

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 Guildines”, 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 22nd day of April, 2024

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

Mayor

City Clerk