Zoning Bylaw No. 0320, 2024

Effective Date: April 22, 2025

Consolidated for Convenience Only

This is a consolidation of the bylaws listed below. The amendment bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Amendment Bylaw	Effective Date
Bylaw No. 320.02, 2025	July 8th 2025
Bylaw No. 320.03, 2025	July 22nd 2025
Bylaw No. 320.07, 2025	October 21st 2025
Bylaw No. 320.08, 2025	October 21st 2025
Bylaw No. 320.10, 2025	July 14th 2026
Bylaw No. 320.11, 2025	March 24th 2025
Bylaw No. 320.14, 2026	April 28th 2026
Bylaw No. 320.15, 2026	July 28th 2026
Bylaw No. 320.16, 2026	July 14th 2026

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the Zoning Bylaw No.0320, 2024. The number of any amending bylaw that has been repealed is not referred to in this consolidation.

CITY OF WEST KELOWNA

ZONING BYLAW NO. 0320

WHEREAS the Council of the City of West Kelowna may by bylaw, as provided by Section 479 of the *Local Government Act*, adopt a zoning bylaw;

THEREFORE BE IT RESOLVED that the Council of the City of West Kelowna, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. Title

   This Bylaw may be cited as the "CITY OF WEST KELOWNA ZONING BYLAW NO. 0320, 2024".

2. City of West Kelowna Zoning Bylaw

   The following attached schedules are hereby made part of this Bylaw:

   .1 Schedule A (Zoning Bylaw text)
   .2 Schedule B (Zoning Bylaw map)

3. Effective Date

   This Bylaw will come into effect following the adoption of the Bylaw.

4. Repeal

   "City of West Kelowna Zoning Bylaw No. 0265, 2022," and all amendments, thereto, are hereby repealed.

READ A FIRST AND SECOND TIME THIS 8TH DAY OF OCTOBER, 2024
PUBLIC HEARING HELD THIS 5TH DAY OF NOVEMBER, 2024
THE BYLAW WAS AMENDED AND READ A THIRD TIME AS AMENDED THIS 10TH DAY OF DECEMBER, 2024
APPROVED BY MINISTRY OF TRANSPORTATION THIS 13TH DAY OF DECEMBER, 2024
THIRD READING RESCINDED, THE BYLAW WAS ALTERED, AND READ A THIRD TIME AS ALTERED THIS 8TH DAY OF APRIL, 2025
RECONSIDERED AND APPROVED BY MINISTRY OF TRANSPORTATION THIS 14TH DAY OF APRIL, 2025
ADOPTED THIS 22ND DAY OF APRIL, 2025

_____
MAYOR

_____
CORPORATE OFFICER

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PART 1 – ADMINISTRATION AND ENFORCEMENT

1.1 APPLICATION

.1 This Bylaw shall apply to all land including the surface of water, buildings, and structures within the boundaries of the City of West Kelowna.

1.2 COMPLIANCE

.1 No land including the surface of water, building or structure shall be used or occupied, and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or structurally altered except in conformity with this Bylaw.

.2 No land shall be subdivided except in conformity with this Bylaw.

1.3 SEVERABILITY

.1 If any section, subsection, clause, sentence, or phrase forming part of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed from the Bylaw without affecting the validity of this Bylaw or any remaining portions of this Bylaw.

1.4 APPLICATIONS IN PROCESS

.1 A completed application for a building permit or development permit that is received prior to the effective date of adoption of this Bylaw shall be processed in accordance with Bylaw No. 0265 provided that the application is approved or rejected within 6 months from the date of adoption of Bylaw No. 0320, 2024.

.2 Despite 1.4.1, an applicant may request in writing to have their application for a building permit or development permit considered under Bylaw No. 0320, 2024.

1.5 INSPECTION

.1 Duly appointed bylaw enforcement officers of the City of West Kelowna are authorized to enter at all reasonable times, on any property that is subject to regulations under this Bylaw to ascertain if the provisions of this Bylaw are being met, or the regulations are being observed.

1.6 OFFENCES

.1 Any person violating any provision of this Bylaw or any person allowing a violation of this Bylaw is liable on summary conviction to a maximum fine of $50,000. A separate offence shall be deemed to be committed on each day during, or on which, a violation occurs or continues.

PART 2 – INTERPRETATION

2.1 ZONE BOUNDARIES

.1 All zones are established in Part 5, Establishment of Zones, and are depicted on Schedule B.

.2 Where a zone boundary is shown on Schedule B on any portion of a highway other than the edge of the highway right of way, the centerline of the highway is the zone boundary.

.3 Where a zone boundary does not follow a legally defined boundary and where the distances are not specifically indicated on Schedule B, the location of the zoning boundary shall be determined by scaling from Schedule B.

.4 Any land that does not fall within a zone boundary indicated on Schedule B, except any land covered by water, shall be deemed to be zoned Forest Resource Zone (F1). Any land covered by water that does not fall within a zone boundary shall be deemed to be zoned Water Use (Recreational) Zone (W1).

.5 Where a survey plan approved by the Surveyor General indicates the adjustment of a parcel boundary due to accretion, the zoning designation applicable to the parcel is deemed to extend to the new parcel boundary despite the zoning designation of the accreted area indicated on Schedule B.

2.2 PERMITTED USES, BUILDINGS AND STRUCTURES

.1 All of the uses, buildings and structures permitted in a zone are permitted on any parcel within the zone, regardless of the area or frontage of the parcel, unless otherwise specified in this Bylaw.

2.3 SPLIT ZONED PARCELS

.1 Where a parcel contains more than one zone:

(a) The parcel will be considered a single parcel:
   i. For the purposes of maximum density and parcel coverage; and
   ii. For the purposes of subdivision based on the more stringent zoning subdivision regulations of any applicable zone;

(b) Each zone will be considered independently when determining general regulations, parking regulations, development regulations related to height and siting, and for the purposes of determining use(s); and

(c) All uses, buildings, or structures that are secondary to a principal use, building or structure are permitted only within the area of the parcel zoned for the principal use, building or structure to which the uses, buildings or structures are secondary.

2.4 DENSITY ALLOCATION FOR PUBLIC PARK

.1 In calculating the floor area ratio (FAR) for a development in a multiple residential or mixed-use zone, the area of the parcel to be dedicated or transferred to the City of West Kelowna for park purposes may be included for the purpose of calculating the permitted FAR on that parcel or the number of parcels that may be created by subdivision of the parcel.

2.5 DENSITY ALLOCATION FOR PUBLIC ROAD DEDICATION

.1 In calculating FAR for a multiple residential or mixed-use zone development, the area of the parcel to be dedicated or transferred to the City for road purposes may be included for the purpose of calculating the permitted density on that parcel or the number of parcels that may be created by subdivision of the parcel.

2.6 MINIMUM PARCEL AREA OF PANHANDLE PARCELS

.1 Where a parcel is a panhandle, the access strip or panhandle shall not be included in the calculation of the area of the parcel for the purpose of determining compliance with a minimum parcel area requirement of this Bylaw.

2.7 UNITS OF MEASURE

.1 Metric units are used for all measurements in this Bylaw. The approximate imperial measurement equivalents are shown in brackets for convenience only and do not form part of this Bylaw.

.2 For the purpose of this Bylaw, the following units of measure are abbreviated as follows:

(a) Centimetres – cm
(b) Square centimetres – cm^2
(c) Hectares – ha
(d) Kilograms – kg
(e) Metres – m
(f) Square metres – m^2
(g) Cubic metres – m^3

2.8 CIVIC ADDRESSES

.1 Where civic addresses are shown in the bylaw in brackets, these are for convenience only and do not form part of this Bylaw.

2.9 REFERENCE TO OTHER BYLAWS

.1 A reference in this Bylaw to any bylaw, policy or form of the City of West Kelowna or Regional District of Central Okanagan is a reference to the bylaw, policy or form as amended, revised, consolidated or replaced from time to time.

2.10 DEFINITIONS

.1 In this Bylaw:

(a) Words or phrases defined in the *Interpretation Act*, the *Community Charter*, the *Local Government Act* or this Part shall be interpreted with those definitions, and words and phrases defined in this Part and one of those statutes shall be interpreted in accordance with this Part.

(b) All other words or phrases shall have their ordinary or common meaning.

ACCESS has the meaning defined in the Traffic Bylaw, as it relates to an access from a highway.

ACCESSORY USE, BUILDING OR STRUCTURE means a use, building or structure that is subordinate, customarily incidental and exclusively devoted to a principal use, building or structure on the same parcel as the accessory use, building or structure, or, in the case of common property in a strata plan, a principal use, building or structure on a strata lot within the same strata plan.

ADULT ENTERTAINMENT STORE means premises used for the principal sale of adult motion pictures or other objects, other than contraceptive devices, designed or intended to be used in a sexual act as defined by the *Motion Picture Act* and Motion Picture Act Regulations.

AFFORDABLE HOUSING means housing that is considered affordable when a household pays no more than 30% of gross household income on shelter (rent plus utilities or mortgage payment plus utilities plus strata fees), specifically as it relates to Section 3.29, and may include 30% of median renter income where defined as such.

AGRICULTURAL MARKET means premises used for the sale to the general public of farm products, processed farm products and the accessory sale of crafts.

AGRICULTURAL UNIT means an equivalent live farm animal weight corresponding to 455 kilograms (1003 pounds) of livestock, poultry or farmed game, or any combination equaling this weight.

AGRICULTURE, GENERAL means premises used for the husbandry of plants or livestock or for apiculture and may include the storage or repair of farm machinery and implements used on the farm on which the storage or repair is taking place.

AGRICULTURE, INTENSIVE means the use of land, buildings and structures for:

- The confinement of poultry, livestock or fur bearing animals, where more than 10 agricultural units are located within a confined livestock area, building or structure.
- The growing of mushrooms, where composting is a part of the operation.

AGRI-TOURISM means a tourist activity, service or facility secondary to the agricultural use of land that is classified as a farm under the *Assessment Act*.

ALCOHOL PRODUCTION FACILITY means a brewery, cidery, distillery, meadery, or winery licensed under the *Liquor Control and Licensing Act* to produce beer, cider, spirits, mead or wine and includes accessory uses such as office, warehousing, retail sales, tasting and seating areas, and food and beverage service lounges.

AMENITY SPACE means an outdoor or indoor area designed and provided for use by all residents of a residential development for cultural, social or recreational activities which may include common terraces, rooftop spaces and balconies, private decks and patios, and landscaped recreational areas where a

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portion of the required space is encouraged at grade. Parking areas, driveways, service areas, storage areas, no-build/no-disturb covenant areas, landscaped areas required by Section 4, and landscaping features provided solely for decorative function do not constitute amenity space.

APARTMENT means a building or group of buildings, each containing 3 or more dwellings where dwellings share a common interior entrance or corridor providing access to multiple units. Individual ground-floor dwellings may also have separate at-grade entrances. Where permitted in a Commercial, Urban or Neighbourhood Centre Zone, a building containing fewer than 3 dwellings is an Apartment provided that it complies with the rest of this definition

BUILDING means a structure wholly or partly covered by a roof or roofs supported by walls or columns which is permanently affixed to the land and is intended for supporting or sheltering any use or occupancy.

BREEZEWAY means a roofed passage on grade that may be open or enclosed as a connective corridor.

BULK FUEL DEPOT means premises used for the sale, including key lock retail sale, and distribution of bulk fuel to commercial vehicles where all bulk fuel products other than propane are stored below ground level.

CABARET, BAR OR LOUNGE means premises with a seating capacity of up to 350 seats used primarily for the sale of liquor for consumption on the premises and may include the sale of food and incidental sales of liquor for consumption off the premises.

CANNABIS means any part of the cannabis plant including its preparations and derivatives and any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, but does not include: a non-viable seed of a cannabis plant; a mature stalk of a cannabis plant, without any leaf, flower, seed, or branch; fiber derived from such stalks; or the roots of a cannabis plant.

CANNABIS PRODUCTION means the use of any land, building or structure for the growing, production, processing, destruction, storage or distribution of cannabis, but does not include the retail sale of cannabis.

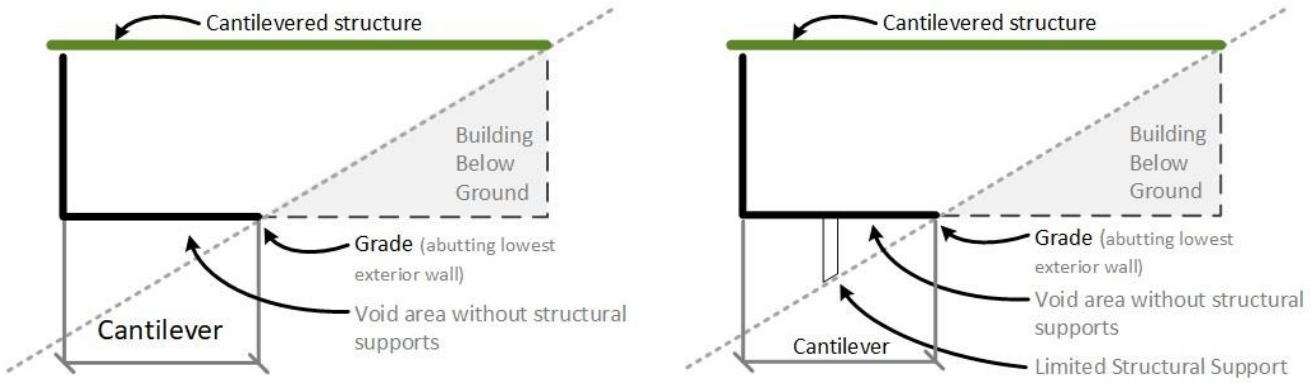
CANNABIS PRODUCTION FACILITY means premises used for cannabis production, including premises used for cannabis production by a licensed producer under the Cannabis Regulations and premises used for cannabis production by one or more persons under one or more registrations under the former Access to Cannabis for Medical Purposes Regulations, but not including residential premises used for the production, processing or storage of cannabis for the medicinal use of a resident of the premises under a registration under the former Access to Cannabis for Medical Purposes Regulations or the growing of cannabis by an individual for their personal use and consumption in accordance with the *Cannabis Act* (Canada).

CANNABIS REGULATIONS means the Cannabis Regulations under the *Cannabis Act* (Canada).

CANNABIS SALES FACILITY means premises used for the retail sale of cannabis or food products that contain cannabinoids but does not include sales of cannabis by a pharmacist at a full-service pharmacy licensed under the *Pharmacy Operations and Drug Scheduling* Act or wholesale distribution of cannabis by a licensed producer under the Cannabis Regulations.

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.

Figure 2.1 - Illustration of cantilevered buildings



CARE FACILITY, MAJOR means a community care or assisted living facility use typically within a multiple residential building licensed as required under the *Community Care and Assisted Living Act*, intended to provide care, educational services, or supervision for individuals and may include limited overnight accommodation for shift workers. Care facility, Major does not include Child care, Major (Centre/Facility).

CARE FACILITY, MINOR means a community care or assisted living facility use of an occupied single detached dwelling, manufactured home or duplex licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services or supervision for individuals and may include limited overnight accommodation for shift workers. Care facility, Minor does not include Child care, Minor (In-home).

CARETAKER UNIT means a dwelling unit intended to provide on-site accommodation in a portion of a building for an occupant that provides maintenance or security services or is employed on the parcel on which the caretaker unit is located.

CARRIAGE HOUSE means a detached building containing a dwelling, which may also contain one or more off street parking spaces required by this bylaw for the single detached dwelling on the same parcel or for the carriage house. For certainty, parking areas contained in a carriage house in excess of the required parking spaces will be considered as part of the maximum floor area of accessory buildings and structures. A Carriage House may include a Modular Home where it meets the Carriage House regulations outlined in Section 3.18 but does not include a Mobile Home.

CHEQUE CASHING/PAY DAY LOAN ESTABLISHMENT means a business, other than a bank or credit union, which cashes cheques in exchange for a fee or percentage of the cheque's face value or offers loans or advances in contemplation of the customer's receipt of a future wage or paycheque.

CHILD CARE, MAJOR (CENTRE/FACILITY) means an establishment that is licensed and regulated by the *Community Care and Assisted Living Act*, which provides care, educational services and supervision to children in a child care centre/facility as per the Child Care Licensing Regulation.

CHILD CARE, MINOR (IN-HOME) means a premise that is licensed and regulated by the *Community Care and Assisted Living Act,* which provides care, educational services, and supervision to children in a licensee's personal residence as per the Child Care Licensing Regulation. The care must be provided by a principal resident of the dwelling.

COMMERCIAL SCHOOL means premises used for commercial training, instruction, or certification in a specific trade, skill or service. Typical uses include secretarial, business, hairdressing, information technology, beauty, culture, and music schools.

COMMERCIAL STORAGE means premises providing indoor or outdoor space available for rent for the purpose of storing non-hazardous goods.

COMMERCIAL VEHICLE means

- A motor vehicle having permanently attached to it a truck or delivery body;
- An ambulance, fire apparatus, hearse, bus, tow car, road building machine, taxi or tractor; or
- Any commercial vehicle of a type specified by regulation of the Lieutenant Governor in Council under the *Commercial Transport Act*.

COMMUNITY OR ASSEMBLY HALL means a building, or part of a building, used for the gathering together of groups of persons for a specific function and may include a caretaker unit for persons in charge of a diocese, parish or similar congregation. A community or assembly hall may also include a communal, transient accommodation as an accessory use for people requiring immediate shelter or supportive services that are provided by a public authority or non-profit agency for a short period of time. Typical uses include meetings for civic, educational, political, religious, recreational and social purposes.

COMMUNITY GARDEN means land which is gardened collectively or divided into individual plots, and which is used by members of the public for demonstration gardening, instructional programming or the production of plants and produce for personal consumption.

COMMUNITY SEWER SYSTEM means a sanitary sewer collection and disposal system.

COMMUNITY WATER SYSTEM means a system of waterworks that provides potable water to more than 1 parcel.

CONFINED LIVESTOCK AREA means an outdoor area where livestock, poultry, or farmed game is confined by fences, other structures or topography, and includes feedlots, paddocks, corrals, exercise yards, and holding areas but does not include a seasonal grazing area.

CONGREGATE HOUSING means housing provided within a multiple residential building or group of buildings that is designed to accommodate those with different abilities and is often operated by or in partnership with social and medical service providers. Residents may receive supportive services including meal preparation, laundry, transportation, counseling, medical care or room cleaning. Congregate housing may be provided within any apartment or townhouse form which may include a Care facility, Major licensed under the *Community Care and Assisted Living Act*, but does not include Emergency Shelter, Group home, Care facility, Minor, Child care, Major (Centre/Facility), Child care, Minor (In-home), or Social housing (Addictions, Mental Health, or Corrections).

CONTRACTOR SERVICES means premises used for the provision of contractor services which typically includes road construction, landscaping, concrete, electrical, heating and cooling, plumbing or similar services of a construction nature which require on-site storage of equipment and vehicles, warehouse space and accessory sales and office space.

DENSITY BONUS means permitting a density on a lot that is greater than the maximum base density indicated in the corresponding zone in exchange for a contribution toward identified priority housing types, or in exchange for the provision of non-surface parking, adaptable housing units or identified housing types and a housing agreement as per the *Local Government Act,* or other City priorities as may be updated from time to time.

DETENTION POND means a water body, either constructed or naturally occurring, used to temporarily store storm water run-off or snow-melt for later use or release into a drainage system.

DRIVE AISLE means a shared vehicle route providing off-street access and egress to and from, and through any parking areas for industrial, commercial, multiple-family residential, mixed-use, congregate care, and institutional uses, as well as other vehicle routes to accessory or secondary uses within the parcel.

DRIVE THROUGH means any commercial development providing a product or service where a queuing lane exists on-site where customers typically remain within the vehicle. Drive throughs must meet the development regulations and siting regulations outlined in Section 3.27.

DRIVEWAY means a vehicle route providing a connection from a highway access to a private parking area for a single detached, duplex, manufactured home, and fee simple townhouse use, and/or other vehicle routes to accessory or secondary uses within the parcel. Townhouses with individual parking spaces for each unit are also required to meet driveway standards, where applicable.

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DUPLEX means a building designed and constructed exclusively to accommodate 2 separate dwellings sharing a common wall or floor.

DWELLING means 1 or more rooms which constitute a self-contained unit used or intended to be used by 1 household for living and sleeping purposes and includes only 1 kitchen and at least 1 bathroom, providing interconnected, free flowing space. Only one wet bar is permitted within a dwelling.

EDUCATION FACILITY means premises used for education or training purposes and may include administration offices and dormitories to house students. Typical uses include elementary, middle and secondary schools, storefront schools, community colleges, universities, technical and vocational schools.

EMERGENCY SHELTER means basic lodgings sponsored, supervised or operated by a non-profit society and/or government agency which provides temporary emergency or transient accommodation, meals and support services for individuals who need immediate shelter and assistance. Emergency shelters may accommodate a range of needs that allows anyone experiencing homelessness to have shelter until a more permanent accommodation can be provided.

ENTERTAINMENT FACILITY, INDOOR means the use of a building or structure for entertainment or amusement purposes. Typical uses include auditoria, cinemas, theatres, concert halls, billiard halls and arcades.

EXTENDED MEDICAL TREATMENT FACILITY means premises providing room, board, surgical or other medical treatment for the sick, injured or infirm including out-patient services and accessory residences. Typical uses include hospitals, nursing homes with health care services for dependent residents, mental care facilities, and detoxification centres.

FARM PRODUCTS means commodities or goods derived from the cultivation or husbandry plants or animals (except pets) that are grown, reared, raised or produced on a farm.

FARM UNIT means one or more contiguous or non-contiguous parcels, that may be owned, rented or leased, within City limits, which forms and is managed as a single agricultural operation as demonstrated through a farm plan, farm receipts or other documentation to the satisfaction of the Director of Development Approvals.

FINISHED GROUND means the final elevation of the ground surface after development, which may include manufactured slopes and/or undisturbed natural slope or ground.

FLOOR AREA means the sum of the floor areas of each storey of a building or structure, measured to the outer face of the exterior walls.

FLOOR AREA RATIO (FAR) means the gross floor area on all storeys of all buildings and structures on a parcel divided by the area of the parcel.

FREIGHT OR DISTRIBUTION OUTLET means premises from or to which vehicles are dispatched for the delivery or pick-up of goods which may include warehouse space for the temporary storage of such goods.

FRONTAGE means the dimension of a parcel measured along the front parcel boundary.

FUNERAL ESTABLISHMENT means premises used for the preparation of the dead for burial or cremation and the holding of funeral services but excludes cremation facilities.

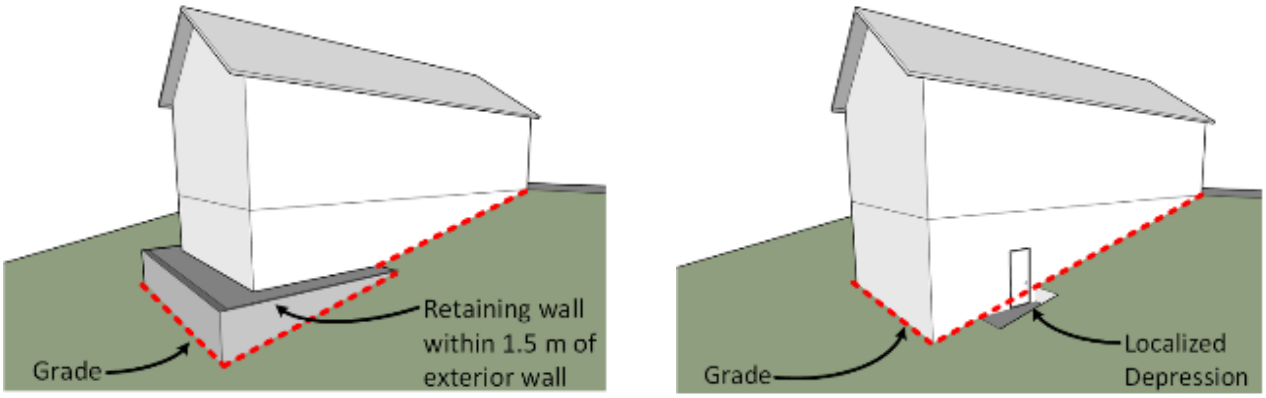
GASOLINE SERVICE STATION means premises used for the retail sale of gasoline and associated petroleum products and may include vehicle washing and minor vehicle servicing facilities.

GOLF COURSE means an area used for playing golf, and typically includes a club house, driving range, accessory retail sales and a restaurant.

GRADE means the finished ground at every location along the outside walls of a building or structure, with the following exceptions:

- Localized depressions;
- Where a retaining wall is within 1.5 m (4.9 ft) of the base of an exterior wall or structural support, as per Section 3.14.4.

Figure 2.2 – *Illustration of grade, grade with retaining wall and localized depression*



GREENHOUSE OR PLANT NURSERY means premises used for the cultivation, storage and sale of plants other than cannabis, trees, bushes, sod and related gardening products and materials.

GROSS FLOOR AREA (GFA) means the sum of the floor areas of each storey in each building on a parcel, measured to the outer face of the exterior walls. The gross floor area includes unfinished areas such as basements but excludes crawl spaces 1.5 m (4.9 ft) or less in height, garages, parking areas and roof top patios. For residential uses located within the Agricultural Land Reserve, additional gross floor area definitions may also apply as per the *Agricultural Land Commission Act.*

GROUP CAMP means accommodation in tents, recreational vehicles, cabins or dormitories and typically includes accessory facilities for cooking, dining, recreation, study or worship.

GROUP HOME means premises used to provide shared care and room and board for clients with physical, mental, social or behavioural problems that require professional care, guidance or supervision, regulated as required under the *Community Care and Assisted Living Act*. A Group home cannot have more than 10 persons and no more than 6 persons who are persons in care. A Group home may be provided within a single detached dwelling, duplex or townhouse form, and may not include Congregate housing, Emergency shelter, or Social housing (Addictions, Mental health, or Corrections).

GUEST ROOM means a sleeping room or suite of sleeping rooms that may or may not include a kitchen or cooking equipment or facilities as otherwise specifically provided in this bylaw.

HEAVY EQUIPMENT SALES, RENTAL AND REPAIR means premises used for the sale, rental and repair of construction equipment, industrial equipment and similar types of heavy machinery.

HEIGHT means the vertical distance for each building elevation measured from grade to:

- The highest point of a building or structure with a non-sloping roof (less than 4% slope) or domed roof;
- The midpoint of a sloping roof, measured as the distance between the uppermost eave or top of wall and the peak of a roof; and
- In the case of a structure without a roof, the highest point of a structure;

as shown in Figure 2.4;

Except for:

- Cantilevered buildings or structures which are separated from another portion of the building or structure at grade, where height for the cantilevered portion shall be calculated separately and is measured from the bottom of the cantilevered portion of the building or structure (Figure 2.5).

Figure 2.4 - Illustration of building heights with various types of roof lines

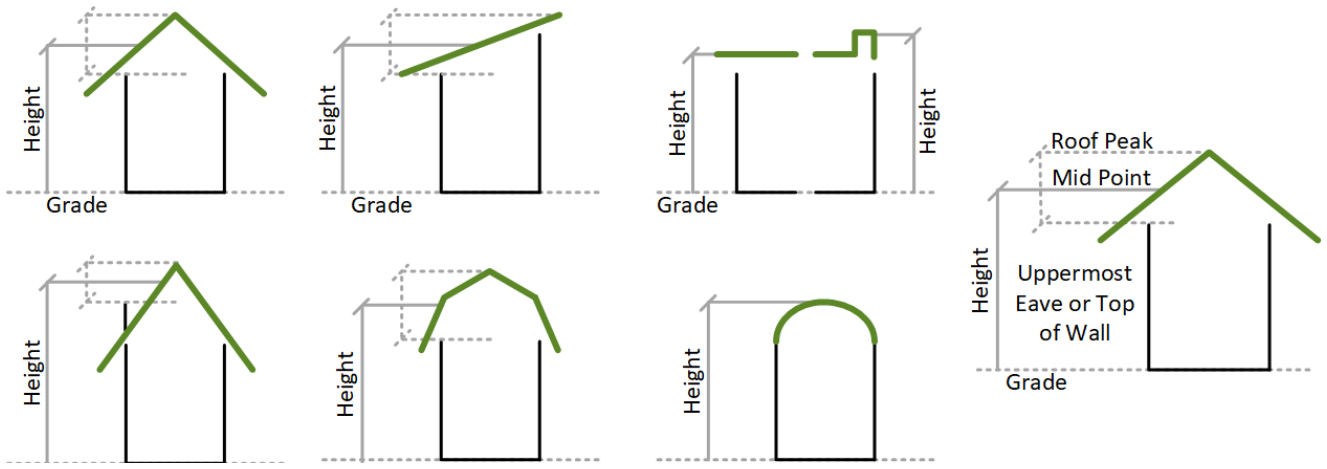
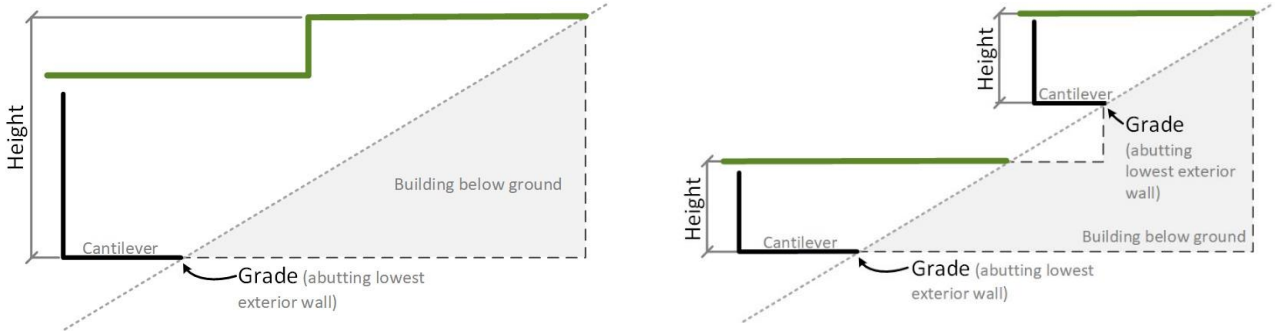


Figure 2.5 - Illustration of cantilevered building heights



HELIPORT FACILITY means premises used for helicopter landing pads and typically includes servicing facilities, storage areas, accessory office and meteorological assessment equipment.

HIGH TECHNOLOGY BUSINESS means premises used for the sales, research, development and testing of high technology products, programs or services such as telecommunications, pharmaceuticals, computers or electronics or similar uses that require advanced technology, but does not include the manufacture, assembly or processing of such products.

HIGH TECHNOLOGY INDUSTRY means high technology business with the inclusion of manufacturing, assembly, or processing of high technology products such as telecommunications, pharmaceuticals, computers or electronics or similar uses that require advanced technology.

HIGHWAY means a street, road, lane, bridge and any other way open to public use.

HOTEL means a building that provides accommodation in guest rooms with a common entrance lobby and shared corridors and may contain limited cooking facilities. Hotels typically include as accessory uses convenience retail stores, restaurants, banquet and meeting facilities, recreation facilities and personal service establishments.

HOUSEHOLD means

- A person; or
- 2 or more persons related by blood, marriage, or adoption; or
- Unrelated people living together with related people provided that the number of unrelated people including boarders does not exceed 3 persons all living together in 1 dwelling unit; or
- A group of not more than 5 persons, including boarders, who are not related by blood, marriage, or adoption, unless:
  - the group is comprised of workers with valid permits and housing approved through the Federal Seasonal Agricultural Worker Program or Federal Agricultural Stream Program or unless the group is comprised of agricultural workers living in housing subject to the BC *Public Health Act* Industrial Camps Regulation that adhere to Schedule 1 of the Industrial Camps Regulation; or
  - the group is permitted as a Group home under the *Community Care and Assisted Living Act*.

INDUSTRY, GENERAL means the storage, processing or manufacturing of previously processed or finished materials or products, including the processing, refinishing, fabrication, assembly, packaging, and wholesale distribution and incidental sales of such products. General industry uses do not include slaughterhouses, rendering plants, foundries, electroplating, and chemical plants and other similar uses.

INDUSTRY, HEAVY means the storage, processing or manufacturing of materials or products predominantly from extracted, bulk, or raw materials, or a use engaged in the storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions and includes incidental sales of such products but specifically excludes the storage, processing or handling of hazardous waste.

KENNEL, HOBBY means premises on which 4 to 20 dogs are kept or are intended to be kept pursuant to a Kennel Operation Permit as required by the Regional District of Central Okanagan Dog Ownership Bylaw or any applicable City of West Kelowna Bylaw.

KENNEL, SERVICE means premises on which more than 20 dogs are kept or are intended to be kept pursuant to a Kennel Operation Permit as required by the Regional District of Central Okanagan Dog Ownership Bylaw or any applicable City of West Kelowna Bylaw.

KITCHEN means facilities for the storage, preparation or cooking of food, and includes fixtures, appliances, counters, cabinets, and plumbing or wiring intended or used for the installation of fixtures, appliances, or equipment for the storage, preparation or cooking of food.

LANE means a highway intended to provide secondary access to parcels.

LEVEL 2 ELECTRIC CHARGING STANDARD means an electrical charge through a 240-volt (V), alternating current (AC) circuit with a dedicated 40-amp breaker provided as an energized electric vehicle outlet for electric vehicle charging.

LIVE/WORK UNIT means a commercial use combined within a single dwelling unit, where the occupant of the dwelling unit is the primary operator of the commercial use, and the commercial use includes ground floor pedestrian access from an abutting highway.

LOCALIZED DEPRESSION means a necessary portion of an exterior wall that drops below the average finished ground level of the wall to provide vehicular or pedestrian access to a building.

MANUFACTURED HOME PARK means a parcel of land with spaces designated for occupation by 2 or more manufactured homes, which may include a mobile home or a modular home.

MANUFACTURED HOME SPACE means a portion of land within a manufactured home park intended for the exclusive use of 1 manufactured home (modular home or mobile home) or caretaker unit, which is clearly defined on a plan of the manufactured home park in a manner similar to parcel boundaries on a subdivision or strata plan.

MARINA means premises operated commercially or by a government body without fuel storage or dispensing facilities, containing multiple docking or mooring spaces where boats and other water vessels and their accessories are berthed, stored, serviced, repaired, constructed or kept for sale or for rent.

METAL SHIPPING CONTAINER means a container originally constructed for shipping freight or cargo, typically by sea, rail, or truck. Metal shipping containers are considered as being in the general form as originally constructed and not as a building material.

MOBILE HOME means a factory-made residential structure designed and manufactured with a deformation resistant frame that is designed to be supported on a non-frost protected foundation. Mobile home does NOT include factory made residential structures designed and manufactured to be supported on BC Building Code compliant frost protected foundations, or any structure designated as “Park Model” or “Recreational Vehicle” (RV).

MODULAR HOME means a dwelling that is manufactured and assembled in a factory to British Columbia Building Code standards and is intended to be moved in whole or in part to a place other than at its place of manufacture and is typically constructed on a permanent foundation. A Modular Home is not considered a Mobile Home.

MOTEL means a building or group of buildings that provides accommodation in the form of self-contained guest rooms which may contain limited cooking facilities, each with a separate exterior entrance.

MULTIPLE RESIDENTIAL BUILDING means a building used for townhouse, apartment or congregate housing.

NATURAL BOUNDARY means the visible high watermark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself and includes the edge of dormant side channels of any lake, river, stream, or other body of water.

NEIGHBOURHOOD PUB means premises with a seating capacity of up to 85 seats used primarily for the sale of liquor consumption on the premises and may include the sale of food and incidental sales of liquor for consumption off the premises.

OFFICE means a building, or a group of buildings used to carry out business, financial or professional activities, and may include accessory retail sales of goods. Typical office uses include financial institutions, travel or real estate agencies, insurance or legal offices, government offices, medical or dental offices, physical therapy, chiropractor or acupuncture clinics.

OUTDOOR STORAGE means the storage of vehicles, equipment, goods or materials in the open air.

PAD means a surface on which blocks, posts, runners or strip footings are placed for the purpose of supporting a manufactured home, or a concrete structure for supporting a habitable area.

PARCEL AREA means the total horizontal area within the boundaries of a parcel.

PARCEL AREA, USABLE means a contiguous area of a parcel excluding:

- Land where the natural slope exceeds 30% for a minimum horizontal distance of 10 m (32.8 ft) for lands zoned to permit townhouses and apartments;
- Land where the natural slope exceeds 40% for a minimum horizontal distance of 10 m (32.8 ft) for lands zoned to permit single detached dwellings and duplexes;
- Any land covered by a stream; and
- Existing private access easements.

PARCEL BOUNDARY, EXTERIOR SIDE means a parcel boundary other than the front parcel boundary, which abuts a highway or an access route in a bareland strata plan other than a lane, bridge, pathway, walkway, or park access, and is typically found on a corner parcel.

PARCEL BOUNDARY, FRONT means the shortest parcel boundary which abuts a highway or an access route in a bareland strata plan other than a lane, bridge, pathway, walkway, or park access. In the case of a parcel abutting two parallel or approximately parallel highways or access routes, the parcel boundary abutting the highways or access routes shall both be considered front parcel boundaries. Where primary vehicular access to the parcel is required through and limited to a lane, the parcel boundary abutting the lane shall also be considered a front parcel boundary.

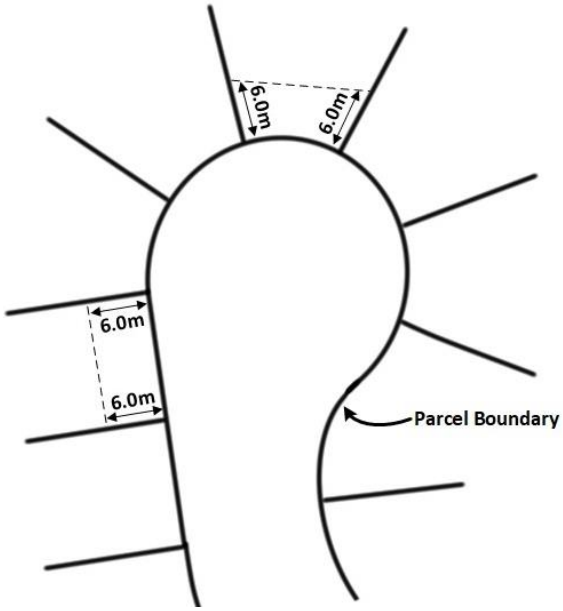
PARCEL BOUNDARY, INTERIOR SIDE means a parcel boundary other than a rear parcel boundary, that is common to 2 or more parcels, or is common to a parcel and a lane.

PARCEL BOUNDARY, REAR means a parcel boundary which is generally opposite to and does not intersect the front parcel boundary, and in the case of a parcel having intersecting side boundaries, the point at which the side boundaries intersect is the rear parcel boundary.

PARCEL COVERAGE means the percent of the surface area of a parcel that is covered by buildings or structures, measured to the outer surface of the exterior walls.

PARCEL WIDTH means the horizontal distance between the side parcel boundaries that intersect with the front parcel boundary, measured at a 6.0 m (19.7 ft) offset from the front parcel boundary (Figure 2.6).

Figure 2.6 - Illustration of parcel width for cul de sac and other frontage



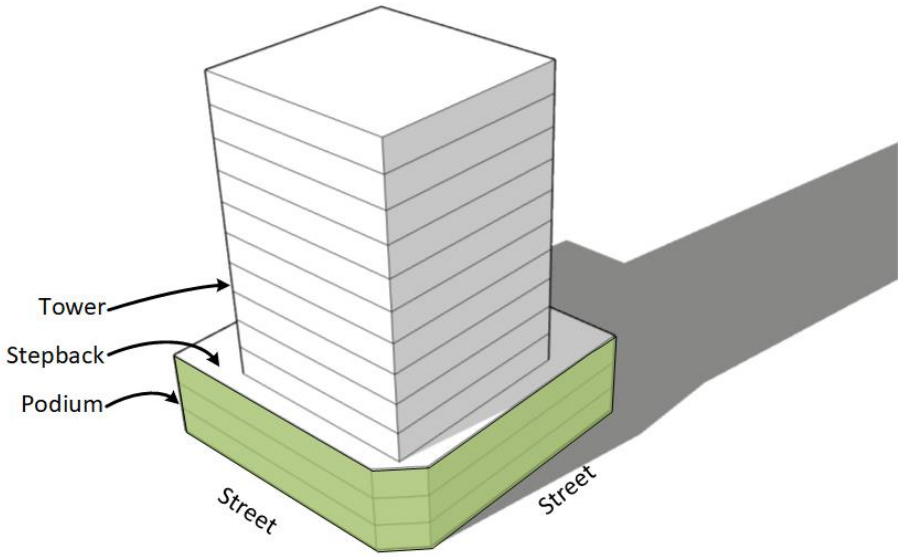
PARKING, NON-SURFACE means parking spaces provided entirely within the principal building or below grade, or a combination thereof. When located below grade, no portion of the parking structure shall extend more than 0.6 m (2.0 ft) above grade.

PARKING, SURFACE means parking spaces provided at grade or within an accessory building or structure, or a combination thereof.

PERSONAL SERVICE ESTABLISHMENT means premises that provide personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical uses include hair salons, tattoo parlours and laundries.

PODIUM means the base of a building, structure or part thereof located at or above established grade distinguished from and upon which upper storeys of the building rest (Figure 2.7).

Figure 2.7 – 3D Illustration of a building podium



PRINCIPAL RESIDENCE means the usual place where an individual (the principal resident) makes their home and conducts daily affairs, like paying bills and receiving mail, for the majority of the year.

PRINCIPAL USE, BUILDING OR STRUCTURE means a use, building or structure in the list of permitted uses in the zones of this bylaw which:

- Typically occupies the major or central portion of a parcel;
- Is the chief or main use, building, or structure on a parcel; and
- Is the primary purpose for which the parcel is used.

PROCESSED FARM PRODUCTS means farm products that have been transformed by such means as fermentation, cooking, canning, smoking or drying.

RECREATIONAL VEHICLE means a vehicle intended as a temporary accommodation for travel, vacation, or recreational use and includes travel trailers, motor homes, slide-in campers, chassis-mounted campers and tent trailers. Recreational vehicle also includes personal watercraft, all-terrain vehicles, snowmobiles, and boats.

RECREATION SERVICES, INDOOR means facilities within an enclosed building used for sports, active recreation and performing and cultural arts. Typical uses include health and fitness facilities, skating rinks, bowling alleys, swimming pools, dance studios, yoga studios and participant virtual reality simulation establishments.

RECREATION SERVICES, OUTDOOR means facilities other than campgrounds which are used for sports and active recreation conducted outdoors. Typical uses include ball fields, soccer fields, go-cart tracks, drive-in theatres, batting cages, miniature golf courses and amusement parks.

RECYCLING DEPOT means premises used for the buying, collecting, sorting, and temporary storage of bottles, cans, newspapers and similar household goods for reuse.

RENT-CONTROLLED HOUSING means a type of affordable housing where the rental rate is set at a value no greater than 30% of the median renter income as defined annually by the posted CMHC Median Renter Income for the local area.

RENT-GEARED-TO-INCOME (RGI) HOUSING means a type of affordable housing where a person pays rent that is proportionate to their income as a type of housing assistance. RGI housing is only available for households with lower incomes calculated at a rate of 30% of a household's monthly Adjusted Family Net Income (AFNI). The AFNI is determined annually using each household member's Notice of Assessment (annual income tax return). If the person received social assistance, the rent is based on the rent benefit set by the Province.

RESORT APARTMENT OR RESORT TOWNHOUSE means apartments or townhouses that may be occupied for periods less than 30 consecutive days. This use typically includes as accessory uses restaurants, banquet and meeting facilities, recreation facilities and personal service establishments.

RETAIL, CONVENIENCE means premises that do not exceed 500 m^2 (5,381.9 ft^2) in gross floor area, where goods are sold, and services are provided primarily to residents or workers in the immediate area.

RETAIL, GENERAL means premises where goods are sold and services are provided and in which exterior sales and storage areas do not exceed 10% of the gross floor area of the business premises. This use excludes wholesale sales and the sale or repair of heavy agricultural, construction and industrial equipment.

RETAIL, SERVICE COMMERCIAL means general retail except that exterior sales including vehicle sales and storage areas are not limited and wholesale sales and the sale or repair of heavy agricultural, construction and industrial equipment is permitted.

RIDING STABLE means premises used to house, train or exercise horses and typically includes space for instruction, boarding stables and a tack shop.

SALVAGE YARD means premises used for the collection, demolition, dismantling, storage, salvage, recycling or sale of waste materials including, but not limited to, scrap metal, vehicles, machinery, and other discarded materials.

SECONDARY USE, BUILDING OR STRUCTURE means 1 or more uses, buildings or structures that are:

- used in conjunction with a principal use, building or structure;
- located on the same parcel as the principal use, building or structure; and
- accessory to the principal use.

SINGLE DETACHED DWELLING means a detached building containing only 1 dwelling. A single detached dwelling may contain a permitted secondary suite. This use includes modular homes that exceed a 5.0 m (16.4 ft) building width, but not a mobile home.

SKYWAY means an elevated pathway or bridge that may be open or enclosed and is designed for pedestrians or vehicles, typically connecting two buildings or areas above ground level.

SHORT-TERM RENTAL means visitor accommodation provided within a single detached dwelling, secondary suite or carriage house by a principal resident and owner in exchange for a fee for a period of time less than 30 consecutive days, where the rental must be in accordance with the *Short-term Rental Accommodations Act.*

SHORT-TERM RENTAL (BED AND BREAKFAST) means a short-term rental providing visitor accommodation within a single detached dwelling by a principal resident owner in exchange for a fee for a period of time less than 30 consecutive days. The owner must reside in the dwelling during the visitors stay, provide breakfast to all visitors, provide a free-flowing and interconnected space, and have no separate kitchen/cooking facilities. Short-term Rentals (Bed and Breakfast) must meet the development regulations outlined in Section 3.19 Short-term Rentals.

SOCIAL HOUSING (ADDICTIONS, MENTAL HEALTH, OR CORRECTIONS) means housing that is designed to accommodate shared residential uses and support services specific to programs related to addictions, mental health, or corrections rehabilitation and transition typically operated by or in partnership with Provincial or Federal programs along with social and medical service providers. This type of housing must include on-site support services, where residents are monitored and may receive supportive services including meal preparation, laundry, transportation, counseling, medical care or room cleaning.

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STEPBACK means the horizontal recessing of the building face above a specified storey measured from exterior wall to exterior wall (Figure 2.8 and 2.9)

Figure 2.8 – 2D Illustration of a building stepback

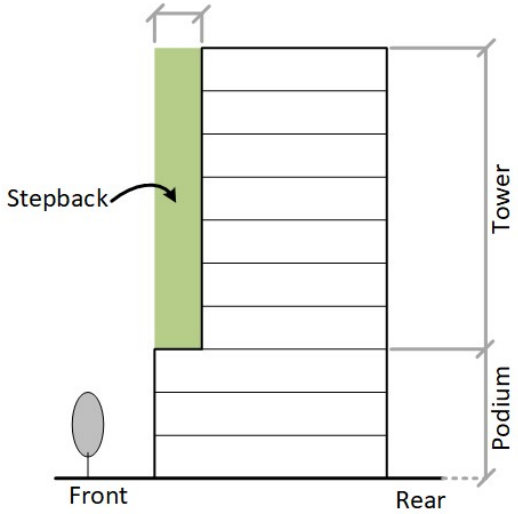
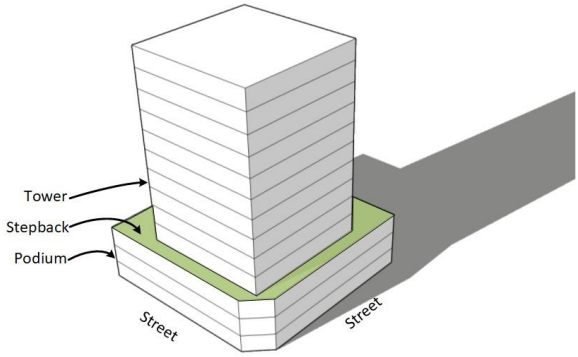


Figure 2.9 – 3D Illustration of a building stepback



STORAGE OF BULK FUEL, CHEMICALS AND OTHER PETROLEUM PRODUCTS means premises used for the above or below ground level storage and distribution of bulk fuel products.

STOREY means that portion of a building which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it, but does not include:

- Projections providing rooftop access;
- Crawlspaces that have a vertical clearance no greater than 1.5 m (4.9 ft); and
- Non-surface parking areas that do not extend more than 0.6 m (2.0 ft) above finished grade.

STREAM means a natural watercourse or source of water supply, whether usually containing water or not, and a lake, river, creek, spring, ravine, swamp and gulch.

STRUCTURE means any construction fixed to, supported by, or sunk into land or water, but excludes concrete and asphalt paving or similar surfacing of land.

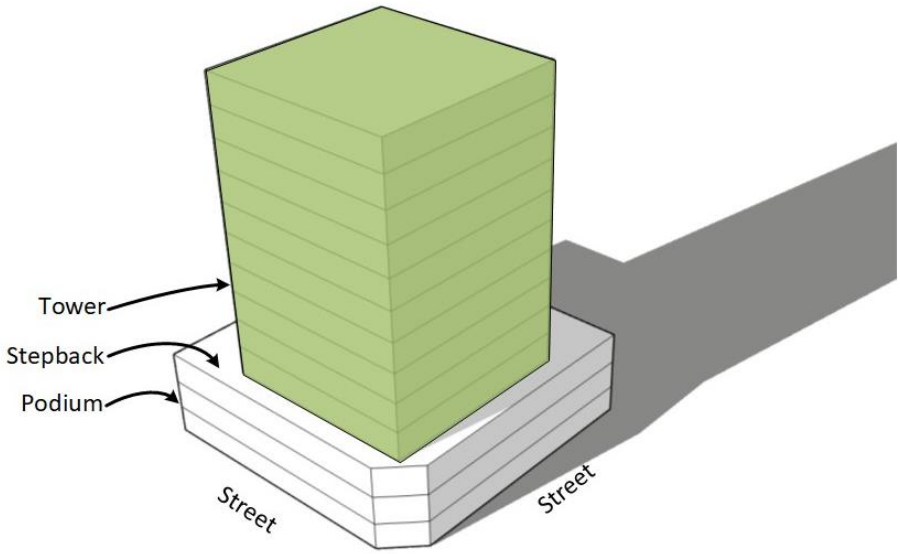
TIMBER PROCESSING means premises used to cut, saw or plane timber, either to finished lumber, or as an intermediary step and may include facilities for the drying and storage of lumber.

TOURIST CABIN means a building with a maximum gross floor area of 100 m^2 (1,076.4 ft^2) that provides accommodation and may include kitchen and sanitary facilities.

TOURIST CAMPSITE SPACES means a defined area within a campsite that provides accommodation for recreational vehicles and tents that may not be occupied for more than 10 days in 1 period of 30 consecutive days.

TOWER means the portion of a building above the podium for a building 7 storeys or greater (Figure 2.10).

Figure 2.10 – 3D Illustration of a building tower



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TOWNHOUSE means a building or group of buildings divided into 3 or more dwellings where each dwelling shares at least 1 common wall or floor with another dwelling and each dwelling has a separate exterior entrance.

TRANSPORTATION STATION means premises used for the pick-up and discharge of fare paying, intercity and intracity bus, train or taxi passengers and may include vehicle bays or shelters and convenience retail stores.

URBAN PLAZA means a publicly accessible private space designed to include landscaping and other urban design elements, such as seating or other features, that break up building frontages to enhance the public realm.

UTILITY SERVICE means premises used for utility infrastructure purposes. Typical uses include sewage lagoons, sanitary landfills, power generation stations and transmission substations.

VACATION RENTAL means the rental of all or part of a dwelling for periods less than 30 days.

VEHICULAR PARKING AREAS AND STRUCTURES means premises providing vehicular parking which is not primarily intended for the use of residents, employees, or patrons of premises on the same parcel. Typical uses include surface parking areas and parking structures located above or below grade.

WAREHOUSE means premises for the storage and distribution of large quantities of goods and typically

includes wholesale sales and accessory office uses.

WET BAR means a small facility that is used exclusively to prepare beverages or other items that do not require cooking. Exhaust fans, 220-volt wiring, natural gas rough-in and permanent cooking facilities of any type are not permitted. The provision of wet bars in no way permits an additional dwelling to be established. A wet bar is not permitted in an accessory building or structure.

ZONE, AGRICULTURAL means the A1 Zone and any parcel within a Comprehensive Development Zone on which agricultural use is permitted as the principal use.

ZONE, COMMERCIAL means the C1, C2, C3, C4, C5, and C6 Zones and any parcel within a Comprehensive Development Zone on which commercial use is permitted as the principal use.

ZONE, INDUSTRIAL means the I1, I2, I3, I4, I5 and I6 Zones and any parcel within a Comprehensive Development Zone on which industrial use is permitted as the principal use.

ZONE, FOREST RESOURCE means the F1 Zone.

ZONE, MULTIPLE RESIDENTIAL means the R3, R4, and R5-H Zones and any parcel within a Comprehensive Development Zone on which multiple residential buildings are permitted as the principal use.

ZONE, NEIGHBOURHOOD CENTRE means the NC1 Zone.

ZONE, PARK OR INSTITUTIONAL means the P1 and P2 Zones and any parcel within a Comprehensive Development Zone on which park or institutional uses are permitted as the principal use.

ZONE, RESIDENTIAL means the Single or Duplex Residential Zone and the Multiple Residential Zone.

ZONE, RURAL means the RU1, RU2, RU3, RU4 and RU5 Zones.

ZONE, SINGLE OR DUPLEX RESIDENTIAL means the RC1, RC2, RC3, , R1, R1M, R1L, RMP, and RP1 Zones and any parcel within a Comprehensive Development Zone on which single detached dwellings or duplexes are permitted as the principal use.

ZONE, URBAN CENTRE means the WUC1, WUC2, WUC3 and BUC1 Zones.

ZONE, WATER means the W1, W2, W3 and W4 Zones.

PART 3 – GENERAL REGULATIONS

3.1 APPLICATION

.1 Except as otherwise specified by this Bylaw, Part 3 applies to all zones established under this Bylaw.

3.2 PERMITTED USES AND STRUCTURES

.1 The following uses and structures are permitted in all zones:

(a) Air or marine navigational aids;
(b) Transit stops and transit charging infrastructure;
(c) Civic plazas;
(d) Community garden;
(e) Community mailboxes placed by Canada Post;
(f) Emergency access route, where required by the CIty
(g) Environmental conservation activities;
(h) Highways;
(i) Mobile vending;
(j) Parks, playgrounds and recreational trails;
(k) Civic uses and municipal facilities;

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(l) Public service facilities for community water or sewer systems (including pumphouses and sewage and water treatment plants), community gas distribution systems and similar public service facilities or equipment such as those required for the transmission of electrical power or reception of radio and television signals, communication towers and municipal works yards;
(m) Storage of construction materials on a parcel for which the construction of a building or structure has been authorized by the City, provided all surplus materials are removed within 20 days of final inspection of the building or structure;
(n) Temporary construction and project sales offices within:

i. Temporary buildings, such as a mobile site office trailer not on a fixed foundation; or
ii. Single detached dwellings, where a portion of the dwelling is used for the temporary construction and project sales office; and
iii. Where the building is authorized by Building Permit and the office use is intended to be discontinued after a period of time.

(o) Temporary use of a building as a polling station for government elections or referenda, provided that the time period of use does not exceed 60 consecutive days.
(p) Temporary processing of on-site aggregates for on-site use as part of an approved development application.

3.3 TEMPORARY USE OF A DWELLING DURING CONSTRUCTION

.1 Despite a restriction under this Bylaw on the number of dwellings permitted on a parcel, the owner of a parcel which already has a single detached dwelling, modular home, or mobile home, while in the process of constructing a new dwelling on the same parcel, may continue to occupy the existing dwelling during the construction of the new dwelling, subject to the following conditions:

(a) The temporary use of a dwelling during construction must not exceed a maximum period of two (2) years from the date of the issuance of a building permit to completion and occupancy of the new dwelling;

(b) Prior to issuance of any permit, the owner shall:

i. Deposit to the City an Irrevocable Letter of Credit or security, satisfactory to the City, in the amount of $50,000 for each building or structure to be demolished; and

ii. Enter into an agreement requiring that the owner remove the existing dwelling or convert the existing dwelling into a non-residential use to the satisfaction of the City on either a date immediately following the granting of occupancy of the new dwelling, or on a date not to exceed two (2) years from the date of issuance of a Building Permit, whichever is less.

3.4 TEMPORARY USE OF A RECREATIONAL VEHICLE DURING CONSTRUCTION

.1 Despite a restriction under this Bylaw on the number of dwellings permitted on a parcel, or the length of occupancy of a recreational vehicle, the owner of a parcel, while in the process of constructing a new single detached dwelling or modular home on the same parcel, may occupy a recreational vehicle during the construction of the new single detached dwelling or modular home subject to the following conditions:

(a) The owner shall cease to occupy the recreational vehicle:

i. Immediately following the granting of occupancy for the new single detached dwelling or modular home; or

ii. Within one year from the date of issuance of the Building Permit for the single detached dwelling or modular home, whichever is less.

3.5 PROHIBITED USES AND STRUCTURES

.1 Except as expressly permitted by this Bylaw, the following uses are prohibited in every zone:

(a) Outdoor storage of materials beneath electrical power distribution lines;

(b) Vacation rentals other than short-term rentals and short-term rentals (bed and breakfast), agri-tourism accommodations, and the use of resort apartments and resort townhouses; and

(c) Occupancy of a recreational vehicle for more than 10 days in 1 period of 30 consecutive days.

.2 The following uses, buildings and structures are prohibited in the Recreational Water Use Zone (W1):

(a) Boat houses and boat shelters; and

(b) Use of a vessel for residential purposes.

.3 The following structure is prohibited in the Intensive Water Use Zone (W2) and Commercial Water Use Zone (W3):

(a) Boat shelters.

.4 The following use is prohibited on every parcel in a Rural or Residential Zone on which no principal building, structure or use, has been established, unless a Building Permit has been issued and has not expired:

(a) Parking of recreational vehicles.

.5 The following uses are prohibited on every parcel in a Residential Zone:

(a) Storage of materials, except permitted vehicles, in the minimum siting distance from the front or exterior side parcel boundary.

.6 The following uses are prohibited on every parcel in the General Commercial (C1), Local Commercial (C2), Westbank Urban Centre (WUC1, WUC2, WUC3), Boucherie Urban Centre (BUC1) and Neighbourhood Centre (NC1) Zones and uses (a) and (c) are prohibited within 150 m (492.1 ft) from an elementary, middle or secondary school:

(a) Adult entertainment store;
(b) Cheque cashing/pay day loan establishments;
(c) Premises used to sell or display cannabis-related paraphernalia; and
(d) Pawnshops.

.7 Except as expressly permitted by this bylaw, cannabis production facilities are prohibited in buildings with multiple occupancies unless all of the occupancies in the building are cannabis production facilities.

.8 Cannabis sales facilities are prohibited on every parcel.

3.6 PROHIBITED VEHICLES AND EQUIPMENT

.1 Exterior Parking of Vehicles

(a) The exterior parking of the following is prohibited on every parcel in any Residential Zone:

i. more than 1 unlicensed vehicle;

ii. more than 1 unlicensed trailer; and

iii. more than 2 recreational vehicles.

.2 Prohibited Vehicles and Equipment in Residential, Agricultural, and Rural Zones

(a) Except when loading or unloading or while temporarily parked while carrying out a business, construction or maintenance activity, the parking of the following vehicles is prohibited on every parcel in any Residential Zone and on parcels with areas less than 0.5 ha (1.2 ac) in any Agricultural or Rural Zone:

i. Any commercial vehicle with a licensed gross vehicle weight exceeding 6000 kg (13,227.7 lb);

ii. More than 2 commercial vehicles of less than 6000 kg (13,227.7 lb) licensed gross vehicle weight each; and

iii. Logging, industrial and construction vehicles or equipment.

(b) Section 3.6.2(a) does not apply to vehicles used for agricultural purposes.

3.7 PARKING AND EXTERIOR STORAGE OF HEAVY VEHICLES OR EQUIPMENT IN AGRICULTURAL AND RURAL ZONES

.1 On a parcel in the Agricultural Zone (A1) or a Rural Zone, the parking and exterior storage of logging, industrial, commercial or construction vehicles or equipment is permitted only in accordance with Table 3.1, and must be in conformance with the *Agricultural Land Commission Act* where applicable:

Table 3.1 Parking or exterior storage of heavy vehicles or equipment in Agricultural and Rural Zones

Minimum parcel size	Maximum number of heavy vehicles or equipment	Maximum area of the parcel covered by heavy vehicles or equipment	Minimum distance of heavy vehicles or equipment from a side or rear parcel boundary or stream
0.5 ha (1.2 ac)	2	150 m^2 (1,614.6 ft^2)	15 m (49.2 ft)
3.8 ha (9.4 ac)	4	300 m^2 (3,229.2 ft^2)	15 m (49.2 ft)

.2 Section 3.7.1 does not apply to vehicles used for agricultural purposes.

3.8 EXEMPTIONS

.1 Minimum Parcel Area Exemptions

(a) The following are exempted from the minimum parcel area regulations:

i. 2 or more parcels consolidated into 1 parcel;

ii. Parcels subject to Section 514 of the *Local Government Act*;

iii. Parcels subject to a Homesite Severance approved by the Agricultural Land Commission;

iv. A parcel being reduced in area due to land dedication for highway improvements; and

v. A parcel being created to be used solely for unattended public service facilities or equipment necessary for the operation of the following, provided that the owner enters into a restrictive covenant with the City restricting the use of the parcel to the use proposed:

a) A community water or sewer system;

b) A community gas distribution system;

c) An air or marine navigation aid;

d) An electrical substation or power generating station;

e) Parks or playgrounds; and

f) Similar public service facilities or equipment.

.2 Parcel Coverage Exemptions

(a) The following are not included in the calculation of parcel coverage:

i. Arbors, trellises, and pergolas;

ii. Cantilevered decks and balconies;

iii. Chimneys and columns external to a building;

iv. Cornices, gutters, leaders, eaves, belt courses, sills, bay windows, pop outs or other similar building features as long as the feature does not extend to grade level adjacent to the building;

v. Driveways, manoeuvring aisles, and parking and loading spaces;

vi. On parcels classified as a farm under the *Assessment Act*, permeable detention ponds and support structures used for shading, frost and wind protection, netting and trellising;

vii. Open swimming pools;

viii. Sidewalks, patios, and hard surfacing of the ground;

ix. Uncovered and open exterior stairs; and

x. Underground structures that do not extend above the surface of the parcel.

.3 Height Regulation Exemptions

(a) The following are exempted from the height regulations:

i. Antennas, masts and towers for the transmission or reception of radio and television signals;

ii. Chimneys and smokestacks;

iii. Domes and cupolas;

iv. Elevator and rooftop stairway housing or accesses in Urban and Neighbourhood Centre Zones, provided that:

a) their combined area does not exceed 30.0 m^2; or the individual area when only one access is provided does not exceed 15.0 m^2;

b) they do not project more than 4.0 m (13.1 ft) above the permitted maximum height of the principal buildings; and

c) the stairway and elevator lobby are used for no purpose other than for access or egress; and

d) the total access area does not exceed more than 20% of the total rooftop area;

v. Flag poles;

vi. Grain bins, silos and combination grain bins and silos;

vii. Industrial cranes;

viii. Monuments and sculptures;

ix. Municipal facilities;

x. Rooftop mechanical equipment provided that the equipment is screened;

xi. Spires, steeples and belfries;

xii. Transit charging infrastructure; and

xiii. Water towers.

(b) No exempted structure, other than those listed in Sections 3.8.3(a)i. and 3.8.3(a)xii. shall:

i. exceed 20 m (65.6 ft) in height; and

ii. cover more than 20% of the parcel or 10% of the roof area of a building if located on a building.

(c) Despite 3.8.3(a) and 3.8.3(b) grain bins shall not exceed 46 m (151.0 ft) in height, silos shall not exceed 34 m (111.5 ft) in height, and combination grain bins and silos shall not exceed 41 m (134.5 ft) in height.

.4 Siting Exemptions

(a) The following are exempted from the siting regulations:

i. Landscape features such as arbors, pergolas, trellises, fishponds, landscape stairs, and ornaments except where the feature exceeds 2.0 m (6.6 ft) in height, in which case it shall be a minimum of 1.5 m (4.9 ft) from any parcel boundary;

a) No landscape feature shall contain a roof for the purposes of Section 3.8.4(a);

ii. Bay windows, pop outs, open decks and balconies, open entry porticos, open porches or open exterior stairs provided they extend no more than 0.6 m (2.0 ft) into the required minimum siting distance from any parcel boundary or a required stepback.

iii. Despite Section 3.8.4(a)ii. in all Agricultural Zones, Rural Zones, and Single or Duplex Residential Zones, bay windows, pop outs, open decks and balconies, open entry porticos, open porches or open exterior stairs provided, in total, that they are limited to 35% of the overall length of the building face on which they are installed and provided they extend no more than:

a) 1.2 m (3.9 ft) into the required minimum siting distance from the front or rear parcel boundary or a required stepback from a building face along these parcel boundaries; and

b) 0.6 m (2.0 ft) into the required minimum siting distance from the interior side or exterior side parcel boundary or a required stepback from a building face along these parcel boundaries;

iv. Chimneys, columns, cornices, gutters, leaders, air conditioners, heat pumps, belt courses, sills or other similar structures, provided they do not extend more than 0.6 m (2.0 ft) into the required minimum siting distance from any parcel boundary or a required stepback;

v. Eaves, awnings, sunlight control projections and canopies, provided they extend no more than:

a) 1.2 m (3.9 ft) into the required minimum siting distance from the front or rear parcel boundary or a required stepback from a building face along these parcel boundaries; and

b) 0.6 m (2.0 ft) into the required minimum siting distance from the interior side or exterior side parcel boundary or a required stepback from a building face along these parcel boundaries;

vi. Fences, solid screens and retaining walls;

vii. Free standing light poles, flag poles, warning devices, antennas, masts, and clothes lines;

viii. Sidewalks, patios, paving stones and hard surfacing of the ground;

ix. Transit charging infrastructure;

x. Underground structures that do not extend above the surface of the parcel;

xi. Open swimming pools provided that the pool is:

a) not within the required minimum siting distance from the front parcel boundary; and

b) a minimum of 1.0 m (3.3 ft) from any other parcel boundary;

xii. Despite Section 3.8.4(a)x.a), on parcels where there are two front parcel boundaries, an open swimming pool may be located within the required minimum siting distance from one front parcel boundary, provided that:

a) The pool is not located in front of the primary front facade of the building, as determined by the orientation of similar buildings on the same block; and

b) The pool is a minimum of 1.0 m (3.3 ft) from all parcel boundaries; and

xiii. Municipal facilities.

.5 Parcel Boundary Created by Corner Cut

(a) Parcel boundaries that have been created as a result of a corner cut shall not be considered a parcel boundary when determining minimum siting distances from any parcel boundary or when determining minimum frontage.

.6 Frontage Exemption for Parcels Located on a Cul-de-Sac

(a) Despite the minimum parcel frontage specified in each Rural or Residential zone, parcels located on a cul-de-sac may have a lesser minimum parcel frontage provided that the parcel width is no less than the minimum parcel frontage specified in each zone, and access requirements have been met.

3.9 ACCESSORY USES, BUILDINGS AND STRUCTURES

.1 General Requirements

(a) No accessory building or structure shall be attached to a principal building or structure unless it meets all requirements in this Bylaw for the principal building or structure.

(b) No accessory building or structure shall be used as a dwelling.

(c) Accessory buildings are permitted to have one half bathroom with a toilet and sink. The bathroom is permitted to a maximum of 3.0 m^2. A wet bar, bedrooms and/or full bathrooms are not permitted, except one full bathroom is permitted in an accessory building or structured used exclusively as a pool house.

(d) No accessory building or structure shall project into the required minimum siting distance from the front or exterior side parcel boundary unless otherwise exempted in this Bylaw.

(e) An accessory building or structure may be located within a required minimum siting distance from the rear or interior side parcel boundary in any zone, but if the accessory building or structure exceeds 2.0 m (6.6 ft) in height, it shall be a minimum of 1.5 m (4.9 ft) from the rear and interior side parcel boundaries and the eaves shall be a minimum of 0.9 m (3.0 ft) from the rear and interior side parcel boundaries.

(f) The maximum number and maximum floor area of accessory buildings and structures permitted on any parcel in a Residential Zone is specified in Table 3.2. Domestic water pump houses, open swimming pools, swimming pool auxiliary buildings or other similar communal amenity buildings are not accessory buildings or structures for the purpose of this regulation.

Table 3.2 Maximum number and maximum floor area ***of accessory buildings and structures***

Zone	**Maximum number of accessory buildings and structures**	**Maximum** floor area **of all accessory buildings and structures combined**
RC1, RC2, RC3 or RC4	2	60 m^2 (645.8 ft^2)
All other Residential Zones	3	100 m^2 (1,076.4 ft^2)

(g) Despite the setbacks established in Section 3.9.1(e), where an accessory building or structure is permitted to be used to house animals within any Residential Zones as per the Animal Control Bylaw and applicable zoning regulations, the accessory building or structure must be located a minimum of 15.0 m (49.2 ft) from any neighbouring dwelling. Accessory buildings or structures used to house poultry in any Residential Zones must not exceed 10 m^2 (107.6 ft^2).

.2 Metal Shipping Containers

(a) A metal shipping container shall only be used for storage purposes.

(b) A metal shipping container shall not be stacked, accessible to the general public, or rented or leased as part of a commercial storage facility.

(c) Metal shipping containers are permitted in the following zones:

i. Industrial

ii. Commercial

iii. Agricultural

iv. Parks and Institutional

v. Rural

(d) Despite Section 3.9.2(c),

i. When a Building Permit has been issued for construction on a parcel in any zone, metal shipping containers may be used for temporary storage provided that they are removed within 30 days of final inspection of the building or structure for which the Building Permit has been issued;

ii. Metal shipping containers may be used for moving provided that they are not located on any parcel for longer than 30 days;

iii. Metal shipping containers may be used for emergency purposes on a parcel in any zone provided they are not located on any parcel for longer than 90 days; and

iv. The maximum number of metal shipping containers located in Rural Zones is specified in Table 3.3.

Table 3.3 Maximum number of metal shipping containers in Rural Zones

Zone	Number of Shipping Containers
RU1	1
RU2, RU3, RU4, or RU5	2

(e) Metal shipping containers shall not be sited between the principal building or structure and the front parcel boundary, except when the front parcel boundary abuts a lane, unless it is being used in accordance with Section 3.9.2 (d) or Section 3.9.2(g).

(f) The maximum number of metal shipping containers on any parcel is 2.

(g) Section 3.9.2(f) does not apply to a business within a Service Commercial Zone (C4) or Industrial Zone that leases, rents or sells metal shipping containers for use elsewhere.

(h) Despite 3.9.2(f), the maximum number of metal shipping containers on any secondary school site is 6 and the maximum number of metal shipping containers on any middle or elementary school site is 3.

.3 Solar Energy Devices

(a) Solar energy devices are permitted in any zone provided:

i. That when attached to a principal building or structure or an accessory building or structure, the device does not:

a) extend beyond the outermost edge of the roof or structure; or

b) extend above the highest point of the roof or structure.

ii. That when the device is a standalone structure, it meets the siting requirements for the principal building or structure on the parcel on which the device is located.

3.10 PORTABLE SAW MILLS AND PORTABLE SHAKE MILLS

.1 Portable saw mills and portable shake mills shall:

(a) Be located on parcels with parcel areas of at least 8 ha (19.8 ac);

(b) Have a capacity of not more than 50 m^3 (21,188.8 board feet of lumber) per day;

(c) Have no accumulation of sawdust, wood chips or other wood products with a height exceeding 10 m (32.8 ft); and

(d) Provide a clear fire guard a minimum of 15 m (49.2 ft) wide around the mill, logs and debris, measured from the nearest parcel boundary or the forest, whichever is closer to the mill, logs or debris.

.2 Only logs originating from the parcel upon which the portable saw mill or portable shake mill is located may be processed in a portable saw mill or shake mill.

.3 The use of a parcel for the storage of debris, slash, mill waste, timbers and skids after cessation of operation of a portable saw mill or portable shake mill is prohibited.

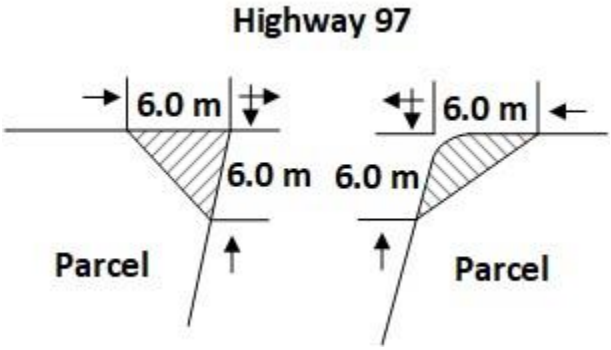
3.11 SIGHT TRIANGLE AND SITING PROVISIONS FROM PROVINCIAL HIGHWAYS

.1 Sight Triangle

(a) Where a corner parcel abuts a Provincial Highway, the parcel shall maintain an unobstructed sight triangle in accordance with the dimensions in *Figure 3.1*.

(b) Section 3.11.1 does not apply to parcels from which a triangular area greater than or equal to the sight triangle has been dedicated as highway.

Figure 3.1 - Illustration of sight triangles



.2 Siting Provisions on a Provincial Highway

(a) All buildings, structures, signs and landscaping located on parcels abutting a Provincial Highway shall be sited as per the *Provincial Public Undertakings Regulation.*

3.12 FENCES

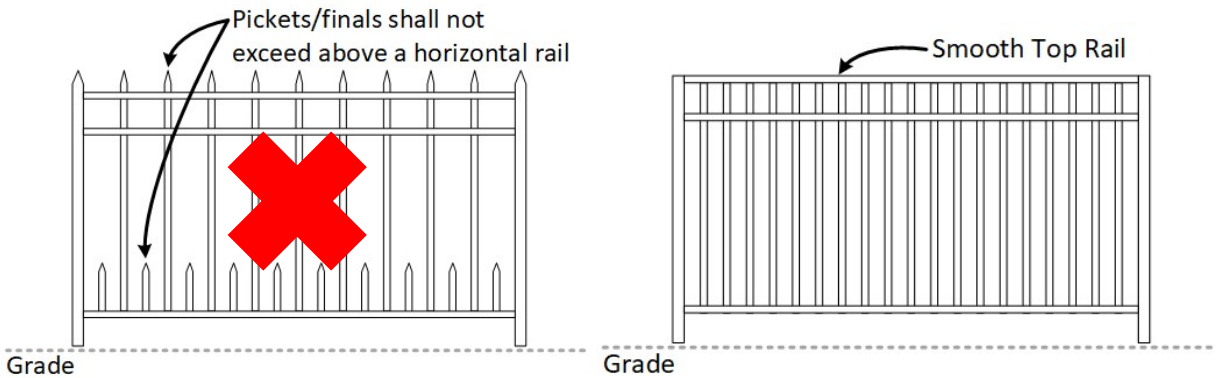
.1 Prohibited Materials

(a) No fence in a Residential Zone, Urban or Neighbourhood Centre Zone, or Commercial Zone, except for the Service Commercial Zone (C4) shall contain barbed wire, razor wire, electrified wire, tarps, unfinished sheet metal or unfinished corrugated metal.

(b) No fence in a Rural Zone, any Industrial zone or the Agricultural Zone (A1) shall contain razor wire, tarps, unfinished sheet metal or unfinished corrugated metal.

(c) No metal fence shall be constructed or erected that have the ends of the fence pickets or finials to extend above a horizontal rail (see Figure 3.2).

Figure 3.2 – Metal Fence Styles



.2 Height

(a) Fence height shall be measured vertically from the highest part of the fence to the point where the fence post enters grade or the retaining wall on which the fence is constructed.

(b) Maximum fence height is specified in Table 3.4.

(c) Despite 3.12.2(a), the height measurement for a fence constructed on top of a landscape berm shall include the combined height of the fence and the landscape berm, measured from the bottom of the berm.

(d) Despite 3.12.2(b), gates are exempted from the maximum fence height.

Table 3.4 Maximum fence height

Zone/Use	Maximum Fence Height
Agricultural and Rural zone	3.1 m (10.1 ft)
Residential Zone	1.22 m (4.0 ft) when located within the minimum siting distance from the front or exterior side parcel boundary. 2.0 m (6.6 ft) on all other portions of the parcel. 2.0 m (6.6 ft) when sited in accordance with the pool siting requirements in Section 3.8.4(a).10.
Industrial and Service Commercial Zones	2.5 m (8.2 ft)
Park Zone and any other parcel where the use is an athletic field as classified by the City	4.9 m (16.1 ft)
All other zones	2.0 m (6.6 ft)
Fence located on top of a retaining wall	1.22 m (4.0 ft)

.3 Park Boundary Fences

(a) In Residential and Rural Zones, fences shall be provided and maintained on the non-park parcel abutting the park boundary as specified in Table 3.5.

Table 3.5 Park boundary fences

Location of Parcel	Permitted Fence Materials	Minimum Fence Height
Parcel abuts the Park and Open Space Zone (P1) or dedicated park land	Black vinyl chain link	1.22 m (4.0 ft)
Parcel abuts the Park and Open Space Zone (P1) that is classified by the City as a natural area park or dedicated park land that is classified by the City in the Parks Master Plan as a natural area park or linear park	Black vinyl chain link and split rail fence.	1.22 m (4.0 ft)

3.13 SOLID SCREENS

.1 Location

(a) A solid screen shall be provided and maintained to act as an enclosure and a visual barrier:

i. along the boundary of every parcel within Commercial and Industrial Zones, that abuts a Residential Zone or Parks and Institutional Zone and on which buildings or structures are located;

ii. around all outdoor storage areas in Commercial, Industrial and Parks and Institutional Zones; and

iii. along the boundary of every parcel within an Industrial Zone that abuts a Commercial Zone, except for a Service Commercial Zone, and on which buildings or structures are located.

.2 Height

(a) A solid screen required by this Bylaw shall not be less than 2.0 m (6.6 ft) in height measured from the highest part of the solid screen to the point where the solid screen enters grade.

.3 Materials and Gates

(a) A solid screen shall not consist of untreated plywood, unfinished corrugated metal or chain link fencing, except for chain link fencing that contains slat inserts to create a visual barrier or includes a solid landscape screen on the street side of the fence within the property boundary to act as a visual barrier.
(b) A solid screen shall include gates on all access points comprised of similar materials to the solid screen.

3.14 RETAINING WALL

.1 The maximum height of any individual retaining wall is 2.5 m (8.2 ft).

.2 Individual retaining walls shall not be closer than 2.0 m (6.6 ft) apart, measured from the outer face of each retaining wall.

.3 Despite 3.14.2, individual retaining walls may be constructed less than 2.0 m (6.6 ft) apart, measured from the outer face of each retaining wall, but will be collectively considered an individual retaining wall for the purposes of determining height.

.4 Where a retaining wall is built downslope of a building or structure, and within 1.5 m (4.9 ft) of the base of an exterior wall or structural support, the height of the retaining wall shall be included in the measurement of height for the building or structure.

3.15 OUTDOOR LIGHTING

.1 Outdoor lighting shall:

(a) be located and arranged so that no direct rays of light are directed at any abutting parcels or interfere with the effectiveness of any traffic control device.
(b) not exceed 9.1 m (29.9 ft) in height.

3.16 HOME BASED BUSINESSES

.1 Home Based Business, Minor

(a) A minor home based business shall:

i. Only be conducted within a principal dwelling unit.

ii. Limit their retail sales to:

a) Products incidental to a service being provided; and
b) Online, mail order, telephone sales and direct distributorships where customers do not enter the premises to inspect or pick up goods.

(b) A minor home based business shall not:

i. Occupy more than 25% of the gross floor area of the dwelling unit to a maximum of 20 m^2 (215.3 ft^2), except for a care facility.

ii. Generate more than 1 client visit to the premises at any one time, except for a care facility.

iii. Employ a person who does not reside in the dwelling unit, except for a care facility.

iv. Have more than 1 non-internally illuminated sign to a maximum size of 3000 cm^2 (465 in^2) that is attached to the dwelling and a minimum distance of 1.5 m (4.9 ft) from any parcel boundary.

v. Have any exterior indication that a minor home based business is in operation on any parcel, except for permitted signage and parking.

vi. Involve the repair or painting of vehicles, trailers, boats, commercial equipment or industrial equipment, welding or machine shops, spray painting or spray coating operations.

(c) Despite the definition of 'dwelling', a food catering or in-home childcare business operating as a minor home based business may establish 1 additional kitchen within a single detached dwelling or duplex, provided that:

i. the kitchen installation is required by Interior Health; and

ii. the kitchen is removed if the operation of the home based business ceases.

.2 Home Based Business, Major

(a) A major home based business shall:

i. Be conducted in accordance with Table 3.6.

Table 3.6 Location and area for major home based businesses

Parcel Size	Location	Maximum Area	Maximum Outdoor Storage Area
Parcels less than 0.5 ha (1.2 ac)	Within the dwelling unit or within 1 accessory building	A combined maximum of 50 m^2 (538.2 ft^2), with the exception of a care facility	No outdoor storage is permitted
Parcels equal to or greater than 0.5 ha (1.2 ac)	Within the dwelling unit or within accessory buildings	A combined maximum of 100 m^2 (1,076.4 ft^2), with the exception of a care facility.	50 m^2 (538.2 ft^2)
Parcels of any size within an Agricultural Zone	Within the dwelling unit or within accessory buildings	A combined maximum of 150 m^2 (1,614.6 ft^2), with the exception of a care facility	50 m^2 (538.2 ft^2)

ii. Employ at least 1 person who resides in the dwelling unit, except for a major home based business in an Agricultural Zone.

iii. Limit their retail sales, except for a major home based business in an Agricultural Zone, to:

a) Products incidental to a service being provided;
b) Mail order, telephone sales and direct distributorships where customers do not enter the premises to inspect, purchase or pick-up goods; and
c) Products produced on the premises.

(b) A major home based business shall not:

i. Generate more than 3 client visits at any one time, except for a care facility or a major home based businesses in an Agricultural Zone.

ii. Employ more than 2 persons in the business who do not reside in the dwelling unit, except for a care facility.

iii. Involve the repair or painting of vehicles, trailers, boats, commercial equipment or industrial equipment, welding or machine shops, spray painting or spray coating operations, except for major home based businesses which are located on parcels which are equal to or greater than 0.5 ha (1.2 ac).

iv. Have any exterior indication that a major home based business is in operation on any parcel, except for permitted signage and parking.

(c) Outdoor storage areas as permitted by Table 3.6 shall be enclosed by a solid screen and be located a minimum distance of 15 m (49.2 ft) from any parcel boundary.

(d) A major home based business is permitted to have 1 non-internally illuminated sign as specified in Table 3.7.

Table 3.7 Permitted signage in major home based businesses

Parcel Size	Maximum Sign Area	Location of Sign
Parcels less than 0.5 ha (1.2 ac)	3000 cm^2 (465 in^2)	Either attached to the building in which the home based business is located or located elsewhere on the parcel and a minimum of 1.5 m (4.9 ft) from any parcel boundary.
Parcels equal to or greater than 0.5 ha (1.2 ac)	1 m^2 (10.8 ft^2)	

(e) Despite the definition of 'dwelling' a food catering or in-home childcare business operating as a major home based business may establish 1 additional kitchen within a single detached dwelling or duplex, provided that:

i. The kitchen installation is required by Interior Health; and

ii. The kitchen is removed if the operation of the home based business ceases.

3.17 SECONDARY SUITES

.1 A secondary suite shall:

(a) Be located only within a principal single detached dwelling, except where specifically permitted in this bylaw. For certainty, a secondary suite cannot be connected by a garage, breezeway, skyway or unconditioned space to a principal dwelling.

(b) Have a maximum gross floor area of:

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i. 110 m^2 (1184.0 ft^2) or 40 % of the habitable gross floor area of the principal dwelling, whichever is less, where the secondary suite is located in a principal dwelling; or

ii. 40% of the habitable gross floor area of the carriage house, where the secondary suite is located in a carriage house.

(c) Only be rented for rental periods of one month or greater, unless it is authorized as a short-term rental as specified in Section 3.19.

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(d) Be accessed through a separate exterior entrance from that of the principal dwelling unit.

.2 A secondary suite shall not:

(a) Be permitted without connection to a community sewer system unless the parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.

(b) Be subdivided under the *Strata Property Act* from the principal dwelling.

.3 A secondary suite is not permitted on a parcel that contains a:

(a) Short-term rental (Bed and breakfast).

(b) Carriage house, except where specifically permitted in this bylaw.

3.18 CARRIAGE HOUSES

.1 A carriage house shall:

(a) Only be accessory to and on the same parcel as a principal single detached dwelling.

(b) Be accessed through a separate exterior entrance that does not require passage through any part of the building used for motor vehicle parking or accessory uses.

(c) Be separated a minimum distance of 3.0 m (9.8 ft) from the single detached dwelling on the same parcel.

(d) Only be rented for rental periods of one month or greater, unless it is authorized as a short-term rental as specified in Section 3.19

.2 A carriage house shall not:

(a) Include any decks or balconies over 0.6 m (2.0 ft) in height or roof top patios, except where:

i. The deck, balcony or roof top patio is located 6.0 m (19.7 ft) or greater from the adjacent property; or

ii. A solid screen with a minimum height of 2.0 m (6.6 ft) has been provided adjacent to any abutting low density residential development where the deck, balcony or roof top patio is located within 6.0 m (19.7 ft) of the adjacent property.

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(b) Be subdivided under the *Strata Property Act* from the principal single detached dwelling.

.3 The maximum gross floor area of a carriage house is specified in Table 3.9.

Table 3.9 Maximum gross floor area

Zone	Maximum Gross Floor Area
RC1, RC2, RC3, RP1, R1, R1L, RU1, I6, CD1(C), CD1(E), CD3(A)	110 m^2 (1,184 ft^2) or 75% of the gross floor area of the principal dwelling, whichever is less
RU2, RU3, RU4, RU5, A1	140 m^2 (1,506.9 ft^2) or 75% of the floor area of the principal dwelling, whichever is less
Parcels within the ALR	90 m^2 (968.7 ft^2) or 75% of the gross floor area of the principal dwelling, whichever is less for parcels less than 40 ha; or

	140 m^2 (1,506.9 ft^2) or 75% of the gross floor area of the principal dwelling, whichever is less for parcels greater than 40 ha

.4 A carriage house requires a connection to a community water system unless:

(a) Connection to a community water system is not available to the parcel. Should no connection be available, the applicant for a Building Permit for the carriage house shall provide to the City:

i. The certification of a professional engineer specializing in groundwater hydrology, registered to practice in the Province of B.C., that a sufficient on-site supply of year-round groundwater is available to serve the existing or proposed single detached dwelling and the proposed carriage house; or

ii. Confirmation from the Province that an existing water license(s) has the sufficient supply to serve the existing or proposed single detached dwelling and the proposed carriage house.

.5 A carriage house requires a connection to a community sewer system unless:

(a) Connection to community sewer is not available to the parcel;

(b) The parcel has a minimum parcel area of 1 ha (2.4 ac); and

(c) The applicant for a Building Permit for the carriage house provides to the City written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.

.6 Where a carriage house is located within 25.0 m (82.0 ft) of a rear or interior side parcel boundary that abuts a residential or rural zone, a solid screen, consisting of either fencing or a hedge with a minimum height at maturity of 2.0 m (6.6 ft.), shall be provided and maintained along all or a portion of the boundaries that are adjacent to the carriage house and its outdoor amenity space.

.7 A carriage house is not permitted on a parcel that contains a:

Bylaw 0320.15

(a) Short -term rental (Bed and breakfast).

(b) Agricultural worker dwelling.

3.19 SHORT-TERM RENTALS AND SHORT-TERM RENTALS (BED AND BREAKFAST)

.1 Short-term Rental Use

(a) A short-term rental use shall:

i. Only be conducted within a single detached dwelling, or a secondary suite or carriage house accessory to a single detached dwelling, to a maximum of one short-term rental use per parcel, where the parcel contains more than one dwelling unit.

ii. Be operated by an owner of the property who is also a principal resident, that must be present overnight during the visitors stay, and be present for a portion of the day, provided that:

a) A local contact is available to interact with guests during operation and respond to any nuisance complaints; and

b) The name and contact information of the local contact must be displayed prominently within the dwelling.

iii. Be rented for periods less than 30 consecutive days.

iv. Ensure that the owner or local contact is available to respond to the dwelling within two (2) hours of being requested to do so by the City.

v. Ensure one dwelling unit is maintained for the principal resident.

(b) A short-term rental use shall not:

i. Permit any exterior indication that a short-term rental is in operation on any parcel, except for permitted signage and required parking.

ii. Permit more than two adults per bedroom.

iii. Permit more than four bedrooms for short-term rental use per dwelling.

.2 Short-term Rental (Bed and Breakfast) Use

(a) A short-term rental (bed and breakfast) use shall:

i. Only be conducted within a single detached dwelling with no secondary dwelling unit on the same parcel.

ii. Be operated by an owner of the property who is also a principal resident, that must be present overnight during the visitors stay and be present for a portion of the day.

iii. Provide breakfast to visitors.

iv. Be rented for periods less than 30 consecutive days.

v. Illustrate the bedroom occupied by the principal resident.

(b) A short-term rental (bed and breakfast) use shall not:

i. Permit any exterior indication that a short-term rental is in operation on any parcel, except for permitted signage and required parking.

ii. Permit more than two adults per bedroom to a maximum of eight persons.

iii. Permit more than four bedrooms for short-term rental use per dwelling.

.3 Sewer Connection

(a) A short-term rental and short-term rental (bed and breakfast) shall not be permitted without connection to a community sewer system unless:

i. the parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.

.4 Signage

(a) A short-term rental and short-term rental (bed and breakfast) is permitted to have no more than one non-internally illuminated sign to a maximum size of 0.3 m^2, where the sign may:

i. The sign may be attached to the dwelling; or

ii. Located elsewhere on the parcel at a minimum distance of 1.5 m (4.9 ft) from any parcel boundary.

3.20 AGRICULTURAL WORKER DWELLING

.1 Agricultural Worker Dwellings shall only be located on parcels or farm units where all or part of the parcel or farm unit where the agricultural dwelling is located is classified as a farm under the *Assessment Act* and the need for agricultural worker dwellings has been demonstrated to the City through documentation such as:

(a) A contract with the Federal government through a migrant worker program such as the Seasonal Agricultural Worker Program or Agricultural Stream Program;

(b) Farm receipts;

(c) Previous employment records; and/or

(d) A farm plan prepared by a professional agrologist.

.2 The agricultural worker dwelling shall only be located on the same parcel where the agricultural use is taking place or located on a parcel within the same farm unit.

.3 The gross floor area of an agricultural worker dwelling shall not exceed 140 m^2 (1,507 ft^2) or 75% of the gross floor area of the principal single detached dwelling, whichever is less.

.4 The maximum number of agricultural worker dwellings is specified in Table 3.10.

Table 3.10 Maximum number of agricultural worker dwellings

Minimum Parcel Size or Minimum Farm unit Size	**Maximum Number of Agricultural Worker Dwellings**
Parcels or farm units less than 3.8 ha (9.4 ac)	0
Parcels or farm units equal to or greater than 3.8 ha (9.4 ac) and less than 7.6 ha (18.8 ac)	1
Parcels or farm units equal to or greater than 7.6 ha (18.8 ac)	2

.5 An agricultural worker dwelling shall not be permitted without connection to a community sewer system unless:

(a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.

.6 Agricultural worker dwellings are not permitted on a parcel that contains a carriage house.

3.21 TEMPORARY AGRICULTURAL WORKER DWELLING

.1 Temporary agricultural worker dwellings shall only be located on parcels or farm units where:

(a) All or part of the parcel on which the temporary agricultural worker dwelling is located is classified as a farm under the *Assessment Act* or

(b) The need for agricultural worker dwellings has been demonstrated to the City through documentation such as:

i. A contract with the Federal government through a migrant worker program such as the Seasonal Agricultural Worker Program or Agricultural Stream Program;

ii. Farm receipts;

iii. Previous employment records; and/or

iv. A farm plan prepared by a professional agrologist.

.2 The temporary agricultural worker dwelling shall only be located on the same parcel where the agricultural use is taking place or located on a parcel within the same farm unit.

.3 Temporary agricultural worker dwellings shall be provided in the form of permanent buildings such as cabins or bunk houses, semi-permanent buildings such as mobile homes, or temporary accommodation such as tents or recreational vehicles.

.4 Temporary agricultural worker dwellings provided in the form of temporary accommodation (such as tents or recreational vehicles) shall not be occupied more than 8 months in 1 calendar year.

.5 Temporary agricultural worker dwellings provided in the form of permanent buildings (such as cabins or bunkhouses) and semi-permanent buildings (such as mobile homes) shall not be occupied more than 10 months in 1 calendar year.

.6 The gross floor area of a temporary agricultural worker dwelling shall not exceed 100 m^2 (1,076.4 ft^2).

.7 The maximum number of temporary agricultural worker dwellings in the form of permanent buildings is specified in Table 3.11.

Table 3.11 Maximum number of temporary agricultural worker dwellings (permanent buildings only)

Minimum Parcel Size or Minimum Farm unit Size	**Maximum Number of Temporary Agricultural Worker Dwellings**
Parcels or farm units less than 3.8 ha (9.4 ac)	0
Parcels or farm units equal to or greater than 3.8 ha (9.4 ac) and less than 7.6 ha (18.8 ac)	1
Parcels or farm units equal to or greater than 7.6 ha (18.8 ac)	2

.8 The maximum number of temporary agricultural worker dwellings in the form of semi-permanent buildings is specified in Table 3.12.

Table 3.12 Maximum number of temporary agricultural worker dwellings (semi-permanent buildings)

Minimum Parcel Size or Minimum Farm unit Size	**Maximum Number of Temporary Agricultural Worker Dwellings (semi-permanent buildings only)**
Parcels or farm units less than 2.0 ha (3.8 ac)	0
Parcels or farm units equal to or greater than 2.0 ha (3.8 ac) and less than 7.6 ha (18.8 ac)	1
Parcels or farm units equal to or greater than 7.6 ha (18.8 ac)	2

.9 Temporary agricultural worker dwellings in the form of permanent buildings (such as cabins or bunkhouses) or semi-permanent buildings (such as mobile homes) shall not be permitted without connection to a community sewer system unless:

(a) The parcel receives the written approval of a Registered Onsite Wastewater Practitioner (ROWP) for septic disposal capacity.

.10 Temporary agricultural worker dwellings in the form of temporary accommodation (such as tents or recreational vehicles) shall provide unrestricted access to screened washrooms, screened showers with warm water, washbasins, and a communal kitchen for agricultural workers on the same parcel where the temporary accommodation is located. The minimum number of fixtures provided shall meet either:

(a) Schedule 2 of the British Columbia *Public Health Act* Industrial Camps Regulation; or

(b) The Occupant Calculations provided in "Schedule F Housing Inspection Report, Seasonal Agricultural Worker Program and Agricultural Stream" (with portable toilets included in the calculation).

3.22 AGRI-TOURISM ACCOMMODATION

.1 Agri-tourism accommodation shall only be conducted within a principal single detached dwelling.

.2 All or part of the parcel on which the agri-tourism accommodation is located shall be classified as a farm under the *Assessment Act*.

.3 Agri-tourism accommodation shall only be rented for rental periods of less than 1 month.

.4 The maximum number of agri-tourism accommodation guest rooms is specified in Table 3.13.

Table 3.13 Maximum number of guest rooms.

Parcel Size	Maximum Number of Guest Rooms
Parcels less than 2.0 ha (4.9 ac)	0
Parcels equal to or greater than 2.0 ha (4.9 ac) and less than 7.6 ha (18.8 ac)	4
Parcels greater than 7.6 ha (18.8 ac)	10

.5 When a short-term rental or short-term rental (bed and breakfast) is located on the same parcel as an agri-tourism accommodation, the total number of guest rooms permitted on the parcel is the number specified in Table 3.13.

.6 Agri-tourist accommodation uses shall be setback a minimum of 30 m (98.4 ft) from adjacent Residential Zones.

.7 For parcels equal to or greater than 2.0 ha and less than 7.6 ha the total gross floor area of guest rooms in an agri-tourism accommodation facility shall not exceed 120 m^2 (1292 ft^2); a separate or ensuite washroom and common areas are not included as part of the area of guest rooms.

.8 For parcels greater than 7.6 ha, the total gross floor area of guest rooms in an agri-tourism accommodation facility shall not exceed 300 m^2 (3230 ft^2); a separate or ensuite washroom and common areas are not included as part of the area of the guest rooms.

3.23 SITING REGULATIONS AND BUFFERING FROM AGRICULTURAL LAND

.1 Siting Regulations

(a) In Residential, Rural Residential, and Industrial Zones, principal buildings, principal structures, and carriage houses shall be a minimum distance of 15.0 m (49.2 ft) from

land within the Agricultural Zone (A1) or land within the Agricultural Land Reserve (ALR), except:

i. In a Single or Duplex Residential Zone, the required minimum distance of principal buildings, principal structures, and carriage houses from land within the Agricultural Zone (A1) or land within the ALR is reduced to 9.0 m (29.5 ft) if a Level 1 buffer is provided and maintained.

(b) In Multiple Residential, Urban and Neighbourhood Centre, Commercial, and Park and Institutional Zones, principal buildings and principal structures shall be set back from land zoned Agricultural Zone (A1) or land within the Agricultural Land Reserve (ALR) abutting the parcel on which the building is constructed as follows:

i. 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;

ii. 18.0 m (59.1 ft) for any third storey or portion of the building over 6.0 m (19.7 ft) in height, whichever is less;

iii. 21.0 m (68.9 ft) for any fourth storey or portion of the building over 9.0 m (29.5 ft) in height, whichever is less; and

(c) Sections 3.23.1(a) and (b) do not apply to ALR lands within Westbank First Nation.

.2 Measurement of Minimum Distance from Agricultural Land

(a) The minimum distance from land as specified in Section 3.23.1 shall be measured as follows:

i. From the parcel boundary abutting the A1 Zone or ALR land, whichever is closest to the non-farm use; or

ii. For parcels separated from the A1 Zone or ALR by a highway, the highway will form part of the required minimum distance from the boundary of the A1 Zone or ALR land; or

iii. For split zoned parcels or parcels located partially within the ALR, from the boundary of the A1 Zone or ALR land, whichever is closest to the non-farm use.

.3 Agricultural Buffers

(a) A buffer shall be provided and maintained when non-farm buildings and structures are constructed on parcels directly abutting A1 zoned land or land in the ALR, as specified in Table 3.14 and the specifications below.

Table 3.14 Buffer type

Non-Farm Use	Location and Buffer Type
Single detached dwelling, carriage house, duplex residential, and townhouses in the RC2 or RP1 Zones only	Level 1
Multi-unit residential and mixed use residential	Level 2

Non-residential uses, except industrial	Level 2

(b) Buffer Location

i. The required buffer shall be provided and maintained on the non-agricultural parcel in the following location:

a) Within the required minimum siting distance as set out in the regulations table of each zone;

b) Along any parcel boundary abutting the A1 Zone or ALR boundary, whichever is closest to the non-farm use; and

c) For split zoned parcels or parcels located partially within the ALR, along the boundary of the A1 Zone or ALR lands, whichever is closest to the non-farm use.

(c) Plant Materials

i. Buffers shall be comprised of native plant materials and the retention of existing vegetation supplemented where necessary to provide the required buffer specifications.

a) The following plant species are not permitted:

(i) All trees of the genus Malus (apples or crabapples, including all ornamental or flowering crabapples);

(ii) All trees of the genus Pyrus (pears, including Asian and ornamental pears);

(iii) All trees of the genus Prunus (flowering cherries and flowering plum);

(iv) All plants of the genus Cydonia (quince);

(v) All non-native plants of the genus Juniperus (juniper);

(vi) All non-native trees of the genus Crataegus (hawthorn);

(vii) The Berberis vulgaris (common barberry) plant;

(viii) All plants of the genus Chaenomeles (flowering quince or japonica); and

(ix) All plants classified as noxious weeds in any bylaw of the City of West Kelowna or Regional District of Central Okanagan.

(d) Minimum Buffer Width

i. Level 1 and 2 Buffers shall have the minimum buffer widths as specified in Table 3.15.

Table 3.15 Minimum buffer width

Type of Buffer	Minimum Buffer Width
Level 1 Buffer	3.0 m (9.8 ft)

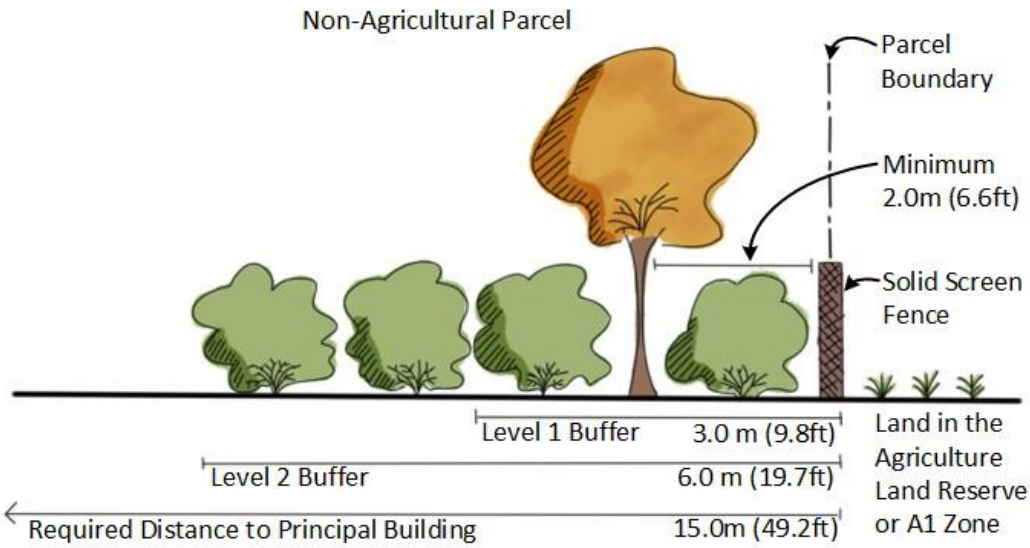
Level 2 Buffer	6.0 m (19.7 ft)

(e) Minimum Buffer Specifications

i. Level 1 and 2 Buffers shall consist of the following (as illustrated in *Figure* 3.3 below):

a) A fence a minimum of 2.0 m (6.6 ft) in height, located along the boundary abutting the A1 Zone or ALR land as specified in Section 3.23.3(b).

Figure 3.3 - Level 1 and 2 buffer specifications



b) A screening hedge comprising drought-tolerant coniferous or deciduous species located immediately adjacent to the fence comprised of:

(i) Shrubs which are planted at a maximum spacing of 1.0 m (3.3 ft) on centre with a minimum 2.0-gallon pot size at time of planting; and

(ii) Trees which are at least 2.0 m (6.6 ft) high, planted at a maximum spacing of 5.0 m (16.4 ft) on centre.

c) Additional shrubs planted on the remainder of the buffer.

3.24 MINIMUM DISTANCES FROM WATERCOURSES FOR AGRICULTURAL BUILDINGS AND STRUCTURES IN AGRICULTURAL AND RURAL ZONES

.1 Despite lesser distances specified in the Agricultural and Rural Zones, agricultural buildings and structures listed in Table 3.16 shall be sited in accordance with Table 3.16.

Table 3.16 Minimum Distances from Watercourses (Measured from top of bank)

Watercourse Type and Description	Category 1	Category 2	Category 3	Category 4

	Confined livestock area with more than ten (10) agricultural units Seasonal Feeding area Solid agricultural waste field storage with >2 weeks storage time Cannabis Production Facility	Agricultural waste storage facility Chemical, compost, and wood waste storage Confined Livestock Area with less than ten (10) agricultural units Incinerator Mushroom barn On-farm composting On-farm soilless medium production and storage Silo Petroleum Storage	Brooder house Hatchery Fur farming shed Livestock barn Livestock shelter Milking facility Stable	Boiler room Alcohol Production Facility Cold frame Crop storage Detention pond Direct farm marketing Granary Greenhouse Machinery storage On-farm processing On-farm product preparation Retention pond Impervious surfaces
Stream	30 m (98 .4 ft)	15 m (49.2 ft)	15 m (49.2 ft)	15 m (49.2 ft)
Channelized Stream: Streams that have been dyked, diverted or straightened and carry drainage flows from headwaters or significant sources of groundwater. Reaches of channelized streams may be confined by roads and fences and in many cases, may also meander through fields. Man made channels that divert irrigation water from a stream but return overflow water back to a stream in a manner that allows fish access are classified as channelized streams.	30 m (98 .4 ft)	15 m (49.2 ft)	15 m (49.2 ft)	2 X channel width Min 10 m (32.8 ft) Max 15 m (49.2 ft)
Constructed Channel or Ditch: Carry drainage water from more than one parcel but do not carry water from headwaters or significant sources of groundwater. Constructed channels may also deliver water for irrigation.	30 m (98.4 ft)	15 m (49.2 ft)	5 m (16.4 ft)	5 m (16.4 ft)

3.25 FLOODPLAIN REGULATIONS

.1 Floodplain Designation:

(a) The following land is designated as a floodplain:

i. Land lower than 343.66 m (1,127 ft) ASL Geodetic Survey of Canada (CGVD28); and

ii. Land lower than 1.5 m (4.9 ft) above the natural boundary of any stream.

.2 Flood Construction Levels:

(a) The underside of any floor system, and top of any pad supporting any space or room that is used for dwelling purposes, business, or the storage of goods which are susceptible to damage by floodwater, shall meet the following flood construction levels:

i. 343.66 m (1,127.5 ft) ASL above Geodetic Survey of Canada datum (CGVD28) ; and

ii. 1.5 m (4.9 ft) above the natural boundary of any stream.

.3 Exemptions from Flood Construction Levels:

(a) Section 3.25.2 shall not apply to the following uses, with the exception that all main electrical switchgear shall be installed no lower than the specified flood construction level:

i. The portion of a building or structure used exclusively as a carport, garage or entrance foyer;

ii. Agricultural buildings excluding dwelling units and buildings for the keeping of animals; and

iii. On-loading and off-loading facilities associated with water-oriented industry and with portable sawmills and shakemills.

.4 Minimum Siting Distances:

(a) Any landfill or structural support required to elevate a floor system or pad to achieve the flood construction levels specified in Section 3.25.2 shall be sited at least:

i. 15.0 m (49.2 ft) from the natural boundary of Okanagan Lake;

ii. 7.5 m (24.6 ft) from the natural boundary of a lake, swamp or pond;

iii. 15.0 m (49.2 ft) from the natural boundary of any stream; and

iv. 7.5 m (24.6 ft) from any structure providing flood protection or seepage control.

3.26 CANNABIS PRODUCTION FACILITIES

.1 Cannabis production facilities, except for outdoor production within the ALR, shall comply with, at a minimum, the security and air filtration requirements set out in Parts 4 and 5 of the Cannabis Regulations.

.2 Cannabis production is permitted within the ALR only in open fields or inside a structure:

(a) That has a base consisting entirely of soil; or

(b) That was, before July 13, 2018:

i. Constructed for the purpose of growing crops inside it, including but not limited to the lawful production of cannabis, or

ii. Under construction for that purpose, if that construction:

a) Was being conducted in accordance with all applicable authorizations and enactments; and

b) Continues without interruption from the date it began to the date the structure is completed, other than work stoppages considered reasonable in the building industry; and

c) Has not been altered since July 13, 2018 to increase the size of its base or to change the material used as its base.

3.27 DRIVE THROUGH RELATED LAND USES

.1 Drive throughs may only be permitted on specific parcels by site specific text amendments and in accordance with this section.

.2 For drive throughs servicing car washes or food services, the queuing space shall be provided as follows:

(a) A minimum of five (5) in-bound vehicle storage shall be provided per queuing lane except it is a minimum of two (2) in-bound vehicle storage that shall be provided per queuing lane where the washing bay is coin operated and the vehicle is manually washed by an occupant of the vehicle. A minimum of two (2) out-bound vehicle storage shall be provided per queuing lane; and

(b) Each queuing space shall be a minimum of 6.0 m (19.7 ft) long and 3.0 m (9.8 ft) wide. Queuing lanes shall provide sufficient space for turning and manuevering.

.3 For all other drive throughs, the queuing space shall be provided as follows:

(a) A minimum of three (3) in-bound vehicle storage shall be provided per queuing lane and two (2) out-bound vehicle storage shall be provided per queuing lane; and

(b) Each queuing space shall be a minimum of 6.0 m (19.7 ft) long and 3.0 m (9.8 ft) wide. Queuing lanes shall provide sufficient space for turning and maneuvering.

.4 Drive throughs must not be accessed directly from a highway, and the queuing lanes must not conflict with on-site pedestrian movements, required parking, or on-site vehicle movement.

3.28 URBAN PLAZA REGULATIONS FOR URBAN CENTRES

.1 In the Urban Centre Zones, where a building is 13 storeys or greater and the building length is 100.0 m or greater, an urban plaza is required as follows:

(a) The urban plaza must include a minimum street frontage of 7.5 m (24.6 ft) and a minimum depth of 6.0 m (19.7 ft); and

(b) The urban plaza must have a minimum of one tree, with a minimum 9 cm caliper and a 90 cm rootball.

3.29 DENSITY BONUS

.1 Density bonus contributions are permitted on properties zoned WUC1, WUC2, WUC3, and BUC1. Funds will contribute to priority housing types to meet the City's housing objectives established in the City's Housing Strategy in accordance with the City's Housing Reserve Fund.

.2 The maximum base density requirements may be increased up to the maximum density (with density bonusing) specified in the applicable zone, and in accordance with the requirements specified in Table 3.17.

Table 3.17 Density Bonus Contributions for Housing

Apartment Building Type	Bonus Density Rate
Residential only, wood frame, condominium tenures	$177.00/m^2 ($16.50/sf)
Mixed-use (condominium residential above commercial), up to maximum height (wood frame)	$177.00/m^2 ($16.50/sf)
Residential only, concrete, condominium tenure	$177.00/m^2 ($16.50/sf)
Mixed-use, concrete, condominium residential above commercial	$177.00/m^2 ($16.50/sf)
100% of residential portion as market rental development (wood frame or concrete), up to maximum height (may include commercial at grade)	$177.00/m^2 ($16.50/sf)

.3 Density Bonus for the Provision of Identified Municipal Priorities

(a) Despite any Maximum Base Density established in the Urban Centre zones or any Maximum Density established in the Neighbourhood Centre zones, additional density may be permitted where the proposed development will ensure the provision of the following municipal priorities and in accordance with the requirements specified:

i. Provision of Multiple Family Residential Adaptable Units

a) Where a multiple residential or mixed-use development has provided adaptable units in accordance with the requirements specified in Section 3.30:

(i) In the WUC1, WUC2, WUC3, and BUC1 zones only, the multiple residential development is permitted a density bonus of 2% in the total buildable floor area to offset the impact of the additional space required up to the Maximum Density (with density bonusing) specified in the applicable zone and in accordance with requirements specified in Table 3.18; and

(ii) In the NC1 zone only, the multiple residential development is permitted a density bonus of 2% in the total buildable floor area to offset the impact of the additional space required up to the maximum height specified in the applicable zone and in accordance with requirements specified in Table 3.18; and

(iii) All other multiple residential development outside the identified Urban and Neighbourhood Centres are not eligible for the 2% density bonus.

Table 3.18 Density Bonus for Adaptability

Apartment Building Type	Bonus Density
Residential only, wood frame, condominium tenure	2% of buildable area
Mixed use (condominium residential tenure above commercial), up to maximum height (wood frame)	
Residential only, concrete, condominium tenure	
Mixed use, concrete, condominium residential tenure above commercial	

ii. Provision of Non-Surface Parking

a) In the WUC1, WUC2, WUC3 and BUC1 zones only, and to encourage the provision of non-surface parking:

(i) Where 80% or more of the required parking is provided as non-surface parking, a density bonus of 63 m^2 of GFA per non-surface parking space is permitted up the Maximum Density (with density bonus) specified within the applicable zone.

iii. Provision of Rental, Diverse and Affordable Housing

a) In the WUC1, WUC2, WUC3 and BUC1 zones only, where the owner of a development provides rental, affordable or diverse housing as part of the development:

(i) For the construction of any new multiple residential building or mixed use building, additional density may be permitted up to the Maximum

Density (with density bonus) specified in the applicable zone and in accordance with requirements specified in Table 3.19.

Table 3.19 Density Bonus for Rental, Diverse and Affordable Housing

Type of Housing Provided	Conditions	Bonus Density
Rental Housing (secured for a minimum of 20 years)	Where 100% of the residential units are established as rental only units.	For wood frame up to 6 storeys, an additional 0.3 FAR per building; or for concrete 6+ storeys, additional FAR up to the maximum building height
Rent-controlled Housing (secured for a minimum of 20 years)	Where a residential unit is established for a minimum of 20 years as a rental only unit at a rental rate no greater than 30% of median renter income.	Additional FAR per building, calculated as m^2 equal to 115% of the sum total of the size of each non-market rental unit
Diverse Housing – seniors (secured for a minimum of 20 years)	Where at least 50% of the residential units are established as seniors only rental units.	0.3 FAR per building
Diverse Housing – accessible (secured for a minimum of 20 years)	For the construction of any new multiple residential building or mixed use building, where a residential unit is constructed as an accessible unit designed to meet standards as defined in the BC Building Code.	28 m^2 per accessible unit

.4 The owner of a development that includes the provision of rental, affordable or diverse housing may be required to enter into a housing agreement as per the *Local Government Act.*

.5 Despite Section 3.29.1 and 3.29.2, for housing initiatives provided by BC Housing, and/or other non-profit, Provincially or Federally led housing facilities in the WUC1, WUC2, WUC3, and BUC1 zones, where a proposed building does not exceed the maximum building height established in the applicable zone and the building design meets all required Development Permit guidelines, the floor space of the building that is occupied by the following residential uses shall not be included as part of the gross floor area (GFA) for the calculation of density:

(a) Affordable non-market, rent geared-to-income or rent-controlled housing;

(b) Affordable non-market rental housing;

(c) Affordable diverse housing needs specific to seniors, at risk youth, or victims of violence;

(d) Affordable accessible housing; or

(e) Housing for people at risk of or experiencing homelessness.

.6 For any density bonusing provision or combination of density bonusing provisions, the overall site density must not be greater than the Maximum Density (with density bonus) or any other regulation specified in the applicable zone including Maximum Building Height.

.7 Contribution rates established in Table 3.17 may be adjusted on an annual basis based on either the Consumer Price Index or market condition adjustments, as appropriate. It is also subject to changes based on the updated Housing Needs Report or other City priorities.

.8 Density Bonus provisions for rental, affordable and diverse housing established in Table 3.19 may be adjusted based on updates to the City's Housing Needs Assessment, other City priorities, or market condition adjustments, as appropriate.

.9 Density Calculations

(a) For the purpose of calculating floor area ratio density, where floor area ratio in the applicable zone is expressed to 1 decimal place, and results in a fraction, any fraction less than 0.05 shall be disregarded and any fraction 0.05 or greater shall be considered equivalent to 0.10; and

(b) For the purpose of calculating unit density, where the calculation of the density results in a fraction, any fraction less than 0.5 shall be disregarded and any fraction 0.5 or greater shall be considered equivalent to 1.

3.30 MULTIPLE RESIDENTIAL ADAPTABILITY

.1 Notwithstanding BC Building Code amendments that may impose greater requirements, where more than 20 residential units are proposed within a multiple residential or mixed-use development, 20% of all new multi-family residential units must be constructed to meet standards for adaptability as defined in the BC Building Code. Multiple residential development within identified Urban and Neighbourhood Centres are eligible for a 2% density bonus to offset this requirement as per Section 3.29.

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PART 4 - OFF-STREET PARKING AND LOADING

4.1 GENERAL REQUIREMENTS

.1 Parking spaces, bicycle parking spaces and loading spaces for each use, building and structure shall be provided and maintained in accordance with the regulations of this Part.

.2 The number of parking or loading spaces provided prior to the date of adoption of this Bylaw in respect of any use, building or structure shall not be reduced below the requirements specified in this Part.

.3 Where parking or loading spaces are provided in excess of the requirements specified in this Part, the location, design and construction of the spaces shall comply with this Part.

.4 All required parking, bicycle parking, and loading spaces and areas shall be constructed prior to the issuance of an occupancy permit for the building or structure for which they are required.

.5 No person shall use a parking space that is required for a designated building or use under this Bylaw as a for-profit parking space.

4.2 CALCULATION OF REQUIREMENTS

.1 Where Tables 4.1, 4.7, 4.8 do not specify requirements for a particular permitted use, spaces shall be provided at the rate required for the use specified in the Tables that in the City of West Kelowna's opinion is most similar to the particular use in terms of demand for parking or loading spaces.

.2 Where the calculation for the total number of required parking and bicycle parking spaces results in a fractional number, the requirement shall be rounded to the nearest whole number but in no case shall the number of required spaces be less than one.

.3 Where the calculation for the total number of required loading spaces results in a fractional number, the requirement shall be rounded to the next highest whole number.

.4 Accessible parking, truck and boat trailer parking, and co-operative vehicle parking spaces required by this Part are included within the general requirements specified in Table 4.1.

.5 If a parcel contains more than one use or provides collective parking spaces for more than one use, the total number of required parking spaces shall be the sum of the requirement for each use calculated separately, except as permitted by Section 4.12.4.

.6 If a parcel contains more than one use, the total number of required on-site loading spaces shall be the sum of the requirement for each use calculated separately, unless there is a complementary demand or differences in periods of use for loading that warrants a different requirement and is supported by a shared use loading study subject to the City's approval.

4.3 GENERAL PARKING AND LOADING STANDARDS

.1 Location

(a) Parking, bicycle parking and loading spaces shall be provided entirely on the same parcel as the use they serve unless otherwise permitted in Sections 4.12.1, 4.12.2 and 4.12.4.

(b) Despite Section 4.3.1(a), when permitted in the zone, parking may occur where a portion of a vehicle(s) is located on the road right-of-way when the minimum setback of 6.2 m (20.3 ft) is maintained between garage and back of curb or edge of sidewalk.

.2 Minimum Distance from Parcel Boundaries

(a) In Industrial, and P1 Zones, parking and loading spaces shall be a minimum distance of 3.0 m (9.8 ft) from a front parcel boundary and 1.5 m (4.9 ft) from any side, exterior side or rear parcel boundary.

(b) In Mixed-use, Commercial, Multiple Residential, Urban Centre, Neighbourhood Centre, P2 and Manufactured Home Park (RMP) Zones, parking and loading spaces shall be a minimum distance of 3.0 m (9.8 ft) from any front or exterior side parcel boundary and 1.5 m (4.9 ft) from a side or rear parcel boundary.

(c) The provisions in Section 4.3.2(a) and 4.3.2(b) only apply to surface parking and loading areas.

.3 Design

(a) Every parking or loading area required by this Bylaw to accommodate 5 or more vehicles shall:

i. Clearly delineate individual parking spaces, maneuvering aisles, entrances, and exits with pavement markings, signs, or other physical means, and such markings shall be maintained to ensure legibility. All signage and markings installed is to conform to the latest edition of the Manual of Uniform Traffic Control Devices for Canada (MUTCD) or the BC Ministry of Transportation and Infrastructure's "Manual of Standard Traffic Signs & Pavement Markings".

ii. Be designed to allow forward entry to and exit from the parcel on which the parking or loading spaces are located directly to a highway, without travel over any other parcel, unless the owner of any intervening parcel grants an access easement to the owner of the parking or loading spaces on terms satisfactory to the City of West Kelowna, and a covenant to the City of West Kelowna prohibiting on the easement area any use, building or structure that would interfere with its use for access to the parking or loading spaces.

iii. Have fencing, curbs or another form of secured wheel stops to prevent vehicles from encroaching onto a highway, sidewalk, internal walkway or landscaping.

iv. In the case of surface parking areas, be designed to accommodate accumulated snow in snow storage areas that do not impact any landscaping or plantings in the long term.

.4 Maximum Slope

(a) Parking and loading areas in Urban Centre, Neighbourhood Centre, Commercial, Industrial, Multiple Residential, and P2 Zones shall not exceed a slope of 6%.

(b) Parking and loading areas in Agricultural, Single Detached and Duplex Residential, Rural and P1 Zones shall not exceed a slope of 12%.

(c) The maximum slopes specified in 4.3.4(a) only apply to the areas that provide the parking and loading spaces and not to the driveway providing access to the required spaces. In no case shall the driveway providing access to the required spaces exceed a slope of 12%.

.5 Surface Materials

(a) Parking and loading areas shall have a durable, dust-free surface of concrete, asphalt, grasscrete, permeable or porous pavers or similar solid material, and shall be so graded and drained as to properly dispose of all surface water into the storm sewer system, if available, or alternatively to approved landscaped areas or an approved on-site drainage system.

(b) Despite Section 4.3.5(a), any requirement for hard surfacing such as concrete or asphalt does not apply, provided that the surface is treated to prevent the carrying of dirt and dust off-site, to:

i. Park and open space uses;

ii. The Agricultural Zone (A1); and

iii. Parking and loading areas located to the rear of the principal building in an Industrial Zone.

(c) Pedestrian connections through parking and loading areas shall be clearly delineated with pavement markings and signs.

.6 Waste and Recycling

(a) Any waste, recycling bin, or waste storage and collection areas located within or adjacent to any parking or loading area shall:

i. Be clearly delineated and distinguished from the parking and loading spaces;

ii. Be located such that collection vehicles can gain access without undue interference with the use of parking and loading spaces for their intended purpose; and

iii. Be fenced or effectively screened by means of landscaping.

.7 Additional Width Required for Parking Spaces Adjacent to Structures

(a) Any parking space that abuts a fence, wall or other structure greater than 0.3 m in height shall increase the width of the parking space by 0.3 m to enable the convenient opening of vehicle doors.

4.4 STANDARD PARKING SPACES

.1 Number of Spaces

(a) The number of required parking spaces is specified in Table 4.1.

(b) Where seating accommodation is the basis for a unit of measurement in Table 4.1, each 0.5 m (1.6 ft) of length of benches, pews and similar types of seating shall be deemed to be one seat.

Table 4.1 – Required parking spaces

USE	NUMBER OF REQUIRED PARKING SPACES
RESIDENTIAL AND RESIDENTIAL-RELATED	
Single detached dwelling, modular home, mobile home	2.0 per dwelling unit
Duplex	2.0 per dwelling unit
Secondary suite	1.0 per one bedroom dwelling 2.0 per two or more bedroom dwelling
Carriage house	1.0 per one bedroom dwelling 2.0 per two or more bedroom dwelling or 91 m^2 (979.5 ft^2) of gross floor area or greater
Townhouse	2.0 per dwelling unit
Apartment	
Bachelor or one bedroom	1.0 per dwelling unit
Two + bedroom	1.5 per dwelling unit
Congregate housing	0.5 per bedroom plus 0.5 spaces per non-resident on-duty employee or 3.0 spaces (whichever is greater)
Group home	0.75 per guest room
Bed and breakfast / Agri-tourism accommodation	1.0 per guest room
Short-term rental accommodation (Bylaw 0320.15)	1.0 per one to two guest rooms 2.0 per three to four guest rooms
Caretaker unit	1.0 per unit
Home based business	1.0 per non-resident employee and 1.0 per client (except a care facility, minor which shall have 1.0 per non-resident employee and a Child care, Minor (in-home) which shall have 1.0 for pick-up and drop off and 1.0 per non-resident employee
Live/work unit	1.0 per dwelling unit + applicable commercial parking (e.g. retail or office) based on the GFA of the commercial space only
RESIDENTIAL – SPECIFIC REQUIREMENS FOR THE RC2, RC3, RP1, R1, R1L, I6, CD1(C), CD1(E), and CD3(A) ZONES ONLY	
Secondary suite	1.0 per one bedroom dwelling 1.5 per two or more bedroom dwelling

Carriage house	1.0 per one bedroom dwelling 1.5 per two or more bedroom dwelling or 91 m2 (979.5 ft2) of gross floor area or greater
RESIDENTIAL – SPECIFIC REQUIREMENTS FOR THE RC2 AND RP1 ZONES ONLY	
Single detached dwelling, duplex, townhouse	1.5 per dwelling unit
SPECIFIC REQUIREMENTS FOR URBAN AND NIEGHBOURHOOD CENTRE PLAN AREA ONLY (as defined in the Official Community Plan)	
Apartment or Townhouse	
Studio/Micro	1.0 per dwelling unit
One bedroom	1.0 per dwelling unit
Two bedroom	1.25 per dwelling unit
Three + bedrooms	1.5 per dwelling unit
Alcohol Production Facility	1.0 per 50 m^2
AGRICULTURE	
Agriculture, general / Agriculture, intensive	1.5 per 100 m^2 (1,076.4 ft^2) GFA for any commercial packaging or processing buildings
Agricultural market / produce stand	2.0 per 100 m^2 (1,076.4 ft^2) GFA
Agricultural worker dwelling	1.0 per unit
COMMERCIAL AND INDUSTRIAL	
Accommodation Services	1.0 per guest room
Hotel / motel / resort	
Short term rental accommodation	
Alcohol Production Facility	Tasting Area: 2.0 per 100 m^2 (1,076.4 ft^2) GFA for units less than or equal to 100 m^2 (1,076.4 ft^2) GFA tasting area, and 4.0 per 100 m^2 (1,076.4 ft^2) GFA for units greater than 100 m^2 (1,076.4 ft^2) GFA tasting area, and Food and Beverage Service Lounge: 1.0 per 15 m^2 (161.4 ft^2) (including patio seating and all areas accessible to the public)
All uses in a Commercial Zone other than those specifically listed in this table	3.0 per 100 m^2 (1,076.4 ft^2) GFA
Auctioneering establishment	5.0 per 100 m^2 (1,076.4 ft^2)
Boat launch	10 Truck and Boat Trailer parking spaces (developed in accordance with Section 4.8.1)
Broadcasting studio	2.5 per 100 m^2 (1,076.4 ft^2) GFA
Bulk fuel depot	0.5 per 100 m^2 (1,076.4 ft^2) GFA
Care Related Facilities	1.6 per 100 m^2 (1,076 ft^2) GFA
Care facility, Major	
Child Care, Major (Centre/Facility)	
Extended medical treatment facility	
Cannabis Production Facility	0.6 per 100 m^2 (1,076.4 ft^2) GFA
Contractor services	2.0 per 100 m^2 (1,076.4 ft^2) GFA
Entertainment facility indoor	1.0 per 5 seats
Food bank	2.0 per 100 m^2 (1,076.4 ft^2) GFA
Funeral establishment	3.0 per 100 m^2 (1,076.4 ft^2) GFA
Greenhouse or plant nursery (commercial)	6.0 per 100 m^2 (1,076.4 ft^2) GFA
Grocery store	5.0 per 100 m^2 (1,076.4 ft^2) GFA

Heavy industry, concrete plants and asphalt plants	1.0 per 100 m^2 (1,076.4 ft^2) GFA
Industrial Related Uses	1.0 per 100 m^2 (1,076.4 ft^2) GFA
All uses in an Industrial Zone, other than those specifically listed in this table	
Printing or publishing	
Office	1.0 per 40 m^2 (430.5 ft^2) GFA
Bank / financial services	
Office, general, postal or courier service, high technology business	
Office, medical / dental	
Personal services establishment	
Veterinary clinic	
Outdoor storage	1.0 per 100 m^2 (1,076.4 ft^2) GFA
Restaurant	1.0 per 15 m^2 (161.4 ft^2) GFA (including patio seating and all areas accessible to the public)
Cabaret/Bar/Lounge	
Coffee shop	
Drive-through restaurant	
Neighbourhood pub	
Sit-down Restaurant	
Retail	1.0 per 50 m^2 (538.2 ft^2) for units less than or equal to 1000 m^2 (10,763.9 ft^2) GFA, and 1.0 per 33 m^2 (1,076.4 ft^2) for units greater than 1000 m^2 (10,763.9 ft^2) GFA
Building / garden supply	
Butcher, bakery, specialty grocery	
Equipment repair or equipment rental	
Furniture and appliance sales	
Gasoline service station	
Motor vehicle sales, rental service and repair shops	
Retail, convenience	
Retail, general	
Vehicle washing facility	
Salvage yard	1.5 per 100 m^2 (1,076.4 ft^2) GFA, minimum of 5
Tourist cabin or campsite	1.0 per unit
Warehouse / commercial storage	1.0 per 200 m^2 (2,152.8 ft^2) GFA
Wholesale sales	2.5 per 100 m^2 (1,075.4) GFA
INSTITUTIONAL	
All uses in the Institutional and Assembly Zone (P2) other than those specifically listed in this table	2.5 per 100 m^2 (1,076.4 ft^2) GFA
Community, Assembly, and Cultural Uses	1.0 per 50 m^2 (538.2 ft^2) GFA
Community and assembly hall	
Library, museum, art gallery, archives	
Education Facility - Junior	2.0 per classroom
School, elementary or middle	
Education Facility - Senior	5.0 per classroom

School, secondary	
College, University, and Commercial School	
Fire, Police, or Ambulance service	1.0 per 40 m^2 (430.5 ft^2) GFA
Temporary shelter service	1.0 per 5 beds, minimum of 3
RECREATION AND CULTURE	
All uses in the Park and Open Space Zone (P1) other than those specifically listed in this table (except for park and playground uses)	2.5 per 100 m^2 (1,076.4 ft^2) GFA
Recreation services, indoor	1.0 per 33 m^2 (355.2 ft^2) GFA
Bowling alley	
Curling rink	
Health / fitness facility	
Racquet clubs	
Recreation services, outdoor	1 per 40 m^2 (430.5 ft^2) plus the parking requirements noted below, or 6 per hectare, whichever is greater
Golf course	4.0 per hole or 6 per hectare, whichever is greater
Golf driving range	1.0 per tee
Marina	1.0 per 2 boat slips

.2 Parking Dimensions and Development Standards for Parking Areas

(a) All parking spaces shall be developed to the minimum dimensions specified in Table 4.2.

(b) All parking spaces shall have a vertical clearance of at least 2.0 m (6.6 ft).

(c) Tandem Parking

i. Tandem parking is permitted only for single detached dwellings, manufactured homes, duplexes, townhouses, home-based businesses, short-term rentals including short-term rentals (bed and breakfast), secondary suites, and carriage houses.

(d) Access and Egress to Parking Areas

i. All parking areas shall be designed and constructed to permit unobstructed access to and egress from each space at all times except where tandem parking is permitted.

ii. All parking areas for single detached, duplex, mobile home and modular home uses, as well as for townhouses with individual parking for each unit, shall have access and egress via a driveway that has a width between a minimum of 3.0 m (9.8 ft) and a maximum of 6.5 m (21.3 ft).

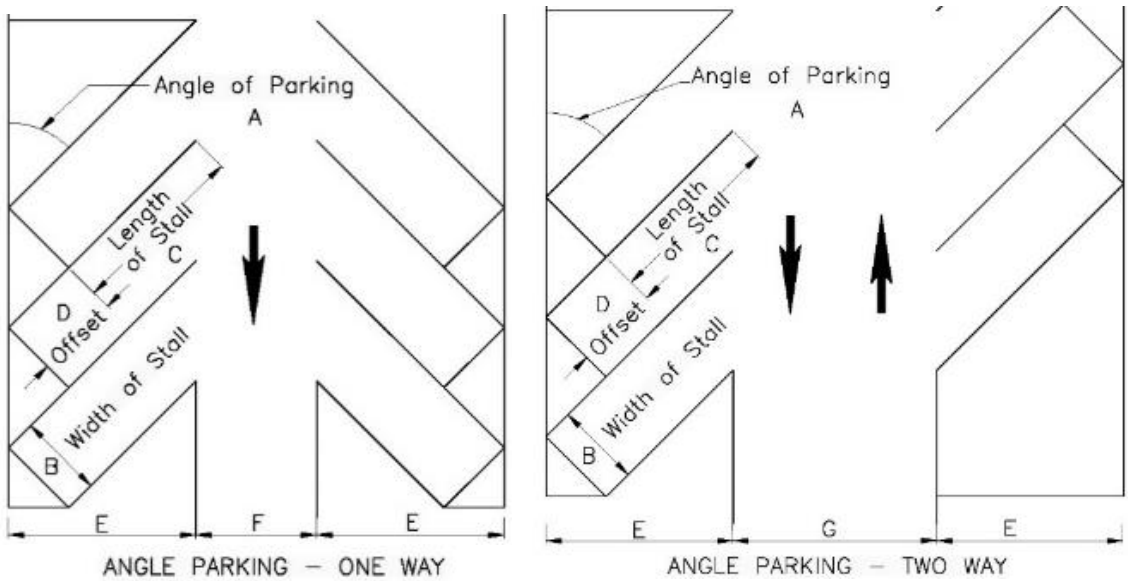
iii. All parking areas for industrial, commercial, multiple residential building, mixed-use, , and institutional uses shall have access and egress via a drive aisle that has a minimum width specified in Table 4.2 and a maximum width of 9.0 m (29.5 ft), unless required to accommodate turning movements for emergency vehicles as determined by the City of West Kelowna.

iv. Any legal access, as defined by the City of West Kelowna's Traffic Bylaw, from a highway to a driveway or drive aisle connecting to a parking area shall meet the requirements of the City of West Kelowna's Traffic Bylaw, Schedule A.

Table 4.2 – Parking space and drive aisle dimensions (Column headers are graphically depicted in Figure 4.1 - via letters A-G)

Angle (A)	Width (B)	Length (C)	Offset (D)	Depth (E)	One Way Drive Aisle (F)	Two Way Drive Aisle (G)
90°	2.75 m (9.0 ft)	6.0 m (19.7 ft)	0.0 m (0.0 ft)	6.0 m (19.7 ft)	Not permitted	6.5 (21.3 ft)
60°	2.75 m (9.0 ft)	6.0 m (19.7 ft)	1.6 m (5.2 ft)	6.6 m (21.7 ft)	5.5 m (18.0 ft)	6.5 (21.3 ft)
45°	2.75 m (9.0 ft)	6.0 m (19.7 ft)	2.75 m (9.0 ft)	6.2 m (20.3 ft)	3.5 m (11.5 ft)	6.5 m (21.3 ft)
Parallel	2.5 m (8.2 ft)	7.0 m (23.0 ft)	0.0 m (0.0 ft)	2.5 m (8.2 ft)	3.5 m (11.5 ft)	6.0 m (19.7 ft)
Note: All two way surface drive aisles without access to adjacent parking areas, garages, and/or carports must have a minimum 4.5 m (14.8 ft) drive aisle.						

Figure 4.1 – Angle parking scenarios with one and two-way drive aisles (provided as examples only and not to illustrate all possible scenarios).



4.5 ACCESSIBLE PARKING SPACES

.1 Number of Spaces

(a) Accessible parking spaces shall be provided in accordance with Table 4.3 for any building or structure with a commercial, industrial, institutional, mixed-use, or multi-residential use.

(b) Every subsequent owner or occupier of the property shall maintain the required accessible parking spaces.

Table 4.3 Accessible parking requirements

No. of Required Standard Parking Spaces per building or structure	No. of Required Accessible Parking Spaces per building or structure
1-10	0
11-20	1
21-100	2
101-1000	2 per 100 required spaces or part thereof
Note: the number of required accessible parking spaces are included within the number of required parking spaces, as described in Section 4.2.4 e.g., where 20 standard parking spaces and 1 accessible parking space is required, a total of 19 standard parking spaces and 1 accessible parking space shall be provided.	

.2 Dimensions

(a) Accessible parking spaces shall be provided as per the minimum dimensions specified in Table 4.4.

(b) Access aisles shall be provided in the minimum dimensions specified in Table 4.2.

Table 4.4 Accessible parking dimensions (Column headers are graphically depicted in Figure 4.1 via letters A-E)

Angle (A)	Width (B)	Length (C)	Offset (D)	Depth (E)
90°	3.9 m (12.8 ft)	6.0 m (19.7 ft)	0.0 m (0.0 ft)	6.0 m (19.7 ft)
60°	3.9 m (12.8 ft)	6.0 m (19.7 ft)	2.3 m (7.5 ft)	7.1 m (23.3 ft)
45°	3.9 m (12.8 ft)	6.0 m (19.7 ft)	3.9 m (12.8 ft)	7.0 m (23.0 ft)
Parallel	3.9 m (12.8 ft)	7.0 m (23.0 ft)	0.0 m (0.0 ft)	3.9 m (12.8 ft)

.3 Development Standards

(a) Accessible parking spaces shall be the nearest parking space or spaces to an accessible building entrance.

(b) Drop curbs shall be provided on any curb between the accessible parking spaces and the nearest accessible building entrance or nearest accessible pedestrian sidewalk.

(c) Each accessible parking space shall have a firm and slip-resistant surface.

(d) The slope of each accessible parking space and access to a building or structure shall not exceed 3%.

(e) Accessible parking spaces shall be clearly marked with:

i. High contrast pavement markings; and
ii. Upright signage to specify the space is designated for the exclusive use of vehicles properly displaying a decal issued to persons with disabilities.

4.6 VISITOR PARKING SPACES

.1 Number of Spaces

(a) Where any portion of a parcel is developed for multiple residential use, except in the RC2 and RP1 Zones, visitor parking spaces shall be required, calculated at 10% of the total unreduced parking requirements for the multiple residential use specified in Table 4.1.

(b) In mixed-use developments, parking spaces designated as visitor spaces to comply with Section 4.6.1(a) shall not account for more than 15% of the parking spaces required for the commercial use.

.2 Dimensions

(a) Visitor parking spaces shall be developed to the dimensions specified in Table 4.2.

(b) Access aisles for visitor parking spaces shall be developed to the dimensions specified in Table 4.2.

.3 Development Standards

(a) Each visitor parking space shall be clearly marked as such except in mixed-use developments providing shared parking in accordance with Section 4.12.4.

4.7 SMALL CAR PARKING SPACES

.1 Number of Spaces

(a) Up to 30% of the total number of required parking spaces may be provided for small cars in accordance with this Section for Commercial, Industrial, Multiple Residential, Neighbourhood Centre, Park, Institutional and Urban Centre Zones.

.2 Dimensions

(a) Small car parking spaces shall be developed to the minimum dimensions specified in Table 4.5.

(b) Access aisles for small car parking spaces shall be developed to the dimensions specified in Table 4.2.

Table 4.5 Small car parking space dimensions

Angle	Length	Width	Depth	Offset
90°	4.8 m (15.8 16.4 ft)	2.5 m (8.2 ft)	4.8 m (15.8 ft)	0.0 m (0.0 ft)
60°	4.8 m (15.8 ft)	2.5 m (8.2 ft)	5.4 m (17.7 ft)	1.44 m (4.7 ft)
45°	4.8 m (15.8 ft)	2.5 m (8.2 ft)	5.2 m (17.0 ft)	2.5 m (8.2 ft)

.3 Development Standards

(a) Each small car space shall be clearly marked as such.

(b) Small car parking spaces shall not be parallel parking spaces.

4.8 TRUCK AND BOAT TRAILER PARKING SPACES

.1 Dimensions

(a) Truck and Boat Trailer Parking spaces shall be developed to the minimum dimensions specified in Table 4.6.

Table 4.6 Truck and trailer parking space dimensions

Length	Width
12.0 m (39.4 ft)	3.0 m (9.8 ft)

.2 Development Standards

(a) Each truck and boat trailer parking space shall be clearly marked as such.

4.9 BICYCLE PARKING REQUIREMENTS

.1 Number of Spaces

(a) The required number of bicycle parking spaces is specified in Table 4.7.

Table 4.7 Required bicycle parking spaces

Use	Short-term Bicycle Parking Space Requirement	Long-term Bicycle Parking Space Requirement
RESIDENTIAL		
Residential - Multiple dwelling without private garage in each unit (duplex, triplex, fourplex, townhouse, apartment, congregate housing)	0.1 per dwelling unit	1.0 per dwelling unit for units less than or equal to 45 m^2 (484.4 ft^2) GFA, or 1.25 per dwelling unit for units greater than 45 m^2 (484.4 ft^2) GFA.
COMMERCIAL		
Retail and Commercial uses, except for those listed specifically in this table	1 per 200 m^2 (2,152.8 ft^2) GFA, minimum 2 spaces	1 per 200 m^2 (2,152.8 ft^2) GFA
Restaurant	1 per 100 m^2 (1,076.4 ft^2) GFA	1 per 400 m^2 (4,305.5 ft^2) GFA
Office	1 per 400 m^2 (4,305.5 ft^2) GFA	1 per 150 m^2 (1,614.6 ft^2) GFA
INDUSTRIAL		

Industrial uses	minimum 6 spaces for facilities larger than 2,000 m^2	1 per 1,200 m^2 (12,916.7 ft^2) GFA
INSTITUTIONAL		
Community, Assembly, and Cultural Uses	1 per 200 m^2 (2,152.8 ft^2) GFA	1 per 450 m^2 (4,843.7 ft^2) GFA
Child Care, Major (Centre/Facility), and other Care Related Facilities	1 per 200 m^2 (2,152.8 ft^2) GFA	1 per 700 m^2 (7,534.7 ft^2) GFA
Education facility	1 per 80 m^2 (861.1 ft^2) GFA	1 per 160 m^2 (1,722.2 ft^2) GFA
Recreation Facility, Indoor	1 per 100 m^2 (1,076.4 ft^2) GFA	1 per 400 m^2 (4,305.6 ft^2) GFA

.2 Development Standards

(a) Bicycle parking spaces shall be located so as not to obstruct pedestrian movement.

(b) Long-term bicycle parking shall:

i. Be in the form of bicycle lockers, compounds or rooms with lockable doors specifically provided and equipped for bicycle storage of an adequate size and configuration to accommodate the length of both standard bikes and e-bikes.

ii. Electric outlets shall be provided in the bicycle storage facility such that no parking space is more than 5.0 m (16.4 ft) from an outlet.

iii. Where 20 or more long-term bicycle parking spaces are required, the bicycle storage facility must provide a space for bicycle repair, including a workbench or stand, tire pump, and tools.

(c) Short-term bicycle parking shall:

i. Be securely anchored to the ground and constructed of theft resistant material.

ii. Support the bicycle frame above the centre of gravity.

iii. Enable both the bicycle frame and front or rear wheels to be locked.

iv. Be located in a convenient, well-lit location that is easily located, accessible by visitors, and subject to casual surveillance by passers-by and occupants of the building.

4.10 LOADING SPACES

.1 Number of Spaces

(a) The required number of loading spaces is specified in Table 4.8

Table 4.8 Loading space requirements

Use	Total Gross Floor Area of Building or number of units	Required No. Truck or Van Spaces	Required No. Bus Spaces	Required No. Car Spaces
Commercial and Industrial uses	300 m^2 (3,229.2 ft^2) to 500 m^2 (5,382.0 ft^2)	1 space per principal building, or 1 space per overhead door or shipping/receiving door, whichever is greater	0	0
	501 m^2 (5,392.7 ft^2) to 2,500 m^2 (26,909.8 ft^2)	2 spaces per principal building, or 1 space per overhead door or shipping/receiving door, whichever is greater	0	0
	Each additional 2,500 m^2 (26,909.8 ft^2) or part thereof	1 additional space per principal building, or 1 space per overhead door or shipping/receiving door, whichever is greater	0	0
Office, Hotel, Assembly, Institutional, extended medical treatment facility and other Care Related Facilities	300 m^2 (3,229.2 ft^2) to 3,000 m^2 (32,291.7 ft^2)	1 space per principal building, or 1 space per overhead door or shipping/receiving door, whichever is greater	For congregate housing use only: 1 space per apartment building, or 1 space per parcel where there are 3 or less apartment buildings sharing a common loading and parking area/ For school use only: 3 spaces, or the number of operationally required bus spaces based on school size and catchment area, whichever is greater	For congregate housing use only: 4 spaces per apartment building / For extended medical treatment facility use only: 1 per 500 m^2 (5,382.0 sq ft) / For school use only: 0.3 per classroom
	Each additional 3,000 m^2 (32,291.7 ft^2) or part thereof	1 additional space per principal building, or 1 space per overhead door or shipping/receiving door, whichever is greater		

Use	Total Gross Floor Area of Building or number of units	Required No. Truck or Van Spaces	Required No. Bus Spaces	Required No. Car Spaces
Residential, Multiple dwelling	Less than 20 dwelling units	0	0	0
	20 or greater dwelling units	1 space per apartment building with 20 or greater dwelling units, or 1 space per parcel where there are 3 or less apartment buildings sharing a common loading and parking area, except 0 spaces required where an on-street designated loading/delivery space is located within 100 m of the entry	0	1 space per apartment building with 80 or greater dwelling units , or 1 space per parcel where there are 3 or less apartment buildings sharing a common loading and parking area, except 0 spaces required where an on-street designated loading/delivery space is located within 100 m of entry

.2 Dimensions

a) Loading space dimensions shall be developed to the minimum dimensions specified in Table 4.9.

Table 4.9 – Minimum loading space dimensions

Type	Width	Length	Overhead Clearance
Truck / Van	3.0 m (9.8 ft)	9.0 m (29.5 ft)	4.0 m (13.1 ft)
Bus	3.6 m (11.8 ft)	12.2 m (40.0 ft)	4.6 m (15.1 ft)
Car	2.5 m (8.2 ft)	7.0 m (23.0 ft)	4.0 m (13.1 ft)

.3 Development Standards

(a) Loading spaces shall not encroach onto any highway or onto any parking space, driveway aisle, or landscaped area.

(b) Loading spaces shall be located away from areas of pedestrian movement and screened from view from abutting parcels and highways, except for car loading spaces which shall be located in immediate proximity of building access points and lowered curbs designed for wheelchair access.

(c) Van and Bus loading spaces shall be clearly marked as such.

(d) Car loading spaces shall be clearly marked as such noting that use must not exceed a 15-minute maximum and must be available for public use.

(e) Access and Egress

i. Loading spaces for trucks, vans and buses shall be located such that access to the space is not directly from a highway other than a lane, unless the area and configuration of the parcel are such that no reasonable alternative exists.

ii. Access and egress to loading spaces shall be so arranged that no backing or turning movements of vehicles using the space causes unreasonable interference with traffic on adjacent highways.

iii. Access and egress aisles for loading spaces shall have a minimum width equal to the width of the largest loading space for one-way travel and double the width of the largest loading space for two-way travel.

4.11 LANDSCAPING OF SURFACE PARKING AND LOADING AREAS

.1 Surface parking and loading areas required to accommodate between 6 and up to 15 vehicles shall incorporate a perimeter landscape strip or berm having a minimum width of 1.5 m (4.9 ft).

.2 Surface parking and loading areas required to accommodate 16 or more vehicles shall incorporate landscaped open space within the parking and loading area as follows:

(a) A perimeter landscape strip or berm having a minimum width of 1.5 m (4.9 ft) shall be provided; and

(b) Landscape islands shall be provided calculated on the basis of 1.0 m² (10.8 ft^2) per required parking and loading space, and located between internal collector, aisles that provide direct access to parking spaces, and at the mid and end of parking space aisles, where no more than 15 parking spaces occur in a continuous row without incorporating a landscaped island.

.3 Landscape strips, berms, and landscape islands shall:

(a) Be planted with a combination of high branching deciduous trees, hardy shrubs, and perennials or other ground cover suitable to local conditions and placed so as to provide shade and accommodate snow storage. Landscape strips may also include decorative fencing.

(b) Be designed and installed to adequately support the growth and development to maturity of high branching deciduous trees.

(c) Be designed and planted such that trees and shrubs are at least 0.6 m (2.0 ft) from any curb and do not obstruct lines of sight for vehicular or pedestrian traffic.

4.12 OPTIONAL PARKING PROVISIONS FOR THE WESTBANK URBAN CENTRE AND THE BOUCHERIE URBAN CENTRE ONLY (AS DEFINED IN THE OFFICIAL COMMUNITY PLAN)

.1 Location of Parking

(a) Despite Section 4.3.1, in the WUC1, WUC2, WUC3, and BUC1 Zone parking spaces may be located on a parcel other than the parcel on which the use, building or structure that the parking spaces serve is located, under the following conditions:

i. The parcel on which the parking spaces are located shall be within 200 m (656.2 ft) of the use, building or structure that the parking spaces serve.

ii. The distance between the parcels shall be measured along a sidewalk or public pathway route from the nearest point of the parcel providing the parking spaces to the nearest point of the parcel that the parking spaces serve.

iii. The owner of the parcel used for parking shall grant a restrictive covenant to the City of West Kelowna limiting the use of the parking area to the provision of parking spaces for the parcel that the parking spaces serve.

iv. The owner of the parcel used for parking shall grant to the owner of the parcel that the parking spaces serve an easement on terms satisfactory to the City of West Kelowna, providing access to and use of the parking spaces at all times.

v. Every subsequent owner or occupier of the property that the parking spaces serve shall maintain the required parking spaces as per the standards specified in this bylaw, including signage identifying the restricted use of the parking area for the use, building or structure that the parking serves.

.2 Location of Loading Spaces

(a) Despite Section 4.3.1(a), in the WUC1, WUC2, WUC3, and BUC1 Zone:

i. Where only a single loading space is required for a Commercial use and the Commercial use is serviced by a lane, the loading may occur on the lane but only between the hours of 9:00 pm and 8:00 am, and Section 4.3.2(b) do not apply to the loading area.

ii. Loading spaces may be located on a parcel other than the parcel on which the use, building or structure that the loading spaces serve is located, under the following conditions:

a) The parcel on which the loading spaces are located shall be within 100 m (328.0 ft) of the use, building or structure that the loading spaces serve.

b) The distance between the parcels shall be measured along a private drive aisle route from the nearest point of the parcel providing the loading spaces to the nearest point of the parcel that the loading spaces serve, and where the route does not interfere with any pedestrian movement.

c) The owner of the parcel used for loading shall grant a restrictive covenant to the City of West Kelowna limiting the use of the loading area to the provision of loading spaces for the parcel that the loading spaces serve.

d) The owner of the parcel used for loading shall grant to the owner of the parcel that the loading spaces serve an easement on terms satisfactory to the City of West Kelowna, providing access to and use of the loading spaces at all times.

.3 Cash in-lieu of Parking

(a) Despite Section 4.4.1, cash in-lieu of standard parking spaces will be accepted for multiple residential and mixed-use developments in the WUC1, WUC2, WUC3, and BUC 1 Zone subject to the following provisions:

i. Cash in-lieu of required parking spaces will be accepted for no more than:

a) 10% of the requirements specified in Table 4.1 for multi-residential developments in the form of apartment buildings; and

b) 50% of the requirements specified in Table 4.1 for mixed-use developments, where no individual or separate use may have the parking requirement reduced below 50%.

ii. The amount to be paid in respect of each required parking space not provided is $10,000.

.4 Shared Parking

(a) Despite Section 4.4.1, in the WUC1, WUC2, WUC3 and BUC1 Zone, where it can be established to the satisfaction of the Director of Development Approvals, by means of a parking demand assessment prepared by a person with qualifications acceptable to the Director, that the peak parking demand for a mixed use development with 2 or more buildings, structures or uses on the same parcel or abutting parcels occurs at sufficiently different times of the day, the Director may permit the cumulative parking space requirements in Table 4.1 to be reduced by a maximum of 25%.

(b) Sections 4.12.1(a)iii. and 4.12.1(a)iv. apply where an arrangement involving more than one parcel is approved under Section 4.12.3(a).

(c) If any of the uses in relation to which parking requirements have been reduced under Section 4.12.3(a) is changed to a use that in the Director of Development Approval's opinion affects the continued validity of the parking demand assessment, the Director

may require that the assessment be conducted again and may either confirm the previously approved reduction, or require that additional spaces be required up to the minimum number of spaces required by Table 4.1, and Section 4.12.2 shall apply in relation to the additional spaces.

.5 Transportation Demand Management Reductions

(a) Cooperative/Car Share Vehicles

i. Despite Section 4.4.1, the required number of parking spaces may be reduced by a maximum of 3 spaces per building for new multiple-residential and mixed use buildings where the property owner:

a) Provides or makes arrangements for the provision by others of 1 co-operative or car share vehicle per 3 reduced spaces; and

b) Provides 1 designated and appropriately marked cooperative/car share vehicle parking space, where Level 2 charging or higher is provided to the parking space which may be in addition to any energized electric vehicle charging requirement required by Section 4.13.

(b) End-Point Facilities

i. The required number of parking spaces for mixed use and commercial buildings may be reduced by a maximum of 1 parking space where showers, lockers and sinks are provided in accordance with Table 4.11 for the use of cyclists in addition to bicycle parking spaces at or above the ratios specified in Table 4.7.

Table 4.11 Requirements for bicycle end-point facilities

Bicycle Spaces	Sinks	Showers	Lockers
1-29	1	1	1
30-74	1	2	2
75+	+1 for each additional 60 bicycle parking spaces	+1 for each additional 60 bicycle parking spaces	+1 for each additional 60 bicycle parking spaces

4.13 ELECTRIC VEHICLE CHARGING REQUIREMENTS

.1 For new buildings, energized outlets shall be provided for electric vehicle charging to required parking spaces at or above the ratios specified in Table 4.12.

Table 4.12 Requirements for electric vehicle charging

Land Use/Type of Development	Energized Electric Vehicle Outlets
All residential uses within the Apartment or Townhouse form, except for a Townhouse within the Residential Plex (RP1) Zone	10% of all required parking spaces
All non-residential uses	10% of all required parking spaces

.2 Despite Section 4.13.1:

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(a) Energized electric vehicle outlets are not required when constructing the following:

i. New dwelling unit within an existing building;

ii. Secondary suite;

iii. Carriage house; or

iv. Buildings used for Agricultural -general, Agriculture -intensive, and Alcohol Production Facilities.

(b) Where the calculation for the total number of energized electric vehicle parking outlets results in a fractional number, the requirement shall be rounded to the next highest whole number and in no case shall the number of required spaces be less than one.

.3 Each parking area required to include electric vehicle charging infrastructure shall be designed and constructed in accordance with the provisions of this bylaw:

(a) All energized electric vehicle outlets shall provide, at a minimum, a Level 2 electric charging standard.

(b) Energized electric vehicle outlets shall be labeled for their intended use for electric vehicle charging.

(c) Energized electric vehicle outlets shall not be placed within the minimum vehicle parking space dimensions or drive aisles as identified by this bylaw.

(d) An energized electric vehicle outlet shall be assigned to an individual parking space and shall be located no further than 1.0 m (3.3 ft) from that stall.

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PART 5 – ESTABLISHMENT OF ZONES

The area subject to this Zoning Bylaw shall be divided into zones as described in Table 5.1 and depicted on Schedule B.

Table 5.1 Establishment of Zones

Zone	Zone Abbreviation
WATER ZONES (PART 6)	
Recreational Water Use Zone	W1
Intensive Water Use Zone	W2
Commercial Water Use Zone	W3
Pritchard Canal Water Use Zone	W4
FOREST RESOURCE ZONES (PART 7)	
Forest Resource Zone	F1
AGRICULTURAL ZONES (PART 8)	
Agricultural Zone	A1
RURAL ZONES (PART 9)	
Country Residential Zone	RU1
Rural Residential Small Parcel Zone	RU2
Rural Residential Medium Parcel Zone	RU3
Rural Residential Large Parcel zone	RU4
Rural Resource Zone	RU5
RESIDENTIAL ZONES (PART 10)	
Westbank Compact Residential Zone	RC1
Boucherie Compact Residential Zone	RC2
Compact Single Detached and Duplex Residential Zone	RC3
Single Detached and Duplex Residential Zone	R1
Manufactured Home Residential Zone	R1M
Large Parcel Single Detached and Duplex Residential Zone	R1L
Manufactured Home Park Zone	RMP
Residential Plex Zone	RP1
Low Density Multiple Residential Zone	R3
Medium Density Multiple Residential Zone	R4
Westbank Centre Multiple Residential Zone (Historic)	R5H
COMMERCIAL ZONES (PART 11)	
General Commercial Zone	C1
Local Commercial Zone	C2
Gasoline Service Station Commercial Zone	C3
Service Commercial Zone	C4
Campground, Cabin and Motel Commercial Zone	C5
Tourist and Resort Commercial Zone	C6
URBAN AND NEIGHBOURHOOD CENTRE ZONES (PART 12)	
Westbank Urban Centre Mixed-Use Corridor Zone	WUC1
Westbank Urban Centre Commercial Core Zone	WUC2
Westbank Urban Centre Residential Shoulder Zone	WUC3
Boucherie Urban Centre Zone	BUC1
Neighbourhood Centre Zone	NC1

INDUSTRIAL ZONES (PART 13)	
Light Industrial Zone	I1
Heavy Industrial Zone	I2
Timber Processing and Manufacturing Zone	I3
Gravel Extraction Zone	I4
Gravel Extraction with Asphalt Zone	I5
Rural Industrial Zone	I6
PARKS AND INSTITUTIONAL ZONES (PART 14)	
Parks and Open Space Zone	P1
Institutional and Assembly Zone	P2
COMPREHENSIVE DEVELOPMENT ZONES (PART 15)	
Comprehensive Development Zone (Westlake)	CD1 (A-G)
Comprehensive Development Zone (The Cove Resort)	CD2
Comprehensive Development Zone (Mission Ridge Estates)	CD3 (A-C)
Comprehensive Development Zone (The Pines of Mission Hill)	CD4
Comprehensive Development Zone (IHA Health Centre)	CD5
Comprehensive Development Zone (Mission Hill)	CD6
Comprehensive Development Zone (West Bay Road)	CD7
Comprehensive Development Zone (Seclusion Bay Road)	CD8
Comprehensive Development Zone (Olalla Road)	CD9
Comprehensive Development Zone (Auburn Road)	CD10

PART 6 – WATER ZONES

6.1 RECREATIONAL WATER USE ZONE (W1)

.1 Purpose:
To provide recreational opportunities, preserve and protect the natural qualities of the lakes, and provide for the orderly development of boat docks and moorage facilities associated directly with upland uses.

.2 Principal Uses, Buildings and Structures
(a) Beach and water-based recreational activities
(b) Docks and mooring buoys accessory to the use of the immediately abutting upland parcel
(c) Temporary moorage for periods less than 48 hours

.3 Secondary Uses, Buildings and Structures
(a) Accessory uses, buildings and structures
(b) Boat lifts other than overhead boat lift mechanisms
(c) Moorage accessory to the use of the immediately abutting upland parcel

.4 Site Specific Uses - *Reserved*

.5 Regulations Table

DEVELOPMENT REGULATIONS		
(a)	**Maximum number of docks**	1 per each immediately abutting upland parcel

.6 Other Regulations - *Reserved*

6.2 INTENSIVE WATER USE ZONE (W2)

.1 Purpose

To provide recreational opportunities, preserve and protect the natural qualities of Okanagan Lake, and provide for the orderly development of boat docks and moorage facilities associated directly with upland uses and accommodate water-related retail activities.

.2 Principal Uses, Buildings and Structures

(a) Beach and water-based recreational activities
(b) Boat launch
(c) Docks, detached swim platforms and mooring buoys accessory to the use of the immediately abutting upland parcel
(d) Retail, convenience
(e) Temporary moorage for periods less than 48 hours

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Boat lifts other than overhead boat lift mechanisms
(c) Collection and temporary storage of sewage discharge from boats
(d) Moorage accessory to the use of the immediately abutting upland parcel

.4 Site Specific Uses, Buildings and Structures

(a) On the unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting Lot 2, DL 434, ODYD, Plan EPS2459 (3750 West Bay Road):

i. No structure shall be greater than 114.5 m in length, measured from the natural boundary; and

ii. One additional boat slip is permitted.

(b) On the unsurveyed Crown foreshore being part of the bed of Okanagan Lake and fronting Lot 1, DL 434 & 523, ODYD, Plan 7108 (1449 Green Bay Road): two docks and four boat slips

(c) On the unsurveyed Crown foreshore being part of the bed of Okanagan Lake and Fronting Lot A District Lot 434 (Formerly Kamloops) Division Yale District Plan EPP105440:

i. A dock with a maximum six boat slips accessory to the winery and other agricultural uses of the immediately abutting upland parcel.

ii. Public moorage accessory to the winery and other agricultural uses of the immediately abutting upland parcel.

iii. Collection and temporary storage of sewage discharge from boats is prohibited.

iv. Retail Convenience is prohibited.

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.5 Regulations Table

DEVELOPMENT REGULATIONS		
(a)	**Maximum number of docks and detached swim platforms**	Only 1 dock per each immediately abutting upland parcel OR
		Only 1 dock containing 1 boat slip per unit in the case of multiple units on the upland parcel OR
		Only 1 detached swim platform per each immediately abutting upland parcel.
(b)	**Maximum height**	9.0 m (29.5 ft) (measured from full pool)

.6 Other Regulations - *Reserved*

6.3 COMMERCIAL WATER USE ZONE (W3)

.1 Purpose

To provide recreational opportunities, preserve and protect the natural qualities of Okanagan Lake, and provide for the orderly development of marinas and accommodate water-related retail activities.

.2 Principal Uses, Buildings and Structures

(a) Beach and water-based recreational activities
(b) Boat launch
(c) Detached swim platforms, and mooring buoys accessory to the use of the immediately abutting upland parcel
(d) Marina
(e) Retail, convenience
(f) Temporary moorage for periods less than 48 hours
(g) Yacht club clubhouse

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Boat lifts other than overhead boat lift mechanisms
(c) Collection and temporary storage of sewage discharge from boats
(d) Moorage accessory to the use of the immediately abutting upland parcel

.4 Site Specific Uses, Buildings and Structures

(a) On DL 5249 (4111 Gellatly Road): the sale of boat fuels and motor fluids

.5 Regulations Table

DEVELOPMENT REGULATIONS		
(a)	**Maximum number of marinas**	1 per each immediately abutting upland parcel
(b)	**Maximum number of detached swim platforms**	1 per each immediately abutting upland parcel
(c)	**Maximum height**	9.0 m (29.5 ft) (measured from full pool)

.6 Other Regulations - *Reserved*

6.4 PRITCHARD CANAL WATER USE ZONE (W4)

.1 Purpose:

To provide recreational and moorage opportunities associated directly with the upland uses as well as preserve and protect the natural qualities of Okanagan Lake.

.2 Principal Uses, Buildings and Structures

(a) Water-based recreational activities accessory to the use of the immediately abutting upland parcels
(b) Docks accessory to the use of the immediately abutting upland parcel

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Boat lifts accessory to the use of the immediately abutting upland parcel
(c) Moorage accessory to the use of the immediately abutting upland parcel

.4 Site Specific Uses - Reserved

.5 Regulations Table

DEVELOPMENT REGULATIONS		
(a)	**Maximum number of docks**	1 per each immediately abutting upland parcel

.6 Other Regulations - *Reserved*

PART 7 – FOREST RESOURCE ZONE

7.1 FOREST RESOURCE ZONE (F1)

.1 Purpose

To accommodate forest and resource management and recreational uses.

.2 Principal Uses, Buildings and Structures

(a) Forage production and grazing
(b) Forest or wilderness oriented recreation
(c) Timber production

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures

.4 Site Specific Uses, Buildings and Structures – *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	30.0 ha (74.1 ac)
DEVELOPMENT REGULATIONS		
(b)	**Maximum parcel coverage**	35%
(c)	**Maximum height**	9.0 m (29.5 ft) to a maximum of 3 storeys
SITING REGULATIONS		
(d)	**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.	Front parcel boundary or private access easement, whichever is closer	10.0 m (32.8 ft)
ii.	Rear parcel boundary or private access easement, whichever is closer	10.0 m (32.8 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	10.0 m (32.8 ft)
iv.	Exterior side parcel boundary or private access easement, whichever is closer	10.0 m (32.8 ft)

.6 Other Regulations - *Reserved*

PART 8 – AGRICULTURAL ZONES

8.1 AGRICULTURAL ZONE (A1)

.1 Purpose

To accommodate agricultural operations and related activities located on parcels that are typically within the Agricultural Land Reserve (ALR), where uses may be subject to additional *Agricultural Land Commission Act* restrictions or requirements despite Section 8.1.2 and 8.1.3 if parcels are located in the ALR

.2 Principal Uses, Buildings and Structures

(a) Agriculture, general
(b) Agriculture, intensive
(c) Alcohol production facility
(d) Cannabis production facility in ALR only
(e) Kennels, service on parcels 4 ha or greater
(f) Greenhouse or plant nursery
(g) Mobile home
(h) Modular home
(i) Riding stable
(j) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Agricultural worker dwelling
(c) Agricultural worker dwelling, temporary
(d) Agri-tourism
(e) Agri-tourism accommodation
(f) Care facility, minor
(g) Carriage house
(h) Child care, minor (in-home)
(i) Home based business, major
(j) Kennels, hobby
(k) Portable saw mill or shake mill
(l) Retail sales of farm products or processed farm products
(m) Secondary suite
(n) Short-term rental / short-term rental (bed and breakfast)

.4 Site Specific Uses, Buildings and Structures

(a) On Lot 23, DL 486, Plan 761, ODYD (except Plan KAP71035) (2550 Butt Road): one additional single detached dwelling
(b) On Lot A, DL 3796, ODYD, Plan 29609 (2880 Scharf Road): one additional single detached dwelling
(c) On Lot 80, DL 1934, Plan KAP5381, ODYD, except Plan 16601 (1061 Ogden Road): one additional single detached dwelling
(d) On Lot B, DL 3480, ODYD, Plan KAP77505 (3651 Glencoe Road): one agricultural worker dwelling and five agri-tourism campsites
(e) On Lot A, DL 3480, ODYD, Plan KAP67210 (2670 Highway 97 S): outdoor storage

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Bylaw No. 0320.03

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	4.0 ha (9.9 ac), except it is:
		2.45 ha (5.73 ac) on the western portion of DL 5075, ODYD, Except Plans 9213 and 12107
		1ha (2.47ac) On Plan Kap13544 Lot 1 DL 581 ODYD, Except Plan KAP46981, (3348 Boucherie Road)
(b)	**Minimum parcel frontage**	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Single detached dwelling, mobile home and modular home	Only 1 single detached dwelling or 1 mobile home or 1 modular home per parcel
ii.	Agricultural worker dwelling and temporary agricultural worker dwelling	Subject to Sections 3.21 and 3.22
iii.	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	**Maximum parcel coverage:**	
i.	For all uses, buildings and structures other than a greenhouse	35% and together with driveways and parking areas shall not exceed 45%
ii.	Greenhouse	75% less the parcel coverage of other uses
(e)	**Maximum building height:**	
i.	Single detached dwelling and modular home	12.0 m (39.4 ft)
ii.	Agricultural worker dwelling, temporary agricultural worker dwelling and mobile home	9.5 m (31.2 ft) to a maximum of 3 storeys
iii.	Buildings used as part of a farm operation as defined in the *Farm Practices Protection Act*	15.0 m (49.2 ft)
iv.	Accessory buildings and structures	8.0 m (26.2 ft)
v.	Carriage house	7.0 m (23.0 ft)
(f)	**Maximum building size (per ALC "total floor area" definition):**	
i.	Single detached dwelling	500 m^2 (5382 ft^2)
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.	Front parcel boundary or private access easement, whichever is closer	6.0 m (19.7 ft)
ii.	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)

iii.	Interior side parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.0 m (19.7 ft) the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft)
v.	Watercourses	Subject to Section 3.27
(h)	**Despite 8.1.5(g), the following uses, buildings and structures shall be sited at least the distance indicated in the right-hand column below, opposite the feature indicated in the middle column, from any parcel boundary:**	
i.	Buildings housing animals (other than intensive agriculture), kennel, riding stable and greenhouse	15.0 m (49.2 ft)
ii.	Cannabis production facility	30.0 m (98.4 ft), except it is:
		60.0 m (196.9 ft) from any P zone
iii.	Intensive agriculture	30.0 m (98.4 ft)

.6 **Other Regulations –** ***Reserved***

PART 9 – RURAL ZONES

9.1 COUNTRY RESIDENTIAL ZONE (RU1)

.1 Purpose

To accommodate rural, agricultural, and residential uses on parcels of land that are 0.5 ha or greater, where uses may be subject to additional *Agricultural Land Commission Act* restrictions or requirements despite Section 9.1.2 and 9.1.3 if parcels are located in the ALR.

.2 Principal Uses, Buildings and Structures

(a) Agriculture, general
(b) Agriculture, intensive in ALR only
(c) Alcohol production facility in ALR only
(d) Cannabis production facility in ALR only
(e) Greenhouse or plant nursery
(f) Mobile home
(g) Modular home
(h) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Care facility, minor
(c) Carriage house
(d) Child care, minor (in-home)
(e) Home based business, major
(f) Kennel, hobby
(g) Retail sales of farm products or processed farm products
(h) Secondary suite
(i) Short-term rental / short-term rental (bed and breakfast)

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	0.5 ha (1.2 ac)
(b)	**Minimum parcel frontage**	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
ii.	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	**Maximum parcel coverage:**	
i.	For all uses, buildings and structures other than a greenhouse	20%
ii.	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures

(e)	**Maximum building height is 15.0 m (49.2 ft) except for the following:**	
i.	Single detached dwelling and modular home	11.0 m (36.0 ft) to a maximum of 3 storeys
ii.	Buildings used as part of a farm operation as defined in the *Farm Practices Protection Act*	15.0 m (49.2 ft)
iii.	Accessory buildings and structures	5.0 m (16.4 ft)
iv.	Carriage house	8.0 m (26.2 ft)
SITING REGULATIONS		
(f)	**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.	Front parcel boundary or private access easement, whichever is closer	6.0 m (19.7 ft)
ii.	Rear parcel boundary or private access easement, whichever is closer	7.5 m (24.6 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
v.	A1 Zone or ALR	Subject to Section 3.23
vi.	Watercourses	Subject to Section 3.27
(g)	**Despite 9.1.5(f), the following uses, buildings and structures shall be sited at least the distance indicated in the right-hand column below, opposite that feature indicated in the middle column, from any parcel boundary:**	
i.	Buildings housing animals, kennel and greenhouse	15.0 m (49.2 ft)
ii.	Cannabis production facility	30.0 m (98.4 ft), except it is:
		60.0 m (196.9 ft) from any P zone

.6 Other Regulations - *Reserved*

9.2 RURAL RESIDENTIAL SMALL PARCEL ZONE (RU2)

.1 Purpose

To accommodate rural, agricultural, and residential uses on parcels of land that are 1 ha or greater where uses may be subject to additional *Agricultural Land Commission Act* restrictions or requirements despite Section 9.2.2 and 9.2.3 if parcels are located in the ALR.

.2 Principal Uses, Buildings and Structures

(a) Agriculture, general
(b) Agriculture, intensive in ALR only
(c) Alcohol production facility in ALR only
(d) Cannabis production facility in ALR only
(e) Greenhouse or plant nursery
(f) Mobile home
(g) Modular home
(h) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Agri-tourism
(c) Agri-tourism accommodation
(d) Care facility, minor
(e) Carriage house
(f) Child care, minor (in-home)
(g) Home based business, major
(h) Kennel, hobby
(i) Secondary suite
(j) Short-term rental / short-term rental (bed and breakfast)
(k) Retail sales of farm products or processed farm products

.4 Site Specific Uses, Buildings and Structures – *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	1.0 ha (2.5 ac)
(b)	**Minimum parcel** frontage	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
ii.	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	**Maximum parcel coverage:**	
i.	For all uses, buildings and structures other than a greenhouse	10%
ii.	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures
(e)	**Maximum building height is 15.0 m (49.2 ft) except for the following:**	
i.	Single detached dwelling and modular home	11.0 m (36.0 ft) to a maximum of 3 storeys
ii.	Buildings used as part of a farm operation as defined in the *Farm Practices Protection Act*	15.0 m (49.2 ft)

iii.	Accessory buildings and structures	5.0 m (16.4 ft)
iv.	Carriage house	8.0 m (26.2 ft)
SITING REGULATIONS		
(f)	**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.	Front parcel boundary or private access easement, whichever is closer	6.0 m (19.7 ft)
ii.	Rear parcel boundary or private access easement, whichever is closer	7.5 m (24.6 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
v.	A1 Zone or ALR	Subject to Section 3.23
vi.	Watercourses	Subject to Section 3.24
(g)	**Despite 9.2.5(f), the following uses, buildings and structures shall be sited at least the distance indicated in the right-hand column below, opposite the feature indicated in the middle column, from any parcel boundary:**	
i.	Buildings housing animals, kennel and greenhouse	15.0 m (49.2 ft)
ii.	Cannabis production facility	30.0 m (98.4 ft), except it is:
		60.0 m (196.9 ft) from any P zone

.6 Other Regulations - *Reserved*

9.3 RURAL RESIDENTIAL MEDIUM PARCEL ZONE (RU3)

.1 Purpose

To accommodate rural, agricultural, and residential uses on parcels of land that are 2.0 ha or greater, where uses may be subject to additional *Agricultural Land Commission Act* restrictions or requirements despite Section 9.3.2 and 9.3.3 if parcels are located in the ALR.

.2 Principal Uses, Buildings and Structures

(a) Agriculture, general
(b) Agriculture, intensive in ALR only
(c) Alcohol production facility in ALR only
(d) Cannabis production facility in ALR only
(e) Greenhouse or plant nursery
(f) Mobile home
(g) Modular home
(h) Riding stables
(i) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Agricultural retail sales
(c) Agri-tourism
(d) Agri-tourism accommodation
(e) Care facility, minor
(f) Carriage house
(g) Child care, minor (in-home)
(h) Home based business, major
(i) Kennel, hobby
(j) Secondary suite
(k) Short-term rental / short-term rental (bed and breakfast)
(l) Retail sales of farm products or processed farm products

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	2.0 ha (4.9 ac)
(b)	**Minimum parcel frontage**	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
ii.	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	**Maximum parcel coverage:**	
i.	For all uses, buildings and structures other than a greenhouse	10%
ii.	Greenhouse	50% of the parcel area, less the parcel coverage of all other uses, buildings and structures
(e)	**Maximum building height is 15.0 m (49.2 ft) except for the following:**	
i.	Single detached dwelling and modular home	11.0 m (36.0 ft) to a maximum of 3 storeys

ii.	Buildings used as part of a farm operation as defined in the *Farm Practices Protection Act*	15.0 m (49.2 ft)
iii.	Accessory buildings and structures	5.0 m (16.4 ft)
iv.	Carriage house	8.0 m (26.2 ft)
SITING REGULATIONS		
(f)	**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.	Front parcel boundary or private access easement, whichever is closer	6.0 m (19.7 ft)
ii.	Rear parcel boundary or private access easement, whichever is closer	7.5 m (24.6 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
v.	A1 Zone or ALR	Subject to Section 3.23
vi.	Watercourses	Subject to Section 3.24
(g)	**Despite 9.3.5(f), the following uses, buildings and structures shall be sited at least the distance indicated in the right-hand column below, opposite the feature indicated in the middle column, from any parcel boundary:**	
i.	Buildings housing animals, kennel and greenhouse	15.0 m (49.2 ft)
ii.	Cannabis production facility	30.0 m (98.4 ft), except it is:
		60.0 m (196.9 ft) from any P zone

.6 Other Regulations - *Reserved*

9.4 RURAL RESIDENTIAL LARGE PARCEL ZONE (RU4)

.1 Purpose

To accommodate rural, agricultural and residential uses on parcels of land that are 4 ha or greater, where uses may be subject to additional *Agricultural Land Commission Act* restrictions or requirements despite Section 9.4.2 and 9.4.3 if parcels are located in the ALR.

.2 Principal Uses, Buildings and Structures

(a) Agriculture, general
(b) Agriculture, intensive
(c) Alcohol production facility in ALR only
(d) Cannabis production facility in ALR only
(e) Greenhouse or plant nursery
(f) Kennel, service on parcels larger than 4 ha
(g) Mobile home
(h) Modular home
(i) Riding stable on parcels 2 ha or greater
(j) Single detached dwelling
(k) Veterinary clinic

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Agricultural retail sales
(c) Agricultural worker dwelling
(d) Agri-tourism
(e) Agri-tourism accommodation
(f) Care facility, minor
(g) Carriage house
(h) Child care, minor (in-home)
(i) Home based business, major
(j) Kennel, hobby
(k) Portable saw mill or portable shake mill on parcels 8 ha (19.8 ac) or greater
(l) Secondary suite
(m) Short-term rental / short-term rental (bed and breakfast)
(n) Retail sales of farm products or processed farm products

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	4.0 ha (9.9 ac)
(b)	**Minimum parcel frontage**	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
ii.	Agricultural worker dwelling	Subject to Section 3.20
iii.	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	**Maximum parcel coverage:**	
i.	For all uses, buildings and structures other than a greenhouse	10%

ii.	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures
(e)	**Maximum building height is 15.0 m (49.2 ft) except for the following:**	
i.	Single detached dwelling and modular home	12.0 m (39.4 ft)
ii.	Agricultural worker dwelling	11.0 m (36.0 ft) to a maximum of 3 storeys
iii.	Buildings used as part of a farm operation as defined in the *Farm Practices Protection Act*	15.0 m (49.2 ft)
iv.	Accessory buildings and structures	8.0 m (26.2 ft)
v.	Carriage house	8.0 m (26.2 ft)
SITING REGULATIONS		
(f)	**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.	Front parcel boundary or private access easement, whichever is closer	6.0 m (19.7 ft)
ii.	Rear parcel boundary or private access easement, whichever is closer	9.0 m (29.5 ft)
iii.	Interior parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
v.	A1 Zone or ALR	Subject to Section 3.23
vi.	Watercourses	Subject to Section 3.24
(g)	**Despite 9.4.5(f), the following uses, buildings and structures shall be sited at least the distance indicated in the right-hand column below, opposite the feature indicated in the middle column, from any parcel boundary:**	
i.	Intensive agriculture and cannabis production facility	100.0 m (328.1 ft)
ii.	Buildings housing animals (other than intensive agriculture), kennel, riding stable and greenhouse	15.0 m (49.2 ft)
iii.	Cannabis production facility	30.0 m (98.4 ft), except it is:
		60.0 m (196.9 ft) from any P zone

.6 Other Regulations - *Reserved*

9.5 RURAL RESOURCE ZONE (RU5)

.1 Purpose

To accommodate rural, agricultural and residential uses on parcels of land that are 30 ha or greater, where uses may be subject to additional *Agricultural Land Commission Act* restrictions or requirements despite Section 9.5.2 and 9.5.3 if parcels are located in the ALR.

.2 Principal Uses, Buildings and Structures

(a) Agriculture, general
(b) Agriculture, intensive
(c) Alcohol production facility in ALR only
(d) Cannabis production facility in ALR only
(e) Greenhouse or plant nursery
(f) Kennels, service on parcels larger than 4 ha
(g) Mobile home
(h) Modular home
(i) Single detached dwelling
(j) Riding stable on parcels 2 ha or greater
(k) Veterinary clinic

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Agricultural worker dwelling
(c) Agricultural worker dwelling, temporary
(d) Agri-tourism
(e) Agri-tourism accommodation
(f) Care facility, minor
(g) Carriage house
(h) Child care, minor (in-home)
(i) Home based business, major
(j) Kennel, hobby
(k) Portable saw mill or portable shake mill on parcels 8 ha or greater
(l) Secondary suite
(m) Short-term rental / short-term rental (bed and breakfast)
(n) Retail sales of farm products or processed farm products

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	30 ha (74.1 ac)
(b)	**Minimum parcel frontage**	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Single detached dwelling and modular home	Only 1 single detached dwelling or only 1 modular home per parcel
ii.	Agricultural worker dwelling and temporary agricultural worker dwelling	Subject to Sections 3.20 and 3.21
iii.	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	**Maximum parcel coverage:**	
i.	For other uses, buildings and structures other than a greenhouse	10%

ii.	Greenhouse	50% less the parcel coverage of all other uses, buildings and structures
(e)	**Maximum building height is 15.0 m (49.2 ft) except for the following:**	
i.	Single detached dwelling and modular home	12.0 m (39.4 ft)
ii.	Agricultural worker dwelling, including temporary	11.0 m (36.0 ft) to a maximum of 3 storeys
iii.	Buildings used as part of a farm operation as defined in the *Farm Practices Protection Act*	15.0 m (49.2 ft)
iv.	Accessory buildings and structures	8.0 m (26.2 ft)
v.	Carriage house	8.0 m (26.2 ft)
SITING REGULATIONS		
(f)	**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.	Front parcel boundary or private access easement, whichever is closer	6.0 m (19.7 ft)
ii.	Rear parcel boundary or private access easement, whichever is closer	10.0 m (32.8 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for the first 9.0 m (29.5 ft) of building height for an alcohol production facility, and
		12.0 m (39.3 ft) for any portion above 9.0 m (29.5 ft)
v.	A1 Zone or ALR	Subject to Section 3.23
vi.	Watercourses	Subject to Section 3.24
(g)	**Despite 9.5.5(f), the following uses, buildings and structures shall be sited at least the distance indicated in the right-hand column below, opposite the feature indicated in the middle column, from any parcel boundary:**	
i.	Intensive agriculture and cannabis production facility	100.0 m (328.1 ft)
ii.	Buildings housing animals (other than intensive agriculture), kennel, riding stable and greenhouse	15.0 m (49.2 ft)
iii.	Cannabis production facility	30.0 m (98.4 ft), except it is:
		60.0 m (196.9 ft) from any P zone

.6 Other Regulations - *Reserved*

PART 10 – RESIDENTIAL ZONES

10.1 WESTBANK COMPACT RESIDENTIAL ZONE (RC1)

.1 Purpose

To accommodate low to medium density residential uses on parcels of land that are 325 m2 and larger adjacent to Westbank Urban Centre, as defined in the City's Official Community Plan, and to recognize existing parcels zoned RC1.

.2 Principal Uses, Buildings and Structures

(a) Duplex
(b) Single detached dwelling
(c) Townhouse

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings, and structures
(b) Care facility, minor
(c) Carriage house
(d) Child care, minor (in-home)
(e) Home based business, major
(f) Secondary suite

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	325 m^2 (3498.3 ft^2)
(b)	**Minimum parcel frontage**	9.0 m (29.5 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Townhouse	1.2 FAR
ii.	Duplex, single detached dwelling	Only 1 duplex or only 1 single detached dwelling per parcel
iii.	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	**Maximum parcel coverage**	40%
(e)	**Maximum building height:**	
i.	Single detached dwelling, duplex and townhouse	11.0 m (36.0 ft) to a maximum of 3 storeys
ii.	Accessory buildings and structures	5.0 m (16.4 ft)
iii.	Carriage house	8.0 m (26.2 ft)

SITING REGULATIONS		
(f)	**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.	Front parcel boundary or private access easement, whichever is closer	3.5 m (11.5 ft), except it is:
		6.0 m (19.7) for a garage or carport having vehicular entry from the front
ii.	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		4.5 m (14.8 ft) for townhouses
iii.	Interior side parcel boundary or private access easement, whichever is closer	1.5 m (4.9 ft), except it is:
		3.0 m (9.8 ft) from a private access easement
iv.	Exterior side parcel boundary or private access easement, whichever is closer	2.5 m (8.2 ft), except it is:
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Where side-by-side duplex units or townhouses are subdivided under the *Land Title Act* or *Strata Property Act*, Sections 10.1.5(a) and 10.1.5(b) 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 in those Sections, and Section 10.1.5(f)iii. shall not apply.

10.2 BOUCHERIE COMPACT RESIDENTIAL ZONE (RC2)

.1 Purpose

To accommodate low density residential uses on parcels of land that are 325 m2 and larger adjacent to Boucherie Urban Centre, as defined in the City's Official Community Plan, and to recognize existing parcels that are zoned RC2.

.2 Principal Uses, Buildings and Structures

(a) Duplex
(b) Single detached dwelling
(c) Townhouse

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Care facility, minor
(c) Carriage house
(d) Child care, minor (in-home)
(e) Home based business, major
(f) Secondary suite

.4 Site Specific Uses, Buildings and Structures – *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	325 m^2 (3,498.3 ft^2)
(b)	**Minimum parcel frontage**	9.0 m (29.5 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Duplex, single detached dwelling, townhouse	Only 1 duplex or only 1 single detached dwelling or only 1 townhouse per parcel
ii.	Secondary suite	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
iii.	Carriage house (accessory to a single detached dwelling only)	Only 1 carriage house per parcel
iv.	Parcel area 280m^2 or smaller	3 dwelling units per parcel
v.	Parcel area larger than 280m^2	4 dwelling units per parcel
vi.	Despite iv. and v. above, where a parcel is any of the following: - not wholly or partly within the Growth Boundary established by the Official Community Plan - not connected to a community water system or community sewer system provided as a service by the City of West Kelowna - larger than 4,050m^2	2 dwelling units per parcel comprised of: - 1 single detached dwelling; and - 1 secondary suite or 1 carriage house

(d)	**Maximum parcel coverage**	50%
(e)	**Maximum building height:**	
i.	Duplex, single detached dwelling, townhouse	11.0 m (36.0 ft) to a maximum of 3 storeys
ii.	Accessory buildings and structures	5.0 m (16.4 ft)
iii.	Carriage house	8.0 m (26.2 ft)
SITING REGULATIONS		
(f)	**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.	Front parcel boundary or private access easement, whichever is closer	3.5 m (11.5 ft)
ii.	Rear parcel boundary or private access easement, whichever is closer	1.5 m (4.9 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	1.2 m (3.9 ft), except it is 3.0 m (9.8 ft) from a private access easement
iv.	Exterior side parcel boundary or private access easement, whichever is closer	2.5 m (8.2 ft)

.6 Other Regulations

(a) Where side-by-side duplex units or townhouses are subdivided under the *Land Title Act* or *Strata Property Act*, Sections 10.2.5(a) and 10.2.5(b) 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 in those Sections, and Section 10.2.5(f)iii. shall not apply.

10.3 COMPACT SINGLE DETACHED AND DUPLEX RESIDENTIAL ZONE (RC3)

.1 Purpose

To accommodate single detached and duplex residential use on parcels of land that are 325 m^2 and larger.

.2 Principal Uses, Buildings and Structures

(a) Duplex
(b) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Care facility, minor
(c) Carriage house
(d) Child care, minor (in-home)
(e) Home based business, major
(f) Secondary suite

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	325 m^2 (3,498.3 ft^2)
(b)	**Minimum usable parcel area**	195 m^2 (2,099.0 ft^2)
(c)	**Minimum parcel frontage**	12.0 m (39.4 ft)
DEVELOPMENT REGULATIONS		
(d)	**Maximum density:**	
i.	Duplex, Single detached dwelling	Only 1 duplex or only 1 single detached dwelling per parcel
ii.	Secondary suite	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
iii.	Carriage house (accessory to a single detached dwelling only)	Only 1 carriage house per parcel
iv.	Parcel area 280m^2 or smaller	3 dwelling units per parcel
v.	Parcel area larger than 280m^2	4 dwelling units per parcel
vi.	Despite iv. and v. above, where a parcel is any of the following: - not wholly or partly within the Growth Boundary established by the Official Community Plan - not connected to a community water system or community sewer system provided as a service by the City of West Kelowna - larger than 4,050m^2	2 dwelling units per parcel comprised of: - 1 single detached dwelling; and - 1 secondary suite or 1 carriage house
(e)	**Maximum parcel coverage**	50%
(f)	**Maximum building height:**	

i.	Duplex, single detached dwelling	11.0 m (36 ft) to a maximum of 3 storeys
ii.	Accessory buildings and structures	5.0 m (16.4 ft)
iii.	Carriage house	8.0 m (26.2 ft)
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.	Front parcel boundary or private access easement, whichever is closer	3.5 m (11.5 ft)
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
		3.5 m (11.5 ft) for a garage or carport having vehicular entry from the front provided that a minimum of 6.2 m (20.3 ft) is maintained from back of curb or edge of sidewalk
ii.	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	1.5 m (4.9 ft) except it is 3.0 m (9.8 ft) from a private access easement
iv.	Exterior side parcel boundary or private access easement, whichever is closer	2.5 m (8.2 ft), except it is:
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Where side-by-side duplex units are subdivided under the *Land Title Act* or *Strata Property Act,* Sections 10.3.5(a), 10.3.5(b) and 10.3.5(c) shall not apply provided that each parcel so created contains not less than one half the minimum parcel area, not less than one half the usable parcel area and not less than one half the minimum frontage specified in those Sections, and Section 10.3.5(g)iii. shall not apply.

10.4 SINGLE DETACHED AND DUPLEX RESIDENTIAL ZONE (R1)

.1 Purpose

To accommodate low density single detached and duplex residential use on parcels of land that are 550 m^2 and larger.

.2 Principal Uses, Buildings and Structures

(a) Duplex
(b) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Care facility, minor
(c) Carriage House
(d) Child care, minor (in-home)
(e) Home based business, major
(f) Secondary suite
(g) Short-term rental / short-term rental (bed and breakfast)

.4 Site Specific Uses, Buildings and Structures

(a) On Lot 1, DL 581 ODYD, Plan 44004, Except Plans KAP48178 & KAP53981 (address unassigned, Gregory Road): vineyard and one single detached dwelling / caretakers residence.

(b) On Lot 2, District Lot 3866, ODYD, Plan KAP30253 (1018 West Kelowna Road): carriage house in the form of a modular home on a parcel less than 1100 m2.

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	550 m^2 (5,920.2 ft^2)
(b)	**Minimum usable parcel area**	330 m^2 (3,552.1 ft^2)
(c)	**Minimum parcel frontage**	16.0 m (52.5 ft)
DEVELOPMENT REGULATIONS		
(d)	**Maximum density:**	
i.	Duplex, Single detached dwelling	Only 1 duplex or only 1 single detached dwelling per parcel
ii.	Secondary suite	Only 2 secondary suites per parcel, where a minimum of 1 secondary suite is permitted within a: - single detached dwelling - carriage house; or - each half of a duplex
iii.	Carriage house (accessory to a single detached dwelling only)	Only 1 carriage house per parcel
iv.	Parcel area 280m^2 or smaller	3 dwelling units per parcel
v.	Parcel area larger than 280m^2	4 dwelling units per parcel
vi.	Despite iv and v above, where a parcel is any of the following: - not wholly or partly within the Growth Boundary established by the Official Community Plan	2 dwelling units per parcel comprised of: - 1 single detached dwelling; and - 1 secondary suite or 1 carriage house

	- not connected to a community water system or community sewer system provided as a service by the City of West Kelowna - larger than 4,050m^2	
(e)	**Maximum parcel coverage**	50%
(f)	**Maximum building height:**	
i.	Duplex, Single detached dwelling	11.0 m (36.0 ft) to a maximum of 3 storeys
ii.	Accessory buildings and structures	5.0 m (16.4 ft)
iii.	Carriage house	8.0 m (26.2 ft)
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.	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front, or
		4.5 m (14.8 ft) for a garage or carport having vehicular entry from the front provided that a minimum of 6.2 m (20.3 ft) is maintained from back of curb or edge of sidewalk
ii.	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	1.5 m (4.9 ft), except it is:
		3.0 m (9.8 ft) from a private access easement
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Where side-by-side duplex units are subdivided under the *Land Title Act* or *Strata Property Act,* Sections 10.4.5(a), 10.4.5(b) and 10.4.5(c) shall not apply provided that each parcel so created contains not less than one half the minimum parcel area, not less than one half the usable parcel area and not less than one half the minimum frontage specified in those Sections, and Section 10.4.5(g)iii. shall not apply.

10.5 MANUFACTURED HOME RESIDENTIAL ZONE (R1M)

.1 Purpose

To accommodate low density single detached residential use with manufactured homes.

.2 Principal Uses, Buildings and Structures

(a) Mobile home
(b) Modular home

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Care facility, minor
(c) Child care, minor (in-home)
(d) Home based business, major

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	700 m^2 (7,534.7 ft^2)
(b)	**Minimum usable parcel area**	420 m^2 (4,520.8 ft^2)
(c)	**Minimum parcel frontage**	18.0 m (59.1 ft)
DEVELOPMENT REGULATIONS		
(d)	**Maximum density:**	
i.	Mobile home and modular home	Only 1 mobile home or only 1 modular home per parcel
(e)	**Maximum parcel coverage**	35%
(f)	**Maximum building height**	11.0 m (36.0 ft) to a maximum of 3 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.	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
ii.	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	1.5 m (4.9 ft), except it is:
		3.0 m (9.8 ft) from a private access easement
iv.	Exterior side parcel boundary or private access easement, whichever is closer	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
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations - *Reserved*

10.6 LARGE PARCEL SINGLE DETACHED AND DUPLEX RESIDENTIAL ZONE (R1L)

.1 Purpose

To accommodate single detached and duplex residential development on parcels of land that are 2,500 m^2 or greater.

.2 Principal Uses, Buildings and Structures

(a) Duplex
(b) Modular home
(c) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Care facility, minor
(c) Carriage house
(d) Child care, minor (in-home)
(e) Home based business, major
(f) Secondary suite
(g) Short-term rental / short-term rental (bed and breakfast)

.4 Site Specific Uses, Buildings and Structures – *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	2,500 m^2 (26,909.8 ft^2)
(b)	**Minimum usable parcel area**	330 m^2 (3,552.1 ft^2)
(c)	**Minimum parcel frontage**	30 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(d)	**Maximum density:**	
i.	Duplex, Single detached dwelling, Modular home	Only 1 duplex or only 1 single detached dwelling or only 1 modular home per parcel
ii.	Secondary suite	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
iii.	Carriage house (accessory to a single detached dwelling only)	Only 1 carriage house per parcel
iv.	Parcel area 280m^2 or smaller	3 dwelling units per parcel
v.	Parcel area larger than 280m^2	4 dwelling units per parcel
vi.	Despite iv and v above, where a parcel is any of the following: - not wholly or partly within the Growth Boundary established by the Official Community Plan	2 dwelling units per parcel comprised of: - 1 single detached dwelling or 1 modular home; and - 1 secondary suite or 1 carriage house

	- not connected to a community water system or community sewer system provided as a service by the City of West Kelowna; or - larger than 4,050m^2	
(e)	**Maximum parcel coverage**	20%
(f)	**Maximum building height:**	
i.	Duplex, Single detached dwelling, Modular home	11.0 m (36.0 ft) to a maximum of 3 storeys
ii.	Accessory buildings and structures	5.0 m (16.4 ft)
iii.	Carriage house	8.0 m (26.2 ft)
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.	Front parcel boundary or private access easement, whichever is closer	6.0 m (19.7 ft), except it is:
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
ii.	Rear parcel boundary or private access easement, whichever is closer	6.0 m (19.7 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft)
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Where side-by-side duplex units are subdivided under the *Land Title Act* or *Strata Property Act*, Sections 10.6.5(a), 10.6.5(b) and 10.6.5(c) shall not apply provided that each parcel so created contains not less than one half the minimum parcel area, not less than one half the usable parcel area and not less than one half the minimum frontage specified in those Sections, and Section 10.6.5(g)iii. shall not apply.

10.7 MANUFACTURED HOME PARK ZONE (RMP)

.1 Purpose

To accommodate a manufactured home park on a parcel of land with individual spaces designated for occupation by 2 or more mobile or modular homes.

.2 Principal Uses, Buildings and Structures

(a) Mobile home
(b) Modular home

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Caretaker unit
(c) Care facility, minor
(d) Child care, minor (in-home)
(e) Home based business, minor

.4 Site Specific Uses, Buildings and Structures

(a) On Part of Lot 5, Plan 23091, DL 2602, ODYD, except Plan KAP45961 (1850 Shannon Lake Road): single detached dwellings

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area:**	
i.	Manufactured home park	2.0 ha (4.9 ac)
ii.	Manufactured home space	380 m^2 (4,090.3 ft^2)
(b)	**Minimum frontage:**	
i.	Manufactured home park	40.0 m (131.2 ft)
ii.	Manufactured home space	12.0 m (39.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Manufactured home park	20 dwelling units/ha
ii.	Caretaker unit	1 per manufactured home park
(d)	**Maximum parcel coverage**	50% of the manufactured home space
(e)	**Maximum building height:**	
i.	Caretaker unit and modular home	11.0 m (36.0 ft) to a maximum of 3 storeys
ii.	Mobile home	5.0 m (16.4 ft)
iii.	Accessory buildings and structures	4.0 m (13.1 ft)
SITING REGULATIONS		
(f)	**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.	Any parcel boundary of the manufactured home park	4.5 m (14.8 ft)
ii.	Front boundary of the manufactured home space or private access easement, whichever is closer	4.0 m (13.1 ft), except it is:
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front

iii.	Interior side boundary of the manufactured home space or private access easement, whichever is closer	1.5 m (4.9 ft), except it is:
		3.0 m (9.8 ft) from a private access easement
iv.	Exterior side boundary of the manufactured home space or private access easement, whichever is closer	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
v.	Rear boundary of the manufactured home space or private access easement, whichever is closer	1.5 m (4.9 ft)
vi.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Despite the definition of 'parcel coverage', parcel coverage in this zone means the percentage of the surface area of a manufactured home space that is covered by a manufactured home, caretaker unit and accessory buildings and structures, measured to the outer surface of the exterior walls.

10.8 RESIDENTIAL PLEX ZONE (RP1)

.1 Purpose

To accommodate low density residential uses on parcels of land that are 550 m^2 and larger.

.2 Principal Uses, Buildings and Structures

(a) Duplex
(b) Single detached dwelling
(c) Townhouse

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings, and structures
(b) Care facility, minor
(c) Carriage house
(d) Child care, minor (in-home)
(e) Home based business, major
(f) Secondary Suite
(g) Short-term rental / Short-term rental (bed and breakfast)

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	550 m^2 (5,920.2 ft^2)
(b)	**Minimum usable parcel area**	330 m^2 (3,552.1 ft^2)
(c)	**Minimum parcel frontage**	16.0 m (52.5 ft)
DEVELOPMENT REGULATIONS		
(d)	**Maximum density:**	
i.	Duplex, Single detached dwelling, Townhouse	Only 1 duplex or only 1 single detached dwelling or only 1 townhouse per parcel
ii.	Secondary suite	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
iii.	Carriage house (accessory to a single detached dwelling only)	Only 1 carriage house per parcel
iv.	Parcel area 280m^2 or smaller	3 dwelling units per parcel
v.	Parcel area larger than 280m^2	4 dwelling units per parcel
vi.	Despite iv. and v. above, where a parcel is any of the following: - not wholly or partly within the Growth Boundary established by the Official Community Plan	2 dwelling units per parcel comprised of: - 1 single detached dwelling; and - 1 secondary suite or 1 carriage house

	- not connected to a community water system or community sewer system provided as a service by the City of West Kelowna - larger than 4,050m^2	
(e)	**Maximum parcel coverage**	50%
(f)	**Maximum building height**	
i.	Duplex, single detached dwelling, townhouse	11.0 m (36 ft) to a maximum of 3 storeys
ii.	Accessory buildings and structures	5.0 m (16.4 ft)
iii.	Carriage house	8.0 m (26.2 ft)
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.	Front parcel boundary or private access easement, whichever is closer	3.5 m (11.5 ft)
ii.	Rear parcel boundary or private access easement, whichever is closer	1.5 m (4.9 ft)
iii.	Interior side parcel boundary or private access easement, whichever is closer	1.2 m (3.9 ft), except it is: 3.0 m (9.8 ft) from a private access easement
iv.	Exterior side parcel or private access easement, whichever is closer	2.5 m (8.2 ft)
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Where side-by-side duplex units or townhouses are subdivided under the *Land Title Act* or *Strata Property Act*, Sections 10.8.5(a), 10.8.5(b) and 10.8.5(c) shall not apply provided that each parcel so created contains not less than one half the minimum parcel area, not less than one half the usable parcel area and not less than one half the minimum frontage specified in those Sections, and Section 10.8.5(g)iii. shall not apply.

10.9 LOW DENSITY MULTIPLE RESIDENTIAL ZONE (R3)

.1 Purpose

To accommodate multiple residential housing at a lower density, outside an Urban or Neighbourhood Centre, and characterized by ground oriented housing forms with at grade, private entrances.

.2 Principal Uses, Buildings and Structures

(a) Care facility, major, in townhouse form only
(b) Child care, major (centre/facility), in duplex or townhouse form only
(c) Duplex
(d) Group home, in duplex or townhouse form only
(e) Townhouse

.3 Secondary Uses, Buildings and Structures

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

.4 Site Specific Uses, Buildings and Structures

(a) On Lots 1-16, DL 2045, ODYD, Strata Plan KAS1884 (3333 and 3415 Chancellor Place): single detached dwellings

(b) On Lots 1-73, DL 5070, ODYD, Strata Plan KAS2583 (2100 Boucherie Road): single detached dwellings and apartments

(c) Apartments on:

i. Lot A, DL 2602, ODYD, Plan KAP92694 (1975 Shannon Lake Road);
ii. DL 2602, ODYD, Plan KAS3683 (2470 and 2490 Tuscany Drive);
iii. Lots 1-14, DL 2602, ODYD, Plan KAS3023 (2523 Shannon View Drive);
iv. Lots 1-142, DL 2601, ODYD, Plan KAS3485 (2750 Auburn Road);
v. Lot 1, DL 434 and DL 2045, ODYD, Plan 36364 (address unassigned, Boucherie Road);
vi. Lots 1-12, DL 2045, Plan EPS5714 (1-12, 1600 Golden View Drive); and
vii. Lot A, DL 2602, ODYD, Plan KAP80333 (2237 Shannon Lake Road).

(d) On Lot 41, DL 703, ODYD, Plan KAP88313 (2416 Saddleback Way): Apartments and Seniors Congregate housing

(e) On DL 485, ODYD, Plan KAS3520 (2493 Casa Palmero Drive): single detached dwellings

(f) On Lot A, DL 5059 and 5069, ODYD, Plan EPP69264 (3746A Wetton Road): 0.95 FAR

(g) On the R3 zone portion of District Lot 522, Group 1, ODYD:
.1 The parking requirements shall include parking for any boat slips accessory to the upland residential use in any dock.
.2 Despite Section 10.9.2, no more than 60 dwelling units are permitted in either duplex or townhouse form.

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	1000 m^2 (10,763.9 ft^2)
(b)	**Minimum usable parcel area**	700 m^2 (7,534.7 ft^2)
(c)	**Minimum parcel frontage**	30.0 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(d)	**Maximum density**	
a)	With surface parking	1.0 FAR
b)	With 100% non-surface parking	1.25 FAR
(e)	**Maximum parcel coverage**	40%
(f)	**Maximum building height:**	11.0 m (36.0 ft) to a maximum of 3 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.	Front parcel boundary	4.5 m (14.8 ft), except it is:
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
ii.	Rear parcel boundary	7.5 m (24.6 ft)
iii.	Interior side parcel boundary	3.0 m (9.8 ft)
iv.	Exterior side parcel boundary	4.5 m (14.8 ft) except it is:
		6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
v.	A1 Zone or ALR	Subject to Section 3.23

Bylaw 0320.15

.6 Other Regulations

(a) Where side-by-side duplex units or townhouses are subdivided under the *Land Title Act* or *Strata Property Act*, Sections 10.9.5(a), 10.9.5(b) and 10.9.5(c) shall not apply provided that each parcel so created contains not less than one half the minimum parcel area, not less than one half the minimum usable site area and not less than one half the minimum frontage specified in those Sections, and Section 10.9.5(g)iii. Shall not apply.

10.10 MEDIUM DENSITY MULTIPLE RESIDENTIAL ZONE (R4)

.1 Purpose

To accommodate multiple residential housing at a medium density, outside an Urban or Neighbourhood Centre, and characterized by ground oriented housing forms with at grade private entrances and/or appropriately scaled apartments.

.2 Principal Uses, Buildings and Structures

(a) Apartment
(b) Care facility, major in townhouse or apartment form only
(c) Child care, major (centre/facility), in townhouse or apartment form only
(d) Congregate housing
(e) Duplex
(f) Group home in duplex or townhouse form only
(g) Townhouse

.3 Secondary Uses, Buildings and Structures

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

.4 Site Specific Uses, Buildings and Structures

(a) On Lots 1-52, DL 2044, ODYD, Strata Plan KAS2096 (2220 Shannon Ridge Drive): single detached dwellings

(b) Apartments are prohibited on:

i. Lot 40, DL 2044, ODYD, Plan KAP90501 (address unassigned, Hihannah Drive);
ii. Lot 38, DL 2044, ODYD, Plan KAP90501 (3404 Sundance Drive);
iii. Lot 37, DL 2044, ODYD, Plan KAP90501 (3401 Sundance Drive);
iv. DL 2044, ODYD, Plan EPP74050 and EPS4205 (1980 Upper Sundance Drive);
v. DL 2044, ODYD, PLAN KAP81826 (2161 Upper Sundance Drive); and
vi. Lot A, DL 2044, Plan KAP81833, (2102 Shannon Ridge Drive).

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	1400 m^2 (15,069.5 ft^2)
(b)	**Minimum usable parcel area**	980 m^2 (10,548.6 ft^2)
(c)	**Minimum parcel frontage**	30.0 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(d)	**Maximum density**	
i.	Townhouse	
a)	With surface parking	1.0 FAR
b)	With 100% non-surface parking	1.25 FAR
ii.	Apartment	
a)	With surface parking	1.5 FAR

b)	With 100% non-surface parking	1.85 FAR
(e)	**Maximum parcel coverage**	50%
(f)	**Maximum building height:**	16.0m (52.5ft) 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.	Front parcel boundary	6.0 m (19.7 ft)
ii.	Rear parcel boundary	7.5 m (24.6 ft)
iii.	Interior side parcel boundary	4.5 m (14.8 ft)
iv.	Exterior side parcel boundary	6.0 m (19.7 ft)
	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Where side-by-side duplex units or townhouses are subdivided under the *Land Title Act* or *Strata Property Act*, Sections 10.10.5(a), 10.10.5(b), 10.10.5(c) shall not apply provided that each parcel so created contains not less than one half the minimum parcel area, not less than one half the minimum usable parcel area and not less than one half the minimum frontage specified in those Sections, and Section 10.10.5(g)iii. Shall not apply.

10.11 WESTBANK CENTRE MULTIPLE RESIDENTIAL ZONE (R5H)

.1 Purpose

To recognize the historic use of the Westbank Centre Multiple Residential Zone. .

.2 Principal Uses, Buildings and Structures

(a) Apartment
(b) Care facility, major in townhouse or apartment form only
(c) Child care, major (centre/facility) in townhouse or apartment form only
(d) Congregate housing
(e) Group home in townhouse form only
(f) Townhouse

.3 Secondary Uses, Buildings and Structures

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

.4 Site Specific Uses, Buildings and Structures – *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	1600 m^2 (17,222.3 ft^2)
(b)	**Minimum parcel frontage**	30.0 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	With surface parking	1.4 FAR
ii.	With 100% non-surface parking	1.8 FAR
(d)	**Maximum parcel coverage**	60%
(e)	**Maximum building height:**	15.0 m (49.2 ft) to a maximum of 4 storeys, except it is:
		5.0 m (16.4 ft) for accessory buildings and structures, and
		On Lot 1, DL 486, ODYD, Plan EPP87332 the maximum height is 22.0 m (72.2 ft) to a maximum of 6 storeys.
SITING REGULATIONS		
(f)	**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.	Front parcel boundary or private access easement, whichever is closer	
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.	Rear parcel boundary	7.5 m (24.6 ft)
iii.	Interior side parcel boundary	6.0 m (19.7 ft)

iv.	Exterior side parcel boundary	
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 exterior side
b)	Any built form other than a townhouse	4.5 m (14.8 ft)
i.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Where side-by-side townhouses are subdivided under the *Land Title Act* or *Strata Property Act*, Sections 10.11.5(a) and 10.11.5(b) 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 in those Sections, and Section 10.11.5(f)iii. Shall not apply.

(b) Despite Section 10.11.5(c), in circumstances where a combination of surface and non-surface parking is proposed, the maximum density of 1.4 FAR may be increased by 0.4 multiplied by the ratio of non-surface parking spaces to the total required parking spaces, but in no case shall the FAR exceed 1.8.

