

# CD7 - Comprehensive Development Zone (West Bay Road)

Bylaw No.  
154.26

## 1.0 Location:

Civic Address: 3745 West Bay Road

Legal Description: Portion of Lot A, Plan 30699, DL 434, ODYD

## 2.0 Purpose:

The intent of this zone is to provide for low density multiple residential development and tourist accommodation. This comprehensive development zone provides the opportunity for two or more permitted land uses integrated with private and public amenity features adjacent to active farm land and the public waterfront.

## 3.0 Definitions:

All definitions of Zoning Bylaw No. 0154 apply unless specified or modified in this CD-7 zone.

3.1 Floor Area Ratio: the numerical value of the gross floor area of all levels of all buildings and structures in the associated development area (as designated in Section 4.0 of this zone), divided by the area of the CD Development Area.

## 4.0 Development Areas:

4.1 This CD Zone is divided into three development areas as shown on the attached Figures 1 and 2:

- .1 Development Area A
- .2 Agricultural Buffer Area B
- .3 Pedestrian Access Area C

## 4.2 Development Areas Within CD-7 Zone:

.1	Total Area	1.98 ha (4.89 ac)
.2	Development Area A	1.46 ha (3.60 ac)
.3	Agricultural Buffer Area B	0.32 ha (0.79 ac)
.4	Pedestrian Access Area C	0.20 ha (0.49 ac)

## 5.0 General Regulations:

5.1 All Administrative and Enforcement, Interpretation, General and Parking Regulations, Part 1, 2, 3 and 4 of Zoning Bylaw No. 0154, apply unless expressly specified or modified in this CD-7 zone.

5.2 In addition to the Development Area specific regulations listed below (Section 6.0), the following general regulations will apply to the entire CD-7 Zone:

- .1 **Open Space:** A minimum of 50% of the CD Zone area (Total Area) is to be maintained as Open Space, which may include balconies, common amenity space, terraces, decks, landscaped areas and riparian areas, but is exclusive of roads, driveways and parking areas (common or individual).
- .2 **Landscape Areas:** A minimum of 40% of the CD Zone area (Total Area) is to be landscaped as approved by the City of West Kelowna at the time of development permit. Landscape areas may include ground level pools, decks and terraces but do not include the riparian area or public walkway located within Pedestrian Access Area C.
- .3 **Height Exemptions for Roof Top Structures:** Height exemptions for roof top structures may be permitted provided that they do not project more than 3.5 m (11.4 ft) above the permitted maximum height of the principal buildings; provided their combined width does not exceed 9.5 m (31.1 ft) and all such structures be enclosed by an appropriate screen;
  - Elevator
  - Stair housing roof top structures and other necessary appurtenances

## **6.0 Permitted Uses And Zoning Regulations By Development Area:**

The following regulations are specific to each development area identified in the attached Figure 2; all development in each of these areas will occur in conformance to the following regulations.

### **6.1 Development Area A:**

#### **.1 General**

Development Area A will allow for both year round occupancy and vacation rentals.

#### **.2 Principal Uses:**

- (a) Single detached dwelling
- (b) Duplex
- (c) Townhouse
- (d) Resort Townhouse

#### **.3 Secondary Uses:**

The following uses, buildings and structures are only permitted where a use listed under the above Principal Uses exists on the parcel:

- (a) Recreational Services, outdoor
- (b) Outdoor Recreation Equipment Rental
- (c) Private amenity space
- (d) Accessory uses, buildings and structures
- (e) Home based business, minor
- (f) Day Care Centre, Minor

**.4 Regulations Table for Development Area A:**

(a)	<b>Minimum</b> Development Area A parcel	1.46 ha (3.60 ac)
(b)	<b>Minimum</b> <i>parcel frontage</i>	30 m (98.4 ft)
(c)	<b>Minimum</b> <i>front setback – (southwest)</i>	4.0 m (13.1 ft)
(d)	<b>Minimum</b> <i>side setback – (southeast)</i>	3.0 m (9.8 ft)
(e)	<b>Minimum</b> <i>side setback – (northwest)</i>	0.0 m (0 ft)
(f)	<b>Minimum</b> <i>rear setback – (northeast)</i>	4.0 m (13.1 ft)
(g)	<b>Maximum</b> <i>building height</i>	
	.1 principal uses	10.0 m (32.8 ft) to a maximum of 3 storeys measured to the level halfway between the eaves and the ridge of the roof or parapet
	.2 accessory buildings and structures	4.0 m (13.1 ft)
(h)	<b>Maximum</b> <i>parcel coverage</i>	45%, excluding driveways and balconies
(i)	<b>Maximum</b> <i>Floor Area Ratio</i>	0.5 FAR
(j)	<b>Minimum</b> <i>Private Amenity Space (per unit)</i>	
	.1 One (1) bedroom dwelling unit,	15 m <sup>2</sup> (161.4 ft <sup>2</sup> )
	.2 More than one (1) bedroom dwelling unit	25 m <sup>2</sup> (269.1 ft <sup>2</sup> )

**6.2 Agricultural Buffer Area B:****.1 General**

Agricultural Buffer Area B is to remain within the Agricultural Land Reserve and is intended as an agricultural buffer between active farmland and the residential uses. This area is to be designed and managed to keep people and their pets away from farm operations and no residential dwellings may be constructed within this area.

As per the ALC Resolution (#161/2015), a pet-proof fence is to be erected on the parcel boundary separating Agricultural Buffer Area B from the remainder A1 zoned ALR lands and 3.0 m (9.8 ft) agriculturally sensitive vegetative buffer planted along the northern boundary of Area B. The vegetative buffer is to be designed according to future development permit specifications and should be designed in accordance with Zoning Bylaw Section 3.21.3 Agricultural Buffers.

**.2 Principal Uses:**

- (a) Buffer landscaping
- (b) Parking and drive aisles

**.3 Secondary Uses:**

The following uses, buildings and structures are only permitted where a use listed under the above Principal Uses exists on the parcel:

- (a) Recreational Services, outdoor
- (b) Private amenity space

**.4 Regulations Table for Agricultural Buffer Area B**

<b>(a)</b>	Agricultural Buffer Area B parcel	0.32 ha (0.79 ac)
<b>(b)</b>	<b>Minimum front setback – (southwest)</b>	4.0 m (13.1 ft)
<b>(c)</b>	<b>Minimum side setback – (southeast)</b>	0.0 m (0 ft)
<b>(d)</b>	<b>Minimum side setback – (northwest)</b>	3.0 m (9.8 ft)
<b>(e)</b>	<b>Minimum rear setback – (northeast)</b>	4.0 m (13.1 ft)

(6.3 omitted, see Section 6.4)

**6.4 Pedestrian Access Area C:****.1 General**

Pedestrian Access Area C is intended to ensure environmental protection of sensitive riparian areas, and to provide pedestrian and public beach access. Area C includes a 15 m (49.2 ft) riparian no build/no disturb setback from Okanagan Lake and an additional 3.0 m (9.8 ft) universal access urban standard public walkway along the beach. No structures are to be constructed in Area C.

**.2 Principal Uses:**

- (a) Conservation Area
- (b) Public Open Space

**.3 Regulations Table for Pedestrian Access Area C**

<b>(a)</b>	Pedestrian Access Area C parcel area	0.20 ha (0.49 ac)
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**7.0 Conditions of Use:**

7.1 Within the CD-7 Zone, the lands shall be developed for the principal and secondary uses in accordance with the plans identifying the CD boundaries as shown in Figures 1-4, attached to this bylaw.

7.2 The density and uses shall be developed in accordance with the text of this zone and with the plans of the CD boundaries identified in the attachments, forming part of the bylaw and generally in accordance with CD-7, Figures 1 and 3. The design elements, outlined on Figure 3 of this zone, are conceptual in nature and may vary as outlined in the development permit approved by the City of West Kelowna.

7.3 In accordance with the Official Community Plan, all developments within the zone shall require a Multiple Family and Intensive Residential Development Permit and a Sensitive Terrestrial Ecosystem Development Permit. Except where modified in this bylaw, all City of West Kelowna bylaws apply.

**8.0 Attachment Summary:**

- Figure 1: CD Zone Plan
- Figure 2: Developable Areas
- Figure 3: Concept Plan
- Figure 4: Site Setbacks

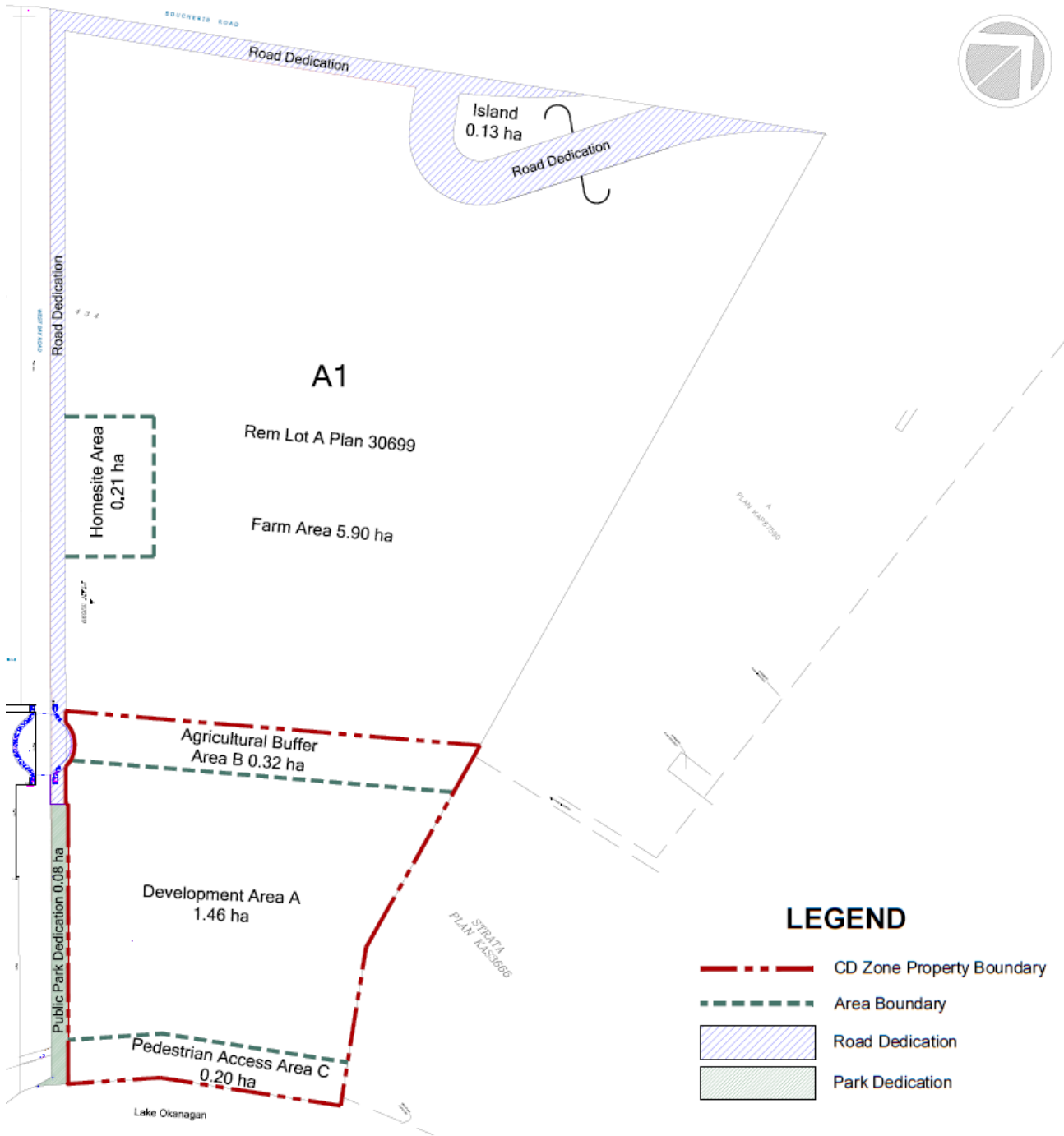


Figure 1: CD Zone Plan



Figure 2: Developable Areas

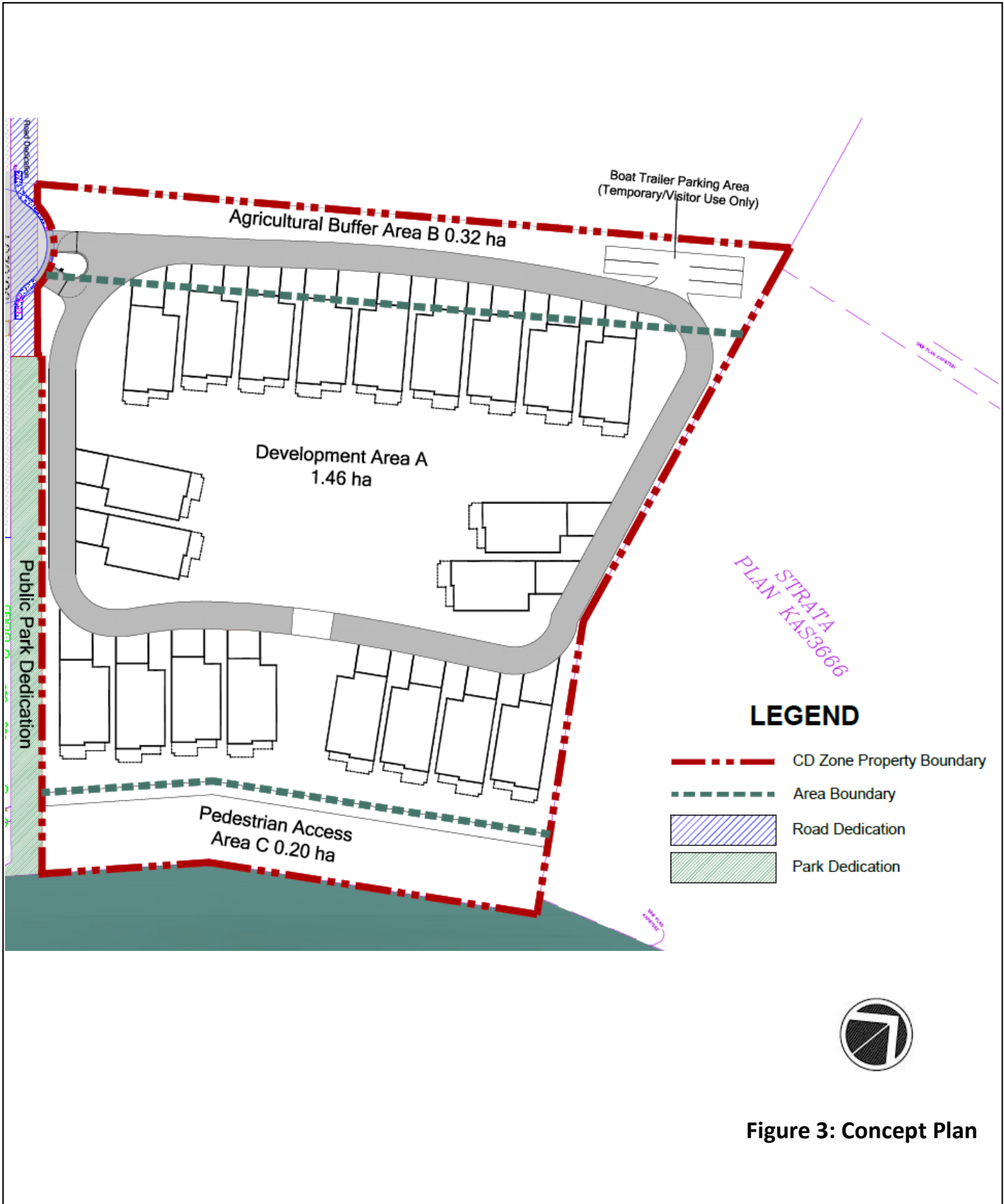


Figure 3: Concept Plan

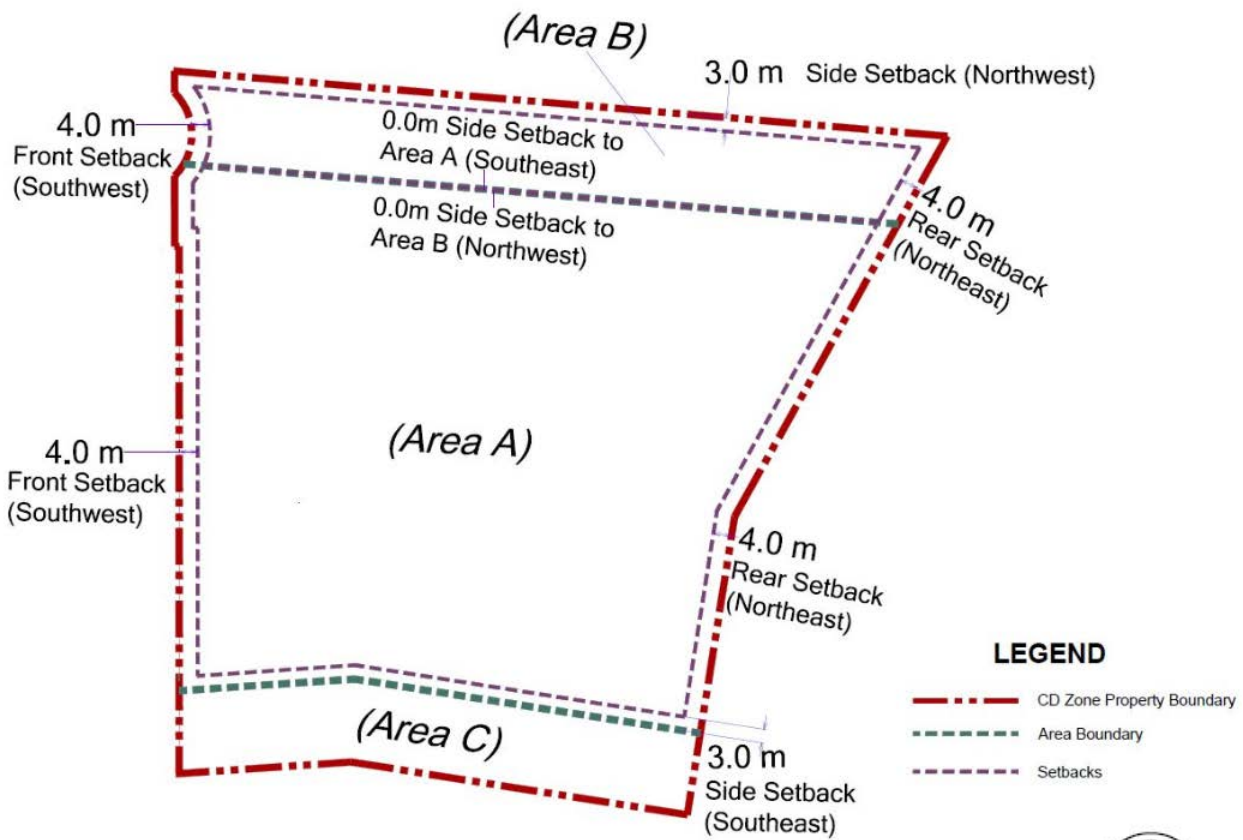


Figure 4: Site Setbacks