



City of Kelowna
Proposed New Zoning Bylaw
Council Workshop – October 4, 2021

Purpose

- ▶ THAT Council endorse the proposed new Zoning Bylaw process, as outlined in this report from the Development Planning Department Manager, dated October 4, 2021

Agenda

- ▶ Background
 - ▶ Zoning Bylaw
 - ▶ The Official Community Plan
- ▶ Project Purpose
- ▶ Key Objectives
- ▶ Project Stages
- ▶ Communication Strategy
- ▶ Next Steps

What is a Zoning Bylaw?

- ▶ LGA – local governments to regulate land use
- ▶ Assign Zones
 - ▶ Land use
 - ▶ Density
 - ▶ Siting and size of building
- ▶ What can / cannot be built, how land can / cannot be used



Planning Hierarchy

More
Strategic

Regional Growth Strategy

Official Community Plan

- Neighbourhood Plans
- Development Permit Areas

Zoning Bylaw

Subdivision & Servicing Bylaw

Building Bylaw

More
Technical

New Zoning Bylaw - Purpose

- ▶ Alignment - Imagine Kelowna and draft OCP 2040
- ▶ Meet current Provincial legislative requirements
- ▶ Respond to current development
- ▶ Update and consolidate rules and regulation
- ▶ Layout and format improvements

Modernize
User-friendly

Simplify
Progressive

Six Key Objectives

1. Consolidate Zones
2. Consolidate Land Use Categories
3. Update Building Height Regulations
4. Allow Towers and Mid-Rise Buildings in the Capri-Landmark Urban Centre
5. Simplify Density Bonusing Policy
6. Provide a Modernized Zoning Bylaw that will Continue to be Updated as New Policies are Adopted.

Modernize

Objective:

- ▶ Developed to reflect Kelowna's changing needs and goals
- ▶ Reflects the vision of Imaging Kelowna and the new OCP 2040



Modernize: How we did it

Current Zoning Bylaw	New Zoning Bylaw
Second-hand stores Pawnshops Thrift stores Used goods stores Sporting goods stores	Retail



Simplified

Objective:

- ▶ Easier to identify the zones and what is permitted
- ▶ Aid in bylaw conformance
- ▶ Improved developer and public useability
- ▶ Higher customer service outcome



Simplified: How we did it



Current Zoning Bylaw

New Zoning Bylaw

1. Total number of pages

565

216

2. Reduce number of zones across the City

70

36

3. Reduced number of Commercial zones

10

4

4. Remove redundant Comprehensive Development zones

23

5

5. Reduced number of Multi Family Zones

7

4

Simplified: How we did it

Interpretation Section Update

92 definitions removed

14 definitions added

66 definitions simplified to **25** definitions

233 definitions unchanged

from **391**  **272** total definitions



User-Friendly

Objective:

- ▶ Redesigned formatting to allow the end user to navigate and reference the document with ease
 - ▶ New Layout
 - ▶ Table Format
 - ▶ Zoning Charts
 - ▶ Hyperlinks



User-Friendly: How we did it

9.2 Home-Based Businesses

Section 9.2 – Home Based Business Regulations				
Criteria	Minor	Major	Rural	Ground Floor Urban Centre
Operator Restriction	The Home-Based Business must be operated by a resident who resides for more than 240 days of the year and no exterior storage or exterior operation shall be permitted.			
Location	The Home-Based Business shall be conducted within the principal dwelling unit.	The Home-Based Business shall be conducted within in a principal dwelling unit or one accessory building or structure	The Home-Based Business shall be conducted within the principal dwelling unit.	
Residential Character	No variation from the residential character and appearance of land or buildings shall be permitted and no external structural change to any principal building or accessory building or structure for the purpose of accommodating the home-based business shall be permitted.			n/a
Neighbourhood Nuisance	No nuisance from noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the home-based business and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the Home-Based Business shall not adversely affect the amenities of the neighbourhood			
Maximum Number of Clients / Visitors	One client visit to the site from which the business is being operated on any given day	Two clients to the site from which the business is being operated at any given time. ¹	No restriction	
Employee Restriction	No person other than the principal residents of the dwelling unit can be engaged in the Home-Based Business onsite.	One person maximum other than the principal residents of the dwelling unit can be engaged in the Home-Based Business onsite. ²	Two persons maximum other than the principal residents of the dwelling unit can be engaged in the Home-Based Business onsite.	
Display Restriction	Sale and / or display of any goods exclusively produced onsite or those goods which constituting the finished product of the home-based business is permitted.			n/a
Food Catering Restriction	A food catering business operating lawfully within a dwelling may establish one additional kitchen provided that its installation is required by the Health Authority and that the kitchen must be removed should the Home-Based Business use cease. The additional kitchen is not permitted to be utilized to establish an additional dwelling .			n/a
Commercial Vehicle Restriction	No parking of commercial vehicles larger than 4,100 kg gross vehicle weight.			

- ▶ New Layout
- ▶ Table Format

Section 9 – Specific Use Regulations

Definitions	General Rules	Landscaping	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Zones	Multi-Family Zones	Non-Residential Zones	CD Zones



User-Friendly: How we did it

► Zoning Charts

The image displays a grid of 17 pages of zoning regulations and charts for Single Family Zones. A large blue arrow points from the left side of the grid to the right side, with the text "17 pages to 7 pages" written inside it. The pages are organized into columns and rows, showing various zoning codes and their corresponding regulations. The right side of the grid shows more detailed zoning charts with tables and text.

Single Family Zones



User-Friendly: How we did it

► Hyperlinks

6.3 Lighting	34
6.4 Setback from Provincial Highways	35
6.5 Utility Services and Cabinets	35

6.4 Setback from Provincial Highways

- 6.4.1 All [Buildings](#) and [structures](#) on lots [abutting](#) Highway 97 or Highway 33, shall not be closer than 4.5 m to any [lot line abutting](#) t highway.

ABUT or ABUTTING means immediately contiguous to, or physically touching, and when used with respect to **lots** or **sites** means two that share a common [property line](#).

Section 2 – Definitions

Definitions	General Rules	Landscaping	Parking / Parking Table	Specific Uses
Agriculture & Rural Zones	Single Family Homes	Multi-Family Zones	Non-Residential Zones	CD Zones

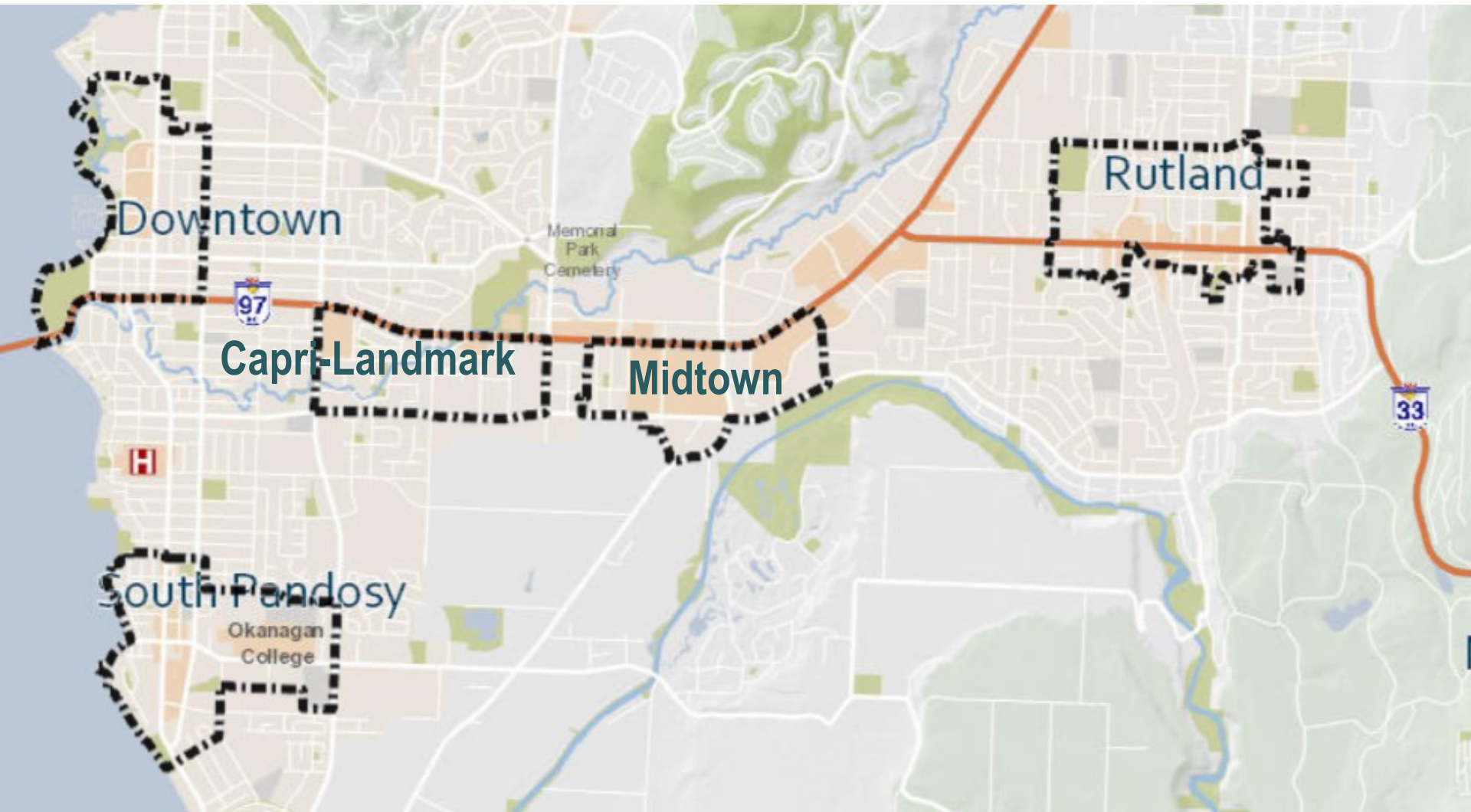
Progressive

Objective

- ▶ Designed to grow and develop along with our growing City
 - ▶ Integrated provincial agriculture regulations
 - ▶ BC Building Code with six-storey buildings
 - ▶ Urban Centre zones



Progressive: How we did it



Source: Draft 2040 OCP



Alignment with the OCP

2040 OCP	New Zoning Bylaw
Urban Centres	Urban Centres: UC ₁ -UC ₅
Village Centres	Multi Family: MF ₁ -MF ₄ Commercial: C ₁ , C ₃ Institutional: P ₁ -P ₅ Tourist Commercial: TC ₁
Core Area Neighbourhood	Single Family: RU ₃ , RU ₄ Multi Family: MF ₁ -MF ₄ Commercial: C ₁ , C ₃
Suburban - Residential	Single Family: RU ₁ -RU ₅
Suburban – Multi Unit	Single Family: RU ₁ -RU ₅ Multi Family: MF ₁ -MF ₃

Alignment with the OCP

2040 OCP: Suburban – Multi Unit Summary

Supported Uses	Supported Forms	Density (FAR)
<ul style="list-style-type: none">•Single and two dwelling residential•Ground oriented multi-dwelling residential•Low rise apartments•Secondary suites and carriage houses	<ul style="list-style-type: none">•Attached and detached buildings up to 4 storeys	Up to approx. 1.3



New Zoning Bylaw

Proposed Zones	Uses and Forms	Density (FAR)
RU1 to RU5	<ul style="list-style-type: none">•Single, semi-detached, duplex housing•Carriage house•Secondary suite	N/A
MF1 to MF3	<ul style="list-style-type: none">•Semi-detached, duplex housing•Ground oriented and stacked townhouse•Low rise apartment	0.8 to 1.3

Project Process



Collaboration

Zoning Bylaw

1. Staff Members	32
2. Work Groups	10
3. Inter-departmental Meetings	76
4. Work Group Hours	130
5. GIS/Mapping Coordination Hours	140
6. Action items	790



Process Roadmap

Oct 2020 -
Mar 2021

- **Stage 1: Project Initiation**
- Internal Coordination
- Project Charter
- Communication and Stakeholder Engagement Plan

Jan - Aug
2021

- **Stage 2: Research and Analysis**
- Technical work group engagement, review and discussions
- Review and research regulations

Oct 2020 -
Oct 2021

- **Stage 3: Draft New Zoning Bylaw**
- Ministerial stakeholder engagement
- Applicable Advisory Committee(s) engagement
- 1st Draft complete – Sr. Review
- ***Council Workshop – Oct 4, 2021***



Process Roadmap

Est. Oct 2021
– Jan 2022

- **Stage 4: Stakeholder Engagement**
- Engagement Plan implementation
- Public information and consultation
- Zoning Bylaw revisions

Est. Feb -
Apr 2022

- **Stage 5: Revised New Zoning Bylaw**
- Report to Council - Initial Consideration
- Report to Council - Public Hearing
- Zoning Bylaw refinements

Est. Apr 2022
+

- **Stage 6: Implementation**
- Ministerial Sign off
- Zoning Bylaw Adoption
- User Guide and implementation

Communication Strategy

- ▶ Provide an opportunity to stakeholders to be informed
- ▶ Engage with identified stakeholders by involvement
- ▶ Seek feedback on the proposed changes



Stakeholder Engagement Timeline

Council
Workshop

Oct 4, 2021

First Draft of
the new Zoning
Bylaw

Oct 2021

Stakeholder
Engagement

Oct & Nov 2021

Revisions &
Final Version

Est. Nov 2021 –
Jan 2022

Council Initial
Consideration

Est. early
winter 2022



Next Steps

Key Milestones	Estimated Date
<i>Council - Project Workshop</i>	<i>October 4, 2021</i>
Stakeholder Engagement	Early Oct-Early Nov 2021
Council – Initial Consideration	Early Winter 2022
Council – Public Hearing	Early Spring 2022
Ministerial Approvals and Sign-off	Early Spring 2022
Council - Adoption	Mid-Spring 2022
New Zoning Bylaw Implementation	Mid- Spring 2022



Conclusion of Staff Remarks