

CITY OF KELOWNA

BYLAW NO. 10621

Official Community Plan Text Amendment No. OCP11-0016 - Miscellaneous Housekeeping Amendments

WHEREAS Council wishes to adopt certain text amendments to Bylaw No. 10500 - *Kelowna 2030 - Official Community Plan*;

AND WHEREAS Council may adopt an official community plan by bylaw and each reading of the bylaw must receive an affirmative vote of a majority of all members of Council;

AND WHEREAS after first reading of the bylaw and before third reading of the bylaw, Council held a public hearing on the proposed amendments to the official community plan in accordance with Sections 890 through 894 of the *Local Government Act*;

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

1. THAT **Chapter 4 - Future Land Use, Land Use Designation Definitions** be amended by adding the following new acronyms after the corresponding designation headers as follows:

Resource Protection Area (REP)
Single / Two Unit Residential (S2RES)
Single / Two Unit Residential - Hillside (S2RESH)
Multiple Unit Residential - Cluster Housing (MRC)
Multiple Unit Residential - Low Density (MRL)
Multiple Unit Residential - Medium Density (MRM)
Multiple Unit Residential - High Density (MRH)
Mixed Use (Residential / Commercial) (MXR)
Mixed Use Tourism (MXT)
Commercial (COMM)
Service Commercial (SC)
Education / Institutional (EDINST)
Health District (HLTH)
Public Services / Utilities (PSU)
Industrial (IND)
Industrial - Transition (IND-T)
Industrial - Limited (IND-L)
Major Park & Open Space (PARK)
Private Recreation (REC)
Future Urban Reserve (FUR)
Transportation Corridor (TC)
Permanent Growth Boundary (PGB)
First Nations Reserve (FNR)
Area Structure Plans (ASP)
Temporary Use Permits (TUP)

2. **AND THAT Chapter 4 - Future Land Use, Land Use Designation Definitions, Resource Protection Area** be amended by adding to the end of the paragraph the following:

"Non-ALR land outside the Permanent Growth Boundary will not be supported for any further parcelization."
3. **AND THAT Chapter 4 - Future Land Use, Land Use Designation Definitions, Permanent Growth Boundary** be amended by adding to the end of the paragraph the following sentence:

"Non-ALR land outside the Permanent Growth Boundary will not be supported for any further parcelization."
4. **AND THAT Map 4.1 - Generalized Future Land Use** map be deleted in its entirety and replaced with a new **Map 4.1 - Generalized Future Land Use** map as attached to and forming part of this bylaw;
5. **AND THAT Chapter 5 - Development Process, GENERAL, Objective 5.3 Focus development to designated growth areas, Policy .1 Permanent Growth Boundary** be deleted in its entirety and replaced with the following:

"**Permanent Growth Boundary.** Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. Non-ALR land outside the Permanent Growth Boundary will not be supported for any further parcelization. The Permanent Growth Boundary may be reviewed as part of the next major OCP update."
6. **AND THAT Chapter 5 - Development Process, GENERAL, Objective 5.3 Focus development to designated growth areas, Policy .2 Compact Urban Form** be deleted in its entirety and replaced with the following:

"**Compact Urban Form.** Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs per ha located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1."
7. **AND THAT Map 5.3 - Urban and Village Centres** be deleted in its entirety and replaced with a new **Map 5.3 - Urban and Village Centres** as attached to and forming part of this bylaw as Schedule "B";

8. AND THAT Chapter 5 - Development Process, GENERAL, Objective 5.5 Ensure appropriate and context sensitive built form, Policy .1 South Pandosy, be deleted and replaced with the following:

"South Pandosy: Generally 4 storeys. Six storeys within C4 or C9 zoned areas. Potential for 8 storeys where an architecturally distinct and significant buildings is placed at a corner, gateway or view terminus location that is of significance to the community or where a building is of cultural significance to the community."
9. AND THAT Chapter 5 - Development Process, GENERAL, Objective 5.11 Support parking management programs that promote reduced car ownership, reduced car trips and increased use of active modes of transportation title be deleted in its entirety and replaced with the following:

