CITY OF KELOWNA

BYLAW NO. 11363
TA16-0018 – C7 – Central Business Commercial Zone

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000, **Section 14.7 C7 – Central Business Commercial C7rls – Central Business Commercial (Retail Liquor Sales)/C7lp – Central Business Commercial (Liquor Primary)/C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)** be deleted in its entirety and replaced with a new **Section 14.7 C7 – Central Business Commercial C7rls – Central Business Commercial (Retail Liquor Sales)/C7lp – Central Business Commercial (Liquor Primary)/C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)** as attached to and forming part of this bylaw.

1. 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 27th day of February, 2017.

Considered at a Public Hearing on the 21st day of March, 2017.

Read a second and third time by the Municipal Council this 21st day of March, 2017.

Approved under the Transportation Act 8th day of May, 2017.

Audrie Henry
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

14.7 C7 – Central Business Commercial
C7rls – Central Business Commercial (Retail Liquor Sales)
C7lp – Central Business Commercial (Liquor Primary)
C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)

14.7.1 Purpose

The purpose of this zone is to designate and to preserve land for the orderly development of the financial, retail and entertainment, governmental, cultural and civic core of the Downtown while also encouraging high density mixed-use buildings.

14.7.2 Principal Uses

The **principal uses** in this **zone** are:

(a) amusement arcade, major
(b) apartment housing
(c) apartment hotels
(d) boarding or lodging houses
(e) breweries and distilleries, minor
(f) broadcasting studios
(g) business support services
(h) child care centre, major
(j) commercial schools
(k) community garden
(l) community recreational services
(m) congregate housing
(n) custom indoor manufacturing/artist's studio
(o) emergency and protective services
(p) financial services
(q) food primary establishment
(r) funeral services
(s) fleet services
(t) gaming facilities
(u) government services
(v) health services
(w) hotels
(x) household repair services
(y) liquor primary establishment, major (C7lp and C7lp/rls only)
(z) liquor primary establishment, minor
(aa) multiple dwelling housing
(bb) non-accessory parking
(cc) offices
(dd) participant recreation services, indoor
(ee) personal service establishments
(ff) private clubs
(gg) private education services
(hh) public education services
(ii) public libraries and cultural exhibits

(jj) public parks
(kk) recycled materials drop-off centres
(ll) retail liquor sales establishment (C7rls and C7lp/rls only)
(mm) retail stores, convenience
(nn) retail stores, general
(oo) spectator entertainment establishments
(pp) spectator sports establishments
(qq) supportive housing
(rr) temporary parking lot
(ss) temporary shelter services
(tt) thrift stores
(uu) used goods stores
(vv) utility services, minor impact

14.7.3 Secondary Uses

The **secondary uses** in this **zone** are:
(a) **agriculture, urban**
(b) **amusement arcade, minor**
(c) **child care centre, minor**
(d) **home based businesses, minor**

14.7.4 Subdivision Regulations

(a) The minimum **lot width** is 6.0 m.
(b) The minimum **lot depth** is 30.0 m.
(c) The minimum **lot area** is 200 m².

14.7.5 Development Regulations

(a) The maximum allowable **height** shall be in accordance with the C7 – Map A Downtown Height Plan.
(b) Where a property is not shown in the C7 Map A Downtown Height Plan, the maximum height shall be 22.0 m.
(c) The maximum Floor Area Ratio is 9.0.
(d) The minimum front yard is 0.0 m.
(e) The minimum side yard is 0.0 m.
(f) The minimum rear yard is 0.0 m.
(g) There shall be a triangular setback 4.5 m in length abutting along the property lines that meet at each corner of an intersection, as shown in Figure 1. This setback will only be required at the first storey.

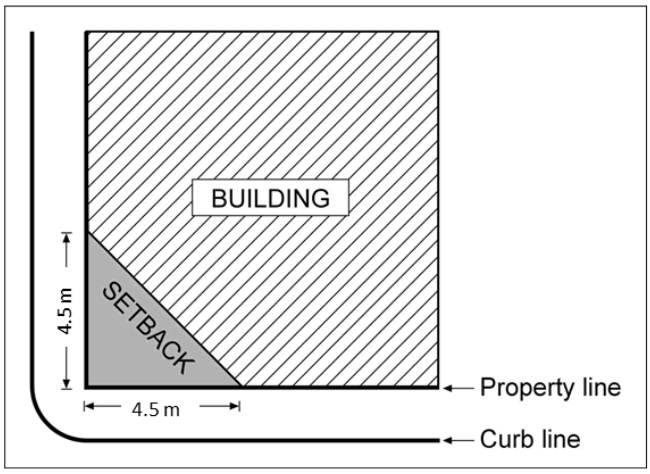


Figure 1

(h) For any building above 16.0m in height:

i. Any portion of a building above 16.0 m in height must be a minimum of 3.0 m. from any property line abutting a street.

ii. Any portion of a building above 16.0 m in height must be a minimum of 4.0 m from any **property line** abutting another **property.**

iii. A building floor plate cannot exceed 1,221 m^2.

Setback Table

Height	Front and Flanking Yard Setback	Side Yard Setbacks	Floorplate
0.0 to 16.0 m	0.0 m	0.0 m	No restriction
16.0 m and above	3.0 m	4.0 m	1,221 m^2

CIVIC PRECINCT

Where within the area shown in C7 – Map B Civic Precinct and Retail Streets.

14.7.6 Development Regulations

(a) The maximum allowable **height** shall be in accordance with the maximum allowable height within the Civic Precinct, in accordance with the C7 – Map A Downtown Height Plan.
(b) The maximum Floor Area Ratio is 9.0.
(c) The minimum front yard is 0.0 m.
(d) The minimum side yard is 0.0 m.
(e) The minimum rear yard is 0.0 m.

(f) Any portion of a building above 9.0 m in height must be a minimum of 3.0 m. from any property line abutting a street, as shown on C7 - Diagram B attached to this bylaw.

(g) Any portion of a building above 9.0 m in height must be a minimum of 4.0 m from any property line abutting another property as illustrated on C7 - Diagram B attached to this bylaw.

(h) A minimum separation distance of 25.0 m shall be provided where adjacent buildings are above 22.0m on the same block.

(i) Any tower floor plate situated above 9.0 m in height but below 22.0 m in height cannot exceed 1,221.0 m^2.

(j) Any tower floor plate situated above 22.0 m in height cannot exceed 676.0 m^2.

(k) Any portion of a building above 22.0 m in height cannot exceed a continuous exterior horizontal dimension of 26.0 m.

(l) Any portion of a building above 12.0 m in height cannot exceed a continuous exterior horizontal dimension of 40.0 m.

(m) A continuous building frontage shall not exceed 50.0 m in length, and must be designed with appropriate architectural breaks such as a recessed courtyard, entry setback, breezeway, patio, or similar relief, where the length of the building exceeds 30.0 m.

14.7.7 Other Regulations

(a) A minimum area of 6.0 m^2 of **private open space** shall be provided per **bachelor dwelling**, 10.0 m^2 of **private open space** shall be provided per 1-bedroom **dwelling**, and 15.0 m^2 of **private open space** shall be provided per **dwelling** with more than 1 **bedroom**.

(b) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, accessory **development**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.

(c) Drive-in food services are not a permitted form of development in this zone.

(d) Development on streets identified as Retail Streets on C7 – Map B Civic Precinct and Retail Streets Floorplate and Section must provide a functional commercial, civic or cultural space on the first floor, which must occupy a minimum of 90% of all street frontages, OR a minimum of 75% on secondary street frontages provided 100% of the principal frontage has an active commercial, cultural or civic space.

(e) Development on streets NOT identified as Retail Streets on C7 – Map B Civic Precinct and Retail Streets must provide a functional commercial, civic or cultural space, or ground oriented residential use, on the first floor, which must occupy a minimum of 90% of all street frontages, OR a minimum of 75% on secondary street frontages provided 100% of the principal frontage has an active commercial or residential space

C7 Map A - Downtown Building Heights Plan



C7 Map B – Civic Precinct and Retail Streets