(c) Density bonusing:

i. Despite Section 10.11.5(c), the maximum density may be increased to 2.2 FAR if the owner of the land pays to the City of West Kelowna, prior to the issuance of a Building Permit, the amount equal to $26.90 per square metre of additional GFA ($2.50 per square foot of additional GFA), to be deposited in a Restricted Reserve Fund for Westbank Centre Amenities.

ii. Buildings that are being constructed at an FAR in excess of 1.8 in accordance with Section 10.11.6(c) shall have a maximum height of 6 storeys, or 22.5 m (73.8 ft), whichever is less, if all of the parking spaces are provided in the form of non-surface parking. For certainty, buildings that are being constructed in the Westbank Centre Plan Area in excess of 2.5 FAR are eligible for the optional parking provisions specified in Section 4.12, if all of the required parking spaces provided on the parcel on which the building is being constructed, are provided in the form of non-surface parking.

iii. Despite Section 10.11.6(c)ii., visitor parking spaces and accessible parking spaces are not required to be provided in the form of non-surface parking.

(d) Congregate housing shall also include the following at a minimum:

i. 100 m2 (1,076.4 ft2) of seating area for common dining facilities; and

ii. 160 m2 (1,722.2 ft2) of floor area for common community and assembly hall facilities.

PART 11 – COMMERCIAL ZONES

11.1 GENERAL COMMERCIAL ZONE (C1)

.1 Purpose

To recognize the use of the C1 zone on existing parcels, and to accommodate a mix of uses at a medium density in limited locations outside of identified Urban and Neighbourhood Centres, as identified in the City's Official Community Plan .

.2 Principal Uses, Buildings and Structures

(a) Agricultural market
(b) Apartment
(c) Alcohol production facility
(d) Broadcasting studio
(e) Care Facility, major
(f) Child care, major (centre/facility)
(g) Commercial school
(h) Community or assembly hall
(i) Education facility
(j) Entertainment facility, indoor
(k) Fire, police or ambulance service
(l) Food bank
(m) Funeral establishment
(n) High technology business
(o) Hotel
(p) Library, museum or art gallery
(q) Live/work unit
(r) Neighbourhood pub
(s) Office
(t) Personal service establishment
(u) Postal or courier service
(v) Printing or publishing
(w) Recreation services, indoor
(x) Restaurant
(y) Retail, convenience
(z) Retail, general

.3 Secondary Uses, Buildings and Structures

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

.4 Site Specific Uses, Buildings and Structures

(a) On Lot 2, DL 486, ODYD, Plan 9660 (2406 Drought Road): the existing accessory building may be occupied as a dwelling

(b) On Lot 1, DL 5057, ODYD, Plan 41637 (2301 Carrington): despite Section 11.1.6(b)iv., apartments may exceed 40% of the gross floor area of the first storey of a building

(c) On Lot 28 DL 486 ODYD Plan 19995 Except Plan 40663 (#14-2528 Main Street): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.77

(d) On Lot A, DL 468, ODYD Plan KAP84320 (#101-3710 Hoskins Road): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.78

(e) On Lot A, DL 486, ODYD, Plan 36181 (2475 Dobbin Road): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.85

Bylaw No 0320.16

(f) On Lot 1, District Lots 2601 & 3486, ODYD, Plan 39834 (1835 Ross Road): to permit a drive-through.

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	400 m^2 (4,305.6 ft^2)
(b)	**Minimum parcel frontage**	5.0 m (16.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	With surface parking	1.5 FAR
ii.	With 100% non-surface parking	1.85 FAR
(d)	**Maximum parcel coverage**	100%
(e)	**Maximum building height**	16.0 m (52.5ft) to a maximum of 4 storeys, except it is:
		5.0 m (16.4 ft)f or accessory buildings and structures
SITING REGULATIONS		
(f)	**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.	Front parcel boundary	4.5 m (14.8 ft), except where a C1 Zone is in the Westbank Urban Centre Mixed-Use Corridor or Commercial Core, as defined in the City's Official Community Plan, it is:
		0.0 m (0.0 ft) for buildings and structures on Elliott Road and Hoskins Road
		2.0 m (6.6 ft) for buildings and structures on Brown Road; and
		3.0 m (9.8 ft) for buildings and structures on Main Street that have vehicular access from a highway other than a Provincial Highway.
ii.	Rear parcel boundary	7.5 m (24.6 ft), except it is:
		0.0 m (0.0 ft) for buildings and structures in Westbank Urban Centre Mixed-Use Corridor or Commercial Core, as defined in the City's Official Community Plan
iii.	Interior side parcel boundary	4.5m, except it is:
		0.0 m (0.0 ft) for buildings and structures in Westbank Urban Centre Mixed-Use Corridor or Commercial Core, as defined in the City's Official Community Plan
iv.	Exterior side parcel boundary	4.5 m (14.8 ft), except where a C1 Zone is in the Westbank Urban Centre Mixed-Use Corridor or Commercial Core, as defined in the City's Official Community Plan, it is
		0.0 m (0.0 ft) for buildings and structures on Elliott Road and Hoskins Road;
		2.0 m (6.6 ft) for buildings and structures on Brown Road; and
		3.0 m (9.8 ft) for buildings and structures on Main Street that have vehicular access from a highway other than a Provincial Highway
v.	Provincial Highway	Subject to Section 3.11
vi.	A1 Zone or ALR	Subject to Section 3.23.

.6 Other Regulations

(a) Drive through Requirements

i. Despite Section 11.1.2, drive throughs may only be permitted on specific parcels by site specific text amendment, and in accordance with Section 3.27 for specific drive through regulations.

(b) Commercial and Institutional Ground Floor Requirements

i. Where apartments or live/work units are proposed in the:

a) Westbank Centre Mixed-Use Corridor, as defined in the City's Official Community Plan, Section 12.1.6(b) also applies.

b) Westbank Urban Centre Commercial Core, as defined in the City's Official Community Plan, Section 12.2.6(a) also applies.

c) Boucherie Urban Centre, as defined in the City's Official Community Plan, Section 12.4.6(a) also applies.

ii. Where apartments or live/work units are proposed in the General Commercial (C1) Zone in any area outside of the Urban Centres, as defined in the City's Official Community Plan, no more than 40% of the Gross Floor Area of the first storey may be occupied by residential use.

(c) Notwithstanding Section 3.8.4(a)iv. of this Bylaw and Section 11.1.5(f)i. above, where a 0.0m setback applies in the General Commercial (C1) Zone, canopies and awnings may project 1.5 m (4.9 ft) from a building, provided that the projection has a clearance of 2.8m from the established building grade of a sidewalk. Installations must meet the requirements outlined in the City of West Kelowna Building Bylaw.

11.2 LOCAL COMMERCIAL ZONE (C2)

.1 Purpose

To accommodate a limited range of convenience services typically required on a day-to-day basis by residents of local neighbourhoods in limited locations outside of Neighbourhood Centres, as identified in the Official Community Plan.

.2 Principal Uses, Buildings and Structures

(a) Care facility, major
(b) Child care, major (centre/facility)
(c) Commercial school
(d) Fire, police or ambulance service
(e) Office
(f) Personal service establishment
(g) Postal or courier service
(h) Recreation services, indoor
(i) Retail, convenience
(j) Restaurant, except for drive-through restaurant

.3 Secondary Uses, Buildings and Structures

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

.4 Site Specific Uses, Buildings and Structures

(a) On Lot B, DL 2599, ODYD, Plan KAP83204 (3099 Shannon Lake Road): one neighbourhood pub
(b) On Lot 15, DL 486, ODYD, Plan KAP27961, Except Plan 38746 (3585 Elliot Road): retail, general
(c) On Lot 18, DL 486, ODYD, Plan 27961 (3595 Elliot Road): live/work unit

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	400 m^2 (4,305.6 ft^2)
(b)	**Minimum parcel frontage**	10.0 m (32.9 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density**	1.0 FAR
(d)	**Maximum parcel coverage**	40%
(e)	**Maximum building height**	11.0 m (36.0 ft) to a maximum of 3 storeys except it is:
		5.0 m (16.4 ft) for accessory buildings and structures
SITING REGULATIONS		
(f)	**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.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear parcel boundary	6.0 m (19.7 ft)
iii.	Interior side parcel boundary	2.0 m (6.6 ft); except it is:
		4.5 m (14.8 ft) when the parcel does not abut a Commercial Zone
iv.	Exterior side parcel boundary	4.5 m (14.8 ft)
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) All apartments shall be located on a separate storey above the non-residential use.

11.3 GASOLINE SERVICE STATION COMMERCIAL ZONE (C3)

.1 Purpose

To accommodate gasoline service stations with associated uses.

.2 Principal Uses, Buildings and Structures

(a) Gasoline service station
(b) Restaurant
(c) Vehicle washing facility

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Retail, convenience

.4 Site Specific Uses, Buildings and Structures

(a) On Lot 1 DL 506 ODYD Plan KAP46828 (#3-1192 Industrial Road): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.81.

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	600 m^2 (6,458.3 ft^2)
(b)	**Minimum parcel frontage**	20.0 m (65.6 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum parcel coverage**	35%
(d)	**Maximum building height**	6.0 m (19.7 ft) to a maximum of 2 storeys, except it is:
		5.0 m (16.4 ft) for accessory buildings and structures
SITING REGULATIONS		
(e)	**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.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear parcel boundary	5.0 m (16.4 ft)
iii.	Interior side parcel boundary	5.0 m (16.4 ft)
iv.	Exterior side parcel boundary	5.0 m (16.4 ft)
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Drive through Requirements

i. Despite Section 11.3.2, drive throughs may only be permitted on specific parcels by site specific text amendment, and in accordance with Section 3.27 for specific drive through regulations.

11.4 SERVICE COMMERCIAL ZONE (C4)

.1 Purpose

To accommodate vehicular oriented low intensity uses and associated uses located outside of identified Urban and Neighbourhood Centres, as identified in the City's Official Community Plan.

.2 Principal Uses, Buildings and Structures

(a) Agricultural market
(b) Auctioneering establishment
(c) Alcohol Production Facility
(d) Broadcasting studio
(e) Bulk fuel depot
(f) Commercial school
(g) Commercial storage
(h) Community or assembly hall
(i) Contractor services
(j) Entertainment facility, indoor
(k) Fire, police or ambulance service
(l) Food bank
(m) Funeral establishment
(n) Greenhouse or plant nursery
(o) High technology business
(p) High technology industry
(q) Hotel
(r) Kennel, hobby
(s) Kennel, service
(t) Office
(u) Personal service establishment
(v) Postal or courier service
(w) Printing or publishing
(x) Recreation services, indoor
(y) Recycling depot
(z) Restaurant
(aa) Retail, general
(bb) Retail, service commercial, except for heavy equipment sales, rental or repair
(cc) Vehicle washing facility
(dd) Veterinary clinic
(ee) Warehouse

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Apartment
(c) Outdoor storage

.4 Site Specific Uses, Buildings and Structures

(a) On Lot 7 DLS 507 and 2601 ODYD Plan KAP50056 (#1-1812 Byland Road): one Non-Medical Cannabis Retail Store as indicated on Schedule 'B' of Zoning Amendment Bylaw No. 0154.79

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	500 m^2 (5,382.0 ft^2)
(b)	**Minimum parcel frontage**	15.0 m (49.2 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Apartment	1 dwelling unit per parcel
ii.	All other uses, buildings and structures	1.0 FAR
(d)	**Maximum parcel coverage**	65%
(e)	**Maximum building height:**	16.0 m (52.5 ft)to a maximum of 4 storeys except it is:
		5.0 m (16.4 ft) for accessory buildings and structures
SITING REGULATIONS		
(f)	**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.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear and interior side parcel boundary	0 m (0.0 ft), except it is:
		4.5 m (14.8 ft) where the parcel does not abut a Commercial or Industrial Zone
iii.	Exterior side parcel boundary	4.5 m (14.8 ft)
iv.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Apartments shall be located on a separate storey above the non-residential use.

(b) Drive through Requirements

ii. Despite Section 11.4.2, drive throughs may only be permitted on specific parcels by site specific text amendment, and in accordance with Section 3.27 for specific drive through regulations.

11.5 CAMPGROUND, CABIN AND MOTEL COMMERCIAL ZONE (C5)

.1 Purpose

To accommodate commercial tourist accommodation in the form of campgrounds, small motels and small resorts with associated uses.

.2 Principal Uses, Buildings and Structures

(a) Tourist cabin
(b) Tourist campsite space
(c) Motel

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Caretaker unit
(c) Community or assembly hall
(d) Restaurant
(e) Retail, convenience

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	1 ha (2.5 ac)
(b)	**Minimum parcel frontage**	50.0 m (164.0 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Caretaker unit	1 per parcel
ii.	Motel and Tourist cabin	0.8 FAR
iii.	Tourist campsite space	20 per ha
(d)	**Maximum parcel coverage**	30%
(e)	**Maximum building height**	11.0 m (36.0 ft) to a maximum of 3 storeys, except it is:
		5.0 m (16.4 ft) for accessory buildings and structures
SITING REGULATIONS		
(f)	**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.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear parcel boundary	3.0 m (9.8 ft), except it is:
		6.0 m (19.7 ft) when the parcel abuts a Residential Zone
iii.	Side parcel boundary	3.0 m (9.8 ft), except it is:
		6.0 m (19.7 ft) when the parcel abuts a Residential Zone
iv.	Exterior parcel boundary	4.5 m (14.8 ft)
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Caretaker units shall be located on a separate storey above the non-residential use.

11.6 TOURIST AND RESORT COMMERCIAL ZONE (C6)

.1 Purpose

To accommodate tourist accommodation in the form of hotels, resorts and associated uses.

.2 Principal Uses, Buildings and Structures

(a) Hotel
(b) Motel
(c) Recreation services, indoor
(d) Recreation services, outdoor
(e) Resort apartment or resort townhouse
(f) Restaurant
(g) Retail, convenience
(h) Tourist cabin
(i) Tourist campsite spaces

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Caretaker unit
(c) Home based business, minor
(d) Personal service establishment

.4 Site Specific Uses, Buildings and Structures

(a) On DL 434, ODYD, Plan EPS2459 (3750 West Bay Road): the maximum number of hotel, resort or accommodation units, including dwelling units is 124

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	1000 m^2 (10,764.0 ft^2)
(b)	**Minimum parcel frontage**	20.0 m (65.6 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density:**	
i.	Caretaker unit	1 per parcel
ii.	Tourist campsite spaces	75 per ha
iii.	All other uses, buildings and structures	1.5 FAR
(d)	**Maximum parcel coverage**	40%
(e)	**Maximum building height**	16.0 m (52.5 ft) to a maximum of 4 storeys, except it is:
		5.0 m (16.4 ft) for accessory buildings and structures
SITING REGULATIONS		
(f)	**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.	Front parcel boundary	6.0 m (19.7 ft)
ii.	Rear parcel boundary	6.0 m (19.7 ft)
iii.	Interior side parcel boundary	6.0 m (19.7 ft)
iv.	Exterior side parcel boundary	6.0 m (19.7 ft)
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations - *Reserved*

PART 12 – URBAN AND NEIGHBOURHOOD CENTRE ZONES

12.1 WESTBANK URBAN CENTRE – MIXED USE CORRIDOR ZONE (WUC1)

.1 Purpose

To accommodate a high-density, walkable, vibrant and pedestrian scaled mixed-use precinct in the Westbank Urban Centre Mixed-Use Corridor as defined in the City's Official Community Plan.

.2 Principal Uses, Buildings and Structures

(a) Agricultural market
(b) Apartment
(c) Alcohol production facility
(d) Broadcasting studio
(e) Cabaret, bar or lounge
(f) Care facility, major in apartment form only
(g) Child care, major (centre/facility)
(h) Commercial school
(i) Community or assembly hall
(j) Congregate housing
(k) Education facility
(l) Extended medical treatment facility
(m) Entertainment facility, indoor
(n) Fire, police or ambulance service
(o) Hotel
(p) Library, museum or art gallery
(q) Live/work unit
(r) Neighbourhood pub
(s) Office
(t) Parks and Open Space
(u) Personal service establishment
(v) Postal or courier service
(w) Printing or publishing
(x) Recreation services, indoor
(y) Restaurant
(z) Retail, convenience
(aa) Retail, general
(bb) Transportation station

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Home based business, minor
(c) Vehicle Parking Areas or Structures

.4* Site Specific Uses, Buildings and Structures - *Reserved

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	400 m^2 (2,690.9 ft^2)
(b)	Minimum parcel frontage	7.5 m (24.6 ft)
DEVELOPMENT REGULATIONS		
(c)	Maximum base density:	2.6 FAR
(d)	Maximum density (with density bonusing):	6.5 FAR
(e)	Maximum parcel coverage	100% with consideration of public amenity space guidelines as per the City's Official Community Plan
(g)	Maximum building height (With density bonusing)	70.0 m (229.7 ft) to a maximum of 19 storeys, except it is:
		5.0 m (16.4 ft) for accessory buildings and structures
(h)	Maximum building podium height:	12.0 m (39.4 ft) to a maximum of 3 storeys
SITING REGULATIONS		
(i)	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.	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		0.0 m (0.0 ft) for buildings and structures on Hoskins Road;
		2.0 m (6.6 ft) for buildings on Brown Road;
		3.0 m (9.8 ft) for buildings and structures on Main Street that have vehicular access from a highway other than a Provincial Highway; and
		6.2 m (20.3 ft) for a garage, parkade door or gate having vehicular entry from the front.
ii.	Rear parcel boundary or private access easement, whichever is closer	0.0 m (0.0 ft), except it is:
		6.0 m (19.7 ft) when abutting Low Density Residential Land Use Designation as per the City's Official Community Plan
iii.	Interior side parcel boundary or private access easement, whichever is closer	0.0 m (0.0 ft), except it is:
		6.0 m (19.7 ft) when abutting Low Density Residential Land Use Designation as per the City's Official Community Plan
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		0.0 m (0,0 ft) for buildings and structures on Hoskins Road;
		2.0 m (6.6 ft) for buildings on Brown Road;
		3.0 m (9.8 ft) for buildings and structures on Main Street that have vehicular access from a highway other than a Provincial Highway; and
		6.2 m (20.3 ft) for a garage, parkade door or gate having vehicular entry from the exterior side.
v.	Podium stepback for buildings 5 storeys or greater	A 3.0 m (9.8 ft) stepback is required for any portion of the building above 3 storeys or 12.0 m (39.4 ft), whichever is less, and the stepback may occur above the second or third storey.

vi.	Building Tower for buildings 7 storeys or greater	20.0 m (65.6 ft) to towers on adjacent site;
		15.0 m (49.2 ft) between towers on the same site; and
		10.0 m (32.8 ft) to adjacent property line of potential future high rise site.
vii.	Corner lot setback	A 4.5 m (14.8 ft) long triangular setback shall be applied to the first storey only abutting the lot lines that meet at each corner of an intersection. No buildings or structural columns are permitted in the setback area.
viii.	Provincial Highway	Subject to Section 3.11
ix.	A1 Zone or ALR	Subject to 3.23.

.6 Other Regulations

(a) All developments must contain a mix of residential and commercial or institutional uses listed as Principal Uses in this zone

Bylaw 0320.15

(b) Commercial or institutional uses are required along the entire frontage of the ground floor level (except lanes) for properties in the Mixed-Use Corridor fronting Brown Road as an identified high street, including the flanking side street on a corner lot, and residential uses or hotel uses are only permitted above the first storey. Lobbies may be located at grade in combination with ground floor commercial or institutional building street frontage.

(c) Where a lane is provided, vehicular access must be from the lane.

(d) Residential building access shall be separate from other uses.

(e) Common stairwells, elevators, and associated common floor areas that access the stairwells and elevators are exempt from requiring the upper floor stepback requirements.

(f) Drive through Requirements

i. Despite Section 12.1.2, drive throughs may only be permitted on specific parcels by site specific text amendment, and in accordance with Section 3.27 for specific drive through regulations.

(g) Notwithstanding S. 3.8 of this Bylaw, and where a 0.0m setback applies, canopies and awnings may project 1.5 m (4.9 ft) from a building, provided that the projection has a clearance of 2.8m from the established building grade of a sidewalk. Installations must meet the requirements outlined in the City of West Kelowna Building Bylaw.

12.2 WESTBANK URBAN CENTRE – COMMERCIAL CORE ZONE (WUC2)

.1 Purpose

To support a higher-density urban core outside of the Mixed-Use Corridor consisting of a mix of uses providing a variety of services in the Westbank Urban Centre – Commercial Core as defined in the City's Official Community Plan.

.2 Principal Uses, Buildings and Structures

(a) Agricultural market
(b) Apartment
(c) Alcohol production facility
(d) Broadcasting studio
(e) Cabaret, bar or lounge
(f) Care facility, major in apartment form only
(g) Child care, major (centre/facility)
(h) Commercial school
(i) Community or assembly hall
(j) Congregate housing
(k) Education facility
(l) Extended medical treatment facility
(m) Entertainment facility, indoor
(n) Fire, police or ambulance service
(o) Food bank
(p) Funeral establishment
(q) High technology business
(r) Hotel
(s) Library, museum or art gallery
(t) Live/work unit
(u) Neighbourhood pub
(v) Office
(w) Parks and Open Space
(x) Personal service establishment
(y) Postal or courier service
(z) Printing or publishing
(aa) Recreation services, indoor
(bb) Restaurant
(cc) Retail, convenience
(dd) Retail, general
(ee) Transportation station
(ff) Vehicular parking areas or structures

.3 Secondary Uses, Buildings and Structures

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

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	400 m^2 (4,305.6 ft^2)
(b)	**Minimum parcel frontage**	7.5 m (24.6 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum base density**	2.6 FAR
(d)	**Maximum density (with density bonusing)**	5.1 FAR
(e)	**Maximum parcel coverage**	100% with consideration of public amenity space guidelines as per the City's Official Community Plan
(g)	**Maximum building height (with density bonusing)**	56.0 m (183.7 ft) to a maximum of 15 storeys, except it is:
		5.0 m (16.4 ft) for accessory buildings and structures
(h)	**Maximum building podium height**	12.0 m (39.4 ft) to a maximum of 3 storeys
SITING REGULATIONS		
(i)	**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.	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		0.0 m (0,0 ft) for buildings and structures on Elliott Road and Hoskins Road;
		3.0 m (9.8 ft) for buildings and structures on Main Street that have vehicular access from a highway other than a Provincial Highway; and
		6.2 m (20.3 ft) for a garage, parkade door or gate having vehicular entry from the front.
ii.	Rear parcel boundary or private access easement, whichever is closer	0.0 m (0.0 ft), except it is:
		6.0 m (19.7 ft) when abutting Low Density Residential Land Use Designation as per the City's Official Community Plan
iii.	Interior side parcel boundary or private access easement, whichever is closer	0.0 m (0.0 ft), except it is:
		6.0 m (19.7 ft) when abutting Low Density Residential Land Use Designation as per the City's Official Community Plan
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		0.0 m (0,0 ft) for buildings and structures on Elliot Road and Hoskins Road;
		3.0 m (9.8 ft) for buildings and structures on Main Street that have vehicular access from a highway other than a Provincial Highway; and
		6.2 m (20.3 ft) for a garage, parkade door or gate having vehicular entry from the exterior side
v.	Podium stepback for buildings 5 storeys or greater	A 3.0 m (9.8 ft) stepback is required for any portion of the building above 3 storeys or 12.0 m (39.4 ft), whichever is less, and the stepback may occur above the second or third storey.

vi.	Building Tower for buildings 7 storeys or greater	20.0 m (65.5 ft) to towers on adjacent site;
		15.0 m (49.2 ft) between towers on the same site; and
		10.0 m (32.8 ft) to adjacent property line of potential future high rise site.
vii.	Corner lot setback	A 4.5 m (14.8 ft) long triangular setback shall be applied to the first storey only abutting the lot lines that meet at each corner of an intersection. No buildings or structural columns are permitted in the setback area.
viii.	Provincial Highway	Subject to Section 3.11
ix.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

Bylaw 0320.15

(a) Commercial or institutional uses are required along the entire frontage of the ground floor level (except lanes), including the flanking side street on a corner lot, and residential or hotel uses are only permitted above the ground floor. Lobbies may be located at grade in combination with ground floor commercial or institutional building street frontage.

(b) Residential building access shall be separate from other uses in the same building.

(c) Where a lane is provided, vehicular access must be from the lane.

(d) Common stairwells, elevators, and associated common floor areas that access the stairwells and elevators are exempt from requiring to meet the upper floor stepback requirements.

(e) Drive through Requirements

i. Despite Section 12.2.2, drive throughs may only be permitted on specific parcels by site specific text amendment, and in accordance with Section 3.27 for specific drive through regulations.

(f) Notwithstanding S. 3.8 of this Bylaw, and where a 0.0 m setback applies, canopies and awnings may project 1.5 m (4.9 ft) from a building, provided that the projection has a clearance of 2.8 m (9.1 ft) from the established building grade of a sidewalk. Installations must meet the requirements outlined in the City of West Kelowna Building Bylaw.

12.3 WESTBANK URBAN CENTRE – RESIDENTIAL SHOULDER ZONE (WUC3)

.1 Purpose

To accommodate a range of multi-unit residential and some commercial or institutional uses in mixed use buildings in the Westbank Centre Residential Shoulder as defined in the City's Official Community Plan.

.2 Principal Uses, Buildings and Structures

(a) Apartment
(b) Care facility, major in townhouse or apartment form only
(c) Child care, major (centre/facility)
(d) Congregate housing
(e) Group home in townhouse form only
(f) Townhouse
(g) Education facility

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Commercial school
(c) Community or assembly hall
(d) Home based business, minor
(e) Library, museum or art gallery
(f) Live/work unit
(g) Office
(h) Personal service establishment
(i) Restaurant
(j) Retail, convenience
(k) Retail, general

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	750 m^2 (17,222.3 ft^2)
(b)	**Minimum parcel frontage**	20.0 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum base density**	
i.	For buildings with 100% residential use	2.3 FAR
ii.	For mixed-use buildings	2.6 FAR
(d)	**Maximum density (with density bonusing)**	4.1 FAR
(e)	**Maximum parcel coverage**	75% with consideration of public amenity space guidelines as per the City's Official Community Plan
(g)	**Maximum building height (with density bonusing)**	44.0 m (144.4 ft) to a maximum of 12 storeys except it is:
		5.0 m (16.4 ft) for accessory buildings and structures
(h)	**Maximum building podium height**	12.0 m (39.4 ft) to a maximum of 3 storeys
SITING REGULATIONS		
(i)	**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.	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.2 m (20.3 ft) for a garage, carport, parkade door or gate having vehicular entry from the front
ii.	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.0 m (19.7 ft) when abutting Low Density Residential Land Use Designation in the City's Official Community Plan
iii.	Interior side parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.0 m (19.7 ft) when abutting Low Density Residential Land Use Designation in the City's Official Community Plan
iv.	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft), except it is:
		6.2 m (20.3 ft) for a garage, parkade door or gate having vehicular entry from the exterior side
v.	Podium stepback for buildings 5 storeys or greater	A 3.0 m (9.8 ft) stepback is required for any portion of the building fronting a street above 3 storeys or 12.0 m (39.4 ft), whichever is less, and the stepback may occur above the second or third storey
vi.	Building Tower for buildings 7 storeys or greater	20.0 m (65.5 ft) to towers on adjacent site;
		15.0 m (49.2 ft) between towers on the same site; and
		10.0 m (32.8 ft) to adjacent property line of potential future high rise site
vii.	Provincial Highway	Subject to Section 3.11
viii.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Commercial uses are only permitted within the first four storeys of a building in conjunction with a residential use.

(b) Residential building access shall be separate from other uses in the same building.

(c) Where a lane is provided, vehicular access must be from the lane.

(d) Common stairwells, elevators, and associated common floor areas that access the stairwells and elevators are exempt from requiring to meet the upper floor stepback requirements.

12.4 BOUCHERIE URBAN CENTRE ZONE (BUC1)

.1 Purpose

To accommodate a walkable, vibrant, and pedestrian scaled distinct secondary urban centre at a lesser density than the Westbank Urban Centre including a mix of multi-unit residential, mixed-use, commercial, institutional, recreational and community uses in the Boucherie Urban Centre as defined in the City's Official Community Plan.

.2 Principal Uses, Buildings and Structures

(a) Agricultural market
(b) Apartment
(c) Alcohol production facility
(d) Broadcasting studio
(e) Care facility, major in townhouse or apartment form only
(f) Child care, major (centre/facility)
(g) Commercial school
(h) Community or assembly hall
(i) Congregate housing
(j) Education facility
(k) Extended medical treatment facility
(l) Entertainment facility, indoor
(m) Fire, police or ambulance service
(n) Food bank
(o) Funeral establishment
(p) Group home, in townhouse form only
(q) High technology business
(r) Hotel
(s) Library, museum or art gallery
(t) Live/work unit
(u) Neighbourhood pub
(v) Office
(w) Parks and Open Space
(x) Personal service establishment
(y) Postal or courier service
(z) Printing or publishing
(aa) Recreation services, indoor
(bb) Restaurant
(cc) Retail, convenience
(dd) Retail, general
(ee) Townhouse
(ff) Transportation station
(gg) Vehicular parking areas or structures

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Cabaret, bar or lounge
(c) Home based business, minor

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	750 m2 (8072.9 ft2)
(b)	**Minimum parcel frontage**	20.0 m (82.0 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum base density**	
i.	For Wood Frame construction with 100% residential use	2.3 FAR
ii.	For mixed-use buildings	2.6 FAR
(d)	**Maximum density (with density bonusing)**	4.1 FAR
(e)	**Maximum parcel coverage**	100% (with consideration of public amenity space guidelines as per the City's Official Community Plan)
(g)	**Maximum building height (with density bonusing)**	44.0 m (144.4 ft) to a maximum of 12 storeys except it is:
		5.0 m (16.4 ft) for accessory buildings and structures
(h)	**Maximum building podium height**	12.0 m (39.4 ft) to a maximum of 3 storeys
SITING REGULATIONS		
(i)	**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.	Front parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.2 m (20.3 ft) for a garage, carport, parkade door or gate having vehicular entry from the front
ii.	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.0 m (19.7 ft) when abutting Low Density Residential Land Use Designation in the City's Official Community Plan
iii.	Interior side parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.0 m (19.7 ft) when abutting Low Density Residential Land Use Designation in the City's Official Community Plan
iv.	Exterior side parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.2 m (20.3 ft) for a garage, carport, parkade door or gate having vehicular entry from the exterior side
v.	Podium stepback for buildings 5 storeys or greater	A 3.0 m (9.8 ft) stepback is required for any portion of the building fronting a street above 3 storeys or 12.0 m (39.4 ft), whichever is less, and the stepback may occur above the second or third storey
vi.	Building Tower for buildings 7 storeys or greater	20.0 m (65.5 ft) to towers on adjacent site; 15.0 m (49.2 ft) between towers on the same site; and 10.0 m (32.8 ft) to adjacent property line of potential future high rise site
vii.	Provincial Highway	Subject to Section 3.11
viii.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Commercial or institutional uses are required along the entire frontage of the ground floor level (except lanes), including the flanking side street on a corner lot, on the following high streets as identified in the City's Official Community Plan:

i. Ross Road

ii. Cameron Road (South of Ross Road)

iii. Westgate Road

Bylaw 0320.15

(b) Lobbies may be located at grade in combination with ground floor commercial or institutional building street frontage for the purpose of S.12.4.6.(a).

(c) Residential building access shall be separate from other uses in the same building.

(d) Where a lane is provided, vehicular access must be from the lane.

(e) Common stairwells, elevators, and associated common floor areas that access the stairwells and elevators are exempt from requiring to meet the upper floor stepback requirements.

(f) Drive through Requirements

i. Despite Section 12.4.2, drive throughs may only be permitted on specific parcels by site specific text amendment, and in accordance with Section 3.27 for specific drive through regulations.

12.5 NEIGHBOURHOOD CENTRE ZONE (NC1)

.1 Purpose

To accommodate walkable, pedestrian oriented mixed-use centres with a focus on residential uses with a range of small-scale commercial uses primarily serving the areas in which they are located, in a Neighbourhood Centre as defined in the City's Official Community Plan.

.2 Principal Uses, Buildings and Structures

(a) Agricultural market
(b) Apartment
(c) Alcohol production facility
(d) Care facility, major in townhouse or apartment form only
(e) Child care, major (centre/facility)
(f) Commercial school
(g) Community or assembly hall
(h) Congregate housing
(i) Education facility
(j) Entertainment facility, indoor
(k) Fire, police or ambulance service
(l) Food Bank
(m) Group home, in townhouse form only
(n) Library, museum or art gallery
(o) Live/work unit
(p) Neighbourhood Pub
(q) Office
(r) Parks and Open Space
(s) Personal service establishment
(t) Recreation services, indoor
(u) Restaurant
(v) Retail, convenience
(w) Retail, general
(x) Townhouse
(y) Vehicle parking areas or structures

.3 Secondary Uses, Buildings and Structures

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

.4 Site Specific Uses, Buildings and Structure

(a) On Lots 1 – 4, DL 2689, ODYD, Plan KAP14269 (901, 911, 921 and 931 Anders Road): despite the height regulation outlined in this zone, the maximum height for a principal use, building or structure is:

i. 16.0 m (52.5 ft) to a maximum of 4 storeys, where the minimum parcel width is less than 48.0 m; and

ii. 24.0 m (78.7 ft) to a maximum of 6 storeys, where the minimum parcel width is 48.0 m or greater.

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	750 m2 (8072.9 ft2)
(b)	**Minimum parcel frontage**	25.0 m (82.0 ft)
DEVELOPMENT REGULATIONS		
(d)	**Maximum density:**	
i.	With surface parking	2.0 FAR
ii.	With a minimum of 80% non-surface parking	2.35 FAR
(e)	**Maximum parcel coverage**	75% with consideration of public amenity space guidelines as per the City's Official Community Plan
(f)	**Maximum building height**	24.0 m (78.7 ft) to a maximum of 6 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.	Front parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.2 m (20.3 ft) for a garage, carport, parkade door or gate having vehicular entry from the front
ii.	Rear parcel boundary or private access easement, whichever is closer	4.5 m (14.9 ft), except it is:
		7.5 m (24.6 ft) when abutting a Low Density Residential Land Use Designation as per the City's Official Community Plan
iii.	Interior side parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.0 m (19.7 ft) when abutting a Low Density Residential Land Use Designation as per the City's Official Community Plan
iv.	Exterior side parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft), except it is:
		6.2 m (20.3 ft) for a garage, carport, parkade door or gate having vehicular entry from the exterior side
v.	Upper floor stepback for buildings 4 storeys or greater	A 3.0 m (9.8 ft) stepback is required for any portion of the building fronting a street above 2 storeys or 9.0 m (29.5 ft), whichever is less, and the stepback may occur above the first or second storey
vi.	Provincial Highway	Subject to Section 3.11
vii.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations

(a) Despite the height regulation outlined in this zone, stand alone commercial and institutional buildings must not exceed 12.0 m (39.4 ft) to a maximum of 2 storeys.

(b) Despite the stepback regulation outlined in this zone, for buildings 3 storeys or greater along Anders Road, a 3.0 m (9.8 ft) stepback is required for any portion of the building fronting Anders Road above 2 storeys or 9.0 m (29.5 ft), whichever is less.

(c) Where a property has access via a rear lane, access to the site is limited to the lane.

(d) Upper floor stepbacks only apply to buildings 4 storeys or greater. Common stairwells, elevators, and associated common floor areas that access the stairwells and elevators are exempt from requiring to meet the stepback.

.7 Minimum Commercial and Institutional Floor Space Requirements

(a) A minimum of 30% of the Gross Floor Area of the ground floor level of a multi-unit residential development must contain commercial or institutional space and front the street in all Neighbourhood Centres. The following minimum commercial floor space requirements have been identified:

i. Gellatly Neighbourhood Centre – 1,000 m2
ii. Goats Peak Neighbourhood Centre – 3,000 m2
iii. Lakeview Heights Neighbourhood Centre – 3,000 m2
iv. Rose Valley Neighbourhood Centre – 3,000 m2
v. Smith Creek and Shannon Lake – 3,000 m2

(b) For stand alone townhouse developments, a commercial or institutional component must be included with the development proposal as a stand alone structure or within the same building at the ground level and be equivalent to 30% of the Gross Floor Area of the ground floor of the entire Townhouse development.

(c) In the Gellatly Neighbourhood Centre, commercial uses are required on the entire frontage of the ground floor level of buildings fronting Gellatly Road.

(d) Despite the minimum requirements outlined in S.12.5.7 (a), the minimums shall only apply until the commercial floor space requirements have been met in each Neighbourhood Centre.

PART 13 – INDUSTRIAL ZONES

13.1 LIGHT INDUSTRIAL ZONE (I1)

.1 Purpose

To accommodate light industrial uses and associated uses.

.2 Principal Uses, Buildings and Structures

(a) Auctioneering establishment
(b) Alcohol Production Facility
(c) Bulk fuel depot
(d) Cannabis production facility
(e) Commercial storage
(f) Contractor services
(g) Fire, police or ambulance service
(h) Food bank
(i) Freight or distribution outlet
(j) Greenhouse or plant nursery
(k) Heavy equipment sales, rental and repair
(l) Heliport facility
(m) High technology industry
(n) Industry, general
(o) Kennel, hobby
(p) Kennel, service
(q) Office
(r) Outdoor storage
(s) Recreation services, indoor
(t) Restaurant
(u) Retail, service commercial
(v) Utility service
(w) Veterinary clinic
(x) Warehouse

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Caretaker units
(c) Home based business, minor

.4 Site Specific Uses, Buildings and Structures

(a) On Lot 1, Plan KAP51408, DL 506 (1352 Industrial Road): cannabis production facility in a multi-tenant building

(b) On Plan KAS1290, DL 2683 (2322 Dominion Road): cannabis production facility in a multi-tenant building

(c) On Lot 2 DL 506 ODYD Plan 18464 Except Plan H16956 (#104-1195 Industrial Road): one Non-Medical Cannabis Retail Store as indicated on Schedule ‘B’ of Zoning Amendment Bylaw No. 0154.80

(d) On Lot 2 District Lot 506 Osoyoos Division Yale District Plan 18464 Except Plan H16956 (#105 and 106 - 1195 Industrial Road): Personal Service Establishment, as indicated on Schedule ‘A’ and ‘B’ and forming part of this bylaw.

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	400 m^2 (4,305.6 ft^2)
(b)	**Minimum parcel frontage**	12.0 m (39.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density**	2 caretaker units per parcel
(d)	**Maximum parcel coverage**	75%
(e)	**Maximum building height**	12.0 m (39.4 ft)

SITING REGULATIONS		
(f)	**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.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear and interior side parcel boundary	0.0 m (0.0 ft), except it is:
		4.5 m (14.8 ft) where the parcel does not abut an Industrial Zone or Service Commercial Zone
iii.	Exterior side parcel boundary	4.5 m (14.8 ft)
iv.	A1 Zone or ALR	Subject to Section 3.23
(g)	**Despite 12.1.5(f), the following uses, buildings and structures shall be sited at least the distance indicated in the right-hand column below, opposite the feature indicated in the middle column, from any parcel boundary:**	
i.	Cannabis production facility	150 m (492 ft) from an abutting: (a) Zone that permits dwelling as a principal use; and (b) Any P Zone

.6 Other Regulations - *Reserved*

13.2 HEAVY INDUSTRIAL ZONE (I2)

.1 Purpose

To accommodate heavy industrial uses and associated uses.

.2 Principal Uses, Buildings and Structures

(a) Bulk fuel depot
(b) Contactor services
(c) Freight or distribution outlet
(d) Heavy equipment sales, rental or repair
(e) Heliport facility
(f) Industry, heavy
(g) Saw mill or planer mill
(h) Salvage yard
(i) Resource mining or extraction
(j) Outdoor storage
(k) Utility service

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Caretaker units
(c) Home based business, minor
(d) Storage of bulk fuel, chemicals or other petroleum products

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	2000 m^2 (21,527.8 ft^2)
(b)	**Minimum parcel frontage**	30.0 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density**	2 caretaker units per parcel
(d)	**Maximum parcel coverage**	40%
(e)	**Maximum building height**	12.0 m (39.4 ft)
SITING REGULATIONS		
(f)	**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.	Front parcel boundary	8.0 m (26.2 ft)
ii.	Rear and interior side parcel boundary	0.0 m (0.0 ft), except it is:
		9.0 m (29.5 ft) where the parcel does not abut an Industrial Zone
iii.	Exterior side parcel boundary	6.0 m (19.7 ft)
iv.	A1 Zone or ALR	Subject to Section 3.23

.6* Other Regulations - *Reserved

13.3 TIMBER PROCESSING AND MANUFACTURING ZONE (I3)

.1 Purpose

To accommodate forestry related activities.

.2 Principal Uses, Buildings and Structures

(a) Contractor services
(b) Dryland sort
(c) Timber processing
(d) Re-manufacturing of wood products
(e) Saw mill or planer mill

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Caretaker units
(c) Home based business, minor
(d) Outdoor storage

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	4.0 ha (9.9 acres)
(b)	**Minimum parcel frontage**	30.0 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density**	2 caretaker units per parcel
(d)	**Maximum parcel coverage**	35%
(e)	**Maximum height**	15.0 m (49.2 ft)
SITING REGULATIONS		
(f)	**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.	Front parcel boundary	8.0 m (26.2 ft), except it is:
		15.0 m (49.2 ft) when the parcel abuts Highway 97
ii.	Rear parcel boundary	10.0 m (32.8 ft)
iii.	Interior side parcel boundary	10.0 m (32.8 ft)
iv.	Exterior side parcel boundary	10.0 m (32.8 ft)
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations - *Reserved*

13.4 GRAVEL EXTRACTION ZONE (I4)

.1 Purpose

To accommodate extraction and processing of natural sand and gravel resources for the manufacture, wholesale, and retail sale of associated products.

