



**City of Kelowna**

**TA22-0014**

**Text Amendment Bylaw –**

**To Zoning Bylaw #12375 Part 1 of 3**

**March 13, 2023**

# Purpose

- ▶ The purpose of the text amendment application package (Part 1 of 3) is to follow up on the adoption of the new Zoning Bylaw No. 12375 with a series of amendments that include updates to: Section 5 - Definitions & Interpretations, Section 6 – General Development Regulations, Section 7 – Site Layout, Section 8 – Parking & Loading, Section 9 – Specific Use Regulations, Section 10 – Agriculture & Rural Residential Zones, Section 11 – Single and Two Dwelling Zones, Section 12 – Mobile Home and Camping Zones, and Section 14 – Core Area & Other Zones.

# Council Reports

▶ Three Text Amendment Reports:

1. First half of content updates within the Zoning Bylaw;
2. Second half of content updates within the Zoning Bylaw; &
3. Updates to the spelling and grammar.

**Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes**

No.	Area of Change	Additional Detail
1.	Definition of Bedroom	Clarified language of what is and isn't bedroom to ensure parking calculations (which are based on the number of bedrooms) are accurate.
2.	Definition of Education Services	Clarified dwelling units are permissible if administered by the Education Service under this definition.
3.	Definition of Net Floor Area	Clarify that all garage types are excluded from Net Floor Area calculation.
4.	Definition of Landscape Area	Clarify Landscape Areas apply to flanking side yards.
5.	Definition of Mobile Home	Clarify that any deformation frame (not just steel) would be permitted as a Mobile Home.
6.	Definition of Residential Security Operator Unit	Simplified the definition and clarified the Residential Security Operator Unit cannot occur within a Single Detached Housing form.
7.	Definition of Sleeping Unit	Clarify that Sleeping Units may or may not contain cooking facilities (either full or partial facilities). This is to allow cooking facilities within supportive housing apartment rooms to encourage independent living.
8.	Density Bonus applicability	<ul style="list-style-type: none"> <li>• Clarify rental / affordable housing bonus does not include the additional height bonus.</li> <li>• Set a threshold for minimum number of units to qualify for the affordable housing bonus.</li> </ul>

**Table 3.1 Executive Summary of Schedule 'A Recommended Content Changes**

No.	Area of Change	Additional Detail
9.	Table 7.2 Tree & Landscape Planting Requirements	Update headers to apply to specific zones instead of general areas.
10.	Parking Spaces for Disabled	Change language to Universal Accessible Spaces
11.	Multiple Parking Tables adjusted	<ul style="list-style-type: none"> <li>• Deleted Table 8.3.6 Community, Recreational, and Cultural Table.</li> <li>• The commercial, industrial, and institutional tables were altered to align with the updated permitted and secondary land uses identified within each zone category.</li> <li>• MF1 minimum drive aisles reduced but minimum parking stall size increased when lot has no access to a lane.</li> <li>• Increased tandem requirement to require two regular stall size.</li> <li>• Increase the percentage where regular sized parking stalls are required versus small sized parking stalls.</li> </ul>
12.	Minimum Loading Table adjusted	Updated the minimum loading table to align with updated zoning categories.

**Table 3.1 Executive Summary of Schedule 'A' Recommended Content Changes**

No.	Area of Change	Additional Detail
13.	Minimum Bicycle Table adjusted	<ul style="list-style-type: none"> <li>• Added clarity of supportive housing units and student residences.</li> <li>• Added stacked townhouses to the townhouse category.</li> <li>• Adjusted the commercial and institutional types of development to align with new updated zoning categories.</li> </ul>
14.	Section 9.11 Tall Building Regulations	Delete the maximum 4 storeys podium limit as 5 storeys is possible within the 16 metre maximum podium height limit. The 16-metre podium height limit remains.
15.	Added Section 9.12 Transportation Corridor	Add setbacks, fencing, & gates in fencing regulations for lots fronting the Rail Trail Corridor.

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No.	Area of Change	Additional Detail
16.	Amended Carriage House Regulations	<ul style="list-style-type: none"> <li>• Added 0.3 metres to permitted height of two storey carriage houses to accommodate the change in half storey definition. Also added additional height for flat roof carriage houses. These height adjustments are recommended to follow standard floor to ceiling building code height requirements.</li> <li>• Eliminate unnecessary carriage house maximum building footprint regulation when carriage houses are regulated through maximum gross floor area.</li> <li>• Permit single storey carriage houses within the OCP's Suburban Residential (S-RES) future land use designations.</li> </ul>
17.	Updates to Section 14.8 Core Area and Other Zones	Added sub-zone purposes.
18.	Updates to Child Care Centre, Major in Single Family zones	Switched from secondary use to principal use with the childcare sub-zones.
19.	Animal Clinics within the A1 zone	Kennels and overnight boarding of animals are currently permitted on agriculture land. Including animal clinics as a permitted use will allow animal day-care operations, many of which already exist on agriculture land.

# Staff Recommendation

- ▶ Staff recommend bylaw be forward to Public Hearing for TA22-0014