

City of Kelowna
Regular Council Meeting
AGENDA



Monday, February 26, 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 - 7

PM Meeting - February 12, 2024

3. Development Application Reports & Related Bylaws

3.1 Water St 1241 - TA23-0012 - RG Lot 2 Ltd., 556992

Item Withdrawn at the request of the Applicant.

3.2 Clifton Rd N 159 - OCP23-0007 (BL12625) Z23-0046 (BL12626) - Ashley and Todd Ramsay

8 - 24

To amend the Official Community Plan to change the future land use designation of a portion of the subject property from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and to rezone portions of the subject property from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone to facilitate the development of a two lot subdivision.

3.3 Clifton Rd N 159 - BL12625 (OCP23-0007) - Ashley and Todd Ramsay

25 - 26

Requires a majority of all members of Council (5).

To give Bylaw No. 12625 first reading in order to change the future land use designation of a portion of the subject property from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation.

- 3.4 Clifton Rd N 159 - BL12626 (Z23-0046) - Ashley and Todd Ramsay** 27 - 28
- To give Bylaw No. 12626 first reading in order to rezone portions of the subject property from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone.
- 3.5 Provincial Housing Legislation Comprehensive Amendments - TA24-0001 Z24-0001 OCP24-0001 - City of Kelowna** 29 - 422
- To introduce and review the implementation of provincial legislation regarding Small-Scale Multi-Unit Housing and Transit Oriented Areas.
- 3.6 Sadler Rd 200, 210, 230 - Z23-0084 (BL12627) - Dominion (Sadler) Inc., Inc.No. A0128728** 423 - 436
- To rezone the subject properties from the UC4 – Rutland Urban Centre zone to the UC4r – Rutland Urban Centre Rental Only zone to facilitate the development of rental apartment housing.
- 3.7 Rezoning Bylaws Supplemental Report to Council** 437 - 438
- To receive a summary of notice of first reading for Rezoning Bylaws No. 12617, 12618 and 12622 and to give the bylaws further reading consideration.
- 3.8 Rezoning Applications**
- To give first, second and third reading to rezoning applications.
- The following bylaws will be read together unless Council wants to separate one of the bylaws.
- 3.8.1 Cross Rd 1910 - BL12617 (Z23-0011) - 1361420 BC Ltd., Inc.No. BC1361420** 439 - 439
- To give Bylaw No. 12617 first, second and third reading in order to rezone the subject properties from the RU1 – Large Lot Housing zone to the MF2 – Townhouse Housing zone.
- 3.8.2 Barber Rd 135 - BL12618 (Z23-0049) - ASI Barber Road GP Inc., Inc.No. A0122606** 440 - 440
- To give Bylaw No. 12618 first, second and third reading in order to rezone the subject property from the UC4 – Rutland Urban Centre zone to the UC4r – Rutland Urban Centre Rental Only zone.
- 3.8.3 Buck Road 654 - BL12622 (Z22-0077) - He Na and Wei Li** 441 - 441
- To give Bylaw No. 12622 first, second and third reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a two-lot subdivision.

4.	Non-Development Reports & Related Bylaws	
4.1	URBA On-Call Pilot Project and Business Improvement Area Grant Programs	442 - 444
	To establish an Uptown Rutland Business Association On-Call Team.	
4.2	2024 Micromobility Program Overview of Contract Terms	445 - 465
	To summarize key contract terms for the next operating period of the Micromobility Program.	
4.3	H2O Adventure and Fitness Centre Lease and Operating Agreement	466 - 568
	To obtain Council approval for the Lease and Operating Agreement between the City of Kelowna and the YMCA of Southern Interior BC for the operations of the H2O Adventure & Fitness Centre.	
5.	Resolutions	
5.1	Draft Resolution - SILGA Invasive Mussels	569 - 570
6.	Mayor and Councillor Items	
7.	Termination	



**City of Kelowna
Regular Council Meeting
Minutes**

Date:	Monday, February 12, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Maxine DeHart, Luke Stack and Rick Webber
Members Participating Remotely	Councillors Ron Cannan and Gord Lovegrove
Members Absent	Councillors Charlie Hodge, Mohini Singh and Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Development Planning Department Manager, Nola Kilmartin*; Community Planning & Development Manager, Dean Strachan*; Development Engineering Manager, Nelson Chapman*; Planner Specialist, Wesley Miles*; Urban Planning Manager, Jocelyn Black*; Long Range Policy Planning Manager, Robert Miles*; Planner Specialist, Adam Cseke*; Utility Planning Manager, Rod MacLean*; Utility Services Manager, Kevin Van Vliet*
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

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

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

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

2. Confirmation of Minutes

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT the Minutes of the Regular Meetings of February 5, 2024 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Hewetson Ct 949 - Z23-0064 (BL12598) - Upper Mission Development Inc., Inc. No. BC1224405

Mayor Dyas:

- Confirmed that while he declared a conflict of interest on the previous application, the reason for the conflict is no longer an issue and will be participating on this item.

Staff:

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

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Rezoning Application No. Z23-0064 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 1 District Lot 579 SDYD Plan EPP77194, located at 949 Hewetson Court, 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 the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated January 8, 2024;

AND THAT final adoption of the Rezoning Bylaw be considered in conjunction with issuance of a Natural Environment and Hazardous Condition Development Permit;

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

Defeated

Councillors Cannan, Lovegrove and Webber - Opposed

The meeting recessed at 1:55 p.m.

The meeting reconvened at 1:57 P.M.

3.2 Buck Road 654 - Z22-0077 (BL12622) - He Na and Wei Li

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor DeHart/Seconded By Councillor Lovegrove

THAT Rezoning Application No. Z22-0077 to amend the City of Kelowna Bylaw No. 12375 by changing the zoning classification of LOT 2 DISTRICT LOT 357 ODYD PLAN EPP5534, located at 654 Buck Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot 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 12, 2024;

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

Carried

3.3 Eldorado Rd 436 - Z23-0043 (BL12623) - Elizabeth Nadj

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Stack/Seconded By Councillor Webber

THAT Rezoning Application No. Z23-0043 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 2 District Lot 167 ODYD Plan 21142 located at 436 Eldorado Rd, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone and the RU4 – Duplex Housing zone as shown on Map “A” attached to the Report from the Development Planning Department dated February 12, 2024, be considered by Council.

Carried

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

Staff:

- Displayed a PowerPoint presentation summarizing the Official Community Plan and Zoning Bylaw amendments and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Lovegrove

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.

Carried

4. Bylaws for Adoption (Development Related)

4.1 Centennial Cr 1261 - BL12611 (TA23-0011) - Resurrection Recovery Resource Society, Inc. No. S-45391

Moved By Councillor DeHart/Seconded By Councillor Stack

THAT Bylaw No. 12611 be adopted.

Carried

5. Non-Development Reports & Related Bylaws

5.1 Water Supply Level of Service Policy No 383

Staff:

- Displayed a PowerPoint Presentation providing a summary of the proposed amendments to the Water Supply Level of Service Policy and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor DeHart

THAT Council receives, for information, the report from the Utility Services Department, dated February 12, 2024, regarding the Water Supply Level of Service Policy;

AND THAT Council adopts the revised Council Policy No. 383, now titled Water Supply Level of Service, as outlined in the Report from the Utility Services Manager, dated February 12, 2024.

Carried

6. Resolutions

6.1 Councillor Webber - Draft Resolution - Construction Noise Bylaw Amendment

Councillor Webber:

- Provided comments in support of their Notice of Motion resolution.

Councillor Lovegrove's remote connection was lost and left the meeting at 3:18 p.m.

Councillor Lovegrove reconnected to the meeting at 3:20 p.m.

Moved By Councillor Cannan/Seconded By Councillor DeHart

THAT Council direct staff to review construction noise restrictions in other communities, and the current the noise variance procedure,

AND THAT Council direct staff to bring forward for Council consideration options for amending current construction noise times and the noise variance procedure.

Carried

7. Mayor and Councillor Items

Councillor DeHart:

- This is BC Chamber Week; there are several events taking place including the Mayor's State of the City address on Thursday, February 15, 2024.
- Spoke to their attendance at the Chinese New Year celebration.
- Will be attending the 100th Year Anniversary of the Kelowna Garden Club.
- Spoke to the upcoming Metro's Coldest Night of the Year event; Saturday, February 24, 2024.
- Provided Family Day greetings.

Councillor Cannan:

- Spoke to the 2024 Community Sports Hero Awards and congratulated all sport leaders in the community.
- Provided Family Day greetings.

Councillor Lovegrove:

- Provided Chinese New Year greetings.
- Will be a judge at the Sustainable Development Challenge event on February 22, 2024 at the Mary Irwin Theatre between 7:00 and 9:00 p.m.
- Provided Family Day greetings.

Mayor Dyas:

- Spoke to their attendance at the 2024 Community Sport Hero Awards.
- Spoke to their attendance at the OCCA Communities Association Spring Lantern Festival at the Parkinson Recreation Centre last weekend.

8. Termination

This meeting was declared terminated at 3:28 p.m.

Mayor Dyas

sf/acm



City Clerk

REPORT TO COUNCIL OCP & REZONING



Date: February 26, 2024
To: Council
From: City Manager
Address: 159 Clifton Rd N
File No.: OCP23-0007 Z23-0046

	Existing	Proposed
OCP Future Land Use:	S-RES – Suburban Residential NAT – Natural Areas	S-RES – Suburban Residential
Zone:	RR1 – Large Lot Rural Residential	RR2 – Small Lot Rural Residential RU1 – Large Lot Housing

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP23-0007 to amend Map 3.1 in the Kelowna 2040 – Official Community Plan Bylaw No. 12300 by changing the Future Land Use designation of portions of Lot 1 Section 6 Township 23 ODYD Plan EPP12985, located at 159 Clifton Rd N, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation, as shown on Map “A” attached to the Report from the Development Planning Department dated February 26, 2024, be considered by Council;

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

AND THAT Council considers the Public Consultation process to be appropriate consultation for the *Purpose* of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated February 26, 2024.

AND THAT Rezoning Application No. Z23-0046 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of portions of Lot 1 Section 6 Township 23 ODYD Plan EPP12985, located at 159 Clifton Rd N, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone, as shown on Map “B” attached to the Report from the Development Planning Department dated February 26, 2024, be considered by Council;

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

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

2.0 Purpose

To amend the Official Community Plan to change the future land use designation of a portion of the subject property from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and to rezone portions of the subject property from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone to facilitate the development of a two lot subdivision.

3.0 Development Planning

Staff support the Official Community Plan Amendment and Rezoning application to accommodate the creation of one new residential lot. The subject property is within the City's Permanent Growth Boundary. The proposed new lot is compatible with the adjacent pattern of single detached housing that lines Clifton Road N. It is located on the flattest portion of the property adjacent to the road avoiding the need for overheight retaining walls or disturbance of steep slopes, which complies with OCP Policy restricting development on steep slopes and discouraging development which causes high visual impact.

The rear of the property, which contains steep slopes and environmentally sensitive area, is already protected by an existing no-disturb covenant dating from a subdivision in 2012. No new vehicular accesses to Clifton Road will be created as the proposed new lot will share a driveway access with the existing house.

Lot Area	Proposed (m ²)
Gross Site Area	7885 m ²
Road Dedication	116.77 m ²
Undevelopable Area	5056.27 m ²
Net Site Area	2711.96 m ²

Public consultation was completed by delivering a notice to surrounding properties within 50 m of the subject parcel as per Council Policy No. 367. Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	RR1 – Large Lot Rural Residential	Single Detached Housing
East	P3 – Parks and Open Space	Natural Area
South	RR1 – Large Lot Rural Residential	Vacant
West	RU1 – Large Lot Housing	Single Detached Housing

Subject Property Map: 159 Clifton Rd N



The subject property is located on the east side of Clifton Road North, near the intersection with Sheerwater Court and Lochview Road. A single detached house is currently located on the subject property. The eastern portion of the property contains steep slopes.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

The Big Picture: 10 Pillars to Realize our Vision
<p>Stop planning new suburban neighbourhoods: Imagine Kelowna focuses on limiting urban sprawl and growing in a way that is more environmentally and financially sustainable. In recognition of this goal, the Official Community Plan signals that suburban neighbourhoods already approved will continue to grow into more complete communities but not new suburban neighbourhoods would be considered.</p>
<p>Promote more housing diversity: One of Imagine Kelowna’s goals is to build healthier neighbourhoods that support a variety of households, incomes, and life stages. Having the housing that Kelowna citizens need is critical to achieving this goal. With this in mind, the Official Community Plan signals a wider variety of housing types and not just single family homes or small apartments. This housing is focused in areas where residents have easier access to jobs, amenities, transit and active transportation routes. In addition, this Official Community plan supports more rental housing options.</p>

Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive and adaptable	
Policy 7.2.2 Hillside Housing Forms	Encourage housing forms that best match to the topography and have the lowest amount of impact in hillside areas, such as minimum cuts and fills, for example, and provide the greatest environmental protection. Discourage housing forms and associated roadways that cause high amounts of slope disturbance and visual impact.
	<i>The applicant has demonstrated that the proposed additional lot can accommodate a building site that does not require over height retaining walls and minimizes site disturbance.</i>

Objective 15.2 Design and located development to reduce risks associated with steep slopes.	
Policy 15.2.1 Steep Slopes	Restrict development on steep slopes. These areas should be retained as natural open space, either public or private.
	<i>The proposed new lot is the flattest portion of the subject property. The steep slopes at the rear of the lot are protected by an existing no-disturb covenant.</i>

6.o Application Chronology

Application Accepted: July 19, 2023
 Neighbourhood Notification Summary Received: July 25, 2023

Report prepared by: Mark Tanner, Planner II
Reviewed by: Dean Strachan, Community Planning & Development Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:
 Map A: Official Community Plan Amendment
 Map B: Zoning Amendment
 Attachment A: Proposed Subdivision Plan

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

N



SHEERWATER CT

CLIFTON RD N

160

156

159

152

155

148

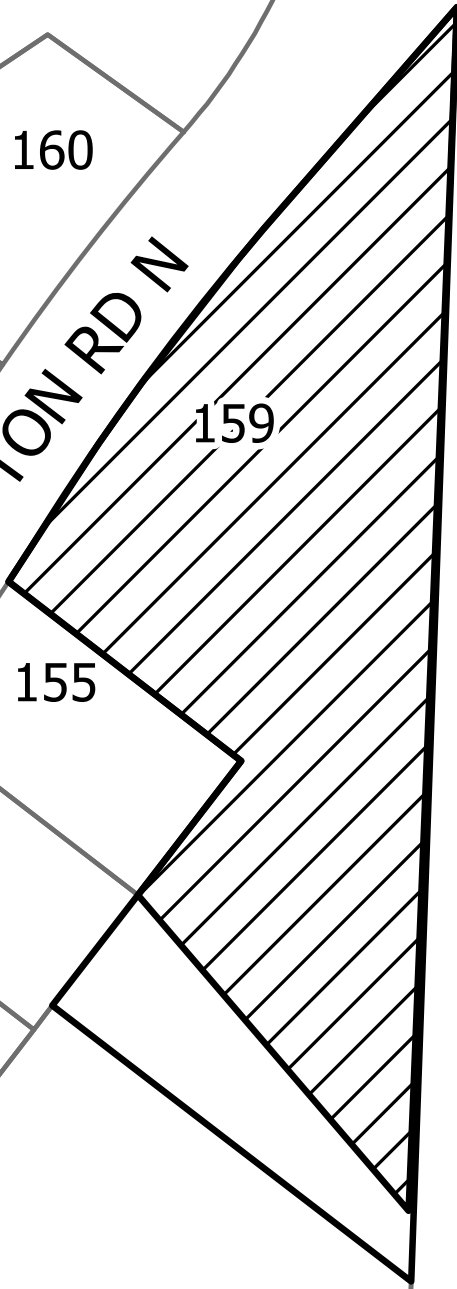
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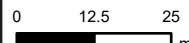
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**MAP "A" OCP AMENDMENT
OCP23-0007**

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

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



Rev. Friday, February 9, 2024



N



SHEERWATER CT

CLIFTON RD N

160

156

159

152

155

148

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

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139

135

MAP "B" ZONING AMENDMENT Z23-0046

-  RR1 - Large Lot Rural Residential to RR2 - Small Lot Rural Residential
-  RR1 - Large Lot Rural Residential to RU1 - Large Lot Housing
-  Subject Property

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

0 12.5 25
m

Rev. Thursday, February 8, 2024





LEGAL DESCRIPTION:
 LOT 1, PLAN EPP12985, SECTION 19, TOWNSHIP 27, O.D.Y.D.
CIVIC ADDRESS: 159 CLIFTON ROAD NORTH
DESIGN CRITERIA:
 EXISTING ZONING RR1
 PROPOSED ZONING RU1
 DEVELOPMENT PERMIT CONDITIONS:
 HAZARDOUS CONDITIONS
 NATURAL ENVIRONMENTAL
 WILD LAND FIRE HAZARD

SETBACKS:
 FRONT YARD* 3.0m
 GARAGE** 6.0m
 SIDE YARD*** 2.1m
 YEAR YARD 7.5m
 * BASED ON SUB-URBAN RESIDENTIAL (S-RES)
 ** MEASURED FROM EDGE OF PAVEMENT.
 ***SIDE YARD SETBACK IS BASED ON 2 OR 2½ STOREY.

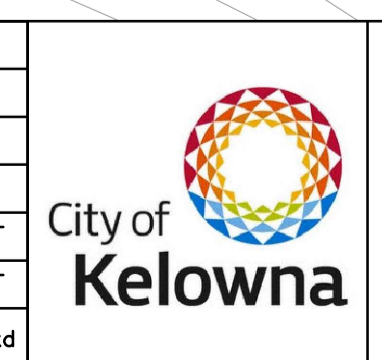
ROAD TYPE: COLLECTOR-CLASS 1
 SS-R5 (20.0m R.O.W.)



22079

ATTACHMENT A
 This forms part of application
 # OCP23-0007 Z23-0046
 City of Kelowna
 COMMUNITY PLANNING
 Planner Initials MT

No.	YY.MM.DD	By	Issued	Chkd	No.	YY.MM.DD	By	Revision	Chkd
1	23.09.12	ST	PRELIMINARY LAYOUT REVIEW	ST	1	23.09.12	MD	FOR CITY COMMENTS	ST
					2	24.01.22	MD	CHANGED TO 2 LOT SUBDIVISION	ST



Drawn	MD
Design	ST
Approved	
Date	JANUARY 2023
Scale	1:250

THE CITY OF KELOWNA
 ENGINEERING DEPARTMENT
 159 CLIFTON ROAD NORTH
 PRELIMINARY LAYOUT REVIEW
 2 LOT SINGLE FAMILY SUBDIVISION

Division	MUNICIPAL
Drawing No.	PLR-01
Rev No.	2

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PLR



City of
Kelowna

OCP23-0007 Z23-0046 159 Clifton Rd N

Rezoning Application

Purpose

- ▶ To amend the Official Community Plan to change the future land use designation of a portion of the subject property from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation and to rezone a portion of the subject property from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and RR2 – Small Lot Rural Residential zone to facilitate a two lot subdivision.

Development Process

July 19, 2023

Development Application Submitted



Staff Review & Circulation



July 25, 2023

Public Notification Received



Feb 26, 2024

Initial Consideration



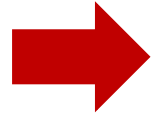
Public Hearing



Final Reading

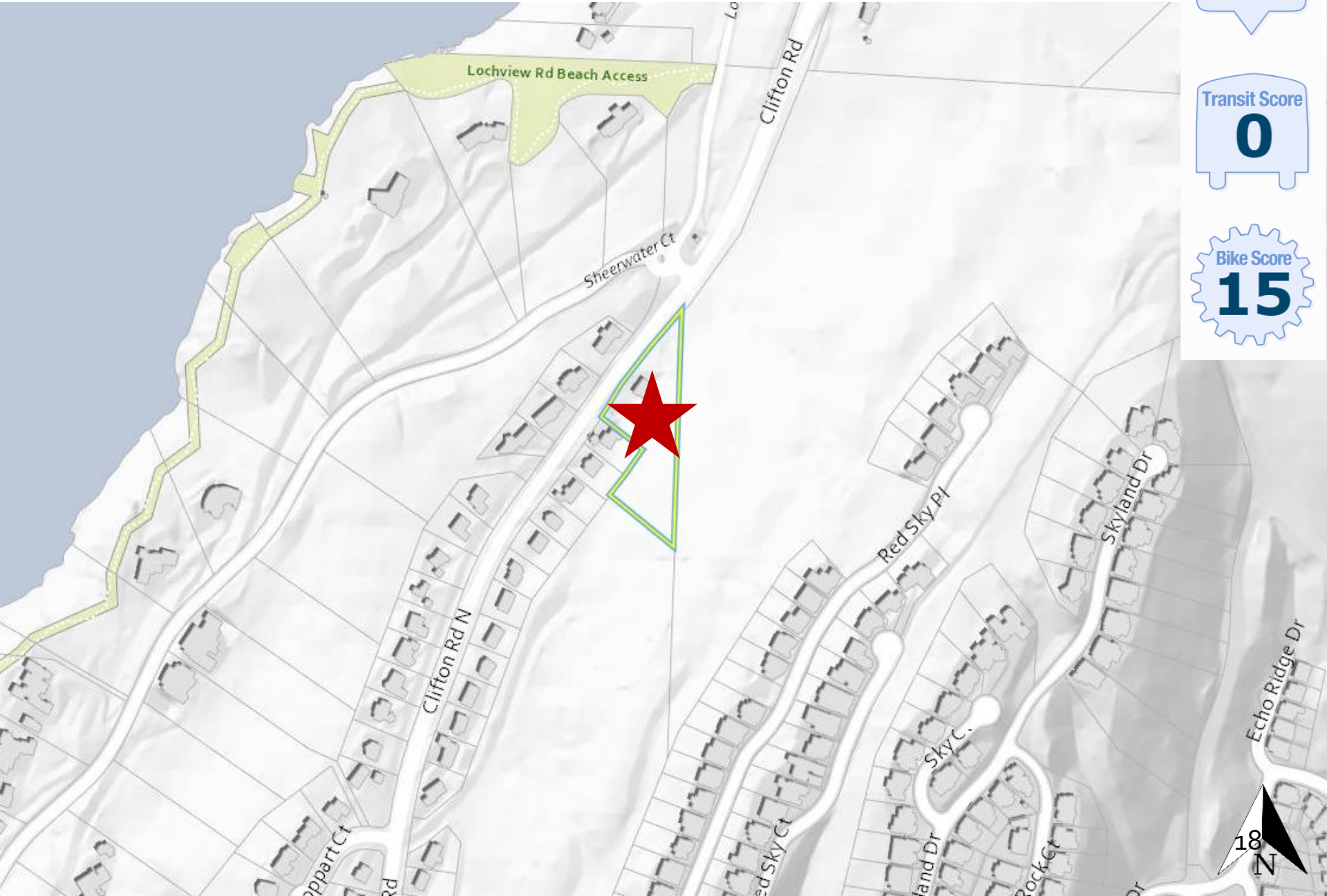


Subdivision/Building Permit



Council
Approvals

Context Map



Walk Score
4




Transit Score
0

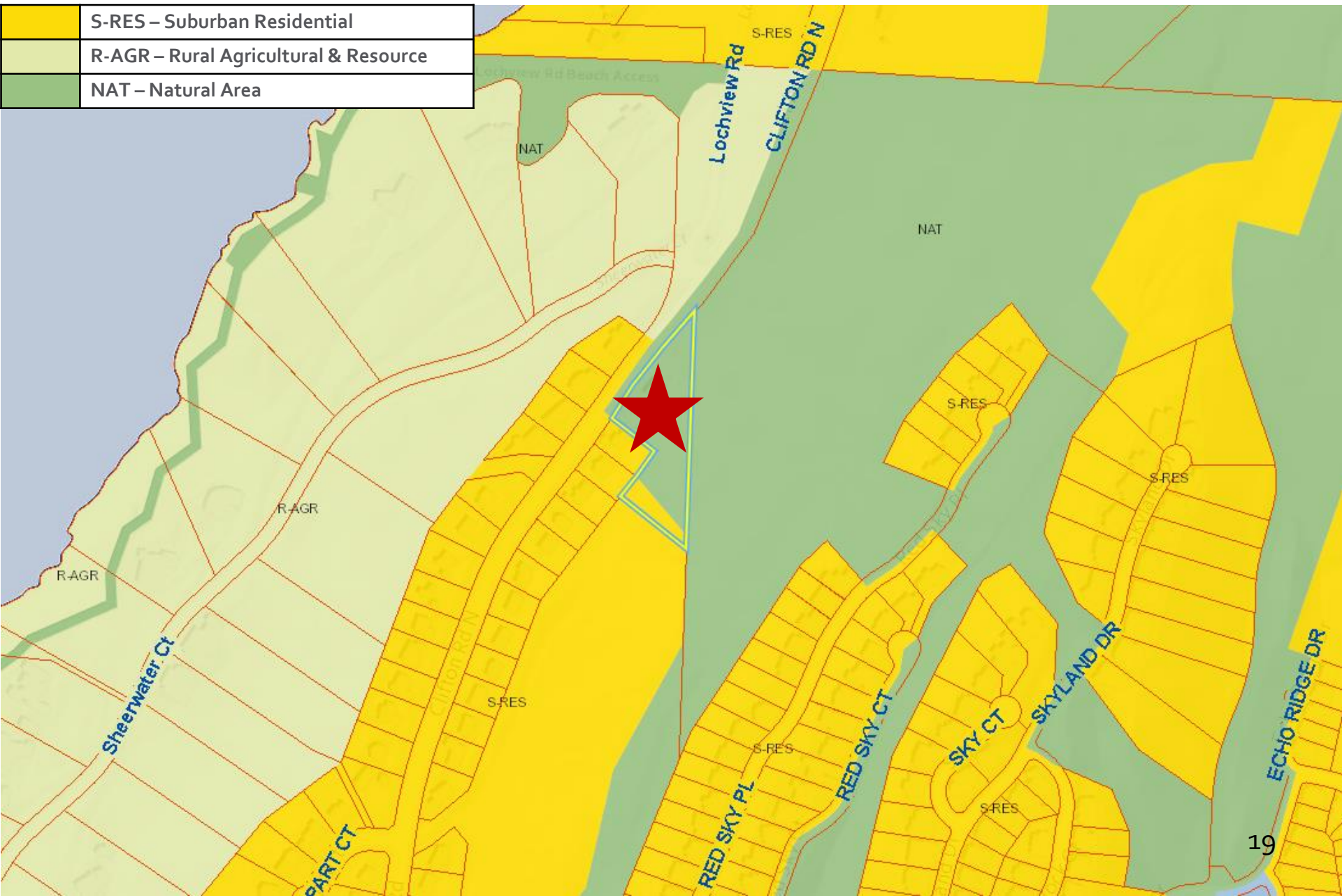
Bike Score
15

18
N

OCP Future Land Use



	S-RES – Suburban Residential
	R-AGR – Rural Agricultural & Resource
	NAT – Natural Area



Subject Property Map



Project Details

- ▶ OCP Amendment and Rezoning to facilitate a two-lot subdivision
 - ▶ NAT – Natural Areas to S-RES – Suburban Residential
 - ▶ RR1 – Large Lot Rural Residential to RU1 – Large Lot Housing and RR2 – Small Lot Rural Residential
- ▶ New lot located on the flattest portion of the property
- ▶ Shared driveway access between existing house and new lot
- ▶ Existing no-disturb covenant protects steep hillside

Proposed Subdivision



OCP Objectives & Policies

- ▶ Policy 7.2.2 Hillside Housing Forms
 - ▶ Encourage housing forms that best match the topography and have the lowest amount of impact. Discourage housing forms that cause high amount of slope disturbance and visual impact.
- ▶ Policy 15.2.1 Steep Slopes
 - ▶ Restrict development on steep slopes. These areas should be retained as natural open space, either public or private.

Staff Recommendation

- ▶ Staff recommend **support** for the proposed OCP Amendment and Rezoning as it is consistent with:
 - ▶ OCP Policies:
 - ▶ Policy 7.2.2 Hillside Housing Forms
 - ▶ Policy 15.2.1 Steep Slopes

CITY OF KELOWNA

BYLAW NO. 12625

Official Community Plan Amendment No. OCP23-0007 159 Clifton Road North

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

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

1. THAT Map 3.1 – **Future Land Use** of "*Kelowna 2040* – Official Community Plan Bylaw No. 12300" be amended by changing the Future Land Use designation of a portion of Lot 1 Section 6 Township 23 ODYD Plan EPP12985 located on Clifton Road North, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map "A" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

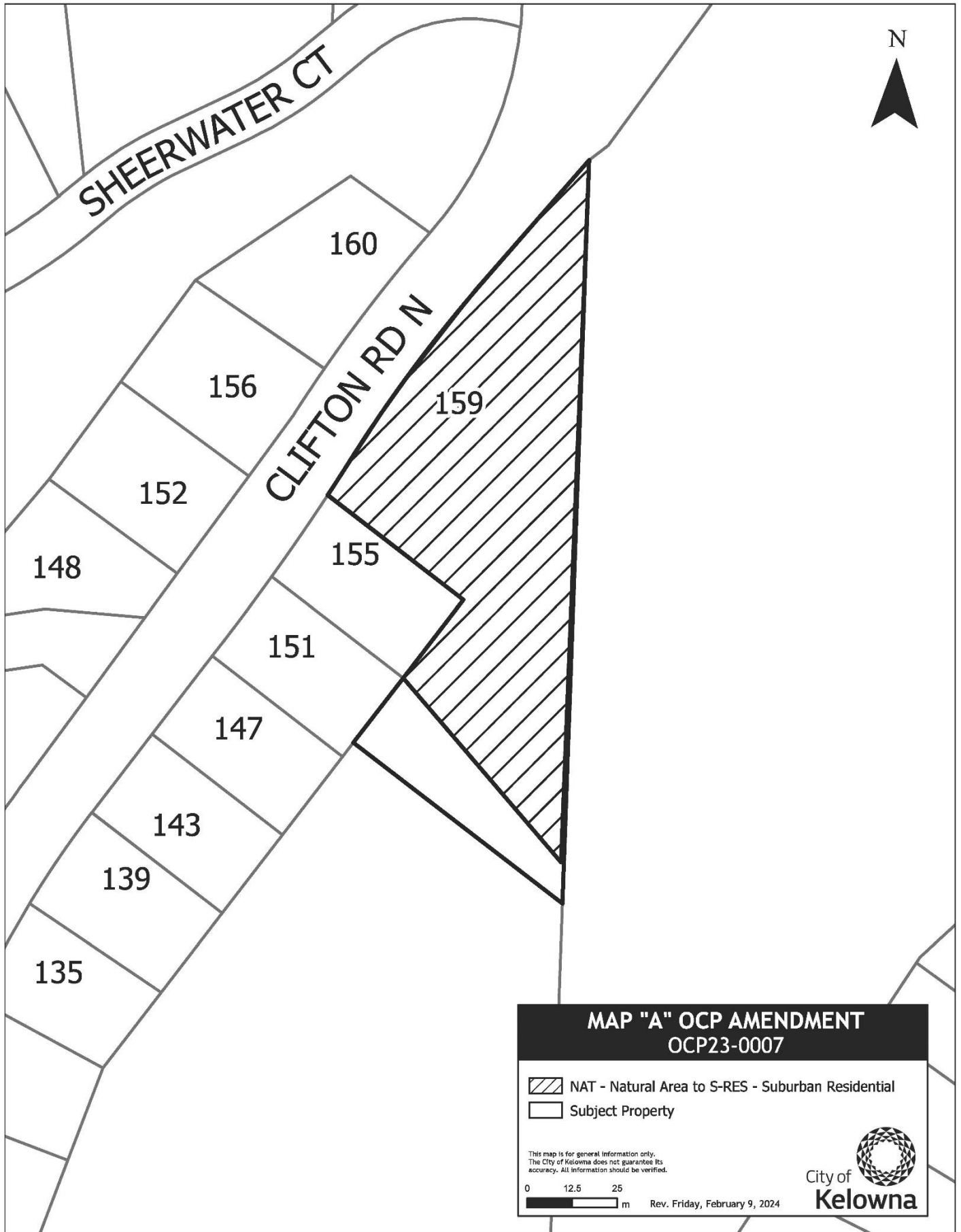
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 12626
Z23-0046
159 Clifton Road North

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 1 Section 6 Township 23 ODYD Plan EPP12985 located on Clifton Road North, Kelowna, BC from the RR1 – Large Lot Rural Residential zone to the RU1 – Large Lot Housing zone and the RR2 – Small Lot Rural Residential zone as shown on Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

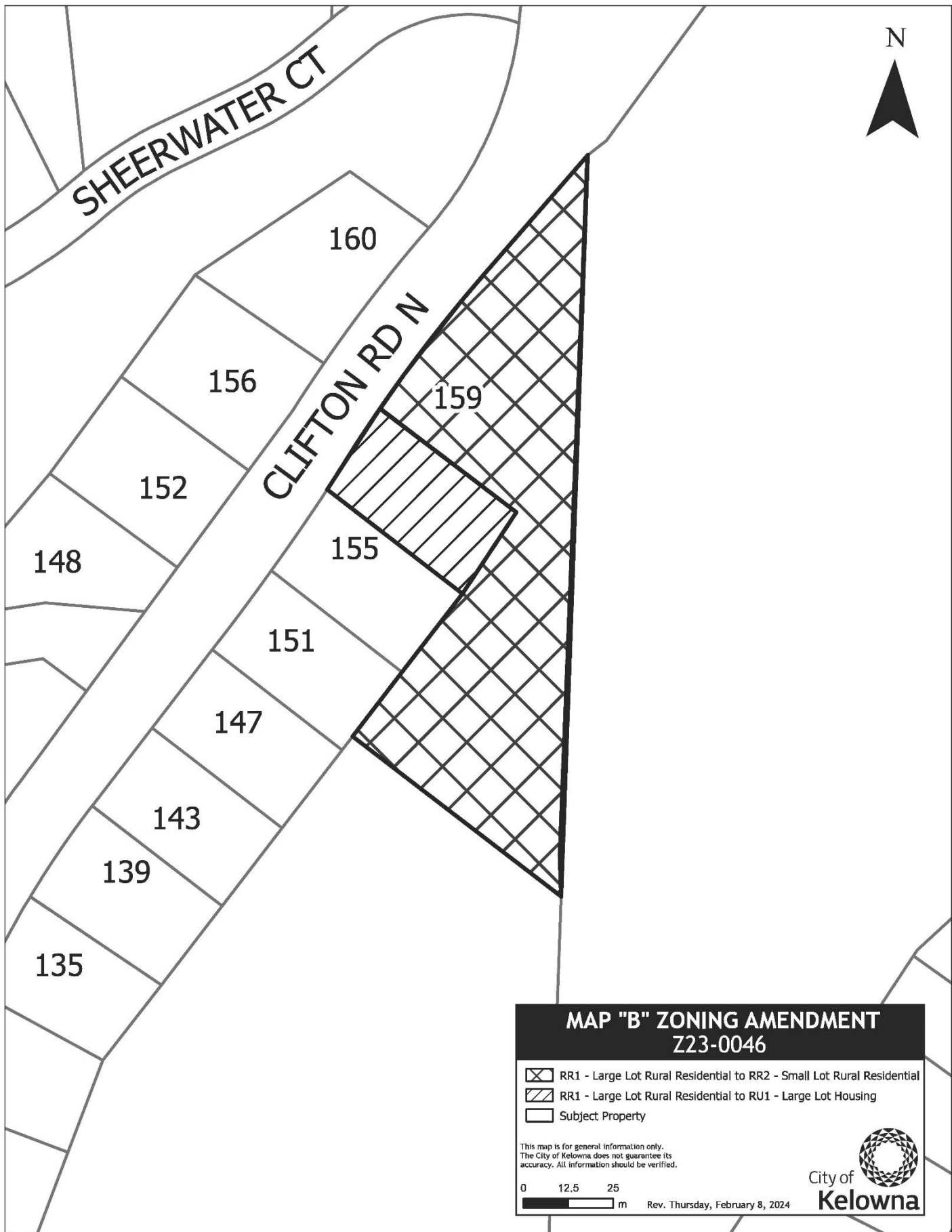
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



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 for February 12, 2024 meeting:

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

Recommendation for February 26, 2024:

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.

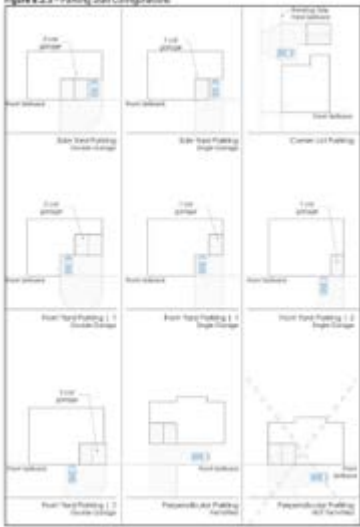
No.	Section	Current Wording	Proposed Wording	Reason for Change
		<p>permanently for a household. A dwelling includes only one room which, due to its design, plumbing, equipment, and furnishings, may be used primarily as a kitchen, except where otherwise permitted in the bylaw. Wet bars are permitted. 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	Any surface parking lot over 15 vehicles must incorporate landscaped islands as described below: (a) Notwithstanding Section 7.2.3 , if a parking lot over 15 vehicles abuts a street , that interface must have at least a minimum 1.5 metres landscape area (the setback landscaping area might be larger). See Figure 7.2.10 ; (b) landscaped islands are required at the end of each parking aisle; (c) the maximum number of parking spaces in a consecutive row is 15 with a landscaped island or drive aisle separating the next 15 spaces; (d) landscaped islands are not to be longer than the adjacent parking space ; (e) landscaped islands shall be clearly delineated as separate and in addition to required parking and loading spaces ; (f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference; and	<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 1633 1170"> <thead> <tr> <th data-bbox="1094 561 1289 597"></th> <th data-bbox="1289 561 1633 597">All Zones</th> </tr> </thead> <tbody> <tr> <td data-bbox="1094 597 1289 1170">Min. Riparian Management Area and Trail width</td> <td data-bbox="1289 597 1633 1170">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="520 1175 1064 1421"> <tbody> <tr> <td data-bbox="520 1175 1064 1247">Min. Density (if applicable) & Max. Base Density FAR ^{-1,-7}</td> </tr> <tr> <td data-bbox="520 1247 1064 1318">For areas identified as PARK = 0.5 FAR ^{.9} For areas identified as 6 storeys = 1.8 FAR ^{.9}</td> </tr> <tr> <td data-bbox="520 1318 1064 1421">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 1175 1633 1421"> <tbody> <tr> <td data-bbox="1094 1175 1633 1247">Min. Density (if applicable) & Max. Base Density FAR ^{-1,-7}</td> </tr> <tr> <td data-bbox="1094 1247 1633 1318">For areas identified as PARK = 0.5 FAR ^{.9} For areas identified as 6 storeys = 1.8 FAR ^{.9, 13}</td> </tr> <tr> <td data-bbox="1094 1318 1633 1421">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}										
For areas identified as 12 storeys = 3.3 FAR ^{.9}										
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	(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 / 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 <small>cm =centimetres / m = metres / m² = square metres</small>			
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.

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 Parking Spaces	<u>Min.</u> Number of Required Van-Accessible Parking Spaces
10 – 50 units	1 space	0 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.

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> <ul style="list-style-type: none"> .1 The minimum energized electric vehicle energized outlets do not apply to the visitor parking. .2 Energized Outlets must be labelled for their intended use for electric vehicle charging only. .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. .4 No more than one Energized Outlet may be assigned to an individual vehicle parking space. .5 The minimum energized electric vehicle energized outlets do not apply to secondary suites or carriage houses. .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. .7 This is the date these regulation will come into effect. .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. 					

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} &

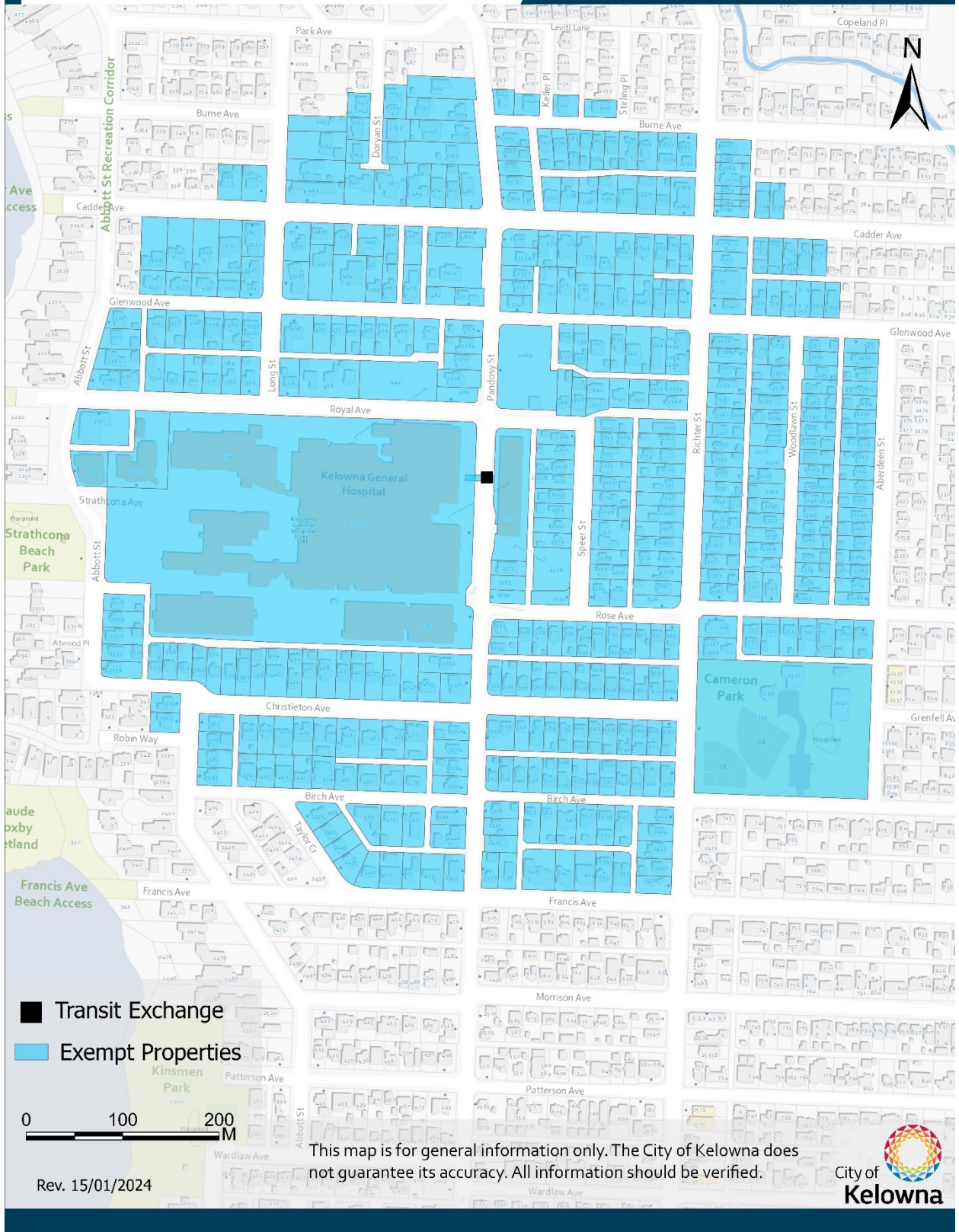
Table 8.3 – Required Residential Off-Street Parking Requirements					
Location of	Required Parking by Unit Type				Visitor Parking
CD20 Zone	& Max 1.5 spaces per dwelling unit				Max 0.2 spaces per dwelling unit
Dwelling Units within the CD22 zone	Min 0.75 spaces & Max 1.0 space per studio	Min 0.9 spaces & 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

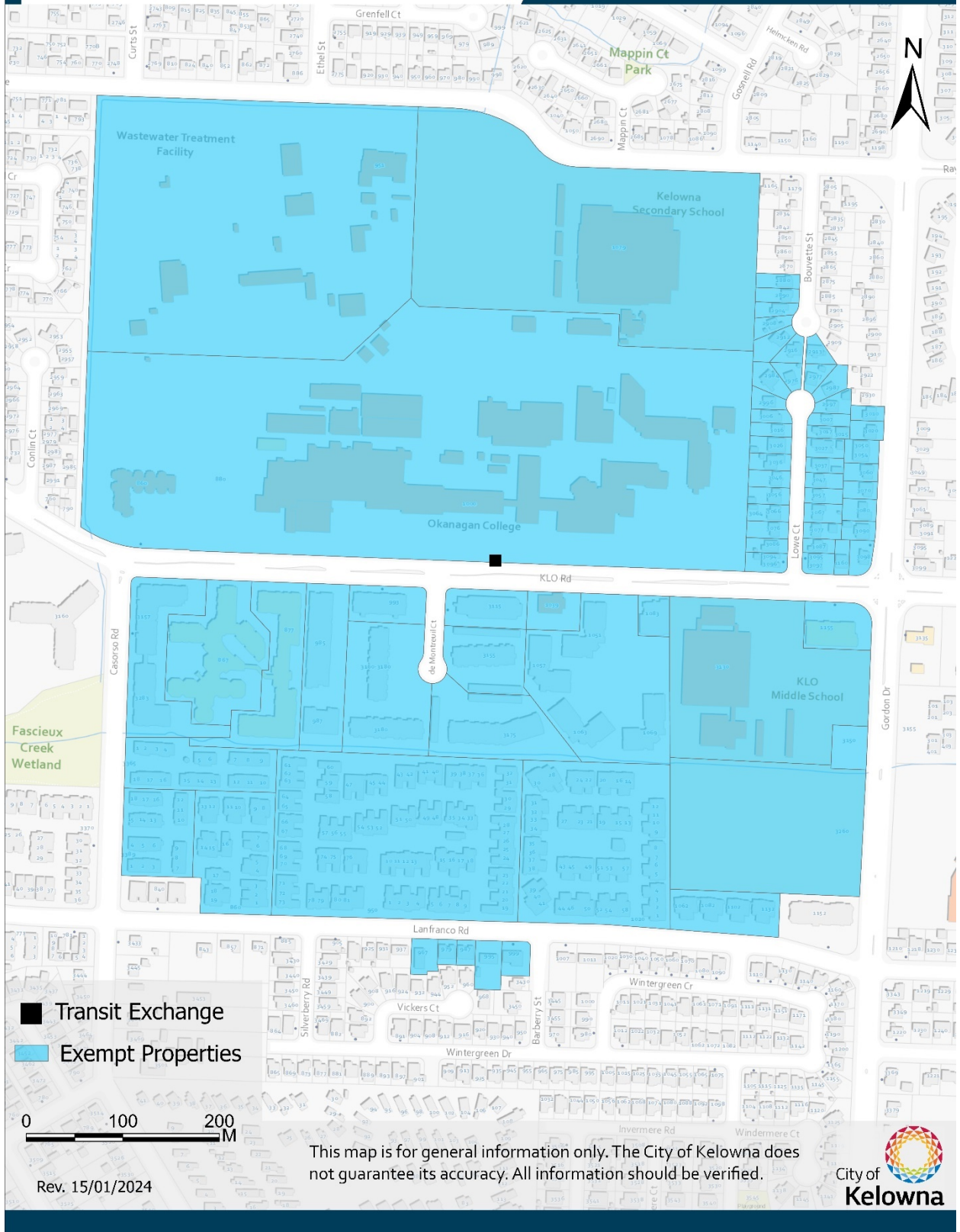
Map 8.3.a Hospital Exchange



Rev. 15/01/2024

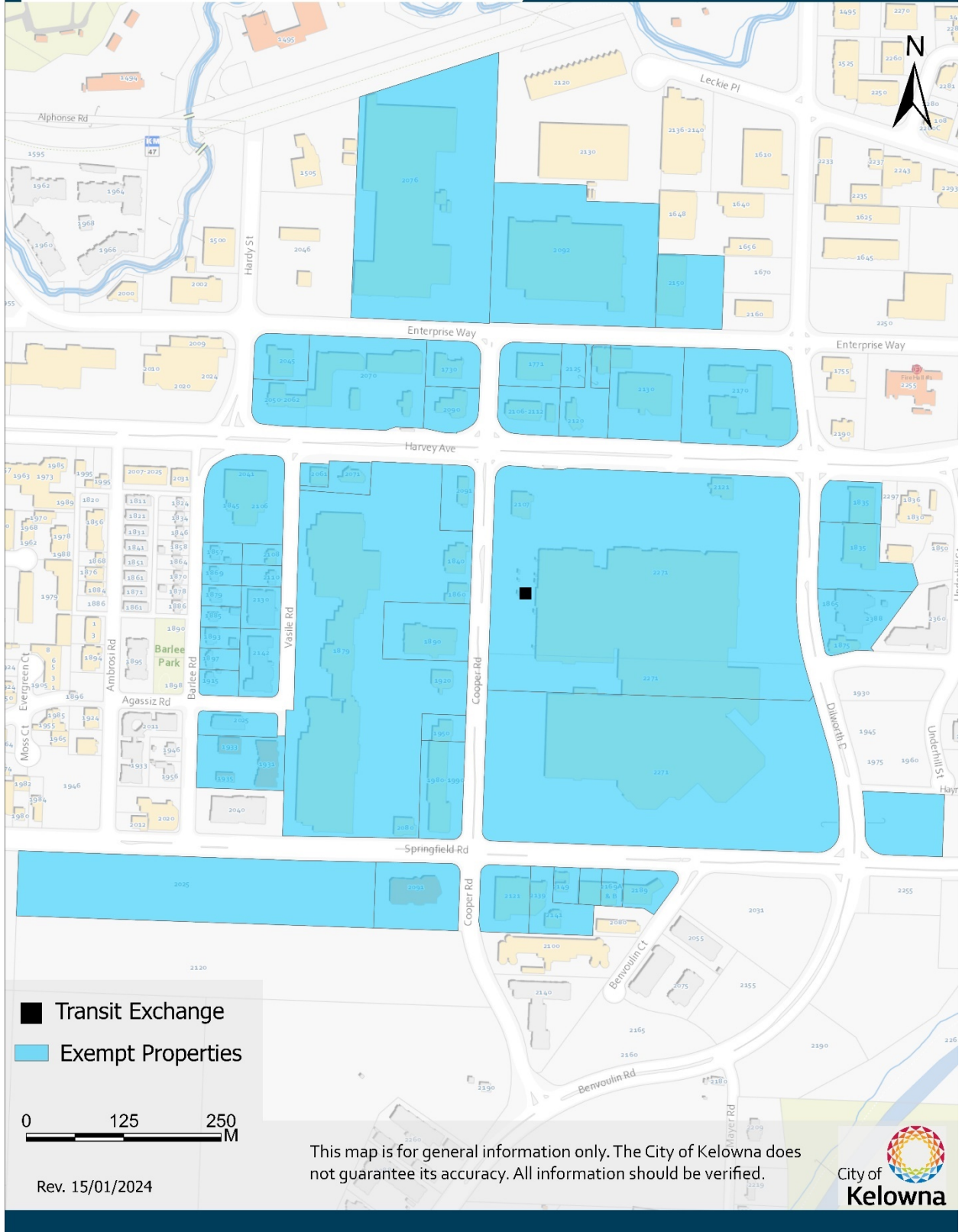
Residential Parking Exemptions

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

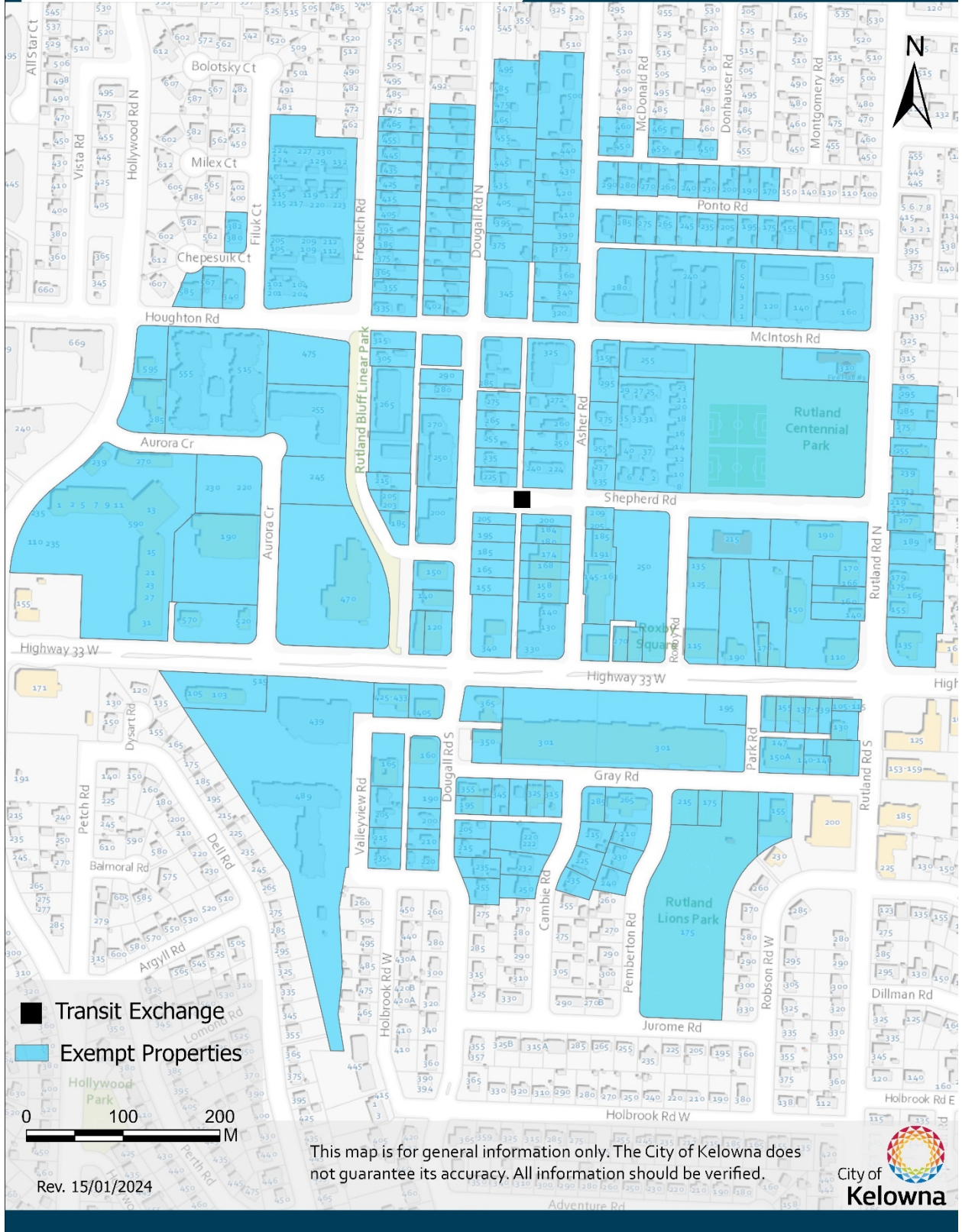


Chart M

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
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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 OC 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 OC 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
<p>FOOTNOTES (Section 11.4):</p> <p>^{.1} Minimum lot width, lot depth, and lot area also apply to bareland strata lots.</p> <p>^{.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.</p> <p>^{.3} The minimum lot area is 325 m² when the lot has access to a rear lane or strata road.</p>					

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:

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

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
<p>(e) The bonus density and bonus height provisions occur if the provisions of Section 6.8 Density Bonus are secured.</p> <p>⁵For the purpose of calculating minimum densities the amount of commercial area considered as a unit will be measured at one (1) unit per 125 m² of commercial GFA.</p> <p>⁶If eighty percent (80%) of the parking provided on-site is located underground (below finished grade) then the base FAR is increased by 0.25 FAR.</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, 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.

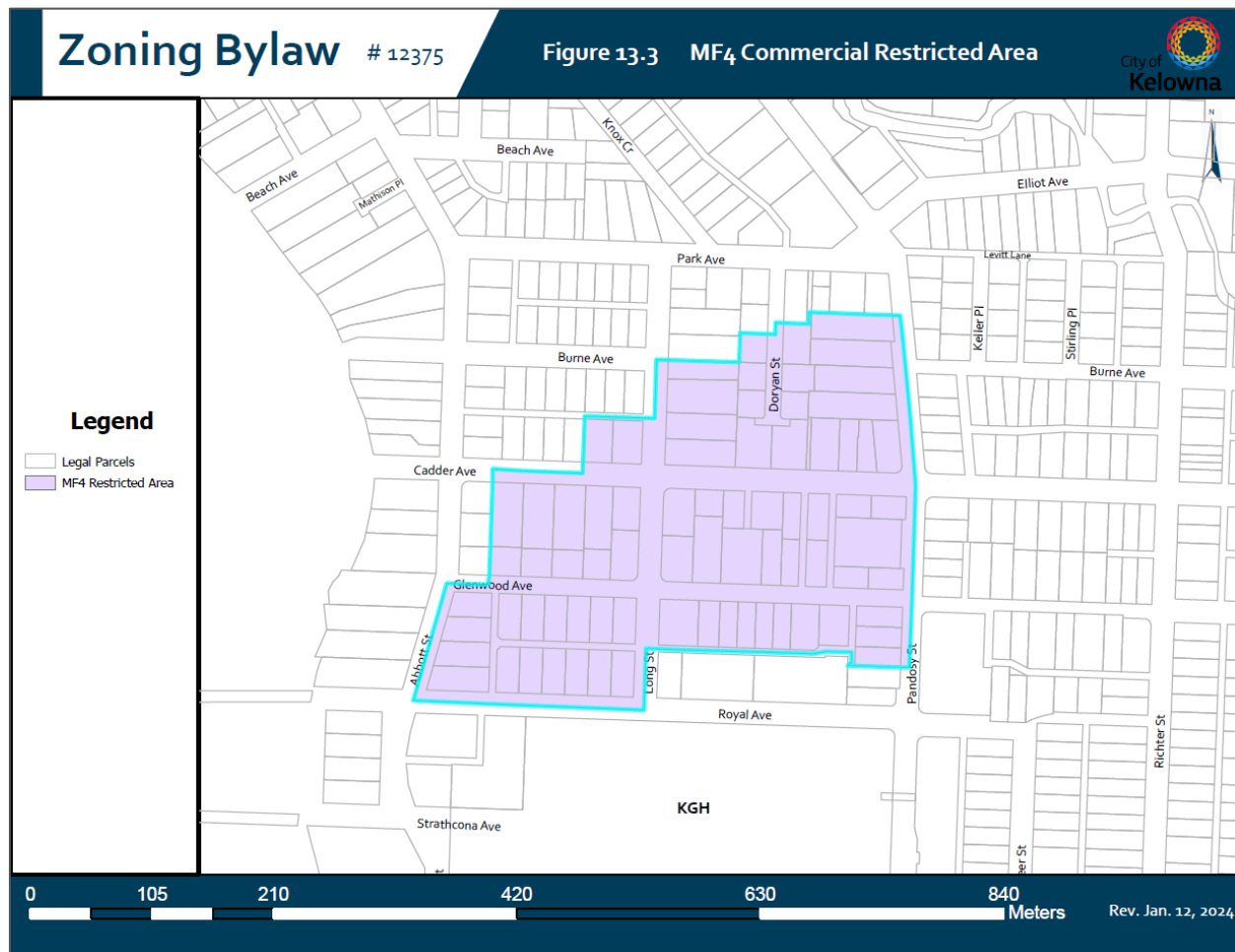
Section 13.3 - Permitted Land Uses				
Uses	Zones			
	('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)			
	MF1	MF2	MF3	MF4
Accessory Buildings or Structures	S	S	S	S
Agriculture, Urban	S	S	S	S
Apartment Housing	-	-	P	P
Boarding or Lodging	P (MF1b only)	-	-	P (MF4b only)
Child Care Centre, Major	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

Original – 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			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

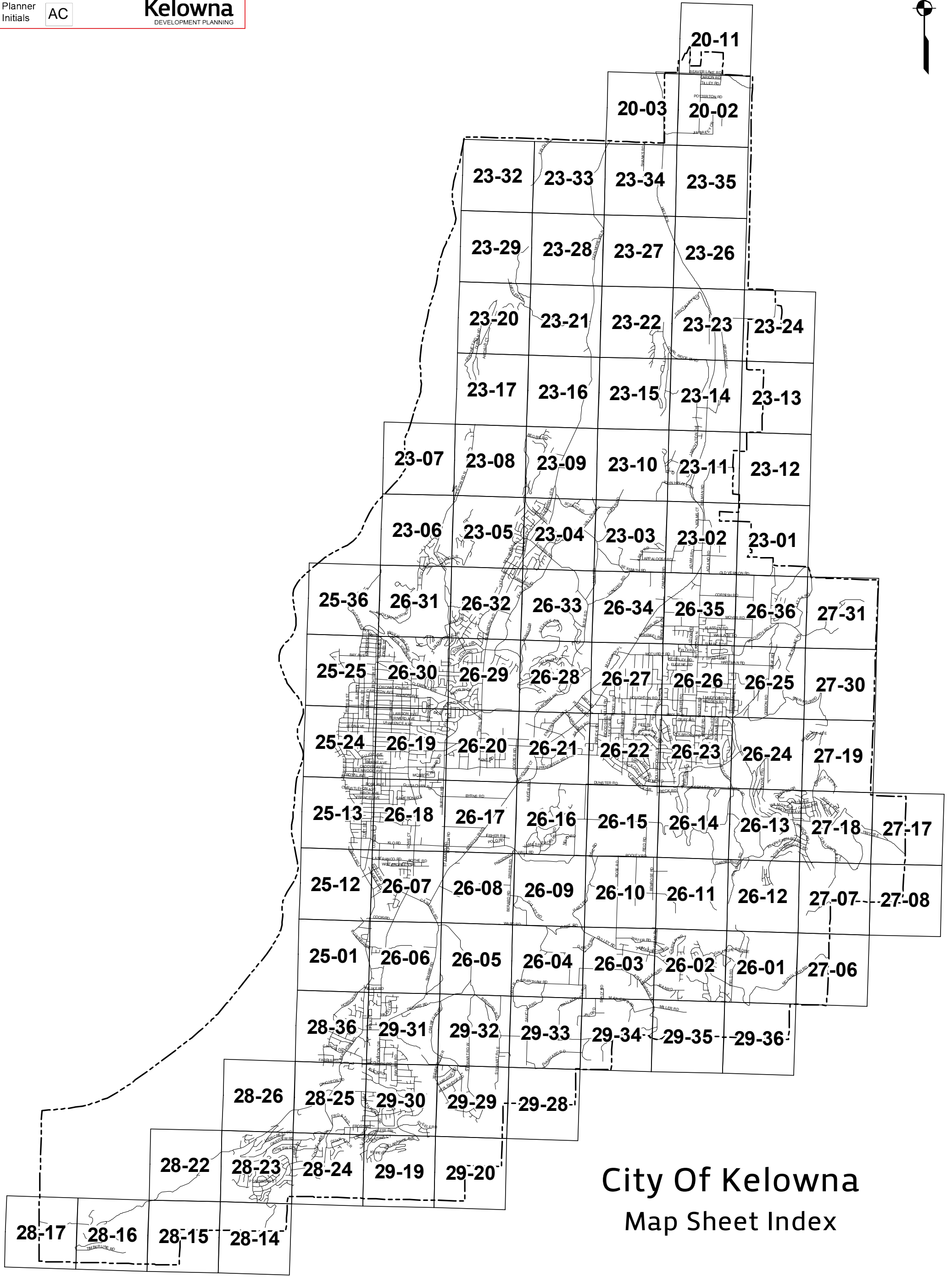
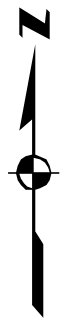
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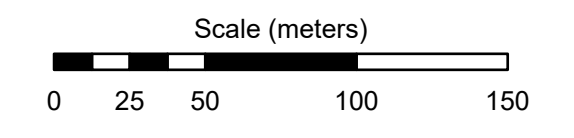
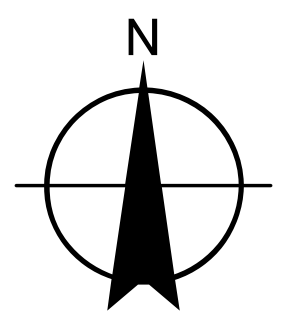
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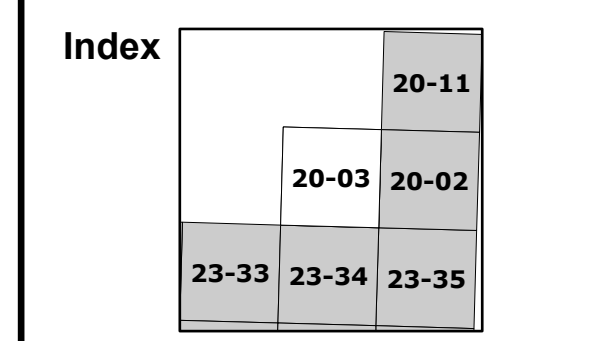
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- ADDRESSES**
- 10 Lot Number
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 - Indicates Address Fronting Street
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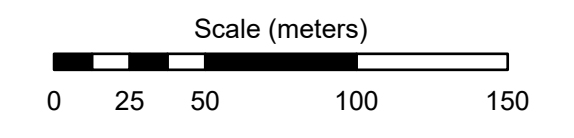
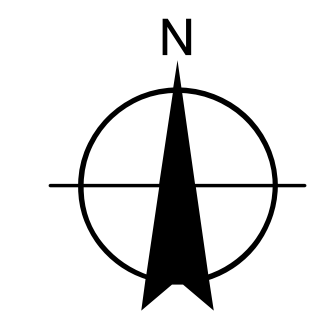


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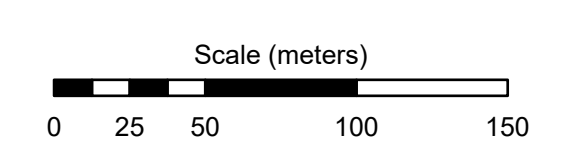
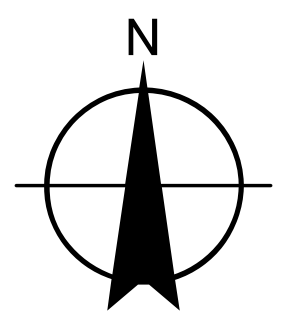
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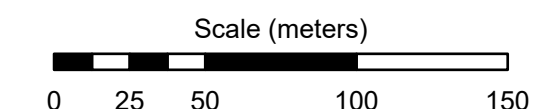
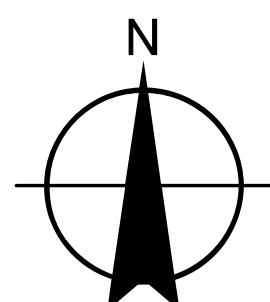
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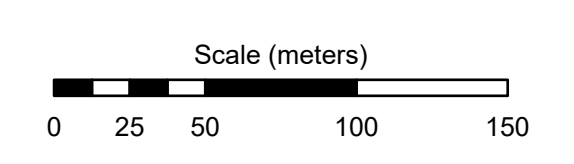
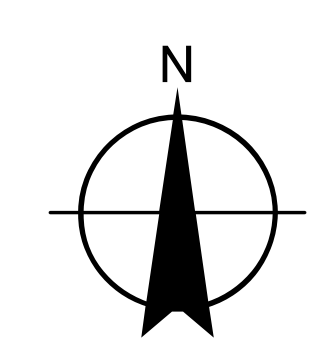
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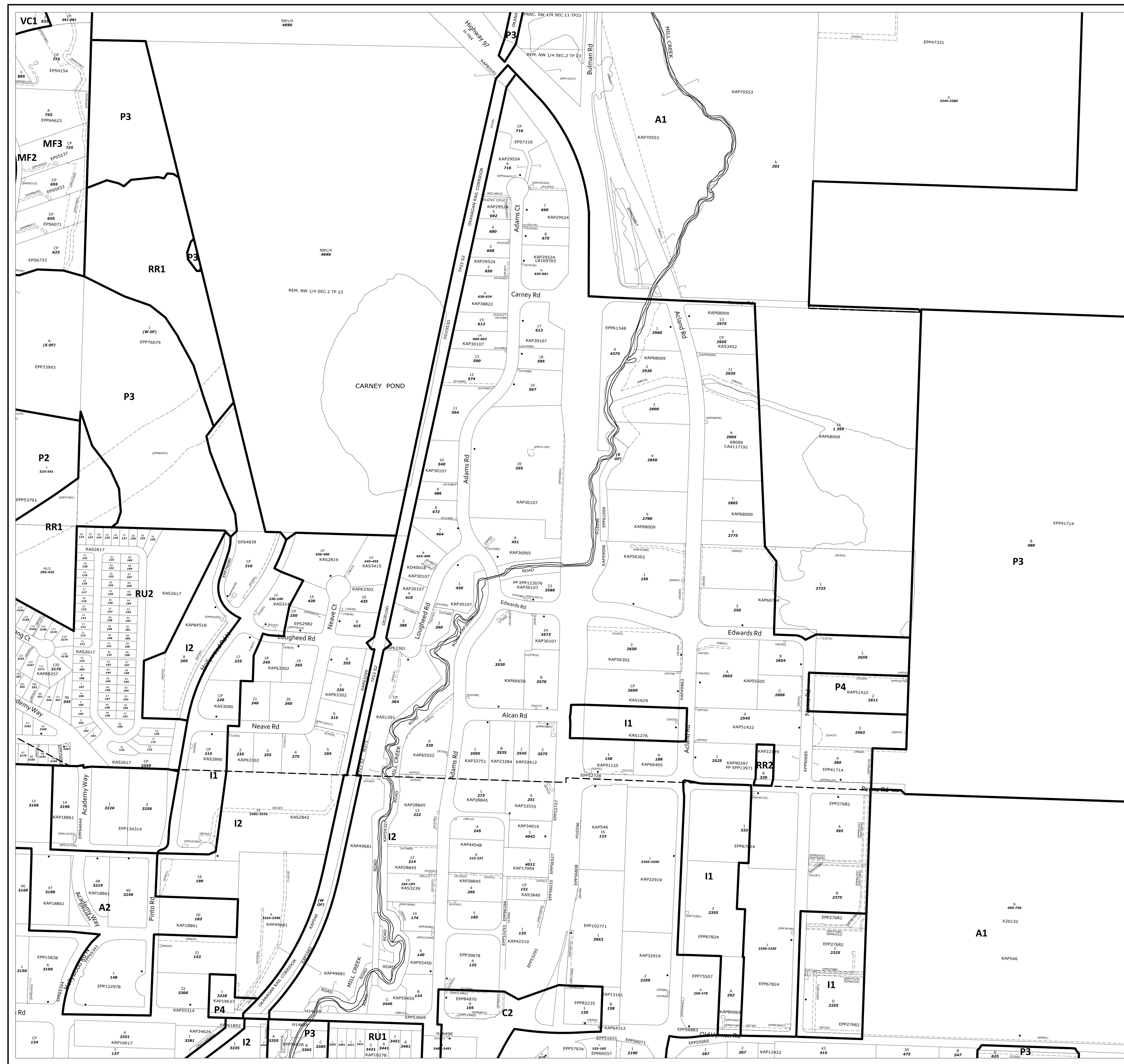



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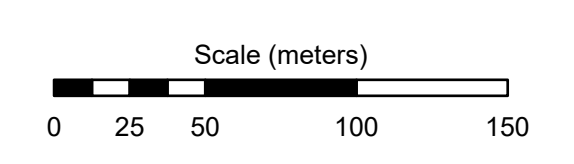
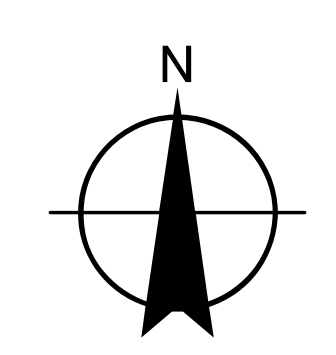
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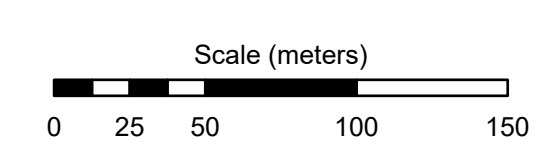
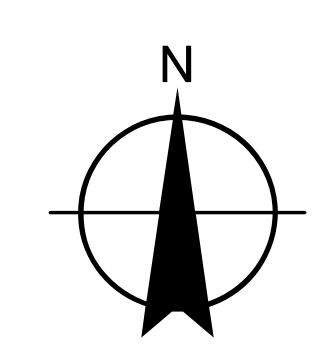
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Proposed Zoning

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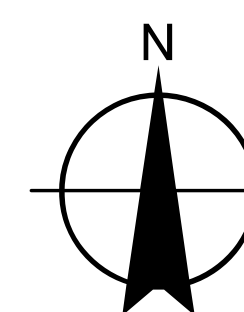
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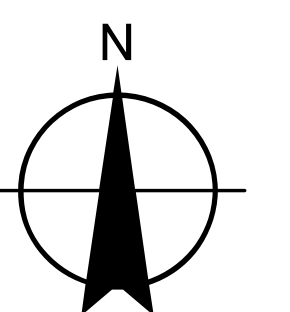
Indicates Address Fronting Street

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RR1

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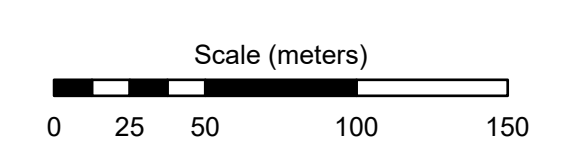
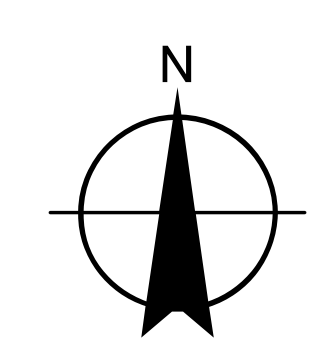
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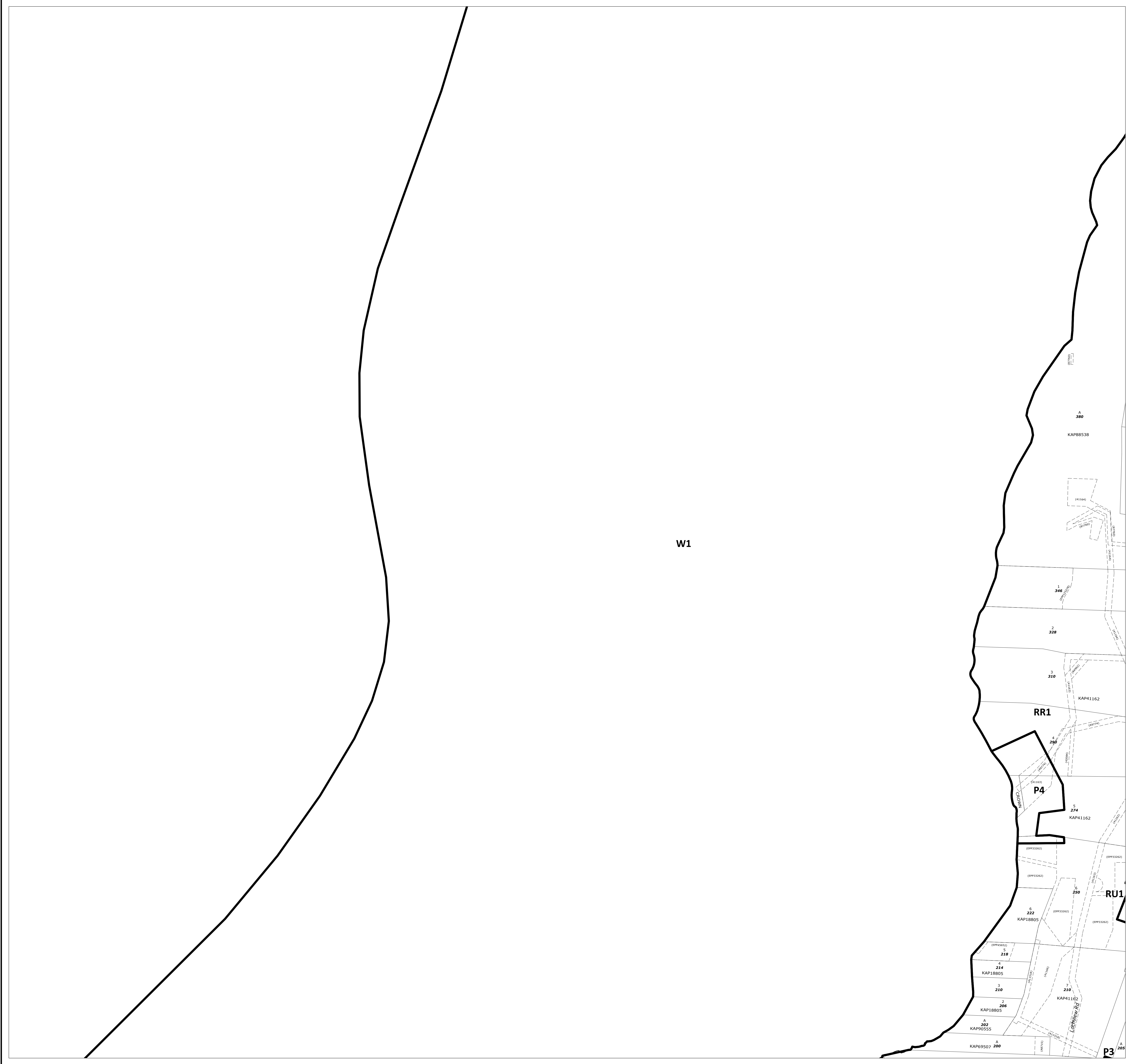


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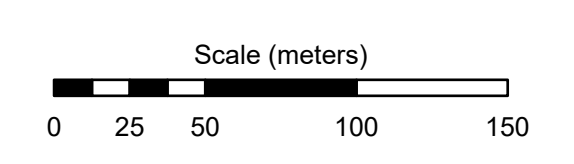
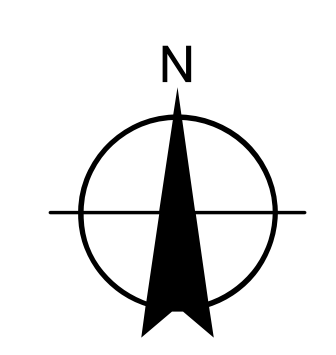
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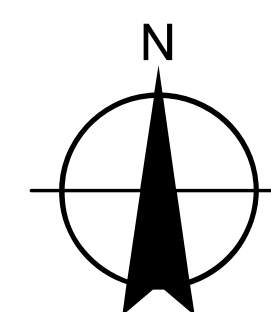
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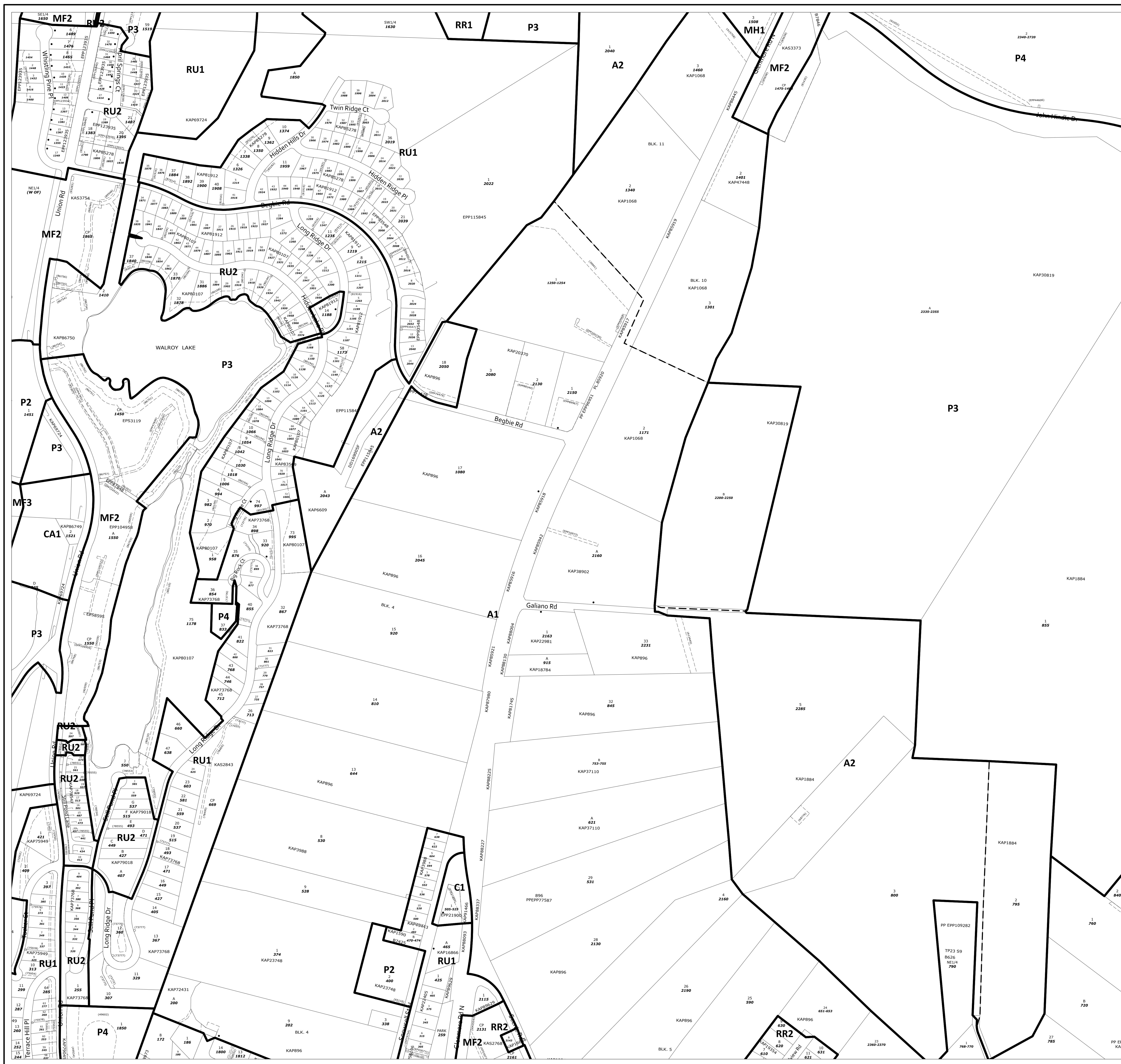


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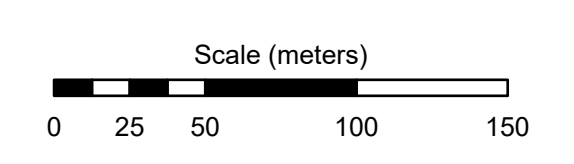
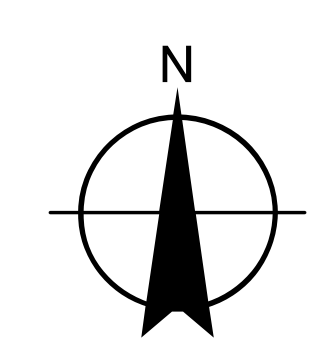
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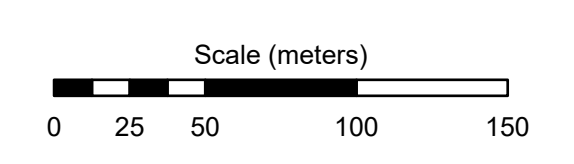
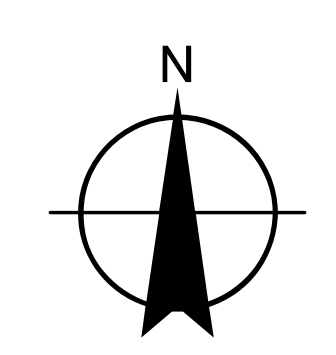
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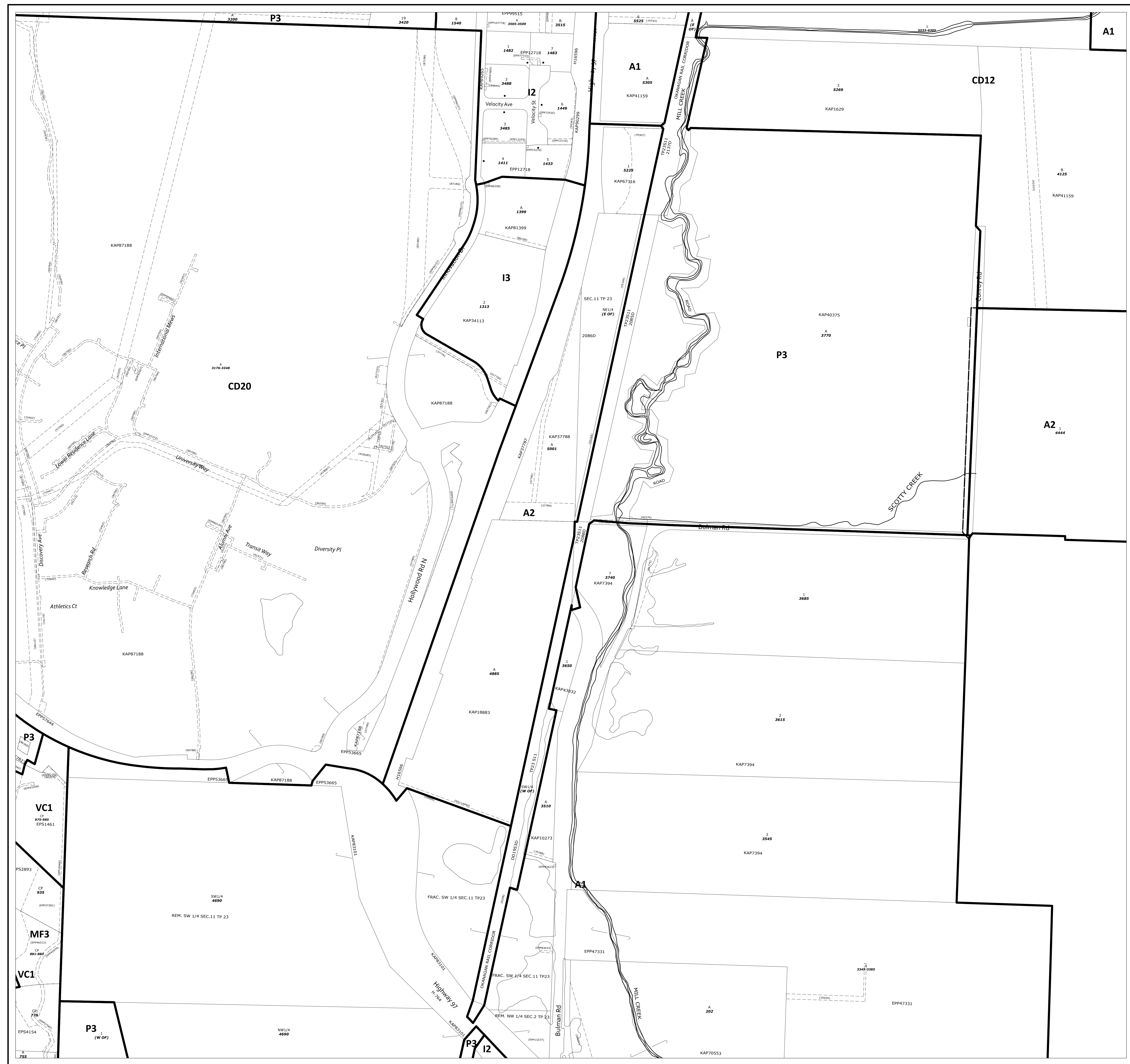



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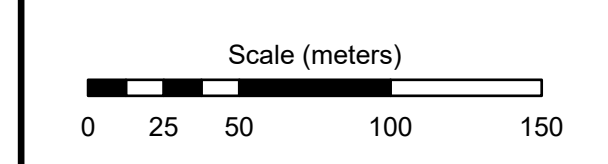
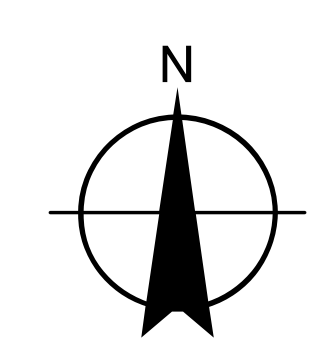
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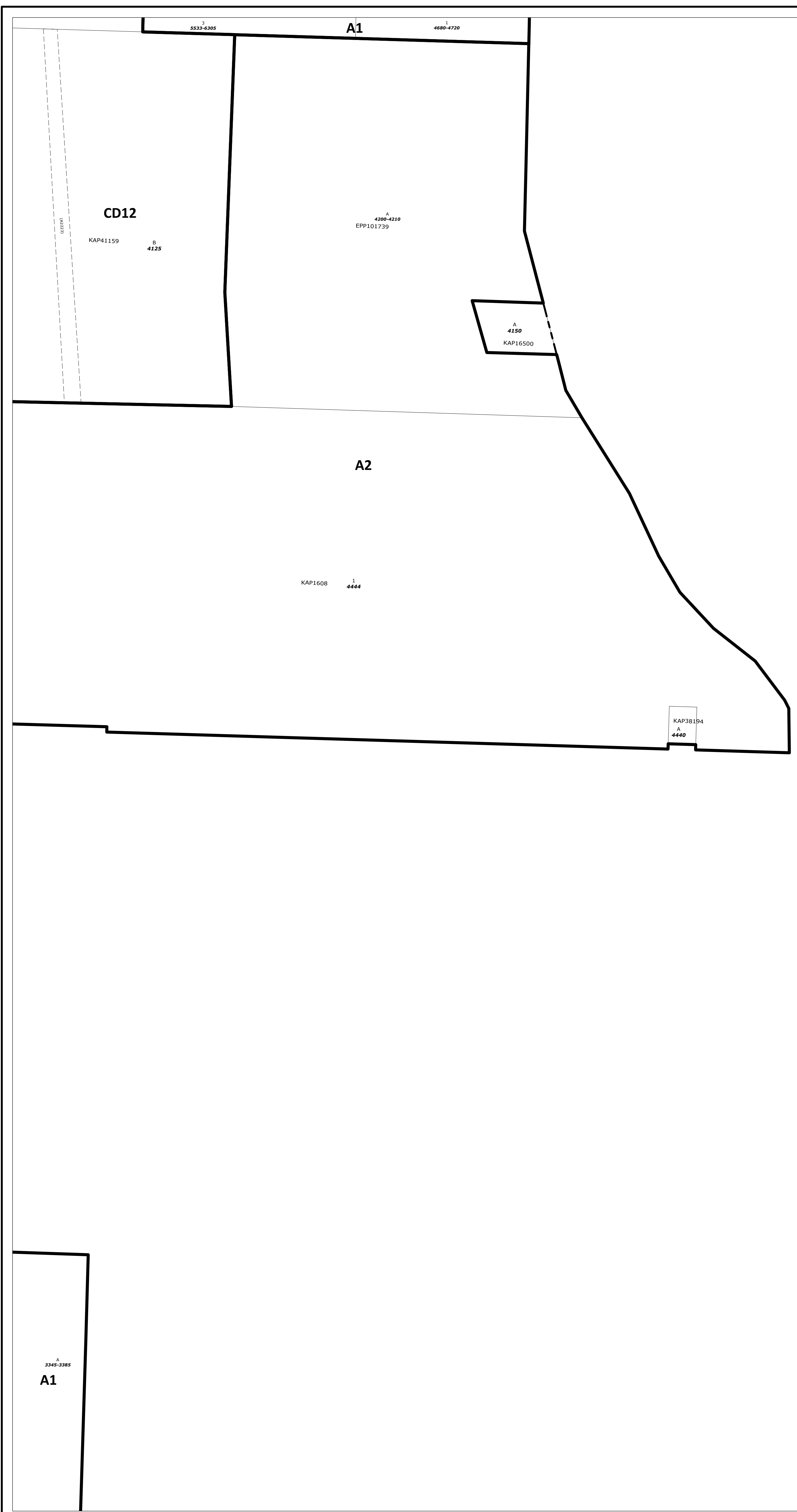


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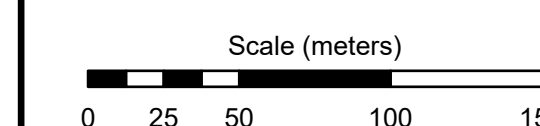
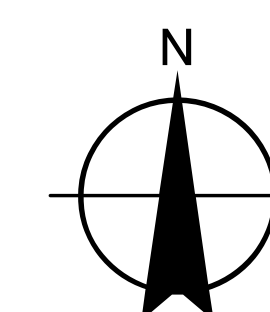
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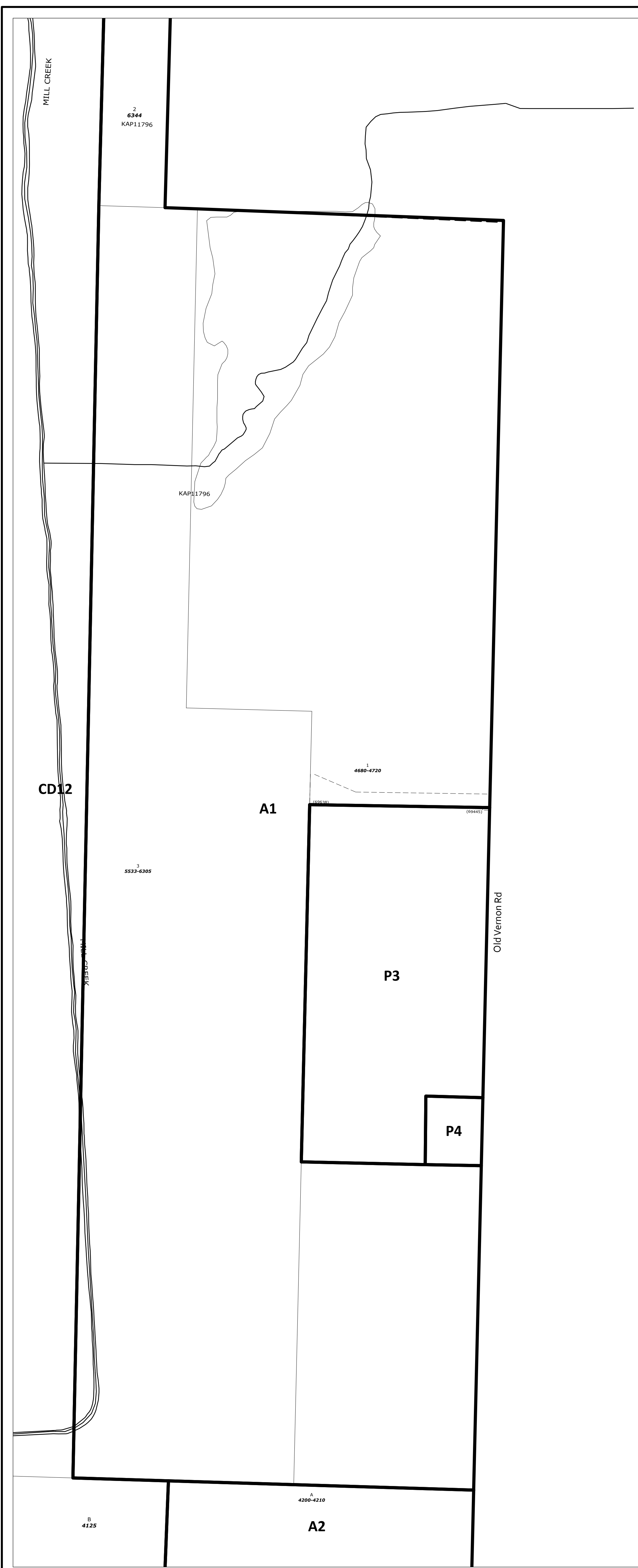
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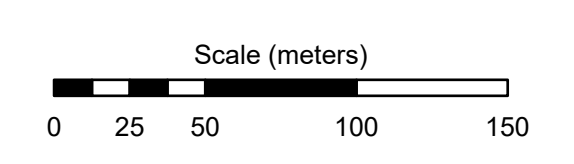
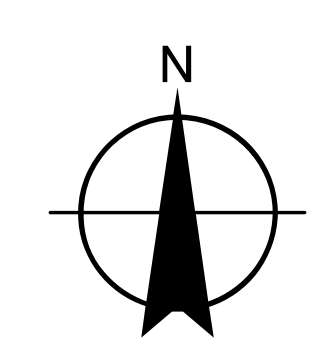
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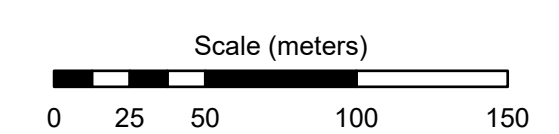
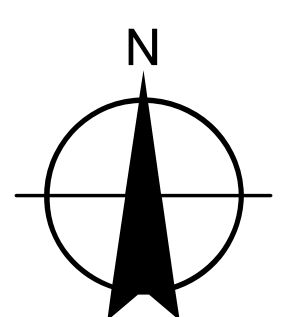
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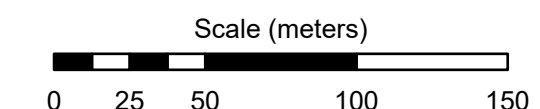
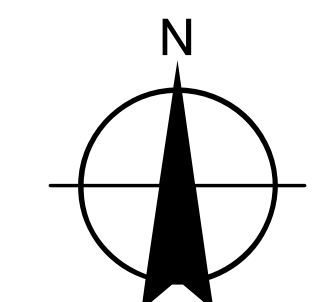
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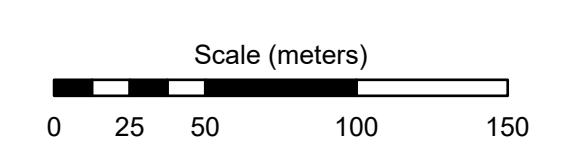
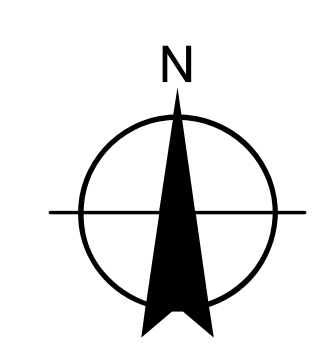
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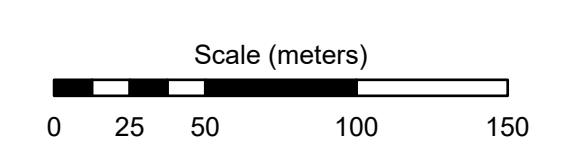
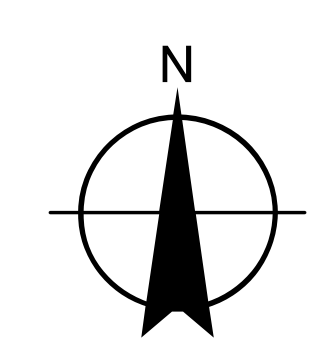
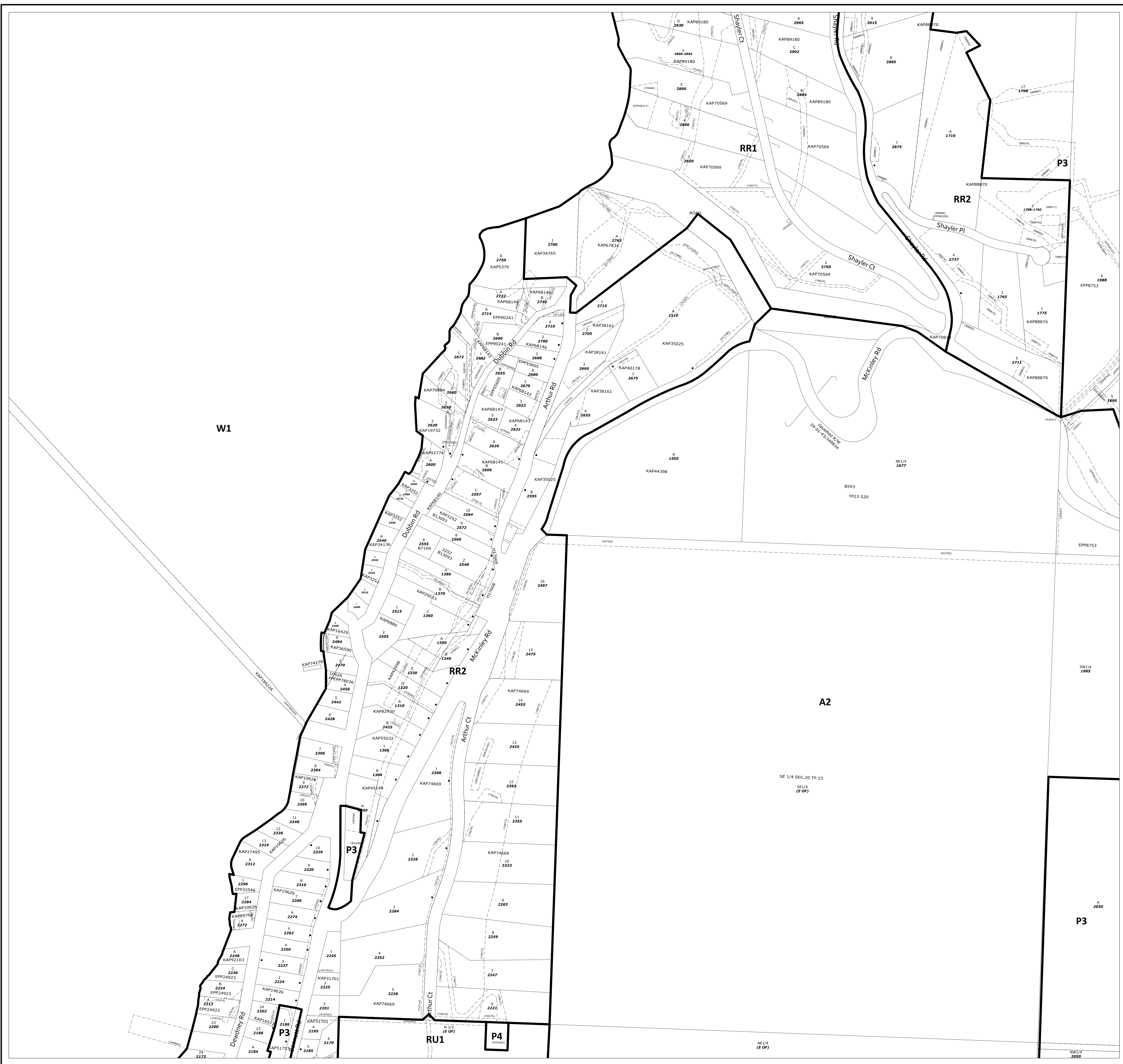
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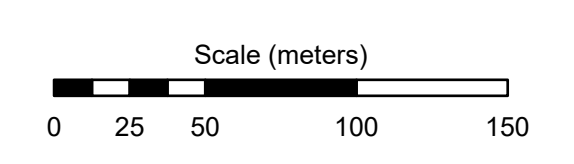
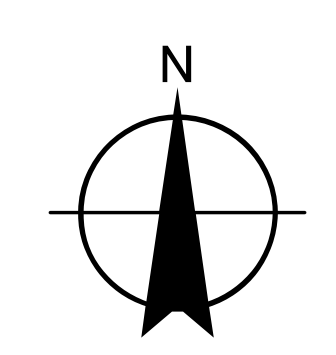
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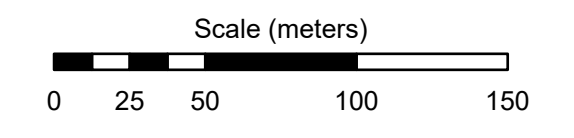
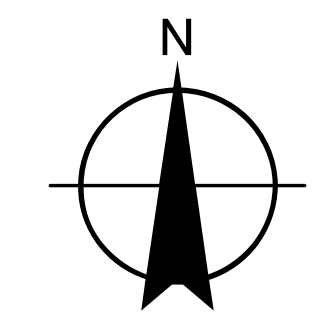
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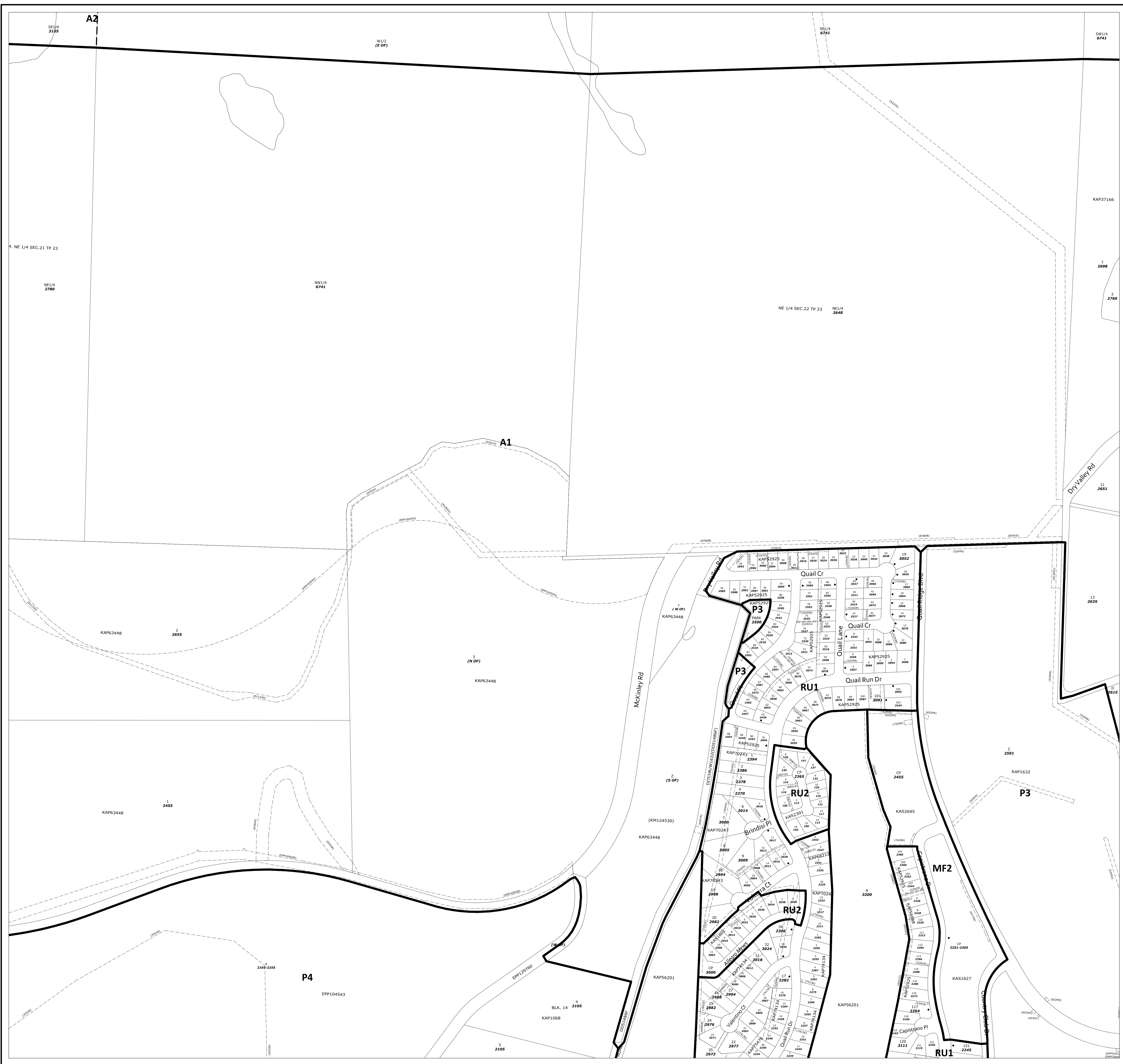



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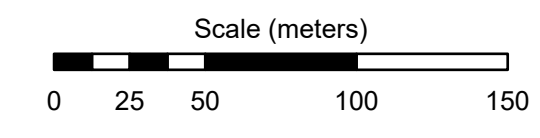
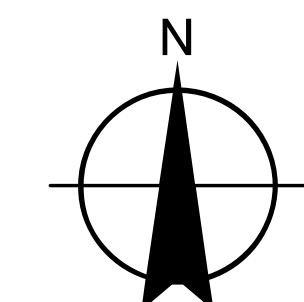
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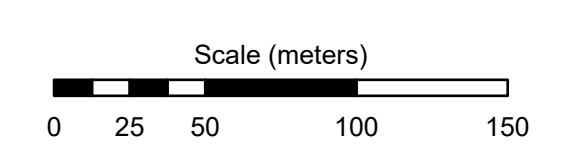
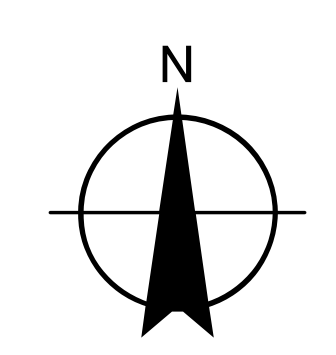
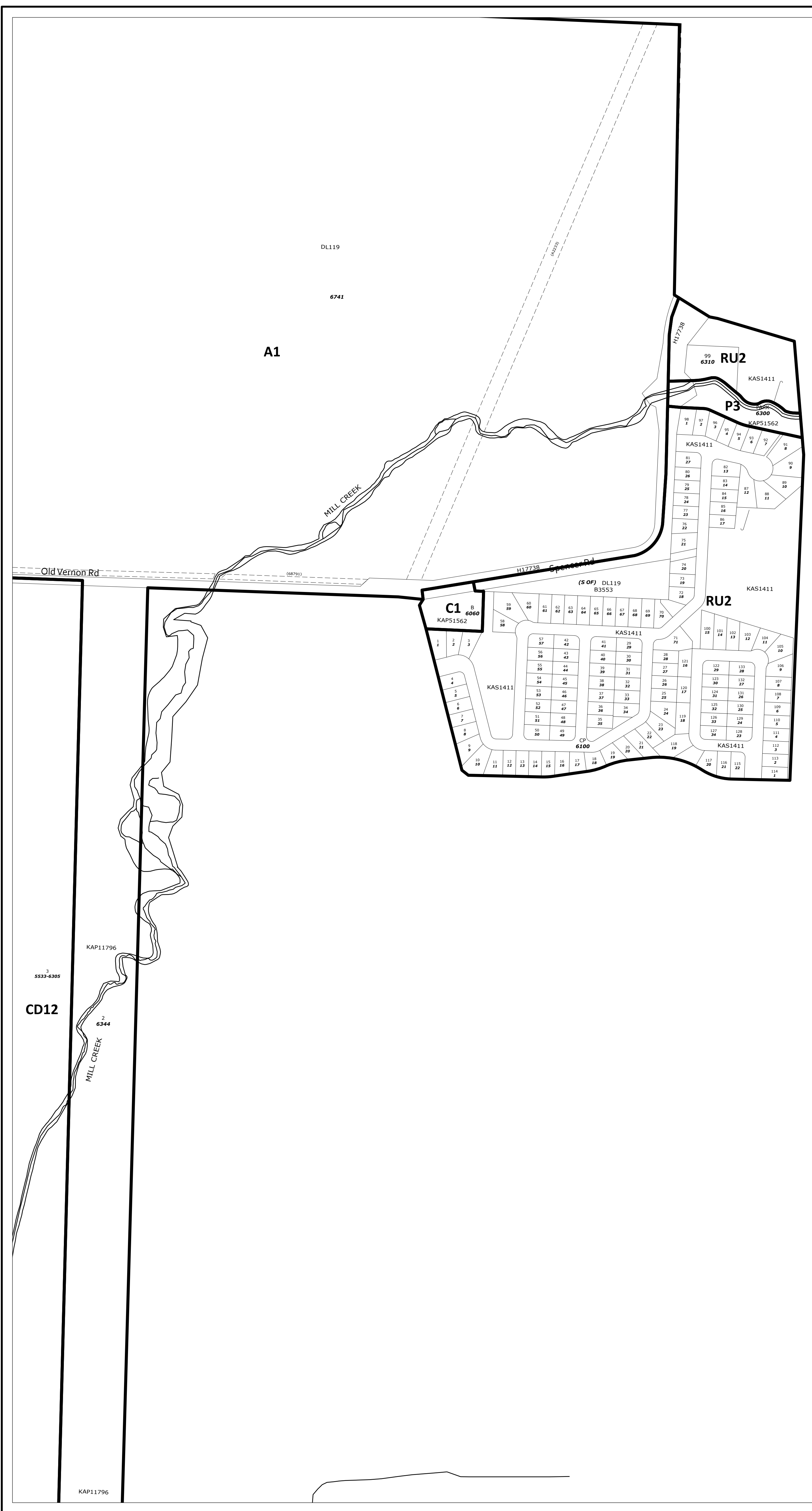
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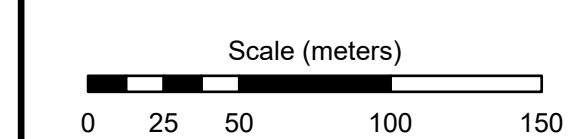
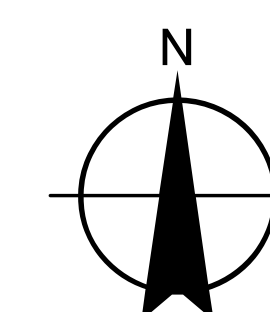
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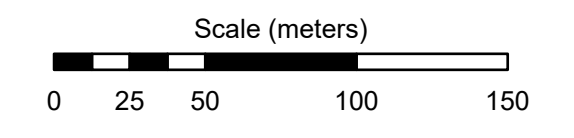
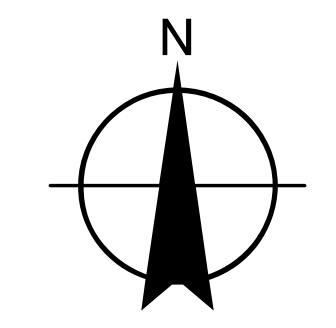
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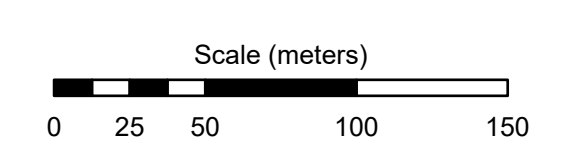
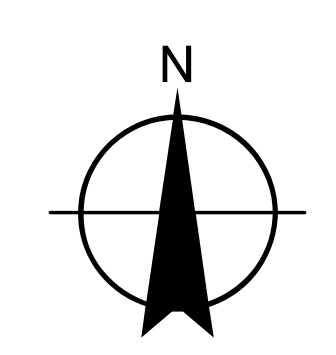
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ZONING

— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

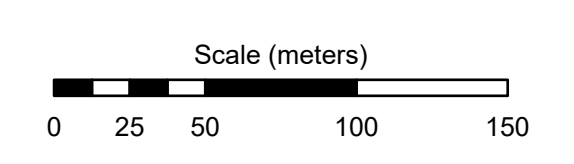
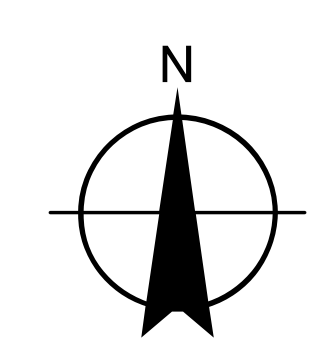
• Indicates Address Fronting Street

--- City Boundary

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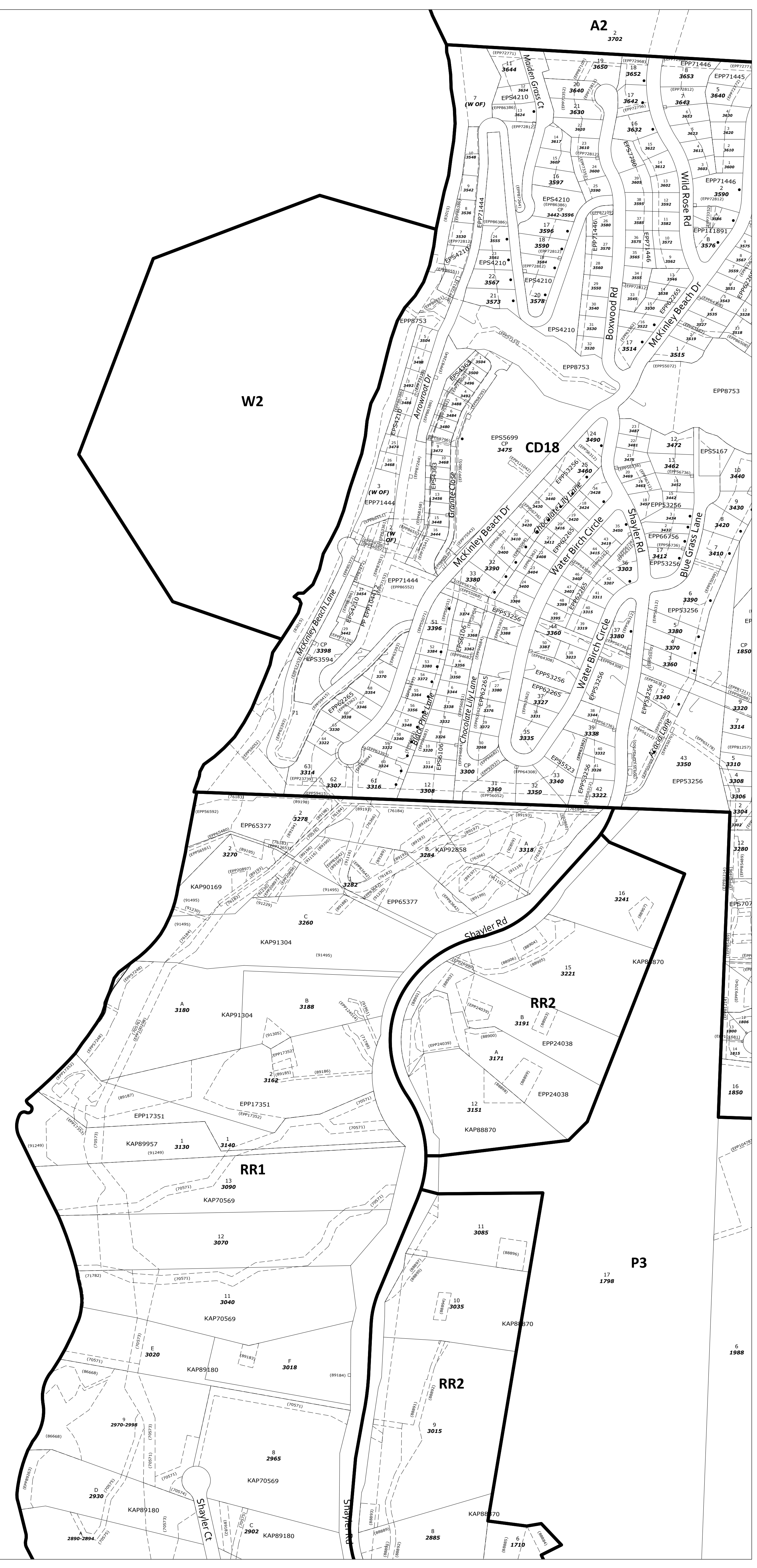


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ZONING

— Proposed Zoning

ADDRESSES

10
234
Lot Number
Street Address

• Indicates Address
Fronting Street

--- City Boundary

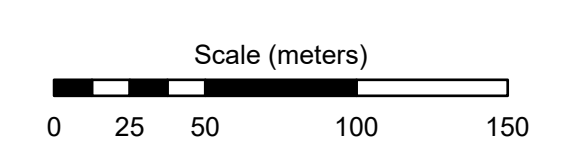
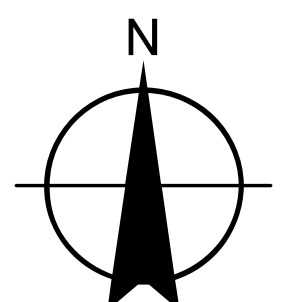
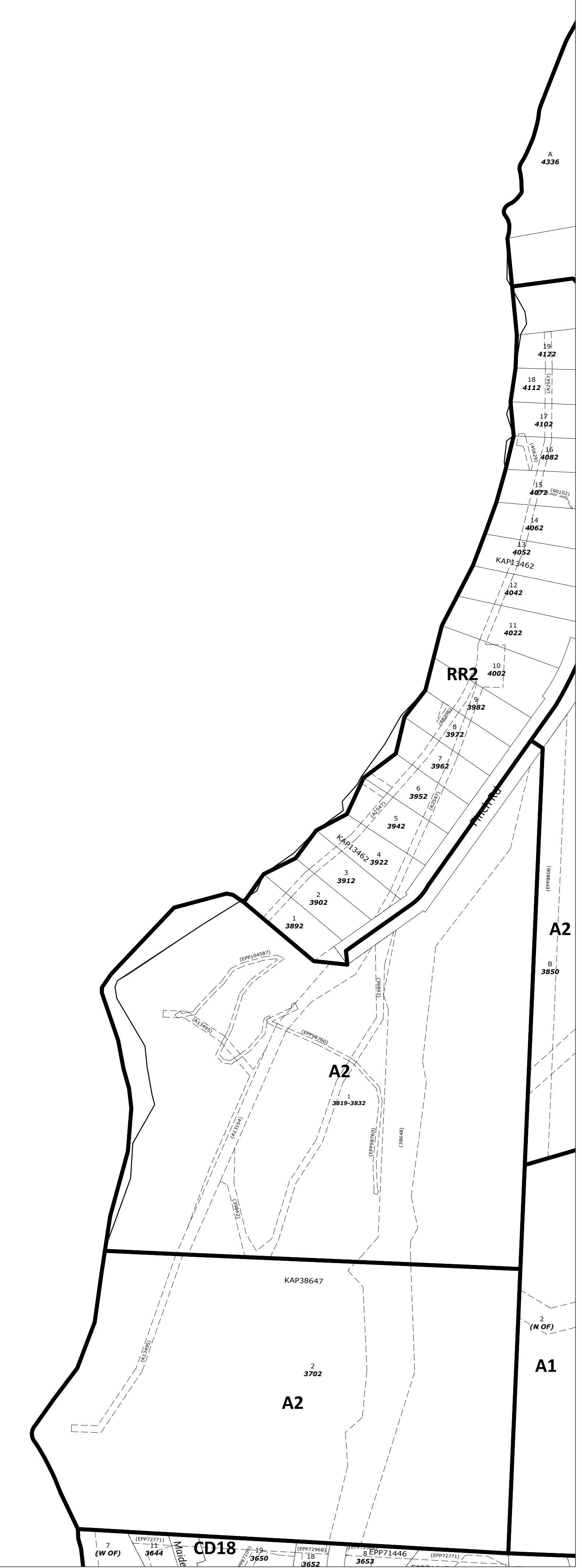
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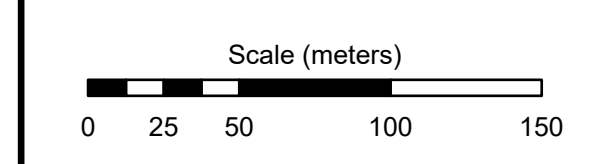
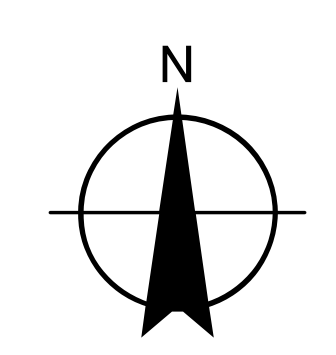
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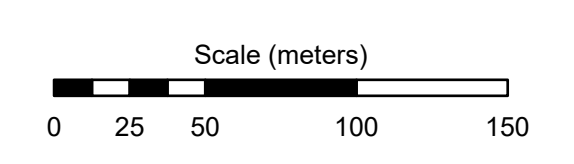
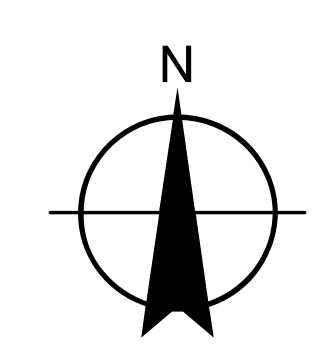
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ZONING

— Proposed Zoning

ADDRESSES


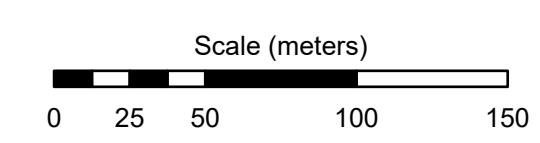
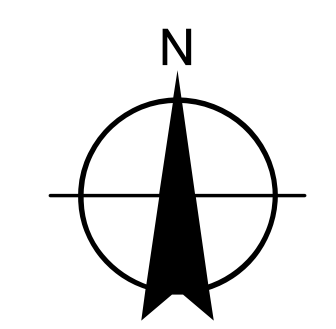
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234
— Lot Number
— Street Address

• Indicates Address
Fronting Street

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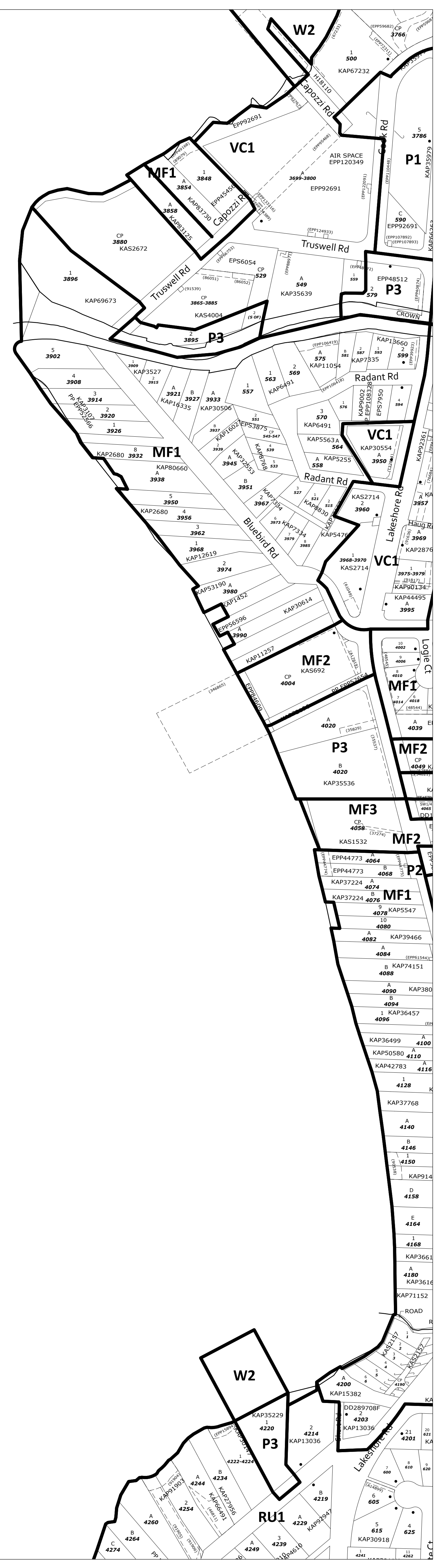
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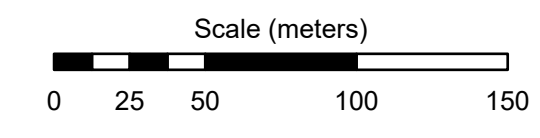
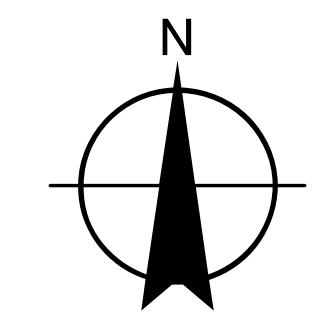
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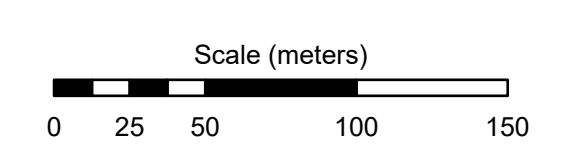
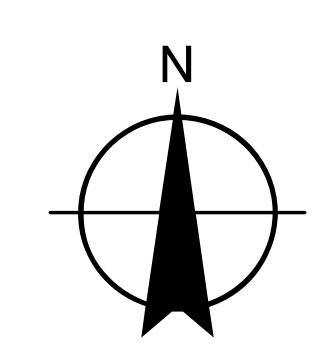
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ZONING

— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

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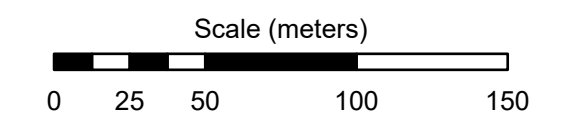
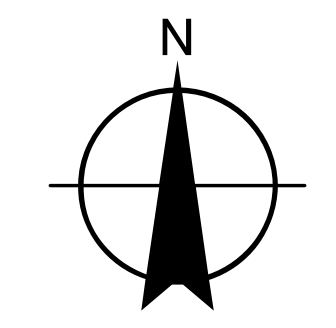
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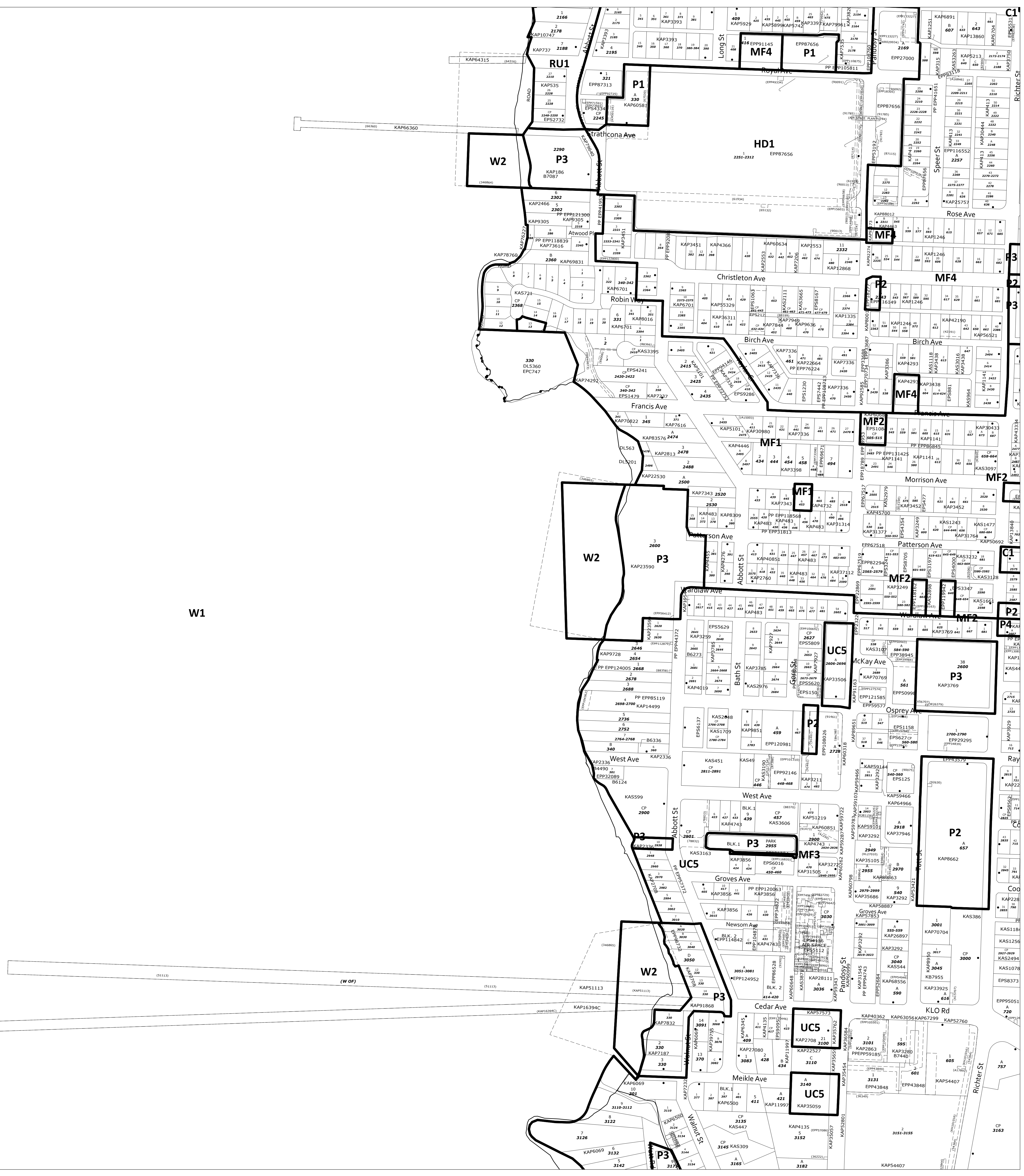
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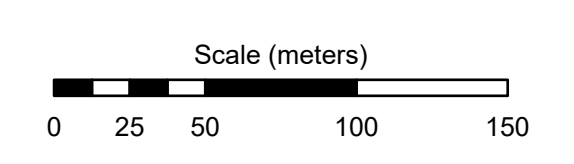
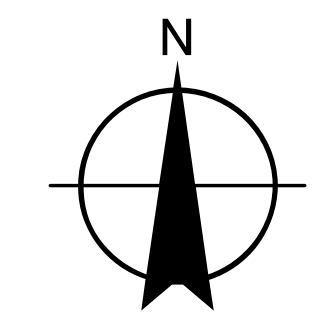
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ZONING

Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

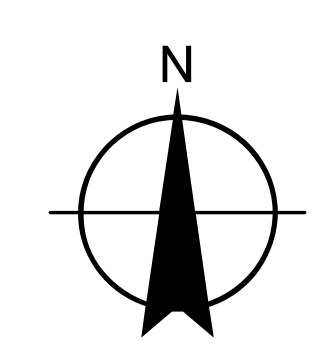
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City Boundary

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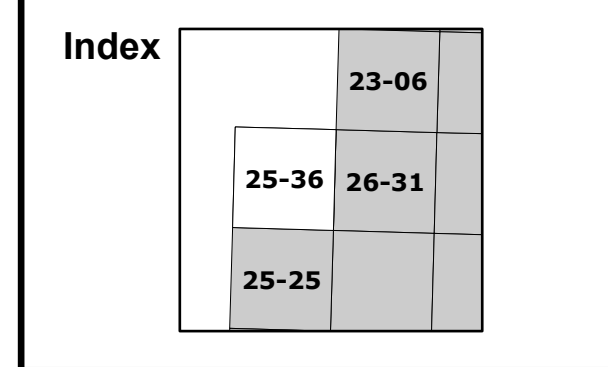
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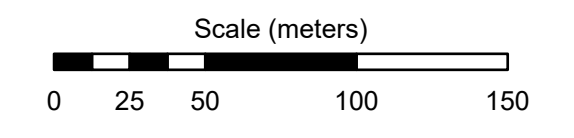
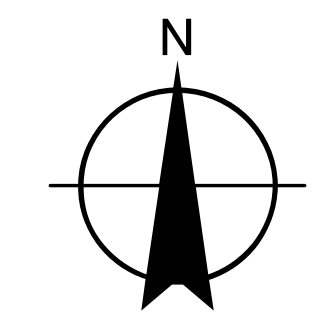


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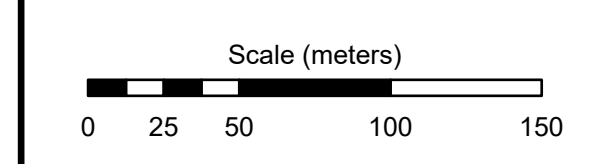
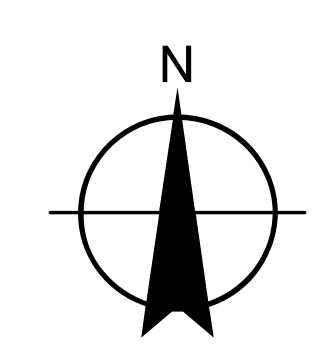
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ZONING

Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

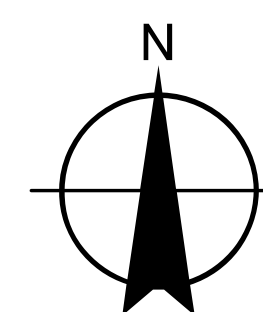
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City Boundary

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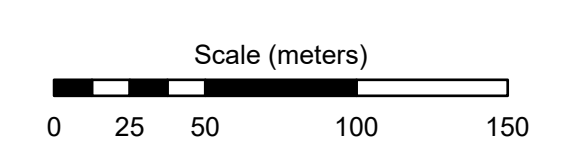
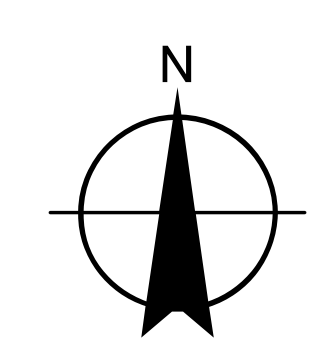
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ZONING

— Proposed Zoning

ADDRESSES

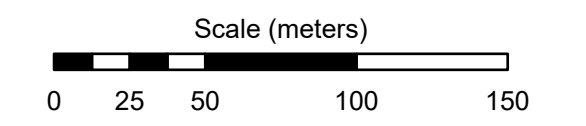
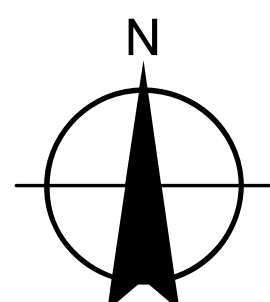
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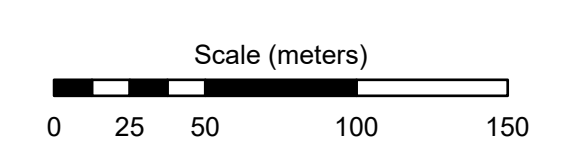
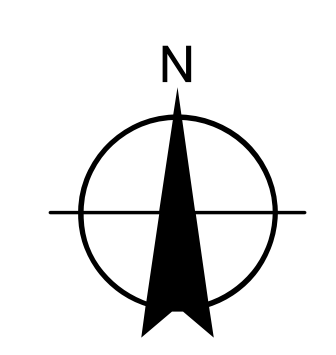
• Indicates Address Fronting Street

--- City Boundary

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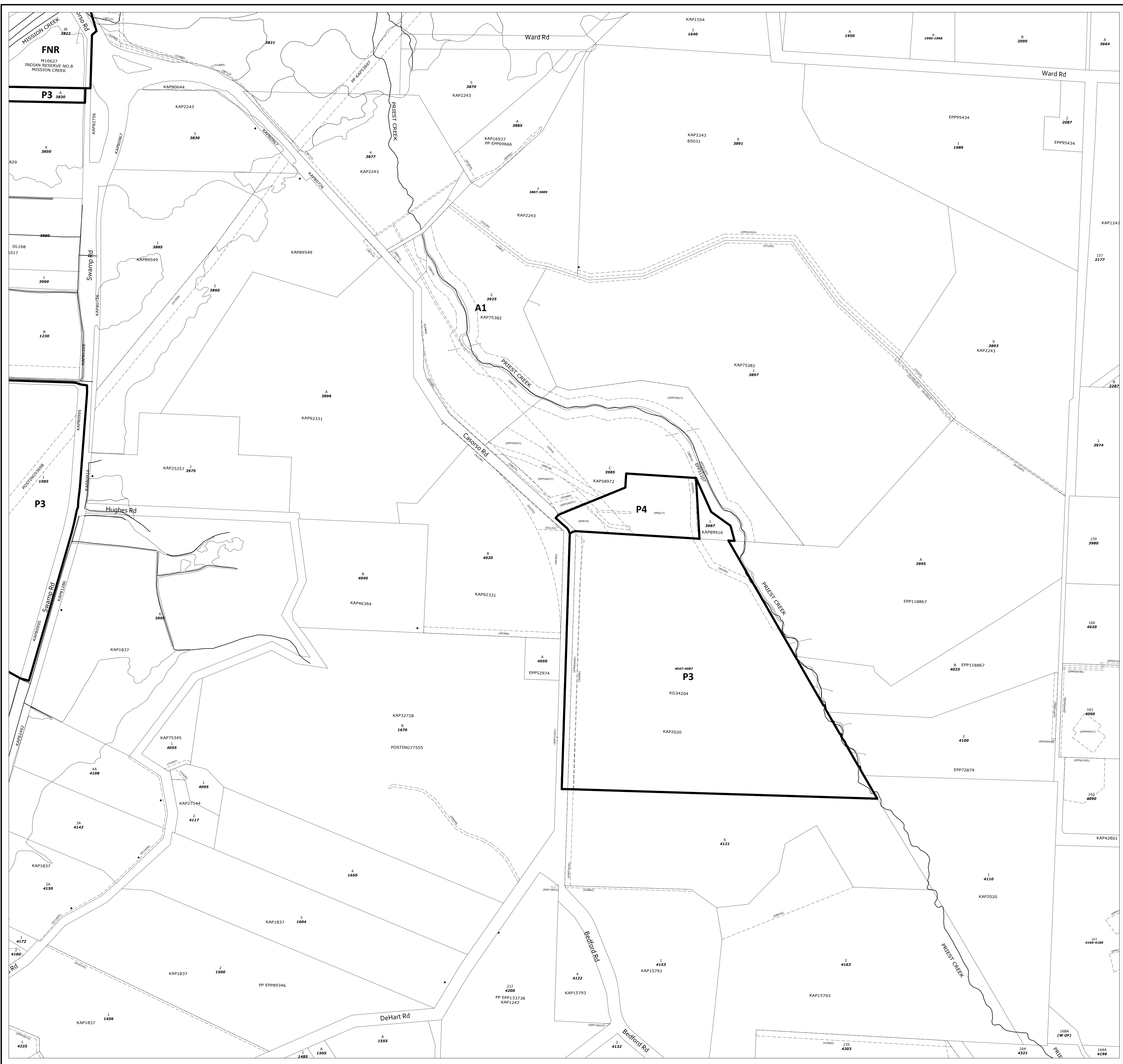
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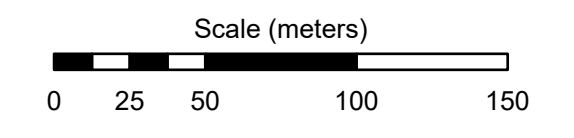
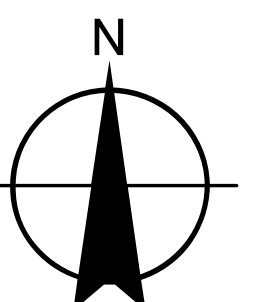
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234 Street Address

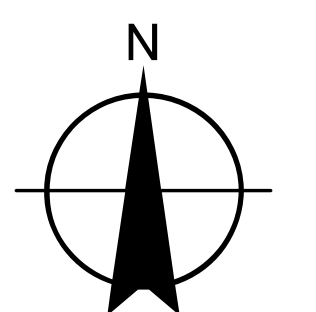
• Indicates Address Fronting Street

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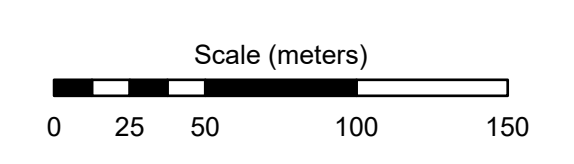
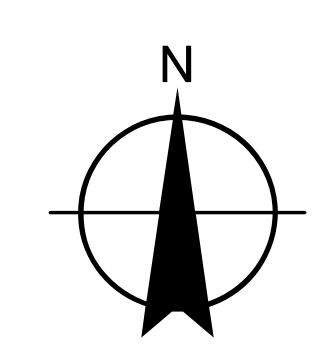
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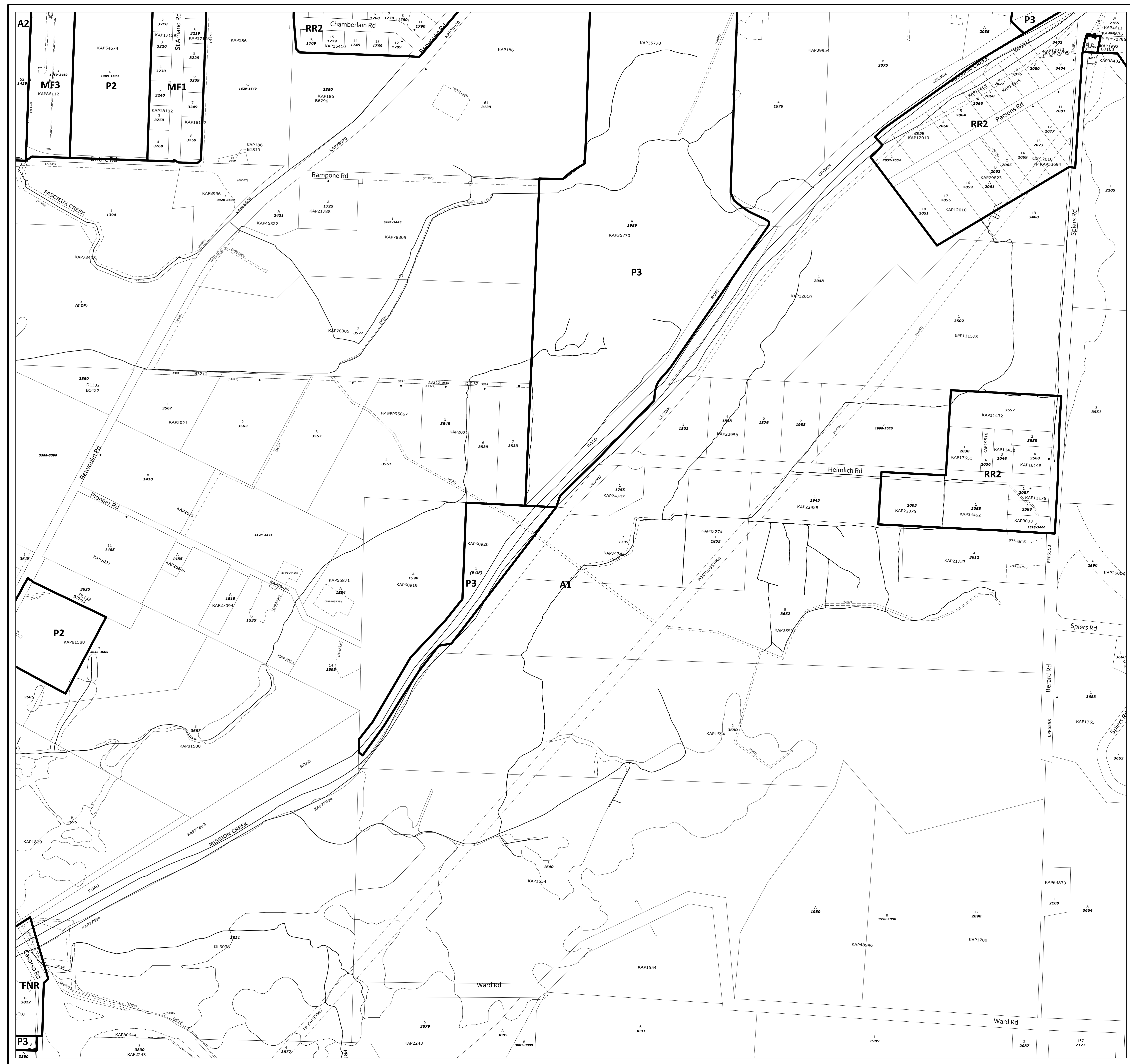
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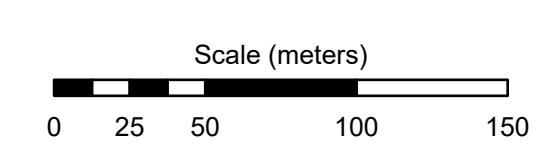
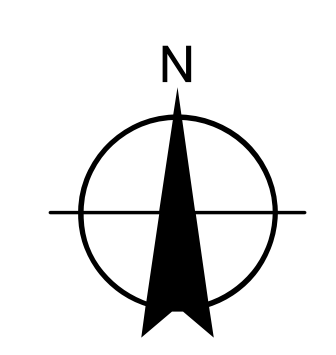
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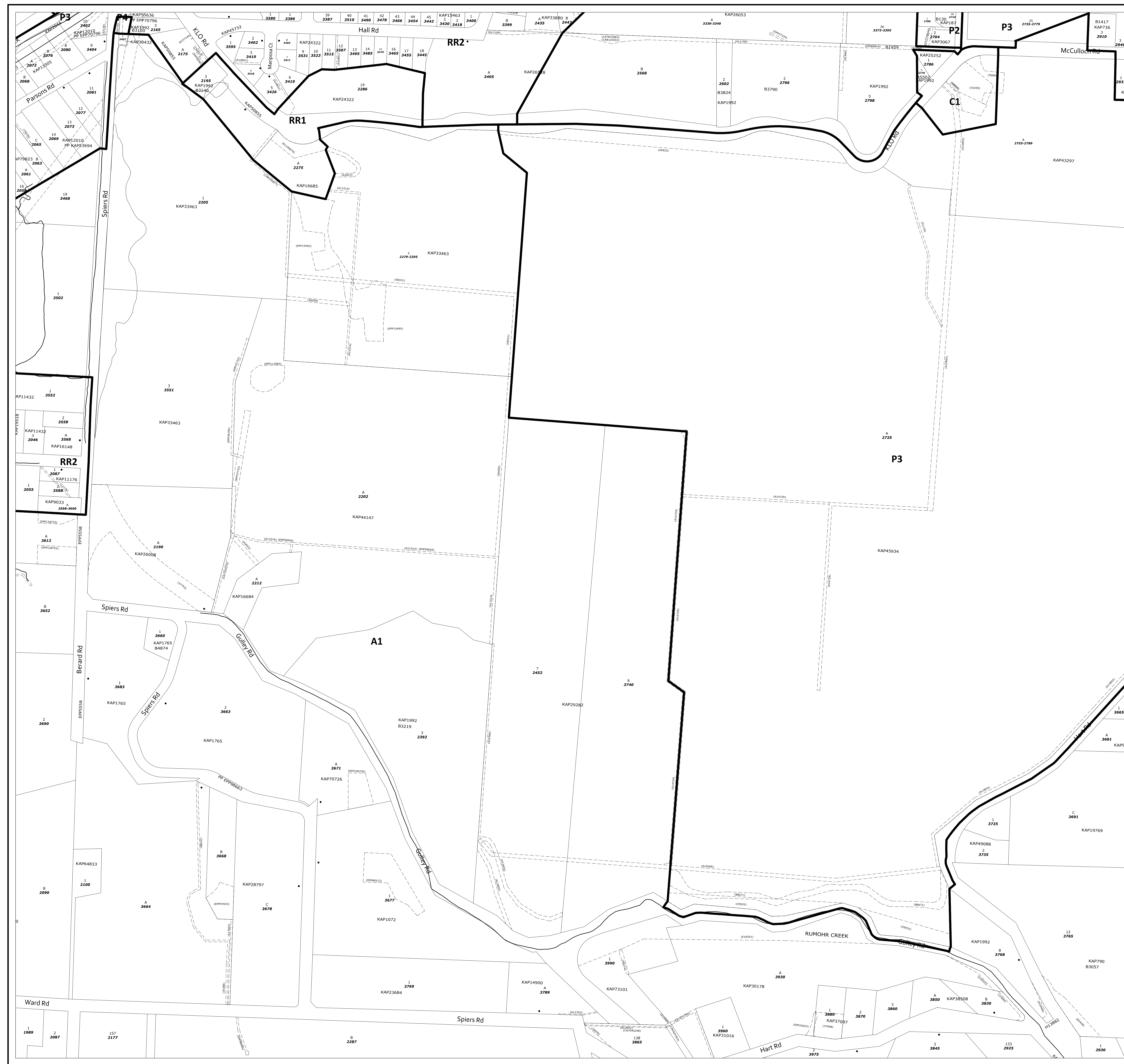


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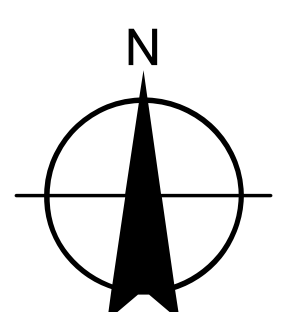
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234 Street Address

• Indicates Address Fronting Street

--- City Boundary

SCHEDULE B
This forms part of application # Z24-0001

Planner Initials: AC

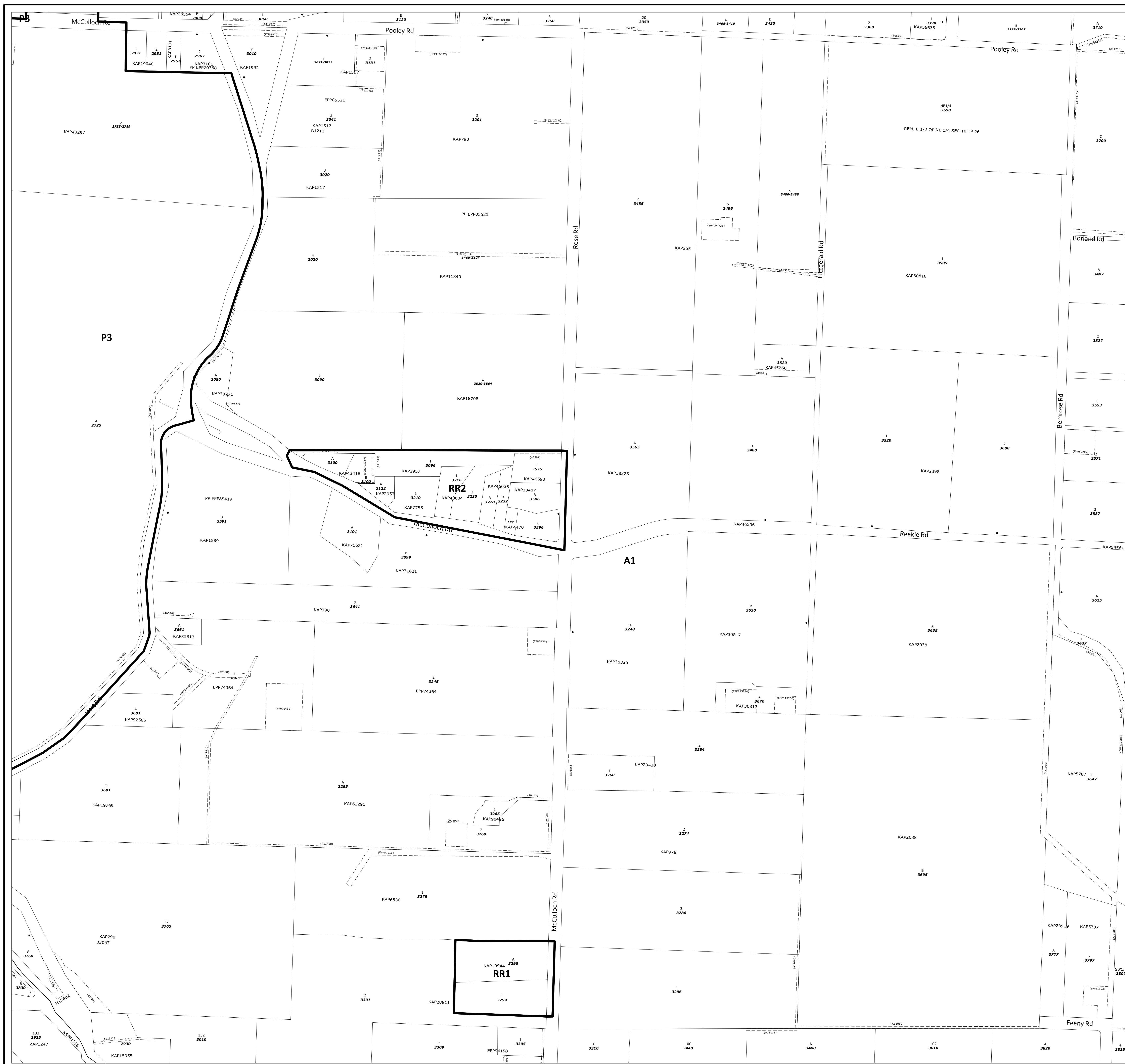


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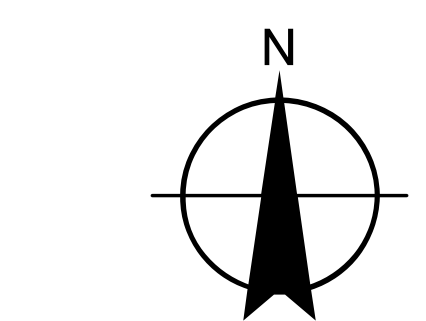
Lot Number
Street Address

Indicates Address
Fronting Street

City Boundary

SCHEDULE B
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Planner Initials **AC**

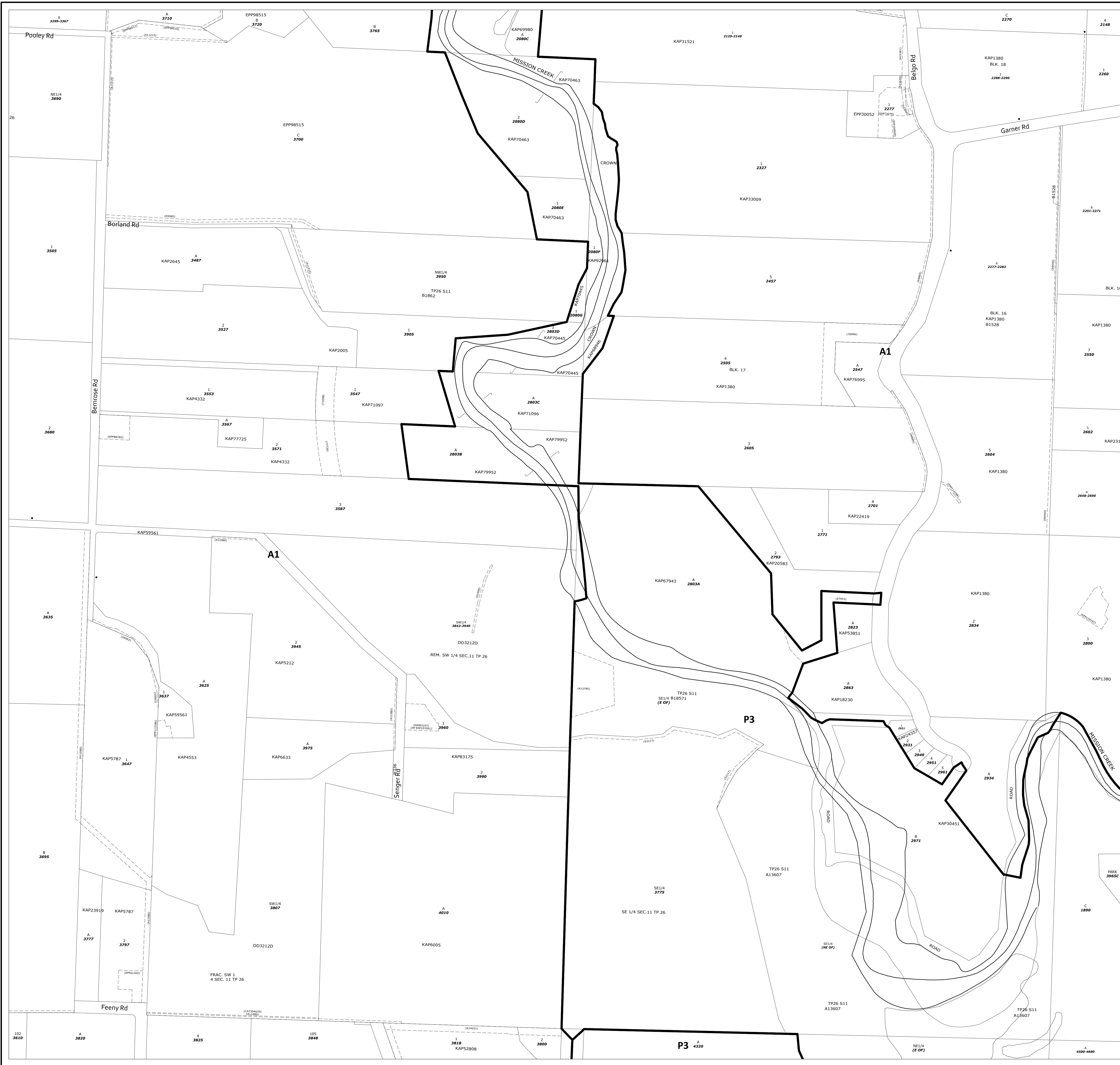


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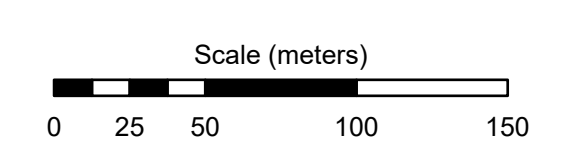
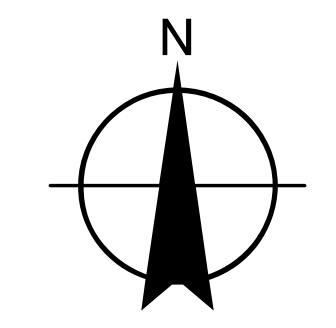
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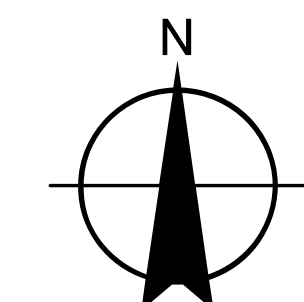
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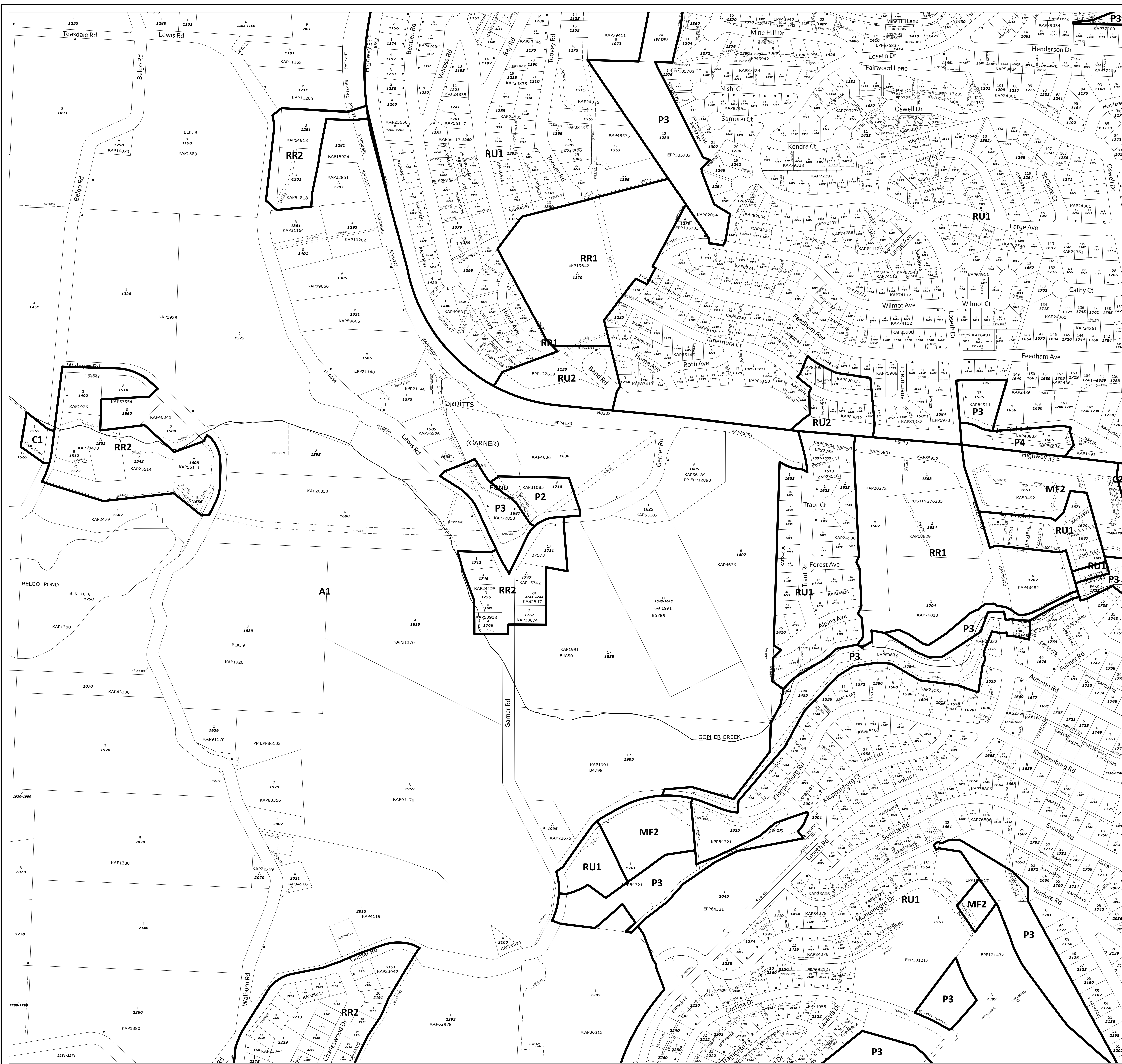


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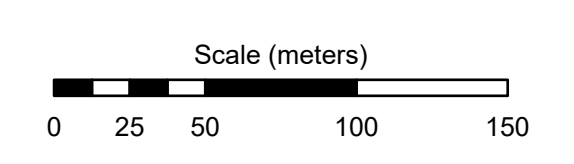
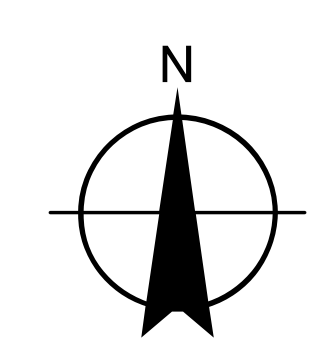
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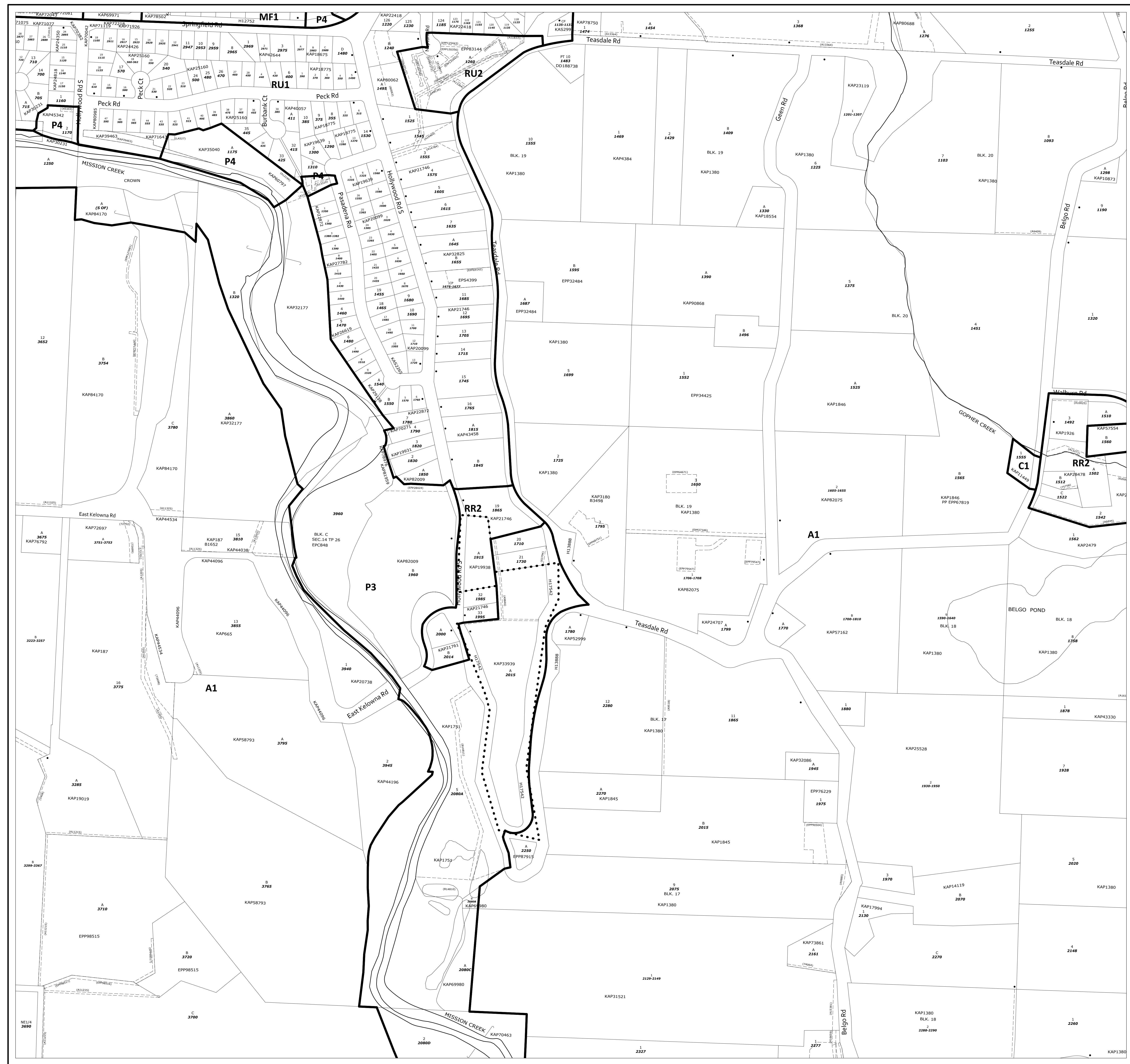
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— Proposed Zoning

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234 Street Address

• Indicates Address Fronting Street

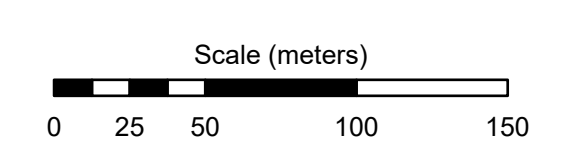
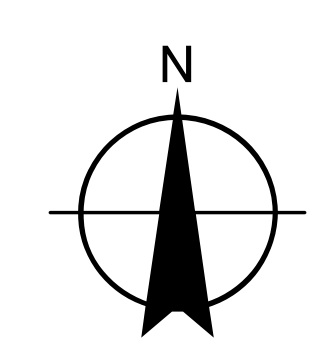
--- City Boundary

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Planner Initials AC

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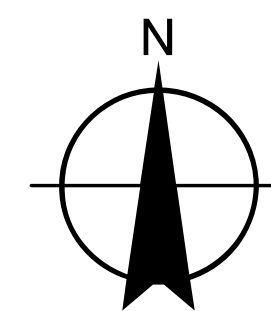
Indicates Address Fronting Street

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• Indicates Address Fronting Street

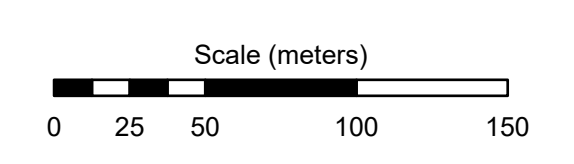
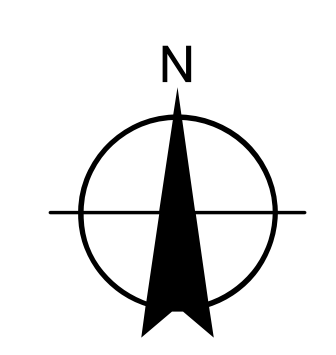
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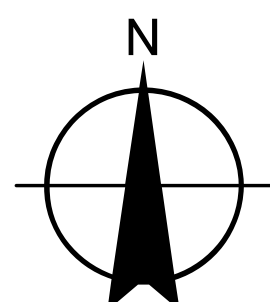
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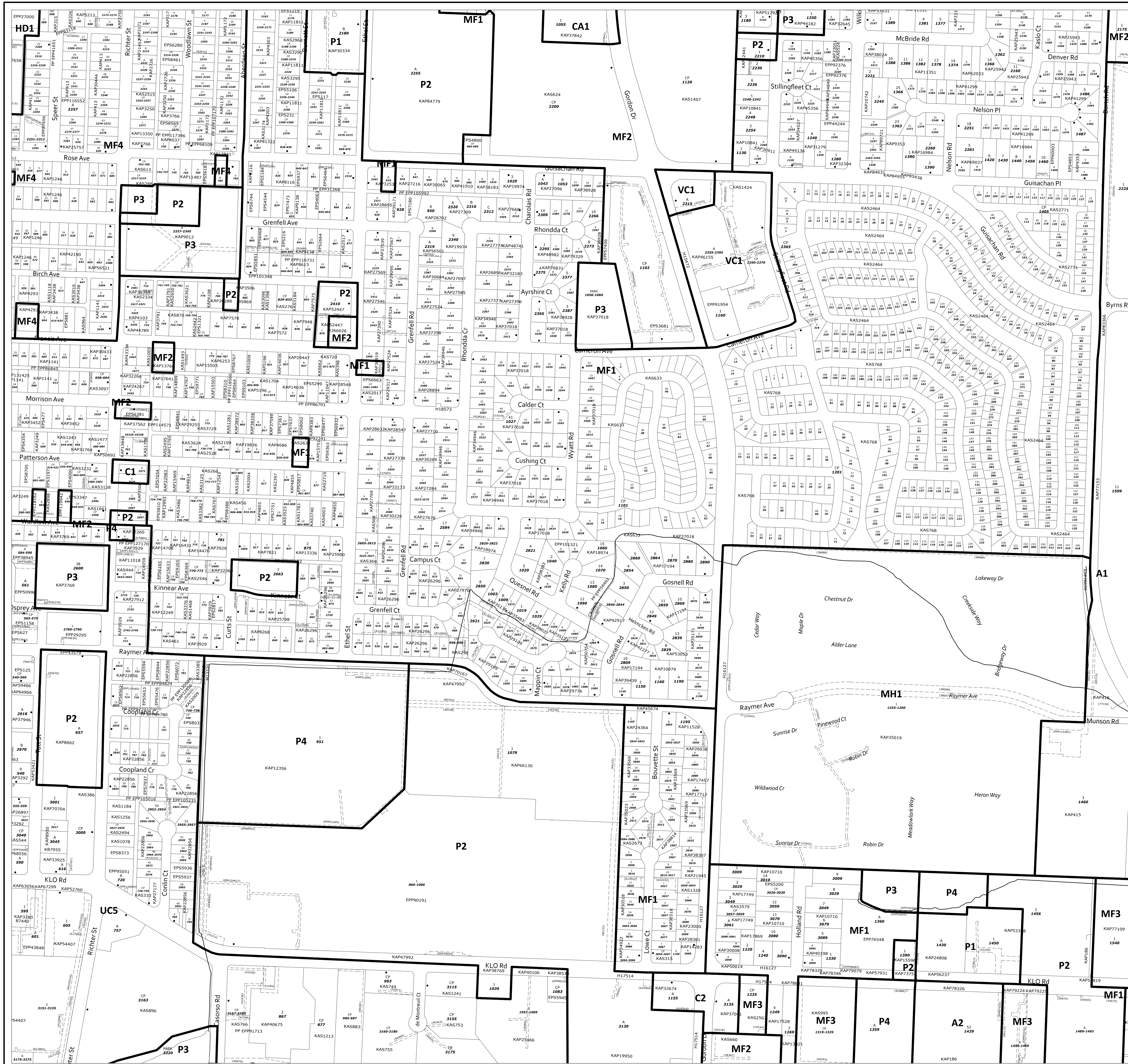


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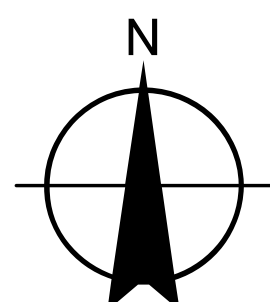
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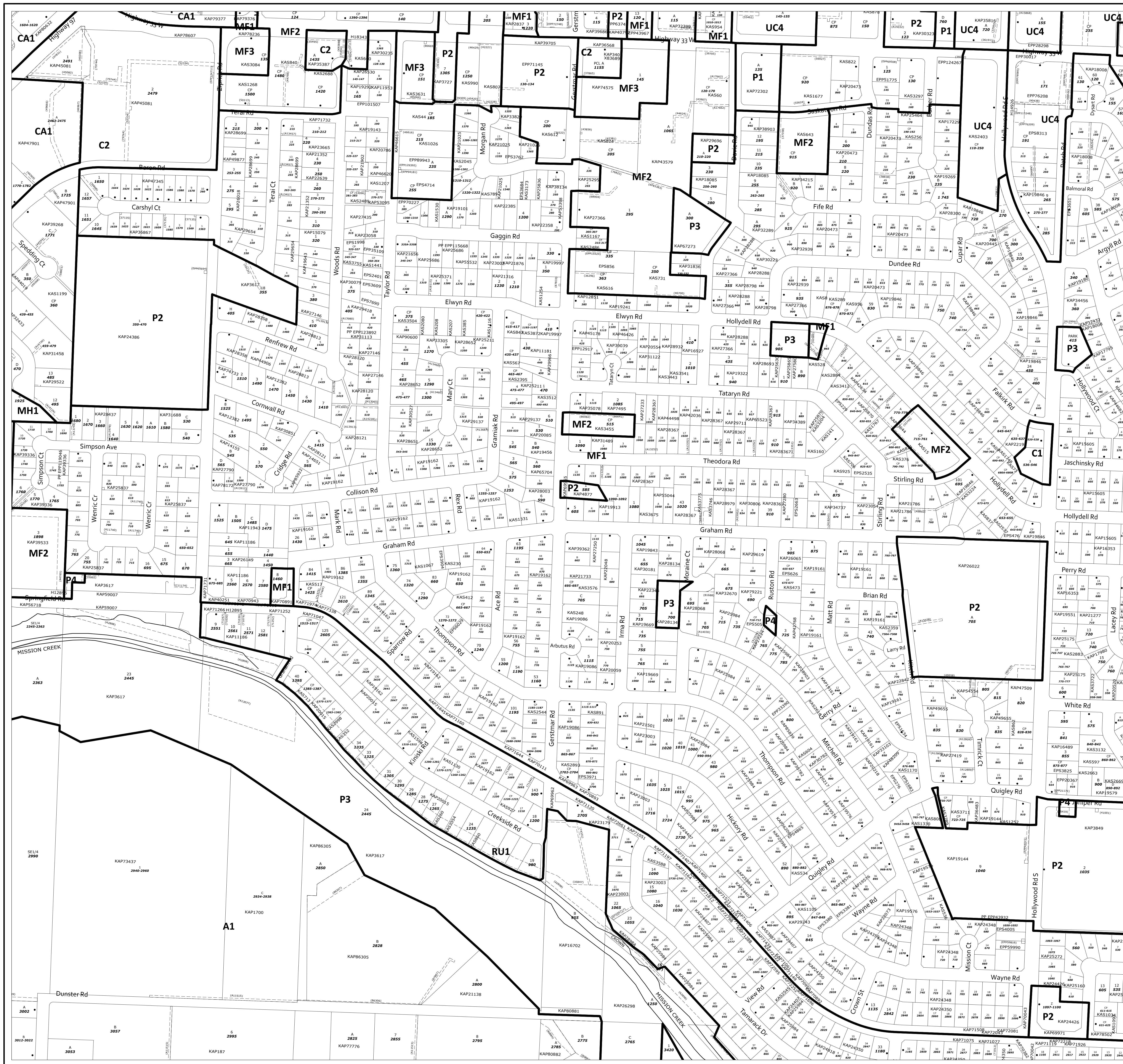


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Indicates Address Fronting Street

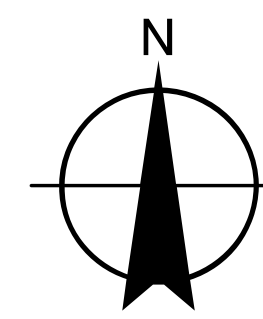
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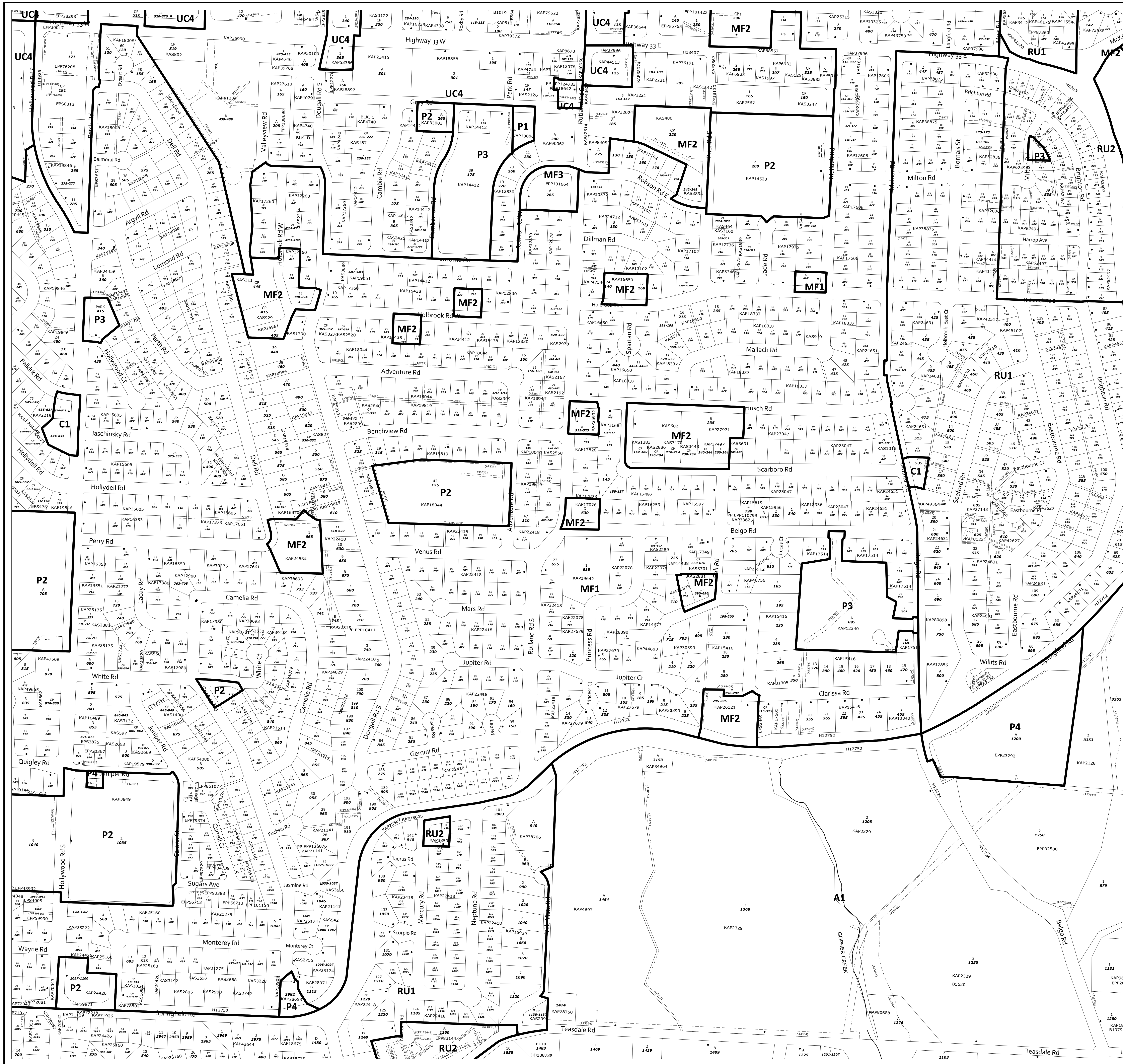


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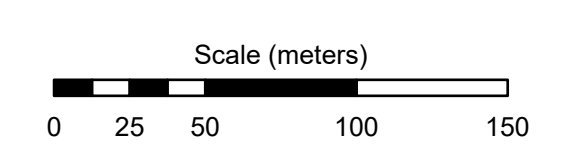
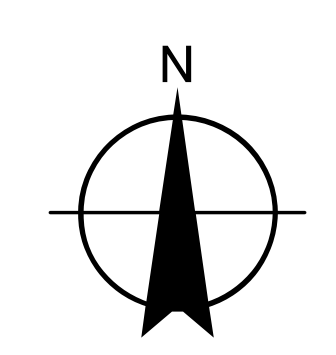
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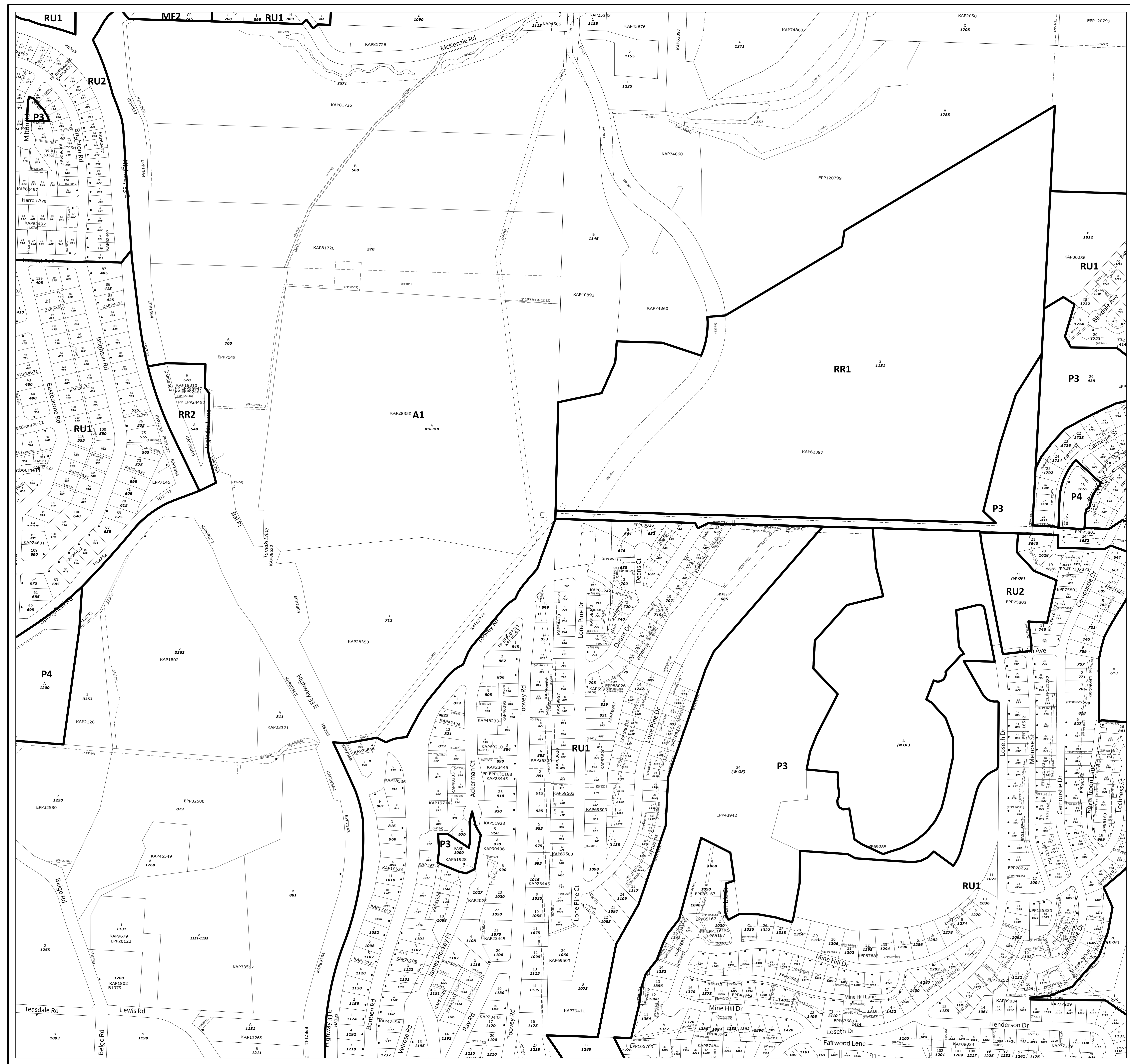
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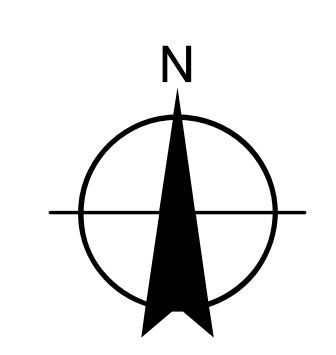
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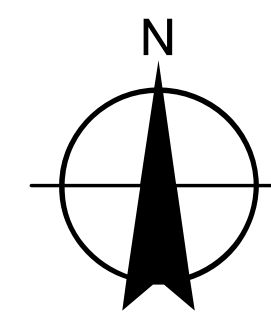
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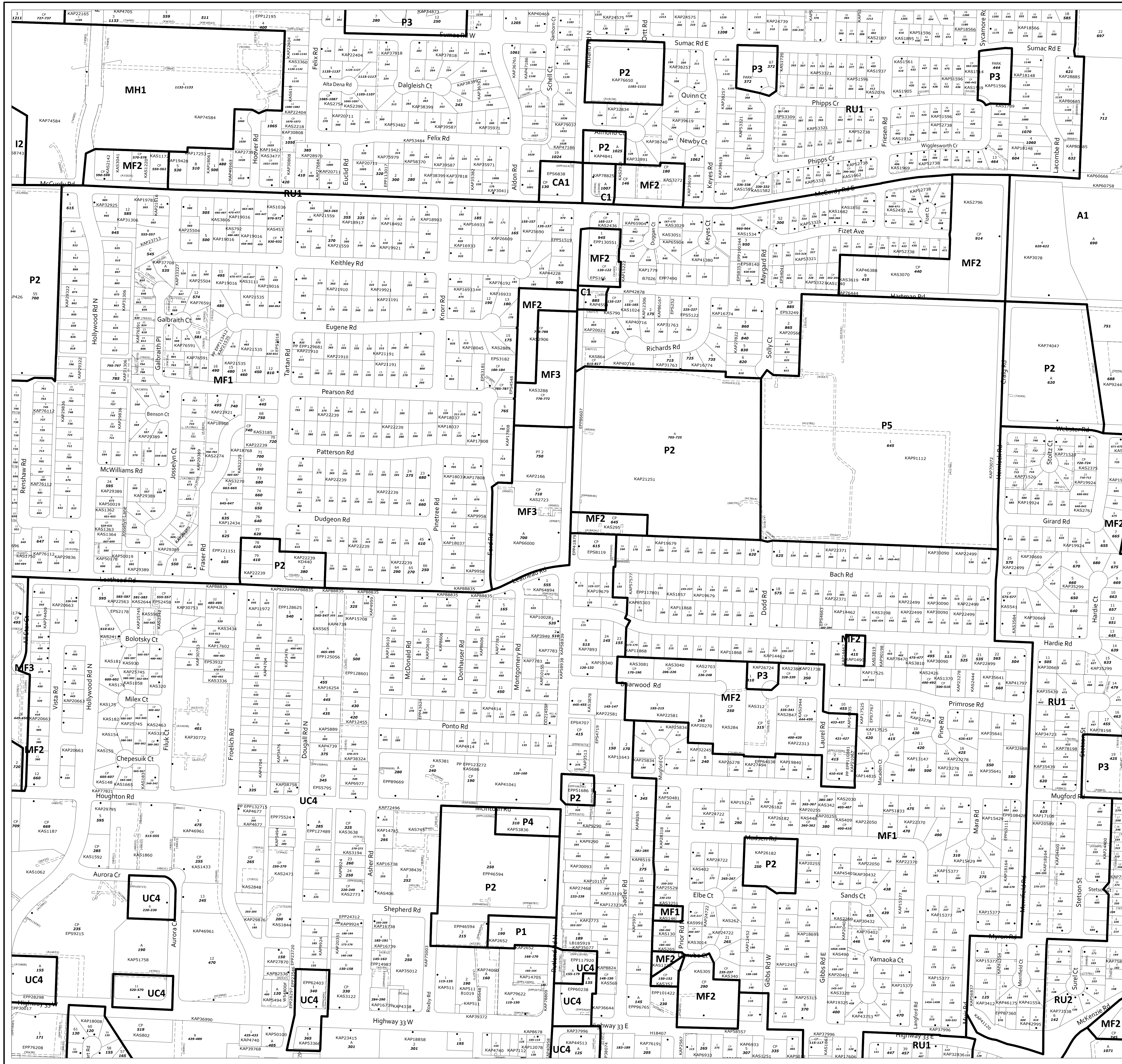


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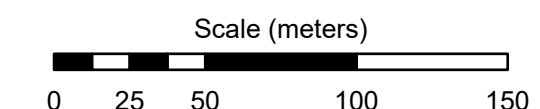
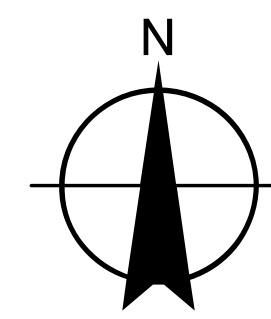
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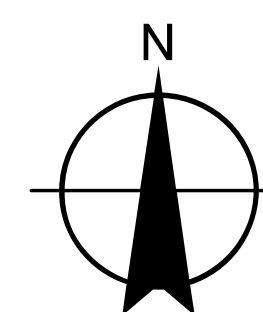
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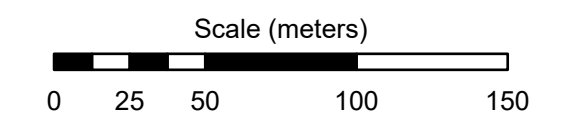
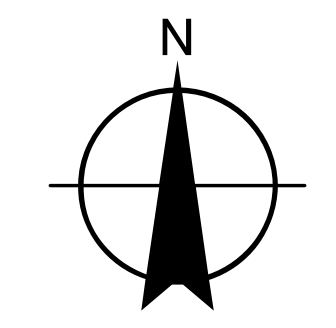
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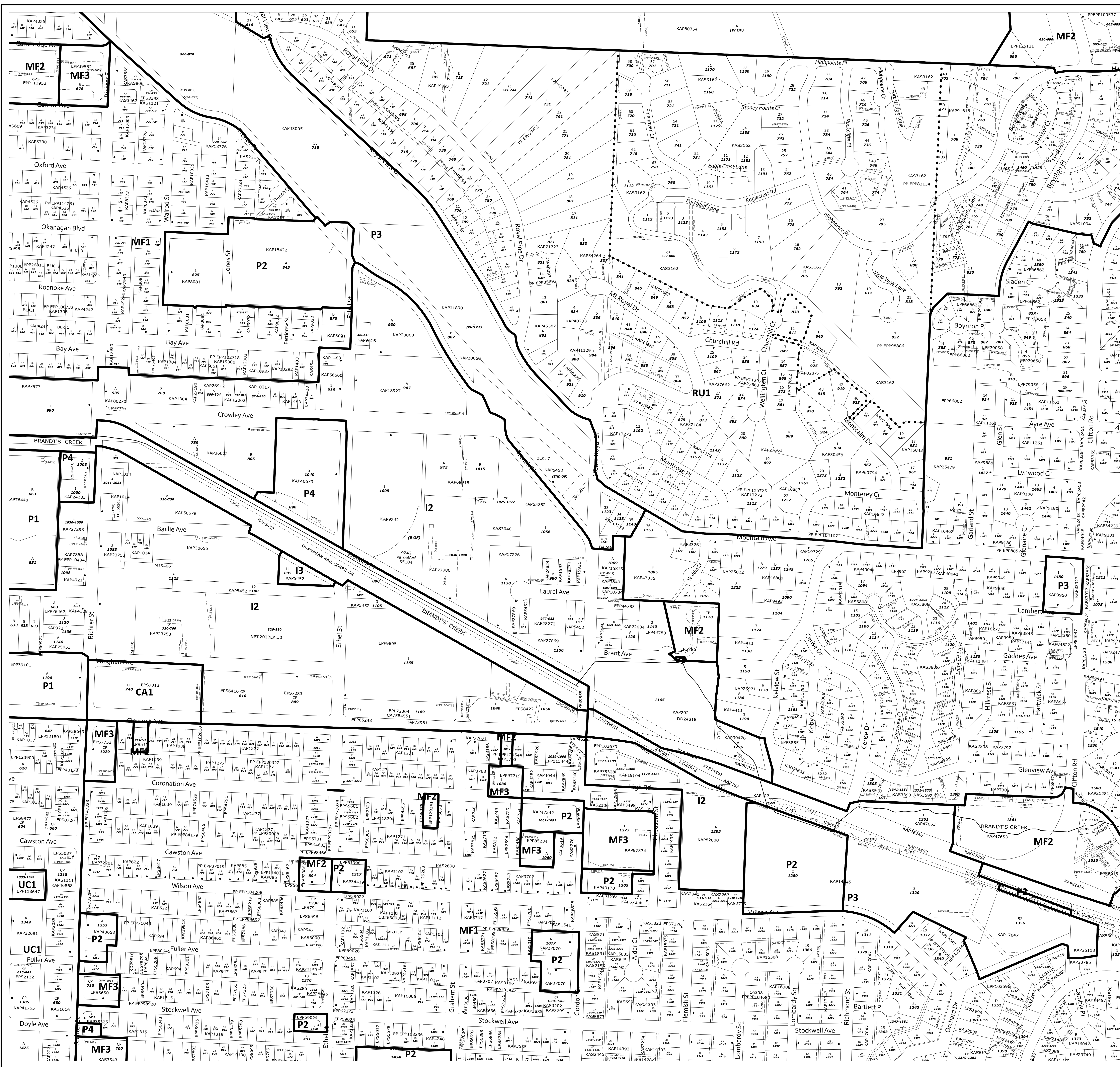
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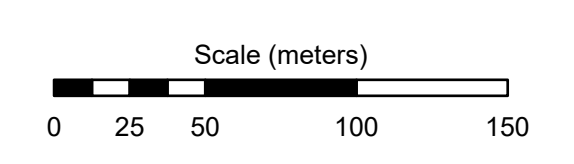
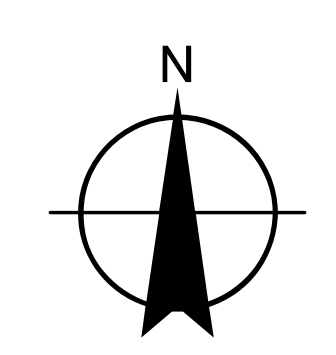
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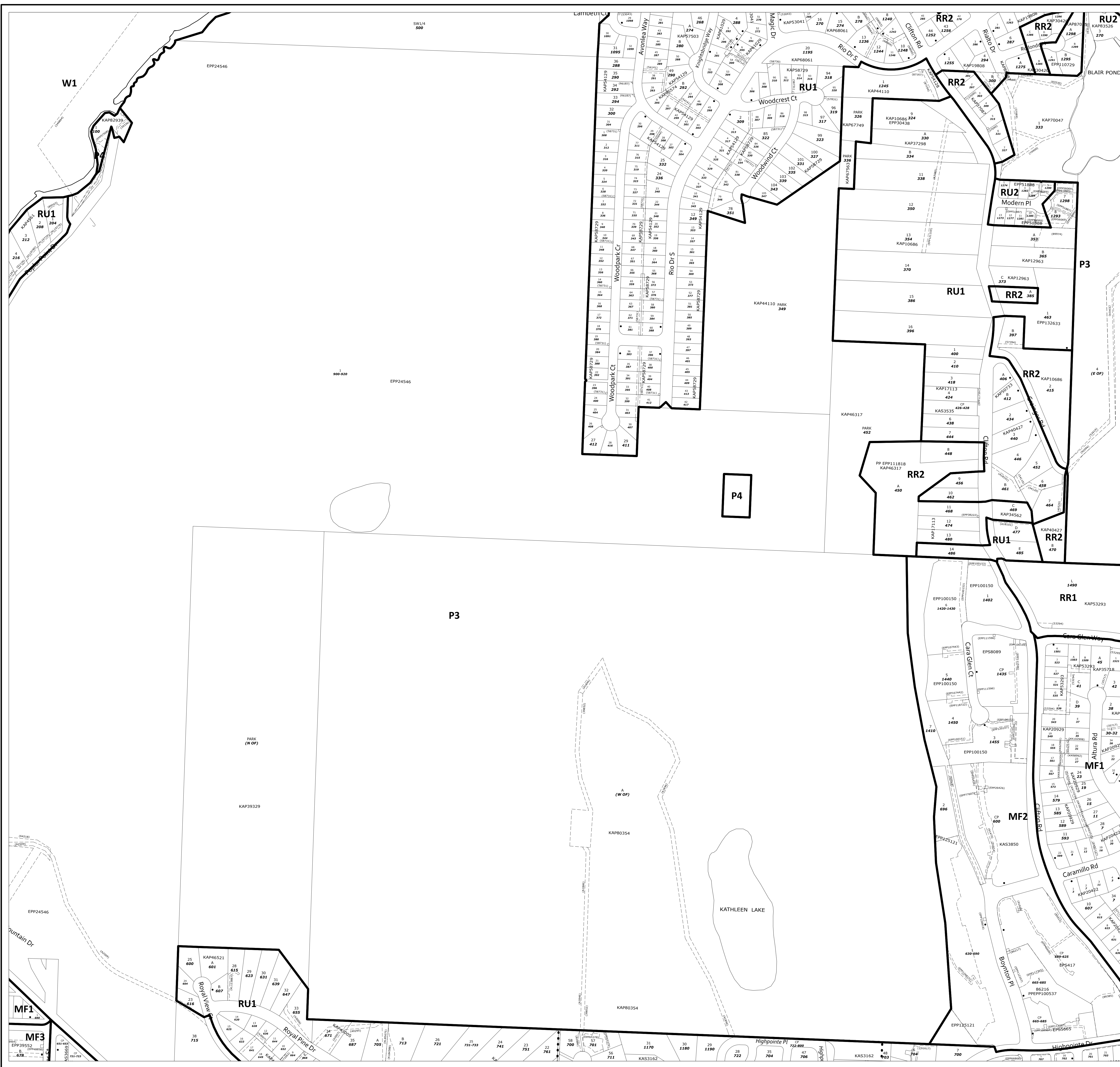
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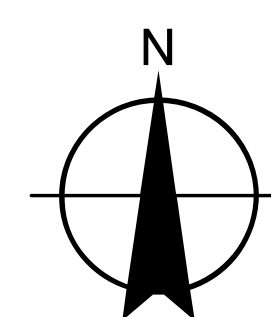
Indicates Address Fronting Street

