and forming part of this bylaw;

16. AND THAT **Section 8 – Parking and Loading, Table 8.2.7.b Ratio of Parking Space Sizes** be deleted in its entirety and replaced with Table 8.2.7.b outlined in **Schedule B** as attached to and forming part of this bylaw;
17. AND THAT **Section 8 – Parking and Loading, 8.2.9 Size and Ratio** be amended by adding “width” after “the parking space”;
18. AND THAT **Section 8 – Parking and Loading, 8.2.11 (b) Number of Spaces** be amended by adding “Urban Centres,” after “Within the Core Area,”;
19. AND THAT **Section 8 – Parking and Loading, 8.2.17(a) Accessible Parking Standards** be amended by deleting “a visitor parking space is required, then” and replace with “one or more visitor parking spaces are required, then”;
20. AND THAT **Section 8 – Parking and Loading, Table 8.3.1 Residential Multi-Dwelling Parking** be deleted in its entirety and replaced with Table 8.3.1 outlined in **Schedule C** as attached to and forming part of this bylaw;
21. AND THAT **Section 8 – Parking and Loading, Table 8.3.1a Other Residential Parking** be deleted in its entirety and replaced with Table 8.3.1a outlined in **Schedule D** as attached to and forming part of this bylaw;
22. AND THAT **Section 8 – Parking and Loading, Table 8.3.2 Commercial** be deleted in its entirety and replaced with Table 8.3.2 outlined in **Schedule E** as attached to and forming part of this bylaw;
23. AND THAT **Section 8 – Parking and Loading, Table 8.3.3 Agriculture** be amended by adding “GFA = gross floor area” under “Table 8.3.3 Agriculture”;
24. AND THAT **Section 8 – Parking and Loading, Table 8.3.4 Industrial** be deleted in its entirety and replaced with Table 8.3.4 outlined in **Schedule F** as attached to and forming part of this bylaw;
25. AND THAT **Section 8 – Parking and Loading, Table 8.3.5 Institutional** be deleted in its entirety and replaced with Table 8.3.5 outlined in **Schedule G** as attached to and forming part of this bylaw;
26. AND THAT **Section 8 – Parking and Loading, Table 8.3.6 Community, Recreational, and Cultural** be deleted in its entirety;
27. AND THAT **Section 8 – Parking and Loading, Figure 8.3 Parking Exception Areas** be deleted in its entirety;

28. AND THAT **Section 8 – Parking and Loading, Table 8.4 Minimum Loading Required** be deleted in its entirety and replaced with Table 8.4 outlined in **Schedule H** as attached to and forming part of this bylaw;
29. AND THAT **Section 8 – Parking and Loading, Table 8.5 Minimum Bicycle Parking Spaces Required** be deleted in its entirety and replaced with Table 8.5 outlined in **Schedule I** as attached to and forming part of this bylaw;
30. AND THAT **Section 8 – Parking and Loading, 8.5.8 Off-Street Bicycle Parking** be amended by adding “Urban Centres,” after “Within the Core Area,”;
31. AND THAT **Section 8 – Parking and Loading, Table 8.6.1 Required End-of-Trip Facilities, FOOTNOTES** be amended by deleting “Section” and replace with “Table”;
32. AND THAT **Section 8 – Parking and Loading, Table 8.6.1 Required End-of-Trip Facilities, FOOTNOTES** be amended by deleting “End of trips” and replace with “End-of-trip facilities”;
33. AND THAT **Section 9 – Specific Use Regulations, 9.1 Applications** be amended by adding in its appropriate location the following:

“9.12 Transportation Corridor

9.12.1 Any flanking side yard, side yard, or rear yard abutting the Transportation Corridor (TC) future land use designation outlined in the Official Community Plan shall have a minimum 3 metre setback from that lot line. That setback area shall be landscaped in accordance with Section 7.

9.12.2 Notwithstanding Section 7, any fencing within the landscape area required by Section 9.12.1 shall be a black chain link fence, or other materials approved by the Divisional Director of Planning and Development Services. The fence may be substituted for a continuous opaque barrier only where Section 7 permits continuous opaque barriers. If a fence or continuous opaque barrier is installed, then the fence or continuous opaque barrier must:

- a) contain at least one pedestrian access gate along the lot line abutting the Transportation Corridor (TC) future land use designation;
- b) have the pedestrian access gate be a minimum of 1.6 metres wide and be lockable and controlled by the subject property owner.

9.12.3 Notwithstanding Section 7.5, the maximum fence height within the landscape area required by Section 9.12.1 shall be 2.0 metres and must be setback at least 0.15 metres from the lot line abutting the Transportation Corridor (TC) future land use designation.

9.12.4 Any lots zoned A1-Agriculture or P3 -Parks and Open Space are exempt from the requirements in Section 9.12.”;

34. AND THAT **Section 9 – Specific Use Regulations, 9.2 Home Based Business Regulations** be amended by adding “m² = square metres” under “Section 9.2 – Home Based Business Regulations”;

35. AND THAT **Section 9 – Specific Use Regulations, 9.2 Home Based Business Regulations, Employee Restriction** be amended by adding the following under Rural:

“ Two persons maximum other than the principal residents of the dwelling unit can be engaged in the home-based business onsite.”;

36. AND THAT **Section 9 – Specific Use Regulations, Section 9.6 Agriculture, Urban Regulations, Community Garden Regulation** be amended as follows:

Deleting the following that reads:

“Have no or materials related to the community garden stored outside on the lot”

And replace with:

“No materials shall be stored outside of the lot”

37. AND THAT **Section 9 – Specific Use Regulations, Table 9.7.4 Site Specific Regulations** be amended by deleting the table in its entirety and replace it with Table 9.7.4 outlined in **Schedule J** as attached to and forming part of this bylaw;

38. AND THAT **Section 9 – Specific Use Regulations, Table 9.9.9 Site Specific Regulations** be amended by deleting the table in its entirety and replace it with Table 9.9.9 outlined in **Schedule K** as attached to and forming part of this bylaw;

39. AND THAT **Section 9 – Specific Use Regulations, Table 9.11 Tall Building Regulations** be amended by deleting the table in its entirety and replace it with Table 9.11 outlined in **Schedule L** as attached to and forming part of this bylaw;

40. AND THAT **Section 10 – Agriculture & Rural Residential Zones, A1: 10.3 Permitted Land Uses, Animal Clinics, Major** be amended by deleting “-” and replace with “P”;

41. AND THAT **Section 10 – Agriculture & Rural Residential Zones, A1: 10.3 Permitted Land Uses, Animal Clinics, Minor** be amended by deleting “-” and replace with “P”;

42. AND THAT **Section 10 – Agriculture & Rural Residential Zones, RR1: 10.3 Permitted Land Uses, Child Care Centre, Major** be amended by deleting "S" and replace with "P";
43. AND THAT **Section 10 – Agriculture & Rural Residential Zones, RR2: 10.3 Permitted Land Uses, Child Care Centre, Major** be amended by deleting "S" and replace with "P";
44. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Table 10.3 – Permitted Land Uses, FOOTNOTES 10.3.9** be amended as follows:

Deleting the following that reads:

"When a home-based business, rural involves the cutting and wrapping of wild game or any meat, the lot must have a lot area greater than 3,300 m²";

And replace with:

"All home-based business, rural must have a minimum lot area as described in Section 9.2 Home-based business.";

45. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.6 Development Regulations** be deleted in its entirety and replaced with Section 10.6 outlined in **Schedule M** as attached to and forming part of this bylaw;
46. AND THAT **Section 11 – Single and Two Dwelling Zones, RU1: 11.3 Permitted Land Uses, Child Care Centre, Major** be amended by deleting "S" and replace with "P";
47. AND THAT **Section 11 – Single and Two Dwelling Zones, RU2: 11.3 Permitted Land Uses, Child Care Centre, Major** be amended by deleting "S" and replace with "P";
48. AND THAT **Section 11 – Single and Two Dwelling Zones, RU4: 11.3 Permitted Land Uses, Child Care Centre, Major** be amended by deleting "S" and replace with "P";
49. AND THAT **Section 11 – Single and Two Dwelling Zones, RU5: 11.3 Permitted Land Uses, Child Care Centre, Major** be amended by deleting "S" and replace with "P";
50. AND THAT **Section 11 – Single and Two Dwelling Zones, 11.3 – Permitted Land Uses, FOOTNOTES 11.3.7** be amended as follows:

Deleting the following that reads:

" For a lot located outside the Core Area, the lot must have a carriage house sub-zone 'c' on the property for a carriage house to be permitted. For a lot located within the Core Area, a carriage

house is a permitted secondary use without the necessity of the sub-zone. Carriage houses must be on a lot serviced with community sanitary sewer and community water, except, carriage houses are permitted on lots without community sanitary sewer services if the lot area is at least 10,000 m².”;

And replace with:

“ Carriage houses are permitted as a secondary use without the necessity of the sub-zone if the lot is located within the Core Area Neighbourhood (C-NHD) or the Suburban Residential (S-RES) future land use designations as outlined within the OCP. Lots located outside those future land use designations must have a carriage house sub-zone ‘c’ on the property for a carriage house to be permitted. Further, carriage houses must be on a lot serviced with community sanitary sewer and community water, except, carriage houses are permitted on lots without community sanitary sewer services if the lot area is at least 10,000 m².”;

51. AND THAT **Section 11 – Single and Two Dwelling Zones, RU4: 11.3 Permitted Land Uses, Carriage House** be amended by deleting “7”
52. AND THAT **Section 11 – Single and Two Dwelling Zones, 11.5 Development Regulations** be deleted in its entirety and replace with Section 11.5 outlined in **Schedule N** as attached to and forming part of this bylaw;
53. AND FURTHER THAT **Section 12 – Mobile Home and Camping Zones, 12.3 Subdivision Regulations** be deleted in its entirety and replace with Section 12.3 outlined in **Schedule O** as attached to and forming part of this bylaw;
54. 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 13th day of March, 2023.

Considered at a Public Hearing on the 18th day of April, 2023.

Read a second and third time by the Municipal Council this 18th day of April, 2023.

Approved under the Transportation Act this 19th day of April, 2023.

Audrie Henry

 (Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

SCHEDULE A

Table 8.2.7.a Dimensions of Parking Spaces and Drive Aisles m = metres			
Parking Spaces:	Min. Length	Min. Width	Min. Height Clearance
Regular Size Vehicle parking space	6.0 m	2.5 m	2.0 m
Small Size Vehicle parking space	4.8 m	2.3 m	2.0 m
Accessible parking spaces	6.0 m	3.7 m	2.3 m
Van-Accessible parking spaces	6.0 m	4.8 m	2.3 m
Regular Size Parallel parking space	7.0 m	2.6 m	2.0 m
Small Size Parallel parking space	6.5 m	2.5 m	2.0 m
Drive Aisles:	Min. Length	Min. Width	Min. Height Clearance
All two-way drive aisles serving 90 degrees parking (e.g., parking lot , parkade, garage)	n/a	6.5 m	2.0 m
All two-way surface drive aisles without adjacent parking	n/a	6.0 m	2.0 m
All two-way surface drive aisles without access to adjacent parking , garages, and / or carports in MF1 zone	n/a	4.5 m	2.0 m
All two-way surface drive aisles with access to adjacent parking , garages, and / or carports in MF1 zone	n/a	6.0 m	2.0 m
One way drive aisles (60 degree parking)	n/a	5.5 m	2.0 m
One way drive aisles (45 degree parking & parallel parking)	n/a	3.5 m	2.0 m

SCHEDULE B

Table 8.2.7.b Ratio of Parking Space Sizes		
Uses:	Min. Regular Size Vehicle parking spaces	Max. Small Size Vehicle parking spaces
Single Detached Dwelling, Duplex, or Semi-Detached	100% ^{.3}	0%
Carriage house or secondary suite	0%	100% ^{.3, .4}
Short-term rental accommodations	0%	100% ^{.3, .4}
Dwelling units in the MF1 zone with access to a lane	0%	100% ^{.3, .4}
Dwelling units in the MF1 zone without access to a lane	100% ^{.3}	0%
Townhouses, Stacked Townhouses, and Apartments	50% ^{.1, .2, .3, .4}	50% ^{.4}
Commercial	70% ^{.4}	30% ^{.4}
Industrial	70% ^{.4}	30% ^{.4}
Institutional	50% ^{.4}	50% ^{.4}
FOOTNOTES (Section 8.2.7): <ul style="list-style-type: none"> ^{.1} For the purpose of calculating the percentage of regular size vehicle parking spaces, “accessible parking spaces” shall be included in the minimum number regular size vehicle parking spaces. ^{.2} All visitor parking spaces must be regular size vehicle parking spaces. ^{.3} All parking spaces that are configured in tandem must be regular size vehicle parking space. ^{.4} All parking spaces must be regular size vehicle parking space when the length of a parking space abuts a doorway. 		

SCHEDULE C

Table 8.3.1 Residential Multi-Dwelling Parking					
<u>Land Use / Type of Development</u>	Base Parking Requirement (Number of spaces)				Minimum Visitor Parking Requirement <small><u>.1, .2</u></small>
	Urban Centre Zones <small><u>.5</u></small>	MF1 Zone <small><u>.4</u></small> , Village Centre Zones, and Zones fronting a <u>Transit Supportive Corridor</u>	All other zones within the <u>Core Area</u>	All other zones outside the <u>Core Area</u> <small><u>.3</u></small>	
<u>Apartment Housing</u> <u>Townhouses</u> <u>Stacked Townhouses</u>	<u>Min 0.8 spaces & Max 1.25 spaces per bachelor dwelling unit</u>	<u>Min 0.9 spaces <small><u>.4</u></small> & Max 1.25 spaces per bachelor dwelling unit</u>	<u>Min 1.0 space & Max 1.25 spaces per bachelor dwelling unit</u>	<u>Min 1.0 space & Max 1.25 spaces per bachelor dwelling unit</u>	<u>Min 0.14 spaces <small><u>.1</u></small> & Max 0.2 spaces per dwelling unit</u>
<u>Residential Security Operator Unit</u>	<u>Min 0.9 spaces & Max 1.25 spaces per 1 bedroom dwelling unit</u>	<u>Min 1.0 space <small><u>.4</u></small> & Max 1.25 spaces per 1 bedroom dwelling unit</u>	<u>Min 1.2 spaces & Max 1.6 spaces per 1 bedroom dwelling unit</u>	<u>Min 1.25 spaces & Max 1.6 spaces per 1 bedroom dwelling unit</u>	
	<u>Min 1.0 space & Max 1.5 spaces per 2 or more bedroom dwelling unit</u>	<u>Min 1.1 spaces <small><u>.4</u></small> & Max 1.6 spaces per 2 bedroom dwelling unit</u>	<u>Min 1.4 spaces & Max 2.0 spaces per 2 bedroom dwelling unit</u>	<u>Min 1.5 spaces & Max 2.0 spaces per 2 bedroom dwelling unit</u>	
		<u>Min 1.4 spaces <small><u>.4</u></small> & Max 2.0 spaces per 3 bedroom dwelling unit</u>	<u>Min 1.6 spaces & Max 2.5 spaces per 3 bedroom or more dwelling unit</u>	<u>Min 2.0 spaces & Max 2.5 spaces per 3 bedroom or more dwelling unit</u>	
FOOTNOTES (Section 8.3.1.):					

- ^{.1} Visitor [parking](#) is to be easily accessible to the access points of the corresponding [development](#) and/or [buildings](#). Visitor [parking](#) is a separate minimum parking requirement that rounds up or down independent of the basic parking requirement.
- ^{.2} Regardless of the parking rate ([spaces](#) per [unit](#)). The minimum number of [dwelling units](#) when the first visitor [parking space](#) is required is five (5) [dwelling units](#). For example, a [lot](#) with four (4) [dwelling units](#) does not require a visitor [parking space](#).
- ^{.3} Minimum and maximum parking rates for various Comprehensive Development Zones are outline in Table 8.3.1a Other Residential Parking.
- ^{.4} MF1 zoned [lots](#) with four [dwelling units](#) or less shall have a minimum of one (1) [parking space](#) per [dwelling unit](#). The parking rate identified above applies to MF1 [lots](#) with five [dwelling units](#) or more.
- ^{.5} All [lots](#) in the areas identified as 3 storeys in [Map 4.1](#) within the [OCP](#) (UC1 Downtown) shall not be required to meet any vehicle [parking space](#) requirements if the height of the [buildings](#) on the [lot](#) are 4 [storeys](#) or less and 15.0 metres or less.



SCHEDULE D

Table 8.3.1.a Other Residential Parking			
GFA = gross floor area m ² = square metres			
<u>Land Use / Type of Development</u>	Base Parking Requirement		Visitor Parking Requirement ¹
	Minimum	Maximum	
<u>Agriculture & Rural Zones and Single & Two Dwelling Zones</u>	2.0 <u>spaces</u> per <u>sleeping unit</u>	n/a	0.0 <u>spaces</u> or <u>Min</u> 0.14 <u>spaces</u> & <u>Max</u> 0.2 <u>spaces</u> per <u>dwelling unit</u> ³
<u>Bed and Breakfast Homes</u>	1.0 <u>space</u> per <u>sleeping unit</u>	1.5 <u>spaces</u> per <u>sleeping unit</u>	n/a
<u>Boarding or Lodging Houses</u>	1.0 <u>space</u> ; plus 0.9 stalls per <u>sleeping unit</u>	1.5 <u>space</u> ; plus 2.0 <u>spaces</u> per <u>sleeping unit</u>	n/a
<u>Carriage House</u>	1.0 <u>space</u> ²	2.0 <u>spaces</u>	n/a
Child Care Centre, Major	1.0 Space per 11 children of capacity	n/a	n/a
<u>Child Care Centre, Minor</u>	1.0 <u>space</u>	n/a	n/a
<u>Congregate Housing & Supportive Housing</u>	0.35 <u>spaces</u> per <u>sleeping unit</u> ; Plus 0.5 <u>spaces</u> per non-resident on-duty employee or 3.0 <u>spaces</u> (whichever is greater)	n/a	<u>Min</u> 0.14 <u>spaces</u> & <u>Max</u> 0.2 <u>spaces</u> per <u>dwelling unit</u>
<u>Group Home</u>	1.0 <u>space</u> ; plus 0.35 stalls per <u>sleeping unit</u>	2.0 <u>spaces</u> ; plus 1.0 stall per <u>sleeping unit</u>	n/a
<u>Home-Based Business, Major</u>	1.0 <u>space</u>	2.0 <u>spaces</u>	n/a
<u>Home-Based Business, Major for Health Services</u> on <u>lots</u> located on Royal Avenue or Christleton Avenue	2.5 <u>spaces</u> per 100 m ² <u>GFA</u>	5.0 <u>spaces</u> per 100 m ² <u>GFA</u>	n/a

Table 8.3.1.a Other Residential Parking

GFA = gross floor area
m² = square metres

Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ¹
	Minimum	Maximum	
Home-Based Business, Minor	n/a	n/a	n/a
Home-Based Business, Rural	1.0 space	n/a	n/a
Mobile Homes	2.0 spaces per dwelling unit	2.5 spaces per dwelling unit	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Residential units within the CD20 Zone	1.0 space per dwelling unit , except 0.15 spaces per student only residences	1.5 spaces per dwelling unit	Min 0.14 spaces per dwelling unit , except 0.05 spaces per student only residences & Max 0.2 spaces per dwelling unit
Residential units within the CD22 zone	1.1 spaces per dwelling unit greater than 2 bedrooms 1.0 space per 2 bedroom dwelling unit 0.9 spaces per 1 bedroom dwelling unit 0.75 spaces per bachelor dwelling unit	2.0 spaces per dwelling unit greater than 2 bedrooms 1.6 space per 2 bedroom dwelling unit 1.25 spaces per 1 bedroom dwelling unit 1.0 spaces per bachelor dwelling unit	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Residential units within the CD26 zone	1.0 space per dwelling unit	1.5 spaces per dwelling unit	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Secondary Suites	1.0 space ²	2.0 spaces	n/a
Short – Term Rental Accommodation: • Multi-Dwelling Zones and Core Area and Other Zones	No additional parking required (i.e., equivalent to the parking requirements for the principal dwelling unit within that zone).	n/a	n/a
Short – Term Rental Accommodation: • Agriculture & Rural Zones	1.0 space per two sleeping units	n/a	

Table 8.3.1.a Other Residential Parking

GFA = gross floor area
m² = square metres

Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ¹
	Minimum	Maximum	
and Single & Two Dwelling Zones			

FOOTNOTES ([Table 8.3.1a](#)):

¹ Visitor parking is to be easily accessible to the access points of the corresponding [development](#) and/or [buildings](#). Visitor parking is a separate minimum parking requirement that rounds up or down independent of the basic parking requirement.

² [Parking space](#) can be located in the driveway and in tandem with the single detached [dwelling](#) parking as long as two additional off-street [parking spaces](#) are provided for the [principal dwelling](#). Notwithstanding Section 8.1.4, parking for [secondary suites](#) or [carriage houses](#) can be surfaced with a dust-free material.

