

REPORT TO COUNCIL

ZONING



Date: January 20, 2025
To: Council
From: City Manager
Address: N/A
File No.: TA24-0021

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA24-0021 to amend City of Kelowna Zoning Bylaw No. 12375 as outlined in Schedule “A” attached to the Report from the Development Planning Department dated January 20th 2025, be considered by Council;

AND THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

2.0 Purpose

To amend Zoning Bylaw No. 12375 by updating the following sections: Section 5 - Definitions & Interpretations, Section 6 – General Development Regulations, Section 7 – Site Layout, Section 10 – Agriculture & Rural Residential Zones, Section 12 – Mobile Home and Camping Zones, Section 13 – Multi-Dwelling Zones, and Section 14 – Core Area & Other Zones.

3.0 Development Planning

Staff have committed to continual improvements to the Zoning Bylaw as issues arise and priorities change. Staff are presenting a series of minor amendments for Council’s review.

In this report, several recommended content changes are proposed to the Zoning Bylaw. For a detailed list of changes, rationale and recommendation, see the attached Schedule ‘A’. Table 3.1 below provides an Executive Summary of the changes. The Executive Summary is organized into 10 categories.

Table 3.1 Executive Summary of Schedule ‘A’ Recommended Content Changes			
No.	Section	Area of Change	Additional Detail
1.	Section 5 Definitions & Interpretations & Section 9.11 Specific Uses – Tall Building Regulations	Updates to the visual example of a corner lot setback when the lot line is rounded.	Update to where the diagrams are displayed within the Zoning Bylaw
2.	Section 5 Definitions & Interpretations	Updates the maximum weight of a vehicle from 4,100 kg to 5,500 kg to	Update the definitions of <i>Automotive and Equipment</i> and <i>Automotive and Equipment, Industrial</i> . Update the home-based business

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	& Section 9.2 Home Based Business Regulations	coordinate the maximum vehicle weight of storing vehicles on a residential lot with the land use that permits the sale / rental of new / used non-industrial vehicles.	restrictions to coordinate the vehicle weight amount.
3.	Section 6 – General Development Regulations (Projections)	Updates to rear yard projections to ensure single-family character lots contain similar projection regulations.	The current term “Single & Two Dwelling Zones” is no longer relevant after the SSMUH provincial legislation was adopted.
4.	Section 7 – Site Layout	Updates to grading requirements for landscaped areas. Update to yard waste storage requirements.	This change is recommended to modernize regulations and harmonize with national standards. Adding yard waste ensures all bin types are accounted for regarding storage locations onsite.
5.	Section 10.5 – Agriculture & Rural Residential Zones	Updates to fix the error in the bylaw for maximum gross floor area can be increased for carriage houses within A1 zoned ALR lots from 40,000 m ² to 400,000 m ²	The ALC allows an increase to the size of a secondary dwelling if the property is 40 ha (400,000 m ²) or greater. This amendment aligns with the ALC legislation for residences in the ALR.
6.	Section 12.2 – Mobile Home and Camping Zones & Section 14.15 – Core Area & Other Zones - Site Specific Regulations	Update the Mobile Home zone to exclude campsites as a permitted use and to limit campsites specifically to 735 Weddell Place.	This update is recommended to protect mobile home residents and protect affordable housing. This is key because camping includes RVs which could put in jeopardy long term residents for short term rentals. Further, Staff confirmed all the properties currently zoned MH1 do not have campsites.
7.	Section 13.5 Multi-Dwelling Zones & Section 14.11 – Core Area & Other Zones	Amend the indoor amenity space requirement to only apply to apartment buildings with 25 or more dwelling units.	Amend the indoor amenity space requirement to exclude small apartment buildings. A single access staircase apartment building is permitted a maximum of 24 units, therefore, the threshold was set at 25 units. Add the same indoor amenity requirements to all apartment buildings.

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No.	Section	Area of Change	Additional Detail
8.	Section 13.5 Multi-Dwelling Zones	Add Stacked Townhomes as a permitted land use within the MF3 zone. Change the development regulations for 2 and 3 storey apartment buildings in the MF4 zone.	Stacked townhouses are typically four storeys which have similar density, form, and massing to four storey apartment buildings, thus, it is appropriate to allow this housing form within the MF3 zone. This change is to ensure all apartment style developments have consistent setbacks, site coverage, and similar regulations.
9.	Section 14.11 – Core Area & Other Zones – Development Regulations	Add side yard setback to cul-de-sac roads in Pandosy Urban Centre Zone.	This is to ensure more sensitive apartment style developments on dead end cul-de-sac roads.
10.	Section 14.14 Core Area & Other Zones – Density & Height	Add additional density and height for P2 zoned lots within urban centres	This change will facilitate compliance with the provincial transit oriented areas legislation and to align with the Official Community Plan's building height maps for each urban centre.

Report prepared by: Adam Cseke, Development Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion by: Ryan Smith, Divisional Director, Planning, Climate Sustainability & Development Services

Attachments:

Schedule 'A': Proposed Text Amendments to Zoning Bylaw No. 12375

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.