

CITY OF KELOWNA

BYLAW NO. 9467

Text Amendment No. TA05-0007 Schedule 'B' – Comprehensive Development Zones Add CD18 – Vintage Landing Comprehensive Resort Development

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 **Section 1 – General Administration** be amended by:

- (i) Adding a new line entitled CD18, in the appropriate location, under the heading Comprehensive Development Zones of **Subsection 1.3 Zoning Map** as follows:

“CD18 – Vintage Landing Comprehensive Resort Development”

2. AND THAT **Schedule “B” Comprehensive Development Zones** be amended by adding a new Section **CD18 – Vintage Landing Comprehensive Resort Development** as follows, in the appropriate location:

“ **CD18 – Vintage Landing Comprehensive Resort Development**

1.1 PURPOSE

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

1.2 PRINCIPAL AND SECONDARY USES

The principal and secondary uses in this zone vary in accordance with the key resort elements identified in the Vintage Landing Area Structure Plan adopted as part of the Kelowna Official Community Plan. Pursuant to the Area Structure Plan this zone has been organized into (4) four distinctive areas as illustrated on Map 1. Each area will have its own allowable principal and secondary uses as follows:

1.2(a) AREA I: Wellness Village Centre

Principal Uses:

The **principal uses** in this **zone** are:

- (a) apartment hotels
- (b) boat storage
- (c) care centre major
- (d) commercial school
- (e) community recreation services
- (f) emergency and protective services
- (g) employee accommodation

- (h) exhibition and convention facilities
- (i) extended medical treatment services
- (j) food primary establishment
- (k) health services
- (l) high tech product design
- (m) high tech research
- (n) hotels
- (o) liquor primary establishment
- (p) motels
- (q) non-accessory parking
- (r) offices
- (s) personal service establishments
- (t) private clubs
- (u) private education services
- (v) public libraries and cultural exhibits
- (w) public parks
- (x) religious assemblies
- (y) retail liquor sales establishment
- (z) retail stores convenience
- (aa) retail stores general

Secondary Uses:

The **secondary uses** in this **zone** are:

- (a) amusement arcades major
- (b) custom indoor manufacturing
- (c) emergency and protective services
- (d) gaming facilities
- (e) participant recreation services indoor
- (f) participant recreation services outdoor
- (g) private open space
- (h) recycled materials drop-off centre
- (i) residential security / operator unit
- (j) spectator and entertainment establishments
- (k) utility services minor impact

1.2(b) AREA II Winery and Resort Accommodation

Principal Uses:

The **principal uses** in this **zone** are:

- (a) apartment hotels
- (b) extended medical treatment services
- (c) food primary establishment
- (d) hotels
- (e) liquor primary establishment
- (f) motels
- (g) retail liquor sales establishment
- (h) wineries and cideries

Secondary Uses:

The **secondary uses** in this **zone** are:

- (a) amusement arcades major
- (b) commercial school
- (c) community recreation services
- (d) exhibition and convention facilities

- (e) health services
- (f) offices
- (g) participant recreation services indoor
- (h) participant recreation services outdoor
- (i) personal service establishments
- (j) private clubs
- (k) private education services
- (l) private open space
- (m) residential security / operator unit
- (n) retail stores convenience
- (o) retail stores general
- (p) spectator and entertainment establishments
- (q) utility services minor impact

1.2 (c) AREA III Hillside Resort Accommodation

Principal Uses:

The **principal uses** in this **zone** are:

- (a) apartment hotels
- (b) hotels
- (c) motels

Secondary Uses:

The **secondary uses** in this **zone** are:

- (a) food primary establishment
- (b) health services
- (c) liquor primary establishment
- (d) offices
- (e) private education services
- (f) private open space
- (g) residential security / operator unit
- (h) utility services minor impact

1.2(d) AREA IV Waterfront Resort Accommodations

Principal Uses:

The **principal uses** in this **zone** are:

- (a) apartment hotels
- (b) food primary establishment
- (c) hotels
- (d) liquor primary establishment
- (e) motels
- (f) personal service establishments
- (g) public park

Secondary Uses:

The **secondary uses** in this **zone** are:

- (a) Amusement arcades major
- (b) Boat storage
- (c) Care centre, major
- (d) Commercial school
- (e) Exhibition and convention facilities

- (f) Gaming facilities
- (g) Health services
- (h) Offices
- (i) Participant recreation services indoor
- (j) Participant recreation services outdoor
- (k) Personal service establishments
- (l) Private clubs
- (m) Private open space
- (n) Residential security / operator unit
- (o) Retail liquor sales establishment
- (p) Retail stores convenience
- (q) Retail stores general
- (r) Spectator and entertainment establishments
- (s) Utility services minor impact

1.3 DEVELOPMENT REGULATIONS

- (a) Total density for the CD18 Zone shall not exceed 1,000 units of resort accommodation (187,500m²), 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 - 500 units attached (apartment hotel, hotel or motel units in buildings exceeding 4 units with common amenities) – maximum area of 150m² per unit floor area net. Maximum stay is 240 days.

Type B - 500 units 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 – maximum area 225m² per unit floor area net. The main floor footprint may not exceed 150m² per unit. Maximum stay is 240 days. 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, controlled by a restrictive covenant, and amended as subdivisions occur.