³ Within a residential strata with five or more [dwelling units](#) the visitor parking requirement is 0.14 [spaces](#) per [dwelling unit](#).

SCHEDULE E

Table 8.3.2 Commercial GFA = gross floor area m ² = square metres		
Land Use / Type of Development	Parking Requirement NOTE: GFA = gross floor area	
	Minimum	Maximum
All commercial uses in the UC1 zone even if listed separately below 1 , 3	0.9 spaces per 100 m ² GFA	3.0 spaces per 100 m ² GFA
All commercial uses in the UC2, UC3, UC4, UC5, and VC1 zone even if listed separately below 1	1.3 spaces per 100 m ² GFA	4.5 spaces per 100 m ² GFA
All commercial uses in the CD22 zone even if listed separately below 1	1.0 spaces per 100 m ² net floor area	4.5 spaces per 100 m ² GFA
All commercial uses in the CD26 zone even if listed separately below 1	1.75 parking spaces per 100 m ² GFA	4.5 spaces per 100 m ² GFA
Boat Storage	1.0 space per 10 boat storage spaces plus 2 spaces for employees	1.25 spaces per 10 boat storage spaces plus 2 spaces for employees
Child Care Centre, Major	1.0 space per 11 children of capacity or 2.0 spaces per 100 m ² GFA (whichever is more)	n/a
Child Care Centre, Minor	1.0 space	n/a
Commercial Storage ; or Warehousing	0.5 spaces per 100 m ² GFA (minimum 2 spaces); Plus 2.5 spaces per 100 m ² GFA for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.	1.0 space per 100 m ² GFA ; Plus 3.0 spaces per 100 m ² GFA for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.

Table 8.3.2 Commercial GFA = gross floor area m ² = square metres		
Land Use / Type of Development	Parking Requirement NOTE: GFA = gross floor area	
	Minimum	Maximum
Fleet Services	1.0 space per 100 m ² GFA and 1.0 space per vehicle in fleet	n/a
Gas Bar	2.5 spaces per 100 m ² GFA	n/a
Hotels / Motels	0.8 spaces per sleeping units plus requirements of other uses in the UC1 zone; 1.0 space per sleeping unit plus requirements of other uses in all other zones	1.5 spaces per sleeping units , plus requirements of other uses
Residential Security / Operator Unit	1.0 space per dwelling unit	2.0 spaces per dwelling unit
Spectator Sports Establishments	1 per 4 seats	n/a
Temporary Shelter Services	1.0 space per 10 beds	n/a
All other commercial uses not listed above within a: Residential zone, Commercial zone, Village Centre zone, Core Area zone, Urban Centre zone, a Health District zone, or a Comprehensive Development zone with commercial uses (unless the CD zone specifies a parking rate): ^{1,2}	<ul style="list-style-type: none"> • 2.0 spaces per 100 m² GFA for uses with GFA less than 1,000 m² • 2.5 spaces per 100 m² GFA for uses with GFA between 1,000 m² & 2,000 m² • 3.0 spaces per 100 m² GFA for uses with GFA between 2,000 m² & 20,000 m² • 4.0 spaces per 100 m² GFA for uses with GFA greater than 20,000 m² 	<ul style="list-style-type: none"> • 2.5 spaces per 100 m² GFA for uses with GFA less than 1,000 m² • 3.5 spaces per 100 m² GFA for uses with GFA between 1,000 m² & 2,000 m² • 4.5 spaces per 100 m² GFA for uses with GFA between 2,000 m² & 20,000 m² • 5.25 spaces per 100 m² GFA for uses with GFA greater than 20,000 m²
FOOTNOTES (Table 8.3.2.): ¹ For shopping centres , calculate the area by adding all the tenant spaces together. ² Food Primary Establishment and Liquor Primary Establishment must have a minimum of 3 parking spaces.		

Table 8.3.2 Commercial

GFA = gross floor area
m² = square metres

Land Use / Type of Development	Parking Requirement NOTE: GFA = gross floor area	
	Minimum	Maximum
<p>^{.3} All lots in the areas identified as 3 storeys in Map 4.1 within the OCP (UC1 Downtown) shall not be required to meet any vehicle parking space requirements if the height of the buildings on the lot are 4 storeys or less as well as 15.0 metres or less.</p>		



SCHEDULE F

Table 8.3.4 Industrial GFA = gross floor area m ² = square metres		
<u>Land Use / Type of Development</u>	Parking Requirement	
	Minimum	Maximum
<u>Animal Clinics, Major and Minor</u> ; or <u>Auctioneering Establishments</u> ; or <u>Cultural and Recreation Services</u> ; or <u>Food Primary Establishment</u> ; or <u>Gas Bar</u> ; or <u>Liquor Primary Establishment</u> ; or <u>Participant Recreation Services, Indoor</u> ; or <u>Recycling Drop-Offs</u> ; or <u>Retail Cannabis Sales</u> ;	2.5 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> less than 2,000 m ² 3.0 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> between 2,000 m ² & 20,000 m ² 4.0 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> greater than 20,000 m ²	3.5 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> less than 2,000 m ² 4.5 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> between 2,000 m ² & 20,000 m ² 5.25 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> greater than 20,000 m ²
<u>Alcohol Production Facilities</u> ; or <u>Automotive & Equipment</u> ; or <u>Automotive & Equipment, Industrial</u> ; or <u>Cannabis Production Facilities</u> ; or <u>Emergency and Protective Services</u> ; or <u>General Industrial Uses</u> ; or <u>Recycling Depots</u> ; or <u>Wrecking Yards</u>	1.0 <u>space</u> per 100 m ² <u>GFA</u> (includes <u>mezzanine</u> area); Plus 2.5 <u>spaces</u> per 100 m ² <u>GFA</u> for all floor area devoted to <u>accessory</u> activities such as any indoor display, <u>office</u> , administrative or technical support, or <u>retail</u> sale operations.	2.5 <u>spaces</u> per 100 m ² <u>GFA</u> (includes <u>mezzanine</u> area); Plus 3.0 <u>spaces</u> per 100 m ² <u>GFA</u> for all floor area devoted to <u>accessory</u> activities such as any indoor display, <u>office</u> , administrative or technical support, or <u>retail</u> sale operations.
<u>Boat Storage</u>	1.0 <u>space</u> per 10 <u>boat storage</u> spaces. Minimum of 2 <u>spaces</u>	1.5 <u>spaces</u> per 10 <u>boat storage</u> spaces
<u>Bulk Fuel Depot</u>	2.0 <u>spaces</u>	n/a
Child Care Centre, Major	1.0 <u>space</u> per 11 children of capacity or 2.5 <u>spaces</u> per 100 m ² <u>GFA</u> (whichever is greater)	n/a

<p>Commercial Storage; or Recycling Plants; or Utility Services, Infrastructure; or Warehousing</p>	<p>0.5 spaces per 100 m² GFA (minimum 2 spaces); Plus 2.5 spaces per 100 m² GFA for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.</p>	<p>1.0 space per 100 m² GFA; Plus 3.0 spaces per 100 m² GFA for all floor area devoted to accessory activities such as any indoor display, office, administrative or technical support, or retail sale operations.</p>
<p>Fleet Services</p>	<p>1.0 spaces per 100 m² GFA and 1 space per vehicle in fleet</p>	<p>n/a</p>
<p>Residential Security/Operator Unit</p>	<p>1.0 space per dwelling unit</p>	<p>2.0 spaces per dwelling unit</p>

SCHEDULE G

Table 8.3.5 Institutional GFA = gross floor area m ² = square metres		
<u>Land Use / Type of Development</u>	Parking Requirement	
	Minimum	Maximum
Child Care Centre, Major	1.0 <u>space</u> per 11 children of capacity or 2.0 <u>spaces</u> per 100 m ² <u>GFA</u> (whichever is greater)	n/a
<u>Cemetery</u>	0.5 <u>space</u> per 100 m ² <u>GFA</u>	n/a
<u>Cultural and Recreation Services</u> ; or <u>Exhibition and Convention Facilities</u> ; or <u>Food Primary Establishment</u> ; or <u>Health Services</u> ; or <u>Liquor Primary Establishment</u> ; or <u>Recycling Drop-Offs</u> ; or <u>Retail</u>	2.5 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> less than 2,000 m ² 3.0 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> between 2,000 m ² & 20,000 m ² 4.0 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> greater than 20,000 m ²	3.5 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> less than 2,000 m ² 4.5 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> between 2,000 m ² & 20,000 m ² 5.25 <u>spaces</u> per 100 m ² <u>GFA</u> for uses with <u>GFA</u> greater than 20,000 m ²
<u>Detention and Correction Services</u>	1.0 <u>space</u> per 2 inmates (capacity)	n/a
<u>Education Services</u>	1.3 <u>spaces</u> per 100 m ² <u>GFA</u>	n/a
<u>Emergency and Protective Services</u>	4.0 <u>spaces</u> per 100 m ² <u>GFA</u>	n/a
<u>Hospitals</u>	1.0 <u>space</u> per 100 m ² <u>GFA</u>	n/a
<u>Participant Recreation Services, Indoor</u>	2.0 <u>spaces</u> per 100 m ² <u>GFA</u> ; or 2.0 <u>spaces</u> per alley for bowling alleys; or 4.0 <u>spaces</u> per curling sheet for curling rinks; or 3.0 <u>spaces</u> per court for racquet clubs; or 25.0 <u>spaces</u> per 100 m ² of pool water surface for public swimming pools (whichever is greater)	n/a
<u>Participant Recreation Services, Outdoor</u>	2.0 <u>spaces</u> per 100 m ² <u>GFA</u> ; and	n/a

Table 8.3.5 Institutional

GFA = gross floor area
 m² = square metres

Land Use / Type of Development	Parking Requirement	
	Minimum	Maximum
	6.0 spaces per hole for golf courses; and 1.0 space per tee for a golf driving range	
Religious Assemblies	1 space per 5 seats or 6 spaces per 100 m ² of GFA (whichever is greater)	n/a
Residential Security/Operator Unit	1.0 space per dwelling unit	2.0 spaces per dwelling unit
Spectator Sports Establishments	1 space per 4 seats	n/a
Temporary Shelter Services	1.0 space per 10 beds	n/a

SCHEDULE H

Table 8.4 – Minimum Loading Required GFA = gross floor area m ² = square metres	
Type of Development (Use)	Required Loading Spaces
Child Care Centre, Major	For 1 – 25 children 0 loading spaces For 26 or more children 1 loading spaces
Commercial Uses	1 per 1,900 m ² GFA
Hotels/Motels	1 per 2,800 m ² GFA
Industrial Uses	1 per 1,900 m ² GFA
Institutional Uses	1 per 2,800 m ² GFA

SCHEDULE I

Table 8.5 – Minimum Bicycle Parking Spaces Required			
GFA = gross floor area m ² = square metres			
Type of Development	Bicycle Parking Spaces		
	Required Long-term	Bonus Long-term	Required Short-term
Apartment Housing	<ul style="list-style-type: none"> • 0.75 bike spaces per bachelor unit • 0.75 bike spaces per one bedroom unit • 0.75 bike spaces per two bedroom unit • 1.0 bike space per three bedroom or more unit • 0.75 bike spaces per supportive housing unit • 1.0 bike space per student residence unit 	<ul style="list-style-type: none"> • 1.25 bike spaces per bachelor unit • 1.25 bike spaces per one bedroom unit • 1.5 bike spaces per two bedroom unit • 2.0 bike spaces per three bedroom or more unit • 1.5 bike spaces per supportive housing unit • n/a for student residence unit 	6.0 bike spaces per entrance
Congregate Housing	1.0 bike space per 20 dwelling units plus 1.0 bike space per 10 employees	n/a	6.0 bike spaces per entrance
Townhouses & Stacked Townhouses	No requirement ^{.4}	n/a ^{.1}	4.0 bike spaces or 1.0 bike spaces per 5 dwelling units (whichever is greater) ^{.2}
Hotels / Motels	1.0 bike space per 20 sleeping units	n/a	6.0 bike spaces per entrance

Table 8.5 – Minimum Bicycle Parking Spaces Required

GFA = gross floor area
m² = square metres

<p>Institutional Zones & Child Care Centre, Major &</p> <p>All Commercial Uses in any: Multi-Family Zone, Commercial Zone, Health District Zone, Core Area Zone, Village Centre Zone, Urban Centre Zone, or any Comprehensive Development Zone with Commercial Uses.</p>	<p>For GFA less than or equal to 20,000 m² then 0.2 bike spaces per 100 m² of GFA</p> <p>For GFA greater than 20,000 m² then 0.4 bike spaces per 100 m² of GFA</p>	<p>For GFA less than or equal to 20,000 m² then 0.4 bike spaces per 100 m² of GFA</p> <p>For GFA greater than 20,000 m² then 0.8 bike spaces per 100 m² of GFA</p>	<p>For GFA less than 2,000 m² then 2.0 bike spaces per entrance</p> <p>For GFA 2,000 m² to 20,000 m² then 4.0 bike spaces per entrance</p> <p>For GFA greater than 20,000 m² then 6.0 bike spaces per entrance</p>
<p>Industrial Zones</p>	<p>0.05 bike spaces per 100 m² of GFA ^{.3}</p>	<p>0.1 bike spaces per 100 m² of GFA ^{.3}</p>	<p>No requirement ^{.3}</p>

FOOTNOTES (Table 8.5):

- ^{.1} **Townhouses** & Stacked Townhouses without an attached private garage with direct entry from the garage to the **dwelling unit** can utilize the bonus bicycle parking provisions within **apartment housing**.
- ^{.2} Regulation only applies to **lots** with five (5) or more **dwelling units**.
- ^{.3} Any industrial zoned lot fronting onto Richter Street, Clement Avenue, Baillie Avenue, or Vaughan Avenue that has floor area used for a food primary establishment, a liquor primary establishment, and / or any floor area used for tasting, serving, or consumption of alcohol shall follow the commercial bicycle parking rate for that floor area.
- ^{.4} The bike parking exclusion for **townhouses** only applies to **dwelling units** which each have a private garage, otherwise, the **apartment housing** category must be used to calculate the **long term-bicycle parking** requirement.

SCHEDULE J

Table 9.7.4 – Site Specific Regulations ha = hectares			
	Legal Description	Civic Address	Regulation
1.	<p>Lot 20 Section 34 Township 23 ODYD Plan 500 Except Plan KAP45154</p> <p>Lot 19 Section 34 Township 23 ODYD Plan 500 Except Plan KAP45154</p>	<p>4085 Shanks Road</p> <p>4133 Shanks Road</p>	<p>For the purposes of temporary farm worker housing, these parcels shall be considered one farm unit, and the following regulations shall apply to this farm unit only.</p> <p>Notwithstanding the other section 9.7 regulations:</p> <ul style="list-style-type: none"> • TFWH footprint size; the TFWH footprint may not exceed 0.70 ha for structures to accommodate a maximum of 140 temporary farm workers. • Temporary farm worker allocation; structures to accommodate a maximum of 140 temporary farm workers shall be permitted on this farm unit in the '#2 Highway 97 city sector' as identified on Map 9.7.
2.	<p>Lot A, Section 12, Township 26, ODYD, Plan EPP71625</p>	<p>2975 Gallagher Road</p>	<p>The following regulations shall apply to this farm unit only.</p> <p>Notwithstanding the other section 9.7 regulations:</p> <ul style="list-style-type: none"> • TFWH footprint size; the TFWH footprint may not exceed 0.95 ha for structures to accommodate a maximum of 130 temporary farm workers.

SCHEDULE K

Table 9.9.9 – Site Specific Regulations			
	Legal Description	Civic Address	Regulation
1.	Lot B, District Lot 139, ODYD, Plan 5934	1636-1652 Pandosy St.	To allow for a retail cannabis sales establishment within 500 metres of the approved retail cannabis sales establishment located at 547-559 Bernard Avenue.
2.	All Land Shown on Strata Plan K12	520 – 526 Bernard Avenue	To allow for a retail cannabis sales establishment within 500 metres of other approved retail cannabis sales establishments located at 547-549 Bernard Avenue and 1636-1652 Pandosy Street and within 150 metres of Kasugai Gardens.
3.	Lot 2, District Lot 139, ODYD, Plan 4153	266 Bernard Avenue	To allow for a retail cannabis sales establishment within 500 metres of other approved retail cannabis sales establishments located at 547-549 Bernard Avenue and 1636-1652 Pandosy Street and within 150 metres of City Park and within 150 metres of Stuart Park.

SCHEDULE L

Table 9.11 – Tall Building Regulations m = metres / m ² = square metres	
Criteria	Regulation (GFA = Gross Floor Area)
Minimum amount of transparent glazing on first floor frontage façade	75% for commercial frontage n/a for residential frontage
Minimum depth of any commercial unit fronting a street	6 m
Minimum setback for each corner lot applied only to the first storey	There shall be a triangular setback 4.5 m long abutting along the lot lines that meet at each corner of an intersection. Within the volumetric 4.5 m triangular setback there shall be no buildings or structural columns are permitted. See visual example figure 9.11.1.
Podium height (maximum)	16 m
Podium rooftop	The rooftop of the podium shall not be used for parking and there shall be no parking spaces within the parkade that do not have an overhead roof for weather protection.
Minimum building separation measured from exterior face of the building	30 m
For structures taller than 40.0 m or 13 storeys (whichever is lesser) in height, the floor plate ¹ above 16.0 m cannot exceed:	a) 750 m ² GFA for residential use b) 850 m ² GFA for hotel use c) 930 m ² GFA for office and/or commercial uses
Tower stepback above podium, including balconies, on the front building facade and flanking building façade (minimum)	3 m
Barrier free accessibility	Every building shall have front entrance at finished grade on the front and/or flanking street. The main residential entrance and exit and all commercial spaces shall provide barrier free accessibility to the nearest sidewalk.

Table 9.11 – Tall Building Regulations

m = metres / m² = square metres

Criteria	Regulation (GFA = Gross Floor Area)
<p>FOOTNOTES (Table 9.11):</p> <p>¹ The floorplate is the gross floor area per floor of interior space and excludes all exterior spaces such as decks, patios, balconies, etc.)</p>	

SCHEDULE M

Section 10.6 - Development Regulations m = metres / m ² = square metres			
Criteria	Zones		
	A2	RR1	RR2
↓ Regulations that apply to all Buildings , Structures , and Uses ↓			
Max. Site Coverage of all Buildings	20% ^{.4} except 30% when lot is less than 8,000 m ²	20% ^{.4} except 30% when lot is less than 8,000 m ²	30%
Max. Site Coverage of all Buildings , Structures , and Impermeable Surfaces	35% ^{.4}	40% ^{.4} except 50% when lot is less than 8,000 m ²	60%
Max. Height for Agricultural Structures	16.0 m	16.0 m	n/a
Min. Setbacks & Max. Gross Floor Area for any Agriculture Facility , Building , or Structure	All Setbacks for any agriculture facility, building , or structure shall follow the minimum setbacks and maximum gross floor area listed in Section 10.5 (except from the ALR interface). Animal clinics shall follow the minimum setbacks (except from the ALR interface) and maximum height as stated for kennels listed in Section 10.5 .		
↓ Regulations that apply to all Principal Dwellings , Non-Agricultural Principal Use Buildings , and Non-Agricultural Principal Use Structures ↓			
Max. Height	10.0 m	10.0 m	10.0 <u>m</u>
Max. Height for Buildings with Walkout Basements ^{.4}	Front or Flanking Yard	8.6 m	8.6 m
	Rear Building Elevation	12.5 m ^{.3}	12.5 m ^{.3}

Section 10.6 - Development Regulations			
m = metres / m ² = square metres			
Criteria	Zones		
	A2	RR1	RR2
Max. Gross Floor Area of a Third (3 rd) Storey relative to the Second (2 nd) Storey (this does not apply to Dwellings with Walkout Basements)	70% See example diagram Figure 5.11	70% See example diagram Figure 5.11	70% See example diagram Figure 5.11
Min. Front Yard Setback	6.0 m	6.0 m	6.0 m
Min. Front Yard or Flanking Yard Setback for any Attached Garage or Carport	6.0 m ^{.5}	6.0 m ^{.5}	6.0 m ^{.5}
Min. Flanking Yard Setback	4.5 m	4.5 m	4.5 m
Min. Side Yard Setback	3.0 m	3.0 m	2.1 m ^{.1}
Min. Rear Yard setback	10.0 m	9.0 m	7.5 m or 4.5 m on wide lots ^{.1}
↓ Regulations that apply to Carriage Houses , Accessory Buildings or Structures , and Secondary Suites ↓			
Max. Height for Carriage Houses	5.7 m ^{.6}	5.7 m ^{.6}	5.7 m ^{.6}
Max. Height for Accessory Buildings or Structures	4.8 m	4.8 m	4.8 m
Min. Front Yard Setback	12.0 m	12.0 m	12.0 m
Min. Front Yard Setback for Double Fronting Lots	6.0 m ^{.5}	6.0 m ^{.5}	6.0 m ^{.5}
Min. Flanking Yard Setback	6.0 m	6.0 m	6.0 m
Min. Side Yard Setback	1.5 m	1.5 m	1.5 m
Min. Rear Yard setback	3.0 m	3.0 m	1.5 m ^{.2}

Section 10.6 - Development Regulations

m = metres / m² = square metres

Criteria	Zones		
	A2	RR1	RR2
Max. Net Floor Area for Single (1) Storey Carriage Houses	100 m ²	100 m ²	100 m ²
Max. Net Floor Area for Two (2) Storey Carriage Houses	90 m ²	90 m ²	90 m ²
Max. Upper Storey Gross Floor Area for Two (2) Storey Carriage Houses	70% of the carriage house footprint area See example diagram Figure 5.9	70% of the carriage house footprint area See example diagram Figure 5.9	70% of the carriage house footprint area See example diagram Figure 5.9
Max. Net Floor Area for Secondary Suites	90 m ²	90 m ²	90 m ²
Max. Building Footprint for Accessory Buildings or Structures	n/a	90 m ²	90 m ²

FOOTNOTES (Section 10.6):

- ¹ Where the [lot width](#) exceeds the [lot depth](#), the minimum [rear yard](#) is 4.5 m provided that one [side yard](#) shall have a minimum width of 4.5 m.
- ² When the [rear yard](#) is abutting a [lane](#), the minimum [rear yard](#) setback is 0.9 m.
- ³ The [height](#) for the lowest floor or [walkout basements](#) at the rear elevation cannot exceed 3.6 m measured from [finished grade](#) to the top of the finished floor above the slab.
- ⁴ For [greenhouses and plant nurseries](#) designed with closed wastewater and storm water management system then the [site coverage](#) may be increased to 75%.
- ⁵ Setback shall be measured from the edge of sidewalk closest to [lot line](#). In situations without a sidewalk the setback shall be measured from the back of curb or edge of street (where pavement ends). However, the minimum setback from the [lot line](#) is 3.0 m.
- ⁶ For a carriage house with a roof slope ratio less than 3 in 12 the maximum height is increased to a maximum of 6.1 metres.

