

CITY OF KELOWNA

BYLAW NO. 11552 TA16-0002 – General Housekeeping Amendments

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 as follows:

1. THAT **Section 1 – General Administration Section 18 – Comprehensive Development Zones** be amended by:

- a) Adding in its appropriate location under Section 13- Urban Residential the following:

RU7	Infill Housing
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- b) deleting the following:

CD25	Capri Centre Comprehensive Development Zone
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And replacing it with:

CD26	Capri Centre Comprehensive Development Zone
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- c) Adding the following in its appropriate location:

CD27	Valley Land Subdivision
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2. AND THAT **Section 2 – Interpretation** be amended by:

- a) Adding a new definition for "**AGRICULTURAL LAND COMMISSION (ALC)**" in its appropriate location that reads as follows:

"AGRICULTURAL LAND COMMISSION (ALC) means the provincial governing body assigned to administer regulations and policies which relate to the preservation of agricultural land. The ALC was previously referred to as the **Land Reserve Commission (LRC)**, and references as such in this Bylaw should be deemed to now refer to the **Agricultural Land Commission (ALC)**, as applicable."

- b) Deleting the following definition of **AUTOMOTIVE RENTALS** that reads:

"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."

- c) Deleting the definition for "**Land Reserve Commission**" in its entirety that reads:

"LAND RESERVE COMMISSION (LRC) means the provincial governing body assigned to administer regulations and policies which relate to the preservation of agricultural land. The LRC was previously referred to as the **Agricultural Land Commission (ALC)**, and references as such in this Bylaw should be deemed to now refer to the **Land Reserve Commission (LRC)**, as applicable."

- d) Deleting all references throughout the bylaw of **"Land Reserve Commission"** or **"LRC"** and replacing it with **"Agricultural Land Commission"** or **"ALC"** as appropriate;
- e) Deleting the word "laundries" from the definition **"PERSONAL SERVICES STABLISHMENTS"** and replace it with the word "laundromats";
- f) Deleting the definition name **"RETAIL STORE – CONVENIENCE"** and replacing it with **"RETAIL STORE, CONVENIENCE"**;
- g) Adding a new definition in its appropriate location for **URBAN RESIDENTIAL ZONES** that reads:

"URBAN RESIDENTIAL ZONES are any zones described in Section 13 of this Bylaw or any CD zone in which the predominant use, as determined by its general purpose and list of permitted uses, is of an urban residential nature."

- 3. AND THAT **Section 7 – Minimum Landscape Buffer, 7.6.1 (e)** be amended by deleting the following:

"This standard may be replaced or modified as a result of conditions of a decision by the Land Reserve Commission. The buffer area shall not be included in the required setback for Rural and Urban Residential zones."

And replacing it with:

"This standard may be replaced or modified as a result of conditions of a decision by the **Agricultural Land Commission**. The buffer area shall be in addition to the required setback for Rural and Urban Residential zones."

- 4. AND THAT **Section 11 – Agricultural Zone, 11.1.3 Secondary Uses** be amended by deleting subsection **"(g) care centres, intermediate"** and replacing it with **"(g) child care centre, minor"**.
- 5. AND THAT **Section 13 – Urban Residential Zones, 13.14 RH1 – Hillside Large Lot Residential, 13.14.4 Secondary Uses** be amended by deleting **"care centres, minor"** and replacing it with **"child care centre, minor"**;
- 6. AND THAT **Section 13 – Urban Residential Zones, 13.15 RH2 – Hillside Two Dwelling Housing, 13.15.4 Secondary Uses** be amended by deleting **"care centres, minor"** and replacing it with **"child care centre, minor"**;
- 7. AND THAT **Section 13 – Urban Residential Zones, 13.16 RH3 – Hillside Cluster Housing, 13.16.4 Secondary Uses** be amended by deleting **"care centres, minor"** and replacing it with **"child care centre, minor"**;
- 8. AND THAT **Section 13 – Urban Residential Zones, RU7 – Infill Housing** be amended by:
 - a) Deleting the title **"RU7 – Infill Housing"** and replacing it with **"13.17 RU7 – Infill Housing"**;
 - b) Deleting **"1.2 Permitted Uses"** and replacing it with **"13.17.2 Permitted Uses"**;
 - c) Deleting **"1.3 Secondary Uses"** and replacing it with **"13.17.3 Secondary Uses"**;
 - d) Deleting **"1.4 Buildings and Structures Permitted"** and replacing it with **"13.17.4 Buildings and Structures Permitted"**;
 - e) Deleting **"1.5 Subdivision Regulations"** and replacing it with **"13.17.5 Subdivision Regulations"**;
 - f) Deleting **"1.6 Development Regulations"** and replacing it with **"13.17.6 Development Regulations"**;
 - g) Deleting **"1.7 Density Regulations"** and replacing it with **"13.17.7 Density Regulations"**;
 - h) Deleting **"1.8 Other Regulations"** and replacing it with **"13.17.8 Other Regulations"**; and

- i) Adding **Section 13 – Urban Residential Zones, RU7 – Infill Housing** after **Section 13 Urban Residential Zones – RU6 – Two Dwelling Housing/RU6b – Two Dwelling Housing with Boarding or Lodging House.**
- 9. AND THAT **Section 14 – Commercial Zones, 14.3 C3 – Community Commercial, 14.3.2 Principal Uses** be amended by adding in its appropriate location a new subparagraph **“temporary shelter services”** and renumbering all subsequent subparagraphs;
- 10. AND THAT **Section 14 – Commercial Zones, 14.9 C9– Tourist Commercial, 14.9.2 Principal Uses** be amended by adding in its appropriate location a new subparagraph **“temporary shelter services”** and renumbering all subsequent subparagraphs;
- 11. AND THAT **Section 14 – Commercial Zones, 14.10 C10– Service Commercial, 14.10.2 Principal Uses** be amended by adding in its appropriate location new subparagraphs for **“supportive housing”** and **“temporary shelter services”** and renumbering all subsequent subparagraphs;
- 12. AND THAT **Section 15 – Industrial Zones, 15.2 I2 – General Industrial, 15.2.2 Principal Uses** be amended by adding in its appropriate location a new subparagraph **“temporary shelter services”** and renumbering all subsequent subparagraphs;
- 13. AND THAT **Section 15 – Industrial Zones, 15.4 I4 – Central Industrial, 15.4.2 Principal Uses** be amended by adding in its appropriate location a new subparagraph **“temporary shelter services”** and renumbering all subsequent subparagraphs;
- 14. AND THAT **Section 16 – Public & Institutional Zones, 16.2 P2 – Education and Minor Institutional, 16.2.2 Principal Uses** be amended by adding in its appropriate location a new subparagraphs for **“supportive housing”** and **“temporary shelter services”** and renumbering all subsequent subparagraphs;
- 15. AND THAT **Schedule B – Comprehensive Development Zones, CD25 – Capri Centre Comprehensive Development Zone**, be amended by:
 - a) Deleting the title **“CD25 – Capri Centre Comprehensive Development Zone”** and replacing it with **“CD26 – Capri Centre Comprehensive Development Zone”**;
 - b) Deleting in **1.3 Design Guidelines** the following:

“The CD 25 - Capri Comprehensive Development 25 Zone has been designated as a Development Permit Area by “Kelowna 2030 – Official Community Plan Bylaw No. 10500” for the purpose of guiding the form and character of development. The guidelines applicable to the CD 25 – Capri Comprehensive Development 25 Zone are annexed to this Bylaw as Annexure “1” and entitled “CD 25 Development Area Guidelines.”

And replacing it with:

“The CD 26 - Capri Comprehensive Development 26 Zone has been designated as a Development Permit Area by “Kelowna 2030 – Official Community Plan Bylaw No. 10500” for the purpose of guiding the form and character of development. The guidelines applicable to the CD 26 – Capri Comprehensive Development 26 Zone are annexed to this Bylaw as Annexure “1” and entitled “CD 26 Development Area Guidelines.”

- c) Adding the word "The" before the words "Principal uses in this zone are:" in **1.4 Principal Uses**;
- d) Deleting in **1.4 Principal Uses** the following:

**"(g) care centres, major
(h) Child Care"**

And replace it with:

"(g) child care centres, major"

and renumber subsequent subparagraphs.

- e) Deleting in **1.5 Secondary Uses** the following:

"(b) care centres, minor"

And replacing it with:

"(b) child care centres, minor"

- f) Deleting in **1.14 Parking and Loading** the reference to "CD25" in sub-paragraph (a) and (b) and replacing it with "CD26"; and
- g) Deleting from the Capri Centre Design Guidelines, "Annexure 1 CD25 – Development Area Guidelines" and replacing it with "Annexure 1 CD26– Development Area Guidelines".

16. AND THAT Bylaw No. 11440 being TA16-0002 – General Housekeeping Amendments to Zoning Bylaw No. 8000 is hereby repealed.

17. 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 5th day of February, 2018.

Considered at a Public Hearing on the 6th day of March, 2018.

Read a second and third time by the Municipal Council this 6th day of March, 2018.

Approved under the Transportation Act this 13th day of March, 2018.

Audrie Henry
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk