

# **PART 15 – COMPREHENSIVE DEVELOPMENT ZONES**

## **15.1 CD ZONE PURPOSE**

- .1 Comprehensive Development Zones are intended to accommodate and regulate the development of a use or mixture of uses based on a comprehensive plan and are typically created for reasons such as open space protection, ensuring specific design and permitted use details or to accommodate cluster development.

## **15.2 APPLICABILITY OF ZONING BYLAW TO CD ZONES**

- .1 Parts 1 to 5 of Bylaw No. 0320 apply to the Comprehensive Development Zones except where there is an inconsistency with a specific regulation in Part 15, in which case the specific regulation applies.

## 15.3 CD1 (A-G) – COMPREHENSIVE DEVELOPMENT ZONE (WESTLAKE)

The Westlake Comprehensive Development Zone is divided into several designations. Development within each designation is to occur as per the specifications indicated.

### .1 Definitions

**HALF STOREY** means a storey under a sloping roof, the exterior walls of which, on at least two opposite walls, are not more than 0.6 m (2.0 ft) above the finished floor of such a storey.

**FLOOR AREA RATIO (FAR)** means the numerical value of the net floor area on all levels of all buildings and structures on a site, divided by the area of the site. The FAR does not include parking beneath a building.

### DESIGNATIONS WITHIN THE WESTLAKE COMPREHENSIVE DEVELOPMENT ZONE

#### CD1(A) Neighbourhood Centre

### .2 Permitted uses

- |   |  |
|---|--|
| (a) Care facility, major  | (g) Office   |
| (b) Community or assembly hall  | (h) Personal service establishment   |
| (c) Fire, police or ambulance service   | (i) Restaurant   |
| (d) Library, museum or art gallery  | (j) Retail, general (except that no sales or rental of adult videos shall be located within 0.5 km of any public school or property owned by the school district intended for future school development) |
| (e) Multiple residential (one unit per 150 m <sup>2</sup> of non-residential establishments contained in the same building) |  |
| (f) Music and dance schools and private sports facilities (excluding amusement machines)                                    |  |

### .3 Details of Use

- (a) One building on the parcel is permitted
- (b) Individual establishments (not including residential) are limited to a maximum of 250 m<sup>2</sup> (except for child care facilities which may be larger).
- (c) Residential dwelling units shall conform to the following:
  - i. Access for each unit shall be to the ground floor and separate from access for the commercial premises.
  - ii. Each unit shall have a minimum of 15.0 m<sup>2</sup> of private, useable, outdoor open space. This may be either at grade, or in the form of decks or terraces, or a combination of the two.
- (d) None of the building street frontage (the portion of the parcel between the building and the property boundaries adjacent to roads) shall be developed as parking areas, lanes or access (i.e.: no parking between the building and the street).

- (e) Individual parking spaces shall be accessed from the interior of the parcel, not directly from public roads.
- (f) No exterior storage is permitted, and dumpsters must be completely concealed on all sides. A location for dumpsters is to be identified and not used in parking or loading calculations.

#### **.4 Minimum parcel size - 4,000 m<sup>2</sup>**

#### **.5 Development Regulations**

- (a) The maximum floor area ratio for the non-residential portion of the building is 0.2. In addition, a residential floor area ratio of 0.2 is permitted.
- (b) Maximum parcel coverage including buildings, driveways, access lanes and parking areas is 65%.
- (c) The maximum height is 2.0 storeys.
- (d) Buildings and structures shall be a minimum distance of 4.5 m (14.8 ft) and a maximum of 6.0 m (19.7 ft) from a public road. The minimum distance for buildings and structures from the interior side parcel boundary and the rear parcel boundary is 3.0 m (9.8 ft) adjacent to the Open Space designation.
- (e) Where the parcel abuts the Medium Density Residential designation of this zone:
  - i. Buildings and structures shall be a minimum distance of 4.5 m (14.8 ft) from the parcel boundary abutting this designation.
  - ii. There shall be a 3.0 m (9.8 ft) wide strip landscaped with trees and shrubs.
  - iii. There shall also be a 1.8 m (5.9 ft) high, closed concrete or wood fence.

### **CD1(B) Medium Density Residential**

#### **.6 Permitted Uses**

- (a) Multiple residential dwellings
- (b) Care facility, major
- (c) Home based business, minor

#### **.7 Details of Use**

- (a) No more than 20% of units shall be apartment type on the second storey served by a common corridor. 80% of housing shall be in the form of townhouses with;
  - i. Ground level access; and
  - ii. At least 20% of the floor area at ground level.
- (b) Units facing public roads except Westlake Road will have individual front doors with pedestrian access to the street.
- (c) Each unit shall have a minimum of 15 m<sup>2</sup> of private, useable, outdoor open space. This may be either at grade, or in the form of decks or terraces, or a combination of the two.
- (d) Walls, tall hedges or high fences along parcel boundaries abutting public roads are not permitted. However, private space can be delineated by low planting or decorative fences no more than 1.0 m (3.3 ft) in height.
- (e) None of the building street frontage (the portion of the parcel between the building and the parcel boundaries adjacent to roads) shall be developed as parking areas, lanes or access.

- (f) Parking lots shall be behind buildings, not between the buildings and the public roads.
- (g) Individual parking spaces shall be accessed from the interior of the parcel, not directly from public roads.
- (h) All units within this designation are considered multiple residential units and require a development permit as per the Official Community Plan.

**.8 Minimum Parcel Size - 5,000 m<sup>2</sup>**

**.9 Development Regulations**

- (a) The maximum floor area ratio is 0.4.
- (b) Where the building faces other properties, open space or a public street, the second floor of any building shall be a minimum of 3.0 m (9.8 ft) from the parcel boundary.
- (c) The maximum height is 2.5 storeys.
- (d) Maximum parcel coverage including buildings, driveways, access lanes and parking areas is 60%.
- (e) No building shall exceed 40 m of continuous building frontage.
- (f) The minimum distance from all parcel boundaries is 4.5 m (14.8 ft) except Westlake Road (see (g) and (h) below) and except for the land to the south of the Westlake Comprehensive Zone area (see (h) below).
- (g) A 5.0 m (16.4 ft) buffer strip is required adjacent to Westlake Road right-of-way. This buffer is to be retained in its natural state (except for walkways) or landscaped with trees and shrubs.
- (h) The minimum distance for any buildings or structures from the buffer strip on Westlake Road is 4.5 m (14.8 ft).
- (i) Bordering the land to the south of the Westlake Comprehensive Zone area:
  - i. buildings and structures shall be a minimum distance of 20.0 m from the parcel boundary.
  - ii. a 1.8 m (5.9 ft) closed fence is required along the parcel boundary located on a 1.0 m (3.3 ft) high berm. The berm is not required where undisturbed natural trees and landscape are retained to a depth of 4.5 m (14.8 ft);
  - iii. at least one tree per 10.0 m (32.8 ft) shall be planted in the setback area having a minimum clear-stem height of 1.5 m (4.9 ft) for deciduous trees and coniferous trees being at least 2.5 m (8.2 ft) tall.

**CD1(C) Compact Single Family and Duplex Housing**

**.10 Compact Housing - can include the following uses:**

- |                          |                                |
|--------------------------|--------------------------------|
| (a) Care facility, minor | (d) Home based business, major |
| (b) Carriage house       | (e) Secondary suite            |
| (c) Duplex               | (f) Single detached dwelling   |

**.11 Details of Use**

- (a) Walls, tall hedges or high fences along the front parcel boundaries are not permitted. However, private space can be delineated by low planting or decorative fences no more than 1.0 m (3.3 ft) in height.
- (b) No parking shall occur between the building and the street except where in front of a garage.

- (c) No more than 1 accessory building is permitted.

**.12 Minimum Parcel Size - 500 m<sup>2</sup>**

- .13 Minimum Frontage** – 14.0 m (45.9 ft), a reduction in frontage of down to 12.0 m (39.4 ft) will be permitted on a cul-de-sac provided the minimum arc length along the 6.0 m (19.7 ft) offset line is 14.0 m (45.9 ft).

**.14 Development Regulations**

- (a) The maximum height is 11.0 m (36 ft) for 3 storeys for principal buildings and 8.0 m (26.2 ft) for carriage houses.
- (b) Accessory buildings cannot be more than 1.0 storey.
- (c) All buildings and structures shall be a minimum of 4.5 m (14.8 ft) from the front parcel boundary, except a garage shall be 6 m from a front parcel boundary.
- (d) All buildings and structures shall be a minimum of 4.5 m (14.8 ft) from an exterior side parcel boundary.
- (e) The maximum parcel coverage is 50%.
- (f) Where there is no garage, onsite parking shall be provided to at least a 6.0 m (19.7 ft) depth on the property so that at least 2 cars can be parked.
- (g) Buildings and structures shall be a minimum of 1.2 m from an interior side parcel boundary, except for eaves which may project 0.6 m (2.0 ft) into this distance.
- (h) Buildings and structures shall be a minimum of 3.0 m (9.8 ft) from the rear parcel boundary.
- (i) Only 1 duplex or only 1 single detached dwelling per parcel.
- (j) Only 2 secondary suites per parcel, where a maximum of 1 secondary suite is permitted within a:
  - i. Single detached dwelling
  - ii. Carriage house; or
  - iii. Each half of a duplex.
- (k) Only 1 carriage house per parcel.

**HILLSIDE HOUSING**

**CD1(D) Hillside Housing Cluster Development**

**.15 Permitted Uses**

- (a) Cluster Development
  - i. Single detached dwelling
  - ii. Duplex
  - iii. Multiple residential
  - iv. Home based business, major, in single detached dwelling form only
  - v. Care facility, major
  - vi. Secondary Suite
- (b) Common Open Space
  - i. Walkways, paths, benches
  - ii. Playgrounds, gazebos, picnic areas (provided these uses are not for profit) amounting to not more than 10% of the total Open Space area

**.16 Details of Use**

- (a) Areas used as “common open space” are the areas being protected by putting the units normally permitted there into the areas used as “cluster development”. “Common open space” areas are intended to remain in their natural state save for the uses outlined above.
- (b) There shall be two trees per parcel or per unit which may be comprised of existing trees or new trees. Required trees should have a minimum clear-stem height of 1.5 m (4.9 ft) for deciduous trees, while coniferous trees should be at least 2.5 m (8.2 ft) high. The intention is to protect or restore the natural environment in order to screen the development on the hillside.
- (c) Secondary suites are only permitted on parcels with a minimum parcel size of 500 m<sup>2</sup> (5,920.2 ft<sup>2</sup>).

**.17 Density**

- (a) For the overall area indicated as “hillside development” the density is 12 units per hectare (net).
- (b) No less than 60% of each CD1(D) zoned area shall be retained as “common open space”. 40% of each area may include the development, public or private roads, parking etc. and is called “cluster development”.
- (c) The “cluster development” portion of the property will have a density assigned to it based upon the total parcel size and the relative area of cluster development and common open space.
- (d) Within the area zoned CD1(D), those areas to be for cluster development and common open space will be defined by restrictive covenant in the initial plan of subdivision. This plan will be in conformance with this zone and the general intent of the Westlake Concept Development Plan. The restrictive covenant will be of a stewardship, retention nature and apply to the total “common open space” being stewarded by the total “cluster development”.

**.18 Development Regulations**

- (a) Single detached dwellings in the cluster development area shall be developed in conformance with the “Compact Single Family Housing” designation except:
  - i. Parcel coverage and minimum parcel size do not apply; and
  - ii. A parcel cannot create a non-conformity with any siting regulation.
- (b) All other housing forms in the cluster development area shall be developed in conformance with the “Medium Density Residential” designation (including development permits as detailed in the Official Community Plan) except:
  - i. Minimum parcel size and floor area ratio does not apply;
  - ii. A parcel cannot create a non-conformity with any siting regulation; and
  - iii. Maximum height is 1.5 storeys.

- (c) Parcels along the top of the ridge to the west of the Village Centre shall have a minimum siting distance of 10.0 m (32.8 ft) for all buildings and structures from the area designated “Open Space”. One additional coniferous tree shall be planted within the minimum siting distance per each unit facing onto it in order to screen the development.
- (d) A single lane emergency roadway connecting to a main road at each end may be constructed within the 10.0 m (32.8 ft) minimum siting distance mentioned above. This single lane road will double as a public walkway.

### **.19 Site Specific Uses, Buildings and Structures**

- (a) On Strata Lots 1 - 6, DL 503, ODYD, Plan EPS7307 (2145, 2147, 2151, 2153, 2157, and 2159 McDougall Road) the following regulations apply:
  - i. Despite Sections 15.3.16 (c), 15.3.17 (b) (c) and (d), and 15.3.18, single detached dwellings in the “Hillside Housing Cluster Development” CD1(D) area shall be developed in conformance with the “Compact Single Family Housing” CD1(C) designation except the following regulations apply:
    - a) Minimum parcel size and floor area ratio does not apply;
    - b) The maximum building height is 11.0 m (36.0 ft) to a maximum of 3 storeys;
    - c) The minimum siting distance from the front parcel boundary is 4.5 m (14.8 ft) and 6.0 m (19.7 ft) to a garage face;
    - d) The minimum siting distance from the interior parcel boundary is 1.2 m; and
    - e) The minimum siting distance from the rear parcel boundary is 3.0 m (9.8 ft).

### **CD-1(E) Hillside Housing Single Family and Duplex**

#### **.20 Permitted Uses**

- |                                |   |
|--------------------------------|---|
| (a) Care facility, minor       | (e) Secondary suite                       |
| (b) Carriage house             | (f) Short-term rental                     |
| (c) Duplex                     | (g) Short-term rental (bed and breakfast) |
| (d) Home based business, major | (h) Single detached dwelling              |

#### **.21 Development Regulations**

- (a) Hillside Housing Single Family shall be developed in conformance with the “Compact Single Family Housing” of this zone except:
  - i. The density shall be 12 units per hectare.
  - ii. The minimum parcel size shall be 835 m<sup>2</sup>.
  - iii. Minimum frontage of 18.0 m (59.1 ft), a reduction in frontage of down to 12.0 m (39.4 ft) will be permitted on a cul-de-sac provided the minimum arc length along the 6.0 m (19.7 ft) offset line is 18.0 m (59.1 ft).
  - iv. There shall be two trees per parcel or per unit which may be comprised of existing trees or new trees. Required trees should have a minimum clear-stem height of 1.5 m (4.9 ft) for deciduous trees, while coniferous trees should be at least 2.5 m (8.2 ft) high. The intention is to protect or restore the natural environment in order to screen the development on the hillside.

- v. Parcels along the top of the ridge to the west of the Village Centre shall have a 10.0 m (32.8 ft) setback from the area designated "Open Space". One additional coniferous tree shall be planted within this minimum siting distance per each unit facing onto it in order to screen the development.
- vi. A single lane emergency roadway connecting to a main road at each end may be constructed within the 10.0 m (32.8 ft) minimum siting distance mentioned above. This single lane road will double as a public walkway.

### **CD1(F) School/Park**

#### **.22 Permitted Uses**

- (a) Public School
- (b) Public Play fields
- (c) Public Parks

#### **.23 Development Regulations**

- (a) All buildings and structures shall be a minimum distance of 6.0 m (19.7 ft) from public roads and a minimum distance of 7.5 m (24.6 ft) from any other parcel boundary.
- (b) The building is to front onto the major east/west road connecting to Westlake Road. No parking is to occur between the building and this major road, and this area shall be landscaped.
- (c) Off street loading bays for busses and parents should be incorporated into the design.

### **CD1(G) Open Space**

#### **.24 Permitted Uses**

- (a) Trails
- (b) Interpretive Centre
- (c) Passive Recreation

#### **.25 Development Regulations**

- (a) Structures for park purposes shall be constructed in conformance with the B.C. Building Code and will be subject to approval from the Parks Department and/or the Parks Advisory Committee.

## **15.4 CD2 - COMPREHENSIVE DEVELOPMENT ZONE (THE COVE RESORT)**

### **.1 Purpose**

This zone provides for the development of a resort hotel as well as residential units which include two or more land use designations and accessory grounds as an integrated unit based upon a comprehensive development project. Density and open space are based on an averaging of all lands within the development. Year round occupancy is allowable within each of the residential/hotel units.

### **.2 Principal Uses Permitted**

Hotel/resort and related facilities, which allows for year round occupancy for residents, accessory buildings and structures, including convenience store, boat docking and launching facilities.

### **.3 Secondary Uses Permitted**

- (a) Care facility, major
- (b) Home based business, minor
- (c) Private open space
- (d) Accessory uses, buildings and structures

### **.4 Conditions of Use**

- (a) Buildings and structures permitted:
  - i. Hotel/resort structures
  - ii. Accessory buildings and structures
- (b) Within the CD2 Zone, the lands shall be developed for hotel/resort/residential use in accordance with the plans of the comprehensive development project as approved and incorporated as CD2, Map 1 (pages 1 - 5) attached to this Part.
- (c) The density and uses shall be developed in accordance with the text of this zone and with the plans of the comprehensive development project generally in accordance with CD2, Map 1, (pages 1 - 5) attached to this Part. The design elements are conceptual in nature and as outlined on the said CD2, Map 1 and may vary as outlined in the development permit approved by the City.
- (d) Parcel Coverage - A maximum 40% of total area to be constructed to buildings.
- (e) Numbers of Units - A maximum of 150 hotel/resort/residential units with this density being applicable to and constructed within Lot 1, DL 487, ODYD, Plan KAS3058 (4205 Gellatly Road).

**.5 Maximum Height of Buildings and Structures**

- (a) Hotel/resort – 16.0 m (52.5 ft) to the roof ridge for the mass of the building, with 18.0 m (59.1 ft) for the roof ridge of the centre wing of the building, increasing to 20.0 m for ornamental peaks.
- (b) Accessory buildings and structures – 6.0 m (19.7 ft)
- (c) Elevator and stair housing roof top structures and other necessary appurtenances, including one television antenna or dish shall project no more than 4.5 m (14.8 ft) above the permitted maximum height of the principal building, provided their combined width, exclusive of the television antenna does not exceed 7.5 m (24.6 ft) and all such structures shall be enclosed by an appropriate screen.

**.6 Siting Regulations and Site Statistics**

- (a) All buildings and structures shall be sited generally in accordance with CD2, Map 1 (pages 1- 5) attached to this Part.
- (b) Minimum Frontage – 50.0 m (164.0 ft)

**.7 Private Open Space**

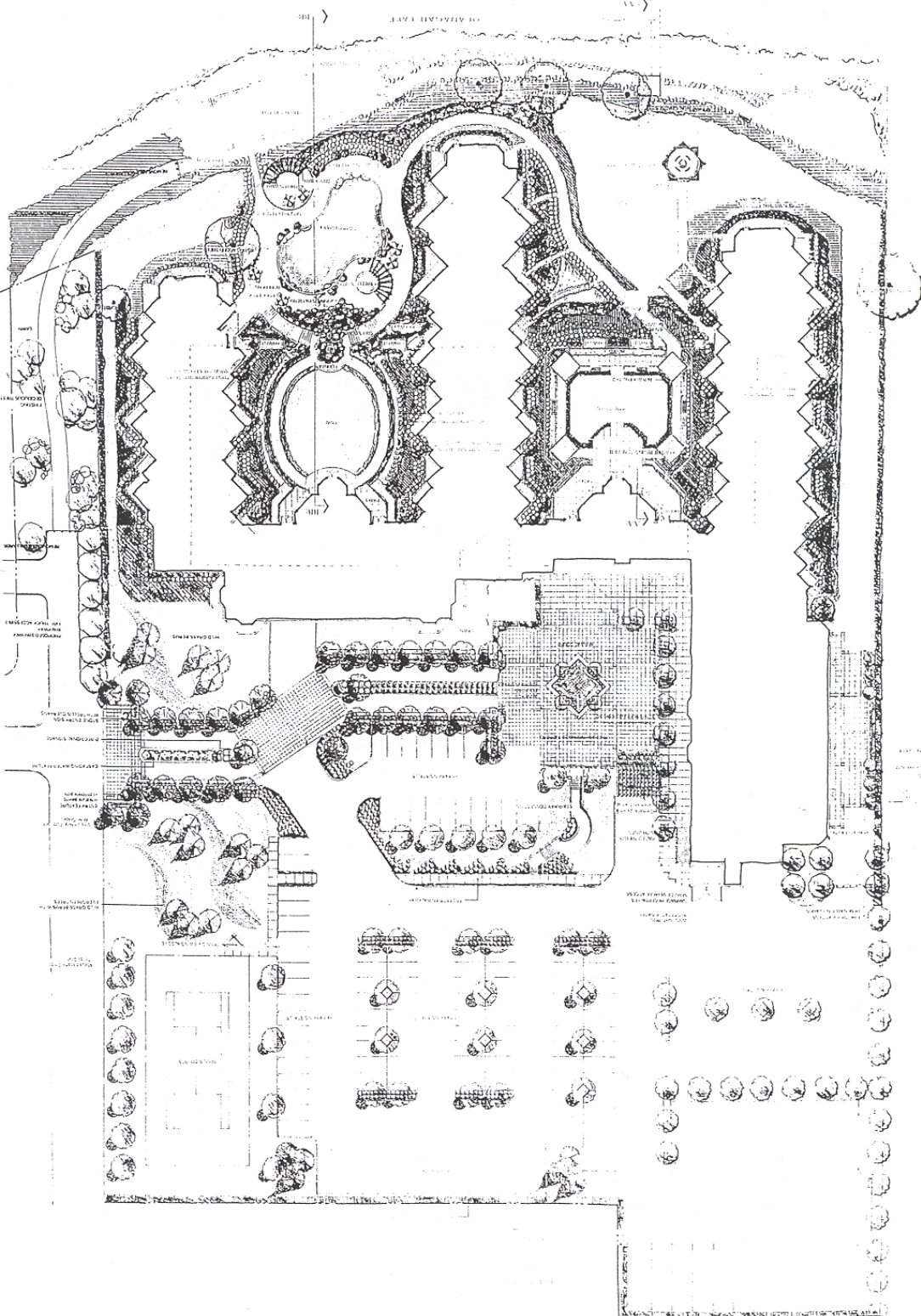
- (a) Private open space for the site shall be located generally in accordance with CD2, Map 1 (pages 1- 5), attached to this Part.

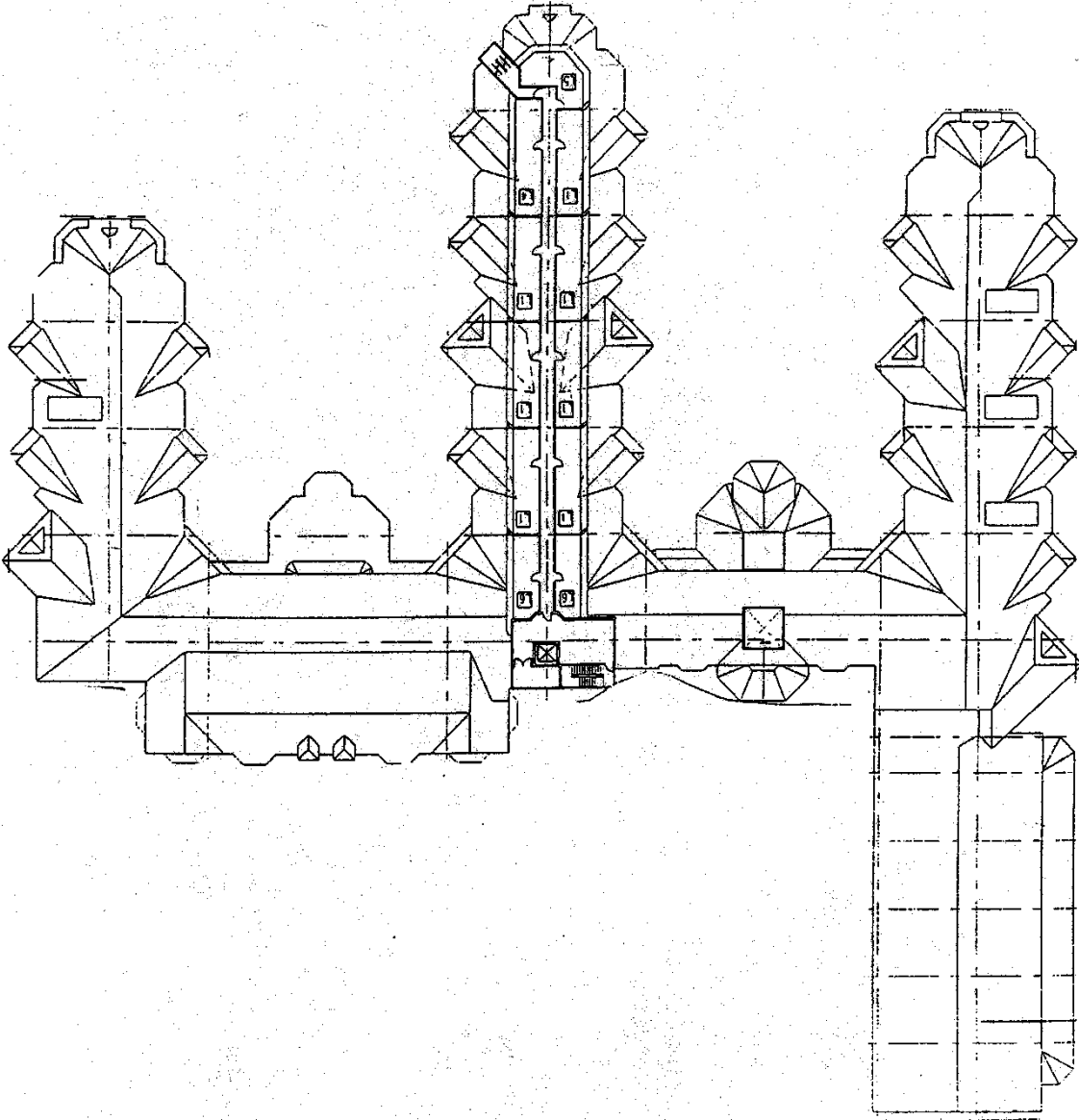
**.8 Off-Street Parking**

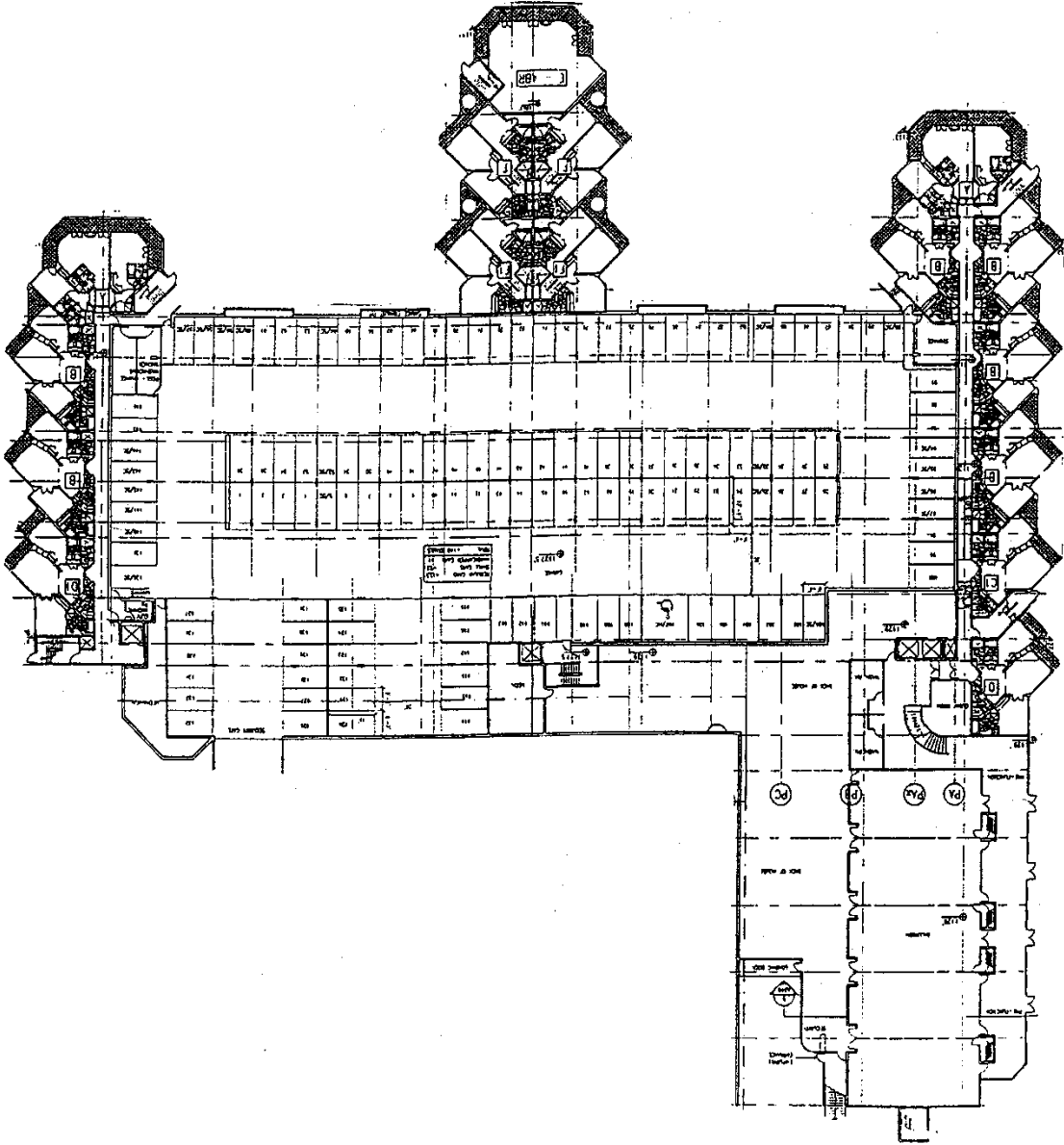
- (a) Off-street parking will be provided generally in accordance with CD2, Map 1 (pages 1- 5), attached to this Part. There will be a minimum of 175 parking spaces provided.

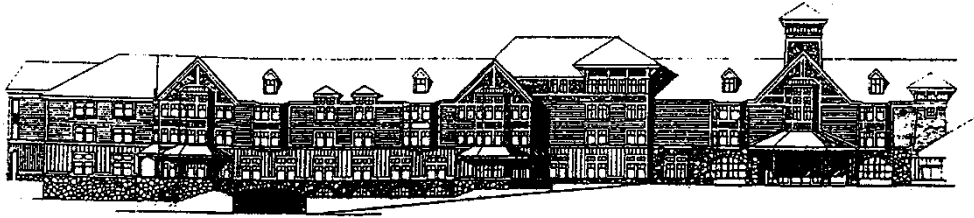
**.9 Off-Street Loading**

- (a) Off-street loading will be provided generally in accordance with CD2, Map 1 (pages 1- 5), attached to this Part.

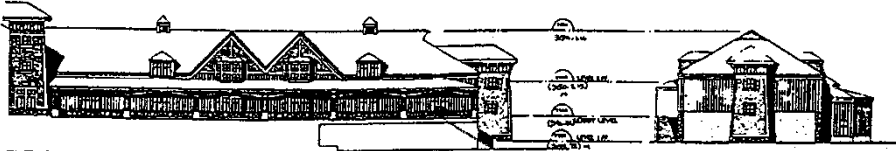






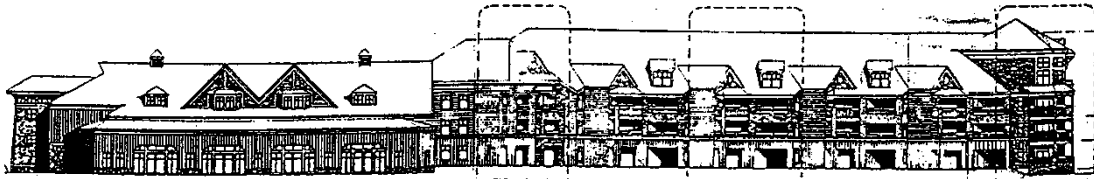


ELEVATION A



ELEVATION B

ELEVATION C

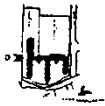


ELEVATION D

FARMHOUSE  
APPROX. 100' x 100'  
 REFER TO PHYSICAL  
 ELEVATION ONE, 100'

COTTAGE  
APPROX. 100' x 100'  
 REFER TO PHYSICAL  
 ELEVATION ONE, 100'

Lighthouse  
APPROX. 100' x 100'  
 REFER TO PHYSICAL  
 ELEVATION ONE, 100'



## 15.5 CD3 (A-C) - COMPREHENSIVE DEVELOPMENT ZONE (MISSION RIDGE ESTATES)

### .1 Purpose

To redistribute density in order to conserve part of the site with uses not related to housing. The Mission Ridge Estates Concept Development Zone is divided into several sectors. Development within each sector is to occur as per the specifications indicated.

### .2 Total Land Area - 6.91 HA

- (a) The land uses described in this zone shall be distributed as follows:
- i. **CD3A** Compact Housing Area -- not more than 2.16 hectares;
  - ii. **CD3B** Multiple Duplex Housing -- not more than 3.07 hectares; and
  - iii. **CD3C** Green Space Area -- not less than 24% of total land area;

in accordance with the attached site plan titled Schedule "A". The exact location of these sectors will be fixed at the time of subdivision through restrictive covenant under Section 219 of the *Land Title Act*.

### CD3A – Compact Housing Area

### .3 Permitted Uses

- |  |                                |
|--|--------------------------------|
| (a) Accessory uses, buildings and structures | (d) Duplex                     |
| (b) Care facility, minor                     | (e) Home based business, major |
| (c) Carriage house                           | (f) Secondary suite            |
|  | (g) Single detached dwelling   |

### .4 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	400 m <sup>2</sup>
(b)	Minimum parcel frontage	12.0 m (39.4 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum parcel coverage	60% of the parcel area
(d)	Maximum number of single detached or duplex dwellings	1 per <i>parcel</i>
(e)	Minimum building width of principal building	5.5 m (18.0 ft)
(f)	Maximum number of secondary suites	Only 2 secondary suites per parcel, where a maximum of 1 secondary suite is permitted within a: - single detached dwelling - carriage house; or - each half of a duplex
(g)	Maximum number of carriage houses (accessory to a single detached dwelling only)	1 per parcel
(h)	Maximum building height:	
i.	Principle buildings	11.0 m (36.0 ft), 3 storeys
ii.	Accessory uses, building and structures	5.0 m (16.4 ft)
iii.	Carriage house	8.0 m (26.2 ft)

SITING REGULATIONS		
(i)	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:	
i.	Front parcel boundary	2.0 m (6.6 ft)
ii.	Interior side parcel boundary	1.2 m (3.9 ft)
iii.	Exterior side parcel boundary	2.0 m (6.6 ft)
iv.	Rear parcel boundary	2.0 m (6.6 ft)
v.	Highway	4.5 m (14.8 ft)
vi.	Parcels in another zone	4.5 m (14.8 ft)
vii.	A1 Zone	15.0 m (49.2 ft)

## .5 Other Regulations

- (a) Where side-by-side duplex units are subdivided under the *Land Title Act* or *Strata Property Act*, minimum parcel area and minimum parcel frontage shall not apply provided that each parcel so created contains not less than one half the minimum parcel area and not less than one half the minimum frontage specified, and the interior side parcel boundary shall not apply.

## CD3B – MULTIPLE DUPLEX HOUSING AREA

### .6 Permitted Uses

- |                                |  |
|--------------------------------|--|
| (a) Single detached dwelling   | (d) Care facility, minor                     |
| (b) Duplex                     | (e) Accessory uses, buildings and structures |
| (c) Home based business, minor |  |

### .7 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Maximum parcel frontage	20.0 m
DEVELOPMENT REGULATIONS		
(b)	Maximum number of units	38
(c)	Maximum parcel coverage	35% of the <i>parcel area</i>
(d)	Maximum building height:	
i.	Principle buildings	9.5 m (29.5 ft)
ii.	Accessory uses, buildings and structures	5.0 m (16.4 ft)
SITING REGULATIONS		
(e)	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:	
i.	Interior side parcel boundary	3.0 m
ii.	Rear parcel boundary	9.0 m

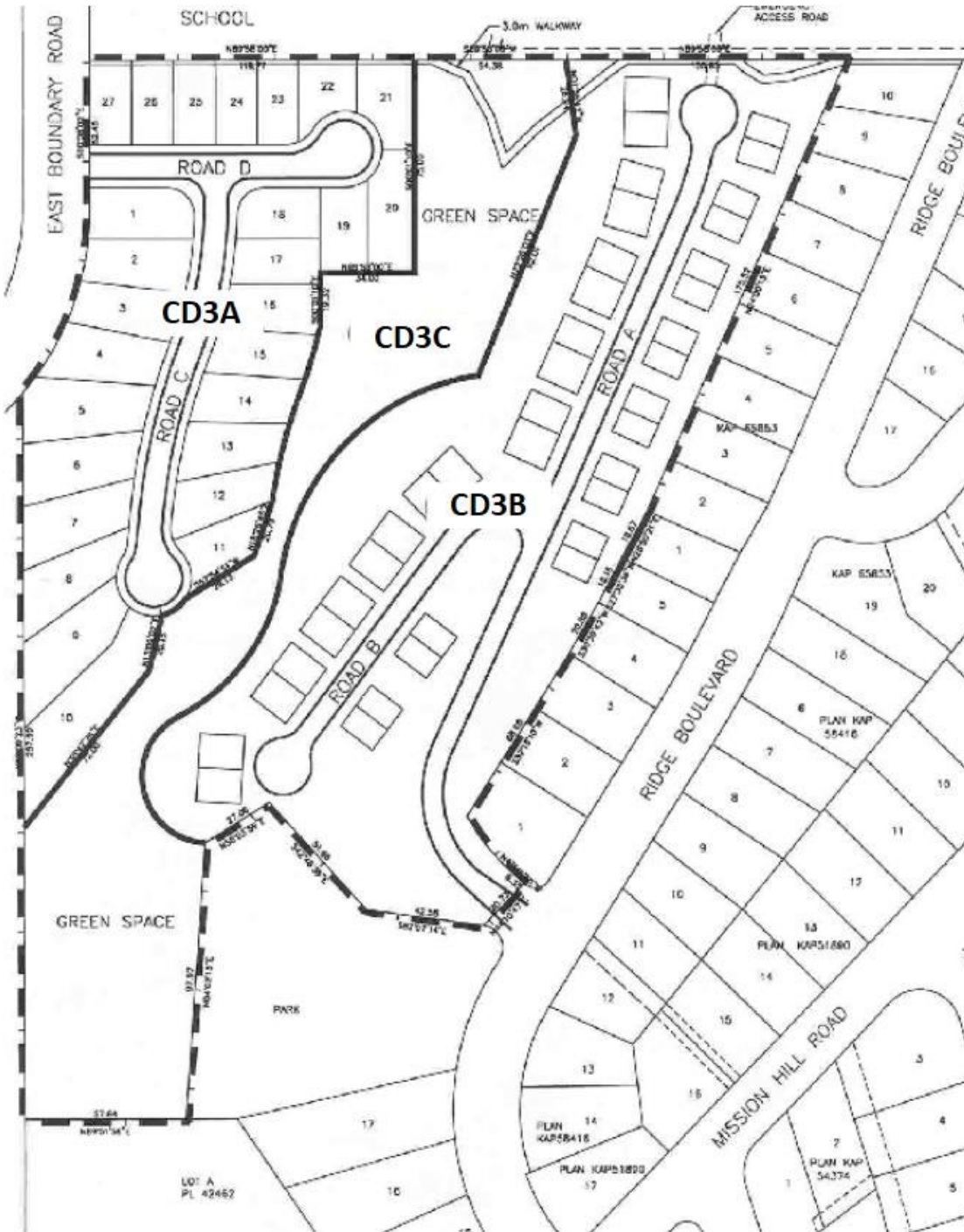
## CD3C – GREEN SPACE AREA

### .8 Permitted Uses

- (a) Undisturbed open space  
 (b) Disturbed, rehabilitated open space  
 (c) Trails  
 (d) Benches

- .9 The CD3C green space area is intended to remain largely natural.

Schedule "A"



## 15.6 CD4 - COMPREHENSIVE DEVELOPMENT ZONE (THE PINES OF MISSION HILL)

### .1 Purpose

This zone provides for a mix of single detached housing, duplex housing and an amenity building.

### .2 Permitted Uses

Those uses permitted within this zone are limited to:

- (a) Five (5) single detached dwellings
- (b) Three (3) duplex buildings
- (c) One gatehouse (amenity building) for uses associated with the winery operation and/or for community association meetings

### .3 Conditions of Use

- (a) Buildings and structures permitted:
  - i. Single detached dwelling (maximum of 5 units)
  - ii. Duplex (maximum of 6 dwelling units)
  - iii. Amenity building (limited to one gatehouse building)
- (b) The site shall be developed in accordance with the text of this zone, the Agricultural policies of the OCP, and in accordance with CD4, Map 1 attached to this bylaw. The design and layout on CD4, Map 1 may vary as outlined in the Development Permit approved by the City.
- (c) Maximum Parcel Coverage: 12% of the parcel area, as per CD4, Map 1.
- (d) Single Detached and Duplex Housing: These housing units shall be used strictly for guest accommodation for visiting wine authorities, dignitaries, international journalists and those visitors related to the wine industry. No units shall be rented or leased.
- (e) Amenity Building: This building shall be specifically designed for wine related events however may be used for community association meetings.

### .4 Regulations Table

<b>SUBDIVISION REGULATIONS</b>		
<b>(a)</b>	<b>Minimum parcel frontage</b> (measured along Mission Hill Road)	232.0 m (762 ft)
<b>DEVELOPMENT REGULATIONS</b>		
<b>(b)</b>	<b>Minimum parcel area</b>	11,371 m <sup>2</sup> (122,403 ft <sup>2</sup> )
<b>(c)</b>	<b>Maximum parcel coverage</b>	12%
<b>(d)</b>	<b>Parking spaces</b>	22 spaces / 11 units = 2 per unit
<b>SITING REGULATIONS</b>		
<b>(e)</b>	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:	
i.	Front parcel boundary	4.5m (14.8 ft)
ii.	Exterior side parcel boundary	4.5m (14.8 ft)
iii.	Rear parcel boundary	9.0 m (29.5 ft)
iv.	A1 Zone	15.0 m (49.2 ft)

**.5 Tree Retention**

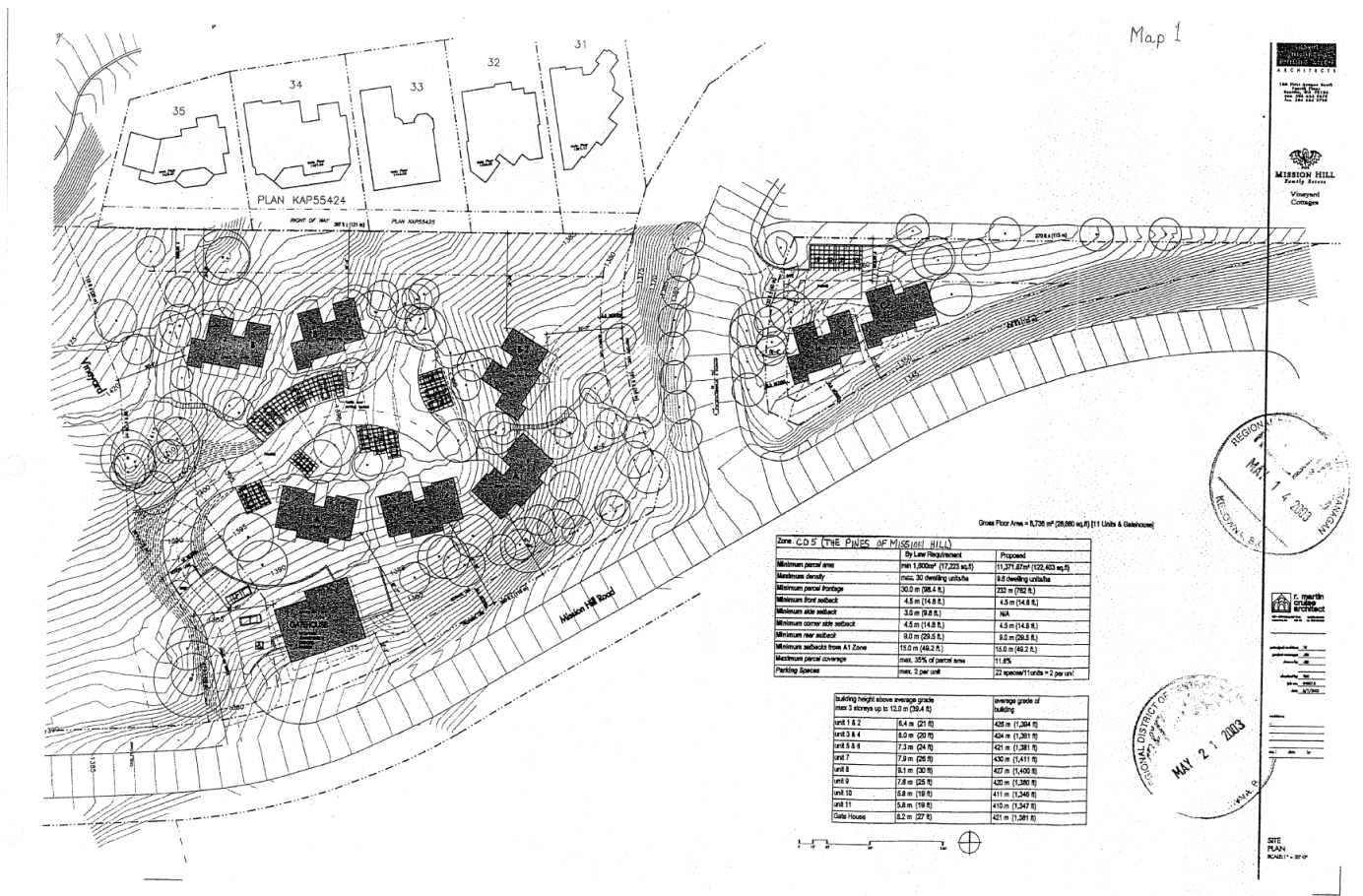
- (a) The landscaping and tree retention shall be in accordance with CD4, Map 2 attached to this bylaw indicating retention of the majority of the trees and supplemental planting, and as outlined in a Development Permit approved by the City.