SCHEDULE N

Section 11.5 – Development Regulations						
m = metres / m ² = square metres						
		Zones				
		RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	RU4 ^{.1}	RU5 ^{.1}
↓ Regulations that apply to all Buildings, Structures, and Uses ↓						
Max. Site Coverage of all Buildings		40%	40%	40%	40%	40%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces		70%	70%	70%	70%	70% ^{.6}
Lane Regulations		If a lot is fronting onto a lane then vehicular access is only permitted from the lane .				
↓ Regulations that apply to Principal Dwellings, Principal Use Buildings, and Principal Use Structures ↓						
Max. Height		10.0 m	10.0 m	10.0 m	10.0 m	10.0 m
Max. Height for Buildings with Walkout Basements	Facing Front or Flanking Yard	8.6 m	8.6 m	8.6 m	8.6 m	8.6 m
	Rear Building Elevation	12.5 m	12.5 m	12.5 m	12.5 m	12.5 m
Max. Gross Floor Area of a Third (3rd) Storey relative to the Second (2nd) Storey (this does not apply to Dwellings with Walkout Basements)		70% See Example Diagram	70% See Example Diagram	70% See Example Diagram	70% See Example Diagram	70% See Example Diagram
Min. Front Yard and Flanking Yard Setback		4.5 m ^{.7}	4.5 m ^{.7}	3.0 m	4.5 m ^{.7}	4.5 m ^{.5}
Min. Front Yard and Flanking Yard Setback for any attached garage or carport		6.0 m ^{.2}	6.0 m ^{.2}	n/a	6.0 m ^{.2}	6.0 m ^{.5}
Min. Side Yard Setback		2.1 m	1.5 m	1.2 m	2.1 m ^{.3}	3.0 m ^{.3, .5}

Section 11.5 – Development Regulations

m = metres / m² = square metres

	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	RU4 ^{.1}	RU5 ^{.1}
Min. Rear Yard Setback	7.5 m	6.0 m	6.0 m	7.5 m	6.0 m ^{.5}
Min. Rear Yard Setback on Wide Lots	4.5 m	4.5 m	4.5 m	4.5 m	n/a
Min. Setback between Principal Buildings	n/a	n/a	n/a	2.5 m	2.5 m
↓ Regulations that apply to Carriage Houses, Accessory Buildings / Structures and Secondary Suites ↓					
Max. Height for Carriage Houses	5.7 m ^{.8, .9}	5.7 m ^{.8, .9}	5.7 m ^{.8, .9}	5.7 m ^{.8, .9}	n/a
Max. Height for Accessory Buildings / Structures	4.8 m	4.8 m	4.8 m	4.8 m	4.8 m
Min. Front Yard Setback	9.0 m	9.0 m	9.0 m	9.0 m	9.0 m ^{.5}
Min. Front Yard Setback for Double Fronting Lots	6.0 m ^{.2}	6.0 m ^{.2}	n/a	6.0 m ^{.2}	n/a
Min. Flanking Yard Setback	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m ^{.5}
Min. Side Yard Setback	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m ^{.5}
Min. Rear Yard Setback	1.5 m ^{.4}	1.5 m ^{.4}	1.5 m ^{.4}	1.5 m ^{.4}	1.5 m ^{.5}
Max. Net Floor Area for Single (1) Storey Carriage Houses	100 m ²	100 m ²	n/a	100 m ²	n/a
Max. Net Floor Area for Two (2) Storey Carriage Houses	90 m ²	90 m ²	n/a	90 m ²	n/a
Max. Building Footprint for Accessory Buildings / Structures	90 m ²	90 m ²	90 m ²	90 m ²	90 m ²
Max. Upper Storey Gross Floor Area for Two (2) Storey Carriage Houses	70% of the carriage house footprint area See Example Diagram	70% of the carriage house footprint area See Example Diagram	n/a	70% of the carriage house footprint area See Example Diagram	n/a
Max. Net Floor Area for Secondary Suites	90 m ²	90 m ²	90 m ²	90 m ²	90 m ²

Section 11.5 – Development Regulations

m = metres / m² = square metres

	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	RU4 ^{.1}	RU5 ^{.1}
Lit pathway requirement for Carriage Houses and Secondary Suites	A lighted pathway is required from the entrance of the carriage house and/or the secondary suite to the on-site parking space(s) and to the fronting street .				
<p>FOOTNOTES (Section 11.5):</p> <p>^{.1} Site coverage, height, and setback regulations also apply to bareland strata lots.</p> <p>^{.2} Setback shall be measured from edge of sidewalk closest to lot line. In situations without a sidewalk the setback shall be measured from the back of curb or edge of street (where pavement ends). However, the minimum setback from the lot line is 3.0 m.</p> <p>^{.3} Side yard setbacks are not required for semi-detached on a lot line that has a party wall.</p> <p>^{.4} When the rear yard is abutting a lane, the minimum rear yard setback is 0.9 m.</p> <p>^{.5} The front, flanking, side, rear yard setback shall apply to the exterior lot lines of the site and not to the interior separations between single detached housing units and / or accessory structures within a building strata.</p> <p>^{.6} Private roadways that access more than two dwelling units excluded from the calculation of maximum site coverage of all buildings, structures, and impermeable surfaces.</p> <p>^{.7} The front yard and flanking yard setbacks can be reduced to 3.0 m for lots within the Suburban Residential S-RES future land use designation identified in the OCP.</p> <p>^{.8} For a carriage house with a roof slope ratio less than 3 in 12 the maximum height is increased to a maximum of 6.1 metres.</p> <p>^{.9} Carriage houses are limited to a single storey when the lot is located within the Suburban Residential (S-RES) future land use designations as outlined within the OCP.</p>					

SCHEDULE O

Section 12.3 – Subdivision Regulations	
m = metres / m ² = square metres	
Criteria	Zones
	MH1
Min. Site Area	20,000 m ²

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 3rd day of April, 2023.

Considered at a Public Hearing on the 18th day of April, 2023.

Amended at first reading by the Municipal Council this 18th day of April, 2023.

Read a second and third time by the Municipal Council this 18th day of April, 2023.

Approved under the Transportation Act this 24th day of April, 2023.

Audrie Henry

 (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

Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)		
	MF1	MF2	MF3
<p>FOOTNOTES (Section 13.3):</p> <p>¹ Group homes are only permitted within a single detached housing, semi-detached housing, or a duplex housing form.</p> <p>² These land uses are only permitted on transit supportive corridors and these land uses are not permitted above the first storey. Except, Health Services is permitted as a principal use without any 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>			

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. 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>			

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: <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. 				
^{.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
<p>(a) lots are fronting a Provincial Highway; and</p> <p>(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</p> <p>(c) the abutting lots cannot be zoned A1, A2, RR1, RR2, RU1, RU2, RU3, RU4, or RU5; and</p> <p>(d) lots are within the Core Area Neighbourhood Future Land Use Designations as outlined in the OCP.</p> <p>(e) The bonus density and bonus height provisions occur if the provisions of Section 6.8 Density Bonus are secured.</p> <p>^{.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.</p> <p>^{.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.</p>			

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"> r_{cs} – 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"> r_{cs} – 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"> r_{cs} – 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"> r_{cs} – 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

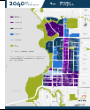
Criteria	Zones								
	C1	C2	CA1	VC1	UC1	UC2	UC3	UC4	UC5
<p>4.10). All high streets, retail streets, and mixed streets are maximum of 100%. All mixed-residential, residential streets and all other street types are maximum of 90%.</p> <p>.10 The maximum height is measured from the grade at the sidewalk 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	

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 "RU_{4hc}, RU_{4cc}" to "RU_{4cc}, RU_{4hc}";
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 3rd day of April, 2023.

Considered at a Public Hearing on the 18th day of April, 2023.

Read a second and third time by the Municipal Council this 18th day of April, 2023.

Approved under the Transportation Act this 19th day of April 2023.

Audrie Henry

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 8th 2023
To: Council
From: City Manager
Subject: Delegation of Authority for Minor Development Variance Permits
Department: Development Planning

Recommendation:

THAT Council receives, for information, the report from the Development Planning Department dated May 8, 2023 regarding delegation of authority for minor Development Variance Permits;

AND THAT Bylaw No. 12527 being Amendment No. 3 to Development Application and Heritage Procedures Bylaw No. 12310 be forwarded for reading consideration;

AND THAT Bylaw No. 12528 being Amendment No. 14 to Development Applications Fees Bylaw no. 10560 be forwarded for reading consideration;

AND FURTHER THAT Council Policy No. 367, being Public Notification & Consultation for Development Applications, be revised as outlined in the report from the Development Planning Department dated May 8, 2023.

Purpose:

To introduce delegated authority for minor variances and amend the bylaws and policies necessary to implement the change.

Background:

On January 23rd 2023, Council reviewed a report on the options for delegating minor variances to Staff. In that discussion, Council provided direction to implement delegating minor variances. This report outlines amendments to the Development Application and Heritage Procedures Bylaw No. 12310, the Development Applications Fees Bylaw No. 10560, and the Public Notification and Consultation for Development Applications Council Policy No. 367 in order for delegated authority for minor variances to be implemented as directed by Council.

Section 498.1 of the Local Government Act limits the delegation of power to issue Development Variance Permits only when the variance is considered minor and only to the following provisions:

- i. Development regulations specifying the siting, size, and dimensions of buildings, structures, and permitted uses;
- ii. Off-street parking and loading space requirements;
- iii. Regulations of signs;
- iv. Regulations for screening and landscaping provisions

Previous Council Resolution

Resolution	Date
<p>THAT Council receive, for information, the report from the Divisional Director of Planning and Development Services dated January 23rd, 2023, with respect to options for the Development Variance Permit process;</p> <p>AND THAT Council direct Staff to prepare the necessary policies and bylaws to implement changes to approval process for Development Variance Permits as described in the report from the Divisional Director, Planning and Development Services dated January 23rd, 2023.</p>	<p>January 23, 2023</p>

Discussion:

There are four components to the amendments recommended by Staff:

1. Content Changes to the Procedures Bylaw to implement delegated authority for minor variances;
2. Content Changes to the Development Application Fee Bylaw to implement delegated authority for minor variances;
3. Content Changes to the Council Policy #367 regarding Development Notification and Consultation with the neighbourhood; and
4. Improvements to formatting and consistent language throughout the Procedures Bylaw.

Content Changes to the Procedures Bylaw to implement delegated authority for minor variances

The Local Government Act requires two conditions to set up delegated authority for minor variances. The first condition is to define the criteria for what is a minor variance, and the second condition is to set up guidelines the delegate must consider in deciding whether to issue the Development Variance Permit. The notification and consultation process for minor variances is also proposed to be amended.

Improvements to formatting and consistent language throughout the Procedures Bylaw

Items 4 through 23 within Schedule 'A' identify various formatting, spelling, grammar, and language consistency improvements throughout the Procedures Bylaw. For example, the term "Direct Landscape Plan" and "Council Landscape Plan" are used in a few instances within the bylaw. However, the only defined term within the bylaw is "Landscape Plan". Therefore, the proposed fix is to have a single term used through the bylaw "Landscape Plan".

The proposal to determine minor variances is:

Minor variances only apply to Zoning Bylaw No. 12375 (except Section 9 of Zoning Bylaw No. 12375) and not to other bylaws (such as the Sign Bylaw); AND

- a) A Development Variance Permit application is submitted when an associated Form and Character Development Permit application is not required; OR
- b) A Development Variance Permit application is submitted for any commercial or industrial development for which the authority for an associated Form and Character Development Permit has been delegated to the Department Manager, Development Planning; OR

- c) A Heritage Alteration Permit application is submitted with variances for which the authority for the Heritage Alteration Permit has been delegated to the Department Manager, Development Planning.

The proposal for guidelines whether to issue the Development Variance Permit is:

1. Scope and scale of variances.
 - a. For example, if a significant parking variance is proposed then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
2. Use and enjoyment of neighbouring lands.
 - a. A variance could negatively impact or affect adjacent buildings and uses. For example, a setback variance that would result in a primary window of neighbouring property staring at a large blank wall, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
3. Effects on the natural environment.
 - a. For example, if a variance would have a detrimental effect on the environment as determined through the Natural Environment Development Permit approval process, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
4. Appropriateness of the development.
 - a. A variance could decrease the appropriateness of the development if certain Official Community Plan policies and guidelines were not followed due to the variance. For example, if a setback variance increases the area of the home within a 30% steep slope area, then this would decrease the appropriateness of the development and then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
5. Intent of the Zoning Bylaw
 - a. A variance could undermine the purpose of a regulation. For example, the purpose of the 70% maximum upper floor area limit on carriage houses relative to the carriage house footprint is to prevent carriage house 'box' designs and a variance to this regulation could undermine the purpose of this regulation. Then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
6. Public interest in variances
 - a. For example, if a variance triggers a significant public response to the Development Planning Department Manager during the public consultation period, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.

The proposal for giving Public Notification and Consultation for Minor Variances:

Minor Development Variance Permits must complete public notification and consultation. Due to the minor nature of variances it is not recommended a sign be posted on the property. Applicants will be required to notify the neighbourhood of the deadline for feedback, which will be provided to the delegate. The deadline must be set a minimum of 10 business days after the date of neighbourhood notification.

Content Changes to the Development Application Fee Bylaw to implement delegated authority for minor variances

The Development Application Fee Bylaw No. 10560 is proposed to be amended to include the minor variance category charged at 55% of the rate of a Council Development Variance Permit application. This is the same ratio difference between Delegated Development Permits versus Council Development Permits.

Content Changes to the Council Policy #367 regarding Development Notification and Consultation with the neighbourhood

Amendments are proposed to the Council Policy to include minor variances within the same notification and consultation category of a regular Council Development Variance Permit. The evidence of neighbour consultation must be submitted to the delegate prior to the decision of the delegate. The current policy for variances is to engage in neighbourhood consultation with the objective to promote, where possible, direct, face-to-face conversations between an applicant and their immediate neighbours. Both tenants & owners must be contacted. The current policy states the neighbourhood consultation must occur with all parcels within 50 metres if the subject property is within the Permanent Growth boundary and 300 metres if the subject property is not within the Permanent Growth boundary.

Conclusion:

Kelowna is seen as a provincial leader in process improvements that lead to faster and more efficient development approvals for housing. This has been achieved through a long-term approach to incremental business improvements throughout the development process that was originally put in motion by the City's 2013 – Development Application Process Review Report. Since that time, the City of Kelowna has continued to make improvements both big and small with positive results.

The changes recommended by this report are expected to streamline the 40 (on average) Development Variance Permit requests per year that generally trigger lower levels of public engagement. Minor variances would be reviewed by Staff and if Staff deny issuance of the permit, then the applicant has the opportunity to request Council reconsideration. The public would still have access to information about Development Variance Permit applications through the City's Current Development Application system. Staff will report back to Council with a summary review of all variances issued at a Staff level on a biannual basis as directed by Council.

Report prepared by: Adam Cseke, Planner Specialist
Reviewed by: Jocelyn Black, Urban Planning Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

- Schedule A - Procedures Bylaw Amendments
- Schedule B - Fee Bylaw Amendments
- Schedule C - Notification Policy 367 Amendments

TA23-0004 Schedule A – Proposed Text Amendments

Content Changes to Development Application and Heritage Procedures Bylaw No. 12310

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 2.3 – Delegation of Authority	n/a	<p>2.3.7 Development Variance Permits</p> <p>a) The powers of Council under Section 498.1 – Delegation of power to issue Development Variance Permits of the <i>Local Government Act</i> to issue, refuse and amend Development Variance Permits, subject to restrictions identified in Schedule '4' of this bylaw. This includes the powers of Council to require that the applicant provide security for the purposes of Section 502 of the <i>Local Government Act</i>, to establish the conditions of the permit, and to determine whether such requirements and conditions have been met.</p>	Added section to establish authority within the bylaw for delegating minor variances to the Department Manager, Development Planning.
2.	Schedule '4' – Development Variance Permit Applications	See Chart A	See Chart B	Added sections defining minor variances and adding guidelines the delegate must consider in deciding whether to issue a Development Variance Permit or to forward the Variance to Council.

No.	Section	Current Wording	Proposed Wording	Reason for Change
3.	Section 40 Public Notification and Consultation	See Chart C	See Chart D	Amend the Public Notification and Consultation section to exempt minor Development Variance Permits from requiring to post a sign on the subject property.
The next section highlights more administrative, formatting, and language improvement changes.				
4.	Section 1.3 Definitions	'Official Community Plan' or 'OCP' means Kelowna 2030 Official Community Plan Bylaw No. 10500, as amended or replaced from time to time;	'Official Community Plan' or 'OCP' means Kelowna 2040 Official Community Plan Bylaw No. <u>12300</u> , as amended or replaced from time to time;	Update language to match current bylaw numbers.
5.	Section 1.3 Definitions	'Zoning Bylaw' means City of Kelowna Zoning Bylaw No. 8000, as amended or replaced from time to time.	'Zoning Bylaw' means City of Kelowna Zoning Bylaw No. <u>12375</u> , as amended or replaced from time to time.	Update language to match current bylaw numbers.
6.	Section 2.9.3 f) i. Conditions of Security	"The The restoration works will be considered..."	"The restoration works will be considered..."	Spelling and grammar fix.

No.	Section	Current Wording	Proposed Wording	Reason for Change
7.	Schedule '1' – Application Requirements l) Landscape plan	"Pre-development inventory completed by a Qualified Professional of all trees located on the property including, trees with overhanging branches or root systems, invasive species, fruit trees, cultivated trees, basic description, trunk diameter, and location"	"Pre-development inventory completed by a Qualified Professional of all trees located on <u>and off the property with overhanging branches or root systems, with a basic description of species, trunk diameter and location, highlighting invasive species, fruit trees, and cultivated trees.</u> "	Clarified intent of language.
8.	Schedule '1' – Application Requirements m) Environmental Assessment Report	"Environmental Assessment Report – prepared, signed and sealed by a Registered Professional Biologist licensed to practice in BC, which assesses potential impacts of the proposed development and provides avoidance, mitigation and/or compensation methods as applicable."	"Environmental Assessment Report – prepared <u>as per the City of Kelowna Environmental Assessment Terms of Reference</u> , signed and sealed by a Registered Professional Biologist licensed to practice in BC, which assesses potential impacts of the proposed development and provides avoidance, mitigation and/or compensation methods as applicable."	Added clarity that the City of Kelowna Terms of Reference needs to be used.
9.	Schedule '2' - 1.1 Application Requirements	f) Project Rationale h) Site Plan i) Floor Plan (if available) j) Elevation Drawings (if available) l) Conceptual Landscape Plan	f) Project Rationale g) Site Plan h) Floor Plan (if available) j) Elevation Drawings (if available) j) Landscape Plan	Update language to align with defined terms identified within Section 1.3 Definitions and re-alphabetize the bullet list to follow the proper ordering sequence.
10.	Schedule '3' - 1.1.2 Application Requirements for Direct Farm Protection Development Permit	h) Site Plan j) Elevation Drawings l) Landscape Plan	h) Site Plan j) Elevation Drawings j) Landscape Plan	Re-alphabetize the bullet list to follow the proper ordering sequence.

