

THE CORPORATION OF THE DISTRICT OF SUMMERLAND

BYLAW NUMBER 2024-026

A BYLAW TO AMEND ‘ZONING BYLAW NUMBER 2000-450’

(13501 DENIKE ST)

The Municipal Council of the Corporation of the District of Summerland, in open meeting assembled, enacts as follows:

1. That Schedule ‘A’ of Zoning Bylaw Number 2000-450 as amended, is further amended with the addition of ‘Comprehensive Development Zone 9 (CD9)’ to Section 15.9 as provided for in Schedule A, attached to and forming part of this bylaw.
2. That Schedule ‘B’ of Zoning Bylaw Number 2000-450, as amended, is hereby further amended by rezoning of LOT 1 DISTRICT LOT 2543 OSOYOOS DIVISION YALE DISTRICT PLAN EPP127717 (13501 Denike St) from ‘Institutional (I)’ to ‘Comprehensive Development Zone 9 (CD9)’ as shown outlined in heavy black on Schedule B, attached to and forming part of this bylaw.
3. That Schedule ‘B’ of Zoning Bylaw Number 2000-450, as amended, is hereby further amended by rezoning of LOT 1 DISTRICT LOT 2543 OSOYOOS DIVISION YALE DISTRICT PLAN EPP127717 (13501 Denike St) from ‘Institutional (I)’ to ‘Parkland (P)’ as shown outlined in heavy black on Schedule C attached to and forming part of this bylaw.
4. That Schedule ‘B’ of Zoning Bylaw Number 2000-450, as amended, is hereby further amended by rezoning of LOT A DISTRICT LOT 2543 OSOYOOS DIVISION YALE DISTRICT PLAN KAP72843 from ‘Residential Sub-Urban (RU3)’ to ‘Parkland (P)’ as shown outlined in heavy black on Schedule D attached to and forming part of this bylaw.
5. This bylaw may be cited as "Zoning Bylaw Amendment (13501 Denike St – Eco-Village) Bylaw No. 2024-026".

Read a first and second time this _____ 2024.

Public Hearing held this _____ 2024.

Read a third time this _____ 2024.

Adopted by the Municipal Council of the Corporation of the District of Summerland this _____ 2024.

Mayor

Corporate Officer

SCHEDULE 'A' TO BYLAW 2024-026 – COMPREHENSIVE DEVELOPMENT ZONE 9

15.9 CD9 - Comprehensive Development Zone

CD9

15.9.1 Purpose

To provide zoning for a District of Summerland-led residential development called the 'Eco Village', which is comprised of four (4) sub-area zones as shown on the attached Schedule "A" forming a part of this zone: NeighbourWood (Nw), Hillside (Hs), High Density (Hd), and Mixed Density (Md). Lands planned for development must be designated as **Medium Density Residential** under the *District's* Official Community Plan.

15.9.2 NeighbourWood (Nw) Sub-Area

15.9.2.1 Purpose

To provide a zone to accommodate the development of multiple low-scale residential housing units in close proximity to each other in the form of courtyard and clustered orientation with access to *Full Urban Services*. The goal is to minimize impacts of development on the natural environment and topography, and support retention of open vegetated spaces for recreational use and naturalized spaces within and surrounding well-designed residential *Uses*.

15.9.2.2 Principal Uses

The following *Uses* and no other *Uses* shall be the *Principal Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Cluster Housing*

15.9.2.3 Accessory Uses

The following *Uses* and no other *Uses* shall be the secondary *Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Agriculture, Urban*
- (b) *Child Care Centre, Minor*, subject to Section 7.7;
- (c) *Home Occupation – Type 1*, subject to Section 7.6

- (d) *Outdoor Park*
- (e) *Secondary Suites*, subject to Section 7.3;
- (f) *Short Term Rental*, subject to Section 7.2

15.9.2.4 Subdivision Regulations

- (a) Minimum *Lot Area* 2.0 ha
- (b) Minimum *Lot Width* 80.0 m
- (c) Minimum *Lot Depth* 100.0m

