

REPORT TO COUNCIL



Date: May 10, 2021
To: Council
From: City Manager
Department: Development Planning Department
Subject: TA20-0023

Recommendation

THAT Bylaw No. 12144 be amended at first reading to include the contents of this report;

AND THAT Zoning Bylaw Text Amendment Application TA20-0023 to amend City of Kelowna Zoning Bylaw No. 8000 as indicated in Schedule A and outlined in the Report from the Development Planning Department dated May 10, 2021 be considered by Council;

AND THAT the Zoning Bylaw Text Amendment Bylaw be forwarded to a Public Hearing for further consideration;

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.

Purpose

To amend Zoning Bylaw No. 8000 by amending general fencing height regulations, adding Multiple Dwelling Housing use to C9 and home-base business use to C9 and CD-22, amending tall building urban design regulations in C4, C7 and C9, and to correct inconsistencies.

Background & Discussion

On February 2, 2021, Staff requested that Council defer 2nd and 3rd readings to complete additional consultation with stakeholders in the development industry to discuss amendments to the proposed bylaw changes. Staff engaged in those discussions and are proposing the changes outlined in this report.

Proposed Changes

Section 7 Landscaping and Screening

Staff changed the units of measurement from millimetres to meters to have a single standard of metric system used for consistency throughout the zoning bylaw.

Section 14 Commercial Zones

The allowable floor plate size in downtown Kelowna is currently 1221 m² which was an administrative error from 2017. Staff were proposing to reduce the floor plate size to 750 m² for residential, and 850 m² for commercial & hotel use. Following discussion with the development community, it was determined that the industry standards is to allow for a larger floor plate related to office use because of feasibility and the challenges of leasing smaller footprints. Staff have made an adjustment to increase the floor plate size to 930 m² for office use.

The proposed floor plate sizes, together with other important urban design regulations such as tower separation, building height and podium size are integral to establishing appropriate massing and scale of tall buildings and their impact on surrounding streets, parks, open spaces and properties. Tower floor plate size includes all built area within the building, measured from the exterior of the main walls at each floor above the base building, excluding balconies. Slender, point form towers with compact floor plates cast smaller, faster moving shadows, improve access to sky and mountain views, permit better views between buildings and through sites and contribute to a more attractive skyline. To ensure that these regulations do not eliminate the opportunity for larger mid-rise buildings such as the Innovation Centre and Interior Health building on Ellis St., the floor plate size will not apply unless the building exceeds 12 storeys or 40.0 m in height.

The final adjustment is to the setback requirements above the 4 storey or 16.0 m mark. Staff are proposing to establish a consistent 3.0m setback after the 4 storey or 16.0 m mark. This would reduce the existing sideyard setback from 4.0m to 3.0m and was a request from UDI to provide greater flexibility and building layout efficiency. Overall the setback, helps to recess the upper sections of the building from street view creating a less imposing experience and allowing greater levels of sunlight at street level. No setback will be applied to property lines abutting a rear laneways in order for the developers to achieve efficiency on less prominent elevations. The setback regulation will be included in all major mixed-use urban zones: C4, C7 and C9 zones.

Report prepared by:	Jason Issler, Planning Technician II
Reviewed by:	Jocelyn Black, Urban Planning Manager
Reviewed by:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Summary of Changes