

CITY OF KELOWNA
BYLAW NO. 10019

A Bylaw to Amend *Kelowna 2020* - Official Community Plan Bylaw No. 7600

WHEREAS:

- A. Council has an Official Community Plan adopted pursuant to *Kelowna 2020* - Official Community Plan Bylaw No. 7600 (the "Official Community Plan");
- B. Council desires to amend the Official Community Plan to provide for a special development permit area in a portion of the City's downtown area.

NOW THEREFORE IN OPEN MEETING ASSEMBLED Council enacts as follows:

- 1. This Bylaw may be cited as "CD21 (Downtown) Official Community Plan Amendment Bylaw No. 10019, 2008".
- 2. Schedule "A" of *Kelowna 2020* – Official Community Plan Bylaw No. 7600 is amended as follows:
 - (a) S. 6.1.2 is deleted and the following substituted in place thereof:

"6.1.2 Revitalization Tax Exemption. Support the provision of a revitalization tax exemption for the municipal portion of the annual taxes on improvements for appropriate development within the specific areas identified in Map 6.3 Rutland Town Centre Tax Incentive Area. These sites in the Rutland Urban Centre are designated as Revitalization Tax Exemption Areas because they are not perceived as viable re-development sites and the Revitalization Tax Exemptions are intended to encourage re-development in these specific areas of Rutland identified on Map 6.3."
 - (b) Map 6.2 is amended to delete all that portion of the City's downtown area delineated and identified as CD21 (Downtown) Development Permit Area on the Map annexed hereto and marked as Map 6.2a;
 - (c) Map 6.2a is added to Schedule "A" immediately after Map 6.2;
 - (d) the heading for S. 6.2 is deleted and replaced by "Development Permit Guidelines to Encourage Revitalization within All Urban Centres Except CD21 Downtown Development Permit Area";
 - (e) the following provision is added to Schedule "A" as S. 6.3 immediately following S. 6.2:

"S. 6.3 The CD21 (Downtown) Development Permit Area shown delineated and identified on Map 6.2a is hereby designated as a Development Permit Area. The justification for such designation is to provide for the comprehensive redevelopment of this portion of Downtown as a large parcel high-density pedestrian oriented commercial core for the City. The purpose of the designation is for form and character of commercial and multiple-family residential development. General Guidelines for the CD21 (Downtown) Development Permit Area, and for each of the Sub-Areas delineated on Map 6.2a, are set out in Part H of the CD21 Downtown Zoning Bylaw."

- (f) Map 6.3 is deleted.
- (g) Map 6.4 is renumbered to Map 6.3.
- (h) the following provision is added as Section 6.5:

"The Development Permit Guidelines in Annexure 2 of CD21 Downtown Zoning Bylaw apply to all developments within a Sub-Area in the CD21 (Downtown) Development Permit Area once that Sub-Area has been subdivided or consolidated to form a single parcel pursuant to the minimum parcel size requirement set out in S. B of the appropriate CD21 Downtown Sub-Area Zoning Schedule. In respect of lands in the CD21 (Downtown) Development Permit Area not consolidated and forming a parcel constituting a Sub-Area, the Development Permit Guidelines in Section 6.2 apply."

- (i) Chapter 19 "Future Land Uses" is amended under the heading "Commercial" by deleting the entire paragraph, and substituting the following in place thereof:

"Commercial

Developments for the sale of goods and services. Integration of residential uses into commercial developments as mixed-use projects is encouraged in Urban Centres. Building heights of up to four storeys in the South Padosy Urban Centre and up to twelve or fourteen storeys at selected locations in the Rutland Urban Centre are encouraged. In the City Urban Centre buildings of up to thirty storeys will be encouraged depending on site specific conditions. In the Highway Urban Centre buildings up to sixteen storeys will be encouraged, depending on site specific conditions. Existing Commercial zoning along Highway 97 North is acknowledged. This designation may also include CD Comprehensive Development zoning that includes commercial uses. Exclusively residential projects will be permitted under the commercial land use designation only where such use is supported by the C7 zone or a CD zone in the Downtown and by the C7 zone in Rutland."

- (j) Map 12.1 "20 Year Major Road Network and Road Classification Map" is deleted and the map annexed to this amending bylaw and marked "Map 12.1 "20 Year Major Road and Road Classification Map" is substituted in place thereof.
- (k) Map 19.1 is amended by changing the Generalized Future Land Use designation of Lot 3, DL 139, ODYD, Plan 2207, located on Bernard Avenue; a portion of Lot 1, DL 139, 5129 & 5118, ODYD, Plan 40519, located on Mill Street; and a portion of Lot 1, DL 139, ODYD, Plan 2207, located on Mill Street, Kelowna, B.C., from the "P3 - Major Park/Open Space" designation to the "Commercial" designation, as per the Map annexed hereto and marked as Portion of Map 19.1.

Read a first time by the Municipal Council this 6th day of October, 2008.

Considered at a Public Hearing on the 20th day of October, 2008.

