City of **Kelowna**

Planner Initials AC



Content Changes to Zoning Bylaw No. 12375

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 5.3 – Definitions & Interpretations – General Definitions	See Chart A	See Chart B	Add a visual example of a corner lot setback when the lot line is rounded.
2.	Section 5.3 – Definitions & Interpretations – General Definitions – Automotive and Equipment	AUTOMOTIVE AND EQUIPMENT means the retail sale, rental, servicing, washing, installation, detailing, painting, and repair of new or used automobiles, motorcycles, bicycles, snowmobiles, tent trailers, boats, travel trailers, recreational vehicles, and similar vehicles. This includes any accessory land use related to automotive and equipment vehicles including land uses like insurance services as well as the sale, installation, or servicing of related accessories and parts. This includes but is not limited to automobile dealerships, transmission shops, muffler shops, tire shops, automotive glass shops, autobody repair, paint shops, and upholstery shops. This land use is restricted to: the sale or rental of new or used vehicles with gross vehicle weight less than 4100 kilograms, motorhomes with a length less than 6.7 metres, or motorhomes with a gross vehicle weight less than 5500 kilograms.	AUTOMOTIVE AND EQUIPMENT means the retail sale, rental, servicing, washing, installation, detailing, painting, and repair of new or used automobiles, motorcycles, bicycles, snowmobiles, tent trailers, boats, travel trailers, recreational vehicles, and similar vehicles. This includes any accessory land use related to automotive and equipment vehicles including land uses like insurance services as well as the sale, installation, or servicing of related accessories and parts. This includes but is not limited to automobile dealerships, transmission shops, muffler shops, tire shops, automotive glass shops, autobody repair, paint shops, and upholstery shops. This land use is restricted to: the sale or rental of new or used vehicles with gross vehicle weight less than 5,500 kilograms and any motorhome shall be less than 6.7 metres in length.	To coordinate the maximum vehicle weight of storing vehicles on a residential lot with the land use that permit the sale / rental of new / used non-industrial vehicles.
3.	Section 5.3 – Definitions & Interpretations – General Definitions – Automotive and Equipment, Industrial	AUTOMOTIVE AND EQUIPMENT, INDUSTRIAL means the sale, rental, service, or repair of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oil field and mining construction, manufacturing, assembling operations, processing operations and agricultural production. This land use does not include standard truck and mobile sales/rentals. This land use includes: the sale or rental of new or used vehicles with gross vehicle weight more than 4100 kilograms, motorhomes with a length of more than 6.7 metres, or motorhomes with a gross vehicle weight of more than 5500 kilograms.	AUTOMOTIVE AND EQUIPMENT, INDUSTRIAL means the sale, rental, service, or repair of heavy vehicles, machinery or mechanical equipment typically used in building, roadway, pipeline, oil field and mining construction, manufacturing, assembling operations, processing operations and agricultural production. This land use does not include standard truck and mobile sales/rentals. This land use includes: the sale or rental of new or used vehicles with gross vehicle weight more than 5,500 kilograms including motorhomes with a length greater than 6.7 metres.	To coordinate the maximum vehicle weight of storing vehicles on a residential lot with the land use that permit the sale / rental of new / used non-industrial vehicles.
4.	Section 6.2.2 – General Development Regulations – Projections Into Yards	Unenclosed or enclosed steps, eaves, awnings, decks, canopies, balconies, and porches shall not project more than 0.6 metres into a required setback area. Except, unenclosed or enclosed steps, eaves, awnings, decks, canopies, balconies, and porches may project up to 2.5 metres into a required rear yard for all Agricultural zones, Rural Residential zones, and Single & Two Dwelling Zones.	Unenclosed or enclosed steps, eaves, awnings, decks, canopies, balconies, and porches shall not project more than 0.6 metres into a required setback area. Except, unenclosed or enclosed steps, eaves, awnings, decks, canopies, balconies, and porches may project up to 2.5 metres into a required rear yard for all Agricultural zones, Rural Residential zones, <u>Suburban Residential zones containing two or less dwelling units</u> , and any residential Core Area lot containing two or less dwelling units.	Ensure all single-family character lots contain similar projection regulations.
5.	Section 7.2.7 – Site Layout – Landscaping Standards	All landscape areas will be graded to meet the following criteria: a) maximum 1:3 slope (33%) for lawn areas; b) maximum 1:2 slope (50%) for shrub or ground cover area; c) minimum 1:50 slope (2%) for cross slope for any landscape area; d) all areas in which the existing slope exceeds 30% are to be identified; e) all areas developed and adjacent lands impacted by development with slopes greater than 30% shall be rehabilitated using indigenous vegetation common to the site.	Unless part of a Natural Hazard or Environmentally Sensitive Area (as defined by the OCP), landscape areas will be graded to maintain safe access according to the Canadian Landscape Standards (CLS), for efficient maintenance, and to collect storm water for plant watering where City stormwater regulations allow.	Modernize regulations and harmonize with national standards. SCHEDULE A
				This forms part of application # TA24-0021



No.	Section	Current Wording	Proposed Wording	Reason for Change
6.	Section 7.3.3 – Site Layout – Landscaping Standards – Public Collection	All garbage and recycling containers must be stored within a building, enclosure, or a garage. The space allocated per bin must meet the dimensions shown in Table 7.3.3 Minimum Refuse and Recycling Bin Space.	All garbage, <u>yard waste</u> , and recycling containers must be stored within a building, enclosure, or a garage. The space allocated per bin must meet the dimensions shown in Table 7.3.3 Minimum Refuse and Recycling Bin Space.	Ensure all bin types are accounted for regarding storage locations onsite.
7.	Section 9.2 Home Based Business Regulations – Commercial Vehicle Restriction	Parking on-site of commercial vehicles larger than 4,100 kilograms gross vehicle weight is not permitted.	Parking on-site of commercial vehicles larger than <u>5,500</u> kilograms gross vehicle weight is not permitted.	To coordinate the maximum vehicle weight of storing vehicles on a residential lot with the commercial home based business restrictions.
8.	Section 9.11 – Specific Uses – Tall Building Regulations	There shall be a triangular setback 4.5 m long abutting along the lot lines that meet at each corner of an intersection. Within the volumetric 4.5 m triangular setback there shall be no buildings or structural columns are permitted. See visual example figure 9.11.1.	There shall be a triangular setback 4.5 m long abutting along the lot lines that meet at each corner of an intersection. Within the volumetric 4.5 m triangular setback there shall be no buildings or structural columns are permitted. See visual example of Corner Lot Setback (figure 9.11.1).	Add title of the figure and then link to the definition section for visual example.
9.	Section 9.11 — Specific Uses — Tall Building Regulations	See Chart C	Delete	Reorganized visual examples into the definition section.
10.	Section 10.5 – Agriculture & Rural Residential Zones - A1 Agricultural and Development Regulations – Footnote 1	¹ For any lot 8,000 m ² or greater in lot area, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m ² . A second residential footprint up to 1,000 m ² may be registered for carriage houses. The maximum gross floor area for a carriage house on any lot 40,000m ² or larger is 186 m ² .	¹ For any lot 8,000 m ² or greater in lot area, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m ² . A second residential footprint up to 1,000 m ² may be registered for carriage houses. The maximum gross floor area for a carriage house on any lot 400,000 m ² or larger is 186 m ² .	Footnote .1 in Section 10.5 incorrectly identifies the lot size for a large secondary residence within the ALR. The bylaw states the maximum gross floor area for a carriage house on any lot 40,000 m² or larger is 186 m², however the ALC allows an increase to the size of a secondary dwelling if the property is 40 ha (400,000 m²) or greater. This amendment is align with the ALC legislation for residences in the ALR.
11.	Section 12 — Mobile Home and Camping Zones	Section 12 - Mobile Home and Camping Zones	Section 12 - Mobile Home Zones	Change Section header to reflect eliminating camping as a permitted use from the zone.
12.	Section 12.1 — Mobile Home and Camping Zones — Zone Purposes	Zones Purpose MH1 – Mobile Home and Camping The purpose is to provide a zone for mobile homes on individual mobile homes spaces in a mobile home park setting and for campsites.	Zones MH1 – Mobile Home The purpose is to provide a zone for mobile homes on individual mobile homes spaces in a mobile home park setting.	Change the purpose to reflect eliminating camping as a permitted use from the zone.





No.	Section	Current Wording Proposed Wording									Reason for Change			
13.	Section 12.2 –		_					-		Delete Campsites as a permitted use.				
	Mobile Home and Camping Zones – Permitted Land Uses	Uses ('P' Principal Use, 'S' Secondary Use, '-' Not Permitted) MH1					Uses Zones ('P' Principal Use, 'S' Secondary Use, '-' Not Permitted) MH1				Use, `-' Not			
		Accessory Buildings or					Accessory Bu Structures	ildings or		S				
		Structures	Irban					Irban						
		Agriculture, U Campsites	IIDali	S P			Agriculture, U		S					
		Child Care Cer	ntre,	S			Minor			S				
		Minor Home-Based	Business,	S			Home-Based Minor	·		S				
		Minor	5 1				Mobile Home	Park		P .1				
		Mobile Home	Park		P .1		Offices			S .2				
	C .:	Offices			S .2									
14.	Section 13.3 –	l	Section :	رع.ع – Permitted –			Uses	Section	13.3 — Permitted			Delete the footnote reference for MF3		
	Multi-Dwelling Zones –	Uses	Zones ('P' Principal Use, 'S' Secondary Use, '-' Not Permitted)						Zc ipal Use, 'S' Secor	ones ndary Use, `-' No	t Permitted)	stacked townhouses. Stacked townhouses are typically four storeys which have similar		
	Permitted Land		MF1	MF2	MF ₃	MF4		MF1	MF2	MF ₃	MF4	density, form, and massing to four storey		
	Uses	Stacked Townhouses	Р	Р	P 4	Р	Stacked Townhouses	Р	Р	Р	Р	apartment buildings thus it is appropriate to allow this housing form within the MF3 zone.		
15.	Section 13.3 – Multi-Dwelling Zones – Permitted Land Uses - Footnote 4		ouses and/or stacked townhouses are only permitted if the majority sidential dwelling units are in the form of apartment housing. 4 Townhouses are only permitted if the majority of the residential dwelling units are in the form of apartment housing.							includ dwelling	Amend the footnote for MF3 stacked townhouses. Stacked townhouses are typically four storeys which have similar density, form, and massing to four storey apartment buildings thus it is appropriate to allow this housing form within the MF3 zone.			
16.	Section 13.5 — Multi-Dwelling Zones — Development Regulations — Footnote 9	space shall be c and must not b space is not rec	configured as c e located with quired for fee s	elling unit of the common area that in the required setting in the townhouse portion of comm	t is accessible to etback areas. Co es. For all apartr	o all residents ommon amenity ment buildings,	space shall be and must not be space is not rec	configured as be located wit quired for fee elling units m	velling unit of the common area that hin the required so simple townhous ust have at least 7	Amend the indoor amenity space requirement to not apply to small apartment buildings. The maximum number of units a single access staircase apartment building is 24 units, therefore, the threshold was chosen at 25 units.				
17.	Section 13.5 – Multi-Dwelling Zones – Development Regulations – Footnote .11	.11 In the MF4 z Development R	elopment is 3 stool oly and if the develonent Regulation	elopment is 4 s		¹¹ In the MF ₄ z Development I greater than th	zone, if the de Regulations a ne MF3 Develo ,ooo m² that i	evelopment is 3 sto pply and if the dev opment Regulations building an apart Regulations.	This change is to ensure any larger lot that could utilize a 2 or 3 storey apartment building uses the MF3 – Apartment Development Regulations to ensure consistent setbacks, site coverage, and similar regulations for all apartment buildings.					
18.	Section 14.11 – Core Area & Other Zones – Commercial and Urban Centre Zone	Suburban -Resi	idential (S-RES titutional (EDII	tting a Core Area), Suburban - Mu NST) future land	ıltiple Unit (S-M	1U), or an	side yard setba Neighbourhoo Multiple Unit (ack is 3.0 meti d (C-NHD), S S-MU), or an	e lot is on Conlin C res when the lot is uburban - Residen Education / Institu ne Official Commu	This is to ensure side yard setbacks are implemented in these urban centre cul-de-sac situations.				
		I										This forms part of application # TA24-0021 City of Planner Initials AC Kelowna DEVELOPMENT PLANNING		



No.	Section	Current Wording							ed Wording		Reason for Change				
	Development Regulations - Footnote ³		·						•						
19.	Section 14.11 – Core Area & Other Zones – Commercial and Urban Centre Zone Development Regulations - Footnote .11	A minimum of 4.0 m² 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 and Private Amenity Space can be devoted to child care centres as long as the child care spaces have direct access to open space and play areas within the lot. The amount of Common and Private Amenity Space dedicated to child care spaces cannot be more than 50% of the total space required.						Ameniresider Comm long as within to child	inimum of 4.0 m ² p cy Space shall be co its and must not be on and Private Am the child care spa the lot. The amour I care spaces canno ient building with a uired common are	onfigured as e located wit enity Space ces have dire at of Commo ot be more to 25 or more d	Add the same indoor amenity regulation to apartment buildings within urban centres to ensure harmonized regulations for apartment buildings in Kelowna.				
20.	Section 14.14 — Core Area & Other Zones — Density and Height	Zones	FAR= floor area ratio Min. Density (if applicable) & Max. Base Density	ion 14.14 – C n / GFA = gross flo Max. Public Amenity & Streetscape Bonus FAR			tres Max. Height with Bonus FAR	Zones	FAR= floor area ratio Min. Density (if applicable) & Max. Base Density		Density and I oor area / m= metr Max. Rental or Affordable Housing Bonus FAR		tres Max. Height with Bonus FAR	Add footnote .16 to p2 zoned lot in order to comply with the provincial transit oriented areas legislation and to align with the Official Community Plan's building height maps for each urban centre.	
		P2	1.0 FAR	n/a	n/a	3 storeys & 13.5 m	No additional height	P ₂	FAR -1 , -7 1.0 FAR -16	n/a	n/a	3 storeys & 13.5 m .16	No additional height		
21.	Section 14.14 – Core Area & Other Zones – Density and Height - Footnote	n/a							P2 zoned lot withi maximum base de				Centre	See rational above.	
22.	Section 14.15 – Core Area & Other Zones - Site Specific Regulations	n/a							1 9 1 1 1				n campsites	To reflect the current land use of the property which effectively prevents camping throughout the rest of the City.	
								Section 3024- Township 26 PT C Blk 8 As Shown O CNR Lease RP 168	n		as a permi addition to land uses in Section	o those permitted			





Chart A

Original – Section 5.3 – Definitions & Interpretations – General Definitions

VISUAL EXAMPLE OF MAX FLOOR HEIGHT FOR REDUCED GROUND ORIENTED HOUSING SETBACK (Figure 5.12) means the following figure:







VISUAL EXAMPLE OF MIN NET FLOOR AREA ON FIRST FLOOR FOR REDUCED GROUNDORIENTED HOUSING SETBACK (Figure 5.13) means the following figure:

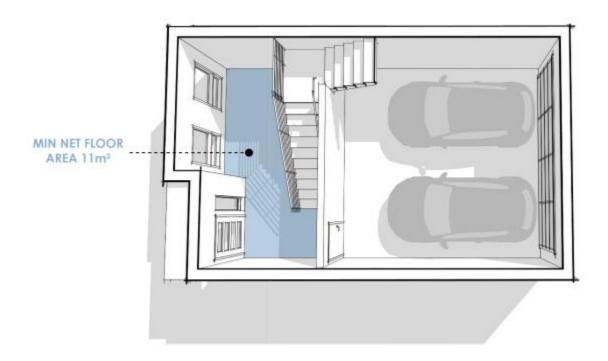






Chart B

Proposed – Section 5.3 – Definitions & Interpretations – General Definitions

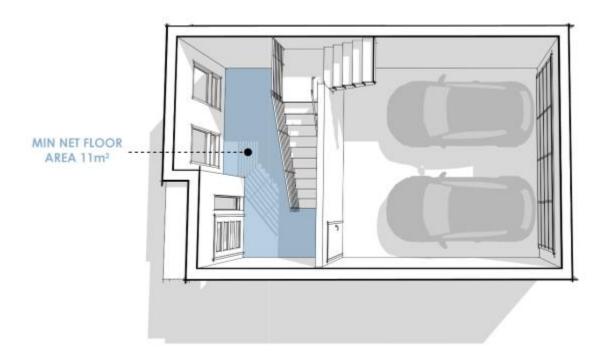
VISUAL EXAMPLE OF MAX FLOOR HEIGHT FOR REDUCED GROUND ORIENTED HOUSING SETBACK (Figure 5.12) means the following figure:







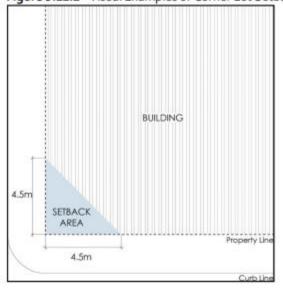
VISUAL EXAMPLE OF MIN NET FLOOR AREA ON FIRST FLOOR FOR REDUCED GROUND ORIENTED HOUSING SETBACK (Figure 5.13) means the following figure:





VISUAL EXAMPLES OF CORNER LOT SETBACK (Figure 9.11.1) means the following figures:

Figure 9.11.1 - Visual Examples of Corner Lot Setback



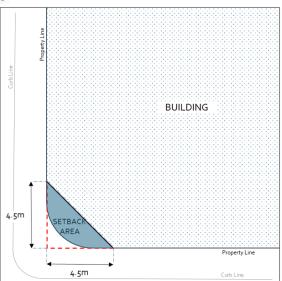








Chart C

Original – Section 9.11 – Specific Uses – Tall buildings Regulations

