

CITY OF KELOWNA

BYLAW NO. 9110

Text Amendment No. TA03-004 – Add CD15 – Airport Business 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 **Section 1 - General Administration** be amended by:

- (i) Adding a new line entitled CD15, in the appropriate location, under the heading Comprehensive Development Zones of **Subsection 1.3 Zoning Map** as follows:

"CD15 – Airport Business Park"

2. AND THAT **Section 2 - Interpretation** be amended by:

- (i) Adding the following definitions to **Subsection 2.3 Definitions** in the appropriate location:

"**AUTOMOTIVE RENTALS** means an establishment where new and used vehicles are rented and may also include the sales and servicing of vehicles as ancillary uses."

3. AND THAT Schedule "B" - Comprehensive Development zones be amended by:

- (i) Adding the following new section in the appropriate location:

"CD15 – Airport Business Park

1.1 Purpose

The purpose is to provide a **zone** for the development of a comprehensively planned business park for high technology and general **industrial** and **business uses** to complement the City's northern gateway development node. This **zone** will also provide for a neighbourhood commercial area as part of the airport business park development.

1.2 Principal Uses

1.2.1 The **principal uses** for areas noted as **industrial** on CD15 Map 1, which is attached to and forms part of this bylaw, are:

- (a) **animal clinic, major**
- (b) **auctioneering establishments**
- (c) **automotive rentals**
- (d) **broadcasting studios**
- (e) **business support services**
- (f) **care centres, major**
- (g) **commercial storage**
- (h) **contractor services, limited**
- (i) **custom indoor manufacturing**

- (j) **emergency and protective services**
- (k) **food primary establishments**
- (l) **fleet services**
- (m) **general industrial**
- (n) **liquor primary establishment, minor**
- (o) **non-accessory parking**
- (p) **offices**
- (q) **recycling depots**
- (r) **vehicle and equipment services, industrial**
- (s) **warehouse sales**
- (t) **utility services, minor impact**

1.2.2 The **principal uses** for areas noted as **commercial** on CD15 Map 1 are:

- (a) **business support services**
- (b) **drive-in food services**
- (c) **food primary establishment**
- (d) **financial services**
- (e) **gas bars**
- (f) **health services**
- (g) **liquor primary establishment, minor**
- (h) **offices**
- (i) **participant recreation services, indoor**
- (j) **personal service establishments**
- (k) **private clubs**
- (l) **recycled materials drop-off centres**
- (m) **retail liquor sales establishment**
- (n) **retail stores, general**

1.3 **Secondary Uses**

The **secondary uses** for areas noted as **industrial** on CD15 Map 1 are:

- (a) **residential security/operator unit**
- (b) **outdoor storage**

1.4 **Subdivision Regulations**

1.4.1 The subdivision regulations for areas noted as **industrial** on CD15 Map 1 are:

- (a) The minimum **lot width** is 40.0m.
- (b) The minimum **lot depth** is 35.0m.
- (c) The minimum **lot area** is 4,000m².

1.4.2 The subdivision regulations for areas noted as **commercial** on CD15 Map 1 are:

- (a) The minimum **lot width** is 40.0m.
- (b) The minimum **lot depth** is 35.0m.
- (c) The minimum **lot area** is 1,500m².

1.5 **Development Regulations**

1.5.1 All **buildings** and **structures** shall have a minimum setback of 7.0m and a maximum setback of 10.0m from a **property line abutting** the Highway 97 right of way.

