

CITY OF KELOWNA

BYLAW NO. 10098

Text Amendment No. TA07-0006

**Kinnikinnik Developments Inc. and Glenmore-Ellison Improvement District (Kinnikinnik Developments Inc.)
3650 & 4001 Finch Road, (W of) Glenmore Road North, 1890, 2230 & (N of) McKinley Road, and (W of) & 3280 Slater Road**

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that City of Kelowna Zoning Bylaw No. 8000 be amended as follows:

1. THAT subsection **1.1 PURPOSE** of **Section 17, Schedule "B" CD18 – Vintage Landing Comprehensive Resort Development** be deleted and replaced with the following:

"The purpose is to provide a zone for the development of a comprehensively planned multifaceted Hillside destination resort. The resort will have a variety of commercial uses organized around a central "wellness" village."

2. AND THAT parts (a) through (i) inclusive, and parts (m) and (n) of subsection **1.3 DEVELOPMENT REGULATIONS** of **Section 17, Schedule "B" CD18 – Vintage Landing Comprehensive Resort Development** be deleted and replaced with the following:

"(a) Total density for the CD18 Zone shall not exceed 187,500m² of resort accommodation, 65,000m² of village commercial and 19,000m² of employee accommodation in accordance with the Vintage Landing Area Structure Plan adopted as part of the Kelowna Official Community Plan.

(b) Resort accommodation will be made up of two types:

Type A – 97,500m² of attached units (apartment hotel, hotel or motel units in buildings exceeding 4 units with common amenities).

Type B – 90,000m² of detached or semi-detached apartment hotel, hotel or motel units in buildings with four units or less with amenities that may be in separate buildings. Type B units must be served by a common reception area(s).

The maximum allowable density for each identified area within this zone shall be as follows:

Area I – Wellness Village

- 63,750m² resort accommodation.

(up to 11,250m² floor area can be Type B)

Area II – Winery and Resort Accommodation

- 26,250m² resort accommodation.
(up to 11,250m² floor area can be Type B)

Area III – Hillside Resort Accommodation

- 45,000m² resort accommodation.
(all of the floor area is Type B)

Area IV – Waterfront Resort Accommodation

- 52,500m² resort accommodation.
(up to 22,500m² floor area Type B)

In the event that areas II, III and IV do not achieve 123,750m² of resort accommodation, the remaining balance of floor area can be transferred to area I (Type B floor area transferred to Area I can be converted to Type A floor area but no Type A can be converted to Type B. Allocating units from area I to areas II, III and IV is not permitted beyond floor area allocation as described in 1.3(b).

- (c) Total allowable floor area of resort accommodation in the areas I – IV is 187,500m². (defined as floor area net as per City of Kelowna General Definitions)
- (d) Total maximum allowable floor area of commercial uses is 65,000m² made up of wellness uses (health and medical treatment services and related accommodation) technology and commercial uses supportive to the resort. (defined as floor area net as per City of Kelowna General Definitions)
- (e) The maximum allowable commercial floor area for each area within this zone shall be as follows:

Area I – Wellness Village

- Up to 56,000m²

Area II – Winery and Resort Accommodation

- Up to 2,000m²

Area III – Hillside Resort Accommodation

- Up to 1,000m²

Area IV – Waterfront Resort Accommodation

- Up to 6,000m²

In the event that areas II, III, and IV do not achieve allocation of stated commercial areas, the balance can be transferred to area I and utilized towards the 65,000m² maximum allowable floor area commercial space. Commercial area not achieved in area I is not transferable to areas II, III and IV beyond allocation described in 1.3(e).

- (f) Within the comprehensive zone, 19,000m² floor area of employee accommodation can be built. (defined as floor area net as per City of Kelowna General Definitions)
 - (g) Total overall maximum allowable floor area for the CD zone is 271,500m². (defined as floor area net as per City of Kelowna General Definitions)
 - (h) Every phase of development will be controlled by a Development Permit and, shall confirm the floor area net of resort accommodation, village commercial, and/or employee accommodation, and will be controlled by a restrictive covenant and amended at the time of Development Permit.
 - (i) Type B resort accommodation floor area must be developed in conjunction with common reception area(s).
 - (m) For any buildings or structures in area I that exceed 6½ storeys any exposed storey where parking is provided within the building must include a minimum of 60% of the exposed area as habitable space.
 - (n) For any buildings or structures in areas II and IV that exceed 4½ storeys any exposed storey where parking is provided within the building must include a minimum of 60% of the exposed area as habitable space.”
3. AND THAT parts (o) through (q) inclusive of subsection **1.3 DEVELOPMENT REGULATIONS** of **Section 17, Schedule “B” CD18 – Vintage Landing Comprehensive Resort Development** are deleted in their entirety and all subsequent parts are renumbered, beginning with part (r) being renamed part (o), and ending with part (aa) being renamed part (x).
4. AND THAT the new parts (o) through (r) inclusive and part (x) of subsection **1.3 DEVELOPMENT REGULATIONS** of **Section 17, Schedule “B” CD18 – Vintage Landing Comprehensive Resort Development** are deleted and replaced with the following:
- “(o) The minimum setback from the CD Zone boundary for all uses shall be 10m (33 ft.) with the exception of the CD Zone boundary that fronts Okanagan Lake riparian management area or any park areas where the setback will be 1.5m.
 - (p) The minimum front yard is 0.0m.
 - (q) The minimum side yard is 0.0m.
 - (r) The minimum rear yard is 0.0m.
 - (x) A publicly accessible trail system will be provided by statutory right-of-way in favour of the City of Kelowna throughout the development property. Specific locations and right-of-way widths will be determined at time of Development Permit and in general accordance with the Vintage Landing Area Structure Plan.”

