

City of Kelowna
Regular Council Meeting
AGENDA



Monday, February 5, 2024
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

4 - 8

PM Meeting - January 22, 2024

3. Development Application Reports & Related Bylaws

3.1 Cross Rd 1910 - Z23-0011 (BL12617) - 1361420 BC Ltd., Inc.No. BC1361420

9 - 25

To rezone the subject properties from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone to facilitate a townhouse development.

3.2 Barber Rd 135 - Z23-0049 (BL12618) - ASI Barber Road GP Inc., Inc.No. A0122606

26 - 39

To rezone the subject property from the UC4 – Rutland Urban Centre zone to the UC4r – Rutland Urban Centre Rental Only zone to facilitate a rental apartment housing development.

3.3 Provincial Housing Legislation Comprehensive Amendments - TA24-0001 Z24-0001 OCP24-0001 - City of Kelowna

40 - 432

To introduce and review the implementation of provincial legislation regarding Small-Scale Multi-Unit Housing and Transit Oriented Areas.

3.4 Rezoning Bylaws Supplemental Report to Council

433 - 434

To receive a summary of notice of first reading for Rezoning Bylaws No. 12610, 12612, 12613, and 12614 and Zoning Bylaw Text Amending Bylaw No. 12611 and to give the bylaws further reading consideration.

3.5 Rezoning and Text Amendment Applications

To give first, second and third reading to rezoning applications and one site-specific Zoning Bylaw text amendment application.

The following bylaws will be read together unless Council wants to separate one of the bylaws.

- 3.5.1 Dilworth Dr 1097 - BL12610 (Z21-0037) - Simple Pursuits Inc., Inc.No. BC1206854** 435 - 436
- To give Bylaw No. 12610 first, second and third reading in order to rezone portions of the subject property from the RR1 – Large Lot Rural Residential zone to the MF3 – Apartment Housing and the P3 – Parks and Open Space zones.
- 3.5.2 Centennial Cr 1261 - BL12611 (TA23-0011) - Resurrection Recovery Resource Society, Inc.No. S-45391** 437 - 437
- To give Bylaw No. 12611 first, second and third reading in order to amend the Zoning Bylaw by adding a site-specific text amendment to permit Boarding and Lodging in an accessory building with a reduction in parking and an increase in permitted building height.
- 3.5.3 McCurdy Rd E 632 - BL12612 (Z23-0056) - Jean McBride** 438 - 438
- To give Bylaw No. 12612 first, second and third reading in order to rezone the subject property from the RU1c - Large Lot Housing with Carriage House zone to the RU4 - Duplex Housing zone.
- 3.5.4 Gaggin Rd 1220 - BL12613 (Z23-0075) - Kanwalvir Singh Sangha** 439 - 439
- To give Bylaw No. 12613 first, second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the MF1 – Infill Housing zone.
- 3.5.5 Edith Gay Rd 445, 465 - BL12614 (Z23-0042) - Capital Point Holdings Ltd., Inc.No. BC1376082 and Barinder Singh Sian** 440 - 440
- To give Bylaw No. 12614 first, second and third reading in order to rezone the subject properties from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone.

4. Bylaws for Adoption (Development Related)

- 4.1 Lund Rd 1233 - BL12451 (Z22-0049) - Paramdeep Singh Sidhu and Jagjit Kaur Sidhu** 441 - 441
- To adopt Bylaw No. 12451 in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone.

5.	Non-Development Reports & Related Bylaws	
5.1	Short Term Rental - Property Exemptions	442 - 445
	To update Council on exemption options for some Short-Term Rental properties in Kelowna.	
5.2	Middle Income Housing Partnership	446 - 463
	To consider a new initiative to use City-owned land in partnership to build more housing at below-market rates, and to support the use of 3 city-owned sites as an initial test of the program.	
5.3	2023 Annual Report - Airport Chief Executive Officer Delegation of Authority	464 - 466
	To provide Council with a summary of the transactions approved by the Airport Chief Executive Officer between January 1, 2023, and December 31, 2023, in accordance with Bylaw No. 11961.	
5.4	2023 Budget Amendment, ICBC Road Improvement Program	467 - 468
	To amend the 2023 Financial Plan to reflect ICBC's Road Safety Improvement Program contributions.	
5.5	2023 Grants Summary	469 - 497
	To provide Council a summary of the 2023 Grants Management Program.	
5.6	Lease Agreement - 825 Walrod St - JIBC Okanagan	498 - 538
	To obtain Council support to enter into a lease agreement for the facility at 825 Walrod St. with the Justice Institute of British Columbia.	
6.	Bylaws for Adoption (Non-Development Related)	
6.1	BL12577 - Amendment No. 17 to Water Regulation Bylaw No. 10480	539 - 545
	To adopt Bylaw No. 12577.	
6.2	BL12609 - Amendment No. 44 to Traffic Bylaw No. 8120	546 - 546
	To adopt Bylaw No. 12609.	
7.	Mayor and Councillor Items	
8.	Termination	



City of Kelowna
Regular Council Meeting
Minutes

Date:	Monday, January 22, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Ron Cannan, Maxine DeHart, Gord Lovegrove, Mohini Singh, Rick Webber and Loyal Wooldridge
Members Participating Remotely	Councillors Charlie Hodge and Luke Stack
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*; Development Planning Department Manager, Nola Kilmartin*; Urban Planning Manager, Jocelyn Black*; Climate Action and Environment Manager, Chris Ray*; Sustainability Coordinator, Tracy Guidi*; Mobility Specialist, Cameron Noonan*; Strategic Transportation Planning Manager, Mariah VanZerr*; Utility Services Manager, Kevin Van Vliet*; Water Operations Manager, Andy Weremy*; Legislative Technician, Natasha Beauchamp*; Legislative Technician, Lillian Klaamas
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland
Guest	Sgt. Matheson*, NCO in Charge RCMP Traffic Section

(* 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.

2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT the Minutes of the Regular Meetings of January 15, 2024 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Ethel Rd 2311 - Z23-0073 (BL12615) - Jeffrey Owen Neilson and Alana Gail Heise

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Lovegrove

THAT Rezoning Application No. Z23-0073 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of LOT A DISTRICT LOT 136 ODYD PLAN 28895, located at 2311 Ethel St, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF1 – Infill Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated January 22, 2024;

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

Carried

3.2 Rezoning Bylaws Supplemental Report to Council

City Clerk:

- Confirmed that three pieces of correspondence was received for the rezoning on Bernard Avenue.

Staff:

- Responded to questions from Council.

3.3 Rezoning Applications

3.3.1 Bernard Ave 1660, 1670 - BL12607 (Z23-0017) - Sole Bernard Developments Ltd., Inc. No. BC1371339

Moved By Councillor Webber/Seconded By Councillor Lovegrove

THAT Bylaw No. 12607 be read a first, second and third time.

Carried

3.3.2 Centennial Cr 1132 - BL12608 (Z23-0068) - Mohammed Maizal Munif

Councillor Hodge declared a conflict of interest due to residing in close proximity of the subject property and logged out of the meeting at 1:35 p.m.

City Clerk:

- Confirmed that no correspondence was received for the rezoning on Centennial Crescent.

Moved By Councillor Webber/Seconded By Councillor Lovegrove

THAT Bylaw No. 12608 be read a first, second and third time.

Carried

Councillor Hodge logged back into the meeting at 1:36 p.m.

3.4 Hollywood Rd S 536-546 - DP23-0103 - Hollywood Deli Ltd. No. 247048

Staff:

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

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Council authorizes the issuance of Development Permit No. DP23-0103 for Lot 3 Section 22 Township 26 ODYD Plan 22192, located at 536 – 546 Hollywood Rd S, Kelowna, BC subject to the following:

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

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

Carried

4. Bylaws for Adoption (Development Related)

4.1 Short-Term Rental Accommodation Regulatory Amendments - BL12590 (TA23-0013) - City of Kelowna

Councillor DeHart declared a conflict of interest as they own units on Sunset Drive that could be rented short term and departed the meeting at 1:46 p.m.

Councillor Wooldridge declared a conflict of interest as they hold a short term rental license and departed the meeting at 1:46 p.m.

City Clerk:

- Confirmed the Local Government Act restricts Council's ability to amend a bylaw once the Public Hearing is closed.

Moved By Councillor Singh/Seconded By Councillor Webber

THAT Bylaw No. 12590 be adopted.

Carried

Councillors Cannan, Hodge and Lovegrove - Opposed

Councillors DeHart and Wooldridge returned to the meeting at 1:50 p.m.

5. Non-Development Reports & Related Bylaws

5.1 Climate Resilient Kelowna Strategy Engagement Summary and Focus Areas

Staff:

- Displayed a PowerPoint Presentation providing an update on the progress of the Climate Resilient Kelowna Strategy and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from the Climate Action & Environmental Stewardship Department dated January 22, 2024, with respect to the Climate Resilient Kelowna Strategy key drivers and strategies.

Carried

5.2 Micromobility Program Update

Staff:

- Displayed a PowerPoint Presentation providing an update on the Provincial e-Scooter Pilot and the recently extended Micromobility Program and responded to questions from Council.

Sgt. Matheson, RCMP Traffic Section

- Provided a summary of RCMP scooter files.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from Integrated Transportation, dated January 22, 2024, with regards to the Micromobility Program.

AND THAT Council continue Kelowna's participation in the provincial e-scooter pilot, with the changes outlined in this report.

AND FURTHER THAT Council gives reading consideration to Bylaw No. 12609 being Amendment No. 44 to the Consolidated Traffic Bylaw No. 8120

Carried

5.3 BL12609 - Amendment No. 44 to Traffic Bylaw No. 8120

Moved By Councillor Lovegrove/Seconded By Councillor Singh

THAT Bylaw No. 12609 be read a first, second and third time.

Carried

5.4 Water Rates 2024 2025 Council Report and Bylaw

Staff:

- Displayed a PowerPoint Presentation providing rationale for the proposed 2024 and 2025 Water Rates and responded to questions from Council.

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Council receive for information the report from the Utility Services Department, dated January 22, 2024, regarding Water Utility Rates for 2024 and 2025;

AND THAT Bylaw No. 12577 being Amendment No.17 to Water Regulation Bylaw 10480 be forwarded for reading consideration.

Carried

6. Mayor and Councillor Items

Mayor Dyas

- Spoke to invasive quagga and zebra mussels issue.

Moved By Councillor Lovegrove/Seconded By Councillor Webber

THAT Council direct staff to prepare a SILGA resolution related in the protection of our waterways via the prevention of the proliferation of invasive quagga and zebra mussels throughout the Okanagan Valley;

AND THAT Council direct staff to include proliferation of invasive quagga and zebra mussels in the Okanagan water system to Council advocacy considerations for 2024.

Carried

Councillor Webber

- Will bring forward a Notice of Motion regarding construction times and the impact on neighbourhoods.

Councillor Cannan:

- The Pandosy Neighbourhood Association will be hosting a neighbourhood event with City Planners regarding Sensitive Infill Housing on January 24th at the KLO Middle School at 7:00 p.m.

Councillor Lovegrove:

- Spoke to their attendance at the Kelowna Candlelight Concert and fundraiser for Ukraine hosted by the Rotary Centre for the Arts.
- Spoke to their attendance at the KSS Capstone presentation.
- Spoke to their attendance at the Early Readers event at Rutland Elementary.

Councillor DeHart:

- Spoke to their attendance at the Chamber of Commerce After Hours event and will attend the Chamber of Commerce Board meeting this Thursday, January 25, 2024.
- Spoke to their attendance as a Judge at the Kelowna Motel/Hotel Association Hospitality Awards.

This meeting was declared terminated at 3:35 p.m.

Mayor Dyas

sf/acm

City Clerk

REPORT TO COUNCIL REZONING



Date: February 5th, 2024
To: Council
From: City Manager
Address: 1910 Cross Road
File No.: Z23-0011

	Existing	Proposed
OCP Future Land Use:	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
Zone:	RU1 – Large Lot Housing	MF2 – Townhouse Housing

1.0 Recommendation

THAT Rezoning Application No. Z23-0011 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 8 Section 4 Township 23 ODYD Plan 18009 and Lot 9 Section 4 Township 23 ODYD Plan 18009, located at 1910 Cross Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment “A” attached to the Report from the Development Planning Department dated February 5th, 2024;

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

2.0 Purpose

To rezone the subject properties from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone to facilitate a townhouse development.

3.0 Development Planning

Staff support the proposed Rezoning from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone to facilitate the development of an 18-unit townhouse development. The subject properties have the Future Land Use Designation of Core Area Neighbourhood and are located at the corner of Cross Rd and Snowsell St. North Glenmore Elementary and Dr. Knox Middle School are within walking distance. The existing single-detached dwelling straddles the subject properties and a lot consolidation will be required to facilitate future development. Given the larger than average lot size and the location of the site at the end of the block, an increase in density is appropriate and the MF2 zone will allow for the development of townhouses as an appropriate transition into the established single-family neighbourhood.

The proposal meets the intent of the Core Area Neighbourhood policies, which are intended to accommodate much of the City’s growth through residential infill such as ground-oriented multi-unit housing. It aligns with the OCP Policy for the Core Area to encourage a diverse mix of low and medium density housing and consideration for greater height and massing at block ends.

Lot Area	Proposed (m ²)
Gross Site Area	2,465 m ²
Road Dedication	75.97 m ²
Undevelopable Area	0 m ²
Net Site Area	2,389.03 m ²

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Detached Housing
East	RU1 – Large Lot Housing & RU2 – Medium Lot Housing	Single Detached Housing
South	RU1 – Large Lot Housing	Single Detached Housing
West	RU4 – Duplex Housing & RU1 – Large Lot Housing	Single Detached Housing

Subject Property Map: 1910 Cross Road



The surrounding area is primarily a mix of RU1 – Large Lot Housing, RU2 – Medium Lot Housing, MF2 – Townhouse Housing and P3 – Parks and Open Space. The subject properties are also in close proximity to North Glenmore Elementary School, Dr. Knox Middle School, Cross Glen Park, and the Glenmore Recreation Corridor.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.3. Design residential infill to be sensitive to neighbour context.		
Policy 5.3.1. Ground Oriented Infill.	Encourage gentle densification in the form of ground-oriented residential uses such as house-plexes, townhouses and narrow lot housing to approximately 2 storeys, maintaining residential uses and setbacks that reflect the existing development pattern. Consider opportunities for greater height and massing at block ends and along Active Transportation Corridors as outlined in Figure 5.3.	
	<i>The subject properties are on the block end, which allows for greater height (up to 3 storeys) and massing.</i>	
Objective 5.11. Increase the diversity of housing forms and tenure to create an inclusive, affordable and complete Core Area.		
Policy 5.11.1. Diverse Housing Forms.	Ensure a diverse mix of low and medium density housing forms in the Core Area that support a variety of households, income levels and life stages.	
	<i>The proposal adds meaningful density within the Core Area.</i>	
Objective 5.14. Provide safe, walkable, Core Area neighbourhoods that are connected to key destinations.		
Policy 5.14.1. Walkability	Promote safety and comfort of pedestrians through the design of streets and sidewalks that integrate street tree planting, enhance public realm treatments, street furniture, curb-side parking and parkettes.	
	<i>The proposal is within walking distance to North Glenmore Elementary School, Dr. Knox Middle School, Cross Glen Park and the Glenmore Recreation Corridor. The sidewalks along Snowsell St and Cross Rd will be upgraded to the current design standard through the proposed development.</i>	

6.0 Application Chronology

Application Accepted: February 28th, 2023
 Neighbourhood Notification Summary Received: October 30th, 2023

Report prepared by: Tyler Caswell, Planner II
Reviewed by: Jocelyn Black, Urban Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Development Engineering Memo


For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

4. **ROADWAY AND STREETScape**

- a. Snowsell St is classified in the 2040 OCP as a Core Area Collector and must be upgraded to a modified urban SS-R6 standard along the full frontage of the subject property to facilitate additional corridor density associated with this development. Required upgrades to include sidewalk, curb and gutter, LED street lighting, landscaped and irrigated boulevard, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- b. Cross Rd is classified in the 2040 OCP as an Urban Center Arterial and must be upgraded to a modified urban SS-R15 standard along the full frontage of the subject property to facilitate additional corridor density associated with this development. Required upgrades to include sidewalk, curb and gutter, LED street lighting, landscaped and irrigated boulevard (complete area from property line to curb), pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- c. The existing transit stop on Snowsell St is to be urbanized with an accessible boarding platform including tactile warning strip and sign sleeve. City of Kelowna will provide bench. Refer to BC Transit infrastructure design guidelines for stop placement and layout.
- d. The existing driveway letdown on Cross Rd and the existing asphalt driveway extending from the property line to Cross Rd is to be removed.
- e. All Landscape and Irrigation plans require design and inspection by a Qualified Professional registered with the BCSLA and the IIABC, are to be included as a line item in the estimate for the Servicing Agreement performance security. Landscape and irrigation plans require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings.
- f. Streetlights must be installed on all public roads. All streetlighting plans are to include photometric calculations demonstrating Bylaw 7900 requirements are met, and require approval by the Development Engineering Branch at the same time as other “issued for construction” drawings. Existing streetlights are to be removed from the hydro poles and replaced with freestanding metal poles per the City of Kelowna Approved Products List.

5. **POWER AND TELECOMMUNICATION SERVICES**

- a. Re-locate existing poles and utilities, including within lanes, where necessary to remove aerial trespass(es) or provide all necessary Statutory Rights-of-Ways for any utility corridors as may be required by the Utility.
- b. Burial of existing overhead communication utility wires will be required on all frontages. Developer must make arrangements with the applicable telephone and cable transmission companies to arrange for this work. Designs must be submitted to the Development Engineering Branch at the same time as other “issued for construction” drawings.
- c. All proposed service connections are to be installed underground. It is the Developer’s responsibility to make a servicing application with the respective electric power, telephone, and cable transmission companies to arrange for these services. Utility companies are required to obtain the City’s approval before commencing construction.

ATTACHMENT		A
This forms part of application # Z23-0011		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

6. DESIGN AND CONSTRUCTION OF OFFSITE WORKS

- a. Offsite Works and Services are required of this development as outlined above. The Developer must Design and enter into a Servicing Agreement and provide security for the Construction of the Works prior to issuance of Building Permit.
- b. Design of all offsite works and site servicing must be completed in accordance with Subdivision, Development, and Servicing Bylaw No. 7900 and is subject to the approval of the City Engineer prior to construction or execution of a Servicing Agreement.
 - i. See Bylaw 7900 Sections 6.0, 7.0, and 9.0, as well as Schedule 4 for procedural guidance, approval requirements, and design standards.
 - ii. Design must be completed by a suitably qualified and experience Consulting Engineer.
 - iii. Engineering drawing submissions are to be in accordance with *Council Policy 265 – Engineering Drawing Submission Requirements*. Drawings must be submitted digitally in PDF format and sealed in accordance with EGBC Guidelines.
- c. A Servicing Agreement is required for all Works and Services on City lands (Offsite Works).
 - i. The Servicing Agreement must be in the form of Schedule 2 of Bylaw 7900.
 - ii. The Developer’s Consulting Engineer, prior to preparation of a Servicing Agreement, must provide adequate drawings and estimates for the Works to the City Engineer.
 - iii. Bylaw 7900, Part 3 – Security for Works and Services, Sections 7.1 - 7.2, describes the Security requirements of an Owner for entering into Servicing Agreements. Security must be in the form of an irrevocable letter-of-credit, bank draft, or certified cheque.
- d. Construction of the required Works and Services must be completed in accordance with Bylaw 7900 requirements and is subject to several approvals prior to work commencing. These include, but are not necessarily limited to, the following:
 - i. Before any construction of the Works commences, design drawings must be reviewed and approved for construction by the City Engineer.
 - ii. A “Consulting Engineering Confirmation Letter” (City template provided upon request) must be executed by the Owner and Consulting Engineer and provided to the City.
 - iii. The Developer’s Consulting Engineer must undertake adequate inspections during construction of the Work, as outlined in EGBC’s *Guide to the Standard for Documented Field Reviews During Implementation or Construction*. A Quality Control and Assurance Plan acceptable to the City Engineer must be submitted prior to construction approval. Refer to Bylaw 7900, Schedule 3.
 - iv. Insurance requirements are outlined in Bylaw 7900, Section 7.3. A compliant Certificate of Insurance must be provided prior to construction approval.
 - v. Contractor must provide a current WorkSafe BC Clearance Letter.
- e. Construction completion, maintenance period, and return of Performance Security requirements are outlined in Bylaw 7900, Sections 9.5 - 9.7 and Sections 10.0 - 10.4.

7. **CHARGES, FEES, AND SECURITIES**

- a. Fees per the “Development Application Fees Bylaw” include:
 - i. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - ii. Engineering and Inspection Fee: 3.5% of construction value (plus GST).
 - iii. Street Marking/Traffic Sign Fees: at cost (to be determined after detailed design completed).



Nelson Chapman, P.Eng.
Development Engineering Manager

CM

ATTACHMENT _____		A
This forms part of application		
# Z23-0011 _____		
Planner Initials	TC	 City of Kelowna DEVELOPMENT PLANNING

CITY OF KELOWNA

BYLAW NO. 12617

Z23-0011

1910 Cross Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 8 Section 4 Township 23 ODYD Plan 18009 and Lot 9 Section 4 Township 23 ODYD Plan 18009 located on Cross Road Kelowna, BC from the RU₁ – Large Lot Housing zone to the MF₂ – Townhouse Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



City of
Kelowna

Z23-0011 1910 Cross Road

Rezoning Application

Purpose

- ▶ To rezone the subject properties from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone to facilitate the construction of a townhouse development.

Development Process

Feb 28, 2023

Development Application Submitted



Staff Review & Circulation



Oct 30, 2023

Public Notification Received



Feb 5, 2024

Initial Consideration



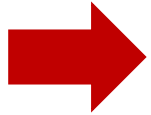
Reading Consideration



Final Reading & DP/DVP



Building Permit



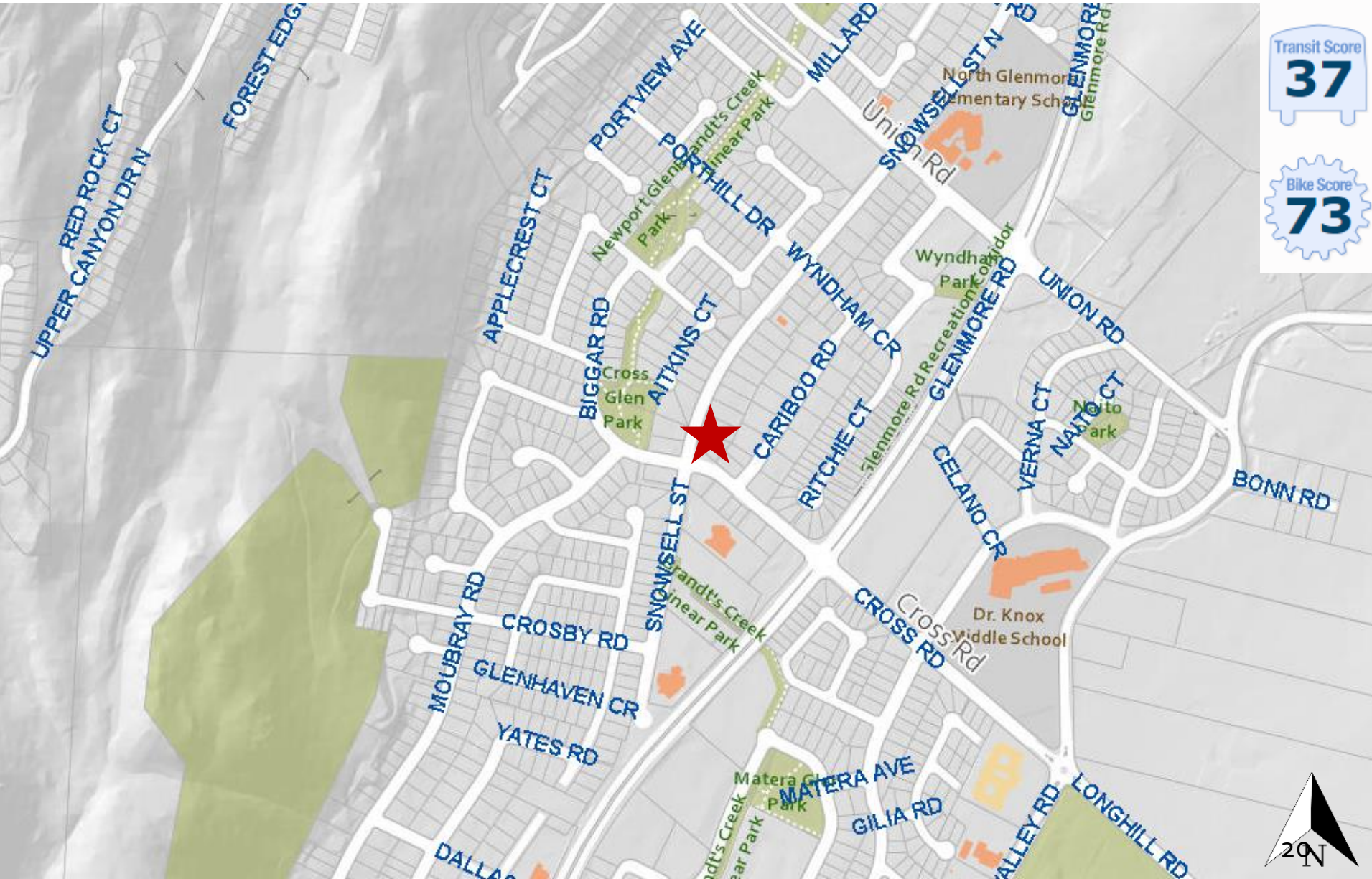
Council
Approvals

Context Map

Walk Score
54







Transit Score
37

Bike Score
73



OCP Future Land Use



	VC – Village Centre
	C-NHD – Core Area Neighbourhood
	S-RES – Suburban Residential
	R-AGR – Rural Agricultural & Resource
	EDINST – Educational / Institutional
	PARK – Park and Open Space

Subject Property Map



Project Details

- ▶ The properties have the Future Land Use Designation of Core-Area Neighbourhood.
- ▶ The properties are in close proximity to North Glenmore Elementary School and Dr. Knox Middle School
- ▶ The Rezoning to the MF2 zone is to facilitate the construction of a townhouse development.
 - ▶ 18-units are proposed
 - ▶ 17 3-bedroom unit
 - ▶ 1 4-bedroom unit
 - ▶ 36 parking stalls
 - ▶ If successful Development Permit and Development Variance Permit Applications will follow.

OCP Objectives & Policies

- ▶ Policy 5.3.1. Ground Oriented Infill.
 - ▶ The subject property is on the block end, which allows for greater height and massing.
- ▶ Policy 5.11.1. Diverse Housing Tenures.
 - ▶ The proposal adds meaningful density on a block end in the Core Area near an elementary school and a middle school.
- ▶ Policy 5.14.1. Walkability
 - ▶ The proposal is near a recreation corridor and parks and will add streets trees and offsite improvements in a walkable neighbourhood.

Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning as it is consistent with:
 - ▶ OCP Future Land Use C-NHD
 - ▶ OCP Objectives in Chapter 5 Core Area
 - ▶ Ground Oriented Infill
 - ▶ Walkability
 - ▶ Development Permit to follow.

REPORT TO COUNCIL REZONING



Date: February 5, 2024
To: Council
From: City Manager
Address: 135 Barber Road
File No.: Z23-0049

	Existing	Proposed
OCP Future Land Use:	UC – Urban Centre	UC – Urban Centre
Zone:	UC ₄ – Rutland Urban Centre	UC _{4r} – Rutland Urban Centre Rental Only

1.0 Recommendation

THAT Rezoning Application No. Z23-0049 amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of LOT A SECTION 22 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP124267, located at 135 Barber Road, Kelowna, BC from the UC₄ – Rutland Urban Centre zone to the UC_{4r} – Rutland Urban Centre Rental Only zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment “A” attached to the Report from the Development Planning Department dated February 5, 2024;

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

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

2.0 Purpose

To rezone the subject property from the UC₄ – Rutland Urban Centre zone to the UC_{4r} – Rutland Urban Centre Rental Only zone to facilitate a rental apartment housing development.

3.0 Development Planning

Staff recommend support for the proposed rezoning to the rental only subzone. The existing zone of the property is UC₄ – Rutland Urban Centre, and this rezoning application is to add the rental only subzone, which would restrict any building or bareland stratification of residential housing units, supporting households seeking rental housing. The utilization of the rental only subzone supports key direction within the Healthy Housing Strategy to promote and protect rental housing.

Lot Area	Proposed (m ²)
Gross Site Area	3,150 m ²
Road Dedication	142.2 m ²
Net Site Area	3,007.8 m ²

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	P1 – Major Institutional P2 – Education and Minor Institutional UC4dt-fg – Rutland Urban Centre (Drive Through and Fuelling and Gas Stations)	Apartment Housing Health Services Gas Bar, Food Primary with Drive Through
East	UC4dt-rcs - Rutland Urban Centre (Drive Through and Retail Cannabis Sales)	Retail, Retail Cannabis Sales
South	RU1 – Large Lot Housing	Single Detached Housing
West	UC4 – Rutland Urban Centre	Apartment Housing Single Detached Housing

Subject Property Map: 135 Barber Road



4.1 Background

A Zoning Bylaw Text Amending Bylaw (site-specific text amendment) for this property received second and third reading at a Regular Meeting of Council on May 9, 2023. The text amendment was to permit ground-floor commercial uses to occupy a minimum of 0% of the Hwy 33 W street frontage. This development was subsequently redesigned, and this current application is to rezone to the rental only subzone was accepted on August 3, 2023. The redesigned project does not include any ground-floor commercial on the Hwy 33 W street frontage and the site-specific text amendment is still required. Final adoption of the Zoning Bylaw Text Amending Bylaw would be considered in conjunction with Council’s consideration of a Development Permit and Development Variance Permit for the property.

5.0 Application Chronology

Date of Application Accepted (TA22-0018 Text Amendment):	November 24, 2022
Neighbourhood Notification Summary Received (Text Amendment):	February 18, 2023
Date of Public Hearing (TA22-0018 Text Amendment):	May 9, 2023

Application Accepted (Z23-0049 Rezoning):

August 3, 2023

Neighbourhood Notification Summary Received (Z23-0049 Rezoning):

January 4, 2024

Report prepared by: Kimberly Brunet, Planner Specialist
Reviewed by: Jocelyn Black, Urban Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Development Engineering Memo

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.

CITY OF KELOWNA
MEMORANDUM

Date: August 28, 2023
File No.: Z23-0049
To: Urban Planning Manager (JB)
From: Development Engineering Manager (NC)
Subject: 765 Hwy 33 W, 135-155 Barber Rd UC4 to UC4r Zoning

The Development Engineering Branch has the following requirements associated with this application to rezone this subject property.

- a. Approximately 1.90 m of dedication along the entire frontage of Highway 33 is required to achieve a ROW width of 30.0m. Coordinate required frontage dedication on Highway 33 with MoTI.
- b. Provide a 6.0m radius road dedication at the corner of Barber Rd and Highway 33. Coordinate required corner rounding dedication with the intersection design and with MoTI.

All other Development Engineering requirements with regards to this development application are outlined in the Development Engineering Memo for DP22-0225.



Nelson Chapman, P.Eng.
Development Engineering Manager

CP

CITY OF KELOWNA

BYLAW NO. 12618

Z23-0049

135 Barber Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot A Section 22 Township 26 ODYD Plan EPP124267 located on Barber Road Kelowna, BC from the UC₄ – Rutland Urban Centre zone to the UC_{4r} – Rutland Urban Centre 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

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



City of
Kelowna

Z23-0049
135 Barber Rd

Rezoning Application

Purpose

- ▶ To rezone the subject property from the UC₄ – Rutland Urban Centre zone to the UC_{4r} – Rutland Urban Centre Rental Only zone to facilitate a rental apartment housing development

Development Process

Nov 24, 2022

Development Application Accepted



Staff Review & Circulation



May 9, 2023

Text Amendment Public Hearing



Rezoning Application Accepted



Jan 4, 2024

Public Notification Received



Initial Consideration



Reading Consideration

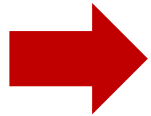


Final Reading & DP/DVP



Building Permit

Council
Approvals

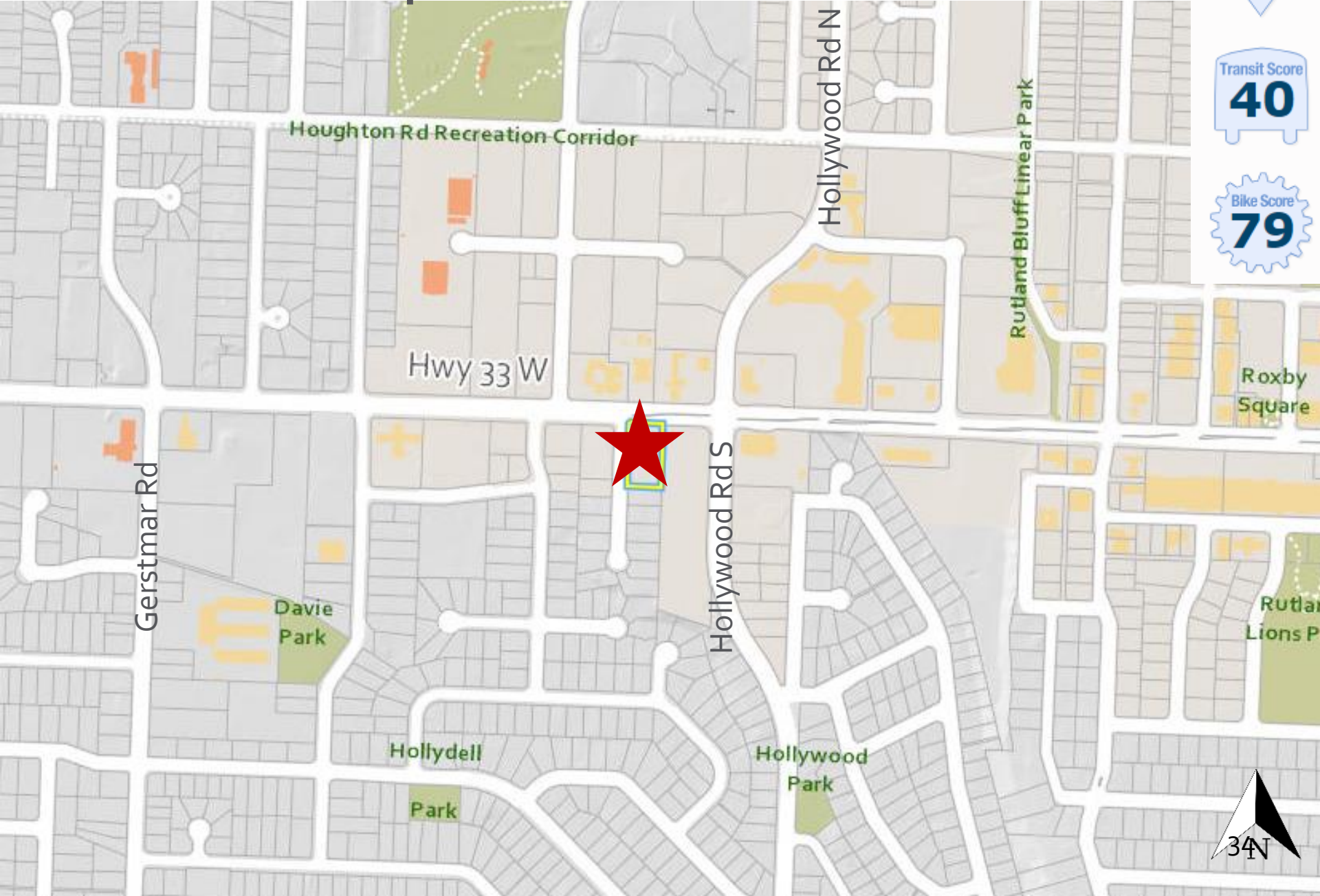


Context Map

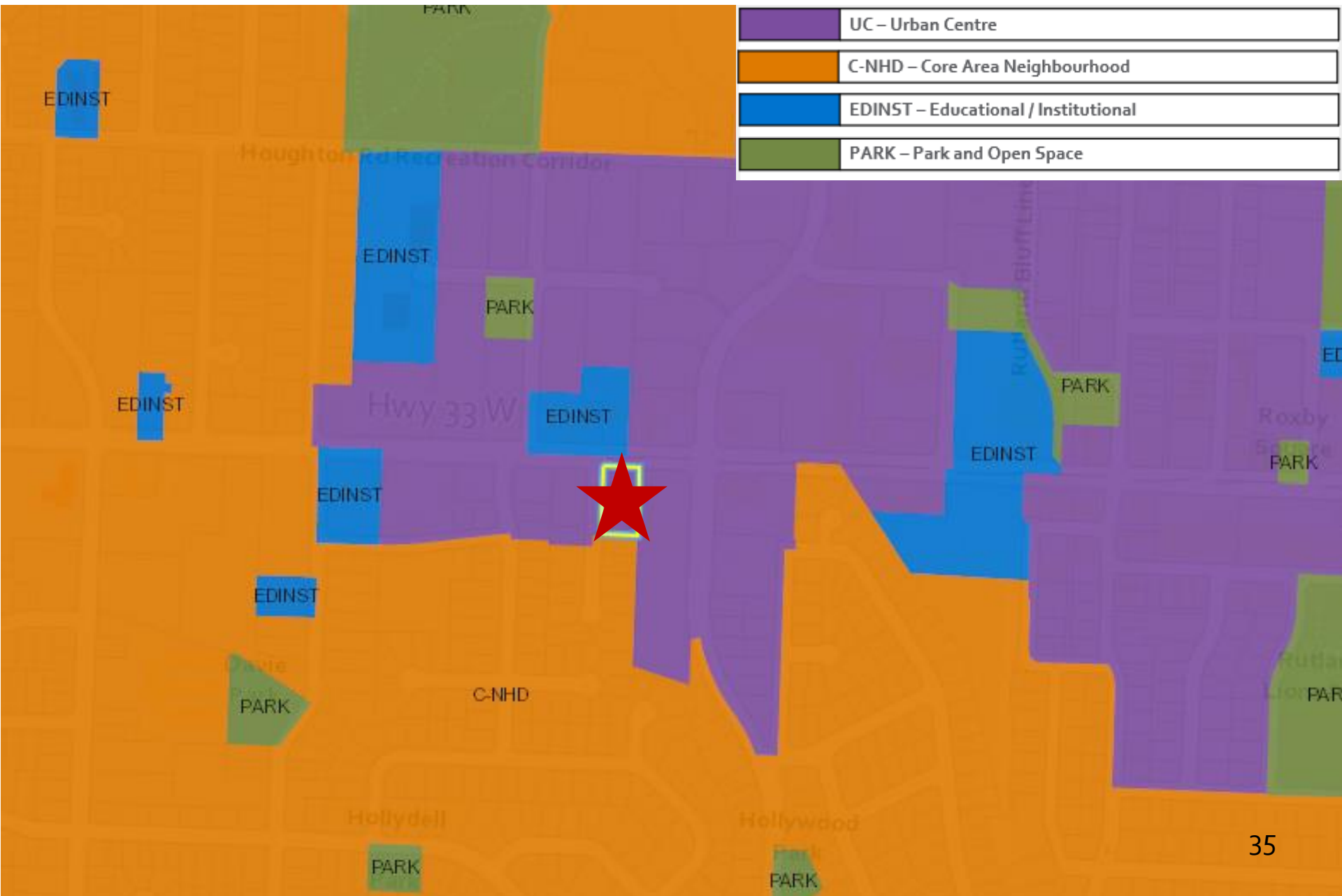
Walk Score
71

Transit Score
40

Bike Score
79



OCP Future Land Use



Project Details

- ▶ OCP Future Land Use UC – Urban Centre
- ▶ UC_{4r} – Rutland Urban Centre (Rental Only)
 - ▶ Facilitate construction of rental apartment housing
 - ▶ Long-term rentals
 - ▶ Vehicular access from Barber Rd
- ▶ Transit stops located along Hwy 33 W
- ▶ Site-specific text amendment currently at 3rd reading
 - ▶ No ground-floor commercial on Hwy 33 W frontage

OCP Objectives & Policies

- ▶ Policy 4.1.6: High Density Residential Development
 - ▶ Direct medium and high-density development to the Urban Centres
- ▶ Policy 4.12.3: Diverse Housing Tenures
 - ▶ Encourage a range of rental and ownership tenures

Staff Recommendation

- ▶ Staff recommend **support** for the proposed rezoning as it is consistent with:
 - ▶ OCP Future Land Use (Urban Centre)
 - ▶ OCP Objectives in Chapter 4 Urban Centre
 - ▶ High Density Residential Development
 - ▶ Diverse Housing Tenures
 - ▶ Healthy Housing Strategy
 - ▶ Rental Housing

REPORT TO COUNCIL OCP, REZONING, & TEXT AMENDMENTS



Date: February 5th and 12th 2024
To: Council
From: City Manager
Address: n/a
File No.: TA24-0001, Z24-0001, OCP24-0001 Provincial Housing Legislation Comprehensive Amendments

1.0 Recommendation

THAT Council receive, for information, the report from the Divisional Director of Planning and Development Services dated February 5th and 12th 2024, regarding implementation of the provincial legislation through Small- Scale Multi-Unit Housing and Transit Oriented Development Areas.

AND THAT Text Amendment Application No. TA24-0001 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing multiple sections as described in Schedule 'A' attached to the Report from the Development Planning Department dated February 5th and 12th 2024, be considered by Council;

AND THAT Rezoning Application No. Z24-0001 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of approximately 26,000 lots as described in Schedule 'B' attached to the Report from the Development Planning Department dated February 5th and 12th 2024, be considered by Council;

AND THAT Official Community Plan Map Amendment Application No. OCP24-0001 to amend Map 4.5 Pandosy Building Heights Map and Map 4.7 Rutland Building heights in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by amending the maps in accordance with Schedule 'C' attached to the Report from the Development Planning Department dated February 5th and 12th 2024, be considered by Council;

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

AND FURTHER THAT Council direct Staff to proceed to first reading of the bylaw changes to implement the provincial housing and transit-oriented area legislation as described in this report from the Divisional Director, Planning and Development Services dated February 5th and 12th 2024.

2.0 Purpose

To introduce and review the implementation of provincial legislation regarding Small-Scale Multi-Unit Housing and Transit Oriented Areas.

3.0 Background

In November of 2023, the Provincial Government passed several new pieces of housing legislation that apply across the province and impact the City of Kelowna's land use planning framework. Local governments must update their bylaws by June 2024 to meet the new provincial requirements.

The Small-Scale Multi-Unit Housing (SSMUH) legislation builds on the work of the Infill Options project that has been in progress for over 18 months and was presented to Council in the Fall of 2023. This project included technical, economic, public and stakeholder engagement. The Infill Options project was then paused because of this anticipated provincial housing legislation. Bill 44 SSMUH legislation is complementary, and a continuation of housing planning work started by the City in 2022 and supported by grant funding through the Union of British Columbia Municipalities (UBCM). Similarly, the Transit Oriented Areas (TOA) legislation advances much of the OCP's policy direction in Urban Centres, including the Urban Centres Framework project currently underway.

There are several other updates necessary because of the provincial housing legislation. The report to Council on [January 15th 2024](#) summarizes the required steps and procedures.

This report will focus on our municipal zoning amendments to implement Bill 44: Small-Scale Multi-Unit Housing and Bill 47: Transit Oriented Development Areas.

3.1 Development Planning Approach

Staff have prepared mapping and text amendments to comply with: the provincial legislation, the provincial policy manual for Site Standards: Small-Scale Multi-Unit Housing (SSMUH), and the provincial policy manual for Transit-Oriented Areas (TOA).

Staff recommendations include a series of amendments to complement the provincial mandates to ensure practical and sensitive integration within the existing development framework. The changes have been organized into five categories for Council's consideration: Suburban Areas, agricultural and rural zones, Core Area - Infill, Transit Oriented Areas / Urban Centre zones, and definitions.

The recommended approach to ensure a manageable transition for neighbourhoods, development, and the City is to establish Core Area and Suburban Area residential zones for implementation of the Small-Scale Multi-Unit Housing legislation.

The following table provides a summary of the City's major bylaw amendments proposed in this report to achieve compliance with the SSMUH and TOA provincial legislations.

	SUBURBAN AREAS	AGRICULTURAL & RURAL ZONES	CORE AREA	TRANSIT ORIENTED AREAS
OCP Amendments	n/a	n/a	n/a	Urban Centre Building Height maps
Zoning Bylaw (incl Landscape and Parking Regs)	Allow up to 4 units per lot on the Suburban Residential zones: RU1, RU2, RU3, RU5. RU4 zone deleted.	Allow secondary suites <i>and</i> carriage houses on lots greater than 10,000 m ² .	Allow up to 6 units per lot subject to limitations. * Rezone RU1, RU2, RU3, RU4, RU5 lots to the MF1 zone Keep Suburban Residential zoning (e.g. RU1 & RU2 zones) for Heritage Conservation Area	Allow up to 12 storeys within 200 metres of a transit exchange. Allow up to 6 storeys within 400 metres of a transit exchange. Provide residential parking exemptions within 400 metres of a transit exchange. Rezone Hospital Exchange to restrict entire area to 6 storeys to maintain KGH's emergency operations.
Development Permits	Required for 3 or more units			
* Due to site restrictions, including lot dimensions, parking requirements, garbage/recycling collection areas, and landscaping requirements often the maximum achievable density will be four dwelling units.				

3.2 Suburban Areas

Suburban areas include any lot within the Permanent Growth Boundary with access to services (sewer and water). The provincial legislation requires municipalities to allow up to four dwelling units per lot. The Single & Two Dwelling Zone category is proposed to be re-labelled to Suburban Residential. This would affect approximately 13,400 lots.

The RU1, RU2, RU3, and RU5 zones are proposed to remain intact with the deletion of the RU4 zone only. The RU4 zone allowed semi-detached and duplex housing forms, which is redundant as the remaining zones are proposed to allow up to a maximum of four dwelling units in any configuration. Lots could be developed with four single family homes; two single family homes with secondary suites; two single family homes with carriage houses; two single family homes, one of which has a secondary suite and a carriage house, two duplexes, and any other combination of unit types up to a maximum of four dwelling units.

The subdivision regulations and development regulations (including site coverage, setbacks, height, etc.) for the RU1, RU2, RU3, and RU5 zones remain similar to the current regulations to provide for consistent suburban development form and neighbourhood character while complying with provincial density requirements. This approach provides flexibility and an opportunity for homeowners and developers to incrementally densify suburban areas and is distinguishable from the Core Area.

3.2.1 Development Regulations

Development proposals with three or more units will require a Staff approved Form and Character Development Permit to ensure site planning is adequately provided in relation to parking, garbage/recycling, and landscaping in compliance with updated Official Community Plan design guidelines.

3.2.2 Parking

The provincial policy guide for Site Standards: Small-Scale Multi-Unit Housing, identifies that municipalities eliminate parking minimums and provide parking maximums. According to the guide, the City of Kelowna is exempt from this clause due to snow removal. Staff are recommending that a minimum of 1.25 stalls per residential dwelling unit is required. This is to ensure an availability of onsite parking in suburban neighbourhoods to allow for snow clearing.

3.3 Agricultural and Rural Residential Zones

In the summer of 2023, Council passed text amendments to the A1 zone which complied with updates to the Agriculture Land Reserve. This allowed secondary suites and carriage houses on any A1 lot that was at least 10,000 m². Lots zoned A2, RR1, and RR2 are larger, more remote, and can accommodate the necessary parking for secondary residential uses. Therefore, Staff are recommending the sub-zone for carriage houses be eliminated for A2, RR1, and RR2 lots to provide consistent residential regulations within the agricultural and rural residential zones by permitting secondary suites and carriage houses subject to the minimum lot size and minimum parking requirements. This would affect approximately 2,675 lots.

3.4 Definitions

Implementation of the Small-Scale Multi-Unit Housing legislation requires revisions to the following definitions: Boarding or Lodging House, Secondary Suite, and Bed & Breakfast. Boarding or Lodging House needs to accommodate the new infill housing zoning within the Core Area. The secondary suite definition is updated to incorporate the community water servicing requirement. As a result of allowing four dwelling units per lot, the bed & breakfast definition is proposed to be clarified to confirm bed & breakfast can only occur within a single detached home.

3.5 Core Area – Infill Housing

The following section outlines the necessary text and mapping amendments within the Core Area. The proposal is to rezone all Core Area lots that are currently zoned RU1, RU2, RU3, RU4, or RU5 to the MF1 zone. This will affect approximately 11,100 lots. All the sub-zones from the single-family zones, such as childcare centre, major (cc), Boarding & Lodging (b), and Heritage Commercial (hc) have been incorporated into the MF1 zone.

A maximum number of dwellings is proposed at six dwelling units per lot. This is a change for the current density regulation of 0.8 Floor Area Ratio. Most Core Area lots in Kelowna will not be able to achieve five, or six infill housing units. This is due to several site planning requirements and restrictions, such as lot size, lot dimensions, on-site parking requirements, on-site garbage and recycling collection areas, and new updated landscaping requirements.

Typically, a large lot with over a 20 metre wide frontage would be necessary to develop close to six dwelling units. Out of approximately 11,100 lots being zoned MF1, approximately 2,160 lots would meet these size

requirements. Further, these larger lots may be restricted due to access, location, context, overhead powerlines, boulevard trees, and many other potential factors and site constraints.

Staff recommend application of the RU1 zone to the Heritage Conservation Area, which would limit the maximum dwelling density to four units, in line with Suburban Areas.

3.5.1 Development Regulations

Proposals for one or two dwelling units in Core Areas will continue with similar single family development regulations, and Form & Character Development Permits will not be required.

Development proposals in Core Areas with three or more units is defined as infill housing and will continue with similar infill housing development regulations. This will require a Staff approved Form and Character Development Permit. This will ensure site planning is adequately provided in relation to parking, garbage/recycling, and landscaping - including the retention of mature trees - in compliance with updated Official Community Plan design guidelines.

3.5.2 Parking

The provincial policy guide for Site Standards: Small-Scale Multi-Unit Housing, identifies that municipalities eliminate parking minimums and provide parking maximums. Due to practical limitations (transit frequency, active transportation corridors, snow clearing, on-street parking restrictions), the recommended approach is to maintain a minimum on-site parking requirement of one stall per unit.

3.5.3 Height

The provincial regulations require an increase in height for small-scale multi-unit housing to three storeys, which is consistent with single-family height regulations. The recommended approach is to use the existing single dwelling floor area reduction above the second floor and to increase the side yard setback to 1.8 metres to sensitively integrate with existing developments.

3.5.4 Transportation Corridors

A new minimum roadway width regulation is proposed to protect Transit Supportive Corridors, Major Arterial roads, or roads with an Active Transportation Corridor. This will ensure development along these corridors will provide a proportional share of road dedication. A minimum density is proposed along Transit Supportive Corridors to support lot consolidation into larger-scale, transit-supportive developments. This is key for several reasons:

- Development should follow the recommended densities and development patterns identified in the Official Community Plan;
- Infill housing per lot is discouraged as this would multiply the number of driveway accesses along major corridors, increasing conflicts, and
- Infill housing is discouraged as this would multiply the number of garbage and recycling turnarounds or city pickup carts along these major corridors, increasing conflicts.

3.5.5 Riparian Corridors

A new proposed development regulation is needed for riparian management areas (RMA) to ensure land dedication occurs, similar to the road dedication regulation. Typically, this would mean 15 metres of dedication. Currently, these areas rely upon an owner applying for a rezoning application to dedicate the necessary riparian area. This cannot be relied upon due to pre-zoning of the Core Area to the MF1 zone.

When riparian areas are adjacent to a linear trail, as identified in the Linear Connections and Trails of the City's OCP (Map 10.1), an additional 5 metres is proposed to be required for the trail connection.

3.5.6 Waste Collection

The potential increase in infill housing necessitates updates to the Solid Waste Bylaw, in addition to the Zoning Bylaw. The Solid Waste Bylaw updates are needed to address larger carts and customized services for these larger infill housing developments. The Zoning Bylaw updates are needed to provide the necessary space onsite for the garbage and recycling carts. Currently, there are no specific regulations for garbage cart storage and maneuvering aisle requirements, only guidelines that suggest carts need to be stored inside to avoid wildlife conflicts. This had led to limited success for existing MF1 developments which typically have rear lanes to accommodate garbage and recycling carts. Therefore, a new section is proposed to require minimum storage (inside a building, enclosure, or garage) relative to the container size and provide maneuvering aisle space.

3.5.7 Landscape Design

The purpose of the proposed landscape amendments is to practically implement the expansion of infill housing in Kelowna. This will promote establishment of healthy trees, support the City's tree canopy, enhance beauty and resiliency of neighbourhoods, provide flexibility to builders and developers, and reduce common landscape variances.

The proposed landscape amendments include:

- a. The growing medium area and volume per tree has been adjusted based on feedback from our urban forester.
- b. A setback from buildings, raised patios, and balconies to the on-site trees has been introduced as the two metre front yard landscape area was not enough space for large trees to thrive for most multi-family developments.
- c. An underground setback has been introduced to ensure there is enough space between the trees and an underground parkade or basement.
- d. The front yard setback has been adjusted depending on if the boulevard contains a sidewalk and an irrigated landscape boulevard.
- e. The onsite landscape requirements have been adjusted if the boulevard contains soil cells with large trees planted and sidewalks installed.
- f. Further, flexibility in installation of the trees has been provided if there is conflict with overhead powerlines within the front yard area.

3.7 Transit Oriented Development Areas

The Transit Oriented Development Areas legislation has identified four transit exchanges in Kelowna: Rutland, Orchard Park, Okanagan College, and the Kelowna General Hospital. The legislation requires municipalities to pass a bylaw identifying these transit exchanges and assign minimum densities and heights. The height allowance is 10 storeys with a 3.5 Floor Area Ratio (FAR) density for all lots within a 200 metre radius of these transit exchanges. The height allowance is six storeys, with a minimum 2.5 FAR for all lots between a 200 metre and 400 metre radius of these transit exchanges.

3.7.1 Rutland, Midtown, and Pandosy Urban Centres

The Rutland, Orchard Park, Okanagan College transit exchanges are within designated Urban Centres in the OCP. The maximum zoning heights are directly connected to the OCP maximum building heights. Currently, the City does not have a 10 storey category, therefore, the recommendation is to apply the 12 storey category in Urban Centres, which aligns with the maximum Mass Timber building heights in the BC Building Code.

The application of a radius based on 'as the crow flies' resulted in some building height boundaries ending mid-block. In these circumstances, it is recommended to expand the building height maps to the end of the block for that height category for practical application and development. The densities have been increased to comply with the provincial densities within each height category.

3.7.2 Hospital Exchange

The Hospital Exchange is not designated in the OCP as an Urban Centre and has not been designated for significant growth. In addition, there are public safety, emergency operations, and Heritage Conservation Area considerations.

Kelowna General Hospital (KGH) maintains a certified H1 classification heliport used for air ambulance operations. City Staff engaged Interior Health to understand the consequences of building heights surrounding the heliport. Interior Health analyzed the proposed building heights at six and 12 storeys within the approved flight path. Six storeys around KGH would be acceptable, however, 12 storeys would impact heliport and air ambulance operations. Staff recommend pre-zoning the Hospital TOA to a maximum height of six storeys.

To accommodate this transit exchange outside of an Urban Centre, Staff recommend creation of a new zone. A new zone is recommended because this would be the only zone that would allow all building types including single detached homes, small-scale multi-units / infill, townhouses, and apartment buildings up to six storeys. The development regulations needed to be adjusted relative to this zone to match all those building forms and scale of development.

3.7.3 OCP Amendments

The scope of the OCP amendment is strictly around the building heights map as they directly affect zoning regulations in Urban Centres. There will be further mapping and text amendments necessary for the OCP to implement the TOA legislation in a separate Council report. There are no changes to the Midtown Urban Centre map building heights map as the current height complies with provincial legislation. Pandosy's Urban Centre has 11 lots where the 12 storey height category was expanded and 45 lots where the building heights map was increased from four storeys to six storeys. Rutland's Urban Centre has 47 lots where the 12 storey height category was expanded and 140 lots where the building heights map was increased from four storeys to six storeys.

3.7.4 Parking

The Transit Oriented Development Areas (TOA) legislation prevents municipalities from requiring parking in TOAs within a 400 metre radius of the identified transit exchanges. There is a provision for municipalities to require universal accessible parking. Staff incorporated the parking exemption for residential parking within Section 8 of the parking regulations (see Schedule A for Parking Exemption maps). The parking exemption was limited to parcels specifically identified by the province. This would apply to 427 lots in the Hospital Exchange, 70 lots in the Okanagan College Exchange, 45 lots in the Orchard Park Exchange, and 251 lots in the Rutland Exchange. In total it would apply 793 lots.

3.7.5 Landscaping

The landscaping provisions have been updated to incorporate tree planting options on infill redevelopment lots. Specifically for Urban Centres or large apartment buildings the minimum number of required trees has been adjusted to provide flexibility of where the trees could be planted onsite if the boulevard contains a sidewalk and an irrigated landscape boulevard.

4.0 Conclusion

The recommended approach to the OCP building heights map and zoning text and mapping updates will comply with the provincial legislation while practically implementing Kelowna solutions into those regulations.

Report prepared by:	Adam Cseke, Planner Specialist
Reviewed by:	Jocelyn Black, Urban Planning Manager
Reviewed by:	James Moore, Infill Housing Planning Manager
Reviewed by:	Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion by:	Ryan Smith, Divisional Director, Planning, Climate Sustainability & Development Services

Attachments:

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

Schedule 'B': Proposed Mapping Amendments to Zoning Bylaw No. 12375

Schedule 'C': Proposed Building Height Mapping Amendments to Official Community Plan Bylaw No. 12300

TA24-0001 Schedule A – Proposed Text Amendments

Content Changes to Zoning Bylaw No. 12375

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 1 – General Administration 1.6 Applications in Process 1.6.1	A development will be processed in accordance with City of Kelowna Zoning Bylaw No. 8000, as the Bylaw read on the date of repeal, provided a development permit or development variance permit was issued or a complete building permit was submitted for the development prior to the effective date of this Bylaw. A building permit for any development processed in accordance with City of Kelowna Zoning Bylaw No. 8000 must be issued within 12 months of the effective date of this Bylaw. All other development must comply with this Bylaw.	[Deleted]	Over one year has passed since the transition from Zoning Bylaw 8000 to Zoning Bylaw 12375 therefore this provision is redundant and is proposed to be deleted.
2.	Section 1 – General Administration 1.6 Applications in Process	n/a	A development for any property zoned MF1 – Infill Housing as of the date of adoption of this bylaw will be processed in accordance with City of Kelowna Zoning Bylaw No. 12375 (immediately before this bylaw was adopted) provided a development permit or development variance permit was issued or a complete building permit was submitted for the development prior to adoption of this bylaw. A building permit for any development processed in accordance with City of Kelowna Zoning Bylaw No. 12375 as of	In-stream protection for MF1-Development Permits as this zone changed the density calculation as well as certain setback provisions.

No.	Section	Current Wording	Proposed Wording	Reason for Change
			adoption of this bylaw must be issued within 12 months of the effective date of this bylaw. All other development must comply with this Bylaw.	
3.	Section 5 – Definitions & Interpretations 5.3 General Definitions 'B'	BOARDING OR LODGING HOUSE means the use of a dwelling unit within single detached housing and semi-detached housing. The owner or manager may supply accommodation for their family, and sleeping unit accommodation, for remuneration. It may or may not include meal service. Boarding or lodging houses must operate as a single household up to a maximum of 10 persons. Short-term rental accommodation is not permitted within a boarding or lodging house.	BOARDING OR LODGING HOUSE means <u>the use of a ground oriented dwelling unit in which the owner or manager may supply sleeping unit accommodation for family and for remuneration.</u> It may or may not include meal service. Boarding or lodging houses must operate as a single household up to a maximum of 10 persons. Short-term rental accommodation is not permitted within a boarding or lodging house.	To accommodate the provincial housing legislation with infill housing and to specifically allow boarding or lodging homes within MF1 lots when a sub-zone is successfully applied for.
4.	Section 5 – Definitions & Interpretations 5.3 General Definitions 'B'	BACHELOR DWELLING means a dwelling in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a dwelling unit containing a separate bedroom or bedrooms.	[Deleted]	To provide a better term that is more inclusive and gender neutral.
5.	Section 5 – Definitions & Interpretations 5.3 General Definitions 'S'	n/a	<u>STUDIO means a dwelling unit in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a dwelling unit containing a separate bedroom or bedrooms.</u>	To provide a better term that is more inclusive and gender neutral.
6.	Section 5 – Definitions & Interpretations 5.3 General Definitions 'D'	DWELLING means accommodation providing interconnected, free flowing space including bedroom(s), washrooms, and a kitchen intended for domestic use, and used or intended to be used permanently or semi-	<u>DWELLING UNIT</u> means accommodation providing interconnected, free flowing space including bedroom(s), washrooms, and a kitchen intended for domestic use, and used or intended to be used permanently or semi-	To provide clarity on what is considered a dwelling unit.

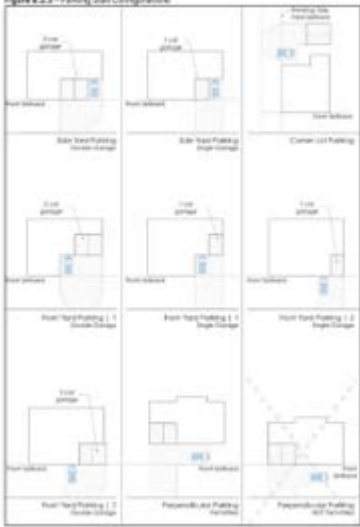
No.	Section	Current Wording	Proposed Wording	Reason for Change
		<p>permanently for a household. A dwelling includes only one room which, due to its design, plumbing, equipment, and furnishings, may be used primarily as a kitchen, except where otherwise permitted in the bylaw. Wet bars are permitted. This use does not include a room in a hotel or a motel. Secondary suites are considered a separate dwelling unit.</p>	<p>permanently for a household. A dwelling unit includes only one room which, due to its design, plumbing, equipment, and furnishings, may be used primarily as a kitchen, except where otherwise permitted in the bylaw. Wet bars are permitted. This use does not include a room in a hotel or a motel. <u>A secondary suite and a carriage house are each</u> considered a dwelling unit.</p>	
7.	<p>Section 5 – Definitions & Interpretations 5.3 General Definitions ‘S’</p>	<p>SECONDARY SUITE means a self-contained dwelling unit located within a building or portion of building. The secondary suite shall:</p> <ul style="list-style-type: none"> (a) be fully compliant with the BC Building Code at the time of construction; (b) completely separated from other parts of the building by fire separations; (c) located in a building of only residential occupancy; (d) have an issued Occupancy Permit; (e) located within a single detached housing unit, a semi-detached housing unit, or a duplex unit (secondary suites cannot be located in an apartment housing, or a boarding or lodging house); (f) located in a building or portion of a building that is a single real estate entity. <p>The secondary suite and principal dwelling are not required to be interconnected</p>	<p>SECONDARY SUITE means a self-contained dwelling unit located within a building or portion of building. The secondary suite shall:</p> <ul style="list-style-type: none"> (a) be fully compliant with the BC Building Code at the time of construction; (b) completely separated from other parts of the building by fire separations; (c) located in a building of only residential occupancy; (d) have an issued Occupancy Permit; (e) located within a single detached housing unit, a semi-detached housing unit, or a duplex unit <u>dwelling, a semi-detached unit, a duplex unit, or a townhouse unit</u> (secondary suites cannot be located in an apartment housing, or a boarding or lodging house); (f) located in a building or portion of a building that is a single real estate entity; (g) <u>Located on a lot serviced with</u> 	<p>To accommodate the provincial housing legislation with infill housing to add housing flexibility and confirm servicing requirements.</p>

No.	Section	Current Wording	Proposed Wording	Reason for Change
		through a conditioned doorway. Short-term rental accommodations, bed & breakfast homes, boarding or lodging homes, and group homes, shall not be permitted to operate within a secondary suite.	<u>community water.</u> The secondary suite and principal dwelling are not required to be interconnected through a conditioned doorway. Short-term rental accommodations, bed & breakfast homes, boarding or lodging homes, and group homes, shall not be permitted to operate within a secondary suite.	
8.	Section 5 – Definitions & Interpretations 5.3 General Definitions ‘S’	SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes modular homes that exceeds a 5.0 metre building width, but not a mobile home.	SINGLE DETACHED <u>DWELLING</u> means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes modular homes that exceeds a 5.0 metre building width, but not a mobile home.	To revise language for consistency.
9.	Section 7 - Site Layout 7.2 Landscaping Standards Table 7.2 – Tree & Landscaping Planting Requirements	See Chart A	See Chart B	Landscaping provisions updated to foster enhanced landscaping interactions with the street, development, and neighbourhood for all development types including infill housing. Many landscaping variances were being applied for when landscaping could be provided in alternate methods. For example, large industrial lots could place trees elsewhere on

No.	Section	Current Wording	Proposed Wording	Reason for Change
				site subject to street trees being planted. Landscaping standards increased to promote health and viability of planting including a building setback from trees.
10.	Section 7 - Site Layout 7.2.10 Landscaping Standards	<p>Any surface parking lot over 15 vehicles must incorporate landscaped islands as described below:</p> <ul style="list-style-type: none"> (a) Notwithstanding Section 7.2.3, if a parking lot over 15 vehicles abuts a street, that interface must have at least a minimum 1.5 metres landscape area (the setback landscaping area might be larger). See Figure 7.2.10; (b) landscaped islands are required at the end of each parking aisle; (c) the maximum number of parking spaces in a consecutive row is 15 with a landscaped island or drive aisle separating the next 15 spaces; (d) landscaped islands are not to be longer than the adjacent parking space; (e) landscaped islands shall be clearly delineated as separate and in addition to required parking and loading spaces; (f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference; and 	<u>[Deleted]</u>	Moved minimum surface parking lot landscape island and tree island requirements to Table 7.2 Tree & Landscaping Planting Requirements.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		(g) a minimum of one tree must be included in a landscaped island.		
11.	Section 7 - Site Layout 7.3 Refuse and Recycling Bins	See Chart C	See Chart D	To facilitate the implementation of the provincial Small Scale Multiple Unit Housing (SSMUH) legislation by addressing public minimum garbage and recycling pickups onsite especially for lots without lanes.
12.	Section 7 - Site Layout 7.2.3 Landscaping Standards	Landscaping within the landscape areas shall follow the regulations within Table 7.2 to provide for the masking or separating of various land uses. (a) Driveways as well as entrance/exit pathways are permitted to cross the landscape areas. (b) Parking is not permitted within the landscape areas; except parking is permitted within the landscape area when the landscape area is abutting a lane and when the parking meets the parking setback regulations identified in Section 8.2.	Landscaping within the landscape areas shall follow the regulations within Table 7.2 to provide for the masking or separating of various land uses. See Section 8.2.2 for parking restrictions within the landscape areas.	Relocate the parking restriction regulation within the parking section.

No.	Section	Current Wording	Proposed Wording	Reason for Change
13.	Section 8 - Parking and Loading 8.2.2 Off-Street Parking Parking Setbacks	All off-street parking shall be restricted from the landscape areas as according to Section 7.2.3.	Parking shall not be permitted within the landscape area except when the parking is within a driveway that is perpendicular to the fronting or flanking street; or when the landscape area is abutting a lane.	Regulation needed to be adjusted to accommodate SSMUH legislation to ensure landscaping is provided and parking on driveways is permitted.
14.	Section 8 - Parking and Loading 8.2.4 Off-Street Parking Parking Setbacks	All off-street parking for residential use classes containing two or less dwelling units shall not have any off-street parking spaces located in the required front yard or flanking street setback area.	For residential dwelling units with 2 dwelling or less (thus do not have a landscape area) then any parking space that is not perpendicular to the front or flanking side yards must be setback at least three (3) metres from the front or flanking side yard.	Regulation needed to be adjusted to accommodate SSMUH legislation to ensure consistent parking setbacks amongst small scale and larger scale infill development.
15.	Section 8 - Parking and Loading 8.2.5 Off-Street Parking Parking Setbacks	Notwithstanding Section 8.2.4, off-street parking for residential use classes containing two or less dwelling units may be located in the required front yard or flanking street setback area if: (a) the parking spaces are located on a driveway which provides access to a required off-street parking space that is not in the front yard or flanking street setback area; or (b) one off-street parking space may be located in the required front yard or flanking street setback area that does not provide access beyond the front yard or flanking street setback area if the parking space meets one of the permitted parking configurations shown specifically in Figure 8.2.5	[Deleted]	This regulation is deleted because parking setbacks and locations are incorporated in new regulations identified through Section 8.2.2 & Section 8.2.4

No.	Section	Current Wording	Proposed Wording	Reason for Change
16.	Section 8 Parking and Loading 8.2.5 Off-Street Parking Parking Setbacks Figure 8.2.5 Parking Stall Configurations	<p>Figure 8.2.5 – Parking Stall Configurations</p> 	[Deleted]	This regulation is deleted because parking setbacks and locations are incorporated in new regulations identified through Section 8.2.2 & Section 8.2.4
17.	Section 8 - Parking and Loading 8.2.6 Off-Street Parking Tandem Parking	<p>Tandem parking spaces is permitted only for the following land uses (not between land uses):</p> <ul style="list-style-type: none"> (a) single detached housing (which may be in tandem with a secondary suite or carriage house); (b) short-term rental accommodations; (c) duplex and semi-detached housing; and (d) townhouses where the lot is located within the Core Area. Visitor parking stalls cannot be configured in tandem in any situation. 	<p>Tandem parking spaces are permitted only for</p> <ul style="list-style-type: none"> (a) developments with 6 or less dwelling units but only one tandem parking space is permitted in front of any garage or carport; or (b) townhouses with 7 or more dwelling units where the lot is located within the Core Area. Visitor parking stalls cannot be configured in tandem. 	Regulation needed to be adjusted to accommodate SSMUH legislation to ensure similar tandem regulations are applied to current standards

No.	Section	Current Wording	Proposed Wording	Reason for Change
18.	Section 8 - Parking and Loading 8.2 Off-Street Parking Regulations Size and Ratio Table 8.2.7.b Ratio of Parking Space Sizes	See Chart E	See Chart F	Regulation needed to be adjusted to accommodate SSMUH legislation to eliminate short-term rental accommodations and adjust the housing type to keep similar ratio regulations.
19.	Section 8 - Parking and Loading 8.2 Off-Street Parking Regulations 8.2.17 Accessible Parking Standards	See Chart G	See Chart H	A new table that requires universal accessible parking in Transit Oriented Areas (TOA) as defined through the provincial TOA legislation.
20.	Section 8 Parking and Loading Electric Vehicle Charging 8.2.18 and Table 8.2.18 – Minimum Electric Vehicle Parking and Charging Requirements	See Chart I	See Chart J	The minimum electric vehicle section needed to be reformatted to conform with the parking table updates in the previous sections. The electric vehicle regulations remain the same as the current regulations.

No.	Section	Current Wording	Proposed Wording	Reason for Change
21.	Section 8 - Parking and Loading Table 8.3 – Required Residential Off-Street Parking Requirements	See Chart K	See Chart L	This table is updated to accommodate both the SSMUH and the TOA legislation in regard to the amount of off-street parking required per dwelling unit.
22.	Section 8 - Parking and Loading Table 8.3.1 – Other Residential Parking	See Chart M	See Chart N	This table has been updated to accommodate the short-term rental accommodation regulations and the re-organized residential parking table.
23.	Section 8 - Parking and Loading Section 8.5 Off-street Bicycle Parking Table 8.5 – Minimum Bicycle Parking Required (Apartment Housing, Required Long-term)	<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"> • 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 • <u>1.0 bike space per dwelling unit when the development occurs on a lot within a Transit Oriented Areas identified in Map 8.3.a , Map 8.3.b , Map 8.3.c , or Map 8.3.d</u> 	To increase the minimum bicycle parking to compensate when residential parking is not required.

No.	Section	Current Wording	Proposed Wording	Reason for Change
24.	Section 9 Specific Use Regulations Section 9.3.1 Bed and Breakfast Homes	<p>Bed and breakfast homes shall comply with the following regulations:</p> <ul style="list-style-type: none"> (a) the bed and breakfast home shall be operated as a secondary use only within the principal building, with a maximum four (4) sleeping units with accommodation for a maximum of two guests per sleeping unit, of a minimum area of 11 metres² each; and (b) the licensed operator of a bed and breakfast home must reside in the dwelling in which the bed and breakfast operation is located. 	<p>Bed and breakfast homes shall comply with the following regulations:</p> <ul style="list-style-type: none"> (a) the bed and breakfast home shall be operated as a secondary use only within the principal building <u>a Single Detached Dwelling</u>, with a maximum four (4) sleeping units with accommodation for a maximum of two guests per sleeping unit, of a minimum area of 11 metres² each; and (b) the licensed operator of a bed and breakfast home must reside in the dwelling in which the bed and breakfast operation is located; (c) <u>A licensed operator must also reside onsite during the operation of the bed and breakfast; and</u> (d) <u>Short-term rental accommodation is not permitted in combination with a bed and breakfast home. For example, If the licensed operator is not residing on site during the stay of paid guests then the operator is engaging in short-term rental accommodations.</u> 	<p>To accommodate the provincial housing legislation with infill housing and to clarify the bed and breakfast homes are to be located in single detached dwellings only.</p>
25.	Section 10 - Agriculture & Rural Residential Zones Section 10.2 Sub-Zones	Chart O	See Chart P	Update sub-zone purposes to exclude carriage house sub-zoning. This will allow a secondary suite and a carriage house on a rural

No.	Section	Current Wording	Proposed Wording	Reason for Change
				property if the lot size meets the minimum.
26.	Section 10 - Agriculture & Rural Residential Zones Section 10.3 Permitted Land Uses	See Chart Q	See Chart R	Update to exclude carriage house sub-zoning. This will allow a secondary suite and a carriage house on a rural property if the lot size meets the minimum.
27.	Section 11 - Single and Two Dwelling Zones	See Chart S	See Chart T	The Single Family Zones have been changed to the Suburban Residential zones with similar regulations but allowing up to four dwelling units per lot to accommodate the SSMUH legislation. Re-numbered tables.
28.	Section 13 – Multi-Dwelling Zones	See Chart U	See Chart V	Amend the multi-family zones to align with the provincial small scale multiple unit housing legislation and the provincial Transit Oriented Area legislation. This was done by adding a new MF ₄ zone around the hospital and breaking up the development

No.	Section	Current Wording	Proposed Wording	Reason for Change								
				regulations for the MF1 zone to be relative to the number of dwelling units onsite. Further, height and setbacks were adjusted to accommodate the provincial legislation.								
29.	Section 14 - Core Area and Other Zones 14.11 Core Area and Other Zones Commercial and Urban Centre Zone Development Regulations Criteria – Add New Row	n/a	<p>Add New Row:</p> <table border="1" data-bbox="1094 561 1629 1166"> <thead> <tr> <th data-bbox="1094 561 1289 597"></th> <th data-bbox="1289 561 1629 597">All Zones</th> </tr> </thead> <tbody> <tr> <td data-bbox="1094 597 1289 1166">Min. Riparian Management Area and Trail width</td> <td data-bbox="1289 597 1629 1166">Any lot with three or more dwelling units that is abutting a watercourse or a riparian area must have the Minimum Riparian Management Area (RMA), as described in Table 21.1 of the OCP dedicated to the City. If the lot is abutting a trail identified in Map 10.1 of the OCP then five additional metres must be dedicated to the City for trail connections in addition to the minimum RMA.</td> </tr> </tbody> </table>		All Zones	Min. Riparian Management Area and Trail width	Any lot with three or more dwelling units that is abutting a watercourse or a riparian area must have the Minimum Riparian Management Area (RMA), as described in Table 21.1 of the OCP dedicated to the City. If the lot is abutting a trail identified in Map 10.1 of the OCP then five additional metres must be dedicated to the City for trail connections in addition to the minimum RMA.	A new riparian management area and trail width regulation is proposed in order to acquire necessary right-of-way in locations where the SSMUH legislation requires rezoning.				
	All Zones											
Min. Riparian Management Area and Trail width	Any lot with three or more dwelling units that is abutting a watercourse or a riparian area must have the Minimum Riparian Management Area (RMA), as described in Table 21.1 of the OCP dedicated to the City. If the lot is abutting a trail identified in Map 10.1 of the OCP then five additional metres must be dedicated to the City for trail connections in addition to the minimum RMA.											
30.	Section 14 - Core Area and Other Zones 14.14 Core Area and Other Zones Density and Height – UC3	<table border="1" data-bbox="516 1179 1073 1406"> <tbody> <tr> <td data-bbox="516 1179 1073 1243">Min. Density (if applicable) & Max. Base Density FAR ^{-1,-7}</td> </tr> <tr> <td data-bbox="516 1243 1073 1308">For areas identified as PARK = 0.5 FAR ^{.9}</td> </tr> <tr> <td data-bbox="516 1308 1073 1373">For areas identified as 6 storeys = 1.8 FAR ^{.9}</td> </tr> <tr> <td data-bbox="516 1373 1073 1406">For areas identified as 12 storeys = 3.3 FAR ^{.9}</td> </tr> </tbody> </table>	Min. Density (if applicable) & Max. Base Density FAR ^{-1,-7}	For areas identified as PARK = 0.5 FAR ^{.9}	For areas identified as 6 storeys = 1.8 FAR ^{.9}	For areas identified as 12 storeys = 3.3 FAR ^{.9}	<table border="1" data-bbox="1094 1179 1629 1406"> <tbody> <tr> <td data-bbox="1094 1179 1629 1243">Min. Density (if applicable) & Max. Base Density FAR ^{-1,-7}</td> </tr> <tr> <td data-bbox="1094 1243 1629 1308">For areas identified as PARK = 0.5 FAR ^{.9}</td> </tr> <tr> <td data-bbox="1094 1308 1629 1373">For areas identified as 6 storeys = 1.8 FAR ^{.9, 13}</td> </tr> <tr> <td data-bbox="1094 1373 1629 1406">For areas identified as 12 storeys = 3.3 3.5 FAR ^{.9}</td> </tr> </tbody> </table>	Min. Density (if applicable) & Max. Base Density FAR ^{-1,-7}	For areas identified as PARK = 0.5 FAR ^{.9}	For areas identified as 6 storeys = 1.8 FAR ^{.9, 13}	For areas identified as 12 storeys = 3.3 3.5 FAR ^{.9}	Added new footnote .13 to the 6 storey category in order to comply with minimum densities outlined in the TOA legislation. Adjust the 12 storey density from 3.3
Min. Density (if applicable) & Max. Base Density FAR ^{-1,-7}												
For areas identified as PARK = 0.5 FAR ^{.9}												
For areas identified as 6 storeys = 1.8 FAR ^{.9}												
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Min. Density (if applicable) & Max. Base Density FAR ^{-1,-7}												
For areas identified as PARK = 0.5 FAR ^{.9}												
For areas identified as 6 storeys = 1.8 FAR ^{.9, 13}												
For areas identified as 12 storeys = 3.3 3.5 FAR ^{.9}												

No.	Section	Current Wording	Proposed Wording	Reason for Change
	(Midtown)	<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 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>	FAR to 3.5 FAR to comply with the TOA legislation.
31.	Section 14 - Core Area and Other Zones 14.14 Core Area and Other Zones Density and Height – UC ₄ (Rutland)	<p>Min. Density (if applicable) & Max. Base Density FAR^{.1, .7}</p> <p>For areas identified as PARK = 0.5 FAR^{.9}</p> <p>For areas identified as 4 storeys = 1.6 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>See Underground Parking Base FAR Adjustments^{.12}</p>	<p>Min. Density (if applicable) & Max. Base Density FAR^{.1, .7}</p> <p>For areas identified as PARK = 0.5 FAR^{.9}</p> <p>For areas identified as 4 storeys = 1.6 FAR^{.9}</p> <p>For areas identified as 6 storeys = 1.8 FAR^{.9, .13}</p> <p>For areas identified as 12 storeys = 3.3 3.5 FAR^{.9}</p> <p>See Underground Parking Base FAR Adjustments^{.12}</p>	Added new footnote .13 to the 6 storey category in order to comply with minimum densities outlined in the TOA legislation. Adjust the 12 storey density from 3.3 FAR to 3.5 FAR to comply with the TOA legislation.
32.	Section 14 - Core Area and Other Zones 14.14 Core Area and Other Zones Density and Height – UC ₅ (Pandosy)	<p>Min. Density (if applicable) & Max. Base Density FAR^{.1, .7}</p> <p>For areas identified as PARK = 0.5 FAR^{.9}</p> <p>For areas identified as 3 storeys = 1.5 FAR^{.9}</p> <p>For areas identified as 4 storeys = 1.6 FAR^{.9}</p> <p>For areas identified as 6 storeys = 1.8 FAR^{.9}</p> <p>For areas identified as 8 storeys = 2.35 FAR^{.9}</p> <p>For areas identified as 14 storeys = 3.9 FAR^{.9}</p>	<p>Min. Density (if applicable) & Max. Base Density FAR^{.1, .7}</p> <p>For areas identified as PARK = 0.5 FAR^{.9}</p> <p>For areas identified as 3 storeys = 1.5 FAR^{.9}</p> <p>For areas identified as 4 storeys = 1.6 FAR^{.9}</p> <p>For areas identified as 6 storeys = 1.8 FAR^{.9, .13}</p> <p>For areas identified as 8 storeys = 2.35 FAR^{.9}</p> <p><u>For areas identified as 12 storeys = 3.5 FAR^{.9}</u></p> <p>For areas identified as 14 storeys = 3.9 FAR</p>	Added new footnote .13 to the 6 storey category in order to comply with minimum densities outlined in the TOA legislation. Adjust the 12 storey density from 3.3 FAR to 3.5 FAR to comply with the TOA legislation.

No.	Section	Current Wording	Proposed Wording	Reason for Change
		See Underground Parking Base FAR Adjustments ^{.12}	^{.9} See Underground Parking Base FAR Adjustments ^{.12}	
33.	Section 14 - Core Area and Other Zones 14.14 Core Area and Other Zones Density and Height – CA1	<p>Min. Density (if applicable) & Max. Base Density FAR ^{.1, .7}</p> <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>	<p>Min. Density (if applicable) & Max. Base Density FAR ^{.1, .7}</p> <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 ^{.4, .9}</p> <p>See Underground Parking Base FAR Adjustments ^{.12}</p>	Added new footnote .4 to the 6 storey category in order to comply with minimum densities outlined in the TOA legislation.
34.	Section 14 - Core Area and Other Zones 14.14 Core Area and Other Zones Density and Height – Footnotes	n/a	^{.13} Lots identified in a Transit Oriented Area identified by Map 8.3.b , Map 8.3.c, or Map 8.3.d have the base FAR for the 6-storey category increased from 1.8 FAR to 2.5 FAR. Developments that use this base density cannot apply the Underground Parking Base FAR Adjustment referenced in footnote ^{.12} .	Added new footnote ^{.13} to the 6 storey category in order to comply with minimum densities outlined in the TOA legislation.

No.	Section	Current Wording	Proposed Wording	Reason for Change
35.	Section 14 - Core Area and Other Zones 14.14 Core Area and Other Zones Density and Height – Footnotes	⁻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	⁻⁴ The base FAR is adjusted to 3.5 and the maximum height is adjusted to 12 storeys & 39 metres only in situations where: a) the development is a hotel on a lot fronting a Provincial Highway that does not abut a lot that is zoned RR1, RR2, RU1, RU2, RU3, or RU5; or b) a primarily residential development is located within Map 8.3.c Orchard Park Exchange;	Rewrote footnote ⁻⁴ to the 6 storey category in order to comply with minimum densities outlined in the TOA legislation.
36.	Section 14 - Core Area and Other Zones 14.14 Core Area and Other Zones Density and Height – Footnotes	⁻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; and b) Lots are within 400 m of transit stop; and c) The abutting lots are not zoned RR1, RR2, RU1, RU2, RU3, RU4, or RU5.	⁻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; and b) Lots are within 400 m of transit stop; and c) The abutting lots are not zoned RR1, RR2, RU1, RU2, RU3, or RU5.	Delete reference to RU4 zone.
37.	The footer at the bottom of all Sections	See Chart W	See Chart X	Change the footer to follow the relabeling of the Single & Two Dwelling Zones section to the Suburban Infill section.

Chart A

Original – Section 7 – Site Layout

Table 7.2 – Tree & Landscaping Planting Requirements				
cm =centimetres / m = metres / m ² = square metres				
Criteria	MF1 & MF2 Zones	MF3 zone, Core Area Zone, and Health District Zones	Urban Centre Zones, Village Centre Zone, & Institutional Zones	Commercial Zones, Industrial Zones, & Comprehensive Development Zones
Minimum Tree amount ^{.2}	One tree per 50 m ² of landscape area or 1 tree per 12 linear metres of landscape area (whichever is more) ^{.2}	One tree per 55 m ² of landscape area or 1 tree per 10 linear metres of landscape area (whichever is more) ^{.2}	One tree per 30 m ² of landscape area or 1 tree per 10 linear metres of landscape area (whichever is more) ^{.2}	One tree per 30 m ² of landscape area or 1 tree per 10 linear metres of landscape area (whichever is more) ^{.2}
Minimum Deciduous Tree Caliper ^{.1}	Large: 5 cm Medium: 4 cm Small: 3 cm			
Minimum Coniferous Tree Height	250 cm			
Minimum Ratio between Tree size ^{.3}	Large: Min 50% Medium: No min or max Small: Max 25%			
Minimum Growing Medium Area ^{.4}	75% soil-based landscaping groundcover in landscape areas See Visual Example Figure 7.2.1			
Minimum Growing Medium Volumes per Tree ^{.4}	Large Single: 30 m ³ - Large Multiple Connected by Trench or Cluster: 25 m ³ Medium Single: 20 m ³ - Medium Multiple Connected by Trench or Cluster: 18 m ³ Small Single: 15 m ³ - Small Multiple Connected by Trench or Cluster: 12 m ³			
FOOTNOTES (Section 7.2): ^{.1} All deciduous trees shall have a minimum clear stem height of 1.5 m. ^{.2} The total area and linear metre calculation are used to determine a minimum number of trees that is to be planted within the landscape areas . The minimum number of trees on site shall be whichever calculation is greater (the area or the linear metre). The tree spacing shall follow the City of Kelowna's Urban Tree Guide but there is no minimum or maximum regarding tree spacing. This provides landscape plan flexibility to allow grouping of trees where applicable. ^{.3} Tree size will be defined in the City of Kelowna's Urban Tree Guide , if only one tree is required, it must be a large tree or conifer. All columnar trees shall be considered a medium or small tree for purposes of minimum ratio between tree size. ^{.4} Minimum growing medium may be shared through the landscape area (tree, turf, and shrub).				

Chart B

Proposed – Section 7 – Site Layout

Table 7.2 – Tree & Landscaping Planting Requirements <small>cm =centimetres / m = metres / m² = square metres</small>			
Criteria	Any MF1, RU1, RU2, or RU3 zone for which the lot contains 3 or more dwelling units.	MF2 zone, MF3 zones, Core Area Zone, Village Centre Zone, Health District Zones, and Institutional Zones	Urban Centre Zones, Commercial Zones, Industrial Zones, & Comprehensive Development Zones
Minimum Number of Trees within Landscape Areas ⁻²	1 tree per 10 linear metres of landscape area ^{-2, -7, -10, -11}	1 tree per 10 linear metres of landscape area ⁻²	1 tree per 10 linear metres of landscape area ^{-2, -6}
Minimum Growing Medium Area ⁻⁴	75% soil-based landscaping groundcover in landscape areas ^{-9, -11} See Visual Example Figure 7.2.1	75% soil-based landscaping groundcover in landscape areas ⁻⁹ See Visual Example Figure 7.2.1	75% soil-based landscaping groundcover in landscape areas ^{-6, -9} See Visual Example Figure 7.2.1
Minimum Landscaping for any surface parking lot over 15 vehicles ⁻⁵	<p>(a) Notwithstanding Section 7.2.3, if a parking lot over 15 vehicles abuts a street, that interface must have at least a minimum 1.5 metres landscape area (the setback landscaping area might be larger). See Figure 7.2.10;</p> <p>(b) landscaped islands are required at the end of each parking aisle;</p> <p>(c) the maximum number of parking spaces in a consecutive row is 14 with a landscaped island or drive aisle separating the next 14 spaces;</p> <p>(d) landscaped islands are not to be longer than the adjacent parking space;</p> <p>(e) landscaped islands shall be clearly delineated as separate and in addition to required parking and loading spaces;</p> <p>(f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference; and</p> <p>(g) a minimum of one tree must be included in a landscaped island.</p>		
Minimum / Maximum Tree Spacing	<p>Minimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area.</p>		
Minimum Setback from buildings, raised patios, and balconies to on-site trees	<p>Large: 3 m radius from centre of tree up to the second storey of the building Medium: 2 m radius from centre of tree up to the second storey of the building Small: 1 m radius from centre of tree up to the second storey of the building</p> <p>Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare).</p>		

Table 7.2 – Tree & Landscaping Planting Requirements				
cm =centimetres / m = metres / m ² = square metres				
Criteria	Any MF ₁ , RU ₁ , RU ₂ , or RU ₃ zone for which the lot contains 3 or more dwelling units.	MF ₂ zone, MF ₃ zones, Core Area Zone, Village Centre Zone, Health District Zones, and Institutional Zones	Urban Centre Zones, Commercial Zones, Industrial Zones, & Comprehensive Development Zones	
Minimum Deciduous Tree Planting Stock Caliper ⁻¹	Large: 5 cm Medium: 4 cm Small: 3 cm			
Minimum Coniferous Tree Planting Stock Height	250 cm			
Minimum Ratio between Tree size ⁻³	Large: Min 50% Medium: No min or max Small: Max 25%			
Minimum Growing Medium Volumes per Tree ^{-4, -8}		Single Tree	Pair	Shared
	Large Tree	30 m ³	20 m ³	15 m ³
	Medium Tree	20 m ³	15 m ³	12 m ³
	Small Tree	15 m ³	12 m ³	10 m ³
FOOTNOTES (Section 7.2): ⁻¹ All deciduous trees shall have a minimum clear stem height of 1.5 m. ⁻² The linear metre calculation is used to determine a minimum number of trees that is to be planted within the landscape area (not the minimum spacing). At least one tree per landscape area is required. ⁻³ Tree size will be defined in the City of Kelowna's Urban Tree Guide , if only one tree is required, it must be a large tree or conifer. All columnar trees shall be considered a medium or small tree for determination of the tree size ratio. However, these trees require the equivalent Large Tree Growing Medium Volume. All trees onsite including the trees within the landscape area and the trees within parking lot landscape islands must meet this ratio. ⁻⁴ Minimum growing medium may be shared through the landscape area (tree, turf, and shrub). Electrical transformers and driveways within the landscape areas can be excluded from the minimum percentage of growing medium area. ⁻⁵ The minimum number of trees within landscape areas and within parking islands are separate calculations and cannot be double counted to meet minimum numbers. However, trees in adjacent parking landscape islands may share growing medium with the Landscape Area to meet trenched/shared growing medium minimum amounts. ⁻⁶ The minimum number of trees in the front yard or flanking yard landscape area can be planted outside the front yard or flanking yard landscape areas if the abutting boulevard contains an irrigated boulevard with planted street trees. If the minimum number of trees is planted outside the front yard or flanking yard landscape area then there is no minimum growing medium area required in the front yard or flanking yard landscape area . ⁻⁷ The minimum landscaping and number of trees required are only required when a lot contains three				

Table 7.2 – Tree & Landscaping Planting Requirements cm =centimetres / m = metres / m ² = square metres			
Criteria	Any MF ₁ , RU ₁ , RU ₂ , or RU ₃ zone for which the lot contains 3 or more dwelling units.	MF ₂ zone, MF ₃ zones, Core Area Zone, Village Centre Zone, Health District Zones, and Institutional Zones	Urban Centre Zones, Commercial Zones, Industrial Zones, & Comprehensive Development Zones
<p>or more dwelling units.</p> <p>^{.8} For growing medium volume calculation, any continuous growing medium the roots can reach on the subject property to a depth of 1 metre can be applied. The boulevard can be used for growing medium volume if the growing medium volume does not interfere with the necessary growing medium volume for street trees. If this growing medium area is covered by sidewalk or other impervious surface, soil cells will be required to achieve the minimum growing medium requirement. If the overall soil volumes cannot be met but soil cells are installed, then there is no minimum growing medium volume requirement.</p> <p>^{.9} There is no minimum growing medium area required in front yard or flanking yard landscape area if soil cells are installed to accommodate the minimum on-site trees within the front yard or flanking yard landscape area.</p> <p>^{.10} The minimum number of trees in the front yard or flanking yard landscape area can be planted outside the front yard or flanking yard landscape areas if the abutting boulevard contains overhead electrical power lines that would interfere with the growth of the trees.</p> <p>^{.11} There is no minimum number of trees onsite and no minimum growing medium area within the front yard or flanking yard landscape area if adequately sized large trees are planted within the boulevard utilizing soil cells and the boulevard contains a sidewalk or a sidewalk is installed.</p>			

Chart C

Original – Section 7.3 - Refuse and Recycling Bins

7.3 Refuse and Recycling Bins

- 7.3.1 All refuse and recycling bins (including all other large receptacles used for the temporary storage of materials) that are placed wholly above **natural grade** (in zones other than agricultural zones) shall:
- (a) require opaque screening from **adjacent lots** and **streets**.
 - (b) all screening shall be a minimum of 1.3 metres in height to a maximum height that is equivalent to the height of the refuse or recycling bin.
 - (c) all sides open to public view shall be screened by the additional planting of shrub and groundcover material at least 1.5 metres in height.
 - (d) all refuse or recycling bins shall be setback a minimum of 3.0 metres from any **lot line abutting a rural residential, single & two dwelling, or multi-dwelling** zone.
 - (e) an unobstructed access **lane** with a minimum width of 3.0 metres and a minimum vertical **clearance** of 4.6 m shall be provided to provide access to a required garbage and recycling room or enclosure
- 7.3.2 All refuse and recycling bins that are placed in-ground must be set back 0.5 metres from a **front lot line** or **side lot line**.

Chart D

Proposed – Section 7.3 - Refuse and Recycling Bins

7.3 Refuse and Recycling Bins

Private Collection

- 7.3.1 All refuse and recycling bins (including all other large receptacles used for the temporary storage of materials) that are placed wholly above **natural grade** (in zones other than agricultural zones) shall:
- require opaque screening from **adjacent lots** and **streets**.
 - all screening shall be a minimum of 1.3 metres in height to a maximum height that is equivalent to the height of the refuse or recycling bin.
 - all sides open to public view shall be screened by the additional planting of shrub and groundcover material at least 1.5 metres in height.
 - all refuse or recycling bins shall be setback a minimum of 3.0 metres from any **lot line abutting a rural residential, single & two dwelling, or multi-dwelling** zone.
 - an unobstructed access **lane** with a minimum width of 3.0 metres and a minimum vertical **clearance** of 4.6 m shall be provided to provide access to a required garbage and recycling room or enclosure
- 7.3.2 All refuse and recycling bins that are placed in-ground must be set back 0.5 metres from a **front lot line** or **side lot line**.

Public Collection

- 7.3.3 All garbage and recycling containers must be stored within a building, enclosure, or a garage. The space allocated per bin must meet the dimensions shown in Table 7.3.3 Minimum Refuse and Recycling Bin Space.

Table 7.3.3 Minimum Refuse and Recycling Bins Space				
Container Size:	Min. Cart Length (m)	Min. Cart Width (m)	Min. Cart Height (m)	Min. Cart Aisle Width ^{.1}
120 litre Cart	0.6 m	0.5 m	1.8 m	0.6 m
240 litre Cart	0.7 m	0.6 m	1.9 m	0.7 m
360 litre Cart	0.9 m	0.7 m	2.0 m	0.8 m

FOOTNOTES (Table 7.3.3):

^{.1} The bins cannot overlap with any other allocated space such as a parking space. The minimum bin aisle space is necessary to roll the bins to the outside and cannot overlap with any other space such as a parking space.

Chart E

Original – Table 8.2.7.b Ratio of Parking Space Sizes

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):

- ^{.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 or when a surface parking space abuts a lane perpendicularly.

Chart F

Proposed - Table 8.2.7.b Ratio of Parking Space Sizes

Table 8.2.7.b Ratio of Parking Space Sizes		
Uses:	Min. Regular Size Vehicle parking spaces	Max. Small Size Vehicle parking spaces
Principal Dwelling units in the A1, A2, RR1, RR2, RU1, RU2, RU3, and RU5 zones.	100% ^{.3}	0%
Carriage house or secondary suite	0%	100% ^{.3, .4}
Dwelling units in the MF1 zone with access to a lane	0% ^{.5}	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):

- ^{.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 or when a surface parking space abuts a lane perpendicularly.
- ^{.5} For any MF1 development with two dwelling units or less, the minimum regular size vehicle parking spaces for the principal dwelling units is 100%.

Chart G

Original – Section 8.2.17 Accessible Parking Standards

Accessible Parking Standards

8.2.17 The minimum accessible parking shall be provided as a function of the total number of parking space provided onsite as described in Table 8.2.17 and illustrated in [Figure 8.2.17](#):

Table 8.2.17 Amount of Accessible Parking Spaces		
Total Number of Parking Spaces Onsite.	Min. Number of Required Accessible Parking Spaces	Min. Number of Required Van-Accessible Parking Spaces
1 – 4 spaces	0 spaces	0 spaces
5 – 36 spaces	1 space	0 spaces
37 – 68 spaces	2 spaces	1 space
69 – 100 spaces	3 spaces	1 space
101-150 spaces	4 spaces	1 space
151-200 spaces	5 spaces	1 space
201-300 spaces	6 spaces	2 spaces
301-400 spaces	7 spaces	2 spaces
401-500 spaces	8 spaces	2 spaces
Over 500 spaces	2% of the total spaces	2 spaces

Note: The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.

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

Chart H

Proposed – Section 8.2.17 Accessible Parking Standards

Accessible Parking Standards

8.2.17 The minimum accessible parking shall be provided as a function of the total number of parking space provided onsite as described in Table 8.2.17 and illustrated in [Figure 8.2.17](#). However, if a development is within a Transit Oriented Area as identified in Map 8.3.a , Map 8.3.b , Map 8.3.c , or Map 8.3.d and utilizes the parking exemption to provide less parking than would otherwise be required by Table 8.3 Required Off-Street Parking Requirements then development must provide at least the minimum required amount of Accessible Parking spaces onsite as identified in Table 8.2.17a Required Amount of Accessible Parking Spaces in Transit Oriented Areas.

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

Table 8.2.17 Amount of Accessible Parking Spaces		
Total Number of Parking Spaces Onsite.	Min. Number of Required Accessible Parking Spaces	Min. Number of Required Van-Accessible Parking Spaces
1 – 4 spaces	0 spaces	0 spaces
5 – 36 spaces	1 space	0 spaces
37 – 68 spaces	2 spaces	1 space
69 – 100 spaces	3 spaces	1 space
101-150 spaces	4 spaces	1 space
151-200 spaces	5 spaces	1 space
201-300 spaces	6 spaces	2 spaces
301-400 spaces	7 spaces	2 spaces
401-500 spaces	8 spaces	2 spaces
Over 500 spaces	2% of the total spaces	2 spaces

Note: The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.

Table 8.2.17a Required Amount of Accessible Parking Spaces in Transit Oriented Areas		
Total Number of Dwelling Units	Min. Number of Required Accessible Parking Spaces	Min. Number of Required Van-Accessible Parking Spaces
1 – 9 units	0 spaces	0 spaces

Table 8.2.17a Required Amount of Accessible Parking Spaces in Transit Oriented Areas		
Total Number of Dwelling Units	<u>Min.</u> Number of Required Accessible <u>Parking Spaces</u>	<u>Min.</u> Number of Required Van-Accessible <u>Parking Spaces</u>
10 – 50 units	1 <u>space</u>	0 <u>spaces</u>
51-100 units	2 <u>spaces</u>	1 <u>space</u>
101 – 200 units	3 <u>spaces</u>	1 <u>space</u>
201-300 units	4 <u>spaces</u>	1 <u>space</u>
301-400 units	5 <u>spaces</u>	1 <u>space</u>
Over 400 units	6 <u>spaces</u>	2 <u>spaces</u>

Note: The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.

Chart I

Original – 8.2.18 Electric Vehicle Charging and Table 8.2.18 Minimum Electric Vehicle Parking and Charging Requirements.

Electric Vehicle Charging

8.2.18 The minimum electric vehicle parking and charging requirements are described in Table 8.2.18.

Table 8.2.18 – Minimum Electric Vehicle Parking and Charging Requirements					
Land Use / Type of Development	Minimum amount of electric vehicle energized outlets per parking space capable of providing level 2 charging ^{.8}				Effective Date
	Urban Centre Zones	MF1 Zone, Village Centre Zones, and Zones fronting a Transit Supportive Corridor	All other zones within the Core Area	All other zones outside the Core Area ^{.6}	
Apartment Housing, ^{.1, .2, .3, & .4} Stacked Townhouses, ^{.1, .2, .3, & .4} & Townhouses ^{.1, .2, .3, & .4}	Min 0.8 energized spaces ^{.6} per bachelor dwelling unit	Min 0.9 energized spaces ^{.6} per bachelor dwelling unit	Min 1.0 energized space ^{.6} per dwelling unit	Min 1.0 energized space ^{.6} per dwelling unit	April 1, 2024 ^{.7}
	Min 0.9 energized spaces ^{.6} per 1 bedroom dwelling unit	Min 1.0 energized space ^{.6} per 1 or more bedroom dwelling unit			
	Min 1.0 energized space ^{.6} per 2 or more bedroom dwelling unit				
Congregate Housing ^{.1, .2, .3, & .4} & Supportive Housing ^{.1, .2, .3, & .4}	Min 0.35 energized spaces per sleeping unit	Min 0.35 energized spaces per sleeping unit	Min 0.35 energized spaces per sleeping unit	Min 0.35 energized spaces per sleeping unit	
Duplex Housing, ^{.1 & .5} Semi-Detached Housing, ^{.1 & .5} &	Min 1.0 energized space per dwelling unit	Min 1.0 energized space per dwelling unit	Min 1.0 energized space per dwelling unit	Min 1.0 energized space per dwelling unit	

<p>Single Detached Housing .1 & .5</p>					
<p>FOOTNOTES (Section 8.2.18)</p> <p>.1 The minimum energized electric vehicle energized outlets do not apply to the visitor parking.</p> <p>.2 Energized Outlets must be labelled for their intended use for electric vehicle charging only.</p> <p>.3 Energized Outlets must be assigned to an individual vehicle parking space and must be located no further than 1.0 metre from that parking space.</p> <p>.4 No more than one Energized Outlet may be assigned to an individual vehicle parking space.</p> <p>.5 The minimum energized electric vehicle energized outlets do not apply to secondary suites or carriage houses.</p> <p>.6 The minimum amount of electric vehicle energized outlets per parking space capable of providing level 2 charging can be reduced by 75% if the lot is zoned with a “r – rental only” sub-zone that restricts the dwelling units to a rental only tenure and prohibits any building stratification or bareland stratification.</p> <p>.7 This is the date these regulation will come into effect.</p> <p>.8 Where base parking requires a minimum of less than 1.0 space per dwelling unit, all parking spaces require an energized outlet capable of providing level 2 charging shall be provided. For example: each dwelling unit should be assigned an energized parking space prior to a dwelling unit being assigned two or more energized parking spaces.</p>					

Chart J

Proposed – 8.2.18 Electric Vehicle Charging and Table 8.2.18 Minimum Electric Vehicle Parking and Charging Requirements.

Electric Vehicle Charging

8.2.18 Any development with residential **dwelling units** that provides an on-site parking **spaces** for that **dwelling unit** must be an electric vehicle **energized outlet** capable of providing **level 2 charging**. The rate shall be one energized **space** per **dwelling unit** that is provided a parking stall. For example, if a development does not provide a parking space onsite for that dwelling unit then there is no requirement for an electric vehicle **energized outlet** for that **dwelling unit**.

- a) The minimum energized electric vehicle energized outlets do not apply to the visitor parking.
- b) **Energized Outlets** must be labelled for their intended use for electric vehicle charging only.
- c) **Energized Outlets** must be assigned to an individual vehicle parking space and must be located no further than 1.0 metre from that parking space.
- d) No more than one **Energized Outlet** may be assigned to an individual vehicle parking space.
- e) The minimum energized electric vehicle energized outlets do not apply to secondary suites or carriage houses.
- f) The minimum amount of electric vehicle **energized outlets** per parking space capable of providing **level 2 charging** can be reduced by 75% if the lot is zoned with a “r – rental only” sub-zone that restricts the **dwelling units** to a rental only tenure and prohibits any building stratification or bareland stratification.
- g) The Effective date these regulation will come into effect is April 1st 2024.

Table 8.2.18 [Deleted]

Chart K

Original – Table 8.3 – Required Residential Off-Street Parking Requirements

Table 8.3 – Required Residential Off-Street Parking Requirements ^{.6}					
Land Use / Type of Development	Urban Centre Zones ^{.5}	MF1 Zone ^{.4} , Village Centre Zones, and Zones fronting a Transit Supportive Corridor	All other zones within the Core Area	All other zones outside the Core Area ^{.3}	Minimum Visitor Parking Requirement ^{.1, .2}
Apartment Housing, Townhouses, Stacked Townhouses, & Residential Security Operator Unit	Min 0.8 spaces & Max 1.25 spaces per bachelor dwelling unit	Min 0.9 spaces ^{.4} & Max 1.25 spaces per bachelor dwelling unit	Min 1.0 space & Max 1.25 spaces per bachelor dwelling unit	Min 1.0 space & Max 1.25 spaces per bachelor dwelling unit	Min 0.14 spaces ^{.1} & Max 0.2 spaces per dwelling unit
	Min 0.9 spaces & Max 1.25 spaces per 1 bedroom dwelling unit	Min 1.0 space ^{.4} & Max 1.25 spaces per 1 bedroom dwelling unit	Min 1.2 spaces & Max 1.6 spaces per 1 bedroom dwelling unit	Min 1.25 spaces & Max 1.6 spaces per 1 bedroom dwelling unit	
	Min 1.0 space & Max 1.5 spaces per 2 or more bedroom dwelling unit	Min 1.1 spaces ^{.4} & Max 1.6 spaces per 2 bedroom dwelling unit	Min 1.4 spaces & Max 2.0 spaces per 2 bedroom dwelling unit	Min 1.5 spaces & Max 2.0 spaces per 2 bedroom dwelling unit	
		Min 1.4 spaces ^{.4} & Max 2.0 spaces per 3 bedroom dwelling unit	Min 1.6 spaces & Max 2.5 spaces per 3 bedroom or more dwelling unit	Min 2.0 spaces & Max 2.5 spaces per 3 bedroom or more dwelling unit	
Congregate Housing & Supportive Housing	Min 0.35 spaces per sleeping unit; Plus a Min 0.5 spaces per non-resident on-duty employee or a Min of 3.0 spaces (whichever is greater). Max 2.0 spaces per sleeping unit				Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Single Detached Housing, Semi-Detached Housing, &	Min 1.0 space per dwelling unit & Max n/a	Min 1.0 space per dwelling unit & Max n/a	Min 2.0 spaces per dwelling unit & Max n/a	Min 2.0 spaces per dwelling unit & Max n/a	Min 0.0 ^{.7} spaces & Max n/a

Table 8.3 – Required Residential Off-Street Parking Requirements^{.6}

Land Use / Type of Development	Urban Centre Zones ^{.5}	MF1 Zone ^{.4} , Village Centre Zones, and Zones fronting a Transit Supportive Corridor	All other zones within the Core Area	All other zones outside the Core Area ^{.3}	Minimum Visitor Parking Requirement ^{.1, .2}
Duplex Housing					

FOOTNOTES (Table 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 8.3.1 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.
- ^{.6} This table provides the minimum and maximum base parking requirements for various residential land uses.
- ^{.7} Within a residential strata with five or more dwelling units the visitor parking requirement is 0.14 spaces per dwelling unit.

Chart L

Proposed – Table 8.3 – Required Residential Off-Street Parking Requirements

Table 8.3 – Required Residential Off-Street Parking Requirements					
Location of Residential Development	Required Parking by Unit Type				Visitor Parking Required ^{.1, .2}
	Studio Units	1 – bedroom Units	2 – bedroom Units	3 – bedroom or more Units	
Dwelling Units within an Urban Centre Zone ^{.5, .8}	Min 0.8 spaces & Max 1.25 spaces per studio	Min 0.9 spaces & Max 1.25 spaces per 1 bedroom	Min 1.0 space & Max 1.5 spaces per 2 bedroom	Min 1.0 space & Max 1.5 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units within a Village Centre Zone	Min 0.9 spaces & Max 1.25 spaces per studio	Min 1.0 space & Max 1.25 spaces per 1 bedroom	Min 1.1 spaces & Max 1.6 spaces per 2 bedroom	Min 1.4 spaces & Max 2.0 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units within the MF1 Zone ^{.8}	Min 1.0 space & Max 1.5 spaces per studio ^{.10}	Min 1.0 space & Max 1.5 spaces per 1 bedroom ^{.10}	Min 1.0 space & Max 1.5 spaces per 2 bedroom ^{.10}	Min 1.0 space & Max 2.0 spaces per 3 bedroom ^{.10}	n/a
Dwelling Units for lots fronting a Transit Supportive Corridor ^{.8, .9}	Min 0.9 spaces & Max 1.25 spaces per studio	Min 1.0 space & Max 1.25 spaces per 1 bedroom	Min 1.1 spaces & Max 1.6 spaces per 2 bedroom	Min 1.4 spaces & Max 2.0 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units for lots within the Core Area ^{.8, .9}	Min 1.0 space & Max 1.25 spaces per studio	Min 1.2 spaces & Max 1.6 spaces per 1 bedroom	Min 1.4 spaces & Max 2.0 spaces per 2 bedroom	Min 1.6 spaces & Max 2.2 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units for lots outside the Core Area with 4 or less dwelling units	Min 1.25 space & Max 1.5 spaces per studio ^{.10}	Min 1.25 space & Max 1.5 spaces per 1 bedroom ^{.10}	Min 1.25 space & Max 1.5 spaces per 2 bedroom ^{.10}	Min 1.25 space & Max 2.0 spaces per 3 bedroom ^{.10}	n/a
Dwelling Units for lots outside the Core Area with 5 or more dwelling units	Min 1.0 space & Max 1.25 spaces per studio ^{.10}	Min 1.25 spaces & Max 1.6 spaces per 1 bedroom ^{.10}	Min 1.5 spaces & Max 2.0 spaces per 2 bedroom ^{.10}	Min 2.0 spaces & Max 2.6 spaces per 3 bedroom ^{.10}	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units within A1, A2, RR1, & RR2 Zones	Min 2.0 spaces per dwelling unit ^{.12} & Max is n/a				Min 0.0 ^{.13} spaces & Max n/a
Dwelling Units within the	Min 1.0 space per dwelling unit, except 0.15 spaces per student only residences				Min 0.14 spaces ^{.11} &

Table 8.3 – Required Residential Off-Street Parking Requirements

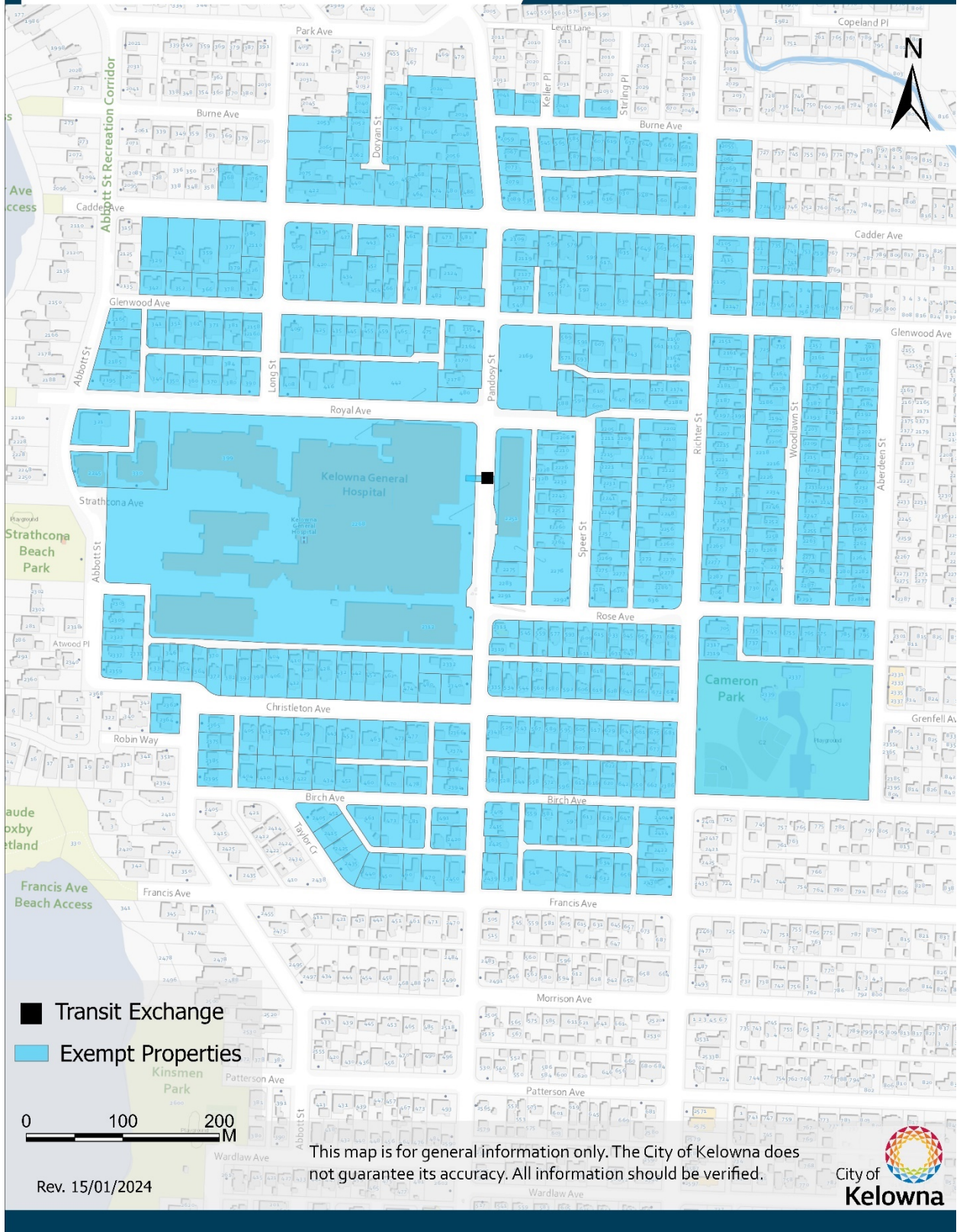
Location of	Required Parking by Unit Type				Visitor Parking
CD20 Zone	& Max 1.5 spaces per dwelling unit				Max 0.2 spaces per dwelling unit
Dwelling Units within the CD22 zone	Min 0.75 spaces & Max 1.0 space per studio	Min 0.9 spaces & Max 1.25 spaces per 1 bedroom	Min 1.0 space & Max 1.6 spaces per 2 bedroom	Min 1.1 spaces & Max 2.0 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units within the CD26 zone	Min 1.0 space & Max 1.5 space per studio	Min 1.0 space & Max 1.5 spaces per 1 bedroom	Min 1.0 space & Max 1.5 spaces per 2 bedroom	Min 1.0 space & Max 1.5 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Congregate Housing, Group Homes, & Supportive Housing ^{.8}	Min 0.35 spaces per sleeping unit; Plus a Min 0.5 spaces per non-resident on-duty employee or a Min of 3.0 spaces (whichever is greater) & Max 2.0 spaces per sleeping unit				Min 0.14 spaces & Max 0.2 spaces per dwelling unit

FOOTNOTES (Table 8.3):

- ^{.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 seven (7) dwelling units. For example, a lot with six (6) dwelling units does not require a visitor parking space.
- ^{.3} [Deleted]
- ^{.4} [Deleted]
- ^{.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.
- ^{.6} [Deleted]
- ^{.7} [Deleted]
- ^{.8} Lots in a Transit Oriented Area (identified in Map 8.3.a, Map 8.3.b, Map 8.3.c, and Map 8.3.d) have no minimum residential parking requirement. However, there is a minimum number of accessible parking spaces required in all new developments (See Section 8.2.17 Accessible Parking Standards).
- ^{.9} This category does not apply to any lots that are zoned MF1, UC1, UC2, UC3, UC4, UC5, or VC1.
- ^{.10} There is no maximum when a lot contains two or fewer dwelling units.
- ^{.11} The minimum visitor parking is 0.05 spaces per student only residences.
- ^{.12} Except secondary suites and carriage houses only require 1.0 space per dwelling unit. The parking spaces for the secondary suites and carriage houses 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.
- ^{.13} Within a residential strata with five or more dwelling units the visitor parking requirement is 0.14 spaces per dwelling unit.