**.6 Agricultural Land Reserve Buffer**

- (a) A landscaped buffer shall be provided along the west side of the development site in accordance with Section 3.23 of Part 3 of this bylaw.

**.7 Off-Street Parking and Loading**

- (a) Off-street parking and loading shall be provided in accordance with CD4, Map 1 attached to this bylaw, and as per Part 4 of this bylaw.





## 15.7 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** means 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** means 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

- (a) The entire 3.56 hectare subject property is located within the Agricultural Land Reserve.
- (b) 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.
- (c) Area Breakdown for Entire Parcel (as shown in attached Figures 1 and 2), and as follows:

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

- (d) 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. 0320.

### .5 Principal Uses, Buildings and Structures

- (a) Agriculture, general and agriculture, 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

<b>SUBDIVISION REGULATIONS</b>		
<b>(a)</b>	<b>CD5 Zone Area, after road dedications</b>	1.62 ha
<b>(b)</b>	<b>Minimum parcel frontage</b>	18.0 m (59.1 ft)
<b>DEVELOPMENT REGULATIONS</b>		
<b>(c)</b>	<b>Maximum building height</b> <i>-excluding mechanical &amp; elevator rooms</i> <i>-including exposed parkade level</i>	26.0 m (85.3 ft) to a maximum of 5 storeys
<b>(d)</b>	<b>Maximum parcel coverage</b>	40%
<b>(e)</b>	<b>Maximum floor area ratio</b>	2.0
<b>(f)</b>	<b>Minimum # of parking stalls:</b> <i>-Further parking regulations will be defined by Part 4 of Zoning Bylaw No. 0320, and this zone will be considered as a P Zone in this regard.</i>	1 per 30 m <sup>2</sup> GFA
<b>SITING REGULATIONS</b>		
<b>(g)</b>	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:	
i.	Brown Road	6.0 m (19.7 ft)
ii.	Bering Road	6.0 m (19.7 ft)
iii.	Elliott Road	6.0 m (19.7 ft)
iv.	Corner cuts of Bering/Brown Road and Bering/Elliott Road (as shown on Figure 2)	4.5 m (14.8 ft)
v.	A1 zoned portion of subject property	15.0 m (49.2 ft)

## .8 Agricultural Land Uses

- (a) 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 (16.4 ft) vegetative buffer will be required within the 15.0 m (49.2 ft) 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 Siting Regulations from agricultural lands for taller buildings regulations of Section 3.23 of Part 3 of this bylaw.
- (b) Environmental Allowance:
- i. As per the attached Figure 2, a 3.0 m (9.8 ft) 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 (19.7 ft) 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 (9.8 ft) 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.

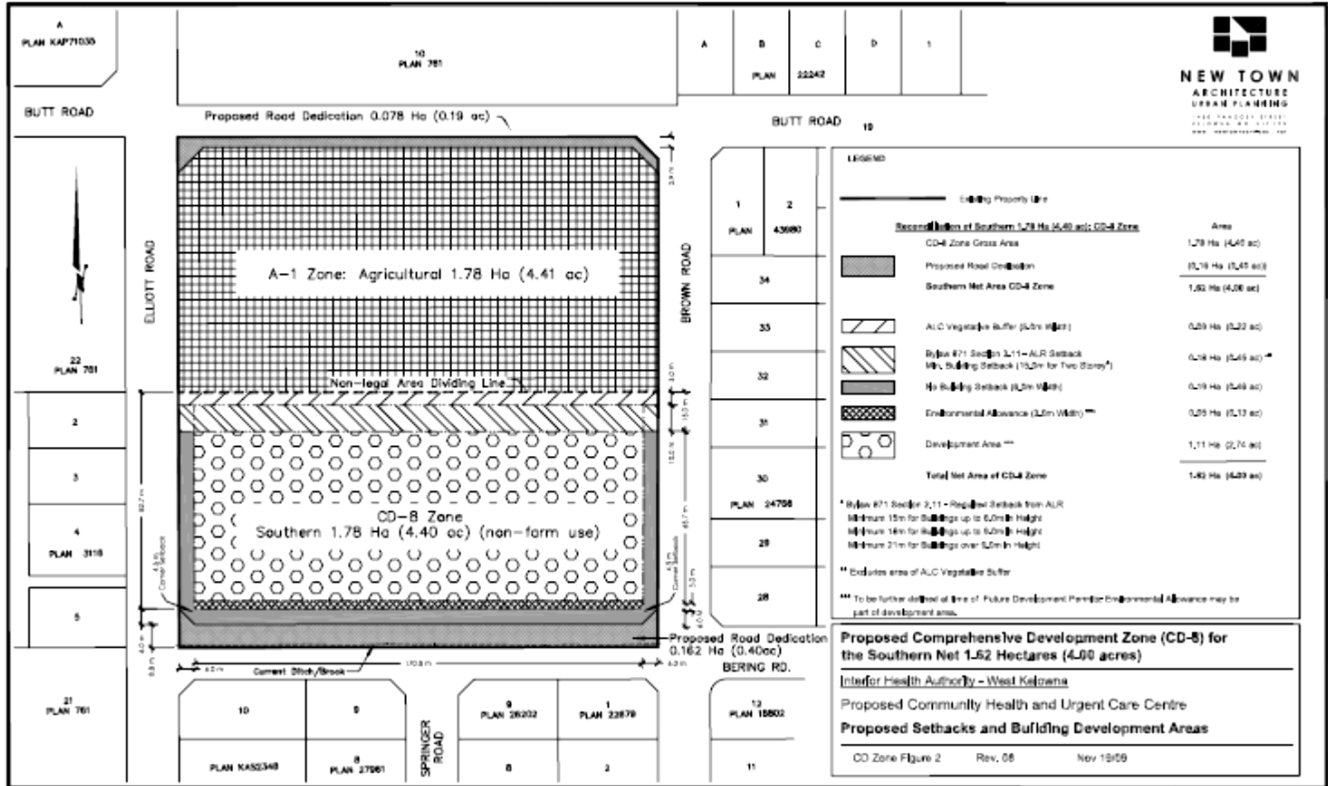
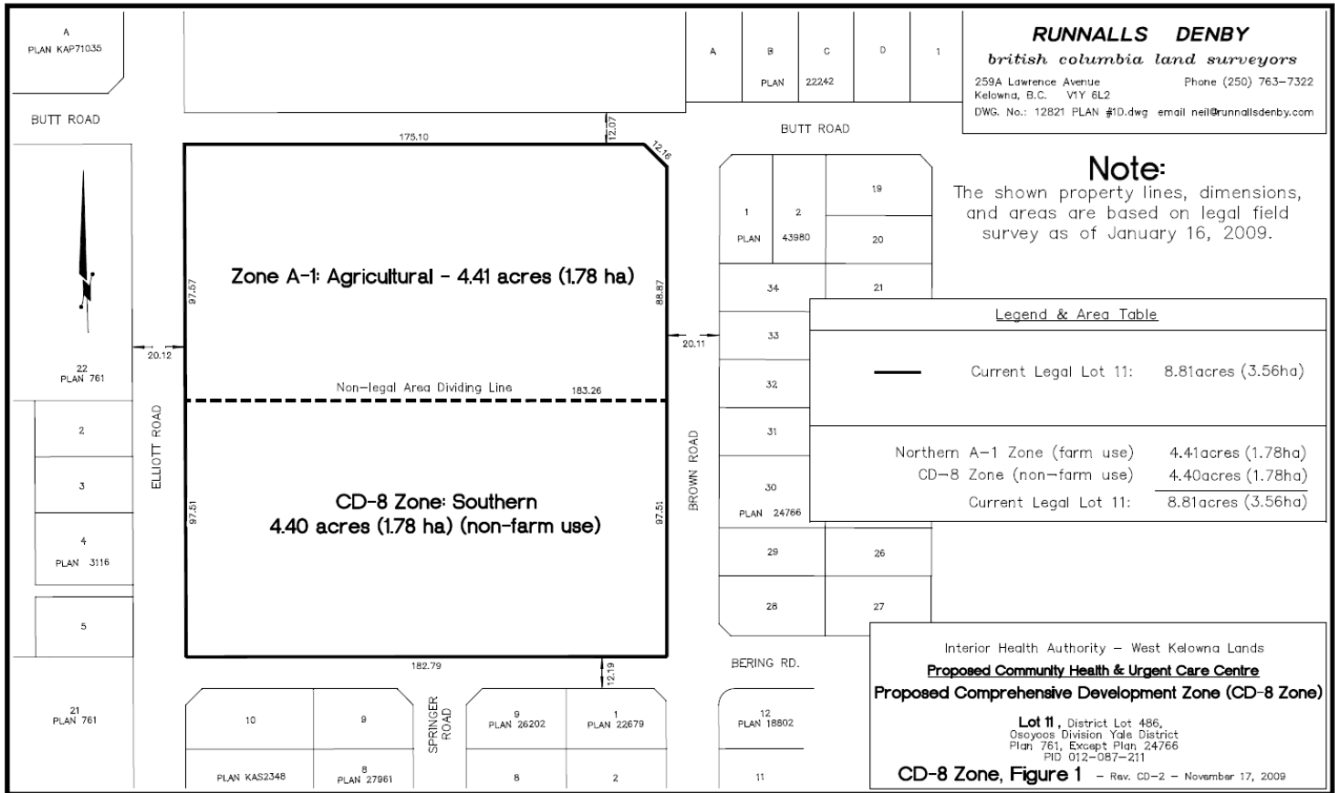
## .11 Development Permits

- (a) Aquatic Ecosystem Development Permit:
- i. In accordance with the Official Community Plan, the subject property is located within an aquatic ecosystem development permit area.
  - ii. 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).



## 15.8 CD6 - COMPREHENSIVE DEVELOPMENT ZONE (MISSION HILL)

### .1 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.

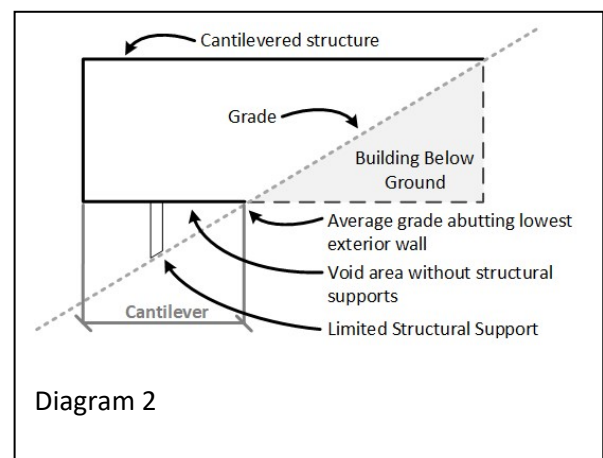
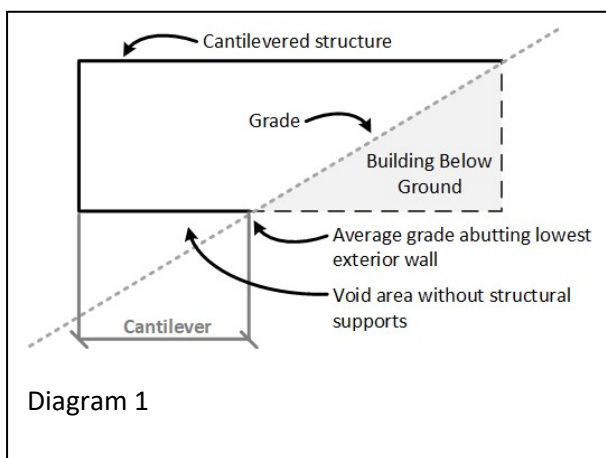
### .2 Purpose

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 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.

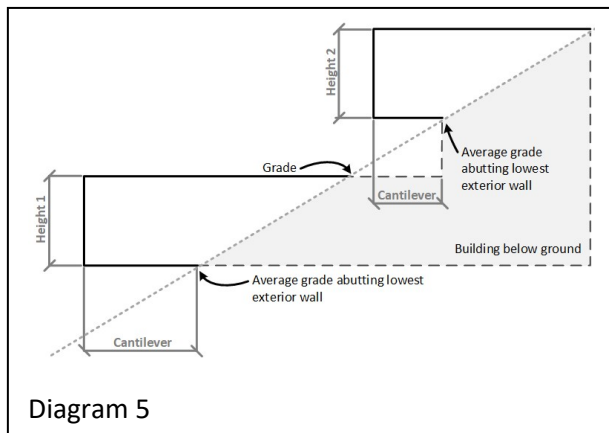
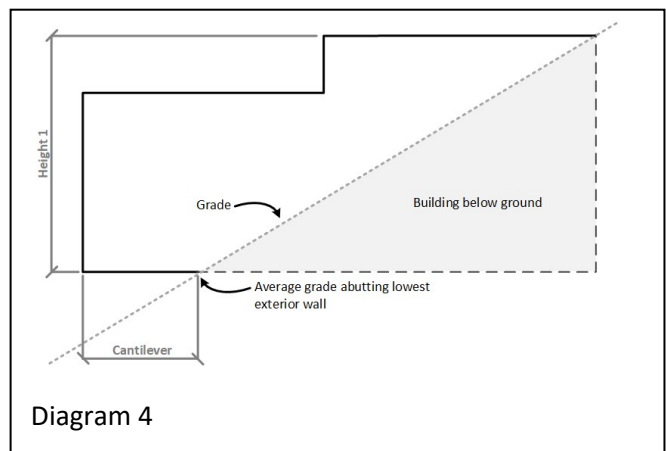
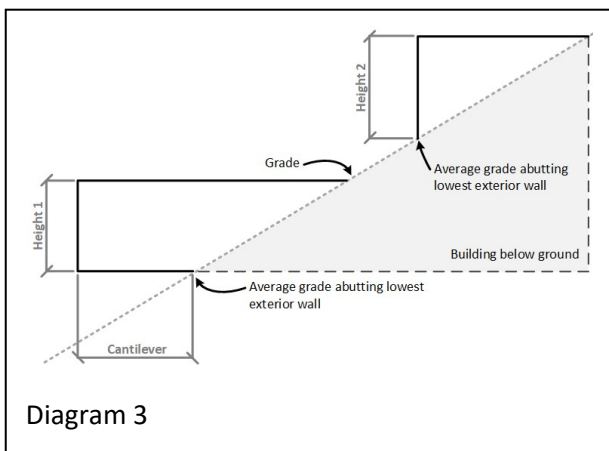
**FUNICULAR RAILWAY** means railway operated to move goods and people up and down a steep slope in an enclosed car.

