
CITY OF KELOWNA

MEMORANDUM

Date: November 19th, 2003
File No.: TA02-0005

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. TA02-0005

APPLICANT: CITY OF KELOWNA

PURPOSE: GENERAL TEXT AMENDMENTS TO ZONING BYLAW
NO. 8000; TO SIGN BYLAW NO. 8235;

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT City of Kelowna Zoning Bylaw No. 8000 be amended as detailed in Schedule "A" attached to the report of the Planning & Corporate Services Department dated November 19, 2003;

THAT City of Kelowna Sign Bylaw No. 8235 be amended as detailed in Schedule "B" attached to the report of the Planning & Corporate Services Department dated November 19, 2003;

AND THAT Text Amendment No. TA02-0005 be forwarded to a Public Hearing for further consideration.

2.0 SUMMARY

The proposed amendments to the City of Kelowna Zoning Bylaw and the Sign Bylaw, as listed in Schedules A and B, are presented as "house keeping" amendments. Proposed mapping and definition amendments are included in Schedule "A".

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of January 28, 2003 it was resolved:

That the Advisory Planning Commission support Text Amendment Application No. TA02-0005, to allow for general text amendments for Zoning Bylaw 8000, Sign Bylaw No. 8380.

4.0 BACKGROUND

Through daily application of the City of Kelowna Zoning Bylaw and Sign Bylaw, staff has noticed a number of omissions and inconsistencies within the bylaws or between these bylaws and other documents. The proposed text amendments are intended to clarify the relevant sections of the bylaws. There are also several drafting errors on some of the zoning maps that occurred when the old zoning maps were translated to the new zoning nomenclature for Zoning Bylaw No. 8000.

Schedule A lists all of the proposed amendments to Zoning Bylaw No. 8000, and schedule B lists the proposed text amendments for the Sign Bylaw. The amendments have been reviewed by staff within the Planning and Corporate Services Department and Inspection Services Department.

Andrew Bruce
Development Services Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Corporate Services

RM/AB/rs
Attach.

SCHEDULE A – AMENDMENTS TO CITY OF KELOWNA ZONING BYLAW NO. 8000

1. Mapping Amendments

The properties listed in the table below received erroneous zoning designation in the process of converting the nomenclature from a previous zoning bylaw to Zoning Bylaw No. 8000. The table lists the legal description, the street address, the current incorrect zoning and the appropriate zoning designation as per Zoning Bylaw No. 8000.

Legal Description	Street Address	Current Zoning	Proposed Zoning
Parcel Z, Sec.20, Twp.26, Plan 3604	1531 Bernard Avenue	RU6	RU6b
Parcel A (DD 129455F and Plan B4490) of Lot 7, D.L. 14, ODYD, Plan 2336	301 West Avenue	C9	RU6
Parcel A (DD 145723F) and Plan B6784) , Lot 25, Sec. 16. Twp 26, ODYD, Plan 187	2857 East Kelowna Road	P4	A1
Lot A, D.L. 126 and 532, ODYD, Plan 62809	2305/2307 Enterprise Way	I2 and C10	I2
Lot B, D.L. 126 and 532, ODYD, Plan 62809	2320 Highway 97 N.	I2 and C10	C10
(Part of) Lot CP, Plan K1424	2350-2370 Stillingfleet	A1	RM3
Lot A, Sec. 19, Twp. 26, ODYD, Plan 38095	1340 Springfield Road	RU2	RU6
Lots CP and Lots 1-42, Plan K1125	555 Glenmeadows Road	RM2	RU5

2. Rules of Interpretation

Delete the following section:

2.1.5 Where a regulation involves two or more conditions, provisions, or events connected by the conjunction “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly or in combination; and “either-or” indicates the items shall apply singly but not in combination.

3. Definitions

The following amendments to Section 2 of Zoning Bylaw No. 8000 are proposed to correct inconsistencies, clarify interpretations and to add definitions that have been omitted to date.

Section No.	Amendment	Reason
2.3.3	Remove “ALTER” and “LAND DISTURBANCE” and replace with the following: “ ALTERATION OF LAND means, but is not limited to, soil relocation due to buildings or parking lots , removal, alteration, disruption or destruction of vegetation, soil removal or filling, retaining ”	To provide consistency between the OCP and Zoning Bylaw No. 8000.

	<p>walls, patios, lawns, agricultural activity and any structural change to a building or structure that results in an increase or decrease in the area or volume of the structure; and change in the area frontage, depth, or width of a lot that affects the required yard, landscaped open space, or parking requirements of this bylaw; and to discontinue or change the principal use of the lot or building with a use defined as being distinct from the discontinued use.”</p>	
2.3.3	<p>Replace existing definition of “STRUCTURAL ALTERATION” with “STRUCTURAL ALTERATION means any change or addition to the supporting members of a structure, including the foundations, bearing walls, rafters, columns, beams and girders and where the total value of proposed work does not exceed 75% of the assessed value of the existing structure. Changes or additions exceeding 75% of the value of the existing structure will be considered a new structure.”</p>	Clarify existing definition.
2.3.3	<p>Add the following definition: “ANIMAL DAYCARE means an establishment intended to provide care for domesticated animals excluding livestock during the day or evening but not overnight to a limit of 6 animals such as dogs or cats.”</p>	To accommodate requests that would permit a daycare for pets in urban areas
2.3.3	<p>Replace existing definition of “BOAT STORAGE” with “BOAT STORAGE means the storage of boats and other marine equipment for the purpose of dry land moorage where boats and marine equipment are intended to be launched by the operators of the boat storage facility for short term use by the boat and marine equipment owners. All boats and marine equipment are to be in working order. This use does not include major servicing, sales, or major repair of boats or marine equipment nor does it include on –site fuel dispensing.</p>	Clarify existing definition.
2.3.3	<p>Replace existing definition of “KENNELS AND STABLES” with “KENNELS AND STABLES means premises used for the breeding, buying, selling or boarding of animals including individual dogs, cats, horses or other domesticated animals excluding livestock.”</p>	To provide consistency between the Dog Regulation and Impounding Bylaw No. 5880-88 and the Kennel bylaw.
2.3.3	<p>Replace definition of “Lot Line, Front” with “LOT LINE, FRONT-URBAN AND RURAL RESIDENTIAL” means, in the case of an interior lot, a lot line separating the lot from the street; or in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street not</p>	Create separate definitions for front lot lines for residential and commercial/industrial zones.

	including a corner rounding or corner cut; or in the case of a lot extending between two parallel streets , the front lot line shall be determined by the average front yard setback on that block.”	
2.3.3	Add definition of “ LOT LINE, FRONT-COMMERCIAL/INDUSTRIAL means the street frontage onto which the primary façade or front yard of the building faces.”	Create separate definitions for front lot lines for residential and commercial/industrial zones.
2.3.3	Remove “leave strip” and replace with the following: “ RIPARIAN MANAGEMENT AREA means a specified setback area as outlined in Table 7.1 that is comprised of the Riparian Reserve Zone, or the Riparian Management Zone, or both. The width of these areas is determined by attributes of the stream and adjacent terrestrial ecosystems.”	To provide consistency between the OCP and Zoning Bylaw No. 8000.
2.3.3	Remove “NORMAL HIGH WATER MARK”	Consistency with OCP.
2.3.3	Replace existing definition of “Retail Store, Convenience” with “ RETAIL STORE, CONVENIENCE means development used for the retail sale of those goods required by area residents or employees on a day to day basis, from business premises which do not exceed 235 m ² in gross floor area . Typical uses include but are not limited to small food stores, drug stores, florists and variety stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, hardware or printed matter, seasonal or tourism related rentals, or the rental of videos. In the case of the W2 zone , this includes items normally required by those people using marina facilities. This use does not include the rental of personal watercraft or rental of automobiles.”	Add tourism related rentals. Restrict rentals of personal watercraft.
2.3.3	Replace existing definition of “Residential Zones” with “ RESIDENTIAL ZONES means any zones described in Sections 12 and 13 of this Bylaw or any CD zone in which the predominant use , as determined by its general purpose and list of permitted uses , is of a residential nature. Where the principal use in these zones is a residential dwelling unit, the minimum tenancy period shall not be less than 1 month.”	Clarify minimum tenancy period in residential zones. Prohibit short term stays.
2.3.3	Replace existing definition of “Private Open Space” with the following: “ Private Open Space means a useable open space area exclusive of required building setbacks and parking areas (common or individual) which is developed for the recreational use of the residents of a residential dwelling unit, and may include balconies, indoor common	Clarification.

	amenity space, terraces, decks, and level landscaped recreation areas.”	
2.3.3	Add definition: “ SINGLE DWELLING HOUSING means housing that contains one single family dwelling unit”.	Differentiate between uses and housing types.
2.3.3	Add definition: “ TWO DWELLING HOUSING means housing that contains two single family dwelling units. One additional dwelling unit in the form of a Secondary suite is permitted provided it conforms to Section 9.5 of this Zoning Bylaw.”	Differentiate between uses and housing types.
2.3.3	Add definition: “ THREE DWELLING HOUSING means housing single lot that contains three dwelling units.”	Differentiate between uses and housing types.
2.3.3	Add definition: “ FOUR DWELLING HOUSING means housing on a single lot that contains four dwelling units.”	Differentiate between uses and housing types.
2.3.3	Add definition: “ MULTIPLE DWELLING HOUSING means housing on a single lot that contains three or more dwelling units”.	Differentiate between uses and housing types.
2.3.3	Change Map Reference in definition of “Urban Town Centres” to Map 6.2 (was map 13.2)	Consistency with OCP
1.4.3(g)	Replace “Town Centre” with “ Urban Centre ”	Consistency with OCP
8.5.3	Replace “Urban Town Centre” with “ Urban Centre ”	Consistency with OCP
11.1.6(i) 12.1.6(g) 12.3.6(d) 13.1.6(c) 13.2.6(e) 13.6.6(c)	Replace “single detached dwelling” with “single detached house”	Differentiate between uses and housing types.

