

CITY OF KELOWNA

BYLAW NO. 10594

Text Amendment No. TA11-0009 –City of Kelowna – Downtown Plan Charrette

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that City of Kelowna Zoning Bylaw No. 8000 be amended as follows:

1. THAT **Section 14 – Commercial Zones, 14.2 – C4-Urban Centre Commercial/C4rls – Urban Centre Commercial (Retail Liquor Sales)/C4lp – Urban Centre Commercial (Liquor Primary)/C4lp/rls – Urban Centre Commercial (Liquor Primary/Retail Liquor Sales), 14.4.2 Principal Uses** be amended by adding in its appropriate location a new principal use “**multiple dwelling housing**”;
2. AND THAT **Section 14- Commercial Zones, 14.7 – C7 – Central Business Commercial/C7rls – Central Business Commercial (Retail Liquor Sales)/ C7lp – Central Business Commercial (Liquor Primary)/ C7lp/rls – Central Business Commercial (Liquor Primary/Retail Liquor Sales)** be amended by:
 - a) Adding in its appropriate location in **14.7.2 Principal Uses** a new principal use “**multiple dwelling housing**”;
 - b) Adding a new sub-paragraph (l) to Section **14.7.5 Development Regulations** the following:

“(l) Any portion of a **building** above 22.0m in **height** must maintain a minimum setback of:

 - (i) 15.0m from any **property line** abutting another property line.
 - (ii) 10.0m from any **property line** abutting a **lane**.
 - (iii) 30.0m between more than one tower on the same property.

The above setbacks will be measured from the nearest exterior building face, exclusive of unenclosed balconies.”

- c) Deleting sub-paragraph (d) to Section **14.7.6 Other Regulations** that reads:

“(d) Except in Area 2, as shown on C7 - Diagram A and Diagram C, attached to this bylaw, a **building** incorporating residential and other 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.”

And replacing it with:

- “(d) All buildings along an identified “Retail Corridor”, as shown on C7 – Diagram A, attached to this bylaw, shall provide a functional, retail commercial space on the first floor, which must occupy a minimum of 90% of the **street frontage**.”
- d) Adding new sub-paragraphs (f) and (g) to Section **14.7.6 Other Regulations** as follows;
- “(f) All **development** within the C7 zone must provide an active commercial or residential **use** at-grade along all **street frontages** (e.g. retail, office space, ground-orientated residential units), which must occupy a minimum of 90% of the **street frontages**, OR a minimum of 75% on secondary **street frontages** provided 100% of the principal **frontage** has an active commercial or residential space. Access driveways and other portions of the **street frontage** not used as **building** will not be considered for the purpose of this calculation.
- (g) Within Area 3, as shown on C7 – Diagram A, attached to this bylaw, buildings less than or equal to 15.0m in **height** shall not be required to meet the vehicle parking space requirements of Section 8.1 of this Bylaw. Any buildings greater than 15.0m in **height** shall fully conform to Section 8.1.”
- e) Deleting Diagrams A and B and replacing them with new **Diagrams A** and **B** as attached to and forming part of this bylaw.
3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 8th day of August, 2011.

Amended at first reading by the Municipal Council this 3rd day of October, 2011.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

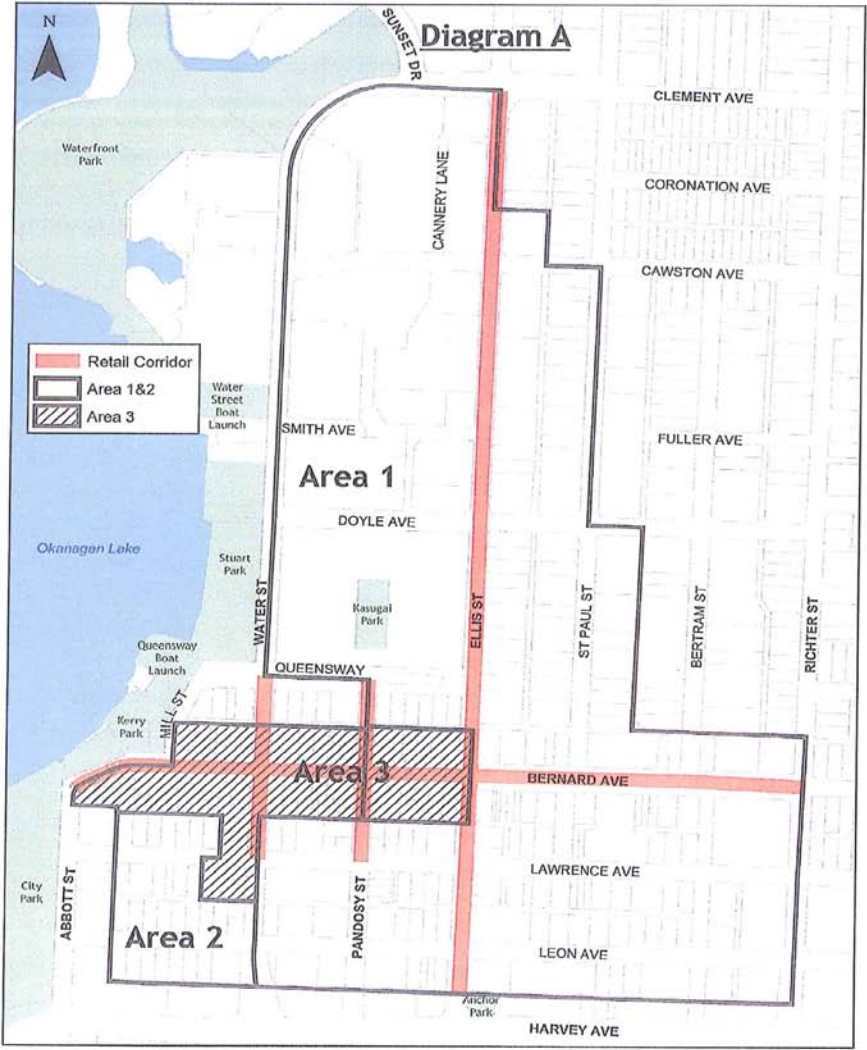
Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

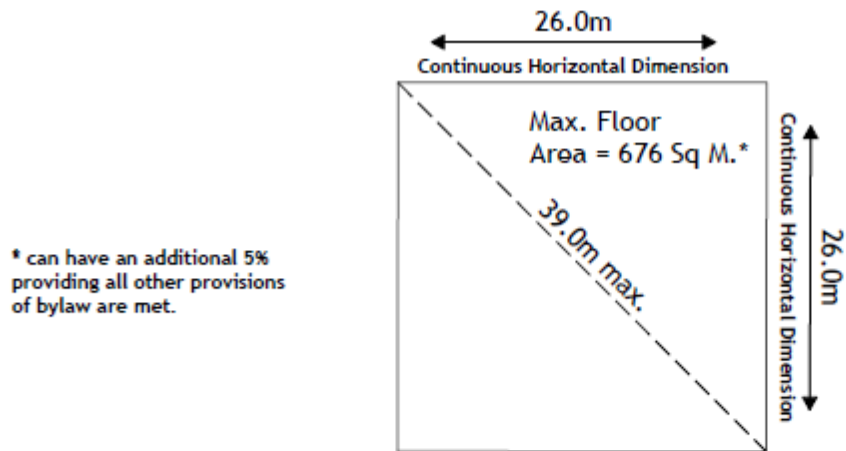
Adopted by the Municipal Council of City of Kelowna on the

