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

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**DATE:** MARCH 12, 2007  
**TO:** CITY MANAGER  
**FROM:** PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

**APPLICATION NO.** TA07-0001      **APPLICANT:** CITY OF KELOWNA

**PURPOSE:** TO CREATE DEFINITION OF SUPPORTIVE HOUSING AND ADD AS A PERMITTED USE IN SEVERAL ZONES; TO AMEND DEFINITION OF WINERY/CIDERY; TO AMEND PROVISIONS PERTAINING TO MECHANICAL EQUIPMENT; TO ADD CONGREGATE HOUSING AS A PERMITTED USE IN TWO COMMERCIAL ZONES

**REPORT PREPARED BY:** RYAN SMITH

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**1.0**    **RECOMMENDATION**

THAT Zoning Bylaw Text Amendment No. TA07-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by as outlined in Schedule "A" of the report of the Planning & Development Services Department dated March 12, 2007 be considered by Council;

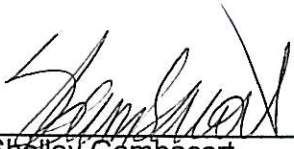
THAT Zoning Bylaw Text Amendment No. TA07-0001 be forwarded to a Public Hearing for further consideration;


**2.0**    **SUMMARY/DISCUSSION**

The attached table recommends several housekeeping type changes to the Zoning Bylaw. Staff is recommending that Council amend the definition of Winery/Cidery to allow a food primary establishment as an ancillary use. This will help give the local wineries greater flexibility when accommodating special events.

Staff are also proposing the creation of a new defined use called "supportive housing". This use is to be added to both Multiple Family Residential zones and selected Commercial zones to complement the congregate housing use. As well, staff are recommending that the "congregate care" use be added to the Community and Transition Commercial zones which already allow for apartment housing.

And finally staff are recommending that Council amend the Zoning Bylaw provisions pertaining to the setback of mechanical equipment to reduce the required side yard setback from that of a primary dwelling to that of an accessory building or structure.

  
 Shelley Gambacort  
 Acting Manager of Development Services

Approved for inclusion 

Mary Pynenburg, MRAIC MCIP  
 Director of Planning & Development Services

MP/SG/rs  
Attach

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

Section	Existing Definition	Proposed Definition/Amendment
<b>Section 2 – Interpretation: Wineries and Cideries (Amend)</b>	Wineries and Cideries means a farm winery, an estate winery, or an estate cidery which is licensed under the Liquor Control and Licensing Act.	Wineries and Cideries means a farm winery, an estate winery, or an estate cidery which is licensed under the Liquor Control and Licensing Act. This also includes a food primary establishment when licensed by the Liquor Control and Licensing Branch.
<b>Section 2 – Interpretation: Supportive Housing (Add Definition)</b>	N/A	<b>Supportive Housing</b> means housing consisting of dwellings with support services on-site that may or may not include, collective dining facilities, laundry facilities, counseling, educational services, homemaking and transportation. Supportive housing might also qualify as <b>Special Needs Housing</b> .
<b>Sections 13/14</b> - Add "Supportive Housing" as a primary use in the following zones:	N/A	13.9.2 – RM3 Zone 13.10.2 – RM4 Zone 13.11.2 – RM5 Zone 13.12.2 – RM6 Zone  14.3.2 – C2 Zone 14.4.2 – C3 Zone 14.5.2 – C4 Zone 14.7.2 – C7 Zone
<b>Sections 14/16</b> - Add "Supportive Housing" as a secondary use in the following zones:	N/A	14.6.3 – C6 Zone 16.1.3 – P1 Zone 16.2.3 – P2 Zone
<b>Section 8 – Parking and</b>	N/A	Supportive Housing:

<b>Loading – Table 8.1 (add)</b>		1 per 3 dwelling units
<b>Section 6 – General Development Regulations: 6.5.8 – Mechanical Equipment (Amend)</b>	Mechanical equipment shall be located to comply with the <b>side yard</b> setback for the principal <b>building</b> .	Mechanical equipment shall be located to comply with the <b>side yard</b> setback for an <b>accessory building or structure</b> .
<b>Section 14 – Commercial: 14.3.3 Secondary Uses: Add definition as 14.3.3 (d) and re-numerate subsequent section</b>	N/A	Add “Congregate Housing”
<b>Section 14 – Commercial: 14.5.3 Secondary Uses: Add definition as 14.3.3 (d) and re-numerate subsequent section</b>	N/A	Add “Congregate Housing”