

CITY OF KELOWNA

BYLAW NO. 8881

Text Amendment No. TA02-0003 - Permitting Second Kitchens in Single-Detached Homes

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 that the City of Kelowna Zoning Bylaw No. 8000 be amended as follows:

1. THAT **Section 2 – Interpretation** be amended by:
 - (i) Adding the following definition to **Subsection 2.3.3 General Definitions** after the definition for Second-Hand Dealerships :

“**SECOND KITCHEN** means a second kitchen in a **single detached house** intended for the use by members of the **household**, which is freely and fully accessible from the remainder of the **dwelling** without any intervening doors equipped with a locking device of any kind.”
 - (ii) Replacing the definition of **Household** under **Subsection 2.3.3 General Definitions** with the following:

“**HOUSEHOLD** means

 - (a) a person; or
 - (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one **dwelling** unit as a single household using common cooking facilities; or
 - (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one **dwelling** unit as a single household using common cooking facilities; or
 - (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one **dwelling** unit as a single household using common cooking facilities.

In addition, a household may also include one housekeeper or nanny.”
2. AND THAT **Section 8 – Parking and Loading** be amended by adding the following to **Table 8.1 Parking Schedule** under the Residential and Residential Related in the after the line starting Mobile Homes in RM7 zones:

Second Kitchens	1per second kitchen , plus spaces required for the corresponding principal dwelling unit
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3. AND THAT **Section 11 – Agricultural Zones** be amended by:

- (a) Amending the **A1 – Agriculture 1/A1s –Agriculture 1 with Secondary Suite** zone by:
 - (i) Adding the following to **Subsection 11.1.3 – Secondary Uses** in the appropriate location:
“Second Kitchen”
 - (ii) Adding the following paragraph under **Subsection 11.1.6 Other Regulations:**
 - “(k) A **second kitchen** may only be located in **single detached housing**. A **second kitchen**, when permitted, is to be used by the occupants of **single detached housing** only to accommodate one **household**. The section of the building containing the **second kitchen** must be freely and fully accessible from the remainder of the **dwelling** without any intervening doors equipped with a locking device of any kind. In order to clarify the restrictions of use of the **second kitchen** to members of the **household**, the owner of the property will be required to sign an affidavit form clearly outlining all **second kitchen** regulations prior to the issuance of an occupancy permit for the **second kitchen**.”

4. AND THAT **Section 12 – Rural Residential Zones** be amended by:

- (a) Amending the **RR1 – Rural Residential 1/RR1s – Rural Residential 1 with Secondary Suite** zone by:
 - (i) Adding the following to **Subsection 12.1.3 – Secondary Uses** in the appropriate location:
“Second Kitchen”
 - (ii) Adding the following paragraph to **subsection 12.1.6 Other Regulations:**
 - “(h) A **second kitchen** may only be located in **single detached housing**. A **second kitchen**, when permitted, is to be used by the occupants of **single detached housing** only to accommodate one **household**. The section of the building containing the **second kitchen** must be freely and fully accessible from the remainder of the **dwelling** without any intervening doors equipped with a locking device of any kind. In order to clarify the restrictions of use of the **second kitchen** to members of the **household**, the owner of the property will be required to sign an affidavit form clearly outlining all **second kitchen** regulations prior to the issuance of an occupancy permit for the **second kitchen**.”
- (b) Amending the **RR2 – Rural Residential 2** zone by:
 - (i) Adding the following to **Subsection 12.2.3 – Secondary Uses** in the appropriate location:

“Second Kitchen”

- (ii) Adding the following paragraph to **subsection 12.2.6 Other Regulations:**

“(e) A **second kitchen** may only be located in **single detached housing**. A **second kitchen**, when permitted, is to be used by the occupants of **single detached housing** only to accommodate one **household**. The section of the building containing the **second kitchen** must be freely and fully accessible from the remainder of the **dwelling** without any intervening doors equipped with a locking device of any kind. In order to clarify the restrictions of use of the **second kitchen** to members of the **household**, the owner of the property will be required to sign an affidavit form clearly outlining all **second kitchen** regulations prior to the issuance of an occupancy permit for the **second kitchen**.”

- (c) Amending the **RR3 – Rural Residential 3/RR3s – Rural Residential 3 with Secondary Suite** zone by:

- (i) Adding the following to **Subsection 12.2.3 – Secondary Uses** in the appropriate location:

“Second Kitchen”

- (ii) Adding the following paragraph to **subsection 12.3.6 Other Regulations:**

“(e) A **second kitchen** may only be located in **single detached housing**. A **second kitchen**, when permitted, is to be used by the occupants of **single detached housing** only to accommodate one **household**. The section of the building containing the **second kitchen** must be freely and fully accessible from the remainder of the **dwelling** without any intervening doors equipped with a locking device of any kind. In order to clarify the restrictions of use of the **second kitchen** to members of the **household**, the owner of the property will be required to sign an affidavit form clearly outlining all **second kitchen** regulations prior to the issuance of an occupancy permit for the **second kitchen**.”

5. AND THAT **Section 13 – Urban Residential Zones** be amended by:

- (a) Amending the **RU1 – Large Lot Housing/RU1s – Large Lot Housing with Secondary Suite/RU1h – Large Lot Housing (Hillside Area)** zone by:

- (i) Adding the following to **Subsection 13.1.3 – Secondary Uses** in the appropriate location:

“Second Kitchen”

- (ii) Adding the following paragraph to **subsection 13.1.6 Other Regulations:**

- “(h) A **second kitchen** may only be located in **single detached housing**. A **second kitchen**, when permitted, is to be used by the occupants of **single detached housing** only to accommodate one **household**. The section of the building containing the **second kitchen** must be freely and fully accessible from the remainder of the **dwelling** without any intervening doors equipped with a locking device of any kind. In order to clarify the restrictions of use of the **second kitchen** to members of the **household**, the owner of the property will be required to sign an affidavit form clearly outlining all **second kitchen** regulations prior to the issuance of an occupancy permit for the **second kitchen**.”
- (b) Amending the **RU2 – Medium Lot Housing/RU2s – Medium Lot Housing with Secondary Suite/RU2h – Medium Lot Housing (Hillside Area)/RU2hs – Medium Lot Housing (Hillside Area) with Secondary Suite** zone by:
- (i) Adding the following to **Subsection 13.2.3 – Secondary Uses** in the appropriate location:
- “**Second Kitchen**”
- (i) Adding the following paragraph to **subsection 13.2.6 Other Regulations**:
- “(h) A **second kitchen** may only be located in **single detached housing**. A **second kitchen**, when permitted, is to be used by the occupants of **single detached housing** only to accommodate one **household**. The section of the building containing the **second kitchen** must be freely and fully accessible from the remainder of the **dwelling** without any intervening doors equipped with a locking device of any kind. In order to clarify the restrictions of use of the **second kitchen** to members of the **household**, the owner of the property will be required to sign an affidavit form clearly outlining all **second kitchen** regulations prior to the issuance of an occupancy permit for the **second kitchen**.”
6. AND THAT **Schedule B – Comprehensive Development Zones** be amended by:
- (a) Amending the **CD2 – Kettle Valley Comprehensive Residential Development** zone by:
- (i) Adding the following to **Subsection 1.3 – Secondary Uses** in the appropriate location:
- “**Second Kitchen**”
- (ii) Adding the following paragraph to **Subsection 1.5 Other Regulations**:
- “(m) A **second kitchen** may only be located in **single detached housing**. A **second kitchen**, when permitted, is to be used by the occupants of **single detached housing** only to accommodate one **household**. The section of the building containing the **second kitchen** must be freely and fully accessible from the remainder of the **dwelling** without any intervening doors equipped with a locking device of any kind. In order to clarify the restrictions

of use of the **second kitchen** to members of the **household**, the owner of the property will be required to sign an affidavit form clearly outlining all **second kitchen** regulations prior to the issuance of an occupancy permit for the **second kitchen**.

7. 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

Considered at a Public Hearing on the

Approved under The Highways Act this

(Approving Officer - Ministry of Transportation & Highways)

Read a second and third time and be adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk