

# City of Kelowna

## Regular Council Meeting

### AGENDA



Monday, April 22, 2024  
1:30 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

**1. Call to Order**

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

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

**2. Confirmation of Minutes**

4 - 8

PM Meeting - April 15, 2024

**3. Development Application Reports & Related Bylaws**

**3.1 Multiple Addresses - OCP23-0009 (BL12595) - City of Kelowna**

9 - 57

To amend the Official Community Plan Map 3.1 by changing the future land use designation of multiple properties as described in Schedule "A".

**3.2 Multiple Addresses - BL12595 (OCP23-0009) - City of Kelowna**

58 - 87

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

To give Bylaw No. 12595 first reading in order to change the future land use designation of multiple properties.

**3.3 Small-Scale Multi-Unit Housing and Transit Oriented Areas Alignment - OCP24-0005 (BL12649) - City of Kelowna**

88 - 161

To amend the Official Community Plan by updating various sections to align with provincial legislation regarding Small-Scale Multi-Unit Housing and Transit Oriented Areas.

- 3.4 Small-Scale Multi-Unit Housing and Transit Oriented Areas - BL12649 (OCP24-0005) - City of Kelowna** 162 - 192
- Requires a majority of all members of Council (5).**
- To give Bylaw No. 12649 first reading in order to implement provincial legislation regarding Small-Scale Multi-Unit Housing and Transit Oriented Areas.
- 3.5 Belaire Ave 1310, 1320 - Z23-0031 (BL12652) - 432623 B.C. Limited, Inc.No. BC1007009** 193 - 205
- To rezone the subject properties from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone to facilitate the development of rental apartment housing.
- 3.6 Rezoning Bylaws Supplemental Report to Council** 206 - 207
- To receive a summary of notice of first reading for Rezoning Bylaw No. 12648 and to give the bylaw further reading consideration.
- 3.7 Hiram Walker Ct 270 - BL12648 (Z23-0019) - 270 HWC GP Inc., Inc.No. A0124511** 208 - 208
- To give Bylaw No. 12648 first, second and third reading in order to rezone the subject property from the I3 – Heavy Industrial zone to the I2 – General Industrial zone.
- 3.8 Lawson Ave 1110 - BL12571 (Z23-0022) - HPG Development Ltd., Inc.No. BCo897381** 209 - 209
- To amend and adopt Bylaw No. 12571 in order to rezone the subject property from the MF1 - Infill Housing zone to the MF3r – Apartment Housing with Rental Only zone.
- 3.9 Lawson Ave 1110 - DP23-0072 - HPG Development Ltd., Inc.No. BCo897381** 210 - 282
- To issue a Development Permit for the form and character of rental apartment housing.
- 3.10 Temple Ct 252 - Z22-0045 (BL12486) - Extension Request** 283 - 284
- To extend the deadline for adoption of Rezoning Bylaw No. 12486 to March 13, 2025.
- 4. Bylaws for Adoption (Development Related)**
- 4.1 Buck Road 654 - BL12622 (Z22-0077) - He Na and Wei Li** 285 - 285
- To adopt Bylaw No. 12622 in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone.
- 5. Non-Development Reports & Related Bylaws**

**5.1 Potable and Non-Potable Water System - Supply Status Update** 286 - 302

To update Council and the community on water supply and storage levels and recommended actions required to prepare for potential drought condition.

**6. Resolutions**

**6.1 Councillor Lovegrove - Draft Resolution - Transit for Teens Campaign** 303 - 304

**6.2 Draft Resolution - Special Meeting April 29, 2024** 305 - 305

**7. Bylaws for Adoption (Non-Development Related)**

**7.1 BL12637 - Amendment No. 4 to Development Application and Heritage Procedures Bylaw No. 12310** 306 - 317

To adopt Bylaw No. 12637.

**7.2 BL12631 - Amendment No. 1 to Development Application Fees Bylaw No. 12552** 318 - 319

To adopt Bylaw No. 12631.

**7.3 BL12638 - Amendment No. 1 to the Five Year Financial Plan 2023-2027 Bylaw No. 12502** 320 - 321

To adopt Bylaw No. 12638.

**8. Mayor and Councillor Items**

**9. Termination**



## City of Kelowna Regular Council Meeting Minutes

Date:	Monday, April 15, 2024
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Tom Dyas, Councillors Ron Cannan, Maxine DeHart, Charlie Hodge, Gord Lovegrove, Mohini Singh*, Luke Stack, Rick Webber and Loyal Wooldridge
Staff Present	City Manager, Doug Gilchrist; City Clerk, Laura Bentley; Divisional Director, Planning, Climate Action & Development Services, Ryan Smith*; Urban Planning Manager, Jocelyn Black*, Planner Specialist, Adam Cseke*; Planner Specialist, Trisa Atwood*; Planner, Brianna Sartori*; Parking Services Manager, Dave Duncan*; Financial Planning Manager, Melanie Antunes*; Budget Supervisor, Jay Jean*; Grants & Special Projects Manager, Michelle Kam*; Partnerships Coordinator, Nicole Cantley*; Cultural Services Manager, Christine McWillis*; Parks & Building Planning Manager, Robert Parlane*; Community & Neighbourhood Services Manager, Mariko Siggers*; Deputy City Clerk, Michael Jud; Legislative Coordinator Confidential (FOI), Rebecca Van Huizen
Staff Participating Remotely	Legislative Coordinator (Confidential), Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Dyas called the meeting to order at 9:40 a.m.

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

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

### 2. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT the Minutes of the Regular Meetings of April 8, 2024 be confirmed as circulated.

Carried

### 3. Development Application Reports & Related Bylaws

### 3.1 Content Changes - TA24-0003 (BL12651) - City of Kelowna

City Clerk:

- Noted that Bylaw No. 12651 under Item 3.2 is for initial consideration and will receive reading consideration at a future date.

Councillor Singh joined the meeting at 9:42 a.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the Zoning Bylaw amendments.

Moved By Councillor Hodge/Seconded By Councillor Stack

THAT Zoning Bylaw Text Amendment Application No. TA24-0003 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated April 15, 2024, be considered by Council;

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

**Carried**

### 3.2 Content Changes - BL12651 (TA24-0003) - City of Kelowna

Bylaw was not considered.

## 4. Bylaws for Adoption (Non-Development Related)

### 4.1 BL12650 - Amendment No. 12 to Council Remuneration and Expense Bylaw No. 7547

Moved By Councillor Wooldridge/Seconded By Councillor DeHart

THAT Bylaw No. 12650 be adopted.

**Carried**

## 5. Non-Development Reports & Related Bylaws

### 5.1 Development Application and Heritage Procedures Bylaw No. 12310 - Amendment No. 4

Staff:

- Displayed a PowerPoint Presentation summarizing procedural amendments to align with provincial legislation and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Stack

THAT Council receives, for information, the report from the Development Planning Department, dated April 15, 2024, with respect to amending the Development Application and Heritage Procedures Bylaw No. 12310 to implement provincial housing legislation to streamline housing approvals;

AND FURTHER THAT Bylaw No. 12637 being Amendment No. 4 to the Development Application and Heritage Procedures Bylaw No. 12310 be advanced for reading consideration.

**Carried**

Councillors Hodge and Cannan - Opposed

**5.2 BL12637 - Amendment No. 4 to Development Application and Heritage Procedures Bylaw No. 12310**

Moved By Councillor Cannan/Seconded By Councillor Singh

THAT Bylaw No. 12637 be read a first, second and third time.

Carried  
Councillors Cannan and Hodge - Opposed

**5.3 Development Application Fee Bylaw No. 12552 - Amendment No. 1 - City of Kelowna**

Staff:

- Displayed a PowerPoint Presentation outlining amendments to development application fees to align with amendments to the Zoning Bylaw and development application procedures.

Moved By Councillor Hodge/Seconded By Councillor DeHart

THAT Council receives, for information, the report from the Development Planning Department, dated April 8, 2024, with respect to amending the Development Application Fees Bylaw No. 12552 related to the implementation of provincial housing legislation and Zoning Bylaw amendments;

AND THAT Bylaw No. 12631 being Amendment No. 1 to the Development Application Fees Bylaw No. 12552 be advanced for reading consideration.

Carried

**5.4 BL12631 - Amendment No. 1 to Development Application Fees Bylaw No. 12552**

Moved By Councillor Hodge/Seconded By Councillor Singh

THAT Bylaw No. 12631 be read a first, second and third time.

Carried

**5.5 Council Policy Updates- 282, 365, 366, 367 and 369**

Staff:

- Displayed a PowerPoint Presentation outlining changes to Council policies associated with provincial housing legislation and responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Stack

THAT Council Policy No. 282 being Strategy for Elimination of Remaining Land Use Contracts be rescinded;

AND THAT Council Policy No. 365 being Official Community Plan Consistency Policy, be revised as outlined in the Report from the Development Planning Department dated April 15, 2024;

AND THAT Council Policy No. 366 being Residential Permit Program, be revised as outlined in the Report from the Development Planning Department dated April 15, 2024;

AND THAT Council Policy No. 367 being Public Notification & Consultation for Development Applications, be revised as outlined in the Report from the Development Planning Department dated April 15, 2024;

AND FURTHER THAT Council Policy No. 369 being Circulation of Correspondence to Council, be revised as outlined in the Report from the Development Planning Department dated April 15, 2024.

Carried

## 5.6 Amendment to the Five Year Financial Plan 2023 - 2027

Staff:

- Displayed a PowerPoint Presentation summarizing the transfers and amendments to the 2023-2027 Financial Plan.

Moved By Councillor Stack/Seconded By Councillor Wooldridge

THAT Council receives, for information, the Report from Financial Services dated April 15, 2024 with respect to amendments to the Five Year Financial Plan 2023-2027 Bylaw;

AND THAT Bylaw No. 12638 being Amendment No. 1 to the Five Year Financial Plan 2023-2027 Bylaw No. 12502 be advanced for reading consideration.

Carried

## 5.7 BL12638 - Amendment No. 1 to the Five Year Financial Plan 2023-2027 Bylaw No. 12502

Moved By Councillor Lovegrove/Seconded By Councillor Cannan

THAT Bylaw No. 12638 be read a first, second and third time.

Carried

## 5.8 Regional Community to Community Grant Request to Apply

Staff:

- Displayed a PowerPoint Presentation outlining the grant funding request and responded to questions.

Moved By Councillor Wooldridge/Seconded By Councillor Lovegrove

THAT Council receives, for information, the report from the Partnerships Office dated April 15, 2024 with respect to the Regional Community to Community Grant;

AND THAT Council directs staff to apply for grant funding to the Regional Community to Community program, through Union of BC Municipalities (UBCM);

AND THAT Council authorizes staff to execute all documents necessary to complete and manage the grant.

Carried

## 5.9 Okanagan Mission (Sarsons) Activity Centre

Staff:

- Displayed a PowerPoint Presentation outlining the City's long term intent for the Okanagan Mission Sarsons Activity Centre at Sarsons Beach Park and responded to questions from Council.

Moved By Councillor Lovegrove/Seconded By Councillor Hodge

THAT Council receives, for information, this report from Parks and Buildings Planning dated April 15, 2024, with respect to the future use of the facility currently named Okanagan Mission Activity Centre.

AND THAT Council confirms the facility will continue as an activity centre for use by the community for the foreseeable future, and under the name of Sarsons Activity Centre.

Carried

### 5.10 Council Tour of Transportation Projects

Staff:

- Spoke to the Council tour of transportation projects and associated resolutions.

Moved By Councillor Wooldridge/Seconded By Councillor Singh

THAT Council receives, for information, the report from the Infrastructure Division dated April 15, 2024, with respect to Council Tour of Transportation Projects;

AND THAT a portion of the Regular AM Council Meeting scheduled for Monday April 22, 2024 be at a location other than City Hall Council Chamber, being various locations in Kelowna, BC starting at 9:00 am as outlined in the report from the Infrastructure Division dated April 15, 2024;

AND FURTHER THAT the public not be permitted to attend this portion of the Meeting in-person due to its location and transportation requirements.

Carried

### 6. Mayor and Councillor Items

Councillor Singh:

- Thanked colleagues for participating in the Hindu Society Navratri celebration and the Vaisakhi celebration.

Councillor DeHart:

- Spoke to their attendance, on behalf of the Mayor, at the BC Wildlife Federation Convention.
- Spoke to their attendance at the Global Meetings Industry Day hosted by Tourism Kelowna and the Delta Grand.

Councillor Cannan:

- Commented on the Kelowna City Band performance last weekend.
- Commented on the Motion for Item 4.1 on today's Agenda.

Councillor Lovegrove:

- Spoke to their attendance at the City of Vernon Biosolids Committee meeting.
- Spoke to their attendance at the Sterile Insect Release Program meeting.
- Commented on the Transit for Teens group request for delegation.

Councillor Wooldridge:

- Commented on their attendance at the Hindu Society Navratri celebration and the Vaisakhi celebration.
- Spoke to their attendance, on behalf of the Mayor, at the UBCO Engineering Capstone Project Showcase and Competition hosted at the KF Centre for Excellence.

### 7. Termination

This meeting was declared terminated at 11:25 a.m.

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Mayor Dyas

lb/acm

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City Clerk



# REPORT TO COUNCIL - OCP



**Date:** April 22<sup>nd</sup> 2024  
**To:** Council  
**From:** City Manager  
**Address:** Various  
**File No.:** OCP23-0009

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP23-0009 to amend Map 3.1 by changing the future land use designation of multiple properties within the Kelowna Official Community Plan Bylaw No.12300 as described in Schedule 'A', attached to the report from the Development Planning Department dated April 22, 2024, be considered by Council;

AND THAT the OCP Amendment Bylaw be forward to a Public Hearing for further consideration.

## 2.0 Purpose

To amend the Official Community Plan Map 3.1 by changing the future land use designation of multiple properties as described in Schedule 'A'.

## 3.0 Development Planning

Staff compiled a list of properties with necessary OCP mapping adjustments and/or errors at the end of 2023. These minor OCP amendments were paused during the implementation of the Provincial Small-Scale Multi Unit Housing and Transit Oriented Areas legislation. These mapping amendments affect 29 properties. Schedule 'A' defines the specific properties and the specific OCP Future Land Use amendments. The number of properties has been organized into two categories, see Table 3.1 below.

**Table 3.1**

Number	OCP Mapping Revision Categories	Number of Lots Affected
1.	Park lots missing the correct OCP Future Land Use 'park' category	8
2.	Minor OCP Map boundary adjustments	21
	Total	29

## 4.0 Technical Comments

Not Applicable

**Report prepared by:** Adam Cseke, Planner Specialist  
**Reviewed by:** Jocelyn Black, Urban 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': List of Mapping Amendments for various properties and areas

## Schedule A - List of Mapping Amendments

### Official Community Plan Bylaw #12300

No.	Address	Legal Description	OCP Amendment Details	Reason for Change
<b>Park lots that should have the correct OCP Future Land Use category</b>				
1.	467 Vision Ct.	Lot 34, Section 23, Township 28, SDYD, Plan EPP117728	Amend a portion of the Future Land Use designation from the S-RES - Suburban Residential designation to the NAT - Natural Areas designation as per <a href="#">Map 'A'</a>	This is a City owned lot that is an entrance into Mountainside Park and should have the same designation as the rest of the park.
2.	5523 Mountainside Dr.	Lot B, Section 23, Township 28, SDYD, Plan EPP91489	Amend a portion of the Future Land Use designation from the S-RES - Suburban Residential designation to the NAT - Natural Areas designation as per <a href="#">Map 'B'</a>	This is a City owned lot that is a part of Mountainside Park and should have the same designation as the rest of the park.
3.	792 Kuipers Cr.	Lot A, District Lot 1688S, SDYD, Plan EPP121844 (See Plan as to Limited Access)	Amend a portion of the Future Land Use designation from the S-MU – Suburban Multiple Unit designation to the NAT - Natural Areas designation and amend another portion of the Future Land Use designation from the NAT - Natural Areas designation to the PSU – Public Service Utilities designation as per <a href="#">Map 'C'</a>	This is a City owned lot that is a part of the Kuipers' Peak Mountain Park and the park portion should have the same designation as the rest of the park. The portion of PSU – Public Service Utility amendment is to align the Future Land Use designation with the underlying P4 – Utilities zone.
4.	1500 Hill Spring Pl.	Lot 30, Sections 20 and 29, Township 29, SDYD, Plan EPP126576	Amend the Future Land Use designation from the S-RES - Suburban Residential designation to the Park – Park and Open Space designation	This newly created subdivision included this as a city owned park lot and thus the appropriate Future Land Use designation is Park.

No.	Address	Legal Description	OCP Amendment Details	Reason for Change
5.	4973 Buckhaven Ct.	Lot 1, Sections 20 and 29, Township 29, SDYD, Plan EPP51781, Except Plan EPP55883, EPP60436, EPP78238, and EPP100536	Amend a portion of the Future Land Use designation from the S-RES - Suburban Residential designation to the NAT - Natural Areas designation as per <a href="#">Map 'D'</a>	The property had a successful rezoning for portions of the lot from RR1 – Large Lot Rural Residential to RU2 – Medium Lot Housing on Monday August 28 <sup>th</sup> 2023. However, the remaining portion of the lot will be consolidated with the abutting park land and the OCP Future Land Use category should be the same as the adjacent park.
6.	613 Carnoustie Dr.	Lot A, Section 19, Township 27, ODYD, Plan EPP96165	Amend a portion of the Future Land Use designation from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as per <a href="#">Map 'E'</a>	This is a City owned lot that is a part of the Carnoustie Open Space park and the entire park should have the same future land use designation.
7.	1652 Carnegie St.	Lot 24, Section 19, Township 27, ODYD, Plan EPP75803	Amend a portion of the Future Land Use designation from the S-RES Suburban Residential designation to the NAT-Natural Areas designation and amend another portion of the Future Land Use designation from the PSU – Public Service Utilities designation to the NAT – Natural Areas designation as per <a href="#">Map 'F'</a>	This is a City owned lot that is a part of the Carnoustie Open Space park trail system and the entire park should have the same future land use designation.
8.	490 Windhover Ct.	Lot 7, Section 24, Township 28, SDYD, Plan EPP88650	Amend a portion of the Future Land Use designation from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as per <a href="#">Map 'G'</a>	This is a City owned park lot and the entire park should have the same future land use designation.
<b>OCP map errors in general</b>				
9.	676-696 Cantina Ct.	Strata Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6, District Lot 1688S,	Amend the Future Land Use designation from the NCOM – Neighbourhood Commercial	The property had a successful rezoning in 2018 which has resulted in a 6 unit townhouse style project. The units are

No.	Address	Legal Description	OCP Amendment Details	Reason for Change
		SDYD, Strata Plan EPS6039, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V	designation to the S-MU – Suburban Multiple Unit designation	built and the Future Land Use should reflect the existing use not Neighbourhood Commercial.
10.	1951 Cross Rd.	Lot 1, Section 4, Township 23, ODYD, Plan EPP120282	Amend a portion of the Future Land Use designation from the EDINST – Education / Institutional designation to the C-NHD – Core Area Neighbourhood designation as per <a href="#">Map 'H'</a>	The property is owned by the City and currently contains a single family dwelling. The future land use should reflect the existing use of Core Area Neighbourhood as the lot is not used for any institutional purpose.
11.	(W OF) Hwy 97 N	Lot 1, Section 2, Township 23, ODYD, Plan EPP76079	Amend a portion the Future Land Use designation from the S-RES - Suburban Residential designation to the IND – Industrial designation and amend another portion of the NAT – Natural Areas designation to the IND – Industrial designation as per <a href="#">Map 'I'</a>	This portion of property had a successful OCP amendment application for this portion of the lot to Industrial in November 2021. The new OCP was adopted in January 2022 and missed to incorporate this change.
12.	1638 Tower Ranch Blvd.	Lot 1, Section 31, Township 27, ODYD, Plan KAP80993	Amend a portion of the Future Land Use designation from the S-RES – Suburban Residential designation to the REC- Private Recreational designation as per <a href="#">Map 'J'</a>	The Tower Ranch Golf Course has two small remnant areas from the original subdivision that show S-RES – Suburban Residential but the entire golf course should be REC- Private Recreational.
13.	2781 Saucier Rd.	Lot 2, Section 4, Township 26, ODYD, Plan 17319	Amend the Future Land Use designation from the NCOM – Neighbourhood Commercial designation to the R-AGR – Rural –	This is a mapping error as the property is zoned RR2 – Small Lot Rural Residential and is not being used for any commercial purpose.

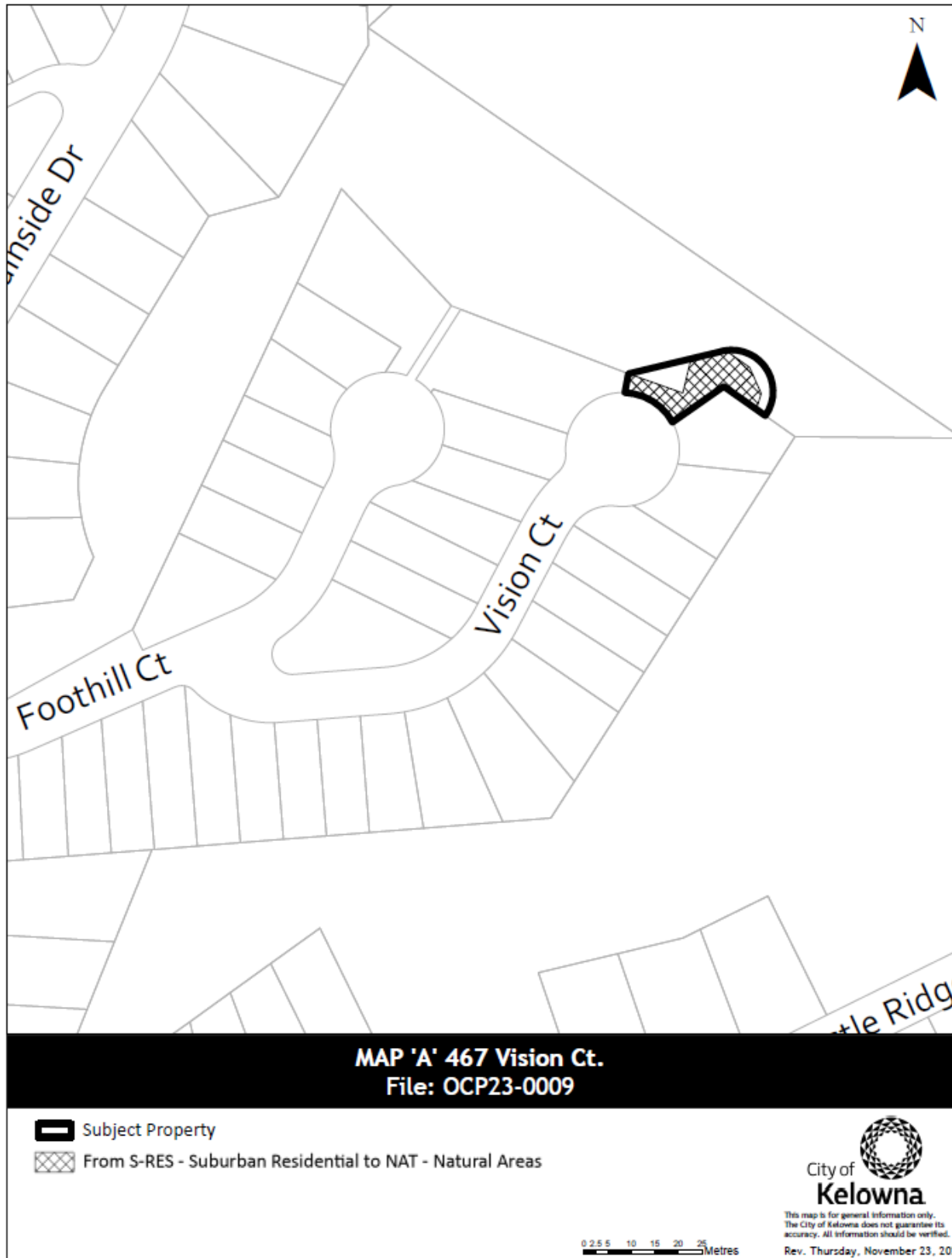
No.	Address	Legal Description	OCP Amendment Details	Reason for Change
			Agricultural & Resource designation	
14.	1950 Munson Rd.	Lot 14, District Lot 130, ODYD, Plan 415, except Plan KAP64154	Amend a portion of the Future Land Use designation from the REC- Private Recreational designation to the AGR – Rural – Agricultural & Resource designation as per <a href="#">Map 'K'</a>	OCP mapping error as the Future Land Use designation should follow the zoning line, especially when a property is within the Agriculture Land Reserve.
15.	757 Carnoustie Dr.	Lot 1, Section 19, Township 27, ODYD, Plan EPP96160	Amend a portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as per <a href="#">Map 'L'</a>	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
16.	759 Carnoustie Dr.	Lot 9, Section 19, Township 27, ODYD, Plan EPP75803	Amend a portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as per <a href="#">Map 'M'</a>	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
17.	745 Carnoustie Dr.	Lot 8, Section 19, Township 27, ODYD, Plan EPP75803	Amend a portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as per <a href="#">Map 'N'</a>	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
18.	760 Carnoustie Dr.	Lot 10, Section 24 Township 26 and Section 19 Township 27, ODYD, Plan EPP75803	Amend a portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as per <a href="#">Map 'O'</a>	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.

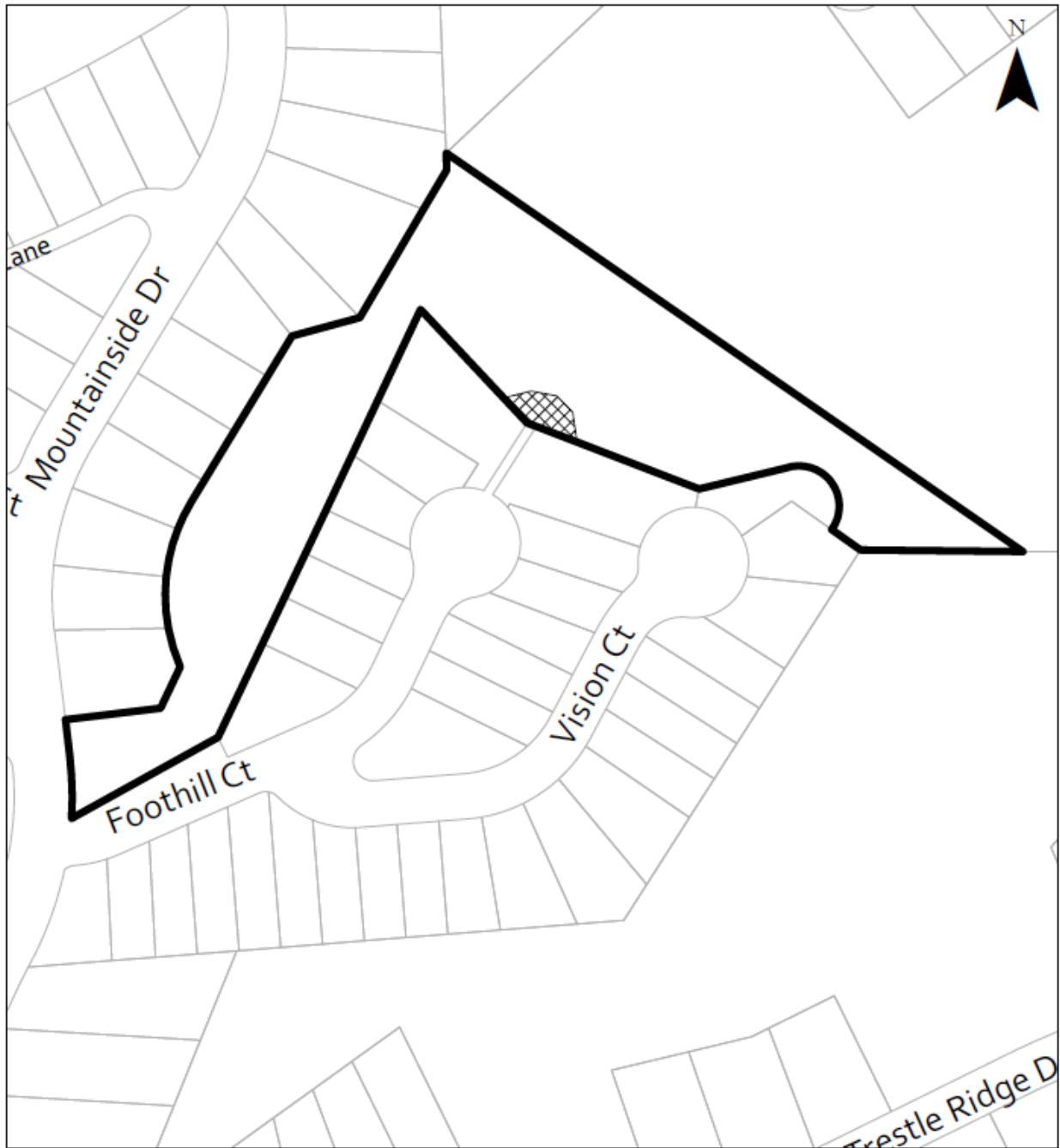
No.	Address	Legal Description	OCP Amendment Details	Reason for Change
19.	746 Carnoustie Dr.	Lot 11, Section 24 Township 26 and Section 19 Township 27, ODYD, Plan EPP75803	Amend a portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as per <a href="#">Map 'P'</a>	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
20.	(W OF) Carnoustie Dr.	Lot 23, Section 24 Township 26 and Section 19 Township 27, ODYD, Plan EPP75803, Except Part in Plan EPP116512	Amend a portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as per <a href="#">Map 'Q'</a>	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
21.	1640 Carnegie St.	Lot 21, Section 24 Township 26 and Section 19 Township 27, ODYD, Plan EPP75803	Amend a portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as per <a href="#">Map 'R'</a>	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
22.	1628 Carnegie St.	Lot 20, Section 24 Township 26 and Section 19 Township 27, ODYD, Plan EPP75803	Amend a portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as per <a href="#">Map 'S'</a>	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
23.	652 Trumpeter Rd.	Lot 1, Section 24, Township 28, SDYD, Plan EPP88650	Amend a portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as per <a href="#">Map 'T'</a>	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.

No.	Address	Legal Description	OCP Amendment Details	Reason for Change
24.	642 Trumpeter Rd.	Lot 2, Section 24, Township 28, SDYD, Plan EPP88650	Amend a portion of the Future Land Use designation from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as per <a href="#">Map 'U'</a> .	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
25.	632 Trumpeter Rd.	Lot 3, Section 24, Township 28, SDYD, Plan EPP88650	Amend a portion of the Future Land Use designation from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as per <a href="#">Map 'V'</a> .	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
26.	622 Trumpeter Rd.	Lot 4, Section 24, Township 28, SDYD, Plan EPP88650	Amend a portion of the Future Land Use designation from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation and amend another portion of the Future Land Use designation from NAT- Natural Areas designation to the S-RES - Suburban Residential designation as per <a href="#">Map 'W'</a> .	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
27.	612 Trumpeter Rd.	Lot 5, Section 24, Township 28, SDYD, Plan EPP88650	Amend a portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as per <a href="#">Map 'X'</a> .	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.
28.	602 Trumpeter Rd.	Lot 6, Section 24, Township 28, SDYD, Plan EPP88650	Amend a portion of the Future Land Use designation from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation and amend another portion of the Future Land Use designation from the NAT –	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.

No.	Address	Legal Description	OCP Amendment Details	Reason for Change
29.	600 Trumpeter Rd.	Lot 1, Section 24, Township 28, SDYD, Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523, KAP87908, KAP90635, and EPP88650	Amend a portion of the Future Land Use designation from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation and amend another portion of the Future Land Use designation from the NAT – Natural Areas designation to the S-RES – Suburban designation as per <a href="#">Map 'Z'</a> .	OCP mapping error as the Future Land Use designation does not match the single-family zoning and the approved subdivision layouts.







**MAP 'B' 5523 Mountainside Dr.**  
**File: OCP23-0009**

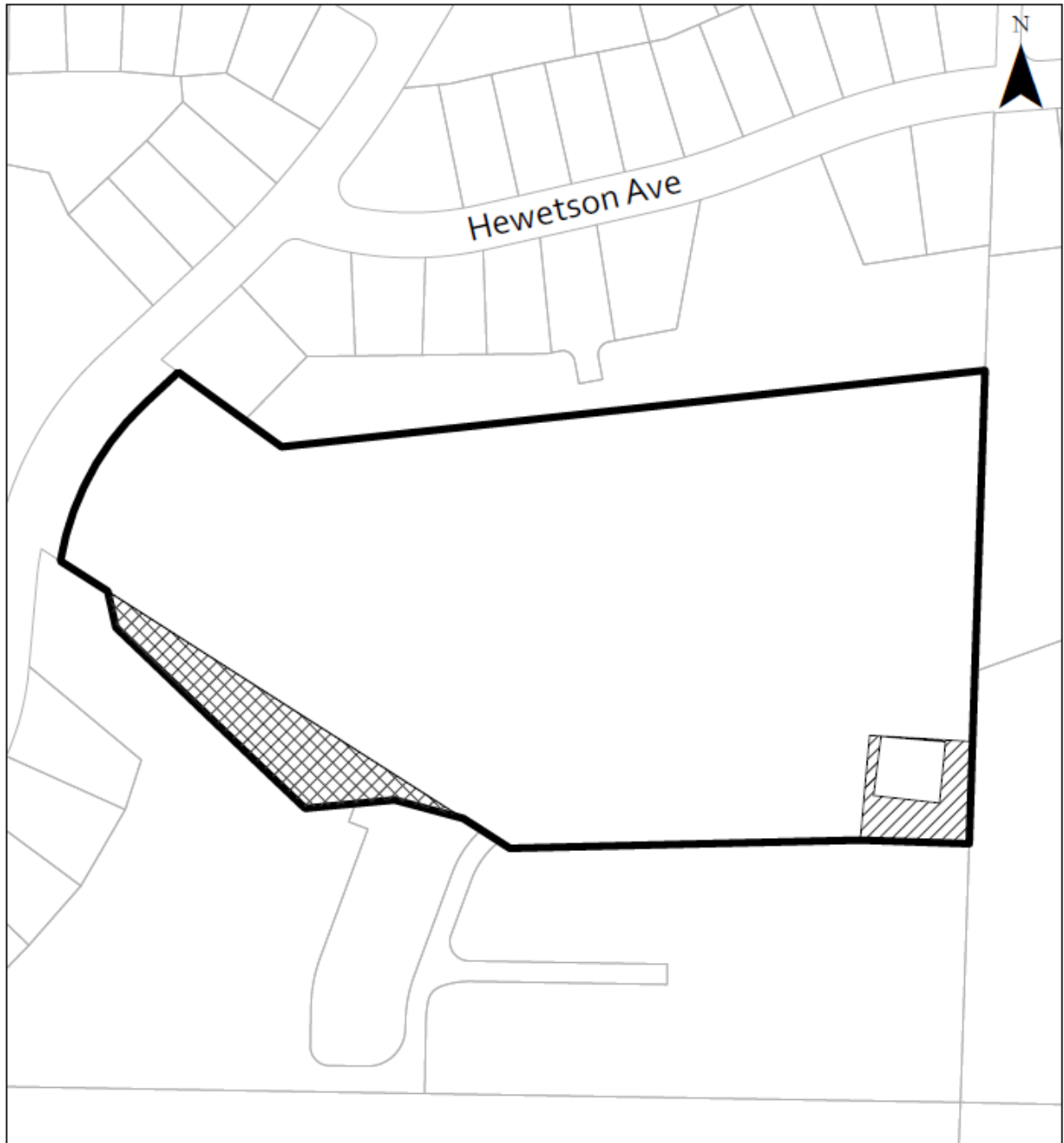
-  Subject Property
-  From S-RES - Suburban Residential to NAT - Natural Areas

City of Kelowna




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

Rev. Friday, November 24, 2023

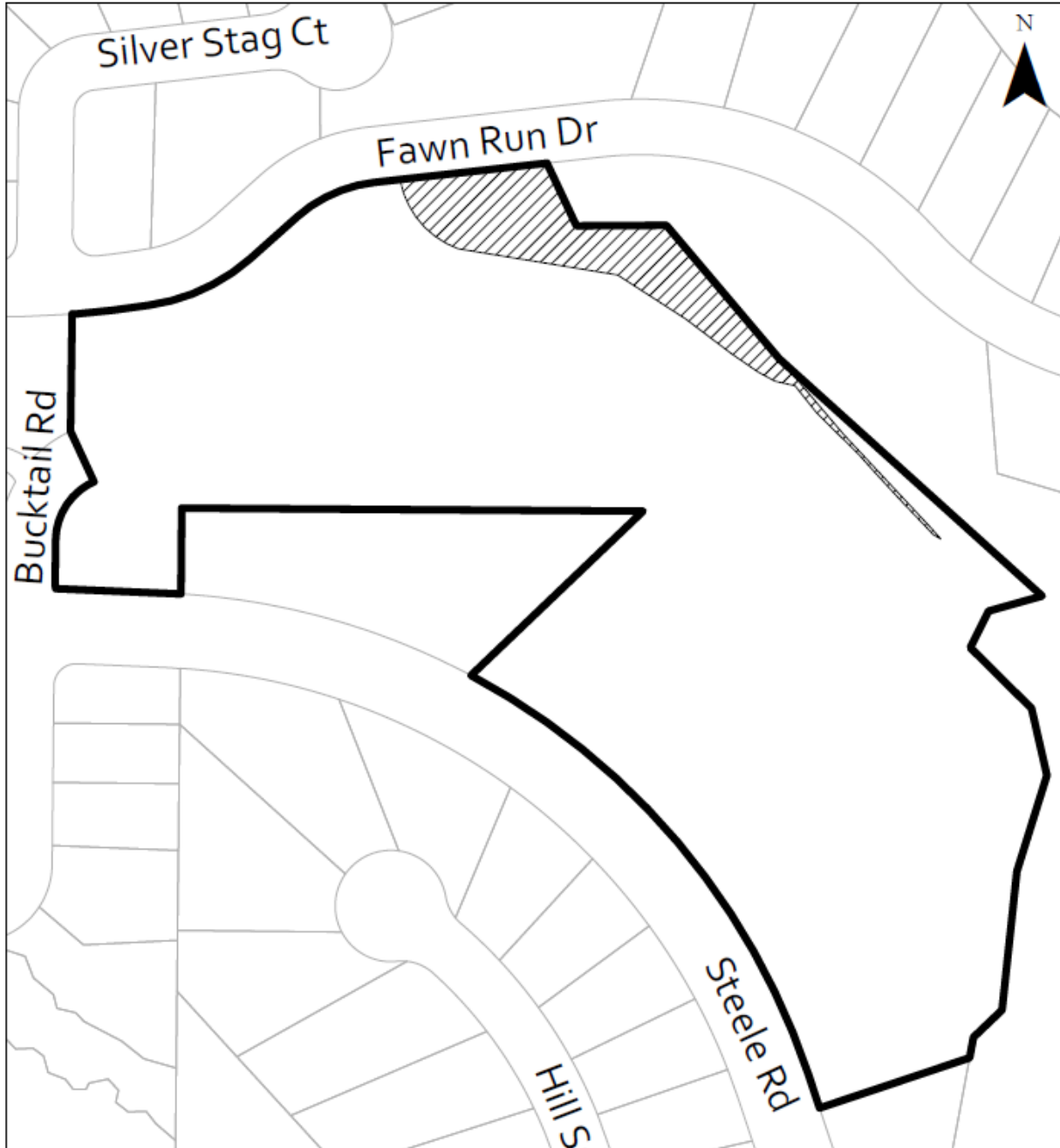




**MAP 'C' 792 Kuipers Cr.**  
**File: OCP23-0009**

-  Subject Property
-  From S-MU – Suburban Multiple Unit to NAT - Natural Areas
-  From NAT - Natural Areas to PSU - Public Service Utilities

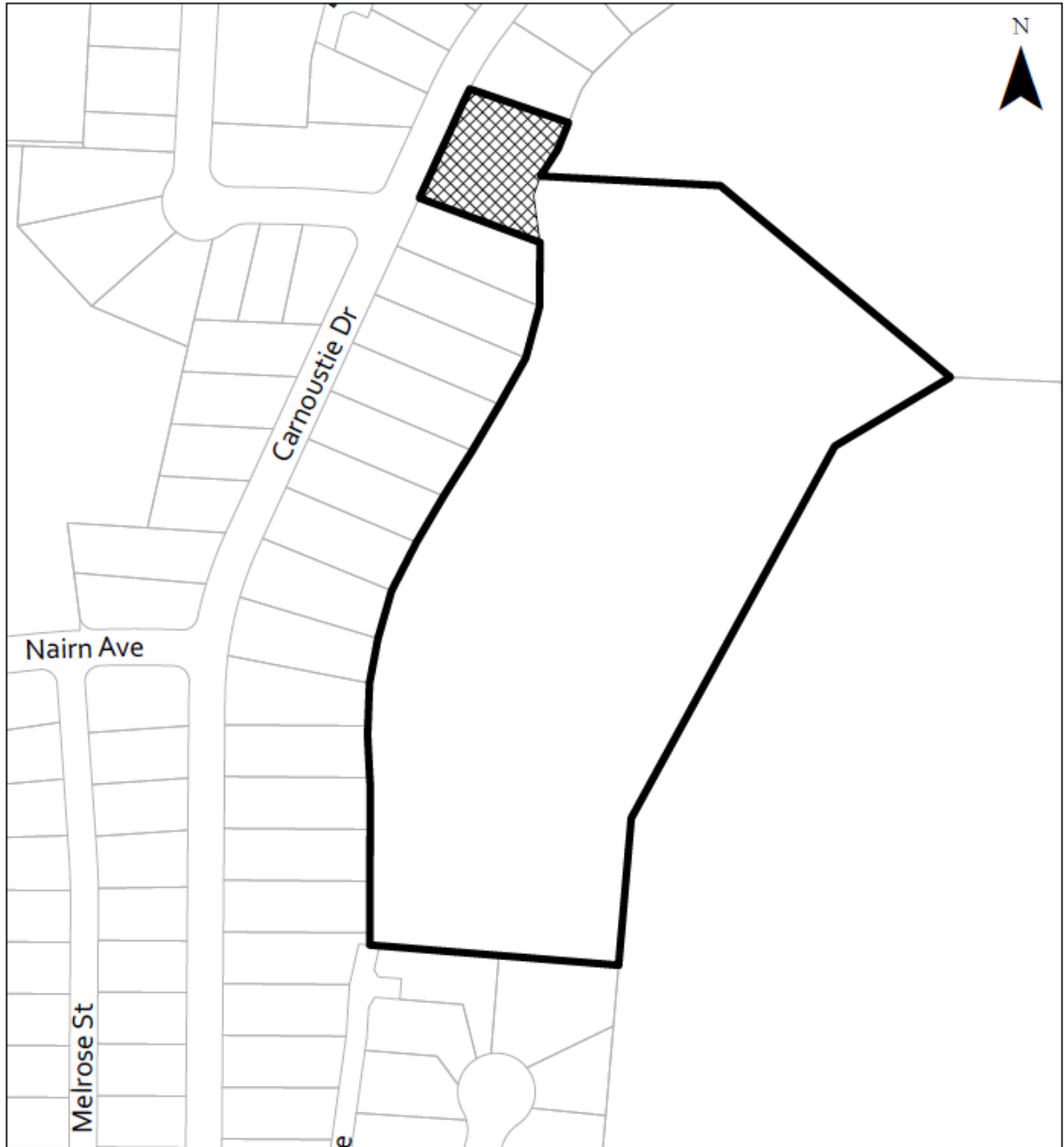
This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



**MAP 'D' 4973 Buckhaven Ct.**  
**File: OCP23-0009**


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

This map is for general information only.  
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**MAP 'E' 613 Carnoustie Dr.**  
**File: OCP23-0009**

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

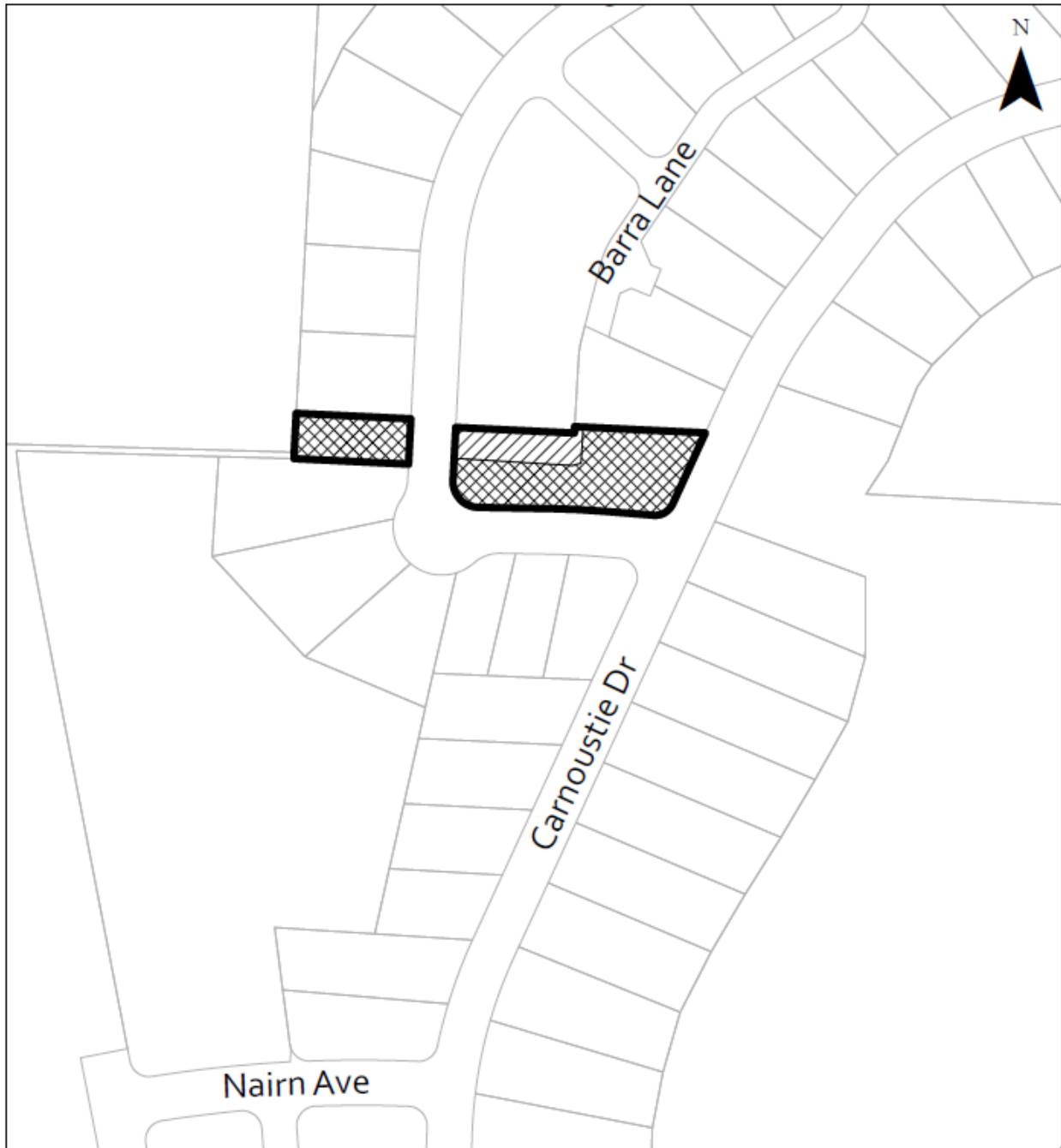


City of Kelowna

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Rev. Friday, November 24, 2023





**MAP 'F' 1652 Carnegie St.**  
**File: OCP23-0009**

-  Subject Property
-  From PSU - Public Service Utilities to NAT - Natural Areas
-  From S-RES - Suburban Residential to NAT - Natural Areas



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 Rev. Friday, November 24, 2023

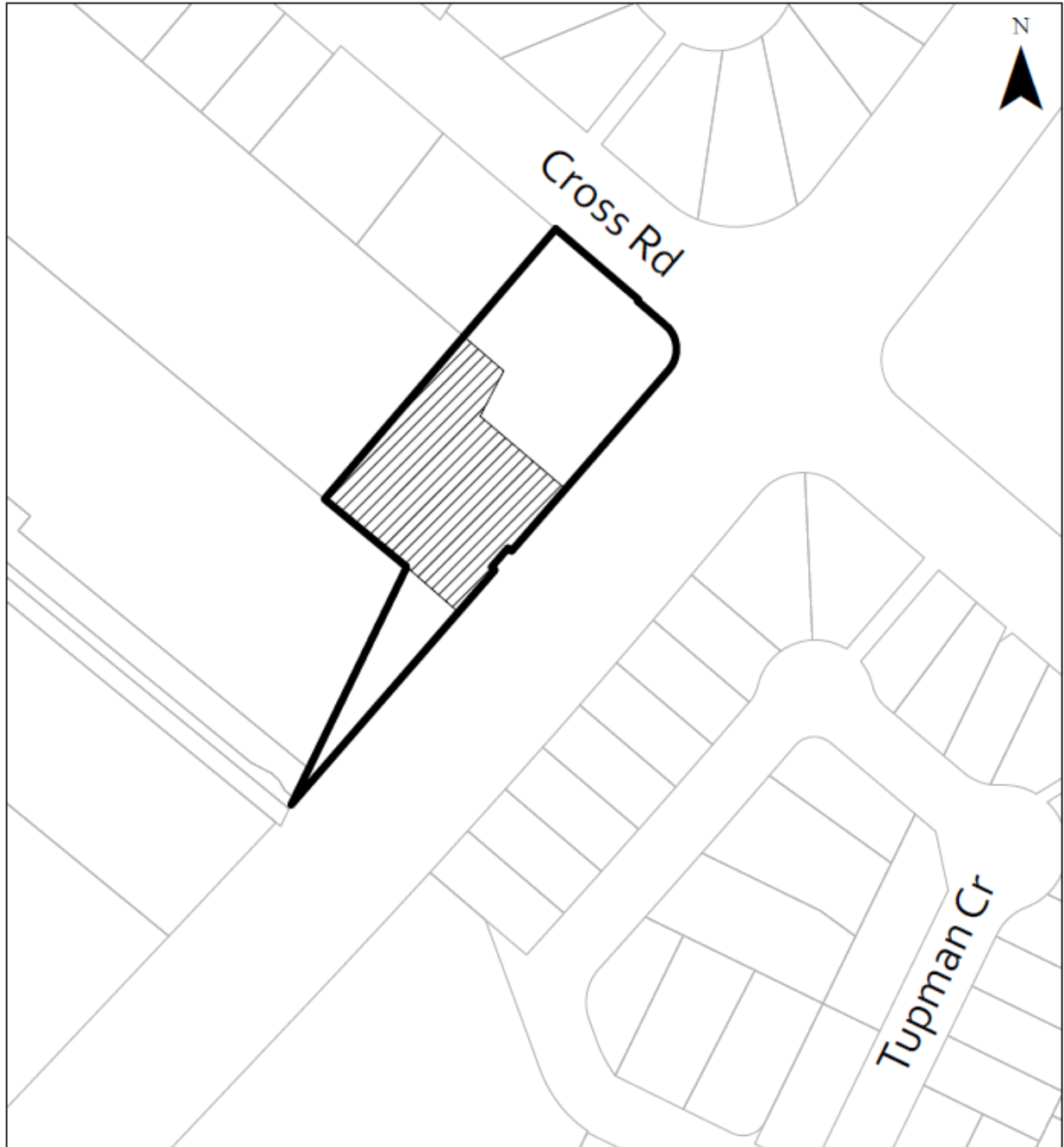






**MAP 'G' 490 Windhover Ct.**  
**File: OCP23-0009**

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





**MAP 'H' 1951 Cross Rd.**  
**File: OCP23-0009**

-  Subject Property
-  From EDINST - Education / Institutional to C-NHD - Core Area Neighbourhood

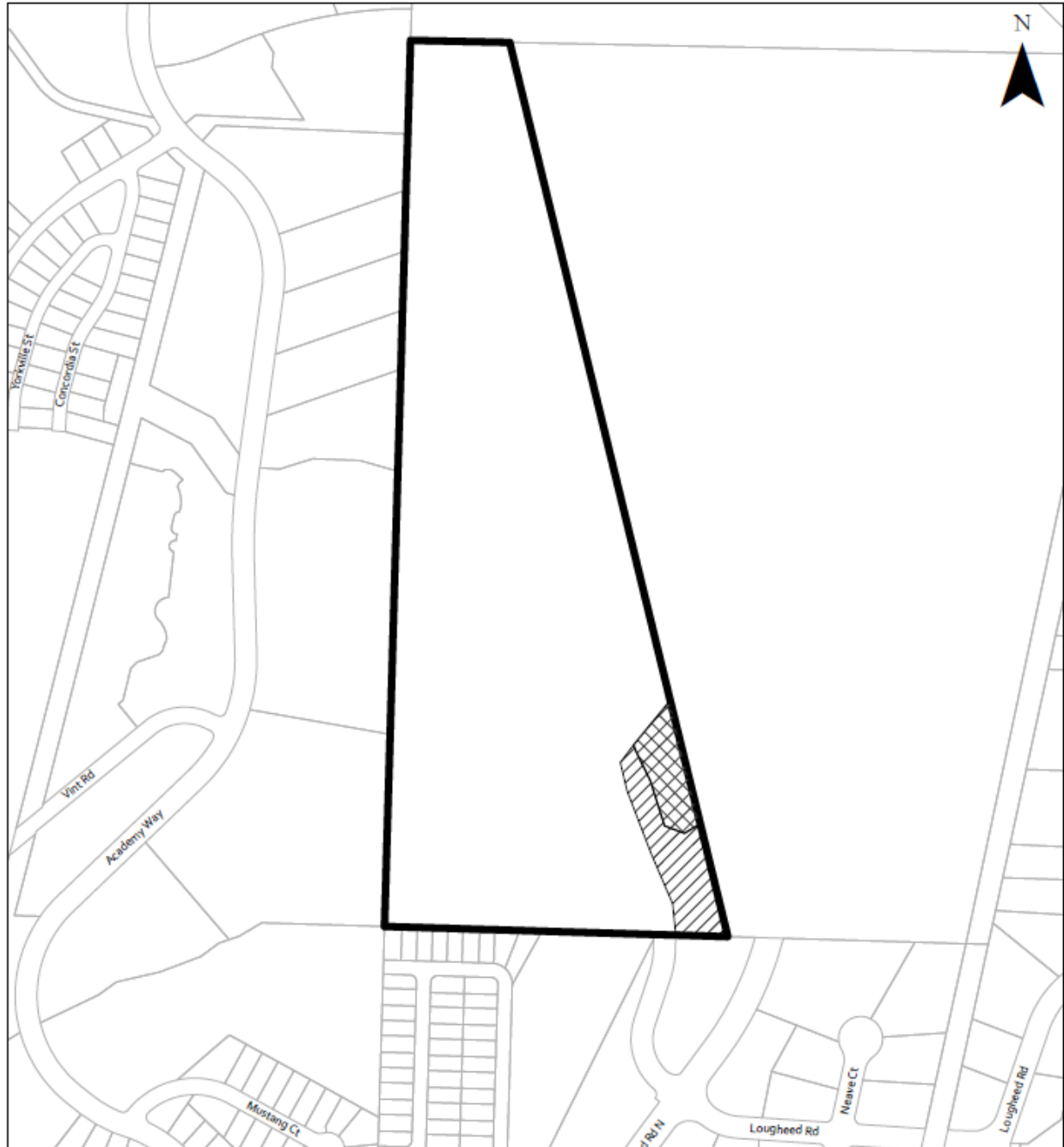


This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.






Rev. Thursday, December 7, 2023



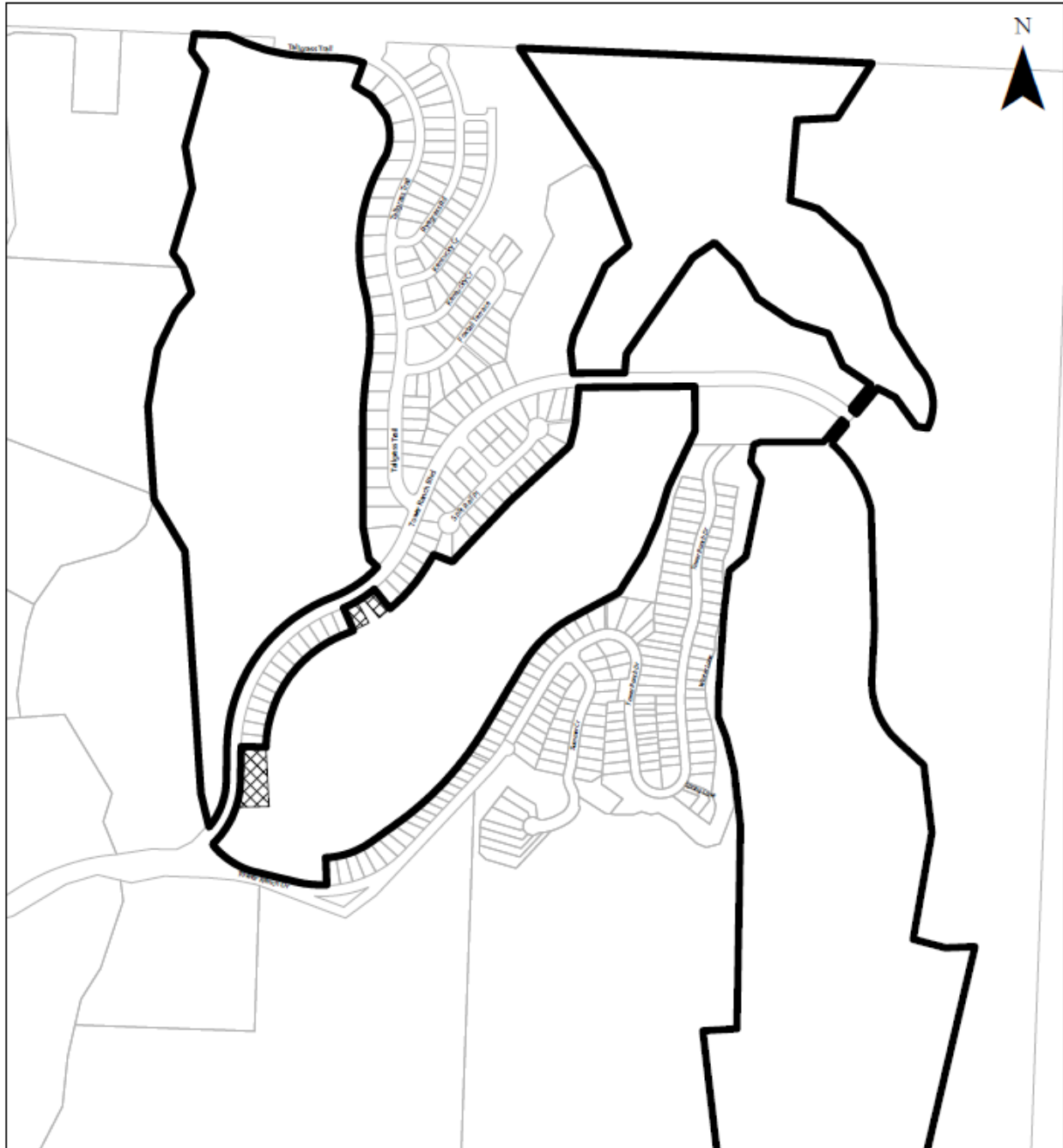


**MAP 'I' (W OF) Hwy 97 N**



**File: OCP23-0009**

-  Subject Property
-  From NAT - Natural Areas to IND - Industrial
-  From S-RES - Suburban Residential to IND - Industrial

This map is for general information only.  
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**MAP 'J' 1638 Tower Ranch Blvd.**  
**File: OCP23-0009**

-  Subject Property
-  From S-RES - Suburban Residential to REC - Private Recreational





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Rev. Thursday, December 7, 2023

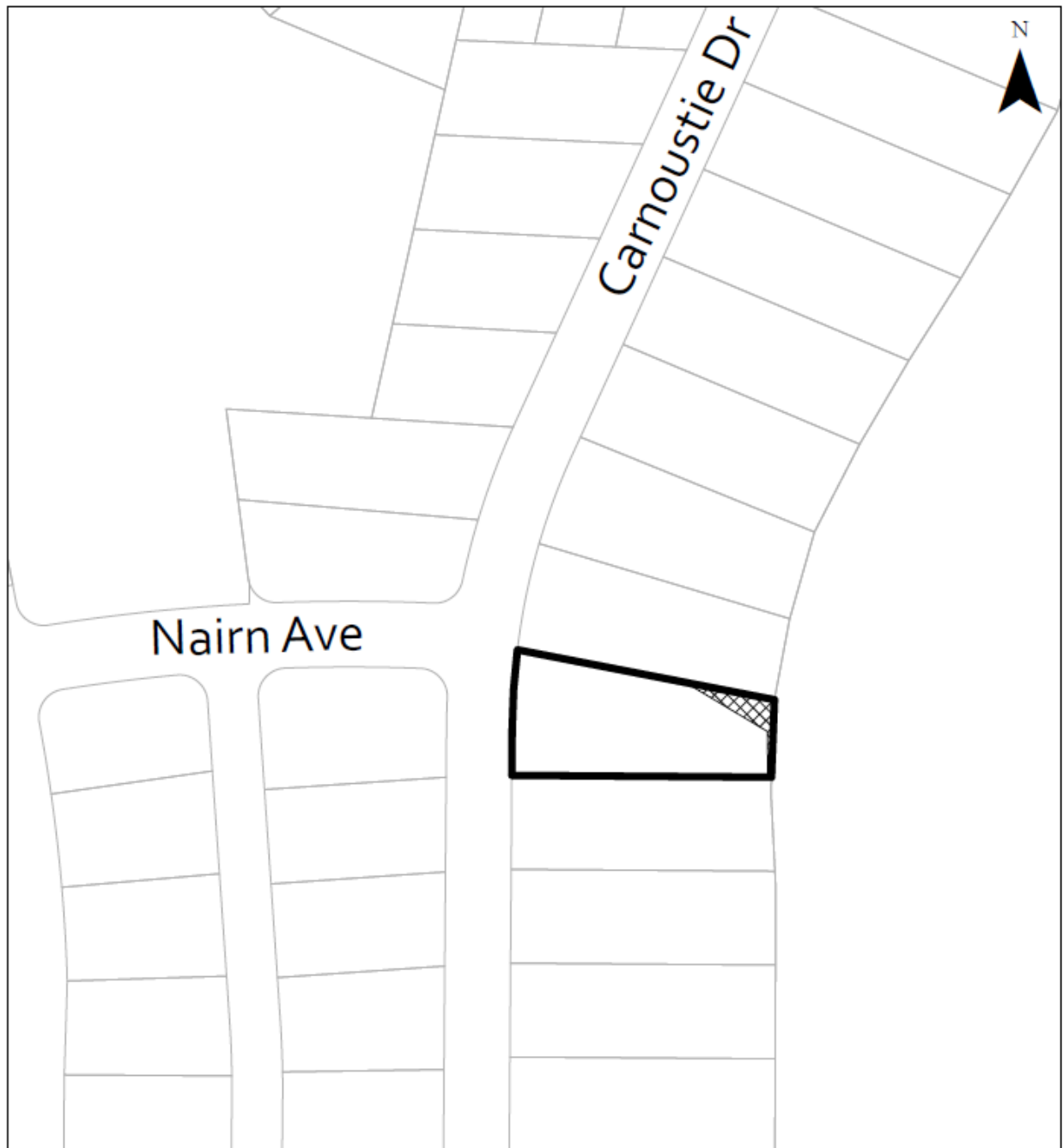






**MAP 'K' 1950 Munson Rd.**  
**File: OCP23-0009**

-  Subject Property
-  From REC - Private Recreational to R-AGR - Rural - Agricultural & Resource

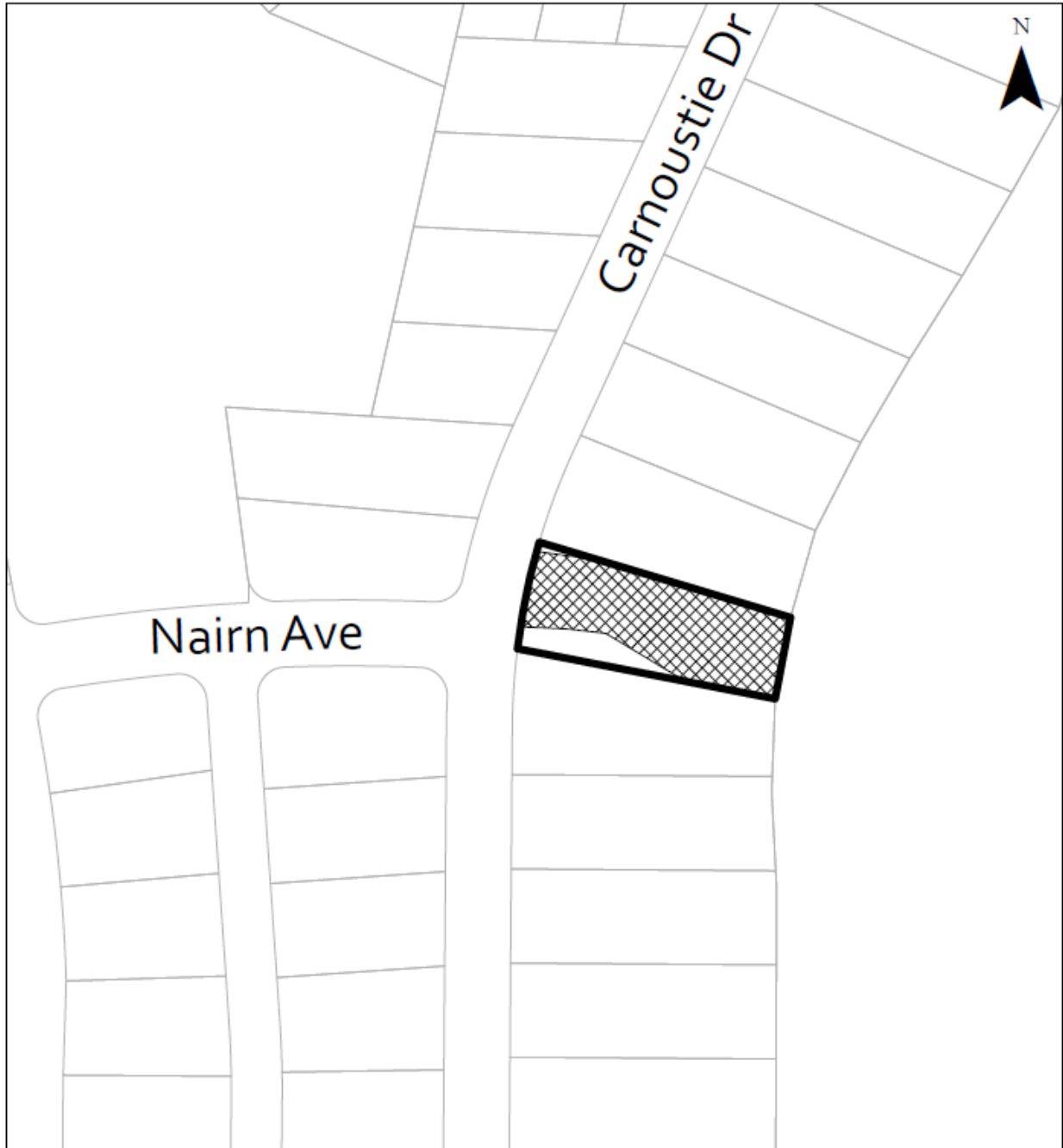
This map is for general information only.  
The City of Kelowna does not guarantee its  
accuracy. All information should be verified.





**MAP 'L' 757 Carnoustie Dr.**  
**File: OCP23-0009**


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





**MAP 'M' 759 Carnoustie Dr.**  
**File: OCP23-0009**

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

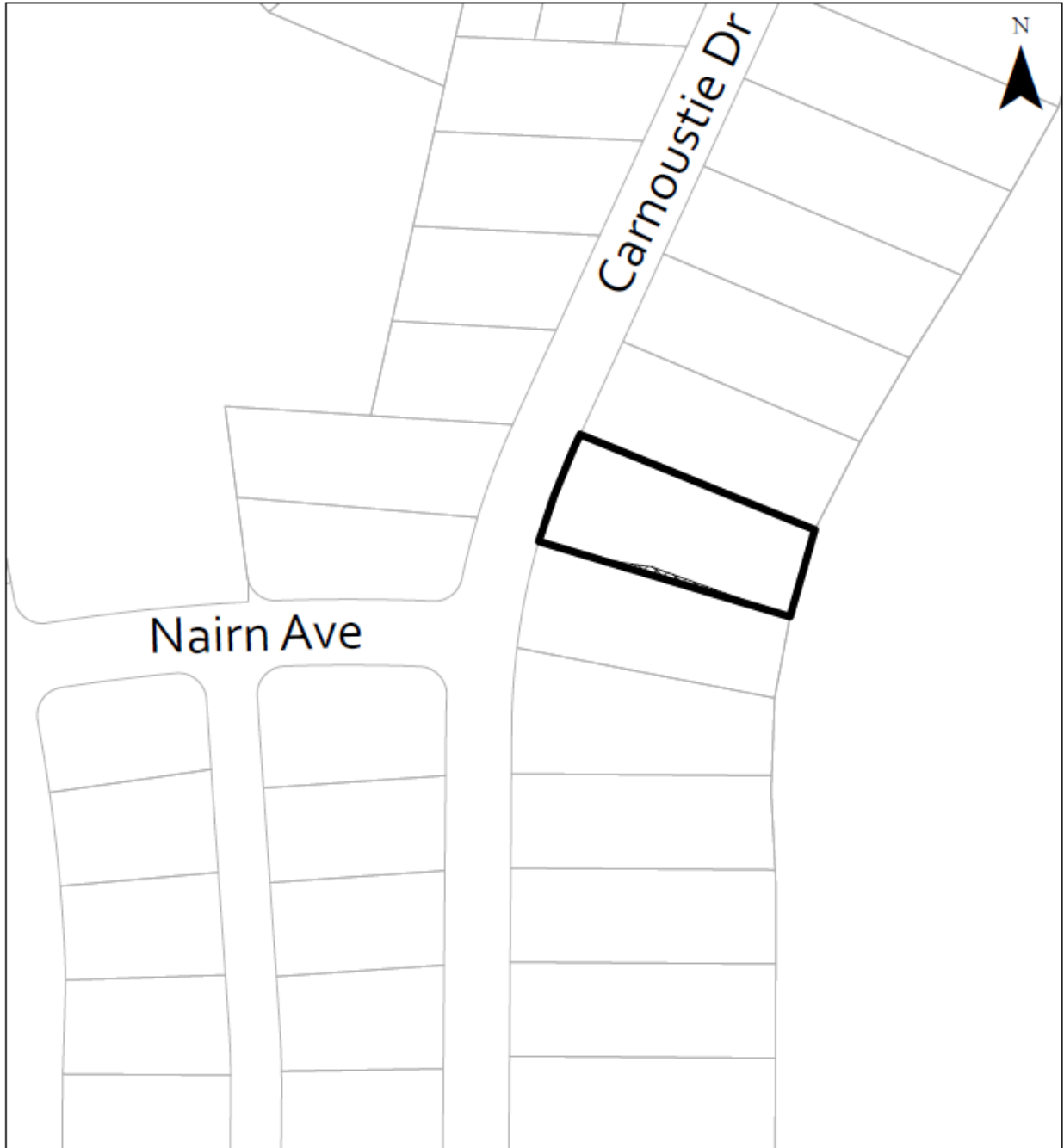


City of Kelowna



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Rev. Friday, December 8, 2023





**MAP 'N' 745 Carnoustie Dr.**  
**File: OCP23-0009**

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

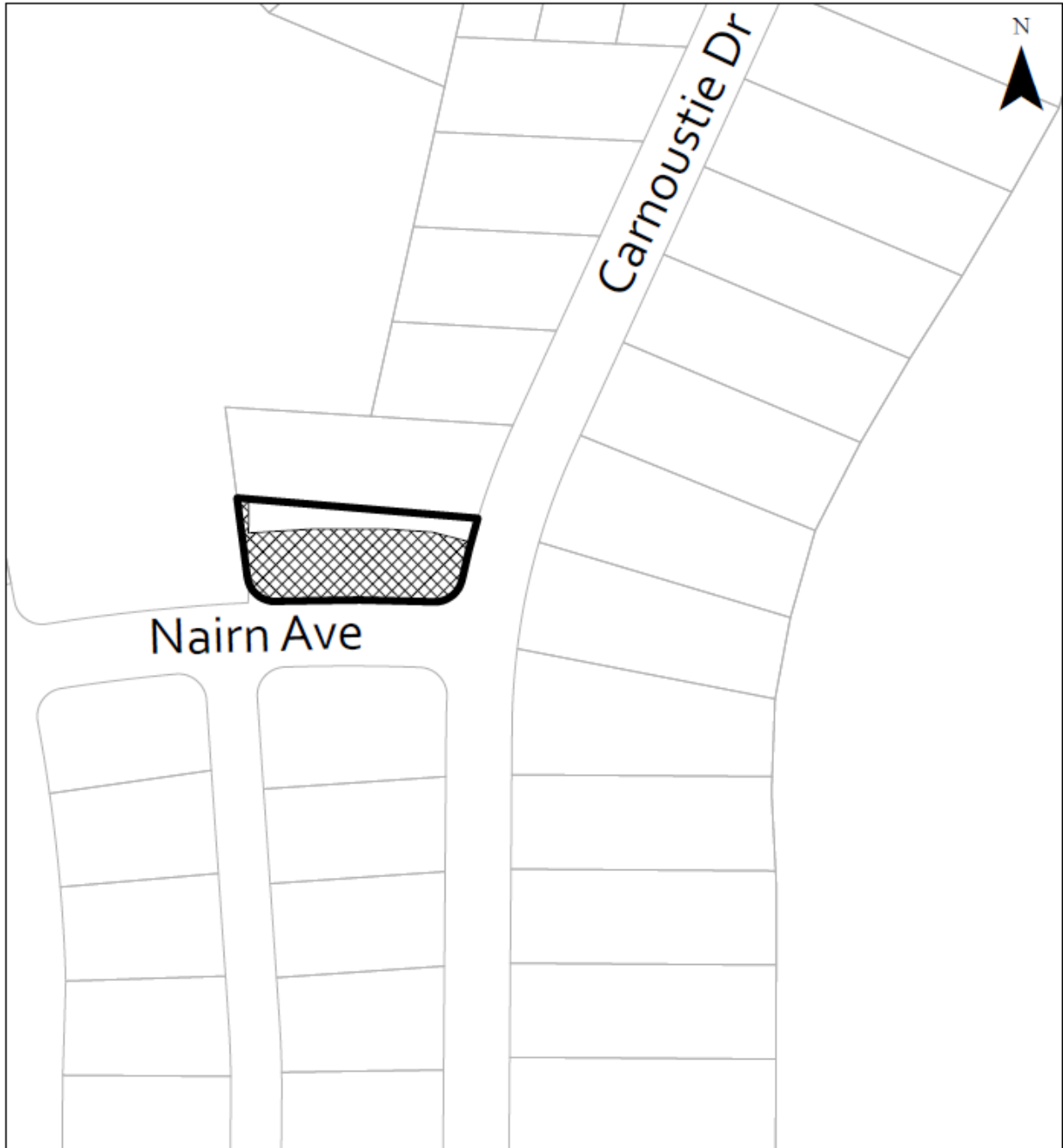


City of Kelowna



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Rev. Friday, December 8, 2023





**MAP 'O' 760 Carnoustie Dr.**  
**File: OCP23-0009**

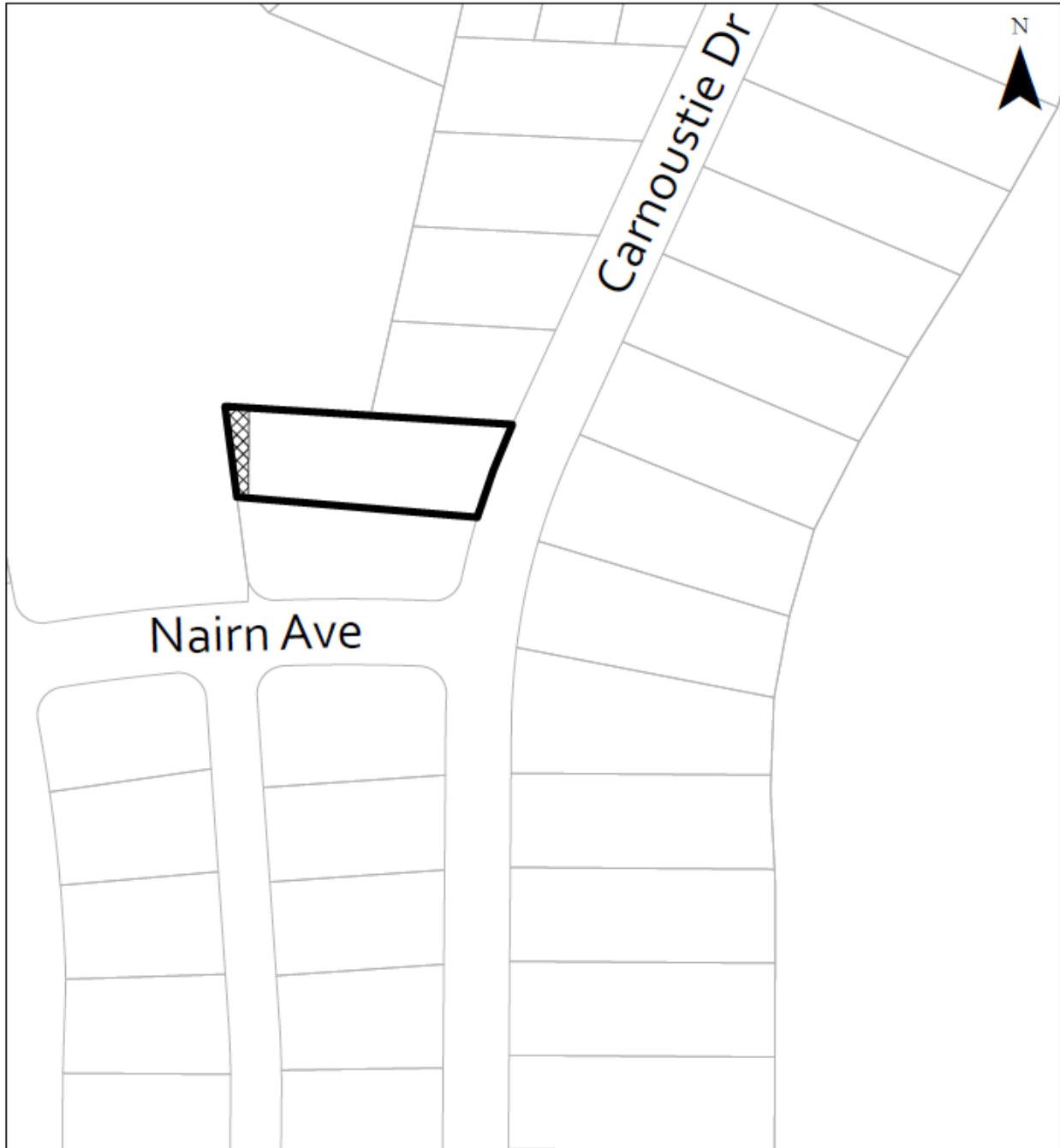
-  Subject Property
-  From NAT - Natural Areas to S-RES - Suburban Residential

City of Kelowna



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Rev. Friday, December 8, 2023

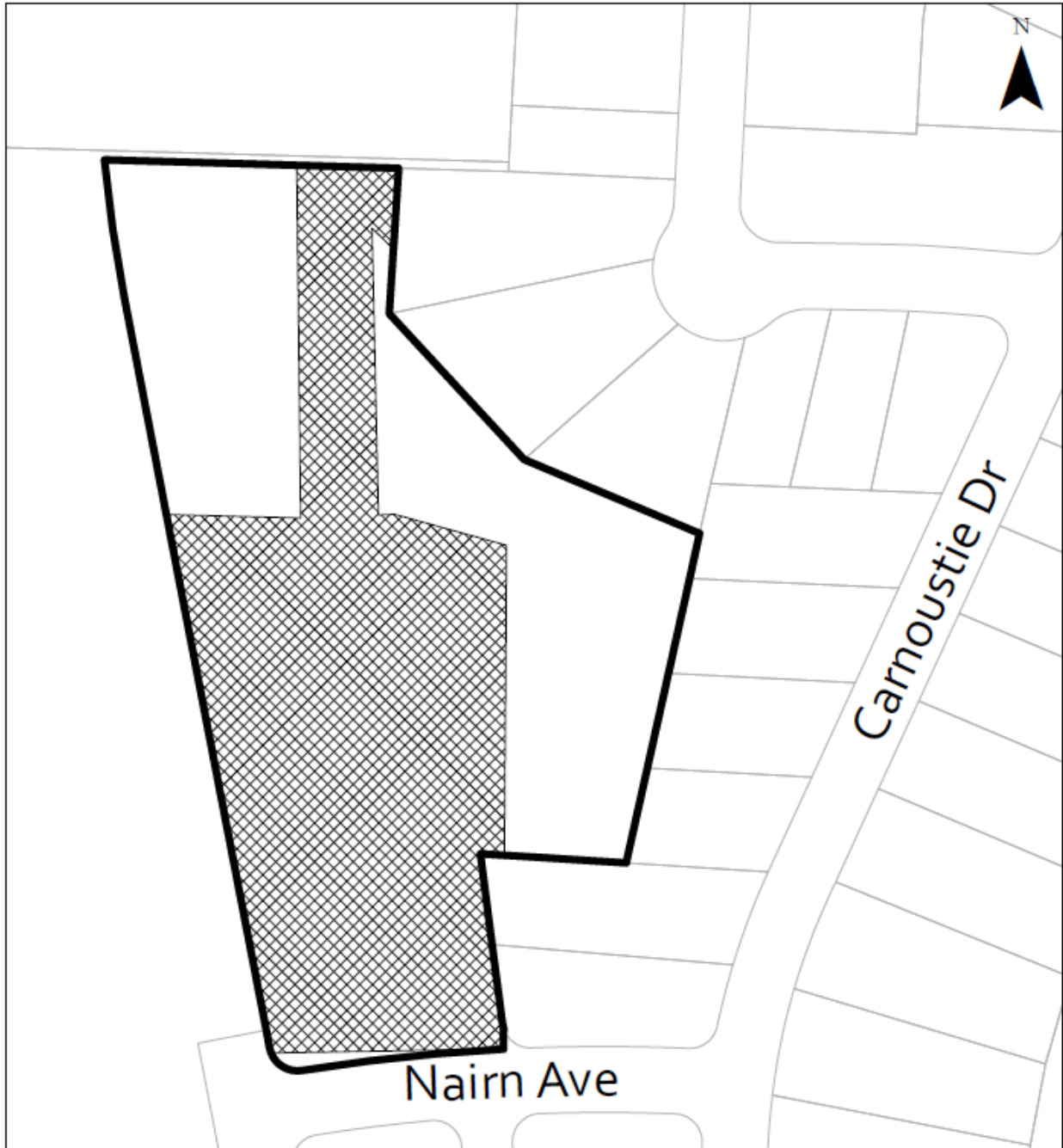






**MAP 'P' 746 Carnoustie Dr.**  
**File: OCP23-0009**


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





**MAP 'Q' (W OF) Carnoustie Dr.**  
**File: OCP23-0009**

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

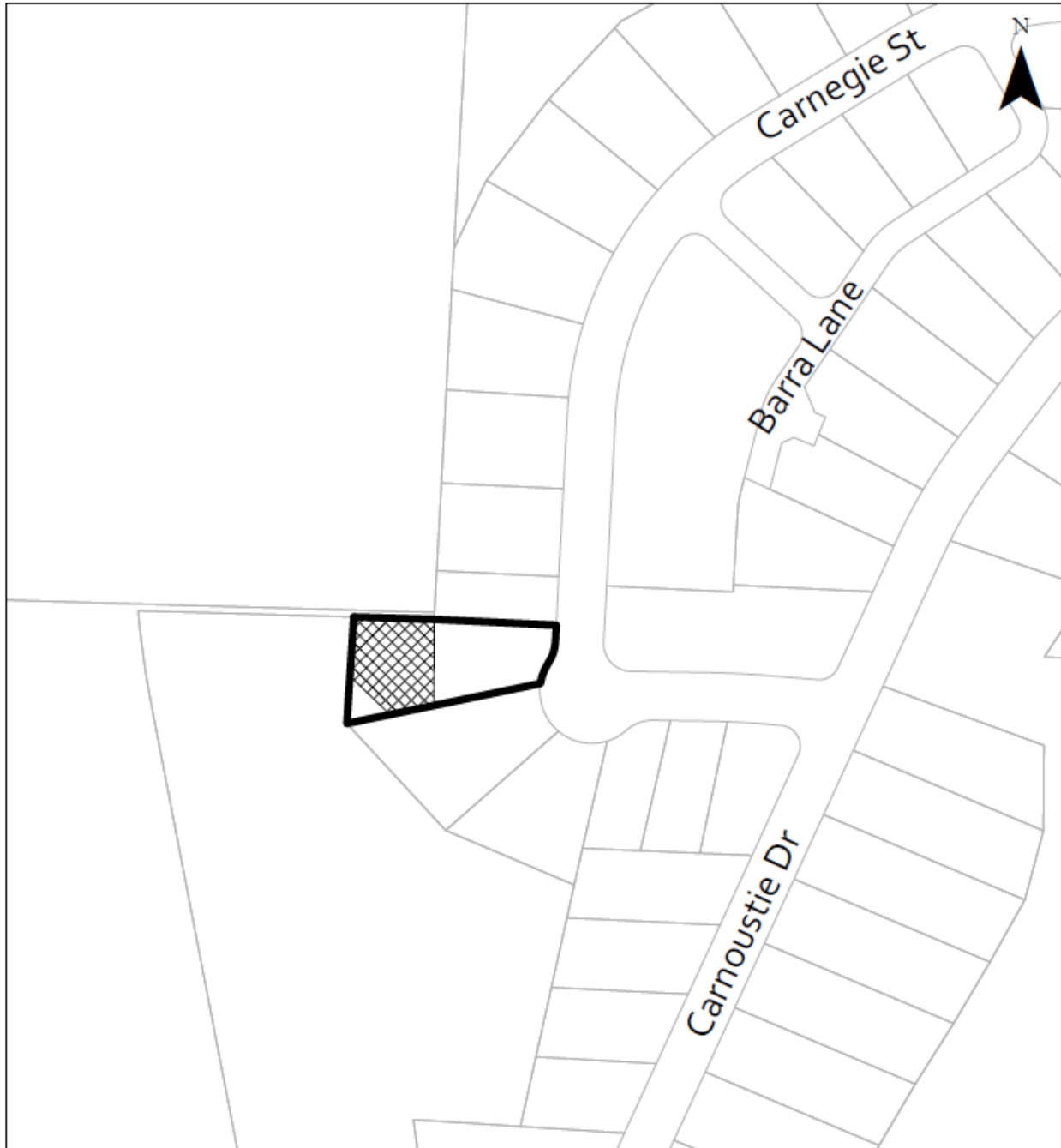


City of Kelowna



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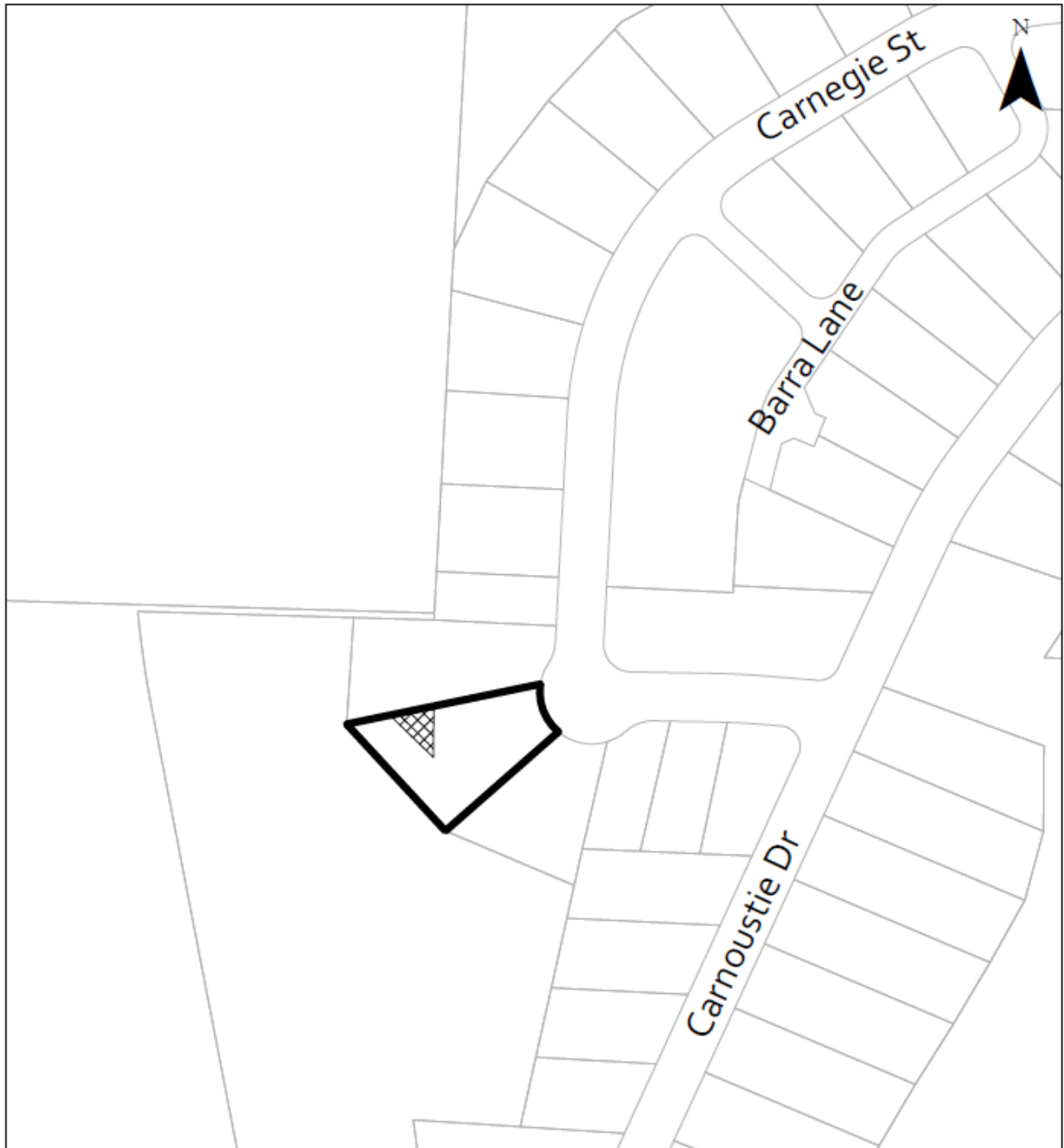
Rev. Friday, December 8, 2023







