

# Report to Council



**Date:** February 9, 2026  
**To:** Council  
**From:** City Manager  
**Subject:** Supplemental Report – Highway Setbacks – Zoning Bylaw No. 12375 General Amendments (TA25-0010)  
**Department:** Development Planning

**Recommendation:**

THAT Council receives, for information, the report from the Development Planning Department dated February 9, 2026 regarding the amendment of Bylaw No. 12834 to remove the proposed highway setback changes;

AND THAT Zoning Bylaw Text Amendment Bylaw No. 12834 be amended at third reading to remove changes to Section 6.4 – Setback from Provincial Highways.

**Purpose:**

To remove changes to Section 6.4 – Setback from Provincial Highways from Bylaw No. 12834.

**Background:**

On December 8, 2025 and January 12, 2026, Council considered a package of amendments to Zoning Bylaw No. 12375. Among the proposed changes was a change to Section 6.4 – Setback from Provincial Highways which was intended to align the City’s setback requirements with regulations of the Ministry of Transportation and Transit.

*Previous Council Resolution*

Resolution	Date
<p>THAT Zoning Bylaw Text Amendment No. TA25-0010 to amend the City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule “A” attached to the Report from the Development Planning Department dated December 8, 2025 be considered by Council;</p>	<p>December 8, 2025</p>
<p>AND THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Transit.</p>	
<p>THAT Bylaw No. 12834 be read a first, second and third time.</p>	<p>January 12, 2026</p>

**Discussion:**

After further consultation with Ministry of Transportation and Transit, City of Kelowna and Ministry staff are recommending removing the proposed changes to Section 6.4 – Setback from Provincial Highways from the current package of bylaw amendments.

A separate set of bylaw amendments will look comprehensively at setbacks along both the Highway 97 and Highway 33 corridors and will return to Council at a later date.

**Application Chronology:**

Initial Council Consideration: December 8, 2025

Bylaw Reading Consideration: January 12, 2026

**Report prepared by:** Mark Tanner, Planner Specialist  
**Reviewed by:** Adam Cseke, Development Planning Manager  
**Reviewed by:** Nola Kilmartin, Development Planning Department Manager  
**Approved for inclusion:** Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

*See Item 5.5 on the December 8, 2025 Council meeting agenda for a complete copy of the original TA25-0010 report and bylaw: [PM Council Meeting - December 08, 2025](#)*