Read a second and third time by the Municipal Council this 27th day of October, 2008.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



Okanagan Lake

QUEENSWAY

MILL ST

BERNARD AVE

LAWRENCE AVE

LEON AVE

HARVEY AVE

ABBOTT ST

WATER ST

PANDOSY ST


DRAFT

10 5 0 RIVERSIDE AVE

This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

Rev. Oct. 6/08

Map 6.2a
 CD21 Downtown Area
 Development Permit Area Designation

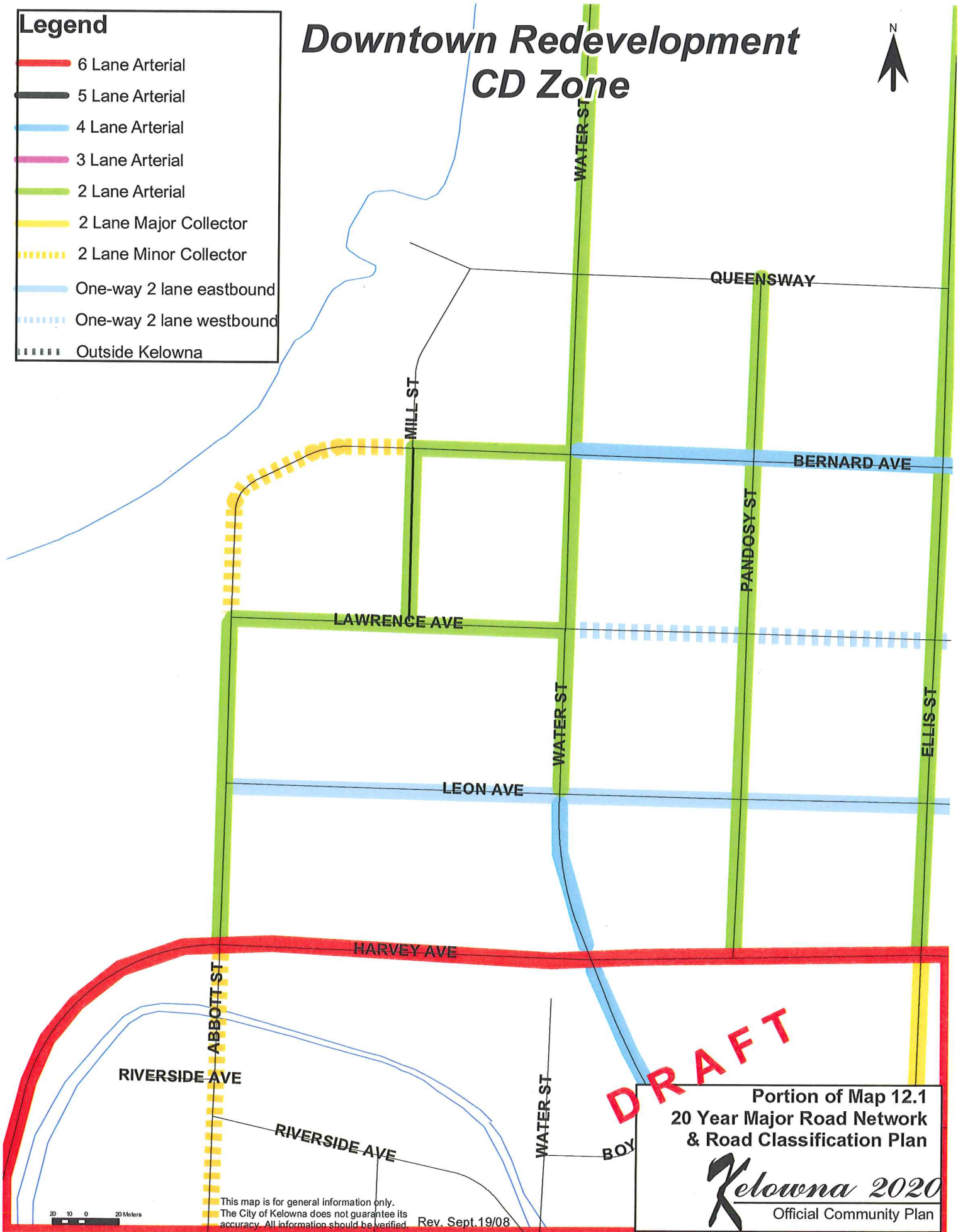


Official Community Plan

Legend

- 6 Lane Arterial
- 5 Lane Arterial
- 4 Lane Arterial
- 3 Lane Arterial
- 2 Lane Arterial
- 2 Lane Major Collector
- - - 2 Lane Minor Collector
- One-way 2 lane eastbound
- - - One-way 2 lane westbound
- - - - - Outside Kelowna

Downtown Redevelopment CD Zone



DRAFT

Portion of Map 12.1
 20 Year Major Road Network
 & Road Classification Plan

 Official Community Plan

This map is for general information only.
 The City of Kelowna does not guarantee its
 accuracy. All information should be verified. Rev. Sept. 19/08