"Support parking management programs that promote reduced vehicle ownerships, reduced vehicle trips and increased use of active modes of transportation."
10. AND THAT Chapter 5 - Development Process, GENERAL, Objective 5.11 Support parking management programs that promote reduced vehicle ownerships, reduced vehicle trips and increased use of active modes of transportation, Policy .3 Preferred Parking be deleted in its entirety and replaced with the following:

"Preferred Parking. Encourage preferred (e.g. close to entrances) or dedicated parking stalls for electric vehicles, share cars and / or hybrid vehicles and small vehicles for all developments."
11. AND THAT Chapter 5 - Development Process, AREA-SPECIFIC CONSIDERATION , Objective 5.19 Ensure development is compatible with surrounding land uses, Policy .11 North McKinley be deleted in its entirety and replaced with the following:

"North McKinley. Not approve any additional residential uses or densities (beyond existing zoning) for lands in the North McKinley area designated in the OCP for mixed use tourism use."
12. AND THAT Chapter 5 - Development Process, RESIDENTIAL LAND USE POLICIES, Objective 5.22, Ensure context sensitive housing development, Policy .5 Multi Family in Character Areas, be deleted in its entirety and replaced with the following:

"Multi Unit in Character Areas. Consider multiple unit development and the conversion of existing single-unit housing to multiple unit use in Character Areas provided that the use is supported on the Future Land Use map and the proposed design is consistent in architectural style and scale with the original development or the dominant style of the block and parking is screened from public view or contained within the structure. The renovation of existing single-unit structures to accommodate multiple housing units, should maintain the exterior appearance of a single-unit structure."

13. AND THAT Chapter 5 - Development Process, RESIDENTIAL LAND USE POLICIES, Objective 5.22, Ensure context sensitive housing development, be amended by:
- a) adding Economic Sustainability and Social Sustainability icons under the a new Policy .6 **Sensitive Infill** as follows:

“**Sensitive Infill.** Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.”
 - b) adding Economic Sustainability and Social Sustainability icons under the a new Policy .7 **Healthy Communities** as follows:

“**Healthy Communities.** Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.”
 - c) adding Economic Sustainability and Social Sustainability icons under the a new Policy .8 **Embracing Diversity** as follows:

“**Embracing Diversity.** Increase understanding of various forms of housing needs and styles toward increasing acceptance of housing meeting the needs of diverse populations by encouraging applicants to undertake early and on-going consultation relating to their project, including provision of support material where appropriate.”
 - d) adding Economic Sustainability and Social Sustainability icons under the a new Policy .9 **Neighbourhood Impact** as follows:

“**Neighbourhood Impact.** When considering an OCP Amendment, the City will seek information with respect to the impact on land values related to the likelihood that other properties in the immediate neighbourhood will remain or develop as indicated in the OCP.”
 - e) adding Economic Sustainability and Social Sustainability icons under the a new Policy .10 **Adaptable Housing** as follows:

“**Adaptable Housing.** Encourage the use of adaptable design to increase flexibility of housing by referring developers to adaptable design guidelines.”
 - f) adding Economic Sustainability and Social Sustainability icons under the a new Policy .11 **Housing Mix** as follows:

“**Housing Mix.** Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.”

- g) adding Economic Sustainability and Social Sustainability icons under the a new Policy .12 **Secondary Suites and Accessory Apartments** as follows:

"Secondary Suites and Accessory Apartments. Support secondary suites and accessory apartments through appropriate zoning regulations.

14. AND THAT Chapter 5 - Development Process, **RESIDENTIAL LAND USE POLICIES, Objective 5.25, Ensure that Urban Centres develop as vibrant commercial nodes, Policy .1 Retail Impact Analysis** be deleted in its entirety and replaced with the following:

"Retail Impact Analysis. Commercial developments greater than 2,300 m2 that would require an amendment to the OCP may be required to prepare, at the discretion of staff and at the applicants' expense, a Retail Impact Analysis (see Chapter 17 for a definition) using Terms of Reference developed by the City."

15. AND THAT Chapter 5 - Development Process, **COMMERCIAL LAND USE POLICIES, Objective 5.27, Increase supply of green office space, Policy .1** be amended by deleting the following:

"Where such can be provided within the Permanent Growth boundary, with preferred locations being the Urban Centres (see Map 5.11 Urban / Village Centres)."

And replacing it with:

"where such can be provided within the Permanent Growth boundary, with preferred locations being the Urban Centres (see Map 5.3 Urban / Village Centres)."

16. AND THAT Chapter 5 - Development Process, **COMMERCIAL LAND USE POLICIES, Objective 5.29 Ensure Efficient use of industrial land supply** be amended by adding Economic Sustainability and Social Sustainability icons under a new policy .2 that reads:

"Secondary Housing in Light Industrial Areas. Consider the limited expansion of housing as a secondary use within industrial buildings in light or transitional industrial areas."

17. AND THAT Chapter 5 - Development Process, **AGRICULTURAL LAND USE POLICIES, Objective 5.33, Protect and enhance local agriculture, Policy .7 Non-farm Uses,** be amended by deleting the word "where" before the words "approved by the ALC and where the proposed uses:";

18. AND THAT Chapter 5 - Development Process, **OCP AMENDMENT APPLICATIONS, Objective 5.40 Ensure all development is consistent with the vision, goals and objectives of the OCP, Policy .1** be amended by:

- a) deleting the second bullet that reads:
- “Does the proposed development respect the OCP Permanent Growth Boundary (OCP Map 4.1)?” and replace it with:
 - “Does the proposed development respect the OCP Permanent Growth Boundary (OCP Map 4.1 and 5.2)?”; and
- b) deleting the sixteenth bullet that reads:
- “Would approval of the project enhance the surrounding neighbourhood?” and replace with the following:
 - “Would the additional density or new land use designation enhance the surrounding neighbourhood in a way that the current land use designation does not?”
19. **AND THAT Chapter 6 - Environment, Objective 6.2 , Improve energy efficiency and reduce community greenhouse gas emissions, Policy .1, be amended by deleting the first paragraph that reads:**
- “GHG Reduction Target and Actions. The City of Kelowna will, in partnership with: senior governments; local residents and businesses; NGOs; external agencies; and utility providers, work towards reducing community greenhouse gas emissions by 33% (from 2007 levels) by 2020.”
- And replacing it with:
- “GHG Reduction Target and Actions. In partnership with: senior governments; local residents and businesses; NGOs; external agencies; and utility providers, work towards reducing community greenhouse gas emissions by 33% (from 2007 levels) by 2020.”
20. **AND THAT Chapter 7 - Infrastructure, GENERAL TRANSPORTATION POLICIES, Objective 7.6 Place increased emphasis on sustainable modes of transportation (walking, cycling, transit) while maintaining automobile, commercial goods and emergency vehicle mobility., Policy .4 Rail Corridor be deleted and replaced with the following:**
- “Rail Corridor. Only support use of the rail corridor as a transportation corridor for trains, buses, cycling, pedestrians and other uses that complement the primary alternative transportation function. Pursue approval for joint use of the corridor for active forms of transportation while the corridor is still being used for rail transportation.”

21. **AND THAT Chapter 7 - Infrastructure, TRANSPORTATION DEMAND MANAGEMENT POLICIES, Objective 7.7 Reduce peak hour trips and the percentage of trips undertaken by single occupant vehicles, particularly in Urban Centres, in order to reduce or eliminate the expansion of the transportation network and capacity. Policy .1 Motorized Trips** be amended by deleting the first words of the paragraph that read: "The City will provide" and replace it with the word, "Provide";
22. **AND THAT Chapter 7 - Infrastructure, PARKS POLICIES, Objective 7.12 Provide active and passive parks for a diversity of people and a variety of uses, Policy .5 Walking Radius** be amended by deleting "(See 5.3 Urban Core / Suburban Areas)" after the words, "Strive to provide all residents in the urban core" and replacing it with "(See Map 5.1 Core Area)";
23. **AND THAT Chapter 8 - Economic Development, Objective 8.9 Provide a physical infrastructure that connects businesses to their markets, Policy .4 Communications Infrastructure** be amended by deleting the sentence that reads "Additional policies are listed in the infrastructure chapter."
24. **AND THAT Chapter 8 - Economic Development, Objective 8.9 Portray a positive image of Kelowna, Policy .2 Downtown** be amended by deleting the words "The City of Kelowna recognizes" at the beginning of the paragraph and replace it with the word "Recognize";
25. **AND THAT Chapter 12 - Natural Environment DP Guidelines, GUIDELINES, 9.0 Groundwater, 9.1** that reads, "Require that private wells be closed when a parcel is connected to a community water system." be deleted and replaced with a new 9.1 as follows:
 - "9.1 Encourage private wells to be closed when a parcel is connected to a community water system."

26. AND THAT Chapter 14 - Urban Design DP Guidelines, title page be amended by deleting the section of the title page that reads:

<p>Comprehensive Development Permit Area (Multiple Unit Residential, Commercial and Industrial Design Guidelines</p> <ul style="list-style-type: none"> • Category • Properties Affected • Justification • Objectives • Exemptions • Guidelines 	<p>Revitalization Design Guidelines</p> <ul style="list-style-type: none"> • Properties Affected • Justification • Objectives • Exemptions • Guidelines • Downtown Considerations 	<p>Intensive Residential - Character Neighbourhood Design Guidelines</p> <ul style="list-style-type: none"> • Category • Properties Affected • Justification • Objectives • Exemptions • Guidelines
	<p>Intensive Residential - Secondary Suite Two Dwelling Housing Design Guidelines</p> <ul style="list-style-type: none"> • Category • Properties Affected • Justification • Objectives • Exemptions • Guidelines 	<p>Intensive Residential - Hillside Design Guidelines</p> <ul style="list-style-type: none"> • Category • Properties Affected • Justification • Objectives • Exemptions • Guidelines

And replace with a new title page that reads:

<p>A. Comprehensive Development Permit Area (Multiple Unit Residential, Commercial and Industrial Design Guidelines</p> <ul style="list-style-type: none"> • Category • Properties Affected • Justification • Objectives • Exemptions • Guidelines 	<p>B. Revitalization Design Guidelines</p> <ul style="list-style-type: none"> • Properties Affected • Justification • Objectives • Exemptions • Guidelines • Downtown Considerations 	<p>D. Intensive Residential - Character Neighbourhood Design Guidelines</p> <ul style="list-style-type: none"> • Category • Properties Affected • Justification • Objectives • Exemptions • Guidelines
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	<p>C. Intensive Residential - Secondary Suite Two Dwelling Housing Design Guidelines</p> <ul style="list-style-type: none"> • Category • Properties Affected • Justification • Objectives • Exemptions • Guidelines 	<p>E. Intensive Residential- Hillside Design Guidelines</p> <ul style="list-style-type: none"> • Category • Properties Affected • Justification • Objectives • Exemptions Guidelines
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27. AND THAT Chapter 14 - Urban Design DP Guidelines, chapter be amended by renaming each section throughout the chapter as follows:
- “A. Comprehensive Development Permit Area (Multiple Unit Residential, Commercial and Industrial Design Guidelines);
 - B. Revitalization Design Guidelines;
 - C. Intensive Residential - Secondary Suite Two Dwelling Housing Design Guidelines;
 - D. Intensive Residential - Character Neighbourhood Design Guidelines; and
 - E. Intensive Residential- Hillside Design Guidelines”
21. AND THAT Chapter 14 - Urban Design DP Guidelines, A. Comprehensive Development Permit Area (Multiple Unit Residential, Commercial and Industrial Design Guidelines); GUIDELINES, 12.0 Landscape Development and Irrigation Water Conservation be amended by deleting the heading “Landscape Development and Irrigation Water Conservation” and replace with “Landscape development and irrigation water conservation”;
28. AND THAT Chapter 14 - Urban Design DP Guidelines, C. Intensive Residential - Secondary Suite Two Dwelling Housing Design Guidelines, GUIDELINES, 1.0 General Considerations, be amended by deleting the reference to subsection “1.1” after subsection “1.9” and renumbering subsection “1.1” to read as “1.10”;
29. AND THAT Chapter 17 - Definitions, Purpose-Built Rental Housing, be amended by deleting the word “three” after the words “A self-contained building(s) containing” and replace it with the word “five”.

30. 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 24th day of October, 2011.

Amended at first reading by the Municipal Council this 24th day of October, 2011.

Amended again at first reading by the Municipal Council this

Further amended at first reading by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

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Map 5.3 - Urban and Village Centre

