

### Content Changes to Zoning Bylaw No. 12375

| No. | Section   | Current Wording   | Proposed Wording  | Reason for Change  |
|-----|---|---|---|--|
| 1.  | Section 5 – Definitions & Interpretations – Building Envelope Area                        | BUILDING ENVELOPE AREA means the remainder area of a lot after excluding the setbacks areas and all areas of the lot that have a 'no build' restrictive covenant or a 'no disturb' restrictive covenant for any environmental or geotechnical purposes. (See Figure 5.2).   | BUILDING ENVELOPE AREA means the remainder area of a lot after excluding the setbacks areas and all areas of the lot that have a 'no build' restrictive covenant or a 'no disturb' restrictive covenant for any environmental or geotechnical purposes, <u>or easements &amp; statutory rights-of-way</u> . (See Figure 5.2).   | Ensure any legal restriction on a lot is captured in the definition.   |
| 2.  | Section 5 – Definitions & Interpretations – Common and Private Amenity Space.             | COMMON AND PRIVATE AMENITY SPACE means a useable open space area, exclusive of parking spaces, which is developed for the recreational use of the residents and includes: indoor common amenity space, outdoor common space, common terraces, common rooftop spaces, private decks, level landscaped recreation areas, and balconies. Landscaped areas required in Section 7 cannot be counted towards common and private amenity space.  | COMMON AND PRIVATE AMENITY SPACE means a useable open space area, exclusive of parking spaces, which is developed <u>exclusively</u> for the recreational use of the residents and includes: indoor common amenity space, outdoor common space, common terraces, common rooftop spaces, private decks, level landscaped recreation areas, and balconies. Landscaped areas required in Section 7 cannot be counted towards common and private amenity space.   | To clarify areas such as lobbies are excluded from the common and private amenity space calculations.  |
| 3.  | Section 5 - Definitions & Interpretations – Growing Medium                                | GROWING MEDIUM means the material that plants grow in. Growing medium shall follow the standards identified in the Canadian Landscape Standard (CLS).   | delete  | Replace the term Growing Medium with Soil Volume to clarify the intended meaning.  |
| 4.  | Section 5 - Definitions & Interpretations – Infill Housing                                | n/a   | INFILL HOUSING means any form of development on a lot within the C-NHD - Core Area Neighbourhood or the S-RES – Suburban Residential future land use designation outlined within the OCP that contains or will contain three to six dwelling units and / or any form of development on a MF <sub>1</sub> , MF <sub>4</sub> , RU <sub>1</sub> , RU <sub>2</sub> , or RU <sub>3</sub> zoned lot that contains or will contain three to six dwelling units.  | Clarify meaning of infill housing to be able to quote landscape regulations for infill housing developments.   |
| 5.  | Section 5 – Definitions & Interpretations – Lot Line, Front – Urban and Rural Residential | LOT LINE, FRONT – URBAN AND RURAL RESIDENTIAL means, in the case of an interior lot, a lot line separating the lot from the street; or in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street not including a corner rounding or corner cut; or for a lot configuration that is not otherwise described in this definition, front lot line as approved by the Director of Planning & Development Services                              | LOT LINE, FRONT – URBAN AND RURAL RESIDENTIAL means, in the case of an interior lot, a lot line separating the lot from the street <u>or bareland strata road</u> ; or in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street not including a corner rounding or corner cut; or for a lot configuration that is not otherwise described in this definition, front lot line as approved by the Director of Planning & Development Services                            | Specifying that front lot lines apply to Bareland Strata roads   |
| 6.  | Section 5 - Definitions & Interpretations – Short-Term Rental Accommodation               | SHORT-TERM RENTAL ACCOMMODATION means the use of a dwelling unit or one or more sleeping units within a dwelling unit for temporary overnight accommodation for a period of 29 days or less. This use excludes hotels and motels. Short-term rental accommodations shall not be permitted to operate within a boarding or lodging house, a carriage house, a group home, or within a secondary suite.<br><br>See Section 9.10 for Short Term Rental Accommodation Specific Regulations. | SHORT-TERM RENTAL ACCOMMODATION means the use of a dwelling unit or one or more sleeping units within a dwelling unit for temporary overnight accommodation for a period of <u>time of less than 90 consecutive days</u> . This use excludes hotels and motels. Short-term rental accommodations shall not be permitted to operate within a boarding or lodging house, a carriage house, a group home, or within a secondary suite.<br><br>See Section 9.10 for Short Term Rental Accommodation Specific Regulations. | The provincial Short-Term Rental Accommodations Act defines short-term rental as a period of time of less than 90 consecutive days. This change will ensure the City's Zoning Bylaw definition of a Short-Term Rental is consistent with provincial legislation to avoid any possible discrepancies. |
| 7.  | Section 5 - Definitions & Interpretations – Soft Landscaping                              | n/a   | SOFT LANDSCAPING means soil-based groundcover within the landscape area, including landscaping with a minimum 150mm of growing medium and plants including natural turf, ground covers such as perennials and grasses, shrubs and trees. Soft landscaping does not include areas without growing medium and plant materials such as areas that are predominately rock, artificial turf, rubberized surfacing or hard surfacing such as but not limited to pavers.   | Replace the term Growing Medium Area with Soft Landscaping to clarify the intended meaning of the regulation.  |

| No. | Section   | Current Wording   | Proposed Wording  | Reason for Change   |
|-----|---|---|---|---|
| 8.  | Section 5 - Definitions & Interpretations – Soil Volume   | n/a   | SOIL VOLUME means the growing medium material that plants grow in. The growing medium shall follow the standards identified in the Canadian Landscape Standard (CLS).   | Replace the term Growing Medium with Soil Volume to clarify the intended meaning.   |
| 9.  | Section 5 – Definitions & Interpretations – Stepback  | STEPBACK means the horizontal recessing of the building facade above a specified storey. Common stairwells, elevators, and the associated common floor areas that access the stairwells and elevators are exempt from requiring to meet the stepback. See illustrative figures for visual representation below: | STEPBACK means the horizontal recessing of the building façade, <u>measured from the face of the building wall</u> , above a specified storey. Common stairwells, elevators, and the associated common floor areas that access the stairwells and elevators are exempt from requiring to meet the stepback. <u>Eaves can project into the stepback no greater than 0.6 meters</u> . See illustrative figures for visual representation below: | Eaves can be permitted in stepback area and clarify where the setback is measured from.   |
| 10. | Section 6 – General Development Regulations – 6.1 – Swimming Pools – 6.1.1                                  | Swimming pools shall not be located in a required front yard setback.   | Swimming pools shall not be located in a required front yard <u>or flanking side yard</u> setback.  | Capture corner lots   |
| 11. | Section 6 – General Development Regulations – 6.1 – Swimming Pools – 6.1.3                                  | At grade swimming pools shall be located at a minimum of 0.9 metres from side lot line and rear lot line and 1.5 metres from any street, except for a required front yard.  | At grade swimming pools shall be located at a minimum of 0.9 metres from side lot line and rear lot line and 1.5 metres from any street, except for a required front <u>or flanking side yard</u> .   | Capture corner lots   |
| 12. | Table 7.2 – Tree & Landscaping Planting Requirements  | <a href="#">See Chart A</a>   | <a href="#">See Chart B</a>   | Adjust the minimum soil volume per tree based on feedback from Landscape Architects. Expand the overhead power line provision to all developments. Clarify which category of landscape requirements MF4 developments are assigned. Adjust the setback from trees to buildings above the second storey. Reorganize the table to have less footnotes. |
| 13. | Section 7.5 Site Layout – Fencing and Retaining Walls   | <a href="#">See Chart C</a>   | <a href="#">See Chart D</a>   |   |
| 14. | Section 8 – Parking & Loading - Table 8.2.7.a Dimensions of Parking Spaces and Drive Aisles – Drive Aisles: | One way drive aisles (60 degree parking)  | One way drive aisles (60-degree parking <u>or greater</u> )   | To specify drive-aisle requirements for parking greater than 60 degrees.  |

| No. | Section  | Current Wording   | Proposed Wording   | Reason for Change  |
|-----|--|---|--|--|
| 15. | Section 8 – Parking & Loading – Table 8.2.17 Amount of Accessible Parking Spaces               | <a href="#">See Chart E</a>   | <a href="#">See Chart F</a>  | To ensure Universal Accessible spaces are not triggered with MF1 developments and only begin with MF2 developments.  |
| 16. | Section 8.2.6 Off-Street Parking Regulations – Tandem Parking                                  | Tandem parking spaces are permitted only for:<br>(a) developments with 6 or less dwelling units but only one tandem parking space is permitted in front of any garage or carport; or<br>(b) townhouses with 7 or more dwelling units where the lot is located within the Core Area. Visitor parking stalls cannot be configured in tandem.”;  | Tandem parking spaces are permitted only for:<br>(a) developments with 6 or less dwelling units and:<br>i. <u>only one tandem parking space is permitted in front of any garage or carport;</u><br>ii. <u>a tandem space cannot be used for different principal dwelling units;</u><br>iii. <u>parking spaces for secondary suites, carriage houses, and Child Care Centre, Major can be in tandem with the principal dwelling unit(s).</u><br>(b) townhouses with 7 or more dwelling units where the lot is located within the Core Area and:<br>i. <u>visitor parking stalls cannot be configured in tandem;</u><br>ii. <u>a tandem space cannot be used for different principal dwelling units.</u> | Add tandem parking for Child Care Centre, Major as predominantly the use is for pickups and drop offs. Permitting a tandem configuration will provide more opportunity for Child Care in residential neighbourhoods. Clarifying tandem parking is not to be used between principal dwelling units. |
| 17. | Table 8.3 – Required Residential Off-Street Parking Requirements – Footnote 12                 | Except secondary suites and carriage houses only require 1.0 space per dwelling unit. The parking spaces for the secondary suites and carriage houses can be located in the driveway and in tandem with the single detached dwelling parking as long as two additional off-street parking spaces are provided for the principal dwelling. Notwithstanding Section 8.1.4, parking for secondary suites or carriage houses can be surfaced with a dust-free material. | Except secondary suites and carriage houses only require 1.0 space per dwelling unit.  | This footnote only refers to agricultural and rural residential lots, therefore the tandem provisions were reallocated into Section 8.2.6 Tandem Parking.  |
| 18. | Residential Parking Exemptions Map 8.3.d Rutland Exchange                                      | <a href="#">See Chart G</a>   | <a href="#">See Chart H</a>  | The original map missed one property (165 Dougall Rd S) that is within the Transit Oriented Area.  |
| 19. | Section 10 – Agriculture & Rural Residential Zones - 10.3 – Permitted Land Uses – footnote .6  | <sup>.6</sup> Maximum one single detached dwelling or mobile home per lot, unless another residence is permitted within the Agriculture Land Reserve as described in the Agricultural Land Commission Act (and related regulation and policy).  | <sup>.6</sup> Maximum one mobile home per lot.   | To ensure only one mobile home per lot.  |
| 20. | Section 10 – Agriculture & Rural Residential Zones - 10.3 – Permitted Land Uses – footnote .13 | NA  | <sup>.13</sup> Maximum of one Single Detached Dwelling unit is permitted per lot, except on A1 zoned ALR land when another residence is permitted within the Agriculture Land Reserve as described in the Agricultural Land Commission Act (and related regulation and policy).  | To ensure only one Single Detached Dwelling per lot.   |

| No.                      | Section  | Current Wording  | Proposed Wording  | Reason for Change  |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
|--------------------------|--|--|---|--|-----|-----|-----|--------------------------|----------------|---|---|---|---|--|-----|-----|-----|-----|--------------------------|-----------------|-----------------|-----------------|-----------------|--|
| 21.                      | Section 10 – Agriculture & Rural Residential Zones - 10.3 – Permitted Land Uses – Single Detached Dwelling                 | <table border="1"> <thead> <tr> <th></th> <th>A1</th> <th>A2</th> <th>RR1</th> <th>RR2</th> </tr> </thead> <tbody> <tr> <td>Single Detached Dwelling</td> <td>P<sup>6</sup></td> <td>P</td> <td>P</td> <td>P</td> </tr> </tbody> </table>  |   | A1   | A2  | RR1 | RR2 | Single Detached Dwelling | P <sup>6</sup> | P | P | P | <table border="1"> <thead> <tr> <th></th> <th>A1</th> <th>A2</th> <th>RR1</th> <th>RR2</th> </tr> </thead> <tbody> <tr> <td>Single Detached Dwelling</td> <td>P<sup>13</sup></td> <td>P<sup>13</sup></td> <td>P<sup>13</sup></td> <td>P<sup>13</sup></td> </tr> </tbody> </table> |  | A1  | A2  | RR1 | RR2 | Single Detached Dwelling | P <sup>13</sup> | P <sup>13</sup> | P <sup>13</sup> | P <sup>13</sup> | Add required footnote beside the principal use in each zone to footnote .13.   |
|                          | A1   | A2   | RR1   | RR2  |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
| Single Detached Dwelling | P <sup>6</sup>   | P  | P   | P  |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
|                          | A1   | A2   | RR1   | RR2  |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
| Single Detached Dwelling | P <sup>13</sup>  | P <sup>13</sup>  | P <sup>13</sup>   | P <sup>13</sup>  |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
| 22.                      | Section 10 – Agriculture & Rural Zones – 10.3 Permitted Land Uses – Footnotes .12  | <sup>12</sup> [Deleted]  | <sup>12</sup> <u>A bed &amp; breakfast can only occur if there is only one dwelling unit on the lot.</u>  | Addition of a regulation that was removed in error, and mirrors the wording of bed & breakfast regulations in the RU1, RU2 and RU3 zones.        |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
| 23.                      | Section 13 – Multi-Dwelling Zones - Section 13.3 Multi-Dwelling Zones Permitted Land Uses – MF1 – Child Care Centre, Major | <table border="1"> <thead> <tr> <th></th> <th>MF1</th> <th>MF2</th> <th>MF3</th> <th>MF4</th> </tr> </thead> <tbody> <tr> <td>Child Care Centre, Major</td> <td>S</td> <td>S</td> <td>S</td> <td>S</td> </tr> </tbody> </table>  |   | MF1  | MF2 | MF3 | MF4 | Child Care Centre, Major | S              | S | S | S | <table border="1"> <thead> <tr> <th></th> <th>MF1</th> <th>MF2</th> <th>MF3</th> <th>MF4</th> </tr> </thead> <tbody> <tr> <td>Child Care Centre, Major</td> <td>P<sup>3</sup></td> <td>S</td> <td>S</td> <td>S</td> </tr> </tbody> </table>                                       |  | MF1 | MF2 | MF3 | MF4 | Child Care Centre, Major | P <sup>3</sup>  | S               | S               | S               | During the transition from RU1 to MF1 in the Core Area it was missed that Child Care Centre, Major was intended to be a permitted principal use. |
|                          | MF1  | MF2  | MF3   | MF4  |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
| Child Care Centre, Major | S  | S  | S   | S  |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
|                          | MF1  | MF2  | MF3   | MF4  |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
| Child Care Centre, Major | P <sup>3</sup>   | S  | S   | S  |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
| 24.                      | Section 13 – Multi-Dwelling Zones -Section 13.3 Multi-Dwelling Zones Permitted Land Uses – Footnote <sup>3</sup>           | <sup>3</sup> [Deleted]   | <sup>3</sup> <u>The lot must have a child care sub-zone 'cc' on the property for a child care centre, major to be permitted.</u>  | During the transition from RU1 to MF1 in the Core Area it was missed that Child Care Centre, Major was intended to be a permitted principal use. |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
| 25.                      | Section 13.5 Multi-Dwelling Zones – Development Regulations – Footnote .2  | <sup>2</sup> Side yards are not required for semi-detached housing or townhouses on a lot line that has a party wall agreement.  | <sup>2</sup> Side yards are not required for semi-detached housing or townhouses on a lot line that has a party wall agreement. <u>For MF1 lots garages and carports can have a side yard setback of 1.2 metres when the lot has access to a rear or side lane. Any residential space on those MF1 lots above the garage or carport must meet the 1.8 m side yard setback.</u>  | To help accommodate similar parking setbacks to existing fourplexes for lots with lanes.   |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |
| 26.                      | Section 13.5 Multi-Dwelling Zones – Development Regulations – Footnote .9  | <sup>9</sup> A minimum of 4.0 m <sup>2</sup> per dwelling unit of the common and private amenity space shall be configured as common area that is accessible to all residents and must not be located within the required setback areas. Common amenity space is not required for fee simple townhouses. | <sup>9</sup> A minimum of 4.0 m <sup>2</sup> per dwelling unit of the common and private amenity space shall be configured as <u>a</u> common area that is accessible to all residents and must not be located within the required setback areas. Common amenity space is not required for fee simple townhouses. <u>For all apartment buildings, at least 75 m<sup>2</sup> of the required portion of common area shall be configured indoors.</u> | To add an indoor amenity requirement area to help facilitate strata meetings and promote other common apartment communal living opportunities.   |     |     |     |                          |                |   |   |   |   |  |     |     |     |     |                          |                 |                 |                 |                 |  |


| No. | Section   | Current Wording  | Proposed Wording  | Reason for Change  |
|-----|---|--|---|--|
| 27. | Section 13 – Multi-Dwelling Zones - 13.6 – Density and Height Development Regulations – Footnote .1   | The base height is 18.0 m & 4 storeys except the maximum base height is 22.0 m / 6 storeys if the subject property is fronting onto a Transit Supportive Corridor.   | <u>If a parkade entrance / exit has a lower finished grade than the surrounding area then this portion of the parkade can be excluded from height calculations.</u> The base height is 18.0 m & 4 storeys except the maximum base height is 22.0 m / 6 storeys if the subject property is fronting onto a Transit Supportive Corridor.  | To add an exclusion for parkade entrances as the overall height regulation will remain intact.   |
| 28. | Section 14 – Core Area & Other Zones - Section 14.9 – Principal and Secondary Land Uses – footnote .6   | Offices are intended to be a minor component within the zone. Offices and Apartment Housing are limited to the uppermost floor within a building. Offices and Apartment Housing cannot occur on the ground floor   | Offices are intended to be a minor component within the zone. Offices and Apartment Housing are limited <u>to above the first floor</u> . Offices and Apartment Housing cannot occur on the ground floor.   | Provides clarity within the C1 – Local & Neighbourhood Commercial zone and the C2 – Vehicle Oriented Commercial zone for buildings proposed to be taller than two storeys. |
| 29. | Section 14 – Core Area & Other Zones - 14.11 – Development Regulations – footnote .3  | Except it is 3.0 m when abutting a core area neighbourhood (C-NHD) or an education / institutional (EDINST) future land use designation as outlined in the Official Community Plan.  | Except it is 3.0 m when abutting a <u>Core Area Neighbourhood (C-NHD), Suburban -Residential (S-RES), Suburban - Multiple Unit (S-MU),</u> or an <u>Education / Institutional (EDINST)</u> future land use designation as outlined in the Official Community Plan.  | Ensure setbacks to additional future land uses.  |
| 30. | Section 14 – Core Area & Other Zones - 14.14 – Density and Height – footnote .13  | <sup>.13</sup> Lots identified in a Transit Oriented Area identified by Map 8.3.b, Map 8.3.c, or Map 8.3.d have the base FAR for the 6-storey category increased from 1.8 FAR to 2.5 FAR. Developments that use this base density cannot apply the Underground Parking Base FAR Adjustment referenced in footnote <sup>.12</sup> . | <sup>.13</sup> Lots <u>that have a 6 storey Building Height category and are within a Transit Oriented Area as identified by Map 8.3.b, Map 8.3.c, or Map 8.3.d then have their density increased from 1.8 base FAR to 2.5 base FAR.</u> Developments that use this base density cannot apply the Underground Parking Base FAR Adjustment referenced in footnote <sup>.12</sup> .   | Re-word to clarify meaning.  |
| 31. | Section 14 – Core Area & Other Zones - 14.14 – Density and Height – footnote .15  | NA   | <sup>.15</sup> <u>If a lot has a Park Building Height category and is within a Transit Oriented Area as identified by Map 8.3.b, Map 8.3.c, or Map 8.3.d then: if the lot is within 200 metres of the Transit Exchange the lot can be developed in accordance with the 12 storey base height and density category and if the lot is between 200 and 400 metres of the Transit Exchange the lot can be developed in accordance with the 6 storey the base height and density category.</u> | To capture some designated park lots that occur within the Transit Oriented Areas.   |
| 32. | Section 14 – Core Area & Other Zones - 14.14 – Density and Height - UC1 (Downtown), UC2 (Capri/Landmark), UC3 (Midtown), UC4 (Rutland), UC5 (Pandosy) | Min. Density (if applicable) & Max. Base Density FAR <sup>.1, .7</sup><br><br>For areas identified as PARK = 0.5 FAR <sup>.9</sup>   | Min. Density (if applicable) & Max. Base Density FAR <sup>.1, .7</sup><br><br>For areas identified as PARK = 0.5 FAR <sup>.9, .15</sup>   | To capture some designated park lots that occur within the Transit Oriented Areas.   |

| No. | Section   | Current Wording                   | Proposed Wording   | Reason for Change   |
|-----|---|-----------------------------------|--|---|
| 33. | Section 14 – Core Area & Other Zones - Section 14.14 – Density and Height - Max. Base Height. | Max. Base Height . <sup>1,7</sup> | Max. Base Height . <sup>1,7,14</sup>   | To apply footnote 14, as referenced below, to the Base Heights in Section 14.                             |
| 34. | Section 14 – Core Area & Other Zones - 14.14 – Density and Height – Footnotes .14             | NA                                | <sup>.14</sup> <u>If a parkade entrance / exit has a lower finished grade than the surrounding area then this portion of the parkade can be excluded from height calculations.</u> | To add an exclusion for parkade entrances situations as the overall height regulation will remain intact. |