Mayor

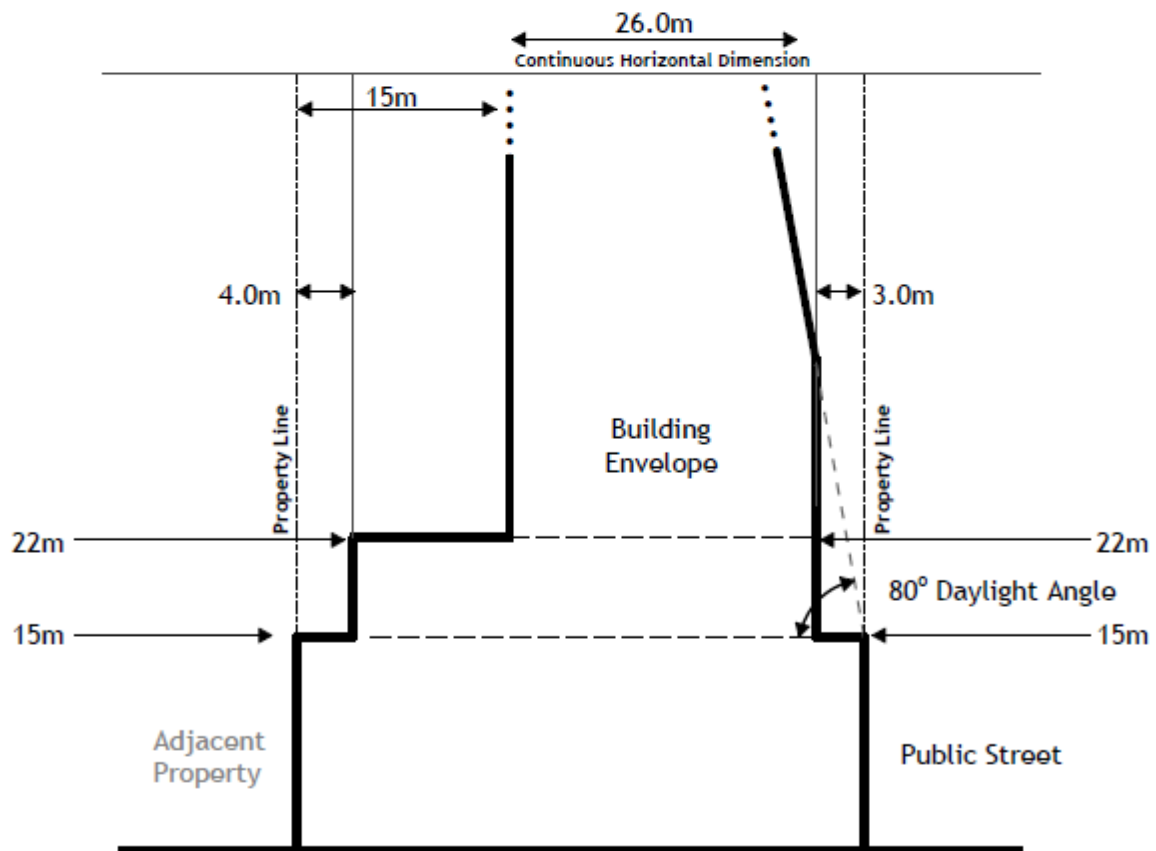
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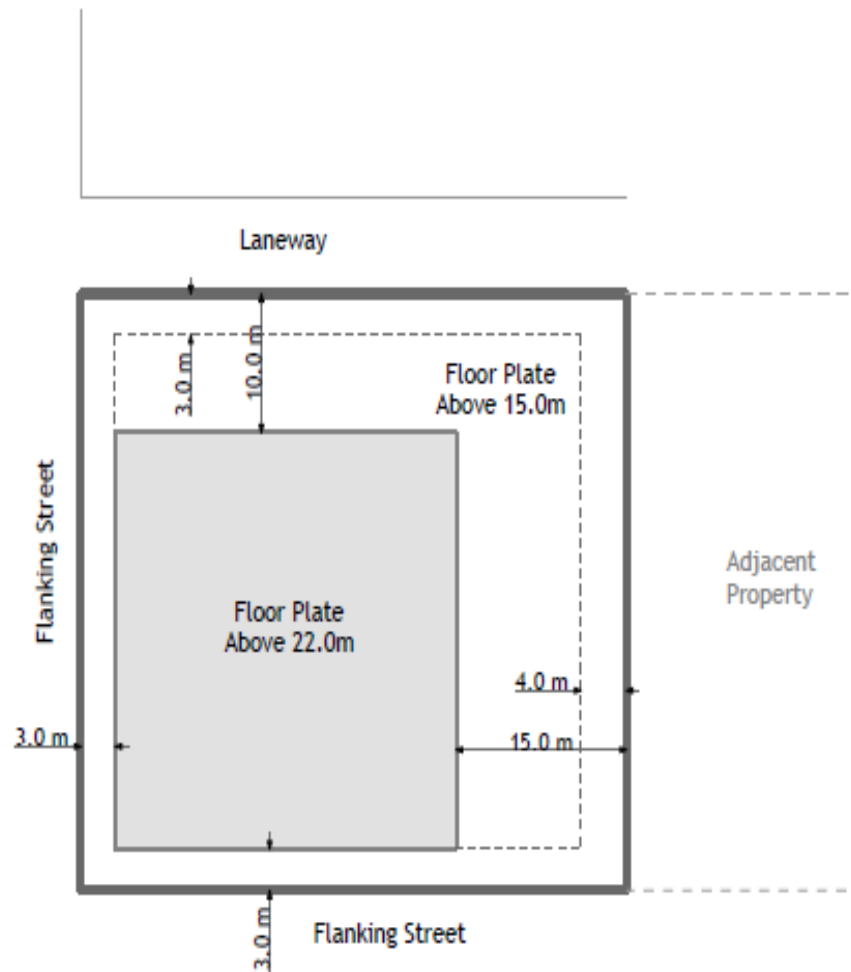
C7 - Diagram B



Illustrative Floor Plan @ 15m



Illustrative Building Section



Building Setbacks Above 15.0m and 22.0m in Height