

CITY OF KELOWNA

BYLAW NO. 9304

Text Amendment No. TA04-0005 Schedule 'B' – Comprehensive Development Zones Add CD17 – Mixed Use Commercial – High Density

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

1. THAT **Section 1 – General Administration** be amended by:

- (i) Adding a new line entitled CD17, in the appropriate location, under the heading Comprehensive Development Zones of **Subsection 1.3 Zoning Map** as follows:

“CD17 – Mixed Use Commercial – High Density”

2. AND THAT **Schedule “B” Comprehensive Development Zones** be amended by adding a new Section **CD17 – Mixed Use Commercial – High Density** as follows, in the appropriate location:

“CD17 – Mixed Use Commercial - High Density

1.0 Purpose

The purpose is to provide a **zone** for large scale mixed-use commercial/residential developments.

1.1 Principal Uses

The **principal uses** in this **zone** are:

- (a) **apartment hotels**
- (b) **business support services**
- (c) **commercial schools**
- (d) **financial services**
- (e) **food primary establishment**
- (f) **government services**
- (g) **health services**
- (h) **hotels**
- (i) **liquor primary establishment, major**
- (j) **liquor primary establishment, minor**
- (k) **non-accessory parking**
- (l) **offices**
- (m) **participant recreation services, indoor**
- (n) **personal service establishments**
- (o) **public libraries and cultural exhibits**
- (p) **retail liquor sales establishment**
- (q) **retail stores, convenience**
- (r) **retail stores, general**

1.2 Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **apartment housing**
- (b) **home based businesses, minor**

1.3 Subdivision Regulations

- (a) The minimum **lot width** is 13.0 m, except it is 40.0 m if there is no **abutting lane**.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 10,000m².

***Note:** The strata-titling of lots is not subject to the subdivision regulations listed above.

1.4 Development Regulations

- (a) The maximum **floor area ratio** is 2.0. Where **parking spaces** are provided totally beneath habitable space of a principal **building** or beneath **useable** common amenity areas providing that in all cases, the **parking spaces** are screened from view, an amount may be added to the **floor area ratio** equal to 0.2 multiplied by the ratio of such **parking spaces** to the total required **parking spaces**, but in no case shall this amount exceed 0.2. In no case shall the **floor area ratio** exceed 2.2.
- (b) The maximum **site coverage** for principal buildings and accessory structures is 45%. The maximum site coverage including parking areas and driveways is 75%.
- (c) The maximum **height** is the less of 55.0m or 16 storeys.
- (d) The minimum **front yard** is 0.0 m, except **non-accessory parking** shall have a landscaped buffer in accordance with Section 7.
- (e) 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 or RU4 zone, in which case the minimum **side yard** is 4.5m. From a **flanking street** the minimum **side yard** is 0.0m
- (f) The minimum **rear yard** is 0.0 m, except it is 6.0 m where **abutting** a residential **zone**.

1.5 Other Regulations

- (a) Apartment housing and **major group homes** require access to grade separate from the **commercial uses**. In the case of elevator equipped **buildings, uses** can share elevators provided security measures are in place to restrict access to residential areas.
- (b) A minimum area of 7.0 m² of **private open space** shall be provided per **bachelor dwelling, congregate housing bedroom or group home bedroom**, 12.0 m² of **private open space** shall be provided per 1 **bedroom dwelling**, and 18.0 m² of **private open space** shall be provided per **dwelling** with more than 1 **bedroom**.

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- (c) **Financial services** shall have a maximum total **gross floor area** of 500 m² unless a larger branch of the **Financial services** establishment is located within the C7 zone.
- (d) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, accessory **development**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (e) Commercial parking shall be calculated in accordance with the C4 – Urban Centre Commercial zone and residential parking shall be calculated based on the apartment housing standard.

3. 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 13th day of September, 2004.

Considered at a Public Hearing on the day of , 2004.

Approved under The Highways Act this th day of , 2004.

(Approving Officer - Ministry of Transportation & Highways)

Read a second and third time by the Municipal Council this day of , 2004.

Adopted by the Municipal Council this day of , 2004.

Mayor

City Clerk