4. Section 6 – General Development Regulations

Section No.	Amendment	Reason
6.6.2	<i>Replace the existing Section 6.6.2 with the following:</i> Walkout basements oriented to the rear yard shall not be considered for the purpose of determining height for single detached, duplex, and semi-detached housing . Where access is required through and limited to a lane , the yard abutting the lane may be considered the front yard .	<i>Allows for more practical site design</i>
6.5.8	<i>Replace the existing Section 6.5.8 (a) with the following:</i> “an accessory building in an urban residential zone or rural residential zone shall not be located closer than 18.0m to the front lot line unless it complies with the side yard requirements for a principal	<i>Clarification</i>

	building and respects double the required front yard setback for that zone."	
6.5.8	<i>Replace the existing Section 6.5.8(b) with the following: "an accessory building in an urban residential zone or rural residential zone shall be located no less than 1.0m from the side lot line but shall be unrestricted where the accessory building does not exceed the fence height (2.0m) and is less than 10m² in size. Accessory buildings housing secondary suites shall conform to the side yard setback requirements for the principal building in that zone;"</i>	<i>Clarification</i>
6.10.1	<i>Replace "Urban Town Centre" with: "Urban Centre"</i>	Consistency with OCP
6.14	<i>Replace the current heading with the following: Riparian Management Area (RMA) Setbacks</i>	<i>Consistency with OCP</i>
6.14.1	<i>Replace the current section with the following: In all zones where Riparian Management Area setbacks are required along watercourses, as specified by the Official Community Plan, the specified setback distance shall be measured from the top-of-bank, or natural boundary where the top-of-bank is not clearly defined. The specified setback distance shall be measured to the nearest part of the building and structure, including roofs, eaves, and any over-hanging components or cantilevered portions of a building. Structure is a construction of any kind whether fixed to or supported by or sunk into land or water including but not limited to towers, flag poles, swimming pools, decks, signes, tanks, patios.</i>	<i>Consistency with OCP.</i>
6.14.2	<i>Replace the current section with the following "No alteration of land shall be permitted within a Riparian Management Area without an authorized Development Permit."</i>	<i>Consistency with OCP.</i>
6.14.3	<i>Replace the current section with the following: When new lots are created abutting a watercourse where a Riparian Management Area setback is required, the land within the RMA may be used for calculating the</i>	<i>Consistency with OCP.</i>

	minimum lot area and for the determination of permitted density and lot coverage , provided the requirements of Section 6.14.4 have been provided for.	
6.14.4	<i>Replace the current section with the following:</i> a Riparian Management Area is required as a condition of development of a lot , or has previously been established on an existing lot , all buildings and structures must orient on the lot so that access to or from the building or structure encroaches no more than 5.0m into the required RMA setback.	<i>Consistency with OCP.</i>

5. Section 7 – Landscaping and Screening

Section No.	Amendment	Reason
7.2.2	<i>Replace section 7.2.2 with the following section:</i> Required landscape buffers of Section 7.7 shall be continuous along the affected property boundaries, interrupted only by walkways and driveways providing access to the site and running perpendicular to the property line.	General housekeeping amendment for clarification and consistency.
7.2.7	Replace “ stream protection leave strip ” with “ Riparian Management Area ”.	Consistency with OCP.
7.4.1	<i>Replace section 7.4.1 with the following section:</i> Urban plazas, when permitted pursuant to Section 7.4, must be solely for pedestrian use and accessible to the public from both the street and from the development. Landscape buffering in Urban Plazas areas should be designed according to Table 7.1.	General housekeeping amendment for clarification and consistency.
7.5.7	<i>Add the following section and renumber subsequent paragraphs:</i> No opaque fences are permitted in W1 and W2 zones .	General housekeeping amendment for clarification and consistency.
7.6.5	<i>Replace section 7.6.5 with the following section:</i> Notwithstanding Section 7.6.1, buffer widths between a building or structure and the property line may be	General housekeeping amendment for clarification and consistency.