Residential Parking Exemptions

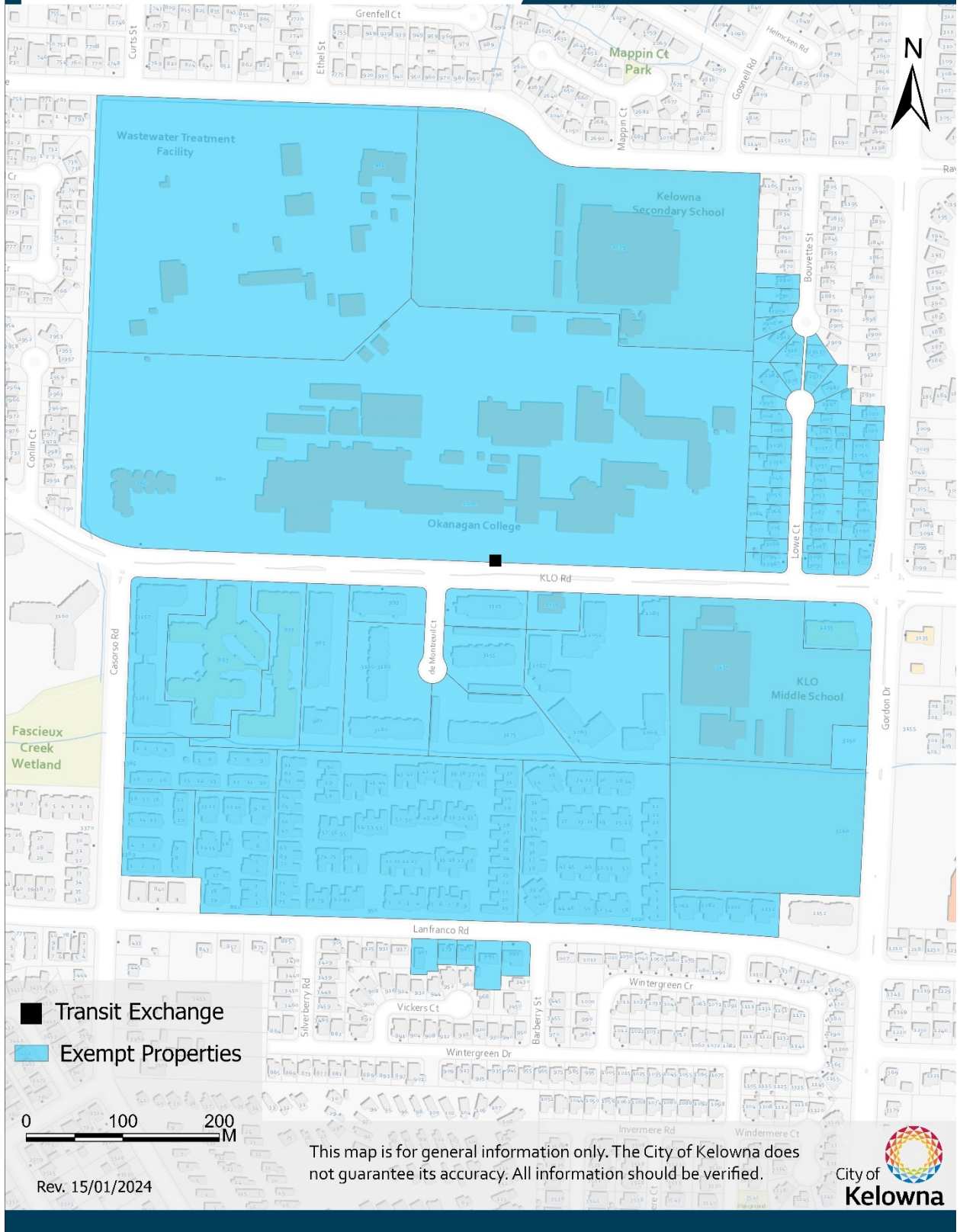
Map 8.3.a Hospital Exchange



Rev. 15/01/2024

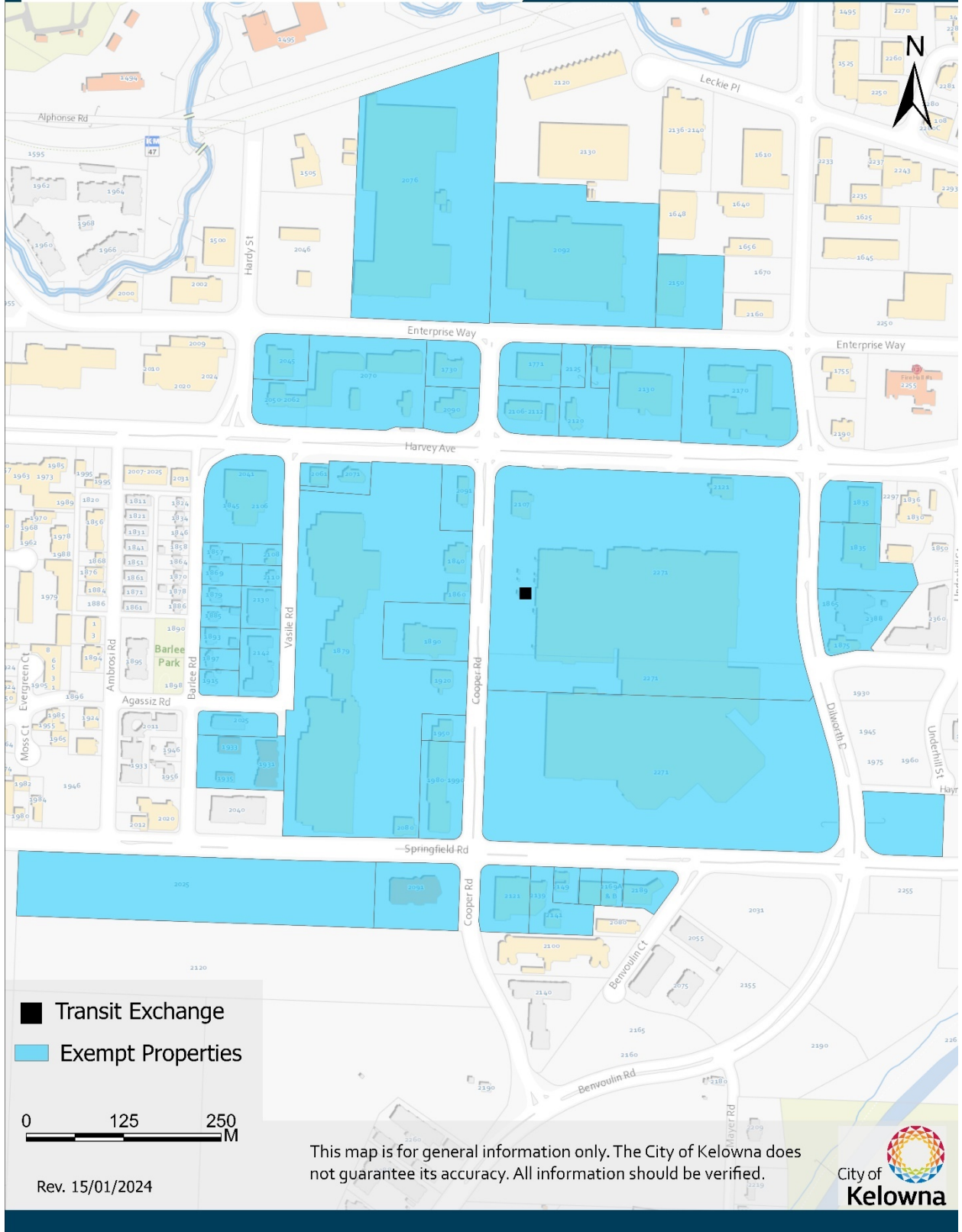
Residential Parking Exemptions

Map 8.3.b Okanagan College Exchange



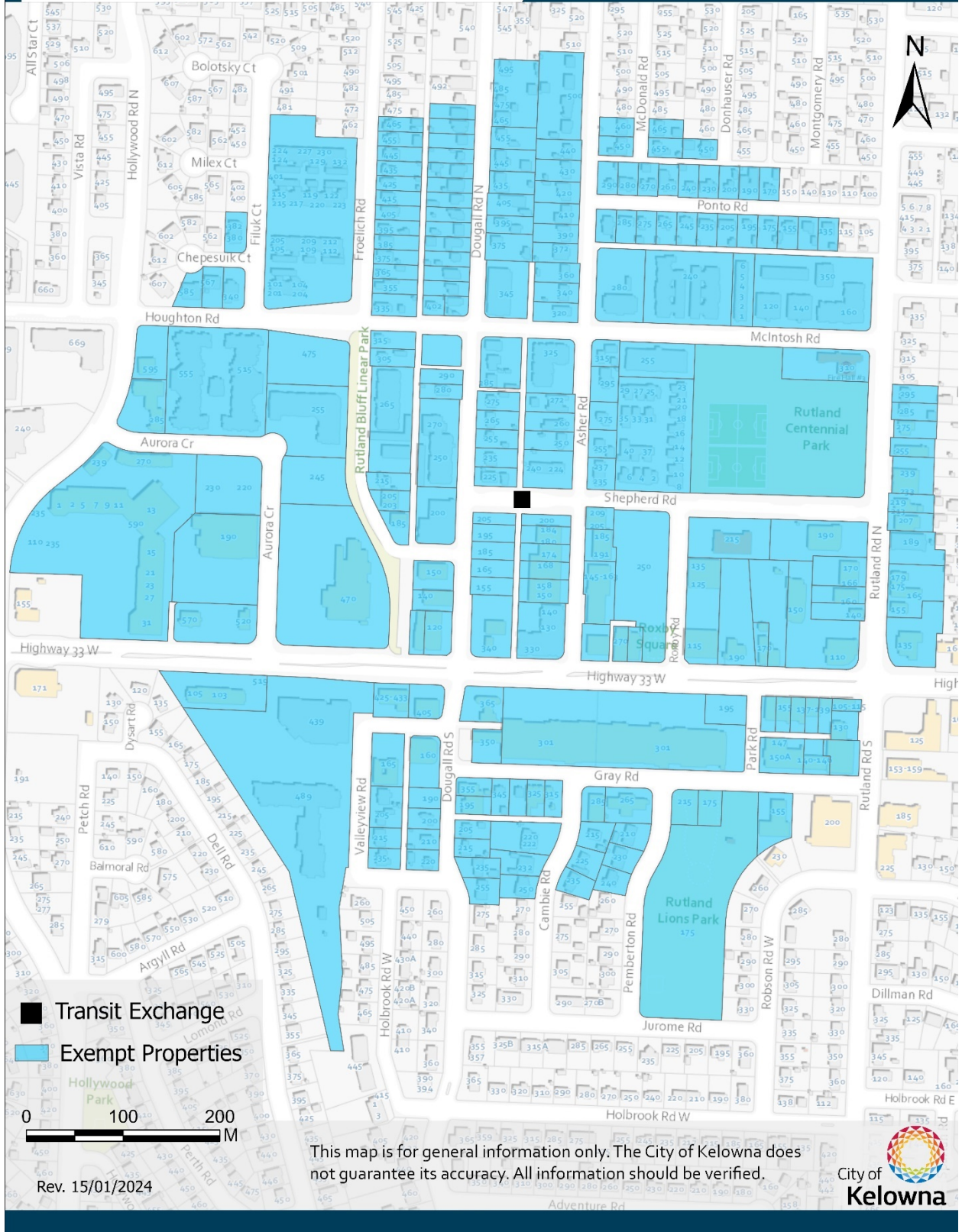
Residential Parking Exemptions

Map 8.3.c Orchard Park Exchange



Residential Parking Exemptions

Map 8.3.d Rutland Exchange



Transit Exchange
 Exempt Properties

0 100 200 M

Rev. 15/01/2024

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



Chart M

Original – Table 8.3.1 – Other Residential Parking

Table 8.3.1 Other Residential Parking			
GFA = gross floor area m ² = square metres			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ⁻¹
	Minimum	Maximum	
Bed and Breakfast Homes	1.0 space per sleeping unit	1.5 spaces per sleeping unit	n/a
Boarding or Lodging Houses	1.0 space; plus 0.9 spaces per sleeping unit	1.5 space; plus 2.0 spaces per sleeping unit	n/a
Carriage House	1.0 space ⁻²	2.0 spaces	n/a
Child Care Centre, Major	1.0 Space per 11 children of capacity	n/a	n/a
Child Care Centre, Minor	1.0 space	n/a	n/a
Group Home	1.0 space; plus 0.35 spaces per sleeping unit	2.0 spaces; plus 1.0 space per sleeping unit	n/a
Home-Based Business, Major	1.0 space	2.0 spaces	n/a
Home-Based Business, Major for Health Services on lots located on Royal Avenue or Christleton Avenue	2.5 spaces per 100 m ² GFA	5.0 spaces per 100 m ² GFA	n/a
Home-Based Business, Minor	n/a	n/a	n/a
Home-Based Business, Rural	1.0 space	n/a	n/a
Mobile Homes	2.0 spaces per dwelling unit	2.5 spaces per dwelling unit	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Residential units within the CD20 Zone	1.0 space per dwelling unit, except 0.15 spaces per student only residences	1.5 spaces per dwelling unit	Min 0.14 spaces per dwelling unit, except 0.05 spaces per student only residences & Max 0.2 spaces per dwelling unit

Table 8.3.1 Other Residential Parking GFA = gross floor area m ² = square metres			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ⁻¹
	Minimum	Maximum	
Residential units within the CD22 zone	1.1 spaces per dwelling unit greater than 2 bedrooms 1.0 space per 2 bedroom dwelling unit 0.9 spaces per 1 bedroom dwelling unit 0.75 spaces per bachelor dwelling unit	2.0 spaces per dwelling unit greater than 2 bedrooms 1.6 space per 2 bedroom dwelling unit 1.25 spaces per 1 bedroom dwelling unit 1.0 spaces per bachelor dwelling unit	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Residential units within the CD26 zone	1.0 space per dwelling unit	1.5 spaces per dwelling unit	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Secondary Suites	1.0 space ⁻²	2.0 spaces	n/a
Residential Security / Operator Unit	1.0 space per dwelling unit	2.0 spaces per dwelling unit	n/a
Short – Term Rental Accommodation: <ul style="list-style-type: none"> Multi-Dwelling Zones and Core Area and Other Zones 	No additional parking required (i.e., equivalent to the parking requirements for the principal dwelling unit within that zone).	n/a	n/a
Short – Term Rental Accommodation: <ul style="list-style-type: none"> Agriculture & Rural Zones and Single & Two Dwelling Zones 	1.0 space per two sleeping units	n/a	n/a

FOOTNOTES (Table 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 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 Deleted

Chart N

Proposed – Table 8.3.1 – Other Residential Parking

Table 8.3.1 Other Residential Parking			
GFA = gross floor area m ² = square metres			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ¹
	Minimum	Maximum	
Bed and Breakfast Homes	1.0 space per sleeping unit	1.5 spaces per sleeping unit	n/a
Boarding or Lodging Houses	1.0 space; plus 0.9 spaces per sleeping unit	1.5 space; plus 2.0 spaces per sleeping unit	n/a
[Deleted]	[Deleted]	[Deleted]	[Deleted]
Child Care Centre, Major	1.0 Space per 11 children of capacity	n/a	n/a
Child Care Centre, Minor	1.0 space	n/a	n/a
[Deleted]	[Deleted]	[Deleted]	[Deleted]
Home-Based Business, Major	1.0 space	2.0 spaces	n/a
Home-Based Business, Major for Health Services on lots located on Royal Avenue or Christleton Avenue	2.5 spaces per 100 m ² GFA	5.0 spaces per 100 m ² GFA	n/a
Home-Based Business, Minor	n/a	n/a	n/a
Home-Based Business, Rural	1.0 space	n/a	n/a
[Deleted]	[Deleted]	[Deleted]	[Deleted]
[Deleted]	[Deleted]	[Deleted]	[Deleted]
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[Deleted]	[Deleted]	[Deleted]	[Deleted]
[Deleted]	[Deleted]	[Deleted]	[Deleted]

Table 8.3.1 Other Residential Parking GFA = gross floor area m ² = square metres			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ^{.1}
	Minimum	Maximum	
FOOTNOTES (Table 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} [Deleted] ^{.3} [Deleted]			

Chart O

Original – Section 10 Agriculture & Rural Residential Zones - Section 10.2 Sub-Zones

Section 10.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
A1 - Agriculture	n/a	n/a
A2 – Agriculture / Rural Residential	A2c – Agriculture / Rural Residential with Carriage House	The purpose is to provide a sub-zone for A2 lots to allow carriage houses on a case-by-case basis were supported by OCP policy.
RR1 – Large Lot Rural Residential	RR1c – Large Lot Rural Residential with Carriage House	The purpose is to provide a sub-zone for RR1 lots to allow carriage houses on a case-by-case basis were supported by OCP policy.
	RR1cc – Large Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR1 lots to allow child care centre, major on a case-by-case basis were supported by OCP policy.
RR2 – Small Lot Rural Residential	RR2c – Small Lot Rural Residential with Carriage House	The purpose is to provide a sub-zone for RR2 lots to allow carriage houses on a case-by-case basis were supported by OCP policy.
	RR2cc – Small Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR2 lots to allow child care centre, major on a case-by-case basis were supported by OCP policy.

Chart P

Proposed – Section 10 Agriculture & Rural Residential Zones - Section 10.2 Sub-Zones

Section 10.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
A1 - Agriculture	n/a	n/a
A2 – Agriculture / Rural Residential	n/a	n/a
RR1 – Large Lot Rural Residential	RR1cc – Large Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR1 lots to allow child care centre , major on a case-by-case basis were supported by OCP policy.
RR2 – Small Lot Rural Residential	RR2cc – Small Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR2 lots to allow child care centre , major on a case-by-case basis were supported by OCP policy.

Chart Q

Original – Section 10 Agriculture & Rural Residential Zones - Section 10.3 Permitted Land Uses

Section 10.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	A1	A2	RR1	RR2
Accessory Buildings or Structures	S	S	S	S
Agriculture	P	P	-	-
Agriculture, Urban	P	P	P	P
Agriculture, Intensive ^{.10}	P	-	-	-
Agri-Tourism ^{.10}	S	S	-	-
Alcohol Production Facility ^{.10}	S	-	-	-
Animal Clinics, Major	P	S ^{.5}	S ^{.5}	-
Animal Clinics, Minor	P	S	S	-
Aquaculture	P	P	-	-
Bed and Breakfast Homes	S ^{.2, .12}	S ^{.2, .12}	S ^{.2, .12}	S ^{.2, .12}
Cannabis Cultivation ^{.10}	P	-	-	-
Carriage House	S ^{.11}	S ^{.2, .8}	S ^{.2, .8}	S ^{.2, .8}
Child Care Centre, Major	-	-	P ^{.1}	P ^{.1}
Child Care Centre, Minor	S	S	S	S
Farm Retail Sales Stands ^{.10}	S	-	-	-
Forestry	P	-	-	-
Greenhouses and Plant Nurseries	P ^{.4}	P ^{.4}	P ^{.4}	-
Group Home	-	P	P	P
Home-Based Business, Major	S	S	S	S
Home-Based Business, Minor	S	S	S	S
Home-Based Business, Rural	S ^{.9}	S ^{.9}	S ^{.9}	-

Section 10.3 - Permitted Land Uses				
Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)			
	A1	A2	RR1	RR2
Kennels	P ^{.5}	P ^{.5}	P ^{.5}	-
Mobile Home	P ^{.6}	-	-	-
On-Farm Processing of Cannabis ^{.10}	S	-	-	-
On-Farm Processing ^{.10}	S	-	-	-
Secondary Suite	S ^{.2, .3}	S ^{.2, .3}	S ^{.2, .3}	S ^{.2, .3}
Short-Term Rental Accommodations	S ^{.12}	S ^{.12}	S ^{.12}	S ^{.12}
Single Detached Housing	P ^{.6}	P	P	P
Stables	P	P ^{.5}	-	-
Temporary Farm Worker Housing (TFWH) ^{.10}	S ^{.7}	S ^{.7}	-	-

FOOTNOTES (Section 10.3):

- ^{.1} The lot must have a child care sub-zone ‘cc’ on the property for a child care centre, major to be permitted.
- ^{.2} Only one of these secondary uses shall be permitted at any one time: bed & breakfast, secondary suite, or carriage house.
- ^{.3} Secondary suites must be on a lot serviced with community water.
- ^{.4} Greenhouses and plant nurseries may include the accessory sale of landscaping and gardening non-farm products provided that this accessory use is limited to 150 m² on the lot.
- ^{.5} Minimum lot area for animal clinics, major, kennels, and stables (stables only in the A2 zone) is 20,000 m².
- ^{.6} Maximum one single detached housing or mobile home per lot, unless another residence is permitted within the Agriculture Land Reserve as described in the Agricultural Land Commission Act (and related regulation and policy).
- ^{.7} Existing structure with a building permit that was approved at least two (2) years prior to TFWH application, can be converted into TFWH, on the parcel within the farm unit. New TFWH must be in temporary structures on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.
- ^{.8} The lot must have a carriage house sub-zone ‘c’ on the property for a carriage house to be permitted. Carriage houses must be on a lot serviced with community sanitary sewer and community water, except, carriage houses are permitted on lots without community sanitary sewer services if the lot area is at least 10,000 m².
- ^{.9} All home-based business, rural must have a minimum lot area as described in Section 9.2 Home-

Section 10.3 - Permitted Land Uses				
Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)			
	A1	A2	RR1	RR2
<p>based businesses.</p> <p>^{.10} Other legislation like the Agriculture Land Commission Act applies and may limit land uses.</p> <p>^{.11} Lots with carriage houses in the A1 zone must have a minimum lot area of 10,000 m². Mobile homes may be used as carriage houses in the A1 zone.</p> <p>^{.12} Short-term rental accommodation is not permitted in combination with a bed and breakfast home.</p>				

Chart R

Proposed – Section 10 Agriculture & Rural Residential Zones - Section 10.3 Permitted Land Uses

Section 10.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	A1	A2	RR1	RR2
Accessory Buildings or Structures	S	S	S	S
Agriculture	P	P	-	-
Agriculture, Urban	P	P	P	P
Agriculture, Intensive ^{.10}	P	-	-	-
Agri-Tourism ^{.10}	S	S	-	-
Alcohol Production Facility ^{.10}	S	-	-	-
Animal Clinics, Major	P	S ^{.5}	S ^{.5}	-
Animal Clinics, Minor	P	S	S	-
Aquaculture	P	P	-	-
Bed and Breakfast Homes	S ^{.12}	S ^{.12}	S ^{.12}	S ^{.12}
Cannabis Cultivation ^{.10}	P	-	-	-
Carriage House	S ^{.8}	S ^{.8}	S ^{.8}	S ^{.8}
Child Care Centre, Major	-	-	P ^{.1}	P ^{.1}
Child Care Centre, Minor	S	S	S	S
Farm Retail Sales Stands ^{.10}	S	-	-	-
Forestry	P	-	-	-
Greenhouses and Plant Nurseries	P ^{.4}	P ^{.4}	P ^{.4}	-
Group Home	-	P	P	P
Home-Based Business, Major	S	S	S	S
Home-Based Business, Minor	S	S	S	S
Home-Based Business, Rural	S ^{.9}	S ^{.9}	S ^{.9}	-

Section 10.3 - Permitted Land Uses				
Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)			
	A1	A2	RR1	RR2
Kennels	P ^{.5}	P ^{.5}	P ^{.5}	-
Mobile Home	P ^{.6}	-	-	-
On-Farm Processing of Cannabis ^{.10}	S	-	-	-
On-Farm Processing ^{.10}	S	-	-	-
Secondary Suite	S ^{.3}	S ^{.3}	S ^{.3}	S ^{.3}
Single Detached Dwelling	P ^{.6}	P	P	P
Stables	P	P ^{.5}	-	-
Temporary Farm Worker Housing (TFWH) ^{.10}	S ^{.7}	S ^{.7}	-	-

FOOTNOTES (Section 10.3):

- ^{.1} The lot must have a child care sub-zone ‘cc’ on the property for a child care centre, major to be permitted.
- ^{.2} [Deleted].
- ^{.3} Secondary suites must be on a lot serviced with community water.
- ^{.4} Greenhouses and plant nurseries may include the accessory sale of landscaping and gardening non-farm products provided that this accessory use is limited to 150 m² on the lot.
- ^{.5} Minimum lot area for animal clinics, major, kennels, and stables (stables only in the A2 zone) is 20,000 m².
- ^{.6} Maximum one single detached dwelling or mobile home per lot, unless another residence is permitted within the Agriculture Land Reserve as described in the Agricultural Land Commission Act (and related regulation and policy).
- ^{.7} Existing structure with a building permit that was approved at least two (2) years prior to TFWH application, can be converted into TFWH, on the parcel within the farm unit. New TFWH must be in temporary structures on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.
- ^{.8} 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. Mobile homes may be used as carriage houses in the A1 zone.
- ^{.9} All home-based business, rural must have a minimum lot area as described in Section 9.2 Home-based businesses.
- ^{.10} Other legislation like the Agriculture Land Commission Act applies and may limit land uses.
- ^{.11} [Deleted]
- ^{.12} [Deleted]

Chart S

Original – Section 11 Single and Two Dwelling Zones

SECTION 11 - Single and Two Dwelling Zones

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

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

Section 11.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
RU3 – Small Lot Housing	n/a	n/a
RU4 – Duplex Housing	RU4b – Duplex Housing with Boarding or Lodging House	The purpose is to provide a sub-zone for RU4 lots to allow for boarding or lodging house land uses on a case-by-case basis were supported by OCP policy.
	RU4cc – Duplex Housing with Child Care Centre, Major	The purpose is to provide a sub-zone for RU4 lots to allow child care centre, major on a case-by-case basis were supported by OCP policy.
	RU4hc - Duplex Housing with Heritage Commercial	The purpose is to provide a sub-zone for the preservation of land and buildings that have heritage value for low density residential uses to expand into complimentary commercial uses related to health services , and minor retail activities.
RU5 – Multiple Single Detached Housing	n/a	n/a

Section 11.3 - Permitted Land Uses					
Uses	Zones				
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)				
	RU1	RU2	RU3	RU4	RU5
Accessory Buildings or Structures	S	S	S	S	S
Agriculture, Urban	P	P	P	P	P
Bed & Breakfast	S ^{.9, .10}	S ^{.9, .10}	S ^{.9, .10}	S ^{.9, .10}	-
Boarding or Lodging	-	-	-	P (RU4b only)	-
Carriage House	S ^{.7, .9}	S ^{.7, .9}	-	S ^{.2, .9}	-
Child Care Centre, Major	P ^{.3}	P ^{.3}	-	P ^{.3}	P ^{.3}
Child Care Centre, Minor	S	S	S	S	S
Duplex Housing	-	-	-	P ^{.2}	-

Section 11.3 - Permitted Land Uses					
Uses	Zones				
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)				
	RU1	RU2	RU3	RU4	RU5
Group Home	P	P	P	P	P
Health Services	-	-	-	P (RU4hc only) ^{.4}	-
Home-Based Business, Major	S	S	-	S	S
Home-Based Business, Minor	S	S	S	S	S
Retail	-	-	-	S (RU4hc only) ^{.5}	-
Secondary Suite	S ^{.6, .9}	S ^{.6, .9}	S ^{.6, .9}	S ^{.2, .6, .9}	S ^{.9}
Semi-Detached Housing	-	-	-	P ^{.2}	-
Short-Term Rental Accommodations	S ^{.10}	S ^{.10}	S ^{.10}	S ^{.10}	S
Single Detached Housing	P ^{.1}	P ^{.1}	P ^{.1}	P ^{.2}	P ^{.8}

FOOTNOTES (Section 11.3):

^{.1} Maximum one [single detached house](#) per lot, [strata lot](#) or [bareland strata lot](#).

^{.2} Each [dwelling unit](#) (a [single detached house](#), a [duplex](#) unit, or a [semi-detached](#) unit) is permitted to have one secondary use (a [secondary suite](#) or a [carriage house](#)). Each lot can have a maximum of two principal [dwelling units](#) (ex. two [single detached houses](#), one [duplex](#), or a [semi-detached building](#)).

^{.3} The lot must have a child care sub-zone 'cc' on the property for a [child care centre, major](#) to be permitted.

^{.4} The [health services](#) use shall not generate more than two (2) clients to the site from which the business is being operated at any given time.

^{.5} The [retail](#) use shall be limited to those uses related to arts, crafts, or cultural activities such as souvenir, craft, or gift shops, bookstores, art galleries, or photography studios. Individual general [retail](#) services are limited to a maximum [net floor area](#) of 100 m².

^{.6} [Secondary suites](#) must be on a lot serviced with [community water](#).

^{.7} [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.

^{.8} The maximum density shall be three (3) units per 1,000 m². The maximum density is one (1) unit per 1,000 m² if the lot is not connected to [community sanitary sewer](#) and [community water](#).

Section 11.3 - Permitted Land Uses					
Uses	Zones				
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)				
	RU1	RU2	RU3	RU4	RU5
<p>^{.9} Only one of these secondary uses shall be permitted at any one time per principal dwelling unit: bed & breakfast, secondary suite, or carriage house.</p> <p>^{.10} Short-term rental accommodation is not permitted in combination with a bed and breakfast home.</p>					

Section 11.4 – Subdivision Regulations					
m = metres / m ² = square metres					
	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	RU4 ^{.1}	RU5
Min. Lot Width without access to a Rear Lane	16.5 m	13.0 m	8.5 m	18.0 m ^{.2}	40.0 m
Min. Lot Width with access to a Rear Lane or Strata Road	15.0 m	12.0 m	8.5 m	18.0 m ^{.2}	40.0 m
Min. Lot Width for Corner Lots	17.0 m	15.0 m	10.0 m	20.0 m ^{.2}	40.0 m
Min. Lot Depth	30.0 m	27.0 m	27.0 m	30.0 m	30.0 m
Min. Lot Area ^{.1}	450 m ²	350 m ² ^{.3}	255 m ²	540 m ² ^{.2}	4,000 m ²
Min. Building Envelope Area	150 m ²	130 m ²	n/a	200 m ²	n/a
New lots must have access to side or rear lane	no	no	yes	no	no
FOOTNOTES (Section 11.4): ^{.1} Minimum lot width , lot depth , and lot area also apply to bareland strata lots . ^{.2} Where a lot is developed with a semi-detached housing form and is being subdivided along a party wall then: the minimum lot area is 270 m ² , the minimum lot width is 10 m for corner lots , the minimum lot width is 9 m for all other lots , and the minimum building envelope area is 100 m ² . ^{.3} The minimum lot area is 325 m ² when the lot has access to a rear lane or strata road.					

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}
Min. Rear Yard Setback		7.5 m	6.0 m	6.0 m	7.5 m	6.0 m ^{.5}
Min. Rear Yard Setback on Wide Lots		4.5 m	4.5 m	4.5 m	4.5 m	n/a

Section 11.5 – Development Regulations					
m = metres / m ² = square metres					
	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	RU4 ^{.1}	RU5 ^{.1}
Min. Setback between Principal Buildings	n/a	n/a	n/a	2.5 m	2.5 m
↓ Regulations that apply to Carriage Houses, Accessory Buildings / Structures and Secondary Suites ↓					
Max. Height for Carriage Houses	5.7 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 per 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
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 .				

Section 11.5 – Development Regulations					
m = metres / m ² = square metres					
	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	RU4 ^{.1}	RU5 ^{.1}
<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 or a S-MU – Suburban Multiple Unit 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>					

Section 11.6 – Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
1.	Lot B District Lot 136 ODYD Plan 30919	2473 Ethel Street	<p>Notwithstanding, Section 5.3 General Definitions, & Table 8.3.1 Other Residential Parking, the following uses and regulations are permitted:</p> <ul style="list-style-type: none"> • Boarding and Lodging Houses can operate within an accessory building in addition to the Single Detached Housing; and • The minimum parking is two parking spaces for the Boarding and Lodging use for the site; and • The maximum of 14 residents on the subject property.

Chart T

Proposed – Section 11 Suburban Residential Zones

SECTION 11 -

Suburban Residential Zones

Section 11.1 - Zone Purposes	
Zones	Purpose
RU ₁ – Large Lot Housing	The purpose is to provide a zone that permits up to four dwelling units with compatible secondary uses , on larger serviced urban lots .
RU ₂ – Medium Lot Housing	The purpose is to provide a zone that permits up to four dwelling units with compatible secondary uses , on medium serviced urban lots .
RU ₃ – Small Lot Housing	The purpose is to provide a zone that permits up to four dwelling units with compatible secondary uses , on smaller serviced urban lots .
[Deleted]	[Deleted]
RU ₅ – Multiple Suburban Housing	The purpose is to provide a zone for multiple single detached dwellings , duplexes, or triplexes including compatible secondary uses , on a single serviced urban lot .

Section 11.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
RU ₁ – Large Lot Housing	RU _{1cc} – Large Lot Housing with Child Care Centre, Major	The purpose is to provide a sub-zone for RU ₁ lots to allow child care centre, major on a case-by-case basis were supported by OCP policy.
RU ₂ – Medium Lot Housing	RU _{2cc} – Medium Lot Housing with Child Care Centre, Major	The purpose is to provide a sub-zone for RU ₂ lots to allow child care centre, major on a case-by-case basis were supported by OCP policy.
RU ₃ – Small Lot Suburban Housing	n/a	n/a
[Deleted]	[Deleted]	[Deleted]
RU ₅ – Multiple Suburban Housing	n/a	n/a

Section 11.3 - Permitted Land Uses					
Uses	Zones				
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)				
	RU1 ^{.6, .7}	RU2 ^{.6, .7}	RU3 ^{.6, .7}	[Deleted]	RU5 ^{.6, .7}
Accessory Buildings or Structures	S	S	S	[Deleted]	S
Agriculture, Urban	P	P	P		P
Bed & Breakfast	S ^{.9, .10}	S ^{.9, .10}	S ^{.9, .10}		-
Boarding or Lodging	P (RU1b only)	-	-		-
Carriage House	S	S	S		S
Child Care Centre, Major	P ³	P ³	-		P ³
Child Care Centre, Minor	S	S	S		S
Duplex Housing	P	P	P		P
Group Home	P	P	P		P
Home-Based Business, Major	S	S	-		S
Home-Based Business, Minor	S	S	S		S
Secondary Suite	S	S	S		S
Semi-Detached Housing	P	P	P		P
Single Detached Dwelling	P	P	P		P
Townhouses	P	P	P		-

FOOTNOTES (Section 11.3):

^{.1} [Deleted]

^{.2} [Deleted]

^{.3} The lot must have a child care sub-zone 'cc' on the property for a child care centre, major to be permitted.

^{.4} [Deleted]

^{.5} [Deleted]

^{.6} Any lot with more than one dwelling unit must be on a lot serviced with community water.

^{.7} Any lot with more than two dwelling units must be on a lot serviced with community sanitary sewer.

^{.8} [Deleted]

^{.9} A bed & breakfast can only occur if there is only one dwelling unit on the lot.

Section 11.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
.10 [Deleted]		

Section 11.4 – Subdivision Regulations					
m = metres / m ² = square metres					
	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	[Deleted]	RU5 ^{.1}
Min. Lot Width without access to a Rear Lane	16.5 m ^{.2}	13.0 m	8.5 m	[Deleted]	40.0 m
Min. Lot Width with access to a Rear Lane or Strata Road	15.0 m ^{.2}	12.0 m	8.5 m		40.0 m
Min. Lot Width for Corner Lots	17.0 m ^{.2}	15.0 m	10.0 m		40.0 m
Min. Lot Depth	30.0 m	27.0 m	27.0 m		30.0 m
Min. Lot Area ^{.1}	450 m ² ^{.2}	350 m ² ^{.3}	255 m ²		4,000 m ²
Min. Building Envelope Area	150 m ²	130 m ²	n/a		n/a
New lots must have access to side or rear lane	no	no	yes		no
FOOTNOTES (Section 11.4): ^{.1} Minimum lot width , lot depth , and lot area also apply to bareland strata lots . ^{.2} Where a lot is developed with a semi-detached housing form and is being subdivided along a party wall then: the minimum lot area is 270 m ² , the minimum lot width is 10 m for corner lots , the minimum lot width is 9 m for all other lots , and the minimum building envelope area is 100 m ² . ^{.3} The minimum lot area is 325 m ² when the lot has access to a rear lane or strata road.					

Section 11.5 – Development Regulations					
m = metres / m ² = square metres					
	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	[Deleted]	RU5 ^{.1}
Max. Site Coverage of all Buildings	40% ^{.11}	40% ^{.11}	40% ^{.11}	[Deleted]	40%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	70% ^{.12}	70% ^{.12}	70% ^{.12}		70% ^{.6}
Min. Front Yard and Flanking Yard Setback	3.0 m ^{.2}	3.0 m ^{.2}	3.0 m ^{.2}		3.0 m ^{.5}
Min. Side Yard Setback	2.1 m ^{.3, .10}	1.5 m ^{.3}	1.2 m ^{.3}		3.0 m ^{.5, .10}
Min. Rear Yard Setback	6.0 m ^{.13}	6.0 m ^{.13}	6.0 m ^{.13}		6.0 m ^{.5}
Min. Rear Yard Setback on Wide Lots	4.5 m ^{.13}	4.5 m ^{.13}	4.5 m ^{.13}		n/a
Min. Rear Yard Setback for accessory structures or carriage houses	1.5 m ^{.4}	1.5 m ^{.4}	1.5 m ^{.4}		1.5 m ^{.5}
Min. Setback between Principal Buildings	2.5 m	2.5 m	2.5 m		2.5 m
Max. Net Floor Area for Single (1) Storey Carriage Houses	100 m ²	100 m ²	n/a		n/a
Max. Net Floor Area for Two (2) Storey Carriage Houses	90 m ²	90 m ²	n/a		n/a
Max. Building Footprint per Accessory Buildings / Structures	90 m ²	90 m ²	90 m ²		90 m ²
Max. Net Floor Area for Secondary Suites	90 m ²	90 m ²	90 m ²		90 m ²
Min. Riparian Management Area	Any lot with three or more dwelling units that is abutting a watercourse or a riparian area must have the Minimum Riparian Management Area (RMA), as described in Table 21.1 of the OCP, dedicated to the City. If the lot is abutting a trail identified in Map 10.1 of the OCP then five additional metres must be dedicated to the City for trail connections in addition to the minimum RMA.				
Lit pathway requirement for Carriage Houses and Secondary Suites	A lighted pathway is required from the entrance of the carriage house and/or the secondary suite to the on-site parking space(s) and to the fronting street.				
FOOTNOTES (Section 11.5):					
^{.1} Development Regulations apply to bareland strata lots.					

Section 11.5 – Development Regulations					
m = metres / m ² = square metres					
		Zones			
		RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	[Deleted]
<p>^{.2} The minimum setback for any attached garage or carport that faces the street shall be 6.0 metres 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 principal buildings and / or accessory structures within a building strata.</p> <p>^{.6} Private roadways that access more than two dwelling units are excluded from the calculation of maximum site coverage of all buildings, structures, and impermeable surfaces.</p> <p>^{.7} [Deleted]</p> <p>^{.8} [Deleted]</p> <p>^{.9} [Deleted]</p> <p>^{.10} The minimum side yard setback for any accessory structures or carriage houses is 1.5 metres.</p> <p>^{.11} The maximum site coverage of all buildings when a lot contains three or more dwelling units is 55%.</p> <p>^{.12} The maximum site coverage of all buildings, structures, and impermeable surfaces when a lot contains three or more dwelling units is 75%.</p> <p>^{.13} The minimum rear yard setback when a lot contains three or more dwelling units is 3.0 metres, except it is 1.5 metres if the rear yard is abutting a lane.</p>					

Section 11.6 – Density and Height Development Regulations					
m = metres / m ² = square metres / FAR = floor area ratio / GFA = gross floor area					
		Zones			
		RU1	RU2	RU3	RU5
Max. Density		4 dwelling units per lot	4 dwelling units per lot	4 dwelling units per lot	9 dwelling units per 1,000 m ² ^{.1}
Max. Height		11.0 m & 3 storeys	11.0 m & 3 storeys	11.0 m & 3 storeys	11.0 m & 3 storeys
Max. Height for Buildings with Walkout Basements	Front or Flanking Yard Building Elevation	9.0 m	9.0 m	9.0 m	9.0 m
	Rear Building	12.5 m	12.5 m	12.5 m	12.5 m

Section 11.6 –Density and Height Development Regulations					
m = metres / m ² = square metres / FAR = floor area ratio / GFA = gross floor area					
		Zones			
		RU1	RU2	RU3	RU5
Elevation					
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 Figure 5.11 for Example Diagram	70% See Figure 5.11 for Example Diagram	70% See Figure 5.11 for Example Diagram	70% See Figure 5.11 for Example Diagram
Max. Height for Carriage Houses		5.7 m ⁻²	n/a	n/a	5.7 m ⁻²
Max. Upper Storey Gross Floor Area for Two (2) Storey Carriage Houses		70% of the carriage house footprint area See Figure 5.9 as Example Diagram	70% of the carriage house footprint area See Figure 5.9 as Example Diagram	70% of the carriage house footprint area See Figure 5.9 as Example Diagram	70% of the carriage house footprint area See Figure 5.9 as Example Diagram
Max. Height for Accessory Buildings / Structures		4.8 m	4.8 m	4.8 m	4.8 m
FOOTNOTES (Section 11.6): ⁻¹ The maximum density is one (1) dwelling unit per 1,000 m ² if the lot is not connected to community sanitary sewer and community water. ⁻² 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.					

Section 11.7 – Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
1.	Lot B District Lot 136 ODYD Plan 30919	2473 Ethel Street	<p>Notwithstanding, Section 5.3 General Definitions, & Table 8.3.1 Other Residential Parking, the following uses and regulations are permitted:</p> <ul style="list-style-type: none"> • Boarding and Lodging Houses can operate within an accessory building in addition to the Single Detached Housing; and • The minimum parking is two parking spaces for the Boarding and Lodging use for the site; and • The maximum of 14 residents on the subject property.

Chart U

Original – Section 13 – Multi-Dwelling Zones

SECTION 13

Multi-Dwelling Zones

Section 13.1 - Zone Purposes	
Zones	Purpose
MF ₁ – Infill Housing	The purpose is to provide a zone for infill development within the core area of the City limiting development to ground-oriented residential units of 2 storeys.
MF ₂ – Townhouse Housing	The purpose is to provide a zone for ground-oriented multiple housing (typically townhouse developments) up to 3 storeys on serviced urban lots.
MF ₃ – Apartment Housing	The purpose is to provide a zone primarily for apartments ranging up to 6 storeys on serviced urban lots with various commercial uses permitted on transit supportive corridors.

Section 13.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
MF ₁ – Infill Housing	MF _{1r} – Infill Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF ₂ – Townhouse Housing	MF _{2r} – Townhouse Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF ₃ – Apartment Housing	MF _{3r} – Apartment Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.

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

Section 13.3 - Permitted Land Uses			
Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)		
	MF1	MF2	MF3
Townhouses	P	P	P ^{.4}

FOOTNOTES (Section 13.3):

- ^{.1} Group homes are only permitted within a single detached housing, semi-detached housing, or a duplex housing form.
- ^{.2} These land uses are only permitted on transit supportive corridors and these land uses are not permitted above the first storey. Except, Health Services is permitted as a principal use without any floor area or storey restriction when the lot exists within the C-HTH – Core Area – Health District OCP future land use designation.
- ^{.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 a permitted as secondary use only when the lot exists within the C-HTH – Core Area – Health District OCP future land use designation.
- ^{.4} Townhouses and/or stacked townhouses are only permitted if the majority of the residential dwelling units are in the form of apartment housing.
- ^{.5} Home-based business, major is only permitted when the lot has two (2) or less principal dwelling units.
- ^{.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.
- ^{.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.
- ^{.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.

Section 13.4 – Subdivision Regulations				
m = metres / m ² = square metres				
		Zones		
		MF1	MF2	MF3
Min. Lot Width	Regular Lots	7.5 m	20.0 m ^{.1}	30.0 m
	Corner Lots	9.5 m		
Min. Lot Area	Regular Lots	277.5 m ²	900 m ² . ¹	1,400 m ²
	Corner Lots	350 m ²		

Min. Lot Depth	30.0 m	30.0 m ^{.1}	30.0 m
FOOTNOTES (Section 13.4): ^{.1} Townhouse developments may be subdivided into smaller lots than the regulations listed above provided the site is comprehensively developed under a single development permit and a party wall agreement is registered on title.			

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	4.5 m except 3.0 m from a rear lane ^{.4}

Section 13.5 – Development Regulations				
m = metres / m ² = square metres				
		Zones		
		MF1	MF2	MF3
			rear lane	
Min. Rear Yard Setback for Accessory Buildings / Structures		1.5 m except 0.9 m from a lane	1.5 m except 0.9 m from a lane	1.5 m except 0.9 m from a lane ^{.7}
Min. Separation between Detached Principal Buildings		2.0 m	3.0 m	n/a
Min. Common and Private Amenity Space	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 <u>building frontage</u> shall not exceed 100 m in length.		
FOOTNOTES (Section 13.5): ^{.1} For lots 17.0 m or wider, the minimum <u>side yard</u> setback is increased to 2.1 m. ^{.2} <u>Side yards</u> are not required for <u>semi-detached housing</u> or <u>townhouses</u> on a <u>lot line</u> that has a <u>party wall</u> agreement ^{.3} The minimum setback for <u>ground-oriented</u> residential units can be reduced to 2.0 metres if both				

Section 13.5 – Development Regulations			
m = metres / m ² = square metres			
	Zones		
	MF1	MF2	MF3
<p>criteria are met:</p> <p>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.</p> <p>b) The minimum net floor area for ground-oriented residential units on the first floor is 11 m². See example diagram Figure 5.13.</p> <p>⁴ For portions of a parkade with lane access which do not project more than 2.3 m above finished grade, the rear yard setback for the parkade is 1.5 m.</p> <p>⁵ The setback for a garage, a carport, or a parkade door that has direct access to the street shall have a 6 m setback measured from back-of-curb or edge of road pavement, or edge of sidewalk or 4.5 m from lot line (whichever is greater).</p> <p>⁶ Minimum building setbacks apply only to buildings 5 storeys and taller. The setback can occur on any floor above the second storey.</p> <p>⁷ If the property is abutting a Rural – Agricultural and Resource, Rural – Residential, or Suburban – Residential future land use designation as defined in the Official Community Plan then a 1.5 m additional setback needs to be added to the minimums.</p> <p>⁸ Common and Private Amenity Space can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of Common and Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.</p> <p>⁹ A minimum of 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 amenity space is not required for fee simple townhouses.</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>			

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 for double fronting lots and lots with	1.0 FAR See Underground Parking	For 4 storeys and below Max FAR = 1.3 ² For 5 storeys and above

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
		a lane or 0.6 FAR without lane	Base FAR Adjustments ^{.6}	Max FAR = 1.8 ^{.2} See Underground Parking Base FAR Adjustments ^{.6}
Max. Bonus Density for Public Amenity & Streetscape Bonus		n/a	An additional 0.15 FAR ^{.3}	An additional 0.25 FAR ^{.3}
Max. Bonus Density for Rental or Affordable Housing Bonus		n/a	An additional 0.3 FAR ^{.3}	An additional 0.3 FAR ^{.3}
Max. Base Height		8.0 m & 2 storeys	11.0 m & 3 storeys	18.0 m & 4 storeys or 22.0 m / 6 storeys ^{.1}
Max. Base Height for Buildings with Walkout Basements	Front or Flanking Building Elevation	n/a	10.0 m & 3 storeys	n/a
	Rear Building Elevation	n/a	12.6 m & 3 storeys	n/a
Max. Bonus Height		n/a	n/a	22.0 m & 6 storeys ^{.3} Or 44.0 m & 12 storeys ^{.4}

FOOTNOTES (Section 13.6):

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

- The subject property is fronting onto a Transit Supportive Corridor; or
- The subject property does not abut a RU₁, RU₂, RU₃, RU₄, or RU₅ zoned lot.

^{.2} The base FARs are derived from the base height regulation. Therefore, the base FARs remain constant even if an owner successfully applies for a Development Variance Permit to the base heights.

^{.3} These bonuses only apply to lots within the core area or within a village centre. The bonus density and bonus height provisions occur if the provisions of Section 6.8 Density Bonus are secured.

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

- lots are fronting a Provincial Highway; and
- 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
- the abutting lots cannot be zoned A₁, A₂, RR₁, RR₂, RU₁, RU₂, RU₃, RU₄, or RU₅; and
- lots are within the Core Area Neighbourhood Future Land Use Designations as outlined in the OCP.

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
(e) The bonus density and bonus height provisions occur if the provisions of Section 6.8 Density Bonus are secured.			
⁵ For the purpose of calculating minimum densities the amount of commercial area considered as a unit will be measured at one (1) unit per 125 m ² of commercial GFA .			
⁶ If eighty percent (80%) of the parking provided on-site is located underground (below finished grade) then the base FAR is increased by 0.25 FAR .			

Section 13.7 - Site Specific Regulations

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

	Legal Description	Civic Address	Regulation
1.	Lot A, District Lot 140, ODYD, Plan KAP58184	1915-1925 Enterprise Way	This property is permitted to have hotels as principal land use .
2.	ODYD, Plan KAS3399	1132-1160 Bernard Ave	This property is permitted to have 16 storeys in height .
3.	Lot 1, Section 32, Township 26, ODYD, Plan KAP 91641	530 Caramillo Ct.	This property is permitted to have Apartment housing limited to 4 storeys .
4.	Strata Plan of Lot 3 & Remainder Lot 3, Section 28, Township 26, ODYD, PLAN KAP74074 (See Posting Plan EPP 104511)	777 Denali Drive	This property is permitted to have 3 storey apartment building on top of a two storey townhouse .
5.	Lot B, Section 24, Township 28, Land District 54, Plan KAP30848, EXCEPT Plan KAP79047, EPP23768	530 Quartz Crescent	This property is permitted to have Apartment housing limited to 3 storeys .
6.	Lot 20 Section 32 Township 26 ODYD Plan KAP60008 Except Plans KAP77707, KAP87078 and KAP91641	1691 Cara Glen Way	The MF2 – Townhouse Housing portion of this property is permitted to have Apartment housing limited to 4 storeys .

Chart V

Proposed – Section 13 – Multi-Dwelling Zones

SECTION 13

Multi-Dwelling Zones

Section 13.1 - Zone Purposes	
Zones	Purpose
MF1 – Infill Housing	The purpose is to provide a zone for infill development within the core area of the City limiting development to 6 ground-oriented residential dwelling units or less.
MF2 – Townhouse Housing	The purpose is to provide a zone for ground-oriented multiple housing (typically townhouse developments) up to 3 storeys on serviced urban lots .
MF3 – Apartment Housing	The purpose is to provide a zone primarily for apartments ranging up to 6 storeys on serviced urban lots with various commercial uses permitted on transit supportive corridors .
MF4 – Transit Oriented Areas	The purpose is to provide a zone that permits a range of redevelopments from infill housing up to 6 storey apartments .

Section 13.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
MF1 – Infill Housing	MF1r – Infill Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
	MF1cc – Infill Housing with Child Care Centre, Major	The purpose is to provide a sub-zone to allow for Child Care Centre, Major land uses on a case-by-case basis were supported by OCP policy.
	MF1b – Infill Housing with Boarding or Lodging House	The purpose is to provide a sub-zone to allow for Boarding or Lodging House land uses on a case-by-case basis were supported by OCP policy.
	MF1hc – Infill Housing with Heritage Commercial	The purpose is to provide a sub-zone for the preservation of land and buildings that have heritage value for low density residential uses to expand into complimentary

		commercial uses related to health services, and minor retail activities
MF2 – Townhouse Housing	MF2r – Townhouse Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF3 – Apartment Housing	MF3r – Apartment Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF4 – Transit Oriented Areas	MF4 r – Transit Oriented Areas 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.
	MF4b – Transit Oriented Areas with Boarding or Lodging House	The purpose is to provide a sub-zone to allow for Boarding or Lodging House land uses on a case-by-case basis were supported by OCP policy.

Section 13.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	MF1	MF2	MF3	MF4
Accessory Buildings or Structures	S	S	S	S
Agriculture, Urban	S	S	S	S
Apartment Housing	-	-	P	P
Boarding or Lodging	P (MF1b only)	-	-	P (MF4b only)
Child Care Centre, Major	S	S	S	S
Child Care Centre, Minor	S	S	S	S
Cultural and Recreation Services	-	-	S ^{.2}	S ^{.2, .10}
Duplex Housing	P	P	-	P
Emergency and Protective Services	-	-	-	P ^{.8}
Food Primary Establishment	-	-	S ^{.2}	S ^{.2, .10}

Section 13.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	MF1	MF2	MF3	MF4
Group Home	P ^{.1}	P ^{.1}	-	P ^{.1}
Health Services	P ^{.5}	-	S ^{.2}	P ^{.10}
Home-Based Business, Major	S	S ^{.6}	S ^{.6}	S ^{.6}
Home-Based Business, Minor	S	S	S	S
Professional Services	-	-	S ^{.2}	S ^{.2, .10}
Participant Recreation Services, Indoor	-	-	S	S
Personal Service Establishments	-	-	S ^{.2}	S ^{.2, .10}
Retail	- ^{.5}	-	S ^{.2}	S ^{.2, .10}
Secondary Suites	S	-	-	S
Semi-Detached Housing	P	P	-	P
Single Detached Housing	P	P	-	P
Stacked Townhouses	P	P	P ^{.4}	P
Townhouses	P	P	P ^{.4}	P

FOOTNOTES (Section 13.3):

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

^{.2} These [land uses](#) are only permitted on [transit supportive corridors](#) and these [land uses](#) are not permitted above the first [storey](#). Footnote .10 further restricts these [land uses](#).

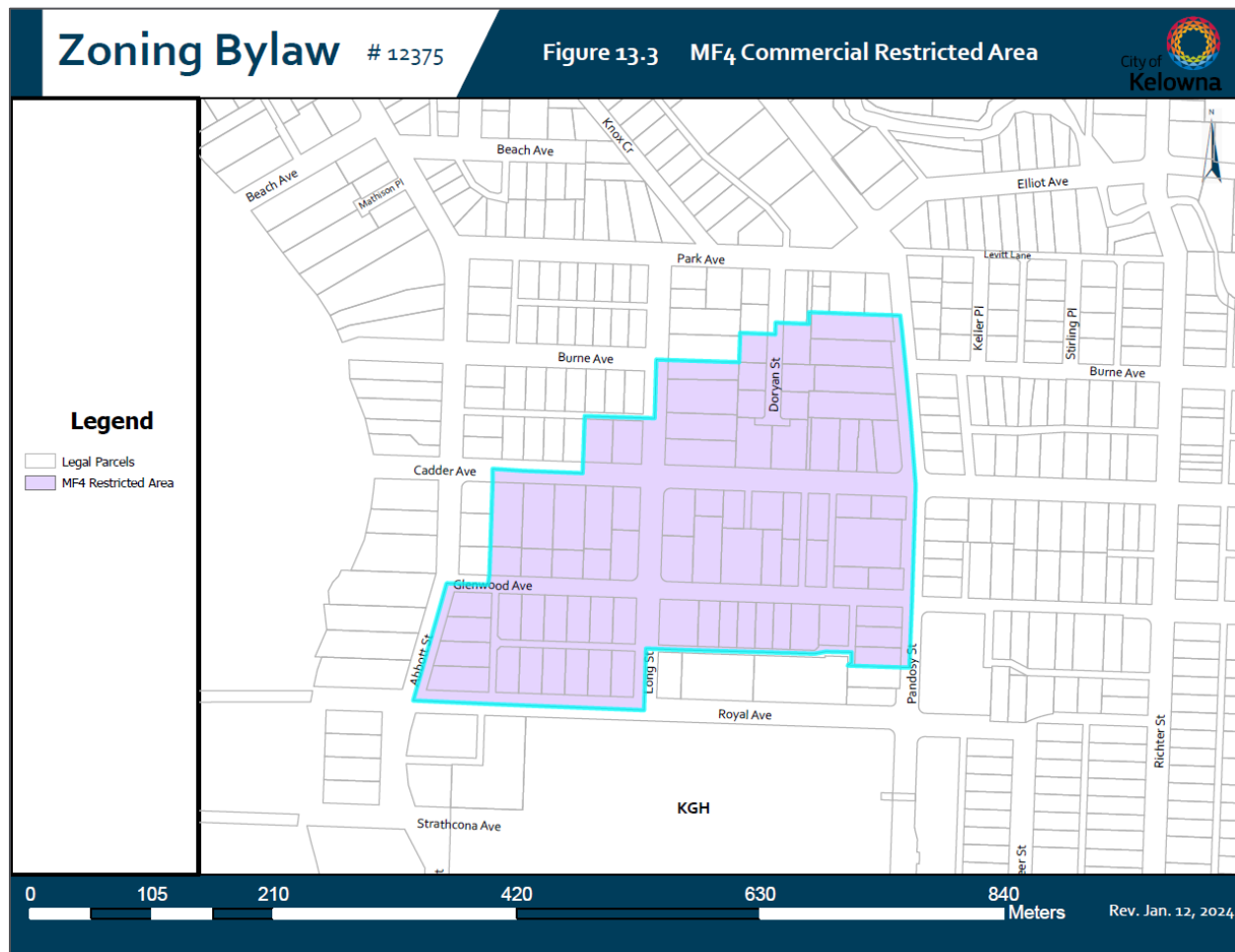
^{.3} [Deleted]

^{.4} [Townhouses](#) and/or [stacked townhouses](#) are only permitted if the majority of the residential [dwelling units](#) are in the form of [apartment housing](#).

^{.5} The [Health Services](#) land use or the [Retail](#) land use is only permitted as a [principal use](#) when the lot contains the 'hc' Heritage Commercial sub-zone. The [health services](#) use shall not generate more than two (2) clients to the site from which the business is being operated at any given time. The [retail](#) use shall be limited to those uses related to arts, crafts, or cultural activities such as souvenir, craft, or gift shops, bookstores, art galleries, or photography studios. Individual general [retail](#) services are limited to a maximum [net floor area](#) of 100 m².

^{.6} [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-](#)

Section 13.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	MF1	MF2	MF3	MF4
<p>oriented dwelling units within village centres.</p> <p>.7 [Deleted].</p> <p>.8 Emergency and protective services are only permitted as a principal use only a lot that abuts a minor or major arterial road as determined by the OCP.</p> <p>.9 [Deleted].</p> <p>.10 These land uses are not permitted for lots identified in Figure 13.3 MF4 Commercial Restricted Area.</p>				



Section 13.4 – Subdivision Regulations					
m = metres / m ² = square metres					
		Zones			
		MF1	MF2	MF3	MF4
Min. Lot Width	Regular Lots	13.0 m ^{.1, .2}	20.0 m ^{.1}	30.0 m	30.0 m
	Corner Lots	15.0 m ^{.1, .2}			
Min. Lot Depth		27.0 m ^{.1, .2}	30.0 m ^{.1}	30.0 m	30.0 m
Min. Lot Area	Regular Lots	350 m ² ^{.1, .2}	900 m ² ^{.1}	1,400 m ²	1,400 m ²
	Corner Lots	400 m ² ^{.1, .2}			
Min. Building Envelope Area		140 m ²	n/a	n/a	n/a

FOOTNOTES (Section 13.4):

^{.1} Townhouse and semi-detached housing developments may be subdivided into smaller lots than the regulations listed above provided: the site is comprehensively developed under a single development permit, the lot is subdivided along a party wall, and a party wall agreement is registered on title.

^{.2} Minimum lot width, lot depth, and lot area also apply to bareland strata lots.

Section 13.5 – Development Regulations						
m = metres / m ² = square metres						
		Zones				
		MF1 - Two Dwellings Units or Less	MF1 - Three Dwellings Units or More	MF2	MF3	MF4
Max. Height	Max. Density	Section 13.6 – Density and Height Development Regulations				
Min. Setback from buildings, raised patios, and balconies to on-site trees		See Table 7.2 Tree & Landscaping Planting Requirements				
Max. Site Coverage of all Buildings		40%	55% ^{.10}	55%	65%	See Footnote ^{.11}

Section 13.5 – Development Regulations					
m = metres / m ² = square metres					
	Zones				
	MF1 - Two Dwellings Units or Less	MF1 - Three Dwellings Units or More	MF2	MF3	MF4
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	70%	75% ^{.10}	80%	85%	See Footnote ^{.11}
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 Figure 5.11 for Example Diagram	70% See Figure 5.11 for Example Diagram	n/a	n/a	See Footnote ^{.11}
Min. Front Yard and Flanking Side Yard Setback for all building types	3.0 m ^{.5}	3.0 m ^{.3, .5}	3.0 m ^{.3, .5}	3.0 m ^{.3, .5}	See Footnote ^{.11}
Min. Building Stepback from Front Yard and Flanking Side Yard	n/a	n/a	n/a	3.0 m ^{.6}	See Footnote ^{.11}
Min. Side Yard Setback	1.8 m except 1.2 m from a lane ^{.2}	1.8 m except 1.2 m from a lane ^{.2}	2.1 m except 1.2 m from a lane ^{.2}	3.0 m ^{.7}	See Footnote ^{.11}
Min. Rear Yard Setback	6.0 m except 4.5 m for Wide Lots	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}	See Footnote ^{.11}
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	1.5 m except 0.9 m from a lane ^{.7}	See Footnote ^{.11}
Min. Separation between Detached Principal Buildings	2.0 m	2.0 m	3.0 m	n/a	See Footnote ^{.11}
Min. Common and Private Amenity Space	n/a	n/a	For Developments with 1 to 10 Dwelling Units = n/a For Developments with 11 to 20 Dwelling Units =		

Section 13.5 – Development Regulations					
m = metres / m ² = square metres					
	Zones				
	MF ₁ - Two Dwellings Units or Less	MF ₁ - Three Dwellings Units or More	MF ₂	MF ₃	MF ₄
			<p>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^{.8, .9}</p> <p>For Developments with greater than 20 Dwelling Units = 7.5 m² per bachelor dwelling unit 15.0 m² per 1-bedroom dwelling unit 25 m² per dwelling unit with more than 1-bedroom^{.8, .9}</p>		
Min. Roadway Width	n/a	<p>For any lot abutting a Transit Supportive Corridor, Major Arterial road, or a road with an Active Transportation Corridor (as designated in the OCP) the minimum roadway width measured from the centre line of the adjacent highway to the property line must be at least half the highway width requirement as described in Table 2: Road Requirements within Subdivision, Development, and Servicing Bylaw No. 7900. If road width does not meet the minimum then a road dedication would be necessary.</p>			
Min. Riparian Management Area	n/a	<p>For any lot abutting a watercourse or a riparian area must have the Minimum Riparian Management Area (RMA), as described in Table 21.1 of the OCP, dedicated to the City. If the lot is abutting a trail identified in Map 10.1 of the OCP then five additional metres must be dedicated to the City for trail connections in addition to the minimum RMA.</p>			
Max. Net Floor Area for Secondary Suites	90 m ²				
Max. Building Footprint per Accessory Buildings / Structures	90 m ²				

Section 13.5 – Development Regulations m = metres / m ² = square metres					
	Zones				
	MF1 - Two Dwellings Units or Less	MF1 - Three Dwellings Units or More	MF2	MF3	MF4
Max. Building Frontage	A continuous building frontage shall not exceed 100 m in length.				
<p>FOOTNOTES (Section 13.5):</p> <p>¹ [Deleted]</p> <p>² Side yards are not required for semi-detached housing or townhouses on a lot line that has a party wall agreement</p> <p>³ The minimum setback only for portions of commercial ground-oriented units are 2.0 metres. The minimum setback can be reduced to 2.0 metres only for the of ground-oriented residential units if all of the following criteria are met:</p> <p style="margin-left: 20px;">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.</p> <p style="margin-left: 20px;">b) The minimum net floor area for ground-oriented residential units on the first floor is 11 m². See example diagram Figure 5.13.</p> <p style="margin-left: 20px;">c) The abutting boulevard must have an installed sidewalk and irrigated landscape boulevard with street trees.</p> <p>⁴ For portions of a parkade with lane access which do not project more than 2.3 metres above finished grade, the rear yard setback for the parkade is 1.5 metres.</p> <p>⁵ The setback for a garage, a carport, or a parkade door that has direct access to the street shall have a 6 metres setback measured from back-of-curb or edge of road pavement, or edge of sidewalk to the building or 3.0 metres from lot line to the building (whichever is greater).</p> <p>⁶ Minimum building setbacks apply only to buildings 5 storeys and taller. The setback can occur on any floor above the second storey.</p> <p>⁷ If the property is abutting a Rural – Agricultural and Resource, Rural – Residential, or Suburban – Residential future land use designation as defined in the Official Community Plan then a 1.5 metres 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 A minimum of 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 amenity space is not required for fee simple townhouses.</p>					

Section 13.5 – Development Regulations					
m = metres / m ² = square metres					
	Zones				
	MF1 - Two Dwellings Units or Less	MF1 - Three Dwellings Units or More	MF2	MF3	MF4
^{.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.					
^{.11} In the MF4 zone, if the development is 3 storeys or less then the MF1 Development Regulations apply and if the development is 4 storeys or greater than the MF3 Development Regulations apply.					

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	MF4
Min. Density for Lots fronting onto a Transit Supportive Corridor	For lots with a lane = 4.75 units per 1,000 m ² and a Min. 1,050 m ² lot area ^{.5, .8, .9}			
	For lots without a lane = 3.1 units per 1,000 m ² and a Min. 1,600 m ² lot area ^{.5, .8, .9}			
Max. Base Density	Max. 6 dwelling units per lot	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}	2.5 FAR
Max. Bonus Density for Public Amenity & Streetscape Bonus	n/a	An additional 0.15 FAR ^{.3}	An additional 0.25 FAR ^{.3}	n/a
Max. Bonus Density for Rental or Affordable Housing Bonus	n/a	An additional 0.3 FAR ^{.3}	An additional 0.3 FAR ^{.3}	An additional 0.3 FAR ^{.3}
Max. Base Height	11.0 m & 3 storeys	11.0 m & 3 storeys	18.0 m & 4 storeys Or 22.0 m / 6	22.0 m / 6 storeys

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	MF4
				storeys ⁻¹	
Max. Bonus Height		n/a	n/a	22.0 m & 6 storeys ⁻³ Or 44.0 m & 12 storeys ^{-3, -4}	n/a
Max. Base Height for Buildings with Walkout Basements	Front or Flanking Yard Building Elevation	9.0 m	9.0 m	n/a	n/a
	Rear Building Elevation	12.5 m	12.5 m	n/a	n/a
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 Figure 5.11 for Example Diagram	n/a	n/a	If development is 4 storeys or greater than this regulation does not apply If development is 3 storeys or less then 70% See Figure 5.11 for Example Diagram
Max. Height for Accessory Buildings / Structures		4.8 m	4.8 m	4.8 m	4.8 m

FOOTNOTES (Section 13.6):

- ⁻¹ The base height is 18.0 m & 4 storeys except the maximum base height is 22.0 m / 6 storeys if the subject property is fronting onto a Transit Supportive Corridor.
- ⁻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:
 - (a) lots are fronting a Provincial Highway; and

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	MF4
<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 are not zoned A₁, A₂, RR₁, or RR₂; and</p> <p>(d) lots are within the Core Area Neighbourhood Future Land Use Designations as outlined in the OCP.</p> <p>⁵ For the purpose of calculating minimum densities the amount of commercial area considered as a unit will be measured at 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> <p>⁷ 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>⁸ The minimum density does not apply to MF1 zoned lots addressed on Cadder Avenue between Richter Street and Ethel Street.</p> <p>⁹ The minimum density for lots fronting onto a Transit Supportive Corridor only applies when the lot contains three or more dwelling units</p>				

Section 13.7 - Site Specific Regulations			
Uses and regulations apply on a site-specific basis as follows:			
	Legal Description	Civic Address	Regulation
1.	Lot A, District Lot 140, ODYD, Plan KAP58184	1915-1925 Enterprise Way	This property is permitted to have hotels as principal land use.
2.	ODYD, Plan KAS3399	1132-1160 Bernard Ave	This property is permitted to have 16 storeys in height.
3.	Lot 1, Section 32, Township 26, ODYD, Plan KAP 91641	530 Caramillo Ct.	This property is permitted to have Apartment housing limited to 4 storeys.
4.	Strata Plan of Lot 3 & Remainder Lot 3, Section 28, Township 26, ODYD, PLAN KAP74074 (See Posting Plan EPP 104511)	777 Denali Drive	This property is permitted to have 3 storey apartment building on top of a two storey townhouse.
5.	Lot B, Section 24, Township 28, Land District 54, Plan KAP30848, EXC EPT Plan KAP79047, EPP23768	530 Quartz Crescent	This property is permitted to have Apartment housing limited to 3 storeys.
6.	Lot 20 Section 32 Township 26 ODYD Plan KAP60008 Except Plans KAP77707, KAP87078 and KAP91641	1691 Cara Glen Way	The MF2 – Townhouse Housing portion of this property is permitted to have Apartment housing limited to 4 storeys.

Chart W

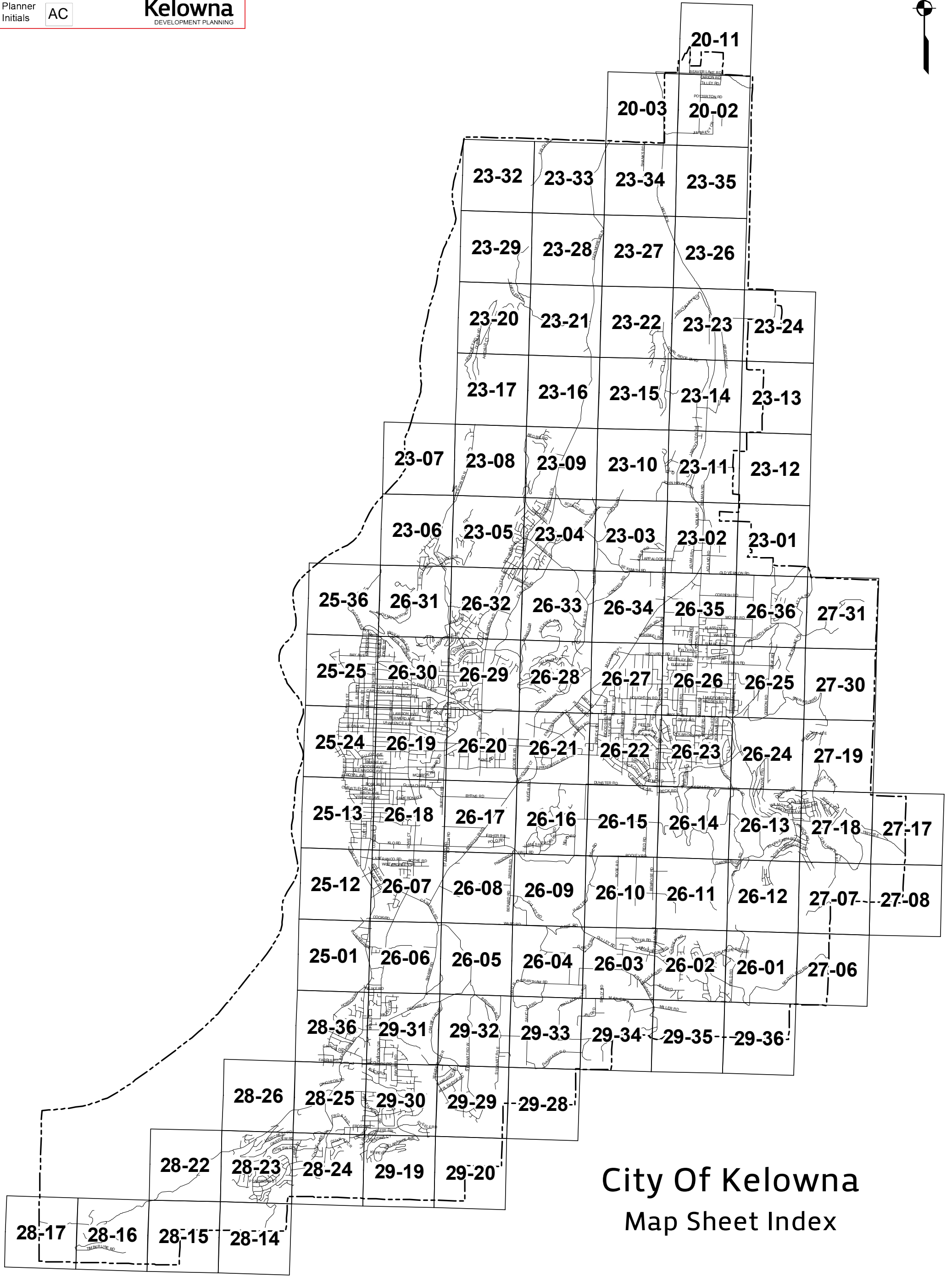
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Definitions / General Rules / Site Layout / Parking / Min Parking Table / Min Bicycle Table / Specific Uses / CD Zones													
Agriculture & Rural Zones			Single & Two Dwelling Zones			Multi-Dwelling Zones			Core Area and Other Zones				
Uses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

Chart X

Proposed – Footer at the bottom of all sections

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



City Of Kelowna
 Map Sheet Index

SCHEDULE B
 This forms part of application # Z24-0001
 Planner Initials AC
 City of Kelowna DEVELOPMENT PLANNING



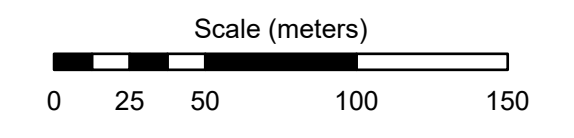
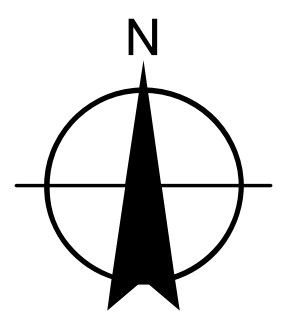
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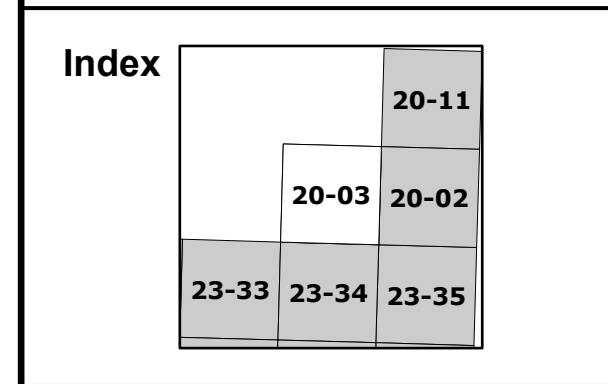
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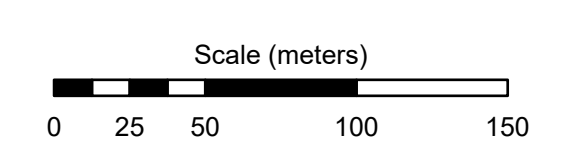
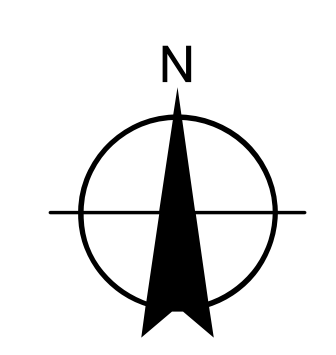


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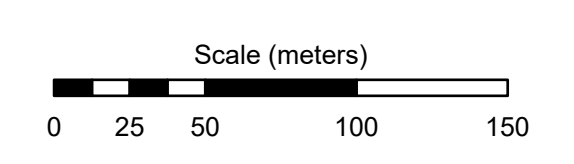
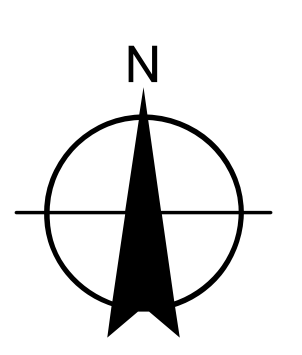
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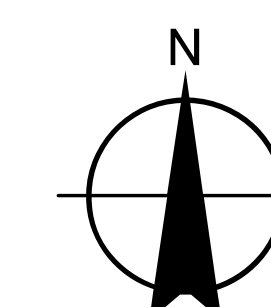
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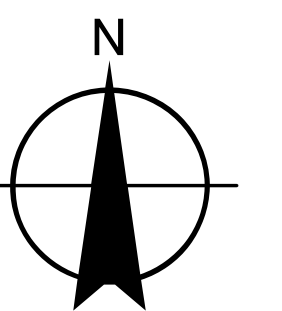
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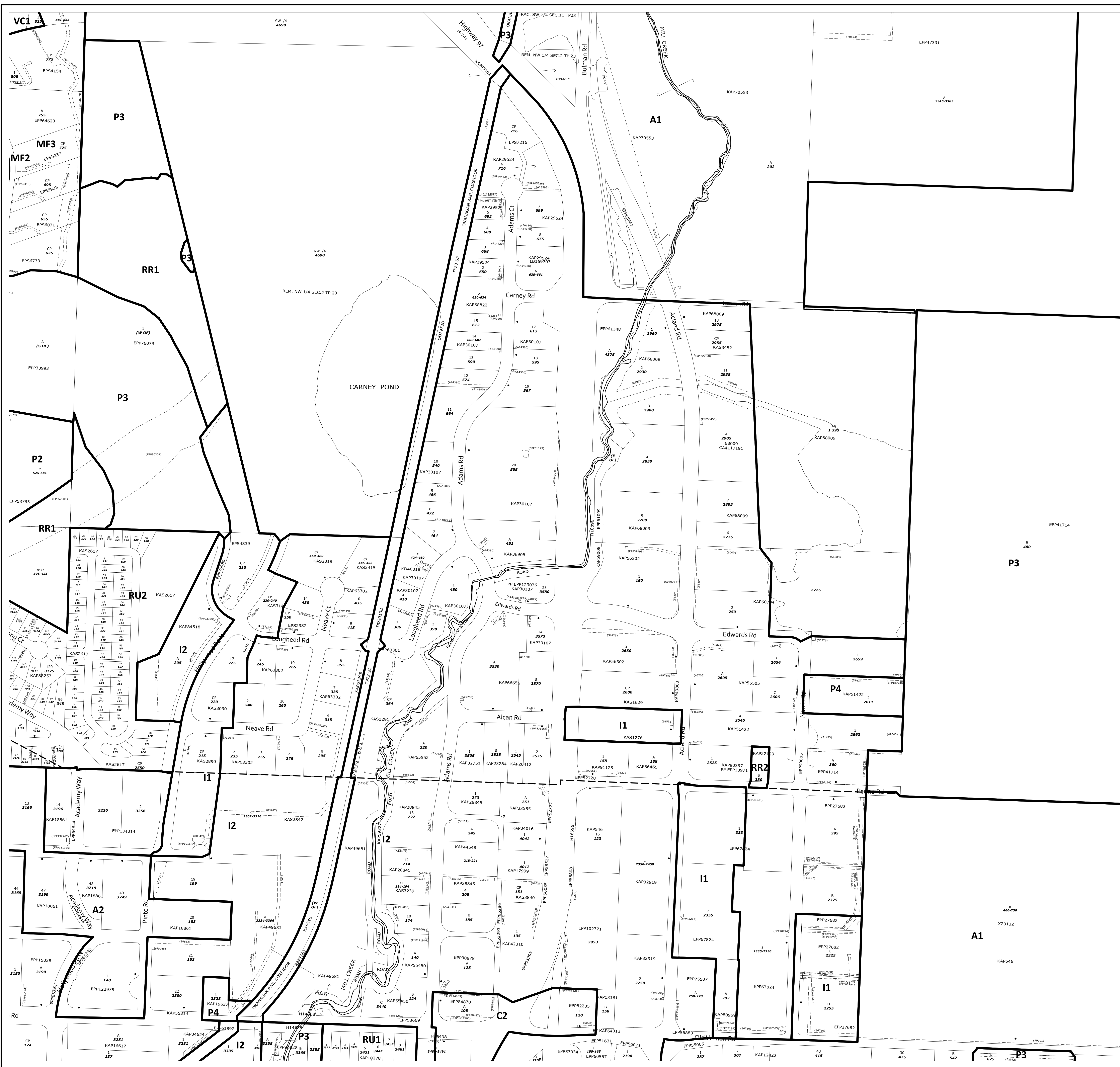


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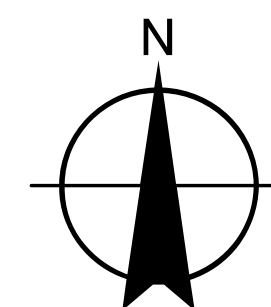
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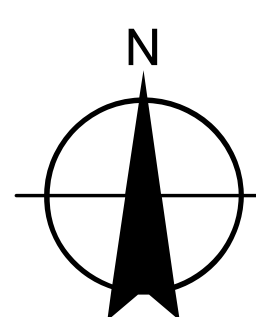
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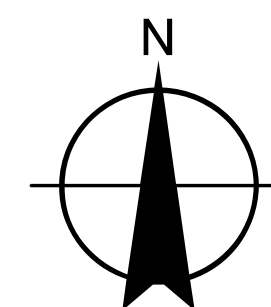
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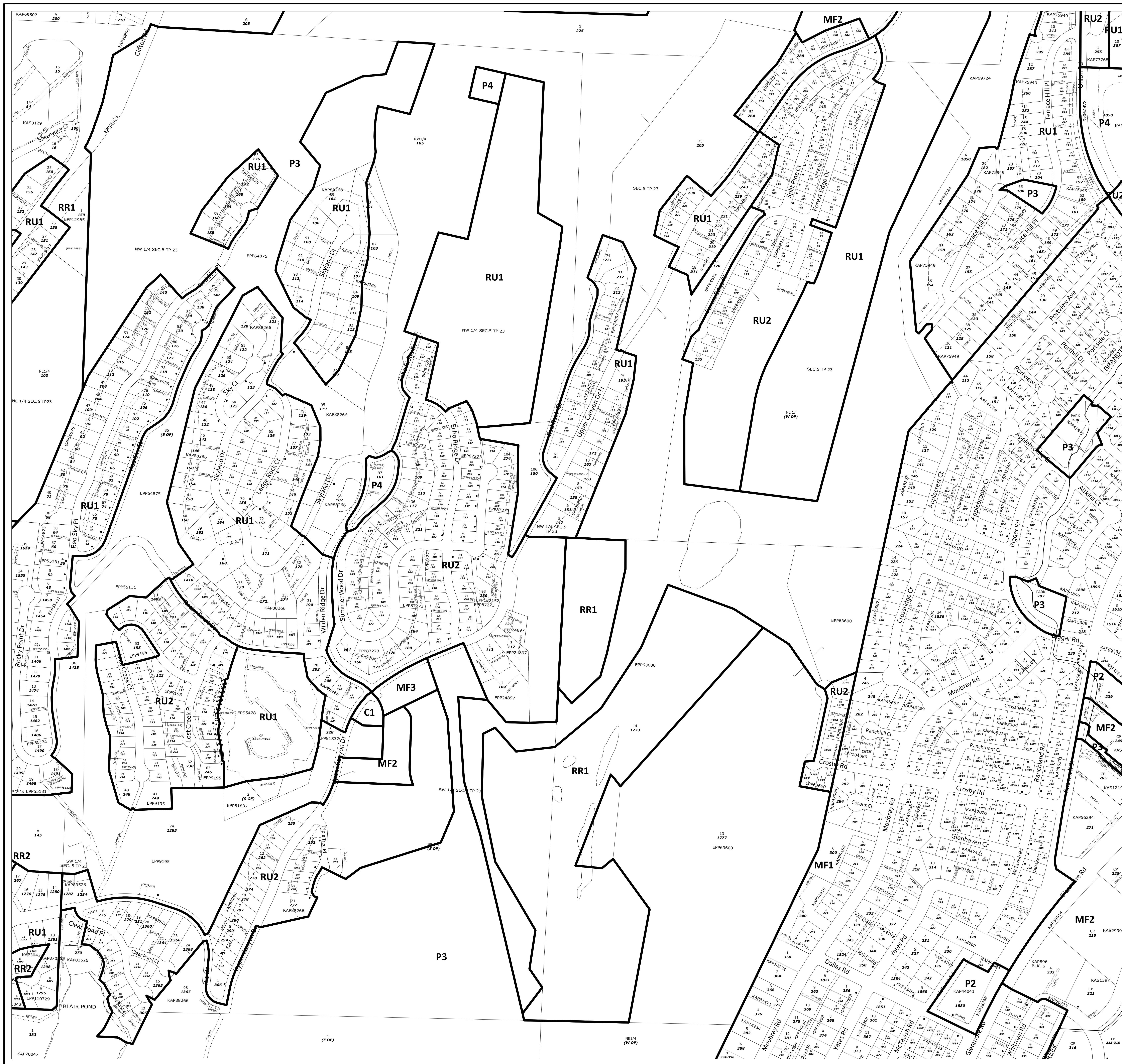
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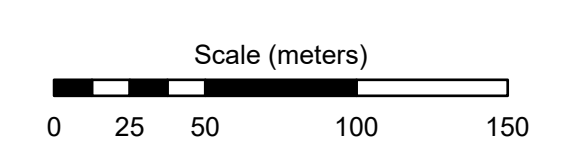
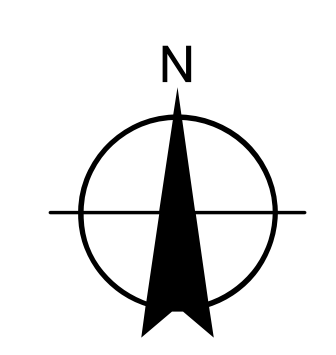
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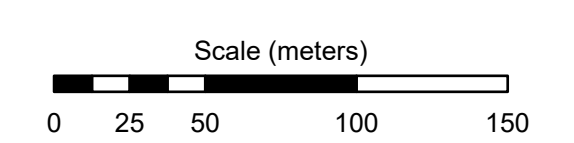
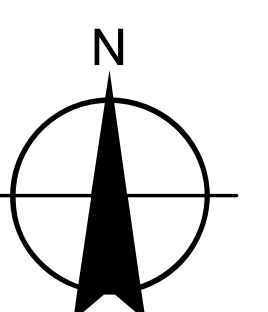
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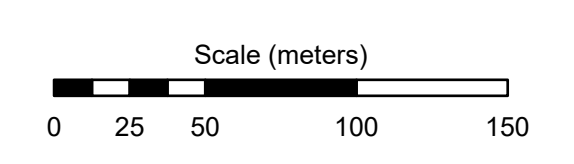
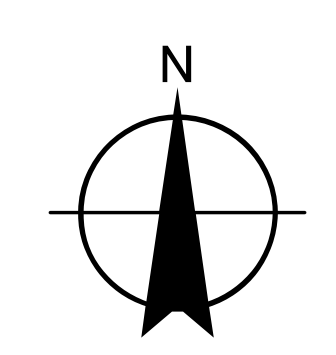
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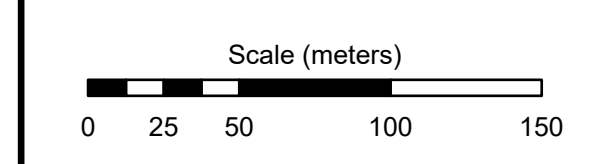
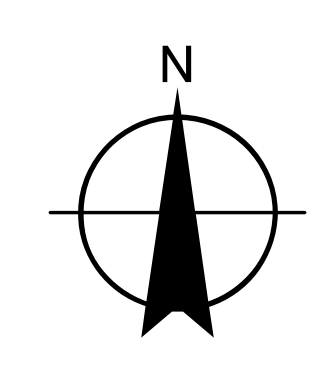
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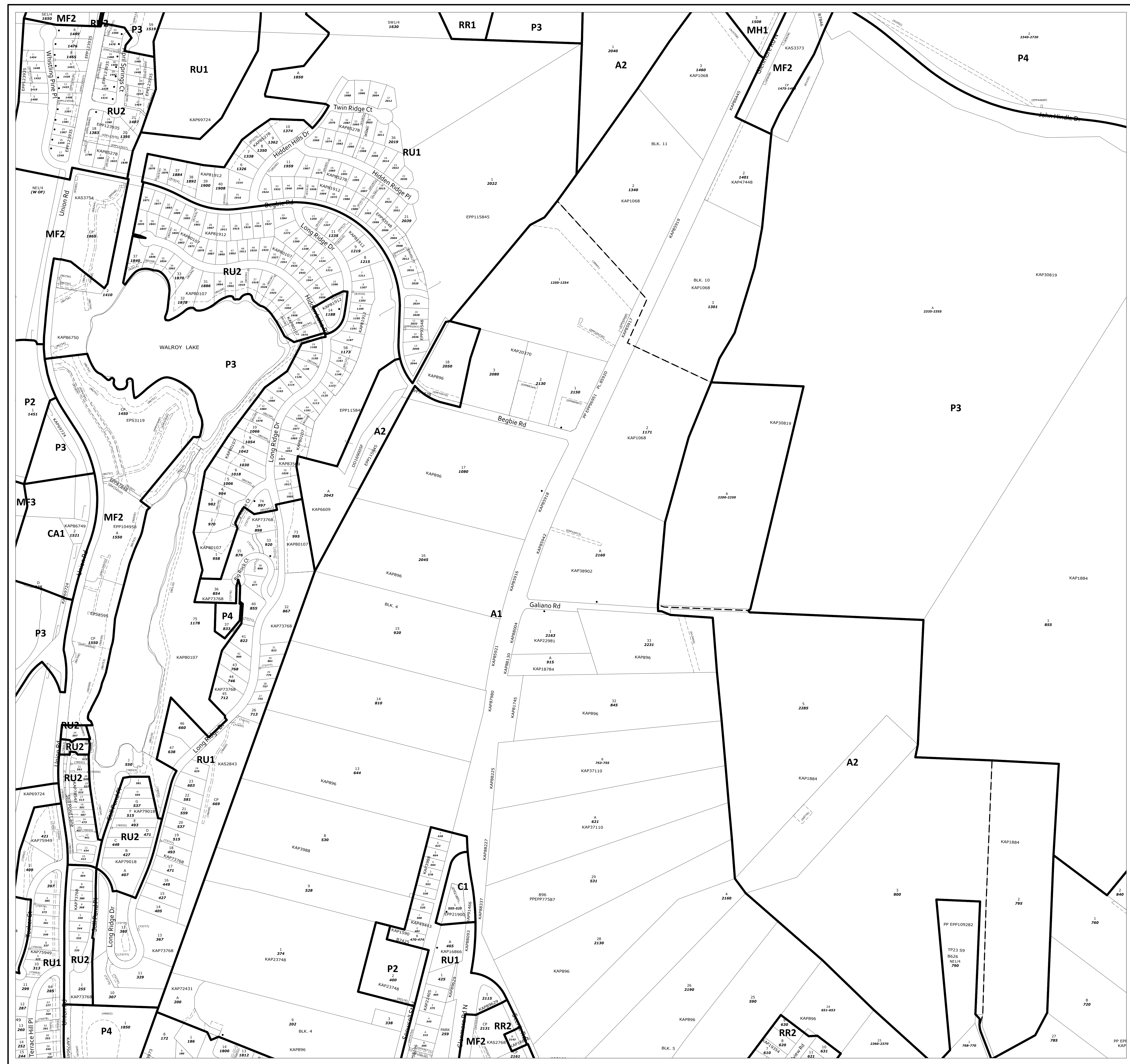


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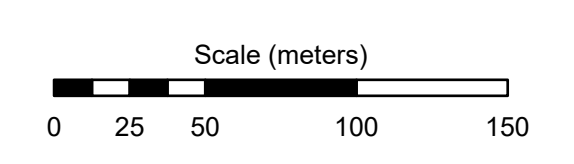
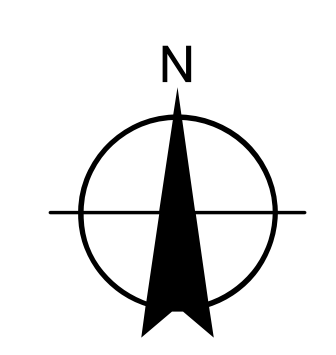
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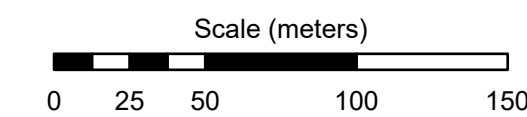
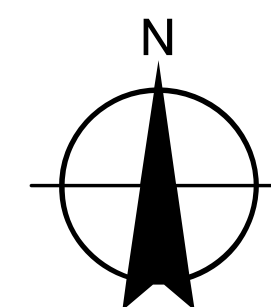
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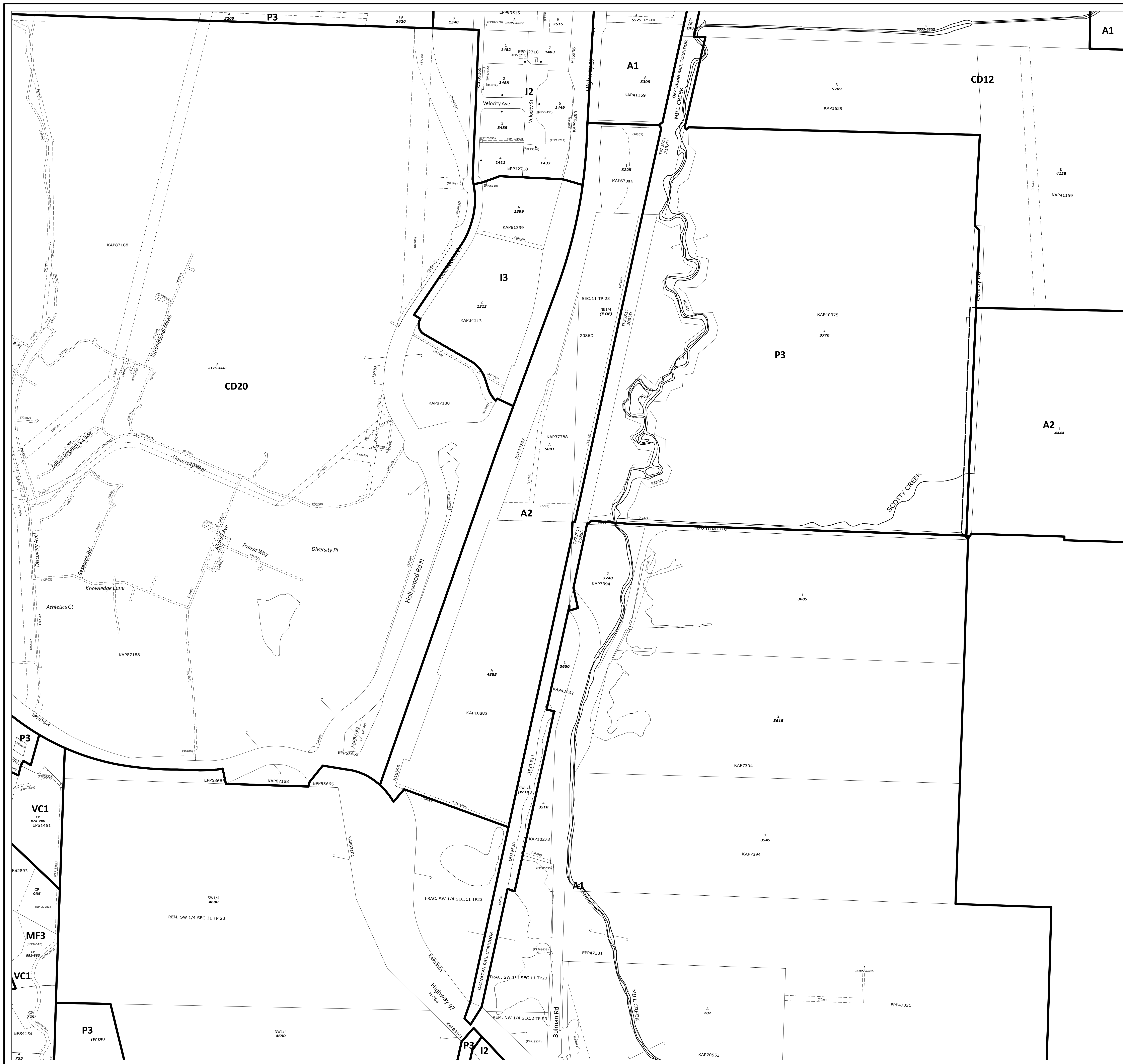


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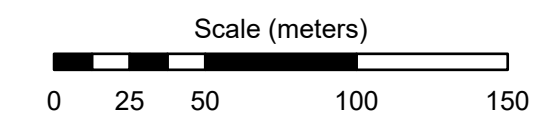
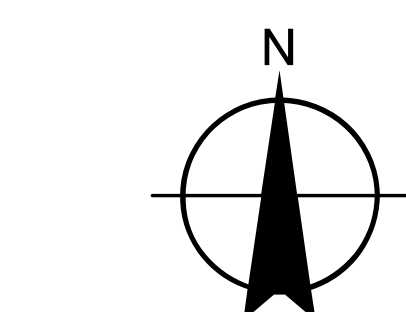
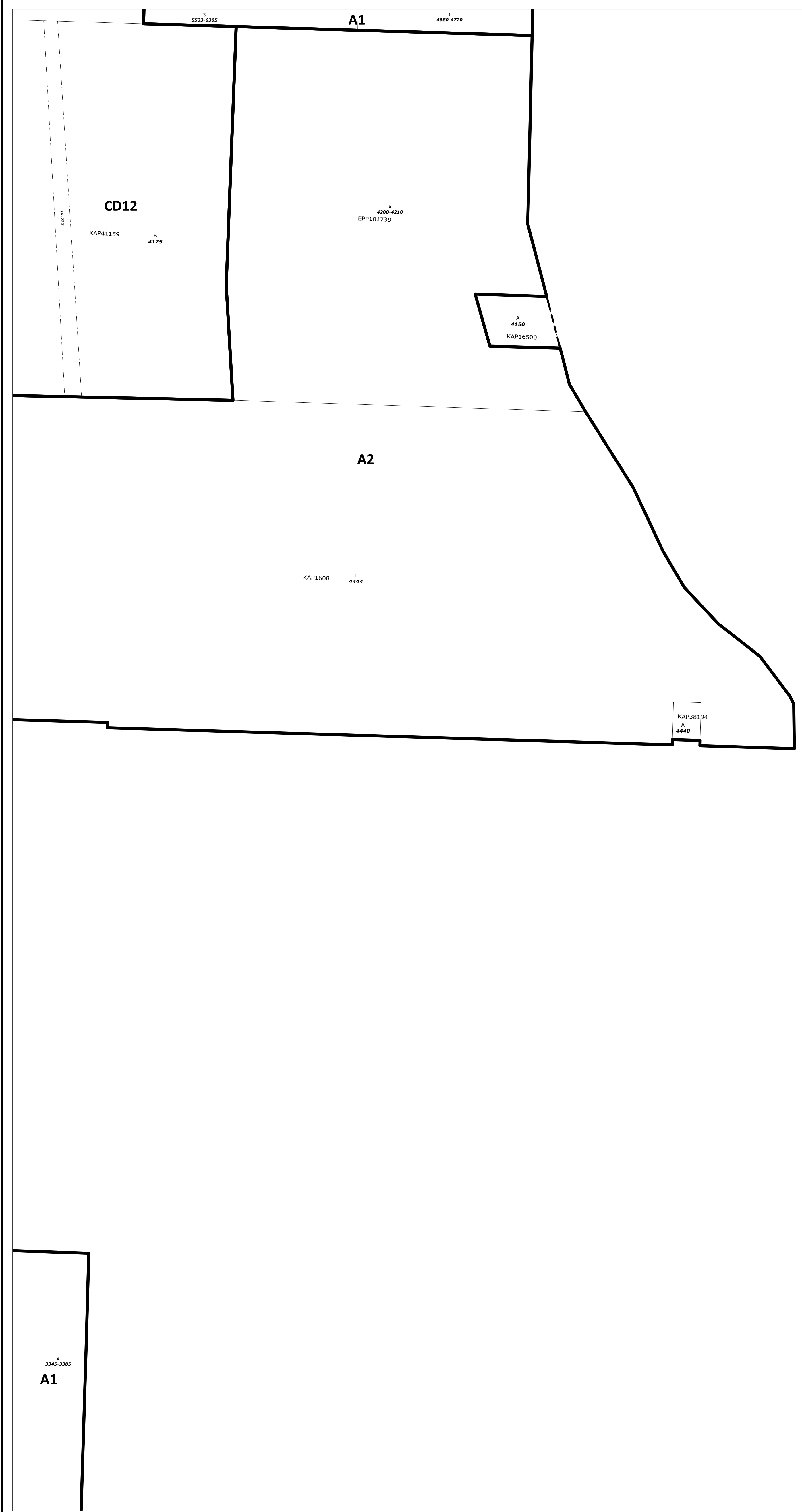
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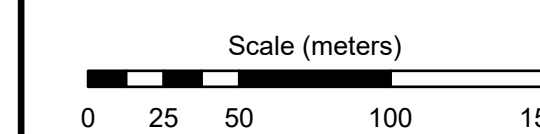
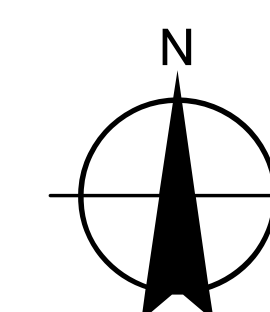
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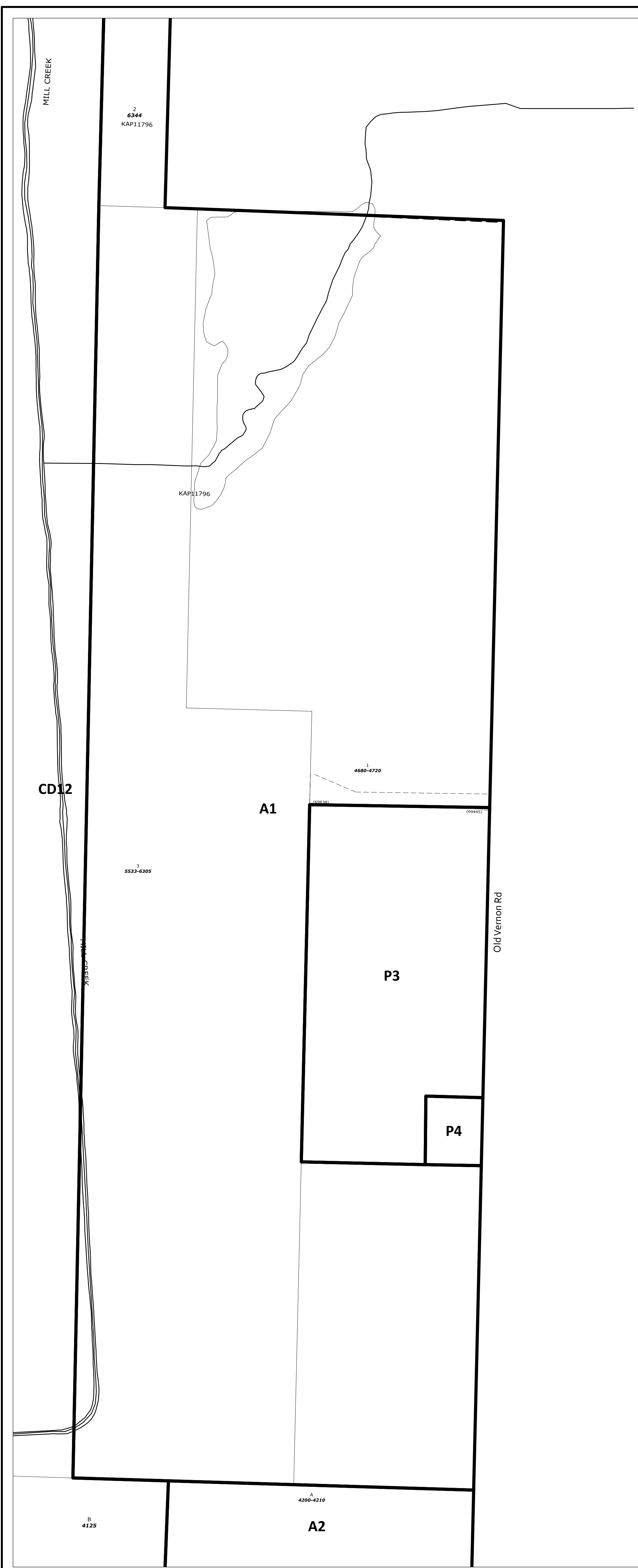
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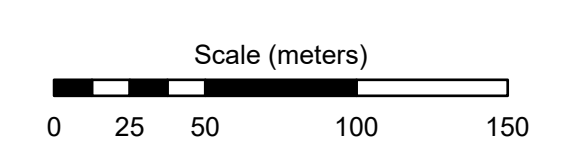
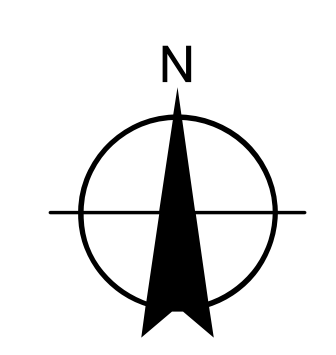
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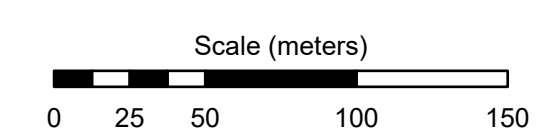
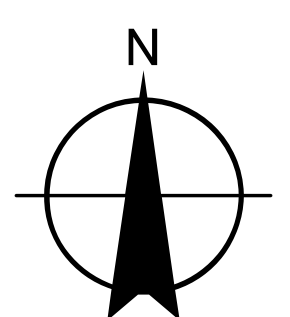
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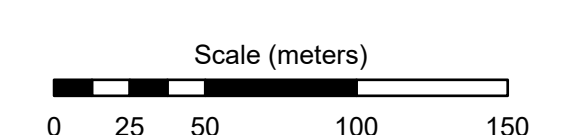
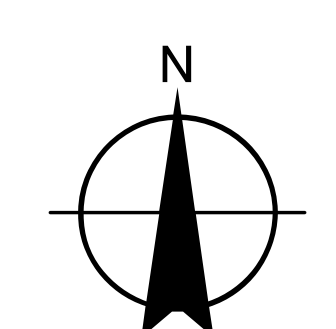
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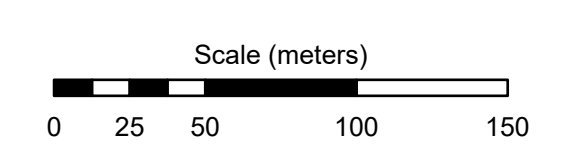
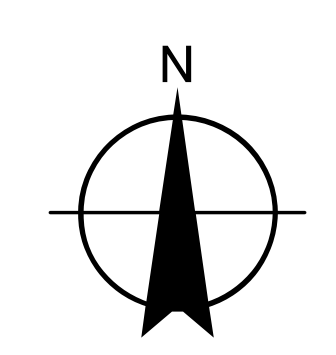
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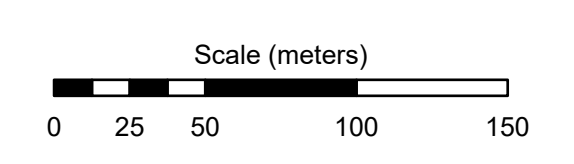
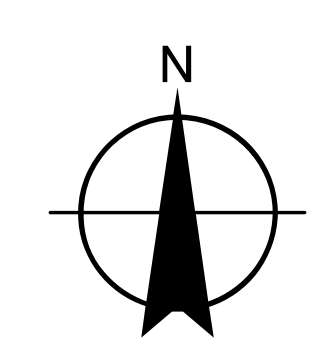
• Indicates Address Fronting Street

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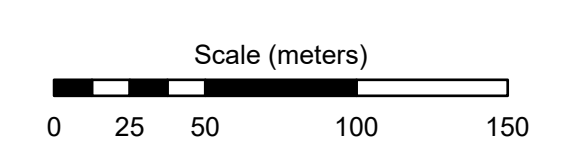
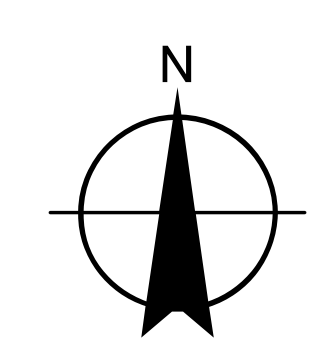
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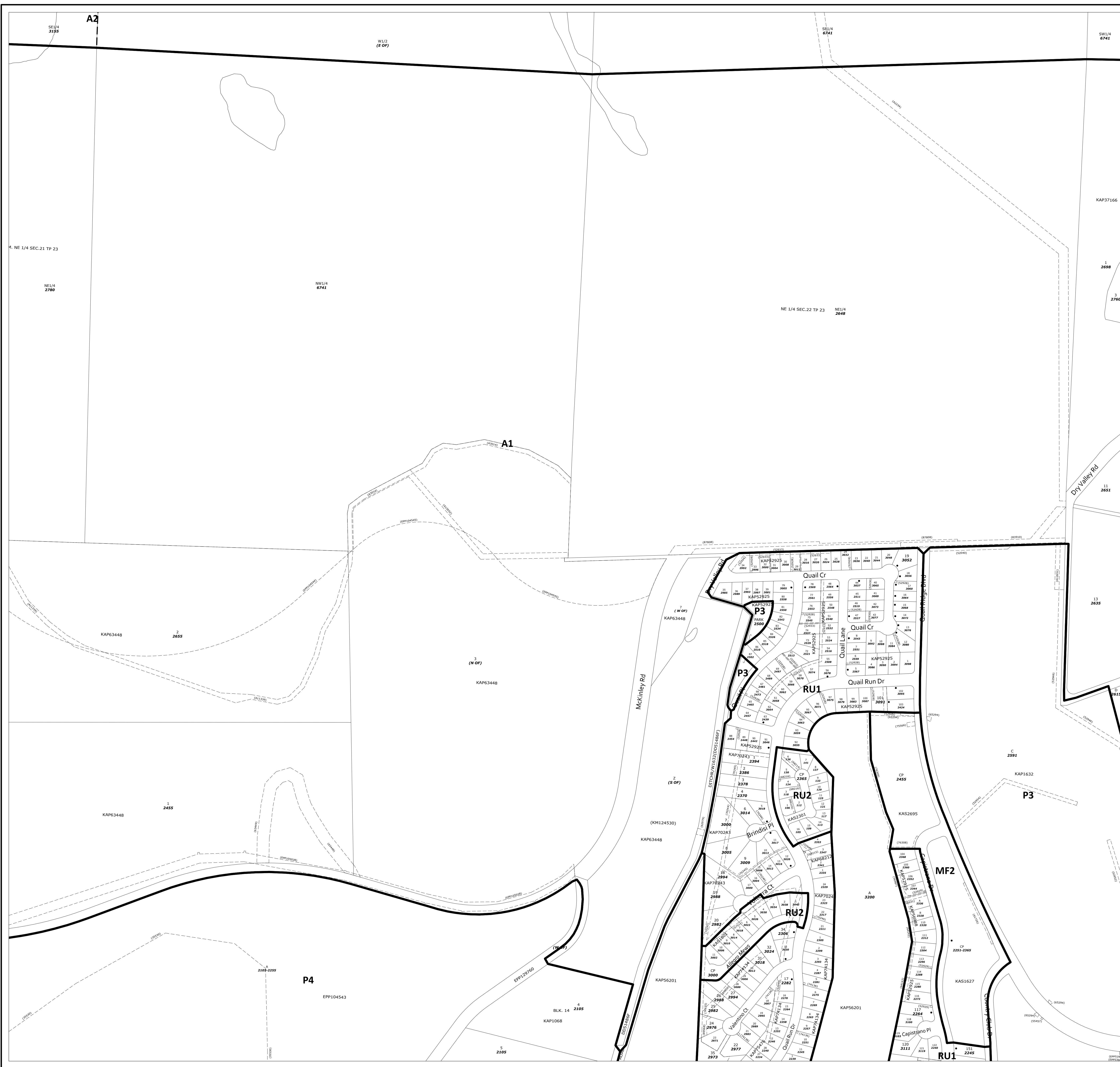


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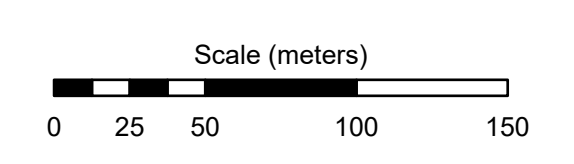
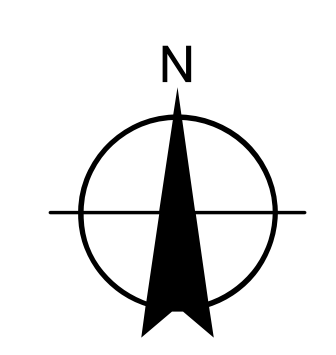
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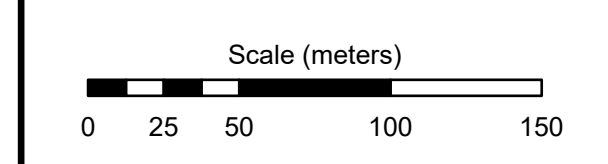
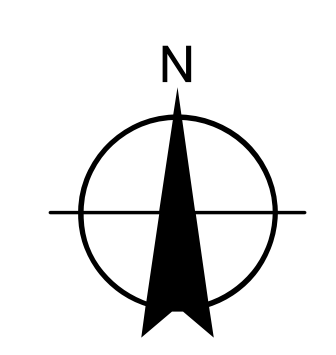
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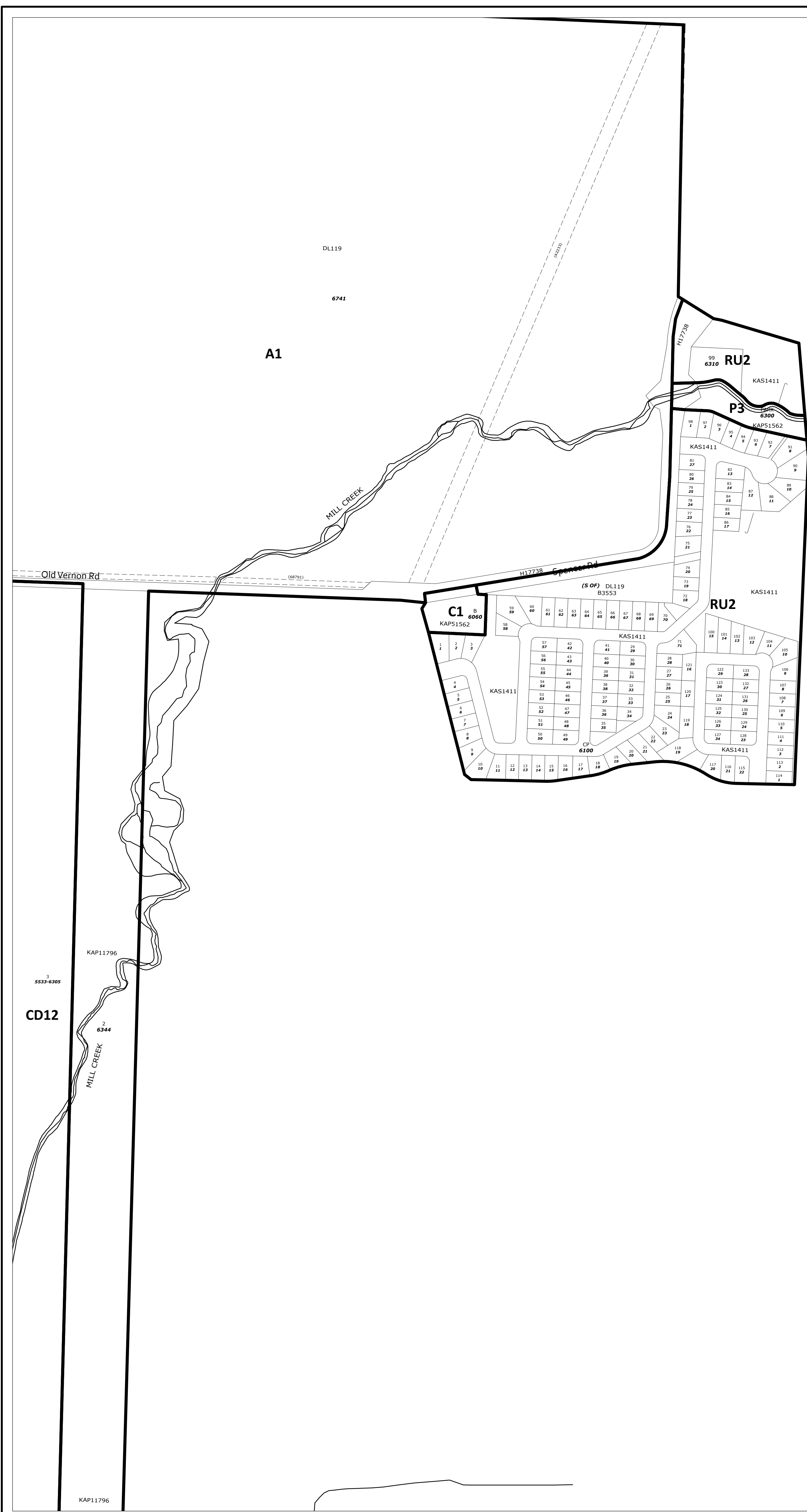