Legend

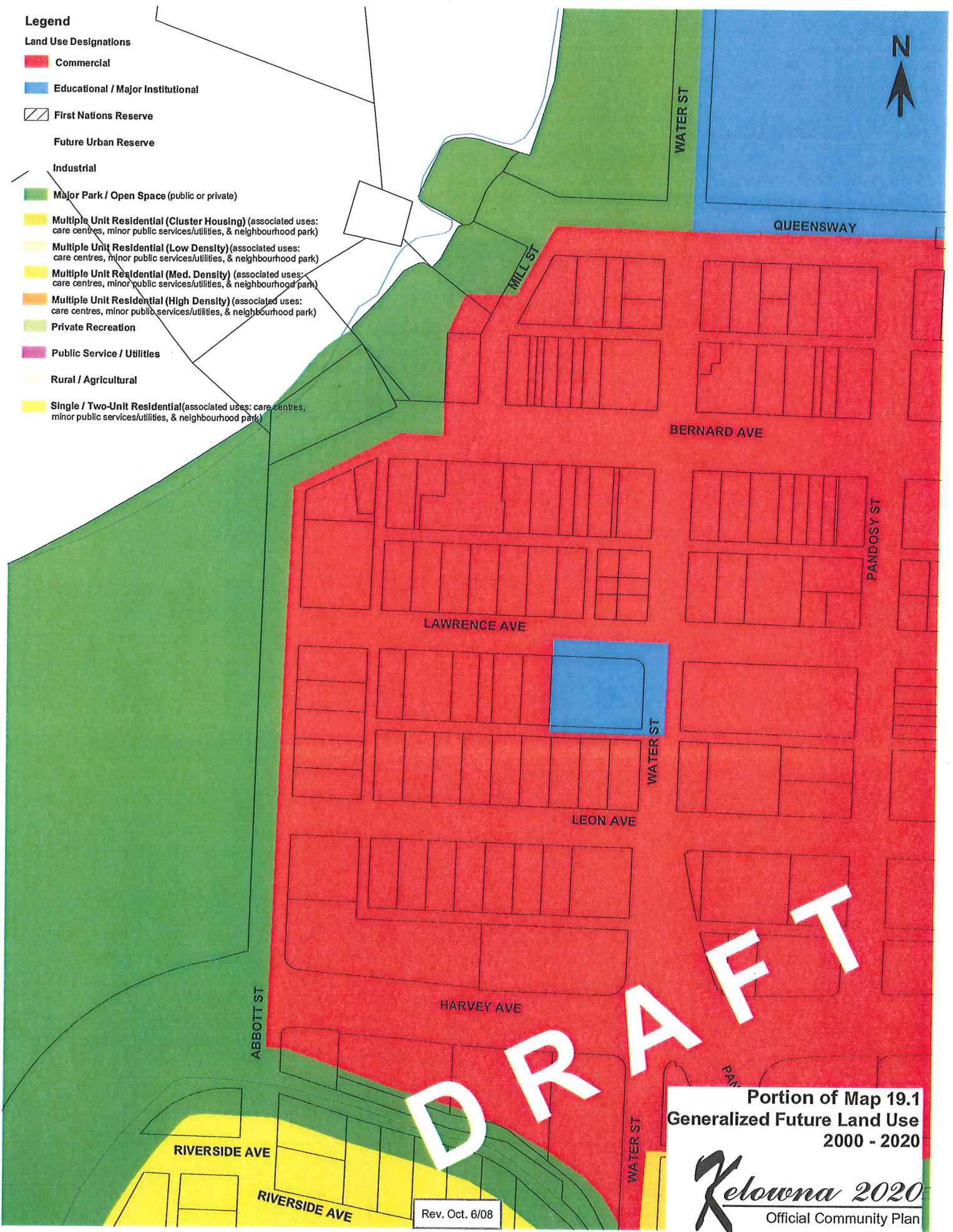
Land Use Designations

- Commercial
- Educational / Major Institutional
- First Nations Reserve

Future Urban Reserve

Industrial

- Major Park / Open Space (public or private)
- Multiple Unit Residential (Cluster Housing) (associated uses: care centres, minor public services/utilities, & neighbourhood park)
- Multiple Unit Residential (Low Density) (associated uses: care centres, minor public services/utilities, & neighbourhood park)
- Multiple Unit Residential (Med. Density) (associated uses: care centres, minor public services/utilities, & neighbourhood park)
- Multiple Unit Residential (High Density) (associated uses: care centres, minor public services/utilities, & neighbourhood park)
- Private Recreation
- Public Service / Utilities
- Rural / Agricultural
- Single / Two-Unit Residential (associated uses: care centres, minor public services/utilities, & neighbourhood park)



DRAFT

Portion of Map 19.1
Generalized Future Land Use
2000 - 2020


Kelowna 2020
 Official Community Plan

Rev. Oct. 6/08