15.9.2.5 Development Regulations

- (a) Maximum *Lot Coverage* 40%
- (b) Maximum *Floor Area Ratio* 0.8
- (c) Maximum *Gross Floor Area per Dwelling*
unit type:
 - i. *Single Detached Housing*: 200 m²
 - ii. *Duplex Housing*: 175 m² per unit
 - iii. *Multi-Unit Housing*: 150 m² per unit

15.9.2.6 Siting Regulations (Buildings within a Strata Development)

- (a) Principal *Buildings and Structures*:
 - (i) Minimum *Front Setback* 3.0m
 - (ii) Minimum *Rear Setback* 6.0m
 - (iii) Minimum *Side Setback (Interior)* 1.2m
 - (iv) Minimum *Side Setback (Exterior)* 5.0m
 - (v) Minimum *Setback between Buildings/Structures* 2.4m
 - (vi) Maximum *Height* The lesser of 9.5m or 2 *Storeys*
 - (vii) Notwithstanding Section 15.9.2.5 (a)(vi), *Buildings* with a proposed parking only level below all residential living space *Storeys* shall have a maximum *Height* of 11.0 or 3 *Storeys*

15.10.2.6 Additional Siting Regulations

- (a) All principle *Buildings* and *Structures* should provide for maximum solar gain (e.g. be oriented to have the long sides and window orientation facing north-south. If orientation is not possible due to landscape or topographical constraints, efforts to orient the building to provide optimal solar gain for that area is instead required.)
- (b) No parking, loading or garbage collection facilities shall be permitted in any required yard abutting a public highway.
- (c) Parking facilities, which includes garages, and carports shall be located in the underground, or in enclosed surface parking facilities. No open-air surface parking lots are permitted.

15.9.2.8 Landscaping Regulations

- (a) Maximize retention of existing landscape and minimize the extents of physical construction and development. The natural landscape should be retained and serve to define landscape character within the overall site design
- (b) Landscaping for the purposes of post-construction restoration and enhancement shall adhere to the recommendations included in *Eco-Village Concept Plan landscape guidelines*.
- (c) Maximize permeability and onsite management of stormwater through a combination of retained or replanted native/climate zone-appropriate vegetation, building materials, and site appropriate green infrastructure (i.e. vegetated swales, vegetated stormwater features, permeable paving etc).
- (d) Maximize tree retention. A tree retention plan, completed by a professional arborist, is to be provided that outlines which trees are to be protected, maintenance and a proposed monitoring program to ensure protection of the retained tree canopy.
- (e) All landscape installations shall meet or exceed the current edition of the *British Columbia Landscape Standard* published by the British Columbia Society of Landscape Architects and the British Columbia Landscape and Nursery Association

15.9.2.9 Other Regulations

- (a) No garbage collection facilities shall be sited in any required yard abutting a public *Highway*.
- (b) A minimum area of 20.0m² of outdoor common *Amenity Space* shall be provided per *Dwelling* unit.
- (c) All Buildings and Structures are encouraged to have a rooftop *Solar Energy Device*. Please see Section 7.11.3 for specific use regulations for *Solar Energy Devices*.
- (d) All residential buildings shall meet the minimum requirements of the BC Building Code to meet **Step Level 4** of the Energy Step Code, as well as **Emissions Level 4** of the Zero Carbon Step Code.
- (e) Notwithstanding the requirements of Table 6.1 Parking & Loading Schedule, a minimum of one (1) parking space shall be provided per *Dwelling* unit.
- (f) Notwithstanding the requirements of Table 6.1 Parking & Loading Schedule, a minimum of 0.25 visitor parking spaces shall be allocated per *Dwelling* unit (i.e. minimum of four units for 1 parking space) and provided in a communal parking facility.
- (g) Optimize access & minimize auto-dominated space – shared driveways, etc.
- (h) In addition to the regulations listed above, other regulations may apply. These include [Section 4: General Regulations](#), [Section 5: Landscaping and Screening Regulations](#), [Section 6: Parking and Loading Regulations](#), and [Section 7: Specific Use Regulations](#).

15.9.3 Hillside (Hs) Sub-Area

15.9.3.1 Purpose

To encourage compact development of *Multi-Unit Housing* and *Townhousing* formats on the steep sloped areas of the project site, with the intent to respect the natural landscape and existing topography through sustainable building considerations. Development must be designated as **Medium Density Residential** under the District's Official Community Plan.

15.9.3.2 Principal Uses

The following *Uses* and no other *Uses* shall be the *Principal*

Uses in this zone subject to all applicable regulations of this Bylaw:

- (a) *Multi-Unit Housing;*
- (b) *Duplex Housing;* and
- (c) *Townhouse Housing*

15.9.3.3 Accessory Uses

The following *Uses* and no other *Uses* shall be the *Accessory Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Secondary Suites*, subject to Section 7.3; and
- (b) *Home Occupation – Type 1*, subject to Section 7.6
- (c) *Short Term Rental*, subject to Section 7.2

15.9.3.4 Subdivision Regulations

- (a) Minimum *Lot Area* 800 m²
- (b) Minimum *Lot Width* 25.0 m
- (c) Minimum *Lot Depth* 25.0m

15.9.3.5 Development Regulations

- (a) Maximum Lot Coverage 50%
- (b) Maximum Floor Area Ratio 1.2
- (c) Maximum Gross Floor Area per unit type:
 - Duplex: 175 m² (1884 sq ft)
 - Townhousing: 150 m² (1614 sq ft)
 - Multi-Unit: 125 m² (1345 sq ft)

15.9.3.6 Siting Regulations

- (b) Principal *Buildings* and *Structures*:
 - (i) Minimum *Front Setback* 1.5m
 - (ii) Minimum *Rear Setback* 3.5m

(iii)	Minimum <i>Side Setback (Interior)</i>	1.5m
(iv)	Minimum <i>Side Setback (Exterior)</i>	3.0m
(v)	Maximum <i>Height</i>	
	Up-slope properties:	The lesser of 11m or 3 <i>Storeys</i>
	Down-slope properties:	The lesser of 9.5m or 2 <i>Storeys</i>
(vi)	Minimum horizontal distance between <i>Buildings</i>	3.0 m

15.9.3.7 Additional Siting Regulations

- (a) All principle *Buildings* and *Structures* should provide for maximum solar gain (e.g. be oriented to have the long sides and window orientation facing north-south. If orientation is not possible due to landscape or topographical constraints, efforts to orient the building to provide optimal solar gain for that area is instead required.)
- (b) No parking, loading or garbage collection facilities shall be permitted in any required yard abutting a public highway.
- (c) Parking facilities, which includes garages, and carports shall be located in the underground, or in enclosed surface parking facilities. No open-air surface parking lots are permitted.

15.9.3.8 Landscaping Regulations

- (a) Maximize retention of existing landscape and minimize the extents of physical construction and development. The natural landscape should be retained and serve to define landscape character within the overall site design
- (b) Landscaping for the purposes of post-construction restoration and enhancement shall adhere to the recommendations included in *Eco-Village Concept Plan landscape guidelines*.
- (c) Maximize permeability and onsite management of stormwater through a combination of retained or replanted native/climate zone-appropriate vegetation, building materials, and site appropriate green infrastructure (i.e.

- vegetated swales, vegetated stormwater features, permeable paving etc).
- (d) Maximize tree retention. A tree retention plan, completed by a professional arborist, is to be provided that outlines which trees are to be protected, maintenance and a proposed monitoring program to ensure protection of the retained tree canopy.
 - (e) All landscape installations shall meet or exceed the current edition of the *British Columbia Landscape Standard* published by the British Columbia Society of Landscape Architects and the British Columbia Landscape and Nursery Association

15.10.3.9 Other Regulations

- (a) A maximum of two parking spaces per *Dwelling* unit, and all parking stalls must be enclosed within an attached garage.
- (b) All Buildings and Structures are encouraged to have a rooftop *Solar Energy Device*. Please see Section 7.11.3 for specific use regulations for *Solar Energy Devices*.
- (c) All residential buildings shall meet the minimum requirements of the BC Building Code to meet **Step Level 4** of the Energy Step Code, as well as **Step Level 4** of the Zero Carbon Standard
- (d) In addition to the regulations listed above, other regulations may apply. These include [Section 4: General Regulations](#), [Section 5: Landscaping and Screening Regulations](#), [Section 6: Parking and Loading Regulations](#), and [Section 7: Specific Use Regulations](#).

