

CITY OF KELOWNA

BYLAW NO. 8895

Text Amendment No. 01-008 – Add P5 – Municipal District Park 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 that City of Kelowna Zoning Bylaw No. 8000 be amended as follows:

1. THAT the **Table of Contents** be amended by:
 - (a) Replacing the existing lines numbered 16.5 and 16.6 under the heading **Section 16: Public & Institutional Zones** with the following:

“16.6	W1	Recreational Water Use	W1-1
16.7	W2	Intensive Water Use	W2-2”
 - (b) Adding the following line under the heading **Section 16: Public & Institutional Zones** after the line beginning 16.4:

“16.5	P5	Municipal District Park	P5-1”
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2. AND THAT **Section 1 - General Administration** be amended by:
 - (a) Adding a new line entitled P5, after the line beginning P4, under the heading **Section 16 - Public and Institutional Zones** in **Subsection 1.3 Zoning Map** as follows:

“P5 – Municipal District Park”

3. AND THAT **Section 2 - Interpretation** be amended by:
 - (a) Adding the following definition of **District Park** under the heading **Subsection 2.3 Definitions** after the definition for **Director of Planning & Development Services**:

"District Park means land used for public recreation purposes including tot-lots, playgrounds, **walkways**, trails, environmentally sensitive areas, band shells, forest reserves, wildlife sanctuaries, green belts, conservation areas, buffers, nature interpretation areas, **landscaping**, sportsfields, tennis courts, lacrosse boxes, recreation centres, swimming pools, field houses, arenas and stadiums."
4. AND THAT **Section 7 – Landscaping and Screening** be amended by:
 - (a) Adding P5 to the same line as P1, P2 under the heading **Public and Institutional Zones** in **Table 7.1 – Minimum Landscape Buffer Treatment Level Schedule**.

5. **AND THAT** Section 16 – Public & Institutional Zones **be amended by:**

- (a) Renumbering **W1 – Recreational Water Use zone** to Section 16.6 and **W2 – Intensive Water Use zone** to Section 16.7 and adding the following new section after Section 16.4:

"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. **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 a five-kilometre radius and also serve specific recreation facility needs on a city-wide basis.

16.5.2 Principal Uses

The **principal use** in this **zone** is:

- (a) **district park**

16.5.3 Secondary Uses

The **secondary uses** in this **zone** that apply to individual **lots** 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 1 ha. Within a **site** zoned P5 individual **lots** may be created that meeting 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 m².

16.5.5 Development Regulations

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

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

16.5.6 Other Regulations

- (a) **Health services** and **retail sales, general** shall be limited to those types of uses and services incidental to a major sports and recreation facility.
- (b) In addition to the regulations listed above, other regulations will 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) **Retail sales, general** 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 m² or 5% of the **gross floor area** of the **building** in which it is located, whichever is less.
- (d) **Health services** shall only be located within a **building** that is primarily **district park, participant recreation services – indoor** and **spectator sports establishments** uses and shall not exceed 500 m²."

Read a first time by the Municipal Council this 1st day of October, 2002.

Considered at a Public Hearing on the 22nd day of October, 2002.

Read a second and third time by the Municipal Council this 22nd day of October, 2002.

Adopted by the Municipal Council this

Mayor

City Clerk