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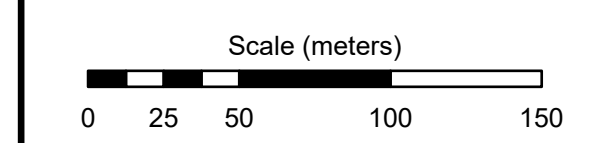
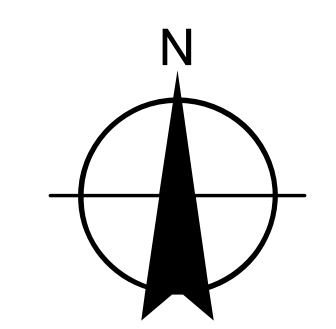
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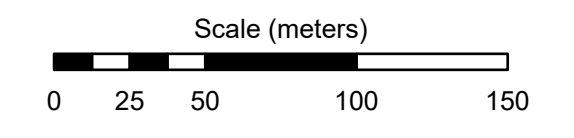
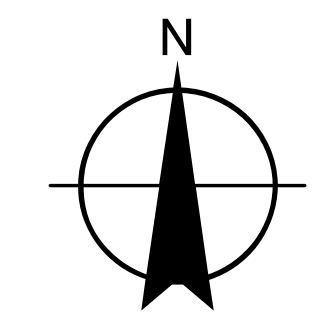
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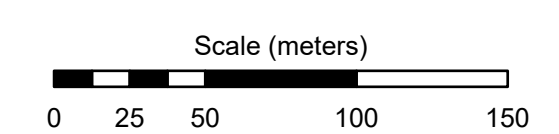
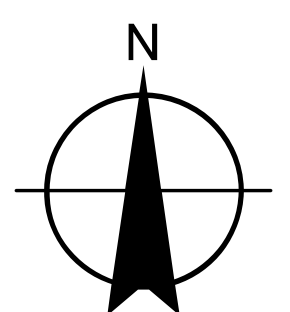
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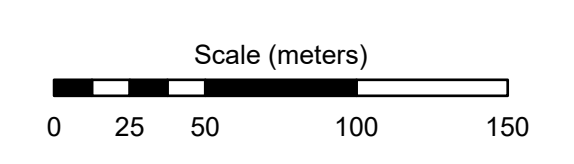
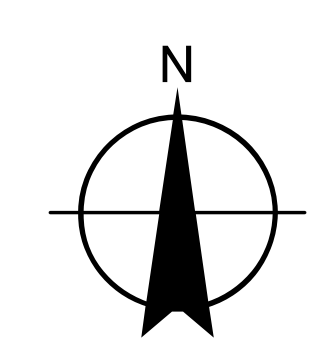
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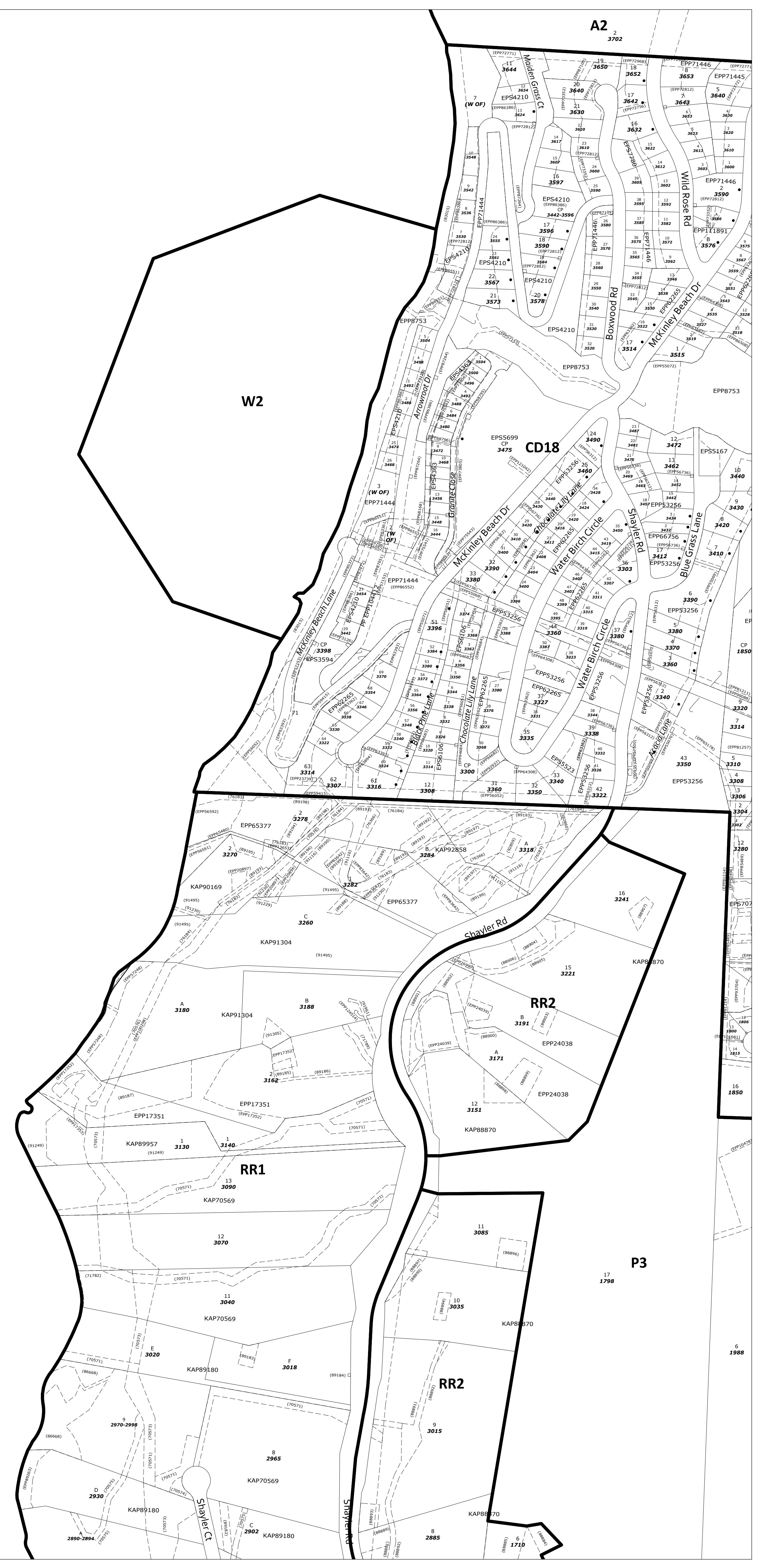
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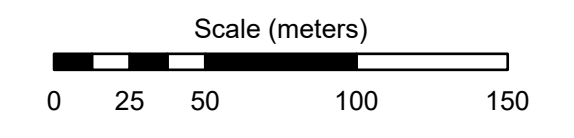
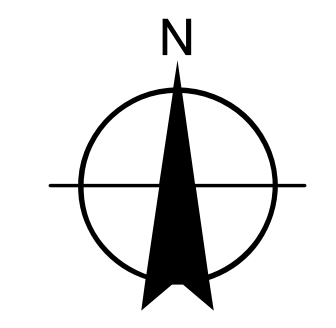
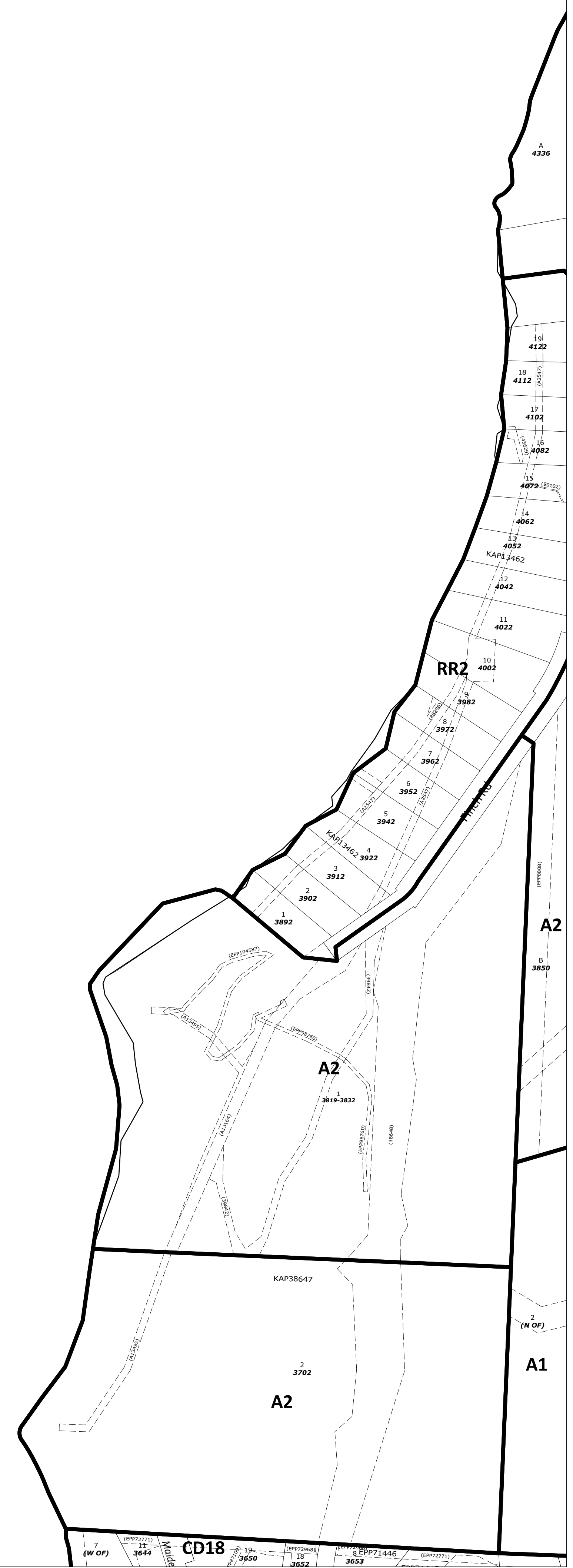
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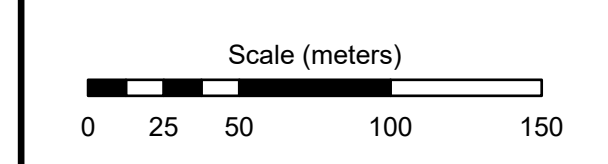
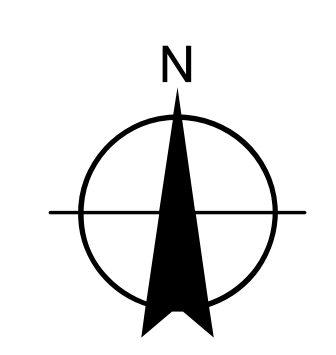
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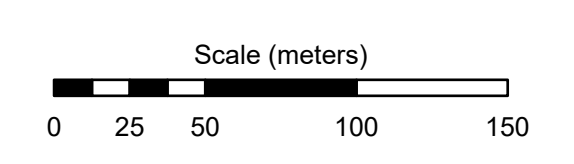
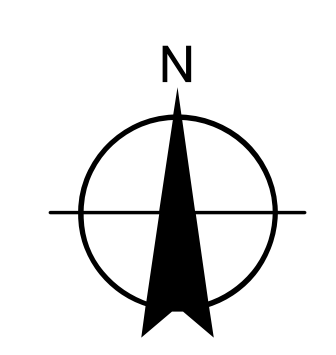
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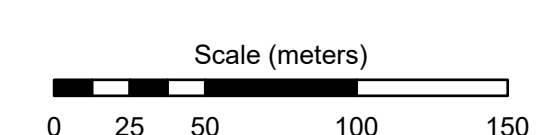
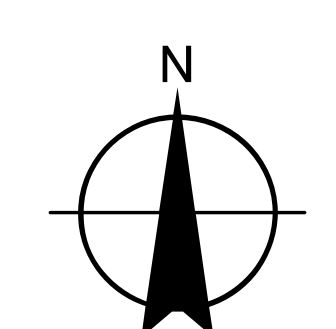
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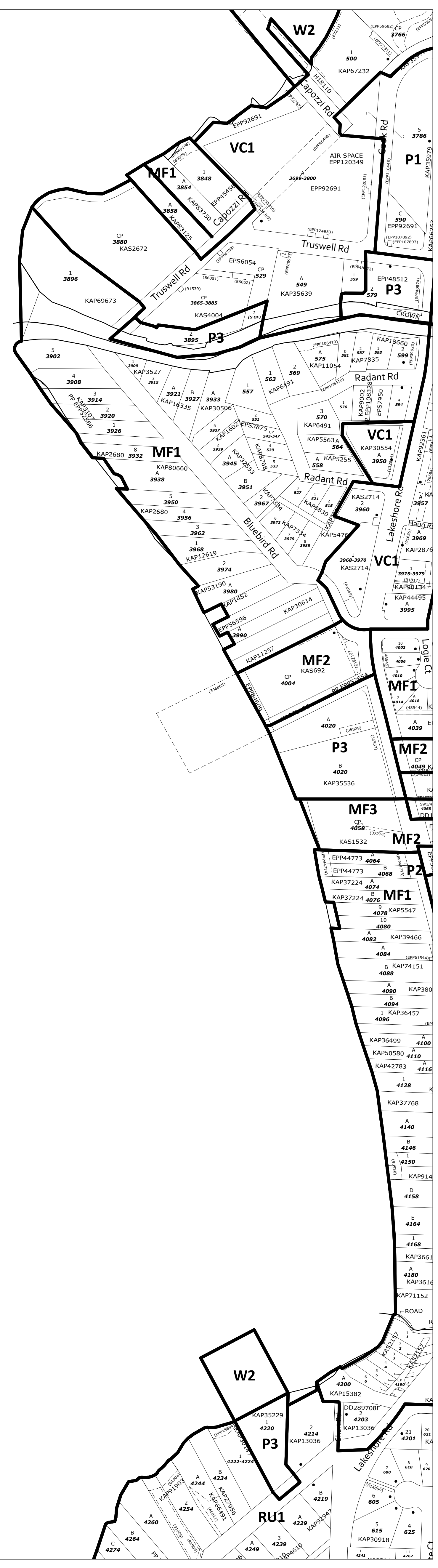
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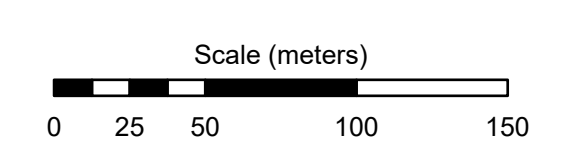
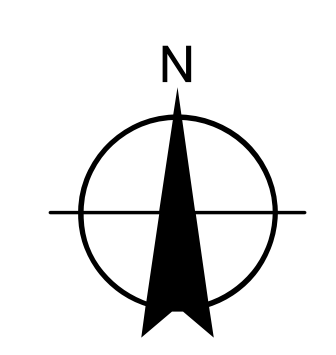
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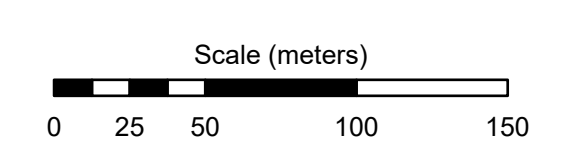
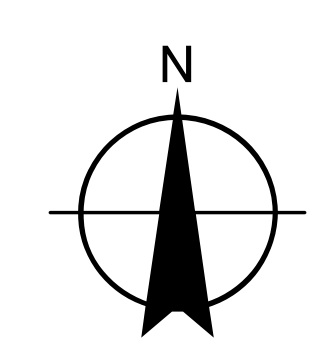
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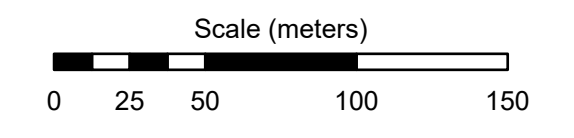
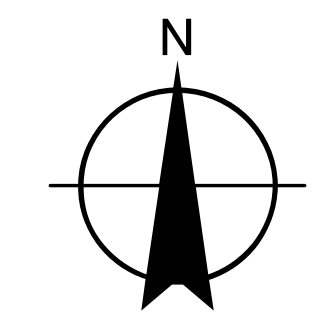
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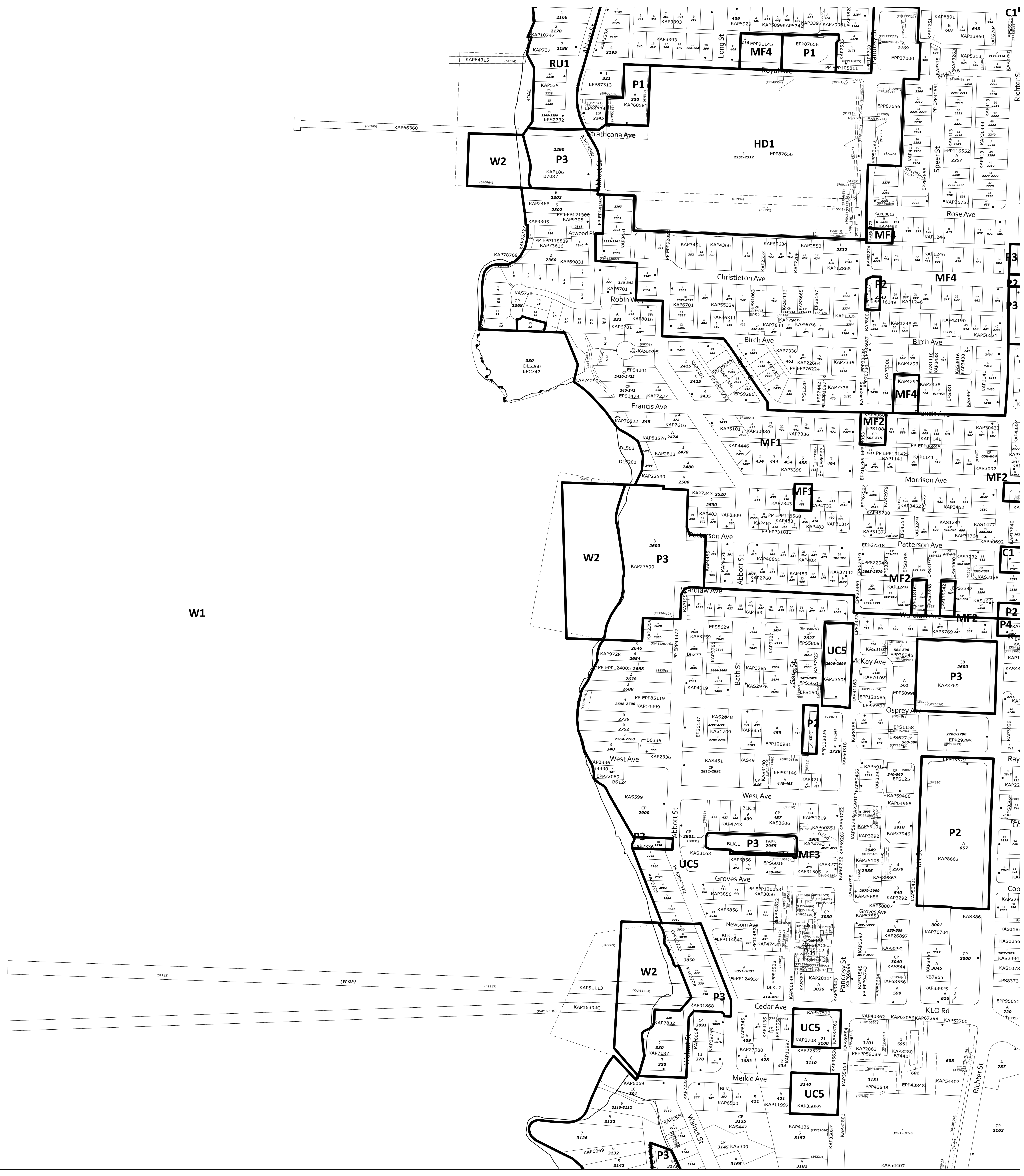


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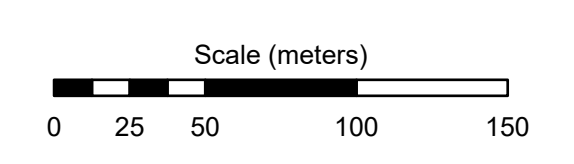
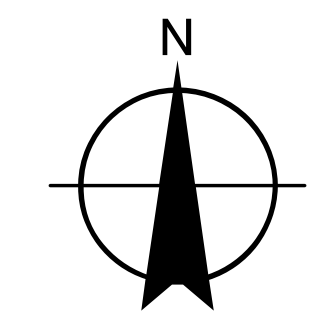
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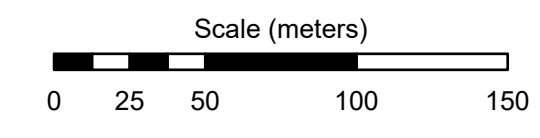
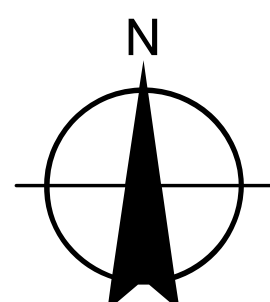
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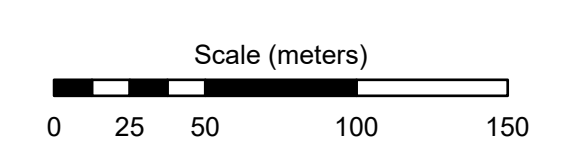
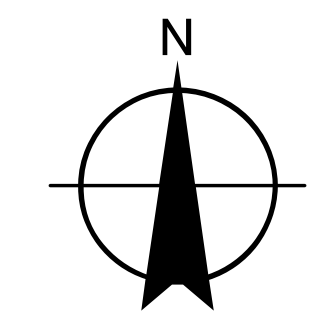
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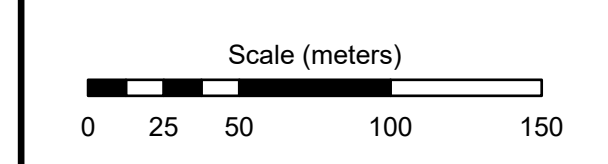
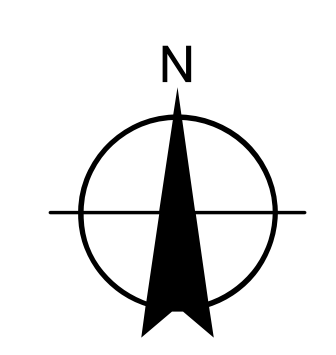
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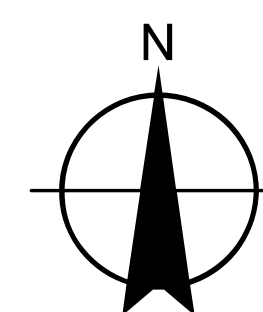
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ADDRESSES

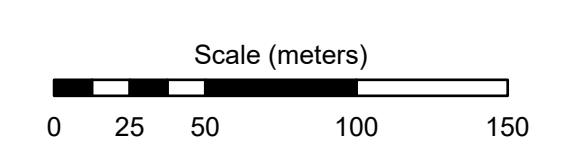
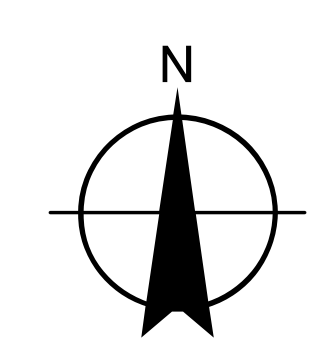
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234 Street Address

• Indicates Address Fronting Street

--- City Boundary

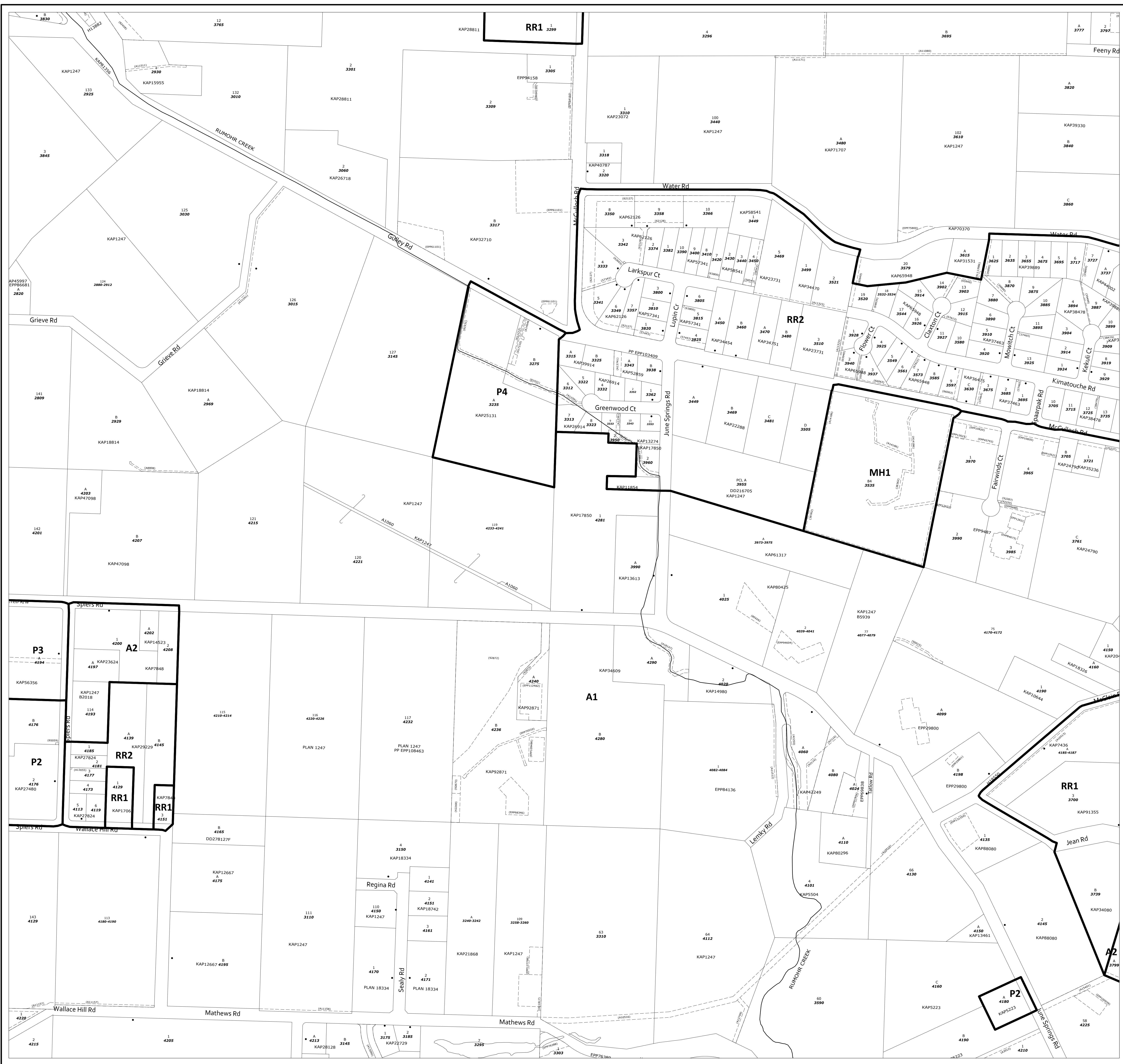
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— Proposed Zoning

ADDRESSES

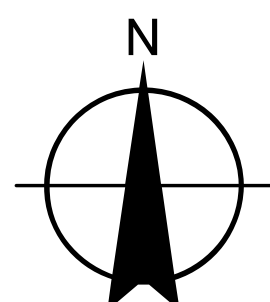
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• Indicates Address Fronting Street

--- City Boundary

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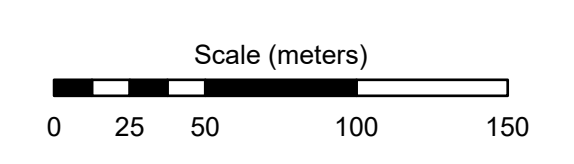
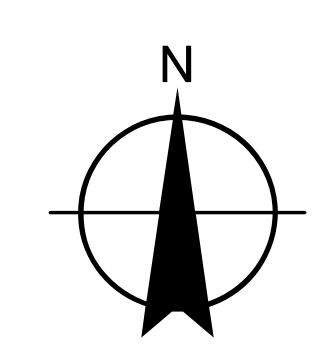
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- ZONING**
- Proposed Zoning
- ADDRESSES**
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 - Indicates Address Fronting Street
 - City Boundary

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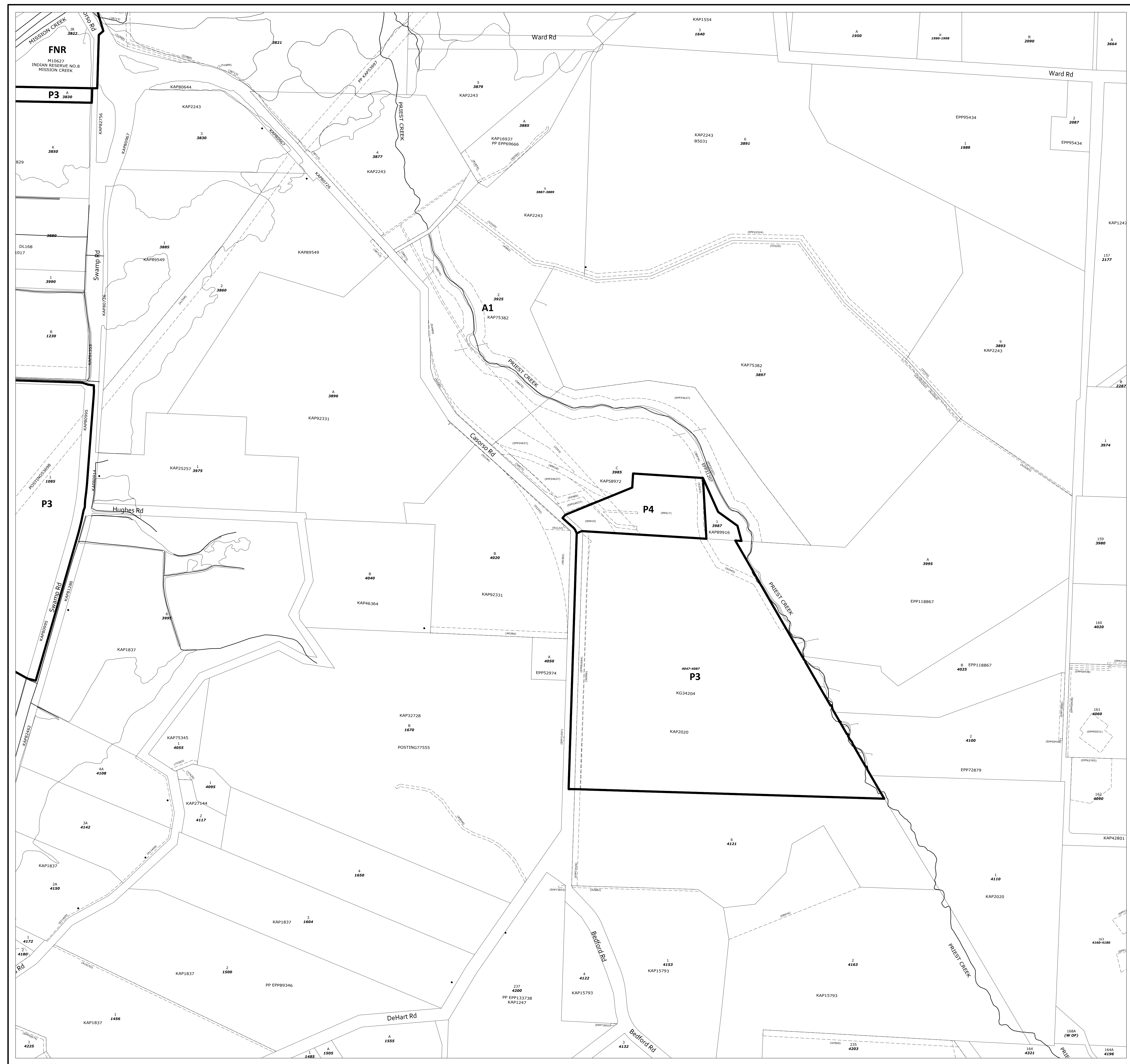


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— Proposed Zoning

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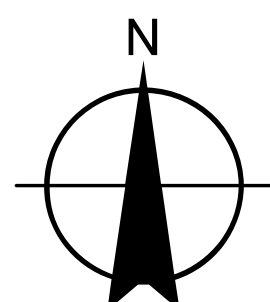
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ZONING

Proposed Zoning

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234 Street Address

Indicates Address Fronting Street

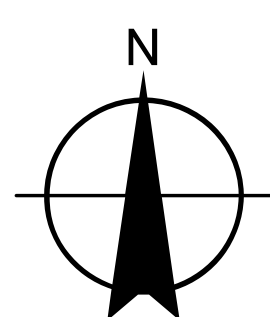
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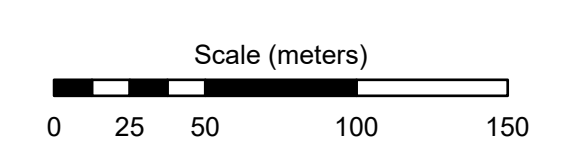
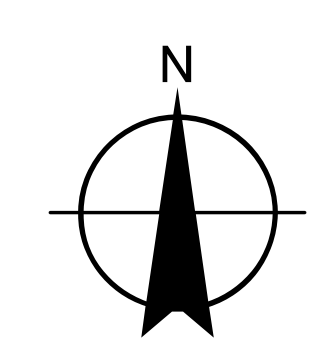
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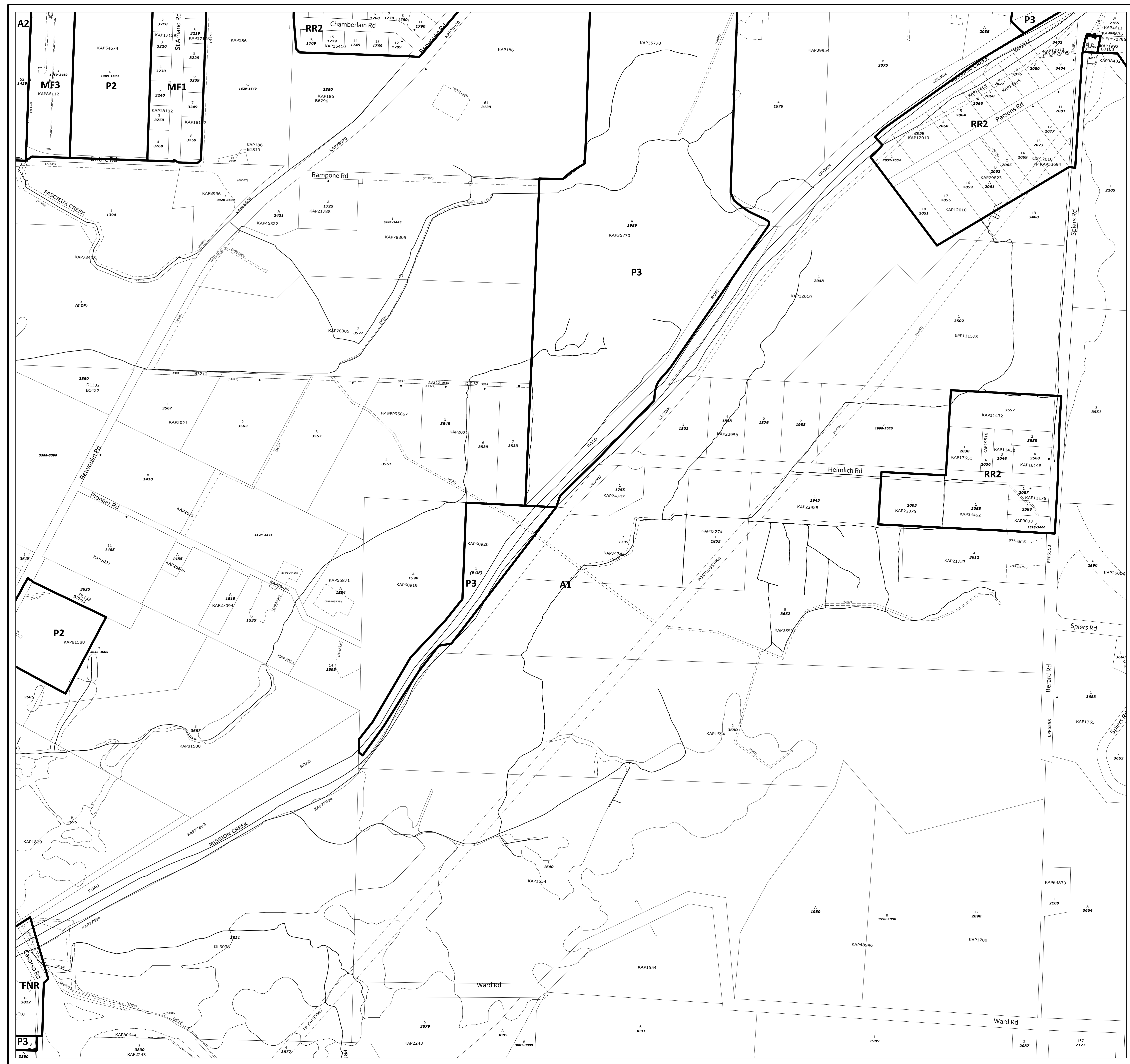


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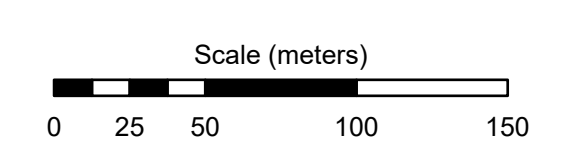
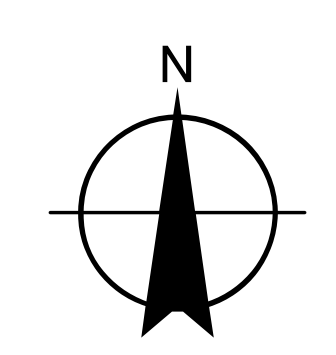
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 - Indicates Address Fronting Street
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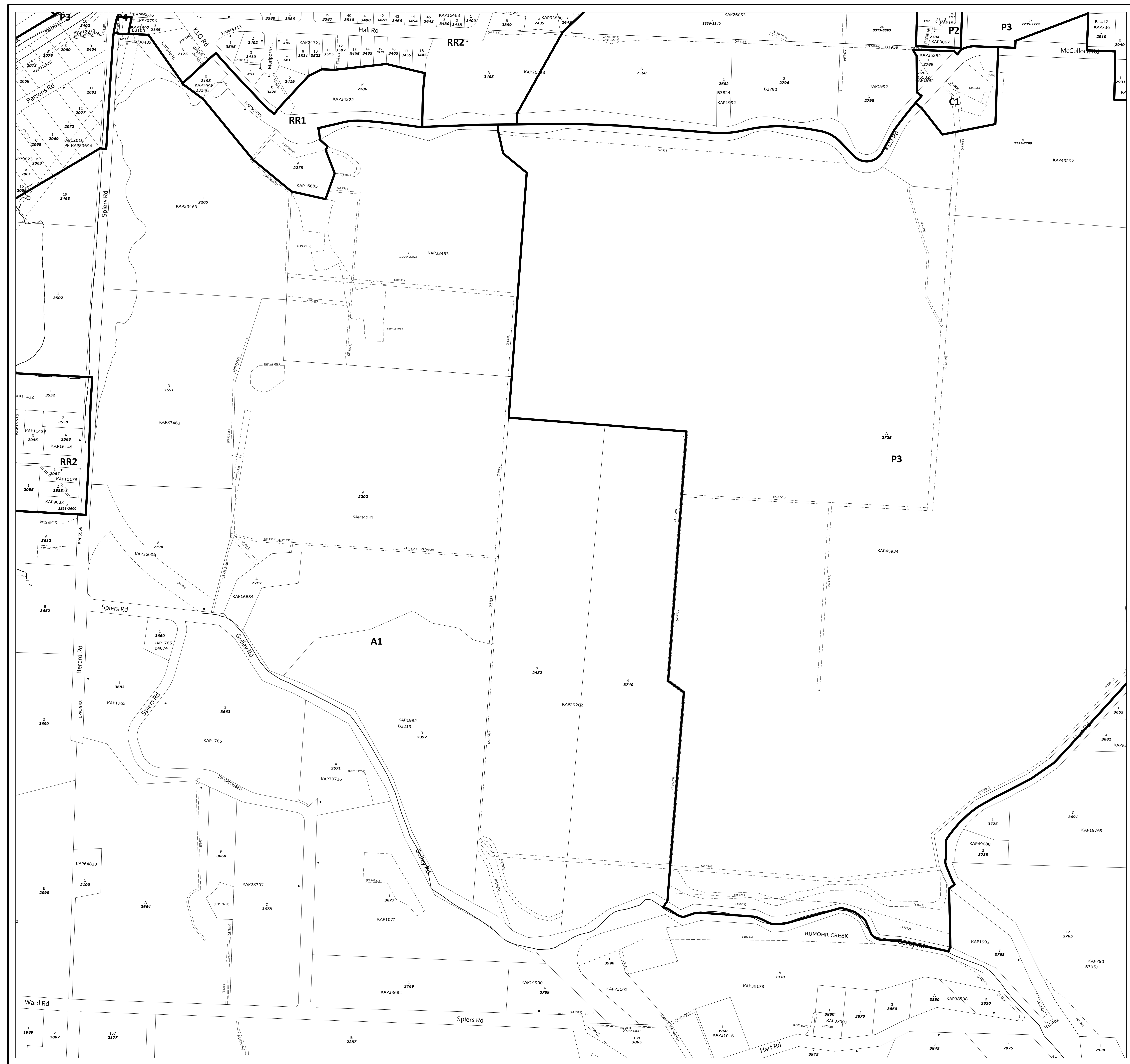


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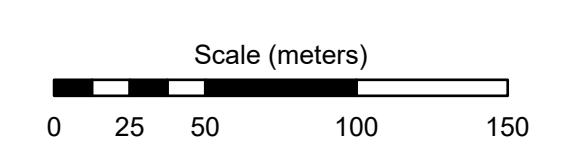
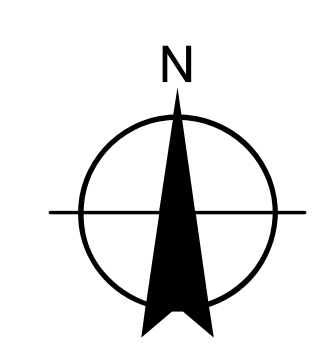
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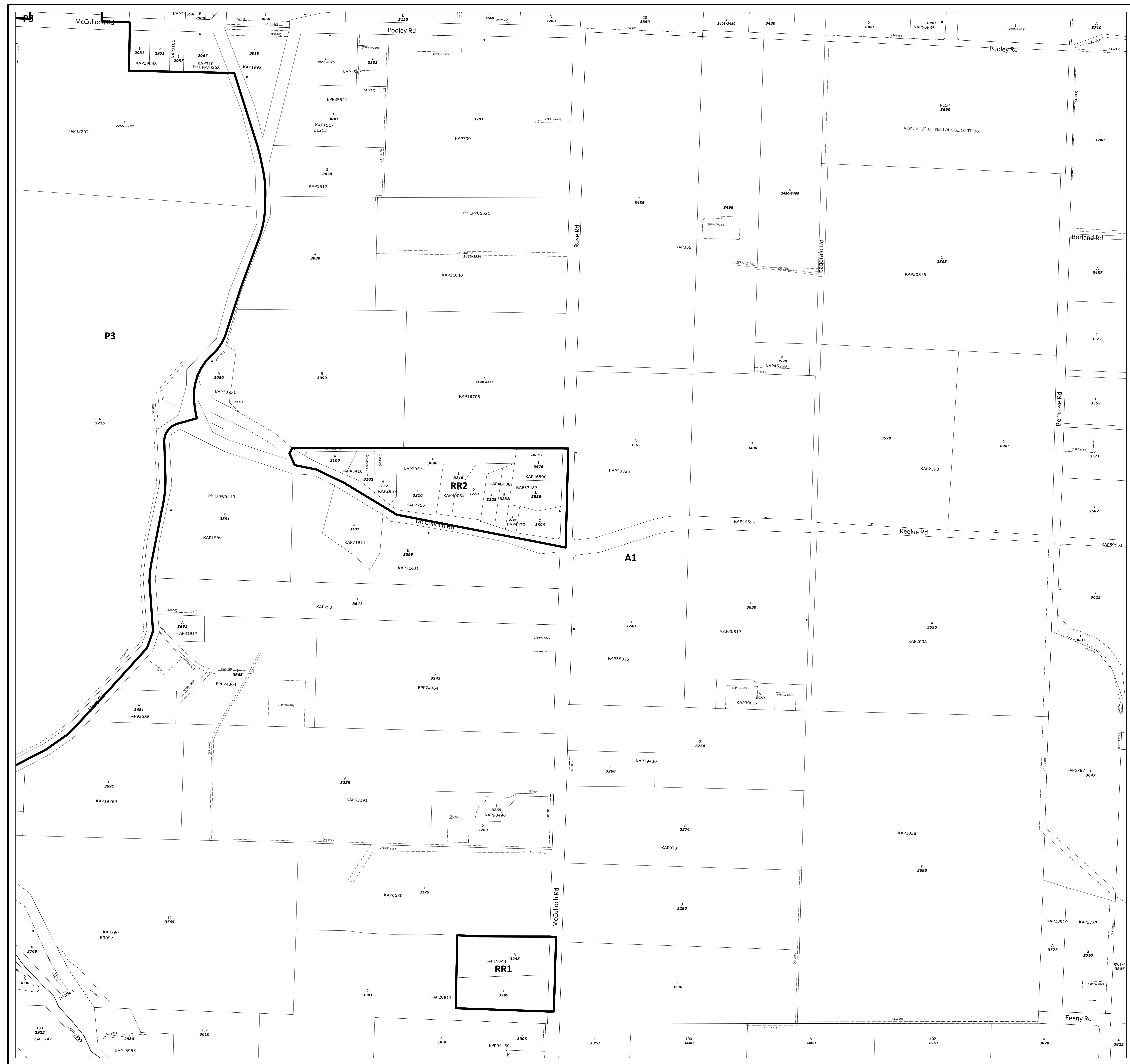
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ZONING

Proposed Zoning

ADDRESSES

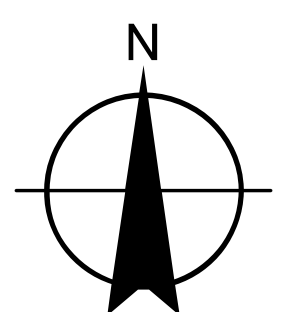
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234 Street Address

Indicates Address Fronting Street

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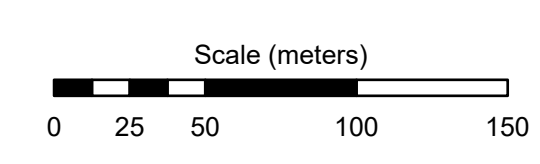
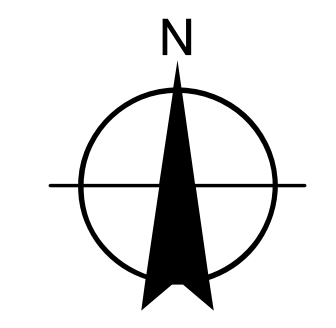
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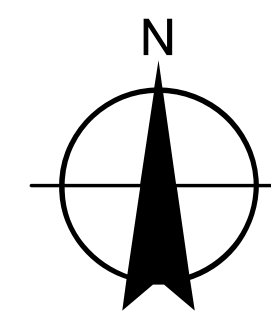
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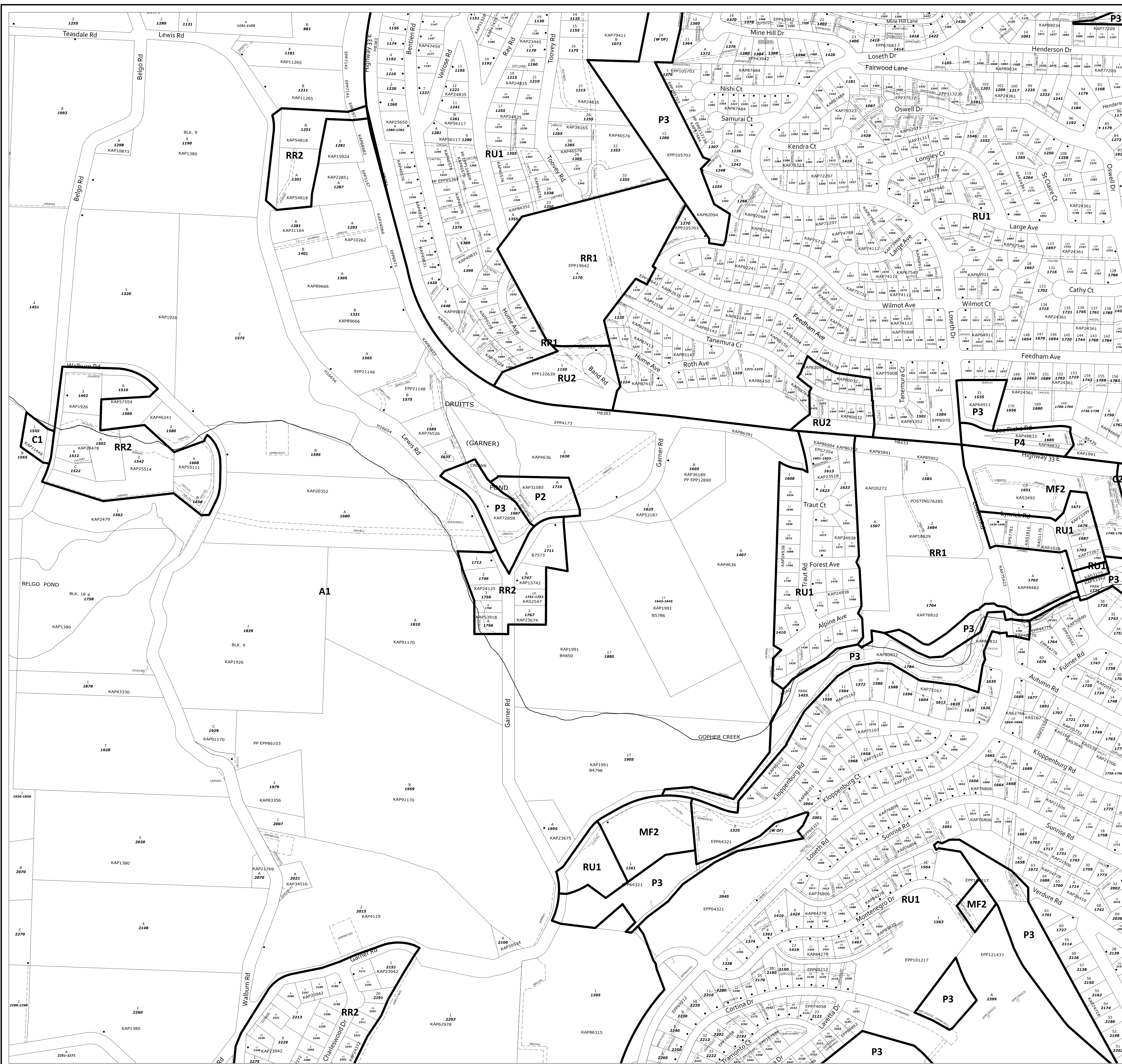
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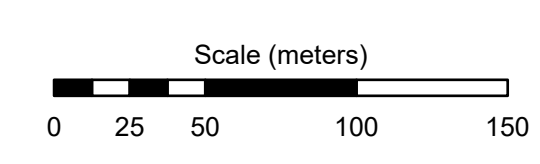
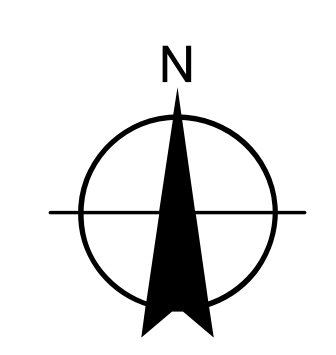
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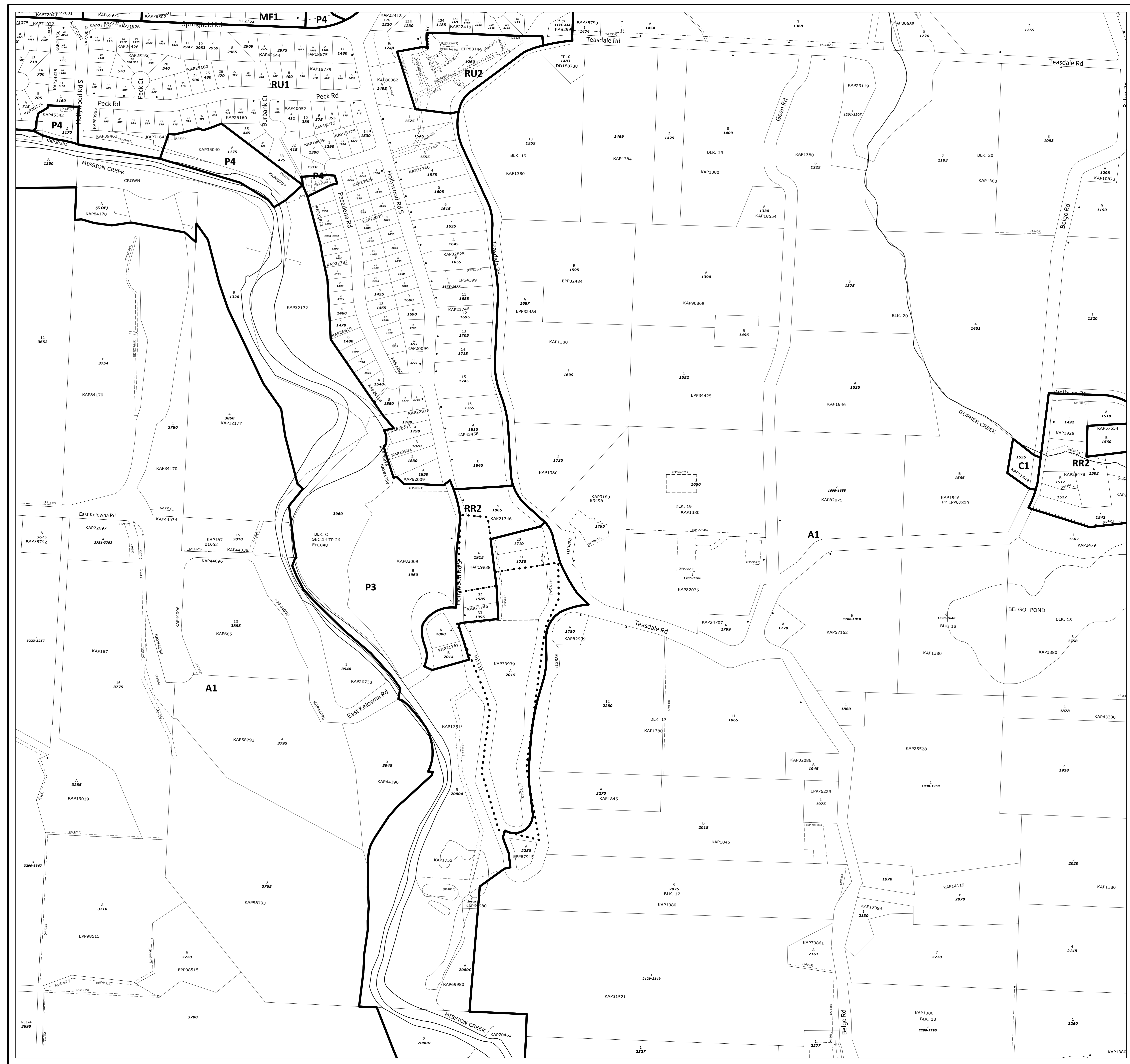


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234 Street Address

• Indicates Address Fronting Street

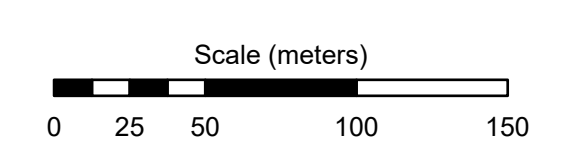
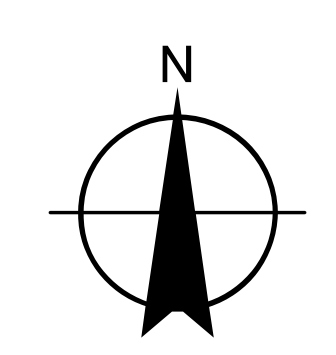
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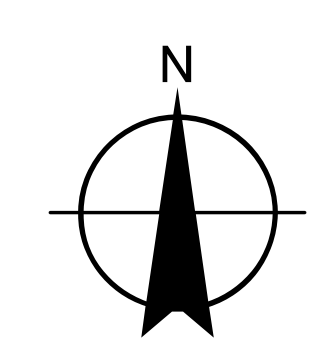
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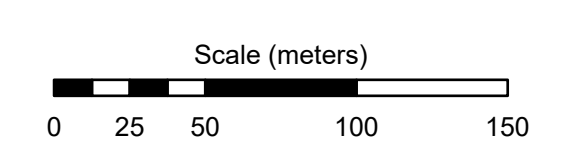
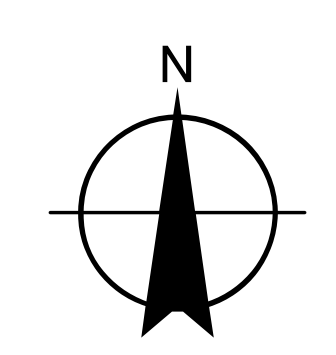
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10 Lot Number
234 Street Address

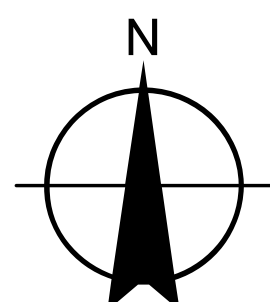
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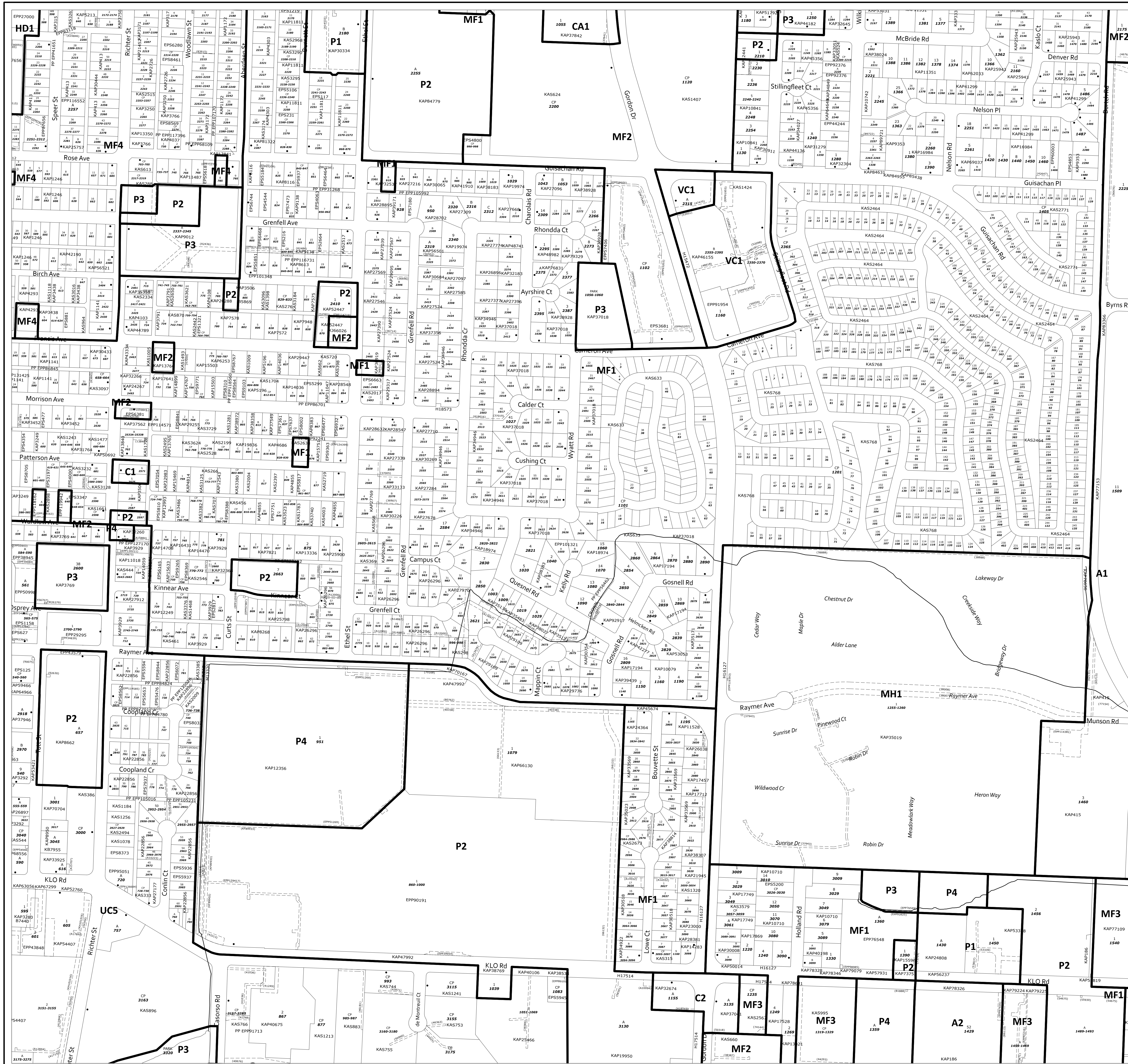


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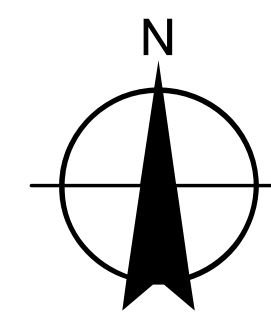
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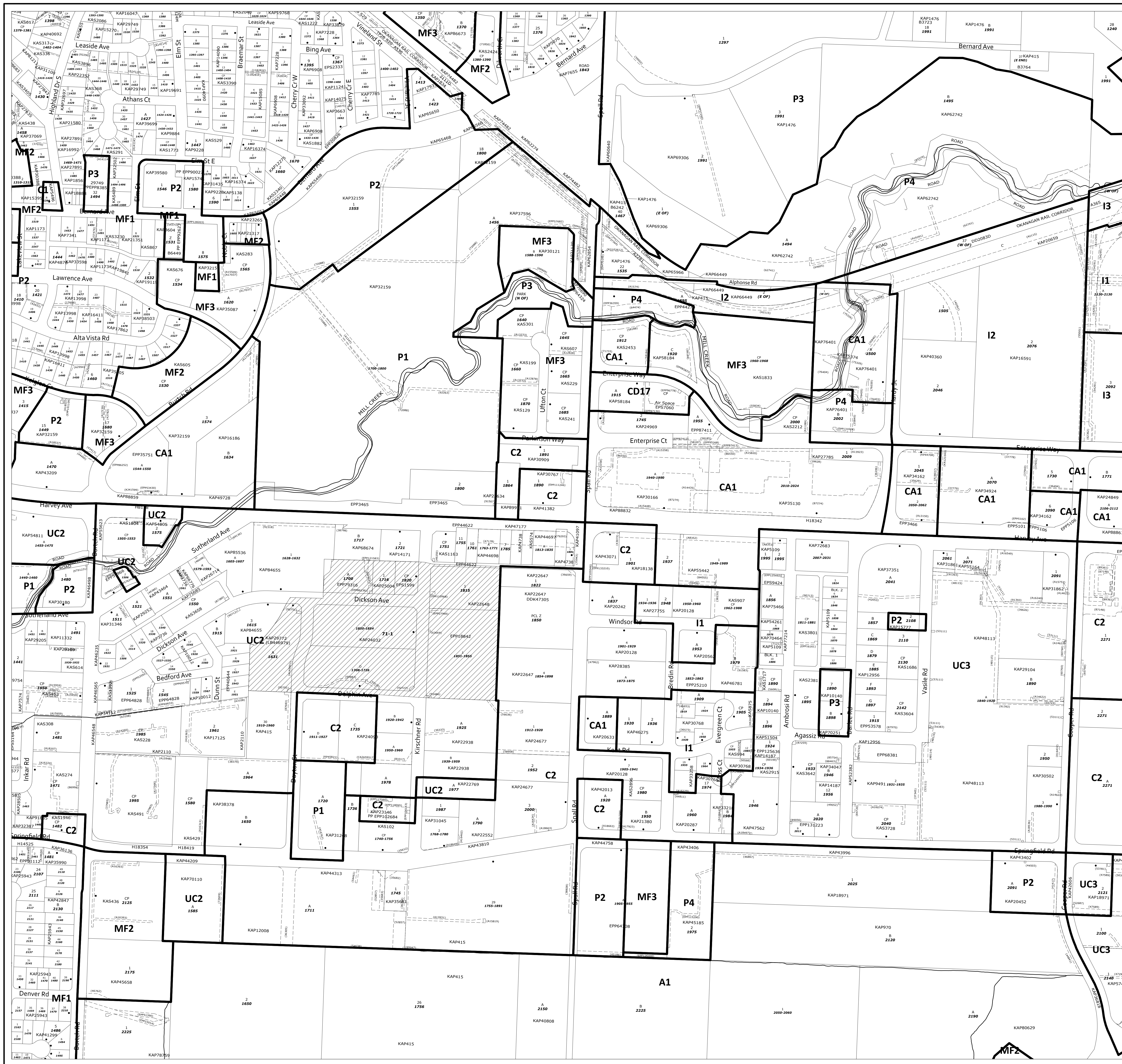
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234 Street Address

• Indicates Address Fronting Street

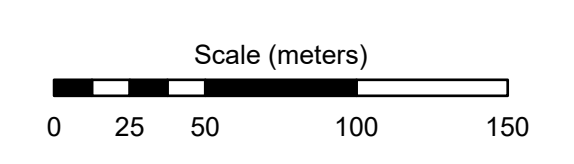
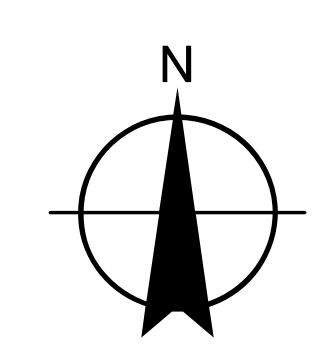
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Indicates Address Fronting Street

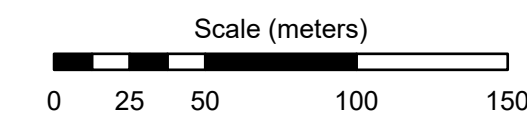
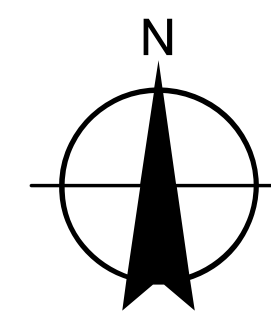
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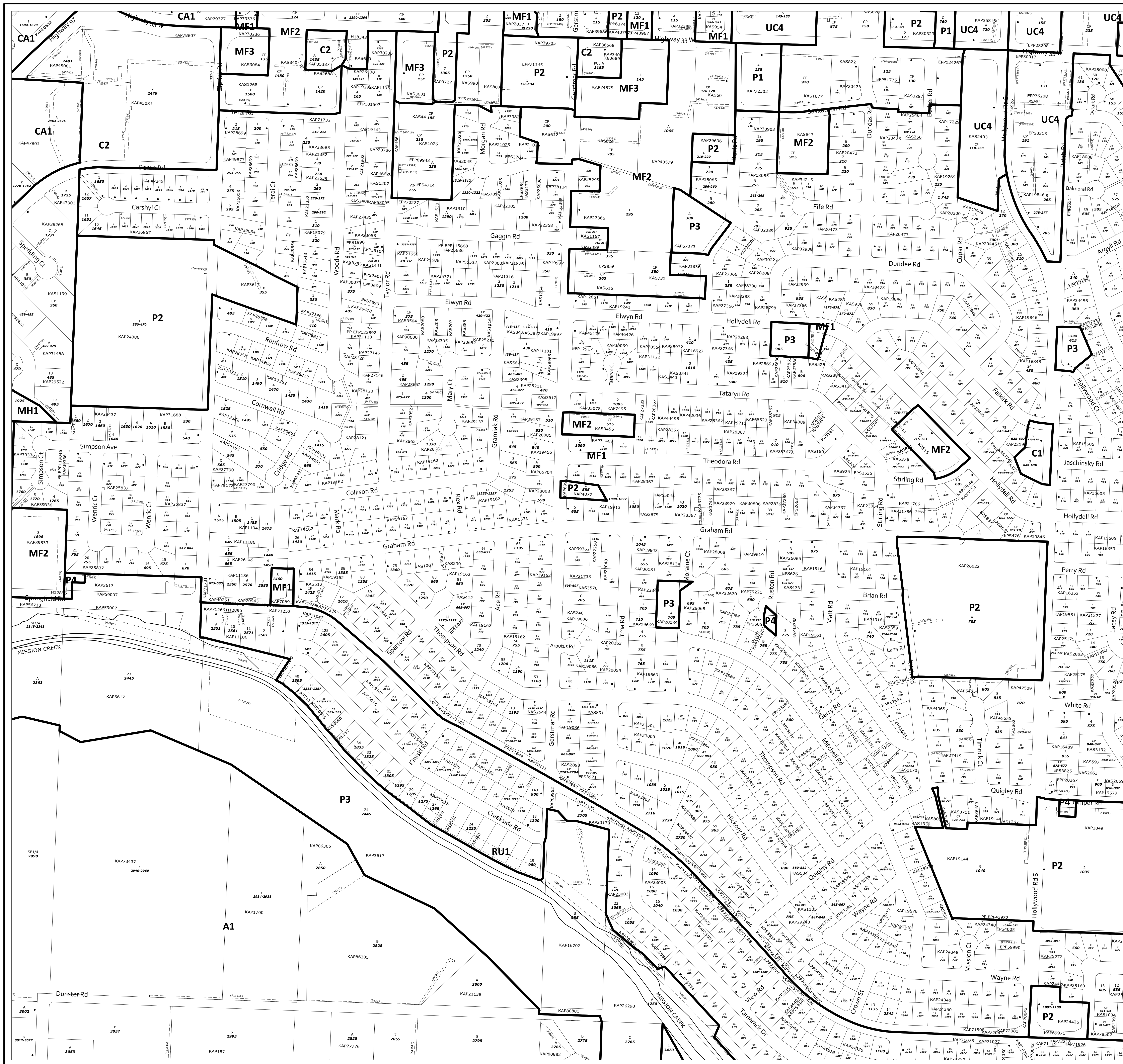
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Legend

ZONING

— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

• Indicates Address Fronting Street

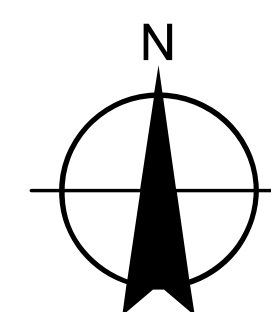
--- City Boundary

SCHEDULE B

This forms part of application
Z24-0001



Planner Initials: AC

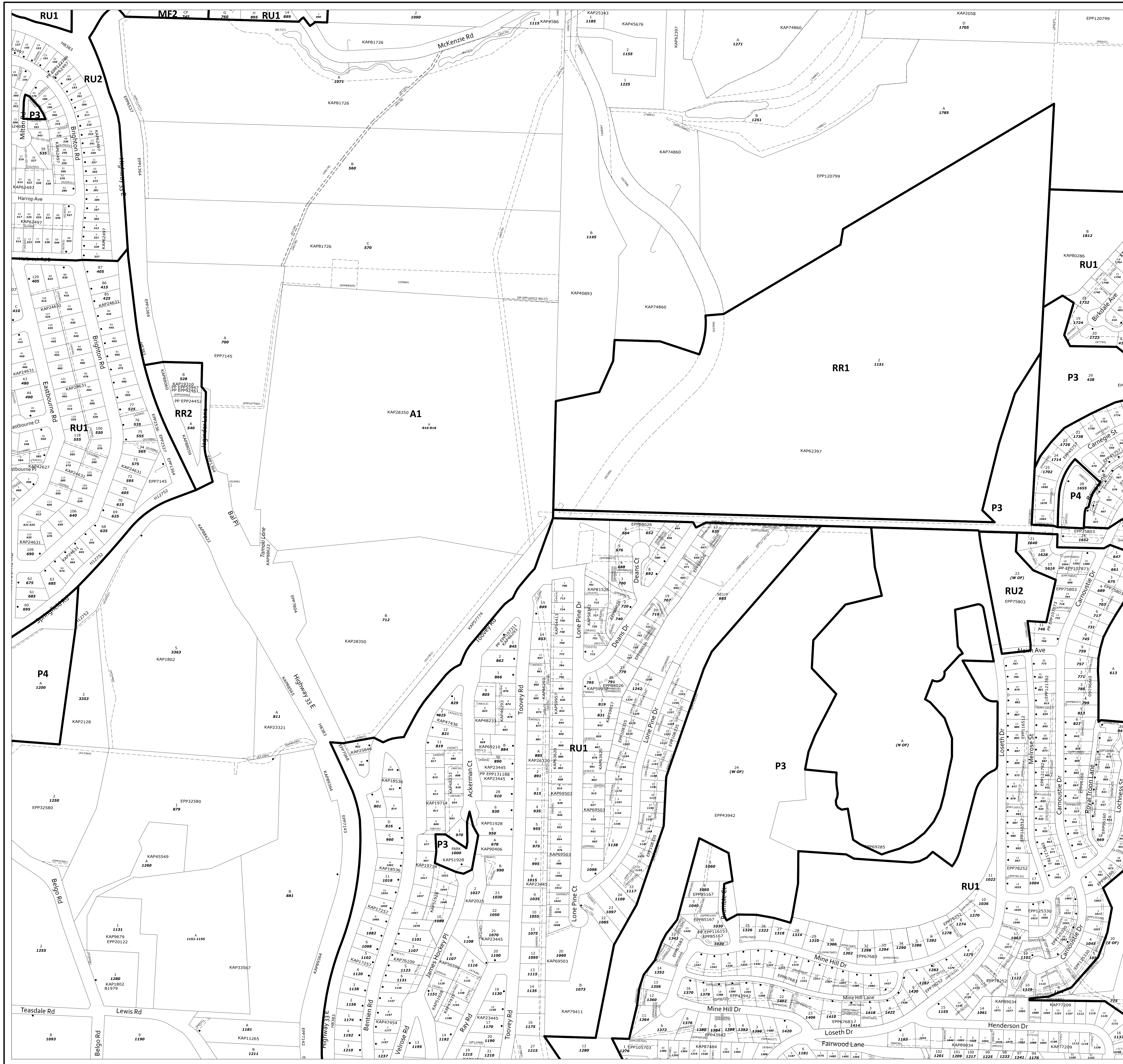


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Revision: 1/15/2024

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Legend
ZONING

— Proposed Zoning


ADDRESSES

10 Lot Number
234 Street Address

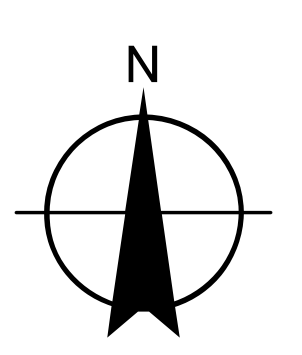
• Indicates Address Fronting Street

--- City Boundary

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Legend

ZONING

Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

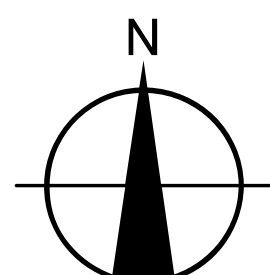
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City Boundary

SCHEDULE B

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Planner Initials AC



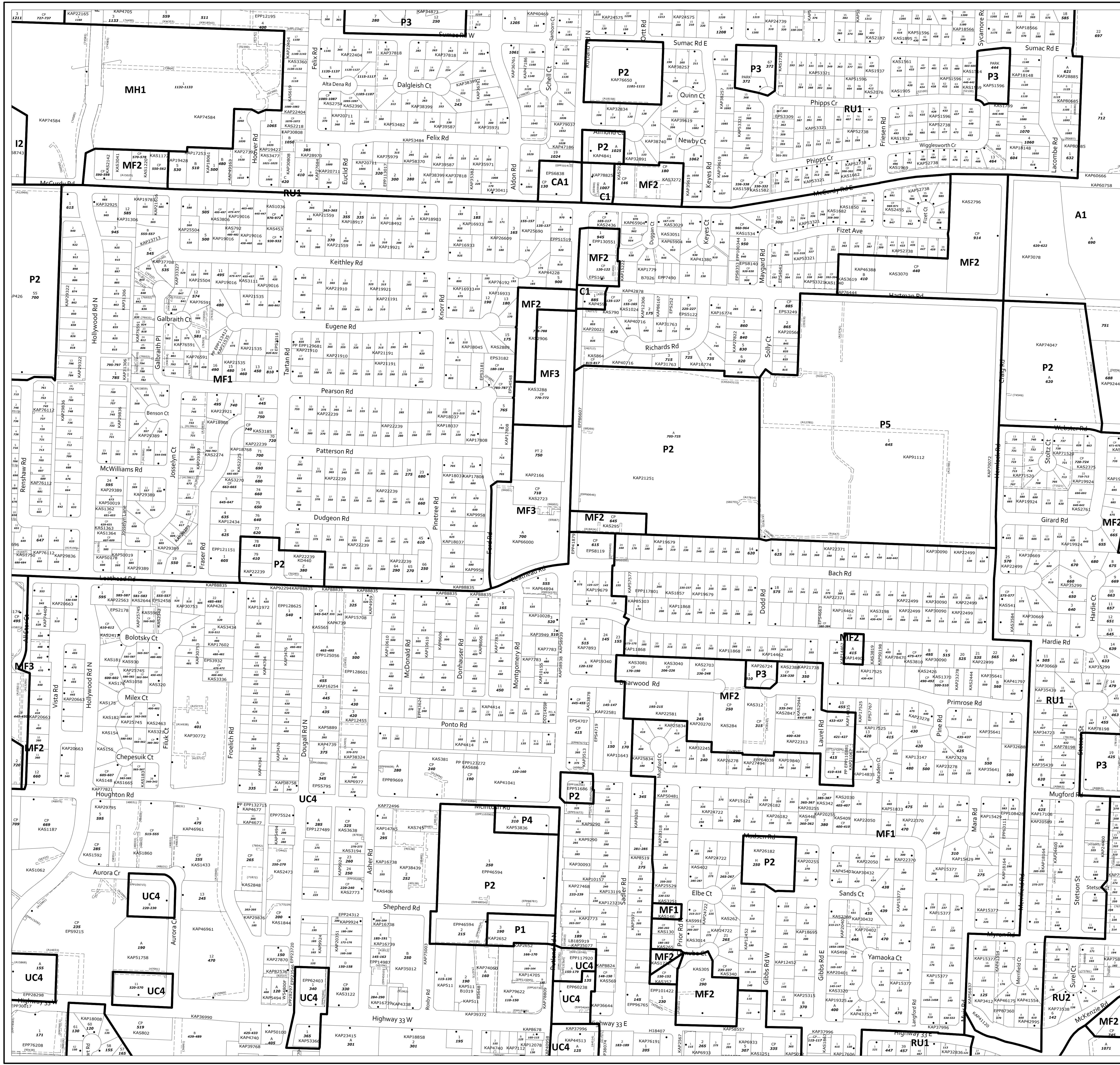
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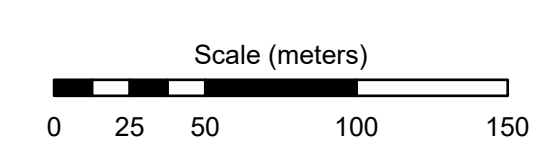
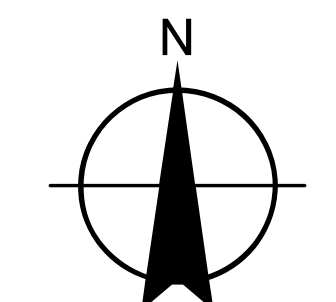
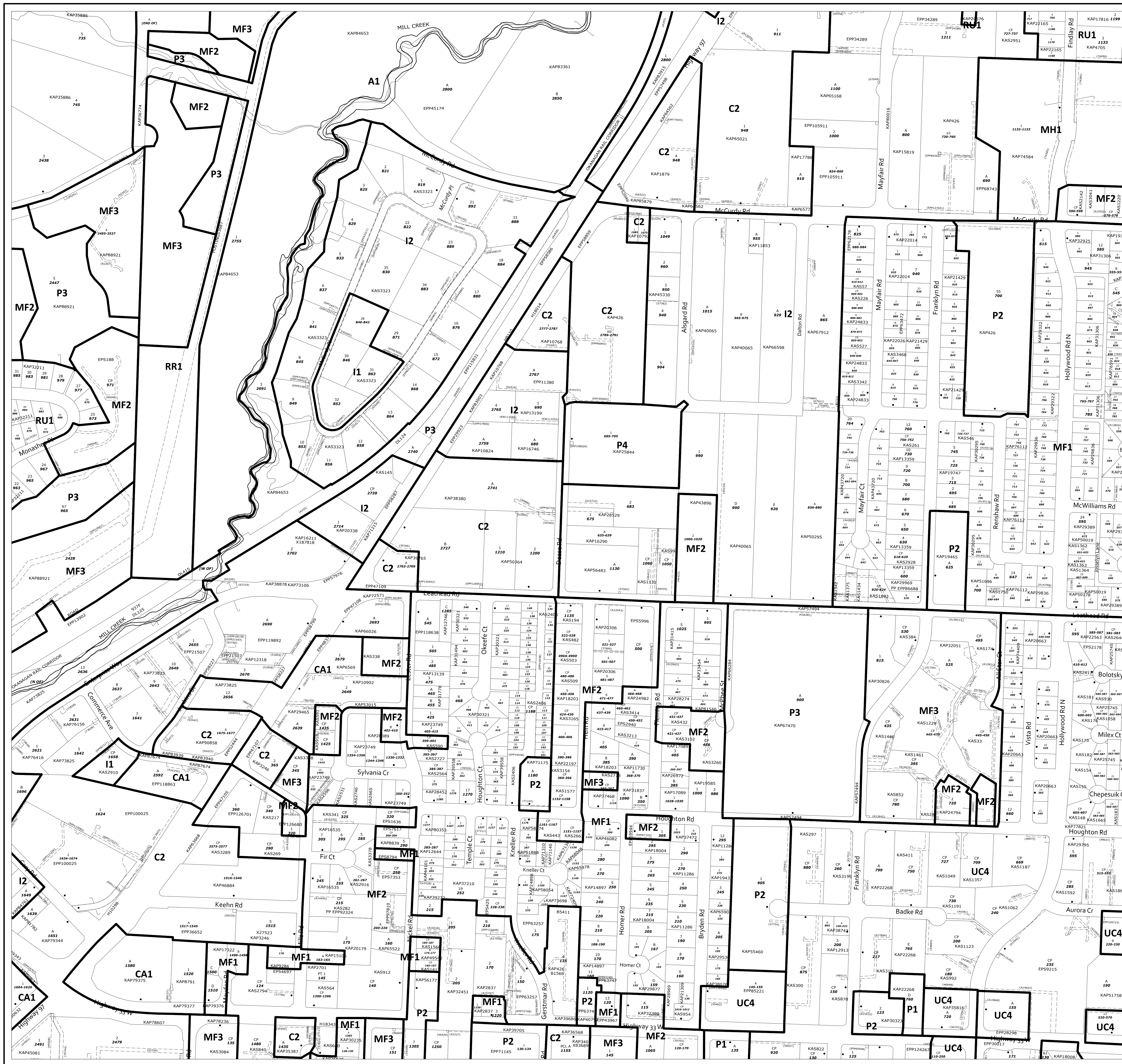
- Legend
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Legend

ZONING

Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

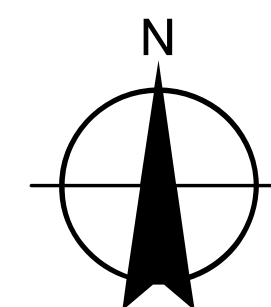
Indicates Address Fronting Street

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Legend

ZONING

Proposed Zoning

ADDRESSES

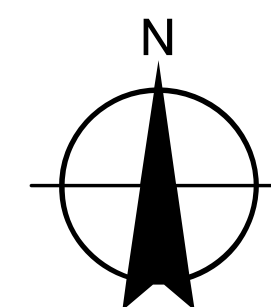
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234 Street Address

Indicates Address Fronting Street

City Boundary

SCHEDULE B
This forms part of application # Z24-0001

Planner Initials: AC

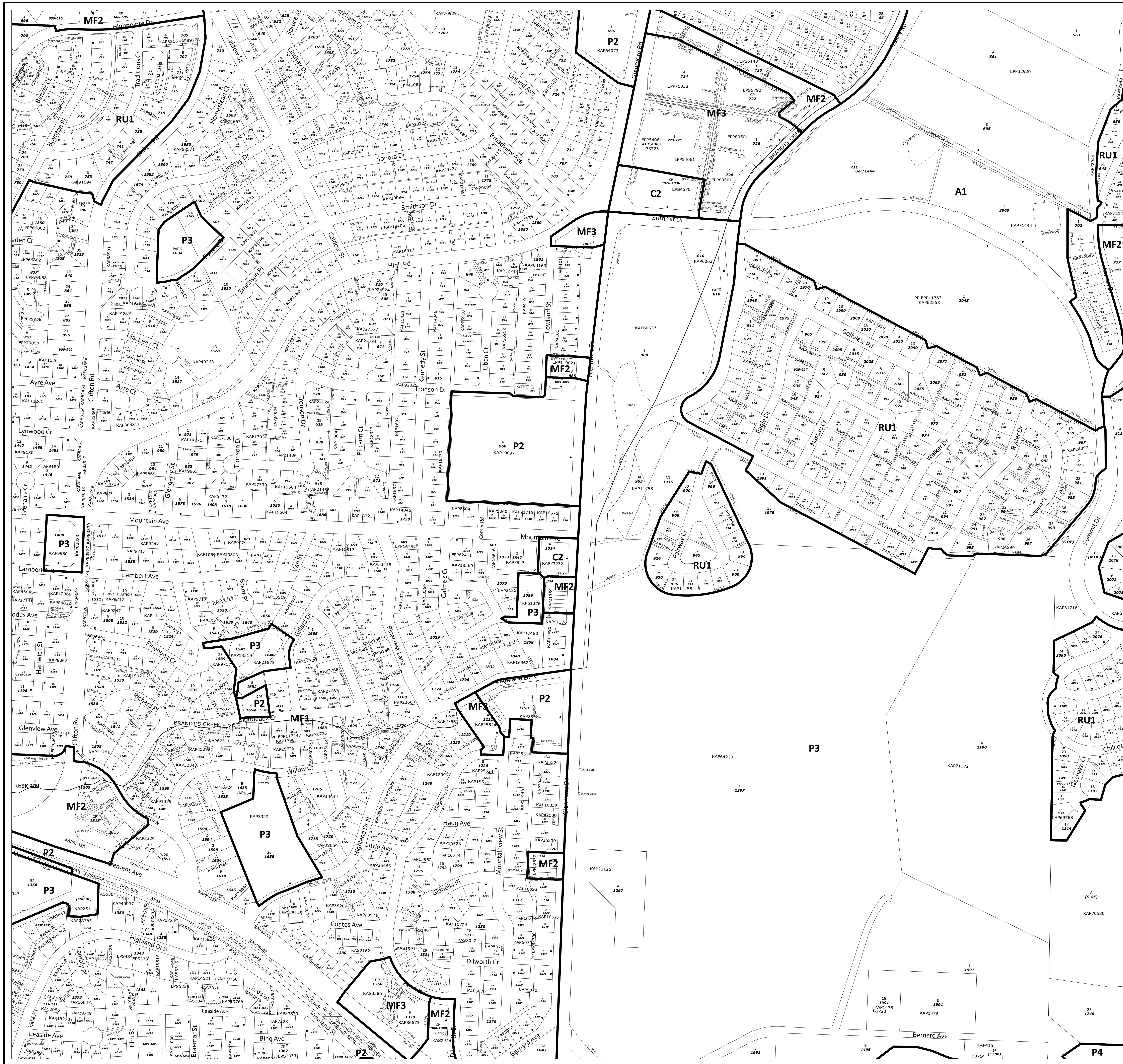


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ZONING

Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

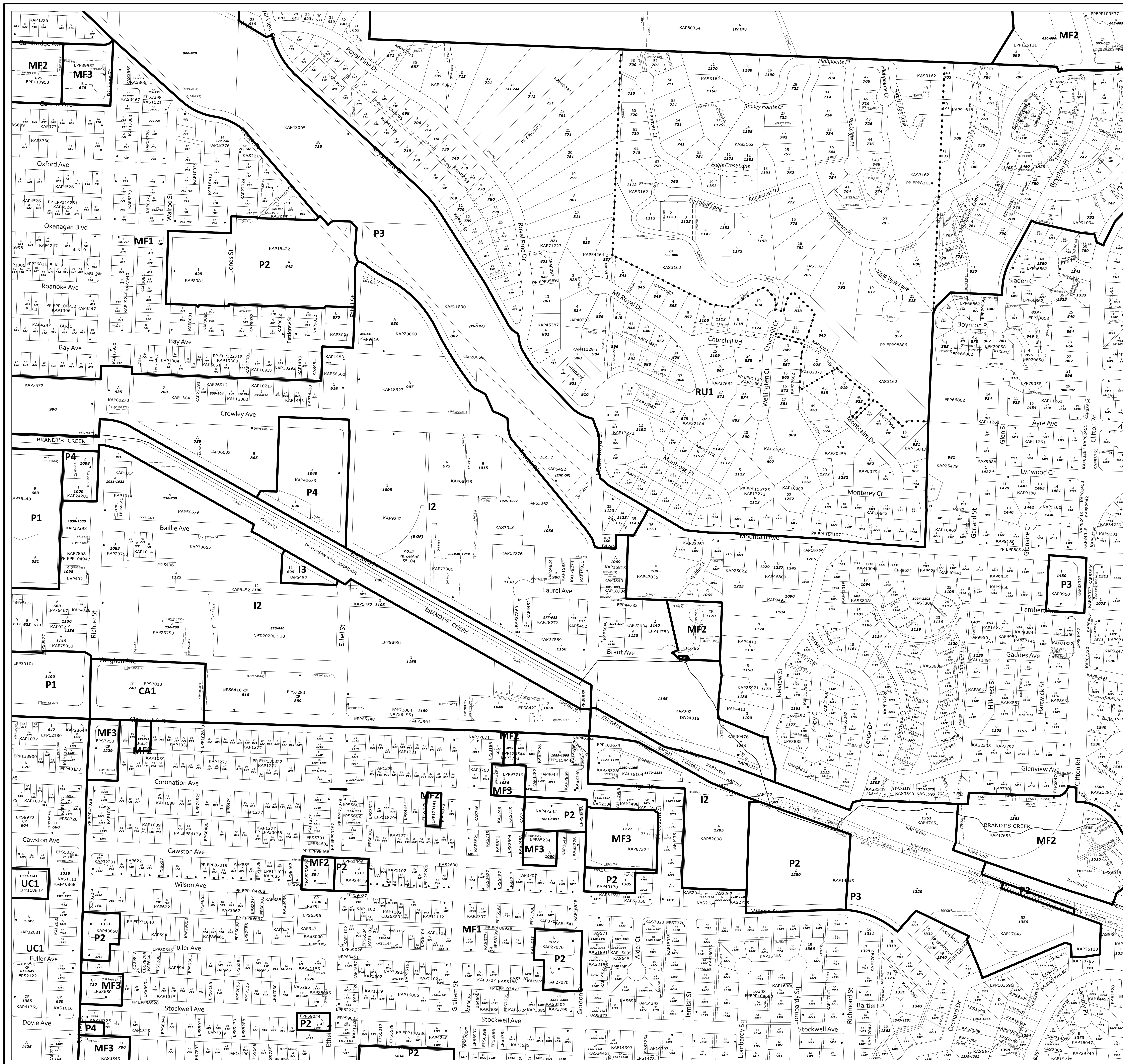
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City Boundary

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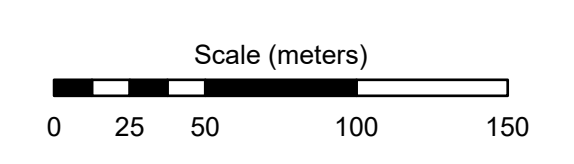
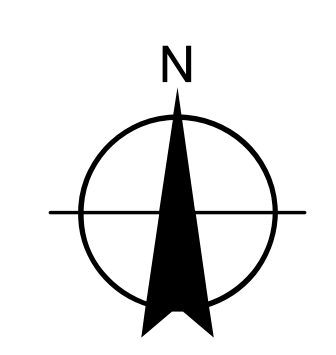
Legend

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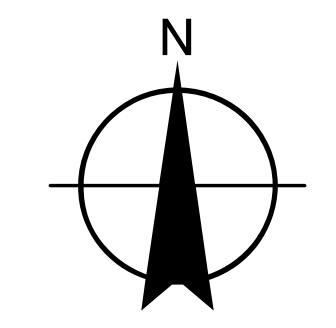
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(END OF)

MF2
P3



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ZONING

Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

Indicates Address Fronting Street

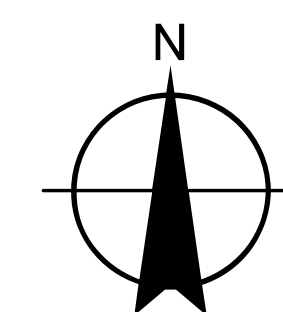
City Boundary

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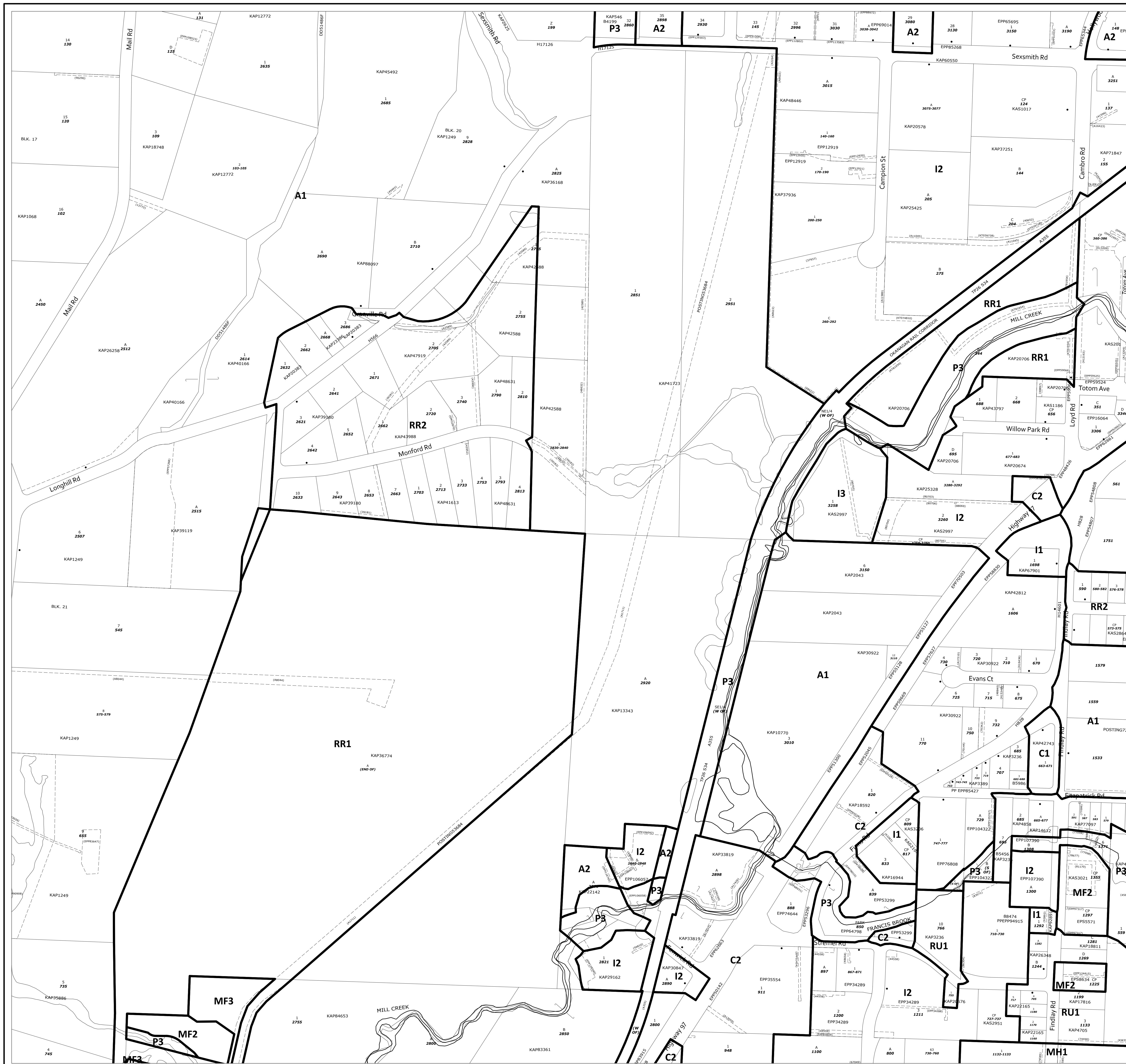


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ZONING

— Proposed Zoning

ADDRESSES

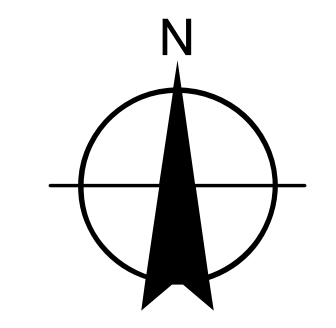
10 234
Lot Number
Street Address

• Indicates Address Fronting Street

--- City Boundary

SCHEDULE B

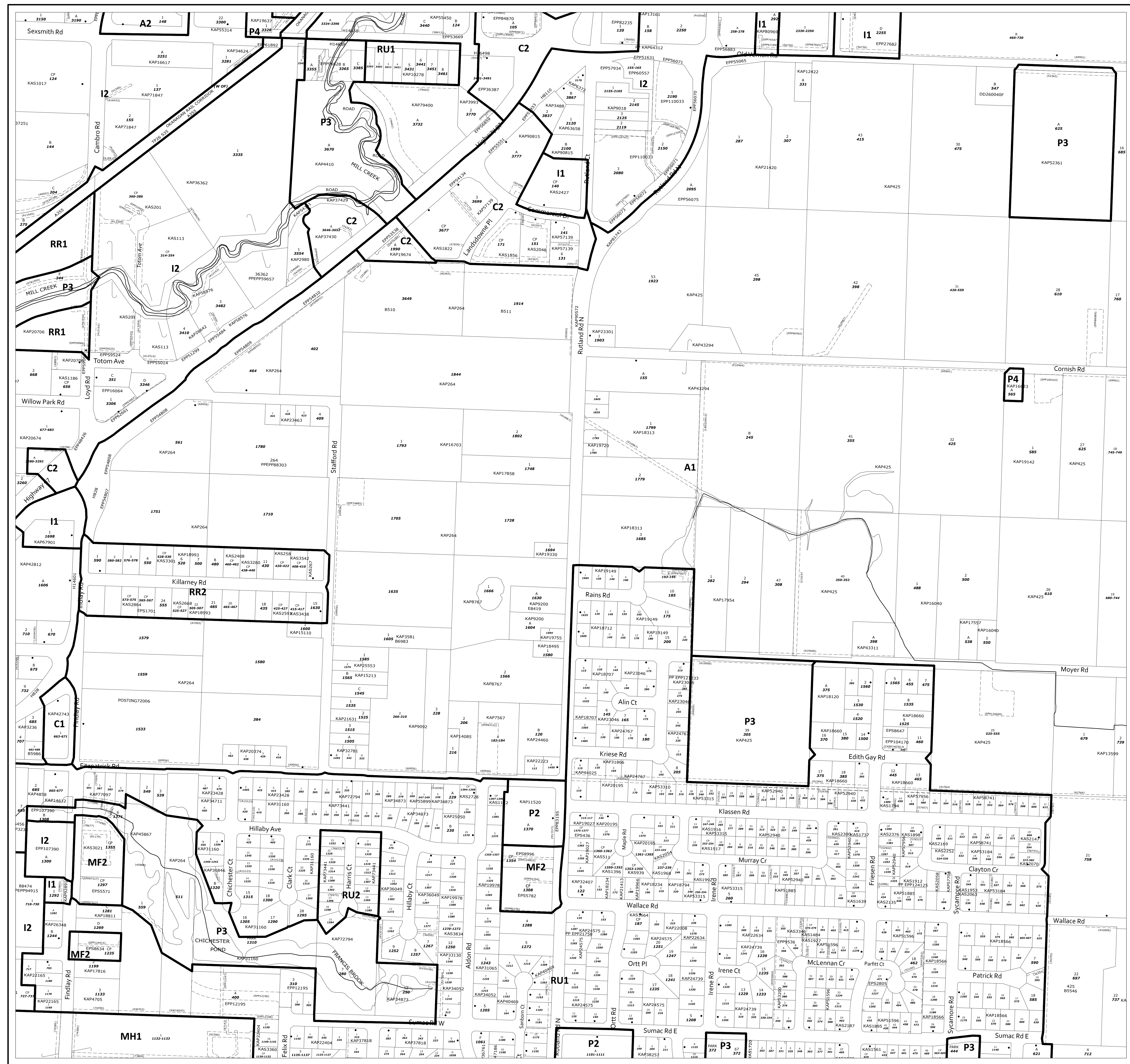
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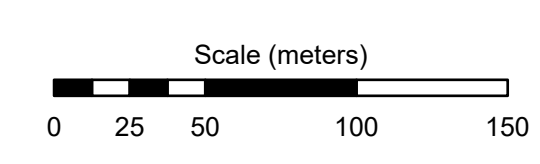
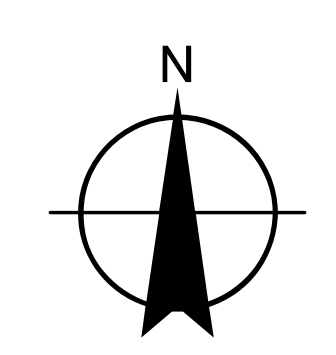
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- 10 Lot Number
 - 234 Street Address
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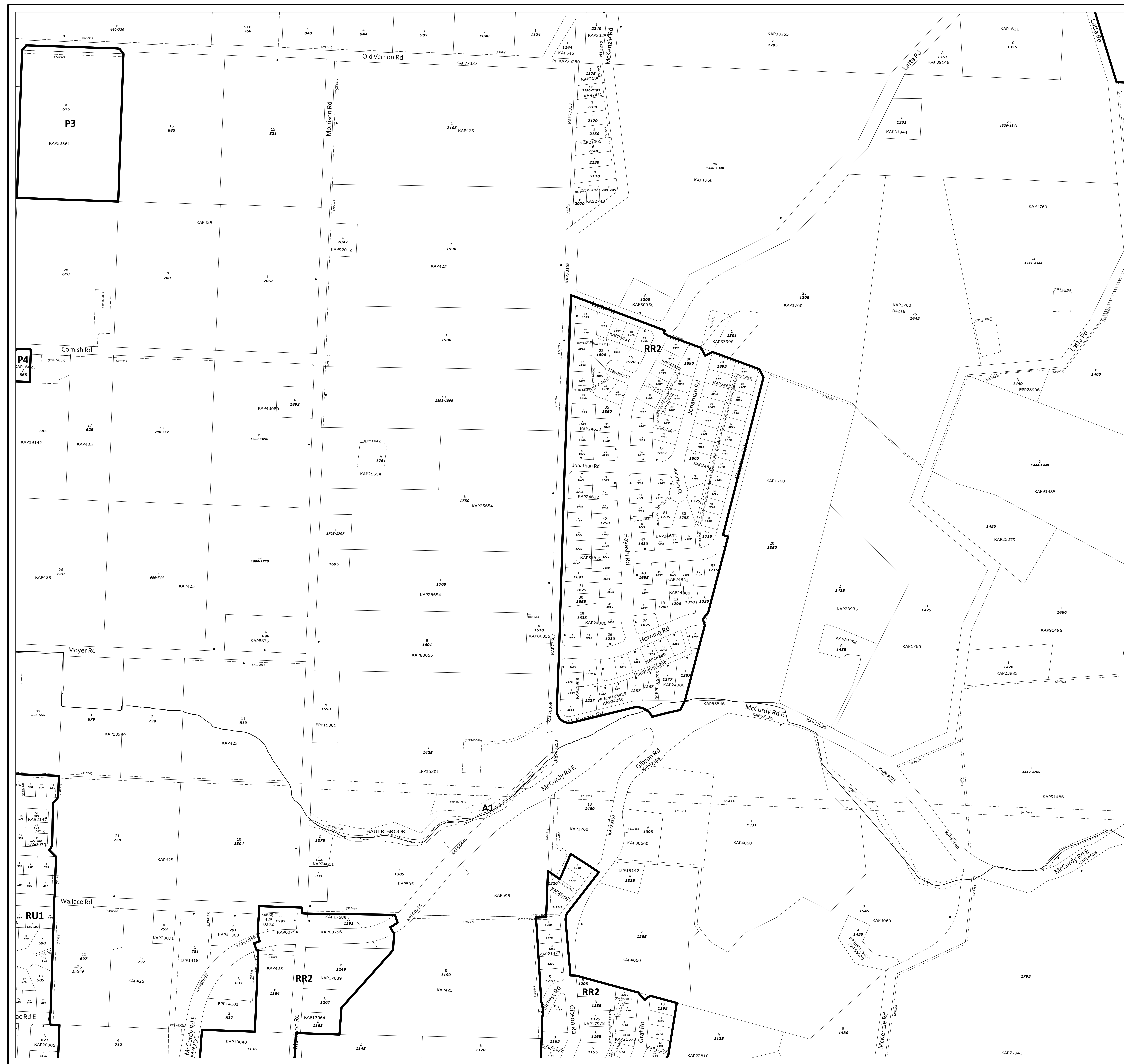



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ZONING

— Proposed Zoning


ADDRESSES

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234
— Lot Number
— Street Address

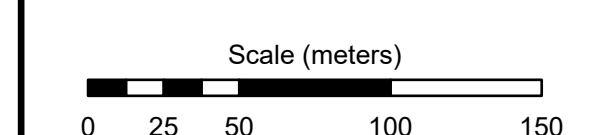
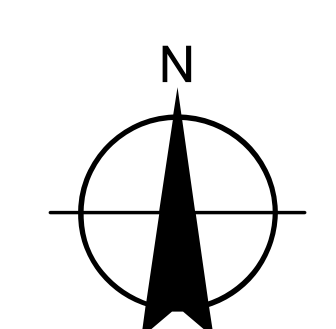
• Indicates Address
Fronting Street

--- City Boundary

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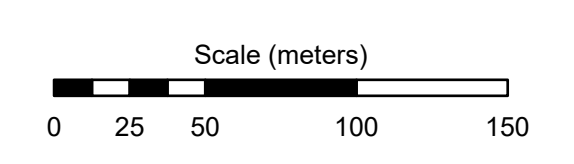
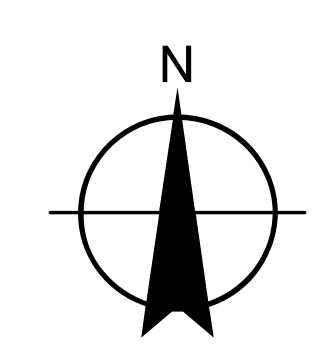
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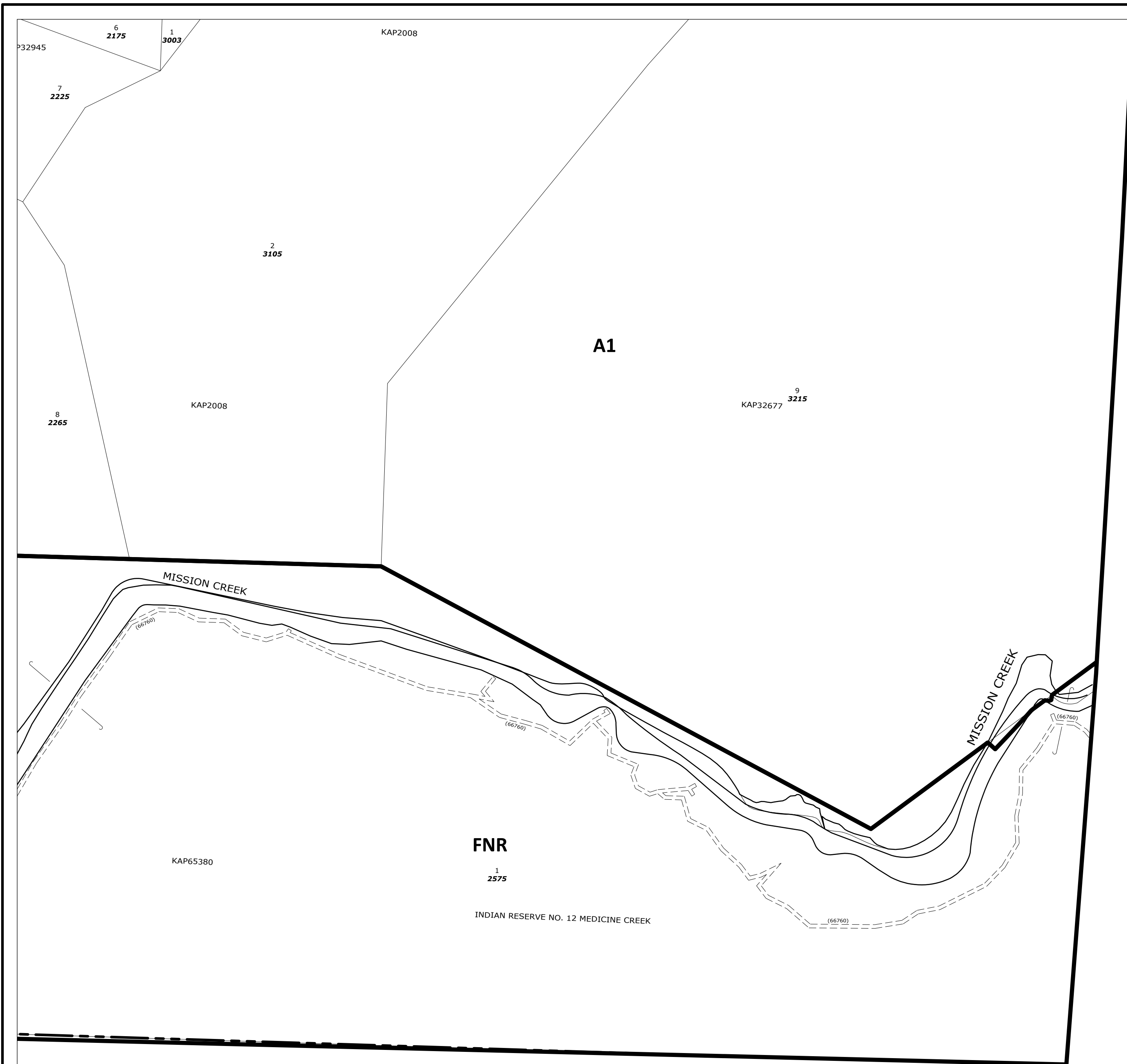



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ZONING

— Proposed Zoning

ADDRESSES

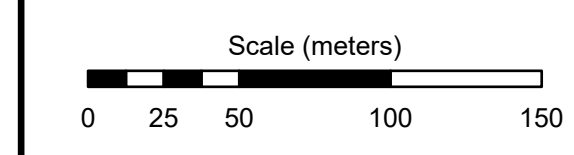
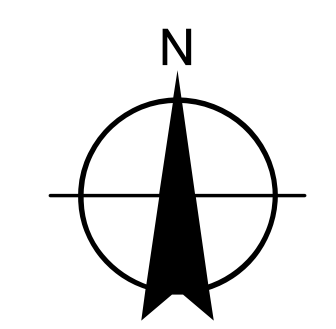
10 Lot Number
234 Street Address

• Indicates Address Fronting Street

--- City Boundary

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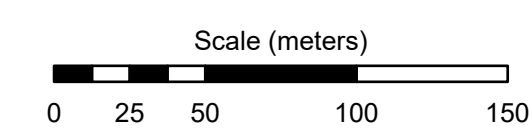
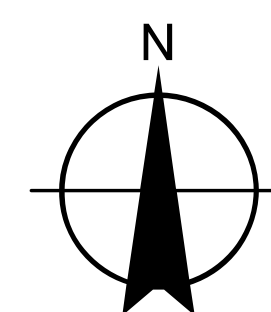
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234
Lot Number
Street Address
 - Indicates Address Fronting Street
 - City Boundary

SCHEDULE B

This forms part of application # Z24-0001

Planner Initials AC

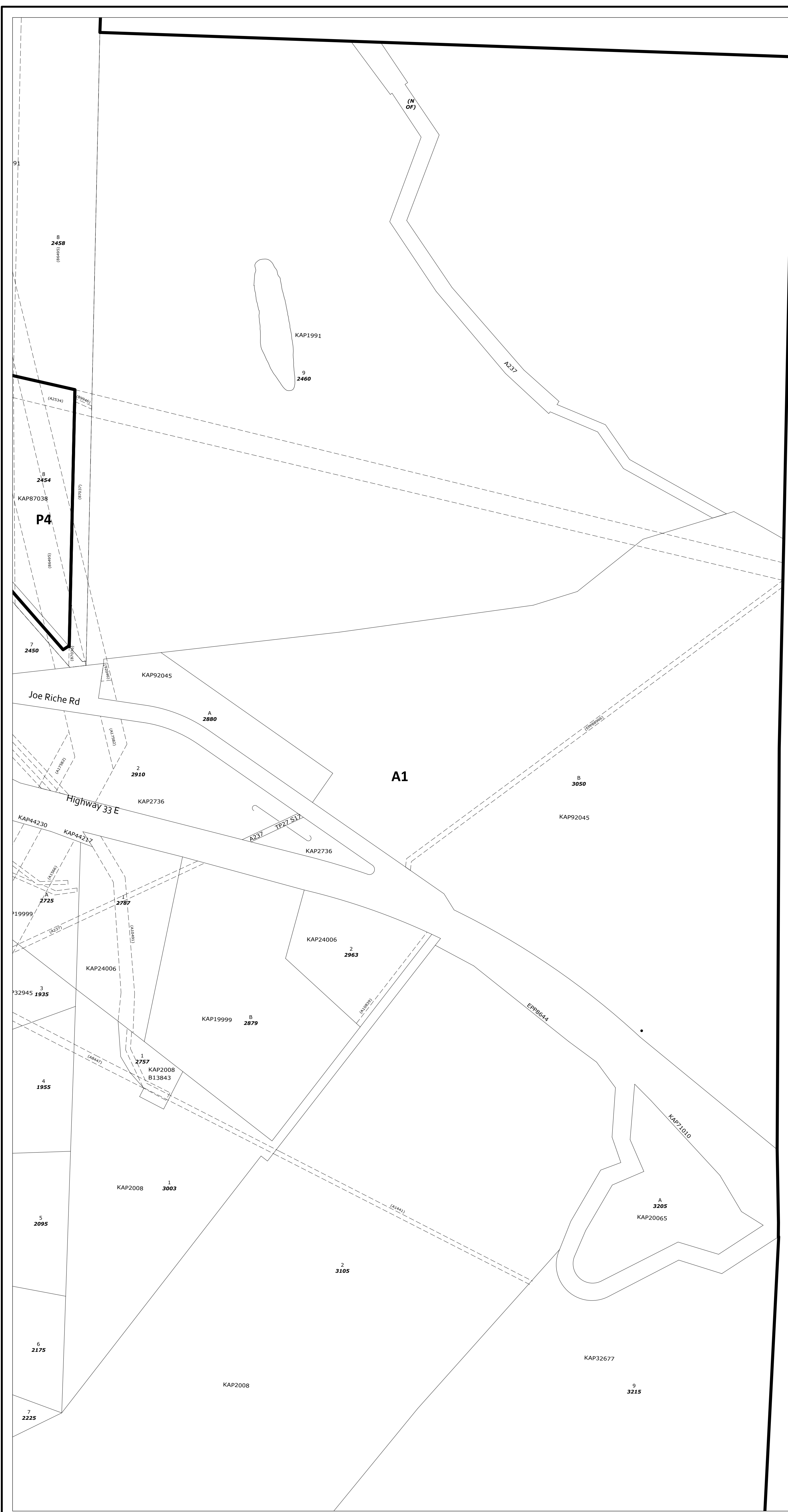



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ZONING

— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

• Indicates Address Fronting Street

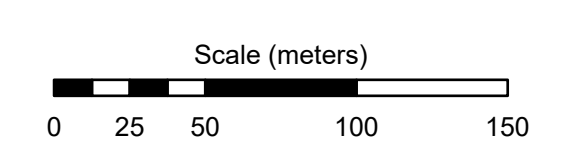
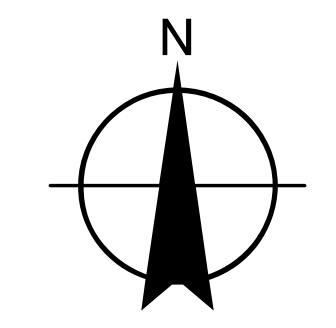
--- City Boundary

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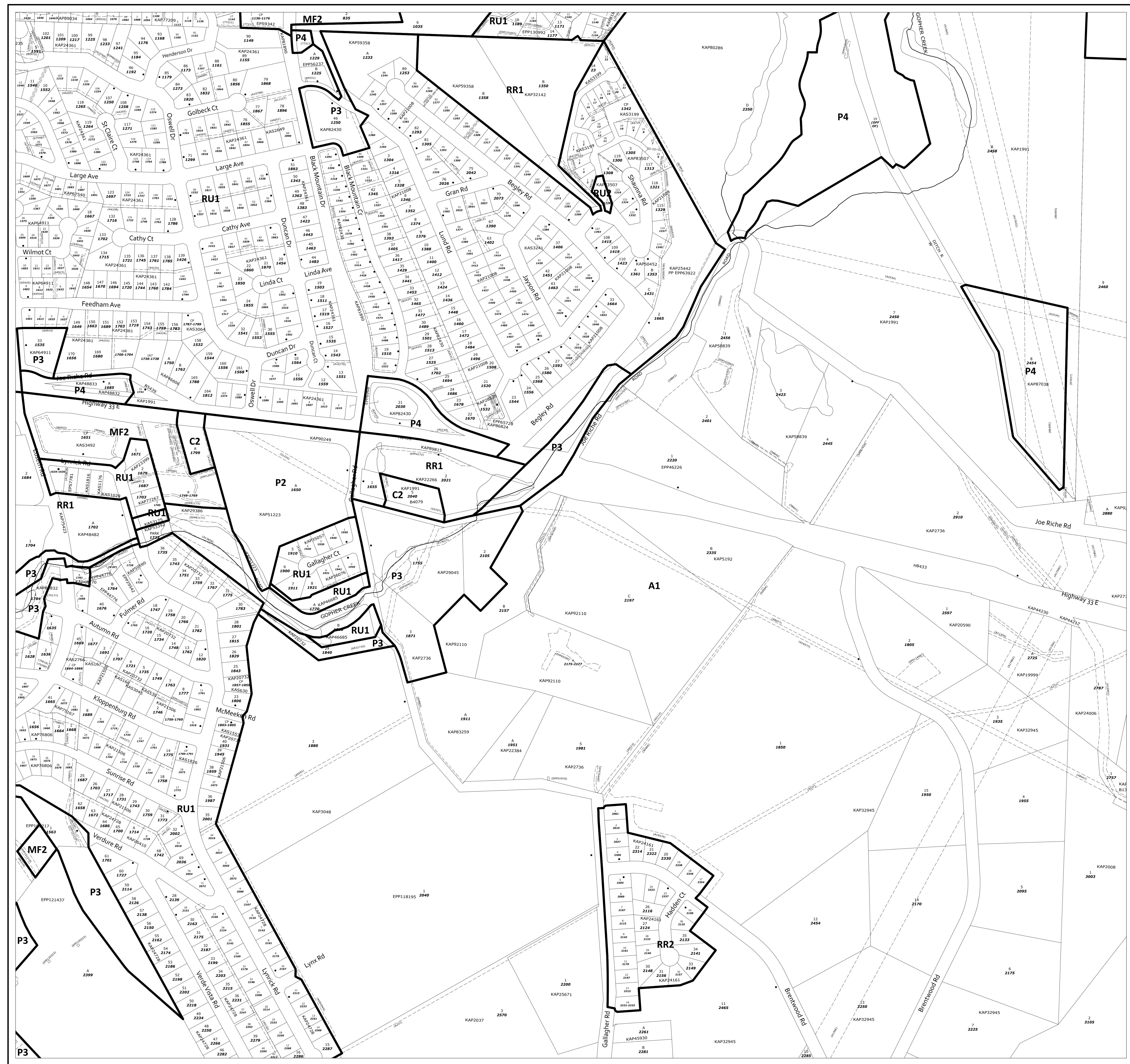


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ZONING

— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

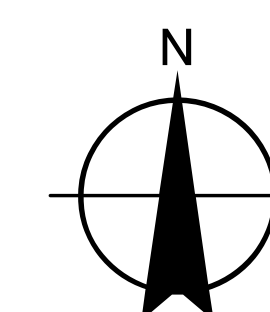
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--- City Boundary

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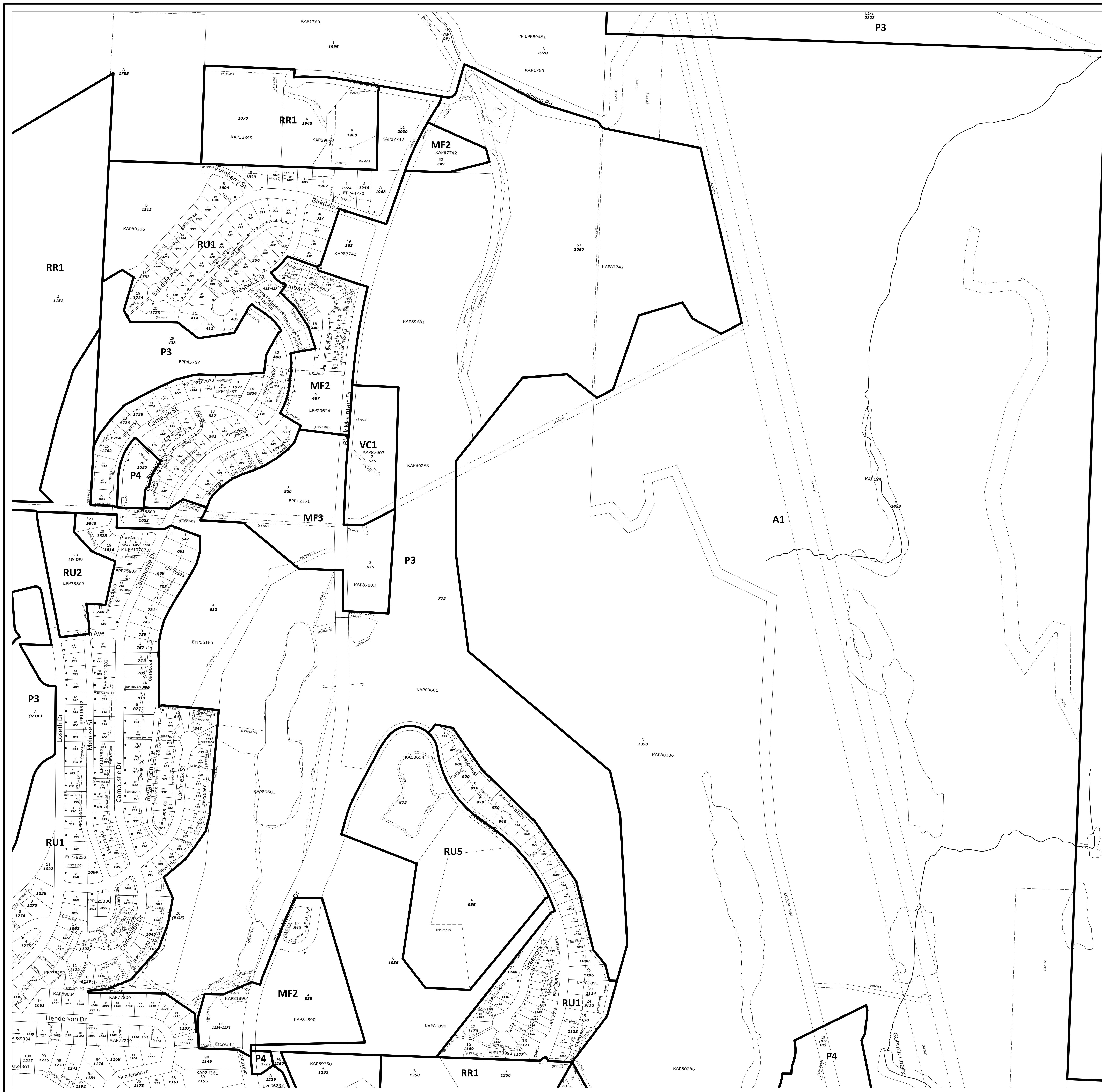


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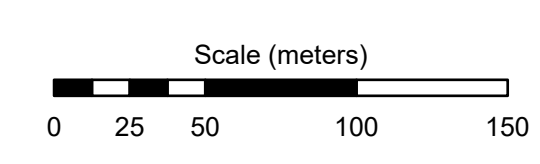
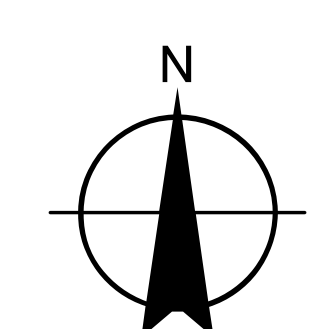
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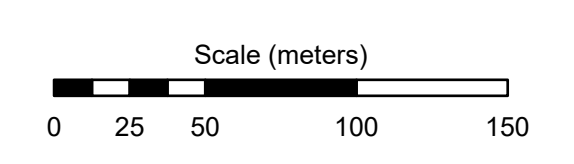
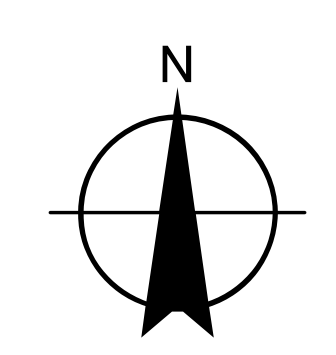
• Indicates Address Fronting Street

--- City Boundary

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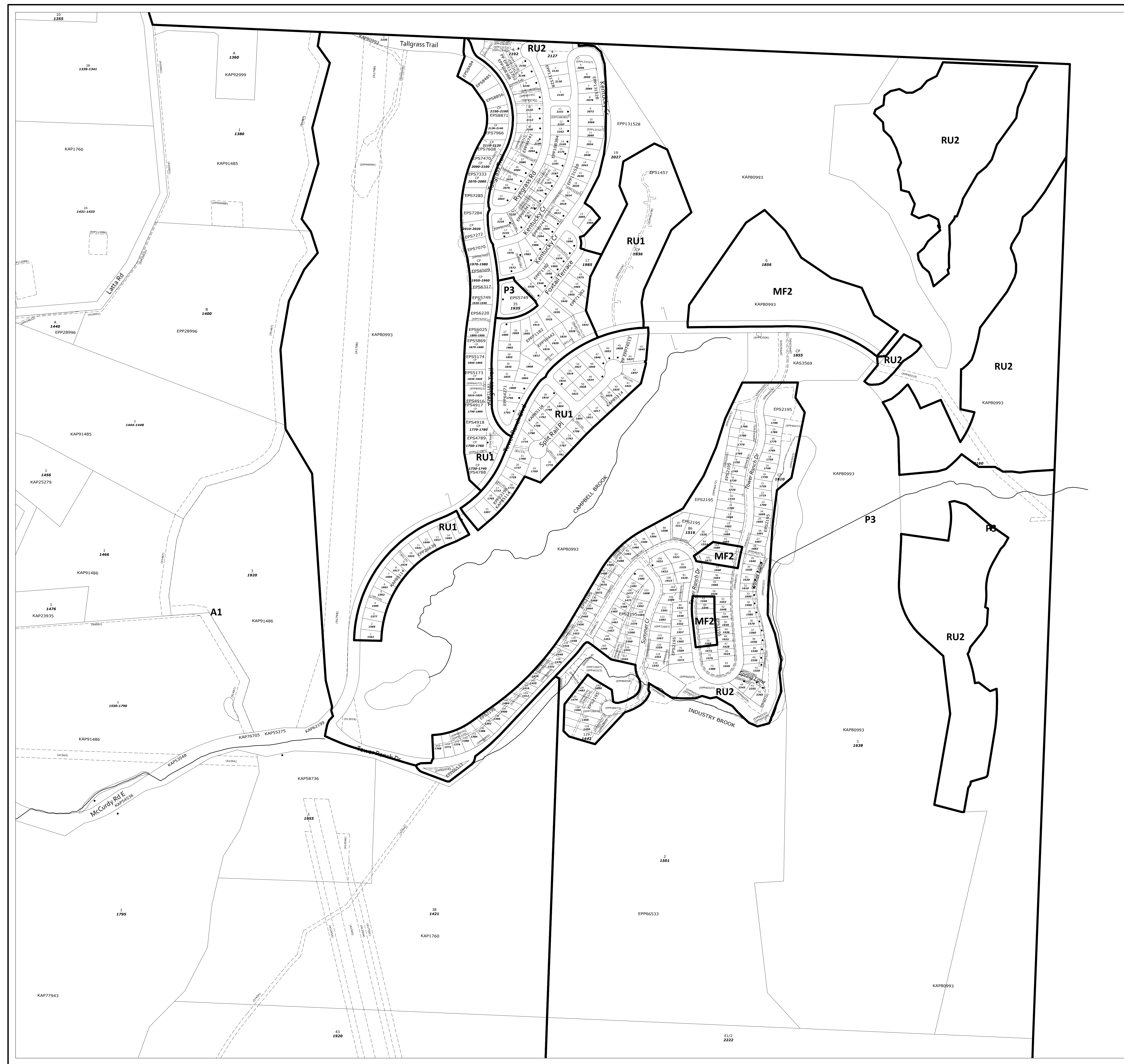
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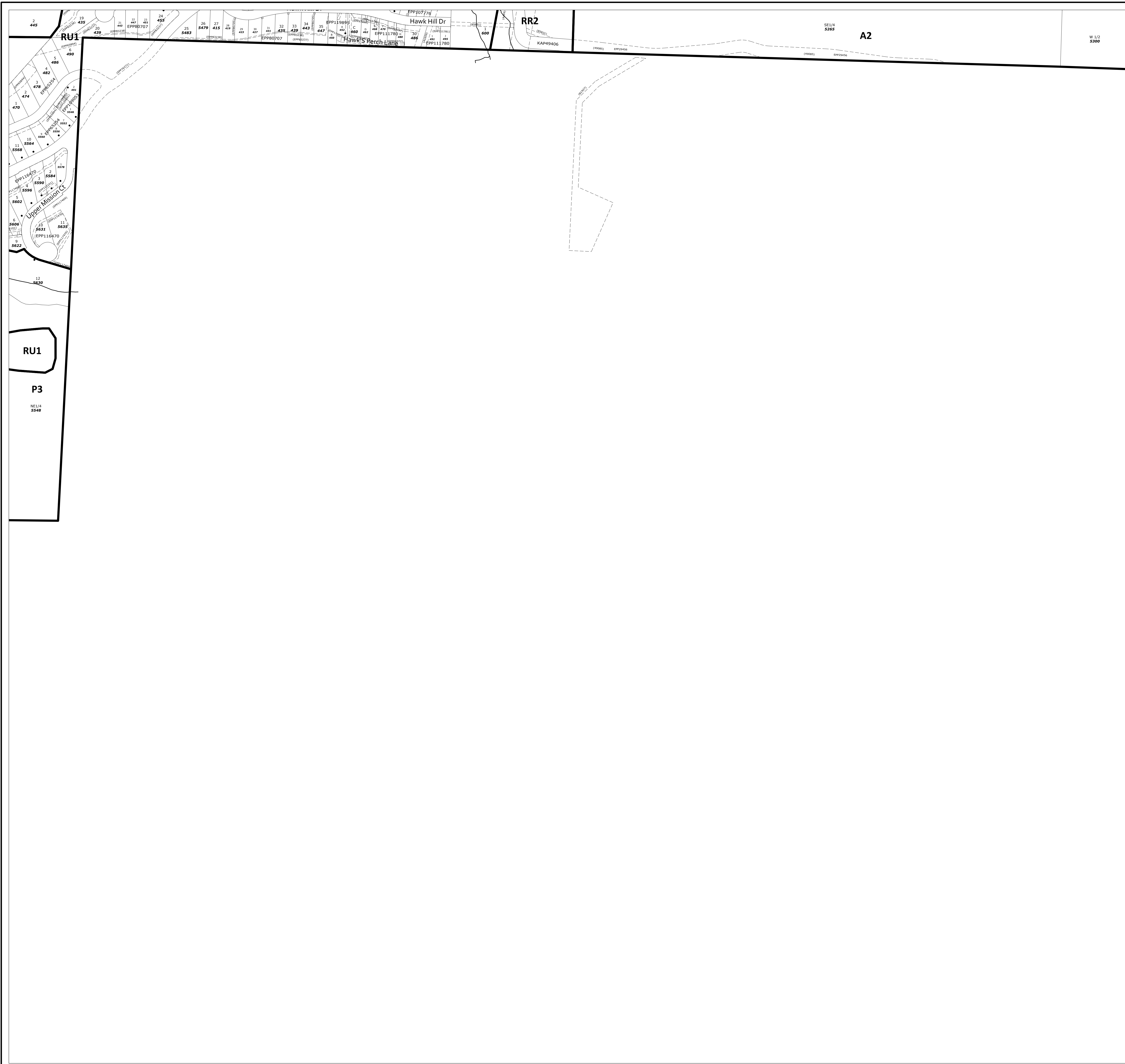


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City of Kelowna

Zoning Bylaw Mapping Amendments
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Z24-0001

No. 28-13

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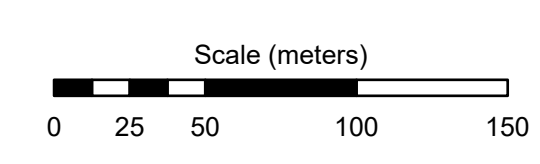
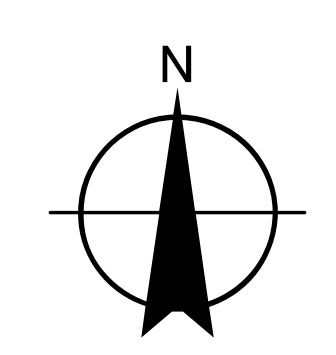
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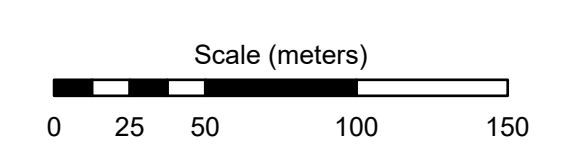
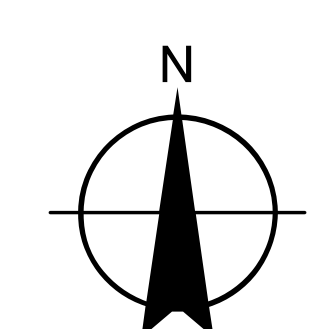
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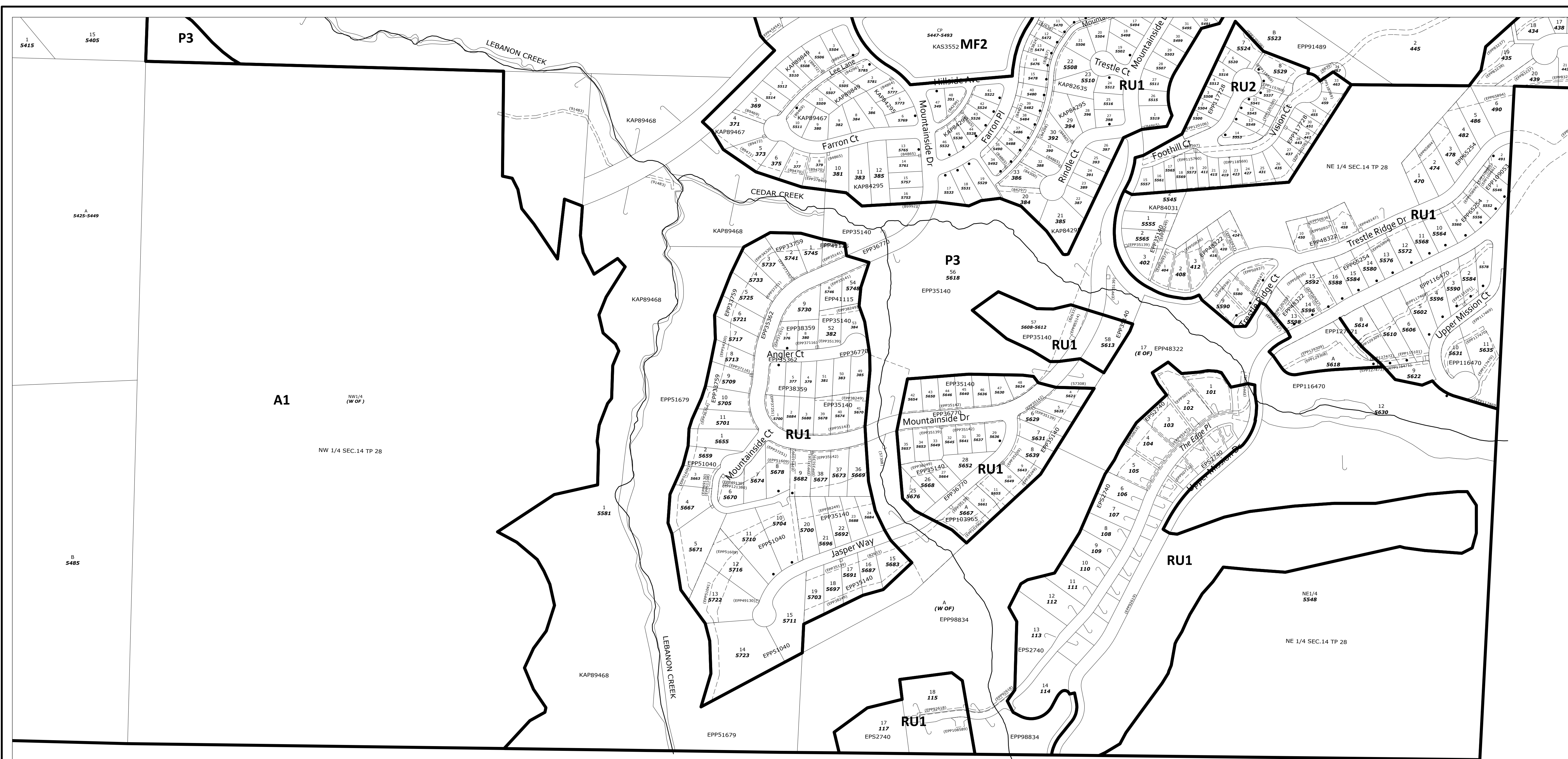
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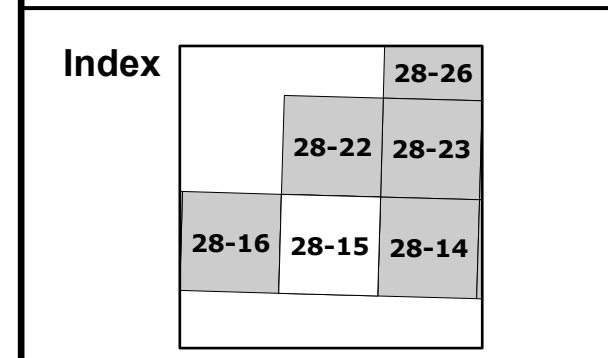


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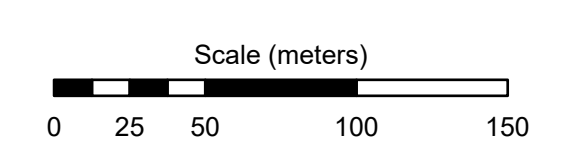
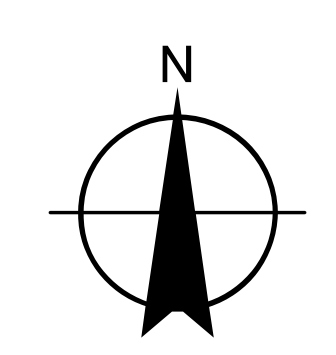


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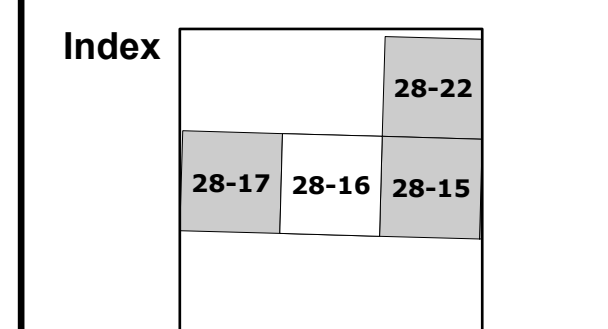
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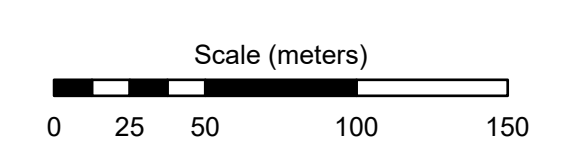
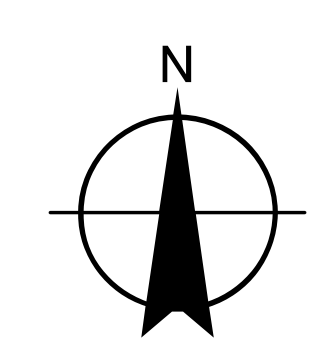


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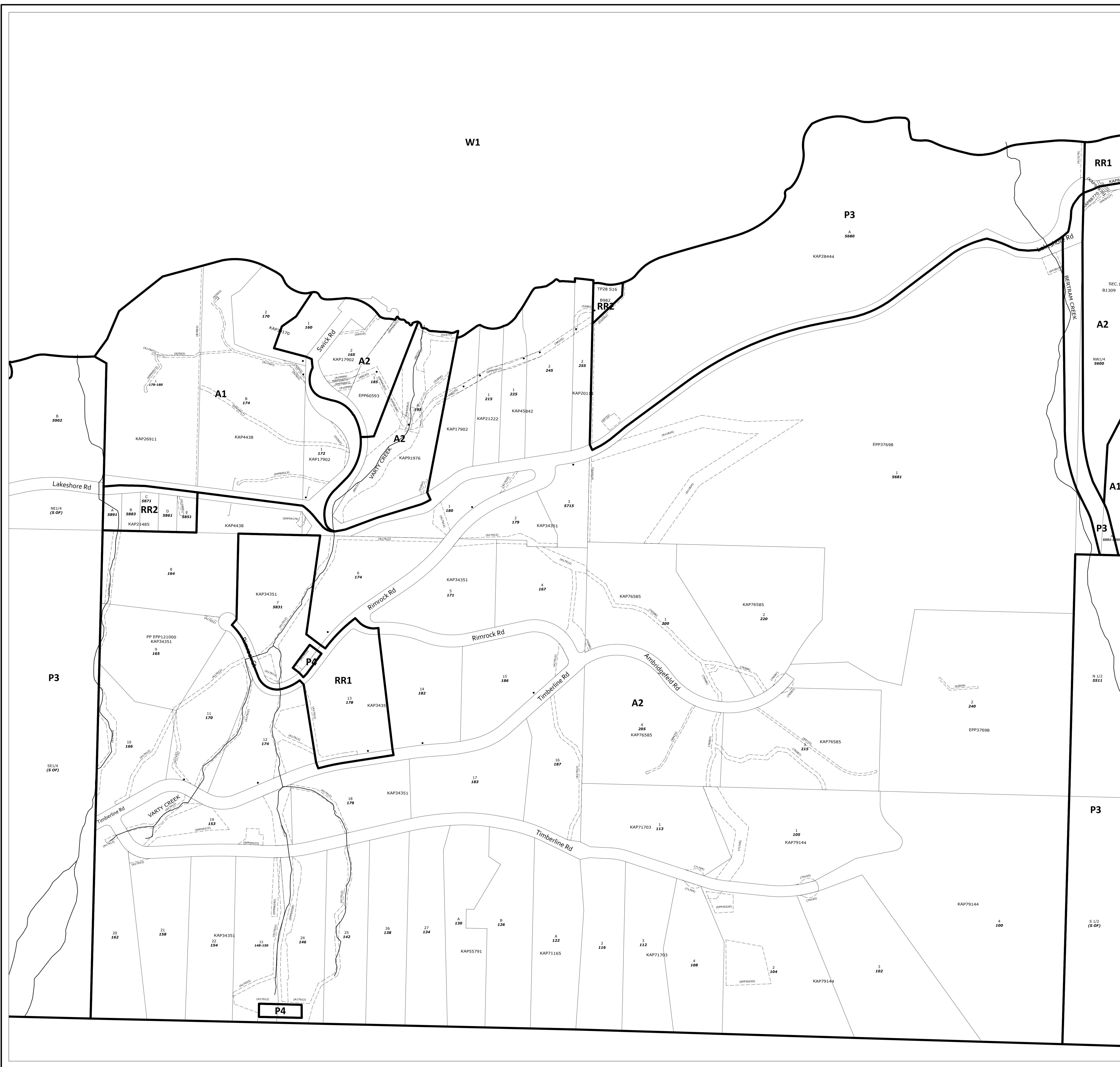



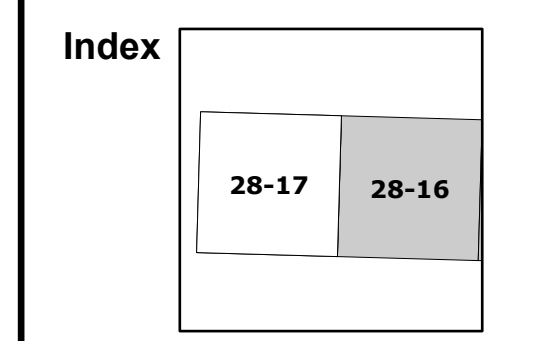
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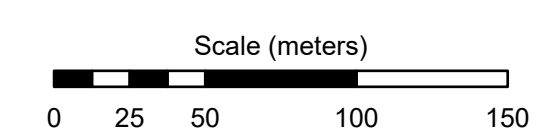
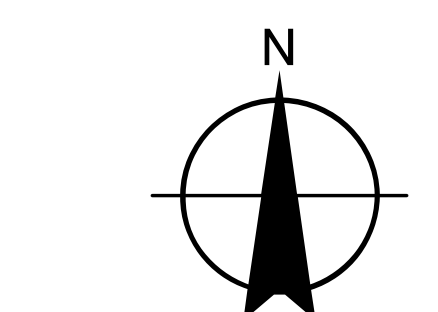
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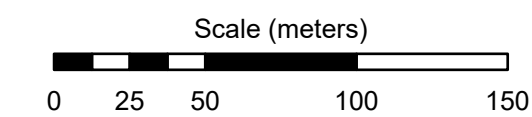
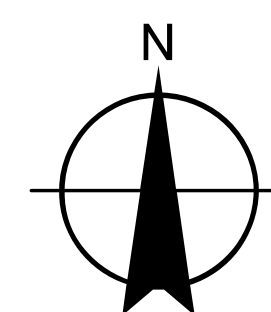
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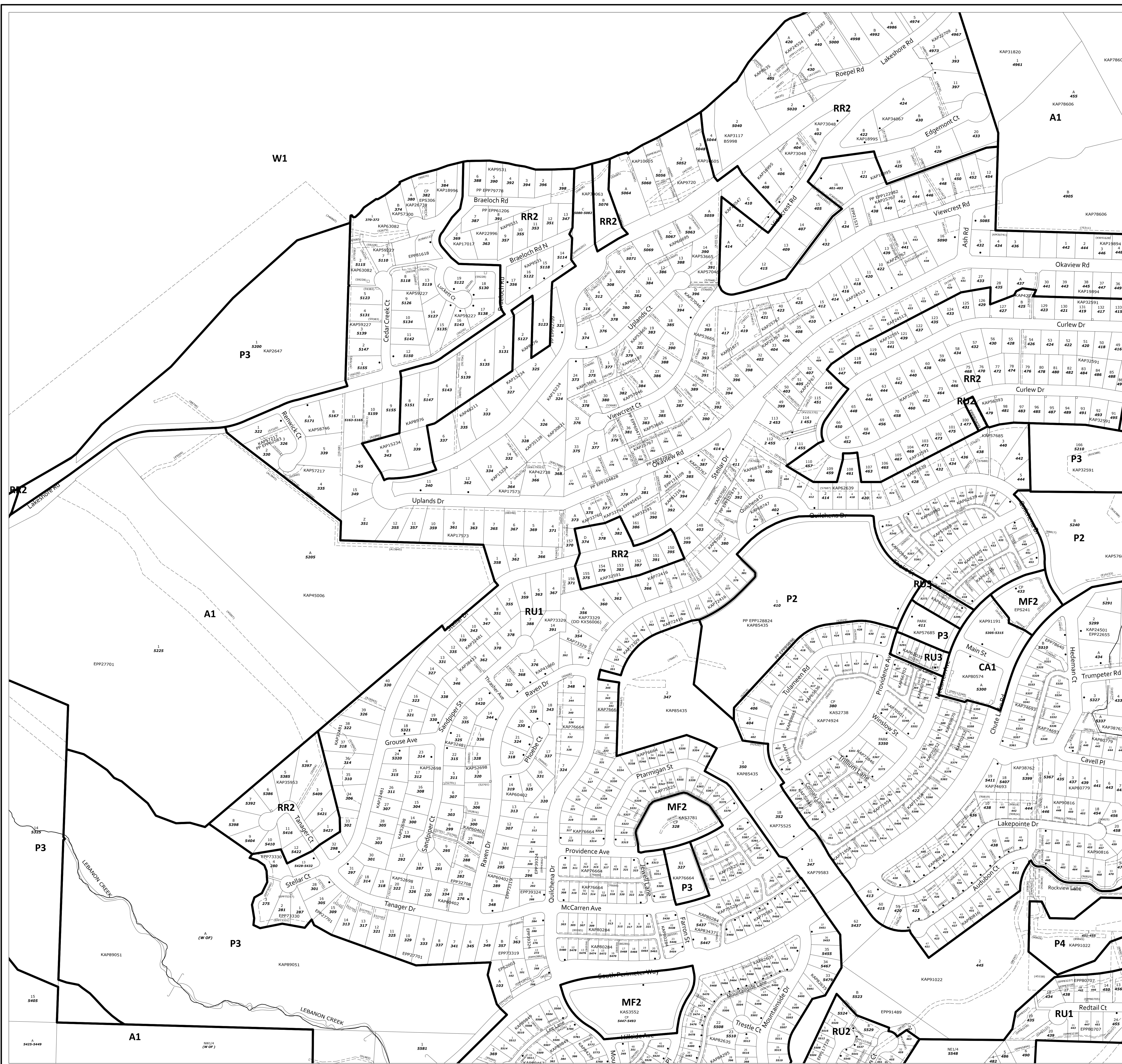


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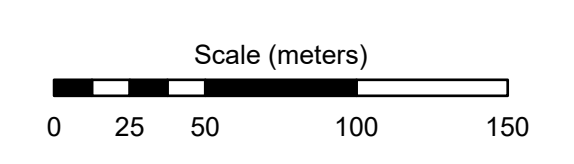
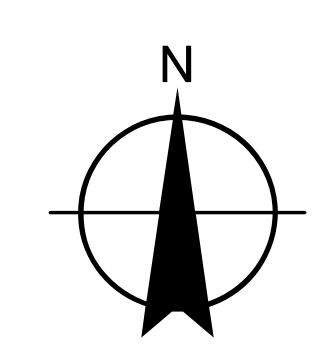
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W1

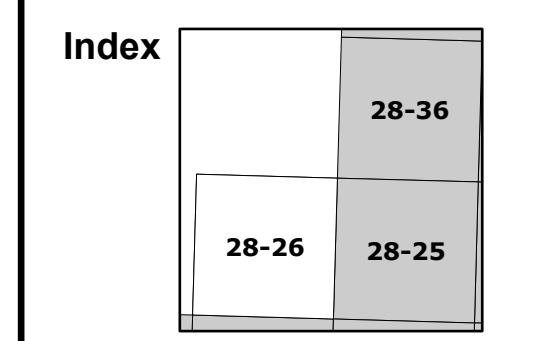
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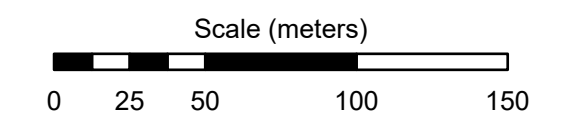
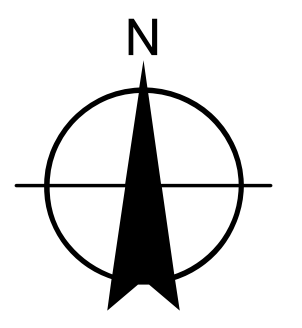
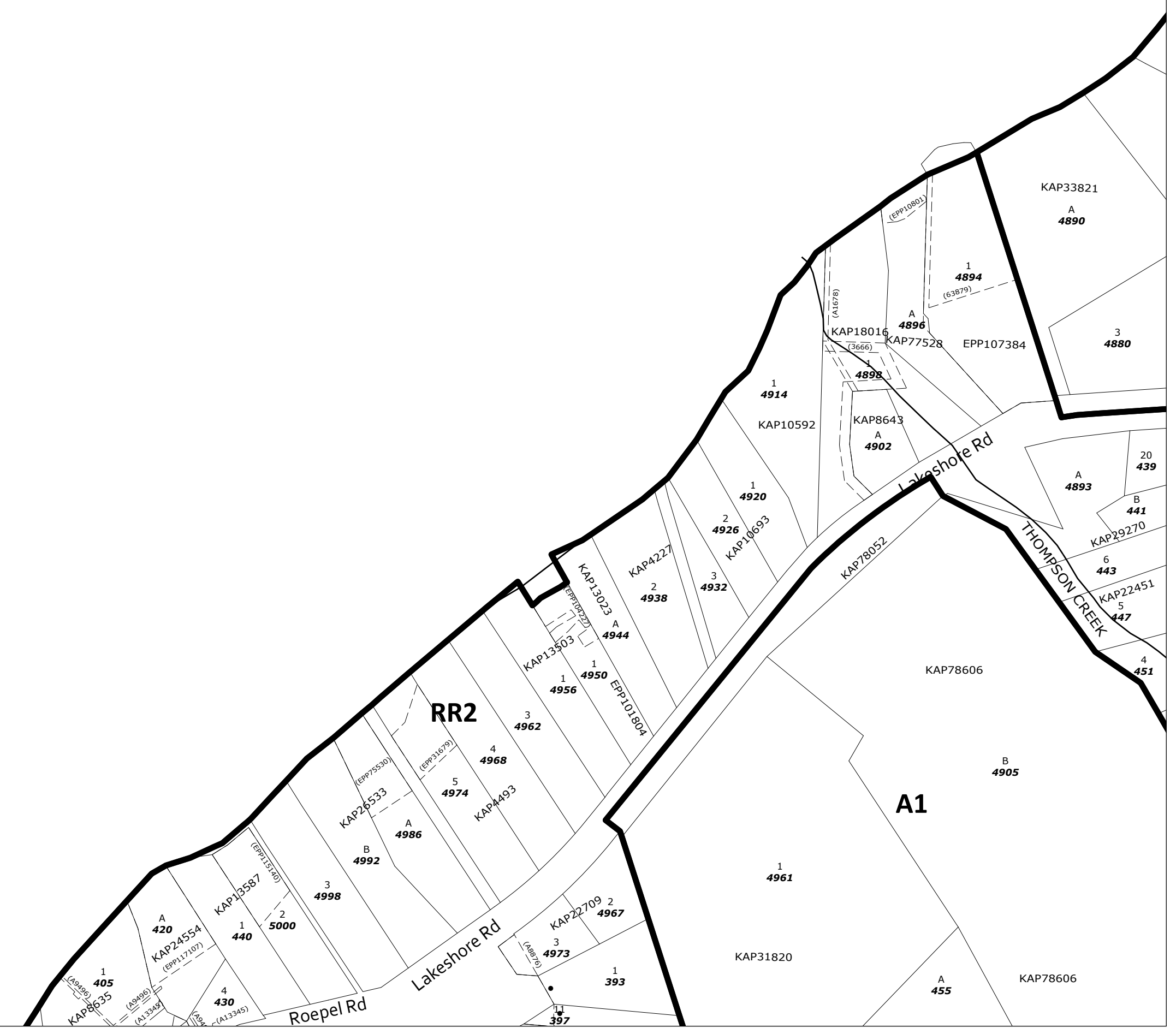
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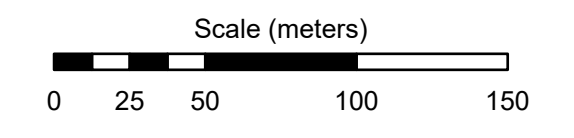
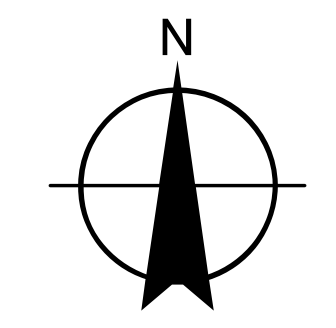
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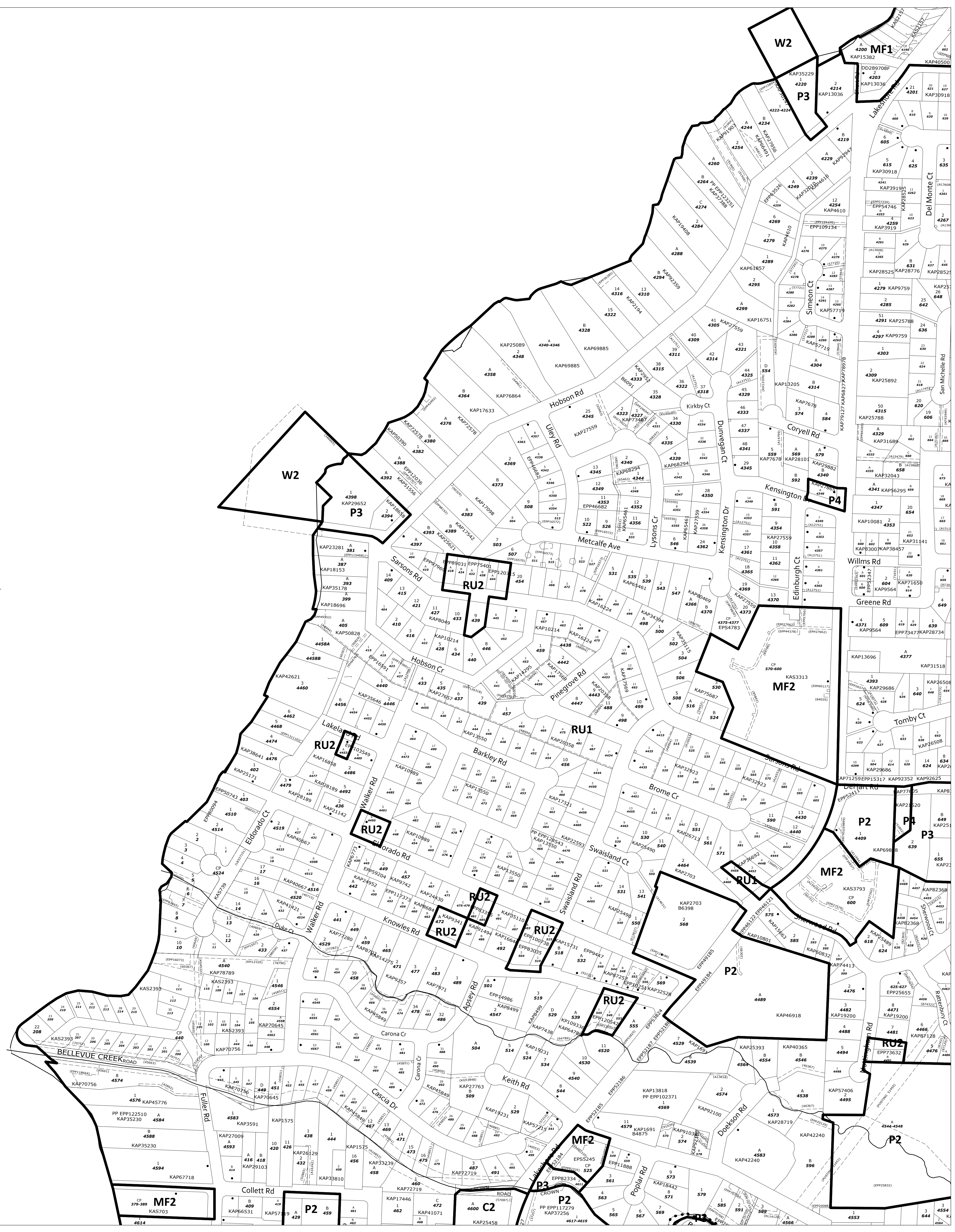


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W1

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W2

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MF2

MF2

P2

RU2

MF2

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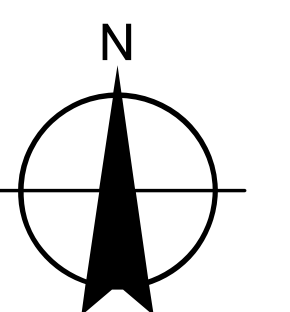
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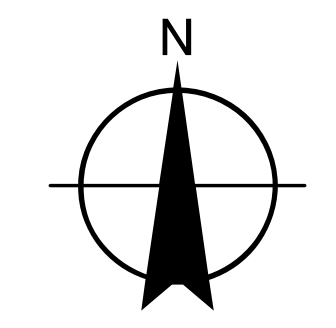
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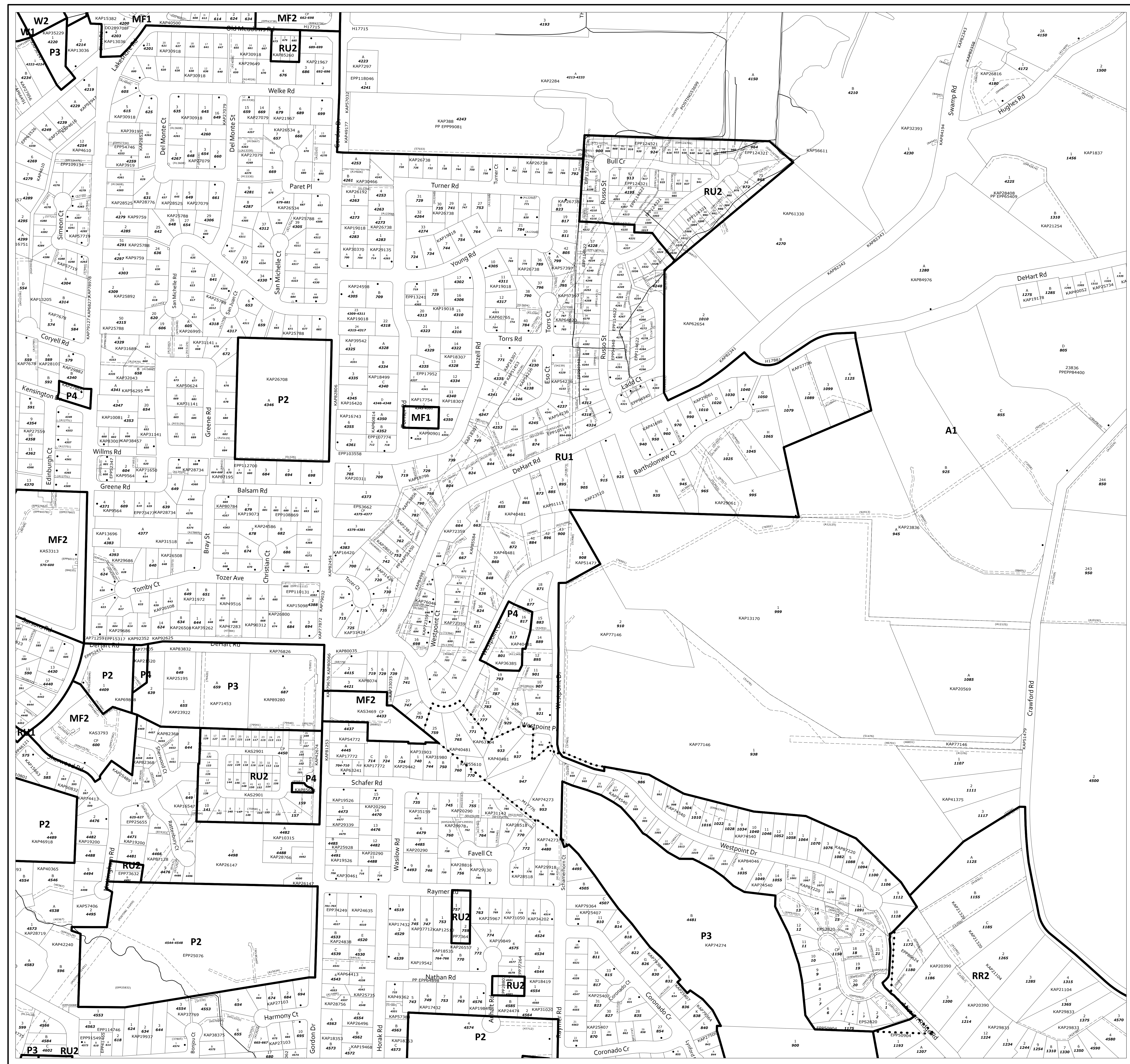
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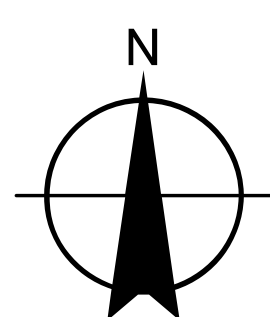
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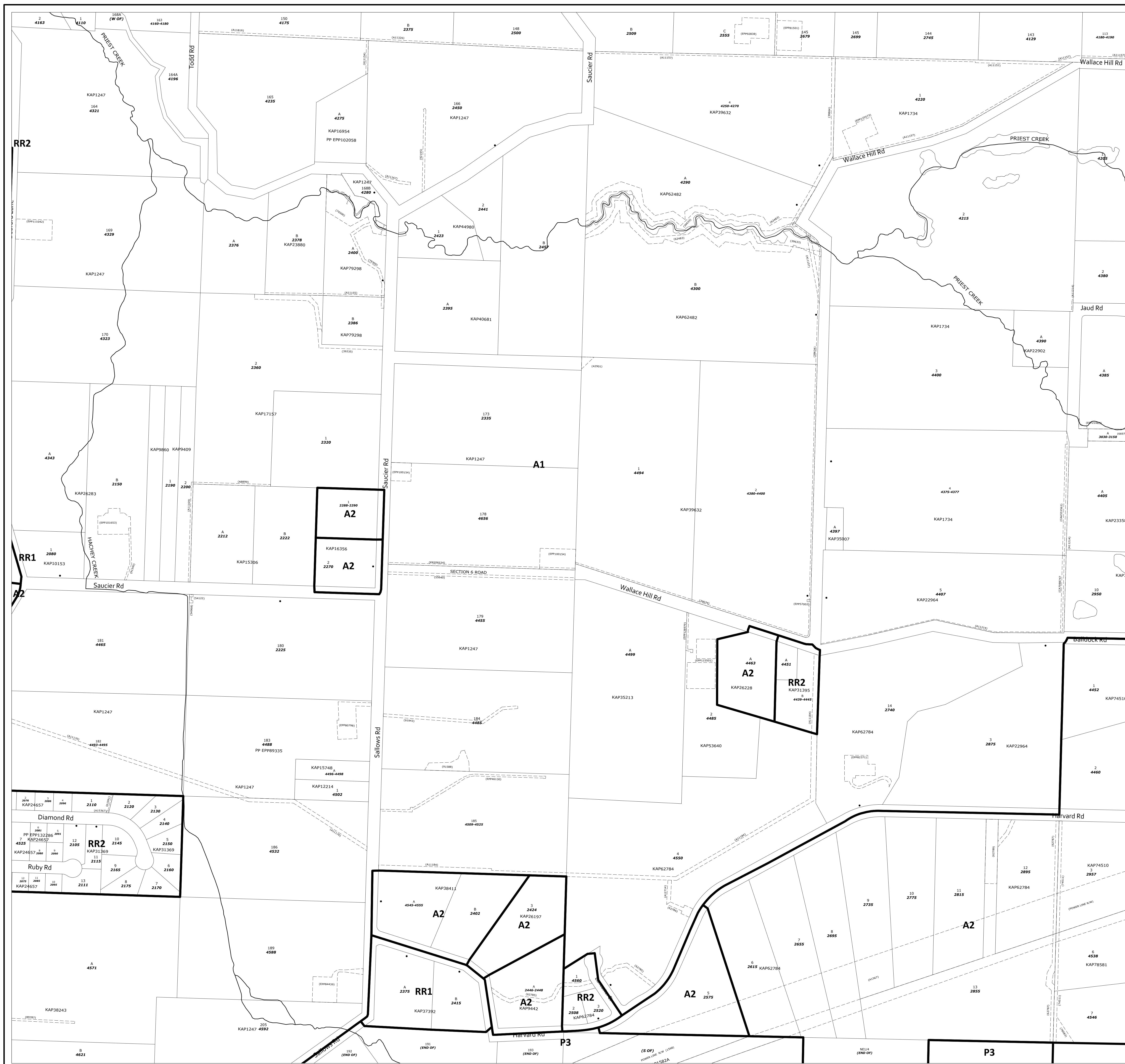


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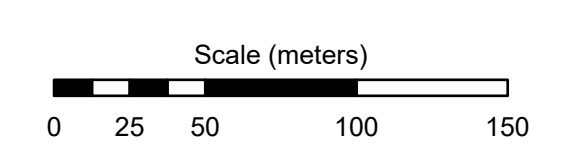
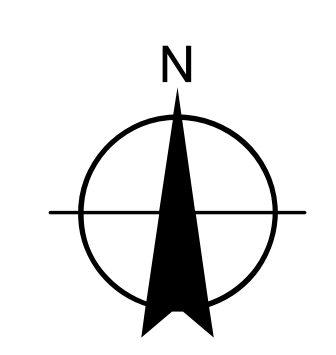
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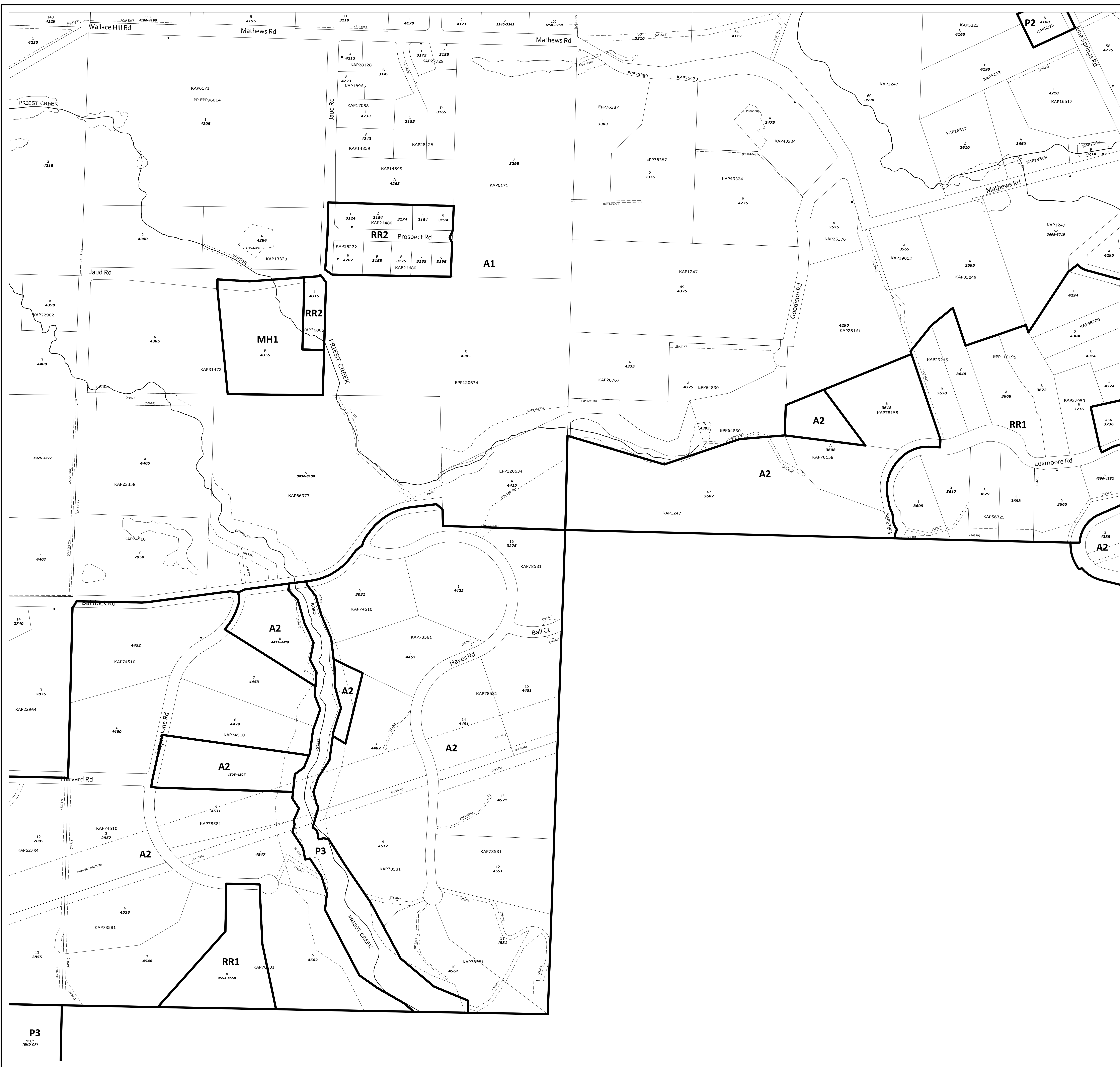
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P3
N/A
(END OF)



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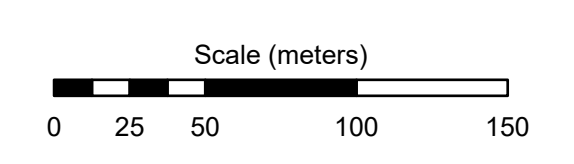
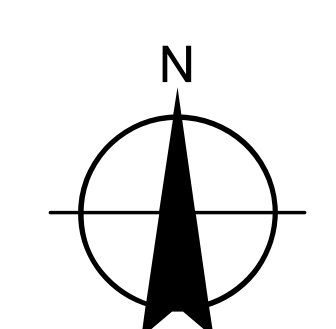
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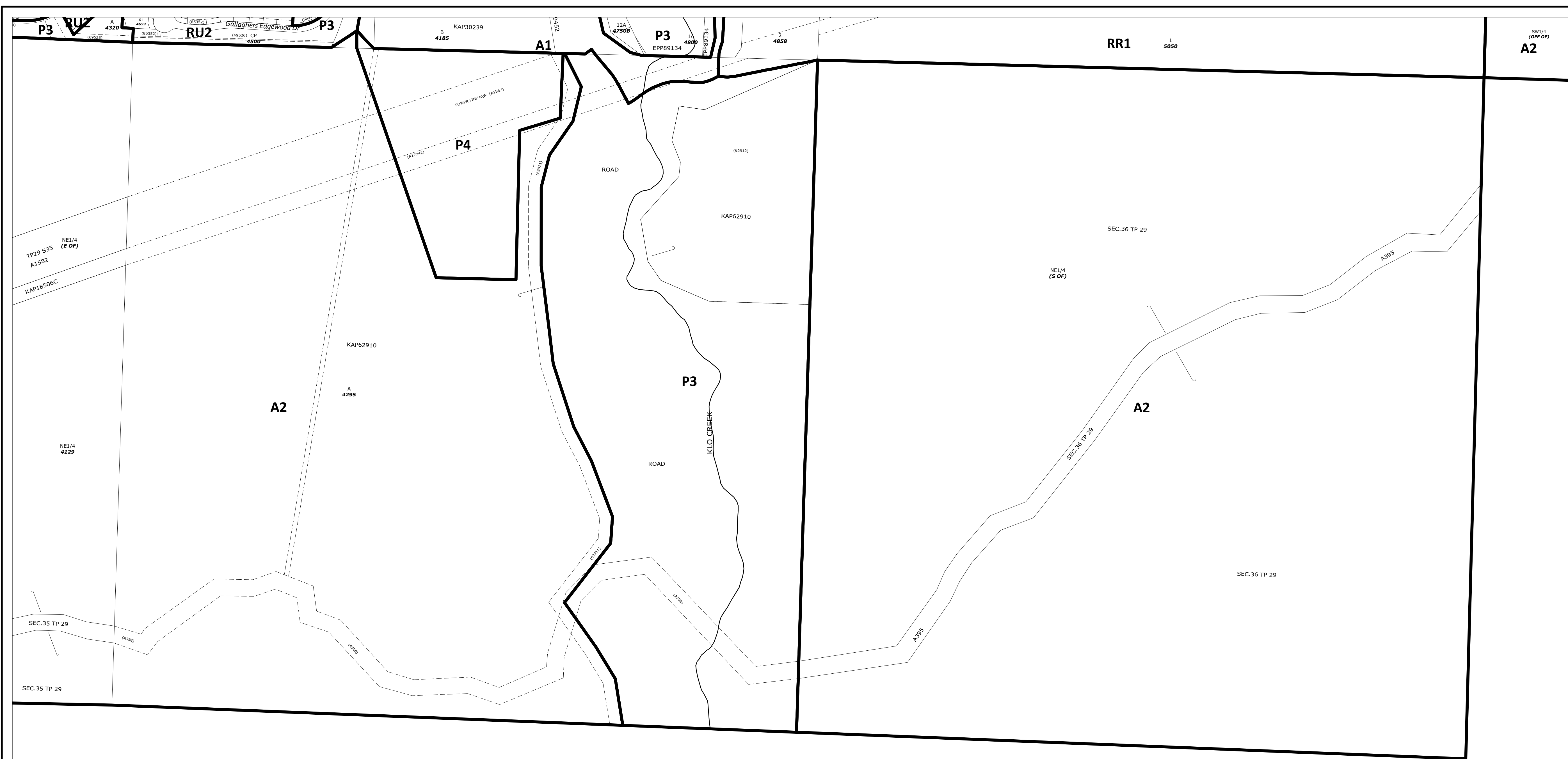


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**Zoning Bylaw Mapping Amendments
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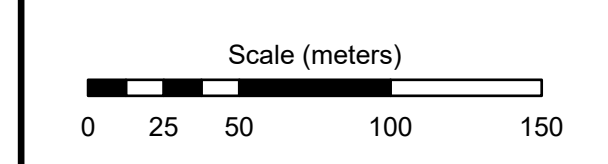
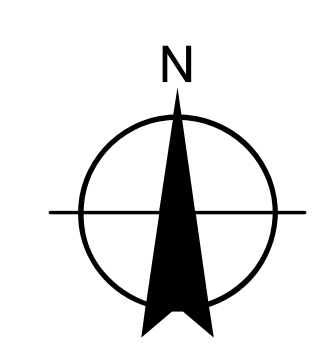
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Schedule C – Proposed Amendments to Official Community Plan Bylaw 12300

Mapping Changes to Official Community Plan Bylaw No. 12300


No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Chapter 4 Urban Centres Map 4.5 Pandosy Building Heights	See Chart A	See Chart B	To implement and comply with the provincial Transit Oriented Development Areas legislation regarding building heights and density.
2.	Chapter 4 Urban Centres Map 4.7 Rutland Building Heights	See Chart C	See Chart D	To implement and comply with the provincial Transit Oriented Development Areas legislation regarding building heights and density.

SCHEDULE C

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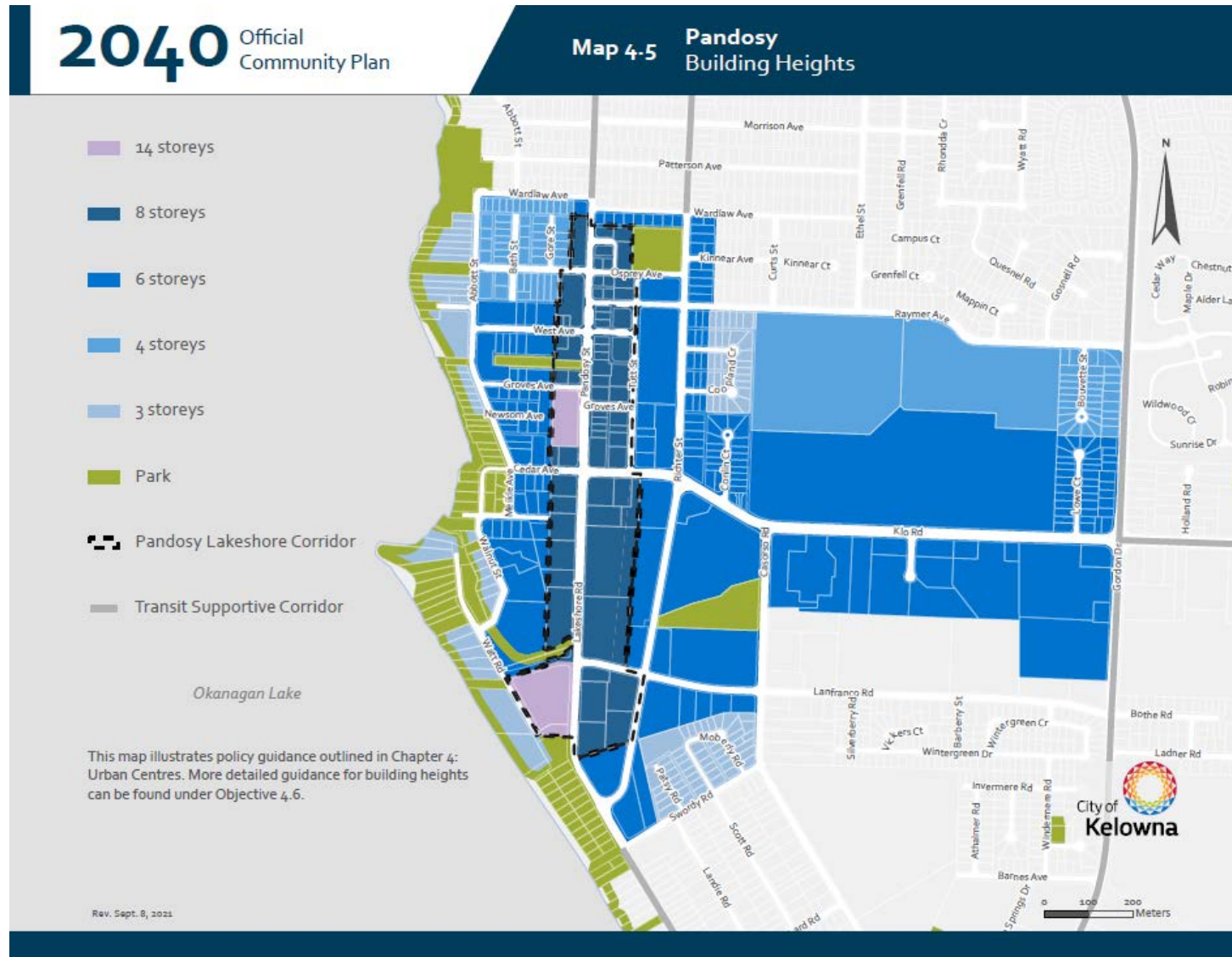
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City of Kelowna
DEVELOPMENT PLANNING

Chart A

Original – Chapter 4 – Map 4.5 Pandosy Building Heights



SCHEDULE C

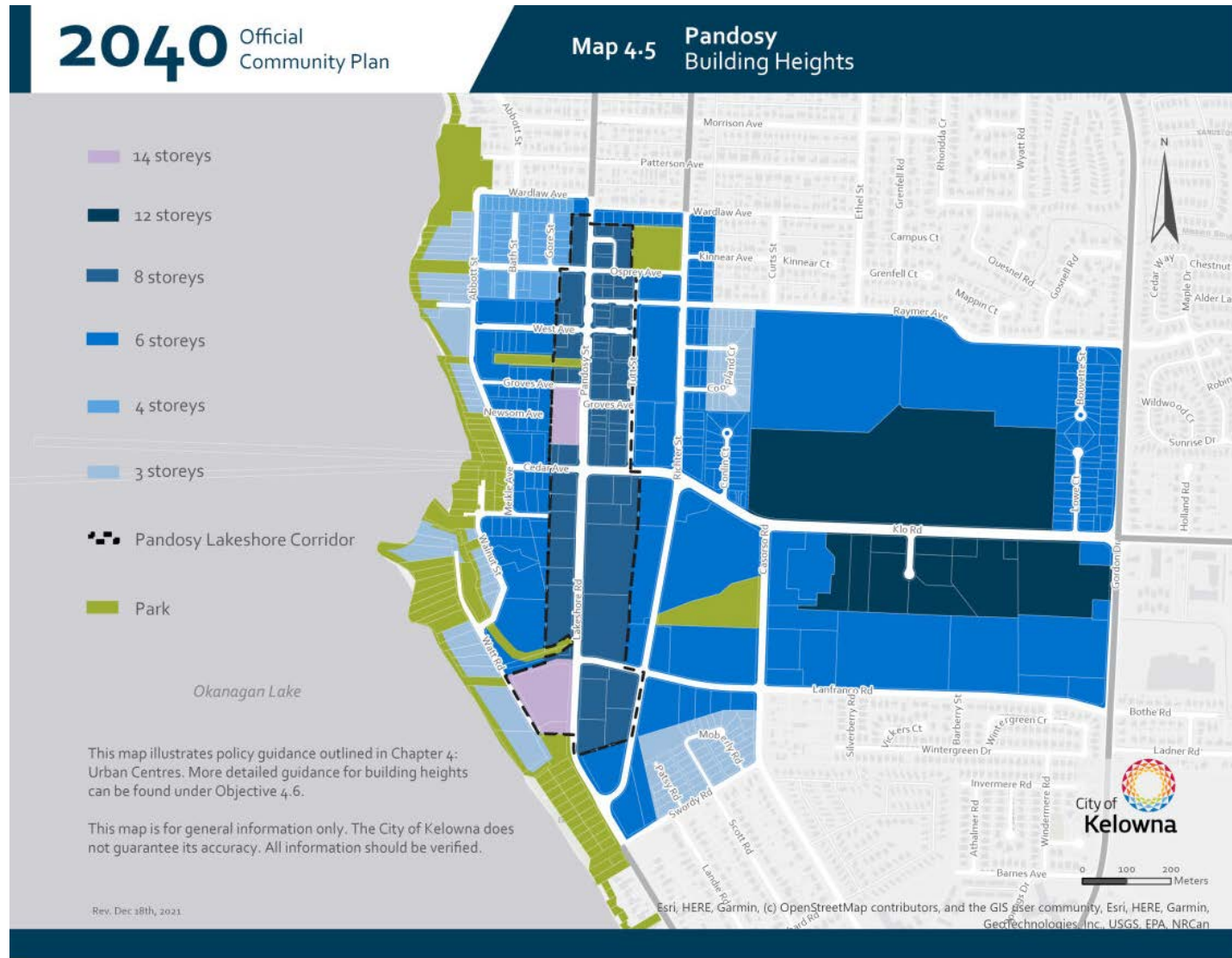
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City of Kelowna DEVELOPMENT PLANNING

Chart B

Proposed – Chapter 4 – Map 4.5 Pandosy Building Heights



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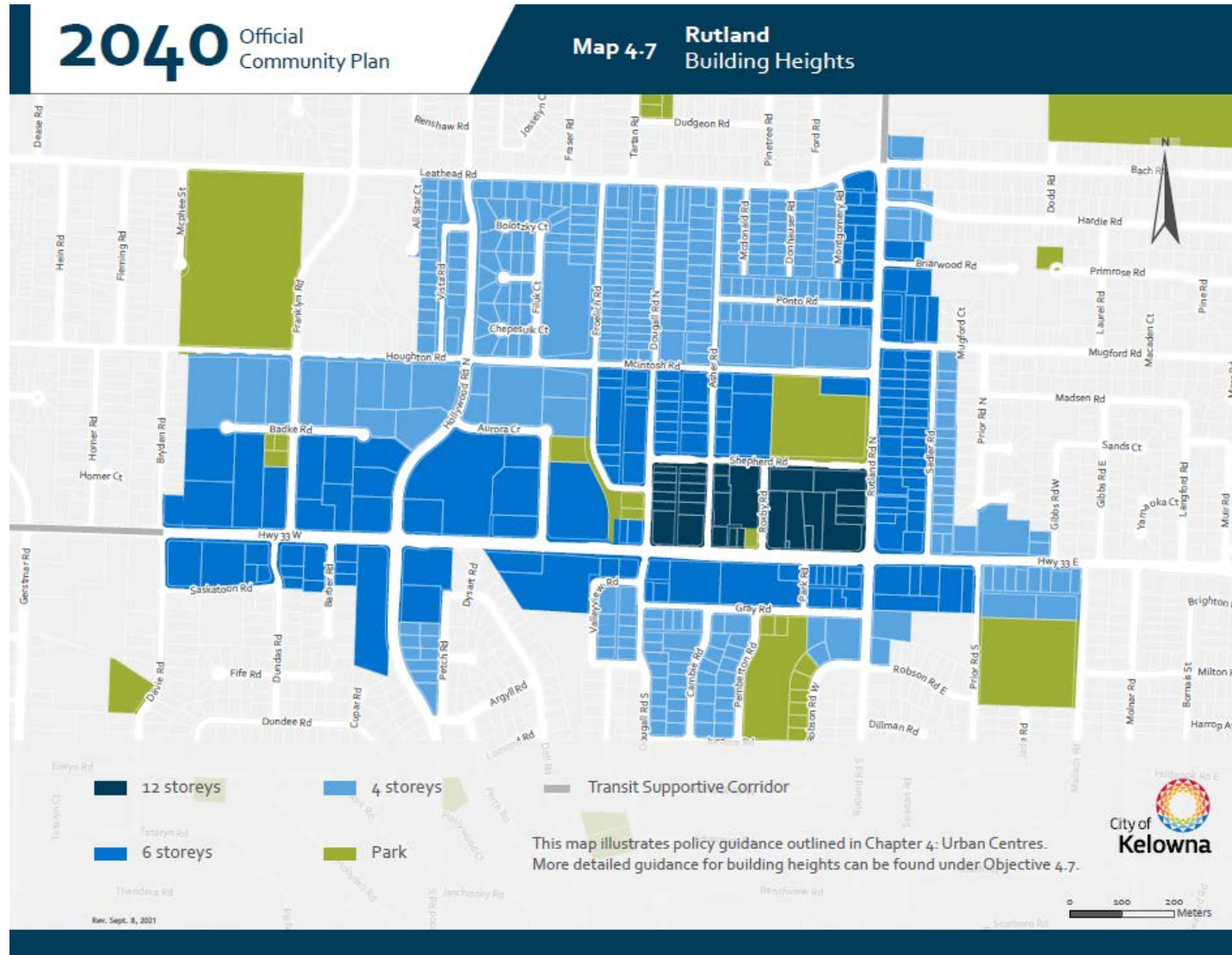
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Chart C

Original – Chapter 4 – Map 4.7 Rutland Building Heights



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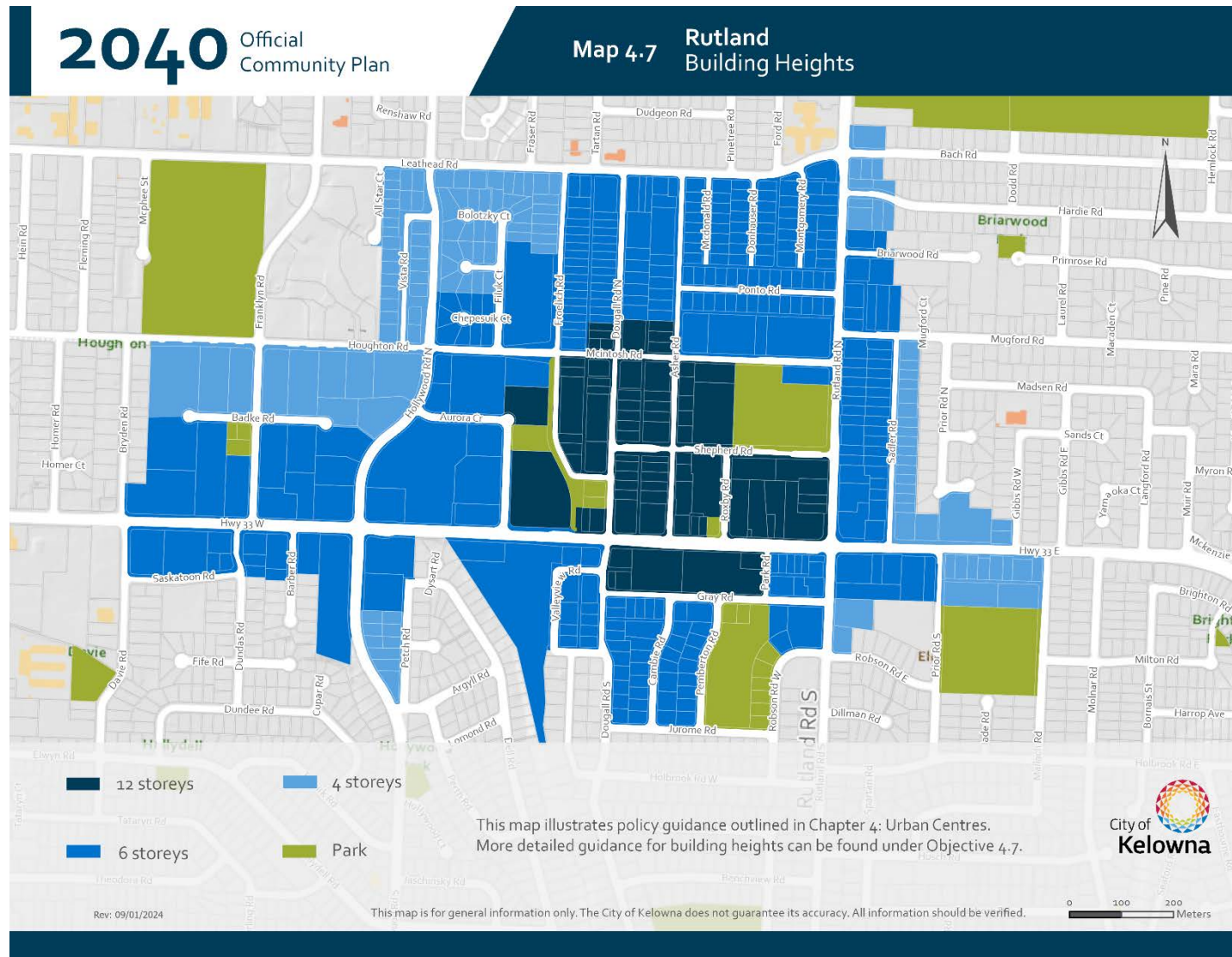
Planner Initials AC



City of Kelowna
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Chart D

Proposed – Chapter 4 – Map 4.7 Rutland Building Heights



CITY OF KELOWNA

BYLAW NO. 12619

TA24-0001– Small-Scale Multi-Unit Housing and Transit Oriented Areas

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 that City of Kelowna Zoning Bylaw No. 12375 be amended as follows:

1. THAT **Section 1 – General Administration, 1.6 – Applications in Process, 1.6.1** be deleted in its entirety;
2. AND THAT **Section 1 – General Administration, 1.6 – Applications in Process** be amended by adding the following in its appropriate location:

"1.6.2 A development for any property zoned MF1 – Infill Housing as of the date of adoption of this bylaw will be processed in accordance with City of Kelowna Zoning Bylaw No. 12375 (immediately before this bylaw was adopted) provided a development permit or development variance permit was issued or a complete building permit was submitted for the development prior to adoption of this bylaw. A building permit for any development processed in accordance with City of Kelowna Zoning Bylaw No. 12375 as of adoption of this bylaw must be issued within 12 months of the effective date of this bylaw. All other development must comply with this Bylaw.";

3. AND THAT **Section 5 – Definitions & Interpretations, 5.3 – General Definitions, BOARDING OR LODGING HOUSE** be amended by:

Deleting the following:

"dwelling unit within single detached housing and semi-detached housing. The owner or manager may supply accommodation for their family, and sleeping unit accommodation, for remuneration."

And replacing it with:

"ground oriented dwelling unit in which the owner or manager may supply sleeping unit accommodation for family and for remuneration.";

4. AND THAT **Section 5 – Definitions & Interpretations, 5.3 – General Definitions** be amended by deleting the following:

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

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

" STUDIO means a dwelling unit in which the sleeping and living areas are combined and which is not reasonably capable of being developed as a dwelling unit containing a separate bedroom or bedrooms.";

6. AND THAT **Section 5 – Definitions & Interpretations, 5.3 – General Definitions, DWELLING** be amended by adding **"UNIT"** after **"DWELLING"**;

7. AND THAT **Section 5 – Definitions & Interpretations, 5.3 – General Definitions, DWELLING** be amended by deleting "Secondary suites are considered a separate dwelling unit." and replacing it with "A secondary suite and a carriage house are each considered a dwelling unit.";

8. AND THAT **Section 5 – Definitions & Interpretations, 5.3 – General Definitions, SECONDARY SUITE** be amended by deleting "housing unit, a semi-detached housing unit, or a duplex unit" and replacing it with "dwelling, a semi-detached unit, a duplex unit, or a townhouse unit";

9. AND THAT **Section 5 – Definitions & Interpretations, 5.3 – General Definitions, SECONDARY SUITE** be amended by:

- a) Deleting "." after "building that is a single real estate entity" and replacing it with ";", and
- b) Adding the following in its appropriate location: "(g) Located on a lot serviced with community water.";

10. AND THAT **Section 5 – Definitions & Interpretations, 5.3 – General Definitions, SINGLE DETACHED HOUSING** be amended by deleting **"HOUSING"** and replacing it with **"DWELLING"**;

11. AND THAT **Section 7 – Site Layout, 7.2 – Landscaping Standards, Table 7.2 – Tree & Landscaping Planting Requirements** be deleted in its entirety and replaced with Table 7.2 outlined in **Schedule A** as attached to and forming part of this bylaw;

12. AND THAT **Section 7 – Site Layout, 7.2 – Landscaping Standards, 7.2.3** be deleted in its entirety and replaced with the following:

"7.2.3 Landscaping within the landscape areas shall follow the regulations within Table 7.2 to provide for the masking or separating of various land uses. See Section 8.2.2 for parking restrictions within the landscape areas.";

13. AND THAT **Section 7 – Site Layout, 7.2 – Landscaping Standards, 7.2.10** be deleted in its entirety;
14. AND THAT **Section 7 – Site Layout, 7.3 Refuse and Recycling Bins** be deleted in its entirety and replaced with Section 7.3 as outlined in **Schedule B** as attached to and forming part of this bylaw;
15. AND THAT **Section 8 – Parking and Loading, 8.2 – Off-Street Parking Regulations, 8.2.2** be deleted in its entirety and replaced with the following:

“**8.2.2** Parking shall not be permitted within the landscape area except when the parking is within a driveway that is perpendicular to the fronting or flanking street; or when the landscape area is abutting a lane.”;
16. AND THAT **Section 8 – Parking and Loading, 8.2 – Off-Street Parking Regulations, 8.2.4** be deleted in its entirety and replaced with the following:

“**8.2.4** For residential dwelling units with 2 dwelling or less (thus do not have a landscape area) then any parking space that is not perpendicular to the front or flanking side yards must be setback at least three (3) metres from the front or flanking side yard.”;
17. AND THAT **Section 8 – Parking and Loading, 8.2 – Off-Street Parking Regulations, 8.2.5** be deleted in its entirety;
18. AND THAT **Section 8 – Parking and Loading, 8.2 – Off-Street Parking Regulations, 8.2.5** be amended by deleting **Figure 8.2.5 – Parking Stall Configurations** in its entirety;
19. AND THAT **Section 8 – Parking and Loading, 8.2 – Off-Street Parking Regulations, 8.2.6** be deleted in its entirety and replaced with the following:

“**8.2.6** Tandem parking spaces are permitted only for:
 - (a) developments with 6 or less dwelling units but only one tandem parking space is permitted in front of any garage or carport; or
 - (b) townhouses with 7 or more dwelling units where the lot is located within the Core Area. Visitor parking stalls cannot be configured in tandem.”;
20. AND THAT **Section 8 – Parking and Loading, 8.2 – Off-Street Parking Regulations, Table 8.2.7.b Ratio of Parking Space Sizes** be deleted in its entirety and replaced with Table 8.2.7.b as outlined in **Schedule C** as attached to and forming part of this bylaw;
21. AND THAT **Section 8 – Parking and Loading, 8.2 – Off-Street Parking Regulations, 8.2.17 Accessible Parking Standards** be deleted in its entirety and replaced with Section 8.2.17 as outlined in **Schedule D** as attached to and forming part of this bylaw;

22. AND THAT **Section 8 – Parking and Loading, 8.2 – Off-Street Parking Regulations, 8.2.18 Electric Vehicle Charging** be deleted in its entirety and replaced with Section 8.2.18 as outlined in **Schedule E** as attached to and forming part of this bylaw;
23. AND THAT **Section 8 – Parking and Loading, 8.3 – Required Off-Street Parking Requirements, Table 8.3 – Required Residential Off-Street Parking Requirements** be deleted in its entirety and replaced with Table 8.3 as outlined in **Schedule F** as attached to and forming part of this bylaw;
24. AND THAT **Section 8 – Parking and Loading, 8.3 – Required Off-Street Parking Requirements, Table 8.3.1 – Other Residential Parking** be deleted in its entirety and replaced with Table 8.3.1 as outlined in **Schedule G** as attached to and forming part of this bylaw;
25. AND THAT **Section 8 – Parking and Loading, 8.5 – Off-Street Bicycle Parking, Table 8.5 – Minimum Bicycle Parking Required** be amended by:
 - a) Adding “1.0 bike space per dwelling unit when the development occurs on a lot within a Transit Oriented Areas identified in Map 8.3.a , Map 8.3.b , Map 8.3.c , or Map 8.3.d” to the “Apartment Housing” row under “Required Long-term”;
 - b) Adding in the appropriate location **Map 8.3.a, Map 8.3.b, Map 8.3.c, and Map 8.3.d** as attached to and forming part of this bylaw;
26. AND THAT **Section 9 – Specific Use Regulations, 9.3 – Bed and Breakfast Homes, 9.3.1** be amended by:
 - a) Deleting “the principal building” and replacing it with “a Single Detached Dwelling”;
 - b) Deleting “and” after “area of 11 metres² each;”;
 - c) Deleting “.” after “breakfast operation is located” and replacing it with “;”;
 - d) Adding the following in its appropriate location:

“(c) Short-term rental accommodation is not permitted in combination with a bed and breakfast home, and

(d) Short-term rental accommodation is not permitted in combination with a bed and breakfast home. For example, If the licensed operator is not residing on site during the stay of paid guests then the operator is engaging in short-term rental accommodations.”;
27. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.2 – Sub-Zones** be deleted in its entirety and replaced with Section 10.2 as outlined in **Schedule H** as attached to and forming part of this bylaw;
28. AND THAT **Section 10 – Agriculture & Rural Residential Zones, Section 10.3 – Permitted Land Uses** be deleted in its entirety and replaced with Section 10.3 as outlined in **Schedule I** as attached to and forming part of this bylaw;

29. AND THAT **Section 11 – Single and Two Dwelling Zones** be deleted in its entirety and replaced with Section 11 as outlined in **Schedule J** as attached to and forming part of this bylaw;
30. AND THAT **Section 13 – Multi-Dwelling Zones** be deleted in its entirety and replaced with Section 13 as outlined in **Schedule K** as attached to and forming part of this bylaw;
31. AND THAT **Section 14 – Core Area & Other Zones, 14.11 – Commercial and Urban Centre Zone Development Regulations** be amended by inserting a row for “Min. Riparian Management Area and Trail width” under the “Max. Parkade Exposure” row, and by adding the following under “C1”, under “C2”, under “CA1”, under “VC1”, under “UC1”, under “UC2”, under “UC3”, under “UC4”, and under “UC5”:

“Any lot with three or more dwelling units that is abutting a watercourse or a riparian area must have the Minimum Riparian Management Area (RMA), as described in Table 21.1 of the OCP dedicated to the City. If the lot is abutting a trail identified in Map 10.1 of the OCP then five additional metres must be dedicated to the City for trail connections in addition to the minimum RMA.”;

32. AND THAT **Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height, “UC3 (Midtown)”** under “Min. Density (if applicable) & Max. Base Density FAR ¹, ⁷” be amended as follows:
 - a) Adding “.13” after “For areas identified as 6 storeys = 1.8 FAR ⁹”, and
 - b) Deleting “3.3” after “For areas identified as 12 storeys =” and replacing it with “3.5”;
33. AND THAT **Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height, “UC4 (Rutland)”** under “Min. Density (if applicable) & Max. Base Density FAR ¹, ⁷” be amended as follows:
 - a) Adding “.13” after “For areas identified as 6 storeys = 1.8 FAR ⁹”, and
 - b) Deleting “3.3” after “For areas identified as 12 storeys =” and replacing it with “3.5”;
34. AND THAT **Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height, “UC5 (Pandosy)”** under “Min. Density (if applicable) & Max. Base Density FAR ¹, ⁷” be amended as follows:
 - a) Adding “.13” after “For areas identified as 6 storeys = 1.8 FAR ⁹”, and
 - b) Adding “For areas identified as 12 storeys = 3.5 FAR ⁹” in its appropriate location;
35. AND THAT **Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height, “CA1”** under “Min. Density (if applicable) & Max. Base Density FAR ¹, ⁷” be amended by adding “.4” after “= 1.6 FAR except 1.8 FAR when lot is fronting a Transit Supportive Corridor”;

36. AND THAT **Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height, FOOTNOTE ¹²** be amended by deleting “RU4,”;

37. AND THAT **Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height, FOOTNOTES** be amended as follows:

Deleting the following:

“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”

And replacing it with:

“⁴ The base FAR is adjusted to 3.5 and the maximum height is adjusted to 12 storeys & 39 metres only in situations where:

- a) the development is a hotel on a lot fronting a Provincial Highway that does not abut a lot that is zoned RR1, RR2, RU1, RU2, RU3, or RU5; or
- b) a primarily residential development is located within Map 8.3.c Orchard Park Exchange;”;

38. AND THAT **Section 14 – Core Area & Other Zones, Section 14.14 – Density and Height, FOOTNOTES** be amended by adding the following in its appropriate location:

“¹³ Lots identified in a Transit Oriented Area identified by Map 8.3.b, Map 8.3.c, or Map 8.3.d have the base FAR for the 6-storey category increased from 1.8 FAR to 2.5 FAR. Developments that use this base density cannot apply the Underground Parking Base FAR Adjustment referenced in footnote ¹².”;

39. AND FURTHER THAT the footer at the bottom of all sections be deleted in its entirety and replaced by the footer as outlined in **Schedule L** as attached to and forming part of this bylaw.

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

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

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule A

Table 7.2 – Tree & Landscaping Planting Requirements cm =centimetres / m = metres / m ² = square metres			
Criteria	Any MF1, RU1, RU2, or RU3 zone for which the lot contains 3 or more dwelling units.	MF2 zone, MF3 zones, Core Area Zone, Village Centre Zone, Health District Zones, and Institutional Zones	Urban Centre Zones, Commercial Zones, Industrial Zones, & Comprehensive Development Zones
Minimum Number of Trees within Landscape Areas ^{.2}	1 tree per 10 linear metres of landscape area ^{.2, .7, .10, .11}	1 tree per 10 linear metres of landscape area ^{.2}	1 tree per 10 linear metres of landscape area ^{.2, .6}
Minimum Growing Medium Area ^{.4}	75% soil-based landscaping groundcover in landscape areas ^{.9, .11} See Visual Example Figure 7.2.1	75% soil-based landscaping groundcover in landscape areas ^{.9} See Visual Example Figure 7.2.1	75% soil-based landscaping groundcover in landscape areas ^{.6, .9} See Visual Example Figure 7.2.1
Minimum Landscaping for any surface parking lot over 15 vehicles ^{.5}	(a) Notwithstanding Section 7.2.3, if a parking lot over 15 vehicles abuts a street, that interface must have at least a minimum 1.5 metres landscape area (the setback landscaping area might be larger). See Figure 7.2.10; (b) landscaped islands are required at the end of each parking aisle; (c) the maximum number of parking spaces in a consecutive row is 14 with a landscaped island or drive aisle separating the next 14 spaces; (d) landscaped islands are not to be longer than the adjacent parking space; (e) landscaped islands shall be clearly delineated as separate and in addition to required parking and loading spaces; (f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference; and (g) a minimum of one tree must be included in a landscaped island.		
Minimum / Maximum Tree Spacing	Minimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area.		
Minimum Setback from buildings, raised patios, and balconies to on-site trees	Large: 3 m radius from centre of tree up to the second storey of the building Medium: 2 m radius from centre of tree up the second storey of the building Small: 1 m radius from centre of tree up to the second storey of the building Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare).		

Table 7.2 – Tree & Landscaping Planting Requirements

cm =centimetres / m = metres / m² = square metres

Criteria	Any MF ₁ , RU ₁ , RU ₂ , or RU ₃ zone for which the lot contains 3 or more dwelling units.	MF ₂ zone, MF ₃ zones, Core Area Zone, Village Centre Zone, Health District Zones, and Institutional Zones	Urban Centre Zones, Commercial Zones, Industrial Zones, & Comprehensive Development Zones	
Minimum Deciduous Tree Planting Stock Caliper ⁻¹	Large: 5 cm Medium: 4 cm Small: 3 cm			
Minimum Coniferous Tree Planting Stock Height	250 cm			
Minimum Ratio between Tree size ⁻³	Large: Min 50% Medium: No min or max Small: Max 25%			
Minimum Growing Medium Volumes per Tree ^{-4, -8}		Single Tree	Pair	Shared
	Large Tree	30 m ³	20 m ³	15 m ³
	Medium Tree	20 m ³	15 m ³	12 m ³
	Small Tree	15 m ³	12 m ³	10 m ³

FOOTNOTES (Section 7.2):

- ⁻¹ All deciduous trees shall have a minimum clear stem height of 1.5 m.
- ⁻² The linear metre calculation is used to determine a minimum number of trees that is to be planted within the **landscape area** (not the minimum spacing). At least one tree per **landscape area** is required.
- ⁻³ Tree size will be defined in the **City of Kelowna’s Urban Tree Guide**, if only one tree is required, it must be a large tree or conifer. All columnar trees shall be considered a medium or small tree for determination of the tree size ratio. However, these trees require the equivalent Large Tree Growing Medium Volume. All trees onsite including the trees within the **landscape area** and the trees within parking lot landscape islands must meet this ratio.
- ⁻⁴ Minimum **growing medium** may be shared through the **landscape area** (tree, turf, and shrub). Electrical transformers and driveways within the landscape areas can be excluded from the minimum percentage of **growing medium** area.
- ⁻⁵ The minimum number of trees within **landscape areas** and within parking islands are separate calculations and cannot be double counted to meet minimum numbers. However, trees in adjacent parking landscape islands may share growing medium with the Landscape Area to meet trenched/shared growing medium minimum amounts.
- ⁻⁶ The minimum number of trees in the **front yard or flanking yard landscape area** can be planted outside the **front yard or flanking yard landscape areas** if the **abutting** boulevard contains an irrigated boulevard with planted street trees. If the minimum number of trees is planted outside the **front yard or flanking yard landscape area** then there is no minimum **growing medium** area required in the **front yard or flanking yard landscape area**.

Table 7.2 – Tree & Landscaping Planting Requirements

cm =centimetres / m = metres / m² = square metres

Criteria	Any MF ₁ , RU ₁ , RU ₂ , or RU ₃ zone for which the lot contains 3 or more dwelling units.	MF ₂ zone, MF ₃ zones, Core Area Zone, Village Centre Zone, Health District Zones, and Institutional Zones	Urban Centre Zones, Commercial Zones, Industrial Zones, & Comprehensive Development Zones
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^{.7} The minimum landscaping and number of trees required are only required when a lot contains three or more dwelling units.

^{.8} For growing medium volume calculation, any continuous growing medium the roots can reach on the subject property to a depth of 1 metre can be applied. The boulevard can be used for growing medium volume if the growing medium volume does not interfere with the necessary growing medium volume for street trees. If this growing medium area is covered by sidewalk or other impervious surface, soil cells will be required to achieve the minimum growing medium requirement. If the overall soil volumes cannot be met but soil cells are installed, then there is no minimum growing medium volume requirement.

^{.9} There is no minimum growing medium area required in front yard or flanking yard landscape area if soil cells are installed to accommodate the minimum on-site trees within the front yard or flanking yard landscape area.

^{.10} The minimum number of trees in the front yard or flanking yard landscape area can be planted outside the front yard or flanking yard landscape areas if the abutting boulevard contains overhead electrical power lines that would interfere with the growth of the trees.

^{.11} There is no minimum number of trees onsite and no minimum growing medium area within the front yard or flanking yard landscape area if adequately sized large trees are planted within the boulevard utilizing soil cells and the boulevard contains a sidewalk or a sidewalk is installed.

Schedule B

7.3 Refuse and Recycling Bins

Private Collection

- 7.3.1 All refuse and recycling bins (including all other large receptacles used for the temporary storage of materials) that are placed wholly above [natural grade](#) (in zones other than agricultural zones) shall:
- (a) require opaque screening from [adjacent lots](#) and [streets](#).
 - (b) all screening shall be a minimum of 1.3 metres in height to a maximum height that is equivalent to the height of the refuse or recycling bin.
 - (c) all sides open to public view shall be screened by the additional planting of shrub and groundcover material at least 1.5 metres in height.
 - (d) all refuse or recycling bins shall be setback a minimum of 3.0 metres from any [lot](#) line [abutting](#) a [rural residential, single & two dwelling](#), or [multi-dwelling](#) zone.
 - (e) an unobstructed access [lane](#) with a minimum width of 3.0 metres and a minimum vertical [clearance](#) of 4.6 m shall be provided to provide access to a required garbage and recycling room or enclosure
- 7.3.2 All refuse and recycling bins that are placed in-ground must be set back 0.5 metres from a [front lot line](#) or [side lot line](#).

Public Collection

- 7.3.3 All garbage and recycling containers must be stored within a building, enclosure, or a garage. The space allocated per bin must meet the dimensions shown in Table 7.3.3 Minimum Refuse and Recycling Bin Space.

Table 7.3.3 Minimum Refuse and Recycling Bins Space				
Container Size:	Min. Cart Length (m)	Min. Cart Width (m)	Min. Cart Height (m)	Min. Cart Aisle Width ⁻¹
120 litre Cart	0.6 m	0.5 m	1.8 m	0.6 m
240 litre Cart	0.7 m	0.6 m	1.9 m	0.7 m
360 litre Cart	0.9 m	0.7 m	2.0 m	0.8 m

FOOTNOTES (Table 7.3.3):

⁻¹ The bins cannot overlap with any other allocated space such as a parking space. The minimum bin aisle space is necessary to roll the bins to the outside and cannot overlap with any other space such as a parking space.

Schedule C

Table 8.2.7.b Ratio of Parking Space Sizes		
Uses:	Min. Regular Size Vehicle parking spaces	Max. Small Size Vehicle parking spaces
Principal Dwelling units in the A1, A2, RR1, RR2, RU1, RU2, RU3, and RU5 zones.	100% ³	0%
Carriage house or secondary suite	0%	100% ^{3, 4}
Dwelling units in the MF1 zone with access to a lane	0% ⁵	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
<p>FOOTNOTES (Section 8.2.7):</p> <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 or when a surface parking space abuts a lane perpendicularly. ⁵ For any MF1 development with two dwelling units or less, the minimum regular size vehicle parking spaces for the principal dwelling units is 100%. 		

Schedule D

Accessible Parking Standards

8.2.17 The minimum accessible parking shall be provided as a function of the total number of parking space provided onsite as described in Table 8.2.17 and illustrated in [Figure 8.2.17](#). However, if a development is within a Transit Oriented Area as identified in Map 8.3.a , Map 8.3.b , Map 8.3.c , or Map 8.3.d and utilizes the parking exemption to provide less parking than would otherwise be required by Table 8.3 Required Off-Street Parking Requirements then development must provide at least the minimum required amount of Accessible Parking spaces onsite as identified in Table 8.2.17a Required Amount of Accessible Parking Spaces in Transit Oriented Areas.

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

Table 8.2.17 Amount of Accessible Parking Spaces		
Total Number of Parking Spaces Onsite.	Min. Number of Required Accessible Parking Spaces	Min. Number of Required Van-Accessible Parking Spaces
1 – 4 spaces	0 spaces	0 spaces
5 – 36 spaces	1 space	0 spaces
37 – 68 spaces	2 spaces	1 space
69 – 100 spaces	3 spaces	1 space
101-150 spaces	4 spaces	1 space
151-200 spaces	5 spaces	1 space
201-300 spaces	6 spaces	2 spaces
301-400 spaces	7 spaces	2 spaces
401-500 spaces	8 spaces	2 spaces
Over 500 spaces	2% of the total spaces	2 spaces

Note: The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.

Table 8.2.17a Required Amount of Accessible Parking Spaces in Transit Oriented Areas		
Total Number of Dwelling Units	Min. Number of Required Accessible Parking Spaces	Min. Number of Required Van-Accessible Parking Spaces
1 – 9 units	0 spaces	0 spaces
10 – 50 units	1 space	0 spaces

Table 8.2.17a Required Amount of Accessible Parking Spaces in Transit Oriented Areas		
Total Number of Dwelling Units	Min. Number of Required Accessible Parking Spaces	Min. Number of Required Van-Accessible Parking Spaces
51-100 units	2 spaces	1 space
101 – 200 units	3 spaces	1 space
201-300 units	4 spaces	1 space
301-400 units	5 spaces	1 space
Over 400 units	6 spaces	2 spaces

Note: The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.

Schedule E

Electric Vehicle Charging

- 8.2.18 Any development with residential **dwelling units** that provides an on-site parking **spaces** for that **dwelling unit** must be an electric vehicle **energized outlet** capable of providing **level 2 charging**. The rate shall be one energized **space** per **dwelling unit** that is provided a parking stall. For example, if a development does not provide a parking space onsite for that dwelling unit then there is no requirement for an electric vehicle **energized outlet** for that **dwelling unit**.
- a) The minimum energized electric vehicle energized outlets do not apply to the visitor parking.
 - b) **Energized Outlets** must be labelled for their intended use for electric vehicle charging only.
 - c) **Energized Outlets** must be assigned to an individual vehicle parking space and must be located no further than 1.0 metre from that parking space.
 - d) No more than one **Energized Outlet** may be assigned to an individual vehicle parking space.
 - e) The minimum energized electric vehicle energized outlets do not apply to secondary suites or carriage houses.
 - f) The minimum amount of electric vehicle **energized outlets** per parking space capable of providing **level 2 charging** can be reduced by 75% if the lot is zoned with a "r – rental only" sub-zone that restricts the **dwelling units** to a rental only tenure and prohibits any building stratification or bareland stratification.
 - g) The Effective date these regulation will come into effect is April 1st 2024.

Table 8.2.18 [Deleted]

Schedule F

Table 8.3 – Required Residential Off-Street Parking Requirements					
Location of Residential Development	Required Parking by Unit Type				Visitor Parking Required ^{.1, .2}
	Studio Units	1 – bedroom Units	2 – bedroom Units	3 – bedroom or more Units	
Dwelling Units within an Urban Centre Zone ^{.5, .8}	Min 0.8 spaces & Max 1.25 spaces per studio	Min 0.9 spaces & Max 1.25 spaces per 1 bedroom	Min 1.0 space & Max 1.5 spaces per 2 bedroom	Min 1.0 space & Max 1.5 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units within a Village Centre Zone	Min 0.9 spaces & Max 1.25 spaces per studio	Min 1.0 space & Max 1.25 spaces per 1 bedroom	Min 1.1 spaces & Max 1.6 spaces per 2 bedroom	Min 1.4 spaces & Max 2.0 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units within the MF1 Zone ^{.8}	Min 1.0 space & Max 1.5 spaces per studio ^{.10}	Min 1.0 space & Max 1.5 spaces per 1 bedroom ^{.10}	Min 1.0 space & Max 1.5 spaces per 2 bedroom ^{.10}	Min 1.0 space & Max 2.0 spaces per 3 bedroom ^{.10}	n/a
Dwelling Units for lots fronting a Transit Supportive Corridor ^{.8, .9}	Min 0.9 spaces & Max 1.25 spaces per studio	Min 1.0 space & Max 1.25 spaces per 1 bedroom	Min 1.1 spaces & Max 1.6 spaces per 2 bedroom	Min 1.4 spaces & Max 2.0 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units for lots within the Core Area ^{.8, .9}	Min 1.0 space & Max 1.25 spaces per studio	Min 1.2 spaces & Max 1.6 spaces per 1 bedroom	Min 1.4 spaces & Max 2.0 spaces per 2 bedroom	Min 1.6 spaces & Max 2.2 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units for lots outside the Core Area with 4 or less dwelling units	Min 1.25 space & Max 1.5 spaces per studio ^{.10}	Min 1.25 space & Max 1.5 spaces per 1 bedroom ^{.10}	Min 1.25 space & Max 1.5 spaces per 2 bedroom ^{.10}	Min 1.25 space & Max 2.0 spaces per 3 bedroom ^{.10}	n/a
Dwelling Units for lots outside the Core Area with 5 or more dwelling units	Min 1.0 space & Max 1.25 spaces per studio ^{.10}	Min 1.25 spaces & Max 1.6 spaces per 1 bedroom ^{.10}	Min 1.5 spaces & Max 2.0 spaces per 2 bedroom ^{.10}	Min 2.0 spaces & Max 2.6 spaces per 3 bedroom ^{.10}	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units within A1, A2, RR1, & RR2 Zones	Min 2.0 spaces per dwelling unit ^{.12} & Max is n/a				Min 0.0 ^{.13} spaces & Max n/a
Dwelling Units within the CD20 Zone	Min 1.0 space per dwelling unit, except 0.15 spaces per student only residences &				Min 0.14 spaces ^{.11} & Max 0.2

Table 8.3 – Required Residential Off-Street Parking Requirements					
Location of Residential Development	Required Parking by Unit Type				Visitor Parking Required ^{.1, .2}
	Studio Units	1 – bedroom Units	2 – bedroom Units	3 – bedroom or more Units	
	Max 1.5 spaces per dwelling unit				spaces per dwelling unit
Dwelling Units within the CD22 zone	Min 0.75 spaces & Max 1.0 space per studio	Min 0.9 spaces & Max 1.25 spaces per 1 bedroom	Min 1.0 space & Max 1.6 spaces per 2 bedroom	Min 1.1 spaces & Max 2.0 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Dwelling Units within the CD26 zone	Min 1.0 space & Max 1.5 space per studio	Min 1.0 space & Max 1.5 spaces per 1 bedroom	Min 1.0 space & Max 1.5 spaces per 2 bedroom	Min 1.0 space & Max 1.5 spaces per 3 bedroom	Min 0.14 spaces & Max 0.2 spaces per dwelling unit
Congregate Housing, Group Homes, & Supportive Housing ^{.8}	Min 0.35 spaces per sleeping unit; Plus a Min 0.5 spaces per non-resident on-duty employee or a Min of 3.0 spaces (whichever is greater) & Max 2.0 spaces per sleeping unit				Min 0.14 spaces & Max 0.2 spaces per dwelling unit

FOOTNOTES (Table 8.3):

- ^{.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 seven (7) dwelling units. For example, a lot with six (6) dwelling units does not require a visitor parking space.
- ^{.3} [Deleted]
- ^{.4} [Deleted]
- ^{.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.
- ^{.6} [Deleted]
- ^{.7} [Deleted]
- ^{.8} Lots in a Transit Oriented Area (identified in Map 8.3.a, Map 8.3.b, Map 8.3.c, and Map 8.3.d) have no minimum residential parking requirement. However, there is a minimum number of accessible parking spaces required in all new developments (See Section 8.2.17 Accessible Parking Standards).
- ^{.9} This category does not apply to any lots that are zoned MF1, UC1, UC2, UC3, UC4, UC5, or VC1.
- ^{.10} There is no maximum when a lot contains two or fewer dwelling units.
- ^{.11} The minimum visitor parking is 0.05 spaces per student only residences.
- ^{.12} Except secondary suites and carriage houses only require 1.0 space per dwelling unit. The parking spaces for the secondary suites and carriage houses 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.

Table 8.3 – Required Residential Off-Street Parking Requirements

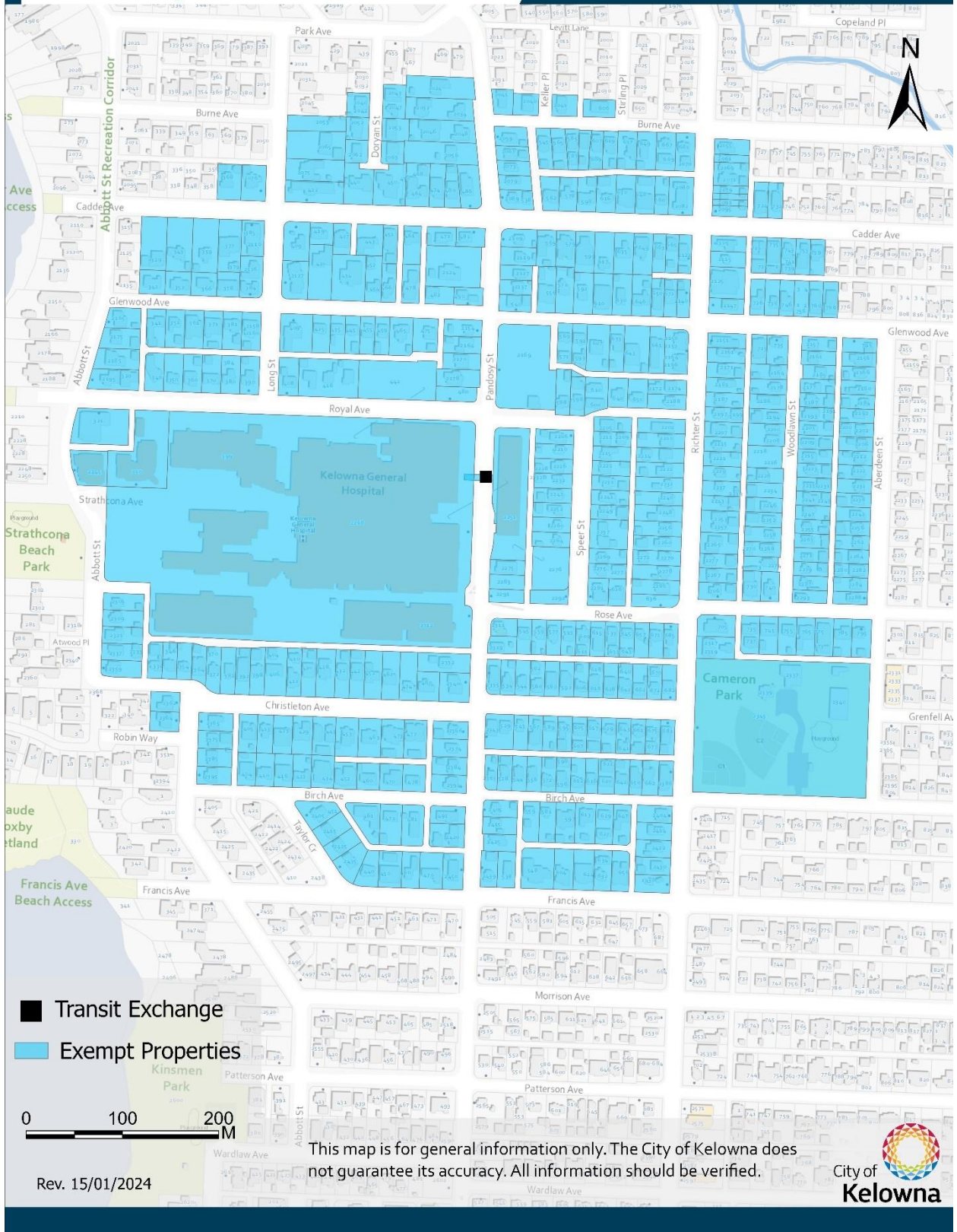
Location of Residential Development	Required Parking by Unit Type				Visitor Parking Required ^{.1, .2}
	Studio Units	1 – bedroom Units	2 – bedroom Units	3 – bedroom or more Units	

^{.13} Within a residential strata with five or more **dwelling units** the visitor parking requirement is 0.14 **spaces per dwelling unit**.

Residential Parking Exemptions

Map 8.3.a

Hospital Exchange



- Transit Exchange
- Exempt Properties

0 100 200 M

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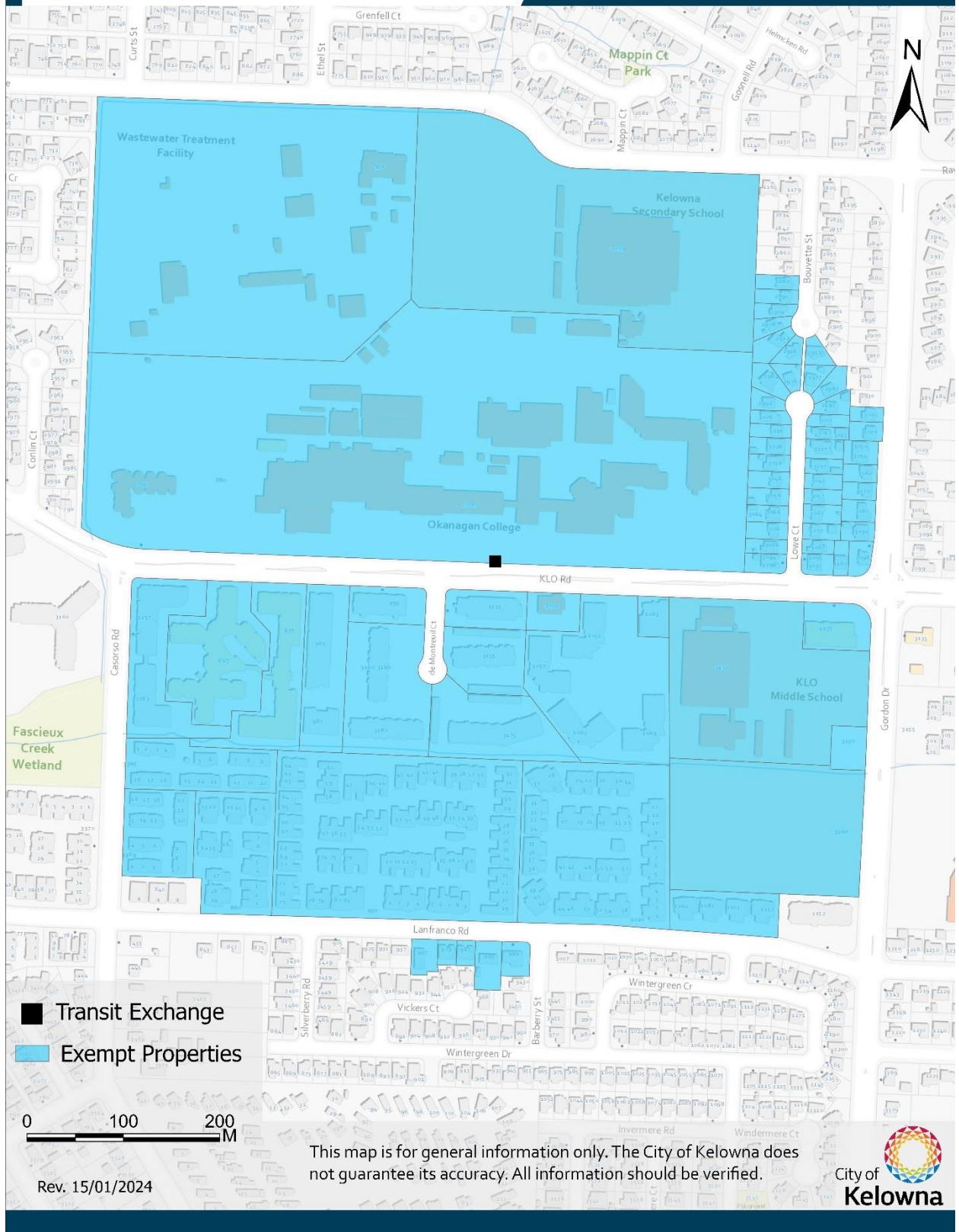
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



Residential Parking Exemptions

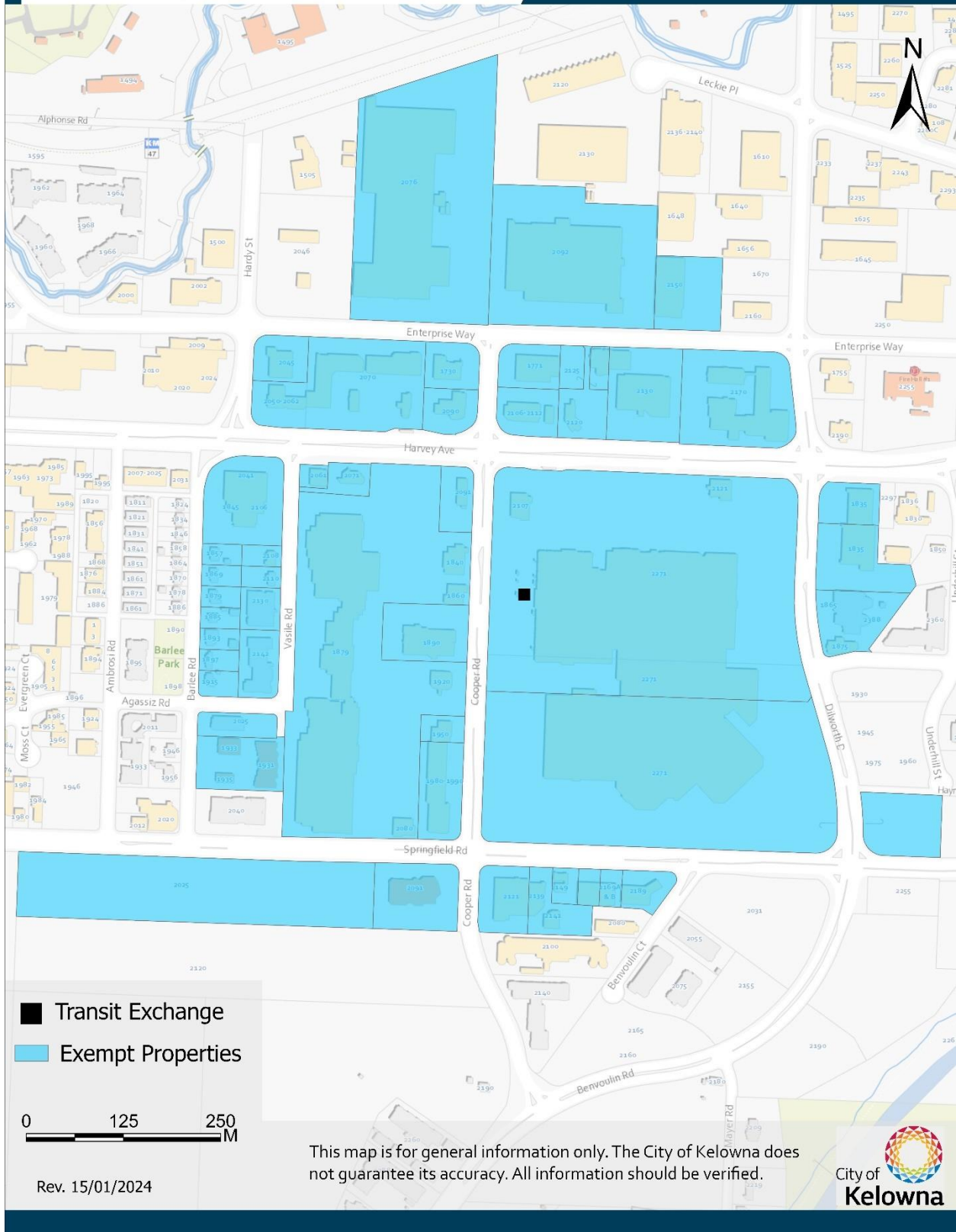
Map 8.3.b

Okanagan College Exchange



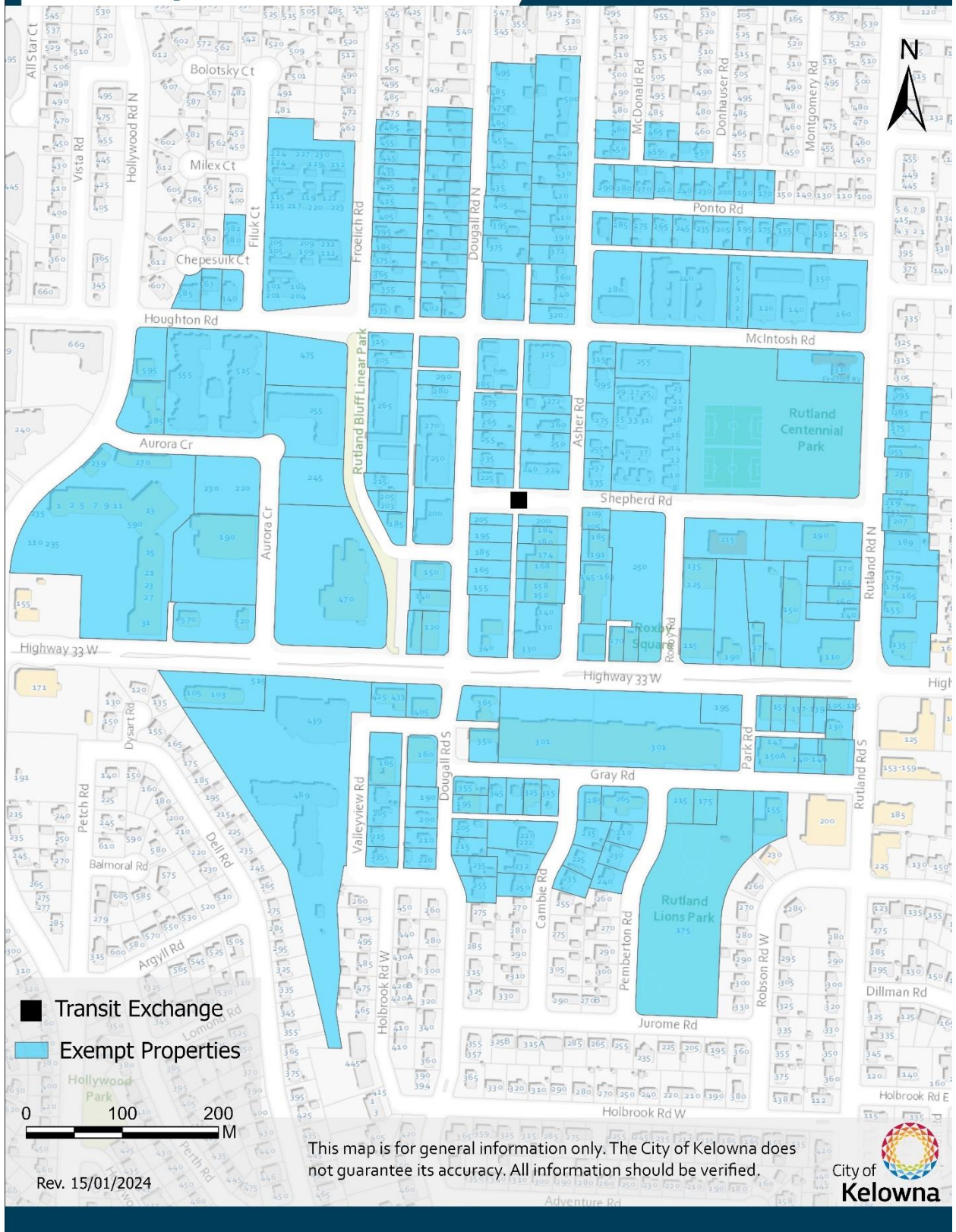
Residential Parking Exemptions

Map 8.3.c Orchard Park Exchange



Residential Parking Exemptions

Map 8.3.d Rutland Exchange



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



Rev. 15/01/2024

Schedule G

Table 8.3.1 Other Residential Parking			
GFA = gross floor area m ² = square metres			
Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ⁻¹
	Minimum	Maximum	
Bed and Breakfast Homes	1.0 space per sleeping unit	1.5 spaces per sleeping unit	n/a
Boarding or Lodging Houses	1.0 space; plus 0.9 spaces per sleeping unit	1.5 space; plus 2.0 spaces per sleeping unit	n/a
[Deleted]	[Deleted]	[Deleted]	[Deleted]
Child Care Centre, Major	1.0 Space per 11 children of capacity	n/a	n/a
Child Care Centre, Minor	1.0 space	n/a	n/a
[Deleted]	[Deleted]	[Deleted]	[Deleted]
Home-Based Business, Major	1.0 space	2.0 spaces	n/a
Home-Based Business, Major for Health Services on lots located on Royal Avenue or Christleton Avenue	2.5 spaces per 100 m ² GFA	5.0 spaces per 100 m ² GFA	n/a
Home-Based Business, Minor	n/a	n/a	n/a
Home-Based Business, Rural	1.0 space	n/a	n/a
[Deleted]	[Deleted]	[Deleted]	[Deleted]
[Deleted]	[Deleted]	[Deleted]	[Deleted]
[Deleted]	[Deleted]	[Deleted]	[Deleted]
[Deleted]	[Deleted]	[Deleted]	[Deleted]
[Deleted]	[Deleted]	[Deleted]	[Deleted]
[Deleted]	[Deleted]	[Deleted]	[Deleted]
[Deleted]	[Deleted]	[Deleted]	[Deleted]
[Deleted]	[Deleted]	[Deleted]	[Deleted]

Table 8.3.1 Other Residential Parking

GFA = gross floor area
m² = square metres

Land Use / Type of Development	Base Parking Requirement		Visitor Parking Requirement ⁻¹
	Minimum	Maximum	

FOOTNOTES (Table 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 [Deleted]

⁻³ [Deleted]

Schedule H

Section 10.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
A1 - Agriculture	n/a	n/a
A2 – Agriculture / Rural Residential	n/a	n/a
RR1 – Large Lot Rural Residential	RR1cc – Large Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR1 lots to allow child care centre , major on a case-by-case basis were supported by OCP policy.
RR2 – Small Lot Rural Residential	RR2cc – Small Lot Rural Residential with Child Care Centre, Major	The purpose is to provide a sub-zone for RR2 lots to allow child care centre , major on a case-by-case basis were supported by OCP policy.

Schedule I

Section 10.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	A1	A2	RR1	RR2
Accessory Buildings or Structures	S	S	S	S
Agriculture	P	P	-	-
Agriculture, Urban	P	P	P	P
Agriculture, Intensive .10	P	-	-	-
Agri-Tourism .10	S	S	-	-
Alcohol Production Facility .10	S	-	-	-
Animal Clinics, Major	P	S .5	S .5	-
Animal Clinics, Minor	P	S	S	-
Aquaculture	P	P	-	-
Bed and Breakfast Homes	S .12	S .12	S .12	S .12
Cannabis Cultivation .10	P	-	-	-
Carriage House	S .8	S .8	S .8	S .8
Child Care Centre, Major	-	-	P .1	P .1
Child Care Centre, Minor	S	S	S	S
Farm Retail Sales Stands .10	S	-	-	-
Forestry	P	-	-	-
Greenhouses and Plant Nurseries	P .4	P .4	P .4	-
Group Home	-	P	P	P
Home-Based Business, Major	S	S	S	S
Home-Based Business, Minor	S	S	S	S
Home-Based Business, Rural	S .9	S .9	S .9	-
Kennels	P .5	P .5	P .5	-

Section 10.3 - Permitted Land Uses				
Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)			
	A1	A2	RR1	RR2
Mobile Home	P ^{.6}	-	-	-
On-Farm Processing of Cannabis ^{.10}	S	-	-	-
On-Farm Processing ^{.10}	S	-	-	-
Secondary Suite	S ^{.3}	S ^{.3}	S ^{.3}	S ^{.3}
Single Detached Dwelling	P ^{.6}	P	P	P
Stables	P	P ^{.5}	-	-
Temporary Farm Worker Housing (TFWH) ^{.10}	S ^{.7}	S ^{.7}	-	-

FOOTNOTES (Section 10.3):

^{.1} The lot must have a child care sub-zone ‘cc’ on the property for a child care centre, major to be permitted.

^{.2} [Deleted].

^{.3} Secondary suites must be on a lot serviced with community water.

^{.4} Greenhouses and plant nurseries may include the accessory sale of landscaping and gardening non-farm products provided that this accessory use is limited to 150 m² on the lot.

^{.5} Minimum lot area for animal clinics, major, kennels, and stables (stables only in the A2 zone) is 20,000 m².

^{.6} Maximum one single detached dwelling or mobile home per lot, unless another residence is permitted within the Agriculture Land Reserve as described in the Agricultural Land Commission Act (and related regulation and policy).

^{.7} Existing structure with a building permit that was approved at least two (2) years prior to TFWH application, can be converted into TFWH, on the parcel within the farm unit. New TFWH must be in temporary structures on non-permanent foundations, such that it is designed to be removed by a truck or vehicle. Concrete pads or foundations are not permitted.

^{.8} 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. Mobile homes may be used as carriage houses in the A1 zone.

^{.9} All home-based business, rural must have a minimum lot area as described in Section 9.2 Home-based businesses.

^{.10} Other legislation like the Agriculture Land Commission Act applies and may limit land uses.

^{.11} [Deleted]

^{.12} [Deleted]

Schedule J

SECTION 11 -

Suburban Residential Zones

Section 11.1 - Zone Purposes	
Zones	Purpose
RU1 – Large Lot Housing	The purpose is to provide a zone that permits up to four dwelling units with compatible secondary uses , on larger serviced urban lots .
RU2 – Medium Lot Housing	The purpose is to provide a zone that permits up to four dwelling units with compatible secondary uses , on medium serviced urban lots .
RU3 – Small Lot Housing	The purpose is to provide a zone that permits up to four dwelling units with compatible secondary uses , on smaller serviced urban lots .
[Deleted]	[Deleted]
RU5 – Multiple Suburban Housing	The purpose is to provide a zone for multiple single detached dwellings , duplexes, or triplexes including compatible secondary uses , on a single serviced urban lot .

Section 11.2 – Sub-Zones		
Zones	Sub - Zones	Purpose
RU1 – Large Lot Housing	RU1cc – Large Lot Housing with Child Care Centre, Major	The purpose is to provide a sub-zone for RU1 lots to allow child care centre, major on a case-by-case basis were supported by OCP policy.
RU2 – Medium Lot Housing	RU2cc – Medium Lot Housing with Child Care Centre, Major	The purpose is to provide a sub-zone for RU2 lots to allow child care centre, major on a case-by-case basis were supported by OCP policy.
RU3 – Small Lot Suburban Housing	n/a	n/a
[Deleted]	[Deleted]	[Deleted]
RU5 – Multiple Suburban Housing	n/a	n/a

Section 11.3 - Permitted Land Uses					
Uses	Zones (‘P’ Principal Use, ‘S’ Secondary Use, ‘-’ Not Permitted)				
	RU1 ^{.6, .7}	RU2 ^{.6, .7}	RU3 ^{.6, .7}	[Deleted]	RU5 ^{.6, .7}
Accessory Buildings or Structures	S	S	S	[Deleted]	S
Agriculture, Urban	P	P	P		P
Bed & Breakfast	S ^{-.9, -.10}	S ^{-.9, -.10}	S ^{-.9, -.10}		-
Boarding or Lodging	P (RU1b only)	-	-		-
Carriage House	S	S	S		S
Child Care Centre, Major	P ^{.3}	P ^{.3}	-		P ^{.3}
Child Care Centre, Minor	S	S	S		S
Duplex Housing	P	P	P		P
Group Home	P	P	P		P
Home-Based Business, Major	S	S	-		S
Home-Based Business, Minor	S	S	S		S
Secondary Suite	S	S	S		S
Semi-Detached Housing	P	P	P		P
Single Detached Dwelling	P	P	P		P
Townhouses	P	P	P		-

FOOTNOTES (Section 11.3):

^{-.1} [Deleted]

^{-.2} [Deleted]

^{-.3} The lot must have a child care sub-zone ‘cc’ on the property for a child care centre, major to be permitted.

^{-.4} [Deleted]

^{-.5} [Deleted]

^{-.6} Any lot with more than one dwelling unit must be on a lot serviced with community water.

^{-.7} Any lot with more than two dwelling units must be on a lot serviced with community sanitary sewer.

^{-.8} [Deleted]

^{-.9} A bed & breakfast can only occur if there is only one dwelling unit on the lot.

^{-.10} [Deleted]

Section 11.4 – Subdivision Regulations

m = metres / m² = square metres

	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	[Deleted]	RU5 ^{.1}
Min. Lot Width without access to a Rear Lane	16.5 m ^{.2}	13.0 m	8.5 m	[Deleted]	40.0 m
Min. Lot Width with access to a Rear Lane or Strata Road	15.0 m ^{.2}	12.0 m	8.5 m		40.0 m
Min. Lot Width for Corner Lots	17.0 m ^{.2}	15.0 m	10.0 m		40.0 m
Min. Lot Depth	30.0 m	27.0 m	27.0 m		30.0 m
Min. Lot Area ^{.1}	450 m ² ^{.2}	350 m ² ^{.3}	255 m ²		4,000 m ²
Min. Building Envelope Area	150 m ²	130 m ²	n/a		n/a
New lots must have access to side or rear lane	no	no	yes		no

FOOTNOTES (Section 11.4):

- ^{.1} Minimum **lot width**, **lot depth**, and **lot area** also apply to **bareland strata lots**.
- ^{.2} Where a **lot** is developed with a **semi-detached housing** form and is being subdivided along a party wall then: the minimum **lot area** is 270 m², the minimum **lot width** is 10 m for **corner lots**, the minimum **lot width** is 9 m for all other **lots**, and the minimum **building envelope area** is 100 m².
- ^{.3} The minimum **lot area** is 325 m² when the **lot** has access to a **rear lane** or strata road.

Section 11.5 – Development Regulations

m = metres / m² = square metres

	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	[Deleted]	RU5 ^{.1}
Max. Site Coverage of all Buildings	40% ^{.11}	40% ^{.11}	40% ^{.11}	[Deleted]	40%
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	70% ^{.12}	70% ^{.12}	70% ^{.12}		70% ^{.6}
Min. Front Yard and Flanking Yard Setback	3.0 m ^{.2}	3.0 m ^{.2}	3.0 m ^{.2}		3.0 m ^{.5}
Min. Side Yard Setback	2.1 m ^{.3, .10}	1.5 m ^{.3}	1.2 m ^{.3}		3.0 m ^{.5, .10}
Min. Rear Yard Setback	6.0 m ^{.13}	6.0 m ^{.13}	6.0 m ^{.13}		6.0 m ^{.5}
Min. Rear Yard Setback on Wide Lots	4.5 m ^{.13}	4.5 m ^{.13}	4.5 m ^{.13}		n/a
Min. Rear Yard Setback for accessory structures or carriage houses	1.5 m ^{.4}	1.5 m ^{.4}	1.5 m ^{.4}		1.5 m ^{.5}
Min. Setback between Principal Buildings	2.5 m	2.5 m	2.5 m		2.5 m
Max. Net Floor Area for Single (1) Storey Carriage Houses	100 m ²	100 m ²	n/a		n/a
Max. Net Floor Area for Two (2) Storey Carriage Houses	90 m ²	90 m ²	n/a		n/a
Max. Building Footprint per Accessory Buildings / Structures	90 m ²	90 m ²	90 m ²		90 m ²
Max. Net Floor Area for Secondary Suites	90 m ²	90 m ²	90 m ²		90 m ²
Min. Riparian Management Area	Any lot with three or more dwelling units that is abutting a watercourse or a riparian area must have the Minimum Riparian Management Area (RMA), as described in Table 21.1 of the OCP, dedicated to the City. If the lot is abutting a trail identified in Map 10.1 of the OCP then five additional metres must be dedicated to the City for trail connections in addition to the minimum RMA.				
Lit pathway requirement for Carriage Houses and Secondary Suites	A lighted pathway is required from the entrance of the carriage house and/or the secondary suite to the on-site parking space(s) and to the fronting street.				
FOOTNOTES (Section 11.5): ^{.1} Development Regulations apply to bareland strata lots.					

Section 11.5 – Development Regulations

m = metres / m² = square metres

	Zones				
	RU1 ^{.1}	RU2 ^{.1}	RU3 ^{.1}	[Deleted]	RU5 ^{.1}
<p>^{.2} The minimum setback for any attached garage or carport that faces the street shall be 6.0 metres 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 principal buildings and / or accessory structures within a building strata.</p> <p>^{.6} Private roadways that access more than two dwelling units are excluded from the calculation of maximum site coverage of all buildings, structures, and impermeable surfaces.</p> <p>^{.7} [Deleted]</p> <p>^{.8} [Deleted]</p> <p>^{.9} [Deleted]</p> <p>^{.10} The minimum side yard setback for any accessory structures or carriage houses is 1.5 metres.</p> <p>^{.11} The maximum site coverage of all buildings when a lot contains three or more dwelling units is 55%.</p> <p>^{.12} The maximum site coverage of all buildings, structures, and impermeable surfaces when a lot contains three or more dwelling units is 75%.</p> <p>^{.13} The minimum rear yard setback when a lot contains three or more dwelling units is 3.0 metres, except it is 1.5 metres if the rear yard is abutting a lane.</p>					

Section 11.6 –Density and Height Development Regulations

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

		Zones			
		RU1	RU2	RU3	RU5
Max. Density		4 dwelling units per lot	4 dwelling units per lot	4 dwelling units per lot	9 dwelling units per 1,000 m ² ^{.1}
Max. Height		11.0 m & 3 storeys	11.0 m & 3 storeys	11.0 m & 3 storeys	11.0 m & 3 storeys
Max. Height for Buildings with Walkout Basements	Front or Flanking Yard Building Elevation	9.0 m	9.0 m	9.0 m	9.0 m
	Rear Building Elevation	12.5 m	12.5 m	12.5 m	12.5 m

Section 11.6 –Density and Height Development Regulations

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

	Zones			
	RU1	RU2	RU3	RU5
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 Figure 5.11 for Example Diagram	70% See Figure 5.11 for Example Diagram	70% See Figure 5.11 for Example Diagram	70% See Figure 5.11 for Example Diagram
Max. Height for Carriage Houses	5.7 m ^{.2}	n/a	n/a	5.7 m ^{.2}
Max. Upper Storey Gross Floor Area for Two (2) Storey Carriage Houses	70% of the carriage house footprint area See Figure 5.9 as Example Diagram	70% of the carriage house footprint area See Figure 5.9 as Example Diagram	70% of the carriage house footprint area See Figure 5.9 as Example Diagram	70% of the carriage house footprint area See Figure 5.9 as Example Diagram
Max. Height for Accessory Buildings / Structures	4.8 m	4.8 m	4.8 m	4.8 m

FOOTNOTES (Section 11.6):

^{.1} The maximum density is one (1) dwelling unit per 1,000 m² if the lot is not connected to community sanitary sewer and community water.

^{.2} 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.

Section 11.7 – Site Specific Regulations

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

	Legal Description	Civic Address	Regulation
1.	Lot B District Lot 136 ODYD Plan 30919	2473 Ethel Street	<p>Notwithstanding, Section 5.3 General Definitions, & Table 8.3.1 Other Residential Parking, the following uses and regulations are permitted:</p> <ul style="list-style-type: none"> • Boarding and Lodging Houses can operate within an accessory building in addition to the Single Detached Housing; and • The minimum parking is two parking spaces for the Boarding and Lodging use for the site; and • The maximum of 14 residents on the subject property.

Schedule K

SECTION 13

Multi-Dwelling Zones

Section 13.1 - Zone Purposes	
Zones	Purpose
MF1 – Infill Housing	The purpose is to provide a zone for infill development within the core area of the City limiting development to 6 ground-oriented residential dwelling units or less.
MF2 – Townhouse Housing	The purpose is to provide a zone for ground-oriented multiple housing (typically townhouse developments) up to 3 storeys on serviced urban lots .
MF3 – Apartment Housing	The purpose is to provide a zone primarily for apartments ranging up to 6 storeys on serviced urban lots with various commercial uses permitted on transit supportive corridors .
MF4 – Transit Oriented Areas	The purpose is to provide a zone that permits a range of redevelopments from infill housing up to 6 storey apartments .

Section 13.2 – Sub-Zone Purposes		
Zones	Sub-Zone	Purpose
MF1 – Infill Housing	MF1r – Infill Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
	MF1cc – Infill Housing with Child Care Centre, Major	The purpose is to provide a sub-zone to allow for Child Care Centre, Major land uses on a case-by-case basis were supported by OCP policy.
	MF1b – Infill Housing with Boarding or Lodging House	The purpose is to provide a sub-zone to allow for Boarding or Lodging House land uses on a case-by-case basis were supported by OCP policy.
	MF1hc – Infill Housing with Heritage Commercial	The purpose is to provide a sub-zone for the preservation of land and buildings that have heritage value for low density residential uses to expand into complimentary commercial uses related to health services , and minor retail activities

MF2 – Townhouse Housing	MF2r – Townhouse Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF3 – Apartment Housing	MF3r – Apartment Housing Rental Only	The purpose is to provide a sub-zone that restricts the dwelling units to a rental only tenure and to prohibit any building or bareland stratification.
MF4 – Transit Oriented Areas	MF4 r – Transit Oriented Areas 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.
	MF4b – Transit Oriented Areas with Boarding or Lodging House	The purpose is to provide a sub-zone to allow for Boarding or Lodging House land uses on a case-by-case basis were supported by OCP policy.

Section 13.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	MF1	MF2	MF3	MF4
Accessory Buildings or Structures	S	S	S	S
Agriculture, Urban	S	S	S	S
Apartment Housing	-	-	P	P
Boarding or Lodging	P (MF1b only)	-	-	P (MF4b only)
Child Care Centre, Major	S	S	S	S
Child Care Centre, Minor	S	S	S	S
Cultural and Recreation Services	-	-	S ^{.2}	S ^{.2, .10}
Duplex Housing	P	P	-	P
Emergency and Protective Services	-	-	-	P ^{.8}
Food Primary Establishment	-	-	S ^{.2}	S ^{.2, .10}
Group Home	P ^{.1}	P ^{.1}	-	P ^{.1}
Health Services	P ^{.5}	-	S ^{.2}	P ^{.10}

Section 13.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	MF1	MF2	MF3	MF4
Home-Based Business, Major	S	S ^{.6}	S ^{.6}	S ^{.6}
Home-Based Business, Minor	S	S	S	S
Professional Services	-	-	S ^{.2}	S ^{.2, .10}
Participant Recreation Services, Indoor	-	-	S	S
Personal Service Establishments	-	-	S ^{.2}	S ^{.2, .10}
Retail	- ^{.5}	-	S ^{.2}	S ^{.2, .10}
Secondary Suites	S	-	-	S
Semi-Detached Housing	P	P	-	P
Single Detached Housing	P	P	-	P
Stacked Townhouses	P	P	P ^{.4}	P
Townhouses	P	P	P ^{.4}	P

FOOTNOTES (Section 13.3):

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

^{.2} These land uses are only permitted on transit supportive corridors and these land uses are not permitted above the first storey. Footnote .10 further restricts these land uses.

^{.3} [Deleted]

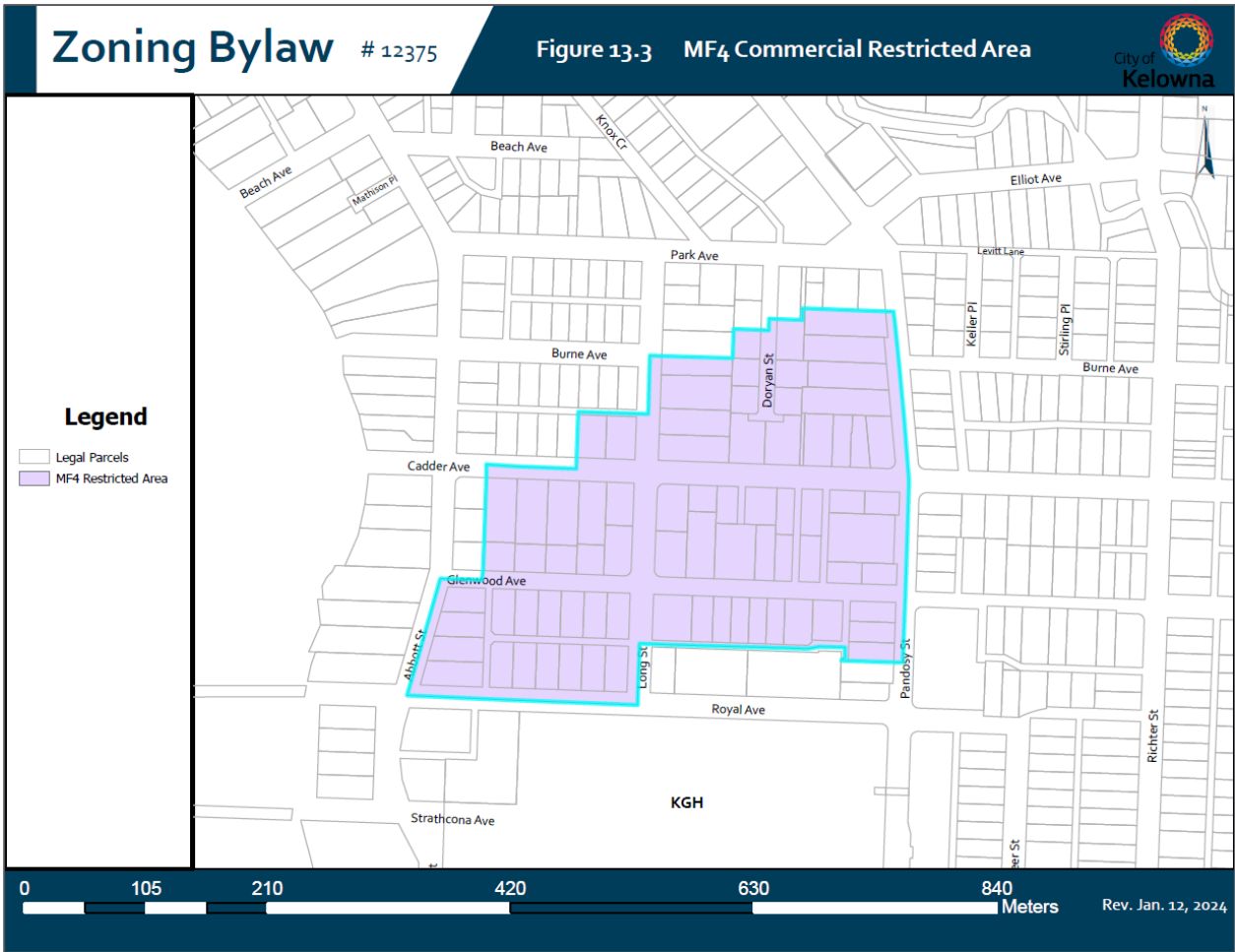
^{.4} Townhouses and/or stacked townhouses are only permitted if the majority of the residential dwelling units are in the form of apartment housing.

^{.5} The Health Services land use or the Retail land use is only permitted as a principal use when the lot contains the 'hc' Heritage Commercial sub-zone. The health services use shall not generate more than two (2) clients to the site from which the business is being operated at any given time. The retail use shall be limited to those uses related to arts, crafts, or cultural activities such as souvenir, craft, or gift shops, bookstores, art galleries, or photography studios. Individual general retail services are limited to a maximum net floor area of 100 m².

^{.6} 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.

^{.7} [Deleted].

Section 13.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	MF1	MF2	MF3	MF4
<p>⁸ Emergency and protective services are only permitted as a principal use only a lot that abuts a minor or major arterial road as determined by the OCP.</p> <p>⁹ [Deleted].</p> <p>¹⁰ These land uses are not permitted for lots identified in Figure 13.3 MF4 Commercial Restricted Area.</p>				



Section 13.4 – Subdivision Regulations					
m = metres / m ² = square metres					
		Zones			
		MF1	MF2	MF3	MF4
Min. Lot Width	Regular Lots	13.0 m ^{.1, .2}	20.0 m ^{.1}	30.0 m	30.0 m
	Corner Lots	15.0 m ^{.1, .2}			
Min. Lot Depth		27.0 m ^{.1, .2}	30.0 m ^{.1}	30.0 m	30.0 m
Min. Lot Area	Regular Lots	350 m ² ^{.1, .2}	900 m ² ^{.1}	1,400 m ²	1,400 m ²
	Corner Lots	400 m ² ^{.1, .2}			
Min. Building Envelope Area		140 m ²	n/a	n/a	n/a
FOOTNOTES (Section 13.4): ^{.1} Townhouse and semi-detached housing developments may be subdivided into smaller lots than the regulations listed above provided: the site is comprehensively developed under a single development permit, the lot is subdivided along a party wall, and a party wall agreement is registered on title. ^{.2} Minimum lot width, lot depth, and lot area also apply to bareland strata lots.					

Section 13.5 – Development Regulations						
m = metres / m ² = square metres						
		Zones				
		MF1 - Two Dwellings Units or Less	MF1 - Three Dwellings Units or More	MF2	MF3	MF4
Max. Height	Max. Density	Section 13.6 – Density and Height Development Regulations				
Min. Setback from buildings, raised patios, and balconies to on-site trees		See Table 7.2 Tree & Landscaping Planting Requirements				
Max. Site Coverage of all Buildings		40%	55% ^{.10}	55%	65%	See Footnote ^{.11}

Section 13.5 – Development Regulations

m = metres / m² = square metres

	Zones				
	MF1 - Two Dwellings Units or Less	MF1 - Three Dwellings Units or More	MF2	MF3	MF4
Max. Site Coverage of all Buildings, Structures, and Impermeable Surfaces	70%	75% ^{.10}	80%	85%	See Footnote ^{.11}
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 Figure 5.11 for Example Diagram	70% See Figure 5.11 for Example Diagram	n/a	n/a	See Footnote ^{.11}
Min. Front Yard and Flanking Side Yard Setback for all building types	3.0 m ^{.5}	3.0 m ^{.3, .5}	3.0 m ^{.3, .5}	3.0 m ^{.3, .5}	See Footnote ^{.11}
Min. Building Stepback from Front Yard and Flanking Side Yard	n/a	n/a	n/a	3.0 m ^{.6}	See Footnote ^{.11}
Min. Side Yard Setback	1.8 m except 1.2 m from a lane ^{.2}	1.8 m except 1.2 m from a lane ^{.2}	2.1 m except 1.2 m from a lane ^{.2}	3.0 m ^{.7}	See Footnote ^{.11}
Min. Rear Yard Setback	6.0 m except 4.5 m for Wide Lots	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}	See Footnote ^{.11}
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	1.5 m except 0.9 m from a lane ^{.7}	See Footnote ^{.11}
Min. Separation between Detached Principal Buildings	2.0 m	2.0 m	3.0 m	n/a	See Footnote ^{.11}
Min. Common and Private Amenity Space	n/a	n/a	For Developments with 1 to 10 Dwelling Units = n/a For Developments with 11 to 20 Dwelling Units =		

Section 13.5 – Development Regulations

m = metres / m² = square metres

	Zones				
	MF1 - Two Dwellings Units or Less	MF1 - Three Dwellings Units or More	MF2	MF3	MF4
			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}		
Min. Roadway Width	n/a	For any lot abutting a Transit Supportive Corridor, Major Arterial road, or a road with an Active Transportation Corridor (as designated in the OCP) the minimum roadway width measured from the centre line of the adjacent highway to the property line must be at least half the highway width requirement as described in Table 2: Road Requirements within Subdivision, Development, and Servicing Bylaw No. 7900. If road width does not meet the minimum then a road dedication would be necessary.			
Min. Riparian Management Area	n/a	For any lot abutting a watercourse or a riparian area must have the Minimum Riparian Management Area (RMA), as described in Table 21.1 of the OCP, dedicated to the City. If the lot is abutting a trail identified in Map 10.1 of the OCP then five additional metres must be dedicated to the City for trail connections in addition to the minimum RMA.			
Max. Net Floor Area for Secondary Suites	90 m ²				
Max. Building Footprint per Accessory Buildings / Structures	90 m ²				
Max. Building Frontage	A continuous building frontage shall not exceed 100 m in length.				

Section 13.5 – Development Regulations

m = metres / m² = square metres

	Zones				
	MF1 - Two Dwellings Units or Less	MF1 - Three Dwellings Units or More	MF2	MF3	MF4

FOOTNOTES (Section 13.5):

- ¹ [Deleted]
- 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 only for portions of commercial ground-oriented units are 2.0 metres. The minimum setback can be reduced to 2.0 metres only for the of ground-oriented residential units if all of the following 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.
 - c) The abutting boulevard must have an installed sidewalk and irrigated landscape boulevard with street trees.
- ⁴ For portions of a parkade with lane access which do not project more than 2.3 metres above finished grade, the rear yard setback for the parkade is 1.5 metres.
- ⁵ The setback for a garage, a carport, or a parkade door that has direct access to the street shall have a 6 metres setback measured from back-of-curb or edge of road pavement, or edge of sidewalk to the building or 3.0 metres from lot line to the building (whichever is greater).
- ⁶ Minimum building setbacks apply only to buildings 5 storeys and taller. The setback can occur on any floor above the second storey.
- 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 metres additional setback needs to be added to the minimums.
- 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.
- ⁹ A minimum of 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 amenity space is not required for fee simple townhouses.

Section 13.5 – Development Regulations					
m = metres / m ² = square metres					
	Zones				
	MF1 - Two Dwellings Units or Less	MF1 - Three Dwellings Units or More	MF2	MF3	MF4
<p>^{.10} In the MF1 zone, the garage footprint area shall not be considered building site coverage but does count towards the overall impermeable surface maximum site coverage.</p> <p>^{.11} In the MF4 zone, if the development is 3 storeys or less then the MF1 Development Regulations apply and if the development is 4 storeys or greater than the MF3 Development Regulations apply.</p>					

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	MF4
Min. Density for Lots fronting onto a Transit Supportive Corridor	For lots with a lane = 4.75 units per 1,000 m ² and a Min. 1,050 m ² lot area ^{.5} ^{.8} For lots without a lane = 3.1 units per 1,000 m ² and a Min. 1,600 m ² lot area ^{.5} ^{.8}			
Max. Base Density	Max. 6 dwelling units per lot	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}	2.5 FAR
Max. Bonus Density for Public Amenity & Streetscape Bonus	n/a	An additional 0.15 FAR ^{.3}	An additional 0.25 FAR ^{.3}	n/a
Max. Bonus Density for Rental or Affordable Housing Bonus	n/a	An additional 0.3 FAR ^{.3}	An additional 0.3 FAR ^{.3}	An additional 0.3 FAR ^{.3}
Max. Base Height	11.0 m & 3 storeys	11.0 m & 3 storeys	18.0 m & 4 storeys Or	22.0 m / 6 storeys

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	MF4
				22.0 m / 6 storeys ^{·1}	
Max. Bonus Height		n/a	n/a	22.0 m & 6 storeys ^{·3} Or 44.0 m & 12 storeys ^{·3, ·4}	n/a
Max. Base Height for Buildings with Walkout Basements	Front or Flanking Yard Building Elevation	9.0 m	9.0 m	n/a	n/a
	Rear Building Elevation	12.5 m	12.5 m	n/a	n/a
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 Figure 5.11 for Example Diagram	n/a	n/a	If development is 4 storeys or greater than this regulation does not apply If development is 3 storeys or less then 70% See Figure 5.11 for Example Diagram
Max. Height for Accessory Buildings / Structures		4.8 m	4.8 m	4.8 m	4.8 m

FOOTNOTES (Section 13.6):

^{·1} The base height is 18.0 m & 4 storeys except the maximum base height is 22.0 m / 6 storeys if the subject property is fronting onto a Transit Supportive Corridor.

^{·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	MF4
(a) lots are fronting a Provincial Highway; and				
(b) lots are within 400 m of a transit stop and that transit stop must be located fronting onto a Provincial Highway or a major arterial road; and				
(c) the abutting lots are not zoned A ₁ , A ₂ , RR ₁ , or RR ₂ ; and				
(d) lots are within the Core Area Neighbourhood 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 one (1) unit per 125 m ² of commercial GFA.				
⁶ If eighty percent (80%) of the parking provided on-site is located underground (below finished grade) then the base FAR is increased by 0.25 FAR.				
⁷ 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.				
⁸ The minimum density does not apply to MF1 zoned lots addressed on Cadder Avenue between Richter Street and Ethel Street.				

Section 13.7 - Site Specific Regulations

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

	Legal Description	Civic Address	Regulation
1.	Lot A, District Lot 140, ODYD, Plan KAP58184	1915-1925 Enterprise Way	This property is permitted to have hotels as principal land use.
2.	ODYD, Plan KAS3399	1132-1160 Bernard Ave	This property is permitted to have 16 storeys in height.
3.	Lot 1, Section 32, Township 26, ODYD, Plan KAP 91641	530 Caramillo Ct.	This property is permitted to have Apartment housing limited to 4 storeys.
4.	Strata Plan of Lot 3 & Remainder Lot 3, Section 28, Township 26, ODYD, PLAN KAP74074 (See Posting Plan EPP 104511)	777 Denali Drive	This property is permitted to have 3 storey apartment building on top of a two storey townhouse.
5.	Lot B, Section 24, Township 28, Land District 54, Plan KAP30848, EXCEPT Plan KAP79047, EPP23768	530 Quartz Crescent	This property is permitted to have Apartment housing limited to 3 storeys.
6.	Lot 20 Section 32 Township 26 ODYD Plan KAP60008 Except Plans KAP77707, KAP87078 and KAP91641	1691 Cara Glen Way	The MF2 – Townhouse Housing portion of this property is permitted to have Apartment housing limited to 4 storeys.

Schedule L

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

CITY OF KELOWNA

BYLAW NO. 12620

Z24-0001

Rezoning of Small-Scale Multi-Unit Housing and Transit Oriented Areas

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, **Schedule "A" Zoning Map** be deleted in its entirety and replaced with the Zoning Map as shown on **Schedule A** attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

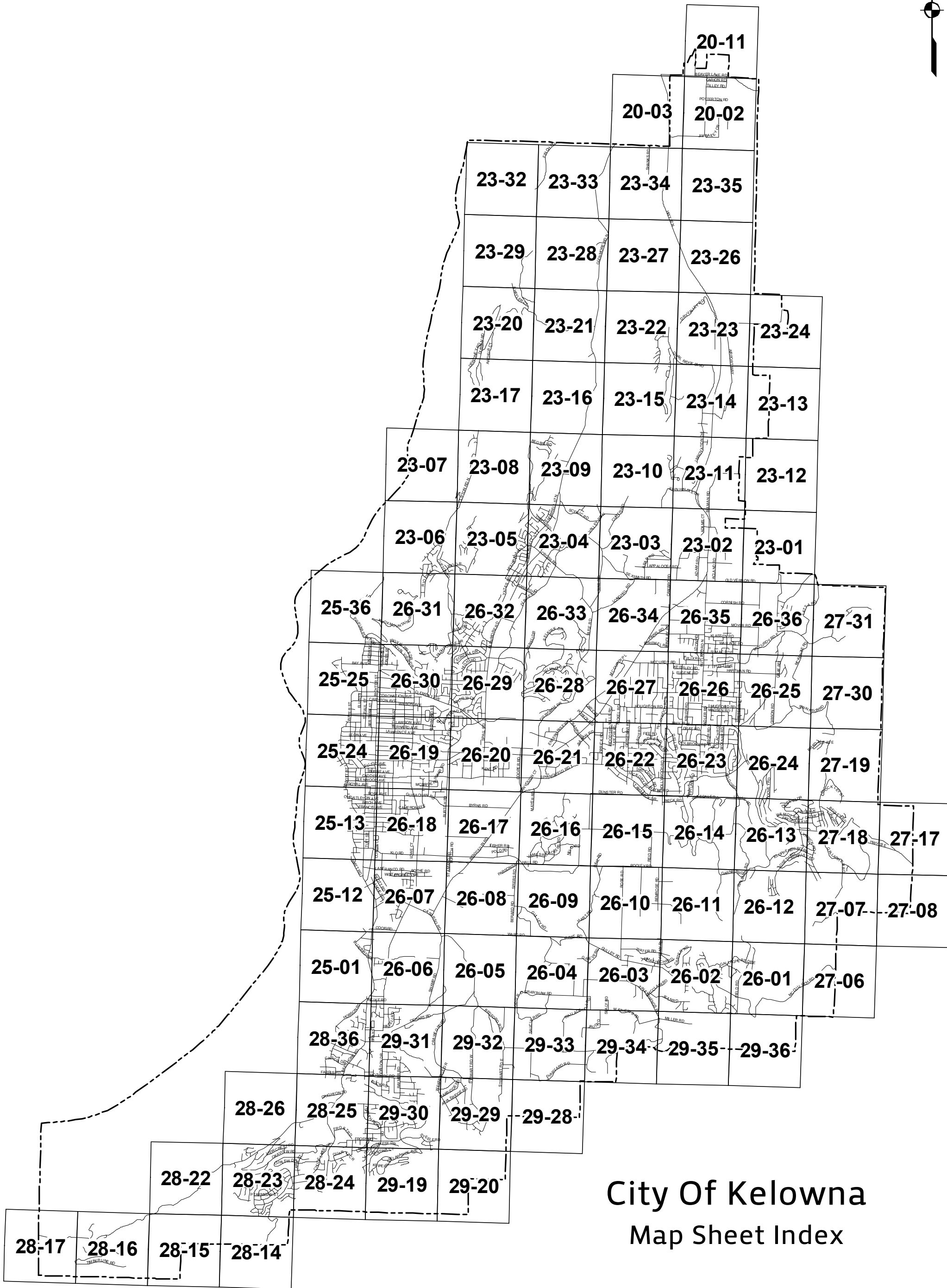
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



City Of Kelowna
Map Sheet Index



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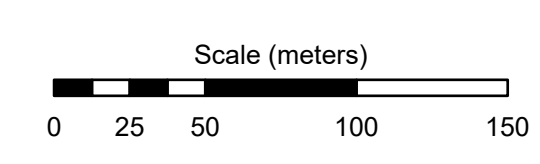
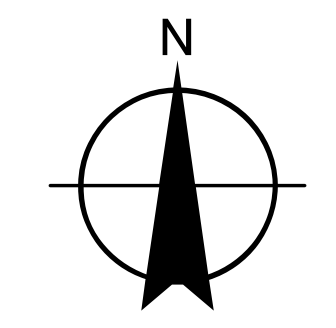
— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

• Indicates Address Fronting Street

--- City Boundary

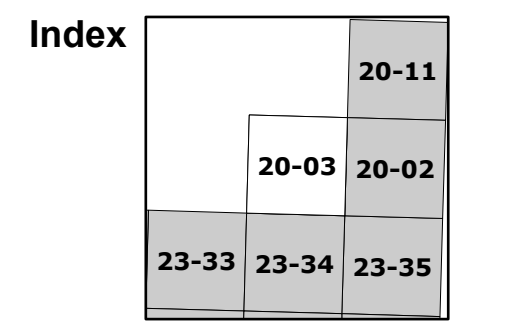


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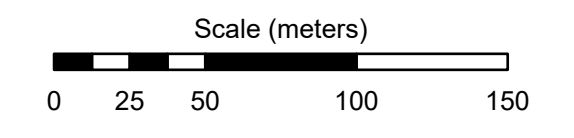
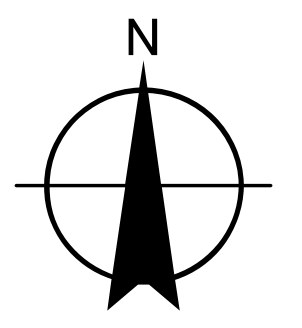
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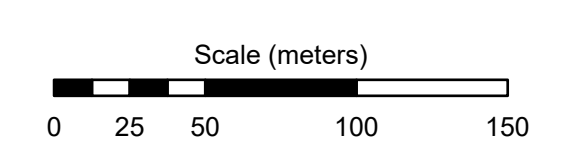
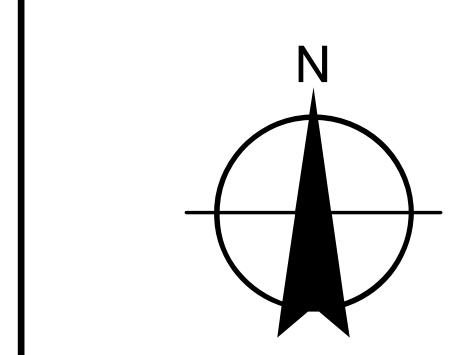
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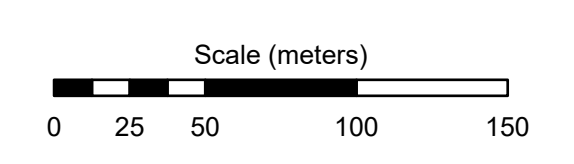
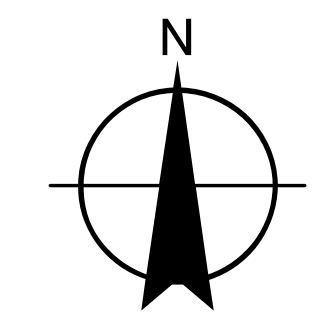
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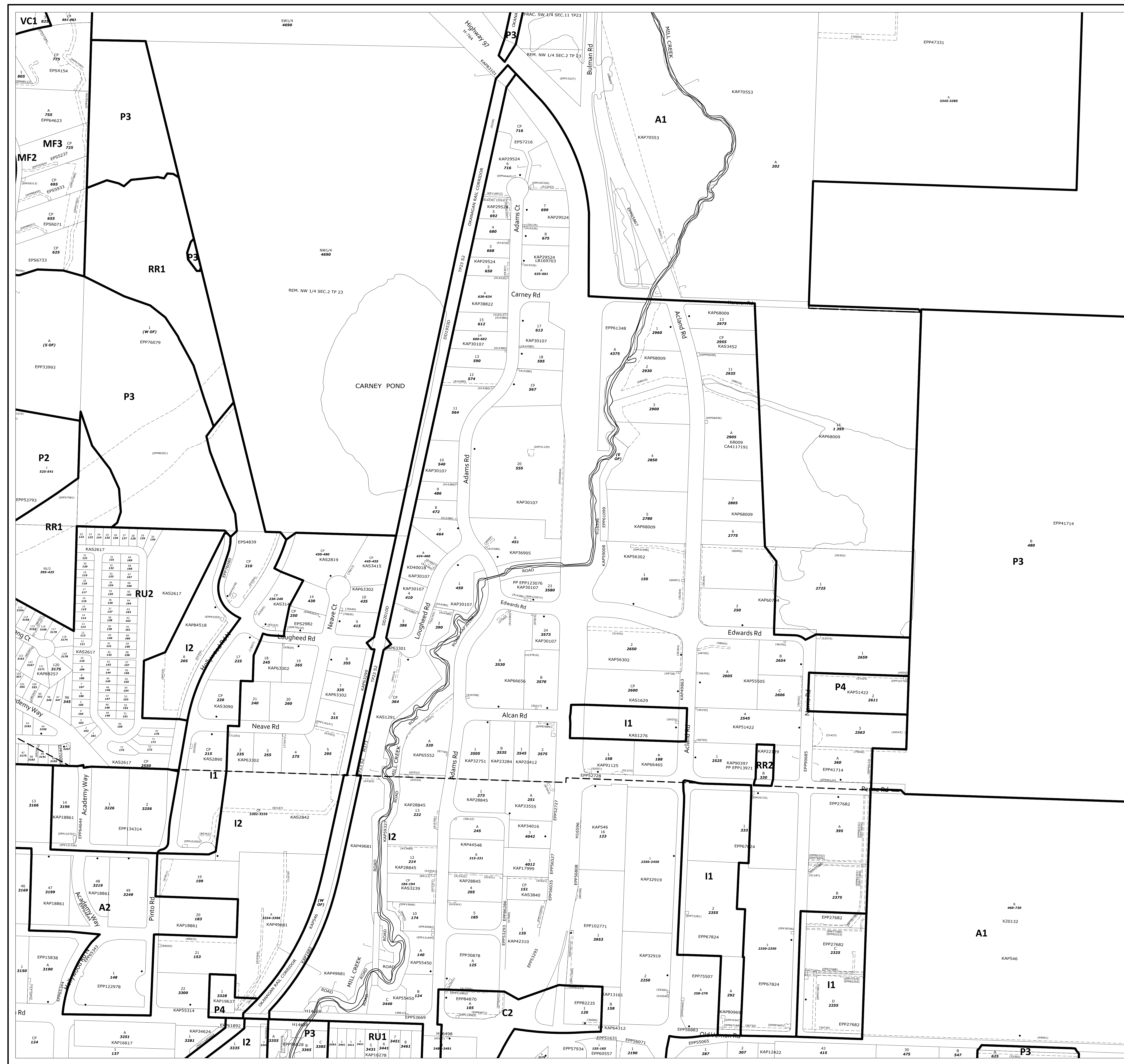


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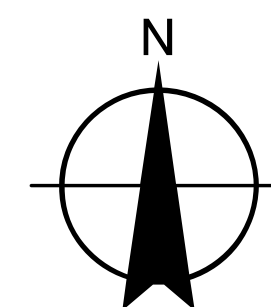
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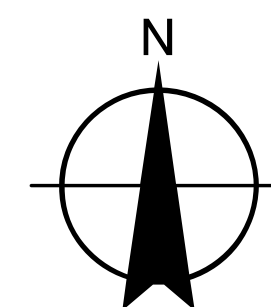
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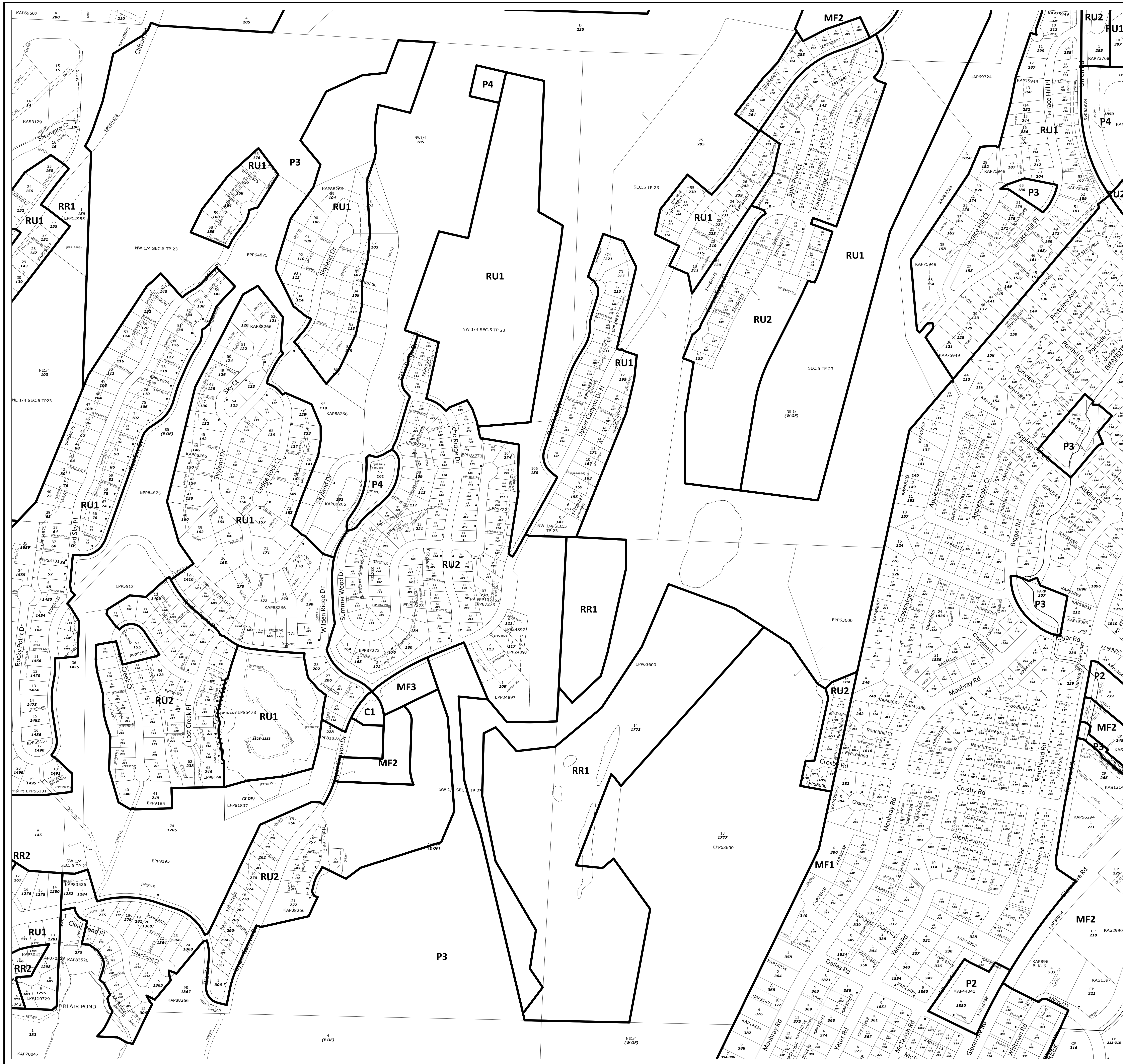
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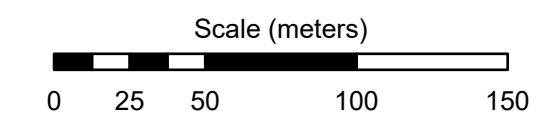
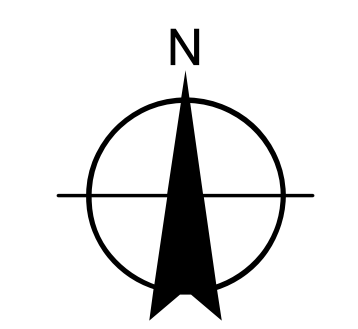
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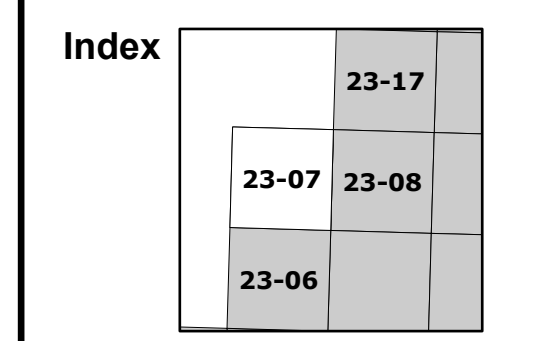
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— Proposed Zoning

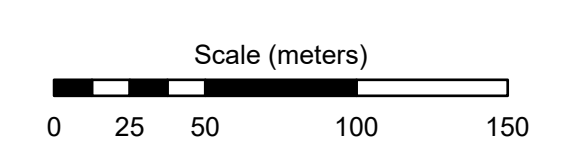
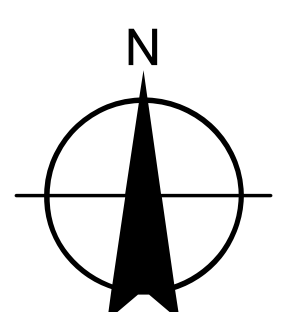
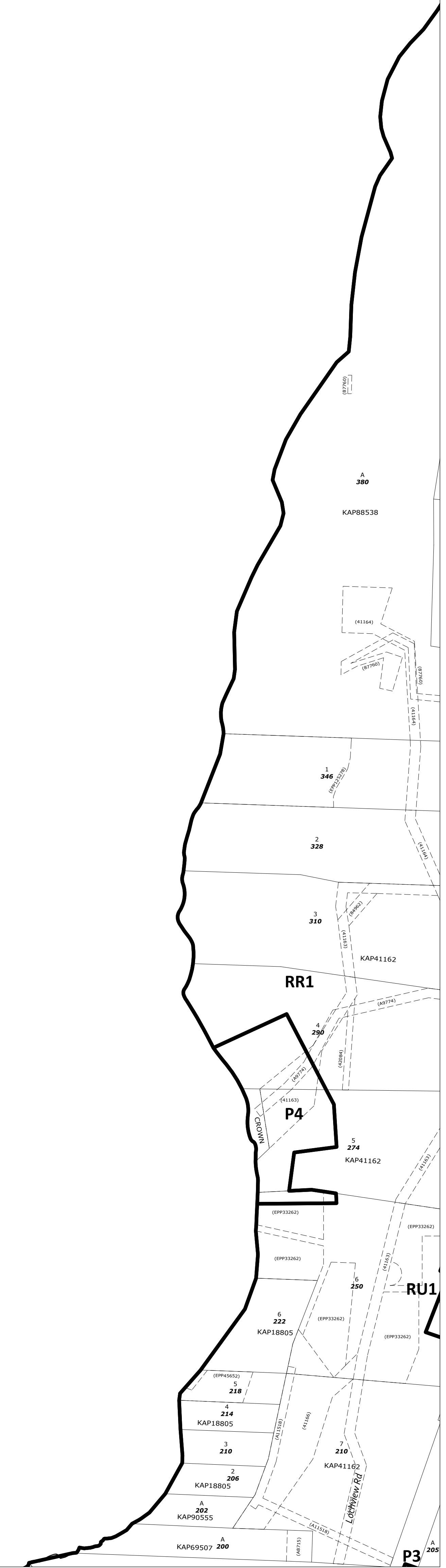
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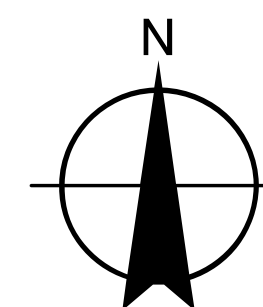
Proposed Zoning

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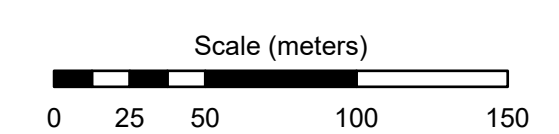
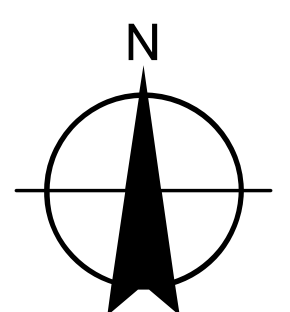
Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

Indicates Address Fronting Street

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Scale: 1:2500

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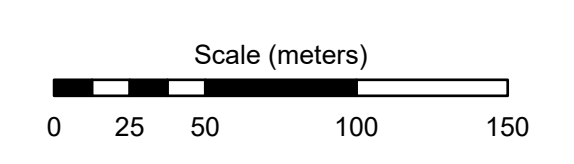
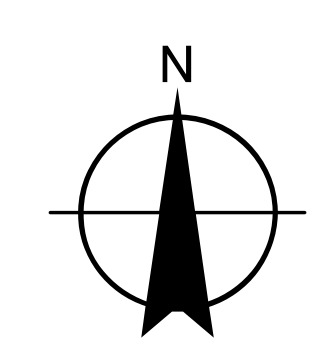
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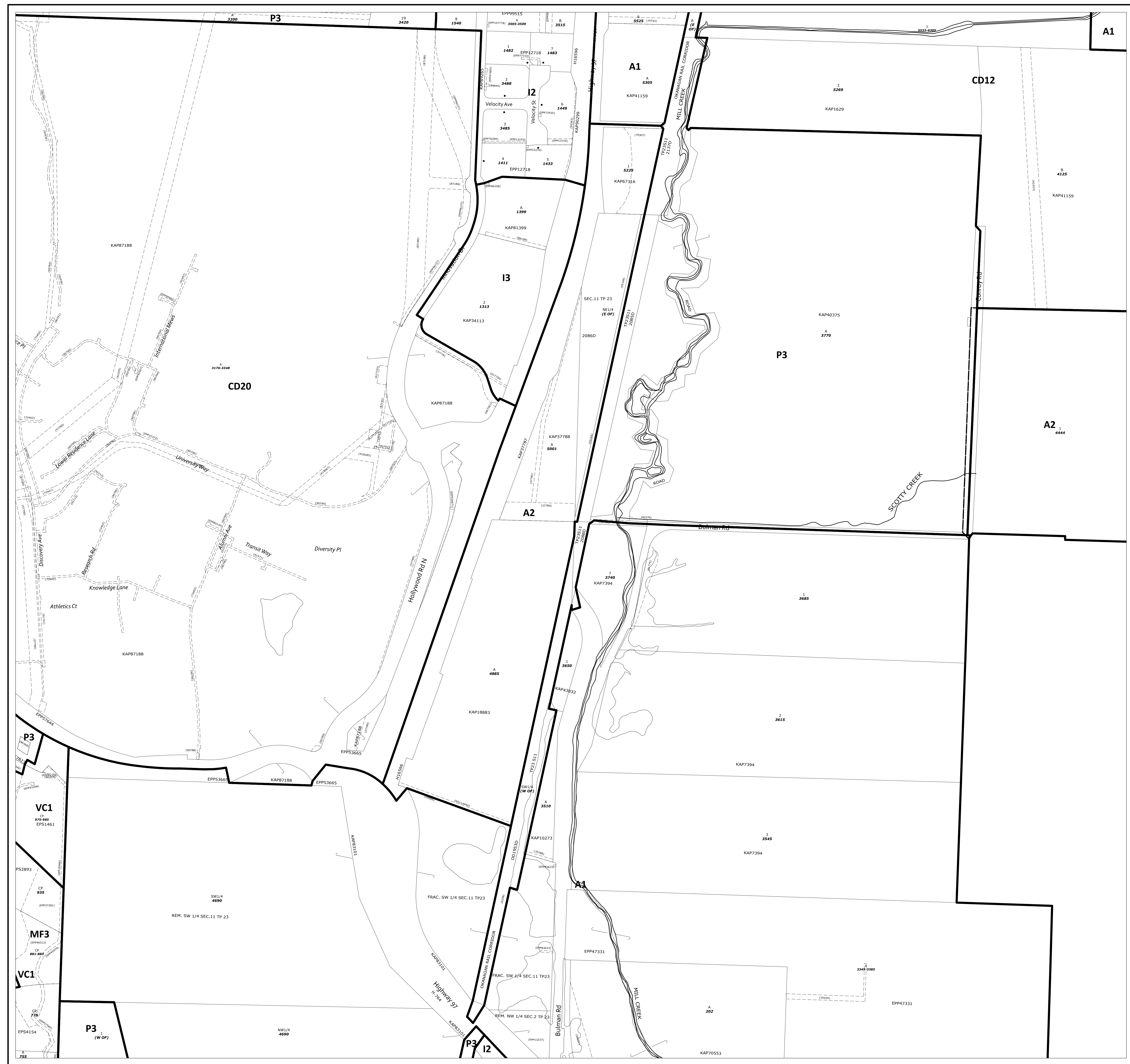


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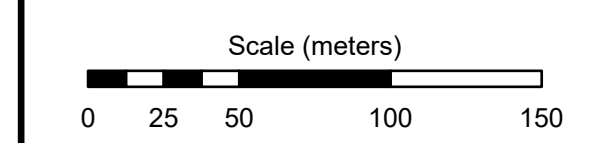
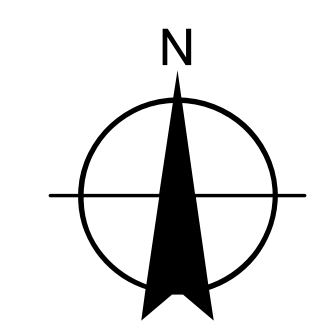
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10
234

Lot Number
Street Address

• Indicates Address
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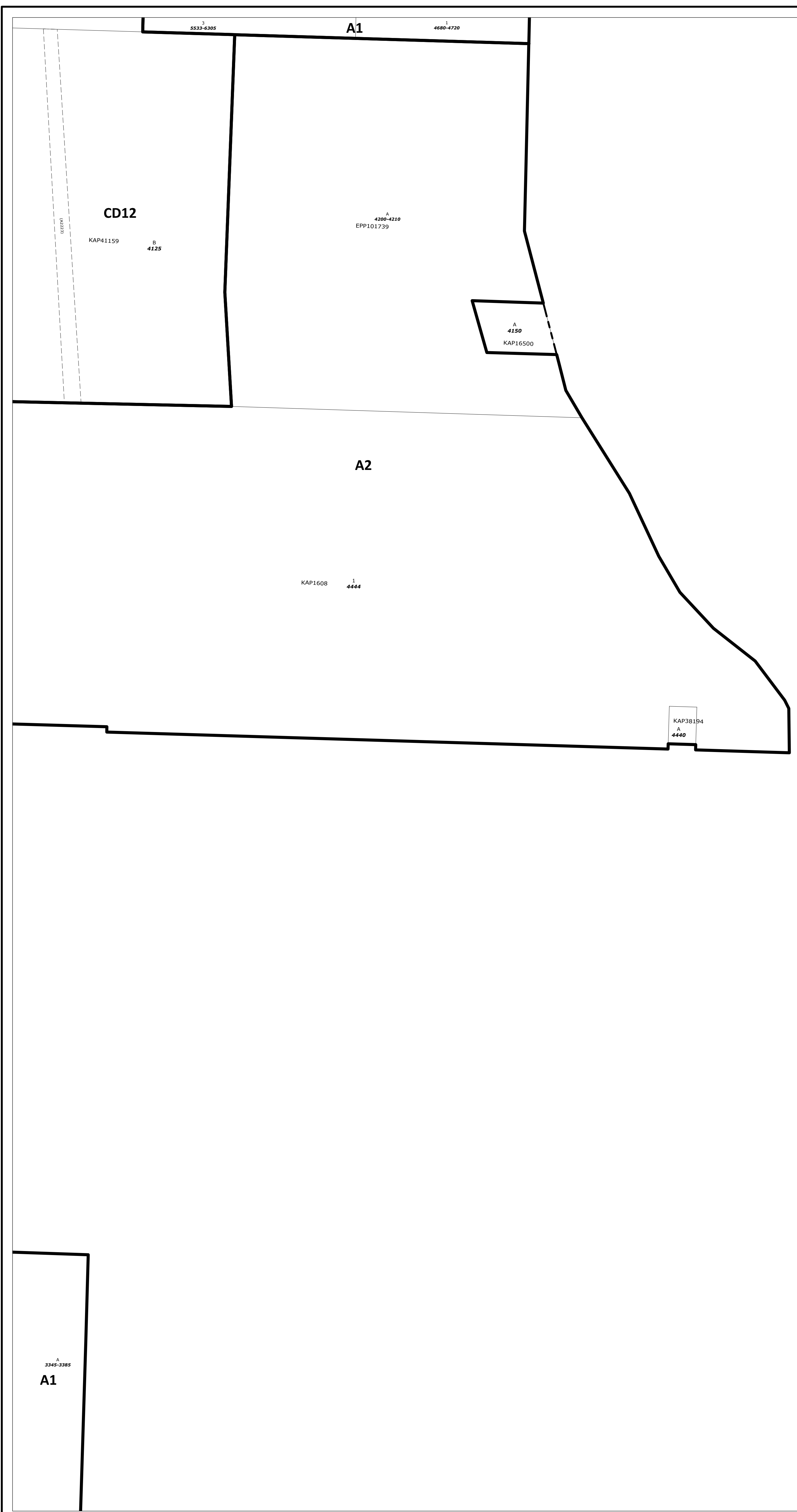


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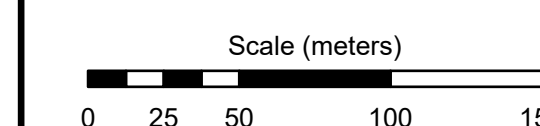
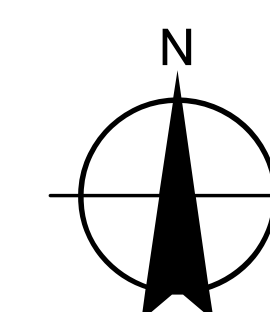
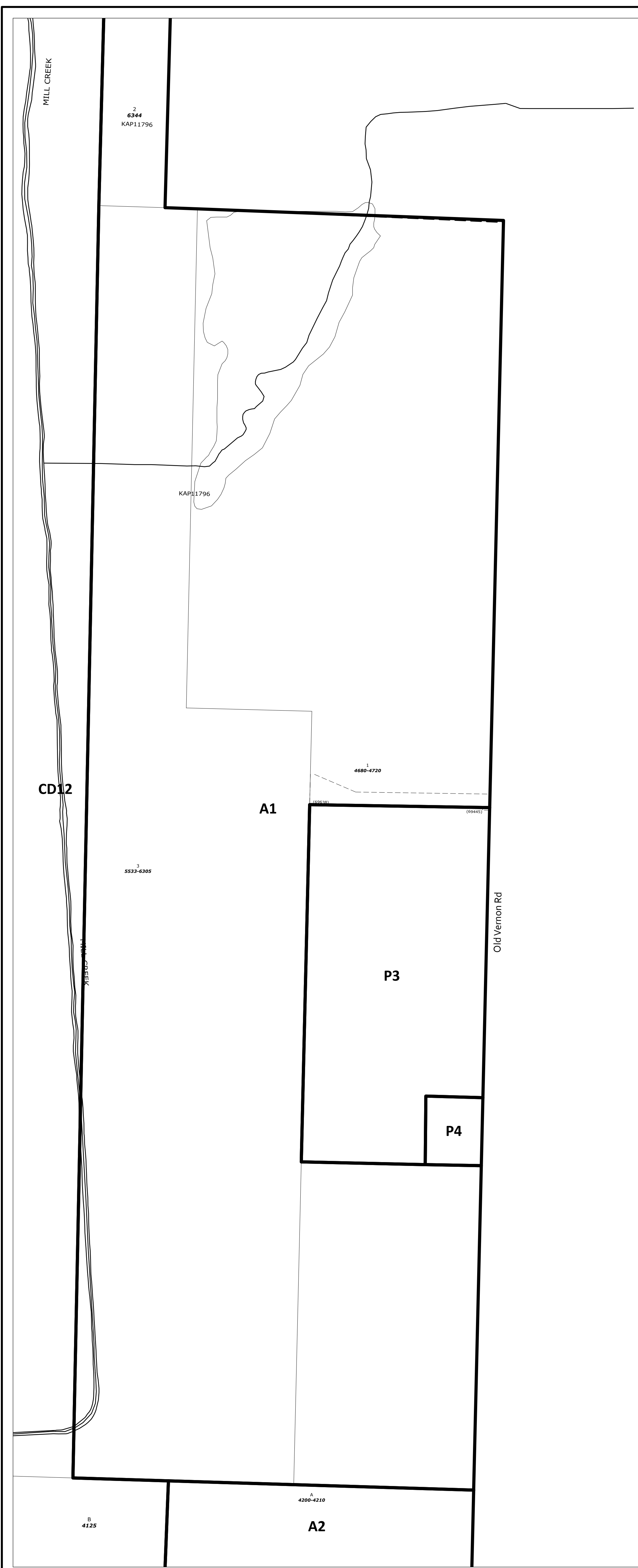
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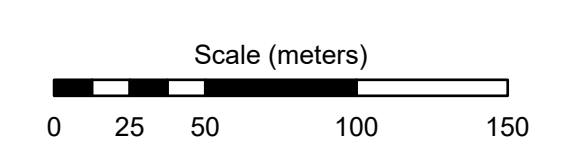
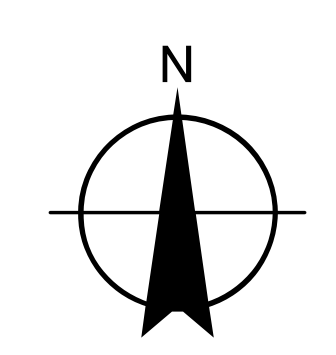
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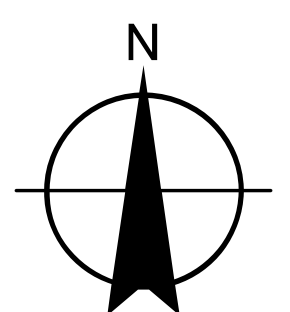
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Scale (meters)
0 25 50 100 150

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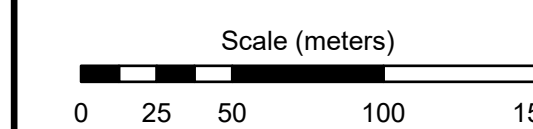
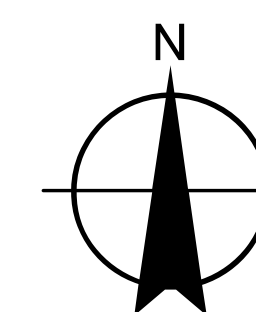
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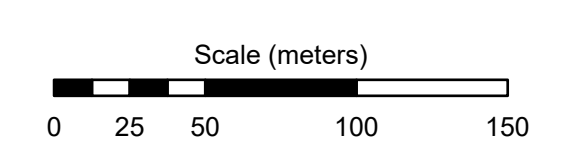
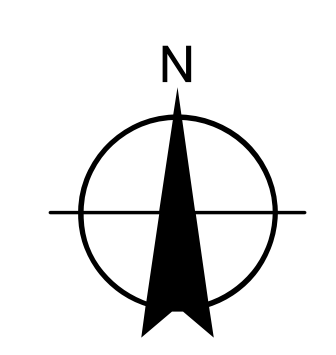
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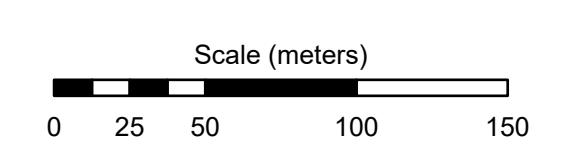
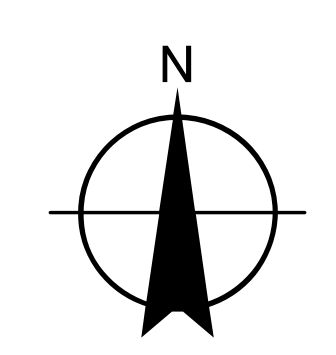
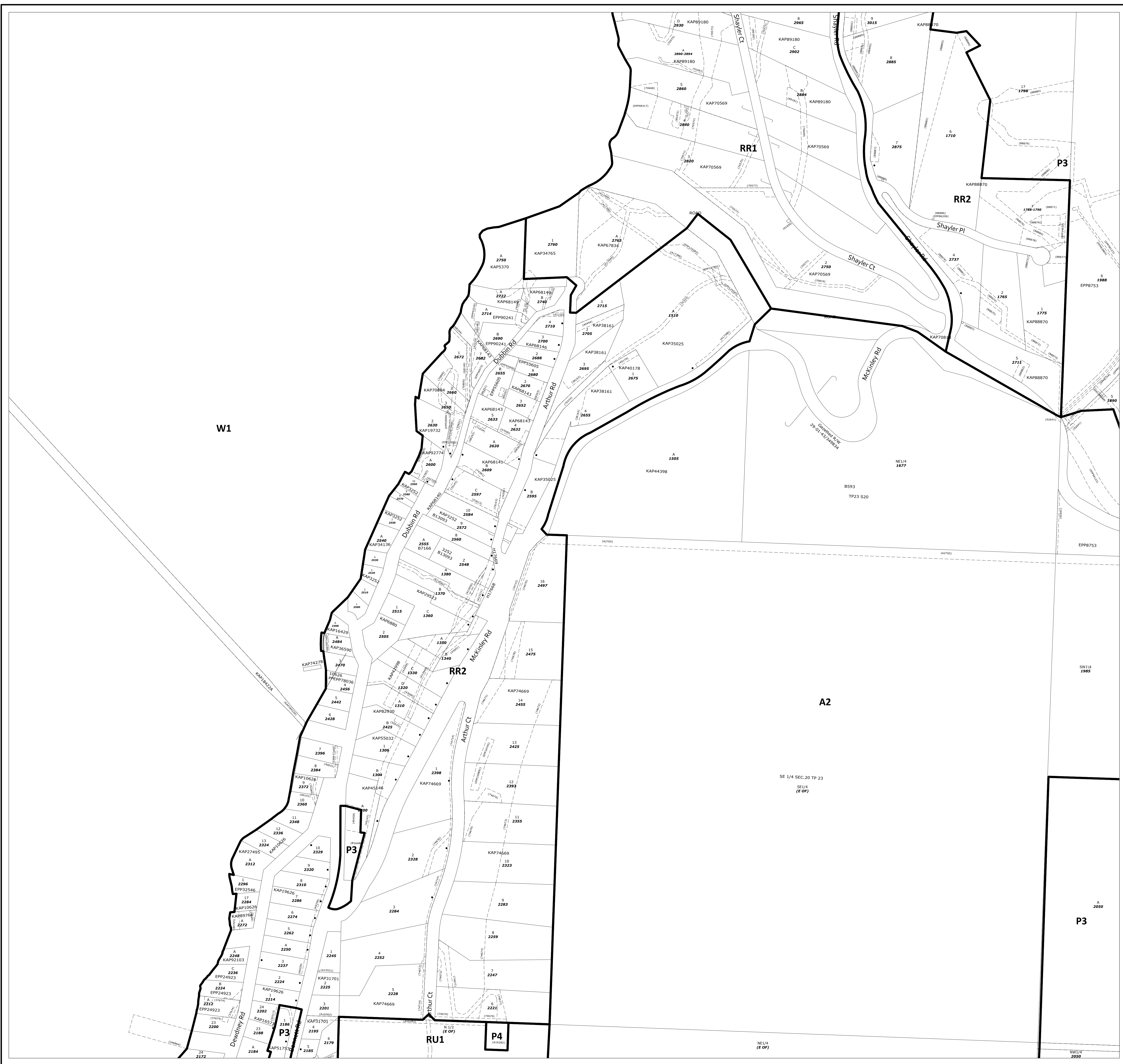
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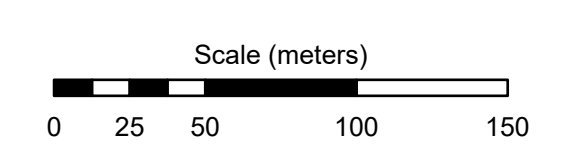
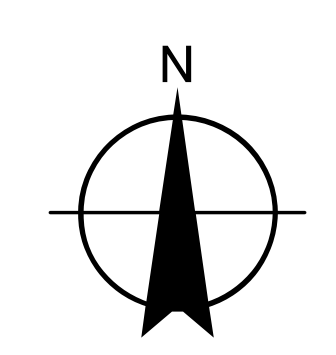
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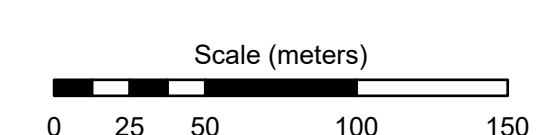
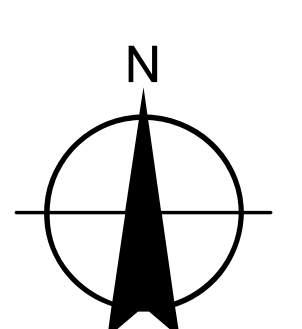
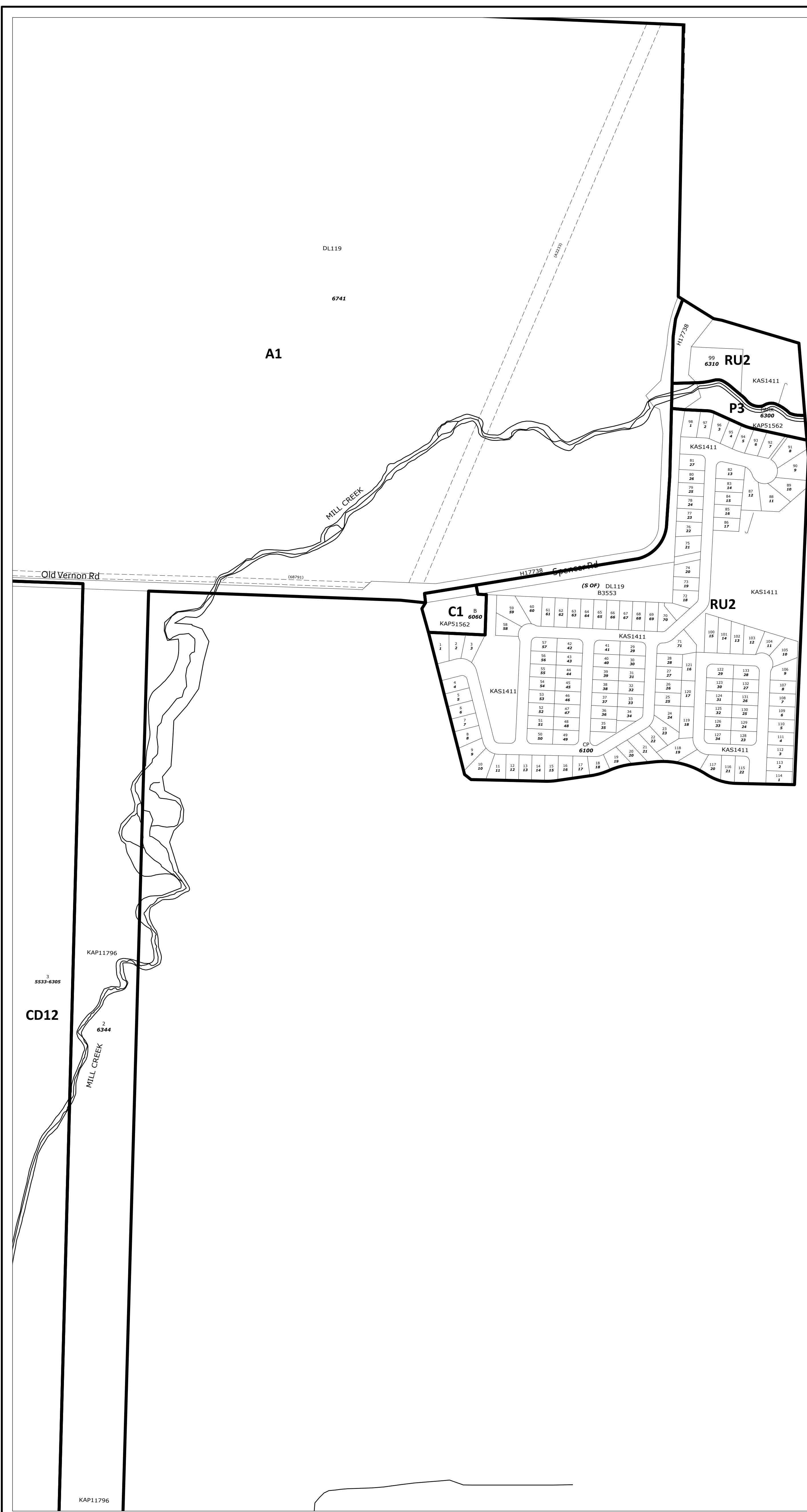
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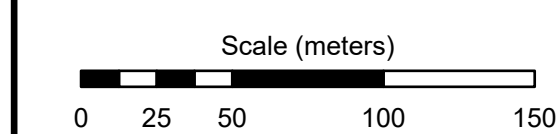
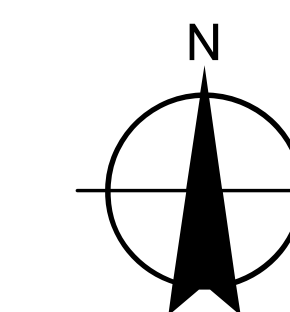
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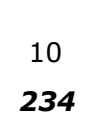


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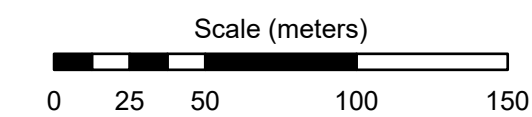
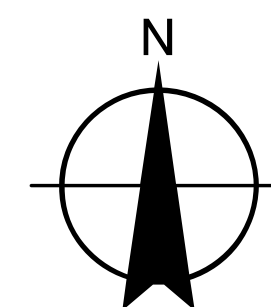
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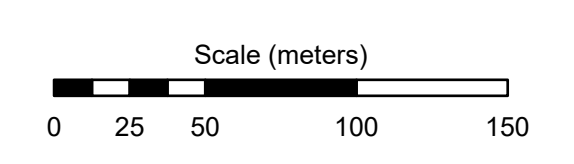
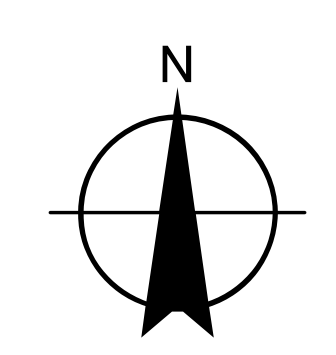




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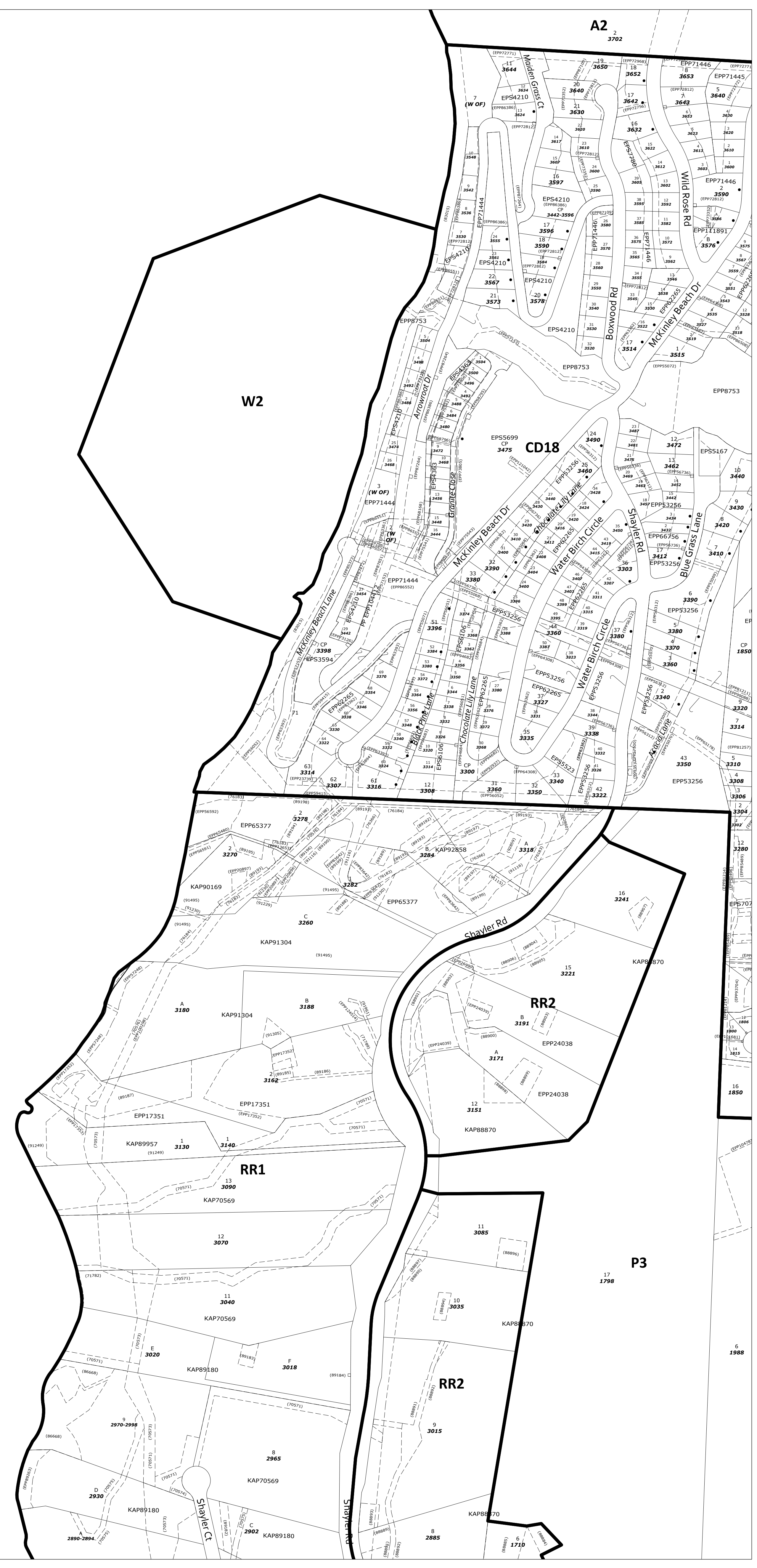


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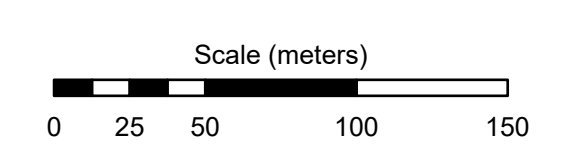
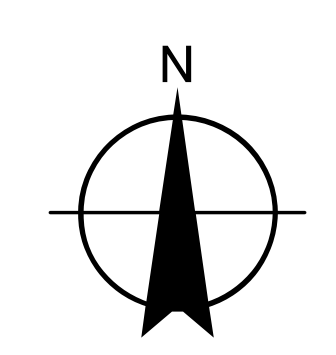


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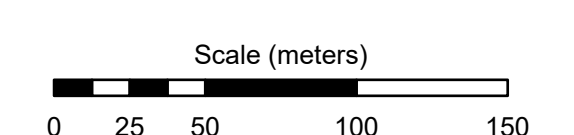
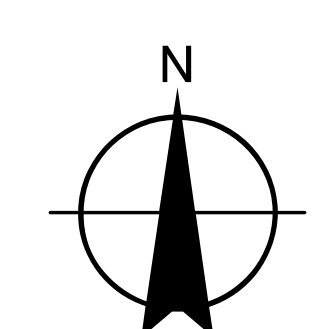
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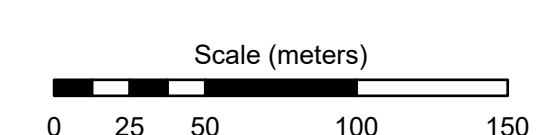
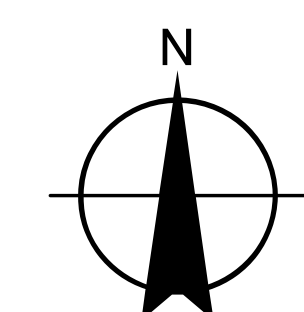
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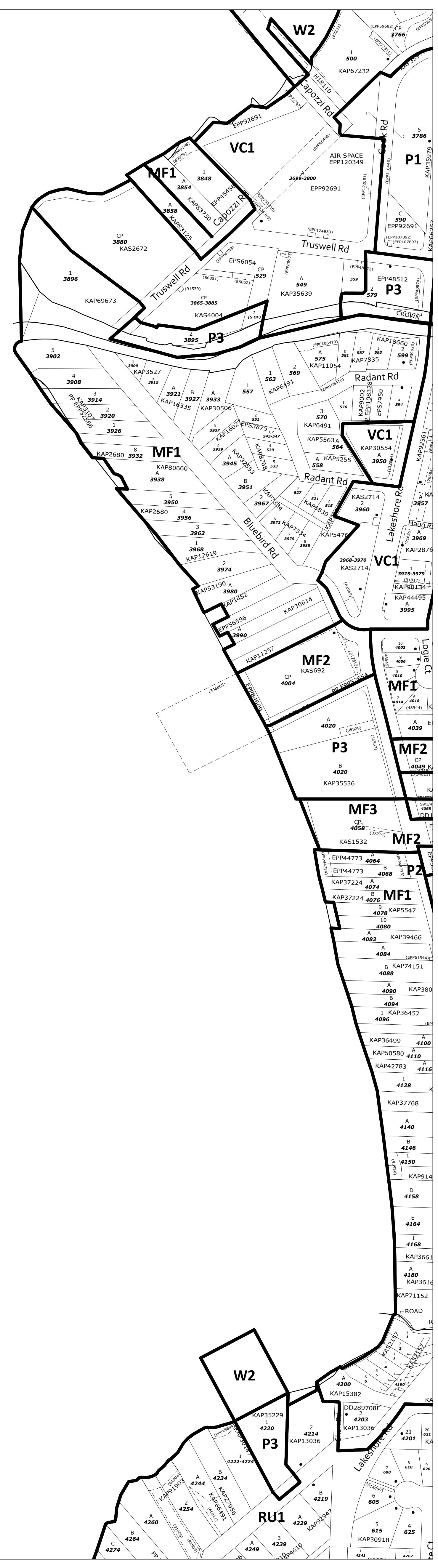
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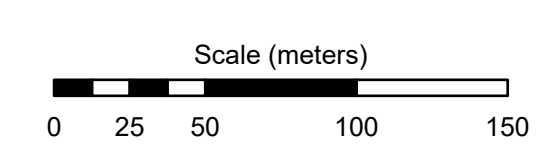
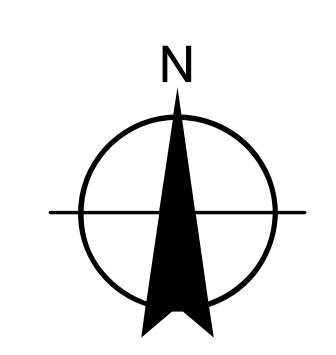
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City of Kelowna

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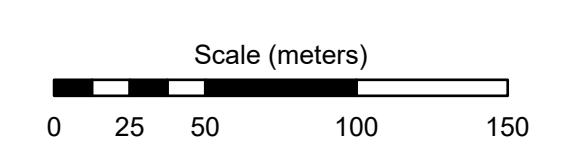
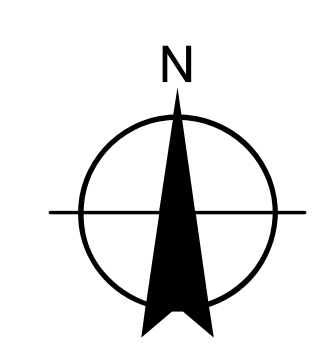
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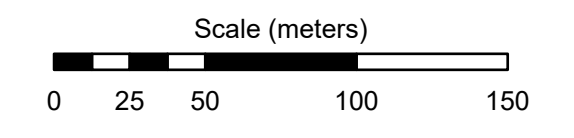
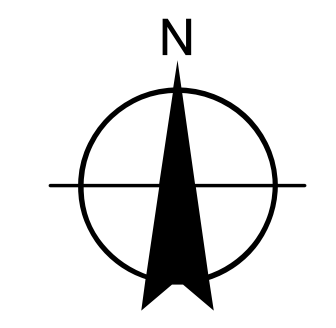
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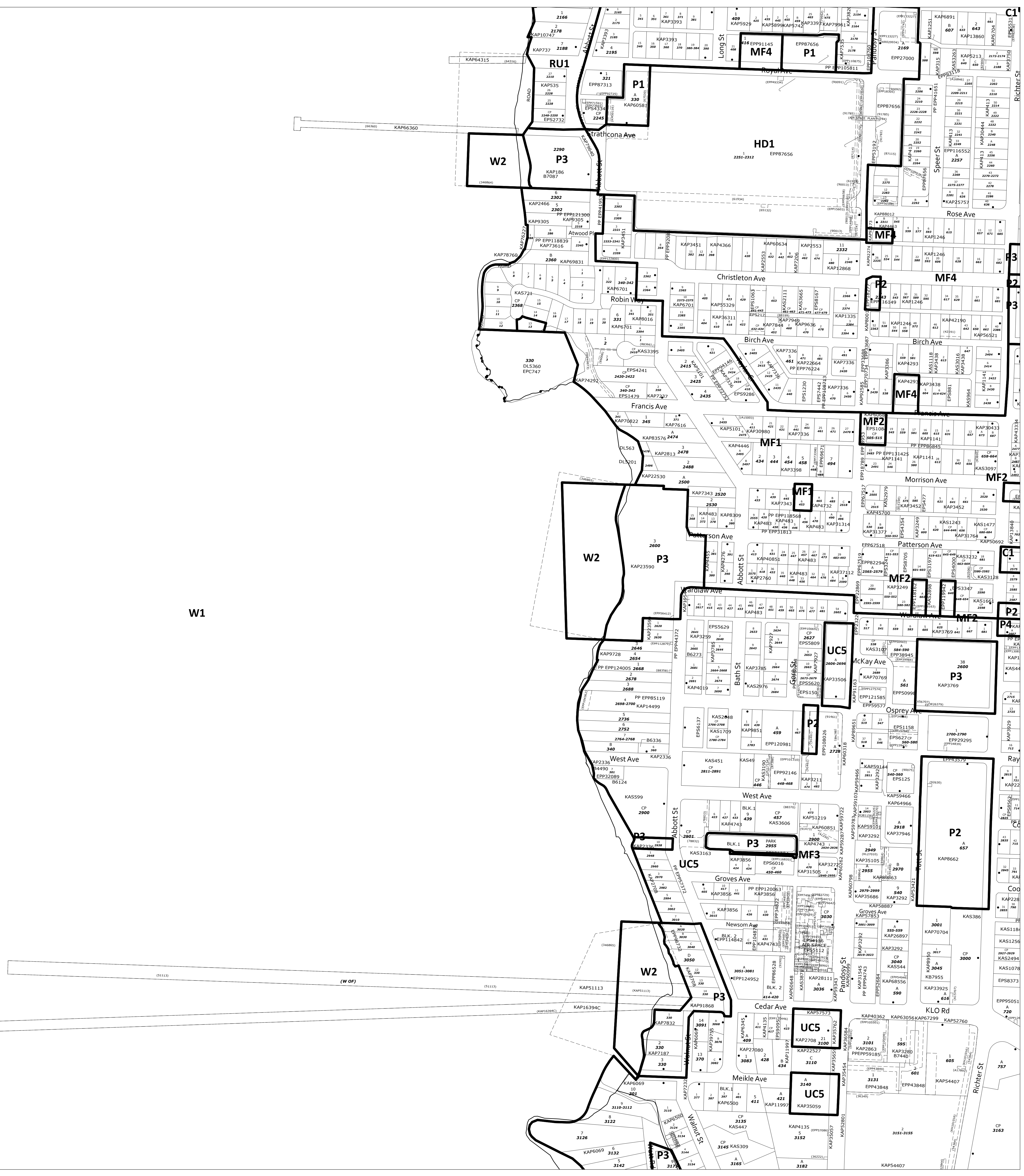


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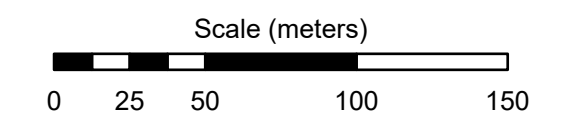
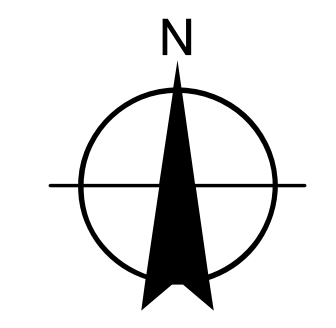
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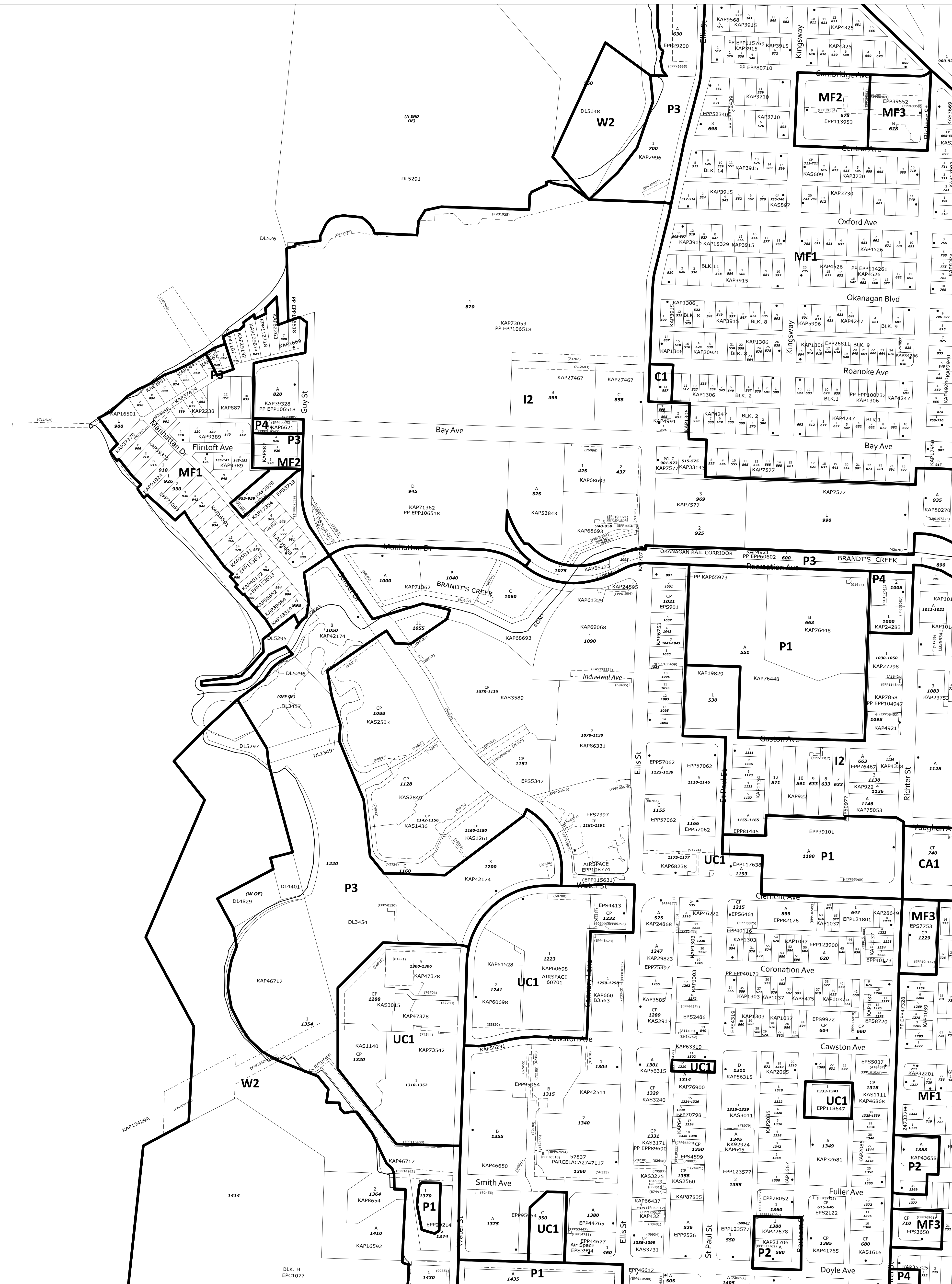
— Proposed Zoning

ADDRESSES

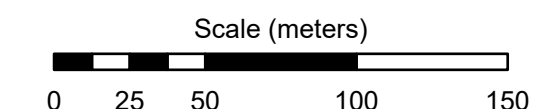
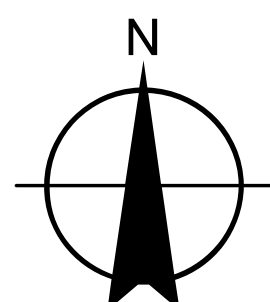
10 Lot Number
234 Street Address

• Indicates Address Fronting Street

--- City Boundary



W1



Scale: 1:2500

Revision: 1/15/2024

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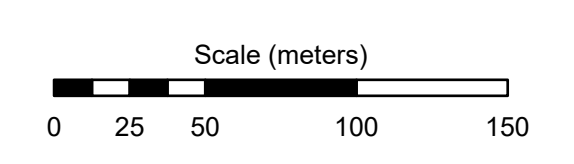
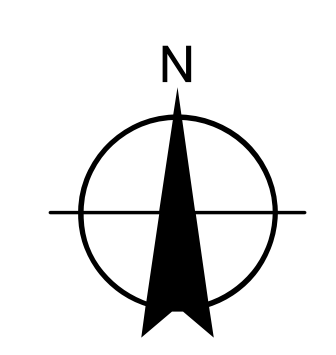
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Scale: 1:2500

Revision: 1/15/2024

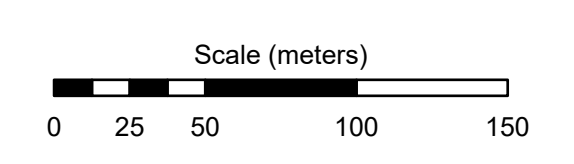
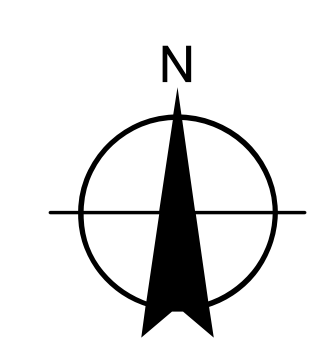
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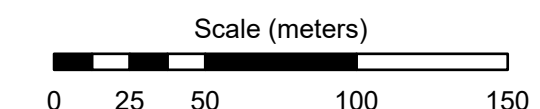
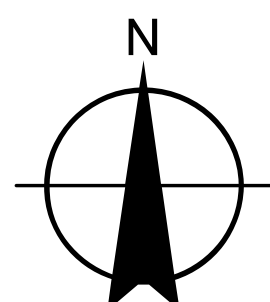
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ADDRESSES

10 Lot Number
234 Street Address

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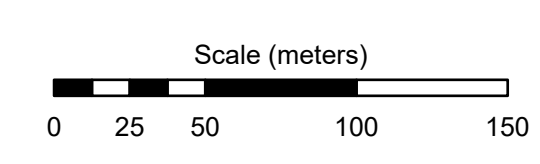
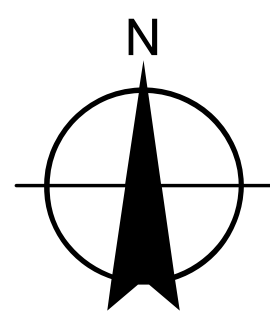
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ADDRESSES

10 Lot Number
234 Street Address

• Indicates Address Fronting Street

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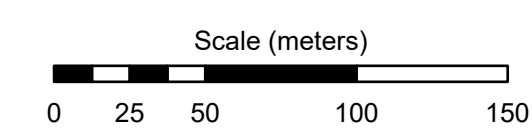
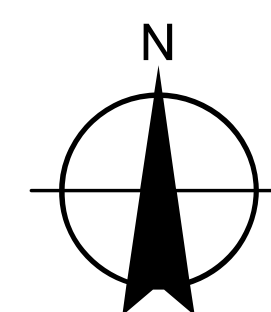
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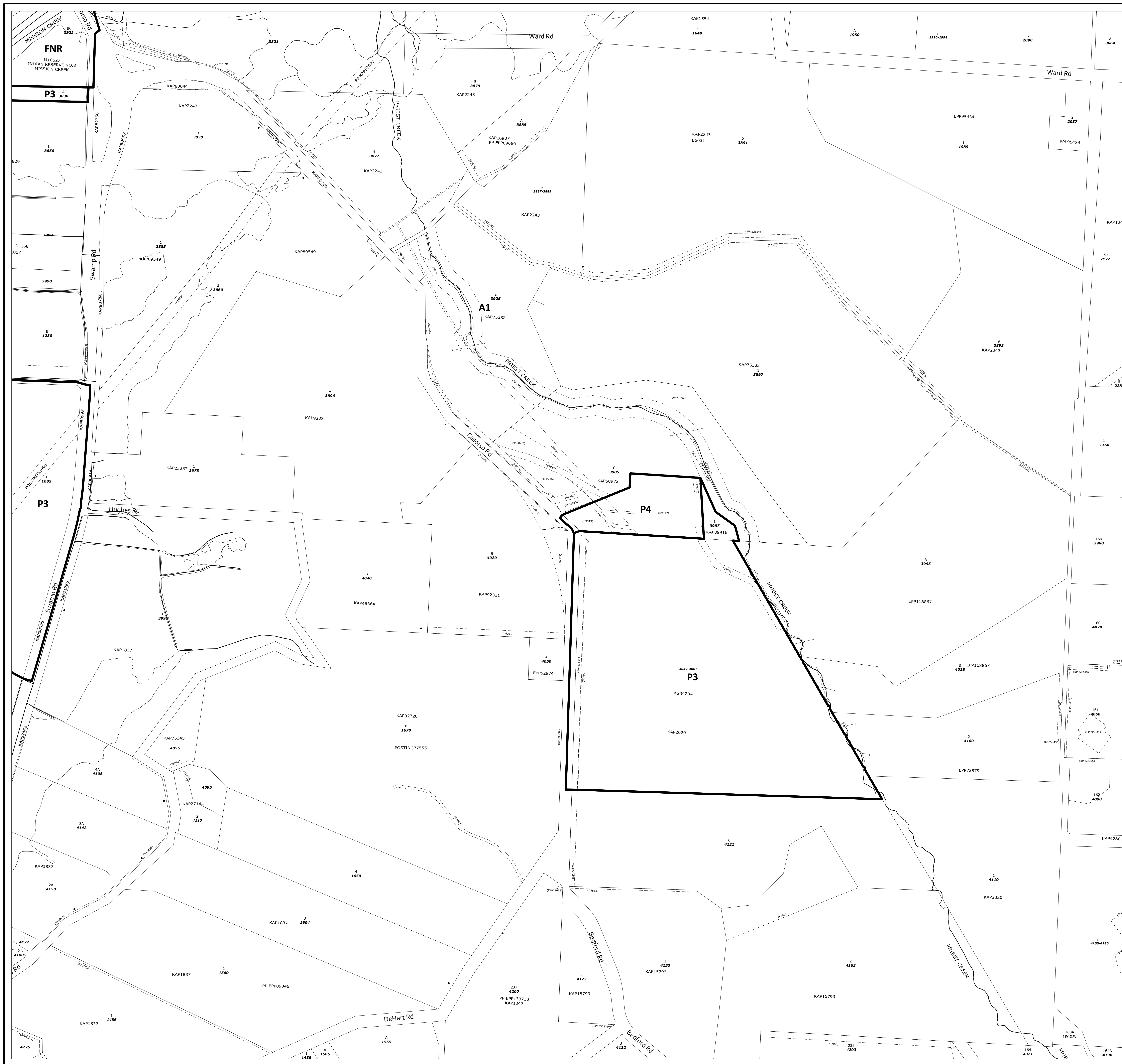


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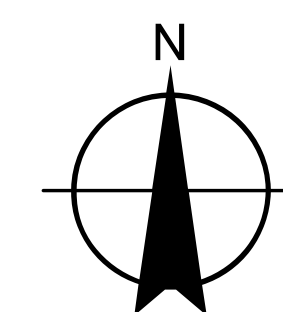
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10 Lot Number
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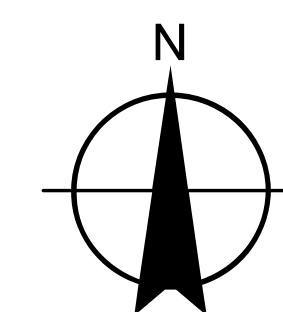
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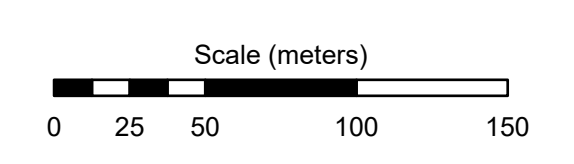
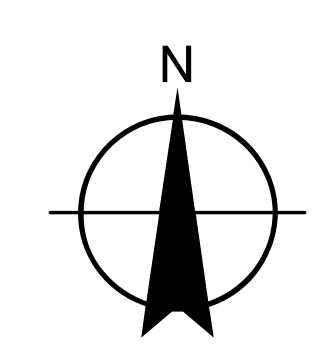
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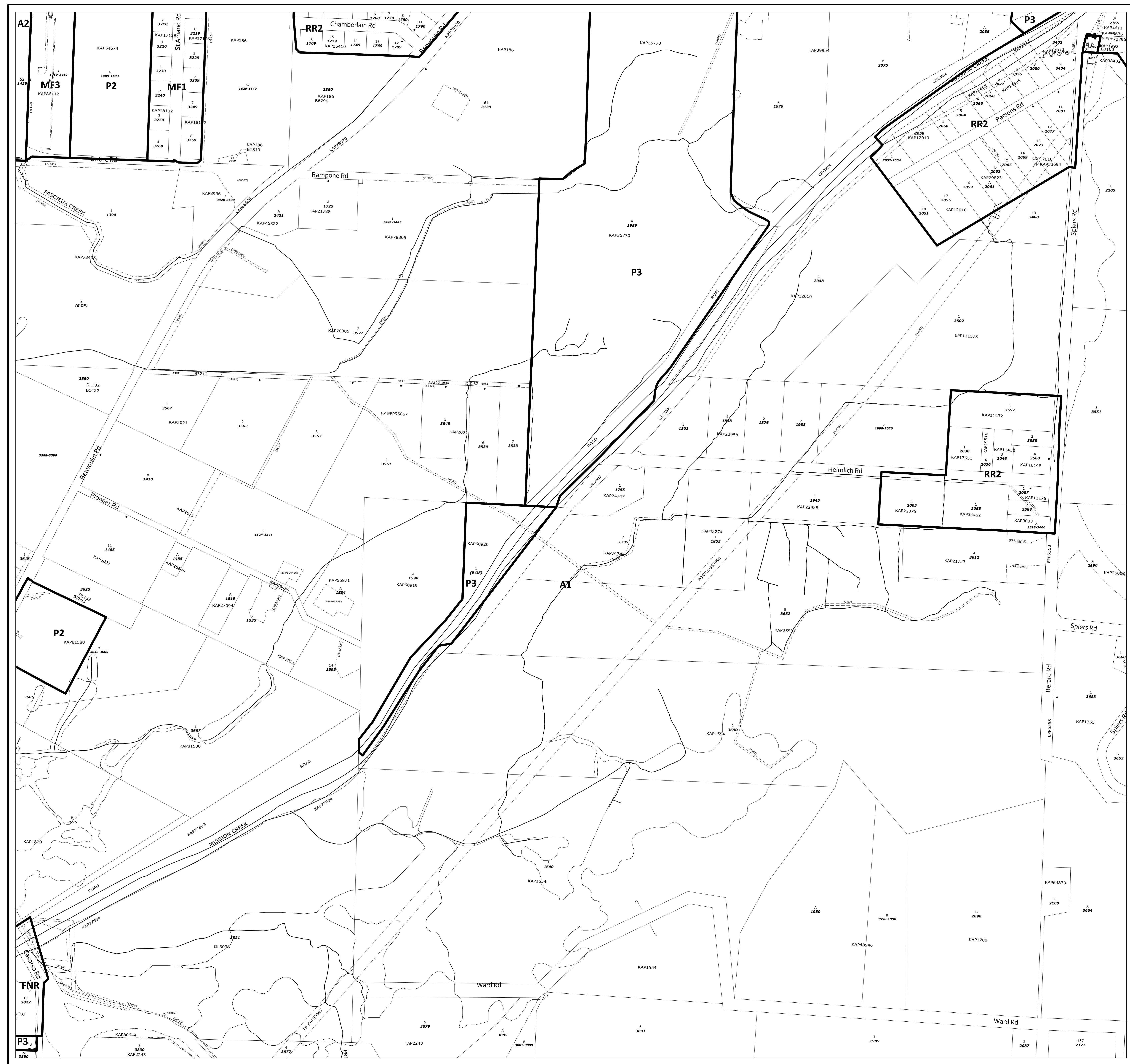
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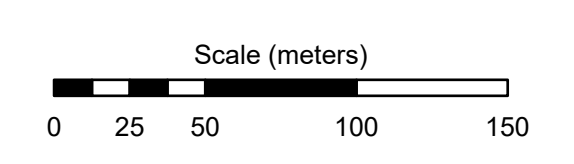
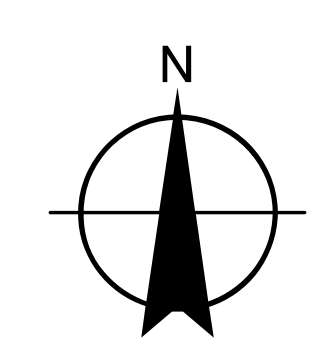
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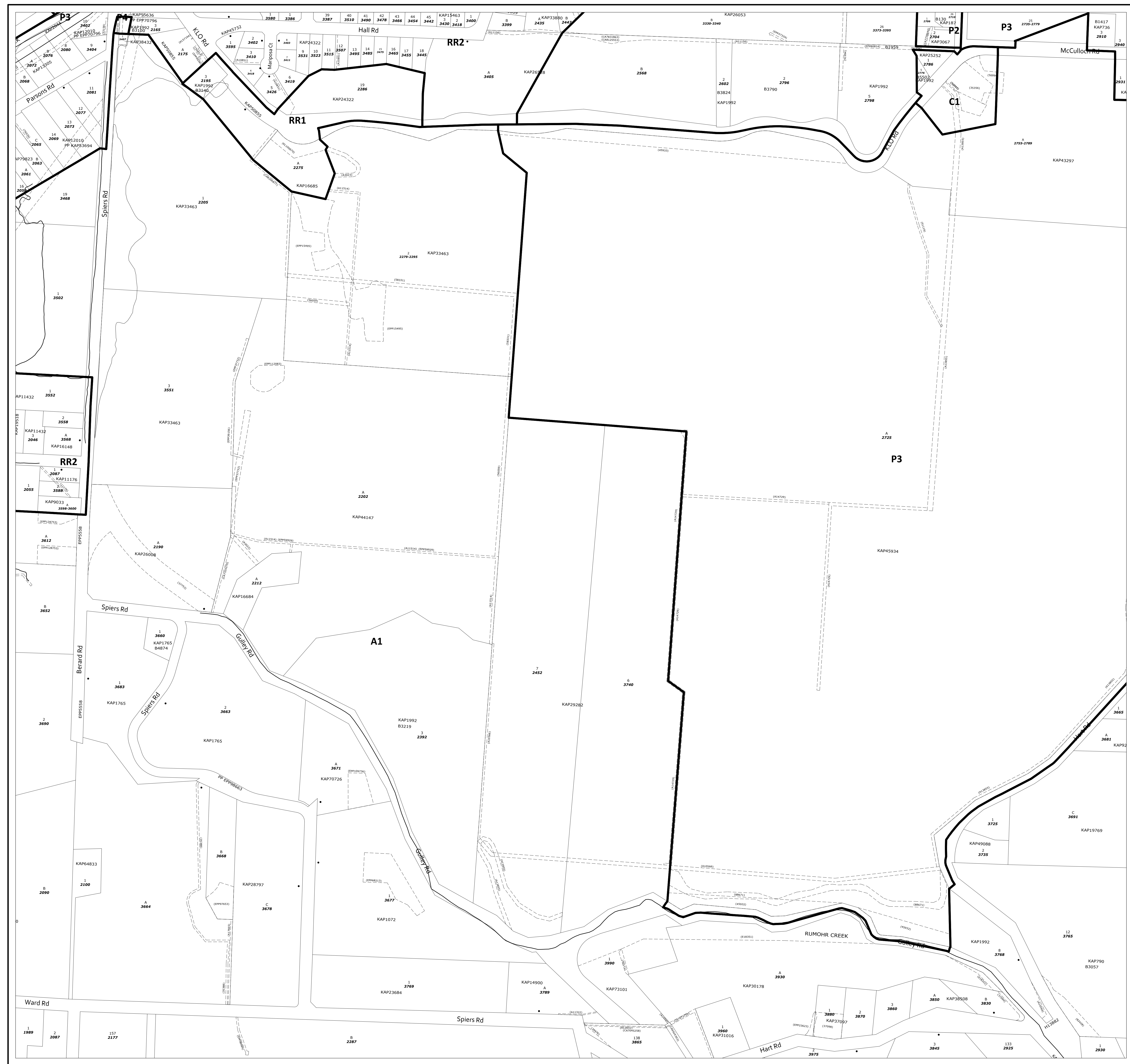


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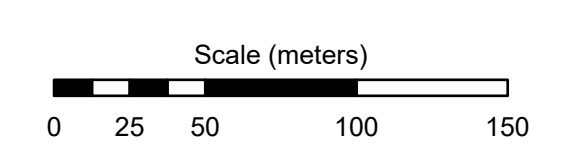
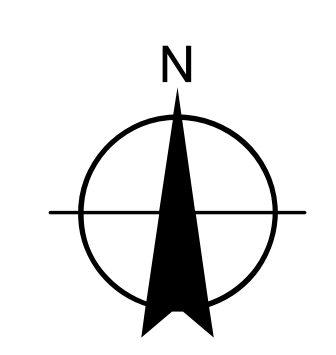
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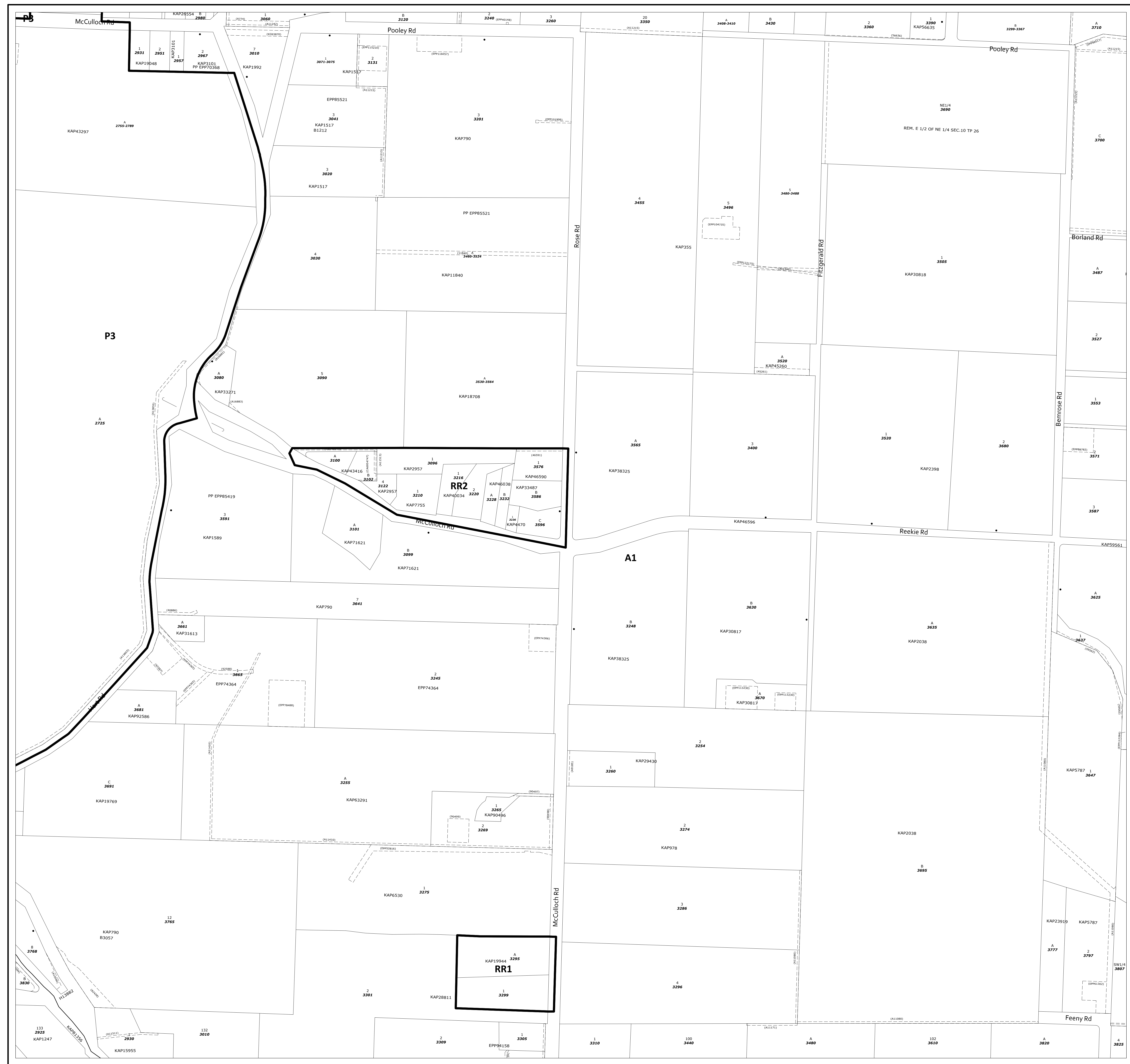
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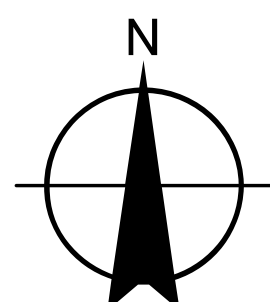
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ADDRESSES

10 Lot Number
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Indicates Address Fronting Street

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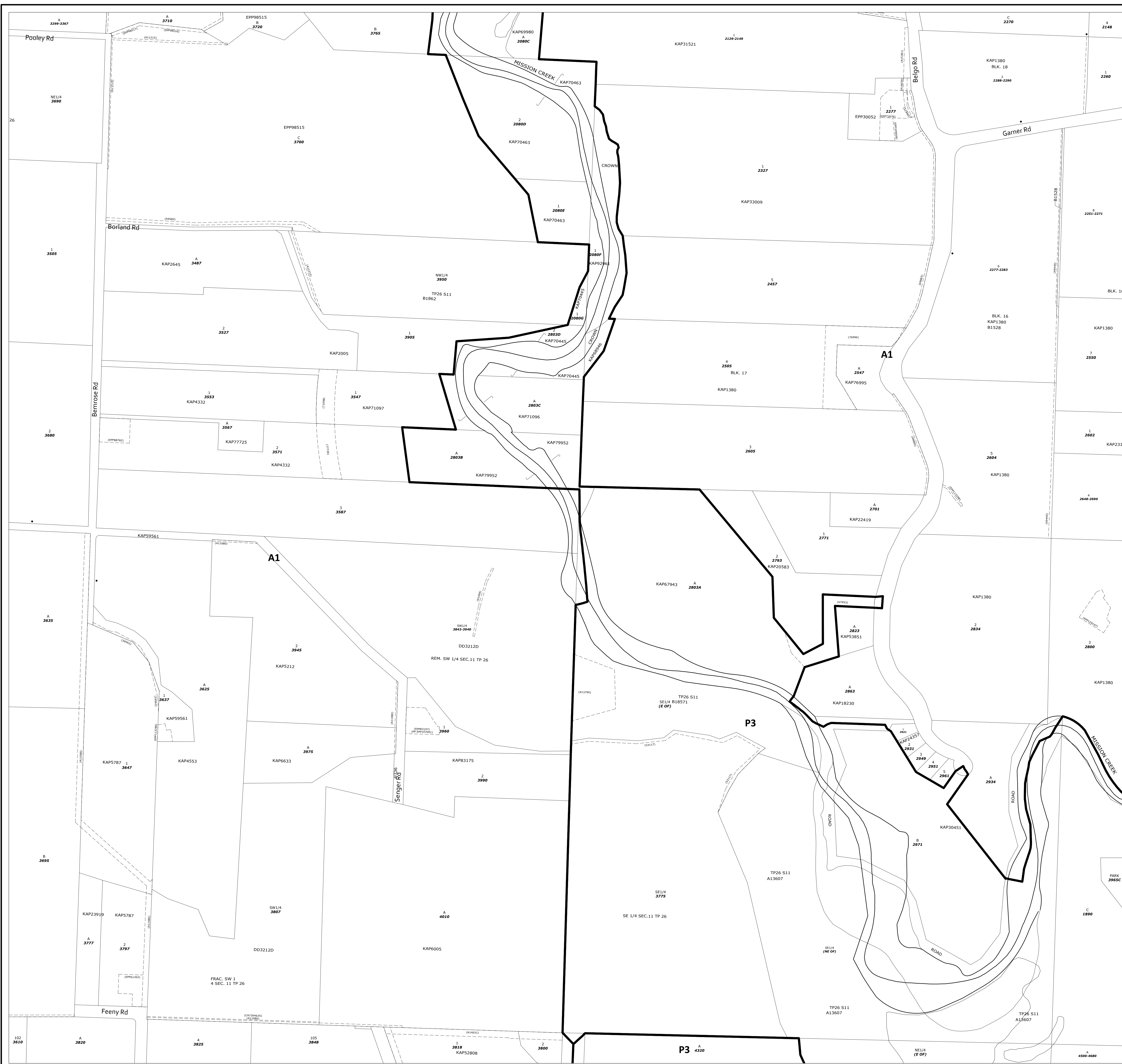


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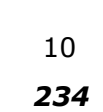


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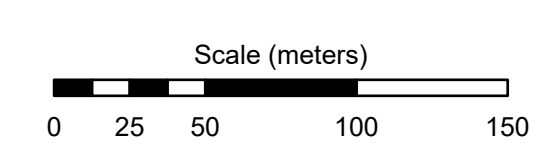
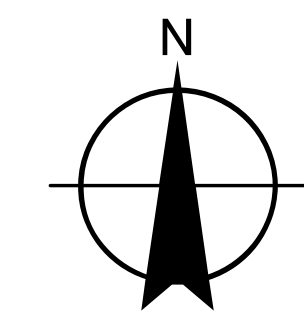


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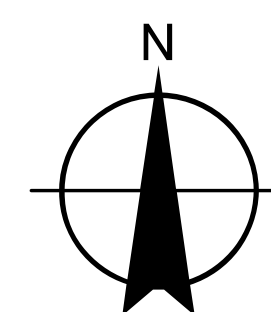
— Proposed Zoning

