
**CITY OF KELOWNA
MEMORANDUM**

DATE: March 25, 2008
TO: City Manager
FROM: Planning & Development Services Department
APPLICATION NO. TA07-0005 **APPLICANT:** City of Kelowna
PURPOSE: TO AMEND ZONING BYLAW 8000 TO INCLUDE THE "APARTMENT HOUSING" USE CATEGORY AS A PRINCIPAL USE WITHIN THE C4 – URBAN CENTRE COMMERCIAL ZONE.
REPORT PREPARED BY: NELSON WIGHT

1.0 RECOMMENDATION

THAT Text Amendment Application No. TA07-0005, to amend the City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" of the report of the Planning and Development Services Department, dated March 25, 2008, be considered by Council;


AND THAT the necessary amending bylaws be forwarded to a Public Hearing for further consideration.

2.0 STAFF COMMENTS

The rationale behind this application is to allow increased flexibility for mixed-use projects within the urban centre areas, in accordance with that which already exists for the C7 – Central Business Commercial zone. As "apartment housing" is currently listed as a secondary use in the C4 zone, one couldn't construct a primarily residential building within that zone, since that use would occupy in excess of 50% of the available floor area. Relocating the "apartment housing" use category to the principal use section resolves that issue. Other regulations within the C4 zone ensure that the ground floor consists of primarily commercial uses.

Over time, there is some concern that this change alone—without additional regulation—could allow for a possible displacement of commercial uses in urban centre areas in favour of residential uses. While today it may seem odd to worry that we could have too much, not too little residential development in our urban centres, that very outcome has plagued other cities (e.g. Vancouver). Without additional regulation what could happen is that the available urban centre land base becomes consumed by high density residential development, tipping beyond a truly "mixed-use" pattern of use, which is more desired in achieving a vibrant, and compact urban form. Furthermore, the displaced commercial development moves outside of urban centre, necessitating reverse-commutes.

To address this possible concern, Staff intends to investigate further regulation to the C4 zone (and possibly C7 zone) that ensures a better balance of uses. A subsequent text amendment application will be coming back to Council to further refine this zone.


Shelley Gambacort
Current Planning Supervisor
NW/nw

ATTACHMENTS

Schedule "A"

SCHEDULE "A"
TA07-0005 – Apartment Housing in C4 Zone

Zoning Bylaw No. 8000		
Section	Existing wording	Proposed Wording
C4 – Urban Centre Commercial zone: 14.4.2 – Principal Uses		add "apartment housing" to list of principal uses
C4 – Urban Centre Commercial zone: 14.4.3 – Secondary Uses	"apartment housing"	delete "apartment housing" as a secondary use.