

CD5 - COMPREHENSIVE DEVELOPMENT ZONE (IHA HEALTH CENTRE)

1. **Purpose:**

The intent of this zone is to allow for the development of government and/or non-profit public health care facilities on the southern 1.62 hectare portion of the subject property. As the entire property remains within the Agricultural Land Reserve (ALR), this comprehensive development zone permits both agricultural and institutional land uses that respect the adjacent agricultural land on the northern portion of the subject property.

2. **Conditions of Use:**

Except where modified in this bylaw, all City of West Kelowna bylaws, as amended, apply.

3. **Definitions:**

Floor Area Ratio: the gross floor area of all levels of all buildings and structures divided by the area of the CD-5 Zone.

Government Agencies and Services: municipal, provincial or federal government operations that provide direct services to the public associated with public health. Typical uses include, but are not limited to, offices for administration, limited outdoor storage of fleet vehicles and equipment, and indoor storage and maintenance areas for vehicles, equipment and warehousing.

4. **ALC Non-Farm use decision:**

The entire 3.56 hectare subject property is located within the Agricultural Land Reserve.

The subject property received a conditional non-farm use approval from the Agricultural Land Commission (ALC) in 2008 (ALC Resolutions # 761/2008 & 20/2008). The ALC approved a 1.62 hectare (90.0 m by 181.0 m) non-farm use development area on the southern half of the subject property for a community health centre, with the condition that the northern half is to remain zoned agricultural (A1) and be intensively farmed. As per the ALC resolutions, all development plans must be approved by the ALC prior to issuance of all development permits and or building permits.

Area Breakdown for Entire Parcel (as shown in attached Figures 1 and 2):

Total Parcel Area	3.56 ha
CD-8 Zone Area, after road dedication	1.62 ha
Road Dedication adjacent to CD Zone boundary (Bering Road)	0.162 ha
Road dedication adjacent to A1 zoned boundary (Butt Road)	0.078 ha
Remainder A1 Zoned Area, after road dedication <i>-to be intensively farmed as per ALC Resolutions: 761/2008 & 20/2008</i>	1.70 ha

The Northern 1.70 hectare of the subject property will remain zoned Agricultural (A1) and shall continue to conform to the provincial ALC regulations and the regulations outlined in Zoning Bylaw No. 0265.

5. **Principal Uses, Buildings and Structures:**

- (a) Agriculture, general and agricultural, intensive (see Section 8 of this zone)
- (b) Extended Medical Treatment Facilities
- (c) Health Services Facilities

6. **Secondary Uses, Buildings and Structures:**

- (a) The following uses, buildings and structures are only permitted where a use listed under the above Principal Uses exists on the parcel:
 - i. Accessory uses, buildings and structures

- ii. Congregate housing**
- iii. Care facility, major**
- iv. Government agencies and services**
- v. Group home **
- vi. Emergency and protective services**
- vii. Restaurant**

***These secondary uses are permitted only if Health Services or Extended Medical Treatment Facilities exist on the parcel.*

7. **Regulations Table for the CD5 Zone:**

CD5 Zone Area, after road dedications	1.62 ha
Minimum parcel frontage	18.0 m
Maximum building height -excluding mechanical & elevator rooms -including exposed parkade level	26.0 m (5 storeys)
Maximum parcel coverage	40%
Maximum floor area ratio	2.0
Minimum # of parking stalls: -Further parking regulations will be defined by Part 4 of Zoning Bylaw No. 0265, and this zone will be considered as a P Zone in this regard.	1 per 30 m ² GFA
Siting Regulations	
Buildings and structures shall be sited at least the distance from the feature indicated in the left-hand column below, that is indicated in the right-hand column opposite that feature:	
Brown Road	6.0 m
Bering Road	6.0 m
Elliott Road	6.0 m
Corner cuts of Bering/Brown Road and Bering/Elliott Road (as shown on Figure 2)	4.5 m
A1 zoned portion of subject property	15.0 m

8. **Agricultural Land Uses:**

For agricultural land uses in the CD5 Zone area, the Regulations Table for the A1 Zone, will apply.

9. **Siting Regulations:**

(a) Siting distances from Agricultural Land:

- i. As per the ALC resolution (#20/2008), a 5.0 m vegetative buffer will be required within the 15.0 m siting regulation adjacent to the A1 zoned portion of the parcel. A Vegetative Screening Plan, identifying plant types, setbacks, irrigation etc., must be submitted for the ALC's review and approval prior to installation.
- ii. The ALC Vegetative Buffer width cannot be varied and must be designed in accordance with the ALC requirements.
- iii. The proposed buildings will further conform to the Stepped Setback for Taller Buildings regulations of Section 3.26 of Part 3 of this bylaw.

(b) Environmental Allowance:

- i. As per the attached Figure 2, a 3.0 m wide no build environmental allowance has been identified on the parcel for Anton Brook (Westbank Creek Tributary # 2), located on the southern parcel boundary. This allowance, combined with the 6.0 m siting regulation fronting Bering Road, is intended to provide the necessary separation to protect the environmental features of Anton Brook.

- ii. As per the Watercourse Evaluation prepared by Golder Associates (November 12, 2009), a 2:1 (gain:loss) compensation ratio will be required for any development scenario that results in a loss of aquatic habitat or adjacent riparian area associated with Anton Brook.
- iii. As per the City's Terms of Reference for Professional Reporting, if development should occur within these areas (only after it proves impossible or impractical to maintain the same level of ecological function) compensation will promote a no net loss to aquatic habitat.
- iv. An Aquatic Ecosystem Development Permit will be required prior to any site disturbance; the environmental setbacks and potential on-site compensation will be further defined at time of development permit; future development permit approval may potentially negate the need for the 3.0 m environmental allowance provision.

10. **Road Dedications:**

- (a) The following road dedications are required as a condition of the Zoning Bylaw Amendment:
 - i. Brown Road – no road dedication, 20.11 m existing road right of way.
 - ii. Bering Road – 7.81 m future road dedication, to create a 20.0 m road right-of-way.
 - iii. Elliott Road – no road dedication, 20.12 m existing road right of way.
 - iv. Butt Road – 3.91 m future road dedication, to create a 20.0 m road right-of-way.

11. **Development Permits:**

- (a) **Aquatic Ecosystem Development Permit:**
 - v. In accordance with the Official Community Plan, the subject property is located within an aquatic ecosystem development permit area.
 - vi. A development permit must be approved before land is altered or subdivided (including but not limited to land clearing, preparation for construction of services or roads and blasting); and before construction of, or addition to or alteration of a building or structure.
- (b) **Form, Character and Landscaping Development Permit:**
 - i. A development permit must be approved before construction of, addition to or alteration of a building or structure.
 - ii. Development Permits issued for this site will be in accordance with the following OCP guidelines, as amended:
 - a) Landscape Development Permit Design Guidelines (Appendix A-1)
 - b) Commercial and Industrial Development Permit Design Guidelines (Appendix A-2)
 - c) Fencing and Street Interface Development Permit Design Guidelines (Appendix A-3)
 - iii. The approval of the aforementioned development permits will be subject to the landowner firstly fulfilling the ALC requirements, pursuant to ALC Resolutions #761/2008 & 20/2008.

12. **Attachments:**

- (a) The following information has been submitted to the City of West Kelowna and form part of this Comprehensive Development Zone:
 - i. **Site Plans:**
 - a) Proposed Comprehensive Development Zone, CD-8 Zone, Figure # 1, prepared by Runnalls Denby, dated November 18, 2009.

- b) Proposed Setbacks and Building Development Areas, CD-8 Zone, Figure # 2, prepared by New Town Architectural Urban Planning, dated November 19, 2009.
- c) Despite 12(a).1 and 12(a).2, for the purpose of this bylaw, the 'CD-8' notation will be interpreted as applying to the CD5 Comprehensive Development Zone (IHA Health Centre).

