

PART 11 – COMMERCIAL ZONES

11.1. URBAN CENTRE COMMERCIAL ZONE (C1)

.1 Purpose

To accommodate a mix of uses with active commercial frontages.

.2 Principal Uses, Buildings and Structures

- | | |
|---|--|
| (a) Agricultural market | (q) High technology business |
| (b) Apartment | (r) Hotel |
| (c) Alcohol production facility | (s) Library, museum or art gallery |
| (d) Broadcasting studio | (t) Live/work unit |
| (e) Cabaret, bar or lounge | (u) Neighbourhood pub |
| (f) Commercial school | (v) Office |
| (g) Community or assembly hall | (w) Personal service establishment |
| (h) Care facility, major | (x) Postal or courier service |
| (i) Congregate housing | (y) Printing or publishing |
| (j) Education facility | (z) Recreation services, indoor |
| (k) Extended medical treatment facility | (aa) Restaurant |
| (l) Entertainment facility, indoor | (bb) Retail, general |
| (m) Fire, police or ambulance service | (cc) Transportation station |
| (n) Food bank | (dd) Vehicular parking areas or structures |
| (o) Funeral establishment | (ee) Vehicle washing facility |
| (p) Group home | |

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Home based business, minor

.4 Site Specific Uses, Buildings and Structures

- (a) On Lot 2, DL 486, ODYD, Plan 9660 (2406 Drought Road): the existing accessory building may be occupied as a dwelling
- (b) On Lot 1, DL 5057, ODYD, Plan 41637 (2301 Carrington): despite Section 11.1.6(c), apartments may exceed 40% of the Gross Floor Area of the first storey of a building
- (c) On Lot 28 DL 486 ODYD Plan 19995 Except Plan 40663 (#14-2528 Main Street): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.77
- (d) On Lot A, DL 468, ODYD Plan KAP84320 (#101-3710 Hoskins Road): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.78
- (e) On Lot A, DL 486, ODYD, Plan 36181 (2475 Dobbin Road): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.85

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	400 m ² (4,305.6 ft ²)
(b)	Minimum parcel frontage	5.0 m (16.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
i.	With surface parking	2.35 FAR
ii.	With non-surface parking	2.5 FAR
(d)	Maximum parcel coverage	100%
(e)	Maximum building height	15.0 m (49.2 ft) to a maximum of 4 storeys
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
i.	Front parcel boundary	4.5 m (14.8 ft), except it is: 0.0 m (0.0 ft) for buildings and structures on Elliot Road and Hoskins Road; 2.0 m (6.6 ft) for buildings and structures on Brown Road; and 3.0 m (9.8 ft) for buildings and structures on Main Street that have vehicular access from a highway other than a Provincial Highway.
ii.	Rear parcel boundary	0.0 m (0.0 ft)
iii.	Interior side parcel boundary	0.0 m (0.0 ft)
iv.	Exterior side parcel boundary	4.5 m (14.8 ft), except it is: 0.0 m (0.0 ft) for buildings and structures on Elliot Road and Hoskins Road; 2.0 m (6.6 ft) for buildings and structures on Brown Road; and 3.0 m (9.8 ft) for buildings and structures on Main Street that have vehicular access from a highway other than a Provincial Highway
v.	A1 Zone or ALR	Subject to 3.26.

.6 Other Regulations

- (a) Despite Section 11.1.5(c), in circumstances where a combination of surface and non-surface parking is proposed, the maximum density of 2.35 FAR may be increased by 0.15 multiplied by the ratio of non-surface parking spaces to the total required parking spaces, but in no case shall the FAR exceed 2.5.
- (b) Density bonusing for Westbank Centre Plan Area (As defined in the 2011 Westbank Centre Revitalization Plan):
- i. Despite Section 11.1.5(c), the maximum density may be increased to 2.8 FAR if the owner of the land pays to the City of West Kelowna prior to the issuance of a building permit, the amount equal to \$26.90 per square metre of additional GFA (\$2.50 per square foot of additional GFA), to be deposited in a Restricted Reserve Fund for Westbank Centre Amenities.
 - ii. Buildings that are being constructed at an FAR in excess of 2.5 in accordance with Section 11.1.6(b) shall have a maximum height of 6 storeys, or 22.5 m (73.8 ft), whichever is less,

if all of the parking spaces are provided in the form of non-surface parking. For certainty, buildings that are being constructed in the Westbank Centre Plan Area in excess of 2.5 FAR are eligible for the optional parking provisions specified in Section 4.12, if all of the required parking spaces provided on the parcel on which the building is being constructed, are provided in the form of non-surface parking.

iii. Despite 11.1.6(b)ii., visitor parking spaces and accessible parking spaces are not required to be provided in the form of non-surface parking.

(c) Apartment and Congregate Housing

i. If apartments or congregate housing units are located on the first storey of a building, no more than 40% of the Gross Floor Area of that storey may be occupied by apartments or congregate housing units and no first storey apartments or congregate housing units shall face parcel boundaries along the following highways:

- a) Brown Road
- b) Dobbin Road
- c) Elliot Road
- d) Hoskins Road
- e) Main Street
- f) Old Okanagan Highway between Main Street and Dobbin Road
- g) Hebert Road between Main Street and Dobbin Road

11.2. NEIGHBOURHOOD COMMERCIAL ZONE (C2)

.1 Purpose

To accommodate a limited range of convenience services typically required on a day to day basis by residents of local neighbourhoods.

.2 Principal Uses, Buildings and Structures

- | | |
|---------------------------------------|---|
| (a) Care facility, major | (f) Postal or courier service |
| (b) Commercial school | (g) Recreation services, indoor |
| (c) Fire, police or ambulance service | (h) Retail, convenience |
| (d) Office | (i) Restaurant, except for drive-through restaurant |
| (e) Personal service establishment | |

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Apartment
- (c) Home based business, minor

.4 Site Specific Uses, Buildings and Structures

- (d) On Lot B, DL 2599, ODYD, Plan KAP83204 (3099 Shannon Lake Road): one neighbourhood pub
- (e) On Lot 15, DL 486, ODYD, Plan KAP27961, Except Plan 38746 (3585 Elliot Road): retail, general
- (f) On Lot 18, DL 486, ODYD, Plan 27961 (3595 Elliot Road): live/work unit

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	400 m ² (4,305.6 ft ²)
(b)	Minimum parcel frontage	10.0 m (32.9 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density	1.0 FAR
(d)	Maximum parcel coverage	40%
(e)	Maximum building height	9.0 m (29.5 ft) to a maximum of 3 storeys
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
i.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear parcel boundary	6.0 m (19.7 ft)
iii.	Interior side parcel boundary	2.0 m (6.6 ft); except it is 4.5 m (14.8 ft) when the parcel does not abut a Commercial Zone
iv.	Exterior side parcel boundary	4.5 m (14.8 ft)
v.	A1 Zone or ALR	Subject to Section 3.26

.6 Other Regulations

- (a) Apartment
 - i. All apartments shall be located on a separate storey above the non-residential use.

11.3. GASOLINE SERVICE STATION COMMERCIAL ZONE (C3)

.1 Purpose

To accommodate gasoline service stations with associated uses.

.2 Principal Uses, Buildings and Structures

- (a) Gasoline service station
- (b) Restaurant
- (c) Vehicle washing facility

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Retail, convenience

.4 Site Specific Uses, Buildings and Structures

- (a) On Lot 1 DL 506 ODYD Plan KAP46828 (#3-1192 Industrial Road): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.81.

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	600 m ² (6,458.3 ft ²)
(b)	Minimum parcel frontage	20.0 m (65.6 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum parcel coverage	35%
(d)	Maximum building height	6.0 m (19.7 ft) to a maximum of 2 storeys
SITING REGULATIONS		
(e)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
i.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear parcel boundary	5.0 m (16.4 ft)
iii.	Interior side parcel boundary	5.0 m (16.4 ft)
iv.	Exterior side parcel boundary	5.0 m (16.4 ft)
v.	A1 Zone or ALR	Subject to Section 3.26

.6 Other Regulations - *Reserved*

11.4. SERVICE COMMERCIAL ZONE (C4)

.1 Purpose

To accommodate vehicular oriented low intensity uses and associated uses.

.2 Principal Uses, Buildings and Structures

- | | |
|---------------------------------------|---|
| (a) Agricultural market | (q) Hotel |
| (b) Auctioneering establishment | (r) Kennel, hobby |
| (c) Alcohol Production Facility | (s) Kennel, service |
| (d) Broadcasting studio | (t) Office |
| (e) Bulk fuel depot | (u) Personal service establishment |
| (f) Commercial school | (v) Postal or courier service |
| (g) Commercial storage | (w) Printing or publishing |
| (h) Community or assembly hall | (x) Recreation services, indoor |
| (i) Contractor services | (y) Recycling depot |
| (j) Entertainment facility, indoor | (z) Restaurant |
| (k) Fire, police or ambulance service | (aa) Retail, general |
| (l) Food bank | (bb) Retail, service commercial, except for heavy equipment sales, rental or repair |
| (m) Funeral Establishment | (cc) Vehicle washing facility |
| (n) Greenhouse or plant nursery | (dd) Veterinary clinic |
| (o) High technology business | (ee) Warehouse |
| (p) High technology industry | |

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Apartment
- (c) Outdoor storage

.4 Site Specific Uses, Buildings and Structures

- (a) On Lot 7 DLS 507 and 2601 ODYD Plan KAP50056 (#1-1812 Byland Road): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.79

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	500 m ² (5,382.0 ft ²)
(b)	Minimum parcel frontage	15.0 m (49.2 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
i.	Apartment	1 dwelling unit per parcel
ii.	All other uses, buildings, structures	1.0 FAR
(d)	Maximum parcel coverage	65%
(e)	Maximum building height:	15.0 m (49.2 ft) to a maximum of 4 storeys
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
i.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear and interior side parcel boundary	0 m (0.0 ft), except it is 4.5 m (14.8 ft) where the parcel does not abut a Commercial or Industrial Zone

iii.	Exterior side parcel boundary	4.5 m (14.8 ft)
iv.	A1 Zone or ALR	Subject to Section 3.26

.6 Other Regulations

- (a) Apartments shall be located on a separate storey above the non-residential use.

11.5. CAMPGROUND, CABIN AND MOTEL COMMERCIAL ZONE (C5)

.1 Purpose

To accommodate commercial tourist accommodation in the form of campgrounds, small motels and small resorts with associated uses.

.2 Principal Uses, Buildings and Structures

- (a) Tourist cabin
- (b) Tourist campsite space
- (c) Motel

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Caretaker unit
- (c) Community or assembly hall
- (d) Restaurant
- (e) Retail, convenience

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	1 ha (2.5 ac)
(b)	Minimum parcel frontage	50.0 m (164.0 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
i.	Caretaker unit	1 per parcel
ii.	Motel and Tourist cabin	0.8 FAR
iii.	Tourist campsite space	20 per ha
(d)	Maximum parcel coverage	30%
(e)	Maximum building height	9.0 m (29.5 ft) to a maximum of 3 storeys
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
i.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear parcel boundary	3.0 m (9.8 ft) except it is 6.0 m (19.7 ft) when the parcel abuts a Residential Zone
iii.	Side parcel boundary	3.0 m (9.8 ft) except it is 6.0 m (19.7 ft) when the parcel abuts a Residential Zone
iv.	Exterior parcel boundary	4.5 m (14.8 ft)
v.	A1 Zone or ALR	Subject to Section 3.26

.6 Other Regulations

- (a) Caretaker units shall be located on a separate storey above the non-residential use.

11.6. TOURIST AND RESORT COMMERCIAL ZONE (C6)

.1 Purpose

To accommodate tourist accommodation in the form of hotels, resorts and associated uses.

.2 Principal Uses, Buildings and Structures

- | | |
|--|-----------------------------|
| (a) Hotel | (f) Restaurant |
| (b) Motel | (g) Retail, convenience |
| (c) Recreation services, indoor | (h) Tourist cabin |
| (d) Recreation services, outdoor | (i) Tourist campsite spaces |
| (e) Resort apartment or resort townhouse | |

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Caretaker unit
- (c) Home based business, minor
- (d) Personal service establishment

.4 Site Specific Uses, Buildings and Structures

- (a) On DL 434, ODYD, Plan EPS2459 (3750 West Bay Road): the maximum number of hotel, resort or accommodation units, including dwelling units is 124

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	1000 m ² (10,764.0 ft ²)
(b)	Minimum parcel frontage	20.0 m (65.6 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
i.	Caretaker unit	1 per parcel
ii.	Tourist campsite spaces	75 per ha
iii.	All other uses, buildings and structures	1.5 FAR
(d)	Maximum parcel coverage	40%
(e)	Maximum building height	15.0 m (49.2 ft) to a maximum of 4 storeys
SITING REGULATIONS		
(f)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
i.	Front parcel boundary	6.0 m (19.7 ft)
ii.	Rear parcel boundary	6.0 m (19.7 ft)
iii.	Interior side parcel boundary	6.0 m (19.7 ft)
iv.	Exterior side parcel boundary	6.0 m (19.7 ft)
v.	A1 Zone or ALR	Subject to Section 3.26

.6 Other Regulations - *Reserved*