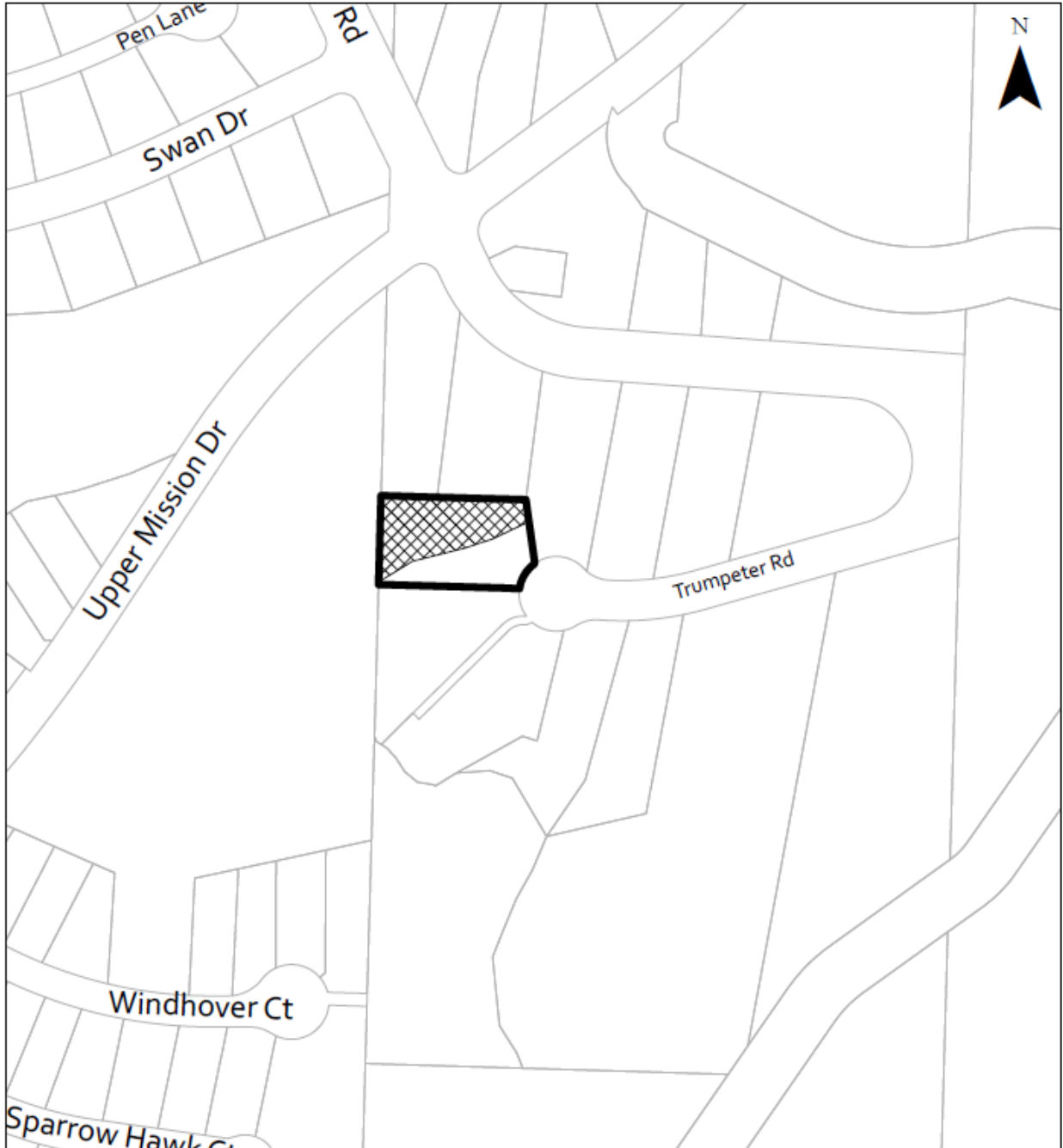
**MAP 'R' 1640 Carnegie St.**  
**File: OCP23-0009**

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





**MAP 'S' 1628 Carnegie St.**  
**File: OCP23-0009**

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



**MAP 'T' 652 Trumpeter Rd.**  
**File: OCP23-0009**

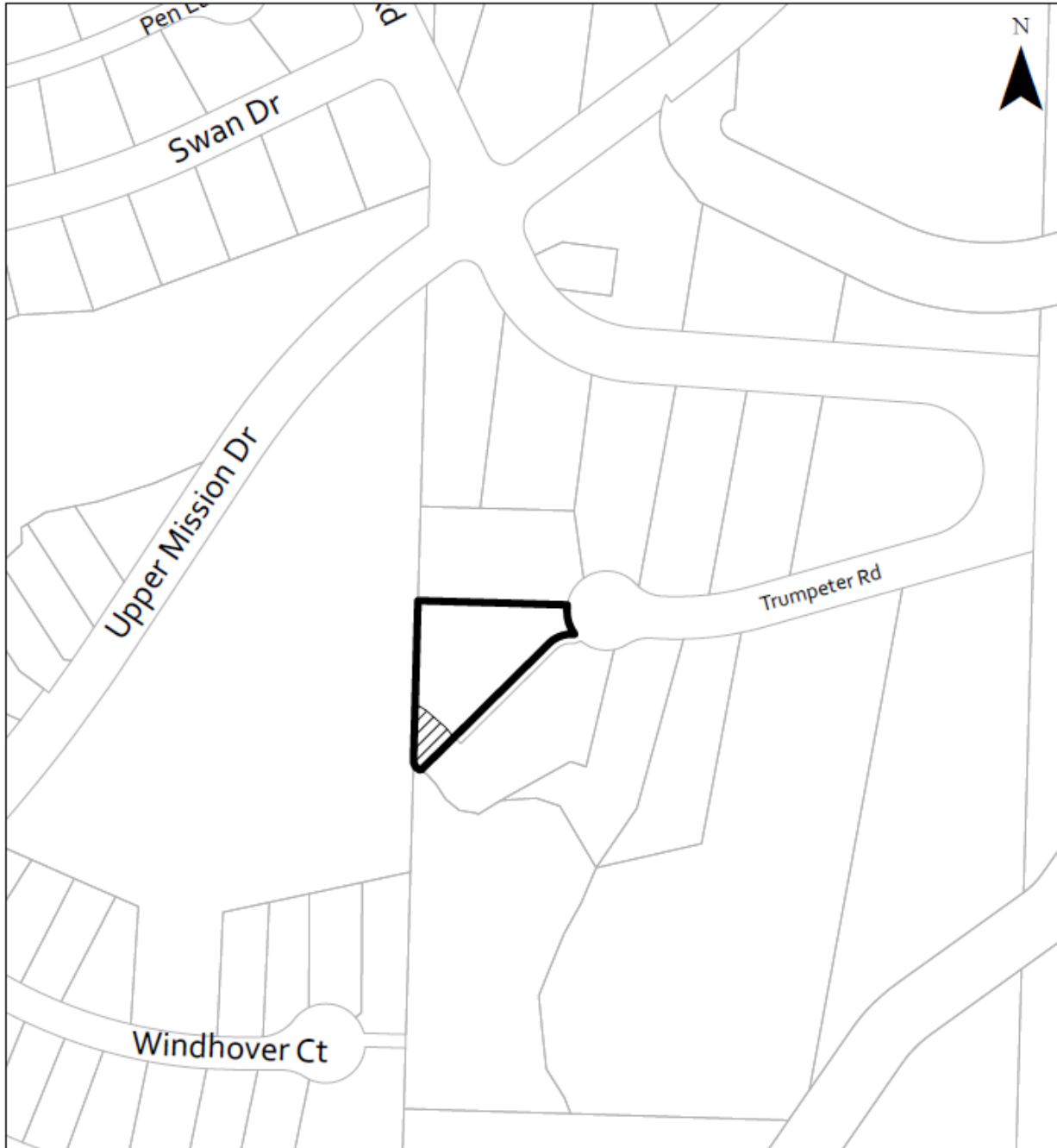
-  Subject Property
-  From NAT - Natural Areas to S-RES - Suburban Residential

City of Kelowna

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

Rev. Friday, December 8, 2023





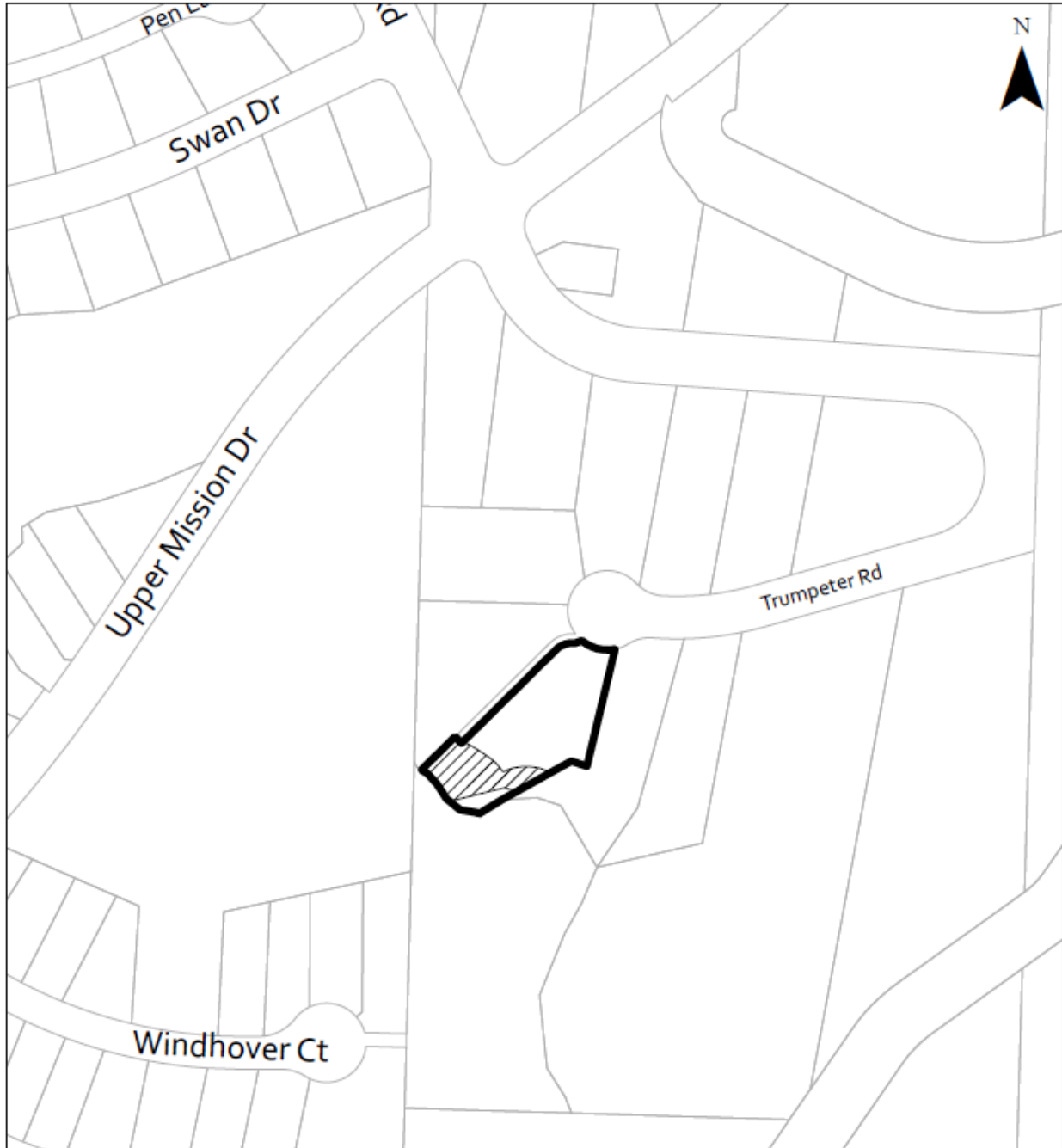
**MAP 'U' 642 Trumpeter Rd.**  
**File: OCP23-0009**

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

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

City of Kelowna

0 2.5 5 10 15 20 25 Metres Rev. Thursday, October 12, 2023

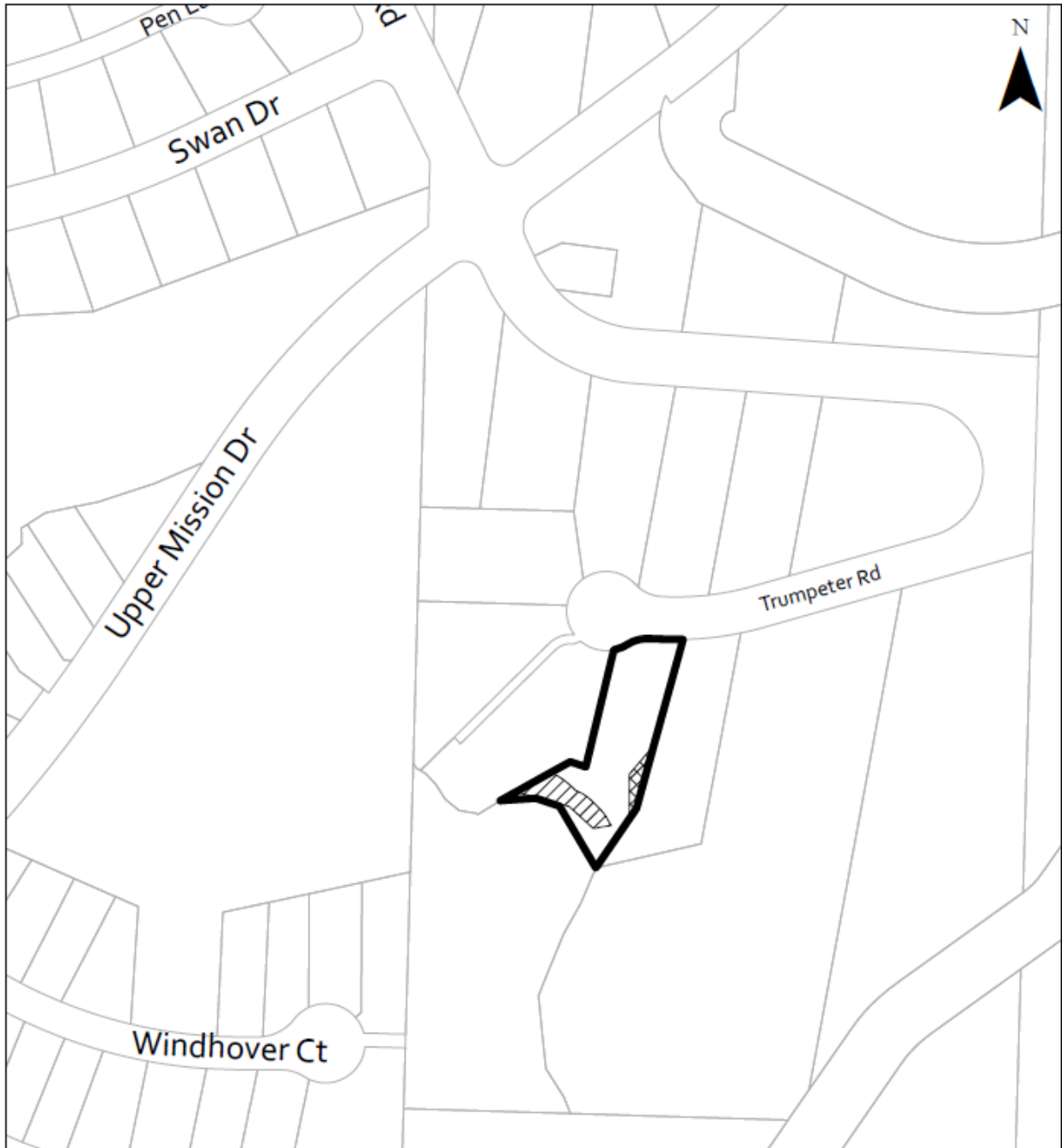


**MAP 'V' 632 Trumpeter Rd.**

**File: OCP23-0009**




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

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**MAP 'W' 622 Trumpeter Rd.**

**File: OCP23-0009**


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

This map is for general information only.  
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**MAP 'X' 612 Trumpeter Rd.**

**File: OCP23-0009**

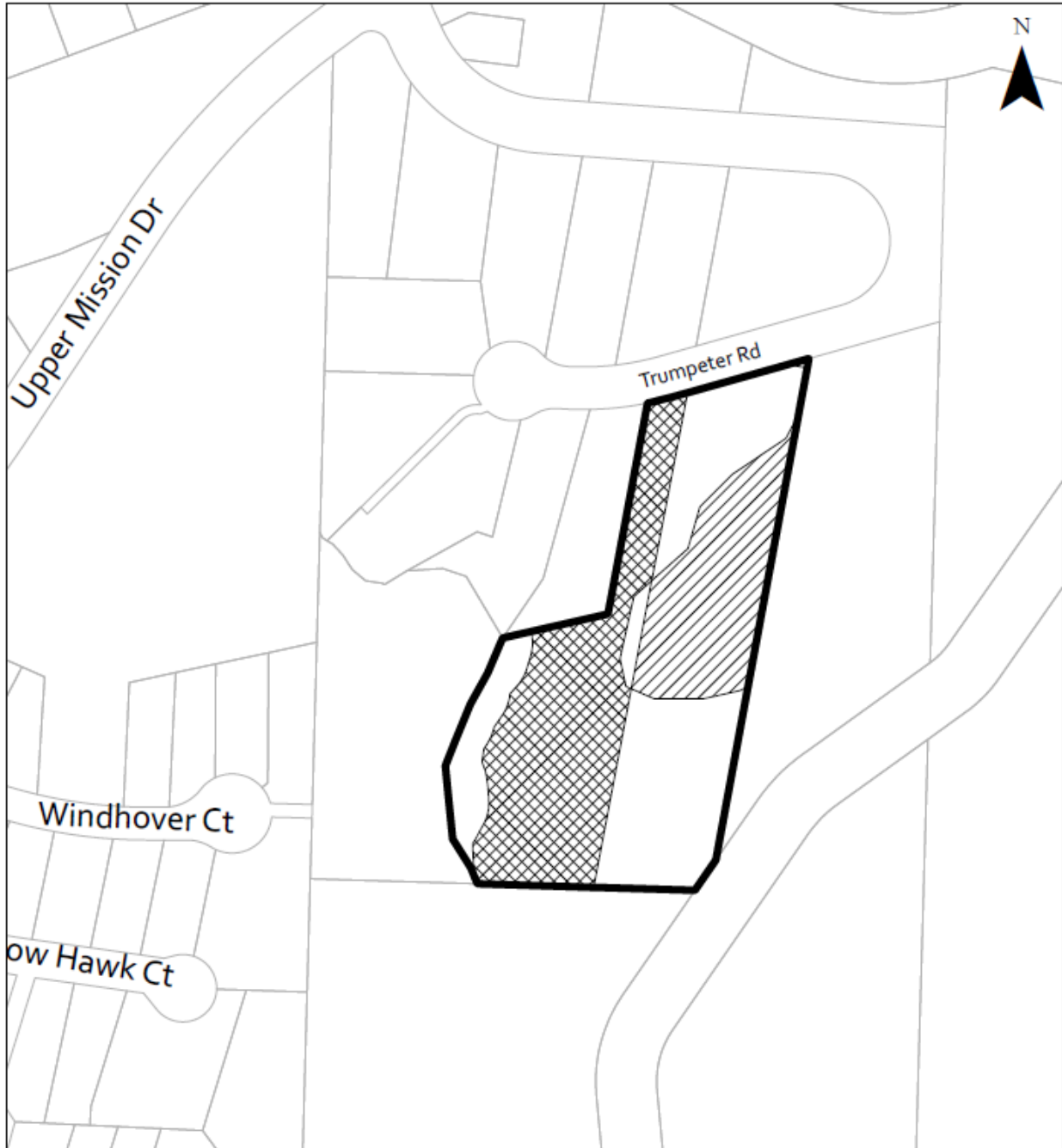
-  Subject Property
-  From NAT - Natural Areas to S-RES - Suburban Residential

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

City of Kelowna




0 2.5 5 10 15 20 25 Metres Rev. Friday, October 13, 2023



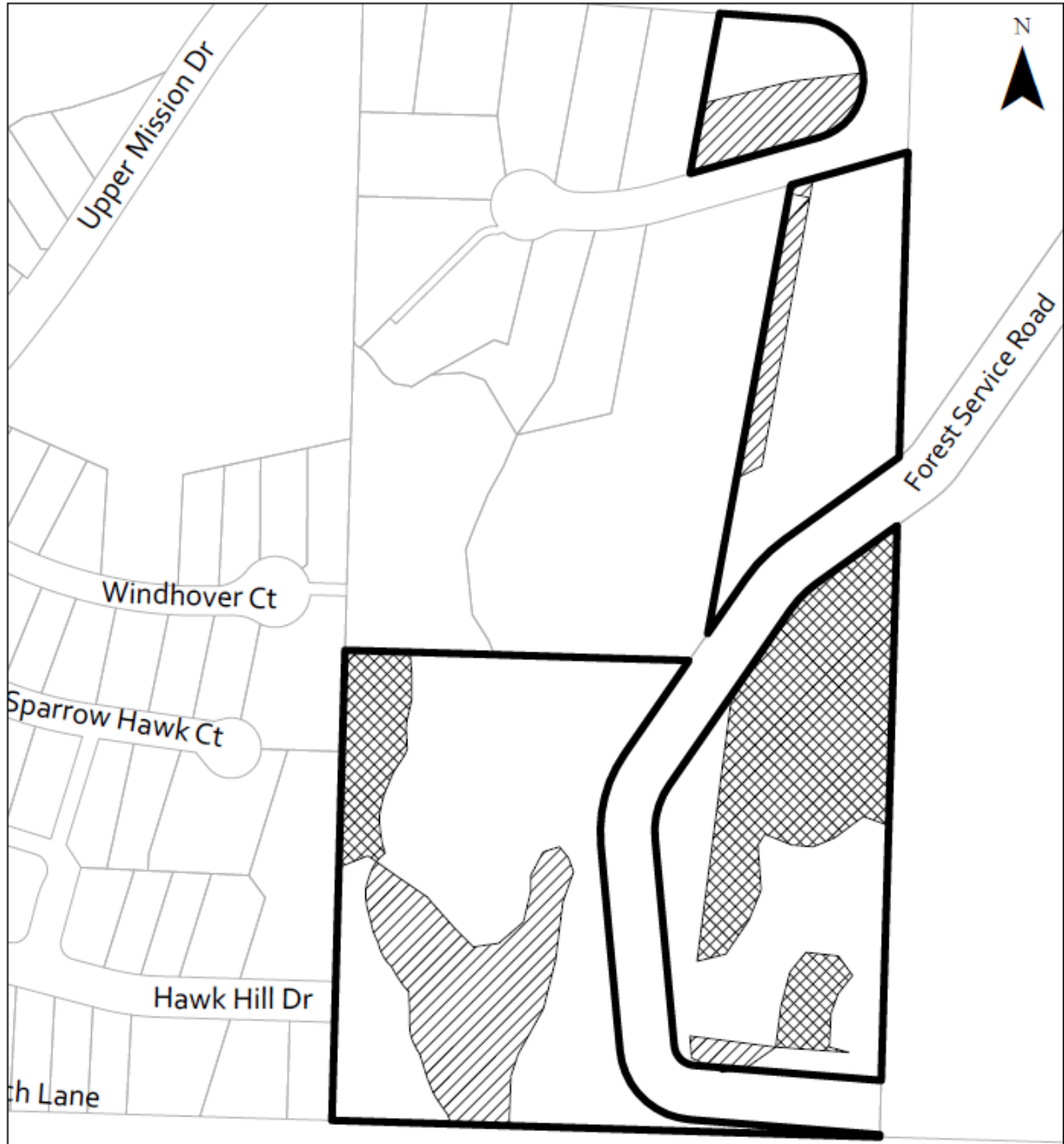


**MAP 'Y' 602 Trumpeter Rd.**




**File: OCP23-0009**

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

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



**MAP 'Z' 600 Trumpeter Rd.**  
**File: OCP23-0009**

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





City of  
**Kelowna**

# OCP 23-0009 Multiple Addresses

OCP Mapping Amendments

# Purpose

- ▶ To amend the Official Community Plan Map 3.1 by changing the future land use classification of 29 parcels as described in Schedule 'A'

# New Zoning Bylaw History

Jan 2022

2040 OCP



Sept 2022

Zoning Bylaw 12375



May 2023

Zoning Bylaw Transition Plan Amendments



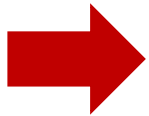
Oct – Dec 2023

Zoning Bylaw Minor Amendments



April 2024

OCP Minor Map Amendments to fix errors



# OCP Categories

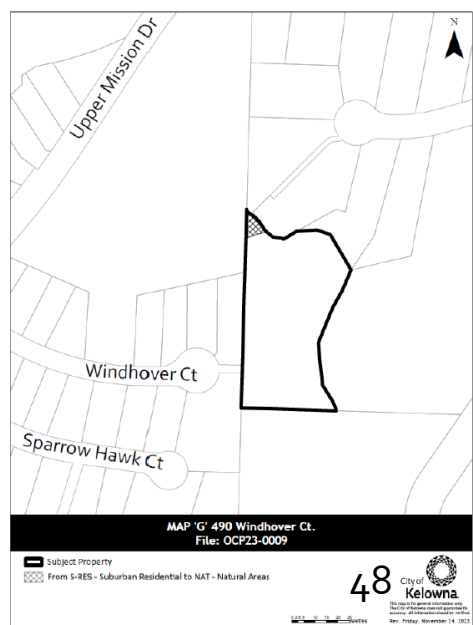
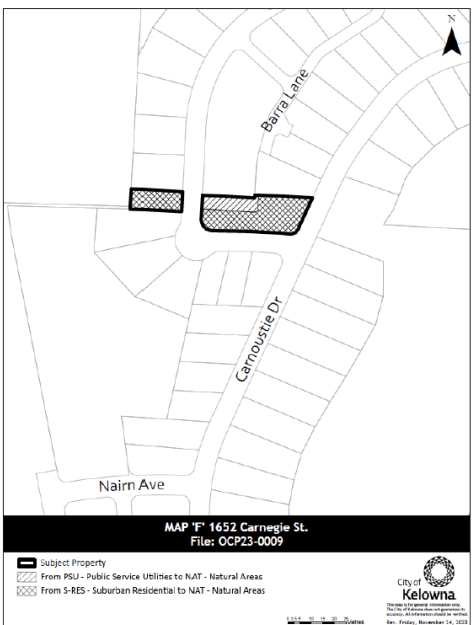
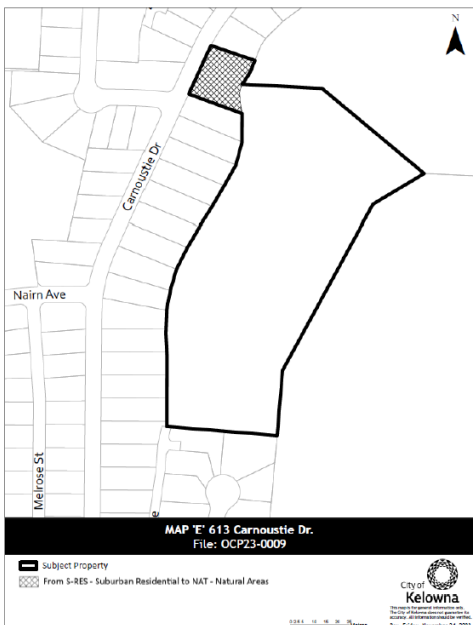
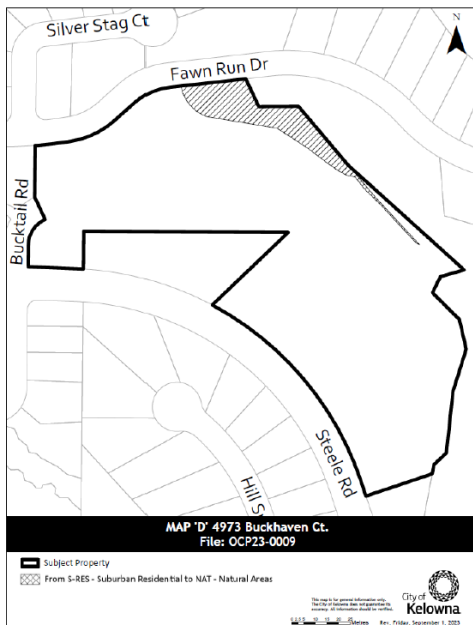
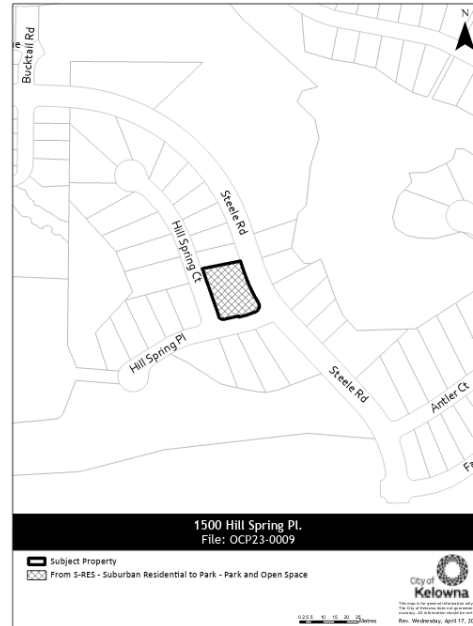
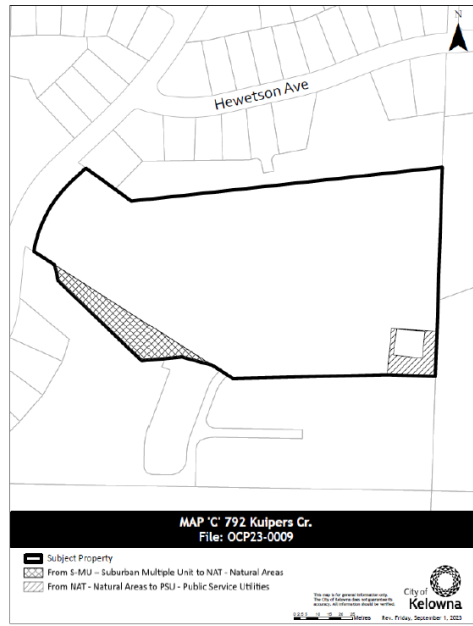
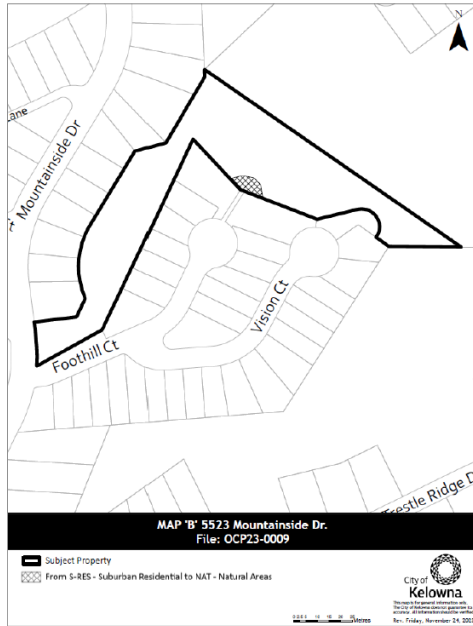
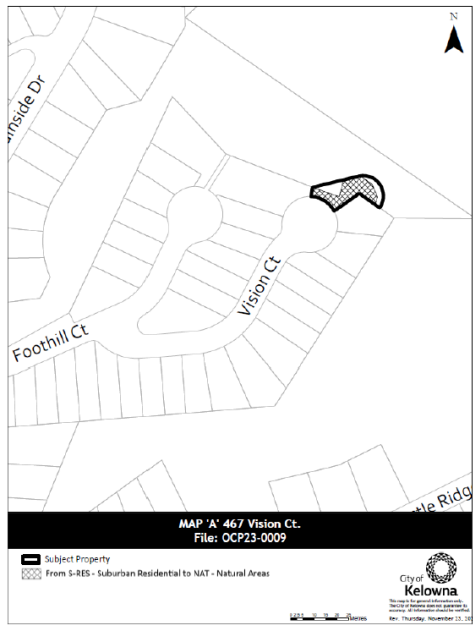
**Table 3.1**

<u>Number</u>	<u>OCP Mapping Error Categories</u>	<u>Number of Lots Affected</u>
1.	Park lots that should have the correct OCP Future Land Use category	8
2.	OCP Map errors in general	21
	Total	29

# Correcting OCP Future Land Use of Park Lots

- 1) 467 Vision Ct.
- 2) 5523 Mountainside Dr.
- 3) 792 Kuipers Cr.
- 4) 1500 Hill Spring Pl.
- 5) 4973 Buckhaven Ct.
- 6) 613 Carnoustie Dr.
- 7) 1652 Carnegies St.
- 8) 490 Windhover Ct.

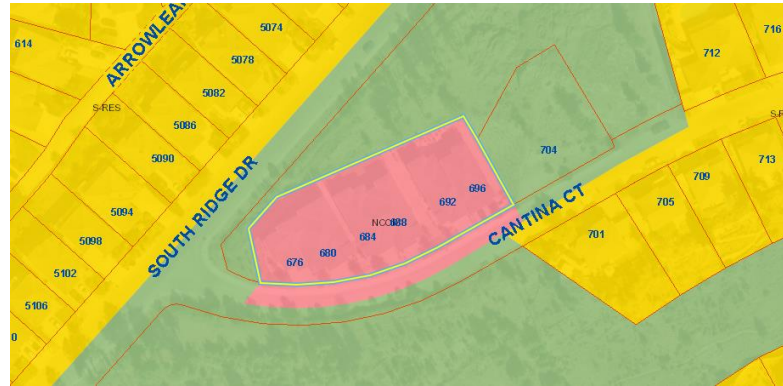
# Correcting FLU of Park Lots



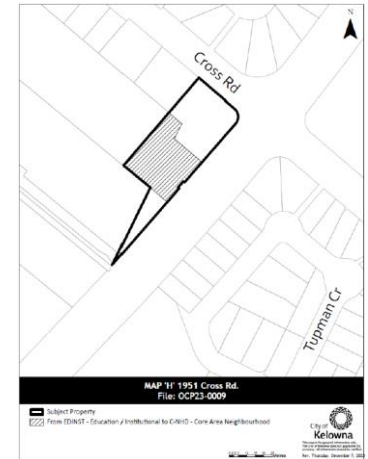


# OCP map errors in general

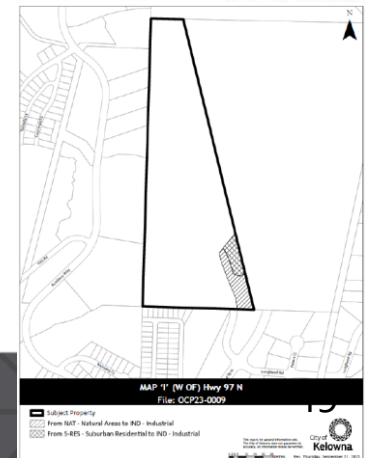
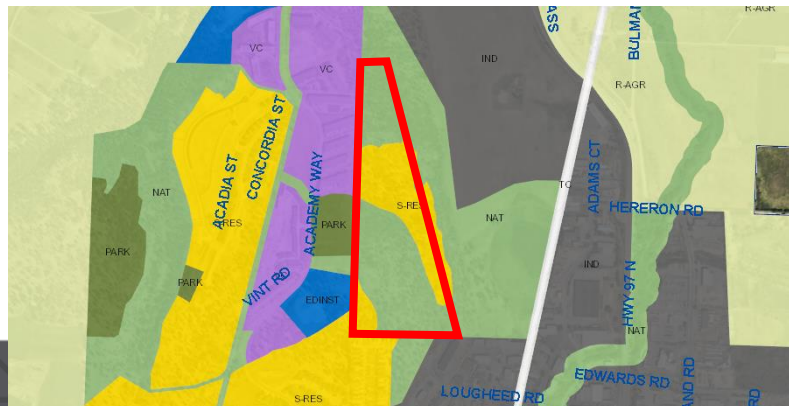
9) 676-696  
Cantina Ct.



10) 1951 Cross  
Rd.

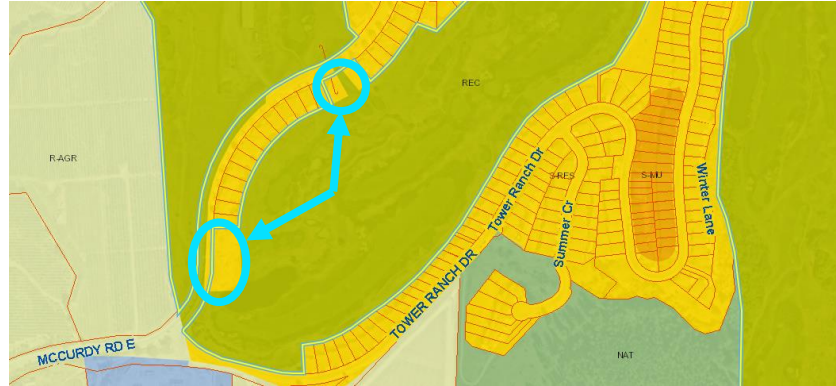


11) (W OF)  
Highway 97  
N

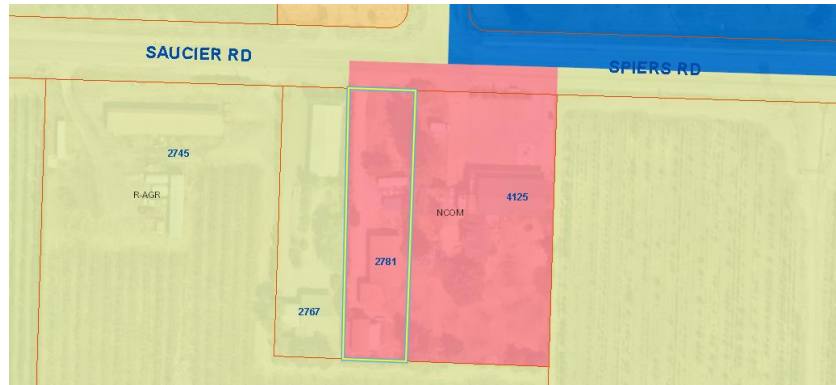


# OCP map errors in general

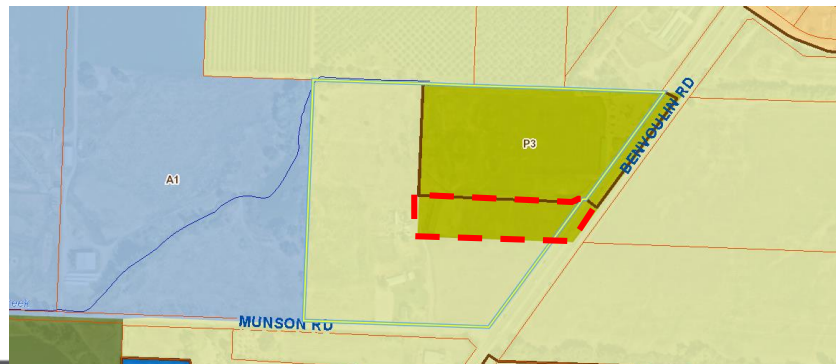
12) 1638 Tower Ranch Blvd.



13) 2781 Saucier Rd.



14) 1950 Munson Rd.

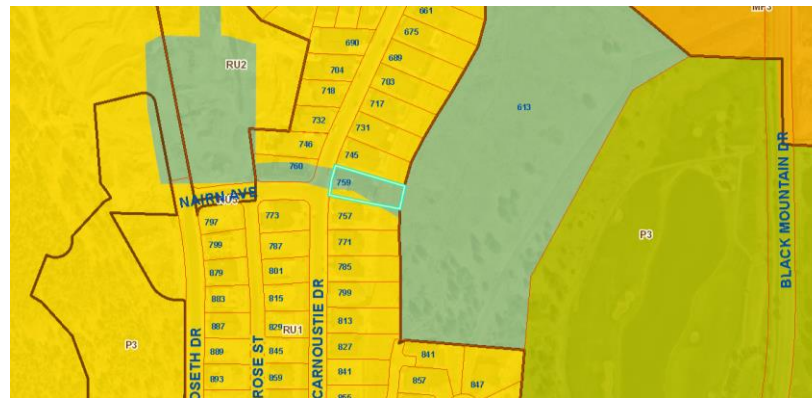


# OCP map errors in general

15) 757  
Carnoustie  
Dr.



16) 759  
Carnoustie  
Dr.

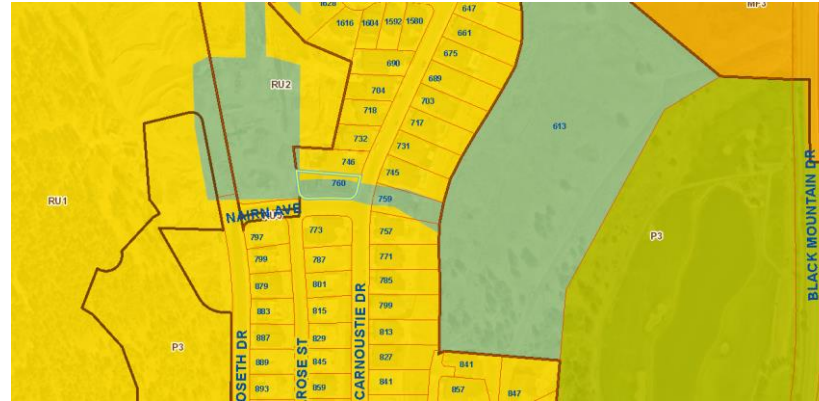


17) 745  
Carnoustie  
Dr.



# OCP map errors in general

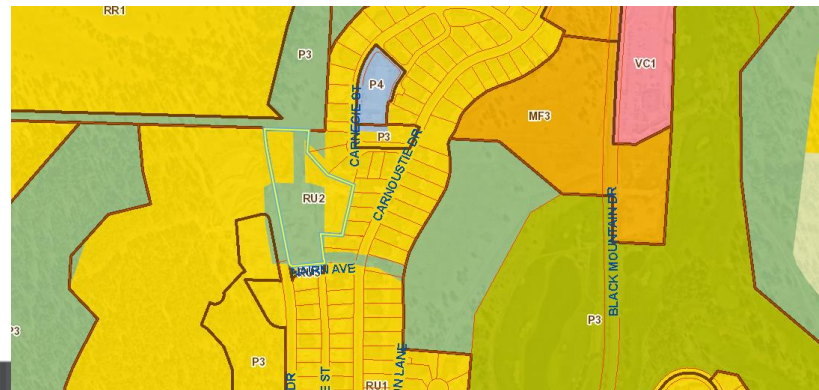
18) 760  
Carnoustie  
Dr.



19) 746  
Carnoustie  
Dr.

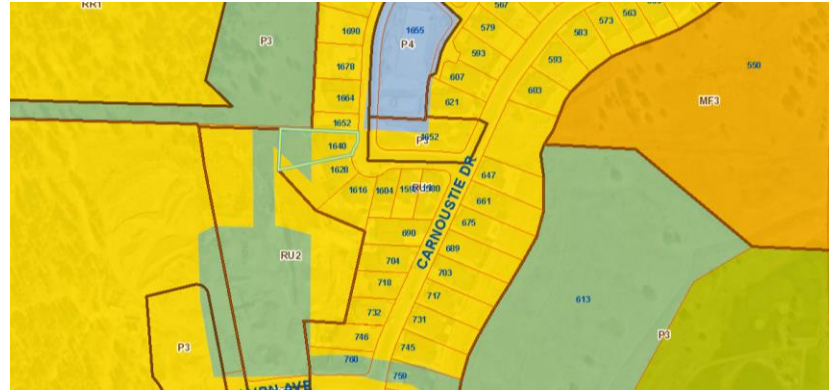


20) (W OF)  
Carnoustie  
Dr.

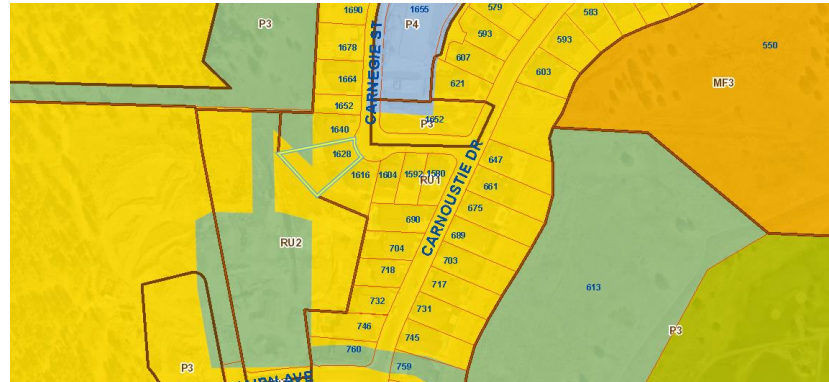


# OCP map errors in general

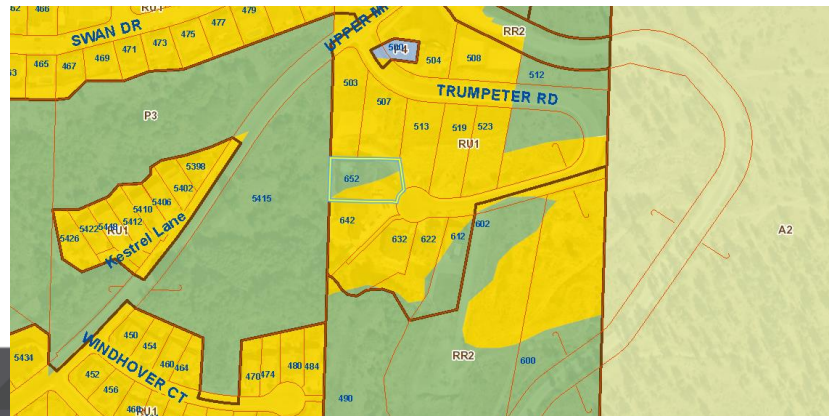
21) 1640  
Carnegie St.



22) 1628  
Carnegie St.

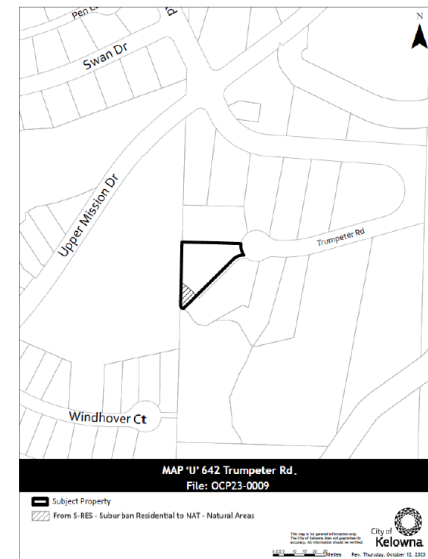
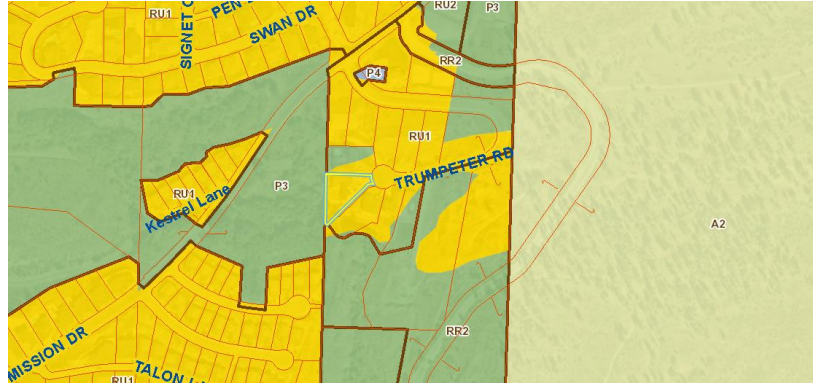


23) 652  
Trumpeter Rd.

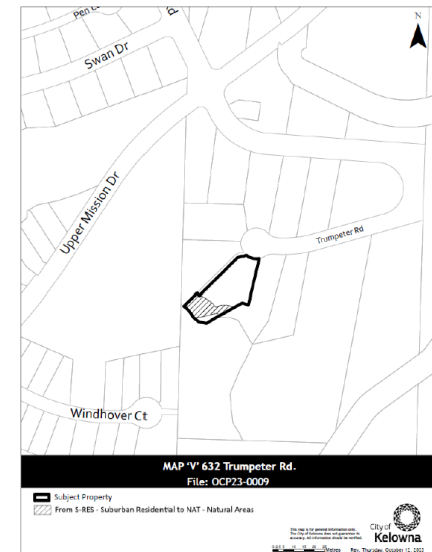
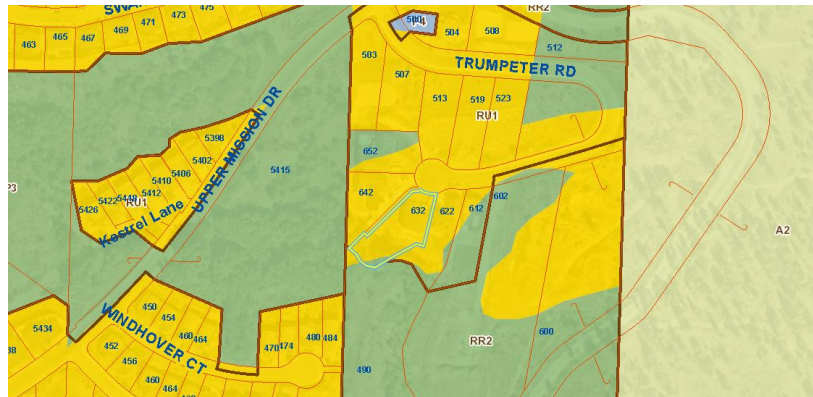


# OCP map errors in general

24) 642  
Trumpeter  
Rd.

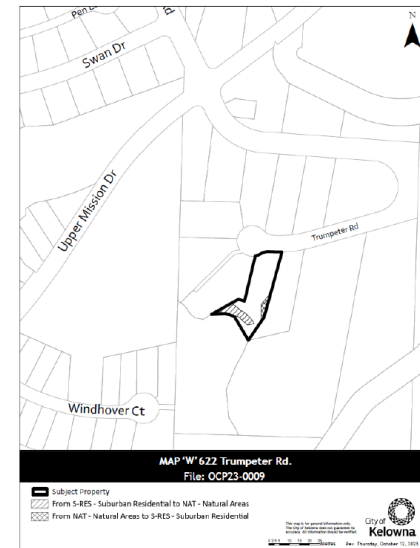
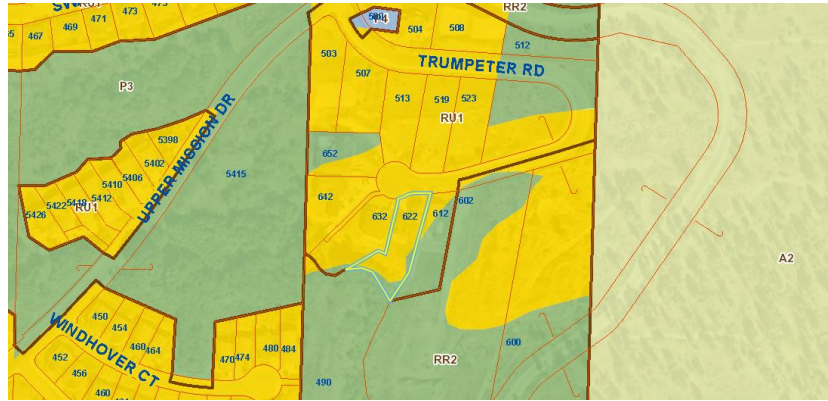


25) 632  
Trumpeter  
Rd.

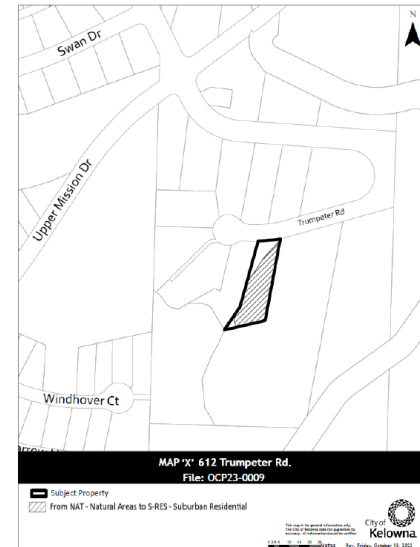
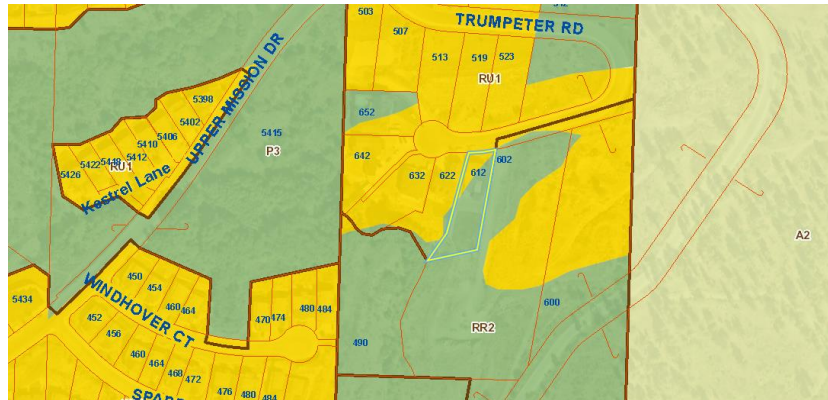


# OCP map errors in general

26) 622  
Trumpeter Rd.

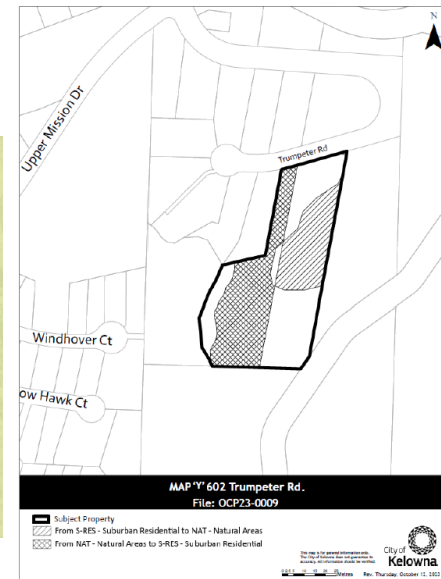
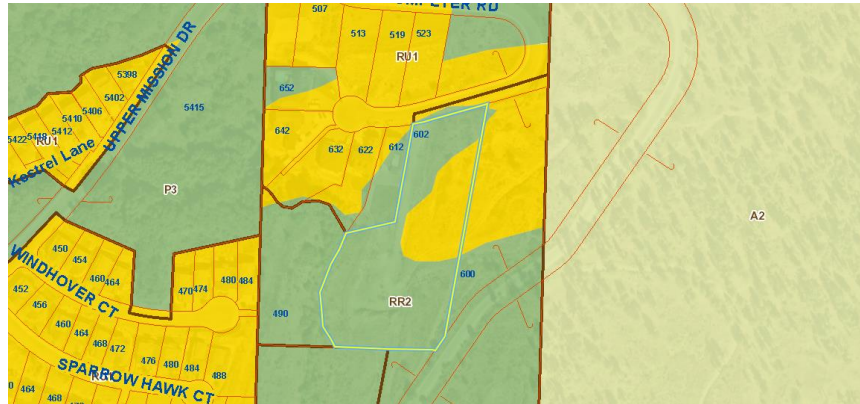


27) 612  
Trumpeter Rd.

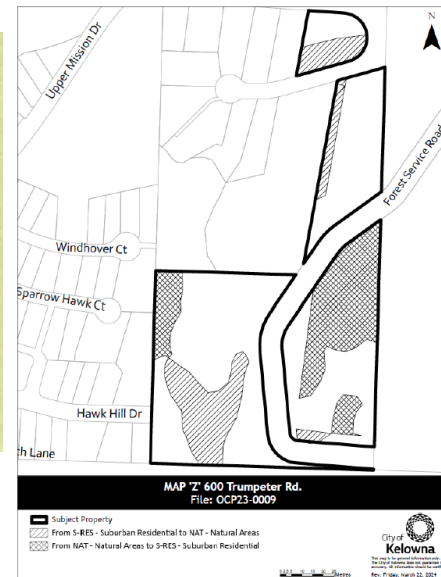
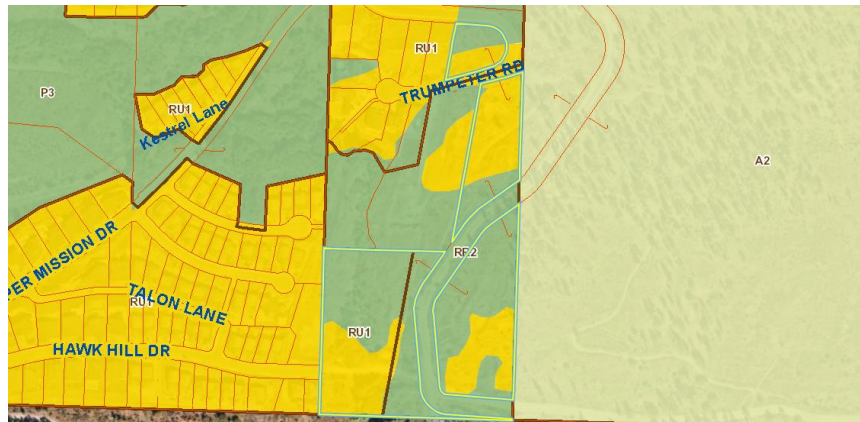


# OCP map errors in general

28) 602  
Trumpeter Rd.



29) 600  
Trumpeter Rd.





# Staff Recommendation

- ▶ Staff recommend **support** for the proposed OCP Amendments and recommend the bylaw be forwarded to public hearing
  - ▶ These OCP Amendments are more minor in nature resulting from:
    - ▶ Park lots that should have a Park designation;
    - ▶ OCP map errors in general.

# CITY OF KELOWNA

## BYLAW NO. 12595

### Official Community Plan Amendment No. OCP23-0009 Multiple Addresses

---

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) A portion of Lot 34 Section 23 Township 28 SDYD Plan EPP117728, located on Vision Court, Kelowna, BC from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as shown on Map "A" attached to and forming part of this bylaw;
  - b) A portion of Lot B Section 23 Township 28 SDYD Plan EPP91489, located on Mountainside Drive, Kelowna, BC from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as shown on Map "B" attached to and forming part of this bylaw;
  - c) Portions of Lot A District Lot 1688S SDYD Plan EPP121844 (See Plan as to Limited Access), located on Kuipers Crescent, Kelowna, BC from the S-MU – Suburban Multiple Unit designation to the NAT – Natural Areas designation and from the NAT – Natural Areas designation to the PSU – Public Service Utilities designation as shown on Map "C" attached to and forming part of this bylaw;
  - d) Lot 30 Sections 20 and 29 Township 29 SDYD Plan EPP126576, located on Hill Spring Place, Kelowna, BC from the S-RES – Suburban Residential designation to the PARK – Park and Open Space designation;
  - e) A portion of Lot 1 Sections 20 and 29 Township 29 SDYD Plan EPP51781 Except Plan EPP55883, EPP60436, EPP78238, and EPP100536, located on Buckhaven Court, Kelowna, BC from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as shown on Map "D" attached to and forming part of this bylaw;
  - f) A portion of Lot A Section 19 Township 27 ODYD Plan EPP96165, located on Carnoustie Drive, Kelowna, BC from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as shown on Map "E" attached to and forming part of this bylaw;
  - g) Portions of Lot 24 Section 19 Township 27 ODYD Plan EPP75803, located on Carnegie Street, Kelowna, BC from the PSU – Public Service Utilities designation to the NAT – Natural Areas designation and from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as shown on Map "F" attached to and forming part of this bylaw;
  - h) A portion of Lot 7 Section 24 Township 28 SDYD Plan EPP88650, located on Windhover Court, Kelowna, BC from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as shown on Map "G" attached to and forming part of this bylaw;
  - i) Strata Lot 1, Strata Lot 2, Strata Lot 3, Strata Lot 4, Strata Lot 5, and Strata Lot 6 District Lot 1688S SDYD Strata Plan EPS6039 Together with an Interest in the Common Property in

- Proportion to the Unit Entitlement of the Strata Lot as shown on Form V, located on Cantina Court, Kelowna, BC from the NCOM – Neighbourhood Commercial designation to the S-MU – Suburban Multiple Unit designation;
- j) A portion of Lot 1 Section 4 Township 23 ODYD Plan EPP120282, located on Cross Road, Kelowna, BC from the EDINST – Education / Institutional designation to the C-NHD – Core Area Neighbourhood designation as shown on Map “H” attached to and forming part of this bylaw;
  - k) Portions of Lot 1 Section 2 Township 23 ODYD Plan EPP76079, located on Hwy 97 N, Kelowna, BC from the from the NAT – Natural Areas designation to the IND – Industrial designation and from the S-RES - Suburban Residential designation to the IND – Industrial designation as shown on Map “I” attached to and forming part of this bylaw;
  - l) Portions of Lot 1 Section 31 Township 27 ODYD Plan KAP80993, located on Tower Ranch Boulevard, Kelowna, BC from the S-RES – Suburban Residential designation to the REC – Private Recreational designation as shown on Map “J” attached to and forming part of this bylaw;
  - m) Lot 2 Section 4 Township 26 ODYD Plan 17319, located on Saucier Road, Kelowna, BC from the NCOM – Neighbourhood Commercial designation to the R-AGR – Rural - Agricultural & Resource designation;
  - n) A portion of Lot 14 District Lot 130 ODYD Plan 415 Except Plan KAP64154, located on Munson Road, Kelowna, BC from the REC – Private Recreational designation to the R-AGR – Rural - Agricultural & Resource designation as shown on Map “K” attached to and forming part of this bylaw;
  - o) A portion of Lot 1 Section 19 Township 27 ODYD Plan EPP96160, located on Carnoustie Drive, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “L” attached to and forming part of this bylaw;
  - p) A portion of Lot 9 Section 19 Township 27 ODYD Plan EPP75803, located on Carnoustie Drive, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “M” attached to and forming part of this bylaw;
  - q) A portion of Lot 8 Section 19 Township 27 ODYD Plan EPP75803, located on Carnoustie Drive, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “N” attached to and forming part of this bylaw;
  - r) A portion of Lot 10 Section 24 Township 26 and Section 19 Township 27 ODYD Plan EPP75803, located on Carnoustie Drive, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “O” attached to and forming part of this bylaw;
  - s) A portion of Lot 11 Section 24 Township 26 and Section 19 Township 27 ODYD Plan EPP75803, located on Carnoustie Drive, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “P” attached to and forming part of this bylaw;
  - t) A portion of Lot 23 Section 24 Township 26 and Section 19 Township 27 ODYD Plan EPP75803 Except Part in Plan EPP116512, located on Carnoustie Drive, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “Q” attached to and forming part of this bylaw;
  - u) A portion of Lot 21 Section 24 Township 26 and Section 19 Township 27 ODYD Plan EPP75803, located on Carnegie Street, Kelowna, BC from the NAT – Natural Areas

designation to the S-RES – Suburban Residential designation as shown on Map “R” attached to and forming part of this bylaw;

- v) A portion of Lot 20 Section 24 Township 26 and Section 19 Township 27 ODYD Plan EPP75803, located on Carnegie Street, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “S” attached to and forming part of this bylaw;
  - w) A portion of Lot 1 Section 24 Township 28 SDYD Plan EPP88650, located on Trumpeter Road, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “T” attached to and forming part of this bylaw;
  - x) A portion of Lot 2 Section 24 Township 28 SDYD Plan EPP88650, located on Trumpeter Road, Kelowna, BC from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as shown on Map “U” attached to and forming part of this bylaw;
  - y) A portion of Lot 3 Section 24 Township 28 SDYD Plan EPP88650, located on Trumpeter Road, Kelowna, BC from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation as shown on Map “V” attached to and forming part of this bylaw;
  - z) Portions of Lot 4 Section 24 Township 28 SDYD Plan EPP88650, located on Trumpeter Road, Kelowna, BC from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation and from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “W” attached to and forming part of this bylaw;
  - aa) A portion of Lot 5 Section 24 Township 28 SDYD Plan EPP88650, located on Trumpeter Road, Kelowna, BC from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “X” attached to and forming part of this bylaw;
  - bb) Portions of Lot 6 Section 24 Township 28 SDYD Plan EPP88650, located on Trumpeter Road, Kelowna, BC from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation and from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “Y” attached to and forming part of this bylaw;
  - cc) Portions of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523, KAP87908, KAP90635 and EPP88650, located on Trumpeter Road, Kelowna, BC from the S-RES – Suburban Residential designation to the NAT – Natural Areas designation and from the NAT – Natural Areas designation to the S-RES – Suburban Residential designation as shown on Map “Z” 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

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Mayor

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City Clerk



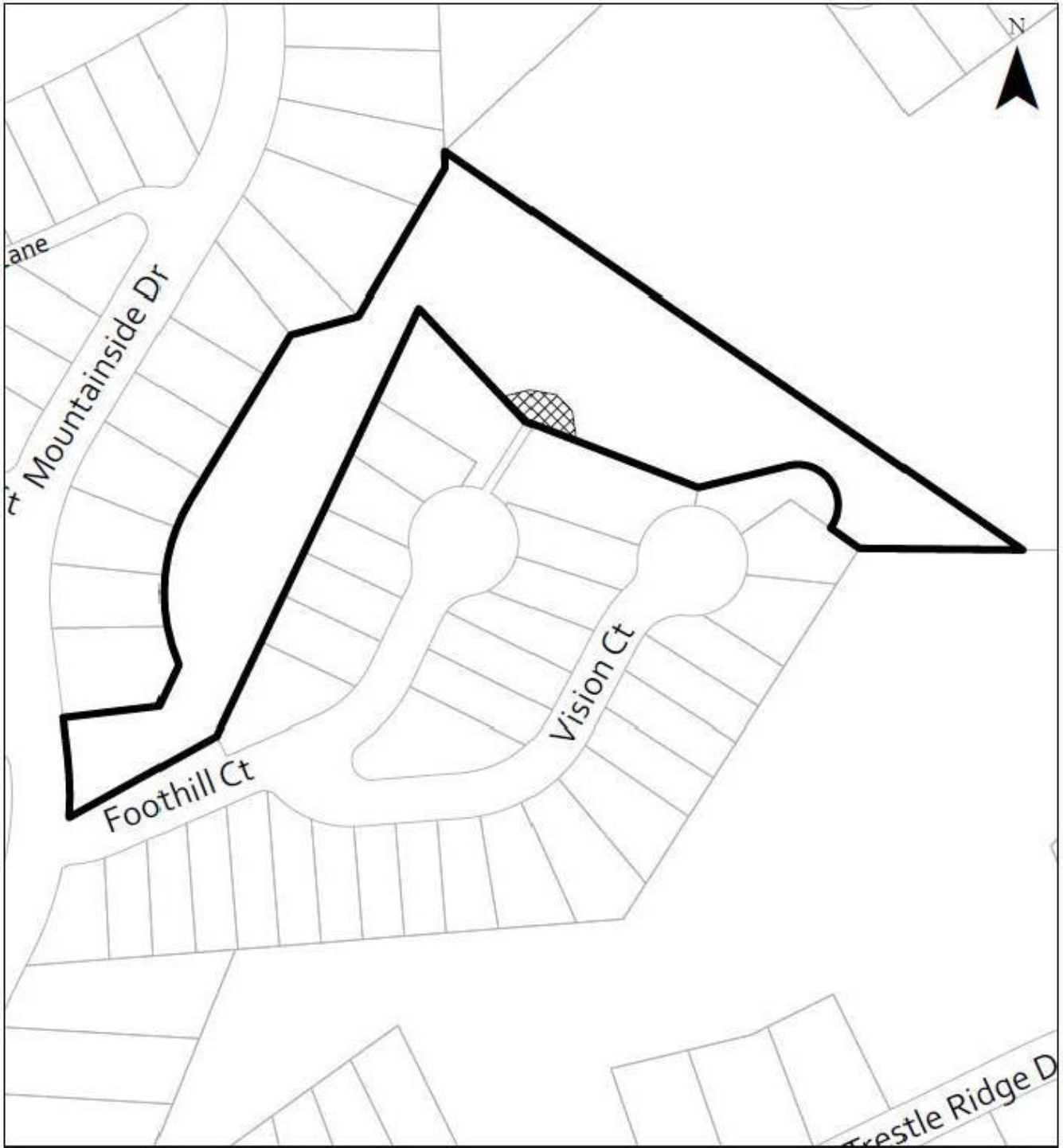
**MAP 'A' 467 Vision Ct.**  
**File: OCP23-0009**

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




This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.  
Rev. Thursday, November 23, 2023



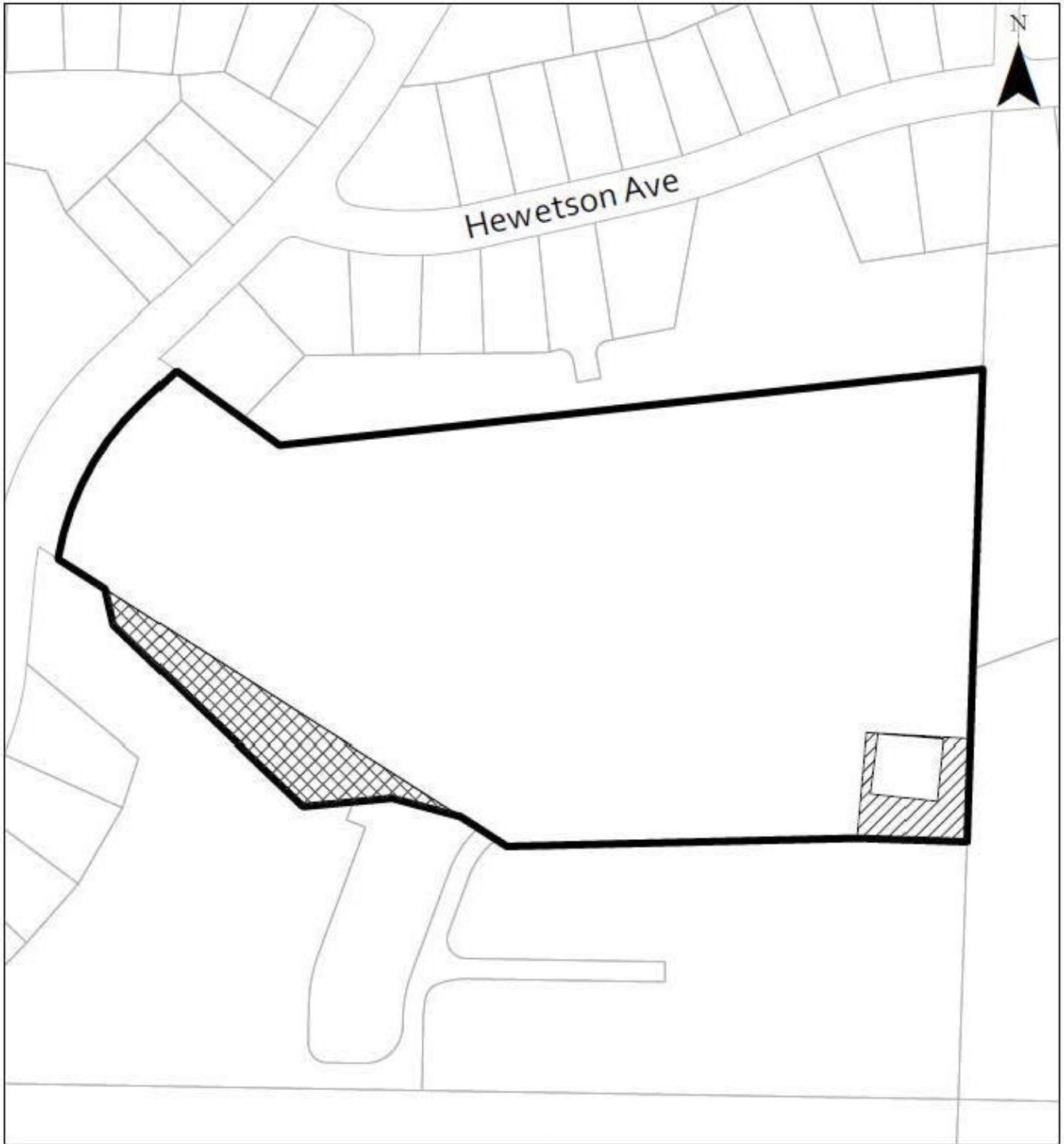


**MAP 'B' 5523 Mountainside Dr.**  
**File: OCP23-0009**




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

  
**City of Kelowna**  
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.  
Rev. Friday, November 24, 2023





**MAP 'C' 792 Kuipers Cr.**  
**File: OCP23-0009**

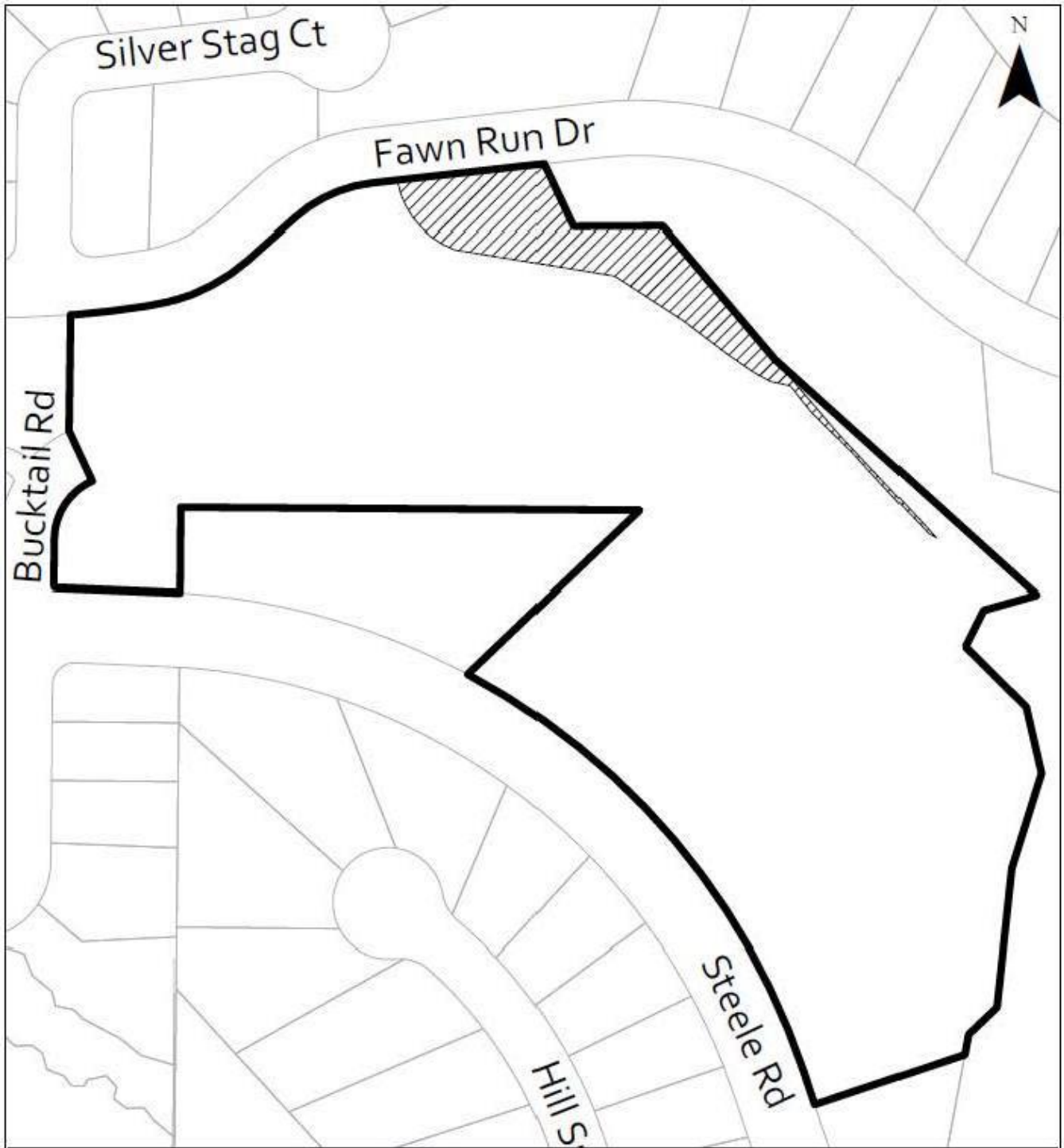
-  Subject Property
-  From S-MU – Suburban Multiple Unit to NAT - Natural Areas
-  From NAT - Natural Areas to PSU - Public Service Utilities

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



Rev. Friday, September 1, 2023





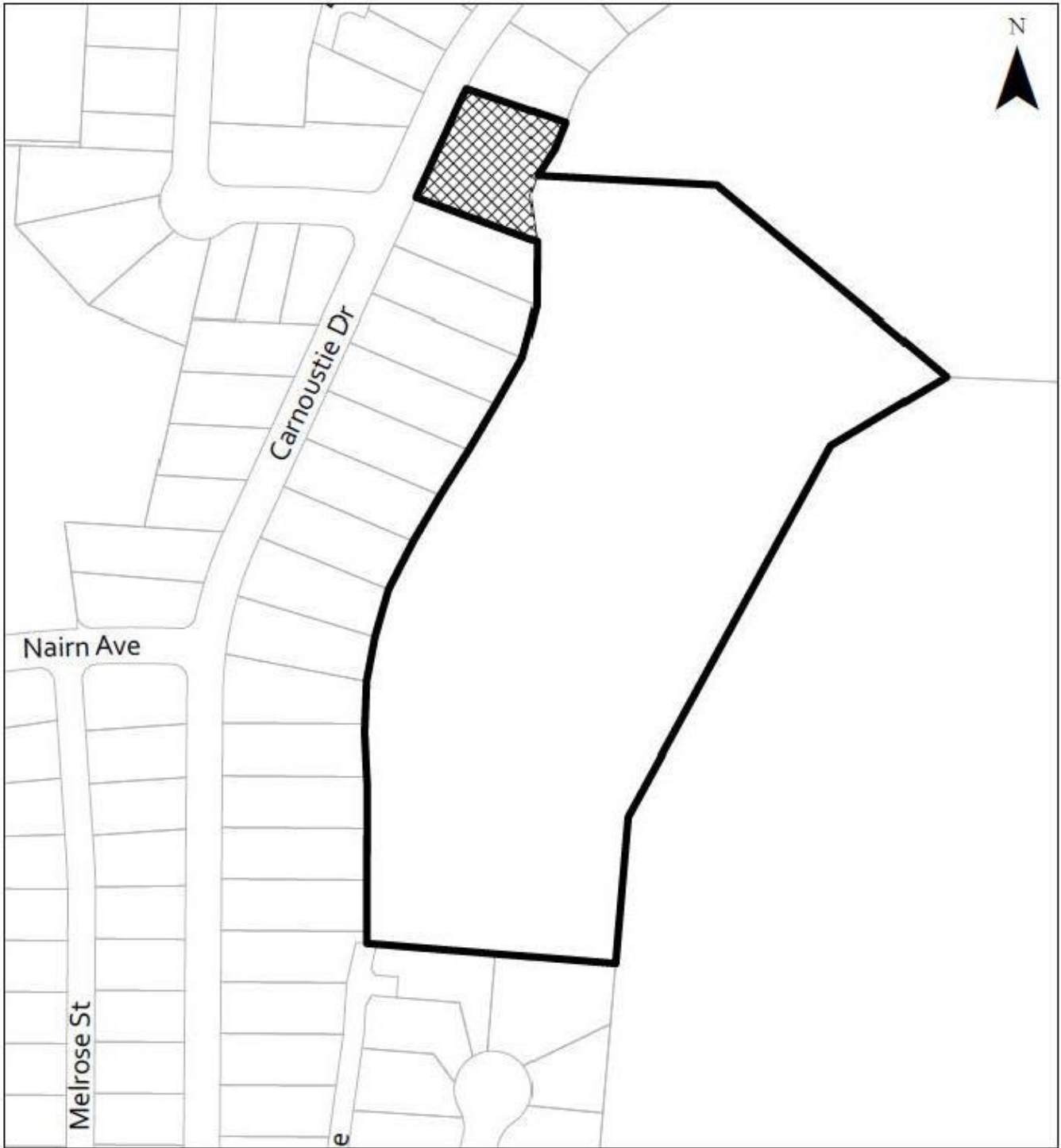
**MAP 'D' 4973 Buckhaven Ct.**  
**File: OCP23-0009**

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

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, September 1, 2023



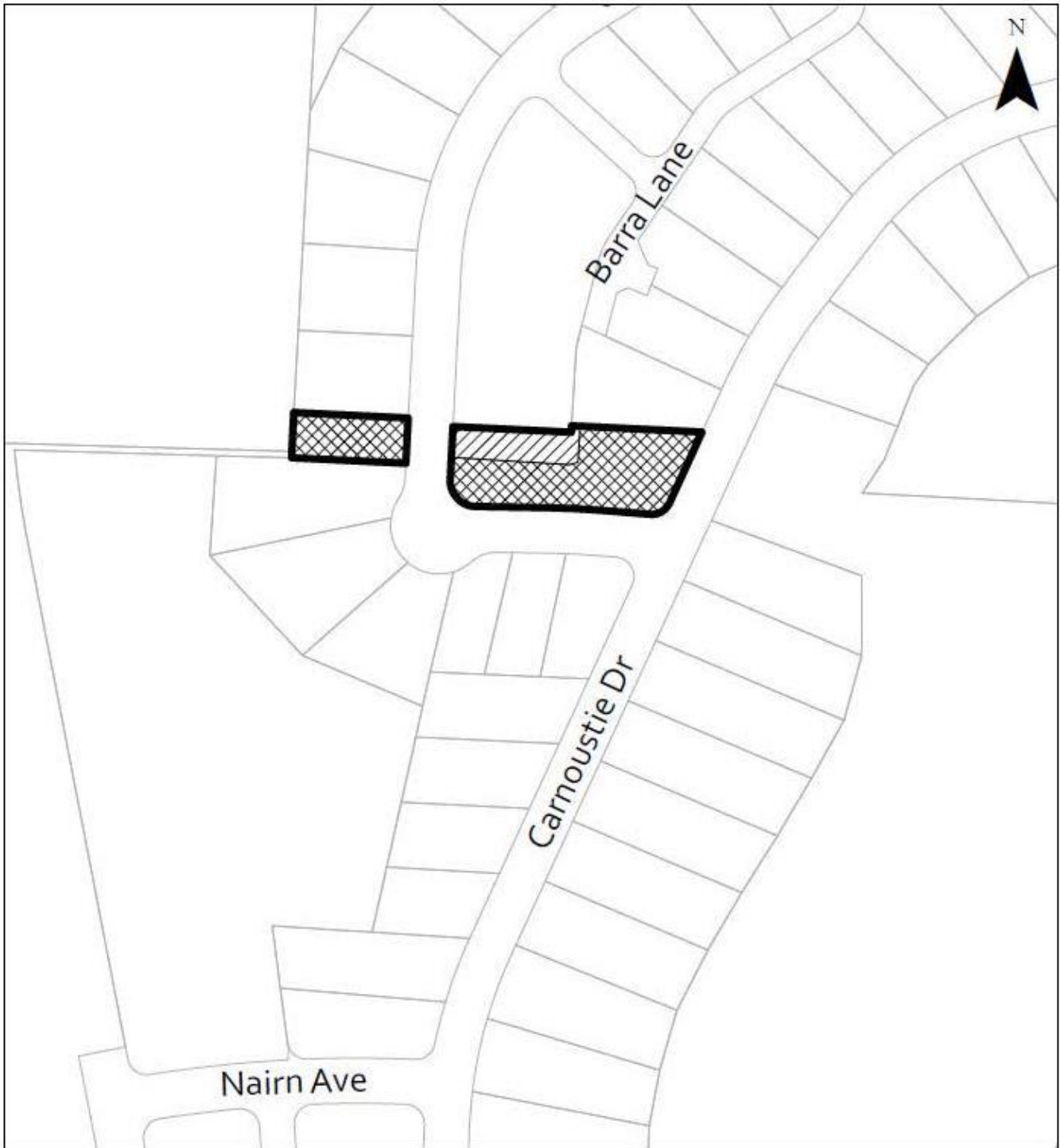
**MAP 'E' 613 Carnoustie Dr.**  
**File: OCP23-0009**

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



This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.  
 Rev. Friday, November 24, 2023





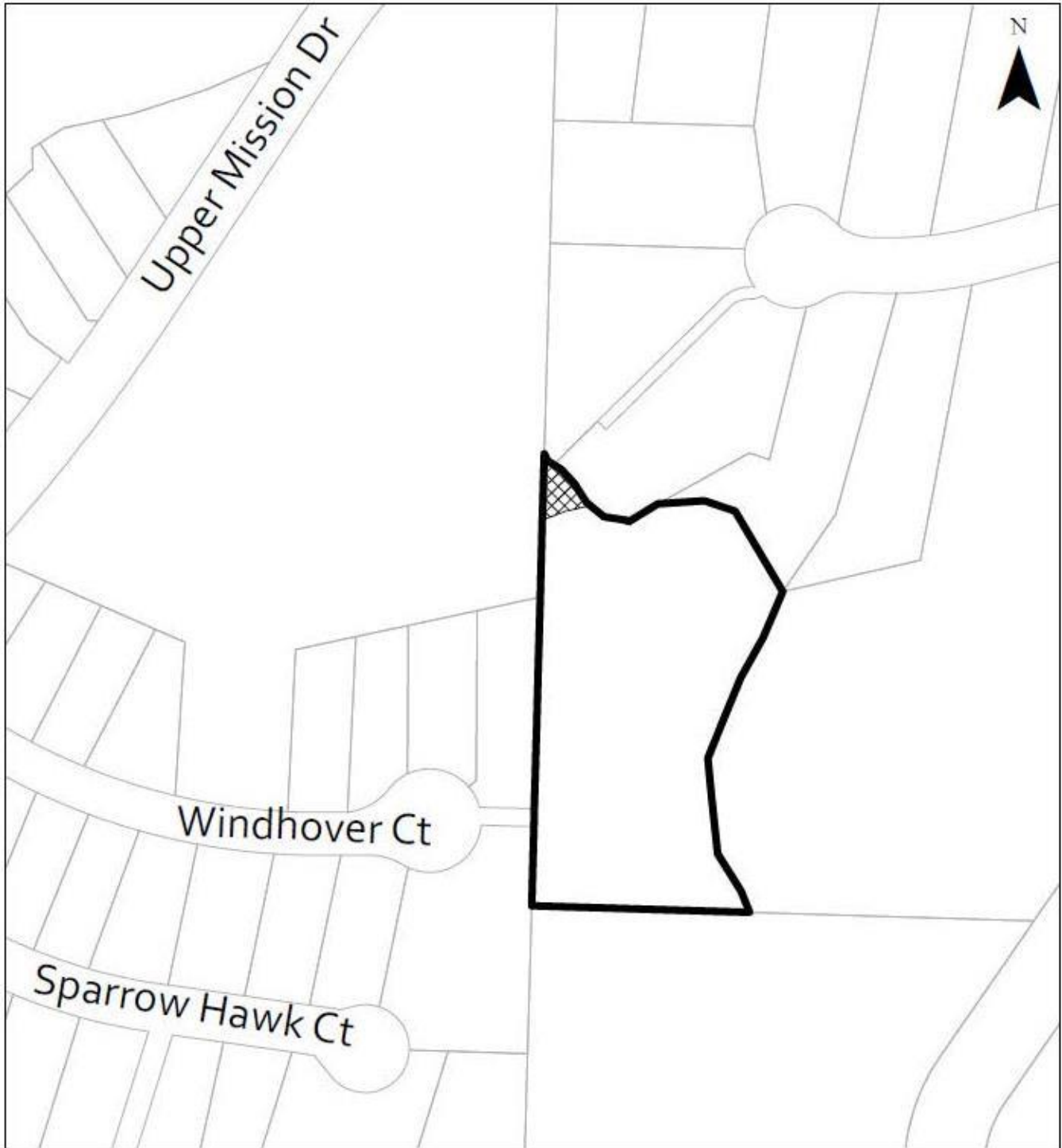
**MAP 'F' 1652 Carnegie St.**  
**File: OCP23-0009**

-  Subject Property
-  From PSU - Public Service Utilities to NAT - Natural Areas
-  From S-RES - Suburban Residential to NAT - Natural Areas



This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.  
 Rev. Friday, November 24, 2023





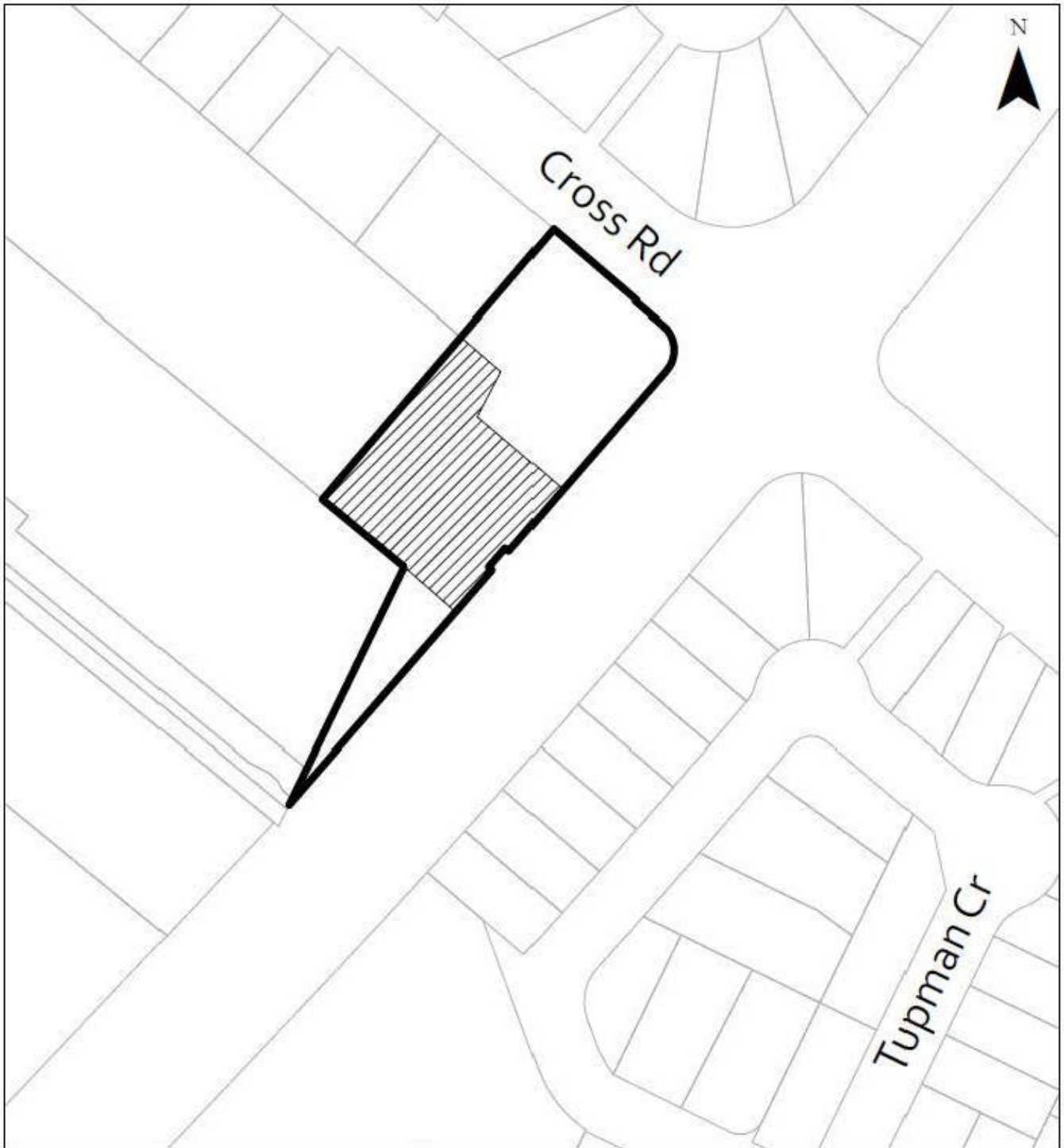
**MAP 'G' 490 Windhover Ct.**  
**File: OCP23-0009**

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





This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.  
 Rev. Friday, November 24, 2023





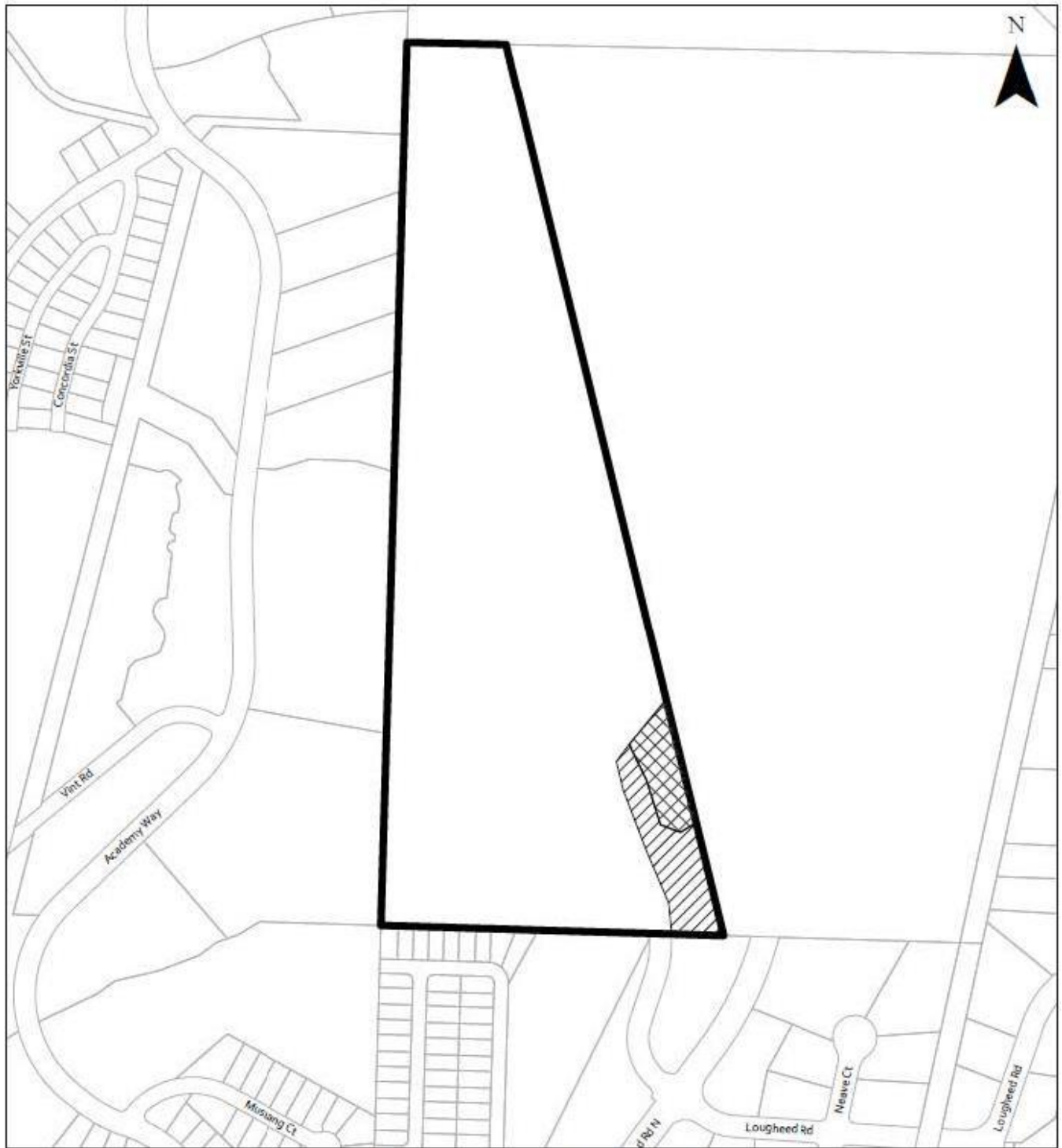
**MAP 'H' 1951 Cross Rd.**  
**File: OCP23-0009**

-  Subject Property
-  From EDINST - Education / Institutional to C-NHD - Core Area Neighbourhood






This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.  
 Rev. Thursday, December 7, 2023

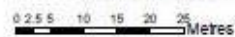




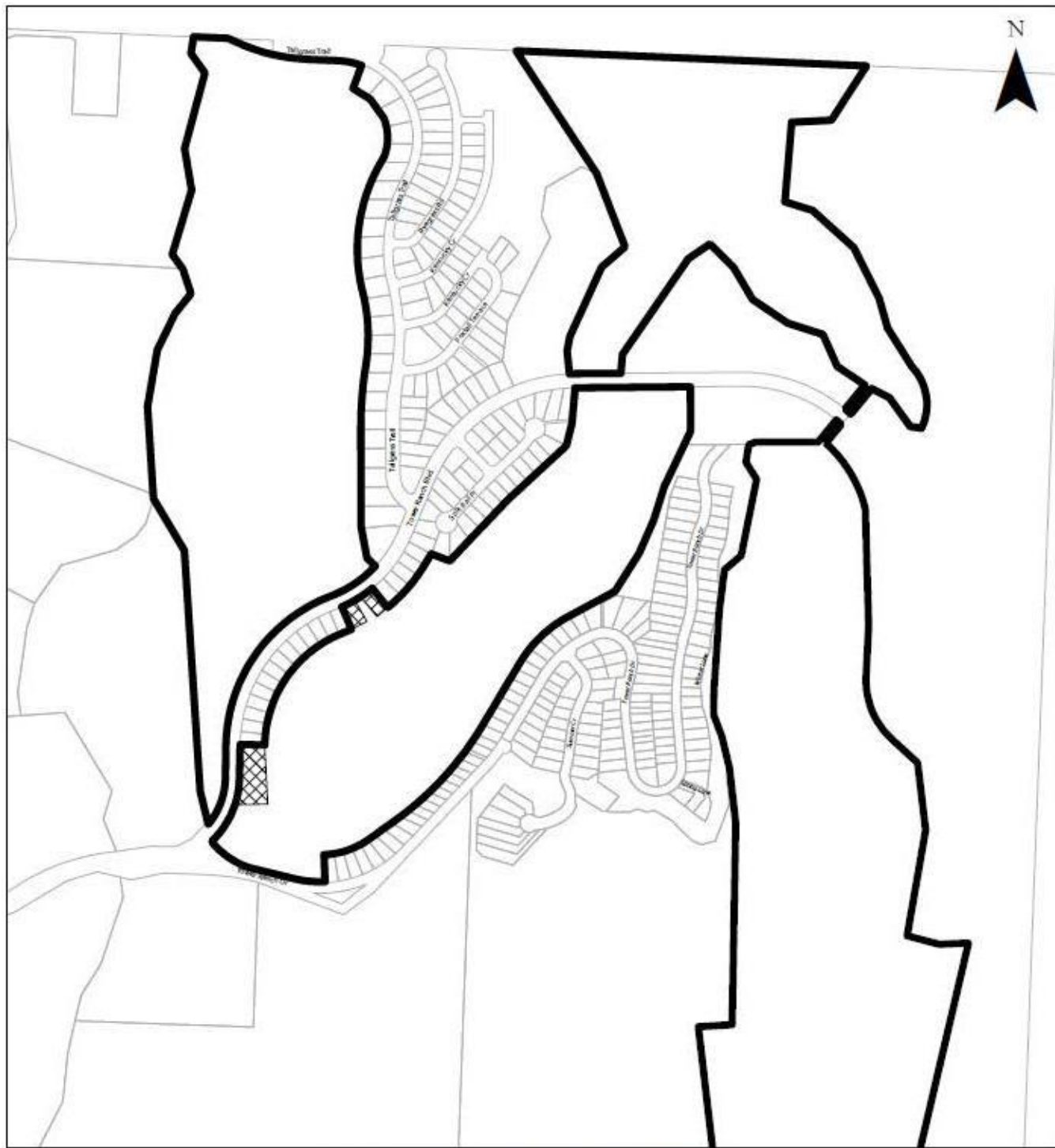
**MAP 'I' (W OF) Hwy 97 N**  
**File: OCP23-0009**

-  Subject Property
-  From NAT - Natural Areas to IND - Industrial
-  From S-RES - Suburban Residential to IND - Industrial



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



Rev. Thursday, September 21, 2023



**MAP 'J' 1638 Tower Ranch Blvd.**  
**File: OCP23-0009**

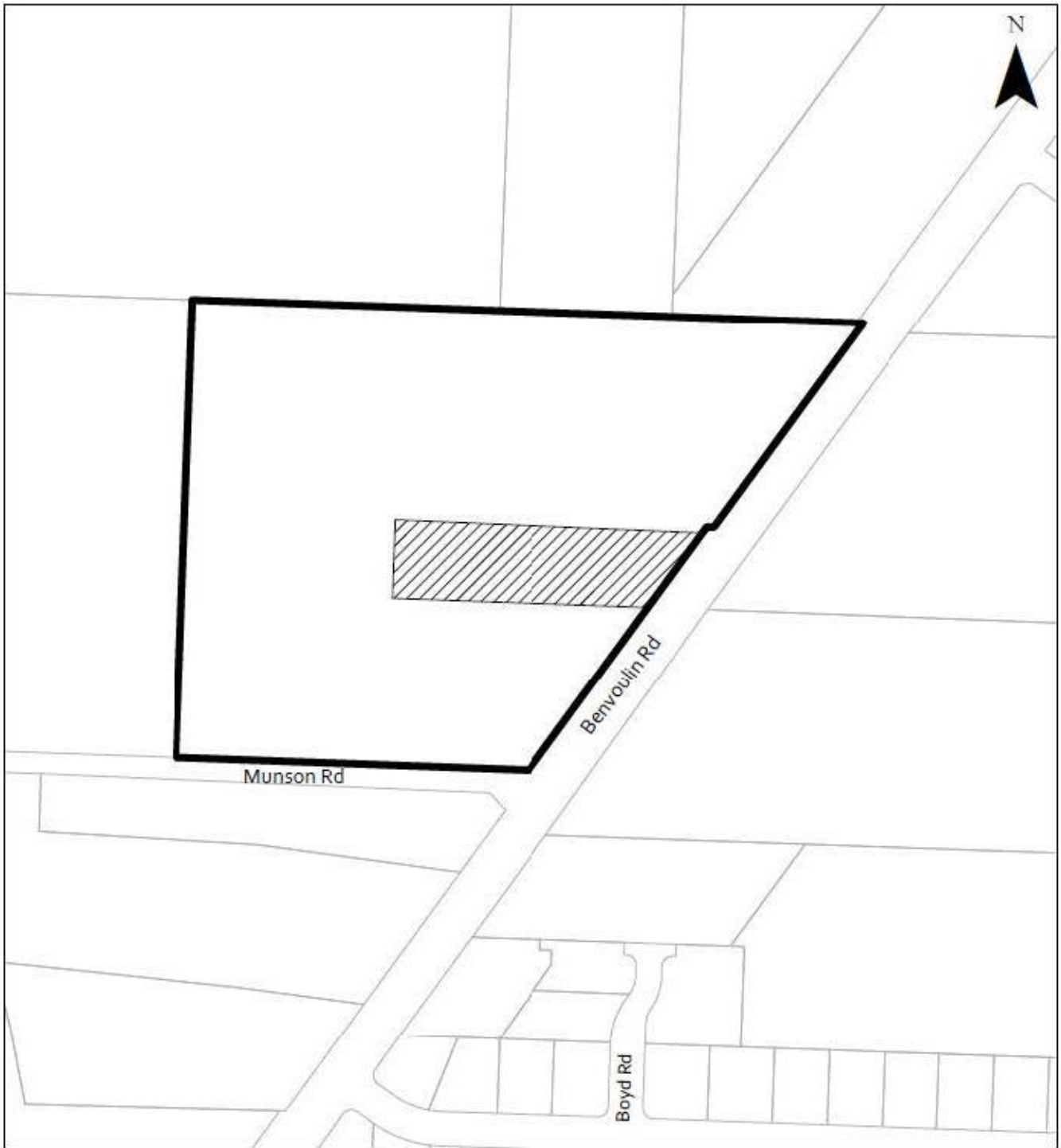
-  Subject Property
-  From S-RES - Suburban Residential to REC - Private Recreational



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





Rev. Thursday, December 7, 2023



**MAP 'K' 1950 Munson Rd.**

**File: OCP23-0009**

 Subject Property

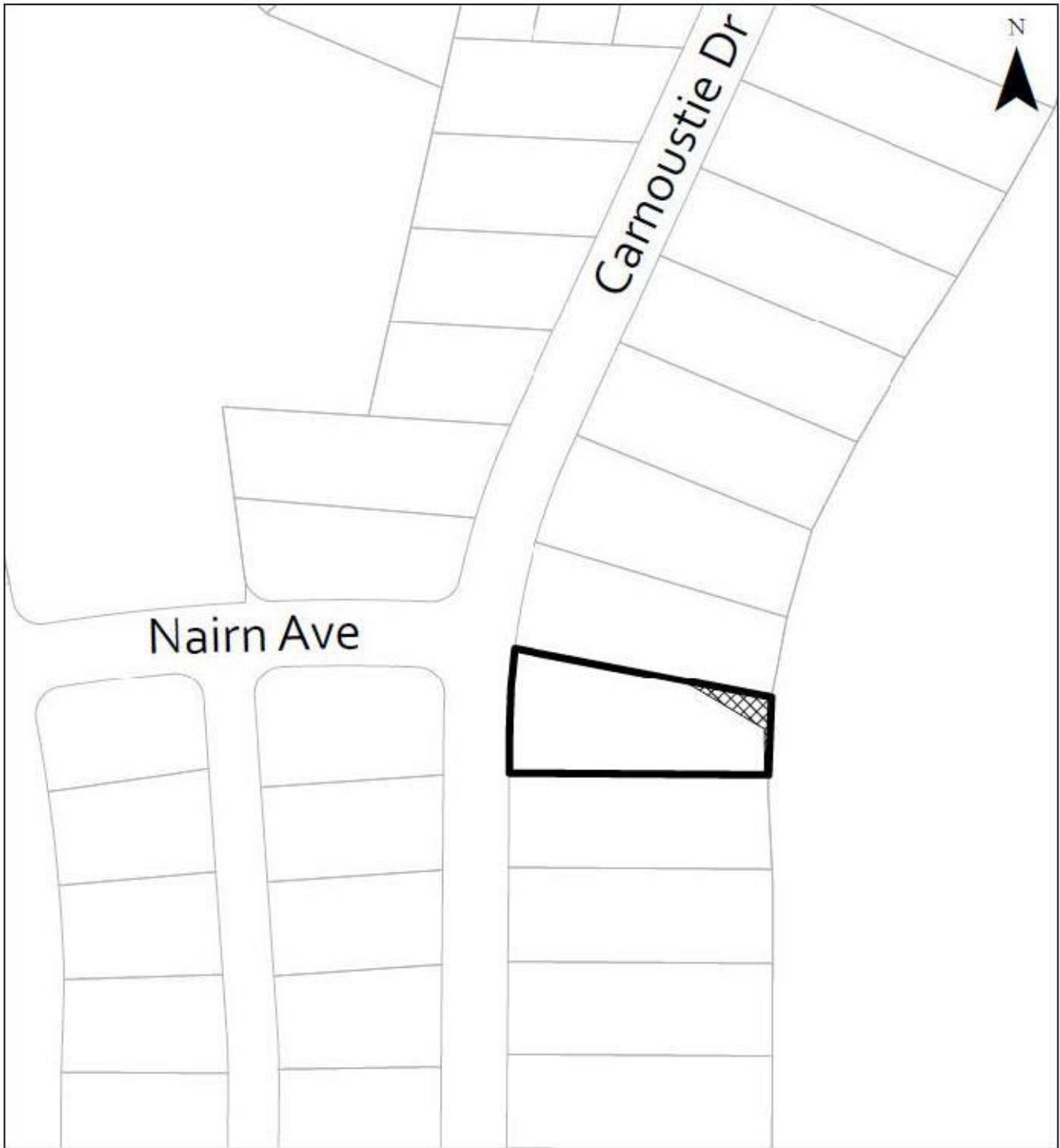
 From REC - Private Recreational to R-AGR - Rural - Agricultural & Resource

This map is for general information only.  
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accuracy. All information should be verified.



0 2.5 5 10 15 20 25 Metres Rev. Thursday, September 21, 2023





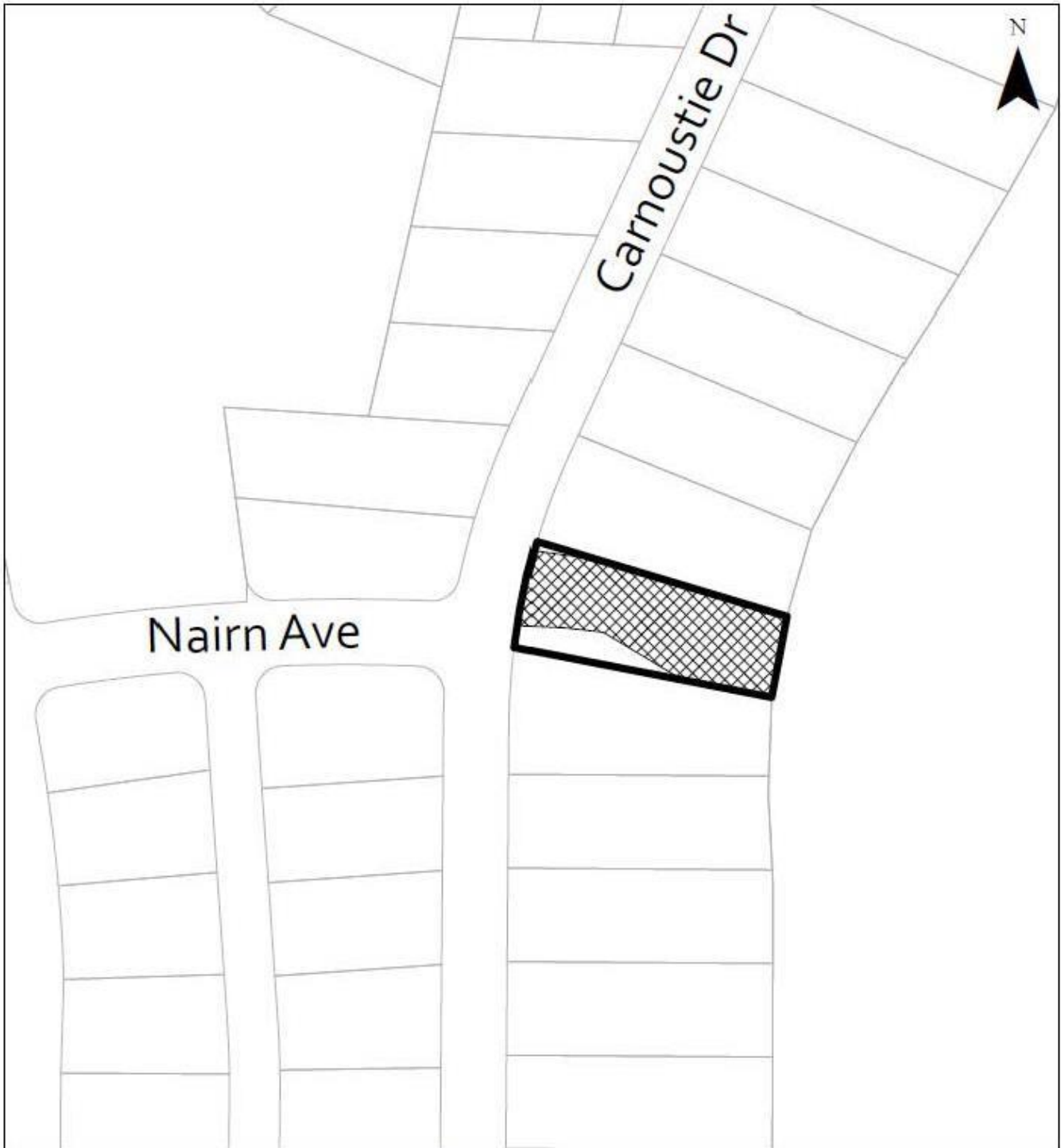
**MAP 'L' 757 Carnoustie Dr.**  
**File: OCP23-0009**

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





This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.  
 Rev. Friday, December 8, 2023





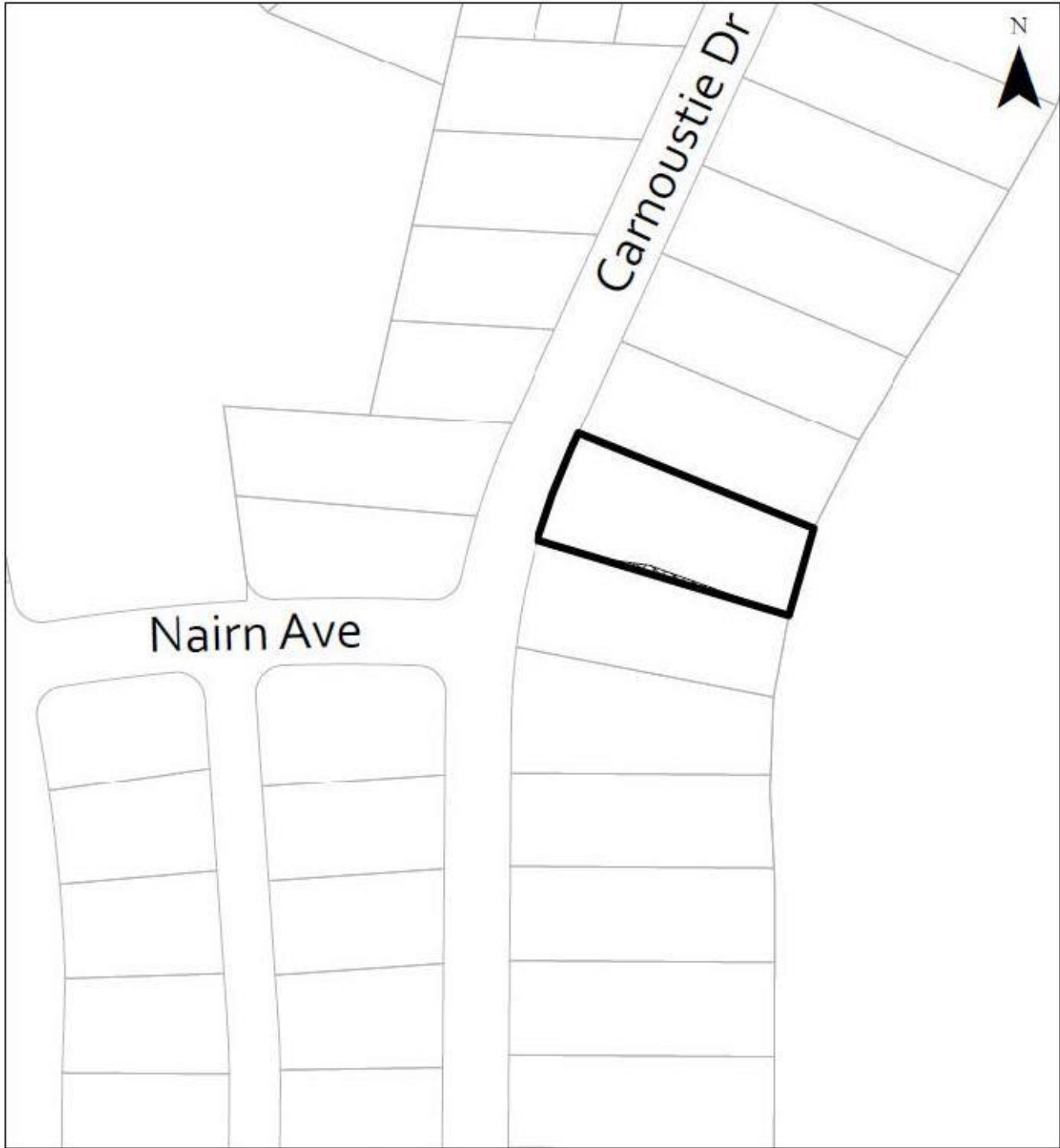
**MAP 'M' 759 Carnoustie Dr.**  
**File: OCP23-0009**

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





This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.  
 Rev. Friday, December 8, 2023





**MAP 'N' 745 Carnoustie Dr.**  
**File: OCP23-0009**

 Subject Property

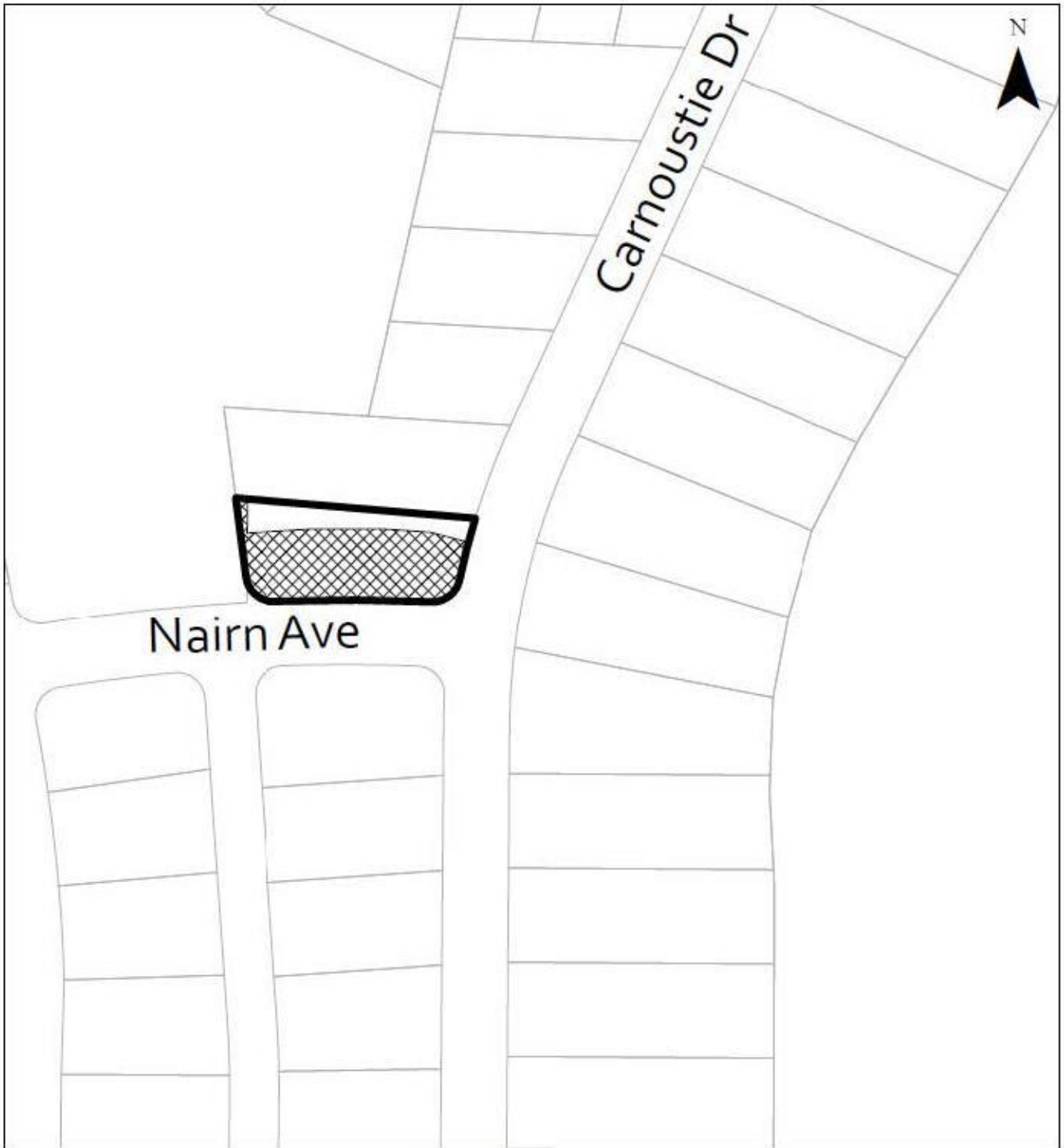
 From NAT - Natural Areas to S-RES - Suburban Residential



This map is for general information only.  
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 accuracy. All information should be verified.

Rev. Friday, December 8, 2023





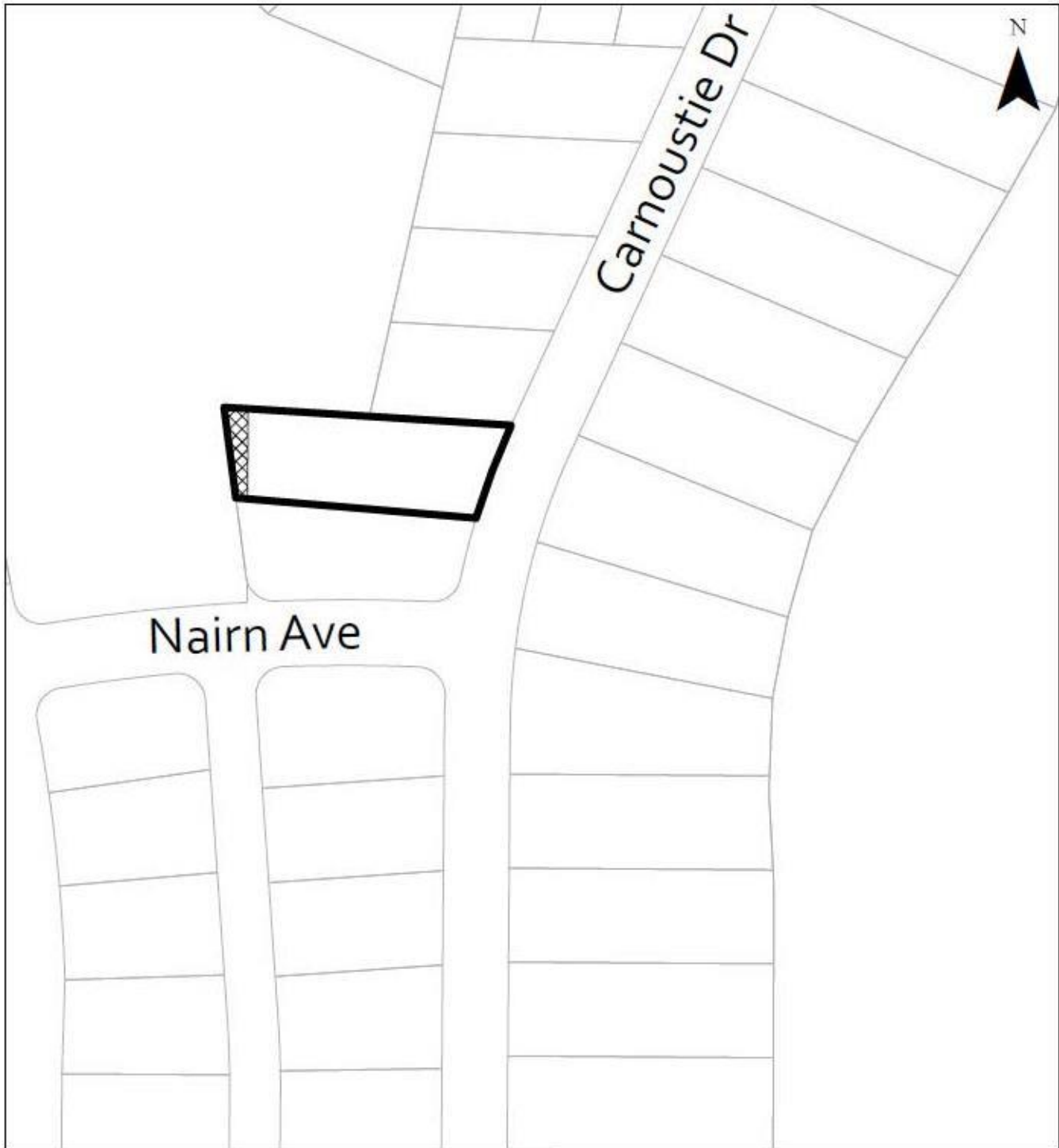
**MAP 'O' 760 Carnoustie Dr.**  
**File: OCP23-0009**

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



This map is for general information only.  
 The City of Kelowna does not guarantee its  
 accuracy. All information should be verified.  
 Rev. Friday, December 8, 2023



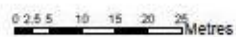


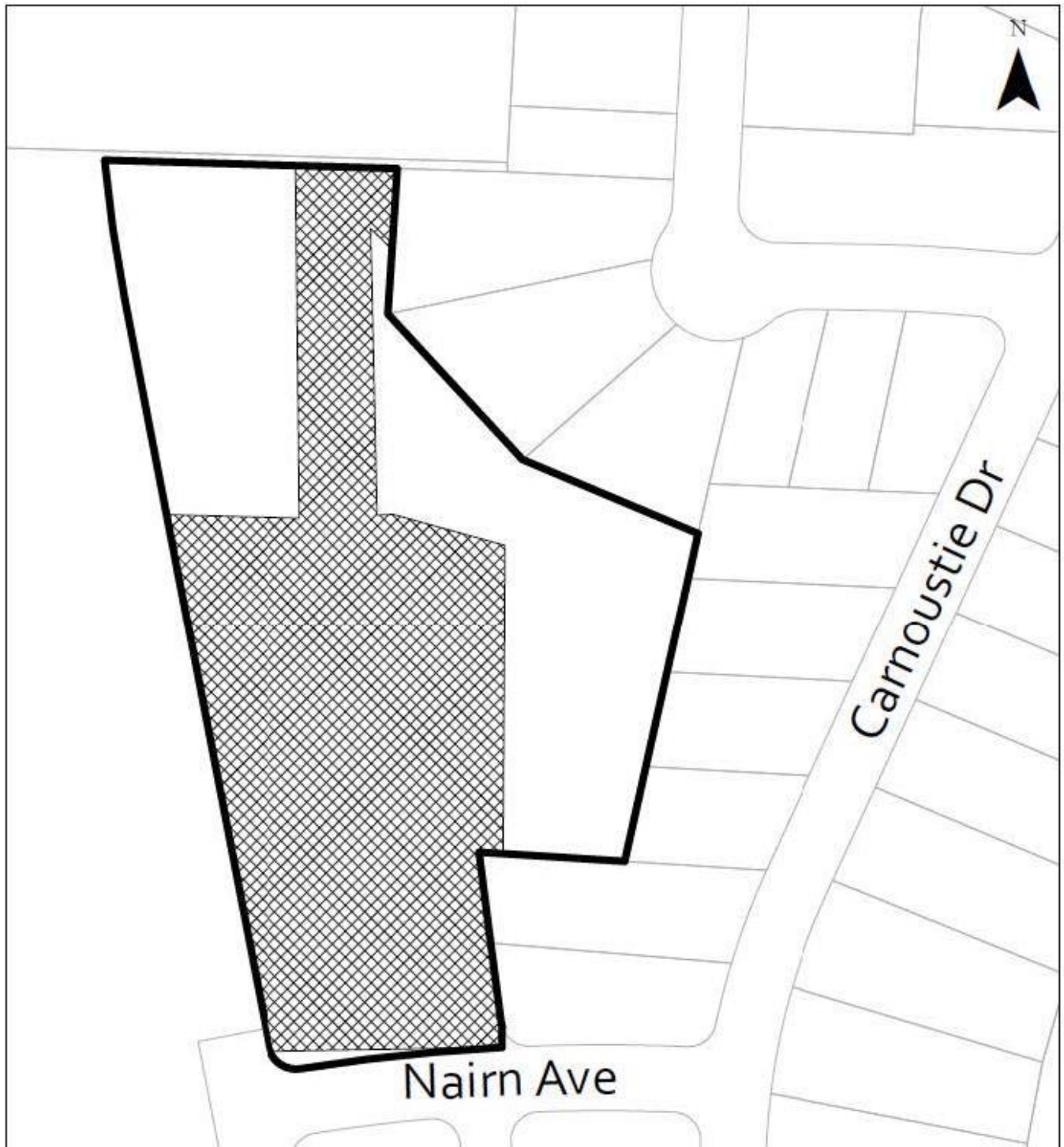
**MAP 'P' 746 Carnoustie Dr.**  
**File: OCP23-0009**

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



This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.  
 Rev. Friday, December 8, 2023



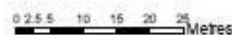


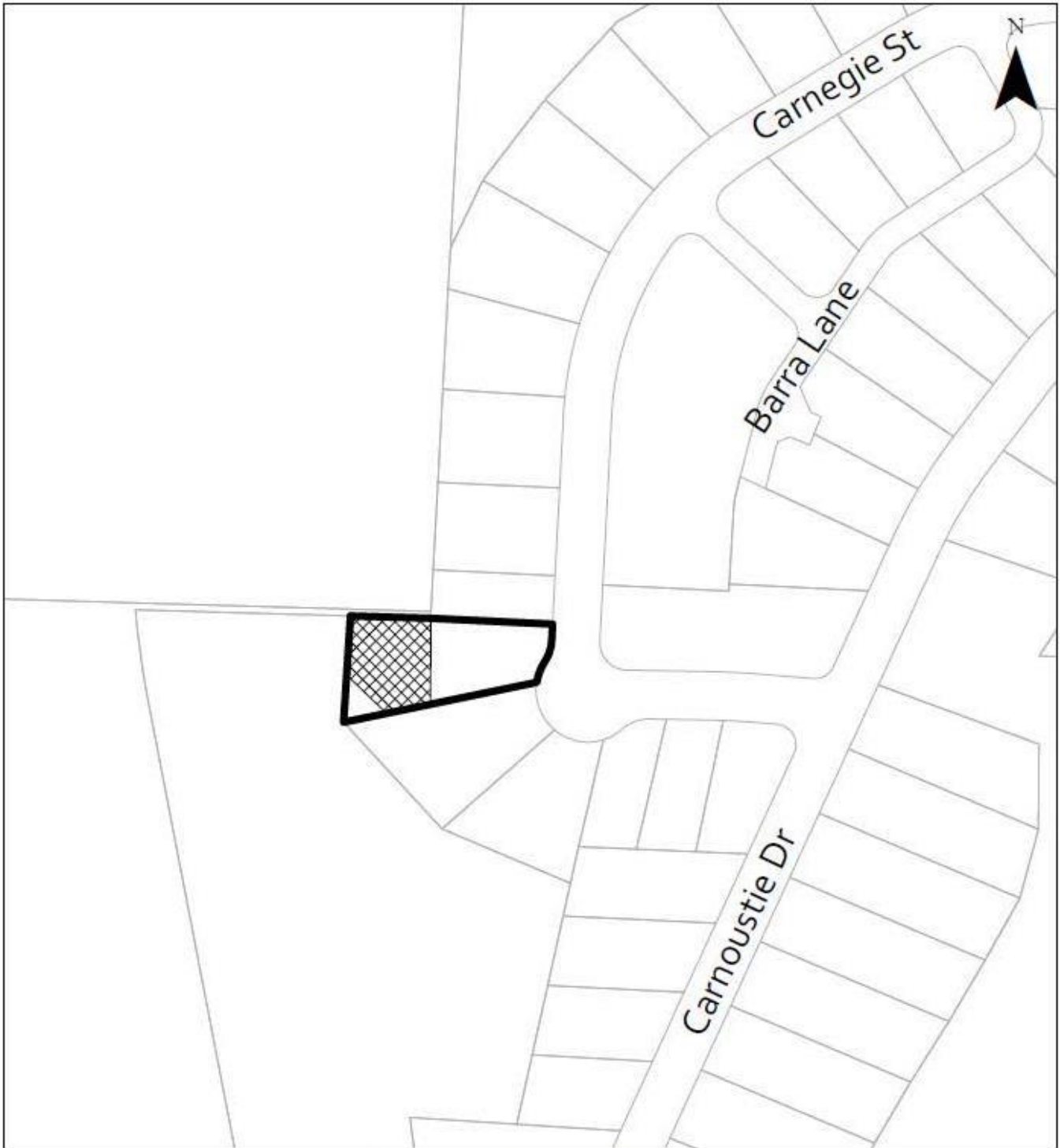
**MAP 'Q' (W OF) Carnoustie Dr.**  
**File: OCP23-0009**

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





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 Rev. Friday, December 8, 2023



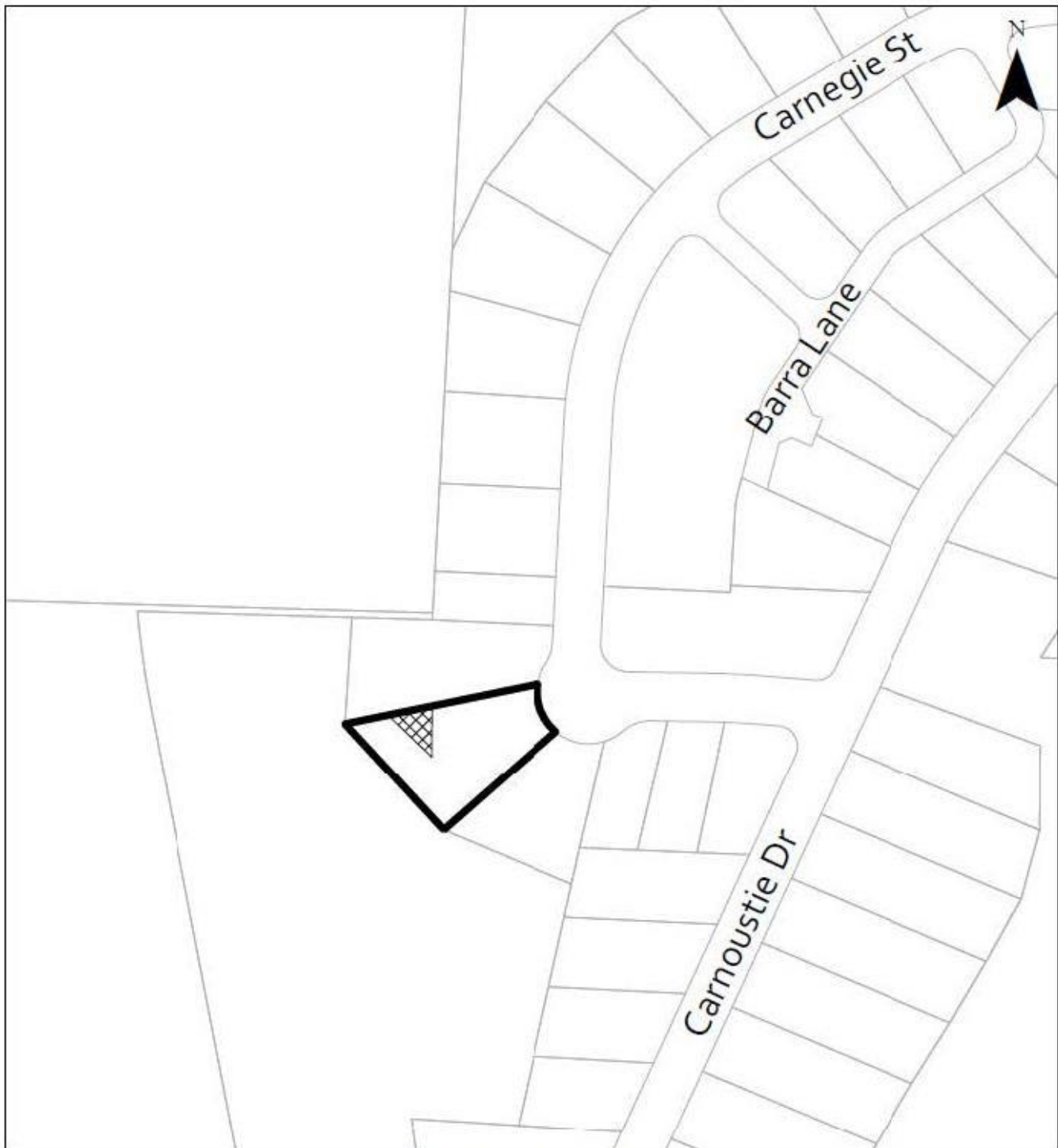


**MAP 'R' 1640 Carnegie St.**  
**File: OCP23-0009**

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

  
**City of Kelowna**  
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.  
 Rev. Friday, December 8, 2023



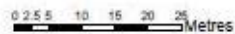


**MAP 'S' 1628 Carnegie St.**  
**File: OCP23-0009**

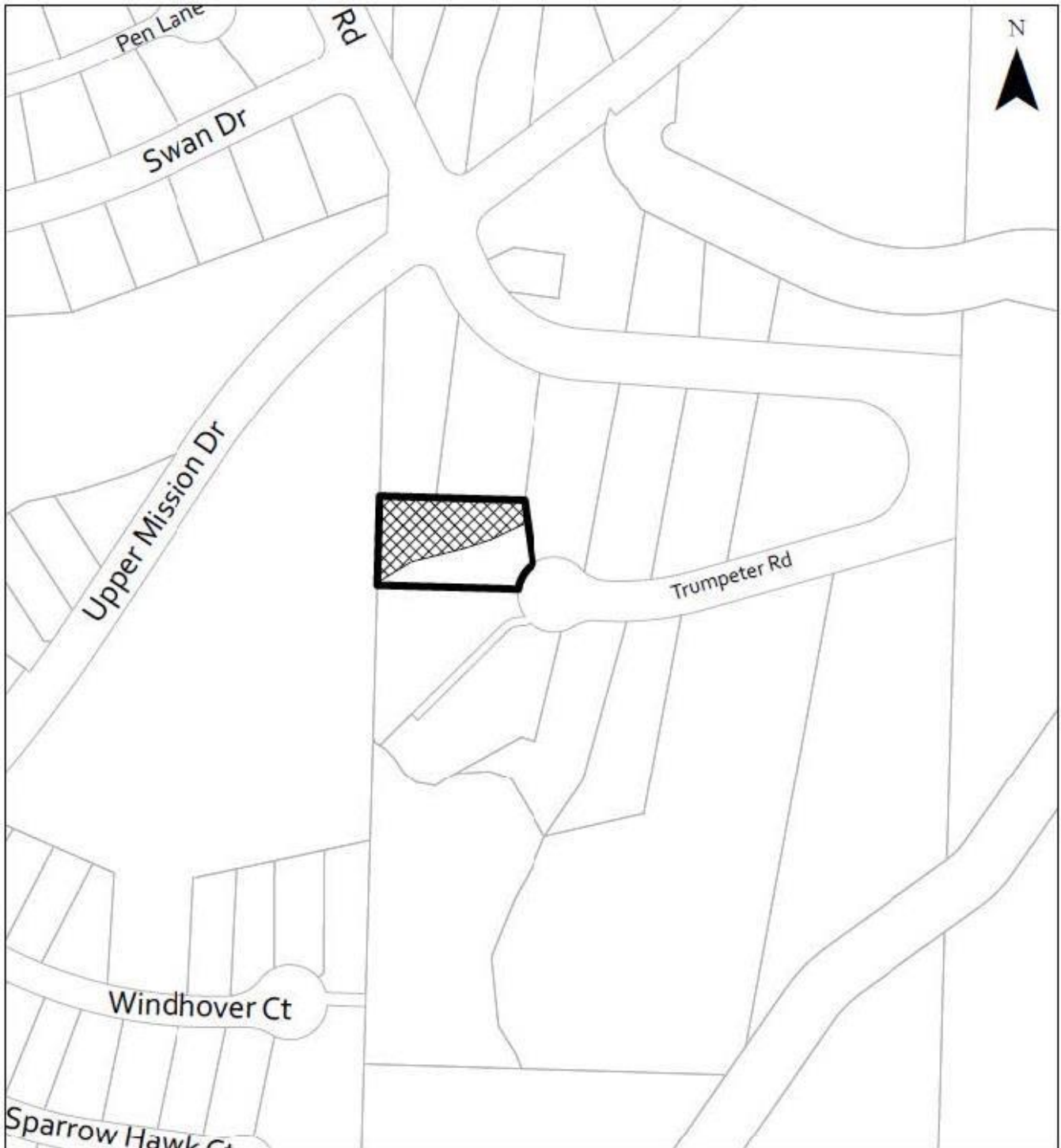
-  Subject Property
-  From NAT - Natural Areas to S-RES - Suburban Residential





This map is for general information only.  
 The City of Kelowna does not guarantee its accuracy. All information should be verified.  
 Rev. Friday, December 8, 2023





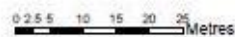


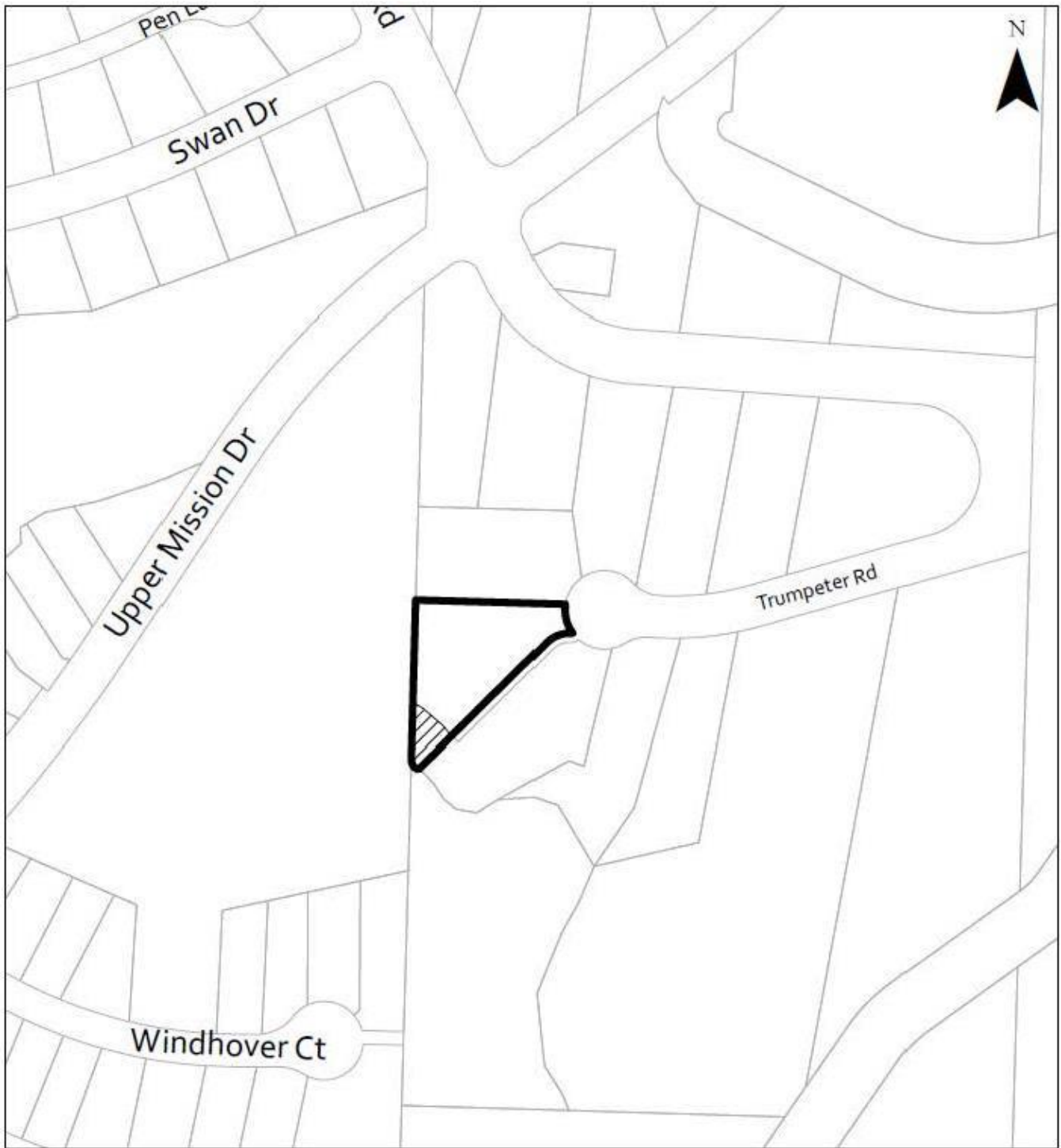
**MAP 'T' 652 Trumpeter Rd.**  
**File: OCP23-0009**

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



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 Rev. Friday, December 8, 2023





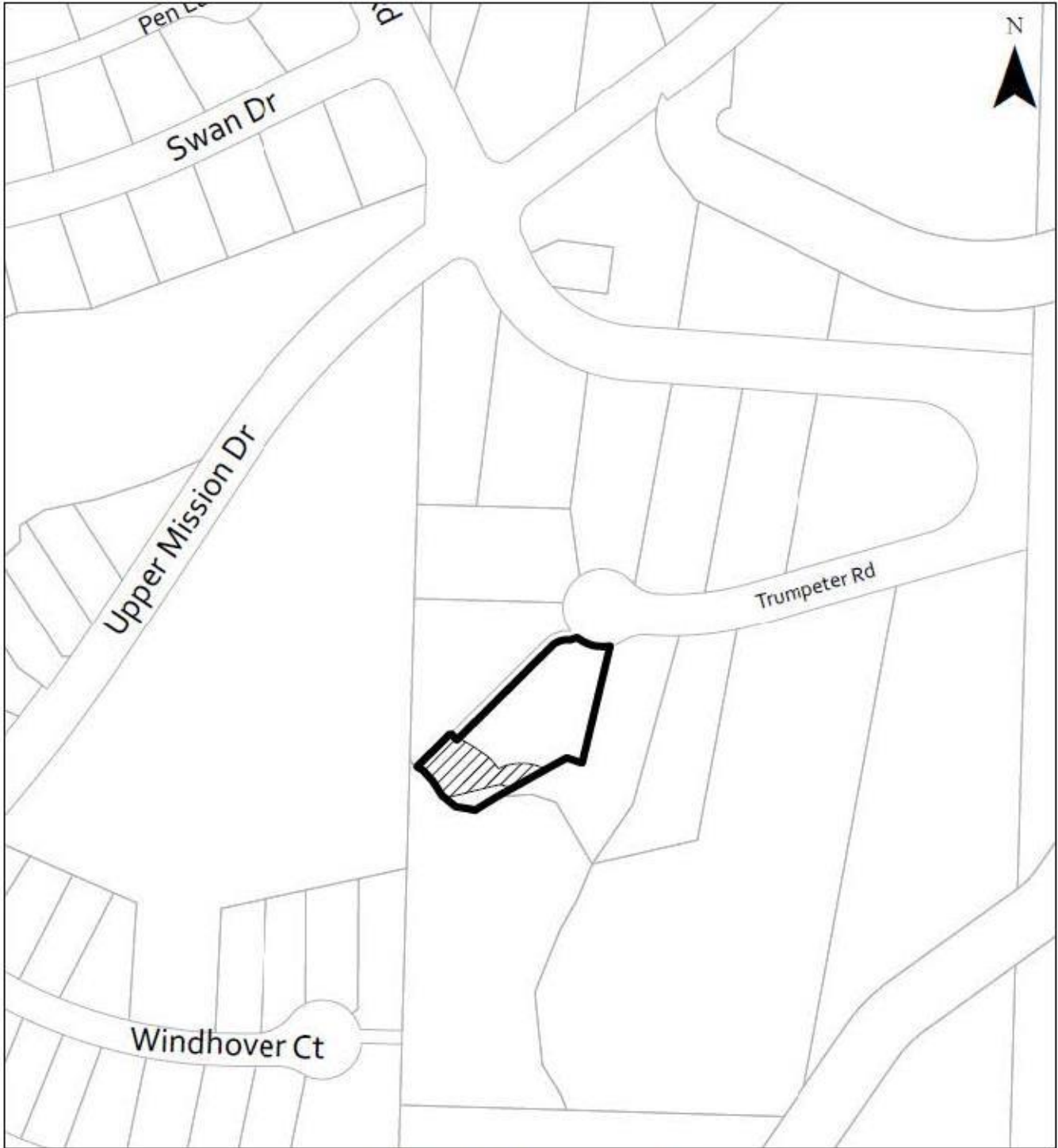
**MAP 'U' 642 Trumpeter Rd.**  
**File: OCP23-0009**

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

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

**City of Kelowna**

0 2.5 5 10 15 20 25 Metres Rev. Thursday, October 12, 2023



**MAP 'V' 632 Trumpeter Rd.**  
**File: OCP23-0009**

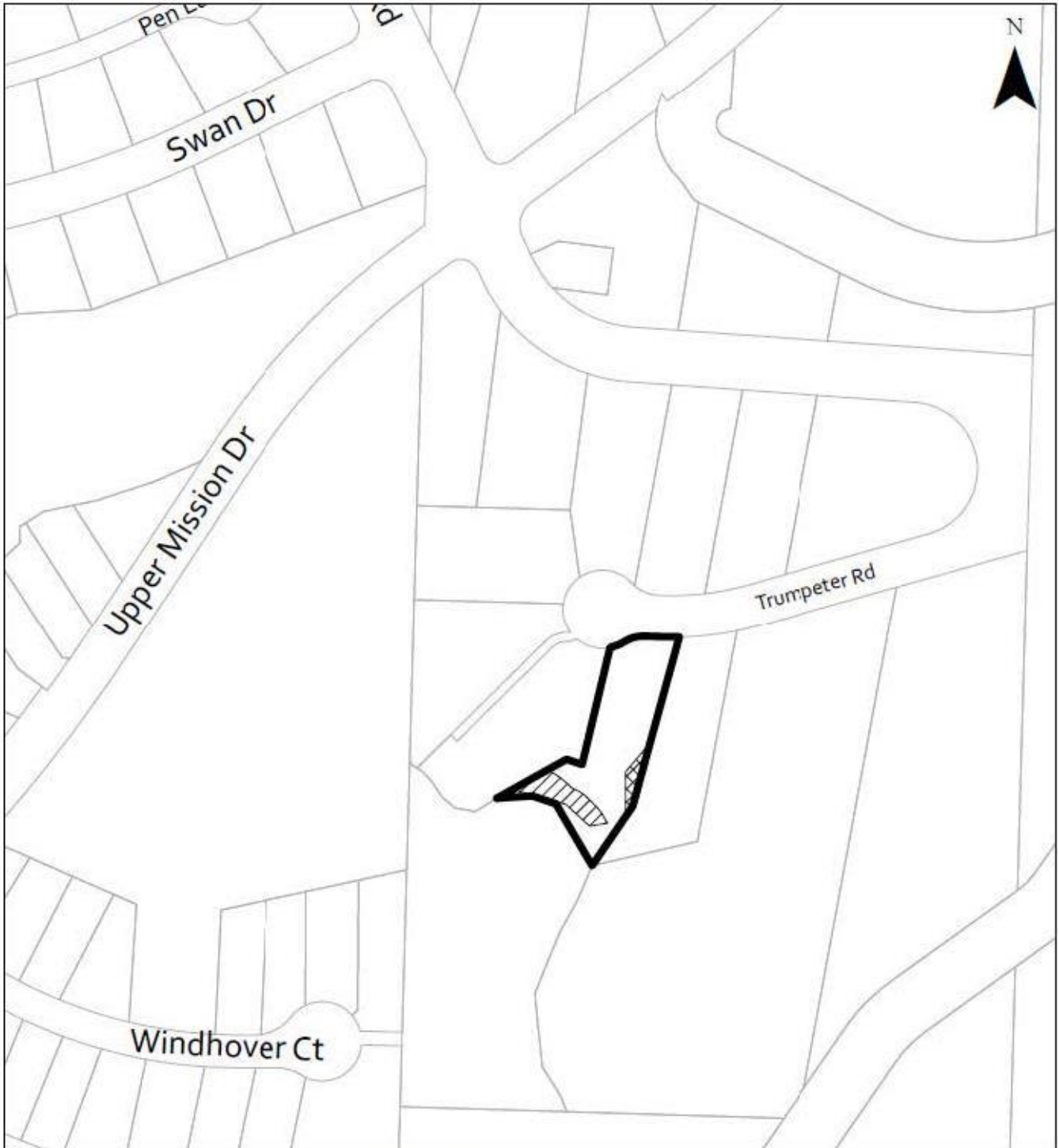
-  Subject Property
-  From S-RES - Suburban Residential to NAT - Natural Areas

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. Thursday, October 12, 2023



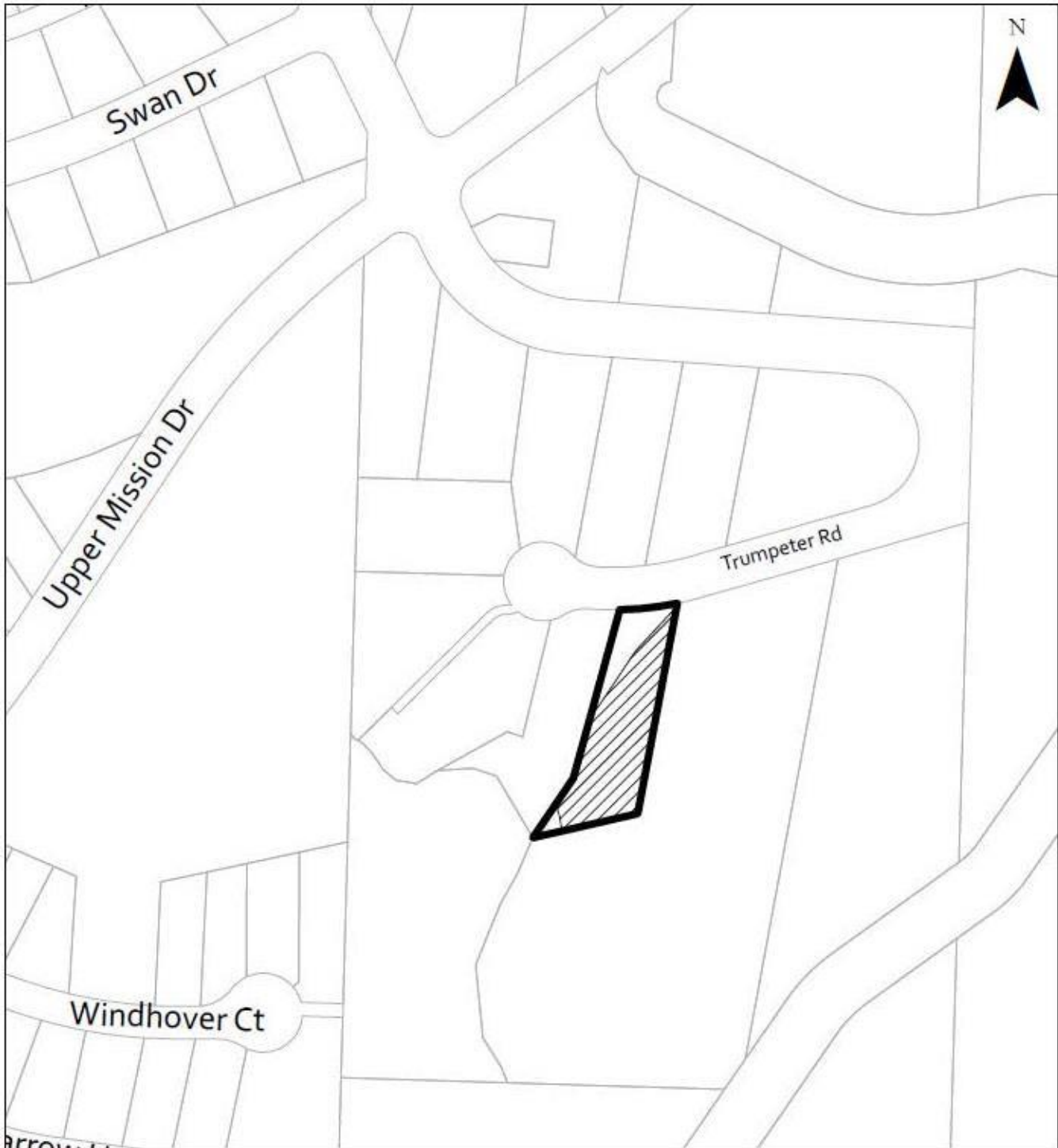
**MAP 'W' 622 Trumpeter Rd.**  
**File: OCP23-0009**

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

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 The City of Kelowna does not guarantee its accuracy. All information should be verified.



Rev. Thursday, October 12, 2023



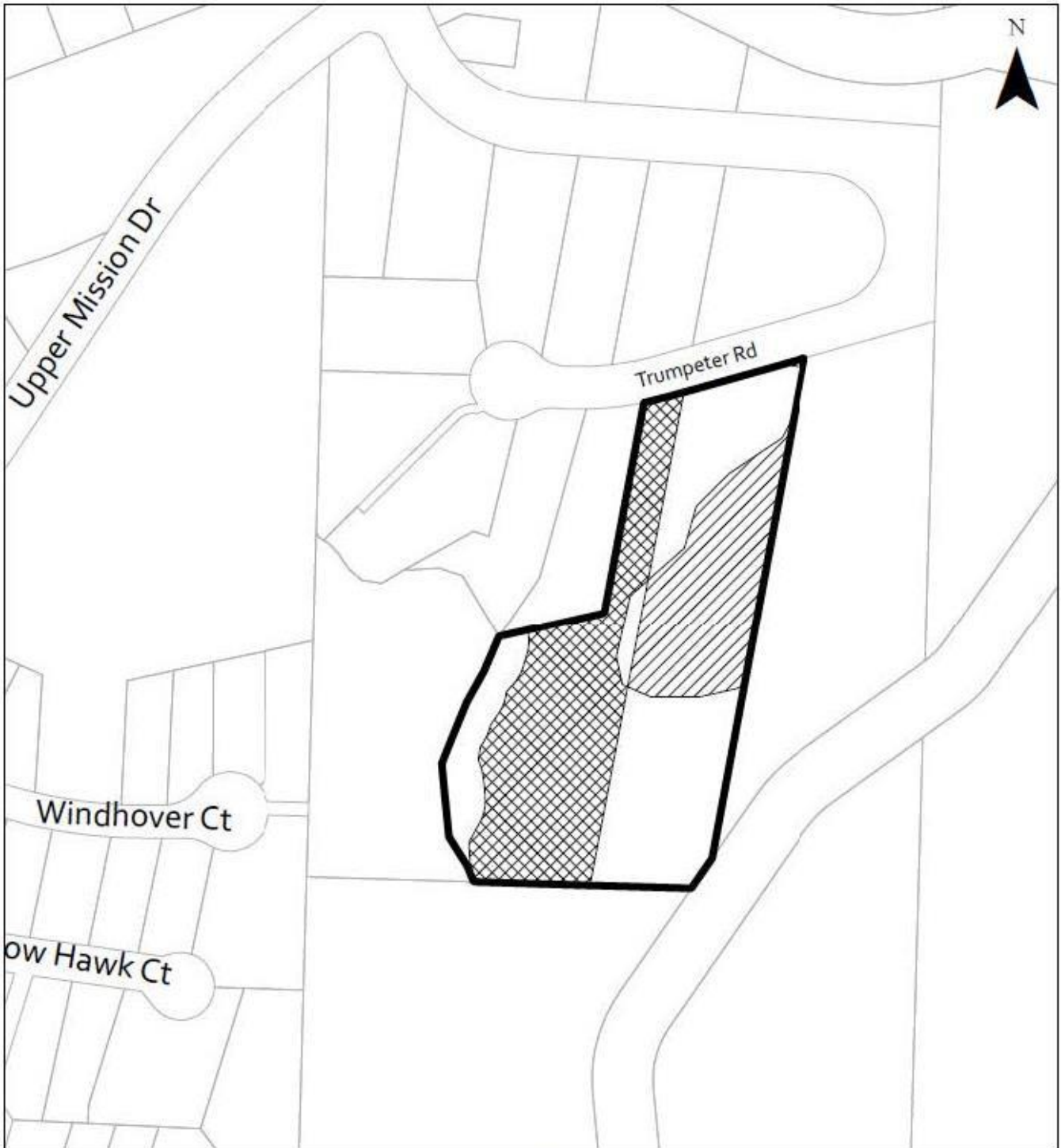
**MAP 'X' 612 Trumpeter Rd.**  
**File: OCP23-0009**

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




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



0 2.5 5 10 15 20 25 Metres Rev. Friday, October 13, 2023



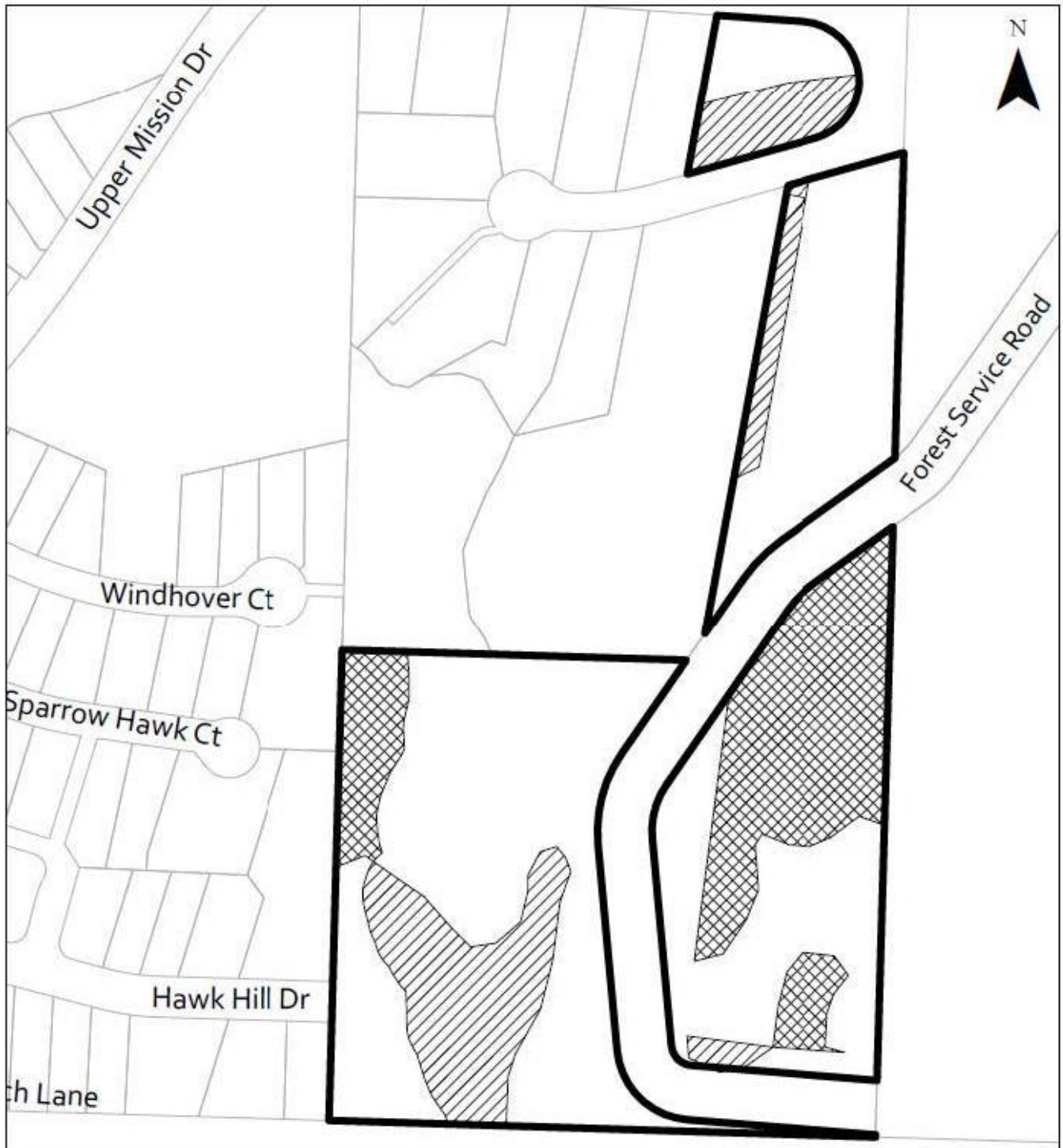
**MAP 'Y' 602 Trumpeter Rd.**  
**File: OCP23-0009**

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

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



0 2.5 5 10 15 20 25 METRES Rev. Thursday, October 12, 2023

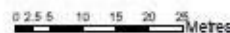


**MAP 'Z' 600 Trumpeter Rd.  
File: OCP23-0009**

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



This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.  
Rev. Friday, March 22, 2024



# Report to Council



**Date:** April 22, 2024  
**To:** Council  
**From:** City Manager  
**Subject:** OCP24-0005: Small-Scale Multi-Unit Housing and Transit Oriented Areas Alignment  
**Department:** Policy and Planning

---

**1.0 Recommendation:**

THAT Official Community Plan Amendment Application No. OCP24-0005 to amend the Kelowna Official Community Plan Bylaw No. 12300 as shown in Schedule "A" and Schedule "B" attached to the Report from the Policy and Planning Department, dated April 22, 2024, be considered by Council;

AND THAT Official Community Plan Amendment Bylaw No. 12649 be forwarded to a Public Hearing for further consideration.

**2.0 Purpose:**

To amend the Official Community Plan by updating various sections to align with provincial legislation regarding Small-Scale Multi-Unit Housing and Transit Oriented Areas.

**3.0 Background:**

In November 2023, the provincial government enacted legislation that will significantly change housing throughout British Columbia. The province’s goals of these legislative amendments are to:

1. Increase housing supply with an emphasis on:
  - a. Small-scale, multi-unit homes
  - b. Transit oriented areas
  - c. Affordable housing
2. Streamline the housing approvals process;
3. Plan for long-term housing needs (both through updated Housing Needs Assessment processes and corresponding OCP updates) on a more frequent planning cycle.

These changes affect the approval process for residential projects, allowing density increases beyond what has been traditionally permitted in Kelowna neighbourhoods. As noted above, these changes are mandated by the Province with the intent of addressing affordability by creating more housing supply. As a first step, Staff prepared a comprehensive Zoning Bylaw package to align land use densities, heights, and other pertinent development regulations to comply with the minimum requirements as established



by the provincial government. Following that, a second package was prepared to address the corresponding utility/infrastructure servicing requirements associated with the increased densities.

This package comprehensively addresses the OCP policies, maps, and future land use designations that need to be updated to meet provincial requirements and to align with the Zoning Bylaw regulations to ensure that both policy and development regulations are complimentary and synchronized. Additionally, the corresponding Infill Form and Character Development Permit guidelines have been updated to reflect the breadth of housing forms/typologies that are now allowed and to ensure that corresponding form and character is guided to result in the desired built form, landscaping, and on-site rainwater management requirements.

Amendments to the Heritage Conservation Area Guidelines, which are found in Chapter 23 of the OCP, will be covered in a separate report to Council.

### **3.1 Policy & Planning Approach**

The OCP amendments introduced largely center around two main objectives:

- 1) Increasing density on typical single-family lots. The legislation requires that three to four units of small-scale, multi-unit housing must be permitted on each parcel of land (if zoned exclusively for single-family or duplex residential) and;
- 2) To designate Transit-Oriented Development Areas (TOD Areas) near transit hubs. These TOD areas (for the purposes of Kelowna) are defined as areas within 400 meters of a bus exchange. The City of Kelowna has been assigned four transit exchange areas:
  - i. Rutland bus exchange
  - ii. Okanagan College bus exchange
  - iii. Orchard Park Mall bus exchange
  - iv. Hospital bus exchange

In these designated areas, local governments are required to:

- Ensure that minimum levels of density, size, and dimension established by the Province are allowed in TOD Areas;
- Remove restrictive parking minimums for off-street residential and allow parking volumes to be determined by market need and demand.

In light of the above, the package of OCP amendments have been thoughtfully compiled to ensure that the recent amendments to the Zoning Bylaw are now aligned with and correspond to growth strategy and OCP policy direction. The proposed amendments are bundled into themes as itemized below.

### **3.2 Future Land Use Designations:**

Modest content changes have been updated for various future land use designations to ensure that growth direction encompasses new transit oriented residential development opportunities. For Suburban-Residential designated areas, the housing typologies have been updated to allow for the range of different housing forms that are now permitted on any single parcel.

Additionally, mapping updates have been added to reflect the Transit Oriented Areas (TOAs), where minimum building heights and densities are stipulated to provide a greater diversity of housing options in close proximity to key transit exchanges.

Of particular note, a new Core Area – Heritage District future land use designation has been created for the Heritage Conservation Area outside of Transit Oriented Area, reflecting the modest approach of corresponding zoning that is unique in this geography of the Core Area. This new Future Land Use Designation reflects that the City's approach to zoning essentially imposes the minimum amount of density that this area must accommodate in accordance with the provincial legislation.

### **3.3 Urban Centres:**

The Rutland, Orchard Park, and Okanagan College transit exchanges are within designated Urban Centres in the OCP. The maximum zoning heights that have been updated and therefore corresponding OCP maximum building heights need to be synchronized.

Building Heights: To acknowledge the TOA boundaries in the Pandosy, Rutland and Midtown Urban Centers, revised building height policy is included to respond to these new height allowances. The recommendation is to apply the 12 storey category in Urban Centres, which corresponds with the maximum Mass Timber building heights in the BC Building Code.

Parking Requirements: To respond to the provincial legislation, parking policies now reflect the prohibition of required residential parking within designated TOAs, except for parking for people with disabilities. Policy has been simplified to reflect the diversity of innovative parking approaches and emerging transportation technologies.

### **3.4 Core Area:**

Transit Supportive Corridor Building Heights: In response to the provincial legislation allowing infill in all neighborhoods, the Core Area will experience the most significant low-scale infill within the Permanent Growth Boundary of the City. As such, policy content has been updated to direct housing forms and building heights based on their proximity to Transit Supportive Corridors.

Heritage Conservation Area: The addition of the Core Area – Heritage District (C-HER) future land use designation enables policy direction to allow for gentle densification in the form of ground-oriented residential uses such as single detached homes, duplexes, and house-plexes while encouraging the adaptive re-use of existing homes where heritage assets are identified. This is considered the minimum density approach to satisfy the legislation requirements, acknowledging that heritage conservation areas are not exempt from small-scale residential density requirements.

Transit Oriented Regional Commercial Lands: A Transit Oriented Area has been identified around the Orchard Park Exchange, which includes properties designated as Regional Commercial. Policy direction has been updated to acknowledge greater heights that are signaled in accordance with the mandated building heights and densities.

Health District Transit Oriented Area: The Health District is now encompassed by the Hospital Exchange Transit Oriented Area, and accordingly, so will its function in supporting the strategic and planned growth of the KGH camps. Policy has been updated to reflect this amplified role, and to reflect the height allowance as stipulated by the TOA legislation. Of note, this area has a height cap of 6 stories that is below the provincial minimum (10 stories) due to the flight path of helicopters to and from the KGH campus. This height limitation has been established through consultation with appropriate IH staff to ensure the functionality and longevity of the helipad.

Suburban Neighborhoods: The new legislation permits up to four units per lot, including those suburban neighborhoods. Therefore, policy content has been updated to include the various housing forms that these units can be accommodated in such as secondary suites, duplexes, four-plexes, and other configurations.

### **3.5 Updated Infill Form and Character Development Permit Guidelines**

The Infill Section of Chapter 18 – Form and Character provides design guidance for infill development in the city. The guidelines aim to encourage diverse building forms for ground-oriented housing up to 3 storeys and 6 residential units. The updates are intended to support the creation of more infill housing options in the city, while ensuring that they are well-designed and compatible with the existing neighbourhoods.

The main updates to the Infill Section include:

- A focus on site planning, such as creating attractive and functional outdoor areas, ground-oriented housing, waste management, site access, and mature tree retention;
- Guidelines for 3 storeys infill developments to respond to the evolving context and to reduce shadow impacts;
- Language encouraging mature tree retention where possible, and to allow for relaxations to development regulations to facilitate mature tree protection. This helps to preserve the natural features and canopy cover of the neighbourhood;
- Updated precedent imagery, to illustrate examples of good infill design that meet the guidelines;
- Updated infill lot scenario diagrams to show how different types of infill development can fit on various lot configurations and sizes, specifically with and without lane access.

The new guidelines affect the application process for the MF1- Infill Housing zone, which is a zone that allows for a range of infill housing typologies.

#### **Conclusion:**

The OCP amendment package is in direct response to the provincial government legislation that applies across the province. The provincial updates intend to fulfill the *Homes for People Plan* and to respond to the provincial housing crisis that requires swift action to onboard new supply.

Favorably, the City of Kelowna is in a very advantageous position as the 2040 OCP approach had foresight and vision to signal a progressive growth strategy that is well poised to accommodate infill housing in terms of policy direction and the early introduction of Infill Options 1.0. The 2040 OCP policy framework purposefully embeds a wide spectrum of infill housing options to serve our growing community with diverse housing forms to respond to the changing housing preferences and needs of Kelowna residents. Of note, the areas where special consideration is warranted have been approached as such. For example, the Heritage Conservation Area is proposed to have a new future land use designation that identifies its unique character and corresponding context while acknowledging the new infill housing that heritage areas are not provincially exempt from. As a next step, Staff will be bringing forward an additional OCP amendment package to update the corresponding Heritage Conservation

Area Development Guidelines to reflect the new housing forms and densities that correspond with provincial legislation.

In conclusion, these amendments align with the corresponding Zoning Bylaw and other related bylaw/policy amendments that have recently been endorsed by Council. Ensuring that significant master plans such as the 2040 OCP are synchronized with development regulations is a key success factor to ensure that all stages of development inquiries through to approvals are successfully guided in a clear, transparent, and predictable manner. The amendments contained within this package are considered to be modest and meet the minimum requirements as established by the new provincial legislation.

***Legal/Statutory Authority:***

*Local Government Act s. 464(2)*

Bill 44 – Housing Statutes (Residential Development) Amendment Act

Bill 47 – Housing Statutes (Transit Oriented Areas) Amendment Act

Submitted by:

R. Miles, Long Range Planning Manager

**Approved for inclusion:** D. Noble-Brandt, Department Manager of Policy and Planning

Attachments:

Schedule A: Proposed OCP Text Amendments (including Infill Development Permit Guidelines)

Schedule B: Proposed OCP Mapping Amendments

CC:

N. Kilmartin, Development Planning Department Manager

J. Black, Urban Planning Manager

D. Strachan, Community Planning & Development Manager

B. Hallam, Integrated Transportation Department Manager

M. VanZerr, Strategic Transportation Planning Manager

## Schedule A – Proposed OCP Text Amendments

No.	Section	Current Policy or Wording Excerpt	Proposed Policy or Wording Excerpt	Reason for Amendment
1.	<b>Chapter 3: Future Land Use</b> Core Area Neighbourhood (Growth Strategy Role)	Except where located along a Transit Supportive Corridor, new development would be largely in keeping with the existing scale and building orientation of the neighbourhood to maintain the overall feel, particularly in Heritage Conservation Areas.	Except where located along a Transit Supportive Corridor, new <u>small scale infill</u> development would be <u>integrated largely in keeping with the into</u> existing scale and building orientation of the neighbourhoods <u>to maintain the overall feel, particularly in Heritage Conservation Areas.</u>	A new Future Land Use (FLU) designation has been created for the Heritage Conservation Areas outside of Transit Oriented Areas. Directions for those neighbourhoods are now outlined in the C-HER FLU.
2.	<b>Chapter 3: Future Land Use</b> Core Area Neighbourhood (Supported Uses and Typologies)	In the Abbott Street and Marshall Street Heritage Conservation Areas, future development will respect the character of those neighbourhoods as outlined in Policy 5.3.7: Respect the Heritage Conservation Area and Chapter 23: Heritage Conservation Area.	<u>In the Abbott Street and Marshall Street Heritage Conservation Areas, future development will respect the character of those neighbourhoods as outlined in Policy 5.3.7: Respect the Heritage Conservation Area and Chapter 23: Heritage Conservation Area.</u>	A new Future Land Use (FLU) designation has been created for the Heritage Conservation Areas outside of Transit Oriented Areas. Directions for those neighbourhoods are now outlined in the C-HER FLU.
3.	<b>Chapter 3: Future Land Use</b> Table 3.3: Core Area Neighbourhood Summary	<u>Density (FAR)</u> <ul style="list-style-type: none"> <li>• Approximately 1.0</li> <li>• Allow for up to approximately 1.8 along Transit Supportive Corridors and strategic locations</li> </ul>	<u>Density (FAR)</u> <ul style="list-style-type: none"> <li>• <del>Approximately 1.0</del></li> <li>• <del>Allow for up to approximately 1.8 along Transit Supportive Corridors and strategic locations</del></li> <li>• <u>N/A</u></li> </ul>	Density is now captured in the revised MF1 and MF2 zones.
4.	<b>Chapter 3: Future Land Use</b> Table 3.3: Core Area Neighbourhood Summary	<u>Other Characteristics</u> <ul style="list-style-type: none"> <li>• Sensitive infill in keeping with neighbourhood scale and orientation</li> <li>• Buildings oriented to Transit Supportive Corridor</li> <li>• Sensitivity to Heritage Conservation Areas</li> </ul>	<u>Other Characteristics</u> <ul style="list-style-type: none"> <li>• <del>Sensitive <u>Small scale</u> infill in keeping with <u>integrated into existing</u> neighbourhoods <u>scale and orientation</u></del></li> <li>• Buildings oriented to Transit Supportive Corridors</li> <li>• <del>Sensitivity to Heritage Conservation Areas</del></li> </ul>	A new Future Land Use (FLU) designation has been created for the Heritage Conservation Areas outside of Transit Oriented Areas. Directions for those neighbourhoods are new outlined in the C-HER FLU.
5.	<b>Chapter 3: Future Land Use</b> Core Area Health District (Growth Strategy Role)	The Health District supports the operations of Kelowna General Hospital campus and associated health care uses and integrates the campus with the	The Health District supports the operations of <u>the</u> Kelowna General Hospital campus and associated health care uses <del>and integrates the campus with</del>	The Health District now covers the Hospital Exchange Transit Oriented Area its role and supported uses expanded to

		surrounding neighbourhoods, recognizing their unique heritage character.	<del>the surrounding neighbourhoods, recognizing their unique heritage character.</del> <u>while supporting more transit-oriented housing opportunities and strategically located commercial uses near this major employment hub.</u>	respond to the TOA legislation. Some properties fall within a revised HCA boundary and direction is provided in policy.
6.	<b>Chapter 3: Future Land Use</b> Core Area Health District (Supported Uses and Typologies)	The Health District integrates uses in support of the Kelowna General Hospital campus with the surrounding communities and provides a moderating transition in scale from a major institutional centre to adjacent established residential areas that incorporate heritage components.	<del>The Health District integrates uses in that support of the Kelowna General Hospital campus with the surrounding communities and provides a moderating transition in scale from a major institutional centre to adjacent established residential areas that incorporate heritage components.</del> <u>with new transit oriented residential and mixed use development opportunities.</u>	The Hospital Exchange Transit Oriented Area encompasses the Health District, so its role and supported uses expanded to respond to the TOA legislation.
7.	<b>Chapter 3: Future Land Use</b> Core Area Health District (Supported Uses and Typologies)	The Health District designation also encompasses a range of residential uses that are intended to support the hospital as well as transition between the hospital and surrounding low density residential areas. Based on the location within the hospital district, residential uses envisioned include ground-oriented residential forms such as row housing, stacked townhouses and low rise apartments in cases where lots are assembled and an adequate transition is provided with surrounding neighbourhoods. Integration of health services with these residential uses is encouraged.	<del>The Health District designation also encompasses a range of residential uses that are intended to support the hospital as well as transition between the hospital and surrounding low density residential areas. Based on the location within the hospital district, residential uses envisioned include ground-oriented residential forms such as row housing, stacked townhouses and low rise apartments in cases where lots are assembled and an adequate transition is provided with surrounding neighbourhoods. Integration of health services with these residential uses is encouraged.</del> <u>also supports more transit oriented housing opportunities near this major employment centre, including single and two dwelling, ground oriented multi-unit and low-rise apartment housing. Integration of health services</u>	The Hospital Exchange Transit Oriented Area encompasses the Health District, so its role and supported uses expanded to respond to the TOA legislation.

