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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** December 3, 2004  
**File No.:** TA04-0011  
**To:** City Manager  
**From:** Planning and Corporate Services Department  
**Subject:** Proposed Amendment to Zoning Bylaw No. 8000 Relating to Animal Care  
**REPORT PREPARED BY:** Nelson Wight

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**1.0 RECOMMENDATION**

THAT Zoning Bylaw Text Amendment Application No. TA04-0011 to amend City of Kelowna Zoning Bylaw No. 8000 by revising the definitions for Animal Clinics Minor and Animal Clinics Major, deleting the definition for Animal Daycare and removing Animal Daycare as a principal permitted use in the C2, C3, C4 and C10 zones; and by adding Animal Clinics Major as a principal permitted use in the I1, I2, I3 and I4 zones, as detailed in Schedule "A" attached to the Planning Department's report dated December 3, 2004, be considered by Council;

AND THAT the text amending Bylaw be forwarded to a Public Hearing for further consideration.

**2.0 SUMMARY**

Emerging trends in pet stewardship have resulted in an increased demand for "animal care" type uses. In an attempt to accommodate that demand while minimizing possible land use conflicts, Staff is initiating amendments to Zoning Bylaw No. 8000 to make the following changes:

- (a) remove the existing definition for ANIMAL DAYCARE, and all references to this use;
- (b) expand the ANIMAL CLINICS, MINOR definition to include "animal grooming, training, and daycare";
- (c) clarify that all uses listed under ANIMAL CLINICS, MINOR are possible under the ANIMAL CLINICS, MAJOR definition;
- (d) add the ANIMAL CLINICS, MAJOR and ANIMAL CLINICS, MINOR uses to all industrial zones (I1 – Business Industrial, I2 – General Industrial, I3 – Heavy Industrial, and I4 – Central Industrial)

**3.0 BACKGROUND**

There are presently five defined uses that deal with animal care. It has become apparent that none of these uses adequately accommodates healthy animal care uses such as "animal grooming, animal training, and animal daycare". Although the ANIMAL DAYCARE use was recently added, it was restricted to no more than six animals, which precludes most viable commercial ventures of this type. Consequently, Staff proposes that the ANIMAL DAYCARE use as it is presently defined be removed from the Bylaw. This use would, instead, be added under the definition for ANIMAL CLINICS, MINOR, along with animal grooming, and animal training.

The other significant change proposed to the Bylaw is to add the ANIMAL CLINICS, MINOR, and the ANIMAL CLINICS, MAJOR uses to all industrial zones.

Existing Wording		
Definition	Principal Use	Secondary Use
<b>ANIMAL CLINICS, MAJOR</b> means those premises where animals are given medical and surgical care and may include outdoor shelter.	C10	A1, RR1
<b>ANIMAL CLINICS, MINOR</b> means those premises where domestic pets, animals and birds are treated inside a building and kept for medical or surgical purposes and are directly or indirectly under the care of a veterinarian, but does not include an animal shelter.	C2, C3, C4, C10	A1, RR1
<b>ANIMAL DAYCARE</b> means an establishment intended to provide care for domesticated animals excluding livestock, during the day or evening but not overnight, to a maximum limit of six animals.	C2, C3, C4, C10	
<b>ANIMAL SHELTERS</b> means a lot and/or building or part thereof, used for the temporary care of lost, abandoned or neglected animals.	A1	
<b>KENNELS AND STABLES</b> means premises used for the breeding, buying, selling or overnight boarding of animals including individual dogs, cats, horses or other domesticated animals excluding livestock other than horses.	A1	

#### 4.0 PROPOSAL

The following table details the wording changes proposed by this application:

Proposed Amendments		
Definition ( <u>double underline</u> indicates added text, <del>strike through</del> indicates deleted text)	Principal Use	Secondary Use
<b>ANIMAL CLINICS, MAJOR</b> means those premises where animals are given medical and surgical care, and may include outdoor shelter. <u>This use also includes ANIMAL CLINICS, MINOR.</u>	C10, <u>I1, I2, I3, I4</u>	A1, RR1
<b>ANIMAL CLINICS, MINOR</b> means those premises where domestic pets, animals and birds are treated inside a building and kept for medical or surgical purposes, and are directly or indirectly under the care of a veterinarian. <u>This use also includes animal grooming, training, and daycare,</u> but does not include an animal shelter. <u>Animals are to be kept overnight only when required for medical supervision.</u>	C2, C3, C4, C10, <u>I1, I2, I3, I4</u>	A1, RR1
<del><b>ANIMAL DAYCARE</b> means an establishment intended to provide care for domesticated animals excluding livestock, during the day or evening but not overnight, to a maximum limit of six animals.</del>	<del>C2, C3, C4, C10</del>	
<b>ANIMAL SHELTERS</b> means a lot and/or building or part thereof, used for the temporary care of lost, abandoned or neglected animals.	A1	
<b>KENNELS AND STABLES</b> means premises used for the breeding, buying, selling or overnight boarding of animals including individual dogs, cats, horses or other domesticated animals excluding livestock other than horses.	A1	

## 5.0 CONCLUSION

Staff recommends that Council consider adopting the proposed changes detailed in this report. If approved, these amendments would: (a) remove the existing definition for ANIMAL DAYCARE, and all references to this use; (b) clarify that all uses listed under ANIMAL CLINICS, MINOR are possible under the ANIMAL CLINICS, MAJOR definition; (c) expand the ANIMAL CLINICS, MINOR definition to include “animal grooming, training, and daycare”; and (d) add the ANIMAL CLINICS, MAJOR and ANIMAL CLINICS, MINOR uses to all industrial zones (I1 – Business Industrial, I2 – General Industrial, I3 – Heavy Industrial, and I4 – Central Industrial).

It is hoped that an expansion of the animal care provisions in the Bylaw would help address the increased demand for these types of services in areas where they would not conflict with other land uses.

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Andrew Bruce  
Development Services Manager

Approved for inclusion

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

## SCHEDULE “A”

### Text Amendment No. TA04-0011 – Re: Animal Care Uses

#### PROPOSED AMENDMENTS:

Section	Existing Wording	Proposed Amendment
2.3 – General Definitions	<b>ANIMAL CLINICS, MAJOR</b> means those premises where animals are given medical and surgical care and may include outdoor shelter.	Revise the definition as follows: <b>ANIMAL CLINICS, MAJOR</b> means those premises where animals are given medical and surgical care, and may include outdoor shelter. <u>This use also includes ANIMAL CLINICS, MINOR.</u>
2.3 – General Definitions	<b>ANIMAL CLINICS, MINOR</b> means those premises where domestic pets, animals and birds are treated inside a building and kept for medical or surgical purposes and are directly or indirectly under the care of a veterinarian, but does not include an animal shelter.	Revise the definition as follows: <b>ANIMAL CLINICS, MINOR</b> means those premises where domestic pets, animals and birds are treated inside a building and kept for medical or surgical purposes, and are directly or indirectly under the care of a veterinarian. <u>This use also includes animal grooming, training, and daycare,</u> but does not include an animal shelter. <u>Animals are to be kept overnight only when required for medical supervision.</u>
2.3 – General Definitions	<b>ANIMAL DAYCARE</b> means an establishment intended to provide care for domesticated animals excluding livestock, during the day or evening but not overnight, to a maximum limit of six animals.	Remove this definition altogether.
14.2.2 14.3.2 14.4.2 14.10.2	<b>animal daycare</b>	Remove this use entirely from the list of principal uses in the C2, C3, C4, and C10 zones.
15.1.2 15.2.2 15.3.2 15.4.2	<b>animal clinics, major</b>	Add this use as a “Principal Use” in the I1, I2, I3, and I4 zones.