
CITY OF KELOWNA
MEMORANDUM

Date: February 4, 2005
File No.: TA05-0001
To: City Manager
From: Planning and Corporate Services Department
Subject: Proposed Amendment to development regulations of the C4 – Urban Centre Commercial zone, development regulations of the C7 – Central Business Commercial zone, and Section 8 – Parking and Loading, within Zoning Bylaw No. 8000.

REPORT PREPARED BY: Nelson Wight

1.0 RECOMMENDATION

THAT Zoning Bylaw Text Amendment Application No. TA05-0001 to amend the City of Kelowna Zoning Bylaw No. 8000 by amending the wording in the C4 – Urban Centre Commercial zone, C7 – Central Business Commercial zone, and Section 8 – Parking and Loading, as outlined in the report of the Planning and Corporate Services Department dated February 4, 2005 be considered by Council;

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

2.0 SUMMARY

Planning Staff have identified possible improvements that could be made to the current wording in the C4 – Urban Centre Commercial zone, particularly as they relate to mixed-use developments. Staff is also proposing minor text changes to the commercial street frontage requirements for the C7 zone, making it consistent with the proposed C4 changes. Lastly, this application proposes changes to the parking requirements for the residential component of mixed-use developments in the C4 zone. The three principal changes proposed by this amendment are as follows:

- A. Incorporate a bonusing structure presently available in the multi-family residential zones, which would allow for an increased floor area ratio (F.A.R.) for projects incorporating some affordable housing or for underground parking;
- B. Incorporate the minimum ground floor commercial requirements recently adopted for the C7 – Central Business Commercial zone under text amendment application TA04-0010, and making minor modifications to those requirements for both the C4 and C7 zones; and
- C. Reducing the parking requirement for the residential component of mixed-use developments in the C4 zone.

3.0 PROPOSAL

The following table details the wording change involved in these two initiatives:

Section	Existing Wording	Proposed Amendment
Section 6.9.2 Housing Agreements	Increases in the maximum density or reductions in parking or loading requirements are permitted to the density specified in the RM2, RM3, RM4, RM5, and RM6 zones . . .	Increases in the maximum density or reductions in parking or loading requirements are permitted to the density specified in the RM2, RM3, RM4, RM5, RM6, <u>and C4</u> zones . .
Section 14.4.5 (a) – Development Regulations	The maximum commercial floor area ratio is 1.0. In addition, a residential floor area ratio of 0.3 is permitted for a maximum total floor area ratio of 1.3.	For developments having only commercial uses, the maximum floor area ratio is 1.0. For mixed-use developments, the maximum floor area ratio is 1.3, except it is 1.4 with a housing agreement pursuant to the provisions of Section 6.9. 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.
New section to be added under 14.4.6 'OTHER REGULATIONS'		A building incorporating residential uses shall provide a functional commercial space on the first floor, which must occupy a minimum of 90% of all street frontages, OR a minimum of 75% on secondary street frontages provided 100% of the principal frontage has a functional commercial space. Access driveways or other portions of the street frontage not used as building will not be considered for the purpose of this calculation.

Section	Existing Wording	Proposed Amendment
Amend 14.7.6 (d)	Except in Area 2, as shown on C7 - Diagram A, attached to this bylaw, a building incorporating residential and other uses shall provide a commercial use on the first floor which must occupy a minimum of 90% of any street frontage and a minimum of 50% of the gross floor area.	Except in Area 2, as shown on C7 - Diagram A, attached to this bylaw, a building incorporating residential and other uses shall provide a <u>functional commercial space on the first floor, which must occupy a minimum of 90% of all street frontages, OR a minimum of 75% on secondary street frontages provided 100% of the principal frontage has a functional commercial space. Access driveways or other portions of the street frontage not used as building will not be considered for the purpose of this calculation.</u>
Table 8.1 – Parking Schedule	1 per bachelor dwelling unit, plus 1.25 per 1-bedroom dwelling unit, plus 1.5 per 2-bedroom dwelling unit, plus 2 per 3-or-more bedroom dwelling unit 1 per dwelling unit in the C7 zone	1 per bachelor dwelling unit, plus 1.25 per 1-bedroom dwelling unit, plus 1.5 per 2-bedroom dwelling unit, plus 2 per 3-or-more bedroom dwelling unit 1 per dwelling unit in the C4 and C7 zone

4.0 CONCLUSION

Staff recognizes that there is demand for a larger residential component to mixed-use developments in urban centre areas, which is not presently available under the current C4 zone. The objective in amending the wording for this zone is to allow for higher density mixed-use projects within urban centre areas. Removing the distinction between a commercial F.A.R. and a residential F.A.R. allows greater flexibility in the actual breakdown of use. Incorporating a specific ground floor commercial requirement encourages a more vibrant streetscape at the pedestrian level.

Staff recommends that Council consider adopting the changes detailed above. If approved, this amendment would (a) allow an increased F.A.R. for mixed-use projects incorporating social housing components or below ground parking; and (b) ensure that a minimum commercial component at the street level is achieved, and (c) reduce the parking requirement for the residential component of mixed-use developments in the C4 zone.

Andrew Bruce

Development Services Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP

Director of Planning & Corporate Services

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