



COUNCIL REPORT
Development Services
For the June 11, 2019 Council Meeting

DATE: June 4, 2019 File: Z 19-05

TO: Jim Zaffino, Chief Administrative Officer

FROM: Carla Eaton, Planner

RE: Application: Official Community Plan Amendment Bylaw No. 0100.56 and
Zoning Amendment Bylaw No. 0154.76 (Z 19-05)
Legal: Lot 1, DL 2602, ODYD, Plan KAP85779 Except Plan EPP21757
Address: 2370 Tallus Ridge Drive
Owner: Uday Development Inc. (BC1080647)
Agent: Protech Consulting / Kyle Lorincz

RECOMMENDED MOTION

THAT Council give first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.56, 2019 (File: Z 19-05); and

THAT Council give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.76, 2019 (File: Z 19-05); and

THAT Council direct staff to schedule the proposed bylaw amendments for Public Hearing.

RATIONALE

The recommended motion is based on the following:

- Residential policies encourage the sensitive integration of different housing forms in all residential growth areas in support of neighbourhood diversity and healthy communities.
- Infill development makes more efficient use of community services and reduces development pressures at the urban fringes.
- While increasing the density from 8 units to approximately 17 units over the new R3 area, no additional disturbance is anticipated as the townhouse units will roughly follow the original site layout for the single family development.
- The future development permit process will address hillside (grading and rock fall mitigation) and form and character issues with the proposed townhouse development.
- The previous rezoning process already protected sensitive areas through the registration of a covenant, as well as secured right of way for trail connections through the site.
- The applicant has agreed to provide additional trail connections through the new development area at time of future development to be finalized as part of the future development permit.
- The proposal was supported by the City's Advisory Planning Commission (APC) and Agricultural Advisory Committee (AAC).

LEGISLATIVE REQUIREMENTS

Council has the authority under Part 14, s. 472 of the *Local Government Act* to amend the Official Community Plan and s. 479 to create and amend the Zoning Bylaw.

BACKGROUND

Context

The 64,264 m² (~16 acres) subject property is located in the Tallus Ridge neighbourhood, northwest of the intersection of Shannon Lake Road and Tallus Ridge Drive/Tuscany Drive. The surrounding land uses include (*Attachments 1 and 2*):

- North - Parks and Open Space (P1) in ALR
- East - Low Density Multiple Residential (R3) and Single Detached Residential (R1)
- South - Compact Single Detached Residential (RC3) and Agricultural (A1) in ALR
- West - Low Density Multiple Residential (R3), Medium Density Multiple Residential, and Parks and Open Space (P1)

Approximately 16,000 m² (~4.7 acres) of the property was rezoned in March 2016 (File: Z 14-06) to allow a single family residential development (Figure 1). The remaining portion retained its Agricultural (A1) and Low Density Multiple Residential (R3) zones. Despite the issuance of a Development Permit (File: DP 15-20) in late 2016 to a new owner to facilitate the subdivision of 9 single family lots and 1 multiple family lot (Figure 2), the property was not developed.

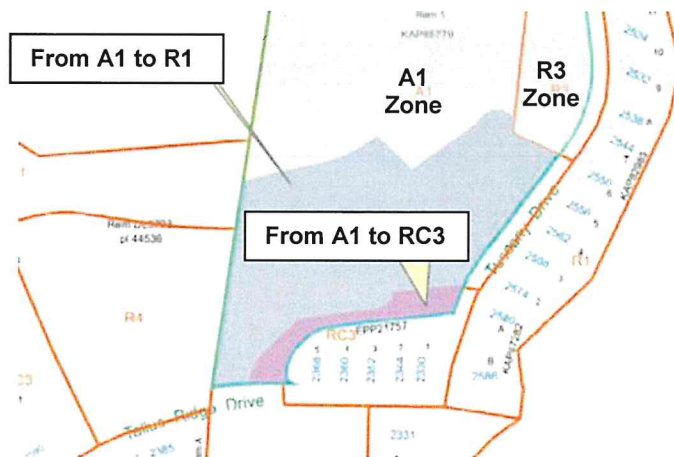


Figure 1 – Previous Amendment to R1 Zone (Z 14-06)

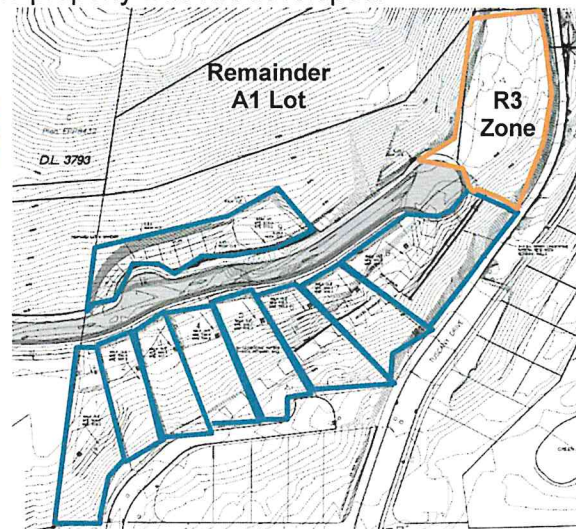


Figure 2 – Previous 9 Lot R1 Layout (DP 15-20)

Proposal

This Official Community Plan (OCP) and Zoning Amendment Application proposes to adjust the OCP land use designations and zoning boundaries to reduce the existing Single Detached Residential (R1) zone and to enlarge the Low Density Multiple Residential (R3) zone to facilitate the proposed subdivision of one (1) large multiple family strata lot and one (1) split zoned single family residential/agricultural remainder lot (*Attachments 3, 4, 5 and 6*). The new R3 zone (approx. 17 townhouse units) will be combined with the existing R3 zone (approx. 9 townhouse units) to facilitate the proposed 26 unit townhouse strata development (Figure 3 – shows the combined R3

zones in orange). The proposed amendments will also allow realignment of the A1 zone along the proposed strata road to ensure the Low Density Residential strata lot is not split zoned. The amendment will increase residential density from 8 single family dwelling units to approximately 17 townhouse dwelling units.

As with the previous rezoning and DP, although the parcel has frontage on both Tuscany Drive and Tallus Ridge Drive, access will be obtained off Mountains Hollow Lane (through the adjacent lands to the west) due to the topography of the site.

Policy and Bylaw Review

Official Community Plan (OCP) Bylaw No. 0100

OCP land use designations for the subject property are Single Family Residential (SFR), Parks and Natural Area (PNA), Low Density Multiple Family (LDMF) and Medium Density Multiple Family (MDMF). The proposed amendment will reduce the size of the SFR designation by increasing the size of the MDMF designation (Figure 4 – Green Area), as well as reduce a very small portion of the Parks and Natural area designation (Figure 4 – Red Area) to facilitate the proposed development.

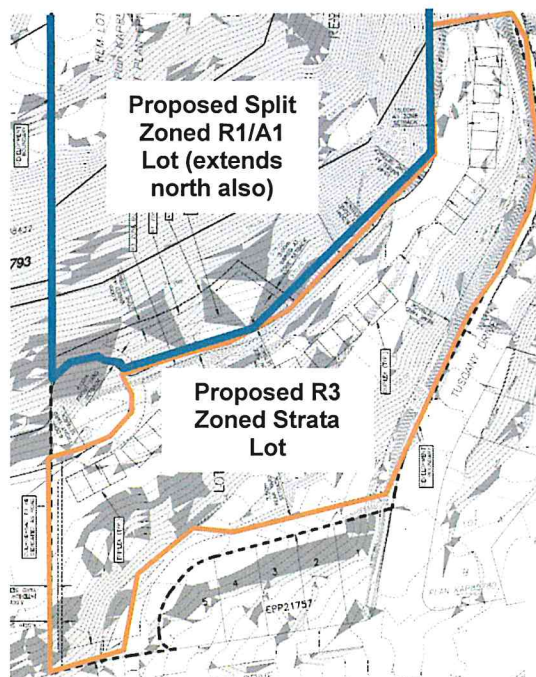


Figure 3 – Proposed Lot Layout

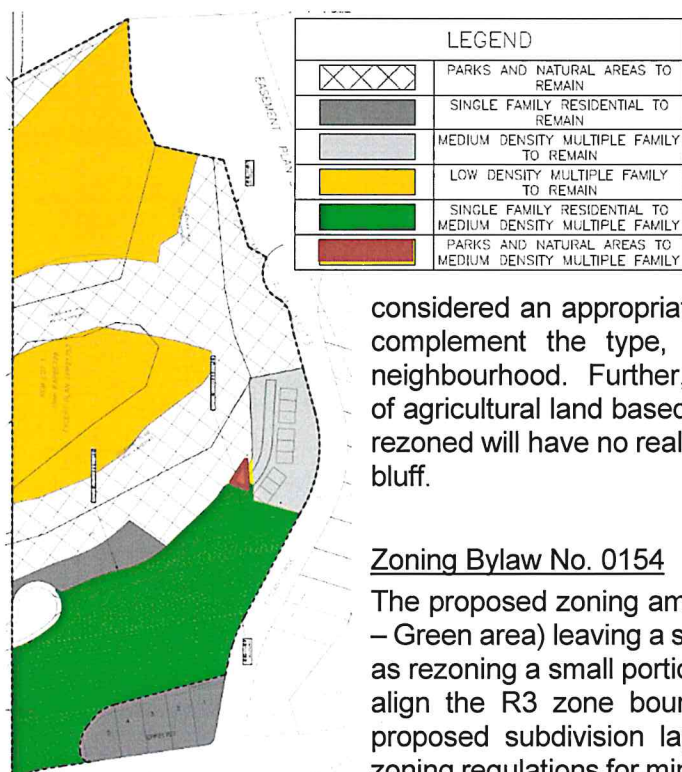


Figure 4 – Proposed Land Use Amendment

Recommendation of support is based on residential policy which encourages the sensitive integration of different housing forms in all residential growth areas in support of neighbourhood diversity and healthy communities. Additionally, the ground oriented townhouse development with at-grade private entrances is

considered an appropriate form of infill housing that has the ability to complement the type, form, scale and use of the surrounding neighbourhood. Further, agricultural policy encourages the valuation of agricultural land based on farm capability, where the A1 area being rezoned will have no real impact as the small area is essentially a rock bluff.

Zoning Bylaw No. 0154

The proposed zoning amendment will increase the R3 zone (Figure 5 – Green area) leaving a smaller R1 area (Figure 5 – Blue area), as well as rezoning a small portion of the A1 zone (Figure 5 – Red area) to realign the R3 zone boundary with the proposed strata road. The proposed subdivision layout meets the split zoned R1/A1 and R3 zoning regulations for minimum parcel area and frontage (*Attachments 7, 8 and 9*). A variance approved with development permit (DP 15-20) for the previous single family layout for the site to reduce the 15.0 metre agricultural setback from the R1 zone will continue to apply to the remaining R1 zoned area.

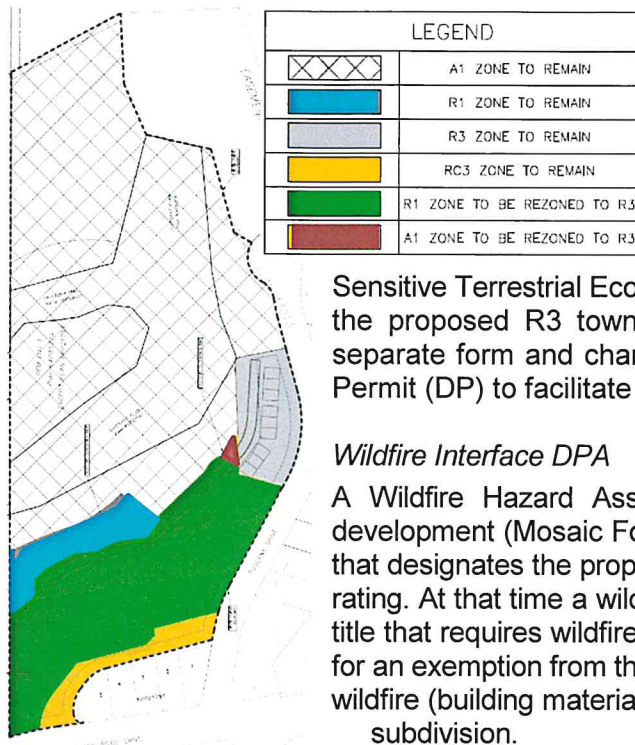


Figure 5 – Proposed Zoning Amendment

It is noted that the A1 zoning on the parcel is considered a remnant of a bulk agricultural zoning likely associated with nearby agricultural lands.¹

Development Permit Areas (DPA)

The subject property is located in the Hillside, Sensitive Terrestrial Ecosystem, and Wildfire Interface DPA. Additionally, the proposed R3 townhouse strata development will also require a separate form and character Multiple Family Residential Development Permit (DP) to facilitate any future Building Permits.

Wildfire Interface DPA

A Wildfire Hazard Assessment was completed as part of previous development (Mosaic Forest Management Ltd., dated January 24, 2006) that designates the property as having a moderate to high wildfire hazard rating. At that time a wildfire (mitigation) covenant was also registered on title that requires wildfire mitigation works prior to construction. To qualify for an exemption from the requirement to obtain a Wildfire Interface DP, a wildfire (building materials) covenant must be registered on title at time of subdivision.

Sensitive Terrestrial Ecosystem DPA

The proposal is exempt from the requirement to obtain a Sensitive Terrestrial Ecosystem DP based on recommendations in an Environmental Assessment that was completed as part of the associated rezoning application (File: Z 14-06). The recommendations included the protection of additional environmentally sensitive areas located near the north end of the parcel (outside the development area). A no build/no disturb restrictive covenant was registered on title as a condition of rezoning.

Hillside DPA

As noted above, a Hillside DP (DP 15-20) was issued for the previous single family residential subdivision, which will now only apply to the remaining R1 zoned area (Figure 6). The townhouse strata development in the larger R3 zoned area has proposed a new internal access road and site grading that will be required to be reviewed through a combined hillside and form and character DP as portions of the site are comprised of steep slopes. Existing site conditions noted with Council's previous consideration of the zoning and DP with variance included:

- Slopes typically in the range of 30 to +40%.
- A rock cut (cliff face) along Tuscany Drive typically in excess of 10 metres high up to 18 metres high.
- A rock cut in the vicinity of the proposed access road in the range of 8 to 10 metres high.

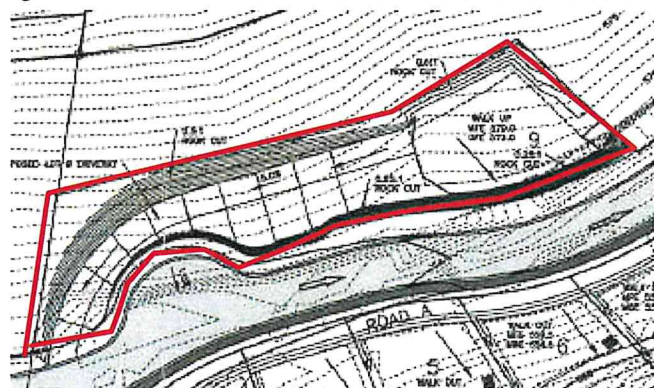


Figure 6 – Proposed R1 Portion of Split Zoned Lot

¹ The agricultural capability of the land is 80% - Class 6 and 20% - Class 7 (Ministry of Environment, Land Capability for Agriculture, Project No. 81-24PC, 1987). Class 6 and 7 land is not considered arable and would present difficulties with improvement. Noted limitations include topography and depth to solid bedrock.

- Additional site disturbances associated with unapproved preliminary road construction and site grading.

As a result of these conditions, a number of outstanding requirements associated with the R1 split zoned lot are recommended to be addressed at time of future subdivision. This includes the registration of a geotechnical covenant advising potential purchasers that there is a rock fall hazard associated with the driveway access which requires ongoing and routine maintenance of the rock cuts (i.e. scaling and removal of debris from the toe of the cut), and requires signage to warn about the rock fall hazard. Similar concerns may also apply to the larger R3 zone at time of subdivision, which will be considered with the future development permit for the proposed townhouse development.

Technical Review

Servicing

A Servicing Report was submitted that notes that the site can be adequately serviced. A 6.0 metre wide utility corridor for sanitary sewer and storm services is proposed extending from the proposed townhouse development road down to Tallus Ridge Drive. Additional review has noted that off-site watermain improvements are required to extend through the road reserve to the west, and stormwater runoff from the road extension must also be confirmed. Final design at time of future development permit must also consider stormwater routing and private storage for the townhouse development. It is recommended that any identified off-site servicing works are required to be constructed at time of future development as a condition of the zoning amendment.

Geotechnical

A Geotechnical Review was submitted (prepared by Interior Testing Services Ltd. and dated August 16, 2016) that notes that "the site is anticipated to be suitable for the proposed residential development and appears adequate for the intended purpose." The geotechnical engineer provides an opinion that the land may be used safely for the use intended, conditional upon several recommendations contained in the report. It is recommended that this report is updated as a condition of the future development permit and subdivision process, and that the updated Geotechnical Report form part of a geotechnical covenant required to be registered on title prior the approval of any building permits for or future subdivision of the subject property.

Rock Cut on Tuscany Drive

Additional review has noted that there are outstanding requirements from previous rezoning (Z 14-06) for rock scaling above Tuscany Drive that are required to be confirmed as complete. The rock cut along Tuscany Drive is approximately 280 metres long and has a height above the road that varies from 13 to 18 metres (Figure 7). As the report further recommends that the rock cut is scaled every five years and that the future strata development owners will inherit the maintenance and liability for the rock cut (approximately 194 m), this condition will also form part of the geotechnical covenant noted above. It is recommended that any outstanding rock scaling be done at time of development as a condition of zoning.

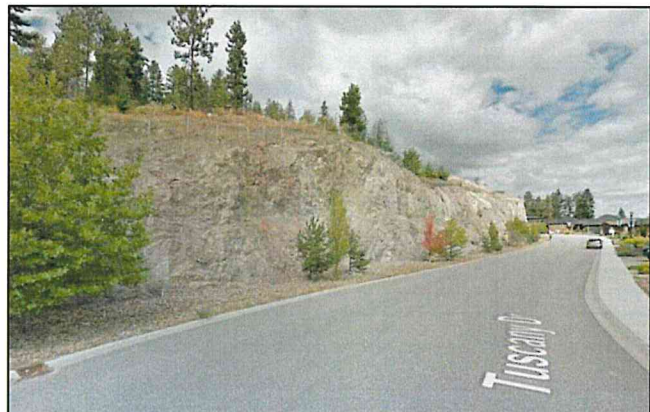


Figure 7 - Photo of rock cut along Tuscany Drive (on subject property)

Transportation and Site Access:

As noted previously, access to the site will be from a new road off Mountains Hollow Lane through the adjacent lands to the west. A portion of the new road is currently underway (Figure 8 – blue arrows) through works on the adjacent property authorized by development permit (DP 18-16). As the road will be dedicated but not constructed all the way to the subject property, it is recommended that any unfinished portion of the road (Figure 8 – red arrows) is required to be constructed as an off-site improvement at time of future development as a condition of the zoning amendment. From the property line, the owner has proposed a short access road to the site terminating in a cul de sac, which would be the access point for the private driveway to the R1 lot, as well as the access point for the private strata road.

Pedestrian Access:

As a condition of the previous rezoning, the owner registered a statutory right of way securing pedestrian access (CA5016164) along the north end of the property adjacent to the golf course.

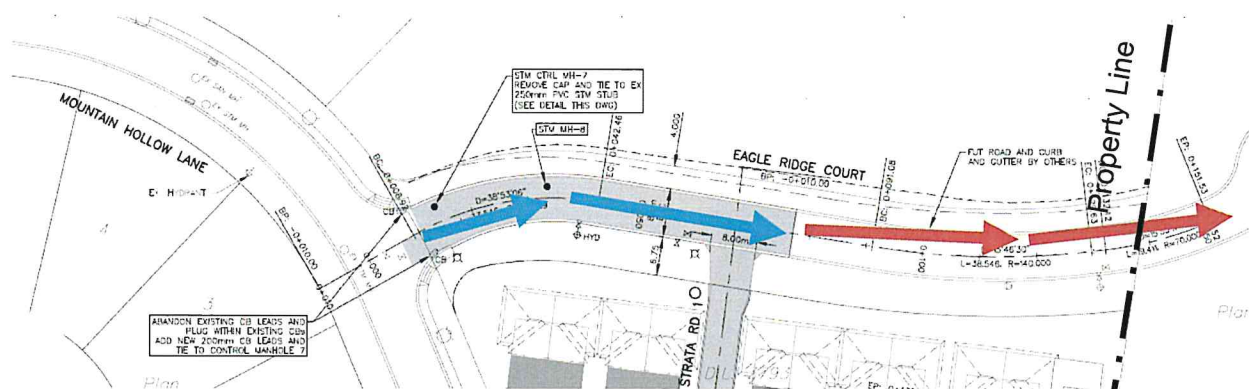


Figure 8 – Proposed Access from Mountains Hollow Lane to Subject Property

As the condition of this trail is poor, it is recommended that the trail is upgraded to the City's Nature Trail Standard at time of future development as condition of zoning amendment.

The previous development proposal also included a right of way over the proposed utility corridor that would have accommodated public access through the south end of the property, as well as requiring construction to a narrow multi-use trail standard. However, given that the conditions of DP 15-20 will not apply to the proposed R3 townhouse portion of the site as a new form and character DP will be required, it is recommended that the statutory right of way and construction of the pedestrian trail connection over the utility corridor is required at time of future development as a condition of the zoning amendment.

Referral Responses

A referral for the application was circulated to all departments and key agencies. No objections were noted, but general comments were received noting support for the off-site servicing recommendations and pedestrian connectivity improvements through the proposed development site.

Agricultural Advisory Committee (AAC)

The AAC considered the application on May 2, 2019 and carried the following motion:

THAT the AAC support file Z 19-05, 2370 Tallus Ridge Dr. as presented.

Advisory Planning Commission (APC)

The APC considered the application on May 15, 2019 and carried the following motion:

THAT the APC recommend support of file Z 19-05, 2370 Tallus Ridge Drive as presented.

ALTERNATE MOTIONS

Option 1: Postpone 1st and 2nd Reading

- 1) **THAT** Council postpone first and second reading to City of West Kelowna Official Community Plan Amendment Bylaw No. 0100.56, 2019 (File: Z 19-05); and
- 2) **THAT** Council postpone first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0154.76, 2019 (File No. Z 19-05).

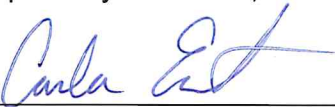
Should Council postpone consideration of the proposed bylaw amendments, further direction to staff on how to proceed is required.

Option 2: Deny the Application

- 1) **THAT** Council deny File: Z 19-05 for 2370 Tallus Ridge Drive.

Should Council deny the proposal, the file will be closed. As per the City's Procedures Bylaw, the applicant could re-apply for a similar proposal six months after initial Council consideration.

Respectfully submitted,




Carla Eaton
Planner III



Bob Dargatz
Development Manager / Approving
Officer



Brent Magnan
Planning Manager




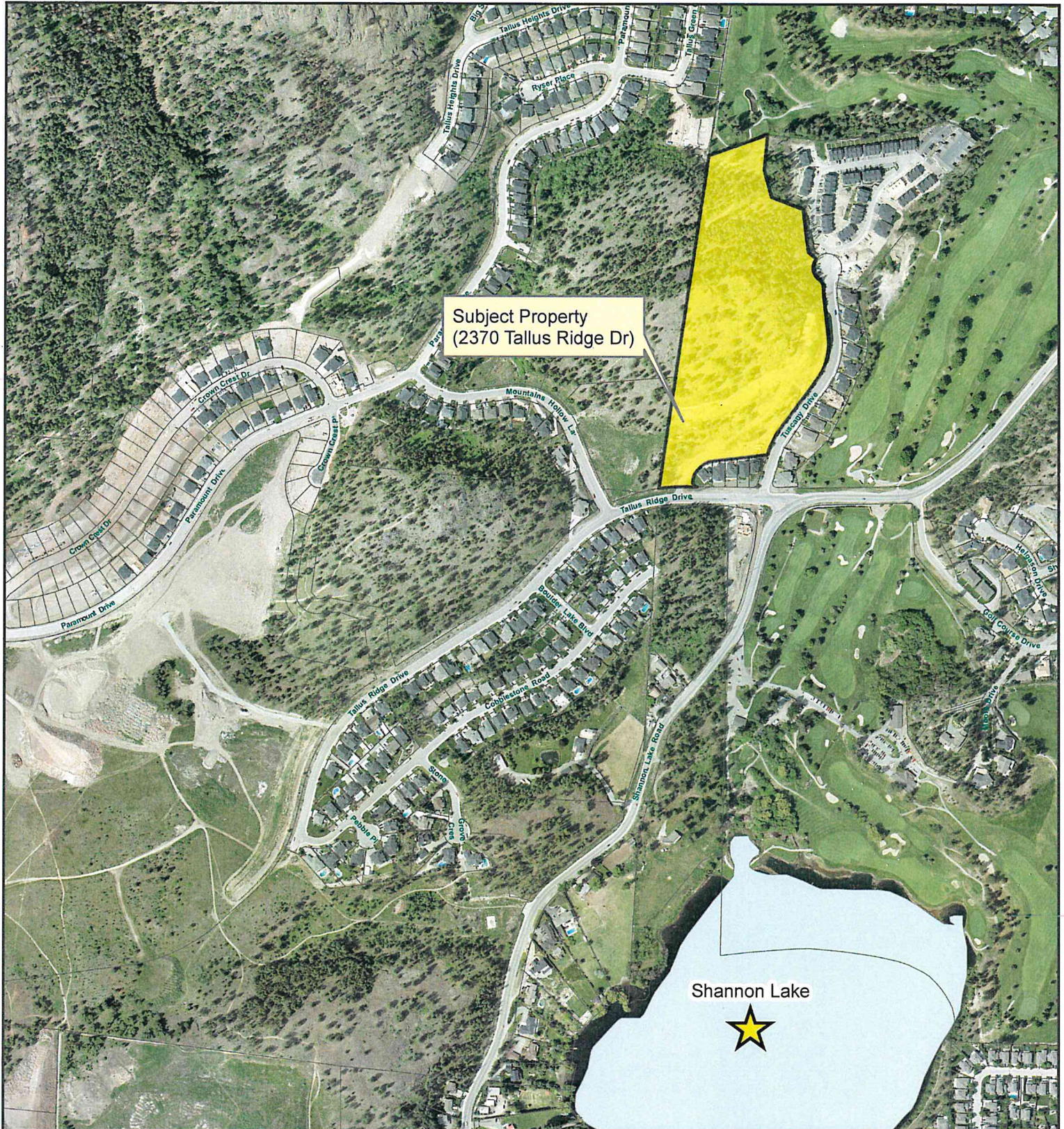
Nancy Henderson
General Manager of Development
Services

Powerpoint: Yes ☒ No ☐

Attachments:

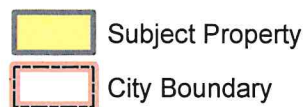
1. Context Map
2. Subject Property Map
3. Official Community Plan Amendment Bylaw No. 0100.56
4. Zoning Amendment Bylaw No. 0154.76
5. OCP Amendment Plan
6. Rezoning Plan
7. Agricultural (A1) Zoning Excerpt
8. Single Detached Residential (R1) Zoning Excerpt
9. Low Density Multiple Residential (R3) Zoning Excerpt

Approved for Agenda	
 for Jim Zaffino, CAO	<u>June 6/19</u> Date



File: Z 19-05

Legal Description: Lot 1, DL 2602, ODYD, Plan KAP85779
Except Plan EPP21757

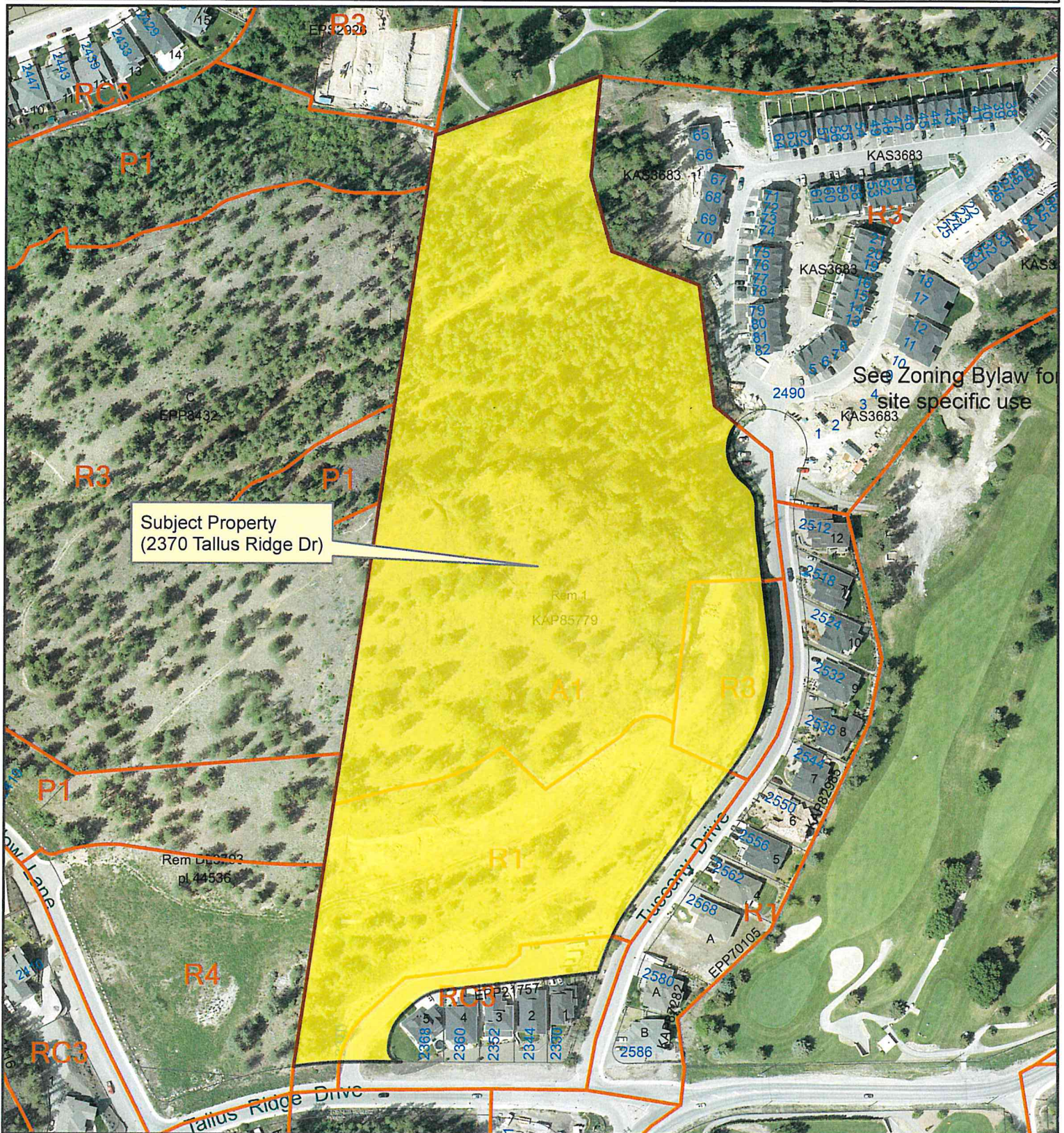


0 105 210 420 Metres





SUBJECT PROPERTY: Z 19-05



File: Z 19-05

Legal Description: Lot 1, DL 2602, ODYD, Plan KAP85779
Except Plan EPP21757

LEGEND

- Subject Property
- Zoning Boundary
- Parcels

0 35 70 140 Metres

1:2,500



CITY OF WEST KELOWNA

BYLAW NO. 0100.56

A BYLAW TO AMEND "OFFICIAL COMMUNITY PLAN BYLAW NO. 0100"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA OFFICIAL COMMUNITY PLAN BYLAW NO. 0100" under the provisions of the *Local Government Act*.

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 "CITY OF WEST KELOWNA OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW NO. 0100.56, 2019".

2. Amendments

"City of West Kelowna Official Community Plan Bylaw No. 0100" is hereby amended as follows:

2.1 By changing the designation on a portion of Lot 1, District Lot 2602, ODYD, Plan KAP85779, Except Plan EPP21757, as shown on Schedule 'A' attached to and forming part of this bylaw, from Single Family Residential and Parks and Natural Area to Medium Density Multiple Family.

2.2 By depicting the change on "City of West Kelowna Official Community Plan Bylaw No. 0100 Schedule B" (Land Use map).

READ A FIRST AND SECOND TIME THIS
PUBLIC HEARING HELD THIS
READ A THIRD TIME THIS
ADOPTED

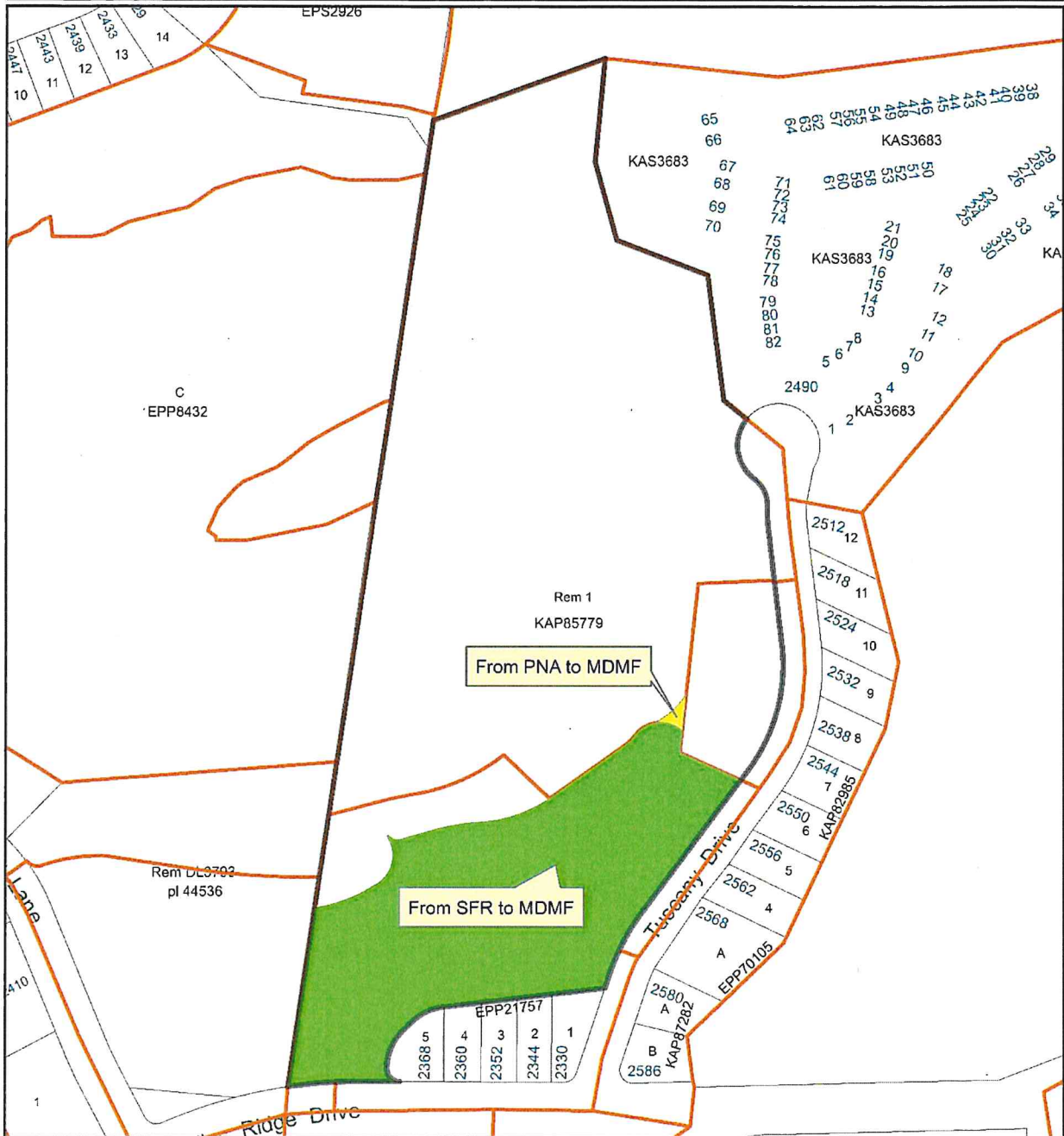
MAYOR

CITY CLERK



CITY OF
WEST
KELOWNA

SCHEDULE 'A' of BYLAW NO. 0100.56



LEGEND

- PNA to MDMF
- SFT to MDMF
- Subject Property
- Zoning Boundary

0 35 70 140 Metres

1:2,415



Date: 2019-04-23

CITY OF WEST KELOWNA

BYLAW NO. 0154.76

A BYLAW TO AMEND "ZONING BYLAW NO. 0154"

WHEREAS the Council of the City of West Kelowna desires to amend "CITY OF WEST KELOWNA ZONING BYLAW NO. 0154" under the provisions of the *Local Government Act*.

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 "CITY OF WEST KELOWNA ZONING AMENDMENT BYLAW NO. 0154.76, 2019".

2. Amendments

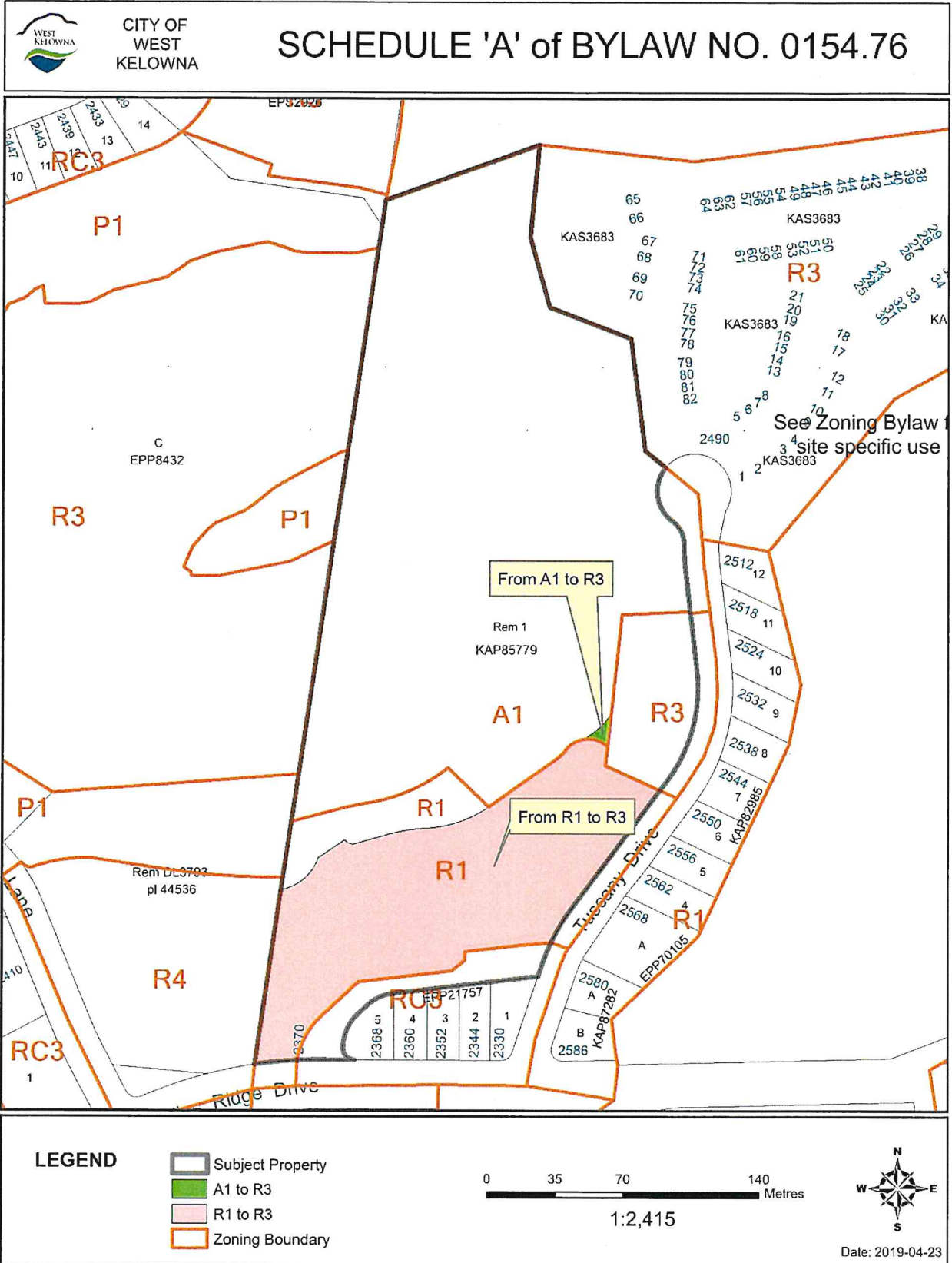
"Zoning Bylaw No. 0154" is hereby amended as follows:

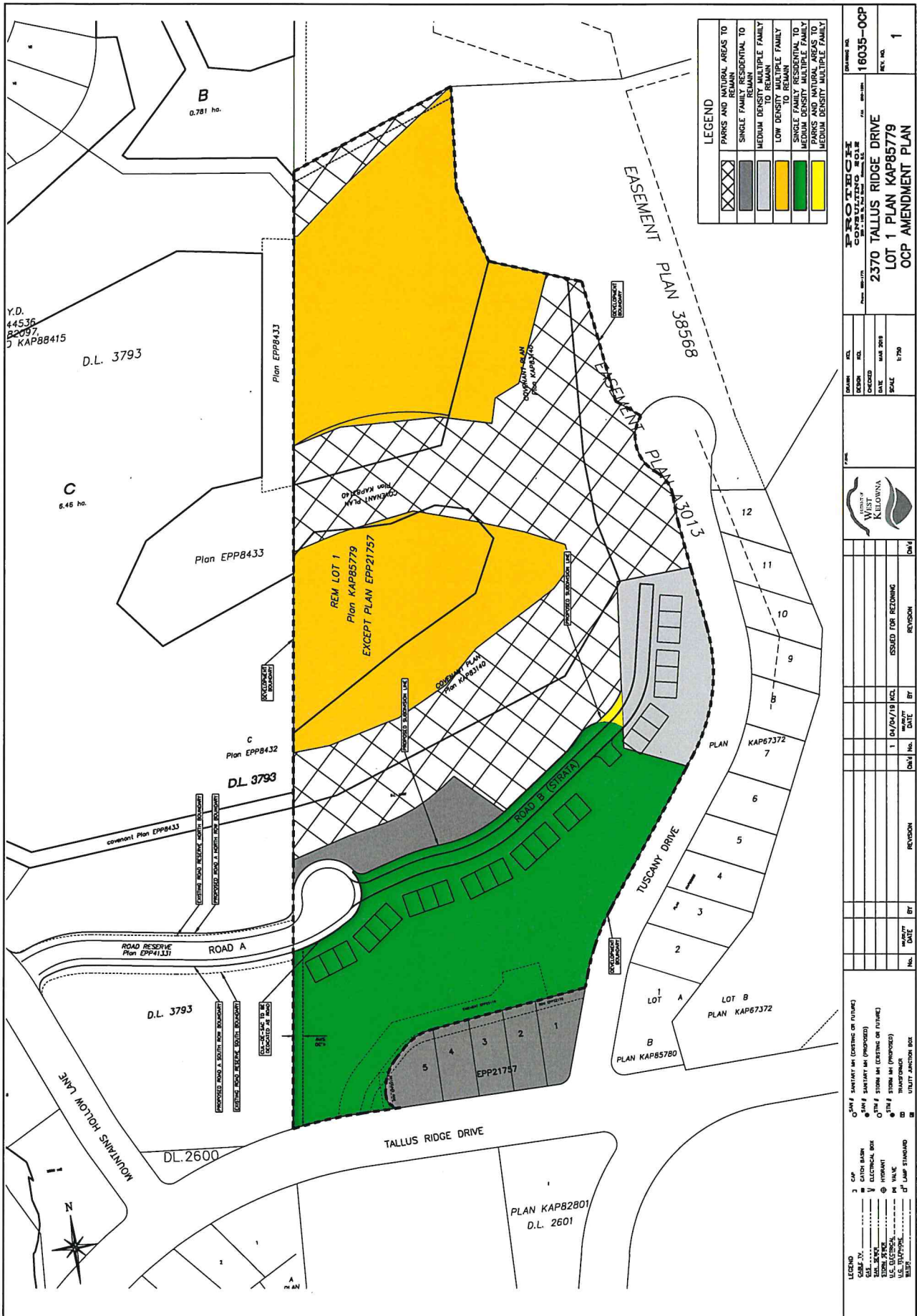
- 2.1 By changing the zoning on a portion of Lot 1, District Lot 2602, ODYD, Plan KAP85779, Except Plan EPP21757, as shown on Schedule 'A' attached to and forming part of this bylaw, from Single Detached Residential Zone (R1) and Agricultural (A1) to Low Density Multiple Residential Zone (R3).
- 2.2 By depicting the change on "Zoning Bylaw No. 0154 Schedule B" (Zoning Bylaw map).

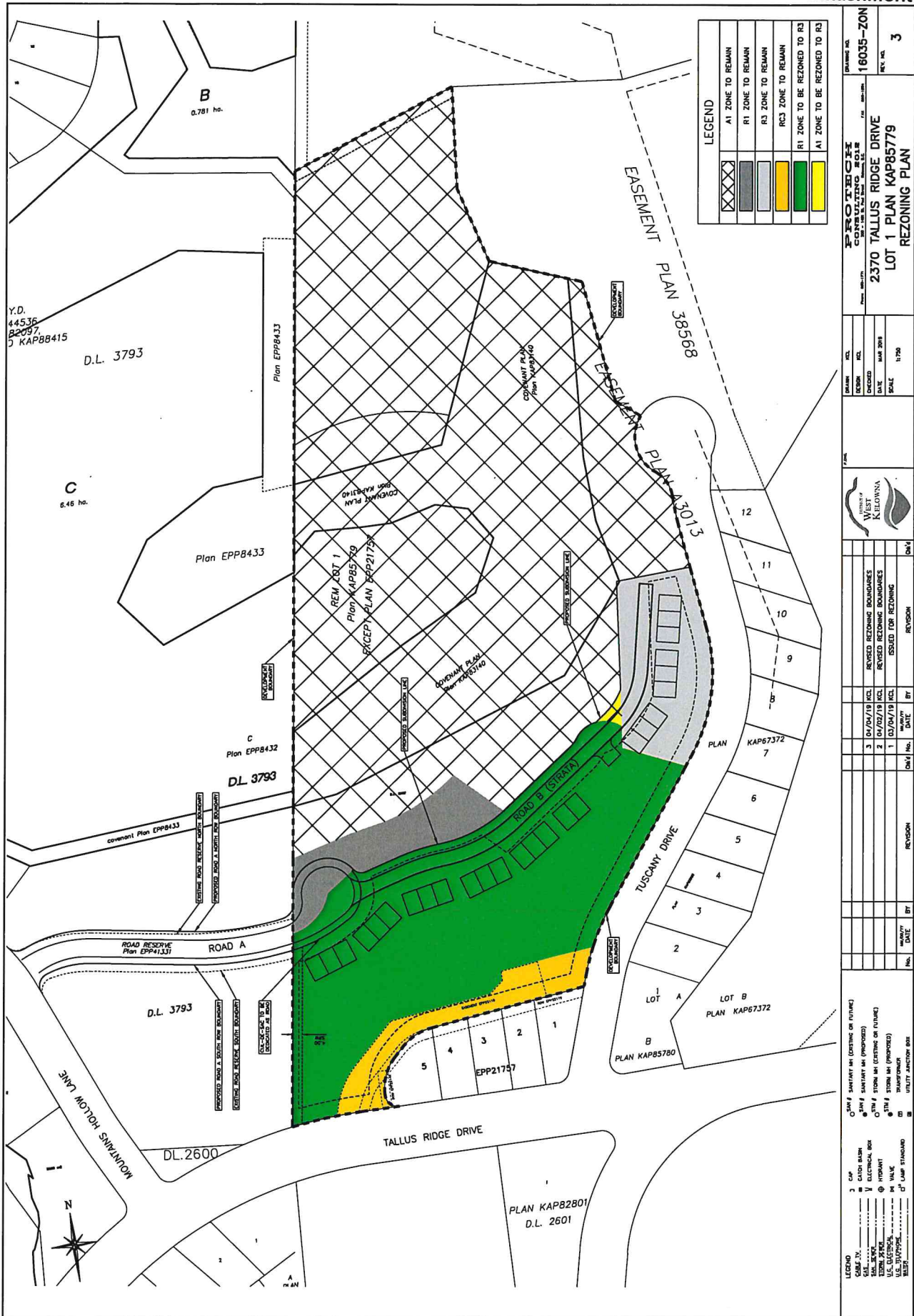
READ A FIRST AND SECOND TIME THIS
PUBLIC HEARING HELD THIS
READ A THIRD TIME THIS
ADOPTED

MAYOR

CITY CLERK







PART 8 – AGRICULTURAL ZONES

8.1 AGRICULTURAL ZONE (A1)

Bylaw No.
154.36

.1 Purpose

To accommodate agricultural operations and related activities located on parcels that are typically within the Agricultural Land Reserve.

.2 Principal Uses, Buildings and Structures

- (a) Agriculture, general
- (b) Agriculture, intensive
- (c) Brewery, distillery or meadery
- (d) Kennels, service on parcels 4 ha or greater
- (e) Greenhouse or plant nursery
- (f) Mobile home
- (g) Modular home
- (h) Riding stable
- (i) Single detached dwelling
- (j) Winery or cidery

.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) Bed and breakfast
- (g) Care facility, minor
- (h) Carriage house
- (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

.4 Site Specific Uses, Buildings and Structures

- (a) On Lot 23, DL 486, Plan 761, ODYD (except Plan KAP71035): one additional single detached dwelling
- (b) On Lot A, DL 3796, ODYD, Plan 29609: one additional single detached dwelling
- (c) On Lot 80, DL 1934, Plan 5381, ODYD, except Plan 16601: one additional single detached dwelling
- (d) On Lot A, DL 3480, ODYD, Plan KAP67210: Outdoor Storage

Bylaw No.
154.42

Bylaw No.
154.54

.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
(b)	Minimum parcel frontage	30 m (98.4 ft) or 10% of the perimeter of the parcel, whichever is less
DEVELOPMENT REGULATIONS		
(c)	Maximum density:	
.1	Single detached dwelling, mobile home and modular home	Only 1 single detached dwelling or only 1 mobile home or only 1 modular home per parcel
.2	Agricultural worker dwelling including temporary	Subject to Sections 3.18 and 3.19
.3	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(d)	Maximum parcel coverage:	
.1	For all uses, buildings and structures other than a greenhouse	35%
.2	Greenhouse	75% less the parcel coverage of other uses
(e)	Maximum building height is 15.0 m (49.2 ft) except for the following:	
.1	Single detached dwelling and modular home	12.0 m (39.4 ft)
.2	Agricultural worker dwelling and mobile home	9.0 m (29.5 ft) to a maximum of 3 storeys
.3	Barn	20.0 m (65.6 ft)
.4	Accessory buildings and structures	8.0 m (26.2 ft)
.5	Carriage house	5.0 m (16.4) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking space is provided in the same building

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:	
.1	Front parcel boundary	6.0 m (19.7 ft)
.2	Rear parcel boundary	3.0 m (9.8 ft)
.3	Interior side parcel boundary	3.0 m (9.8 ft)
.4	Exterior side parcel boundary	4.5 m (14.8 ft)
.5	Watercourses	Subject to Section 3.23
(g)	Despite 8.1.5(f), the following uses, 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:	
.1	Intensive agriculture	30.0 m (98.4 ft)
.2	Buildings housing animals (other than intensive agriculture), kennel, riding stable and greenhouse	15.0 m (49.2 ft)

.6 Other Regulations - Reserve

10.4. SINGLE DETACHED RESIDENTIAL ZONE (R1)**.1 Purpose**

To accommodate low density single detached residential use on parcels of land that are 550 m² and larger.

.2 Principal Uses, Buildings and Structures

- (a) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

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

.4 Site Specific Uses, Buildings and Structures

- (a) On Lot 1, Plan 44004, DL 581 ODYD, Except Plans KAP48178 & KAP53981: vineyard and one single detached/caretakers residence.

.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:	
.1	Single detached dwelling	1 per parcel
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(e)	Maximum parcel coverage	40%
(f)	Maximum building height:	
.1	Single detached dwelling	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Accessory buildings and structures	5.0 m (16.4 ft)
.3	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building

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:	
.1	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
.2	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
.3	Interior side parcel boundary	1.5 m (4.9 ft)
.4	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
.5	A1 Zone or ALR	15.0 m (49.2 ft) except it is 9.0 m (24.6 ft) if a level 1 buffer is provided.

.6 Other Regulations

- (a) Without limiting the application of the height regulation in Section 10.4.5(f).1, the height of any single building wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 3 storeys or 9 m (29.5 ft).
- (b) Without limiting the application of the height regulation in Section 10.4.5(f).3, the height of any carriage house wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 1.5 storeys and 6.5 m (21.3 ft).
- (c) Despite Section 10.4.5(c), the parcel frontage may be less than 16.0 m (52.5 ft) for parcels on a cul-de-sac provided that the radius of the curvature along the parcel frontage is less than 160 m (524.9 ft) and the arc length along the parcel boundary is at least 12.0 m (39.4 ft) as illustrated in Figure 10.1.

- (a) The regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures, and
- (b) The regulations requiring that the siting of a building or structure be determined in relation to the location of a private access easement, if it is closer to the building or structure than the relevant parcel boundary,

Schedule A

10.9.LOW DENSITY MULTIPLE RESIDENTIAL ZONE (R3)

.1 Purpose

To accommodate multiple residential in low density housing form.

.2 Principal Uses, Buildings and Structures

- (a) Care facility, major, in duplex or townhouse form only
- (b) Duplex
- (c) Group home, in duplex or townhouse form only
- (d) 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

Bylaw No.
154.11

- (a) On Lots 1-16, District Lot 2045, ODYD, Strata Plan KAS1884: single detached dwellings

Bylaw No.
154.11

- (b) On Lots 1-73, District Lot 5070, ODYD, Strata Plan KAS2583: single detached dwellings and apartments.

Bylaw No.
154.11

- (c) Apartments on:

- (i) Lot A, District Lot 2602, ODYD, Plan KAP92694;
- (ii) Lot 41, District Lot 703, ODYD, Plan KAP88313;
- (iii) District Lot 2602, ODYD, Plan KAP83141, Except Strata Plan KAS3683, and District Lot 2602, ODYD, Strata Plan KAS3683;
- (iv) Lots 1-14, District Lot 2602, ODYD, Plan KAS3023;
- (v) Lots 1-142, District Lot 2601, ODYD, Strata Plan KAS3485;
- (vi) Lot 1, District Lot 434 and District Lot 2045, ODYD, Plan 36364; and
- (vii) the R3-zoned portion of Lot C, District Lot 2045, ODYD, Plan KAP60462; and
- (viii) Lot A, DL 2602, ODYD, Plan KAP80333

Bylaw No.
154.22

.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	0.75 FAR
(e)	Maximum parcel coverage	40%
(f)	Maximum building height:	9.0 m (29.5 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:	
.1	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
.2	Rear parcel boundary	7.5 m (24.6 ft)
.3	Interior side parcel boundary	3.0 m (9.8 ft)
.4	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
.5	A1 Zone or ALR	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 m (29.5 ft) in height, whichever is less
OUTDOOR AMENITY SPACE		
(h)	Minimum outdoor amenity space per unit	25 m ² (269.1 ft ²)

.6 Other Regulations

- (a) Where side-by-side duplex units or townhouses are subdivided under the *Land Title Act*, Sections 10.9.5(a), 10.9.5(b) and 10.8.9(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).3 shall not apply.

(b) Siting Regulations for Approved Subdivisions

- .1 the regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures,

Bylaw No.
154.06

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.