			<u>and commercial uses with housing is encouraged where guided by policy.</u>	
8.	<b>Chapter 3: Future Land Use</b> Table 3.4: Core Area – Health District Summary	<b>Table 3.4: Core Area – Health District Summary</b> <u>Supported Uses</u> <ul style="list-style-type: none"> <li>• Institutional (health services)</li> <li>• Ground- oriented multi-unit residential</li> <li>• Small-scale commercial</li> <li>• Apartment housing</li> </ul>	<b>Table 3.4.1: Core Area – Health District Summary</b> <u>Supported Uses</u> <ul style="list-style-type: none"> <li>• Institutional (health services)*</li> <li>• <u>Ground oriented commercial*</u></li> <li>• <u>Single and two dwelling residential</u></li> <li>• <u>Secondary suites and carriage houses</u></li> <li>• Ground- oriented multi-unit residential*</li> <li>• Apartment housing*</li> <li>• <del>Small scale commercial</del></li> </ul>	The Hospital Exchange TOA does not preclude continued single and two dwelling residential housing. Asterisks signal additional policy guidance for location and lot consolidation considerations.
9.	<b>Chapter 3: Future Land Use</b> Table 3.4: Core Area – Health District Summary	<u>Density (FAR)</u> <ul style="list-style-type: none"> <li>• Approximately 1.5</li> <li>• Allow for up to approximately 1.8 for residential uses along Transit Supportive Corridors and strategic locations</li> </ul>	<u>Density (FAR)</u> <ul style="list-style-type: none"> <li>• <del>Approximately 1.5</del></li> <li>• <del>Allow for up to approximately 1.8 for residential uses along Transit Supportive Corridors and strategic locations</del></li> <li>• <u>Up to approximately 2.5</u></li> </ul>	The Transit Oriented Area legislation requires a minimum FAR of 2.5.
10.	<b>Chapter 3: Future Land Use</b> Table 3.4: Core Area – Health District Summary	<u>Other Characteristics</u> <ul style="list-style-type: none"> <li>• Development should be consistent with the Hospital Area Plan</li> </ul>	<u>Other Characteristics</u> <ul style="list-style-type: none"> <li>• Development should be consistent with the Hospital Area Plan</li> <li>• <u>Located in a Transit Oriented Area</u></li> </ul>	The Health District is located in a <b>Transit Oriented Area</b> .
11.	<b>Chapter 3: Future Land Use</b> NEW FUTURE LAND USE DESIGNATION: Core Area - Heritage District (C-HER)	N/A	<u>See Chart A</u>	This new Future Land Use (FLU) designation has been created for the Heritage Conservation Areas outside of Transit Oriented Areas, reflecting the approach taken to zoning that is unique in the Core Area.
12.	<b>Chapter 3: Future Land Use</b> Suburban – Residential (Growth Strategy Role)	Suburban Residential lands will accommodate most of the city’s single and two dwelling residential growth in the Suburban Neighbourhoods and Gateway Districts using clustering and	Suburban Residential lands will accommodate most of the city’s <del>single and two dwelling residential growth in the Suburban Neighbourhoods and Gateway Districts using clustering and</del>	The SSMUH legislation will allow up to four units on each residential lot. The revised wording aims to clarify that the OCP’s overall growth strategy

		neighbourhood design that responds to the surrounding context, including hillsides and environmentally sensitive areas.	<del>neighbourhood design that responds to the surrounding context, including hillsides and environmentally sensitive areas.</del> <u>lower density forms of housing, alongside new small scale multi-unit homes, responding to their surrounding hillside and natural environment contexts.</u>	continues to signal more housing opportunities in the Core Area.
13.	<b>Chapter 3: Future Land Use</b> Suburban – Residential (Supported Uses and Typologies)	These portions of suburban neighbourhoods support single and two dwelling housing, with opportunities for secondary suites and carriage houses.	<del>These portions of suburban neighbourhoods support single and two dwelling housing, with opportunities for secondary suites and carriage houses.</del> <u>Suburban Residential lands support single and two dwelling housing, secondary suites, carriage houses and house-plexes.</u>	The SSMUH legislation will allow up to four units on each residential lot.
14.	<b>Chapter 3: Future Land Use</b> Table 3.5: Suburban – Residential Summary	<u>Supported Uses</u> <ul style="list-style-type: none"> <li>• Single and two dwelling residential</li> <li>• Secondary suites and carriage houses</li> <li>• Small scale institutional uses</li> </ul>	<u>Supported Uses</u> <ul style="list-style-type: none"> <li>• <del>Single and two dwelling residential</del> <u>detached housing</u></li> <li>• <u>Duplexes, semi-detached</u></li> <li>• Secondary suites and carriage houses</li> <li>• <u>Ground-oriented multi unit residential</u></li> <li>• Small scale institutional uses</li> </ul>	The SSMUH legislation will allow up to four units on each residential lot.
15.	<b>Chapter 3: Future Land Use</b> Table 3.5: Suburban – Residential Summary	<u>Supported Forms</u> <ul style="list-style-type: none"> <li>• Attached and detached buildings</li> </ul>	<u>Supported Forms</u> <ul style="list-style-type: none"> <li>• Attached and detached buildings <u>up to 3 storeys</u></li> </ul>	The revised language supports the building heights outlined in revised approach to zoning in suburban neighbourhoods.
16.	<b>Chapter 3: Future Land Use</b> Regional Commercial (Supported Uses and Typologies)	While residential uses may be present in some circumstances, they are secondary to the commercial uses and their location must be carefully considered based on proximity and access to amenities like parks and schools as well as adjacent uses as guided by Policy 5.6.6.	<del>While residential uses may be present in some circumstances, they are secondary to the commercial uses and their location must be carefully considered based on proximity and access to amenities like parks and schools as well as adjacent uses as guided by Policy 5.6.6.</del> <u>Residential development in Transit Oriented Areas is supported where commercial space is</u>	The Orchard Park Exchange has been identified as a Transit Oriented Area and some Regional Commercial lands fall within the designated area.



			<u>provided at street level. Residential uses may also be considered in other Regional Commercial lands where consistent with Objective 5.6. and its associated policies.</u>	
17.	<b>Chapter 3: Future Land Use</b> Table 3.7: Regional Commercial Summary	<u>Supported Forms</u> <ul style="list-style-type: none"> <li>Buildings up to approximately 4 storeys</li> </ul>	<u>Supported Forms</u> <ul style="list-style-type: none"> <li>Buildings up to approximately 4 storeys</li> <li><u>Buildings up to approximately 12 storeys in Transit Oriented Areas</u></li> </ul>	The Orchard Park Exchange has been identified as a Transit Oriented Area and some Regional Commercial lands fall within the designated area.
18	<b>Chapter 3: Future Land Use</b> Table 3.7: Regional Commercial Summary	<u>Other Characteristics</u> <ul style="list-style-type: none"> <li>Considerations for transit orientation and pedestrian safety and comfort</li> </ul>	<u>Other Characteristics</u> <ul style="list-style-type: none"> <li>Considerations for transit orientation and pedestrian safety and comfort</li> <li><u>Transit Oriented Area on some lands</u></li> </ul>	The Orchard Park Exchange has been identified as a Transit Oriented Area and some Regional Commercial lands fall within the designated area.
19	<b>Chapter 3: Future Land Use</b> NEW ADDITIONAL MAPPING NOTES Transit Oriented Areas	N/A	<u>Transit Oriented Areas</u> <u>Transit Oriented Areas (TOAs) are areas within 400 metres of select transit exchanges where the City must adhere to minimum building heights and densities to provide a greater diversity of housing options near those key transit facilities. In TOAs, the City cannot regulate residential vehicle parking minimums, instead allowing the market to determine needed parking for new development.</u>  <u>TOAs were identified by the Government of British Columbia as part of amendments to the Local Government Act in 2023. They do not preclude transit oriented development in other areas of the city, such as Urban Centres, Village Centres and Transit Supportive Corridors.</u>  <u>Kelowna has four provincially identified TOAs, each of which has specific policy guidance in the OCP:</u>	Alongside Transit Supportive Corridors, this Transit Oriented Areas section will outline the role that these areas play in terms of height, density and parking regulations.

			<ul style="list-style-type: none"> <li>• <u>Okanagan College Exchange (see Chapter 4 and Map 4.5)</u></li> <li>• <u>Rutland Exchange (see Chapter 4: Urban Centres and Map 4.7)</u></li> <li>• <u>Orchard Park Exchange (see Chapter 4: Urban Centres, Chapter 5: The Core Area, and Map 4.9)</u></li> <li>• <u>Hospital Exchange (see Chapter 5: The Core Area)</u></li> </ul>	
20.	<b>Chapter 3: Future Land Use</b> Permanent Growth Boundary	Lands within the Permanent Growth Boundary may be considered for urban uses within the 20 year planning horizon ending 2040. Lands outside the Permanent Growth Boundary will not be supported for urban uses. ALR and non-ALR land outside the Permanent Growth Boundary will not be supported for any further parcelization.	<u>The Permanent Growth Boundary serves at the City's Urban Containment Boundary.</u> Lands within the Permanent Growth Boundary may be considered for urban uses within the 20 year planning horizon ending 2040. Lands outside the Permanent Growth Boundary will not be supported for urban uses. ALR and non-ALR land outside the Permanent Growth Boundary will not be supported for any further parcelization.	Clarification that for the purpose of meeting the SSMUH legislation, the Permanent Growth Boundary is the City's Urban Containment Boundary.
21.	<b>Chapter 4: Urban Centres</b> Policy 4.6.1	<i>Pandosy Building Heights.</i> Undertake a building heights study as part of an Urban Centre Plan process for the Pandosy Urban Centre. Until this process is complete, support development in the Pandosy Urban Centre that is generally consistent with the building heights outlined in Map 4.5 to accomplish the following: <ul style="list-style-type: none"> <li>• Focusing taller buildings along Pandosy Street and Lakeshore Road and tapering heights down towards Okanagan Lake to maximize the area's visual and physical connection to the lake; and</li> </ul>	<i>Pandosy Building Heights.</i> Undertake a building heights study as part of an Urban Centre Plan process for the Pandosy Urban Centre. Until this process is complete, support development in the Pandosy Urban Centre that is generally consistent with the building heights outlined in Map 4.5 to accomplish the following: <ul style="list-style-type: none"> <li>• Focusing taller buildings along Pandosy Street and Lakeshore Road and tapering heights down towards Okanagan Lake to maximize the area's visual and physical connection to the lake; and</li> </ul>	A Transit Oriented Area has been identified around the Okanagan College Exchange. This revised policy includes that TOA in height policy.

		<ul style="list-style-type: none"> <li>Tapering building heights down east of Richter Street to transition into adjacent <b>Core Area</b> neighbourhoods.</li> </ul>	<ul style="list-style-type: none"> <li><u>Supporting mid-rise buildings on and around the Okanagan College Transit Oriented Area; and</u></li> <li>Tapering building heights down towards adjacent <b>Core Area</b> neighbourhoods.</li> </ul>	
22.	<b>Chapter 4: Urban Centres</b> Policy 4.7.1	<p><i>Rutland Building Heights.</i> Undertake a building heights study as part of an Urban Centre Plan process for the Rutland Urban Centre. Until this process is complete, support development in the Rutland Urban Centre that is generally consistent with the building heights outlined in Map 4.7 to accomplish the following:</p> <ul style="list-style-type: none"> <li>Focusing taller buildings between Shepherd Road, Dougall Road, Rutland Road and Highway 33 to support the viability of Rutland’s designated high streets, the Rutland Transit Exchange and Rutland Centennial Park;</li> <li>Directing more modest heights along the Highway 33 and Rutland Road corridors to support transit use and the viability of commercial uses in those two corridors;</li> <li>Tapering heights down towards surrounding Core Area Neighbourhoods.</li> </ul>	<p><i>Rutland Building Heights.</i> Undertake a building heights study as part of an Urban Centre Plan process for the Rutland Urban Centre. Until this process is complete, support development in the Rutland Urban Centre that is generally consistent with the building heights outlined in Map 4.7 to accomplish the following:</p> <ul style="list-style-type: none"> <li>Focusing taller buildings <del>between Shepherd Road, Dougall Road, Rutland Road and Highway 33</del> <u>in the Rutland Transit Oriented Area</u> to support the viability of Rutland’s designated high streets, the Rutland Transit Exchange and Rutland Centennial Park;</li> <li><del>Directing more modest heights along the Highway 33 and Rutland Road corridors to support transit use and the viability of commercial uses in those two corridors;</del></li> <li>Tapering heights down towards surrounding Core Area Neighbourhoods.</li> </ul>	A Transit Oriented Area has been identified around the Rutland Exchange. This revised policy includes that TOA in height considerations.
23.	<b>Chapter 4: Urban Centres</b> Policy 4.8.3.	<p><i>Midtown Building Heights.</i> Undertake a building heights study as part of an Urban Centre Plan process for the Midtown Urban Centre. Until this process is complete, support development in the Midtown Urban</p>	<p><i>Midtown Building Heights.</i> Undertake a building heights study as part of an Urban Centre Plan process for the Midtown Urban Centre. Until this process is complete, support development in the Midtown Urban</p>	A Transit Oriented Area has been identified around the Orchard Park Exchange, located in the Midtown Urban Centre. This revised policy includes that TOA in height considerations.

		Centre that is generally consistent with the building heights outlined in Map 4.9. Building heights should be highest towards Highway 97, the Frequent Transit Network and transit exchanges, tapering down towards Springfield Road.	Centre that is generally consistent with the building heights outlined in Map 4.9. Buildings should be highest towards Highway 97, the Frequent Transit Network and transit exchanges, tapering down towards Springfield Road. <b>the Orchard Park Transit Oriented Area.</b>	
24	<b>Chapter 4: Urban Centres</b> Policy 4.19.1	<i>Parking Relaxations.</i> Consider parking requirement relaxations, where the development provides a robust Transportation Demand Management (TDM) strategy (e.g. car share memberships, bicycle parking, co-working space) or includes occupants (rental housing tenure) that would contribute to lower rates of vehicle ownership.	<i>Parking Relaxations.</i> <del>Consider parking requirement relaxations, where the development provides a robust Transportation Demand Management (TDM) strategy (e.g. car share memberships, bicycle parking, co-working space) or includes occupants (rental housing tenure) that would contribute to lower rates of vehicle ownership.</del> <b><u>Do not require residential vehicle parking within Transit Oriented Areas in Urban Centres, except universally accessible parking. Consider vehicle parking requirement relaxations in other areas or projects, where:</u></b> <ul style="list-style-type: none"> <li>• <u>Mode share shifts are anticipated or have been realized;</u></li> <li>• <u>A viable car-sharing program is provided; or</u></li> <li>• <u>Additional bicycle parking and end-of-trip facilities that exceed bylaw requirements.</u></li> </ul>	Local governments are prohibited from requiring residential parking with designated Transit Oriented Areas, except for parking for people with disabilities. Criteria for other parking relaxations has been simplified to reflect the diversity of innovative approaches and emerging transportation technology.
25	<b>Chapter 5: The Core Area</b> Policy 5.2.2	<i>Building Height.</i> Encourage housing forms up to six storeys in height in Core Area Neighbourhoods that front or directly abut Transit Supportive Corridors. Consider heights below six storeys for such projects where adjacent neighbourhoods are not anticipated to experience significant infill and redevelopment. Consider buildings	<i>Transit Supportive Corridor Building Heights.</i> Encourage housing forms up to six storeys in height in Core Area Neighbourhoods that front or directly abut Transit Supportive Corridors. <del>Consider heights below six storeys for such projects where adjacent neighbourhoods are not anticipated to experience significant infill</del>	Bill 44 requires allowing infill in all neighbourhoods. In the Core Area, all neighbourhoods are anticipated to experience significant infill, making the existing policy challenging to enforce. More detailing planning work will be required for Transit Supportive Corridors to provide

		above six storeys where the project is adjacent to higher capacity transit along Highway 97, a major intersection, or near an Urban Centre, with due consideration for the context of the surrounding neighbourhood.	<del>and redevelopment.</del> <u>Explore higher or lower heights through dedicated corridor planning processes.</u> Consider buildings above six storeys where the project is adjacent to higher capacity transit along Highway 97, a major intersection, or near an Urban Centre, with due consideration for the context of the surrounding neighbourhood.	more detailed guidance on an area by area basis.
26	Chapter 5: The Core Area Policy 5.3.1	<i>Ground Oriented Infill.</i> Encourage gentle densification in the form of <b>ground-oriented</b> residential uses such as house-plexes, townhouses and narrow lot housing to approximately 2 storeys, maintaining residential uses and setbacks that reflect the existing development pattern. Consider opportunities for greater height and massing at block ends and along Active Transportation Corridors as outlined in Figure 5.3.	<del><i>Ground Oriented Core Area Neighbourhood Infill.</i> Encourage gentle densification in the form of <b>ground-oriented</b> residential uses such as house-plexes, townhouses and narrow lot housing to approximately 2 storeys, maintaining residential uses and setbacks that reflect the existing development pattern. Consider opportunities for greater height and massing at block ends and along Active Transportation Corridors as outlined in Figure 5.3.</del> <u>Encourage <b>ground-oriented</b> residential uses such as house-plexes, townhouses and narrow lot housing up to approximately 3 storeys to fit with the existing neighbourhood development pattern. Consider larger infill projects, including those where lot consolidation is required, where they are in a Transit Supportive Corridor transition area, on a block end or near community amenities including, but not limited to, parks and schools, as outlined in Figure 5.3.</u>	The revised MF1- Infill zone will allow for 3 storey buildings, as per the SSMUH legislation. Setbacks are addressed in the Zoning Bylaws.
27	Chapter 5: The Core Area Figure 5.3	See Chart B	<u>See Chart C</u>	The revised MF1 zone will allow for 3 storey buildings, as per the SSMUH legislation.

28	<p><b>Chapter 5: The Core Area</b> Policy 5.3.7</p>	<p><i>Respect the Heritage Conservation Area.</i> Consider more limited opportunities for infill, such as carriage homes, two dwelling housing, subdivisions, and the conversion of existing single detached homes into suites in the Abbott Street and Marshall Street Heritage Areas only when consistent with the guidelines outlined in Chapter 23: Heritage Conservation Areas. Discourage stacked row housing, apartment housing, and larger infill projects where lot consolidations are required, even where located along a Transit Supportive Corridor.</p>	<p><del><i>Respect the Heritage Conservation Area.</i></del> <del><i>Heritage District Housing.</i></del> <del>Consider more limited opportunities for infill, such as carriage homes, two dwelling housing, subdivisions, and the conversion of existing single detached homes into suites in the Abbott Street and Marshall Street Heritage Areas only when consistent with the guidelines outlined in Chapter 23: Heritage Conservation Areas. Discourage stacked row housing, apartment housing, and larger infill projects where lot consolidations are required, even where located along a Transit Supportive Corridor.</del></p> <p><u>Allow for gentle densification in the form of <b>ground-oriented</b> residential uses such as single detached homes, duplexes house-plexes using the guidance outlined in Chapter 23: Heritage Conservation Areas. Encourage and incentivize adaptive re-use of existing homes where heritage assets are identified to balance historical conservation with additional housing opportunities.</u></p>	<p>The addition of the Core Area – Heritage District (C-HER) FLU designation allows for Policy 5.3.7 to more directly outline land use directions in this neighbourhood.</p>
29	<p><b>Chapter 5: The Core Area</b> Policy 5.5.2</p>	<p><i>Urban Forest Canopy.</i> Encourage the installation of <b>street trees</b> in <b>Core Area</b> streetscape improvement projects, recognizing the critical role they play in pedestrian comfort, cooling of the urban heat island, habitat for local animal species and beautification of the public realm. Protect existing mature trees where possible.</p>	<p><del><i>Urban Forest Canopy.</i></del> <del>Encourage the installation of <b>street trees</b> in <b>Core Area</b> streetscape improvement projects, recognizing the critical role they play in pedestrian comfort, cooling of the urban heat island, habitat for local animal species and beautification of the public realm. Protect existing mature trees where possible.</del></p> <p><u>Recognize the critical role tree canopy cover plays in pedestrian comfort, cooling of the urban heat island, habitat for local</u></p>	<p>Clear policy is required to identify the importance of trees on private property as well as in streetscapes, especially as more residential infill is onboarded.</p>

			<u>animal species and beautification of the public realm. Encourage the integration of trees in Core Area streetscape improvement projects and on private property with adequate growing medium, while protecting existing mature trees where possible.</u>	
30.	<b>Chapter 5: The Core Area</b> Policy 5.6.2.	<i>Policy 5.6.2. Transit Oriented Design.</i> Development on Regional Commercial lands that is adjacent to Transit Supportive Corridors should be designed to be transit oriented. Approaches include locating buildings closer to and oriented towards the corridor, additional landscaping treatments, and the location of surface parking in the rear, away from the corridor.	<del><i>Policy 5.6.2. Transit Oriented Design</i></del> <u><i>Regional Commercial Lands.</i></u> <del>Development on Regional Commercial lands that is adjacent to Transit Supportive Corridors should be designed to be transit oriented. Approaches include locating buildings closer to and oriented towards the corridor, additional landscaping treatments, and the location of surface parking in the rear, away from the corridor.</del> <u>Support buildings up to 12 storeys in Transit Oriented Areas on Regional Commercial lands. Development on Regional Commercial lands adjacent to Transit Supportive Corridors should locate buildings closer to and oriented towards the street, provide additional landscaping treatments, and locate surface parking in the rear of buildings.</u>	A Transit Oriented Area has been identified around the Orchard Park Exchange, which includes properties designated Regional Commercial (RCOM). This revised policy outlines the greater heights that would be supported in these areas.
31.	<b>Chapter 5: The Core Area</b> Policy 5.6.6.	<i>Residential Development on Regional Commercial Lands.</i> To continue focusing residential growth in strategic locations such as Urban Centres, Village Centres and Core Area Neighbourhoods, discourage residential development on Regional Commercial lands. Consideration for residential development may be explored where a project proposal meets the following criteria:	<i>Residential Development on Regional Commercial Lands.</i> To continue focusing residential growth in strategic locations such as Urban Centres, Village Centres and Core Area Neighbourhoods, discourage residential development on Regional Commercial lands. Consideration for residential development may be explored where a project proposal meets <del>the following</del> <u>criteria</u> <del>some or a combination of the following:</del>	A Transit Oriented Area has been identified around the Orchard Park Exchange, which includes properties designated Regional Commercial (RCOM). This revised policy allows for support of mixed residential and commercial development in keeping with the Transit Oriented Areas legislation.

		<ul style="list-style-type: none"> <li>• The project is located within 200 metres of a higher capacity transit station;</li> <li>• The project is located within 200 metres of existing park spaces and/or other amenities;</li> <li>• The project proposal includes an affordable and/or rental housing component;</li> <li>• The project proposal includes a significant public space or amenity component; and</li> <li>• The residential uses are secondary to the commercial uses.</li> </ul>	<ul style="list-style-type: none"> <li>• <u>The project is within a <b>Transit Oriented Area</b>;</u></li> <li>• The project is located within 200 metres of a higher capacity transit station;</li> <li>• The project is located within 200 metres of existing park spaces and/or other amenities;</li> <li>• The project proposal includes an affordable and/or rental housing component;</li> <li>• The project proposal includes a significant public space or amenity component; and/or</li> <li>• The residential uses are secondary to the commercial uses.</li> </ul>	
32.	<b>Chapter 5: The Core Area Objective 5.7</b>	Support the strategic and planned growth of the Kelowna General Hospital campus as the region's most critical health facility.	Support the strategic and planned growth of the Kelowna General Hospital campus <del>as the region's most critical health facility</del> <u>with supporting services and housing opportunities.</u>	The Health District now covers the Hospital Exchange Transit Oriented Area so its role and supported uses would expand to respond to the TOA legislation.
33.	<b>Chapter 5: The Core Area Policy 5.7.2</b>	<i>Hospital Area Plan.</i> Use the Hospital Area Plan for planning guidance in the Core Area Health District.	<del><i>Hospital Area Plan.</i> Use the Hospital Area Plan for planning guidance in the Core Area Health District.</del> <u><i>Hospital Area Plan. Health District Transit Oriented Area.</i> Use the Hospital Area Plan for planning guidance in the Core Area Health District. Support low-rise buildings up to 6 storeys, with due consideration of helicopter operations at Kelowna General Hospital and in keeping with the district's identification as a <b>Transit Oriented Area</b>. Encourage lot consolidation where apartment housing is proposed.</u>	The Health District now covers the Hospital Exchange Transit Oriented Area. Due to the flight path of helicopters to and from Kelowna General Hospital, 10 storey buildings are not supported within 200 metres.
34.	<b>Chapter 5: The Core Area Policy 5.7.3</b>	<i>Health District Neighbourhood Transition.</i> Limit development north and south of the Kelowna General Hospital Campus to small scale health services and residential uses that provide a sensitive transition	<del><i>Health District Neighbourhood Transition Services.</i> Limit development north and south of the Kelowna General Hospital Campus to small scale health services and residential</del>	The Health District now covers the Hospital Exchange Transit Oriented Area so its role and supported uses would expand to respond to the TOA legislation.



		towards Core Area Neighbourhoods and the Abbott Street Heritage Conservation Area.	<p><del>uses that provide a sensitive transition towards Core Area Neighbourhoods and the Abbott Street Heritage Conservation Area.</del></p> <p><u>Strategically focus health services and other services that support local residents and employees in the following ways:</u></p> <ul style="list-style-type: none"> <li>• <u>Support a mix of health and commercial services, integrated with housing opportunities;</u></li> <li>• <u>Provide health and/or commercial services at grade along Pandosy Street south of Royal Avenue and along Rose Avenue; and</u></li> <li>• <u>Limit health and commercial services near the Heritage District.</u></li> </ul>	Health and commercial services are limited near the Heritage District to reduce their impact on that neighbourhood.
35.	<b>Chapter 5: The Core Area</b> Policy 5.19.1.	<p><i>Parking Relaxations.</i> Consider parking requirement relaxations, where the development provides a robust Transportation Demand Management (TDM) strategy (e.g. car share memberships, bicycle parking, co-working space) or includes occupants (e.g. low income citizens) that would contribute to lower rates of vehicle ownership.</p>	<p><i>Parking Relaxations.</i> <del>Consider parking requirement relaxations, where the development provides a robust Transportation Demand Management (TDM) strategy (e.g. car share memberships, bicycle parking, co-working space) or includes occupants (e.g. low income citizens) that would contribute to lower rates of vehicle ownership.</del> <u>Do not require residential vehicle parking within Transit Oriented Areas in the Core Area, except parking for people with disabilities. Consider vehicle parking requirement relaxations in other areas or projects, where:</u></p> <ul style="list-style-type: none"> <li>• <u>Mode share shifts are anticipated or have been realized;</u></li> </ul>	Local governments are prohibited from requiring residential parking with designated Transit Oriented Areas, except for parking for people with disabilities. Criteria for other parking relaxations has been simplified to reflect the diversity of innovative approaches and emerging transportation technology.

			<ul style="list-style-type: none"> <li>• <u>A viable car-sharing program is provided; or</u></li> <li>• <u>Additional bicycle parking and end-of-trip facilities that exceed bylaw requirements.</u></li> </ul>	
36	<b>Chapter 7: Suburban Neighbourhoods</b> Land Use and Urban Design	Some forms of intensification are expected as market preferences change over the next 20 years. Secondary suites, lot splits, duplexes and carriage houses will become even more common in these neighbourhoods, and more low density forms of multi-family housing, such as four-plexes and townhouses, can be expected and located near Village Centres, neighbourhood commercial nodes, schools and parks, contributing to the evolution of these neighbourhoods into more complete communities.	Some forms of <del>intensification</del> <u>infill</u> are expected as <del>market preferences change over the next 20 years. these</del> <u>neighbourhoods grow and evolve.</u> Secondary suites, lot splits, duplexes and carriage houses will become even more common in these neighbourhoods, <del>and more low density forms of multi-family housing, such as four-plexes and townhouses, can be expected and located near Village Centres, neighbourhood commercial nodes, schools and parks, contributing to the evolution of these</del> <u>neighbourhoods into more complete communities, alongside lower density forms of multi-unit housing, such as four-plexes. Townhouses and low-rise apartments would be located in and around Village Centres, neighbourhood commercial nodes, schools and parks, contributing to the evolution of these</u> <u>neighbourhoods into more complete communities.</u>	The SSMUH legislation will allow up to four units per lot, requiring a reconsideration of the directions for land use in Suburban Neighbourhoods.
37	<b>Chapter 11: Heritage Policy</b> 11.1.3	<i>Heritage Financial Supports.</i> Support the conservation, rehabilitation, interpretation, operation and maintenance of heritage assets through grants, incentives and other means.	<i>Heritage Financial Supports.</i> Support the conservation, rehabilitation, interpretation, operation and maintenance of heritage assets through grants, incentives, <u>supportive land uses</u> and other means.	The Zoning Bylaw allows up to four units in the Heritage District. Expanding ways to preserve existing structures with heritage value is one way to preserve these assets.
38	<b>Chapter 16: Making the Plan Work</b> Table 16.1: Implementation Actions	<ul style="list-style-type: none"> <li>• Update the Heritage Conservation Area Design Guidelines</li> <li>• 11.1.2 Heritage Strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Update the Heritage Conservation Area Development Guidelines and <u>Identify Conservation Incentives and Tools</u></li> </ul>	Due to the impacts of Bill 44 on the Heritage Conservation Area, the scope of the HCA review has been expanded.

	Implementation Action 48	<ul style="list-style-type: none"> <li>• Strategy / Program</li> <li>• LT</li> </ul>	<ul style="list-style-type: none"> <li>• 11.1.2 Heritage Strategy</li> <li>• Strategy / Program</li> <li>• <del>LT</del>ST</li> </ul>	
39	<b>Chapter 17: Definitions</b> NEW DEFINITION: Transit Oriented Area	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<p><b>Transit Oriented Area</b> <u>Areas within 400 metres of select transit exchanges where the City must adhere to minimum building heights and densities to provide a greater diversity of housing options near those key transit facilities. In TOAs, the City cannot regulate residential vehicle parking minimums, instead allowing the market to determine needed parking for new development. See Chapter 3: Future Land Use for more details.</u></p>	A Transit Oriented Areas definition will outline the role that these areas play in terms of height, density and parking regulations.
40	<b>Chapter 18: Form and Character Development Permit Guidelines</b> <i>Introduction and Overview: Properties Affected</i>	<p>Unless exempted (see Exemptions below), a development permit addressing design guidelines must be approved for all properties that are currently, or become, zoned for multiple unit residential, commercial, health district, industrial, or zoned for institutional or comprehensive development containing multiple unit residential, commercial or industrial uses, as shown on Map 18.1 before:</p> <ul style="list-style-type: none"> <li>• Construction of, addition to, or alteration of a building or structure.</li> </ul>	<p>Unless exempted (see Exemptions below), a development permit addressing design guidelines must be approved for all properties that are currently, or become, <del>zoned</del> <u>developed</u> for multiple unit residential, commercial, health district, industrial, or zoned for institutional or comprehensive development containing multiple unit residential, commercial or industrial uses, as shown on Map 18.1 before:</p> <ul style="list-style-type: none"> <li>• Construction of, addition to, or alteration of a building or structure.</li> </ul>	With more multiple unit residential development anticipated with Bills 44 and 47, additional clarity is needed on when Form and Character Development Permits are required.
42	<b>Chapter 18: Form and Character Development Permit Guidelines</b> <i>Townhouses and Infill</i>	See Chart D	See Chart E	<p>Due to the recent changes to the MF1-Infill Housing zone updated design guidelines were warranted to address:</p> <ul style="list-style-type: none"> <li>- Up to 3 stories in building height;</li> </ul>

				<ul style="list-style-type: none"><li>- Site planning for properties with and without laneways;</li><li>- Mature tree retention; and</li><li>- Surrounding neighbourhood context.</li></ul> <p>Additionally, the guidelines were updated to reduce repetition and update precedent imagery.</p>
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## **Chart A**

Proposed - Chapter 3: Core Area – Heritage District (C-HER)

### **Core Area – Heritage District (C-HER)**

#### **Growth Strategy Role**

The Heritage District aims to accommodate a modest amount of Kelowna’s future growth in a way that is sensitive to the heritage defining features of the existing neighbourhood. While up to four residential units are supported on each property, the preservation of existing homes with character defining features is strongly encouraged through Heritage Revitalization Agreements and other tools available to local governments. New development and alterations to existing buildings should be guided by the Heritage Conservation Area Guidelines as outlined in Chapter 23.

#### **Supported Uses and Typologies**

The Heritage District supports residential development up to four units per property, including single detached housing, two dwelling housing, carriage houses, secondary suites and house-plexes. Small-scale local commercial and institutional uses that serve the surrounding residents may be considered, especially where they form part of a Heritage Revitalization Agreement or other tool to preserve heritage assets.

Additional policy direction for the Core Area Heritage District can be found in Chapter 5: The Core Area.

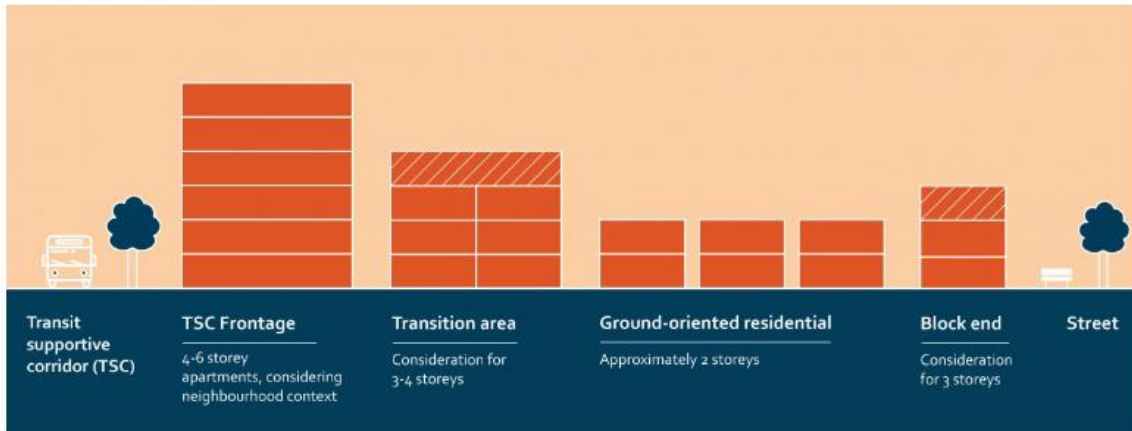
**Table 3.4.2 Core Area – Heritage District Summary**

Supported Uses	Supported Forms	Density (FAR)	Other Characteristics
<ul style="list-style-type: none"><li>• Single and two dwelling residential</li><li>• Secondary suites and carriage houses</li><li>• Ground-oriented multi-unit residential</li><li>• Small-scale commercial and institutional*</li></ul>	<ul style="list-style-type: none"><li>• Attached and detached buildings up to 3 storeys</li></ul>	<ul style="list-style-type: none"><li>• N/A</li></ul>	<ul style="list-style-type: none"><li>• Consistency with Heritage Conservation Area Development Guidelines</li></ul>

\*As guided by policy.

## Chart B

Existing – Figure 5.3: Core Area Neighbourhood Cross Section



## Chart C

Proposed – Figure 5.3: Core Area Neighbourhood Cross Section



**Chart D** Existing – Chapter 18 – Form and Character Development Permit Guidelines – Townhouses and Infill

# TOWNHOUSES & INFILL

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## TOWNHOUSE OVERVIEW

- Townhouse development in Kelowna typically occurs in one of two scenarios: infill development within an existing neighbourhood or large-scaled developments with an internal circulation network.
- Common design challenges include integrating well with the existing and planned future context and positively contributing to the streetscape.
- As a result, projects should create a strong relationship to the street and extend or connect with the existing and planned street and open space networks.

## GENERAL CHARACTERISTICS

- 2 to 3 storeys
- Shares side walls with neighbouring units
- Individual unit entrance with ground-oriented access

## INFILL OVERVIEW

- Ground-oriented infill typically consists of development on a single existing parcel that consists of 2 or more units and includes forms from single detached, duplex housing, semi-detached housing, triplex, and four plex housing.
- Common design challenges include integrating well with the existing and planned future context, protecting mature trees, and positively contributing to the streetscape.
- Projects should create a strong relationship to the street and should be designed in general context with the scale and massing of buildings in the neighbourhood.

## GENERAL CHARACTERISTICS

- 2 to 2½ storeys
- Varied building forms, sometimes with two forms on a single site
- May share 1 or 2 walls with neighbouring units
- Individual unit entrance with ground-oriented access

# 3.0 TOWNHOUSES



## KEY GUIDELINES

In order to achieve the design goals of the City, all townhouse projects must:

- A** 3.0.1 a – Orient building entries, windows, patios, and balconies to face the fronting street, with the primary entry clearly visible and directly accessible from the sidewalk (see 3.1.1).
- B** 3.0.1 b – Provide usable outdoor amenity spaces and generous and well-designed landscaped areas that offer privacy, screening, and attractive interfaces with streets and open spaces (see 3.1.4).
- C** 3.0.1 c – Use building articulation, scaling, and setbacks to define individual units or intervals and to contribute to a consistent frontage pattern, pedestrian scale and rhythm along the fronting street (see 3.1.2 and 3.1.6).
- D** 3.0.1 d – Locate and design buildings to maximize access to sunlight, increase privacy, and reinforce neighbourhood character (see 3.1.4 and 3.1.6).
- E** 3.0.1 e – Provide access to parking from a secondary street or lane, wherever possible (see 3.1.5).



# 3.1 TOWNHOUSE GUIDELINES

## 3.1.1 Relationship to the Street

### Design Intent

To site and design buildings to positively frame and activate streets and public open spaces, while providing a clearly-defined public-private transition zone.

### TOWNHOUSE



### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Design primary unit entrances to provide:
  - ❖ A clearly visible front door directly accessible from a public street or publicly accessible pathway via a walkway, porch and/or stoop (See Figure 27);
  - ❖ Architectural entrance features such as stoops, porches, shared landings, patios, recessed entries, and canopies;
  - ❖ A sense of transition from the public to private realm by utilizing strategies such as changes in grade, decorative railings, and planters; and
  - ❖ Punctuation, articulation and rhythm along the street.
- b. A maximum 1.2m height (e.g., 5-6 steps) is desired for front entryways or stoops. Exceptions can be made in cases where the water table requires this to be higher.
- c. In the case of shared landings that provide access to multiple units, avoid having more than two doors in a row facing outward.
- d. For buildings oriented perpendicular to the street (e.g., 'shotgun' townhomes), ensure that the end unit facing the street is a custom street-oriented unit with primary entry directly accessible from the fronting street and primary living space at grade (See Figure 28).
- e. For large townhouse projects (e.g., master planned communities with internal circulation pattern), guidelines 3.1.1 a-d apply for units facing strata roads as well as those units fronting onto public streets.

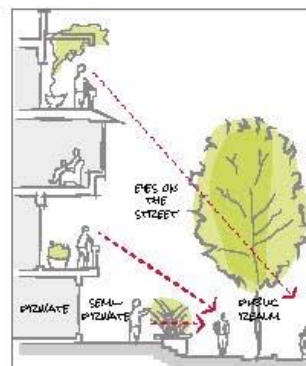


Figure 27: Provide clear front entries, patios and stoops to ensure eyes on the street and provide opportunities for surveillance (3.1.1 a).



Figure 28: In 'shotgun' townhouse projects, ensure that the end unit facing the street is a true street-oriented unit (3.1.1 d).

### 3.1.2 Scale and Massing

#### Design Intent

To ensure buildings contribute positively to the neighbourhood context and provide a sensitive transition in scale to existing and future buildings, parks, and open spaces.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Wherever possible, reflect the positive attributes of adjacent housing while integrating new higher density forms of housing as envisioned in the OCP.
- b. Scale and site buildings to establish consistent rhythm along the street by, for example, articulating individual units through integration of recessed entries, balconies, a change in materials and slight projection/recess in the facade.
- c. Limit the number of connected townhouse units to a maximum of 6 units before splitting into multiple buildings.
  - » In larger townhouse developments (e.g., master planned communities with internal circulation pattern), integrate a large proportion of 4 unit townhouse buildings to create a finer grain of development and limit visual impacts.



Figure 29: An example of townhouses with clearly visible front doors fronting onto a publicly-accessible pedestrian pathway (3.1.3 d).

### 3.1.3 Site Planning

#### Design Intent

To site buildings to respond sensitively to topography and environmental features; to enhance privacy, liveability, safety and accessibility; and to increase connectivity to the surrounding open space network.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Gated or walled communities are not supported.
- b. For large townhouse projects, consider including communal amenity buildings.

#### Connectivity

- c. Provide pedestrian pathways on site to connect:
  - » Main building entrances to public sidewalks and open spaces;
  - » Visitor parking areas to building entrances; and
  - » From the site to adjacent pedestrian/trail/cycling networks (where applicable).
- d. When pedestrian connections are provided on site, frame them with an active edge – with entrances and windows facing the path or lane (See Figure 29 & 20).

- e. For large townhouse projects (e.g., master planned communities with internal circulation pattern):
  - ❖ Design the internal circulation pattern to be integrated with and connected to the existing and planned public street network.

**Facing Distances and Setbacks**

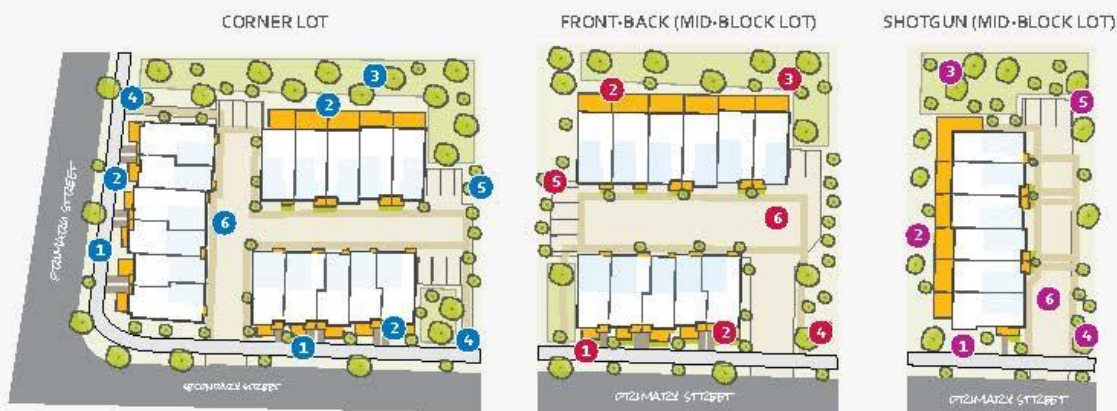
- f. Locate and design buildings to maintain access to sunlight, and reduce overlook between buildings and neighbouring properties.
- g. Separate facing buildings on site a minimum of 10-12m to provide ample spatial separation and access to sunlight.
- h. Limit building element projections, such as balconies, into setback areas, streets, and amenity areas to protect solar access.
- i. Front yard setbacks on internal roads should respond to the height of townhouses, with taller townhouses (e.g., 3 storeys) having greater setbacks to improve liveability and solar access.



Figure 20: Example of a mid-block connection through a townhouse site, with building entries facing onto the path (3.2.3 d).

## DEMONSTRATION PLANS – INFILL LOTS

The conceptual site plans on this page and the next demonstrate four common townhouse scenarios with a selection of guidelines to describe key areas for consideration. These plans are not intended to be a 'how to' for developing sites with similar characteristics, but rather to demonstrate how the guidelines accommodate townhouse developments on different types of sites.



- ❶ Units with entries oriented to the street (see 3.1.1).
- ❷ Private / semi-private outdoor amenity spaces (see 3.1.4).
- ❸ Large shared outdoor amenity spaces (see 3.1.4).
- ❹ Pedestrian access to site from street, with internal circulation (see 3.1.3).
- ❺ Visitor parking in accessible locations throughout the site; servicing areas provided and screened from view (see 3.1.5).
- ❻ Internal road with high quality pavement materials and landscaping (see 3.1.5).

### 3.1.4 Open Spaces

#### Design Intent

To design landscapes and open spaces that provide integrated, flexible, and accessible open space.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Design all units to have easy access to useable private or semi-private outdoor amenity space (See Figure 20 & 21).
- b. Design front yards to include a path from the fronting street to the primary entry, landscaping, and semi-private outdoor amenity space.
- c. Avoid a 'rear yard' condition with undeveloped frontages along streets and open spaces.
- d. Design private outdoor amenity spaces to:
  - Have access to sunlight;
  - Have railing and/or fencing to help increase privacy; and
  - Have landscaped areas to soften the interface with the street or open spaces.



Figure 22: All units should have easy access to useable private or semi-private outdoor amenity space (3.1.4 a).

## DEMONSTRATION PLAN – LARGE TOWNHOUSE DEVELOPMENT

This demonstration plan is not intended to be a 'how to' for developing sites with similar characteristics, but rather to demonstrate how the guidelines accommodate townhouse developments on large sites. A master planning process is encouraged for townhouse development projects on large sites to ensure a comprehensive and cohesive design that connects and expands the existing and/or planned future context; responds sensitively to natural and ecological features; and achieves building and site design, features and amenities to support liveability and sustainability as per the DP design guidelines.



- e. Design front patios to:
  - » Provide an entrance to the unit; and
  - » Be raised a minimum of 0.6m and a maximum of 1.2m to create a semi-private transition zone.
- f. Design rooftop patios to (See Figure 22):
  - » Have parapets with railings;
  - » Minimize direct sight lines into nearby units; and
  - » Have access away from primary facades.
- g. Design balconies to be inset or partially inset to offer privacy and shelter, reduce building bulk, and minimize shadowing.
  - » Consider using balcony strategies to reduce the significant potential for heat loss through thermal bridge connections which could impact energy performance (see 2.2.1).
- h. Provide a minimum of 10% of the total site area to common outdoor amenity spaces that:
  - » Incorporate landscaping, seating, play space, and other elements that encourage gathering or recreation; and
  - » Avoid isolated, irregularly shaped areas or areas impacted by parking, mechanical equipment, or servicing areas.
- i. For large townhouse projects, provide generous shared outdoor amenity spaces integrating play spaces, gardening, storm water and other ecological features, pedestrian circulation, communal amenity buildings, and other communal uses.
- j. Design internal roadways to serve as additional shared space (e.g., vehicle access, pedestrian access, open space) using strategies such as:
  - » High-quality pavement materials (e.g., permeable pavers); and
  - » Providing useable spaces for sitting, gathering and playing.



Figure 22: Rooftop patios provide a unique private outdoor space, and should include parapets with railings (3.1.4.f).



Figure 23: Example of internal roadway designed with high quality pavement materials and strategic landscaping placement (3.1.5.a).

### 3.1.5 Site Servicing, Access, and Parking

#### Design Intent

To ensure the provision of adequate servicing, vehicle access, and parking while minimizing adverse impacts on the comfort, safety, and attractiveness of streets, sidewalks, and open spaces.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Provide landscaping in strategic locations throughout to frame building entrances, soften edges, screen parking garages, and break up long facades (See Figure 23).

#### Site Servicing

- b. Exceptions for locating waste collection out of public view can be made for well-designed waste collection systems such as Molok bins.

#### Parking

- c. Rear-access garage or integrated tuck under parking is preferred in townhouses, in general, and is required for townhouses facing public streets (See Figure 23).

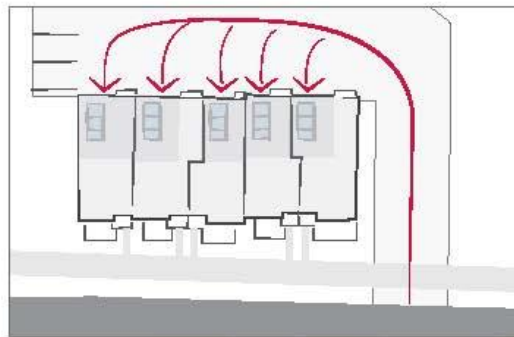


Figure 24: Rear-access parking is preferred in townhouses, in general, and is required for those facing public streets (3.1.5.c).

- d. Centralized parking areas that eliminate the need to integrate parking into individual units are supported.
- e. Front garages and driveway parking are acceptable in townhouses facing internal strata roads, with the following considerations:
  - » Architecturally integrate the parking into the building and provide weather protection to building entries; and
  - » Design garage doors to limit visual impact, using strategies such as recessing the garage from the rest of the facade.
- f. Provide visitor parking in accessible locations throughout the site and provide pedestrian connections from visitor parking to townhouse units. Acceptable locations include:
  - » Distributed through the site adjacent to townhouse blocks; and
  - » Centralized parking, including integration with shared outdoor amenity space.

**Access**

- g. Ensure that internal circulation for vehicles is designed to accommodate necessary turning radii and provides for logical and safe access and egress.
- h. For large townhouse projects (e.g., master planned communities with internal circulation pattern), a minimum of two access/egress points to the site is desired.
- i. Locate access points to minimize impact of headlights on building interiors.
- j. Design the internal circulation pattern and pedestrian and open space network to be integrated with and connected to the existing and planned public street and open space network.

- c. Maintain privacy of units on site and on adjacent properties by minimizing overlook and direct sight lines from the building using strategies such as:
  - » Off-setting the location of windows in facing walls and locating doors and patios to minimize privacy concerns from direct sight lines;
  - » Use of clerestory windows;
  - » Use of landscaping or screening; and
  - » Use of setbacks and articulation of the building.
- d. In larger townhouse developments (e.g., master planned communities with internal circulation pattern), provide modest variation between different blocks of townhouse units, such as change in color, materiality, building and roof form.

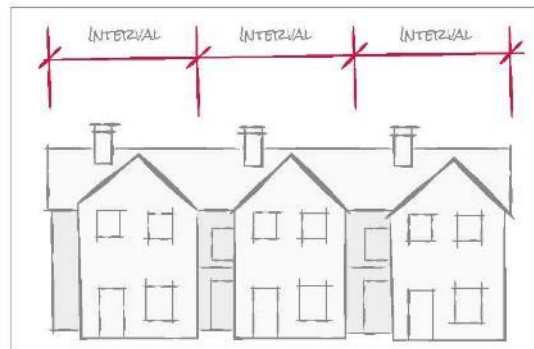


Figure 25: Breaking up a building's facade into a series of intervals creates a more pleasing human scale expression (3.1.6 a).

**3.1.6 Building Articulation, Features, and Materials**

**Design Intent**

To enhance liveability, visual interest, and sense of place through building form, architectural composition, and materials.

**Guidelines**

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Design facades to articulate the individual units while reflecting positive attributes of neighbourhood character. Strategies for achieving this include (See Figure 25 & 26):
  - » Recessing or projecting facades to highlight the identity of individual units; and
  - » Using entrance features, roofline features, or other architectural elements.
- b. To maximize integration with the existing neighbourhood, design infill townhouses to:
  - » Incorporate design elements, proportions, and other characteristics found within the neighbourhood; and
  - » Use durable, quality materials similar or complementary to those found within the neighbourhood.



Figure 26: Example of facades and entrance features designed to articulate individual units (3.1.6 a).

## 3.2 INFILL



### KEY GUIDELINES

In order to achieve the design goals of the City, all townhouse projects must:

- A** **3.2.1 a** Configure building massing to reflect the general scale of buildings in the surrounding area (see 3.3.2).
- B** **3.2.1 b** For each unit, provide well-designed, generous outdoor amenity spaces at grade that offer privacy and screening, as well as attractive interfaces with the street and open spaces (see 3.3.1).
- C** **3.2.1 c** Locate and design buildings to protect existing mature trees on-site (see 3.3.4).
- D** **3.2.1 d** Limit impermeable surfaces in landscaped areas and open spaces to maximize stormwater infiltration.
- E** **3.2.1 e** Use building articulation, scaling, and setbacks to define individual units in a way that is clearly oriented to pedestrians rather than to vehicles and that emphasizes connection to the street (see 3.3.1).
- F** **3.2.1 f** Orient building entries, windows, patios and balconies to face the fronting and flanking streets, with primary entries clearly visible and directly accessible from the sidewalk (see 3.3.1).
- G** **3.2.1 g** Building design elements, details and materials should create a well-proportioned and cohesive building design and exhibit an overall architectural concept (see 3.3.6).
- H** **3.2.1 h** Provide access to parking from a flanking street or lane, where available.

# 3.3 INFILL GUIDELINES

## 3.3.1 Relationship to the Street

### Design Intent

To site and design buildings to support a positive relationship to the street and public open spaces, while providing a clearly-defined public-private transition zone.

### INFILL HOUSING



### Guidelines

In addition to the strategies outlined in the General Residential Guidelines:

- a. Orient the primary façade of buildings to face the fronting street. In the case of lots with multiple frontages, buildings must also be oriented and designed to address flanking streets through architectural and landscape treatments including, but not limited to, front doors and windows (See Figure 27).
- b. Configure buildings so that a minimum of 50% of units facing streets. All units facing streets should have entries oriented towards, and be clearly accessible and visible from the street.
- c. Design primary unit entrances to provide:
  - » A clearly visible front door directly accessible from a public street or publicly accessible pathway via a walkway, porch and/or stoop (See Figure 28);
  - » Architectural entrance features such as stoops, porches, shared landings, patios, recessed entries, and canopies; and
  - » Punctuation, articulation and rhythm along the street.
- d. Use low fencing, landscaping and modest (max. of 0.6m) changes in grade to define a sense of transition from the public to the private realm (See Figure 28).
- e. Improve the "lanescape" by orienting units located towards the rear of the property to face laneways, and use building entrances, lighting, landscaping and materials to reinforce a safe and attractive public realm.



Figure 27: In the case of lots with multiple frontages, buildings must also be oriented and designed to address flanking streets (3.3.3 a).



Figure 28: Front doors should be directly accessible via a walkway, porch and/or stoop, and front yards should incorporate complementary landscaping and modest fencing (3.3.3 c, d).



### 3.3.2 Scale and Massing

#### Design Intent

To ensure that buildings contribute positively to the neighbourhood context while providing opportunity for greater housing choice and diverse building forms.

#### Guidelines

In addition to the strategies outlined in the General Residential:

- a. Wherever possible, reflect the positive attributes of adjacent housing (e.g.: rooflines, front porches, entrance features) while integrating new, higher density housing forms.
- b. Use building height, scale and setbacks to reinforce a generally consistent street rhythm. Limit significant real or perceived height difference (i.e.: more than 1.5 storey difference) between new and existing development in the surrounding area (See Figure 29).
- c. Ensure that larger buildings break down their massing to reflect the scale of surrounding buildings by using sub-forms and façade articulation (See Figure 20).
- d. In buildings with more than one unit, articulate individual units through integration of recessed entries, balconies, materials and projection/recess in the façade. Avoid symmetrical units (See Figure 30).
- e. On sites with more than one building, ensure that buildings are distinct, but designed to achieve cohesive scale, massing and proportion.

### 3.3.3 Site Planning

#### Design Intent

To site buildings to enhance liveability, privacy, safety, and accessibility; to increase connectivity to surrounding public spaces; and to contribute towards a healthy urban forest.

#### Guidelines

- a. Locate buildings on a site to:
  - » Protect mature trees, where possible;
  - » Maintain general consistency with established setbacks on primary and secondary streets, where possible;
  - » Maximize sunlight access to interior spaces and to outdoor amenity areas; and
  - » Avoid any required storm drainage infrastructure, such as rock pits.
- b. Provide pedestrian pathways on site to connect:
  - » Main unit entrances to public sidewalks and open spaces (minimum width of 1.2m, lit);
  - » Parking areas to unit entrances;
  - » From the site to adjacent pedestrian/trail/cycling networks, where applicable; and
  - » The common utility and water servicing location (See Figure 32).



Figure 29: Use building height, scale and setbacks to limit height differences between new and existing development in the surrounding area (3.3.2 b).



Figure 30: Break down the massing of large buildings through articulation of individual units and avoid symmetry (3.3.2 c, d).



Figure 32: Provide pedestrian pathways on site to connect sidewalks, open spaces, unit entrances, and parking areas (3.3.3 b).

- c. Where multiple buildings are located on a site, ensure that outdoor amenity space provided at grade between the buildings is generous and comfortable.
- d. Maintain privacy of units on site and on adjacent properties by minimizing overlook and direct sight lines from the building using strategies such as:
  - » Off-setting the location of windows in facing walls and locating doors and patios to minimize privacy concerns from direct sight lines;
  - » Use of clerestory windows;
  - » Use of landscaping or screening; and
  - » Use of setbacks and articulation of the building.

### 3.3.4 Open Spaces

#### Design Intent

To design landscapes and open spaces that enhance neighbourhood character, that provide high-quality outdoor living spaces that are useable year-round, and that provide a clear transition between the private and public realm.

#### Guidelines

In addition to the strategies outlined in the General Residential:

- a. Design all units to have easy and direct access to high-quality, private outdoor amenity space located at grade that are useable year-round.
- b. Provide landscaping in strategic locations throughout to frame building entrances, soften edges, screen parking garages/areas, and break up long facades (See Figure 32).
- c. Design open spaces and landscaped areas to protect and to feature mature trees on site, where possible. Where mature trees cannot be protected or where there were no mature trees on site, ensure that adequate open spaces are provided that will allow shade trees to reach mature sizes.
- d. Design private outdoor amenity spaces to:
  - » Have access to sunlight;
  - » Offer privacy; and
  - » Have landscaped areas to soften the interface with the street or open spaces (See Figure 33).
- e. Design front patios to:
  - » Provide an entrance to the unit; and
  - » Create a semi-private transition zone using landscape plantings or material changes, or modest (max. 0.6m) grade changes (See Figure 33).
- f. Design rooftop patios to:
  - » Minimize direct sight lines into nearby units;
  - » Have access away from primary facades;
  - » Have parapets with railings; and
  - » Minimize the impact of rooftop accesses on the overall height and massing of a building.



Figure 32: Provide landscaping that frames building entrances, softens edges, screens parking, and breaks up long facades (3.3.4 b).



Figure 33: Provide usable outdoor, landscaped amenity spaces that create a transition zone from the street to private residential units (3.3.4 d, e).

- g. Maximize the use of permeable surfaces in all landscaped and open spaces. Discourage the use of impermeable surfaces, such as poured-in-place concrete.
- h. Design outdoor amenity areas so that they are not impacted by parking, mechanical equipment or servicing areas.
- i. Design balconies to be inset or partially inset to offer privacy and shelter, reduce building bulk, and minimize shadowing.
- j. Design internal driveways to serve as additional shared space using strategies such as:
  - » High-quality, permeable pavement materials (e.g.: interlocking, permeable pavers);
  - » Providing useable spaces for sitting, gathering and playing; and
  - » Providing landscaping that frames and defines pedestrian entrances and softens edges between buildings and hardscapes (See Figure 36).
- k. Encourage low (1.06m maximum), semi-transparent fencing or railings in the front yard to define the transition between public and private realms. Discourage tall hedges, opaque or tall fencing in the front yard which would limit public interface.

### 3.3.5 Site Servicing, Access, and Parking

#### Design Intent

To ensure the provision of adequate servicing, vehicle access, and parking while minimizing adverse impacts on the comfort, safety and attractiveness of streets, sidewalks, and open spaces.

#### Guidelines

In addition to the strategies outlined in the General Residential Guidelines:

- a. Ensure that site layouts include provision for solid waste pick-up and bin storage that is enclosed or otherwise screened from view (See Figure 35).
- b. Locate mechanical equipment and site services, such as transformers and mailboxes, to minimize impacts on outdoor amenity areas through appropriate siting and screening.
- c. Ensure that all vehicle parking access is taken from the lane or secondary street, where available.
- d. Locate parking directly adjacent to street/lane access points to reduce or eliminate driveways, where possible.
- e. Support common parking areas or garages that eliminate the need to integrate parking into individual units. Where parking is not contained within a garage, ensure it is appropriately screened.
- f. Where vehicle access is only available via the primary street, ensure that vehicle parking is enclosed and integrated into one or more principal buildings on the site. Limit the visual impact of enclosed parking by using strategies such as recessing the garage from the rest of the façade.
- g. Ensure that internal circulation for vehicles is designed to accommodate necessary turning radii and provides for logical and safe access and egress.
- h. Locate access points and wind ows to minimize impact of headlights on building interiors.



Figure 34: Use permeable paving techniques for driveway areas, and soften paved areas by providing landscaping (3.3.4.f).



Figure 35: Ensure that site layouts include provision for solid waste pick-up and bin storage that is enclosed or otherwise screened from view (3.3.5. a).



Figure 36: Incorporate design elements, proportions, and materials found in the existing neighbourhood (3.3.6 b).

### 3.3.6 Building Articulation, Features, and Materials

#### Design Intent

To enhance liveability, neighbourhood character, visual interest and sense of place through building form, architectural composition, and materials.

#### Guidelines

In addition to the strategies outlined in the General Residential Guidelines:

- a. Design facades to articulate and differentiate the individual units (See Figure 37). Strategies for achieving this include:
  - » Recessing or projecting facades to highlight the identity of individual units; and
  - » Using entrance features, roofline features, or other architectural elements.
- b. To maximize integration with the existing neighbourhood, design infill houses to:
  - » Incorporate design elements, proportions, and other characteristics found within the neighbourhood; and
  - » Use durable, quality materials similar or complementary to those found within the neighbourhood (See Figure 26).
- c. Avoid blank walls by incorporating windows, and articulating the façade with recesses or projections, reinforced by building material changes and landscaping.
- d. Use increased ground floor height, entryway features, generous glazing, front porches and other architectural features to emphasize the ground floor as the highest design priority.
- e. On sites with multiple buildings, ensure that each building is unique, but tied together with the same architectural style and material palette.



Figure 37: Design facades to articulate individual units using entrance features, roofline features, and other architectural elements (3.3.6 a).

- f. Use durable, low-maintenance materials that withstand the local climate (e.g.: wood, natural stone, masonry, metal panels, fibre cement siding, or approved alternatives). Vinyl siding and imitation stone/rock are discouraged and should generally be avoided.
- g. Use warm, textured materials (e.g.: wood, masonry, stone) to provide contrast and to emphasize focal points (e.g.: entryways), particularly at grade (See Figure 28).
- h. A maximum of two cladding materials are recommended (See Figure 38).
- i. Changes in materials should incorporate appropriate trim and detailing and occur at significant changes in plane, including floor level changes and step backs.
- j. Infill designs should not be repetitive in nature and variation between properties is encouraged.



Figure 38: Use up to two warm, textured cladding materials to provide contrast and emphasize focal points (3.3.6 g, h).

### 3.3.7 Subdivision Design

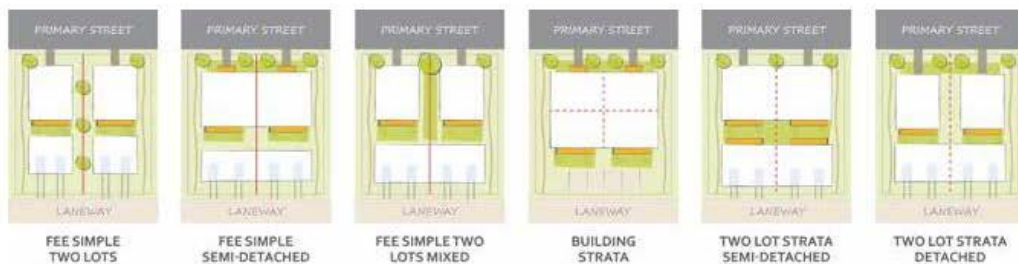
#### Design Intent

To provide a flexible approach to unit mix and tenure forms in small-scale infill development.

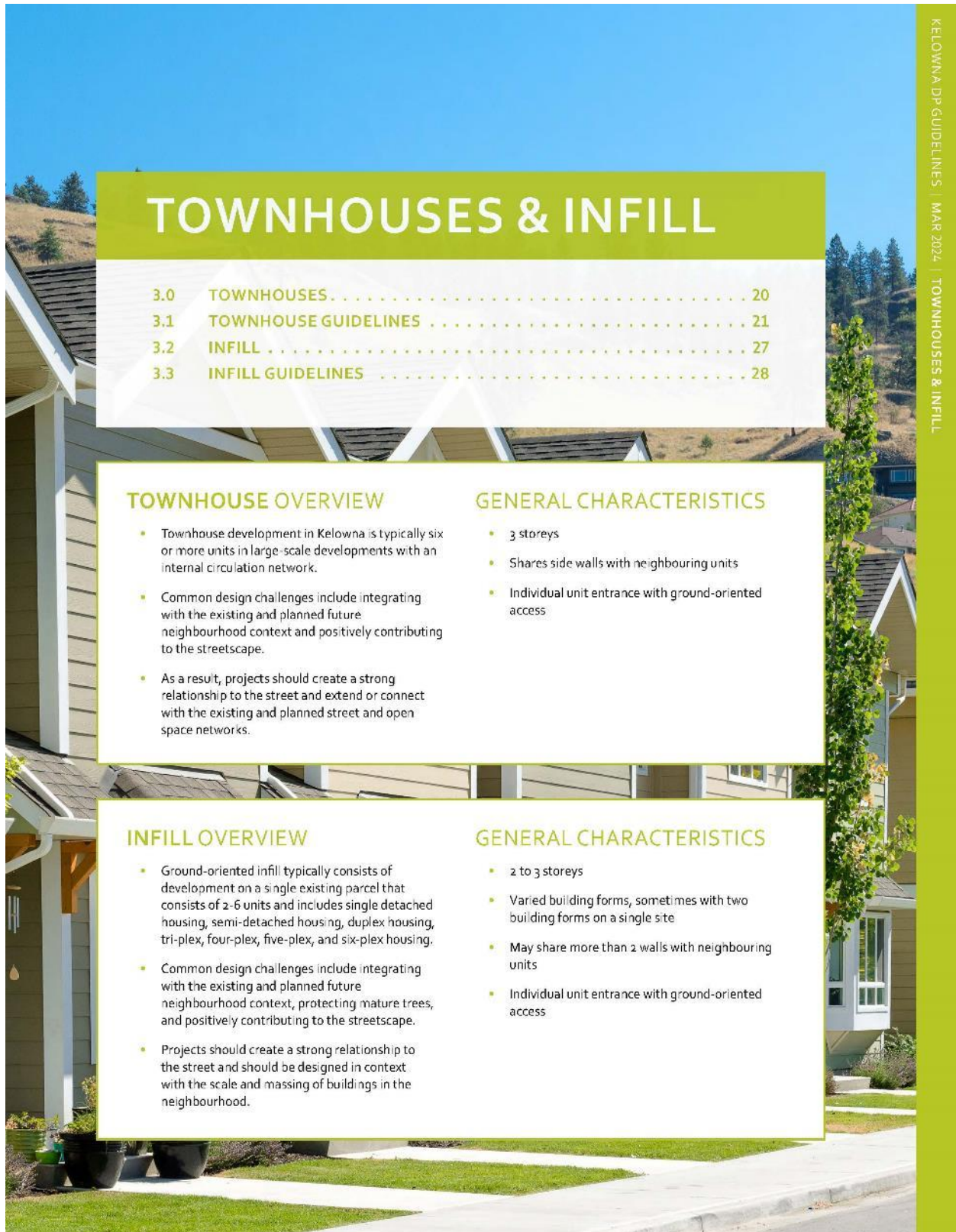
#### Guidelines

In addition to the strategies outlined in the General Residential Guidelines:

- a. Development Permits must be considered in conjunction with the architecture and design of future buildings on the site
- b. Permissible subdivision configurations include, but are not limited to, those shown in the diagram below.



**Chart E** Proposed – Chapter 18 – Form and Character Development Permit Guidelines –  
Townhouses and Infill



<h1>TOWNHOUSES &amp; INFILL</h1>		
<b>3.0</b>	<b>TOWNHOUSES</b> . . . . .	<b>20</b>
<b>3.1</b>	<b>TOWNHOUSE GUIDELINES</b> . . . . .	<b>21</b>
<b>3.2</b>	<b>INFILL</b> . . . . .	<b>27</b>
<b>3.3</b>	<b>INFILL GUIDELINES</b> . . . . .	<b>28</b>

<h3 style="color: #76b82a;">TOWNHOUSE OVERVIEW</h3> <ul style="list-style-type: none"> <li>• Townhouse development in Kelowna is typically six or more units in large-scale developments with an internal circulation network.</li> <li>• Common design challenges include integrating with the existing and planned future neighbourhood context and positively contributing to the streetscape.</li> <li>• As a result, projects should create a strong relationship to the street and extend or connect with the existing and planned street and open space networks.</li> </ul>	<h3 style="color: #76b82a;">GENERAL CHARACTERISTICS</h3> <ul style="list-style-type: none"> <li>• 3 storeys</li> <li>• Shares side walls with neighbouring units</li> <li>• Individual unit entrance with ground-oriented access</li> </ul>
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<h3 style="color: #76b82a;">INFILL OVERVIEW</h3> <ul style="list-style-type: none"> <li>• Ground-oriented infill typically consists of development on a single existing parcel that consists of 2-6 units and includes single detached housing, semi-detached housing, duplex housing, tri-plex, four-plex, five-plex, and six-plex housing.</li> <li>• Common design challenges include integrating with the existing and planned future neighbourhood context, protecting mature trees, and positively contributing to the streetscape.</li> <li>• Projects should create a strong relationship to the street and should be designed in context with the scale and massing of buildings in the neighbourhood.</li> </ul>	<h3 style="color: #76b82a;">GENERAL CHARACTERISTICS</h3> <ul style="list-style-type: none"> <li>• 2 to 3 storeys</li> <li>• Varied building forms, sometimes with two building forms on a single site</li> <li>• May share more than 2 walls with neighbouring units</li> <li>• Individual unit entrance with ground-oriented access</li> </ul>
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# 3.0 TOWNHOUSES



## KEY GUIDELINES

In order to achieve the design goals of the City, all townhouse projects must:

- A 3.0.1 a** – Orient building entries, windows, patios, and balconies to face the fronting street, with the primary entry clearly visible and directly accessible from the sidewalk (see 3.1.1).
- B 3.0.1 b** – Provide usable outdoor amenity spaces and **generous and well-designed landscaped areas that offer** privacy, screening, and attractive interfaces with streets and open spaces (see 3.1.4).
- C 3.0.1 c** – Use building articulation, scaling, and setbacks to **define individual units or intervals and to contribute to a** consistent frontage pattern, pedestrian scale and rhythm along the fronting street (see 3.1.2 and 3.1.6).
- D 3.0.1 d** – Locate and design buildings to maximize access to sunlight, increase privacy, and reinforce neighbourhood character (see 3.1.4 and 3.1.6).
- E 3.0.1 e** – Provide access to parking from a secondary street or lane, wherever possible (see 3.1.5).

# 3.1 TOWNHOUSE GUIDELINES

## 3.1.1 Relationship to the Street

### Design Intent

To site and design buildings to positively frame and activate streets and public open spaces, while providing a clearly-defined public-private transition zone.

### TOWNHOUSE



### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- Design primary unit entrances to provide:
  - A clearly visible front door directly accessible from a public street or publicly accessible pathway via a walkway, porch and/or stoop (See Figure 17);
  - Architectural entrance features such as stoops, porches, shared landings, patios, recessed entries, and canopies;
  - A sense of transition from the public to private realm by utilizing strategies such as changes in grade, decorative railings, and planters; and
  - Punctuation, articulation and rhythm along the street.
- A maximum 1.2m height (e.g., 5-6 steps) is desired for front entryways or stoops. Exceptions can be made in cases where the water table requires this to be higher.
- In the case of shared landings that provide access to multiple units, avoid having more than two doors in a row facing outward.
- For buildings oriented perpendicularly to the street (e.g., 'shotgun' townhomes), ensure that the end unit facing the street is a custom street-oriented unit with primary entry directly accessible from the fronting street and primary living space at grade (See Figure 18).
- For large townhouse projects (e.g., master planned communities with internal circulation pattern), guidelines 3.1.1 a-d apply for units facing strata roads as well as those units fronting onto public streets.

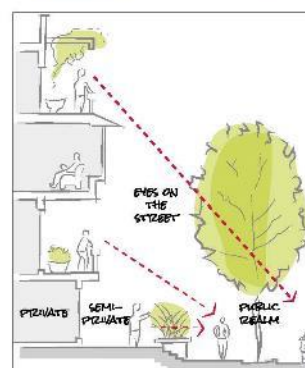


Figure 17: Provide clear front entries, patios and stoops to ensure eyes on the street and provide opportunities for surveillance (3.1.1 a).

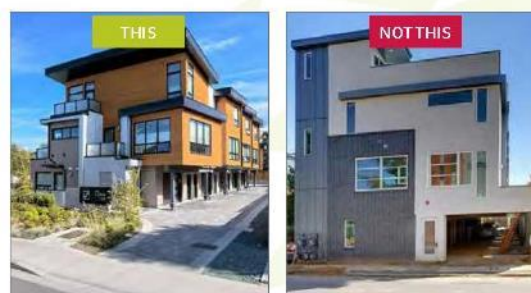


Figure 18: In 'shotgun' townhouse projects, ensure that the end unit facing the street is a true street-oriented unit (3.1.1 d).



### 3.1.2 Scale and Massing

#### Design Intent

To ensure buildings contribute positively to the neighbourhood context and provide a sensitive transition in scale to existing and future buildings, parks, and open spaces.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. **Wherever possible, reflect the positive attributes of adjacent housing while integrating new higher density forms of housing as envisioned in the OCP.**
- b. Scale and site buildings to establish consistent rhythm along the street by, for example, articulating individual units through integration of recessed entries, balconies, a change in materials and slight projection/recess in the facade.
- c. Limit the number of connected townhouse units to a maximum of 6 units before splitting into multiple buildings.
  - In larger townhouse developments (e.g., master planned communities with internal circulation pattern), integrate a large proportion of 4 unit townhouse buildings to create a **finer grain of development and limit visual impacts.**



Figure 19. An example of townhouses with clearly visible front doors fronting onto a publicly-accessible pedestrian pathway (3.1.3 d).

### 3.1.3 Site Planning

#### Design Intent

To site buildings to respond sensitively to topography and environmental features; to enhance privacy, liveability, safety and accessibility; and to increase connectivity to the surrounding open space network.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Gated or walled communities are not supported.
- b. For large townhouse projects, consider including communal amenity buildings.

#### Connectivity

- c. Provide pedestrian pathways on site to connect:
  - Main building entrances to public sidewalks and open spaces;
  - Visitor parking areas to building entrances; and
  - From the site to adjacent pedestrian/trail/cycling networks (where applicable).
- d. When pedestrian connections are provided on site, frame them with an active edge – with entrances and windows facing the path or lane (See Figure 19 & 20).

- e. For large townhouse projects (e.g., master planned communities with internal circulation pattern):
  - ▶ Design the internal circulation pattern to be integrated with and connected to the existing and planned public street network.

**Facing Distances and Setbacks**

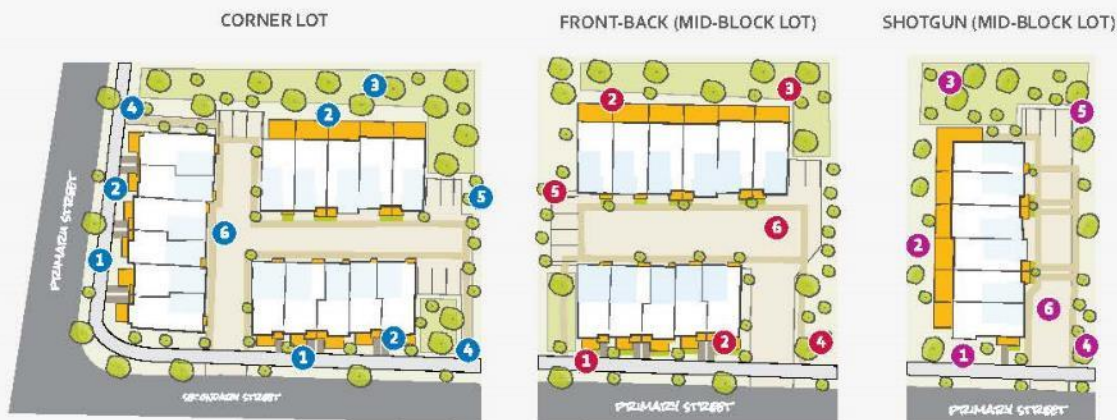
- f. Locate and design buildings to maintain access to sunlight, and reduce overlook between buildings and neighbouring properties.
- g. Separate facing buildings on site a minimum of 10-12m to provide ample spatial separation and access to sunlight.
- h. Limit building element projections, such as balconies, into setback areas, streets, and amenity areas to protect solar access.
- i. Front yard setbacks on internal roads should respond to the height of townhouses, with taller townhouses (e.g., 3 storeys) having greater setbacks to improve liveability and solar access.



Figure 20. Example of a mid-block connection through a townhouse site, with building entries facing onto the path (3.1.3 d).

**DEMONSTRATION PLANS – INFILL LOTS**

The conceptual site plans on this page and the next demonstrate four common townhouse scenarios with a selection of guidelines to describe key areas for consideration. These plans are not intended to be a 'how to' for developing sites with similar characteristics, but rather to demonstrate how the guidelines accommodate townhouse developments on different types of sites.



- 1 Units with entries oriented to the street (see 3.1.1).
- 2 Private / semi-private outdoor amenity spaces (see 3.1.4).
- 3 Large shared outdoor amenity spaces (see 3.1.4).
- 4 Pedestrian access to site from street, with internal circulation (see 3.1.3).
- 5 Visitor parking in accessible locations throughout the site; servicing areas provided and screened from view (see 3.1.5).
- 6 Internal road with high quality pavement materials and landscaping (see 3.1.5).

### 3.1.4 Open Spaces

#### Design Intent

To design landscapes and open spaces that provide integrated, **flexible, and accessible open space.**

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Design all units to have easy access to useable private or semi-private outdoor amenity space (See Figure 20 & 21).
- b. Design front yards to include a path from the fronting street to the primary entry, landscaping, and semi-private outdoor amenity space.
- c. Avoid a 'rear yard' condition with undeveloped frontages along streets and open spaces.
- d. Design private outdoor amenity spaces to:
  - ▶ Have access to sunlight;
  - ▶ Have railing and/or fencing to help increase privacy; and
  - ▶ Have landscaped areas to soften the interface with the street or open spaces.



Figure 21. All units should have easy access to useable private or semi-private outdoor amenity space (3.1.4 a).

## DEMONSTRATION PLAN – LARGE TOWNHOUSE DEVELOPMENT

This demonstration plan is not intended to be a 'how to' for developing sites with similar characteristics, but rather to demonstrate how the guidelines accommodate townhouse developments on large sites. A master planning process is encouraged for townhouse development projects on large sites to ensure a comprehensive and cohesive design that connects and expands the existing and/or planned future context, responds sensitively to natural and ecological features, and achieves building and site design, features and amenities to support liveability and sustainability as per the DP design guidelines.



- e. Design front patios to:
  - » Provide an entrance to the unit; and
  - » Be raised a minimum of 0.6m and a maximum of 1.2m to create a semi-private transition zone.
- f. Design rooftop patios to (See Figure 22):
  - » Have parapets with railings;
  - » Minimize direct sight lines into nearby units; and
  - » Have access away from primary facades.
- g. Design balconies to be inset or partially inset to offer privacy and shelter, reduce building bulk, and minimize shadowing.
  - » Consider using balcony strategies to reduce the significant potential for heat loss through thermal bridge connections which could impact energy performance (see 2.2.1).
- h. Provide a minimum of 10% of the total site area to common outdoor amenity spaces that:
  - » Incorporate landscaping, seating, play space, and other elements that encourage gathering or recreation; and
  - » Avoid isolated, irregularly shaped areas or areas impacted by parking, mechanical equipment, or servicing areas.
- i. For large townhouse projects, provide generous shared outdoor amenity spaces integrating play spaces, gardening, storm water and other ecological features, pedestrian circulation, communal amenity buildings, and other communal uses.
- j. Design internal roadways to serve as additional shared space (e.g., vehicle access, pedestrian access, open space) using strategies such as:
  - » High-quality pavement materials (e.g., permeable pavers); and
  - » Providing useable spaces for sitting, gathering and playing.



Figure 22: Rooftop patios provide a unique private outdoor space, and should include parapets with railings (3.1.4 f).



Figure 23: Example of internal roadway designed with high quality pavement materials and strategic landscaping placement (3.1.5 a).

### 3.1.5 Site Servicing, Access, and Parking

#### Design Intent

To ensure the provision of adequate servicing, vehicle access, and parking while minimizing adverse impacts on the comfort, safety, and attractiveness of streets, sidewalks, and open spaces.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Provide landscaping in strategic locations throughout to frame building entrances, soften edges, screen parking garages, and break up long facades (See Figure 23).

#### Site Servicing

- b. Exceptions for locating waste collection out of public view can be made for well-designed waste collection systems such as Molok bins.

#### Parking

- c. Rear-access garage or integrated tuck under parking is preferred in townhouses, in general, and is required for townhouses facing public streets (See Figure 23).

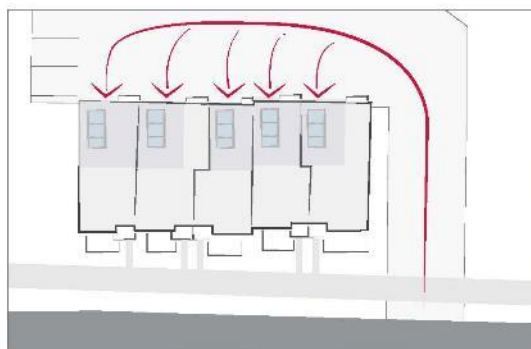


Figure 24: Rear-access parking is preferred in townhouses, in general, and is required for those facing public streets (3.1.5 c).

- d. Centralized parking areas that eliminate the need to integrate parking into individual units are supported.
- e. Front garages and driveway parking are acceptable in townhouses facing internal strata roads, with the following considerations:
  - » Architecturally integrate the parking into the building and provide weather protection to building entries; and
  - » Design garage doors to limit visual impact, using strategies such as recessing the garage from the rest of the facade.
- f. Provide visitor parking in accessible locations throughout the site and provide pedestrian connections from visitor parking to townhouse units. Acceptable locations include:
  - » Distributed through the site adjacent to townhouse blocks; and
  - » Centralized parking, including integration with shared outdoor amenity space.

**Access**

- g. Ensure that internal circulation for vehicles is designed to accommodate necessary turning radii and provides for logical and safe access and egress.
- h. For large townhouse projects (e.g., master planned communities with internal circulation pattern), a minimum of two access/egress points to the site is desired.
- i. Locate access points to minimize impact of headlights on building interiors.
- j. Design the internal circulation pattern and pedestrian and open space network to be integrated with and connected to the existing and planned public street and open space network.

- c. Maintain privacy of units on site and on adjacent properties by minimizing overlook and direct sight lines from the building using strategies such as:
  - » Off-setting the location of windows in facing walls and locating doors and patios to minimize privacy concerns from direct sight lines;
  - » Use of clerestory windows;
  - » Use of landscaping or screening; and
  - » Use of setbacks and articulation of the building.
- d. In larger townhouse developments (e.g., master planned communities with internal circulation pattern), provide modest variation between different blocks of townhouse units, such as change in color, materiality, building and roof form.

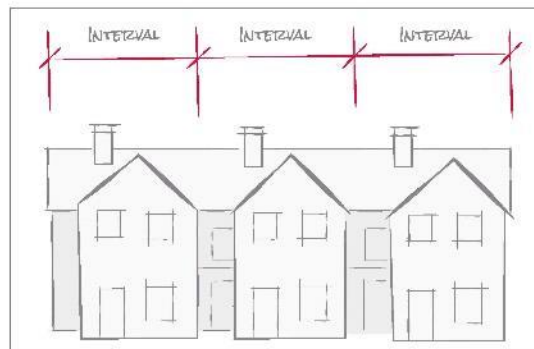


Figure 25: Breaking up a building's facade into a series of intervals creates a more pleasing human scale expression (3.1.6 a).

**3.1.6 Building Articulation, Features, and Materials**

**Design Intent**

To enhance liveability, visual interest, and sense of place through building form, architectural composition, and materials.

**Guidelines**

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Design facades to articulate the individual units while reflecting positive attributes of neighbourhood character. Strategies for achieving this include (See Figure 25 & 26):
  - » Recessing or projecting facades to highlight the identity of individual units; and
  - » Using entrance features, roofline features, or other architectural elements.
- b. To maximize integration with the existing neighbourhood, design infill townhouses to:
  - » Incorporate design elements, proportions, and other characteristics found within the neighbourhood; and
  - » Use durable, quality materials similar or complementary to those found within the neighbourhood.



Figure 26: Example of facades and entrance features designed to articulate individual units (3.2.6 a).

## 3.2 INFILL



### KEY GUIDELINES

In order to achieve the design goals of the City, all townhouse projects must:

- A** 3.2.1 a Design diverse building forms that respond to the evolving massing and density of the neighbourhood while positively contributing to the streetscape rhythm (See 3.3.1).
- B** 3.2.1 b Any portion of the building facing a street should be pedestrian focused with ease of access from the fronting street to front entrances. Avoid blank walls facing the street at-grade. (See 3.3.2).
- C** 3.2.1 c Ensure that all vehicle access is taken from the lane or secondary street, where available (See 3.3.4).
- D** 3.2.1 d Ensure required garbage and recycling carts have an assigned storage area and achieve maneuvering space to wheel the carts to the street or the lane (See 3.3.4).
- E** 3.2.1 e Ensure onsite landscaping and the off-site frontage contributes to the urban livability of the neighbourhoods by promoting sidewalks and large trees (See 3.3.5).
- F** 3.2.1 f Provide meaningful outdoor spaces that offer privacy, screening, and context sensitivity to surrounding neighbours through strategic at-grade outdoor spaces, decks, patios, balconies and/or rooftop patios (See 3.3.3).
- G** 3.2.1 g Limit impermeable surfaces in landscaped areas and open spaces to maximize stormwater infiltration (See 3.3.3).
- H** 3.2.1 h Locate and design buildings to protect existing mature non-invasive trees on-site. Support minor variances to the infill housing development regulations if the existing mature non-invasive trees are protected before, during, and after construction including a tree protection plan. (See 3.3.3).

# 3.3 INFILL GUIDELINES

## 3.3.1 Relationship to the Street

### Design Intent

To design and site buildings to support a positive relationship to the street and public open spaces, while providing a clearly defined public-private transition zone.

### INFILL HOUSING



### Guidelines

In addition to the strategies outlined in the General Residential Guidelines:

- a. Orient the primary façade of buildings to face the fronting street. In the case of lots with multiple frontages, buildings must also be oriented and designed to address flanking streets through architectural and landscape treatments including, but not limited to, front doors and windows (see Figure 27). Design primary entrances to provide:
  - » Clearly visible front door directly accessible from a public street or publicly accessible pathway via a walkway, porch and/or stoop (See Figure 28).
  - » Architectural entrance features such as stoops, porches, shared landings, patios, recessed entries, and canopies.
  - » For buildings oriented perpendicularly to the street (e.g. 'slot townhomes'), ensure that the end unit facing the street is a custom street-oriented unit with the primary entrance directly accessible from the fronting street and living space at grade (See Figure 18).
- b. Use low fencing, landscaping, and modest changes in grade to define a sense of transition from the public to the private realm.
- c. Limit the height of front entryways or stoops to a maximum of 1.2 m (5-6 steps) to improve street interface and connectivity. Exceptions may be considered in situations where the water table requires greater height, however, in such cases buildings should be stepped-back.



Figure 27: In the case of lots with multiple frontages, buildings must also be oriented and designed to address flanking streets (3.3.1 a).



Figure 28: Front doors should be directly accessible via a walkway, porch and/or stoop, and front yards should incorporate complementary landscaping and modest fencing (3.3.2 c, d).

- d. Improve the “lanescape” by orienting units located towards the rear of the property to face laneways, and use building entrances, lighting, landscaping, and materials to reinforce a safe and attractive public realm.
- e. Ensure that all vehicle surface parking is screened using fencing, landscaping, and other tools to mitigate visual impacts to the street and neighbouring properties (See Figure 29).

### 3.3.2 Scale, Massing and Building Articulation

#### Design Intent

To ensure that buildings contribute positively to the neighbourhood context while providing opportunity for greater housing choice and diverse building forms.

#### Guidelines

In addition to the strategies outlined in the General Residential:

- a. Articulate individual units through integration of recessed entries, balconies, materials, and projections/recesses in the façade. Building articulation should be distinct, but designed to achieve cohesive scale, massing, and proportion (See Figure 30).
- b. Large windows, balconies and rooftop patios should be oriented towards the front, rear, or internal portion of the property to increase privacy for neighbouring properties. Side yard design considerations to increase privacy for neighbours and reduce overlook include (See Figure 31):
  - » Enhancing landscaping (i.e. trees and shrubs).
  - » In setting balconies.
  - » In-setting rooftop patios back from building edges and using opaque railings.
  - » Utilizing clerestory and/or frosted windows on upper storeys.
- c. Design the third storey of buildings to reduce direct sight lines into neighbouring properties, increase privacy, and optimize sunlight exposure for ground-floor areas. (See Figure 31).
- d. Avoid blank walls by incorporating windows, articulating the façade with recesses or projections, reinforced by building material changes and landscaping.
- e. For exterior cladding assemblies use durable, low-maintenance and fire resistant or non-combustible materials (e.g. natural stone, masonry, metal panels, fibre cement siding, or approved alternatives). Avoid untreated wood and vinyl siding.
- f. Infill designs should not be repetitive in nature and variation between properties is encouraged.



Figure 29: Screen vehicle surface parking using fencing, landscaping, and other tools to mitigate visual impacts (3.3.1.e).



Figure 30: Break down the massing of large buildings through articulation of individual units and avoid symmetry (3.3.2.a).



Figure 31: Use building height, scale and setbacks to limit height differences between new and existing development in the surrounding area (3.3.2.c).



### 3.3.3 Open Spaces

#### Design Intent

To design landscapes and open spaces that enhance neighbourhood character, that provide high-quality outdoor living spaces that are useable year-round, and that provide a clear transition between the private and public realm.

#### Guidelines

In addition to the strategies outlined in the General Residential:

- a. Design all units to have easy and direct access to high-quality, private outdoor amenity space located at grade that is useable year-round.
- b. Provide landscaping in strategic locations throughout the site to frame building entrances, soften building edges, screen parking garages/areas, and break up long facades.
- c. Design open spaces and landscaped areas to protect and to feature mature trees on site, where possible (See Figure 32).
  - Relaxations to select development regulations may be considered to retain existing mature trees (See Figure 33).
- d. Open spaces should be designed to allow for required shade trees to reach mature sizes.
- e. Design outdoor amenity spaces to:
  - Have landscaped areas to soften the interface with the street or open spaces (See Figure 34).
  - Maximize the permeable surfaces in all landscaped and open spaces. Discourage the use of impermeable surfaces, such as poured-in-place concrete.
  - Not be impacted by parking, mechanical equipment, or servicing areas.
  - Avoid a 'rear yard' condition with undeveloped frontages along streets and open spaces.
- f. Design private balconies to:
  - Minimize direct sight lines and overlook into nearby units and properties.
  - Be inset or partially inset to offer privacy and shelter, reduce building bulk, and minimize shadowing.
- g. Design rooftop patios to:
  - Minimize direct sight lines and overlook into nearby units;
  - Encourage opaque glass guard rails on rooftops to reduce impact on privacy and overlook into neighbouring properties.
- h. Design internal driveways to serve as additional shared space using strategies such as:
  - High-quality, permeable pavement materials (e.g. interlocking, permeable pavers).



Figure 32: Protect and feature mature trees, where possible (3.3.3 c).

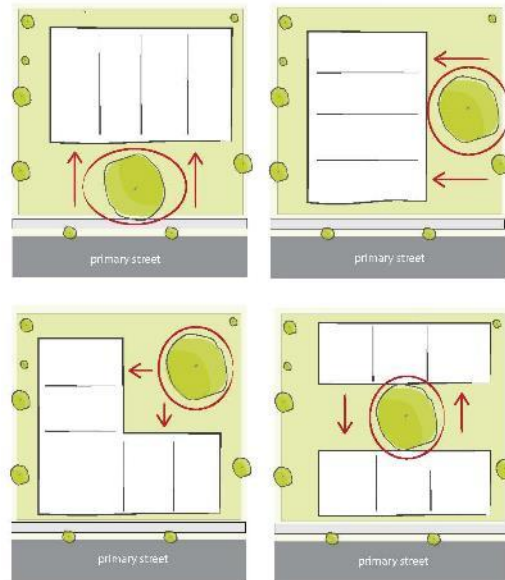


Figure 33: Relaxations on select development regulations may be considered to retain existing mature trees (3.3.3 c).



Figure 34: Have landscaped areas to soften the interface with the street and open spaces (3.3.3 e).

### 3.3.4 Site Servicing, Access, and Parking

#### Design Intent

To ensure the provision of adequate servicing, vehicle access, and parking while minimizing adverse impacts on the comfort, safety, and attractiveness of streets, sidewalks, and open spaces.

#### Guidelines

In addition to the strategies outlined in the General Residential Guidelines:

- a. Ensure that site layouts include provision for solid waste pick-up and bin storage that is located within a protected enclosure for public pickup or in-ground for private pickup.
- b. The location of garbage and recycling storage space should:
  - ▶ Be located in an area such that noise and odour impacts to building occupants and neighbouring properties are minimized.
  - ▶ Not block laneways, drive aisles, parking stalls, or other publicly owned rights-of-way where it may disrupt pedestrian or traffic circulation patterns (See Figure 35).
  - ▶ Not be located in the required front yard setback with the exception of in-ground bins (e.g. Molok).
  - ▶ Include additional widths if individual bins are proposed to be stored in garages, to accommodate the required cart aisle width and cart placement (See Figure 36).
- c. Locate mechanical equipment (e.g. AC units) and site services outside of amenity areas, to reduce noise and nuisance through appropriate siting and screening.
- d. Discourage surface parking areas. If surface parking is provided, then the parking area should be appropriately screened from the public view.
- e. Ensure that all vehicle access is taken from the lane or secondary street, where available. If vehicle access is only available via the primary street, mitigate impact through landscaping, screening, open spaces, and other measures.
- f. Ensure that internal circulation for vehicles is designed to accommodate necessary turning radii and provides for logical and safe access and egress.
- g. Locate access points and windows to minimize the impact of headlights on building interiors and neighbouring properties.

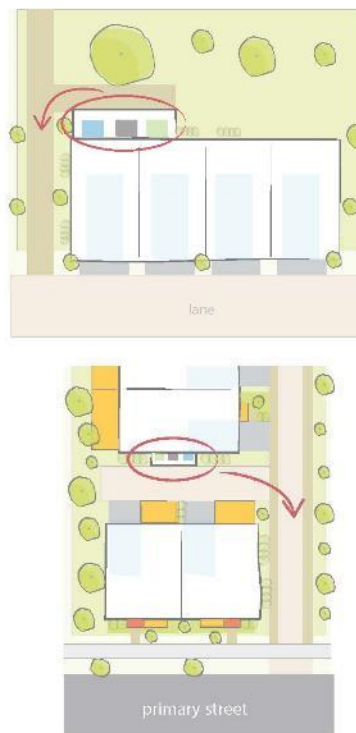


Figure 35: Ensure that garbage and recycling areas do not block laneways, drive aisles, parking stalls, or disrupt pedestrian and traffic patterns (3.3.4. b).



Figure 36: Ensure that site layouts include provision for solid waste pick-up and bin storage that is enclosed or otherwise screened from view (3.3.4. b).

### 3.3.5 Site Planning and Subdivision Design

#### Design Intent

To provide a flexible approach to unit mix and tenure forms in small-scale infill development. Site buildings to enhance liveability, privacy, safety, and accessibility; to increase connectivity to surrounding public spaces; and to contribute towards a healthy urban forest.

#### Guidelines

In addition to the strategies outlined in the General Residential Guidelines:

- a. Locate buildings on a site to:
  - » Establish ground-oriented units to directly front onto primary and secondary streets.
  - » Minimize impermeable surfaces such as drive aisles and parking areas.
  - » Protect and retain mature trees, where possible.
  - » Maximize sunlight access to interior spaces and to outdoor amenity areas.
- b. Provide pedestrian pathways on site to connect:
  - » Main unit entrances to public sidewalks and open spaces (minimum width of 1.2m lit pathway) (See Figure 37).
  - » Parking areas to unit entrances; where applicable.
  - » From the site to adjacent pedestrian/trail/cycling networks, where applicable.
  - » The common utility and water servicing location.
- c. Where multiple buildings are located on a site, ensure that outdoor amenity space provided at grade between the buildings is generous and comfortable.
- d. Encourage the redevelopment of properties while maintaining existing dwellings, if possible. Internal housing conversions, such as additional units within a structure are encouraged (See Figure 38).
- e. For proposals that retain existing dwellings, relaxations to design guidelines and development regulations may be considered.
- f. Permissible site layout configurations include, but are not limited to, those shown in the diagrams on the next page:



Figure 37: Provide pedestrian pathways on site to connect sidewalks, open spaces, unit entrances, and parking areas (3.3.5 b).



Figure 38: Encourage the redevelopment of properties while maintaining existing dwellings (3.3.5 d).

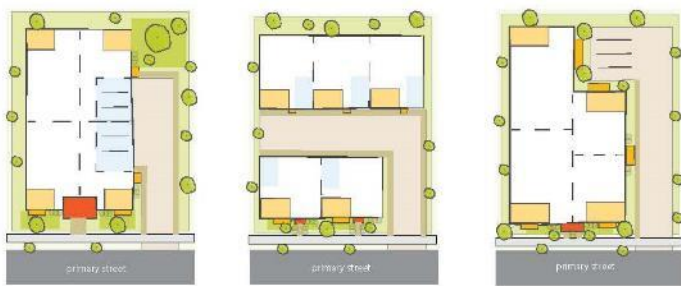
## DEMONSTRATION PLANS – INFILL LOTS

The conceptual site plans on this page demonstrate common infill scenarios. These plans are not intended to be a 'how to' for developing sites with similar characteristics, but rather to demonstrate how the guidelines accommodate various infill configurations.

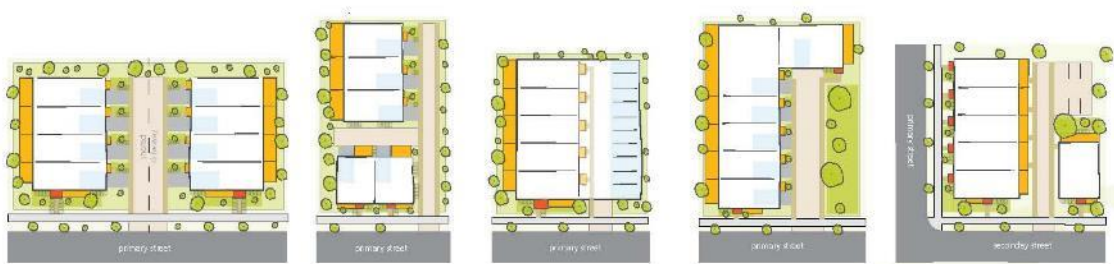
### LEGEND

- Ground-oriented Primary Street Entrance
- On-site Pathway
- Ground-oriented Outdoor Space / Entryway
- Rooftop Outdoor Space
- Greenspace
- Primary Street
- Lane / Shared Driveway
- Sidewalk
- Covered Parking

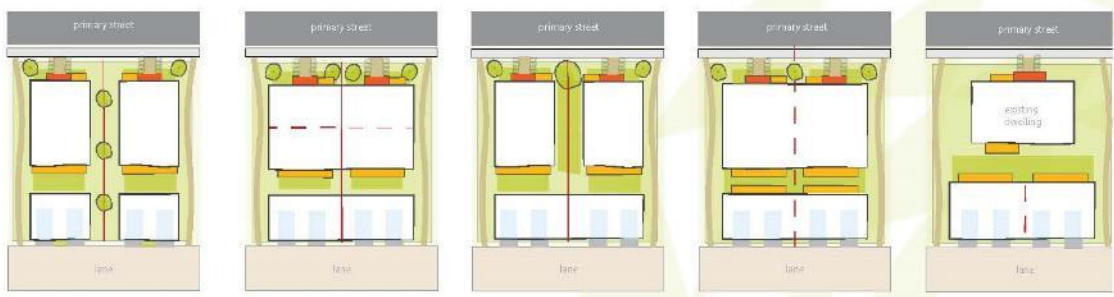
### NARROW LOTS



### WITHOUT LANE ACCESS



### WITH LANE ACCESS

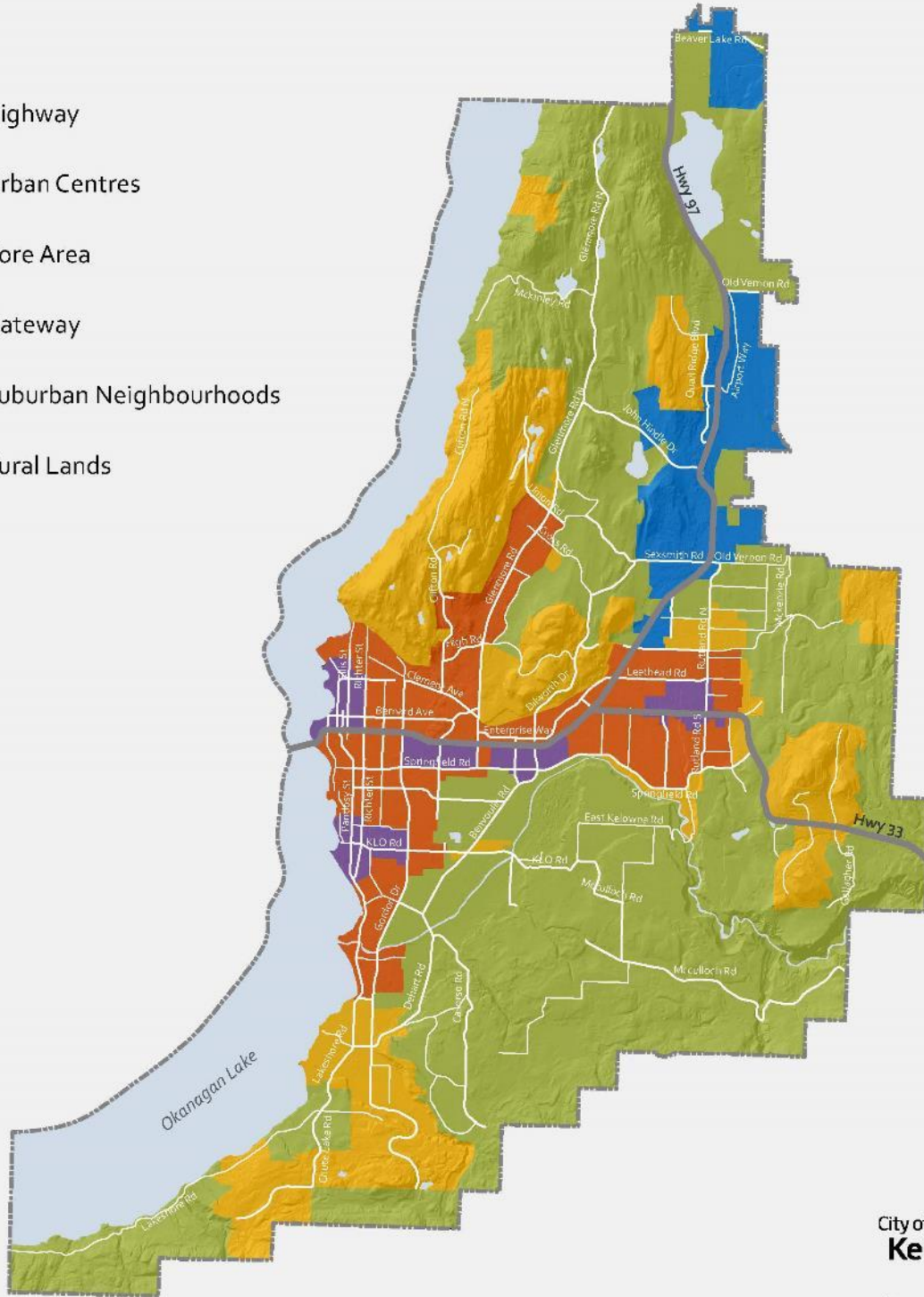


## Schedule B – Proposed Mapping Amendments

No.	Section	Amended Area	Description of Amendment	Reason for Amendment
1.	<b>Map 1.1</b> Growth Strategy Districts	Pandosy Urban Centre Boundary See Chart F	Expand the Pandosy Urban Centre Boundary to include additional properties along Lanfranco Road. See Chart G	Bill 47 has identified the Okanagan College Transit Exchange as a Transit Oriented Area, requiring support for buildings of at least 6 or 12 storeys in height, consistent more with an Urban Centre than the Core Area. The Pandosy Urban Centre Boundary has been expanded to reflect this change.
2.	<b>Map 3.1</b> Future Land Use	Properties within 400 metres of the Hospital Exchange transit stop. See Chart H	Expand the Core Area – Health District to include properties that fall within the Hospital Exchange TOA. See Chart I	Bill 47 has identified the Hospital Exchange as a Transit Oriented Area, requiring support for buildings of at least 6 storeys in height, consistent with supported heights in the Core Area – Health District. The Core Area – Health District future land use designation has been expanded to reflect this change.
3.	<b>Map 3.1</b> Future Land Use	Properties with the Heritage Conservation Area outside of the Hospital Exchange Transit Oriented Area. See Chart H	Apply a new “Core Area – Heritage District” Future Land Use Designation to apply to the neighbourhood. See Chart I	A new Future Land Use (FLU) designation has been created for the Heritage Conservation Areas outside of Transit Oriented Areas. Directions for those neighbourhoods are now outlined in the C-HER FLU.
4.	<b>Map 3.1</b> Future Land Use	N/A See Chart H	Apply a new “Transit Oriented Area” layer to Map 3.1 for the Okanagan College Exchange, Orchard Park Exchange, Rutland Exchange and Hospital Exchange Transit Oriented Areas. See Chart I	Bill 47 has identified four Transit Oriented Areas in Kelowna with additional considerations for height, density and parking regulations. Adding this layer to Map 3.1 provides users with a clarity as which properties are subject to these considerations.

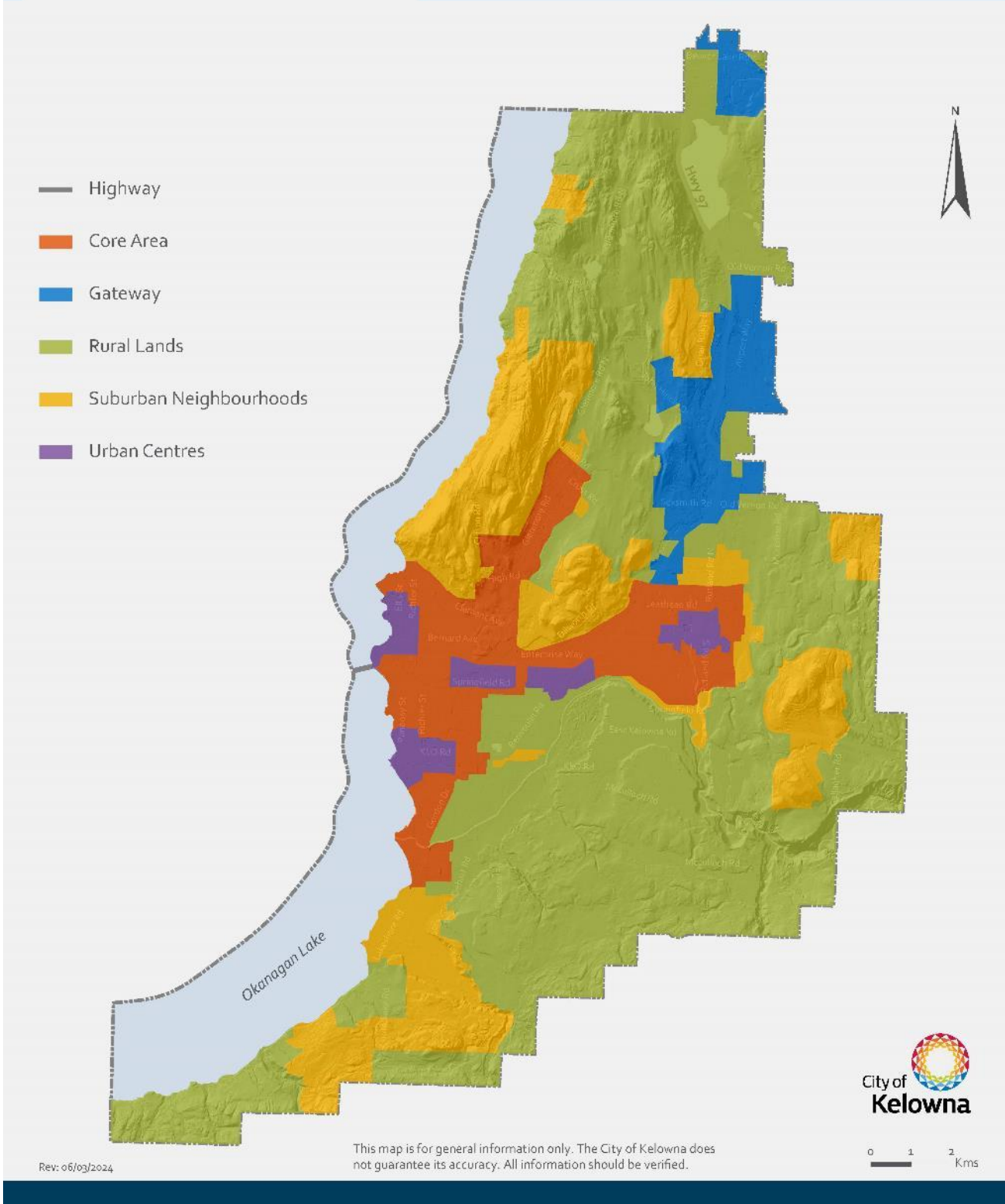
**Chart F** Existing – Map 1.1 Growth Strategy Districts

-  Highway
-  Urban Centres
-  Core Area
-  Gateway
-  Suburban Neighbourhoods
-  Rural Lands



Rev. Sept. 8, 2021

**Chart G** Proposed – Map 1.1 Growth Strategy Districts

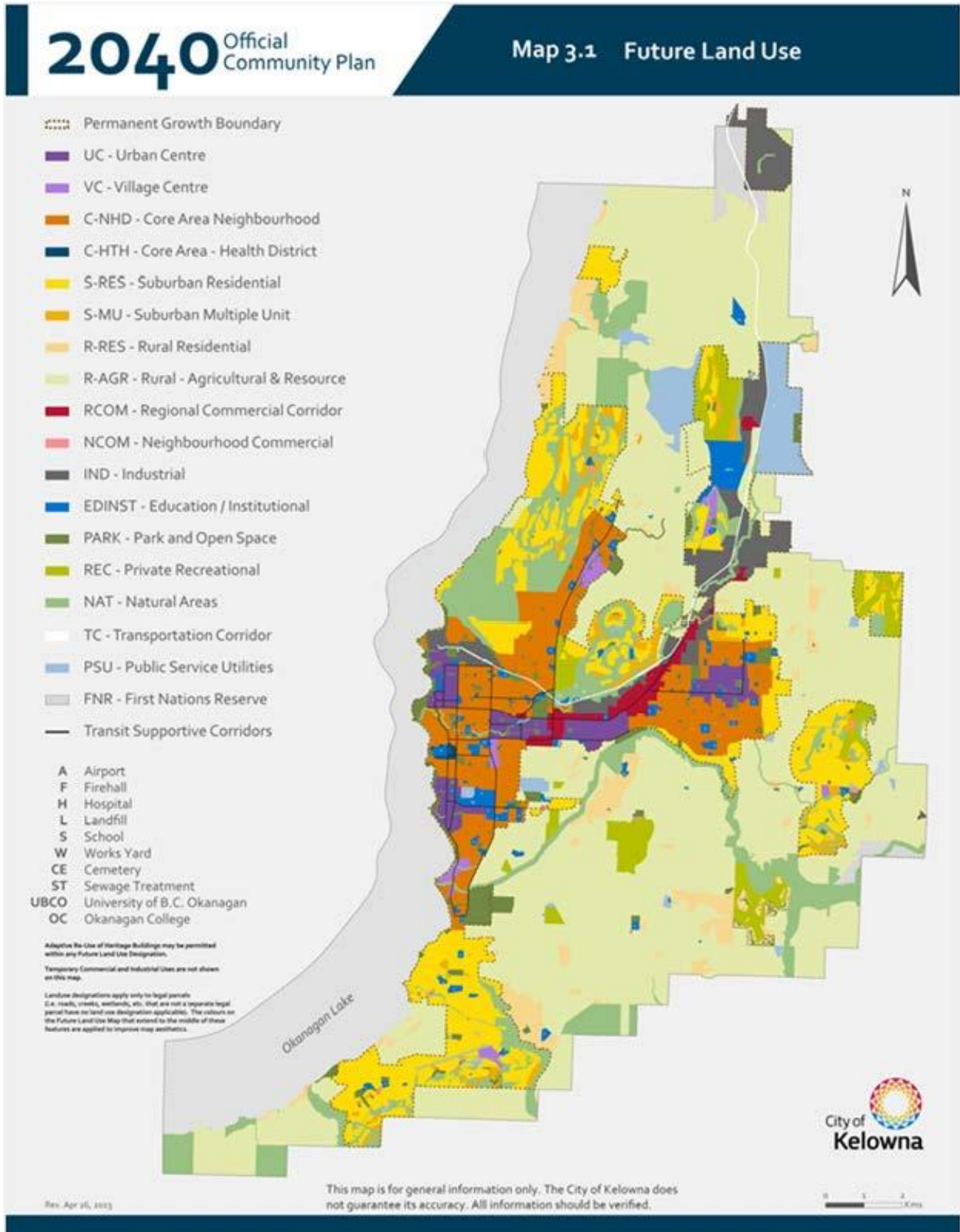


Rev: 06/03/2024

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



**Chart H** Existing – Map 3.1 Future Land Use

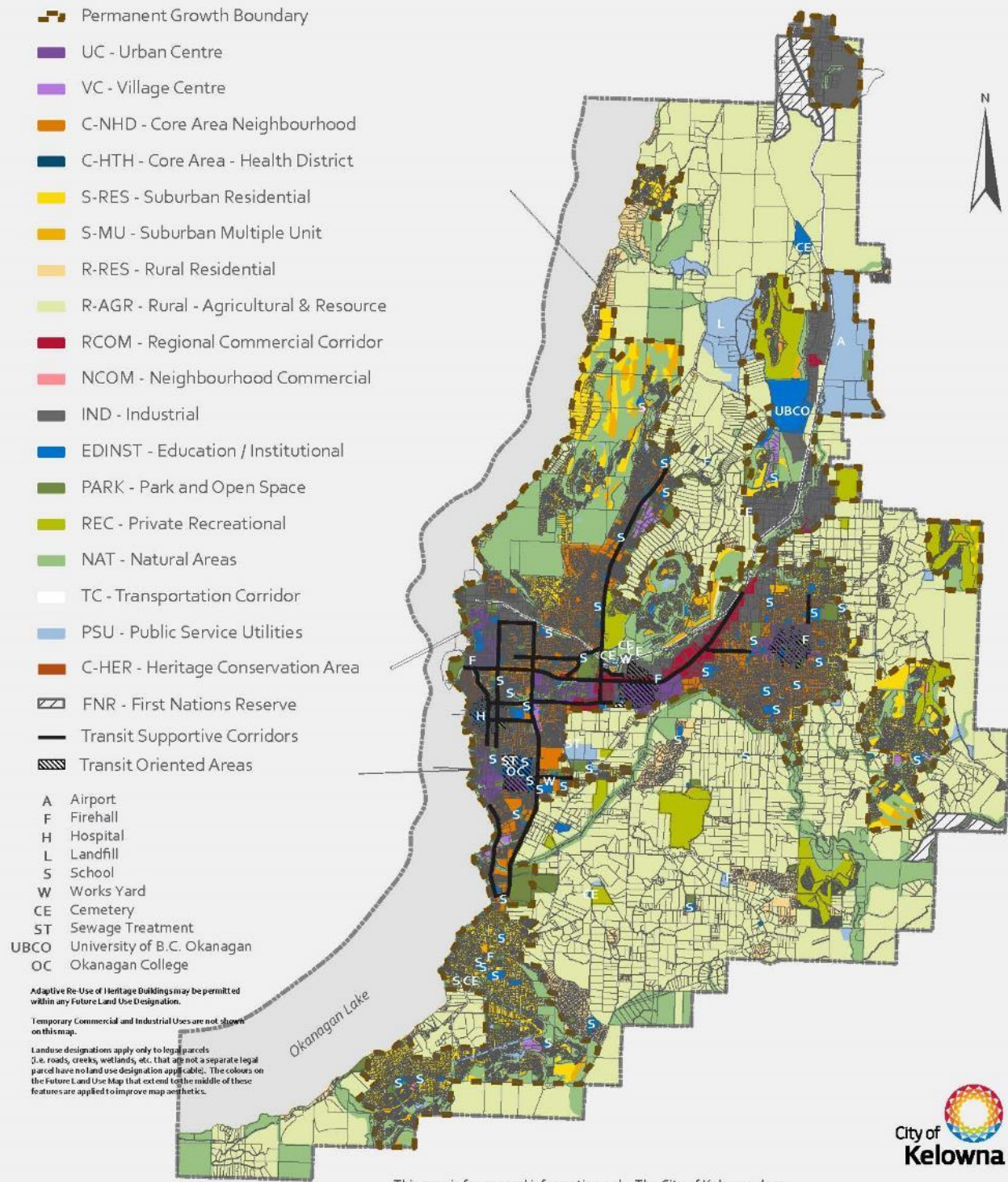




**Chart I** Proposed – Map 3.1 Future Land Use

# 2040 Official Community Plan

## Map 3.1 Future Land Use



Rev: 07/02/2024

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





City of  
**Kelowna**

# OCP Amendments Provincial Housing Legislation

April 15, 2024

# SSMUH / TOA Purpose



Increase housing supply

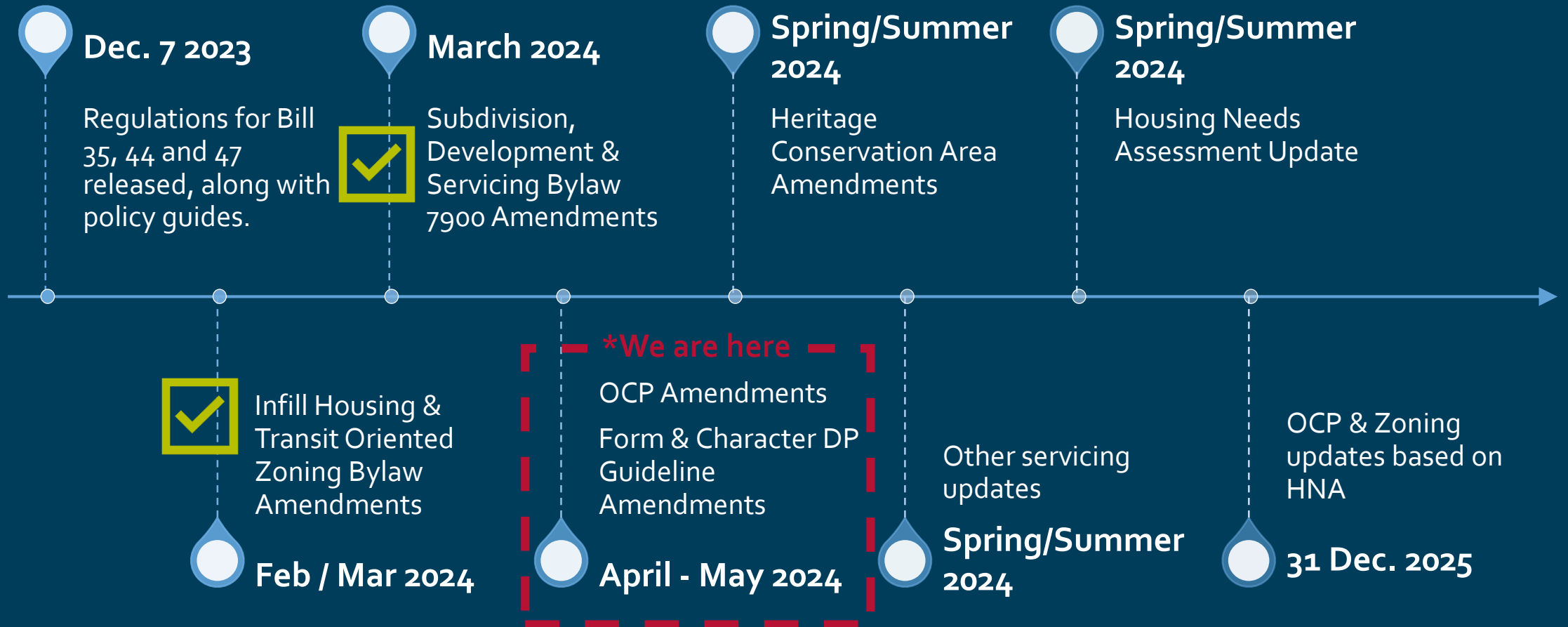


Reduce public hearing processes



Plan for long-term housing needs

# SSMUH / TOA Timelines





# OCP Amendments Purpose

**1** Increasing density on typical single-family lots to align with Small Scale Multi-Unit Housing Legislation (SSMUH)

**2** To designate Transit-Oriented Development Areas (TOD Areas) near transit hubs

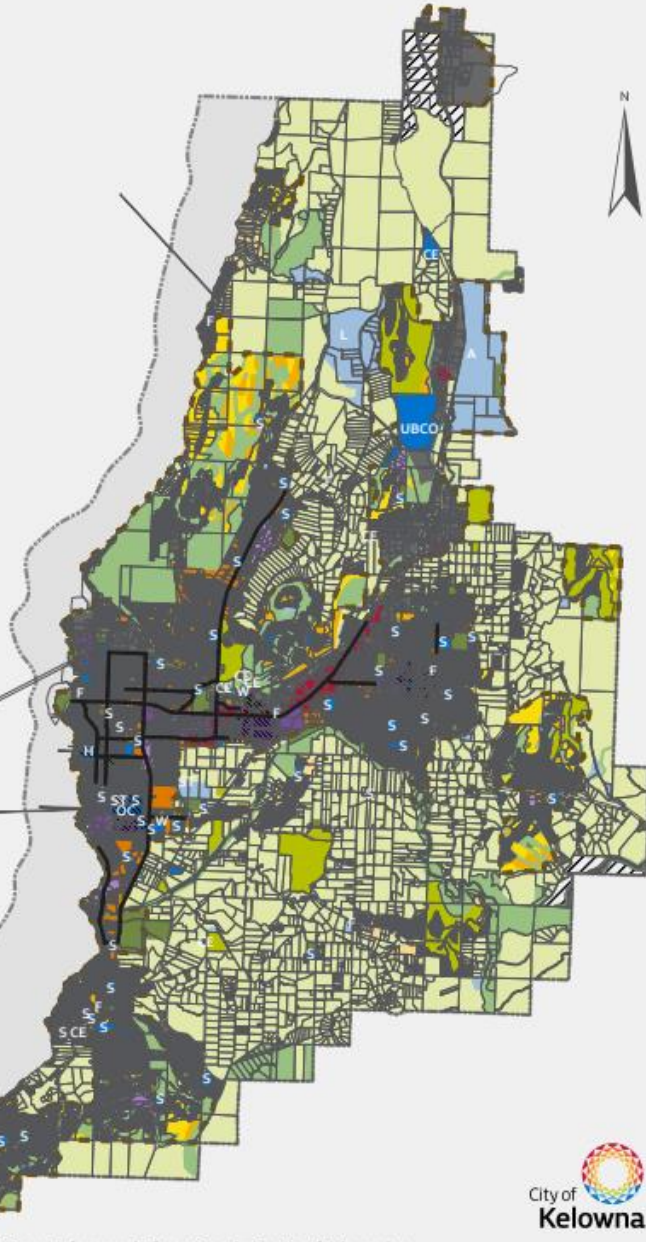
# OCP Amendments

To align with Zoning and Provincial legislation:

1. Updates to existing land use descriptions and mapping
2. Updates to OCP Policies
3. Infill Form & Character DP Guidelines



-  Permanent Growth Boundary
  -  UC - Urban Centre
  -  VC - Village Centre
  -  C-NHD - Core Area Neighbourhood
  -  C-HTH - Core Area - Health District
  -  S-RES - Suburban Residential
  -  S-MU - Suburban Multiple Unit
  -  R-RES - Rural Residential
  -  R-AGR - Rural - Agricultural & Resource
  -  RCOM - Regional Commercial Corridor
  -  NCOM - Neighbourhood Commercial
  -  IND - Industrial
  -  EDINST - Education / Institutional
  -  PARK - Park and Open Space
  -  REC - Private Recreational
  -  NAT - Natural Areas
  -  TC - Transportation Corridor
  -  PSU - Public Service Utilities
  -  C-HER - Heritage Conservation Area
  -  FNR - First Nations Reserve
  -  Transit Supportive Corridors
  -  Transit Oriented Areas
- A Airport
  - F Firehall
  - H Hospital
  - L Landfill
  - S School
  - W Works Yard
  - CE Cemetery
  - ST Sewage Treatment
  - University of B.C. Okanagan
  - OC Okanagan College



Adaptive Re-use of Heritage Buildings may be permitted within any Future Land Use Designation.  
 Temporary Commercial and Industrial User are not shown on this map.  
 Landuse designations apply only to legal parcels (i.e. roads, creeks, waterbodies, etc. that do not sit on a separate legal parcel have no land use designation applicable). The colours on the Future Land Use Map that extend to the middle of these features are applied to improve map aesthetics.

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



# Future Land Use Descriptions

- ▶ **Core Area Neighbourhood** - Updates to align with SSMUH Zoning
- ▶ **Core Area Health District** – allow for increased density and supported uses to align with TOA.
- ▶ **Suburban-Residential** - to allow for range of housing forms on single parcel
- ▶ **Regional Commercial** – to allow for buildings up to 12 storeys for those areas in TOAs
- ▶ **Transit Oriented Areas** – description of Transit Oriented Areas layer on mapping



# Transit Oriented Areas

- ▶ 4 provincially identified TOAs
  - ▶ Okanagan College
  - ▶ Rutland Exchange
  - ▶ Orchard Park
  - ▶ Hospital Exchange
- ▶ Areas within 400 meters of select transit exchanges allow increased building heights and density



Permanent Growth Boundary

UC - Urban Centre

VC - Village Centre

C-NHD - Core Area Neighbourhood

C-HTH - Core Area - Health District

S-RES - Suburban Residential

S-MU - Suburban Multiple Unit

R-RES - Rural Residential

R-AGR - Rural - Agricultural & Resource

RCOM - Regional Commercial Corridor

NCOM - Neighbourhood Commercial

IND - Industrial

EDINST - Education / Institutional

PARK - Park and Open Space

REC - Private Recreational

NAT - Natural Areas

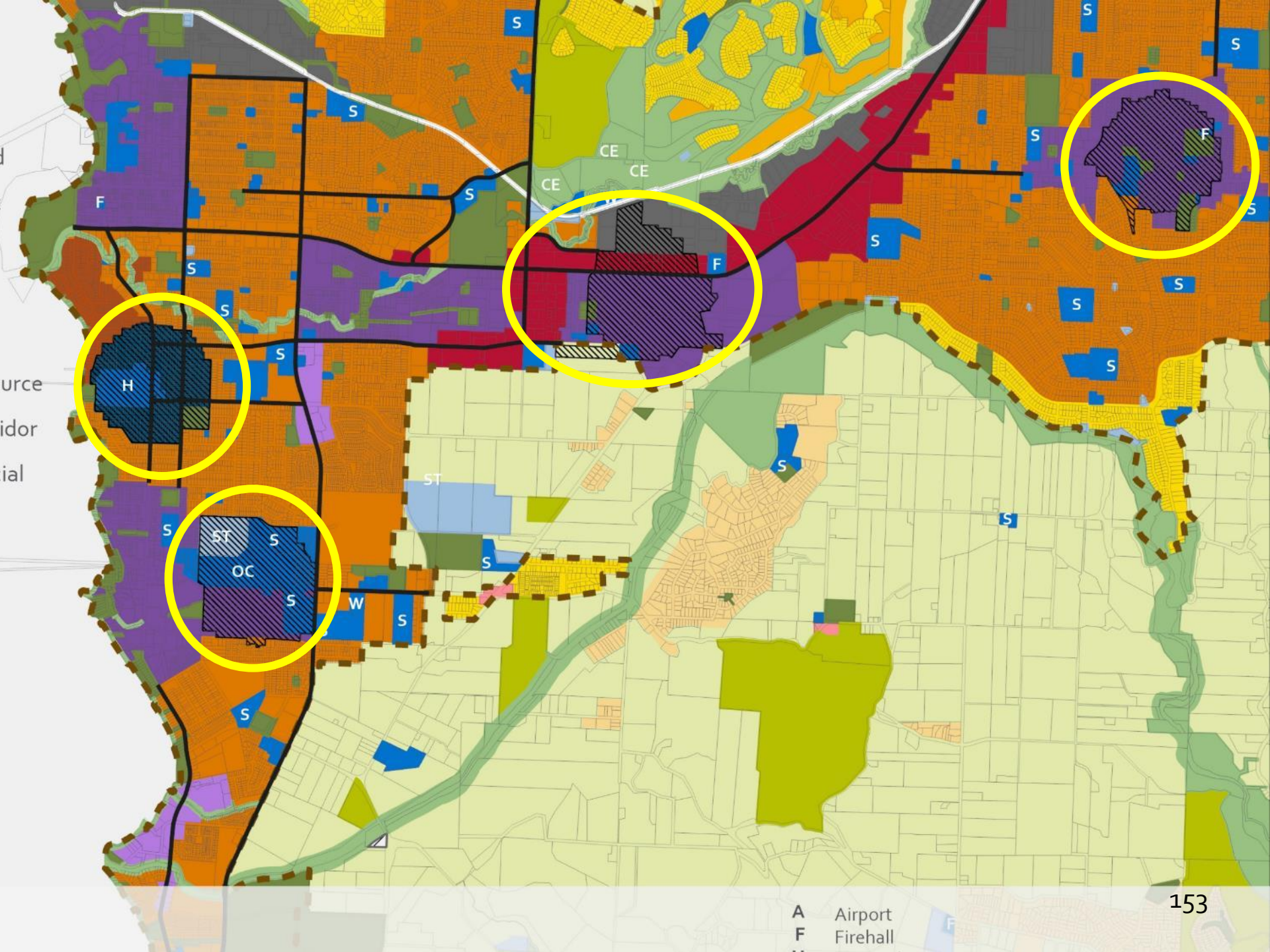
TC - Transportation Corridor

PSU - Public Service Utilities

FNR - First Nations Reserve

Transit Supportive Corridors

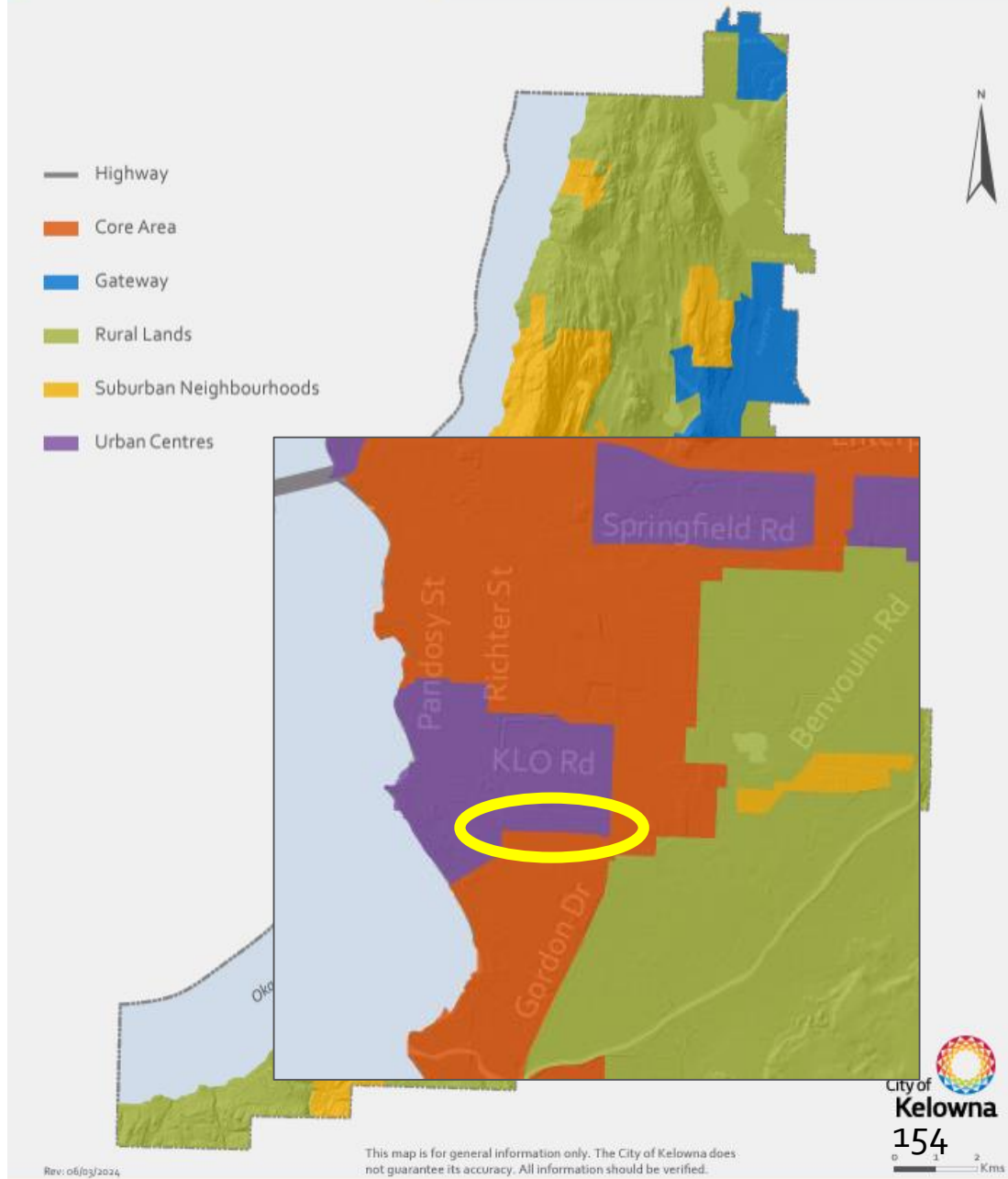
Transit Oriented Areas



A Airport  
F Firehall

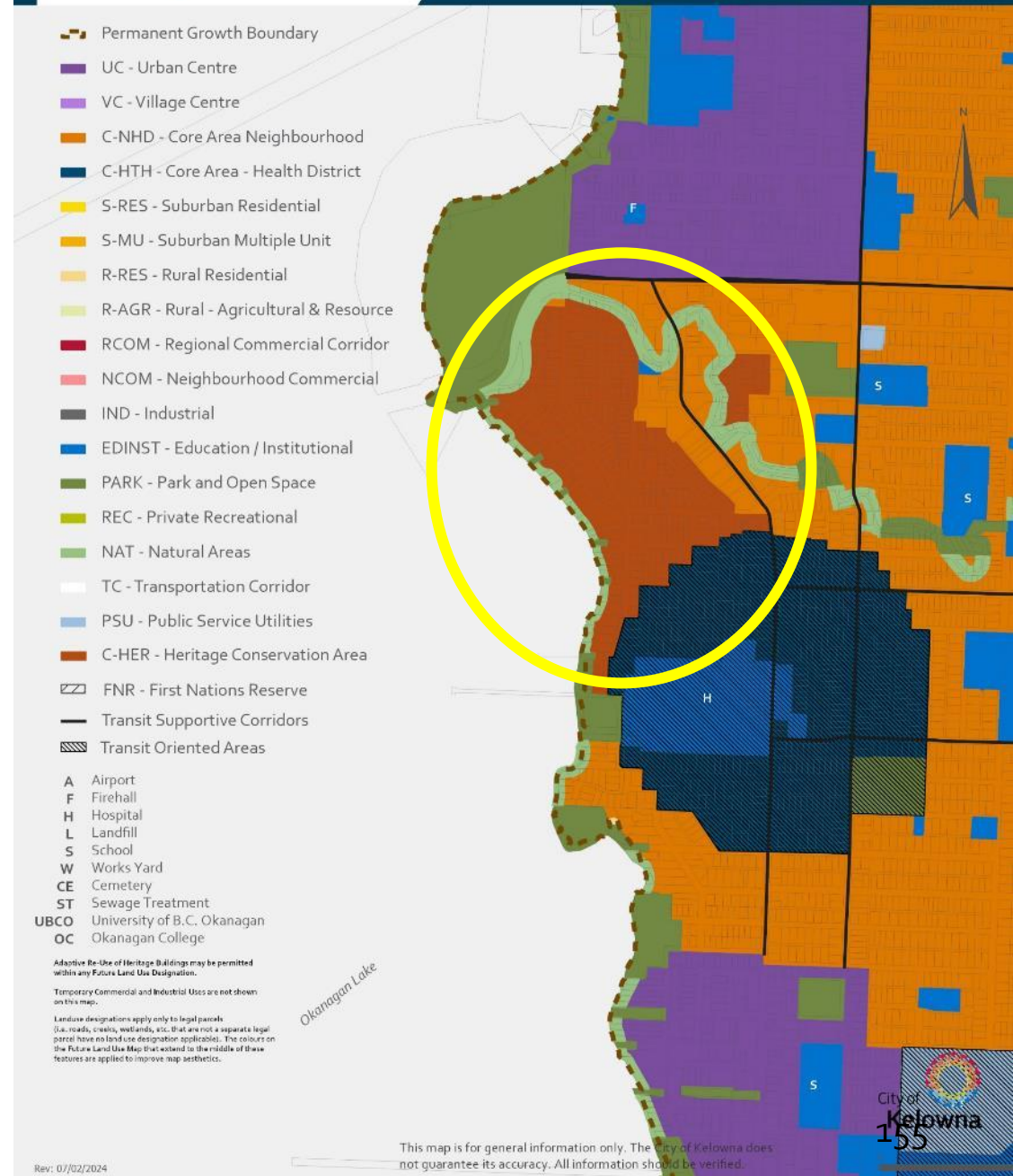
# Growth Strategy Districts Changes

- ▶ Pandosy Urban Centre expanded to include additional properties along Lanfranco Road



# New Future Land Use: Core Area - Heritage District

- ▶ Allows up to 4 residential units
- ▶ Encourages preservation of existing homes with character defining features through Heritage Revitalization Agreements
- ▶ New development and alterations guided by Heritage Conservation Area Guidelines (updates to guidelines Spring/Summer, 2024)



# OCP Policy Updates: Urban Centres

- ▶ Building heights – to support mid rise buildings in TOAs
- ▶ Parking relaxations – to not require residential vehicle parking in TOAs





## OCP Policy Updates: Core Area

- ▶ Up to 3 storeys for ground-oriented residential
- ▶ Explore other heights through Transit Supportive Corridor planning or in Transition areas
- ▶ Up to 12 storeys for areas that are within a TOA (6 storeys around Hospital TOA)
- ▶ Encourage integration of trees in streetscape




## Form & Character DP Guidelines (Infill)

To provide design and site guidelines for infill housing forms that

- ▶ Enhance livability, privacy, safety, and accessibility
- ▶ Support a positive relationship to the street and public open spaces,
- ▶ Contributes towards a healthy urban forest

# Next Steps

<ul style="list-style-type: none"><li>▶ Bills 44 &amp; 47 announced</li><li>▶ Zoning Bylaw Amendments</li><li>▶ Subdivision, Development &amp; Servicing Bylaw Amendments</li></ul>		<b>COMPLETE</b>
<ul style="list-style-type: none"><li>▶ OCP Amendments</li><li>▶ Form &amp; Character DP Guideline Amendments (Infill Housing)</li><li>▶ Procedures, Fees and Council Policy Updates</li></ul>		<b>IN PROCESS</b>
<ul style="list-style-type: none"><li>▶ Heritage Conservation Area Amendments</li><li>▶ 20 year Housing Needs Assessment (HNA)</li><li>▶ Fast Track Program</li></ul>		<b>COMING 2024</b>
<ul style="list-style-type: none"><li>▶ OCP based on HNA</li></ul>		<b>COMING 2025</b>



City of  
**Kelowna**

# OCP Amendments Provincial Housing Legislation

April 15, 2024





*Questions?*

For more information, visit [kelowna.ca](http://kelowna.ca).

# CITY OF KELOWNA

## BYLAW NO. 12649

### Official Community Plan Amendment No. OCP24-0005 Small-Scale Multi-Unit Housing and Transit Oriented Areas

---

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 that "*Kelowna 2040* – Official Community Plan Bylaw No. 12300" be amended as follows:

1. THAT **Chapter 3 – Future Land Use, Core Area Neighbourhood, Growth Strategy Role** be amended by:

Deleting the following:

"Except where located along a Transit Supportive Corridor, new development would be largely in keeping with the existing scale and building orientation of the neighbourhood to maintain the overall feel, particularly in Heritage Conservation Areas."

And replacing it with:

"Except where located along a Transit Supportive Corridor, new small scale infill development would be integrated into existing neighbourhoods.";

2. AND THAT **Chapter 3 – Future Land Use, Core Area Neighbourhood, Supported Uses and Typologies** be amended by deleting the following:

"In the Abbott Street and Marshall Street Heritage Conservation Areas, future development will respect the character of those neighbourhoods as outlined in Policy 5.3.7: Respect the Heritage Conservation Area and Chapter 23: Heritage Conservation Area.";

3. AND THAT **Chapter 3 – Future Land Use, Core Area Neighbourhood, Table 3.3: Core Area Neighbourhood Summary, Density (FAR)** be amended by:

Deleting the following:

- Approximately 1.0
- Allow for up to approximately 1.8 along Transit Supportive Corridors and strategic locations"

And replacing it with "N/A";

4. AND THAT **Chapter 3 – Future Land Use, Core Area Neighbourhood, Table 3.3: Core Area Neighbourhood Summary, Other Characteristics** be amended as follows:

- a) Deleting "Sensitive infill in keeping with neighbourhood scale and orientation" and replacing it with "Small scale infill integrated into existing neighbourhoods", and
- b) Deleting " • Sensitivity to Heritage Conservation Areas";

5. AND THAT **Chapter 3 – Future Land Use, Core Area – Health District, Growth Strategy Role** be amended as follows:

- a) Adding "the" before "Kelowna General Hospital", and
- b) Deleting "and integrates the campus with the surrounding neighbourhoods, recognizing their unique heritage character." and replacing it with "while supporting more transit-oriented housing opportunities and strategically located commercial uses near this major employment hub.";

6. AND THAT **Chapter 3 – Future Land Use, Core Area – Health District, Supported Uses and Typologies** be amended by:

Deleting the following:

"The Health District integrates uses in support of the Kelowna General Hospital campus with the surrounding communities and provides a moderating transition in scale from a major institutional centre to adjacent established residential areas that incorporate heritage components."

And replacing it with:

"The Health District integrates uses that support the Kelowna General Hospital campus with new transit oriented residential and mixed use development opportunities.";

7. AND THAT **Chapter 3 – Future Land Use, Core Area – Health District, Supported Uses and Typologies** be amended by:

Deleting the following:

"The Health District designation also encompasses a range of residential uses that are intended to support the hospital as well as transition between the hospital and surrounding low-density residential areas. Based on the location within the hospital district, residential uses envisioned include ground oriented residential forms such as row housing, stacked townhouses and low-rise apartments in cases where lots are assembled and an adequate transition is provided with surrounding neighbourhoods. Integration of health services with these residential uses is encouraged."

And replacing it with:

"The Health District also supports more transit oriented housing opportunities near this major employment centre, including single and two dwelling, ground oriented multi-unit and low-rise

apartment housing. Integration of health services and commercial uses with housing is encouraged where guided by policy.”;

8. **AND THAT Chapter 3 – Future Land Use, Core Area – Health District, Table 3.4: Core Area – Health District Summary, Supported Uses** be amended as follows:

a) Adding the following after “Institutional (health services)”:

“\*

- Ground oriented commercial\*
- Single and two dwelling residential
- Secondary suites and carriage houses”,

b) Adding “\*” after “Ground-oriented multi-unit residential”,

c) Deleting “• Small scale commercial”, and

d) Adding “\*” after “Apartment housing”;

9. **AND THAT Chapter 3 – Future Land Use, Core Area – Health District, Table 3.4: Core Area – Health District Summary, Density (FAR)** be amended by:

Deleting the following:

“• Approximately 1.5

- Allow for up to approximately 1.8 for residential uses along Transit Supportive Corridors and strategic locations”

And replacing it with:

“• Up to approximately 2.5”;

10. **AND THAT Chapter 3 – Future Land Use, Core Area – Health District, Table 3.4: Core Area – Health District Summary, Other Characteristics** be amended by adding “• Located in a **Transit Oriented Area**” after “Hospital Area Plan”;

11. **AND THAT Chapter 3 – Future Land Use, Core Area – Health District, Table 3.4: Core Area – Health District Summary** be amended by renumbering the table “Table 3.4.1: Core Area – Health District Summary”;

12. **AND THAT Chapter 3 – Future Land Use** be amended by adding in its appropriate location the Core Area – Heritage District Future Land Use Designation as shown on **Schedule “A”** attached to and forming part of this bylaw;

13. **AND THAT Chapter 3 – Future Land Use, Suburban – Residential, Growth Strategy Role** be amended by:

Deleting the following:

"single and two dwelling residential growth in the Suburban Neighbourhoods and Gateway Districts using clustering and neighbourhood design that responds to the surrounding context, including hillsides and environmentally sensitive areas."

And replacing it with:

"lower density forms of housing, alongside new small scale multi-unit homes, responding to their surrounding hillside and natural environment contexts.";

14. AND THAT **Chapter 3 – Future Land Use, Suburban – Residential, Supported Uses and Typologies** be amended by:

Deleting the following:

"These portions of suburban neighbourhoods support single and two dwelling housing, with opportunities for secondary suites and carriage houses."

And replacing it with:

"Suburban Residential lands support single and two dwelling housing, secondary suites, carriage houses and house-plexes.";

15. AND THAT **Chapter 3 – Future Land Use, Suburban – Residential, Table 3.5: Suburban – Residential Summary, Supported Uses** be amended as follows:

- a) Deleting "and two dwelling residential" and replacing it with "detached housing",
- b) Adding "• Duplexes, semi-detached" before "• Second suites and carriage houses", and
- c) Adding "• Ground-oriented multi unit residential" before "• Small scale institutional uses";

16. AND THAT **Chapter 3 – Future Land Use, Suburban – Residential, Table 3.5: Suburban – Residential Summary, Supported Forms** be amended by adding "up to 3 storeys" after "detached buildings";

17. AND THAT **Chapter 3 – Future Land Use, Regional Commercial, Supported Uses and Typologies** be amended by:

Deleting the following:

"While residential uses may be present in some circumstances, they are secondary to the commercial uses and their location must be carefully considered based on proximity and access to amenities like parks and schools as well as adjacent uses as guided by Policy 5.6.6."

And replacing it with:

"Residential development in **Transit Oriented Areas** is supported where commercial space is provided at street level. Residential uses may also be considered in other Regional Commercial lands where consistent with Objective 5.6. and its associated policies.";

18. AND THAT **Chapter 3 – Future Land Use, Regional Commercial, Table 3.7: Regional Commercial Summary, Supported Forms** be amended by adding “• Buildings up to approximately 12 storeys in Transit Oriented Areas” in its appropriate location;
19. AND THAT **Chapter 3 – Future Land Use, Regional Commercial, Table 3.7: Regional Commercial Summary, Other Characteristics** be amended by adding “• Transit Oriented Area on some lands” in its appropriate location;
20. AND THAT **Chapter 3 – Future Land Use, Additional Mapping Notes** be amended by adding the following in its appropriate location:

**“Transit Oriented Areas**

Transit Oriented Areas (TOAs) are areas within 400 metres of select transit exchanges where the City must adhere to minimum building heights and densities to provide a greater diversity of housing options near those key transit facilities. In TOAs, the City cannot regulate residential vehicle parking minimums, instead allowing the market to determine needed parking for new development.

TOAs were identified by the Government of British Columbia as part of amendments to the Local Government Act in 2023. They do not preclude transit oriented development in other areas of the city, such as Urban Centres, Village Centres and Transit Supportive Corridors.

Kelowna has four provincially identified TOAs, each of which has specific policy guidance in the OCP:

- Okanagan College Exchange (see Chapter 4 and Map 4.5)
- Rutland Exchange (see Chapter 4: Urban Centres and Map 4.7)
- Orchard Park Exchange (see Chapter 4: Urban Centres, Chapter 5: The Core Area, and Map 4.9)
- Hospital Exchange (see Chapter 5: The Core Area);

21. AND THAT **Chapter 3 – Future Land Use, Additional Mapping Notes, Permanent Growth Boundary** be amended by adding “The Permanent Growth Boundary serves at the City’s **Urban Containment Boundary**.” before “Lands within the Permanent Growth Boundary”;
22. AND THAT **Chapter 4 – Urban Centres, Policy 4.6.1. Pandosy Building Heights** be amended by deleting “and” after “connection to the lake;” and replacing it with “• Supporting mid-rise buildings on and around the Okanagan College **Transit Oriented Area**; and”;
23. AND THAT **Chapter 4 – Urban Centres, Policy 4.7.1. Rutland Building Heights** be amended as follows:
  - a) Deleting “between Shepherd Road, Dougall Road, Rutland Road and Highway 33” and replacing it with “in the Rutland **Transit Oriented Area**”, and
  - b) Deleting “• Directing more modest heights along the Highway 33 and Rutland Road corridors to support transit use and the viability of commercial uses in those two corridors;”;
24. AND THAT **Chapter 4 – Urban Centres, Policy 4.8.3. Midtown Building Heights** be amended by deleting “transit exchanges, tapering down towards Springfield Road” and replacing it with “the Orchard Park **Transit Oriented Area**.”;

25. AND THAT **Chapter 4 – Urban Centres, Policy 4.19.1. Parking Relaxations** be deleted in its entirety and replaced with the following:
- “Policy 4.19.1. Parking Relaxations.** Do not require residential vehicle parking within Transit Oriented Areas in Urban Centres, except universally accessible parking. Consider vehicle parking requirement relaxations in other areas or projects, where:
- Mode share shifts are anticipated or have been realized;
  - A viable car-sharing program is provided; or
  - Additional bicycle parking and end-of-trip facilities that exceed bylaw requirements.”;
26. AND THAT **Chapter 5 – The Core Area, Policy 5.2.2. Building Height** be amended as follows:
- a) Deleting “Building Height” and replacing it with “Transit Supportive Corridor Building Heights”, and
  - b) Deleting “Consider heights below six storeys for such projects where adjacent neighbourhoods are not anticipated to experience significant infill and redevelopment.” and replacing it with “Explore higher or lower heights through dedicated corridor planning processes.”;
27. AND THAT **Chapter 5 – The Core Area, Policy 5.3.1. Ground Oriented Infill** be deleted in its entirety and replaced with the following:
- “Policy 5.3.1. Core Area Neighbourhood Infill.** Encourage **ground-oriented** residential uses such as house-plexes, townhouses and narrow lot housing up to approximately 3 storeys to fit with the existing neighbourhood development pattern. Consider larger infill projects, including those where lot consolidation is required, where they are in a Transit Supportive Corridor transition area, on a block end or near community amenities including, but not limited to, parks and schools, as outlined in Figure 5.3.”;
28. AND THAT **Chapter 5 – The Core Area, Figure 5.3: Core Area Neighbourhood Cross Section** be deleted in its entirety and replaced with Figure 5.3 as outlined in **Schedule “B”** attached to and forming part of this bylaw;
29. AND THAT **Chapter 5 – The Core Area, Policy 5.3.7. Respect the Heritage Conservation Area** be deleted in its entirety and replaced with the following:
- “Policy 5.3.7. Heritage District Housing.** Allow for gentle densification in the form of **ground-oriented** residential uses such as single detached homes, duplexes house-plexes using the guidance outlined in Chapter 23: Heritage Conservation Areas. Encourage and incentivize adaptive re-use of existing homes where heritage assets are identified to balance historical conservation with additional housing opportunities.”;
30. AND THAT **Chapter 5 – The Core Area, Policy 5.5.2. Urban Forest Canopy** be deleted in its entirety and replaced with the following:

**“Policy 5.5.2. Urban Forest Canopy.** Recognize the critical role tree canopy cover plays in pedestrian comfort, cooling of the urban heat island, habitat for local animal species and beautification of the public realm. Encourage the integration of trees in **Core Area** streetscape improvement projects and on private property with adequate growing medium, while protecting existing mature trees where possible.”;

31. AND THAT **Chapter 5 – The Core Area, Policy 5.6.2. Transit Oriented Design** be deleted in its entirety and replaced with the following:

**“Policy 5.6.2. Transit Oriented Regional Commercial Lands.** Support buildings up to 12 storeys in **Transit Oriented Areas** on Regional Commercial lands. Development on Regional Commercial lands adjacent to Transit Supportive Corridors should locate buildings closer to and oriented towards the street, provide additional landscaping treatments, and locate surface parking in the rear of buildings.”;

32. AND THAT **Chapter 5 – The Core Area, Policy 5.6.6. Residential Development on Regional Commercial Lands** be amended by deleting “the following criteria:” and replacing it with the following:

“some or a combination of the following:

- The project is within a **Transit Oriented Area;**”;

33. AND THAT **Chapter 5 – The Core Area, Objective 5.7** be amended as follows:

- a) Deleting “and planned” after “Support the strategic”, and
- b) Deleting “as the region’s most critical health facility” and replacing it with “with supporting services and housing opportunities”;

34. AND THAT **Chapter 5 – The Core Area, Policy 5.7.2 Hospital Area Plan** be deleted in its entirety and replaced with the following:

**“Policy 5.7.2. Health District Transit Oriented Area.** Support low-rise buildings up to 6 storeys, with due consideration of helicopter operations at Kelowna General Hospital and in keeping with the district’s identification as a **Transit Oriented Area**. Encourage lot consolidation where apartment housing is proposed.”;

35. AND THAT **Chapter 5 – The Core Area, Policy 5.7.3. Health District Neighbourhood Transition** be deleted in its entirety and replaced with the following:

**“Policy 5.7.3. Health District Neighbourhood Services.** Strategically focus health services and other services that support local residents and employees in the following ways:

- Support a mix of health and commercial services, integrated with housing opportunities;
- Provide health and/or commercial services at grade along Pandosy Street south of Royal Avenue and along Rose Avenue; and
- Limit health and commercial services near the Heritage District.”;



36. AND THAT **Chapter 5 – The Core Area, Policy 5.19.1. Parking Relaxations** be deleted in its entirety and replaced with the following:

**“Policy 5.19.1. Parking Relaxations.** Do not require residential vehicle parking within Transit Oriented Areas in the Core Area, except parking for people with disabilities. Consider vehicle parking requirement relaxations in other areas or projects, where:

- Mode share shifts are anticipated or have been realized;
- A viable car-sharing program is provided; or
- Additional bicycle parking and end-of-trip facilities that exceed bylaw requirements.”;

37. AND THAT **Chapter 7 – Suburban Neighbourhoods, Land Use and Urban Design** be amended by:

Deleting the following:

“Some forms of intensification are expected as market preferences change over the next 20 years. Secondary suites, lot splits, duplexes and carriage houses will become even more common in these neighbourhoods, and more low density forms of multi-family housing, such as four-plexes and townhouses, can be expected and located near Village Centres, neighbourhood commercial nodes, schools and parks, contributing to the evolution of these neighbourhoods into more complete communities.”

And replacing it with:

“Some forms of infill are expected as these neighbourhoods grow and evolve. Secondary suites, lot splits, duplexes and carriage houses will become even more common in these neighbourhoods, alongside lower density forms of multi-unit housing, such as four-plexes. Townhouses and low-rise apartments would be located in and around Village Centres, neighbourhood commercial nodes, schools and parks, contributing to the evolution of these neighbourhoods into more complete communities.”;

38. AND THAT **Chapter 11 – Heritage, Policy 11.1.3. Heritage Financial Supports** be amended by adding “, supportive land uses” after “grants, incentives”;

39. AND THAT **Chapter 16 – Making the Plan Work, Table 16.1: Implementation Actions, Action # 48** be amended as follows:

- a) Adding “and Identify Conservation Incentives and Tools” after “Development Guidelines”, and
- b) Deleting “LT” under the “Timing” column and replacing it with “ST”;

40. AND THAT **Chapter 17 – Definitions** be amended by adding the following definition in its appropriate location:

**“Transit Oriented Area** Areas within 400 metres of select transit exchanges where the City must adhere to minimum building heights and densities to provide a greater diversity of housing options near those key transit facilities. In TOAs, the City cannot regulate residential vehicle parking minimums, instead allowing the market to determine needed parking for new development. See Chapter 3: Future Land Use for more details.”;

41. AND THAT **Chapter 18 – Form & Character Development Permit Guidelines, Introduction & Overview, Properties Affected** be amended by deleting “zoned” after “currently, or become,” and replacing it with “developed”;
42. AND THAT **Chapter 18 – Form & Character Development Permit Guidelines, Townhouses & Infill** be deleted in its entirety and replaced with Townhouses & Infill as outlined in **Schedule “C”** attached to and forming part of this bylaw;
43. AND THAT **Map 1.1 – Growth Strategy Districts** be deleted in its entirety and replaced with Map 1.1 as outlined in **Schedule “D”** attached to and forming part of this bylaw;
44. AND FURTHER THAT Map 3.1 Future Land Use be deleted in its entirety and replaced with Map 3.1 as outlined in **Schedule “E”** attached to and forming part of this bylaw;
45. 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

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Mayor

---

City Clerk

## Schedule "A"

### Core Area – Heritage District (C-HER)

#### ***Growth Strategy Role***

The Heritage District aims to accommodate a modest amount of Kelowna’s future growth in a way that is sensitive to the heritage defining features of the existing neighbourhood. While up to four residential units are supported on each property, the preservation of existing homes with character defining features is strongly encouraged through Heritage Revitalization Agreements and other tools available to local governments. New development and alterations to existing buildings should be guided by the Heritage Conservation Area Guidelines as outlined in Chapter 23.

#### ***Supported Uses and Typologies***

The Heritage District supports residential development up to four units per property, including single detached housing, two dwelling housing, carriage houses, secondary suites and house-plexes. Small-scale local commercial and institutional uses that serve the surrounding residents may be considered, especially where they form part of a Heritage Revitalization Agreement or other tool to preserve heritage assets.

Additional policy direction for the Core Area Heritage District can be found in Chapter 5: The Core Area.

***Table 3.4.2 Core Area – Heritage District Summary***

Supported Uses	Supported Forms	Density (FAR)	Other Characteristics
<ul style="list-style-type: none"> <li>• Single and two dwelling residential</li> <li>• Secondary suites and carriage houses</li> <li>• Ground-oriented multi-unit residential</li> <li>• Small-scale commercial and institutional*</li> </ul>	<ul style="list-style-type: none"> <li>• Attached and detached buildings up to 3 storeys</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• Consistency with Heritage Conservation Area Development Guidelines</li> </ul>

*\*As guided by policy.*

## Schedule "B"



**CITY OF KELOWNA**

**BYLAW NO. 12649**

**Official Community Plan Amendment No. OCP24-0005  
Small-Scale Multi-Unit Housing and Transit Oriented Areas**

**Schedule "C"**

**Chapter 18 – Form & Character Development Permit Guidelines,  
Townhouses & Infill**

# TOWNHOUSES & INFILL

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## TOWNHOUSE OVERVIEW

- Townhouse development in Kelowna is typically six or more units in large-scale developments with an internal circulation network.
- Common design challenges include integrating with the existing and planned future neighbourhood context and positively contributing to the streetscape.
- As a result, projects should create a strong relationship to the street and extend or connect with the existing and planned street and open space networks.

## GENERAL CHARACTERISTICS

- 3 storeys
- Shares side walls with neighbouring units
- Individual unit entrance with ground-oriented access

## INFILL OVERVIEW

- Ground-oriented infill typically consists of development on a single existing parcel that consists of 2-6 units and includes single detached housing, semi-detached housing, duplex housing, tri-plex, four-plex, five-plex, and six-plex housing.
- Common design challenges include integrating with the existing and planned future neighbourhood context, protecting mature trees, and positively contributing to the streetscape.
- Projects should create a strong relationship to the street and should be designed in context with the scale and massing of buildings in the neighbourhood.

## GENERAL CHARACTERISTICS

- 2 to 3 storeys
- Varied building forms, sometimes with two building forms on a single site
- May share more than 2 walls with neighbouring units
- Individual unit entrance with ground-oriented access

# 3.0 TOWNHOUSES



## KEY GUIDELINES

In order to achieve the design goals of the City, all townhouse projects must:

- A** **3.0.1 a** – Orient building entries, windows, patios, and balconies to face the fronting street, with the primary entry clearly visible and directly accessible from the sidewalk (see 3.1.1).
- B** **3.0.1 b** – Provide usable outdoor amenity spaces and generous and well-designed landscaped areas that offer privacy, screening, and attractive interfaces with streets and open spaces (see 3.1.4).
- C** **3.0.1 c** – Use building articulation, scaling, and setbacks to define individual units or intervals and to contribute to a consistent frontage pattern, pedestrian scale and rhythm along the fronting street (see 3.1.2 and 3.1.6).
- D** **3.0.1 d** – Locate and design buildings to maximize access to sunlight, increase privacy, and reinforce neighbourhood character (see 3.1.4 and 3.1.6).
- E** **3.0.1 e** – Provide access to parking from a secondary street or lane, wherever possible (see 3.1.5).

# 3.1 TOWNHOUSE GUIDELINES

## 3.1.1 Relationship to the Street

### Design Intent

To site and design buildings to positively frame and activate streets and public open spaces, while providing a clearly-defined public-private transition zone.

## TOWNHOUSE



### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Design primary unit entrances to provide:
  - » A clearly visible front door directly accessible from a public street or publicly accessible pathway via a walkway, porch and/or stoop (See Figure 17);
  - » Architectural entrance features such as stoops, porches, shared landings, patios, recessed entries, and canopies;
  - » A sense of transition from the public to private realm by utilizing strategies such as changes in grade, decorative railings, and planters; and
  - » Punctuation, articulation and rhythm along the street.
- b. A maximum 1.2m height (e.g., 5-6 steps) is desired for front entryways or stoops. Exceptions can be made in cases where the water table requires this to be higher.
- c. In the case of shared landings that provide access to multiple units, avoid having more than two doors in a row facing outward.
- d. For buildings oriented perpendicularly to the street (e.g., 'shotgun' townhomes), ensure that the end unit facing the street is a custom street-oriented unit with primary entry directly accessible from the fronting street and primary living space at grade (See Figure 18).
- e. For large townhouse projects (e.g., master planned communities with internal circulation pattern), guidelines 3.1.1 a-d apply for units facing strata roads as well as those units fronting onto public streets.

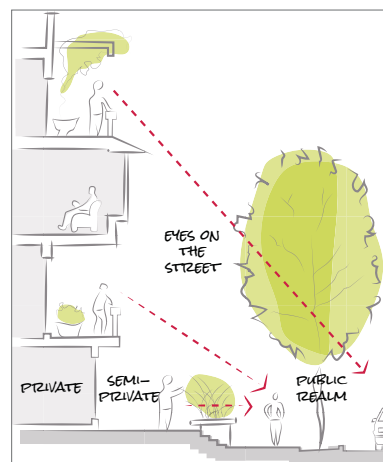


Figure 17: Provide clear front entries, patios and stoops to ensure eyes on the street and provide opportunities for surveillance (3.1.1 a).



Figure 18: In 'shotgun' townhouse projects, ensure that the end unit facing the street is a true street-oriented unit (3.1.1 d).



### 3.1.2 Scale and Massing

#### Design Intent

To ensure buildings contribute positively to the neighbourhood context and provide a sensitive transition in scale to existing and future buildings, parks, and open spaces.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Wherever possible, reflect the positive attributes of adjacent housing while integrating new higher density forms of housing as envisioned in the OCP.
- b. Scale and site buildings to establish consistent rhythm along the street by, for example, articulating individual units through integration of recessed entries, balconies, a change in materials and slight projection/recess in the facade.
- c. Limit the number of connected townhouse units to a maximum of 6 units before splitting into multiple buildings.
  - » In larger townhouse developments (e.g., master planned communities with internal circulation pattern), integrate a large proportion of 4 unit townhouse buildings to create a finer grain of development and limit visual impacts.



Figure 19: An example of townhouses with clearly visible front doors fronting onto a publicly-accessible pedestrian pathway (3.1.3 d).

### 3.1.3 Site Planning

#### Design Intent

To site buildings to respond sensitively to topography and environmental features; to enhance privacy, liveability, safety and accessibility; and to increase connectivity to the surrounding open space network.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Gated or walled communities are not supported.
- b. For large townhouse projects, consider including communal amenity buildings.

#### Connectivity

- c. Provide pedestrian pathways on site to connect:
  - » Main building entrances to public sidewalks and open spaces;
  - » Visitor parking areas to building entrances; and
  - » From the site to adjacent pedestrian/trail/cycling networks (where applicable).
- d. When pedestrian connections are provided on site, frame them with an active edge – with entrances and windows facing the path or lane (See Figure 19 & 20).

- e. For large townhouse projects (e.g., master planned communities with internal circulation pattern):
  - » Design the internal circulation pattern to be integrated with and connected to the existing and planned public street network.

**Facing Distances and Setbacks**

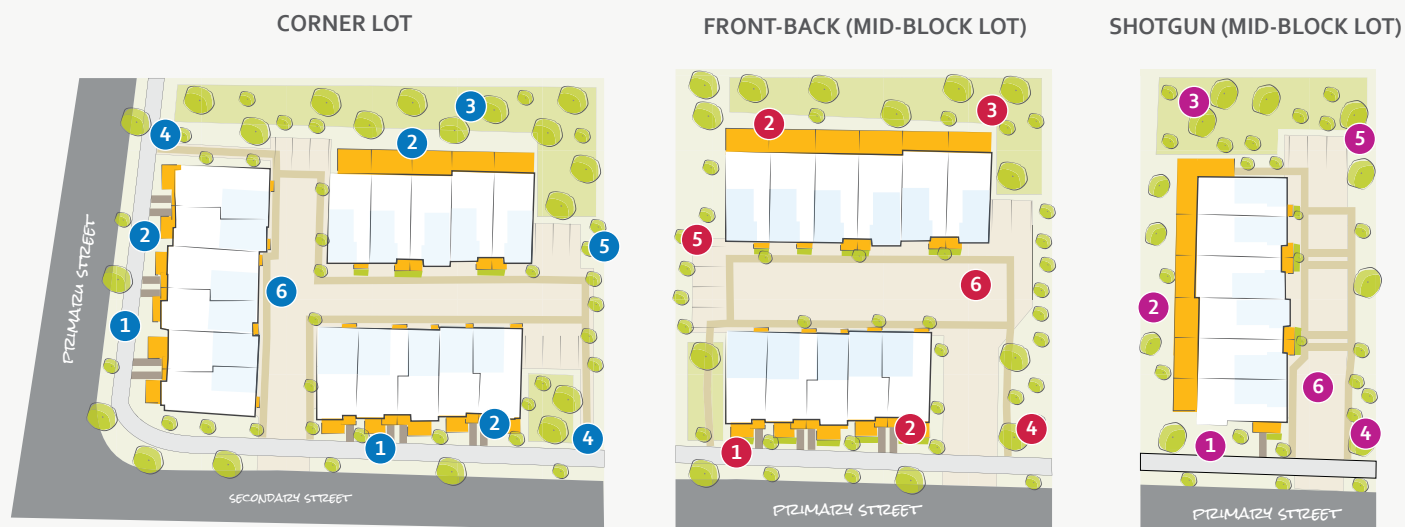
- f. Locate and design buildings to maintain access to sunlight, and reduce overlook between buildings and neighbouring properties.
- g. Separate facing buildings on site a minimum of 10-12m to provide ample spatial separation and access to sunlight.
- h. Limit building element projections, such as balconies, into setback areas, streets, and amenity areas to protect solar access.
- i. Front yard setbacks on internal roads should respond to the height of townhouses, with taller townhouses (e.g., 3 storeys) having greater setbacks to improve liveability and solar access.



Figure 20: Example of a mid-block connection through a townhouse site, with building entries facing onto the path (3.1.3 d).

## DEMONSTRATION PLANS – INFILL LOTS

The conceptual site plans on this page and the next demonstrate four common townhouse scenarios with a selection of guidelines to describe key areas for consideration. These plans are not intended to be a ‘how to’ for developing sites with similar characteristics, but rather to demonstrate how the guidelines accommodate townhouse developments on different types of sites.



- 1 Units with entries oriented to the street (see 3.1.1).
- 2 Private / semi-private outdoor amenity spaces (see 3.1.4).
- 3 Large shared outdoor amenity spaces (see 3.1.4).
- 4 Pedestrian access to site from street, with internal circulation (see 3.1.3).
- 5 Visitor parking in accessible locations throughout the site; servicing areas provided and screened from view (see 3.1.5).
- 6 Internal road with high quality pavement materials and landscaping (see 3.1.5)

### 3.1.4 Open Spaces

#### Design Intent

To design landscapes and open spaces that provide integrated, flexible, and accessible open space.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Design all units to have easy access to useable private or semi-private outdoor amenity space (See Figure 20 & 21).
- b. Design front yards to include a path from the fronting street to the primary entry, landscaping, and semi-private outdoor amenity space.
- c. Avoid a 'rear yard' condition with undeveloped frontages along streets and open spaces.
- d. Design private outdoor amenity spaces to:
  - » Have access to sunlight;
  - » Have railing and/or fencing to help increase privacy; and
  - » Have landscaped areas to soften the interface with the street or open spaces.

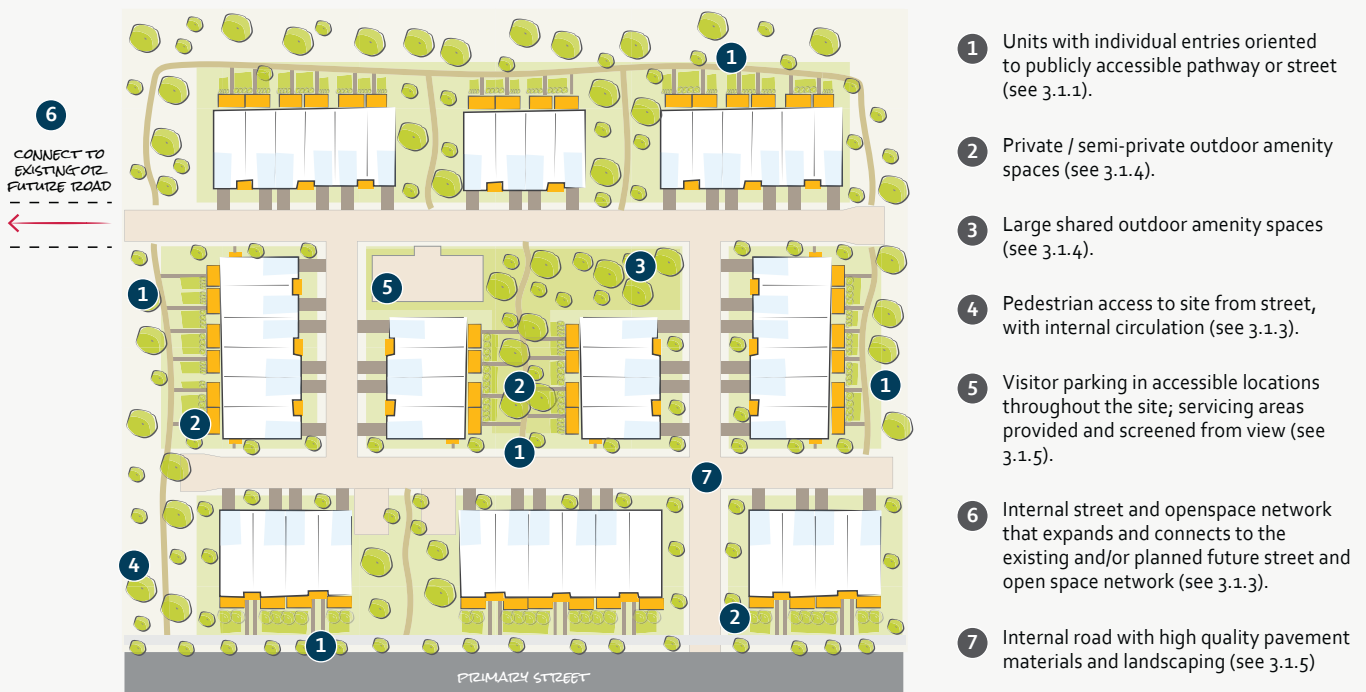


Figure 21: All units should have easy access to useable private or semi-private outdoor amenity space (3.1.4 a).

## DEMONSTRATION PLAN – LARGE TOWNHOUSE DEVELOPMENT

This demonstration plan is not intended to be a 'how to' for developing sites with similar characteristics, but rather to demonstrate how the guidelines accommodate townhouse developments on large sites. A master planning process is encouraged for townhouse development projects on large sites to ensure a comprehensive and cohesive design that connects and expands the existing and/or planned future context; responds sensitively to natural and ecological features; and achieves building and site design, features and amenities to support liveability and sustainability as per the DP design guidelines.

### LARGE TOWNHOUSE DEVELOPMENT



- e. Design front patios to:
  - » Provide an entrance to the unit; and
  - » Be raised a minimum of 0.6m and a maximum of 1.2m to create a semi-private transition zone.
- f. Design rooftop patios to (See Figure 22):
  - » Have parapets with railings;
  - » Minimize direct sight lines into nearby units; and
  - » Have access away from primary facades.
- g. Design balconies to be inset or partially inset to offer privacy and shelter, reduce building bulk, and minimize shadowing.
  - » Consider using balcony strategies to reduce the significant potential for heat loss through thermal bridge connections which could impact energy performance (see 2.2.1).
- h. Provide a minimum of 10% of the total site area to common outdoor amenity spaces that:
  - » Incorporate landscaping, seating, play space, and other elements that encourage gathering or recreation; and
  - » Avoid isolated, irregularly shaped areas or areas impacted by parking, mechanical equipment, or servicing areas.
- i. For large townhouse projects, provide generous shared outdoor amenity spaces integrating play spaces, gardening, storm water and other ecological features, pedestrian circulation, communal amenity buildings, and other communal uses.
- j. Design internal roadways to serve as additional shared space (e.g., vehicle access, pedestrian access, open space) using strategies such as:
  - » High-quality pavement materials (e.g., permeable pavers); and
  - » Providing useable spaces for sitting, gathering and playing.



Figure 22: Rooftop patios provide a unique private outdoor space, and should include parapets with railings (3.1.4 f).



Figure 23: Example of internal roadway designed with high quality pavement materials and strategic landscaping placement (3.1.5 a).

### 3.1.5 Site Servicing, Access, and Parking

#### Design Intent

To ensure the provision of adequate servicing, vehicle access, and parking while minimizing adverse impacts on the comfort, safety, and attractiveness of streets, sidewalks, and open spaces.

#### Guidelines

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Provide landscaping in strategic locations throughout to frame building entrances, soften edges, screen parking garages, and break up long facades (See Figure 23).

#### Site Servicing

- b. Exceptions for locating waste collection out of public view can be made for well-designed waste collection systems such as Molok bins.

#### Parking

- c. Rear-access garage or integrated tuck under parking is preferred in townhouses, in general, and is required for townhouses facing public streets (See Figure 23).

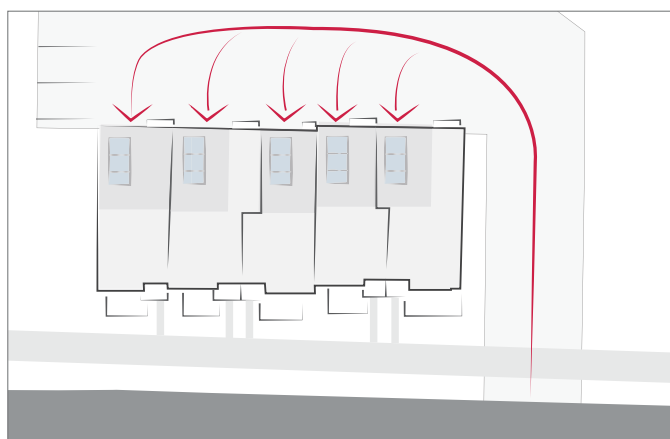


Figure 24: Rear-access parking is preferred in townhouses, in general, and is required for those facing public streets (3.1.5 c).

- d. Centralized parking areas that eliminate the need to integrate parking into individual units are supported.
- e. Front garages and driveway parking are acceptable in townhouses facing internal strata roads, with the following considerations:
  - » Architecturally integrate the parking into the building and provide weather protection to building entries; and
  - » Design garage doors to limit visual impact, using strategies such as recessing the garage from the rest of the facade.
- f. Provide visitor parking in accessible locations throughout the site and provide pedestrian connections from visitor parking to townhouse units. Acceptable locations include:
  - » Distributed through the site adjacent to townhouse blocks; and
  - » Centralized parking, including integration with shared outdoor amenity space.

**Access**

- g. Ensure that internal circulation for vehicles is designed to accommodate necessary turning radii and provides for logical and safe access and egress.
- h. For large townhouse projects (e.g., master planned communities with internal circulation pattern), a minimum of two access/egress points to the site is desired.
- i. Locate access points to minimize impact of headlights on building interiors.
- j. Design the internal circulation pattern and pedestrian and open space network to be integrated with and connected to the existing and planned public street and open space network.

- c. Maintain privacy of units on site and on adjacent properties by minimizing overlook and direct sight lines from the building using strategies such as:
  - » Off-setting the location of windows in facing walls and locating doors and patios to minimize privacy concerns from direct sight lines;
  - » Use of clerestory windows;
  - » Use of landscaping or screening; and
  - » Use of setbacks and articulation of the building.
- d. In larger townhouse developments (e.g., master planned communities with internal circulation pattern), provide modest variation between different blocks of townhouse units, such as change in color, materiality, building and roof form.

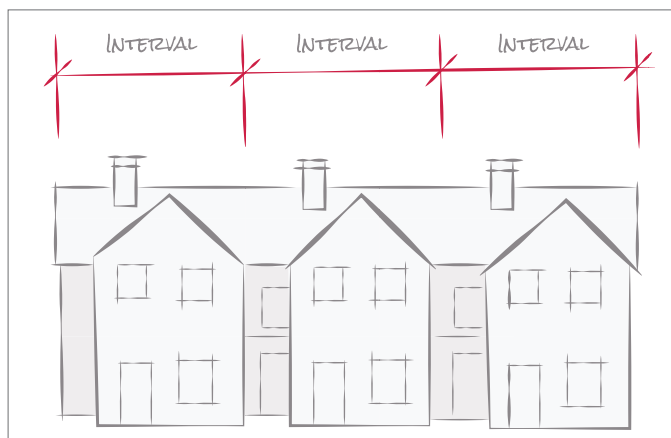


Figure 25: Breaking up a building’s facade into a series of intervals creates a more pleasing human scale expression (3.1.6 a).

**3.1.6 Building Articulation, Features, and Materials**

**Design Intent**

To enhance liveability, visual interest, and sense of place through building form, architectural composition, and materials.

**Guidelines**

In addition to the strategies outlined in the General Residential and Mixed Use Guidelines:

- a. Design facades to articulate the individual units while reflecting positive attributes of neighbourhood character. Strategies for achieving this include (See Figure 25 & 26):
  - » Recessing or projecting facades to highlight the identity of individual units; and
  - » Using entrance features, roofline features, or other architectural elements.
- b. To maximize integration with the existing neighbourhood, design infill townhouses to:
  - » Incorporate design elements, proportions, and other characteristics found within the neighbourhood; and
  - » Use durable, quality materials similar or complementary to those found within the neighbourhood.



Figure 26: Example of facades and entrance features designed to articulate individual units (3.1.6 a).

# 3.2 INFILL



## KEY GUIDELINES

In order to achieve the design goals of the City, all townhouse projects must:

- A** **3.2.1 a** Design diverse buildings forms that are sensitive to the existing neighbourhood (See 3.3.1).
- B** **3.2.1 b** Any portion of the building facing a street should be pedestrian focused with ease of access from the fronting street to front entrances. Avoid blank walls facing the street at-grade. (See 3.3.2).
- C** **3.2.1 c** Ensure that all vehicle access is taken from the lane or secondary street, where available (See 3.3.4).
- D** **3.2.1 d** Ensure required garbage and recycling carts have an assigned storage area and achieve maneuvering space to wheel the carts to the street or the lane (See 3.3.4).
- E** **3.2.1 e** Ensure onsite landscaping and the off-site frontage contributes to the urban livability of the neighbourhoods by promoting sidewalks and large trees (See 3.3.5)
- F** **3.2.1 f** Provide meaningful outdoor spaces that offer privacy, screening, and context sensitivity to surrounding neighbours through strategic at-grade outdoor spaces, decks, patios, balconies and/or rooftop patios (See 3.3.3).
- G** **3.2.1 g** Limit impermeable surfaces in landscaped areas and open spaces to maximize stormwater infiltration (See 3.3.3).
- H** **3.2.1 h** Locate and design buildings to protect existing mature non-invasive trees on-site. Support minor variances to the infill housing development regulations if the existing mature non-invasive trees are protected before, during, and after construction including a tree protection plan. (See 3.3.3).