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10 Lot Number
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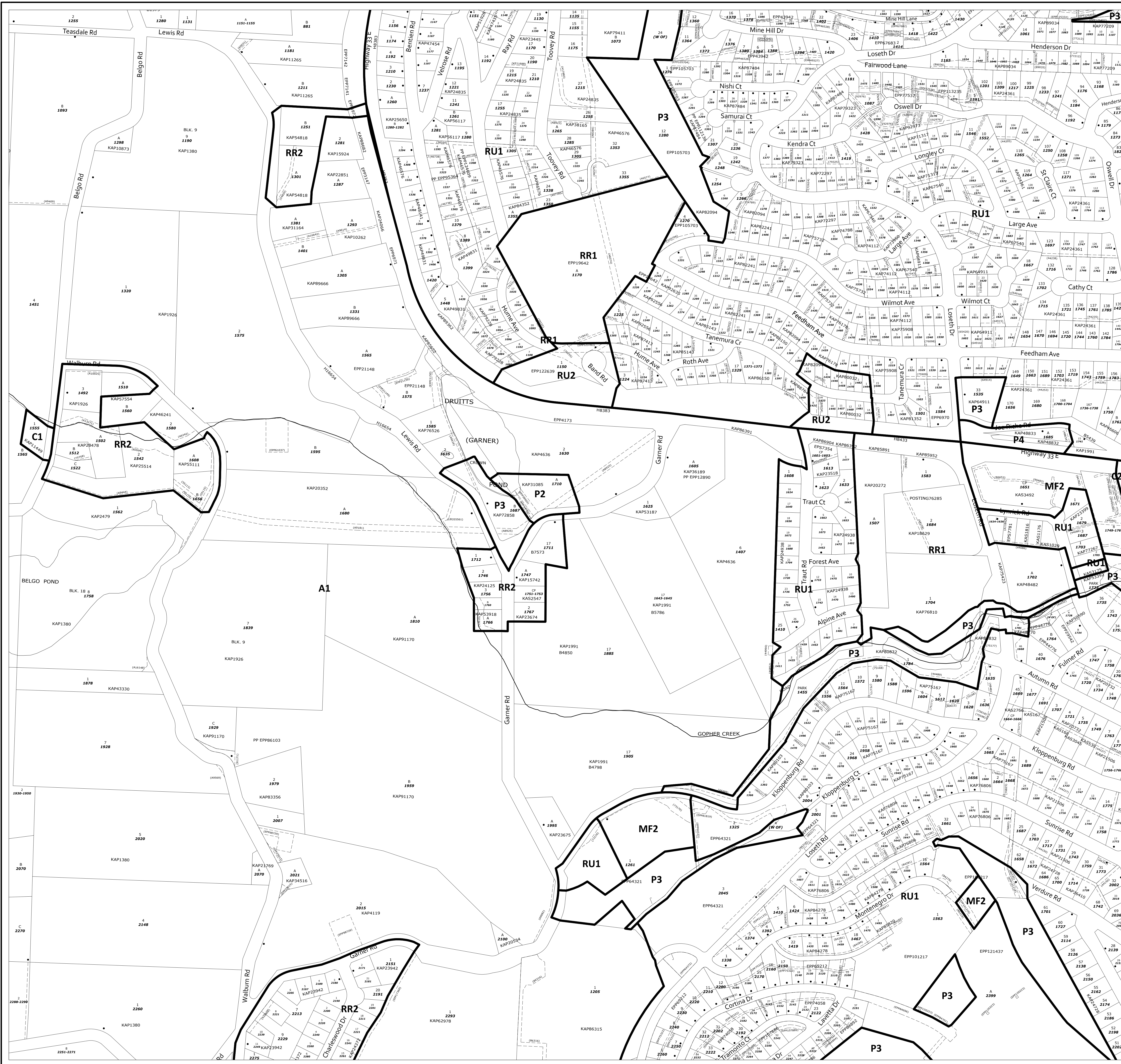
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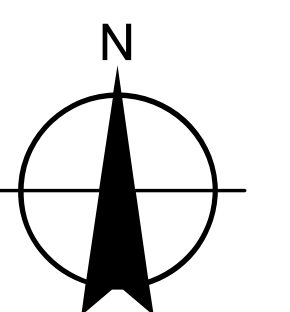
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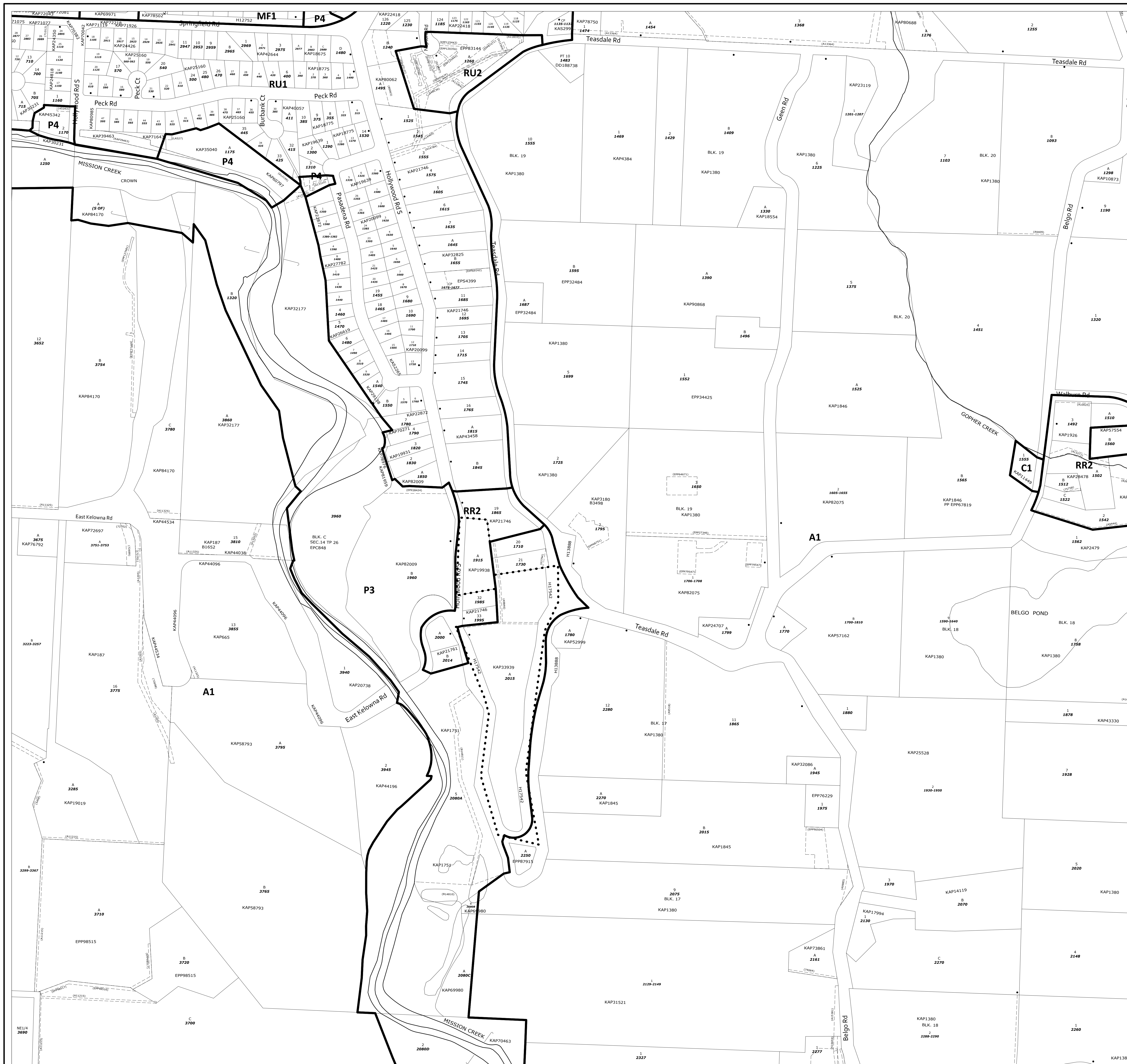


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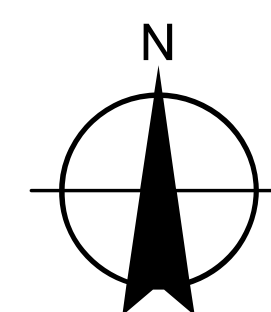
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ZONING

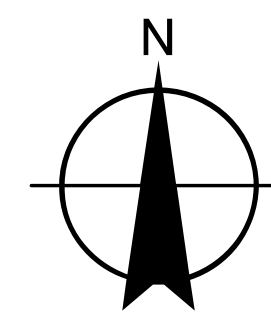
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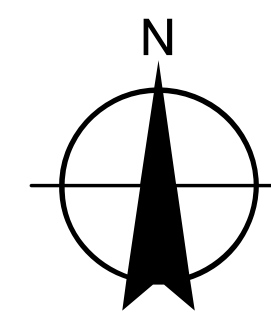
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10 Lot Number
234 Street Address

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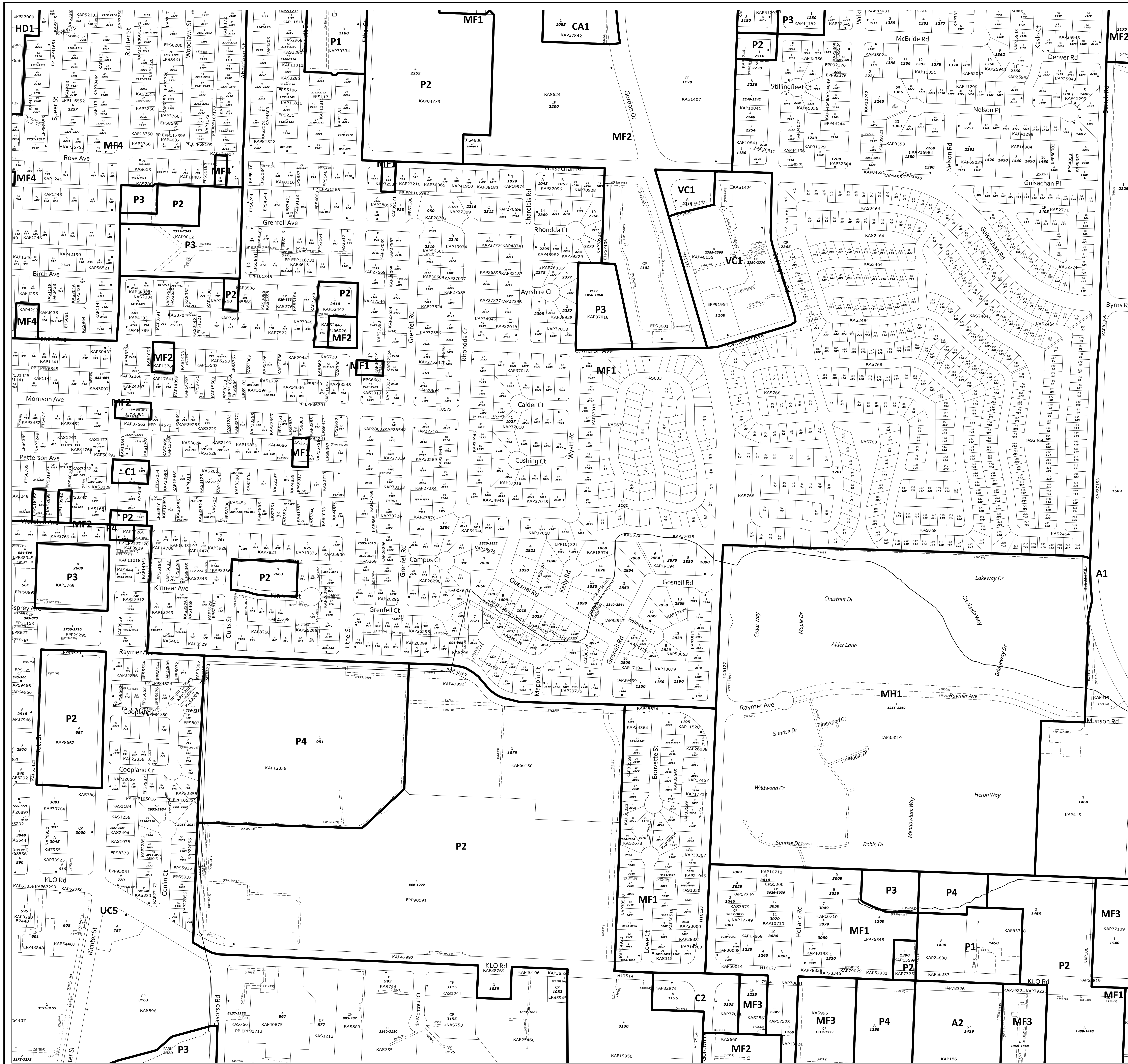


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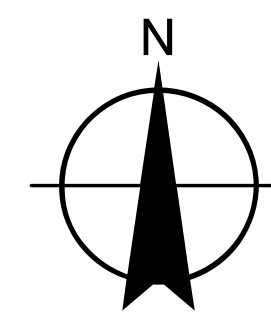
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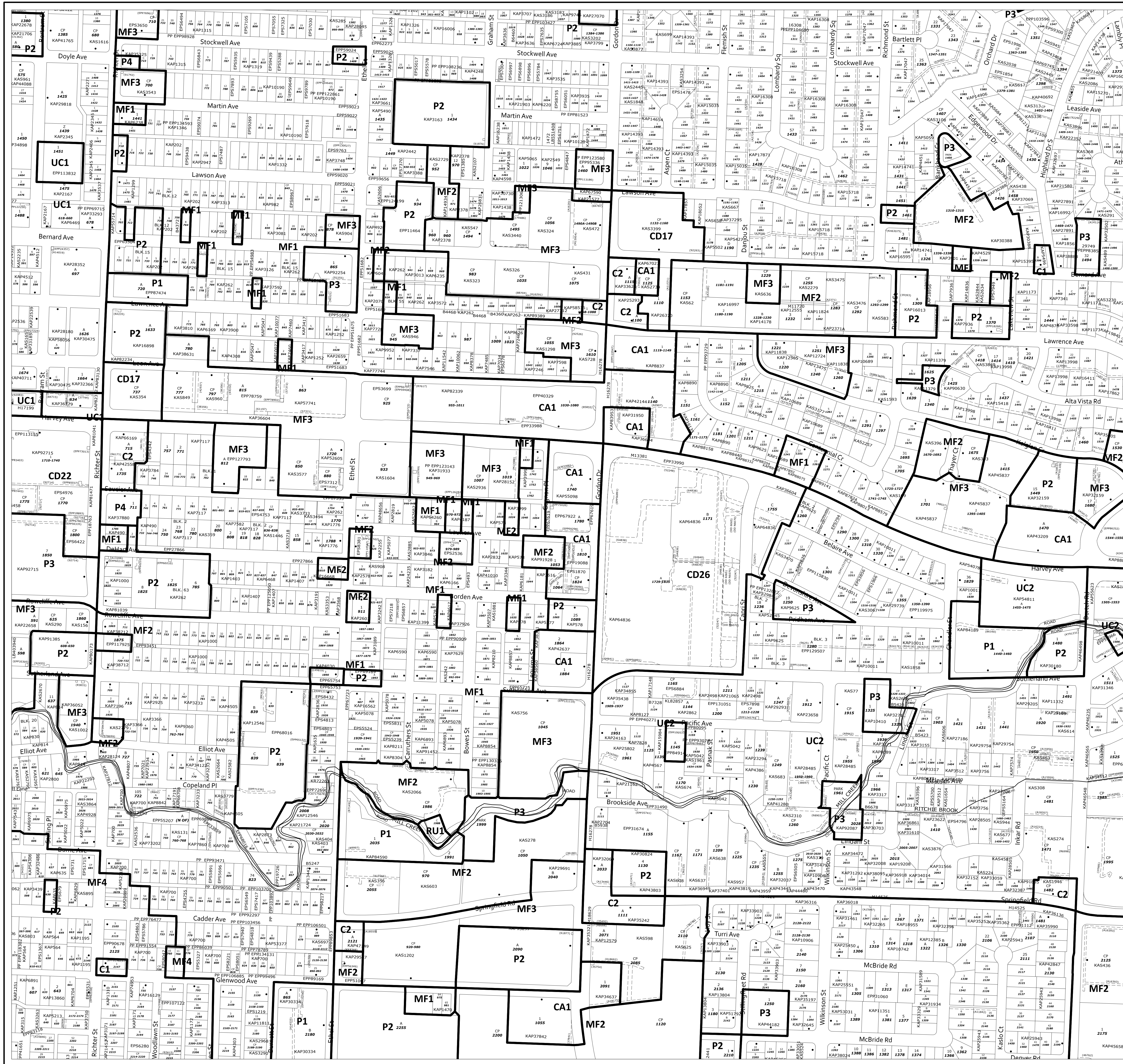
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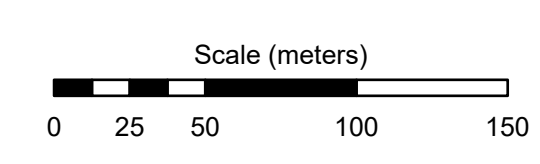
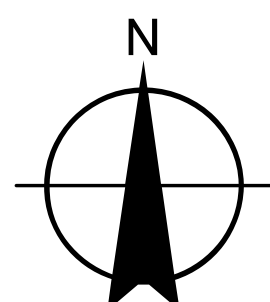
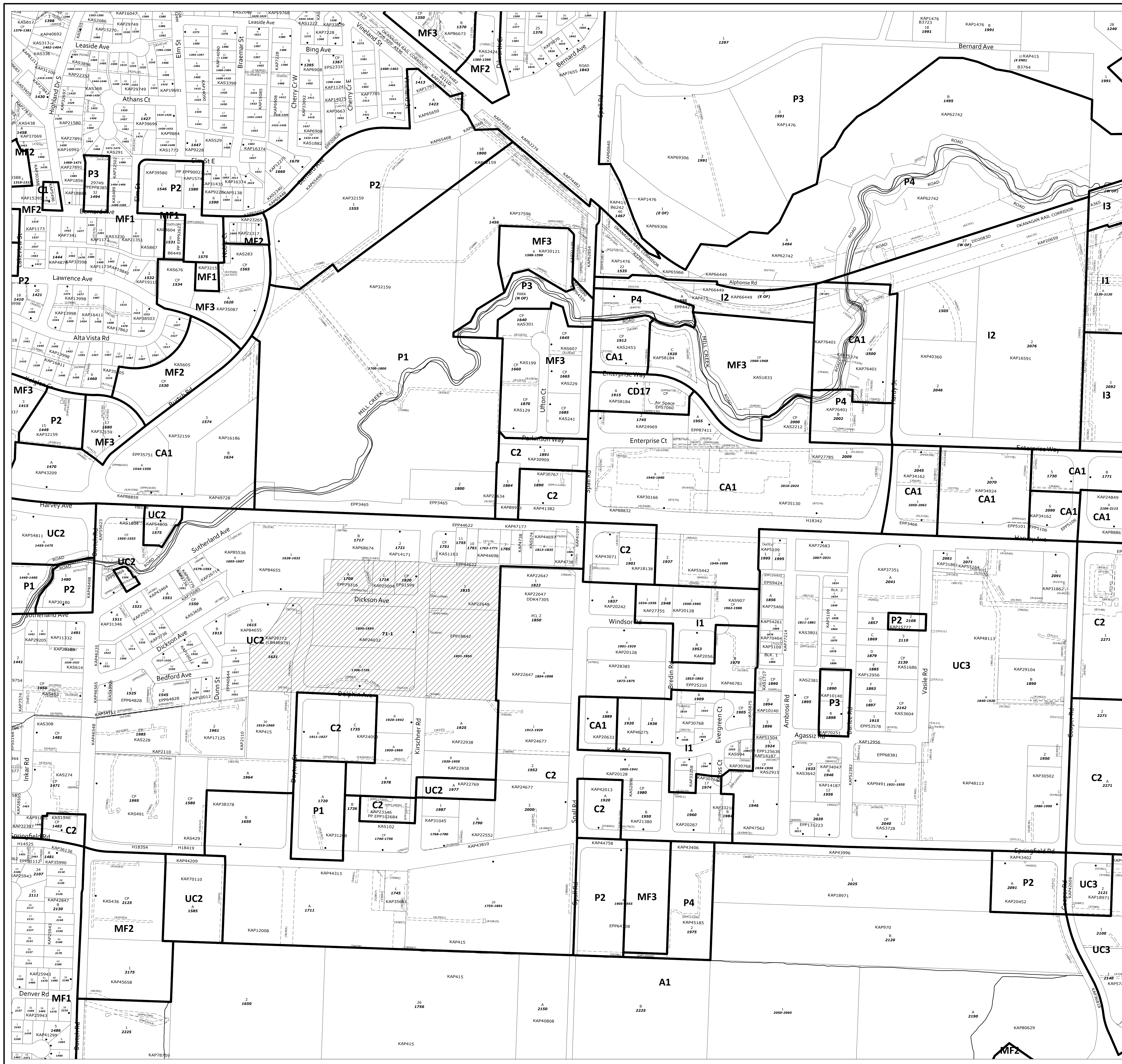




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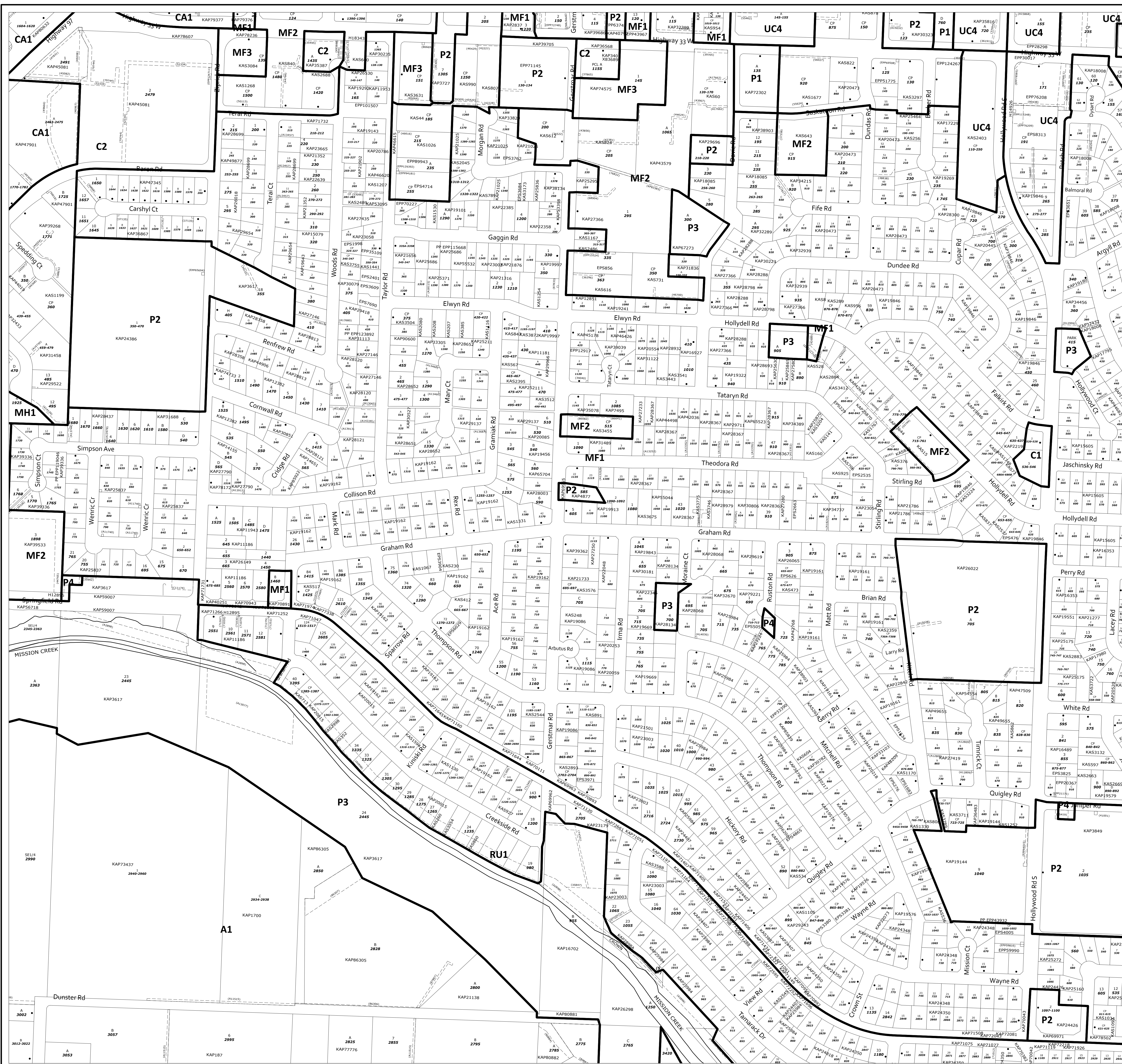
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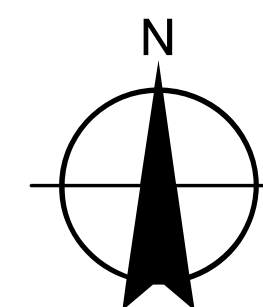
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Indicates Address Fronting Street

City Boundary

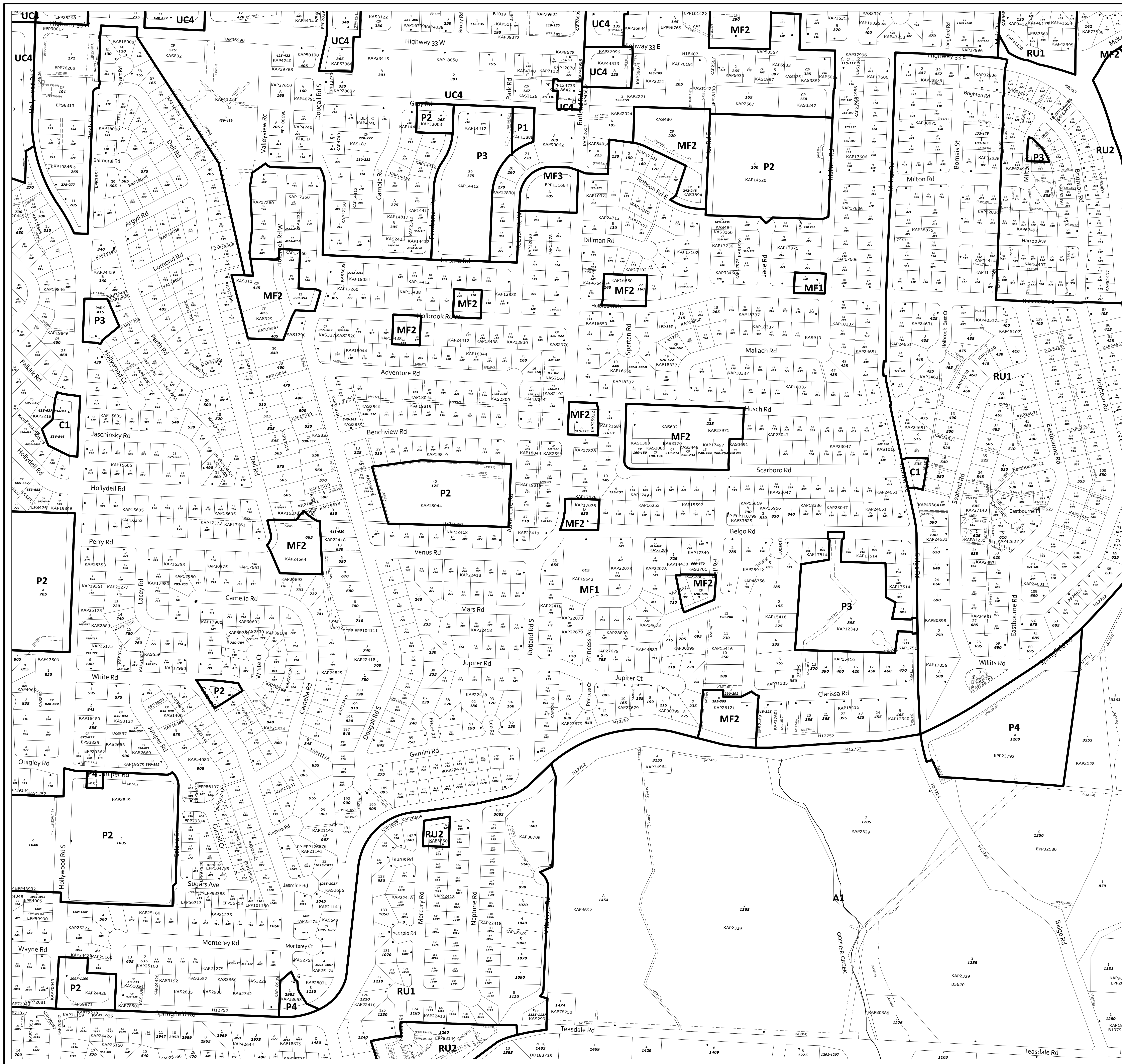


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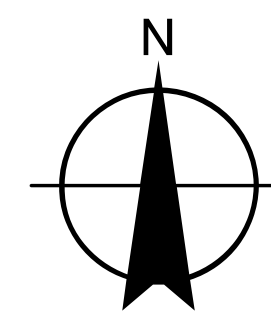
— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

• Indicates Address Fronting Street

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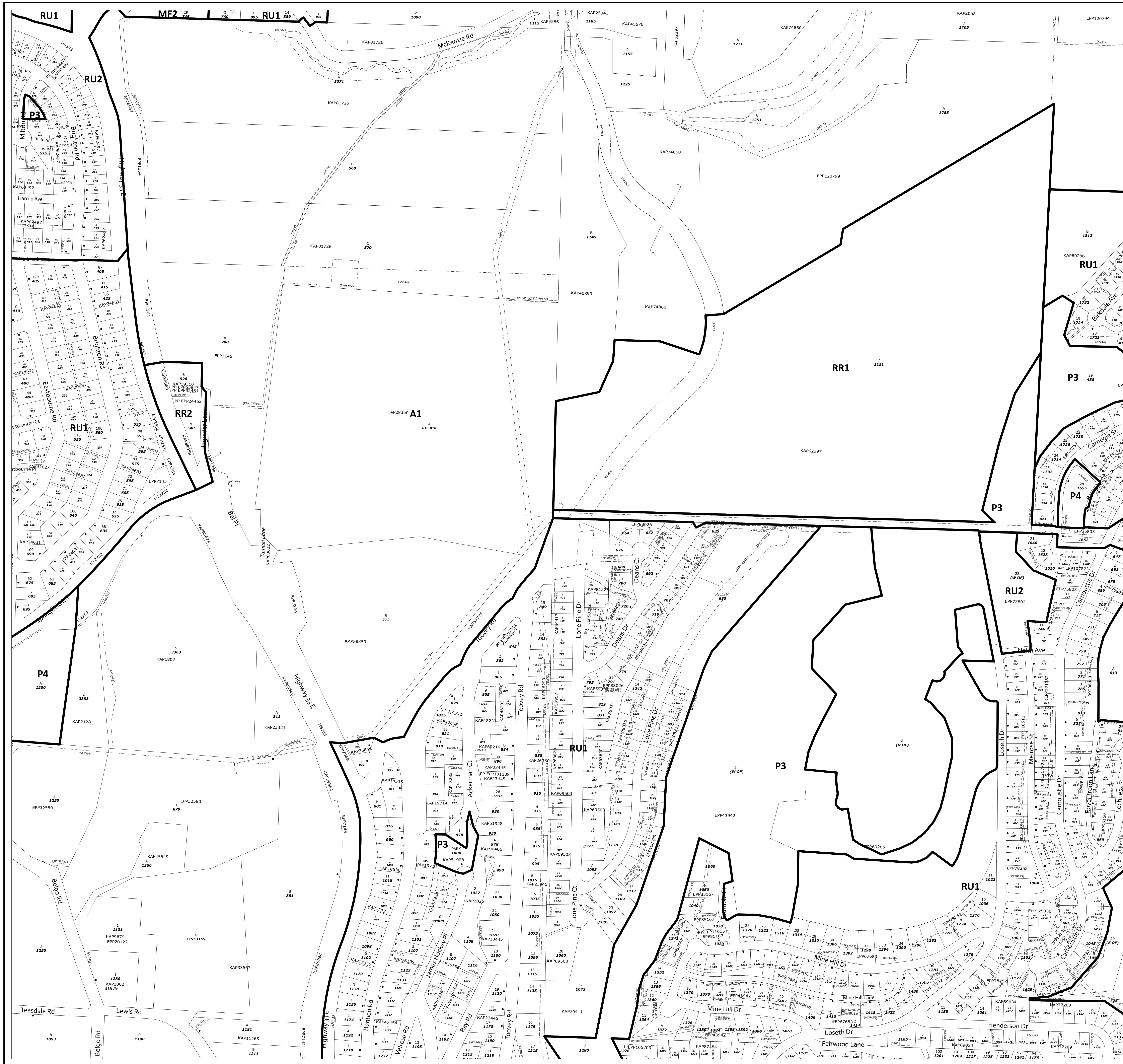


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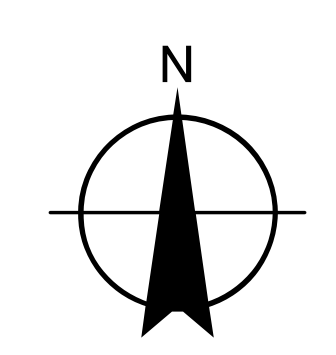
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10 Lot Number
234 Street Address

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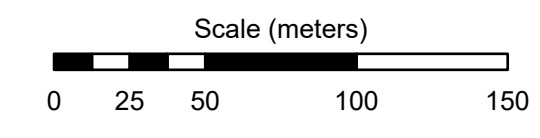
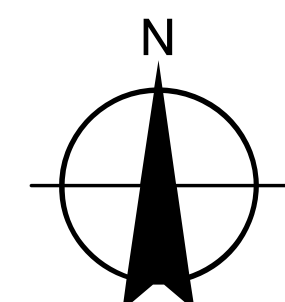
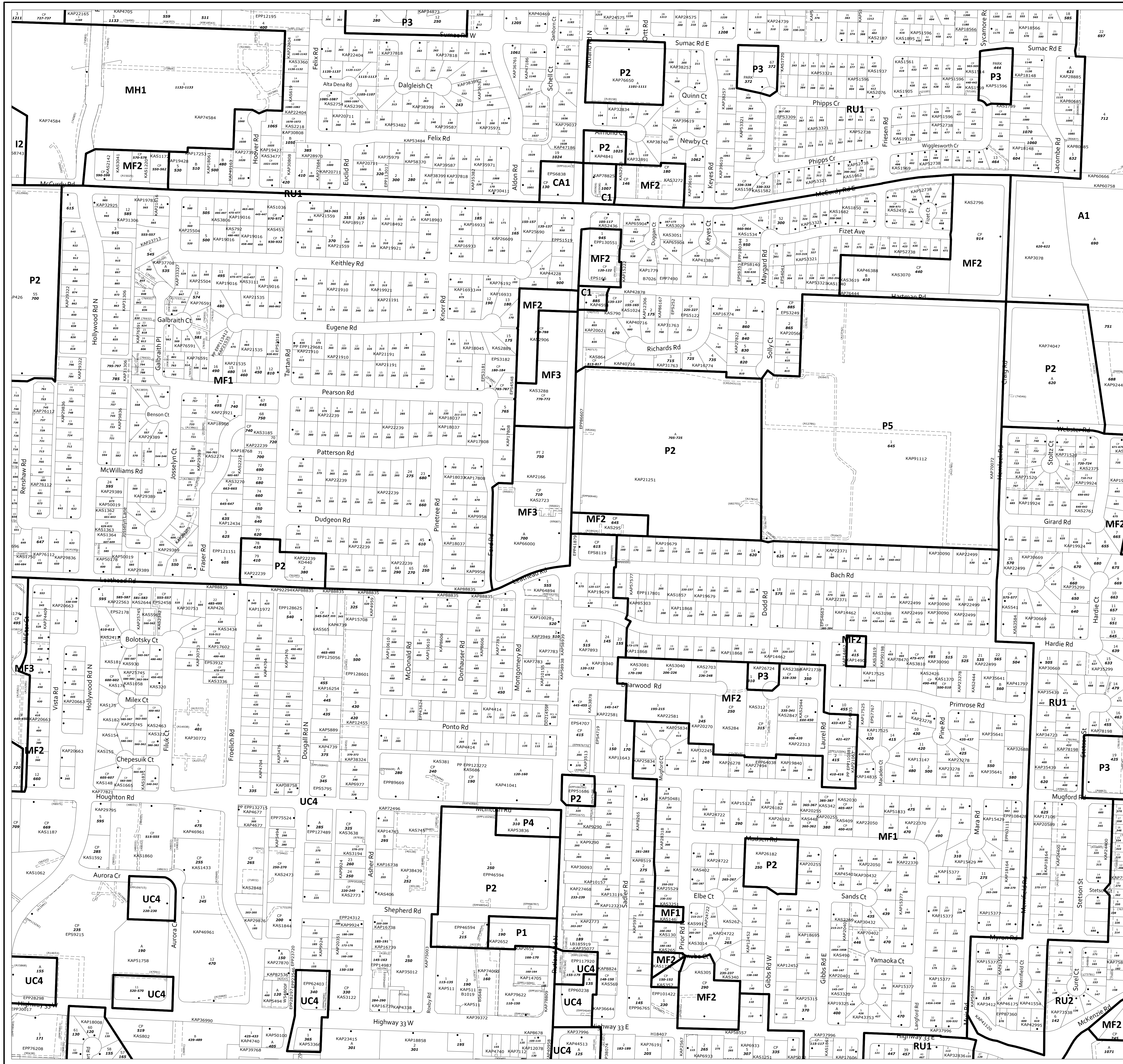


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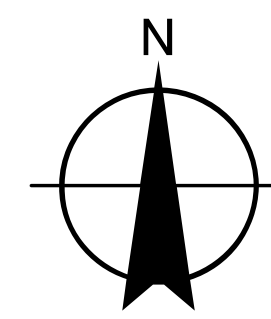
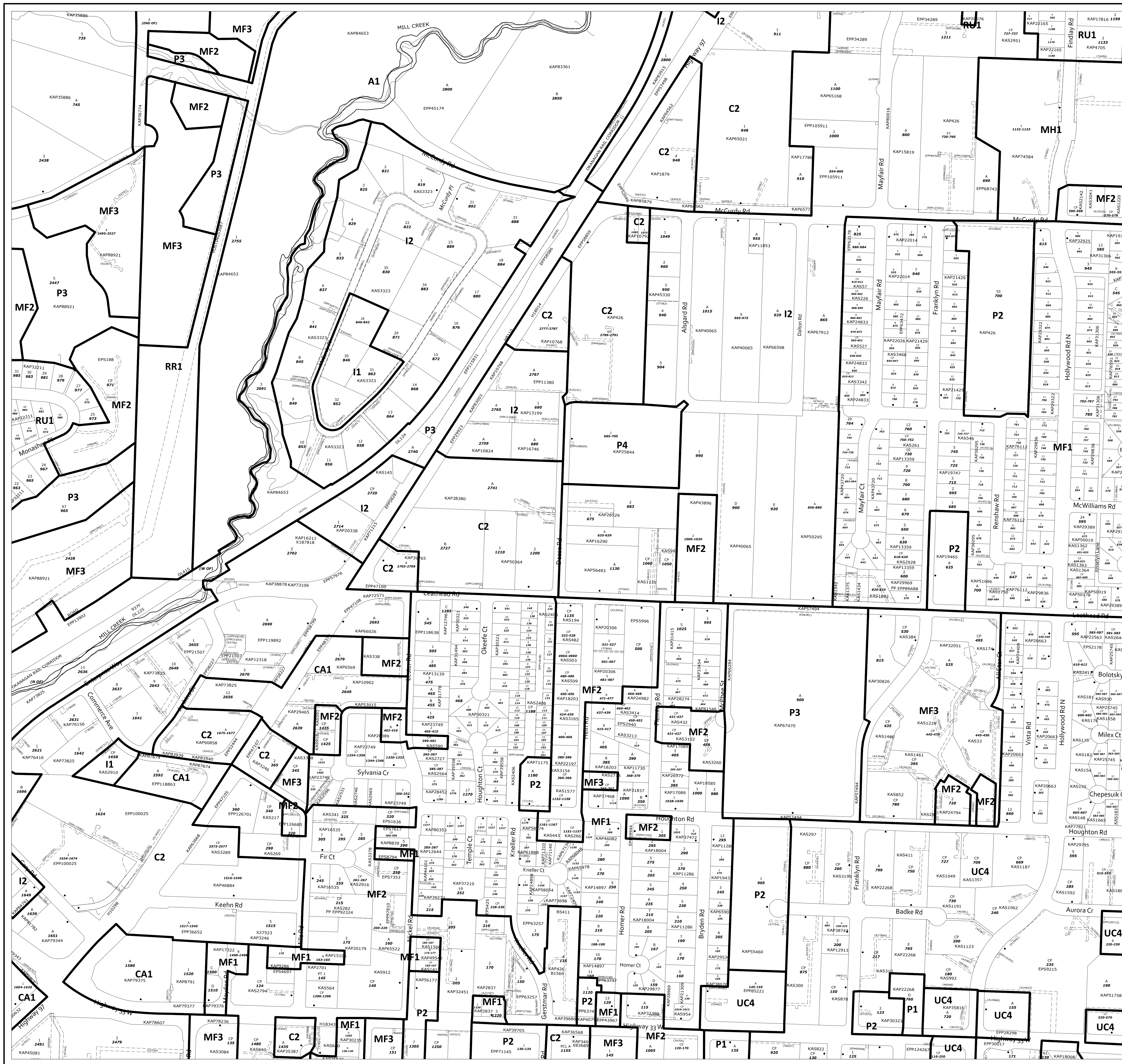
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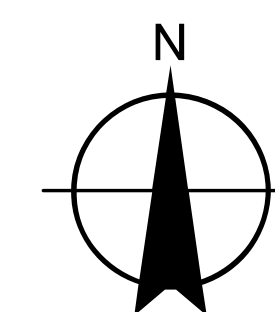
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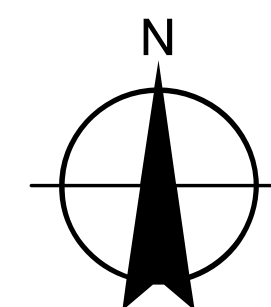
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10 Lot Number
234 Street Address

Indicates Address Fronting Street

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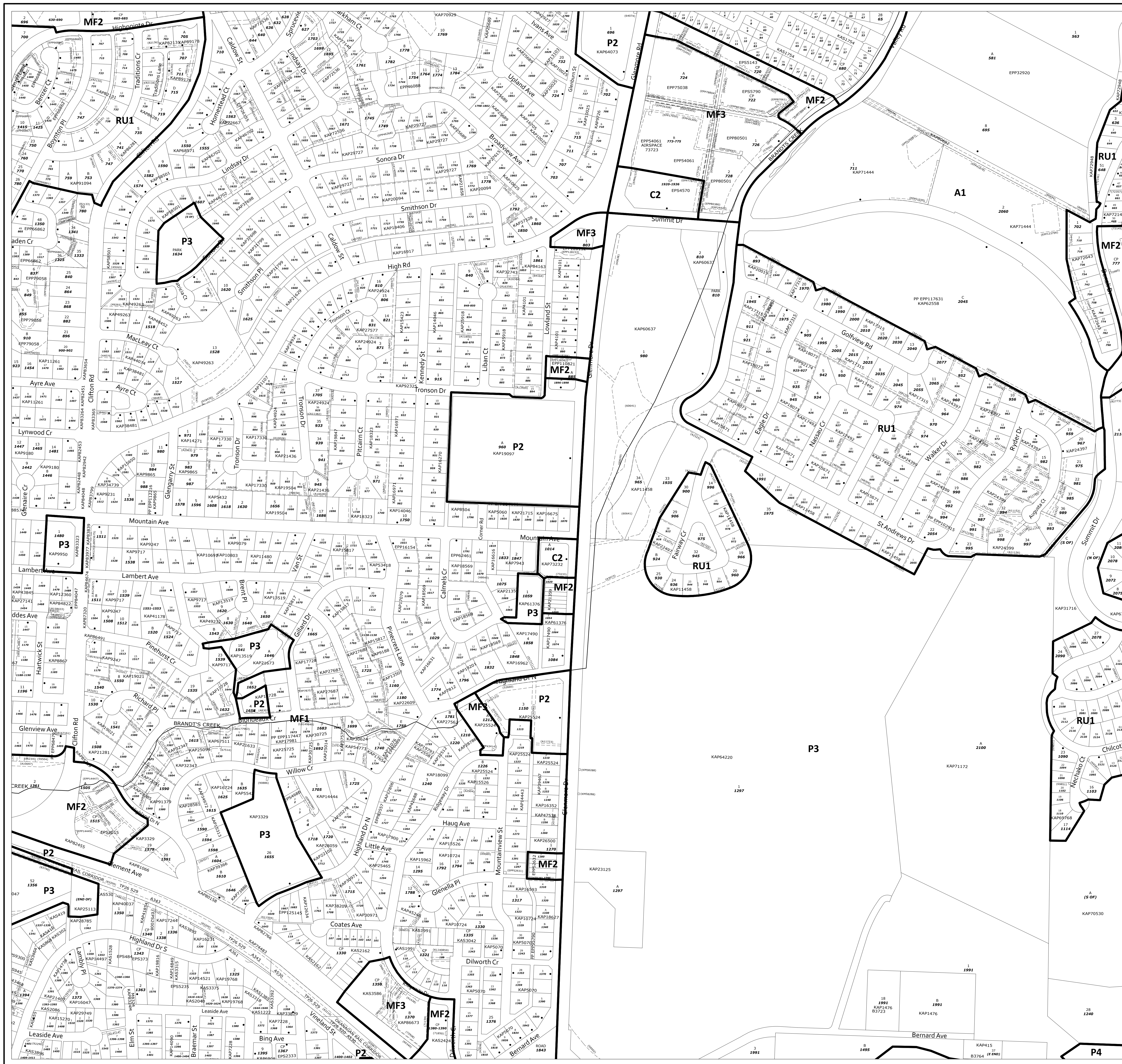
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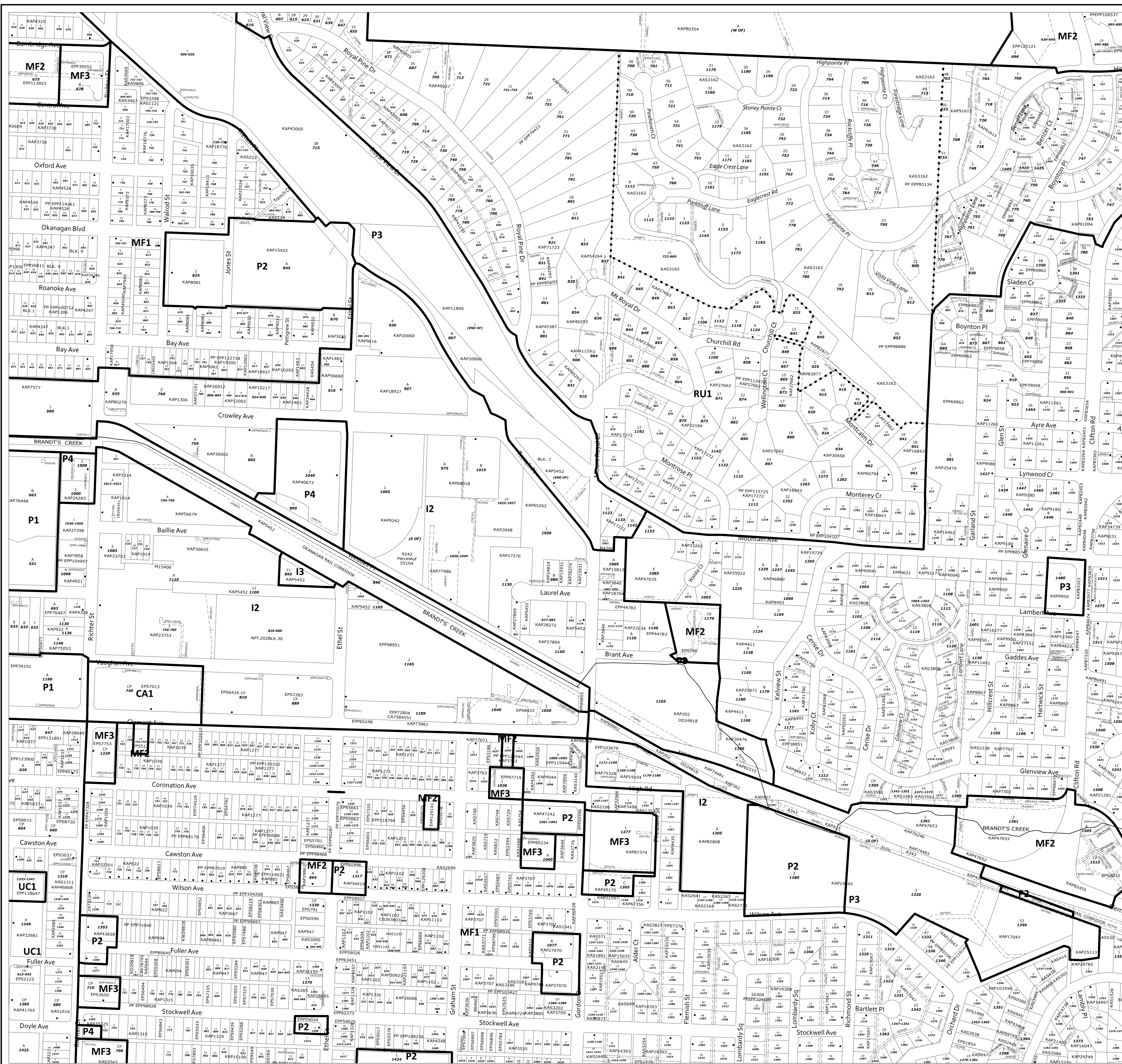
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10 Lot Number
234 Street Address

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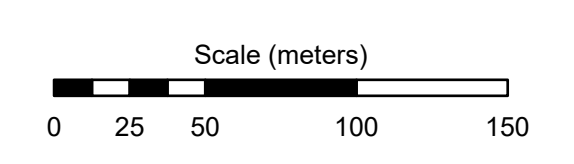
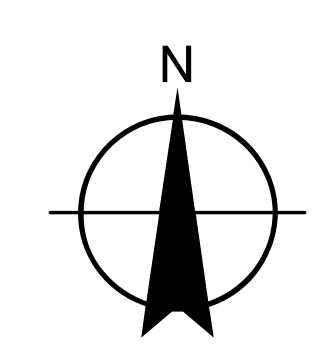
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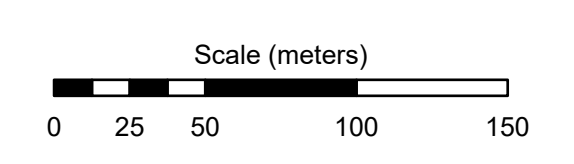
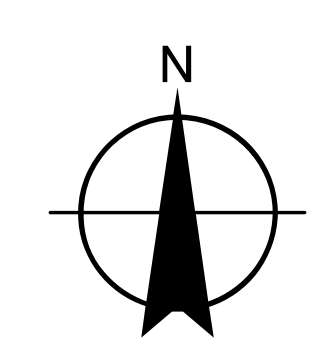
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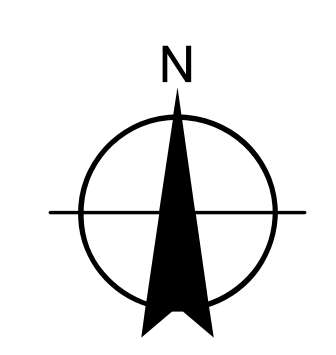
— Proposed Zoning

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10 Lot Number
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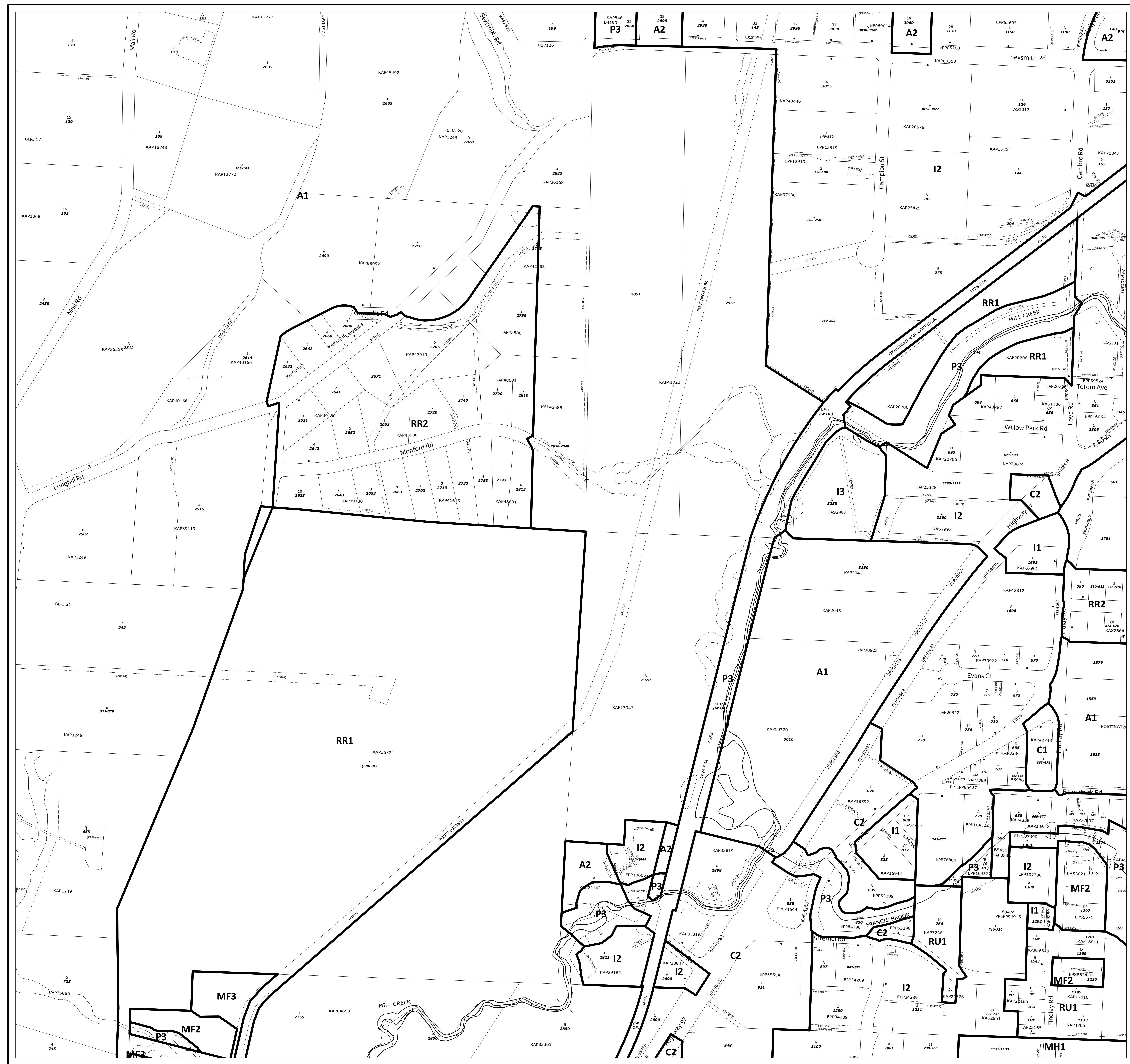
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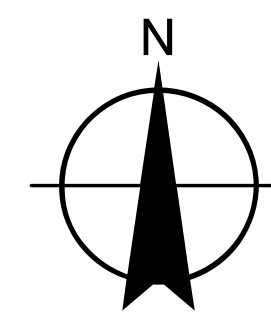
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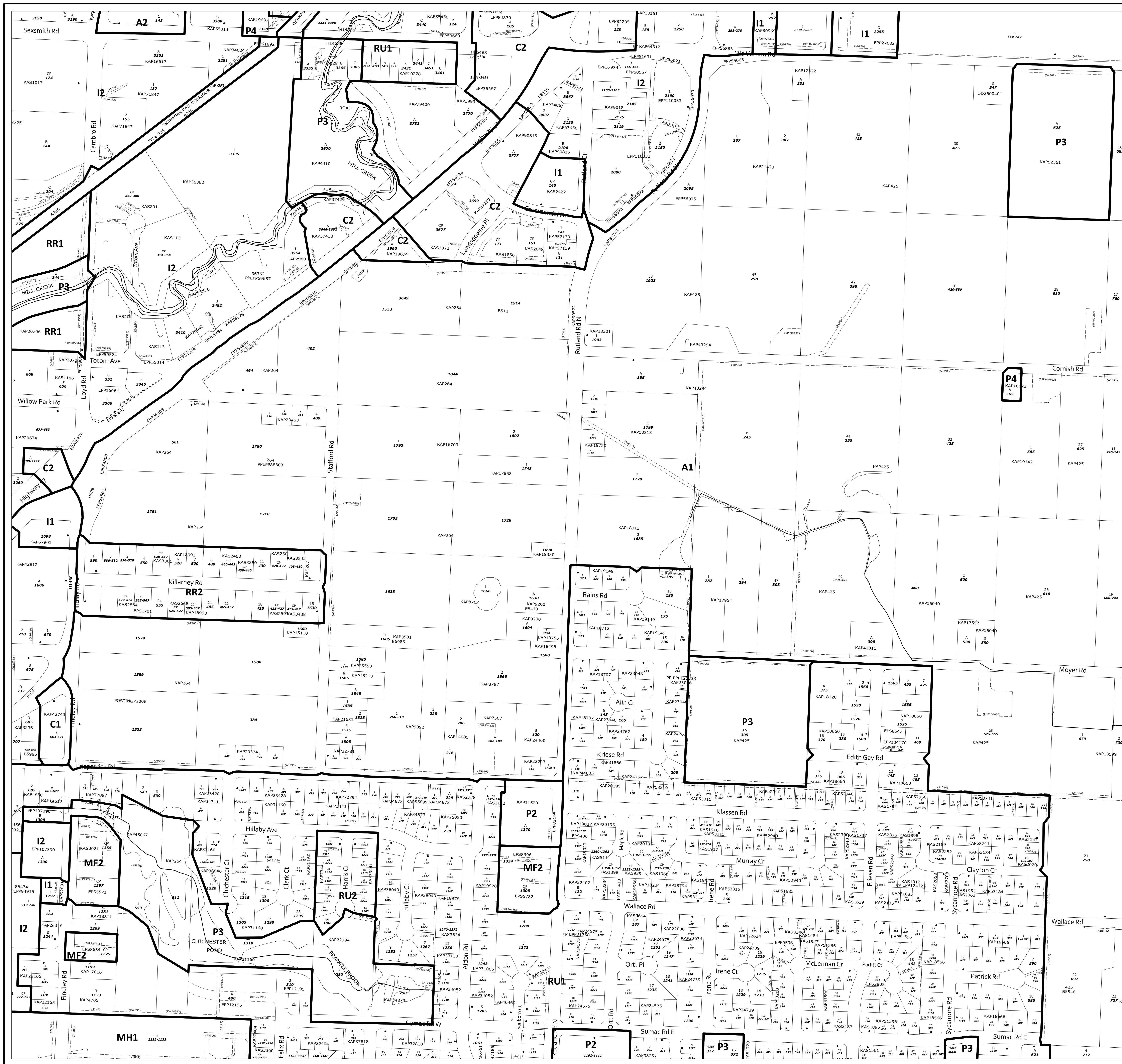
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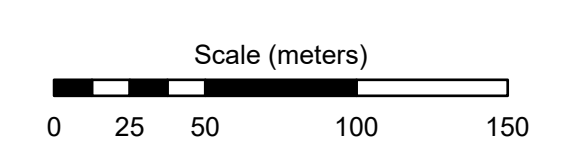
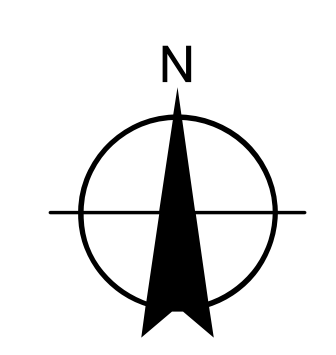
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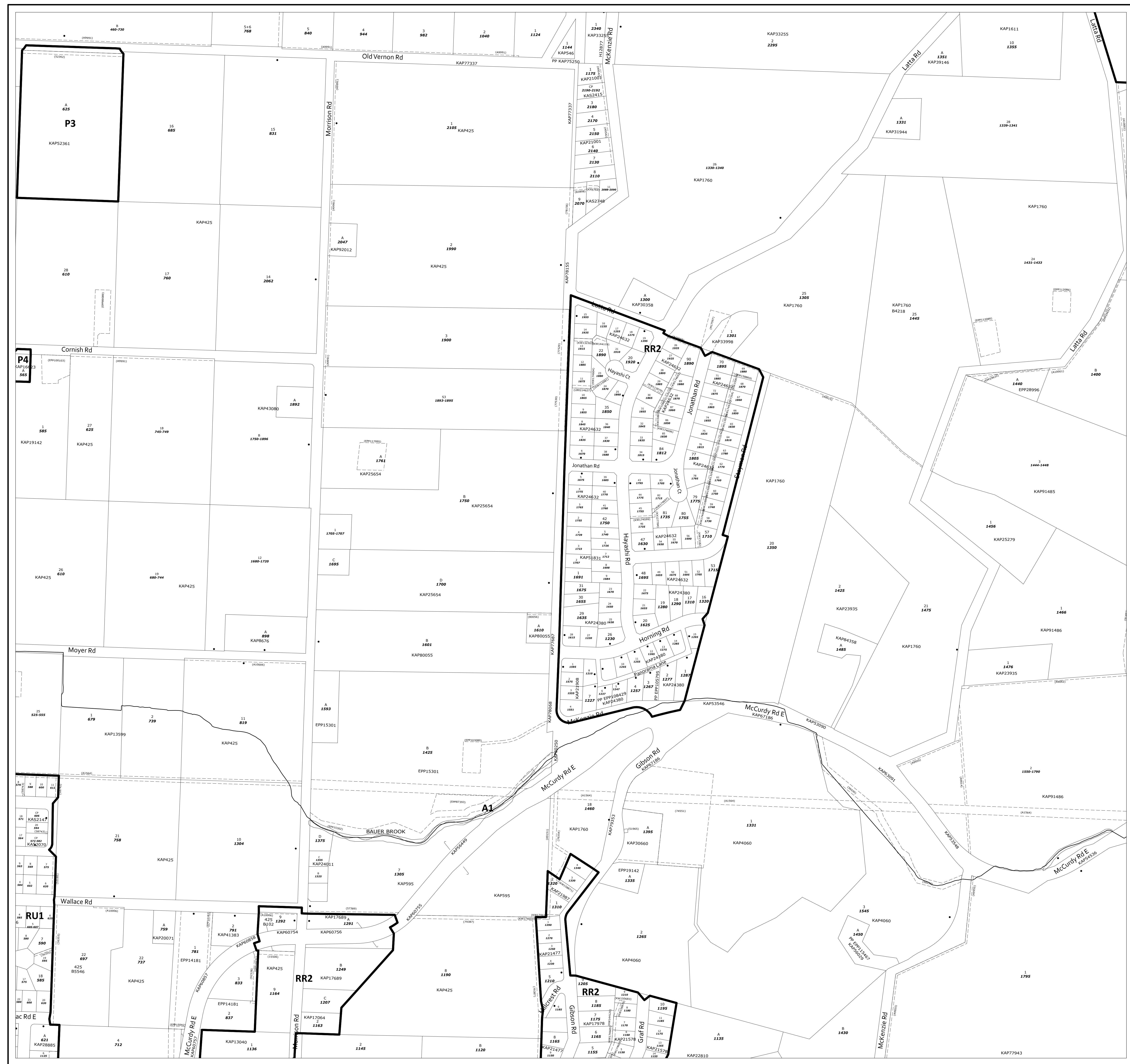


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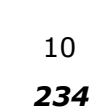


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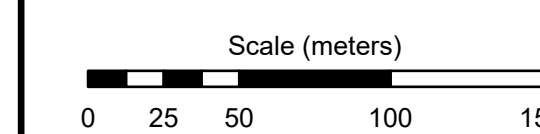
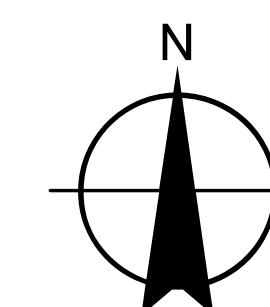
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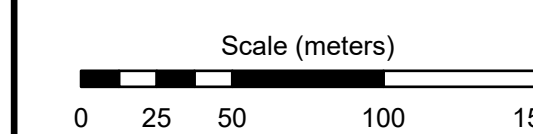
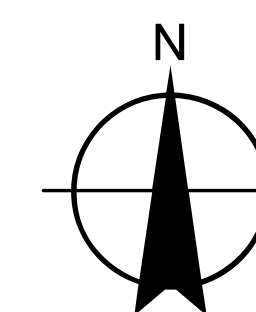
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10 Lot Number
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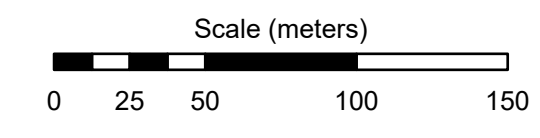
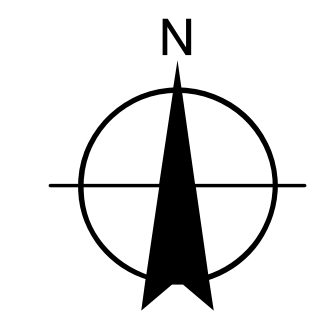
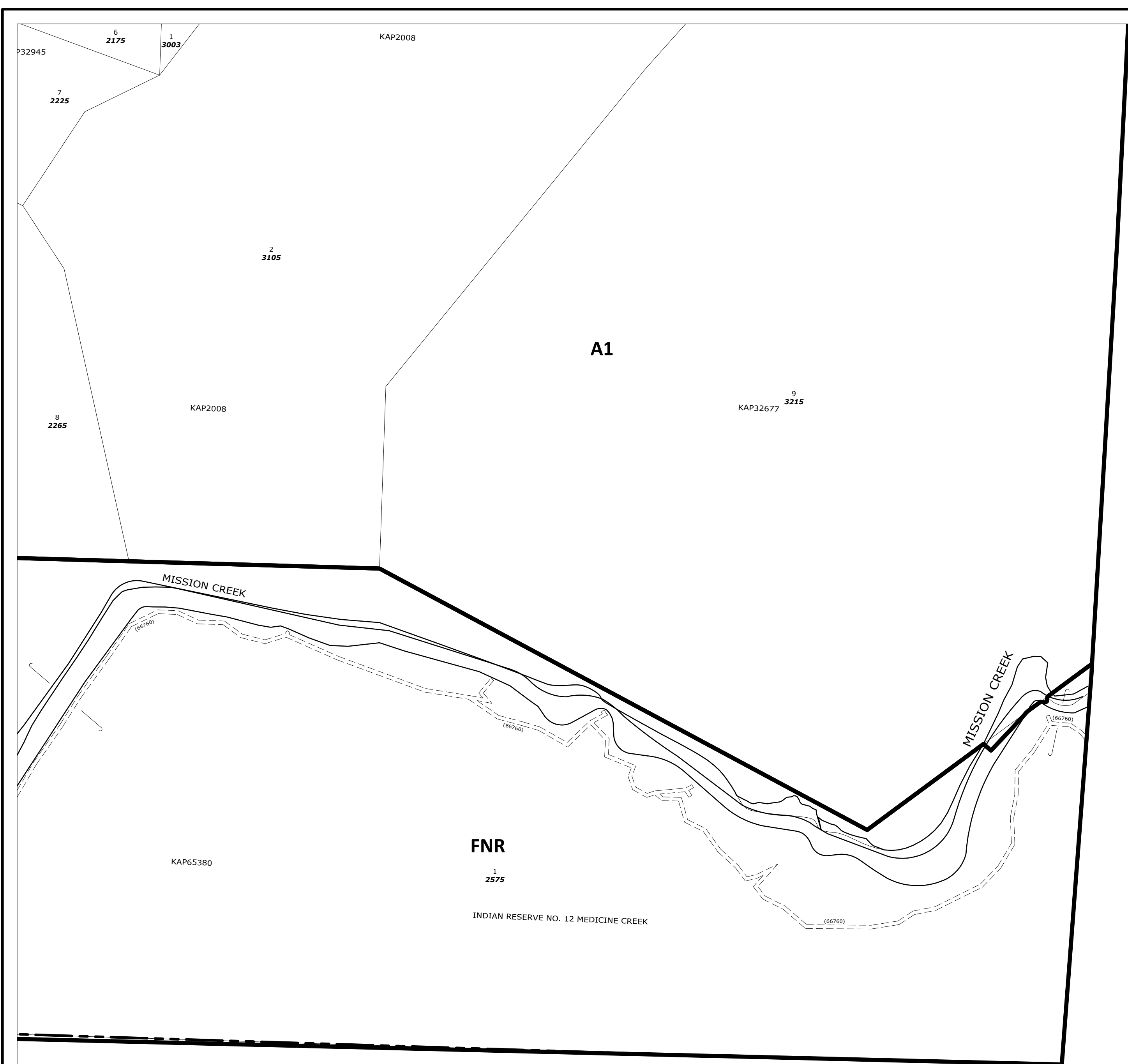
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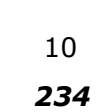




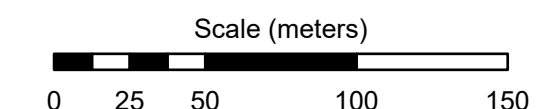
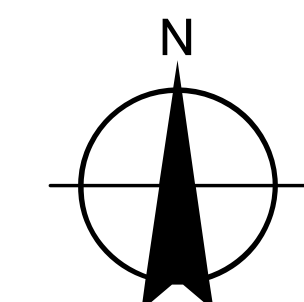
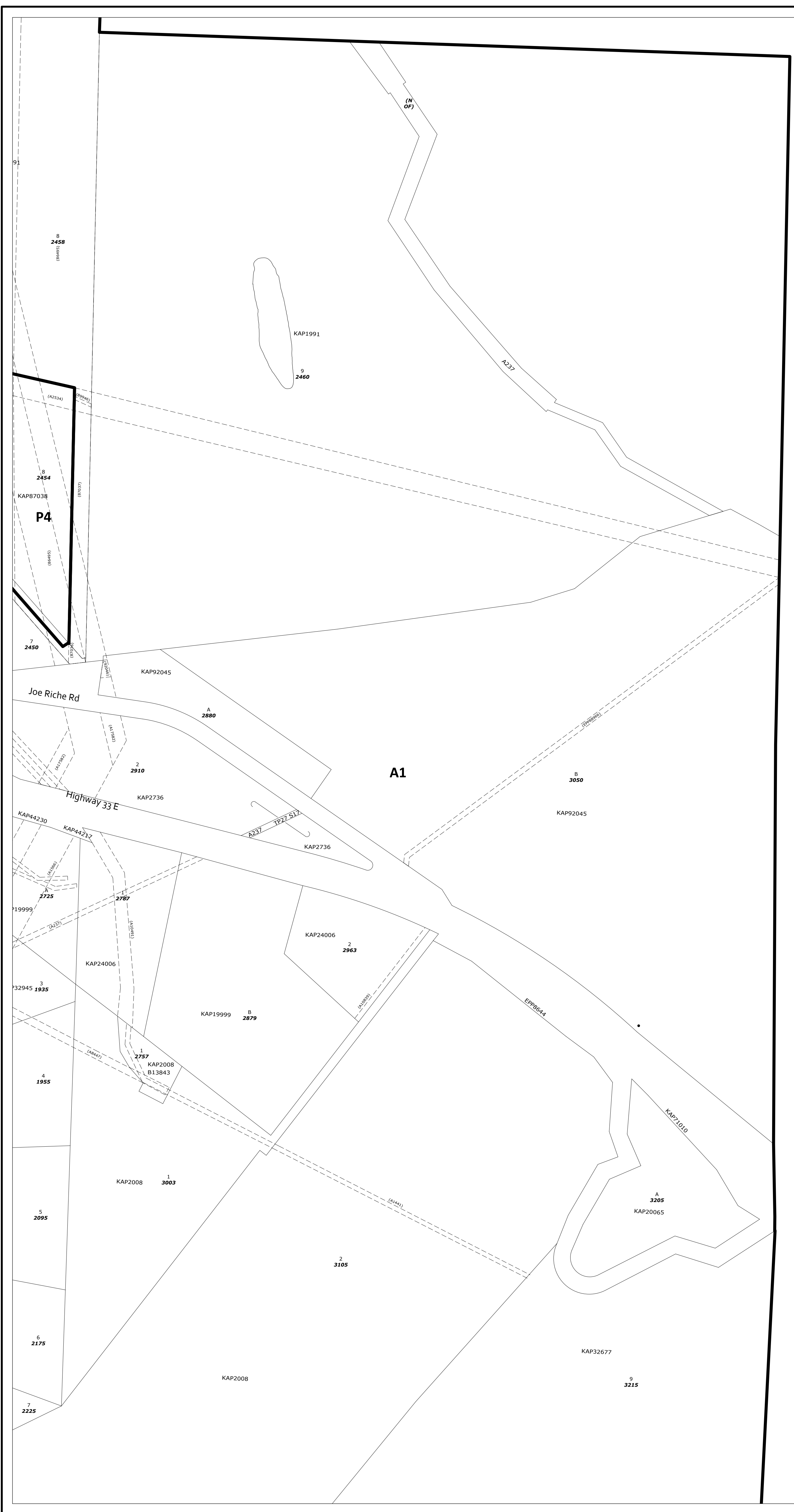
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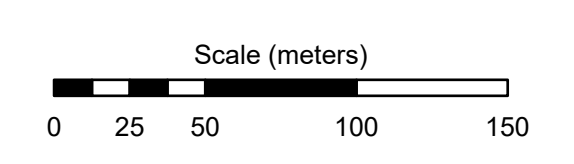
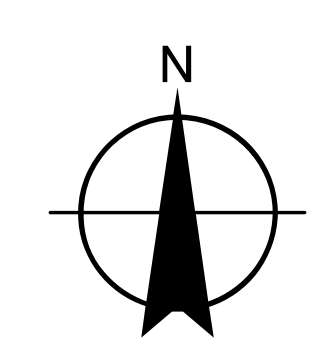
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10 Lot Number
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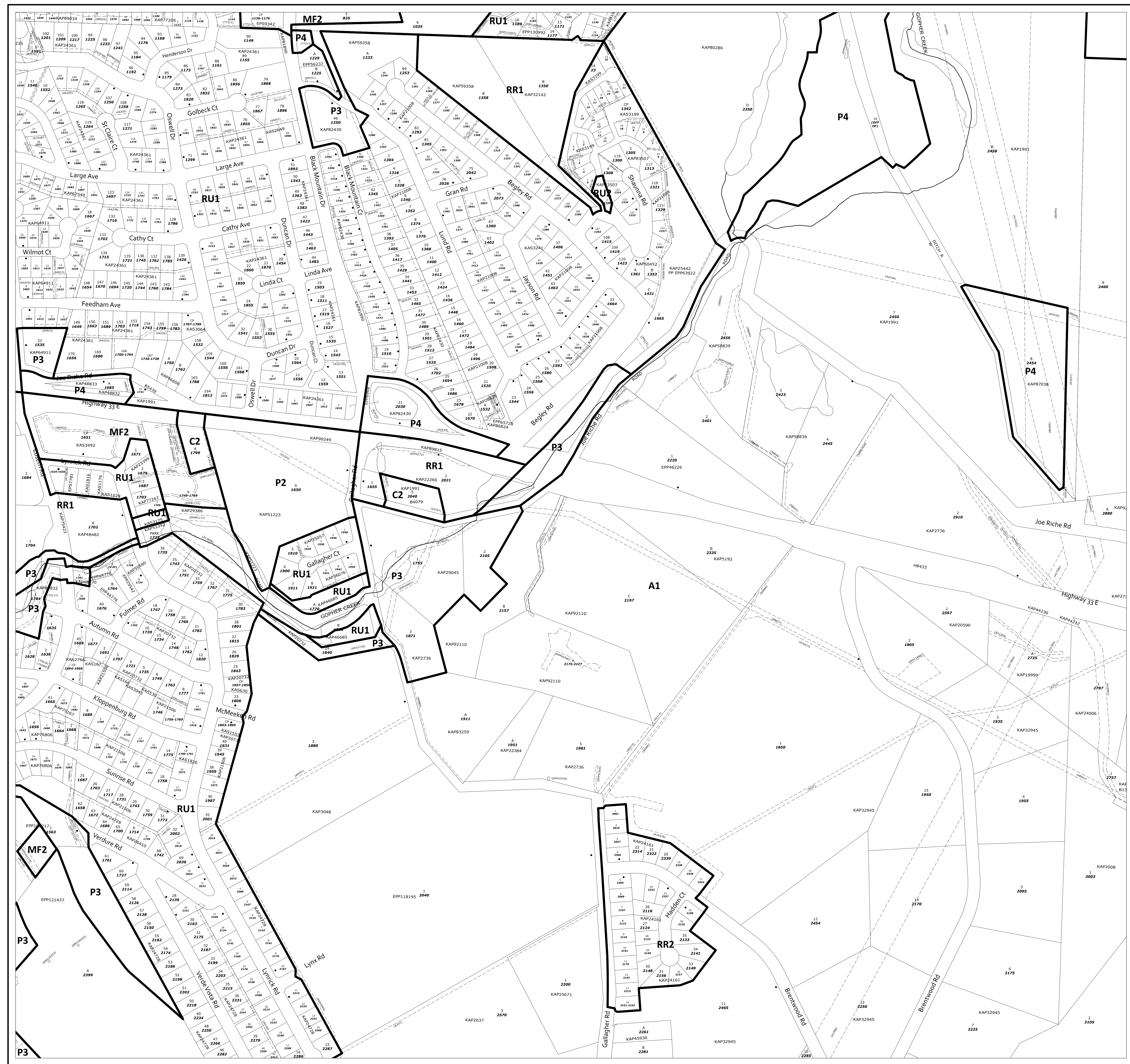
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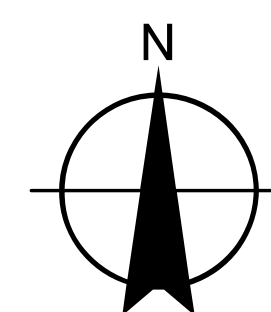
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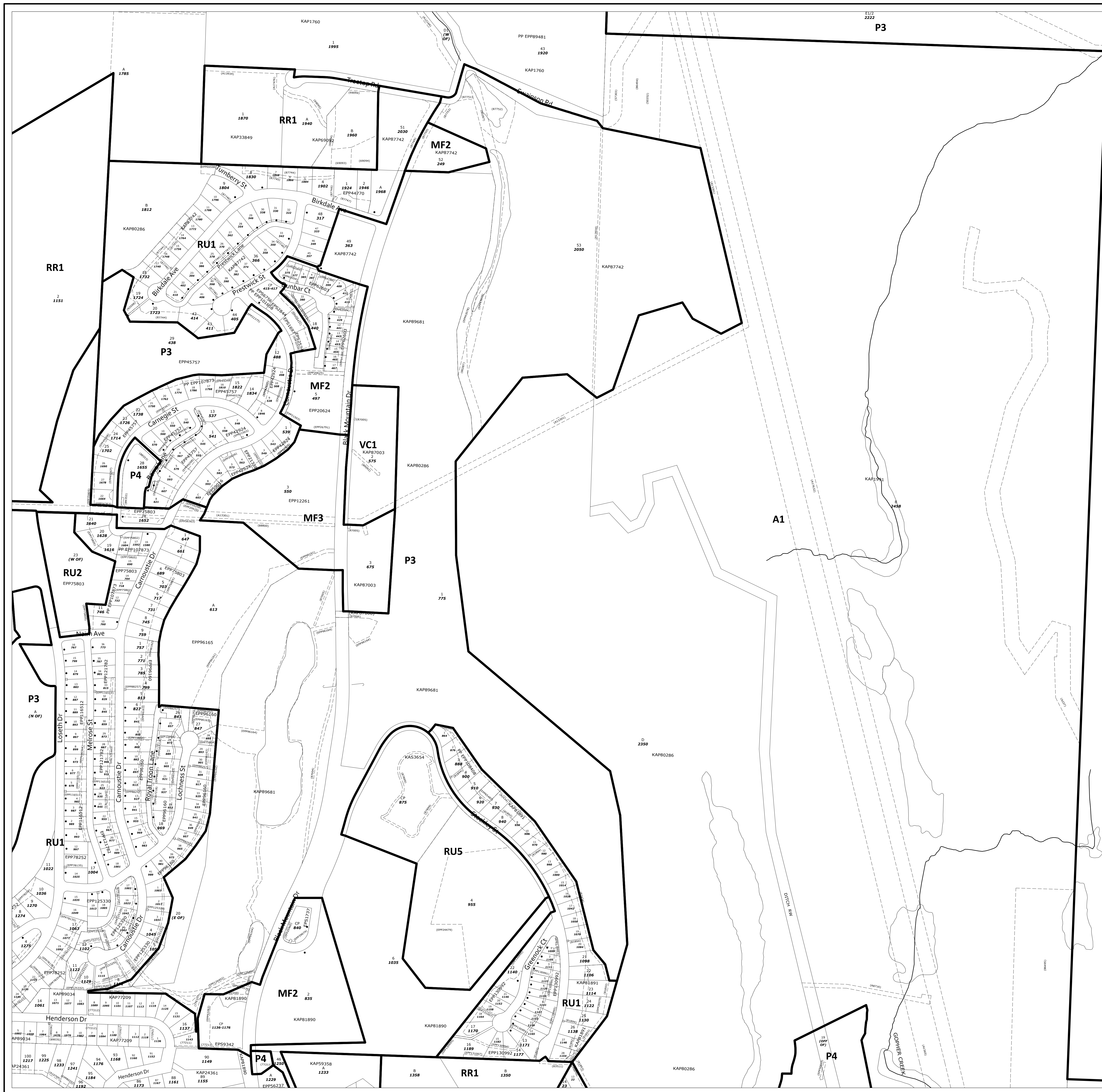


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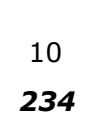


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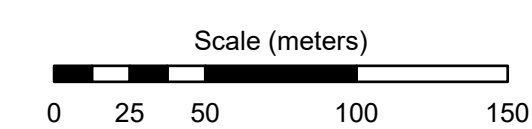
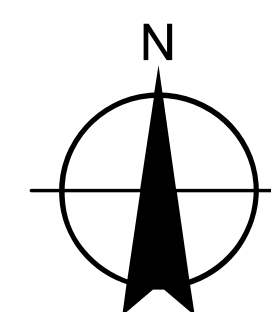
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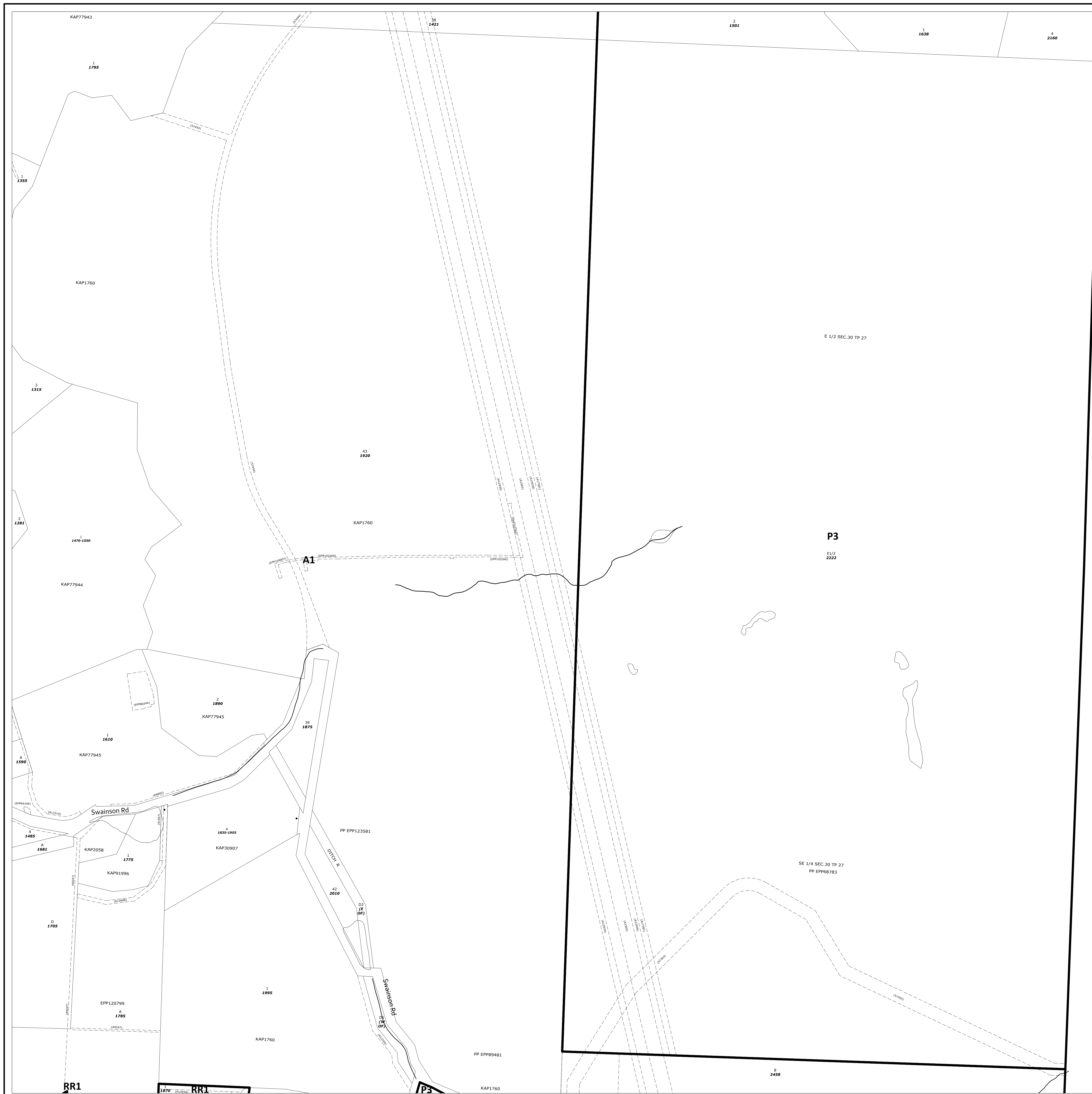


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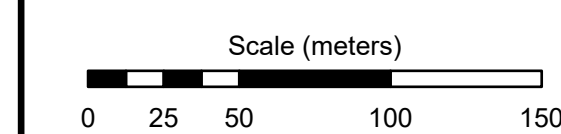
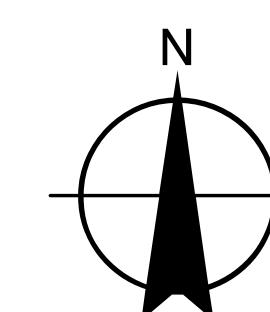
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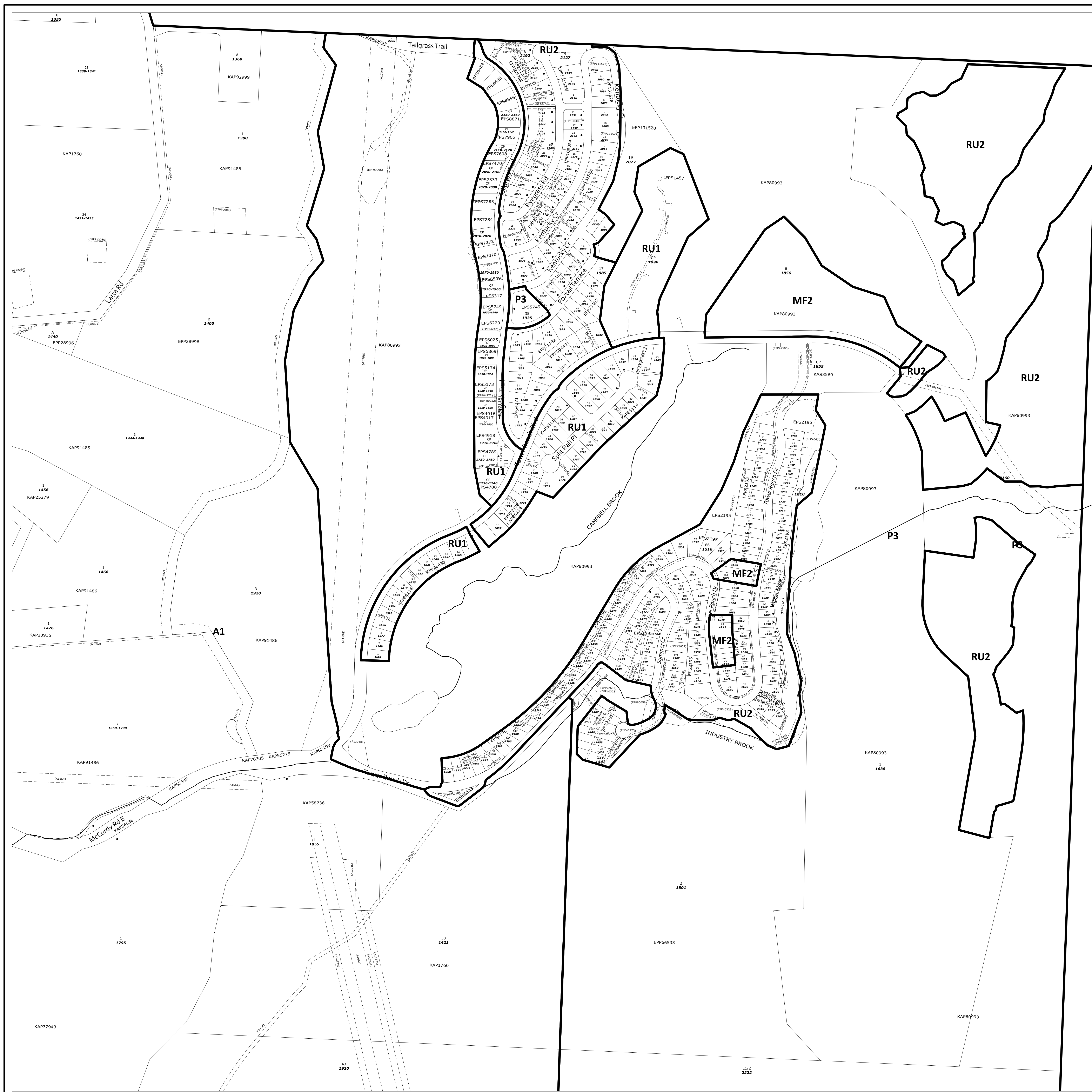


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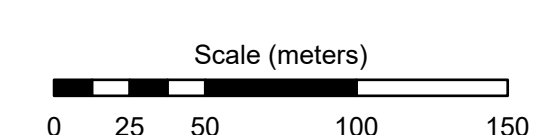
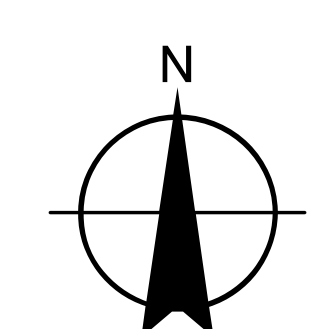
— Proposed Zoning

ADDRESSES

10
234
— Lot Number
— Street Address

• Indicates Address
Fronting Street

--- City Boundary

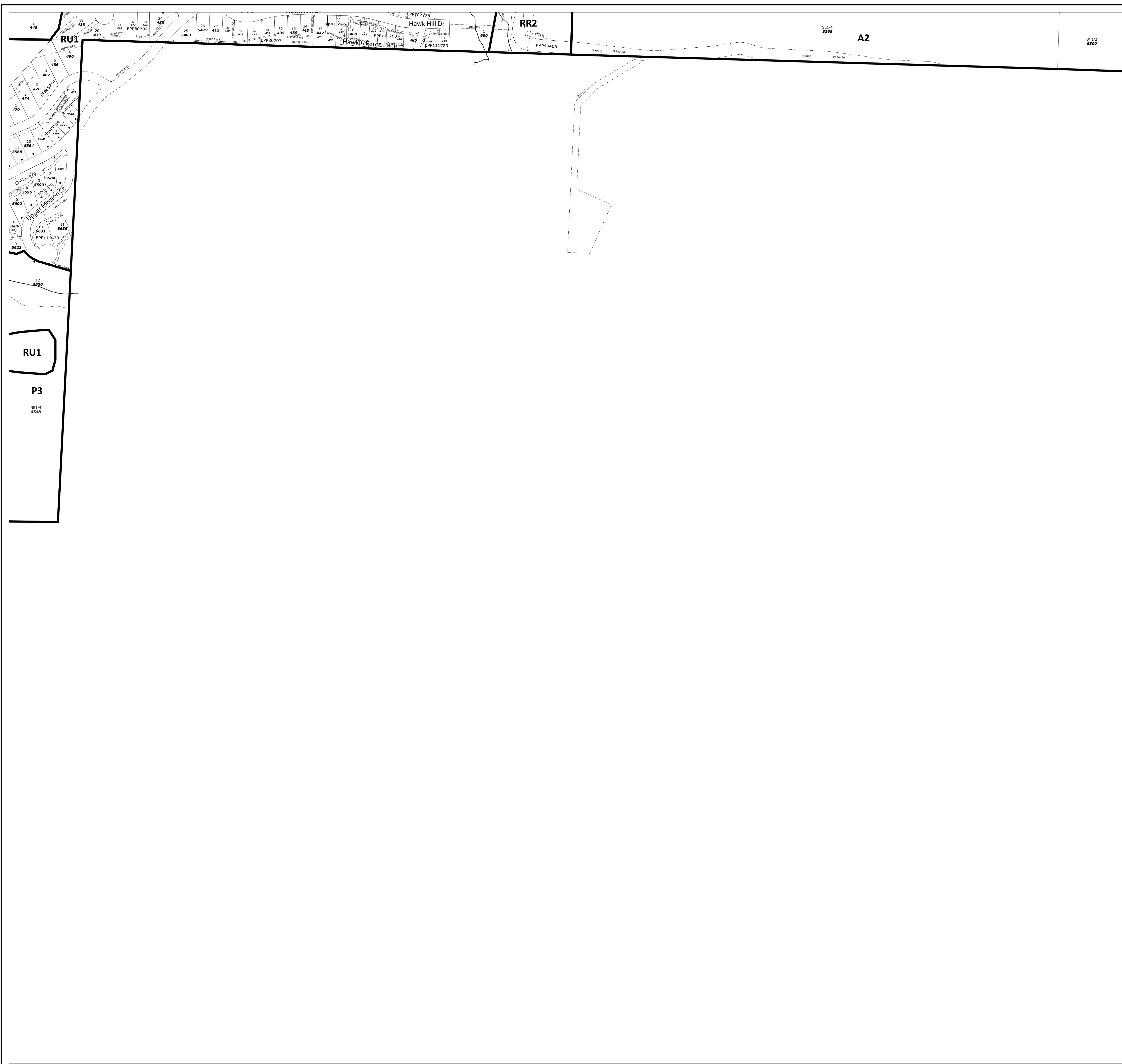


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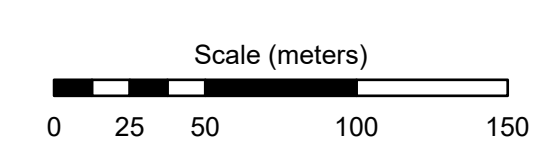
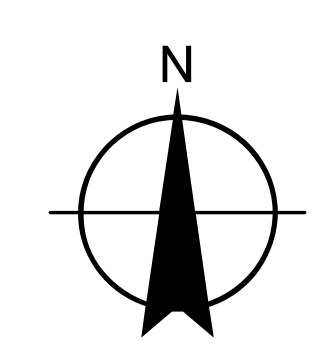
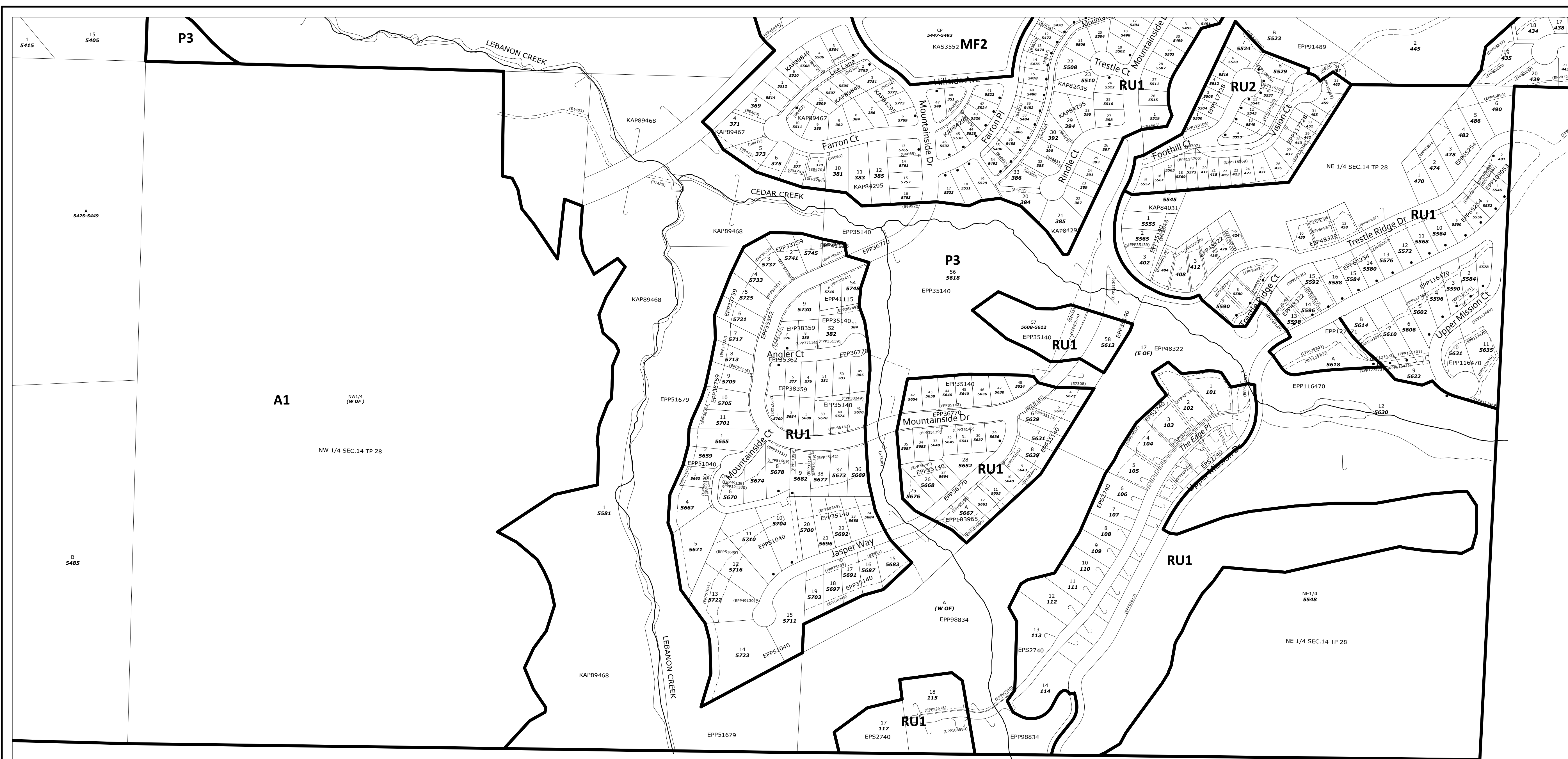
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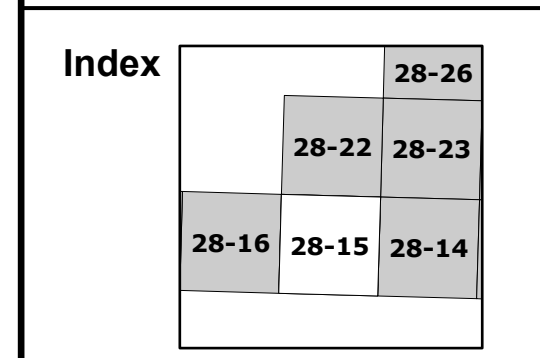


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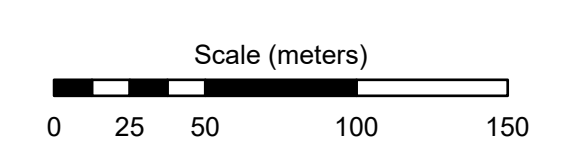
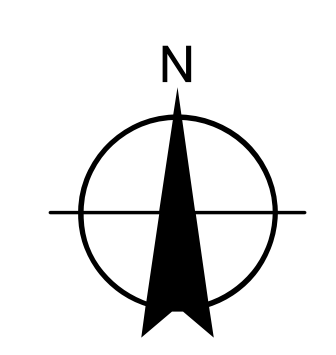
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• Indicates Address Fronting Street

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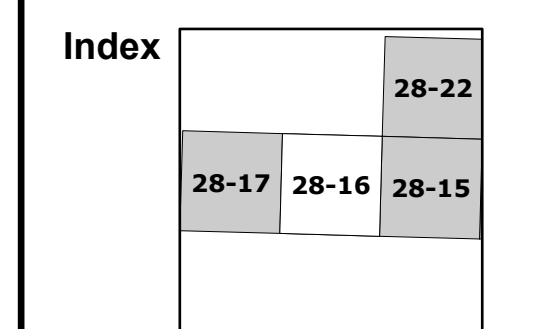
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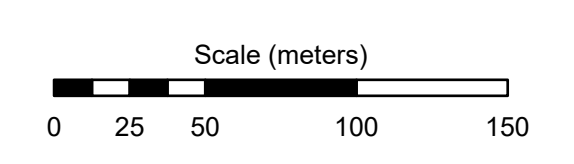
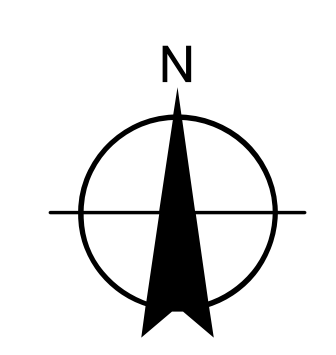
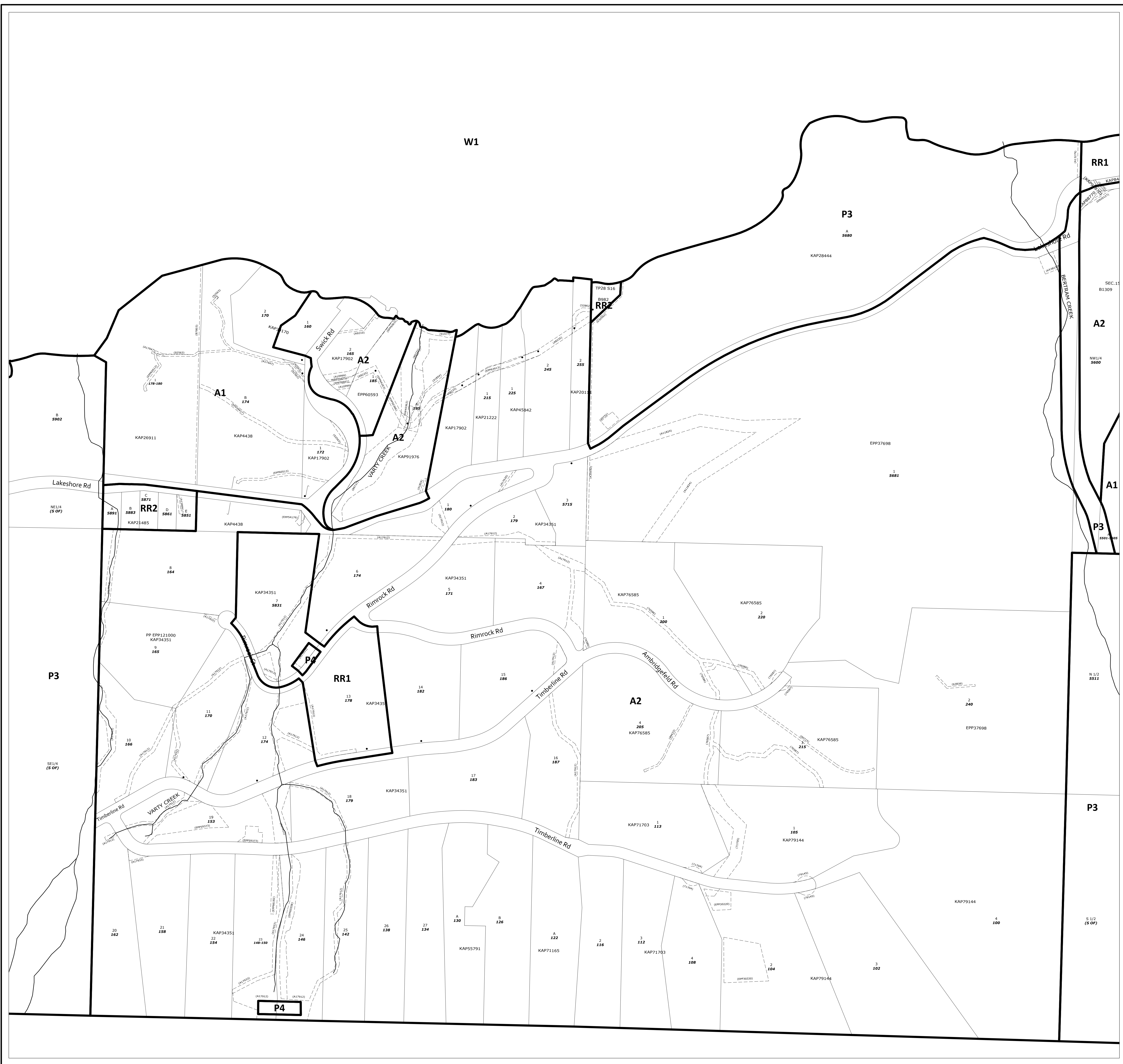
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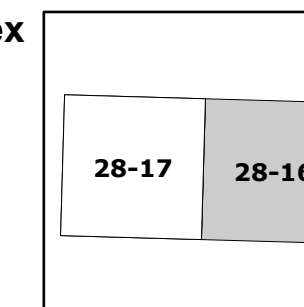


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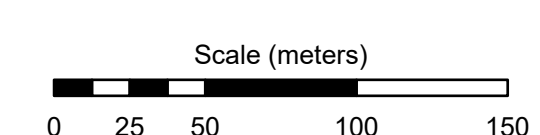
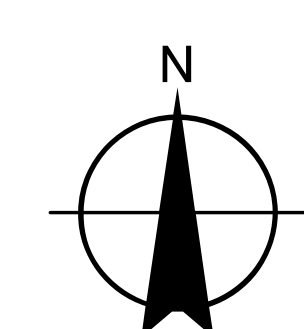
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RR2

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A2

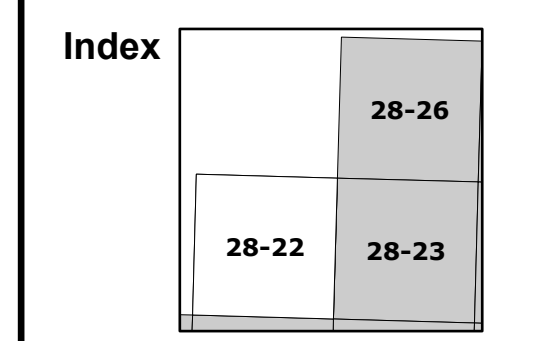


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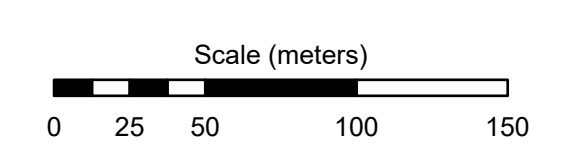
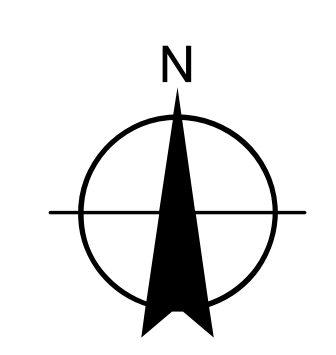
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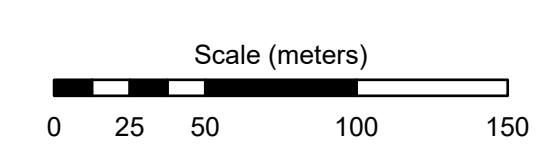
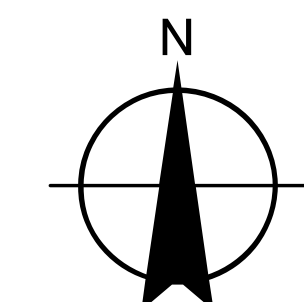
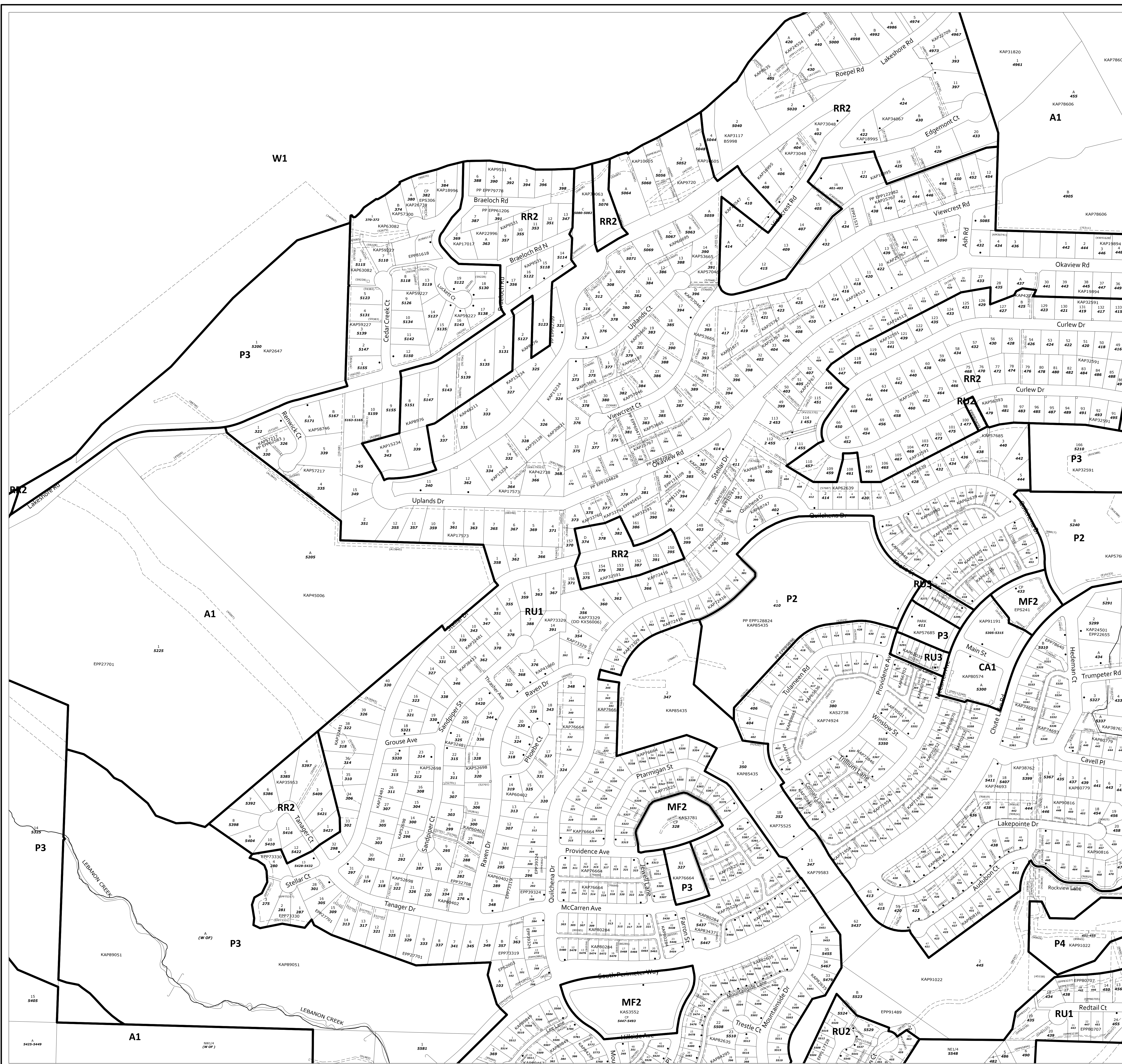
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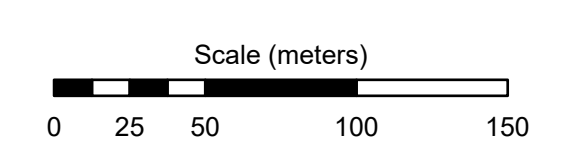
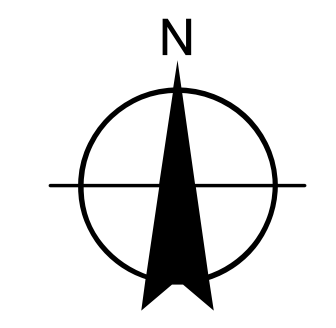
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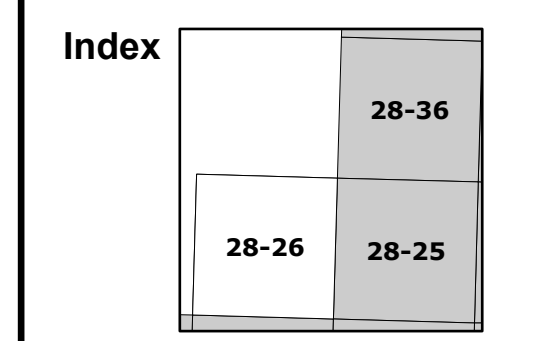


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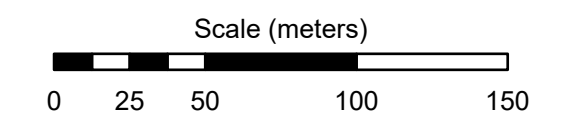
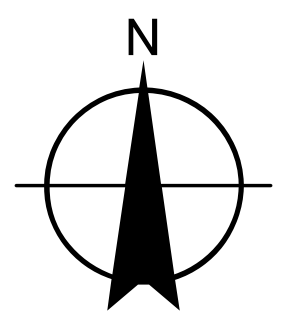
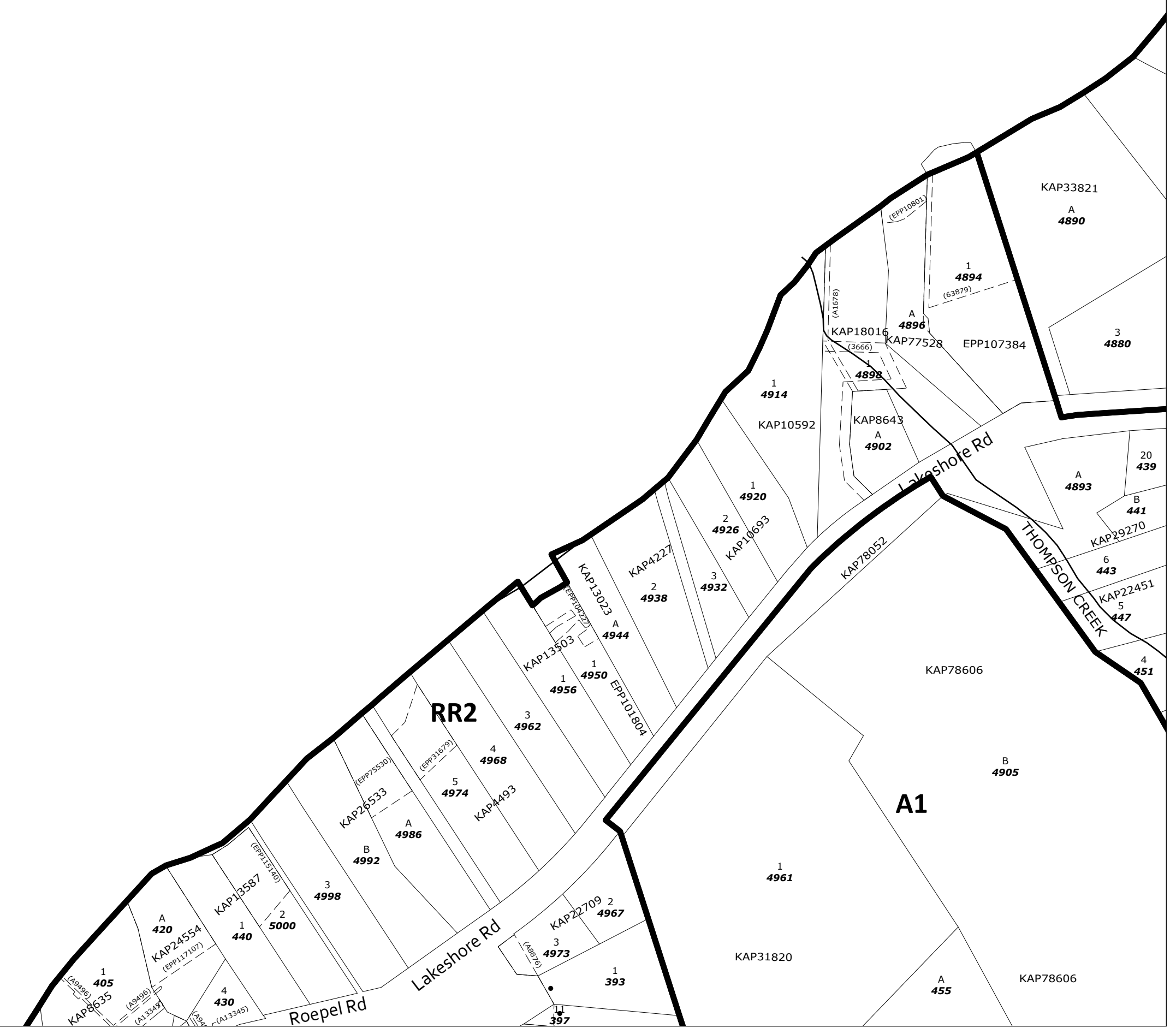
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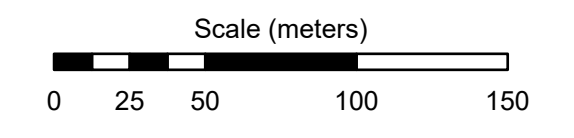
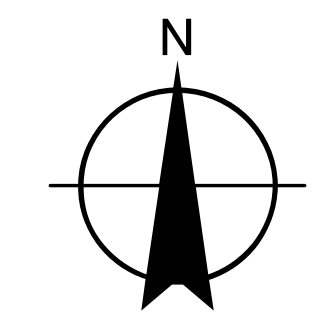
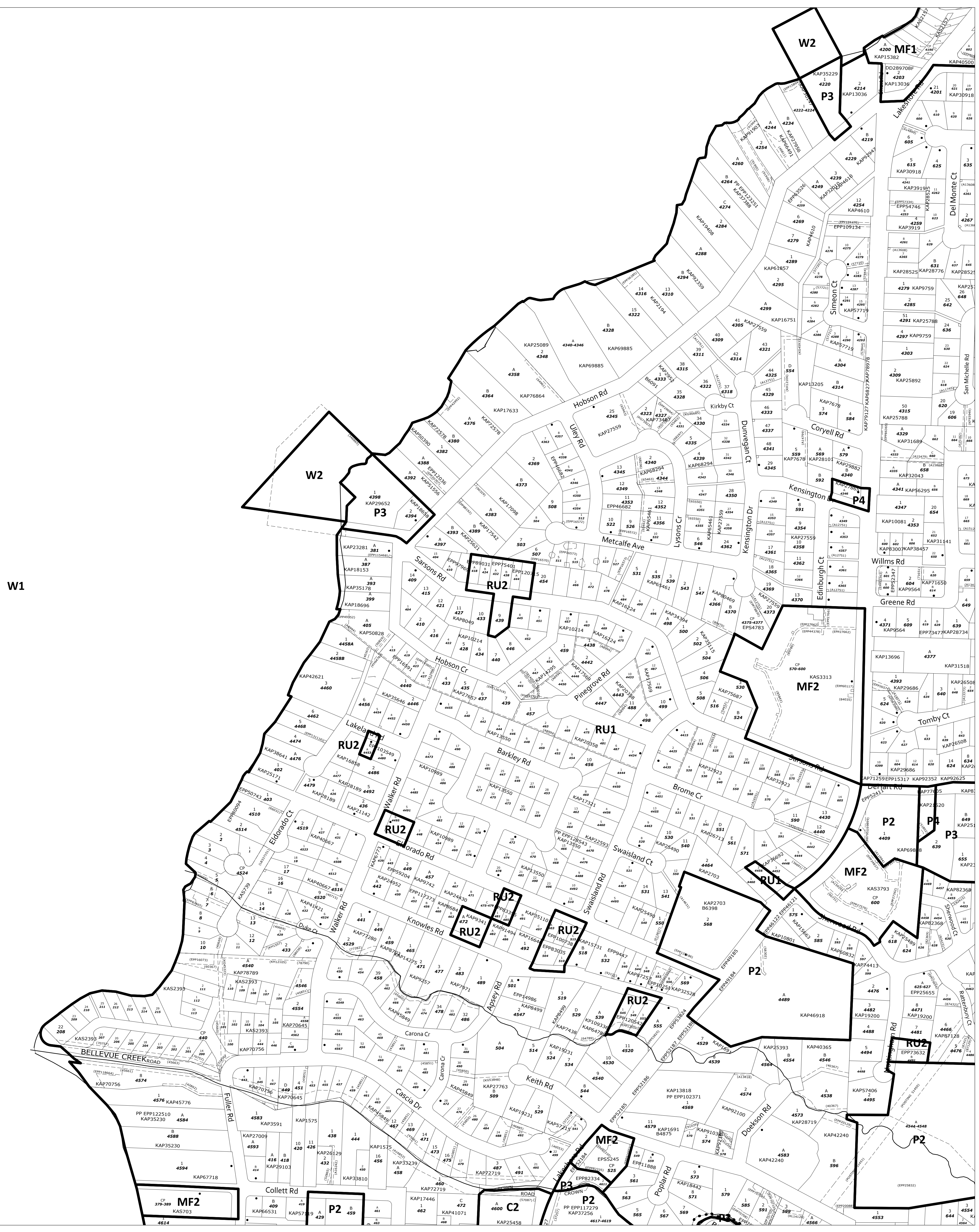
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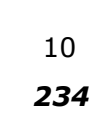