	reduced to the width of the required yard if the required yard is narrower than the buffer specified in Section 7.6.1 with the exception of level 5 buffering.	
7.6.8	<i>Replace section 7.6.8 with the following section: “stream protection leave strip” with “Riparian Management Area”.</i>	<i>Consistency with OCP.</i>
7.6.9	<i>Replace 7.6.9(a) and (e) “Town Centre” and “Urban Town Centre” with “Urban Centre”</i>	Consistency with OCP
7.6.9	<i>Replace section 7.6.9 (e) with the following section: all non-accessory surface parking lots in an urban town centre shall have a Level 2 buffer zone</i>	General housekeeping amendment for clarification and consistency.
7.6.9	<i>Add the following section: on corner lots, front yard landscape buffers shall apply to all street frontages.</i>	General housekeeping amendment for clarification and consistency.
7.6.9	<i>Add the following section: for development in industrial zones with parking located in front of the building, Level 4 buffers shall apply for the front yard, and in the case of a corner lot, for the front yard and the flanking side yard.</i>	General housekeeping amendment for clarification and consistency.
7.6.9	<i>Add the following section: All properties abutting Highways 97 and 33 require a level 4 buffer along the highway frontage.</i>	General housekeeping amendment for clarification and consistency.
	<i>Renumber the section following section 7.6.9 to section 7.6.10.</i>	

Make the changes noted in bold letters to Table 7.1

Table 7.1:

	Front	Rear	Side
Properties Abutting Hwy 97 or Hwy 33 (as per 7.6.9 (j))	Level 4 Abutting Road		
All Lands Abutting ALR	5	5	5
Agricultural Zones: add A1s (remove A2)	1	1	1
Rural Residential Zones: add RR3s	1	1	1
Urban Residential Zones: add RU2s	1	1	1
RU4, RU5, RU6	1	3	3
RU1h, RU2h	1	3	3
RU2hs	1	2	2
RU6b	2	3	3
RM1, RM2, RM3, RM4	2	3	3
RM5, RM6, RM7	2	3	3
Commercial Zones:			
C1, C2, C3, C4, C5, C6, C7, C8	2	3	3
C9, C10	2	3	3
Industrial Zones			
I1	2	3	3
I2, I3	2	3	3

I4	2	3	3
I5 (remove I6)	3	3	3

Public and Institutional Zones

P1, P2	2	3	3
P3	2	2	2
P4	3	3	3

Water and CD zones, as well as Urban Plaza Permitted section to remain as is.

6. Section 9 – Specific Use Regulations

Section No.	Amendment	Reason
9.2.1	<i>Replace the existing Section 9.2.1 (a) with the following: A minor home based business shall only be conducted within a principal dwelling unit or secondary suite and no exterior storage or operation of the minor home based business shall be permitted.</i>	General housekeeping amendment for clarification and consistency.
9.5.8	<i>Replace the existing Section 9.5.8 with the following: A secondary dwelling unit is not permitted in conjunction with lodgers, bed and breakfast accommodation or a group home.</i>	General housekeeping amendment for clarification and consistency.
9.6.1	<i>Add the following section: The licensed operator of a bed and breakfast home must reside in the dwelling in which the bed and breakfast operation is located.</i>	General housekeeping amendment for clarification and consistency.
9.9.5	<i>Add the following paragraph: No fences will be allowed on docks other than fences running parallel to the foreshore where the intent of such a fence would be to prevent public access onto the dock from the foreshore. All fences must be consistent with section 7.5.7.</i>	Discourage fencing on private docks.

7. Section 11 – Agricultural Zone

Section No.	Amendment	Reason
	A1-AGRICULTURE 1	
11.1.1	<i>Replace the existing purpose statement with the following:</i> The purpose is to provide a zone for rural areas and agricultural uses as well as other complementary uses suitable in an agricultural setting. A maximum of one single dwelling house is permitted. In addition a secondary suite is permitted when in accordance with Section 6.5 and 9.5 of this Zoning Bylaw.	Differentiate between uses and housing types.
11.1.2	<i>Delete the following Section 11.1.2 (f):</i> mobile homes	Differentiate between uses and housing types.
11.1.2	<i>Add the following section 11.1.2 (f) and renumber the subsequent section as (g):</i> single dwelling housing	Differentiate between uses and housing types.
11.1.4	<i>Add the following Buildings and Structures section as 11.1.4 and renumber all subsequent paragraphs beginning with Subdivision regulations as 11.1.5.:</i> Buildings and Structures Permitted <ul style="list-style-type: none"> (a) one single detached house (may contain secondary suite in A1s zone) or, (b) one mobile home (c) accessory buildings and structures (d) accessory building with secondary suite (A1s) 	Differentiate between uses and housing types.

8. Section 12 – Rural Residential Zones

Section No.	Amendment	Reason
	RR1-RURAL RESIDENTIAL 1	
12.1.1	<i>Replace Section 12.1.2 (b) with the following:</i> single dwelling housing	Differentiate between uses and housing types.
12.1.2	<i>Add the following Buildings and Structures section as 12.1.4 and renumber all subsequent sections beginning with Subdivision regulations as 12.1.5.:</i> Buildings and Structures Permitted <ul style="list-style-type: none"> (a) one single detached house (may contain secondary suite in RR1s zone) (b) accessory buildings and structures (c) accessory building with secondary suite (RR1s) 	Differentiate between uses and housing types.
	RR2-RURAL RESIDENTIAL 2	
12.2	RR – Rural Residential 2 RR2s – Rural Residential 2 with Secondary Suite	Add “S” Designation to RR2 Zone.
12.2.2	<i>Replace Section 12.2.2 (b) with the following:</i> single dwelling housing	Differentiate between uses and housing types.
12.2.2	<i>Add the following use as Section 12.2.2(c):</i> secondary suite (RR2s only)	Differentiate between uses and housing types.
12.2.4	<i>Add the following Buildings and Structures section as 12.2.4 and renumber all subsequent sections beginning with Subdivision regulations as 12.2.5.:</i> Buildings and Structures Permitted <ul style="list-style-type: none"> a) one single detached house (may contain secondary suite in RR2s zone) (b) accessory buildings and structures 	Differentiate between uses and housing types.

	(c) accessory building with secondary suite (RR2s)	
12.2.6	<i>Add the following as section 12.2.6(e) and renumber subsequent sections: An "s" notation shown on Schedule "A" as part of the identified zone classification indicates that a secondary use in the form of a secondary dwelling unit is permitted on the properties so designated, subject to meeting the conditions of use of the zone. An "s" zoning classification on a property shall be established by rezoning the subject property to the "s" version of the parent zone.</i>	Add "S" designation to RR2 zone.
RR3-RURAL RESIDENTIAL 3		
12.3.2	<i>Replace Section 12.3.2 (a) with the following: single dwelling housing</i>	Differentiate between uses and housing types.
12.3.4	<i>Add the following Buildings and Structures section as 12.3.4 and renumber all subsequent sections beginning with Subdivision regulations as 12.3.5.:</i> Buildings and Structures Permitted (a) one single detached house (may contain secondary suite in RR3s zone) (b) accessory buildings and structures (c) accessory building with secondary suite (RR3s)	Differentiate between uses and housing types.

9. Section 13 – Urban Residential Zones

Section No.	Amendment	Reason
RU1-LARGE LOT HOUSING		
13.1.2	<i>Replace Section (a) with the following: single dwelling housing</i>	Differentiate between uses and housing types.
13.1.4	<i>Add the following Buildings and Structures Section as 13.1.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.1.5.:</i>	Differentiate between uses and housing types.

	Buildings and Structures Permitted <ul style="list-style-type: none"> (a) one single detached house (may contain secondary suite in RU1s zone) (b) accessory buildings and structures (c) accessory building with secondary suite (RU1s) 	
13.1.5	<i>Replace Section 13.1.5 (d) with the following: "The minimum side yard is 2.0m for a 1 or 1 ½ storey portion of a building and 2.3m for a 2 or 2 ½ storey portion of a building, except it is 4.5m from a flanking street or when required by Section 13.1.5 (e), or if is a garage or carport is accessed from the flanking street, it is 6.0m. Where there is no direct vehicular access to the rear yard or to an attached garage or carport, one side yard shall be at least 3.0m. In RU1h zones the minimum setback from a flanking street shall be 3.0m, except that it is 6.0m measured from the back of curb or a sidewalk, whichever is closest."</i>	General housekeeping amendment for clarification and consistency.
13.1.6	<i>Replace Section 13.1.6 (d) with the following: Where the development has access to a rear lane, vehicular access to the development is only permitted from the rear lane with the exception of developments in hillside areas where the topography would require the slope of driveways to exceed 15%.</i>	General housekeeping amendment for clarification and consistency.
RU2-MEDIUM LOT HOUSING		
13.2.2	<i>Replace 13.2.2(a) with the following: single dwelling housing</i>	Differentiate between uses and housing types.
13.2.5	<i>Add the following Buildings and Structures Section as 13.2.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.2.5.:</i> Buildings and Structures Permitted <ul style="list-style-type: none"> (a) one single detached house (may contain secondary suite in RU2s zone) (b) one accessory building (c) accessory structures 	Differentiate between uses and housing types.

	(d) accessory structure with secondary suite (RU2s)	
13.2.5	<i>Replace Section 13.2.5 (c) with the following:</i> “In RU2 and RU2s zones , the minimum front yard is 4.5m except it is 6.0m from a garage or carport having vehicular entry from the front. In RU2h zones the minimum front yard is 3.0m except it is 6.0m measured from the back of the curb or a sidewalk whichever is closest, to a garage or carport having vehicular entry at the front. Where access is required through and limited to a lane , the yard abutting the lane may be considered the front yard . Walkout basements are not permitted in this situation.	General housekeeping amendment for clarification and consistency.
13.2.6	<i>Replace Section 13.2.6 (b) with the following:</i> Where the development has access to a rear lane , vehicular access to the development is only permitted from the rear lane except for developments in hillside areas where the topography would require the slope of driveways to exceed 15%.	General housekeeping amendment for clarification and consistency.
RU3-SMALL LOT HOUSING		
13.3.5	<i>Add the following Buildings and Structures Section as 13.3.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.3.5.:</i> Buildings and Structures Permitted (a) one single detached house (may contain secondary suite in RU3hs zone)	Differentiate between uses and housing types.
13.3.6	<i>Replace Section 13.3.6 (b) with the following:</i> Where the development has access to a rear lane , vehicular access to the development is only permitted from the rear lane with the exception of developments in hillside areas where the topography would require the slope of driveways to exceed 15%.	General housekeeping amendment for clarification and consistency.
RU4-LOW DENSITY CLUSTER HOUSING		
13.4.2	<i>Replace Section 13.4.2 with the following:</i>	Differentiate between uses and

	<p>(a) single dwelling housing (b) two dwelling housing</p>	housing types.
13.4.4	<p><i>Add the following Buildings and Structures Section as 13.4.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.5.5.:</i></p> <p>Buildings and Structures Permitted</p> <p>(a) one single detached house (b) semi-detached housing (c) accessory buildings and structures</p>	Differentiate between uses and housing types.
13.4.5	<p><i>Replace Section 13.4.5 (e) with the following section: The site side yard is 3.0m, except it is 4.5m from a flanking street.</i></p>	General housekeeping amendment for clarification and consistency.
RU5-BARELAND STRATA HOUSING		
13.5.2	<p><i>Replace Sections 13.6.2 (a) and (b) with the following:</i></p> <p>(a) single dwelling housing</p>	Differentiate between uses and housing types.
13.5.4	<p><i>Add the following Buildings and Structures Section as 13.5.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.5.5.:</i></p> <p>Buildings and Structures Permitted</p> <p>(a) semi-detached housing (b) one single detached house (c) accessory buildings and structures</p>	Differentiate between uses and housing types.
13.5.5	<p><i>Add the following section as 13.5.5(f) 1) and 2) and renumber subsequent sections:</i></p> <p>1) The sum of both side yards on a bareland strata lot shall be 3.0m except where a bareland strata lot abuts an internal roadway, the setback shall be a minimum of 3.0m from the flanking roadway and the sum of both side yards shall not be less than 4.5m. A garage or carport shall be no less than 6.0m from a</p>	General housekeeping amendment for clarification and consistency.

	<p>curb or sidewalk.</p> <p>2) In the case of semi-detached housing, no more than one dwelling unit is permitted per bareland strata lot. A 0.0m side yard is permitted to accommodate this housing type when the other side yard on each lot is a minimum of 3.0m.</p>	
	RU6-TWO DWELLING HOUSING	
13.6.1	<p><i>Replace Sections 13.6.1 with the following section:</i></p> <p>Principal Uses</p> <p>The purpose is to provide a zone for development of a maximum of two dwelling units per lot.</p>	Differentiate between uses and housing types.
13.6.2	<p><i>Replace Sections 13.6.2 (a),(b),(c), with the following:</i></p> <p>(a) single dwelling housing (b) two dwelling housing</p>	Differentiate between uses and housing types.
13.6.4	<p><i>Add the following Buildings and Structures Section as 13.6.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.6.5:</i></p> <p>Buildings and Structures Permitted</p> <p>(a) duplex housing* (b) semi-detached housing* (c) single detached house (may contain secondary suite) (d) two single detached houses* (e) accessory buildings and structures (f) accessory building with secondary suite</p> <p>Note: Buildings and structures indicated by an (*) are only permitted on duplex lots that meet duplex lot size requirements.</p>	Differentiate between uses and housing types.
13.6.6	<p><i>Replace Section 13.6.6 (f) with the following:</i></p> <p>Where the development has access to a rear lane, vehicular access to the development is only permitted from the rear lane with the exception of developments in hillside areas where the</p>	General housekeeping amendment for clarification and consistency.

	topography would require the slope of driveways to exceed 15%.	
13.6.6	<p><i>Replace Section 13.6.6 (g) with the following:</i></p> <p>A site may be developed with a maximum of two single detached housing units where all the requirements for duplex housing have been met. The two single detached housing units must be separated by a minimum distance of 4.5m.</p>	General housekeeping amendment for clarification and consistency.
	RM1-FOUR DWELLING HOUSING	
13.7	<p><i>Replace heading with:</i></p> <p>RM1-FOUR DWELLING HOUSING</p>	Differentiate between uses and housing types.
13.7.2	<p><i>Replace Sections 13.7.2 (a),(b),(c),(d),(e) with the following:</i></p> <p>(a) single dwelling housing (b) two dwelling housing (c) three dwelling housing (d) four dwelling housing</p>	Differentiate between uses and housing types.
13.7.4	<p><i>Add the following Buildings and Structures Section as 13.7.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.7.5:</i></p> <p>Buildings and Structures Permitted</p> <p>(a) duplex housing (b) four-plex housing (c) three-plex housing (d) semi-detached housing (e) single detached housing (f) accessory buildings and structures</p>	Differentiate between uses and housing types.
	RM2-LOW DENSITY/ROW HOUSING	
13.8	<p><i>Replace heading 13.8 with:</i></p> <p>13.8 RM2- Low Density/Row Housing RM2h-Low Density/Row Housing (Hillside Area)</p>	Differentiate between uses and housing types.
13.8.2	<p><i>Replace Sections 13.8.2 (a),(b),(c),(d) with the following:</i></p> <p>(a) single dwelling housing (b) two dwelling housing (c) multiple housing</p>	Differentiate between uses and housing types.
13.8.4	<p><i>Add the following Buildings and Structures Section as 13.8.4 and renumber all</i></p>	Differentiate between uses and

	<p><i>subsequent paragraphs beginning with Subdivision Regulations as 13.8.5:</i></p> <p>Buildings and Structures Permitted</p> <ul style="list-style-type: none"> (a) duplex housing (b) row housing (c) semi-detached housing (d) single detached housing (e) accessory buildings and structures 	housing types.
	RM3-LOW DENSITY MULTIPLE HOUSING	
13.9.2	<p><i>Replace Sections 13.9.2 (a),(b),(c),(d),(e),(f) with the following:</i></p> <ul style="list-style-type: none"> (a) multiple housing (b) congregate housing (d) group home, major (e) boarding or lodging houses 	Differentiate between uses and housing types.
13.9.4	<p><i>Add the following Buildings and Structures Section as 13.9.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.9.5:</i></p> <p>Buildings and Structures Permitted</p> <ul style="list-style-type: none"> (a) apartment housing (b) row housing (c) semi-detached housing (d) stacked row housing (e) accessory buildings and structures 	Differentiate between uses and housing types.
	RM4-TRANSITIONAL LOW DENSITY	
13.10.2	<p><i>Replace Sections 13.10.2 (a),(b),(c),(d),(e),(f),(g) with the following:</i></p> <ul style="list-style-type: none"> (a) multiple housing (b) boarding or lodging houses (c) congregate housing (d) group home, major (e) religious assemblies <p>(where in existence prior to July 1st, 1998)</p>	Differentiate between uses and housing types.
13.10.4	<p><i>Add the following Buildings and Structures Section as 13.10.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.10.5:</i></p>	Differentiate between uses and housing types.

	Buildings and Structures Permitted <ul style="list-style-type: none"> (a) apartment housing (b) row housing (b) stacked row housing (c) accessory buildings and structures 	
	RM5-MEDIUM DENSITY MULTIPLE HOUSING	
13.11.2	<i>Replace Sections 13.11.2 (a),(b),(c),(d) with the following sections:</i> <ul style="list-style-type: none"> (a) multiple housing (b) congregate housing (c) group homes, major (d) boarding and lodging houses 	Differentiate between uses and housing types.
13.11.4	<i>Add the following Buildings and Structures Section as 13.11.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.11.5:</i> Buildings and Structures Permitted <ul style="list-style-type: none"> (a) apartment housing (b) stacked row housing (c) accessory buildings and structures 	Differentiate between uses and housing types.
	RM6-HIGH RISE APARTMENT HOUSING	
13.12.2	<i>Replace Sections 13.12.2 (a),(b),(c),(d) with the following sections:</i> <ul style="list-style-type: none"> (a) multiple dwelling housing (b) congregate housing (c) group homes, major 	Differentiate between uses and housing types.
13.12.4	<i>Add the following Buildings and Structures Section as 13.12.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.12.5:</i> Buildings and Structures Permitted <ul style="list-style-type: none"> (a) apartment housing 	Differentiate between uses and housing types.

	(b) stacked row housing (c) accessory buildings and structures	
	RM7-MOBILE HOME PARK	
13.13.2	<i>Replace Section 13.13.2 (a) with the following section: mobile home park</i>	Differentiate between uses and housing types.
13.13.4	<i>Add the following Buildings and Structures Section as 13.13.4 and renumber all subsequent paragraphs beginning with Subdivision Regulations as 13.13.5:</i> Buildings and Structures Permitted (a) mobile homes (b) modular homes (c) accessory buildings and structures	Differentiate between uses and housing types.

10. Section 14 – Commercial Zones

Section No.	Amendment	Reason
	C2 – NEIGHBOURHOOD COMMERCIAL	
14.2.2	<i>Add the following to 14.2.2 and renumber subsequent paragraphs: animal daycare</i>	General housekeeping amendment for clarification and consistency.
14.2.6	<i>Replace Section 14.2.6 (d) with the following paragraph: Individual offices and retail stores, convenience, shall not have a gross floor area greater than 235m². Where two or more retail stores, convenience share a common retail space each may have a gross floor area of no greater than 235m².</i>	General housekeeping amendment for clarification and consistency.
	C3-COMMUNITY COMMERCIAL	
14.3.2	<i>Add the following as 14.3.2 and renumber subsequent paragraphs: animal daycare</i>	General housekeeping amendment for clarification and consistency.
	C4-TOWN CENTRE COMMERCIAL	
14.4.2	<i>Add the following as 14.4.2 (c) and (d) and renumber subsequent paragraphs:</i> (c) animal daycare (d) boarding and Lodging Houses	General housekeeping amendment for clarification and consistency.

14.4.5	Replace “Urban Town Centre” with “Urban Centre”	Consistency with OCP
14.4.5	Replace Section 14.4.5 (e) with the following section: The minimum side yard is 0.0m, except it is 2.0m where the site abuts a residential zone other than an RU1, RU2, RU3 and RU4 zone. In these latter zones , the minimum side yard is the greater of 4.5m or half the height of the building . From a flanking street the minimum side yard 0.0m.	General housekeeping amendment for clarification and consistency.
	C7-CENTRAL BUSINESS COMMERCIAL	
14.7.2	Add the following primary use to Section 14.7.2 as (d) and renumber subsequent sections: Boarding and Lodging Houses	General housekeeping amendment for clarification and consistency.
	C8-CONVENTION HOTEL	
14.8.3	Add the following secondary use to Section 14.8.3(b) and renumber subsequent sections: Apartment Hotel	General housekeeping amendment for clarification and consistency.
	C9-TOURIST COMMERCIAL	
14.9.3	Add the following secondary use to as Section 14.9.3(f) and renumber subsequent sections: Residential Security/Operator Unit	General housekeeping amendment for clarification and consistency.
	C10-SERVICE COMMERCIAL	
14.10.2	Add the following as 14.10.2(c) and (II) and renumber subsequent paragraphs: (c) animal daycare (II) vehicle and equipment services, industrial	General housekeeping amendment for clarification and consistency.

11. Section 15 – Industrial Zones

Section No.	Amendment	Reason
	I1-BUSINESS INDUSTRIAL	
15.1.2	Add the following section as 15.1.2(m) and renumber the subsequent sections: private clubs	General housekeeping amendment for clarification and consistency.
	I2-GENERAL INDUSTRIAL	
15.2.2	Add the following section as 15.2.2(s) and renumber the subsequent sections: private clubs	General housekeeping amendment for clarification and

		consistency.
15.1.4	<i>Replace “Urban Town Centre” with:</i> “Urban Centre”	Consistency with OCP

12. Schedule “B” – Comprehensive Development Zones

Section No.	Amendment	Reason
	CD4-COMPREHENSIVE DEVELOPMENT	
1.6	<i>Replace paragraph 1.6 (e) with the following paragraph:</i> Area 2, shown on CD4 Map A, shall be developed only with 1 ½ storey units.	General housekeeping amendment for clarification and consistency.

**SCHEDULE B – AMENDMENTS TO CITY OF KELOWNA
SIGN BYLAW NO. 8235**

SECTION 5 – SPECIFIC REGULATIONS

Section No.	Amendment	Reason
	SECTION 5.9 SIGNS FOR HOME BASED BUSINESSES, BED AND BREAKFAST HOMES, AND MINOR INTERMEDIATE CARE FACILITIES	
5.9	<i>Replace existing section with the following:</i> Signs for Home Based Businesses, Bed and Breakfast Homes, and Minor or Intermediate Care Facilities	General housekeeping amendment clarification consistency. for and
5.9.1	<i>Replace existing section with the following:</i> No sign advertising a minor home based business is permitted in any zone.	General housekeeping amendment clarification consistency. for and
5.9.2	<i>Replace existing section with the following:</i> Notwithstanding Section 6.1, in the case of a major home based business or a minor or intermediate care facility, one non-illuminated sign to a maximum size of 0.15 m", with no dimension greater than 610mm, may be attached to the principal residence. :	General housekeeping amendment clarification consistency. for and
5.9.3	<i>Replace existing section with the following:</i> Notwithstanding Section 6.1, in the case of a rural home based business or a minor or intermediate care facility is located in an Agricultural or Rural Residential zone, one sign , which may be externally illuminated, to a maximum size of 0.5m" may be attached to the principal residence or located at the entrance to the driveway.	General housekeeping amendment clarification consistency. for and
5.9.4	<i>Add the following section:</i> (a) Notwithstanding Section 6.1, in case of a bed and breakfast home, one sign to a maximum size of 2.0m" and a maximum height of 1.0m may be attached to the residence or free standing located in the front yard of a flanking side yard. (b) The free-standing sign may be located on the property line but must not encroach or overhang beyond the property line. It must not be located within the triangle to be kept clear of obstructions as specified in	General housekeeping amendment clarification consistency. for and

	<p>City of Kelowna Traffic Bylaw No. 8120.</p> <p>(c)The free-standing sign may be indirectly lit by one single fixture of incandescent light per side of the sign.</p>	
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