- 1.5.2 The first 3.0m of the setback noted in section 1.5.1 above, measured from the **property line abutting** the Highway 97 right of way, shall be intensively landscaped with shrubs, trees and amenity areas, as shown on Figure 1 and Figure 2 attached to and forming part of this bylaw.
- 1.5.3 In addition to the requirements of sections 1.5.1 and 1.5.2 above, further development regulations for areas noted as **industrial** on CD15 Map 1 are:
- (a) The maximum **floor area ratio** is 1:1.5.
 - (b) The maximum **height** is the lesser of 18.0m or 4 storeys.
 - (c) The minimum **front yard** is 6.0m.
 - (d) The minimum **side yard** is 0.0m where adjacent to a **commercial** or **industrial** zone, except that it is 6.0m where adjacent to any other zone, and 4.5m where adjacent to a **flanking street**.
 - (e) The minimum **rear yard** is 0.0m where adjacent to a **commercial** or **industrial** zone, except that it is 6.0m where adjacent to any other zone, and 4.5m where adjacent to a **flanking street**.
- 1.5.4 In addition to the requirements of section 1.5.1 and 1.5.2 above, further development regulations for areas noted as **commercial** on CD15 Map 1 are:
- (a) The maximum **site coverage** is 50%.
 - (b) The maximum **height** is 2 ½ storeys.
 - (c) The minimum **front yard** is 3.0m.
 - (d) The minimum **side yard** is 0.0m where adjacent to a **commercial** or **industrial** zone, except that it is 6.0m where adjacent to any other zone, and 4.5m where adjacent to a **flanking street**.
 - (e) The minimum **rear yard** is 0.0m except that it is 4.5m where adjacent to a **flanking street**.
- 1.6 **Outdoor Storage**
- (a) There shall be no **outdoor storage** on commercially designated sites.
 - (b) There shall be no **outdoor storage** in **front yards** or **side yards** and there shall be no **outdoor storage** in **rear yards** adjoining Highway 97.
 - (c) **Outdoor storage** shall be screened from view from any street or adjoining property with landscaping or materials that are consistent with the overall site development, as shown on Figure 3 attached to and forming part of this bylaw.
 - (d) **Outdoor storage** shall be consolidated into a single area per lot.
 - (e) **Outdoor Storage** on a single lot shall not exceed the building area used by the business on that lot to carry on its operations.
 - (f) There shall be no **outdoor storage** of toxic, noxious, explosive, odorous or radioactive materials.
 - (g) Materials in **outdoor storage** shall be associated with the **principal use** located on the site, and there shall be no **outdoor storage** of unrelated materials.
 - (h) Illumination of **outdoor storage** areas shall be such that light falling onto **abutting** properties is minimized.
 - (i) Stored materials shall be screened from vehicle and pedestrian sightlines, as shown on Figure 4 attached to and forming part of this bylaw.

1.7 Outdoor Display or Sales Areas and Non-accessory Parking

- (a) Outdoor display or sales areas and **non-accessory parking** shall be developed consistent with the Section 8.3 Development Standards for Vehicle Parking and Loading.
- (b) The area used for outdoor display or sales on any lot shall not exceed 70% of the site **frontage**.
- (c) Outdoor display or sales, or **non-accessory parking**, shall not encroach into landscaped areas.
- (d) Equipment or vehicles in an outdoor display or sales, or **non-accessory parking**, shall not be in a state of disrepair.

1.8 Other Regulations

- (a) No **uses** shall be permitted which result in the creation of a nuisance such as noise, odour, earthborne vibrations, heat, high brightness light sources, or dust which is apparent outside an enclosed building in which the use is taking place.
- (b) Where permitted, only one **residential security/operator unit** shall be permitted per lot.
- (c) In addition to the regulations listed in this section, other regulations apply. These include, where not inconsistent with the provisions of this Section, the general **development** regulations of Section 6, the **landscaping** and **fencing** provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (d) The total **net floor area** for any **commercial** use in this zone shall not exceed 3,000 m².
- (e) **Building facades** facing Hollywood Road, interior roads, Airport Way and Highway 97 are deemed to be principal facades. Principal facades shall be articulated with glazing or other relief amounting to not less than 30% of the total façade.
- (f) Building materials shall not include vinyl or wood siding.
- (g) Building materials on principal **building facades** shall not include unfinished concrete block.
- (h) Multi-storey buildings shall use floor to floor terracing to increase amenity space as well as views, as shown on Figure 5 attached to and forming part of this bylaw.
- (i) Rooftop screening of mechanical and electrical equipment shall be provided using materials consistent with the treatment of principal facades.
- (j) Utility cabinets other than those located by utility companies in statutory rights-of-way shall be located behind the front wall of a principal facade and not within a required **front yard** setback.
- (k) When loading doors occur on street facing facades they shall be set back from the main building plane and articulated in a manner that compliments the **building facade**.
- (l) Truck turn-around requirements shall be accommodated on site.

- (m) For the purposes of landscaping, the CD15 zone shall be considered under the terms of specific regulations for the “Industrial – I1” zone except for the following:
 - i. A 3.0m landscaped buffer shall be provided on the Highway 97 property line.
 - ii. The Hollywood Road boulevard shall be landscaped and maintained as a grassed boulevard until such time as the roadway is constructed to 4-lane arterial standards.
 - iii. 20% of the total number of trees noted as the landscape plan shall be specimen quality coniferous trees arranged in groupings.
 - iv. Landscaped areas shall include amenities for passive use including seating areas and walkways.
 - v. Undeveloped portions of sites (including areas scheduled for future expansion) shall be landscaped with lawn as a minimum treatment.
 - vi. The boulevard between the **property line** and the developed road edge or sidewalk will be completed concurrently with on-site landscaping and these areas in the public realm shall be developed and maintained by the individual lot developers or owners, as per City of Kelowna, City Road Right-Of-Way Landscaping & Maintenance Policy No. 016, and as shown on Figure 6 attached to and forming part of this bylaw.
- (n) For the purposes of signage, the CD15 zone shall be considered under the terms of zone regulations for industrial or commercial zones, as applicable, except for the following:
 - i. Portable signs are not permitted.
 - ii. Signs on Highway 97 shall be logo or wordmark signs only.
 - iii. Directional signage consisting of destination or advisory information only (such as loading, shipping, or receiving) shall be designed as an integral part of the building and landscape design with respect to size, style, location, colour and materials, and may exceed one sign per business.

- 4. 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 3rd day of November, 2003.

Considered at a Public Hearing on the 18th day of November, 2003.

Approved under The Highways Act this

(Approving Officer - Ministry of Transportation & Highways)

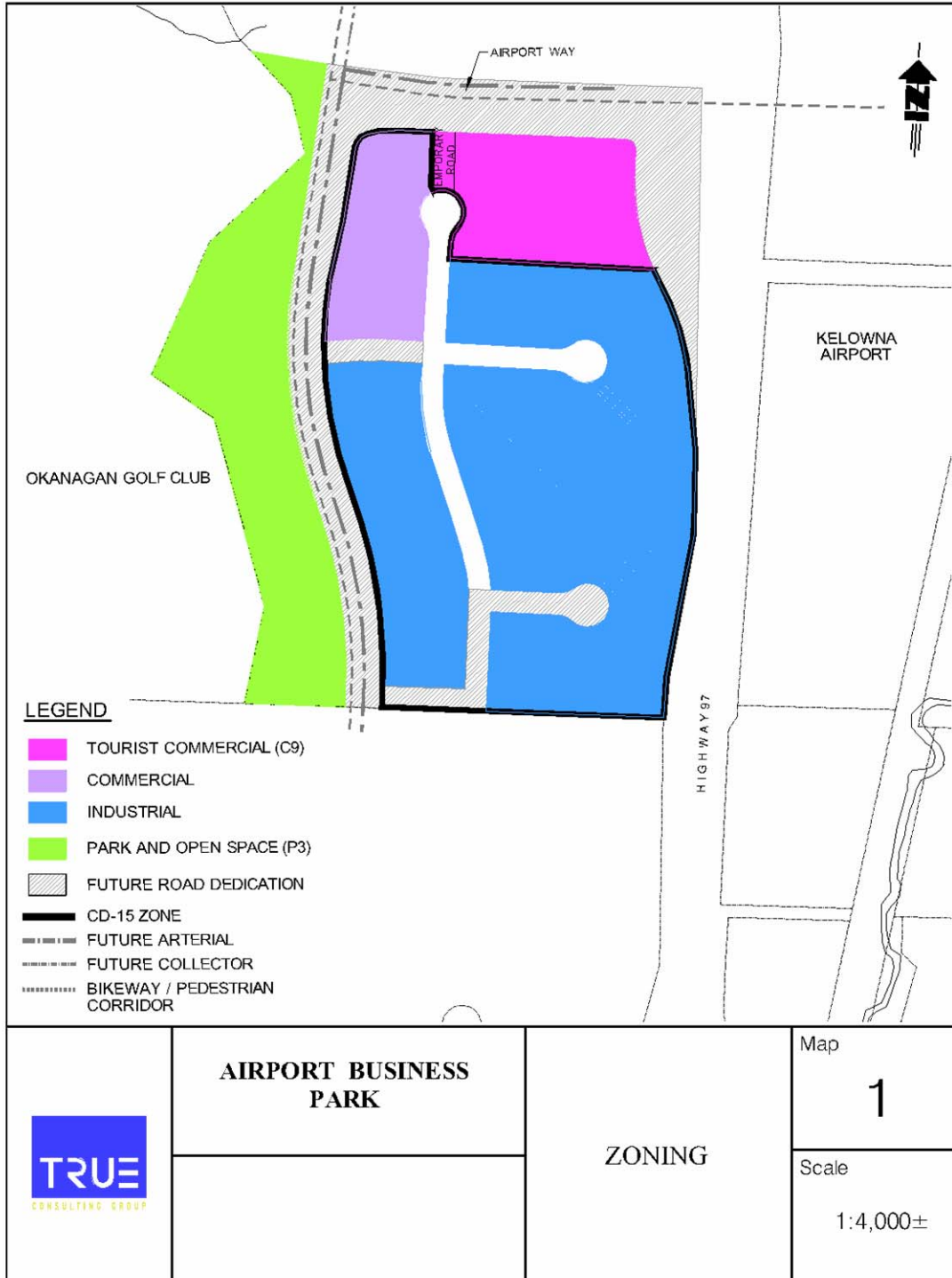
Read a second and third time by the Municipal Council this 18th day of November, 2003.

Adopted by the Municipal Council this

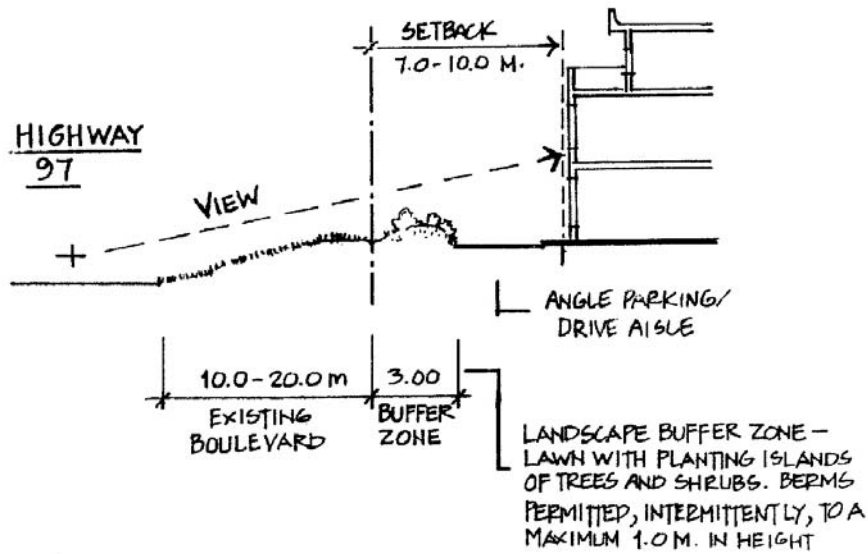
Mayor

City Clerk

- MAP 1 -

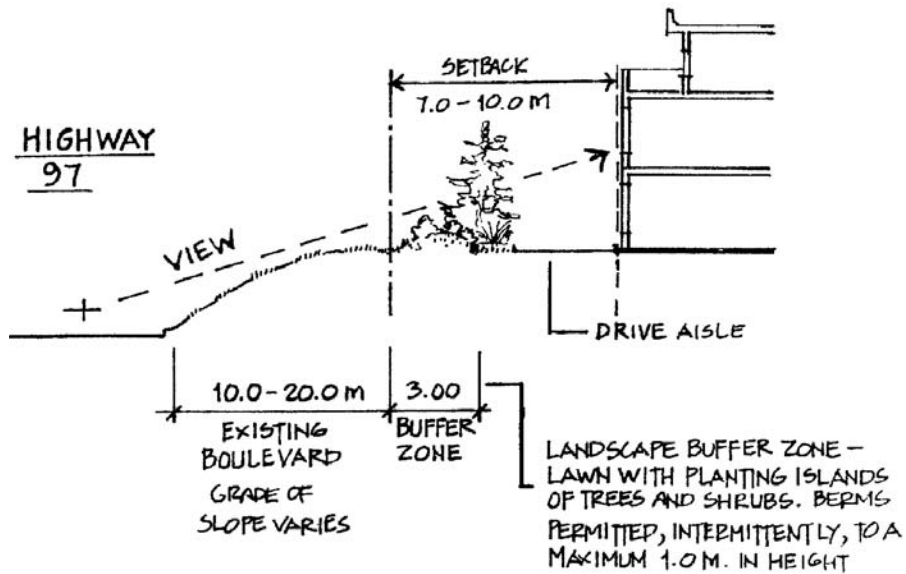


- FIGURE 1 -



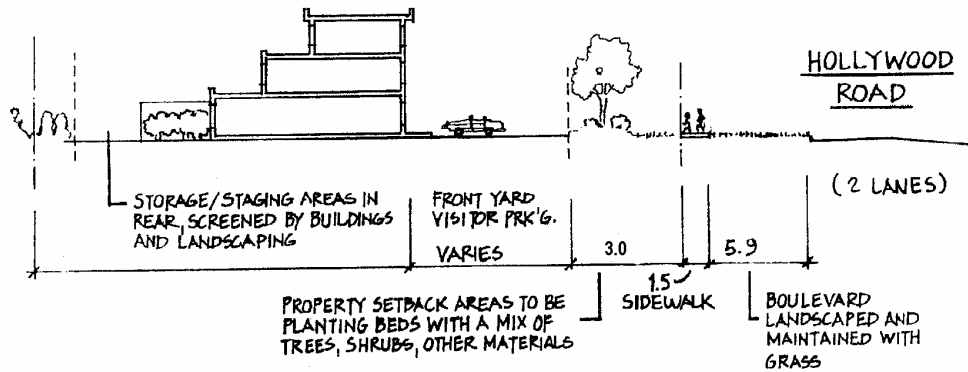
LANDSCAPING ALONG HIGHWAY 97 – SHALLOW SLOPE BOULEVARD

- FIGURE 2 -



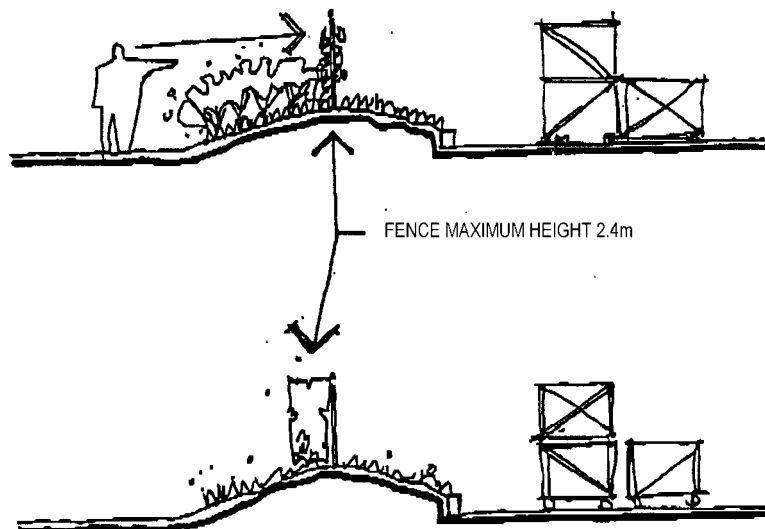
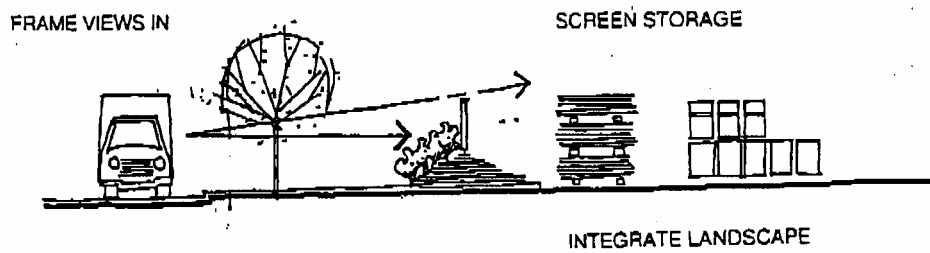
FOUNDATION LANDSCAPING ALONG HIGHWAY 97 – STEEPLY SLOPED BOULEVARD

- FIGURE 3 -

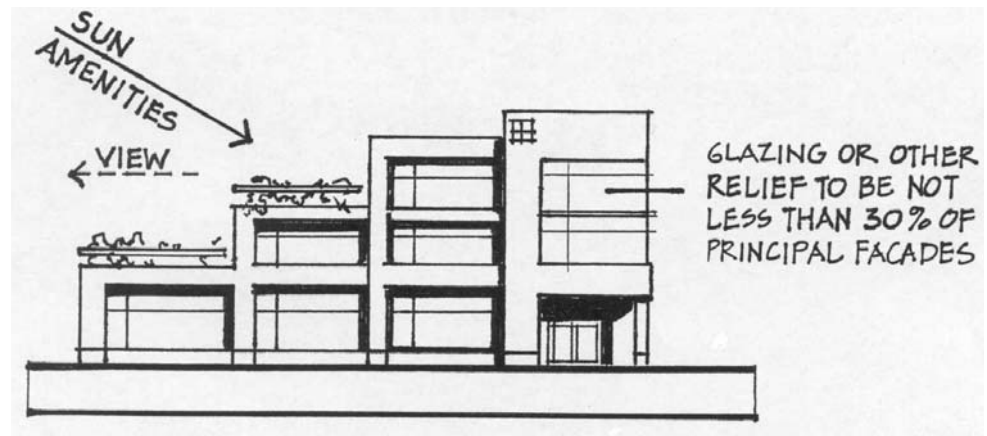


ANCILLARY USES AND FACILITIES

- FIGURE 4 -

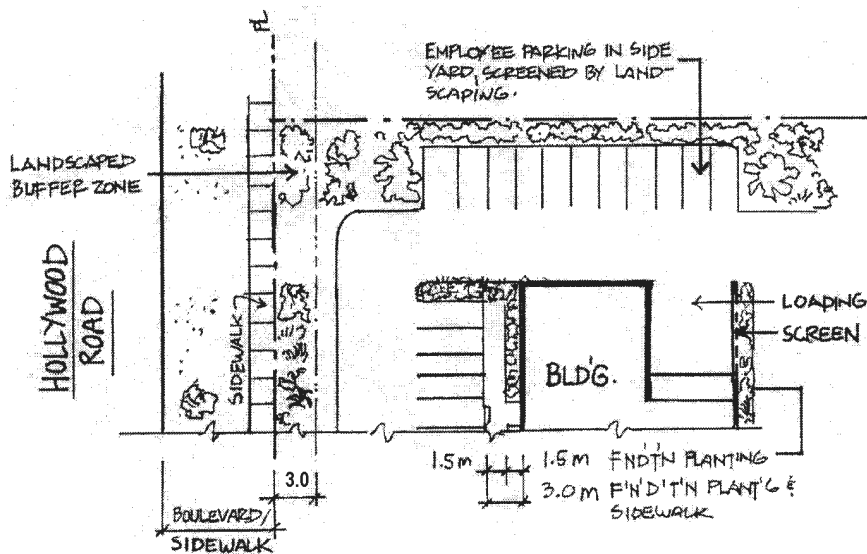


- FIGURE 5 -



TERRACED FORMS AND BUILDING ARTICULATION

- FIGURE 6 -



*FOUNDATION PLANTING/EMPLOYEE PARKING/LOADING FOR
DOUBLE-FRONTING BUILDINGS*