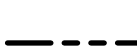


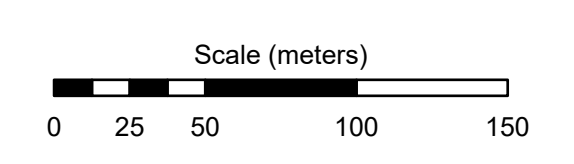
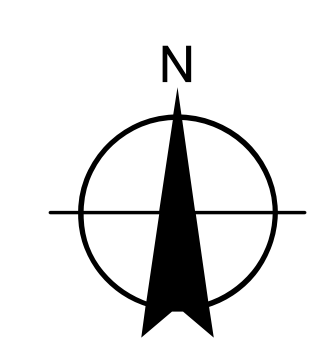
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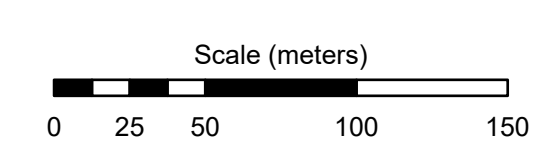
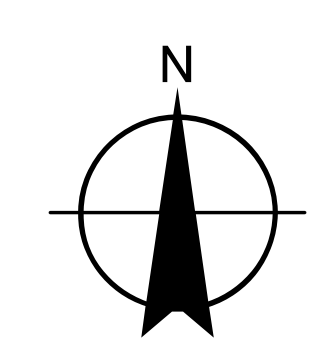
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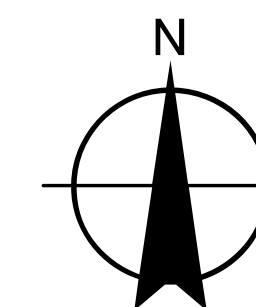
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Scale (meters)
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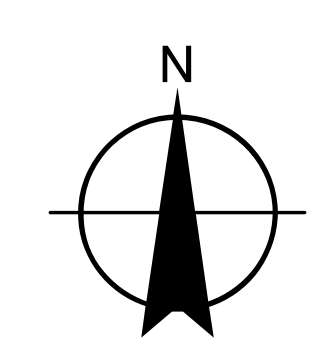
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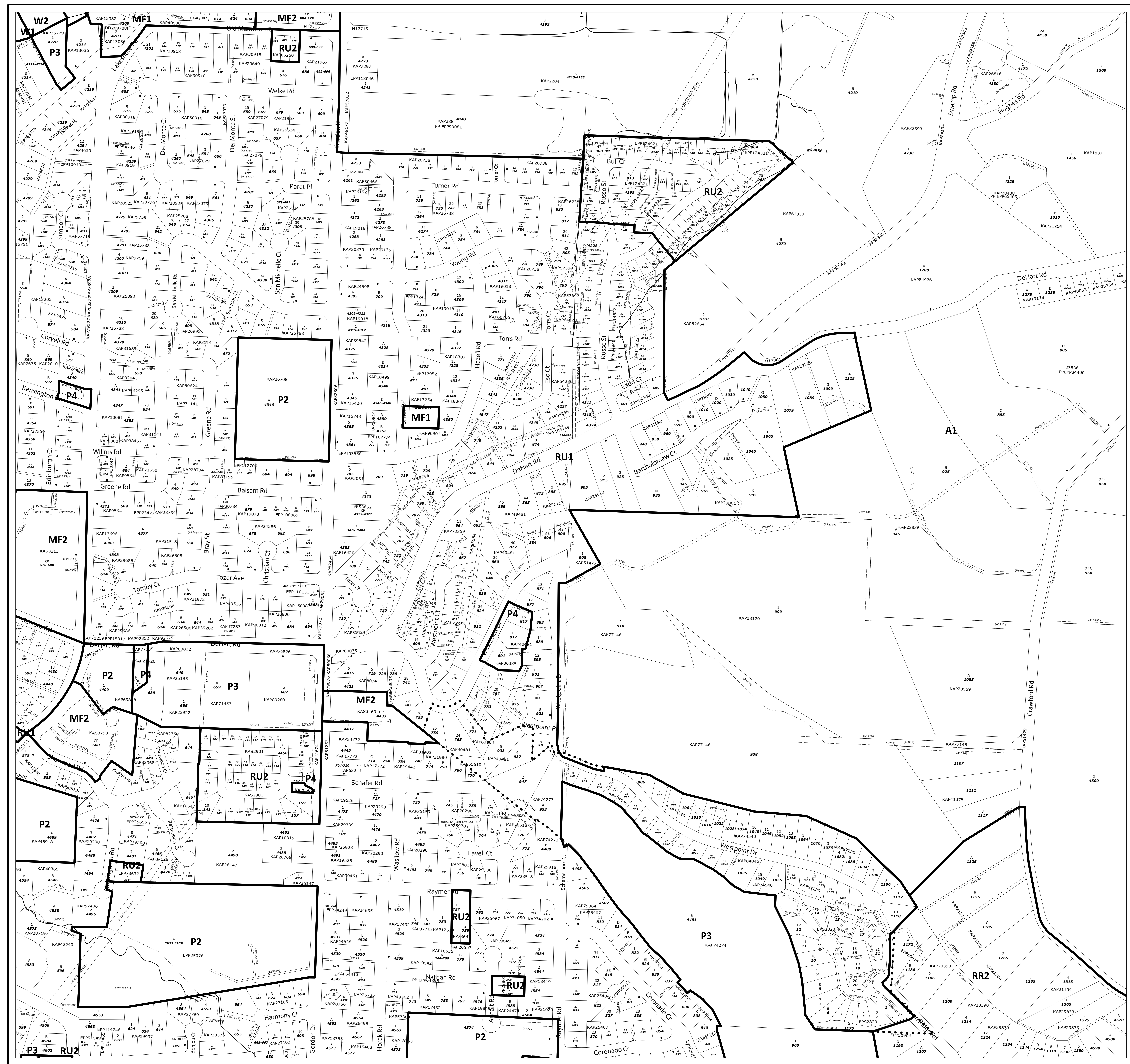
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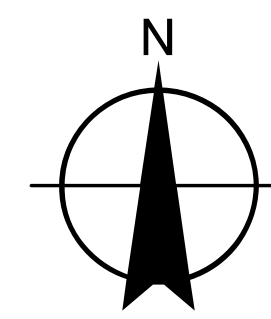
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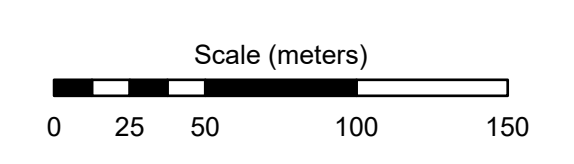
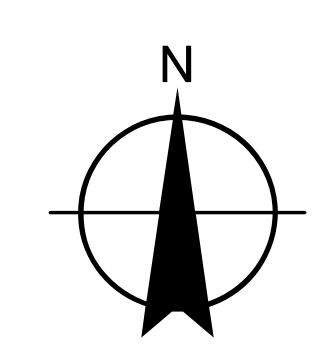
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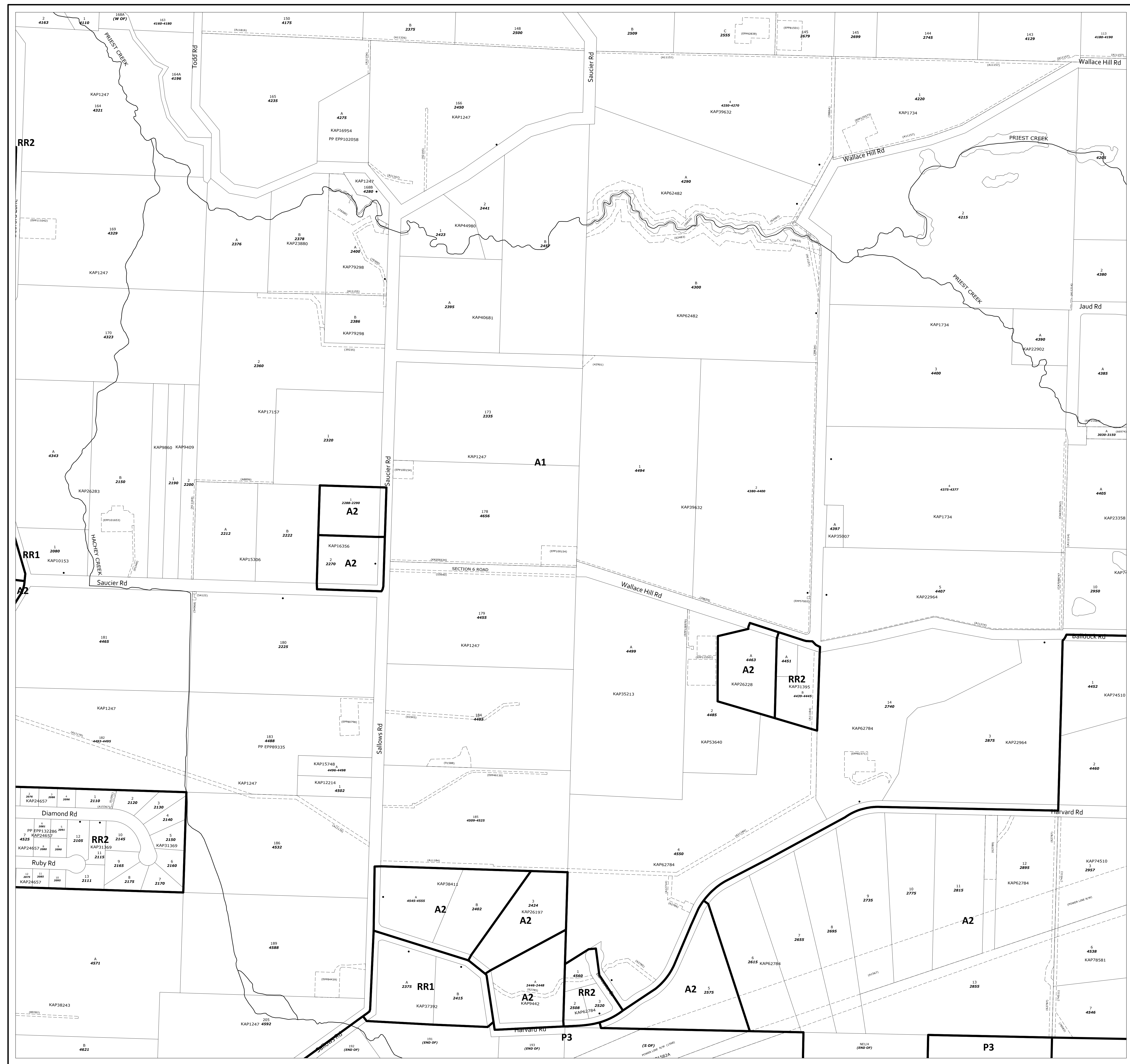


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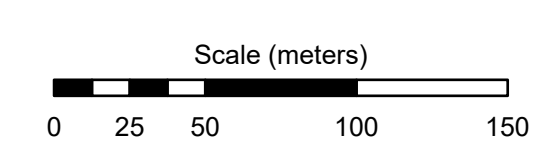
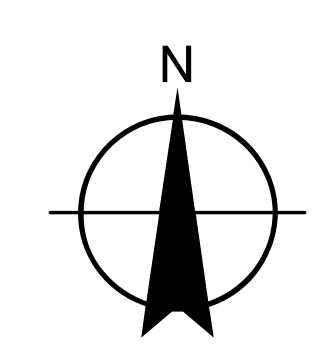
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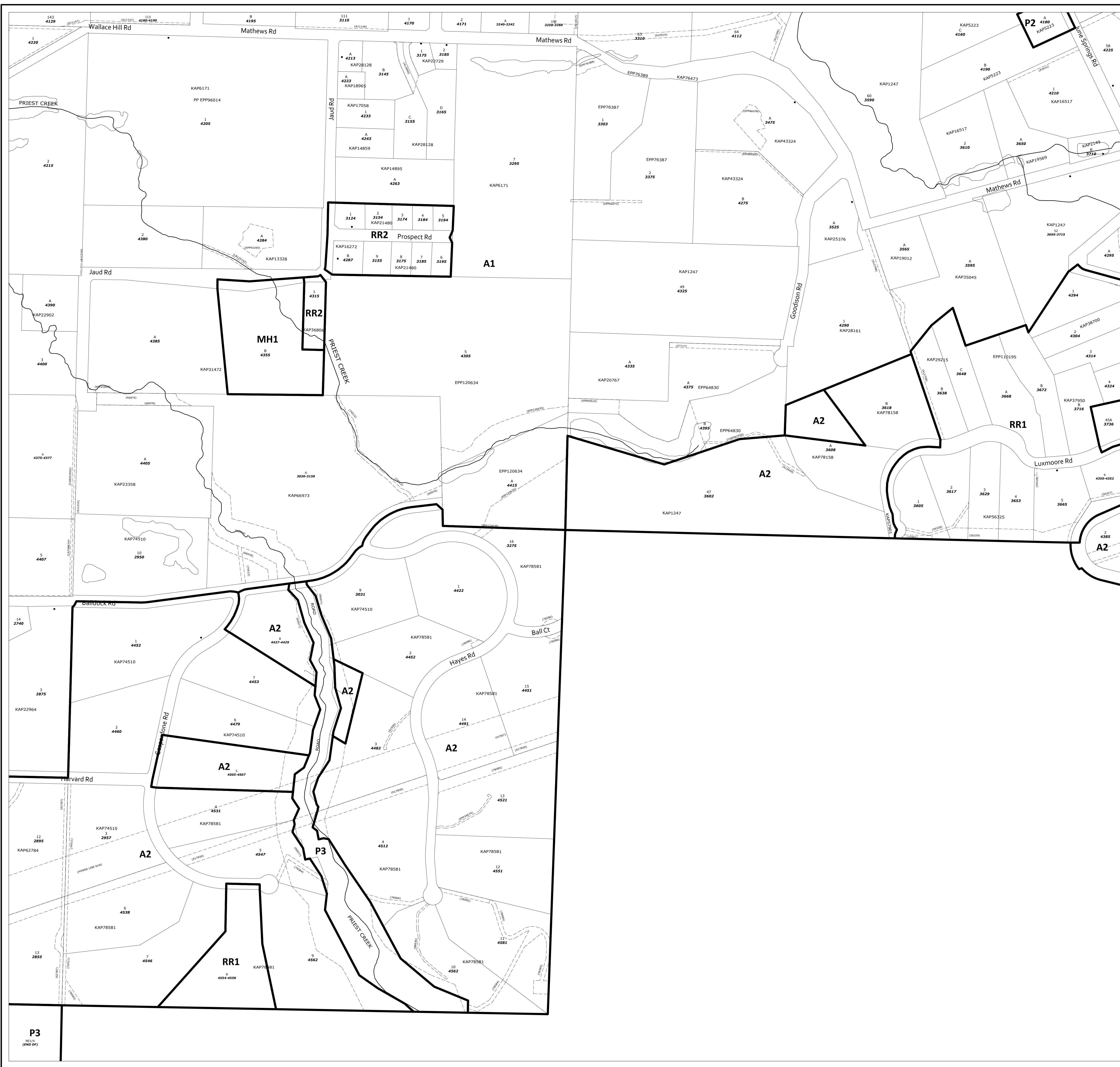


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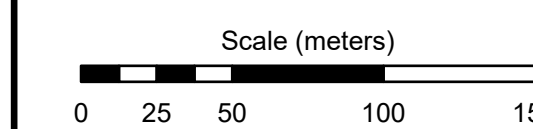
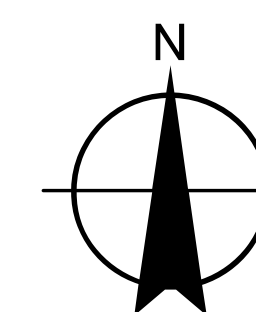
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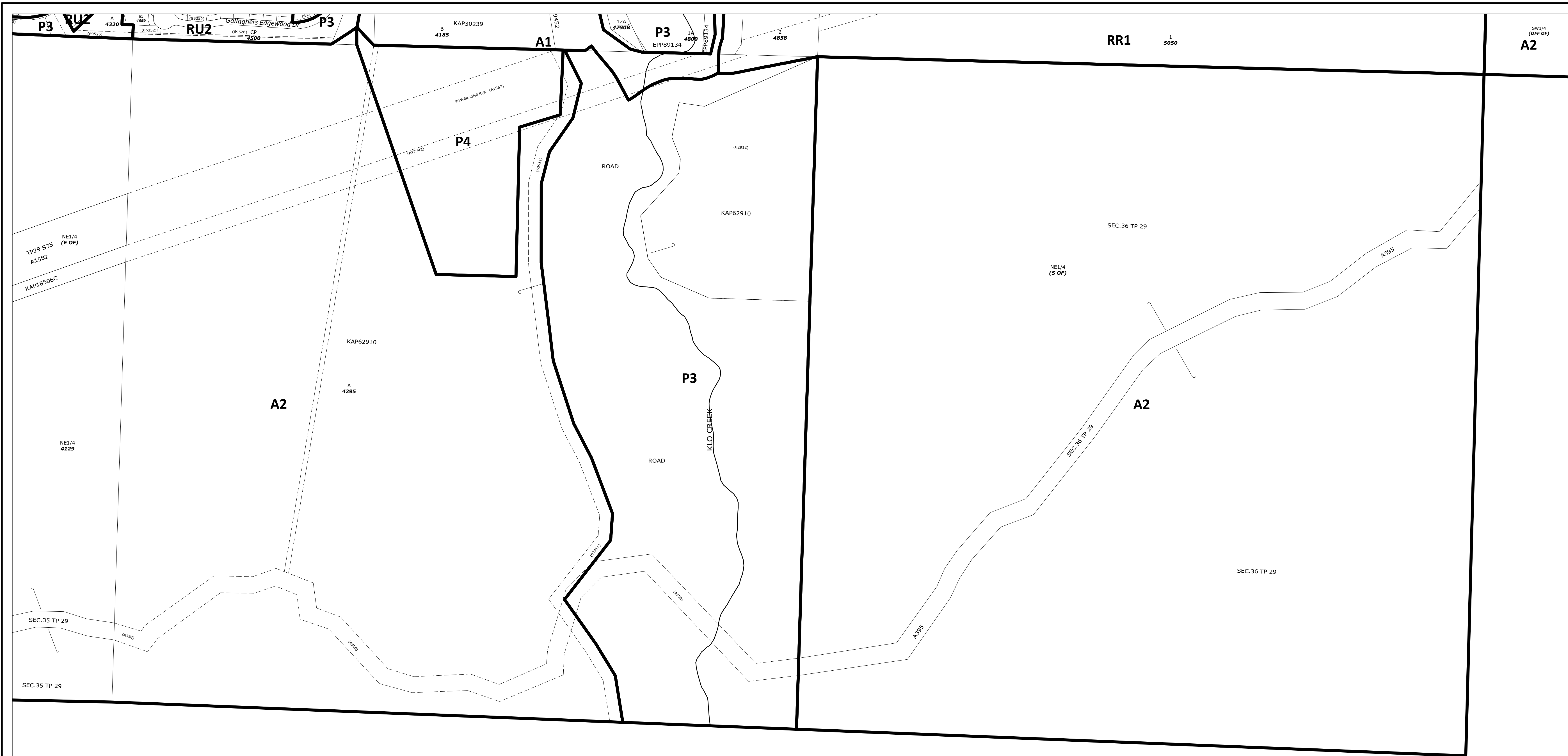
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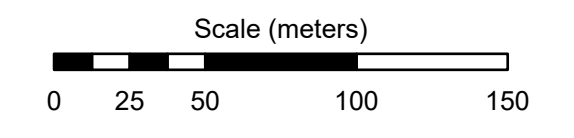
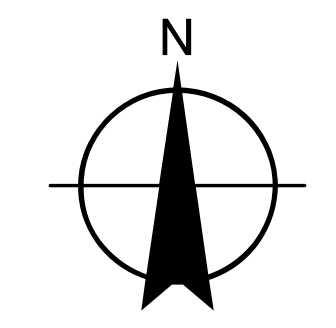
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CITY OF KELOWNA

BYLAW NO. 12621

Official Community Plan Amendment No. OCP24-0001 Pandosy and Rutland Building Heights Maps

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 "Kelowna 2040 – Official Community Plan Bylaw No. 12300", **Schedule "A", Chapter 4 – Urban Centres** be amended by deleting **Map 4.5 Pandosy Building Heights** in its entirety and replacing it with Map 4.5 as outlined in **Schedule A** attached to and forming part of this bylaw;
2. AND THAT "Kelowna 2040 – Official Community Plan Bylaw No. 12300", **Schedule "A", Chapter 4 – Urban Centres** be amended by deleting **Map 4.7 Rutland Building Heights** in its entirety and replacing it with Map 4.7 as outlined in **Schedule B** attached to and forming part of this bylaw.
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 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

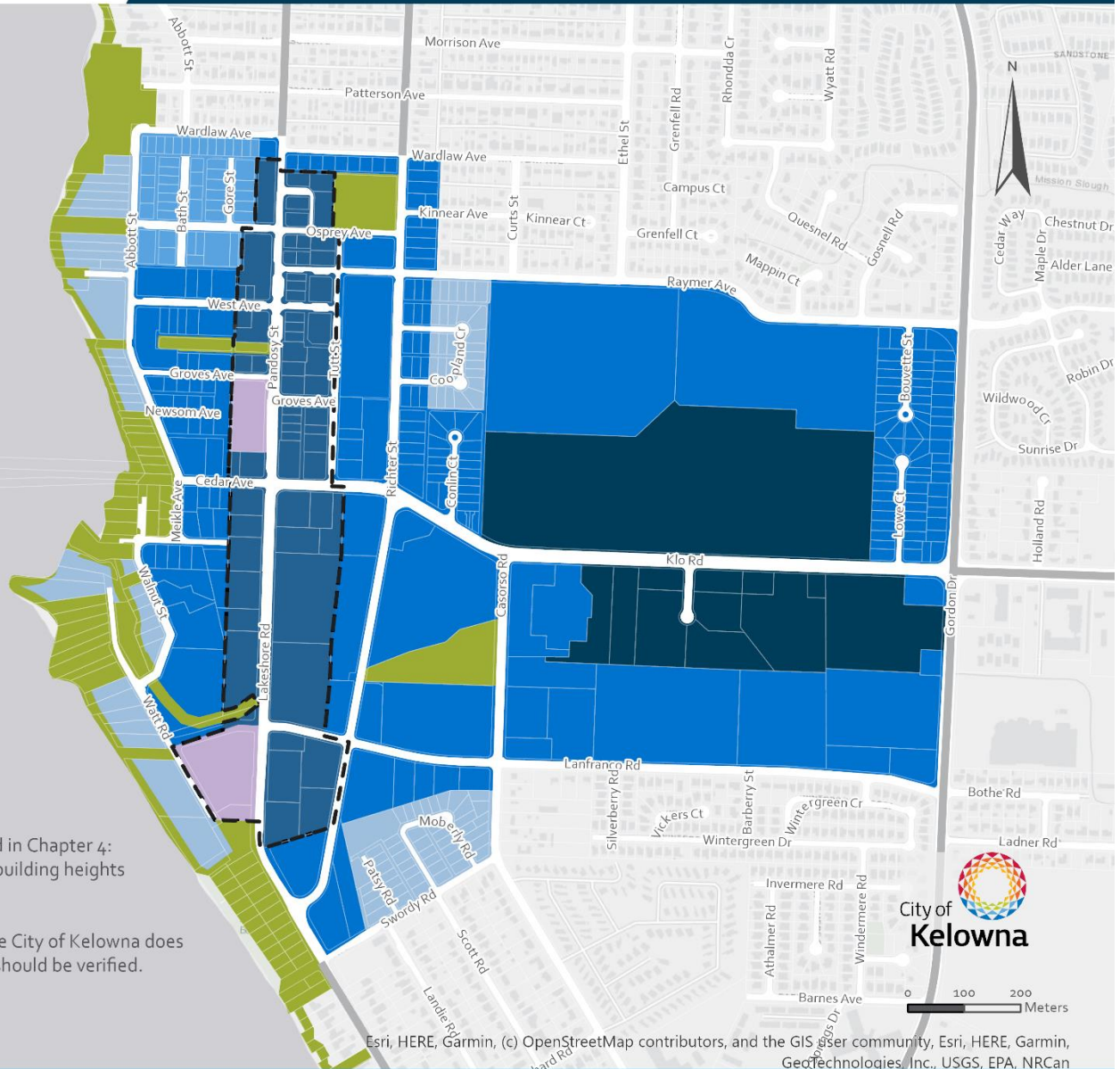
City Clerk

Schedule A

2040 Official Community Plan

Map 4.5 Pandosy Building Heights

- 14 storeys
- 12 storeys
- 8 storeys
- 6 storeys
- 4 storeys
- 3 storeys
- Pandosy Lakeshore Corridor
- Park



This map illustrates policy guidance outlined in Chapter 4: Urban Centres. More detailed guidance for building heights can be found under Objective 4.6.

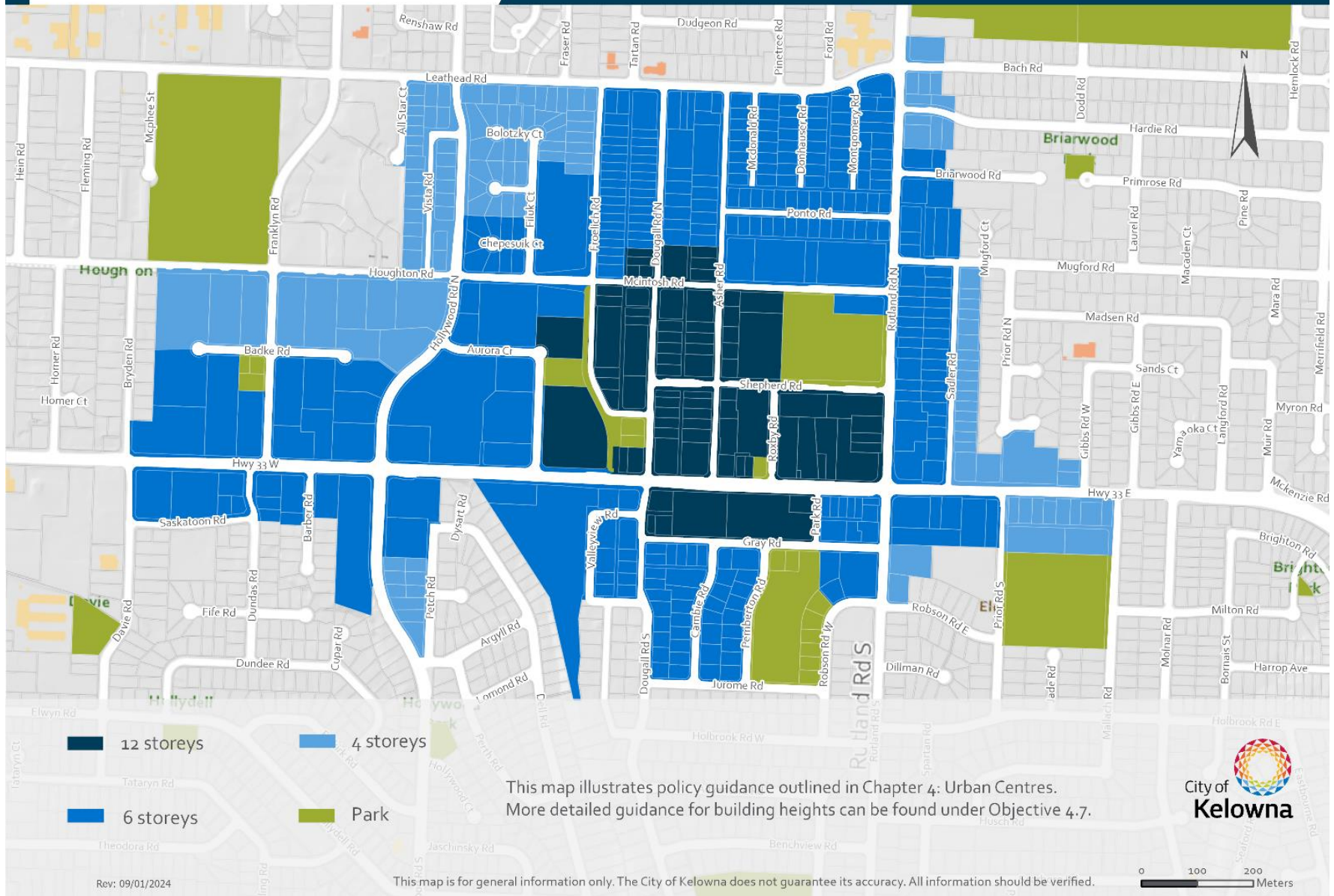
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

Rev. Dec 18th, 2021

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, NRCAN



0 100 200 Meters





City of Kelowna

**TA24-0001, Z24-0001, OCP24-0001
Text Amendment, Zoning Bylaw, &
OCP Amendments**

Part 1 Feb 5, 2024

Purpose

- ▶ The purpose of these text and mapping amendments are to introduce and review the implementation of provincial legislation regarding Small-Scale Multi-Unit Housing and Transit Oriented Areas

Background

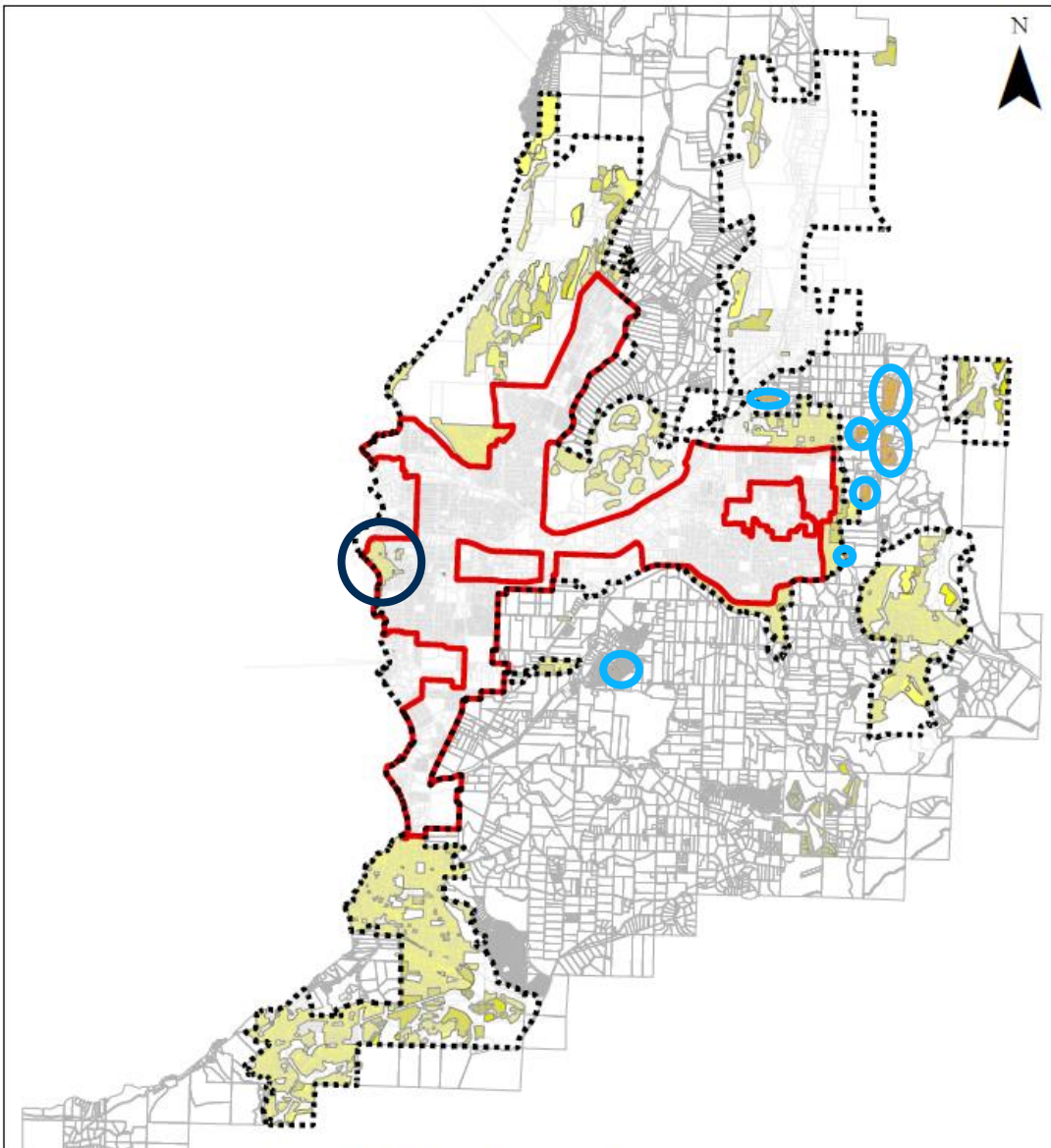
- ▶ Small-Scale, Multi-Unit Housing Legislation (SSMUH)
- ▶ Transit Oriented Development Areas Legislation (TOD Areas)
- ▶ Municipal zoning amendments required to comply and implement (SSMUH and TOD)
 - ▶ Additional implementation items to come:
 - ▶ Official Community Plan Updates
 - ▶ Engineering
 - ▶ Design Guidelines
 - ▶ Procedures Bylaw

Development Planning Approach

	SUBURBAN AREAS	AGRICULTURAL & RURAL ZONES	CORE AREA	TRANSIT ORIENTED AREAS
OCP Amendments	n/a	n/a	n/a	Urban Centre Building Height maps
Zoning Bylaw (incl Landscape and Parking Regs)	Allow up to 4 units per lot on the Suburban Residential zones: RU1, RU2, RU3, RU5. RU4 zone deleted.	Allow secondary suites <i>and</i> carriage houses on lots greater than 10,000 m ² .	Allow up to 6 units per lot subject to limitations. * Rezone RU1, RU2, RU3, RU4, RU5 lots to the MF1 zone Keep Suburban Residential zoning (e.g. RU1 & RU2 zones) for Heritage Conservation Area	Allow up to 12 storeys within 200 metres of a transit exchange. Allow up to 6 storeys within 400 metres of a transit exchange. Provide residential parking exemptions within 400 metres of a transit exchange. Rezone Hospital Exchange to restrict entire area to 6 storeys to maintain KGH's emergency operations.
Development Permits	Required for 3 or more units			
* Due to site restrictions, including lot dimensions, parking requirements, garbage/recycling collection areas, and landscaping requirements often the maximum achievable density will be four dwelling units.				

Part 1- February 5th

Part 2- February 26th



Suburban Areas

- Core Area Boundary
- Permanent Growth Boundary
- RU1 Zone
- RU2 Zone
- RU3 Zone
- RU5 Zone
- From RU1 or RU4 Zone to RR2 Zone
- Legal Parcels

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



Suburban areas allowing 4 units per lot approx. 13,400 lots

Suburban Areas

- ▶ Suburban and Development Regulations remain the same for Suburban Residential zones
- ▶ A Form & Character Development Permit required for landscaping and site layout review when a lot contains 3 or 4 dwelling units.
- ▶ Parking
 - ▶ Province identifies municipalities to eliminate parking requirements
 - ▶ Due to snow community, recommend 1.25 stalls per dwelling unit required
 - ▶ 1 dwelling unit = 1 parking stall required
 - ▶ 2 dwelling units = 3 parking stall required
 - ▶ 3 dwelling units = 4 parking stall required
 - ▶ 4 dwelling units = 5 parking stall required

Suburban Areas

- ▶ New Minimum Riparian Management Area (RMA) regulation
 - ▶ Any lot with three or more dwelling units abutting a watercourse or riparian area must have the minimum RMA dedicated to the City (width identified in OCP)
 - ▶ If lot is abutting a RMA and a trail (identified in Map 10.1 of the OCP) then 5 additional metres dedicated to the City

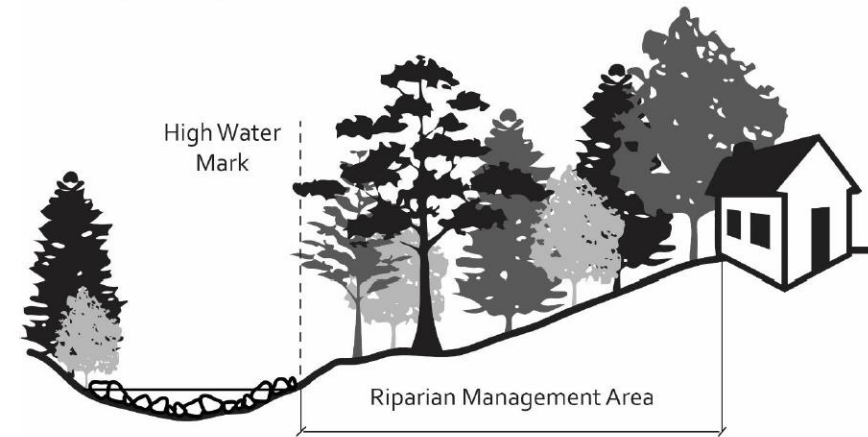
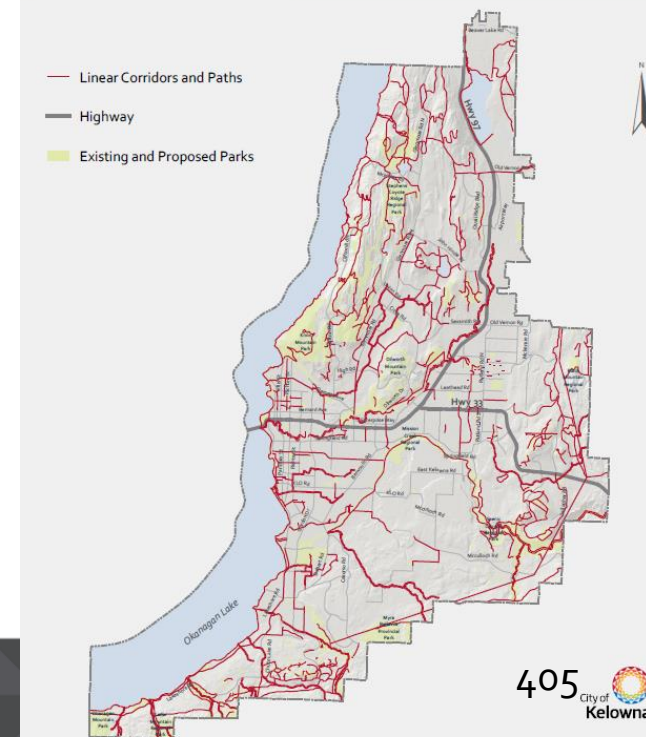


Figure 21.1: The Riparian Management Area.
Source: Adapted from: Ministry of Forests, Lands and Natural Resource Operations,



Agriculture and Rural Residential Zones

- ▶ Summer 2023 bylaw passed to allow a secondary suite and a carriage house in the A1 zone.
- ▶ Recommend A2, RR1, and RR2 be allowed a secondary suite and carriage house if the lot is at least 10,000 m²
 - ▶ Impacts approx. 2,675 lots
- ▶ 2 Parking spaces per dwelling unit required
 - ▶ Except suites and carriage houses require 1 parking space per dwelling unit

Definition Updates

- ▶ Boarding or Lodging House
 - ▶ Update definition to apply to any ground-oriented dwelling unit.
- ▶ Secondary Suite
 - ▶ Update definition to apply to any ground-oriented housing form and relocate clause that secondary suites must be serviced with community water within the definition.
- ▶ Bed & Breakfast (B&B)
 - ▶ Confirm B&B's only to operate within Single Detached Dwelling
 - ▶ Licensed operator must reside onsite
 - ▶ Short-term rental accommodations not permitted in combination with B&B's
- ▶ Replace the term Bachelor Unit with Studio Unit

Staff Recommendation

- ▶ Staff recommend bylaws proceed to first reading for TA22-0014, Z24-0001, & OCP24-0001



Conclusion of Staff Remarks



City of Kelowna

**TA24-0001, Z24-0001, OCP24-0001
Text Amendment, Zoning Bylaw, &
OCP Amendments**

Part 2 Feb 12, 2024

Purpose

- ▶ The purpose of these text and mapping amendments are to introduce and review the implementation of provincial legislation regarding Small-Scale Multi-Unit Housing and Transit Oriented Areas

Background

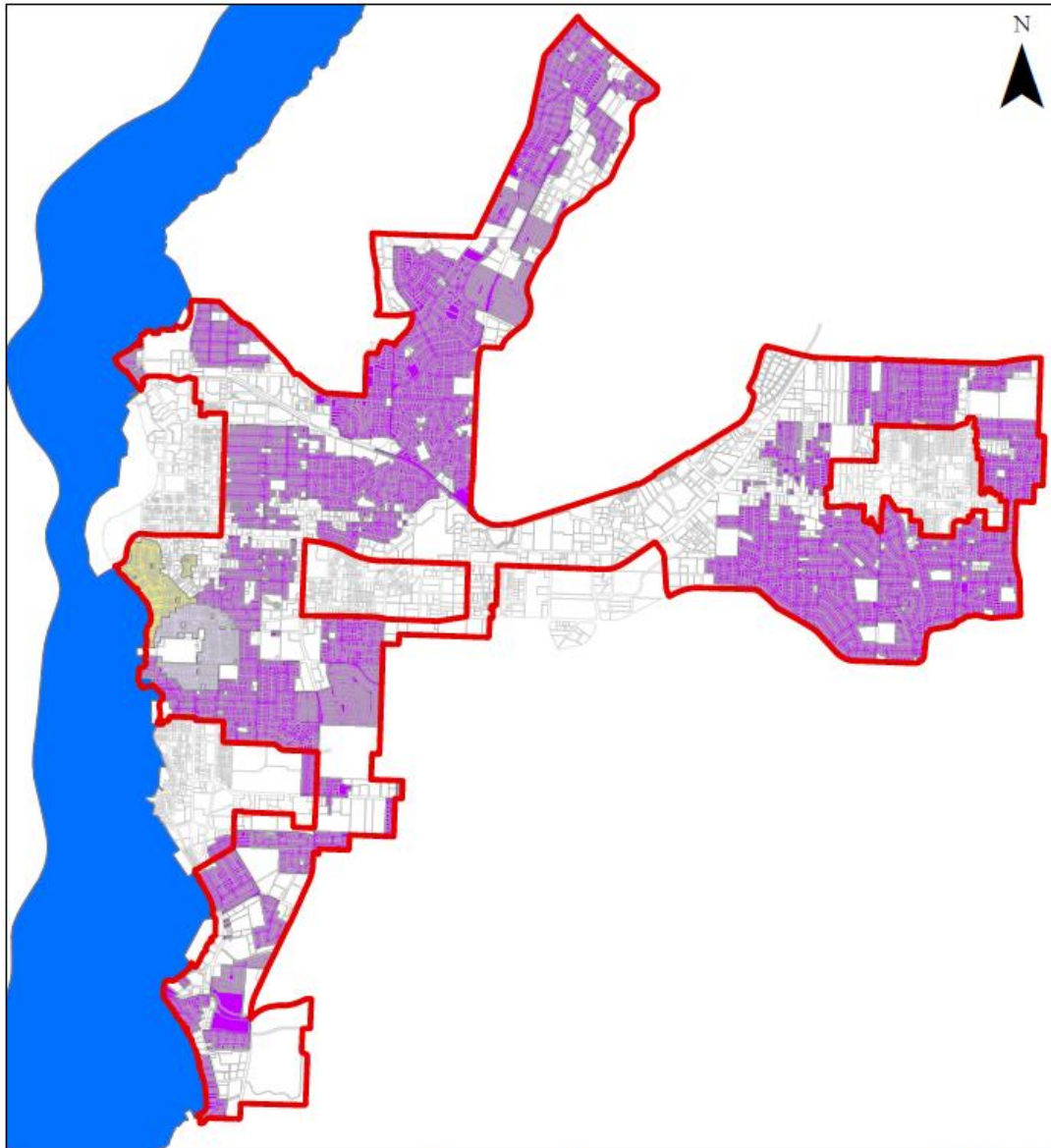
- ▶ Suburban Areas reviewed in Part 1 on Feb 5th
- ▶ Small-Scale, Multi-Unit Housing Legislation (SSMUH)
- ▶ Transit Oriented Development Areas Legislation (TOD Areas)

Development Planning Approach

	SUBURBAN AREAS	AGRICULTURAL & RURAL ZONES	CORE AREA	TRANSIT ORIENTED AREAS
OCP Amendments	n/a	n/a	n/a	Urban Centre Building Height maps
Zoning Bylaw (incl Landscape and Parking Regs)	<p>Allow up to 4 units per lot on the Suburban Residential zones: RU1, RU2, RU3, RU5.</p> <p>RU4 zone deleted.</p>	<p>Allow secondary suites <i>and</i> carriage houses on lots greater than 10,000 m².</p>	<p>Allow up to 6 units per lot subject to limitations. *</p> <p>Rezone RU1, RU2, RU3, RU4, RU5 lots to the MF1 zone</p> <p>Keep Suburban Residential zoning (e.g. RU1 & RU2 zones) for Heritage Conservation Area</p>	<p>Allow up to 12 storeys within 200 metres of a transit exchange.</p> <p>Allow up to 6 storeys within 400 metres of a transit exchange.</p> <p>Provide residential parking exemptions within 400 metres of a transit exchange.</p> <p>Rezone Hospital Exchange to restrict entire area to 6 storeys to maintain KGH's emergency operations.</p>
Development Permits	Required for 3 or more units			
* Due to site restrictions, including lot dimensions, parking requirements, garbage/recycling collection areas, and landscaping requirements often the maximum achievable density will be four dwelling units.				

Part 1- February 5th

Part 2- February 26th



Core Area

of Lots =
11,100

- Core Area Boundary
- Legal Parcels
- MF1
- MF4
- RU1
- RU2
- RU3
- W1

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



0 2.5 5 10 15 20 25 Metres

Rev. Monday, January 29, 2024

Core Area – MF₁ Infill Housing Zone

- ▶ 1 & 2 unit developments will continue with similar Single Family development regulations and a Development Permit will not be required
- ▶ A Form & Character Development Permit is required when a lot contains 3 or more dwelling units
- ▶ Parking
 - ▶ Province identifies municipalities to eliminate parking requirements
 - ▶ Due to snow community, recommend remain 1.0 stall per dwelling unit required
- ▶ Height
 - ▶ Increase to 3 storeys to comply with Provincial legislation but keep 3rd storey floor area limit relative to 2nd storey
- ▶ Waste and Recycling collection
 - ▶ Larger carts and new requirements for storage onsite

Core Area

- ▶ New Minimum Riparian Management Area (RMA) regulation
 - ▶ Any lot with three or more dwelling units abutting a watercourse or riparian area must have the minimum RMA dedicated to the City (width identified in OCP)
 - ▶ If lot is abutting a RMA and a trail (identified in Map 10.1 of the OCP) then 5 additional metres dedicated to the City

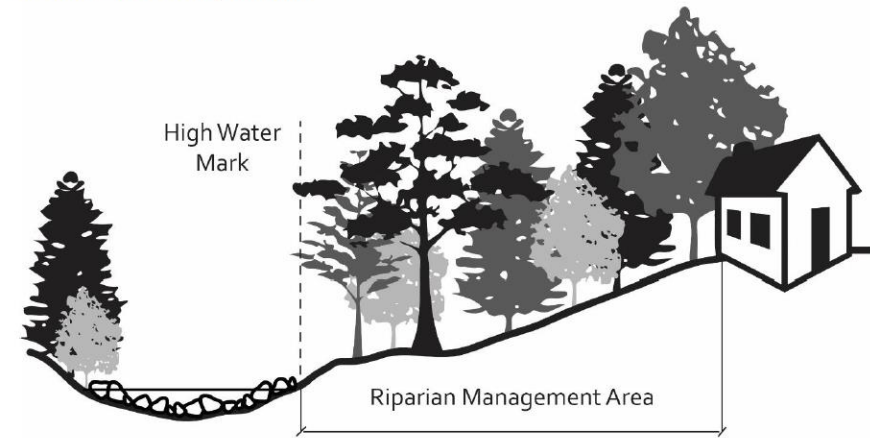
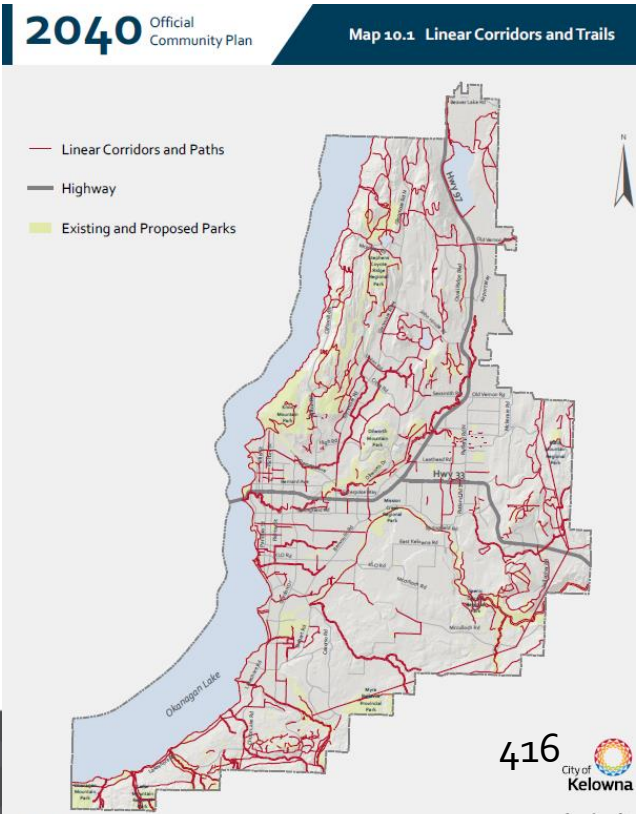
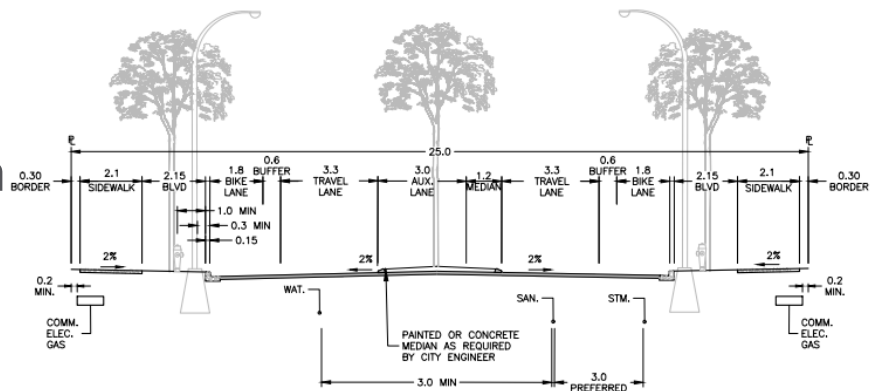


Figure 21.1: The Riparian Management Area.
Source: Adapted from: Ministry of Forests, Lands and Natural Resource Operations,



Core Area – Transportation Corridors

- ▶ Minimum density along Transit Supportive Corridors (identified in OCP) expands to all multi-family developments
- ▶ A new regulation for minimum roadway width to protect Transit Supportive Corridors, Major Arterial Roads, and Active Transportation Corridors
 - ▶ Lot dedication along these corridors would be necessary
 - ▶ Minimum width is described in Subdivision, Development, and Servicing Bylaw 7900



I.E Core Area Major Arterial (3 Lane)

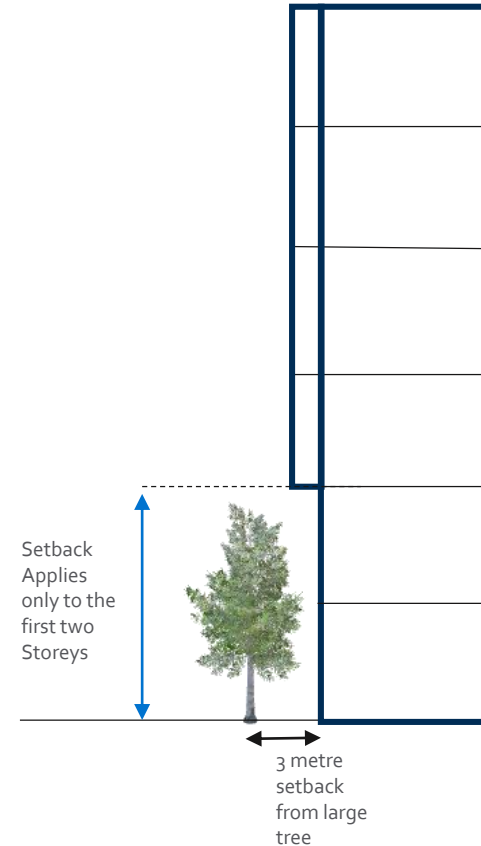
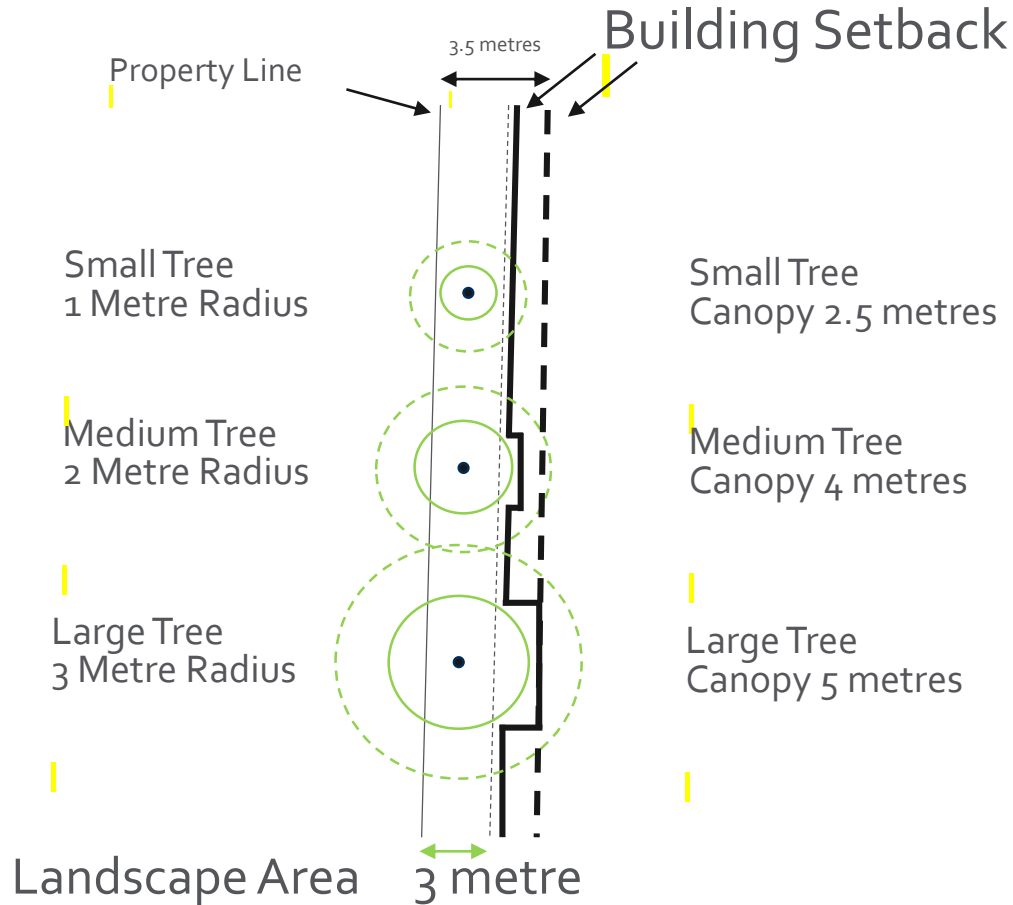
Landscape Section

- ▶ The proposed landscape amendments impacting all development include:
 - ▶ Growing medium area adjusted to exclude driveways and transformers
 - ▶ Growing volume per tree remains the same but reduced for paired or shared tree plantings
 - ▶ A setback from buildings, raised patios, and balconies to the on-site trees has been introduced for all multi-family developments
 - ▶ An underground setback has been introduced between tree and parkades / basements

Landscape Section

- ▶ Urban Centres:
 - ▶ Trees can be planted outside the front / flanking side yards if the boulevard contains a sidewalk and an irrigated landscape boulevard.
- ▶ All Multi-Family Developments:
 - ▶ Front / Flanking yard setback and landscape requirements have been reduced to 2 metres if the boulevard contains a sidewalk and an irrigated landscape boulevard.
- ▶ Infill Housing:
 - ▶ Front / Flanking landscape requirements can be eliminated when large trees are planted in an irrigated boulevard with soil cells and a sidewalk installed.
 - ▶ Trees can be planted outside the designated landscape areas if there is overhead powerline conflicts.

Landscape Section



Transit Oriented Areas

- ▶ Rutland Exchange
- ▶ Orchard Park Exchange
- ▶ Okanagan College Exchange
- ▶ Hospital Exchange

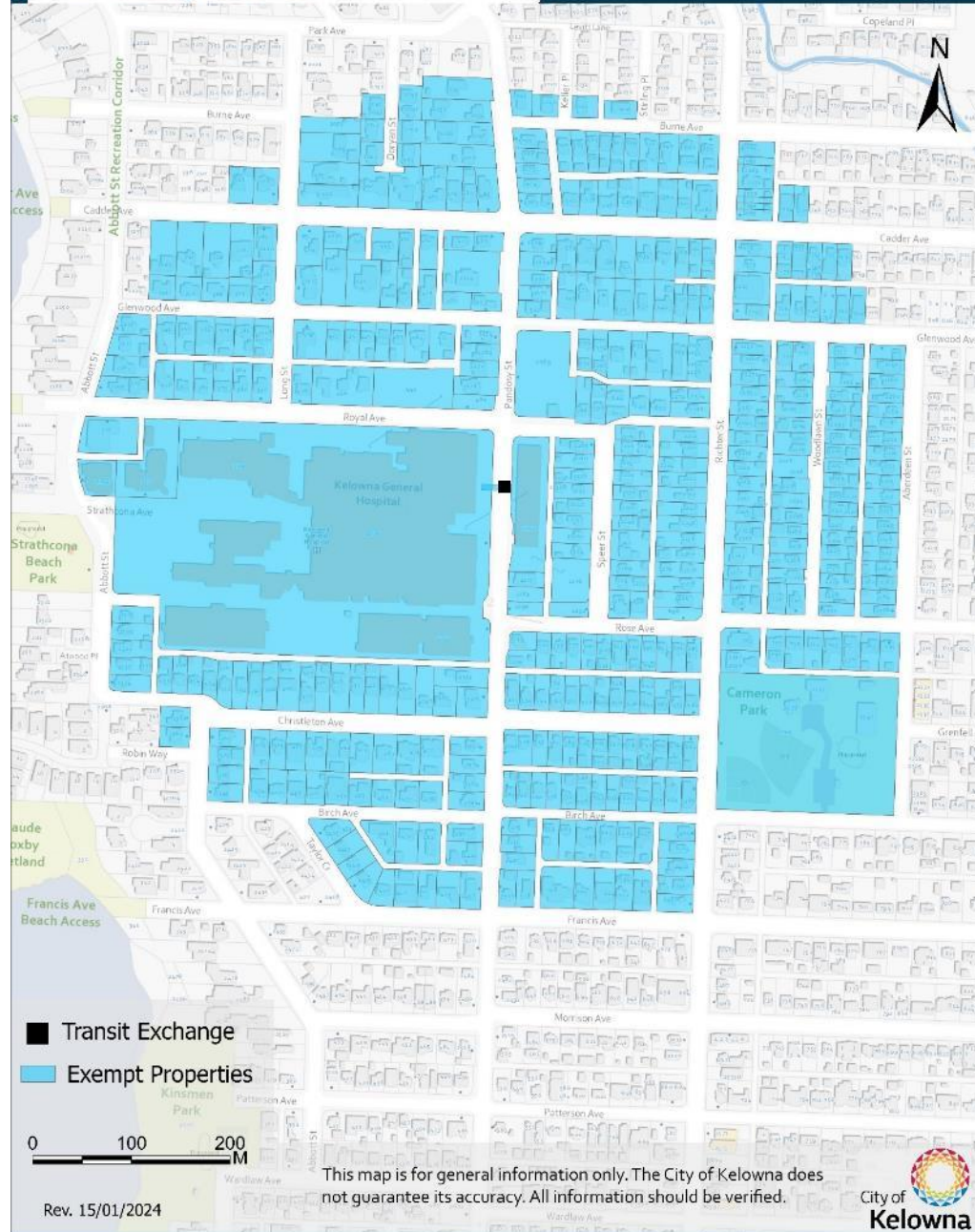
- ▶ 400 metre Radius
 - ▶ Residential Parking Cannot be Required (except Universal Accessibility)
 - ▶ Propose to increase bicycle parking to 1 space per unit within vehicle parking exemption area
 - ▶ Minimum Density of 2.5 Floor Area Ratio
 - ▶ Minimum Height of 6 storeys

- ▶ 200 metre Radius
 - ▶ Residential Parking Cannot be Required (except Universal Accessibility)
 - ▶ Propose to increase bicycle parking to 1 space per unit within vehicle parking exemption area
 - ▶ Minimum Density of 3.5 Floor Area Ratio
 - ▶ Minimum Height of 10 storeys
 - ▶ Hospital Exchange proposed to be left at 6 storeys because of KGH Heliport

Residential Parking Exemptions

Map 8.3.a

Hospital Exchange

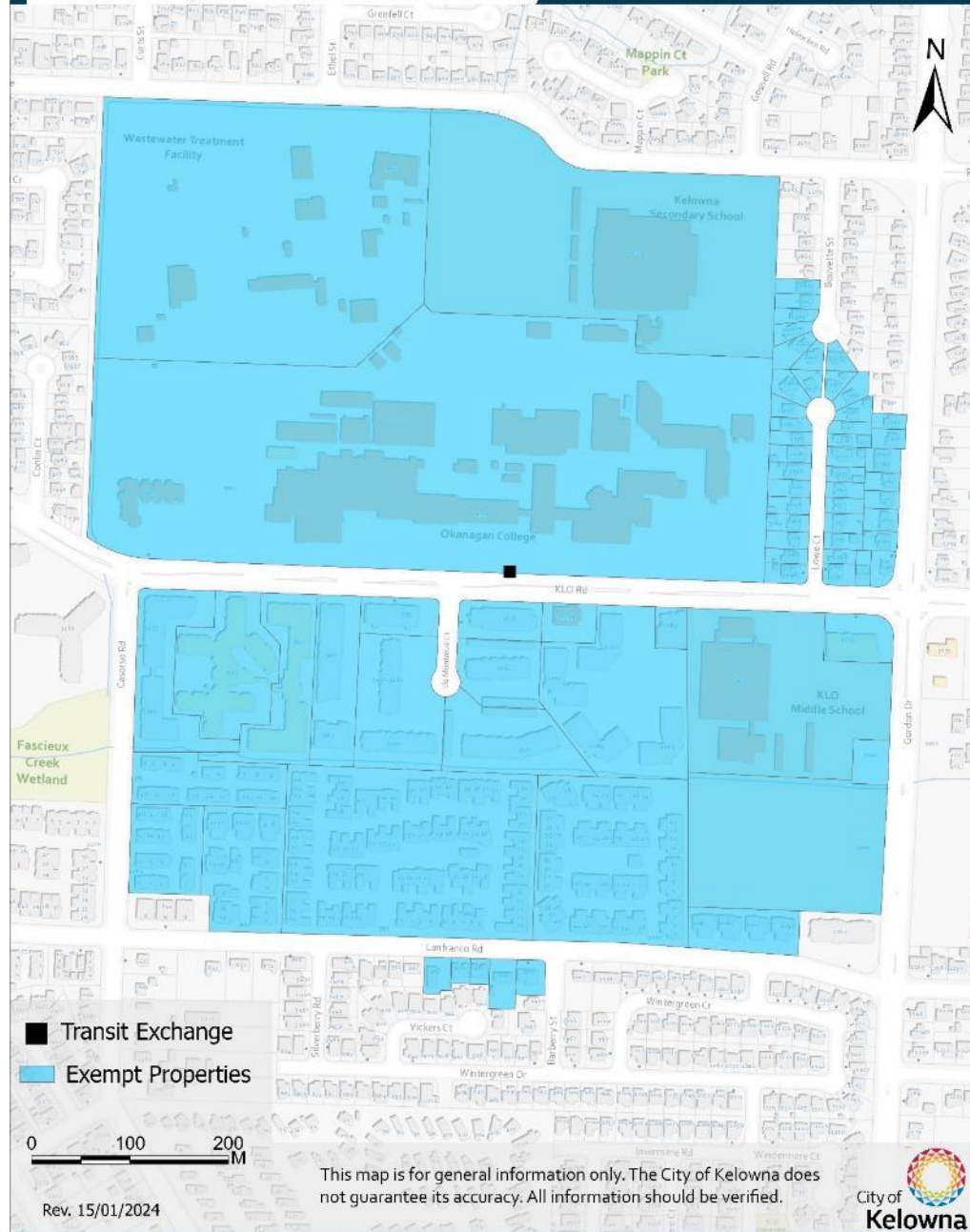


Applies to
427 lots

Residential Parking Exemptions

Map 8.3.b

Okanagan College Exchange



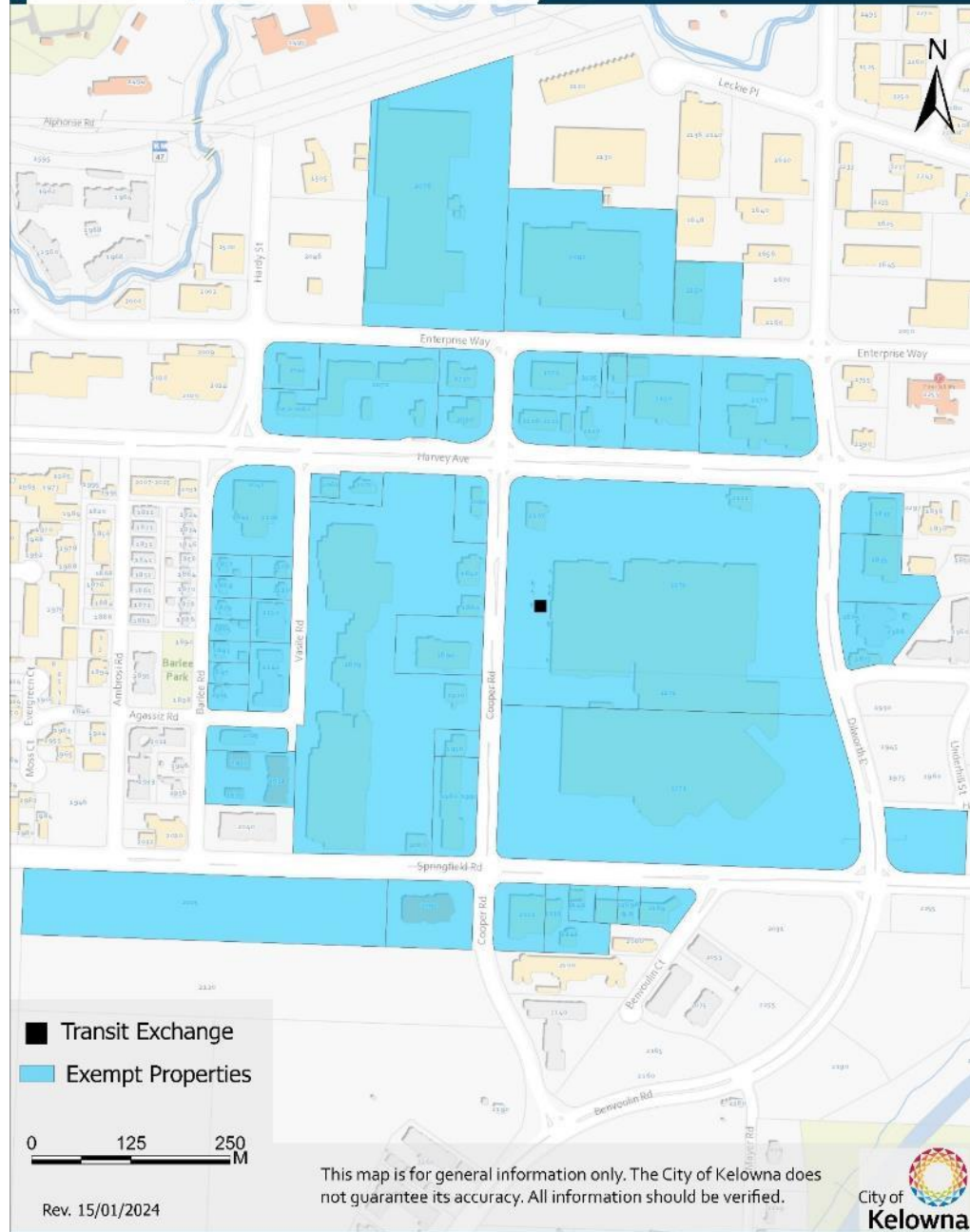
Applies to 70
lots

423

Residential Parking Exemptions

Map 8.3.c

Orchard Park Exchange



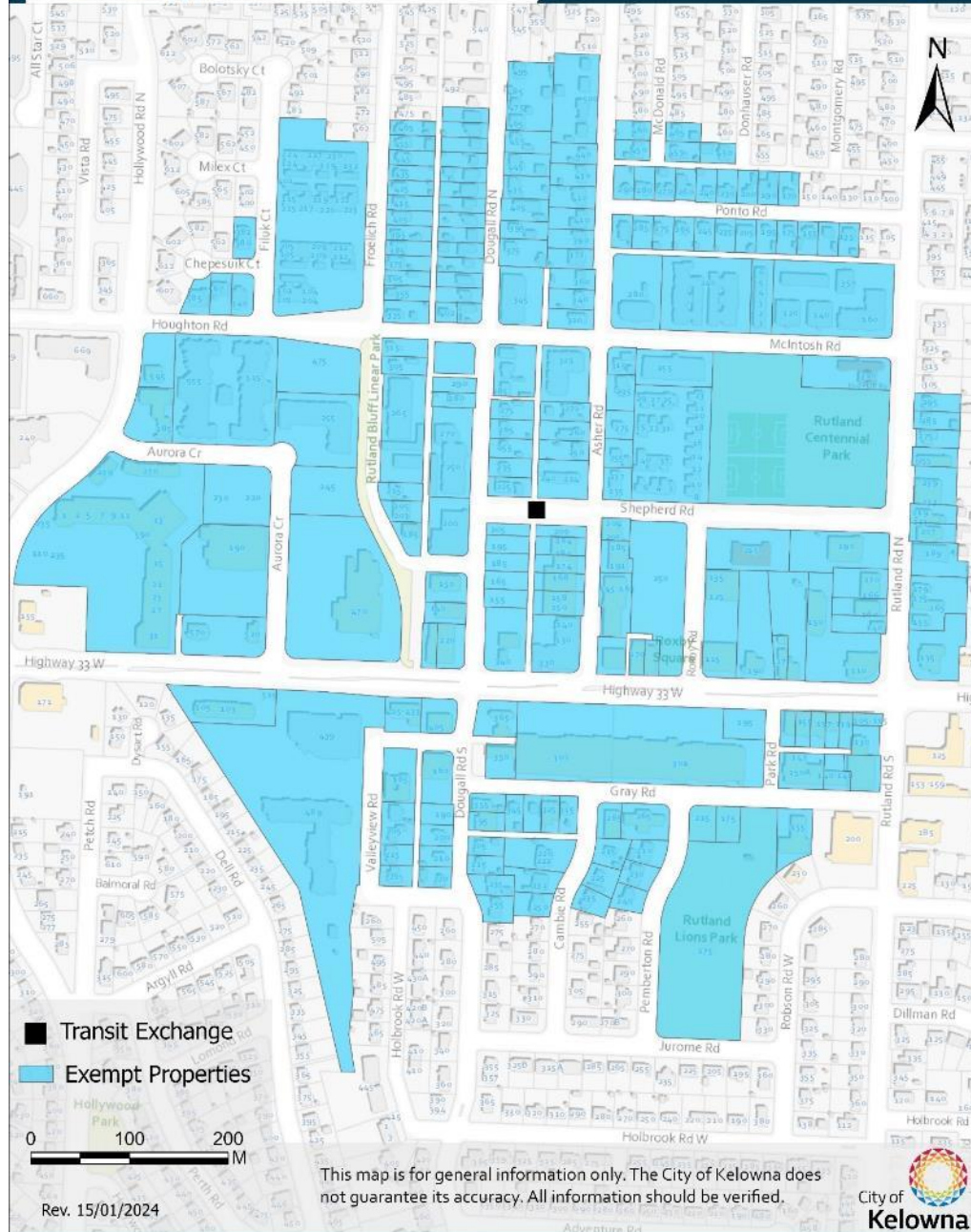
Applies to 45 lots

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

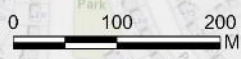
Residential Parking Exemptions

Map 8.3.d

Rutland Exchange



- Transit Exchange
- Exempt Properties



Rev. 15/01/2024

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



Applies to
251 lots

425

Original Map

2040 Official Community Plan

Map 4-5 Pandosy Building Heights

- 14 storeys
- 8 storeys
- 6 storeys
- 4 storeys
- 3 storeys
- Park
- Pandosy Lakeshore Corridor
- Transit Supportive Corridor



Okanagan Lake

This map illustrates policy guidance outlined in Chapter 4: Urban Centres. More detailed guidance for building heights can be found under Objective 4.6.

Rev. Sept. 8, 2021

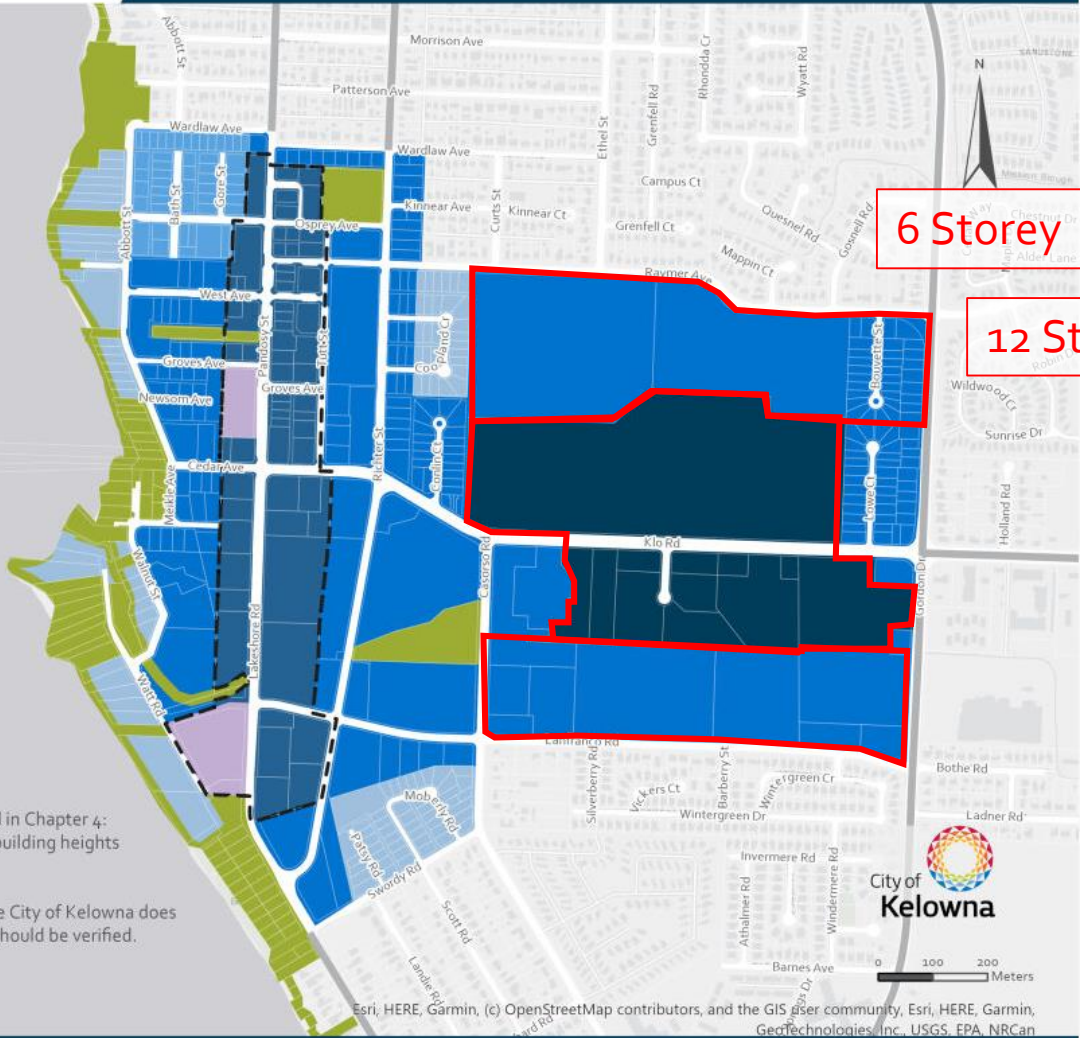


Proposed Map

2040 Official Community Plan

Map 4-5 Pandosy Building Heights

- 14 storeys
- 12 storeys
- 8 storeys
- 6 storeys
- 4 storeys
- 3 storeys
- Pandosy Lakeshore Corridor
- Park



This map illustrates policy guidance outlined in Chapter 4: Urban Centres. More detailed guidance for building heights can be found under Objective 4.6.

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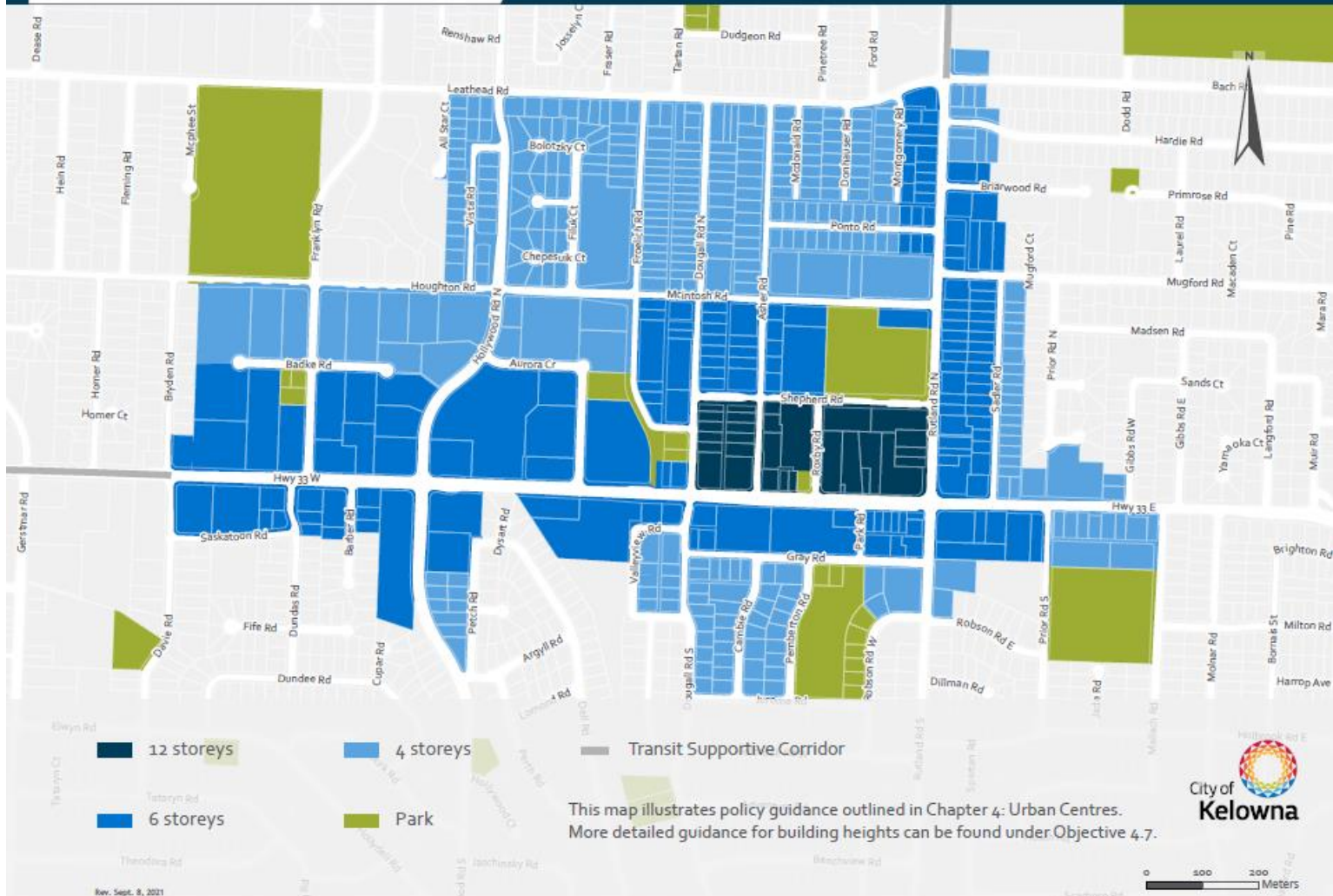
Rev. Dec 18th, 2021

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Esri, HERE, Garmin, GeoTechnologies Inc., USGS, FPA, NRCan

Original Map

2040 Official Community Plan

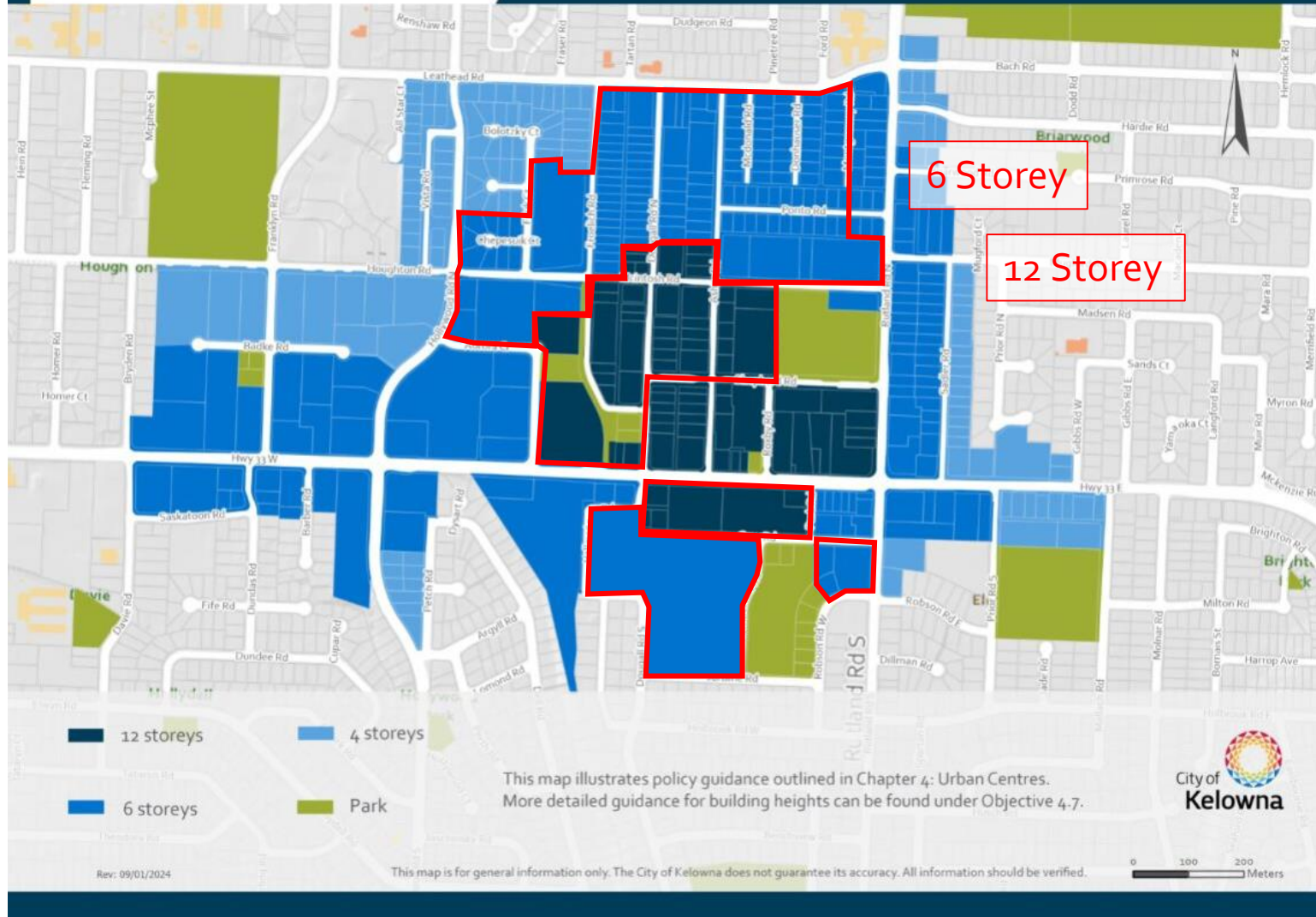
Map 4-7 Rutland Building Heights



Proposed Map

2040 Official Community Plan

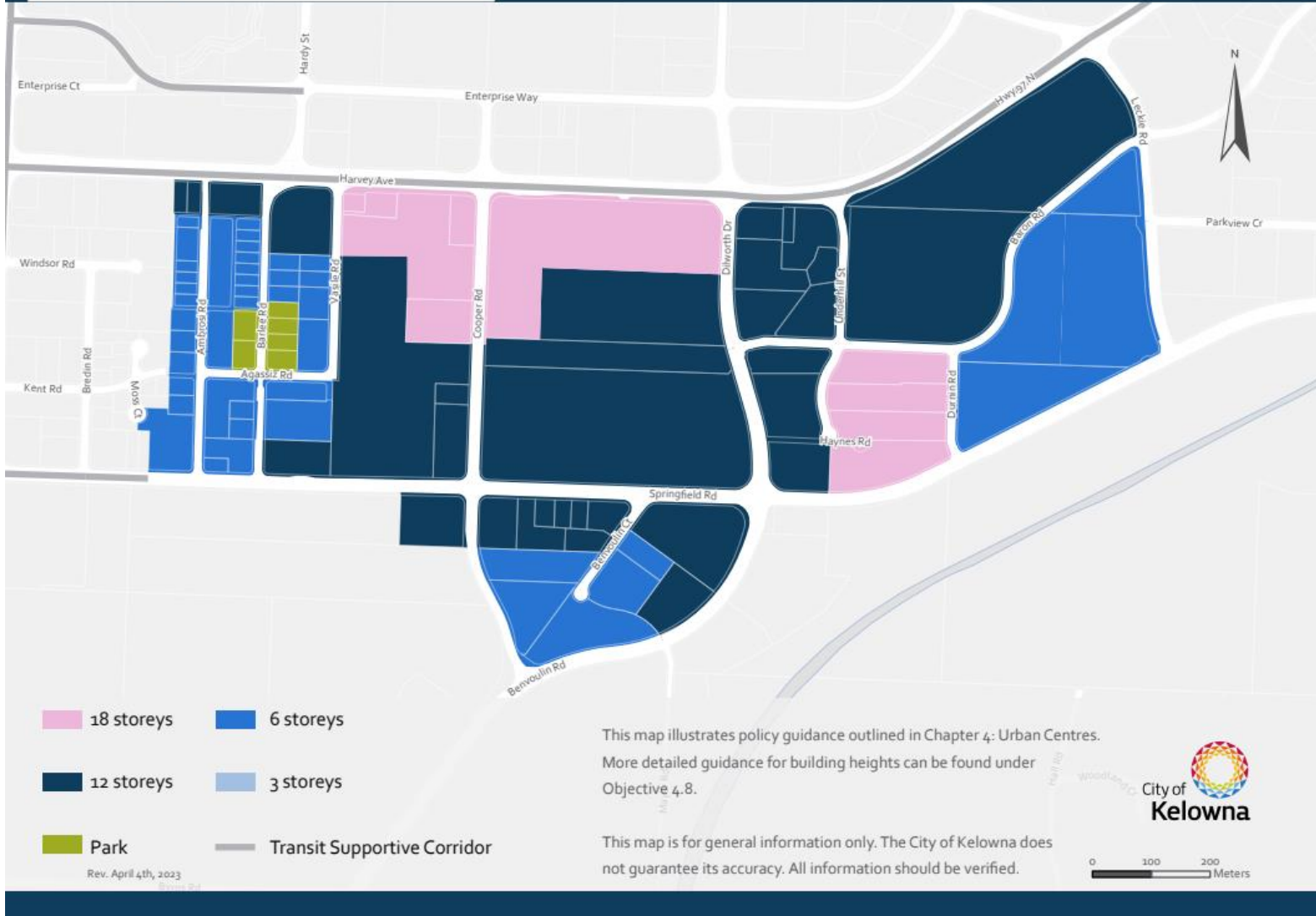
Map 4-7 Rutland Building Heights



No Change Proposed

2040 Official Community Plan

Map 4-9 Midtown Building Heights



Staff Recommendation

- ▶ Staff recommend bylaws proceed to first reading for TA22-0014, Z24-0001, & OCP24-0001



Conclusion of Staff Remarks

Report to Council



Date: February 5, 2024
To: Council
From: City Manager
Department: Office of the City Clerk
Subject: Rezoning Bylaws Supplemental Report to Council

Recommendation:

THAT Council receives, for information, the report from the Office of the City Clerk dated February 5, 2024 with respect to four rezoning applications and one site-specific Zoning Bylaw text amendment application;

AND THAT Rezoning Bylaws No. 12610, 12612, 12613, and 12614 and Zoning Bylaw Text Amending Bylaw No. 12611 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaws No. 12610, 12612, 12613, and 12614 and Zoning Bylaw Text Amending Bylaw No. 12611 and to give the bylaws further reading consideration.

Background:

A public hearing cannot be held for zoning bylaws for residential development that are consistent with the OCP. A public hearing is not required for all other zoning bylaws that are consistent with the OCP. Public notice is given before first reading with signage on the subject property, newspaper advertisements, and mailouts in accordance with the Local Government Act and Development Application & Heritage Procedures Bylaw No. 12310.

Discussion:

The four Rezoning Applications and one site-specific Zoning Bylaw text amendment application were brought forward to Council for initial consideration on January 15, 2024 and January 22, 2024. Notice of first reading was completed as outlined above.

Correspondence was received as per the following table:

Address	Application	Bylaw	Public Hearing Option	Recommended Readings	Correspondence Received
Dilworth Dr 1097	Z21-0037	12610	No	1 st , 2 nd , 3 rd	0
Centennial Cr 1261	TA23-0011	12611	No	1 st , 2 nd , 3 rd	0
McCurdy Rd E 632	Z23-0056	12612	No	1 st , 2 nd , 3 rd	0
Gaggin Rd 1220	Z23-0075	12613	No	1 st , 2 nd , 3 rd	2
Edith Gay Rd 445, 465	Z23-0042	12614	No	1 st , 2 nd , 3 rd	0
Ethel Rd 2311	Z23-0073	12615	No	Withdrawn by Applicant	0

These applications were brought forward with a recommendation of support from the Development Planning Department. Staff are recommending Council proceed with further readings of the Bylaws. Please note 2311 Ethel Rd has been withdrawn by the Applicant.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaws No. 12610, 12612, 12613, and 12614 and Zoning Bylaw Text Amending Bylaw No. 12611 further reading consideration.

Considerations applicable to this report:

Legal/Statutory Authority:

Local Government Act s. 464(2)

Legal/Statutory Procedural Requirements:

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

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

Considerations not applicable to this report:

Existing Policy:

Financial/Budgetary Considerations:

External Agency/Public Comments:

Communications Comments:

Submitted by: N Beauchamp, Legislative Technician

Approved for inclusion: S Fleming, City Clerk

cc: Development Planning

CITY OF KELOWNA

BYLAW NO. 12610

Z21-0037

1097 Dilworth Drive

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 District Lot 125 Section 28 Township 26 ODYD Plan 19786 Except Plans M15094, 37794, KAP67598, KAP67599, KAP67601 and KAP69740 located on Dilworth Drive, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the MF3 – Apartment Housing zone and the P3 – Parks and Open Space zone as shown on Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

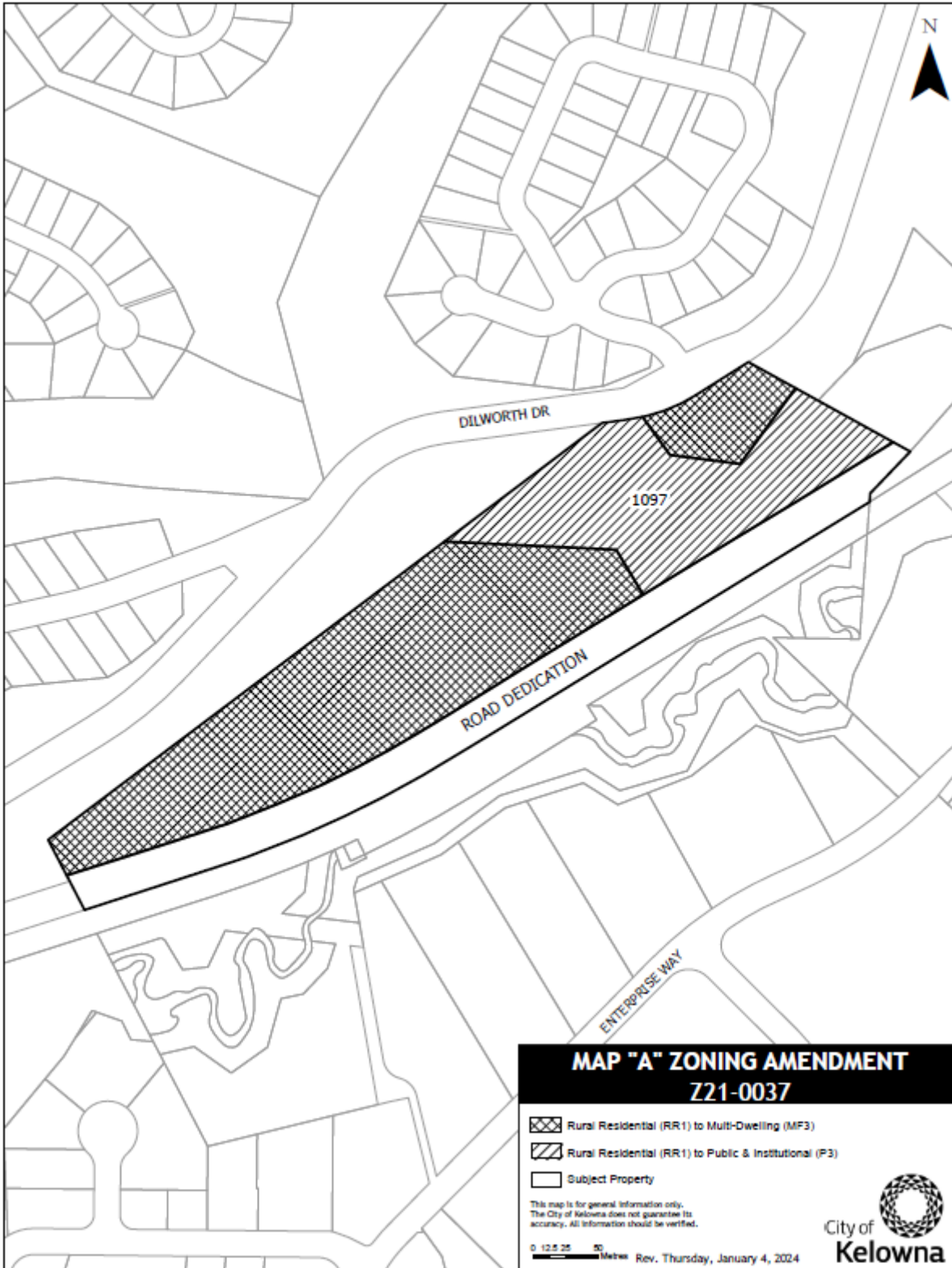
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 12611
TA23-0011
1261 Centennial Crescent

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, **Section 11 – Single and Two Dwelling Zones, 11.6 – Site Specific Regulations** be amended by adding the following in its appropriate location:

“

2.	Lot 23 DL 137 ODYD PLAN 10689 Except Plan KAP89141	1261 Centennial Crescent	<p>Notwithstanding, Section 5.3 General Definitions & Table 8.3.1a Other Residential Parking, & Section 11.5 Development Regulations, the following uses and regulations are permitted:</p> <ul style="list-style-type: none"> • To expand the Boarding and Lodging House use to operate within an accessory building in addition to the Single Dwelling Housing; • To reduce the minimum required parking stalls from 8 stalls to 3 stalls; and • To increase the height of the accessory building from 4.8 m required to 6.2 m proposed.
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”

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

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

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12612

Z23-0056

632 McCurdy Road E

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 1 Section 26 Township 26 ODYD Plan KAP80685 located on McCurdy Road E, Kelowna, BC from the RU1c - Large Lot Housing with Carriage House zone to the RU4 - Duplex Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12613

Z23-0075

1220 Gaggin Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 3 Section 22 Township 26 ODYD Plan 22385 located on Gaggin Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the MF1 – Infill Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12614
Z23-0042
445 and 465 Edith Gay Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of:
 - a. Lot 12 Section 35 Township 26 ODYD Plan 18660 located on Edith Gay Road, Kelowna, BC; and
 - b. Lot 13 Section 35 Township 26 ODYD Plan 18660 located on Edith Gay Road, Kelowna, BCfrom the RU₁ – Large Lot Housing zone to the RU₄ – Duplex Housing zone.

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

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 12451

Z22-0049

1233 Lund Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot A Section 18 Township 27 ODYD Plan KAP59358, located at 1233 Lund Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU4 – Duplex Housing zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 5th day of December, 2022.

Approved under the Transportation Act this 6th day of December, 2022.

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: February 5, 2024
To: Council
From: City Manager
Subject: Short Term Rental – Property Exemptions
Department: Planning, Climate Action and Development Services

Recommendation:

THAT Council receive for information the report from the Divisional Director of Planning, Climate Action and Development Services dated February 5, 2024 related to Short Term Rental property exemptions;

Purpose:

To update Council on exemption options for some Short-Term Rental properties in Kelowna.

Council Priority Alignment:

Affordable Housing

Background:

At the regular meeting of January 15, 2024 Council gave 2nd and 3rd readings to bylaw changes which added additional local regulations for short term rentals in Kelowna. As part of Council’s consideration of these bylaw changes an addition resolution was adopted directing staff to bring forward a list of properties zoned for short term rentals that could be considered for exemptions.

Previous Council Resolution

Resolution	Date
THAT Council receives, for information, the report from the Development Planning Department dated January 15, 2024, with respect to the provincial regulatory changes to short-term rental accommodation; AND THAT Council directs Staff to bring forth changes to Zoning Bylaw No. 12375 and ShortTerm Rental Accommodation Business Licence and	January 15, 2024

<p>Regulation Bylaw No. 11720 as outlined in the report from the Development Planning Department dated January 15, 2024;</p> <p>AND FURTHER THAT Bylaw No. 12590, being Short-Term Rental Accommodation Regulatory Amendments be forwarded for reading consideration</p> <p><i>THAT Council direct staff to bring forward a list of properties zoned for short term rental for exemption consideration.</i></p>	
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Discussion:

As part of the follow-up on Council’s resolution staff began working on several different aspects including criteria development, research, strata consultation, and further discussion with the Province of British Columbia (“Province”). Through this additional communication with the Province, it was determined that any City request for exemption for specific building/development sites would not be considered because it would not meet the intent of the legislation.

The legislation provides for the following exemptions specific to buildings (built or planned):

Accommodation Types Exempt from Principal Residence requirement:

- Strata titled hotel or motel if the owner may not use the property as a principal residence due to mandatory provisions in a rental pool or rental management agreement.
- Properties where owners hold a fractional interest and cannot use the property as their principal residence due to mandatory provisions in a fractional ownership agreement.
- Time Share properties.
- Home exchanges.
- Lodges, i.e., accommodation
- Living accommodation primarily for students or employees of an educational institution that is owned or operated by the educational institution or a non-profit organization.
- Strata corporation guest suites intended mainly for people visiting strata residents.

For Communities to opt out of the legislation the following criterial must be met:

Opting Out of the Principal Residence Requirement Eligibility:

- Municipalities with a population over 10,000 in 2021 Census and a rental vacancy rate of 3% or more for each of the two previous years.

**Note Kelowna does not currently meet these criteria.*

Local Data Summary

Hotel Rooms - Central Okanagan 2022	4500 approx.
Hotel Rooms – Kelowna	3300 approx.
Peak Occupancy Rate (July 2023)	77.2%
Kelowna Licensed Short Term Rentals 2023	1200
Kelowna Licensed Primary Use STR back onto market	700 approx.
Kelowna Potential Licensed Short-Term Rentals (secondary use) 2024	Approx. 500
2023 Kelowna Unlicensed STR	Approx. 1200 during peak season
Hotel Rooms with Building Permit (Kelowna)	143 hotel rooms (2 Building Permits)

Conclusion:

The provincial principal residence requirement is intended to be a “floor” or minimum standard for regulating short-term rentals (STR). A local government may prefer to be more restrictive. In Kelowna, recent bylaw changes have further restricted short-term rentals as a permitted secondary use in all residential property types.

It originally appeared from the legislation that there may be the ability for local government to request exemptions on a site-by-site basis, but further research has determined that this is not the case. This leaves building owners/operators the option to pursue the exemptions based on the accommodation types listed above with the provincial government. Staff will continue to track the impacts of the changes and will report back to Council in approximately 1 years’ time. At that time staff will give Council additional information related to the local vacancy rate (long-term market) and other impacts/challenges related to changes to short term rental legislation and local bylaw changes. The available data related to accommodation in the community does show some “flexibility” in terms of availability of accommodation during the peak season, however it should be noted that this can vary year-to-year depending on a variety of factors.

In the near-term staff will be bringing several additional Zoning Bylaw amendments to Council to align our bylaws with aspects of the new provincial legislation including tenure length for long term rentals and to remove specific regulations related to a properties principal use as and STR (which is no longer permitted).

Internal Circulation:

Business Licensing
Development Planning

Considerations applicable to this report:

Consultation and Engagement:

Staff have received a large variety of correspondence from the owners and residents of buildings where STR is currently permitted as either a primary or grandfathered primary use. The opinions expressed in that correspondence are mixed in nature without clear support for STR in some buildings where it has historically been permitted.

Communications Comments:

Updated information will be communicated via the City's website, by news release and in response to letters from property owners impacted.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Submitted by:

Ryan Smith
Divisional Director, Planning, Climate Action and Development Services

Approved for inclusion: Doug Gilchrist, City Manager

Report to Council



Date: February 5, 2024
To: Council
From: City Manager
Subject: Middle Income Housing Partnership
Department: Policy & Planning, Real Estate Services

Recommendation:

THAT Council receives, for information, the report from the Policy & Planning Department, dated February 5, 2024, respecting the City’s role in supporting below-market housing;

AND THAT Council direct staff to work with the Province’s anticipated BC Builds program to bring forward a future partnership project opportunity;

AND FURTHER THAT Council direct staff to proceed with the Middle Income Housing Partnership program as described in the report from the Policy & Planning Department, dated February 5, 2024.

Purpose:

To consider a new initiative to use City-owned land in partnership to build more housing at below-market rates, and to support the use of 3 city-owned sites as an initial test of the program.

Council Priority Alignment:

Affordable Housing

Background:

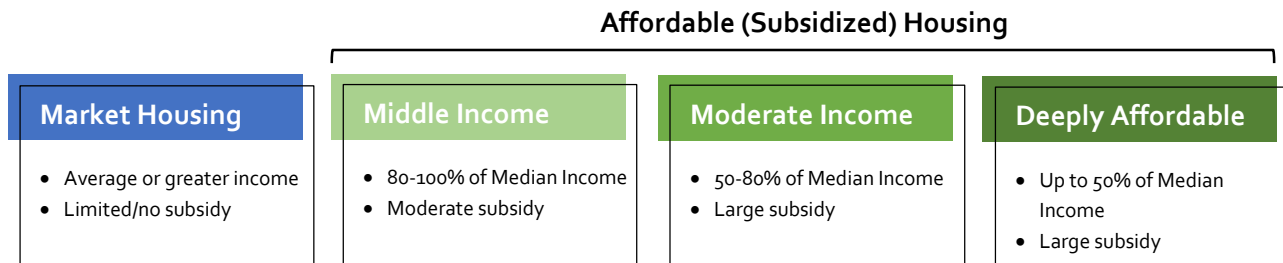
The 2021-2031 Kelowna Housing Needs Assessment (HNA) outlined several key findings. Among these, the most significant challenge facing the local housing system is the shortage of subsidized rental housing – that is, rental housing offered at below-market rates. In recent years, the rate of new subsidized housing being built in Kelowna has been approximately 45 homes per year. This compares to an estimated need of 450-640 homes per year. In short, the rate of subsidized home building is about ten per cent of what is needed.

This report explores a new model to increase the rate at which new subsidized housing is being built in Kelowna. Action in this area aligns with the following 2023-2026 Council Priority Actions:

- Acquire City-owned land to build affordable housing
- Increase the number of rental units with below market rents

'Subsidized housing' refers to housing that receives financial or other support (e.g.: land) that enables it to be offered at rates below market. Subsidies are commonly provided by all three levels of government (Federal, Provincial, Local) using a range of tools, such as access to low-cost financing, tax relief, and land partnerships. Subsidized housing can be offered as rental or ownership, and at varying prices, depending on the level of subsidy received. Where a project is heavily subsidized, it can be offered at rates lower than a project that only receives minimal subsidy (see Figure 1).

Figure 1: Subsidized Housing Breakdown



The City of Kelowna has a long history of successful partnership with BC Housing to deliver subsidized housing that is deeply affordable. Through this approach, the City has provided land, tax exemptions and regulatory incentives that have resulted in 320 homes offered at deeply affordable rates. Unfortunately, as pointed out by the HNA, the pace of these partnerships is not able to keep up with the level of need in Kelowna.

Increasing the number of subsidized homes built each year will require new thinking, expanded partnerships and significant investments in addition to continued work with BC Housing. Notably, these actions cannot be taken by the City alone; each level of government, the development industry, and non-profit housing providers will form part of the collaborative solution.

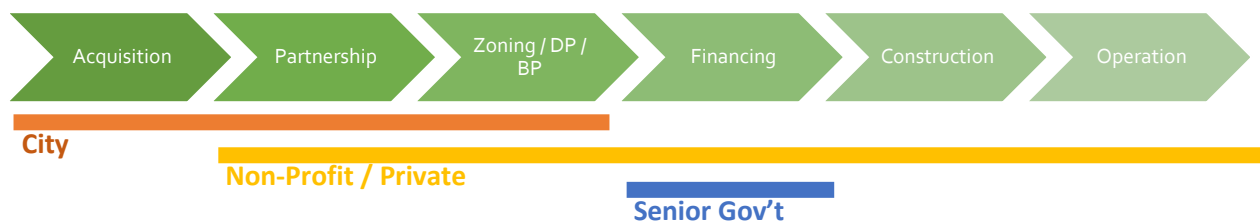
Discussion:

Local governments have multiple tools that they can use to support building subsidized homes. Among these tools, providing land at little to no cost is the most impactful. It has the largest financial impact on a project, allowing the greatest opportunity to reduce the cost of the resulting homes. However, this approach still relies on BC Housing to fund construction of the homes and to subsidize ongoing operational costs so that deeper levels of affordability can be achieved and maintained. The challenge that municipalities have faced is that the demand for partnership with BC Housing has far exceeded their capacity. Many communities, including Kelowna, have been left with land available to support subsidized housing, but no provincial partner.

Given the scale and urgency of the housing crisis, Staff are now recommending an expanded approach: establish new partnerships with non-profit and private sector housing providers to better meet our community's housing needs. This new approach will allow the City to take a leadership role in accelerating the pace at which new subsidized rental homes are being built in Kelowna.

This new approach (see *Figure 2*) leverages City land and incentives along with low-cost financing through senior government agencies (e.g.: Canada Mortgage and Housing Corporation) to offer new homes at below-market rates. Private or non-profit housing developers would enter into a long-term lease (~ 60-99 years) of City-owned land and work with senior government agencies to secure financing. These partners would then build and operate the housing for the term of the lease with an agreed-upon portion of the units at below-market rates. In the event of a change in partners, the City bears the risk of ownership and operations while new partners are put in place. Where sufficient, operating profits could then be shared between partners, and funds would be re-invested for further land acquisition or to deepen project subsidy. At the conclusion of the lease term, the land and the building would revert to City ownership.

Figure 2: New Subsidized Housing Model - Partnership Roles



Staff have completed a financial analysis to estimate the level of affordability that could be achieved under this model. While individual projects will vary considerably, the analysis suggests that the model could support prices at a minimum of 20 per cent below market for a minimum of 20 per cent of the units. Where possible, efforts will be made to increase the level of affordability.

Providing homes at 20 per cent below market will meet a significant share of the need for subsidized rental housing identified in the HNA, primarily for moderate to average-income households for whom market housing is out of reach. Approximately 1,800 such households (40 per cent of subsidized rental need) earning between \$42,500-\$87,000 would be eligible for the program. For this reason, staff are recommending that the program be called the Middle Income Housing Partnership (MIHP) program.

The model will not result in deeply affordable housing targeting households with low or very low incomes. An ongoing partnership with BC Housing through the Community Housing Fund (CHF) will still be necessary to meet this vital need.

Middle Income Housing Partnership – Program Financing and Operation:

The MIHP is not an overnight solution, but rather a long-term program that would sustain itself through capturing a percentage of ongoing operating revenues (where sufficient) and equity of housing projects to finance additional development opportunities. Project equity would grow over time as more and more projects are built and as financing commitments are paid down.

Staff anticipate that the first five years of the program can be funded through a combination of existing land assets and new acquisitions made using the Housing Opportunities Reserve fund and grant funding). Over the initial years of the program, staff will establish best practices and monitor program success, learning from the first projects "on the ground". Lessons learned can then be applied to develop a refined, long-term, sustainable financial plan for the program that will be brought to Council for consideration.

Under the MIHP, the typical process would follow the following steps:

1. The City would assess and prioritize land suitable for the development of affordable housing and acquire land using grant funding or housing opportunity reserve funding (HORF).
2. The City would take the land through the zoning process, should it be required.
3. The opportunity to develop the land would then be put out formally through the Expression of Interest process.
4. Staff would evaluate the submissions and would recommend a selection to Council.
5. Council would then make the final determination.

Phased Approach

Staff propose to advance this new initiative through a phased process to ensure the development of appropriate guidelines, legal frameworks and approval processes. This approach would provide the City with opportunities to ensure the prudent expenditure of housing funds, to protect the City's land assets, and to maximize housing outcomes.

Staff propose working towards the establishment of the MIHP through the following phases:

Phase 1: Identification of City lands & Guidelines for Expressions of Interest

Staff have conducted a review of City land assets and have identified 3 parcels as suitable candidates for initial test projects for the development of multi-family housing in the form of 4-6 storey apartments. These initial sites will be brought forward for Council consideration.

Using the Housing Needs Assessment and other information sources, staff will recommend specific housing priorities for the program to Council. In addition, staff will recommend a series of guidelines to be used when evaluating submissions for Expressions of Interest. Items such as level of affordability, development experience, operating experience, project financial plans will be considered.

Phase 2: Proposal Call and Review

Following Council endorsement of program objectives and Expression of Interest evaluation guidelines, staff will formally launch the Expression of Interest process. Submissions will be reviewed by staff in accordance with the guidelines for the program.

Phase 3: Selection

Following staff review, a recommendation will be brought forward to Council for consideration. If awarded, the successful proponent will begin the project development process.

Provincial and Federal Opportunities:

The MIHP comes at an opportune time. Both the Provincial and Federal governments are making new investments in housing and are looking for partnerships.

Housing Accelerator Fund: The City was the first community in the province to be awarded funding from the Housing Accelerator Fund (HAF), a \$4 billion dollar fund administered by CMHC to support housing supply at the Local Government level. Land acquisition funding is part of the City's grant application. This funding would enable the City to jumpstart the BMHP program with an initial investment from the HAF.

'Homes for People' Action Plan: The BC government released the Homes for People Action Plan in 2023. An important action in that plan is the launching of BC Builds, which aims to partner on public land to deliver homes for middle-income people. BC Builds has not yet been launched. Where possible, staff will explore potential opportunities for collaboration and alignment with BC Builds and all other Provincial housing programs.

Conclusion and Next Steps:

Kelowna is facing a major shortage of subsidized housing. Tackling a challenge of this magnitude will require new ideas and partnerships across the housing sector. The Middle Income Housing Partnership is one new initiative that can help. It would supplement the City's traditional partnerships, allowing the City to increase the number of projects it can support with land. It is not a silver bullet solution to the shortage, and it will not solve the housing challenges faced by low and very low income households; but, when combined with the City's other efforts and partnerships, the MIHP can play an important role – one whose impact will grow over time, providing a secure base of publicly owned homes that more residents can afford.

To advance the MIHP, the administrative team will begin Phase 1 of the process and will present for Council consideration several parcels of existing City-owned land which could be made available to the private and non-profit sectors at rates below the market value.

The City will continue investing in its long-standing partnership with BC Housing to support units with deeper levels of affordability. In addition, the forthcoming Housing Strategy Update will provide the entire housing sector with the opportunity to explore additional ways in which more subsidized homes can be built in our community.

Internal Circulation:

Real Estate Services
Social Development
Development Planning
Partnerships Office
Communications
Finance

Considerations applicable to this report:

Existing Policy:

2021-2031 Kelowna Housing Needs Assessment – the estimated total need for subsidized rental housing in Kelowna between 2021-2031 is 4,500 – 6,400 homes. This represents an annual target of 450-640 homes per year. The current level of subsidized housing construction is about ten per cent of that level.

2040 Official Community Plan Bylaw No. 12300 – Policy 4.12.4 City Land Acquisition. Focus land acquisition and housing partnerships in the Urban Centres, in addition to the Core Area, to support affordable rental housing near transit, services and amenities.

2018 Affordable Housing Land Acquisition Strategy (AHLAS) – established the initial framework to increase taxation investments in acquiring land for affordable housing partnerships.

2018 City of Kelowna Land Strategy 4.1 – The City will pursue partnerships with the private sector to achieve public benefits that cannot be achieved by the City acting alone.

Financial/Budgetary Considerations:

Using a combination of existing City-owned land assets and new acquisitions funded through grants (i.e.: HORF and Housing Accelerator Fund), it is expected that the first five years of the MIHP program can be funded. Learning from the initial projects built and occupied will enable staff to return to Council with a refined long-term financial plan. Careful long-term financial planning for the program will be an important tool to mitigate any risks associated with owning residential buildings over their full lifespan, ensuring that we are able to account for the full costs of operations, maintenance and ultimate replacement.

Considerations not applicable to this report:

External Agency/Public Comments:

Communications Comments:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Submitted by:

J. Moore, Infill & Housing Policy Manager

Approved for inclusion:

D. Noble-Brandt, Policy & Planning Department Manager

J. Saufferer, Real Estate Department Manager



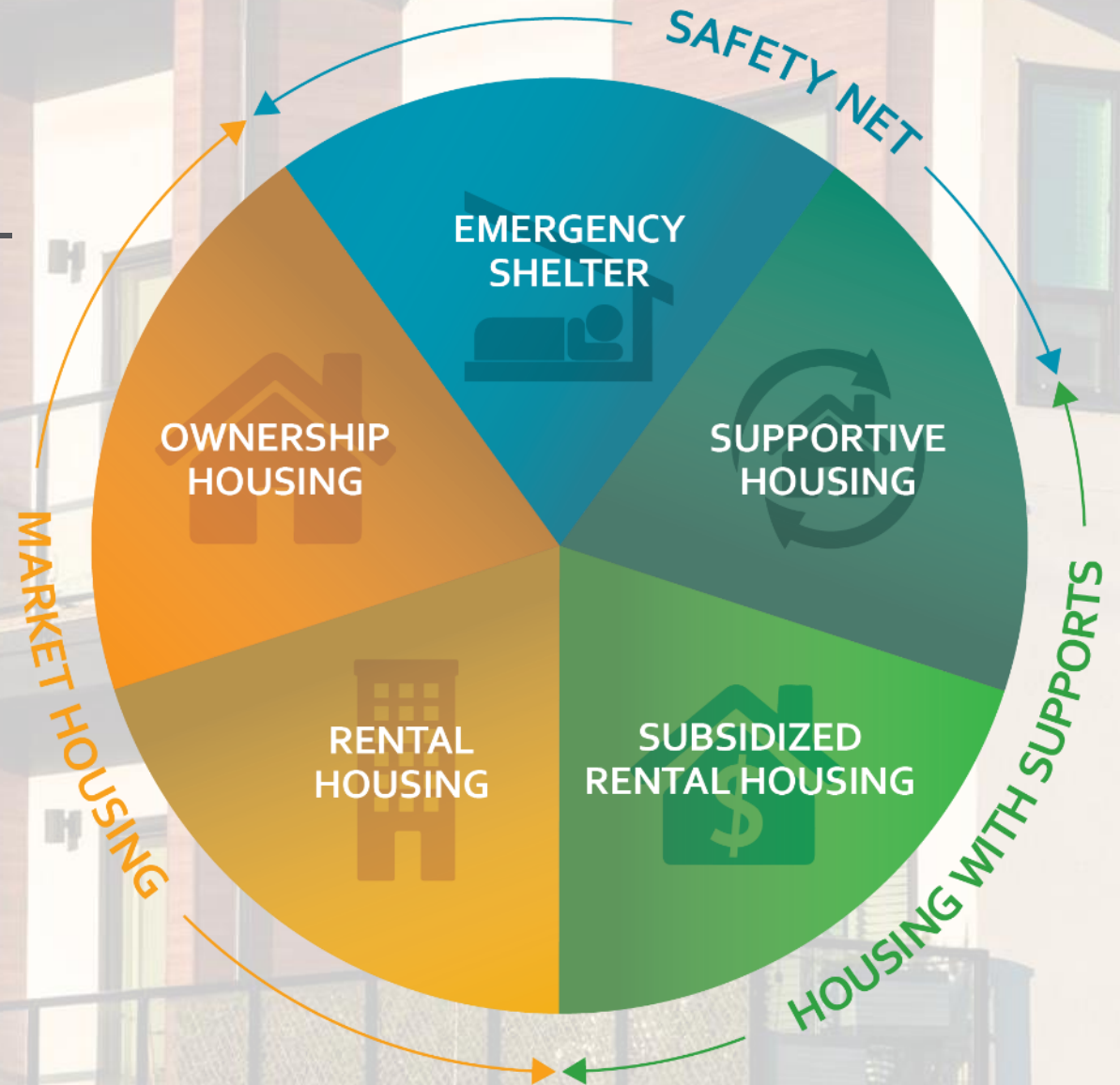
City of
Kelowna

Middle Income Housing Partnership

February 5, 2024

Purpose

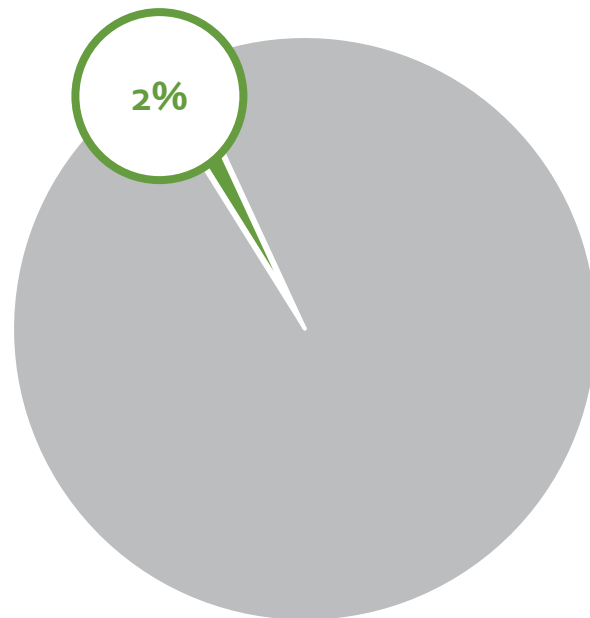
- ▶ Introduce new initiative to use City-owned land in partnership to build more housing at below-market rates
- ▶ Alignment with Council priorities:
 - ▶ Acquire City-owned land to build affordable housing
 - ▶ Increase the number of rental units with below market rents



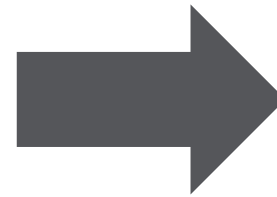
Background

As outlined in the Housing Needs Assessment, there is a significant gap in the level of subsidized rental housing being delivered

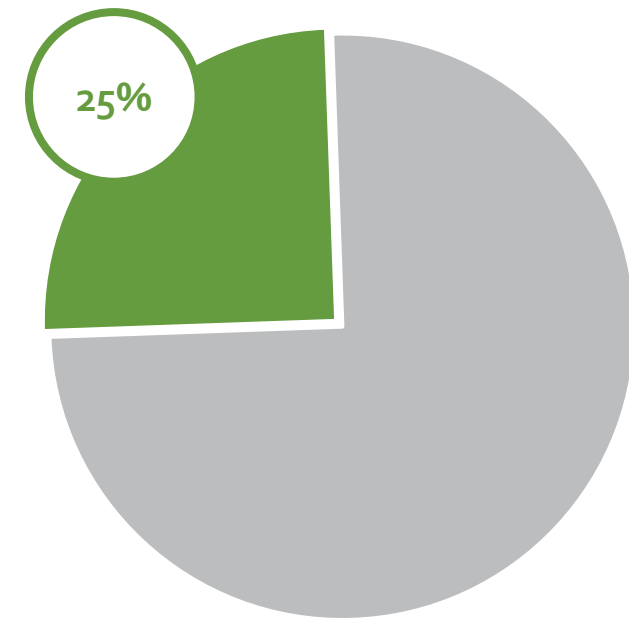
HOUSING IN-STREAM



■ Subsidized Rental Housing ■ Other Housing



HOUSING NEEDED



■ Subsidized Rental Housing ■ Other Housing

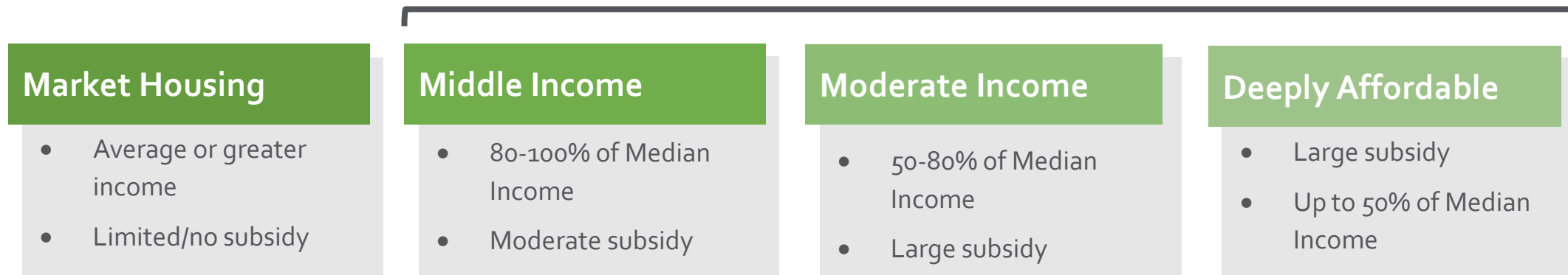
Background

- ▶ How we have tried to meet need historically?
 - ▶ CHF
 - ▶ Facilitating relationships
- ▶ Where is the gap?
 - ▶ Capacity question
 - ▶ Expand beyond the current model

Background

- ▶ Municipal tools to support affordability
 - ▶ Land is the most effective incentive at our disposal
 - ▶ Layering incentives
 - ▶ Deeper affordability will require ongoing partnerships

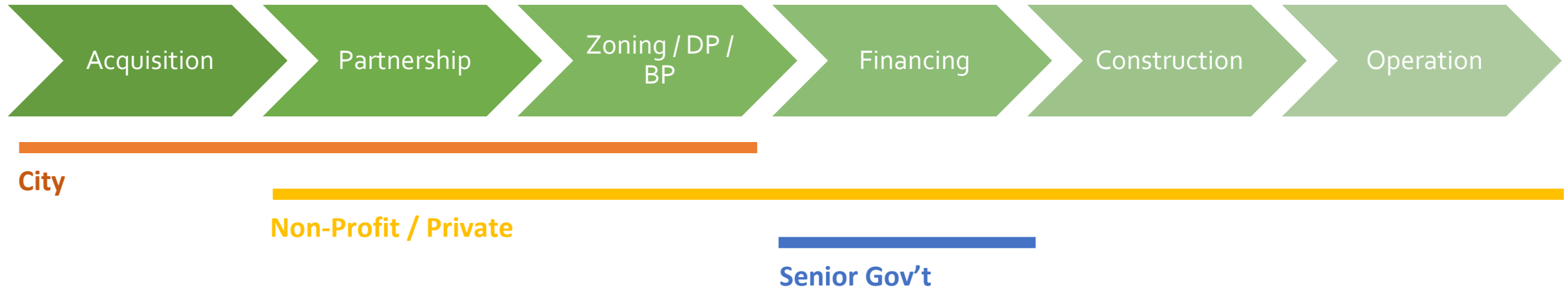
Affordable (Subsidized) Housing



Initiative Overview

- ▶ Expanded approach that will establish new partnerships with non-profit and private sector housing providers
- ▶ This approach will accelerate the pace at which new subsidized rental homes are being built in Kelowna

Initiative Overview



Initiative Overview

Affordability Minimum

- *20% of units at a minimum of 20% below market rental rates*

Target Income

- *Households earning between \$42,000 and \$87,000*

Eligible Households

- *Approximately 1,800 households in Kelowna would be eligible*

Initiative Overview

Phase 1: Identify
City Lands



Phase 2: Proposal
Call & Review



Phase 3: Selection

Alignment



Housing Accelerator Fund



'Homes for People' Action Plan

Next Steps & Conclusion

- ▶ Responding to the demand with innovation and optimism
- ▶ One part of the solution – not the entire solution
- ▶ Alignment with senior government funding and grants
- ▶ Partnership with development industry (for-profit and not-for-profit)
- ▶ Will continue to work with other partners in gov't and community to support and expand deeply affordable housing
- ▶ Alignment with Council priorities
- ▶ In-camera RTC forthcoming with more details



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: February 5, 2024
To: Council
From: City Manager
Subject: 2023 Annual Report – Airport Delegation of Authority
Department: Kelowna International Airport

Recommendation:

THAT Council receive for information the report from Kelowna International Airport dated February 5, 2024, with respect to the transactions approved by the Airport Chief Executive Officer in accordance with the Delegation of Authority to Enter into Agreements Bylaw 11961 for the period starting January 1, 2023, and ending December 31, 2023.