# 3.3 INFILL GUIDELINES

## 3.3.1 Relationship to the Street

### Design Intent

To design and site buildings to support a positive relationship to the street and public open spaces, while providing a clearly defined public-private transition zone.

## INFILL HOUSING



### Guidelines

In addition to the strategies outlined in the General Residential Guidelines:

- a. Orient the primary façade of buildings to face the fronting street. In the case of lots with multiple frontages, buildings must also be oriented and designed to address flanking streets through architectural and landscape treatments including, but not limited to, front doors and windows (see Figure 27). Design primary entrances to provide:
  - » Clearly visible front door directly accessible from a public street or publicly accessible pathway via a walkway, porch and/or stoop (See Figure 28).
  - » Architectural entrance features such as stoops, porches, shared landings, patios, recessed entries, and canopies.
  - » For buildings oriented perpendicularly to the street (e.g. 'slot townhomes'), ensure that the end unit facing the street is a custom street-oriented unit with the primary entrance directly accessible from the fronting street and living space at grade (See Figure 18).
- b. Use low fencing, landscaping, and modest changes in grade to define a sense of transition from the public to the private realm.
- c. Limit the height of front entryways or stoops to a maximum of 1.2 m (5-6 steps) to improve street interface and connectivity. Exceptions may be considered in situations where the water table requires greater height, however, in such cases buildings should be stepped-back.



Figure 27: In the case of lots with multiple frontages, buildings must also be oriented and designed to address flanking streets (3.3.1 a).

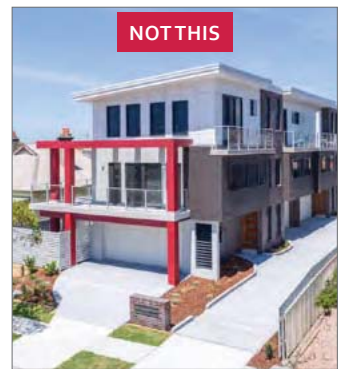
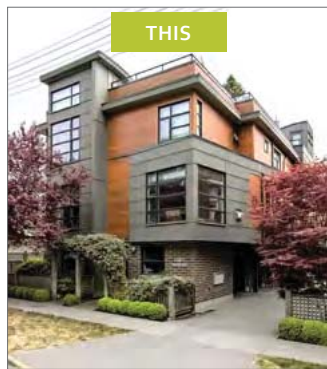


Figure 28: Front doors should be directly accessible via a walkway, porch and/or stoop, and front yards should incorporate complementary landscaping and modest fencing (3.3.1. c, d).

- d. Improve the "lanescape" by orienting units located towards the rear of the property to face laneways, and use building entrances, lighting, landscaping, and materials to reinforce a safe and attractive public realm.
- e. Ensure that all vehicle surface parking is screened using fencing, landscaping, and other tools to mitigate visual impacts to the street and neighbouring properties (See Figure 29).

### 3.3.2 Scale, Massing and Building Articulation

#### Design Intent

To ensure that buildings contribute positively to the neighbourhood context while providing opportunity for greater housing choice and diverse building forms.

#### Guidelines

In addition to the strategies outlined in the General Residential:

- a. Articulate individual units through integration of recessed entries, balconies, materials, and projections/recesses in the façade. Building articulation should be distinct, but designed to achieve cohesive scale, massing, and proportion (See Figure 30).
- b. Large windows, balconies and rooftop patios should be oriented towards the front, rear, or internal portion of the property to increase privacy for neighbouring properties. Side yard design considerations to increase privacy for neighbours and reduce overlook include (See Figure 31):
  - » Enhancing landscaping (i.e. trees and shrubs).
  - » In setting balconies.
  - » In-setting rooftop patios back from building edges and using opaque railings.
  - » Utilizing clerestory and/or frosted windows on upper storeys.
- c. Design the third storey of buildings to reduce direct sight lines into neighbouring properties, increase privacy, and optimize sunlight exposure for ground-floor areas. (See Figure 31).
- d. Avoid blank walls by incorporating windows, articulating the façade with recesses or projections, reinforced by building material changes and landscaping.
- e. For exterior cladding assemblies use durable, low-maintenance and fire resistant or non-combustible materials (e.g. natural stone, masonry, metal panels, fibre cement siding, or approved alternatives). Avoid untreated wood and vinyl siding.
- f. Infill designs should not be repetitive in nature and variation between properties is encouraged.



Figure 29: Screen vehicle surface parking using fencing, landscaping, and other tools to mitigate visual impacts (3.3.1. e).



Figure 30: Break down the massing of large buildings through articulation of individual units and avoid symmetry (3.3.2 a).



Figure 31: Use building height, scale and setbacks to limit height differences between new and existing development in the surrounding area (3.3.2 c).



### 3.3.3 Open Spaces

#### Design Intent

To design landscapes and open spaces that enhance neighbourhood character, that provide high-quality outdoor living spaces that are useable year-round, and that provide a clear transition between the private and public realm.

#### Guidelines

In addition to the strategies outlined in the General Residential:

- a. Design all units to have easy and direct access to high-quality, private outdoor amenity space located at grade that is useable year-round.
- b. Provide landscaping in strategic locations throughout the site to frame building entrances, soften building edges, screen parking garages/areas, and break up long facades.
- c. Design open spaces and landscaped areas to protect and to feature mature trees on site, where possible (See Figure 32).
  - » Relaxations to select development regulations may be considered to retain existing mature trees (See Figure 33).
- d. Open spaces should be designed to allow for required shade trees to reach mature sizes.
- e. Design outdoor amenity spaces to:
  - » Have landscaped areas to soften the interface with the street or open spaces (See Figure 34).
  - » Maximize the permeable surfaces in all landscaped and open spaces. Discourage the use of impermeable surfaces, such as poured-in-place concrete.
  - » Not be impacted by parking, mechanical equipment, or servicing areas.
  - » Avoid a 'rear yard' condition with undeveloped frontages along streets and open spaces.
- f. Design private balconies to:
  - » Minimize direct sight lines and overlook into nearby units and properties.
  - » Be inset or partially inset to offer privacy and shelter, reduce building bulk, and minimize shadowing.
- g. Design rooftop patios to:
  - » Minimize direct sight lines and overlook into nearby units;
  - » Encourage opaque glass guard rails on rooftops to reduce impact on privacy and overlook into neighbouring properties.
- h. Design internal driveways to serve as additional shared space using strategies such as:
  - » High-quality, permeable pavement materials (e.g. interlocking, permeable pavers).



Figure 32: Protect and feature mature trees, where possible (3.3.3 c).

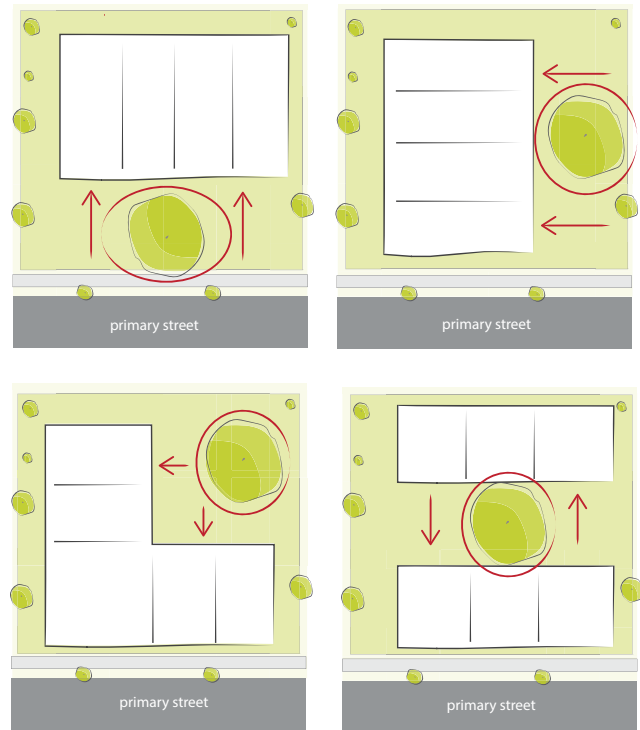


Figure 33: Relaxations on select development regulations may be considered to retain existing mature trees (3.3.3 c).



Figure 34: Have landscaped areas to soften the interface with the street and open spaces (3.3.3 e).

### 3.3.4 Site Servicing, Access, and Parking

#### Design Intent

To ensure the provision of adequate servicing, vehicle access, and parking while minimizing adverse impacts on the comfort, safety, and attractiveness of streets, sidewalks, and open spaces.

#### Guidelines

In addition to the strategies outlined in the General Residential Guidelines:

- a. Ensure that site layouts include provision for solid waste pick-up and bin storage that is located within a protected enclosure for public pickup or in-ground for private pickup.
- b. The location of garbage and recycling storage space should:
  - » Be located in an area such that noise and odour impacts to building occupants and neighbouring properties are minimized.
  - » Not block laneways, drive aisles, parking stalls, or other publicly owned rights-of-way where it may disrupt pedestrian or traffic circulation patterns (See Figure 35).
  - » Not be located in the required front yard setback with the exception of in-ground bins (e.g. Molok).
  - » Include additional widths if individual bins are proposed to be stored in garages, to accommodate the required cart aisle width and cart placement (See Figure 36).
- c. Locate mechanical equipment (e.g. AC units) and site services outside of amenity areas, to reduce noise and nuisance through appropriate siting and screening.
- d. Discourage surface parking areas. If surface parking is provided, then the parking area should be appropriately screened from the public view.
- e. Ensure that all vehicle access is taken from the lane or secondary street, where available. If vehicle access is only available via the primary street, mitigate impact through landscaping, screening, open spaces, and other measures.
- f. Ensure that internal circulation for vehicles is designed to accommodate necessary turning radii and provides for logical and safe access and egress.
- g. Locate access points and windows to minimize the impact of headlights on building interiors and neighbouring properties.

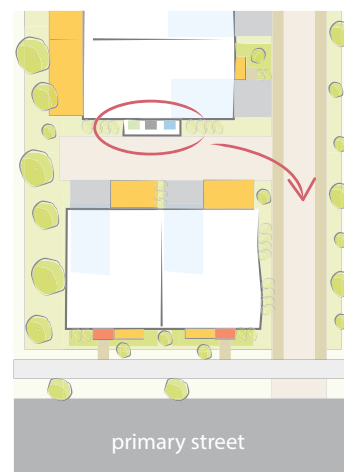
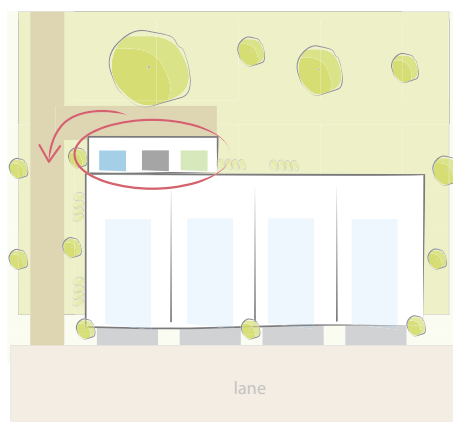


Figure 35: Ensure that garbage and recycling areas do not block laneways, drive aisles, parking stalls, or disrupt pedestrian and traffic patterns (3.3.4 b).



Figure 36: Ensure that site layouts include provision for solid waste pick-up and bin storage that is enclosed or otherwise screened from view (3.3.4. b).

### 3.3.5 Site Planning and Subdivision Design

#### Design Intent

To provide a flexible approach to unit mix and tenure forms in small-scale infill development. Site buildings to enhance liveability, privacy, safety, and accessibility; to increase connectivity to surrounding public spaces; and to contribute towards a healthy urban forest.

#### Guidelines

In addition to the strategies outlined in the General Residential Guidelines:

- a. Locate buildings on a site to:
  - » Establish ground-oriented units to directly front onto primary and secondary streets.
  - » Minimize impermeable surfaces such as drive aisles and parking areas.
  - » Protect and retain mature trees, where possible.
  - » Maximize sunlight access to interior spaces and to outdoor amenity areas.
- b. Provide pedestrian pathways on site to connect:
  - » Main unit entrances to public sidewalks and open spaces (minimum width of 1.2m lit pathway) (See Figure 37).
  - » Parking areas to unit entrances; where applicable.
  - » From the site to adjacent pedestrian/trail/cycling networks, where applicable.
  - » The common utility and water servicing location.
- c. Where multiple buildings are located on a site, ensure that outdoor amenity space provided at grade between the buildings is generous and comfortable.
- d. Encourage the redevelopment of properties while maintaining existing dwellings, if possible. Internal housing conversions, such as additional units within a structure are encouraged (See Figure 38).
- e. For proposals that retain existing dwellings, relaxations to design guidelines and development regulations may be considered.
- f. Permissible site layout configurations include, but are not limited to, those shown in the diagrams on the next page:



Figure 37: Provide pedestrian pathways on site to connect sidewalks, open spaces, unit entrances, and parking areas (3.3.5 b).



Figure 38: Encourage the redevelopment of properties while maintaining existing dwellings (3.3.5 d).

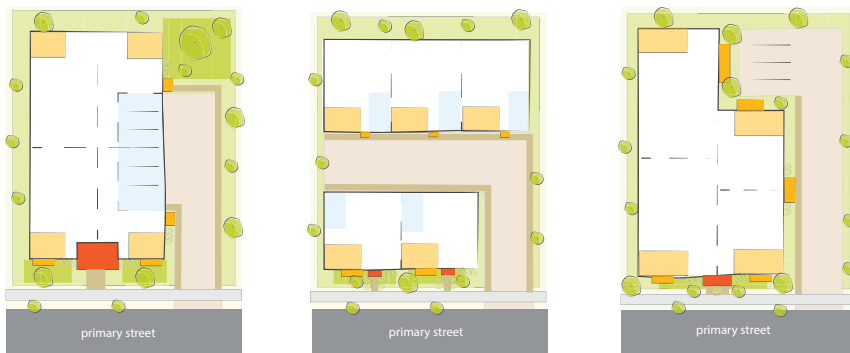
# DEMONSTRATION PLANS – INFILL LOTS

The conceptual site plans on this page demonstrate common infill scenarios. These plans are not intended to be a 'how to' for developing sites with similar characteristics, but rather to demonstrate how the guidelines accommodate various infill configurations.

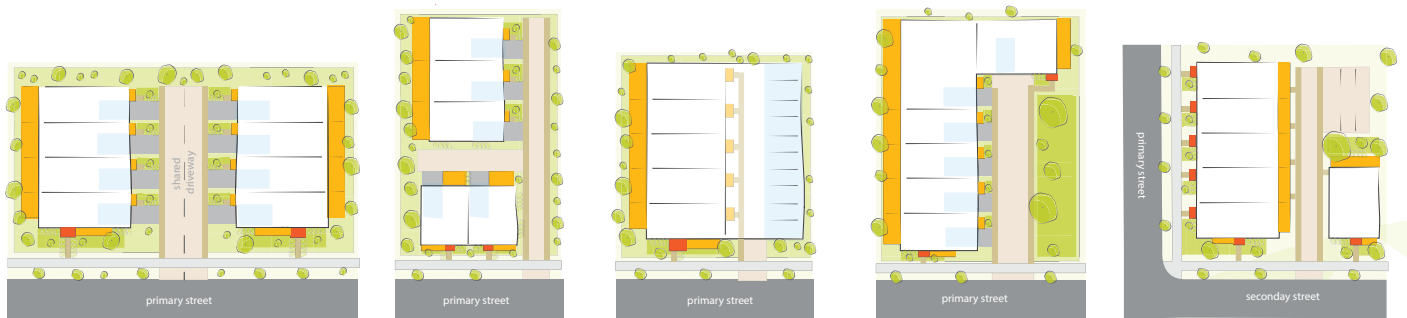
## LEGEND

- Ground-oriented Primary Street Entrance
- On-site Pathway
- Ground-oriented Outdoor Space / Entryway
- Rooftop Outdoor Space
- Greenspace
- Primary Street
- Lane / Shared Driveway
- Sidewalk
- Covered Parking

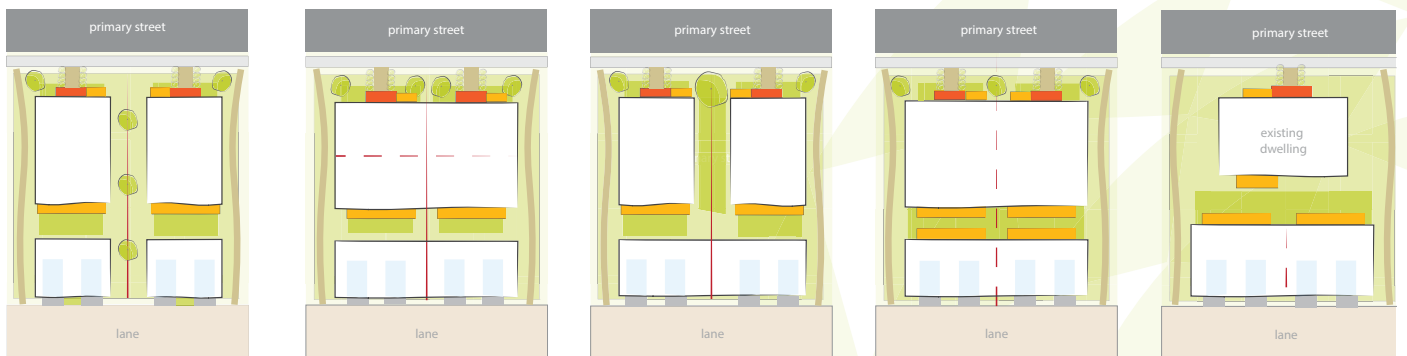
### NARROW LOTS



### WITHOUT LANE ACCESS



### WITH LANE ACCESS









**CITY OF KELOWNA**

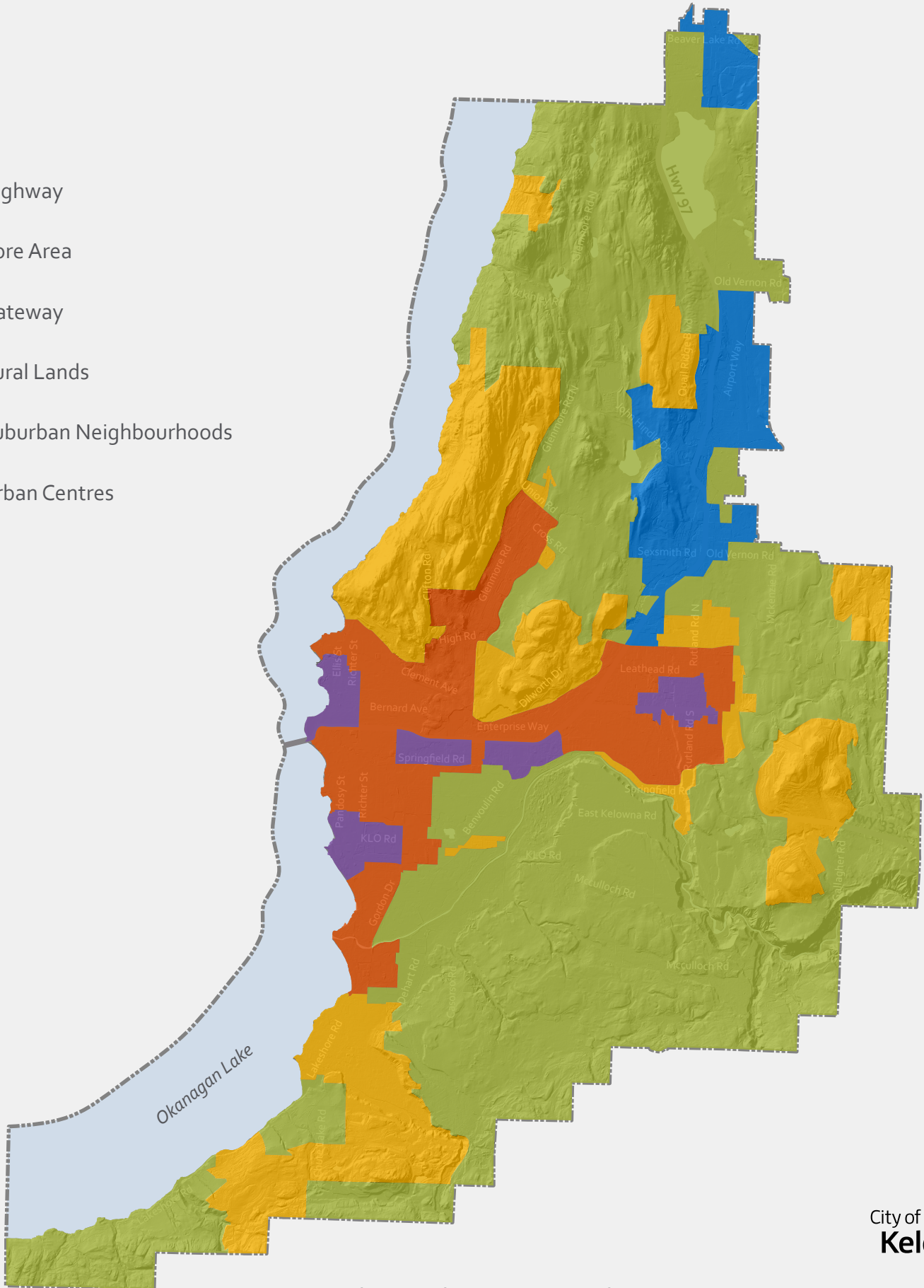
**BYLAW NO. 12649**

**Official Community Plan Amendment No. OCP24-0005  
Small-Scale Multi-Unit Housing and Transit Oriented  
Areas**

**Schedule "D"**

**Map 1.1 Growth Strategy Districts**

-  Highway
-  Core Area
-  Gateway
-  Rural Lands
-  Suburban Neighbourhoods
-  Urban Centres
























**CITY OF KELOWNA**

**BYLAW NO. 12649**

**Official Community Plan Amendment No. OCP24-0005  
Small-Scale Multi-Unit Housing and Transit Oriented  
Areas**

**Schedule "E"**

**Map 3.1 Future Land Use**

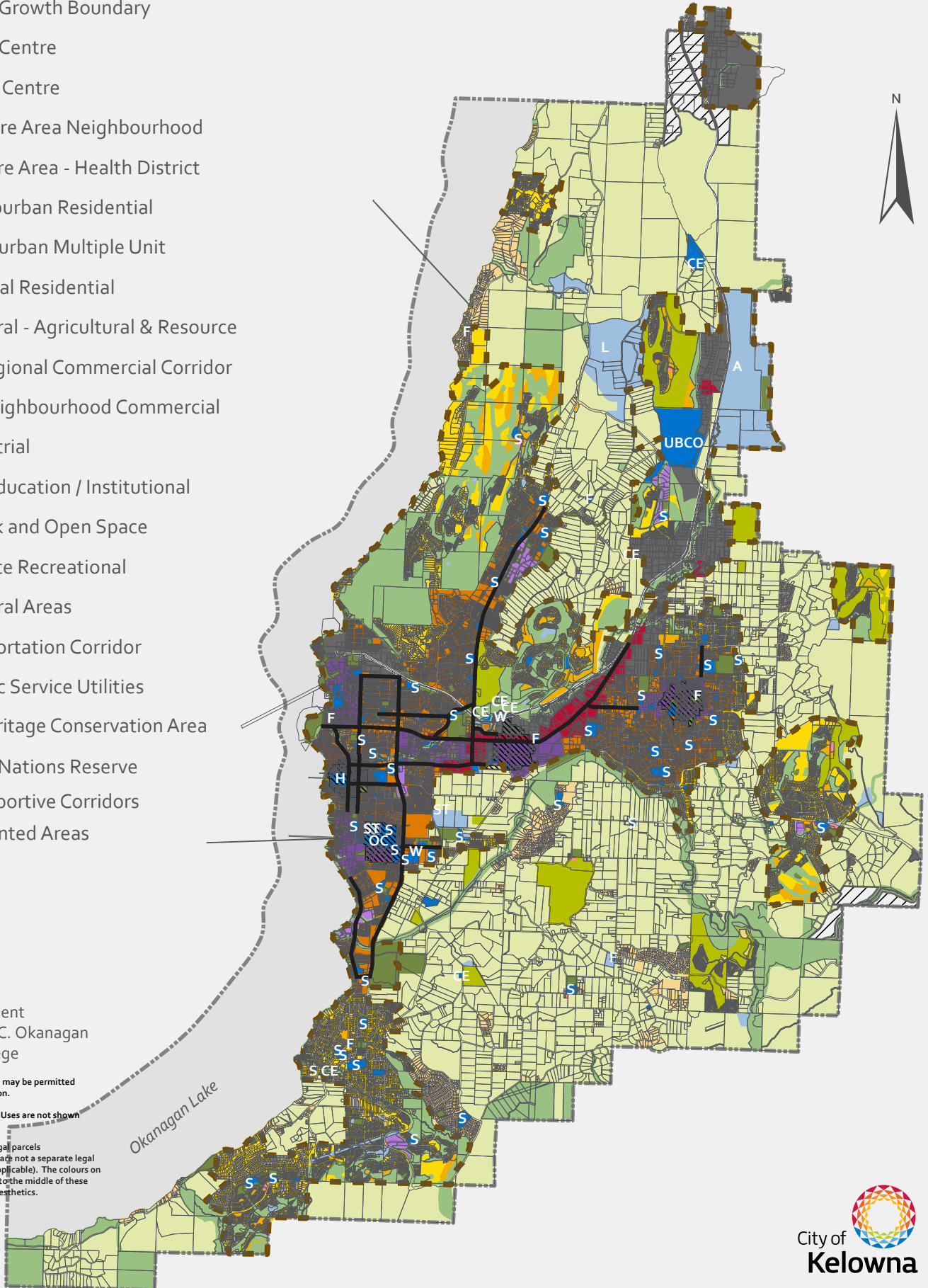
-  Permanent Growth Boundary
-  UC - Urban Centre
-  VC - Village Centre
-  C-NHD - Core Area Neighbourhood
-  C-HTH - Core Area - Health District
-  S-RES - Suburban Residential
-  S-MU - Suburban Multiple Unit
-  R-RES - Rural Residential
-  R-AGR - Rural - Agricultural & Resource
-  RCOM - Regional Commercial Corridor
-  NCOM - Neighbourhood Commercial
-  IND - Industrial
-  EDINST - Education / Institutional
-  PARK - Park and Open Space
-  REC - Private Recreational
-  NAT - Natural Areas
-  TC - Transportation Corridor
-  PSU - Public Service Utilities
-  C-HER - Heritage Conservation Area
-  FNR - First Nations Reserve
-  Transit Supportive Corridors
-  Transit Oriented Areas

- A Airport
- F Firehall
- H Hospital
- L Landfill
- S School
- W Works Yard
- CE Cemetery
- ST Sewage Treatment
- UBCO University of B.C. Okanagan
- OC Okanagan College

Adaptive Re-Use of Heritage Buildings may be permitted within any Future Land Use Designation.

Temporary Commercial and Industrial Uses are not shown on this map.

Landuse designations apply only to legal parcels (i.e. roads, creeks, wetlands, etc. that are not a separate legal parcel have no land use designation applicable). The colours on the Future Land Use Map that extend to the middle of these features are applied to improve map aesthetics.



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



# REPORT TO COUNCIL REZONING



**Date:** April 22, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 1310 & 1320 Belaire Ave  
**File No.:** Z23-0031

	Existing	Proposed
<b>OCP Future Land Use:</b>	UC – Urban Centre	UC – Urban Centre
<b>Zone:</b>	UC2 – Capri-Landmark Urban Centre	UC2r – Capri-Landmark Urban Centre Rental Only

### 1.0 Recommendation

THAT Rezoning Application No. Z23-0031 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 29 District Lot 137 ODYD Plan 10011, located at 1310 Belaire Ave and Lot 30 District Lot 137 ODYD Plan 10011, located at 1320 Belaire Ave, Kelowna, BC from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone, be considered by Council;

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

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

### 2.0 Purpose

To rezone the subject properties from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark 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 UC2r – Capri-Landmark Urban Centre Rental Only zone. The proposed rezoning will facilitate the development of a rental apartment housing development which supports key direction within the Healthy Housing Strategy to promote and protect rental housing. The proposed rental apartment housing use is also consistent with OCP Policies which encourage medium and high-density residential development and diverse housing tenures within the Urban Centre.

Lot Area	Proposed (m <sup>2</sup> )
Gross Site Area	2,082.8 m <sup>2</sup>
Road Dedication	n/a
Undevelopable Area	n/a
Net Site Area	2,082.8 m <sup>2</sup>

4.0 Site Context & Background

Orientation	Zoning	Land Use
North	RU4 – Duplex Housing	Duplex Housing
East	UC2 – Capri-Landmark Urban Centre	Single Detached Housing
South	UC2 – Capri-Landmark Urban Centre	Single Detached Housing
West	UC2 – Capri-Landmark Urban Centre	Single Detached Housing

Subject Property Map: 1310 & 1320 Belaire Ave



The subject properties are located mid-block near the Chandler St / Harvey Ave intersection at the northern boundary of the Capri-Landmark Urban Centre. Harvey Ave is designated as a Transit Supportive Corridor (TSC). Transit stops are located along Harvey Ave and the sites are within walking distance of Mary Ann Collinson Memorial Park.

4.1 Kelowna Official Community Plan (OCP)

<b>Objective 4.1 Strengthen the Urban Centres as Kelowna’s primary hubs of activity.</b>	
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 maximize 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 subzone will ensure the proposed apartment housing will be developed and maintained as long-term rental units.</i>
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**5.0 Application Chronology**

Application Accepted: February 17, 2023  
Public Information Session: February 26, 2024  
Neighbourhood Notification Summary Received: February 27, 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, Climate Action & Development Services

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).

**CITY OF KELOWNA**  
**BYLAW NO. 12652**  
**Z23-0031**  
**1310, 1320 Belaire Avenue**

---

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 29 District Lot 137 ODYD Plan 10011 and Lot 30 District Lot 137 ODYD Plan 10011 located on Belaire Avenue, Kelowna, BC from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark 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

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Mayor

---

City Clerk



City of  
**Kelowna**

# Z23-0031 1310 & 1320 Belaire Ave

Rezoning Application

# Purpose

- ▶ To rezone the subject properties from the UC2 – Capri-Landmark Urban Centre zone to the UC2r – Capri-Landmark Urban Centre Rental Only zone to facilitate the development of rental apartment housing.

# Development Process



Feb 17, 2023

Development Application Submitted



Staff Review & Circulation



Feb 27, 2024

Public Notification Received



Apr 22, 2024

Initial Consideration



Reading Consideration



Final Reading & DP/DVP

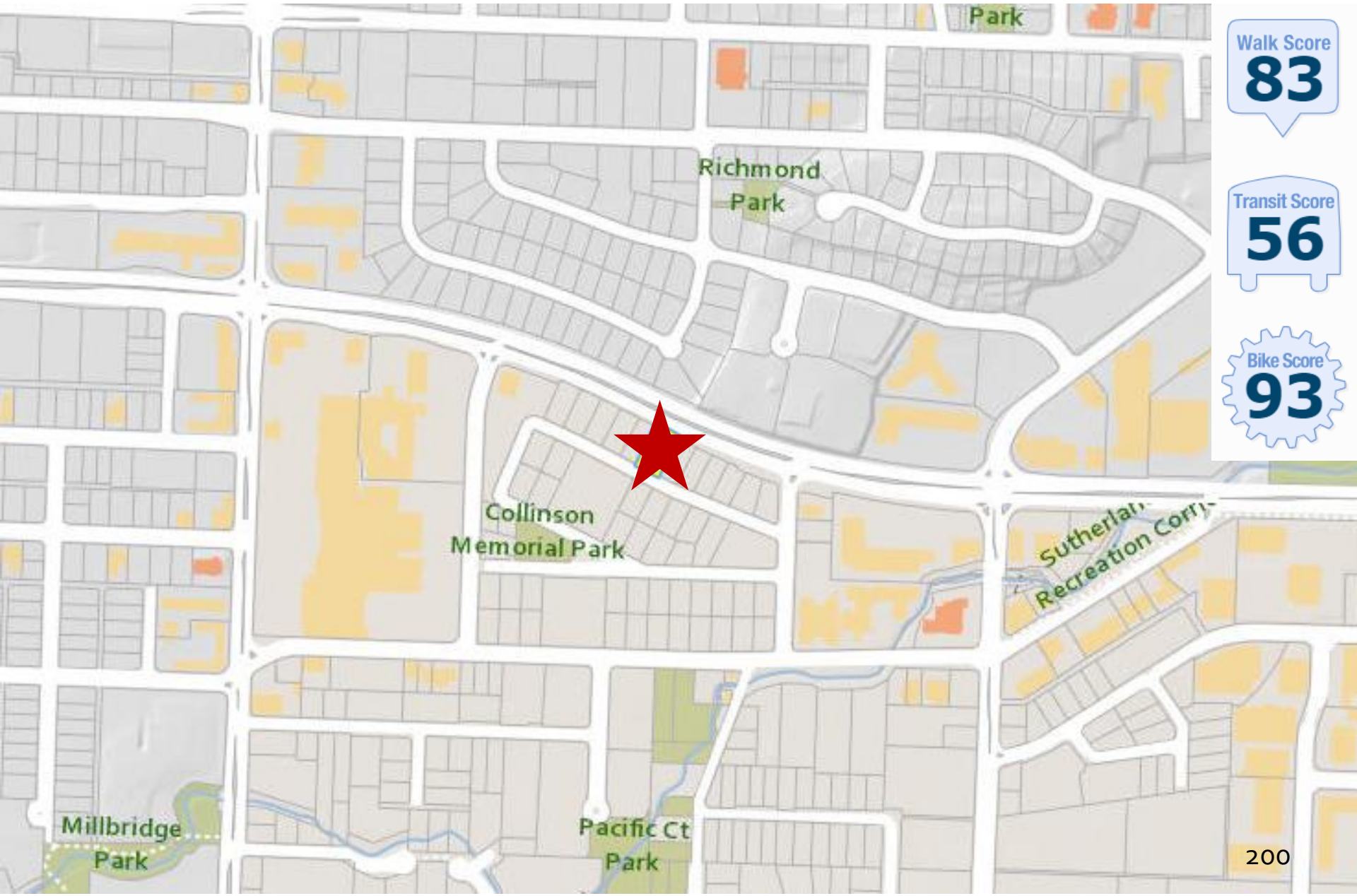


Building Permit



Council Approvals

# Context Map



Walk Score  
**83**

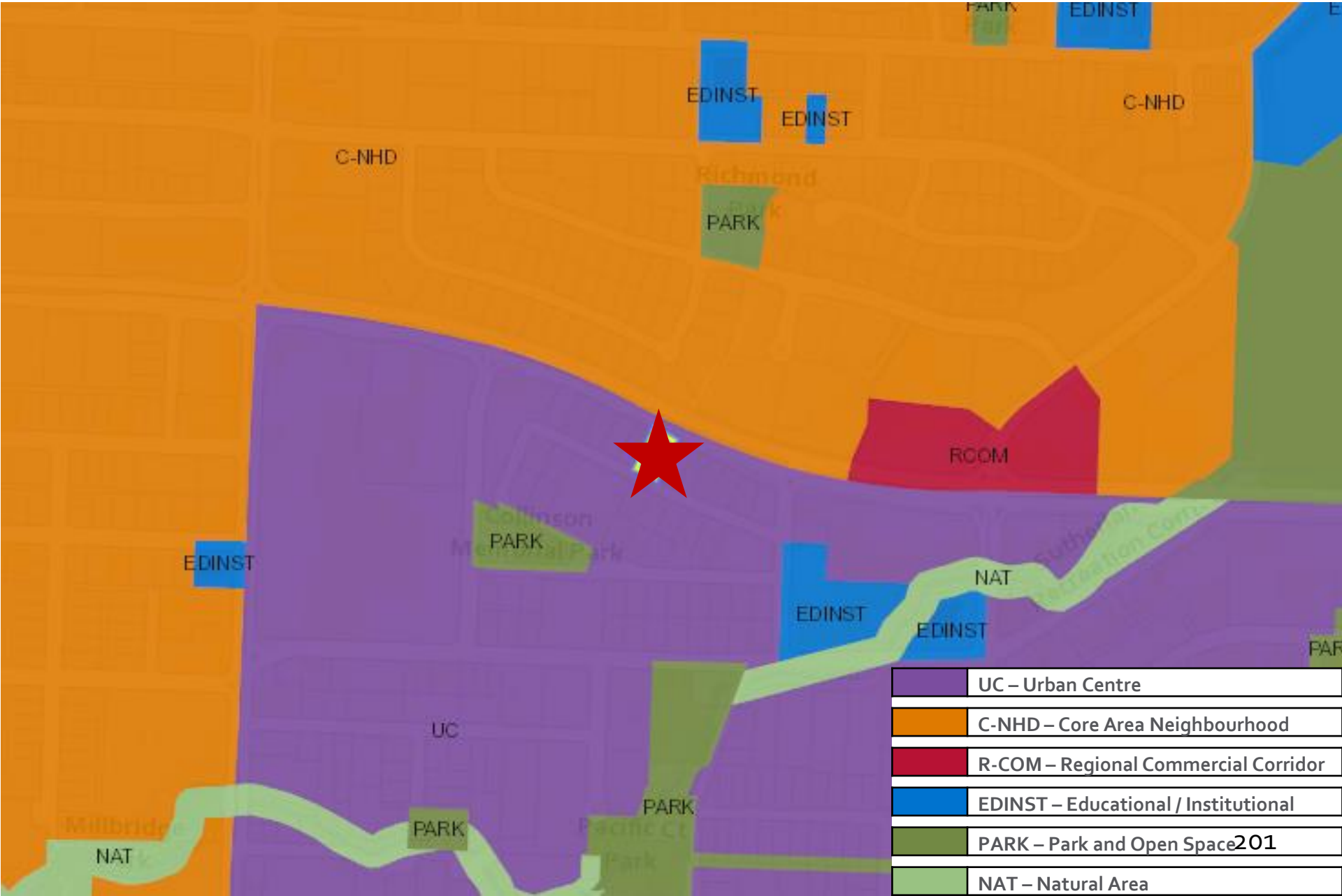
Transit Score  
**56**







Bike Score  
**93**

200



# OCP Future Land Use



	UC – Urban Centre
	C-NHD – Core Area Neighbourhood
	R-COM – Regional Commercial Corridor
	EDINST – Educational / Institutional
	PARK – Park and Open Space <sup>201</sup>
	NAT – Natural Area

# Subject Property Map



# Project Details

- ▶ UC2 – Capri-Landmark Urban Centre to UC2r – Capri-Landmark Urban Centre (Rental Only)
  - ▶ Facilitate construction of apartment housing
  - ▶ Long-term rental housing
  - ▶ Vehicle entrance off Belaire Ave

# 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:** April 22, 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 April 22, 2024, with respect to one rezoning application;

AND THAT Rezoning Bylaw No. 12648 be forwarded for further reading consideration.

**Purpose:**

To receive a summary of notice of first reading for Rezoning Bylaw No. 12648 and to give the bylaw 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 Rezoning Application was brought forward to Council for initial consideration on April 8, 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
<a href="#">270 Hiram Walker Ct</a>	Z23-0019	12648	Yes	1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup>	0

The application was 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 Bylaw No. 12648 further reading consideration.

**Considerations applicable to this report:**

**Legal/Statutory Authority:**

*Local Government Act s. 464(2)*

**Legal/Statutory Procedural Requirements:**

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

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

**Considerations not applicable to this report:**

**Existing Policy:**

**Financial/Budgetary Considerations:**

**External Agency/Public Comments:**

**Communications Comments:**

Submitted by: N Beauchamp, Legislative Technician

Approved for inclusion: L Bentley, City Clerk

cc: Development Planning

**CITY OF KELOWNA**  
**BYLAW NO. 12648**  
**Z23-0019**  
**270 Hiram Walker Court**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 12375 be amended by changing the zoning classification of Lot 3 Section 2 Township 20 ODYD Plan EPP98124 located on Hiram Walker Court, Kelowna, BC from the I3 – Heavy Industrial zone to the I2 – General Industrial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk



**CITY OF KELOWNA**

**BYLAW NO. 12571**

**Z23-0022**

**1110 Lawson Avenue**

---

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 District Lot 137 ODYD Plan EPP133457 located on Lawson Avenue, Kelowna, BC from the MF1 – Infill Housing zone to the MF3r – Apartment Housing with 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 11<sup>th</sup> day of September, 2023.

Approved under the Transportation Act this 12<sup>th</sup> day of September, 2023.

Audrie Henry

---

(Approving Officer – Ministry of Transportation)

Amended at third reading and adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

# REPORT TO COUNCIL DEVELOPMENT PERMIT



**Date:** April 22, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 1110 Lawson Ave  
**File No.:** DP23-0072  
**Zone:** MF3r – Apartment Housing Rental Only

---

## 1.0 Recommendation

THAT Rezoning Bylaw No. 12571 be amended at third reading to revise the legal description of the subject properties from Lot 7 District Lot 137 ODYD Plan 14393, Lot 8 District Lot 137 ODYD Plan 14393, Lot 9 District Lot 137 ODYD Plan 14393, Lot 10 District Lot 137 ODYD Plan 14393, and Lot 11 District Lot 137 ODYD Plan 14393 to Lot A District Lot 137 ODYD Plan EPP133457;

AND THAT Final Adoption of Rezoning Bylaw No. 12571 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0072 for Lot A District Lot 137 ODYD Plan EPP133457, located at 1110 Lawson Ave, Kelowna, BC subject to the following:

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

AND THAT the applicant be required to enter into a Car-Share Agreement for a minimum of two years from the date of Building Occupancy as set out in Attachment "C" attached to the Report from the Development Planning Department dated April 22, 2024;

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

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

## 2.0 Purpose

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

## 3.0 Development Planning

Staff support the proposed Development Permit for the form and character of a rental apartment housing development. The proposal generally conforms to the Official Community Plan (OCP) Form and Character Design Guidelines for Low & Mid-Rise Residential Development. Key guidelines that are met include:

- Orienting building facades to both fronting streets to create street edge definition and activity and avoiding blank walls at-grade;
- Incorporating a range of architectural features and details into building facades to create visual interest, and using an integrated, consistent range of materials and colours that provide variety;
- Providing ground-oriented units with individual entrances to the fronting street, with semi-private entry zones to allow for entryways and patios;
- Designing an attractive, functional, and engaging on-site open space including a green roof.

The building is six storeys in height along the Gordon Dr frontage and steps down to five storeys along Lawson Ave and Aspen Ct. This provides a sense of transition and lessened massing from the Transit Supportive Corridor towards the adjacent residential neighbourhoods.

Vehicle access is provided from Aspen Ct. Parking is provided primarily below grade, with limited surface parking located behind the building including visitor parking stalls and two MODO car share stalls. Common amenity spaces include a fitness room, games room, and co-working space on the main floor and a large amenity deck on the fifth floor with outdoor furniture, pavers, and a green roof.

#### 4.0 Subject Property & Background

##### 4.1 Subject Property Map



The subject property is located at the intersection of Gordon Dr, Lawson Ave, and Aspen Ct. Gordon Dr is a Transit Supportive Corridor. Transit stops are located within 200 m on Gordon Dr and Bernard Ave. Surrounding properties include a mix of single detached housing, duplexes, apartment housing, and commercial units.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	3555.5 m <sup>2</sup>
<b>Total Number of Units</b>	<b>130</b>
Bachelor	13
1-bed	80
2-bed	31
3-bed	6

DEVELOPMENT REGULATIONS		
CRITERIA	MF <sub>3r</sub> ZONE	PROPOSAL
<b>Total Maximum Floor Area Ratio</b>	<b>2.35</b>	<b>2.3</b>
Base FAR	1.8	1.8
Bonus FAR	0.3 (rental designation) 0.25 (underground parking)	0.5
Max. Site Coverage (buildings)	65%	48%
Max. Site Coverage (buildings, parking, driveways)	85%	79.9%
<b>Max. Height</b>	<b>22.0 m &amp; 6 storeys</b>	<b>21.48 m &amp; 6 storeys</b>
<b>Setbacks</b>		
Min. Front Yard (Gordon)	2.0 m	2.0 m
Min. Side Yard (north)	3.0 m	3.0 m
Min. Flanking Side Yard (Lawson)	2.0 m	2.0 m
Min. Front Yard (Aspen)	3.0 m	3.0 m
<b>Stepbacks</b>		
Min. Fronting Street (Gordon)	3.0 m	3.0 m
Min. Flanking Street (Lawson)	3.0 m	3.0 m
Min. Fronting Street (Aspen)	3.0 m	37.1 m
<b>Amenity Space</b>		
<b>Total Required Amenity Space</b>	<b>2222.5 m<sup>2</sup></b>	<b>2559.8 m<sup>2</sup></b>
Common	520 m <sup>2</sup>	1015.2 m <sup>2</sup>
<b>Landscaping</b>		
Min. Number of Trees	17 trees	23 trees
Min. Large Trees	9 trees	9 trees

PARKING REGULATIONS		
CRITERIA	MF <sub>3r</sub> ZONE REQUIREMENTS	PROPOSAL
<b>Total Required Vehicle Parking</b>	<b>122 stalls</b>	<b>122 stalls</b>
Residential	134.2	
Visitor	18.2	
"r" Subzone Reduction	-15	
Long-Term Bike Parking	-5	
Care Share	-10	
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	51% Regular 49% Small
Bicycle Stalls Short-Term	6 stalls	6 stalls
Bicycle Stalls Long-Term	97.5 stalls	175 stalls
Bonus Stalls Provided for Parking Reduction		y
Bike Wash & Repair		y

## 6.o Application Chronology

Application Accepted: April 18, 2023  
Adoption of Zone Amending Bylaw: April 22, 2024

**Report prepared by:** Mark Tanner, 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, Climate Action & Development Services

### Attachments:

Attachment A: Draft Development Permit DP23-0072  
    Schedule A: Site Plan & Floor Plans  
    Schedule B: Elevations & Sections  
    Schedule C: Landscape Plan  
Attachment B: OCP Form and Character Development Permit Guidelines  
Attachment C: Modo Car Share Agreement

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).

# Development Permit

## DP23-0072

**ATTACHMENT A**  
This forms part of application  
# DP23-0072

Planner Initials **MT**

City of Kelowna  
COMMUNITY PLANNING



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

**1110 Lawson Ave**

and legally known as

**Lot A District Lot 137 ODYD Plan EPP133457**

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

### **Apartment Housing**

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

**Date of Council Approval: April 22, 2024**

Development Permit Area: Form & Character

Existing Zone: MF3r – Apartment Housing Rental Only

Future Land Use Designation: C-NHD – Core Area Neighbourhood

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

### **This is NOT a Building Permit.**

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

### **NOTICE**

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

Owner: HPG Development Ltd., Inc. No. BC0897381

Applicant: Zeidler Architecture

\_\_\_\_\_  
Nola Kilmartin  
Development Planning Department Manager  
Planning & Development Services

\_\_\_\_\_  
Date of Issuance

## 1. SCOPE OF APPROVAL

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

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

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

## 2. CONDITIONS OF APPROVAL

THAT Council authorizes the issuance of Development Permit No. DP23-0072 for Lot A District Lot 137 ODYD Plan EPP133457 located at 1110 Lawson Ave, Kelowna, BC, subject to the following:

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

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

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

## 3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property owner of the day. Should the Developer carry out the development as per the conditions of this permit, the security shall be returned to the Developer or his or her designate following proof of Substantial Compliance as defined in Bylaw No. 12310. There is filed accordingly:

- a) An Irrevocable Letter of Credit **OR** certified cheque **OR** a Surety Bond in the amount of **\$447,708.75**

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

## 4. INDEMNIFICATION

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

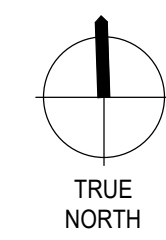
- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

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

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

DRAFT





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2	ISSUED FOR DP - R1	2023-04-11
1	ISSUED FOR DP	2023-03-10

NO.	ISSUE/REVISION	DATE
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NOT FOR CONSTRUCTION

PROJECT  
**GORDON & LAWSON**

PROJECT ADDRESS  
 1110 GORDON DR  
 KELOWNA, BC  
 V1Y 3G3

TITLE  
**SITE PLAN**

PROJECT NO.	DRAWN	CHECKED
222-114	JD	Checker

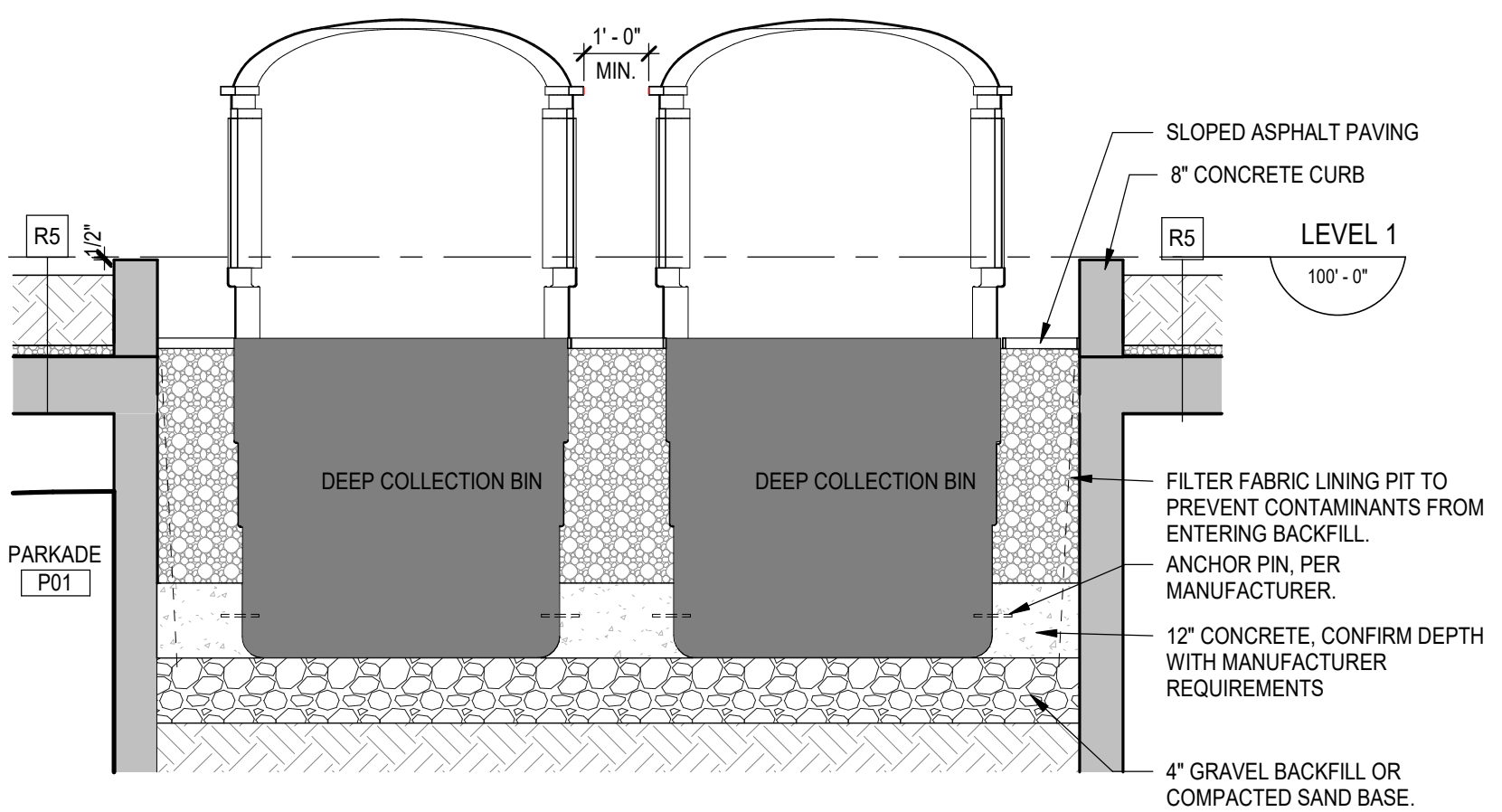
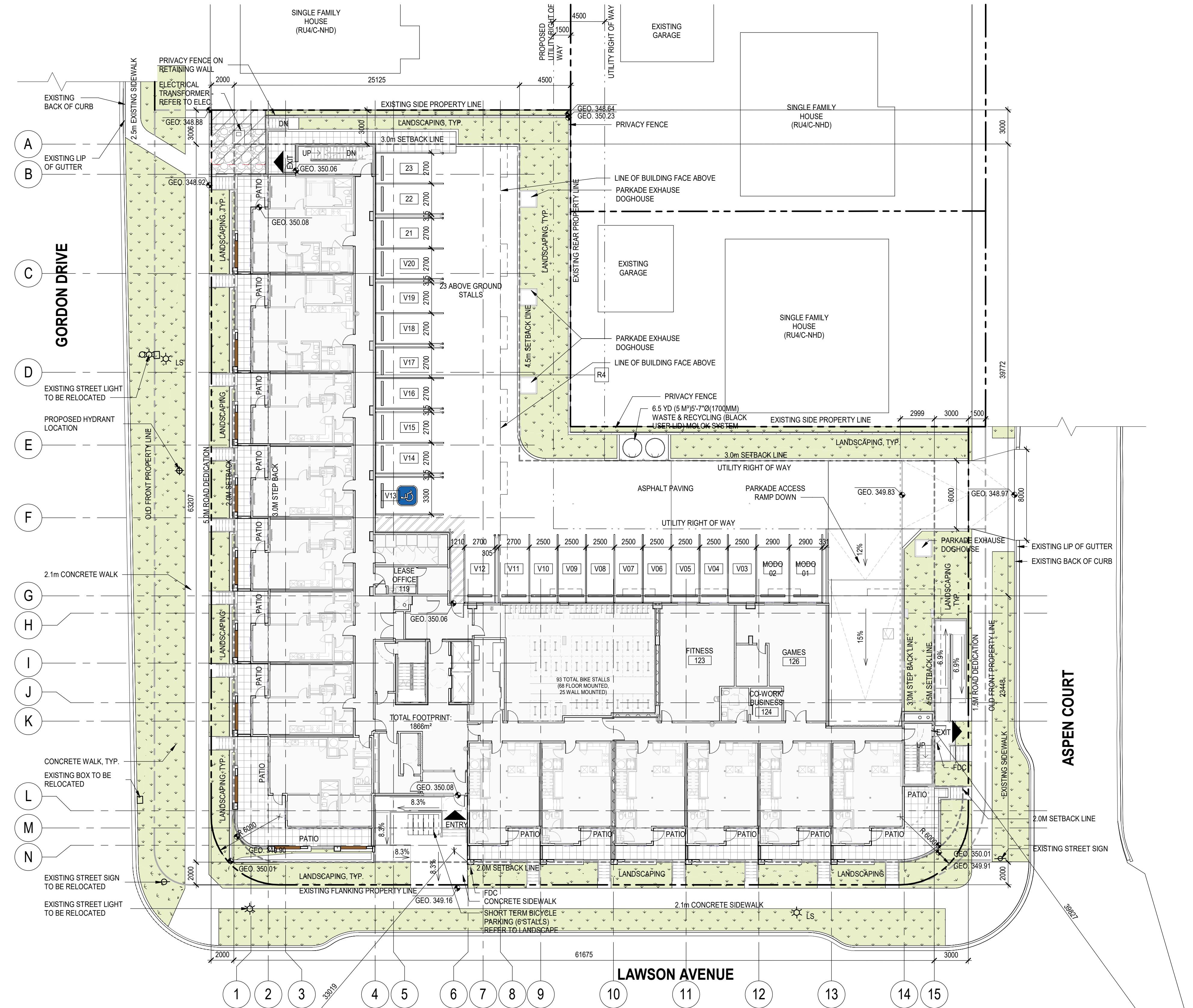
DRAWING NO.	REVISION NO.
<b>DP1.02</b>	3

**DP1.02**

**PROJECT INFORMATION**

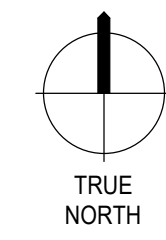
**OWNER:** HPG Development Ltd.  
**DP APPLICANT:** ZEIDLER ARCHITECTURE  
**MUNICIPAL ADDRESS:** 1459, 1467 GORDON DR., 1104-1130 LAWSON AVE., 1488 ASPEN CT., KELOWNA, BC  
**LEGAL ADDRESS:** LOT 7, 8, 9, 10, 11; PLAN KAP14393  
**PARCEL AREA:** BEFORE ROAD DEDICATION: 3,977 m<sup>2</sup> / 42,808 ft<sup>2</sup>  
 AFTER ROAD DEDICATION: 3,555.5 m<sup>2</sup> / 38,271 ft<sup>2</sup>  
 BYLAW NO.: 12375  
**LANDUSE BYLAW:** RU4  
**ZONING (EXISTING):** RU4  
**ZONING (PROPOSED):** MF3R - MULTI FAMILY - RENTAL DESIGNATION  
**GENERAL DESCRIPTION:** 6 STOREY WOOD-FRAME MULTI-FAMILY BUILDING  
**RESIDENTIAL**  
**PRINCIPAL USE / FLOOR UNIT TYPE BREAKDOWN:**

LEVEL	2 BED UNIT	1 BED UNIT	STUDIO	3 BED TOWNHOUSE	TOTALS
LEVEL 1	3	5		6	14
LEVEL 2	6	12	3		21
LEVEL 3	6	18	3		27
LEVEL 4	6	18	3		27
LEVEL 5	6	18	3		27
LEVEL 6	4	9	1		14
	31	80	13		136



**2 W+R (MOLOK BINS) SECTION DETAIL**  
 DP1.02 SCALE: 3/8" = 1'-0"

**1 SITE PLAN**  
 DP1.02 SCALE: 1 : 200



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2	ISSUED FOR DP - R1	2023-04-11
1	ISSUED FOR DP	2023-03-10

NO.	ISSUE/REVISION	DATE
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**NOT FOR CONSTRUCTION**

PROJECT  
**GORDON & LAWSON**

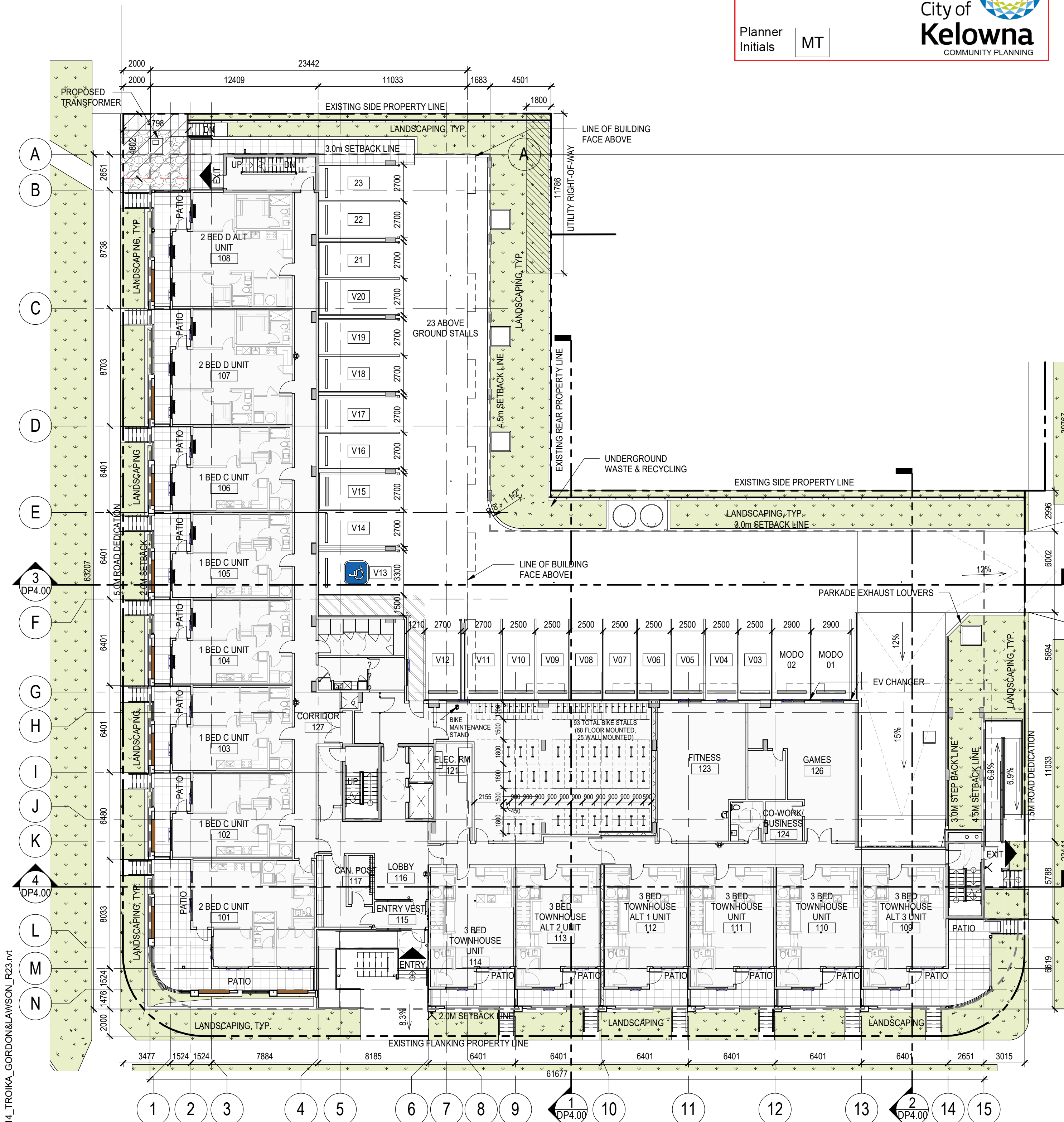
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 KELOWNA, BC  
 V1Y 3G3

TITLE  
**FLOOR PLANS**

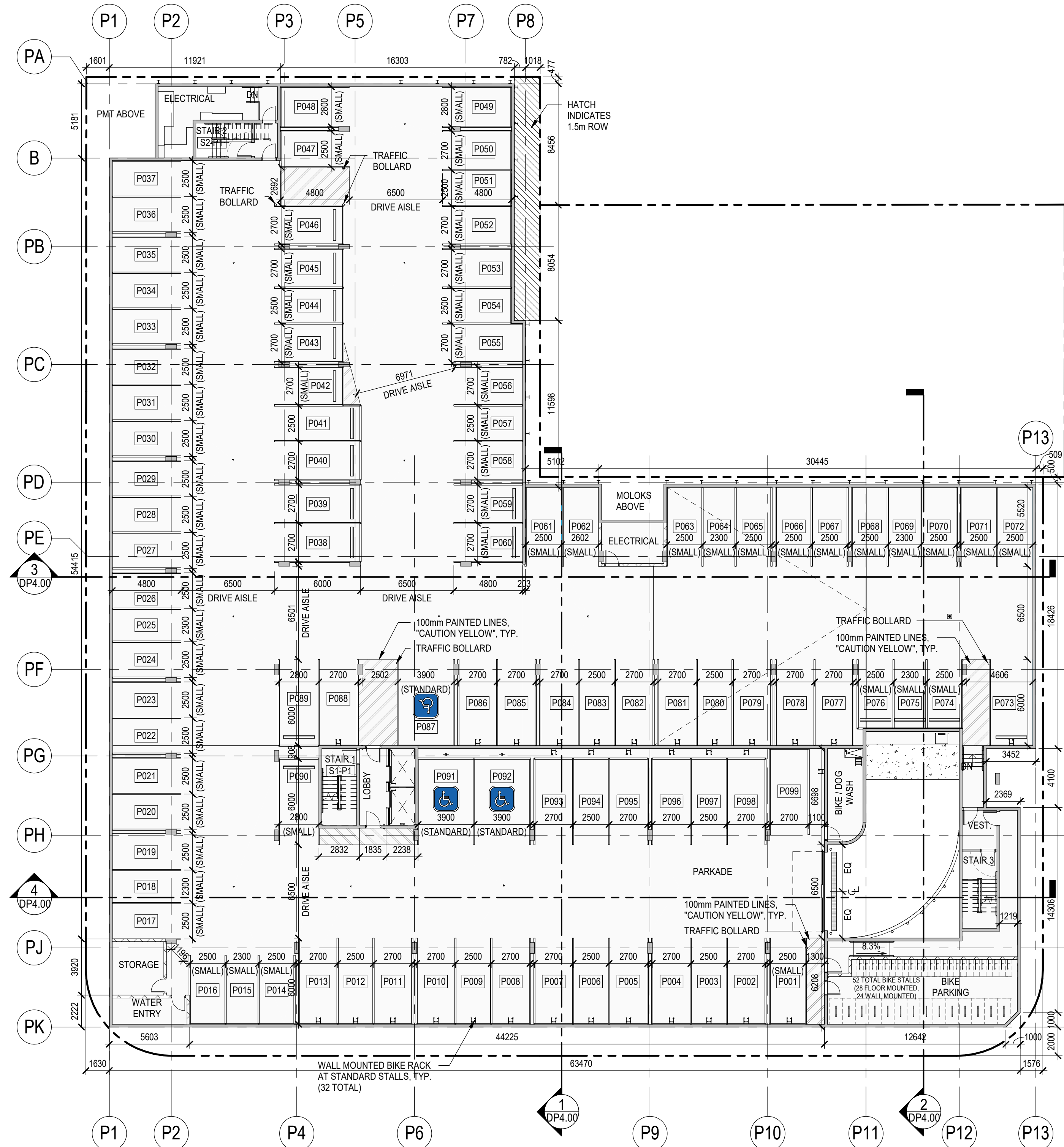
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222-114	Author	Checker

DRAWING NO.	REVISION NO.
<b>DP2.00</b>	3

**DP2.00**



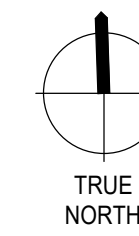
**2 FLOOR PLAN - LEVEL 1**  
 DP2.00 SCALE: 1:200



**1 FLOOR PLAN - P1**  
 DP2.00 SCALE: 1:200

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2	ISSUED FOR DP_R1	2023-04-11
1	ISSUED FOR DP	2023-03-10

NO.	ISSUE/REVISION	DATE
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NOT FOR CONSTRUCTION

PROJECT  
**GORDON & LAWSON**

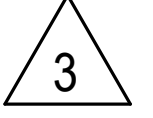
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KELOWNA, BC  
V1Y 3G3

TITLE  
**FLOOR PLANS**

PROJECT NO.	DRAWN	CHECKED
222-114	Author	Checker

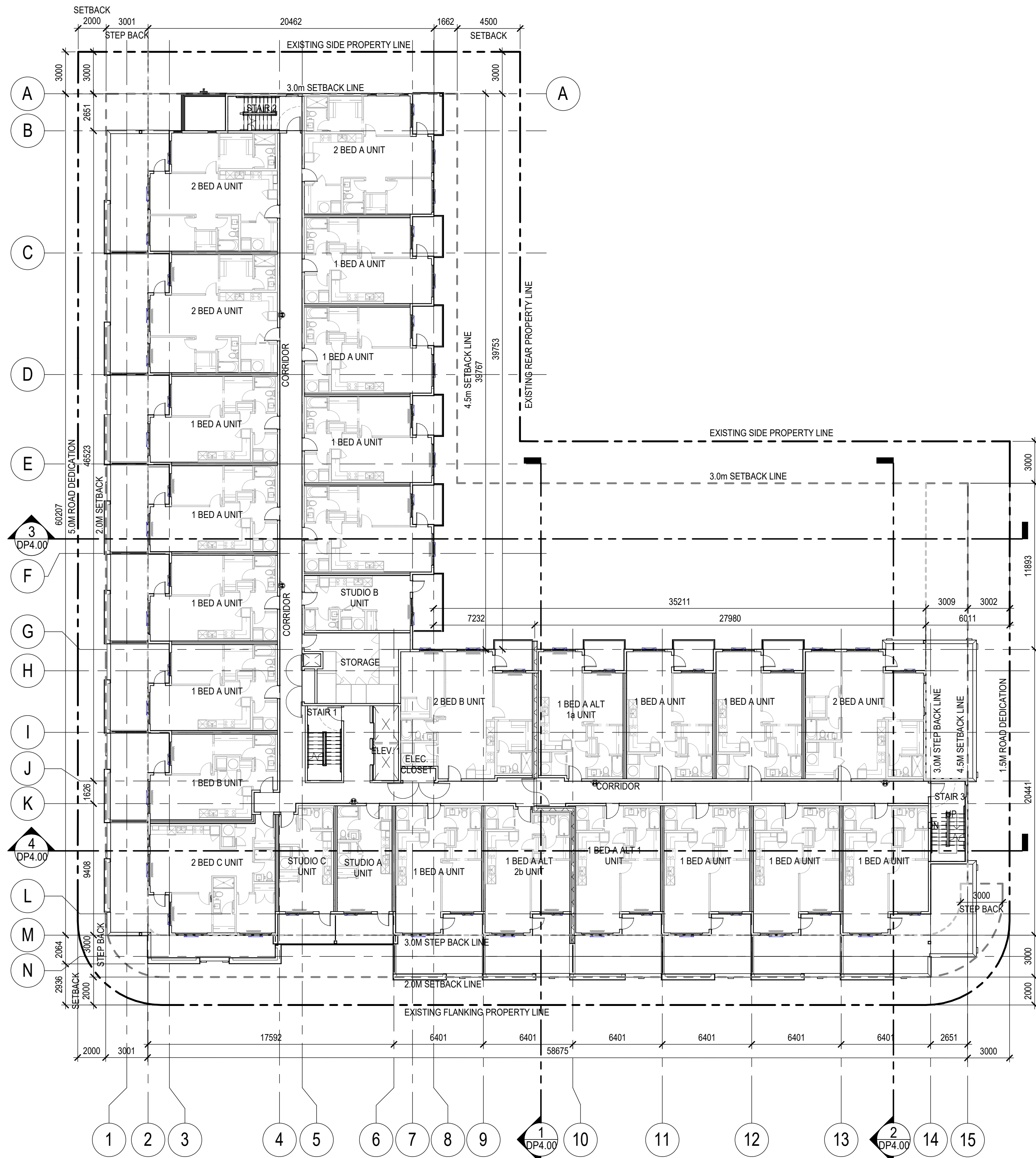
DRAWING NO.	REVISION NO.
DP2.01	3

DP2.01

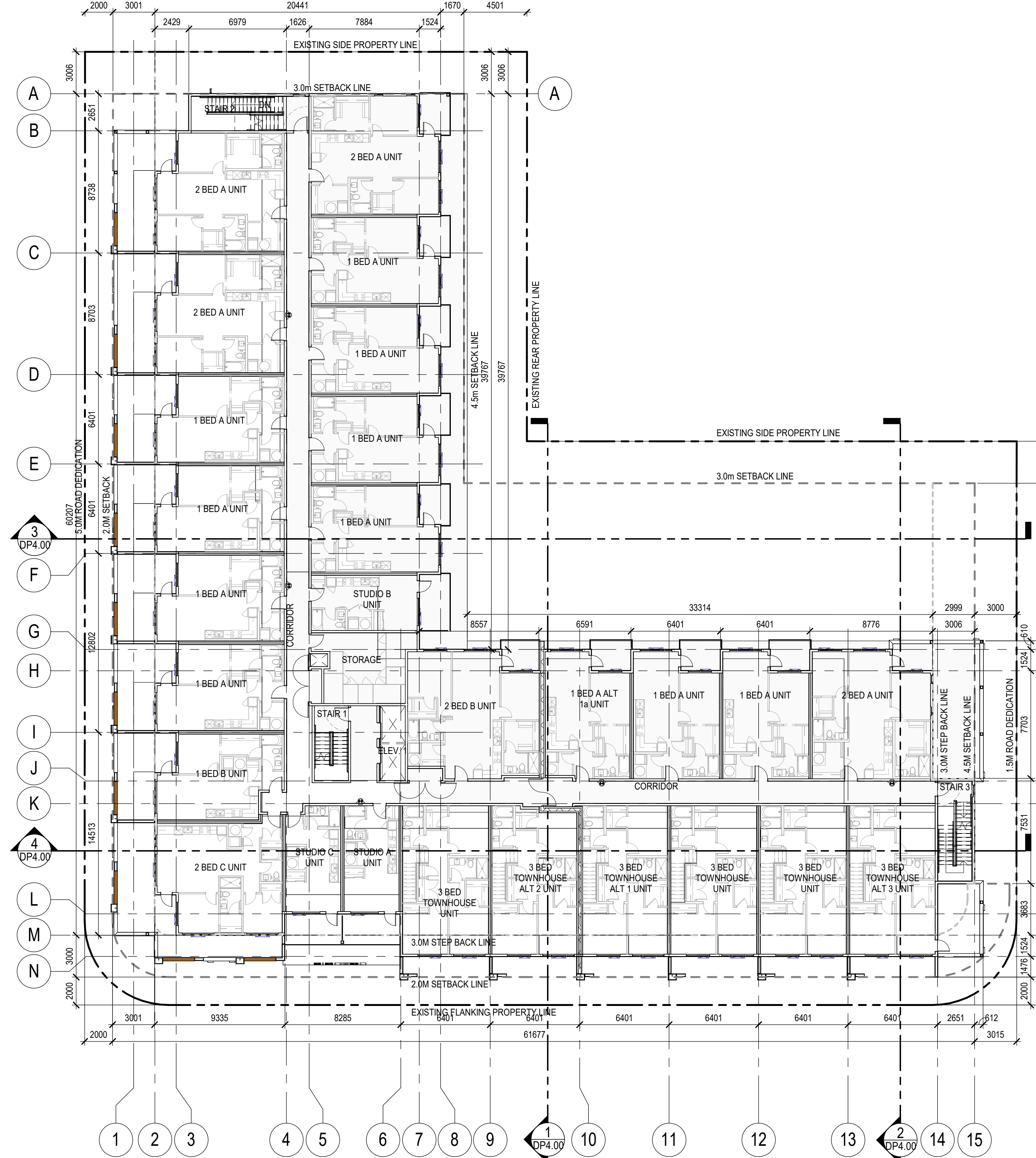


**SCHEDULE A**  
This forms part of application  
# DP23-0072

Planner Initials **MT**



**2 LEVEL 3-5 FLOOR PLAN**  
SCALE: 1:200

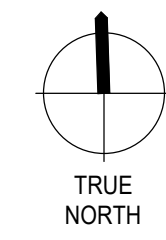


**1 LEVEL 2 FLOOR PLAN**  
SCALE: 1:200

**SCHEDULE A**  
 This forms part of application  
 # DP23-0072

Planner Initials **MT**

City of Kelowna  
 COMMUNITY PLANNING



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NO.	ISSUE/REVISION	DATE
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1	ISSUED FOR DP_R1	2023-04-11

**NOT FOR CONSTRUCTION**

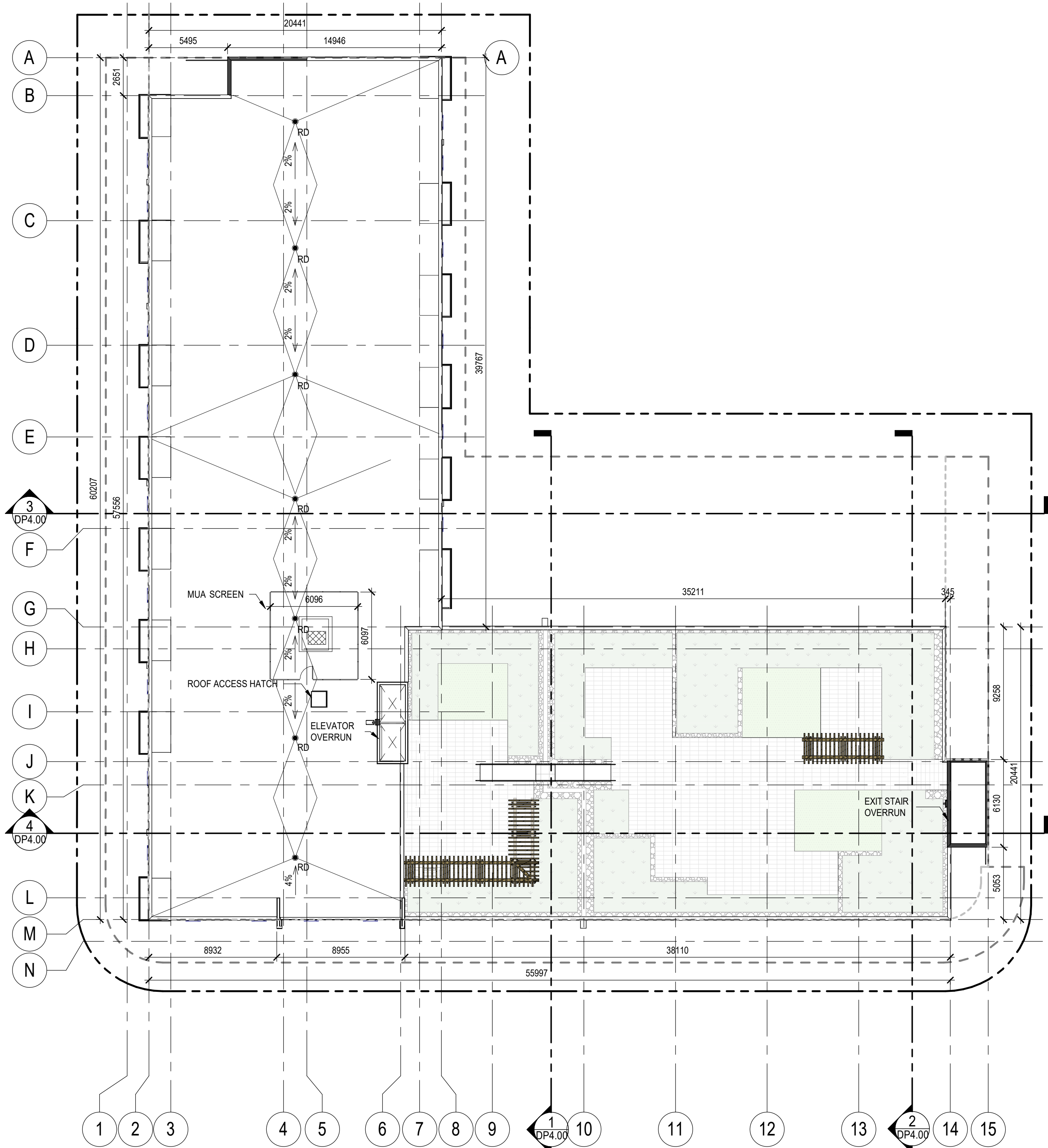
PROJECT  
**GORDON & LAWSON**

PROJECT ADDRESS  
 1110 GORDON DR  
 KELOWNA, BC  
 V1Y 3G3

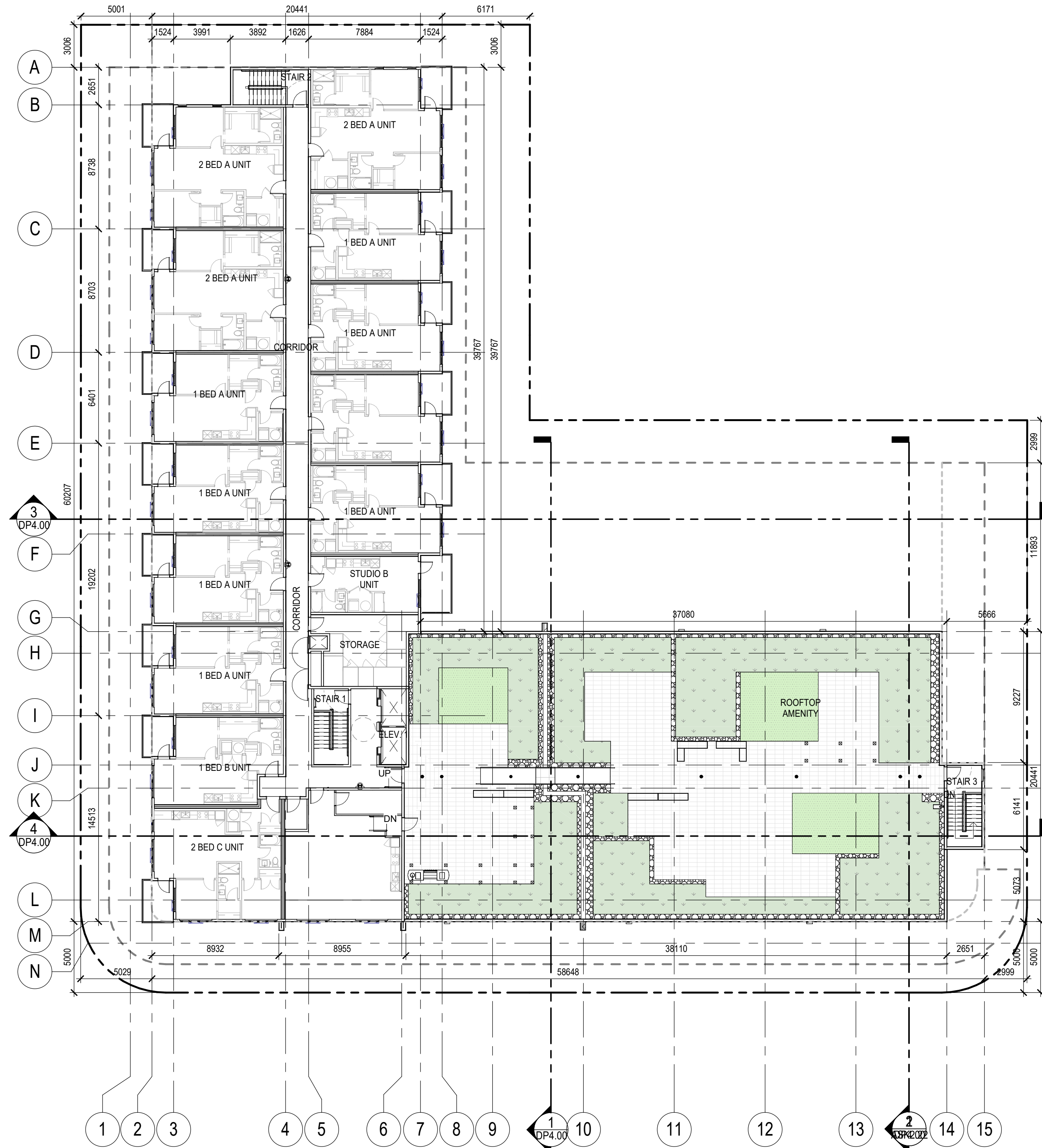
TITLE  
**FLOOR PLANS**

PROJECT NO.	DRAWN	CHECKED
222-114	Author	Checker

DRAWING NO.	REVISION NO.
<b>DP2.02</b>	2



**2 ROOF PLAN**  
 DP2.02 SCALE: 1: 200



**1 LEVEL 6 FLOOR PLAN**  
 DP2.02 SCALE: 1: 200

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# SCHEDULE B

This forms part of application  
# DP23-0072

Planner Initials **MT**



MATERIAL LEGEND	
1B	CEMENTITIOUS BOARD CLADDING (HARDIE, IRON GREY, SMOOTH)
2B	CEMENTITIOUS PANEL CLADDING (HARDIE, IRON GREY, SMOOTH)
1A	CEMENTITIOUS BOARD CLADDING (HARDIE, ARTIC WHITE, SMOOTH)
2A	CEMENTITIOUS PANEL CLADDING (HARDIE, ARTIC WHITE, SMOOTH)
3	COMPOSITE PANEL CLADDING (WOOD APPEARANCE)
4	CHICAGO BRICK (ANTHRACITE)
9	DOUBLE GLAZED VINYL WINDOW (WHITE OR BLACK EXTERIOR)
7	METAL PICKET GUARDRAIL (BLACK OR WHITE POWDER COAT)
6	ALUMINUM SOFFIT (WOOD APPEARANCE)
10	EXPOSED CONCRETE PLANTERS, PATTERNED TIE HOLES AND EXPANSION JOINTS
11	DOUBLE GLAZED FIBERGLASS PATIO DOOR WITH TRANSOM (WHITE OR BLACK EXTERIOR)



## Zeidler Architecture

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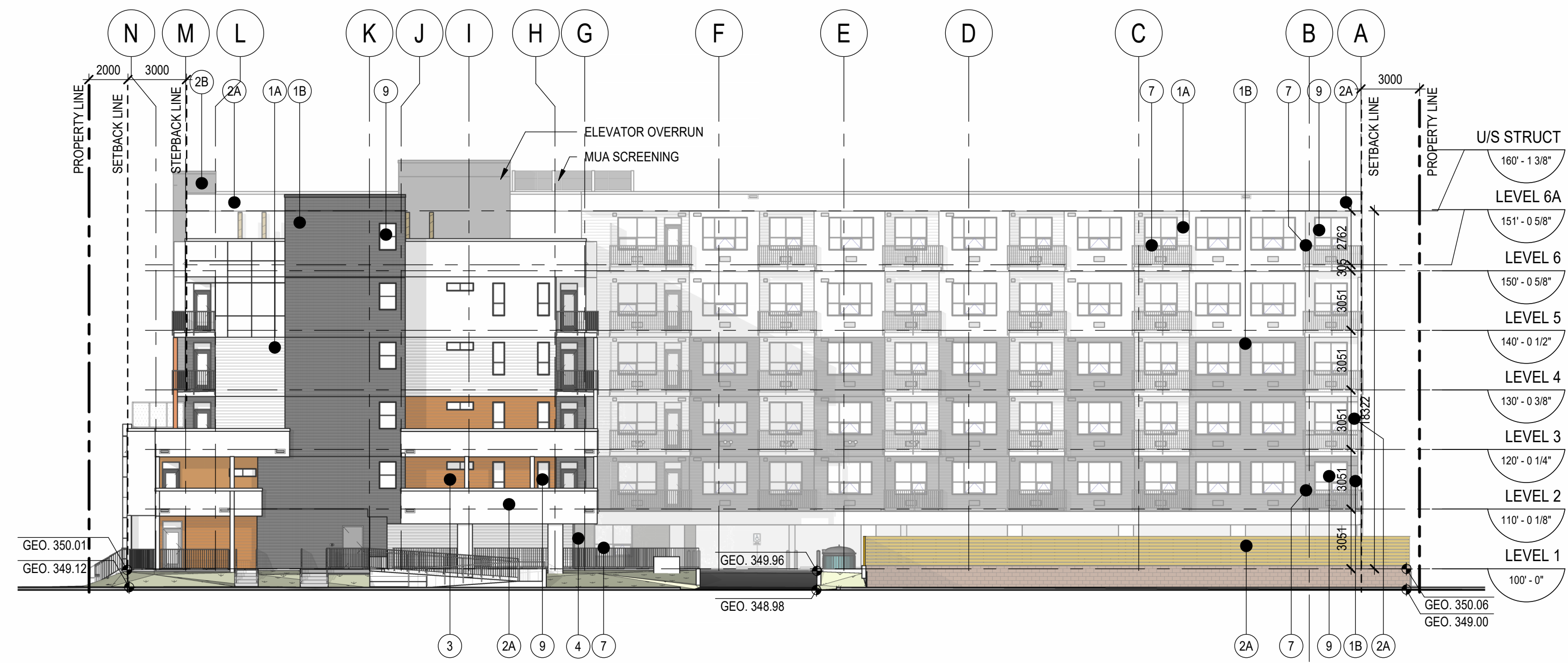


### NOTE

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**4** PERSPECTIVE - SE CORNER (AMENITY ROOF)  
DP3.00 SCALE: 12" = 1'-0"



**2** EAST ELEVATION  
DP3.00 SCALE: 1: 200



**3** PERSPECTIVE - SOUTH ELEVATION  
DP3.00 SCALE: 12" = 1'-0"



**1** SOUTH ELEVATION  
DP3.00 SCALE: 1: 200

NO.	ISSUE/REVISION	DATE
2	ISSUED FOR DP - RESPONSE 1	2024-03-21
1	ISSUED FOR DP	2023-03-10

NOT FOR CONSTRUCTION

## PROJECT GORDON & LAWSON

PROJECT ADDRESS  
1110 GORDON DR  
KELOWNA, BC  
V1Y 3G3

## TITLE BUILDING ELEVATION

PROJECT NO.	DRAWN	CHECKED
222-114	Author	Checker

DRAWING NO. REVISION NO.

**DP3.00**



NOTE

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3 ISSUED FOR DP - RESPONSE 1 2024-03-21  
 2 ISSUED FOR DP\_R1 2023-04-11  
 1 ISSUED FOR DP 2023-03-10

NO. ISSUE/REVISION DATE

NOT FOR CONSTRUCTION

PROJECT  
**GORDON & LAWSON**

PROJECT ADDRESS  
 1110 GORDON DR  
 KELOWNNA, BC  
 V1Y 3G3

TITLE  
**BUILDING ELEVATION**

PROJECT NO. 222-114 DRAWN Author CHECKED Checker

DRAWING NO. **DP3.01** REVISION NO.

**DP3.01**

3

MATERIAL LEGEND	
1B	CEMENTITIOUS BOARD CLADDING (HARDIE, IRON GREY, SMOOTH)
2B	CEMENTITIOUS PANEL CLADDING (HARDIE, IRON GREY, SMOOTH)
1A	CEMENTITIOUS BOARD CLADDING (HARDIE, ARTIC WHITE, SMOOTH)
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11	DOUBLE GLAZED FIBERGLASS PATIO DOOR WITH TRANSOM (WHITE OR BLACK EXTERIOR)

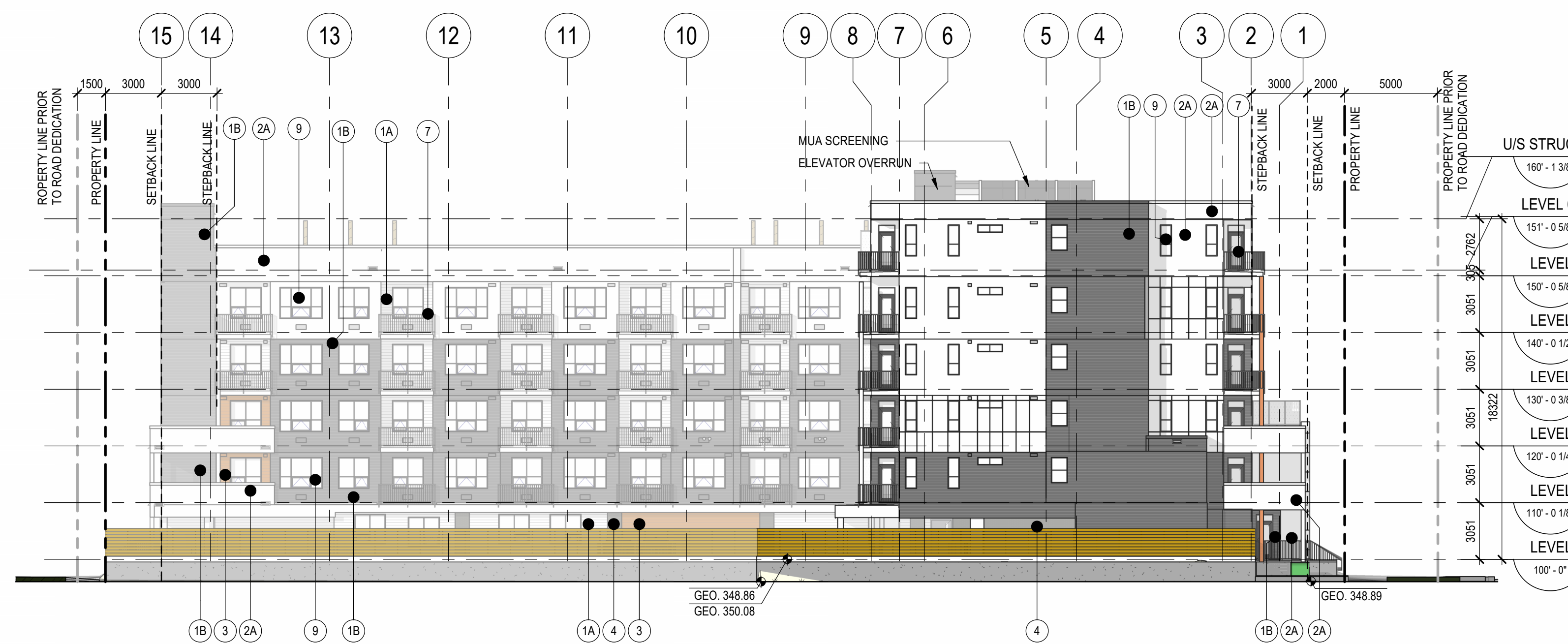


**SCHEDULE B**  
 This forms part of application  
 # DP23-0072

Planner Initials **MT**



**4** PERSPECTIVE - SW CORNER (MAIN ENTRY)  
 DP3.01 SCALE: 12" = 1'-0"



**2** NORTH ELEVATION  
 DP3.01 SCALE: 1:200



**3** PERSPECTIVE - WEST ELEVATION  
 DP3.01 SCALE: 12" = 1'-0"



**1** WEST ELEVATION  
 DP3.01 SCALE: 1:200

# SCHEDULE C

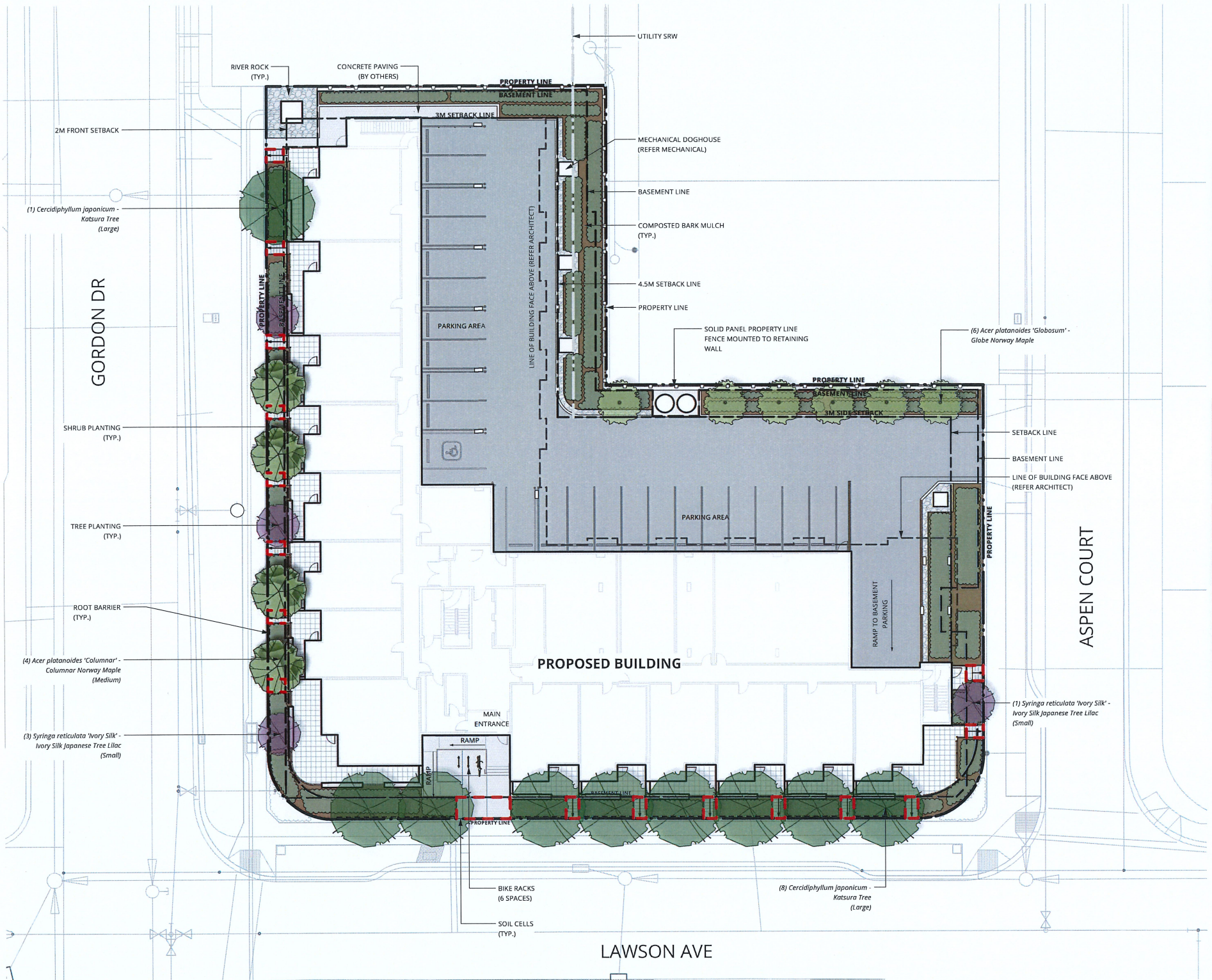
This forms part of application  
# DP23-0072

Planner Initials MT



**LEGEND:**

- PROPOSED TREES
- PROPERTY LINE
- CONCRETE PAVING (BY OTHERS)
- RIVER ROCK
- COMPOSTED BARK MULCH
- SHRUB PLANTING
- SOD PLANTING
- SCREEN FENCE
- SOIL CELLS



TREE PLANTING



SHRUB, PERENNIAL, & ORNAMENTAL GRASSES PLANTING

**PLANT LIST - ON SITE - GROUND FLOOR**

QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT
<b>Trees Deciduous</b>				
4*	<i>Acer platanoides</i> 'Columnnar'	Columnnar Norway Maple	6cm Cal	B&B
6	<i>Acer platanoides</i> 'Globosum'	Globe Norway Maple	6cm Cal	B&B
9*	<i>Cercidiphyllum japonicum</i>	Katsura Tree	6cm Cal	B&B
4*	<i>Syringa reticulata</i> 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	6cm Cal	B&B
<b>Shrubs, Perennials, &amp; Ornamental Grasses</b>				
	<i>Cornus alba</i> 'Elegantissima'	Silver Leaf Dogwood	#02	Potted
	<i>Calamagrostis x acutiflora</i> 'Overdam'	Feather Reed Grass	#01	Potted
	<i>Cornus stolonifera</i> 'Arctic Fire'	Redosier Dogwood	#02	Potted
	<i>Echinacea purpurea</i>	Purple coneflower	#01	Potted
	<i>Mahonia repens</i>	Creeping Mahonia	#01	Potted
	<i>Molinia caerulea</i>	Moor Grass	#01	Potted
	<i>Nepeta x faassenii</i> 'Walker's Low'	Walker's Low Catmint	#01	Potted
	<i>Rhus aromatica</i> 'Gro-Low'	Fragrant Sumac	#02	Potted
	<i>Rosa</i> 'Morden Blush'	Morden Blush Rose	#02	Potted
	<i>Rudbeckia fulgida</i> 'Goldsturm'	Black Eyed Susan	#01	Potted
	<i>Syringa meyeri</i> 'Miss Kim'	Miss Kim Korean Lilac	#02	Potted
	<i>Taxus x media</i> 'Hicksii'	Miss Kim Lilac	#02	Potted

\* - CoK Bylaw No.12375 Required Tree

**NOTES:**

- THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.
- ALL PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO THE MINIMUM STANDARDS SET OUT IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
- ALL PLANTING BEDS SHALL TO RECEIVE 50mm OF COMPOSTED BARK MULCH UNLESS OTHERWISE NOTED.
- ALL LANDSCAPE AREAS ARE TO BE IRRIGATED WITH A HIGH EFFICIENCY AUTOMATIC IRRIGATION SYSTEM.
- SOIL DEPTH TO BE AS FOLLOWS:  
LAWN AREAS 150mm MIN  
SHRUB AREAS 450mm MIN  
TREES 900mm MIN UNLESS OTHERWISE NOTED.

**NOT FOR CONSTRUCTION**



SCALE: 1:200

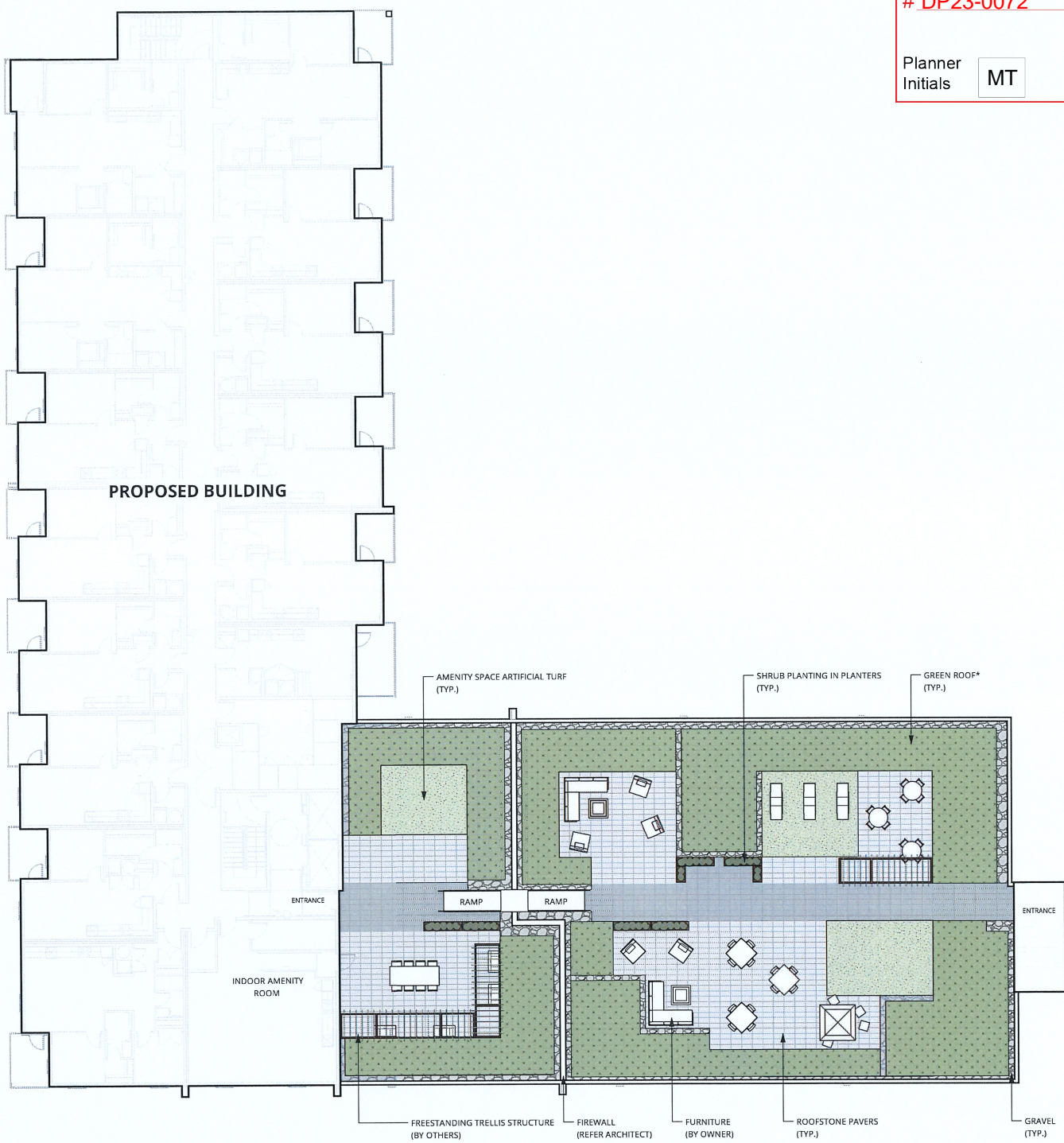
ISSUED FOR:


NO.	DESCRIPTION	DATE
2	RE-ISSUED FOR DEVELOPMENT PERMIT	2024-04-02
1	RE-ISSUED FOR DEVELOPMENT PERMIT	2024-02-20
0	RE-ISSUED FOR DEVELOPMENT PERMIT	2023-09-25

**SCHEDULE C**

This forms part of application  
# DP23-0072

Planner Initials **MT**

- LEGEND:**
-  ROOFSTONE PAVERS
  -  ARTIFICIAL TURF
  -  GREEN ROOF
  -  SHRUB PLANTING
  -  GRAVEL



EXTENSIVE GREEN ROOF



OUTDOOR AMENITY



PERGOLA STRUCTURE



COURTYARD SPACE

**PLANT LIST - ON SITE - ROOFTOP**

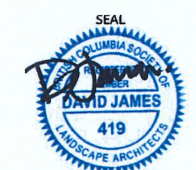
BOTANICAL NAME	COMMON NAME	SIZE	ROOT
<b>Shrubs, Perennials, &amp; Ornamental Grasses</b>			
<i>Buxus 'Green Gem'</i>	'Green Gem' Boxwood	#02	Potted

\*Green Roof to be modular tray system with mixed sedums.

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5. SOIL DEPTH TO BE AS FOLLOWS:  
LAWN AREAS 150mm MIN  
SHRUB AREAS 450mm MIN  
TREES 900mm MIN UNLESS OTHERWISE NOTED.

**NOT FOR CONSTRUCTION**



NORTH



SCALE: 1 : 150

ISSUED FOR :

NO.	DESCRIPTION	DATE
2	RE-ISSUED FOR DEVELOPMENT PERMIT	2024-04-02
1	RE-ISSUED FOR DEVELOPMENT PERMIT	2024-02-20
0	RE-ISSUED FOR DEVELOPMENT PERMIT	2023-09-25



## FORM & CHARACTER – DEVELOPMENT PERMIT GUIDELINES

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

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

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

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

### Chapter 2 - Design Foundations

Apply To All Projects

Page 18-8

#### Section 2.1 - General Residential and Mixed Use Design Guidelines

Page 18-9

#### Section 2.2 - Achieving High Performance

Page 18-17

Chapter 3  
 Townhouses & Infill

Page 18-19

Chapter 4  
 Low & Mid-Rise  
 Residential &  
 Mixed Use

Page 18-34

Chapter 5  
 High-Rise  
 Residential &  
 Mixed Use

Page 18-42

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

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

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



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

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

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

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

<b>SECTION 4.0: LOW &amp; MID-RISE RESIDENTIAL MIXED USE</b>						
<b>RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE</b> <i>(1 is least complying &amp; 5 is highly complying)</i>	N/A	1	2	3	4	5
<b>4.1 Low &amp; mid-rise residential &amp; mixed use guidelines</b>						
<b>4.1.1 Relationship to the Street</b>	N/A	1	2	3	4	5
i. Ensure lobbies and main building entries are clearly visible from the fronting street.						✓
j. Avoid blank walls at grade wherever possible by: <ul style="list-style-type: none"> <li>• Locating enclosed parking garages away from street frontages or public open spaces;</li> <li>• Using ground-oriented units or glazing to avoid creating dead frontages; and</li> <li>• When unavoidable, screen blank walls with landscaping or incorporate a patio café or special materials to make them more visually interesting.</li> </ul>					✓	
<b>Residential &amp; Mixed Use Buildings</b>						
k. Set back residential buildings on the ground floor between 3-5 m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio. <ul style="list-style-type: none"> <li>• A maximum 1.2 m height (e.g. 5-6 steps) is desired for front entryways.</li> <li>• Exceptions can be made in cases where the water table requires this to be higher. In these cases, provide a larger patio and screen parking with ramps, stairs and landscaping.</li> </ul>						✓
l. Incorporate individual entrances to ground floor units accessible from the fronting street or public open spaces.						✓
m. Site and orient buildings so that windows and balconies overlook public streets, parks, walkways, and shared amenity spaces while minimizing views into private residences.						✓
<b>4.1.2 Scale and Massing</b>	N/A	1	2	3	4	5
a. Residential building facades should have a maximum length of 60 m. A length of 40 m is preferred.					✓	

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

a. Integrate publicly accessible private spaces (e.g. private courtyards accessible and available to the public) with public open areas to create seamless, contiguous spaces.	✓					
b. Locate semi-private open spaces to maximize sunlight penetration, minimize noise disruptions, and minimize 'overlook' from adjacent units.						✓
<b>Rooftop Amenity Spaces</b>						
c. Design shared rooftop amenity spaces (such as outdoor recreation space and rooftop gardens on the top of a parkade) to be accessible to residents and to ensure a balance of amenity and privacy by: <ul style="list-style-type: none"> <li>• Limiting sight lines from overlooking residential units to outdoor amenity space areas through the use of pergolas or covered areas where privacy is desired; and</li> <li>• Controlling sight lines from the outdoor amenity space into adjacent or nearby residential units by using fencing, landscaping, or architectural screening.</li> </ul>						✓
d. Reduce the heat island affect by including plants or designing a green roof, with the following considerations: <ul style="list-style-type: none"> <li>• Secure trees and tall shrubs to the roof deck; and</li> <li>• Ensure soil depths and types are appropriate for proposed plants and ensure drainage is accommodated.</li> </ul>						✓
<b>4.1.6 Building Articulation, Features, and Materials</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Articulate building facades into intervals that are a maximum of 15 m wide for mixed-use buildings and 20 m wide for residential buildings. Strategies for articulating buildings should consider the potential impacts on energy performance and include: <ul style="list-style-type: none"> <li>• Façade Modulation – stepping back or extending forward a portion of the façade to create a series of intervals in the façade;</li> <li>• Repeating window pattern intervals that correspond to extensions and step backs (articulation) in the building façade;</li> <li>• Providing a porch, patio, deck, or covered entry for each interval;</li> <li>• Providing a bay window or balcony for each interval, while balancing the significant potential for heat loss through thermal bridge connections which could impact energy performance;</li> <li>• Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval;</li> <li>• Changing the materials with the change in building plane; and</li> <li>• Provide a lighting fixture, trellis, tree or other landscape feature within each interval.</li> </ul>						✓
b. Break up the building mass by incorporating elements that define a building's base, middle and top.						✓
c. Use an integrated, consistent range of materials and colors and provide variety, by for example, using accent colors.						✓
d. Articulate the façade using design elements that are inherent to the buildings as opposed to being decorative. For example, create						✓



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

**ATTACHMENT C**

This forms part of application  
# DP23-0072

Planner Initials **MT**



City of  
**Kelowna**  
COMMUNITY PLANNING

**CO-OPERATIVE CARSHARING AGREEMENT**

**THIS AGREEMENT** made the 6<sup>th</sup> day of March 2024,

**BETWEEN:**

**MODO CO-OPERATIVE**  
200 - 470 Granville Street  
Vancouver, BC  
V6C 1V5

(**“Modo”**)

**AND:**

**1384839 B.C. LTD. and HPG DEVELOPMENT LTD.**  
c/o 1384839 B.C. Ltd.  
302 – 554 Leon Avenue  
Kelowna, BC  
V1Y 6J6

(together, the **“Developer”**)

**WHEREAS:**

**A.** Developer has undertaken the residential development of lands located at

- 1459 Gordon Drive,
- 1467 Gordon Drive,
- 1104-1110 Lawson Avenue,
- 1120-1130 Lawson Avenue,
- 1488 Aspen Court

in Kelowna, British Columbia, and legally described (respectively) as:

- PID 004-771-842 | PLAN KAP14393 LOT 7 DISTRICT LOT 137
- PID 003-589-757 | PLAN KAP14393 LOT 8 DISTRICT LOT 137
- PID 009-026-029 | PLAN KAP14393 LOT 9 DISTRICT LOT 137
- PID 009-026-053 | PLAN KAP14393 LOT 10 DISTRICT LOT 137
- PID 009-026-088 | PLAN KAP14393 LOT 11 DISTRICT LOT 137

(collectively, the **“Lands”**);

**B.** Developer intends to construct or to cause to be constructed a five-storey residential rental building (the **“Development”**) on the Lands;

<b>ATTACHMENT</b>		<b>C</b>
This forms part of application		
# DP23-0072		
Planner Initials	MT	 City of <b>Kelowna</b> COMMUNITY PLANNING

- C. It is intended that the Development will include 131 rental units (collectively the “**Rental Units**”, and each a “**Rental Unit**”), together with related parking premises and amenities on the Lands;
- D. Modo is a member-owned co-operative that facilitates carsharing for individuals and businesses as an alternative to privately-owned automobiles;
- E. As a condition of approving the Development, the City of Kelowna in British Columbia (the “**Municipality**”) requires Developer to provide two (2) co-operative vehicles (each a “**Shared Vehicle**” and, collectively, the “**Shared Vehicles**”) in connection with the Development and to be available as part of a service to share the use of the Shared Vehicles (the “**Carsharing Program**”);
- F. In addition, the Municipality requires Developer to designate two (2) parking spaces at the Development for the exclusive use of the Shared Vehicles (the “**Shared Vehicle Parking Spaces**” as set out in Schedule A hereto) and free-of-charge to Modo;
- G. Modo will deliver the Shared Vehicles to the Shared Vehicle Parking Spaces and will make the Shared Vehicles available for use in accordance with the terms of this Agreement;
- H. Modo will, at its cost, operate, maintain, repair and insure the Shared Vehicles and administer the service to share the Shared Vehicles (collectively, the “**Services**”);
- I. Developer and Modo intend that the Shared Vehicles will be available for use by all members of Modo (collectively, the “**Modo Members**” and each a “**Modo Member**”), including the Residents who become Modo Members; and
- J. Developer and Modo wish to set out in this Agreement the terms and conditions of the Carsharing Program as it pertains to the Development.

**NOW THEREFORE** in consideration of the sum of Ten (\$10.00) Dollars now paid by each party to the other (the receipt and sufficiency of which is hereby acknowledged) and in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

## **ARTICLE 1 - DEFINITIONS**

- 1.1 Definitions. In this Agreement, the following terms have the following meanings:
  - (a) “**Agreement**” means this agreement, any schedules attached hereto which are referred to in this agreement, and every properly executed instrument which by its terms amends, modifies, supplements, or extends this agreement;
  - (b) “**Arbitrator**” has the meaning set out in section 14.1(d);



- (c) **“Carsharing Program”** has the meaning set out in Recital E;
- (d) **“Commencement Date”** means the date on which the Occupancy Permit is issued by the Municipality;
- (e) **“Contract Fees”** means collectively the Project Fee and the Phased Shared Vehicle Project Fee, and **“Contract Fee”** means any one of them;
- (f) **“Developer”** means the party defined as Developer on the first page of this Agreement and any of its heirs, executors, administrators, successors, assigns, subsidiaries or nominees who may assume Developer’s right, title or interest in the Development and/or this Agreement from Developer named herein, and expressly includes any person which may manage or operate the Development for Developer from time to time;
- (g) **“Development”** has the meaning set out in Recital B;
- (h) **“Driving Credits”** has the meaning set out in section 7.2;
- (i) **“Estimated Occupancy Date”** has the meaning set out in section 3.5;
- (j) **“EV Stations”** means two (2) electric vehicle charging stations (which specifications are defined in Schedule B) to be provided, installed, maintained and replaced by Developer, at Developer’s sole cost, to be used for the sole purpose of charging the Shared Vehicles, and to be located adjacent to the Shared Vehicle Parking Spaces;
- (k) **“Lands”** has the meaning set out in Recital A;
- (l) **“Marketing Program”** has the meaning set out in section 7.2;
- (m) **“Mediator”** means a member in good standing of the Arbitrators Association of British Columbia or Mediate BC;
- (n) **“Membership Holder”** means the Rental Owner;
- (o) **“Membership Shares”** means membership shares in Modo;
- (p) **“Modo Members”** has the meaning set out in Recital I;
- (q) **“Municipality”** has the meaning set out in Recital E;
- (r) **“Occupancy Permit”** means the first occupancy permit issued by the Municipality in respect of the Development;
- (s) **“Partnership Membership”** means the Membership Holder membership in Modo by way of ownership of the Subject Shares;



- (t) **“Partner User”** means a Resident (as defined below) of the Development who benefits from Modo membership privileges by way of the Partnership Membership;
- (u) **“Phased Shared Vehicle Project Fee”** has the meaning set out in section 2.4;
- (v) **“Phased Shared Vehicle Purchase Notice”** has the meaning set out in section 2.4;
- (w) **“Project Fee”** has the meaning set out in section 2.1;
- (x) **“Rental Owner”** means the registered owner of the Rental Units;
- (y) **“Rental Units”** has the meaning set out in Recital C;
- (z) **“Residents”** means collectively, the tenants of the Rental Units and **“Resident”** means any one of them;
- (aa) **“Rules”** has the meaning set out in section 5.4(a);
- (bb) **“Services”** has the meaning set out in Recital H;
- (cc) **“Shared Vehicles”** has the meaning set out in Recital E;
- (dd) **“Shared Vehicle Deployment Sequence”** has the meaning set out in section 2.4;
- (ee) **“Shared Vehicle Minimum Term”** means the term of three (3) years for each Shared Vehicle, commencing from the later of the Commencement Date or the first date that the applicable Shared Vehicle is made available for use by Modo Members at a Shared Vehicle Parking Space;
- (ff) **“Shared Vehicle Parking Space”** has the meaning set out in Recital G;
- (gg) **“Subject Shares”** has the meaning set out in section 2.1(b);
- (hh) **“Sustainable Usage Levels”** means the level of use of the Modo vehicles by Modo Members that remains cost-effective to meet Modo’s usage goals; and,
- (ii) **“Term”** means the term of this Agreement as described in section 9.1.

## ARTICLE 2 - PROJECT FEE

- 2.1 At least sixty (60) days prior to Estimated Occupancy Date, Developer will pay to Modo the aggregate sum of \$31,000.00 plus GST (the **“Project Fee”**), representing the following:



- (a) \$1,000.00 for the purchase of one hundred (100) Membership Shares (the “**Subject Shares**”); and
  - (b) Project Fee amount minus \$1,000.00 to be used by Modo toward the ownership costs of one (1) Shared Vehicle.
- 2.2 Upon payment of the Project Fee, Modo will issue the Subject Shares to Developer and will issue a receipt to Developer confirming payment of the Project Fee to Modo.
- 2.3 Developer agrees that Modo will not be under any obligation whatsoever to provide the Services or issue the Subject Shares if Modo has not received full payment of the Project Fee from Developer by the required deadline set out in section 2.1 of this Agreement.
- 2.4 When the terms for the provision of the second of the Shared Vehicles have been satisfied pursuant to the provisions in the applicable row of the deployment sequence of the Shared Vehicles (the “**Shared Vehicle Deployment Sequence**”) as set out in Schedule C hereto, Modo will provide written notice (the “**Phased Shared Vehicle Purchase Notice**”) to Developer, and, within 30 days, Developer will pay to Modo the sum of \$31,000.00 plus GST (the “**Phased Shared Vehicle Project Fee**”) to be used by Modo toward the ownership costs of such additional Shared Vehicle.
- 2.5 Upon payment of a Phased Shared Vehicle Project Fee, Modo will issue a receipt to Developer confirming payment of such Phased Shared Vehicle Project Fee to Modo.
- 2.6 If the Occupancy Permit is issued later than in the year 2025, the Contract Fees will increase by 4% for each year thereafter, on January 1<sup>st</sup> of such year and until the Occupancy Permit is issued, including the year the Occupancy Permit is issued.

### **ARTICLE 3 - BENEFITS AND OBLIGATIONS OF DEVELOPER**

- 3.1 Developer agrees to designate the Shared Vehicle Parking Spaces for the exclusive use of Modo as set out in Schedule A hereto, in compliance with the standards set out in Schedule B and free-of-charge to Modo from the Commencement Date and throughout the Term.
- 3.2 Developer agrees that throughout the Term, subject to section 11.5, the Shared Vehicle Parking Spaces will be accessible to and exclusively useable by Modo Members on a 24 hours a day, 7 days a week basis.
- 3.3 Developer permits Modo to directly authorize removal of unauthorized vehicles parked in the Shared Vehicle Parking Spaces through the towing company contracted by Developer, or a towing company of Modo's choice in the event



- there is not a designated contractor or if that contractor is unavailable. Any unauthorized vehicle parked in the Shared Vehicle Parking Spaces may be removed by Modo at the vehicle owner's risk and expense.
- 3.4 Developer agrees that from the Commencement Date and throughout the Term, the EV Stations will be operational and designated for the exclusive use of Modo.
  - 3.5 At least sixty (60) days prior to the date Developer anticipates that the Occupancy Permit will be issued, Developer will provide written notice to Modo of such estimated date (the "**Estimated Occupancy Date**").
  - 3.6 Promptly upon issuance of the Occupancy Permit, Developer will further provide Modo with written notice of the Commencement Date.
  - 3.7 Upon completion of Developer's obligations under section 2.1 and assumption of this Agreement by the Membership Holder pursuant to section 4.1, Developer will cause the Subject Shares, which together form the Partnership Membership, to be transferred to and registered in the name of the Membership Holder and the Membership Holder will hold the Subject Shares on behalf of and for the benefit of the Residents, subject to section 5.4.
  - 3.8 Developer warrants that it will cause its subsidiaries and any party which may manage or operate the Development from time to time to comply with the terms of this Agreement and will cause any of its successors or permitted assigns to enter into an assumption agreement, provided that, upon such assumption, Developer will be released of its obligations hereunder to the extent its obligations are so assumed.

#### **ARTICLE 4 - ASSUMPTION BY MEMBERSHIP HOLDER**

- 4.1 Once Developer is in a position to do so (as determined by Developer in its sole discretion), Developer will:
  - (a) assign the Developer's interest in and to this Agreement to the Rental Owner;
  - (b) cause the Rental Owner to assume: (i) Developer's covenants and obligations under this Agreement as it relates to the Development; and (ii) any other covenants and obligations under this Agreement as it relates to the Development which are expressly identified as covenants or obligations of the Rental Owner or the Membership Holder; and
  - (c) transfer an undivided interest in and to the Subject Shares to the Rental Owner concurrently with such assumption, and Modo hereby consents to such transfer.



- 4.2 Effective upon the assumption of this Agreement by the Membership Holder pursuant to section 4.1, Developer and its nominees, subsidiaries and other affiliates will have no further obligations or liabilities whatsoever hereunder.

#### **ARTICLE 5 - BENEFITS AND OBLIGATIONS OF THE MEMBERSHIP HOLDER**

- 5.1 The parties agree that, following the transfer described in section 4.1, the Subject Shares will be registered in the name of the Membership Holder. The Membership Holder will be the legal owner of all the Subject Shares, and their beneficial interest will vest in the Residents in accordance with this Agreement.
- 5.2 The Subject Shares, and the benefit of the Partnership Membership, will not be allocated or divided in any manner as between the Residents, and there will be no limit on the number of Residents of any given Rental Unit that may apply to be Partner Users at any given time (subject to the overall limit on the number of Partner Users set out in section 6.1).
- 5.3 The parties agree that the Residents will not automatically become Modo Members and must apply to join Modo and meet Modo's membership requirements in order to be eligible to use the Shared Vehicles and participate in the Carsharing Program.
- 5.4 The Membership Holder agrees that, upon assuming this Agreement, it will:
- (a) administer the Partnership Membership in accordance with the rules set out in Schedule D hereto (the "**Rules**");
  - (b) use reasonable commercial efforts to make available to the Residents the Rules; and
  - (c) at all times retain ownership of the Subject Shares.
- 5.5 Every six (6) months during the Term (commencing within six (6) months after the Commencement Date), Modo will provide the Rental Owner in writing with the name of each Partner User.
- 5.6 Within thirty (30) days after receipt of the information, referred to in section 5.5, the Membership Holder will confirm to Modo in writing which Partner Users have, to the best of the applicable Membership Holder's knowledge, ceased to be Residents, and Modo will cancel such Partner Users' benefits of the Partnership Membership and such former Residents will cease to be Partner Users.
- 5.7 The Rental Owner agrees to pay for the electricity withdrawn from the EV Stations when due and Modo will reimburse the Rental Owner in accordance with section 6.15.





## ARTICLE 6 - BENEFITS AND OBLIGATIONS OF MODO

- 6.1 Modo agrees that the Partnership Membership will allow up to a maximum number of Residents to be Partner Users at any given time, such maximum number to be equal to the Contract Fees paid hereunder at such given time divided by \$500, rounded down to the closest whole number. For greater certainty, once the foregoing number of Partner Users has been reached, no other Resident may become a Partner User unless an existing Partner User ceases to be a Partner User.
- 6.2 Any number of Residents of any given Rental Unit may apply to Modo to become Partner Users, and each such Resident who becomes a Partner User will count as a separate Partner User for the purposes of the limit set out in section 6.1.
- 6.3 Modo covenants and agrees that the Partnership Membership will grant Partner Users the benefit of usage of Modo vehicles at the same usage rates as shareholders of Modo but without voting rights.
- 6.4 Modo will use the Contract Fees, less the amount required to purchase the Subject Shares, toward the ownership costs of two (2) new four-wheeled automobiles with electric motorization, provided that Modo may temporarily use new four-wheeled automobiles with internal combustion engines as the Shared Vehicles if Modo is unable to procure and deliver new four-wheeled automobiles with electric motorization within the time period set out in the Shared Vehicle Deployment Sequence. In the event that Modo is temporarily using a four-wheeled automobile with internal combustion engine as a Shared Vehicle, Modo will use reasonable commercial efforts to replace such automobile with a new four-wheeled automobile with electric motorization as soon as possible after the Commencement Date at no additional cost to Developer or the Membership Holder.
- 6.5 Forthwith upon the purchase of each Shared Vehicle, Modo will provide Developer with a copy of such Shared Vehicle's registration evidencing that such Shared Vehicle is registered in the name of Modo together with proof of insurance.
- 6.6 Modo will deliver the Shared Vehicles to the Shared Vehicle Parking Spaces and will make the Shared Vehicles available for use by Modo Members in accordance with the terms of this Agreement and pursuant to the Shared Vehicle Deployment Sequence.
- 6.7 In the event that the Occupancy Permit is not issued within thirty (30) days after the Estimated Occupancy Date, Modo reserves the right to park the Shared Vehicles at another location suitable for its use within the Carsharing Program and make them available for use by Modo Members, provided always that Modo will deliver the Shared Vehicles to the Shared Vehicle Parking Spaces by no later than the date(s) set out in the Shared Vehicle Deployment Sequence.



- 6.8 Modo agrees to provide the Shared Vehicles for the use of Modo Members and to cause the Shared Vehicles to be parked in the Shared Vehicle Parking Spaces at all times when not in use by a Modo Member and when not being repaired or serviced.
- 6.9 Modo will be the sole provider of the Carsharing Program in respect of the Shared Vehicles during the Term.
- 6.10 The parties agree that Modo will not be responsible for any costs related to the use of and access to the Shared Vehicle Parking Spaces during the Term, including, without limitation, the maintenance of the Shared Vehicle Parking Spaces.
- 6.11 Notwithstanding the foregoing, Modo must promptly and at its own expense clean up any oil or other substance which spills or leaks from a Shared Vehicle into or onto any part of the Development, failing which Developer may clean up such spill or leak, and Modo will, forthwith on demand reimburse Developer for the cost thereof.
- 6.12 Modo will at its sole expense provide Developer with appropriate signage for the Shared Vehicle Parking Spaces.
- 6.13 Modo will be solely responsible for providing and paying for the Services, including but not limited to the operation, administration, maintenance, repair, replacement and insurance costs in respect of the Shared Vehicles and the Carsharing Program in a prudent manner. If a Shared Vehicle is damaged beyond repair during the Shared Vehicle Minimum Term for such Shared Vehicle, then Modo will, at its sole cost and expense, promptly replace such Shared Vehicle with a vehicle of at least equivalent value and function and such replacement vehicle will constitute the Shared Vehicle for all purposes hereunder.
- 6.14 The parties agree that Developer and the Membership Holder will not be responsible for any costs associated with the Shared Vehicles, the Carsharing Program or the Services, including, without limitation, any applicable taxes or delivery fees in respect of the purchase of the Shared Vehicles or any user or membership fees of any of the Residents, other than the payment of the Contract Fees and the maintenance, use of and access to the Shared Vehicle Parking Spaces and EV Stations.
- 6.15 Modo will reimburse the Rental Owner the amount paid by the Rental Owner for the electricity withdrawn from the EV Stations, based on data logs and reports from the EV Stations. The reimbursement will be made in arrears on a yearly basis, starting on the Commencement Date or such other date as may be agreed upon by the Rental Owner and Modo.



- 6.16 Modo reserves the right to temporarily relocate some or all of the Shared Vehicles parked from the Shared Vehicle Parking Spaces if some or all of the Shared Vehicle Parking Spaces cannot be used as contemplated in section 3.1 or 3.2 and for a duration greater than twenty-four (24) consecutive hours, provided that once the Shared Vehicle Parking Spaces are available for use as contemplated in sections 3.1 and 3.2, Modo will promptly the Shared Vehicles back to the Shared Vehicle Parking Spaces.
- 6.17 Modo reserves the right to temporarily relocate some or all of the Shared Vehicles parked in the Shared Vehicle Parking Spaces if some or all of the EV Stations cannot be used as contemplated in section 3.4 for a duration greater than twenty-four (24) consecutive hours, provided that once the EV Stations are available for use as contemplated in section 3.4, Modo will promptly return the Shared Vehicles back to the Shared Vehicle Parking Spaces.
- 6.18 Modo will provide orientation to all Residents wishing to participate in the Carsharing Program.
- 6.19 Modo will provide Developer with marketing materials to promote participation in the Services to Residents and prospective residents of the Development.
- 6.20 Modo confirms and agrees that, in accordance with Modo's membership documentation, each Resident will be individually responsible for any and all actions, causes of action, costs or claims of whatsoever type or nature levied or made by Modo or by any other person as a result of or in connection with such Resident's participation in the Services or otherwise arising from the Subject Shares of, or membership in, Modo held by the Membership Holder or its affiliates, subsidiaries, successors or assigns.
- 6.21 Modo represents and warrants that there are no other obligations associated with the holding of the Subject Shares by the Membership Holder beyond those which are contemplated in this Agreement, in the Rules, or at law.

## **ARTICLE 7 - MARKETING AND ASSESSMENT**

- 7.1 Modo acknowledges that the Rental Units will be occupied by Residents that will change over time.
- 7.2 Modo will establish a marketing program (the "**Marketing Program**") where Modo will, within fifteen (15) days following the Commencement Date, credit \$100 of driving credits ("**Driving Credits**") to the Modo account of each Resident who becomes a Modo Member for the first time, which Driving Credits will only be applied to fees for usage of Modo vehicles, for the duration of the Term.
- 7.3 Modo will allow each commercial tenant occupying a commercial space within the Development to open a Modo business account and register its employees as business drivers without incurring membership and registration fees.



7.4 Throughout the duration of the leasing and occupancy phases of the Development, Developer agrees to communicate the benefits of the Carsharing Program to prospective residents and Residents. This will be done through Developer's existing communications channels such as email, website, collateral, leasing agents and property managers, with the intent to raise awareness and usage of the Services, and with the information and materials in support provided by Modo, including:

- (a) a short description of Modo, the Services, the Driving Credits and the Partnership Membership on the Development's website (if applicable);
- (b) to the extent permitted by law, a direct email or mail to the Residents shortly after such Residents have moved into the Development, with a link to a dedicated "welcome" page on Modo's website;
- (c) to the extent permitted by law, a follow up direct email or mail to the Residents six (6) months after first occupation of the Development, with a link to a dedicated "welcome" page on Modo's website; and
- (d) a small notice (sticker or poster) in a prominent location (i.e. elevator, community room), providing a short description of the Services, the Driving Credits and the Partnership Membership,

and the Membership Holder consents and agrees to the foregoing and will take such steps as reasonably required to assist Developer in carrying out the foregoing obligations.

- 7.5 From the date of this Agreement until the termination of this Agreement, Developer and Modo will allow use of each other's graphics in advertising and promotional activities conducted by either party. Such use of graphics must be in a manner whereby the graphics remain in their original form and each party will use the most recent version of the other party's graphics (as approved by each party in writing).
- 7.6 Developer and Modo will only use each other's wordmarks, logos or trade names pursuant to section 7.5 solely in connection with activities relating to the Development. Any other use must receive the prior written approval of each party (by mail or electronic mail).
- 7.7 The Membership Holder will permit Modo to assess, not more than once a year, the impacts of its Services by facilitating the administration of assessment measures including, but not limited to (and to the extent permitted by law), the distribution of emails, surveys and questionnaires for the Residents relative to the Services, provided that the Residents, in their sole discretion, may elect not to participate in any such assessment measures.

<b>ATTACHMENT</b>		<b>C</b>
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### **ARTICLE 8 - SECURITY INTEREST**

- 8.1 Subject to receipt of the applicable Contract Fees for the applicable Shared Vehicle or Shared Vehicles, Modo agrees to grant to Developer a security interest in such Shared Vehicle or Shared Vehicles and to execute and deliver to Developer a security agreement in substantially the form attached as Schedule E hereto.
- 8.2 Modo acknowledges and agrees that Developer may register a security interest in each Shared Vehicle for a term equal to the Shared Vehicle Minimum Term for such Shared Vehicle in the British Columbia Personal Property Registry.

### **ARTICLE 9 - NO FIXED TERM**

- 9.1 The term (the “**Term**”) will commence on the date this Agreement is executed by the parties. This Agreement will not have a fixed term and will continue in full force and effect until terminated in accordance with the terms hereof provided that Modo agrees to provide the Services in respect of each Shared Vehicle for a minimum term equal to the Shared Vehicle Minimum Term for such Shared Vehicle.

### **ARTICLE 10 - MUTUAL REPRESENTATIONS**

- 10.1 Each party represents and warrants to the other that:
- (a) it is an entity duly organized and validly existing under the laws of its jurisdiction of organization or incorporation;
  - (b) it has the requisite corporate power and authority to enter into this Agreement and to carry out its obligations under this Agreement; and
  - (c) such party’s obligations under this Agreement constitute legal, valid and binding obligations, enforceable against such party in accordance with the terms herein.

### **ARTICLE 11 - TERMINATION AND AMENDMENT**

- 11.1 Developer and Modo agree that, if after execution of this Agreement, Developer does not receive approval for a development permit, a building permit or any other permit necessary to construct and complete the Development from the Municipality, or is unable to construct the Development due to any circumstance beyond the reasonable control of the Developer, then Developer will give notice of same and thereafter this Agreement will terminate and both parties will be relieved of their obligations herein, except as expressly set out herein.
- 11.2 No amendment, addition, deletion or other modification to this Agreement will be effective unless in writing and signed by each party.

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- 11.3 During a Shared Vehicle Minimum Term, this Agreement may not be amended or terminated without the prior written consent of the General Manager of Engineering Services of the Municipality.
- 11.4 Notwithstanding sections 11.2 and 11.3, Modo reserves the right to make reasonable amendments to the rules governing the Membership Shares and ownership of the Subject Shares as set out in Schedule D, so long as such changes apply equally to all Residents. Upon any amendments, Modo will immediately notify the Membership Holder, following which the Membership Holder will notify the Residents of such amendments.
- 11.5 Developer and Modo agree that, if the usage of a Shared Vehicle falls below Sustainable Usage Levels, and only after the Shared Vehicle Minimum Term of such Shared Vehicle has expired, Modo may exercise its right, in its sole discretion, to: (i) replace such Shared Vehicle with any vehicle of Modo's choice, or (ii) relocate such Shared Vehicle from the Shared Vehicle Parking Spaces, in each case so as to ensure that the terms of the Agreement are not oppressive to Modo or the Modo Members.
- 11.6 In the event of relocation of all Shared Vehicles pursuant to section 11.5, then the Shared Vehicle Parking Spaces will no longer need to be made available to Modo and sections 3.1 to 3.4, 5.7, 6.8, 6.9, 6.12 and 6.15 will cease to apply, and Modo will not be obligated hereunder to provide the Services or make the Shared Vehicles available for use of Residents, but, for greater certainty, the Partnership Membership will continue in effect. For the avoidance of doubt, in the event of a replacement of a Shared Vehicle pursuant to section 11.5, this section 11.6 will not apply.
- 11.7 If the Development is destroyed and not rebuilt in a form substantially similar to the original buildings, either of the parties may terminate this Agreement and in such case Modo will cancel the Subject Shares held by the Membership Holder, and the Membership Holder will not be entitled to a refund of the purchase price paid for the Subject Shares or any part thereof.
- 11.8 Either party will have the right to terminate this Agreement forthwith on the dissolution, winding up or bankruptcy of the other party.

#### **ARTICLE 12 - SUBSEQUENT TRANSFERS OF THE RENTAL UNITS**

- 12.1 If at any time following the assumptions and transfer referred to in section 4.1, the Rental Owner subsequently transfers its interest in the Rental Units to a transferee, then the Rental Owner will cause such transferee to execute an assumption agreement which provides that such transferee agrees to be bound by the terms and conditions of this Agreement and assumes all of the obligations of Developer and the Membership Holder under this Agreement, and the Rental Owner will transfer the Rental Owner's interest in the Subject Shares to such

transferee, and the transferring Rental Owner will not be liable for any obligations or liabilities arising hereunder from and after the date of such transfer.

### **ARTICLE 13 - DEFAULT**

- 13.1 A party claiming default under the terms of this Agreement must provide the defaulting party with written notice of the default. If the defaulting party fails to correct the default within thirty (30) days of receipt of such written notice, the party claiming default may deliver notice of dispute in accordance with section 14.1(a) and proceed with the dispute resolution procedures provided for in ARTICLE 14 -.

### **ARTICLE 14 - DISPUTE RESOLUTION**

- 14.1 If a dispute arises between the parties in connection with this Agreement, then Developer and Modo agree to use the following procedure to resolve the dispute:
- (a) the party initiating the dispute will send a notice of dispute in writing to the other party which notice will contain the particulars of the matter in dispute and the relevant provisions of this Agreement and the responding party will send a notice of reply in writing to the other party to the dispute within ten (10) days after receipt of the notice of dispute, setting out particulars of its response and any relevant provisions of the Agreement;
  - (b) if the dispute remains unresolved for thirty (30) days after a notice of dispute has been issued as per section 14.1(a), or if a default is not cured within thirty (30) days after either party notifies the other of such default, the parties will agree upon and appoint a Mediator for the purpose of mediating such dispute. The appointment of the Mediator will be carried out in accordance with the terms and conditions of an agreement to be entered into between the parties and the Mediator which will set out the terms of reference for the engagement of the Mediator. The Mediator will conduct a non-binding mediation of the dispute according to the rules and procedures as determined by the Mediator. If the parties fail or neglect to agree upon a Mediator within ten (10) days following the end of the relevant 30-day period referred above, the dispute will be resolved by an Arbitrator (as defined below) in accordance with section 14.1(d). No individual with any direct or indirect interest in the subject matter of this Agreement or any direct or indirect interest in the parties to this Agreement may be appointed as a Mediator;
  - (c) if the dispute has not been resolved within ten (10) days after the Mediator has been appointed under section 14.1(b), or within such further period agreed to by the parties, the Mediator will terminate the mediated negotiations by giving notice in writing to both parties;

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- (d) except for claims for injunctive relief, all claims and disputes between the parties to this Agreement arising out of or relating to this Agreement which are not resolved by the Mediator in accordance with section 14.1, will be decided by final and binding arbitration before a single arbitrator (the “**Arbitrator**”) in accordance with the *Arbitration Act* (British Columbia). The parties will agree upon the Arbitrator within fifteen (15) days of the Mediator terminating the mediated negotiations. Failing such agreement between the parties, such Arbitrator will be finally chosen by reference to a Judge of the Supreme Court of British Columbia. The Arbitrator will not have any direct or indirect interest in the subject matter of the Development or any direct or indirect interest in either party or subsidiaries of the parties to this Agreement. No arbitration arising out of or relating to this Agreement will include, by consolidation or joinder or in any other manner, an additional person not a party to this Agreement, except by written consent containing specific reference to this Agreement and signed by each party and any other person sought to be joined. This provision will be specifically enforceable in any Court of competent jurisdiction;
- (e) the parties covenant and agree that the Arbitrator appointed hereunder will have the power to, among other things, specifically declare that a party to this Agreement is in default of the terms of the Agreement and, in appropriate circumstances, declare that the Agreement is terminated and award damages for breach of contract or otherwise;
- (f) an award or order rendered by the Arbitrator will be final and binding upon the parties, and judgment may be entered upon it in accordance with applicable law in any Court having jurisdiction within the Province of British Columbia;
- (g) unless otherwise agreed in writing by the parties, the parties will continue to meet their obligations under this Agreement while the mediation and arbitration processes are continuing; and
- (h) the parties will each bear their own costs in connection with the foregoing and all costs of any mediation or arbitration (including the cost of the Mediator and the Arbitrator) will be shared equally by the parties.
- 14.2 The dispute resolution provisions of section 14.1 will survive termination of this Agreement in respect of any dispute resolution process that is commenced under section 14.1 prior to the date of termination.

## ARTICLE 15 - NOTICES

- 15.1 Notices under this Agreement will be given in writing by personal delivery or by email to the following addresses or electronic mail addresses set out below:
- (a) Developer:





- 302 – 554 Leon Avenue, Kelowna, BC V1Y 6J6
- Email: josh@troikagroup.ca

(b) Modo

- 200 – 470 Granville Street, Vancouver, BC, V6C 1V5
- Email: info@Modo.coop

- 15.2 All notices will be deemed to have been delivered on the date of delivery, if delivered, and on the next business day following, if emailed.
- 15.3 Addresses for notices may be amended by written notice from one party to the other.

#### **ARTICLE 16 - ASSIGNMENT**

- 16.1 Neither party will transfer or assign this Agreement to any other party without the prior written consent of the parties to this Agreement, which consent will not be unreasonably withheld. Notwithstanding the foregoing, Developer may assign this Agreement to the Rental Owner or future purchasers of the Development without Modo's prior consent but on notice to Modo, which notice will include the contact information of the parties to which the Agreement is being assigned.

#### **ARTICLE 17 - INDEMNITY**

- 17.1 Each party agrees to indemnify and save harmless the other party from and against all losses, costs, damages, suits, actions, causes of action, claims or demands in any way resulting from, connected with or arising out of the first party's breach of its obligations under this Agreement. This section 17.1 will survive the termination of the Agreement.

#### **ARTICLE 18 - GENERAL**

- 18.1 Nothing in this Agreement nor the acts of the parties will be construed, implied or deemed to create an agency, partnership or joint venture relationship between the parties. Neither party has the right or authority to, and will not, assume or create any obligation of any nature whatsoever on behalf of the other party or bind the other party in any respect whatsoever.
- 18.2 This Agreement constitutes the entire agreement between the parties with respect to the subject-matter hereof and cancels and supersedes any prior understandings and agreements between the parties with respect thereto. There are no representations, warranties, terms, conditions, undertakings or collateral agreements, express, implied or statutory, between the parties other than as expressly set forth in this Agreement.

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- 18.3 Any provision of this Agreement that is or becomes unenforceable will be unenforceable to the extent of such unenforceability without invalidating the remaining provisions hereof.
- 18.4 Any waiver or consent will be effective only in the instance and for the purpose for which it is given. No failure or delay on the part of either party in exercising any right, power or privilege under this Agreement will constitute a waiver thereof nor will any single or partial exercise of any right, power or privilege preclude any other or further exercise thereof or the exercise thereof or the exercise of any other right, power or privilege.
- 18.5 This Agreement will enure to the benefit of and be binding upon the parties and their heirs, executors, administrators, personal representatives, respective successors and permitted assigns.
- 18.6 The parties will at all times do, execute, acknowledge and deliver such acts, deeds, agreements and other instruments as may be reasonably necessary or desirable to give full force and effect to the terms of this Agreement.
- 18.7 This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia, and the federal laws of Canada applicable therein and each party irrevocably attorns to the exclusive jurisdiction of the courts of the Province of British Columbia.
- 18.8 This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original and all of which taken together will be deemed to constitute one and the same instrument. Delivery of an executed counterpart of this Agreement by facsimile or electronic means will be equally effective as delivery of a manually executed counterpart thereof.

*[Signature page follows]*

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**IN WITNESS WHEREOF** the parties have executed this Agreement as of the date first written above.

**By Modo:**

**MODO CO-OPERATIVE**, by its authorized signatory

By: DocuSigned by:  
*Patrick Nangle*  
2F246ABB3DE4DB...  
 Name: Patrick Nangle  
 Title: CEO

**By the Developer:**

**1384839 B.C. LTD.**, by its authorized signatory

By: DocuSigned by:  
*Brad Klassen*  
38F5922895B6469...  
 Name: Brad Klassen  
 Title: Director

**HPG DEVELOPMENT LTD.**, by its authorized signatory

By: DocuSigned by:  
*Celia Liang*  
4216351CD3CF468...  
 Name: Celia Liang  
 Title: Director

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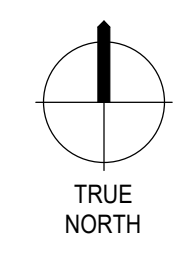
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**SCHEDULE A  
SHARED VEHICLE PARKING SPACES**

**[NDLR: Insert plan showing location and dimensions of parking spaces]**



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**1 FLOOR PLAN - LEVEL 1**  
 SD2.01 SCALE: 1: 200

NOTE

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CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS ON THE JOB. ANY DISCREPANCY OR CONTRADICTORY INFORMATION WITHIN THIS SET OF DRAWINGS AND / OR OTHER CONSULTANTS' DRAWINGS MUST BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING.

NO.	ISSUE/REVISION	DATE

**NOT FOR CONSTRUCTION**

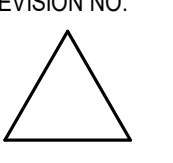
PROJECT  
**GORDON & LAWSON**

PROJECT ADDRESS  
 1459 GORDON DR  
 KELOWNA, BC  
 V1Y 3G3

TITLE  
**FLOOR PLAN - LEVEL 1**

PROJECT NO.	DRAWN	CHECKED
222-114	Author	Checker

DRAWING NO.	REVISION NO.
<b>SD2.01</b>	



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## **SCHEDULE B CONSTRUCTION STANDARDS FOR SHARED VEHICLE PARKING SPACE**

The Shared Vehicle Parking Space shall be constructed to the satisfaction of the General Manager of Engineering Services and the Chief Building Official of the municipality where the Shared Vehicle Parking Space is being constructed, and in accordance with the following specifications and requirements:

### **1. General**

Notwithstanding the specifications and requirements described below, the the Shared Vehicle Parking Space shall be constructed, finished and designated in accordance with applicable City of Kelowna (the “**City**”) building permits, by-laws, policies and guidelines, including the City standards as required by the Parking By-law and Building By-law (the “**City Requirements**”) applying to the property upon which the Shared Vehicle Parking Space is being constructed.

### **2. Dimensions**

The Shared Vehicle Parking Space dimensions shall be standardized:

- The minimum height shall be 2.0 meters.
- The minimum width shall be 2.9 meters.
- The minimum length shall be 5.5 meters.

Tandem parking shall not be permitted. Perpendicular and angle parking shall be preferred.

Where one side of a Shared Vehicle Parking Space abuts any portion of a fence or structure, there shall be a horizontal clearance of at least 30 centimetres between such side of the Shared Vehicle Parking Space and the said fence or structure.

### **3. Location**

It is preferred to locate the Shared Vehicle Parking Space at either street level or lane level. If locating the Shared Vehicle Parking Space at street level or lane level is not feasible, the Shared Vehicle Parking Space shall be located at the parking level of the parkade closest to the street level, second only in selection to the siting of disability parking spaces.

If the Shared Vehicle Parking Space is located underground or above ground, the location of the Shared Vehicle Parking Space will be chosen to ensure the greatest possible visibility of the space and most convenient access to the building, second only in selection to the siting of disability parking spaces.

When several Shared Vehicle Parking Spaces are provided, the spaces shall be located next to each other or in close proximity.



#### 4. Access

Permitted users of the Shared Vehicle to be parked on the Shared Vehicle Parking Space must have the ability to access the Shared Vehicle Parking Space 24 hours a day, 7 days a week.

The procedure for permitted users to self-access the Shared Vehicle Parking Space by foot when the Shared Vehicle Parking Space is located in a gated parkade shall consist in typing a code on a keypad or swiping a key fob on a fob reader. The procedure shall be simple and consistent to prevent access disruption.

In the event that a keypad is being used to provide access to the Shared Vehicle Parking Space, it should be possible to change the code of the keypad over time.

The procedure for permitted users to depart from and return to the parkade with a Shared Vehicle when the Shared Vehicle Parking Space for the Shared Vehicle is located in a gated parkade shall consist in typing a code on a keypad or swiping a key fob on a fob reader or using a remote control. The procedure shall not require for the permitted users to step out of the Shared Vehicle to perform the procedure.

In the event that remote controls are being used for permitted users to depart from and return to the parkade with a Shared Vehicle, MODO shall be provided with one more remote control than the number of Shared Vehicles to be parked in the parkade.

The location of the Shared Vehicle Parking Space and procedure to access the Shared Vehicle Parking Space in a gated parkade shall be designed to mitigate potential security concerns from users of the parkade.

#### 5. Maneuverability

The location of the Shared Vehicle Parking Space will be chosen to ensure the Shared Vehicle can be parked in the Shared Vehicle Parking Space driving forward with an angle of approach between 0° and 90°.

An angle of approach to park the Shared Vehicle in the Shared Vehicle Parking Space between 90° and 180° or the need to park the Shared Vehicle in reverse shall not be permitted.

The location of the Shared Vehicle Parking Space shall not require a maneuver more complex than a three-point turn to drive the Shared Vehicle out of the Shared Vehicle Parking Space.

If the Shared Vehicle Parking Space is located in a parkade with an entry/exit ramp, the location of the Shared Vehicle Parking Space shall not require for the Shared Vehicle to be driven in reverse to exit the parkade.



## 6. Signage

The Shared Vehicle Parking Space shall be clearly designated with signage and pavement markings.

Clear, visible and legible signs shall be placed directing users of the Shared Vehicle to the location of the Shared Vehicle Parking Space, indicating which parking space is the Shared Vehicle Parking Space and marking it as being reserved for the exclusive purpose of parking a Shared Vehicle.

A symbol (similar to that approved for a disability space) shall be stamped/painted on the Shared Vehicle Parking Space.

## 7. Lighting

The Shared Vehicle Parking Stall shall be illuminated to the satisfaction of the General Manager of Engineering Services of the municipality where the Shared Vehicle Parking Space is being constructed with:

- average illumination levels of 11 Lux with a uniformity ratio (average level to minimum level) of 3:1;
- luminaires situated in such a way so as not to directly throw light onto streets, lanes, or adjacent properties; and
- a photocell or equivalent switch that will activate the lighting system when ambient light levels are 11 Lux or less.

## 8. Connectivity

Sufficient 3G and/or 4G LTE cellular network reception signal of the cellular network used for the operation of the Shared Vehicle shall be supplied at the Shared Vehicle Parking Space to ensure the reliable operation of the Shared Vehicle service, with:

- a Received Signal Strength Indicator (RSSI) for 3G cellular network superior to -86 dBm; and
- a Reference Signal Received Power (RSRP) for 4G LTE cellular network superior to -106 dBm.

## 9. Electric Vehicle charging infrastructure

The Vehicle Parking Space shall be provided with an EV Station (as defined below) featuring:

- a. an RFID card reader to enable/disable power distribution, which card reader must be programmable to authorize a defined set of RFID cards; and



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- b. networking/telematic capabilities for which the adequate administration credentials/rights have been granted to Modo, allowing Modo to remotely monitor equipment status and collect utilization data.

EV Station means a 40 amp (minimum), 208-volt, single phase Level 2 electric vehicle charging level (as defined by SAE International's J1772 standard) charging outlet capable of charging an electric vehicle and includes all wiring, electrical transformer and other electrical equipment necessary to supply the required electricity for such outlet, and mechanical ventilation modifications, all of which is to be provided, installed, maintained and replaced by Developer, at Developer's sole cost and to be used for the sole purpose of supplying electricity to the Shared Vehicle Parking Space.



### SCHEDULE C SHARED VEHICLE DEPLOYMENT SEQUENCE

Shared Vehicle	Commencement of Shared Vehicle deployment	Conditions for deployment of the Shared Vehicle
Shared Vehicle #1	Within seven (7) days after the Commencement Date.	<ul style="list-style-type: none"> <li>• The Project Fee has been paid to Modo at least 60 days prior to the Estimated Occupancy Date as per section 2.1 of this Agreement;</li> <li>• The Shared Vehicle Parking Spaces are available for use by Modo as contemplated in sections 3.1 and 3.2 of this Agreement; and</li> <li>• The EV Stations are available for use by Modo as contemplated in section 3.4 this Agreement.</li> </ul>
Shared Vehicle #2	Within 60 days after all conditions set out in the column titled “Conditions for deployment of the Shared Vehicle” for Shared Vehicle #2 are met or earlier if deemed appropriate by Modo.	<ul style="list-style-type: none"> <li>• Aggregate utilization of all Modo vehicles located within one (1) kilometre radius of the Development is equal or superior to the 40th percentile of Modo’s vehicle fleet overall during an entire fiscal quarter;</li> <li>• The Shared Vehicle Parking Spaces are available for use by Modo as contemplated in sections 3.1 and 3.2 of this Agreement;</li> <li>• The Phased Shared Vehicle Project Fee has been paid to Modo as per section 2.4 of this Agreement for purchase of Shared Vehicle #2;</li> <li>• Shared Vehicle #1 is available to Modo Members as part of the Carsharing Program; and</li> <li>• The EV Stations are available for use by Modo as contemplated in section 3.4 of this Agreement.</li> </ul>



## SCHEDULE D PARTNERSHIP MEMBERSHIP RULES

1. The following terms have the following meanings:
  - (a) **Development** means the development known as \_\_\_\_\_ located at \_\_\_\_\_, Kelowna in British Columbia.
  - (b) **Membership Holder** means the Rental Owner;
  - (c) **Modo** means Modo Co-operative;
  - (d) **Rental Owner** means \_\_\_\_\_; and
  - (e) **Residents** means, collectively, residents of the Development, and each such resident is referred to herein as a **Resident**.
  
2. The Membership Holder has entered into, or has assumed an agreement (the **Co-operative Carsharing Agreement**) with Modo pursuant to which Modo granted to the Membership Holder a Modo partnership membership ( the "Membership") by issuing to the Membership Holder a certain number of membership shares in Modo (the **Modo Shares**) for the benefit of Residents, as set out in the Co-operative Carsharing Agreement, so Residents can benefit from Modo membership privileges without the need to themselves pay Modo membership fees.
  
3. The Membership Holder will be the legal owner of the Modo Shares, and a certain number of Residents, as further set out in the Co-operative Carsharing Agreement, may, on a continuing basis, enjoy the benefits of the Membership subject to meeting Modo's eligibility requirements as set out on Modo's website from time to time and as set out herein (the **Membership Eligibility Criteria**).
  
4. Residents who are granted the rights and benefits of the Membership from time to time (the **Partner Users** and, each a **Partner User**) will benefit from the same price plan for usage of Modo vehicles as other member shareholders of Modo but, for clarity, will not have any voting rights in respect of the Membership or Modo.
  
5. Any Resident may apply to become a Partner User, provided that membership privileges will be granted to applying and eligible Residents on a first-come, first-served basis.
  
6. In order for a Resident to become a Partner User, the Resident must submit to Modo, an application including (but not limited) to the following:
  - (a) the applicant Resident, if the holder of a driver's licence issued in British Columbia, Canada, must prove current residency at the Development by

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providing Modo with a copy of its current driver's records indicating their address within the Development;

- (b) the applicant Resident, if the holder of a driver's licence issued outside of British Columbia, Canada, must prove current residency at the Development by providing Modo with a copy of a bill indicating the name of the Resident and the Resident's address within the Development; and
  - (c) the applicant Resident, must provide contact information and such other information regarding the Resident as may be reasonably required by Modo for the purposes of determining if the Resident qualifies for the Membership Eligibility Criteria.
7. Each Partner User will be responsible for and will save the Membership Holder harmless from any and all liabilities incurred by the Membership Holder and any and all actions, causes of action, costs or claims of whatsoever type or nature levied or made against the Membership Holder by Modo or by any other person, to the extent resulting from such Partner User's participation in the Membership and except to the extent resulting from the negligence or willful misconduct of the Membership Holder.
  8. A Resident may only be a Partner User and may only exercise the rights and benefits of the Membership while such Resident meets the Membership Eligibility Criteria.
  9. If at any time Resident who is a Partner User ceases to meet the Membership Eligibility Criteria, then the Resident will cease to be a Partner User and may only reapply to be a Partner User when the Resident again meets the Membership Eligibility Criteria.
  10. Except as otherwise provided in these rules, a Partner User may only enjoy and exercise the benefits of the Membership while the Partner User is a Resident, and the benefits that a Partner User enjoys under the Membership may not under any circumstances be assigned, transferred or sold by the Partner User to any person.
  11. If a Partner User does not book a Modo vehicle at least once during a period of twelve (12) consecutive months, Modo may cancel such Partner User's participation in the Membership.
  12. The Modo Shares remain at all times in the name of the Membership Holder.
  13. Partner Users may only make use of Modo vehicles in accordance with the policies and rules of Modo.
  14. These rules will have no further force or effect upon termination of the Co-operative Carsharing Agreement.

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**SCHEDULE E  
SECURITY AGREEMENT**

BY:  
**MODO CO-OPERATIVE**  
200 - 470 Granville Street  
Vancouver, BC  
V6C 1V5

(the "Grantor")

**IN FAVOUR OF:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(the "Secured Party")

**WHEREAS:**

A. The Secured Party has financed the acquisition by the Grantor of the following vehicles:

Make/Model: \_\_\_\_\_  
Vehicle Identification Number: \_\_\_\_\_

Make/Model: \_\_\_\_\_  
Vehicle Identification Number: \_\_\_\_\_

(the "Shared Vehicles"); and

B. The Grantor has agreed to deliver this Agreement to create security over the interest it has in the Shared Vehicles for the benefit of the Secured Party.

**NOW THEREFORE THIS AGREEMENT WITNESSES** that in consideration of the premises and the covenants and agreements herein contained the Grantor and the Secured Party hereby agree as follows:

- Security Interest in the Shared Vehicles.** As security for the performance by the Grantor of its obligations set forth in the Co-operative Carsharing Agreement attached hereto (the "Co-op Car Agreement"), the Grantor grants to the Secured Party a security interest (the "Security Interest") in all of its present and future right, title and interest in and to the Shared Vehicles.
- Grant of Security Interest in Proceeds of Collateral.** The Grantor also grants the Secured Party a security interest in the proceeds derived directly or indirectly from any dealing with the Shared Vehicles, including but not limited to, accounts receivable, bills of exchange, insurance proceeds, chattel paper, intangibles, motor vehicles, and all other after acquired property constituting proceeds. The Grantor acknowledges that the Security



Interest hereby created attaches upon the execution of this Security Agreement, that the value has been given and that the Grantor has rights in the Shared Vehicles.

3. **Use and Location of the Shared Vehicles.** The Grantor will not sell, lease or otherwise dispose of the Shared Vehicles without the prior written consent of the Secured Party and the Grantor will keep the Shared Vehicles in good condition, reasonable wear and tear excepted.
4. **No Liens on Shared Vehicles.** The Grantor will not permit any lien, charge, encumbrance or security interest (each, a "Lien") to attach to the Shared Vehicles which ranks prior to or equal with or could in any event rank prior to the equal with the rank of the Security Interest. The Grantor will not enter into any agreement with any person which would obtain prior or equal rank for any Lien over the rank of the 'Security Interest'.
5. **Name of Grantor.** The Grantor covenants not to change its name without giving fifteen (15) days' prior written notice to the Secured Party (so as to enable the Secured Party to amend its registration in respect of this Agreement and protect its rights hereunder).
6. **Default.** It will be a "Default" under this Agreement if:
  - (a) the Grantor breaches or fails to perform any of the terms, conditions, obligations or covenants to be observed and performed by the Grantor under the Co-op Car Agreement, and persists in such failure or breach after thirty (30) days' notice by the Secured Party requiring that the Grantor remedy such failure or breach,
  - (b) the Grantor commits an act of bankruptcy or becomes insolvent or files a proposal or a notice of intention to file a proposal,
  - (c) an assignment for the benefit of creditors under applicable bankruptcy or similar legislation is made or a petition is filed,
  - (d) an order is made, a resolution is passed, or any other step is taken for the bankruptcy, liquidation, dissolution or winding-up of the Grantor or for any arrangement or composition of its debts, or
  - (e) a receiver, receiver and manager or receiver-manager of the Grantor is appointed.
7. **Remedies.** The Security Interest is immediately enforceable, upon the occurrence of a Default, and the Secured Party, at its option, may exercise at any time following such Default any or all of the rights, remedies, privileges and powers available to it under this Agreement, the Personal Property Security Act (British Columbia) or any other applicable legislation. All rights, remedies, privileges and powers of the Secured Party hereunder are cumulative and no such right, remedy, privilege or power is exhaustive but is in addition to each other right, remedy, privilege and power of the Secured Party hereunder or under any other agreement, instrument or document now or hereafter existing at law or in equity or by statute.
8. **Costs of Enforcement.** The Grantor will be responsible for payment of all costs, charges and expenses (including legal costs on a solicitor and own client basis) of the Secured Party of and incidental to any proceeding taken to enforce the remedies of this Agreement.



9. **Loss, Injury or Destruction.** The loss, injury or destruction of the Shared Vehicle will not operate in any manner to release the Grantor from its obligations to the Secured Party under the Co-op Car Agreement.
10. **Term.** The Security Interest granted hereunder will terminate and be of no further force and effect as of the expiry of the Shared Vehicle Minimum Term (as defined in the Co-Op Car Agreement) for the Shared Vehicles.
11. **Amendment.** This Agreement may be altered or amended only by an agreement in writing signed by the parties hereto.
12. **Binding Effect.** This Agreement will enure to the benefit of and be binding upon the heirs, executors, administrators, legal and personal representatives, successors and permitted assigns of the parties, as applicable.
13. **Governing Law.** This Agreement is governed by and will be construed in accordance with the laws of the Province of British Columbia and the laws of Canada applicable therein.
14. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original and all of which taken together will be deemed to constitute one and the same instrument.
15. **Execution by Electronic Means.** This Agreement may be executed by the Grantors and transmitted by facsimile or other electronic means, and when it is executed and transmitted this Agreement will be for all purposes as effective as if the Grantor had delivered an executed original Agreement.

**IN WITNESS WHEREOF** the Grantor has executed this Agreement on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**MODO CO-OPERATIVE**, by its authorized signatory

By: \_\_\_\_\_  
 Name:  
 Title:



City of  
**Kelowna**



DP23-0072  
1110 Lawson Ave

Development Permit



# Purpose

- ▶ To issue a Development Permit for the form and character of rental apartment housing.

# Development Process

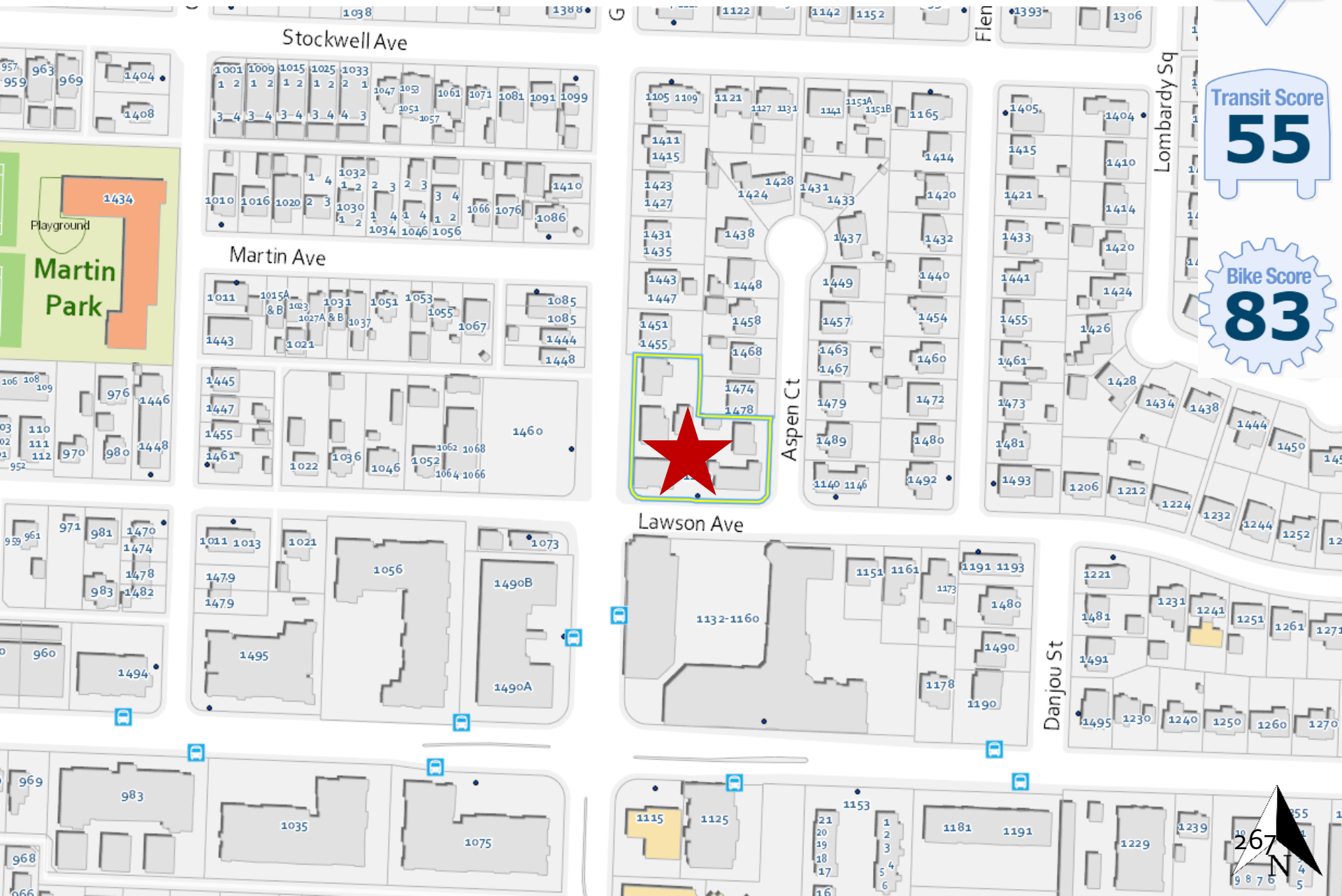


# Context Map

Walk Score  
**84**

Transit Score  
**55**

Bike Score  
**83**



267  
N

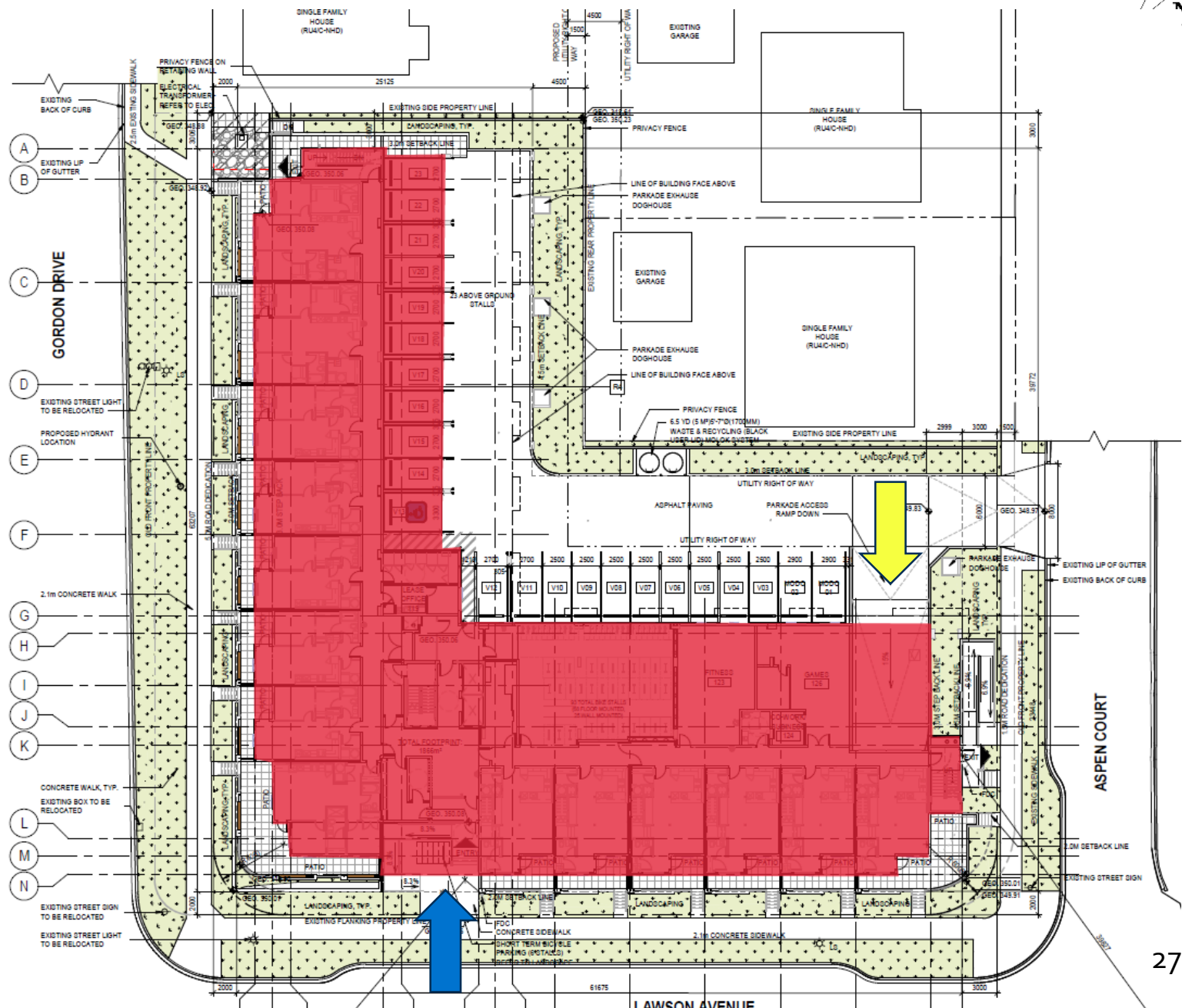
# Subject Property Map



# Technical Details

- ▶ 6-storey rental apartment building
  - ▶ 130 units
    - ▶ 13 bachelor
    - ▶ 80 one-bedroom
    - ▶ 31 two-bedroom
    - ▶ 6 three-bedroom
  - ▶ 122 parking stalls
    - ▶ 99 in parkade, 23 surface stalls
    - ▶ Includes 2 MODO car-share stalls
  - ▶ 175 long-term bicycle parking spaces
  - ▶ Rooftop amenity deck, fitness room, games room, co-working space
  - ▶ 23 trees and green-roof

# Site Plan



# Elevation - South



1 SOUTH ELEVATION  
 DP3.00 SCALE: 1:200

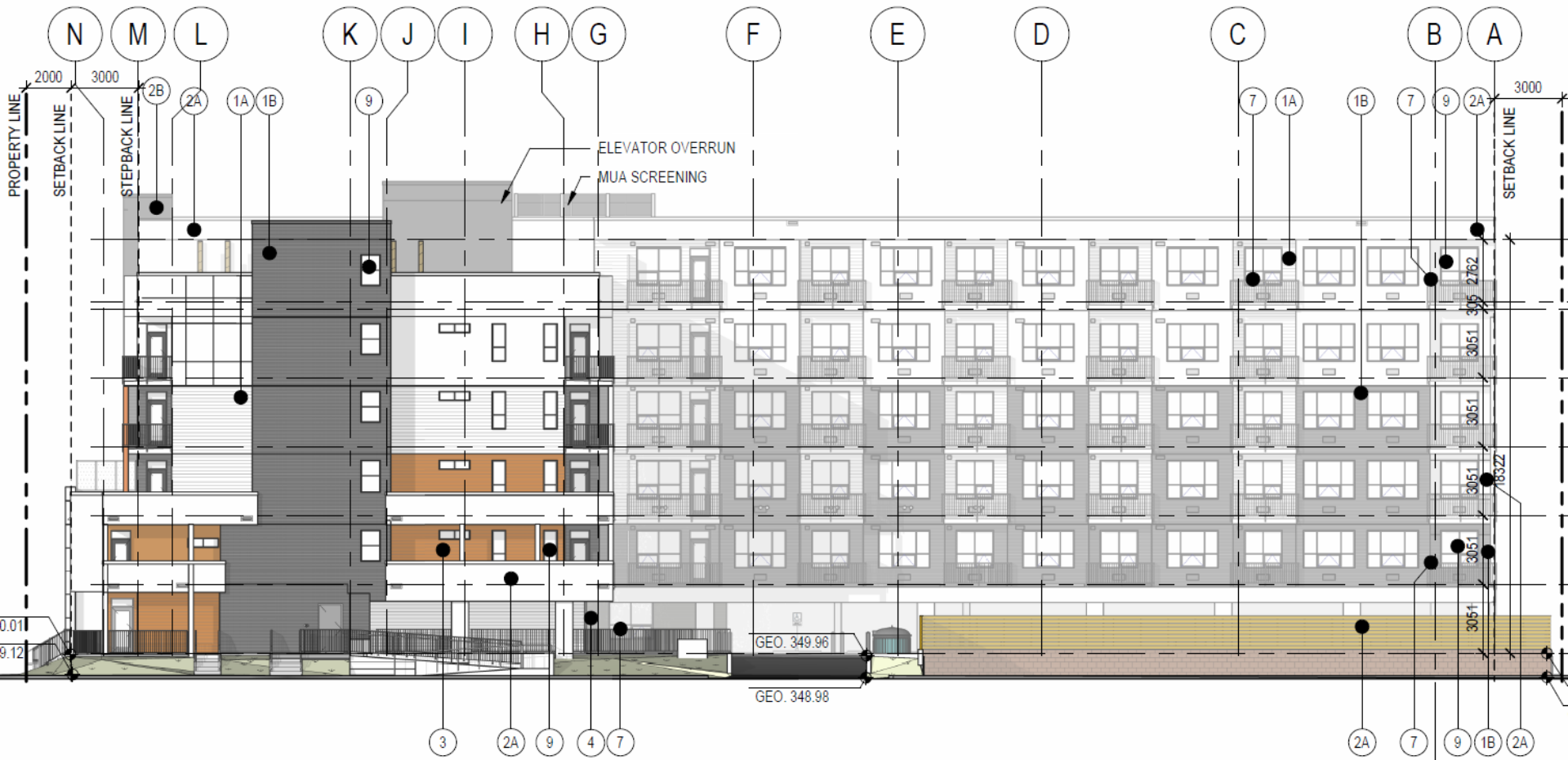
# Elevation - West



1 WEST ELEVATION  
 DP3.01 SCALE: 1 : 200

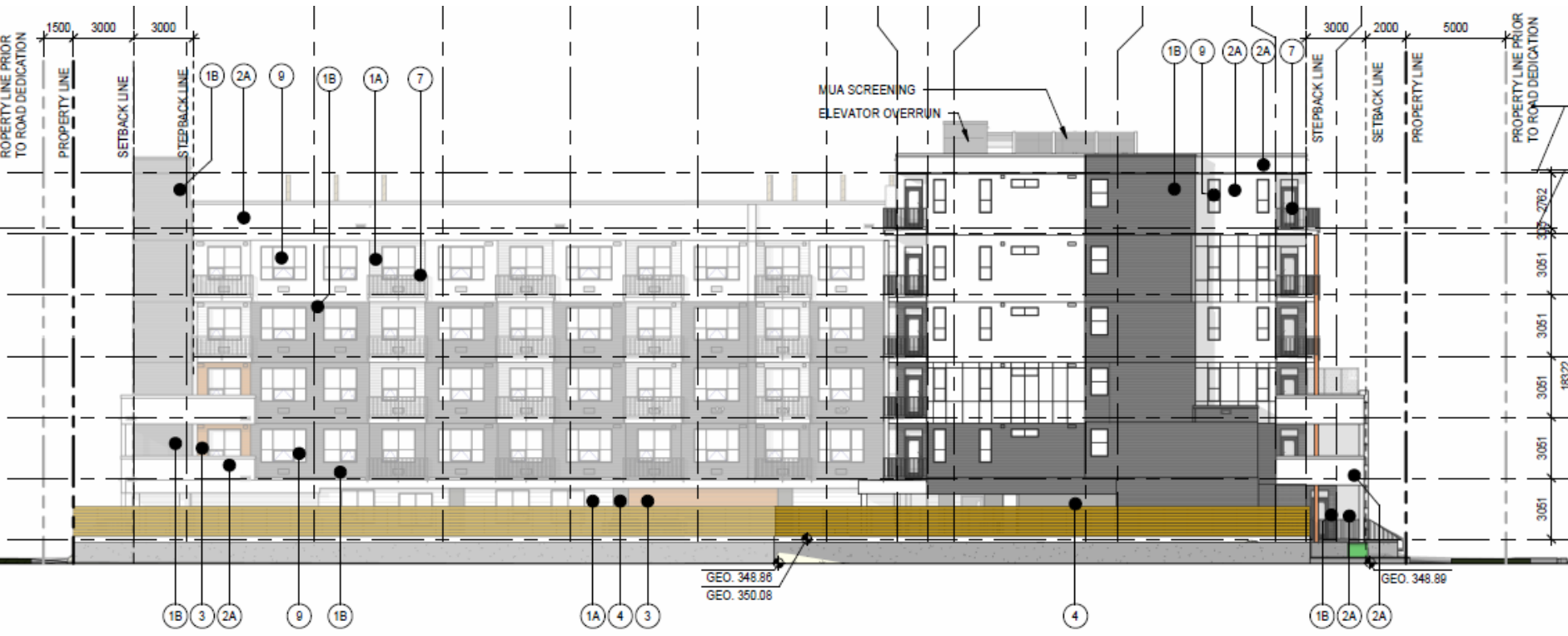


# Elevation - East



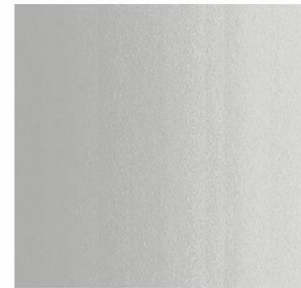
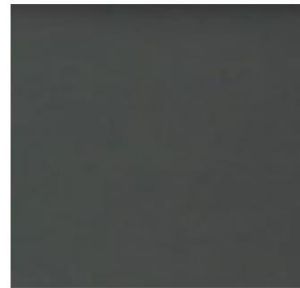
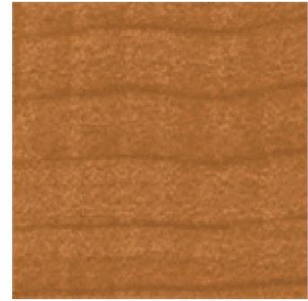
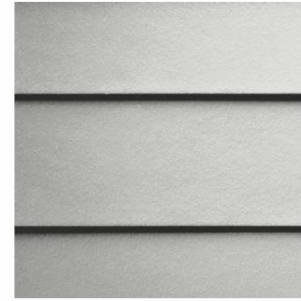
**2** EAST ELEVATION  
 DP3.00 SCALE: 1 : 200

# Elevation - North

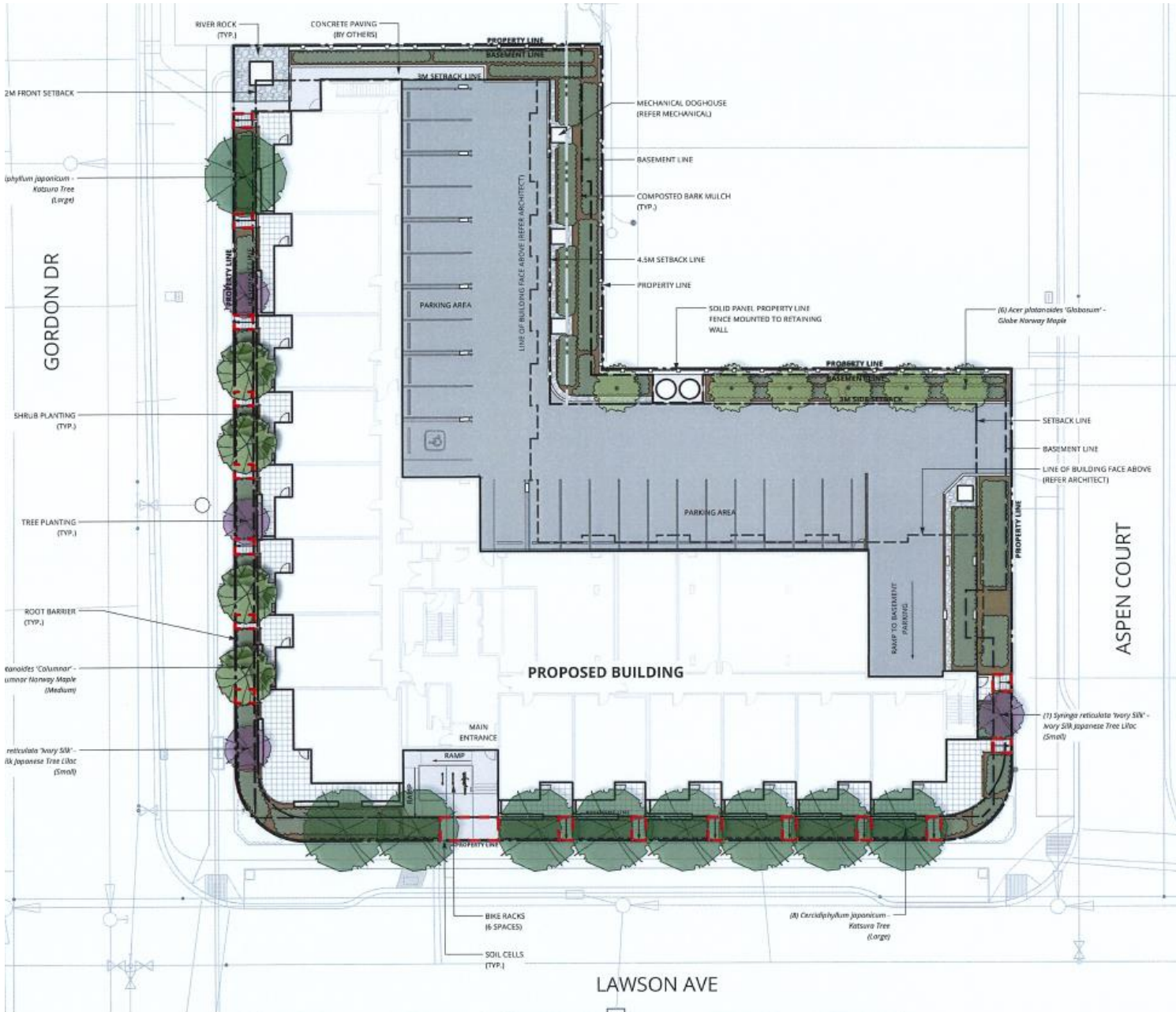


**2** NORTH ELEVATION  
 DP3.01 SCALE: 1:200

# Materials Board



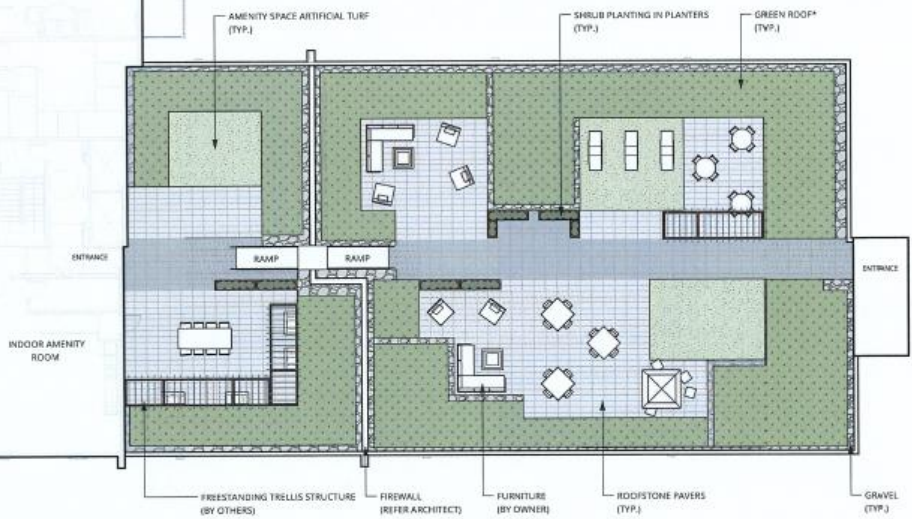
# Landscape Plan



# Landscape Plan - Rooftop



EXTENSIVE GREEN ROOF



# Rendering – South



# Rendering – Southeast



# Rendering – West





# OCP Design Guidelines

- ▶ Orienting building facades to fronting streets to create street edge definition and activity and avoiding blank walls at-grade
- ▶ Incorporating a range of architectural features and details into building facades to create visual interest
- ▶ Using an integrated consistent range of materials and colours that provide variety
- ▶ Providing ground-oriented units with individual entrances to the fronting street

# Staff Recommendation

- ▶ Staff recommend **support** for the proposed Development Permit as it:
  - ▶ Meets majority of OCP Design Guidelines
  - ▶ No variances are required

# REPORT TO COUNCIL EXTENSION



**Date:** April 22, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 252 Temple Ct  
**File No.:** Z22-0045

	Existing	Proposed
<b>OCP Future Land Use:</b>	C-NHD – Core Area Neighbourhood	C-NHD – Core Area Neighbourhood
<b>Zone:</b>	MF1 – Infill Housing	MF2 – Townhouse Housing

### 1.0 Recommendation

THAT in accordance with Development Application and Heritage Procedures Bylaw No. 12310, the deadline for the adoption of Rezoning Bylaw No. 12486, be extended from March 13, 2024 to March 13, 2025;  
 AND THAT Council direct Staff to not accept any further extension requests.

