

REPORT TO COUNCIL



Date: November 8, 2012

To: City Manager

From: Land Use Management, Community Sustainability (AR)

Application: TA12-0011

Applicant: City of Kelowna

Subject: Text Amendment to Zoning Bylaw No. 8000

1.0 Recommendation

AND THAT Zoning Bylaw Text Amendment No. TA12-0011 to amend City of Kelowna Zoning Bylaw No. 8000, as outlined in Schedule 'A' of the report of the Land Use Management Department dated November 8, 2012 be considered by Council;

AND THAT Zoning Bylaw Text Amendment No. TA12-0011 be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To introduce 'household repair services' as a permitted secondary use within the RM6 - High Rise Apartment Housing zone.

3.0 Land Use Management

The proposed addition of 'household repair services' as a secondary use to the RM6 - High Rise Apartment Housing zone is considered a modest change to the zone overall. The addition of this use was initiated to accommodate a prospective electronic service tenant within a building currently zoned RM6. Notably, RM6 development regulations currently stipulate the location and size of commercially related secondary uses, and it is anticipated that this additional use is compatible with the currently permitted secondary uses.

The community-wide implications of including 'household repair services' as a RM6 permitted secondary use is negligible given that 'retail stores, convenience' and personal service establishments are already permitted secondary uses. The intent of the 'household repair services' use is to service hand held or small electronic devices/appliances that are for personal or domestic use and would not require a large tenant space. The anticipated traffic and/or trips generated for this use would likely be less of an impact than a convenience retail store or personal service establishment, and for these reasons, is supportable. Notably, RM6 zoned properties are typically located within an urban centre, where services and infrastructure support a high density residential tenure.

4.0 Proposal

Staff have reviewed the primary and secondary uses within the RM6 zone as requested by Council and have considered options to allow broader commercial uses. This request was in response to current tenant situation for a RM6 building that is looking to secure one of the commercial retail units for an electronic service centre geared to off-site servicing of household electronics (e.g. TV's).

Notably, the RM6 zone has a purpose to 'provide a zone for high density high rise apartments' but does have a variety of secondary uses that include some limited retail opportunities intended to be complimentary to the principal residential use. The RM6 zone does have restrictions on the total maximum floor area of secondary uses that are more commercial in nature. This is to ensure that the building primarily serves a high density residential tenure rather than a mixed-used commercial project with the intent of limited compatible commercial ground-floor opportunities.

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP) Development Process Policies:

Complete Suburbs: Support a mix of uses within Kelowna's suburbs, in accordance with 'Smart Growth' principles to ensure complete communities¹.

Compact Urban Form: Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns².

Economic Development Policies:

Sustainable Prosperity: Assign priority to supporting the retention, enhancement and expansion of existing businesses and post secondary institutions and the attraction of new businesses and investment identified as bringing sustainable prosperity to Kelowna³.

6.0 Application Chronology

Application Initiated: October 23, 2012

Report prepared by:

Abigail Riley, Urban Land Use Planner

Reviewed by:  Danielle Noble, Urban Land Use Manager

Approved for Inclusion:  Shelley Gambacort, Director of Land Use Management

Attachments:

Schedule 'A' - Summary of Proposed Text Amendments

¹ City of Kelowna Official Community Plan, Objective No.5.1, Chapter 5

² City of Kelowna Official Community Plan, Objective 5.3, Chapter 5

³ City of Kelowna Official Community Plan, Objective 8.1, Chapter 8

Zoning Bylaw No. 8000

No.	Section	Existing Text	Proposed Text
1	13.12.3	The secondary uses in this zone are: (a) Agriculture, urban (b) Care centres, major (c) Community recreation services (d) Home based businesses, minor (e) Hotel/motel accommodation within a multiple residential unit (f) Participant recreation services, indoor (g) Personal service establishments (h) Retail stores, convenience	The secondary uses in this zone are: (a) Agriculture, urban (b) Care centres, major (c) Community recreation services (d) Home based businesses, minor (e) Hotel/motel accommodation within a multiple residential unit (f) Household repair services (g) Participant recreation services, indoor (h) Personal service establishments (i) Retail stores, convenience
2	13.12.7(a)	Individual convenience retail services, and personal service establishments are limited to a maximum floor area of 235.0 m ² and only permitted when developed as an integral component of a principal building. These uses will not be permitted above the first storey .	Individual Convenience retail services, household repair services , and personal service establishments are limited to a total maximum floor area of 235.0 m ² and only permitted when developed as an integral component of a principal building. These uses will not be permitted above the first storey .