No.	Section	Current Wording	Proposed Wording	Reason for Change
11.	Schedule '3' - 1.2.1 Application Requirements for Council Form and Character Development Permit	k) Materials Board l) Council Landscape Plan	k) Materials Board l) Landscape Plan	Update language to align with defined terms identified within Section 1.3 Definitions.
12.	Schedule '3' - 1.2.1 Application Requirements for Council Farm Protection Development Permit	j) Elevation Drawings l) Council Landscape Plan	j) Elevation Drawings j) Landscape Plan	Update language to align with defined terms identified within Section 1.3 Definitions and re-alphabetize the bullet list to follow the proper ordering sequence.
13.	Schedule '3' - 2.2.1 Application Requirements for Minor Direct Hazardous Conditions Development Permit	g) Photographs h) Site Plan	g) Photographs h) Site Plan <u>i) Geotechnical letter (if applicable)</u>	Clarify geotechnical information is necessary when applicable.
14.	Schedule '3' - 2.3.1 Application Requirements for Major Direct Hazardous Conditions Development Permit	g) Photographs h) Site Plan	g) Photographs h) Site Plan <u>i) Geotechnical Assessment</u>	Clarify geotechnical information is necessary with this application type.

No.	Section	Current Wording	Proposed Wording	Reason for Change
15.	Schedule '3' - 2.4.1 Application Requirements for Council Hazardous Conditions Development Permit	g) Photographs h) Site Plan	g) Photographs h) Site Plan <u>i) Geotechnical Assessment</u>	Clarify geotechnical information is necessary with this application type.
16.	Schedule '5' - 1.1 Application Requirements for Temporary Use Permit Applications	f) Application Form g) State of Title h) Owner's Authorization Form (if applicable) i) Site Profile (if applicable) j) Zoning Analysis Table p) Project Rationale k) Photographs l) Site Plan m) Floor Plan n) Elevation Drawings o) Landscape Plan (if applicable)	<u>a)</u> Application Form <u>b)</u> State of Title <u>c)</u> Owner's Authorization Form (if applicable) <u>d)</u> Site Profile (if applicable) <u>e)</u> Zoning Analysis Table <u>f)</u> Project Rationale <u>g)</u> Photographs <u>h)</u> Site Plan <u>i)</u> Floor Plan <u>j)</u> Elevation Drawings <u>k)</u> Landscape Plan (if applicable)	Re-alphabetize the bullet list to follow the proper ordering sequence.
17.	Schedule '9' - 1.2 Application Requirements for Temporary Farm Worker Housing Permit Applications	a) Application Form b) State of Title c) Owner's Authorization Form (if applicable) d) Site Profile (if applicable) f) Project Rationale g) Photographs h) Site Plan i) Floor Plan j) Elevation Drawings l) Direct Landscape Plan	a) Application Form b) State of Title c) Owner's Authorization Form (if applicable) d) Site Profile (if applicable) <u>e)</u> Project Rationale <u>f)</u> Photographs <u>g)</u> Site Plan <u>h)</u> Floor Plan <u>i)</u> Elevation Drawings <u>j)</u> Landscape Plan	Update language to align with defined terms identified within Section 1.3 Definitions and re-alphabetize the bullet list to follow the proper ordering sequence.

No.	Section	Current Wording	Proposed Wording	Reason for Change
18.	Schedule 'g' - 2.1.1 Application Requirements for Temporary Farm Worker Housing Permit Major (Council)	a) Application Form b) State of Title c) Owner's Authorization Form (if applicable) d) Site Profile (if applicable) h) Project Rationale g) Photographs h) Site Plan i) Floor Plan j) Elevation Drawings l) Landscape Plan	a) Application Form b) State of Title c) Owner's Authorization Form (if applicable) d) Site Profile (if applicable) e) Project Rationale f) Photographs g) Site Plan h) Floor Plan i) Elevation Drawings j) Landscape Plan	Re-alphabetize the bullet list to follow the proper ordering sequence.
19.	Schedule '10' - 1.1 Application Requirements for Heritage Revitalization Agreement Applications	k) Materials Board l) Landscape Plan (if applicable) p) Information about historical significance of the property	k) Materials Board l) Landscape Plan (if applicable) <u>m</u>) Information about historical significance of the property	Re-alphabetize the bullet list to follow the proper ordering sequence.
20.	Schedule '11' - 1.1 Application Requirements for Heritage Designation Bylaw Applications	k) Materials Board l) Landscape Plan (if applicable) p) Information about historical significance of the property	k) Materials Board l) Landscape Plan (if applicable) <u>m</u>) Information about historical significance of the property	Re-alphabetize the bullet list to follow the proper ordering sequence.
21.	Schedule '12' - 1.1 Application Requirements for Heritage Conservation Covenant Applications	k) Materials Board l) Landscape Plan p) Information about historical significance of the property	k) Materials Board l) Landscape Plan <u>m</u>) Information about historical significance of the property	Re-alphabetize the bullet list to follow the proper ordering sequence.

No.	Section	Current Wording	Proposed Wording	Reason for Change
22.	Schedule '13' - 1.2 Application Requirements for Heritage Alteration Permits (Direct)	k) Materials Board l) Landscape Plan for Direct Permits p) Information about historical significance of the property	k) Materials Board l) Landscape Plan <u>m</u>) Information about historical significance of the property	Update language to align with defined terms identified within Section 1.3 Definitions and re-alphabetize the bullet list to follow the proper ordering sequence.
23.	Schedule '13' - 2.1 Application Requirements for Heritage Alteration Permits (Council)	k) Materials Board l) Landscape Plan for Council Permits p) Information about historical significance of the property	k) Materials Board l) Landscape Plan <u>m</u>) Information about historical significance of the property	Update language to align with defined terms identified within Section 1.3 Definitions and re-alphabetize the bullet list to follow the proper ordering sequence.

Chart A

Original – Schedule '4' Development Variance Permit Applications

This Schedule describes the process applicants must follow for Development Variance Permit applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

1.0 APPLICATION REQUIREMENTS

- 1.1. The following information is required for Development Variance Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	f) Photographs
b) State of Title	g) Site Plan
c) Owner's Authorization Form (if applicable)	h) Floor Plan
d) Site Profile (if applicable)	i) Elevation Drawings
e) Zoning Analysis Table	l) Landscape Plan (if applicable)
m) Project Rationale	

- 1.2. Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Variance Permit application.

2.0 PROCESSING PROCEDURE

A Development Variance Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- g) Upon receipt of the comments of other referral agencies, Development Planning staff will prepare a staff report and draft Development Variance Permit for consideration by Council.

The applicant is encouraged to attend the Council meeting at which the application is being considered.

- h) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- i) If authorized for issuance by the Council, Development Planning staff will prepare the required Development Variance Permit and related schedules for signature, and obtain any required security, pursuant to Section 2.9 of this bylaw.
- n) Upon sign-off of the Development Variance Permit by the Department Manager, Development Planning and receipt of required security, the Development Variance Permit will be issued and then registered on the State of Title of the subject property(s).

Chart B

Proposed – Schedule '4' Development Variance Permit Applications

This Schedule describes the process applicants must follow for Development Variance Permit applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

1.0 DEVELOPMENT VARIANCE PERMITS

1.1 Minor Development Variance Permits

1.1.1 Restriction on Delegation – Minor Criteria

As a restriction on Section 2.3.7(a), only 'Minor' Development Variance Permits can be approved by the Department Manager, Development Planning. As required by Section 498.1(2)a of the Local Government Act, the criteria for determining whether a proposed variance is minor is determined by the following:

1. Minor variances only apply to Zoning Bylaw No. 12375 (except Section 9 of Zoning Bylaw No. 12375) and not to other bylaws (such as the Sign Bylaw); AND
 - a. A Development Variance Permit application is submitted when an associated Form and Character Development Permit application is not required; OR
 - b. A Development Variance Permit application is submitted for any commercial or industrial development in which the authority for the Form and Character Development Permit has been delegated to the Department Manager, Development Planning; OR
 - c. A Heritage Alteration Permit application is submitted with variances in which the authority for the Heritage Alteration Permit has been delegated to the Department Manager, Development Planning.

1.1.2 Restriction on Delegation – Guidelines

As required by Section 498.1(2)b of the Local Government Act, the guidelines the delegate must consider in deciding whether to issue a Development Variance Permit is determined by the following:

1. Scope and scale of variances.
 - a. For example, if a significant parking variance is proposed then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
2. Use and enjoyment of neighbouring lands.
 - a. A variance could negatively impact or affect adjacent buildings and uses. For example, a setback variance that would result in a primary window of neighbouring property staring at a large blank wall, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
3. Effects on the natural environment.
 - a. For example, if a variance would have a detrimental effect on the environment as determined through the Natural Environment Development Permit approval process, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.

4. Appropriateness of the development.
 - a. A variance could decrease the appropriateness of the development if certain Official Community Plan policies and guidelines were not followed due to the variance. For example, if a setback variance increases the area of the home within a 30% steep slope area, then this would decrease the appropriateness of the development and then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
5. Intent of the Zoning Bylaw
 - a. A variance could undermine the purpose of a regulation. For example, the purpose of the 70% maximum upper floor area limit on carriage houses relative to the carriage house footprint is to prevent carriage house 'box' designs and a variance to this regulation could undermine the purpose of this regulation. Then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
6. Public interest in variances
 - a. For example, if a variance triggers a significant public response to the Development Planning Department Manager during the public consultation period, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.

Applications not eligible for issuance or amendment by the Department Manager, Development Planning must be considered by Council and are subject to the requirements listed in Schedule '4', Section 1.2 – Development Variance Permits, below.

1.1.3 Application Requirements

- a) The following information is required for Development Variance Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	g) Photographs
b) State of Title	h) Site Plan
c) Owner's Authorization Form (if applicable)	i) Floor Plan
d) Site Profile (if applicable)	j) Elevation Drawings
e) Zoning Analysis Table	k) Landscape Plan (if applicable)
f) Project Rationale	

- b) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Variance Permit application.

1.1.4 Processing Procedure

A Development Variance Permit application submitted in accordance with this bylaw will be processed as follows:

- j) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.

- k) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- l) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- m) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- n) Relevant referral agency comments will be considered by the Department Manager, Development Planning.
- o) Development Planning will notify the applicant in writing of the decision of the Department Manager, Development Planning.
- p) If authorized for issuance by the Department Manager, Development Planning, staff will prepare the required Development Permit and related schedules for signature and obtain the required security pursuant to Section 2.9 of this bylaw.
- q) Upon sign-off of the Development Permit by the Department Manager, Development Planning and receipt of the required security, the Development Permit will be issued and then registered against the title of the property(s) at the Land Title Office.

1.2 Development Variance Permits

1.2.1 Application Requirements

- a) The following information is required for Development Variance Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	g) Photographs
b) State of Title	h) Site Plan
c) Owner's Authorization Form (if applicable)	i) Floor Plan
d) Site Profile (if applicable)	j) Elevation Drawings
e) Zoning Analysis Table	k) Landscape Plan (if applicable)
f) Project Rationale	

- b) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Variance Permit application.

1.2.2 Processing Procedure

A Development Variance Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.

- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- g) Upon receipt of the comments of other referral agencies, Development Planning staff will prepare a staff report and draft Development Variance Permit for consideration by Council. The applicant is encouraged to attend the Council meeting at which the application is being considered.
- h) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- i) If authorized for issuance by the Council, Development Planning staff will prepare the required Development Variance Permit and related schedules for signature, and obtain any required security, pursuant to Section 2.9 of this bylaw.
- j) Upon sign-off of the Development Variance Permit by the Department Manager, Development Planning and receipt of required security, the Development Variance Permit will be issued and then registered on the State of Title of the subject property(s).

Chart C

Original – Section '4' Public Notification and Consultation

4.0 PUBLIC NOTIFICATION AND CONSULTATION

4.1 Public Notification and Consultation Requirement

All applications made pursuant to this bylaw will undertake the forms of public notification required by Section 4. Consultation requirements as identified in Council Policy No. 367 must also be undertaken prior to **Council** initial consideration of an application.

4.2 Public Notification

4.2.1 Giving Notice

- a) In accordance with the *Local Government Act*, the **City** will mail or otherwise deliver individual notices to all **owners** and tenants of the subject property for which an application is being made and all **owners** and tenants of properties that are within a 50 m radius or a minimum of four properties, whichever is greater, to which the application pertains, advising of:
 - i. A scheduled **Public Hearing** for an **OCP** amendment, **Zoning Bylaw** amendment, **Phased Development Agreement**, **Land Use Contract Discharge**, **Heritage Designation** bylaw or **Heritage Revitalization Agreement**;
 - ii. A scheduled Council meeting for considering a Heritage Designation bylaw;
 - iii. A scheduled **Council** meeting for considering a **Heritage Alteration Permit** with variances;
 - iv. A scheduled **Council** meeting for considering a **Development Variance Permit**; or
 - v. A scheduled **Council** meeting for considering a **Temporary Use Permit**.
- b) The notification outlined in sub-section 4.2.1(a) is not required if 10 or more parcels owned by 10 or more persons are subject of the application.
- c) Individual notices will be mailed or otherwise delivered not less than ten days prior to **Council** consideration of a **Heritage Alteration Permit**, **Development Variance Permit**, or **Temporary Use Permit** and not less than ten days prior to a **Public Hearing** for an **OCP** amendment, **Zoning Bylaw** amendment, **Land Use Contract** discharge, **Heritage Designation Bylaw**, or **Heritage Revitalization Agreement**.

4.2.2 Development Notice Signage

An applicant under this bylaw must, at their cost, post Development Notice Signage on the parcel of land which is the subject of the application, in accordance with the following.

a) Exemptions:

The following types of applications do not require Development Notice Signage:

- i. **Development Permit**
- ii. **Temporary Farm Worker Housing Permit**
- iii. **Heritage Conservation Covenant**

- iv. **Kelowna Heritage Register**
 - v. **Heritage Alteration Permit** with no variance(s)
 - vi. **OCP and Zoning Bylaw** amendment applications involving ten or more parcels owned by ten or more people
- b) Timing:
- For applications that require a statutory **Public Hearing**, Development Notice Signs will be posted a minimum of ten days prior to the **Public Hearing** for the application. For all other applications, Development Notice Signs will be posted a minimum of ten days prior to the **Council** meeting at which the application is scheduled for consideration.
- Development Notice Signs must remain in place until the conclusion of the **Public Hearing**, until **Council** has considered the application as applicable, within 7 days of Council's further consideration of the application when the **Public Hearing** has been waived, or until the development application has been abandoned. Development Notice Signs must be removed within seven days of the conclusion of a **Public Hearing**.
- c) Sign Location and Installation:
- Development Notice Signs will be posted so that they are clearly visible from the street, up to three metres inside the property line. Development Notice Signs will be posted in a manner that does not interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes or driveways and must be installed in a safe, sturdy manner capable of withstanding wind and weather.
- d) Number:
- One sign is required per 100 metres of road frontage. No more than three signs are required for any one **site**.
- e) Sign Content:
- Development Notice Signs will include the following information, as applicable:
- i. The **City's** application file number;
 - ii. A brief project description;
 - iii. The date of the relevant **Public Hearing** or **Council** meeting at which the application is to be considered, or the final date for receipt of public input if the **Public Hearing** has been waived; and
 - iv. Any additional information required by the **Department Manager, Development Planning**.
- f) Sign Purchase:
- Development Notice Signs will be purchased from a signage provider at the applicant's expense. The **City's** signage template must be used, and the signage content must be approved by **City** staff.
- g) Photographic Evidence Required:
- The applicant must provide the **Department Manager, Development Planning** with photographic evidence confirming that all Development Notice Signs required by this Bylaw have been installed on the subject property by the date required before the application will be considered at a **Public Hearing** or a regular **Council** meeting.
- h) Failure to Post:

Failure to post the required Development Notice Signs in accordance with this bylaw will result in the postponement of consideration of the application by **Council**. All costs incurred by the **City** for public notification as a result of such postponement will be the responsibility of the applicant.

4.3 Agency Referral Process

- 4.3.1 For applications subject to this bylaw, the **Development Planning Department** will develop a referral list of agencies, organizations or levels of government to which the application must be sent for review.
- 4.3.2 Each agency, organization or level of government will be given a minimum of fifteen working days from receipt of the referral to provide any comments. If after a minimum of fifteen working days the agency, organization or level of government has not notified the **City** in writing about their concerns, they are considered to have no concerns.

Chart D

Proposed – Section '4' Public Notification and Consultation

4.0 PUBLIC NOTIFICATION AND CONSULTATION

4.1 Public Notification and Consultation Requirement

All applications made pursuant to this bylaw will undertake the forms of public notification required by Section 4. Consultation requirements as identified in Council Policy No. 367 must also be undertaken prior to **Council** initial consideration of an application.

4.2 Public Notification

4.2.1 Giving Notice

- a) In accordance with the *Local Government Act*, the **City** will mail or otherwise deliver individual notices to all **owners** and tenants of the subject property for which an application is being made and all **owners** and tenants of properties that are within a 50 m radius or a minimum of four properties, whichever is greater, to which the application pertains, advising of:
 - i. A scheduled **Public Hearing** for an **OCP** amendment, **Zoning Bylaw** amendment, **Phased Development Agreement**, **Land Use Contract** Discharge, **Heritage Designation** bylaw or **Heritage Revitalization Agreement**;
 - ii. A scheduled Council meeting for considering a Heritage Designation bylaw;
 - iii. A scheduled **Council** meeting for considering a **Heritage Alteration Permit** with variances;
 - iv. A scheduled **Council** meeting for considering a **Development Variance Permit**; or
 - v. A scheduled **Council** meeting for considering a **Temporary Use Permit**.
- b) The notification outlined in sub-section 4.2.1(a) is not required if 10 or more parcels owned by 10 or more persons are subject of the application.
- c) Individual notices will be mailed or otherwise delivered not less than ten days prior to **Council** consideration of a **Heritage Alteration Permit**, **Development Variance Permit**, or **Temporary Use Permit** and not less than ten days prior to a **Public Hearing** for an **OCP** amendment, **Zoning Bylaw** amendment, **Land Use Contract** discharge, **Heritage Designation Bylaw**, or **Heritage Revitalization Agreement**.
- d) The obligation to give notice does not apply if the delegate exercises the power to issue the development variance permit, in accordance with Section 499 (1.1) of the Local Government Act.

4.2.2 Development Notice Signage

An applicant under this bylaw must, at their cost, post Development Notice Signage on the parcel of land which is the subject of the application, in accordance with the following.

a) Exemptions:

The following types of applications do not require Development Notice Signage:

- i. **Development Permit**

- ii. **Minor Development Variance Permit**
 - iii. **Temporary Farm Worker Housing Permit**
 - iv. **Heritage Conservation Covenant**
 - v. **Kelowna Heritage Register**
 - vi. **Heritage Alteration Permit** with no variance(s)
 - vii. **OCP and Zoning Bylaw** amendment applications involving ten or more parcels owned by ten or more people
- b) Timing:
- i. For applications that require a statutory **Public Hearing**, Development Notice Signs will be posted a minimum of ten days prior to the **Public Hearing** for the application.
 - ii. For all other applications that require a Council meeting, Development Notice Signs will be posted a minimum of ten days prior to the **Council** meeting at which the application is scheduled for consideration.
 - iii. Development Notice Signs must remain in place until the conclusion of the **Public Hearing**, until **Council** has considered the application as applicable, within 7 days of Council's further consideration of the application when the **Public Hearing** has been waived, or until the development application has been abandoned. Development Notice Signs must be removed within seven days of the conclusion of a **Public Hearing** or of the Council meeting that requires a Development Notice Sign.
- c) Sign Location and Installation:
- Development Notice Signs will be posted so that they are clearly visible from the street, up to three metres inside the property line. Development Notice Signs will be posted in a manner that does not interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes or driveways and must be installed in a safe, sturdy manner capable of withstanding wind and weather.
- d) Number:
- One sign is required per 100 metres of road frontage. No more than three signs are required for any one **site**.
- e) Sign Content:
- Development Notice Signs will include the following information, as applicable:
- i. The **City's** application file number;
 - ii. A brief project description;
 - iii. The date of the relevant **Public Hearing** or **Council** meeting at which the application is to be considered, or the final date for receipt of public input if the **Public Hearing** has been waived; and
 - iv. Any additional information required by the **Department Manager, Development Planning**.
- f) Sign Purchase:
- Development Notice Signs will be purchased from a signage provider at the applicant's expense. The **City's** signage template must be used, and the signage content must be approved by **City** staff.

g) Photographic Evidence Required:

The applicant must provide the **Department Manager, Development Planning** with photographic evidence confirming that all Development Notice Signs required by this Bylaw have been installed on the subject property by the date required before the application will be considered at a **Public Hearing** or a regular **Council** meeting.

h) Failure to Post:

Failure to post the required Development Notice Signs in accordance with this bylaw will result in the postponement of consideration of the application by **Council** or the delegate. All costs incurred by the **City** for public notification as a result of such postponement will be the responsibility of the applicant.

4.3 Agency Referral Process

4.3.1 For applications subject to this bylaw, the **Development Planning Department** will develop a referral list of agencies, organizations or levels of government to which the application must be sent for review.

4.3.2 Each agency, organization or level of government will be given a minimum of fifteen working days from receipt of the referral to provide any comments. If after a minimum of fifteen working days the agency, organization or level of government has not notified the **City** in writing about their concerns, they are considered to have no concerns.

TA23-0004 Schedule B – Proposed Text Amendments

Content Changes to Development Application Fees Bylaw No. 10560

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Schedule 'A' Development Application Fees – Table 1	See Chart A	See Chart B	Update the Development Application Fees to include a minor variance category charged at 55% of the rate of a Council Development Variance Permit application.

SCHEDULE B

This forms part of application
TA23-0004

Planner Initials **AC**



Chart A

Original – Schedule 'A' Development Application Fees – Table 1 Fees Pursuant to Zoning Bylaw No. 12375 and Local Government Act

Development Category ¹	2020 Fees	2021 Fees	2022 Fees	2023 Fees
Development Variance Permit	\$1,540 + \$110 / add'l variance	\$1,620 + \$110 / add'l variance	\$1,650 + \$115 / add'l variance	\$1,680 + \$115 / add'l variance

SCHEDULE B

This forms part of application
TA23-0004

Planner Initials AC



City of Kelowna
DEVELOPMENT PLANNING

Chart B


Proposed – Schedule 'A' Development Application Fees – Table 1 Fees Pursuant to Zoning Bylaw No. 12375 and Local Government Act

Development Category ¹	2020 Fees	2021 Fees	2022 Fees	2023 Fees
Minor (Delegated) Development Variance Permit	n/a	n/a	n/a	\$925 + \$0 / add'l variance
Development Variance Permit	\$1,540 + \$110 / add'l variance	\$1,620 + \$110 / add'l variance	\$1,650 + \$115 / add'l variance	\$1,680 + \$115 / add'l variance

SCHEDULE _____ **B**

This forms part of application
TA23-0004

Planner Initials AC





City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
250 469-8500
kelowna.ca

Council Policy

Public Notification & Consultation for Development Applications

APPROVED February 18, 2013

Contact Department: Development Planning

Guiding Principle

Increasing public engagement in development proposals that will be considered by Council through an approach that is consistent and appropriate to each type of application.

Purpose

To establish standards and procedures for applicants' public notification and consultation responsibilities in respect of development applications. This will ensure transparent and consistent application of standards for the benefit of affected residents, the development community, and the City.

Background

This policy was created to help improve public consultation associated with the development application process. The authority for this Policy comes from:

Local Government Act – Section 475 – Consultation during the OCP development

Local Government Act – Section 494 – Public notice and hearing requirements for Temporary Use Permits

Local Government Act – Section 499 - Notice to affected property owners and tenants for Development Variance Permits

Application

1. OBJECTIVE

To ensure that those parties affected by an application made pursuant to this policy are given adequate notice and one or more meaningful opportunities to provide input, where appropriate and in keeping with the nature and scale of the application.

2. RESPONSIBILITY FOR NOTIFICATION AND CONSULTATION

Unless otherwise indicated, all costs associated with the Notification and Consultation required under this policy are the sole responsibility of the applicant.

3. REQUIREMENT FOR NOTIFICATION AND CONSULTATION

- a. Applications made pursuant to this policy must undertake the forms of public notification and consultation identified in Table 1 below and in accordance with the specifications identified in Development Application and Heritage Procedures Bylaw No. 12310,

Table 1 – Forms of Public Notification & Consultation			
Application Type	Large Format Development Notice Sign (8' x 4') ¹	Neighbour Consultation	Public Information Session
OCP Major	✓	✓	✓
OCP Minor	-	✓	-
Zoning Major	✓	✓	✓
Zoning Minor	-	✓	-

LUC Land Use Contract	-	✓	-
DVP Development Variance Permit including minor variances	-	✓	-
TUP Temporary Use Permit	-	✓	-
DP Development Permit	-	-	-
ALR ² Agricultural Land Reserve	.. ²	.. ²	.. ²
SFWH Seasonal Farm Worker Housing	-	✓	-
Direct SFWH Seasonal Farm Worker Housing	-	-	-

Table 1 – Notes

- ✓ indicates a required form of notification or consultation.
- indicates a form of notification or consultation not required.
- ¹ City template is to be used for signage.
- ² please refer to Agricultural Land Commission requirements.

- b. Fulfilling the requirements of this policy does not relieve the owner or applicant of the responsibility to comply with applicable regulations and bylaws of the City of Kelowna, and those requirements of any body having jurisdiction over the land.
- c. Failure to undertake the form(s) of Notification and Consultation in accordance with this policy may result in the postponement of initial consideration of the application by Council. All costs incurred by the City for public notification as a result of such postponement will be the responsibility of the applicant.
- d. Applicants are encouraged wherever possible to use online or web-based tools to enhance public engagement strategies.
- e. For the purposes of this policy, the following criteria will apply to Official Community Plan amendment applications, and Zoning Bylaw amendment applications made pursuant to this policy:

Official Community Plan Amendment – Major (“OCP Major”) means an OCP Amendment Application that:

- i. Involves a major change to the Future Land Use class (including, but not limited to, Residential to Commercial, Commercial to Industrial, Educational to Residential) of the applicable parcel(s) or portions thereof; or
- ii. Is determined by the Director of Planning & Development Services to be an OCP Major.

Official Community Plan Amendment – Minor (“OCP Minor”) means an OCP Amendment application that is not an OCP Major..

Zoning Amendment – Major (“Zoning Major”) means a Zoning Amendment Application that:

- i. Involves creation of a Comprehensive Development zone; or
- ii. Involves a total land area of 2 hectares or greater; or
- iii. Involves the addition of 50 or more dwelling units and/or parcels; or
- iv. Involves a major change in land use intensity; or
- v. Is determined by the Director of Planning & Development Services to be a Zoning Major.

Zoning Amendment – Minor (“Zoning Minor”) means a Zoning Amendment application that is not a Zoning Major.

4. NOTIFICATION AND CONSULTATION SPECIFICATIONS

- a. Large Format Development Notice Signage (8’ x 4’)

Where required, an applicant must erect a Large Format Development Notice Sign using the City’s template on that parcel of land which is the subject of the application, in accordance with the following specifications:

Timing:

Large Format Development Notice Signs will be posted a minimum of 10 days in advance of the applicant's Public Information Meeting and thirty (30) days in advance of Council's initial consideration. The Council Public Hearing date must be posted a minimum of 10 days in advance of the Public Hearing, if required. Project Boards must remain in place until the conclusion of the Public Hearing, or until Council has adopted the amending bylaw if there is no requirement for a Public Hearing, or until the development application has lapsed. Project Boards must be removed within seven (7) days of the conclusion of a Public Hearing or adoption of a bylaw.

Location:

All Large Format Development Notice Signs will be placed on a property that is subject to an application pursuant to this policy so that they are clearly visible from the street, approximately three (3) metres inside the property line.

Number:

One Large Format Development Notice Signs is required for each road frontage provided that no more than three (3) signs are required for any one Site.

Size and Content:

The Large Format Development Notice Signs (s) will include the following information approved by City Staff :

- Detailed description of the proposal;
- Visual rendering and/or site plan illustrating the proposal;
- Contact information for the applicant or authorized agent, including project website (if any); and
- Contact information for the appropriate City Department.

Sign Installation:

Large Format Development Notice Signs will be located in a manner which does not interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes or driveways and must be installed in a safe, sturdy manner capable of withstanding wind and weather.

The applicant must provide City Staff with evidence in the form of photographs that the Project Board(s) required by this policy has been installed on the subject property before the application will be considered at a Public Hearing or a regular meeting of Council.

b. Neighbour Consultation

Objective:

Neighbour consultation aims to promote, where possible, direct, face-to-face conversations between an applicant and their immediate neighbours. Both tenants & owners must be contacted.

Applicable Parcels:

For parcels located within the Permanent Growth Boundary, as shown on Official Community Plan Map 3.1, all abutting and adjoining parcels and any parcels within 50 m of the subject property must be consulted.

For parcels located outside of the Permanent Growth Boundary, as shown on Official Community Plan Map 3.1, all abutting and adjoining parcels and any parcels within 300 m of the subject property must be consulted, or as determined by City staff.

Neighbour Consultation Content:

- Location of the proposal;
- Detailed description of the proposal, including the specific changes proposed;
- Visual rendering and/or site plan of the proposal;
- Contact information for the applicant or authorized agent;
- Contact information for the appropriate City department;
- For Minor Development Variance Permits, provide deadline to provide input to the delegate and how to contact the delegate. The deadline must be set a minimum of 10 business days after the date neighbours are consulted; and
- Identifications of available methods for feedback.

Evidence of Consultation:

A summary of neighbour consultation efforts, feedback and response must be provided to City

staff, identifying how the efforts meet the objective of this form of consultation. This information must be provided to City staff a minimum of 20 days prior to Council initial consideration of the application(s) for inclusion in the report to Council or this information must be provided to the delegate authorized to issue minor Development Variance Permits prior the decision of the delegate.

c. Public Information Session


Where required, an applicant must conduct a Public Information Session in accordance with the following requirements:

1. The Public Information Session must be held a minimum of 15 days prior to Council initial consideration and after submission of a complete application;
2. The date, time, duration and location of a Public Information Session are to be determined by the applicant, but shall be organized pursuant to the Objective set out in Section 1 of this policy;
3. A Public Information Session must be advertised by both mailout and by local newspaper advertisements, which must be delivered or printed, as applicable, a minimum of two (2) weeks in advance of holding of a Public Information Session;
4. The applicant must make available for review all relevant appropriate plans, studies, and technical information regarding the proposal;
5. The City of Kelowna must be notified of the meeting, and a City staff representative shall have the option to attend;
6. A summary report prepared and signed by an applicant or authorized agent must be submitted to the File Manager that provides responses to the following questions:
 - Where was the information session held?
 - At what time and for what duration was the information session held?
 - How many people attended the information session?
 - How was the information session advertised (including copies of all advertising)?
 - How were affected property owners notified of the information session?
 - What information was provided at the information session?
 - How was the input received at the information session used?
 - Was the information session organized and conducted in a manner consistent with the Objective of this policy?

Amendments

Resolution: R0711/22/09/26

Replacing: R090/13/02/18, R102/14/02/17 – changes reflect development sign upgrades

The background is a scenic landscape at sunset. The sun is low on the horizon, casting a warm orange and yellow glow across the sky and reflecting on a body of water. The foreground shows a sandy dune with sparse vegetation. A large, semi-transparent circular graphic with a geometric, low-poly pattern is overlaid on the right side of the image. The text is centered in the lower half of the image.

**City of Kelowna
Delegated Authority
May 8, 2023**

Purpose

- ▶ To amend: the Development Application and Heritage Procedures Bylaw No. 12310, the Development Applications Fees Bylaw No. 10560, and the Public Notification and Consultation for Development Applications Council Policy No. 357 in order to introduce delegated authority for minor variances

Background

- ▶ 2019 – The Province – DAPR considered Municipal Affairs Statute Amendments
- ▶ Allowed delegated authority on minor Development Variance Permits

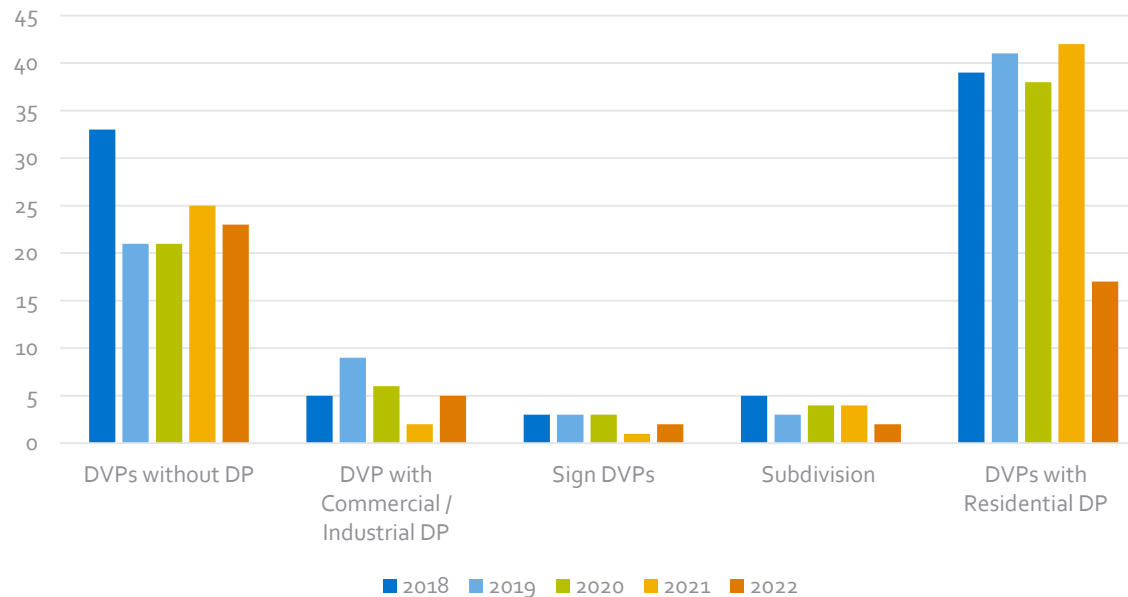
Objectives

1. Streamline approvals by reducing unnecessary and low-value processes for both Council and Staff;
 - a. Quicker processes for minor variance requests.
 - b. Planning reports requirements can be streamlined.
 - c. Reduced workload in the Office of the City Clerk.
 - d. More Staff time (Planning Department and Office of the City Clerk) can be re-directed to processing more complex development applications.
2. Ensure Council and the public have relevant information early in the decision-making and input process;
3. Maintain accountability for 'minor' variance review;
4. Maintain applicant accountability for notifying adjacent neighbours; &
5. To focus Council's time and the Tuesday Regular Council meetings on major variances which are more significant and typically generate public input.

Table A – Development Variance Permits (DVPs) by Type

Year	DVPs without DP	DVP with Commercial / Industrial DP	Sign DVPs	Subdivision DVPs	DVPs with Residential DP	Total DVP applications
	(Typically Minor)				(Typically Major)	
2018	33	5	3	5	39	85
2019	21	9	3	3	41	77
2020	21	6	3	4	38	72
2021	25	2	1	4	42	74
2022	23	5	2	2	17	49

Number and Type of Variance Applications



Percentage of Minor Vs Major Variances Using Proposed Minor Criteria

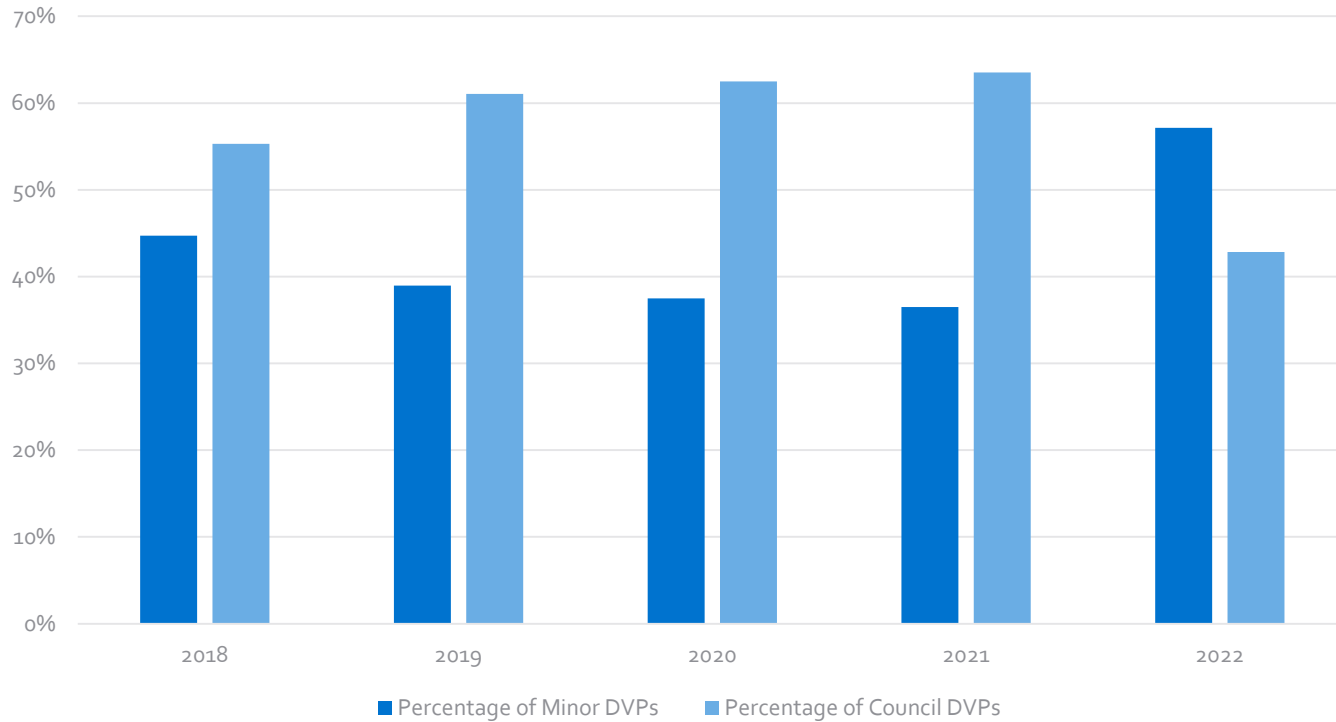


Table B – Regular Meeting Correspondence related to variance applications

	2018	2019	2020	2021	2022
DVP Applications (#)	57	67	49	39	47
Regular Meeting Correspondence (#)	270	122	156	510	487
Applications with Correspondence (#)	n/a	n/a	n/a	36	32

Current Delegated Authority

- ▶ Commercial and Industrial DPs without variances
- ▶ MF₁ DPs

Procedures Bylaw Amendments

1. Define minor variance criteria
2. Include guidelines for the delegate to consider whether to issue or deny (then applicant can have Council reconsider the permit)
3. Schedule 'A' identifies various formatting, spelling, grammar, and language consistency improvements throughout the Procedures Bylaw

Procedures Bylaw Amendments – Minor Variance Criteria

Minor variances only apply to Zoning Bylaw No. 12375 (except Section 9 of Zoning Bylaw No. 12375) and not to other bylaws (such as the Sign Bylaw); AND

- a) A Development Variance Permit application is submitted when an associated Form and Character Development Permit application is not required; OR
- b) A Development Variance Permit application is submitted for any commercial or industrial development in which the authority for the Form and Character Development Permit has been delegated to the Department Manager, Development Planning; OR
- c) A Heritage Alteration Permit application is submitted with variances in which the authority for the Heritage Alteration Permit has been delegated to the Department Manager, Development Planning.

Procedures Bylaw Amendments - Guidelines

1. Scope and scale of variances.
2. Use and enjoyment of neighbouring lands.
3. Effects on the natural environment.
4. Appropriateness of the development.
5. Intent of the Zoning Bylaw
6. Public interest in variances

Procedures Bylaw Amendments – Notification and Consultation

- Minor Development Variance Permits shall complete their Public Notification and Consultation.

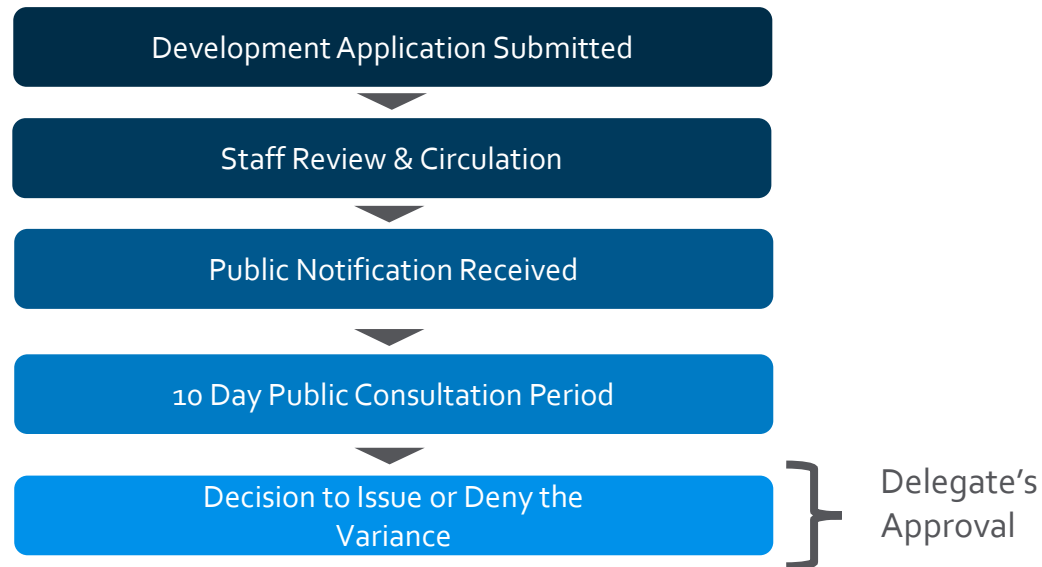
Fees Bylaw Amendments

- Include the minor variance category charged at 55% of the rate of a Council Development Variance Permit application
- Same ratio difference between Delegated Development Permits versus Council Development Permits

Council Policy 367 Notification and Consultation with the Neighbourhood - Amendments

- Include the minor variance category to be the same as a regular council variance
- Evidence of neighbour consultation must be submitted prior to the decision of the delegate
- Current Policy – 50 metres with PGB and 300 metres outside of the PGB
- Must provide a deadline to the neighbourhood for feedback to the delegate
 - Deadline must be at least 10 business days after neighbourhood consultation

Minor DVP Process



Staff Recommendation

- ▶ That Council approve the necessary bylaw amendments and resolutions for delegated authority as outlined through this report.
 - ▶ Kelowna is a leader in process improvements for development applications
 - ▶ Recommended changes are expected to streamline 40 (on average) DVPs per year

CITY OF KELOWNA

BYLAW NO. 12527

Amendment No. 3 to Development Application and Heritage Procedures Bylaw No. 12310

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Development Application and Heritage Procedures Bylaw No. 12310 be amended as follows:

1. THAT **Section 1.0 INTRODUCTION, 1.3 Definitions, Official Community Plan** be amended by deleting "Bylaw No. 10500" and replace it with "Bylaw No. 12300";
2. AND THAT **Section 1.0 INTRODUCTION, 1.3 Definitions, Zoning Bylaw**, be amended by deleting "Zoning Bylaw No. 8000" and replace it with "Zoning Bylaw No. 12375";
3. AND THAT **Section 2.0 GENERAL PROVISIONS, 2.3 Delegation of Authority, 2.3.7 a)** be added as follows:

"2.3.7 Development Variance Permits

a) The powers of Council under Section 498.1 – Delegation of power to issue Development Variance Permits of the Local Government Act to issue, refuse and amend **Development Variance Permits**, subject to restrictions identified in Schedule '4' of this bylaw. This includes the powers of **Council** to require that the applicant provide security for the purposes of Section 502 of the Local Government Act, to establish the conditions of the permit, and to determine whether such requirements and conditions have been met.";

4. AND THAT **Section 2.0 GENERAL PROVISIONS, 2.9.3 f) i.** be amended by deleting "The The restoration" and replace it with "The restoration";
5. AND THAT **Section 4.0 PUBLIC NOTIFICATION AND CONSULTATION** be amended by

a.) Adding "4.2.1 Giving Notice d) The obligation to give notice does not apply if the delegate exercises the power to issue the development variance permit, in accordance with Section 499 (1.1) of the Local Government Act.";

b) Removing **4.2 Public Notification, 4.2.2 Development Notice Signage a) Exemptions** as follows:

"a) Exemptions: The following types of applications do not require Development Notice Signage:

- i. Development Permit
- ii. Temporary Farm Worker Housing Permit
- iii. Heritage Conservation Covenant
- iv. Kelowna Heritage Register
- v. Heritage Alteration Permit with no variance(s)
- vi. OCP and Zoning Bylaw amendment applications involving ten or more parcels owned by ten or more people"

And replace with

"a) Exemptions: The following types of applications do not require Development Notice Signage:

- i. Development Permit
- ii. Minor Development Variance Permit
- iii. Temporary Farm Worker Housing Permit
- iv. Heritage Conservation Covenant

- v. Kelowna Heritage Register
- vi. Heritage Alteration Permit with no variance(s)
- vii. OCP and Zoning Bylaw amendment applications involving ten or more parcels owned by ten or more people”;

c) Removing **4.2 Public Notification**, 4.2.2 Development Notice Signage b) Timing as follows:

“For applications that require a statutory Public Hearing, Development Notice Signs will be posted a minimum of ten days prior to the Public Hearing for the application. For all other applications, Development Notice Signs will be posted a minimum of ten days prior to the Council meeting at which the application is scheduled for consideration.

Development Notice Signs must remain in place until the conclusion of the Public Hearing, until Council has considered the application as applicable, within 7 days of Council’s further consideration of the application when the Public Hearing has been waived, or until the development application has been abandoned. Development Notice Signs must be removed within seven days of the conclusion of a Public Hearing.”

And replace with

“i. For applications that require a statutory Public Hearing, Development Notice Signs will be posted a minimum of ten days prior to the Public Hearing for the application.

ii. For all other applications that require a Council meeting, Development Notice Signs will be posted a minimum of ten days prior to the Council meeting at which the application is scheduled for consideration.

iii. Development Notice Signs must remain in place until the conclusion of the Public Hearing, until Council has considered the application as applicable, within 7 days of Council’s further consideration of the application when the Public Hearing has been waived, or until the development application has been abandoned. Development Notice Signs must be removed within seven days of the conclusion of a Public Hearing or of the Council meeting that requires a Development Notice Sign.”;

6. AND THAT **4.2 Public Notification**, 4.2.2 Development Notice Signage h) Failure to Post be amended by adding “or the delegate” after the word “**Council**”;

7. AND THAT **Schedule ‘1’ Application Requirements** l) Landscape Plan be amended by deleting the following:

“Pre-development inventory completed by a Qualified Professional of all trees located on the property including, trees with overhanging branches or root systems, invasive species, fruit trees, cultivated trees, basic description, trunk diameter, and location”;

And replace with

““Pre-development inventory completed by a Qualified Professional of all trees located on and off the property with overhanging branches or root systems, with a basic description of species, trunk diameter and location, highlighting invasive species, fruit trees, and cultivated trees.”;

8. AND THAT **Schedule ‘1’ Application Requirements** m) Environmental Assessment Report be amended by deleting the following:

“Environmental Assessment Report – prepared, signed and sealed by a Registered Professional Biologist licensed to practice in BC, which assesses potential impacts of the proposed development and provides avoidance, mitigation and/or compensation methods as applicable.”;

And replace with

““Environmental Assessment Report – prepared as per the City of Kelowna Environmental Assessment Terms of Reference, signed and sealed by a Registered Professional Biologist licensed to practice in BC, which assesses potential impacts of the proposed development and provides avoidance, mitigation and/or compensation methods as applicable.”;

9. AND THAT **Schedule '2' Applications to Amend an Official Community Plan Bylaw or Zoning Bylaw, 1.0 APPLICATION REQUIREMENTS, 1.1** be amended by deleting the following:

"f) Project Rationale
h) Site Plan
i) Floor Plan (if available)
j) Elevation Drawings (if available)
l) Conceptual Landscape Plan"

And replace it with

"f) Project Rationale
g) Site Plan
h) Floor Plan (if available)
i) Elevation Drawings (if available)
j) Landscape Plan";

10. AND THAT **Schedule '3' – Development Permit Applications, 1.0 FORM AND CHARACTER & FARM PROTECTION DEVELOPMENT PERMITS, 1.1 Form and Character & Farm Protection Direct Development Permits, 1.1.2 Application Requirements** be amended by deleting the following:

"h) Site Plan
j) Elevation Drawings
l) Landscape Plan"

And replace it with

"h) Site Plan
i) Elevation Drawings
j) Landscape Plan";

11. AND THAT **Schedule '3' – Development Permit Applications, 1.0 FORM AND CHARACTER & FARM PROTECTION DEVELOPMENT PERMITS, 1.2 Form and Character & Farm Protection Council Development Permits, 1.2.1 Application Requirements**, be amended by deleting all references to the following:

" l) Council Landscape Plan"

And replace with

"l) Landscape Plan";

12. AND THAT **Schedule '3' – Development Permit Applications, 1.0 FORM AND CHARACTER & FARM PROTECTION DEVELOPMENT PERMITS, 1.2 Form and Character & Farm Protection Council Development Permits, 1.2.1 Application Requirements**, be amended by deleting the following:

"j) Elevation Drawings
l) Council Landscape Plan:

And replace with

"i) Elevation Drawings
j) Landscape Plan";

13. AND THAT **Schedule '3' – Development Permit Applications, 2.0 NATURAL ENVIRONMENT AND HAZARDOUS CONDITIONS DEVELOPMENT PERMITS, 2.2.1 Application Requirements a) Minor Direct Hazardous Conditions Development Permit table** be amended by adding the following:

"i) Geotechnical Letter (if applicable)";

14. AND THAT **Schedule '3' – Development Permit Applications, 2.0 NATURAL ENVIRONMENT AND HAZARDOUS CONDITIONS DEVELOPMENT PERMITS, 2.3 Major Direct Development Permit, 2.3.1**

Application Requirements a) Major Direct Hazardous Conditions Development Permit table, be amended by adding the following:

"i) Geotechnical Assessment";

15. AND THAT **Schedule '3' – Development Permit Applications**, 2.0 NATURAL ENVIRONMENT AND HAZARDOUS CONDITIONS DEVELOPMENT PERMITS, , 2.4 Natural Environment and Hazardous Conditions Council Development Permit, 2.4.1 Application Requirements a) Council Hazardous Conditions Development Permit table, be amended by adding the following:

"i) Geotechnical Assessment";

16. AND THAT **Schedule '4' – Development Variance Permit Applications** as outlined in Schedule 'A' attached to and forming part of this bylaw, be deleted in its entirety, and replaced with Schedule 'B', attached to and forming part of this bylaw;

17. AND THAT **Schedule '5' Temporary Use Permit Applications**, 1.0 APPLICATION REQUIREMENTS, 1,1 be amended by deleting the following:

"f) Application Form
g) State of Title
h) Owner's Authorization Form (if applicable)
i) Site Profile (if applicable)
j) Zoning Analysis Table
p) Project Rationale
k) Photographs l) Site Plan
m) Floor Plan
n) Elevation Drawings
o) Landscape Plan (if applicable)"

And replace with

"a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)
e) Zoning Analysis Table
f) Project Rationale
g) Photographs
h) Site Plan
i) Floor Plan
j) Elevation Drawings
k) Landscape Plan (if applicable)";

18. AND THAT **Schedule '9' – Temporary Farm Worker Housing Permit Applications**, 1.0 TEMPORARY FARM WORKER HOUSING PERMIT MINOR DIRECT, 1.2 Application Requirements, 1.2.1 be amended by deleting the following:

"a) Application Form
b) State of Title
c) Owner's Authorization Form (if applicable)
d) Site Profile (if applicable)
f) Project Rationale
g) Photographs
h) Site Plan
i) Floor Plan
j) Elevation Drawings
l) Direct Landscape Plan"

And replace with

"a) Application Form
b) State of Title

- c) Owner's Authorization Form (if applicable)
- d) Site Profile (if applicable)
- e) Project Rationale
- f) Photographs
- g) Site Plan
- h) Floor Plan
- i) Elevation Drawings
- j) Landscape Plan";

19. AND THAT **Schedule 'g' – Temporary Farm Worker Housing Permit Applications**, 2.0 TEMPORARY FARM WORKER HOUSING PERMIT MAJOR (Council), 2.1 Application Requirements, 2.1.1 be amended by deleting the following:

- "a) Application Form
- b) State of Title
- c) Owner's Authorization Form (if applicable)
- d) Site Profile (if applicable)
- h) Project Rationale
- g) Photographs
- h) Site Plan
- i) Floor Plan
- j) Elevation Drawings
- l) Landscape Plan"

And replace with

- "a) Application Form
- b) State of Title
- c) Owner's Authorization Form (if applicable)
- d) Site Profile (if applicable)
- e) Project Rationale
- f) Photographs
- g) Site Plan
- h) Floor Plan
- i) Elevation Drawings
- j) Landscape Plan";

20. AND THAT **Schedule '10' Heritage Revitalization Agreement Applications**, 1.0 APPLICATION REQUIREMENTS, 1.1 be amended by deleting the following:

- " p) Information about historical significance of the property"

And replace with

- "m) Information about historical significance of the property";

21. AND THAT **Schedule '11' Heritage Designation Bylaw Applications**, 1.0 APPLICATION REQUIREMENTS, 1.1 be amended by deleting the following:

- " p) Information about historical significance of the property"

And replace with

- "m) Information about historical significance of the property";

22. AND THAT **Schedule '12' Heritage Conservation Covenant Applications**, 1.0 APPLICATION REQUIREMENTS, 1.1 be amended by deleting the following:

- " p) Information about historical significance of the property"

And replace with

- "m) Information about historical significance of the property";

23. AND THAT **Schedule '13' Heritage Alteration Permit Applications**, 1.0 HERITAGE ALTERATION PERMITS (DIRECT), 1.2 Application Requirements a), be amended by deleting the following:

- "k) Materials Board
- l) Landscape Plan for Direct Permits
- p) Information about historical significance of the property"

And replace with

- "k) Materials Board
- l) Landscape Plan
- m) Information about historical significance of the property";

24. AND FURTHER THAT **Schedule '13' Heritage Alteration Permit Applications**, 1.0 HERITAGE ALTERATION PERMITS (COUNCIL), 2.1 Application Requirements a) be amended by deleting the following:

- "k) Materials Board
- l) Landscape Plan for Council Permits
- p) Information about historical significance of the property"

And replace with

- "k) Materials Board
- l) Landscape Plan
- m) Information about historical significance of the property".

25. This bylaw may be cited for all purposes as "Bylaw No. 12527, being Amendment No. 3 to Development Application and Heritage Procedures Bylaw No. 12310."

26. 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

Schedule 'A' to Bylaw No. 12527 – to be deleted:

Schedule '4' Development Variance Permit Applications

This Schedule describes the process applicants must follow for Development Variance Permit applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

1.0 APPLICATION REQUIREMENTS

1.1. The following information is required for Development Variance Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	f) Photographs
b) State of Title	g) Site Plan
c) Owner's Authorization Form (if applicable)	h) Floor Plan
d) Site Profile (if applicable)	i) Elevation Drawings
e) Zoning Analysis Table	l) Landscape Plan (if applicable)
m) Project Rationale	

1.2. Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Variance Permit application.

2.0 PROCESSING PROCEDURE

A Development Variance Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- g) Upon receipt of the comments of other referral agencies, Development Planning staff will prepare a staff report and draft Development Variance Permit for consideration by Council.

The applicant is encouraged to attend the Council meeting at which the application is being considered.

- h) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- i) If authorized for issuance by the Council, Development Planning staff will prepare the required Development Variance Permit and related schedules for signature, and obtain any required security, pursuant to Section 2.9 of this bylaw.
- n) Upon sign-off of the Development Variance Permit by the Department Manager, Development Planning and receipt of required security, the Development Variance Permit will be issued and then registered on the State of Title of the subject property(s).

Schedule 'B' to Bylaw No. 12527 – to be added:

Schedule '4' Development Variance Permit Applications

This Schedule describes the process applicants must follow for Development Variance Permit applications, including application requirements and processing procedures. Following the steps outlined below does not grant a right to development approval.

1.0 DEVELOPMENT VARIANCE PERMITS

1.1 Minor Development Variance Permits

1.1.1 Restriction on Delegation – Minor Criteria

As a restriction on Section 2.3.7(a), only 'Minor' Development Variance Permits can be approved by the Department Manager, Development Planning. As required by Section 498.1(2)a of the Local Government Act, the criteria for determining whether a proposed variance is minor is determined by the following:

1. Minor variances only apply to Zoning Bylaw No. 12375 (except Section 9 of Zoning Bylaw No. 12375) and not to other bylaws (such as the Sign Bylaw); AND
 - a. A Development Variance Permit application is submitted when an associated Form and Character Development Permit application is not required; OR
 - b. A Development Variance Permit application is submitted for any commercial or industrial development in which the authority for the Form and Character Development Permit has been delegated to the Department Manager, Development Planning; OR
 - c. A Heritage Alteration Permit application is submitted with variances in which the authority for the Heritage Alteration Permit has been delegated to the Department Manager, Development Planning.

1.1.2 Restriction on Delegation – Guidelines

As required by Section 498.1(2)b of the Local Government Act, the guidelines the delegate must consider in deciding whether to issue a Development Variance Permit is determined by the following:

1. Scope and scale of variances.
 - a. For example, if a significant parking variance is proposed then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
2. Use and enjoyment of neighbouring lands.
 - a. A variance could negatively impact or affect adjacent buildings and uses. For example, a setback variance that would result in a primary window of neighbouring property staring at a large blank wall, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
3. Effects on the natural environment.
 - a. For example, if a variance would have a detrimental effect on the environment as determined through the Natural Environment Development Permit approval process, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
4. Appropriateness of the development.
 - a. A variance could decrease the appropriateness of the development if certain Official Community Plan policies and guidelines were not followed due to the variance. For example, if a setback variance increases the area of the home within a 30% steep slope area, then this would decrease the appropriateness of the development and then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.

5. Intent of the Zoning Bylaw
 - a. A variance could undermine the purpose of a regulation. For example, the purpose of the 70% maximum upper floor area limit on carriage houses relative to the carriage house footprint is to prevent carriage house 'box' designs and a variance to this regulation could undermine the purpose of this regulation. Then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.
6. Public interest in variances
 - a. For example, if a variance triggers a significant public response to the Development Planning Department Manager during the public consultation period, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by Council.

Applications not eligible for issuance or amendment by the Department Manager, Development Planning must be considered by Council and are subject to the requirements listed in Schedule '4', Section 1.2 – Development Variance Permits, below.

1.1.3 Application Requirements

- a) The following information is required for Development Variance Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	g) Photographs
b) State of Title	h) Site Plan
c) Owner's Authorization Form (if applicable)	i) Floor Plan
d) Site Profile (if applicable)	j) Elevation Drawings
e) Zoning Analysis Table	k) Landscape Plan (if applicable)
f) Project Rationale	

- b) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Variance Permit application.

1.1.4 Processing Procedure

A Development Variance Permit application submitted in accordance with this bylaw will be processed as follows:

- j) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- k) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- l) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- m) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- n) Relevant referral agency comments will be considered by the Department Manager, Development Planning.
- o) Development Planning will notify the applicant in writing of the decision of the Department

Manager, Development Planning.

- p) If authorized for issuance by the Department Manager, Development Planning, staff will prepare the required Development Permit and related schedules for signature and obtain the required security pursuant to Section 2.9 of this bylaw.
- q) Upon sign-off of the Development Permit by the Department Manager, Development Planning and receipt of the required security, the Development Permit will be issued and then registered against the title of the property(s) at the Land Title Office.

1.2 Development Variance Permits

1.2.1 Application Requirements

- a) The following information is required for Development Variance Permit applications. See Schedule '1' of this bylaw for a description of each application requirement.

a) Application Form	g) Photographs
b) State of Title	h) Site Plan
c) Owner's Authorization Form (if applicable)	i) Floor Plan
d) Site Profile (if applicable)	j) Elevation Drawings
e) Zoning Analysis Table	k) Landscape Plan (if applicable)
f) Project Rationale	

- b) Additional Development Approval Information may be required by the Department Manager, Development Planning in accordance with Section 2.4 of this bylaw to adequately make a recommendation to Council regarding a Development Variance Permit application.

1.2.2 Processing Procedure

A Development Variance Permit application submitted in accordance with this bylaw will be processed as follows:

- a) Upon receipt of an application package submitted to the City in accordance with the requirements of this bylaw, staff will issue a fee receipt to the applicant.
- b) Development Planning will review the application for completeness. If the application is incomplete, staff will request the required information from the applicant. Staff will only process the file when the application package is complete.
- c) Development Planning will refer the application to all relevant City departments, as well as applicable government and external agencies.
- d) Development Planning will evaluate the proposal for compliance with relevant City bylaws and policies.
- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) Development Planning will prepare a staff report and refer the application to any relevant Council committee(s). The applicant is encouraged to attend any Council committee meeting(s) at which the application is being considered. The Council committee will provide a recommendation to Development Planning staff.
- g) Upon receipt of the comments of other referral agencies, Development Planning staff will prepare a staff report and draft Development Variance Permit for consideration by Council. The applicant

is encouraged to attend the Council meeting at which the application is being considered.

- h) The Office of the City Clerk will notify the applicant in writing of the decision of Council.
- i) If authorized for issuance by the Council, Development Planning staff will prepare the required Development Variance Permit and related schedules for signature, and obtain any required security, pursuant to Section 2.9 of this bylaw.
- j) Upon sign-off of the Development Variance Permit by the Department Manager, Development Planning and receipt of required security, the Development Variance Permit will be issued and then registered on the State of Title of the subject property(s).

CITY OF KELOWNA

BYLAW NO. 12528

Amendment No. 14 to Development Application Fees Bylaw No. 10560

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Development Application Fees Bylaw No. 10560 be amended as follows:

1. THAT **Schedule "A" - DEVELOPMENT APPLICATION FEES –Development Application Fees – Table 1 FEES PURSUANT TO ZONING BYLAW NO. 8000 AND LOCAL GOVERNMENT ACT** be amended by adding the following Minor (Delegated) Development Variance Permit row to the table:

"

Development Category ¹	2020 Fees	2021 Fees	2022 Fees	2023 Fees
Minor (Delegated) Development Variance Permit	n/a	n/a	n/a	\$925 + \$0/add'l variance

"

2. This bylaw may be cited for all purposes as "Bylaw No. 12528, being Amendment No. 14 to Development Application Fees Bylaw No.10560."
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: May 8, 2023
To: Council
From: Chair, Audit Committee
Subject: 2023 Audit Committee Meeting review and Financial Statements for the Year Ending December 31, 2022
Department: Finance Director, Financial Services

Recommendation:

THAT Council receives, for information, the Report from the Audit Committee dated May 8, 2023 with respect to the Consolidated Financial Statements and Auditor’s Report for the City of Kelowna for the year ending December 31, 2022;
AND THAT the Consolidated Financial Statements and Auditor’s Report be reprinted in and form part of the City of Kelowna’s annual report.

Purpose:

To provide a high-level review of the information provided to the Audit Committee during the meeting on April 25, 2023, to present the Financial Statements to Council for acceptance per the legislative requirement, and to seek approval to include the Financial Statements in the annual report.

Background:

The Audit Committee was provided with an in-depth review of the consolidated financial statements for the year ending December 31, 2022. There was a key theme that emerged which contributed to the City’s strong financial position. The City approaching pre-COVID-19 levels of operations were reflected in the increases in operating revenue and expenses. As net cashflows increased, more cash could be spent on capital projects and also reinvested, maximizing our return on cash for future needs.

Consolidated Statement of Financial Position:

The Consolidated Statement of Financial Position shows the City’s Financial Assets of \$844M exceeding its liabilities of \$375M, indicating that the City has sufficient financial assets to settle its existing liabilities. The extent to which the City’s assets exceed liabilities represents liquidity and is a positive

indicator of the City's financial strength. In 2022, there was a \$91 million increase in Financial Assets offset by a \$33 million increase in Liabilities.

The increase in Financial Assets resulted largely from a \$96 million increase in portfolio investment, an \$8 million increase in Accounts Receivable, offset by a \$12 million decrease in Cash and Cash Equivalents. These increases are mainly due to increased cashflows generated from operations as we recover from the COVID-19 pandemic, as well as increased federal grant funding. With the increase of cashflows, our treasury branch was able to implement their investment strategy which increased our investment portfolio in order to maximize our return on cash. Accounts receivable increased mainly due to approved grant funding being recognized on work completed for associated projects but not received as at December 31, 2022.

The offsetting increase in liabilities was largely the result of an increase of \$12 million in Performance Deposits, an increase of \$24 million Deferred Development Cost Charges and a decrease of \$11 million in Long term debt.

Non-financial assets increased \$33 million largely due to an increase of capital acquisitions.

Statement of Operations and Accumulated Surplus:

The Statement of Operations and Accumulated Surplus shows an increase of \$46 million in revenues totaling \$425M and a \$24 million increase in expenses totaling \$334 million. This has resulted in an annual surplus of \$91 million. These increases are a reflection of operations approaching pre-COVID-19 levels.

Fees and charges revenues increased by \$20 million, which can largely be attributed to the Airport. An increase in passenger numbers from 2021 has resulted in an increase in Airport Improvement fees and terminal fees.

The increases in expenses such as salaries and wages, and facility maintenance and security contracts are also a product of the increase in operations across the organization. Cost escalations due to inflation and supply chain issues were another contributor to the increase in expenses for 2022.

Total operating revenues over expenses has resulted in an annual surplus of \$91M and has increased the accumulated surplus to \$2.4 billion. This surplus supports the City in meeting its needs such as the 10-year capital plan and 20-year servicing plan. It also places the City in a good position to deal with catastrophic events or take advantage of opportunities without negatively impacting taxpayers.

Consolidated Statement of Cash Flows:

The Consolidated Statement of Cash Flows outlines the cash generated and used by the City's operations, capital, investing and financing activities. These activities resulted in a net decrease of \$12 million in cash and cash equivalents, to end with balance of \$92 million.

Audit report:

The Audit report outlined the areas of review that took place and provided a clean audit opinion stating that the City of Kelowna's consolidated financial statements present fairly, in all material respects, the

financial position of the City of Kelowna as at December 31, 2022, and the results of operations, its changes in its net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Conclusion:

The preparation for year-end and the audit process provides a detailed review and assessment of the City's financial results for the year ended December 31, 2022 and compares those results to the previous year actuals and budget. An increase in operating activities, as the City approaches pre-COVID-19 levels of operation, are reflected in the favorable 2022 financial results. However, the City is still experiencing economic challenges including higher inflation levels and supply chain disruptions. The City's strong financial position at the end of 2022 enables the City to take advantage of opportunities and overcome challenges.

Legal/Statutory Authority:

The Community Charter section 167 "Annual Financial Statements" requires that municipal financial statements for a fiscal year must be presented to Council for its acceptance.

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by:

Mayor Dyas, Chair, Audit Committee

cc: Councillor R.Cannan – Audit Committee
Councillor L. Stack – Audit Committee
Finance Director, Financial Services
Acting Controller
Financial Planning Manager
Grant Thornton LLP – Auditor - Mr. Tyler Neels, CPA, CA

Report to Council

May 8, 2023



2022

Consolidated Financial Statements

Kelowna, British Columbia, Canada
For the year ended December 31, 2022



Topics

- ▶ 2022 Audit Committee Review
- ▶ Audit Results
- ▶ Consolidated Financial Statements

2022 Audit Committee Review

- ▶ Financial Health indicators
- ▶ Consolidated Financial Statements
- ▶ Notes to the Financial Statements
- ▶ Auditor's Report
- ▶ City Reserves and Surpluses
- ▶ Surplus Balances and Appropriations

Audit Result

The City receives a clean audit



Consolidated Financial Statements

- ▶ Financial Position
- ▶ Operations and Accumulated Surplus
- ▶ Cash Flow

Financial Position

CITY OF KELOWNA
Consolidated Statement of Financial Position
As at December 31, 2022
(in thousands of dollars)

	2022	2021
Financial Assets		
Cash and cash equivalents (Note 3)	\$ 91,524	\$ 103,765
Accounts receivable (Note 3)	55,130	47,450
Accrued interest	2,997	2,424
Portfolio investments (Note 3)	676,316	580,710
Long term investments (Note 10)	6,000	6,000
Assets held for resale	12,467	13,271
	<u>844,434</u>	<u>753,620</u>
Liabilities		
Accounts payable	55,507	50,762
Performance deposits	43,382	31,448
Deferred revenue (Note 3)	57,597	53,745
Deferred development cost charges (Note 3)	148,141	124,585
Long term debt (Note 3)	70,920	81,617
	<u>375,547</u>	<u>342,157</u>
Net Financial Assets	<u>468,887</u>	<u>411,463</u>
Non-Financial Assets		
Prepaid expenses	6,528	9,744
Inventory	1,454	1,420
Work in progress (Note 4)	43,489	26,868
Tangible capital assets (Note 4)	1,841,745	1,822,168
	<u>1,893,216</u>	<u>1,860,200</u>
Accumulated Surplus (Note 5)	<u>\$ 2,362,103</u>	<u>\$ 2,271,663</u>

Operations and Accumulated Surplus

CITY OF KELOWNA
Consolidated Statement of Operations and Accumulated Surplus
For the Year Ended December 31, 2022
(in thousands of dollars)

	Budget 2022	Actual 2022	Actual 2021
Revenue			
Taxation (Note 6)	\$ 180,890	\$ 184,627	\$ 171,366
Fees and charges	151,556	161,823	142,185
Interest earned	8,124	16,308	11,540
DCC contributions	37,426	16,775	11,706
Government transfers (Note 7)	43,581	38,751	35,829
Other capital contributions	575	5,154	4,555
Gain on disposal of tangible capital assets	-	1,374	1,869
	<u>422,152</u>	<u>424,812</u>	<u>379,050</u>
Expenses			
General government	46,607	49,054	41,441
Protective services	88,825	77,477	73,909
Transportation	42,890	68,880	66,473
Recreation & cultural	40,763	46,824	44,101
Other services	26,743	25,919	25,379
Airport	20,050	26,466	21,997
Wastewater	12,955	23,598	21,420
Water	11,611	15,874	15,257
Loss on disposal of tangible capital assets	-	62	37
Write down of tangible capital assets	-	218	540
	<u>290,444</u>	<u>334,372</u>	<u>310,554</u>
Annual Surplus	<u>\$ 131,708</u>	<u>90,440</u>	68,496
Accumulated Surplus, beginning of year		<u>2,271,663</u>	2,203,167
Accumulated Surplus, end of year		<u>\$ 2,362,103</u>	<u>\$ 2,271,663</u>

Cash Flow

CITY OF KELOWNA
Consolidated Statement of Cash Flows
For the Year Ended December 31, 2022
(in thousands of dollars)

	Actual 2022	Actual 2021
Net inflow (outflow) of cash and cash equivalents related to the following activities		
Operating		
Annual surplus	\$ 90,440	\$ 68,496
Adjustment for non-cash items		
Amortization of tangible capital assets	69,253	68,824
Gain on disposal of tangible capital assets	(1,312)	(1,832)
Write down of tangible capital assets	218	540
Actuarial adjustment on long term debt	(2,331)	(2,072)
Contributions of tangible capital assets	(1,718)	(1,854)
Decrease (increase) in		
Accounts receivable	(7,680)	(17,667)
Inventory and prepaid expenses	3,182	1,757
Other assets	231	(3,390)
Increase (decrease) in		
Accounts payable	4,745	(29,690)
Deferred development cost charges	23,556	40,831
Other liabilities	15,787	12,384
	<u>194,371</u>	<u>136,327</u>
Capital		
Acquisition of tangible capital assets	(104,913)	(69,219)
Proceeds from disposal of tangible capital assets	2,274	2,098
	<u>(102,639)</u>	<u>(67,121)</u>
Investing		
Change in investments	(95,606)	(32,911)
Financing		
Proceeds from issuance of long term debt	441	-
Repayment of long term debt	(8,808)	(8,964)
	<u>(8,367)</u>	<u>(8,964)</u>
Net increase (decrease) in cash and cash equivalents	(12,241)	27,331
Cash and cash equivalents, beginning of year	103,765	76,434
Cash and cash equivalents, end of year	\$ 91,524	\$ 103,765

In Summary

- ▶ Received clean audit opinion
- ▶ Strong Financial Results in 2022
- ▶ Positioned to take advantage of opportunities and overcome challenges



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: May 8, 2023
To: Council
From: Chair, Audit Committee
Subject: 2022 Surplus Appropriation
Department: Finance Director, Financial Services

Recommendation:

THAT Council approves the appropriation of \$11,961,967 of surplus generated from all general fund operations in 2022 to reserves and accumulated surplus as detailed in the Report from the Audit Committee dated May 8, 2023;

Purpose:

To provide Council with a recommendation on the appropriation of \$11,961,967 of surplus to general reserves and accumulated surplus.

Background:

City Administration has recommended the appropriation to reserves and accumulated surplus of 2022 surplus generated from all general fund operations, in the amount of \$11,961,967 in addition to those amounts that are normally appropriated through the budget process. The Audit Committee is in agreement with the reasons provided for the appropriation. This results in an unappropriated surplus for 2022 of \$176,967 and an accumulated surplus balance of \$5.0 million.

The recommended appropriations to reserves are:

Equalization reserves	\$ 1,285,000
Major Recreation	5,000,000
Land Acquisition & Partnerships	4,500,000
Council Strategic Fund	1,000,000
Accumulated Surplus	<u>176,967</u>
	<u>\$11,961,967</u>

Financial/Budgetary Considerations:

The financial impact is that a total of \$11,785,000 will be transferred from surplus to reserves and \$176,967 will fall to accumulated surplus.

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

External Agency/Public Comments:

Communications Comments:

Submitted by:

Mayor Dyas, Chair, Audit Committee

cc: Councillor R.Cannan – Audit Committee
Councillor L. Stack – Audit Committee
Finance Director, Financial Services
Acting Controller
Financial Planning Manager
Grant Thornton LLP – Auditor - Mr. Tyler Neels, CPA, CA

Surplus Appropriation - 2022

2022 General Fund Financial Results

- ▶ General Fund surplus is \$12M
 - ▶ 7.2% of operating budget \$165M
 - ▶ Appropriate \$11.8M to reserve to support upcoming projects

- ▶ General Fund accumulated surplus is \$5.0M
 - ▶ Represents approx. 3.0% of taxation demand
 - ▶ Emergency funding only

Appropriation to Reserve for Future Use

Equalization reserves	\$ 1,285,000
Major Recreation	5,000,000
Land Acquisition & Partnerships	4,500,000
Council Strategic Fund	<u>1,000,000</u>
	<u><u>\$ 11,785,000</u></u>

Utility Funds & Airport Fund

- ▶ Water & Wastewater Funds surplus \$0.6M and \$2.5M
 - ▶ Infrastructure replacement
 - ▶ Mitigate fluctuations in utility rates
 - ▶ Ensure healthy and safe service delivery

- ▶ Airport surplus \$25M
 - ▶ Increase in passenger numbers
 - ▶ Expenditures \$1.8M less than budgeted



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: May 8, 2023
To: Council
From: City Manager
Subject: 2023 UBCM Community Excellence Awards applications submission
Department: Partnership Office

Recommendation:

THAT Council receives for information the report from the Intergovernmental Relations Manager regarding applications for the Union of BC Municipalities (UBCM) Community Excellence Awards, dated May 8, 2023.

AND THAT Council supports the award application submissions of the following City projects for the 2023 UBCM Community Excellence Awards:

- Governance category: Artificial Intelligence powered chatbots – snow, revenue and landfill
- Service Delivery category: Kelowna International Airport YMCA Childcare facility
- Sustainability category: FireSmart Chipping Program for urban interface wildfire mitigation
- Asset Management category: Abbott St. Quick-Build Active Transportation Corridor

Purpose:

To approve staff to apply to the 2023 UBCM Community Excellence Awards.

Background:

The annual Union of BC Municipalities (UBCM) Community Excellence Awards recognize and celebrate member local governments that have implemented projects or programs that showcase outstanding initiatives. The awards are designed to profile innovation and unique approaches and serve to inspire other communities to adopt similar projects and programs in their own communities.

Last year, the City submitted projects in each category, and was bestowed the highest achievement award – the 2022 UBCM Community Excellence President’s Committee Choice Award – for the Real Time Flood Response EOC Dashboard.

Discussion:

Pursuing awards is an opportunity to reflect on and celebrate the achievements by City teams that deliver on Council's priorities and support our vision of being a City of the Future. It also puts a spotlight on the innovation, service, teamwork and leadership delivered by the City of Kelowna. In turn, receiving awards positions Kelowna as a desirable place to live, work, play and invest to the community, our residents, and senior levels of government. Below are the four proposed projects, identified by project leads, that exemplify excellence in each of the UBCM Community Excellence categories.

Excellence in Governance

Artificial Intelligence powered chatbots: snow, revenue, and landfill

Our Intelligent City vision is to find ways to improve the lives of residents through access to online services, technological innovation and collaborative problem-solving. Our artificial intelligence (AI) powered chatbots are a great example of this digital transformation direction in action.

In December 2020, we launched Citybot on kelowna.ca to answer questions about COVID-19 and its impact on City services. Since then, Citybot has expanded to answer general questions, as well as transfer enquiries to topic-specific bots that are ready to handle questions about revenue (property tax, utility billing, etc.), landfill, recreation and snow (during winter months). Our revenue, landfill and snow bots can be accessed on the City website, as text-based bots, and over the phone, as voice assistants, which can answer questions directly or transfer callers to staff for additional help.

In the case of our snow bot, 80 per cent of calls were handled without human intervention. This freed up staff time to advance other priority work, attend to more complex requests and better support those visiting City Hall. The City's shift towards digital solutions ensures increased transparency, efficiency and effectiveness in governance and service delivery.

Excellence in Service Delivery

Kelowna International Airport YMCA Childcare facility

YLW is the largest municipally-owned airport in Canada. Responding to the community's high need for childcare spaces, as Kelowna continues to experience exponential growth, and in support of our strong aviation economic sector, YLW and the City of Kelowna have partnered with the YMCA and KF Aerospace to build a new licensed childcare facility on the YLW campus. The project will support families who work at the Airport and KF Aerospace by providing access to 86 new quality, affordable and inclusive childcare spaces. Access to reliable and affordable childcare close to the workplace will continue to remove barriers to encourage diversity in the aviation trade and sector workforce.

The YLW childcare facility, set to open this fall, received a \$3.7 million grant from the Provincial Childcare BC New Spaces Fund. The project highlights the ability for local governments to adapt business practices to best serve community need and the strength and value of partnerships to serve our residents while supporting strong economic growth.

Excellence in Sustainability

FireSmart Chipping Program for urban interface wildfire mitigation

As we see and experience the continual impacts of climate change, global warming, and increasingly dry and hot weather, Kelowna is well-versed in the wildfire risks for the community and region – from the 2003 devastating fires to more recent Emergency Operations Centre activations. The City's commitment through the proactive Urban Forestry Management program looks at a variety of tactics to protect the community and mitigate the risk of wildfires in the city's urban interface area.

Kelowna's FireSmart Community Chipping Pilot program in 2022 removed nearly 100 metric tons of hazardous debris from over 250 private properties across the city. The Community Chipping program started as a pilot to prioritize areas of the city where homes and properties are more likely to have landscaping that contains highly flammable plants and shrubs. The pilot program's success resulted in it being offered again in 2023, and the curbside pickup dates offered in May are already fully subscribed – indicating the broader community's desire to safeguard and mitigate the risk of wildfires in our city. The community chipping program is funded through the BC Ministry of Forests administered by UBCM and is part of the City of Kelowna's year-round commitment to reducing the risk of wildfires.

Excellence in Asset Management

Abbott St. Quick-Build Active Transportation Corridor

The current landscape of rising inflation, global supply chain challenges, and trades labour shortages have resulted in municipalities needing to evaluate and prioritize asset management and capital projects. Rather than pause or defer the project, the City looked for a way to work within this challenging landscape to still deliver and advance our active transportation network with the Abbott St. Quick-Build Active Transportation Corridor project, from Christleton to Cedar Avenue. This project used a quick-build approach that combined interim materials within existing street space and limited new construction to deliver faster and at a lower cost. This included 1,200 metres of cycle track added to the existing asphalt, along with concrete barriers and planter boxes that act as a physical buffer between vehicles and people biking. The project is part of the city's network of expanded multi-modal routes of transportation and allows residents and visitors to explore the city without the use of a vehicle.

Conclusion:

With Council's approval, staff will submit applications for the UBCM 2023 Community Excellence Awards in the outlined categories. The application deadline is May 19, 2023. Award recipients will be announced in-person during the 2023 UBCM Convention in September.

Internal Circulation:

Information Services
Kelowna International Airport
Infrastructure (Transportation)
Parks Services
Partnership Office

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: A. Bazett, Intergovernmental Relations Manager

Approved for inclusion:



B. Evans, Partnership Office Director

cc:

J. Pabla, Information Services Director

G. Ritchie, Senior Airport Development Manager

T. Bergeson, Urban Forestry Supervisor

M. VanZerr, Strategic Transportation Planning Manager

A photograph of a tulip garden in front of a building. The building's facade is light-colored with the words "CITY HALL" in large, dark, serif capital letters. The garden is filled with tulips in various colors, including red, yellow, and purple. The tulips are in full bloom, and their green leaves are visible. The sky is overcast, and some bare tree branches are visible in the background.