### 2.0 Purpose

To extend the deadline for adoption of Rezoning Bylaw No. 12486 to March 13, 2025.

### 3.0 Discussion

The underlying zoning of 252 Temple Ct has changed to the MF1 – Infill Housing zone since Council considered the application and rezoning to the MF2 – Townhouse Housing zone is still being pursued. Final adoption of the rezoning bylaw is subject to the applicant meeting the requirements of the Attachment “A”: Development Engineering Memorandum. The applicant has been working with Staff and has requested additional time to complete the outstanding requirements. Staff are recommending that Council supports extending the deadline for adoption of the Rezoning Bylaw No. 12486 by one year to March 13, 2025, with no further extension requests granted.

### 4.0 Background

Resolution	Date
<p>The following resolution was adopted:</p> <p>THAT Rezoning Application No. Z22-0045 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of LOT 19 SECTION 27 TOWNSHIP 26 ODYD PLAN 37210, located at 252 Temple Ct, Kelowna, BC from the RU2 – Medium Lot Housing zone to the MF2 – Townhouse Housing zone, be considered by Council;</p> <p>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 27th, 2023;</p>	<p>March 13, 2023</p>

<p>AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;</p> <p>AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.</p>	
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**5.0 Application Chronology**

Application Accepted: August 15, 2022  
Reading Consideration: March 13, 2023  
Extension Application Received: March 26, 2024

**Report prepared by:** Alissa Cook, Planner I  
**Approved for Inclusion:** Nola Kilmartin, Development Planning Department Manager

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).

**CITY OF KELOWNA**

**BYLAW NO. 12622**

**Z22-0077**

**654 Buck Road**

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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 26<sup>th</sup> day of February, 2024.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# Report to Council



**Date:** April 22, 2024  
**To:** Council  
**From:** City Manager  
**Subject:** Potable and Non-Potable Water Systems – Supply Status Update  
**Department:** Utility Services

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**Recommendation:**

THAT Council receives, for information, the report from Utility Services dated April 22, 2024, with respect to the status of anticipated water supplies for 2024;

AND THAT due to drought conditions leading to an anticipated shortage in supply of water in the Non-Potable water system, Council declare Stage 1 Water Use Restrictions be in effect for all water customers of the Kelowna Water Utility;

AND FURTHER THAT Council declare that Agricultural Customers of the Kelowna Water Utility cannot exceed their annual Allotment in 2024; and that the City may shut off water services in the event that Customers exceed their Allotment.

**Purpose:**

To receive an update on water supply and storage levels and take action required to prepare for potential drought condition.

**Council Priority Alignment:**

**Agriculture**

**Background:**

The City of Kelowna analyzes snowpack levels, groundwater levels, creek flows, and climate data as part of an elaborate data monitoring process that helps inform and manage our water supplies and resources. The sustainability of our water supply depends on managing demand on the system year-over-year and giving our water sources time to recover and replenish. After multiple dry summers and an exceptionally low snowpack winter, current and projected conditions indicate the City must act to assure that water is available to all customers through to the end of 2024.

**Discussion:**

As of April 8, 2024, the Province reports that provincial snowpack levels are 63% of average; the lowest recorded snowpack since 1970. The Okanagan Region, which encompasses the Okanagan Valley from

the Thompson to the US border, averages 73%. From a City of Kelowna perspective, the relevant local measurements for snow, lake and upland storage levels are noted in Table 1.

**Table 1. Select lake level, creek flow and climate measurements for the Kelowna region\***

	Readings		Comment
	Apr 1/24	Normal (Apr 1)	
Okanagan Lake water level	341.65 m	341.44 m	Above normal – Expecting lower freshet volumes
Okanagan Lake Outflow (Penticton)	5.53 m <sup>3</sup> /s	16.6 m <sup>3</sup> /s	Well below normal – in anticipation of lower freshet volumes
McCulloch Reservoir	8,530 ML	8,800 ML	Maximum storage = (16,650 ML)
<u>Snow Pillows (elevation)</u>			(Snow-Water Equivalents)
Mission Creek (1780 m)	391 mm	491 mm	78% of normal
Greyback (1550 m)	151 mm	226 mm	Dropping - 67% of normal.
Oyama Lake (1360 m)	100 mm	158 mm	Dropping - 63% of normal
Brenda Mines (1460 m)	172 mm	324 mm	Dropping - 53% of normal
<u>Snowcourses</u>			(mm of snow)
Postill (GEID - 1370 m)	164 mm	197 mm	83% of normal

\* Notes: m = metres; mm = millimetres; m<sup>3</sup>/s = cubic metres per second; ML = 1 million litres or 1 megalitre; ML/yr = megalitres per year; snow pillows are monitoring stations

**Non-Potable Water:** The McCulloch (Hydraulic Creek) Watershed captures diverted water from upper licensed catchments and is the only supply of water for agricultural irrigation and fire protection year-round in southeast Kelowna. Snowpack measurements below 1,550 m, reflective of this watershed, are well below normal and started to melt early. This will result in an earlier reliance on water reservoir storage to supply customers.

Our local snowcourses indicate that there remains some snow frozen in the upper watershed, however these depths are also lower than normal. Temperatures continue to be above normal. We optimistically see snow on top of Little White mountain, which is often considered a reason to expect further snowmelt later in the spring or early summer, however the data indicates the coming snowmelt will be significantly below levels necessary to recharge our reservoir.

City operations staff have adjusted practices for what is forecast to be a low flow snowmelt year. The diversions in the upper watershed were set up all winter to maximize storage in the reservoir.

**Potable Water Supply from Okanagan Lake:**

The City Water Utility sources all its drinking water supply from Okanagan Lake, with some wells as backup. As of today, the water level of Okanagan Lake is near normal for this time of year. Snowpack across the valley is below normal, and well below normal north of Penticton. The Province recognizes the low snowpack levels and has been managing flow releases at Penticton at very low flows to meet the

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minimum regulatory needs downstream. Under average rainfall and current snowpack conditions, we are predicting that Okanagan Lake will not meet full pool. We do not anticipate significant supply issues from Okanagan Lake for the City's Water Utility customers.

**Water Restrictions:**

Water use restrictions may be necessary to sufficiently reduce water demand to allow for sustainable supply for all customers and to meet environmental requirements. On the Non-Potable system, we also manage water license requirements for Critical Flow and Environmental Flow Needs for fish in Hydraulic Creek and Mission Creek downstream of the confluence. The City will continue to release at least the Critical Flow Need requirements at the intake as per the Mission Creek Water Use Plan developed in 2010.

As a result of these requirements, upland reservoirs that supply irrigation water to the Southeast Kelowna (SEK) agricultural community are at risk of not filling. Climatic factors that may alter this assessment are increased spring precipitation and lower temperatures (i.e. evaporation loss), thereby increasing storage and reducing demand from current expectations. Staff have reviewed immediate prudent actions that can be taken under the Bylaw to prepare for drought conditions, including:

- Implementing Stage 1 water restrictions for users of both potable and non-potable water services. Water restrictions outlined in the Water Regulation Bylaw are staged with the ability to move to more progressive restrictions. Stage 1 is intended to raise awareness of drought conditions and prepare the community for the possibility of moving to more impactful watering restrictions.
- Using the provision provided under Section 8.3.2. (b) of the Water Regulation Bylaw to firmly cap Water Allotments to all agricultural properties. These provisions allow staff to shut off water to properties that exceed their Allotment.

These recommendations are in line with 2018 survey results from agricultural customers stating that consumption should be limited to allotment volumes. In 2023 over 80% of agriculture customers operated within their allotment volume. Additional customer support and engagement will occur with the smaller segment of agriculture customers that historically have not stayed within their allotment.

Staff will continue to educate customers on irrigation management and efficiency during this difficult period. For example, free water audits for the top 32 overuse agriculture accounts are being offered during May 2024. The Eye on Water Application continues to be promoted as well, which allows individual customers to monitor near real time consumption on their mobile phones or home computers. Staff will monitor and communicate directly with customers should water consumption levels approach their allotment limit.

Staff will continue to monitor weather conditions, runoff capture and storage levels throughout the season and advise Council and the public if modifications are required to address local situations.

**Conclusion:**

Through all available data on current and projected conditions, it is clear the City needs to take prudent and targeted actions for the sustainability of our 2024 water supply, particularly the non-potable water supply. Staff are working closely with agriculture customers to help them stay within their allotments. Staff will also re-evaluate storage estimates later in the season, reassess water availability at that time, and continue to adopt efficiencies in the delivery system.



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By taking actions available to us under the Bylaw now and advising our agricultural users of the situation, customers will be able to make timely decisions about how to manage their business and lands appropriately through the upcoming season considering current and projected conditions.

**Internal Circulation:**

Communications

**Considerations applicable to this report:**

***Legal/Statutory Authority:***

Section 8.3.2 (b) of Water Regulation Bylaw 10480 states that if there is anticipated to be a shortage of supply Council may declare that Customers cannot exceed their Allotment and may Shut Off water services in the event that Customers exceed their Allotment.

***Communications Comments:***

Utility Services is communicating directly with all affected agricultural customers of the importance of complying with their irrigation allotment. Additionally, direct offers of irrigation audit assistance is being made to 34 properties that significantly exceeded their allotment in 2023.

**Considerations not applicable to this report:**

***Legal/Statutory Procedural Requirements:***

***Existing Policy:***

***Financial/Budgetary Considerations:***

***Consultation and Engagement:***

**Submitted by:** R. MacLean, Utility Planning Manager

**Reviewed by:** K. Van Vliet, Utility Services Manager

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

**Attachment(s):**

Potable & Non-Potable Water Supply Status

cc: Divisional Director, Corporate Strategic Services

# Potable & Non-Potable Water Supply Status

Presentation to Council – April 22, 2024

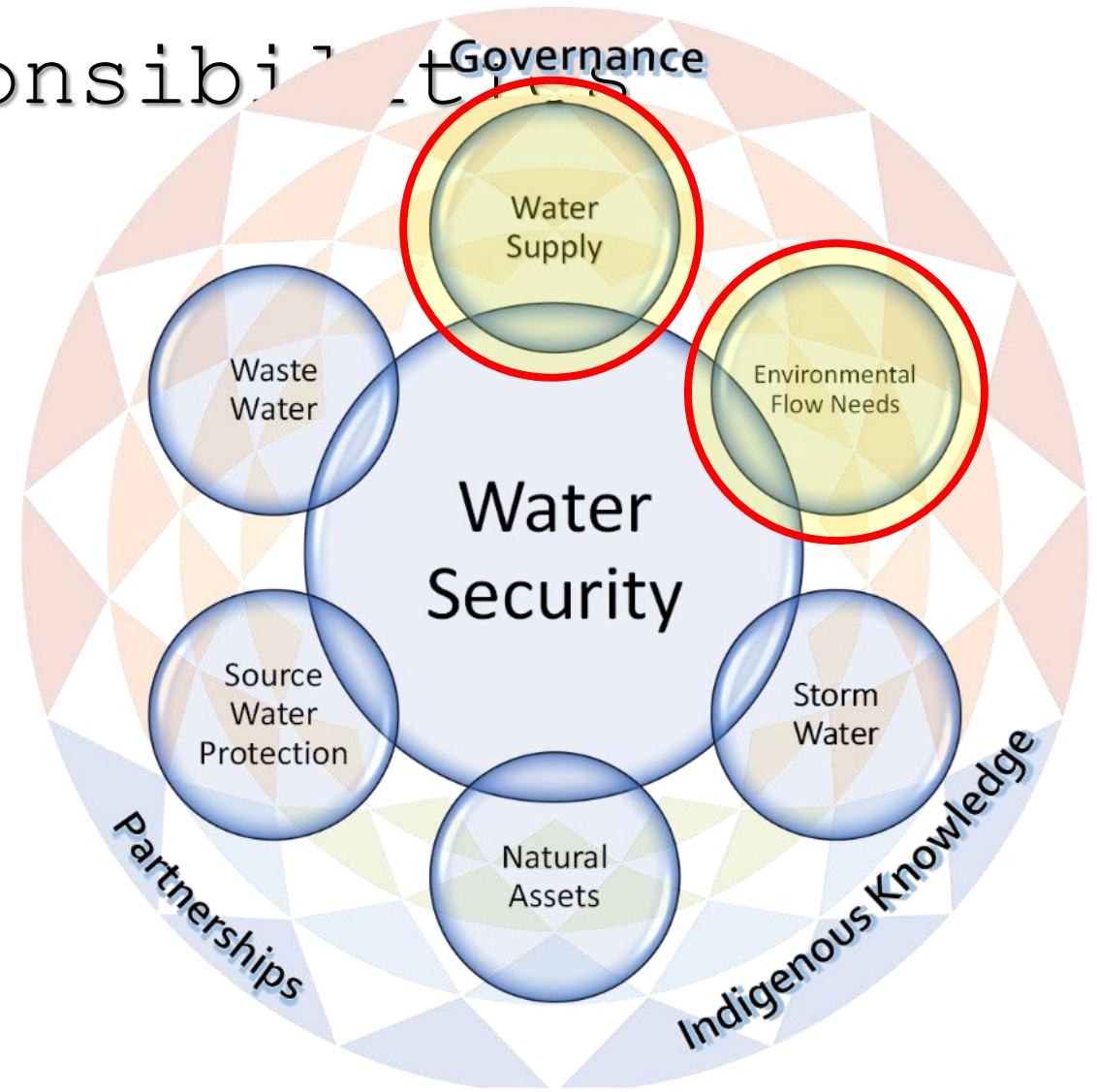
April 22, 2024

# Outline

- Linkage to Water Security Plan
- Drought Information update
- Snowpacks
- Updates on lake and reservoir impacts
- Conclusion and Recommendation

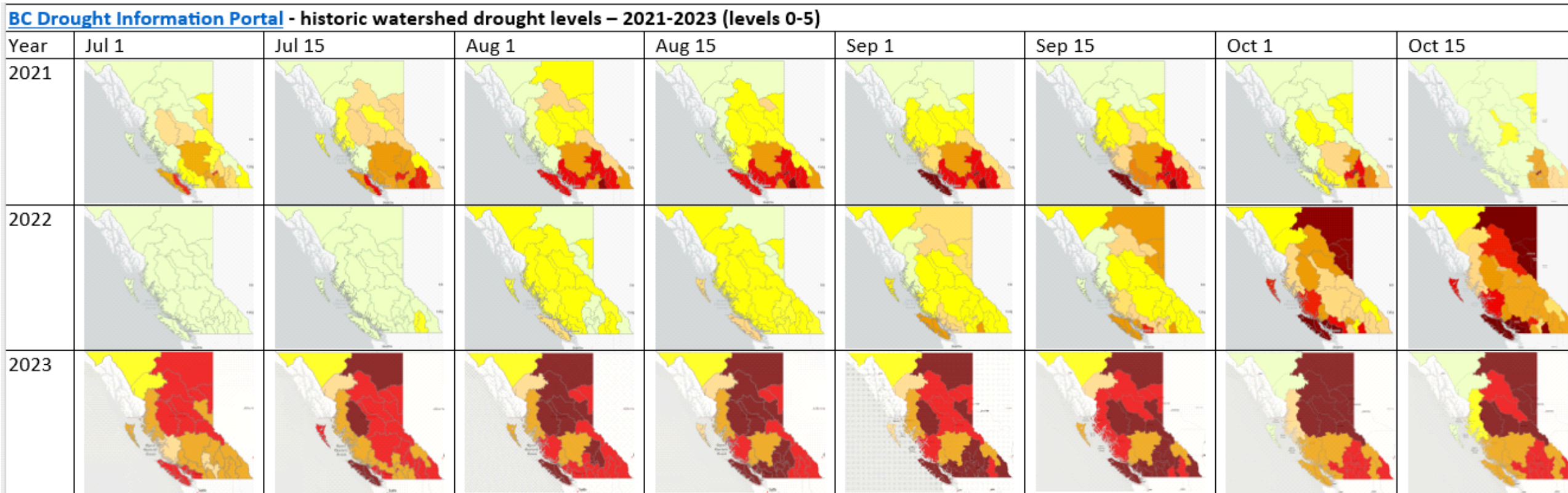
# Water Security/Responsibility Principles

**Principle 1:** "All residents and water users in the City have a safe, affordable, resilient and sustainable supply of high-quality drinking water and a reliable supply of water for agriculture.  
**Principle 7:** "Assure that the quality and quantity of water is available to support a healthy aquatic ecosystem."



*The six water sectors outlined in the City's Water Security Planning Process*

# Provincial Watershed Drought Levels



0 - No Adverse Impacts

1 - Adverse Impacts Rare

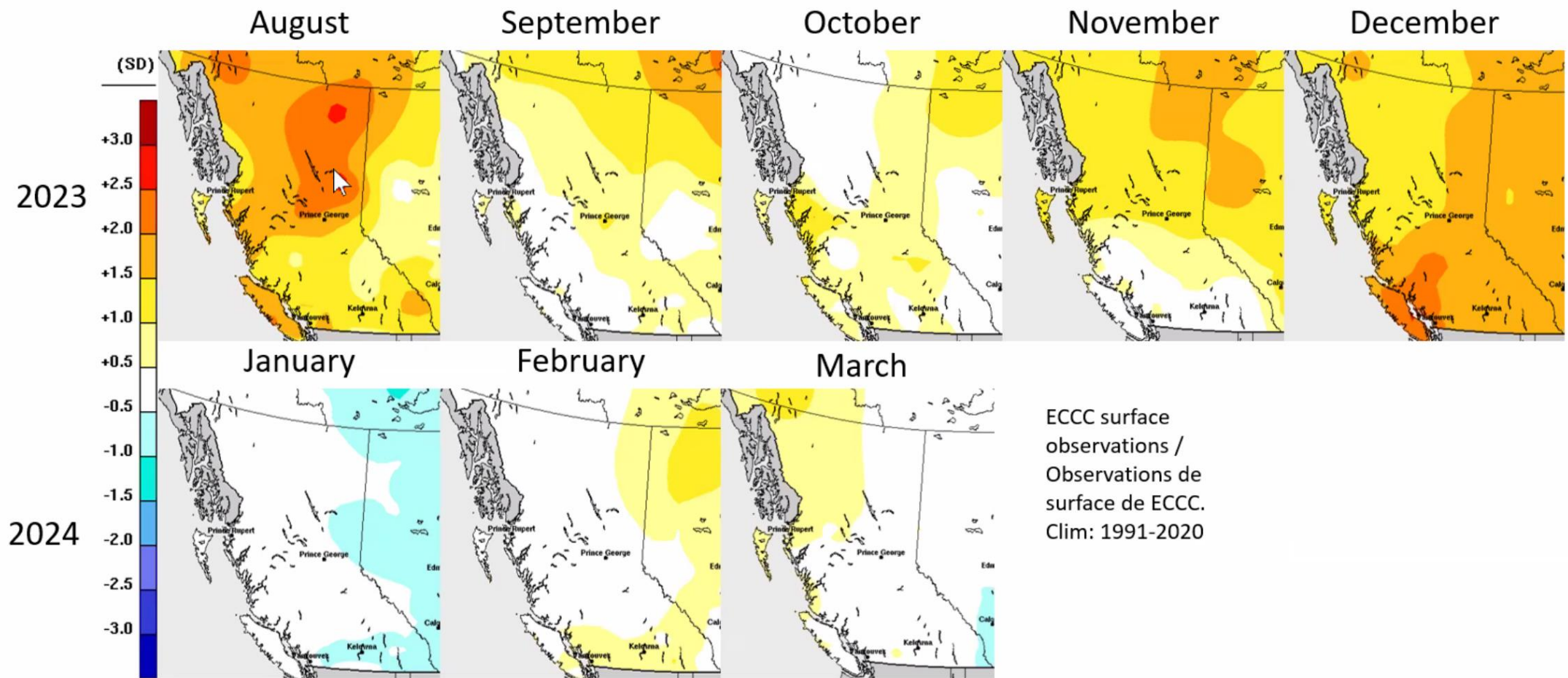
2 - Adverse Impacts Unlikely

4 - Adverse Impacts Likely

5 - Adverse Impacts Almost Certain

# Past Temperature Standardized Anomalies

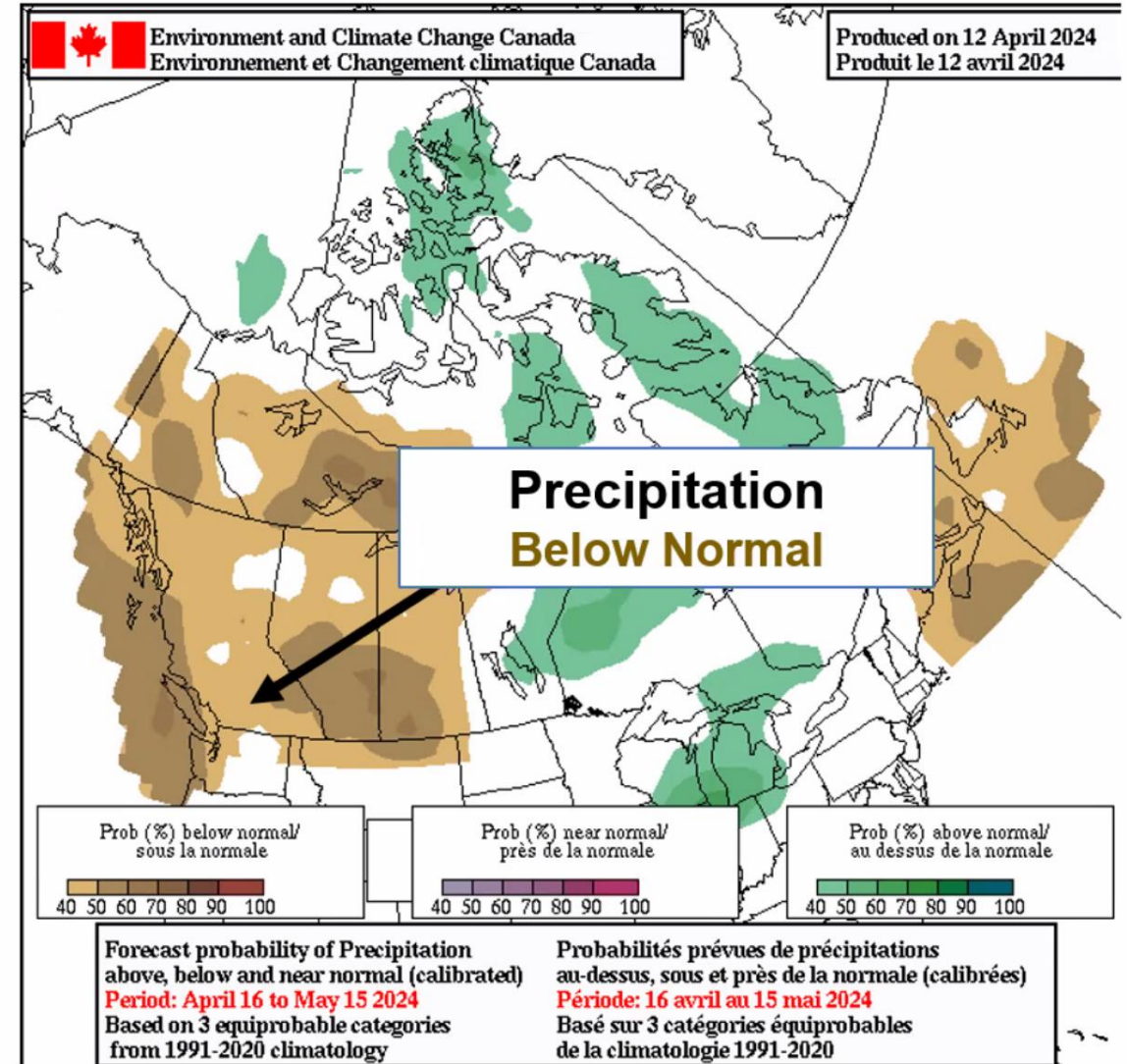
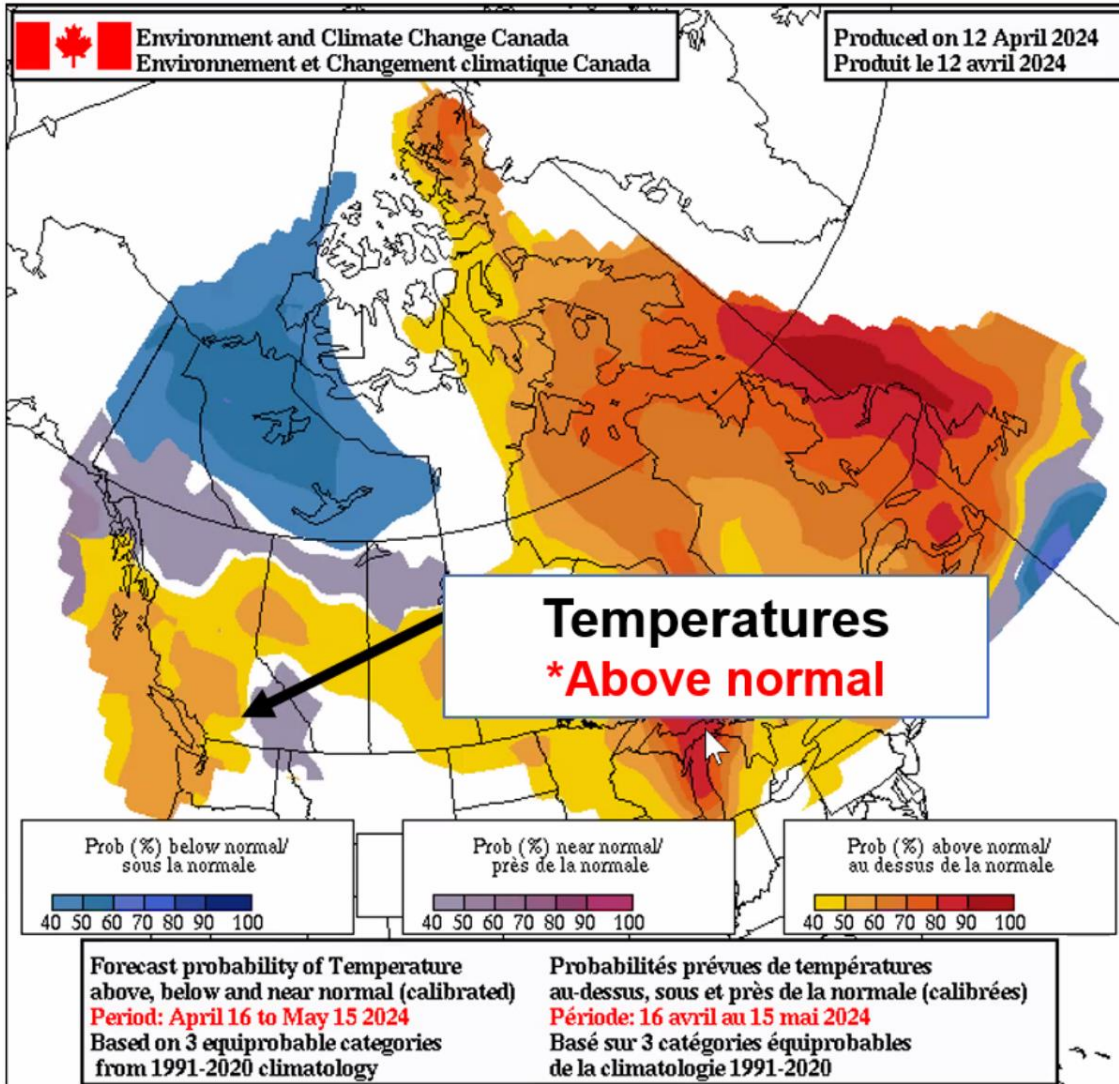
Talking: Arnel Castellan WPM...



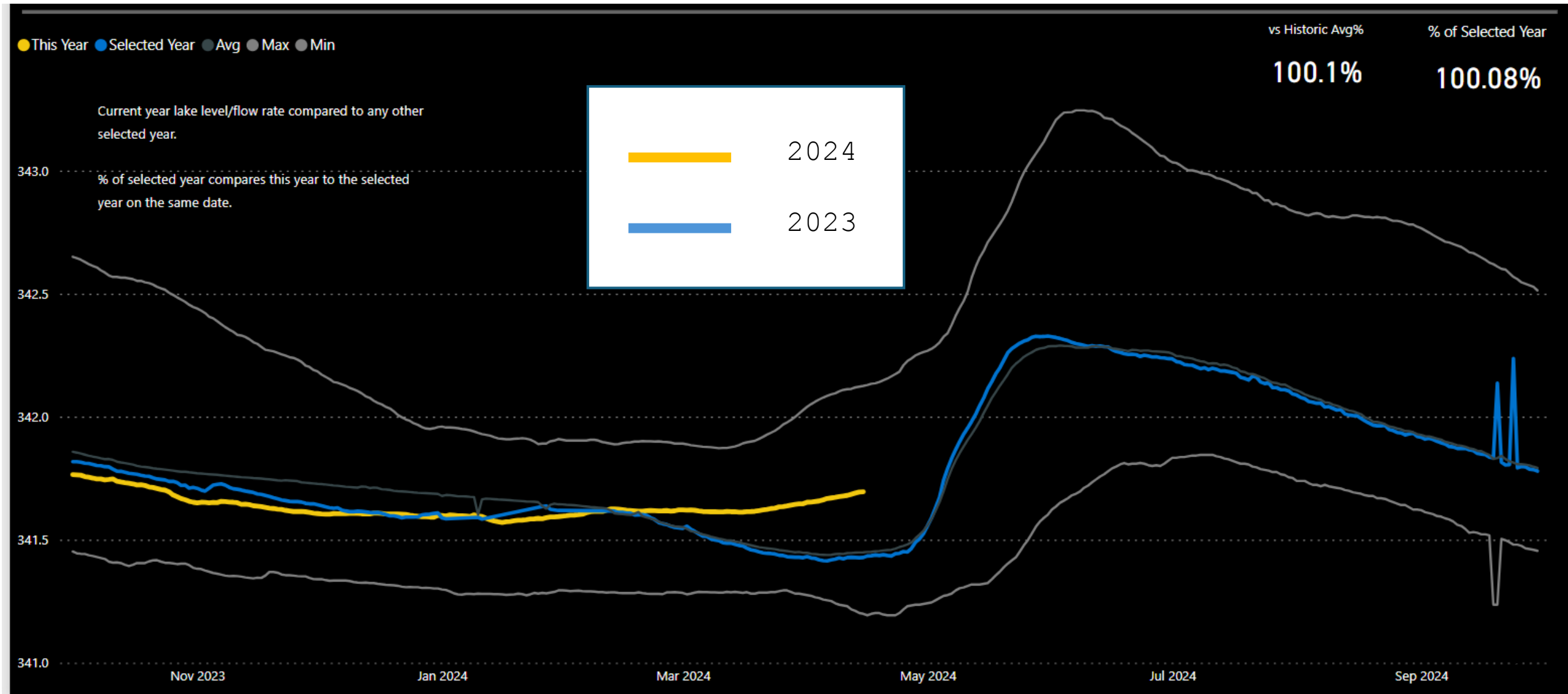
ECCC surface observations / Observations de surface de ECCC. Clim: 1991-2020

# Outlook for April 16 – May 15, 2024 – Updated Forecast

Talking: Armel Castellan WPM...

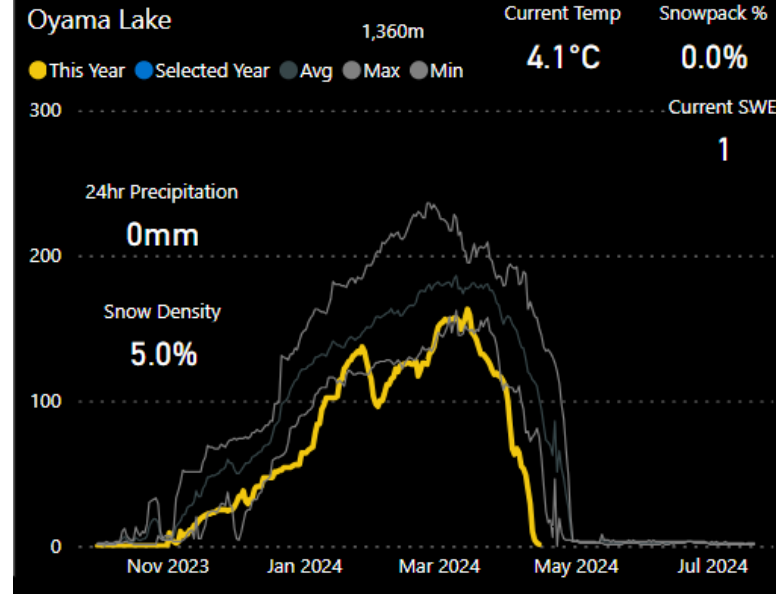
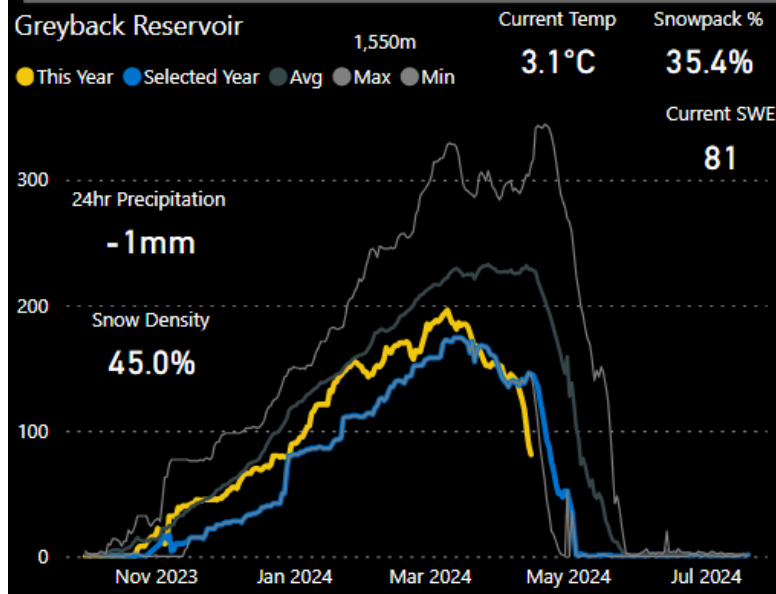
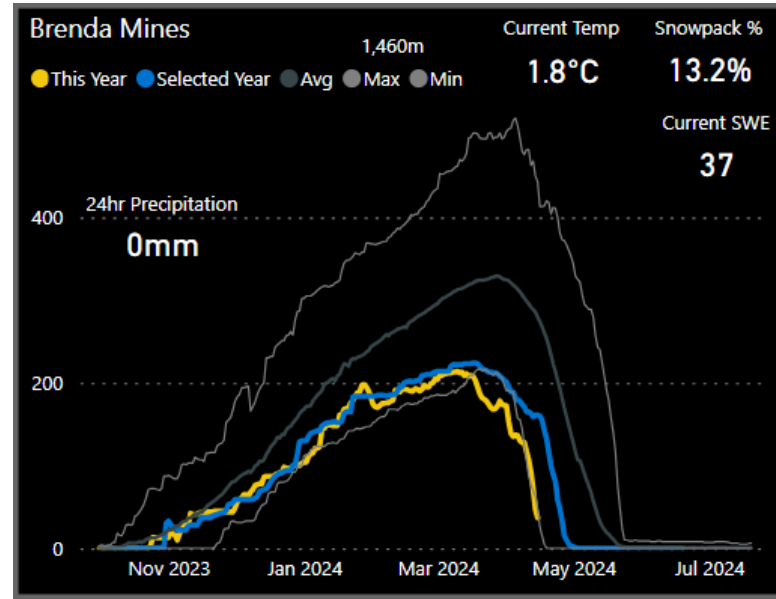
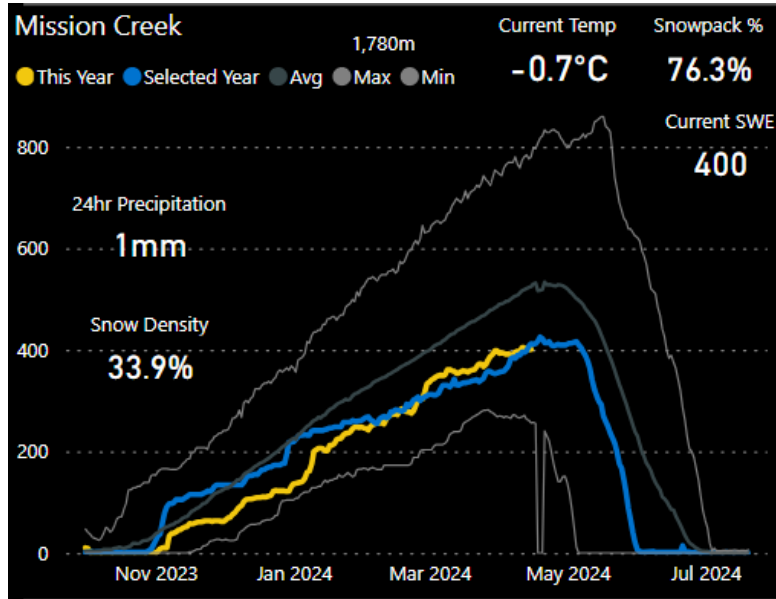


# Okanagan Lake Levels - Today and 2023





# Snowpack – Today and 2019

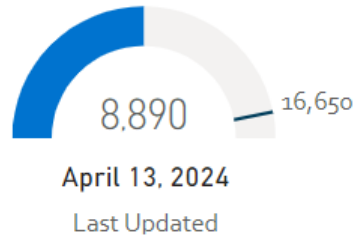


2024  
2019

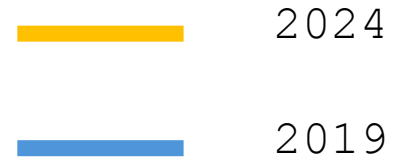
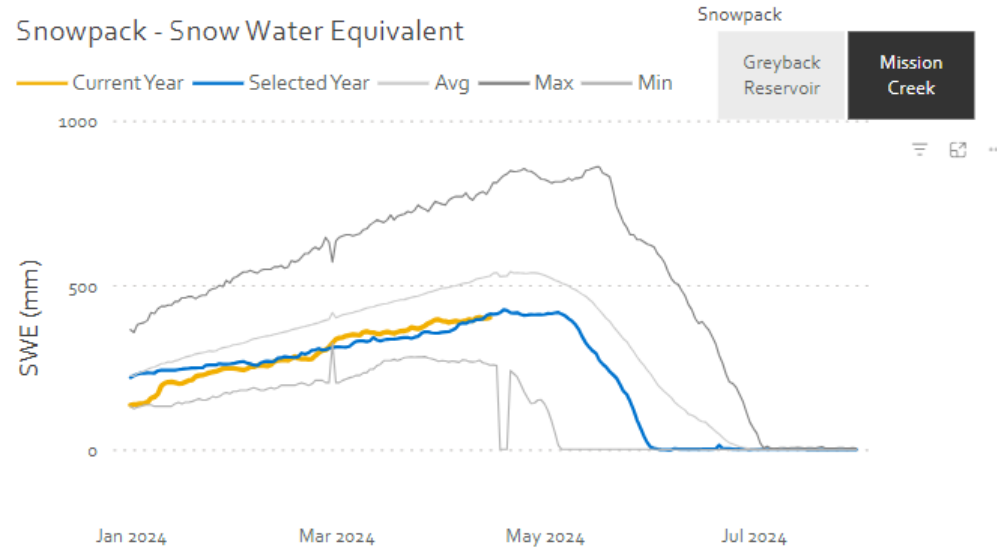
# McCulloch Lake - Dashboard - Spring



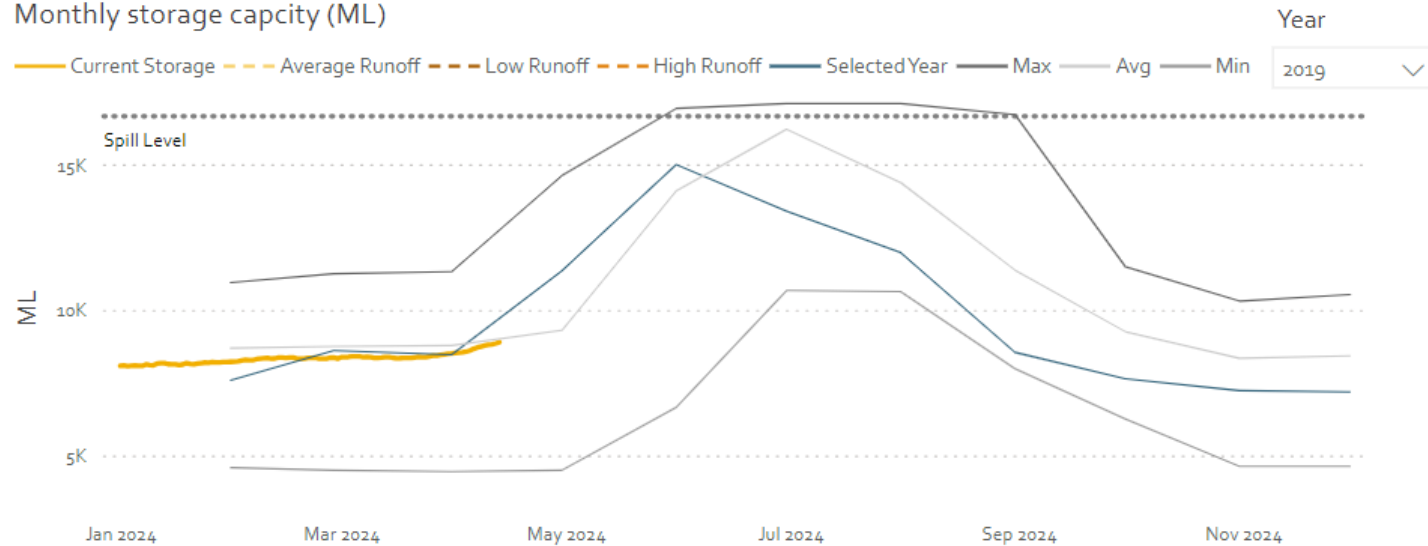
Current Storage (ML)



Snowpack - Snow Water Equivalent



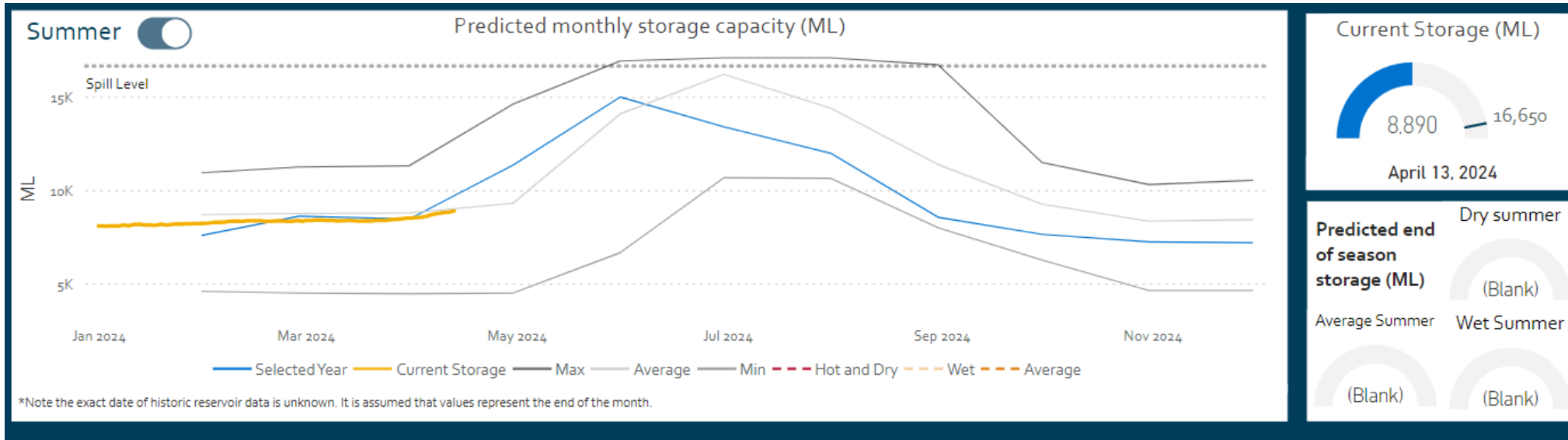
Monthly storage capacity (ML)



\*Note the exact date of historic reservoir data is unknown. It is assumed that values represent the end of the month.

# McCulloch Reservoir tool - Future Summer

## Prediction



### Remaining (ML)

(Not including current month)

#### Demand

Wet

6307

Average

9068

Dry and Hot

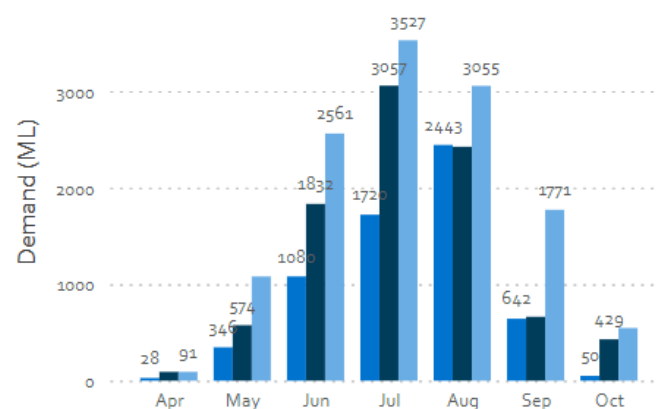
12629

Losses

1160

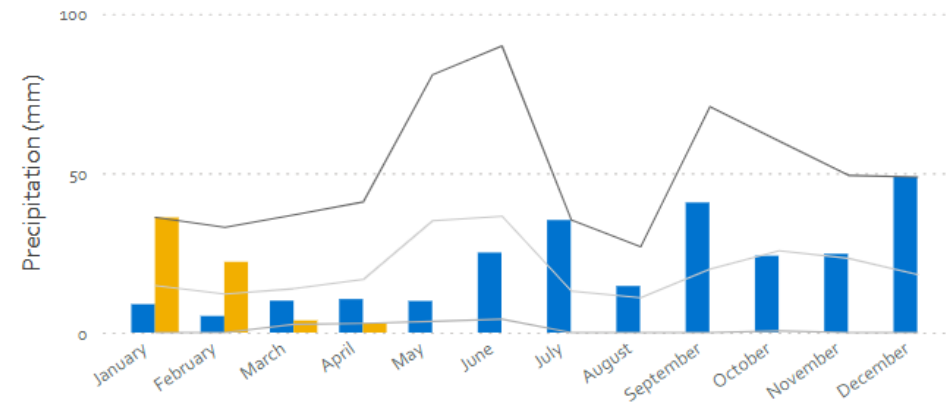
### Water demand (ML) per month

Wet Average Dry and Hot



### Total Precip (mm) per month

Selected Year Current Year Average Max Min



# Conclusion

- Okanagan Drought – into 4<sup>th</sup> Year.
- Potable System
  - Okanagan Lake water levels likely not reaching full pool.
  - High risk of future Provincial Drought Level declarations.
- Non-Potable System
  - Snowpack is well below normal.
  - McCulloch not expected to spill.
    - Storage anticipated to be much lower than normal.
    - Need to prepare for restricted consumption .

# Recommendations

- Updates be provided Council in late May.
- Citizens & Customers need to be efficient with water in 2024.
- Implement Stage 1 Water Restrictions
  - Increased awareness of drought Conditions.
- Non-Potable System Users restricted to allotment (685 mm)
  - No exceedances.
  - City will support farmers to monitor their allotments.



Thank you!

## DRAFT RESOLUTION

Re: Transit for Teens Campaign to Extend BC's Get on Board Program to Age 18

THAT Council directs staff to investigate the costs and implications of endorsing fare-free transit for youth up to age 18 and report back to Council.

### BACKGROUND:

Councillor Lovegrove indicated his intent to bring forward a resolution to endorse the Transit for Teens campaign for BC's Get on Board program on April 8, 2024.

1. Transit access is key for youth to safely access activities, school, support services, health care, work, and more, especially for lower-income youth whose families may not have a vehicle, and the cost of a monthly transit pass for teens can be extremely challenging for working families already struggling with the high cost of living in Kelowna.
2. Encouraging students to use public transit can increase their independence and participation in employment and civic life, and can also help close the equity gap and reduce poverty. Offering free transit to youth can incentivize public transit usage, which can reduce traffic, lower emissions, and offer a safer transit option to teens while also building lifelong transit users.
3. The BC Poverty Reduction Coalition, the Centre for Family Equity (formerly known as the Single Mothers Alliance), the ATU Local 1722, the Okanagan Transit Alliance, and many others have been advocating for free transit through the "All On Board" campaign which calls for free transit for transit riders from age 0-18 in BC.
4. In 2021 the BC government made public transit free for all children 12 and under in every transit system in BC with the introduction of their new "Get on Board" program, "saving families money, increasing access to affordable transportation options and encouraging more people to use public transit."
5. A fare free program for high school students in Kingston led to an increase in annual teen ridership from 28,000 trips to close to 600,000 trips, and also led to an increase in the number of youth bus passes (passes for young people aged 18-24) sold per month from an average of 250 in 2017 to 625 in 2023.
6. The City of Penticton just received federal funding from the Building Safer Communities fund to launch a pilot youth transit program, whereby youth 24 and under have unlimited access to fare free bus services. This program was launched after youth who were consulted shared their challenges with accessing key services, employment, and after school programs. The City of Kelowna has an opportunity to offer the same.

7. The City of Kelowna is committed to the principles of being a collaborative, smarter, responsible, and connected city, and its 2022-2026 Council Priorities explicitly seek to increase access to transit for all ages and abilities, including youth.

Date: April 22, 2024



## DRAFT RESOLUTION

Re: Special Council Meeting - Council Priority Setting Session – April 29, 2024

THAT a Special Meeting of Council be held on Monday, April 29, 2024, at 9:00 am;

AND THAT the April 29, 2024, Special Council Meeting be held at another location other than City Hall, being the Rotary Centre for the Arts, Pacific Safety Products Boardroom, 421 Cawston Avenue, Kelowna, BC.

### BACKGROUND:

A special meeting of Council will be held to review Council priorities and strategic planning.

Section 2.5 of Council Procedure Bylaw No. 9200 states that:

“A special meeting of Council, which is any meeting other than a regular meeting” [i.e. not on the schedule of Council meetings published for the year]

Section 2.7 of Council Procedure Bylaw No. 9200 states that:

“All Council meetings and public hearings shall take place within City Hall unless Council passes a resolution to hold a particular meeting elsewhere.”

Date: April 22, 2024

# CITY OF KELOWNA

## Bylaw No. 12637

### Amendment No. 4 to Development Application and Heritage Procedures Bylaw No. 12310

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

1. THAT **Section 1.0 Introduction** be amended by adding a period following the words "Bylaw No. 12310" in Section 1.0.1.
2. THAT **Section 1.0 Introduction, 1.2 Scope** be amended by
  - 2.1. Deleting the word "or" from Subsection 1.2.1 (j).
  - 2.2. Deleting the word "or" from Subsection 1.2.1 (k).
  - 2.3. Deleting the final period from Subsection 1.2.1 (l) and replacing with a semicolon, and adding "or" following the semicolon.
  - 2.4. Adding the following as Subsection 1.2.1 (m):

"m) For **Early Consideration** by Council."
3. THAT **Section 1.0 Introduction, 1.3 Definitions** be amended by
  - 3.1. Deleting in its entirety the term "Coordinating Hillside Development Professional".
  - 3.2. Amending "Development Application Fees Bylaw" by deleting "10560" and replacing with "12552".
  - 3.3. Amending "Divisional Director, Planning & Development Services" by deleting the defined term and replacing with "Divisional Director, Planning, Climate Action & Development Services".
  - 3.4. Amending "Land Use Contract" by deleting "current Land Use Contract which is being discharged as per Section 546 of the Local Government Act;".
  - 3.5. Adding after the definition of Minor Direct Development Permit and before the definition of Official Community Plan, the new term "'Multiple Unit Residential' means a site with three (3) or more residential dwelling units total;".
  - 3.6. Amending "Official Community Plan" by deleting "2030" and replacing with "2040 -".
  - 3.7. Adding after the definition of Temporary Use Permit and before the term Zoning Bylaw, the new term "'Sign Bylaw' means City of Kelowna Sign Bylaw No. 11530, as amended or replaced from time to time;".
4. THAT **Section 2.0 General Provisions, 2.2 Council Decisions** be amended by
  - 4.1. Deleting in its entirety Subsection 2.2.1 (a) ii. and replacing with

"ii. Forward the amending bylaw or bylaws to a **Public Hearing**, provided that a **Public Hearing** is permitted in accordance with section 464 of the *Local Government Act*."
  - 4.2. Deleting in its entirety Subsection 2.2.1 (b) and replacing with

"b) **Council** may consider final adoption of an amendment bylaw:

    - i. After three readings have been given; and
    - ii. Where approval from the Ministry of Transportation and Infrastructure or another authority or body is required by statute or regulation, following receipt of written approval from the authority.

4.3. Deleting in its entirety Subsection 2.2.6 (a) ii. and replacing with

“ii. Forward the bylaw or bylaws to a **Public Hearing**, provided that a **Public Hearing** is permitted in accordance with all relevant provisions of the *Local Government Act*;”

5. THAT **Section 2.0 General Provisions, 2.3 Delegation of Authority** be amended by

5.1. Deleting in its entirety Subsection 2.3.3 and replacing with

“2.3.3 Performance Security

The powers of Council under Sections 502 and 610(2)(c) of the *Local Government Act* and Section 19 of the *Community Charter* to require security as a condition of the issuance of a **Development Permit, Development Variance Permit, Temporary Use Permit, Heritage Alteration Permit, Heritage Revitalization Agreement, or a Temporary Farm Worker Housing Permit** in accordance with Section 2.9 of this bylaw; and the authority to execute all documents necessary to require security as a condition of issuance.”

5.2. Deleting in its entirety Subsection 2.3.5 and replacing with

“2.3.5 Development Permits

a) The powers of **Council** under Section 489 of the *Local Government Act* to issue and refuse **Development Permits** in respect of **Development Permit** areas established by an **Official Community Plan**, subject to restrictions identified in Schedule ‘3’ of this bylaw. This includes the powers of **Council** to require that the applicant provide security for the purposes of Section 502 of the *Local Government Act*, to establish the conditions of the permit, and to determine whether such requirements and conditions have been met.

b) The powers of **Council** under Section 489 of the *Local Government Act* to issue amendments to **Development Permits**, limited to minor design modifications that:

- are generally consistent with the applicable Development Permit guidelines in the **OCP**; and
- do not require a **Development Variance Permit** that requires **Council** approval.”

5.3. Deleting in its entirety Subsection 2.3.6 (b) and replacing with

“b) Pursuant to Sections 590 and 617 of the *Local Government Act*, the **Department Manager, Development Planning** is authorized to exercise the powers and perform the duties of **Council** with respect to amendments to **Heritage Alteration Permits** that are limited to minor design modifications that:

- are generally consistent with the applicable Heritage Design Guidelines in the **OCP**; and
- do not require a variance that requires **Council** approval.”

5.4. Adding a period to the final sentence of Subsection 2.3.7 (a) following “met”.

6. THAT **Section 2.0 General Provisions, 2.4 Development Approval Information** be amended by deleting “day to day” from Subsection 2.4.2 (c) and replacing with “day-to-day”.

7. THAT **Section 2.0 General Provisions, 2.6 Plans Completed by a Registered Architect** be amended by adding “and sealed” to Subsection 2.6.1 after ‘completed’ and before ‘by a registered architect’.

8. THAT **Section 2.0 General Provisions, 2.7 Heritage Property Applications** be amended by deleting all instances of “**Divisional Director, Planning, & Development Services**” in Subsection 2.7.2 and replacing with “**Divisional Director, Planning, Climate Action & Development Services**”.

9. THAT **Section 2.0 General Provisions, 2.8 Hillside Development** be deleted in its entirety.

10. THAT **Section 2.0 General Provisions, 2.9 Performance Security** Subsection 2.9.3 (e) ii. be amended by deleting “will consider return of 90% of the security” and replace with “will consider return of up to 90% of the security”.

11. THAT **Section 2.0 General Provisions, 2.9 Performance Security** Subsection 2.9.3 (f) ii. be amended by deleting “one (1) year” and replacing with “two (2) years”.

12. THAT **Section 2.0 General Provisions, 2.11 Incomplete Applications** be deleted in its entirety and replaced with

“2.11 Incomplete Applications

If **Department Manager, Development Planning** determines that an application is incomplete, the applicant will be requested to provide the required information prior to the application being referred and circulated. If an applicant

does not provide the required information within three months of the request, the application and fee will be returned. Incomplete applications will not be referred and circulated until they have been deemed complete by the **Department Manager, Development Planning.**”

13. THAT **Section 2.0 General Provisions, 2.15 Enforcement** be amended by deleting “**Divisional Director, Planning, & Development Services**” from Subsection 2.15.1 and replacing with “**Divisional Director, Planning, Climate Action & Development Services**”.
14. THAT **Section 3.0 Application Fees, 3.1 Application Fee Requirement** be amended by deleting subsection 3.1.2 in its entirety.
15. THAT **Section 4.0 Public Notification and Consultation, 4.2 Public Notification** be amended by:
  - 15.1. Deleting in its entirety Subsection 4.2.1 (a)(ii) and replacing it with the following:

“ii. A scheduled **Council** meeting for considering first reading if a **Public Hearing** is not required or is prohibited;”
  - 15.2. Deleting in its entirety Subsection 4.2.2 (b) iii. and replacing it with

“iii. **Development Notice Signs** must remain in place until the conclusion of the **Public Hearing**, or until **Council** has considered the application as applicable, or the application has received first reading where a **Public Hearing** is not held. **Development Notice Signs** must be removed within seven (7) days of the conclusion of a **Public Hearing** or of the **Council meeting** that requires a **Development Notice Sign.**”
  - 15.3. Deleting in its entirety Subsection 4.2.2 (e) iii. and replacing it with

“iii. The date of the relevant **Public Hearing**, or **Council Meeting** at which the application is to be considered, or **Council Meeting** at which first reading will be considered; and
16. THAT **Schedule ‘1’ – Application Requirements** be amended by deleting the Schedule in its entirety and replacing with

**“Schedule ‘1’ – Application Requirements**

The information listed below will be required for applications under this **bylaw** in accordance with Schedules ‘2’ to ‘15’ of this bylaw:

- Application Form
- State of Title - including complete copies of any easements, rights-of-way, Section 219 covenants and other non-financial charges registered on Title. Must be printed within 30 days of making the application.
- Owner’s Authorization Form
- **Site Profile** - in accordance with the Environmental Management Act.
- Zoning Analysis Table - illustrating how the proposal meets or deviates from **Zoning Bylaw** requirements.
- Project Rationale - explaining the project’s conformity with relevant **City** policies including **OCP** policies and, where applicable, **Development Permit** Guidelines.
- Photographs - of the **site** and surrounding context (e.g. neighbouring properties, on-**site** structures, important features, etc.) in colour and at a legible size.
- **Site Plan** - 1:200 scale recommended, all units in metric, with north arrow, including:
  - Civic address and legal description
  - Property line and setbacks, accurately dimensioned
  - Easements, rights-of-way, and covenant areas
  - Outline of existing and proposed building(s), accurately dimensioned
  - Parking layout and allocation, including:
    - Stall dimensions
    - Drive aisle dimensions
    - Parking setbacks to property lines
    - Description of stall uses (ex. visitor stall, loading stall, and resident stall, etc.)
    - EV ready parking stalls

- **Site** lighting
- Location and dimensions of private open space
- **Site** grading, including retaining walls and retention slopes
- Existing geodetic elevations and proposed geodetic elevations

For Commercial, Industrial, and **Multiple Unit Residential** applications, also include:

- Location, number, and dimensions of bicycle parking spaces
  - Location, number, and dimensions of accessible parking spaces
  - Provisions for universal access
  - Location of any existing and/or proposed freestanding signage
  - Location of recycling and garbage enclosure
- Floor Plans - for each floor including basement and parking areas, 1:200 scale recommended, all units in metric, with north arrow, including:
    - Layout and dimensions of all parking stalls, drive aisles, accessible stalls
    - EV ready parking stalls
    - Layout and dimensions of all exterior and interior walls
    - Location of doors and windows
    - Use of each room (e.g. bedroom, bathroom, etc.)
    - Dimensions, including area, of each room
  - Elevation Drawings - 1:200 scale recommended, all units in metric, including:
    - Exterior of subject building(s) - all elevations with direction labeled
    - Dimensioned height from grade on all elevations
    - Materials and proposed colour details (e.g. roof, trim, façade)

For Commercial, Industrial, and **Multiple Unit Residential** applications, also include:

- Coloured elevation drawings
  - Drawings of street elevation with relationship to buildings on adjacent properties
  - Size and location of any proposed signage
  - Coloured rendering(s) including complete building elevations and landscaping
    - For smaller-scale developments, a minimum of one coloured rendering is required; for larger-scale developments, photo realistic coloured renderings from multiple perspectives that show the details of finished materials are required
    - Additional renderings may be required at the discretion of the **Department Manager, Development Planning**
- For applications within the **Core Area Neighbourhood Designation**, also include a Streetscape Drawing that contains the following:
    - Front elevation of proposed building and adjacent buildings on each side
    - Projections, doors, windows, overhead doors
    - Roof slopes labelled
    - Property lines extend vertically
    - Existing and proposed grade
  - Materials Board - that can be duplicated (no physical samples) including:
    - Roofing material and colour
    - Exterior materials and colours
    - Window, door, and trim materials and colours
    - Any additional materials and colours (e.g. balconies, railings, etc.)
  - **Landscape Plan**

**Landscape Plan** with drawings to scale, in metric units with north arrow, as per the requirements set by the **Department Manager, Development Planning** based on the **City of Kelowna Landscape Plan Terms of Reference**, which may include:

- Notation on all drawings: "Completed works must meet approved **development permit** drawings. Amendment application must be made for any alterations prior to works being completed."
- Outline of existing and proposed buildings(s)
- Parking layout and surface treatment
- Soft landscaping (trees, hedges, planting beds, vines, lawn, etc.), including vegetation within public road right-of-way
- Plant list of trees, shrubs, perennials and ground covers including quantities, botanical and common names, planting sized on centre spacing
- Hard landscaping (paving stone, brick, concrete, etc.) including materials within public road right-of-way
- Permeable paving, materials and details of proposed system/design
- Landscape structures (fences, trellis, arbours, retaining walls, lighting, etc.)
- Location and size of amenity areas, play areas, and private open space, if applicable
- Green roof or on-slab landscape areas including details of proprietary systems or custom design
- Where a **Landscape Plan** is required as a condition of a Natural Environmental **Development Permit**, the plan will be stamped and sealed by a **Qualified Professional**
- Bicycle parking / storage facility
- Irrigation layout plan
- Location and treatment of garbage enclosure (including materials and dimensions)
- Notation of any proposed boulevard trees and off-site landscaping
- Grading including all existing and proposed geodetic elevations, top and bottom of retaining walls and slopes, slope ratios
- Performance Security and preliminary construction cost estimate in accordance with Section 2.9 of this Bylaw

If the preliminary landscape construction estimate exceeds \$50,000.00 the **Landscape Plan** must be prepared by a Registered **Landscape Architect** and include the additional details:

- Letter of understanding; BC Society of **Landscape Architects** Schedule L is required at time of **Building Permit** Submission.
  - Notation on all drawings; "Landscape Construction Drawings and BCSLA Schedule L is required at time of **Building Permit** application. Must include a Water Conservation Report in accordance with Water Regulation Bylaw No. 10480 (as amended or replaced from time to time), including a Landscape Water Budget, a Hydrozone Plan and an Irrigation Plan prepared by a Certified Irrigation Designer"
  - Irrigation Hydrozone Plan drawing
  - All items noted above in Schedule 1 (l)"
- Pre-Development Tree Inventory
    - At the discretion of the **Department Manager, Development Planning**, a Pre-development inventory completed by a **Qualified Professional** may be required. If required, it shall include all trees located on and off the property with overhanging branches or root systems, with a basic description of species, trunk diameter and location, highlighting invasive species, fruit trees, and cultivated trees may be required
    - At the discretion of the **Department Manager, Development Planning**, a tree condition assessment completed by a **Qualified Professional** may be required describing tree health including estimated life span and impacts of the proposed development on tree viability
    - Existing trees and vegetated areas to be retained and to be removed overlain on a site plan drawing of the proposed development with Tree Protection Zones drawn to scale (zone size based on trunk diameter as per Bylaw No. 8041)
  - Environmental Assessment Report – prepared as per the **City** of Kelowna Environmental Assessment Terms of Reference, signed and sealed by a Registered Professional Biologist licensed to practice in BC, which assesses potential impacts of the proposed development and provides avoidance, mitigation and/or compensation methods as applicable. The assessment will include but is not limited to a biophysical inventory that stratifies

and maps environmentally sensitive areas, a habitat balance sheet, a cumulative effects assessment, and a gap analysis.

- Habitat Restoration Plan - prepared, signed and sealed by a **Qualified Professional**, which identifies and recommends restoration areas and details measures necessary to restore the subject property(s) to a level acceptable to the **City**. The plan will include but is not limited to:
  - A **landscape plan** that includes descriptions of all polygon treatments proposed, representative descriptions and images for each treatment type and a recommended inspection and maintenance schedule;
  - A cost estimate that includes the anticipated costs of implementing the **landscape plan** and provisions for inspections, maintenance and environmental effectiveness monitoring; and
  - An “as-built” report may be requested upon completion of the habitat restoration work as a condition of the **Development Permit** that describes and justifies any departures from the proposed restoration prescriptions, provides images and descriptions for each treatment type as completed, recommends additional mid- to long-term measures to enhance the success of the project, and includes a summary of final project costs.
- Environmental Monitoring Plan - prepared, signed and sealed by a **Qualified Professional**, including a cost estimate for all monitoring and associated works, that assures project construction activities both on-**site** and off-**site** (such as staging/disposal) comply with environmental provisions defined in authorizations and permits, applicable legislation, **City** environmental management guidelines and policies and industry best management practices. A monitoring schedule must be identified including regular submission of monitoring reports directly to the **City** of Kelowna. An Environmental Monitoring Plan will assure that appropriate levels of protection are in place to prevent or minimize environmental impacts, will prepare timely, accurate and unbiased reporting.
- Information about the historical significance and architectural merit of a property. A statement of significance and / or heritage review, prepared by a **Qualified Heritage Professional**, may be required in accordance with terms of reference outlined by the **Development Planning** Department, at the discretion of **Department Manager, Development Planning.**”

17. THAT **Schedule ‘2’ – Applications to Amend an Official Community Plan Bylaw and/or a Zoning Bylaw** be amended by deleting the Schedule in its entirety and replacing with

**“Schedule ‘2’ – Applications to Amend an Official Community Plan Bylaw and/or a Zoning Bylaw**

This Schedule describes the process applicants must follow to amend an **OCP** or **Zoning Bylaw**, including the application requirements and processing procedure. For the purposes of processing applications, Text Amendments shall follow the same process as a Zoning Bylaw Amendment as per the *Local Government Act*. Following the steps outlined below does not grant a right to development approval.

1.0 APPLICATION REQUIREMENTS

- 1.1. The following information is required for applications to amend an **OCP** or **Zoning Bylaw**. See Schedule ‘1’ of this bylaw for a description of each application requirement.

Application Form	Zoning Analysis Table
State of Title	Project Rationale
Owner’s Authorization Form	Photographs
Site Profile	Site Plan

- 1.2. Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw to adequately evaluate an amendment application.

2.0 PROCESSING PROCEDURE

An amendment application submitted in accordance with this bylaw will be processed as follows:

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

- b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.
- c) **Development Planning** will refer the application to all relevant **City** departments, as well as applicable government and external agencies.
- d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. **Department Manager, Development Planning** may require the application to be processed in accordance with Schedule '15' – Early Consideration Applications.
- e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.
- f) **Development Planning** will prepare a staff report and refer the application to any relevant **Council** committee(s). The applicant is encouraged to attend any **Council** committee meeting(s) at which the application is being considered. The **Council** committee will provide a recommendation to **Development Planning** staff.
- g) **Development Planning** will prepare a staff report for consideration by **Council**. The applicant is encouraged to attend the **Council** meeting(s) at which the application will be considered.
- h) **Council** will consider the application in accordance with Section 2.2.1(a) of this bylaw regarding reading considerations and **Public Hearings**, as provided for in section 464 of the *Local Government Act*.
- i) When the applicant has adequately addressed all the conditions associated with the application, **Council** will consider the adoption of the bylaw(s), subject to Section 2.2.1(b) of this bylaw.
- j) Following reading consideration, the Office of the **City Clerk** will notify the applicant in writing of **Council's** decision."

18. THAT **Schedule '3' – Development Permit Applications** be amended by

18.1. Deleting in its entirety Subsection 1.1.1 (b) and replacing with

"b) Form and Character **Development Permits** for **Multiple Unit Residential** of three (3) to six (6) units per site where:

- i. The proposed development is generally consistent with the applicable **Development Permit** guidelines in the **OCP**.

18.2. Deleting the tables appearing under Subsection 1.1.2 (a) titled "Direct Form and Character Development Permit" and "Direct Farm Protection Development Permit", and replacing with

Direct Form and Character <b>Development Permit</b>	Direct Farm Protection <b>Development Permit</b>
Application Form	Application Form
State of Title	State of Title
Owner's Authorization Form	Owner's Authorization Form
Site Profile (if applicable)	Site Profile (if applicable)
Zoning Analysis Table	Zoning Analysis Table
Project Rationale	Project Rationale
Photographs	Photographs
Site Plan	Site Plan
Floor Plan	Elevation Drawings
Elevation Drawings	Landscape Plan
Streetscape Drawing	
Materials Board	
Landscape Plan	

18.3. Deleting "A" and replacing with "An" in Subsection 1.2.2.

18.4. Deleting in its entirety Subsection 1.1.3 (b) and replacing with



"b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw."

- 18.5. Deleting the tables appearing under Subsection 1.2.1 (a) titled "Direct Form and Character Development Permit" and "Direct Farm Protection Development Permit", and replacing with

Council Form and Character Development Permit
Application Form
State of Title
Owner's Authorization Form
Site Profile (if applicable)
Zoning Analysis Table
Project Rationale
Photographs
Site Plan
Floor Plan
Elevation Drawings
Materials Board
Landscape Plan

Council Farm Protection Development Permit
Application Form
State of Title
Owner's Authorization Form
Site Profile (if applicable)
Zoning Analysis Table
Project Rationale
Photographs
Site Plan
Elevation Drawings
Landscape Plan

- 18.6. Deleting in its entirety Subsection 1.2.2 (b) and replacing with

"b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw."

- 18.7. Deleting in its entirety Subsection 1.2.2 (d) and replacing with

"d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. Where applicable, a staff design review will consider the merits of the proposal. **Department Manager, Development Planning** may require the application to be processed in accordance with Schedule '15' – Early Consideration Applications."

- 18.8. Deleting the tables appearing under Subsection 2.2.1 (a) titled "Minor Direct Natural Environment Development Permit" and "Minor Direct Hazardous Conditions Development Permit", and replacing with

Minor Direct Natural Environment Development Permit
Application Form
State of Title
Owner's Authorization Form (if applicable)
Site Profile
Project Rationale
Photographs
Site Plan
Environmental Monitoring Plan

Minor Direct Hazardous Conditions Development Permit
Application Form
State of Title
Owner's Authorization Form (if applicable)
Site Profile (if applicable)
Project Rationale
Photographs
Site Plan
Geotechnical Letter (if applicable)

- 18.9. Adding the following new sentence to Subsection 2.2.2 (b) following the existing text: "If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw."

- 18.10. Deleting the term "Divisional Director, Planning & Development Services" from Subsection 2.2.2 (h) and replacing with "**Department Manager, Development Planning**".

- 18.11. Deleting the tables appearing under Subsection 2.3.1 (a) titled "Major Direct Natural Environment Development Permit" and "Major Direct Hazardous Conditions Development Permit", and replacing with

Major Direct Natural Environment Development Permit
Application Form
State of Title
Owner's Authorization Form (if applicable)
Site Profile
Project Rationale
Photographs
Site Plan
Environmental Assessment Report
Habitat Restoration Plan
Environmental Monitoring Plan
Grading Plan
Stormwater Management Plan
Erosion and Sediment Control Plan

Major Direct Hazardous Conditions Development Permit
Application Form
State of Title
Owner's Authorization Form (if applicable)
Site Profile (if applicable)
Project Rationale
Photographs
Site Plan
Geotechnical Assessment
Grading Plan
Stormwater Management Plan
Erosion and Sediment Control Plan

18.12. Deleting in its entirety Subsection 2.3.1 (d) and replacing with

"d) Additional Development Approval Information may be required by the **Department Manager, Development Planning** in accordance with Section 2.4 of this bylaw, such as a hydrogeological or wildfire hazard mitigation assessment to adequately evaluate, issue, and/or deny a **Development Permit** application."

18.13. Deleting in its entirety Subsection 2.3.2 (b) and replacing with

"b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw."

18.14. Deleting the term "Divisional Director, Planning & Development Services" from Subsection 2.3.2 (h) and replacing with "**Department Manager, Development Planning**".

18.15. Deleting the tables appearing under Subsection 2.4.1 (a) titled "Council Natural Environment Development Permit" and "Council Hazardous Conditions Development Permit", and replacing with

Council Natural Environment Development Permit
Application Form
State of Title
Owner's Authorization Form
Site Profile
Project Rationale
Photographs
Site Plan
Environmental Assessment Report
Habitat Restoration Plan
Grading Plan
Stormwater Management Plan
Erosion and Sediment Control Plan

Council Hazardous Conditions Development Permit
Application Form
State of Title
Owner's Authorization Form
Site Profile (if applicable)
Project Rationale
Photographs
Site Plan
Geotechnical Assessment
Grading Plan
Stormwater Management Plan
Erosion and Sediment Control Plan

18.16. Deleting in its entirety Subsection 2.4.2 (b) and replacing with

"b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw."

18.17. Deleting in its entirety Subsection 2.4.2 (d) and replacing with

"d) **Development Planning** will evaluate the proposal for compliance with relevant **City** bylaws and policies. An internal staff development review will consider the merits of the proposal. **Department Manager, Development Planning** may require the application to be processed in accordance with Schedule '15' – Early Consideration Applications."

19. THAT **Schedule '4' – Development Variance Permit Applications** be amended by

19.1. Adding "(Delegated)" to the title of **Section 1.1 Minor Development Variance Permits** following the existing text.

19.2. Deleting Subsection 1.1.1 (1) in its entirety and replacing with

"a) Minor variances include variances to the **Zoning Bylaw** (except Section 9 – Specific Use Regulations) and **Sign Bylaw** where:

- i. A **Development Permit** is not required;
- ii. A **Development Permit** has been delegated to the **Department Manager, Development Planning** in accordance with Schedule '3', Section 1.1.1 of this bylaw; or
- iii. A **Heritage Alteration Permit** has been delegated to the **Department Manager, Development Planning** in accordance with Schedule '13', Section 1.1 of this bylaw."

19.3. Deleting in its entirety Subsection 1.1.2 and replacing with:

"1.1.2 Restriction on Delegation – Guidelines

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

a) Scope and scale of variances:

- i. For example, if a significant parking variance is proposed then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.

b) Use and enjoyment of neighbouring lands:

- i. A variance could negatively impact or affect adjacent buildings and uses. For example, a setback variance that would result in a primary window of neighbouring property staring at a large blank wall, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.

c) Effects on the natural environment:

- i. For example, if a variance would have a detrimental effect on the environment as determined through the Natural Environment **Development Permit** approval process, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.

d) Appropriateness of the development:

- i. A variance could decrease the appropriateness of the development if certain **Official Community Plan** policies and guidelines were not followed due to the variance. For example, if a setback variance increases the area of the home within a 30% steep slope area, then this would decrease the appropriateness of the development and then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.

e) Intent of the **Zoning Bylaw** and **Sign Bylaw**:

- i. A variance could undermine the purpose of a regulation. For example, the purpose of the 70% maximum upper floor area limit on carriage houses relative to the carriage house footprint is to prevent carriage house 'box' designs and a variance to this regulation could undermine the purpose of this regulation. Then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**.

f) Public interest in variances:

- i. For example, if a variance triggers a significant public response to the **Department Manager, Development Planning** during the public consultation period, then the delegate could deny the permit and the applicant can apply to have the permit reconsidered by **Council**. In addition, the delegate shall consider public voices that are typically underrepresented to serve the whole public interest."

19.4. Deleting in its entirety the table that appears following Subsection 1.1.3 (a) and replacing with

Application Form	Photographs
State of Title	Site Plan
Owner’s Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Zoning Analysis Table	Landscape Plan (if applicable)
Project Rationale	Materials Board (if applicable)

19.5. Deleting in its entirety Subsection 1.1.4 (b) and replacing with

“b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.”

19.6. Adding the following new section as Subsection 1.1.4 (e) and renumbering all subsequent sections accordingly

“e) The applicant will complete public notification and consultation as required by Section 4 of this bylaw.”

19.7. Adding “(Council)” to the title of Section 1.2 following the existing text.

19.8. Deleting in its entirety the table that appears following Subsection 1.2.1 (a) and replacing with

Application Form	Photographs
State of Title	Site Plan
Owner’s Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Zoning Analysis Table	Landscape Plan (if applicable)
Project Rationale	

19.9. Deleting in its entirety Subsection 1.2.2 (b) and replacing with

“b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.”

20. THAT **Schedule ‘5’ – Temporary Use Permit Applications** be amended by

20.1. Deleting in its entirety the table that appears following Section 1.1 and replacing with

Application Form	Photographs
State of Title	Site Plan
Owner’s Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Zoning Analysis Table	Landscape Plan (if applicable)
Project Rationale	

20.2. Deleting in its entirety Section 2.0 (b) and replacing with

“b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.”

21. THAT **Schedule ‘7’ – Agricultural Land Commission Act Applications** be amended by deleting in its entirety Section 2.0 (b) and replacing with

“b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.”

22. THAT **Schedule ‘8’ – Phased Development Agreement Applications** be amended by deleting in its entirety Section 2.0 (b) and replacing with

“b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.”

23. THAT **Schedule 'g' – Temporary Farm Worker Housing Permit Applications** be amended by
- 23.1. Deleting in its entirety the table that appears following Subsection 1.2.1 and replacing with

Application Form	Photographs
State of Title	Site Plan
Owner's Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Project Rationale including total number of workers	Landscape Plan

- 23.2. Adding the following new sentence to Subsection 1.3 (b) following the existing text

"b) If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.

- 23.3. Deleting in its entirety the table that appears following Subsection 2.1.1 and replacing with

Application Form	Photographs
State of Title	Site Plan
Owner's Authorization Form	Floor Plan
Site Profile (if applicable)	Elevation Drawings
Project Rationale including total number of workers	Landscape Plan

- 23.4. Deleting in its entirety Section 2.2 (b) and replacing with

"b) **Development Planning** will review the application for completeness. If the application is incomplete, it will be processed in accordance with Section 2.10 Incomplete Applications of this bylaw.

- 23.5. Deleting in its entirety Section 2.2 (e).

24. THAT **Schedule '15' – Early Consideration Applications** be amended by

24.1. Deleting "1," following the word "Schedules" in Section 1.1

24.2. Deleting in their entirety Sections 2.0 (b) iii. and (b) iv.

25. THAT the term "**Divisional Director, Planning & Development Services**" be deleted and replaced with "**Divisional Director, Planning, Climate Action & Development Services**" throughout Section 1.3 Definitions, Section 2.7 Heritage Property Applications, and 2.15 Enforcement.

26. THAT all defined terms listed in Section 1.3.1 be bolded throughout the entire bylaw.

27. This bylaw may be cited as "Bylaw No. 12637, being Amendment No. 4 to Development Application and Heritage Procedures Bylaw No. 12310".

28. 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. 12631

### Amendment No. 1 to Development Application Fees Bylaw No. 12552

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The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the Development Application Fees Bylaw No. 12552 be amended as follows:

1. THAT **Schedule "A", Table 1: OCP Amendments, Rezoning, & Development Variance Permits** be amended by adding the following new Rezoning Extension row to the table as a type of Zoning Bylaw Amendment:

Application Type	Base Fee 2024	Additional Fees 2024
<b>Zoning Bylaw Amendment</b>		
"Rezoning Extension	\$ 620.00	-

2. THAT **Schedule "A", Table 1: OCP Amendments, Rezoning, & Development Variance Permits** be amended by
  - 2.1. Adding "MH1" after "RU, RR, A".
  - 2.2. Adding "MF4" after "MF3" and before "CA1".
3. THAT **Schedule "A", Table 2: Development Permits & Heritage Permits** be amended by deleting "5-50 residential units" and replacing with "7-50 residential units".
4. THAT **Schedule "A", Table 3: General & Subdivision** be amended by deleting "Discharge Covenant,".
5. THAT **Schedule "A", Table 3: General & Subdivision** be amended by adding the following new row to the table, above "Legal Document Review" row and below "Document Administration Fee Minor" row, as a General Application Type:

Application Type	Base Fee 2024	Additional Fees 2024
<b>General</b>		
"Covenant (registration, discharge, etc.)	\$ 620.00	-

6. THAT **Schedule "A", Table 4: Agriculture & Liquor Licenses** be amended by deleting "Liquor Primary (New or Change)" and replacing with "Liquor License (New or Change)".
7. THAT **Schedule "A", Table 5: Development Engineering Fees** be amended by deleting "\$11,500.00" from the "Latecomer Agreement" row, "Base Fare 2024" column and replacing with "\$6,000.00".
8. THAT **Schedule "A", Table 5: Development Engineering Fees** be amended by deleting "3.5% of the total cost of off-site construction" from the "Development Engineering Inspecting Fee" row, "Base Fare 2024" column and replacing with "3.5% of the total cost of off-site construction plus GST".
9. This bylaw may be cited as "Bylaw No. 12631, being Amendment No. 1 to Development Application Fees Bylaw No. 12552".
10. 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

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Mayor

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City Clerk

# CITY OF KELOWNA

## BYLAW NO. 12638

### Amendment No. 1 to the Five Year Financial Plan 2023-2027 Bylaw No. 12502

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

1. THAT the Five Year Financial Plan 2023-2027 Bylaw No. 12502 be amended by deleting Schedule "A" in its entirety and replacing with them new Schedule "A" as attached to and forming part of this bylaw;
2. This bylaw may be cited for all purposes as Bylaw No. 12638 being "Amendment No. 1 to the Five Year Financial Plan Bylaw, 2023-2027, No. 12502."

Read a first, second and third time by the Municipal Council this 15<sup>th</sup> day of April, 2024.

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



## Schedule "A"

### Financial Plan 2023 - 2027

	2023 Amended Budget	2023	2024	2025	2026	2027	2028-2030
<b>Revenue</b>							
Property Value Tax	176,624,339	176,624,339	188,279,055	200,295,838	213,266,188	225,313,048	723,943,923
Library Requisition	7,325,200	7,325,200	7,471,704	7,621,138	7,773,561	7,929,032	24,751,330
Parcel Taxes	4,197,613	3,433,673	3,386,926	3,226,092	2,878,729	2,643,767	7,706,257
Fees and Charges	165,800,690	166,752,954	168,998,093	176,296,845	181,604,696	185,477,990	607,768,371
Borrowing Proceeds	7,117,800	8,507,400	161,039,504	50,989,600	-	-	6,321,200
Other Sources	102,621,227	90,079,744	64,924,162	68,236,877	65,808,081	64,104,429	192,860,588
	463,686,869	452,723,310	594,099,445	506,666,391	471,331,255	485,468,266	1,563,351,669
<b>Transfer between Funds</b>							
Reserve Funds	3,309,548	2,399,489	1,803,987	4,018,987	5,018,987	5,018,987	4,271,961
DCC Funds	63,886,303	55,191,710	27,879,895	45,071,243	42,110,785	72,931,463	131,287,135
Surplus/Reserve Accounts	313,133,206	269,856,570	73,537,991	74,663,418	52,310,615	67,176,349	243,984,608
	380,329,057	327,447,769	103,221,873	123,753,649	99,440,388	145,126,799	379,543,705
<b>Total Revenue</b>	<b>844,015,926</b>	<b>780,171,079</b>	<b>697,321,318</b>	<b>630,420,039</b>	<b>570,771,643</b>	<b>630,595,065</b>	<b>1,942,895,374</b>
<b>Expenditures</b>							
Municipal Debt							
Debt Interest	3,980,837	3,980,837	5,854,736	10,057,004	13,579,814	15,783,808	46,825,315
Debt Principal	6,918,584	6,918,584	7,140,895	9,295,237	13,569,554	14,561,097	43,009,316
Capital Expenditures	428,340,651	367,208,100	288,733,676	204,324,905	129,728,128	173,098,283	427,984,615
Other Municipal Purposes							
General Government & Building Services	41,990,149	38,935,773	44,982,463	47,990,399	51,232,650	54,614,371	185,472,621
Community Services	36,797,972	35,969,865	29,502,083	29,279,911	30,240,946	31,205,486	99,725,484
Protective Services	104,169,361	102,941,048	105,058,206	108,811,337	112,228,174	115,657,991	368,692,809
Utilities	95,694,610	94,492,441	88,067,171	91,149,022	94,369,042	97,594,381	313,263,910
Airport	28,064,394	27,894,607	26,681,298	27,473,602	28,278,225	28,981,397	92,258,679
	22,781,964	22,666,780	23,045,145	24,379,339	26,662,772	27,403,596	86,108,813
	768,738,522	701,008,035	619,065,673	552,760,756	499,889,305	558,900,411	1,663,341,561
<b>Transfers between Funds</b>							
Reserve Funds	32,544,037	31,694,307	31,556,581	32,324,994	32,376,236	32,439,085	97,164,211
DCC Funds	-	-	-	-	-	-	-
Surplus/Reserve Accounts	42,733,367	47,468,737	46,699,064	45,334,289	38,506,102	39,255,570	182,389,601
	75,277,404	79,163,044	78,255,645	77,659,283	70,882,338	71,694,655	279,553,812
<b>Total Expenditures</b>	<b>844,015,926</b>	<b>780,171,079</b>	<b>697,321,318</b>	<b>630,420,039</b>	<b>570,771,643</b>	<b>630,595,065</b>	<b>1,942,895,374</b>