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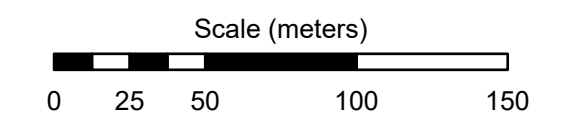
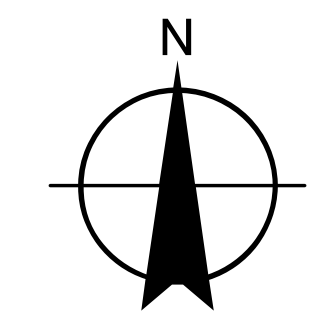
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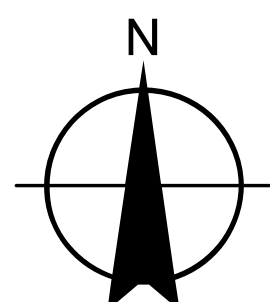
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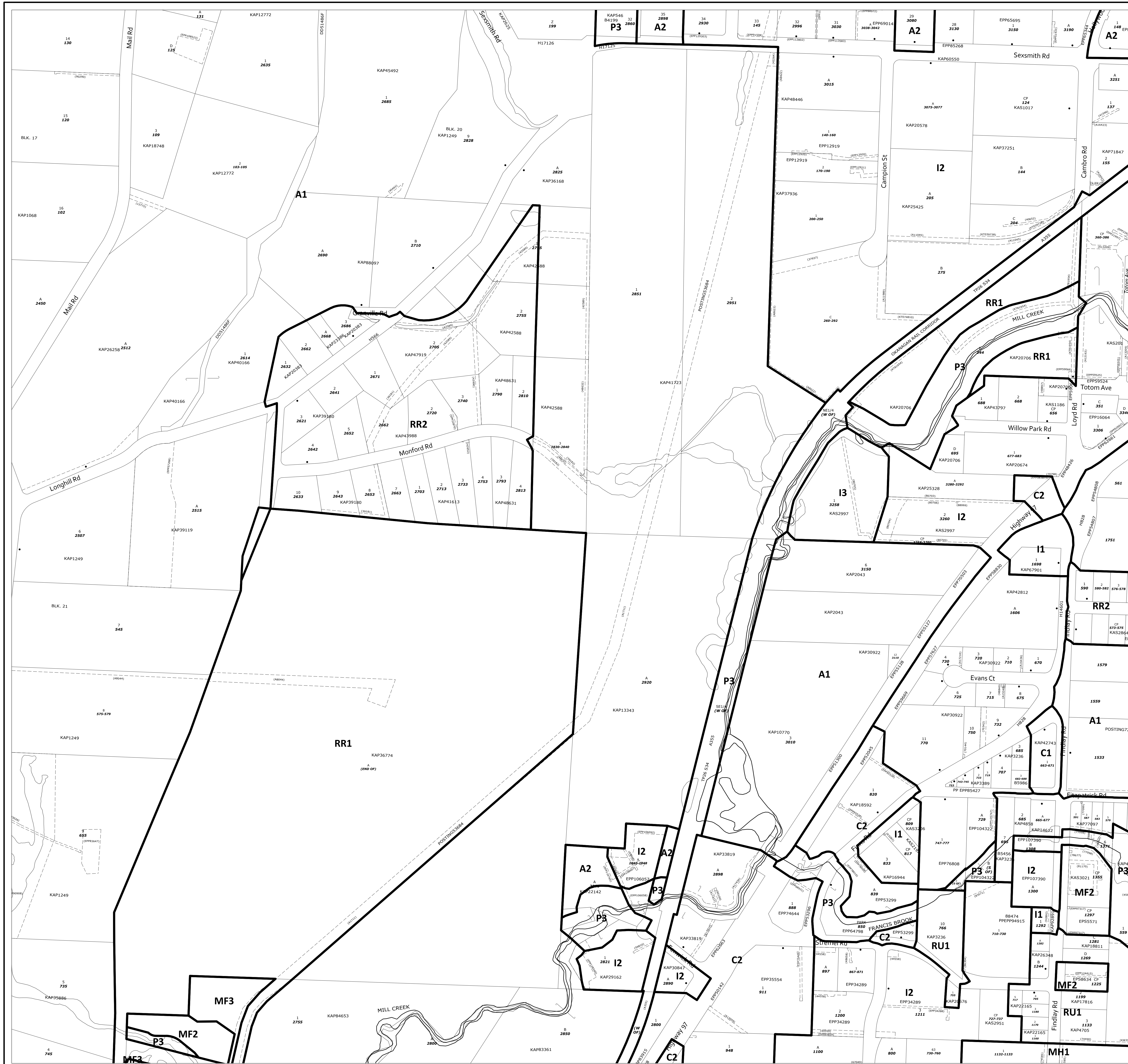


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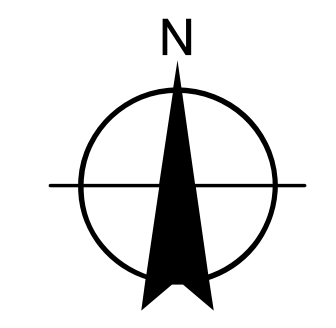
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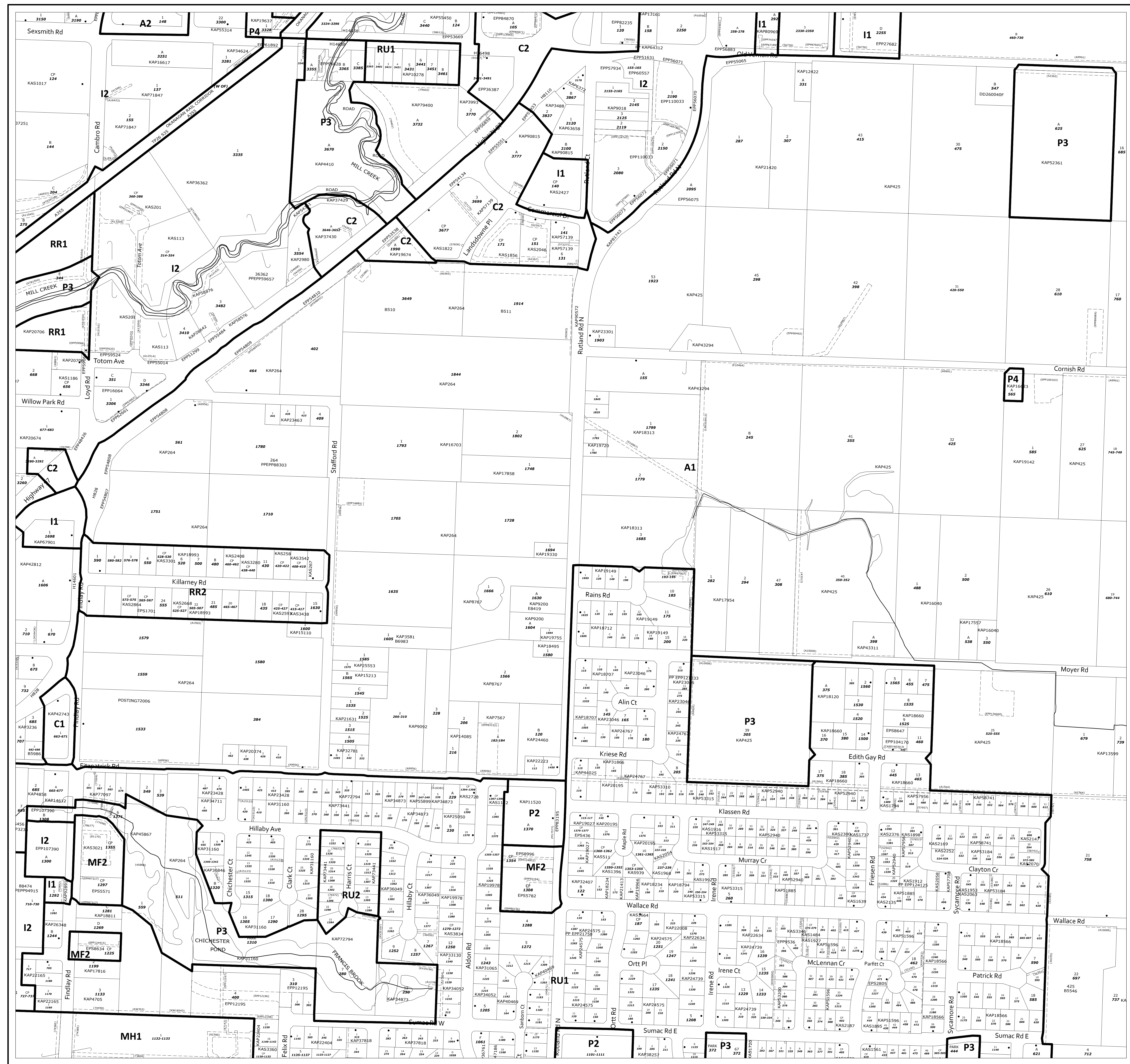
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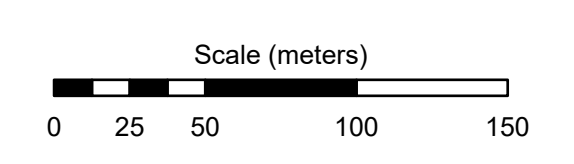
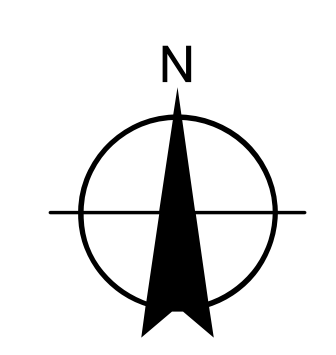
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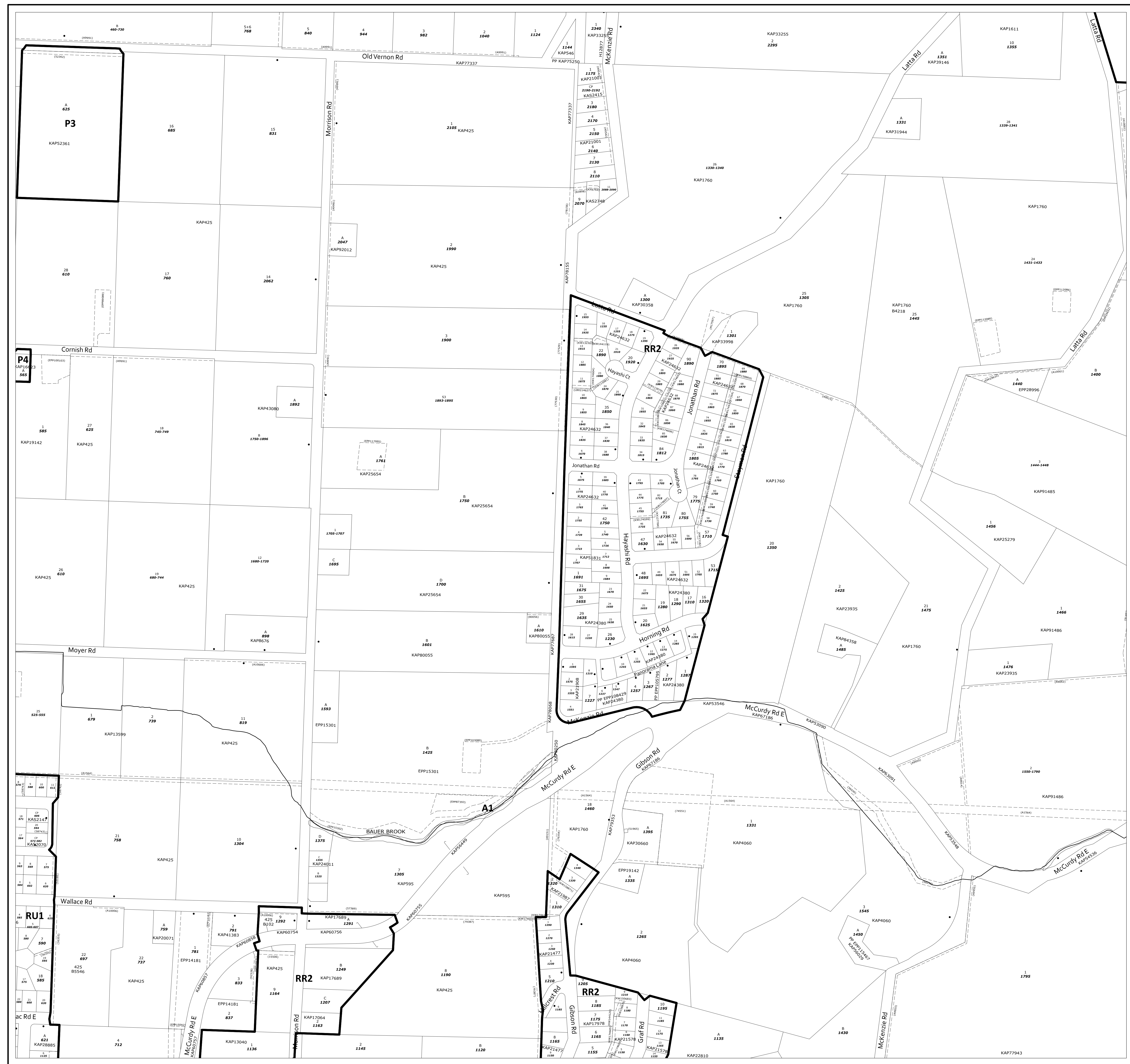
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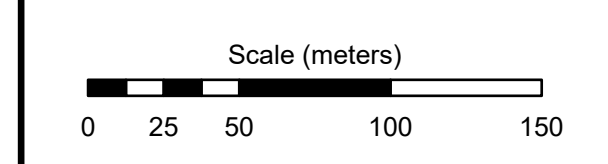
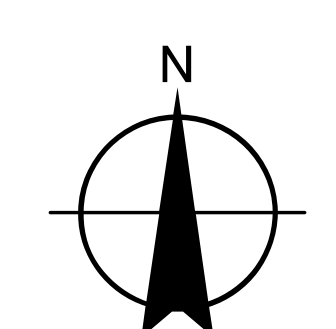
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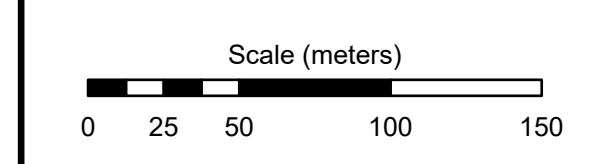
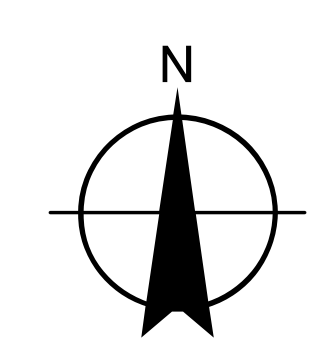
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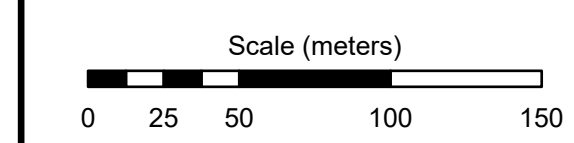
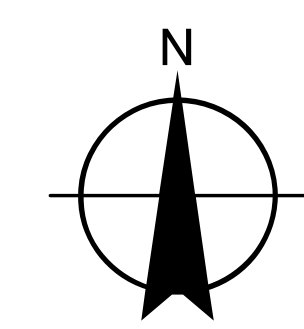
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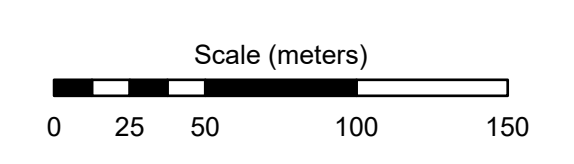
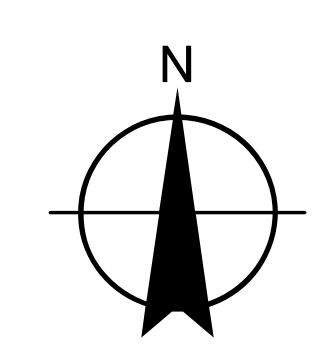
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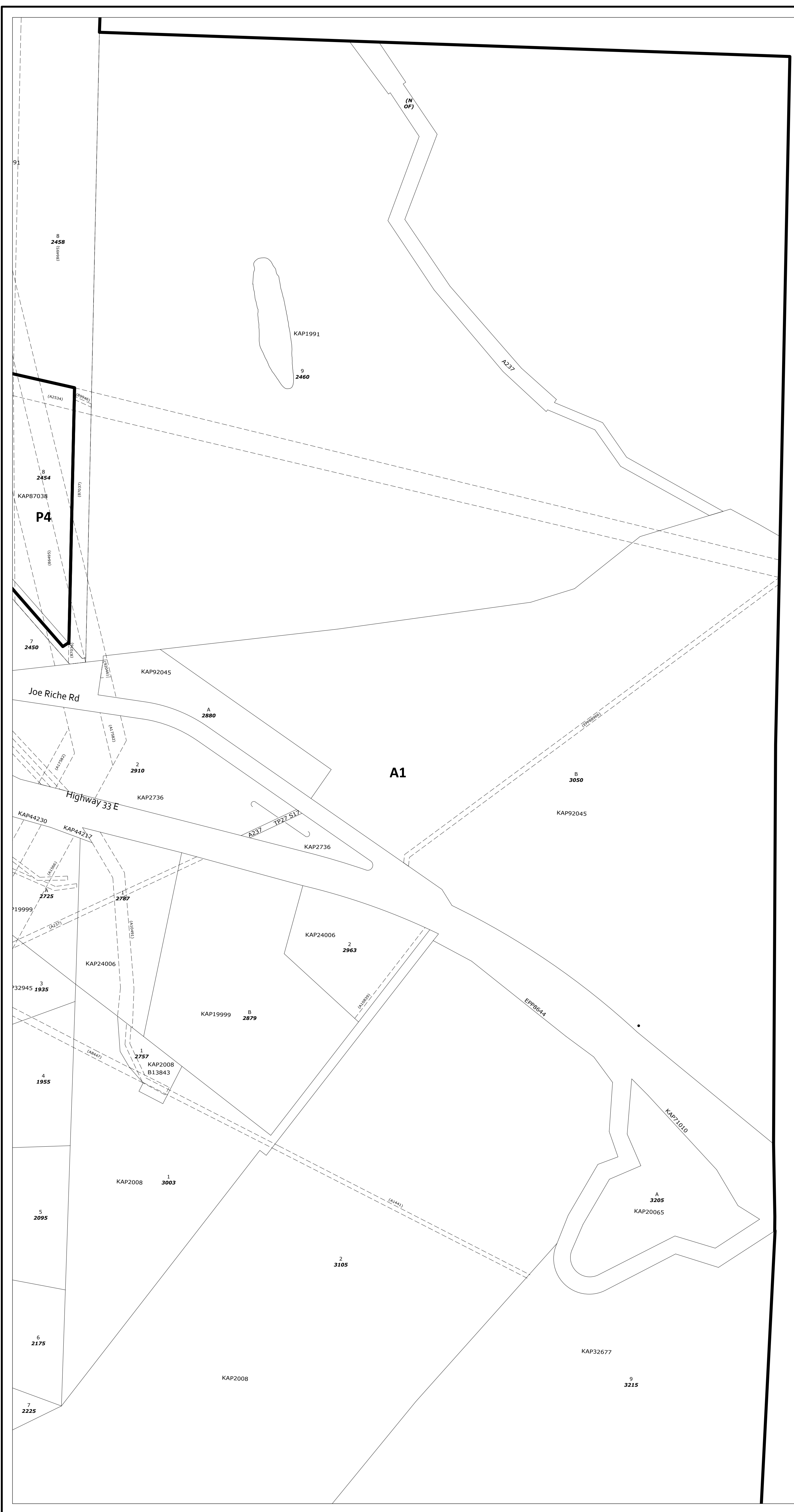



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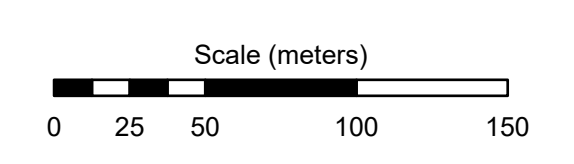
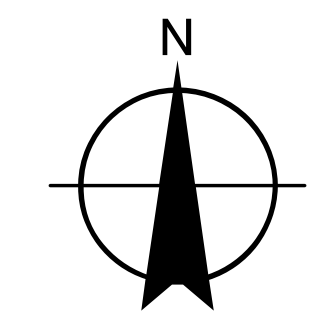
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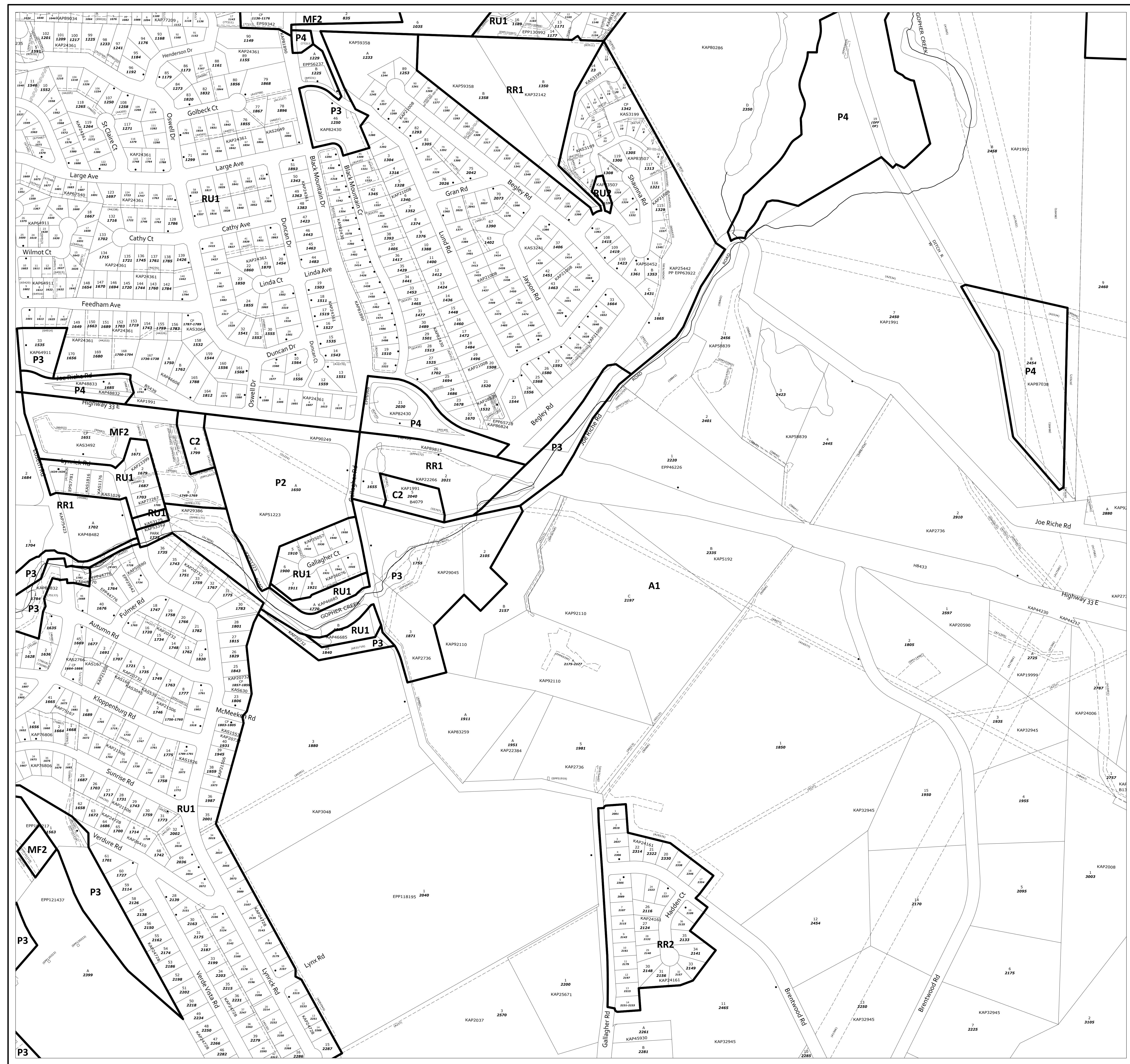


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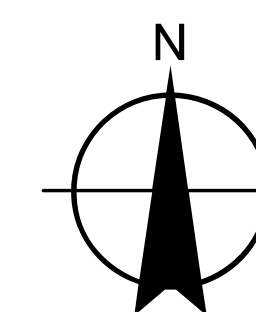
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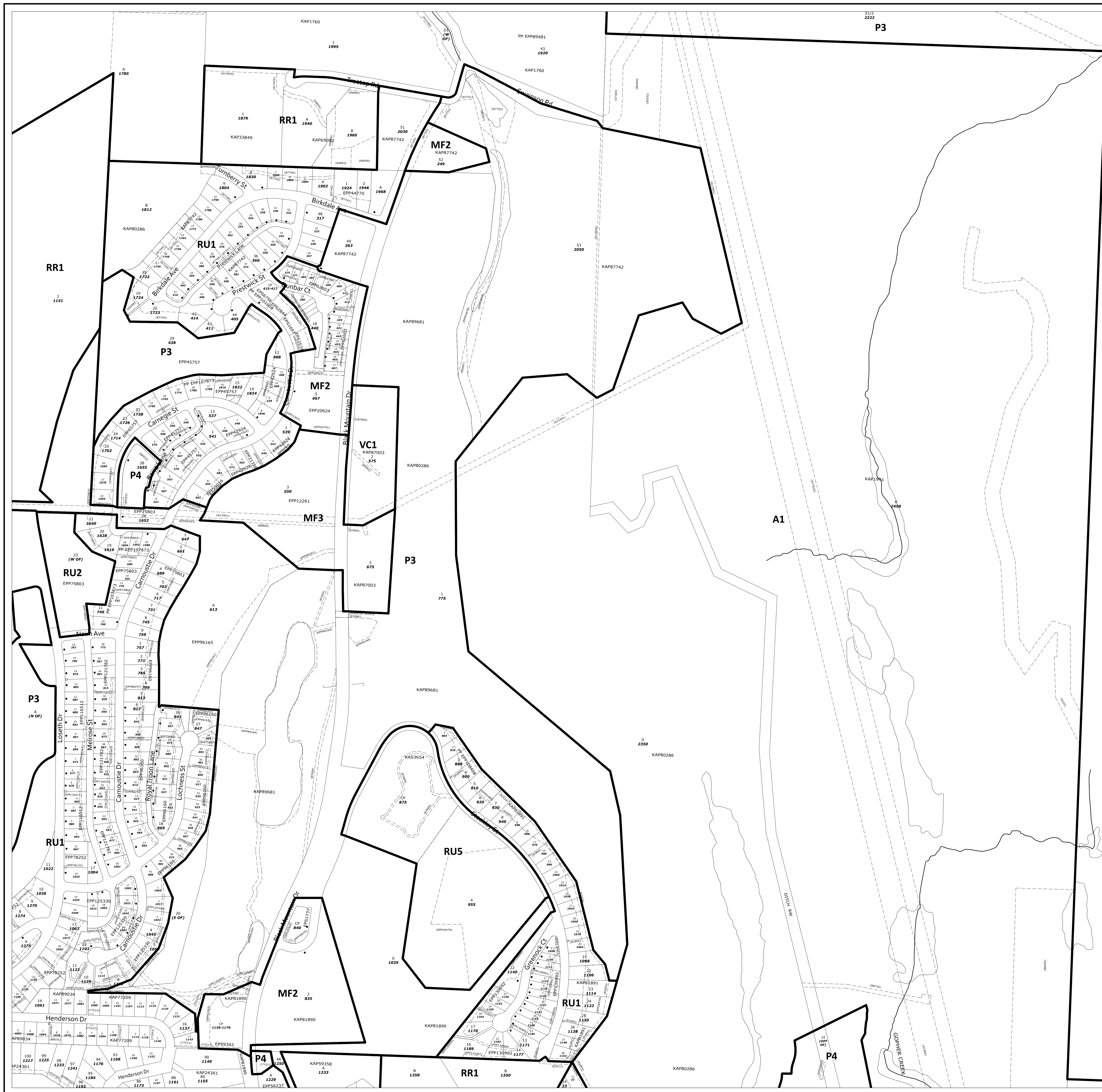


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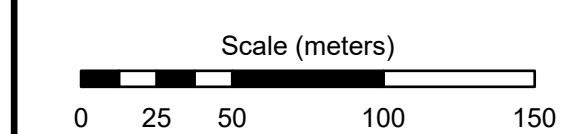
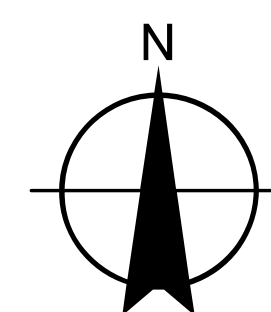
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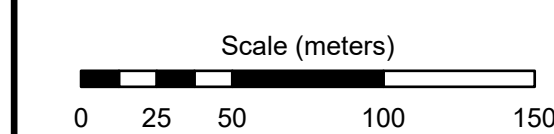
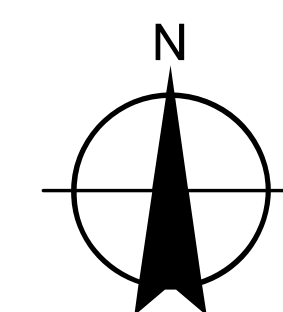
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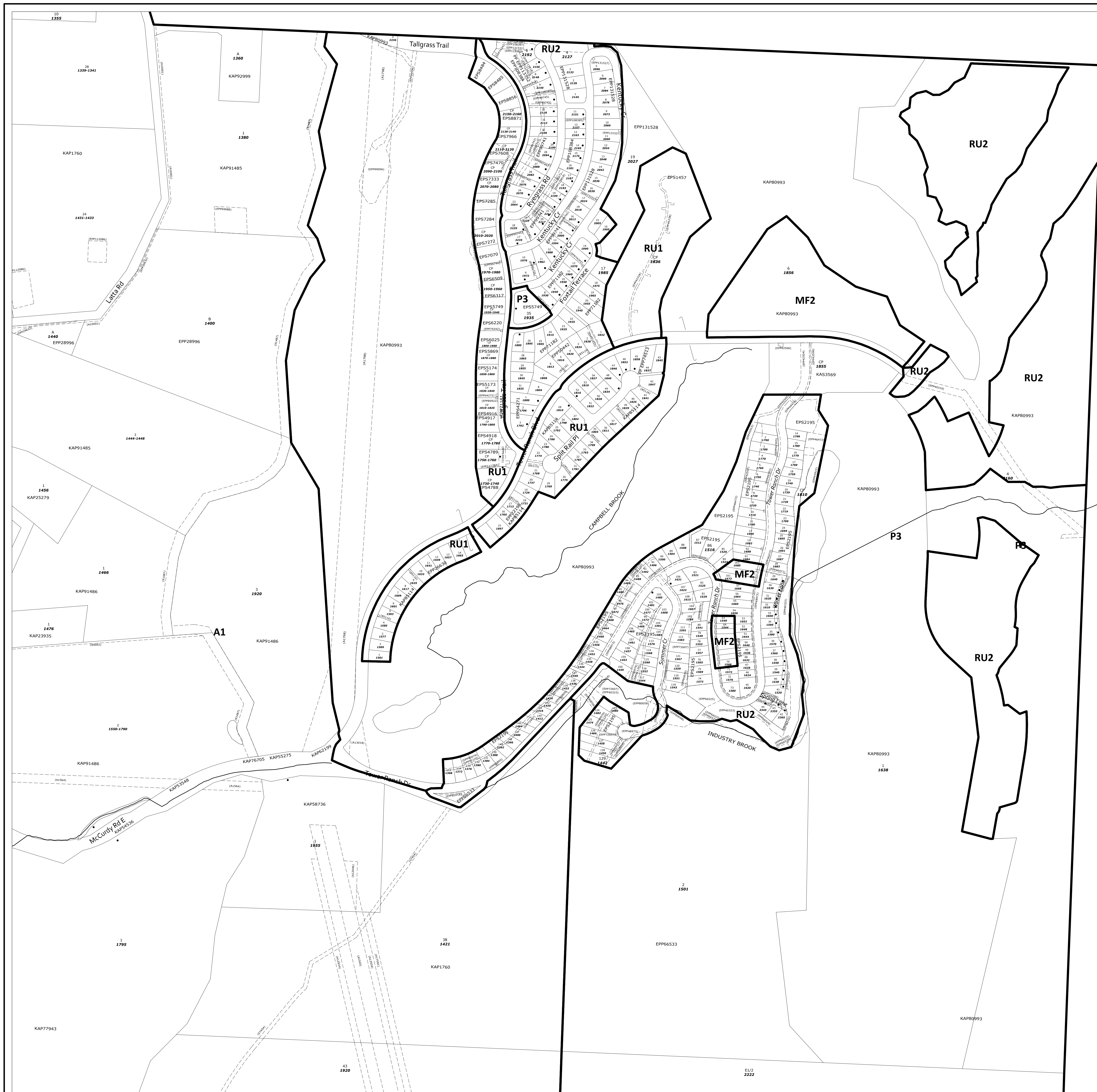
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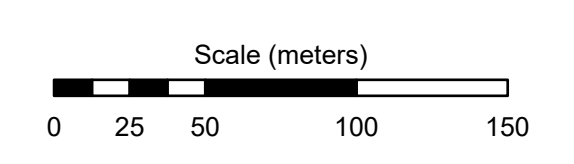
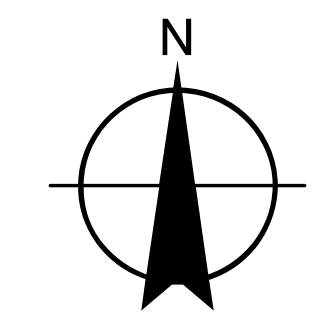
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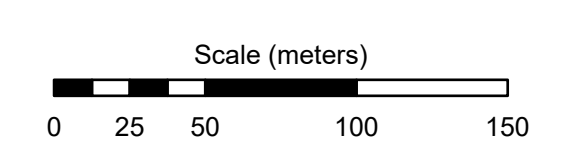
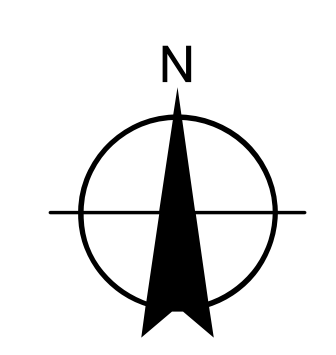
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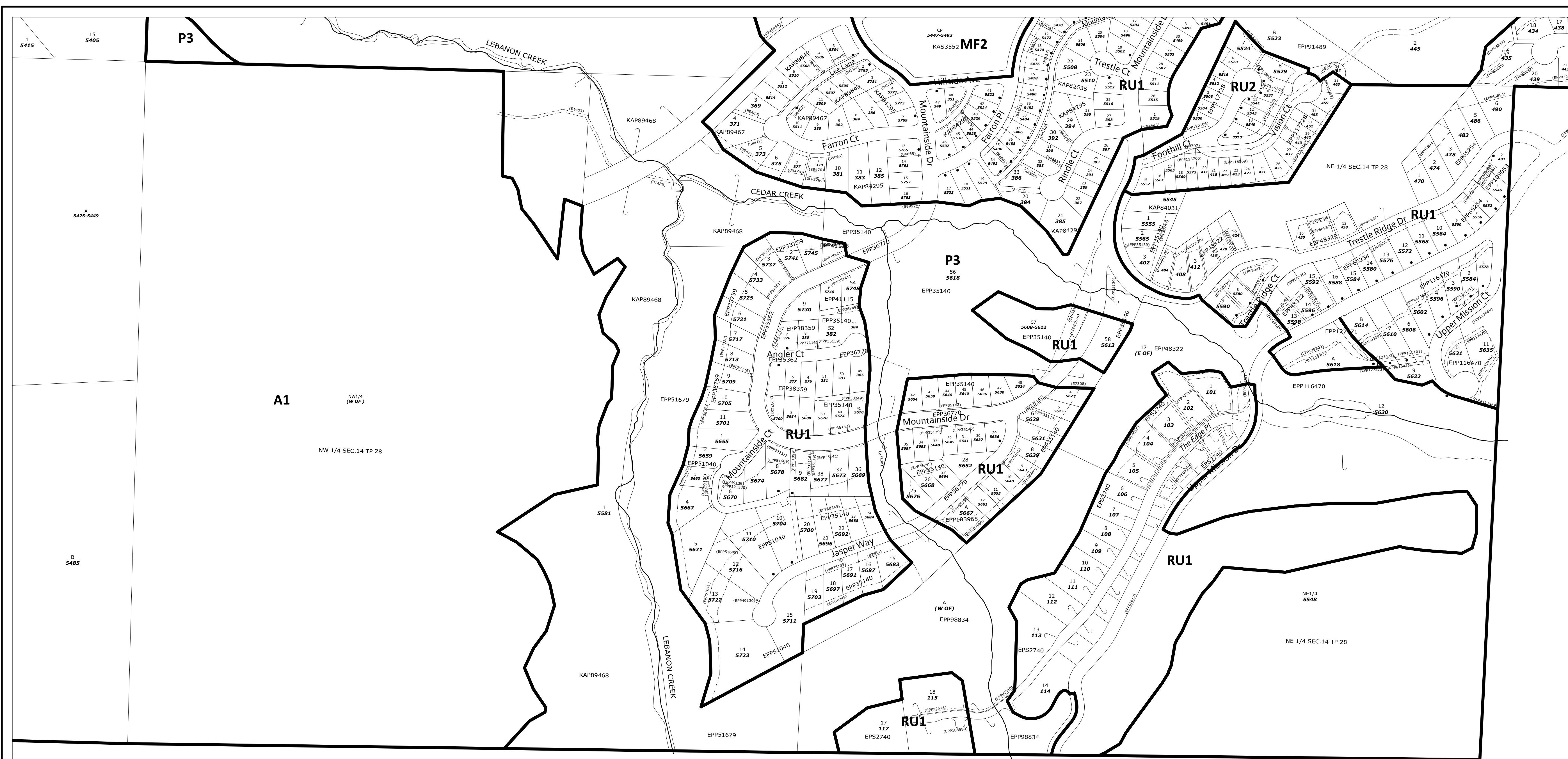


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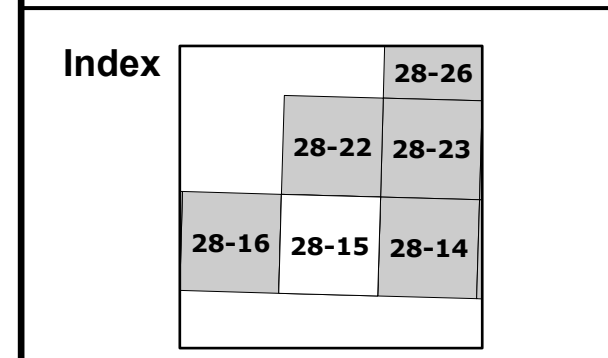


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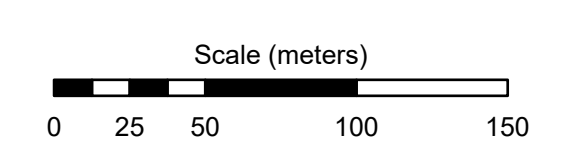
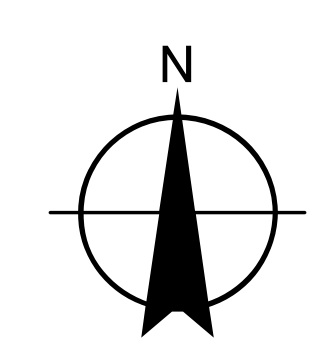
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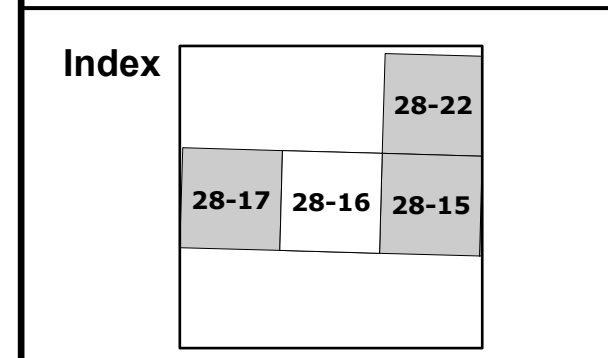
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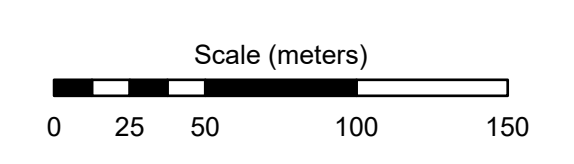
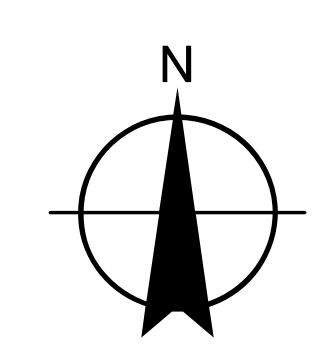


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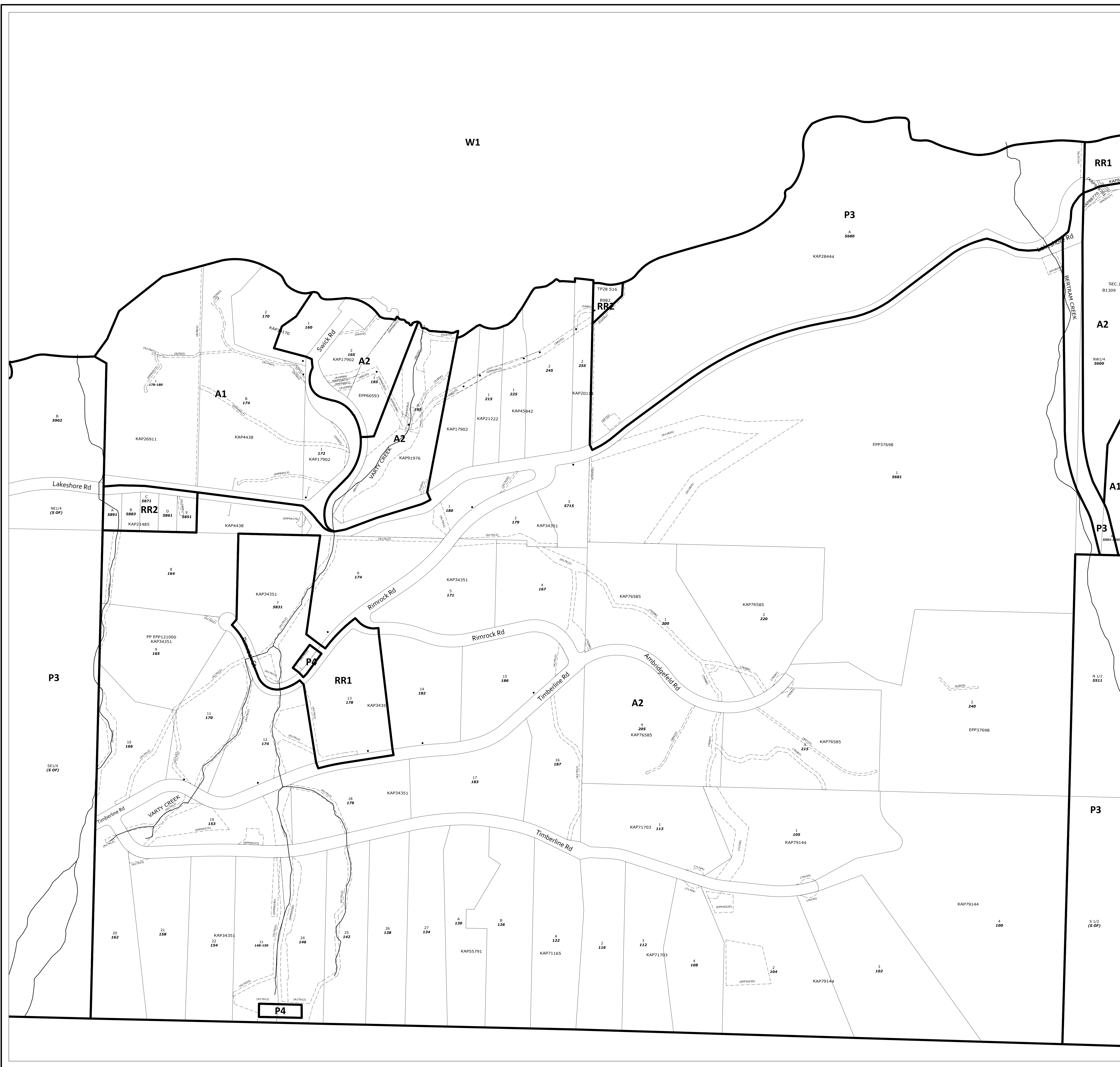



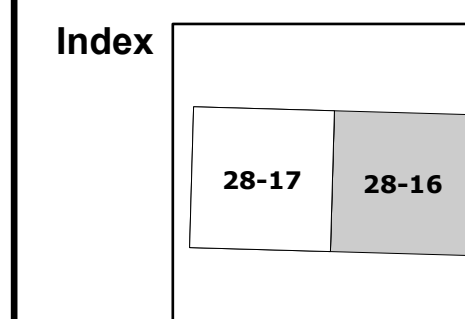
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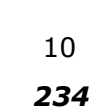


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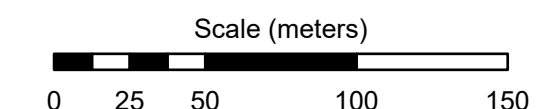
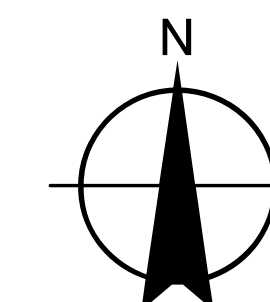
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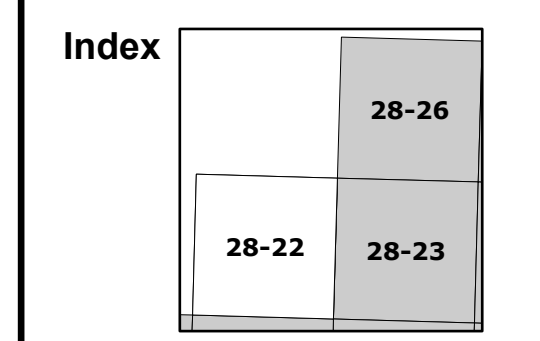
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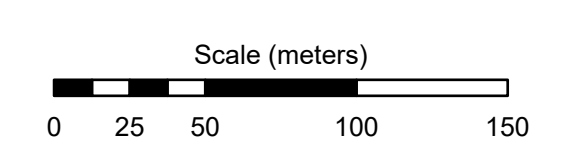
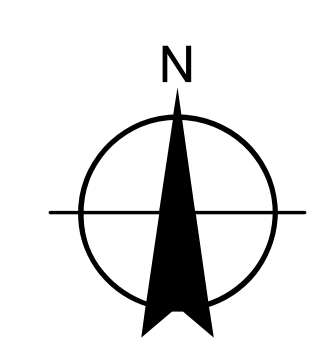


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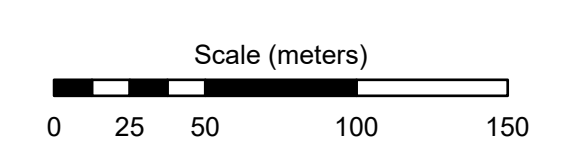
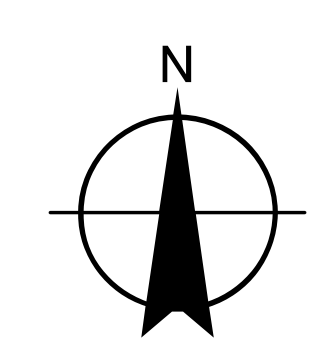
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Planner Initials AC

City of Kelowna DEVELOPMENT PLANNING

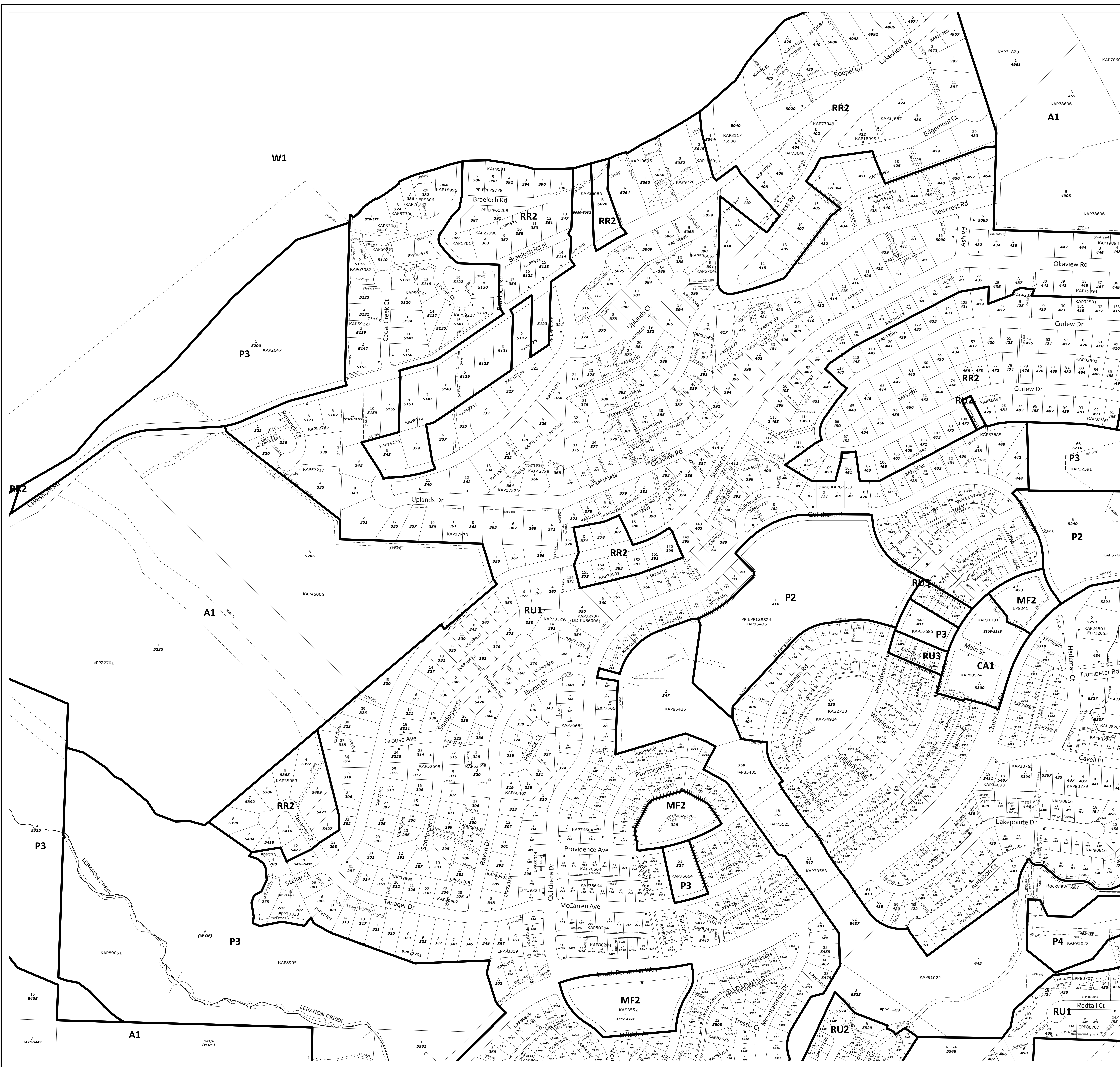


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ZONING

Proposed Zoning

ADDRESSES

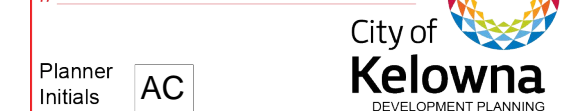
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Indicates Address Fronting Street

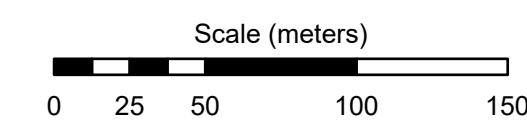
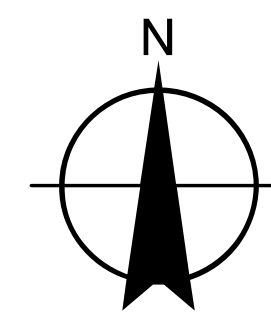
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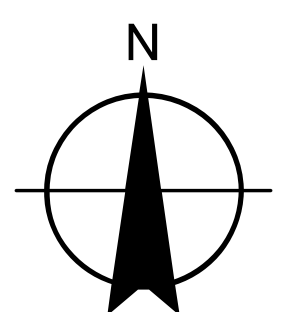
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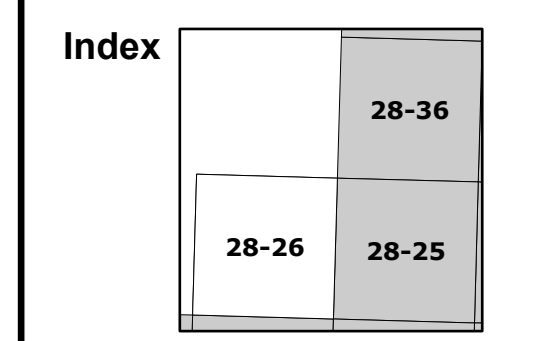
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Legend

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— Proposed Zoning

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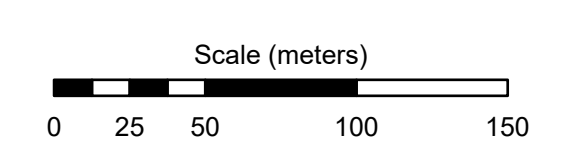
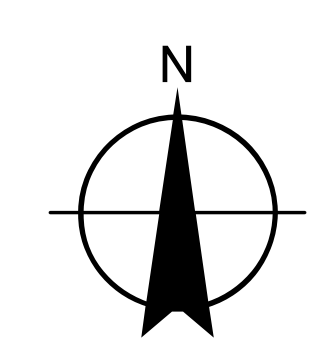
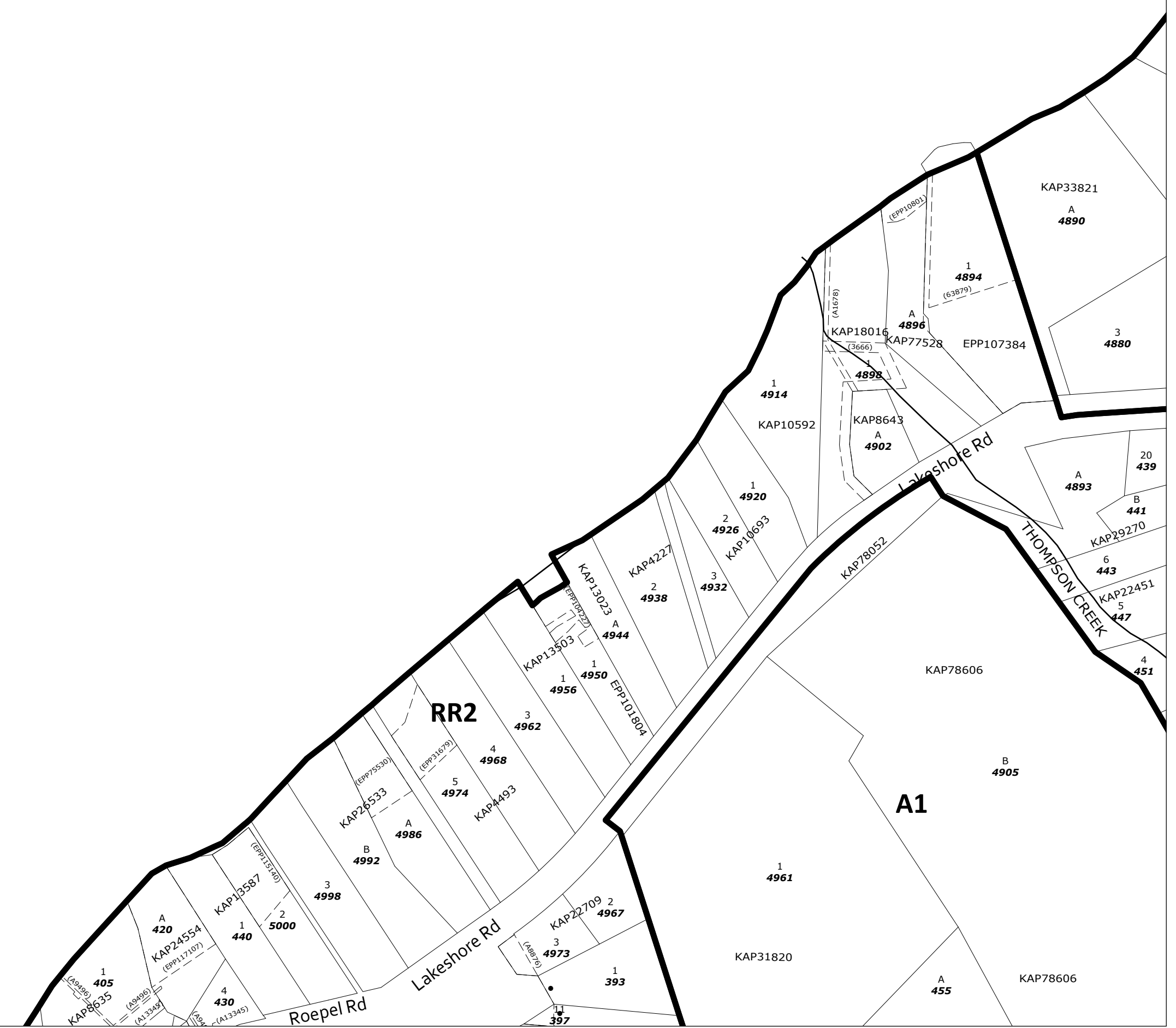
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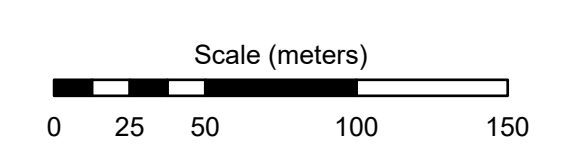
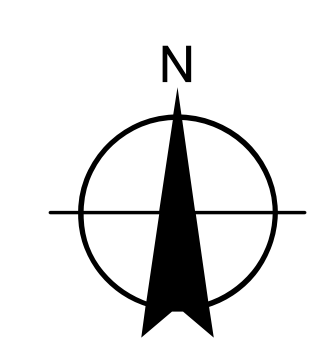
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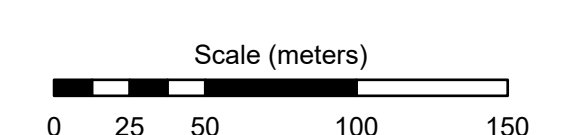
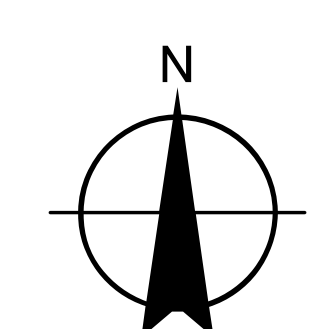
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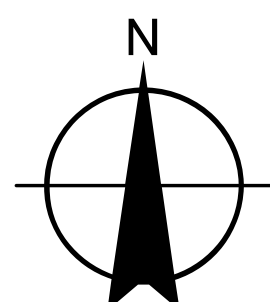
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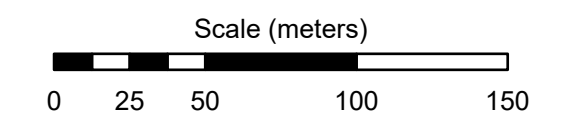
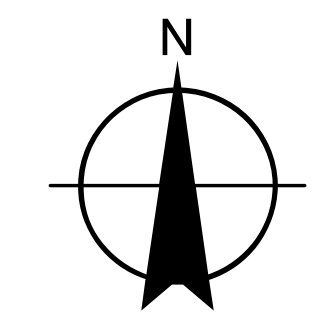
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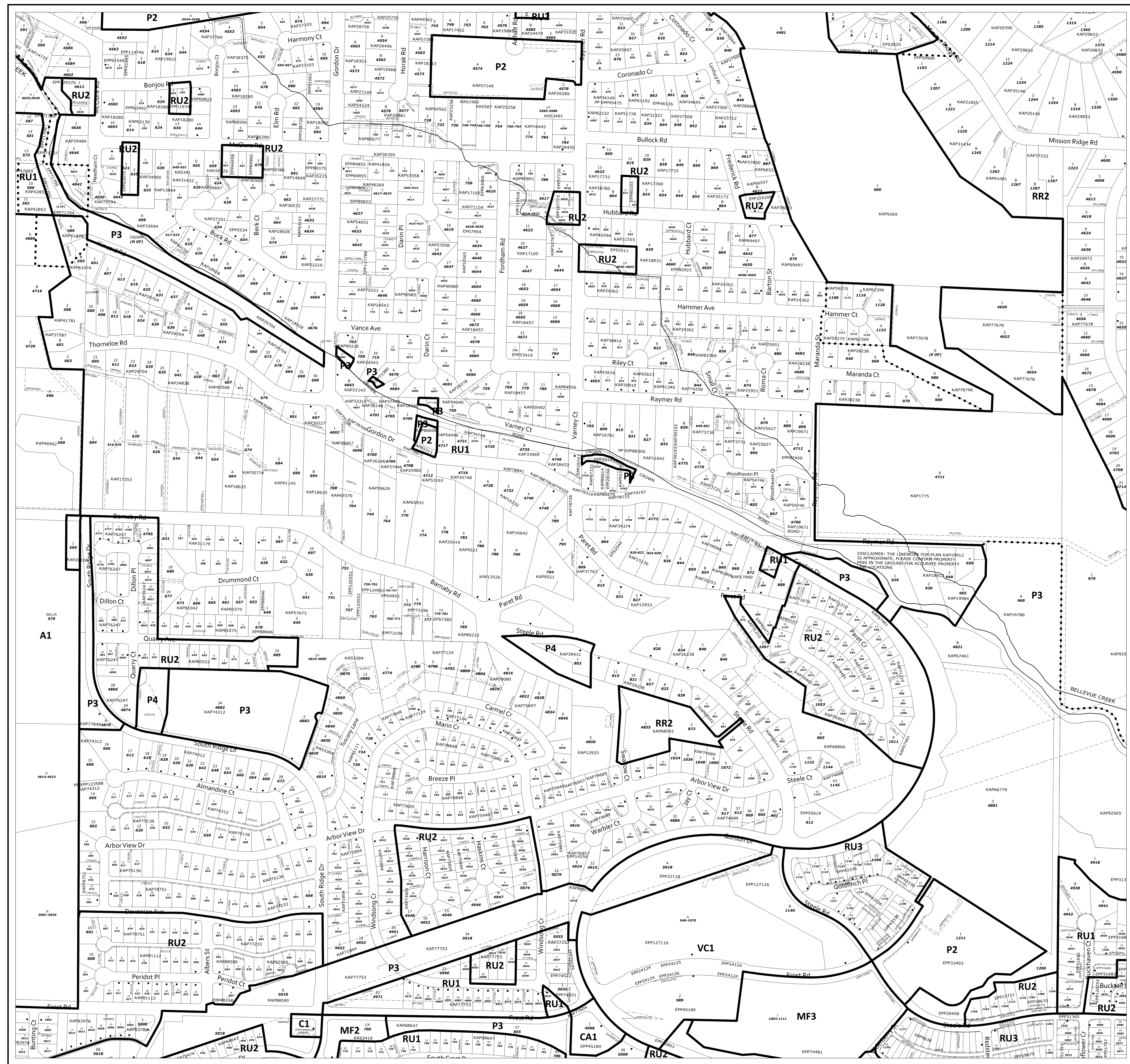
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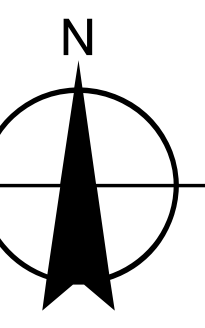
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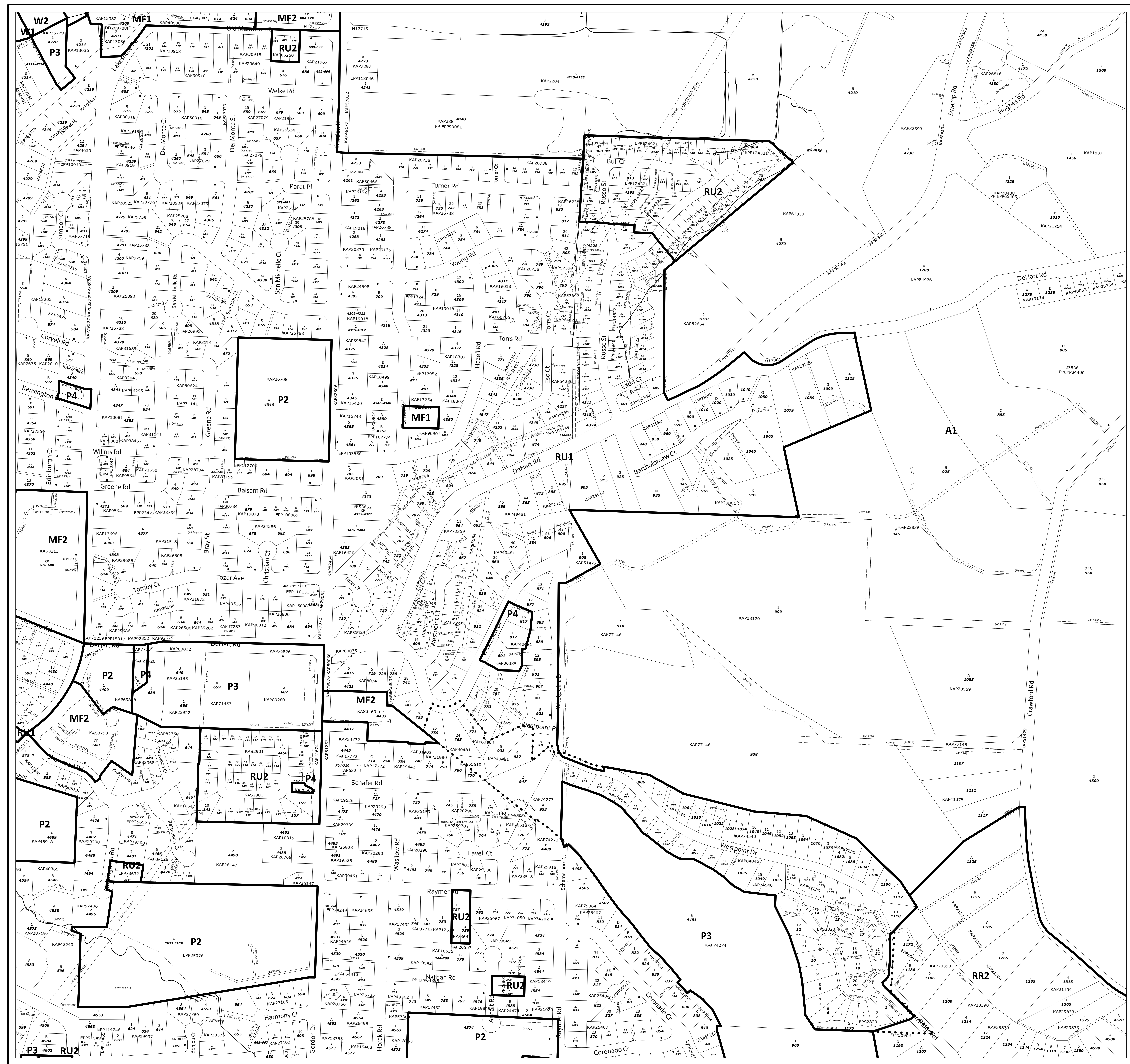
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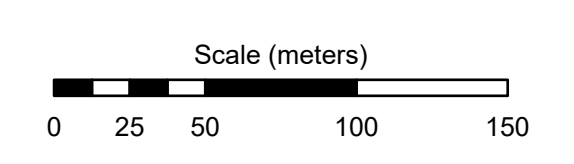
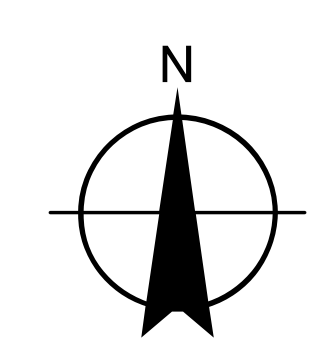
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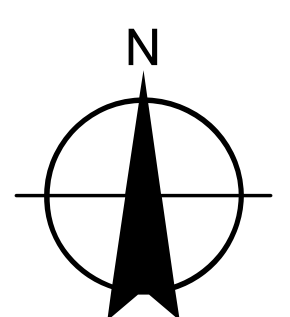
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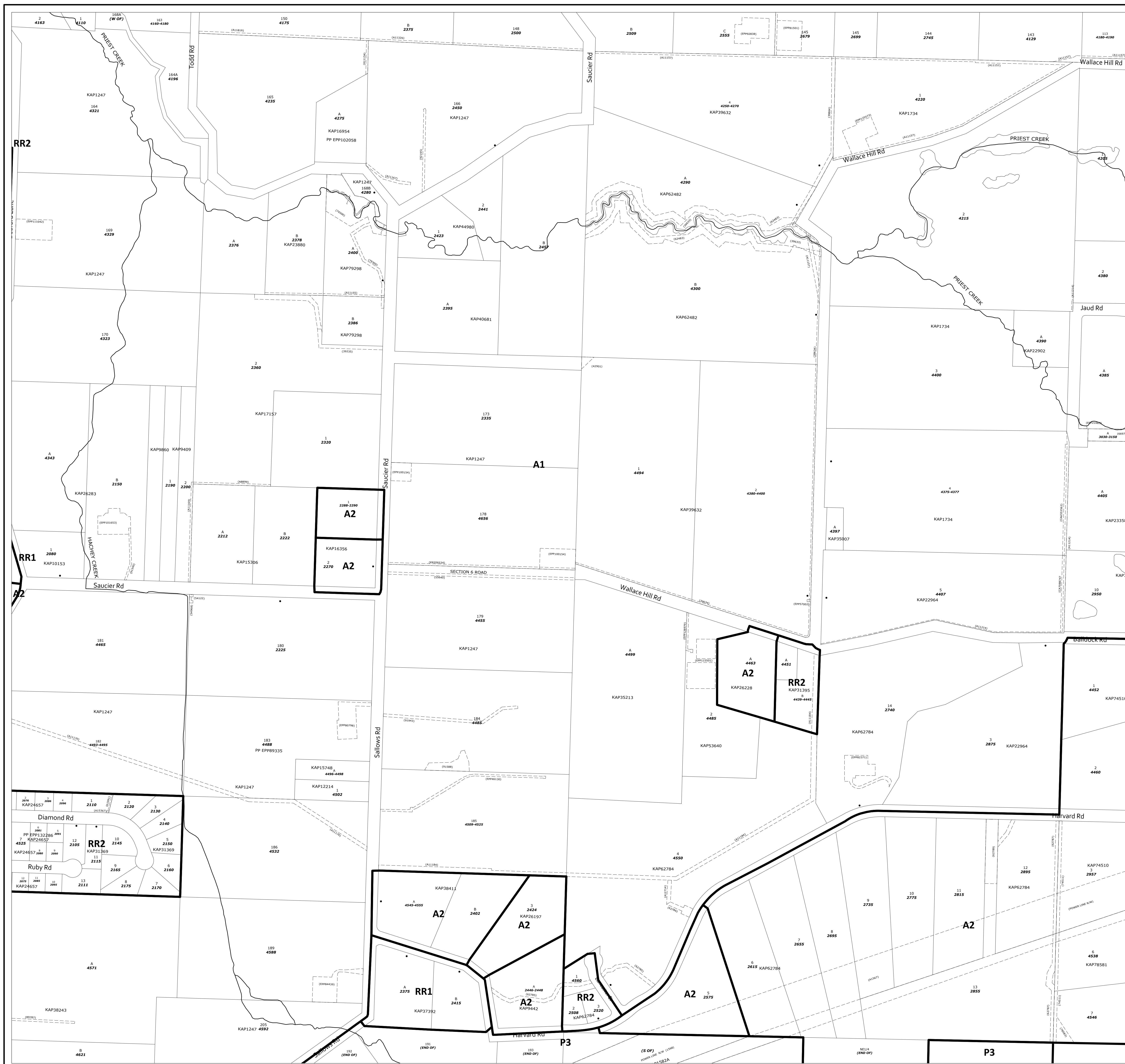


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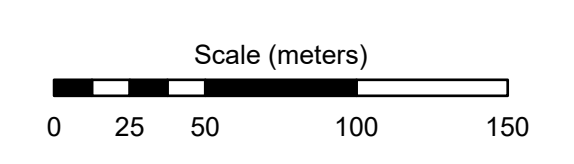
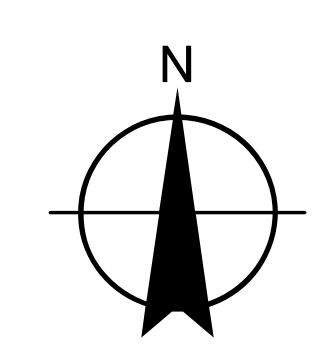
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(END OF)



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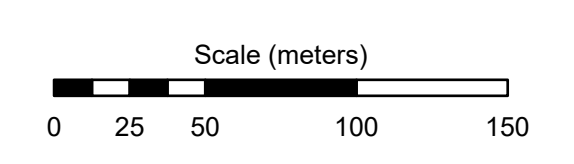
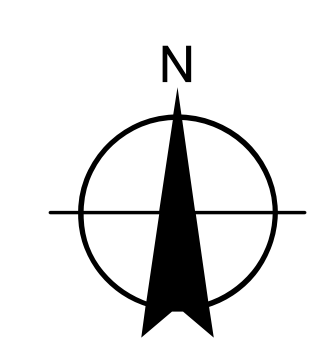
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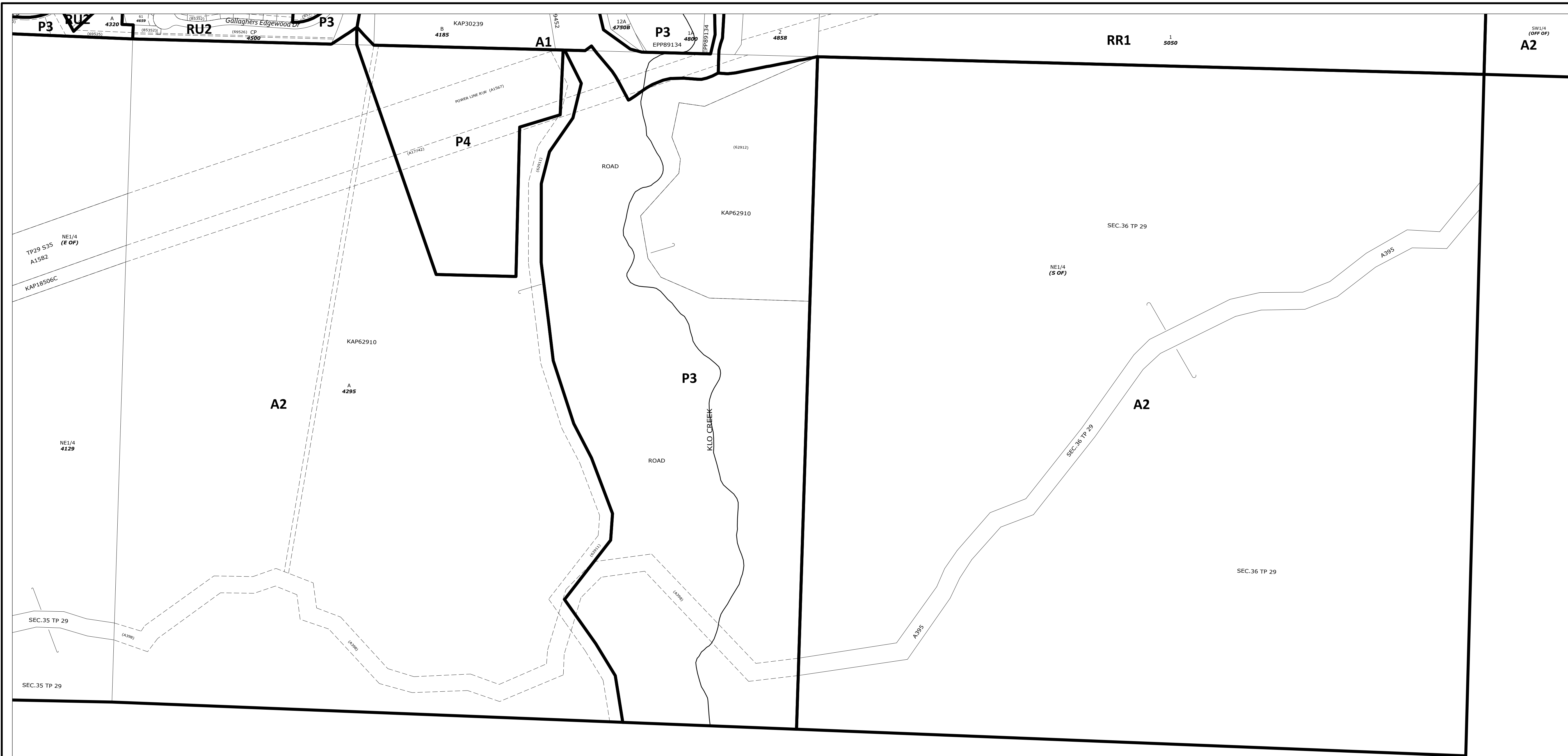
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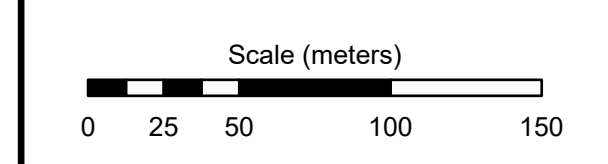
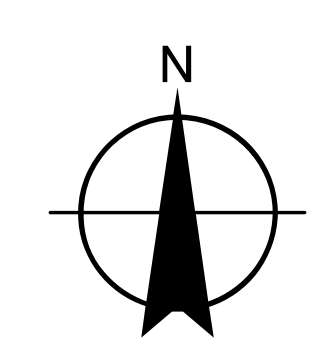
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Schedule C – Proposed Amendments to Official Community Plan Bylaw 12300

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

This forms part of application
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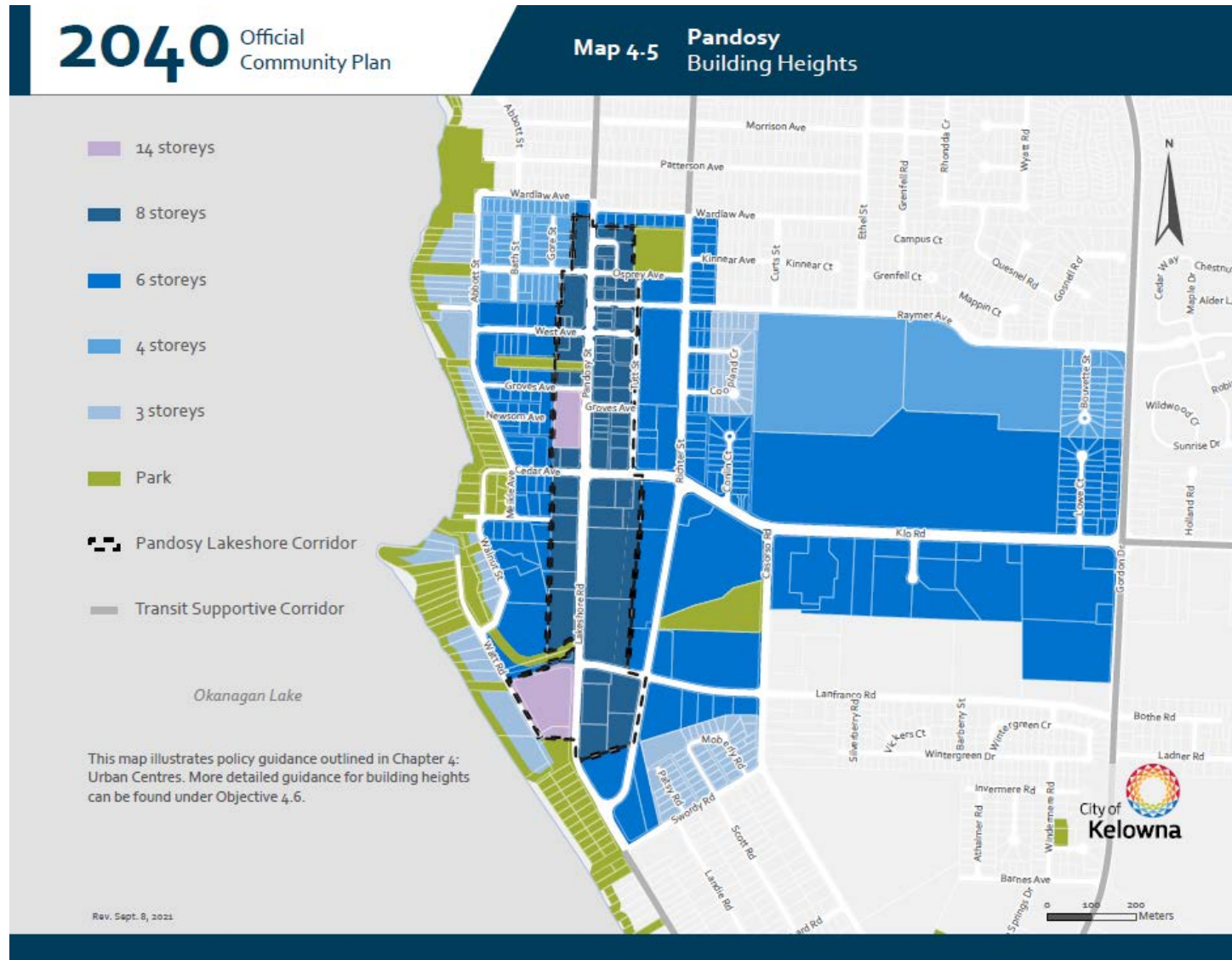
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City of Kelowna
DEVELOPMENT PLANNING

Chart A

Original – Chapter 4 – Map 4.5 Pandosy Building Heights



SCHEDULE C

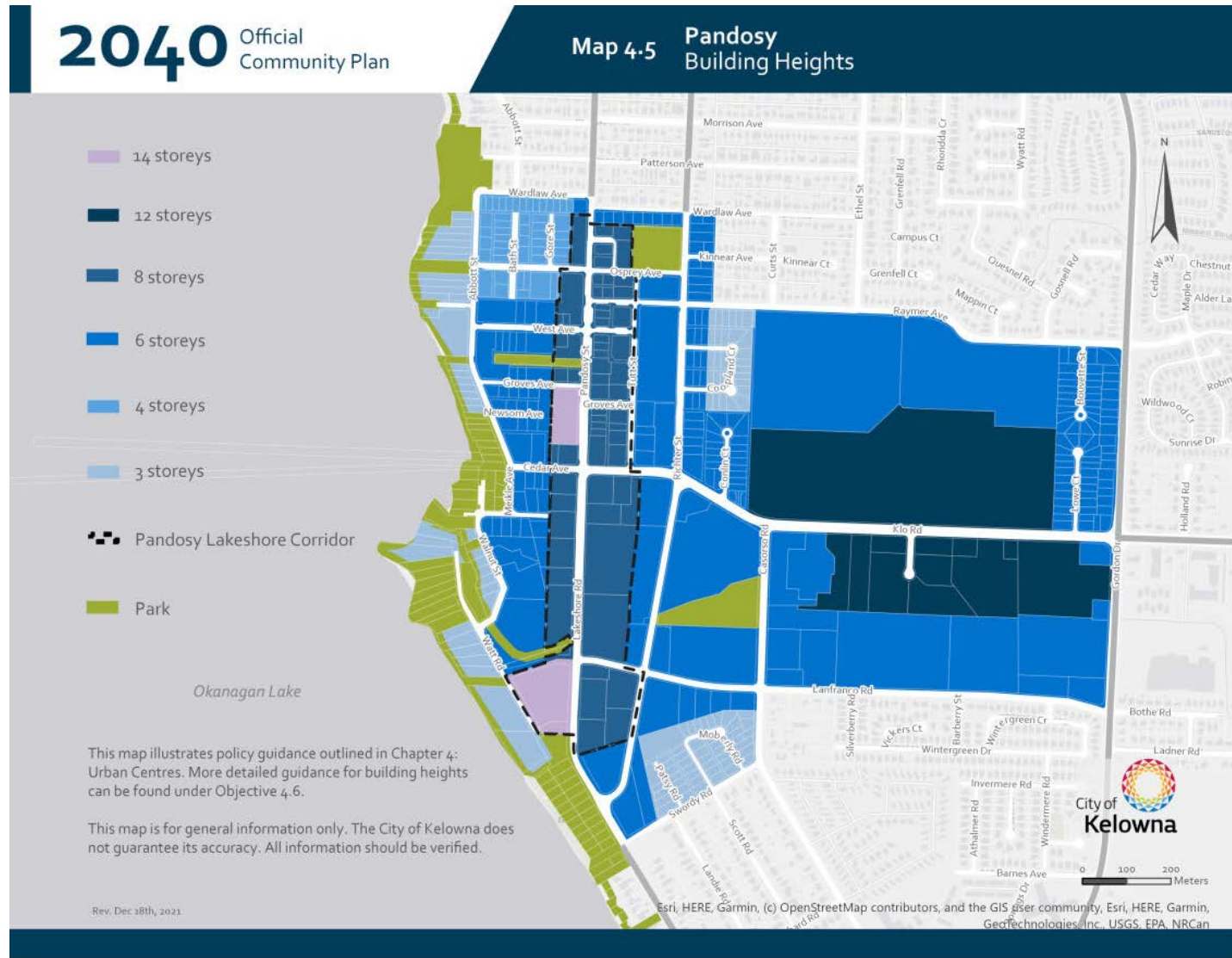
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City of Kelowna DEVELOPMENT PLANNING

Chart B

Proposed – Chapter 4 – Map 4.5 Pandosy Building Heights



SCHEDULE C

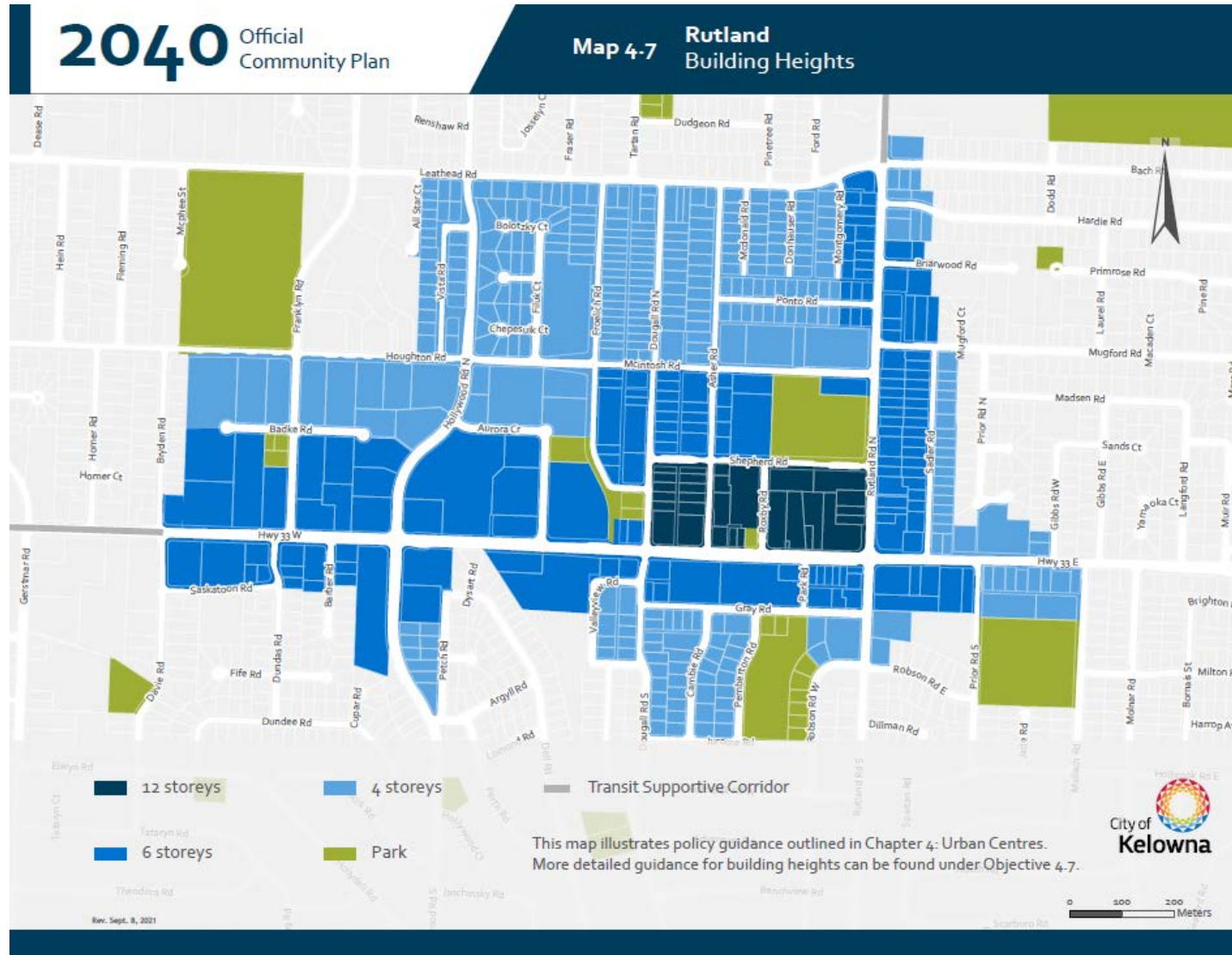
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City of Kelowna DEVELOPMENT PLANNING

Chart C

Original – Chapter 4 – Map 4.7 Rutland Building Heights



SCHEDULE C

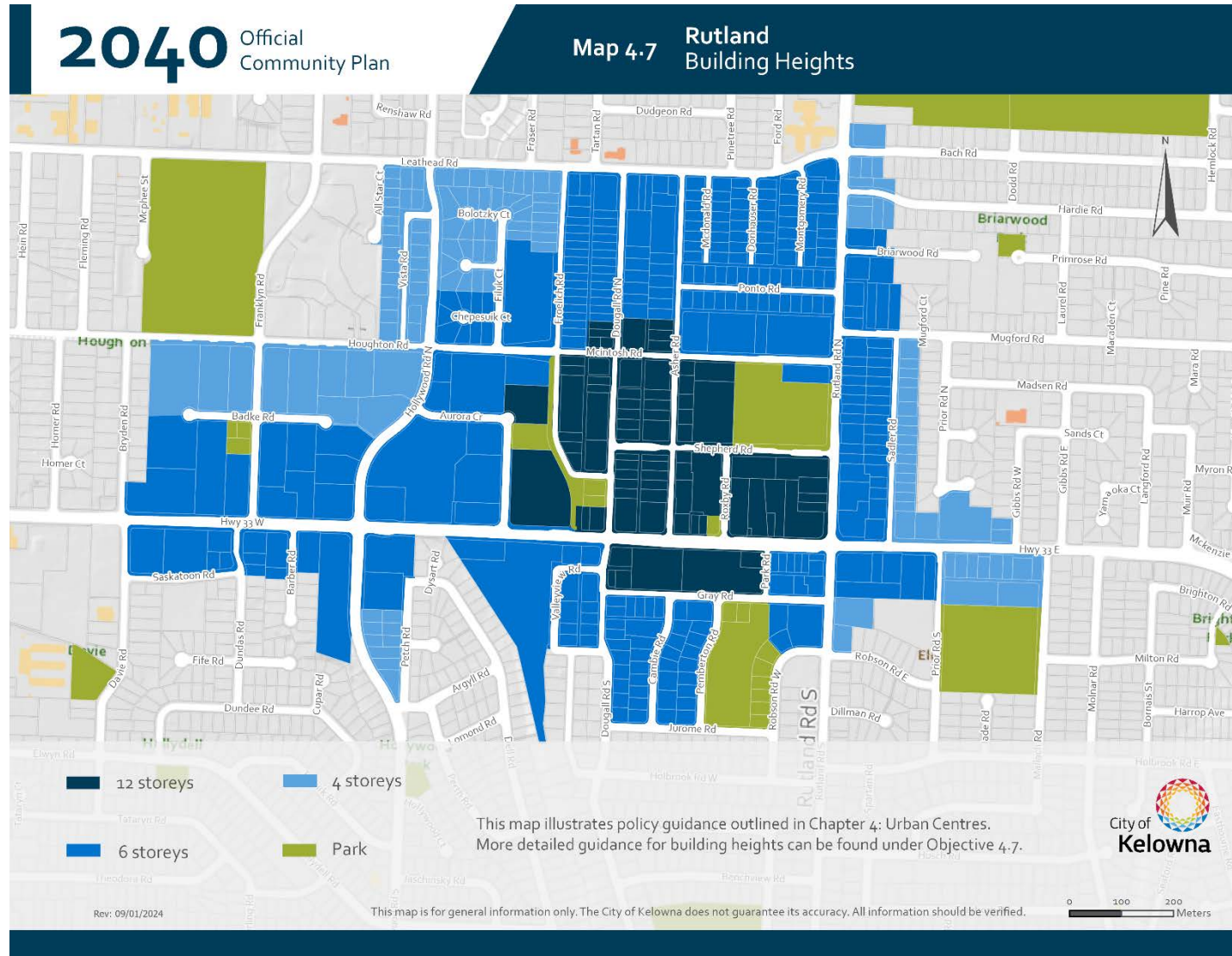
This forms part of application # OCP24-0001

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City of Kelowna DEVELOPMENT PLANNING

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

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%.

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.

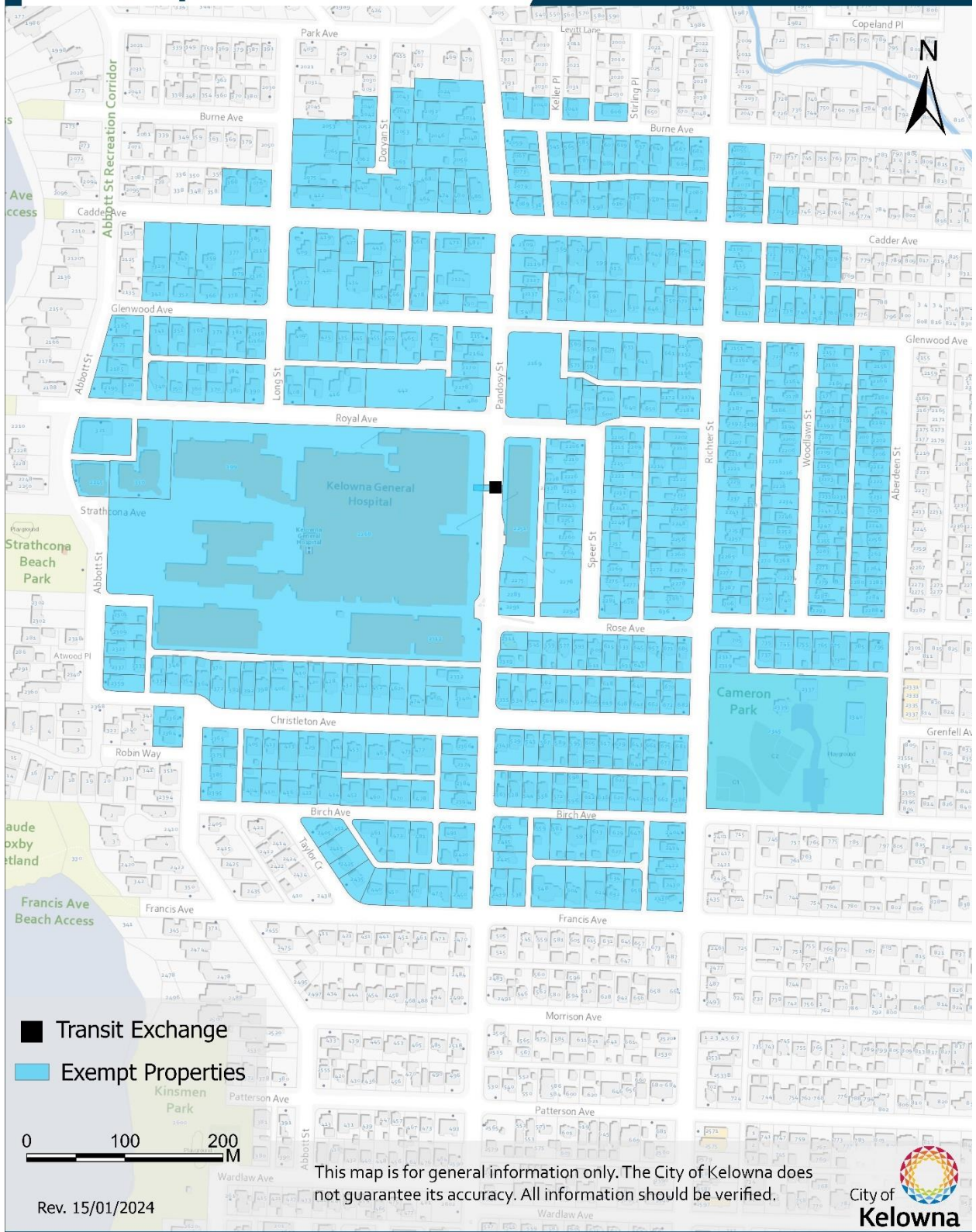
Table 8.3 – Required Residential Off-Street Parking Requirements

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

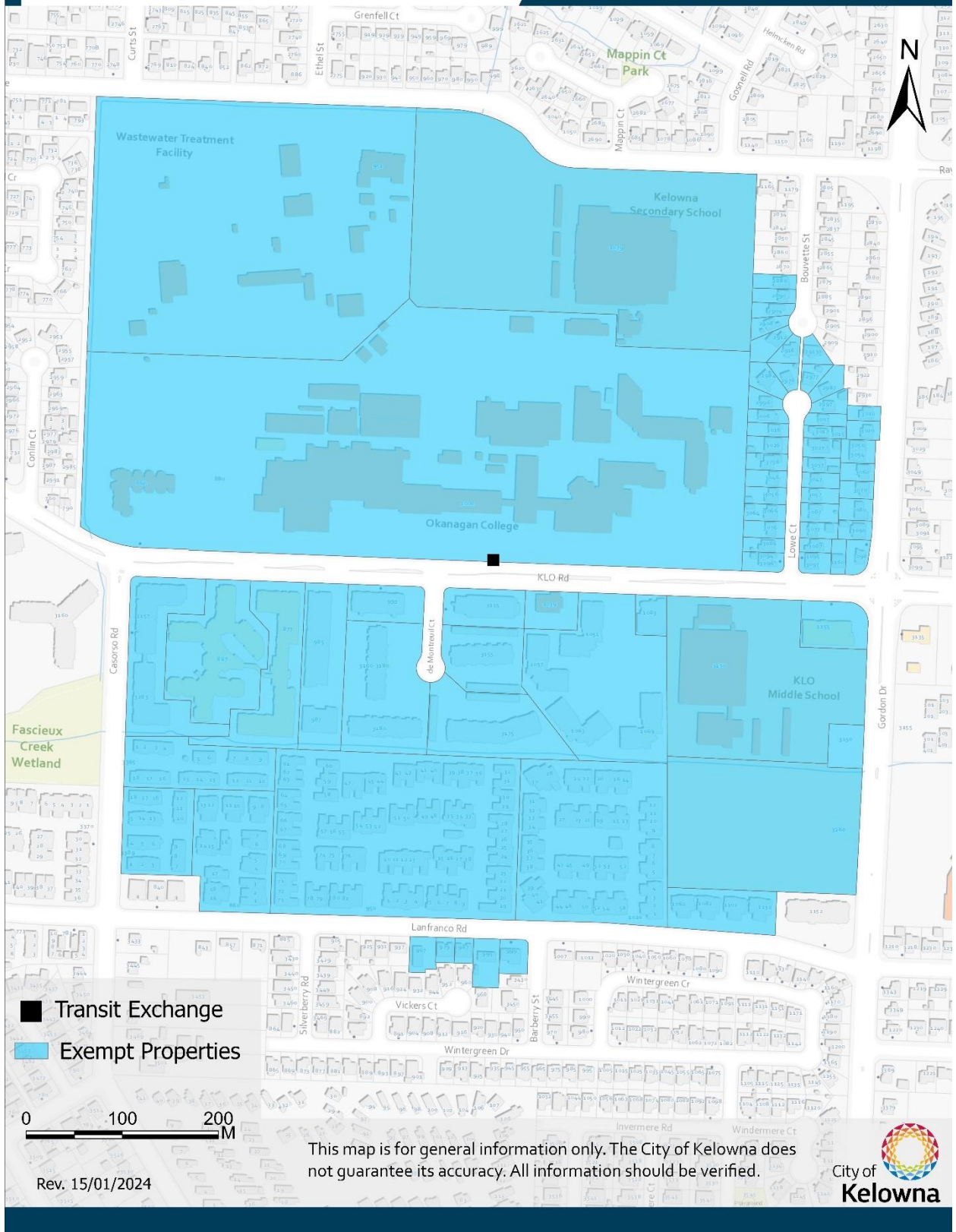
Map 8.3.a Hospital Exchange



Residential Parking Exemptions

Map 8.3.b

Okanagan College Exchange



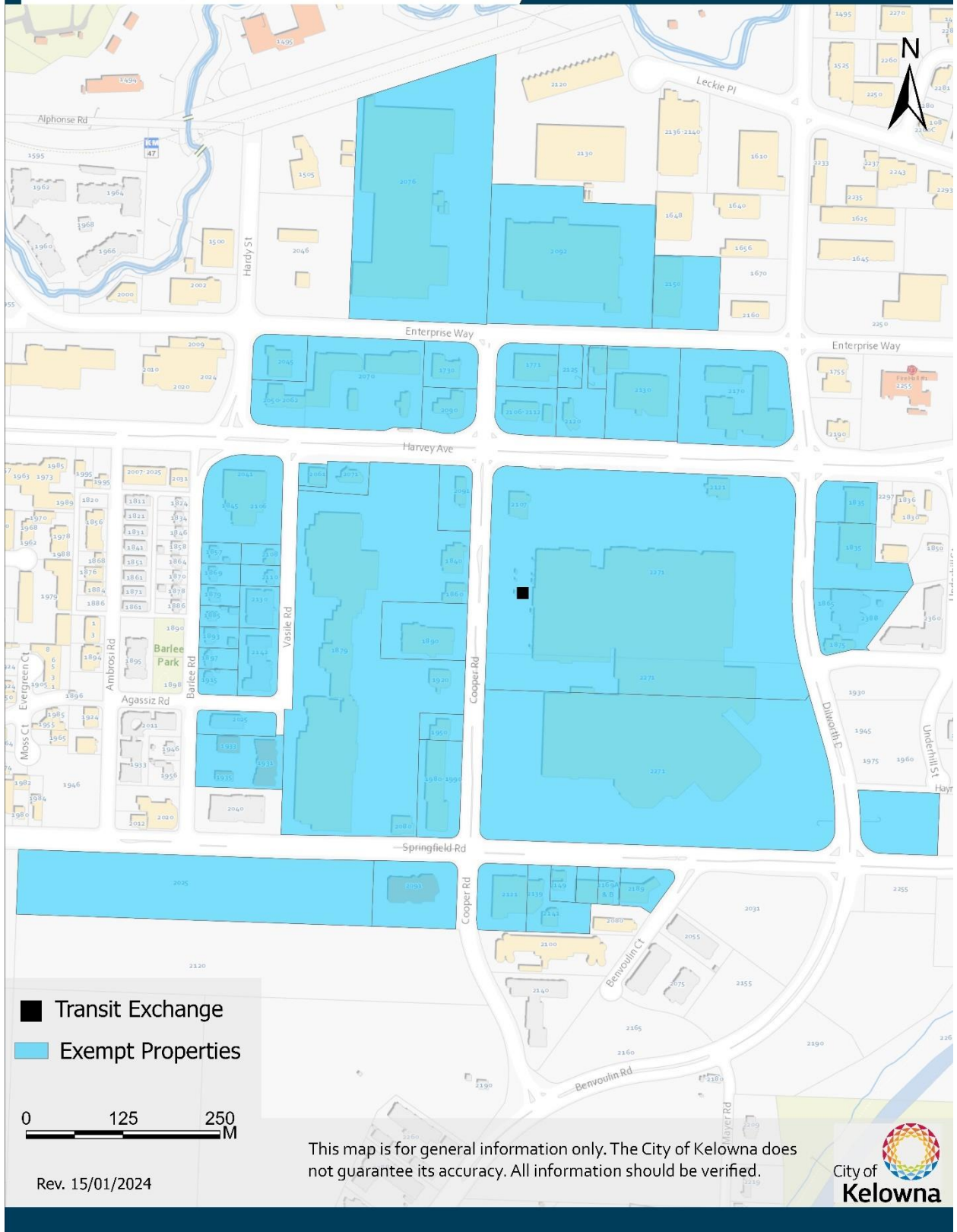
Rev. 15/01/2024

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



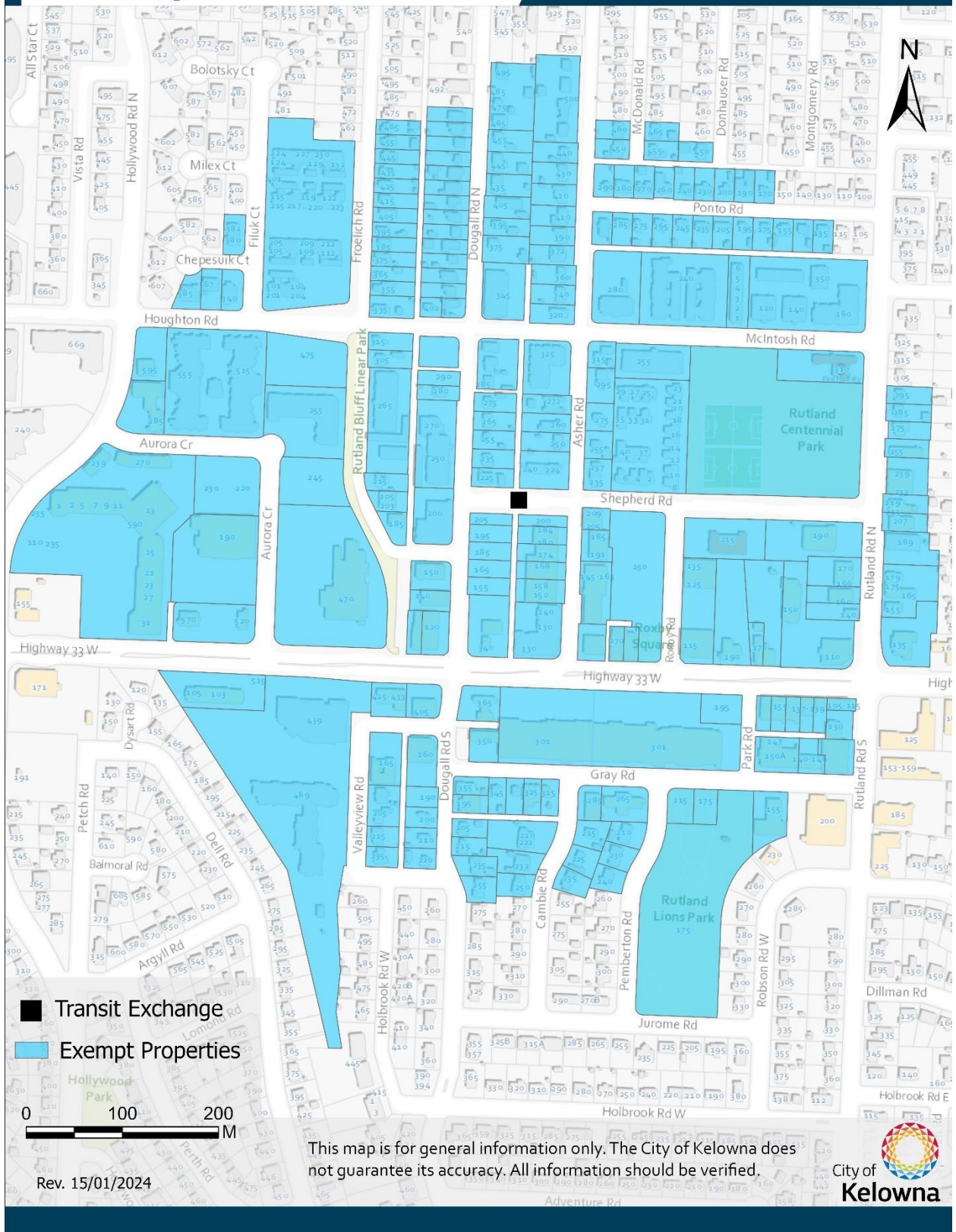
Residential Parking Exemptions

Map 8.3.c Orchard Park Exchange



Residential Parking Exemptions

Map 8.3.d Rutland Exchange



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]
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[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]

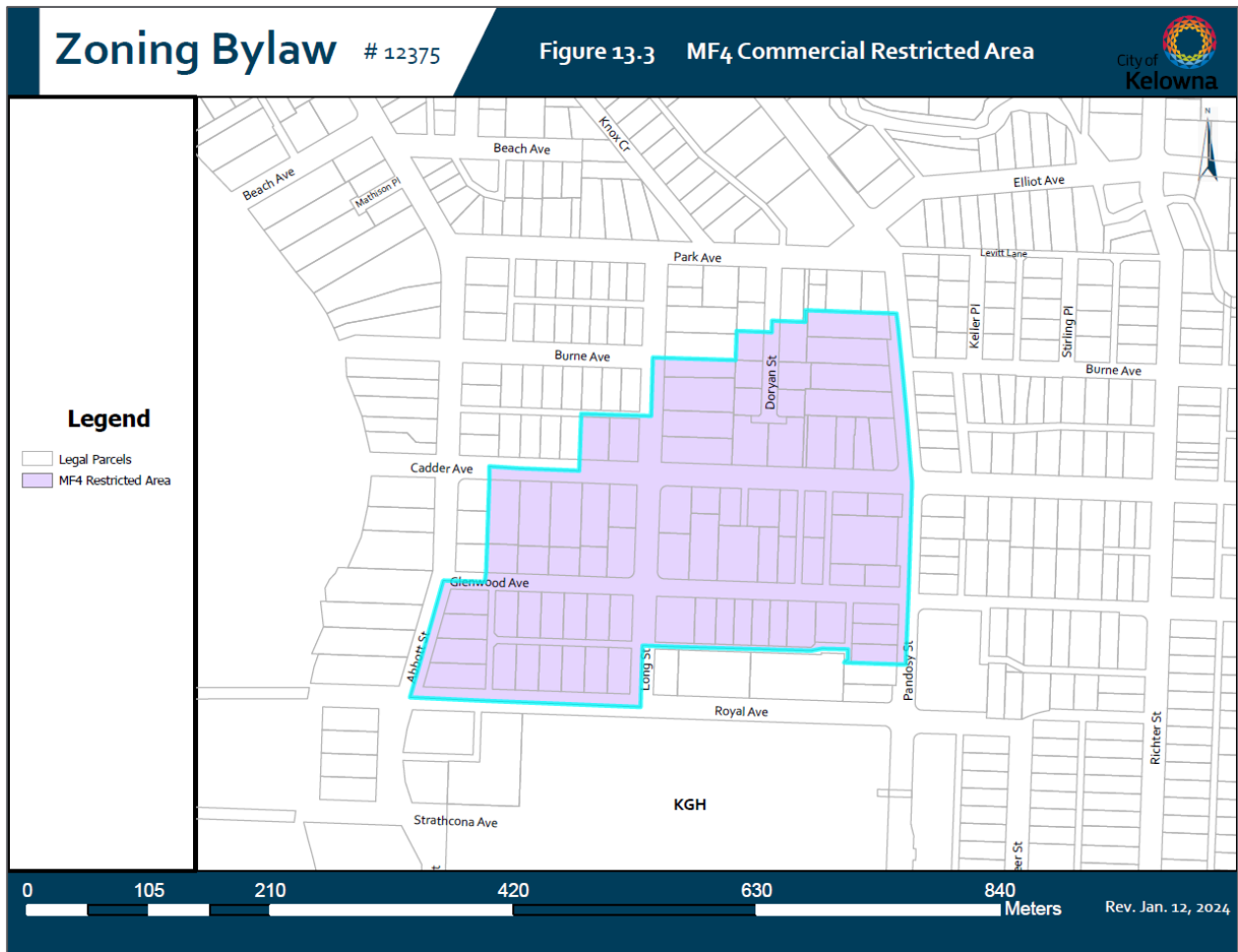
^{.4} Townhouses and/or stacked townhouses are only permitted if the majority of the residential dwelling units are in the form of apartment housing.

^{.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
			<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				
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 A1, A2, RR1, or RR2; 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

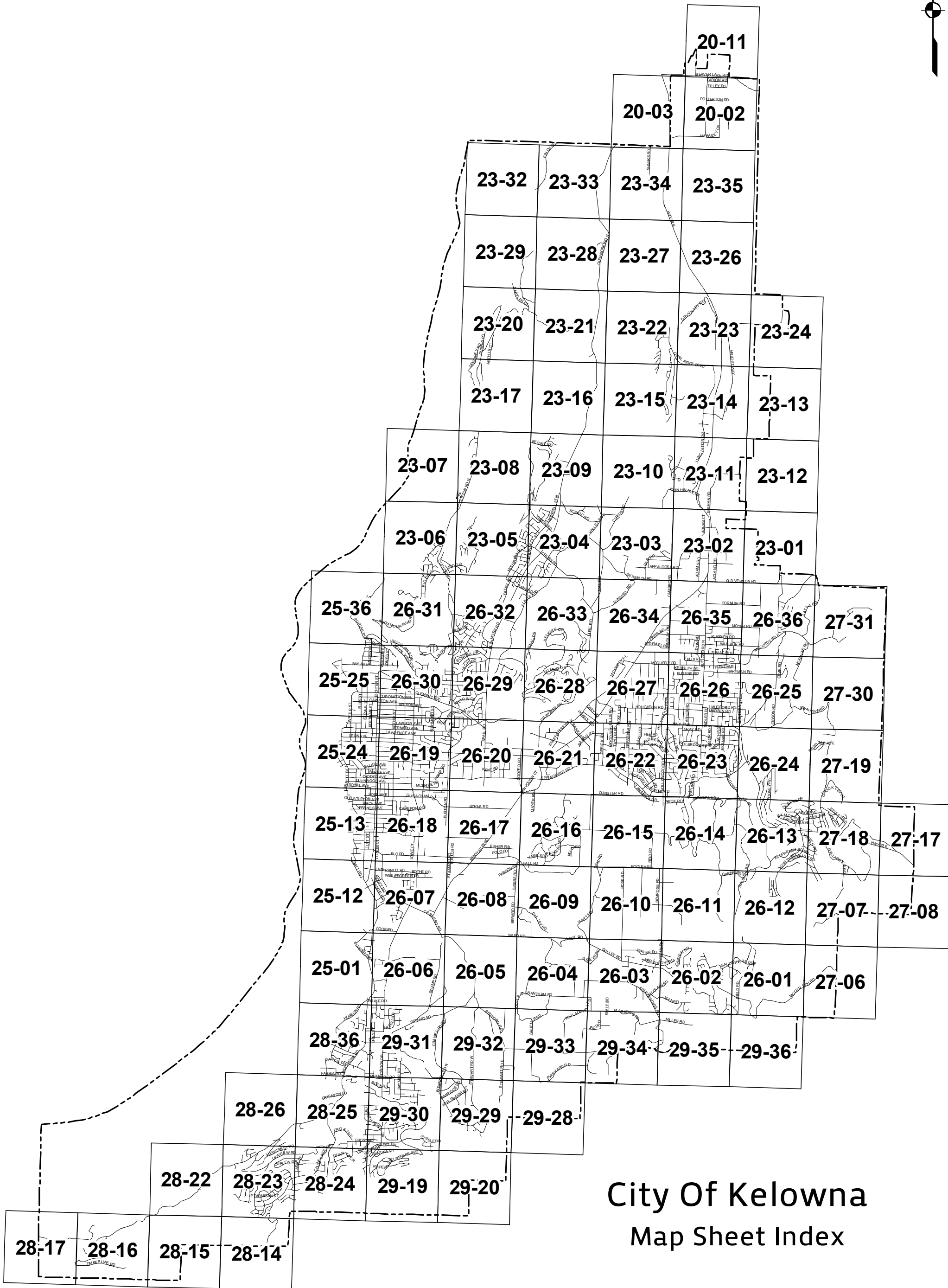
Approved under the Transportation Act this

(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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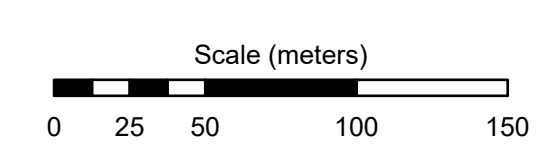
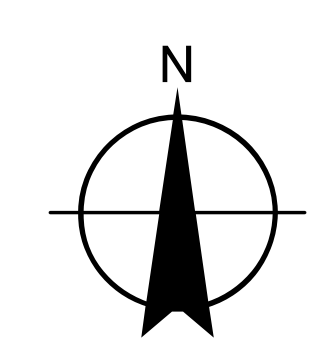
— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

• Indicates Address Fronting Street

--- City Boundary

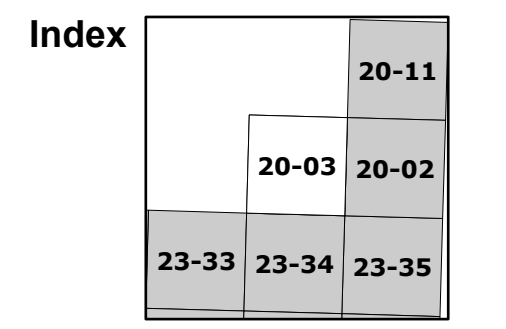


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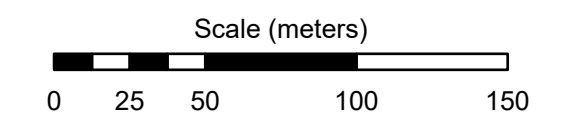
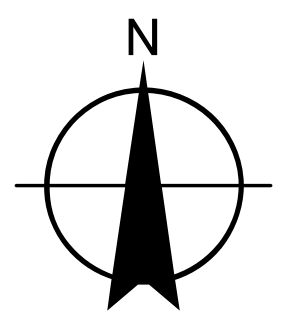


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— Proposed Zoning

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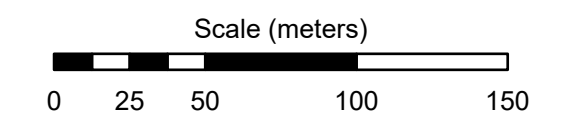
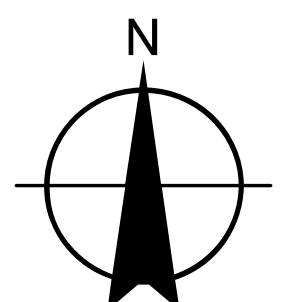
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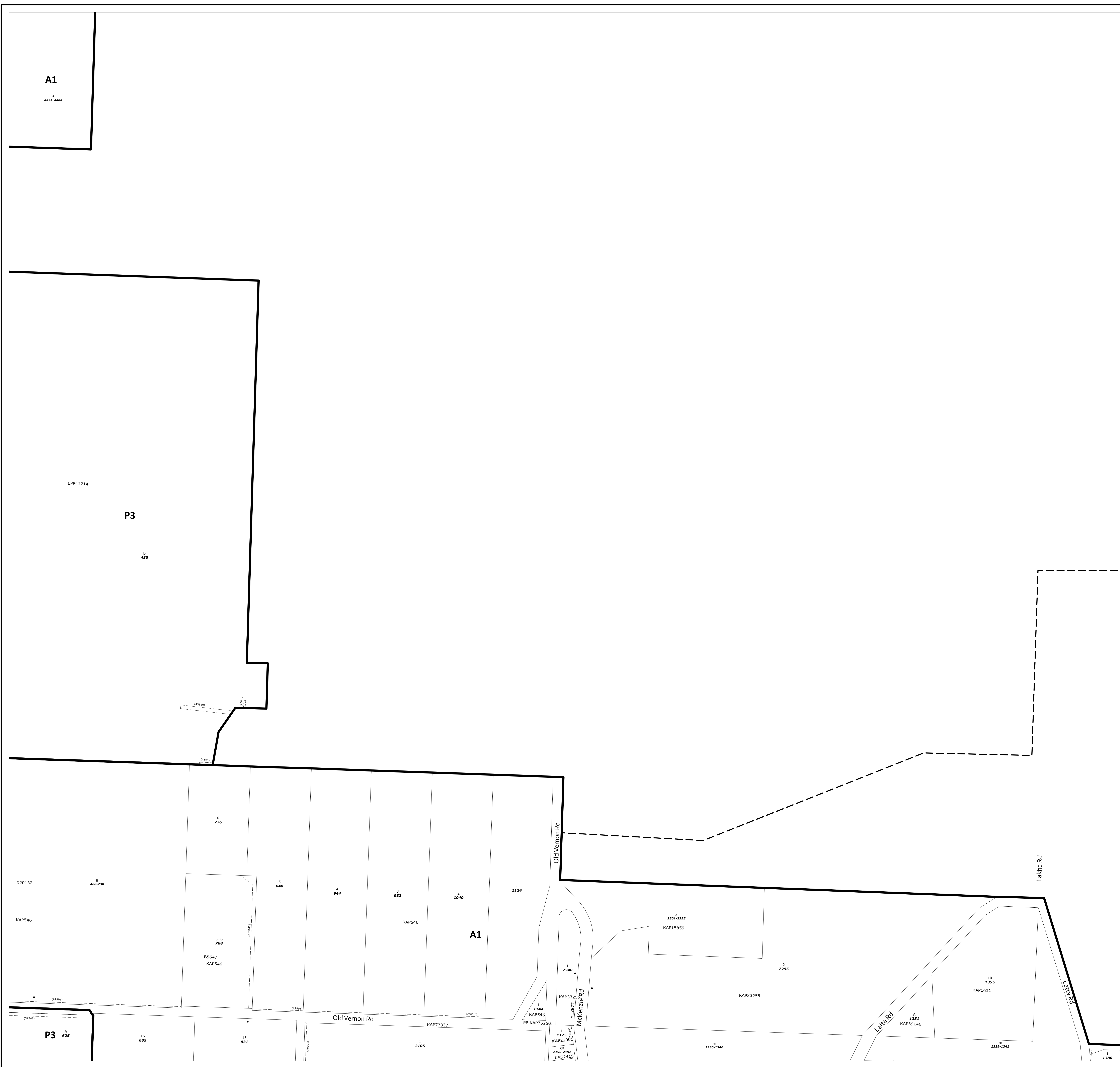


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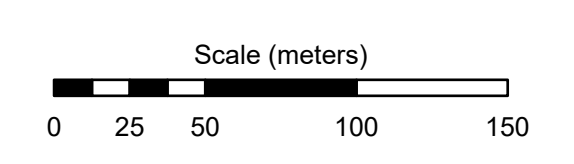
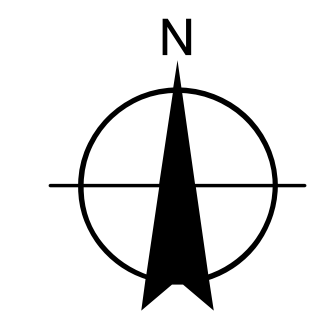
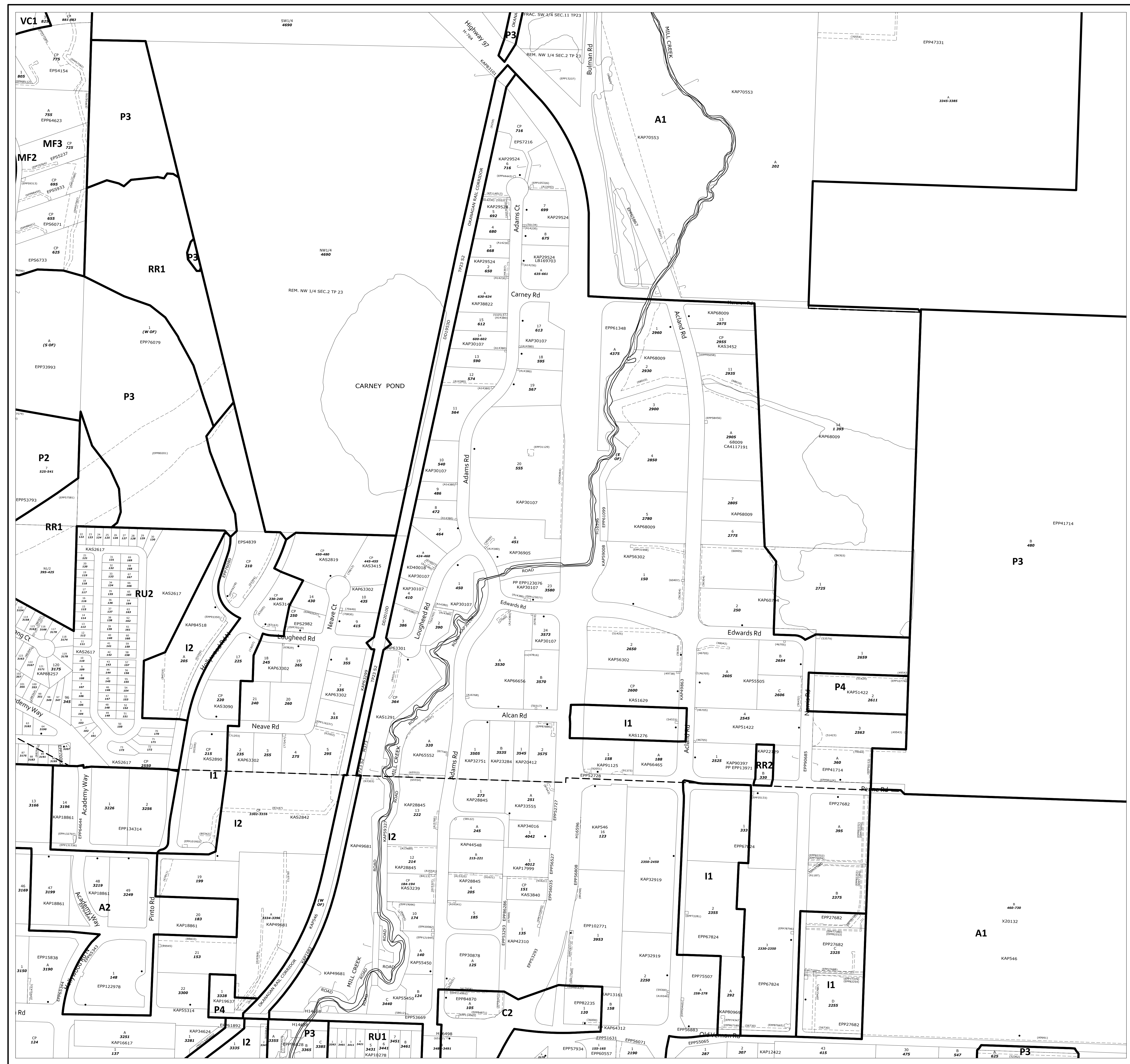
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City of Kelowna

Zoning Bylaw Mapping Amendments
Implementing Provincial Housing
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Z24-001

No. 23-03

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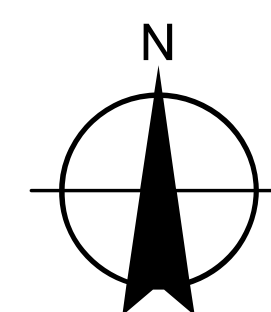
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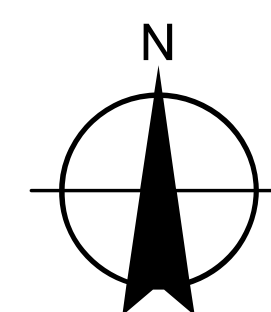
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City of Kelowna

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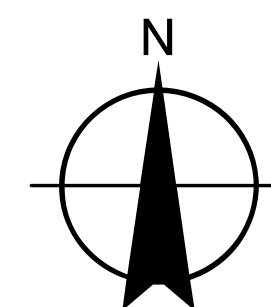
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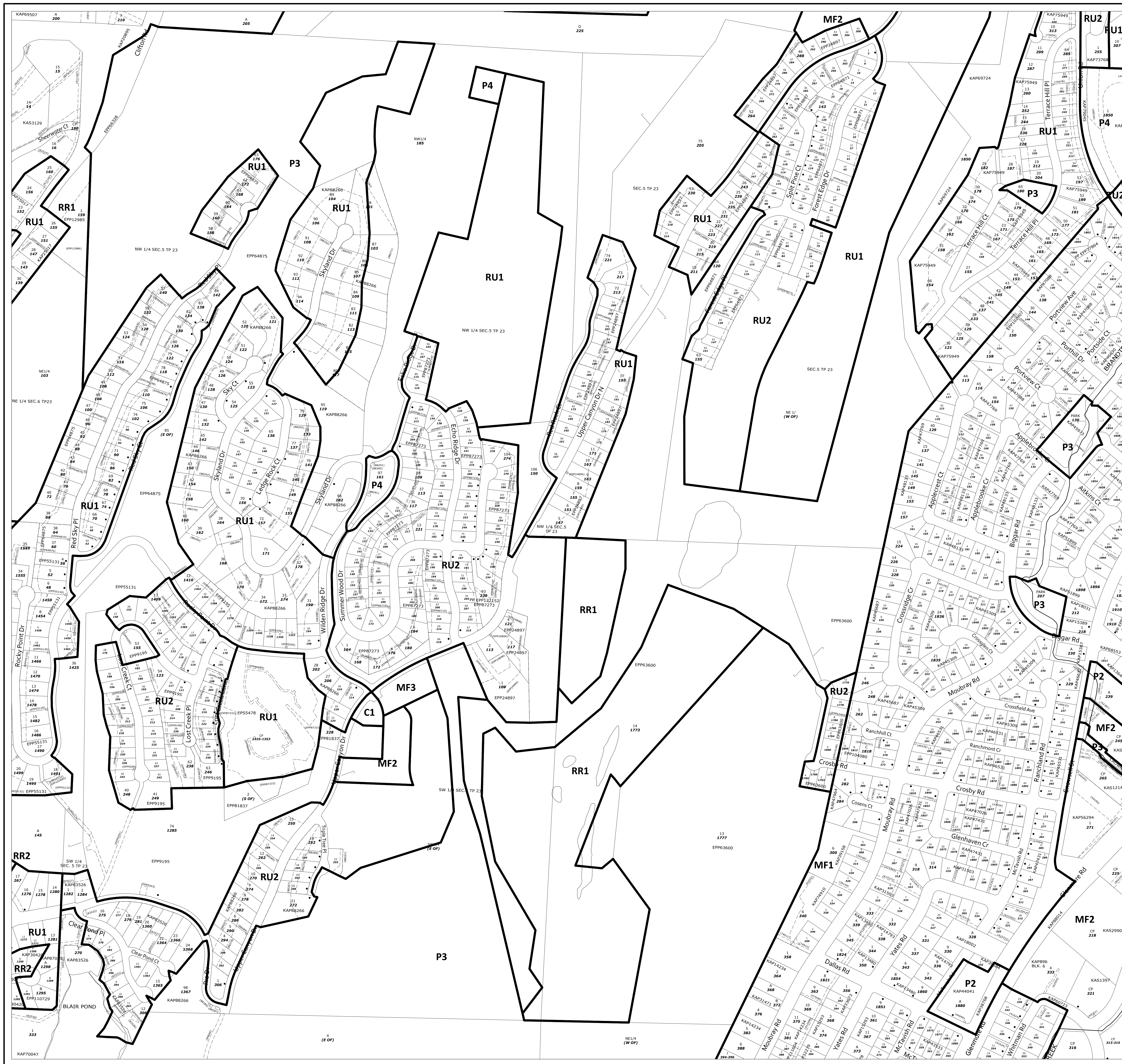
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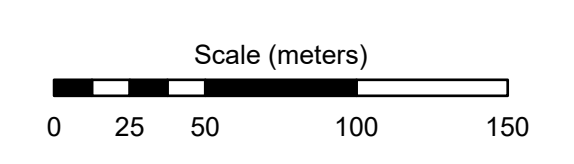
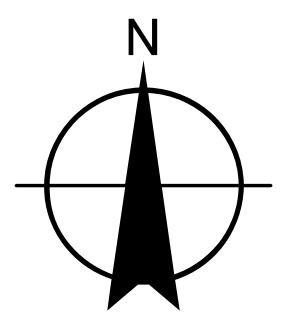
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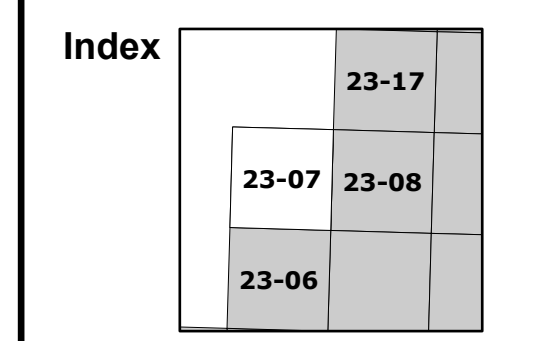


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— Proposed Zoning

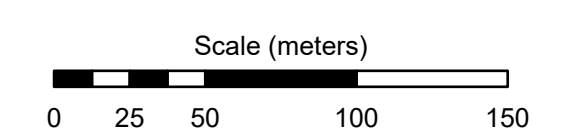
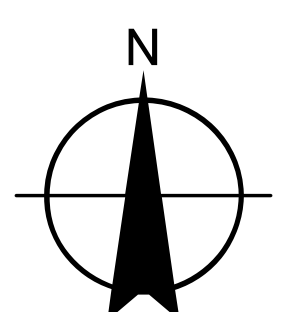
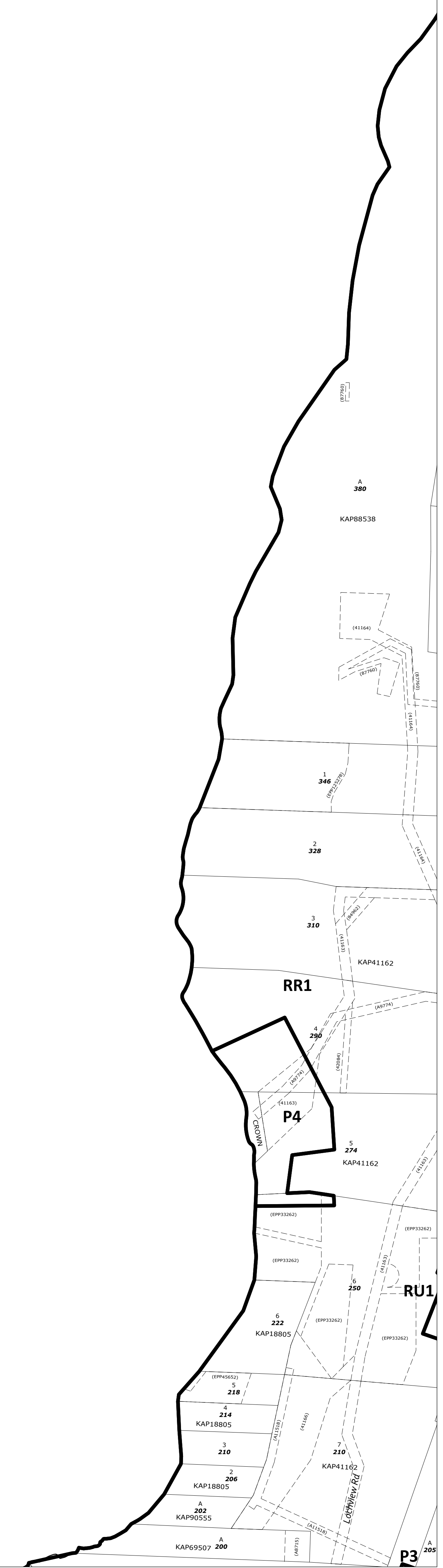
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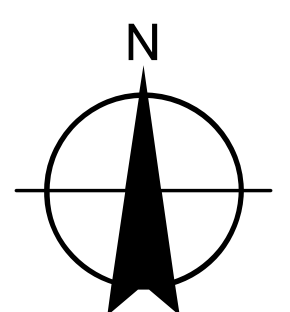
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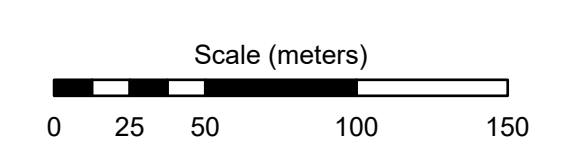
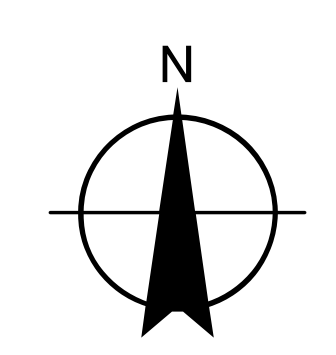
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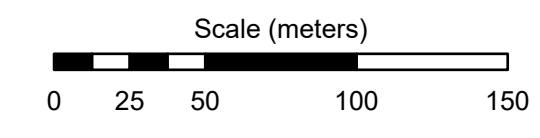
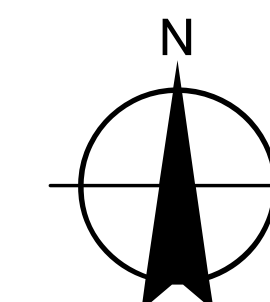
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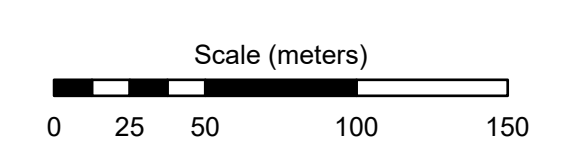
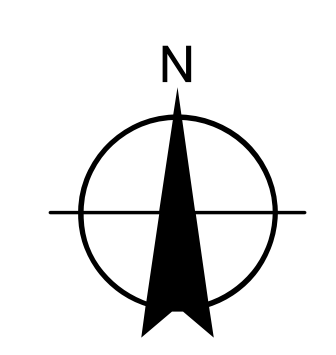




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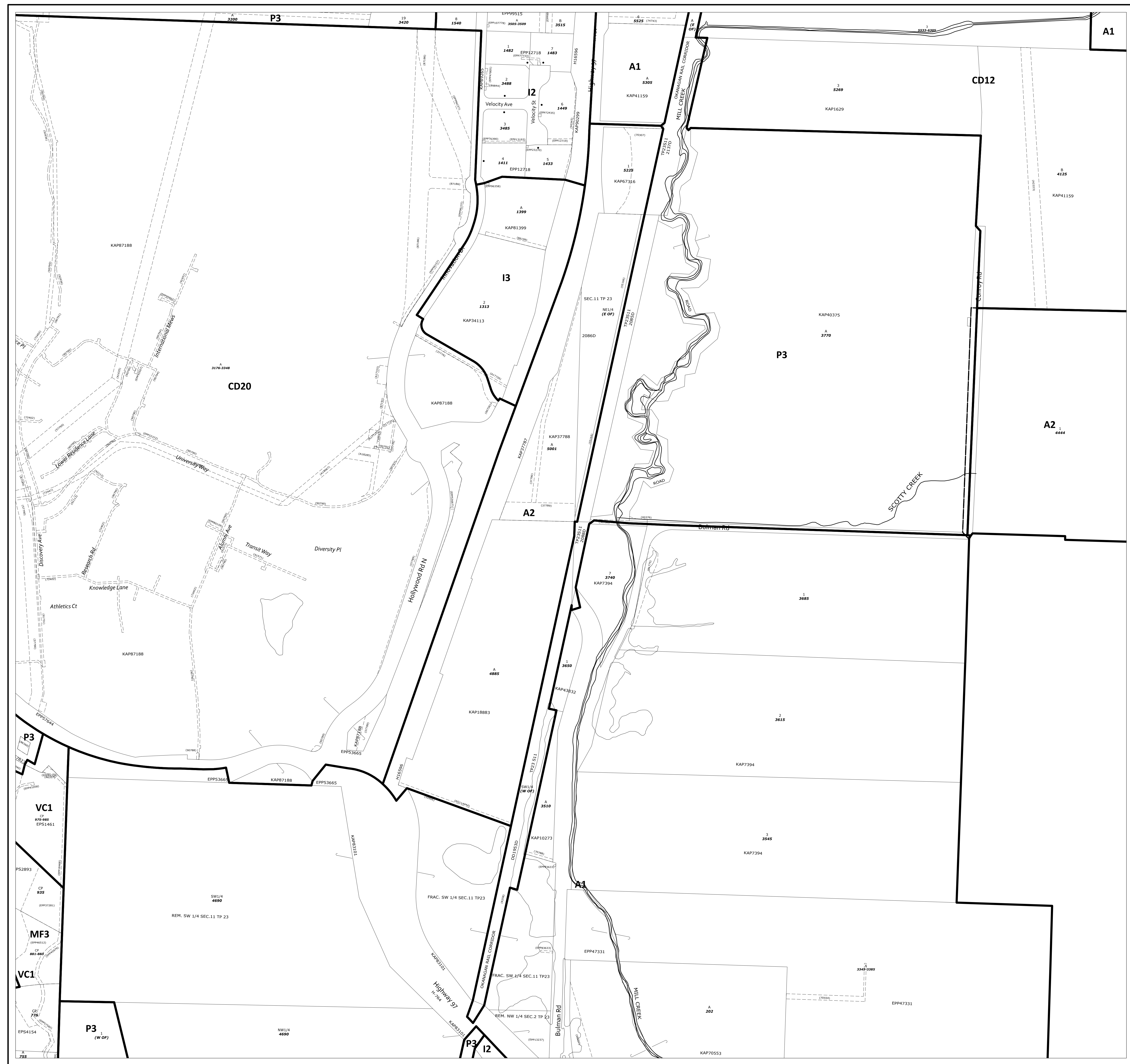
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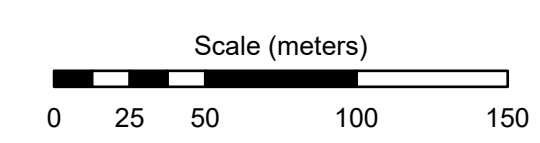
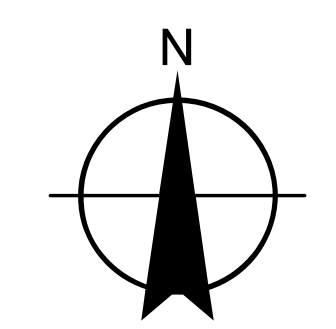
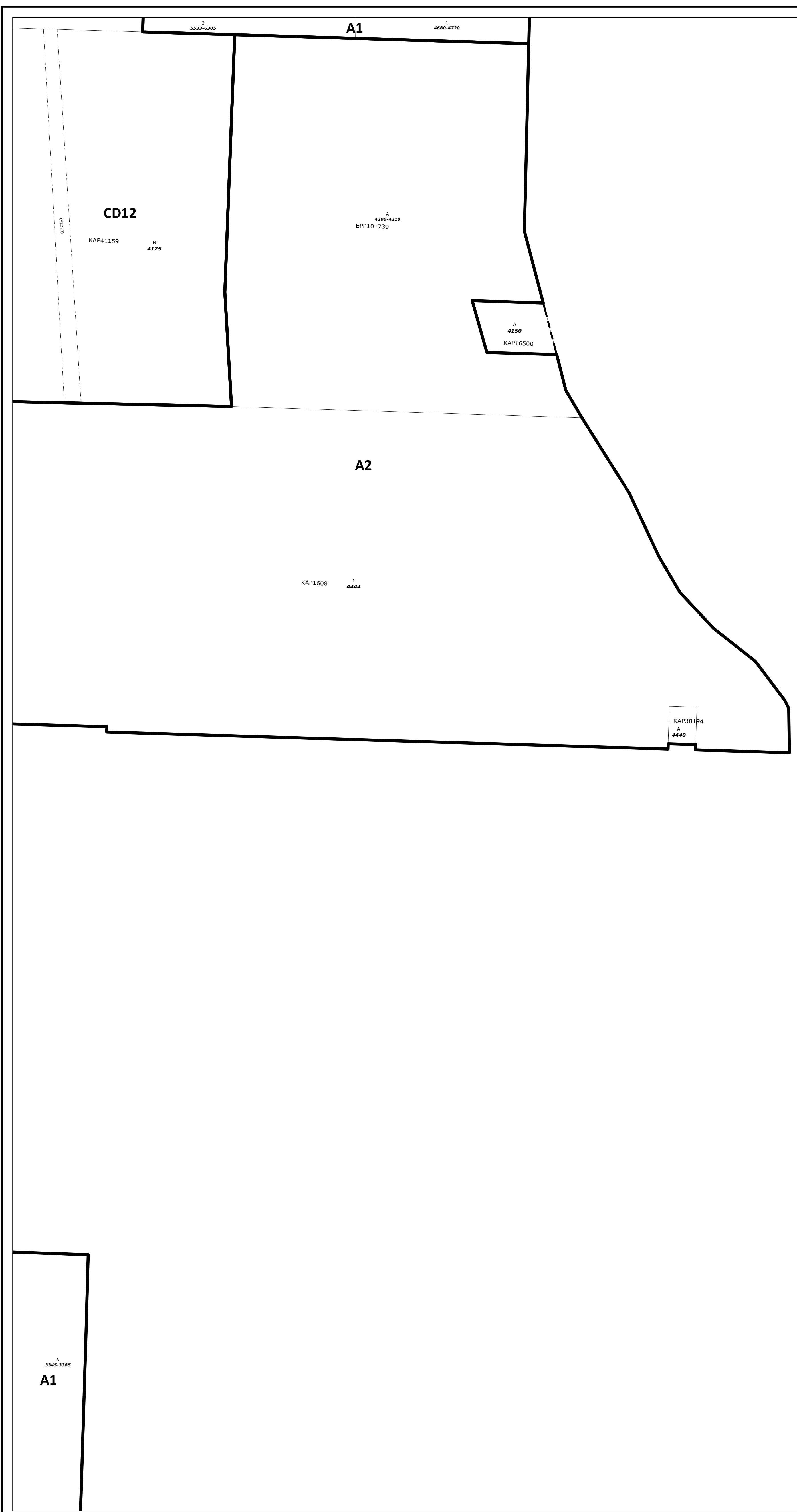
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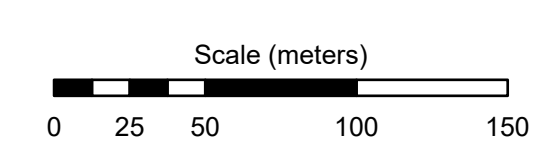
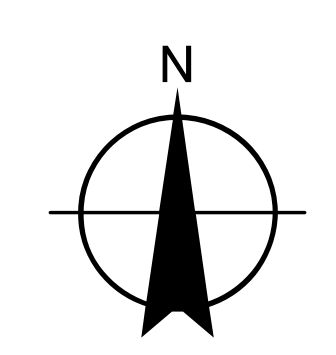
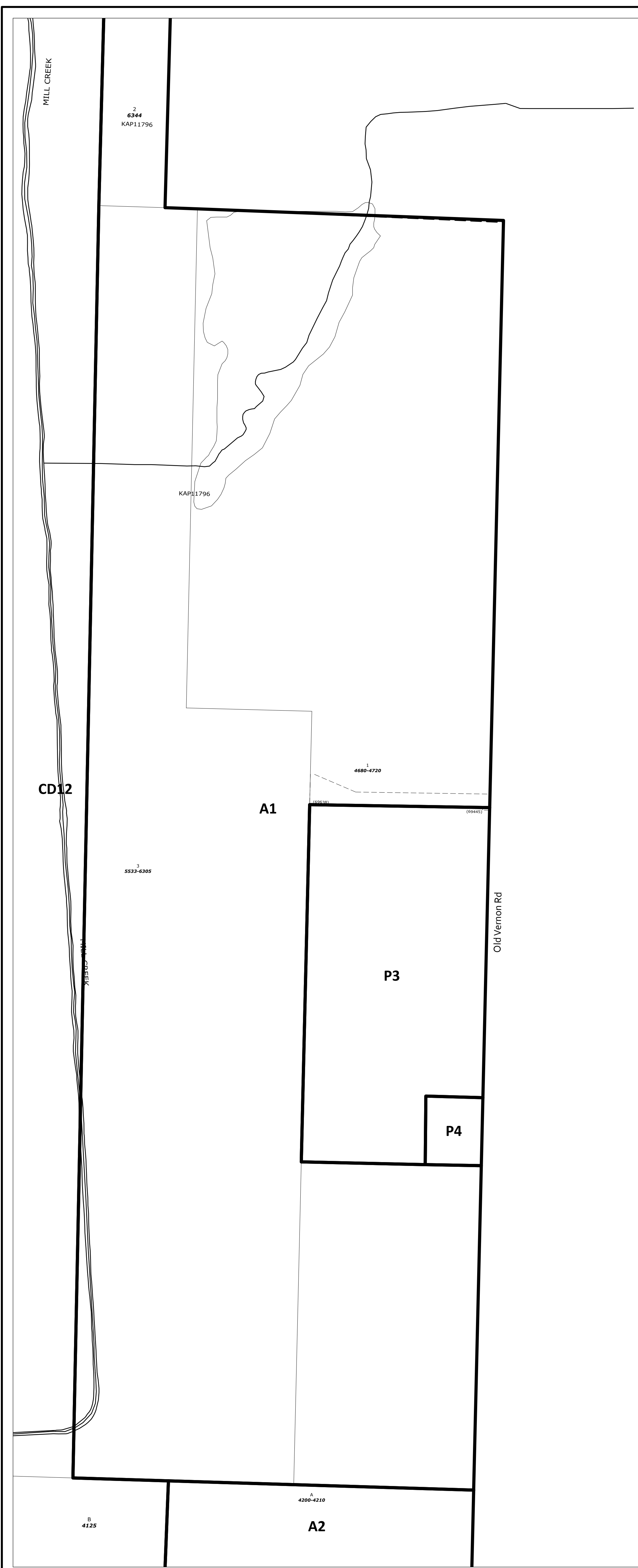
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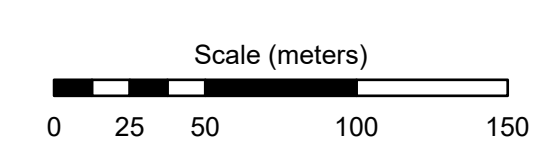
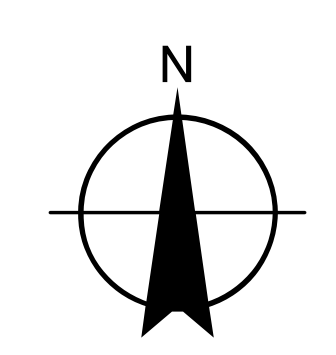
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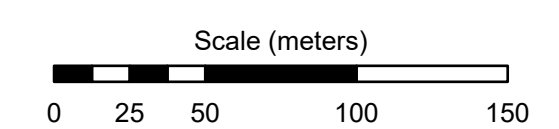
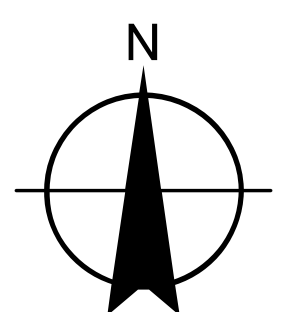
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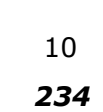


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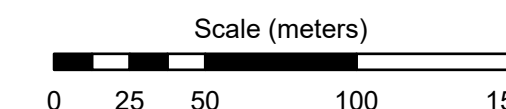
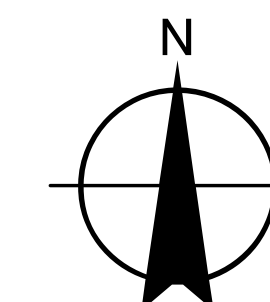
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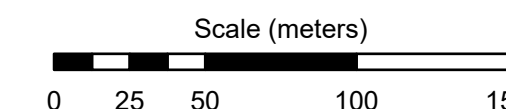
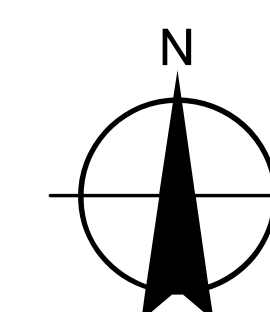
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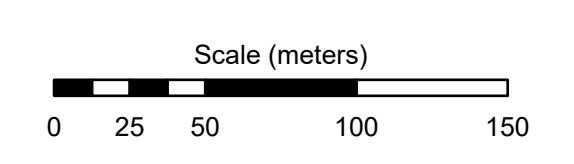
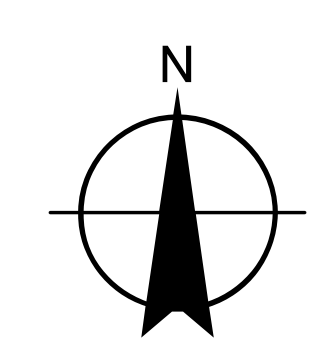
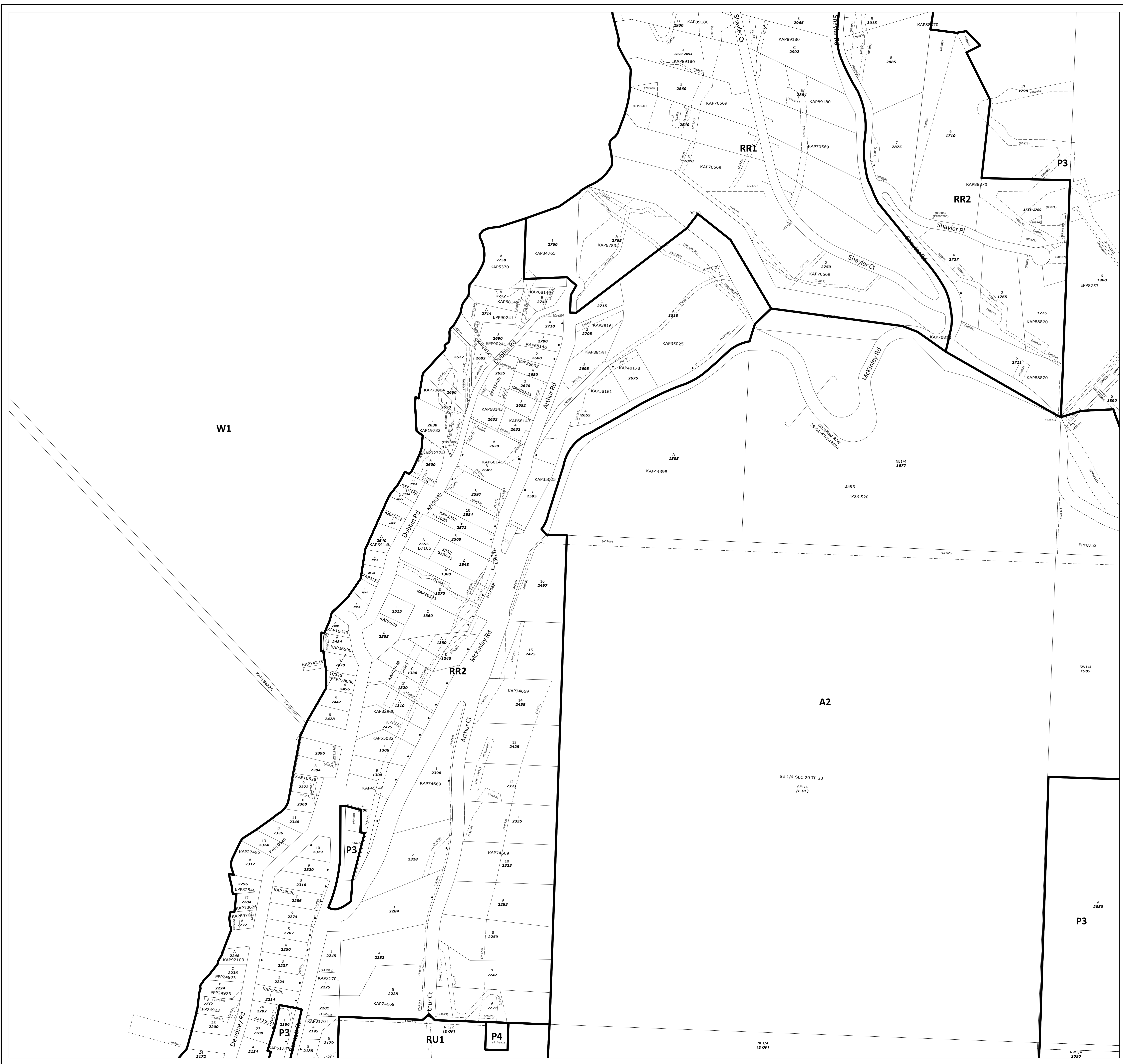
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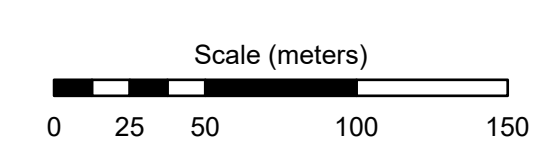
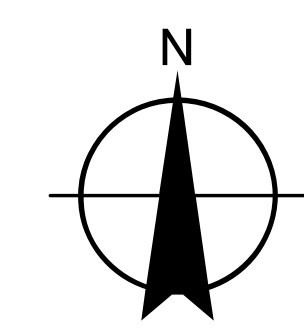
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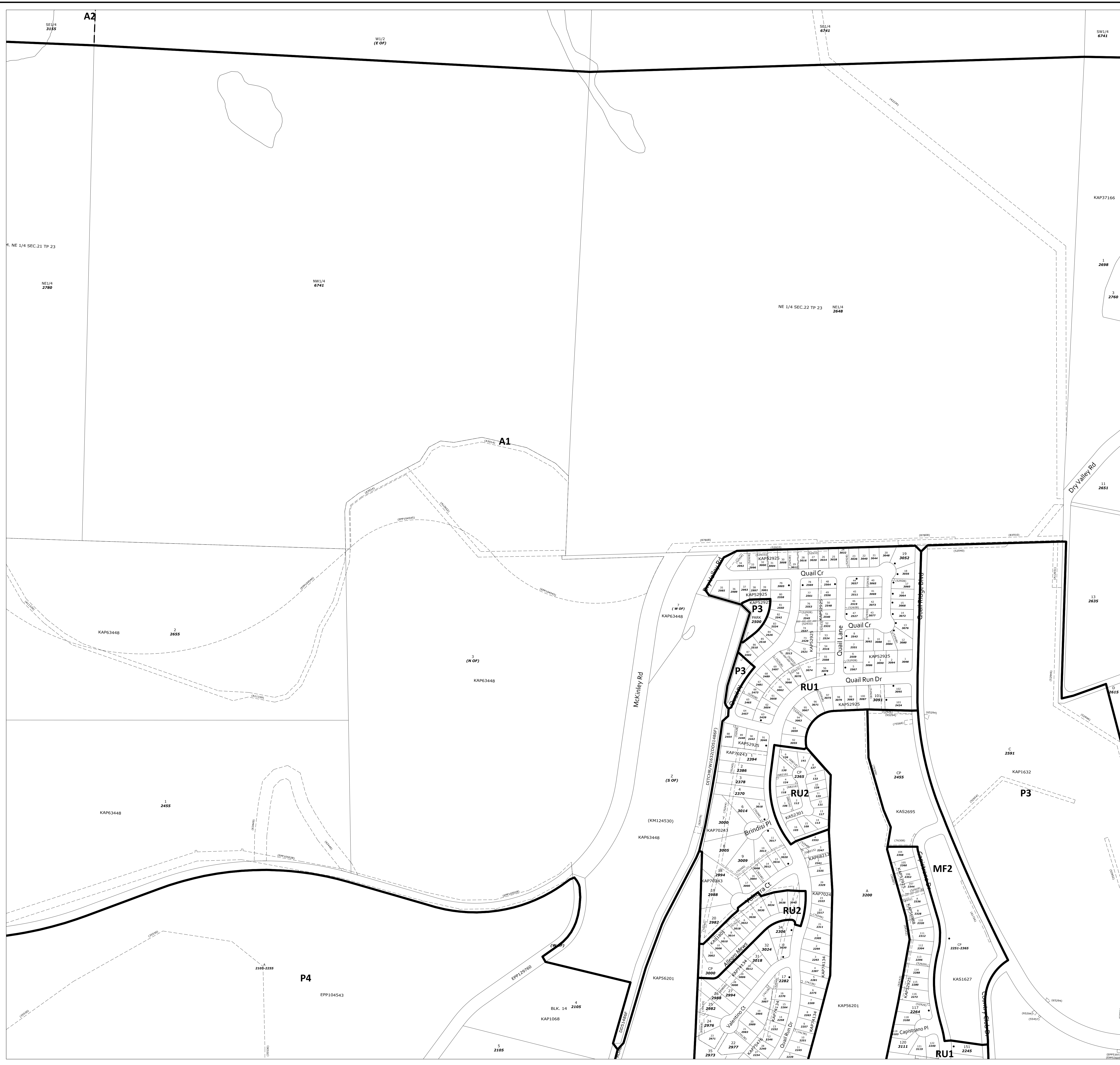
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Zoning Bylaw Mapping Amendments
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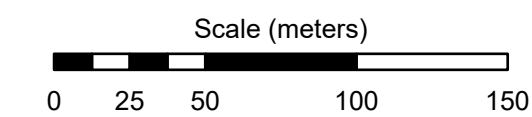
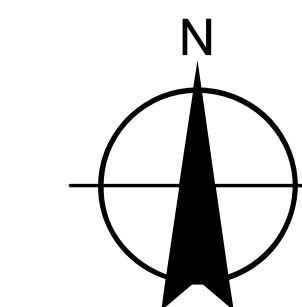
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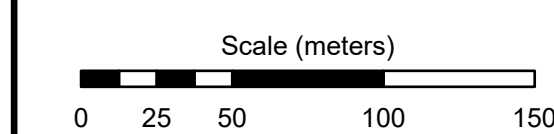
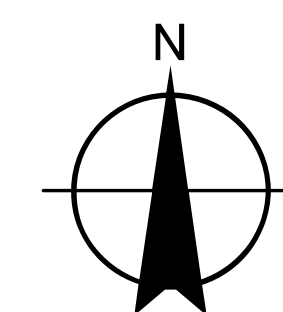
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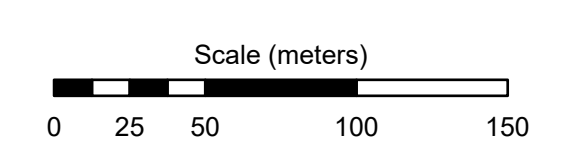
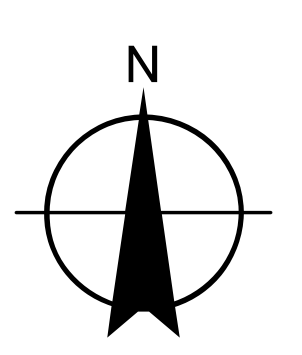
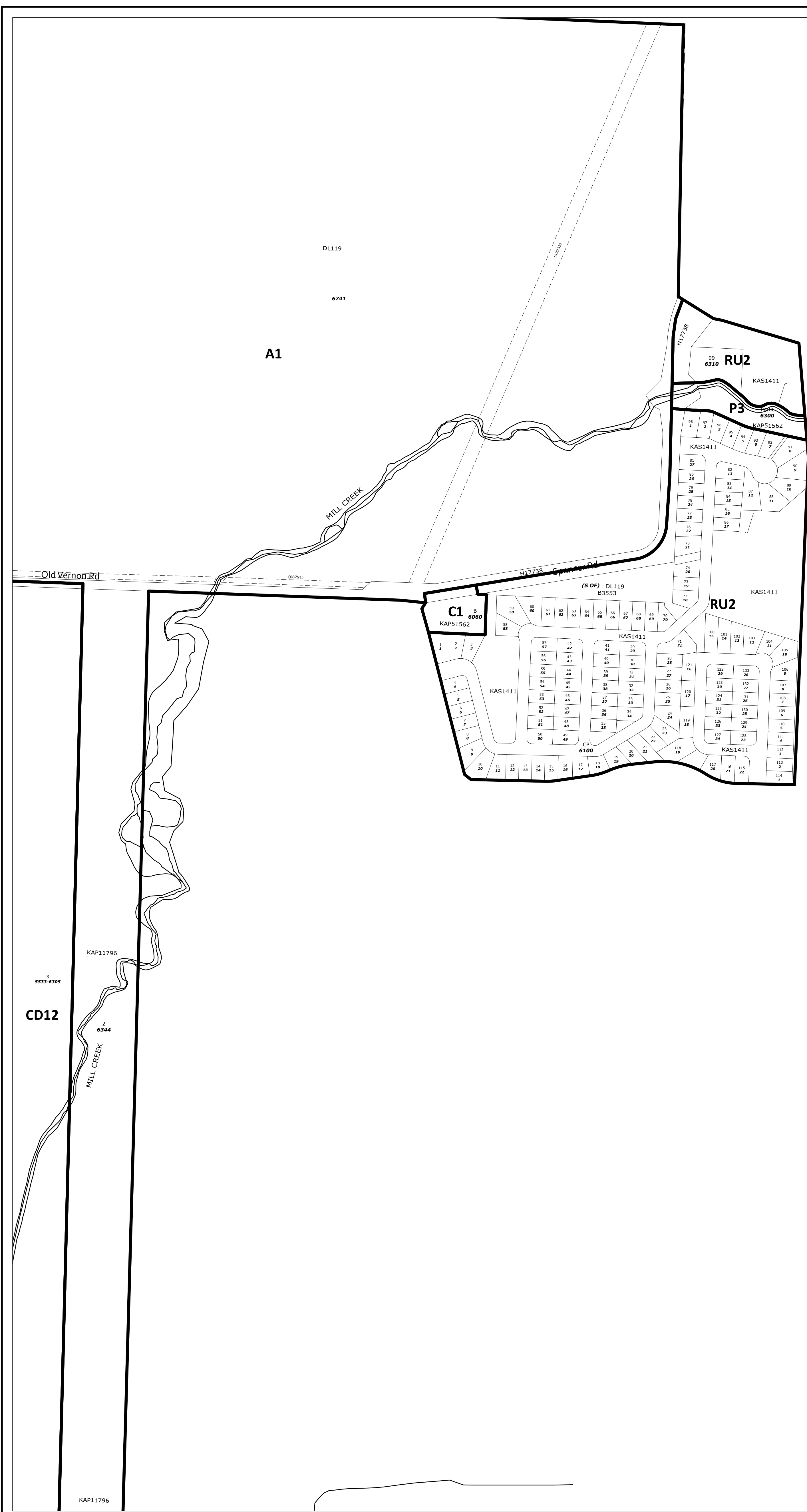
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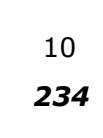


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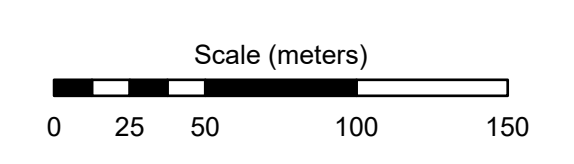
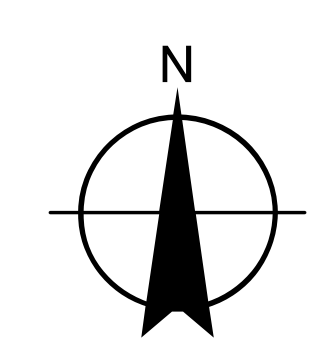
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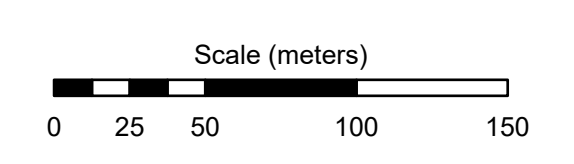
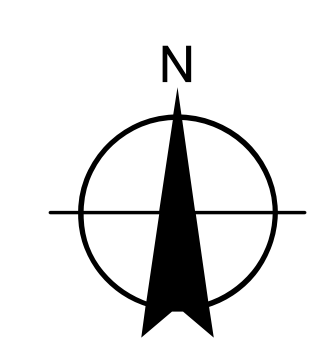
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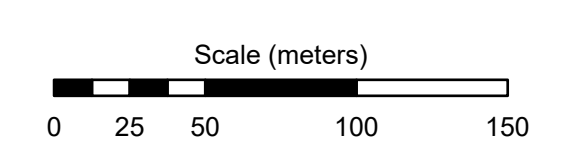
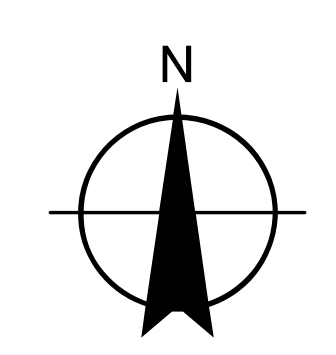
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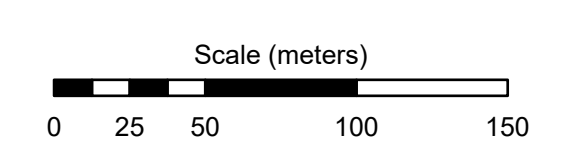
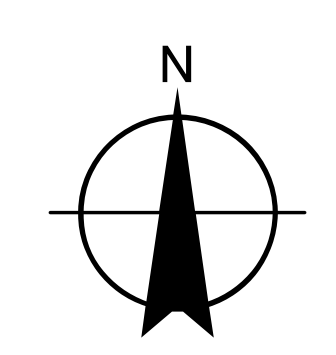
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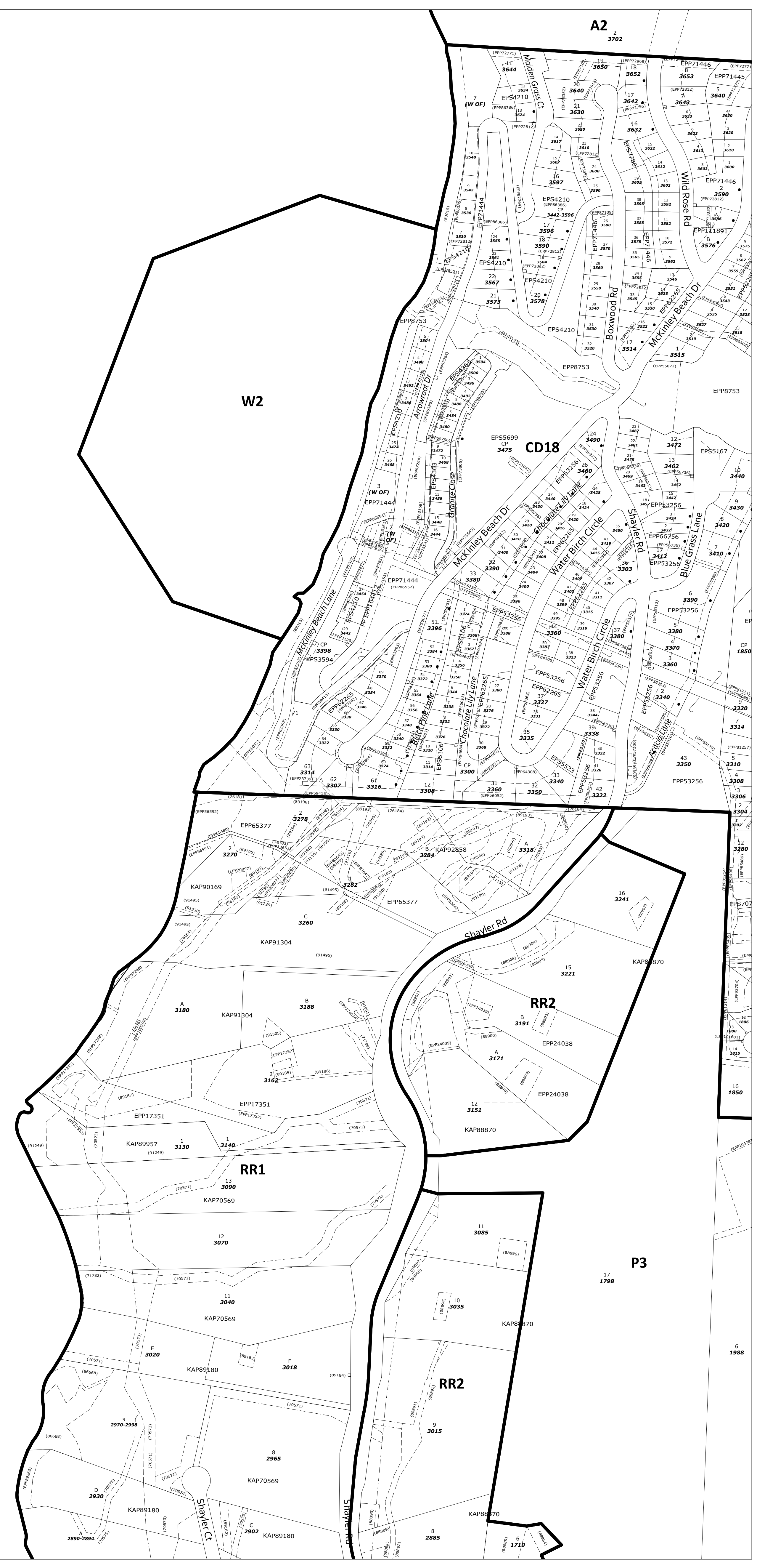


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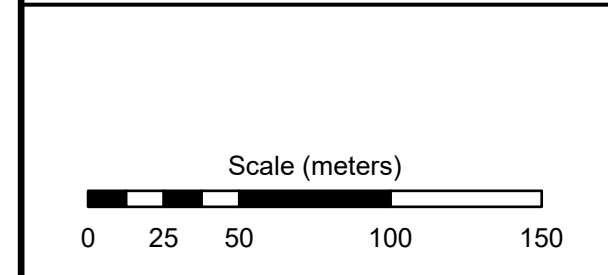
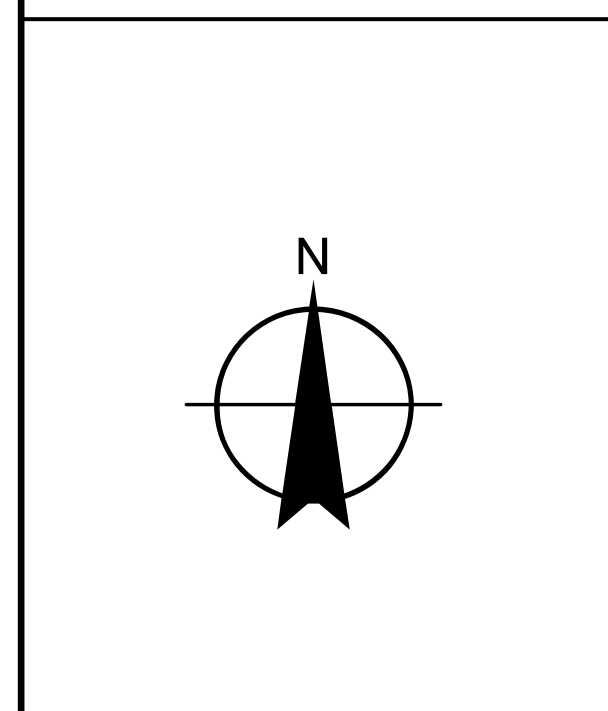
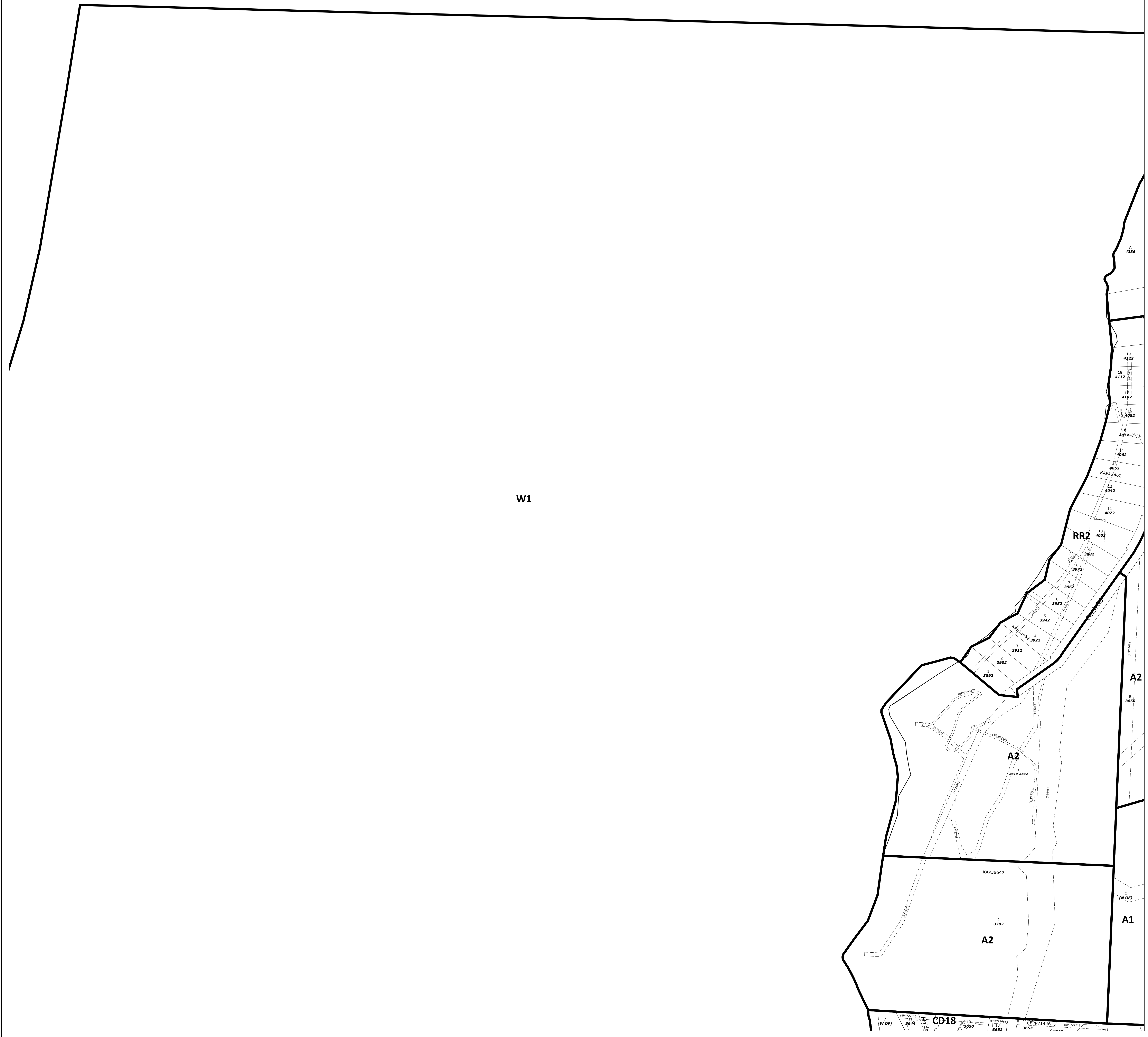


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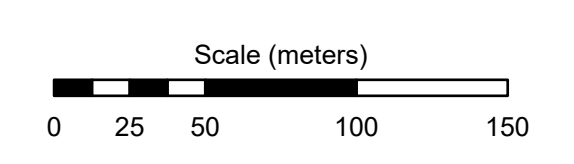
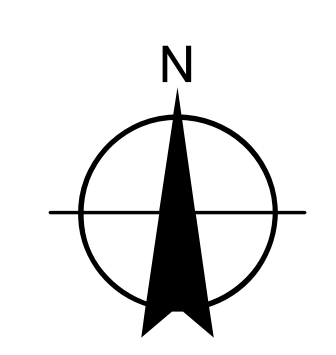
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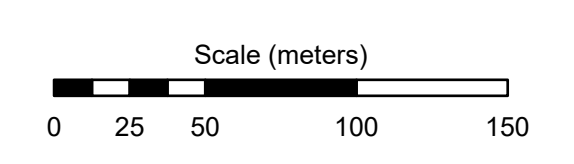
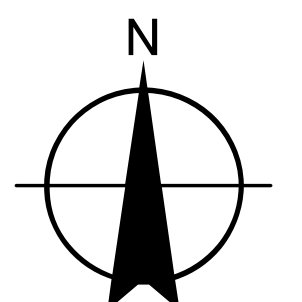
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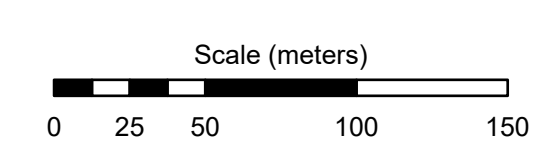
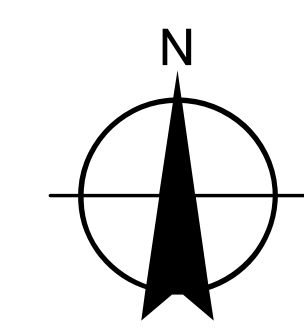
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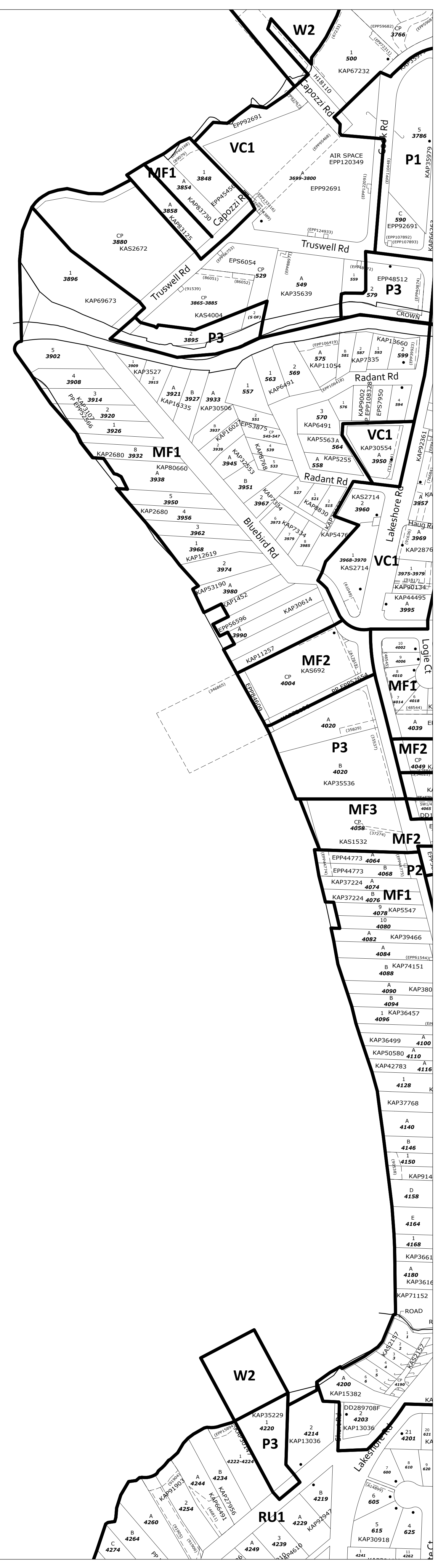
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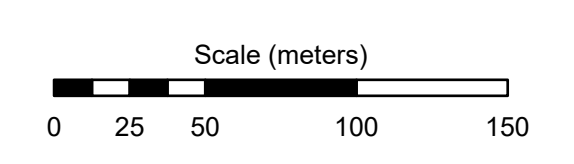
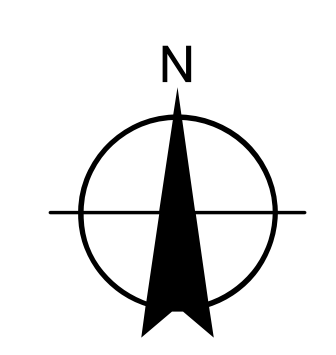
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Scale: 1:2500

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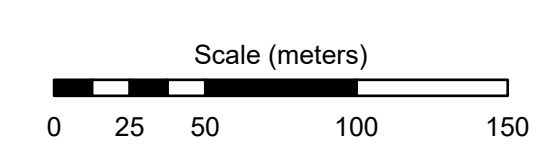
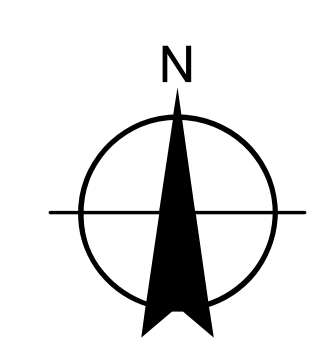
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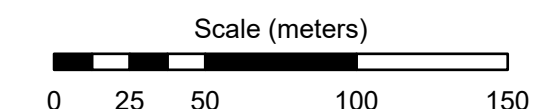
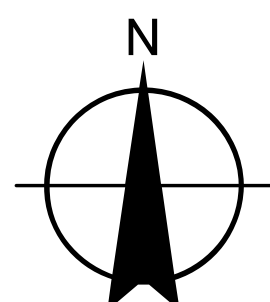
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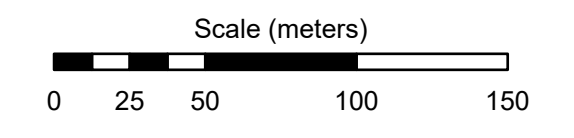
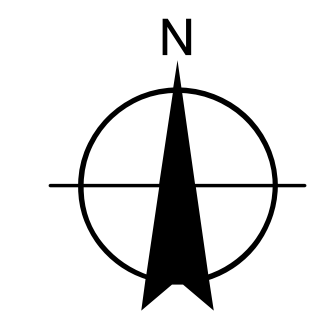
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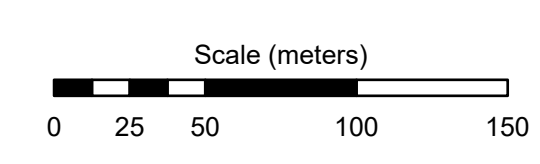
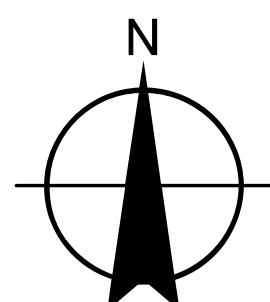
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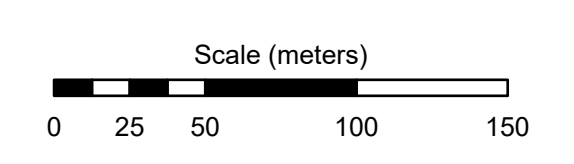
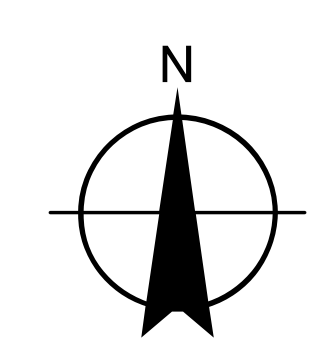
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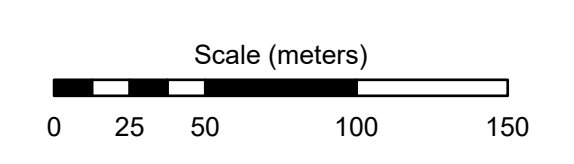
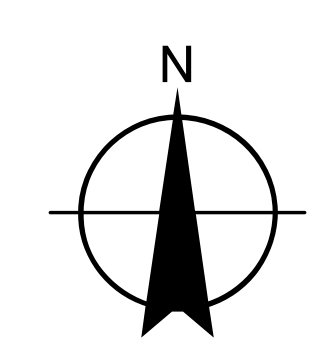
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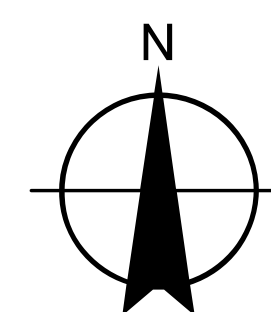
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ADDRESSES

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Scale (meters)
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Scale: 1:2500

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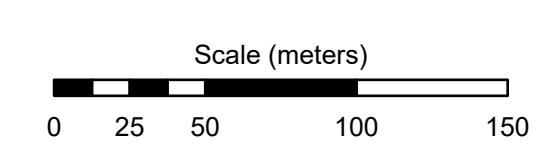
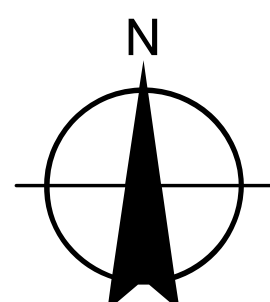
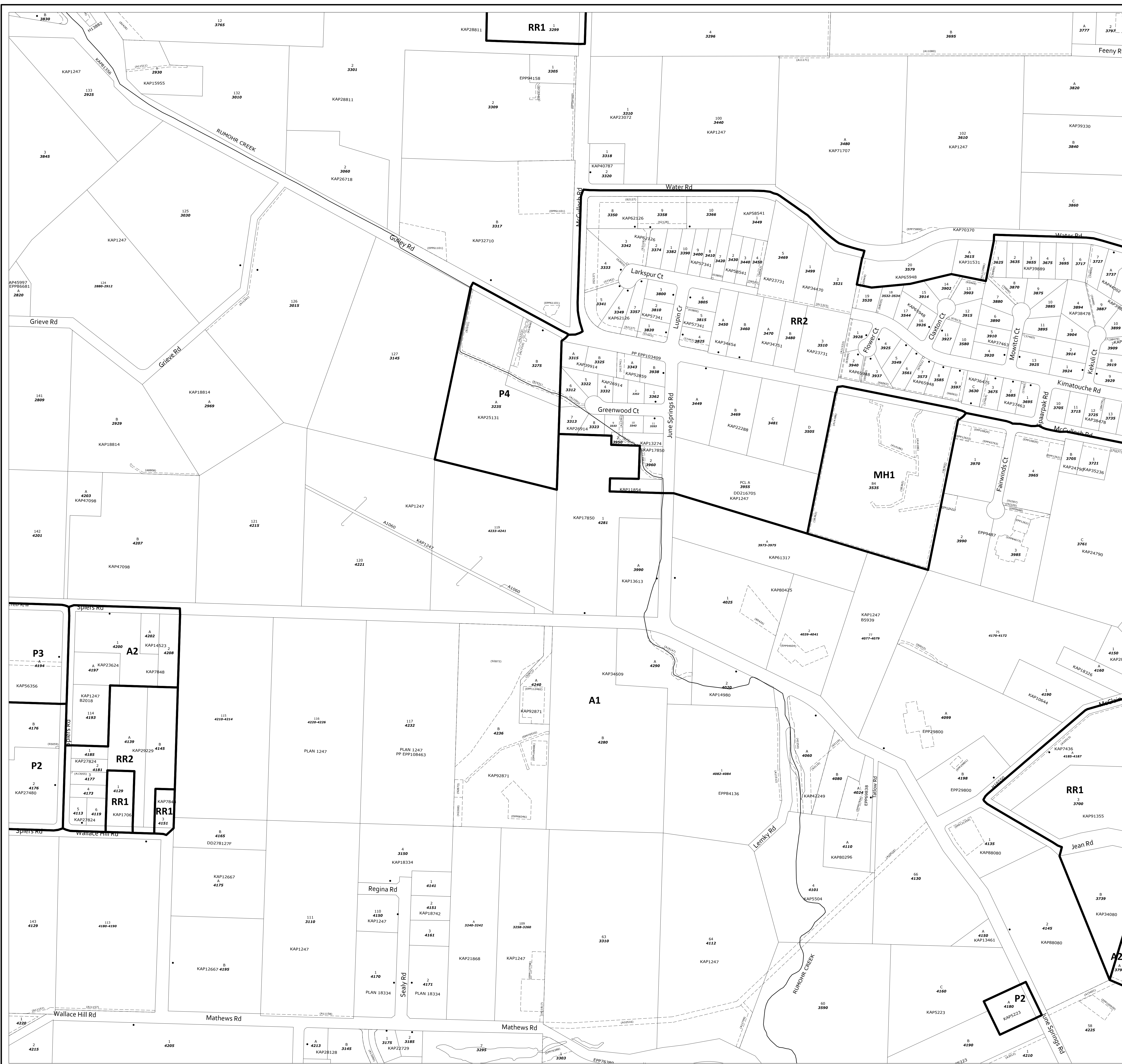
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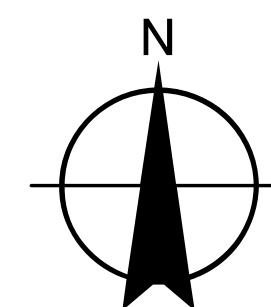
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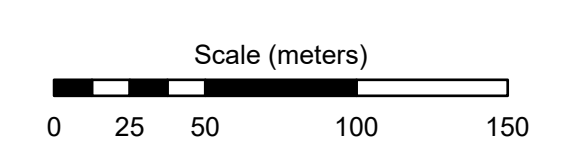
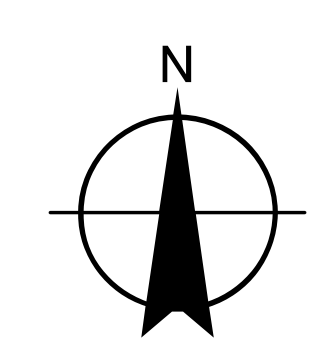
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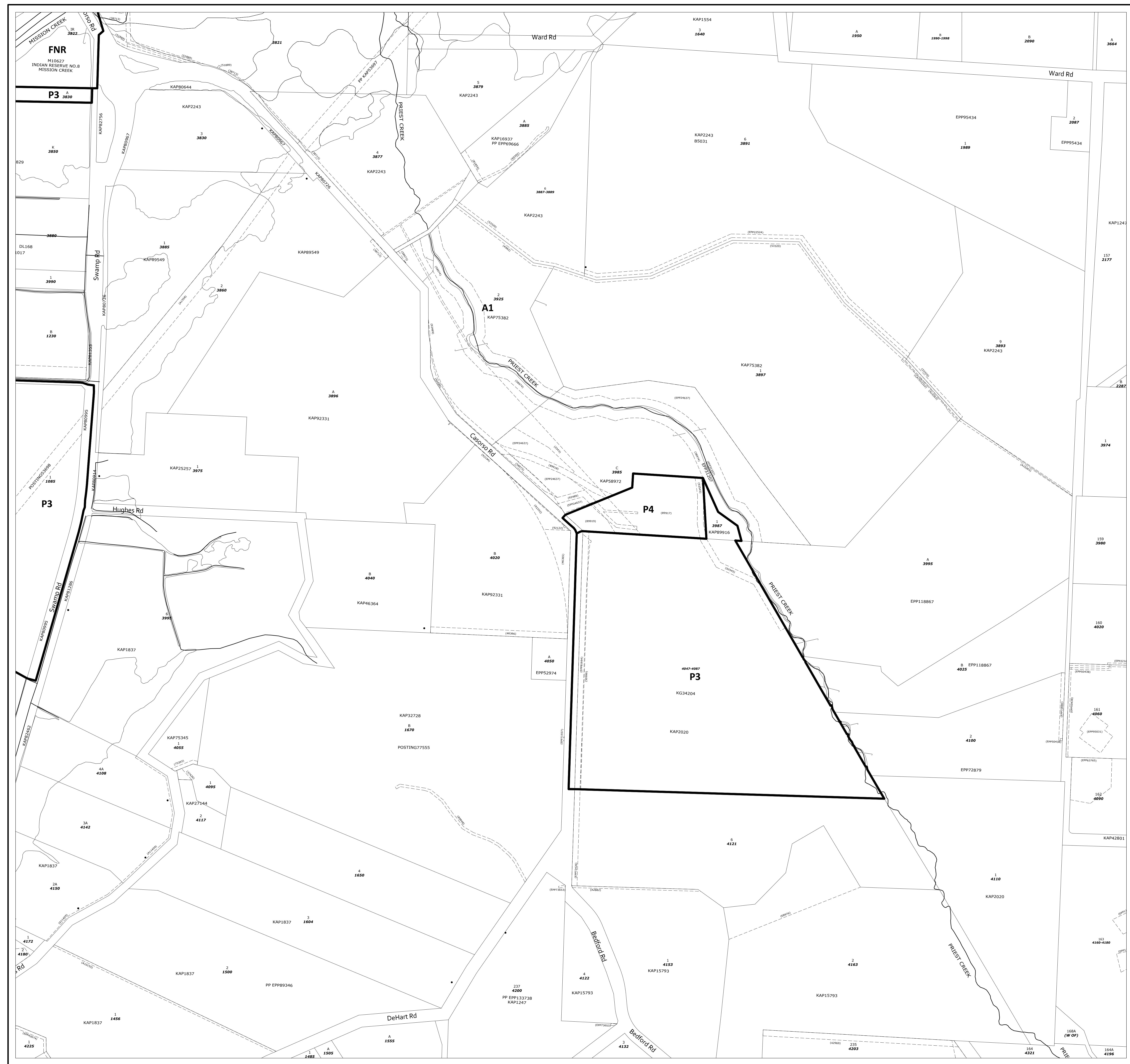


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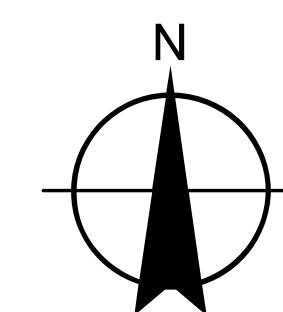
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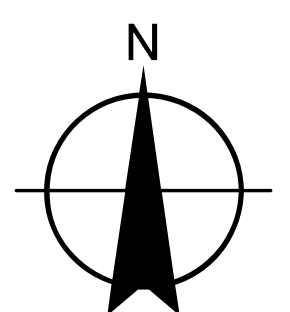
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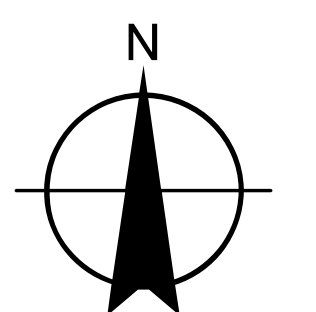
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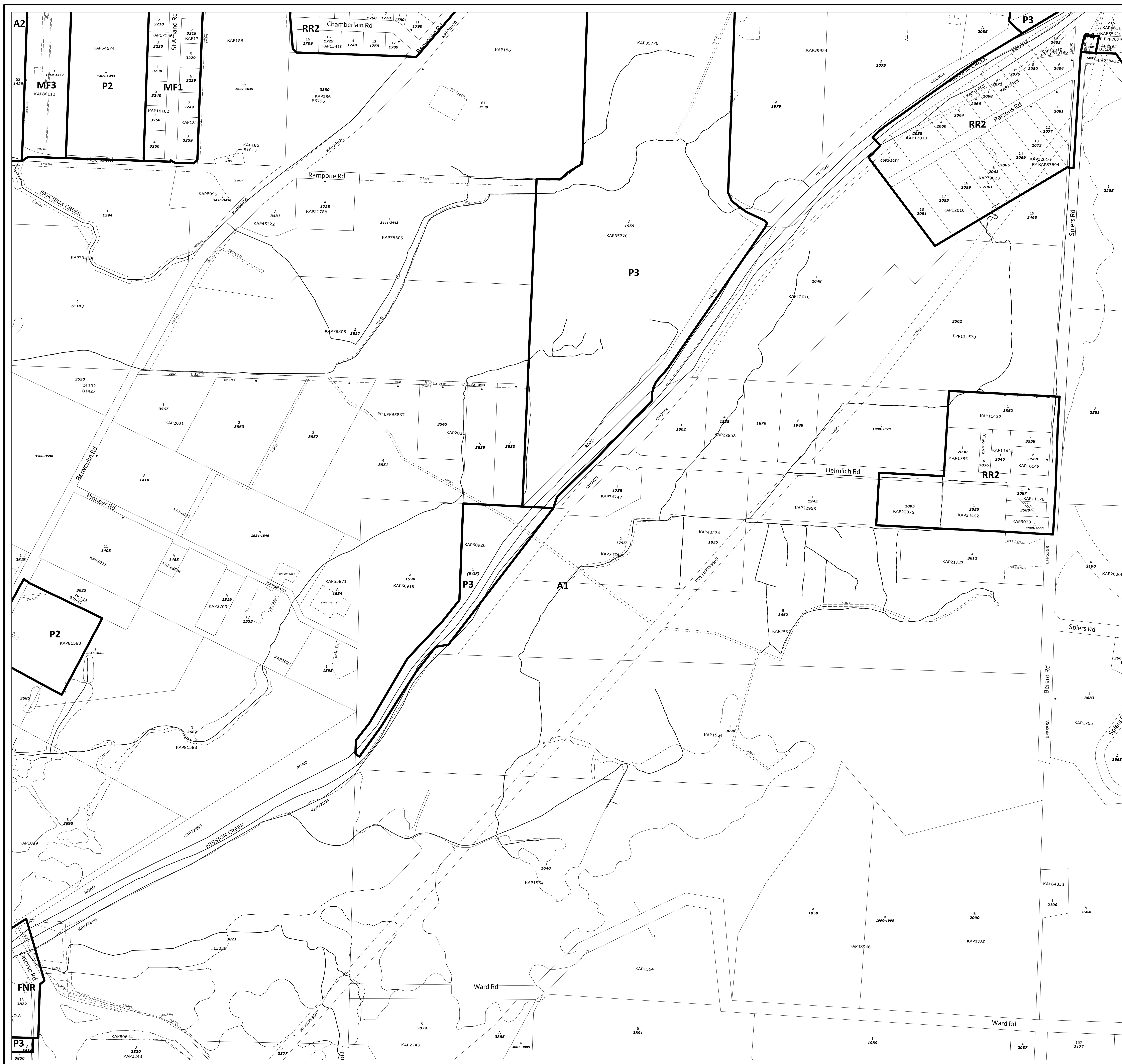


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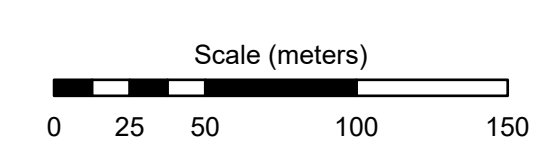
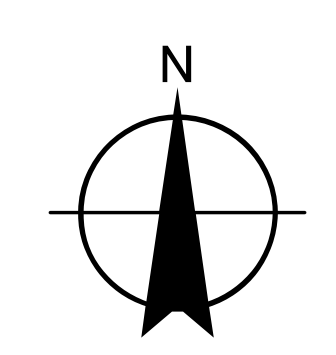