5. AND THAT a new part (y) be added to subsection **1.3 DEVELOPMENT REGULATIONS** of **Section 17, Schedule “B” CD18 – Vintage Landing Comprehensive Resort Development** as follows:

“(y) Road design will be as per the City of Kelowna Hillside Standards.”

6. AND THAT the CD18 – Vintage Landing Comprehensive Resort Development Site Plan in **Section 17, Schedule “B” CD18 – Vintage Landing Comprehensive Resort Development** be deleted and replaced by a new site plan as per Map “1” attached to and forming part of this bylaw.
7. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 6th day of October, 2008.

Amended at first reading by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

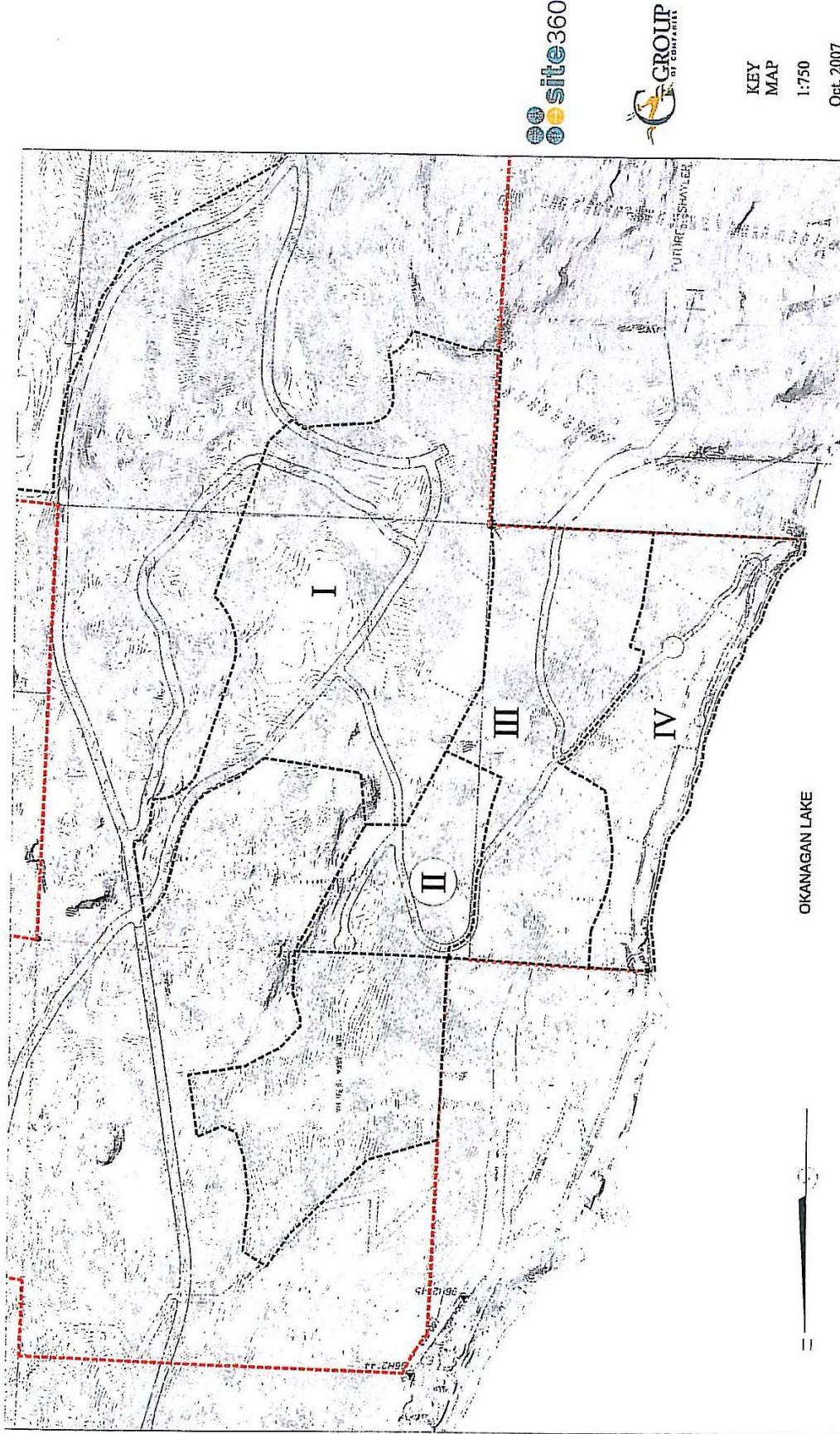
Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of City of Kelowna on the

Mayor

City Clerk



Vintage Landing Comprehensive Development Zone

MAP "1"

REVISED VINTAGE LANDING
COMPREHENSIVE RESORT
DEVELOPMENT SITE PLAN