

Executive Summary of Key Zoning Bylaw Changes

ATTACHMENT A
 This forms part of application # BL12375
 Planner Initials BC
 City of Kelowna
 DEVELOPMENT PLANNING



Table 1: Changes Affecting Multiple Sections

Topic	Section(s) Affected	Key Changes
Base & Bonus Density	Section 13.6 – <i>Multi Dwelling Density and Height Development Regulations</i> Section 14.14 – <i>Core Area and Other Zones Density and Height</i>	<ul style="list-style-type: none"> • The base FAR is the same or increased from Zoning Bylaw 8000. • Bonusing allows an increase in density beyond the base FAR. Density bonuses are available for use of the rental subzone, affordable housing, or for contributions to the streetscape fund. • A detailed analysis of past projects within the City of Kelowna and the FAR achieved within these projects helped inform the proposed density. While density was generally increased, it is intended to not be artificially high so as to lead to height variances and to coordinate other key development regulations like parking, setbacks, and site coverage. • Heights follow 2040 OCP policy and the 2040 OCP Building Height maps for Urban Centres. • Development Variance Permits for heights in excess of the 2040 OCP Building Height Maps do not require amendments to the 2040 OCP. • FAR is consistent per height category.
Height & Grade	Section 2.3 - <i>General Definitions</i> Sections 10 to 15 - <i>Development Regulations</i>	<ul style="list-style-type: none"> • Measurement of height has been simplified to ensure consistency and ease of use. • Height restrictions based on the number of storeys have been removed. Instead, height is regulated simply by the dimension (meters). • Height is now measured from finished grade. The definition of finished grade has been updated based on best practices of other municipalities and in coordination with development industry. • Height must now be measured from every point along the edge of the building at the finished grade and height must be within the maximum dimension at every point.
Landscaping	Section 7.2 – <i>Tree and Landscaping Planting Requirements</i>	<ul style="list-style-type: none"> • There are now minimum ground cover and tree requirements within landscape areas. This includes the front and rear setback. • This is intended to ensure that setbacks are appropriately landscaped and provides for masking or separation of various land uses.
Minimum Buildable Area	Section 2.3 - <i>General Definitions</i> Section 11.4 – <i>Single and Two Dwelling Subdivision Regulations</i>	<ul style="list-style-type: none"> • Single and Two Dwelling zone and Rural Residential zone subdivision regulations now have a minimum buildable area required. • This regulation is intended to ensure that there is an adequate buildable area for new proposed lots that is not limited by areas with geotechnical or environmental considerations. • The area dimensions come from an analysis of previous subdivisions and in coordination with development industry.

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Topic	Section(s) Affected	Key Changes
Site Coverage	Section 2.3 - <i>General Definitions</i> Sections 10 to 15 - <i>Development Regulations</i>	<ul style="list-style-type: none"> • Site coverage regulations have been updated to include all impermeable surfaces. • This is to ensure that there is a reasonable expectation of on-site storm water infiltration on any lot. Impermeable surfaces that were previously excluded from site coverage calculations have now been included (ex: swimming pools). • Impermeable surfaces are defined based on their run-off co-efficient. Common material run-off coefficients have been included in the definition.
Use Categories	Section 2.3 - <i>General Definitions</i> Sections 10 to 15 – <i>Permitted Land Uses</i>	<ul style="list-style-type: none"> • Use categories have been updated and simplified. The permitted uses were reviewed in coordination with the Business Licensing Department to ensure consistency and reviewed with respect to DCC implementation to clarify differences between commercial and industrial uses. • A variety of retail uses (ex: convenience, service commercial, general retail, thrift stores, liquor stores) that used to be separate have been consolidated into “Retail.” • Land Use categories of offices and professional services have been refined. Offices primarily include uses that are not inherently client-oriented and could function without directly serving customers entering from the street. • Professional services, by contrast, primarily function by offering services to the public. Professional services are permitted on the ground floor of buildings, while offices are restricted to upper floors.

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Table 2: Section 10 - Agriculture & Rural Residential Zones

Topic	Section(s) Affected	Key Changes
Purpose of Agricultural Zones	Section 10 - <i>Agricultural and Rural Residential Zones</i>	<ul style="list-style-type: none"> • The A1 – Agriculture zone will apply to all properties that are within the ALR. • The A2 – Agriculture / Rural Residential zone, will apply to agricultural properties that are not within the ALR. • The appropriate agricultural zone will be allocated to all parcels based on their ALR status. This includes properties within the ALR to which ALR rules do not apply (based on the date the parcel was created and its size) and properties within the ALR which previously were not zoned A1. • Zoning based on ALR status provides more clarity as to which rules apply to ALR and non-ALR land. • The zoning will better align with Provincial legislation, policies, and regulations affecting ALR land. • The Agricultural zones align with the 2040 OCP Future Land Use designation of R-AGR – Rural Agricultural and Resource. • Second dwellings within the ALR have been updated as per the updated ALC regulations.
Agricultural Zones - Permitted Land Uses	Section 10.3 - <i>Permitted Land Uses</i>	<ul style="list-style-type: none"> • In consultation with Ministry of Agriculture and Agricultural Land Commission staff, the permitted land uses in the Agricultural zones were revised to comply with Provincial legislation, regulations, and policies.
Purpose of Rural Residential Zones	Section 10 - <i>Agricultural and Rural Residential Zones</i>	<ul style="list-style-type: none"> • Three Rural Residential zones have been consolidated into two Rural Residential zones. • The RR1 and RR2 zones have been combined as RR1 – Rural Residential 1 in the new Zoning Bylaw 12375 as they only had minor differences in Zoning Bylaw 8000. • The previous RR3 zone is now the RR2 – Rural Residential 2 zone and remains intended for small rural residential lots without services. • The Rural Residential align with the 2040 OCP Future Land Use designation of R-RES – Rural Residential. • Within the Suburban areas, properties were updated as per OCP policy based on their access to sewer; lots with access to sewer are zoned an urban residential zone, whereas, lots without access to sewer are zoned a rural residential zone.

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Rural Residential Zones - Permitted Land Uses	Section 10.3 - <i>Permitted Land Uses</i>	<ul style="list-style-type: none">• Consolidation of Rural Residential zones also consolidated permitted land uses to simplify zoning analysis and ensure permitted uses in Rural Residential zones are consistent with the new 2040 OCP.
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Table 3: Section 11 – Single and Two Dwelling Zone

Topic	Section(s) Affected	Key Changes
Purpose of Single and Two Dwelling Zones	<ul style="list-style-type: none"> Section 11 – <i>Single and Two Dwelling Zones</i> 	<ul style="list-style-type: none"> The Single and Two Dwelling Zones align with the 2040 OCP Future Land Use designations of S-RES – Suburban Residential and C-NHD – Core Area Neighbourhood.
Childcare Centre subzone	<ul style="list-style-type: none"> Section 11.2 – <i>Sub-Zones</i> 	<ul style="list-style-type: none"> Previously, a rezoning to the P2 – Education and Minor Institutional zone was required to allow childcare facilities in single and two dwelling neighbourhoods. Childcare integrates well within existing neighbourhoods and the new subzone will make it easier to adapt existing buildings into childcare centres and encourage childcare units in neighbourhoods.
Suites in RU4 Zone	<ul style="list-style-type: none"> Section 11.3 – <i>Permitted Land Uses</i> 	<ul style="list-style-type: none"> Each principal dwelling unit can have one secondary suite or carriage house (ex: each side of a duplex can have a secondary suite).

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Table 4: Section 13 - Multi-Dwelling Zones

Topic	Section(s) Affected	Key Changes
Purpose of Multi-Dwelling Zones	Section 13 – <i>Multi-Dwelling Zones</i>	<ul style="list-style-type: none"> • The Multi-Dwelling zones were overhauled and simplified in accordance with the new 2040 OCP and align with the 2040 OCP Future Land Use designation of C-NHD – Core Area Neighbourhood. • Zones were created per typology of Multi-Dwelling development (infill, townhouses, and apartment forms).
Permitted Uses in Multi-Dwelling Zones	Section 2.3 - <i>General Definitions</i> Section 13.3 – <i>Multi Dwelling Permitted Land Uses</i>	<ul style="list-style-type: none"> • Selective commercial uses have been added to the MF3 – Apartment Housing zone on Transit Supportive Corridors to provide more flexibility within this zone. This allows the zone to be applicable to more situations and follow the direction of the 2040 OCP that supports commercial space on key corridors. • Office uses were intentionally excluded as being inconsistent with 2040 OCP direction. • The new land use, Home-Based Business, Urban Centre & Corridor, is intended to facilitate home-based business on Transit Supportive Corridors within ground-oriented townhouses or apartments with direct access to the sidewalk. They do not have a restriction on the number of visiting clients or require any additional parking stalls.