**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 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		
(a)	Area A:	76,070 sq. metres
(b)	Area B:	7,940 sq. metres
(c)	Area C:	25,670 sq. metres
(d)	Area D:	8,300 sq. metres
(e)	Area E:	38,555 sq. metres
(f)	Total Parcel Area	156,535 sq. metres (15.6 ha)

#### .5 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.

##### (a) Density and Floor Area

- i. Each Development Area has a maximum floor area assigned to it in the following table:

Maximum Floor Area and Maximum Units by Use		
(a)	Art Gallery	500 sq. metres
(b)	Artist In-residence	600 sq. metres
(c)	Hotel (Auberge), to a maximum of 120 units	7,700 sq. metres
(d)	Conference Centre	1,200 sq. metres
(e)	Gatehouse, to a maximum of 2 units	350 sq. metres
(f)	Guest Cottage, to a maximum of 37 units	3,700 sq. metres
(g)	Restaurant	1,000 sq. metres
(h)	Wellness Centre	1,200 sq. metres
(i)	Winery, Cidery, Distillery and Micro-Brewery	19,150 sq. metres
(j)	Wine Museum	1,200 sq. metres

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

- iii. 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.

**(b) Height Exemptions**

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

- i. A maximum of one (1) bell tower;
  - c) No more than 34.0 m (111.5 ft) in height
- ii. Elevator penthouses;
  - a) No more than 4.0 m (13.1 ft) in height
- iii. Roof top stairway accesses;
  - a) No more than 4.0 m (13.1 ft) in height
- iv. Guard rails;
  - a) No more than 1.52 m (5.0 ft) in height;
  - b) 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
  - c) Openings in the guard rails may be filled with clear glass or similar material.
- v. Trellises;
  - a) No more than 3.05 m (10.0 ft) in height;
  - b) Trellises exceeding maximum building or structure heights specified in the Development Area regulations must have a transparent character;
  - c) 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 m (2.0 ft) below the top of the trellis;
  - d) 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;
  - e) 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
  - f) The minimum height of horizontal framing members other than guard rails shall be 2.13 m (7.0 ft) above the grade or deck surface where the trellis is located.

**(c) Setbacks & Site Coverage**

- i. For the purpose of this zone, the following regulations apply:

<b>Zoning Regulation</b>		<b>Requirement</b>
(a)	Minimum Parcel Area	156, 000 sq. metres
(b)	Maximum Parcel Coverage	15 %
(c)	Minimum Front Setback	45 m (147.6 ft)
(d)	Minimum Side Setback	4.5 m (14.8 ft)
(e)	Minimum Rear Setback	90 m (395.3 ft)

- ii. For the purpose of this Zone:
  - a) Front setbacks shall be measured from parcel boundaries abutting Ridge Boulevard;

- b) Rear setbacks shall be measured from parcel boundaries abutting Plan KAP 48244 and Plan 36364; and
  - c) All other setback locations shall be considered side setbacks.
- iii. Building setbacks are further illustrated on Figure 4, which is attached to this CD6 Zone.

**(d) Parking**

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

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

- ii. 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
(a)	Phase 1	129	108	237
(b)	Phase 2	257	130	388
(c)	Phase 3	290	136	425
(d)	Phase 4	315	140	455

- iii. 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.

**(e) Fencing**

- i. Part 3.12 of this bylaw applies except that:
- a) A solid screen not less than 2.0 m (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.
  - b) No fence in the CD-6 zone shall contain razor wire, electrified wire, sheet metal, or corrugated metal.

**(f) Landscaping**

- i. 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.

**(g) Form and Character of Buildings and Structures**

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

**(h) Cantilevered Structures**

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

**.6 Development Permits**

- (a) 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:
  - i. Hillside;
  - ii. Sensitive Terrestrial Ecosystems, for protection of identified ESA1 areas including buffers;
  - iii. Commercial Form and Character; and/or
  - iv. Landscape, Fence and Street Interface.

**.7 Permitted Uses and Zoning Regulations by Development Area:****(a) Development Area A:**

- i. Permitted Uses:
  - a) Winery, Cidery, Distillery, Micro brewery
  - b) Gatehouse
  - c) Helicopter Landing Facility

- d) Restaurant
  - e) Artist in-residence
  - f) Retail
- ii. Maximum Floor area and Density:
    - a) A maximum of 20,100 sq. metres
    - b) A maximum of 0.264 FAR
  - iii. Height:
    - a) The height of a building or structure must not exceed 21.0 m (68.9 ft)
- (b) Development Area B**
- i. Permitted Uses:
    - a) Guest cottage
  - ii. Maximum Floor area and Density:
    - a) A maximum of 2,800 sq. metres
    - b) A maximum of 0.36 FAR
  - iii. Height:
    - a) The height of a building or structure must not exceed 12.0 m (39.4 ft)
- (c) Development Area C**
- i. Permitted Uses:
    - a) Art gallery
    - b) Auberge
    - c) Conference centre
    - d) Funicular Railway
    - e) Restaurant
    - f) Retail
    - g) Wellness centre
    - h) Wine museum
  - ii. Maximum Floor area and Density:
    - a) A maximum of 12,800 sq. metres
    - b) A maximum of 0.50 FAR
  - iii. Height:
    - a) The height of a building or structure must not exceed 32.0 m (105.0 ft)
- (d) Development Area D**
- i. Permitted Uses:
    - a) Guest cottage
  - ii. Maximum Floor area and Density:
    - a) A maximum of 900 sq. metres
    - b) A maximum of 0.11 FAR
  - iii. Height:
    - a) The height of a building or structure must not exceed 12.0 m (39.4 ft)

**(e) Development Area E**

- i. No buildings or structures are permitted.

**.8 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

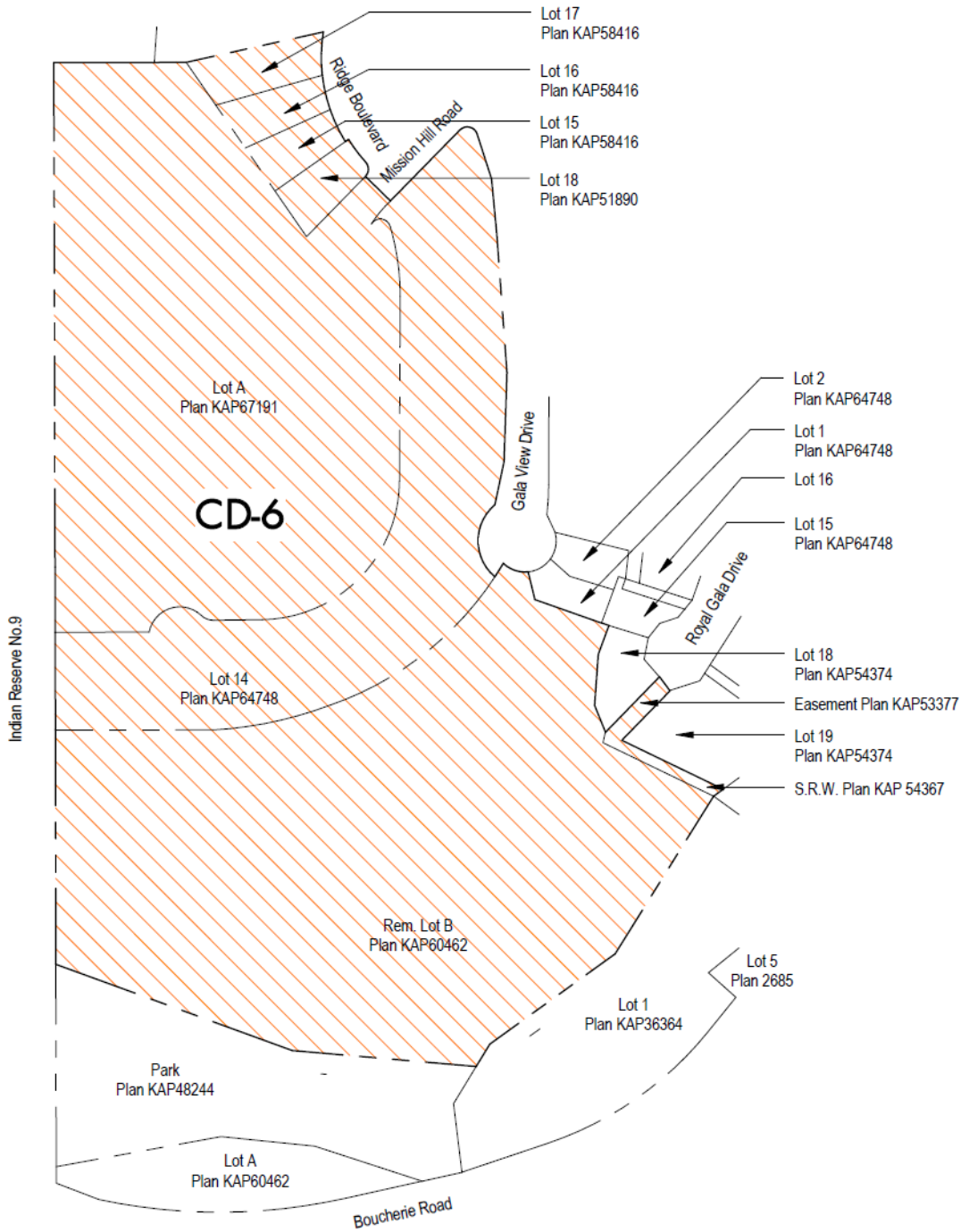


FIGURE 1 - ALL LANDS SHOWN AS MISSION HILL

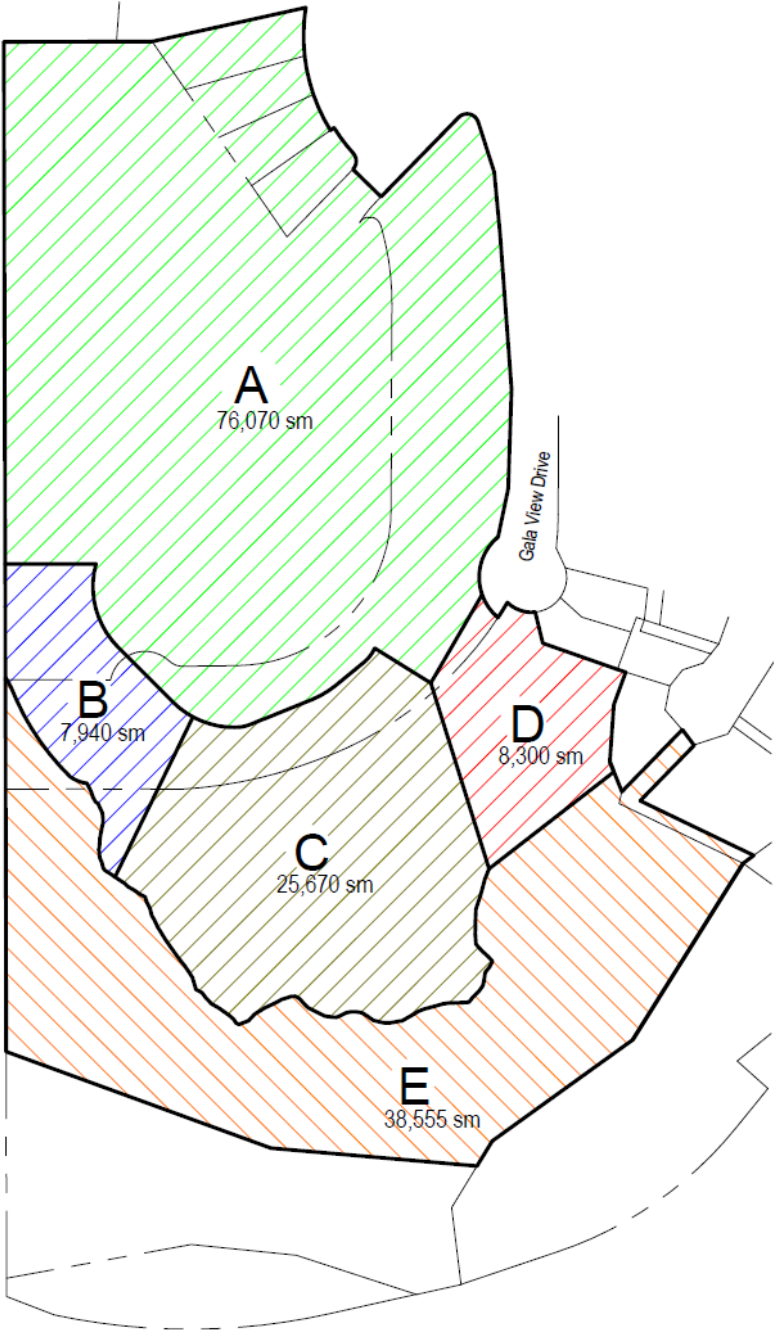


FIGURE 2 - DEVELOPMENT AREAS

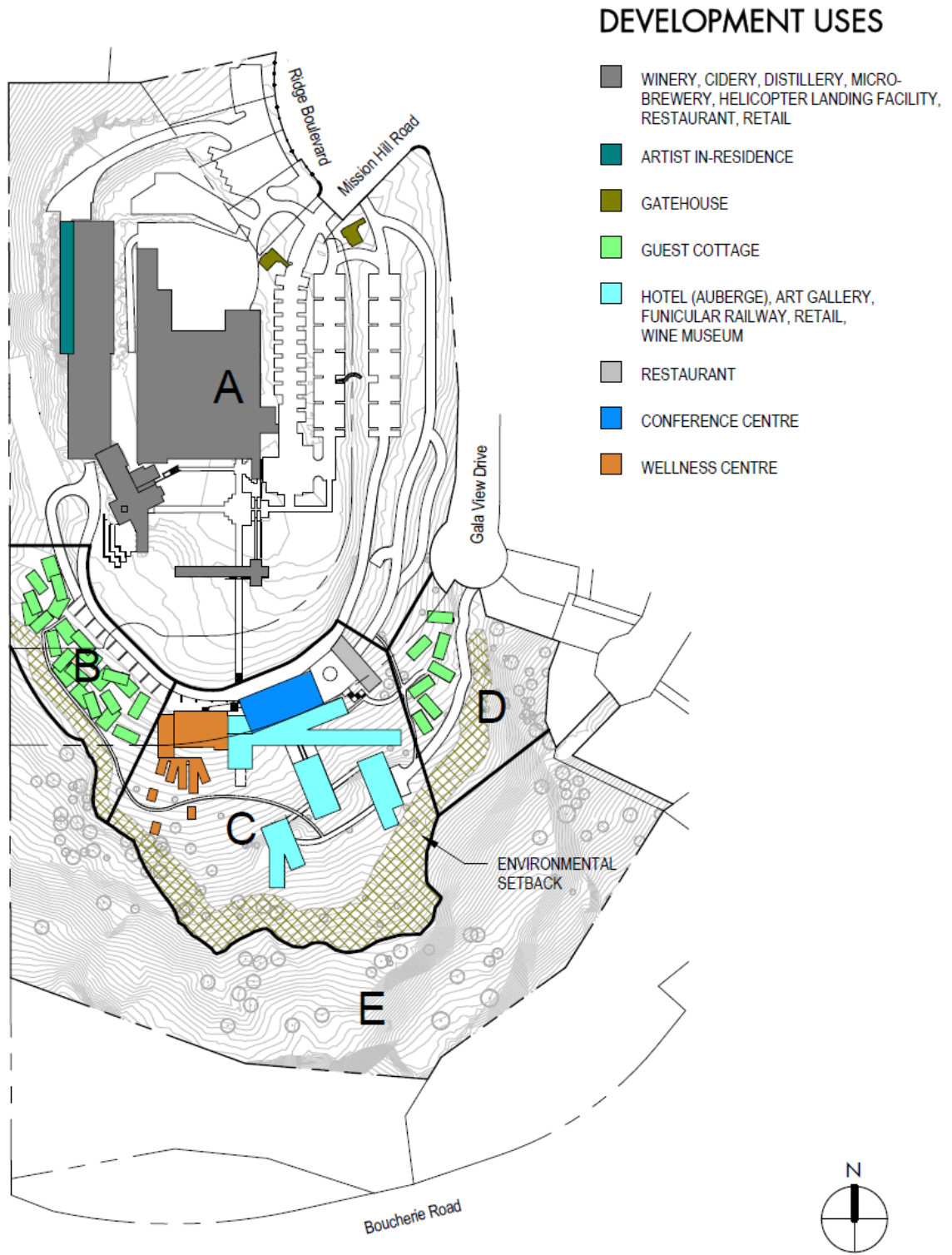


FIGURE 3 - SITE PLAN

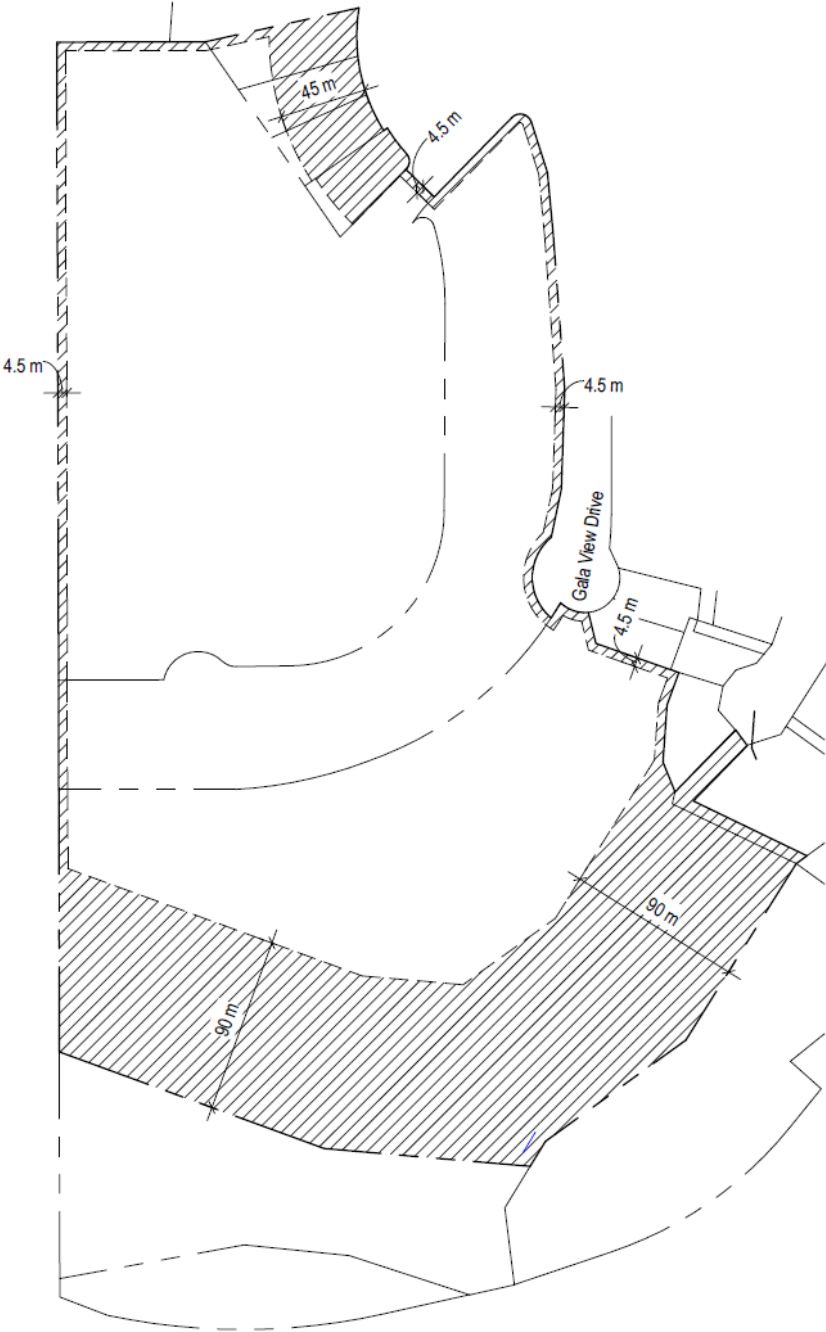
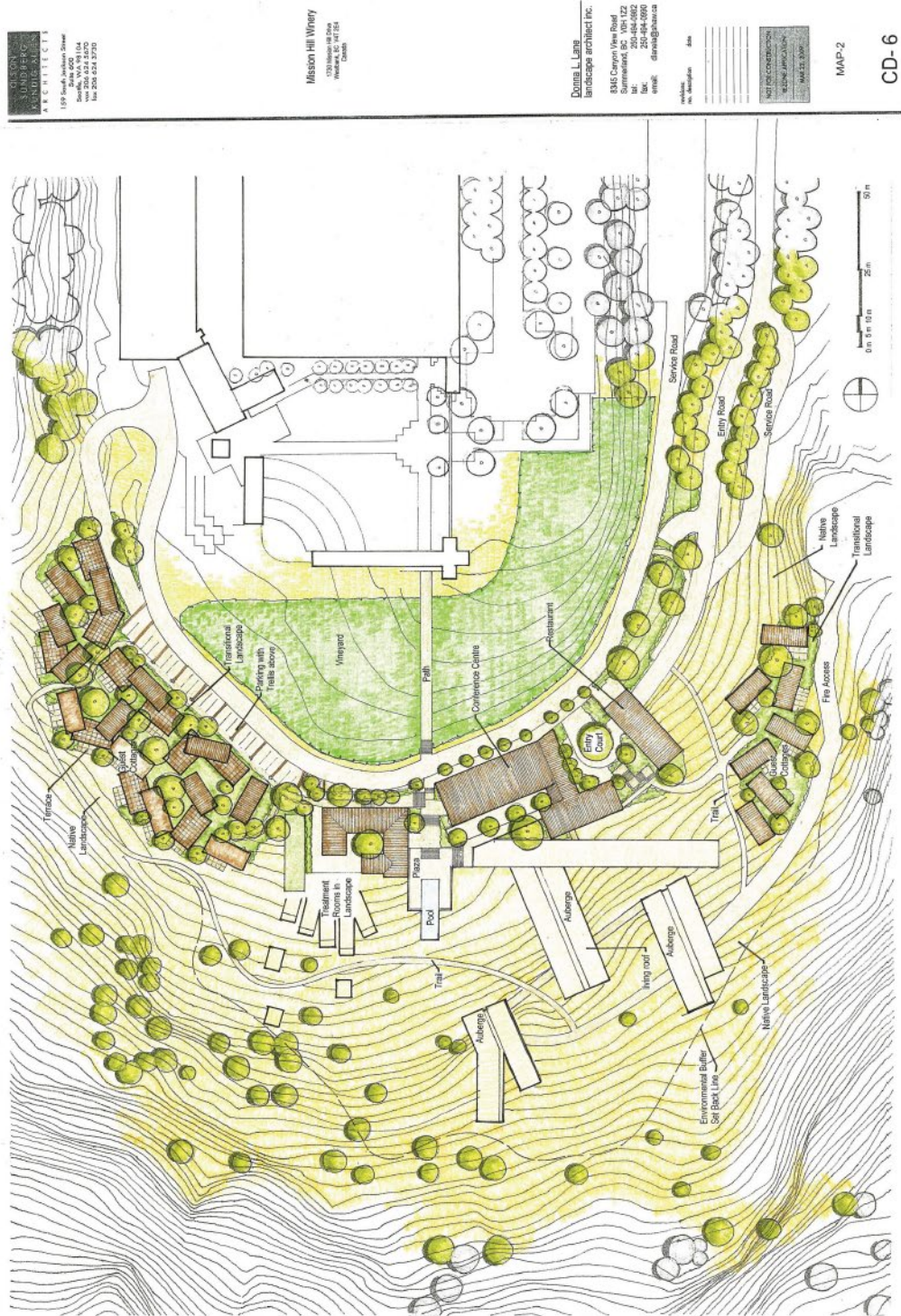


FIGURE 4 - BUILDING SETBACKS



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ARCHITECTS  
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Seattle, WA 98104  
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NOT FOR CONSTRUCTION  
DATE: 04/10/2014  
SCALE: 1:1000

MAP-2  
CD-6

FIGURE 5 - LANDSCAPE PLAN

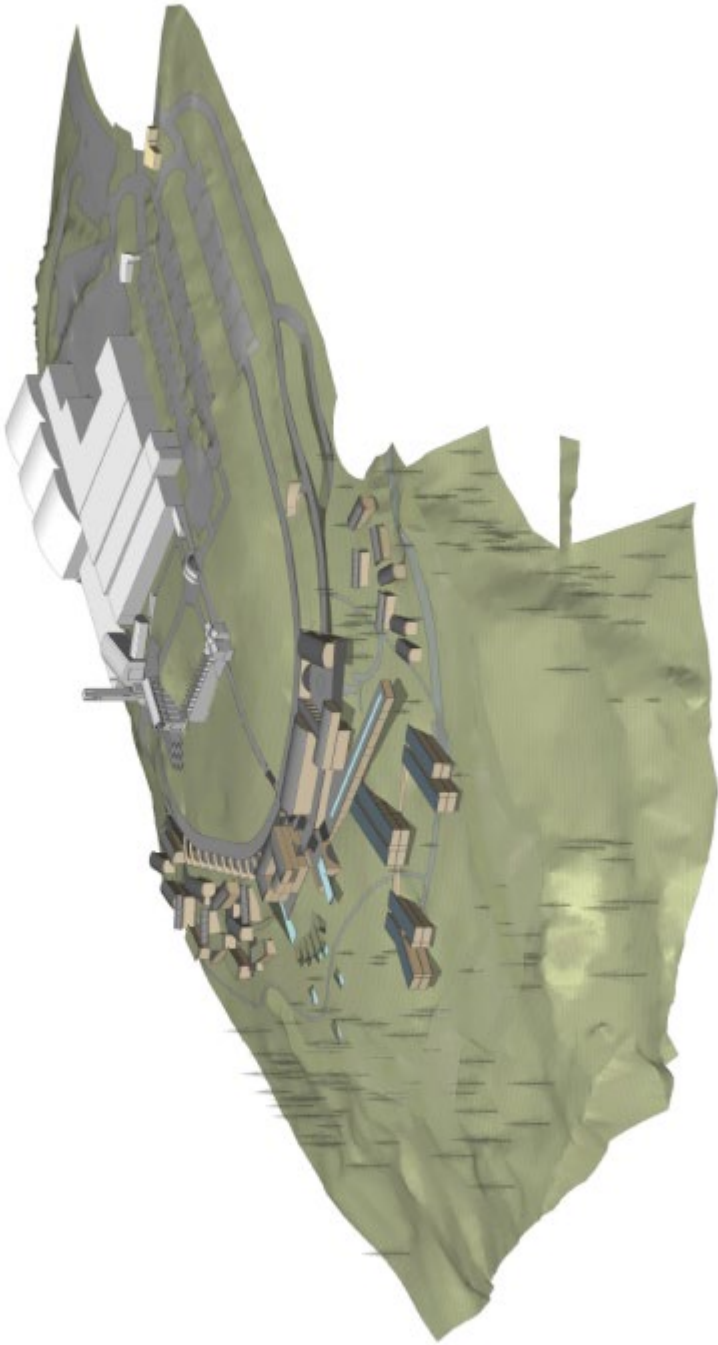


FIGURE 6 - CONCEPTUAL DRAWING

## 15.9 CD7 - COMPREHENSIVE DEVELOPMENT ZONE (WEST BAY ROAD)

### .1 Location

- (a) Civic Address: 3745 West Bay Road
- (b) Legal Description: Portion of Lot A, Plan 30699, DL 434, ODYD

### .2 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 Definitions

All definitions of Zoning Bylaw No. 0320 apply unless specified or modified in this CD-7 zone.

**FLOOR AREA RATIO** means 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 Development Areas

- (a) This CD Zone is divided into three development areas as shown on the CD-7 Figures 1 and 2.
- (b) Development Areas Within CD-7 Zone:

i.	Development Area A	1.46 ha (3.60 ac)
ii.	Agricultural Buffer Area B	0.32 ha (0.79 ac)
iii.	Pedestrian Access Area C	0.20 ha (0.49 ac)
iv.	Total Area	1.98 ha (4.89 ac)

### .5 General Regulations

- (a) All Administrative and Enforcement, Interpretation, General and Parking Regulations, Part 1, 2, 3 and 4 of Zoning Bylaw No. 0320, apply unless expressly specified or modified in this CD-7 zone.
- (b) 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:
  - i. 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).
  - ii. 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.
  - iii. 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 (11.5 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;
    - a) Elevator
    - b) Stair housing roof top structures and other necessary appurtenances

## .6 Permitted Uses And Zoning Regulations By Development Area

The following regulations are specific to each development area identified in the CD-7 *Figure 2*; all development in each of these areas will occur in conformance to the following regulations.

### (a) Development Area A

#### i. General

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

#### ii. Principal Uses:

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

#### iii. 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

#### iv. 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>	
.i	principal uses	11.0 m (36.0 ft) to a maximum of 3 storeys measured to the level halfway between the eaves and the ridge of the roof or parapet
.ii	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> Floor area ratio	0.5 FAR
j)	<b>Minimum</b> <i>Private Amenity Space (per unit)</i>	
.i	One (1) bedroom dwelling unit,	15 m <sup>2</sup> (161.4 ft <sup>2</sup> )
.ii	More than one (1) bedroom dwelling unit	25 m <sup>2</sup> (269.1 ft <sup>2</sup> )

**(b) Agricultural Buffer Area B**i. General

- a) 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.
- b) 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 3.23 Agricultural Buffers.

ii. Principal Uses:

- a) Buffer landscaping  
b) Parking and drive aisles

iii. 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

iv. Regulations Table for Agricultural Buffer Area B

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

**(c) Pedestrian Access Area C**i. General

- a) 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.

ii. Principal Uses:

- a) Conservation Area  
b) Public Open Space

iii. Regulations Table for Pedestrian Access Area C

a)	Pedestrian Access Area C parcel area	0.20 ha (0.49 ac)
----	--------------------------------------	-------------------

**.7 Conditions of Use**

- (a) 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 CD-7 Figures 1-4.