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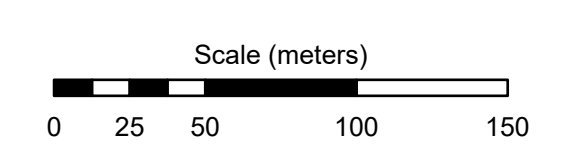
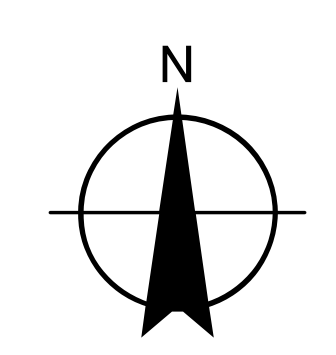
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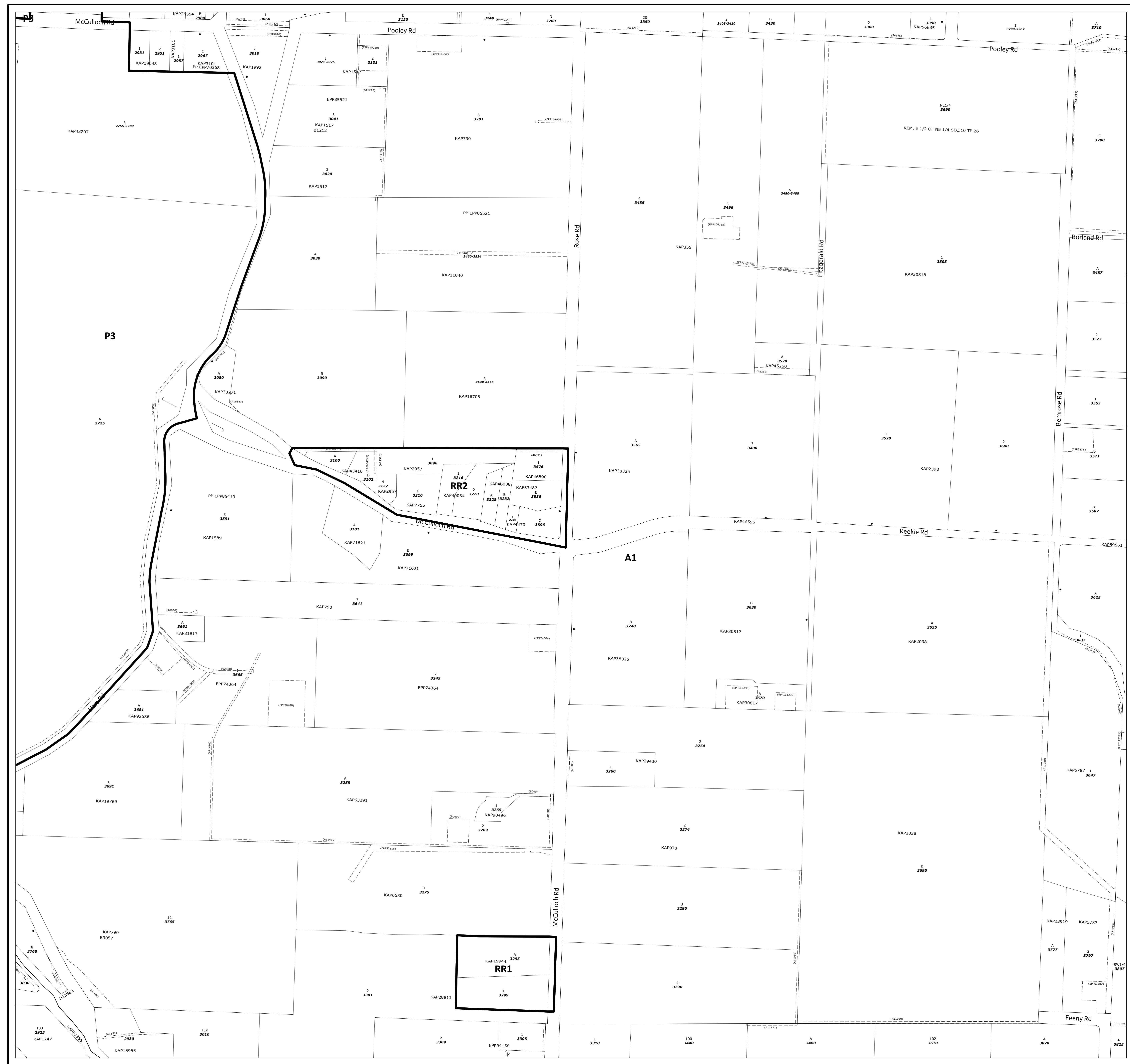


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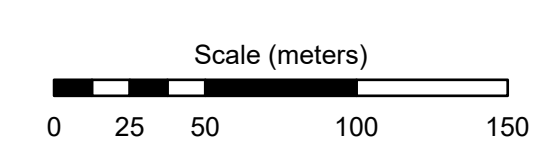
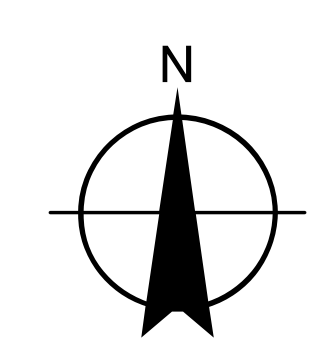
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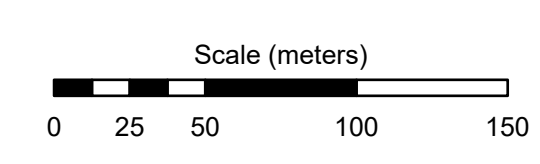
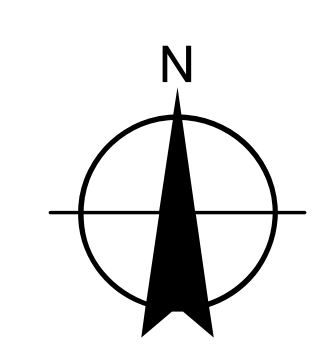
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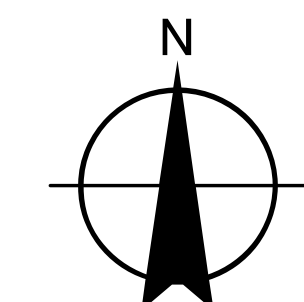
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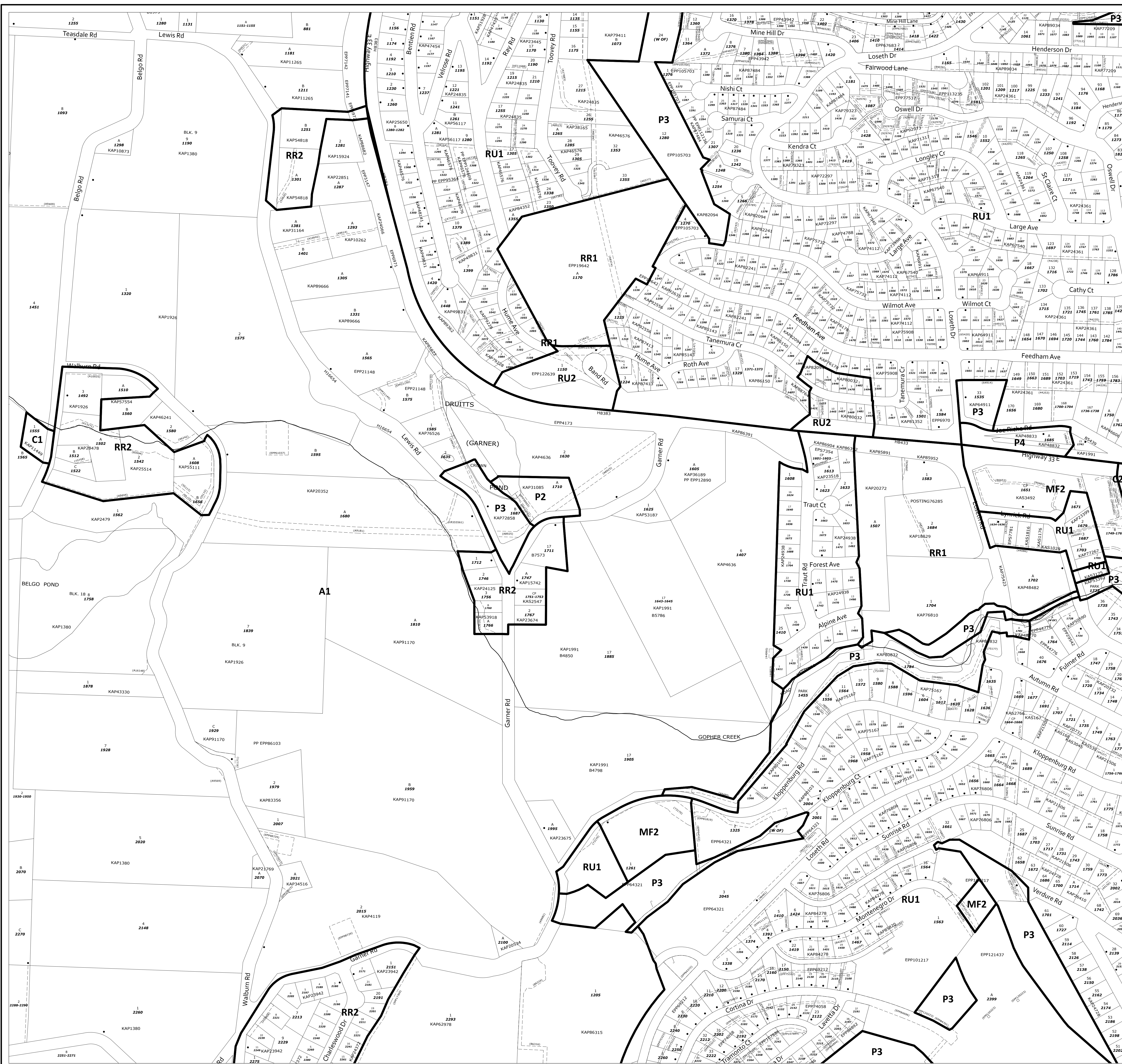


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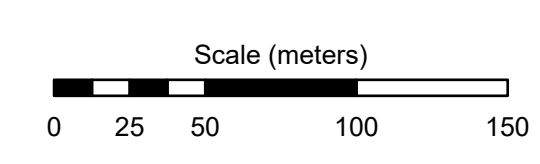
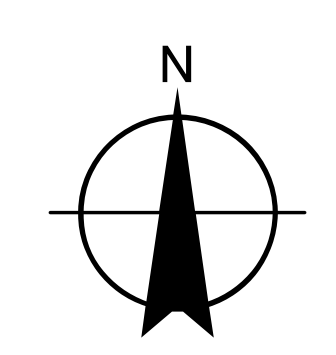
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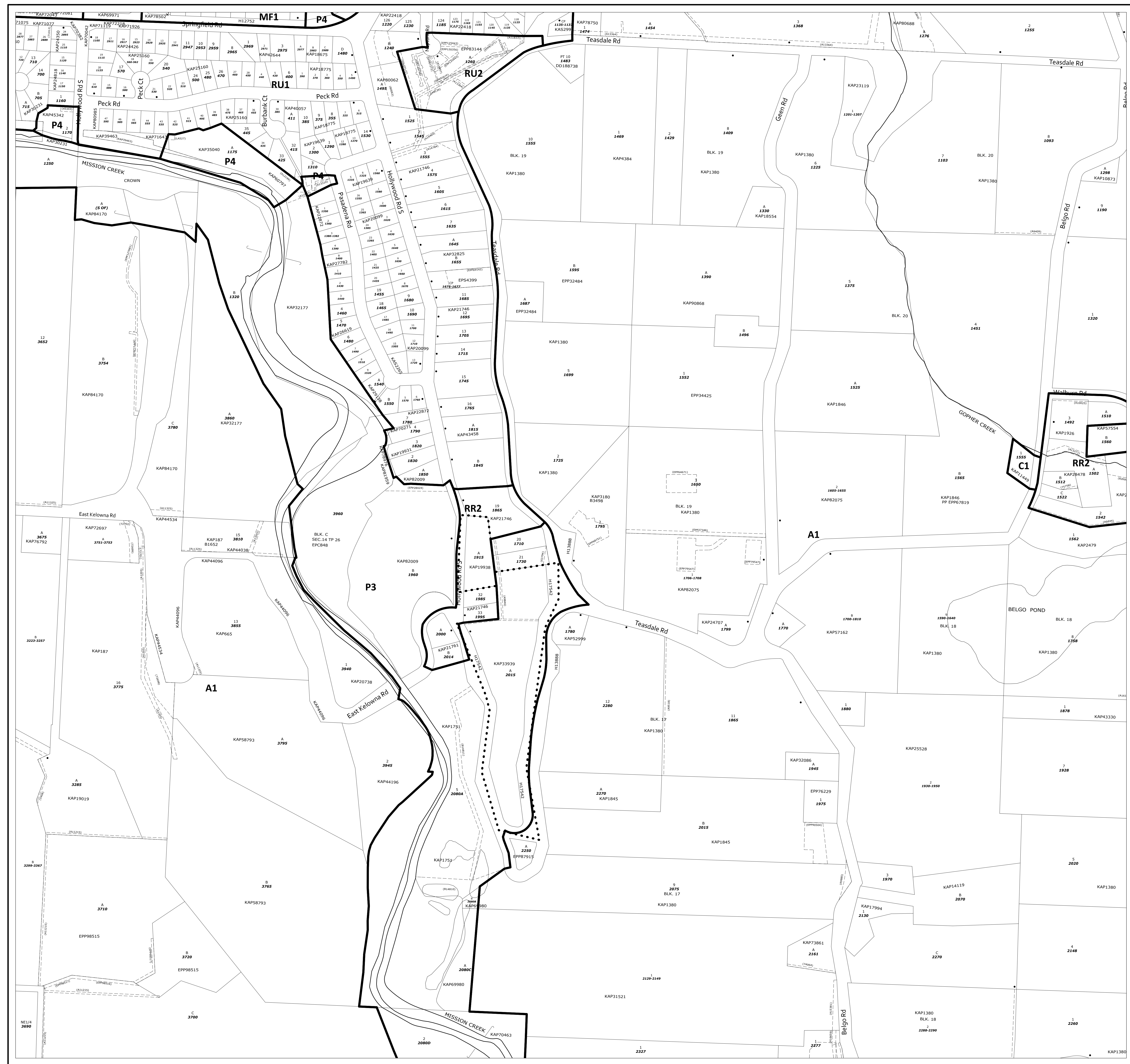


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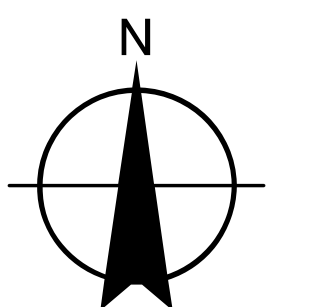
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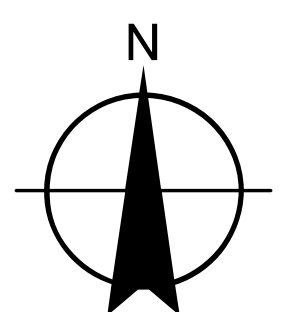
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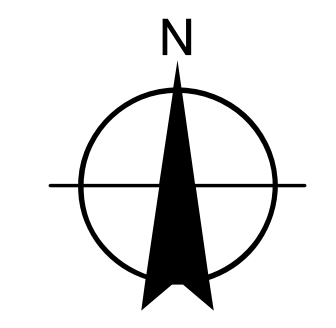




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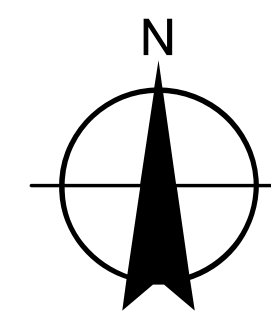
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ADDRESSES

10 Lot Number
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Indicates Address Fronting Street

City Boundary

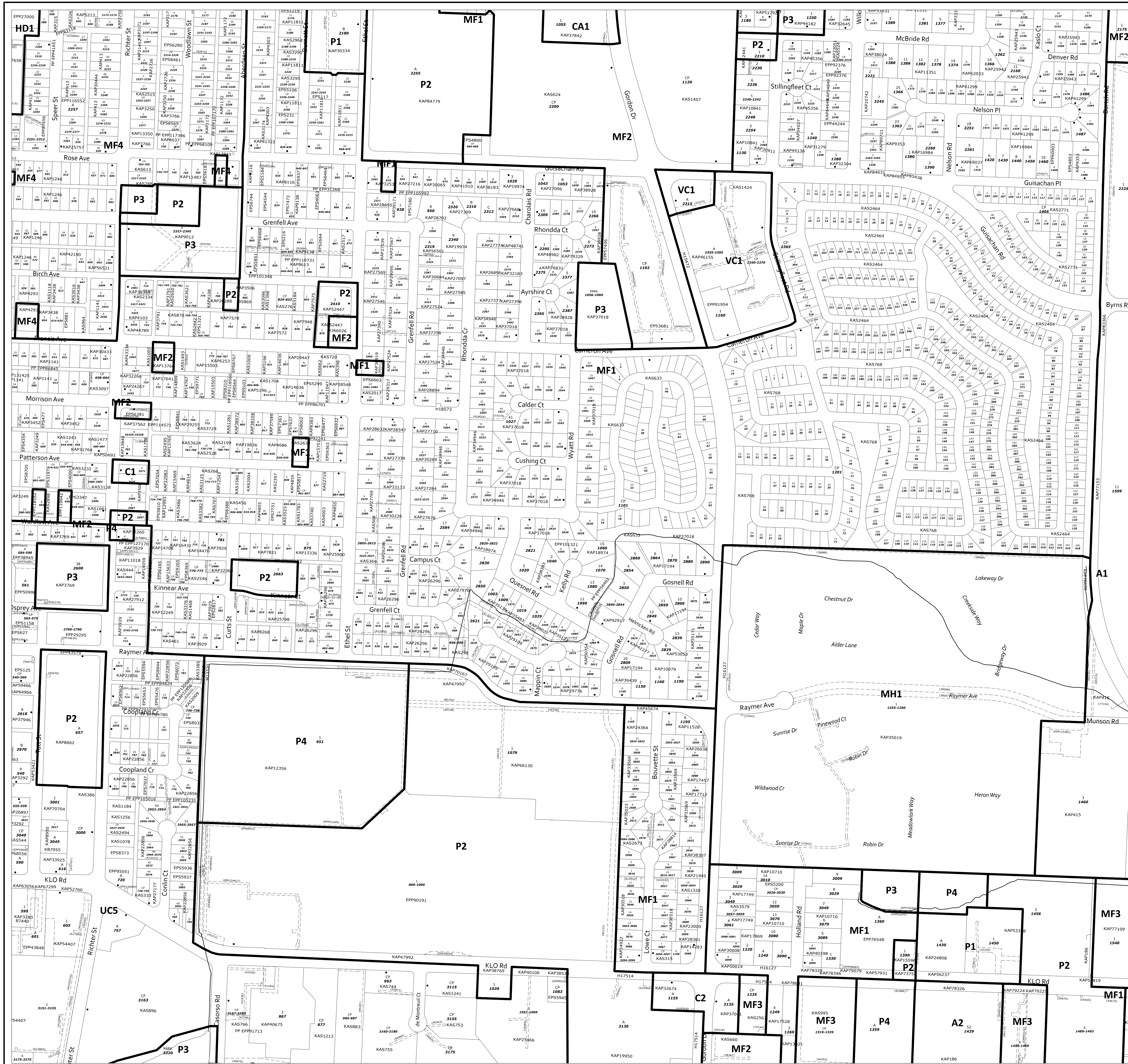


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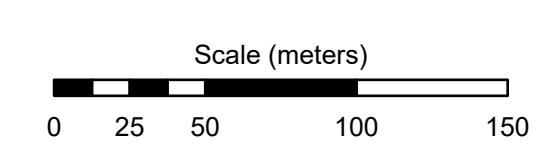
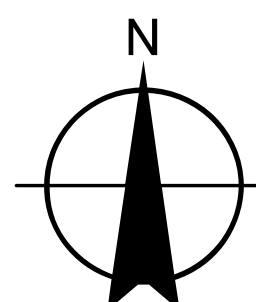
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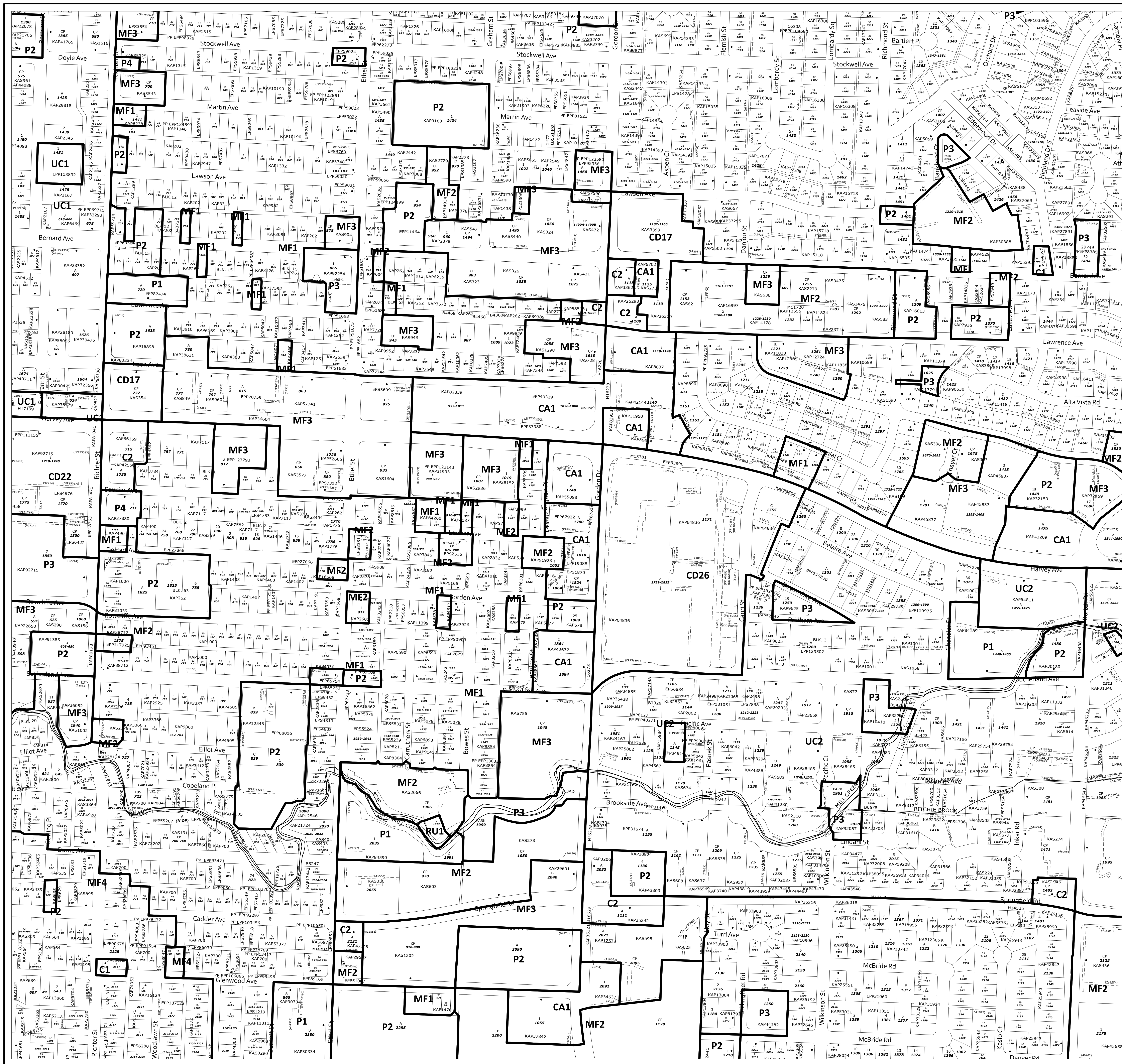
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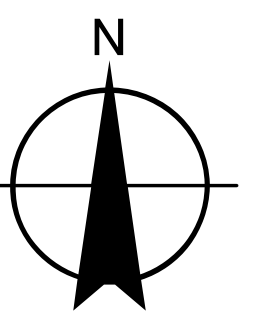
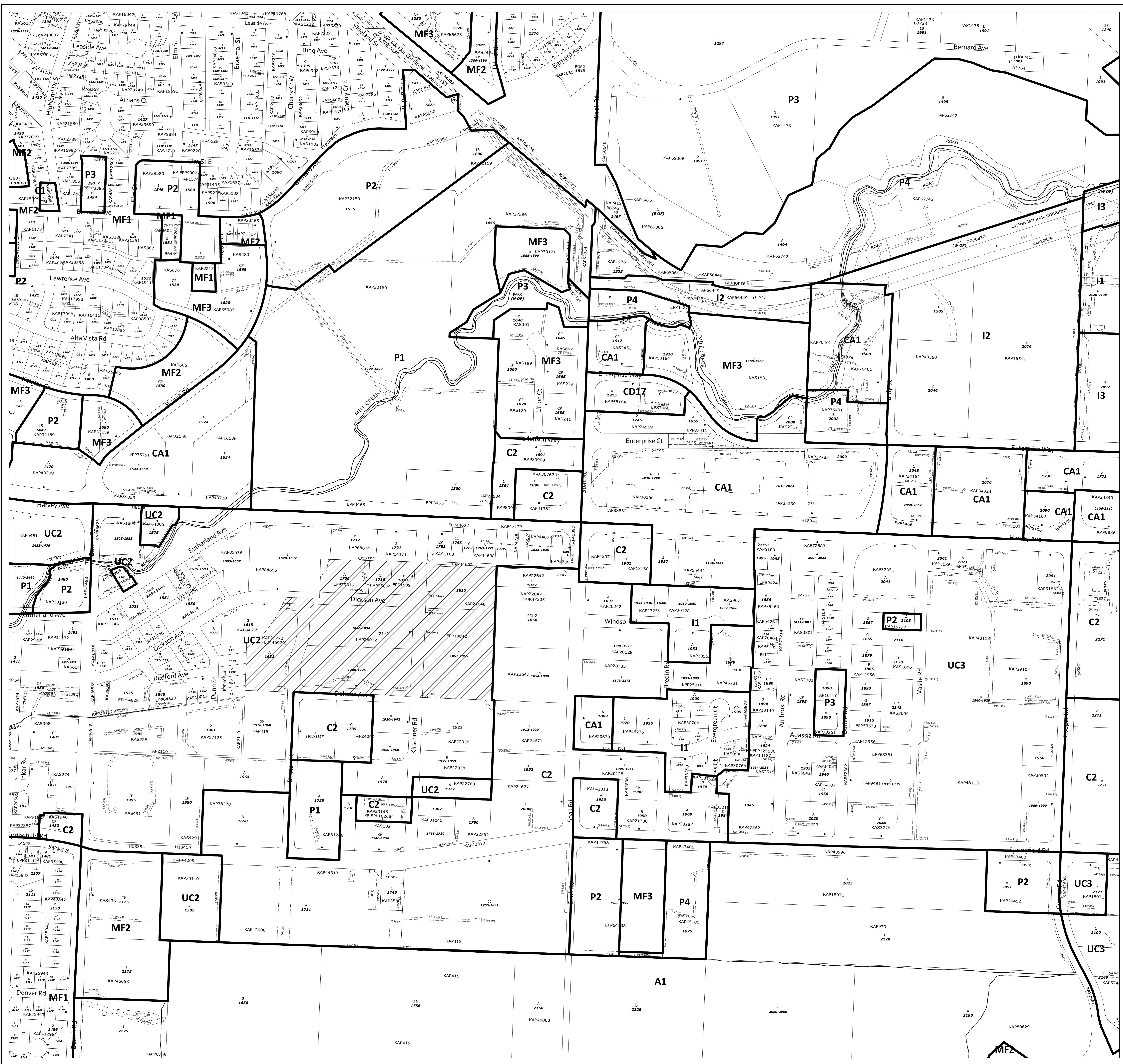




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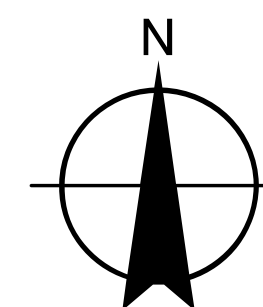
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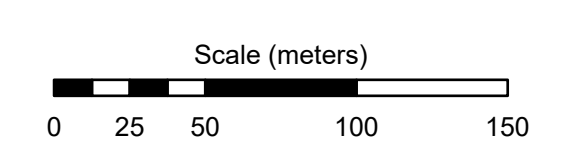
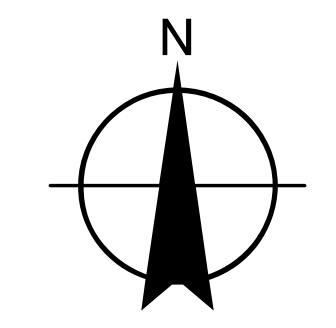
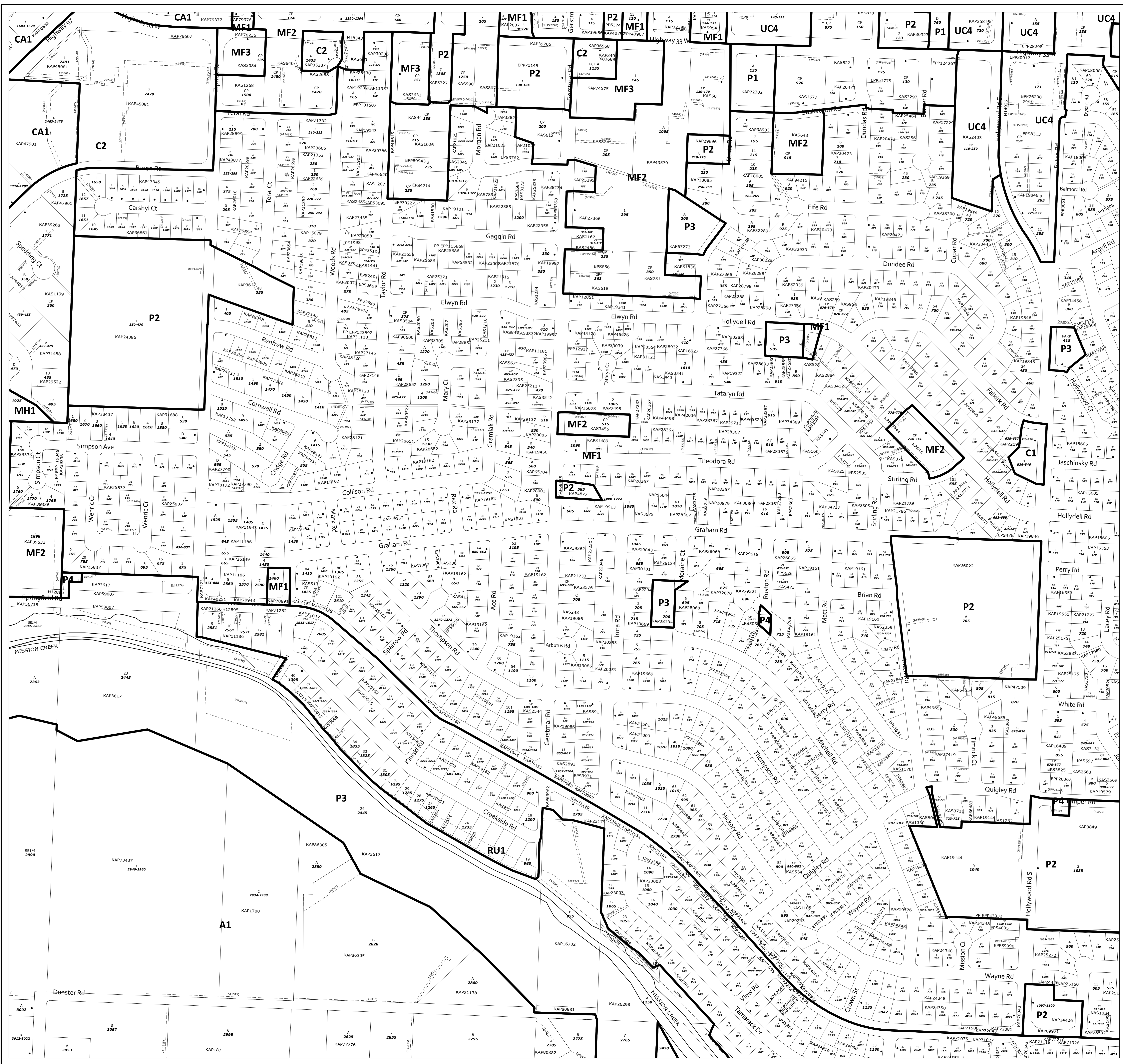
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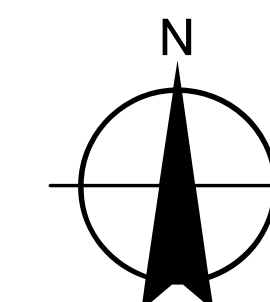
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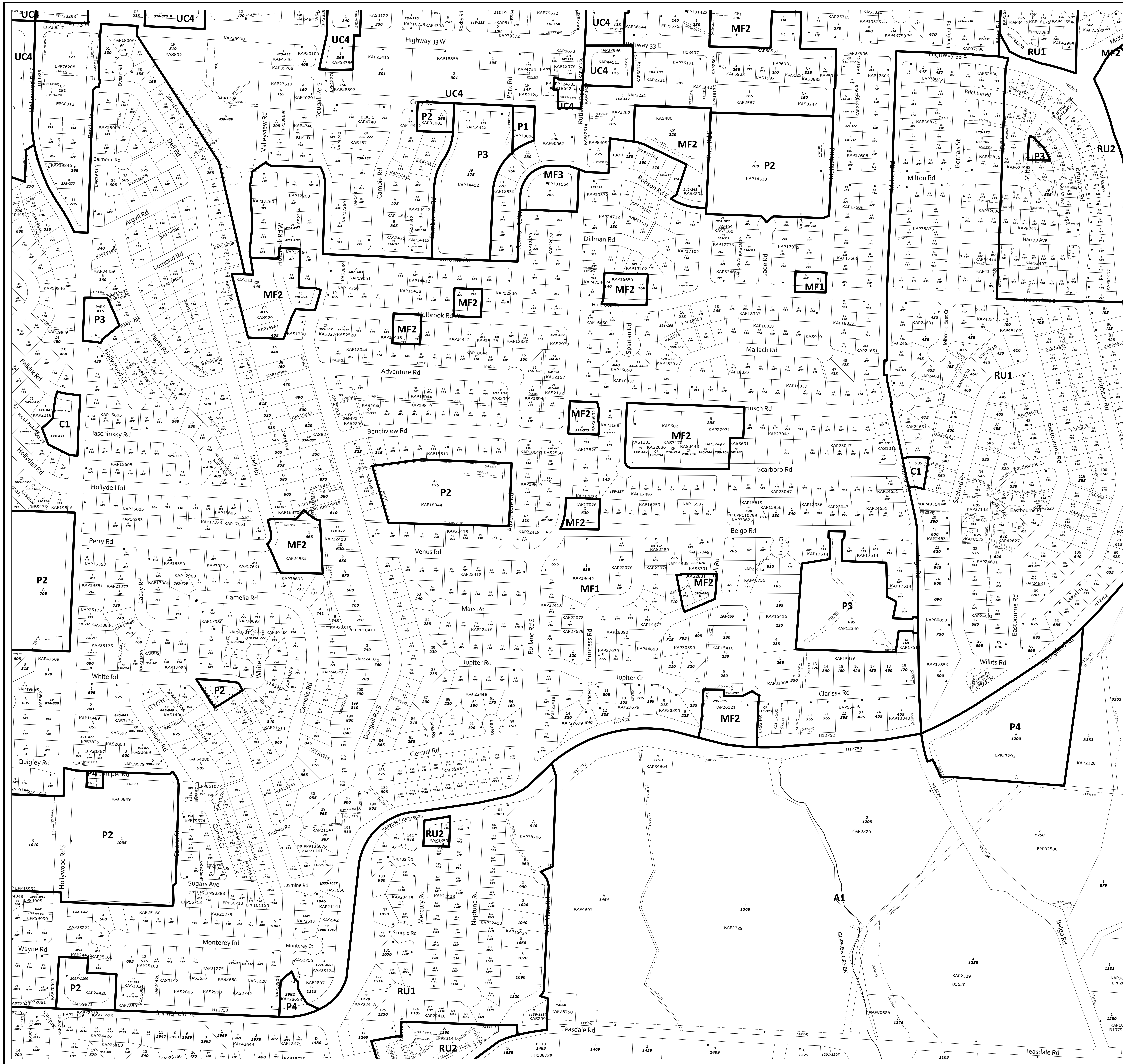


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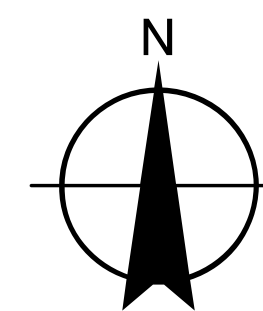
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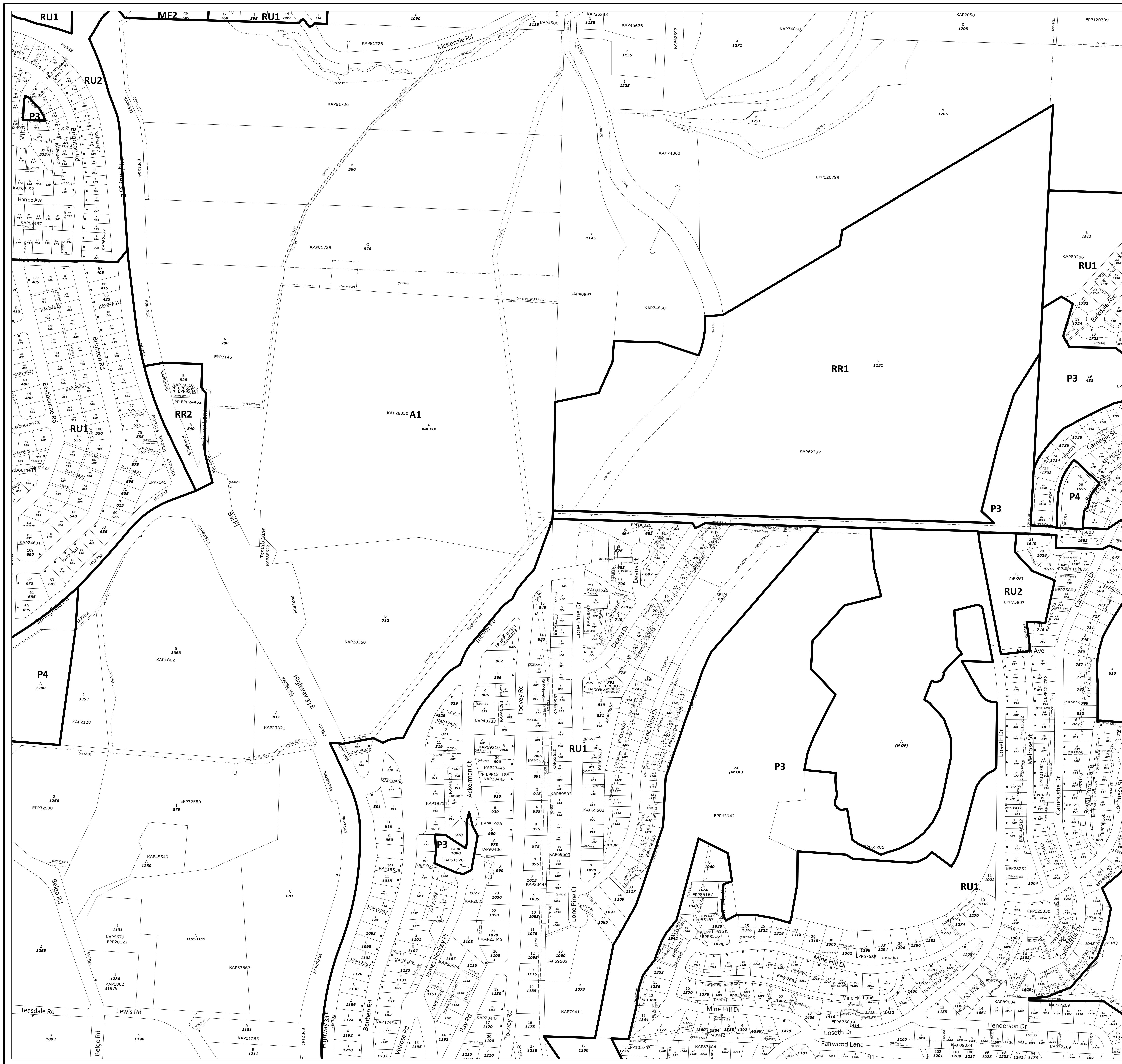


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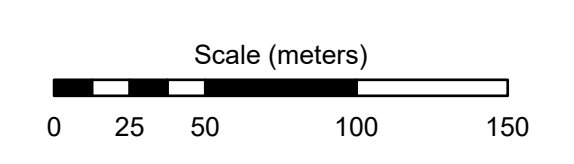
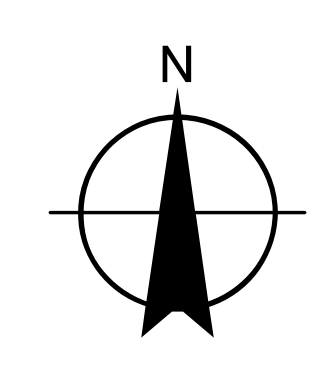
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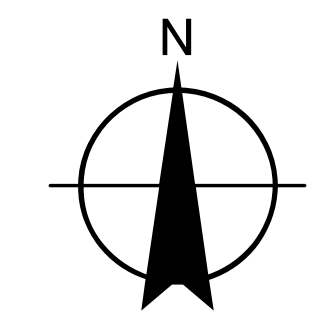
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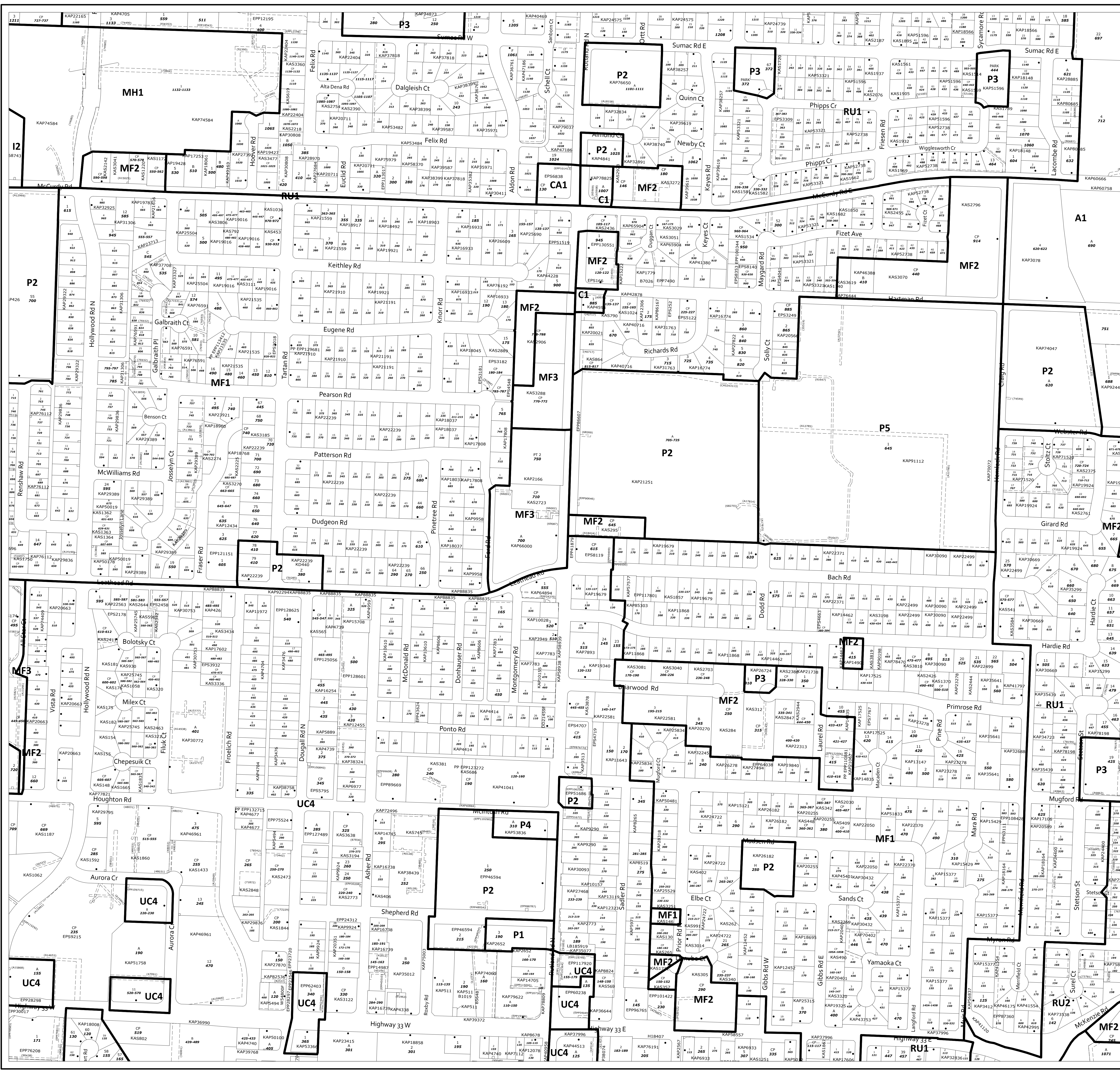


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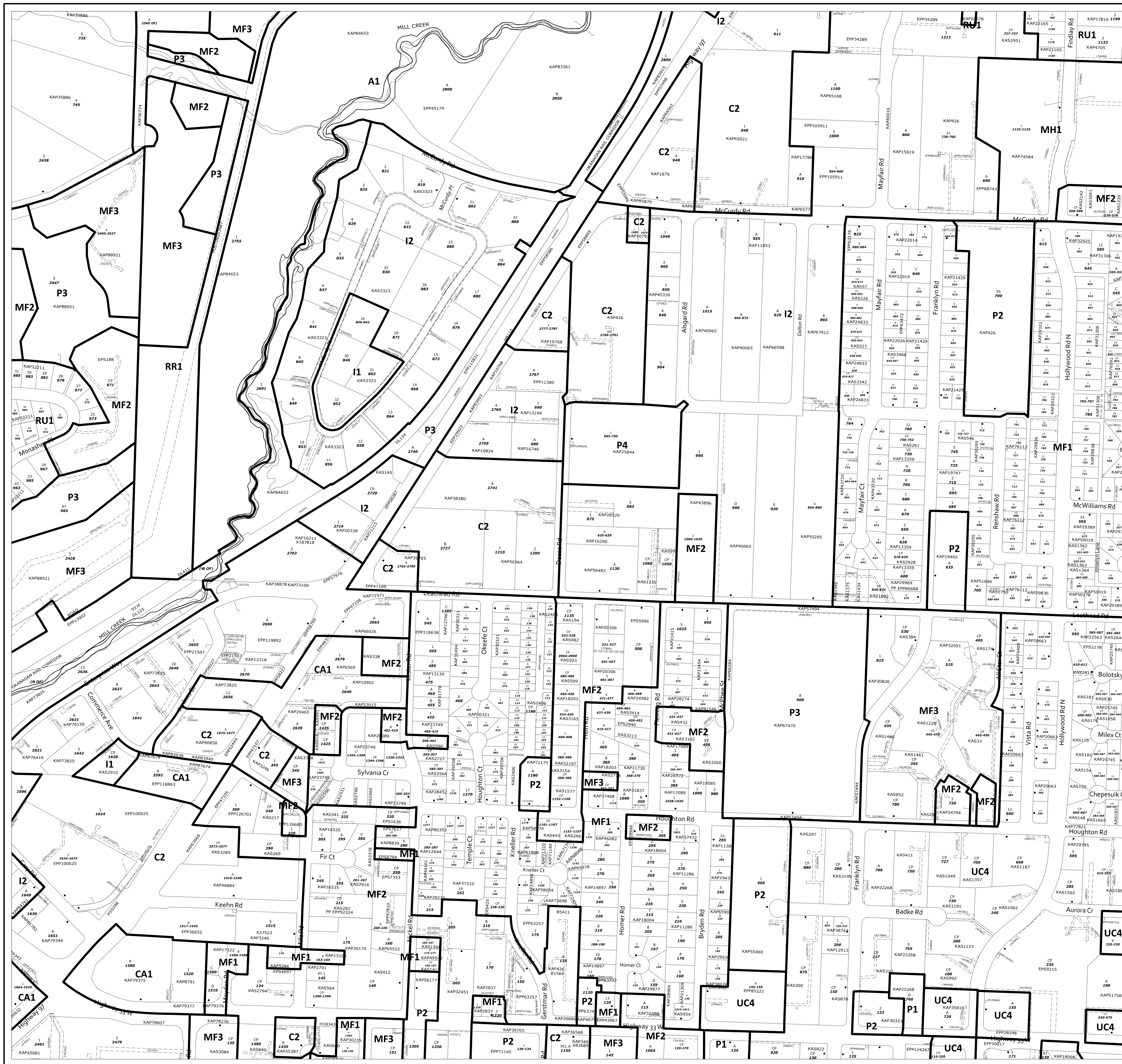
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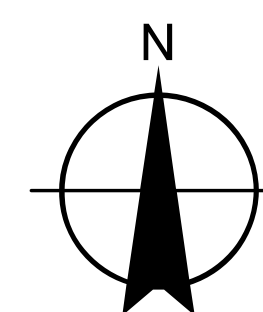
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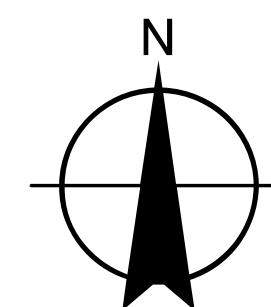
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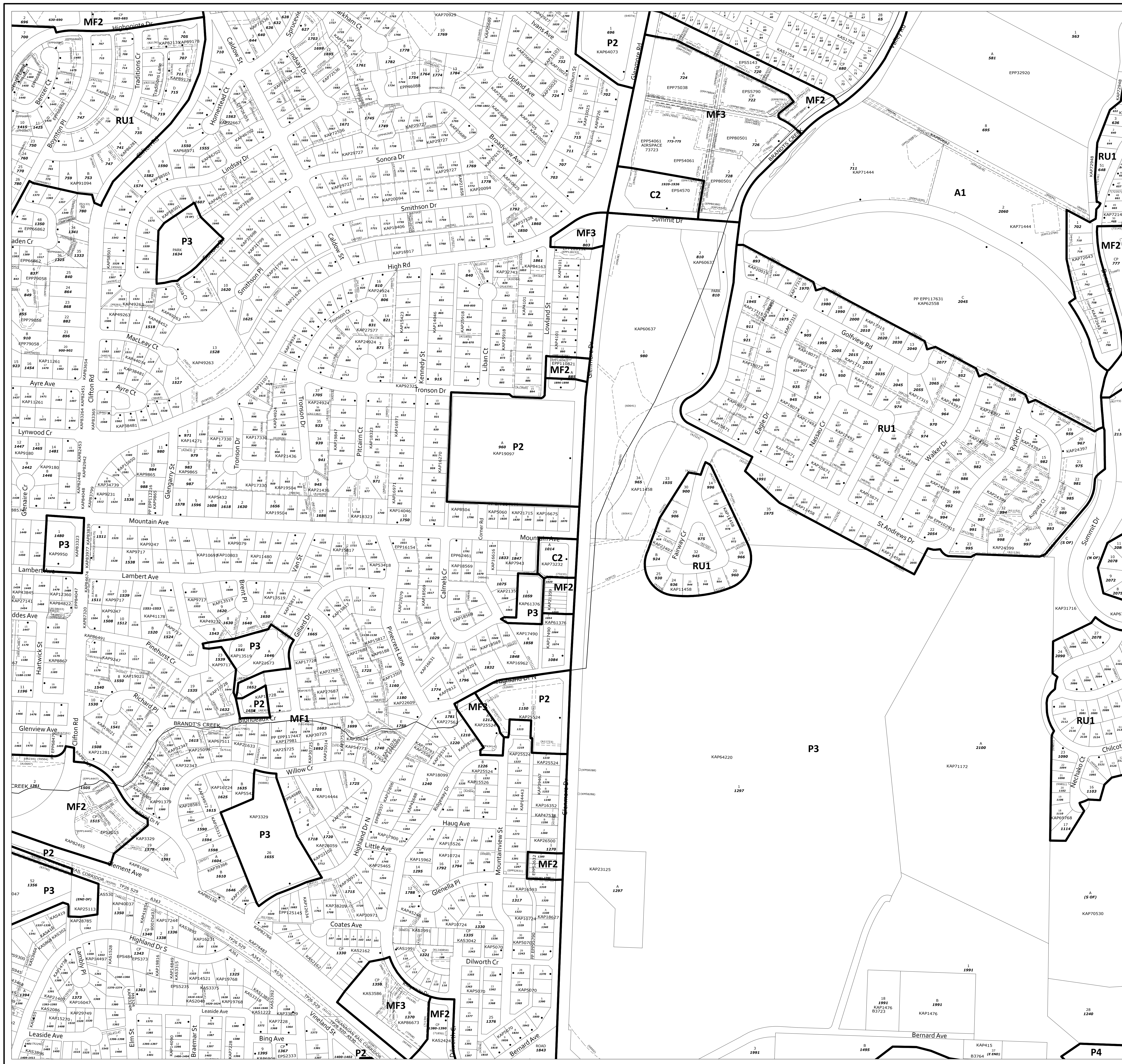


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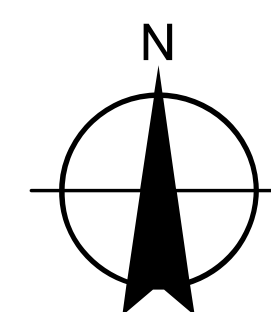
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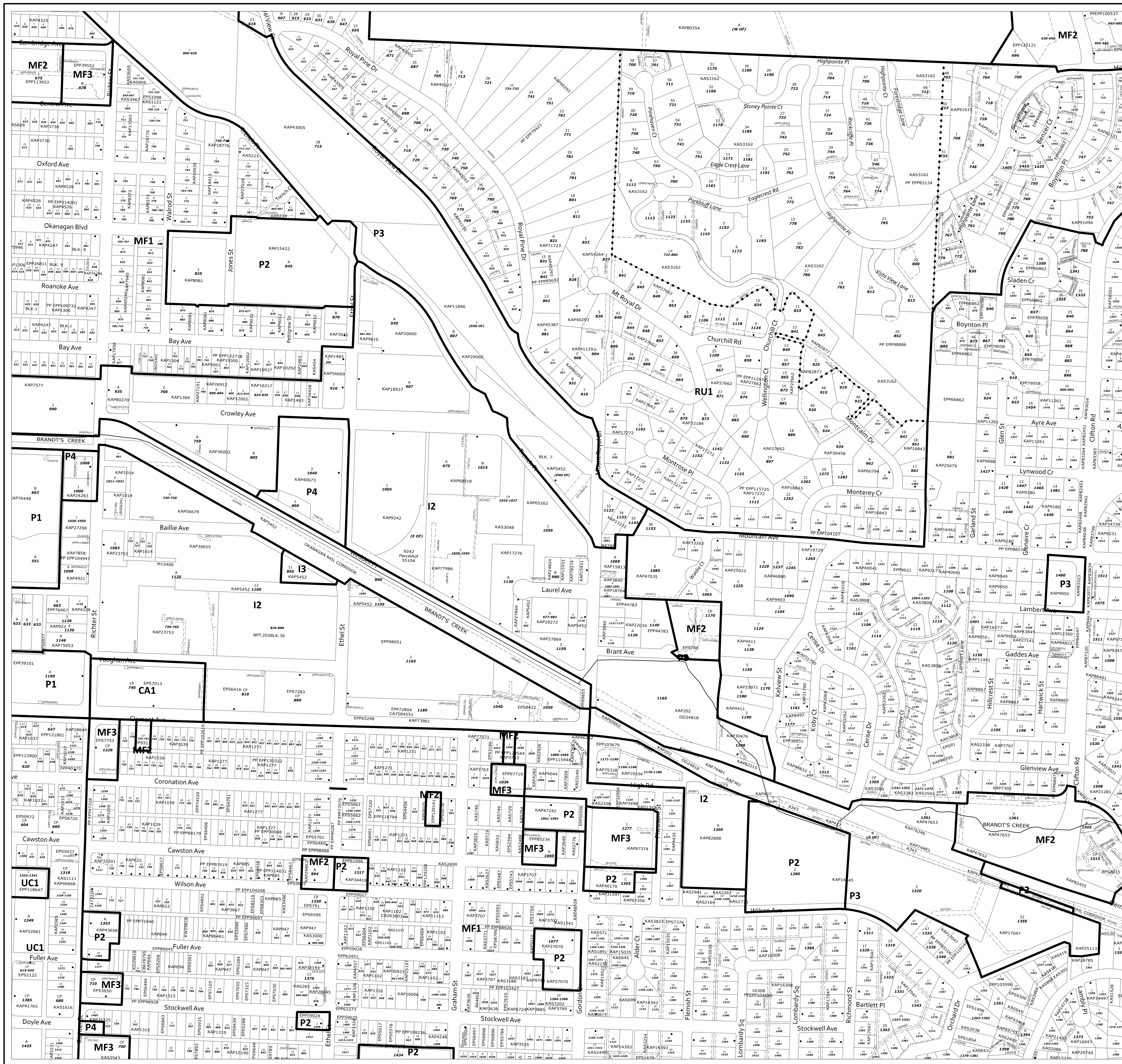


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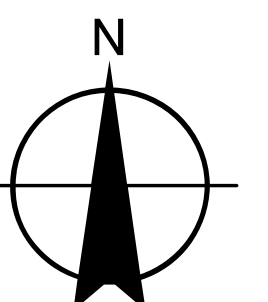
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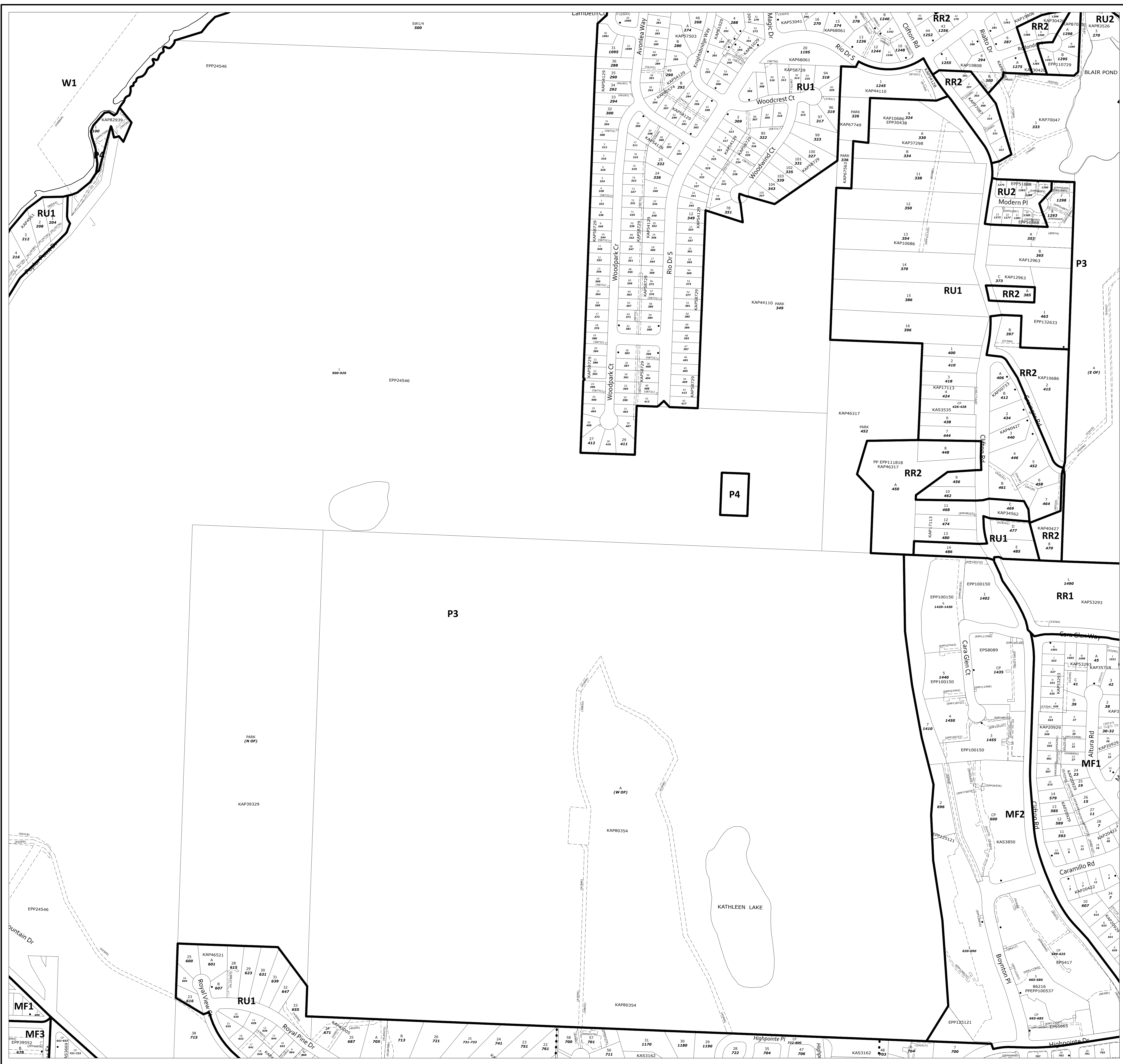


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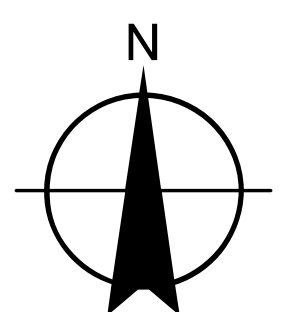
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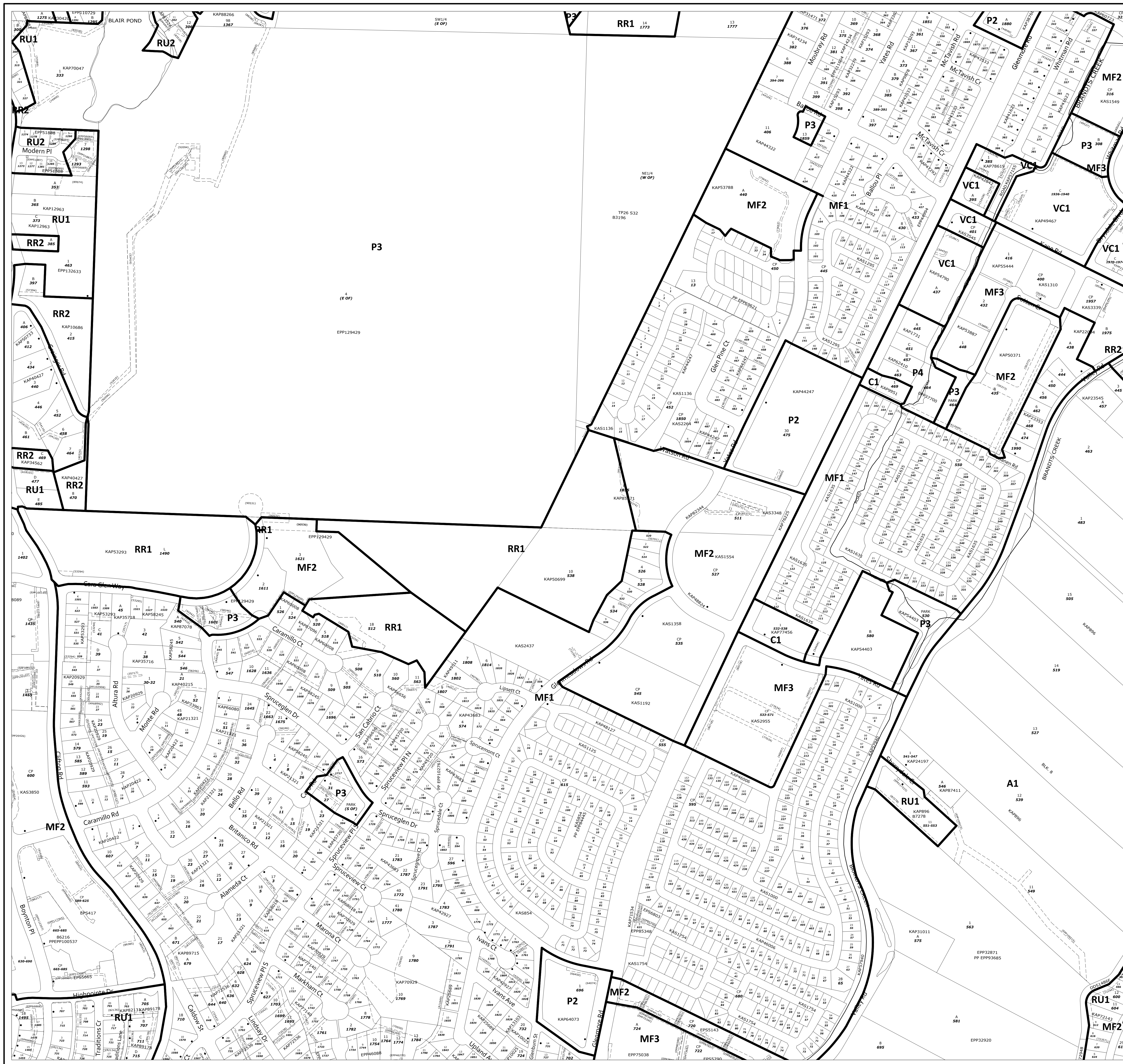


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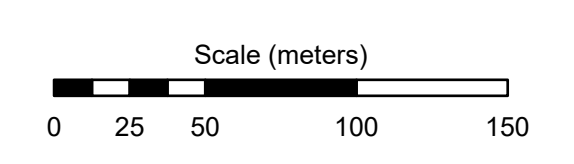
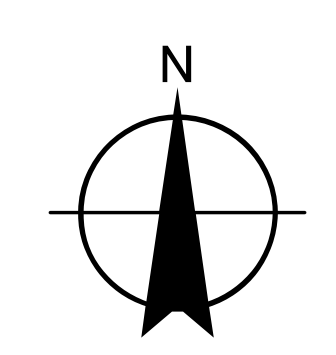
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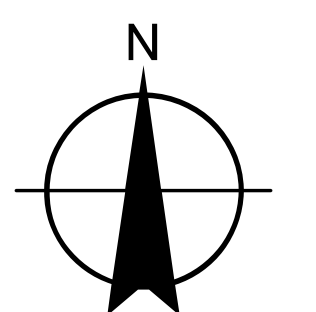
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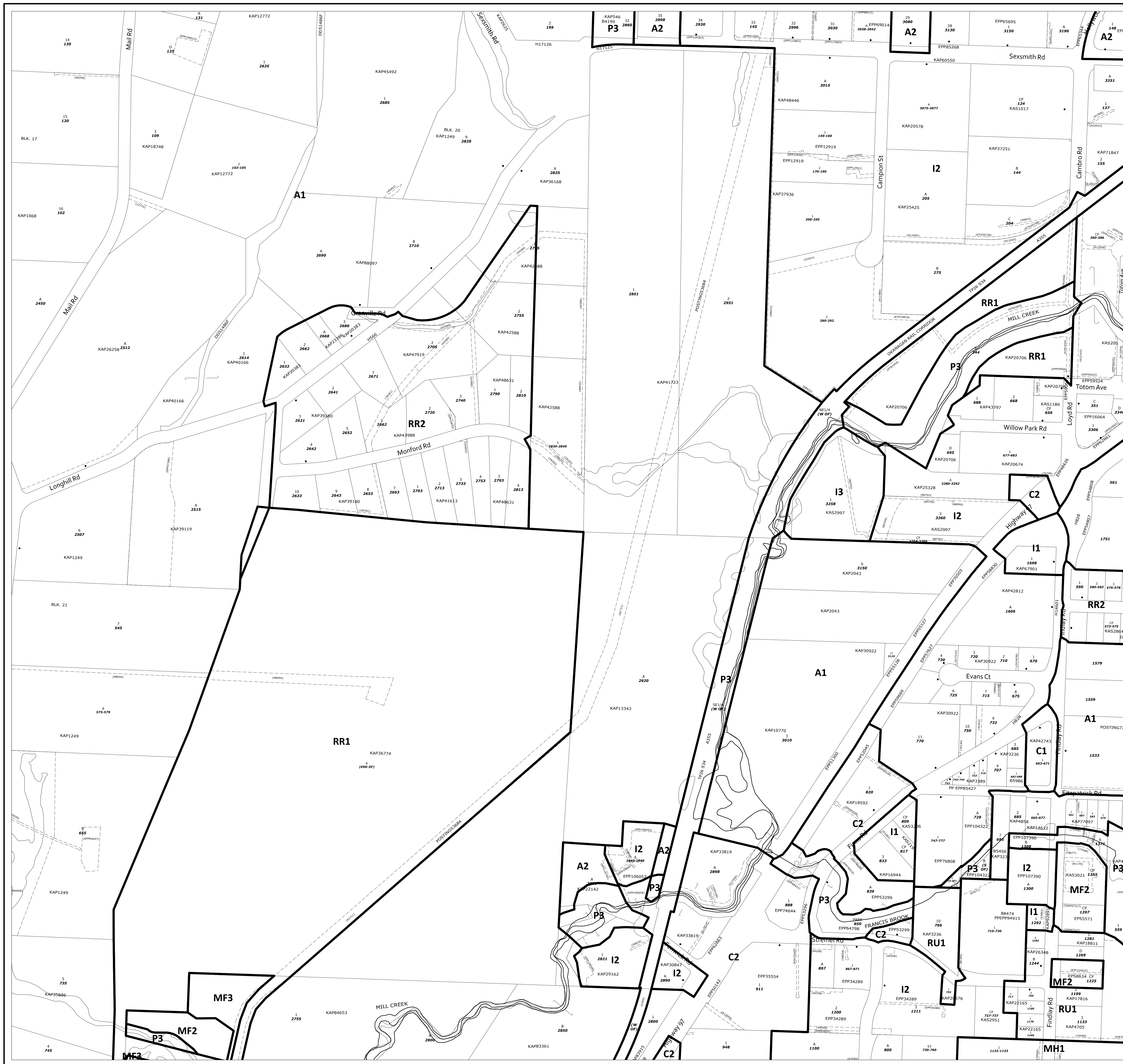


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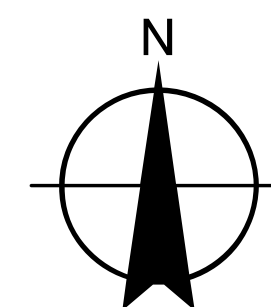
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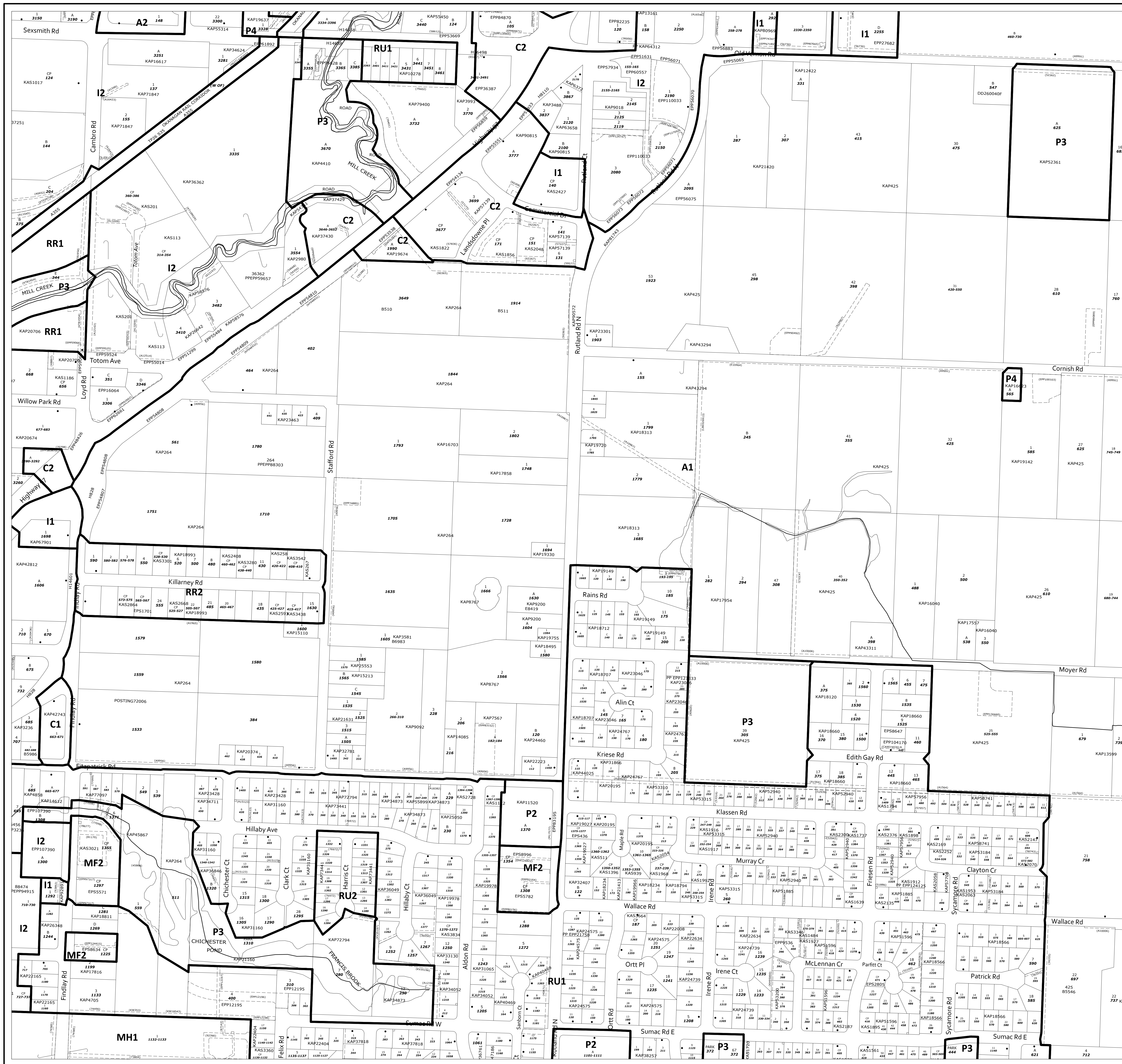


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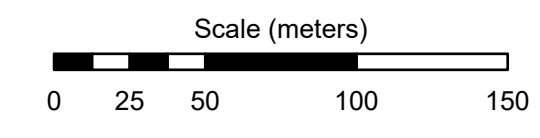
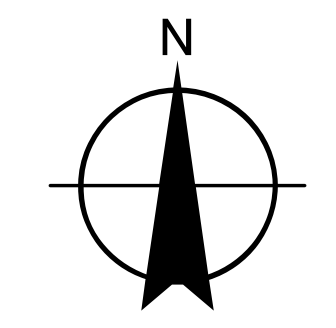
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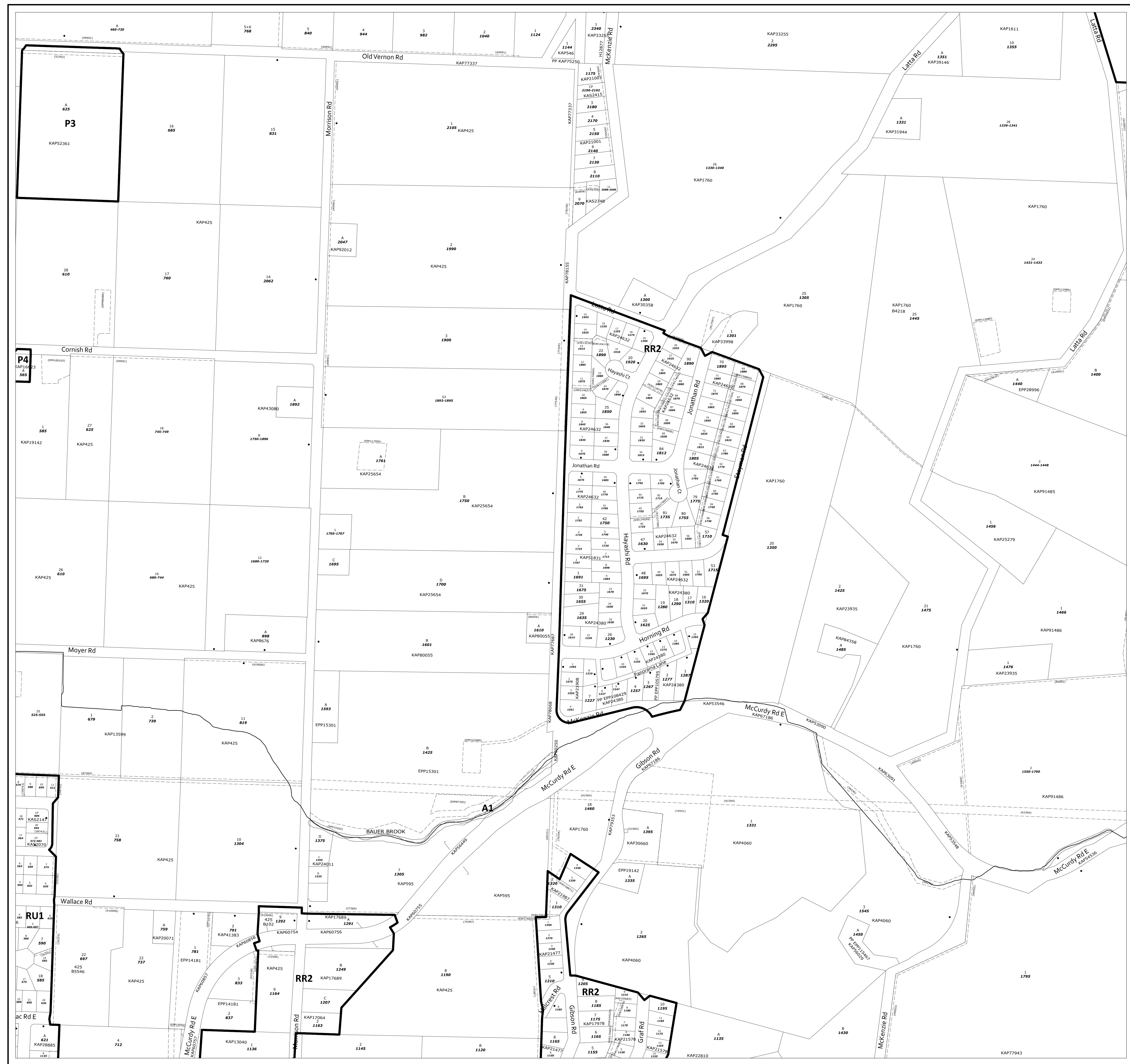


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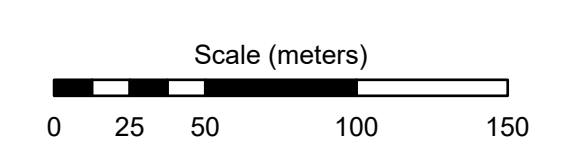
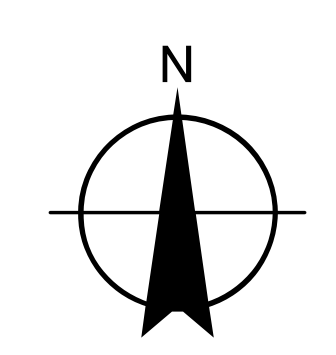
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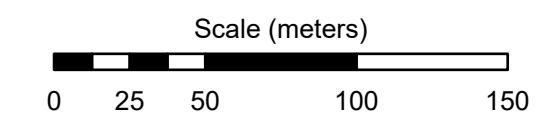
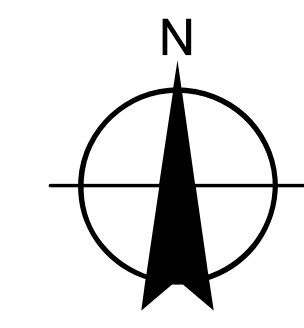
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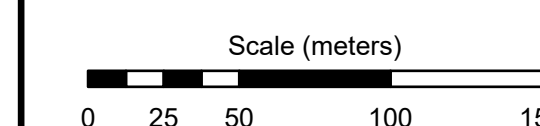
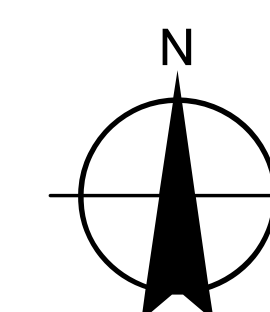
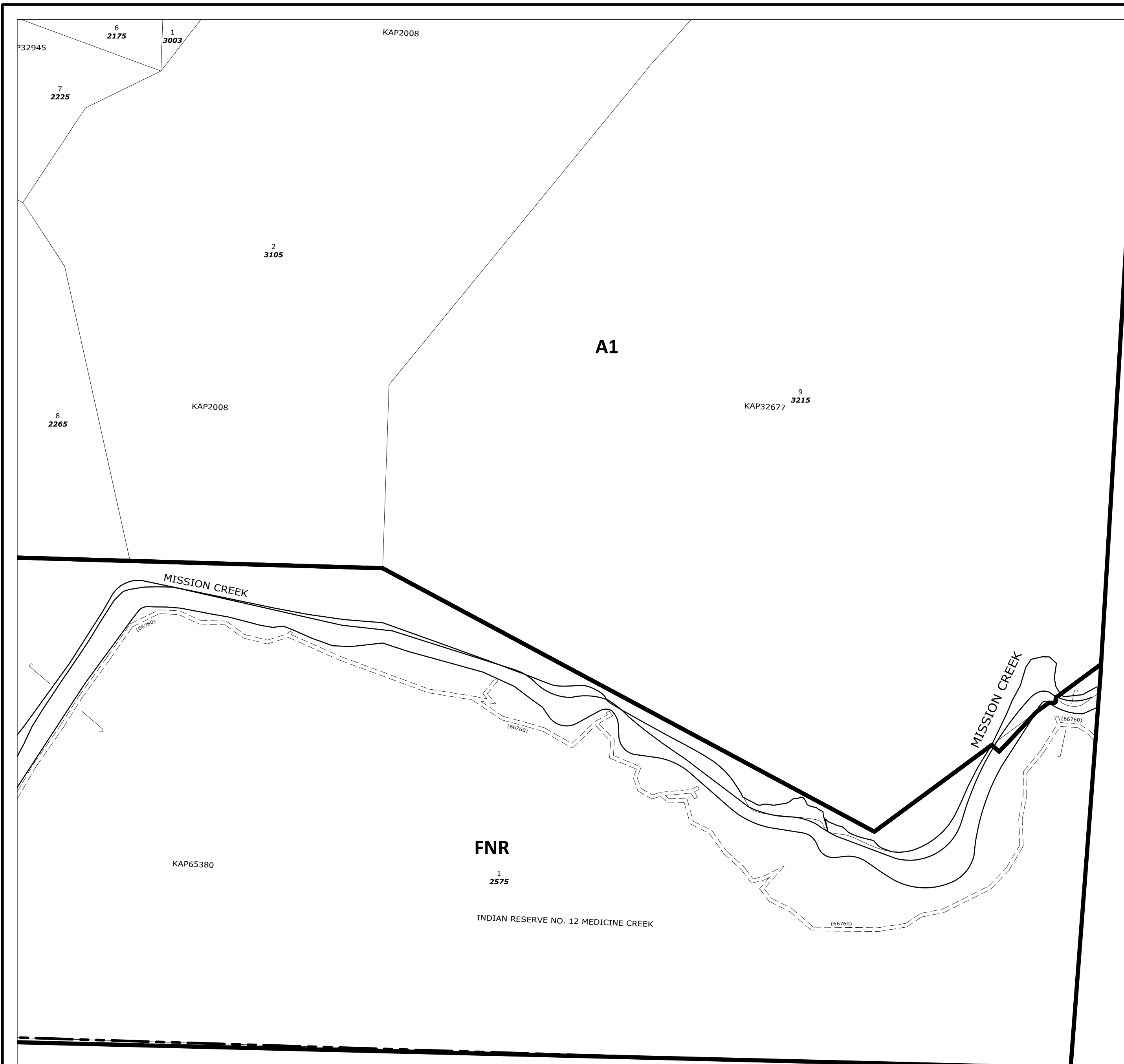
— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

• Indicates Address Fronting Street

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Scale: 1:2500

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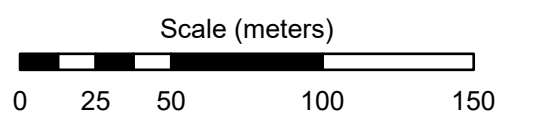
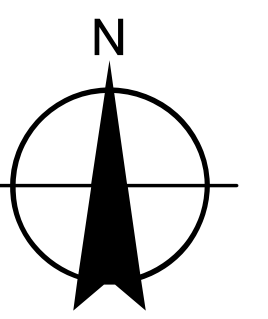
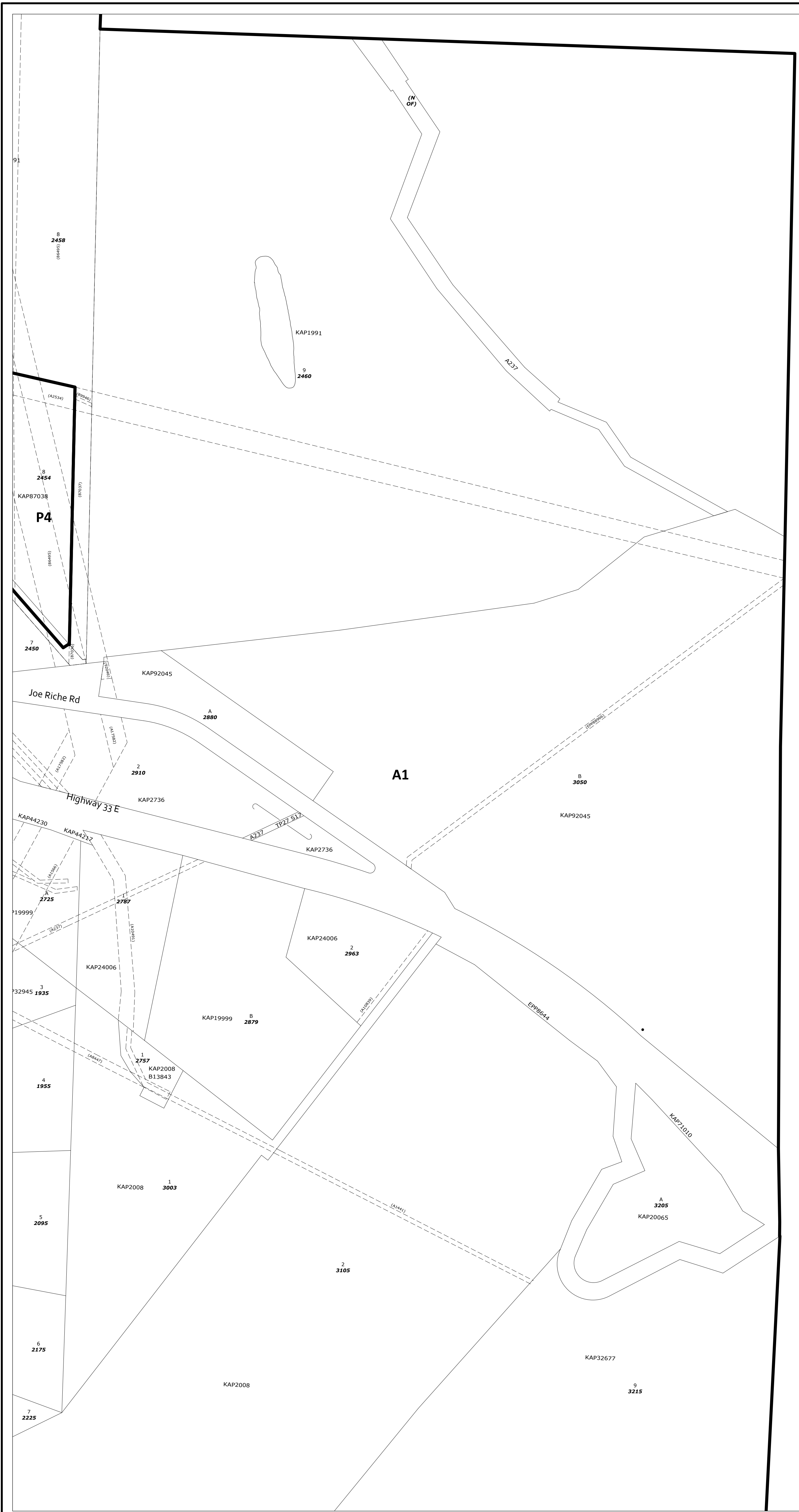
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Scale: 1:2500

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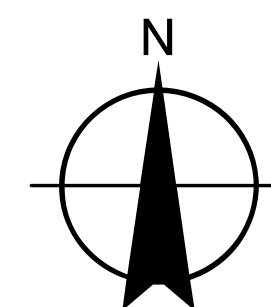
— Proposed Zoning

ADDRESSES

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--- City Boundary



Scale (meters)
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Scale: 1:2500

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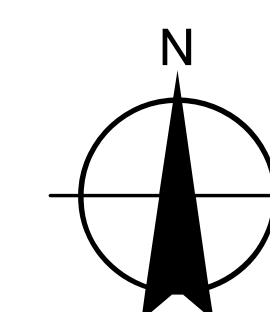
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ADDRESSES

10 Lot Number
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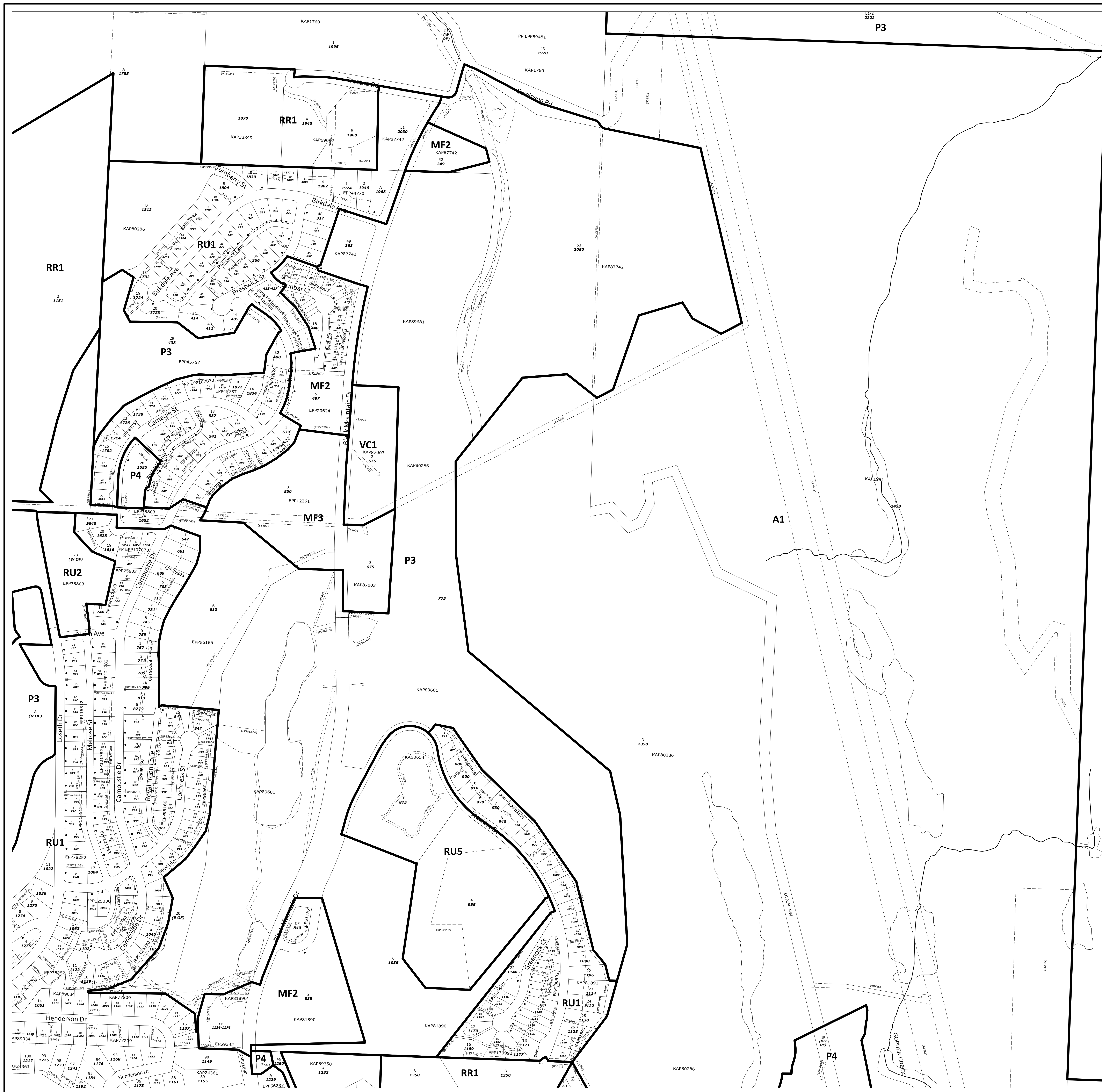
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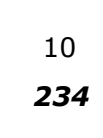


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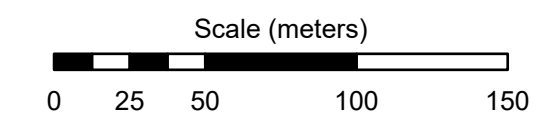
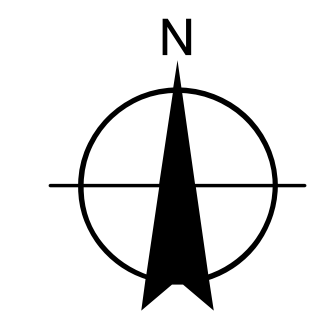
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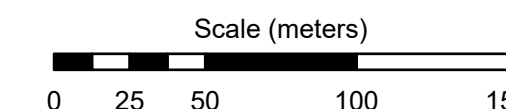
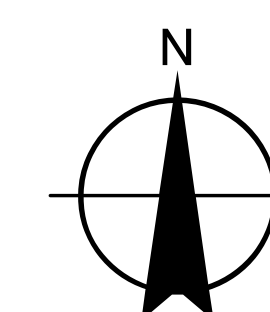
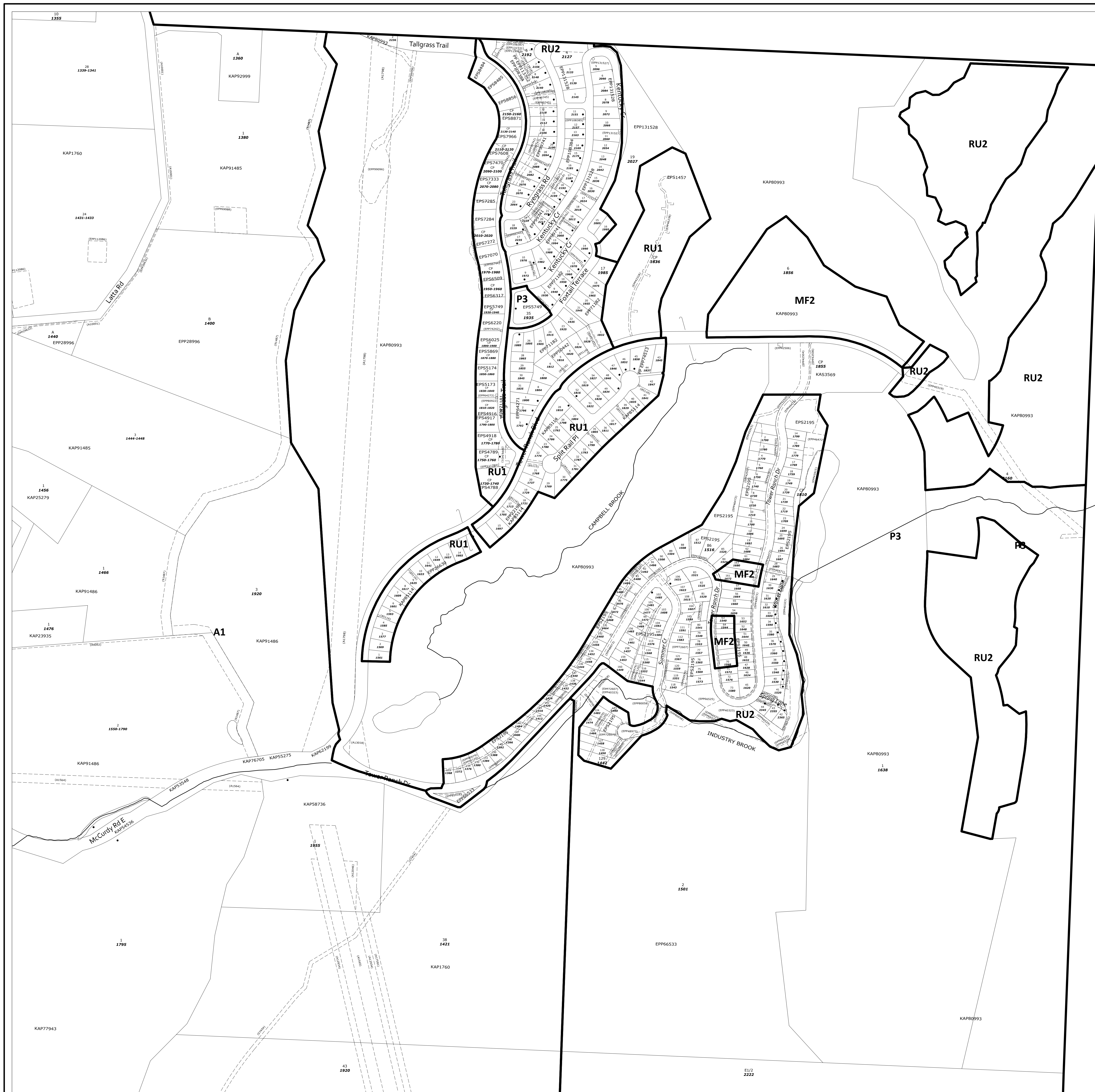
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ZONING

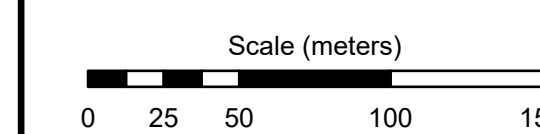
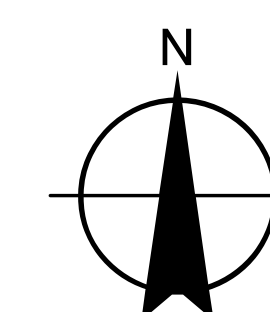
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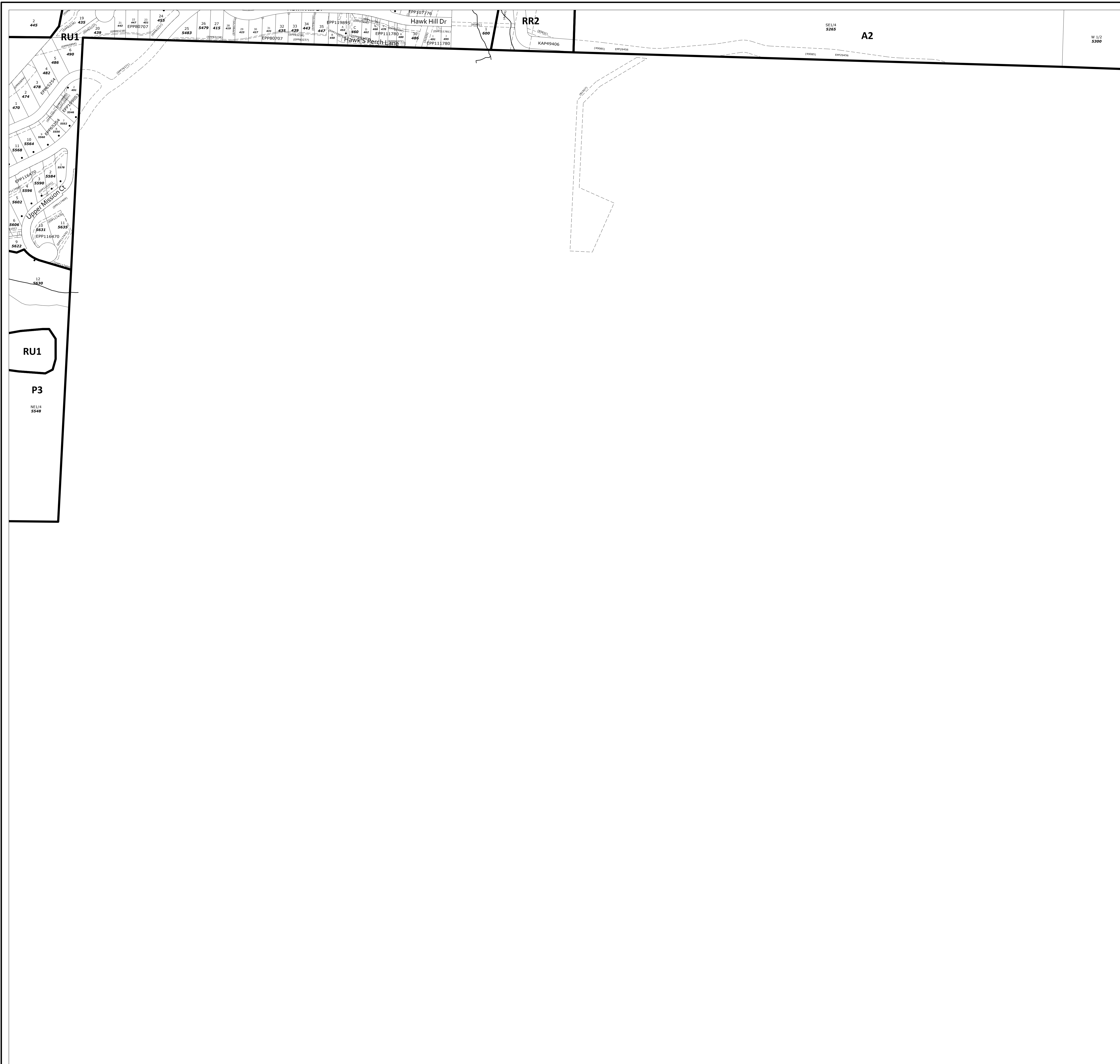


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City of Kelowna

Zoning Bylaw Mapping Amendments
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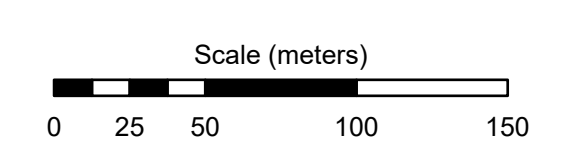
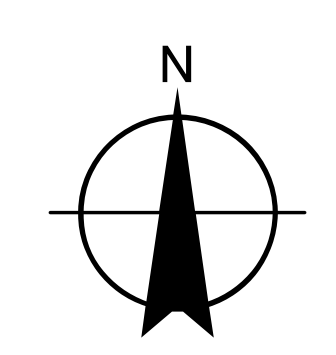
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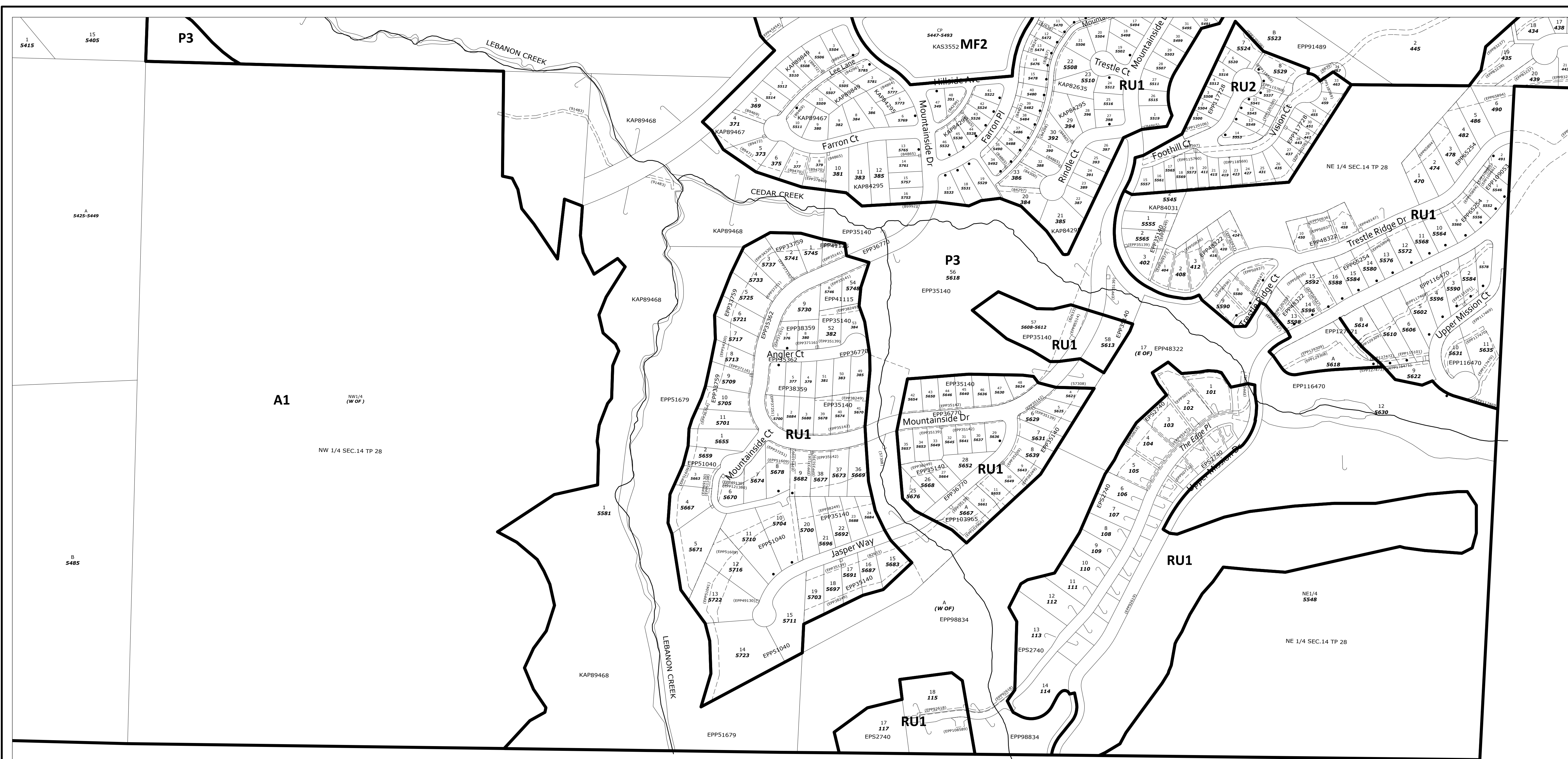


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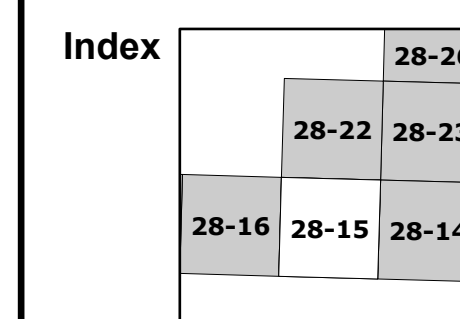


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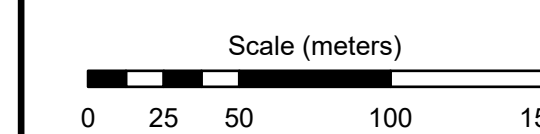
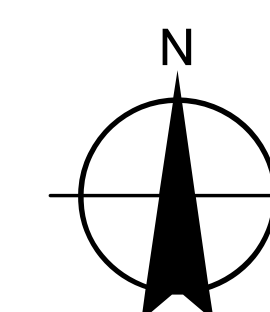
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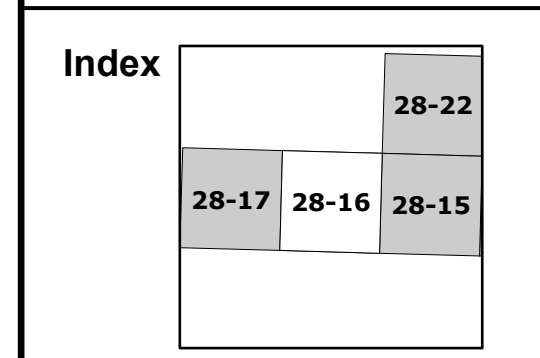
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Legend

ZONING

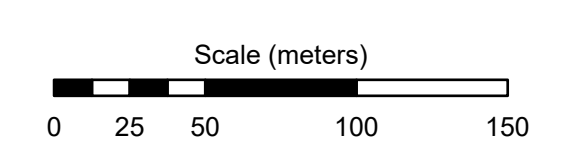
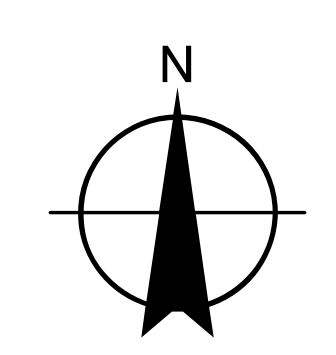
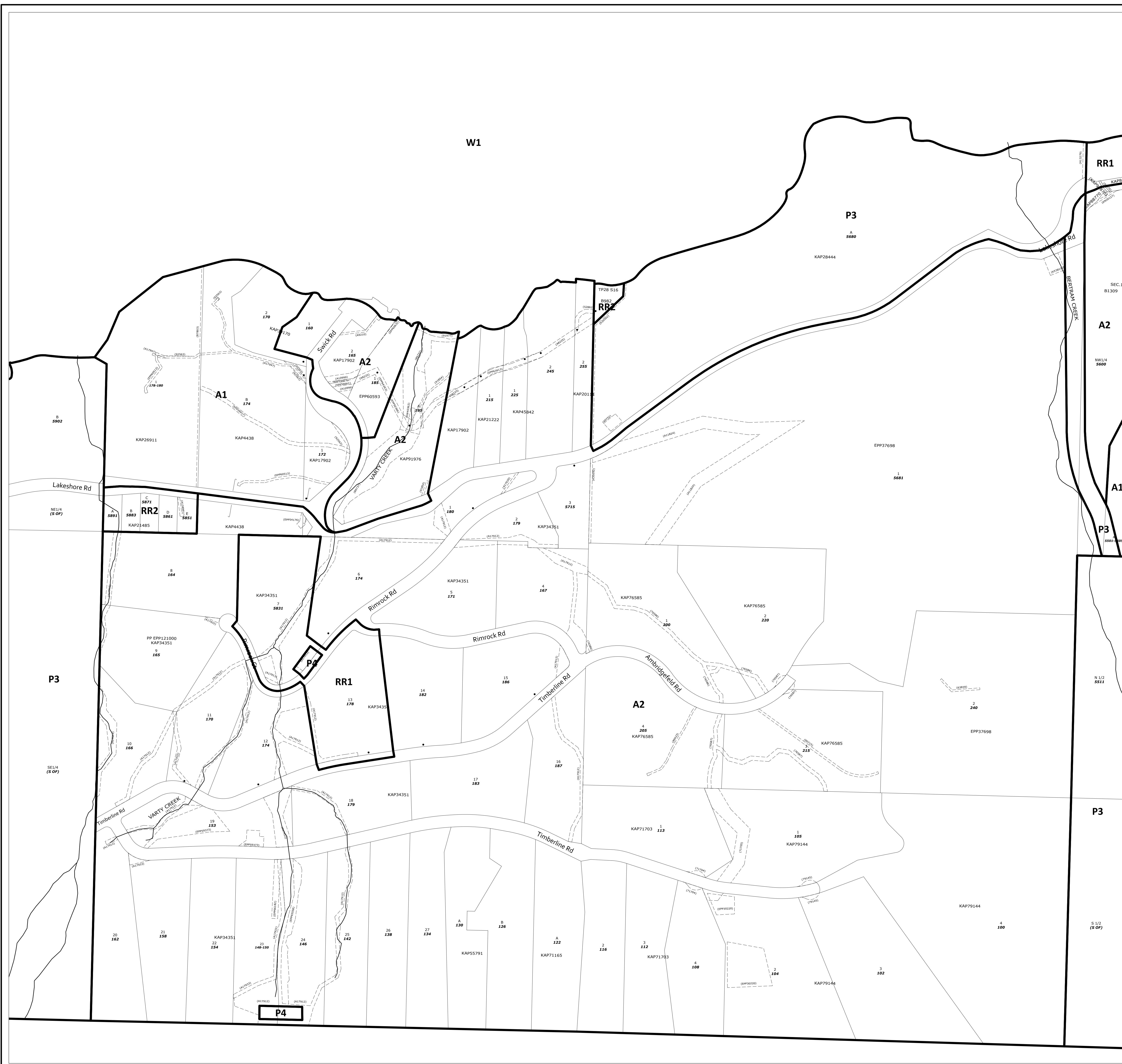
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10 Lot Number
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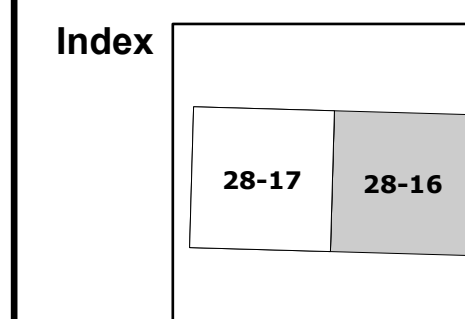


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Legend

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W1

A1

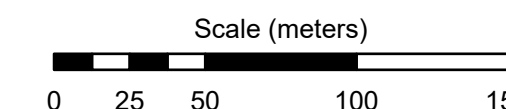
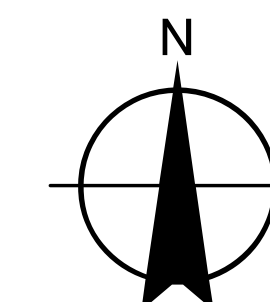
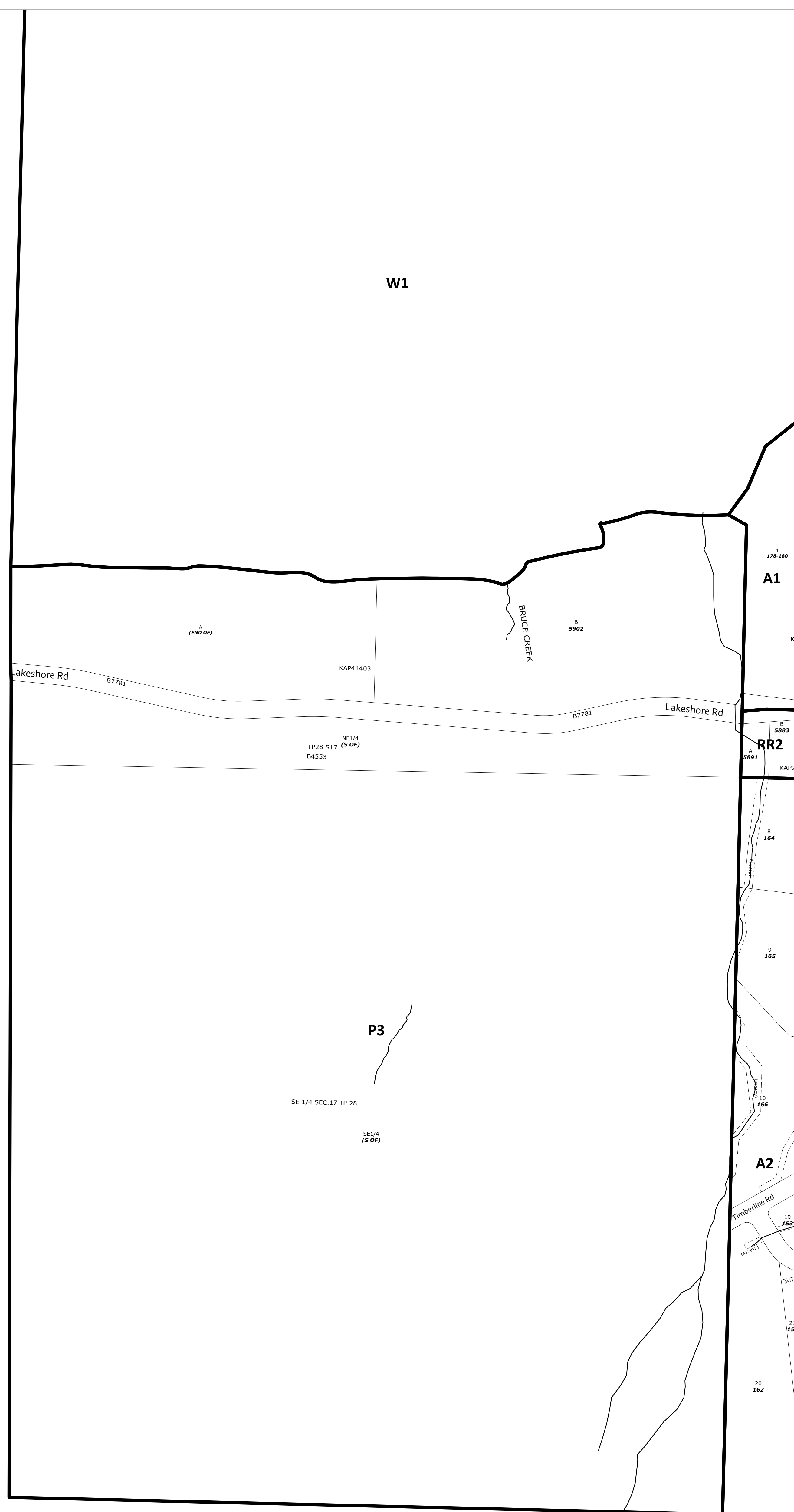
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A2

P3

SE 1/4 SEC.17 TP 28

SE1/4 (S OP)

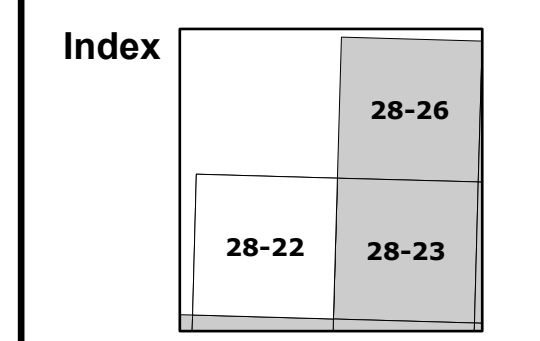


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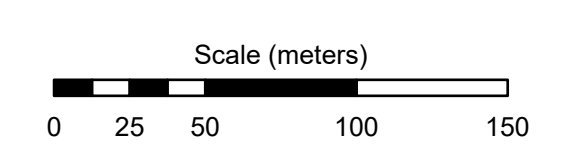
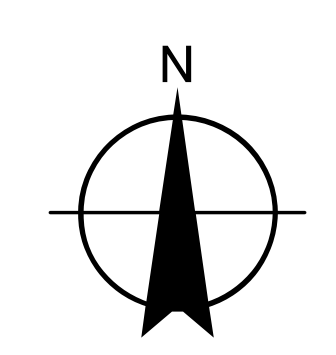
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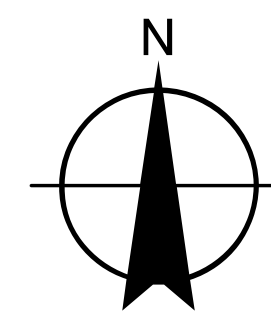
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10 Lot Number
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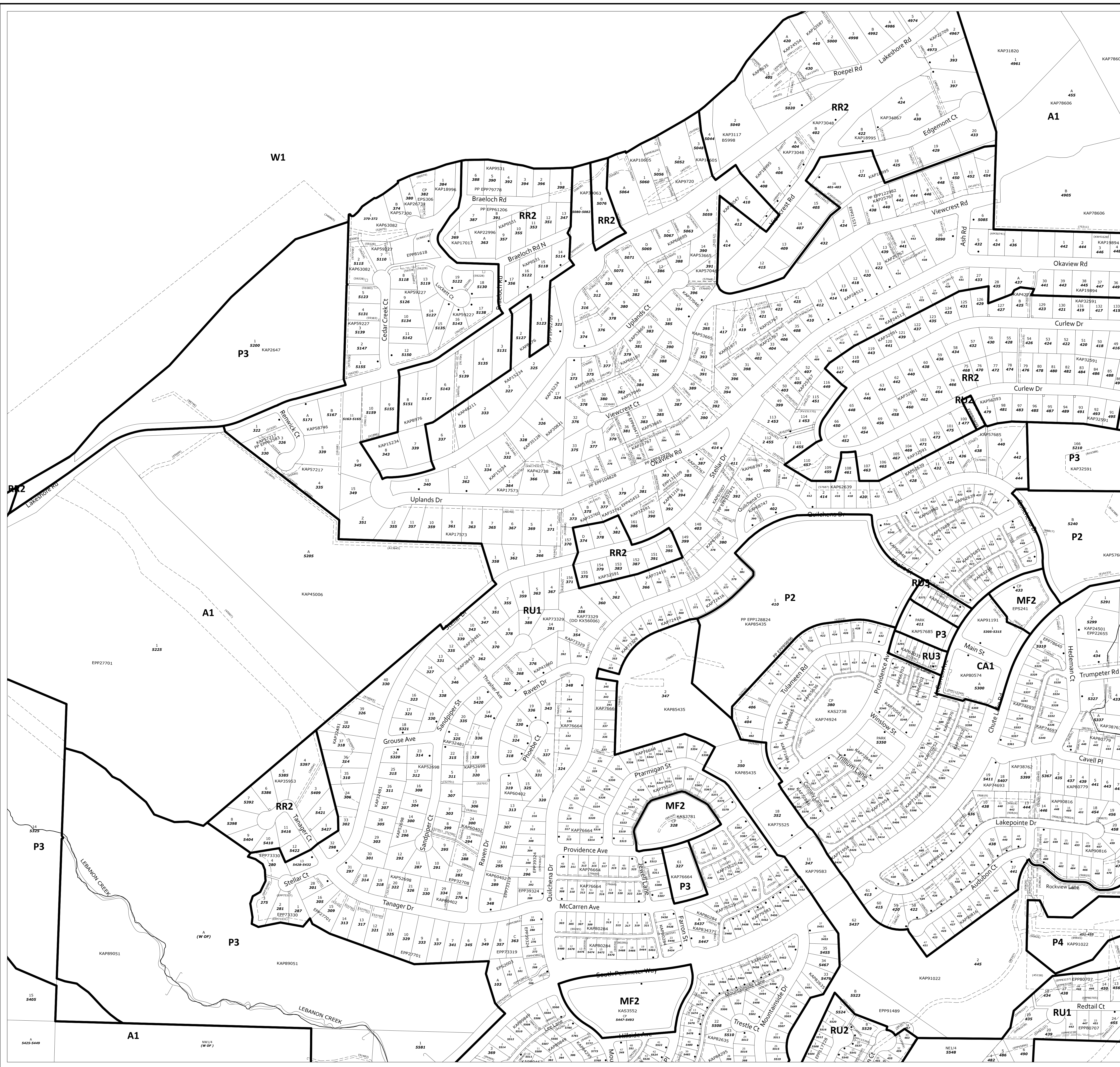


Scale (meters)
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Scale: 1:2500

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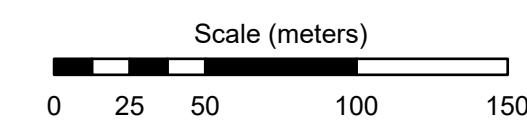
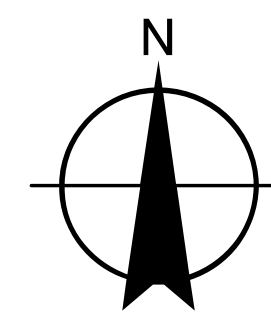
Proposed Zoning

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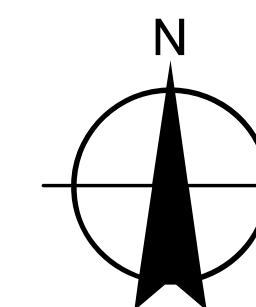
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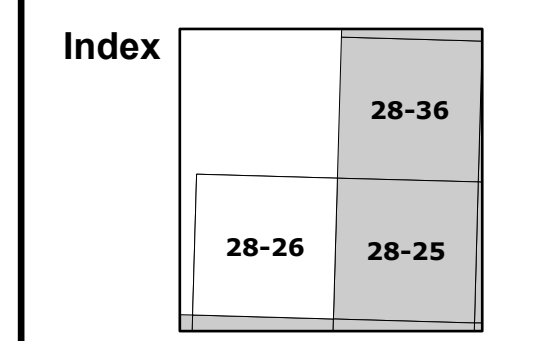
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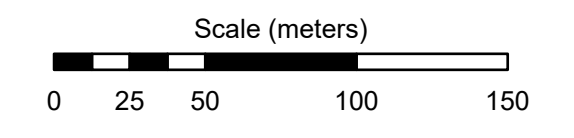
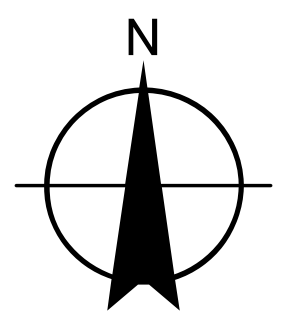
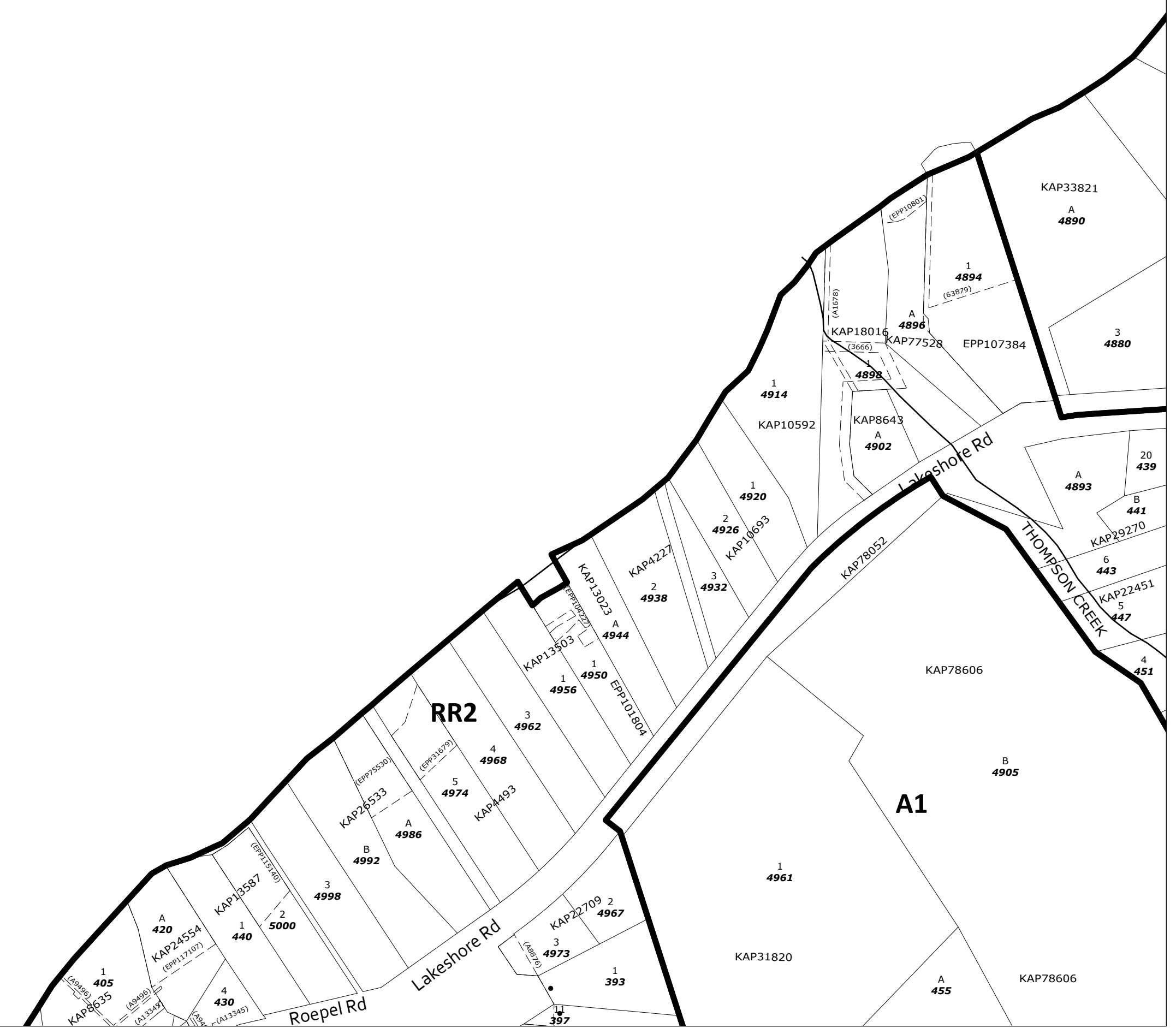


W1



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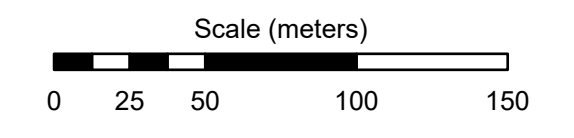
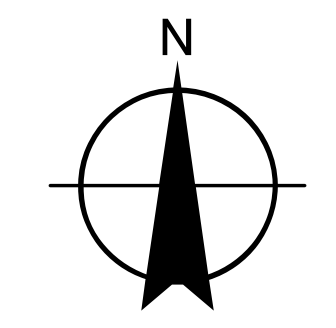
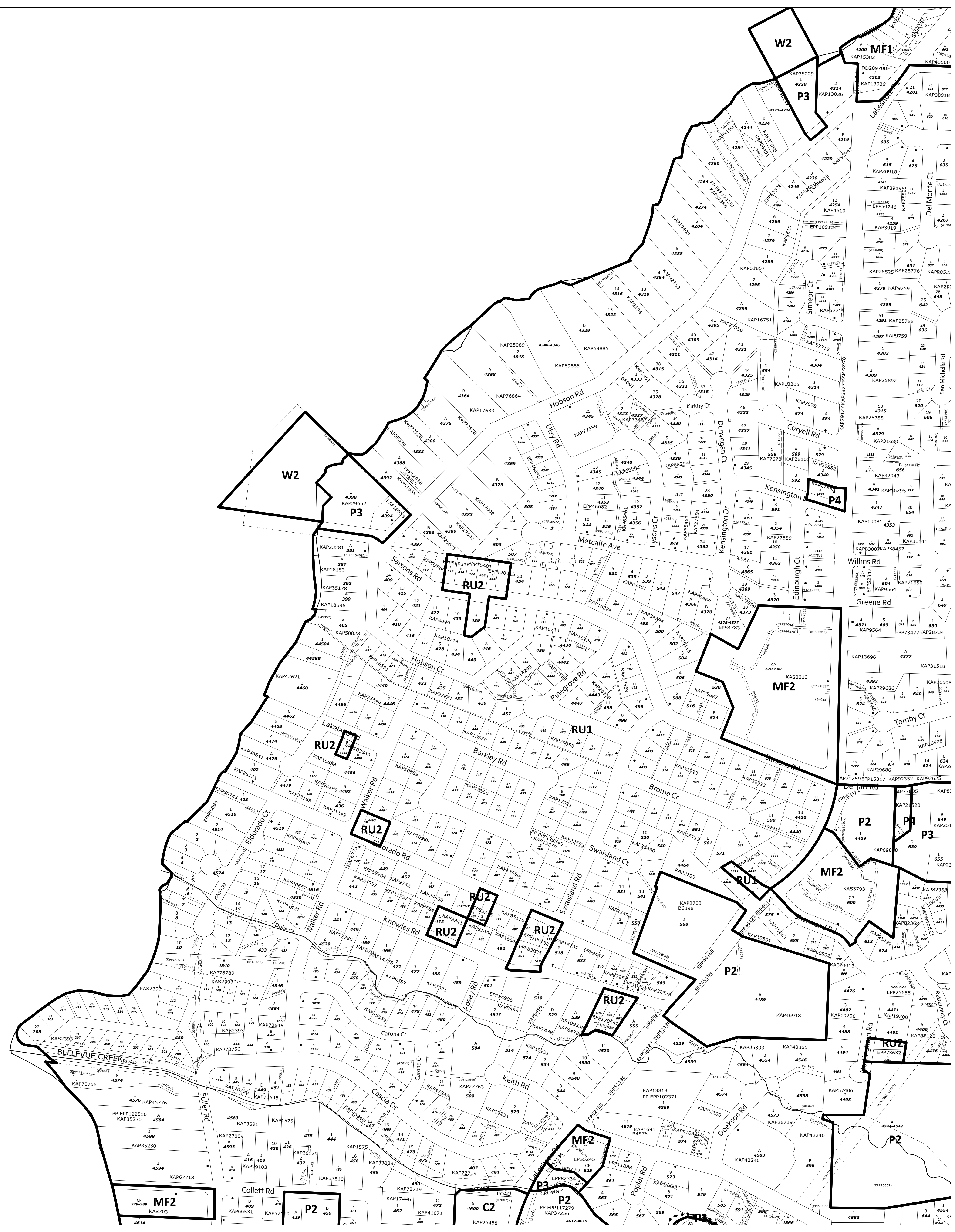


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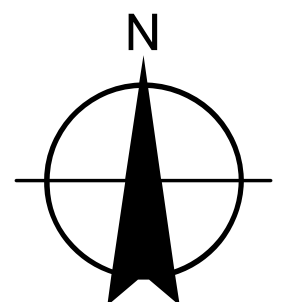
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Scale (meters)
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Scale: 1:2500


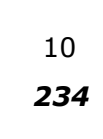


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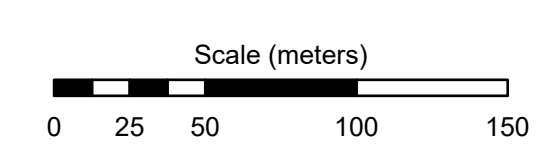
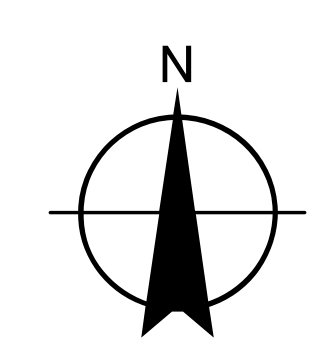
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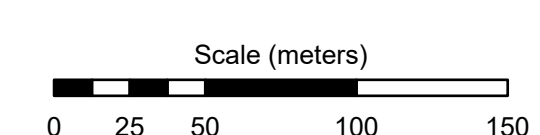
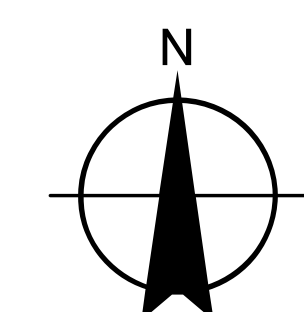
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29-19	29-20

Legend

ZONING

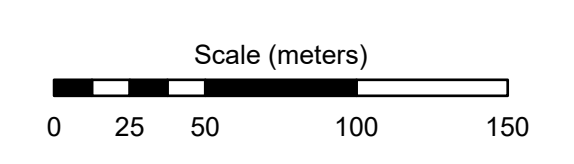
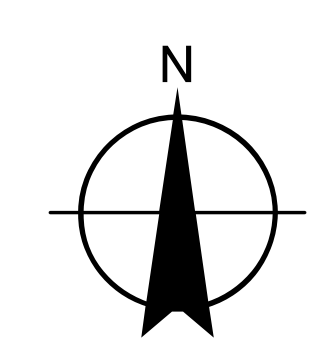
— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

• Indicates Address Fronting Street

--- City Boundary



Scale: 1:2500
Revision: 1/15/2024

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City of Kelowna

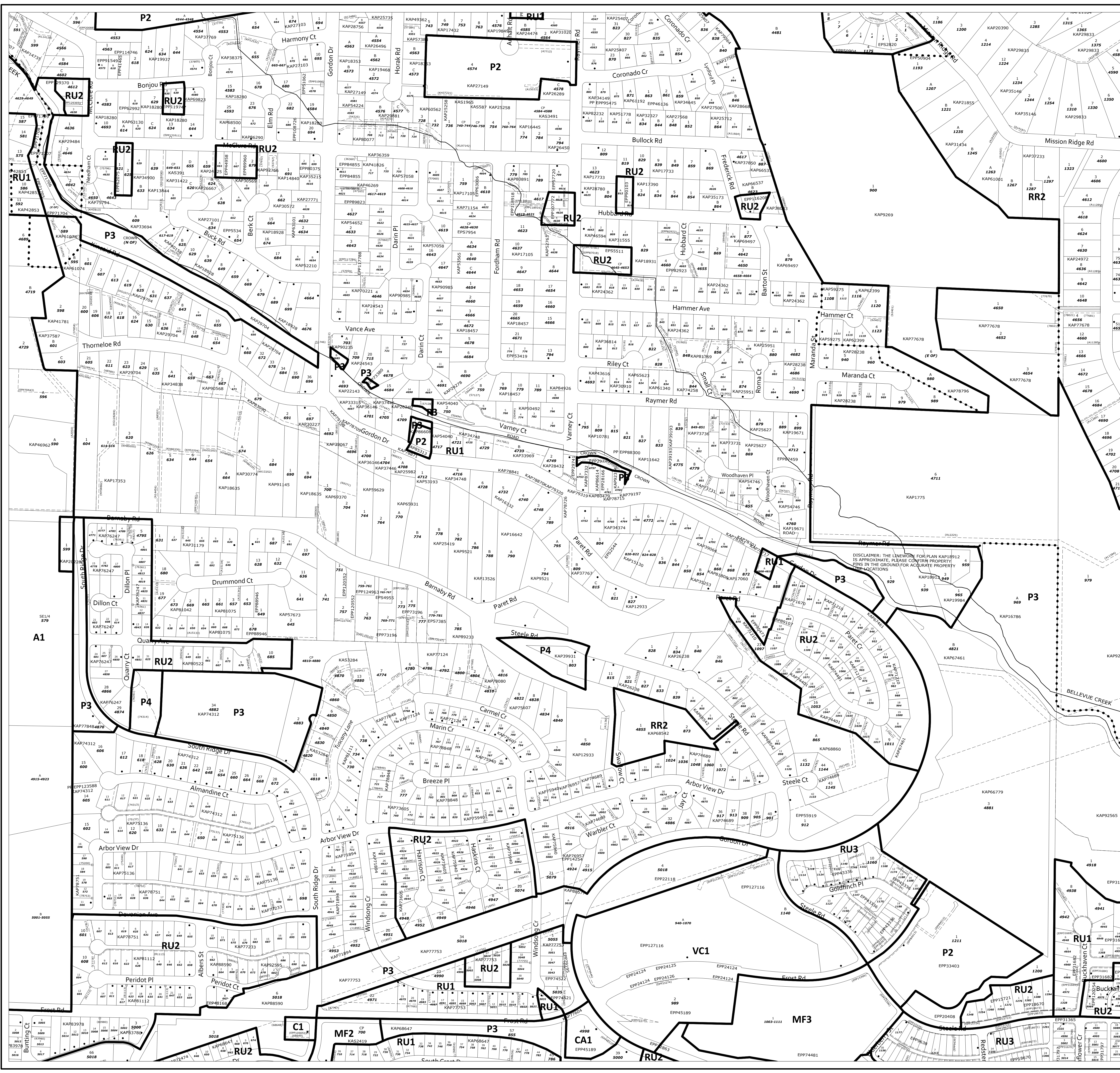
Zoning Bylaw Mapping Amendments
Implementing Provincial Housing
Legislation
Z24-0001

No. 29-30

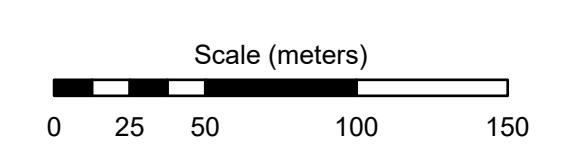
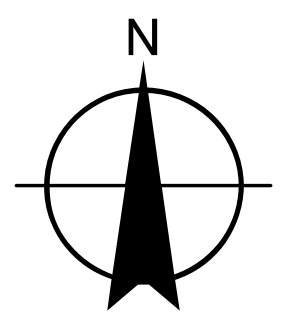
Index	25-01	26-06	26-05
	28-36	29-31	29-32
	28-25	29-30	29-29
	28-24	29-19	29-20

Legend

- ZONING**
- Proposed Zoning
- ADDRESSES**
- 10 Lot Number
 - 234 Street Address
 - Indicates Address Fronting Street
 - City Boundary



DISCLAIMER: THE LINES ON THIS MAP FOR PLAN KAP18912 ARE APPROXIMATE. PLEASE CONFIRM PROPERTY LINES IN THE FIELD FOR ACCURATE PROPERTY LOCATIONS.



Scale: 1:2500
Revision: 1/15/2024

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City of Kelowna

Zoning Bylaw Mapping Amendments
Implementing Provincial Housing
Legislation
Z24-001

No. 29-31

Index	25-12	26-07	26-08
	25-01	26-06	26-05
	28-36	29-31	29-32
	28-25	29-30	29-29

Legend

ZONING

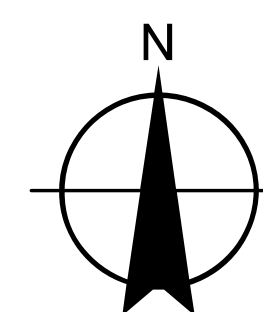
— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

• Indicates Address Fronting Street

--- City Boundary

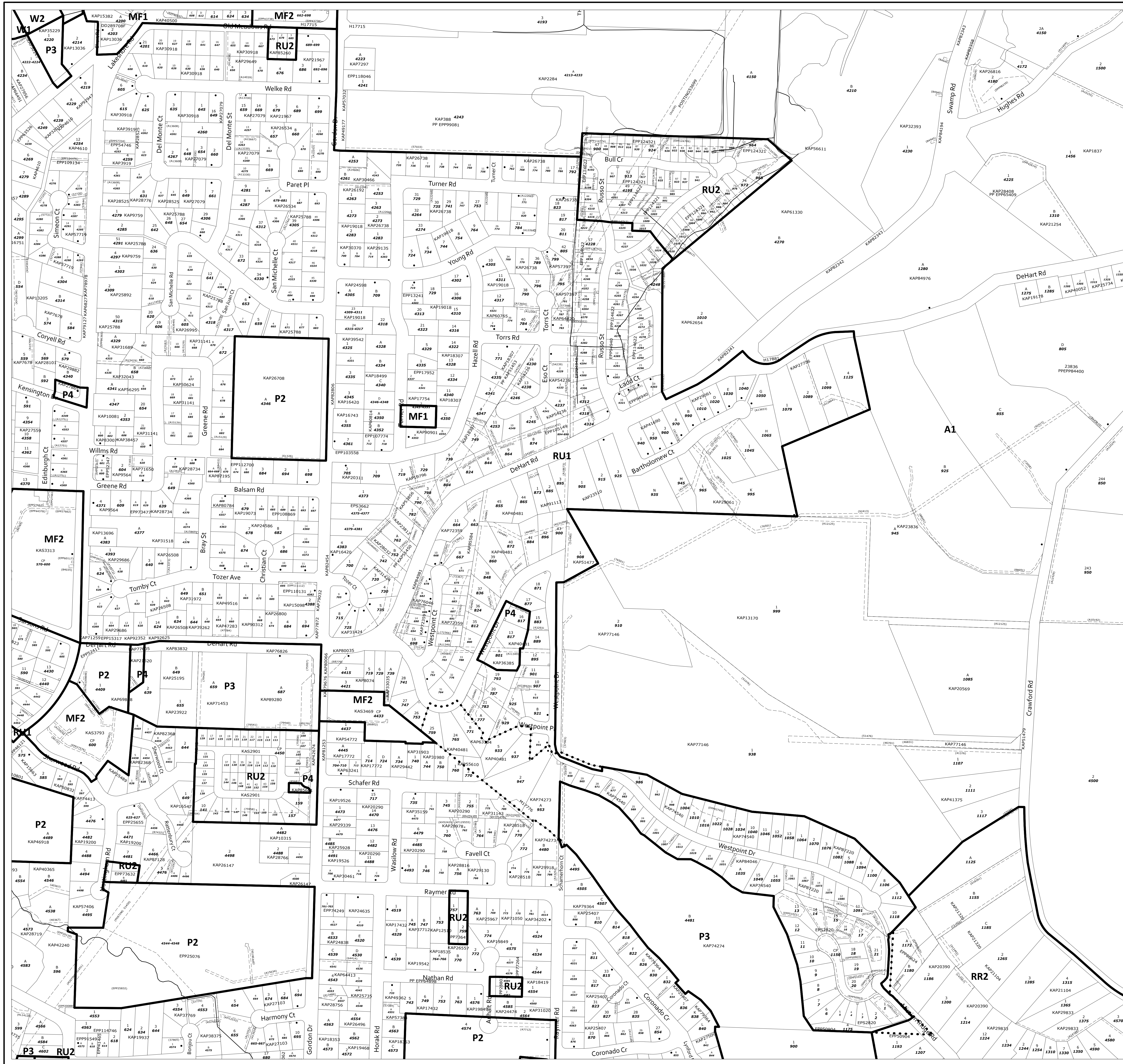


Scale (meters)
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Scale: 1:2500

Revision: 1/15/2024

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City of Kelowna

Zoning Bylaw Mapping Amendments
Implementing Provincial Housing
Legislation

Z24-0001

No. 29-32

Index	26-06	26-05	26-04
	29-31	29-32	29-33
	29-30	29-29	29-28

Legend

ZONING

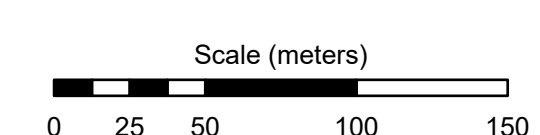
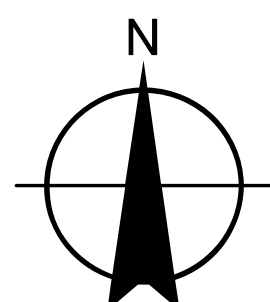
— Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

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Revision: 1/15/2024

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Index	26-05	26-04	26-03
	29-32	29-33	29-34
	29-29	29-28	

Legend

ZONING

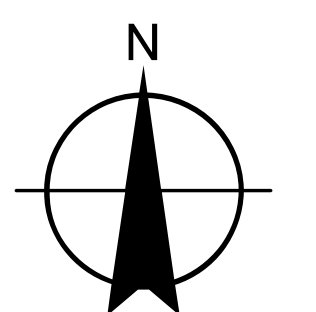
Proposed Zoning

ADDRESSES

10 Lot Number
234 Street Address

Indicates Address Fronting Street

City Boundary

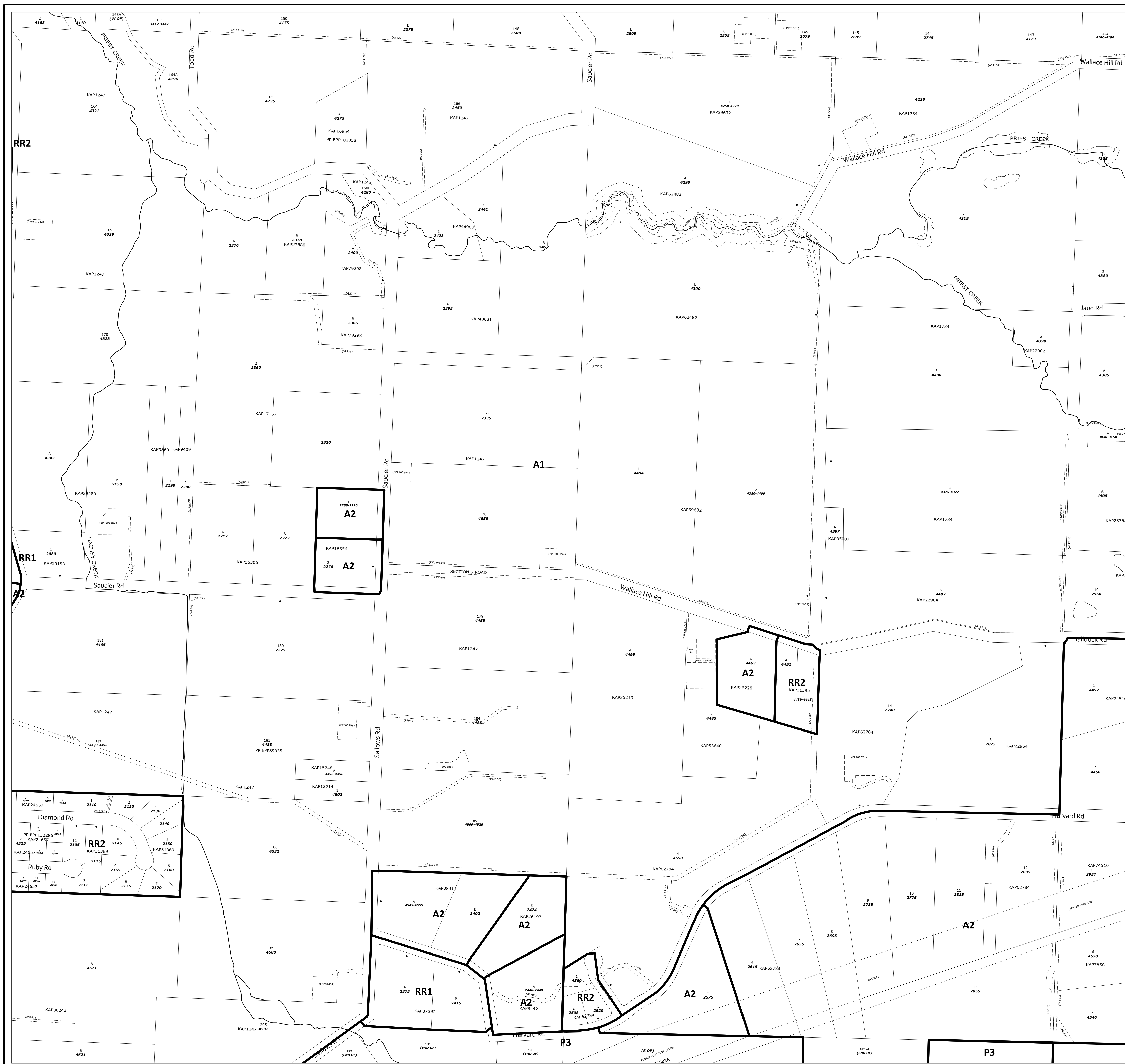


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Scale: 1:2500

Revision: 1/15/2024

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Index

26-04	26-03	26-02
29-33	29-34	29-35
29-28		

Legend

ZONING

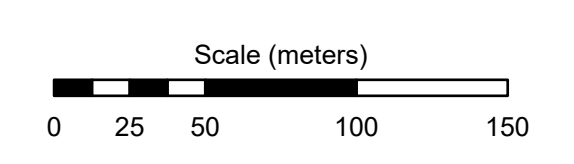
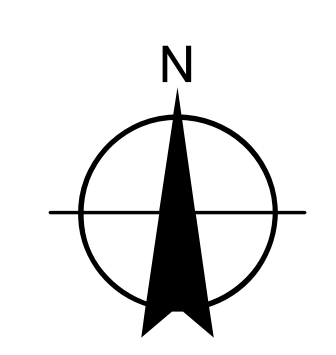
— Proposed Zoning

ADDRESSES

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P3
N/A
(END OF)



City of Kelowna

Zoning Bylaw Mapping Amendments
Implementing Provincial Housing
Legislation

Z24-0001

No. 29-35

Index	26-10	26-11	26-12
	26-03	26-02	26-01
	29-34	29-35	29-36

Legend

ZONING

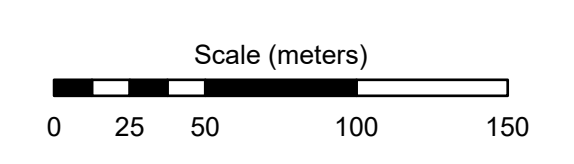
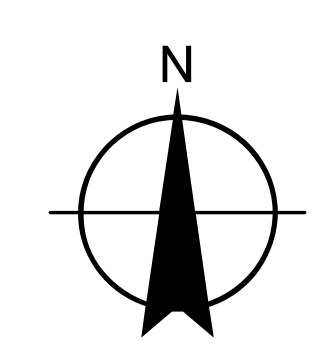
— Proposed Zoning

ADDRESSES

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--- City Boundary

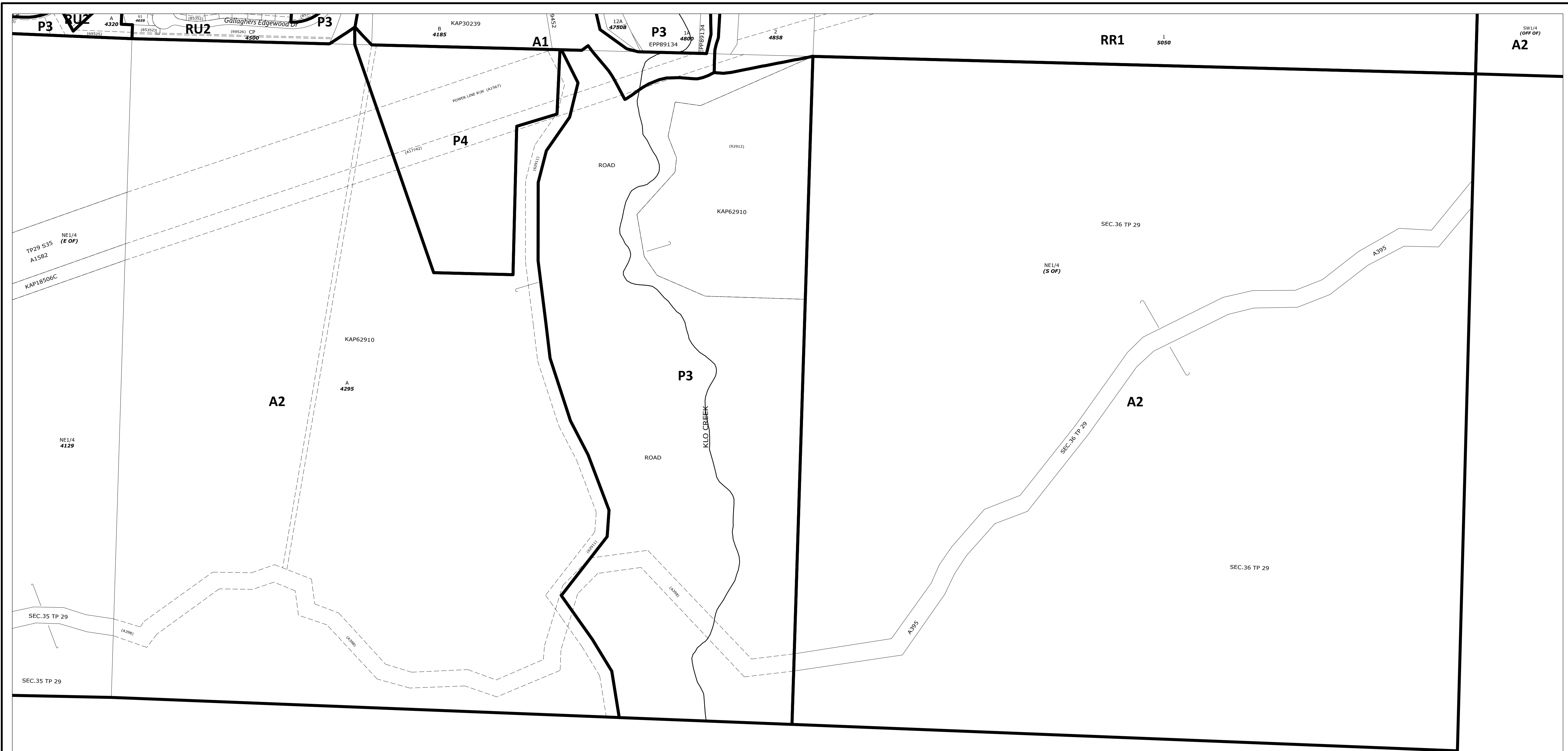


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City of
Kelowna

Zoning Bylaw Mapping Amendments
Implementing Provincial Housing
Legislation
Z24-0001

No. 29-36

26-02	26-01
29-35	29-36

Legend

ZONING

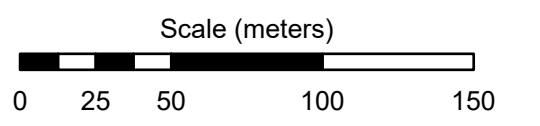
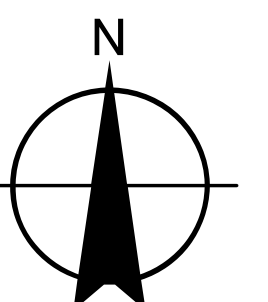
— Proposed Zoning

ADDRESSES

10
234
— Lot Number
— Street Address

• Indicates Address
Fronting Street

--- City Boundary



Scale: 1:2500

Revision: 1/15/2024

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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

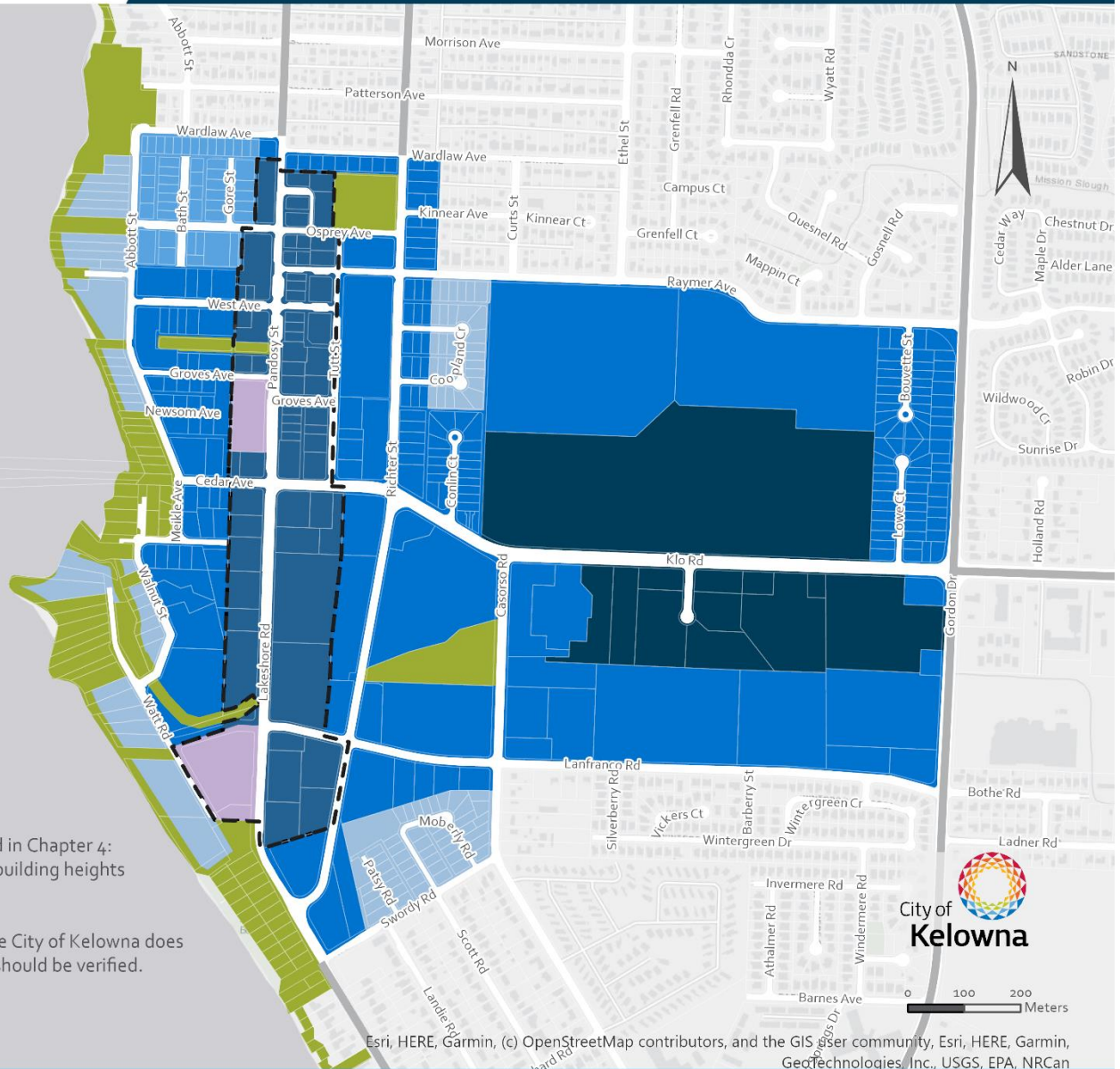
City Clerk

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.

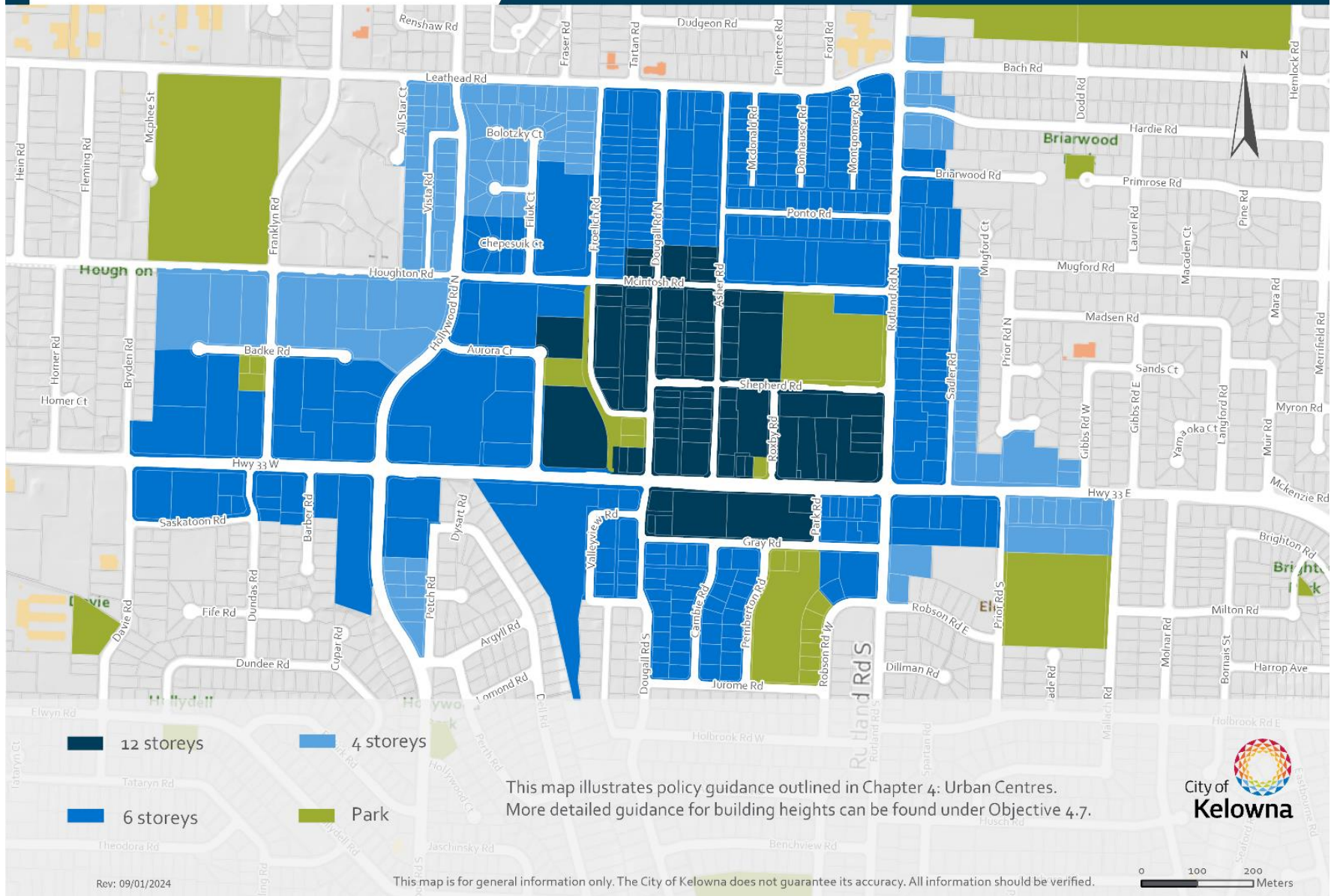
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Rev. Dec 18th, 2021

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

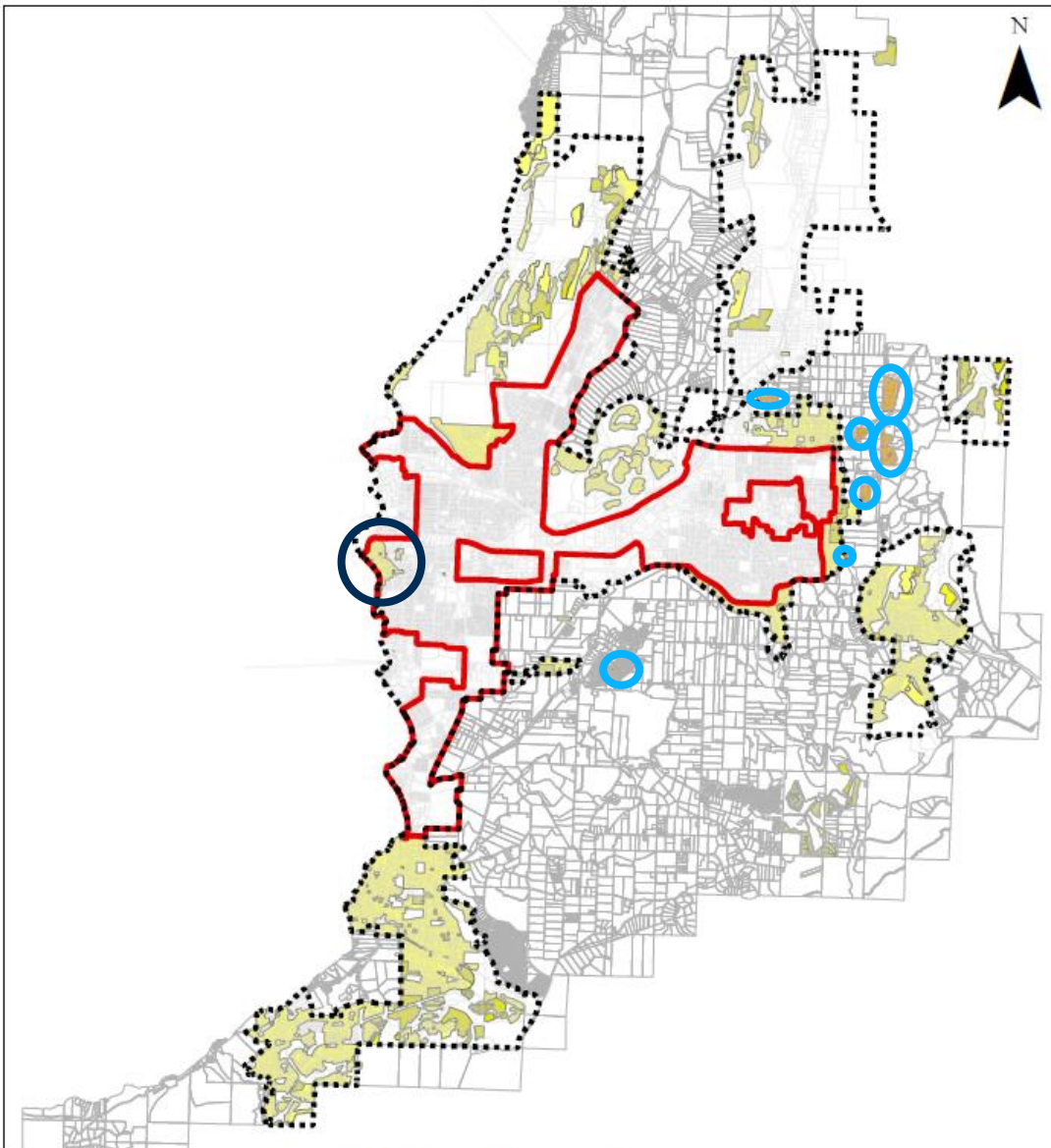
- ▶ Small-Scale, Multi-Unit Housing Legislation (SSMUH)
- ▶ Transit Oriented Development Areas Legislation (TOD Areas)
- ▶ Municipal zoning amendments required to comply and implement (SSMUH and TOD)
 - ▶ Additional implementation items to come:
 - ▶ Official Community Plan Updates
 - ▶ Engineering
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



Suburban Areas

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

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. Friday, January 26, 2024

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

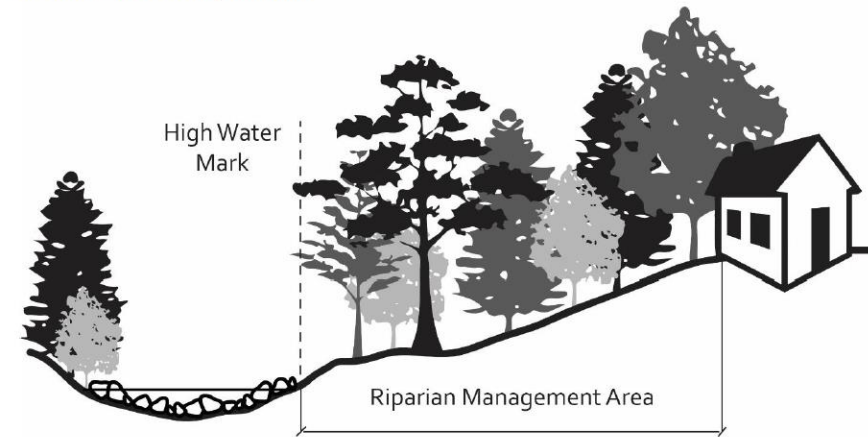
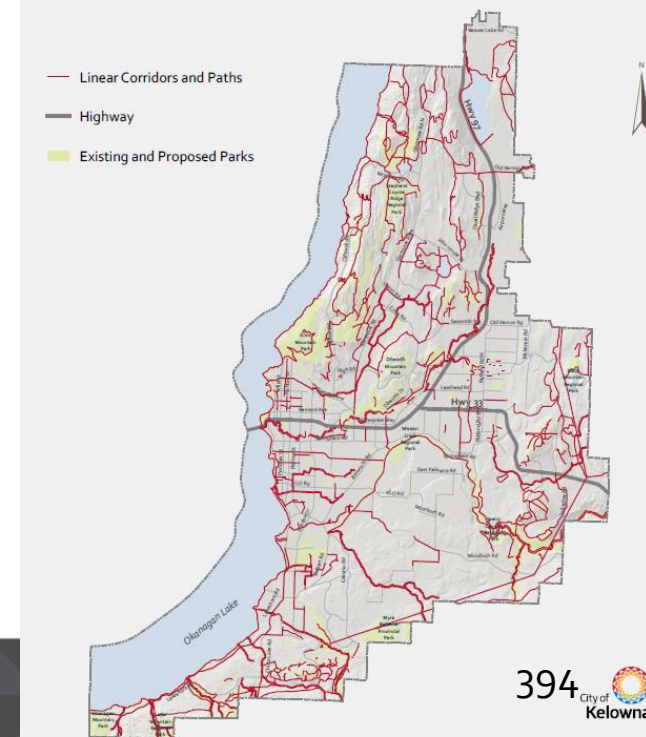


Figure 21.1: The Riparian Management Area.
Source: Adapted from: Ministry of Forests, Lands and Natural Resource Operations,



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

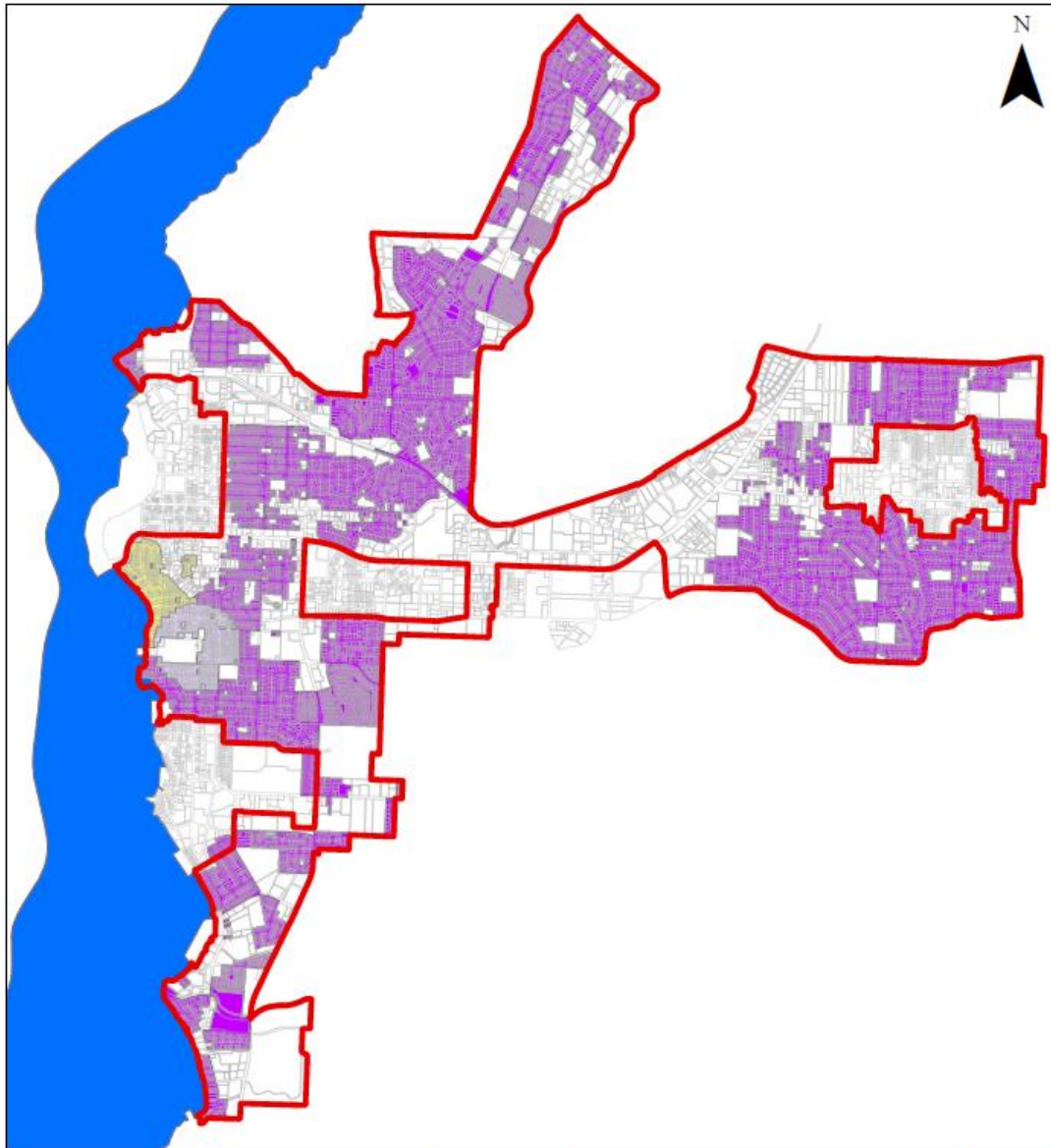
- ▶ Suburban Areas reviewed in Part 1 on Feb 5th
- ▶ Small-Scale, Multi-Unit Housing Legislation (SSMUH)
- ▶ Transit Oriented Development Areas Legislation (TOD Areas)

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)	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



Core Area

of Lots =
11,100

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

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accuracy. All information should be verified.



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

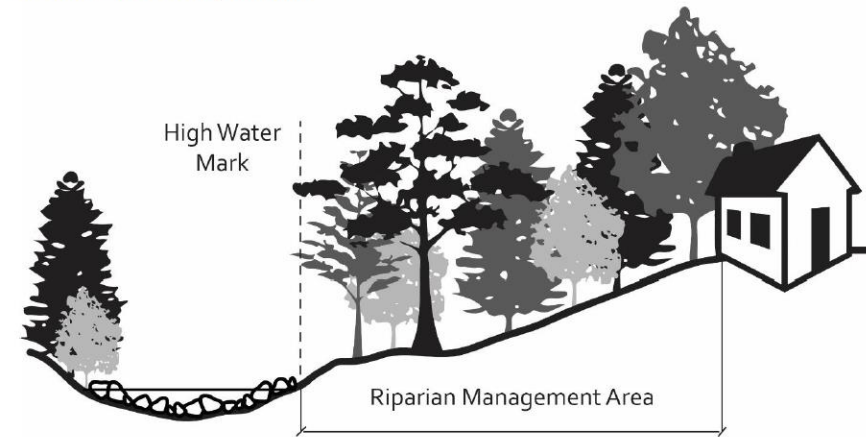
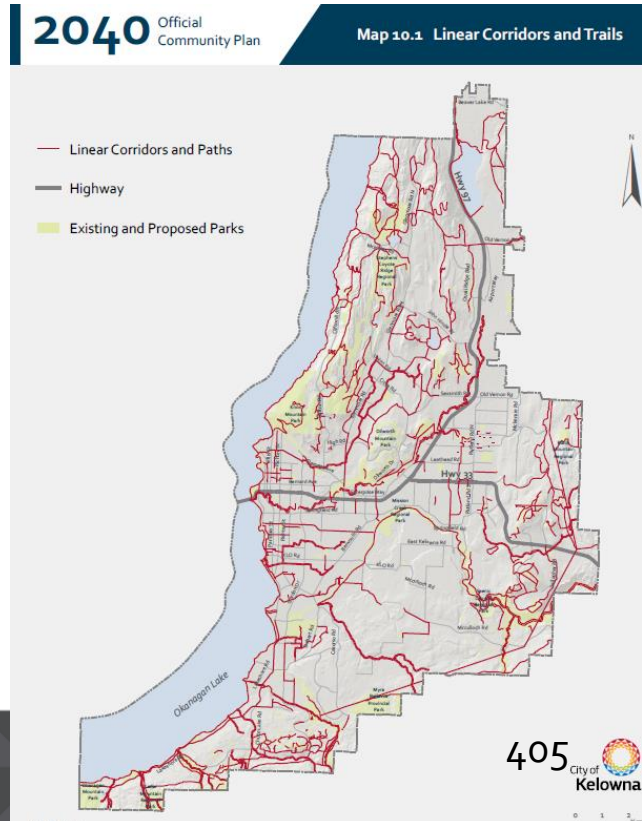
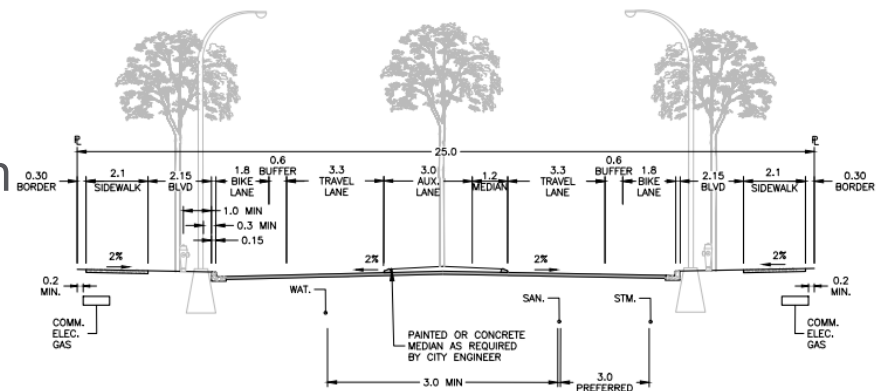


Figure 21.1: The Riparian Management Area.
Source: Adapted from: Ministry of Forests, Lands and Natural Resource Operations,



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)

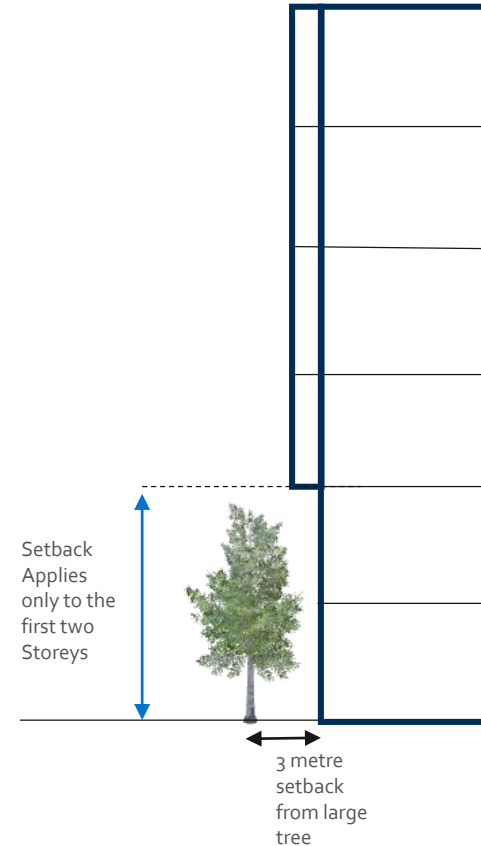
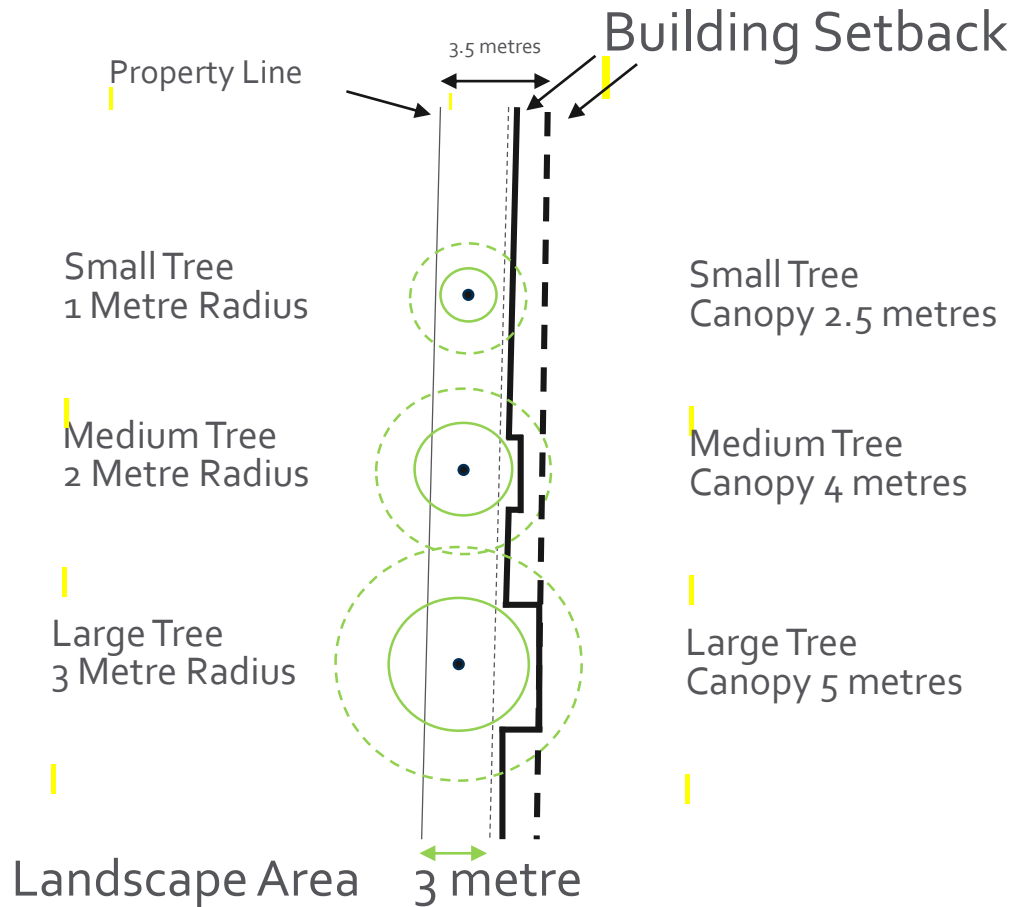
Landscape Section

- ▶ 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

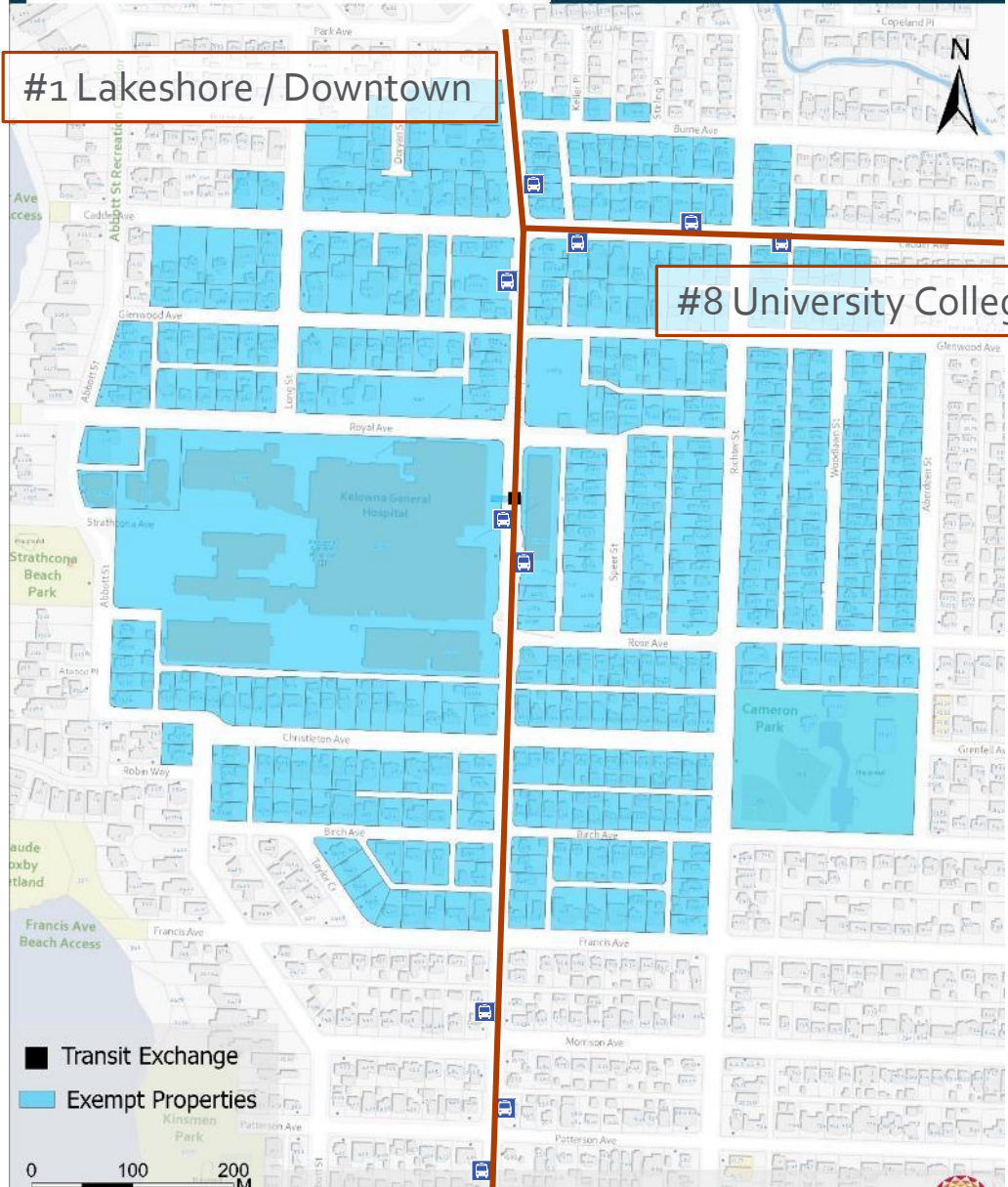
Residential Parking Exemptions

Map 8.3.a

Hospital Exchange

#1 Lakeshore / Downtown

#8 University College



- Transit Exchange
- Exempt Properties

0 100 200 M

Rev. 15/01/2024

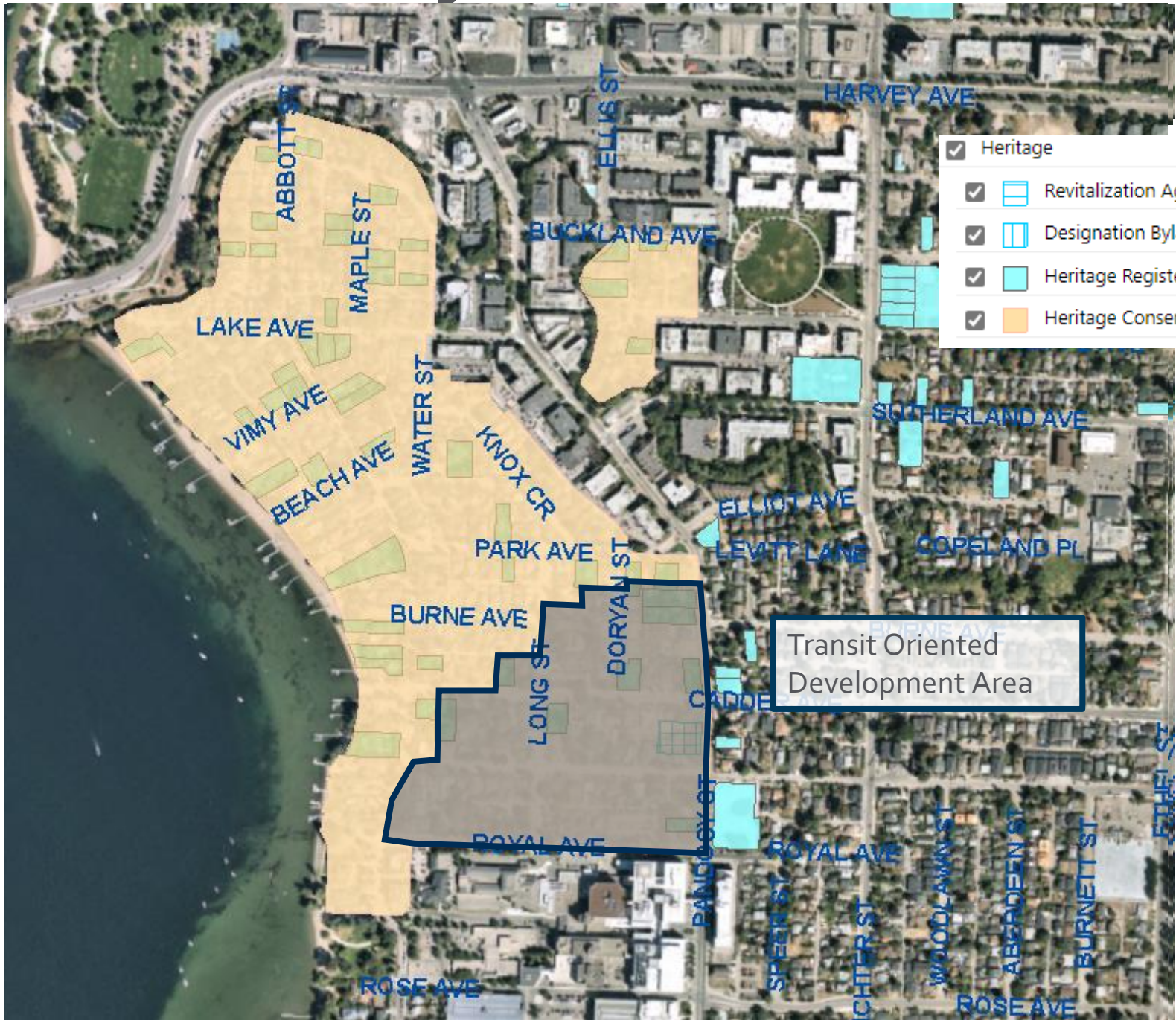
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Applies to 427 lots

411

Heritage Conservation Area



Transit Oriented
Development Area

Residential Parking Exemptions

Map 8.3-b

Okanagan College Exchange

Okanagan College

1 8 4 12 5

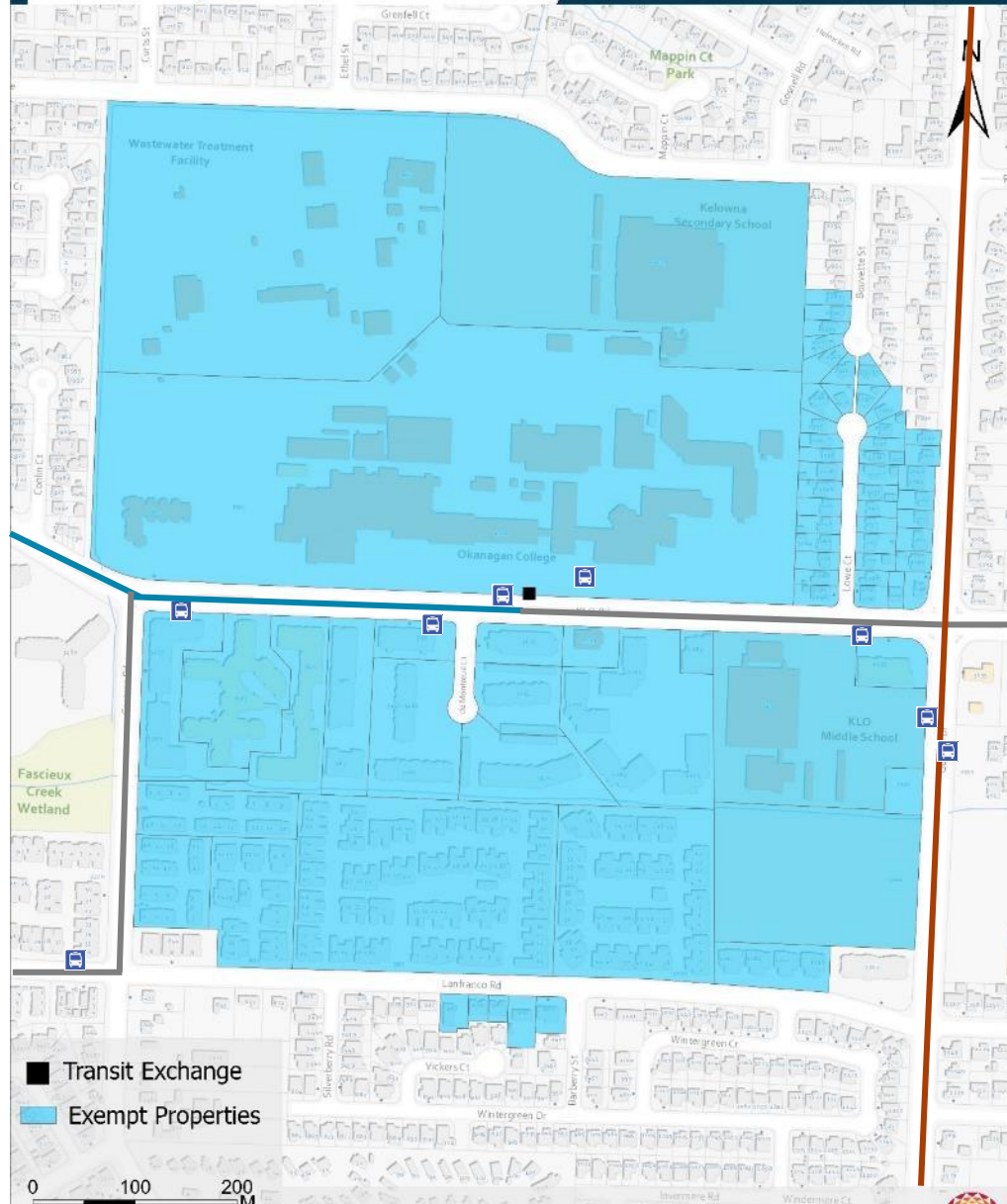
#1 Lakeshore /
Downtown

#8 University College

#4 Pandosy / UCO
Express

#8 University /
College

#5 University /
College



■ Transit Exchange
■ Exempt Properties

0 100 200 M

Rev. 15/01/2024

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Applies to 70
lots

413

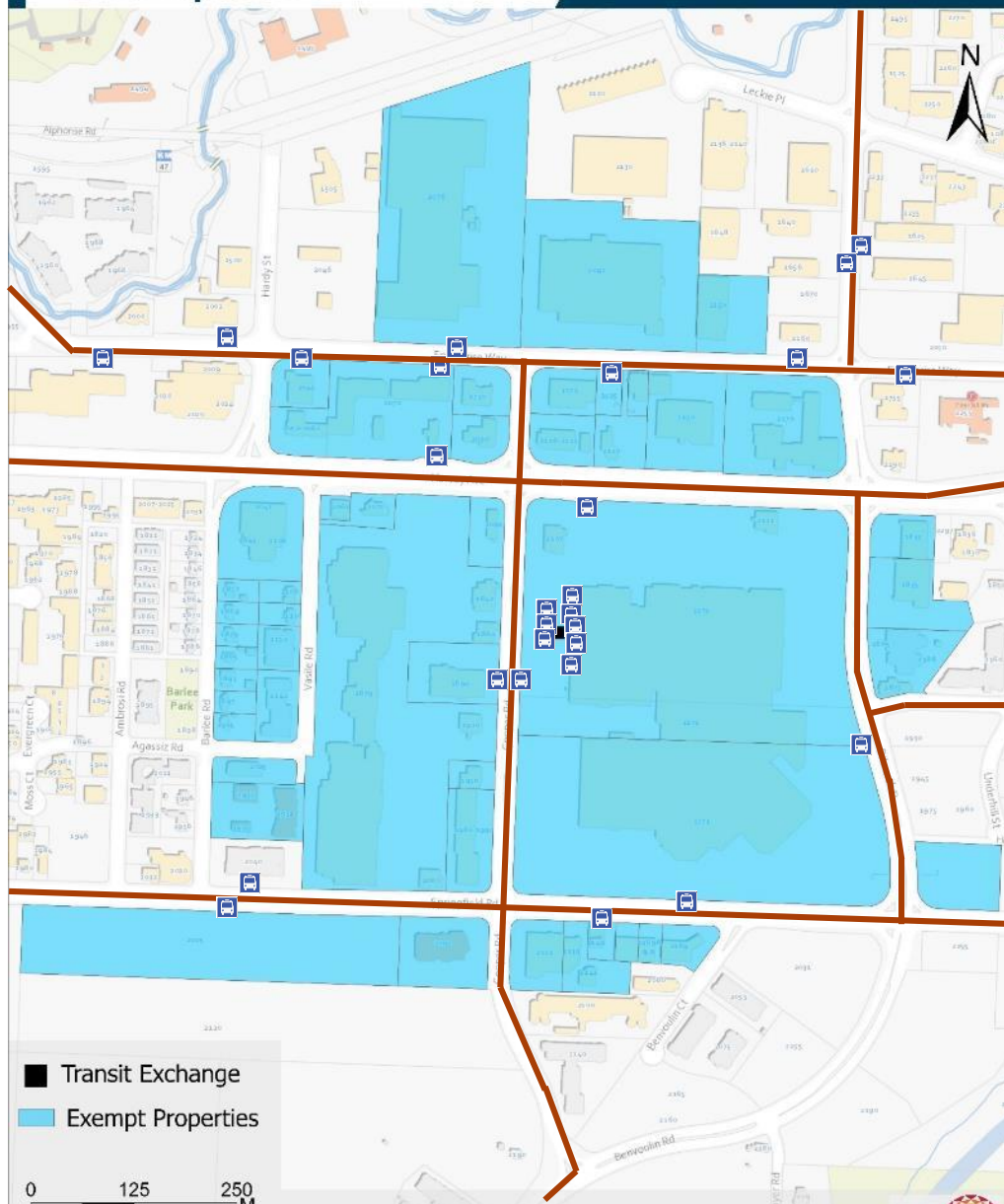
Residential Parking Exemptions

Map 8.3.c

Orchard Park Exchange

Orchard Park				
97	8	10	11	3
4	9	12	19	

Multiple Routes



■ 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 45 lots

Residential Parking Exemptions

Map 8.3.d

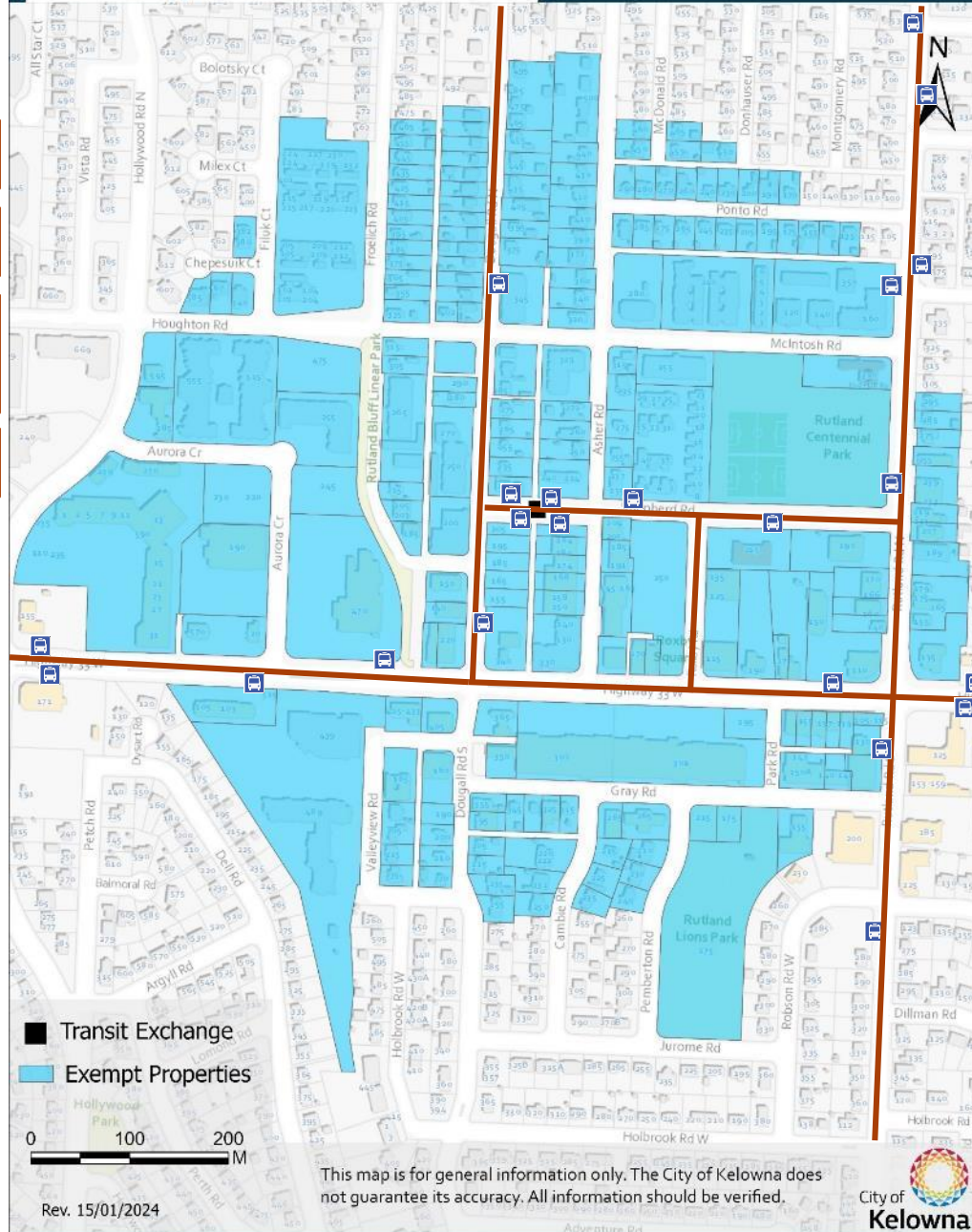
Rutland Exchange

#8 University College

#10 North Rutland

#11 Rutland /
Downtown

#14 Black Mountain



■ 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.