.2 Principal Uses, Buildings and Structures

(a) Bulk fuel depot
(b) Contractor services
(c) Heavy equipment sales, rental and repair
(d) Sand and gravel quarrying, extraction, crushing, sorting or screening
(e) Manufacture, wholesale or retail of cement concrete or cement concrete aggregate products

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Caretaker units
(c) Home based business, minor
(d) Outdoor storage

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	2.0 ha (4.9 acres)
(b)	**Minimum parcel frontage**	30.0 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density**	2 caretaker units per parcel
(d)	**Maximum parcel coverage**	15%
(e)	**Maximum building height**	15.0 m (49.2 ft)
SITING REGULATIONS		
(f)	**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.	Front parcel boundary	8.0 m (26.2 ft)
ii.	Rear parcel boundary	6.0 m (19.7 ft)
iii.	Interior side parcel boundary	6.0 m (19.7 ft)
iv.	Exterior side parcel boundary	6.0 m (19.7 ft)
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations - *Reserved*

13.5 GRAVEL EXTRACTION WITH ASPHALT PLANT ZONE (I5)

.1 Purpose

To accommodate extraction and processing of natural sand and gravel resources for the manufacture, wholesale, and retail sale of associated products, including asphalt processing.

.2 Principal Uses, Buildings and Structures

(a) Asphalt plant
(b) Bulk fuel depot
(c) Contractor services
(d) Heavy equipment sales, rental and repair
(e) Sand and gravel quarrying, extraction, crushing, sorting or screening
(f) Manufacture, wholesale or retail of concrete or concrete aggregate products

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Caretaker units
(c) Home based business, minor
(d) Outdoor storage

.4 Site Specific Uses, Buildings and Structures – *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	2.0 ha (4.9 ac)
(b)	**Minimum parcel frontage**	30.0 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density**	2 caretaker units per parcel
(d)	**Maximum parcel coverage**	15%
(e)	**Maximum building height**	15.0 m (49.2 ft)
SITING REGULATIONS		
(f)	**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.	Front parcel boundary	8.0 m (26.2 ft)
ii.	Rear parcel boundary	6.0 m (19.7 ft)
iii.	Interior side parcel boundary	6.0 m (19.7 ft)
iv.	Exterior side parcel boundary	6.0 m (19.7 ft)
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations - *Reserved*

13.6 RURAL INDUSTRIAL ZONE (I6)

.1 Purpose

To accommodate rural-oriented industrial activities, agricultural uses and associated uses.

.2 Principal Uses, Buildings and Structures

(a) Agricultural market
(b) Agriculture, general
(c) Alcohol production facility
(d) Machine shop
(e) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Carriage House
(c) Home based business, major
(d) Outdoor storage
(e) Retail, convenience
(f) Secondary Suite

.4 Site Specific Uses, Buildings and Structures - *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	4000 m^2 (43, 055.6 ft^2)
(b)	**Minimum parcel frontage**	50 m (164.0 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density**	
i.	Single detached dwelling	Only 1 single detached dwelling per parcel
ii.	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	**Maximum parcel coverage**	35%
(e)	**Maximum building height**	12.0 m (39.4 ft), except it is:
		8.0 m (26.2 ft) for a carriage house

SITING REGULATIONS		
(f)	**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.	Front parcel boundary	8.0 m (26.2 ft), except it is:
		6.0 m (19.6 ft) for a residential use
ii.	Rear parcel boundary	6.0 m (19.7 ft), except it is:
		10.0 m (32.8 ft) when the parcel does not abut a Commercial or Industrial Zone; and
		3.0 m (9.8 ft) for a residential use
iii.	Interior side parcel boundary	6.0 m (19.7 ft), except it is 3.0 m (9.8 ft) for a residential use
iv.	Exterior side parcel boundary	6.0 m (19.7 ft), except it is 4.5 m (14.8 ft) for a residential use
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations - *Reserved*

PART 14 – PARKS AND INSTITUTIONAL ZONES

14.1 PARKS AND OPEN SPACE ZONE (P1)

.1 Purpose

To accommodate parks and natural areas for recreational and associated uses.

.2 Principal Uses, Buildings and Structures

(a) Golf course
(b) Interpretive centre
(c) Recreational services, outdoor

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Caretaker unit
(c) Concession stand
(d) Home based business, minor
(e) Restaurant

.4 Site Specific Uses, Buildings and Structures – *Reserved*

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel frontage**	10.0 m (32.8 ft)
DEVELOPMENT REGULATIONS		
(b)	**Maximum density**	1 caretaker unit per parcel
(c)	**Maximum parcel coverage**	35%
(d)	**Maximum height**	9.0 m (29.5 ft)
SITING REGULATIONS		
(e)	**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.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear parcel boundary	3.0 m (9.8 ft)
iii.	Interior side parcel boundary	3.0 m (9.8 ft)
iv.	Exterior side parcel boundary	4.5 m (14.8 ft)
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations - *Reserved*

14.2 INSTITUTIONAL AND ASSEMBLY ZONE (P2)

.1 Purpose

To accommodate institutional, administrative and associated uses.

.2 Principal Uses, Buildings and Structures

(a) Agricultural market
(b) Cemetery
(c) Community or assembly hall
(d) Care facility, major
(e) Child care, major (centre/facility)
(f) Congregate housing
(g) Education facility
(h) Extended medical treatment facility
(i) Fire, police or ambulance service
(j) Food bank
(k) Group camp
(l) Group home
(m) Library, museum, or art gallery
(n) Office
(o) Recreation services, indoor
(p) Recreation services, outdoor
(q) Transportation station

.3 Secondary Uses, Buildings and Structures

(a) Accessory uses, buildings and structures
(b) Restaurant
(c) Retail, general

.4 Site Specific Uses, Buildings and Structures

(a) On Lot 23, DL 506, ODYD, Plan 29377 (2648 Alhambra Drive): single detached dwelling

.5 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	700 m^2 (7,534.7 ft^2)
(b)	**Minimum parcel frontage**	18.0 m (59.1 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum parcel coverage**	50%
(d)	**Maximum building height**	12.0 m (39.4 ft), except it is 16.0 m (52.5 ft) to a maximum of 4 storeys for an Education facility
SITING REGULATIONS		
(e)	**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.	Front parcel boundary	4.5 m (14.8 ft)
ii.	Rear parcel boundary	3.0 m (9.8 ft)
iii.	Interior side parcel boundary	3.0 m (9.8 ft)
iv.	Exterior side parcel boundary	4.5 m (14.8 ft)
v.	A1 Zone or ALR	Subject to Section 3.23

.6 Other Regulations - *Reserved*

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
(b) Community or assembly hall
(c) Fire, police or ambulance service
(d) Library, museum or art gallery
(e) Multiple residential (one unit per 150 m^2 of non-residential establishments contained in the same building)
(f) Music and dance schools and private sports facilities (excluding amusement machines)
(g) Office
(h) Personal service establishment
(i) Restaurant
(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)

.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^2 (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^2 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 m2

.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.

<u>CD1(B) Medium Density Residential</u>

.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^2 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 m2

.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.

<u>CD1(C) Compact Single Family and Duplex Housing</u>

.10 Compact Housing - can include the following uses:

(a) Care facility, minor
(b) Carriage house
(c) Duplex
(d) Home based business, major
(e) Secondary suite
(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 m2

.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.

<u>HILLSIDE HOUSING</u>

<u>CD1(D) Hillside Housing Cluster Development</u>

.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^2 (5,920.2 ft^2).

.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).

<u>CD-1(E) Hillside Housing Single Family and Duplex</u>

.20 Permitted Uses

(a) Care facility, minor
(b) Carriage house
(c) Duplex
(d) Home based business, major
(e) Secondary suite
(f) Short-term rental
(g) Short-term rental (bed and breakfast)
(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 m2.
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

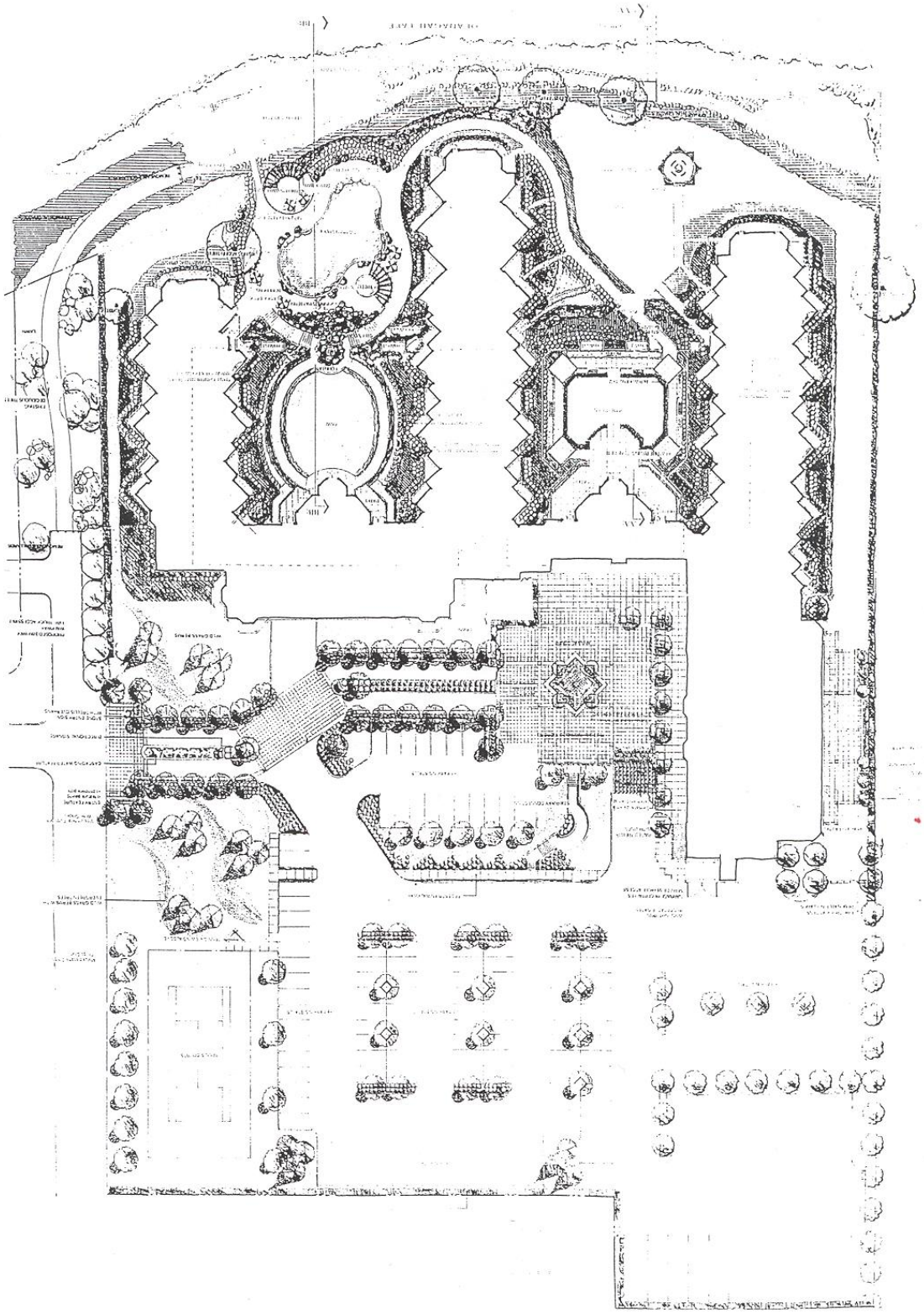
(a) Private open space for the site shall be located generally in accordance with CD2, Map 1 (pages 1- 5), attached to this Part.

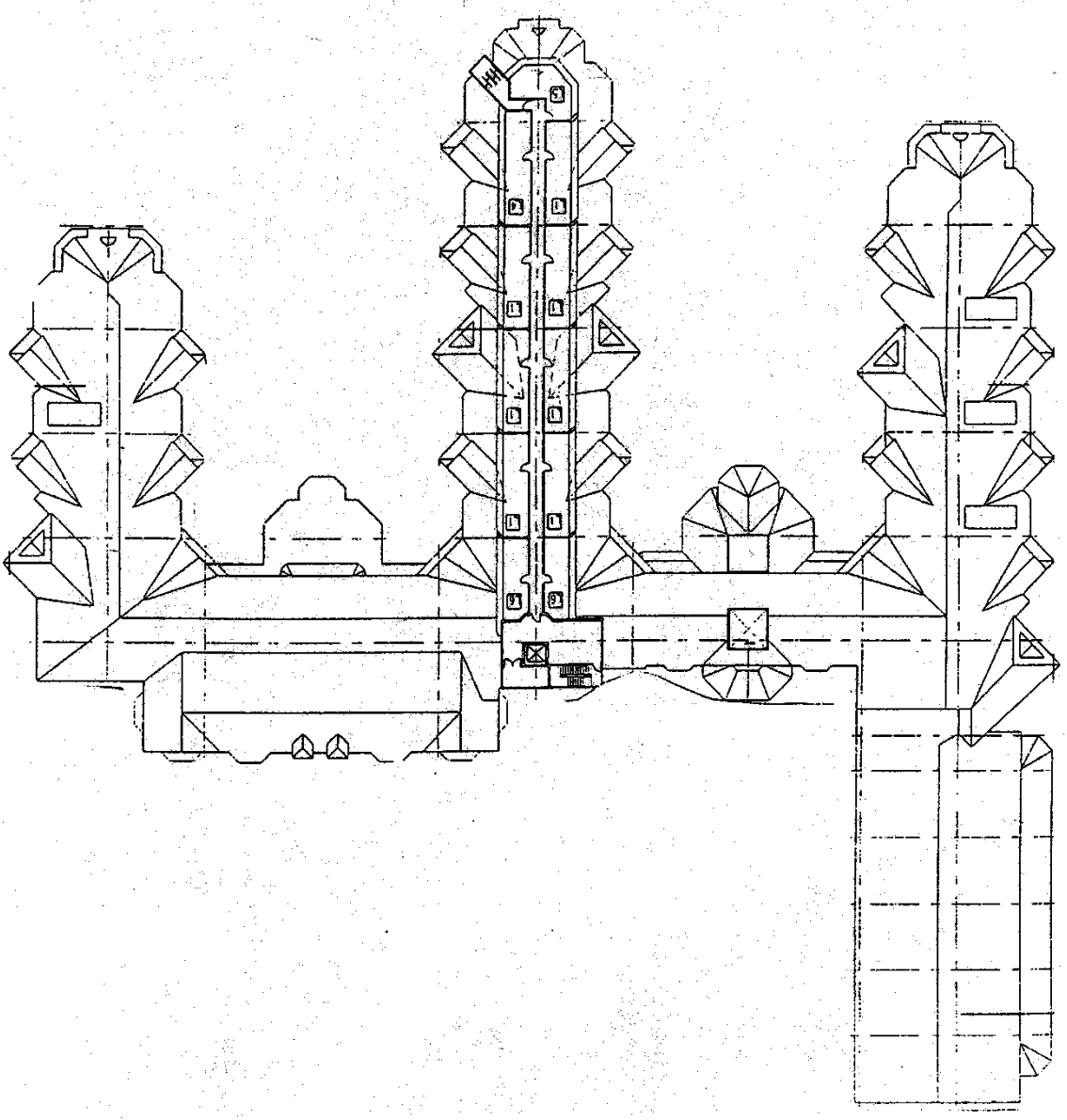
.8 Off-Street Parking

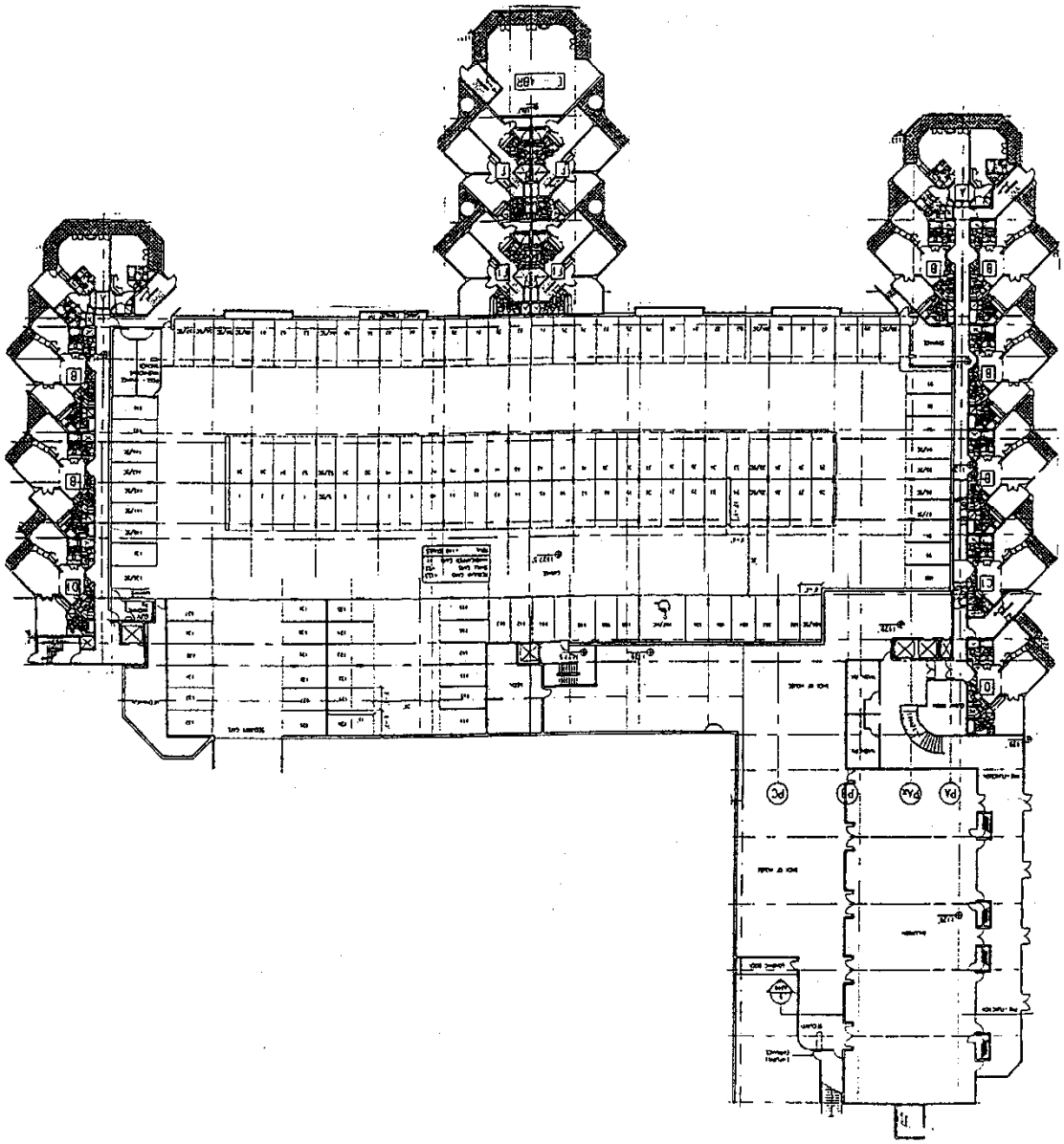
(a) Off-street parking will be provided generally in accordance with CD2, Map 1 (pages 1- 5), attached to this Part. There will be a minimum of 175 parking spaces provided.

.9 Off-Street Loading

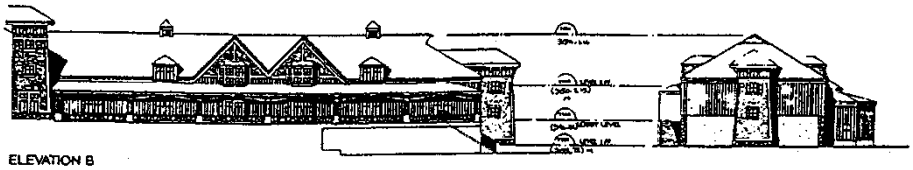
(a) Off-street loading will be provided generally in accordance with CD2, Map 1 (pages 1- 5), attached to this Part.





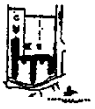


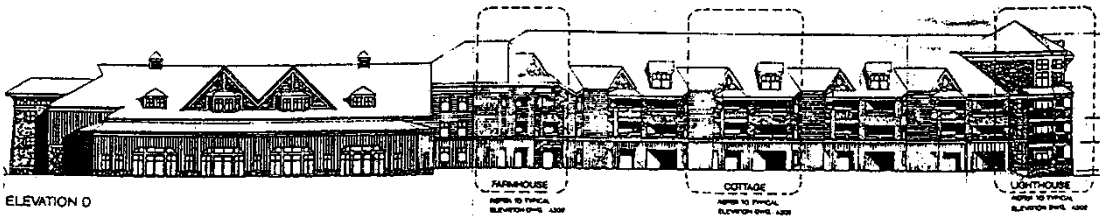
ELEVATION A



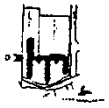
ELEVATION B

ELEVATION C





ELEVATION D



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.*

<u>CD3A – Compact Housing Area</u>

.3 Permitted Uses

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

.4 Regulations Table

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	400 m^2
(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 *parcel*
(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
(b) Duplex
(c) Home based business, minor
(d) Care facility, minor
(e) Accessory uses, buildings and structures

.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 *parcel area*
(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

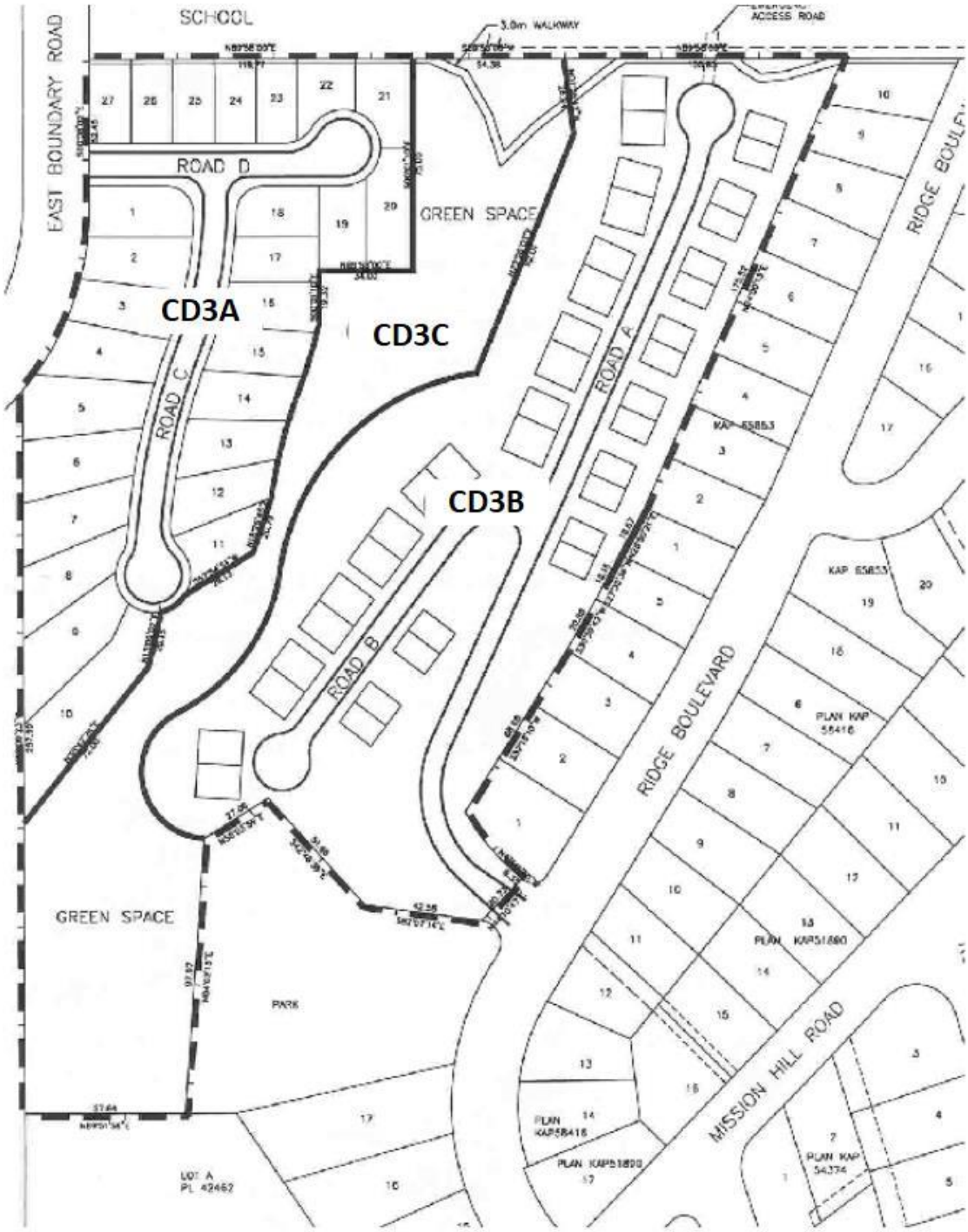
CD3C – GREEN SPACE AREA

.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"


SCHOOL
3.0m WALKWAY
ACCESS ROAD
EAST BOUNDARY ROAD
ROAD D
GREEN SPACE
CD3A
CD3C
CD3B
ROAD C
ROAD A
ROAD B
RIDGE BOULEVARD
GREEN SPACE
PARK
MISSION HILL ROAD
LOT A
PL 42462

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

	SUBDIVISION REGULATIONS	
(a)	**Minimum parcel frontage** (measured along Mission Hill Road)	232.0 m (762 ft)
	DEVELOPMENT REGULATIONS	
(b)	**Minimum parcel area**	11,371 m^2 (122,403 ft^2)
(c)	**Maximum parcel coverage**	12%
(d)	**Parking spaces**	22 spaces / 11 units = 2 per unit
	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.	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.	**Total Parcel Area**	**3.56 ha**
ii.	CD-8 Zone Area, after road dedication	1.62 ha
iii.	Road Dedication adjacent to CD Zone boundary (Bering Road)	0.162 ha
iv.	Road dedication adjacent to A1 zoned boundary (Butt Road)	0.078 ha
v.	Remainder A1 Zoned Area, after road dedication *-to be intensively farmed as per ALC Resolutions: 761/2008 & 20/2008*	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 Facilties exist on the parcel.*

.7 Regulations Table

	SUBDIVISION REGULATIONS	
(a)	**CD5 Zone Area,** *after road dedications*	1.62 ha
(b)	**Minimum** parcel frontage	18.0 m (59.1 ft)
	DEVELOPMENT REGULATIONS	
(c)	**Maximum** building height *-excluding mechanical & elevator rooms* *-including exposed parkade level*	26.0 m (85.3 ft) to a maximum of 5 storeys
(d)	**Maximum** parcel coverage	40%
(e)	**Maximum floor area ratio**	2.0
(f)	**Minimum** # of parking stalls: *-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.*	1 per 30 m^2 GFA
	SITING REGULATIONS	
(g)	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) <u>Siting distances from Agricultural Land:</u>

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 attched Figure 2, a 3.0 m (9.8 ft) wide no build environmental allowance has be 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)

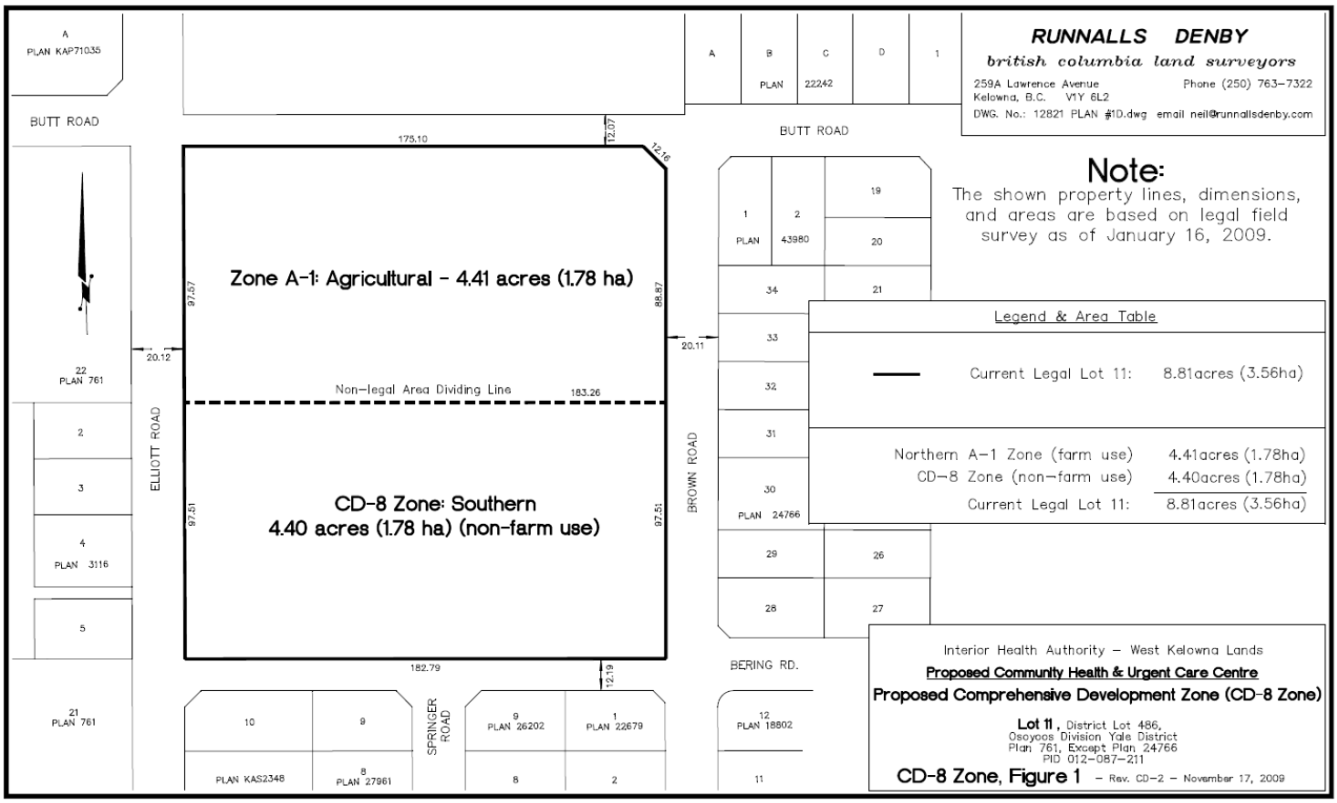
b) Commercial and Industrial Development Permit Design Guidelines (Appendix A-2)
c) Fencing and Street Interface Development Permit Design Guidelines (Appendix A-3)

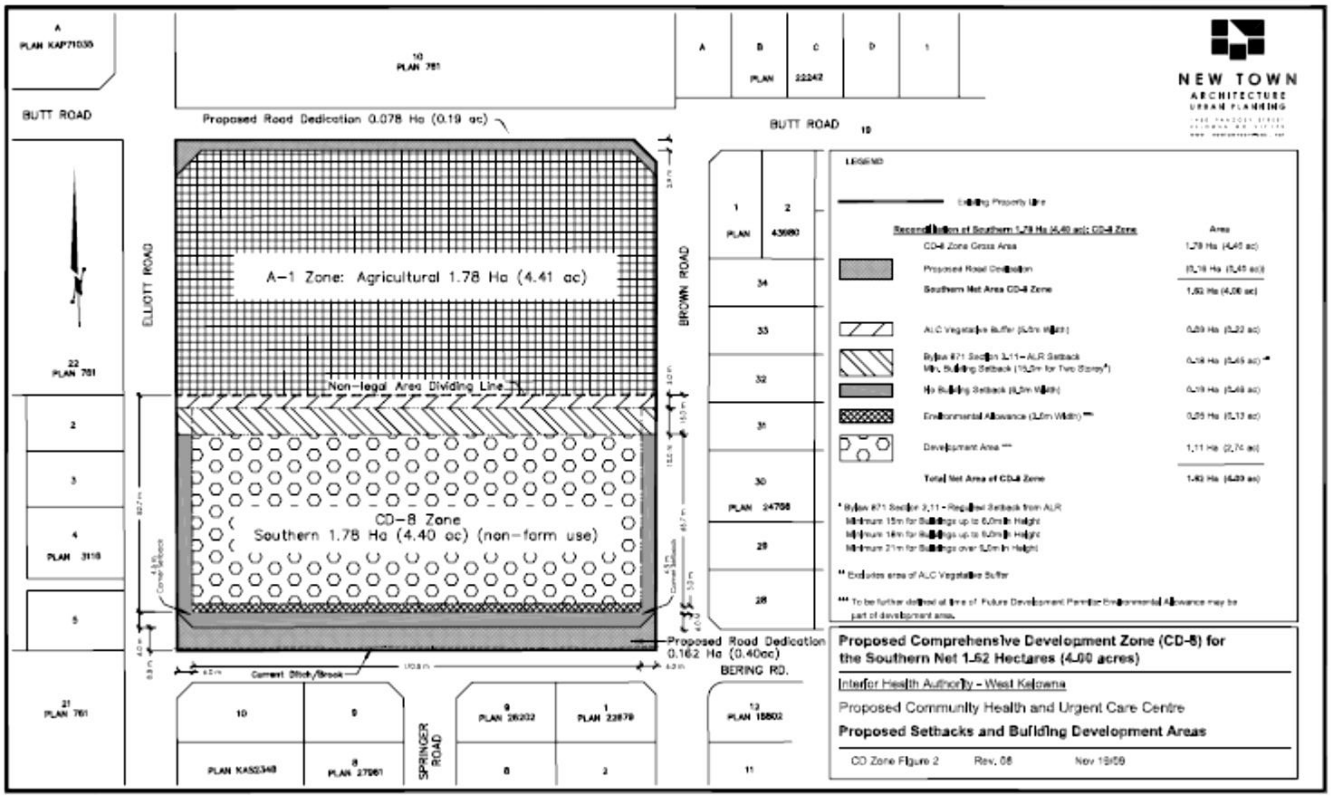
iii. The approval of the aforementioned development permits will be subject to the landowner firstly fulfilling the ALC requirements, pursuant to ALC Resolutions #761/2008 & 20/2008.

.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).


RUNNALLS DENBY
british columbia land surveyors
259A Lawrence Avenue
Kelowna, B.C. V1Y 6L2
Phone (250) 763-7322
DWG. No.: 12821 PLAN #10.dwg email neil@runnallsdenby.com
Note:
The shown property lines, dimensions, and areas are based on legal field survey as of January 16, 2009.
Zone A-1: Agricultural - 4.41 acres (1.78 ha)
Non-legal Area Dividing Line
CD-8 Zone: Southern
4.40 acres (1.78 ha) (non-farm use)
Legend & Area Table
Current Legal Lot 11: 8.81acres (3.56ha)
Northern A-1 Zone (farm use) 4.41acres (1.78ha)
CD-8 Zone (non-farm use) 4.40acres (1.78ha)
Current Legal Lot 11: 8.81acres (3.56ha)
BUTT ROAD
ELLIOTT ROAD
BROWN ROAD
SPRINGER ROAD
BERING RD.
Interior Health Authority - West Kelowna Lands
Proposed Community Health & Urgent Care Centre
Proposed Comprehensive Development Zone (CD-8 Zone)
Lot 11, District Lot 486, Osoyoos Division Yale District Plan 761, Except Plan 24766
PID 012-087-211
CD-8 Zone, Figure 1 - Rev. CD-2 - November 17, 2009


NEW TOWN
ARCHITECTURE
URBAN PLANNING
BUTT ROAD
Proposed Road Dedication 0.078 Ha (0.19 ac)
A-1 Zone: Agricultural 1.78 Ha (4.41 ac)
Non-legal Area Dividing Line
CD-8 Zone
Southern 1.78 Ha (4.40 ac) (non-farm use)
Proposed Road Dedication 0.162 Ha (0.40ac)
ELLIOTT ROAD
BROWN ROAD
SPRINGER ROAD
BERING RD.
LEGEND
Proposed Comprehensive Development Zone (CD-8) for the Southern Net 1.62 Hectares (4.00 acres)
Interior Health Authority - West Kelowna
Proposed Community Health and Urgent Care Centre
Proposed Setbacks and Building Development Areas
CD Zone Figure 2 Rev. 08 Nov 19/09

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.

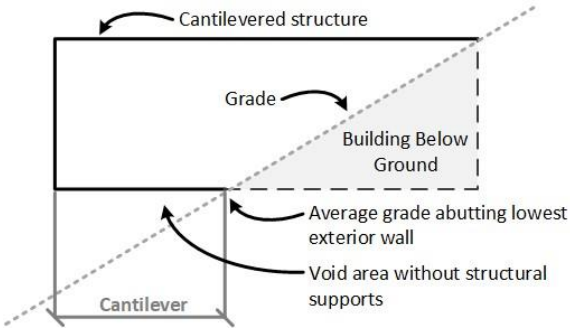


Diagram 1

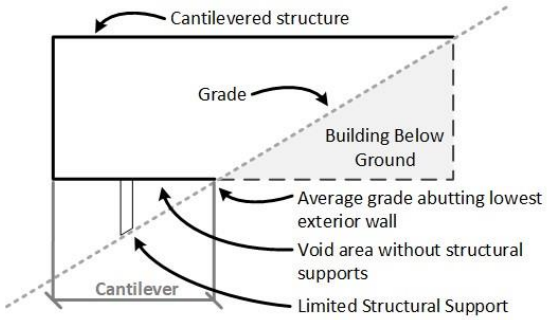


Diagram 2

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.

