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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** September 11, 2002  
**File No.:** (3360-20) **OCP01-009/TA01-008/Z01-1040**

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

APPLICATION NO. OCP01-009/ TA01-008/ Z01-1040      OWNER: CITY OF KELOWNA

AT: GORDON DRIVE      APPLICANT: CITY OF KELOWNA / PARKS DIVISION

PURPOSE: TO AMEND THE OFFICIAL COMMUNITY PLAN TO CHANGE THE FUTURE LAND USE OF THE SUBJECT PROPERTIES FROM RURAL/AGRICULTURAL TO MAJOR PARK AND OPEN SPACE,

TO AMEND ZONING BYLAW 8000 TO ADD THE P5 – MUNICIPAL DISTRICT PARK ZONE,

TO REZONE THE SUBJECT PROPERTIES FROM THE EXISTING A1 – AGRICULTURAL 1 ZONE TO THE P5 – MUNICIPAL DISTRICT PARK ZONE TO PERMIT THE DEVELOPMENT OF THE SUBJECT PROPERTY FOR PARK PURPOSES

EXISTING ZONE: A1 – AGRICULTURAL 1

PROPOSED ZONE: P5 – MUNICIPAL DISTRICT PARK

REPORT PREPARED BY: PAUL McVEY

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SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

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### 1.0 RECOMMENDATION

THAT Map 15.1 – *General Future Land Use* of Schedule “A” of the Kelowna Official Community Plan (1994 – 2013) Bylaw No. 7600 be amended by changing the Future Land Use designation of; Part of Lot 1 , DL 168, and of Sec. 6, Twp. 26, O.D.Y.D., Plan KAP46027 exc. Plan KAP49584, and Lot 2, DL 168, Sec. 6, Twp. 26, O.D.Y.D., Plan KAP46027, Located on Gordon Drive, from “City Owned Lands” to “Parks and Open Space” as shown on Map “A”;

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by adding the P5 – Municipal District Park zone to Schedule “B” of Zoning Bylaw 8000 as outlined in Schedule “B” attached to the report of the Planning & Development Services Department dated September 11 2002;

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by text amendment adding reference to the P5 – Municipal District Park zone to the section of Zoning Bylaw 8000, as outlined in Schedule “C” attached to the report of the Planning and Development Services Department dated September 11, 2002;

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by adding the new definitions to the section of Zoning Bylaw 8000, as outlined in Schedule “D” attached to the report of the Planning and Development Services Department dated September 11, 2002;

THAT City of Kelowna Sign Bylaw, 1998, No. 8235 be amended by adding reference to the P5 – Municipal District Park zone to the section of Sign Bylaw 8235, as outlined in Schedule “E” attached to the report of the Planning and Development Services Department dated September 11, 2002;

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, Sec. 6, Twp. 26, O.D.Y.D., Plan 33324 exc. Plan KAP45692, Lot C, DL 168, and Sec. 6, Twp. 26, O.D.Y.D., Plan 41675 exc. Plan KAP46592, Lot 1 , DL 168, and of Sec. 6, Twp. 26, O.D.Y.D., Plan KAP46027 exc. Plan KAP49584, and Lot 2, DL 168, Sec. 6, Twp. 26, O.D.Y.D., Plan KAP46027, located on Gordon Drive, Kelowna, B.C., from the A1 – Agricultural 1 zone and the P1 – Major Institutional zone to the P5 – Municipal District Park and A1 – Agricultural 1 zones as shown on Map "B" attached to the report of Planning and Development Services Department dated September 11, 2002;

THAT Text Amendment No. TA01-008, the Official Community Plan and zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

## 2.0 SUMMARY

The applicant wishes to rezone the subject properties from the existing A1 – Agricultural 1 and P1 – Major Institutional zones to the P5 – Municipal District Park zone in order to facilitate the creation of the “Mission District Park”. As the Official Community Plan designates the subject properties as “City Owned Lands”, an OCP amendment has been made in conjunction with the rezoning application to change the future land use designation of the subject properties to “Major Parks and Open Space”. As part of this application, an associated text amendment application has been made to create a new “P5 – Municipal District Park” zone specifically for district park uses. It is anticipated that this new P5 zone will also be applied to other existing District Parks in the City in the future.

## 2.1 Advisory Planning Commission

The above noted applications (OCP01-009/Z01-1040/TA01-008) were reviewed by the Advisory Planning Commission at the meeting of August 20, 2002 and September 10, 2002 and the following recommendations were passed:

THAT the Advisory Planning Commission support Official Community Plan Amendment application No. OCP01- 0009, Lots 1 & 2, Plan 46027, Sec. 6, Twp. 26, ODYD, City of Kelowna (Parks Department), to amend the Future Land Use Designation subject property from City Owned Land to Major Park/Open Space and Rural Agriculture.

THAT the Advisory Planning Commission support Text Amendment No. TA01-008 to create the P5 - Municipal District Park subject to secondary uses of a commercial nature being limited to 25%-30% of the overall site development.

AND THAT the Advisory Planning Commission support Rezoning Application No. Z01-1040, Lots 1 & 2, Plan 46027, Sec. 6, Twp. 26, ODYD, City of Kelowna (Parks Department), to rezone the subject property from the A1-Agriculture 1 zone to the P5-Municipal District Park zone

## 3.0 BACKGROUND

### 3.1 The Proposal

The proposed site for the Mission District Park (Sports Fields) has been the subject of a major drainage project to create a storm water management facility to improve the quality of storm water prior to discharge to Okanagan Lake. The project not only provides for improved drainage to the Mission District Park site and the surrounding agricultural lands, but also improves the agricultural viability of the surrounding agricultural lands by lowering the height of the ground water table. As part of the application to the Land Reserve Commission, there has been a master Development Plan developed to show the conceptual land use of the Mission District park lands. The Land Reserve Commission granted approval of a plan for the development of the subject properties in October 2000, based on the provision of the drainage works to lower the water table in conjunction with other proposed works on the site.

The proposed Mission District Park is anticipated to include amenities including, but not limited to; sports playing fields, arenas, recreation centre, pool, tennis courts, community use facilities, leisure commercial, trails, passive open space, and a wetland nursery. It is also further anticipated that there will be a requirement for future expansion of the arena facility. The proposed outdoor sports fields are anticipated to consist of 8 baseball / softball diamonds and 6 combination sportsfields. The Mission District Park is envisioned to serve the district park needs for the south sector of the City, while also serving the district park needs of the South West Mission Sector, South East Kelowna Sector, and the KLO/Pandosy Sector.

There has been an application for an Official Community Plan amendment made in conjunction with the rezoning application as part of the subject properties are designated as "City Owned Lands" future land use in the OCP. As well, there has also been an application for a text amendment to the City of Kelowna zoning bylaw 8000 to add the P5 – Municipal District Park" zone to the bylaw to provide a specific zone for District

Park use. It is anticipated that this zone will also be applied to the existing District Park locations (Parkinson Recreation Centre, Rutland Sports Fields) in the future. The rationale for creating a new Municipal District Park zone was that this is a very specific and unique land use, and as a result, would have a very limited application. An amendment to the P1 – Major Institutional zone would apply to all P1 zoned properties in the City, and could have potentially permitted the development of a district park facility on a larger number of properties in the City which may not be located in appropriate areas.

The proposal as compared to the P5 zone requirements is as follows:

| CRITERIA                    | PROPOSAL | P5 ZONE REQUIREMENTS |
|-----------------------------|----------|----------------------|
| Site Area (m <sup>2</sup> ) | 35 Ha.   | 10 Ha for site       |
| Site Width (m)              | 545 m    | 13.0 m               |
| Site Depth (m)              | 620 m    | 30.0 m               |

### 3.2 Site Context

The subject properties are generally level, and are bounded by Lexington Drive to the north, Gordon Drive to the west, and the Michaelbrook Golf course to the east and agricultural uses to the south. The lands have been identified in the Official community Plan for District Park uses.

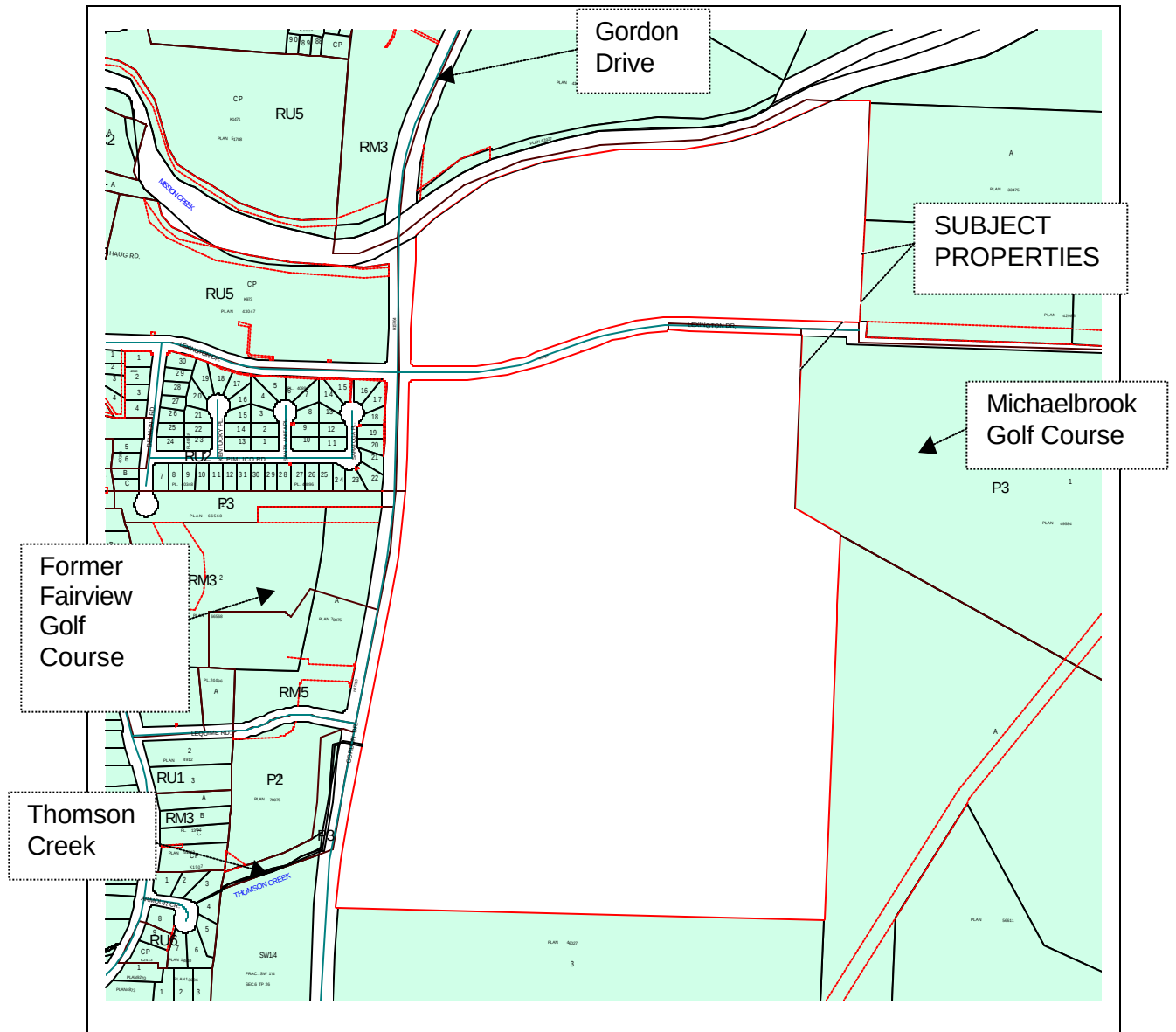
Adjacent zones and uses are, to the:

- North - P1 – Major Institutional/Mission Sports Fields
- East - A 1 – Agricultural 1/Pasture, hayfields  
P3 – Parks and Open Space/Michaelbrook Golf Course
- South - A 1 – Agricultural 1/Hayfield, pasture, barn & farm house
- West - P3 – Parks and Open Space/ Gordon Dr., Vacant future park  
RM3 – Low Density Multiple Housing/vacant, former Fairview Golf  
RM5 – Medium Density Multiple Housing/vacant  
P2 – Education and Minor Institutional/future site of the Okanagan Academy school

### 3.3 Existing Development Potential

The existing zone of A1 - Agricultural 1 allows for agriculture, animal clinics – major (in existence prior to July 1, 1998), aquaculture, greenhouses and plant nurseries, mobile homes, single detached housing, and utility services – minor impact as permitted principal uses. The zone also permits agricultural dwellings – additional, agri-tourism accommodation, animal clinics – major and minor, bed and breakfast homes, care centres major and minor, group homes- minor, home based businesses – minor, major, rural, kennels and stables, and wineries and cideries as permitted secondary uses.

### Subject Property Map



## 3.4 Current Development Policy

### 3.4.1 Kelowna Official Community Plan

The Official Community Plan designates the subject properties as “Major Park/Open Space” and “City Owned Lands”. An application for an OCP amendment has been made to change the future land use designation of the area identified as “City Owned Lands” to the “Major Park/Open Space” future land use designation.

3.4.2 City of Kelowna Strategic Plan (1992)

An objective of the City of Kelowna Strategic Plan is to develop fewer larger, and strategically located recreational centres in the City offering a wider variety of recreational facilities, such as a district park.

3.4.3 North Mission / Crawford Sector Plan

The North Mission / Crawford Sector Plan designates the subject properties as Major Park/Open Space and City Owned Lands. The sector plan also identifies the Mission Sports Fields as the district park for the south sector of the City and the region.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

4.1 B.C. Gas

Gas is in the area. If it is required in the future, an application is required.

4.2 Fire Department

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law.

4.3 Ministry of Water, Land and Air Protection

No recommendations or objections

4.4 Public Health Officer

Sanitary sewer and community water required

4.5 School District #23

School District 23 supports the OCP amendment for the proposed community amenity.

4.6 Shaw Cable

Owner/contractor to supply and install conduit system as per Shaw drawings and specifications.

4.7 Telus

Telus will provide underground facilities to this development. Developer will be required to supply and install as per Telus policy

4.8 Utilicorp Networks Canada (Aquila Networks Canada)

Utilicorp will provide underground electrical service. Scope of development may require an additional system work.

#### 4.9 Works and Utilities Department

The Works & Utilities Department have the following requirements associated with this development application. The road and utility upgrading requirements outlined in this report are provided for information purposes. Typically off-site roads and utilities upgrading requirements for the private sector development community would be identified in the rezoning application and made a requirement of the issuance of a building permit or subdivision approval, if applicable. In the case of a City of Kelowna application, there may be some leeway in this process. However it has been the consensus of all the City of Kelowna departments involved in this development that the City Parks Department will voluntarily budget for the required offsite road and utility upgrading identified in this report.

##### 1. Domestic Water and Fire Protection

- (a) Domestic water and fire protection for this development is provided from a watermain extension from Lequime Rd. This has already been constructed and paid for by the City Parks Department. Latecomer protection is available for the watermain constructed with-in the Fairview golf course property. A latecomer agreement should be executed promptly to take advantage of this opportunity.
- (b) Domestic water and fire protection for the site will be reviewed and approved by Engineering when a site servicing design is submitted.
- (c) It will not be necessary to construct a watermain on Gordon Drive.
- (d) The subject lot must be included into Water Specified Area Number 1. A map amendment will be required.

##### 2. Sanitary Sewer

- (a) Sanitary sewer service for this development will be provided from a sanitary sewer main extension from Lequime Rd. This has already been constructed and paid for by the City Parks Department. Latecomer protection is available for the sewer main constructed with-in the Fairview Golf Course property. A latecomer agreement should be executed promptly to take advantage of the opportunity.
- (b) Sanitary sewer service for the site will be reviewed and approved by Engineering when a site servicing design is submitted. This will be a force main with a lift station on site.
- (c) It will not be necessary to construct a sewer main on Gordon Drive.
- (d) The subject lot must be included into Sanitary Sewer Specified Area Number 1. A map amendment will be required.

##### 3. Storm Drainage

- (a) Storm drainage for the entire site has been completed by the City Drainage / Solid Waste Division.

- (b) It will be necessary to construct some storm drainage facilities (catch-basins etc.) on Gordon Drive fronting the proposed development. The cost of this construction is included in the roads item.
- (c) Storm drainage for the site will be reviewed and approved by Engineering when a site servicing design is submitted.

4. Road Improvements

- (a) Gordon Drive must be upgraded to a full urban standard along the full frontage of this proposed development (540 lin. meters), including curb and gutter, separate sidewalk, storm drainage system including catch basins, manholes/ dry-wells, pavement widening, landscaped boulevard complete with underground irrigation system, ornamental street lights as required and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The estimated cost for this construction as previously estimated for budget purposes is \$928,000.00 that includes 15% extra for design and 25% escalation for contingency.
- (b) The City Transportation Department has identified the following additional work beyond the site frontage, which would likely have been identified by a traffic impact study (TIS). A formal TIS was not requested as a cost saving measure.
  - Ultimate intersection channelization and possible traffic signal at Lequime Rd. and Gordon Drive.
  - Ultimate intersection channelization and possible traffic signal at Lexington Drive and Gordon Drive.
  - Extension of sidewalk from the south-west corner of the subject property along the east side of Gordon Drive to approximately Paret Place. This is a preferred option but could be substituted with a 3.0m wide paved pedestrian and bicycle lane.
  - Extension of sidewalk along the east side of Gordon Drive from Lexington Drive to the Mission Creek Greenway. (walkway).
  - Provide a paved fillet of the existing asphalt surface along the east side of Gordon Drive south of the subject property all the way to Welke Rd to provide a paved bike lane as well as to provide a transition from the single northbound lane at Old Meadows Rd. to the 2 lane urbanized frontage of the subject site.

The estimated cost of this construction is included in item 4(a) above, which may be sufficient to include the costs of traffic signal installation at both Lexington Dr. and Lequime Rd. Full traffic signal costs would be approximately \$80,000.00 each.

- (c) Ideally Lexington Drive should be upgraded to a Class 2 Collector Road through the entire site, however the Transportation Engineer has agreed to defer that upgrade to future extensions of Lexington Drive.



5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) It is presumed that all on-site roads will be designated private roads, but if public bus routes are required, it may be necessary to dedicate some of these roads. This will be determined at a latter date.
- (b) Grant Statutory Rights Of Way if required for utility services.
- (c) The Transportation Department desires that the existing Lexington Road right of way be maintained. Also, that the play-fields and parking areas be planned and constructed in a way to allow for the possible future function of Lexington as a collector road linked to Swamp Road.

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building as well as the local distribution wiring must be installed in an underground duct system, and the building must be connected by underground services. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

7. Street Lighting

Ornamental street lighting including underground ducts must be installed on all roads fronting on the proposed development. The cost of this requirement is included in the roads upgrading item.

8. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

9. Development Cost Charge Reduction Consideration

If development cost charges are applicable to this public development, the proposed construction on Gordon Dr. is eligible to receive a DCC credit for a portion of the pavement widening. The amount of the DCC credit will be determined when the design engineer has submitted construction tender costs. DCC credit cannot exceed the actual DCC assessed by the City, nor shall it exceed the actual cost of construction as is substantiated by the actual construction cost.

10. Latecomer Protection

Under provisions of Section 990 of the BC Municipal Act, and in conformance with the City of Kelowna Subdivision Development & Servicing Bylaw No. 7900, the owner is eligible to apply for latecomer protection for the following:

- (a) Water main construction on Lequime Rd.
- (b) Sanitary sewer construction on Lequime Rd.
- (c) Storm drainage construction on Lequime Rd.

11. Geotechnical Report

As a requirement of this application or at building permit application, the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics, including water sources on the site and overland surface drainage courses traversing across or influencing this property.
- (b) Site suitability for development; i.e. unstable soils, peat deposits, soil bearing capability, etc.
- (c) Drill and/or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

12. Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

13. Cost Estimates for Information Purposes

(a) Estimates

Gordon Dr. urban upgrade  
Off-site sidewalk construction  
Offsite fillet pavement

Total Costs  
\$928,000.00.

NOTE: The amounts shown above are estimated construction costs excluding bonding escalation but include engineering design and contingency protection. These estimates are provided for information purposes only.

A typical private developer would be required to enter into a servicing agreement, and provide a performance bond to assure that the required construction is completed, but this may not be necessary in this case.

(b) Levies

Nil

14. Development Permit and Site Related Issues

(a) Comments related to site development will be addressed when a development permit and / or a building permit application is submitted.

15. Administration Charge

An administration charge is normally assessed for processing an application and for review and approval of engineering designs and construction inspection. A discussion between department managers should be held to decide if an administration charge is required for this application. An administration charge would be calculated as 3% of the total off-site construction costs, not including design. 7% GST is normally added.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development does not have any concerns with this comprehensive development application. The subject lands have been identified for future park use in the relevant City Development policies. The Land Reserve Commission has approved the exclusion of the subject properties subject to provision of improved drainage to lower the ground water table and the creation of drainage detention ponds to improve the quality of storm water prior to discharge to Okanagan Lake.

The text amendment to create the “P5 – Municipal District Parks” zone will provide a means to direct development of land in the City for District Park uses. It is anticipated that the City of Kelowna will enter into a Public – Private Partnership arrangement to facilitate the construction of the proposed recreation and sports centre for the Mission District Park. As well, it is also anticipated that there will be a subdivision to create a separate lot for the newly created wet lands that were part of the drainage improvement project, and the subject of the Land Reserve application that approved the drainage project and Mission District Park.

In light of the above, the Planning and Development Services Department supports this application and recommends for positive consideration by Council.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

PMc/pmc  
Attach.

**FACT SHEET**

1. **APPLICATION NO.:** OCP01-009 / TA01-008 / Z01-1040
2. **APPLICATION TYPE:** Official Community Plan Amendment,  
Text Amendment,  
Rezoning
3. **OWNER:** City of Kelowna  
· **ADDRESS** 1435 Water St.  
· **CITY** Kelowna, BC  
· **POSTAL CODE** V1Y 1J4
4. **APPLICANT/CONTACT PERSON:** City of Kelowna Parks Division  
Peter Alexander  
· **ADDRESS** 1359 KLO Rd.  
· **CITY** Kelowna, BC  
· **POSTAL CODE** V1W 3N8  
· **TELEPHONE/FAX NO.:** 862-5580/861-8793
5. **APPLICATION PROGRESS:**  
Date of Application: September 13, 2001  
Date Application Complete: September 14, 2001  
Servicing Agreement Forwarded to Applicant: N/A  
Servicing Agreement Concluded: N/A  
Staff Report to Council: September 11, 2002
6. **LEGAL DESCRIPTION:**
  - a) Lot B, Sec. 6, Twp. 26, O.D.Y.D., Plan 33324 exc. Plan KAP45692,
  - b) Lot C, DL 168, and Sec. 6, Twp. 26, O.D.Y.D., Plan 41675 exc. Plan KAP46592,
  - c) Lot 1 , DL 168, and of Sec. 6, Twp. 26, O.D.Y.D., Plan KAP46027 exc. Plan KAP49584, and
  - d) Lot 2, DL 168, Sec. 6, Twp. 26, O.D.Y.D., Plan KAP46027
7. **SITE LOCATION:** East side of Gordon Drive, South of Lexington Dr.
8. **CIVIC ADDRESS:** East of Gordon Dr.
9. **AREA OF SUBJECT PROPERTY:** 35 Ha.
10. **AREA OF PROPOSED REZONING:** 25 Ha.
11. **EXISTING ZONE CATEGORY:** A1 – Agricultural 1
12. **PROPOSED ZONE:** P1 – Major Institutional

- |                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>13. PURPOSE OF THE APPLICATION:</b>                                                                               | <p>To Amend The Official Community Plan To Change The Future Land Use Of The Subject Properties From Rural/Agricultural To Major Park And Open Space,</p> <p>To Amend Zoning Bylaw 8000 To Add The P5 – Municipal District Park Zone,</p> <p>To Rezone The Subject Properties From The Existing A1 – Agricultural 1 Zone To The P5 – Municipal District Park Zone To Permit The Development Of The Subject Property For Park Purposes</p> |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:<br/>NOTE: IF LANDS ARE WITHIN 800 m OF A<br/>CONTROLLED ACCESS HIGHWAY</b> | Pending                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>15. DEVELOPMENT PERMIT MAP 13.2<br/>IMPLICATIONS</b>                                                              | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                       |

Attachments

Subject Property Map

4 pages of site plan, building plan, OCP amendment map, and rezone map

## **SCHEDULE B – ADDITION OF P5 ZONE**

The following shall be added to Schedule “B” of Zoning Bylaw No. 8000 as the P5 – Municipal District Parks zone:

### **Section 16 – Public and Institutional Zones**

#### **16.5 P5 – Municipal District Park**

##### **16.5.1 Purpose**

The purpose is to provide a zone for the development of major Municipal District Parks and ancillary recreational uses.

##### **16.5.2 Principal Uses**

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

- (a) **District Park**

##### **16.5.3 Secondary Uses**

The **secondary uses** in this zone that may apply to individual parcels within a combined site zoned P5 are:

- (a) **amusement arcades, major**
- (b) **care centres, major**
- (c) **community recreation services**
- (d) **eating and drinking establishments, major**
- (e) **eating and drinking establishments, minor**
- (f) **emergency and protective services**
- (g) **flea markets**
- (h) **health services**
- (i) **non-accessory parking**
- (j) **participant recreation services, indoor**
- (k) **participant recreation services, outdoor**
- (l) **public libraries and cultural exhibits**
- (m) **public parks**
- (n) **residential security/operator unit**
- (o) **retail sales, general**
- (p) **spectator sports establishments**
- (q) **utility services, minor impact**

#### 16.5.4 Subdivision Regulations

The minimum combined site area for the P5 zone is 10 Ha. Within a site zoned P5, individual parcels can be created that meet the following regulations:

- (a) The minimum **lot width** is 13.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 460 m<sup>2</sup>.

#### 16.5.5 Development Regulations for entire site

- (a) The maximum **floor area ratio** is 0.5.
- (b) The maximum **site coverage** of **buildings**, driveways and parking areas is 30% .
- (c) The maximum **height** is 22.0 m or 6 **storeys**.
- (d) The minimum **front yard** is 6.0 m.
- (e) The minimum **side yard** is 4.5 m, except it is 6.0 m to a **flanking street**.
- (f) The minimum **rear yard** is 7.5 m.

Development on individual lots within a P5 zoned site shall be regulated by B.C. Building Code provisions and the City of Kelowna Building Bylaw regulations

#### 16.5.6 Other Regulations

- (a) **Retail sales, general and health services** shall be limited to those types of uses and services clearly ancillary to the principal uses of a major sports and recreation facility.
- (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) **General retail stores** shall only be located within a building that is primarily used for **District Park, participant recreation services-indoor, and spectator sports establishments** uses and shall not exceed 235 m<sup>2</sup> or 5% of the **gross floor area** of the building in which it is located, whichever is the lessor.
- (d) **Health services** shall be limited to a combined maximum total **gross floor area** of 500 m<sup>2</sup>.



### **SCHEDULE C – ADDITION OF REFERENCE TO P5 ZONE TO ZONING BYLAW NO. 8000**

The following amendments shall be made to Zoning Bylaw No. 8000 to reference the P5 zone throughout the Bylaw;

#### **Section 1 – General Administration**

Add P5 – Municipal District Parks to table of zone under section 16 – Public and Institutional Zones

#### **Section 7 – Landscaping and Screening**

Add P5 zone to Table 7.1 in the same category as Public and Institutional Zones P1 & P2

### **SCHEDULE D – ADDITION OF NEW DEFINITIONS TO ZONING BYLAW NO. 8000**

The following amendments shall be made to Section 2 of Zoning Bylaw No. 8000 to add new definitions to the bylaw:

#### **‘District Park’ Definition**

**District Park** means any public outdoor land specifically for passive or active recreation that may include tot-lots, playgrounds, walkways, trails, environmentally sensitive areas, band shells, forest reserve, wildlife sanctuary, greenbelts, conservation areas, buffers, nature interpretation areas, and similar land uses; plus high standard lighted sportsfields, tennis courts, lacrosse boxes, recreation centres/complexes for all age groups, swimming pools, field houses, stadiums, and arenas, and other sports and recreation facilities. District Park sites generate large numbers of participants and spectators attracted from all areas of the City plus tournament visitors and tourists. These sites serve a population of 45,000 residents within five kilometres and also serve specific facility needs City wide. It includes all natural and man-made landscaping, facilities, playing fields, access trails, buildings and structures consistent with the general purpose of public parkland.

**SCHEDULE E – ADDITION OF REFERENCE TO P5 ZONE TO  
SIGN BYLAW NO. 8235**

The following amendments shall be made to Sign Bylaw No. 8235 to reference the P5 zone throughout the bylaw.

**Section 6 – Specific Zone Regulations**

Add new table for P5 zone to Table 6.1 under Public and Institutional Zones (P1, P2, P3, P4, W1,& W2) category;

| Type of Sign                            | Number of Signs                         | Regulation                                                                                                     |
|-----------------------------------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------|
| Fascia or Canopy Signs                  | 1 per business                          | Maximum area is 0.3 m <sup>2</sup> per lineal metre of building frontage up to a maximum of 4.0 m <sup>2</sup> |
| Free-Standing Signs                     | 1 per site frontage                     | a) 4.5 m maximum height<br>b) 15 m <sup>2</sup> maximum area                                                   |
| Identifications Signs for Building Name | 1 on freestanding sign<br>1 on building | Exempt                                                                                                         |