

## Section 16 – Public & Institutional Zones

### 16.1 **P1 – Major Institutional/ P1Ip – Major Institutional (Liquor Primary)**

#### 16.1.1 **Purpose**

The purpose is to provide a **zone** primarily for major governmental and publicly or privately funded institutional **uses**.

#### 16.1.2 **Principal Uses**

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

- (a) **agriculture, urban**
- (b) **community recreation services**
- (c) **detention and correction services**
- (d) **emergency and protective services**
- (e) **exhibition and convention facilities**
- (f) **extended medical treatment services**
- (g) **government services**
- (h) **health services**
- (i) **participant recreation services, indoor**
- (j) **private clubs**
- (k) **public libraries and cultural exhibits**
- (l) **recycled materials drop-off centres**
- (m) **religious assemblies**
- (n) **spectator entertainment establishments**
- (o) **temporary shelter services**
- (p) **utility services, minor impact**

#### 16.1.3 **Secondary Uses**

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

- (a) **care centres, major**
- (b) **congregate housing**
- (c) **food primary establishment**
- (d) **group homes, major**
- (e) **liquor primary establishment, major (P1Ip only)**
- (f) **liquor primary establishment, minor**
- (g) **public parks**
- (h) **retail stores, general**
- (i) **supportive housing**

#### 16.1.4 **Subdivision 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>.

**16.1.5 Development Regulations**

- (a) The maximum **floor area ratio** is 2.0.
- (b) The maximum **site coverage** is 50%.
- (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.

**16.1.6 Other Regulations**

- (a) 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.
- (b) Drive-in food services are not a permitted form of development in this zone.

## 16.2 P2 – Education and Minor Institutional

### 16.2.1 Purpose

The purpose is to provide a **zone** for private and public educational, residential and recreational **uses** and **religious assemblies**.

### 16.2.2 Principal Uses

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

- (a) **agriculture, urban**
- (b) **care centres, major**
- (c) **community recreation services**
- (d) **emergency and protective services**
- (e) **health services, minor**
- (f) **private clubs**
- (g) **private education services**
- (h) **public education services**
- (i) **religious assemblies**
- (j) **utility services, minor impact**

### 16.2.3 Secondary Uses

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

- (a) **public parks**
- (b) **residential security/operator unit**
- (c) **supportive housing**

### 16.2.4 Subdivision Regulations

- (a) The minimum **lot width** is 18.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 660 m<sup>2</sup>.

### 16.2.5 Development Regulations

- (a) The maximum **floor area ratio** is 1.0.
- (b) The maximum **site coverage** is 40% for **buildings** and 60% for **buildings**, parking areas and roads.
- (c) The maximum **height** is 13.5 m or 3 **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 from a **flanking street**.
- (f) The minimum **rear yard** is 7.5 m.

### 16.2.6 Other Regulations

- (a) 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.

- (b) **Accessory buildings and structures** used for maintenance and/or storage (both temporary and permanent structures) must have a level 3 landscape buffer. No **outdoor storage** is permitted in this **zone**
- (c) For lots less than 1,000 m<sup>2</sup> in area, a **health services, minor** use shall not generate more than four (4) clients to the site from which the business is being operated at any given time.
- (d) For lots less than 1,000 m<sup>2</sup> in area, no variation from the residential character and appearance of land or buildings shall be permitted for the purpose of accommodating a **health services, minor** use.

## 16.3 P3 – Parks and Open Space P3lp – Parks and Open Space (Liquor Primary)

### 16.3.1 Purpose

The purpose is to provide a **zone** for the preservation and enhancement of **open space** and limited public facilities.

### 16.3.2 Principal Uses

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

- (a) **agriculture, urban**
- (b) **cemeteries**
- (c) **participant recreation services, outdoor**
- (d) **public parks**

### 16.3.3 Secondary Uses

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

- (a) **care centre, major**
- (b) **community recreation services**
- (c) **food primary establishment**
- (d) **liquor primary establishment, major (P3lp only)**
- (e) **liquor primary establishment, minor**
- (d) **participant recreation services, indoor**
- (e) **residential security/operator units**
- (f) **retail stores, general**
- (g) **utility services, minor impact**

### 16.3.4 Subdivision Regulations

- (a) The minimum **lot width** is **N/A**.
- (b) The minimum **lot area** is **N/A**.

### 16.3.5 Development Regulations

- (a) The maximum **floor area ratio** is 0.1.
- (b) The maximum **height** is 10.0 m.
- (c) The minimum **front yard** is 6.0 m.
- (d) The minimum **side yard** is 3.0 m, except it is 4.5 m from a **flanking street** or a residential or agricultural **zone**.
- (e) The minimum **rear yard** is 3.0 m, except it is 4.5 m from a **flanking street** or a residential or agricultural **zone**.

**16.3.6 Other Regulations**

- (a) Only one **residential security/operator unit** is permitted on a **site**.
- (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) Drive-in food services are not a permitted form of development in this zone.

## 16.4 P4 – Utilities

### 16.4.1 Purpose

The purpose is to provide a **zone** for private and public utilities.

### 16.4.2 Principal Uses

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

- (a) **agriculture, urban**
- (b) **utility services, major impact**
- (c) **utility services, minor impact**

### 16.4.3 Secondary Uses

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

- (a) **participant recreation services, outdoor**
- (b) **outdoor storage**

### 16.4.4 Subdivision Regulations

- (a) The minimum **lot width** is **N/A**.
- (b) The minimum **lot depth** is **N/A**.
- (c) The minimum **lot area** is **N/A**.

### 16.4.5 Development Regulations

- (a) The maximum **height** is 10.0 m for principal **buildings** or **structures** and 23.0 m for accessory **buildings** or **structures**. There is no maximum **height** for mechanical **structures**.
- (b) The minimum **front yard** is 6.0 m.
- (c) The minimum **side yard** is 4.5 m, except it is 7.5 m when **adjacent** to a residential **zone**.
- (d) The minimum **rear yard** is 4.5 m, except it is 7.5 m when **adjacent** to a residential **zone**.

### 16.4.6 Other Regulations

- (a) 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.

## **16.5 P5 – Municipal District Park/ P5lp – Municipal District Park (Liquor Primary)**

### **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) **agriculture, urban**
- (b) **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) **emergency and protective services**
- (e) **flea markets**
- (f) **food primary establishment**
- (g) **health services**
- (h) **liquor primary establishment, major (P5lp only)**
- (i) **liquor primary establishment, minor**
- (j) **non-accessory parking**
- (k) **participant recreation services, indoor**
- (l) **participant recreation services, outdoor**
- (m) **public libraries and cultural exhibits**
- (n) **public parks**
- (o) **residential security/operator unit**
- (p) **retail sales, general**
- (q) **spectator sports establishments**
- (r) **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 m<sup>2</sup>.

#### 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 m<sup>2</sup> 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 m<sup>2</sup>.
- (e) Drive-in food services are not a permitted form of development in this zone.

## 16.6 W1 – Recreational Water Use

### 16.6.1 Purpose

The purpose is to provide a **zone** that allows for the recreational enjoyment of upland property **owners** and **foreshore public access** while minimizing impacts on **fish**, wildlife, and vegetation communities.

### 16.6.2 Principal Uses

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

- (a) **boating**
- (b) **foreshore public access**
- (c) **recreational water activities**
- (d) **uses** permitted by virtue of **uses** approved by Provincial Crown Lands

### 16.6.3 Secondary Uses

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

- (a) **boat lifts**
- (b) **docks, private**
- (c) **temporary moorage**
- (d) **utilities services, minor impact**

### 16.6.4 Subdivision Regulations

- (a) **N/A**

### 16.6.5 Development Regulations

- (a) **N/A**

### 16.6.6 Other Regulations

- (a) No docks, boatlifts, shall be maintained, **used** or constructed beyond 40.0 m from the **natural boundary** of the upland parcel.
- (b) A maximum of one dock or **pier** shall be allowed for each waterfront property.
- (c) Docks and boatlifts must conform to the regulations outlined in Section 9.9, shall be approved by the Province of B.C. or by other designated approving agencies, shall be **used** for boat access purposes only, and no commercial or industrial activity or **use** shall take place thereon.
- (d) **Boating** activity is restricted to those areas not marked as swimming areas by the placement of buoys approved by the federal Coast Guard.
- (e) Non-emergency overnight moorage shall be allowed only at **federal government approved moorage buoys** or at docks licensed by the Province of B.C.
- (f) Camping is not permitted.
- (g) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6, the parking regulations of Section 8, and the specific **use** regulations of Section 9.

## 16.7 W2 – Intensive Water Use

### 16.7.1 Purpose

The purpose is to provide for a diverse and concentrated range of water activities consistent with the upland **use**, maintaining **foreshore public access**, and minimizing impacts on **fish**, wildlife, and vegetation communities.

### 16.7.2 Principal Uses

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

- (a) **boat launches**
- (b) **boat lifts**
- (c) **boating**
- (d) **docks, community**
- (e) **docks, private**
- (f) **fish hatcheries**
- (g) **foreshore public access**
- (h) **marinas**
- (i) **permanent moorage**
- (j) **piers**
- (k) **recreational water activities**
- (l) **temporary moorage**
- (m) **uses** permitted by virtue of **uses** approved by Provincial Crown Lands
- (n) **water feature installations**

### 16.7.3 Secondary Uses

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

- (a) **food primary establishment**
- (b) **liquor primary establishment, minor**
- (c) **marine equipment rentals**
- (d) **marine fuel facilities**
- (e) **marine sani-dump facilities**
- (f) **retail stores, convenience**
- (g) **utility services, minor impact**

### 16.7.4 Subdivision Regulations

- (a) **N/A**

### 16.7.5 Development Regulations

- (a) The maximum **height** is the lesser of 9.5 m or two **storeys**.

**16.7.6 Other Regulations**

- (a) A maximum of one dock or **pier** shall be allowed for each waterfront property.
- (b) All docks and boatlifts shall conform to regulations outlined in Section 9.9, shall be licensed by the Province of B.C. or by other designated approving agencies.
- (c) **Boating** activity is restricted to those areas not marked as swimming areas by the placement of buoys approved by the federal Coast Guard.
- (d) Non-emergency overnight moorage shall be allowed only at **federal government approved moorage buoys** or at docks licensed by the Province of B.C.
- (e) Camping is not permitted.
- (f) Permanent moorage is intended to be **used** for the purposes of moorage of **tour boats** and shall not include permanent live aboard accommodations.
- (g) Marine fuel facilities and other commercial facilities for **boat launches** and **marinas** shall provide holding tank pump out facilities and public restroom facilities.
- (h) Convenience retail and **minor eating and drinking establishments** shall not have more than 235 m<sup>2</sup>.
- (i) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6, the parking regulations of Section 8, and the specific **use** regulations of Section 9.
- (j) Drive-in food services are not a permitted form of development in this zone.

## 16.8 P8 – Alternative Transportation Corridor Zone

### 16.8.1 Purpose

The purpose is to provide a **zone** to regulate the present and future use of the existing railway corridor, and to reduce conflict between uses. The corridor is to remain used as a railway or as an alternative transportation corridor and corresponding **uses**.

### 16.8.2 Principal Uses

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

- (a) public park
- (b) railway use

### 16.8.3 Secondary Uses

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

- (a) agriculture, urban
- (b) utility services, minor impact

### 16.8.4 Buildings and Structures Permitted

- (a) **accessory buildings and structures**.

### 16.8.5 Subdivision Regulations

- (a) N/A

### 16.8.6 Development Regulations

- (a) The maximum **site coverage of buildings** is 5%.
- (b) The maximum **height** is the lessor of 4.5 m or one **storey**.
- (c) The minimum **site front yard** is 1.0m.
- (d) The minimum **site side yard** is 1.0m.
- (e) The minimum **site rear yard** is 1.0m.

### 16.8.7 Other Regulations

- (a) In addition to the regulations listed above, other regulations will apply. These include, but are not limited to, the general **development** regulations of Section 6 (**accessory development, yards**, projections into **yards**, 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.

**Section 16 – Public & Institutional Zones****16.1 – P1 – Major Institutional/P1lp – Major Institutional (Liquor Primary) – BL8960****Sub-Section 16.1.3 – Secondary Uses – BL8528, BL8654, BL8960, BL9766, BL10300****Sub-Section 16.1.6 – Other Regulations – BL9530****16.2 – P2 – Education and Minor Institutional – BL8367****Sub-Section 16.2.2 – Principal Uses – BL8654, BL9723****Sub-Section 16.2.3 – Secondary Uses – BL9766, BL10300****Sub-Section 16.2.5 – Development Regulations – BL8528****Sub-Section 16.2.6 – Other Regulations – BL9723****16.3 – P3 – Parks and Open Space/P3lp – Parks and Open Space (Liquor Primary) – BL8960****Sub-Section 16.3.3 – Secondary Uses – BL8528, BL8654, BL8960, BL10300****Sub-Section 16.3.6 – Other Regulations – BL9530****16.4 – P4 – Utilities****Sub-Section 16.4.3 – Secondary Uses – BL8528, BL10300****16.5 – P5 – Municipal District Park/P5lp – Municipal District Park (Liquor Primary) – BL8895, BL8960****Sub-Section 16.5.3 – Secondary Uses – BL8960****Sub-Section 16.5.6 – Other Regulations – BL9530****16.6 – W1 – Recreational Water Use – BL8895****16.7 – W2 – Intensive Water Use – BL8895****Sub-Section 16.7.3 – Secondary Uses – BL8654, BL8960, BL9060****Sub-Section 16.7.6 – Other Regulations – BL9530****16.8 – P8 – Alternative Transportation Corridor Zone – BL10613**