Applies to
251 lots

415

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

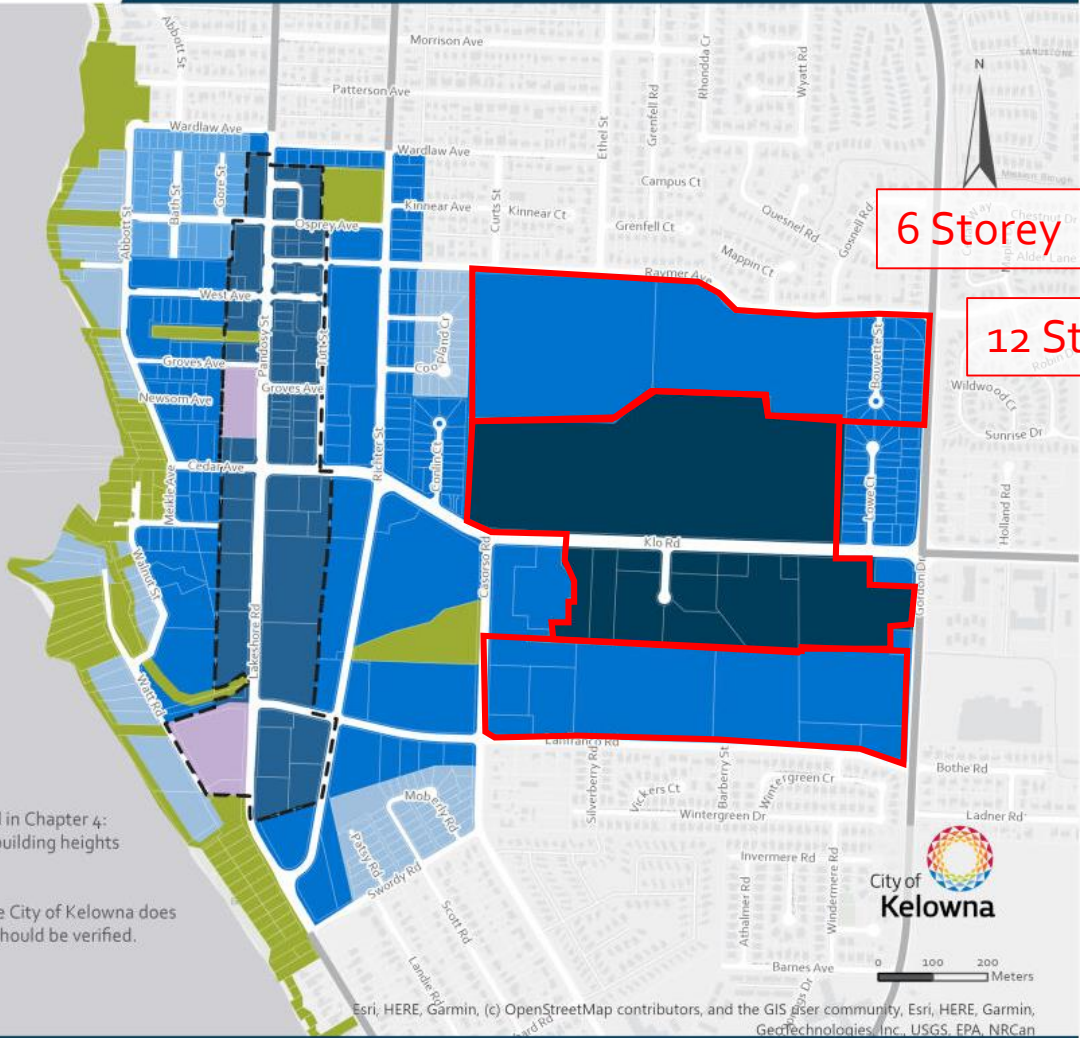


Proposed Map

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.

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

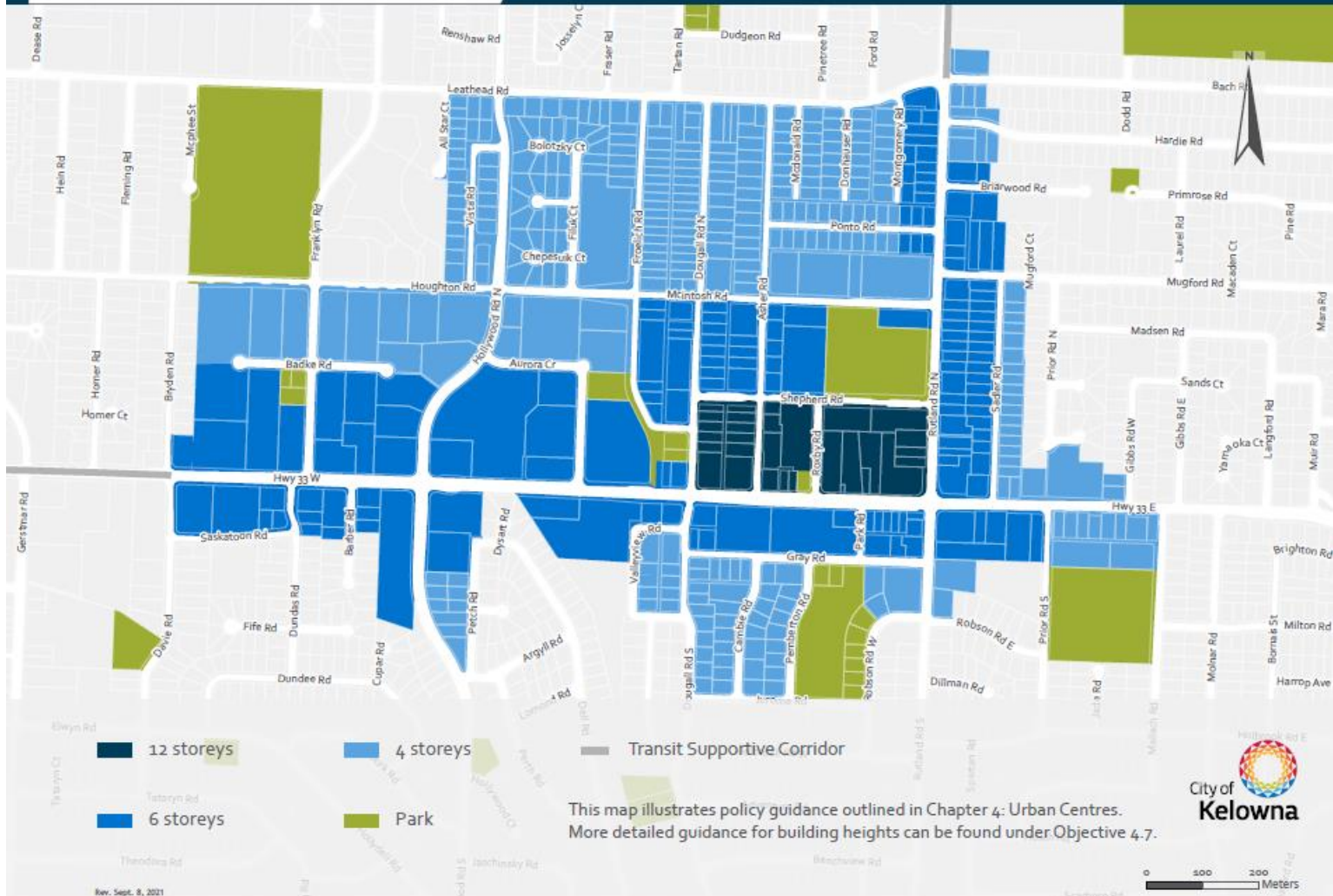
Rev. Dec 18th, 2021

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

Original Map

2040 Official Community Plan

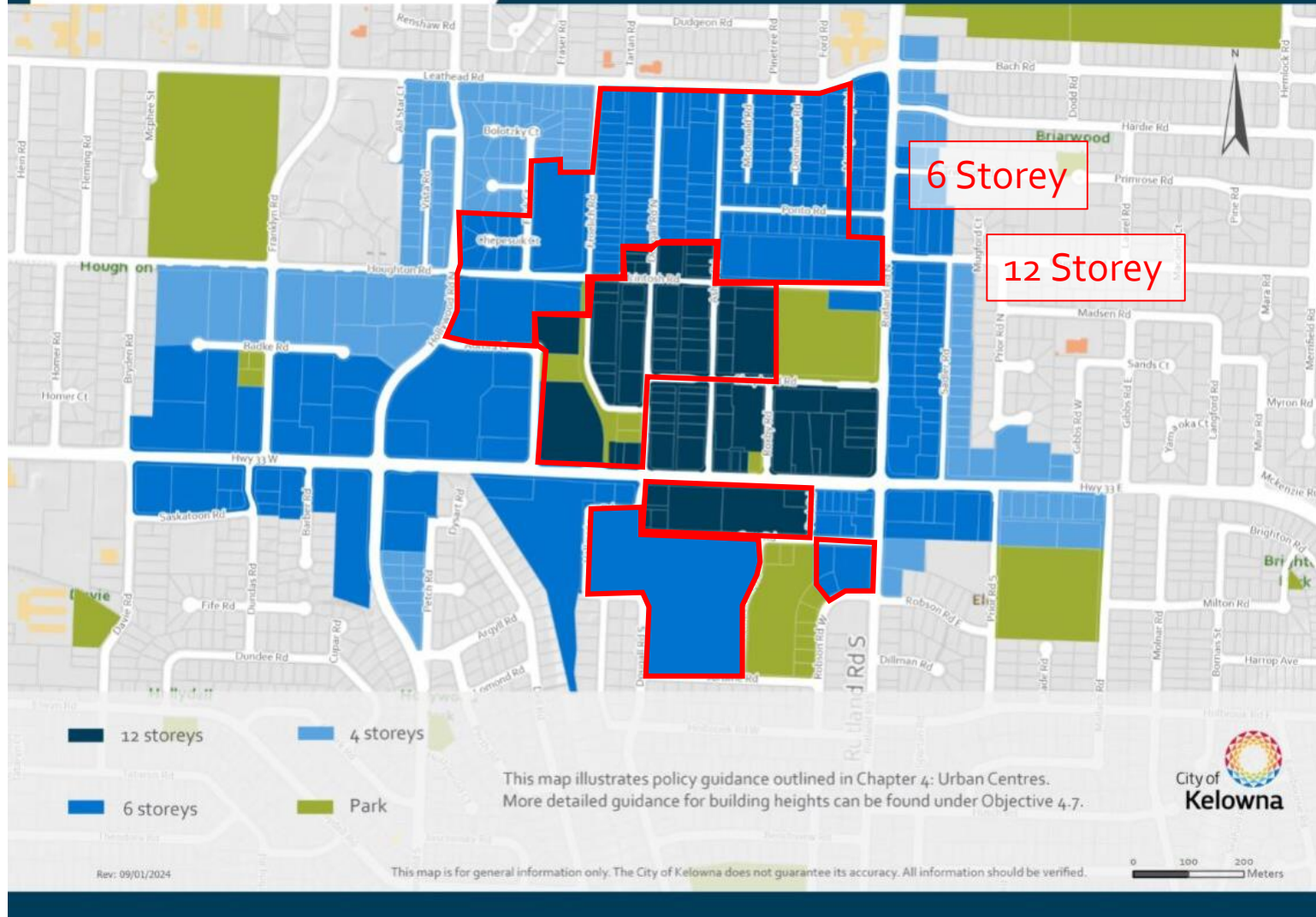
Map 4-7 Rutland Building Heights



Proposed Map

2040 Official Community Plan

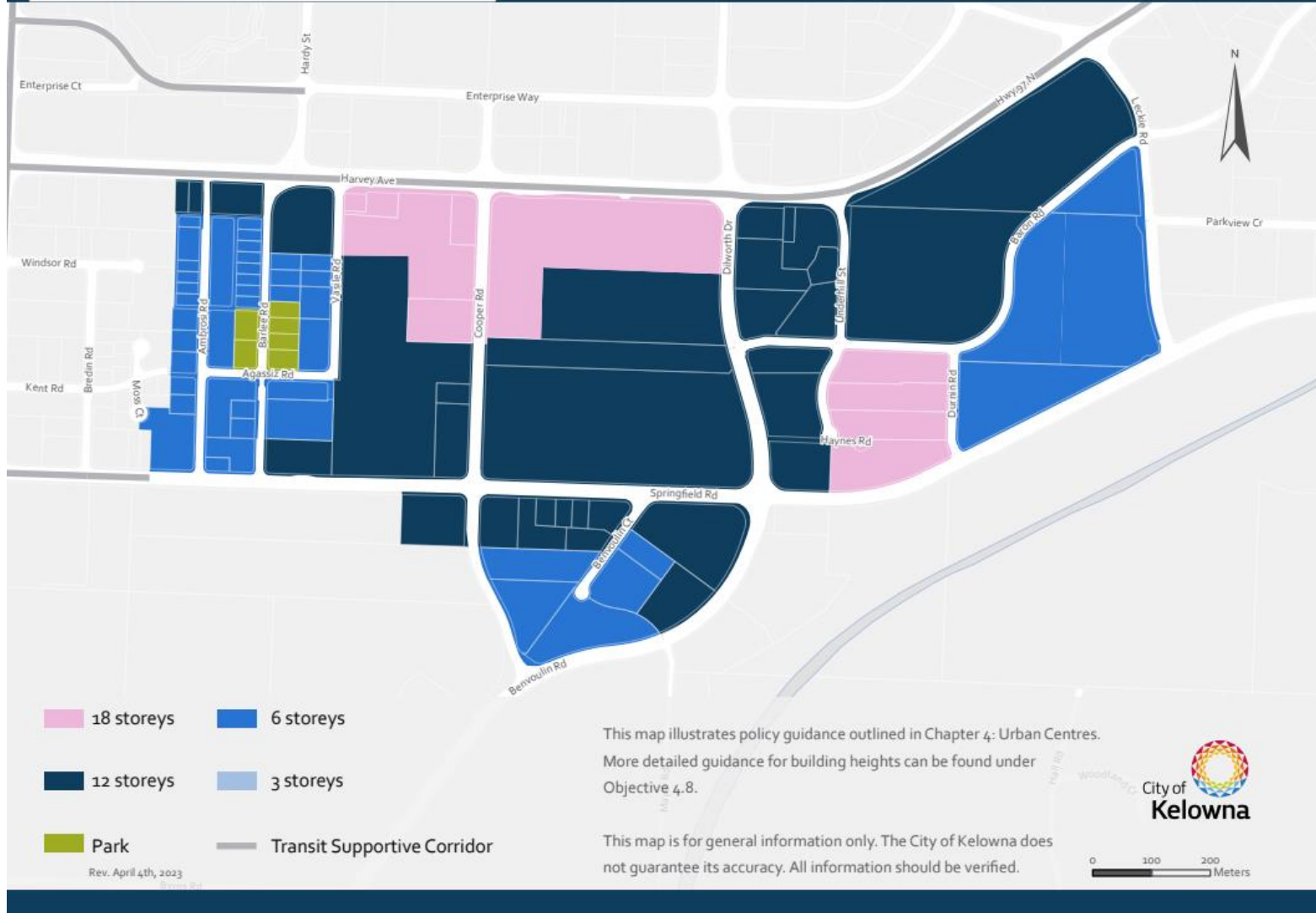
Map 4-7 Rutland Building Heights



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 REZONING



Date: February 26, 2024
To: Council
From: City Manager
Address: 200, 210 & 230 Sadler Road
File No.: Z23-0084

	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. Z23-0084 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of:

- a) That Part of Lot 3 Lying East of a Line Drawn Parallel To And 155.1 Feet Distant from the Westerly Boundary of Said Lot; Section 26 Township 26 ODYD Plan 2773, located at 200 Sadler Rd, Kelowna BC;
- b) The East ½ of Lot 4 Section 26 Township 26 ODYD Plan 2773 Except Plan 5971, located at 210 Sadler Rd, Kelowna BC; and
- c) Lot B Section 26 Township 26 ODYD Plan 12323, located at 230 Sadler Rd, 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 26, 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 & Development Variance Permit for the subject property.

2.0 Purpose

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

3.0 Development Planning

Staff support the proposal to rezone the subject properties to the UC_{4r} – Rutland Urban Centre Rental Only zone. The proposed rezoning will facilitate the development of a rental apartment building which aligns with the Official Community Plan (OCP) Future Land Use Designation of Urban Centre. The proposed rental

apartment housing use is consistent with OCP Policies which encourage medium and high-density residential development and diverse housing tenures within the Urban Centre.

The applicant is required to dedicate 2.3 m of road frontage at 200 and 210 Sadler Rd with no road dedication required along the frontage for 230 Sadler Rd.

Lot Area	Proposed (m ²)
Gross Site Area	2,708 m ²
Road Dedication	88.2 m ²
Undevelopable Area	n/a
Net Site Area	2,619 m ²

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	UC ₄ – Rutland Urban Centre	Single Detached Housing
East	UC ₄ – Rutland Urban Centre	Single Detached Housing
South	UC ₄ – Rutland Urban Centre	Single Detached Housing
West	UC ₄ – Rutland Urban Centre	Commercial

Subject Property Map: 200, 210 & 230 Sadler Rd



The subject properties are located mid-block on the west side of Sadler Rd and northeast of the Hwy 33 / Rutland Rd intersection. Public transit stops are located nearby along Hwy 33 to the south and Rutland Rd to the west. The subject sites are located within walking distance to a variety of commercial retail uses largely

located adjacent to Highway 33 and Rutland Centennial Park which is located on the west side of Rutland Rd N.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 4.1 Strengthen the Urban Centres as Kelowna’s primary hubs of activity.	
Policy 4.1.6 High Density Residential Development	Direct medium and high-density development to Urban Centres to provide a greater mix of housing near employment and to maximise use of existing and new infrastructure, services and amenities <i>The proposed rezoning would increase residential density within the Urban Centre.</i>
Policy 4.12.3 Diverse Housing Tenures	Encourage a range of rental and ownership tenures that support a variety of households, income levels, and life stages. Promote underrepresented forms of tenure, including but not limited to co-housing, fee simple row housing, co-ops, and rent-to-own. <i>The proposed Rental Only zoning will ensure the proposed apartment housing will be developed and maintained as long-term rental units.</i>

6.0 Application Chronology

Application Accepted: December 7, 2023
 Neighbourhood Notification Summary Received: January 19, 2024

Report prepared by: Andrew Ferguson, 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.

CITY OF KELOWNA
MEMORANDUM

Date: December 12, 2023
File No.: Z23-0084
To: Urban Planning Manager (AF)
From: Development Engineering Manager (NC)
Subject: 200 – 230 Sadler Road




UC4 to UC4r

The Development Engineering Department has the following requirements associated with this Rezoning Application for a mid-rise multi-family development on the subject property.

Works and Services required of this development at time of Building Permit are outlined in our memo under file DP23-0228.

The Development Engineering Technician for this file is Michael James-Davies (mjames-davies@kelowna.ca).

- a. Approximately 2.3 m road dedication along the entire frontage of Sadler Rd is required to achieve a ROW width of 20 m in accordance with OCP Functional Road Classifications.
- b. The subject property is located within the Rutland Waterworks District (RWD) Water Supply Area. Confirmation of adequate servicing and fire protection from RWD must be provided to the City Engineer prior to adoption of the zone amendment bylaw.



Nelson Chapman, P.Eng.
Development Engineering Manager
MJD

CITY OF KELOWNA
BYLAW NO. 12627
Z23-0084
200, 210, 230 Sadler Rd

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) That Part of Lot 3 Lying East of a Line Drawn Parallel To And 155.1 Feet Distant from the Westerly Boundary of Said Lot; Section 26 Township 26 ODYD Plan 2773;
 - b) The East ½ of Lot 4 Section 26 Township 26 ODYD Plan 2773 Except Plan 5971; and
 - c) Lot B Section 26 Township 26 ODYD Plan 12323;

located on Sadler 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

Z23-0084

200, 210 & 230 Sadler Rd

Rezoning Application

Purpose

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

Development Process



Dec 7, 2023

Development Application Submitted



Staff Review & Circulation



Jan 19, 2024

Public Notification Received



Feb 26, 2024

Initial Consideration



Reading Consideration



Final Reading & DP/DVP



Building Permit



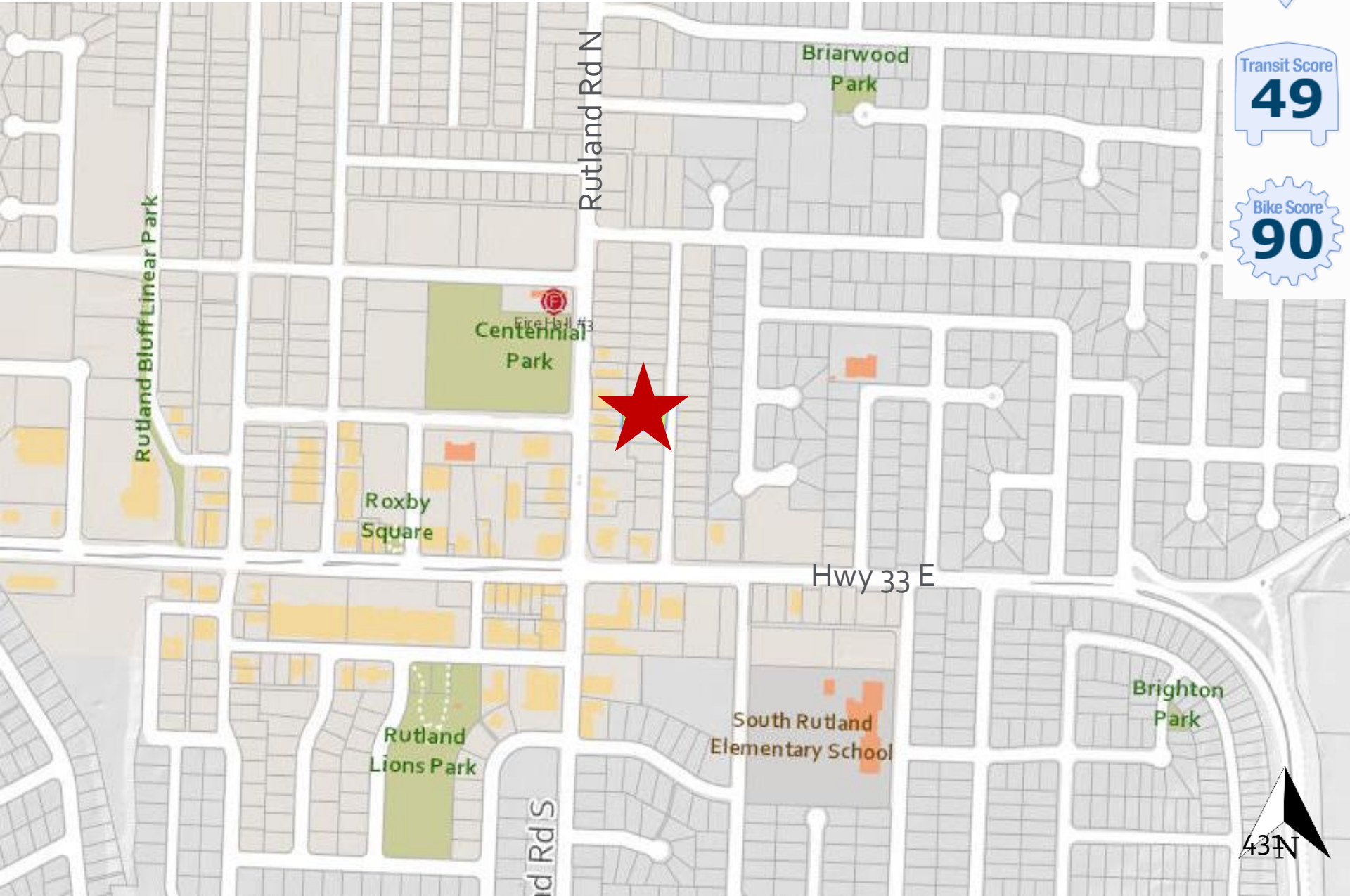
Council Approvals

Context Map

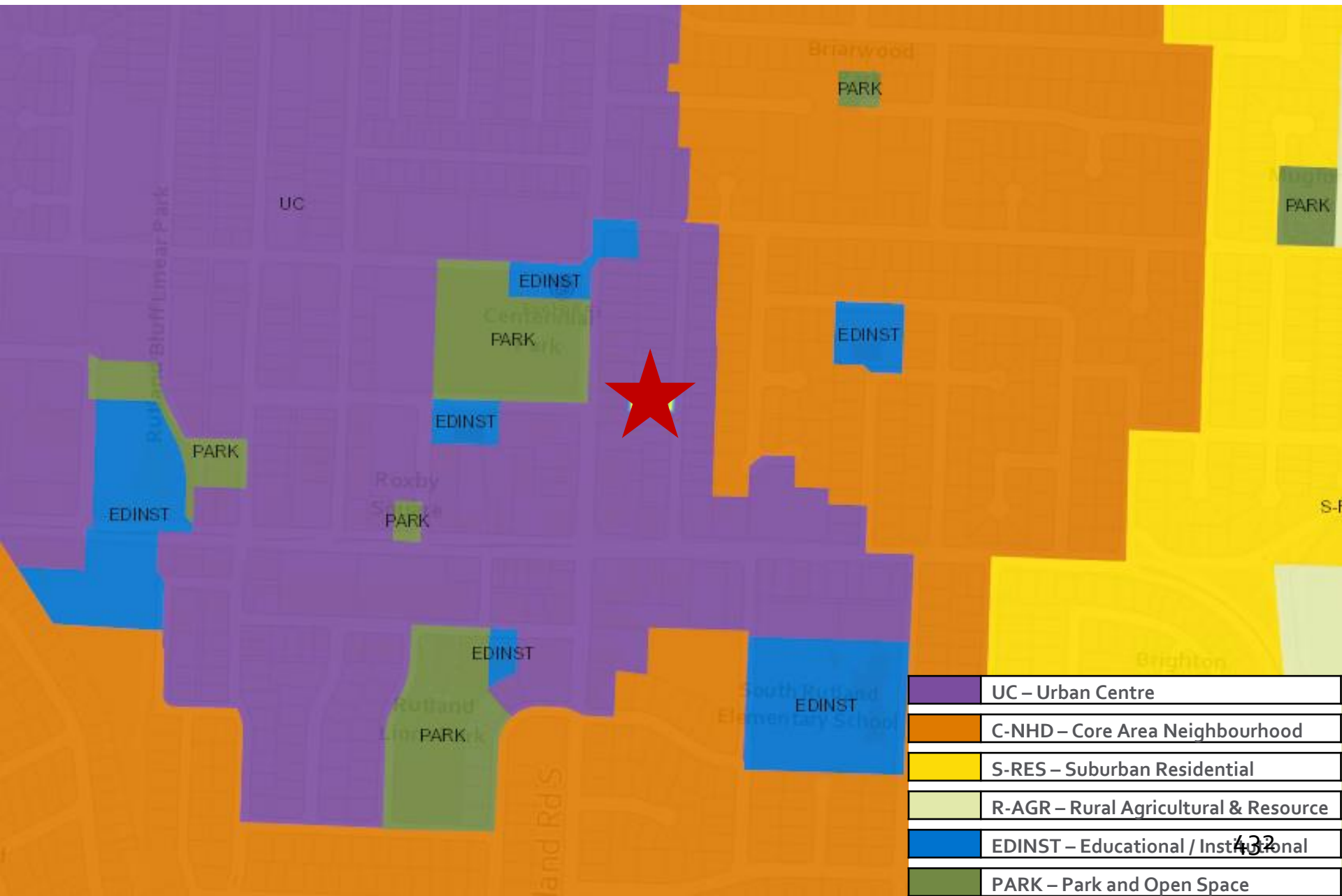
Walk Score
86







Transit Score
49

Bike Score
90

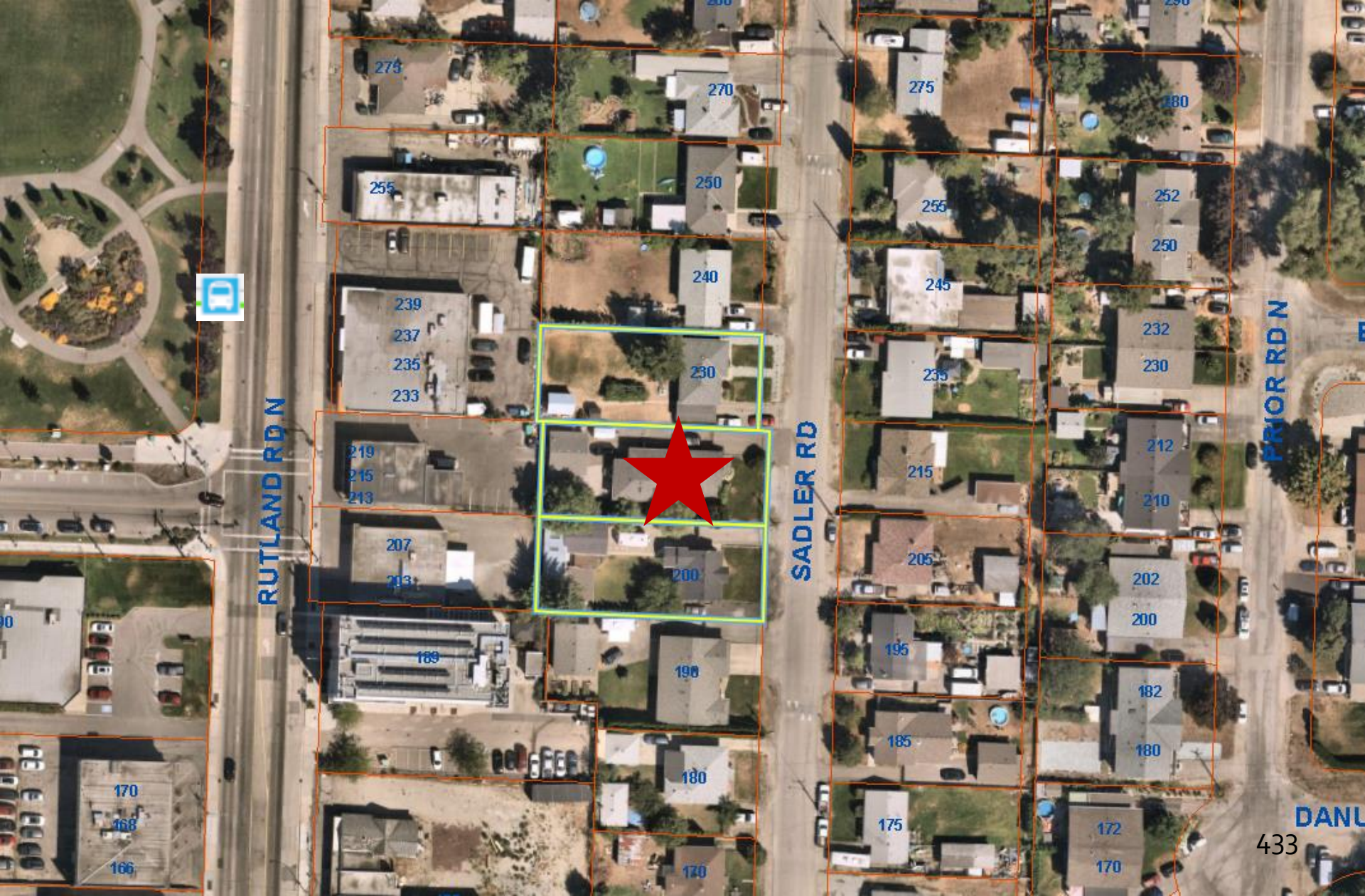


OCP Future Land Use



	UC – Urban 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

- ▶ UC₄ – Rutland Urban Centre zone to UC_{4r} – Rutland Urban Centre (Rental Only)
 - ▶ Facilitate construction of apartment housing
 - ▶ Long-term rental housing
 - ▶ Vehicle entrance Sadler Rd

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 Policies
 - ▶ Policy 4.1.6 High Density Residential Development
 - ▶ Policy 4.12.3 Diverse Housing Tenure
 - ▶ Development Permit to follow

Report to Council



Date: February 26, 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 26, 2024, with respect to three rezoning applications;

AND THAT Rezoning Bylaws No. 12617, 12618, and 12622 be forwarded for further reading consideration.

Purpose:

To receive a summary of notice of first reading for Rezoning Bylaws No. 12617, 12618 and 12622 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 three Rezoning Applications were brought forward to Council for initial consideration on February 5, 2024, and February 12, 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
1910 Cross Rd	Z23-0011	12617	No	1 st , 2 nd , 3 rd	0
135 Barber Rd	Z23-0049	12618	No	1 st , 2 nd , 3 rd	0
654 Buck Rd	Z22-0077	12622	No	1 st , 2 nd , 3 rd	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.

Conclusion:

Following notice of first reading, staff are recommending that Council give Rezoning Bylaws No. 12617, 12618 and 12622 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: L Klaamas, Legislative Technician

Approved for inclusion: S Fleming, City Clerk

cc: 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

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

BYLAW NO. 12622

Z22-0077

654 Buck 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 2 District Lot 357 ODYD Plan EPP5534 located on Buck Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: February 26, 2024
To: Council
From: City Manager
Subject: URBA On-Call pilot project and Business Improvement Area grant programs
Department: Community Safety | Corporate and Protective Services Division

Recommendation:

THAT Council approves a one-time grant of \$130,000 to the Uptown Rutland Business Association (URBA) for the URBA On-Call pilot project.

AND THAT the 2024 Financial Plan be amended to include grant funding.

AND THAT Council directs staff to draft a Council policy as a framework for a new Business Improvement Area (BIA) grant program.

Purpose:

To establish an Uptown Rutland Business Association On-Call Team to enhance safety, cleanliness, and overall appeal of Uptown Rutland while also directing staff to draft a Council policy outlining how future BIA grants will be assessed and awarded.

Council Priority Alignment:

Crime & Safety

To provide local Business Improvement Areas support for urban center safety issues.

Background:

Since 2008 the City has provided an annual grant of \$70,000 to support the Downtown Kelowna Association (DKA) for its Downtown On Call Program (DOC). In 2023, this funding was increased to \$100,000. DKA funding is otherwise generated through the Business Improvement Area (BIA) Bylaw #12575. DOC, also known as the Red Shirt Program, operates within the one square kilometer that comprise the Downtown BIA with the primary goal of enhancing the safety, cleanliness, and overall appeal in Kelowna’s downtown area. Annually, DOC conducts an average of 7,000 proactive interactions and calls for services from businesses. These calls range from addressing loitering to rendering first aid, and it is well understood that many of these calls might otherwise have required responses from Bylaw Services and/or RCMP.

The City's annual grant accounts for approximately 20 per cent of total DOC operating costs. Additionally, the City provides an annual grant of \$56,000 to support the DKA "Clean Team."

In summer 2023, the Mayor's Task Force on Crime Reduction was constituted, bringing together the voices and expertise of people from business, Indigenous, and social service communities, as well as the community at-large. Consistent with City Council's Crime and Safety Priority and its objective to "provide local BIAs support for urban center safety issues," the Task Force recommended replication of the DOC program in other BIAs.

The Uptown Rutland Business Association (URBA), which comprises an estimated 0.52 square kilometres, proposes replicating the DOC program in its BIA. The Program will be tailored to address specific challenges in Uptown Rutland and contribute to its economic and social revitalization. Statistical data from police and bylaw provide evidence for an increasing impact of social issues in the URBA BIA for which the DOC model has proven to be an effective mitigation strategy. RCMP, the City's Community Safety Department, including Bylaw Services, and the Social Development Department support this initiative.

Discussion:

Currently, URBA's BIA does not receive any grant funding from the City of Kelowna specifically allocated to an On-Call team. A one-time grant to URBA of \$130,000 is recommended to support the creation and operation of a one-year URBA On-Call pilot project. The Pilot will enable four full-time staff and a supervisor to provide patrols and response 15 hours daily in the summer and 12 hours daily in the winter. First year costs, including start-up expenditures, are projected at \$305,000 for which URBA has committed \$50,000 and is seeking \$125,000 through alternate grants and community sponsorship.

The absence of current policy or guidelines as it relates to BIA grants for such activities leaves new or prospective On-Call projects without a clear understanding of what, if any, pilot or ongoing financial assistance may be available from the City of Kelowna.

By directing staff to draft Council policy as a framework for BIA grant programs, staff will propose a policy and funding model that is scalable for any BIA seeking City funding for such BIA patrol programs. This will formalize the City's approach and provide a model that is fair, transparent, and accessible to existing and emerging BIAs.

Conclusion:

Approving a one time, \$130,000 grant to the Uptown Rutland Business Association (URBA) for the URBA On-Call pilot project aligns with Council's priority on Crime & Safety and advances a recommendation from the Mayor's Task Force on Crime Reduction.

Further, a future Council policy outlining a framework for BIA grant programs will standardize the process and procedure of awarding grants to BIAs. Drafting policy will identify fair, transparent, and proportional methods to allocate grant funds to BIAs for the future.

Internal Circulation:

Financial Services Department
Social Development Branch
Communications Department

Considerations applicable to this report:

Financial/Budgetary Considerations: City of Kelowna 2024 Financial Plan is to be amended by \$130,000 if grant is approved.

Existing Policy: [Kelowna Downtown Business Improvement Area](#)

Communications Comments:

URBA will have social media campaign, community engagement, & e-newsletters in mid-late February 2024 with "Official Launch" in April 2024, anticipated media coverage. URBA campaign to be amplified on City channels.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Submitted by: Darren Caul, Community Safety Director

Approved for inclusion:



S. Leatherdale, Divisional Director, Corporate & Protective Services

cc:

Supt. Triance, RCMP Officer in Charge – Kelowna Region

Joe Sass, Divisional Director, Financial Services

Jim Gabriel, Divisional Director, Active Living & Culture

Lisa Corcoran, Communications Manager

Colleen Cornock, Social Development Manager

Matthew Roucek, Community Safety Services Manager

Report to Council



Date: February 26, 2024
To: Council
From: City Manager
Subject: 2024 Micromobility Program – Overview of Contract Terms
Department: Integrated Transportation

Recommendation:

THAT Council receives, for information, the report from Integrated Transportation, dated February 26th 2024, with regards to the Micromobility Program.

AND THAT Council direct staff to conduct a selection process for the next operating term of the Micromobility Program.

Purpose:

To summarize key contract terms for the next operating period of the Micromobility Program.

Council Priority Alignment:

Transportation

Background:

In December 2023, the provincial government announced a four-year extension of the e-scooter pilot to April 2028. At the January 22nd, 2024 meeting, Council passed a resolution to continue Kelowna’s participation in the pilot:

Previous Council Resolution

Resolution	Date
AND THAT Council continue Kelowna’s participation in the provincial e-scooter pilot, with the changes outlined in this report.	January 22 nd , 2024

The next step is for staff to hold a competitive selection process for one operator to provide shared e-scooters and e-bikes. A single operator for e-scooters and e-bikes will maximize ridership, minimize staff time related to performance monitoring, and provide the certainty needed for companies to invest in local staff and facilities.

The purpose of this report is to summarize key contract terms, incorporating Council's input from the January 22nd meeting, and move forward to procurement based on the updated terms.

Discussion:

The following includes a summary of proposed contract terms by topic area:

Term and Fleet Size

The contract term is two years, with two optional years at the City's discretion based on the Operator meeting performance objectives.

The maximum fleet size is unchanged from previous years: 700 e-scooters and 300 e-bikes, for 1,000 vehicles in total.

Operators must deploy at least 100 vehicles each day as weather conditions permit. E-bikes must comprise at least 40 per cent of the operator's fleet on any given day. Operators cannot have more than 200 e-scooters downtown.

Parking

In the downtown, vehicles must be parked in areas established by the City. The operator is responsible for ensuring vehicles are located within the established parking areas downtown at the start of each day (6 AM on weekdays; 8 AM on weekends).

Outside downtown, the current rules will continue to apply with no established parking areas but requirements for vehicles to be parked in such a way that doesn't hinder pedestrians or other vehicles. There is no time limit for vehicles to be parked provided they are parked correctly.

The standard for parking compliance is 97 per cent. The City is free to conduct random audits of parking at any time. For the upcoming operating term, staff will conduct audits before regular business hours to ensure parking compliance in the mornings.

If the operator fails to meet the compliance standard, they can have their fleet size reduced by 50 vehicles every two weeks. The operator can regain fleet size by meeting compliance standards over two weeks.

Operator Response

The operator must have a 24/7 customer service phone number and email so the public can report safety concerns and complaints. The phone number must be printed visibly on each vehicle.

The operator must move improperly parked vehicles within one hour of receiving notification between 4 a.m. and midnight and four hours between midnight and 4 a.m. Any damaged or inoperable vehicles must be picked up within 24 hours.

The City may repark or remove incorrectly parked vehicles at any time. The cost of removing vehicles will be deducted from the operator's security deposit.

The operator must provide the City with a direct contact for staff that are capable of moving vehicles.

Education and Enforcement

The operator is responsible for informing its customers on how to use its services and how to operate and park its vehicles legally and in compliance with any requirements set out in the contract.

The operator must have visible language on each vehicle, within their app, and on their website that requires customers to follow all relevant laws and age requirements.

The operator is responsible for continual and ongoing education of its customers around common behavioural issues (e.g. users not wearing helmets or double riding).

The operator must submit monthly self-enforcement reports to the City, itemizing warnings and fines distributed to their customers for improper riding or parking.

Location Tracking and Geofences

The operator must share a data feed of their vehicles' locations with the City at all times. This will be used to monitor compliance with the contract terms.

The operator must be able to restrict or "geofence" slow speed, no-parking, or no-riding areas. After entering a no-ride area (e.g. the Downtown Waterfront), the vehicle's electric motor stops working. Riders may still be able to manually push or pedal the vehicles in these zones, but the "geofencing" technology causes the electric motor to turn off. Users are also prevented from ending their rental until they leave the restricted area.

Geofences must be tested by the City before the operator can begin service. The City may establish new restricted areas at any time, which the operator must activate within one week of notification.

As noted in the January 22nd report, the Downtown Kelowna Association has requested that shared e-scooters be allowed on Bernard Avenue during the annual Meet Me on Bernard event. With the Downtown Waterfront remaining off-limits, allowing shared e-scooters on Bernard will make it easier to move within downtown, particularly for people connecting from the Abbott ATC.

Staff recommend proceeding with this change, provided Bernard Avenue is designated a slow speed zone of 15 km/h Ave. This is slower than most pedal (i.e. not electric) bicycles. Riding on the sidewalk would be prohibited.

Safety

All e-bikes and e-scooters must be equipped with helmets. E-scooters must have sidewalk detection technology and deliver audible warnings to riders.

Users must scan their identification to verify their age when creating an account. Users must also complete a safety quiz before riding. New users must be limited to half-speed on their first ride.

The operator must ensure the Downtown is a no-riding area after 10:30 p.m. Users must also complete a cognitive test before starting a trip after 10:30 p.m.

Penalties

The City may fine the operator \$50 for each infraction of the contract terms. For example, failure to respond within an hour to move three improperly parked vehicles would result in a \$150 fine.

Insurance and Release of Liability

The operator must hold at least \$5 million of general liability insurance, naming the City as an additional insured. The operator must indemnify and save harmless the City from all claims or costs resulting from the use of their service.

Conclusion:

Shared micromobility enables a significant amount of low-carbon mobility at no cost to taxpayers – equivalent to one-quarter of public transit ridership in peak months.

Throughout the course of the pilot, staff have reviewed feedback from residents and adjusted the program to better meet the City's needs. These contract terms give the City the tools to hold potential operators accountable and ensure the program operates as successfully as possible.

If approved, staff will begin a competitive selection process for the new operating period.

Internal Circulation:

Purchasing

Considerations not applicable to this report:

Communications Comments

Financial/Budgetary Considerations

Legal/Statutory Authority

Legal/Statutory Procedural Requirements

Submitted by:

C. Noonan, Transportation Planner

Reviewed by:

M. VanZerr, Strategic Transportation Planning Manager

Reviewed by:

B. Hallam, Integrated Transportation Department Manager

Approved for inclusion:

M. Logan, General Manager, Infrastructure

Attachments: 2024 Micromobility Program – Overview of Contract Terms Presentation

cc: Divisional Director, Corporate Strategic Services
Divisional Director Financial Services

Micromobility Program

Overview of Key Contract Terms

February 26, 2024

Background

- ▶ Provincial e-scooter pilot has been extended until April 2028
- ▶ January 22nd 2024 meeting:
 - ▶ Council voted to continue Kelowna's participation
 - ▶ Provided feedback on changes to the program
 - ▶ Directed staff to return with summary of key contract terms

Term and Fleet Size

▶ Term

- ▶ 2 years
- ▶ 2 one-year extensions, at the City's discretion

▶ Maximum fleet size

- ▶ Unchanged from previous years
 - ▶ 700 e-scooters
 - ▶ 300 e-bikes
- ▶ 40% of deployed fleet must be e-bikes

Parking Rules

▶ Within Downtown

- ▶ Mandatory parking areas
- ▶ Operator must ensure all vehicles in parking areas by 6 am

▶ Outside Downtown

- ▶ Unchanged



Parking Rules – outside Downtown

- ▶ Do not block the path of travel
 - ▶ 1.5m clear space
- ▶ No time limit if parked correctly



Parking Audits

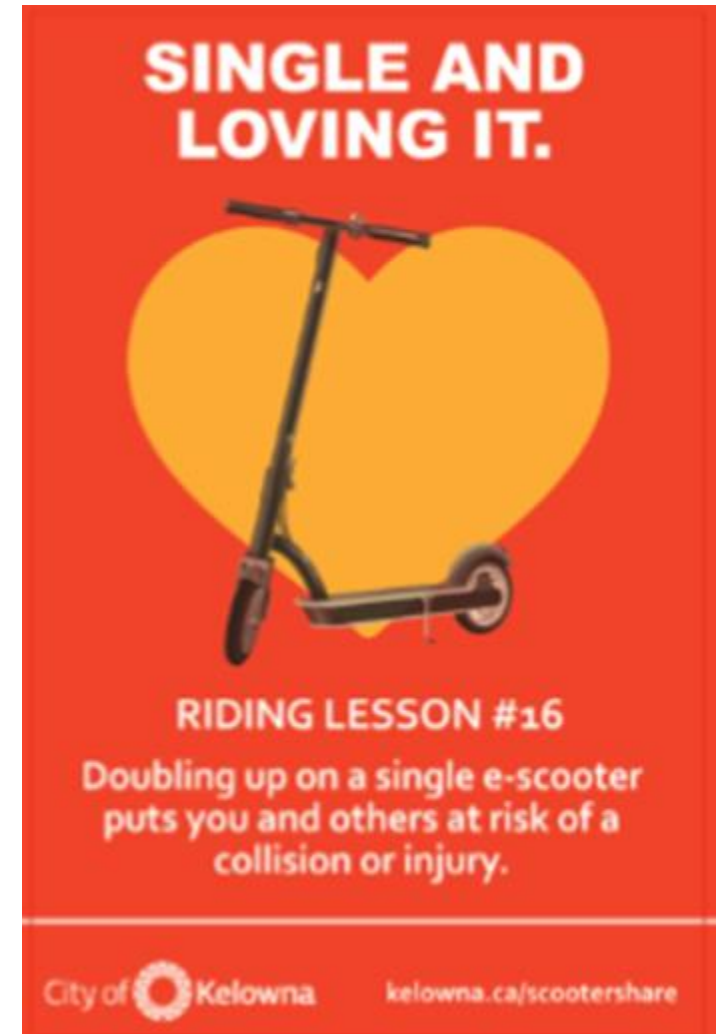
- ▶ Standard is 97% compliance
- ▶ City can randomly audit at any time
 - ▶ Staff will now conduct audits before business hours
- ▶ Failed audits lead to fines and reduced fleet size

Response Times

- ▶ 24/7 phone number printed on every vehicle
- ▶ Operator must provide City with direct contact
- ▶ Operator must respond within 1 hour
 - ▶ 4am – midnight

Education and Enforcement

- ▶ Operator is responsible for ongoing education of users
- ▶ Rules must be printed on vehicles, displayed in operator's app and website
- ▶ Operator must report on warnings and fines issued to users monthly



Location Tracking and Geofences

- ▶ Operators must share vehicle location and status at all times
- ▶ Must be able to geofence slow speed, no-parking, and no-riding zones
- ▶ Geofences must be tested before service begins



Meet Me on Bernard

- ▶ Downtown Kelowna Association has requested e-scooters allowed on Bernard Ave
- ▶ Staff recommend slow speed zone (15 km/h)
 - ▶ Slower than most pedal bicycles

Safety

- ▶ All vehicles must be equipped with helmets
- ▶ E-scooters must have sidewalk detection technology
- ▶ ID verification and mandatory safety quiz when creating an account



Safety

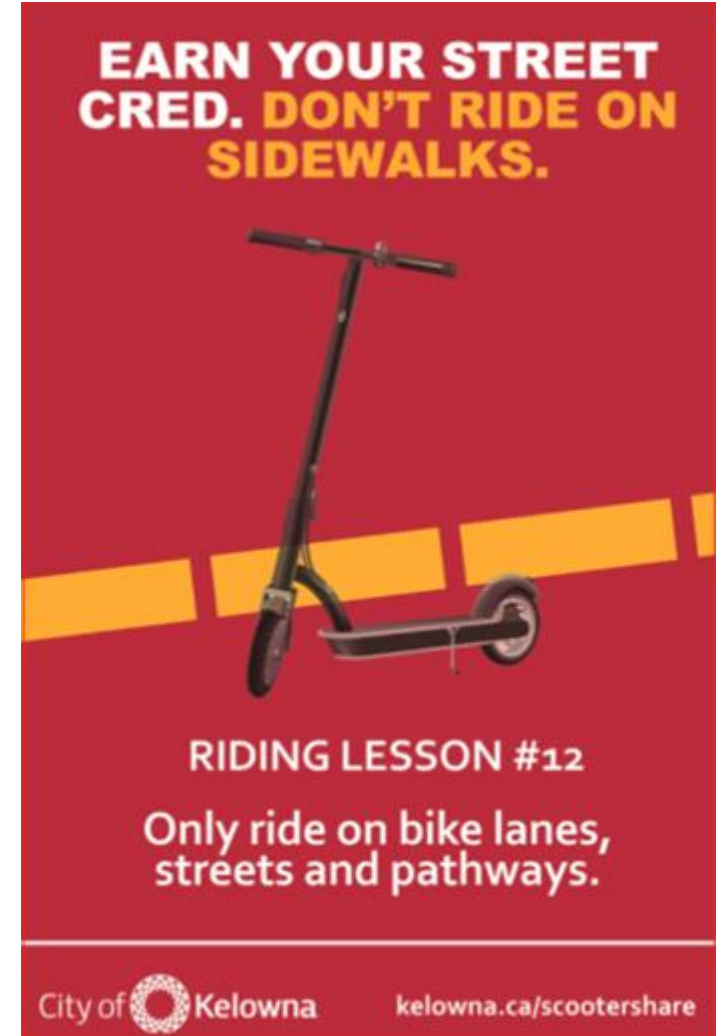
- ▶ Half-speed first ride
- ▶ No riding Downtown after 10:30pm
- ▶ Mandatory cognitive test elsewhere



Penalties

- ▶ \$50 per infraction of contract terms

- ▶ Reduced fleet size if operator fails parking audits



Insurance

- ▶ Operator must hold \$5m general liability insurance
 - ▶ City named on policy
- ▶ Operators must indemnify City for all claims or costs resulting from the use of their service



Conclusion

- ▶ Shared micromobility is reducing emissions at no cost to taxpayers
 - ▶ Equivalent to one-quarter of public transit ridership in peak months
- ▶ Contract terms give the City tools to hold operator accountable
- ▶ With Council's approval, competitive selection process will begin



Questions?

For more information, visit kelowna.ca.

Report to Council



Date: February 26, 2024
To: Council
From: City Manager
Subject: H2O Adventure & Fitness Centre Lease and Operating Agreement
Department: Active Living & Culture/Real Estate

Recommendation:

THAT Council receives, for information, the report from the Active Living & Culture Division and Real Estate department dated February 26, 2024, with respect to the Lease and Operating Agreement between the City of Kelowna and the YMCA of Southern Interior of BC;

AND THAT Council approves the YMCA of Southern Interior of BC Lease and Operating Agreement generally as attached to the report from the Active Living & Culture Division and Real Estate department dated February 26, 2024;

AND THAT the Mayor and City Clerk be authorized to execute the Lease and Operating Agreement and all documents necessary to complete this transaction;

AND FURTHER THAT the 2024 Financial Plan be amended to meet the requirements of the Lease and Operating Agreement.

Purpose:

To obtain Council approval for the Lease and Operating Agreement between the City of Kelowna and the YMCA of Southern Interior BC for the operations of the H2O Adventure & Fitness Centre.

Background:

The City has contracted the YMCA of Southern Interior BC (YMCA) to operate the H2O Adventure & Fitness Centre (H2O) since 2008. The H2O Adventure and Fitness Centre houses a natatorium that includes a competition size 50M pool, splash park, waterslide features and more in addition to health, wellness, and fitness spaces. The YMCA offers a variety of services including swimming lessons, pool rentals to local sport organizations, fitness classes, personal training, programs, camps, and childcare

opportunities. An overview of program and service impact is highlighted through the attached infographic (Attachment B).

The existing agreement with the YMCA expired December 2023 and is currently operating on a month-to-month basis.

Discussion:

City Staff have worked closely with the YMCA to develop a new Lease and Operating Agreement which provides clarity to the working relationship and expectations of both parties while outlining shared objectives including providing accessible, high-quality aquatic, fitness and wellness services and amenities to the Kelowna community. The new agreement establishes a legal framework for responsibility and accountability by each party while reflecting the collaborative and mutually beneficial relationship between the City and YMCA.

Highlights of the agreement include:

- Providing a three-year lease to the YMCA with the opportunity for one two-year renewal, at the mutual discretion of the Parties.
- A financial framework capturing costs associated with the operations of H2O while providing the YMCA operational flexibility in achieving the desired performance and objectives to ensure strong financial management.
- The YMCA is fully responsible for all day-to-day operations, management decisions, and staffing the facility.
- The agreement addresses facility and equipment renewal to maximize the lifespan of the facility and equipment.
- The City and the YMCA are jointly responsible for the maintenance of the facilities, with their respective responsibilities outlined in Schedule "E" of the Lease and Operating Agreement.
- Established reporting requirements, key performance indicators and feedback opportunities.
- Public access to the facility is defined and assured over the life of the agreement and ensures barriers are reduced.
- Branding guidelines that reflect H2O is owned by the City and operated by the YMCA.

Financial/Budgetary Considerations:

The financial framework for H2O is based on a model that aims to achieve cost neutrality for the City over the term of the agreement. This will be accomplished through gradually reducing the City's current operating subsidy, (given as an operating grant to the YMCA), over the full term of the agreement until zero dollars is achieved in the final year, while allowing the YMCA operating flexibility to adapt to market conditions and meet performance and operating objectives. Beyond the scope of the operating grant, the YMCA will be responsible for any operating deficits.

The financial framework and H2O operating budget will also include:

- An annual YMCA Management Fee and YMCA Affiliation fee.
- Contributions to an Operating Reserve Fund and Program Asset Management Reserve Fund.
- The City will contribute to Minor Repairs annually if the cumulative costs meet the agreed threshold.
- When a Facility surplus is realized, the YMCA and the City shall share the surplus at the percentages outlined in Schedule D of the agreement.
- The City shall provide up to \$425,000 over the first two years from the H2O Equipment Replacement Reserve for program asset upgrades as outlined in Schedule C - Program Asset Management Plan.

The 2024 H2O operating financial forecast is included in the Agreement (Schedule G):

City H2O Reserves

Since H2O first opened, the City has funded two reserves specific to H2O; a general reserve which supports major system renewal and an equipment replacement reserve which supports program related assets such as fitness equipment and natatorium specialty equipment. The City currently maintains both reserves and will continue to do so.

As the City's Operating Grant is reduced and/or a facility surplus is realized, the funds will be redeployed to the general reserve.

Existing Policy:

The proposed non-market facility leases align with Council Policy 347 — Non-Market Leasing of Civic Lands and Buildings. For this reason, staff are recommending non-market leases and operating agreements as detailed in this report.

Conclusion:

This agreement provides program continuity and quality services to the community, operational support from an experienced organization and renewed financial framework that reflects the potential of the facility.

As Kelowna's sport and recreation landscape evolves, H2O will continue to play a significant role in the health and wellness our community and remains a flagship facility.

Internal Circulation:

Active Living & Culture
Property Management
Financial Services
Building Service

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Consultation and Engagement:

Communications Comments:

Submitted by:

J. Gabriel, Divisional Director, Active Living & Culture

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

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

Lease and Operating Agreement Between the City of Kelowna and the YMCA of Southern Interior BC

January 2024

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Lease and Operating Agreement

THIS AGREEMENT made as of the _____ day of _____, 2024

BETWEEN:

CITY OF KELOWNA, a municipality incorporated under the laws of the Province of British Columbia, having an office at 1435 Water Street, Kelowna, British Columbia, V1Y 1J4

(the "City")

AND:

YMCA OF SOUTHERN INTERIOR BC, a society incorporated pursuant to the laws of the Province of British Columbia, having a registered and records office at 375 Hartman Road, Kelowna, British Columbia V1X 2M8

(the "YMCA")

WHEREAS:

A. The City is the registered owner in fee simple of the lands in the City of Kelowna, British Columbia, legally described as:

PID: 026-563-355

Lot 2, District Lot 168, Osoyoos Division Yale District, Plan KAP80134

(the "Lands");

B. On a portion of the Lands the City has constructed an aquatic centre that includes a natatorium, other aquatic facilities, change rooms, fitness rooms, meeting rooms, administration spaces, and public spaces, as shown and described on the attached Schedule A (the "Facility") for the purpose of providing sport, recreation, and wellness opportunities, programs, and services for the benefit of the community of Kelowna;

C. By a Management and Operating Agreement dated May 31, 2012, as amended by Modification Agreements dated December 6, 2016, February 18, 2021, and December 13, 2023 the City assigned the operation of the Facility, named, branded, and marketed as the H2O Adventure and Fitness Centre, to the YMCA for a term commencing on January 1, 2012 and terminating December 31, 2023;

D. The YMCA wishes to manage and operate, and the City wishes to engage the YMCA to manage and operate, the Facility in accordance with this Agreement; and

E. The City recognizes the valuable contribution that the YMCA provides in enhancing the health, wellness, and recreation opportunities available to residents, visitors, and the broader Kelowna community.

NOW THEREFORE THIS AGREEMENT is evidence that in consideration of the mutual promises and payments provided for in this Agreement and the payment of one dollar (\$1.00) from the YMCA to the City and other good and valuable consideration, the receipt and sufficiency of which the City hereby acknowledges, the parties covenant and agree as follows:

1. OBJECTIVES

Through this Agreement, the City and the YMCA seek to create value for their mutual investment in the Facility and present benefits to the Kelowna community through seeking to achieve shared objectives including:

- a) positioning the Facility as a community resource that facilitates stronger connections with Kelowna residents through health and wellness services, while supporting the YMCA’s mission dedicated to strengthening the foundations of community;
- b) the efficient delivery of quality and innovative health, fitness, wellness, aquatic, and social programs and services to Kelowna residents and visitors, that address the needs and interests of Kelowna’s diverse population across a broad range of demographics and meets the programming needs of all community members and user groups;
- c) ensuring access to the Facility, its programs, and its services is available to all residents, notwithstanding their economic circumstances, through the implementation of inclusivity and accessibility measures including, at a minimum, the provision of a comprehensive financial assistance program;
- d) the cost-effective, viable, and prudent operation and maintenance of City-owned lands and facilities through the business acumen and management expertise brought to all aspects of the operation of the Facility by the YMCA;
- e) operating using a comprehensive financial model that provides the YMCA with the flexibility to innovatively respond to market conditions, customer needs, and current trends to achieve desired performance and objectives, while minimizing the City’s financial exposure through the purposeful pursuit of cost neutrality;
- f) implementing a maintenance and renewal program that enhances the visitor experience, maximizes the lifespan of the Facility and its equipment, and ensures the on-going sustainability of the Facility; and
- g) fostering an environment of collaboration and open communication between the parties, based on mutual trust and respect, to support the achievement of common objectives.

2. GENERAL DUTIES AND OBLIGATIONS OF THE YMCA

In addition to the other covenants and obligations to be performed by the YMCA under this Agreement, the YMCA covenants and agrees that it will, at all times, to the best of its abilities:

- a) promptly and safely perform its obligations under this Agreement by applying the degree of care, skill, and diligence to manage and supervise the operations, maintenance, preservation, and protection of the Facility as would a prudent owner of a similar facility in British Columbia;
- b) comply with the programming requirements established in Schedule B (the "Programming Requirements");
- c) perform its obligations under this Agreement and in its dealings with the City under this Agreement in good faith;
- d) regarding the programs, services and operating practices of the YMCA be responsive to the changing community needs, reactive to evolving management and operational practices within the broader wellness, fitness and aquatic sector, and be receptive to recommendations offered by the City;
- e) operate the Facility under the name "H2O Adventure and Fitness Centre", with no additions or variations;
- f) except as otherwise expressly set out in this Agreement, be responsible for full management, operations, and all costs of the Facility, including the following:
 - i. all program and service delivery, including planning, development, and implementation for the Facility;
 - ii. all revenue generation, including fund development opportunities such as membership fees, admission fees, programming fees, major gifts, fundraising, and sponsorship arrangements;
 - iii. carrying an Operating Reserve Fund as outlined in Section 7.6;
 - iv. preparation and submission of a Program Asset Management Plan annually in relation to all Program Assets as defined in section 5.11 of this Agreement, including planning and carrying a Program Asset Management Reserve Fund;
 - v. all operations and maintenance related to the Facility; and
 - vi. collaborating with the City by providing input on any future capital enhancements at the Facility;
- g) continue to be a registered charity, in good standing with the Government of Canada and a registered society in the Province of British Columbia;
- h) permit a City designate as required, upon invitation, to attend meetings of the YMCA's Board of Directors as the City's liaison: to address matters regarding facility and building operations;

- i) 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 City's reputation, or which would reasonably be expected to lead to unwanted or unfavorable publicity to the City; provided, however, the foregoing limitation shall not apply to compliance with any legal process or statements made in response to an authorized inquiry from a court or regulatory body;
- j) upon request, facilitate the City's communication with members and users of the Facility through exercising any channels of communication available to the YMCA for such purposes; and
- k) obtain and maintain in good standing, and comply with all terms of, all licenses, permits, consents, authorizations, certificates, operating certificates, and other approvals of any kind from the federal, provincial, local, or other government or governmental agency, authority, board, bureau, or commission that are required for the operation, management, and maintenance of the Facility or for the performance of any of the YMCA's obligations under this Agreement.

3. TERM

- a) The term of this Agreement shall be for three (3) years commencing on January 1, 2024 (the "Commencement Date") and expiring on December 31, 2026 (the "Term"), subject to earlier termination as provided herein.
- b) The Term of this Agreement may be renewed for up to one (1) further two (2) year renewal period, (the 'Renewal Term') upon the mutual agreement of both parties (the 'Renewal Option'). In order to exercise such Renewal Option;
 - i. no less than six (6) months prior to the expiration of the Term, the YMCA will advise the City in writing of its desire to exercise the Renewal Option; and
 - ii. the City will respond to the YMCA's written notice within 90 days of receipt of its intent to exercise the Renewal Option;
- c) Should the Parties decide not to exercise the Renewal Option, an additional one (1) year extension ("the Extension") will automatically occur following the end of the Term. The Parties agree to work collaboratively to prepare a Facility management transition plan during this Extension to ensure existing service and programming levels be maintained during the Extension period; If such an Extension occurs, the Management Fee and Operating Grant established in the previous year will be carried forward as the base for the Extension period.
- d) If the Renewal Option is exercised, no less than one (1) year prior to the expiration of the Renewal Term, the Parties will work collaboratively to prepare a Facility management transition plan to ensure existing service and programming levels are maintained upon the expiration of this Agreement.

4. PREVIOUS AGREEMENTS

This Agreement replaces any and all previous agreements, whether written or not, between the City and the YMCA, and the parties agree that any and all previous agreements shall be terminated and be of no further force and effect as of the Commencement Date.

5. USE AND OCCUPATION OF FACILITY

5.1 Grant of Leases

The City hereby leases the Facility to the YMCA (the "Lease") for the Term and any Extension or Renewal Term, as applicable, on the terms and conditions of this Agreement and for the purposes set out in this Agreement.

5.2 Licenses

- a) The City hereby grants to the YMCA a non-exclusive right and license to enter onto and use the Lands surrounding the Facility, as identified in the attached Schedule A (collectively, the "License Areas") for the purpose of performing its obligations under this Agreement;
- b) The YMCA shall have a non-exclusive right and license to use the parking area adjacent to the rear of the Facility for the purposes of parking for YMCA staff, contractors, and visitors to the Facility, as determined by the YMCA.
- c) The City shall be responsible for all landscaping services for the outdoor grounds surrounding the Facility.
- d) The City shall be responsible for ice and snow removal, including record keeping, for the parking lot and roads surrounding the Facility.
- e) The YMCA shall be responsible for ice and snow removal, including record keeping, for the sidewalks in the sidewalk maintenance License Area surrounding the Facility, as identified in Schedule A.
- f) The YMCA acknowledges and agrees that it acquires no interest, legal or beneficial, in the Facility or the Lands by virtue of this Agreement or any of the rights granted to it under this Agreement.

5.3 Permitted Uses

The YMCA will only use and occupy the Facility and the License Areas to provide the services outlined in Schedule B.

5.4 Accessibility of the Facility

The YMCA shall operate the Facility so that it is open to the public during all hours of operation, that its programs are available to the public, and so that the Facility is fixtured and maintained to be accessible to persons with diverse abilities. The YMCA and the City will work in cooperation should significant improvements to the Facility be required to improve access.

5.5 Smoking and Vaping

The YMCA shall operate the Facility as a non-smoking, non-vaping Facility.

5.6 Acknowledgement and Agreements of the YMCA

The YMCA acknowledges and agrees that:

- a) the YMCA leases the Facility and licenses the License Areas on an "as is" basis, and the City has not made any representations, warranties, or agreements as to the environmental condition of the Facility or the Lands;
- b) it is the sole responsibility of the YMCA to satisfy itself concerning the environmental conditions of the Facility and the Lands, including, without limitation, by conducting any reports, inspections, tests, investigations, studies, audits, surveys, and other inquiries as the YMCA, in its sole discretion, considers necessary to satisfy itself as to the environmental condition of the Facility and the Lands;
- c) the City has made no representations or warranties concerning the Lands and the Facility including, without limitation, concerning the condition or suitability of the Lands and the Facility for the YMCA's intended use;
- d) by entering into this Agreement, it is satisfied that the Facility and License Areas are suitable for the YMCA's purposes; and
- e) all resolutions and other prerequisites for this Agreement have been duly passed and the persons executing this Agreement on its behalf are authorized to do so.

5.7 Covenant to Operate

The YMCA shall ensure that, unless prevented by applicable regulatory authorities or for reasons of repair or maintenance, the Facility and License Areas shall remain open to and accessible to the public throughout the Term, subject to the YMCA's right to close the Facility at the YMCA's discretion, in accordance with the YMCA's published schedules or as the parties otherwise agree in writing.

5.8 Compliance with Laws

The YMCA shall carry on and conduct its activities in, on, and from the Facility and License Areas in compliance with any and all statutes, laws, regulations, enactments, bylaws, and orders from time to time in force, shall comply with the terms of any charges registered against title the Lands, shall obtain all required approvals and permits thereunder, and shall not to do or omit to do anything in, on, or from the Facility or License Areas in contravention thereof. The YMCA shall carry on and conduct its activities in compliance with the collection of all applicable Goods and Services Tax ("GST"), Provincial Sales Tax, and other taxes as the relevant legislation in force dictates.

5.9 Public Safety

The YMCA shall take all reasonable precautions to ensure the safety of all persons using the Facility.

5.10 No Waste or Nuisance

The YMCA shall not:

- a) commit, suffer, or permit any wilful or voluntary waste, spoilage, or destruction of the Facility or the License Areas; or
- b) do or permit to be done in, on, or from the Facility or License Areas anything that may be or become a nuisance or annoyance to the owners, occupiers, or users of the Facility, the License Area, or other parts of the Lands, adjoining lands, or to the public, including the accumulation of rubbish or unused property of any kind.

5.11 Equipment and Furniture

The YMCA acknowledges and agrees that:

- a) All equipment and furnishings purchased through H2O operations, including but not limited to all fitness and aquatic program equipment as identified in Schedule C – Program Assets (the "Program Assets"), placed or installed in the Facility shall be the property of the YMCA until the earlier of the dissolution of the YMCA, the expiry of this Agreement, or the termination of this Agreement pursuant to Section 13, at which time ownership of all such property shall revert to the City;
- b) all Program Assets shall be inspected, maintained, repaired, and generally kept in good condition as to ensure its safe use by the YMCA, its employees, contractors, agents, and the public, subject to reasonable wear and tear;
- c) the YMCA shall prepare a Program Asset Management Plan that outlines the quantity, quality and acceptable level of maintenance of each type of equipment, projected replacement dates, and estimated replacement costs, which will be reviewed by the parties each year;

- d) during the Term of this Agreement the YMCA shall maintain insurance for the Program Assets in accordance with Section 11;
- e) the YMCA shall create and implement a disposal policy for equipment, furnishings and Program Assets in a form acceptable to the City;
- f) the YMCA must notify the City of the disposition or removal from the Facility of any equipment, furnishings and Program Assets with an initial purchase value of ten thousand dollars (\$10,000.00) or more;
- g) any revenue generated from the disposition of equipment, furnishings and Program Assets are to be reinvested in the Program Asset Management Reserve Fund described in Section 7.5 of this Agreement; and
- h) the City is to be notified of all equipment and furnishings purchased through the YMCA's corporate office and general operating budget at the time of purchase. Equipment or furniture placed or installed in the Facility shall be logged/identified appropriately and be the property of the YMCA until the earlier of the dissolution of the YMCA, the expiry of this Agreement, or the termination of this Agreement pursuant to Section 13, at which time ownership of all Facility property not identified accurately by the YMCA shall revert to the City.

5.12 Right to Inspect

The City or its authorized representative may enter the Facility at all reasonable times in order to inspect the Facility.

5.13 Emergency Use

The YMCA shall make all or part of the Facility available for use in the event of a community emergency, as determined by the City in accordance with applicable enactments. The City shall solely be responsible for determining whether the Facility can safely be used at the time of the emergency, and shall:

- a) be responsible for any direct expense incurred or damage caused to the Facility as a result of such use;
- b) be responsible for any and all liabilities, costs, expenses, suits, or claims arising as a result of such use;
- c) compensate the YMCA for all increased operating costs incurred during such use by the City; and
- d) compensate the YMCA for uninsured business losses arising out of such use, provided that the YMCA must act reasonably in re-arranging bookings and events to minimize the extent of any business losses during such use.

5.14 Vacant Facility

If directed to cease services and operations by an applicable regulatory authority for public safety reasons, such as natural disaster, pandemic, or other significant public concern, the YMCA shall continue to maintain responsibility of the Facility and endeavour to take the necessary steps to ensure the Facility is kept safe. This may include, but is not limited to, routine internal and external inspections of the Facility. The YMCA may seek direction and support from the City as required.

5.15 Access for Telecommunication Antenna Systems

Upon request from the City, the YMCA shall grant access to the Facility for the installation and maintenance of telecommunication antenna systems. Such installation shall occur in consultation with the YMCA and shall not interfere with the operations of the YMCA. The costs associated with these systems shall be separate from Facility operations and are a City responsibility.

6. FEES AND EXPENSES FOR USE OF THE FACILITY

6.1 Rent

The YMCA shall pay to the City:

- a) annual base rent in the amount of one dollar (\$1.00), plus any and all applicable taxes, payable on the first day of the Term and each anniversary thereafter (the "Base Rent"); and
- b) all additional sums of money to be paid by the YMCA to the City under this Agreement (the "Additional Rent",)

(collectively, the "Rent"). The YMCA shall pay Additional Rent monthly, plus any and all applicable taxes, within fifteen (15) days of the YMCA's receipt of an invoice from the City.

6.2 No Deductions

The YMCA shall pay the Base Rent and the Additional Rent without deduction, abatement, set-off, or withholding whatsoever, despite any law or statute now or in the future to the contrary. The YMCA's obligation to pay the Base Rent and the Additional Rent survives the expiry or earlier termination of this Agreement.

6.3 Payment of Taxes, Utilities, Chemical Costs, and other Expenses

The YMCA covenants and agrees with the City to pay all charges, costs, duties, expenses, rates, sums, assessments, taxes (including property taxes), telephone, electrical, gas, water, sewage, garbage disposal, internet, Cablevision, security systems, chemical costs, and other utility charges and payments for work and materials in any way relating to the Facility and the License Areas, and that in

the event of any such amounts remaining unpaid after they come due, upon review between the Parties and an appropriate notice period, such amounts shall be deemed as Additional Rent and may be collected by the City as Rent. In addition, the YMCA agrees to pay the City any and all applicable taxes in respect of Base Rent, Additional Rent, or any other services that may be paid from time to time.

7. FINANCIAL AND REPORTING OBLIGATIONS

7.1 Operating Year and Operating Budget

In this Agreement, the operating year means the calendar year; January 1 – December 31 (the “Operating Year”). The first Operating Year for this Agreement will commence January 2024.

The operating budget is inclusive of all revenue from programming and operations including but not limited to grants, admissions, memberships, rentals, programs, etc. and all expenses, allocations and contributions (the “Operating Budget”) as outlined in the Agreement.

The City acknowledges that adjustments to the Operating Budget may be required to accommodate unforeseen circumstances. The YMCA shall strive to achieve positive financial performance while meeting its financial obligations under this Agreement.

7.2 Operating Grant from the City

The City shall pay the YMCA an operating grant each year to be included as revenue in the Operating Budget on the following basis, which is provided to support the ongoing maintenance and operations of the Facility (the “Operating Grant”):

- a) The Operating Grant will be payable in monthly installments on the first day of each month. To establish a monthly installment amount for the current Operating Year, utilities and chemical charges from the previous Operating Year will be used. Actual charges for the Operating Year must be reconciled by the Parties no later than January 31 of the following Operating Year. This formula will be used ongoing in the subsequent years of the Term, inclusive of the Renewal Option, to calculate installments;
- b) in the first year of the Term, the Operating Grant shall be equivalent to the total value expended by the YMCA on utilities, as noted in the financial forecast model, and chemicals in 2024.
- c) in the second year of the Term and each year thereafter, the Operating Grant shall be reduced on an annual basis by a value equal to twenty five percent (25%). In the event that the Renewal Option is exercised, the Operating Grant in the final year of the Renewal Term, shall be zero dollars (\$0.00).

7.3 Management Fee & YMCA Affiliation Fee

In consideration of the performance by the YMCA of its obligations under this Agreement, including the provision of YMCA overhead and management costs, the budget for each Operating Year shall include, as operating expense:

- a) During the Term, the Operating Budget will provide to the YMCA an annual management fee of five hundred, forty thousand, nine hundred and seventy-nine dollars (\$540,979), to be adjusted annually starting January 1, 2025, by BC CPI annual average for the prior calendar year (the "Management Fee"). In any calendar year, should the BC CPI be negative, no adjustment will occur. The Management Fee will be recorded as a credit in favour of the YMCA as part of the year-end financial reconciliation process. The City and the YMCA acknowledge and agree that the Management Fee is provided to support the YMCA's administration and provision of programs and services, which are delivered for a public purpose and the public good.
- b) During the Term, the City will pay to the YMCA an annual YMCA affiliation fee equal to the annual YMCA Canada Affiliation Fees paid by the YMCA with respect to the Facility for that operating year, calculated by the formula set out by YMCA Canada (the "YMCA Affiliation Fee").

7.4 Operating Surplus and Deficit

For this Agreement, an operating surplus is considered when Facility revenues exceed expenses for an Operating Year (the "Operating Surplus"). When an Operating Surplus is realized, contributions shall be made equally to the Program Asset Management Reserve Fund as outlined in Section 7.5 and the Operating Reserve Fund as outlined in Section 7.6 until they are realized as described in their respective sections in this Agreement.

For this Agreement, an operating deficit is considered when Facility expenses exceed revenue for an Operating Year (the "Operating Deficit"). Should the YMCA anticipate an Operating Deficit, it will notify the City at its earliest opportunity. The Operating Reserve Fund may be used to assist with any budget shortfalls as outlined in Section 7.6 (a). Operating Deficits above and beyond the Operating Reserve Fund will be the responsibility of the YMCA.

7.5 Program Asset Management Reserve Fund

- a) The YMCA shall establish a fund for the replacement and improvement of the Program Assets, in particular program-related amenities that improve the customer experience (the "Program Asset

Management Reserve Fund"). Facility operations through the Operating Budget shall contribute up to \$100,000 annually to the Program Asset Management Reserve Fund.

- b) The City shall contribute up to \$425,000 towards the Program Asset Management Reserve Fund; comprised of \$200,000 at the commencement of the Term of this Agreement and \$225,000 in the second year of the Term. For clarity, the intent of the Program Asset Management Reserve Fund is not for general repair and maintenance items that would be covered through items outlined in Schedule E – Facility Maintenance and Operations Responsibility Checklist. The amounts in this section may be amended by agreement of the City and the YMCA.
- c) The YMCA will make best efforts to conform with the Program Asset Management Plan in Schedule C in the use of the Program Asset Management Reserve Fund. Any updates or changes to the Program Asset Management Plan will be done in collaboration with the City.
- d) At the expiry of this Agreement, or the termination of this Agreement pursuant to Section 13, the YMCA must transfer an amount equivalent to the then balance of the Program Asset Management Reserve Fund to the City.
- e) Independent of the YMCA's Program Asset Management Reserve Fund, the City will maintain a separate equipment replacement and improvement fund for the purpose of replacing natatorium speciality equipment and supporting the Program Asset Management Plan as identified through operations. The City will maintain and control the use of these funds. Allocation of these funds will be done in collaboration with the YMCA and at the sole discretion of the City.

7.6 Operating Reserve Fund

- a) The annual Facility operating budget will include a contribution to an operating reserve fund, which shall be used solely for the purposes of funding any budget shortfall resulting from the operation of the Facility (the "Operating Reserve Fund").
- b) The YMCA shall exert best efforts to attain an Operating Reserve Fund balance equivalent to no less than ten percent (10%) of the previous years' annual operating expenditures by the expiry of the Term, inclusive of the Renewal Option, of this Agreement.
- c) The Operating Reserve Fund shall be funded from the Facility's operational budget through annual contributions until such a time as a balance at least equivalent to ten percent (10%) of the previous years' annual operating expenditures has been met. Once met, the YMCA must maintain the balance of no less than ten percent (10%) of the previous years' annual operating expenditures until the termination or expiry of this Agreement.

- d) At the expiry of this Agreement, or the termination of this Agreement pursuant to Section 13, the YMCA must transfer an amount equivalent to the then balance of the Operating Reserve Fund to the City.

7.7 Performance Fee

- a) The City shall pay to the YMCA an annual performance fee, the value of which shall be determined in accordance with the performance matrix described in the attached Schedule D, and the YMCA's annual performance of the key performance indicators detailed therein (the "Performance Fee") and shall be based on the annual net income surplus generated by the Facility after all expenses, allocations, and contributions have been made (the "Facility Surplus").
- b) The Performance Fee will be recorded as a credit in favour of the YMCA as part of the year-end financial reconciliation process.
- c) Any Facility Surplus remaining after the Performance Fee has been credited shall be remitted by the YMCA to the City by no later than May 31st of the following year.

7.8 Business Continuity Rebate

- a) In the event of a partial or full Facility closure as a result of a City responsibility, action or inaction, that results in the full expenditure of the Operation Reserve Fund, the YMCA shall report their projected foregone revenue less their profit margin to the City, with supporting data, and the City shall supply a business continuity rebate (the "Business Continuity Rebate") to the YMCA to the extent that the YMCA suffers a loss as a result of the closure of the Facility.
- b) In the event the parties do not agree on the value of the Business Continuity Rebate, the matter shall be referred to a single arbitrator pursuant to the *Arbitration Act* [SBC 2020] Chapter 2, as amended from time to time (the "*Arbitration Act*"). The arbitrator will be selected by agreement of the parties, or, failing agreement of the parties, appointed pursuant to the *Arbitration Act*, and the arbitrator's decision shall be binding upon both parties. The costs of the arbitration shall be borne in equal parts by both parties.

7.9 Quarterly Reporting

- a) Within thirty (30) days after each quarter of the Term the YMCA shall provide the City with unaudited financial statements and reports in respect of each quarter during the Term, reflecting in reasonable detail the results of the Facility's operation and the financial situation of the Facility for that quarter (the "Quarterly Report").

The Quarterly Reports must include, as applicable:

- i. minor repairs maintenance reports;

- ii. a forecasted budget for the upcoming year in the Q₃ report; and
 - iii. a forecasted surplus/deficit reconciliation for the current year in the Q₄ report.
- b) After the delivery of the Quarterly Report, representatives from each of the parties shall meet on a quarterly basis, or at such other frequency as may be mutually agreed upon by both parties, to review the Quarterly Report and discuss the operations of the Facility.

7.10 Annual Reporting

By no later than March 31 of each year during the Term, except for the first year of the Term, the YMCA will provide to the City an annual report for the Facility, in the format the City shall prescribe and deliver to the YMCA no later than January 31st of such calendar year, which shall include, the following information relating to the prior calendar year (the "Annual Report"):

- a) Professionally prepared audited annual financial statements, approved by the YMCA's Board of Directors, for the most recent fiscal year-end;
- b) Proof of insurance as specified in Section 11;
- c) Current year operating and capital budget, as approved by the YMCA's Board of Directors, with actuals or forecast to December 31;
- d) An annual budget forecast report for the upcoming year;
- e) A performance report which must include the following:
 - i. net growth of membership;
 - ii. membership retention rates;
 - iii. ratio of salaries and benefits expenses to total revenues;
 - iv. Financial Assistance Program participant values and costs;
 - v. gross profit/gross profit margin ratio;
 - vi. net profit/net profit margin ratio;
 - vii. operating statement for the current year in comparison to budget;
 - viii. a summary of individuals served, which can include membership, attendance, visitation, participation, program registration, or a combination thereof;
 - ix. overall individual customer satisfaction;
 - x. overall user group satisfaction;
 - xi. overall facility usage rates via facility membership scans;
 - xii. program participation or admission scans of non-members;

- xiii. admission information for child and youth programs, swim lessons;
 - xiv. percentage of program participants by member and non-member;
 - xv. participants and membership values in the demographic categories of seniors, people with diverse abilities, children, and youth; and
 - xvi. highlights of particular achievements and successes with a focus on the impact of YMCA programs in the community.
- f) Governance and planning information, which includes:
- i. a list of the YMCA's directors;
 - ii. an organizational chart indicating key management and staff roles and staffing levels;
 - iii. objectives for the current calendar year; and
 - iv. a self-assessment, including identification of areas where improvements can be made in the areas of programming, organization governance, and financial oversight, along with strategies and processes to achieve improvements. This may be in the form of a strategic plan, program evaluation, or consultant's report, and may include information about trends, external threats, or other factors which influence the YMCA's planning and results.
- g) In relation to the Facility, provide a:
- i. summary of operational expenses for gas, water, chemicals, and electrical utility data (as applicable), indicating consumption and costs;
 - ii. summary of janitorial costs;
 - iii. list of maintenance and repair tasks carried out by the YMCA, with costs and contractors/trades identified;
 - iv. inspection reports as listed in Section 8.5, along with upcoming capital expenses/projects that the YMCA intends to undertake in the coming year; and
 - v. inspection reports as listed in Schedule E - Facility Maintenance and Operations Responsibility Checklist, and
- h) Any other information as requested upon mutual agreement.

The City may request, at its sole discretion, that the YMCA provide a public-in-attendance report to the City's Council in a prescribed format, which will reflect the reporting information listed in this section.

7.11 City Feedback on Reporting

Upon reviewing the Annual Report, in each calendar year the City may, at its sole discretion, make specific recommendations and requests (the "Recommendations") as follows:

- a) Such Recommendations are intended to be constructive and offered in the spirit of learning and improvement. The YMCA shall review the Recommendations and provide the City with notice of their agreement to implement the Recommendations, such agreement not to be unreasonably withheld, and a timeline for implementation of the Recommendations. Recommendations and requests made by the City under this section or during other discussions, meetings, or communications between the YMCA staff, officers, or board members and the City do not constitute direction or instructions by the City staff, agents, or Council. The YMCA is responsible for the direction and governance of all its operations.
- b) In the event the YMCA is unable or unwilling to agree to implement any particular Recommendations, the YMCA will provide the City with written notice of the same, along with the reason's implementation is not feasible for the on-going operation of the facility. Upon the delivery of such notice, the YMCA and the City shall exercise good faith efforts to seek a mutually satisfactory resolution to any dispute arising in relation to the Recommendations.
- c) Should the YMCA and the City not come to a satisfactory resolution, or should the YMCA not implement the agreed upon Recommendations within the agreed timeline, the matter shall be referred to a single arbitrator pursuant to the *Arbitration Act* [SBC 2020] Chapter 2.

7.12 Accounts

The YMCA shall, at all times during the Term:

- a) Keep, or cause to be kept, true and accurate records and accounts regarding the management and operation of the Facility, including without limitation:
 - i. Programs and Services Records: financial reports and records, (in accordance with generally accepted accounting principles), accident and incident reports, program registration reports, and customer comments; and
 - ii. Facility Records: any WorkSafeBC safety inspection records, energy consumption logs, emergency lighting inspection records, annual Facility inspection reports, health department inspections and reports, preventative maintenance records, fire and emergency drill records, or other such similar records that the YMCA may acquire from time to time.
- b) On seventy-two (72) hours' notice or as otherwise determined reasonable, permit the City, its accountants, and other representatives, at the City's expense and at all reasonable times, to examine and make copies of any and all documents listed in this section, and any other documents under the control of the YMCA that relate to the Facility, and to audit the same.
- c) Upon termination or expiration of this Agreement, and within the limitations of privacy legislation, surrender all records relating to the operation and management of the Facility, except those relating to the YMCA's staff, to the City.

8. MAINTENANCE, REPAIRS, AND CHANGES TO THE FACILITY

8.1 General

- a) The City and the YMCA shall each have defined responsibilities for maintaining the Facility and License Areas under this Agreement, which are described in general terms below and specified further in the attached Schedule E.
- b) In this section, use of the term “maintenance” refers to corrective or preventative activities completed in order to prevent damage and prolong the life expectancy of an asset or piece of equipment.
- c) In this section, use of the term “repair” refers to any restoration work performed when an asset or piece of equipment breaks, is damaged, or for any other reason stops working.
- d) In this section, use of the term “safety modifications” refers to any work that is required to modify an asset or piece of equipment due to changes in safety codes, bylaws or other requirements.
- e) All maintenance, safety modifications and repair work performed within the Facility will all occur to a standard at least substantially equal in quality of material and workmanship to the original work and materials in the Facility and License Areas, and will meet the lawful requirements of all statutory authorities.
- f) To facilitate the maintenance of the Facility and License Areas, the City and the YMCA will meet at a frequency as mutually agreed to by the parties, but no less than annually, to tour the Facility and License Areas, discuss the general building conditions, and jointly plan for major and minor capital projects and maintenance, repair, safety modifications, replacement, and refurbishment issues and requirements.

8.2 Routine Maintenance and Minor Repair

- a) Routine maintenance and minor repair shall be the responsibility of the YMCA, as detailed in the attached Schedule E – Facility Maintenance and Operations Responsibility Checklist, and shall include the following:
 - i. Facility interior, including but not limited to internal doors, glass, floor, fixtures, walls, ceilings, lockers, access, and all related hardware;
 - ii. Plumbing, Domestic Fixtures - point-of-use fixtures and equipment (faucets, shower heads, toilets, water fountains, etc.). The required testing of backflow prevention devices

associated with the domestic plumbing infrastructure will be organized by the City, with the cost borne by the YMCA;

- iii. Plumbing, Natatorium Mechanical Systems - natatorium features and their associated mechanical systems as described in Schedule E – Appendix A - Natatorium Specialty Equipment, and including but not limited to water circulation works (piping, pumps, valves, fittings, etc.), feature-specific systems (flow rider, wave generator, etc.), dedicated aquatic systems (heat exchangers, filtration systems, UV system, surge tanks, etc.), steam generator maintenance, and water chemistry including supply, testing, aquatic chemical treatments, and water balancing;
 - iv. Fire Protection, Fire Alarm, and Fire Suppression systems - quarterly and annual testing of fire alarm system and fire extinguishers, annual inspections of the fire suppression system, monthly testing of emergency lighting;
 - v. Electrical system, including replacement of all interior light bulbs, underwater light bulbs, and ultraviolet light bulbs;
 - vi. Natatorium and aquatic facility point of use features, as described in Schedule E – Appendix A - Natatorium Specialty Equipment, including but not limited to waterslides, spray park features, diving boards, and starting blocks; and
 - vii. Security and access systems.
- b) Responsibility for the maintenance and repair of the pool and hot tub heat exchangers shall be shared by the parties, with the YMCA being responsible for the infrastructure and equipment on the load-side of the heat exchangers, and the City being responsible for the infrastructure and equipment on the source-side of the heat exchangers.
 - c) The City shall reimburse the YMCA for cumulative annual monies expended exceeding thirty thousand dollars (\$30,000.00) for minor repair, to be adjusted annually starting January 1, 2025, by the BC CPI annual average for the prior calendar year.

8.3 Routine Maintenance and Repair Standards

Throughout the Term, in relation to the Facility and the License Areas, excluding the parking area identified in the attached Schedule A, the YMCA shall, at its sole expense and in a timely manner:

- a) clean, maintain, and keep all fixtures and appurtenances thereon in good repair, in accordance with any applicable manufacturer specifications, and at all times consistent with standards of

repair generally accepted in British Columbia with respect to comparable premises, as required in the attached Schedule E;

- b) perform all reasonable routine maintenance that can prolong the life expectancy of Facility equipment and prevents premature operations failures;
- c) completion of all routine inspections and adhere to all applicable laws, regulations, and codes necessary for the YMCA's use, occupation, and operation of the Facility and the License Areas;
- d) upon receipt of notice from the City of required repairs or maintenance, within thirty (30) days of being given notice complete such work or, where such work because of its nature requires more than thirty (30) days to complete, within fifteen (15) days of being given notice commence such work, and thereafter promptly, effectively, and continuously proceed with the work to completion; and
- e) at the end of the Term, surrender the Facility and the License Areas to the City in good repair, excepting reasonable wear and tear.

If the YMCA fails to fulfil its maintenance responsibilities following any provision in this Agreement, the City may, at its sole discretion and in addition to any other remedies available to the City, complete such repairs and maintenance at the sole cost and expense of the YMCA, or declare the YMCA to be in default of this Agreement, or both.

8.4 Major Building Systems Maintenance and Repairs

The maintenance and repair of major building systems shall be the responsibility of the City and include:

- a) structural systems, including building infrastructure and foundations;
- b) operating systems, including mechanical, plumbing, electrical, utility, and elevating;
- c) all heating, ventilation, and air conditioning systems ("HVAC"); and
- d) Facility exterior, including the roofing system, exterior doors and windows, facades, parking lot, exterior lighting, and drainage.

8.5 Inspections, Assessments and Testing

The City, in coordination with the YMCA, will conduct a building condition assessment (the "Building Condition Assessment") of the Facility in 2025. The Building Condition Assessment will establish a

baseline report as to the current condition of various structural, mechanical and operating systems in the Facility. The Building Condition Assessment will be available to both the City and YMCA.

The YMCA covenants and agrees to conduct, at a minimum, the inspections for the Facility as outlined below:

a) **Plumbing**

The YMCA shall provide an annual inspection report from a certified plumber documenting the observed status of those Facility plumbing systems over which they have responsibility, as described in section 8.2 and Schedule E of this Agreement, confirmation of completed preventative maintenance, and any recommended capital repairs. All completed inspection reports under this section must be submitted to the City upon receipt by the YMCA and are also required to be submitted as part of the annual reporting process.

b) **Air Quality**

The YMCA shall contract a third party to complete an air quality testing for chloramines and other known airborne contaminants on a no less than annual basis. The testing and associated report will document the observed and tested quality of the air in the Facility, confirm whether the air quality meets or exceeds industry standards, and make recommendations for any system repairs to be evaluated by the City.

8.6 Contractors

- a) All maintenance and repair work completed on the Facility and License Areas must be performed by persons' qualified and approved as defined in this section.
- b) For work on electrical and plumbing components and systems, the YMCA will exclusively engage contractors that have been selected or approved by the City. The City will provide a list of City-selected contractors upon request.
- c) All other Facility contractors must be approved by the City and:
- i. be qualified to perform such work;
 - ii. carry a minimum of two million dollars (\$2,000,000.00) of commercial liability insurance;
 - iii. carry valid WorkSafeBC coverage;
 - iv. act as the Prime Contractor for all work to be done; and
 - v. have a valid City of Kelowna business license.

8.7 Restoration Work / Non-Fire Facility Emergencies

The YMCA acknowledges and agrees that upon identifying a Facility emergency, including, but not limited to, flooding or structural concerns, the YMCA shall:

- a) take immediate steps to respond to the emergency to the extent that any immediate risk to the safety of any persons or property is alleviated; and
- b) notify the City of the emergency as soon as practicable, but in any event no later than four (4) hours from the discovery of the emergency; failure to do so may result in the YMCA being financially responsible for any damage incurred.

A City representative can be reached after hours by calling the non-emergency line at the fire department 250-469-8577, 24 hours a day, 7 days a week.

8.8 Minimum Work Standards

The YMCA must ensure that any repairs or work with respect to the Facility and the License Areas done by or on behalf of the YMCA:

- a) do not affect any Facility systems or the License Areas;
- b) meet or exceed the standards of material and construction employed in the original construction of the Facility and the License Areas; and
- c) comply with all applicable laws, statutes, enactments, regulations, bylaws, and orders from to time in force, including the applicable Facility code and bylaws of the City.

8.9 Annual Onsite Meeting

The YMCA and the City shall meet annually to conduct an onsite walk through the Facility to identify items that require maintenance and future capital replacement. The walk-through will be organized by the City, and meeting minutes and action items will be distributed to all attendees. The YMCA and the City consent to complete the action items as per a mutually agreed upon time frame. If the YMCA or the City fails to complete the action items, any contingent damage as a result of the deferred repairs is the responsibility of the party failing to complete the action item.

8.10 Keys and Access

The City will own, install, upgrade, operate and maintain all key and access systems at the Facility. The City will provide the YMCA access to the systems, in addition to clear policies, guidelines and training. Installation of a new key and access system is anticipated for June 2024 and will be done in coordination with the YMCA.

Until the new access system is operational the YMCA is to provide the City access to the Facility upon request, within a reasonable time frame. The YMCA is to also provide the City with master key(s) and necessary security information for the Facility. If, in the City's sole opinion, the YMCA does not provide adequate Facility access, the City reserves the right to take over the management of the keys and access to the Facility. Should the City take over the management of the Facility keys, the YMCA covenants that it will not change the locks on the Facility, copy the keys, or hand them out. The City will maintain a record of the keys and to whom they have been issued. If the locks need repair or replacement, the YMCA will inform the City.

8.11 Environmental Stewardship and Sustainability

The YMCA and the City must strive to operate the Facility in an environmentally sensitive manner and pursue "green" initiatives through the implementation of innovative and responsible environmental practices. This includes taking active steps to reduce its carbon footprint, reduce waste, promote energy conservation, improve sustainability and ensure the on-going efficiency of the operation of the Facility. The YMCA covenants with the City:

- a) that the YMCA will co-operate with the City in the conservation of all forms of energy in the Facility;
- b) that the YMCA will comply with all laws, bylaws, regulations, and orders relating to the conservation of energy and affecting the Facility; and
- c) that the YMCA will, at its own cost, comply with reasonable requests of the City made with a view of such energy conservation and sustainability following a cost-benefit analysis.

8.12 Energy Expense Reporting and Energy Upgrades

The YMCA agrees to grant permission to the utility providers (i.e. FortisBC) to provide the City with all utility billing reporting information pertaining to the Facility.

Should the City upgrade certain equipment at the Facility with the expected outcome of significantly reducing energy consumption and utility costs (the "Energy Upgrade"), the City and the YMCA will addend the agreement to outline re-payment terms related to the recovery of the City's investment. The addendum will be based on mutually agreed upon financial projections for the Energy Upgrade. The City and the YMCA agree to make every reasonable effort to ensure the Facility realized significant, sustained energy savings as a result of the Energy Upgrade.

The costs associated with additional energy enhancements on the Lands (i.e. Electric vehicle charging stations) that are not related to Facility operations shall be separate and the responsibility of the City.

8.13 Video Monitoring and Security

The City will own, install, upgrade, operate and maintain all video monitoring and security systems at the Facility. The City will provide the YMCA access to the systems, subject to applicable privacy laws, in addition to clear policies, guidelines and training. Installation of a video monitoring system is anticipated for February 2024 and will be done in coordination with the YMCA. Until the new video monitoring system is operational the YMCA is solely responsible for ongoing operations and maintenance of all internal video monitoring and security systems.

The YMCA shall take all reasonable steps to ensure that the Facility, equipment, staff, volunteers, and visitors are secure at all times, with the use of a monitored alarm system, security guards when appropriate, and other measures the YMCA considers necessary. It is the responsibility of the City to ensure all video monitoring and security systems consider all the appropriate legislation governing their use. The City shall grant the YMCA access to the security footage upon request, subject to applicable privacy laws.

8.14 YMCA's Construction of Buildings, Structures, and Other Improvements

The YMCA must not construct, erect, or install or cause to be constructed, erected, or installed any buildings, structures, improvements, extensions, installations, alterations, additions, renovations, fixtures, major signage, or other constructions in, on, over, under, around, and to the Facility or the License Areas, or alter the existing state of the Facility in any material way, without the prior written consent of the City, which consent may be withheld for any reason at the City's sole discretion. If the City gives such consent, the YMCA must obtain the City's prior approval of drawings and specifications for such work, must do such work strictly in accordance with the approved drawings and specifications, and must comply with any conditions the City imposes with that approval. The YMCA is responsible for applying for the required permits and requesting the necessary construction inspections, including the final sign-off. The cost of construction and design of the improvements are the sole responsibility of the YMCA.

8.15 Ownership of Improvements at Termination

At the expiry of the Term or earlier termination of this Agreement, any improvements, extensions, installations, alterations, renovations, or additions to the Facility and the License Areas, whether done by or on behalf of the YMCA or not, are forfeited to and become the permanent property of the City.

8.16 Builders Liens

The YMCA shall promptly discharge any builders' lien or other lien or claim of lien which may be filed against the title to the Lands relating to any improvements, work, or construction that the YMCA undertakes on the Lands, and to comply at all times with the *Builders Lien Act* [SBC 1997] Chapter 45,

as amended from time to time, in respect of any improvements, work, or construction undertaken on the Lands.

8.17 Capital Expenditures

- a) The City acknowledges responsibility for the long-term operational effectiveness of the Facility, including the renewal of major systems including but not limited to HVAC, plumbing, electrical, fire suppression, and security systems.
- b) The City will include appropriate funding in the City's capital planning consistent with other City public buildings over the life of this Agreement. Future capital expansion, renovation, and Facility development not identified in this Agreement will be cooperatively and collaboratively discussed and facilitated by the City and the YMCA.
- c) The YMCA shall not make any application for grant funding for capital expansion or renovation of the Facility without first receiving express written approval from the City.

8.18 City's Construction of Buildings, Structures, and Other Improvements

The YMCA acknowledges and agrees that the City may, in consultation with the YMCA, construct or cause to be constructed certain leasehold improvements in, on, over, under, around, or to the Facility ("Future Construction"), the design, construction, and performance of which is in the sole discretion of the City. If the City undertakes any Future Construction, the YMCA:

- a) acknowledges and agrees that the Future Construction may be performed during the Term;
- b) shall grant full access to the Facility to the City and its elected officials, officers, employees, contractors, agents, and others for purposes relating to the Future Construction; and
- c) acknowledges and agrees that the Future Construction may result in the temporary closure, in whole or in part, of the Facility and/or the License Areas, and may require the interruption, disruption, rescheduling, or cancellation of regularly scheduled programs and services offered at the Facility. Both parties will work collaboratively to minimize the financial and operational impacts of Future Construction.