Purpose:

To provide Council with a summary of the transactions approved by the Airport Chief Executive Officer between January 1, 2023, and December 31, 2023, in accordance with Bylaw No. 11961.

Background:

In accordance with Bylaw No. 11961, section 2.3, *"The Airport Director shall provide a report to Council to be received for information regarding any transactions approved pursuant to this Bylaw on an annual basis."* This report provides a summary of transactions from January 1, 2023, to December 31, 2023.

Discussion:

The details of the transactions approved by the Airport Chief Executive Officer have been outlined in the table on the following pages. All these transactions took place at fair market value, do not exceed a term of twenty (20) years, and are in accordance with City policies.

Name	New, Amendment or Renewal	Description	Additional Details
Assignment, Assumption and Consent to Sublease	Amendment	SSP Canada Food Services Inc.	Assignment of contract from Skyway Gourmet Ventures Inc. All terms of the original agreement remain the same including the rental rate.
Room Rental Agreement	New	Inland Technologies Canada Incorporated WestJet	Rental rate in accordance with Airport Fees Bylaw 7982.
ATB Sublease Amending Agreement	Amendment	Executive Aviation Fuels (BC) Ltd.	Addition of office space. Rental rate in accordance with Airport Fees Bylaw 7982.
ATB Sublease Amending Agreement	Amendment	Tourism Kelowna Society	Extension to Sublease term by one year. All other terms remain the same including the rental rate.
License of Occupation	New	GRM Roadway Maintenance Inc.	Non-exclusive use for part time storage of snow removal equipment only used at the airport. Rental rate waived.
Renewal of ATB Sublease	Renewal	Kelowna Concierge Ltd.	Exercise of the one renewal option in the Sublease. All terms remained the same including the rental rate.
Renewal of Vending Machine License	Renewal	Cruze Co. Vending Inc.	Exercise of the one renewal option in the License Agreement. All terms remained the same including the rental rate.
Airport Improvement Fee Memorandum of Agreement	Amendment	Extension of the term of the agreement to June 30, 2024.	This agreement is between all airports in Canada that charge an Airport Improvement Fee and all airlines that collect the Airport Improvement Fee on behalf of airports.

Conclusion:

The information above satisfies the requirement to report to Council in accordance with Bylaw No. 11961, section 2.3, up to and including December 31, 2023.

Internal Circulation:

Communications
Financial Services

Real Estate

Considerations applicable to this report:

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Consultation and Engagement:

Submitted by: S. Dyrdal, Director Airport Finance and Corporate Services

Approved for inclusion: S. Samaddar, Airport Chief Executive Officer

cc:

T. McQueenie, Airport Corporate Services Manager

C. Matte, Community Communications Manager

M. Friesen, Controller

J. Saufferer, Real Estate Department Manager

Report to Council



Date: February 5, 2024
To: Council
From: City Manager
Subject: 2023 Budget Amendment, ICBC Road Improvement Program
Department: Integrated Transportation

Recommendation:

THAT Council receives, for information, the report from Integrated Transportation dated February 5, 2024 with respect to the ICBC Road Improvement Program;

AND THAT the 2023 Financial Plan be amended to include \$ 364,900 in the ICBC Road Improvement Program as funded by ICBC Road Safety grant contributions.

Purpose:

To amend the 2023 Financial Plan to reflect ICBC’s Road Safety Improvement Program contributions.

Background:

Each year the City invests in transportation capital projects to maintain and improve the City’s road network. Projects that are intended to improve road safety and reduce collisions are identified by staff and submitted to ICBC for consideration under ICBC’s Road Safety Improvement Program. The ICBC Road Improvement Program contributes funds to road projects, completed by municipalities, that are projected by ICBC to result in reducing future collisions. The City has been a partner in the ICBC Road Improvement Program for over 20 years.

Projects are invoiced to ICBC at the end of the construction season. Once approved by ICBC, City financial records are adjusted to reflect the funding received. For projects completed in 2023, the City has received \$ 364,900 in ICBC funding related to the projects listed below:

Project Transfer List

Project Name	Project Type	Project Accounting Code	ICBC Contribution
Cameron Ave – Ethel to Gordon	Sidewalk gap closure	2084-105	\$15,100
Innovation @ Fleet	Sidewalk	2084-103	\$6,400

Dehart Rd – Bike lane Improvements - East of Gordon to Swamp	Bike lane safety	208590	\$20,700
Traffic Calming - Parkview Cr & McClure Rd	Traffic Calming	2091	\$4,000
Union Rd- West of Millard Pl (RRFB)	Crosswalk Flashers	3358-27	\$3,500
Morrison Ave @ Pandosy St (RRFB)	Crosswalk Flashers	3358-30	\$10,800
Springvalley Elementary School Improvements	Crosswalks/Bike lanes/accessibility	3362-08	\$18,700
Longhill and Sexsmith WBL turn lane	Traffic Safety	3521-06	\$52,800
HWY 33 & Ziprick NB Smart Right	Traffic Safety	3521-04	\$152,500
Casorso 3 ATC	ATC	3560-02A	\$32,100
Houghton 2 ATC	ATC	3561-01A	\$48,300
Total ICBC Road Improvement Program Funding Contributions – 2023			\$ 364,900

Internal Circulation:

Budget Supervisor
 Financial Planning Manager
 Transportation Engineering Manager
 Grants & Special Projects Manager

Considerations not applicable to this report:

Alternate Recommendation
 Communications Comments
 Existing Policy
 External Agency/Public Comments
 Financial/Budgetary Considerations
 Legal/Statutory Authority
 Legal/Statutory Procedural Requirements
 Personnel Implications

Submitted by: C. Williams, Senior Transportation Planning Engineer

Reviewed by: B. Hallam, Integrated Transportation Department Manager

Approved for inclusion: M. Logan, General Manager, Infrastructure

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

Report to Council



Date: February 5, 2023
To: Council
From: City Manager
Subject: 2023 Grants Summary
Department: Partnerships Office

Recommendation:

THAT Council receives, for information, the report from the Partnerships Office dated February 5, 2024, with respect to the 2023 Grants Summary.

Purpose

To provide Council a summary of the 2023 Grants Management Program.

Background:

The City of Kelowna actively pursues alternative revenue through grants. The City receives funds from external providers, with the majority of grants coming from the federal and provincial governments. Grants are aligned with Council, corporate, and community priorities, City master plans, and the 10-Year Capital Plan. This funding leverages City dollars to propel priority capital and operating projects.

Discussion:

The City is in a constant cycle of planning, securing, and managing grants. The Grant Management Policy, Grant Procedure Manual, Grants Database, and Grants Dashboard help to ensure the City has a robust and well managed Grant Management Program.

2023 Grant Summary

In 2023, the City was awarded 22 grants with a total value of \$68 million. Table 1 provides the 2023 Grant Summary and Appendix A includes a detailed overview of the 2023 grant activity.

Table 1: 2023 Grant Summary

Grant Status	Definition	Value of Grants
22 Grants Awarded	Refers to the grants that were approved in 2023.	\$68 million
50 Grant Contracts Managed	Refers to the grants that were awarded in 2023, as well as multi-year grants managed in 2023.	\$129 million

In addition to the above grants, the City was also awarded the following funding through direct one-time funding allocations from senior levels of government:

- **Growing Communities Fund:** the City was awarded \$26.2 million from the Province of BC to aid in the construction of infrastructure or community amenities to support our growing population.
- **Capacity Funding for Local Government Housing Initiatives:** the City was awarded \$846,430 from the Province of BC to support activities or projects to meet the new housing legislative requirements.

Direct funding allocations are supported by the Grants Team, however, are not included in the Grant Management Program totals as per the Grant Management Policy.

2023 Grant Highlights

In 2023, the City was awarded \$68 million in conditional grants. A few significant grants that were awarded in 2023 are highlighted below:

1. **Housing Accelerator Fund:** The City was successfully awarded \$31.5 million from the Government of Canada to implement system-changing actions to accelerate housing supply in Kelowna. This funding will allow for more infill housing, higher density development along rapid transit corridors, acquisition of lands for affordable housing development in partnership with non-profits, and expand the use of technology to streamline building permit applications. Kelowna was a leader in this funding program, being the first community announced in BC.
2. **ChildCare New Spaces Grants:** The City was successfully awarded \$25.1 million for three Childcare New Spaces Fund applications, funded by the Government of Canada and the Province of BC. This funding is to build 273 new childcare spaces with 91 new childcare spaces into each of the three new recreation facilities: Parkinson Recreation Centre Redevelopment, Mission Activity Centre, and Glenmore Activity Centre.

There were several multi-year grants in action in 2023 that supported new infrastructure in our community, a few which are highlighted below:

Newest Waterfront Park

This project was funded in part by two senior government grants including \$390,925 from the Provincial Community Economic Development Recovery Infrastructure and \$750,000 from the Federal Canada Community Revitalization Fund. The Provincial grant funded an elevated pier, architectural handrails, and paddle buoys. The Federal grant funded accessibility features including an accessible floating dock and kayak launch, accessible paddle and foot wash station, pedestrian lighting, wayfinding signage, and accessible picnic tables. Together, these grants enhanced accessibility and inclusivity at this new waterfront park and provided a unique opportunity for residents and visitors to access Okanagan Lake.

Strathcona Beach Play Structure

This project was funded in part by the Kiwanis Legacy Foundation, administered through the KGH Foundation. Through this \$150,000 grant and City partnership, a new play structure was constructed at Strathcona Beach Park to inspire play, create social interactions, and promote active living. This park is centrally located and is near important health services including Kelowna General Hospital, JoeAnna's House, and the Cancer Centre.

Sanitary Sewer Connection Project

This project is funded in part by the Government of Canada and the Province of BC through a \$9 million bi-lateral grant from the Investing in Canada Infrastructure Program. This project is underway and will

provide sanitary sewer infrastructure to approximately 600 properties in Rio/Rialto, Rutland and Hall Road, and provide a creek crossing for servicing of the Hall Rd connection area. The second phase of the sanitary sewer connection project in Rutland will be funded in part by the Growing Communities Fund and the Community Critical Infrastructure Fund (CCIF). Provincial Minister of Municipal Affairs, the Honourable Anne Kang, visited Kelowna to announce the CCIF investment in June 2023.

Kelowna Airport YMCA Child Care Centre

This project was funded by the Province of British Columbia through an \$3.8 million grant from the ChildCare BC New Spaces Fund. The Kelowna Airport YMCA Child Care Centre was opened in 2023 and is a partnership between the City of Kelowna, Kelowna International Airport, KF Aerospace, and the YMCA of Southern BC. This child care centre, located on the YLW campus, provides 86 new licensed childcare to help families access quality, affordable, and inclusive child care. The Honourable. Grace Lore, BC’s previous Minister Responsible for Childcare, announced the opening of the centre in person at YLW in November 2023.

Annual Grant Summary

In 2023, the number and dollar value of grants awarded, and contracts managed increased significantly over previous years. Table 2 outlines the annual grant summary from 2020-2023.

Table 2: Annual Grant Summary (2020-2023)

Year	Grants Awarded	Contracts Managed
2020	\$1.8 million	\$36 million
2021	\$20 million	\$56 million
2022	\$27 million	\$67 million
2023	\$68 million	\$129 million

* Note: Table 2 includes conditional grants as per the Grant Management Policy and does not include grants / funding that was directly awarded or annually allocated.

It is important to note that grants are cyclical and competitive. Therefore, there will be years where the City may receive additional funding, and other years where the City receives less grant funding.

Conclusion:

Numerous City staff are involved in grants and through a one-team approach staff ensure that grants are managed appropriately. Dedication and hard work from many staff across the City has been instrumental in securing, managing and delivering grants for the City.

As a fiscally responsible municipality, external grant funding is an essential component of the City’s alternative revenue generation to support and enhance City capital and operating projects. This funding leverages municipal resources and aids in furthering Council, corporate and community priorities. The City will continue to actively pursue grant opportunities in 2024 that align with Council priorities and the 10-Year Capital Plan.

Internal Circulation:

- Partnerships & Investments
- Financial Services
- Infrastructure
- Airport
- Planning, Climate Action & Development Services

Communications

Considerations applicable to this report:

Financial/Budgetary Considerations:

The City also receives an annually allocated grant from the Government of Canada through the Canada Community Building Fund which provides predictable, long-term, and stable funding to local governments in BC. In 2023, the City received \$5.9 million for investment in infrastructure and capacity building projects.

Of note, the City also partnered with the Province of BC for the HEART & HEARTH program. The Province is providing \$9.3 million to fund the encampment response temporary housing projects to create 120 new supportive homes in Kelowna. The City also worked closely with BC Transit for the Investing in Canada Infrastructure Fund grants. \$21.5 million was awarded to BC Transit to fund five projects including the Hardy facility upgrades, the new Transit Operations Centre planning, and three transit hubs upgrades in Kelowna.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Consultation and Engagement:

Communications Comments:

Submitted by:

M. Kam, Grants & Special Projects Manager

Approved for inclusion: B. Evans, Partnership Office Director

Attachments:

- Attachment A: 2023 Grant Summary



2023 Grant Summary



Grant Management

Grant applications and contract timelines vary depending on the funding provider. Therefore, the City of Kelowna is in a constant cycle of planning, securing, and managing grants.

2023 Grant Summary

Grant Status	Definition	Value of Grants
22 Grants Awarded	Refers to grants that were approved and awarded in 2023.	\$67,946,820 ¹
50 Grant Contracts Managed	Refers to the grants that were awarded in 2023, as well as multi-year grants managed in 2023.	\$129,445,238

¹Note – This total does not include direct allocations or annually allocated funding the City was awarded.

2023 Grants Awarded

Project Name: Kelowna's Housing Accelerator Program
Government: Federal (administered by CMHC)
Program: Housing Accelerator Fund
Description: To implement system-changing actions to accelerate housing supply in Kelowna. This funding is to support the development of complete, low-carbon and climate-resilient communities that are affordable, inclusive, equitable and diverse.
Amount Requested: **\$31,558,610**

Project Name: Parkinson Redevelopment Child Care
Government: Provincial/Federal
Program: ChildCareBC New Spaces Fund
Description: To build 91 childcare spaces at the new Parkinson Redevelopment, including: 12 group childcare spaces (under 36 months), 25 group childcare spaces (30 months to school age), and 54 group childcare spaces (school age).
Amount awarded: **\$9,100,000**

Project Name: Glenmore Activity Centre Child Care
Government: Provincial
Program: ChildCareBC New Spaces Fund
Description: To build 91 childcare spaces at the new Glenmore Activity Centre, including: 12 group childcare spaces (under 36 months), 25 group childcare spaces (30 months to school age), and 54 group childcare spaces (school age).
Amount Requested: **\$8,009,151**

Project Name: Mission Activity Centre Child Care
Government: Provincial
Program: ChildCareBC New Spaces Fund
Description: To build 91 childcare spaces at the new Mission Activity Centre, including: 12 group childcare spaces (under 36 months), 25 group childcare spaces (30 months to school age), and 54 group childcare spaces (school age).
Amount Requested: **\$8,003,491**

Project Name: Next Generation 911
Government: Provincial
Program: Next Generation 911 Funding
Description: To support local preparedness for the implementation of Next Generation 911 and the transition of existing 911 services, in compliance with the CRTC mandate.
Amount awarded: **\$3,045,000**

Project Name: Turtle Lake Dam and Septic Elimination Project
Government: Provincial
Program: Critical Community Infrastructure Fund
Description: To complete permanent earthworks stabilization on Turtle Lake Dams and installing sewer main and service connections in the Rutland area.
Amount awarded: \$3,000,000

Project Name: Kelowna Youth Gang Reduction and Prevention Strategy (Year 2-4)
Government: Federal
Program: Building Safer Communities Fund
Description: To collaborate with Central Okanagan Public Schools to implement a Youth Gang Reduction and Prevention Strategy.
Amount Requested: \$1,818,860

Project Name: Island Stage Rejuvenation
Government: Provincial
Program: Destination Development Fund
Description: To rejuvenate Island Stage, which is currently underutilized due to ageing infrastructure, lack of spectator space, and lack of amenities.
Amount awarded: \$998,868

Project Name: Casorso 3N Active Transportation Corridor
Government: Provincial
Program: BC Active Transportation Infrastructure Fund
Description: To construct 400 meters of protected bike lanes along Casorso Road in the Ethel/Casorso active transportation corridor.
Amount awarded: \$500,000

Project Name: Houghton Active Transportation Corridor
Government: Provincial
Program: BC Active Transportation Infrastructure Fund
Description: To construct 780 meters of buffered multi-use pathway along Houghton Road and McIntosh Road.
Amount awarded: \$500,000

Project Name: Annual ICBC Road Safety Improvement Grants
Government: ICBC
Program: Road Safety Improvement Program
Description: To complete small road improvement upgrades around the community.
Amount awarded: \$364,900

Project Name: PEOPLE Peer Navigators and Capacity Building Program
Government: Federal
Program: Substance Use and Addictions Program
Description: Additional funding to extend the PEOPLE Peer Navigator program to build capacity of people with lived and living experience of past or current substance use through harm reduction or healing.
Amount awarded: \$225,000

Project Name: 2023 City of Kelowna Wildfire Mitigation
Government: Provincial
Program: Firesmart Community Funding & Supports
Description: To support various local FireSmart activities including hazard assessments, outreach activities, curbside removal of vegetation from FireSmart priority zones and a fuel modification project.
Amount awarded: \$180,410

Project Name: Kelowna Urban Centres Planning Framework
Government: Provincial
Program: Complete Communities Program
Description: To develop an Urban Centres Planning Framework; a unique approach to planning for Kelowna's five urban centres, where half of the rapid growth is anticipated.
Amount awarded: \$149,500

Project Name: Ecological Restoration and Fuel Management in Wildland Urban Interface Environments
Government: Federal
Program: Environment and Climate Change Canada
Description: To promote restoration of key habitats while simultaneously reducing risk of catastrophic wildfire.
Amount awarded: \$132,025

Project Name: knknxtəwix̓ "We walk hand in hand" Indigenous Harm Reduction and Structural Stigma Dialogue with the Healthcare Sector
Government: Federal
Program: Substance Use and Addictions Program
Description: **Additional funding** to extend the pilot Indigenous Harm Reduction Team, provide cultural wellness training for partner organizations, and develop and implement a pilot Indigenous Substance Use Day Treatment Program.
Amount awarded: \$92,005

Project Name: Accessibility Ratings and Upgrades – City Buildings
Government: Provincial (Rick Hansen Foundation)
Program: RHF BC Grant Program
Description: To undertake accessibility ratings for the Kelowna Museum, Parkinson Activity Centre, and the Kelowna Community Theatre. To complete accessibility upgrades once assessments are complete and prioritized.
Amount awarded: \$82,500

Project Name: Enhancing YLW: Recovery and Growth for Destination Travel
Government: Federal
Program: Tourism Relief Fund
Description: To expand and diversify airline flights into YLW and to boost economic activities in the Okanagan area.
Amount awarded: \$57,500

Project Name: Kelowna Food Innovation Project
Government: Provincial
Program: Poverty Reduction Planning & Action Grant
Description: To support the collaborative implementation of food security and capacity building within the sector.
Amount awarded: \$50,000

Project Name: Extreme Cold Weather Operations for People Sheltering Outdoors in Kelowna
Government: Provincial
Program: Extreme Temperature Risk Mapping, Assessment and Planning
Description: To complete an Asset and Resources Systems Map and subsequent Response Plan that will identify local resources and provide guidance to assist those sheltering outside during extreme cold.
Amount awarded: \$30,000

Project Name: MCRI Restoration and Effectiveness Monitoring
Government: Okanagan Basin Water Board
Program: Water Quality and Conservation Improvement
Description: To begin a 3-year initiative focused on delivery of recommendations from the Lower Mission Creek Habitat Conservation and Restoration Plan.
Amount awarded: \$25,000

Project Name: Marinas & Drinking Water on Okanagan Lake
Government: Okanagan Basin Water Board
Program: Water Quality and Conservation Improvement
Description: To complete a data-guided assessment of potential effects of a proposed marina in Sutherland Bay on the Poplar Point intake.
Amount awarded: \$24,000

Total Grants Awarded: \$67,946,820

2023 Contracts Managed¹

Project Name: Mill Creek Flood Protection Project
Government: Federal
Program: Disaster Mitigation and Adaptation Fund
Description: To mitigate flooding impacts along Mill Creek.
Amount awarded: \$22,000,000

Project Name: Kelowna Septic System Elimination and Sewer Connection Project
Government: Federal/Provincial
Program: Investing in Canada Infrastructure – Environment Quality
Description: To eliminate approximately 600 aging septic fields from Central Rutland, Rio/Rialto and Hall Road, and a creek crossing for servicing of the Hall Rd connection area.
Amount awarded: \$9,034,256

Project Name: YLW Combined Operations Building
Government: Federal
Program: Airport Critical Infrastructure Program
Description: To improve efficiencies in aircraft rescue, firefighting and operational responses to ensure the highest safety standards.
Amount awarded: \$7,100,000

Project Name: YLW Runway End Safety Area
Government: Federal
Program: Airport Critical Infrastructure Program
Description: To create a runway end safety area (RESA) at the end of the YLW runways 16 and 34 in compliance with federal regulations.
Amount awarded: \$4,550,000

Project Name: YLW Childcare Facility
Government: Provincial
Program: ChildCare BC New Spaces Fund
Description: To build a new 86 space Child Care Centre at the Kelowna International Airport. This centre will be operated by the YMCA of the Okanagan.
Amount awarded: \$3,776,100

Project Name: Kelowna's Outdoor Sheltering Strategy
Government: Federal/Provincial
Program: Strengthening Communities' Services Program
Description: To complete the Outdoor Sheltering Strategy, a multi-faceted approach to support the health, safety, and well-being of the community's unsheltered homeless populations.
Amount awarded: \$3,203,525

¹ 2023 Contracts Managed identifies active grant contracts. Some of the projects may have been completed, however the contractual reporting requirements were still active for the grant in the calendar year.

Project Name: YLW Biosecurity Testing Facility
Government: Federal
Program: Airport Critical Infrastructure Program
Description: To establish testing and screening facilities, along with the necessary changes to facilitate flow and management of physical distancing, to protect passengers and employees at YLW.
Amount awarded: \$2,724,732

Project Name: Rutland to Okanagan Rail Trail
Government: Federal/Provincial
Program: COVID-19 Resilience Infrastructure
Description: To construct 700 m shared all ages and abilities active transportation pathway that will connect Rutland to the Okanagan Rail Trail (Houghton 1 ATC).
Amount awarded: \$2,438,143

Project Name: Kelowna's Outdoor Navigation Strategy
Government: Federal/Provincial (administered by UBCM)
Program: Strengthening Communities' Services Program
Description: To provide critical services and supports for people sheltering outdoors such as the overnight sheltering site, day services, hygiene and personal belonging services.
Amount awarded: \$1,219,891

Project Name: YLW Air Terminal Building Roof Replacement
Government: Federal
Program: Airport Critical Infrastructure Program
Description: To replace the existing roof of the Airport Terminal Building at YLW with a higher insulation value making it more energy efficient and providing the additional benefit of reducing greenhouse gas emissions.
Amount awarded: \$800,000

Project Name: Enhance Accessibility and Inclusivity at Kelowna's newest waterfront park on Cedar Avenue
Government: Federal (PacifiCan)
Program: Canada Community Revitalization Fund
Description: To construct accessibility and inclusivity features including an accessible floating dock and kayak launch, accessible paddle and foot wash station, pedestrian lighting, accessible wayfinding signage, and accessible picnic tables.
Amount awarded: \$750,000

Project Name: PEOPLE Peer Navigators and Capacity Building Project
Government: Federal
Program: Substance Use and Addictions Program
Description: To build capacity of people with lived and living experience of past or current substance abuse through harm reduction and healing.

Amount awarded:	\$691,000
Project Name:	knknxtəwix̱ "We walk hand in hand" Indigenous Harm Reduction and Structural Stigma Dialogue with the Healthcare Sector
Government:	Federal
Program:	Substance Use and Addictions Program
Description:	To develop and implement a pilot Indigenous Harm Reduction Team, provide cultural wellness training for partner organizations, and develop and implement a pilot Indigenous Substance Use Day Treatment Program.
Amount awarded:	\$662,433
Project Name:	Casorso 4 ATC
Government:	Provincial
Program:	BC Active Transportation
Description:	To construct a protected bike route from Ethel St at Raymer Ave to KLO Rd at Casorso Rd (0.7km).
Amount awarded:	\$500,000
Project Name:	YLW Mass Timber Demonstration Program
Government:	Provincial (administered through Forestry Innovation Investment)
Program:	Mass Timber Demonstration Program
Description:	To utilize digital twin technology to develop, incorporate, and share new technologies for mass timber construction during YLW's project to expand the Air Terminal Building.
Amount awarded:	\$500,000
Project Name:	The Pier at Kelowna's newest waterfront park on Cedar Avenue
Government:	Provincial
Program:	Community Economic Recovery Infrastructure (Destination Development)
Description:	To develop an inclusive and universally accessible public pier at Kelowna's newest waterfront park on Cedar Avenue to promote water-based opportunities and contribute to tourism.
Amount Requested:	\$390,925
Project Name:	Kelowna Youth Gang Reduction and Prevention Strategy (Year 1)
Government:	Federal
Program:	Building Safer Communities Fund
Description:	To collaborate with Central Okanagan Public Schools to develop and implement a Youth Gang Reduction and Prevention Strategy.
Amount Requested:	\$202,095
Project Name:	North End Plan
Government:	Federal (administered through FCM)
Program:	Green Municipal Fund: Sustainable Neighbourhood Action Plan
Description:	To complete Phases 3 and 4 of the North End Neighbourhood Plan.
Amount awarded:	\$175,000

Project Name: **Strathcona Beach Park Project: Structural Play Components**
Government: Non-Profit (KGH Foundation)
Program: Kiwanis Legacy Endowment Fund
Description: To undertake the first phase of the Strathcona Beach Park Project which focuses on creating universally accessible outdoor play space for people of all ages, abilities, and incomes.
Amount awarded: **\$150,000**

Project Name: **2022 Wildfire Mitigation Project**
Government: Provincial (administered through UBCM)
Program: FireSmart Community Funding & Supports
Description: To educate citizens on FireSmart initiatives and a small fuel reduction project in a densely forested and steep area of Knox Mountain Park.
Amount awarded: **\$149,045**

Project Name: **2022 Transit Upgrades in Kelowna**
Government: Provincial
Program: Transit Minor Betterments Program
Description: To fund accessible transit stops at Hwy 33 at Gerstmar Road and Hwy 33 westbound at Bryden Road.
Amount awarded: **\$135,000**

Project Name: **City of Kelowna Fleet Level 2 Chargers**
Government: Federal
Program: Zero Emission Vehicle Infrastructure Program
Description: To install Level 12 EV chargers at Yards and 12 EV chargers at WWTF to support the expansion of the City's EV fleet.
Amount awarded: **\$120,000**

Project Name: **YLW Airfield Lighting and Supporting Infrastructure Design**
Government: Federal
Program: Airport Critical Infrastructure Program
Description: To complete an airfield lighting feasibility assessment and design for an upgrade to airfield lighting systems and supporting infrastructure.
Amount awarded: **\$120,000**

Project Name: **KCT Lighting System Replacement and Upgrade**
Government: Federal
Program: Canada Cultural Spaces Fund
Description: To replace the aging and outdated lighting fixtures.
Amount awarded: **\$97,973**

Project Name: **Housing Needs Assessment**
Government: Provincial (administered through UBCM)
Program: Housing Needs Report
Description: To complete a housing needs assessment to provide the foundation for the next iteration of Kelowna's Housing Strategy.
Amount awarded: **\$70,000**

Project Name: **MCRI Monitoring and Restoration Planning**
Government: OBWB
Program: Water Conservation and Quality Improvement Program
Description: To support Mission Creek Restoration Initiative to complete the third and final year of monitoring and restoration planning.
Amount awarded: **\$26,500**

Project Name: **KLO & Spiers Crosswalk Safety Project**
Government: Provincial
Program: BC Vision Zero in Road Safety for Vulnerable Users Program
Description: To construct a safe connection from the Hall Road neighbourhood to the regionally significant recreational Mission Creek Greenway and access to transit stops on KLO Road.
Amount awarded: **\$19,000**

Project Name: **Snow Storage Location Risk Assessment Study**
Government: OBWB
Program: Water Conservation and Quality Improvement Program
Description: To complete a study to assess the risks and contaminants associated with the City's snow storage locations.
Amount awarded: **\$12,800**

Total Grants Managed: **\$129,445,238²** (refer to footnote for calculation)

² Grants managed = \$61,498,418 (multi-year grants) + \$67,946,820 (2023 grants awarded)

2023 Grants Summary



Grant Management Program

- ▶ To increase funds to leverage City resources and priority projects
- ▶ Includes a strategic alignment:
 - ▶ Council priorities
 - ▶ Annual budget
 - ▶ 10-Year Capital Plan
 - ▶ Imagine Kelowna, Official Community Plan or other related Master Plans

Grant Management Program

External Grant Approval and
Grant Management Policy

Grant Procedure Manual

Grants Management System

Grants Dashboard

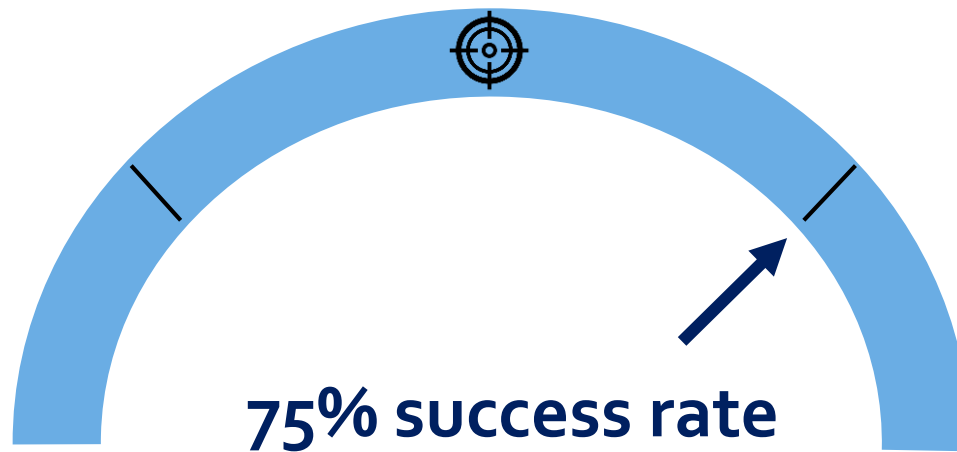


2023 Grants Summary

Grant Status	Value
22 grants awarded	\$68 million
50 grant contracts managed	\$129 million

Performance Measure

- ▶ Success rate on grant applications, based on 20 applications submitted per year (*target = 50%*)



Direct Funding Allocations



Growing Communities Fund

- ▶ \$26.2 million for infrastructure or community amenities

Capacity Funding for Local Government Housing Initiatives

- ▶ \$846,430 to meet new housing legislative requirements

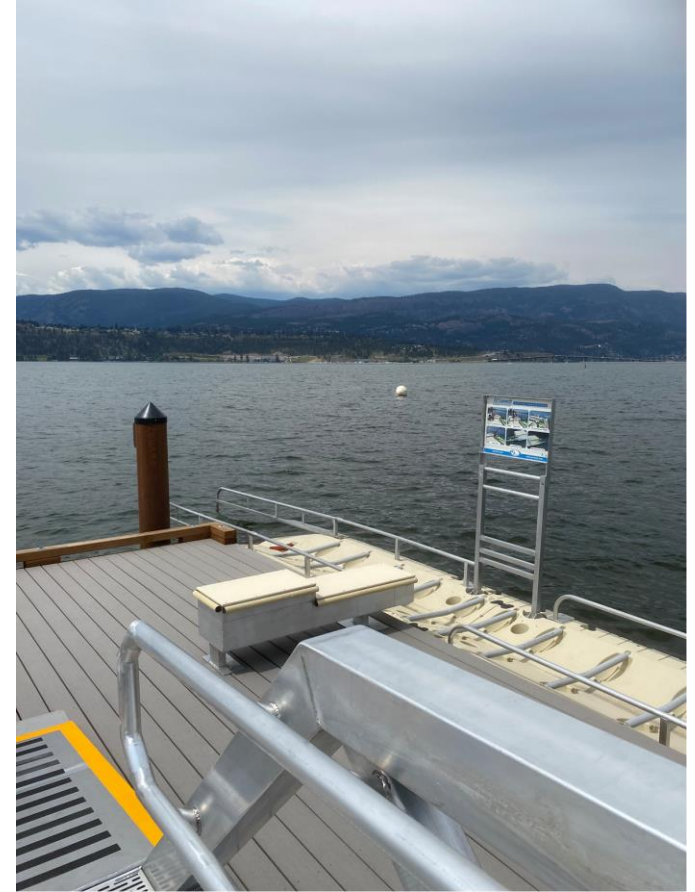
Housing Accelerator Fund



ChildCare New Spaces Grants



Newest Waterfront Park



Strathcona Beach Park



Sanitary Sewer Project



Kelowna Airport YMCA Child Care Centre Opening



Annual Grant Summary 2020-2023

Year	Grants awarded	Contracts managed
2020	\$1.8 million	\$36 million
2021	\$20 million	\$56 million
2022	\$27 million	\$67 million
2023	\$68 million	\$129 million



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: February 5, 2024
To: Council
From: City Manager
Subject: Lease Agreement for 825 Walrod St – Justice Institute of BC
Department: Real Estate

Recommendation:

THAT Council approves the City entering into a two (2) year Lease Agreement with the Justice Institute of British Columbia, with the option to renew for three (3) additional terms of one (1) year, outlined in the Municipal Facilities Lease, dated September 5, 2023, and attached to the report of the Property Management department, dated February 5, 2024;

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete the transaction.

Purpose:

To obtain Council support to enter into a lease agreement for the facility at 825 Walrod St. with the Justice Institute of British Columbia.

Background:

The City purchased the Walrod School from School District #23 in May of 2005 with the intent of turning the property into a municipal park. Until the City is prepared to move forward with the park development, the Justice Institute of British Columbia (“JIBC”) was identified as a suitable tenant of the property and has occupied the property since 2006. The playfields on this site have remained accessible to the public.

Staff have confirmed that the site will remain a park in the design of the North End Plan and do not anticipate developing the property until 2026. The City will continue to seek out potential future locations for JIBC. With these considerations in mind, staff are recommending entering into a new lease agreement with JIBC in the form attached to this report.

Financial/Budgetary Considerations:

A summary of the key terms of the lease is provided below. Note that the rent was determined via a third-party appraisal.

Lease Agreement Highlights	
Term	2 Years
Base Rent - Year 1	\$68,000/ann.
Renewals*	3 x 1-year

** at the City's discretion*

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by: C. Passley, Manager, Property Management (Acting)

Approved for inclusion: J. Säufferer, Department Manager, Real Estate

Attachments: Schedule A – Lease Agreement
Schedule B – PowerPoint

cc: R. Parlane, Manager, Parks & Buildings Planning
S. Perry, Manager, Building Services

SCHEDULE A

MUNICIPAL FACILITY LEASE (COMMERCIAL LEASE)

BETWEEN:

CITY OF KELOWNA, a municipal corporation having
Offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

(the "Landlord")

OF THE FIRST PART

AND:

JUSTICE INSTITUTE OF BRITISH COLUMBIA, having
its registered offices at 715 McBride Boulevard,
New Westminster, British Columbia, V3L 5T4

(the "Tenant")

OF THE SECOND PART

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1. Basic Terms, Schedules and Definitions
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5. Tenant's Covenants
6. Landlord's Covenants
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12. Insurance and Liability
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14. Subordination, Attornment, Registration, and Certificates
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16. Tenant's Default, Remedies of Landlord and Surrender
17. Occupational Health & Safety
18. WorkSafe BC Coverage
19. Non Liability of Landlord Officials
20. Miscellaneous

THIS LEASE, dated the 5 day of September, 2023, is made and entered into by the Landlord and the Tenant named herein who, in consideration of the covenants herein contained, agree as follows:

1. BASIC TERMS, SCHEDULES, AND DEFINITIONS

Basic Terms:

- (a) Landlord: CITY OF KELOWNA
Address of Landlord: City Hall, 1435 Water Street
Kelowna, B.C. V1Y 1J4
Fax: 250-862-3349
Email: molson@kelowna.ca

- (b) Tenant: JUSTICE INSTITUTE OF BRITISH COLUMBIA
Address of Tenant: 715 McBride Boulevard, New Westminster,
British Columbia, V3L 5T4

- (c) Premises: Part of Lot 1, Section 30, Township 26, KAP
8081, ODYD
PID: 009-890-165

As identified in the attached Schedule A

- (d) License Area: The parking area, landscaped area, and
surrounding property, as outlined in Schedule A
as the "License Area", for purposes necessarily
related to the permitted use of the Premises

- (e) Initial Term: Two (2) years
Commencement Date: January 1, 2023

- (f) Renewal Term (if any): Three (3) one (1) – year renewal options, at the
sole discretion of the Landlord

- (g) Annual Base Rent + Tax: 2023 - \$68,000.00 + GST
2024 - \$75,000.00 + GST

- (h) Security/Performance Deposit: N/A

- (h) Property Taxes: Tenant Pays

- (i) Utilities: Tenant Pays

- (j) Permitted Use: For the Purpose of the Tenant's business as an
educational institution

The foregoing Basic Terms are approved by the parties. Each reference in this Lease to any of the Basic Terms shall be construed to include the provisions set forth above as well as all of the additional terms and conditions of the applicable sections of this Lease where such Basic Terms are more fully set forth.

1.2 Schedules

All Schedules to this Lease are incorporated into and form an integral part of this Lease and are as follows:

SCHEDULE	SUBJECT
A	Premises and License Area
B	Maintenance Responsibility Checklist
C	Insurance

2. PREMISES AND LICENSE AREA

2.1 Premises

In consideration of the rents, covenants, and agreements hereinafter reserved and contained on the part of the Tenant to be paid, observed, and performed, the Landlord hereby demises and leases to the Tenant, and the Tenant leases from the Landlord, the Premises.

2.2 License Area

The Landlord furthermore grants a license (the "License") to the Tenant to use the parking area, landscaped area, and surrounding property outlined as the License Area in Schedule A, for purposes necessarily related to the permitted use of the Premises.

2.3 Leasehold Improvements

Leasehold improvements include any fixtures, improvements, installations, alterations, and additions to the Premises made from the time of the Tenant's occupancy and anytime hereafter made, erected, or installed, whether by the Tenant, the Landlord, or any other third party, in the Premises; including all partitions however fixed, including moveable partitions, and all wall-to-wall carpeting, with the exception of such carpeting where it is laid over vinyl tile or other finished floor and affixed so as to be readily removable without damage, but excluding trade fixtures and unattached free-standing furniture and equipment ("Leasehold Improvements").

3. TERM

3.1 Term

The Term of this Lease, and the related License, shall be on a month-to-month basis until the Tenant has obtained approval from the Ministry of Post-Secondary Education and Future Skills, provided always that the expiration date of the Lease shall be December 31st, 2024, and subject to earlier termination or renewal on the terms and conditions as set out herein.

3.2 Option to Renew

The Landlord covenants with the Tenant that if:

- (a) the Tenant gives notice to the Landlord that the Tenant wishes to obtain renewal of this Lease, such notice to be given not later than six (6) months prior to the expiration of the initial Term of two (2) years;
- (b) at the time of giving such notice, the Tenant is not in breach of any covenant or condition herein contained and which has not been remedied within the time provided for in this Lease; and
- (c) the Tenant has duly and regularly throughout the initial Term of two (2) years observed and performed the covenants and conditions herein contained

then the Landlord may, at the Landlord's sole discretion and acting reasonably, grant to the Tenant at the Tenant's expense a renewal lease of the Premises and, if applicable, the License Area for the Renewal Term(s) of one (1) year, upon the same terms and conditions, Annual Base Rent, and Additional Rent as are herein contained.

The lease may be renewed up to three (3) times, for a total of five (5) years including the original Term.

4. RENT

4.1 Rent

The Tenant shall yield and pay to the Landlord, in the manner outlined in clause 4.2, at the office of the Landlord's accounts payable division, or at such other place as the Landlord may direct in writing, during the Term in lawful money of Canada without any set-off, abatement, compensation, or deduction whatsoever on the days and at the times hereinafter specified, Rent which shall include the aggregate of the sums specified in sub-clauses (a) and (b) below:

- (a) Annual Base Rent
Annual Base Rent in the amount per annum set out in sub-clause 1.1(g) for each respective year of this Lease.
- (b) Additional Rent

In addition, but subject to any operating costs the Landlord expressly agrees to pay for its own account, the Tenant is responsible for all operating costs of whatever nature or kind in connection with the Premises and, if applicable, the License Area including all applicable real estate taxes and other charges.

4.2 Payment of Rent

The Rent provided for in this Article shall be paid by the Tenant as follows:

(a) Annual Base Rent

The Annual Base Rent shall be paid in equal consecutive monthly instalments, in the amounts set out in sub-clause 1.1(g), in advance on the first day of each and every month during the Term. The first monthly instalment of the Annual Base Rent shall be paid by the Tenant on the Commencement Date. Where the Commencement Date is the first day of a month such instalment shall be in respect of such month; where the Commencement Date is not the first day of a calendar month, the Annual Base Rent for the period from the Commencement Date to the first day of the next ensuing calendar month shall be pro-rated on a per diem basis and paid on the Commencement Date and the first regular instalment of the Annual Base Rent shall be paid on the first day of the first full calendar month of the Term. Thereafter, subsequent monthly instalments shall each be paid in advance on the first day of each ensuing calendar month during the Term.

(b) Additional Rent Payments

In addition, the Tenant is responsible for all operating costs of whatever nature or kind in connection with the Premises and, if applicable, the License Area including all applicable real estate taxes and other charges.

(c) Payment Format

The Tenant agrees to pay the Annual Base rent via Bank Transfer on a monthly basis.

4.3 Rent for Irregular Periods

All Rent reserved herein shall be deemed to accrue from day-to-day, and if for any reason it shall become necessary to calculate the Annual Base Rent for irregular periods of less than one year an appropriate pro-rata adjustment shall be made on a daily basis in order to compute the Annual Base Rent for such irregular period.

4.4 Waiver of Offset

The Tenant hereby waives and renounces any and all existing and future claims, offsets, and compensation against any Rent and agrees to pay such Rent regardless of any claim, offset, or compensation which may be asserted by the Tenant or on its behalf.

4.5 Application of Payments

All payments by the Tenant to the Landlord under this Lease shall be applied toward such amounts then outstanding hereunder as the Landlord determines and the Landlord may subsequently alter the application of any such payment.

4.6 Net Lease

The Tenant Acknowledges and agrees that it is intended that this Lease shall be a completely net lease for the Landlord except as shall be otherwise provided in the specific provisions contained in this Lease, and that the Landlord shall not be responsible during the Term for any costs, charges, expenses, and outlays of any nature whatsoever arising from or relating to the specific provisions contained in this Lease, shall pay all charges, impositions, and costs of every nature and kind relating to the Premises and, if applicable, the License Area whether or not referred to herein and whether or not within the contemplation of the Landlord or the Tenant, and the Tenant covenants with the Landlord accordingly.

4.7 Interest on Overdue Rent

Overdue Rent payments shall be interest at the current Bank of Canada lending rate effective from the date the amount is due.

5. TENANT'S COVENANTS

5.1 Tenant's Covenants

The Tenant covenants with the Landlord as follows:

(a) Rent

To pay the Rent on the days and in the manner provided herein and to pay all other amounts, charges, costs, and expenses as are required to be paid by the Tenant to the Landlord or to others under this Lease.

(b) Occupancy and Permitted Use

To take possession of and occupy the Premises and, if applicable, the License Area and commence to carry on business in all or substantially all of the Premises and, if applicable, the License Area no later than 30 days after the Commencement Date, to use the Premises and, if applicable, the License Area only for the purpose set out in clause 1(j) herein and not for any other purpose.

(c) Waste and Nuisance

Not to commit or permit: any waste or injury to the Premises and, if applicable, the License Area including the Leasehold Improvements and the trade fixtures therein; any overloading of the floors thereof; any conduct which impedes or, in the opinion of the Landlord acting reasonably, could constitute a nuisance to the Landlord or anyone else; any other use or manner of use which, in the opinion of the Landlord acting reasonably, may have an adverse impact on the reputation of the Premises.

(d) Insurance Risks

Not to do, omit to do, or permit to be done or omitted to be done upon the Premises and, if applicable, the License Area anything which would cause the Landlord's cost of insurance to be increased (and, without waiving the foregoing prohibition, the Landlord may demand, and the Tenant shall pay to the Landlord upon demand, the amount of any such increase of cost caused by anything so done or omitted to be done) or which shall cause any policy of insurance to be subject to cancellation.

(e) Cleanliness

Not to permit the Premises and, if applicable, the License Area to become untidy, unsightly, or hazardous, or permit unreasonable quantities of waste or refuse to accumulate therein, and at the end of each business day to leave the Premises in a clean and neat condition, to the satisfaction of the Landlord.

(f) Compliance with Laws

To comply at its own expense with all municipal, provincial, and federal laws, bylaws, regulations, and requirements pertaining to the operation and use of the Premises and if applicable, the License Area, the condition of the Leasehold Improvements, trade fixtures and equipment installed therein, and the making by the Tenant of any repairs, changes or improvements therein.

(g) Reputational Obligations

The Tenant shall not take any action, or permit its officers, employees, contractors, or agents to take any action, which is intended, or would reasonably be expected, to harm the Landlord's reputation, or which would reasonably be expected to lead to unwanted or unfavorable publicity to the Landlord; provided, however, the foregoing limitation shall not apply to compliance with any legal process or statements made in response to authorized inquiry from a court or regulatory body.

(h) Installations

To permit the Landlord during the Term, at the Tenant's cost, to install any equipment in or make alterations to the Premises and, if applicable, the License

Area necessary to comply with the requirements of any statute, law, bylaw, ordinance, order, or regulation referred to in sub-clause 5.1(f) and imposed after completion of the Landlord's original construction of the Premises.

(i) Overholding

That if the Tenant shall continue to occupy the Premises and, if applicable, the License Area after the expiration of this Lease without any further written agreement and without objection by the Landlord, the Tenant shall be a monthly tenant at a monthly base rent equal to 125% of the Annual Base Rent payable by the Tenant as set forth in Article 4 during the last month of the Term. The monthly tenancy shall be (except as to the length of tenancy) subject to the provisions and conditions herein set out.

(j) Signs

Not to display, place, or affix any sign except in accordance with the regulations of the Landlord.

(k) Inspection and Access

To permit the Landlord at any time and from time to time to enter and to have its authorized agents, employees, and contractors enter the Premises and, if applicable, the License Area for the purpose of inspection or making repairs, alterations, or improvements to the Premises and, if applicable, the License Area as the Landlord may deem necessary or desirable, or as the Landlord may be required to make by law. The Landlord shall be allowed to take into the Premises all material which may be required for such purpose and the rent reserved shall in no way abate while such repairs, alterations or improvements are being made by reason of interruption of the business of the Tenant. The Landlord shall exercise reasonable diligence as to minimize the disturbance or interruption of the Tenant's operation.

(l) Showing Premises

Upon twenty four (24) hours' advanced notice, to permit the Landlord and its authorized agents and employees to show the Premises and, if applicable, the License Area to prospective tenants during the normal business hours of the last three months of the Term.

6. LANDLORD'S COVENANTS

6.1 Landlord's Covenants

The Landlord covenants with the Tenant that provided the Tenant pays the Rent hereby reserved and performs its other covenants herein contained, the Tenant shall and may peaceably possess and enjoy the Premises and, if applicable, the License Area for the Term hereby granted, without

any interruption or disturbance from the Landlord or its assigns, or any other person or persons lawfully, claiming by, from, through, or under the Landlord.

7. REPAIR, DAMAGE, AND DESTRUCTION

7.1 Landlord's Repairs

The Landlord covenants with the Tenant that the Landlord will maintain the Premises according to the terms set out in the Landlord & Tenant Responsibility Checklist attached as Schedule C. Unauthorized repairs, except in a bona fide emergency, will not be reimbursed.

7.2 Tenant's Repairs

The Tenant covenants with the Landlord:

- (a) subject to sub-clause 7.1 and 7.3(b) to keep in a good and reasonable state of repair subject to reasonable wear and tear, the Premises and, if applicable, the License Area including all Leasehold Improvements and all trade fixtures therein and all glass including all glass portions of exterior walls;
- (b) that the Landlord may enter and view the state of repair (without having any obligation to do so), and that the Tenant will repair according to notice in writing, and that the Tenant will leave the Premises and License Area in a good and reasonable state of repair, allowing for reasonable wear and tear.

7.3 Abatement and Termination

It is agreed between the Landlord and the Tenant that in the event of damage to the Premises that is not as a result of reasonable wear and tear and, if applicable, the License Area:

- (a) if the damage is such that the Premises and, if applicable, the License Area or any substantial part thereof are rendered not reasonably capable of use and occupancy by the Tenant for the purposes of its business for any period of time in excess of ten (10) days, then:
 - (i) unless the damage was caused by the fault of negligence of the Tenant or its employees, invitees, or others under its control and the damage is not covered by insurance, from and after the date of occurrence of the damage and until the Premises and, if applicable, the License Area are again reasonably capable of use and occupancy as aforesaid, Rent shall abate from time to time in proportion to the part or parts of the Premises and, if applicable, the License Area not reasonably capable of use and occupancy; and
 - (ii) unless this Lease is terminated as hereinafter provided, the Landlord or the Tenant, as the case may be (according to the nature of the damage and their respective obligations to repair as provided in clauses 7.1 and 7.2) shall repair such damage with all reasonable diligence, but to the

extent that any part of the Premises and, if applicable, the License Area is not reasonably capable of such use and occupancy by reason of damage which the Tenant is obligated to repair hereunder, any abatement of Rent to which the Tenant is otherwise entitled hereunder shall not extend later than the time by which, in the reasonable opinion of the Landlord, repairs by the Tenant ought to have been completed with reasonable diligence;

- (b) if the damage sustained identifies a repair or replacement is necessary that is the responsibility of the Landlord pursuant to Maintenance Responsibility Checklist attached as Schedule C, and if such repair or replacement cost is equal to or in excess of fifteen thousand dollars (\$15,000.00), then the Landlord shall provide written notice to the Tenant of the expense of such repair and replacement and the Tenant may, at its sole discretion, approve the repair or replacement, in which instance the Tenant shall be responsible for any repair or replacement costs in excess of fifteen thousand dollars (\$15,000.00). In the event the Tenant does not approve the repair or replacement the Landlord may, at its sole discretion, exercisable by written notice to the Tenant, given within one hundred twenty (120) days after the occurrence of such damage or destruction, terminate this Lease, in which event neither the Landlord nor the Tenant shall be bound to repair as provided in clauses 7.1 and 7.2, and the Tenant shall instead deliver up possession of the Premises and, if applicable, the License Area to the Landlord with reasonable expedition but in any event within one hundred twenty (120) days after delivery of such notice of termination, and Rent shall be apportioned and paid to the date upon which possession is so delivered up (but subject to any abatement to which the Tenant may be entitled under sub-clause 7.3(a) by reason of the Premises and, if applicable, the License Area having been rendered in whole or in part not reasonably capable of use and occupancy), but otherwise the Landlord or the Tenant as the case may be (according to the nature of the damage and their respective obligations to repair as provided in clauses 7.1 and 7.2) shall repair such damage with reasonable diligence;
- (c) if the Premises and, if applicable, the License Area are substantially damaged or destroyed by any cause to the extent such that in the reasonable opinion of the Landlord they cannot be repaired or rebuilt (based on standard hours of construction work) within two hundred forty (240) days after the occurrence of the damage or destruction, then either the Landlord or Tenant may at its option, exercisable by written notice to the Tenant or Landlord, given within sixty (60) days after the occurrence of such damage or destruction, terminate this Lease, in which event neither the Landlord nor the Tenant shall be bound to repair as provided in clauses 7.1 and 7.2, and the Tenant shall instead deliver up possession of the Premises and, if applicable, the License Area to the Landlord with reasonable expedition but in any event within sixty (60) days after delivery of such notice of termination, and Rent shall be apportioned and paid to the date upon which possession is so delivered up (but subject to any abatement to which the Tenant may be entitled under sub-clause 7.3(a) by reason of the Premises and, if applicable, the License Area having been rendered in whole or in part not reasonably capable of use and occupancy), but otherwise the Landlord or the

Tenant as the case may be (according to the nature of the damage and their respective obligations to repair as provided in clauses 7.1 and 7.2) shall repair such damage with reasonable diligence.

7.4 Service Interruptions

The Tenant acknowledges to the Landlord that the operation of systems and the availability of facilities for which the Landlord is responsible under clause 7.1 may be interrupted from time to time in cases of accident and emergency, in order to carry out maintenance, repairs, alterations, replacements, and upgrading, or for any other reasonable reason required by the Landlord.

8. TAXES AND OTHER COSTS

8.1 Tenant Tax Obligation

The Tenant covenants with the Landlord:

- (a) to pay when due, all Property Taxes, business Taxes, business license fees, and other Taxes, rates, duties or charges levied, imposed, or assessed by lawful authority in respect of the use and occupancy of the Premises by the Landlord, the business or businesses carried on therein, or the equipment, machinery, or fixtures brought therein by or belonging to the Tenant, or to anyone occupying the Premises with the Tenant's consent, or from time to time levied, imposed, or assessed in the future in addition or in lieu thereof, and to pay the Landlord upon demand the portion of any tax, rate, duty, or charge levied or assessed upon the Premises that is attributable to any equipment, machinery, or fixtures on the Premises which are not the property of the Landlord or which may be removed by the Tenant;
- (b) to pay promptly to the Landlord when demanded or otherwise due hereunder all Taxes in respect of all Leasehold Improvements in the Premises; and

8.2 Goods and Services Tax

In accordance with the applicable legislation the Goods and Services Tax applies to this Lease as per the terms contained herein.

9. UTILITIES AND ADDITIONAL SERVICES

9.1 Utilities

The Tenant shall be responsible for all aspects of, including payment of costs related to, utilities and services of whatever nature or kind required in connection with the Premises and, if applicable, the License Area, and the conduct by the Tenant of the Tenant's business as described herein including without limitation, water, telephone, sewer, hydro, power, heating, air conditioning, and garbage disposal. The tenant shall be responsible for obtaining and maintaining a gas operating permit. The tenant shall be responsible for obtaining and maintaining an electrical operating permit. The tenant is responsible for informing the Property

Manager, Real Estate and Building Services of the permits and who the Field Safety Representative is.

9.2 Additional Services

Snow clearing, maintenance of parking lot, grass cutting, fertilizing, irrigation, leaf and litter clean up, and tree work services shall be provided by the Landlord.

10. LICENSES, ASSIGNMENTS, AND SUBLETTING

10.1 General

It is understood and agreed that the Tenant may not assign this Lease, or sublease the Premises and, if applicable, the License Area, to another party.

11. FIXTURES AND IMPROVEMENTS

11.1 Installation of Fixtures and Improvements

The Tenant will not make, erect, install, or alter any Leasehold Improvements in the Premises and, if applicable, the License Area, any safe or special lock in the Premises, or any apparatus for illumination, air conditioning, cooling, heating, refrigerating, or ventilating the Premises, in any case without having requested and obtained the Landlord's prior written approval, which the Landlord shall not unreasonably withhold. In making, erecting, installing, or altering any Leasehold Improvements the Tenant shall comply with the tenant construction guidelines as established by the Landlord from time to time, and shall obtain all required building and occupancy permits and comply with all laws of all authorities having jurisdiction. The Tenant's request for any approval hereunder shall be in writing and be accompanied by a reasonably detailed description of the contemplated work and, where appropriate, plans, working drawings, and specifications. All work to be performed in the Premises and, if applicable, the License Area shall be performed by competent contractors and subcontractors and shall be performed and completed in a good and workmanlike manner.

11.2 Liens and Encumbrances on Fixtures and Improvements

In connection with the making, erection, installation, or alteration of Leasehold Improvements and trade fixtures, and all other work or installations made by or for the Tenant in the Premises and, if applicable, the License Area, the Tenant shall comply with all of the provisions of the *Builders Lien Act*, S.B.C. 1997, c. 45 and amendments thereto, and other statutes from time to time applicable thereto (including any provision requiring or enabling the retention of portions of any sums payable by way of holdbacks), shall permit the Landlord to take all steps to enable the Landlord to obtain the benefit of the provisions of the *Builders Lien Act*, and, except as to any lawful holdback, shall promptly pay all accounts relating thereto. The Tenant shall not create any mortgage, conditional sale agreement, general security agreement under the *Personal Property Security Act*, R.S.B.C. 1996, c. 359 and amendments thereto, or other encumbrance in respect of its Leasehold Improvements or trade fixtures, or permit any such mortgage, conditional sale agreement, general security agreement under the *Personal Property Security Act*, or other encumbrance to attach to the Premise.

11.3 Discharge of Liens and Encumbrances

If and when any builders' or other lien for work, labour, service, or materials supplied to or for the Tenant or for the cost of which the Tenant may be in any way liable or claims therefore shall arise or be filed or any such mortgage, conditional sale agreement, general security agreement under the *Personal Property Security Act*, or other encumbrance shall attach, the Tenant shall within 20 days after receipt of notice thereof procure the discharge thereof, including any certificate of action registered in respect of any lien, by payment or giving security or in such other manner as may be required or permitted by law, and failing which the Landlord may in addition to all other remedies hereunder avail itself of its remedy under clause 16.1 and may make any payments required to procure the discharge of any such liens or encumbrances, and shall be entitled to be reimbursed by the Tenant as provided in clause 16.1, and its right to reimbursement shall not be affected or impaired if the Tenant shall then or subsequently establish or claim that any lien or encumbrance so discharged was without merit or excessive or subject to any abatement, set-off, or defence.

11.4 Removal of Fixtures and Improvements

All Leasehold Improvements in or upon the Premises and, if applicable, the License Area shall immediately upon affixation be and become the Landlord's property without compensation therefore to the Tenant. Except to the extent otherwise expressly agreed by the Landlord in writing, no Leasehold Improvements shall be removed by the Tenant from the Premises or License Area either during or at the expiration or sooner termination of the Term, except that:

- (a) the Tenant may at the end of the Term remove its trade fixtures;
- (b) the Tenant shall at the end of the Term remove such of the Leasehold Improvements and trade fixtures as the Landlord shall require to be removed; and
- (c) the Tenant shall remove its furniture and equipment at the end of the Term, and also during the Term in the usual and normal course of its business where such furniture or equipment has become excess for the Tenant's purposes or the Tenant is substituting therefore new furniture and equipment.
- (d) all Leasehold Improvements shall be insured by the Tenant as described in Section 12.2 (b) unless otherwise agreed in writing by the Landlord.

The Tenant shall, in the case of every removal either during or at the end of the Term, immediately make good any damage caused to the Premises or License Area by the installation and removal.

11.5 Alterations by Landlord

The Landlord reserves the right from time to time to make alterations and additions to the Premises, provided that in exercising any such rights, the Landlord will take reasonable steps to minimize any interference cause to the Tenant's operations in the Premises or License Area, but by exercising any such rights, the Landlord shall not be deemed to have constructively evicted the Tenant or otherwise to be in breach of this Lease, nor shall the Tenant be entitled to any abatement of Rent or other compensation from the Landlord.

12. INSURANCE AND LIABILITY

12.1 Tenant To Provide

The Tenant shall procure and maintain, at its own expense and cost, the insurance policies listed in section 12.2 of this Lease, with limits no less than those shown in the respective items, unless in connection with the performance of some particular part of the agreement, services and/or occupancy the Landlord advises in writing that it has determined that the exposure to liability justifies less limits. The insurance policy or policies shall be maintained continuously from commencement of this agreement, services and/or occupancy until the date that the Landlord certifies in writing completion of the agreement, services and/or occupancy or such further period as may be specified by the Landlord.

12.2 Insurance

As a minimum, the Tenant shall, without limiting its obligations or liabilities under any other contract with the Landlord, procure and maintain, at its own expense and cost, the following insurance policies:

a) **Workers' Compensation Insurance**

Covering all employees of the Tenant engaged in the agreement, services and/or occupancy in accordance with the statutory requirements of the province or territory having jurisdiction over such employees.

b) **Comprehensive General Liability Insurance**

- (i) providing for an inclusive limit of not less than \$5,000,000.00 for each occurrence or accident;
- (ii) providing for all sums which the Tenant shall become legally obligated to pay for damages because of bodily injury (including death at any time resulting there from) sustained by any person or persons or because of damage to or destruction of property caused by an occurrence or accident arising out of or related to this agreement, services and/or occupancy or any operations carried on in connection with this agreement;
- (iii) including coverage for Products/Completed Operations, Blanket Contractual, Contractor's Protective, Personal Injury, Contingent Employer's Liability, Broad Form Property Damage, and Non-Owned Automobile Liability;

- (iv) including a Cross Liability clause providing that the inclusion of more than one Insured shall not in any way affect the rights of any other Insured hereunder, in respect to any claim, demand, suit or judgement made against any other Insured.

12.3 Automobile Liability Insurance

Covering all motor vehicles, owned, operated and used or to be used by the Tenant directly or indirectly in the performance of this agreement, services and/or occupancy. The limit of liability shall not be less than \$2,000,000 inclusive, for loss or damage including personal injuries and death resulting from any one accident or occurrence.

12.4 The Landlord Named As Additional Insured

The policies required by sections 12.1, 12.2 and 12.3 above shall provide that the Landlord is named as an "Additional Insured" thereunder and that said policies are primary without any right of contribution from any insurance otherwise maintained by the Landlord.

12.5 Tenant's Sub-contractors

The Tenant shall require each of its sub-contractors to provide comparable insurance to that set forth under section 2 of Schedule C.

12.6 Certificates of Insurance

The Tenant agrees to submit Certificates of Insurance in the form attached as Schedule C for itself and all of its sub-contractors to the Landlord prior to the commencement of this agreement, services and/or occupancy. Such Certificates shall provide that thirty (30) days' written notice shall be given to the Landlord, prior to any material changes or cancellations of any such policy or policies.

12.7 Other Insurance

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

12.8 Additional Insurance

The Tenant may take out such additional insurance, as it may consider necessary and desirable. All such additional insurance shall be at no expense to the Landlord. The Tenant shall ensure that all of its sub-contractors are informed of and comply with the Landlord's requirements set out in this Schedule C.

12.9 Insurance Companies

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

12.10 Failure to Provide

If the Tenant fails to do all or anything which is required of it with regard to insurance, the Landlord may do all that is necessary to effect and maintain such insurance, and any monies expended by the Landlord shall be repayable by and recovered from the Tenant. The Tenant expressly authorizes the Landlord to deduct from any monies owing the Tenant, any monies owing by the Tenant to the Landlord.

12.11 Non-payment of Losses

The failure or refusal to pay losses by any insurance company providing insurance on behalf of the Tenant or any sub-contractor shall not be held to waive or release the Tenant or sub-contractor from any of the provisions of the Insurance Requirements or this agreement, with respect to the liability of the Tenant otherwise. Any insurance deductible maintained by the Tenant or any sub-contractor under any of the insurance policies is solely for their account and any such amount incurred by the Landlord will be recovered from the Tenant as stated in section 12.10 of this Part.

12.12 Indemnification and Hold Harmless Clause

The Tenant agrees to indemnify and save harmless the Landlord in respect of all claims for bodily injury or death, property damage, or other loss or damage arising from the conduct of any work by or any act or omission of the Tenant, or any assignee, sub-tenant, employee, contractor, invitee, or licensee of the Tenant, and in respect of all costs, expenses, and liabilities incurred by the Landlord in connection with or arising out of all such claims, including the expenses of any action or proceeding pertaining thereto, and in respect of any loss, costs, expense, or damage suffered or incurred by the Landlord arising from any breach by the Tenant of any of its covenants and obligations under this Lease, excepting always liability arising from the negligence, acts, or omissions of the Landlord or those for whom the Landlord is responsible at law. This indemnity shall survive the expiry or termination of this Lease.

13. ENVIRONMENTAL MATTERS

13.1 Definitions

For the purposes of this Part and Lease, the following terms shall have the following meanings:

- a) **"Contaminants"** means any radioactive materials, asbestos materials, urea formaldehyde, underground or above ground tanks, pollutants, contaminants, deleterious substances, dangerous substances or goods, hazardous, corrosive or toxic substances, special waste or waste of any kind or any other substance the storage, manufacture, disposal, treatment, generation, use, transport,

remediation or Release into the Environment of which is now or hereafter prohibited, controlled or regulated under Environmental Laws;

- b) **"Environment"** includes the air (including all layers of the atmosphere), land (including soil, sediment deposited on land, fill and lands submerged under water) and water (including oceans, lakes, rivers, streams, ground water and surface water);
- c) **"Environmental Laws"** means any statutes, laws, regulations, orders, bylaws, standards, guidelines, permits and other lawful requirements of any federal, provincial, municipal or other governmental authority having jurisdiction over the Premises now or hereafter in force with respect in any way to the Environment, health, occupational health and safety, product liability or transportation of dangerous goods, including the principles of common law and equity; and
- d) **"Release"** includes any release, spill, leak, pumping, pouring, emission, emptying, discharge, injection, escape, leaching, migration, disposal or dumping.

13.2 Tenant's Representations and Warranties

The Tenant represents and warrants to the Landlord, and acknowledges that the Landlord is relying on such representations and warranties in entering into this Agreement, that as of the date of this Agreement:

- a) except as disclosed to the Landlord in writing, the Tenant is not, and has never been, subject to any charge, conviction, notice of defect or non-compliance, work order, pollution abatement order, remediation order or any other or proceeding under any Environmental Laws; and
- b) except as disclosed to and approved in writing by the Landlord, the Tenant's business at the Premises does not involve the sale, storage, manufacture, disposal, handling, treatment, generation, use, transport, refinement, processing, production, remediation, Release into the Environment of, or any other dealing with any Contaminants.

If any of the representations and warranties contained in this section are untrue or incorrect in any material respect, the same shall constitute a breach of this Agreement by the Tenant and shall be subject to the provisions of Section 16.1 of this Agreement.

13.3 Condition of Premises

The Tenant acknowledges and agrees that the Landlord has made no representations or warranties with respect to the environmental condition of the Premises and is leasing the Premises to the Tenant under this Agreement on an "as is, where is" basis with respect to their environmental condition. Prior to taking possession of the Premises under this Agreement, the Tenant has performed such investigations of the Premises as it considered appropriate and is

satisfied as to their environmental condition. The Tenant will not be responsible or liable for any Contaminants that are or were present and existing prior to the Tenant's occupancy. Likewise, the Landlord will not be responsible for the release of pre-existing Contaminants as a result of any negligent act or omission of the Tenant.

13.4 Use of Contaminants

The Tenant shall not use or permit to be used all or any part of the Premises for the sale, storage, manufacture, disposal, handling, treatment, generation, use, transport, refinement, processing, production, remediation, Release into the Environment of, or any other dealing with, any Contaminants, without the prior written consent of the Landlord, which consent may be unreasonably and arbitrarily withheld. Without limiting the generality of the foregoing, the Tenant shall in no event use, and does not plan or intend to use, the Premises to dispose of, handle or treat any Contaminants in a manner that, in whole or in part, would cause the Premises, or any adjacent property to become a contaminated site under Environmental Laws.

13.5 Compliance with Environmental Laws

The Tenant shall promptly and strictly comply, and cause any person for whom it is in law responsible to comply, with all Environmental Laws regarding the use and occupancy of the Premises under or pursuant to this Agreement, including without limitation obtaining all required permits or other authorizations.

13.6 Evidence of Compliance

The Tenant shall promptly provide to the Landlord a copy of any environmental site investigation, assessment, audit or report relating to the Premises conducted by or for the Tenant at any time before, during or after the Term (or any renewal thereof). The Tenant shall, at its own cost at the Landlord's request from time to time, obtain from an independent environmental consultant approved by the Landlord an environmental site investigation of the Premises or an environmental audit of the operations at the Premises, the scope of which shall be satisfactory to the Landlord and shall include any additional investigations that the environmental consultant may recommend. The Tenant shall, at the Landlord's request from time to time, provide the Landlord with a certificate of a senior officer of the Tenant certifying that the Tenant is in compliance with all Environmental Laws and that no adverse environmental occurrences have taken place at the Premises, other than as disclosed in writing to the Landlord.

13.7 Confidentiality of Environmental Reports

The Tenant shall maintain all environmental site investigations, assessments, audits and reports relating to the Premises in strict confidence and shall not disclose their terms or existence to any third party (including without limitation, any governmental authority) except as required by law, to the Tenant's professional advisers and lenders on a need to know basis or with the prior written consent of the Landlord, which consent may be unreasonably withheld.

13.8 Records

The Tenant shall maintain at the Premises all environmental and operating documents and records, including permits, licences, orders, approvals, certificates, authorizations, registrations and other such records, relating to the operations at the Premises, which may be reviewed by the Landlord at any time during the Term on twenty-four (24) hours' prior written notice, except in the case of an emergency, when no prior notice shall be required.

13.9 Access by Landlord

Without relieving the Tenant of any of its obligations under this Agreement, the Tenant shall, at such reasonable times as the Landlord requires, permit the Landlord to enter and inspect the Premises and the operations conducted at the Premises, to conduct tests and environmental investigations, to remove samples from the Premises, to examine and make copies of any documents or records relating to the Premises, to interview the Tenant's employees and to take such steps as the Landlord deems necessary for the safety and preservation of the Premises. The Landlord will take reasonable steps to minimize any interference with the Tenant's operations in the Premises or License Area.

13.10 Authorizations

The Tenant shall promptly provide to the Landlord on request such written authorizations as the Landlord may require from time to time to make inquiries of any governmental authorities regarding the Tenant's compliance with Environmental Laws.

13.11 Notices

The Tenant shall promptly notify the Landlord in writing of:

- a) any Release of a Contaminant or any other occurrence or condition at the Premises, or any adjacent property which could subject the Tenant, the Landlord or the Premises to any fines, penalties, orders or proceedings under Environmental Laws;
- b) any charge, order, investigation or notice of violation or non-compliance issued against the Tenant or relating to the operations at the Premises under any Environmental Laws; and
- c) any notice, claim, action or other proceeding by any third party against the Tenant or in respect of the Premises concerning the Release or alleged Release of Contaminants at or from the Premises.

The Tenant shall further notify the appropriate regulatory authorities of any Release of any Contaminants at or from the Premises in accordance with Environmental Laws and failure by the Tenant to do so shall authorize, but not obligate, the Landlord to notify the regulatory authorities.

13.12 Removal of Contaminants

Prior to the expiry or earlier termination of this Agreement or at any time if requested by the Landlord or required by any governmental authority pursuant to Environmental Laws, the Tenant shall, promptly at its own cost and in accordance with Environmental Laws, remove from the Premises any and all Contaminants, and remediate any contamination of the Premises, or any adjacent property resulting from Contaminants, in either case brought onto, used at or Released from the Premises by the Tenant or any person for whom it is in law responsible. [For greater certainty, the foregoing obligations of the Tenant shall include, without limitation, the treatment of water (including surface and ground water) and the remediation by removal of any soils containing Contaminants at levels exceeding the standards set as acceptable at the time of remediation by the applicable governmental authority, being with respect to soils, the standard applicable to property used for [commercial/industrial] purposes and with respect to water, as determined by the governmental authority given the character and use of water in the area of the Premises. Any soil so removed shall be promptly replaced by soil free of Contaminants at concentrations above the standard described in the preceding sentence.] The Tenant shall provide to the Landlord full information with respect to any remedial work performed pursuant to this section and shall comply with the Landlord's requirements with respect to such work. The Tenant shall use a qualified environmental consultant approved by the Landlord to perform the remediation. The Tenant shall, at its own cost, obtain such approvals and certificates from the B.C. Ministry of Environment, Lands & Parks in respect of the remediation as are required under Environmental Laws or required by the Landlord, including without limitation a certificate of compliance evidencing completion of the remediation satisfactory to the Ministry. The Tenant agrees that if the Landlord reasonably determines that the Landlord, its property, its reputation or the Premises is placed in any jeopardy by the requirement for any such remedial work, the Landlord may, but shall be under no obligation to, undertake itself such work or any part thereof at the cost of the Tenant.

13.13 Ownership of Contaminants

Notwithstanding any rule of law to the contrary, any Contaminants or leasehold improvements or goods containing Contaminants brought onto, used at, or Released from, the Premises by the Tenant or any person for whom it is in law responsible shall be and remain the sole and exclusive property of the Tenant and shall not become the property of the Landlord, notwithstanding the degree of their affixation to the Premises and notwithstanding the expiry or earlier termination of this Agreement. This section supersedes any other provision of this Agreement to the contrary.

13.14 Indemnity

The Tenant shall indemnify and save harmless the Landlord and its directors, officers, shareholders, employees, agents, successors and assigns, from any and all liabilities, actions, damages, claims, remediation cost recovery claims, losses, costs, orders, fines, penalties and expenses whatsoever (including without limitation, the full amount of all consulting and legal fees and expenses on a solicitor-client basis and the costs of removal, treatment, storage and disposal of Contaminants and remediation of the Premises, and any adjacent property) which may be paid by, incurred by or asserted against the Landlord or its directors, officers, shareholders, employees, agents, successors or assigns, during or after the Term (or any renewal thereof), arising from or in connection with any breach of or non-compliance with the provisions of this Section by the Tenant or arising from or in connection with:

- a) any legal or administrative action, proceeding, investigation, demand, claim or notice of any third party, including without limitation any governmental authority, against any one or more of them pursuant to or under Environmental Laws; or
- b) any Release or alleged Release of any contaminants at or from the Premises into the Environment,

related to or as a result of the use and occupation of the Premises by the Tenant or those for whom it is in law responsible or any act or omission of the Tenant or any person for whom it is in law responsible.

13.15 Survival of Tenant's Obligations

The obligations of the Tenant under this Part (including, without limitation, the Tenant's indemnity, its obligation to remove and remediate Contaminants and its covenant of confidentiality) shall survive the expiry or earlier termination of this Agreement. The obligations of the Tenant under this Part are in addition to, and shall not limit, the obligations of the Tenant contained in other provisions of this Agreement.

14. SUBORDINATION, ATTORNMENT, REGISTRATION, AND CERTIFICATES

14.1 Tenant's Covenants

The Tenant agrees with the Landlord that:

- a) Sale or Financing of Premises

The rights of the Landlord under this Lease may be mortgaged, charged, transferred, or assigned to a purchaser or purchasers, or to a mortgagee or trustee for bond holders, and in the event of a sale or of default by the Landlord under any mortgage, trust deed, or trust indenture and the purchaser, mortgagee, or trustee, as the case may be, duly entering into possession of the Premises, the Tenant agrees to attorn to and become the tenant of such purchaser or purchasers, mortgagee, or trustee under the terms of this Lease.

- b) Registration

The Tenant agrees that the Landlord shall not be obliged to deliver this Lease in form registrable under the *Land Title Act*, R.S.B.C. 1996, c. 250 and covenants and agrees with the Landlord not to register this Lease. If the Tenant desires to register under the *Land Title Act*, then all costs of preparing and registering all documents in connection therewith are to be borne by the Tenant.

- c) Certificates

The Tenant agrees with the Landlord that the Tenant shall promptly whenever requested by the Landlord from time to time execute and deliver to the Landlord and, if required by the Landlord, to any mortgagee (including any trustee under a trust deed or trust indenture) or prospective purchaser (as designated by the Landlord) a certificate in writing as to the status of this Lease at that time, including as to whether it is in full force and effect, is modified or unmodified, confirming the rental payable hereunder and the state of the accounts between the Landlord and Tenant, the existence or non-existence of defaults, and any other matters pertaining to this Lease as to which the Landlord shall request a certificate. If the Tenant fails to do so within seven days after the Tenant receives the form of certificate, the Tenant hereby irrevocably and conclusively authorizes the Landlord to complete, execute, and deliver the certificate for, on behalf of, in the name of, and as agent of, the Tenant.

d) Assignment by Landlord

In the event of the sale by the Landlord of the Premises or the assignment by the Landlord of this Lease or any interest of the Landlord hereunder, and to the extent that such purchaser or assignee has assumed the covenants and obligations of the Landlord hereunder, the Landlord shall, without further written agreement, be freed and relieved of liability upon such covenants and obligations. The Landlord shall provide thirty (30) days' written notice of such assignment.

15. OCCURRENCE OF DEFAULT

15.1 Unavoidable Delay

Except as herein otherwise expressly provided, if and whenever and to the extent that either the Landlord or the Tenant shall be prevented, delayed, or restricted in the fulfilment of any obligations hereunder in respect of the supply or provision of any service or utility, the making any repair, the doing of any work or any other thing (other than the payment of Rent) by reason of civil commotion, war-like operation, invasion, rebellion, hostilities, sabotage, strike, or work stoppage, or being unable to obtain any material, service, utility, or labour required to fulfill such obligation or by reason of any statute, law, or regulation of or inability to obtain permission from any governmental authority having lawful jurisdiction preventing, delaying, or restricting such fulfilment, or by reason of other unavoidable occurrence other than lack of funds, the time for fulfilment of such obligation shall be extended during the period in which such circumstance operates to prevent, delay, or restrict the fulfilment thereof, and the other party to this Lease shall not be entitled to compensation for any inconvenience, nuisance, or discomfort thereby occasioned, nor shall Rent abate; but nevertheless the Landlord will use reasonable efforts to maintain services essential to the use and enjoyment of the Premises and, if applicable, the License Area.

15.2 No Admission

The acceptance of any Rent from or the performance of any obligation hereunder by a person other than the Tenant shall not be construed as an admission by the Landlord of any right, title,

or interest of such person as a sub-tenant, assignee, transferee, or otherwise in the place and stead of the Tenant.

15.3 Part Payment

The acceptance by the Landlord of a part payment of any sums required to be paid hereunder shall not constitute waiver or release of the right of the Landlord to payment in full of such sums.

16. TENANT'S DEFAULT, REMEDIES OF LANDLORD, AND SURRENDER

16.1 Remediating by Landlord, Non-payment, and Interest

In addition to all the rights and remedies of the Landlord available to it in the event of any default hereunder by the Tenant, either by any other provision of this Lease or by statute or the general law, and the event of default is not remedied within the respective time period for doing so, the Landlord:

- a) shall have the right at all times to remedy or attempt to remedy any default of the Tenant, and in so doing may make any payments due or alleged to be due by the Tenant to third parties and may enter upon the Premises and, if applicable, the License Area to do any work or other things therein, and in such event all expenses of the Landlord in remediating or attempting to remedy such default together with an administrative charge equal to 15% of the total of such expenses shall be payable by the Tenant to the Landlord forthwith upon demand;
- b) shall have the same rights and remedies in the event of any non-payment by the Tenant of any amounts payable by the Tenant under any provision of this Lease as in the case of non-payment of Rent; and
- c) shall be entitled to be reimbursed by the Tenant, and the Tenant shall forthwith pay the Landlord, the amount of all costs and expenses (including, without limitation, legal costs on a solicitor and own-client basis) incurred by the Landlord in connection with the default or in efforts to enforce any of the rights, or to seek any of the remedies, to which the Landlord is or may be entitled hereunder.

16.2 Remedies Cumulative

The Landlord and the Tenant may from time to time resort to any or all of the rights and remedies available to it in the event of any default hereunder by the Tenant or the Landlord, as the case may be, either by any provision of this Lease or by statute or the general law, all of which rights and remedies are intended to be cumulative and not alternative, as the express provisions hereunder as to certain rights and remedies are not to be interpreted as excluding any other or additional rights and remedies available to the Landlord or the Tenant, as the case may be, by statute or the general law.

16.3 Right of Re-entry on Default

Provided and it is expressly agreed that:

- a) if and whenever the Rent hereby reserved or other moneys payable by the Tenant or any part thereof, whether lawfully demanded or not, are unpaid and the Tenant shall have failed to pay such Rent or other moneys within five days after the Landlord has given to the Tenant notice requiring such payment; or
- b) if the Tenant shall breach or fail to observe and perform any of the covenants, agreements, provisos, conditions, rules, regulations or other obligations on the part of the Tenant to be kept, observed, or performed hereunder and such breach or failure continues for 10 days after the Landlord has given the Tenant notice thereof; or
- c) if without the written consent of the Landlord the Premises and, if applicable, the License Area shall be used by any other persons than the Tenant or its permitted assigns or permitted sub-tenants or for any purpose other than that for which the Premises were leased, or occupied by any persons whose occupancy is prohibited by this Lease; or
- d) if the Premises shall be vacated or abandoned or remain unoccupied for 15 days or more while capable of being occupied; or
- e) if any of the goods and chattels of the Tenant shall at any time be seized in execution or attachment; or
- f) if a receiver or receiver-manager is appointed of the business or property of the Tenant, or if the Tenant shall make any assignment for the benefit of creditors or any bulk sale, become bankrupt or insolvent or take the benefit of any statute now or hereafter in force for bankrupt or insolvent debtors or (if a corporation) shall take any steps or suffer any order to be made for its winding-up or other termination of its corporate existence; or
- g) if any policy of insurance upon the Premises from time to time effected by the Landlord shall be cancelled or about to be cancelled by the insurer by reason of the use or occupation of the Premises and, if applicable, the License Area by the Tenant or any assignee, sub-tenant, or licensee of the Tenant or anyone permitted by the Tenant to be upon the Premises and, if applicable, the License Area and the Tenant after receipt of notice in writing from the Landlord shall have failed to take such immediate steps in respect of such use or occupation as shall enable the Landlord to reinstate or avoid cancellation of (as the case may be) such policy of insurance; or
- h) if the Landlord shall have become entitled to Terminate this Lease or to re-enter the Premises and, if applicable, the License Area under any provision hereof;

then and in every such case it shall be lawful for the Landlord thereafter to enter into and upon the Premises and, if applicable, the License Area or any part thereof in the name of the whole

and the same to have again, repossess, and enjoy as of its former estate, anything in this Lease to the contrary notwithstanding. The Landlord may use such force as it may deem necessary for the purpose of gaining admittance to and re-taking possession of the Premises and, if applicable, the License Area and the Tenant hereby releases the Landlord from all actions, proceedings, claims, and demands whatsoever for and in respect of any such forcible entry or any loss or damage in connection therewith.

16.4 Termination and Re-entry

If and whenever the Landlord becomes entitled to re-enter upon the Premises and, if applicable, the License Area under any provision of this Lease, the Landlord, in addition to all other rights and remedies, shall have the right to terminate this Lease by giving to the Tenant or by leaving upon the Premises notice in writing of such termination. Thereupon, this Lease and the term shall terminate, and the Tenant shall immediately deliver up possession of the Premises and License Area to the Landlord in accordance with clause 16.9.

16.5 Right of Termination – No Default

In the event that the Landlord requires the use of the Premises for whatever reason, the Landlord shall have the right to terminate this Lease after giving the Tenant one (1) year written notice of the Landlord's intention to terminate, the effective date being three hundred sixty five (365) days from the notice.

16.6 Certain Consequences of Termination and Re-entry

If the Landlord re-enters the Premises and License Area or if this Lease is terminated by reason of any event set out in clause 16.3 or 16.5, then without prejudice to the Landlord's other rights and remedies:

- a) the provisions of this Lease which relate to the consequences of termination, and the provisions of this Lease as they apply with respect to acts, events, and omissions which occurred prior to the termination, shall all survive such termination;
- b) in addition to the payment by the Tenant of Rent and other payments for which the Tenant is liable under this Lease, Rent for the current month and the next ensuing three months shall immediately become due and be paid by the Tenant or the person then controlling the Tenant's affairs; and
- c) the Tenant or person then controlling the affairs of the Tenant shall pay to the Landlord on demand such reasonable expenses as the Landlord has incurred, and a reasonable estimate of the Landlord of expenses the Landlord expects to incur, in connection with the re-entering, terminating, re-letting, collecting sums due or payable by the Tenant, and storing and realizing upon assets seized, including without limitation brokerage fees, legal fees, and disbursements, the expenses of cleaning and making and keeping the Premises and License Area in good order, and the expenses of repairing the Premises and preparing them for re-letting.

16.7 Waiver of Distress and Bankruptcy

The Tenant waives the benefit of any present or future statute taking away or limiting the Landlord's right of distress and covenants and agrees that notwithstanding any such statute none of the goods and chattels of the Tenant on the Premises at any time during the Term shall be exempt from levy by distress for Rent in arrears. The Tenant will not sell, dispose of, or remove any other fixtures, goods, or chattels of the Tenant from or out of the Premises during the Term without the consent of the Landlord, unless the Tenant is substituting new fixtures, goods, or chattels of equal value or is bona fide disposing of individual items which have become excess for the Tenant's purposes; and the Tenant will be the Landlord or lessee of its fixtures, goods, and chattels and will not permit them to become subject to any lien, mortgage, charge, or encumbrance. The Tenant agrees that it will not, without the Landlords' consent, repudiate or disclaim this Lease in any bankruptcy, insolvency, re-organization, or other proceeding or court application, and if required by the Landlord, waives in favour of the Landlord the benefit of s. 65.2 of the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3 as amended, and any provision of similar import.

16.8 Re-letting and Sale of Personalty

Whenever the Landlord becomes entitled to re-enter upon the Premises under any provision of this Lease, the Landlord, in addition to its other rights, shall have the right as agent of the Tenant to enter the Premises and, if applicable, the License Area and re-let them (for a term or terms shorter or longer than the balance of the Term, granting reasonable concessions in connection therewith), and to receive the Rent therefore, and as the agent of the Tenant to take possession of any furniture or other property thereon, and to sell the same at public or private sale without notice, and to apply the proceeds thereof and any rent derived from re-letting the Premises [or License Area upon account of the Rent due and to become due under this Lease, and the Tenant shall be liable to the Landlord for the deficiency, if any.

16.9 Surrender on Termination

Forthwith upon the termination of this Lease, whether by effluxion of time or otherwise, the Tenant shall vacate and deliver up possession of the Premises and, if applicable, the License Area in a neat and tidy state and in good and substantial repair in accordance with the Tenant's obligation under this Lease to repair the Premises and, if applicable the License Area, but subject to the Tenant's rights and obligations in respect of removal in accordance with clause 11.4, and subject to reasonable wear and tear. At the same time the Tenant shall surrender to the Landlord at the place then fixed for the payment of Rent all keys and other devices which provide access to the Premises and if applicable the License Area, or any part thereof and shall inform the Landlord of all combinations to locks, safes, and vaults, if any, in the Premises.

17. OCCUPATIONAL HEALTH AND SAFETY

17.1 Prime Contractor

The Tenant agrees that it is the Prime Contractor for the purposes of the Worker's Compensation Act. The Tenant shall have an occupational health and safety program acceptable to the WorkSafe BC Board and shall ensure that all WorkSafe BC Health & Safety Regulations are observed during performance of this Contract, not only by the Tenant, but by all workers, subcontractors, employees, personnel, servants and others engaged in the performance of this Contract.

17.2 Compliance with Laws

The Tenant and its workers, subcontractors, employees, personnel, servants and others engaged in the Services shall conform to all current occupational health and safety laws, by-laws, or regulations of the Province of British Columbia including any regulations requiring installation or adoption of safety devices and appliances. The Landlord may, on twenty-four (24) hours written notice to the Tenant, suspend the Contract hereunder immediately as a result of failure to install such devices or because conditions of immediate danger exist that would likely result in injury to any person. Such suspension will continue until the default or failure is corrected.

17.3 Indemnification

Without limiting the generality of any other indemnities granted by the Tenant herein, the Tenant shall indemnify and save harmless the Landlord against any loss or expense or penalty suffered or incurred by the Landlord by reason of failure of the Tenant, its agent or employees, or any subcontractors of the Tenant, its agent or employees to comply or ensure compliance with the health and safety laws, by-laws and regulations mentioned above.

18. WORKSAFE BC COVERAGE

18.1 General

The Tenant shall, at its own expense, procure and carry or cause to be procured and carried and paid in full WorkSafe BC coverage for itself and all workers, subcontractors, employees, personnel, servants and others engaged in or upon any Services. The Tenant agrees that the Landlord has the unfettered right to set off the amount of any unpaid premiums and assessments for such WorkSafe BC coverage against any monies owing by the Landlord to the Tenant. The Landlord shall have the right to withhold payment under this contract until the WorkSafe BC premiums, assessments or penalties in respect of this Contract have been paid in full.

18.2 Proof of Registration

The Tenant shall provide the Landlord with the Tenant's WorkSafe BC registration number and a letter from WorkSafe BC confirming that the Tenant is registered in good standing with WorkSafe BC and that all assessments have been paid to date thereof prior to the Landlord having any obligations to pay monies under this contract.

18.3 Indemnification

The Tenant shall indemnify and hold harmless the Landlord from all manner of claims, demands, costs, losses, penalties and proceedings arising out of or in any way related to unpaid WorkSafe BC assessments owing from any person or corporation engaged in the performance of this Contract or arising out of or in any way related to the failure to observe safety rules, regulations and practices of WorkSafe BC, including penalties levied by WorkSafe BC.

19. NON-LIABILITY OF LANDLORD OFFICIALS

Under no circumstances shall any officer, employee, or agent of the Landlord acting within the course and scope of his/her job responsibility be personally liable to the Tenant, or any party claim through or on behalf of the Tenant, with regards to the Contract, including but not limited to its negotiation, execution, performance, or termination.

20. MISCELLANEOUS

20.1 Notices

Any notice required or contemplated by any provision of this Lease shall be given in writing, and if to the Landlord, either delivered to an executive officer of the Landlord or delivered or mailed (by prepaid registered mail) to the Landlord at the address set out in sub-clause 1.1(a), or if the Landlord has given the Tenant notice of another address in Canada to which notices to the Landlord under this Lease are to be given, then to the last such address of which the Tenant has been given notice; and if to the Tenant, either delivered to the Tenant personally (or to a partner or officer of the Tenant if the Tenant is a firm or corporation) or delivered or mailed (by prepaid registered mail) to the Tenant at the Premises or License Area. Every such notice shall be deemed to have been given when delivered or, if mailed as aforesaid, upon the third business day after the day of mailing thereof in Canada provided that if mailed, should there be a mail strike, slowdown, or other labour dispute which might affect delivery of such notice between the time of mailing and the actual receipt of notice, then such notice shall only be effective if actually delivered.

20.2 Extraneous Agreements

The Tenant acknowledges that there are no covenants, representations, warranties, agreements, or conditions expressed or implied relating to this Lease or the Premises or License Area save as expressly set out in this Lease and in any agreement to lease in writing between the Landlord and the Tenant pursuant to which this Lease has been executed. In the event of any conflict between the terms of this Lease and such agreement to lease, the terms of this Lease shall prevail. This Lease may not be modified except by an agreement in writing executed by the Landlord and the Tenant, and no verbal agreements or conversations with any officer, agent, or employee of the Landlord, either before or after the execution of this agreement, shall affect or modify any of the terms or obligations herein contained.

20.3 Time of Essence

Time shall be of the essence in this Lease.

20.4 Enurement

This Lease and everything herein contained shall enure to the benefit of and be binding upon the successors and assigns of the Landlord and its heirs, executors, and administrators and the permitted successors and permitted assigns of the Tenant.

20.5 References to Tenant

References to the Tenant shall be read with such changes in gender as may be appropriate, depending upon whether the Tenant is a male or female person or a firm or corporation. If the Tenant is comprised of more than one person or entity, then each such person and entity is jointly and severally bound by the representations, warranties, agreements, and covenants of the Tenant herein and any notice given or deemed to have been given at any time to any such person or entity shall be deemed to have been given at the same time to each other such person and entity.

20.6 Frustration

Notwithstanding the occurrence or existence of any event or circumstance or the non-occurrence of any event or circumstance, and so often and for so long as the same may occur or continue which, but for this clause, would frustrate or void this Lease, and notwithstanding any statutory provision to the contrary, the obligations and liability of the Tenant hereunder shall continue in full force and effect as if such event or circumstance had not occurred or existed.

20.7 Waiver

No condoning, excusing, or overlooking by the Landlord or Tenant of any default, breach, or non-observance by the Tenant or the Landlord at any time or times in respect of any covenant, proviso, or condition herein contained shall operate as a waiver of the Landlord's or the Tenant's rights hereunder in respect of any continuing or subsequent default, breach, or non-observance or so as to defeat or affect in any way the rights of the Landlord or the Tenant herein in respect of any such continuing or subsequent default or breach, and no acceptance of Rent by the Landlord subsequent to a default by the Tenant (whether or not the Landlord knows of the default) shall operate as a waiver by the Landlord, and no waiver shall be inferred from or implied by anything done or omitted by the Landlord or the Tenant save only express waiver in writing.

20.8 Governing Law and Severability

This Lease shall be governed by and construed in accordance with the laws in force in the province of British Columbia. The venue of any proceedings taken in respect of or under this Lease shall be Kelowna, British Columbia as long as such venue is permitted by law, and the Tenant shall consent to any application by the Landlord to change the venue to Kelowna, British Columbia of any proceedings taken elsewhere. The Landlord and the Tenant agree that all the provisions of this Lease are to be construed as covenants and agreements as though the words importing such covenants and agreements were used in each separate section hereof. Should

any provision or provisions of this Lease be illegal or not enforceable, it or they shall be considered separate and severable from the Lease and its remaining provisions shall remain in force and be binding upon the parties as though the said provision or provisions had never been included.

20.9 Captions

The captions appearing in this Lease have been inserted as a matter of convenience and for reference only and in no way define, limit, or enlarge the scope or meaning of this Lease or of any provision thereof.

20.10 Acceptance

The Tenant accepts this Lease, to be held by it as tenant, and subject to the conditions, restrictions, and covenants above set forth. The acceptance of possession of the Premises or License Area shall be conclusive evidence as against the Tenant that at the Commencement Date of the Term the Landlord had duly completed all work required to be completed by the Landlord prior to the Commencement Date of the Term and the were in good order and satisfactory condition for the commencement of the work and business of the Tenant.

20.11 Deposit

If the Landlord is holding any deposit in connection with this Lease, then unless the Landlord agreed in writing to different arrangements at the time the Landlord received the deposit, the deposit shall be held by the Landlord on a non-interest bearing basis to be applied to the Annual Base Rent for that month of the Term during which Annual Base Rent is first payable hereunder.

20.12 Expropriation

If at any time during the Term the interest of the Tenant under this Lease or the whole or any part of the Premises or License Area shall be taken by any lawful power or authority by the right of expropriation, the Landlord may at its option give notice to the Tenant terminating this Lease on the date when the Tenant or Landlord is required to yield up possession thereof to the expropriating authority. Upon such termination, or upon termination by operation of law, as the case may be, the Tenant shall immediately surrender the Premises or License Area and all its interest therein, Rent shall abate and be apportioned to the date of termination, the Tenant shall forthwith pay to the Landlord the apportioned Rent and all other amounts which may be due to the Landlord up to the date of termination, and clause 16.10 shall apply. The Tenant shall have no claim upon the Landlord for the value of its property or the unexpired Term of this Lease, but the parties shall each be entitled to separately advance their claims for compensation for the loss of their respective interests in the Premises or License Area, and the parties shall each be entitled to receive and retain such compensation as may be awarded to each respectively. If an award of compensation made to the Landlord specifically includes an award to the Tenant, the Landlord shall account therefore to the Tenant. In this clause the word "expropriation" shall include a sale

by the Landlord to an authority with powers of expropriation, in lieu of or under threat of expropriation.

20.13 Statutory Functions

Nothing contained herein shall impair or affect in any way the exercise by the Landlord of its functions and authority under any enactment, constating document, law, bylaw, resolution or other source of authority.

IN WITNESS WHEREOF the City and the Society have executed this Agreement on the date first above written.

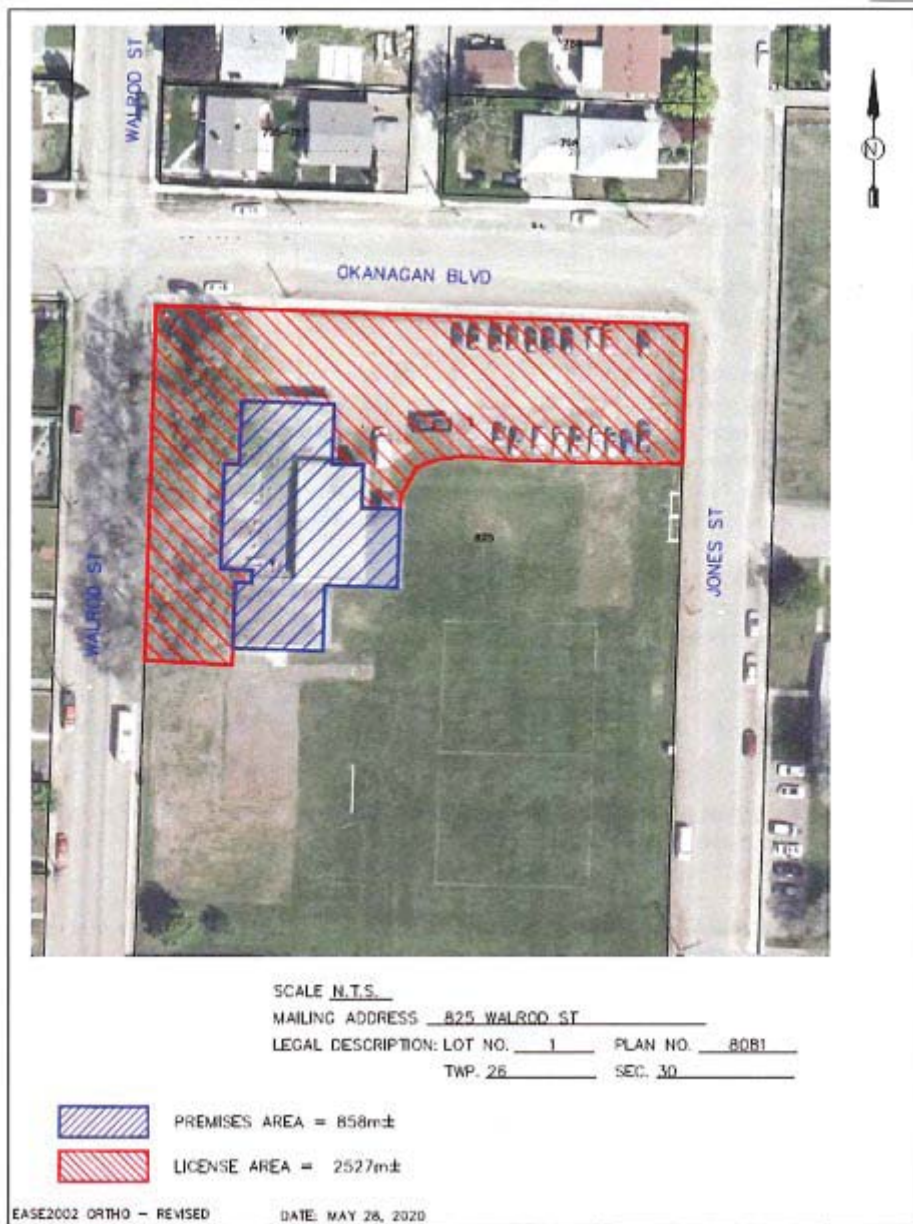
CITY OF KELOWNA by its authorized)
signatories:)
)
_____)
Mayor)
)
_____)
City Clerk)

JUSTICE INSTITUTE OF BRITISH COLUMBIA)
by its authorized signatory:)
Mike)
Proud)
_____)
Signature)
Mike Proud)
_____)
Print Name)

Digitally signed by
Mike Proud
Date: 2023.09.12
07:47:03 -07'00'

SCHEDULE A

PREMISES AND LICENSE AREA



SCHEDULE B

MAINTENANCE RESPONSIBILITY CHECKLIST

Justice Institute - Walrod St 825 - Maintenance Responsibility	Landlord	Tenant	N/A
Boiler operating permits			X
Electricity		X	
Electrical field safety representative		X	
Electrical operating permit		X	
Electrical system preventative maintenance		X	
Electrical system repairs (liability limit)	X		
Electrical/lights - lamp & tube replacement		X	
Elevator equipment repairs (liability limit)			X
Elevator maintenance contract			X
Elevator operating permits			X
Emergency lighting testing & repairs		X	
Exterior doors, windows, facades, utilities, parking lots, lighting etc.		X	
Fire alarm system repairs (liability limit)	X		
Fire alarm system testing & inspection contracts		X	
Fire extinguisher monthly & annual inspections		X	
Fire safety plan and fire drills		X	
Fire sprinkler system repairs (liability limit)			X
Fire sprinkler system testing and inspection contracts			X
Furnishings (maintain & replace)		X	
Garbage removal		X	
Heating		X	
HVAC preventative maintenance (see appendix "A")		X	
HVAC repairs (liability limit)		X	
Insurance - automotive		X	
Insurance - liability		X	
Insurance - property, building (provided by the Landlord, paid for by the Tenant)	X		
Insurance - tenant owned furnishings & fixtures		X	
Insurance - tenant owned operation equipment, computers, & furnishings		X	
Interior walls, flooring, doors, ceilings, lighting, plumbing fixtures etc.		X	
Internet		X	
Janitorial services & supplies		X	
Kitchen Exhaust Hood preventative maintenance (See appendix "E")			X
Kitchen Exhaust Hood repairs (liability limit)			X
Kitchen Hood Fire suppression system preventative maintenance (See appendix "E")			X
Kitchen Hood Fire suppression repairs (Liability Limit)			X
Kitchen Hood Fire suppression testing			X
Keys & locks repair and maintenance		X	
Landscape maintenance	X		
Licences & permits		X	
Maintenance of Mechanical, Electrical, Plumbing, Utility, and Elevating Systems		X	
Parking lots - lighting, parking lines, sweeping, asphalt, signage, drainage etc.	X		
Pest control		X	
Plumbing system preventative maintenance		X	
Plumbing system repairs (liability limit)	X		
Recycling program		X	
Roof inspection & maintenance	X		
Roof repairs (liability limit)	X		
Security system		X	
Signage		X	
Snow removal - sidewalks and internal walkways		X	
Snow removal - parking lot	X		
Taxes			
Telephone		X	
Tenant improvements		X	
Tenant improvements - Maintenance		X	
Tree removal	X		
Utilities - electricity		X	
Utilities - natural gas		X	
Utilities - propane			X
Utilities - water, sewer		X	
Vandalism (exterior) (liability limit)	X		
Vandalism (interior) (liability limit)		X	
Window Cleaning (exterior)		X	
Window Cleaning (interior)		X	

SCHEDULE C

INSURANCE



CERTIFICATE OF INSURANCE

City staff to complete prior to circulation

City Dept.: _____
 Dept. Contact: _____
 Project/Contract/Event: _____

Insured

Name: _____
 Address: _____

Broker

Name: _____
 Address: _____

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

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

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

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

 Print Name

 Title

 Company (Insurer or Broker)

 Signature of Authorized Signatory

 Date



City of
Kelowna

Lease Agreement Justice Institute of BC

February 5, 2024

JIBC Okanagan

- ▶ Provides programs for essential services in our community, such as:
 - ▶ Primary Care Paramedic
 - ▶ Emergency Medical Responder
 - ▶ Fire Code and Fire Inspector
- ▶ Paramedic training for the Okanagan region is supported from this location
- ▶ In 2022/23, this location supported 219 students

Lease Agreement - 825 Walrod St

- ▶ Former elementary school purchased by the City in 2005 to develop the property into a neighbourhood park
- ▶ Has been leased by JIBC Okanagan since 2005
- ▶ Two-year lease agreement based on a third-party appraisal
- ▶ City option to renew for three additional 1-year terms

Year 1 - Annual Base Rent

\$68,000





Questions?

For more information, visit kelowna.ca.

CITY OF KELOWNA

BYLAW NO. 12577

Amendment No. 17 to Water Regulation Bylaw No. 10480

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Water Regulation Bylaw No. 10480 be amended as follows:

1. THAT **PART 1 - INTRODUCTION, 1.2 Interpretation**, "Beaver Lake Industrial Area" be deleted;
2. AND THAT **PART 1 - INTRODUCTION, 1.2 Interpretation**, "Bulk Water Filling Stations" be amended by adding "approved purpose" after "means stations used for the";
3. AND THAT **PART 1 - INTRODUCTION, 1.2 Interpretation**, "Contaminant" be amended by adding "or the Government of Canada" after "the Province of British Columbia";
4. AND THAT **PART 1 - INTRODUCTION, 1.2 Interpretation**, "Hydrant Use Permit" be amended by adding "the approved" after "means a permit issued for";
5. AND THAT **PART 1 - INTRODUCTION, 1.2 Interpretation**, "Manager" be amended by adding "as delegated" after "along with other City staff";
6. AND THAT **PART 1 - INTRODUCTION, 1.2 Interpretation**, "Non-Potable Water System" be amended by deleting the word "Guidlines" and replace it with "Guidelines";
7. AND THAT **PART 2 – WATER SERVICE, Section 2.10 Repairs of City Water Utility, 2.10.2**, be added as follows:

"Damage caused to City Water infrastructure such as hydrants, valves and meter pits in easements by any person may be repaired at cost by City crews and applied to the property owner's City Water Utility Bill";
8. AND THAT **PART 4 – WATER QUALITY PROTECTION AND WATER CONSERVATION, 4.3 Hydrant Use** be deleted and replaced with "**4.3 Construction and Other Approved Water Uses**";
9. AND THAT **PART 4 – WATER QUALITY PROTECTION AND WATER CONSERVATION, 4.3 Hydrant Use, 4.3.3** be deleted in its entirety and replaced with:

"The Manager may remove or refuse to issue a Hydrant Use Permit, or a Bulk Water Filling Station application where the use may result in risk to the City Water Utility.";
10. AND THAT **PART 4 – WATER QUALITY PROTECTION AND WATER CONSERVATION, 4.3 Hydrant Use**, be amended by adding 4.3.3 a) that reads:

"Upon application to the City, a person may apply for an account from the City to use the Bulk Water Filling Stations. The rates and charges for use of water from the Bulk Water Filling Stations shall be as set out in Schedule "A" to this bylaw.";
11. AND THAT **PART 4 – WATER QUALITY PROTECTION AND WATER CONSERVATION, 4.3 Hydrant Use**, be amended by adding 4.3.3 b) that reads:

"Bulk water is non-potable and not intended for drinking water";

12. AND THAT **PART 4 – WATER QUALITY PROTECTION AND WATER CONSERVATION, 4.3 Hydrant Use, 4.3.6**, be amended by adding “Water from hydrants is considered non-potable and is not suitable for drinking water use” after “otherwise than in accordance with the terms and conditions of the Hydrant use Permit.” ;
13. AND THAT **PART 5 – PROHIBITIONS, 5.3 Connection to City Water Utility, 5.3.1**, be amended by adding “or others as authorized by the Manager and witnessed by City personnel.” after “the City Water Utility except authorized employees of the City”;
14. AND THAT **PART 5 – PROHIBITIONS, 5.5 Waste of Water, 5.5.2**, be added as follows:

 “Once discovered, leaks must be scheduled to be repaired within 5 working days, or as agreed to by the Manager. Failure to schedule the repair may result in City crews completing the repair and costs will be applied to the customers water utility bill”;
15. AND THAT **PART 6 – CONDITIONS, 6.3 Conditions of Water Supply, 6.3.1 (d)** be added as follows:

 “the above conditions also apply to any other source of water that may be provided to its customers from another water purveyor.”;
16. AND THAT **Part 7 – RATES AND CHARGES, 7.5 Bulk Water Filling Stations** be deleted in its entirety that reads as follows:

 “Upon application to the City, a person may purchase a card from the City to use the Bulk Water Filling Stations. The rates and charges for use of water from the Bulk Water Filling Stations shall be as set out in Schedule “A” to this bylaw.”;
17. AND THAT all charges in **Schedule “A” Water Rates and Charges, Section 1: Bi-monthly Flat Charges and Consumption Rate – per cubic metre** be increased by 6 percent beginning March 1, 2024 and an additional 6 percent beginning January 1, 2025 as per Schedule ‘A’ attached to and forming part of this bylaw;
18. AND THAT **Schedule “A” Water Rates and Charges, Section 2. Beaver Lake Industrial Area Properties** be deleted in its entirety and replaced with:

“2. Beaver Lake Industrial Area Properties

 The transition period was completed in 2023 and the Beaver Lake Industrial rates are equal to other City of Kelowna rates.”;
19. AND THAT **Schedule “A” Water Rates and Charges, Section 3. Agricultural Properties, 3.1** be increased by 6 percent, except for Tier B and Tier C, as per Schedule ‘A’ attached to and forming part of this bylaw;
20. AND THAT **Schedule “A” Water Rates and Charges, Section 3. Agricultural Properties, 3.1 Plus a.** be amended by deleting “\$70.41” and replace it with “\$ 74.63 in 2024 and \$79.11 in 2025”;
21. AND THAT all charges in **Schedule “A” Water Rates and Charges, Section 4. Water Quality Enhancement Reserve Fund Contribution** be increased by 6 percent for 2024 and an additional 6 percent for 2025 as per Schedule ‘A’ attached to and forming part of this bylaw;

AND THAT **Schedule "A" Water Rates and Charges, Section 5. Non-Potable Services** be amended by deleting:

	Consumption rate – per cubic metre	
Customer Type	2022	2023
Agricultural Customer	Rates per Section 3	Rates per Section 3
Golf Course Irrigation Rate	\$0.10	\$0.15
All other customers	\$0.32	\$0.34

And replace with

	Consumption rate – per cubic metre	
Customer Type	2024	2025
Golf Course Irrigation Rate	\$0.20	\$0.21
All other customers	\$0.36	\$0.38

22. AND THAT **Schedule "A" Water Rates and Charges, Section 6. Fire Protection Use** be amended by replacing "bi-monthly flat rate charge of \$70.00" with "bi-monthly flat rate charge of \$75.00 in 2024 and \$80.00 in 2025";

23. AND THAT **Schedule "A" Water Rates and Charges, Section 7. Bulk Water Filling Station Use** be amended by deleting

"The cost of a card for use of the **Bulk Water Filling Stations** is \$20.00, non- refundable.

For **Bulk Water Filling Stations**, a consumption charge of \$1.08 per cubic metre of water used."

And replace with

"For **Bulk Water Filling Stations**, a consumption charge of \$1.14 in 2024 and \$1.21 in 2025 per cubic metre of water used.";

24. AND THAT **Schedule "A" Water Rates and Charges, Section 8. Temporary Use** be amended by deleting

"Single Family residential properties a flat charge of \$48.20 bi-monthly.

For non-residential properties and Multi-Family Residential properties a bi-monthly flat charge of \$128.54."

And replace with

"Single Family residential properties a flat charge of \$51.09 in 2024 and \$54.15 in 2025 bi-monthly.

For non-residential properties and Multi-Family Residential properties a bi-monthly flat charge of \$136.25 in 2024 and \$144.43 in 2025";

- 25. AND THAT **Schedule "A" Water Rates and Charges, Section. 9 Manual Read Fee** be amended by deleting "shall pay a fee of \$40.00 per bi-monthly billing period." And replace with " shall pay a fee of \$42.40 in 2024 and \$44.94 in 2025 per bi-monthly billing period."
- 26. AND THAT **Schedule "A" Water Rates and Charges, Section. 10 Water Integration Fee for 2021** be removed in its entirety;
- 27. AND THAT **Schedule "B" Water Meter Fees and Service Charges, Section 1. Water Meter Fees, 2022 and 2023 Meter Fee Rates**, are deleted and replace with the **2024 and 2025 Meter Fee Rates** as per Schedule 'B' attached to and forming part of this bylaw;
- 28. AND THAT **Schedule "B" Water Meter Fees and Service Charges, Section 2. Service Fees** be amended by deleting

Water disconnect (shut-off) or connect (turn-on) during regular office hours	\$ 37.00
Emergency water service disconnect (shut-off) or connect (turn-on) during off-hours	\$169.00
Meter Testing Fee	\$50.00

And replace with

Water disconnect (shut-off) or connect (turn-on) during regular office hours	\$ 50.00
Emergency water service disconnect (shut-off) or connect (turn-on) during off-hours	\$200.00
Meter Testing Fee	\$50.00

- 29. AND THAT **Schedule "B" Water Meter Fees and Service Charges, Section 3. Hydrant Use Permit Fee** be amended by deleting "The fee for each **Hydrant Use Permit** shall be \$65.00 plus \$30.00 per day for each day of Hydrant Permit." And replace it with "The fee for each **Hydrant Use Permit** shall be \$75.00 plus \$35.00 per day for each day of Hydrant Permit.";
- 30. AND THAT **Schedule "D" - Beaver Lake Industrial Area** be deleted in its entirety;
- 31. This bylaw may be cited for all purposes as "Bylaw No. 12577, being amendment No. 17 to Water Regulation Bylaw No. 10480."
- 32. This bylaw shall come into full force and effect and is binding on all persons on March 1, 2024.

Read a first, second and third time by the Municipal Council this 22nd day of January, 2024.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule 'A' – Water Rates and Charges

Meter Size	2023	2024	2025
15 mm (5/8")	\$32.94	\$34.92	\$37.01
20 mm (3/4")	\$32.94	\$34.92	\$37.01
25 mm (1")	\$51.74	\$54.84	\$58.13
37 mm (1 1/2")	\$77.48	\$82.13	\$87.06
50 mm (2")	\$124.86	\$132.35	\$140.29
75 mm (3")	\$408.99	\$433.53	\$459.54
100 mm (4")	\$558.07	\$591.55	\$627.04
150 mm (6")	\$942.72	\$999.28	\$1,059.24
200 mm (8")	\$1242.00	\$1,316.52	\$1,395.51

Plus a consumption charge per cubic metre - consumed bi-monthly according to the following table:

Quantity Used	2023	2024	2025
First 60 cubic metres	\$0.563	\$0.597	\$0.63
Next 100 cubic metres	\$0.757	\$0.80	\$0.85
Next 90 cubic metres	\$1.148	\$1.22	\$1.29
Balance of cubic metres (Except properties over 1 acre in size in the southeast Kelowna service area)	\$2.299	\$2.44	\$2.57
Balance of cubic metres: properties over 1 acre in size in the southeast Kelowna service area	\$1.96	\$2.44	\$2.57
Multi-Family Residential Properties – 3 or more dwelling units on a single property	\$0.563	\$0.597	\$0.63
Mixed Use properties	\$0.638	\$0.68	\$0.72
Commercial, Industrial and Institutional	\$0.651	\$0.69	\$0.73
Park Use	\$0.491	\$0.52	\$0.55

Schedule 'A' – Agricultural Properties

	Units / Comments	2023	2024	2025
Annual Allotment Fee: Billed Annually at year end	Per Hectare	\$332.92	\$352.89	\$374.06
	Per Acre	\$134.83	\$142.92	\$151.49
Agricultural Over Consumption Rates for water use over the designated Allotment:				
Tier A – 0-19.99% over annual Allotment	per cubic metre	\$0.34	\$0.36	\$0.38
Tier B – 20-49.99% over annual Allotment	per cubic metre	\$0.68	\$0.68	\$0.68
Tier C – Over 50% over annual Allotment	per cubic metre	\$1.12	\$1.12	\$1.12

Schedule 'A' – Water Quality Enhancement Reserve Fund Contribution

Meter Size	2023	2024	2025
15 mm (5/8")	\$17.75	\$18.82	\$19.94
20 mm (3/4")	\$17.75	\$18.82	\$19.94
25 mm (1")	\$36.48	\$38.67	\$40.99
37 mm (1 1/2")	\$80.48	\$85.31	\$90.43
50 mm (2")	\$130.26	\$138.08	\$146.36
75 mm (3")	\$305.13	\$323.44	\$342.84
100 mm (4")	\$416.65	\$441.65	\$468.15
150 mm (6")	\$703.72	\$745.94	\$790.70
200 mm (8")	\$927.12	\$982.75	\$1041.71

Schedule 'B' – Water Meter Fee Rates

Meter Size	2024	2025
20 mm -3/4" (commercial)	\$605.69	\$635.97
25 mm -1" (commercial)	\$711.09	\$746.64
37 mm -1 1/2" (commercial)	\$2,288.11	\$2,402.52
50 mm -2" (commercial)	\$2,534.14	\$2,660.85
75 mm -3" (commercial)	\$3,478.98	\$3,652.93
100 mm -4" (commercial)	\$5,103.95	\$5,359.15
150 m -6" (commercial)	\$9,426.03	\$9,708.33
100 mm -4" Fire Line	\$12,653.64	\$13,286.32
150 m -6" Fire Line	\$17,995.66	\$18,895.44
200 mm -8" Fire Line	\$25,461.92	\$26,735.02

CITY OF KELOWNA

BYLAW NO. 12609

Amendment No. 44 to Traffic Bylaw No. 8120

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Traffic Bylaw No. 8120 be amended as follows:

1. THAT **Part 1 – Introduction, 1.4 Definitions, 1.4.1 "e-scooter"**, be amended by deleting "Order in Council No. 184/2021" and replace it with "Order in Council No. 640/2023;
2. This bylaw may be cited as "Bylaw No. 12609, being Amendment No. 44 to Traffic Bylaw No. 8120."
3. This bylaw comes into force and effect and is binding on all persons as of April 5, 2024.

Read a first, second and third time by the Municipal Council this 22nd day of January, 2024.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk