

CITY OF KELOWNA
BYLAW NO. 11263
TA16-0004 - Amendment to Zoning Bylaw No. 8000 -
Secondary Suites

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 8 - Parking and Loading, 8.1 Off-Street Vehicle Parking, 8.1.13** be deleted that reads:

"Parking spaces may be configured in tandem for the **single detached housing, semidetached housing, and duplex housing.**"

And replaced with:

"Parking spaces may be configured in tandem for the **single detached housing, secondary suite, semidetached housing, and duplex housing.**"

2. AND THAT **Section 9 - Specific Use Regulations, 9.5 Secondary Suite and Carriage House** be amended by adding the following in its appropriate location:

"9.5.1 **Secondary suites and Carriage Houses** are prohibited in the area identified in Figure 9.5"

3. AND THAT **Section 9 - Specific Use Regulations, 9.5 Secondary Suite and Carriage House** be amended by adding the diagram "Figure 9.5" at the end of **Section 9.5 Secondary Suite and Carriage House** as attached to and forming part of this bylaw;

4. AND THAT **Section 9 - Specific Use Regulations, 9.5 Secondary Suite and Carriage House, 9.5a Secondary Suite Regulations** be amended by:

- a) Deleting 9.5a.7 in its entirety that reads:

"The operators of secondary suite shall be required to hold a valid business licence with the City of Kelowna."

- b) Deleting 9.5a.10 in its entirety that reads:

"1.0 additional parking space for a **secondary suite** is required which shall:

- i. be designated as being solely for the use of the **secondary suite**
- ii. not be located within a private garage which is attached to and provides direct access to the principal **dwelling**;
- iii. not be provided in a tandem configuration;
- iv. be located within the required **front yard** setback area if the **parking space** does not block access to a required parking space utilized by the principal **dwelling unit.**"

And replacing it with:

"Secondary suite parking:

- i. shall be designated as being solely for the use of the **secondary suite**;

- ii. shall be accessed from a lane in circumstances where a rear or a side lane abuts the property;
 - iii. shall be surfaced with permanent surface of asphalt, concrete or similar hard surfaced material.
 - iv. shall be accessed from any driveway existing at the time the **secondary suite** use commences in circumstances where no rear or side lane abuts the property;
 - v. can be located in the driveway and in tandem with the single detached **dwelling** parking as long as two additional off-street parking stalls are provided for the principal **dwelling**."
- 5. AND THAT **Section 9 - Specific Use Regulations, 9.5 Secondary Suite and Carriage House, 9.5b Carriage House Regulations** be amended by:
 - a) Deleting 9.5b.9 in its entirety that reads:

"The operators of **carriage house** shall be required to hold a valid **business** licence with the **City** of Kelowna."
- 6. AND THAT **Section 13-Urban Residential Zones, 13.4 RU4 Low Density Cluster Housing/RU4h - Low Density Cluster Housing (Hillside Area)**, be amended by:
 - a) adding a new sub-paragraph in **13.4.3 Secondary Uses**, in its appropriate location for "**secondary suite**" and renumber subsequent sub-paragraphs as needed; and
 - b) adding to **13.4.4 Building and Permitted Structures**, sub-paragraph (a) "(which may contain a secondary suite)" after the words "**one single detached house**."
- 7. AND THAT **Section 13 - Urban Residential Zones, 13.5 RU5 - Bareland Strata Housing**, be amended by:
 - a) adding a new sub-paragraph in **13.5.3 Secondary Uses**, in its appropriate location for "**secondary suite**" and renumber subsequent sub-paragraphs as needed; and
 - b) adding to **13.5.4 Building and Permitted Structures**, sub-paragraph (a) "(which may contain a secondary suite)" after the words "**one single detached house**."
- 8. AND THAT **Section 13 - Urban Residential Zones, 13.15 RH2 - Hillside Two Dwelling Housing**, be amended by:
 - a) adding a new sub-paragraph in **13.15.4 Secondary Uses**, in its appropriate location for "**secondary suite**" and renumber subsequent sub-paragraphs as needed; and
 - b) adding to **13.15.5 Building and Permitted Structures**, sub-paragraph (a) "(which may contain a secondary suite)" after the words "**one single detached house**."
- 9. AND THAT **Section 13 - Urban Residential Zones, 13.16 RH3 - Hillside Cluster Housing**, be amended by:
 - a) adding a new sub-paragraph in **13.16.4 Secondary Uses**, in its appropriate location for "**secondary suite**" and renumber subsequent sub-paragraphs as needed; and
 - b) adding to **13.16.5 Building and Permitted Structures**, sub-paragraph (a) "(which may contain a secondary suite)" after the words "**one single detached house**."
- 10. AND THAT **Schedule 'B' - Comprehensive Development Zones, CD2 - Kettle Valley Comprehensive Residential Development**, be amended by:
 - a) adding a new sub-paragraph in **1.3 Secondary Uses**, in its appropriate location for "**secondary suites**" and renumber subsequent sub-paragraphs as needed; and

- b) adding the following to the end of sub-section 1.4 **Development Regulations**, sub-paragraph (a) the following:

“Secondary suites shall not be counted as a dwelling unit for the purposes of calculating the maximum density in the CD2 zone.”; and

- c) adding the following to the end of sub-section 1.4 **Development Regulations**, sub-paragraph (b) the following:

“Secondary suites shall not be counted as a dwelling unit for the purposes of calculating the maximum density in the CD2 zone.”

11. AND THAT **Schedule ‘B’ - Comprehensive Development Zones, CD6 - Comprehensive Residential Golf Resort/CD6lp - Comprehensive Residential Golf Resort (Liquor Primary)**, be deleted in its entirety.

12. 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 24th day of October, 2016.

Considered at a Public Hearing on the 15th day of November, 2016.

Read a second and third time by the Municipal Council this 15th day of November, 2016.

Approved under the Transportation Act this 25th day of November, 2016.

Audrie Henry
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