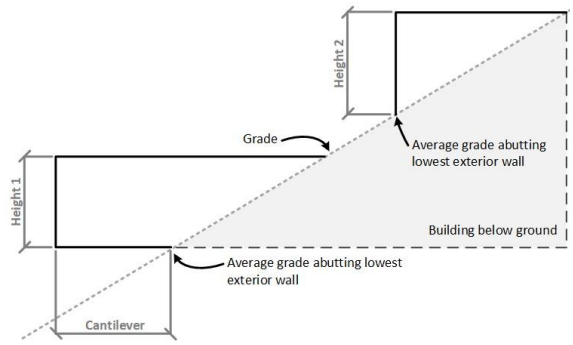


Diagram 3

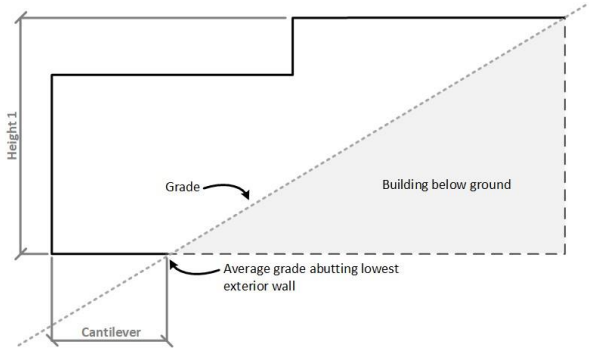


Diagram 4

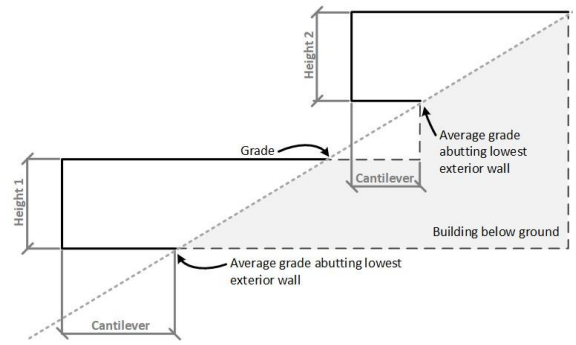


Diagram 5

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:

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)

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:

Zoning Regulation		Requirement
(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) <u>Development Area A:</u>

i. <u>Permitted Uses</u>:

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

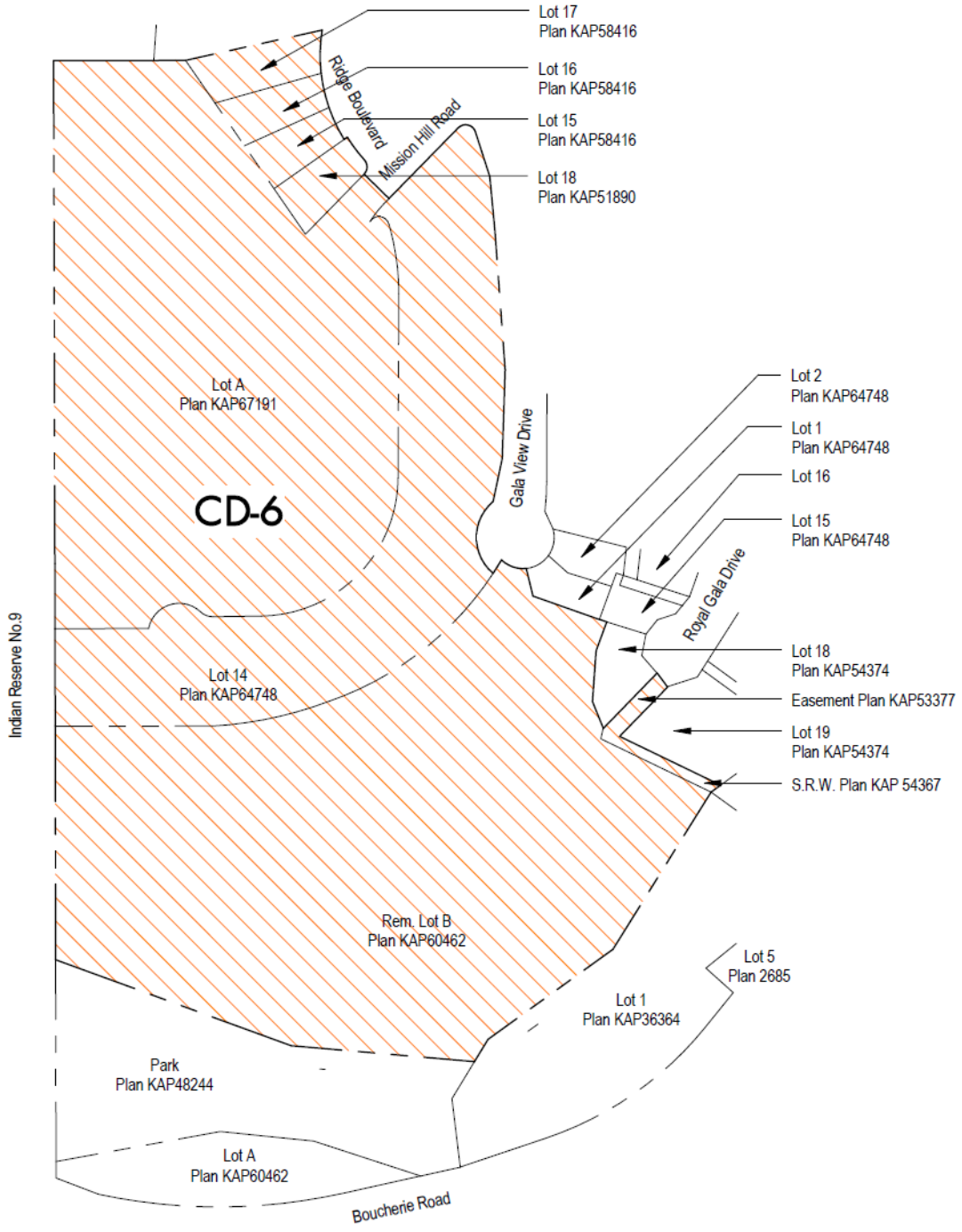


FIGURE 1 - ALL LANDS SHOWN AS MISSION HILL

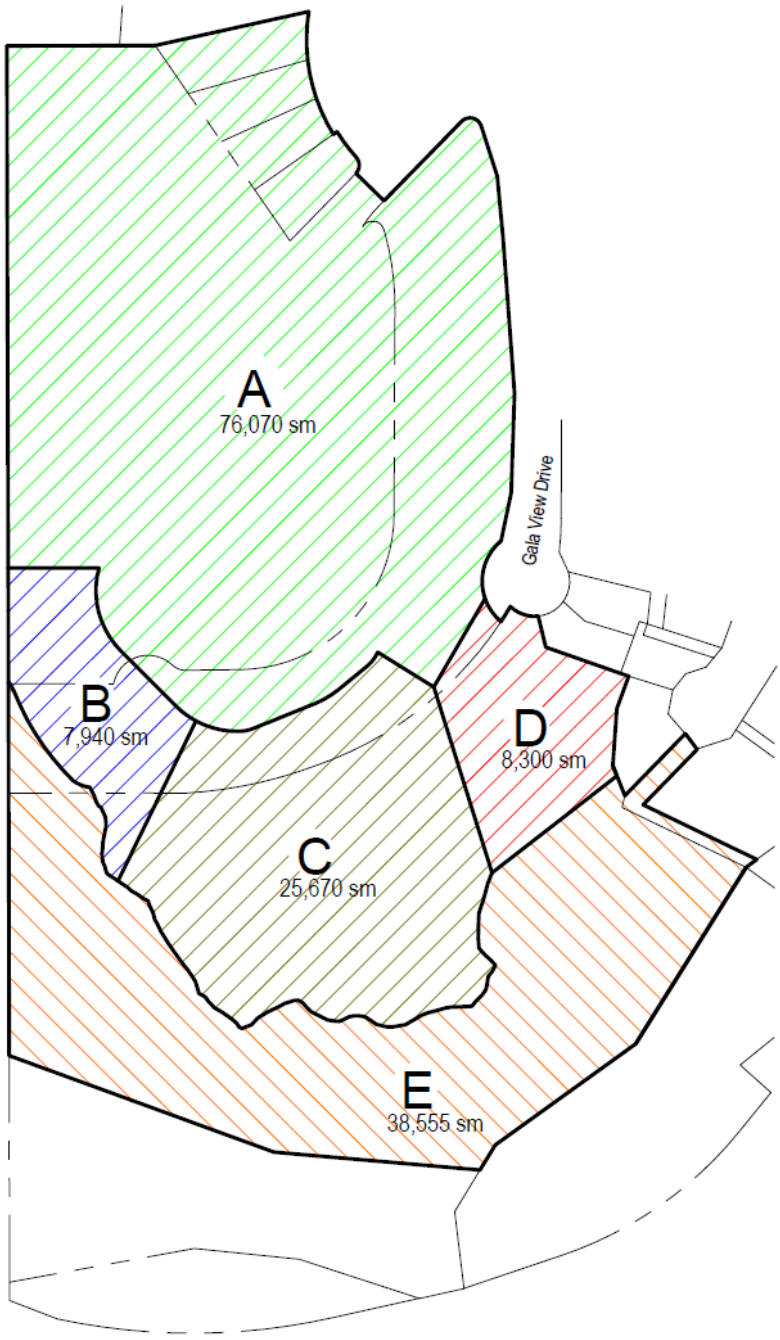


FIGURE 2 - DEVELOPMENT AREAS

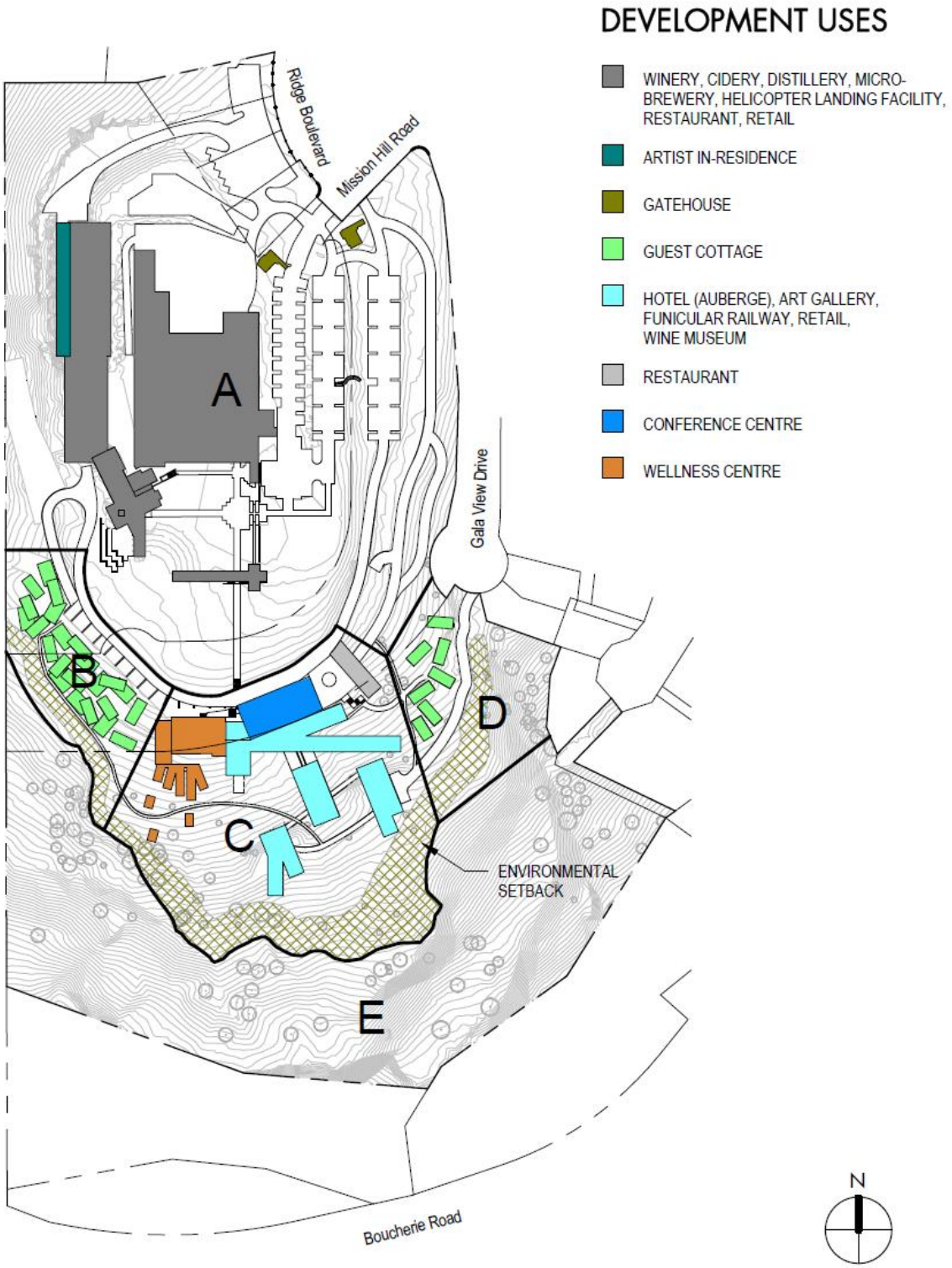


FIGURE 3 - SITE PLAN

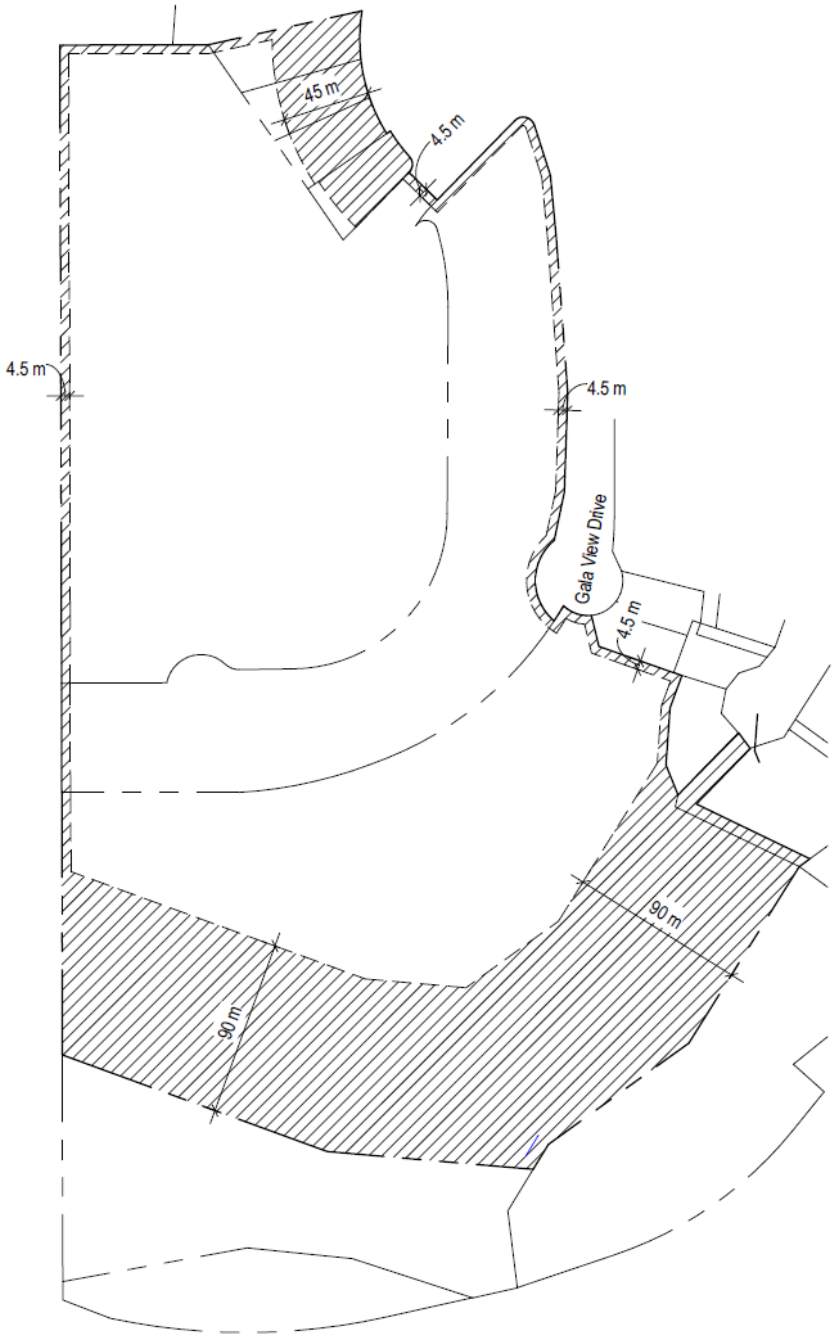


FIGURE 4 - BUILDING SETBACKS

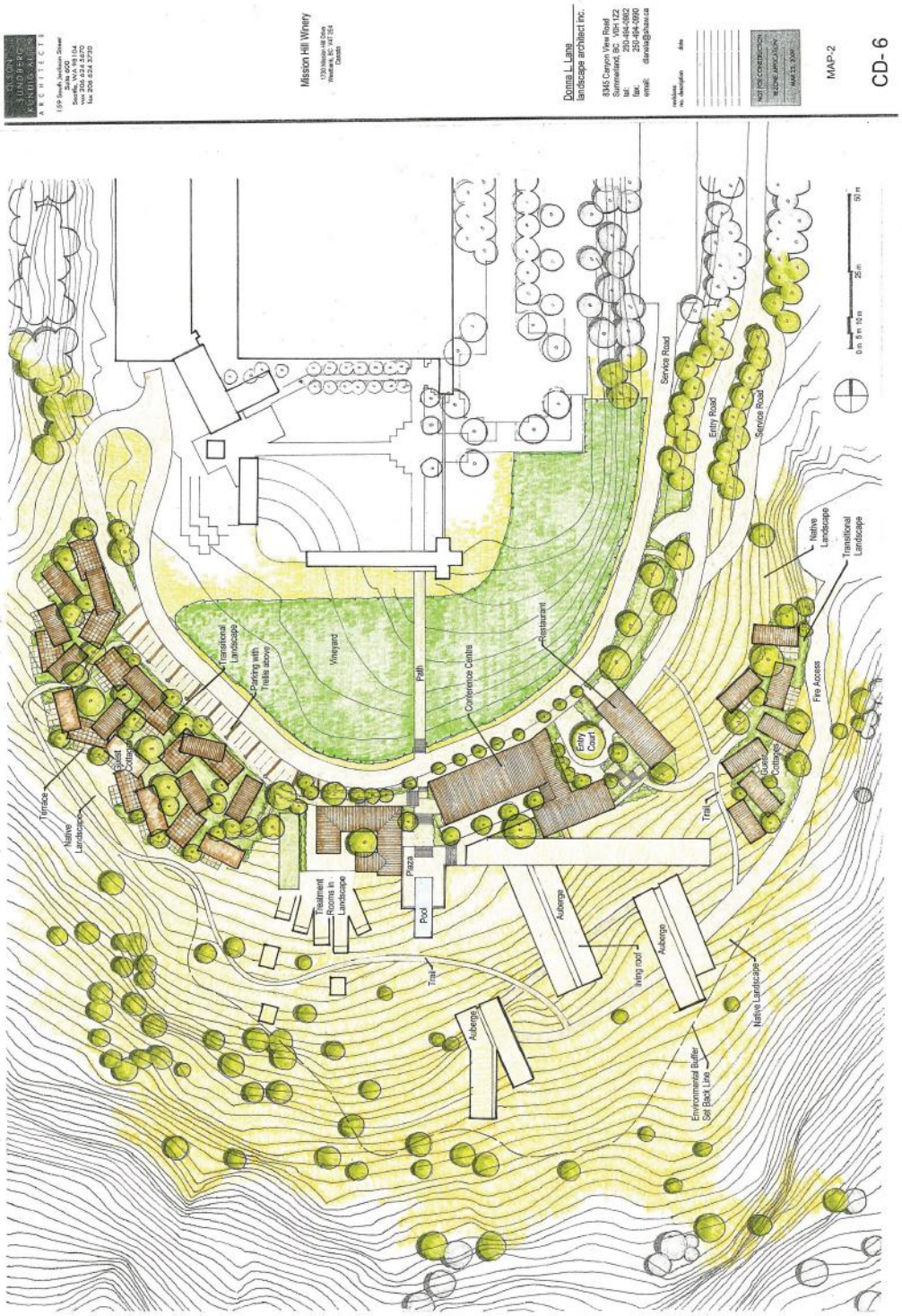


FIGURE 5 - LANDSCAPE PLAN

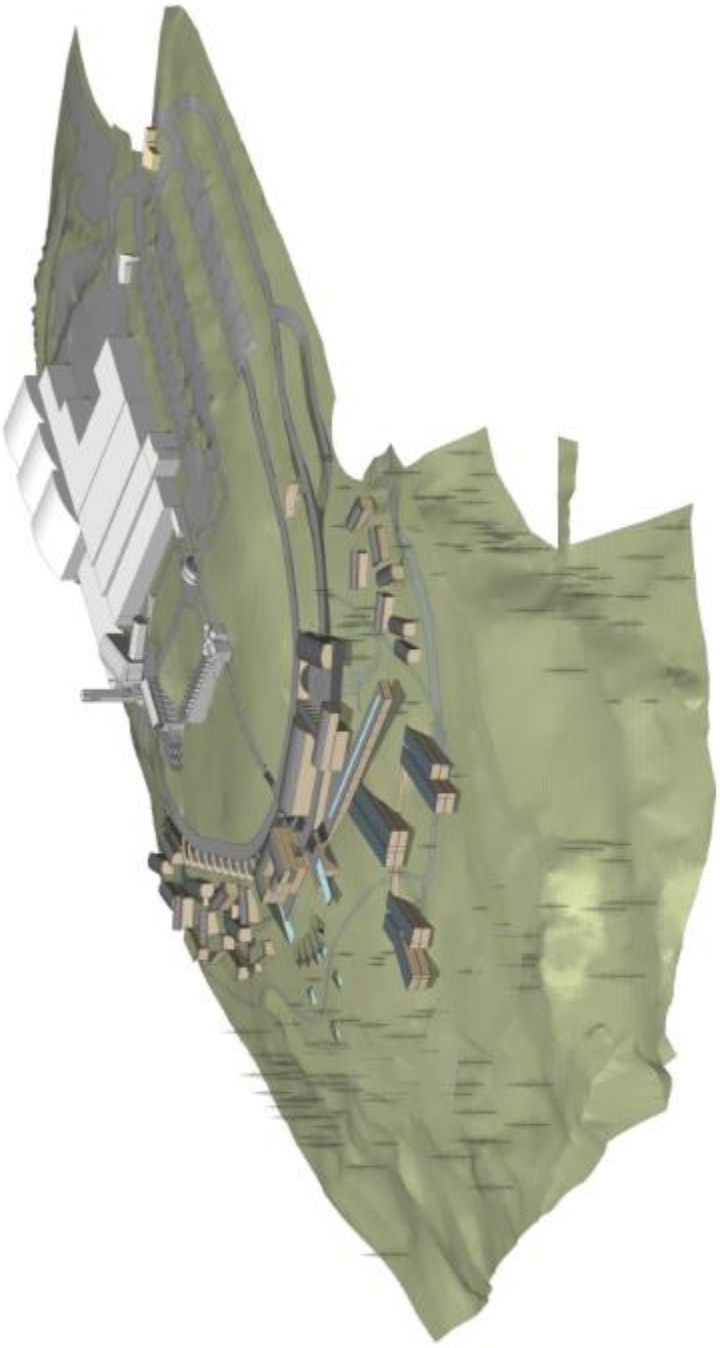


FIGURE 6 - CONCEPTUAL DRAWING

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)	**Minimum** Development Area A parcel	1.46 ha (3.60 ac)
b)	**Minimum** *parcel frontage*	30 m (98.4 ft)
c)	**Minimum** *front setback – (southwest)*	4.0 m (13.1 ft)
d)	**Minimum** *side setback – (southeast)*	3.0 m (9.8 ft)
e)	**Minimum** *side setback – (northwest)*	0.0 m (0 ft)
f)	**Minimum** *rear setback – (northeast)*	4.0 m (13.1 ft)
g)	**Maximum** *building height*	
.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)	**Maximum** *parcel coverage*	45%, excluding driveways and balconies
i)	**Maximum** Floor area ratio	0.5 FAR
j)	**Minimum** *Private Amenity Space (per unit)*	
.i	One (1) bedroom dwelling unit,	15 m^2 (161.4 ft^2)
.ii	More than one (1) bedroom dwelling unit	25 m^2 (269.1 ft^2)

(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)	**Minimum** *front setback – (southwest)*	4.0 m (13.1 ft)
c)	**Minimum** *side setback – (southeast)*	0.0 m (0 ft)
d)	**Minimum** *side setback – (northwest)*	3.0 m (9.8 ft)
e)	**Minimum** *rear setback – (northeast)*	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

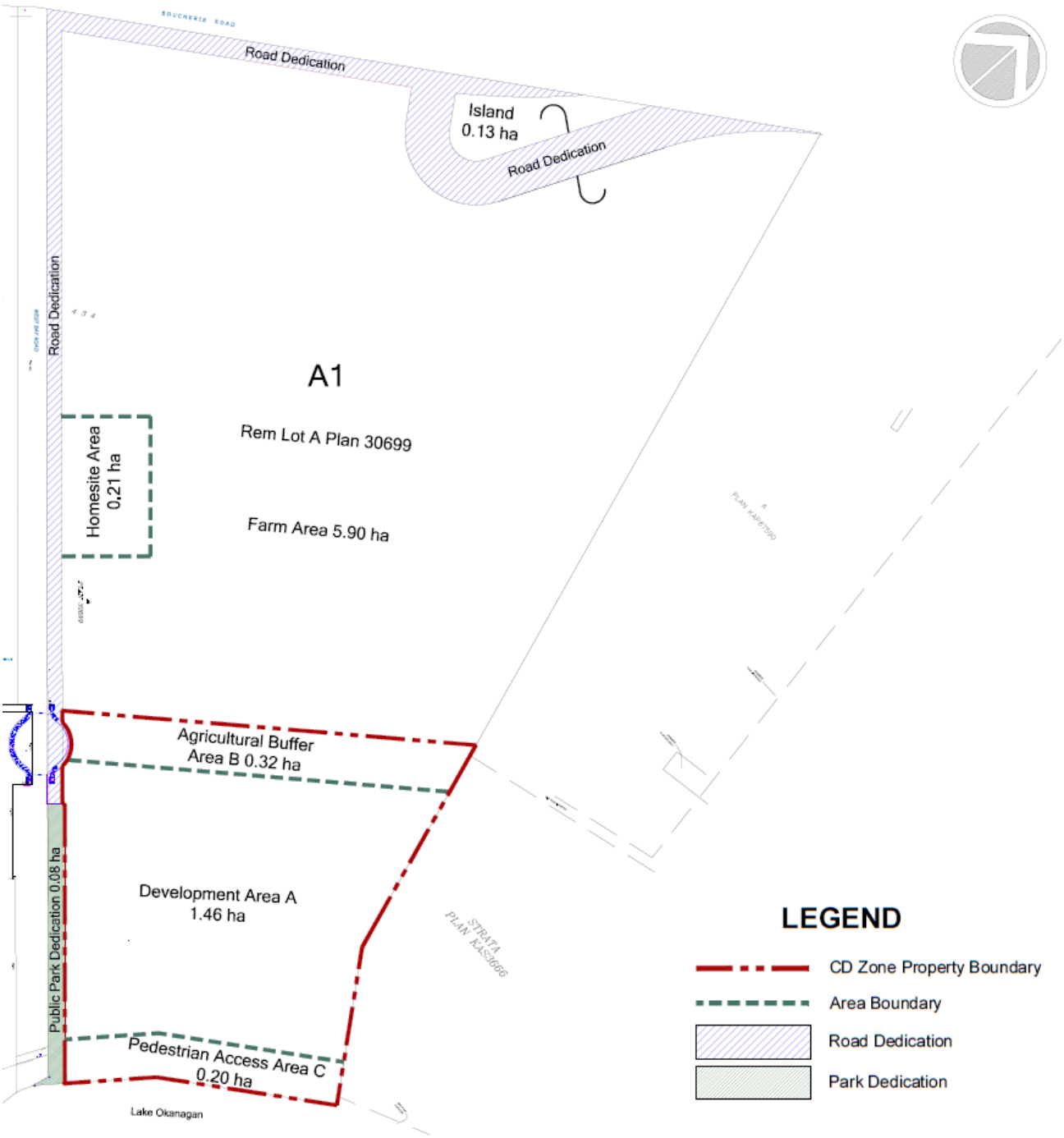


Figure 1: CD Zone Plan

Figure 2: Developable Areas

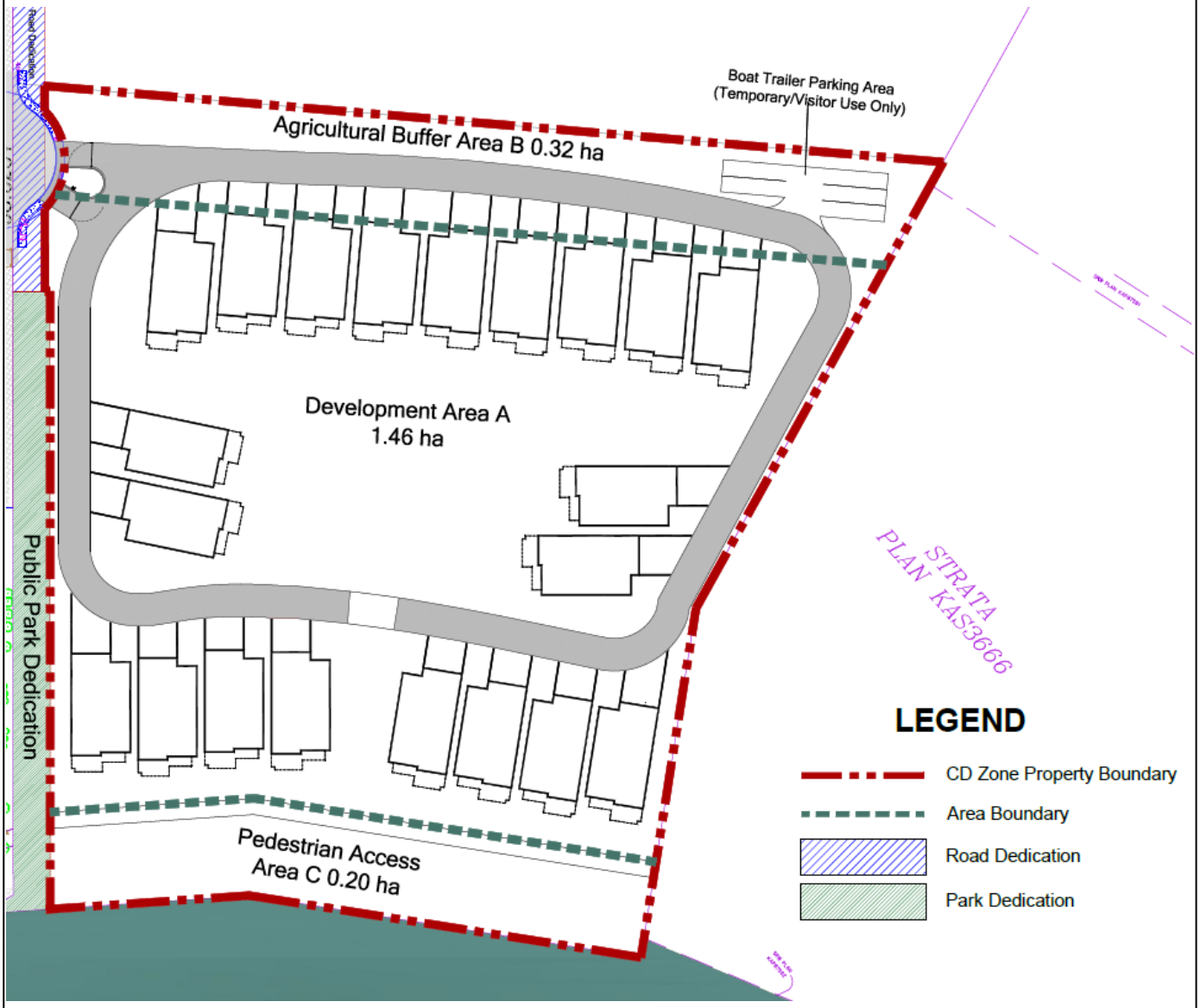


Figure 3: Concept Plan

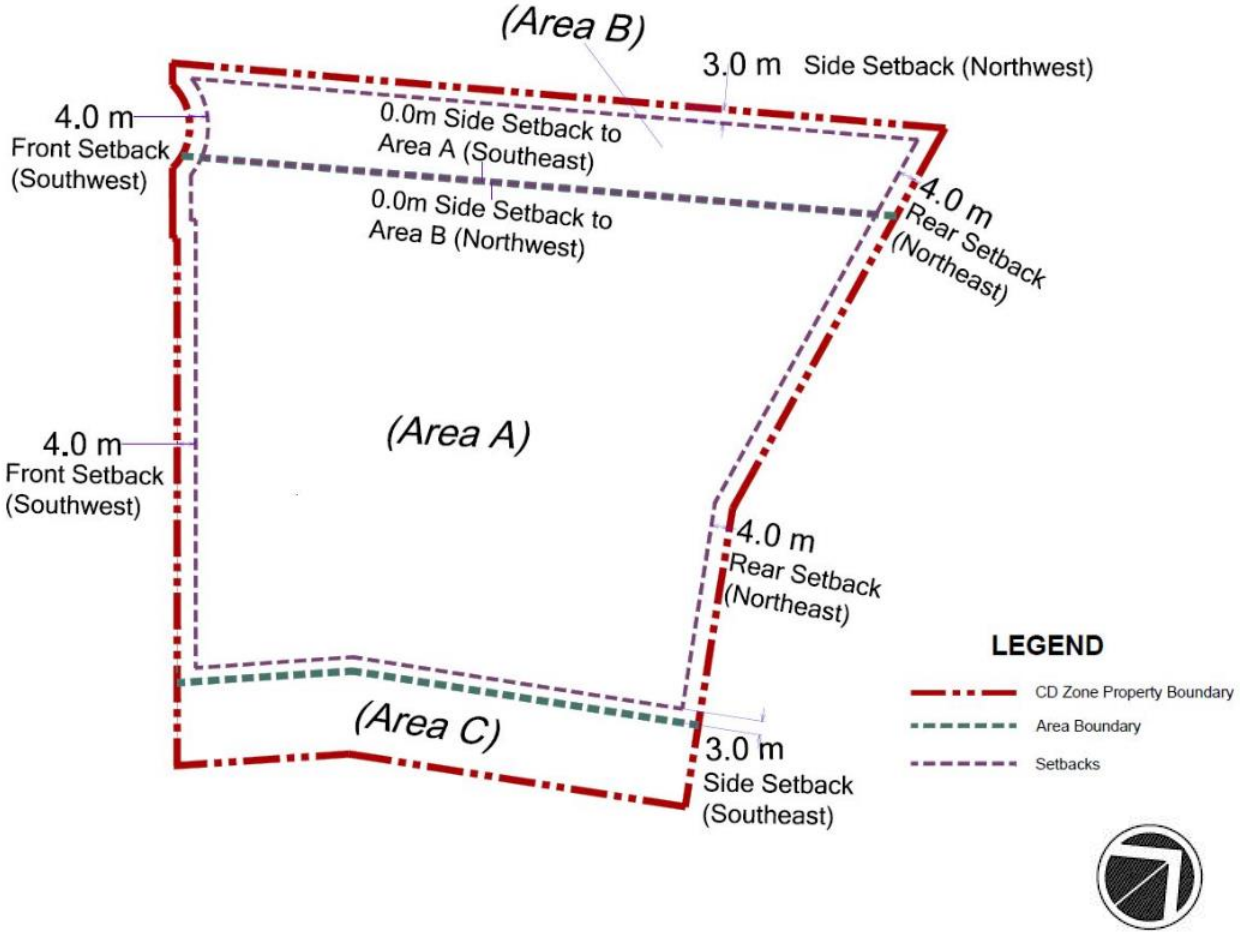


Figure 4: Site Setbacks

15.10 CD8 – 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^2 (1,991 ft^2), 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

DEVELOPMENT REGULATIONS		
i.	**Maximum** Floor area ratio	0.13
ii.	**Maximum Density**	
a)	Single Detached Dwelling	16
b)	Amenity Building or Structure	1
iii.	**Maximum Gross Floor Area per Building**	
a)	Single Detached Dwelling	185 m^2 (1,991.3 ft^2)
b)	Amenity Building or Structure	100 m^2 (1,076.4 ft^2)
c)	Accessory Building or Structure	200 m^2 (2152.8 ft^2) of all accessory buildings and structures combined
iv.	**Maximum parcel coverage**	40%
v.	**Maximum building height**	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
SITING REGULATIONS		
vi.	**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:**	
a)	Interior parcel boundary	3.0 m (9.8 ft)
b)	Front parcel boundary (Seclusion Bay Road)	6.0 m (19.7 ft)
c)	Rear parcel boundary (Okanagan Lake)	6.0 m (19.7 ft)

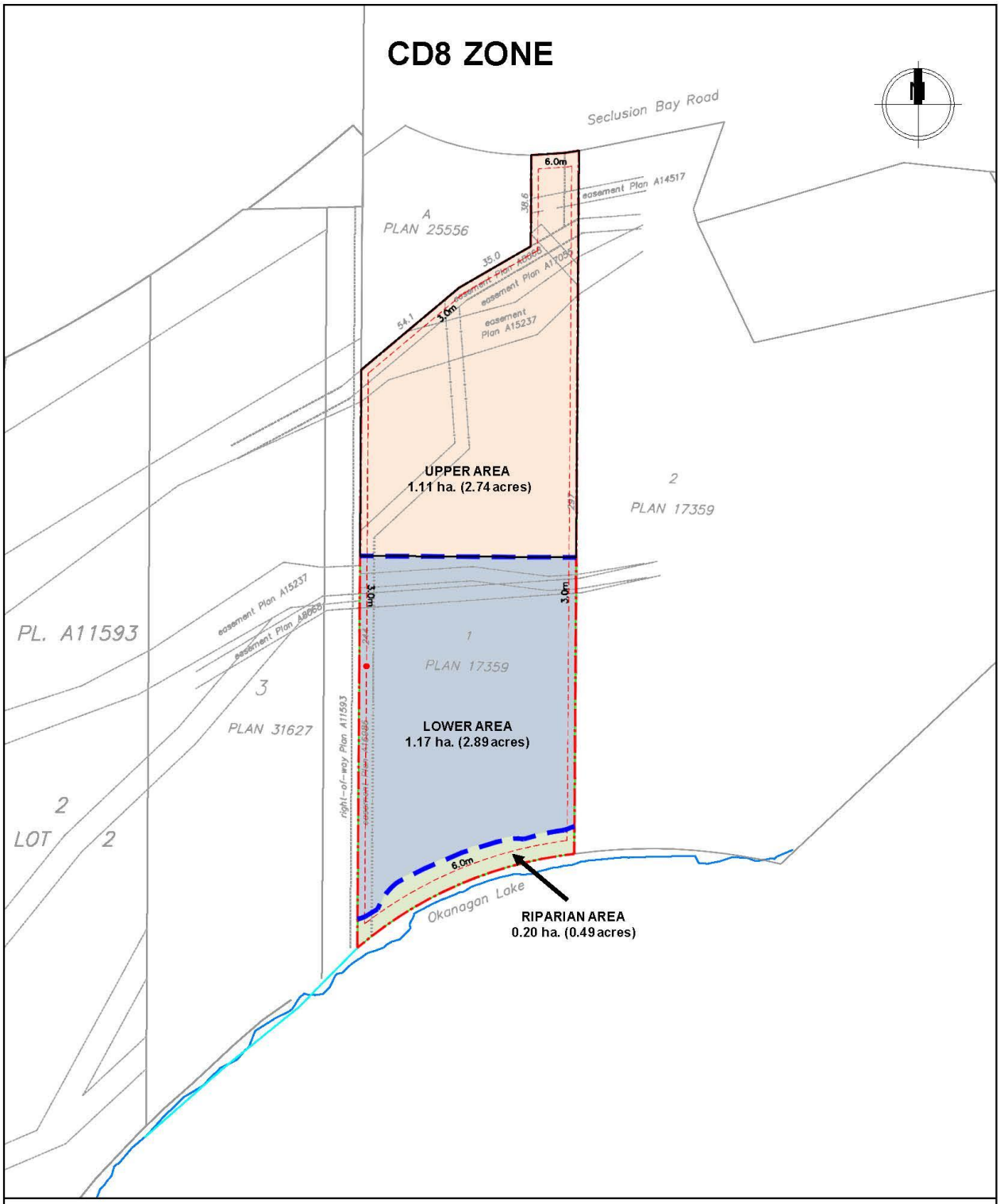


FIGURE 1
CD ZONE PLAN & DEVELOPMENT AREAS

SCALE 1:2000
2019-07-11

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

SUBDIVISION REGULATIONS		
(a)	**Minimum parcel area**	1400 m^2 (17,222.3 ft^2)
(b)	**Minimum parcel** frontage	30.0 m (98.4 ft)
DEVELOPMENT REGULATIONS		
(c)	**Maximum density**	1.75 FAR
(d)	**Maximum parcel coverage**	60%
(e)	**Minimum at-grade open space**	40% of parcel area
(f)	**Maximum building height**	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
SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance indicated in the right-hand column from the feature indicated in the middle column:	
i.	**Anders Road (front parcel boundary)**	
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.	**Adjacent to Hawthorne Road residential area** (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.	**Interior side parcel boundary**	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.	**Olalla Road (exterior side parcel boundary)**	
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.	**A1 Zone or ALR**	
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.	**Siting regulations for an institutional use**	
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)
AMENITY SPACE		
(h)	**Minimum amenity space (per unit)**	
i.	Bachelor dwelling unit	7.5 m^2 (80.7 ft^2)
ii.	One (1) bedroom dwelling unit	15.0 m^2 (161.5 ft^2)
iii.	More than one (1) bedroom dwelling unit	25.0 m^2 (269.1 ft^2)
iv.	Congregate housing unit	6.0 m^2 (64.6 ft^2) indoor amenity space and 6.0 m^2 (64.6 ft^2) 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^2 (7,535 ft^2).

(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 m2 (1,076.4 ft2) of seating area for common dining facilities; and
b) 160 m2 (1,722.2 ft2) of floor area for common community and assembly hall facilities.

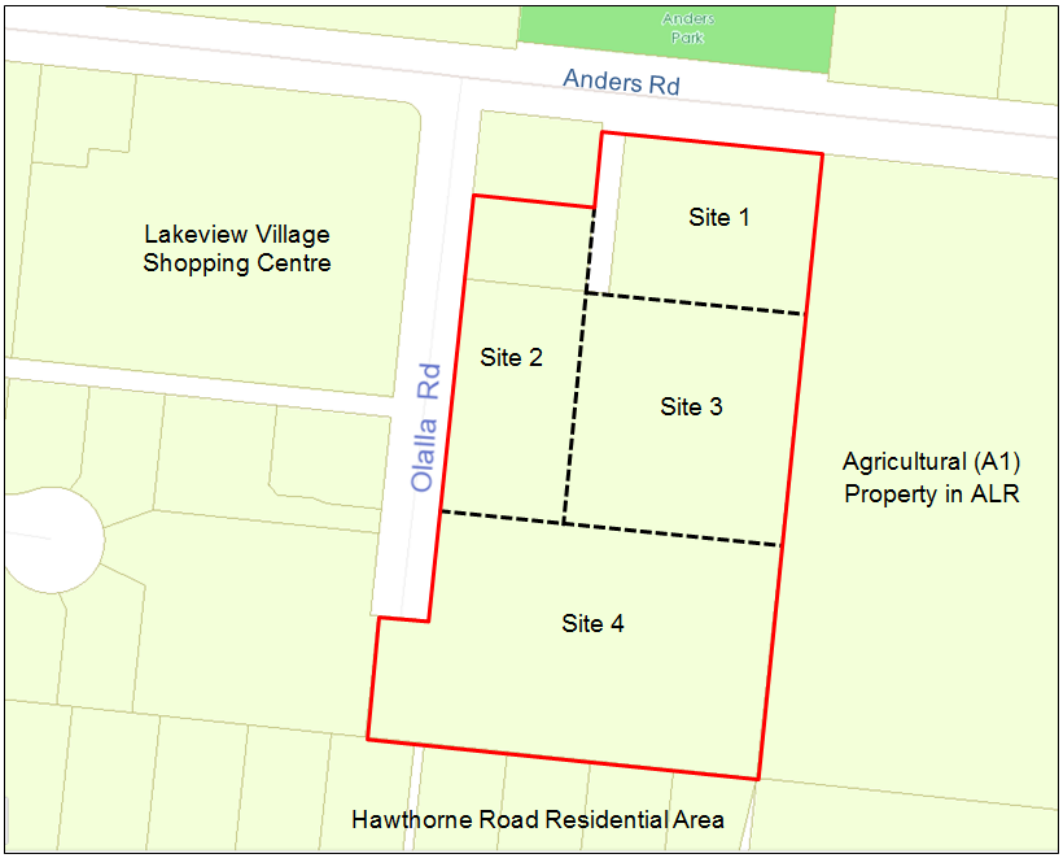


Figure 1 – Sites 1 to 4

15.12 CD10 – 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^2
(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 *(See Schedule 1)*
(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:** *(See Schedule 1)*	
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:** *(See Schedule 1)*	
i.	Outdoor Amenity-1	3,925 ft^2 (365 m^2)
ii.	Outdoor Amenity-2	7,850 ft^2 (729 m^2)
iii.	Indoor Amenity	4,850 ft^2 (451 m^2)

(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

PROPERTY LINE
EXTENT OF DEVELOPMENT
PROPERTY LINE
DAIMLER
BUILDING #5
BUILDING #4
BUILDING #1
BUILDING #2
BUILDING #3
UNDEVELOPABLE AREA
OUTDOOR AMENITY-2 (729 SQM)
INDOOR AMENITY (451 SQM)
OUTDOOR AMENITY-1 (365 SQM)
EXTENT OF DEVELOPMENT
PROPERTY LINE
AUBURN ROAD
NEW P.L.
DEDICATION
EXISTING P.L.

Schedule B

(to be inserted)