8.19 Damage or Destruction of the Facility

- a) If, during the Term, the Facility is damaged or destroyed by any cause whatsoever, or if a major Facility system in the Facility fails such that in the opinion of the City the Facility is rendered unfit for use by the YMCA, the City may or may not, in its sole discretion, repair, rebuild, or replace the Facility system or the Facility.
- b) If the City chooses not to repair, rebuild, or replace the Facility system or the Facility, the City will work collaboratively with the YMCA to review options for alternative locations. If the City and the YMCA cannot agree on an alternative location, then the City may, in its sole discretion:

- i. provide three (3) months' written notice to the YMCA that this Agreement is terminated, and the YMCA shall vacate the Facility as if this Agreement had expired or been terminated for cause; or
- ii. negotiate the continuation of this Agreement deleting all references and obligations related to the destroyed Facility and the provision of programs and services.

8.20 Expropriation

If an authority with expropriation power expropriates all or a material part of the Facility, the City may give reasonable notice to the YMCA, but in no case less than thirty (30) days, and the YMCA shall have no claim for compensation against the City or the expropriating authority for any interest in land, except that where compensation is available for disturbance, in which case the YMCA may make such a claim to the expropriating authority.

8.21 No Capital Liabilities

Despite any other provision of this Agreement, nothing in this Agreement obligates the City to make any expenditure of a capital nature and nothing in this Agreement shall be interpreted in a manner that results in the City having expressly or implicitly incurred a 'liability of a capital nature' as that phrase is used in the *Municipal Liabilities Regulation*, B.C. Reg. 201/2015, as amended from time to time.

9. ENVIRONMENTAL MATTERS

9.1 Definitions

In Section 9, the below terms shall have the following meanings:

- a) "**Contaminants**" is defined in the *Environmental Management Act* [SBC 2003] Chapter 53, as amended from time to time, as: "any biomedical waste, contamination, effluent, pollution, recyclable material, refuse, hazardous waste or waste and 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 past, present, or future common laws, enactments, statutes, laws, regulations, orders, bylaws, standards, guidelines, permits, and other lawful

requirements of any federal, provincial, municipal, or other governmental authority having jurisdiction relating in any way to the Environment, environmental protection, 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.

9.2 YMCA's Representations and Warranties

The YMCA represents and warrants to the City, and acknowledges that the City 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 City in writing, the YMCA is not, and has never been, subject to any charge, conviction, a notice of defect or non-compliance, work order, pollution abatement order, remediation order, or any other proceeding under any Environmental Laws; and
- b) except as disclosed to and approved in writing by the City, the YMCA's business at the Facility, the License Areas, or the Lands 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 YMCA and shall be subject to the provisions of Section 13 of this Agreement.

9.3 Condition of the Facility

The YMCA acknowledges and agrees that the City has made no representations or warranties with respect to the environmental condition of the Facility, the License Areas, or the Lands, and is leasing the Facility to the YMCA under this Agreement on an "as is, where is" basis with respect to its environmental condition. Prior to taking possession of the Facility under this Agreement, the YMCA has performed such investigations of the Facility, the License Areas, and the Lands as it considered appropriate and is satisfied as to their environmental condition.

9.4 Compliance with Environmental Laws and Use of Contaminants

The YMCA covenants and agrees with the City to:

- a) carry on and conduct its activities in, on, and from the Facility, the License Areas, and the Lands in compliance with all Environmental Laws;
- b) not permit the storage, use, handling, manufacture, unloading, loading, treatment, disposal, or introduction into the Environment of any Contaminants in, on, under, or from the Facility or the License Areas, or the Lands, except in compliance with all Environmental Laws;

- c) immediately notify the City of the occurrence of any of the following and provide the City with copies of all relevant documentation in connection therewith:
 - i. a Release of Contaminants in, on, or about the Facility, the License Areas, the Lands, or any adjacent land; or
 - ii. the receipt of any citation, directive, order, claim, litigation, investigation, proceeding, judgment, letter, or other communication from any person that is related to any Environmental Law;
- d) promptly provide to the City a copy of any environmental site assessment, audit, report or test results relating to the Facility, the License Areas, or the Lands conducted at any time by or for the YMCA;
- e) if the City suspects that the YMCA has not complied with its obligations under this section, obtain from an independent environmental consultant approved by the City an environmental site assessment, audit, report, or testing of the Facility or the License Areas, and conduct or cause to be conducted any additional investigations that the environmental consultant may recommend all in order to determine compliance of the Facility or the License Areas with Environmental Laws; and
- f) promptly remove any Contaminants arising from the YMCA's use or occupation of the Facility, the License Areas, or the Lands in a manner that conforms to Environmental Laws governing their removal.

9.5 Confidentiality of Environmental Reports

The YMCA shall maintain all environmental site investigations, assessments, audits, and reports relating to the Facility, the License Areas, or the Lands 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 YMCA's professional advisers and lenders on a need-to-know basis or with the prior written consent of the City, which consent may be unreasonably withheld.

9.6 Authorizations

The YMCA shall promptly provide to the City, on request, such written authorizations as the City may require from time to time to make inquiries of any governmental authorities regarding the YMCA's compliance with Environmental Laws.

9.7 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 Facility, the License Areas, or the Lands by the YMCA or any person for whom it is in law responsible shall be and remain the sole and exclusive property of the YMCA and shall not become the property of the City,

notwithstanding the degree of their affixation to the Facility, the License Areas, or the Lands, and notwithstanding the expiry or earlier termination of this Agreement. This section supersedes any other provision of this Agreement to the contrary.

9.8 Survival of YMCA's Obligations

The obligations of the YMCA under this Section 9 (including, without limitation, the YMCA's indemnity, its obligation to remove and remediate Contaminants, and its covenant of confidentiality) shall survive the expiry or earlier termination of this Agreement.

10. MANAGEMENT OF THE FACILITY AND PROVISION OF SERVICES

10.1 No Discrimination

The YMCA hereby covenants and agrees to provide programs and services, and any other services offered at the Facility, in accordance with the *Human Rights Code* [RSBC 1996] Chapter 210, as amended from time to time, and best practices related to equity and inclusion.

10.2 Employee Standards

- a) The YMCA shall hire, train, supervise, and remunerate, or cause to be hired, trained, supervised, and remunerated, all employees, contractors, and volunteers required for the provision of the programs and services outlined in Schedule B.
- b) The YMCA shall ensure that all employees, contractors, and volunteers meet mandatory statutory and regulatory certification and training requirements needed in order to perform the duties and responsibilities of their position at the Facility.

10.3 WorkSafeBC Coverage

The YMCA shall, in its use of and activities on the Facility and the Lands, comply with the *Workers Compensation Act* [RSBC 2019] Chapter 1 (the "WCA"), as amended from time to time, and all regulations and orders from time to time in force thereunder, including the *Occupational Health and Safety Regulation*, B.C. Reg. 222/2021; and, upon request from the City, provide evidence of any required registration under that WCA and evidence of compliance with any requirement under that WCA to make any payments or pay assessments. In addition, the YMCA shall be the "prime contractor" for the Facility under the WCA, and shall fulfill all associated obligations, including ensuring that the activities of any employers, workers, or other persons in, on, or under the Facility relating to occupational health and safety are coordinated; and further, by doing everything that is reasonably possible to establish and maintain a process that shall ensure compliance with the WCA and regulations thereunder, including the *Occupational Health and Safety Regulations*, B.C. Reg. 222/2021.

10.4 Branding and Marketing

The Facility was developed as a community facility to meet the current and future recreational needs for Kelowna citizens and visitors. Recognizing the significant capital investment by the City, the importance of the Facility as an integral part of the City's recreational landscape, and the importance of a successful operator, the Facility will be branded and marketed in accordance with the following:

- a) the Facility will be branded and marketed as a City-owned Facility, operated by the YMCA, and positioned at all times as the H2O Adventure and Fitness Centre;
- b) the City is permitted to establish internal and external City branding of the Facility, at the City's sole expense;
- c) the Facility will be positioned under the Facility brand, specifically "H2O Adventure and Fitness Centre";
- d) the programs offered at the Facility, including swimming lessons, staff, volunteerism, health promotions, fitness certifications, and cause marketing, will be positioned under the YMCA brand;
- e) all memberships sold at the Facility shall be deemed and branded first as memberships of the H2O Adventure and Fitness Centre. Secondary branding of any membership sold at the Facility shall be permitted pursuant to the attached Schedule F – Branding Guidelines;
- f) Facility marketing channels are owned by the City and are to be used primarily to promote the Facility and programs offered at the Facility, and secondly to cross-promote other City programs, services, information, and facilities;
- g) the City shall retain all rights to internal and external naming opportunities relating to the Facility;
- h) the YMCA is permitted to establish YMCA branding within the Facility, at YMCA's sole expense, provided such materials are in compliance with the attached Schedule F – Branding Guidelines;
- i) the YMCA is permitted to erect temporary external YMCA branded signage of the Facility in relation to specific media or fundraising campaigns of defined duration, at the YMCA's sole expense and with the written consent of the City, and provided such signage is in compliance with all applicable City bylaws and associated regulations; and
- j) the parties will collaborate to identify cross-promotional opportunities that will utilize Facility, City, and YMCA marketing channels.

10.5 Incidental Rights

The YMCA may:

- a) offer programs and services at the Facility to reflect community needs or respond to unique market opportunities;
- b) enter into sponsorship, media, or advertising agreements ("Endorsements") involving the programs and services offered at the Facility, provided that the Endorsements are:
 - i. appropriate for families and children;
 - ii. consistent with the parties' joint values of equality, accessibility, health, respect, and the dignity of the individual;
 - iii. respectful of the neighbourhoods surrounding the Facility and all scheduled programs and services at the Facility;
 - iv. appropriate to the aesthetics of the Facility;
 - v. used solely to generate revenue to support improvements to the Facility, its programming, or community services; and
 - vi. in compliance with the requirements of Council Policy 376 – Corporate Sponsorship and Advertising.
- c) undertake fundraising activities within the Facility for the benefit of YMCA programs and services offered within the City of Kelowna, with the written consent of the City; and
- d) use the Facility for the YMCA's office and headquarters during the Term.

10.6 City Acknowledgement

The YMCA will acknowledge the Facility's relationship to and the operating support of the City through the following:

- a) **Guiding Principle:** The relationship of the parties, between each other and the Facility, is that it is a City-owned Facility, operated by the YMCA.
- b) **Facility Contribution:** The City's contributions to the Facility and ownership of the Facility will be acknowledged in the form of an external plaque or signage, as determined and produced by the City. All costs associated with the production and placement of external recognition signage is to be incurred by the City.
- c) **Financial Contribution:** The City's contribution to the management, operational, and capital renewal needs of the Facility should be recognized at a consistent level with all other major funding contributors on any internal collateral that is used to recognize financial contributors (i.e. donor wall, plaque, or signage at the information desk). In addition, funding contributions

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from the City should be recognized on the Facility's primary website, as well as in any principal collateral, such as the annual report prepared in relation to the Facility, the Facility's main brochure, and any materials that would not otherwise be produced without the City's funding.

10.7 Reciprocity

- a) Memberships sold at the Facility may be used at any other YMCA not located in the City of Kelowna, at the YMCA's sole discretion; and
- b) YMCA memberships issued by any other YMCA, with the exception of YMCA facilities located within the City of Kelowna, may be used at the Facility, at the YMCA's sole discretion.

10.8 Joint Facility Access

- a) The City and the YMCA will offer a discounted rate to individuals who hold a valid membership or pass at the Facility, the Parkinson Recreation Centre, or the Kelowna Family Y for access to the other facility. The rate to be applied under this section shall be a twenty-five percent (25%) discount of single admission or punch card, whichever applicable, and is subject to annual review and change as mutually agreed between the parties.
- b) The parties agree to work collaboratively towards the creation of a joint-membership user pass which would allow for member access to the Facility and other recreation and fitness facilities within the City of Kelowna owned and/or operated by the parties, and which contemplates allocation of revenues through a usage tracking model.

11. YMCA INSURANCE

11.1 YMCA to Provide

The YMCA shall procure and maintain during the Term, at its own expense and cost, the insurance policies listed in Section 11.2 of this Agreement. For clarity, the insurance requirements set out in Section 11.2 are minimum requirements and are not to be interpreted in a manner that limits the YMCA's obligations under this Agreement. The YMCA shall be responsible for obtaining and maintaining such additional insurance as would a prudent tenant, having similar obligations to those of the YMCA under the terms of this Agreement. Further, all insurance policies held pursuant to this Agreement shall contain an undertaking by the insurer to notify the City in writing not less than thirty (30) days before any material change, cancellation, or termination.

11.2 YMCA's Insurance Obligations

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

- a) Directors and Officers Liability Insurance;
- b) Comprehensive General Liability Insurance including the following terms:
 - i. providing for an inclusive limit of not less than ten million dollars (\$10,000,000.00) for each occurrence or accident;
 - ii. providing for all sums which the YMCA shall become legally obligated to pay for damages because of bodily injury (including death at any time resulting there from) sustained by any person or persons, or because of damage to or destruction of property caused by an occurrence or accident arising out of or related to this Agreement, services and/or occupancy under this Agreement, or any operations carried out in connection with this Agreement;
 - iii. coverage for Products/Completed Operations, Blanket Contractual, Contractor's Protective, Personal Injury, Contingent Employer's Liability, Broad Form Property Damage, and Non-Owned Automobile Liability; and
 - iv. 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.
- c) All risks (including flood and earthquake, as required by the City) property insurance (contents, tenant improvements, etc.) in an amount equal to one hundred percent (100%) of the full replacement cost:
 - i. insuring all property owned by the YMCA, or for which the YMCA is legally liable, or installed by or on behalf of the YMCA, and located within the Facility including, but not limited to, fittings, installations, alterations, additions, partitions, and all other leasehold improvements. In the event of loss or damage, the YMCA shall, if so requested by the City, forthwith replace such lost or damaged equipment or chattels;
 - ii. insuring the YMCA's inventory, furniture, and movable equipment to the extent that such insurance is commercially available;
 - iii. providing business interruption insurance to the YMCA for loss of revenue resulting from or due to loss or damage to equipment or the Facility;
 - iv. providing a period of indemnity which shall not be less than twelve (12) months from the date of loss or damage; and
 - v. naming the City as a first loss payee with respect to any loss or damage to the permanent collection maintained by the YMCA on the policy required by this section.
- d) Insurance upon all plate glass in the Facility in an amount sufficient to replace all such glass.

The policy(s) set out in Section 11.2 shall contain a waiver of any subrogation rights that the YMCA's insurer may have against the City for YMCA responsibilities. The YMCA hereby waives its rights of subrogation against the City for areas identified as a YMCA responsibility.

11.3 City's Insurance Obligations

The City shall maintain, through the Term, in those reasonable amounts and with those reasonable deductions that a prudent owner of similar property would maintain, having regard to the size, age, and location:

- a) All risk insurance on the Facility, License Areas, and the Common Area, including all machinery, boilers, and equipment contained therein and owned by the City (excluding property that the YMCA is required to insure pursuant to this Agreement);
- b) General liability insurance with respect to the City's operations at the Facility; and
- c) Whatever other forms of insurance the City considers advisable.

11.4 Automobile Liability Insurance

The YMCA shall procure and maintain insurance policies covering all motor vehicles owned, operated, and used or to be used by the YMCA directly or indirectly related to this Agreement, services and/or occupancy under this Agreement, or any operations carried out in connection with this Agreement. The limit of liability shall not be less than five million dollars (\$5,000,000.00) inclusive of loss or damage, including personal injuries and death resulting from any one accident or occurrence.

11.5 The City Named as Additional Insured

The policies required by Section 11.2 shall provide that the City is named as an "Additional Insured" thereunder and that said policies are primary, without any right of contribution from any insurance otherwise maintained by the City.

11.6 Certificates of Insurance

The YMCA agrees to submit certificates of insurance in the form attached as Schedule H (the "Certificates of Insurance") for itself and all of its subcontractors to the City before the commencement of this Agreement, the occupancy of the Facility, the provision of services, and/or the use of the Facility, Lease Areas, Common Area, and Lands under this Agreement. No review or approval of any insurance certificate or insurance policy by the City derogates from or diminishes the City's rights under this Lease.

11.7 YMCA's Subcontractors and Subleasees

The YMCA shall require each of its subcontractors and subleasees to provide comparable insurance to that set out in Schedule H – Insurance Certificate, except for the minimum amounts required for subcontractors, which shall instead be in compliance with Section 8.6 of this Agreement.

11.8 Other Insurance

After reviewing the YMCA's Certificates of Insurance, the City may require other insurance or alterations to any applicable insurance policies in force during the Term and will give notifications of such requirements. Where other insurances or alterations to any insurance policies in force are required by the City and result in increased insurance premiums, such increased premium shall be at the City's expense.

11.9 Additional Insurance

The YMCA may take out such additional insurance, as it may consider necessary and desirable. All such additional insurance shall be at no expense to the City. The YMCA shall ensure that all of its subcontractors are informed of and comply with the City's requirements set out in Schedule H.

11.10 Insurance Companies

All insurance, which the YMCA 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.

11.11 Failure to Provide

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

11.12 Non-Payment of Losses

The failure or refusal to pay losses by any insurance company providing insurance on behalf of the YMCA or any subcontractor shall not be held to waive or release the YMCA or subcontractor from any of the provisions of the insurance requirements or this Agreement with respect to the liability of the YMCA otherwise. Any insurance deductible maintained by the YMCA or any subcontractor under any of the insurance policies is solely for their account and any such amount incurred by the City will be recovered from the YMCA as stated in Section 11.11.

12. INDEMNITY

12.1 YMCA Indemnity

The YMCA will indemnify and save harmless the City and its elected and appointed officials, officers, employees, agents, successors and assigns from all claims, costs and expenses arising out of or related to any breach of the YMCA's covenants in this Agreement and all claims, demands, actions, suits and other proceedings for personal injury, death or property damage or loss arising out of or related to any act or omission of the YMCA, its officers, employees or agents relative to the Facility or the License Areas. The obligations of the YCMA under this Section 12.1 shall survive the expiry or earlier termination of this Agreement.

12.2 City Indemnity

The City will indemnify and save harmless the YMCA and its officers, employees, agents, successors and assigns from all claims, costs and expenses arising out of or related to any breach of the City's covenants in this Agreement and all claims, demands, actions, suits and other proceedings for personal injury, death or property damage or loss arising out of or related to any act or omission of the City, its officers, employees or agents relative to the Facility or the License Areas. The obligations of the City under this Section 12.2 shall survive the expiry or earlier termination of this Agreement.

13. DEFAULTS, TERMINATION AND EXPIRATION**13.1 City May Cure Default**

If the YMCA fails to observe, comply with, keep, or perform any of its covenants, agreements, or obligations under this Agreement, the City may, but is not obliged to, at its discretion and without prejudice, take all steps considered necessary to rectify or cure the default and all costs of so doing, including the costs of retaining professional advisors, shall be payable immediately by the YMCA upon receipt of an invoice. Nothing in this Agreement obligates the City to rectify or cure any default of the YMCA, but should the City choose to do so, the City shall not be liable to the YMCA for any act or omission in the course of rectifying or curing or attempting to rectify or cure any default.

13.2 Termination Due to Default

If and whenever:

- a) the YMCA does not fully observe, keep, or perform each and every term, covenant, agreement, stipulation, obligation, condition, and provision of this Agreement to be observed, kept, and performed by the YMCA, and persists in such default for thirty (30) days after written notice by the City;
- b) the YMCA ceases to exist as a non-profit YMCA in good standing in the records of the British Columbia Corporate Registry;

- c) any proceedings towards dissolution or winding up of the YMCA are initiated;
- d) any of the goods or chattels in the Facility are at any time seized or taken in execution or attachment by any creditor of the YMCA or under a bill of sale or chattel mortgage;
- e) a writ of execution is issued against the goods and chattels of the YMCA;
- f) the YMCA makes any assignment for the benefit of creditors or becomes insolvent or bankrupt;
- g) the YMCA is in default in the payment of Rent, or any other amount payable under this Agreement, and the default continues for thirty (30) days after written notice by the City to the YMCA;
- h) the Facility or the Lands, or any part of it, is destroyed or damaged by any cause so that in the opinion of the City the Facility is no longer reasonably fit for use by the YMCA for the purposes set out in this Agreement for any period over sixty (60) days; or
- i) the YMCA vacates or abandons the Facility or any part of it, or uses or permits or suffers the use of the Facility for any purpose other than the purposes permitted by this Agreement, and such default persists for fourteen (14) consecutive days after written notice by the City,

then the City may, in its sole discretion, terminate this Agreement, at which time the Rent and all outstanding levies and charges shall become immediately due and payable; the Term shall immediately become forfeited and void; and, the YMCA must immediately cease all use and occupation of the Facility and the Lease Areas and vacate, deliver up possession of the Facility and License Areas. The City may, without notice or any form of legal process, and without any adherence to public law duties or procedural fairness or the principles of natural justice, forthwith re-enter the Facility and take possession of the Facility.

13.3 Distress

If the Rent payable by the YMCA are in arrears for thirty (30) days or more, the City or a person authorized in writing by the City may enter upon or into the Facility and seize any goods or chattels and may sell the same.

13.4 Termination without Cause

Notwithstanding the rest of this Agreement, either party may terminate this Agreement upon at least twelve (12) months' written notice to the other party. The Parties will work collaboratively to prepare a Facility management transition plan to ensure existing service and programming levels are maintained during this period.

13.5 Return of Operating Grant

The YMCA shall immediately upon expiration of the Term or the earlier termination of this Agreement, release, relinquish, and return pro rata portion of the Operating Grant to the City, to be calculated

based upon the date of expiration of the Term or the termination of the Agreement, whichever applies.

13.6 Overholding

If the YMCA continues to occupy any or all of the Facility after the expiration of the Term or the earlier termination of this Agreement, such holding over will not constitute a renewal of this Agreement. In such case, the City, at its option, may elect to treat the YMCA as one who has not vacated at the end of the Term and to exercise all of its remedies in that situation, or may elect to construe such holding over as a tenancy from month to month, subject to all the terms and conditions of this Agreement except as to the Term. For clarity, this section does not authorize or permit the YMCA to overhold.

13.7 Compensation Upon Termination

The YMCA shall not make any claim for compensation, in damages or otherwise, upon the termination or expiry of this Agreement. If the City terminates this Agreement, the City retains the right to proceed at law against the YMCA for all of the Rent and other loss or damage and costs, including all prospective losses or prospective damages suffered or to be suffered by the City arising from the default of the YMCA under this Agreement.

13.8 State of the Facility and Lands at Termination

If the YMCA fails to leave the Facility and the Licence Areas in a condition the same or largely similar to the condition the Facility and License Areas were identified as in the meeting minutes following the most recent Annual Onsite Meeting, inspection and/or assessment by the City and YMCA, notwithstanding reasonable wear and tear, the City may take such action as the City deems necessary to rectify such breach on behalf the YMCA. In that instance, the YMCA must, on demand, compensate the City for all costs incurred by the City.

13.9 Vacate Upon Termination, Survival

At the termination of this Agreement, whether by effluxion of time or otherwise, the YMCA shall vacate and deliver up possession of the Facility in good repair and in a clean, safe, and uncontaminated condition, and the YMCA shall surrender all keys to the Facility to the City.

13.10 Additional Rights of Re-Entry

If the City shall re-enter the Facility or terminate this Agreement, then:

- a) notwithstanding any such termination or the Term thereby becoming forfeited and void, the provisions of this Agreement relating to the consequences of termination shall survive;

- b) the City may re-enter and retake possession of the Facility and the Collection, and the YMCA hereby releases the City from all actions, proceedings, claims, and demands whatsoever for or in respect of any such entry or any loss or damage in connection therewith or consequential thereupon; and
- c) the City may re-let the Facility or any part thereof for a term or terms, which may be less or greater than the balance of the Term, and may grant reasonable concessions in connection therewith.

13.11 Delivery of Information

At the expiry or earlier termination of this Agreement, the YMCA will deliver to the City a detailed list of all computer software, with the assignment of all rights, for management and recording of all original paper and electronic information about the Facility and its operations and maintenance.

13.12 Remedies Cumulative

No reference to or exercise of any specific right or remedy by the City prejudices or precludes the City from any other remedy, whether allowed at law or in equity, or expressly provided for in this Agreement.

14. GENERAL TERMS

14.1 Assignment and Subleasing or Sublicensing

The YMCA shall not assign this Agreement and may not mortgage this Agreement by assignment or sublease. The YMCA may only rent or sublet interior portions of the Facility, and may retain all revenues derived therefrom, to provide a wider variety of amenities and further the objectives of the YMCA. A rental or sublet of the Facility to a subleasee may only occur if the YMCA:

- a) establishes and adheres to policies and guidelines which ensure a fair process for individuals and organizations wishing to obtain a rental or sublease;
- b) ensures that rental and sublease rates are fair, reasonable, and consistent with the operation of a fitness and aquatics centre;
- c) sublease rates include payment of property tax as part of the rent;
- d) requires the subleasees to enter into a rental contract or sublease in a form acceptable to the City;
- e) ensures that no rental or sublease agreement has a term that exceeds the Term of this Agreement; and

- f) requires that subleases, at all times, have insurance in place pursuant to Section 11.6 of this Agreement.

14.2 YMCA's Representations and Warranties

The YMCA represents and warrants that it:

- a) is a not-for-profit YMCA validly incorporated and in good standing under the laws of British Columbia and does not conduct its activities with a view to obtaining, and does not distribute, profit or financial gain to its members;
- b) has the power and capacity to enter into and carry out its obligations under this Agreement; and
- c) has completed all necessary resolutions and other preconditions to the validity of this Agreement.

14.3 City's Powers Unimpaired

Nothing contained or implied in this Agreement affects or prejudices the City's rights, powers, duties, or obligations in the exercise of its functions pursuant to the *Local Government Act* [RSBC 2015] Chapter 1, the *Community Charter*, or its rights and powers under any enactment, to the extent the same apply to the Facility or the Lands, all of which may be fully and effectively exercised concerning the Facility or the Lands as if this Agreement had not been fully executed and delivered.

14.4 Freedom of Information

The parties acknowledge, agree, and consent to the disclosure of this Agreement as a matter of public record, and further acknowledge and agree that applicable laws may require disclosure of information, provided by one party to the other pursuant to or in connection with this Agreement.

14.5 Entire Agreement

The provisions in this Agreement constitute the whole of the agreement between the parties and supersede all previous communications, representations, warranties, covenants, and agreements, whether verbal or written, between the parties with respect to the subject matter of this Agreement.

14.6 Amendment

This Agreement may not be modified or amended except in writing signed by the City and the YMCA.

14.7 Enurement

This Agreement shall enure to the benefit of and be binding upon the City and the YMCA and their respective successors and permitted assigns, if any.

14.8 City Interests

The YMCA acknowledges and agrees that the City may assign, transfer, mortgage, subdivide, and otherwise deal with its interests in the Facility, the License Areas, Lands, or any portion thereof, whether land or improvement, without the consent of the YMCA.

14.9 Attornment

If any person shall, through the City, succeed to the rights of the City under this Agreement or to ownership of the Facility then, upon the request of the party succeeding to the City's rights hereunder, the YMCA shall attorn to and recognize the new owner(s) as the landlord of the YMCA under this Agreement and shall promptly execute and deliver any instrument that such party may reasonably request to evidence the attornment. In the event of any other transfer of interest of the City hereunder, upon the written request of the transferee and the City, the YMCA shall attorn to and recognize the transferee as the landlord of the YMCA under this Agreement and shall promptly execute and deliver any instrument that the transferee and the City may reasonably request to evidence the attornment, provided that the transferee agrees with the YMCA to become the landlord hereunder and to assume the obligations of the City hereunder that are to be performed by the transferee after the transfer.

14.10 Certificates

The City and the YMCA agree that at any time and from time to time upon not less than thirty (30) days prior request by the other party, each will execute, acknowledge, and deliver to the other a statement in writing certifying:

- a) that this Agreement is unmodified and in full force and effect or, if there have been modifications, that the same is in full force and effect as modified and identifying the modifications;
- b) the dates to which the Rent, Operating Grants, and any other charges or fees pursuant to this Agreement have been paid;
- c) that, so far as the maker of the statement knows, without having conducted any searches or made any particular inquiries, the party who requests the statement is not in default under any provisions of this Agreement or, if in default, the particulars thereof; and
- d) any other reasonable information which is requested.

14.11 Not in Registrable Form

The YMCA acknowledges and agrees that the City is under no obligation at any time to deliver this Agreement or any instrument creating this Agreement to the YMCA in a form registrable in the Land Title Office.

14.12 Notice

Any notice, request, direction, or other communication (any of which is a "Notice") that is to be given or made by a party under this Agreement, shall be in writing, and if to the City, either delivered to an executive officer of the City or delivered or mailed (by prepaid registered mail) to the City at the address set out on page 3 of this Agreement, or if the City has given the YMCA Notice of another address in Canada to which notices to the City under this Agreement are to be given, then to the last such address of which the YMCA has been given Notice or sent by e-mail; and if to the YMCA, either delivered to the YMCA personally (or to a partner or officer of the YMCA if the YMCA is a firm or corporation) or delivered or mailed (by prepaid registered mail) to the YMCA at the Facility or sent by email, addressed as follows:

- a) To the City: City of Kelowna
E-mail Address: sportkelowna@kelowna.ca
Attention: Director, Active Living and Culture
- b) To the YMCA: YMCA of Southern Interior BC
E-mail Address: Allyson.Graf@ymcasibc.ca
Attention: President and CEO

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. Any Notice sent by e-mail is to be considered given on the day it is sent if that day is a business day, and if that day is not a business day, it is to be considered given on the next business day after the date it is sent.

14.13 Waivers

A waiver by a party of any default by the other party shall not be deemed to be a waiver of any subsequent default. A waiver is effective only if it is in writing.

14.14 Further Assurances

The parties shall execute and do all such further deeds, acts, things, and assurances as may be reasonably required to carry out the intent of this Agreement.

14.15 Own Cost

The YMCA shall perform all obligations, covenants, and agreements under this Agreement solely at its own cost.

14.16 Joint Venture

Nothing in this Agreement creates the relationship of principal and agent or partnership, joint venture, business enterprise, or entity between the parties, or gives the YMCA any power or authority to bind the City in any way.

14.17 Independent Contractor

The parties have entered into an arm's length contract for the provision of the services set out in this Agreement; the YMCA is an independent contractor, not an employee of the City.

14.18 Legal Advice

The YMCA acknowledges and agrees that the City has recommended that it receive independent legal advice concerning this Agreement, and that the City has provided the YMCA with adequate time to do so.

14.19 Dispute Resolution

Should a dispute occur between the parties over any aspect of this Agreement that cannot be successfully resolved through good faith efforts by both parties within sixty (60) days of the dispute having been identified, the matter shall be referred to a single arbitrator pursuant to the *Arbitration Act* [SBC 2020] Chapter 2, as amended from time to time (the "*Arbitration Act*"). The arbitrator will be selected by agreement of the parties, or, failing agreement of the parties, appointed pursuant to the *Arbitration Act*, and the arbitrator's decision shall be binding upon both parties. The costs of the arbitration shall be borne in equal parts by both parties.

14.20 Time is of the Essence

Time is of the essence of this Agreement.

15. INTERPRETATION

15.1 Headings and Table of Contents

The division of this Agreement into sections, the insertion of headings and the provision of a table of contents are for convenience only and do not form a part of this Agreement and will not be used to interpret, define, or limit the scope, extent, or intent of this Agreement.

15.2 Schedules

The following schedules are attached to and form part of this Agreement:

- a) Schedule "A" - Facility and License Areas
- b) Schedule "B" - Programming Requirements
- c) Schedule "C" - Program Assets
- d) Schedule "D" - Key Performance Indicators Matrix
Schedule "D" - Appendix 1 – Key Performance Indicators
- e) Schedule "E" - Facility Maintenance and Operations Responsibility Checklist
Schedule "E" - Appendix A - Natatorium Specialty Equipment
- f) Schedule "F" - Branding Guidelines
- g) Schedule "G" - 2024 Proposed Budget
- h) Schedule "H" - Insurance Certificate

15.3 Number and Gender

Unless otherwise specified, words importing the singular include the plural and vice versa, and words importing gender include all genders.

15.4 Use of the Word "Including"

The word "including" when following any general term or statement will not be construed as limiting the general term or statement to the specific matter immediately following the word "including" or to similar matters, and the general term or statement will be construed as referring to all matters that reasonably could fall within the broadest possible scope of the general term or statement.

15.5 Governing Law

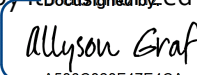
This Agreement and each of the documents contemplated by or delivered under or in connection with this Agreement are governed exclusively by, and are to be enforced, construed and interpreted exclusively in accordance with the laws applicable and in force in British Columbia.

15.6 Severability

If any portion of this Agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Agreement.

IN WITNESS WHEREOF the City and the YMCA have executed this Agreement on the date first above written.

CITY OF KELOWNA by its authorized)
 signatories:)
)
 _____)
 Mayor)
)
 _____)
 City Clerk)

YMCA OF SOUTHERN INTERIOR BC)
 by its authorized signatory:)
)
 _____)
 Signature)
 Allyson Graf)
 _____)
 Print Name)

Schedule A – Facility and License Areas



Schedule B – Programming Requirements

A. General

The YMCA will provide quality aquatic, fitness, and wellness programs and services at the Facility with a focus on meeting the broad needs of demographic segments of the community. All services will be offered without discrimination on the basis of age, gender, ability, race, religion, and economic circumstances. Additional programs over and above identified core programs and services set out herein are not considered as part of this Agreement and should not be provided at the Facility without the consent of the City.

B. Duty and Obligation

In addition to the other covenants and obligations to be performed by the YMCA hereunder, the YMCA covenants and agrees that it will, at all time during the Term:

1. Manage the Facility so as to provide aquatic, recreational, and ancillary facilities that are accessible to the public upon payment of applicable administration and registration fees.
2. Utilize reasonable efforts to maximize the use of the aquatic facilities through public swimming, creative participation programming, variable water flows, and water feature scheduling techniques.
3. Ensure that, unless prevent by applicable government authorities or for reasons of repair and maintenance, the Facility is, at a minimum, open and available to the public each and every day throughout the Term. The YMCA may reduce hours of operation and close to the public under special circumstances, including statutory holidays, by proving thirty (30) days' written notice to the City of their intentions to reduce hours or close to the public, in order to provide adequate time for public notification and City approval.
4. Collaborate with other Mission Recreation Park facility operators, user groups, and the City regarding special events scheduled and joint promotional opportunities at the Mission Recreation Park site.

C. Programs and Services

Core programs and services offered at the Facility shall include:

1. A broad range of aquatic, fitness, and wellness programs and activities and services for the public.
2. Opportunities for skill, leadership, and volunteer development to support the operations of the Facility.
3. An effective balance between drop-in/unstructured access (i.e. public swim), registered programs (i.e. courses and lessons), and facility rentals.
4. A health and wellness focus so as to contribute to an active, health community.

5. An equitable balance of aquatic, recreation, and fitness programs and activities for all age groups, genders, and abilities.
6. Special programs and events that encourage use of the Facility and meet the core objectives of the Facility.

D. Aquatic Sport Clubs

Space and lane allocation for aquatic sports clubs is established through the City's Aquatic Facilities General Use and Allocation Guidelines (the "Guidelines"), which the YMCA will comply with in relation to sports club allocation at the Facility. The Guidelines provide the framework for equitable space and lane allocation in all City aquatic facilities. While the Guidelines are a City document, they have been developed in collaboration with user groups and facility operators. Any significant changes to the Guidelines as they apply to the Facility and sports club use patterns will be done in collaboration with the YMCA and will consider the impact such changes will have on the Facility operating model.

E. Public Access

At a minimum, access options shall include single admissions, multiple tickets, passes, and facility memberships for adults, seniors, youth, children, and families. Membership in the YMCA shall not be a requirement for the purchase of access to the Facility or participation in any of the programs or services (excluding swimming lessons) offered at the Facility.

F. Accessibility Programs and Opportunities

The City and the YMCA will continue to collaborate on the development of initiatives that reduce barriers to participation. These initiatives must will include, at a minimum, the following:

1. Financial Assistance Program – the YMCA will make available a Financial Assistance Program for those who cannot afford the full fee for membership and/or access to the Facility and its programs, including persons with diverse abilities, to be funded by the YMCA at a value of no less than twenty thousand dollars (\$20,000.00) per year.
2. Recreation Opportunities Coupon – the YMCA will honour and implement a Recreation Opportunities Coupon, as developed and distributed by the City. This program is to provide opportunities for individuals and families in low social economic circumstances the ability to access community recreation. The City and the YMCA will continue to monitor the success and use of this initiative to ensure it is addressing program objectives as well as operational needs. The City and the YMCA will review the use of these coupons at the Facility on a quarterly basis.

G. Fees

1. Fees for access to the Facility shall be set at the discretion of the YMCA, with the exception of lane rentals for aquatic sports clubs, which shall be determined by the Guidelines.

2. The YMCA shall notify the City of any changes to fees no less than sixty (60) days prior to implementing such a change.
3. Any change in fees shall be proportionally reflected in both membership and drop-in fees.

H. Scheduled and Unscheduled Facility Closures

1. In a public safety emergency situation, the City or the YMCA may close the Facility in the interest of public safety. The party that closes the building must immediately inform the other party. The building will remain closed until the unsafe condition or emergency situation is corrected.
2. In the event of significant Facility closures, the City and the Y will work together to try to reasonably accommodate Facility members in other recreational facilities owned by the City or operated by the YMCA. The nature and extent of the accommodation will be determined on a case by case basis.
3. The City and the YMCA will collaborate regarding schedules for planned shutdown periods with the intent of ensuring multiple facilities are not closed over the same period.

I. Compliance with Rules

The YMCA may, acting reasonably:

1. Expel from the Facility any person causing damage to the Facility or Facility property, or materially failing to comply with the rules and regulation prescribed for the Facility.
2. Require damage deposits from user groups where there is a likelihood that such groups may cause damage to the Facility or Facility property, and pursue and seek compensation from any individual, group, or organization which causes damage to the Facility or Facility property.
3. Develop and administer a joint facility banning and information sharing protocol with the City in relation to other City- and YMCA-facilities.

Schedule C – Program Assets

Asset ID	Asset Name	Make	Model	S/N	Console Make	Console Model	Console S/N
83	Spin Bike 001	Schwinn		1401T16022			
84	Spin Bike 002	Schwinn		1401T16004			
85	Spin Bike 003	Schwinn		1401T16038			
86	Spin Bike 004	Schwinn		1401T16149			
87	Spin Bike 005	Schwinn		1401T16106			
88	Spin Bike 006	Schwinn		1401T16154			
89	Spin Bike 007	Schwinn		1401T16071			
90	Spin Bike 008	Schwinn		1401T15990			
91	Spin Bike 009	Schwinn		1401T15983			
92	Spin Bike 010	Schwinn		2601T28040			
93	Spin Bike 011	Life Fitness	15200-6	LF3507090108123			
94	Spin Bike 012	Life Fitness	15200-6	LF3507090108124			
95	Spin Bike 013	Life Fitness	15200-6	LF3507090108119			
96	Spin Bike 014	Life Fitness	15200-6	LF3507090108116			
97	Spin Bike 015	Life Fitness	15200-6	LF3507090105105			
98	Spin Bike 016	Life Fitness	15200-6	LF3507090108125			
99	Spin Bike 017	Life Fitness	15200-6	LF3507090108120			
100	Spin Bike 018	Life Fitness	15200-6	LF3507090108122			
101	Spin Bike 019	Life Fitness	15200-6	LF3507090108103			
102	Spin Bike 020	Life Fitness	15200-6	LF3507090108117			
103	Spin Bike 021	Life Fitness	15200-6	LF3507090309457			
104	Spin Bike 022	Life Fitness	15200-6	LF3507090309443			
105	Spin Bike 023	Life Fitness	15200-6	LF3507090309461			
106	Spin Bike 024	Life Fitness	15200-6	LF3507090309391			
107	Spin Bike 025	Life Fitness	15200-6	LF3507090309388			
108	Spin Bike 026	Life Fitness	15200-6	LF3507090309460			
109	Spin Bike 027	Life Fitness	15200-6	LF3507090309458			
110	Spin Bike 028	Life Fitness	15200-6	LF3507090309124			
111	Spin Bike 029	Keiser	005500PBC	090203-02300			
112	Spin Bike 030	Keiser	005500PBC	090203-02293			
113	Spin Bike 031	Keiser	005500PBC	110419-10287			
114	Spin Bike 032	Keiser	005500PBC	110419-10307			
115	Spin Bike 033	Keiser	005500PBC	110419-10275			
116	Spin Bike 034	Keiser	005500PBC	081212-18131			
117	Spin Bike 035	Keiser	005500PBC	090203-02298			
118	Spin Bike 036	Keiser	005500PBC	090203-02297			
119	Spin Bike 037	Keiser	005500PBC	090203-02295			
120	Spin Bike 038	Keiser	005500PBC	090203-02290			
121	Spin Bike 039	Keiser	005500PBC	140303-77078			
122	Spin Bike 040	Keiser	005500PBC	110419-10273			
123	Spin Bike 041	Keiser	005500PBC	090203-02292			
124	Spin Bike 042	Keiser	005500PBC	110419-10274			

Asset ID	Asset Name	Make	Model	S/N	Console Make	Console Model	Console S/N
125	Spin Bike 043	Keiser	005500PBC	090203-02294			
126	Spin Bike 044	Keiser	005500PBC	090203-02299			
127	Spin Bike 045	Keiser	005500PBC	110419-10322			
128	Cardio Upright Bike 001	Precor	UKB885/835/825/815	AYZGK26120004	Precor	P80	ATWJM31130031
129	H2O Level 02						
130	Cardio Upright Bike 002	Precor	UKB885/835/825/815	AYZGK26120003	Precor	P80	ATWMB04130032
131	Cardio Upright Bike 003	Precor	UKB885/835/825/815	AYZGK26120011	Precor	P80	ATWML07120033
132	Cardio Upright Bike 004	Precor	UKB885/835/825/815	AYZGK26120012	Precor	P80	ATWML07120011
133	Cardio Upright Bike 005	Precor	UKB885/865/835	AKCEI12180012	Precor	P82	AC85G25185071
134	Cardio Upright Bike 006	Precor	UKB885/865/835	AKCEI12180011	Precor	P82	AC85G25185018
135	Cardio Recumbent Bike 001	Precor	RBK885/845/835/825/815	AXHGL17120005	Precor	P80	ATWML28120026
136	Cardio Recumbent Bike 002	Precor	RBK885/845/835/825/815	AXHGL17120009	Precor	P80	ATWML07120036
139	Cardio Recumbent Bike 003	Precor	RBK885/845/835/825/815	AXHGL17120010	Precor	P82	ATWML31130018
140	Cardio Recumbent Bike 004	Precor	RBK885/845/835/825/815	AXHGL17120006	Precor	P80	ATWML07120031
141	Cardio Recumbent Bike 005	Precor	RBK885/845/835/825/815	A596113180008	Precor	P80	AC85G25185079
142	Cardio Recumbent Bike 006	Precor	RBK885/845/835/825/815	A596113180009	Precor	P82	AC85G25185001
144	Cardio Arm Ergo Meter 001	Technogym	700TVATSC	D4773D08000301			
145	Cardio Curved Treadmill 001	Technogym	DJK13D	DJK13D16000597			
146	Cardio Recumbent Stepper 001	NUSTEP	NAP	446928			
147	Cardio Air Rowing Machine 001	Concept 2	D	1016080-300204902-02			
148	Cardio Air Rowing Machine 002	CONCEPT 2	D	1112090-400017919-02			
149	Cardio Air Rowing Machine 003	CONCEPT 2	E	0108090-310111890-02			
150	Cardio Air Bike 001	ASSAULT	Not Available	A1801B80006			
151	Cardio Air Bike 002	ASSAULT	Not Available	AD83E02180067			
152	Cardio Adaptive Motion Trainer 001	Precor	AMT100I	A927B12090003	Precor	PVS-12EDTL	CEWDK18080892
153	Cardio Adaptive Motion Trainer 002	Precor	AMT100I	A927L03090042	Precor	PVS-12EDTL	CEWDK23090010
154	Cardio Adaptive Motion Trainer 003	Precor	AMT100I	A927L03090039	Precor	PVS-12EDTL	CEWDK23090027
155	Cardio Open Stride 001	Precor	AMT12 885/835/833/813	AJTEK19130041	Precor	P80	ADHJ31130057
156	Cardio Open Stride 002	Precor	AMT12 885/835/833/813	AJTEK19130021	Precor	P80	ADHJ31130057
157	Cardio ClimbMill 001	Matrix Fitness	C-5X/7X	CS24160104448	Matrix Fitness	C-5X-02-C	CS19160109026
159	Cardio Ski Erg 001	Concept 2	2715	430755416			
160	Cardio Elliptical Crosstrainer 001	Precor	EFX885/883/865/863/835/833	ANGFH0618D019	Precor	P30	AXLWH23185080
161	Cardio Elliptical Crosstrainer 002	Precor	EFX885/883/865/863/835/833	 ANGFH0618D006	Precor	P30	AXLWH17185113
162	Cardio Elliptical Crosstrainer 003	Precor	EFX885/883/865/863/835/833	ANGFH0618D011	Precor	P30	AXLWH23185086
163	Cardio Elliptical Crosstrainer 004	Precor	EFX885/883/865/863/835/833	ANGFH0118D022	Precor	P30	AXLWH23185081
164	Cardio Elliptical Crosstrainer 005	Precor	EFX885/883/865/863/835/833	ANGFH0118D017	Precor	P30	Not Available
165	Cardio Elliptical Crosstrainer 006	Precor	EFX885/883/865/863/835/833	ATYAH22160028	Precor	P82	A659G27160061
166	Cardio Elliptical Crosstrainer 007	Precor	EFX885/883/865/863/835/833	ANGFH0618D009	Precor	P82	A659H24185014
167	Cardio Elliptical Crosstrainer 008	Precor	EFX885/883/865/863/835/833	ANGFH0618D020	Precor	P82	A659H24185011
168	Cardio Elliptical Crosstrainer 009	Precor	EFX885/883/865/863/835/833	ANGFH0618D010	Precor	P82	A659H24185018
169	Cardio Elliptical Crosstrainer 010	Precor	EFX885/883/865/863/835/833	ANGFH2818D007	Precor	P82	A659H24185012
172	Spin Bike 046	Indoor Cycling Matrix	IC-MXIC7B-03	LAR80008148B15L	Indoor Cycling	320-00-00011-01	32884

Asset ID	Asset Name	Make	Model	S/N	Console Make	Console Model	Console S/N
173	Spin Bike 047	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008126815L	Indoor Cycling	320-00-00016-01	17385
174	Spin Bike 048	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008122815L	Indoor Cycling	320-00-00011-01	32929
175	Spin Bike 049	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008128815L	Indoor Cycling	320-00-00011-01	32910
176	Spin Bike 050	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008124815L	Indoor Cycling	320-00-00011-01	32904
177	Spin Bike 051	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008129815L	Indoor Cycling	320-00-00011-01	79870
178	Spin Bike 052	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008123815L	Indoor Cycling	320-00-00011-01	32927
179	Spin Bike 053	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008125815L	Indoor Cycling	320-00-00011-01	32874
180	Spin Bike 054	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008146815L	Indoor Cycling	320-00-00011-01	32891
181	Spin Bike 055	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008112815L	Indoor Cycling	320-00-00011-01	32886
182	Spin Bike 056	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008111815L	Indoor Cycling	320-00-00016-01	17392
183	Spin Bike 057	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008149815L	Indoor Cycling	320-00-00011-01	32917
184	Spin Bike 058	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008150815L	Indoor Cycling	320-00-00011-01	32877
185	Spin Bike 059	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008106815L	Indoor Cycling	320-00-00011-01	75609
186	Spin Bike 060	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008109815L	Indoor Cycling	320-00-00011-01	32893
187	Spin Bike 061	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008110815L	Indoor Cycling	320-00-00011-01	32918
188	Spin Bike 062	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008107815L	Indoor Cycling	320-00-00011-01	73047
189	Spin Bike 063	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008113815L	Indoor Cycling	320-00-00011-01	32932
190	Spin Bike 064	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008130815L	Indoor Cycling	320-00-00016-01	73069
191	Spin Bike 065	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008147815L	Indoor Cycling	320-00-00016-01	9033
192	Spin Bike 066	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008153815L	Indoor Cycling	320-00-00011-01	73109
193	Spin Bike 067	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008152815L	Indoor Cycling	320-00-00011-01	32889
194	Spin Bike 068	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008151815L	CYTECHGMBH	320-00-00011-01	32879
195	Spin Bike 069	Indoor Cycling Matrix	IC-MXIC7B-03	LARB0008118815L	Indoor Cycling	320-00-00011-01	32923
210	Squat 001	Life Fitness	TCSL-0102-101	100845108689			
212	Lat Pulldown 001	Life Fitness	TCDD-0102-101	100845108620			
213	AB Crunch 001	Life Fitness	TCAD-0102-101	100842107473			
214	Shoulder Press 001	Life Fitness	TCSD- 102-101	100905100404			
215	Seated Row 001	Life Fitness	TCCD-0102-101	100904100247			
216	Leg Extension 001	Life Fitness	TCLE-0102-100	100845108587			
217	Chest Press 001	Life Fitness	TCCP-0102-101	100904100247			
218	Seated Leg Curl 001	Life Fitness	TCLC-0102-101	100843107831			
219	Tricep Press 001	Life Fitness	TCTP-0102-101	100841107350			
220	Bicep Curl 001	Life Fitness	TCBC-0102-102	100843107812			
221	Leg Press 001	Precor	Strength Line	BA72H25160004			
222	Lateral Rise 001	Precor		BD58J19110001			
223	Seated Row 002	Precor					
247	A Frame Dumb Bell Stand 002	Precor		BY56J19110001			
248	Shoulder Press 002	Precor		BPCHJ19110001			
249	Chest Press 002	Precor		BWJGJ19110002			
250	Abdominal 001	Precor		BWJPJ20110001			
251	Pulldown 001	Precor		BGKHK10100037			
252	Back Extension 001	Precor		BWJRJ19110001			

Asset ID	Asset Name	Make	Model	S/N	Console Make	Console Model	Console S/N
253	Inner/Outer Thigh 001	Precor		BDSHJ07110005			
254	Leg Press 002	Precor		BWJTJ20110001			
255	Rear Delt Pec Fly 001	Precor		BWJNJ19110001			
256	Position Folding Bench 001	Hammer Strength					
257	Flat Bench Red 001	Hammer Strength					
258	Preacher Curl Bench 001	Hammer Strength	FWAC-B00	6106			
259	Olympic Bench with Assistant Platform 001	Hammer Strength	OIB-A02	1356			
260	Lateral Horizontal Bench Press (Red) 001	Hammer Strength	ILHBP-A00	1691			
261	Olympic Bench With Weight Storage 001	Hammer Strength	OFB-B02	11241			
262	Leg Extension with Weight Stand 001	Hammer Strength	PLLE-C02	1505			
263	A Frame Dumb Bell Stand 001	Hammer Strength	FWBAR-A	3220			
264	Barbell Storage Rack 001	Hammer Strength	FWDR2-A00	13637			
265	Barbell Storage Rack 002	Hammer Strength	FWDR2-A00	13638			
266	Barbell Storage Rack 003	Hammer Strength	FWDR2-A00	13639			
267	Full Cage Squat Rack 001	Hammer Strength	A01	651			
268	45 Degree Linear Leg Press 001	Hammer Strength	HSLLP	HSLLP0309004			
269	Sated Calf Raise 001	Hammer Strength	B06	6807			
270	Utility Bench 001	Body Solid					
271	Utility Bench 002	Body Solid					
272	Position Folding Bench 002	Hoist Fitness					
273	Position Folding AB Bench 001	Hoist Fitness					
274	Functional Trainer 001	Hoist Fitness		15-02-A01-002685			
275	Weight Stand with Bumper Plate 001	Eurosport					
276	Weight Stand with Bumper Plate 002	Eurosport					
277	A Frame Dumb Bell Stand 003	Eurosport					
278	Barbell Storage Rack 004	Apex		13639			
279	Kettle Bell Storage Rack 001						
280	Cart Storage 001						
281	Functional Trainer (KINESIS ONE) 001	TechnoGym	M5800	M580015100542			
282	Functional Trainer (KINESIS ONE) 002	TechnoGym	M5800				
283	Glute Ham Developer 001	Torque Fitness					
284	Full Cage Squat Rack 002	Torque Fitness	XPC-204-801	40715000193			

H2O Program Asset Management Plan (2024 -2028)

Type of Equipment	Estimated Unit Price	Units	2024	2025	2026	2027	2028	Total
Strength Equipment								
Precor Squat Half Racks	\$ 2,500.00	2	\$ 5,000.00					\$ 5,000.00
Precor Smith Machine	\$ 4,400.00	1	\$ 4,400.00					\$ 4,400.00
Precor Olympic Flat Bench	\$ 1,500.00	2	\$ 3,000.00					\$ 3,000.00
Precor Multi Adjustable Bench	\$ 1,000.00	4	\$ 4,000.00					\$ 4,000.00
Precor Flat Bench	\$ 500.00	3	\$ 1,500.00					\$ 1,500.00
Weight Rack - 2 Tier	\$ 1,000.00	1	\$ 1,000.00					\$ 1,000.00
Dumbbells Set*	\$ 2,000.00	1	\$ 2,000.00					\$ 2,000.00
Dumbbell Replacement	\$ 10,000.00	1	\$ 10,000.00					\$ 10,000.00
Olympic Barbell^	\$ 500.00	3	\$ 1,500.00					\$ 1,500.00
Precor Dual Pulley	\$ 5,500.00	2	\$ 11,000.00					\$ 11,000.00
Precor 8 Stack Cable Crossover w Chin Dip	\$ 25,000.00	1	\$ 25,000.00					\$ 25,000.00
Precor Selectorized Strength Replacement	\$ 5,500.00	10		\$ 55,000.00				\$ 55,000.00
Strength Equipment as Identified (+)	\$ 5,000.00	2				\$ 5,000.00	\$ 5,000.00	\$ 10,000.00
Total Strength Equipment		33	\$ 68,400.00	\$ -	\$ 55,000.00	\$ 5,000.00	\$ 5,000.00	\$ 133,400.00
Cardio Equipment								
Precor Stairclimber	\$ 6,000.00	3	\$ 18,000.00					\$ 18,000.00
Spin Bike	\$ 4,440.00	25	\$ 111,000.00					\$ 111,000.00
Treadmill	\$ 13,000.00	15	\$ 195,000.00					\$ 195,000.00
Elliptical	\$ 12,000.00	6	\$ 72,000.00					\$ 72,000.00
Adaptive Motion Trainer	\$ 14,000.00	2	\$ 28,000.00					\$ 28,000.00
Upright Bike	\$ 7,600.00	6	\$ 45,600.00					\$ 45,600.00
Recumbent Bike	\$ 7,900.00	6	\$ 47,400.00					\$ 47,400.00
NuStep Recumbent Cross Trainer	\$ 15,000.00	2	\$ 30,000.00					\$ 30,000.00
Hand Cycle	\$ 3,000.00	2	\$ 6,000.00					\$ 6,000.00
Cardio Equipment as Identified (+)	\$ 5,000.00	2				\$ 5,000.00	\$ 5,000.00	\$ 10,000.00
Total Cardio Equipment		69	\$ 129,000.00	\$ 424,000.00	\$ 55,000.00	\$ 10,000.00	\$ 5,000.00	\$ 563,000.00
Total Equipment Replacement		102	\$ 197,400.00	\$ 424,000.00	\$ 55,000.00	\$ 10,000.00	\$ 10,000.00	\$ 696,400.00
<i>City Contribution</i>								
<i>YMCA Contribution**</i>								
			\$ 197,400.00	\$ 224,000.00	TBD	TBD	TBD	\$ 421,400.00
			\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 500,000.00
			\$ 100,000.00	\$ -	\$ 45,000.00	\$ 135,000.00	\$ 225,000.00	
<i>Projected YMCA Program Asset Reserve Fund Balance</i>								

Notes:

Over a 5 year period 100+ pieces of equipment are to be replaced.
 Year 1 (2024) focuses on increasing capacity and improving overall customer satisfaction while adapting to consumer trends in the strength and fitness area.
 Year 2 (2025) focuses on a cardio equipment renewal as the equipment is nearing end of life and service/repairs are becoming challenging due to age.
 YMCA best practice to manage user experience regarding cardio equipment is a complete renewal. Allows YMCA to achieve cost saving and increased service levels via purchasing power.
 **Subject to the Operating Budget, the YMCA will contribute up to \$100,000/year to a Program Asset Reserve Fund for future equipment replacement. Next cardio renewal is anticipated for 2031.

* Dumbbell Set 10 Person (2X20, 2X25, 2X30, 1X40, 1X45, 1X50)

^ Olympic Barbell - 7 ft/45lbs

(+) as Identified through operations

Schedule D – Key Performance Indicators Matrix

1. The annual Performance Fee to be paid to the YMCA pursuant to section 7.7 of this Agreement shall be calculated based on the information submitted by the YMCA to the City through the Annual Reporting process.
2. The information supplied by the YMCA will measure the degree of the YMCA's achievement of the Key Performance Indicators ("KPI's") listed in the attached Schedule D – Appendix 1.
3. The City shall assess the YMCA's annual performance of the KPI's through the application of the points value indicated in the attached Schedule D – Appendix 1.
4. The value of the Performance Fee earned by the YMCA shall be based on the annual net income surplus generated by the Facility, after all expenses, allocations, and contributions have been made (the "Facility Surplus"), and shall be credited to the YMCA as follows:

Year	Points Earned	Performance Fee Value
2024	21 points or more	25% of the Facility Surplus
2025	21 points or more	25% of the Facility Surplus
2026	21 points or more	25% of the Facility Surplus
2027	21 points or more	25% of the Facility Surplus
2028	21 points or more	50% of the Facility Surplus

5. Any disputes between the parties in relation to the City's assessment of the points value or the calculation of the Performance Fee shall be referred to a single arbitrator pursuant to the *Arbitration Act* [SBC 2020] Chapter 2, as amended from time to time (the "*Arbitration Act*"). The arbitrator will be selected by agreement of the parties, or, failing agreement of the parties, appointed pursuant to the *Arbitration Act*, and the arbitrator's decision shall be binding upon both parties. The costs of the arbitration shall be borne in equal parts by both parties.

Schedule D – Appendix 1 – Key Performance Indicators

Key Performance Measure	Method of Assessment	Performance Target	Points Value	Score
Membership retention	YMCA Reporting (<i>Membership Reports via registration software</i>)	More than 55% retention in Year 1; 60% in Year 2; 65% in Year 3	5 points for 55% retention or more	
			3 points for 50-55% retention	
			1 point for 45-50% retention	
			0 points for under 45% retention	
Overall customer satisfaction (Memberships and Drop-in Admissions)	YMCA Reporting (<i>Member Survey, Comment Cards</i>)	75% satisfaction	5 points for 75% or more	
			3 points for 60-75%	
			1 point for 50-60%	
			0 points for under 50%	
Overall user group satisfaction	YMCA Stakeholder Engagement (<i>Survey to be developed in consultation with the City and distributed to swim club liaisons for completion</i>)	70% satisfaction	5 points for 70% or more	
			3 points for 60-70%	
			1 point for 50-60%	
			0 points for under 50%	
Membership demographics in the categories of adults, seniors, people with diverse abilities, children, and youth	YMCA Reporting (<i>Membership Reports via registration software</i>)	Membership reflective of City demographics (baseline to be provided by the City)	5 points for 85% or more reflective	
			3 points 70-85% reflective	
			1 point for 60-70% reflective	
			0 points for under 60% reflective	
Drop-in Admission demographics in the categories of seniors, adults, youth, children, and family	YMCA Reporting (<i>Drop-in Admission Reports via registration software</i>)	Participation reflective of City demographics (baseline to be provided by the City)	5 points for 85% or more reflective	
			3 points 70-85% reflective	
			1 point for 60-70% reflective	
			0 points for under 60% reflective	
Meeting Quarterly and Annual Reporting requirements	YMCA Reporting (<i>Quarterly Reports (Section 7.9) Annual Report (Section 7.10)</i>)	Reports submitted by established deadlines	1 point for each report submitted by the deadline	
Performance Targets to be re-evaluated following the Term			Total	/30

Schedule E - Facility Maintenance and Operations Responsibility Checklist

H2O Adventure and Fitness Centre	Responsible Party: City	Responsible Party: City	Responsible Party: YMCA
	Cost carried by: City	Cost carried by: YMCA	Cost carried by: YMCA
Annual Air quality testing			X
Boiler operating permits	X		
Building Automation System maintenance, repairs, and renewal	X		
Chlorine Gas detection & alarm system			X
Electrical field safety representative	X		
Electrical operating permit	X		
Electrical system - preventative maintenance and repairs of M.C.C's distribution equipment, circuit panels and associated infrastructure.	X		
Elevator equipment repairs	X		
Elevator maintenance contract	X		
Elevator operating permits	X		
Emergency lighting, internal – testing and repairs			X
Emergency lighting, external – testing and repairs	X		
Facility exterior – roofing system, doors, windows, facades, parking lots, and lighting	X		
Facility interior – doors, glass, floors, fixtures, walls, ceilings, access systems, and related hardware			X
Fire alarm system repairs (liability limit)			X
Fire alarm system testing and inspection contracts			X
Fire extinguisher monthly and annual inspections			X
Fire safety plan and fire drills			X
Fire sprinkler system repairs	X		
Fire sprinkler system testing and inspection contracts		X	
Furnishings and equipment			X
Garbage removal			X
HVAC & Mechanical Systems- preventative maintenance, repair, and renewal	X		
Insurance - automotive			X
Insurance - liability			X
Insurance - property, building	X		
Insurance - tenant owned furnishings and fixtures			X
Insurance - tenant owned operation equipment, computers, and furnishings			X
Insurance - WCB			X
Internet			X
Janitorial services and supplies			X

Kitchen Exhaust Hood – maintenance and repairs	X		
Kitchen Hood - fire suppression system inspection, testing, maintenance, and repairs	X		
Landscape maintenance – License Areas	X		
Lighting, internal – lamp and tube replacement			X
Lighting, external – lamp and tube replacement	X		
Natatorium and aquatic facility features and mechanical systems – routine maintenance and repair Refer to Appendix “G” for details			X
Natatorium – operating permits/affiliate fees			X
Parking lots - lighting, parking lines, sweeping, asphalt, signage, drainage etc.	X		
Pest control			X
Plumbing: Domestic Infrastructure - repair	X		
Plumbing: Domestic Infrastructure - maintenance (including backflow testing)		X	
Plumbing: Domestic Fixture maintenance - repair and renewal			X
Plumbing: Natatorium Mechanical Systems - preventative maintenance and repairs Refer to appendix “XX” for details			X
Recycling program			X
Roofing system - inspection and maintenance	X		
Roofing system - repairs	X		
Security system operations			X
Signage - exterior	X		
Snow removal – parking and roadways	X		
Snow removal – sidewalks			X
Structural system – building infrastructure, bearing structure, outside walls, and foundations	X		
Taxes			X
Telephone			X
Tenant improvements			X
Tenant improvements - maintenance			X
Tree removal	X		
Utilities - electricity		X	
Utilities - natural gas		X	
Utilities - water, sewer		X	
Vandalism, exterior	X		
Vandalism, interior			X
Waterslide – operating permit			X
Water Quality – quarterly pool chemistry testing by 3 rd party			X
Water Quality – chemical supply and treatments			X
Window Cleaning, exterior	X		
Window Cleaning, interior			X

Schedule E - Appendix A - Natatorium Specialty Equipment

The YMCA is responsible for the maintenance and repair of the natatorium specialty equipment listed below and will provide annual reporting to the City on the on-going maintenance of this equipment, pursuant to section 7.10 (g) of this Agreement. Capital replacement is a City responsibility.

Systems
Moveable floor (including all associated mechanical system and controls)
Pool water filtration systems
Flow rider (including all associated mechanical and control equipment)
Spray park (including all features, mechanical and control equipment)
UV lamps and accessories
Steam generator maintenance as per manufacturers specifications
Water slides (including all associated mechanical equipment and controls)
Wave generator (including all associated mechanical equipment and controls)
Water circulation – on the load side of pool & hot tub heat exchangers (piping, pumps, valves, fittings etc.)
Competitive Program Assets
Pool deck bleachers system
On deck storage containers
Diving boards, stands, ladders
Starting blocks and touchpads (including all associated electrical and control equipment)
Sound systems (pool deck and underwater)
Competitive scoreboard and timing system
Specialty club equipment (i.e. water polo nets, lane ropes)

Schedule F – Branding Guidelines

The H2O Adventure and Fitness Centre Brand & Visual Identify Guidelines provides support and interpretation for the Branding and Marketing in Section 10.4 of the Agreement between the City of Kelowna and the YMCA of Southern Interior BC.

Schedule G – 2024 Proposed Budget

Operating Budget Funding Requirements YMCA of Southern Interior British Columbia H2O Adventure & Fitness Centre

SUMMARY - REVENUES & EXPENDITURES	2024 BUDGET
OPERATING REVENUE	
Admissions	\$ 1,250,700
Membership Fees	\$ 3,711,300
Programs	\$ 150,400
Rentals	\$ 164,600
Retail	\$ 2,000
Financial Assistance	\$ (139,700)
Operating Funding - City of Kelowna	\$ 648,300
Discounts - City of Kelowna	\$ (29,000)
TOTAL OPERATING REVENUE	\$ 5,758,600
OPERATING EXPENDITURES	
Bad Debt/Write Offs	\$ 35,000
Bank Charges	\$ 121,800
Chemicals	\$ 50,000
Contract Services	\$ 15,000
Dues & Licenses	\$ 9,400
Information Technology	\$ 180,000
Marketing	\$ 92,800
Meetings & Conferences	\$ 4,500
Repairs & Maintenance & Vehicle	\$ 97,300
Staff/Volunteer Expense	\$ 80,000
Supplies	\$ 194,200
Utilities	\$ 611,800
Wages	\$ 3,468,800
TOTAL OPERATING EXPENDITURES	\$ 4,960,600
OPERATING CONTRIBUTIONS:	
Management Fee	(541,000)
Y Affiliation Fee	(55,700)
Development Allocation	20,000
Program Asset Management Reserve Fund Contribution	(100,000)
Operating Reserve Fund Contribution	(121,300)
NET OPERATING SURPLUS	\$ -

Schedule H – Insurance Certificate



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

APPENDIX A-1
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 \$ <u>10,000,000</u> Inclusive \$ _____ Aggregate \$ _____ Deductible
Section 2 Automobile Liability				Bodily Injury and Property Damage \$ <u>5,000,000</u> Inclusive

- It is understood and agreed that the policy/policies noted above shall contain amendments to reflect the following:
1. Any Deductible or Reimbursement Clause contained in the policy shall not apply to the City of Kelowna and shall be the sole responsibility of the Insured named above.
 2. The City of Kelowna is named as an Additional Insured.
 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



adventure + fitness centre

BRAND & VISUAL IDENTITY GUIDELINES

TABLE OF CONTENTS

1	The Importance of Identity	13	Minimum Size
2	H ₂ O Brand Principles	14	Unacceptable Use
3	City of Kelowna Brand Principles	17	Background Screen Tints
4	H ₂ O Logo	18	Marketing Materials
5	Logo Versions	19	Website & Social Media
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8	Logo Colours	22	Business Materials
9	Typography	24	Cross Promotion
10	Logo Hierarchy	25	Other Considerations
11	Protected Space		

December 2023

THE IMPORTANCE OF IDENTITY

To understand the function and value of the H₂O identity, it is important to recognize that every organization has a specific public identity—an identity partly formed by the look of its printed materials, customer service, stationery, website, etc. Each element of communication contributes to the overall impression people have of the organization.

When an organization's identification program is a coordinated one, it projects a unified character which works effectively to reinforce all of its activities. In many cases, it also helps the organization to be more cost-effective in its communication efforts by simplifying certain decision-making processes.

The purpose of this manual is to provide support and interpretation for the Marketing and Branding section of the H₂O agreement between the City of Kelowna and the Operator, to explain the components of the H₂O visual identity program, to define its graphic design standards and to illustrate how these standards are applied.

This manual provides an overview of H₂O's visual identity standards and symbolization program. It includes specific instructions for the use of the logotypes belonging to each vested party as well as several rules governing their use.

The visual identity standards set specific rules that are meant to reinforce the projection of a consistently strong and distinguished image for the H₂O.

Why we need a visual identity

The visual identity standards will promote a uniform identity of the H₂O to the general public and support the City's reputation as dynamic and growing.

The H₂O visual identity program will:

- ▶ Help build H₂O as its own brand, which is connected to the City of Kelowna;
- ▶ Ensure citizens can easily identify and recognize the H₂O as a City facility that is being operated by a third party Operator and thereby assisting citizens to recognize the value of the services they receive for their tax dollar;
- ▶ Help reinforce the City's mandate to provide programming at the neighbourhood level; and
- ▶ Help reinforce or support the City's reputation (or brand as it's otherwise known).

The visual identity guidelines are an essential part of a planned approach to building H₂O's reputation and raising awareness about this facility and its services and programs.

H₂O BRAND PRINCIPLES

Brand Principles

H₂O is the City of Kelowna's premier aquatic and recreational facility and will be used to help better position the City within the community.

H₂O marketing channels are to be used primarily for promoting H₂O and programs offered within the facility. Secondly, H₂O platforms will be used to cross-promote other City programs, services, information and facilities, and thirdly may be used to promote Operator specific programs that directly support H₂O.

H₂O and all program offerings will be positioned firstly under the H₂O brand; this must be reflected at the facility and in all marketing materials. City positioning will take precedence over Operator positioning always.

Operator specific programming can be identified as such within the parameters outlined above and contained in the following guidelines.

Vision & Mission

As the H₂O is a City-owned facility, it falls under the City's vision and mission statements.

The Operator also has the right to include their corporate vision, mission statement and taglines on materials related to Operator specific programs that are nationally recognized, registered or trademarked (i.e., YMCA Coach Approach®) that directly support H₂O; however, the placement of such materials within the facility must align with the above stated principles. Any exceptions need to be approved by the Divisional Director of Active Living & Culture or designate.



CITY OF KELOWNA BRAND PRINCIPLES

Brand Principles

The City of Kelowna has developed a set of brand and visual identity guidelines that are supported by its brand drivers:

- ▶ Active: Kelowna Lifestyle
- ▶ Responsible: Kelowna Environment
- ▶ Beauty: Kelowna Community
- ▶ Dynamic: Kelowna Economy

Any use of the City's logo, icon or brand must adhere to the City's guidelines including the use of sub-brands.

The City's Brand and Visual Identity Guide is available at kelowna.ca/brand.

This manual covers a wide range of predictable applications but cannot include all possibilities. For applications not covered in the manual or for advice about any application, please contact the City of Kelowna Communications Department.



Logo

The H₂O logo was created to capture the energy of the aquatic facility while promoting health, fitness and well-being. As the H₂O is a City-owned facility, its colour palette contains the blues within the City's palette.

The H₂O logo was created in 2009.



Logo Versions

The H₂O logo is available in two versions: stacked and horizontal.

The stacked logo is the primary identification for H₂O and is to be used when appearing with the City of Kelowna logo.

The horizontal logo should be considered only in circumstances where it is impossible to use the primary visual identity (i.e., website, lanyards).

The logo type must appear with the H₂O icon to preserve logo integrity. The icon may only appear on its own in pre-determined instances (i.e., social media identification).

Stacked Logo



Horizontal Logo



COLOUR PALETTE

H₂O Colour Palette

These colours have been specifically selected from the City of Kelowna's colour palette as they project the colours of the H₂O facility. "Whale" is the only new colour added to the palette to provide an option for greyscaled images.

Strict adherence to these colour standards will serve to unify the image of the H₂O. Colours will vary slightly depending on whether they are printed on coated paper or uncoated paper.

Designated PANTONE® colours and their equivalents for other methods of reproduction are indicated.

Note: Because of the colour reproduction limitations of video monitors and laser printers, the simulated display of the H₂O colour palette at the right does not establish visual standards for colour reproduction.

PANTONE®

The printing industry standard for specifying solid ink colours.

CMYK

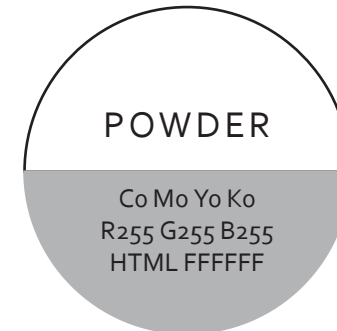
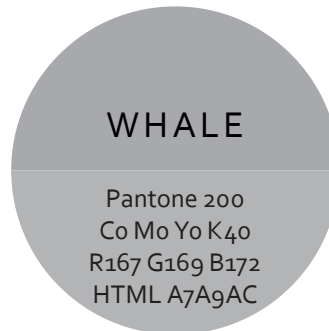
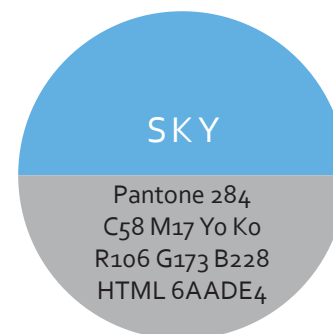
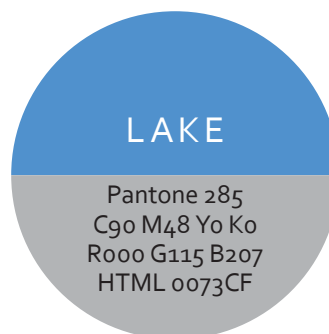
The print industry standard for full colour printing. Also known as process colour printing, it relies on cyan, magenta, yellow and black to create the spectrum of colour seen in most full colour printing.

RGB

A colour system based on red, green and blue, and used to represent the full spectrum of colour on video displays.

HTML

A colour system used for internet code programming.



The colors shown on this page and throughout this guide have not been evaluated by Pantone, Inc. for accuracy and may not match the Pantone Color Standards. Consult current Pantone Publications for accurate color. Pantone® is the property of Pantone, Inc.

COLOUR PALETTE

City of Kelowna Colour Palette

The City colour palette has been specifically selected to project the colours of Kelowna, which is known for its pristine natural beauty.

These colours can be used in H₂O marketing to reinforce the relationship between the H₂O and the City.

Designated PANTONE® colours and their equivalents for other methods of reproduction are indicated.

Note: Because of the colour reproduction limitations of video monitors and laser printers, the simulated display of the City of Kelowna Colour Palette at the right does not establish visual standards for colour reproduction.

PANTONE®

The printing industry standard for specifying solid ink colours.

CMYK

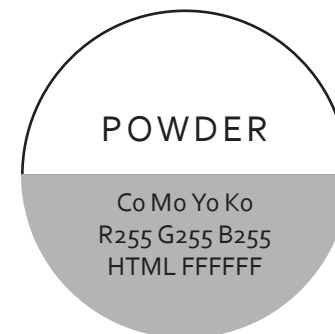
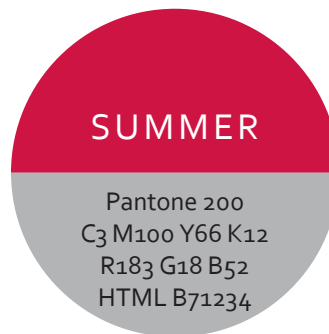
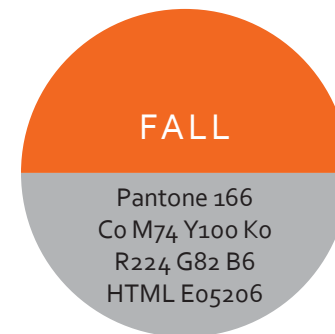
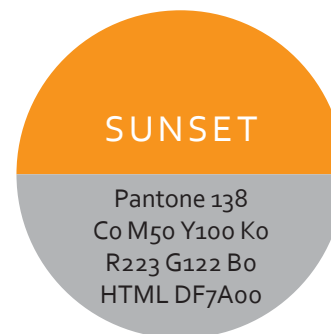
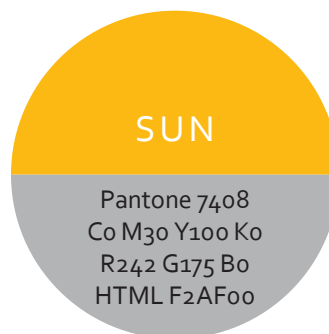
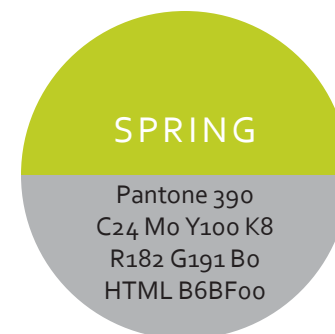
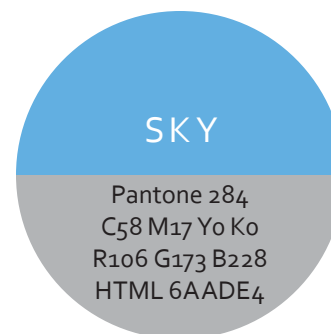
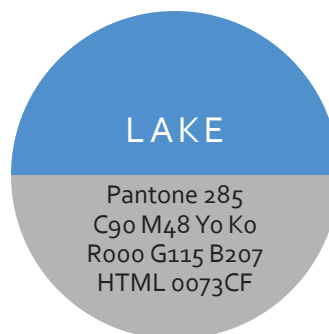
The print industry standard for full colour printing. Also known as process colour printing, it relies on cyan, magenta, yellow and black to create the spectrum of colour seen in most full colour printing.

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HTML

A colour system used for internet code programming.



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Logo Colours

The H₂O logo is comprised of specific Pantone colours. Each colour is specified here.



Single Colour

100 per cent black is the only acceptable single colour use of the logo.



Single Colour Reverse

When using the single colour version of the logo on a dark background, the entire logo should appear as white.



Greyscale Colour

Where the background permits, a greyscale version of the logo can be used.



Semi-Colour Reverse

Where the background permits, a semi-colour version of the logo can be used.



If photocopying the logo, use the black version only.

Note: The text should appear as white.

Typography

Using a consistent family of typefaces visually reinforces the identity of the H₂O and its relationship to the City.

The H₂O's primary font is Priva for all signage and marketing materials. The italic font should not be used on signage.

Do not condense, extend, bold, italicize or otherwise distort the fonts in any way.

Primary Font

Priva Family

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz

Priva Italic

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz

Secondary Font

Trebuchet

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz

Trebuchet italic

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz

LOGO HIERARCHY

Logo Hierarchy

The H₂O logo will always have the prominent position in H₂O related marketing materials.

The City of Kelowna logo will take a secondary position. The City logo must maintain its minimum size requirements as outlined in the City's Visual Identity Guidelines.

The Operator's logo will only appear at a tertiary level. The Operator's logo will be positioned to the right of the City logo and under the words "H₂O is operated by." The combined height of both (phrase and logo) should not exceed that of the City's logo. Should this height not meet the Operator's brand standards, the Operator's logo can be replaced with the phrase "H₂O is operated by name of Operator."

When appropriate, a layout combining the H₂O logo and City logo may be used. The City logo will appear smaller and to the right of the H₂O logo. In this instance, the Operator logo will not appear but will be replaced with the predetermined phrase. There will be times when only the H₂O and City logo will appear together.

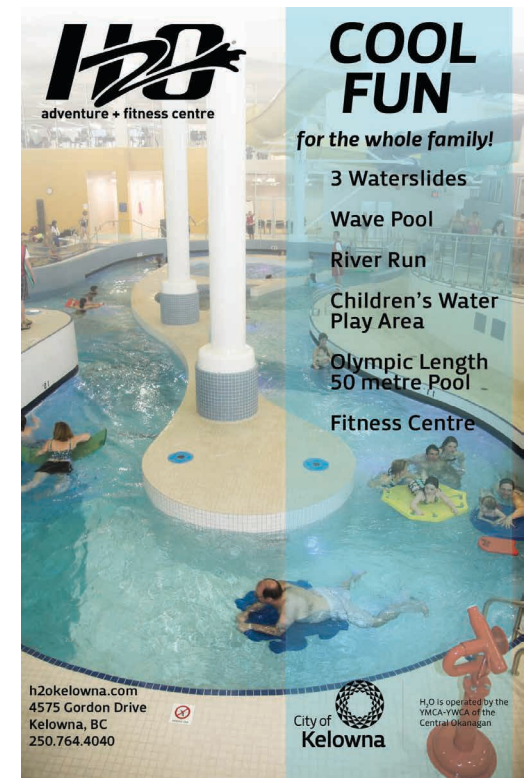
The Operator logo is not to be placed beside or in proximity to the H₂O logo.



H₂O operated by



H₂O is operated by the
YMCA of Southern
Interior BC



H₂O Logo Protected Space

To maintain the integrity of the H₂O brand, space must be left on each side as well as above and below the logo. The increment used to determine this space is based on $\frac{1}{4}$ the height of the capital case letter H in the H₂O logo. A minimum of one unit of space is required on each side, as shown in the examples on the right.



The increment used to determine this space is based on $\frac{1}{4}$ the height of the capital case letter H.



PROTECTED SPACE

Combined Logo Protected Space

To maintain the integrity of all corporate identities, space must be left on each side as well as above and below the logos. Overall, the increment used to determine this space is based on the height of the capital case letter K in the City of Kelowna logo. The space protecting the Operator logo is based on the Operator's brand standards.

A minimum of one unit of K space is required on each side of the combined logo, as shown in the examples on the right.



One Unit of Space



MINIMUM SIZE

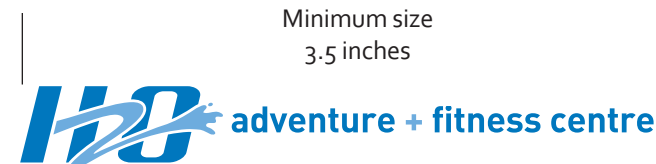
H₂O Logo

Stacked Logo

The logo, regardless of colour, should be no smaller than 1.25 inches in width.

Horizontal Logo

The icon, regardless of colour, should be no smaller than 3.5 inches in width.



City and Operator Logo

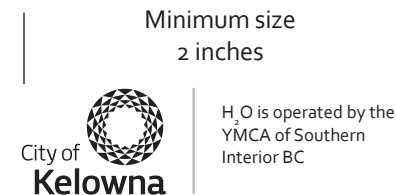
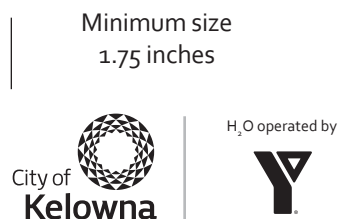
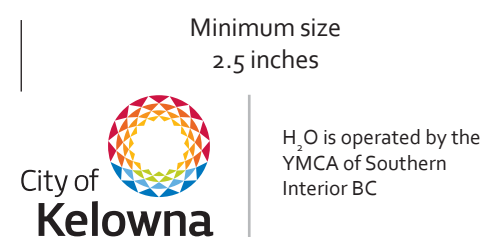
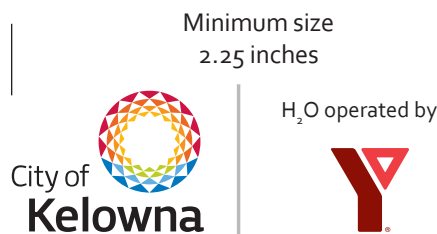
The colour logos should be no smaller than 2.25 inches in width; the City stacked logo is to be no smaller than one inch in width.

The colour City logo and Operator description should be no smaller than 2.5 inches in width.

The black logos should be no smaller than 1.75 inches in width; the City logo is to be no smaller than .75 inch in width.

The black City logo and Operator description should be no smaller than two inches in width.

This is in accordance with the minimum size standards for the City logo set in the City's Brand & Visual Identity Guidelines.



UNACCEPTABLE USE

Logo Usage

The logo must not be altered, cropped or reconfigured in any way. To ensure the best reproduction quality, always use original artwork files, as either vector graphics or high resolution raster graphics. Vector graphics are preferred.

▶ Never change the colour designations assigned to each component of the logo. Even if the colours are correct, they must not be reassigned to different components.



▶ Do not use the logo elements in any other arrangement or stacking order.



▶ Do not print the logo on a background colour that does not permit enough contrast to the logo or text colour.



▶ Do not place the logo on a complex background such as a busy photo or illustration. If using the logo on an image, place it in an area that has little or no detail to allow sufficient contrast.



UNACCEPTABLE USE

Logo Usage

▶ Never change the logo to a solid colour.



CORRECT



▶ Never customize the logo by adding or deleting text.



UNACCEPTABLE USE

Logo Usage

▶ Do not create outlines around the logo to create contrast.



▶ Do not skew, stretch, rotate, tilt or compress the logo.



▶ Do not use in proximity to the Operator logo with or without the City logo present.



BACKGROUND SCREEN TINTS

Background Screen Tints

To maintain legibility, always ensure there is enough contrast between the logo and the background colour. If using the City of Kelowna logo, please refer to the City's Visual Identity Guidelines to ensure proper usage.

10% black



20% black



30% black



40% black



50% black



60% black



70% black



80% black



90% black



100% black

MARKETING MATERIALS

Marketing Materials

Any marketing templates used must be unique to the H₂O and reflect the guidelines identified in this manual.

Facility materials

The H₂O logo is to appear on its own in a predominate location while the City and Operators logos can appear on the bottom of the item or be replaced by the phrase "H₂O is owned by the City of Kelowna and operated by the name of the Operator."

Multi-Panel Brochures & Double-sided Rack Cards

The front side of double-sided or multi-panel items will be used to promote the H₂O brand. All references to the City of Kelowna and the Operator will be reserved for the back side/panel, as shown in the example to the right.

Posters, Print Ads & Single-sided Rack Cards

The H₂O logo is to appear on its own in a predominate location while the City and Operator's logos can appear on the bottom of the item or be replaced by the phrase "H₂O is owned by the City of Kelowna and operated by name of Operator."



Online Marketing & Radio Advertisements

The only branding required online or on-air is that of the H₂O. If there is room, the phrase "H₂O is owned by the City of Kelowna and operated by name of Operator" may be included.

Programs & Services offered across Y locations

Any program and service materials which promote programs offered at multiple Y locations would be branded as Y programs. The material would list out the multiple Y locations.

Programs & Services offered at the H₂O

For programs which are only offered at H₂O, the branding should be the H₂O brand and cobranded with Y.

Front Panel



Back Panel

Drop-in & Play Today

Facility Drop-in Fees (includes GST)	Drop-in	10 Visit Punch Card	25 Visit Punch Card
Members	\$1.00	\$10.00	\$24.00
Adults (17-64)	\$3.00	\$17.00	\$37.00
Seniors (65+)	\$2.00	\$12.00	\$26.00
Youth Adults (15-24)	\$2.00	\$9.00	\$19.00
Youth (11-14)	\$1.00	\$5.00	\$11.00
Child (5-10)	\$1.00	\$4.00	\$8.00
Infant (0-4)	\$0.00	\$0.00	\$0.00
Family (1st 2nd & 3rd child)	\$3.00	\$12.00	\$26.00
Family (4th child & beyond)	\$1.00	\$3.00	\$6.00

H2O Adventure + Fitness Centre
4075 Gordon Drive
Kelowna, BC V1W 5J2
h2oinfo@ymca-ymca.com
h2okelowna.ca

City of Kelowna | H₂O operated by Y

Website

The H₂O website is to be referred to as h2okelowna.ca. It can be redirected to a distinct page within the Y website so long as the content and branding on the page is distinctly H₂O.

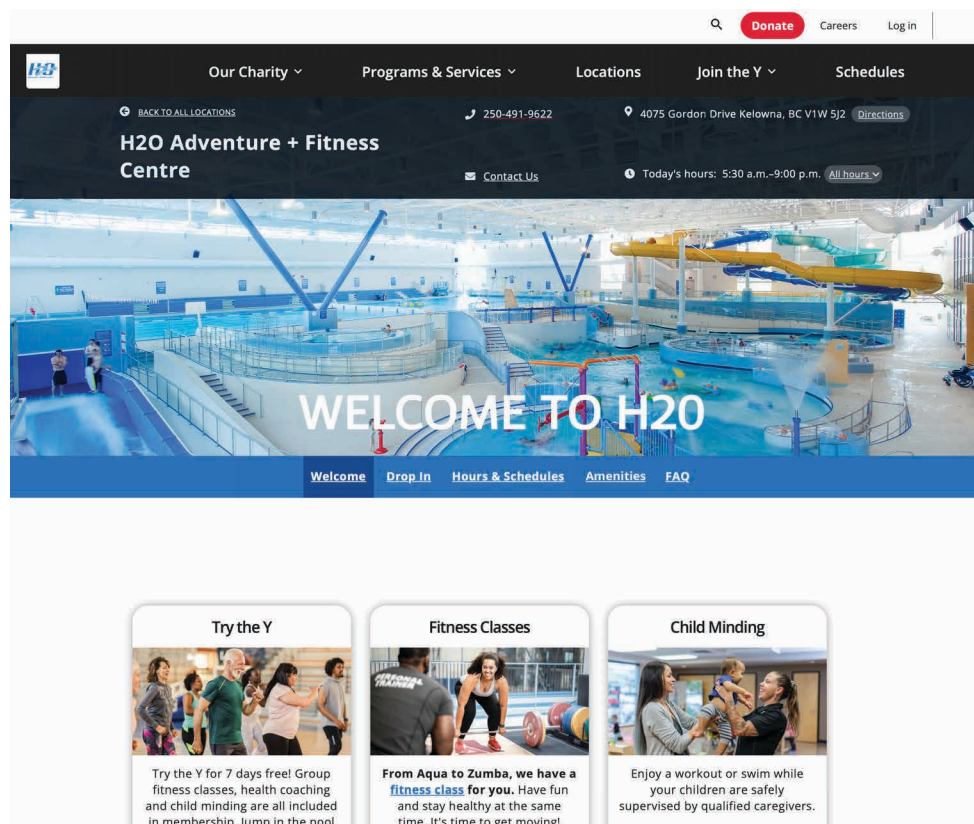
Logo placement needs to be in the top banner of the page and reflect the H₂O colours.

The banner image should be an interior shot that shows the aquatic amenities within the H₂O facility.

The mid-page navigation menu should only featured facility and program information for the H₂O facility.

There needs to be a section on the webpage that describes the facility – amenities, activities and the ownership.

All links should open in a new window.



Social Media

Social Media sites under the H₂O brand should be visually recognizable using the H₂O logo and marketing/design elements.

H₂O Social Media channels may only be used to promote programs operating out of the H₂O or supporting H₂O.

Postings must reflect programs, events and services happening at the H₂O. In order to promote the H₂O website, links should - for the most part - link back to h2okelowna.ca.

Where possible, H₂O sites must follow or fan the City's Social Media sites. The primary Operator's social media site may also be followed.

Other than specific requirements detailed here, conduct on H₂O social media sites must follow the City of Kelowna's Social Media Policy and Marketing Guidelines Manual.

The City of Kelowna retains ownership of any social pages created for H₂O.

CUSTOMER RELATIONS

Membership Cards

Membership is to the H₂O facility; the membership card is to be branded as an H₂O pass.

The H₂O logo is to appear alone on the front of the card. Logos for the City and the Operator may be included on the back side of the membership card.

Should the operator implement a digital membership cards in the H₂O, the operator must consult the City for approval of the look and feel of that digital card.

Front



Back



Uniform

Staff may wear Operator branded uniforms (shirt) and Operated branded name badges.



BUSINESS MATERIALS

Business Cards

The business card is a unique item that connects employees to their employer and work location.

The business card may reflect the operator's visual identity but must list the H₂O Adventure and Fitness Centre as the location.

Front



Back

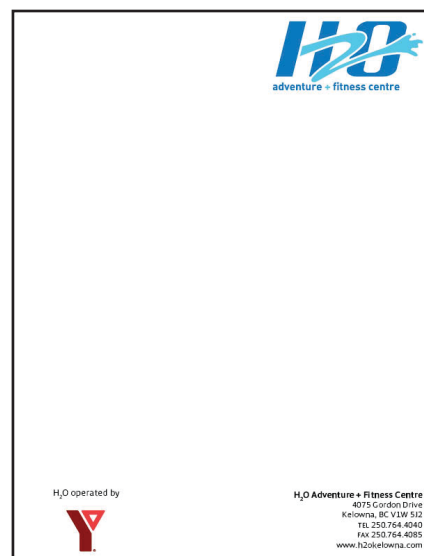


Letterhead

Letterhead, whether used for physical, electronic or receipt communication, needs to reinforce the H₂O brand. It might be necessary to include Operator-specific information for legal purposes but this must be done in the secondary position.

The Operator's logo may appear on the letterhead; however, it must include "Operated by."

The Operator logo may not take more room vertically than the height of the H₂O address block as shown in the example to the right.



Email Signature

Every communication from the H₂O facility should reflect the organization in a professional, positive way. Similar to business cards, the email signature is reflective of the employer but needs to include the H₂O location and owner/operator structure.



Phone Messages

In instances where employees are unable to answer the phone, either because they are on the other line or away from their desk, an appropriate message should be recorded that identifies the individual reached, their position and the relationship between the the H₂O facility and the Operator.

Hello, you've reached (Your Name), (Your Title), of the H₂O Adventure and Fitness Centre, proudly operated by the YMCA of Southern Interior BC. I am sorry to have missed your call - please leave a detailed message or press "o" for immediate assistance.

Cross Promotion

The H₂O facility presents the City of Kelowna with an opportunity to cross-promote City programs and events to facility users. Cross promotion can take place through, but not limited to, advertisements on television screens, features or links on the H₂O website, placing rack cards or program guides in designated locations throughout the facility.

The City has first right of refusal to approximately 20 per cent of individual marketing channels in order to promote City programs, facilities and initiatives. For example, if there are ten rack card slots, the City can use two of the slots to marketing and informational materials.

The Operator may use the marketing channels to promote Operator specific programs and initiatives that are nationally recognized, registered or trademarked, and that directly support H₂O. The inclusion of such marketing materials within H₂O must align with the brand principles outlined on page 2.

Cross promotion speaks specifically to marketing materials and channels and does not apply to facility signage.

Other Considerations

Ownership

The City of Kelowna retains the ownership of all original design files and images used or obtained for all materials created for the H₂O.

The City of Kelowna retains ownership of all URLs created for online materials for the H₂O.

Sponsorship Opportunities

There are many sponsorship opportunities within H₂O. While the Operator may work with third party sponsors with respect to program sponsorship opportunities that operate out of the facility (i.e., Sun Rype Swim Club for Tots), the City of Kelowna retains all rights with respect to the naming of the building as well as individual rooms and areas within the facility. Any approved sponsorship that alters the name of the facility must align with the City's Naming Policy.

Signage

Exterior signage

All exterior signage should reflect H₂O logo and brand regardless of if it is affixed to the building or stand alone. Sandwich boards may be used to promote programs and membership within the H₂O facility but the framing must include the H₂O logo. At the front door of the facility, the H₂O logo along with a note about City ownership and the Operator should all be on the same glass panel to the left of the front doors. Hours of operation may be put on the front doors themselves.

There are occasional needs to affix temporary messaging to door signage for holiday hour operations or maintenance notices. These messages should be printed on an approved template – the messaging must be related to operations of the facility and are at the Operator's discretion. Any additional affixed exterior signage, including digital signage, needs to be approved by the City. Should external digital signage be installed at the H₂O, the intent would be to promote programming and services offered within the H₂O facility. Any Operator branding should be minimal and be no more than 10 per cent of the visuals.

Interior signage

Wayfinding signage should all be consistent and adhere to the approved facility signage package. If existing signage needs to be replaced or additional signs are required, these should all follow existing templates.

Any signage that requires installation needs approval from the City. This would include anything that requires affixing to walls, adhesives on walls, windows or floors, additional hanging banners, etc. These signs should only be used for programs and services offered within the H₂O and not broader Operator programming.

Temporary and non-installed signage include pop up banners, program posters, and digital signage may be used and follow the YMCA's brand so long as those programs and services offered within the H₂O facility. Temporary signage related to the operations of the facility may be used in pre-approved templates with content at the Operator's discretion. The intent of guidelines for temporary interior signage is not to clutter any areas – this signage is used to bring awareness to equipment repairs, facility repairs or temporary changes in program offerings.

More Information

This guide covers a wide range of predictable applications, but cannot include all possibilities. For applications not covered in the guide or for advice about any application, please contact the City of Kelowna Communications Department.

Reproduction Materials

To maintain quality standards it is important to work from original files. All versions of the logos (H₂O and City of Kelowna) are available from the City of Kelowna Communications Department.

Third Party Usage

Written permission to use the H₂O logo by a third party must be provided by the Operator or the City of Kelowna Communications Department.

Should either party make significant updates to their visual identity, both parties will work together to adjust the standards.





H₂O is operated by



Empowering Lives, Strengthening Communities.

The City of Kelowna through the delivery of recreation at H₂O Adventure + Fitness Centre in partnership with the YMCA has proven to be a beacon of hope, supporting families and fortifying our community. Together, we've achieved remarkable milestones, fostering resilience and well-being.

Impactful Numbers:

97,655 Visits

A testament to H₂O's role as a community hub.

7,833 Members

Building a network of health and wellness advocates.

97% Recovery Post-COVID

Restoring confidence and engagement.



Fitness and Recreation

2,184 Fitness Classes

Promoting a healthy and active lifestyle.

1,625 Children in Recreation Programs

Nurturing young minds through play.

Education Initiatives



1,370 SD #23 Students in Swimming Lessons

Essential life skills for our youth.

4,763 SD #23 Students on H₂O Field Trip

Transformative learning experiences.



Community Support

+1000
Swimming Lessons Weekly

Lifelong skills for all ages.



2,967

Financial Assistance Recipients

Ensuring accessibility for everyone.



\$120k

Financially Assisted Access

Making a tangible impact on individuals and families.

Volunteers and Health Promotion



117

Dedicated Volunteers

The heartbeat of our community spirit.



430

Health Promotion Participants

Proactive steps towards a healthier future.



Community Building

H₂O has emerged as a force for good, providing support where it matters most. As we navigate tough times, this partnership remains a cornerstone of community strength and well-being. Let's continue to build a city where every family feels the positive impact of our collaboration.



A charity igniting the potential in people.

H2O
adventure + fitness centre

H2O Adventure + Fitness Centre

February 2024

Background



- ▶ Opened 2009
- ▶ City Owned - YMCA operated
- ▶ Collaborative working relationship

AF
adventure + fitness centre

Shared Objectives

- ▶ Quality programs & services
- ▶ Inclusive access
- ▶ Cost-effective operations
- ▶ Asset renewal and maintenance program
- ▶ Collaborative approach



H₂O operated by



Agreement Highlights

- ▶ 3-year term plus optional one 2-year renewal
- ▶ Progressive financial framework
- ▶ Defined maintenance program
- ▶ Enhanced reporting standards
- ▶ Branding guidelines



Financial Framework



- ▶ Inclusive operating budget
- ▶ Pursuit of cost neutrality
- ▶ YMCA operational flexibility
- ▶ Contribution to Reserves



Questions?

For more information, visit kelowna.ca.

DRAFT RESOLUTION

Re: Invasive Quagga and Zebra Mussels in the Okanagan Valley

WHEREAS Okanagan Lake is at very high risk for infestation of invasive mussels, particularly following the discovery of quagga mussels in a tributary of the Columbia River in Idaho;

AND WHEREAS an infestation of invasive mussels would cause significant economic and environmental losses, with economic losses alone estimated at \$64 million to \$129 million annually across the Province;

THEREFORE BE IT RESOLVED that UBCM request the Province of British Columbia take action on the Okanagan Basin Water Board's recommendations to the Ministry of Water, Land and Resource Stewardship for invasive mussel prevention, dated September 25, 2023, including requesting the federal government enhance inspections, increasing funding and staffing for the Invasive Mussel Defence Program, introducing "pull-the-plug" legislation, and updating the provincial Early Detection, Rapid Response plan;

AND BE IT FURTHER RESOLVED that UBCM request the Province of British Columbia work with the federal government to increase long-term funding and support to prevent invasive mussels from entering waterways in British Columbia.

BACKGROUND:

In September 2023, following news of quagga mussels being found in Idaho within an 11-hour drive of Osoyoos, the Okanagan Basin Water Board (OBWB) provided recommendations to the Ministry of Water, Land and Resource Stewardship for mitigation, preparation, response, and recovery related to the high risk of invasive mussel infestation in the Okanagan watershed. These recommendations are to:

1. Ask the federal Minister of Public Safety to have the Canada Border Services Agency stop and inspect ALL watercraft coming to B.C. from the U.S., consistently at ALL border crossings from Saskatchewan to B.C.
2. Consider a temporary moratorium on out-of-province boats until the full status of the infestation of the Columbia Basin is assessed.
3. Commit funding of at least \$4 million per year for the Invasive Mussel Defence Program (IMDP), indexed to inflation, for at least 10 years.
4. Enhance funding to recruit and retain B.C. Conservation Officers, Auxiliary Conservation Officers, and other IMDP staff as needed to 2019 levels (64 inspectors).
5. Introduce "pull-the-plug" legislation to be in effect prior to the 2024 boating season.
6. Promote vulnerability assessments by utilities, local jurisdictions, and private entities.
7. Update the provincial Early Detection, Rapid Response plan, including a round of consultation with partner organizations prior to finalization.

8. Lead a planning process to create long-term response, containment, and control plans in regions at high risk of introduction and vulnerable to infestation, including the Okanagan, Shuswap, and Kootenay Regions.

Long-term implications of and costs associated with invasive mussel infestations are outlined in the Ministry's report from May 2023: [Potential Economic Impact of Zebra and Quagga Mussels in B.C.](#)

Date: February 26, 2024