- (b) The density and uses shall be developed in accordance with the text of this zone and generally in accordance with the plans and boundaries of the CD identified in the 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.
- (c) 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 Attachment Summary**

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

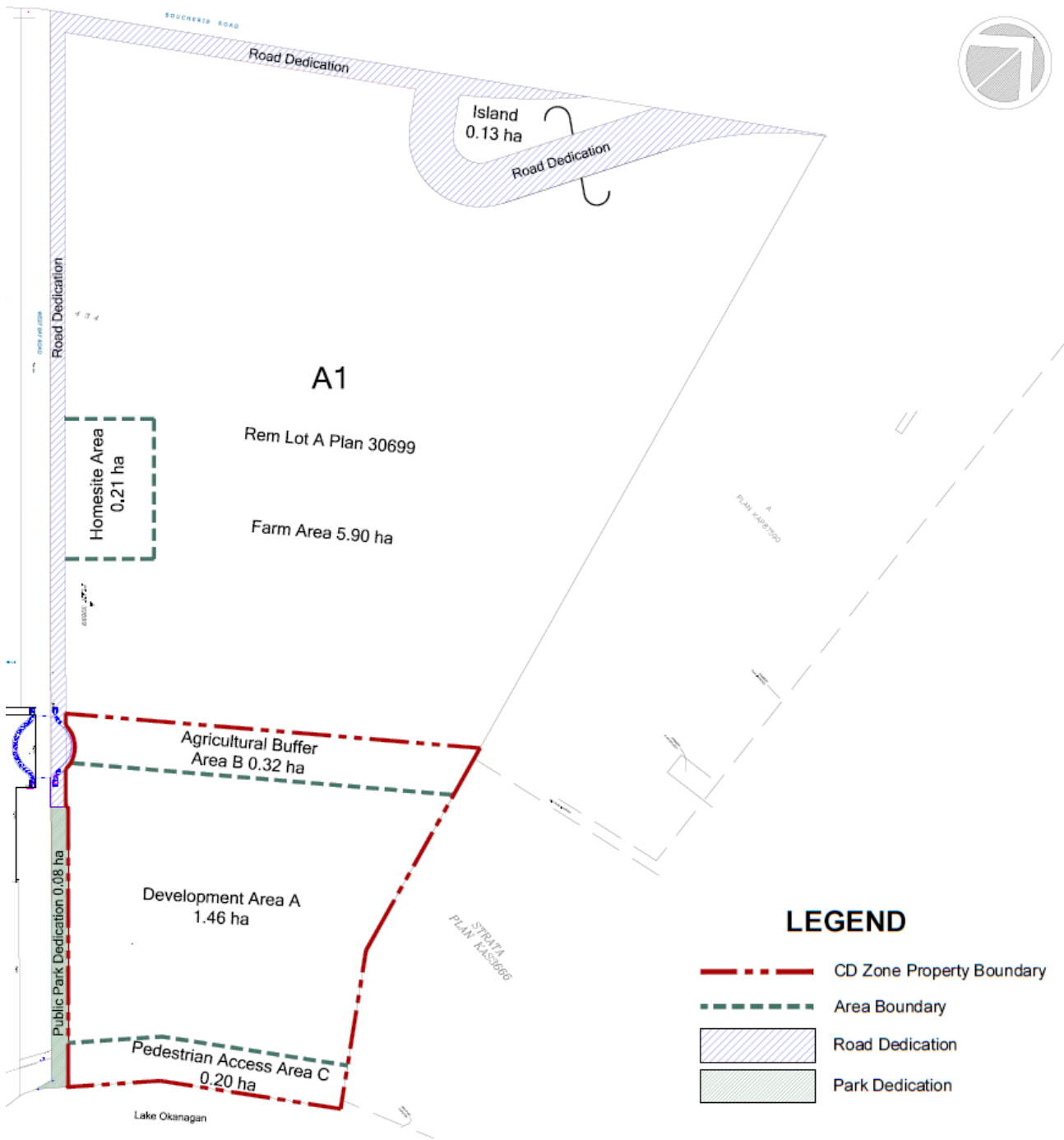


Figure 1: CD Zone Plan



Figure 2: Developable Areas

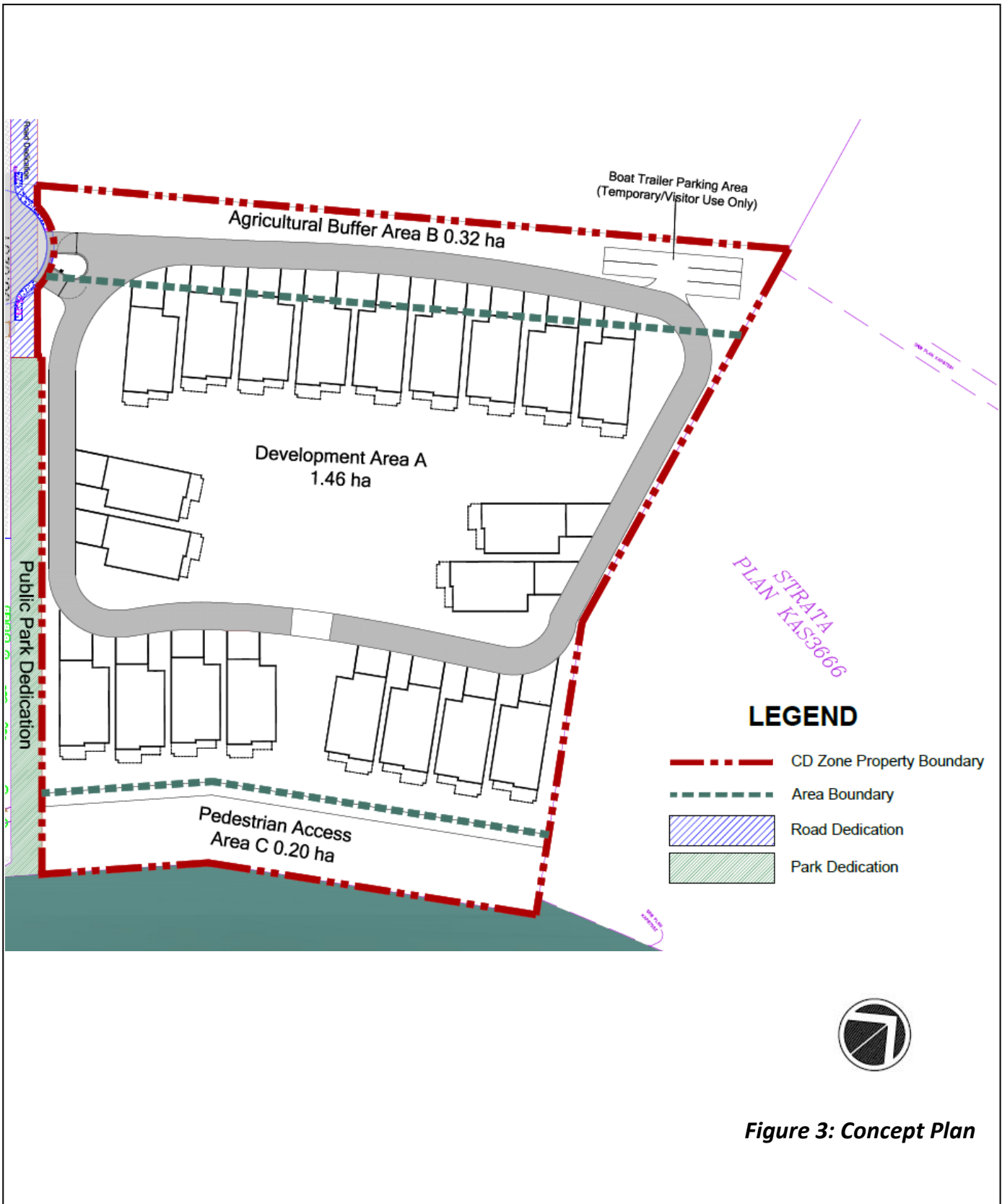


Figure 3: Concept Plan

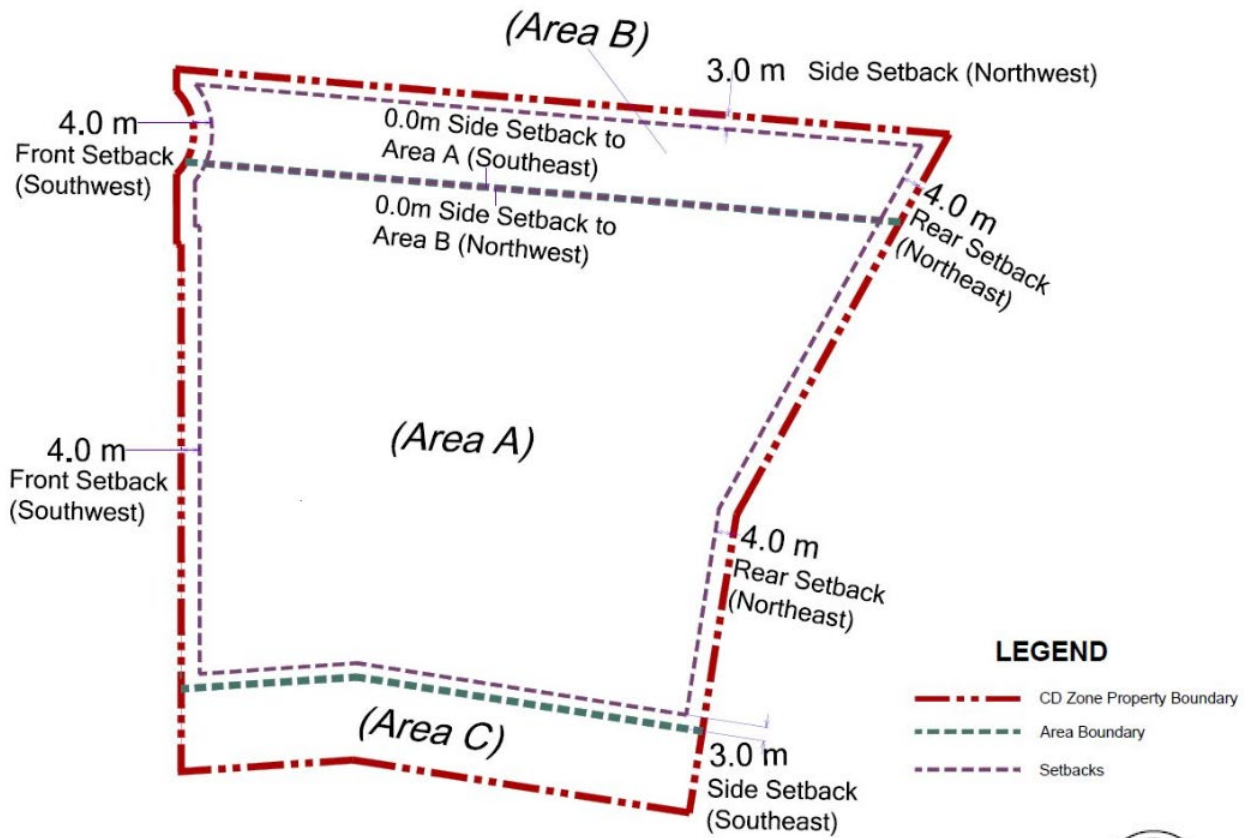


Figure 4: Site Setbacks

## 15.10CD8 – COMPREHENSIVE DEVELOPMENT ZONE (SECLUSION BAY ROAD)

### .1 Purpose

To allow for single detached dwellings and tourist accommodation, including vacation rentals. The zone provides the opportunity for the preservation of environmentally sensitive areas, two or more permitted uses, and private servicing.

### .2 Definitions

All definitions of Zoning Bylaw No. 0154 apply unless specified or modified in this comprehensive development zone.

**SINGLE DETACHED DWELLING** means a dwelling with only 1 dwelling unit, with a maximum gross floor area of 185 m<sup>2</sup> (1,991 ft<sup>2</sup>), and that may be occupied for periods of less than 30 days.

### .3 Development Areas

(a) **Development Areas Within CD8 Zone** - This CD Zone is divided into three development areas, as shown on the attached *Figure 1*:

i. Upper Area

a) Ensures environmental protection of sensitive areas with conservation and preservation of open spaces. Provides opportunity for private servicing infrastructure including a water reservoir, water treatment system, waste water disposal field(s), solar panels, wind turbines, and related accessory buildings and structures.

ii. Lower Area

a) Includes a maximum of 16 single detached dwellings, 1 amenity building or structure, solar panels and supporting servicing infrastructure.

iii. Riparian Area

a) Ensures environmental protection of sensitive riparian areas with conservation, open spaces and limited recreational access.

### (b) Development Areas Table

Development Area	Area
i. Upper Area	1.11 ha (2.74 ac)
ii. Lower Area	1.17 ha (2.89 ac)
iii. Riparian Area	0.2 ha (0.49 ac)
iv. Total Parcel Area	2.48 ha (6.12 ac)

### .4 Permitted Uses By Development Area

The following regulations are specific to each development area identified in the attached *Figure 1*; development in these areas shall occur in conformance with the following regulations.

