

CITY OF KELOWNA

BYLAW NO. 10520

Official Community Plan Amendment No. OCP10-0014 – City of Kelowna 575-599 & 653 Harvey Avenue

A bylaw to amend the "*Kelowna 2020* – Official Community Plan Bylaw No. 7600".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 19.1 - **GENERALIZED FUTURE LAND USE** of Schedule "A" of "*Kelowna 2020* – Official Community Plan Bylaw No. 7600" be amended by changing the Generalized Future Land Use designation of Lot A, District Lot 139, ODYD, Plan 20381 Except Plan KAP81041 and Lot A, District Lots 14 and 139, ODYD, Plan KAP52333 Except Plan KAP81471 located on Harvey Avenue, Kelowna, B.C., from the Commercial, Education & Minor Institutional and Major Park & Open Space designation to Commercial, Multiple Unit Residential – Medium Density and Major Parks and Open Space designation;

2. AND THAT **Chapter 19 – Future Land Uses** be amended by deleting the definition for **Multiple Unit Residential (Medium Density)** that reads:

"Townhouses, garden apartments, and apartment buildings. Complementary uses (i.e. care centres, minor public services/utilities, and neighbourhood parks) which are integral generally consistent with the provisions of the RM4 – Transitional Low Density Housing and RM5 – Medium Density Multiple Housing zones of the Zoning Bylaw and may include CD Comprehensive Development zoning for similar densities or land uses."

And replacing it with:

"Townhouses, garden apartments, and apartment buildings. Complementary uses (i.e. care centres, minor public services/utilities, and neighbourhood parks) which are integral components of urban neighbourhoods would also be permitted. Building densities would be generally consistent with the provisions of the RM4 – Transitional Low Density Housing and RM5 – Medium Density Multiple Housing zones of the Zoning Bylaw and may include CD Comprehensive Development zoning for similar densities or land uses. This designation provides potential for increased density specific to four (4) buildings that meet the RM5 Zone height regulations as per the Central Green CD 22 Zone. The maximum of Floor Area Ratio (FAR) for sub-area D is 1.5; for sub-areas C & G it is 1.6 and for sub-area H it is 1.7.";

3. AND THAT **Chapter 19 – Future Land Uses** be further amended by deleting the definition for **Commercial** that reads:

"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 Pandosy Urban Centre and up to

twelve or fourteen storeys at selected locations in the Rutland Urban Centre are encouraged. In the City and Highway Urban Centres buildings up to twelve or 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 in the Downtown and Rutland Plans.”

And replace it with:

“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 Pandosy Urban Centre and up to twelve or fourteen storeys at selected locations in the Rutland Urban Centre are encouraged. In the City and Highway Urban Centres buildings up to twelve or 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. In the case of CD22, building height will be as per applicable zoning. Exclusively residential projects will be permitted under the commercial land use designation only where such use is supported by the C7 zone in the Downtown and Rutland.”;

4. AND THAT pursuant to Section 882 of the *Local Government Act*, each reading of this bylaw receive an affirmative vote of a majority of all members of the Council;
5. 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 11th day of April, 2011.

Considered at a Public Hearing on the 3rd day of May, 2011.

Read a second and third time by the Municipal Council this 3rd day of May, 2011.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk