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REGIONAL DISTRICT OF CENTRAL OKANAGAN

BYLAW NO. 871-263

A Bylaw to Amend Regional District of Central Okanagan Zoning Bylaw 871, 2000

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WHEREAS the Regional Board of the Regional District of Central Okanagan is desirous of amending Zoning Bylaw No. 871, 2000 under the provisions of the Local Government Act.

NOW THEREFORE the Regional Board of the Regional District of Central Okanagan, in an open meeting enacts as follows:

1. This bylaw may be cited as Regional District of Central Okanagan Zoning Amendment Bylaw No. 871-263.
2. That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby AMENDED by adding an "Appendix B CD2 Comprehensive Development Zone (Okanagan Lake Resort)" to **PART 16 – Comprehensive Development Zones** in the form attached as Appendix B to this Bylaw.
3. That the Regional District of Central Okanagan Zoning Bylaw No. 871, 2000 is hereby AMENDED by:

changing the zoning on Lot 1, DL 3547, ODYD, Plan 30301, Except Plans 32216, KAP61751 & KAP89299, Lot 4 and an undivided 220/268 Share in Lot 1, DL 3547, ODYD, Plan KAP91945, Common Property Strata Plan KAS3867 & Strata Lots 1-24, and an undivided 24/268 share in Lot 1, DL 3547, ODYD, Strata Plan KAS3867, Common Property Strata Plan KAS3858 & Strata Lots 1-24, and an undivided 24/268 share in Lot 1, Plan KAP91945 both in DL 3547 ODYD, Common Property Strata Plan KAS294 & Strata Lots 1-12, DL 3547, ODYD, Strata Plan K294, Common Property Strata Plan KAS287 & Strata Lots 1-18, DL 3547, ODYD, Strata Plan K287, Common Property Strata Plan KAS520 & Strata Lots 1-99, DL 3547, ODYD, Strata Plan K520, Common Property Strata Plan KAS322 & Strata Lots 1-22, DL 3547, ODYD, Strata Plan K322, and Common Property Strata Plan KAS316 & Strata Lots 1-18, DL 3547, ODYD, Strata Plan K316 to the CD-2 (Okanagan Lake Resort) in the form attached as Schedule 'A' to this bylaw.

4. That the Regional District of Central Okanagan Zoning Bylaw map being Schedule 'B' of the bylaw be AMENDED to reflect the change.
5. That Regional District of Central Zoning Amendment Bylaw No. 871-263 shall come into full force on \_\_\_\_\_ pursuant to the Local Government Act, Part 14, Section 548.

READ A FIRST TIME this 25th day of April, 2022

PUBLIC HEARING HELD PURSUANT TO THE LOCAL GOVERNMENT ACT this \_\_\_\_\_ day of \_\_\_\_\_

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_

Approved under the Transportation Act this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Ministry of Transportation & Infrastructure

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Corporate Officer

## **CD-2 - LAKE OKANAGAN RESORT**

### **Purpose**

The purpose of this zone is to provide for the comprehensive development of a residential and commercial resort community (Lake Okanagan Resort).

All definitions and regulations of the Regional District of Central Okanagan Zoning Bylaw No. 871 apply unless expressly specified or modified in the CD-2 zone.

### **1.0 Definitions**

Accommodation Unit: for the purposes of the CD-2 zone, accommodation unit means 1 motel sleeping unit, 1 hotel sleeping unit, 1 resort apartment unit, or 1 resort townhome unit.

Chalet Housing: means a building consisting of one or two dwelling units that provides sleeping accommodation for short-term occupancy by owners or occupiers for periods of less than one month. Chalet Housing may also be used for full-time residential occupancy.

Outdoor Boat Storage: means the short-term storage of boats and boat trailers, which are in working order, for the purpose of dry land moorage. The outdoor boat storage is accessory to the marina and intended to be used by the owners of units at Lake Okanagan Resort or resort guests.

Passive Recreation Area: means any parcel or portion thereof used specifically for passive recreation including hiking trails, environmentally sensitive areas, forest reserve, conservation areas, nature interpretation areas, and similar land uses. In addition, a limited common property road is a permitted use.

### **2.0 General Regulations for the CD-2 Zone**

- 2.1 The maximum number of overall units (total of all dwelling units and accommodation units in the CD-2 zone) is 500.
- 2.2 The CD-2 zone is divided into nine designated areas as delineated and identified on Map A in Section 3.0.
- 2.3 The only uses permitted within each designated area are the principal and accessory uses listed in the table applicable to each designated area in accordance with the applicable regulations in Section 4.0.
- 2.4 The maximum allowable density of development for each designated area is limited to that set out in the table applicable to each designated area in accordance with the applicable regulations in Section 4.0.
- 2.5 Height shall be measured in accordance with the definition of height applied to commercial buildings and multiple housing buildings within Part 15 of this Bylaw.

### 3.0 Map A



## 4.0 CD-2 Zone Area Designations

### 4.1 CD-2 (A) - Resort Commercial & Recreation

The following development regulations apply to the CD-2 (A) area designation:

| REGULATIONS TABLE FOR CD-2 (A) AREA DESIGNATION                      |                                                                                                                                                                                                                                   |
|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Column 1                                                             | Column 2                                                                                                                                                                                                                          |
| <b>Permitted Uses</b>                                                | Golf Course<br>Hotel<br>Marina<br>Resort Clubhouse<br>Resort Office<br>Restaurant<br>Vehicular Parking Areas and Structures<br>Outdoor Boat Storage<br>Marine Fuel Facility<br>Accessory Building or Structure (see Section 3.17) |
| <b>Maximum Allowable Density</b>                                     | 63 accommodation units                                                                                                                                                                                                            |
| <b>Minimum Parcel Area</b>                                           | 2 hectares                                                                                                                                                                                                                        |
| <b>Minimum Parcel Frontage</b>                                       | 20m (65.6 ft.)                                                                                                                                                                                                                    |
| <b>Minimum Setbacks</b>                                              | Front: 4.5m (14.8 ft.)<br>Side: 3m (9.8 ft.)<br>Corner: 4.5m (14.8 ft.)<br>Rear: 3m (9.8 ft.)                                                                                                                                     |
| <b>Maximum Parcel Coverage</b>                                       | 40% of parcel area                                                                                                                                                                                                                |
| <b>Maximum Building Height<br/>(Principal Building)</b>              | 4 storeys to a maximum of 15m (49.2 ft.)                                                                                                                                                                                          |
| <b>Maximum Building Height<br/>(Accessory Building or Structure)</b> | 8m (26.2 ft.)                                                                                                                                                                                                                     |

4.1.1 The following conditions apply within the CD-2 (A) area designation:

- a) Only one Resort Office building is permitted.
- b) Only one Restaurant building is permitted.

#### 4.2 CD-2 (B) - Multiple Unit Resort & Residential 1

The following development regulations apply to the CD-2 (B) area designation:

| <b>REGULATIONS TABLE FOR CD-2 (B) AREA DESIGNATION</b>           |                                                                                                                                                                                                         |
|------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Column 1                                                         | Column 2                                                                                                                                                                                                |
| <b>Permitted Uses</b>                                            | Apartment Housing<br>Hotel<br>Motel<br>Resort Apartments<br>Resort Townhomes<br>Townhome Housing<br>Accessory Building or Structure (see Section 3.17)<br>Home Based Business, minor (see Section 3.20) |
| <b>Maximum Allowable Density</b>                                 | 220 accommodation units or dwelling units or a combination thereof                                                                                                                                      |
| <b>Minimum Parcel Area</b>                                       | 1,000m <sup>2</sup>                                                                                                                                                                                     |
| <b>Minimum Parcel Frontage</b>                                   | 20m (65.6 ft.)                                                                                                                                                                                          |
| <b>Minimum Setbacks</b>                                          | Front: 4.5m (14.8 ft.)<br>Side: 3m (9.8 ft.)<br>Corner: 4.5m (14.8 ft.)<br>Rear: 3m (9.8 ft.)                                                                                                           |
| <b>Maximum Parcel Coverage</b>                                   | 40% of parcel area                                                                                                                                                                                      |
| <b>Maximum Building Height (Principal Building)</b>              | 4 storeys to a maximum of 15m (49.2 ft.)                                                                                                                                                                |
| <b>Maximum Building Height (Accessory Building or Structure)</b> | 5m (16.4 ft.)                                                                                                                                                                                           |

#### 4.3 CD-2 (C) - Multiple Unit Resort & Residential 2

The following development regulations apply to the CD-2 (C) area designation:

| REGULATIONS TABLE FOR CD-2 (C) AREA DESIGNATION                  |                                                                                                                                               |
|------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Column 1                                                         | Column 2                                                                                                                                      |
| <b>Permitted Uses</b>                                            | Apartment Housing<br>Resort Apartments<br>Accessory Building or Structure (see Section 3.17)<br>Home Based Business, minor (see Section 3.20) |
| <b>Maximum Allowable Density</b>                                 | 18 accommodation units or dwelling units or a combination thereof                                                                             |
| <b>Minimum Parcel Area</b>                                       | 1,000m <sup>2</sup>                                                                                                                           |
| <b>Minimum Parcel Frontage</b>                                   | 20m (65.6 ft.)                                                                                                                                |
| <b>Minimum Setbacks</b>                                          | Front: 4.5m (14.8 ft.)<br>Side: 3m (9.8 ft.)<br>Rear: 3m (9.8 ft.)                                                                            |
| <b>Maximum Parcel Coverage</b>                                   | 60% of parcel area                                                                                                                            |
| <b>Maximum Building Height (Principal Building)</b>              | 4 storeys to a maximum of 15m (49.2 ft.)                                                                                                      |
| <b>Maximum Building Height (Accessory Building or Structure)</b> | 5m (16.4 ft.)                                                                                                                                 |

#### 4.4 CD-2 (D) – Chalet Housing

The following development regulations apply to the CD-2 (D) area designation:

| REGULATIONS TABLE FOR CD-2 (D) AREA DESIGNATION                  |                                                                                                                       |
|------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Column 1                                                         | Column 2                                                                                                              |
| <b>Permitted Uses</b>                                            | Chalet Housing<br>Accessory Building or Structure (see Section 3.17)<br>Home Based Business, minor (see Section 3.20) |
| <b>Maximum Allowable Density</b>                                 | 22 dwelling units                                                                                                     |
| <b>Minimum Parcel Area</b>                                       | 1,000m <sup>2</sup>                                                                                                   |
| <b>Minimum Parcel Frontage</b>                                   | 20m (65.6 ft.)                                                                                                        |
| <b>Minimum Setbacks</b>                                          | Front: 4.5m (14.8 ft.)<br>Side: 3m (9.8 ft.)<br>Rear: 3m (9.8 ft.)                                                    |
| <b>Maximum Parcel Coverage</b>                                   | 40% of parcel area                                                                                                    |
| <b>Maximum Building Height (Principal Building)</b>              | 3 storeys to a maximum of 12m (39.4 ft.)                                                                              |
| <b>Maximum Building Height (Accessory Building or Structure)</b> | 5m (16.4 ft.)                                                                                                         |

#### 4.5 CD-2 (E) - Multiple Unit Resort 1

The following development regulations apply to the CD-2 (E) area designation:

| REGULATIONS TABLE FOR CD-2 (E) AREA DESIGNATION                  |                                                                                           |
|------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Column 1                                                         | Column 2                                                                                  |
| <b>Permitted Uses</b>                                            | Hotel<br>Motel<br>Resort Apartments<br>Accessory Building or Structure (see Section 3.17) |
| <b>Maximum Allowable Density</b>                                 | 99 accommodation units                                                                    |
| <b>Minimum Parcel Area</b>                                       | 1,000m <sup>2</sup>                                                                       |
| <b>Minimum Parcel Frontage</b>                                   | 20m (65.6 ft.)                                                                            |
| <b>Minimum Setbacks</b>                                          | Front: 4.5m (14.8 ft.)<br>Side: 3m (9.8 ft.)<br>Rear: 3m (9.8 ft.)                        |
| <b>Maximum Parcel Coverage</b>                                   | 40% of parcel area                                                                        |
| <b>Maximum Building Height (Principal Building)</b>              | 4 storeys to a maximum of 15m (49.2 ft.)                                                  |
| <b>Maximum Building Height (Accessory Building or Structure)</b> | 5m (16.4 ft.)                                                                             |

#### 4.6 CD-2 (F) - Multiple Unit Resort 2

The following development regulations apply to the CD-2 (F) area designation:

| REGULATIONS TABLE FOR CD-2 (F) AREA DESIGNATION                  |                                                                         |
|------------------------------------------------------------------|-------------------------------------------------------------------------|
| Column 1                                                         | Column 2                                                                |
| <b>Permitted Uses</b>                                            | Resort Apartments<br>Accessory Building or Structure (see Section 3.17) |
| <b>Maximum Allowable Density</b>                                 | 24 accommodation units per parcel                                       |
| <b>Minimum Parcel Area</b>                                       | 1,000m <sup>2</sup>                                                     |
| <b>Minimum Parcel Frontage</b>                                   | 20m (65.6 ft.)                                                          |
| <b>Minimum Setbacks</b>                                          | Front: 4.5m (14.8 ft.)<br>Side: 3m (9.8 ft.)<br>Rear: 3m (9.8 ft.)      |
| <b>Maximum Parcel Coverage</b>                                   | 40% of parcel area                                                      |
| <b>Maximum Building Height (Principal Building)</b>              | 4 storeys to a maximum of 15m (49.2 ft.)                                |
| <b>Maximum Building Height (Accessory Building or Structure)</b> | 5m (16.4 ft.)                                                           |

#### 4.7 CD-2 (G) - Resort Motel 1

The following development regulations apply to the CD-2 (G) area designation:

| REGULATIONS TABLE FOR CD-2 (G) AREA DESIGNATION                  |                                                                    |
|------------------------------------------------------------------|--------------------------------------------------------------------|
| Column 1                                                         | Column 2                                                           |
| <b>Permitted Uses</b>                                            | Motel<br>Accessory Building or Structure (see Section 3.17)        |
| <b>Maximum Allowable Density</b>                                 | 12 accommodation units                                             |
| <b>Minimum Parcel Area</b>                                       | 1,000m <sup>2</sup>                                                |
| <b>Minimum Parcel Frontage</b>                                   | 20m (65.6 ft.)                                                     |
| <b>Minimum Setbacks</b>                                          | Front: 4.5m (14.8 ft.)<br>Side: 3m (9.8 ft.)<br>Rear: 3m (9.8 ft.) |
| <b>Maximum Parcel Coverage</b>                                   | 40% of parcel area                                                 |
| <b>Maximum Building Height (Principal Building)</b>              | 4 storeys to a maximum of 15m (49.2 ft.)                           |
| <b>Maximum Building Height (Accessory Building or Structure)</b> | 5m (16.4 ft.)                                                      |

#### 4.8 CD-2 (H) - Resort Motel 2

The following development regulations apply to the CD-2 (H) area designation:

| REGULATIONS TABLE FOR CD-2 (H) AREA DESIGNATION                  |                                                                    |
|------------------------------------------------------------------|--------------------------------------------------------------------|
| Column 1                                                         | Column 2                                                           |
| <b>Permitted Uses</b>                                            | Motel<br>Accessory Building or Structure (see Section 3.17)        |
| <b>Maximum Allowable Density</b>                                 | 18 accommodation units                                             |
| <b>Minimum Parcel Area</b>                                       | 1,000m <sup>2</sup>                                                |
| <b>Minimum Parcel Frontage</b>                                   | 20m (65.6 ft.)                                                     |
| <b>Minimum Setbacks</b>                                          | Front: 4.5m (14.8 ft.)<br>Side: 3m (9.8 ft.)<br>Rear: 3m (9.8 ft.) |
| <b>Maximum Parcel Coverage</b>                                   | 40% of parcel area                                                 |
| <b>Maximum Building Height (Principal Building)</b>              | 4 storeys to a maximum of 15m (49.2 ft.)                           |
| <b>Maximum Building Height (Accessory Building or Structure)</b> | 5m (16.4 ft.)                                                      |

#### 4.9 CD-2 (I) – Passive Recreation Area

The following development regulations apply to the CD-2 (I) area designation:

| REGULATIONS TABLE FOR CD-2 (I) AREA DESIGNATION |                                                         |
|-------------------------------------------------|---------------------------------------------------------|
| Column 1                                        | Column 2                                                |
| <b>Permitted Uses</b>                           | Passive Recreation Area                                 |
| <b>Maximum Allowable Density</b>                | No accommodation units or dwelling units are permitted. |

### 5.0 Off-Street Parking Regulations

5.1 Off-street parking and loading for all uses shall be provided in accordance with the requirements of Part 14 of this Bylaw except where expressly modified below.

5.2 The number of off-street parking spaces required for each use is specified in the following table:

| Use                                    | Required Number of Parking Spaces                                                   |
|----------------------------------------|-------------------------------------------------------------------------------------|
| Banquet and Convention Rooms           | 20 per 100m <sup>2</sup> of gross floor area used by patrons                        |
| Chalet Housing                         | 2 per dwelling unit                                                                 |
| Golf Course                            | 0 spaces                                                                            |
| Resort Clubhouse                       | 3 per 100m <sup>2</sup> of gross floor area                                         |
| Marina                                 | 1 per 3 boat spaces                                                                 |
| Marine Fuel Facility                   | 1 space                                                                             |
| Personal Service Establishment         | 0 spaces                                                                            |
| Resort Apartments,<br>Resort Townhomes | 1 per bachelor, one bedroom or two-bedroom unit<br>2 per three or more bedroom unit |
| Restaurant (Accessory Use)             | 0 spaces                                                                            |
| Resort Office                          | 3 spaces                                                                            |

5.2.1 One designated visitor parking space is required per 7 dwelling units in addition to any other required parking spaces.