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Table 5: Section 14 - Core Area and Other Zones: *Urban Centres and Village Centres*

Topic	Section(s) Affected	Key Changes
Purpose of Core Area Mixed Use Zone	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> The purpose of the Core Area Mixed Use zone is to provide an intensive, mixed-use zone, for use outside of Urban Centres. It is intended for properties that are adjacent to Transit Supportive Corridors or a Provincial highway. It is similar to the MF3 – Apartment Housing Zone but provides a larger floor area ratio and higher heights, based on 2040 OCP Policy. The Core Area Mixed Use zone aligns with the 2040 OCP Future Land Use designation of C-NHD – Core Area Neighbourhood.
Purpose of Urban Centre Zones	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> New Urban Centre zones apply to each separate Urban Centre. This allows differences between regulations for each Urban Centre and will allow further refinement of Urban Centre zones in accordance with future planning of individual Urban Centres. They are intended to translate 2040 OCP height, density, and commercial frontage policies into regulations. The Urban Centre zones align with the locations of the various Urban Centres and the 2040 OCP Future Land Use Designation of UC – Urban Centre.
Permitted Uses in Urban Centre Zones	Section 14.9 – <i>Permitted Principal and Secondary Land Uses in Core Area and Other Zones</i>	<ul style="list-style-type: none"> Permitted uses for ground floor of buildings within the Urban Centre zones are based on the 2040 OCP retail street maps that describe the intended character of streets in the Urban Centres.
Purpose of Village Centre Zones	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> The Village Centre Zone provides different height and density regulations between the different Village Centres identified in the 2040 OCP, but the rest of the development regulations are the same. The Village Centre zone aligns with the 2040 OCP Future Land Use designation of Village Centre.
Front Yard Setbacks in Ground-Oriented Units	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> Front yard setbacks for ground-oriented units are 2 m from property line if certain conditions are met requiring usable space on the ground floor and a maximum height from the curb. This encourages true ground-oriented units with usable space on the ground floor. Front yard setbacks for ground-oriented units have been increased from 1.5 m in Zoning Bylaw 8000 to 2 m based on best practices from other municipalities. The purpose is to

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Topic	Section(s) Affected	Key Changes
		create a usable transition space between the sidewalk and the unit that is not obstructed.
Building Stepback	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> • A 3.0 m building stepback for buildings that are 5 storeys or greater is intended to reduce perceived massing of buildings and implement 2040 OCP design guidelines requiring articulation.
Site Coverage in Urban Centre Zones	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> • Site coverage in Urban Centre zones vary based on the retail street maps within the 2040 OCP.
Minimum Density along Transit Supportive Corridor	Section 14.14 – <i>Core Area and Other Zones Density and Height</i>	<ul style="list-style-type: none"> • Minimum densities along Transit Supportive Corridor are based on a 2-lot consolidation. It is lower for properties without a lane due to the need for on-site drive aisles. • It aligns with 2040 OCP Policy that encourages larger consolidations in order to meet density goals.
Maximum Parkade Exposure	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> • New regulations limiting maximum parkade exposure align with 2040 OCP policy that encourages ground-oriented residential buildings and design guidelines that discourage large, blank walls.
Common Amenity Space	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> • Common amenity space is now required in all multiple dwelling developments including townhouses. • This replaces previous requirements for private open space. It allows common amenity space to be provided indoors or outdoors and provides flexibility for the provision of amenity space within a development.

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Table 5: Section 14 - Core Area and Other Zones: *Commercial and Industrial Zones*

Topic	Section(s) Affected	Key Changes
Purpose of Commercial Zones	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> The new Commercial zones represent a consolidation and simplification of existing zones. They are intended to translate 2040 OCP height and density policy into regulation. The C2 – Vehicle Oriented Commercial zone primarily aligns with the 2040 OCP Future Land Use designation of RCOM – Regional Commercial. The C1 – Local & Neighbourhood Commercial zones aligns with a variety of 2040 OCP designations.
Permitted Uses in the Commercial Zones	Section 14.9 – <i>Permitted Principal and Secondary Land Uses in Core Area and Other Zones</i>	<ul style="list-style-type: none"> Both commercial zones have increased permissibility in allowing office uses in upper storeys. Liquor production has a restricted floor area in Commercial Zones. This is to limit the proliferation of industrial uses (liquor production) in commercial areas.
Commercial Ground-Oriented Unit Setbacks	Section 14.11 – <i>Commercial and Urban Centre Zone Development Regulations</i>	<ul style="list-style-type: none"> New proposed setback regulations for ground-oriented commercial units align with new Official Community Plan guidelines for streetscape. Commercial units can be 0 m from property line provided that the building face is at least 6.0 m from the back-of-curb. This is intended to provide adequate space for patios and support policies in the 2040 OCP related to the public realm, public-private interface, streetscape animation. It also serves a practical purpose ensuring there is room for pedestrian circulation, boulevards, bus stops, street furniture etc.
Purpose of Industrial Zones	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> The Industrial zones align with the 2040 OCP Future Land Use Designation of IND – Industrial.
Permitted Uses in Industrial Zones	Section 14.9 – <i>Permitted Principal and Secondary Land Uses in Core Area and Other Zones</i>	<ul style="list-style-type: none"> Liquor tasting rooms have a restricted floor area in Industrial zones. This is to limit the proliferation of commercial uses (liquor service) in industrial areas.
Setbacks in Industrial Zones	Section 14.12 – <i>Industrial, Institutional and Water Zone Development Regulations</i>	<ul style="list-style-type: none"> Some setback requirements in the Industrial zones have been reduced. As front and rear yard setbacks now need to be landscaped, this ensures landscaped requirements are not excessive.

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Topic	Section(s) Affected	Key Changes
		<ul style="list-style-type: none">• Reducing front yard setbacks also reduces the demand to place parking in front of industrial buildings. Some Industrial zones prohibited parking in front yards. This will reduce unused space on industrial sites.

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Table 6: Section 14 - Core Area and Other Zones: *Health District Zones*

Topic	Section(s) Affected	Key Changes
Purpose of Health District Zones	Section 14 – <i>Core Area and Other Zones</i>	<ul style="list-style-type: none"> • The Health District zones align with the 2040 OCP Future Land Use designations of EDINST – Educational / Institutional and C-HTH – Core Area Health District. • The HD 1 – Kelowna General Hospital zone is intended for the hospital campus. • The HD2 – Residential and Health Support Services zone is a consolidation of the existing HD2 and HD3 zones.
Former HD3 Properties	Section 9.2 – <i>Home Based Business Regulations</i>	<ul style="list-style-type: none"> • Properties that were formerly zoned HD3 retain additional home-based business permissions which remove limits on the number of clients on site for major home-based businesses conducting health services.

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Table 7: Section 15 – Comprehensive Development Zones

Topic	Section(s) Affected	Key Changes
Purpose of CD Zones	<ul style="list-style-type: none"> Section 15 – <i>Comprehensive Development Zones</i> 	<ul style="list-style-type: none"> The CD section saw significant reduction in number of zones, from 23 in the existing to six in the new zoning bylaw. The remaining CD zones are those that are still under development or have future phases to be developed. The CD zones that were eliminated are those developments that have built out or are not able to be built out.
CD17 – Mixed Use Commercial – High Density Zone	<ul style="list-style-type: none"> Section 15.3 – <i>CD17 Zone</i> 	<ul style="list-style-type: none"> The purpose is to provide a zone for existing large scale mixed-use commercial / residential developments in the Core Area but outside Urban Centres. This zone is intended to capture lots that have already been constructed prior to the adoption of this bylaw in which the densities and scale of development is generally beyond those recommended by policies outlined in the 2040 OCP.