**SCHEDULE** A

This forms part of application  
# TA24-0009

Planner Initials **AC**



City of Kelowna  
DEVELOPMENT PLANNING



Chart A


Original – Section 7 – Site Layout

| <b>Table 7.2 – Tree &amp; Landscaping Planting Requirements</b><br>cm =centimetres / m = metres / m <sup>2</sup> = square metres |  |  |   |
|--|--|--|---|
| Criteria   | Any MF1, RU1, RU2, or RU3 zone for which the lot contains 3 or more dwelling units.  | MF2 zone, MF3 zones, Core Area Zone, Village Centre Zone, Health District Zones, and Institutional Zones | Urban Centre Zones, Commercial Zones, Industrial Zones, & Comprehensive Development Zones                   |
| Minimum Number of Trees within Landscape Areas <sup>-2</sup>   | 1 tree per 10 linear metres of landscape area <sup>-2, -7, -10, -11</sup>  | 1 tree per 10 linear metres of landscape area <sup>-2</sup>  | 1 tree per 10 linear metres of landscape area <sup>-2, -6</sup>   |
| Minimum Growing Medium Area <sup>-4</sup>  | 75% soil-based landscaping groundcover in landscape areas <sup>-9, -11</sup> See Visual Example Figure 7.2.1   | 75% soil-based landscaping groundcover in landscape areas <sup>-9</sup> See Visual Example Figure 7.2.1  | 75% soil-based landscaping groundcover in landscape areas <sup>-6, -9</sup> See Visual Example Figure 7.2.1 |
| Minimum Landscaping for any surface parking lot over 15 vehicles <sup>-5</sup>   | (a) Notwithstanding Section 7.2.3, if a parking lot over 15 vehicles abuts a street, that interface must have at least a minimum 1.5 metres landscape area (the setback landscaping area might be larger). See Figure 7.2.10;<br>(b) landscaped islands are required at the end of each parking aisle;<br>(c) the maximum number of parking spaces in a consecutive row is 14 with a landscaped island or drive aisle separating the next 14 spaces;<br>(d) landscaped islands are not to be longer than the adjacent parking space;<br>(e) landscaped islands shall be clearly delineated as separate and in addition to required parking and loading spaces;<br>(f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference; and<br>(g) a minimum of one tree must be included in a landscaped island. |  |   |
| Minimum / Maximum Tree Spacing   | Minimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area.   |  |   |
| Minimum Setback from buildings, raised patios, and balconies to on-site trees  | Large: 3 m radius from centre of tree up to the second storey of the building<br>Medium: 2 m radius from centre of tree up the second storey of the building<br>Small: 1 m radius from centre of tree up to the second storey of the building<br><br>Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically  |  |   |

**SCHEDULE** A

This forms part of application  
# TA24-0009

Planner Initials **AC**




City of Kelowna  
DEVELOPMENT PLANNING

| Table 7.2 – Tree & Landscaping Planting Requirements<br>cm =centimetres / m = metres / m <sup>2</sup> = square metres |   |  |   |                   |
|---|---|--|---|-------------------|
| Criteria  | Any MF1, RU1, RU2, or RU3 zone for which the lot contains 3 or more dwelling units. | MF2 zone, MF3 zones, Core Area Zone, Village Centre Zone, Health District Zones, and Institutional Zones | Urban Centre Zones, Commercial Zones, Industrial Zones, & Comprehensive Development Zones |                   |
|   | measured from the centre of the tree at finished grade (trunk flare).               |  |   |                   |
| Minimum Deciduous Tree Planting Stock Caliper <sup>1</sup>  | Large: 5 cm<br>Medium: 4 cm<br>Small: 3 cm  |  |   |                   |
| Minimum Coniferous Tree Planting Stock Height   | 250 cm  |  |   |                   |
| Minimum Ratio between Tree size <sup>3</sup>  | Large: Min 50%<br>Medium: No min or max<br>Small: Max 25%                           |  |   |                   |
| Minimum Growing Medium Volumes per Tree <sup>4, 8</sup>   |   | Single Tree  | Pair  | Shared            |
|   | Large Tree  | 30 m <sup>3</sup>  | 20 m <sup>3</sup>   | 15 m <sup>3</sup> |
|   | Medium Tree   | 20 m <sup>3</sup>  | 15 m <sup>3</sup>   | 12 m <sup>3</sup> |
|   | Small Tree  | 15 m <sup>3</sup>  | 12 m <sup>3</sup>   | 10 m <sup>3</sup> |

FOOTNOTES (Section 7.2):

- <sup>1</sup> All deciduous trees shall have a minimum clear stem height of 1.5 m.
- <sup>2</sup> The linear metre calculation is used to determine a minimum number of trees that is to be planted within the **landscape area** (not the minimum spacing). At least one tree per **landscape area** is required.
- <sup>3</sup> Tree size will be defined in the **City of Kelowna’s Urban Tree Guide**, if only one tree is required, it must be a large tree or conifer. All columnar trees shall be considered a medium or small tree for determination of the tree size ratio. However, these trees require the equivalent Large Tree Growing Medium Volume. All trees onsite including the trees within the **landscape area** and the trees within parking lot landscape islands must meet this ratio.
- <sup>4</sup> Minimum **growing medium** may be shared through the **landscape area** (tree, turf, and shrub). Electrical transformers and driveways within the landscape areas can be excluded from the minimum percentage of **growing medium** area.
- <sup>5</sup> The minimum number of trees within **landscape areas** and within parking islands are separate calculations and cannot be double counted to meet minimum numbers. However, trees in adjacent parking landscape islands may share growing medium with the Landscape Area to meet trenched/shared growing medium minimum amounts.
- <sup>6</sup> The minimum number of trees in the **front yard or flanking yard landscape area** can be planted outside the **front yard or flanking yard landscape areas** if the **abutting** boulevard contains an irrigated boulevard with planted street trees. If the minimum number of trees is planted outside the **front yard**

|  |    |   |
|--|----|---|
| <b>SCHEDULE</b>                            |    | <b>A</b>  |
| This forms part of application # TA24-0009 |    |   |
| Planner Initials                           | AC | <br><b>City of Kelowna</b><br>DEVELOPMENT PLANNING |




| Table 7.2 – Tree & Landscaping Planting Requirements<br>cm =centimetres / m = metres / m <sup>2</sup> = square metres   |   |  |   |
|---|---|--|---|
| Criteria  | Any MF1, RU1, RU2, or RU3 zone for which the lot contains 3 or more dwelling units. | MF2 zone, MF3 zones, Core Area Zone, Village Centre Zone, Health District Zones, and Institutional Zones | Urban Centre Zones, Commercial Zones, Industrial Zones, & Comprehensive Development Zones |
| <p>or flanking yard landscape area then there is no minimum growing medium area required in the front yard or flanking yard landscape area.</p> <p><sup>7</sup> The minimum landscaping and number of trees required are only required when a lot contains three or more dwelling units.</p> <p><sup>8</sup> For growing medium volume calculation, any continuous growing medium the roots can reach on the subject property to a depth of 1 metre can be applied. The boulevard can be used for growing medium volume if the growing medium volume does not interfere with the necessary growing medium volume for street trees. If this growing medium area is covered by sidewalk or other impervious surface, soil cells will be required to achieve the minimum growing medium requirement. If the overall soil volumes cannot be met but soil cells are installed, then there is no minimum growing medium volume requirement.</p> <p><sup>9</sup> There is no minimum growing medium area required in front yard or flanking yard landscape area if soil cells are installed to accommodate the minimum on-site trees within the front yard or flanking yard landscape area.</p> <p><sup>10</sup> The minimum number of trees in the front yard or flanking yard landscape area can be planted outside the front yard or flanking yard landscape areas if the abutting boulevard contains overhead electrical power lines that would interfere with the growth of the trees.</p> <p><sup>11</sup> There is no minimum number of trees onsite and no minimum growing medium area within the front yard or flanking yard landscape area if adequately sized large trees are planted within the boulevard utilizing soil cells and the boulevard contains a sidewalk or a sidewalk is installed.</p> |   |  |   |

**SCHEDULE**      **A**

This forms part of application  
# TA24-0009

Planner Initials **AC**



City of Kelowna  
DEVELOPMENT PLANNING

## Chart B


Proposed – Table 7.2 Tree & Landscaping Planting Requirements

| Table 7.2 – Tree & Landscaping Planting Requirements  |   |                   |                   |
|---|---|-------------------|-------------------|
| cm = centimetres / m = metres / m <sup>2</sup> = square metres / m <sup>3</sup> = metres cubed  |   |                   |                   |
| Criteria  | Regulations   |                   |                   |
| Standard Requirements for Minimum Trees, Soft landscaping, and Soil Volume for all Developments <sup>-1</sup>   |   |                   |                   |
| Minimum Number of Trees within Landscape Areas <sup>-1</sup>  | 1 tree per 10 linear metres of <b>landscape area</b>  |                   |                   |
| Minimum Soft Landscaping Area <sup>-2</sup><br>See Visual Example Figure 7.2.1  | 75% of the <b>landscape area</b> shall be <b>soft landscaping</b>   |                   |                   |
| Minimum Soil Volume per Tree <sup>-3</sup>  |   | Single Tree       | Shared            |
|   | Large Tree  | 20 m <sup>3</sup> | 15 m <sup>3</sup> |
|   | Medium Tree   | 18 m <sup>3</sup> | 12 m <sup>3</sup> |
|   | Small Tree  | 15 m <sup>3</sup> | 10 m <sup>3</sup> |
| Area specific modification to Trees, Soft landscaping, and Soil Volume Requirements   |   |                   |                   |
| Overhead Power Lines for any zone   | The minimum number of trees in the <b>front yard or flanking yard landscape area</b> can be planted outside the <b>front yard or flanking yard landscape areas</b> if the <b>abutting</b> : boulevard, <b>front yard and / or flanking yard</b> contains overhead electrical power lines that would interfere with the growth of the trees.   |                   |                   |
| Landscape Areas and Boulevards for Infill Housing   | There is no minimum number of trees onsite and no minimum <b>soft landscaping</b> within the <b>front yard or flanking yard landscape area</b> if large trees are planted within the boulevard and the boulevard contains a sidewalk or a sidewalk is installed.  |                   |                   |
| Landscape Areas and Boulevards for any: MF <sub>2</sub> , M <sub>3</sub> , MF <sub>4</sub> <sup>-4</sup> zone or any zone within Section 14 Core Area and Other Zones | The minimum number of trees can be planted outside of the <b>front yard or flanking yard landscape areas</b> if the <b>abutting</b> boulevard is irrigated and contains a sidewalk or a sidewalk will be installed. There is no minimum <b>soft landscaping</b> required within the <b>front yard or flanking yard landscape area</b> if the minimum number of trees is planted outside the <b>front yard or flanking yard landscape area</b> . |                   |                   |
| Universal Landscape Requirements  |   |                   |                   |
| Minimum Landscaping for any surface parking lot over 15 vehicles <sup>-5</sup>  | (a) If a surface <b>parking lot</b> contains 15 vehicles or greater and <b>abuts</b> a <b>street</b> , then the interface area with the street must have a minimum 1.5 metres landscape area.<br>(b) landscaped islands are required at the end of each parking aisle;<br>(c) the maximum number of <b>parking spaces</b> in a consecutive row is 14 with a   |                   |                   |

**SCHEDULE** A

This forms part of application  
# TA24-0009

Planner Initials **AC**



City of Kelowna  
DEVELOPMENT PLANNING

| <b>Table 7.2 – Tree &amp; Landscaping Planting Requirements</b><br>cm = centimetres / m = metres / m <sup>2</sup> = square metres / m <sup>3</sup> = metres cubed  |  |
|--|--|
| Criteria   | Regulations  |
|  | <p>landscaped island or drive aisle separating the next 14 spaces;</p> <p>(d) landscaped islands are not to be longer than the adjacent <b>parking space</b>;</p> <p>(e) landscaped islands shall be clearly delineated as separate and in addition to required parking and <b>loading spaces</b>;</p> <p>(f) locate landscaped islands such that loading and unloading vehicles can gain access without undue interference;</p> <p>(g) a minimum of one tree must be included in a landscaped island; and</p> <p>(h) landscape islands must have a minimum 75% <b>soft landscaping</b> or soil cells.</p> |
| Minimum / Maximum Tree Spacing   | Minimum tree spacing is based on site requirements for sightlines or accessibility along with standard planting practices for the tree species. Trees may be planted closer together as needed and additional trees are highly encouraged. Spacing is not dictated by requirements for the number of trees required in the Landscape Area.   |
| Minimum Setback from buildings, raised patios, and balconies to on-site trees  | <p>Large: 3 m radius from centre of tree to the building<br/>Medium: 2 m radius from centre of tree to the building<br/>Small: 1 m radius from centre of tree to the building</p> <p>Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (trunk flare).</p>  |
| Minimum Deciduous Tree Planting Stock Caliper <sup>6</sup>   | <p>Large: 5 cm<br/>Medium: 4 cm<br/>Small: 3 cm</p>  |
| Minimum Coniferous Tree Planting Stock Height  | 250 cm   |
| Minimum Ratio between Tree size <sup>7</sup>   | <p>Large: Min 50%<br/>Medium: No min or max<br/>Small: Max 25%</p>   |
| <p><b>FOOTNOTES (Section 7.2):</b></p> <p><sup>1</sup> The linear metre calculation is used to determine the minimum number of trees to be planted within the <b>landscape area</b> (not the minimum spacing). At least one tree per <b>landscape area</b> is required, unless there is an area specific modification. The minimum landscaping and number of trees is required for all developments, except, for residential developments that contains two or less <b>dwelling units</b> per lot.</p> <p><sup>2</sup> Electrical transformers and driveways within the landscape areas can be excluded from the minimum</p> |  |

**SCHEDULE** A

This forms part of application  
# TA24-0009


Planner  
Initials

AC



City of  
**Kelowna**  
DEVELOPMENT PLANNING

| <b>Table 7.2 – Tree &amp; Landscaping Planting Requirements</b><br>cm =centimetres / m = metres / m <sup>2</sup> = square metres / m <sup>3</sup> = metres cubed |   |
|--|---|
| Criteria   | Regulations   |
|  | <p>percentage of <b>soft landscaping</b> area. If soil cells are installed for all the required trees in the <b>front yard or flanking yard landscape area</b>, then there is no minimum <b>soft landscaping</b> requirement.</p> <p><sup>3</sup> <b>Soil volume</b> may be shared through the <b>landscape area</b> (tree, turf, and shrub). For the <b>soil volume</b> calculation, any continuous growing medium the roots can reach on the subject property to a maximum depth of 1 metre can be applied. The boulevard can be partially used for <b>soil volume</b> calculation only when the landscaped portion of the boulevard is directly abutting the property line and the <b>soil volumes</b> do not interfere with any subsurface utility infrastructure.</p> <p><sup>4</sup> This category applies to any MF4 development with 7 or more dwelling units or if the development is primarily commercial.</p> <p><sup>5</sup> The minimum number of trees within <b>landscape areas</b> and within parking islands are separate calculations and cannot be double counted to meet minimum numbers. Trees in adjacent parking landscape islands may share <b>soil volume</b> with the adjacent <b>landscape area</b> to meet the minimum trenched/shared <b>soil volume</b> amounts.</p> <p><sup>6</sup> All deciduous trees shall have a minimum clear stem height of 1.5 m.</p> <p><sup>7</sup> Tree size will be defined in the <b>City of Kelowna’s Urban Tree Guide</b>, if only one tree is required, it must be a large tree or conifer. All columnar trees shall be considered a medium or small tree for determination of the tree size ratio. These columnar trees require the equivalent large tree <b>soil volume</b>. All trees onsite including the trees within the <b>landscape area</b> and the trees within parking lot landscape islands must meet this ratio.</p> |

|  |  |
|--|--|
| SCHEDULE   | A  |
| <p style="color: red; font-size: 0.9em;">This forms part of application<br/># TA24-0009</p>  |  |
| <p style="font-size: 0.8em;">Planner<br/>Initials</p> <div style="border: 1px solid black; padding: 2px; display: inline-block; margin-left: 20px;">AC</div> | <br><p style="font-weight: bold; font-size: 0.9em;">City of<br/>Kelowna</p> <p style="font-size: 0.7em;">DEVELOPMENT PLANNING</p> |

## Chart C

Original – Section 7.5.10 Site Layout – Fencing and Retaining Walls

### 7.5 Fencing and Retaining Walls

7.5.1 Screening fences shall be consistent with the quality of building design and materials of the principal building.

7.5.2 Screening fences shall be opaque double-sided construction. Where screening fences are allowed or required by this Bylaw, they shall be of an opaque or a combination of opaque and lattice design.

7.5.3 The maximum height for fences constructed from natural grade shall be:

- (a) 2.0 metres in rural residential zoned properties except; where abutting an agricultural, industrial, or commercial zone commercial zone, then the maximum height shall be 2.4 metres.
- (b) 2.4 metres in commercial or industrial zoned properties.
- (c) 2.0 metres in single & two dwelling, multi-dwelling, village centre, or urban centre zoned lots except; that it shall not exceed 1.2 metres in height within the minimum front yard or flanking yard setbacks.

7.5.4 No fence in a commercial, public and institutional or industrial zone shall exceed 2.4 metres in height.

7.5.5 Lots in industrial zones are to have an opaque 2.4 metres high fence around all storage yards, along all lot lines abutting non-industrial zones and around wrecking yards that are visible from a street abutting the lot.

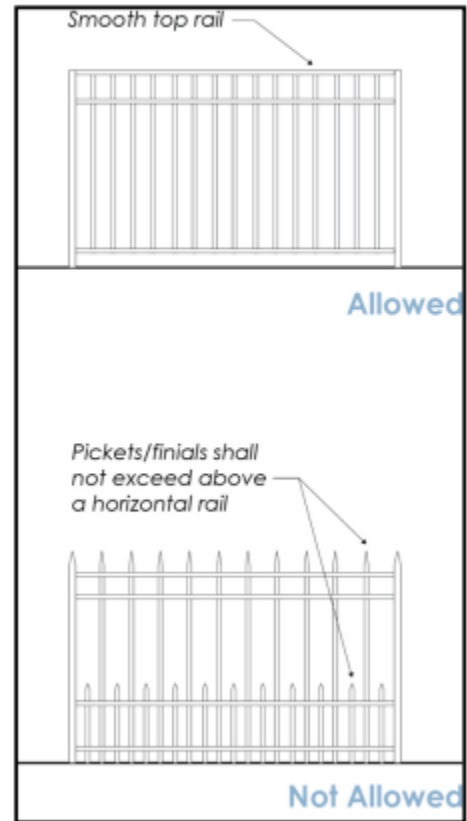
7.5.6 No metal fence shall constructed or erected that have the ends of fence pickets or finials to extend above a horizontal rail (see Figure 7.5.6).

7.5.7 No barbed wire fencing shall be constructed or erected in any rural residential, single & two dwelling, multi-dwelling, or core area & other zone, except in the P1 zone where the site is used for detention and correction services.

7.5.8 No razor wire fences shall be constructed or erected in any zone except were associated with penitentiaries, jails, or places of incarceration.

7.5.9 No fencing shall be constructed or erected at or below the high-water mark (geodetic elevation of 343 metres) of Okanagan Lake.

Figure 7.5.6 – Fencing Types



- 7.5.10 **Retaining Walls** on all **lots**, except those required as a condition of **subdivision** approval, must not exceed a height of 1.2 metres measured from **natural grade** on the lower side, and must be constructed so that any **retaining walls** are spaced to provide a 1.2 metres horizontal separation between tiers. The maximum number of tiers that may be constructed without a professional design by a qualified professional engineer is two. The maximum total height of any retaining wall system that may be constructed without a professional design by a qualified professional engineer is 2.4 metres.
- (a) a **retaining wall** may be higher than 1.2 metres, measured from **finished grade**, where the **natural grade** of the subject lot is lower than the abutting property.
  - (b) the combined height of a **fence** on top of a **retaining wall** at the **lot line** or within 1.2 metres of the **lot line** shall not exceed 2.0 metres, measured from **natural grade** at the **abutting** higher property.
  - (c) where an affected property remains at **natural grade** and the subject property constructs a **retaining wall** and a **fence** within 1.2 metres of the **lot line**, the maximum height for a **fence** on the affected property shall be no greater than 1.8 metres above the height of the **retaining wall** or 3.0 metres, whichever is less.
- 7.5.11 In the case of a **retaining wall**, the maximum height of a **fence**, or portion of **retaining wall** extending above the **natural grade** of the abutting higher property, or combination thereof, shall be 2.0 metres, measured from the **natural grade** of the abutting higher property.

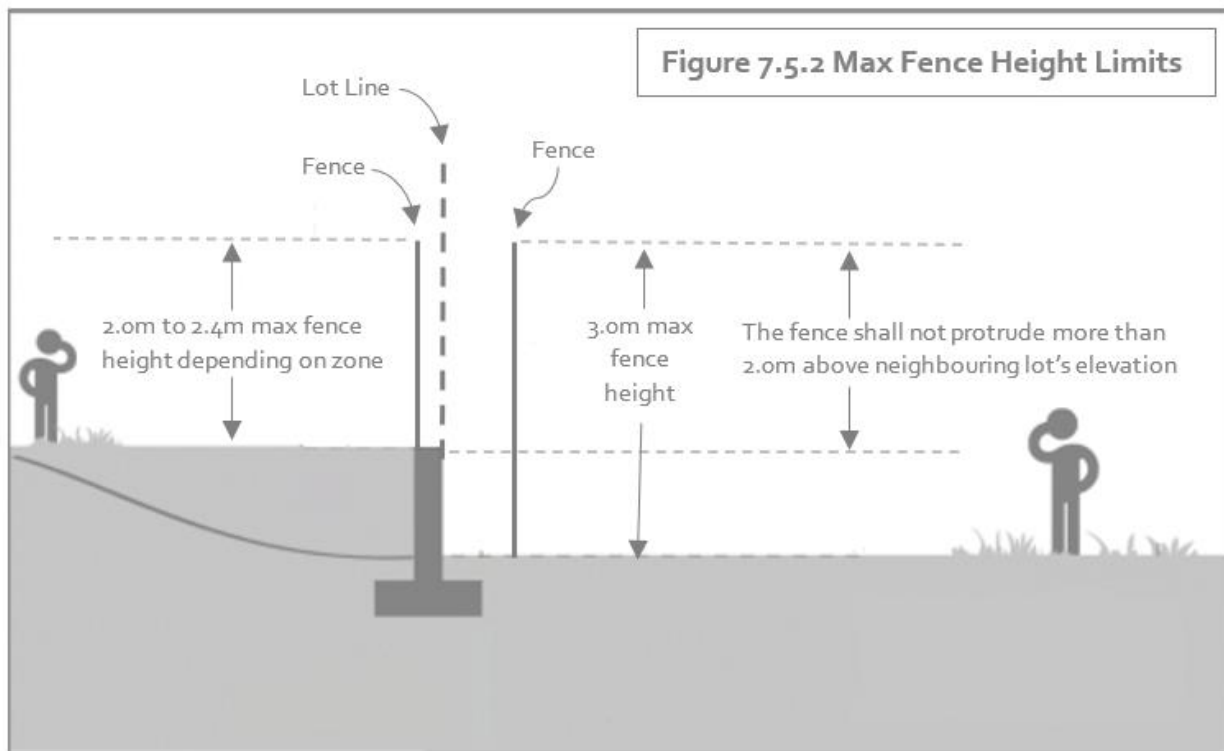
|  |          |
|--|----------|
| <b>SCHEDULE</b>  | <b>A</b> |
| This forms part of application<br># TA24-0009  |          |
| Planner<br>Initials  | AC       |
| <br>City of<br><b>Kelowna</b><br>DEVELOPMENT PLANNING |          |

## Chart D

Proposed – Section 7.5.10 Site Layout – Fencing and Retaining Walls

### 7.5 Fencing

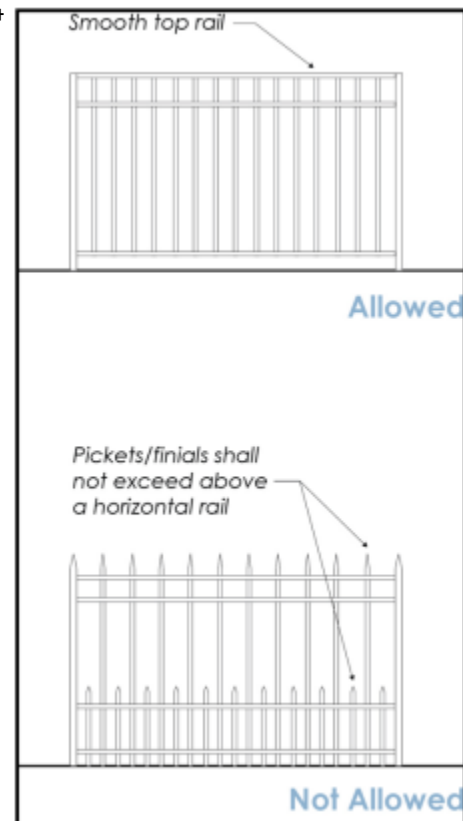
- 7.5.1 Screening fences shall be opaque double-sided construction. Where screening fences are allowed or required by this Bylaw, they shall be of an opaque or a combination of opaque and lattice design.
- 7.5.2 The maximum height for fences constructed from natural grade shall be:
- 2.0 metres in rural residential zoned properties except; where abutting an agricultural, industrial, or commercial zone commercial zone, then the maximum height shall be 2.4 metres.
  - 2.0 metres in suburban residential, multi-dwelling, village centre, or urban centre zoned lots except; that it shall not exceed 1.2 metres in height within the minimum front yard or flanking yard setbacks.
  - 2.4 metres in commercial, public and institutional, or industrial zoned properties.
  - Notwithstanding S.7.5.2 (a), (b), & (c); the maximum height of a fence that abuts a neighbouring lot which is higher in elevation and is erected on the low side is 3.0 metres, as long as, the fence does not protrude more than 2.0 metres above the elevation of the neighbouring lot (see Figure 7.5.2)





- 7.5.3 Lots in industrial zones are to have an opaque 2.4 metres high fence around all storage yards, along all lot lines abutting non-industrial zones and around wrecking yards that are visible from a street abutting the lot.
- 7.5.4 No metal fence shall be constructed or erected that have the ends of the fence pickets or finials extend above a horizontal rail (see Figure 7.5.4).
- 7.5.5 No barbed wire fencing shall be constructed or erected in any rural residential, suburban residential, multi-dwelling, or core area & other zone, except in the P1 zone where the site is used for detention and correction services.
- 7.5.6 No razor wire fences shall be constructed or erected in any zone except were associated with penitentiaries, jails, or places of incarceration.
- 7.5.7 No fencing shall be constructed or erected at or below the high-water mark (geodetic elevation of 343 metres) of Okanagan Lake.

**FIGURE 7.5.4 – Fencing Types**



## 7.6 Retaining Walls

- 7.6.1 No individual retaining wall shall exceed a height of 1.2 metres measured from grade on the lower side.
- (a) Except, where the grade of the subject lot is lower than the abutting property then any retaining walls must not exceed a height of 3.0 metres measured from grade on the lower side.
- (b) Except, retaining walls can be any height subject to condition of subdivision approval.
- 7.6.2 Notwithstanding S.7.6.1; any individual retaining wall greater than 1.2 metres in height must be constructed with a professional design by a qualified professional engineer.
- 7.6.3 Notwithstanding S.7.6.1; any tiered retaining walls must be spaced horizontally a minimum of 1.2 metres between tiers. The maximum number of tiers that may be constructed without a professional design by a qualified professional engineer is two. The maximum total height of any retaining wall system that may be constructed without a professional design by a qualified professional engineer is 2.4 metres.

## Chart E

Original – Table 8.2.17 Amount of Accessible Parking Spaces

| Table 8.2.17 Amount of Accessible Parking Spaces |   |   |
|--|---|---|
| Total Number of Parking Spaces Onsite.           | Min. Number of Required Accessible Parking Spaces | Min. Number of Required Van-Accessible Parking Spaces |
| 1 – 4 spaces                                     | 0 spaces  | 0 spaces  |
| 5 – 36 spaces                                    | 1 space   | 0 spaces  |
| 37 – 68 spaces                                   | 2 spaces  | 1 space   |
| 69 – 100 spaces                                  | 3 spaces  | 1 space   |
| 101-150 spaces                                   | 4 spaces  | 1 space   |
| 151-200 spaces                                   | 5 spaces  | 1 space   |
| 201-300 spaces                                   | 6 spaces  | 2 spaces  |
| 301-400 spaces                                   | 7 spaces  | 2 spaces  |
| 401-500 spaces                                   | 8 spaces  | 2 spaces  |
| Over 500 spaces                                  | 2% of the total spaces                            | 2 spaces  |


Note: The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.

**SCHEDULE** \_\_\_\_\_ **A**

This forms part of application  
# TA24-0009

Planner Initials **AC**

City of  
**Kelowna**  
DEVELOPMENT PLANNING



## Chart F

Proposed – Table 8.2.17 Amount of Accessible Parking Spaces

| Table 8.2.17 Amount of Accessible Parking Spaces |   |   |
|--|---|---|
| Total Number of Parking Spaces Onsite.           | Min. Number of Required Accessible Parking Spaces | Min. Number of Required Van-Accessible Parking Spaces |
| 1 – 6 spaces                                     | 0 spaces  | 0 spaces  |
| 7 – 36 spaces                                    | 1 space   | 0 spaces  |
| 37 – 68 spaces                                   | 2 spaces  | 1 space   |
| 69 – 100 spaces                                  | 3 spaces  | 1 space   |
| 101-150 spaces                                   | 4 spaces  | 1 space   |
| 151-200 spaces                                   | 5 spaces  | 1 space   |
| 201-300 spaces                                   | 6 spaces  | 2 spaces  |
| 301-400 spaces                                   | 7 spaces  | 2 spaces  |
| 401-500 spaces                                   | 8 spaces  | 2 spaces  |
| Over 500 spaces                                  | 2% of the total spaces                            | 2 spaces  |

Note: The number of van-accessible parking spaces is included in the minimum required accessible parking spaces. For example: if six (6) accessible parking spaces are required and two (2) van accessible parking spaces are required the total number of accessible parking spaces is six (6) and two (2) of which must be van accessible.

**SCHEDULE**          **A**

This forms part of application  
# TA24-0009

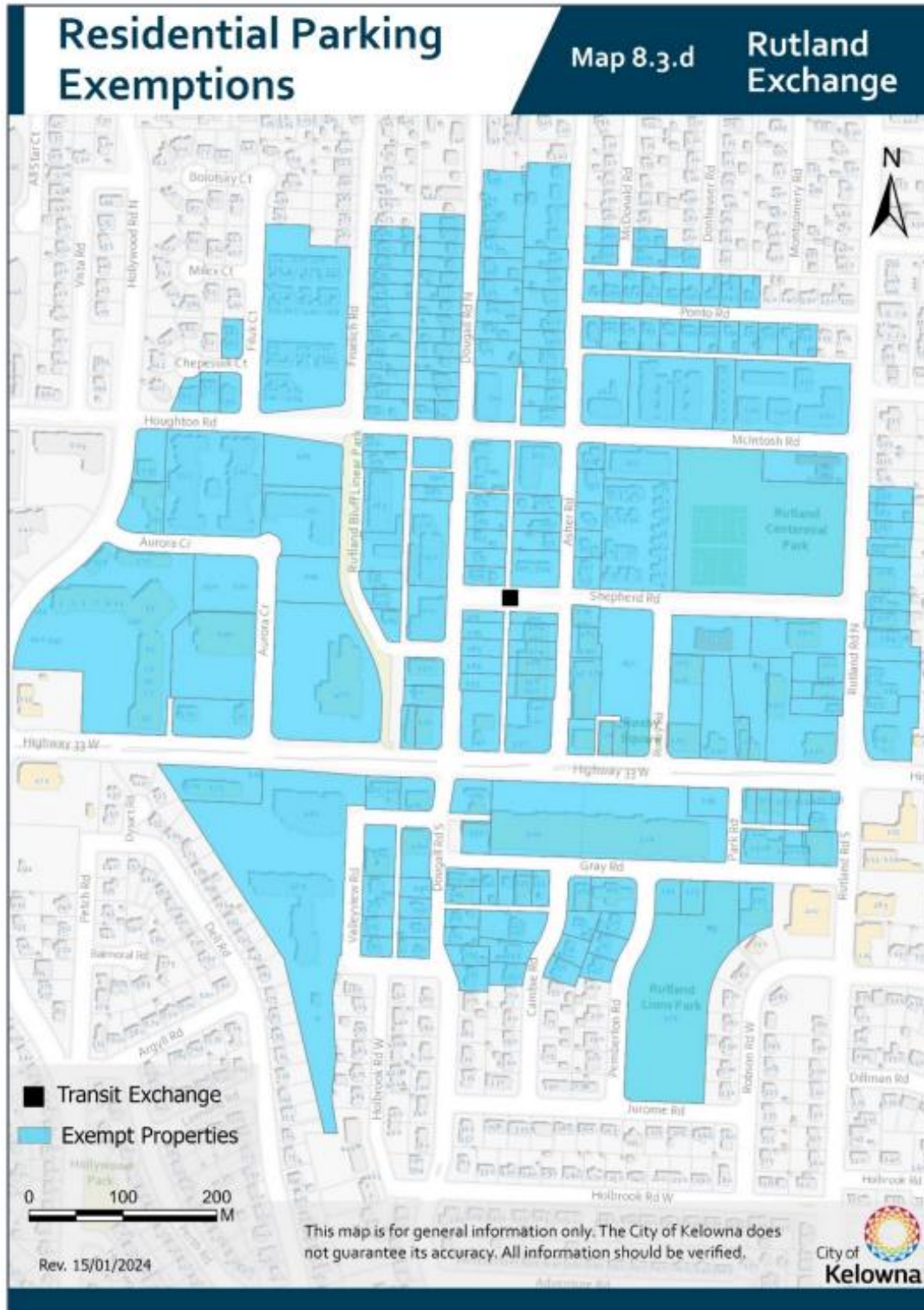
Planner Initials **AC**

City of **Kelowna**  
DEVELOPMENT PLANNING



Chart G

Original – Residential Parking Exemptions Map 8.3.d Rutland Exchange



**SCHEDULE** A

This forms part of application # TA24-0009

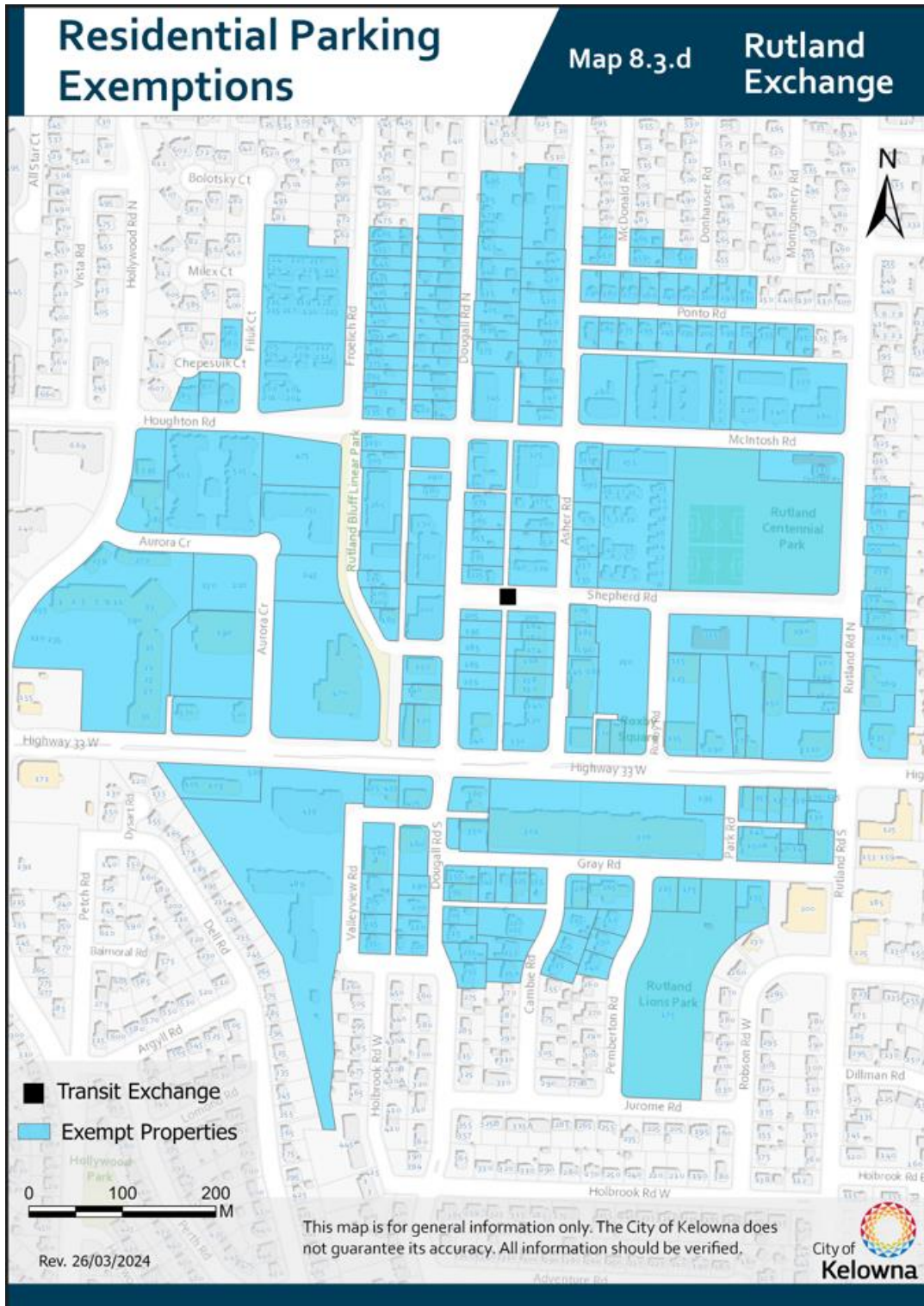
Planner Initials AC

City of Kelowna  
DEVELOPMENT PLANNING



Chart H

Proposed – Residential Parking Exemptions Map 8.3.d Rutland Exchange



**SCHEDULE A**

This forms part of application  
# TA24-0009

Planner Initials **AC**

