



City of
Kelowna

TA24-0003

General Improvements to the Zoning Bylaw

Text Amendment

Purpose

- ▶ The purpose of the text amendment is to make improvements to the following sections of the Zoning Bylaw No. 12375:
 - ▶ Section 5 – Rules and Interpretation
 - ▶ Section 9 – Specific Use Regulations
 - ▶ Section 10 – Agriculture & Rural Residential Zones
 - ▶ Section 14 - Core Area & Other Zones

Development Process

Jan 2022

2040 OCP



Sept 2022

Zoning Bylaw No. 12375



Mar 2024

Bylaw 12375 Update w/ Provincial Changes



Apr 15, 2024

Text Amendments to fix errors



Executive Summary of Schedule 'A' Recommended Content Changes

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 14 – Core Area & Other Zones - Section 14.9 – Principal and Secondary Land Uses - Footnote .11	.11 Townhouses and stacked townhouses are only permitted on fronting streets classified as mixed residential street, residential street, or mixed streets as defined in the City of Kelowna’s Official Community Plan (e.g. Map 4.3, Map 4.5, Map 4.7).	.11 Townhouses and stacked townhouses are only permitted on fronting streets classified as mixed residential street, residential street, or mixed streets as defined in the City of Kelowna’s Official Community Plan (e.g. <u>Map 4.2, Map 4.4, Map 4.6, Map 4.8, & Map 4.9</u>).	To correct the map references.
2.	Section 14 – Core Area & Other Zones - Section 14.14 – Density and Height - Footnote .8	.8 The maximum FAR is increased to 3.0 for lots fronting onto one of these streets: Bay Avenue, Brent Avenue, Clement Avenue, Crowley Avenue, Ellis Street, Ethel Street, Gaston Avenue, Gordon Drive, Guy Street, Laurel Avenue, Recreation Avenue, St. Paul Street, Trench Place, Vaughan Avenue, or Weddell Place.	.8 The maximum FAR is increased to 3.0 for lots fronting onto one of these streets: Bay Avenue, <u>Brant</u> Avenue, Clement Avenue, Crowley Avenue, Ellis Street, Ethel Street, Gaston Avenue, Gordon Drive, Guy Street, Laurel Avenue, Recreation Avenue, St. Paul Street, Trench Place, Vaughan Avenue, or Weddell Place.	To correct a road name spelling error.
3.	Section 10 – Agriculture & Rural Residential Zones - Section 10.7 – Site Specific Regulations	Uses and regulations apply to the A1 – Agriculture 1 zone on a site-specific basis as follows:	Uses and regulations apply to the <u>A1, A2, RR1, RR2 zones</u> on a site-specific basis as follows:	To provide clarification that this section includes properties that are not only zoned A1.
4.	Section 10 – Agriculture & Rural Residential Zones - Section 10.7 – Site Specific Regulations	N/A	See Chart A	The subject property was zoned to include the ‘c’ subzone by the City of Kelowna on June 18, 2012. The property has had a legal carriage house since 2002.

Executive Summary of Schedule 'A'

Recommended Content Changes

No.	Section	Current Wording	Proposed Wording	Reason for Change
5.	Section 5 – General Definitions - Grade, Finished	means the elevation of the finished surface of the ground at the base of the outside walls of a building or structure. Finished grade is determined by taking the level of the finished ground surface at every location of change grade along the outside walls of a building or structure.	means the elevation of the finished surface of the ground at the base of the outside walls of a building or structure. Finished grade is determined by taking the level of the finished ground surface at every location of change <u>of</u> grade along the outside walls of a building or structure.	Grammatical correction
6.	9.3 Bed and Breakfast Homes – 9.3.1 (c) & (d)	(c) Short-term rental accommodation is not permitted in combination with a bed and breakfast home; and (d) Short-term rental accommodation is not permitted in combination with a bed and breakfast home. For example, If the licensed operator is not residing on site during the stay of paid guests then the operator is engaging in short-term rental accommodations.	(c) <u>A licensed operator must also reside onsite during the operation of the bed and breakfast; and</u> (d) Short-term rental accommodation is not permitted in combination with a bed and breakfast home. For example, If the licensed operator is not residing on site during the stay of paid guests then the operator is engaging in short-term rental accommodations.	Point 'c' was accidentally written in duplicate in the original bylaw. The proposed wording was the intended language.

Executive Summary of Schedule 'A' Recommended Content Changes

Chart A – Proposed Table 10.7 – Site Specific Regulation.

Section 10.7 – Site Specific Regulations			
	Legal Description	Civic Address	Regulation
4	Lot 35 Section 16 Township 26 ODYD Plan 24182	2261-2265 James Rd	Permits the use of a Carriage House on a lot smaller than 10,000 m ² .

Staff Recommendation

- ▶ Staff recommend **support** for the proposed Text Amendments and recommend the bylaw be forwarded to a public hearing
 - ▶ Correct language improvements to the Zoning Bylaw to increase clarity and applicability.