

CITY OF KELOWNA
BYLAW NO. 11118
TA15-0003 - CD22 - Central Green Comprehensive
Development Zone Amendments

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

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

1. THAT City of Kelowna Zoning Bylaw No. 8000, **Schedule 'B' - Comprehensive Development Zones, CD22 - Central Green Comprehensive Development, SCHEDULE 7- CD22 Sub-Areas A & B Zoning** be amended by:

- a) Adding "**financial services**" in its appropriate location and re-numbering subsequent sub-sections to section **7.3 Secondary Uses**; and

- b) Deleting section **7.5 Parcel Size** that reads:

"The maximum number of **lots** to be created from these Sub-Areas A and B is two and if created, such parcels shall have the area, size and shape of CD22 Central Green Sub-Areas A and B, all as shown on Plan CG-1."

And replacing it with:

"The maximum number of **lots** to be created from these Sub-Areas A and B is four."

- c) Deleting section **7.6 Density** that reads:

"If the lands in Sub-Areas A and B are subdivided into two parcels, then the maximum permitted **density** in Sub-Area A shall be the lesser of **Gross Floor Area** 20,000m² or FAR 3.3, and the maximum permitted **density** on Sub-Area B shall be the lesser of **Gross Floor Area** 40,000m² or FAR 4.5; however if the lands on Sub-Area A and B are not subdivided to create two separate parcels and constitute a single parcel then the maximum permitted density permitted shall be 60,000m² of **Gross Floor Area** or FAR 4.0."

And replacing it with:

"(a) The maximum permitted FAR in Sub-Area AB shall be 4.0."

- d) Deleting section **7.9 Setbacks** that reads:

"(a) The minimum **front yard** setback along Harvey Avenue is 4.5m.

(b) The minimum **rear** and **side yard** setbacks, excluding the parking structure, shall be 3.0m.

- (c) The parking structures must have a 0.0m **rear yard** setback and must be coordinated with the parking structure of Sub-Areas C and G to ensure a contiguous public open space is created above the parking structures.”

And replacing it with:

- “(a) The minimum setback along Harvey Avenue is 0.0m.
- (b) The minimum setback along Richter Avenue is 0.0m.
- (c) The minimum side yard setback where not fronting Richter is 3.0m.
- (d) The minimum rear yard setback, excluding the parking structure is 3.0m.
- (e) The parking structures must have a 0.0m rear yard setback and must be coordinated with the parking structure of Sub-Areas C and G to ensure a contiguous public open space is created above the parking structures.”

2. THAT City of Kelowna Zoning Bylaw No. 8000, **Schedule ‘B’ - Comprehensive Development Zones, CD22 - Central Green Comprehensive Development, SCHEDULE 8- CD22 Sub-Areas C & G Zoning** be amended by:

- a) Deleting under section **8.1 Permitted Uses** in its entirety that reads:

“The uses set out above are permitted, provided that:

- (a) Off-street vehicular parking and off-street loading must only be sited and located below grade at street level.”

- b) Deleting section **8.3 Density** in its entirety that reads:

“If the lands Sub-Areas C and G are subdivided into two parcels, then the maximum permitted density in each of Sub-Areas C and G shall be the lesser of **Gross Floor Area** of 6500m² or FAR of 1.6; however, if the lands Sub-Areas C and G are not subdivided to create two parcels and constitute a single parcel, then the maximum density permitted density shall be the lesser of **Gross Floor Area** 13,000m² or 1.6 FAR.”

And replacing it with:

- “(a) The maximum permitted FAR in Sub-Area C shall be 2.0.
- (b) The maximum permitted FAR in Sub-Area G shall be 2.0.”

- c) Deleting section **8.6 Setbacks** (b) in its entirety that reads:

“(b) The minimum **rear yard** setback, excluding the parking structure, shall be 12.0m.”

And replacing it with:

“(b) The minimum **rear yard** setback, excluding the parking structure, shall be 7.0 m.”

3. THAT City of Kelowna Zoning Bylaw No. 8000, **Schedule 'B' - Comprehensive Development Zones, CD22 - Central Green Comprehensive Development, SCHEDULE 9- CD22 Sub-Areas D Zoning** be amended by:

- a) Deleting under section **9.1 Permitted Uses** in its entirety that reads:

"The uses set out above are permitted, provided that:

- a) Off-street vehicular parking and off-street loading must only be sited and located below grade at street level."

- b) Deleting section **9.3 Density** in its entirety that reads:

"The permitted density in this CD22 Central Green Sub-Area D must not exceed a **Gross Floor Area** of the lesser of 3,900 m² or an **FAR** of 1.50"

And replacing it with:

"The maximum permitted FAR in Sub-Area D shall be FAR 2.0."

4. THAT City of Kelowna Zoning Bylaw No. 8000, **Schedule 'B' - Comprehensive Development Zones, CD22 - Central Green Comprehensive Development, ANNEXURE 1 - Central Green Development Permit Area Guidelines** be amended by:

- a) deleting Diagram 2.15 Plan CG-1 and replacing it with a new Diagram 2.15 Plan CG-1 as attached to and forming part of this bylaw;
- b) deleting 2.16 Plan Central Green Design Guidelines in its entirety;
- c) deleting 3.0 Sub-Area Guidelines, 3.1.2.6 Towers, sub-section h) and i) be deleted in their entirety that reads;

"h) Maximum Gross Floor Area for all floor levels above podium is 750 m².

- i) The maximum height of the buildings located within CD22 Sub-Area A & B shall be as follows:

- A) the maximum height for the podium is the lesser of 18.0m or 4 storeys, minimum height of podium shall be 10m above grade or 2 storeys;
- B) the maximum height for tower #1 is 60m;
- C) the maximum height for tower #2 is 66m; and;
- D) the maximum height for tower #3 is 72m."

5. 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 28th day of September, 2015.

Considered at a Public Hearing on the 3rd day of November, 2015.

Read a second and third time by the Municipal Council this 3rd day of November, 2015.

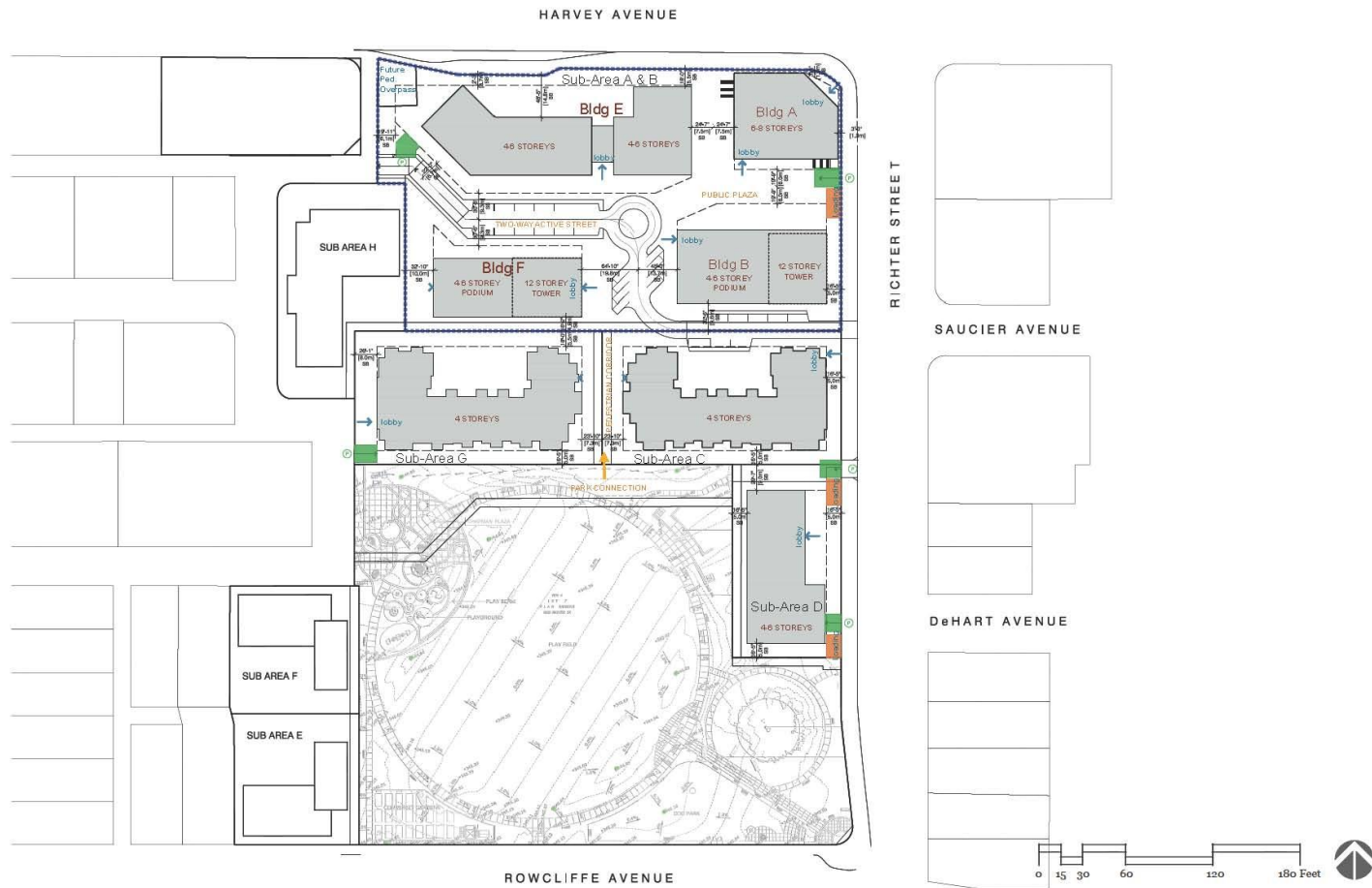
Approved under the Transportation Act 9th day of December, 2015.

Blaine Garrison
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



C22 - Central Green Comprehensive Development Zone
Proposed Text Amendment
Revised June 2015

ARCHITECTURAL & SITE ACCESS PLAN