

CD6 - COMPREHENSIVE DEVELOPMENT ZONE (MISSION HILL)

1.0 Location:

Mission Hill Family Estate Winery located at 1730 Mission Hill Road, on the most southerly rock terrace of Mount Boucherie and lying south of the intersection of Ridge Boulevard and Mission Hill Road.

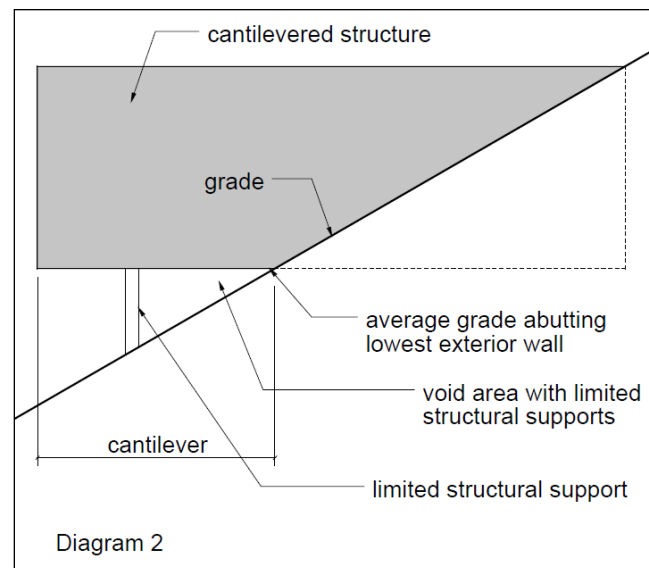
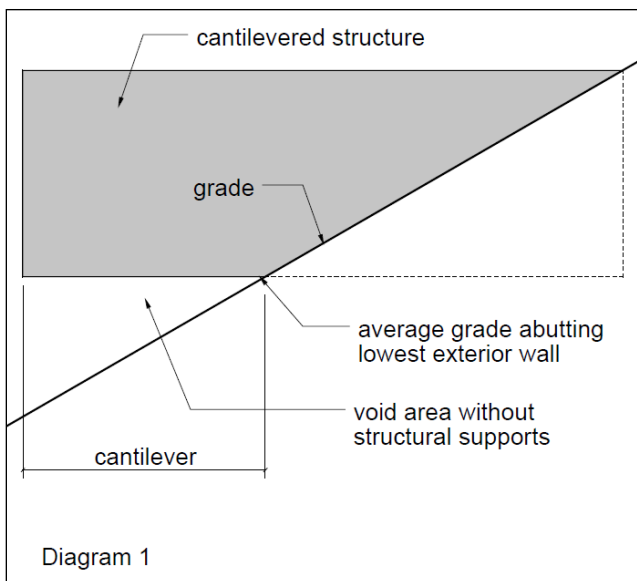
2.0 Purpose:

The intent of this zone is to allow for the development of a mixed-use phased development of the Mission Hill Lands. This comprehensive development zone provides for a mix of winery and hospitality uses, including tourist accommodation, a funicular railway, a conference centre, a restaurant, a wellness centre, a museum and art gallery within specified development areas on a portion of the subject property.

3.0 Definitions:

Artist In-residence: means the use of a building or portion of a building for an artist's studio and living area to accommodate an individual artist for a period of less than three months.

Cantilevered building or structure: means a building or structure or portion thereof that projects horizontally from grade over a downward slope without support, or with support that does not bear the full load of the building or structure. See Diagrams 1 and 2.



Conference Centre: means a meeting space for conferences and similar corporate, governmental and social events and functions.

Distillery: means a plant and works where liquors are made by distillation, and may include accessory retail sales and seating areas.

Floor Area Ratio: means the numerical value of the gross floor area (GFA) of all storeys of all buildings and structures on a lot divided by the area of the lot.

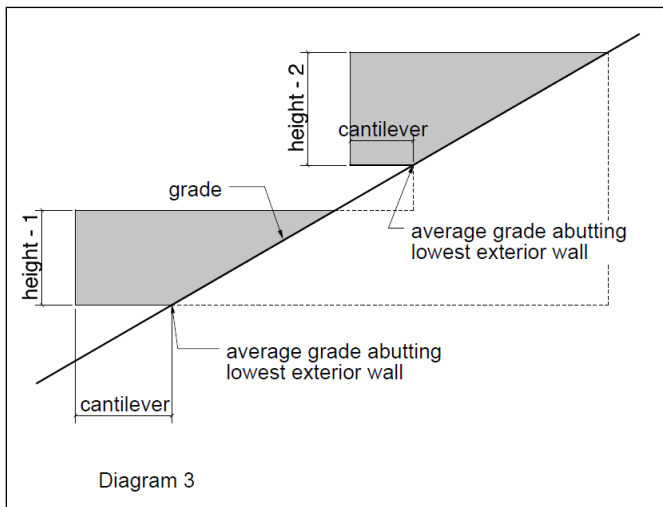
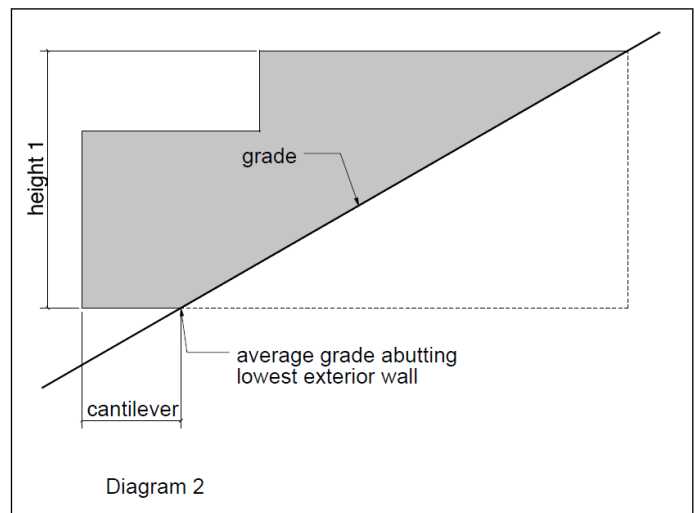
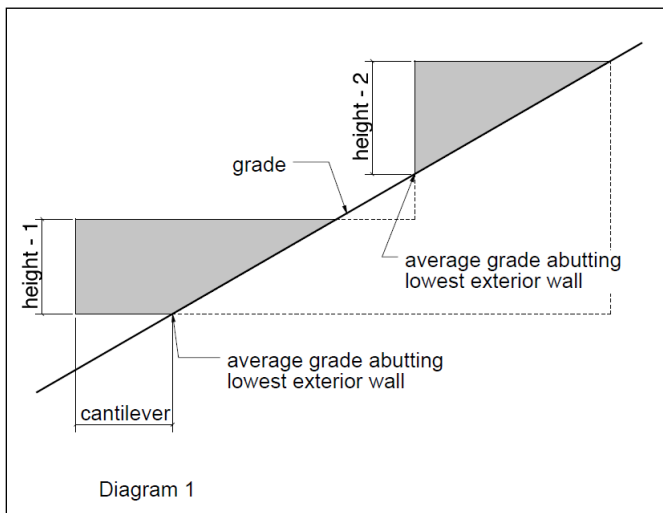
Funicular Railway: means railway operated to move goods and people up and down a steep slope in an enclosed car.

Gatehouse: means a building located at or a near the entrance to premises and used to accommodate a caretaker or security personnel.

Gross Floor Area: means the sum of the floor areas of each storey in each building on a parcel including the floor areas of any cantilevered building or structure, measured to the outer surface of the exterior walls of such buildings. Excluded from GFA are parking garages, carports, open balconies, elevators, storage areas, mechanical rooms, stairway openings, exterior open stairs and bay windows.

Guest Cottage: means a one or two storey residential unit no greater than 150 square metres in floor area, used for the accommodation of guests for rental periods of less than one month.

Height: means the vertical distance from the average grade abutting the lowest exterior wall of a building or structure to the top of the building or structure, measured as shown on the diagrams as Height-1. Where a cantilevered portion of a building or structure is separated from another portion of the building or structure at grade, the height of that portion of the building or structure shall be calculated separately, as shown on the diagrams as Height-2.



Mission Hill Lands: means all lands shown on *Figure 1*, which is attached to this CD6 Zone.

Retail: means the sale of wine, cider and related products, the sale of art associated with an art gallery, and the sale of products accessory to the use of a wellness centre.

Wellness Centre: means a place of business with equipment and facilities for exercising and improving fitness and mental well-being, which may include a range of professionally administered personal care treatments such as massages and facial, beauty and medical treatments.

Wine Museum: means a building or portion of a building used for collecting and displaying objects related to the production and storage of wine.

Winery: means premises licensed under the *Liquor Control and Licensing Act* for the production of wine, and includes associated office, warehousing, retail sales, tasting and seating areas.

4.0 Development Areas:

This Zone is divided into Development Areas A to E, as shown on *Figure 2*, which is attached to this CD6 Zone, the areas of which are identified in the following table:

Development Areas for Entire CD-6 Zone	
Area A:	76,070 sq. metres
Area B:	7,940 sq. metres
Area C:	25,670 sq. metres
Area D:	8,300 sq. metres
Area E:	38,555 sq. metres
Total Parcel Area	156,535 sq. metres (15.6 ha)

5.0 General Regulations:

Land in the CD6 zone is subject to a phased development agreement with a term ending September 21, 2021. The Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 (as of September 20, 2011) continues to apply to the CD6 zone for the term of the phased development agreement except where there is an inconsistency with a specific regulation in the CD6 zone, in which case the specific regulation applies.

Within the CD-6 Zone, the lands shall be developed in general accordance with the Site Plans shown on *Figure 3*, as attached to this CD6 Zone.

5.1 Density and Floor Area:

Each Development Area has a maximum floor area assigned to it in the following table. Any Development Area may exceed the assigned floor area by up to 15% as long as the overall floor area of buildings and structures on the Mission Hill Lands does not exceed 0.234 Floor Area Ratio or 36,600 sq. metres and provided that the total floor area is transferred within groups of uses. The groups of uses are:

- a) Alcohol Production Facility, Gatehouse, Conference Centre, Hotel (Auberge), Wellness Centre, Restaurant, Artist In-residence (Development Areas A & C)
- b) Guest Cottage (Development Areas B & D)

Maximum Floor Area and Maximum Units by Use	
Art Gallery	500 sq. metres
Artist In-residence	600 sq. metres
Hotel (Auberge), to a maximum of 120 units	7,700 sq. metres
Conference Centre	1, 200 sq. metres
Gatehouse, to a maximum of 2 units	350 sq. metres
Guest Cottage, to a maximum of 37 units	3,700 sq. metres
Restaurant	1,000 sq. metres

Wellness Centre	1,200 sq. metres
Winery, Cidery, Distillery and Micro-Brewery	19,150 sq. metres
Wine Museum	1,200 sq. metres

The maximum floor area for each specific use may be adjusted under the 15% floor area shifts between development areas. However, the maximum number of units is not to be adjusted.

5.2 Height Exemptions:

The following structures are permitted to exceed the maximum heights within Development Areas A and C, to the maximum height specified:

- a) A maximum of one (1) bell tower;
 - No more than 34.0 metres in height
- b) Elevator penthouses;
 - No more than 4.0 metres in height
- c) Roof top stairway accesses;
 - No more than 4.0 metres in height
- d) Guard rails;
 - No more than 1.52 metres (5.0 ft) in height;
 - Guard rails exceeding maximum building or structure heights specified in the Development Area regulations must have a transparent character, and solid elements and supports shall not exceed 25% of the vertical surface area; and
 - Openings in the guard rails may be filled with clear glass or similar material.
- e) Trellises;
 - No more than 3.05 metres (10.0 ft) in height;
 - Trellises exceeding maximum building or structure heights specified in the Development Area regulations must have a transparent character;
 - Trellises may incorporate retractable horizontal fabric material at a level no higher than the maximum allowable height of the trellis under this section and no more than 0.61 metres (2.0 ft) below the top of the trellis;
 - Other than retractable horizontal fabric, horizontal elements incorporated in a trellis shall not exceed 25% of the horizontal area as determined by the exterior perimeter of the trellis framing;
 - The cross sectional area of vertical supports for the trellis shall not exceed 10% of the horizontal trellis area as determined by the exterior perimeter of the trellis framing; and
 - The minimum height of horizontal framing members other than guard rails shall be 2.13 metres (7.0 ft) above the grade or deck surface where the trellis is located.

5.3 Setbacks & Site Coverage

Zoning Regulation	Requirement
Minimum Parcel Area	156, 000 sq. metres
Maximum Parcel Coverage	15 %
Minimum Front Setback	45 metres
Minimum Side Setback	4.5 metres
Minimum Rear Setback	90 metres

For the purpose of this Zone:

- Front setbacks shall be measured from parcel boundaries abutting Ridge Boulevard;
- Rear setbacks shall be measured from parcel boundaries abutting Plan KAP 48244 and Plan 36364; and
- All other setback locations shall be considered side setbacks.

Building setbacks are further illustrated on Figure 4, which is attached to this CD6 Zone.

5.4 Parking

Part 14 of this bylaw applies except that the required number of off-street parking spaces is as follows:

Use	Required Parking Spaces:
Art Gallery	1 space per 20 sq. metres of floor area
Artist in Residence	1 space per 150 sq. metres of floor area
Hotel (Auberge)	1 space per sleeping unit
Conference Centre	1 space per 33 sq. metres of floor area
Gatehouse	No requirement
Guest Cottage	1 space per cottage
Restaurant	1 space per 20 sq metres of floor area
Wellness Centre	1 space per 40 sq metres of floor area
Winery, Cidery, Distillery and Micro-Brewery	1 space per 82 sq metres of floor area
Wine Museum	1 space per 82 sq metres of floor area

It is recognized that the proposed uses have varying peak parking demands and the required parking supply rates should reflect this demand. Based on the anticipated parking demand and full build-out of the development, the following table outlines the projected required parking by phase:

Summary of parking supply at completion of each phase:			
	Visitor	Staff	Total
Phase 1	129	108	237
Phase 2	257	130	388
Phase 3	290	136	425
Phase 4	315	140	455

All parking spaces must be located on the Mission Hill Lands. Prior to the issuance of any Development or Building Permits, the proposed number of parking spaces for the affected phase will be confirmed by the City of West Kelowna Engineering Department based on Bunt & Associates Engineering – *Parking Analysis Summary*, dated March 30, 2011.

5.5 Fencing

Part 3.12 of this bylaw applies except that:

A solid screen not less than 2.0 metres (6.6 ft) high shall be provided and maintained along the boundary of the CD-6 zone where it abuts R, R3, or P zones.

No fence in the CD-6 zone shall contain razor wire, electrified wire, sheet metal, or corrugated metal.

5.6 Landscaping

Landscaping and tree retention within the CD-6 zone shall be in general conformance with Landscape Plan in *Figure 5*, which is attached to this CD6 Zone, and any development permit issued by the City.

5.7 Form and Character of Buildings and Structures

Exterior finishes shall maintain the quality, character and general colour range already established by previous construction at Mission Hill Family Estate Winery.

Exterior walls shall generally have a cementitious finish in a light earth-tone range, with stone, wood, and metal accents. Window frames shall be coloured metal, generally charcoal coloured, to match existing winery windows.

Curved metal roofs shall be copper. Where flat roofs are used as decks and plazas, stone or concrete pavers shall be used with areas of planting. Vegetative roofs shall be planted with vegetation that is consistent with, and that complements the existing natural vegetation of the site.

In addition, development of the CD-6 zone shall be in general conformance with the Conceptual Drawing *Figure 6*, which is attached to this CD6 Zone, and any development permit issued by the City.

5.8 Cantilevered Structures

The space beneath a cantilevered building or structure must be unobstructed except for structural supports of limited size and visual impact. The cantilevered portion of a building or structure may not exceed two (2) storeys in height, to a maximum of 10 metres measured from the underside of the cantilevered structure to the top of the roof. Projections above the top of the roof for guard rails and trellises are permitted in accordance with Section 5.2.

All cantilevered portions of a building or structure are to be included in parcel coverage calculations.

6.0 Development Permits

Where provided for in the Official Community Plan, developments within the CD-5 zone require a Development Permit. Without limiting the foregoing, the following Development Permits may be required:

- Hillside
- Sensitive Terrestrial Ecosystems, for protection of identified ESA1 areas including buffers
- Commercial Form and Character
- Landscape, Fence and Street Interface

7.0 Permitted Uses and Zoning Regulations by Development Area:

7.1 Development Area A:

Permitted Uses:

- a) Winery, Cidery, Distillery, Micro brewery
- b) Gatehouse
- c) Helicopter Landing Facility
- d) Restaurant
- e) Artist in-residence
- f) Retail

Maximum Floor Area and Density:

- a) A maximum of 20,100 sq. metres
- b) A maximum of 0.264 FAR

Height:

The height of a building or structure must not exceed 21.0 metres.

7.2 Development Area B

Permitted Uses:

- a) Guest cottage

Maximum Floor Area and Density:

- a) A maximum of 2,800 sq. metres
- b) A maximum of 0.36 FAR

Height:

The height of a building or structure must not exceed 12.0 metres.

7.3 Development Area C**Permitted Uses:**

- a) Art gallery
- b) Auberge
- c) Conference centre
- d) Funicular Railway
- e) Restaurant
- f) Retail
- g) Wellness centre
- h) Wine museum

Maximum Floor Area and Density:

- a) A maximum of 12,800 sq. metres
- b) A maximum of 0.50 FAR

Height:

- a) The height of a building or structure must not exceed 32.0 metres.

7.4 Development Area D**Permitted Uses:**

- a) Guest cottage

Maximum Floor Area and Density:

- a) A maximum of 900 sq. metres
- b) A maximum of 0.11 FAR

Height:

The height of a building or structure must not exceed 12.0 metres

7.5 Development Area E

No buildings or structures are permitted.

Attachment Summary:

Figure 1: All Lands Shown as Mission Hill

Figure 2: Development Areas

Figure 3: Site Plan

Figure 4: Building Setbacks

Figure 5: Landscape Plan

Figure 6: Conceptual Drawing

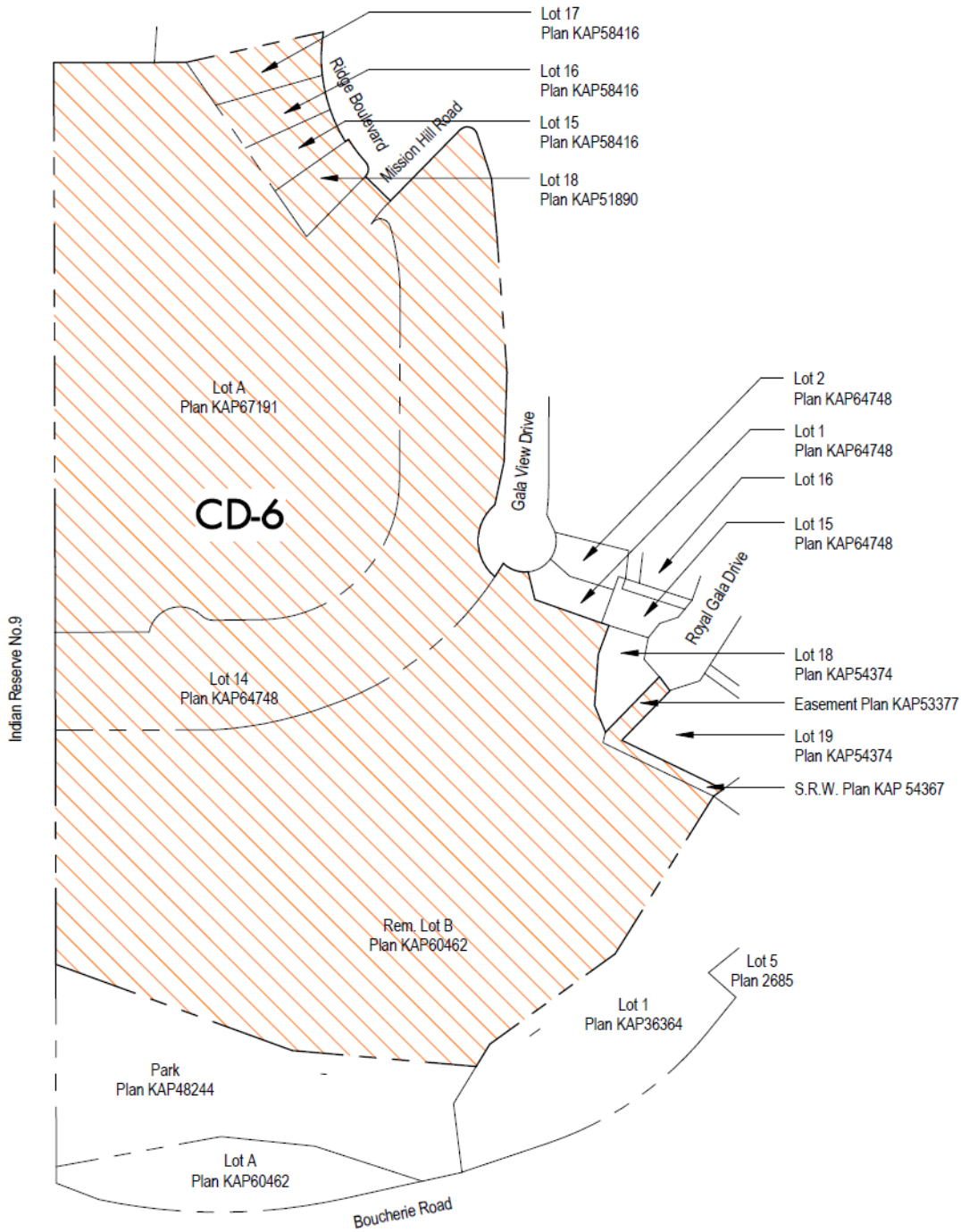


FIGURE 1 - ALL LANDS SHOWN AS MISSION HILL

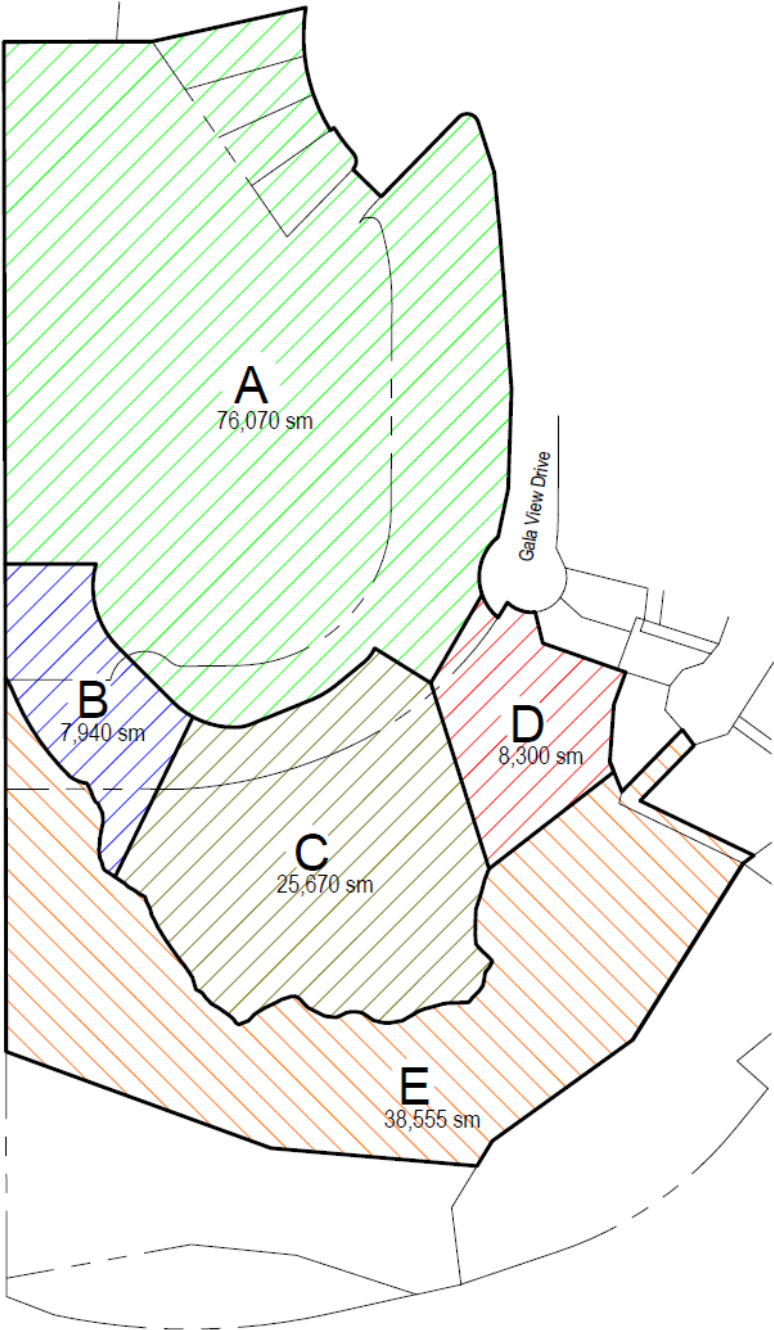


FIGURE 2 - DEVELOPMENT AREAS

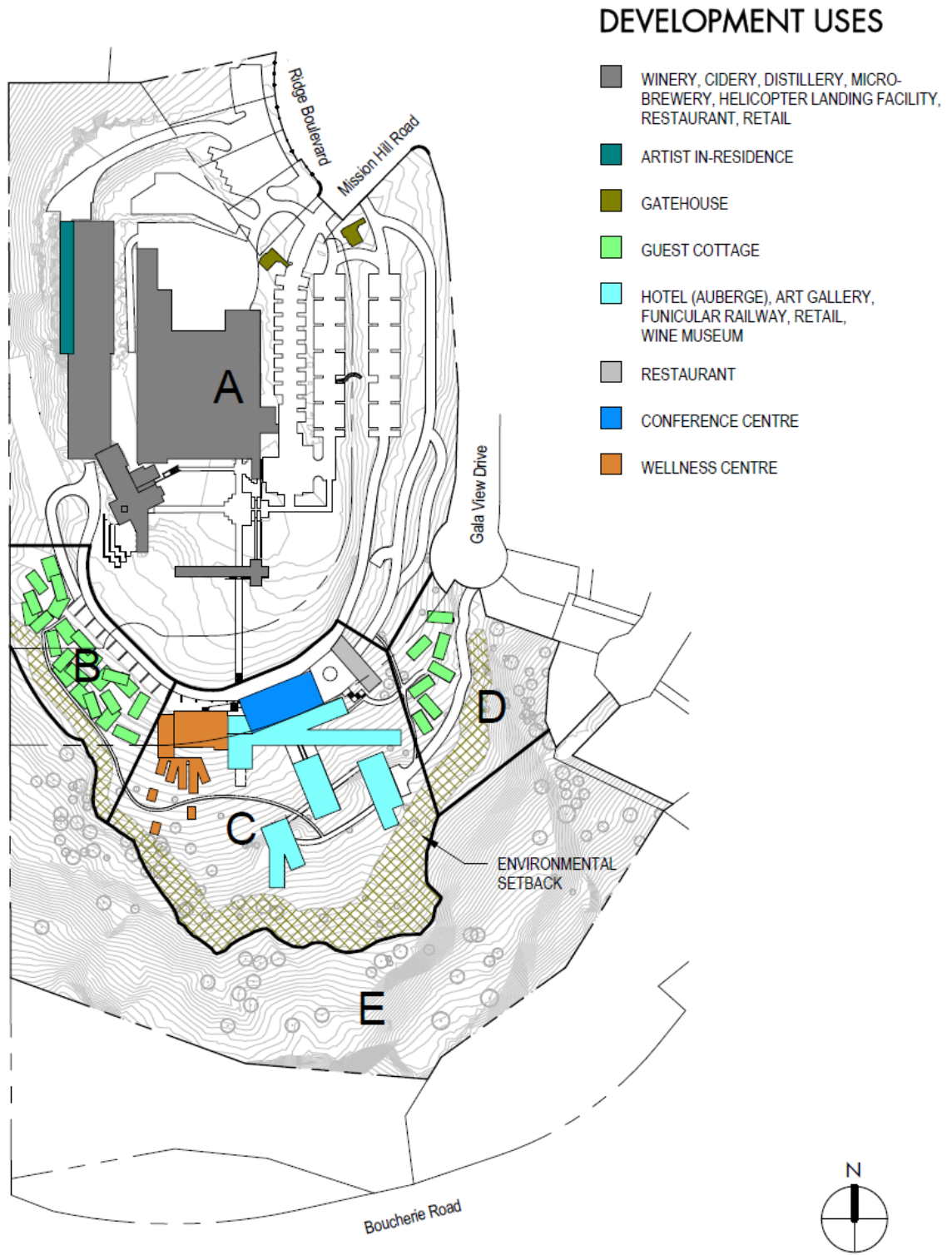


FIGURE 3 - SITE PLAN

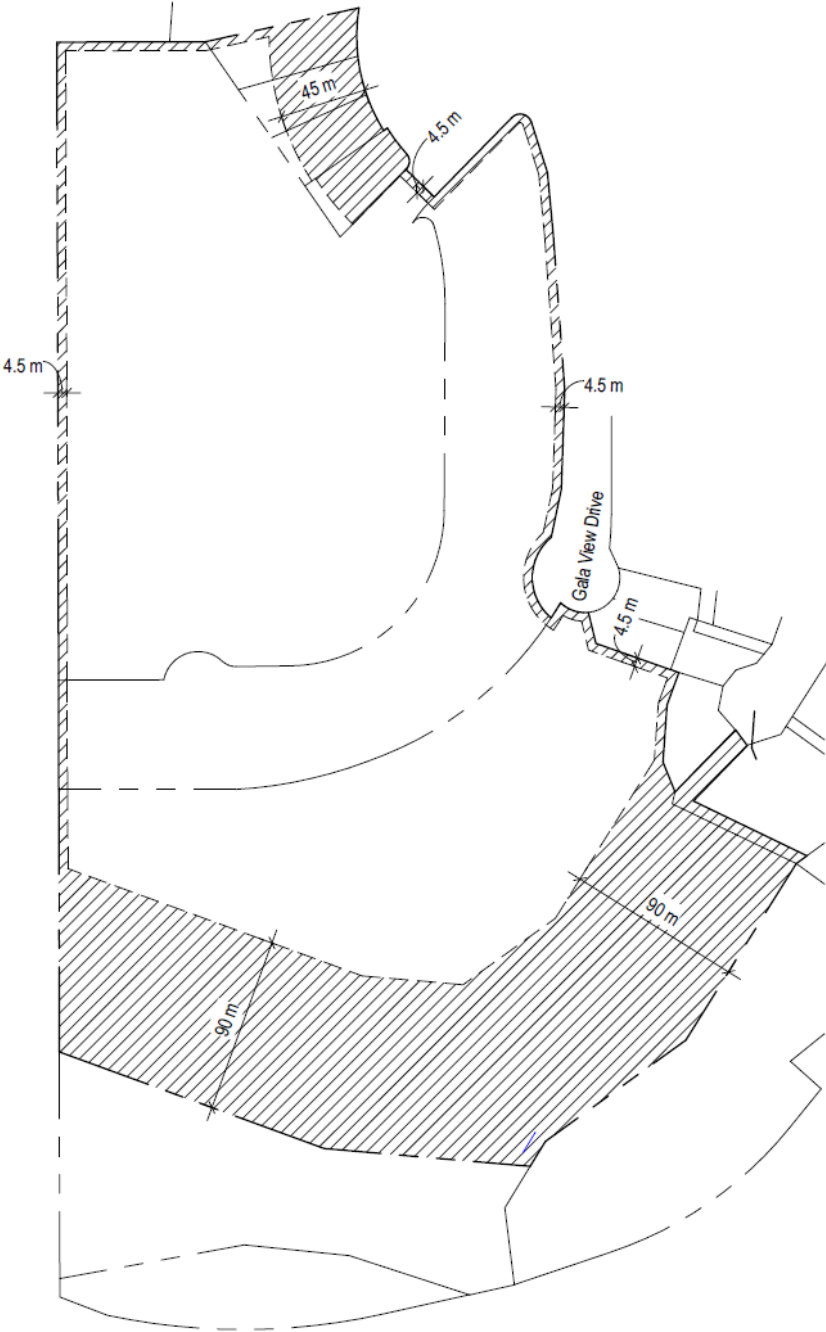
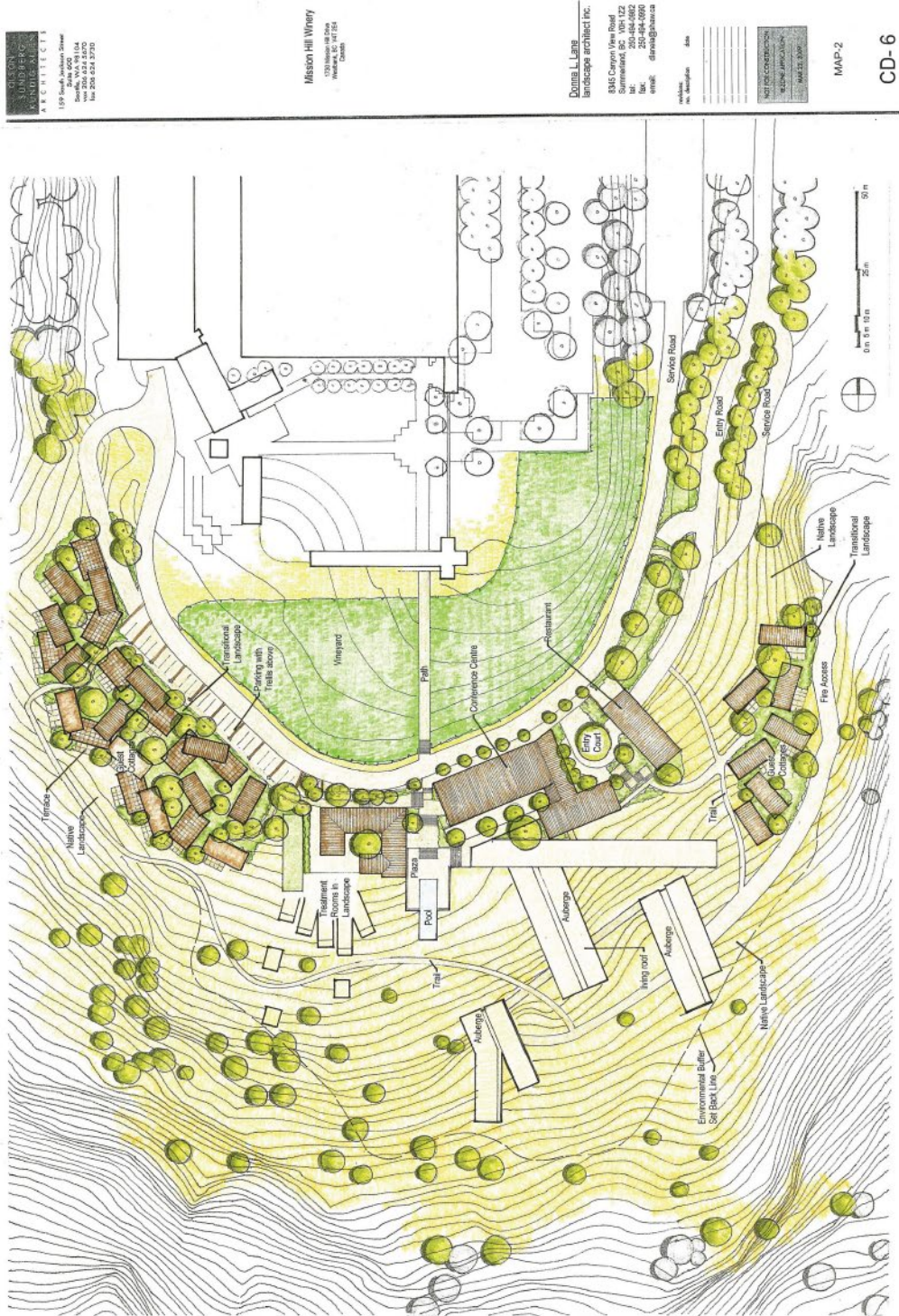


FIGURE 4 - BUILDING SETBACKS



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NOT FOR CONSTRUCTION
 unless APPROVED
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MAP-2
 CD-6

FIGURE 5 - LANDSCAPE PLAN

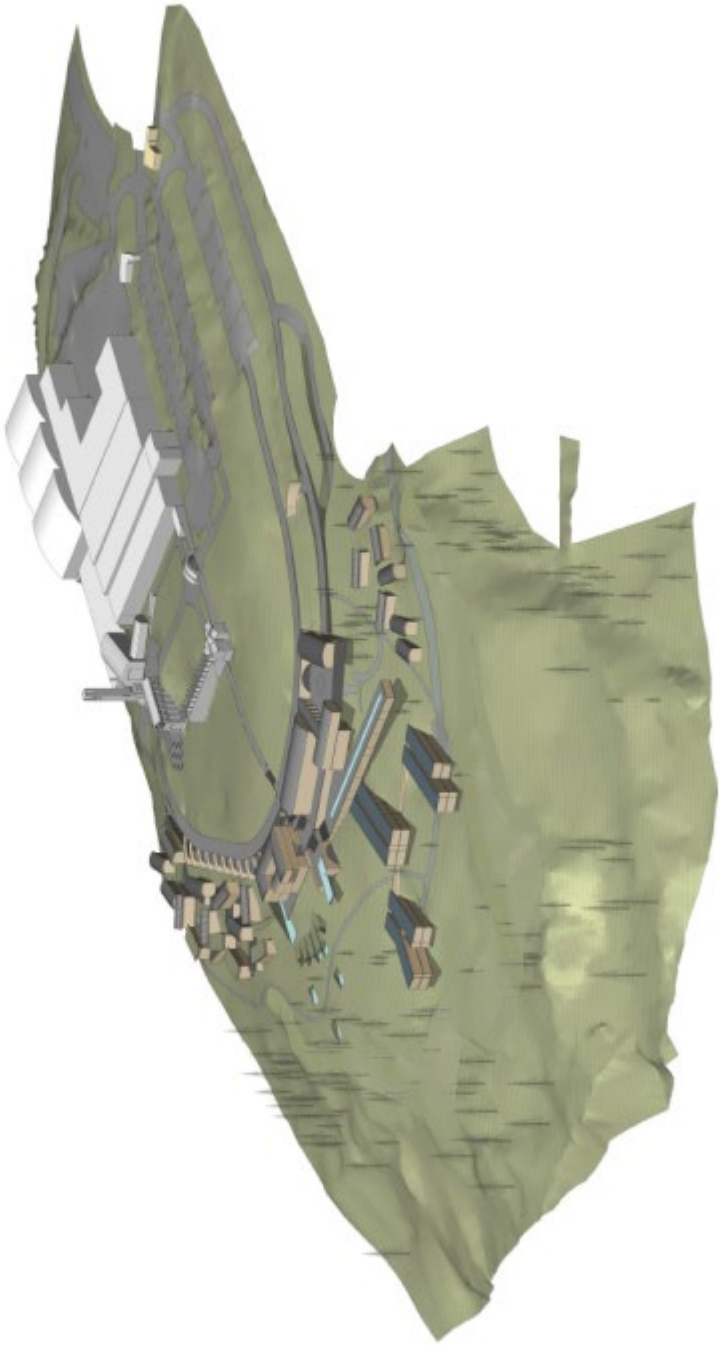


FIGURE 6 - CONCEPTUAL DRAWING