**(a) Upper Area**

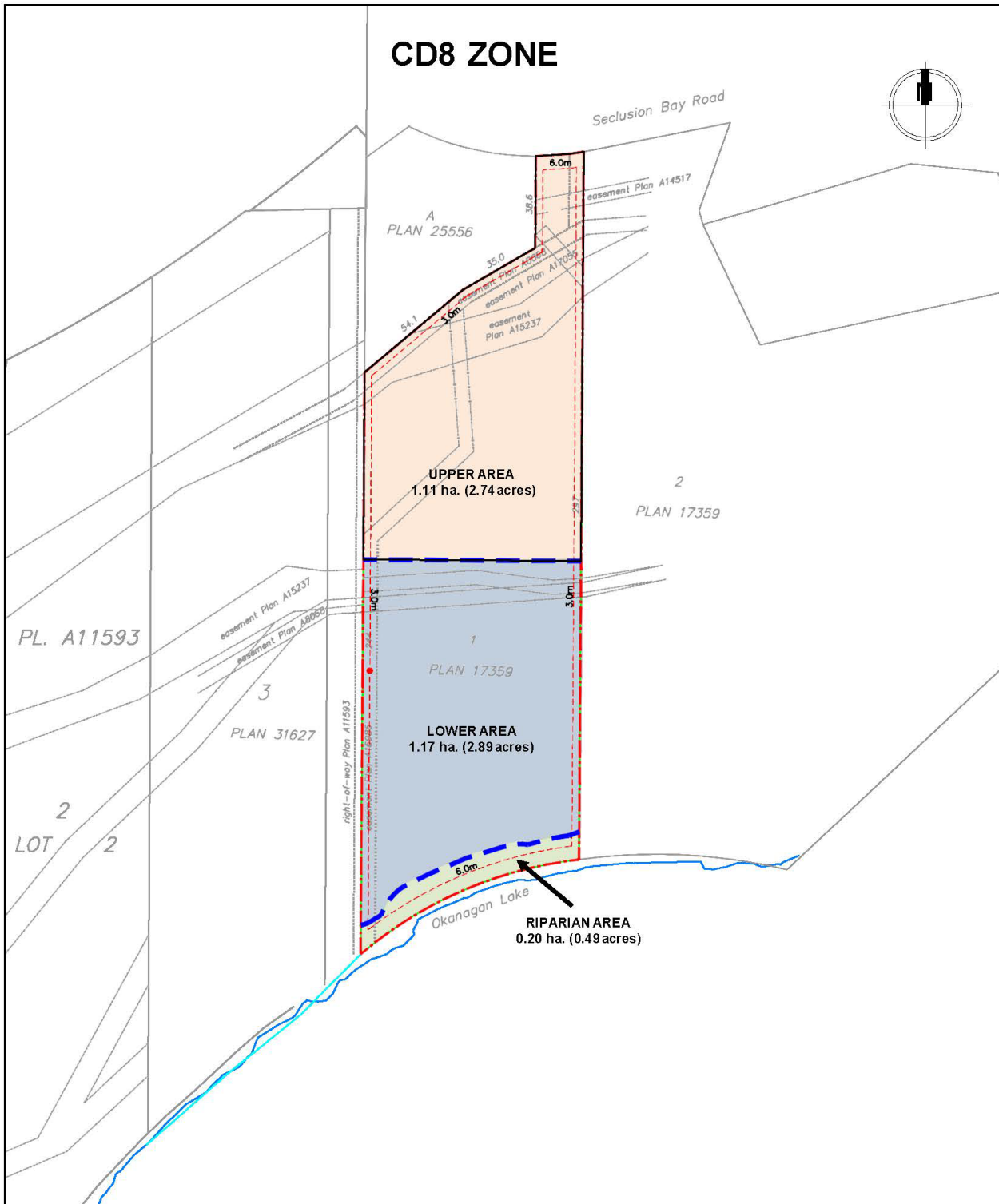
- i. Principal Uses, Buildings and Structures
  - a) Private servicing infrastructure (water reservoir, water treatment system, waste water disposal field(s), solar panels, and wind turbines)
- ii. Secondary Uses, Buildings and Structures
  - a) Accessory uses, building and structures

**(b) Lower Area**

- i. Principal Uses, Buildings and Structures
  - a) Single detached dwelling
  - b) Amenity building or structure (primarily used for accessory pool uses, community gathering and events)
- ii. Secondary Uses, Buildings and Structures
  - a) Accessory uses, buildings and structures
  - b) Home based business, minor
  - c) Private servicing infrastructure (water treatment, waste water treatment, solar panels)

**.5 Regulations Table**

<b>DEVELOPMENT REGULATIONS</b>		
<b>i.</b>	<b>Maximum Floor area ratio</b>	0.13
<b>ii.</b>	<b>Maximum Density</b>	
a)	Single Detached Dwelling	16
b)	Amenity Building or Structure	1
<b>iii.</b>	<b>Maximum Gross Floor Area per Building</b>	
a)	Single Detached Dwelling	185 m <sup>2</sup> (1,991.3 ft <sup>2</sup> )
b)	Amenity Building or Structure	100 m <sup>2</sup> (1,076.4 ft <sup>2</sup> )
c)	Accessory Building or Structure	200 m <sup>2</sup> (2152.8 ft <sup>2</sup> ) of all accessory buildings and structures combined
<b>iv.</b>	<b>Maximum parcel coverage</b>	40%
<b>v.</b>	<b>Maximum building height</b>	9.0 m (29.5 ft) to a maximum of 2 storeys, except it is 5.0 m (16.4 ft) for accessory buildings and structures
<b>SITING REGULATIONS</b>		
<b>vi.</b>	<b>Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:</b>	
<b>a)</b>	Interior parcel boundary	3.0 m (9.8 ft)
<b>b)</b>	Front parcel boundary (Seclusion Bay Road)	6.0 m (19.7 ft)
<b>c)</b>	Rear parcel boundary (Okanagan Lake)	6.0 m (19.7 ft)



**FIGURE 1**  
**CD ZONE PLAN & DEVELOPMENT AREAS**

SCALE 1:2000  
2018-07-11

## 15.11 CD9 – COMPREHENSIVE DEVELOPMENT ZONE (OLALLA ROAD)

### .1 Purpose

To accommodate a mix of uses comprised of multiple residential, institutional, and commercial uses in the Lakeview Heights neighbourhood centre.

For the purposes of this Bylaw, the CD9 zone is divided into four sites as illustrated in CD9, *Figure 1* (Sites 1 to 4).

### .2 Principal Uses, Buildings and Structures

- (a) Apartment
- (b) Care facility, major (in townhouse or apartment form only)
- (c) Congregate housing
- (d) Entertainment facility
- (e) Fire, police or ambulance service
- (f) Office
- (g) Personal service establishment
- (h) Recreation services, indoor
- (i) Townhouse

### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
- (b) Home based business, minor
- (c) Vehicular parking areas and structures

### .4 Regulations Table

<b>SUBDIVISION REGULATIONS</b>		
<b>(a)</b>	<b>Minimum parcel area</b>	1400 m <sup>2</sup> (17,222.3 ft <sup>2</sup> )
<b>(b)</b>	<b>Minimum parcel frontage</b>	30.0 m (98.4 ft)
<b>DEVELOPMENT REGULATIONS</b>		
<b>(c)</b>	<b>Maximum density</b>	1.75 FAR
<b>(d)</b>	<b>Maximum parcel coverage</b>	60%
<b>(e)</b>	<b>Minimum at-grade open space</b>	40% of parcel area
<b>(f)</b>	<b>Maximum building height</b>	22.5 m (73.8 ft) to a maximum of 6 storeys, except it is 5.0 m (16.4 ft) for accessory buildings and structures
<b>SITING REGULATIONS</b>		
<b>(g)</b>	Buildings and structures shall be sited at least the distance indicated in the right-hand column from the feature indicated in the middle column:	
<b>i.</b>	<b>Anders Road (front parcel boundary)</b>	
a)	Townhouse	3.0 m (9.8 ft), except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
b)	Any built form other than a townhouse	4.5 m (14.8 ft)

ii.	<b>Adjacent to Hawthorne Road residential area</b> (Site 4: rear parcel boundary)	15.0 m (49.2 ft) for the first two storeys of the building
		30.0 m (98.4 ft) for the third, fourth, and fifth storeys of the building
		32.0 m (105.0 ft) for the sixth storey of the building
iii.	<b>Interior side parcel boundary</b>	4.5 m (14.8 ft), except it is:  3.0 m (9.8 ft) for buildings and structures from the west parcel boundary on Site 1 and the north parcel boundary on Site 2
iv.	<b>Olalla Road (exterior side parcel boundary)</b>	
a)	Townhouse or any built form adjacent to the cul-de-sac on Site 4	3.0 m (9.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
b)	Any built form other than a townhouse on Site 2	6.0 m (19.7 ft) for the first two storeys of the building
		9.0 m (29.5 ft) for the third, fourth, fifth, and sixth storeys of the building
v.	<b>A1 Zone or ALR</b>	
a)	Any built form other than an institutional use on a parcel owned by the City	15.0 m (49.2 ft) for the first two storeys or portion of the building less than or equal to 6.0 m (19.7 ft) in height, whichever is less
		18.0 m (59.1 ft) for the third storey or portion of the building above 6.0 m (19.7 ft) but less than or equal to 9.0 m (29.5 ft) in height, whichever is less
		21.0 m (68.9 ft) for the fourth storey or portion of the building above 9.0 m (29.5 ft) in height, whichever is less
vi.	<b>Siting regulations for an institutional use</b>	
a)	Front parcel boundary	4.5 m (14.8 ft)
b)	Rear parcel boundary	0.0 m (0.0 ft)
c)	Interior parcel boundary	0.0 m (0.0 ft)
d)	Exterior parcel boundary	4.5 m (14.8 ft)
e)	A1 zone or ALR	6.0 m (19.7 ft)
<b>AMENITY SPACE</b>		
(h)	<b>Minimum amenity space (per unit)</b>	
i.	Bachelor dwelling unit	7.5 m <sup>2</sup> (80.7 ft <sup>2</sup> )
ii.	One (1) bedroom dwelling unit	15.0 m <sup>2</sup> (161.5 ft <sup>2</sup> )
iii.	More than one (1) bedroom dwelling unit	25.0 m <sup>2</sup> (269.1 ft <sup>2</sup> )
iv.	Congregate housing unit	6.0 m <sup>2</sup> (64.6 ft <sup>2</sup> ) indoor amenity space and 6.0 m <sup>2</sup> (64.6 ft <sup>2</sup> ) outdoor amenity space

## .5 Other Regulations

### (a) CD9 Regulations Not Applicable to an Institutional Parcel

- i. The maximum density (s. 15.11.4 (c)), maximum parcel coverage (s. 15.11.4 (d)), minimum at-grade open space (s. 15.11.4 (e)), and non-surface parking (s. 15.11.5(b)) CD9 regulations do not apply to any parcel owned by the City for

institutional purposes. The gross floor area of any building on an institutional parcel shall not be included in the density calculation for the CD9 zone.

(b) Parking

- i. The minimum number of parking spaces for the zone shall be provided in accordance with Part 4, with the following additional provision:
  - a) All parking spaces shall be provided as non-surface spaces with the exception of visitor spaces and loading spaces, which may be provided as surface spaces. Surface parking and loading spaces shall not constitute open space for the purposes of calculating the minimum at-grade open space requirement.

(c) Commercial Uses

- ii. Commercial uses shall be limited to the first storey of a building and obtain primary vehicle access for parking and pedestrian access from Olalla Road. For certainty, the following uses are defined as commercial uses for the purposes of this bylaw:
  - a) entertainment facility;
  - b) office;
  - c) personal service establishment; and
  - d) recreation services, indoor.
- iii. The maximum gross floor area of a commercial unit is 700 m<sup>2</sup> (7,535 ft<sup>2</sup>).

(d) Common Areas

- i. In addition to the minimum amenity space outlined in the Regulations Table, congregate housing shall also include the following at a minimum:
  - a) 100 m<sup>2</sup> (1,076.4 ft<sup>2</sup>) of seating area for common dining facilities; and
  - b) 160 m<sup>2</sup> (1,722.2 ft<sup>2</sup>) of floor area for common community and assembly hall facilities.

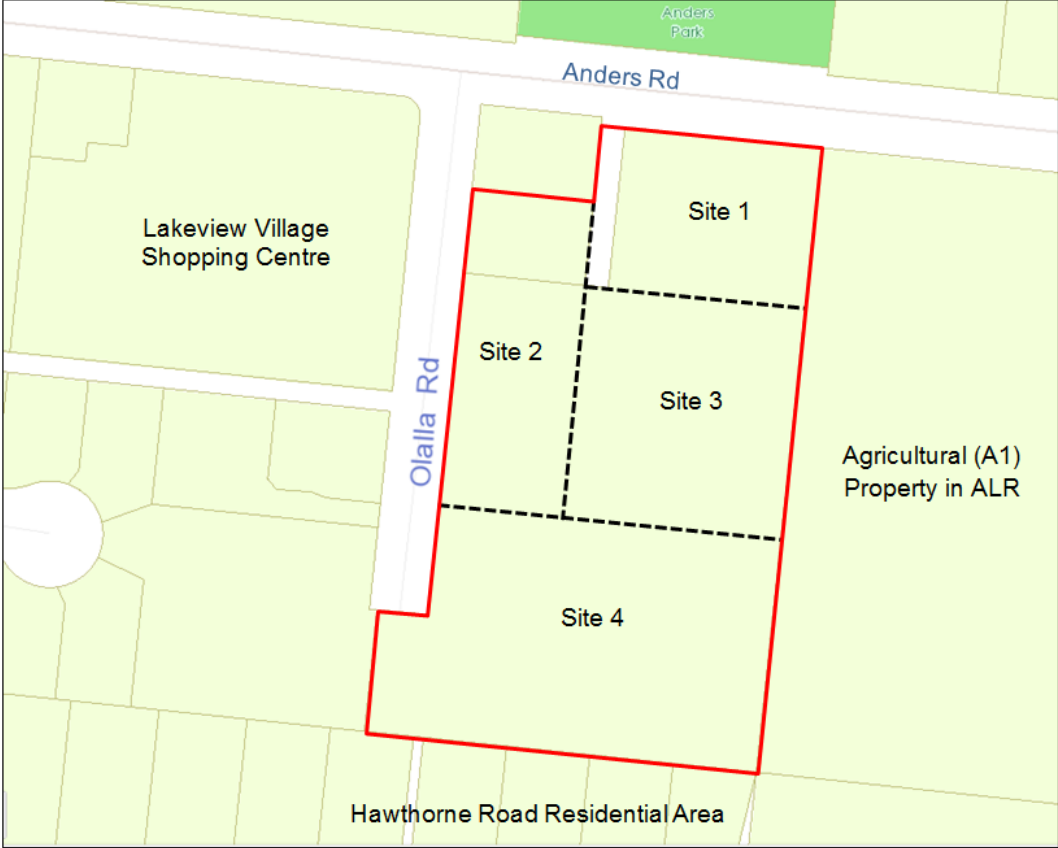


Figure 1 – Sites 1 to 4



## 15.12CD10 – COMPREHENSIVE DEVELOPMENT ZONE (AUBURN ROAD)

### .1 Purpose

To accommodate multiple residential units in the Shannon Lake neighborhood.

### .2 Principal Uses, Buildings and Structures

- (a) Apartment

### .3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings, and structures  
(b) Home based business, minor

### .4 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	48,348.0 m <sup>2</sup>
(b)	Minimum parcel frontage	291.0 m
DEVELOPMENT REGULATIONS		
(c)	Maximum density	0.65 FAR
(d)	Maximum parcel coverage	19.0%
(e)	Maximum units and buildings	Up to 401 units total in a maximum of 5 apartment buildings ( <i>See Schedule 1</i> )
(f)	Maximum building height	12.0 m (39.4 ft) to a maximum of 4 storeys except it is 5.0 m (16.4 ft) for accessory buildings and structures.
SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature: ( <i>See Schedule 1</i> )	
i.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear parcel boundary	32.45m (106.5 ft)
iii.	Interior side parcel boundary	4.5 m (14.8 ft)
iv.	Exterior side parcel boundary	4.5 m (14.8 ft)

### .5 Other Regulations

AMENITIES		
(a)	The required areas of amenities are as follows: ( <i>See Schedule 1</i> )	
i.	Outdoor Amenity-1	3,925 ft <sup>2</sup> (365 m <sup>2</sup> )
ii.	Outdoor Amenity-2	7,850 ft <sup>2</sup> (729 m <sup>2</sup> )
iii.	Indoor Amenity	4,850 ft <sup>2</sup> (451 m <sup>2</sup> )

- (b) Notwithstanding that a highway is a permitted use in all zones, private access and emergency egress is also permitted in this CD Zone.

Schedule 1