CITY HALL

2023 UBCM Awards Submissions

May 8, 2023

Pursuing awards for City projects



Celebrates achievements,
projects and excellence
in public service



Spotlights innovation, service
and leadership



Positions Kelowna as a
desirable place to live, work,
play and invest in

Union of BC Municipalities (UBCM) Community Excellence Awards

- ▶ Showcases outstanding initiatives
- ▶ Inspires other communities
- ▶ Deadline: May 19, 2023
- ▶ Recipients announced at the UBCM Convention (September)

Past winning submissions:

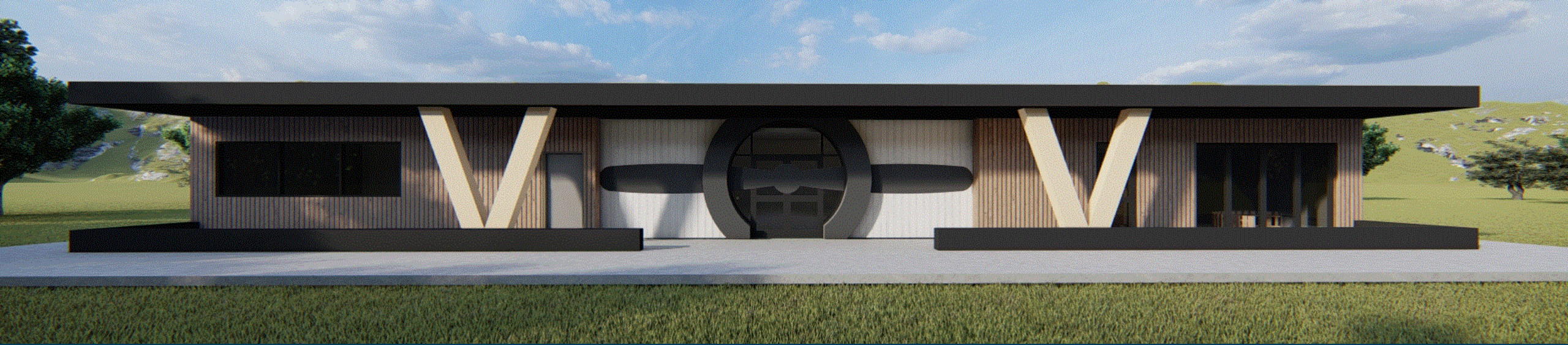
- ▶ **2022** *Real Time Flood Response EOC Dashboard* project
- ▶ **2013** *Reporting Problems on the Go* project





Excellence in Governance

Artificial Intelligence Powered Chatbots Snow Removal, Revenue and Landfill



Excellence in Service Delivery

**Kelowna International Airport
YMCA Childcare Facility**



Excellence in Sustainability

FireSmart Chipping Program for Urban Interface Wildfire Mitigation



Excellence in Asset Management

Abbott St. Quick-Build Active Transportation Corridor



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: May 08, 2023
To: Council
From: City Manager
Subject: Umo electronic transit fare collection system
Department: Integrated Transportation

Recommendation:

THAT Council receives, for information, the follow up report from Integrated Transportation dated May 08, 2023, regarding transit fare policy changes in support of BC Transit’s electronic fare collection system, Umo;

AND THAT Council approve the replacement of monthly passes with a 30-day pass and approve the revised option #1 transfer policy proposed by BC Transit.

Purpose:

To update Council on transit fare policy changes in support of BC Transit’s Umo, electronic fare collection system.

Background:

As presented to Council on February 6th, BC Transit is preparing to launch their Umo electronic fare collection system across the province. BC Transit is tentatively planning to implement Umo in the Kelowna Regional Transit System in late 2023. Umo will allow customers to pay their fare using a mobile app, reloadable smart card as well as credit and debit cards, and cash. To facilitate this new system, BC Transit requires Kelowna City Council to consider updates to select transit fare policies, which are generally a local government responsibility and are included in local annual operating agreements. In February, Council deferred further discussion on fare policy changes pending BC Transit providing additional information specific to fare transfer structure and fare product expiration dates. An updated report on these changes that takes into consideration concerns raised by Council during the earlier report has been provided by BC Transit, attached as Attachment 2.

Discussion:

As part of Umo, BC Transit is seeking to introduce four (4) specific fare policy changes in the Kelowna Regional Transit System. Two of these policy changes are presented for information to local government partners and are unchanged from the previous report:

Fare Product Refunds:

Full refunds will be available for unused fare products purchased by the customer. No refunds will be made available for any partially used or expired fare products. Refunds will be available on stored value amounts on personal Umo accounts of greater than ten dollars.

Fare Product Expiration:

Pre-purchased packs of 10 rides (previously tickets), or portions thereof, and DayPASS fare products will expire after 365 days from the date of purchase¹. As comparison, Translink fare products expire after 254 days. Stored value amounts on user accounts will not expire².

BC Transit is seeking to introduce the following two (2) fare policy changes that require local government approval, the first of which is unchanged from the previous report:

30-Day Pass:

The current calendar-based monthly pass products will be converted to a more flexible 30-day pass which can be purchased at any time of the month and remain valid for 30 days rather than expiring at the end of the month. This change is expected to result in an increase to annual fare revenue of 0.65%.

Transfer Policy:

Implementation of Umo across multiple transit systems requires a degree of standardization including a universal transfer policy; the architecture of Umo means that the only transfer policy available is a universal one. As a result, BC Transit carries forward its transfer policy change of limiting transfers for use on the next connecting bus within 90 minutes of the original fare payment or product use.

Acknowledging the concerns raised by Council on February 6th regarding the impact of the proposed policy³, and working within the technological constraints of the platform, BC Transit proposes two (2) options:

1. Reduce the cost of the DayPASS fare to two times the current cash fare rate at \$5.00. This is a reduction of \$1.50 for DayPASS and caps DayPASS at the cost of taking two single-directional trips (e.g., a trip to school or work in the am and return in the pm).
2. Delay the launch of Umo locally and conduct a comprehensive fare review; an assessment of the fare structure that would consider various approaches to fare pricing and the potential for introducing an on-board DayPASS fare product with subsequent removal of transfers.

Under Option 1, Umo would automatically cap riders at the DayPASS rate when paying via stored value on their Umo account. Cash and ticket paying riders would continue to be provided a transfer on board

¹ Fare products are purchased to access a defined service (i.e., transit trip(s) on a specific transit system) and are not protected under gift card legislation.

² Ensures riders who do not ride transit frequently over the course of a year are not impacted by the expiration policy by allowing them to pay their fare from their stored value.

³ Council expressed concern over the impact the policy may have on cash or ticket-paying riders who make multiple transfers on a single-direction trip within 90 minutes. These fare payment categories represent approximately 16% of ridership in the system, thus it is expected that the number of riders paying by these methods and making multi-bus single direction trips is low.

upon request. Within Umo, digital transfers will also be available to riders who purchase and use fare products through the application. A reduced-cost DayPASS may incentivize riders to use transit for more trips throughout the day thereby improving mobility for citizens and increasing ridership.

Conclusion:

Through the introduction of Umo in the Kelowna Regional Transit System, BC Transit will replace the current antiquated fare system with a solution that provides customers with new convenient ways to purchase and use transit fare products. To work within the technological constraints of the platform, BC Transit aims to introduce a universal fare policy across BC Transit systems that have a transfer policy in place today. BC Transit has considered the concerns raised by Kelowna City Council, particularly regarding the proposed transfer policy and has presented two approaches for Council's consideration.

Internal Circulation:

Communications Coordinator - Infrastructure
Revenue Supervisor

External Circulation:

Senior Manager, Government Relations, BC Transit

Financial/Budgetary Considerations:

Projected less than 1% increase to transit fare revenues resulting from implementation of a 30-day passes in replace of current month passes.

Considerations not applicable to this report:

Communications Comments:

Existing Policy:

External Agency/Public Comments:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Submitted by: M. Kittmer, Transit Service Coordinator

Reviewed by: J. Dombowsky, Transit and Programs Manager

Approved for inclusion: M. Logan, Infrastructure General Manager

Attachment 1 - UMO Fare Policy Changes Update (slides)

Attachment 2 - UMO and Fare Policy Updates – BC Transit

cc: Divisional Director, Corporate Strategic Services
Divisional Director, Financial Services
Divisional Director, Partnership & Investments
Divisional Director, Planning & Development Services.



Umo and Fare Policy Updates

City of Kelowna – May 8, 2023

BC Transit has prepared this report for information and approval by the City of Kelowna in efforts to prepare for the introduction of the Umo fare collection technology in the Kelowna Regional Transit System.

1. Project and Solution Overview

In 2023, BC Transit will enter the next phase of its Electronic Fare Collection System project by introducing the Umo fare technology platform in 30 transit systems across the province. The Umo solution, provided by Cubic Transportation Systems, is being implemented to replace the existing, end-of-life fare collection equipment and technology and provide customers with new convenient ways to purchase and use their fares. A suite of new payment methods will be introduced to replace current magstripe passes and paper tickets following the successful introduction of Umo. Importantly, cash will remain as a payment option for those riders that choose or need to use it.

With Umo, customers will be able to pay for their fare using a mobile app that comes with additional features like trip planning and real-time bus location updates, or with a reloadable smart card that can be managed through a customer website or topped up at retail vendor locations. On the bus, new fare validators will be installed, and riders will present their mobile app or reloadable smart card for fare verification. In the near future, riders will also be able to tap their credit or debit card onboard to pay their fare when boarding. For BC Transit and its local government partners, Umo will be a new source of data on fare usage and transit ridership that will be used to inform future recommendations on fare policy and service delivery.

The customer experience with using Umo is at the centre of BC Transit's planning to introduce the new technology. As a part of this, BC Transit will be introducing a new dedicated Umo customer support centre upon launch that will assist customers with addressing questions, managing their accounts, and resolving any issues. As it relates to its local government partners, BC Transit is seeking to introduce universal fare

policies across the province to ensure that customers have the best possible experience and receive the maximum benefits of Umo regardless of where they use it.

2. Fare Policies – For Information

As part of Umo, BC Transit is introducing the following universal refund policy to provide a consistent customer experience and enable effective customer support through the dedicated call centre.

Refunds

Through reviewing existing refund policies in place across the province and researching examples of refund policies throughout the public transportation industry, BC Transit is adopting the following universal refund policy for use with Umo:

Full refunds are available for unused fare products purchased by the customer. No refunds will be made available for any partially used or expired fare products. Refunds will be available on stored value amounts of greater than ten dollars.

Importantly, product usage information is available through Umo and will be referenced as part of the verification of refund eligibility.

Fare Product Expiration

To encourage ridership and to protect local government partners from growing stale deferred revenue balances, BC Transit will be introducing an expiration policy for fare products types where this was previously not feasible. As such:

Pre-purchased packs of 10 rides (previously tickets), or portions thereof, and DayPASS fare products will expire after 365 days from the date of purchase.

Expiry information is to be included in the product description within the various Umo components and upon expiration the outstanding deferred revenue balance would be realized by the associated local government partner's realized revenue account and be included within the appropriate monthly adjustment. Stored value amounts on user accounts will not expire, which provides an option for those riders who do not ride transit frequently over the course of a year to not be impacted by the expiration policy above.

3. Fare Policies – For Approval

Similar to the section above, BC Transit is looking to introduce the following policies to provide an optimal customer experience with Umo. As these policies relate to items within the Annual Operating Agreement between BC Transit and the City of Kelowna, they are being presented for approval.

30-Day Pass

To improve the customer experience within Umo, BC Transit is recommending that current calendar-based monthly pass products be converted to more flexible 30-day passes. For customers, the 30-day pass can be purchased and used at any time in the month, removing the need to wait for the start of a month as is the case with the current product. The 30-day pass can also be set up to be automatically repurchased to a customer's account, removing the need to repurchase a new pass monthly.

For the City of Kelowna, the 30-day pass creates more opportunities for riders to transition to a product that will encourage increased transit ridership. It will also result in a marginal increase in transit fare revenues through the creation of an additional five days of pass revenue annually (30-day pass times twelve months equals 360 days). For the Kelowna Regional Transit System, the increase will be approximately an additional 0.65% of fare revenue annually.

Transfer Policy

As part of the configuration of the Umo solution, BC Transit is required to establish a universal transfer policy to be applied across the nineteen transit systems that have a transfer policy in place today. The need for a universal transfer policy is the result of the combination of the multi-tenant, Software-as-a-Service architecture of the Umo platform, whereby a standardized platform is utilized by multiple transit systems across the country, along with BC Transit's industry-unique operating environment in providing transit services in over thirty transit systems across the entire province. As the transfer policy is, in many cases, under the authority of local government partners, BC Transit went through a significant review and consultation process with its partners in Spring 2022 that included:

- Review of existing transfer policies in BC Transit systems

- Review of industry best practices for transfer policies
- Host an open webinar for partners to outline the options, considerations, and recommendations
- Seek partner feedback and approval through digital survey
- Receive endorsement from BC Transit executive on recommendations

From the consultation, the following transfer policy was established as most appropriate for BC Transit systems and is being presented to the City of Kelowna for approval:

Transfers are available for use on the next connecting bus within 90 minutes of the original fare payment or product use.

While the need for a universal transfer policy across all transit systems using Umo exists, BC Transit does acknowledge the concerns raised by the City of Kelowna Council in the meeting on February 6, 2023, with particular attention to occurrences of riders making multiple transfers on a single-directional trip within 90 minutes. To address that concern, BC Transit has worked with City of Kelowna staff to provide the following options:

Option 1: Reduce the DayPASS fare to two times the cash fare at \$5.00 (a reduction of \$1.50). This option provides riders with the ability to prepurchase an all-day pass and pay no more than two times the cash fare or the equivalent of one fare for each direction on a return trip. From the experience of introducing the onboard DayPASS product, whereby there are no transfers and riders instead pay two times the cash fare when boarding their first bus, in eleven transit systems across the province, BC Transit has observed that the majority of riders take multiple trips in a day and realize the benefit of the DayPASS fare.

As the ridership from cash and ticket fares represents 16 per cent of total ridership in the Kelowna Regional Transit System, it is expected that the number of riders making multi-transfer, single-directional journeys in a single day, and therefore being adversely affected by the new transfer policy and unable to benefit from the to the DayPASS fare, to be very low. As part of this option, BC Transit would also commit to working with City of Kelowna staff to undertake a more comprehensive review of Kelowna Regional Transit System fares with the intent of bringing forward recommendations on other fare

change options, including the potential to introduce the onboard DayPASS product, over the course of the next year.

Option 2 – Delay the launch of Umo in the Kelowna Regional Transit System and conduct a fare review. For this option, BC Transit would work with City of Kelowna staff to undertake a comprehensive review of the Kelowna Regional Transit System fare structure to further mitigate any concerns relating to the universal transfer policy prior to the launch of Umo. The current schedule has Umo being launched in the Kelowna Regional Transit System in the fall of 2023 and taking up this option would push the launch out to Spring or Summer 2024 and be dependent on the time required to install Umo in the other transit systems across the province and the completion of the fare review and approval of any fare changes. In principle, the fare review would look to assess a variety of approaches to fare pricing along with the potential for introducing the onboard DayPASS and subsequent removal of transfers.

4. Updated Fare Structure

Kelowna Regional Transit System

Current Fare Types	New Fare Types in Umo
Cash	Single Ride
Adult/College Tickets	Adult/College 10 Rides
Senior/Student Tickets	Senior/Student 10 Rides
DayPASS	DayPASS
Adult Monthly Pass	Adult 30-Day Pass
College Monthly Pass	College 30-Day Pass
Senior/Student Monthly Pass	Senior/Student 30-Day Pass
College Semester Pass	College Semester Pass

5. Recommendation

It is recommended that the City of Kelowna:

1. Receive the following as INFORMATION:
 - a. Universal refund policy for use with Umo being:
 - i. Full refunds are available for unused fare products purchased by the customer. No refunds are available for any partially used or expired fare products. Refunds are available on stored value amounts of greater than ten dollars.
 - b. Universal fare product expiration policy for use with Umo being:
 - i. Pre-purchased packs of 10 rides (previously tickets), or portions thereof, and DayPASS fare products will expire after 365 days from the date of purchase.
 2. APPROVE the following:
 - a. Adoption of the 30-Day Pass fare in place of existing monthly pass fare.
 - b. A revised transfer policy being:
 - i. Transfers are available for use on the next connecting bus within 90 minutes of the original fare payment or product use.
- along with:
- ii. Option 1 – Reduce the DayPASS fare to two times the cash fare at \$5.00.

Umo Implementation: Fare Policy Changes

May 8, 2023

Purpose

To update Council on transit fare policy changes in support of BC Transit's Electronic Fare Collection System; Umo.

Electronic Fare Collection System (Umo)

- ▶ Introduce new contactless ways to pay.
- ▶ Increased customer convenience.
- ▶ System design and integration Underway.
- ▶ Local implementation currently planned for fall 2023.

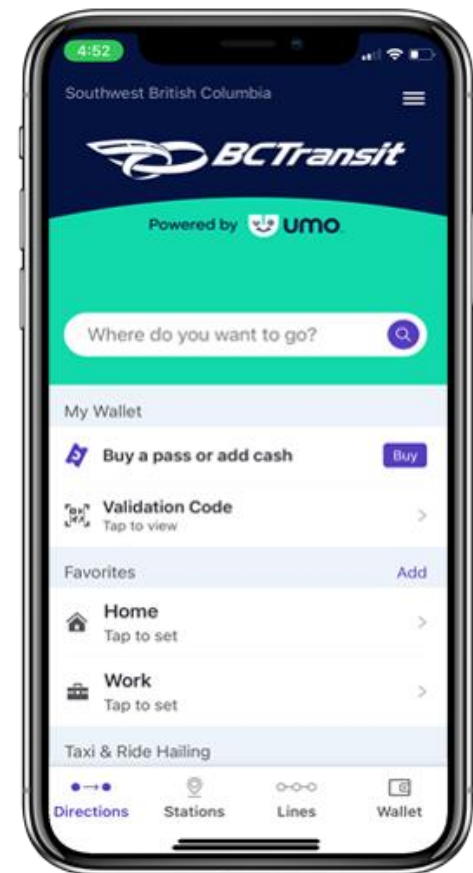


Why Fare Policy Changes?

Align policy to Umo technology by introducing universal fare policies across the province.

Maximum customer benefits of Umo regardless of where they use it.

Work within the technical constraints of the Umo platform.



Fare Policy Changes:

For information

1. Refund policy
2. Product expiration – 365 days



Fare Policy Changes:

For consideration/approval

1. Month pass conversion to 30-Day Pass
2. Transfers valid on the next connecting bus within 90 minutes.

Transfer Policy Options:

- a) Reduce DayPass to \$5.00.
- b) Defer Umo launch to 2024 & conduct a fare review.

Technical Constraints

- ▶ Characteristics of a multi-tenant Software-as-a-Service fare collection technology platform.
- ▶ Unique complexity of BC Transit's operating model and use in 35 transit services across the province.
- ▶ Assessment considerations.



Recommendations

THAT Council approve the replacement of month pass options with 30-day passes and approve the Option 1 transfer policy.



DRAFT RESOLUTION

Re: May 2023 - Public Hearing/Regular Meeting Schedule

THAT a Public Hearing and Regular Meeting be scheduled for Tuesday, May 23, 2023 4:00 p.m. in Council Chambers at City Hall.

BACKGROUND:

Staff recommend that an additional Public Hearing be scheduled on May 23, 2023 in order to schedule a larger volume of applications over additional days rather than have fewer very long hearings.

Date: May 8, 2023

File: 0610-50

CITY OF KELOWNA

BYLAW NO. 12518

Amendment No. 6 to Parks and Public Spaces Bylaw No. 10680

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Parks and Public Spaces Bylaw No.10680 be amended as follows:

1. THAT **Part 2 – DEFINITIONS**, be amended by adding the following in its appropriate location:
“**Marketing** means to offer for sale, promote or canvass, solicit, advertise, book, arrange, or facilitate a rental, service or passenger berth relating to **Watercraft**, including placing, posting, or erecting advertisements physically or online, but not including the provision of neutral space or location for such marking activities in newspapers, bulletin boards or online”;
2. AND THAT **PART 4 – USES**, 4.7 (c) be added as follows:
“(c) utilize **Marketing** to offer **Watercraft** rentals, **Boat Club Company** services, **Watercraft Valet Company** services, or berths on a **Passenger Ship** utilizing a **City** of Kelowna boat launch, dock or moorage facility as a designated location for pick-up or drop-off, unless that **Person** has a permit or license from the **City** of Kelowna”.
3. This bylaw may be cited for all purposes as "Bylaw No. 12518, being Amendment No. 6 to Parks and Public Spaces Bylaw No. 10680."
4. This bylaw shall come into full force and effect and is binding on all persons upon the date of adoption.

Read a first, second and third time by the Municipal Council this 1st day of May, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12519

Amendment No.35 to the Bylaw Notice Enforcement Bylaw No. 10475

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Bylaw Notice Enforcement Bylaw be amended as follows:

1. THAT **Schedule A, Bylaw Notice Enforcement Bylaw No. 10475** be amended by adding the following in its appropriate location:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as "Yes")
Parks and Public Spaces Bylaw No. 10680						
10680	4.7	c) Using marketing to offer watercraft rental, watercraft valet, or watercraft boat club services, or berths on passenger vessels utilizing a City boat launch, dock, or moorage facility as a designated location for pick-up or drop-off, without a license or permit from the City.	\$500.00	\$450.00	\$500.00	YES

2. This bylaw may be cited for all purposes as "Bylaw No. 12519, being Amendment No. 35 to the Bylaw Notice Enforcement Bylaw No. 10475."
3. This bylaw shall come into full force and effect and is binding on all persons, upon the date of adoption.

Read a first, second and third time by the Municipal Council this 1st day of May, 2023.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk