

# CITY OF KELOWNA

## BYLAW NO. 10423

### Text Amendment No. TA10-0007 – Adding a new HD2 – Hospital and Health Support Services Zone to Section 17 - Health District Zones of the City of Kelowna Zoning Bylaw No. 8000

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 deleting the following:

**“Section 17: Health District Zones**

17.1 HD1 Kelowna General Hospital 17-1”

And replacing it with the following:

**“Section 17: Health District Zones**

17.1 HD1 Kelowna General Hospital 17-1  
17.2 HD2 Hospital and Health Support Services 17-2”

2. AND THAT **Section 1 – General Administration** , **Section 1.3 Zoning Map**, Sub-Section 1.3.1 be amended by deleting the following:

<b>Section 17 – Comprehensive Development Zones</b>	
HD1	Kelowna General Hospital

And replacing it with the following:

<b>Section 17 – Comprehensive Development Zones</b>	
HD1	Kelowna General Hospital
HD2	Hospital and Health Support Services

3. AND THAT **Section 2 – Interpretation**, **Section 2.3 General Definitions** be amended by adding in its appropriate location the definition for **Retail Stores, Health Products** as follows:

**“Retail Stores, Health Products** means a retail outlet where products related to the health industry are sold, rented, custom fitted or repaired. Such uses include but are not limited to pharmacies, health food stores, naturopathic stores, uniform stores. Limited convenience retail is permitted as a secondary use.”

4. AND THAT **Section 7 – Landscaping, Table 7.1 – Minimum Landscape Buffer Treatment Levels Schedule** be amended by:

a) Adding under the **Location** column, **Commercial Zones** be amended by adding the zone “HD2” to the end of the list after “C10p/rls”; and

b) Adding the following under HD1 in the Health District Zones:

HD2	2	3	3	
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5. AND FURTHER THAT **Section 17 – Health District Zone** be amended by adding a new **HD2 – Hospital and Health Support Services** section as per Schedule “A” attached to and forming part of this bylaw.

6. 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 24<sup>th</sup> day of October, 2011.

Considered at a Public Hearing on the 29<sup>th</sup> day of November, 2011.

Read a second and third time by the Municipal Council this 29<sup>th</sup> day of November, 2011.

Approved under the Transportation Act this 9<sup>th</sup> day of December, 2011.

Lynda Lochhead  
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of City of Kelowna on the

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

## Schedule "A"

**Section 17 – Health District One Zone****HD2 – Hospital and Health Support Services****1.1 Purpose**

The purpose is to provide a zone for the conversion and new development of buildings that provide services to the medical community associated with the Kelowna General Hospital, Interior Health Authority, and UBC Medical Programs including staff, clients, patients and their families. This zone will provide for a range of institutional, medical-related commercial and complimentary residential uses within the Official Community Plan Health District future land use designation.

**1.2 Principle Uses**

1.2.1 The **principle uses** for properties with a **lot area** of 900m<sup>2</sup> or more are:

- (a) **multiple dwelling housing**
- (b) **personal service establishments**
- (c) **emergency and protective services**
- (d) **care centre, major**
- (e) **congregate housing**
- (f) **extended medical treatment facilities**
- (g) **health services**

1.2.2 The **principle uses** for properties with a **lot area** of less than 900m<sup>2</sup> are:

- (a) **single dwelling housing**
- (b) **care centre, minor**
- (c) **health services**

**1.3 Secondary Uses**

1.3.1 The **secondary uses** for properties with a **lot area** of 900m<sup>2</sup> or more are:

- (a) **retail stores, health products**
- (b) **food primary establishment**
- (c) **apartment hotel**
- (d) **hotel**
- (e) **community recreation services**

1.3.2 The **secondary uses** for properties with a **lot area** of less than 900m<sup>2</sup> are:

- (a) **bed and breakfast homes**
- (b) **home based business, major**
- (c) **home based businesses, minor**
- (d) **secondary suites**

## 1.4 Subdivision Regulations

1.4.1 The subdivision regulations for properties with a **lot area** of 900m<sup>2</sup> or more are:

- (a) The minimum **lot width** is 30.0 m
- (b) The minimum **lot depth** is 30.0 m
- (c) The minimum **lot area** is 900 m<sup>2</sup>

1.4.2 The subdivision regulations for properties with a **lot area** of less than 900m<sup>2</sup> are:

- (a) The minimum **lot width** is 13.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 490 m<sup>2</sup>.

## 1.5 Development Regulations

1.5.1 Development Regulations for properties with a **lot area** of 900m<sup>2</sup> or more are:

- (a) The maximum **floor area ratio** is 1.2, except it is 1.3 with a housing agreement pursuant to the provisions of Section 6.9. Where **parking spaces** are provided totally beneath habitable space of a principal **building** or beneath useable common amenity areas providing that in all cases, the **parking spaces** are screened from view, an amount may be added to the **floor area ratio** equal to 0.1 multiplied by the ratio of such **parking spaces** to the total required **parking spaces**, but in no case shall this amount exceed 0.1. The total maximum **floor area ratio** shall not exceed 1.4.
- (b) The maximum **site coverage** is 55%. Parking structures that are less than 2.0 m above finished grade and are surfaced with **landscaping** or useable open space shall not be included in the calculation of **site coverage**.
- (c) The maximum **height** is 16.5 m.
- (d) The minimum site **front yard** is 4.5 m.
- (e) The minimum site **side yard** is 4.5 m for a **building** less than 12.0 m in **height** and 6.0 m for portions of a **building** greater than 12.0 m in **height**.
- (f) The minimum site **rear yard** is 6.0 m except it is 3.0 m where the **rear yard** abuts a **lane**.
- (g) Notwithstanding the site setback requirements, a parking structure that is partially below grade may be located no less than 1.5 m from any **property line** provided that it is less than 2.0 m in **height** above **natural grade** and that a minimum horizontal measurement of 2.0 m on the top surface to the parking structure is either landscaped or made available as useable open space between the furthest project of the **structure** and the **building** face. All **building** setbacks otherwise apply. Where a parking structure is located within the building setbacks consistent with this section, the space between the structure and the property line shall be treated with a high level of landscaping with a landscaped berm to screen the exposed outer wall of the structure.

**1.5.2** Development Regulations for properties with a **lot area** of less than 900m<sup>2</sup> are:

- (a) The maximum **site** coverage is 55%.
- (b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**, except it is 4.5m for **accessory buildings**.
- (c) The minimum **front yard** is 4.5 m.
- (d) The minimum **side yard** is 2.0 m for a 1 or 1½ **storey building** and 2.3 m for a 2 or 2 ½ storey building, except it is 4.5 m from a **flanking street**.
- (e) The minimum **rear yard** is 6.0 m except it is 3.0 m where the rear yard abuts a lane and it is 1.5 m for **accessory buildings**.

**1.6** **Parking Regulations specific to the HD-2 Zone**

The parking regulations that are specific to this zone for the purpose of calculating the number of **parking spaces** required are as follows:

- (a) All residential, residential related uses, **apartment hotel** and **hotel** uses shall be calculated as 1 **parking space** per **dwelling** unit.
- (b) Leasable areas that are not used for residential, residential related, **apartment hotel** and **hotel** uses shall be calculated as requiring 1.75 stalls per 100 m<sup>2</sup> of **gross floor area**.
- (c) **Health Services** shall be calculated as 2.5 stalls per 100 m<sup>2</sup> of **gross floor area**.
- (d) **Food primary establishment** uses shall be calculated as requiring 1 **parking space** per 4 seating spaces.

**1.7** **Other Regulations**

- (a) In addition to the regulations listed in this section, other regulations apply. These include, where not consistent with the provisions of this section, the general **development** regulations of Section 6, the **landscaping** and fencing regulations of Section 7, the parking and loading regulations of Section 8 (except as specified by section 1.6 of this zone), and the specific use regulations of Section 9 of Zoning Bylaw No. 8000.
- (b) **Secondary uses** can only be present where a **principle use** is established and in continuous use.
- (c) **Offices** are limited to those related to **health services** or those that can demonstrate a direct support role for the Kelowna General Hospital, Cottonwoods Care Facility or Interior Health Authority.
- (d) **Retail stores, health products** shall be limited to a **floor area** not greater than 350 m<sup>2</sup> per **lot**.
- (e) When permitted, **food primary establishments** shall be limited to a total capacity of 40 seats.
- (f) **Apartment hotel** and **hotel** use shall only be permitted when secondary to **multiple dwelling housing** or **congregate housing**.
- (g) A minimum area of 7.5 m<sup>2</sup> of **private open space** shall be provided per **bachelor dwelling, congregate housing** bedroom or **group home** bedroom, 15.0 m<sup>2</sup> of **private open space** shall be provided per 1 **bedroom dwelling**, and 25.0 m<sup>2</sup> of **private open space** shall be provided per **dwelling** with more than 1 **bedroom**.

- (h) Level 2 landscape buffers are required for the **front yard** and Level 3 landscape buffers are required in all **side** and **rear yard** setback areas.
- (i) Vehicle-oriented or drive through services are not permitted in this zone.
- (j) All **vehicle** access must be from the rear **lane**.
- (k) Signage shall be in accordance with the regulations of the Sign Bylaw.
- (l) A free standing sign with a maximum height of 1.5 m and a sign area of 3.0m<sup>2</sup> is permitted