Area I – Wellness Village

- 250 units of resort accommodation.
(200 Type A, 50 Type B)

Area II – Winery and Resort Accommodation

- 150 units of resort accommodation.
(100 Type A, 50 Type B)

Area III – Hillside Resort Accommodation

- 300 units of resort accommodation.
(300 Type B)

Area IV – Waterfront Resort Accommodation

- 300 units of resort accommodation.
(200 Type A, 100 Type B)

In the event that areas III and IV do not achieve 600 resort accommodation units, the remaining balance of units can be transferred to areas I and II and utilized towards the 1,000 unit maximum subject to the covenants restricting allocations and amended concurrently to reflect maximums within this zone. Allocating units

from areas I and II to areas III and IV is not permitted beyond unit allocation as described in 1.3(b).

- (c) Total allowable area of resort accommodation in the areas I – IV is 187,500m².
- (d) Total maximum allowable area of commercial uses is 65,000m² made up of wellness uses (health and medical treatment services and related accommodation) and commercial uses supportive to the resort.
- (e) The maximum allowable commercial space 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 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 of employee accommodation can be built in area I in the form of multiple unit buildings.
- (g) Total overall maximum allowable square meterage for the CD zone is 271,500m².
- (h) Every phase of development will be controlled by a Development Permit and/or subdivision and shall confirm the number and classification of resort accommodation units and amount of village commercial, and will be controlled by a restrictive covenant and amended as subdivision occurs.
- (i) Type B resort accommodation units must be developed in conjunction with common reception area(s).
- (j) The winery and golf course buildings are not included in the total allowable square meterage calculation as they are associated with the vineyard and golf course operations. The winery buildings in area II will not exceed 1400m² in area and can be distributed over multiple buildings as may be required by the winery operation. Winery uses may include all activities associated with processing and production of wine. Wine related retail and restaurant space are included in this area.

The golf course buildings in area I will not exceed 1400m² in area and can be distributed over multiple buildings as may be required by the golf course operation. Golf course uses may include all activities associated with the operation and maintenance of a golf course. This will include golf retail and restaurant.

- (k) The siting of buildings shall be in general accordance with the plans of this comprehensive destination resort as approved and incorporated as CD-18 Illustrative Map I.

Impact to Environmentally Sensitive Areas designated as “High Value” or ESA 1 will be limited to infrastructure and utilities, where possible, and will strive to minimize impact to these areas. If development should occur within these areas, mitigation will promote no net loss to the habitat. If development is pursued in ESA 2 areas, portions of the habitat should be retained and integrated to maintain the contiguous nature of the landscape. (see attached Wildlife Corridor map) Both ESA 1 and ESA 2 areas will require a Natural Environment/Hazardous Condition Development Permit to address the specific habitat or conditions outlined in the ESA Assessment Report. Some loss to these ESA areas can be offset by habitat improvements to the remaining natural areas found within the ASP boundary. In addition, any development that impacts slopes over 30% will require a Natural Environment/Hazardous Condition Development Permit. For any development to occur in these areas, it would have to be demonstrated that it will be sensitively integrated with the natural environment and will present no hazards to persons or property.

- (l) The maximum height of buildings and structures in this zone are as follows:

i) Area I - Wellness Village Centre

The lesser of 8½ storeys or 38.25 metres.

ii) Area II - Winery and Resort Accommodation

The lesser of 6½ storeys or 29.5 metres.

iii) Area III - Hillside Resort Accommodation

The lesser of 2 ½ storeys or 11.5 metres starting from deck elevation. Supportive deck structures cannot exceed 7.0m in height.

iv) Area IV - Waterfront Resort Accommodation

The lesser of 6½ storeys or 29.5 metres.

- (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 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 60% of the exposed area as habitable space.
- (o) In Area I no building or structure over 6½ storeys will be allowed without one 6.0m setback in the building envelope above the 4th floor on the front and rear facades.
- (p) In Area II and IV no building or structure over 4½ storeys will be allowed without one 6.0 setback in the building envelope above the 3rd floor on the front and rear facades.

- (q) The maximum size of any individual retail tenancy shall not exceed 465 m².
 - (r) 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 which will be 1.5m.
 - (s) The minimum front yard is 0.0m., except it is 3.0m from dedicated roads.
 - (t) The minimum side yard is 0.0m, except it is 2.0m from dedicated roads.
 - (u) The minimum rear yard is 0.0m.
 - (v) Signs for areas I and II shall be regulated as if in a C-2 zone.
 - (w) Signs for area III shall be regulated as if in a W-2 zone.
 - (x) In accordance with the Official Community Plan (OCP), all development within the zone shall require a Commercial Development Permit.
 - (y) The parking and loading regulations of Section 8 will apply.
 - (z) The route of public access along the foreshore will be via a statutory right-of-way in favour of the City of Kelowna to allow for public access during parks hours. Subject to regulatory approvals there may be some facilities built within the right-of-way that serve as common amenities for both resort users and members of the public providing it does not preclude public access.
 - (aa) A 4m wide 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 will be determined at time of Development Permit and in general accordance with the Vintage Landing Area Structure Plan.”
- (ii) Adding in the appropriate location, the **CD18 – Vintage Landing Comprehensive Resort Development Site Plan** as attached to and forming part of this bylaw.

2. 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 11th day of July, 2005.

Considered at a Public Hearing on the day of , 2005.

Approved under The Highways Act this day of , 2005.

(Approving Officer - Ministry of Transportation & Highways)

Read a second and third time by the Municipal Council this day of , 2005.

Adopted by the Municipal Council this day of , 2004.

Mayor

City Clerk

**CD18 – Vintage Landing Comprehensive Resort Development
- Site Plan**