15.9.4 High Density (Hd) Sub-Area

15.9.4.1 Purpose

Higher density development that accommodates *Apartment housing* with ground-floor commercial permitted as an accessory use to residential in a strata corporation format. With the intent to respect the natural landscape and topography through sustainable building considerations. Development must be designated as **Medium Density Residential** as per the Districts Official Community Plan.

15.9.4.2 Principal Uses

The following *Uses* and no other *Uses* shall be the *Principal Uses* in this zone subject to all applicable regulations of this Bylaw:

(a) *Apartment Housing*

15.9.4.3 Accessory Uses

The following *Uses* and no other *Uses* shall be the secondary *Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Accessory Buildings and Structures; and*
- (b) *Home Occupation – Type 1, subject to Section 7.6*
- (c) *Child Care, Major*
- (d) *Eating and Drinking Establishment*
- (e) *Health Services*
- (f) *Personal Services Establishment*
- (g) *Recreation Service, Indoor*

15.9.4.4 Subdivision Regulations

- | | |
|------------------------------|---------------------|
| (a) Minimum <i>Lot Area</i> | 1,400m ² |
| (b) Minimum <i>Lot Width</i> | 30.0m |
| (c) Minimum <i>Lot Depth</i> | 30.0m |

15.9.4.5 Development Regulations

- | | |
|-------------------------------------|-----|
| (a) Maximum <i>Lot Coverage</i> | 60% |
| (b) Maximum <i>Floor Area Ratio</i> | 2.5 |

15.9.4.6 Siting Regulations

- | | |
|---|------|
| (a) Principal <i>Buildings and Structures:</i> | |
| (i) Minimum <i>Front Setback</i> | 6.0m |
| (ii) Minimum <i>Rear Setback</i> | 4.0m |
| (iii) Minimum <i>Side Setback</i> | 4.0m |
| (iv) Minimum setbacks for <i>Buildings/Structures</i> | 6.0m |

- (v) Maximum *Height* The lesser of 15.0m or 4 *Storeys*
- (vi) Maximum Building *Depth* 25.0m
- (vii) Maximum Building *Length* 50.0m
- (viii) Maximum Building *Footprint* 1,350 sq m
- (ix) Notwithstanding Section 14.5.6(a)(vi), any proposed enclosed surface parking level shall not be classified as a *Storey* or be counted toward the maximum *Height*.

(b) Accessory *Buildings* and *Structures*:

- (i) Minimum *Front Setback* 6.0m
- (ii) Minimum *Rear Setback* 4.0m
- (iii) Minimum *Side Setback* 4.0m
- (vi) Maximum *Height* The lesser of 7.5 m or 2 *Storeys*
- (v) Notwithstanding Section 14.5.6(b)(vi), any proposed enclosed surface parking level shall not be classified as a *Storey* or be counted toward the maximum *Height*.

15.9.4.7 Additional Siting Regulations

- (a) All principle *Buildings* and *Structures* should provide for maximum solar gain (e.g. be oriented to have the long sides and window orientation facing north-south. If orientation is not possible due to landscape or topographical constraints, efforts to orient the building to provide optimal solar gain for that area is instead required
- (b) No parking, loading or garbage collection facilities shall be permitted in any required yard abutting a public highway.
- (c) Parking facilities, which includes garages, and carports shall be located in the underground, or in enclosed surface parking facilities. No open-air surface parking lots are permitted.
- (d) Maximum building depth does not include the courtyard building form.

15.9.4.8 Landscaping Regulations

- (a) Maximize retention of existing landscape and minimize the extents of physical construction and development. The natural landscape should be retained and serve to define landscape character within the overall site design
- (b) Landscaping for the purposes of post-construction restoration and enhancement shall adhere to the recommendations included in *Eco-Village Concept Plan landscape guidelines*.
- (c) Maximize permeability and onsite management of stormwater through a combination of retained or replanted native/climate zone-appropriate vegetation, building materials, and site appropriate green infrastructure (i.e. vegetated swales, vegetated stormwater features, permeable paving etc).
- (d) Maximize tree retention. A tree retention plan, completed by a professional arborist, is to be provided that outlines which trees are to be protected, maintenance and a proposed monitoring program to ensure protection of the retained tree canopy.
- (e) All landscape installations shall meet or exceed the current edition of the *British Columbia Landscape Standard* published by the British Columbia Society of Landscape Architects and the British Columbia Landscape and Nursery Association

15.10.4.9 Other Regulations

- (a) All residential buildings shall be certified under one of the LEED green building rating systems, or through a green building rating system requiring review by independent, impartial, third party certifying bodies.
- (b) All *Buildings* and *Structures* are required to have rooftop *Solar Energy Devices* installed that cover 60% of all solar-exposed roof *Structures*. Please see Section 7.11.3 for specific use regulations for *Solar Energy Devices*.
- (c) All residential buildings shall meet the minimum requirements of the BC Building Code to meet **Step Level 4** of the Energy Step Code, as well as **Step Level 4** of the Zero Carbon Standard
- (d) A minimum area of 5.0m² of indoor common amenity space shall be provided per dwelling unit.
- (e) A minimum area of 10.0 m² of outdoor common amenity space shall be provided per dwelling unit.
- (f) No more than 48 *Dwelling* units may be located in an *Apartment Building*

- (g) In addition to the regulations listed above, other regulations may apply. These include [Section 4: General Regulations](#), [Section 5: Landscaping and Screening Regulations](#), [Section 6: Parking and Loading Regulations](#), and [Section 7: Specific Use Regulations](#).

15.9.5 Mixed Density (Md) Sub-Area

15.9.5.1 Purpose

To accommodate *Apartment* and *Townhousing* uses south of the solar site, in a strata corporation format, with the intent to provide a mix of density options for the area that respects the natural landscape and topography through sustainable building considerations. Development areas must be designated as **Medium Density Residential** under the District's Official Community Plan.

15.9.5.2 Principal Uses

The following *Uses* and no other *Uses* shall be the *Principal Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Apartment Housing*; and
- (b) *Townhouse Housing*

15.9.5.3 Accessory Uses

The following *Uses* and no other *Uses* shall be the secondary *Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Accessory Buildings and Structures*; and
- (b) *Home Occupation – Type 1*, subject to Section 7.6
- (c) *Short Term Rental*, subject to Section 7.2

15.9.5.4 Subdivision Regulations (Strata Development Site)

- (a) Minimum *Lot Area* 2.0 Ha
- (b) Minimum *Lot Width* 30.0m
- (c) Minimum *Lot Depth* 60.0m

15.9.5.5 Development Regulations

- (a) Maximum *Lot Coverage* 60%
- (b) Maximum *Floor Area Ratio* 2.5

15.9.5.6 Siting Regulations (Strata Development Site)

(a) Principal *Buildings and Structures*:

(i)	Minimum <i>Front Setback</i>	6.0m
(ii)	Minimum <i>Rear Setback</i>	7.5m
(iv)	Minimum <i>Side Setback</i>	4.0m
(v)	Minimum Setback between <i>Buildings/structures</i>	6.0m
(vi)	Maximum <i>Height- Apartment Housing</i>	The lesser of 15.0m or 4 <i>Storeys</i>
(vii)	Maximum Building <i>Depth- Apartment</i>	25.0m
(viii)	Maximum Building <i>Length- Apartment</i>	50.0m
(ix)	Maximum Building <i>Footprint- Apartment</i>	1,350 sq m
(x)	Maximum <i>Height- Townhouse Housing</i>	The lesser of 10.5m or 3 <i>Storeys</i>
(xi)	Notwithstanding Section 15.9.5.6(a)(vi), any proposed enclosed surface parking level shall not be classified as a Storey or be counted toward the maximum <i>Height</i> .	

(b) Accessory *Buildings and Structures*:

- (i) Minimum *Front Setback* 4.0m
- (ii) Minimum *Rear Setback* 3.0m
- (v) Minimum Setback between *Buildings/Structures* 3.0m
- (vi) Maximum *Height* The lesser of 7.5m or 2 *Storeys*
- (vii) Notwithstanding Section 15.9.5.6(b)(vi), any proposed enclosed surface parking level shall not be classified as a Storey or be counted toward the maximum *Height*.

15.10.5.7 Additional Siting Regulations

- (a) All principle *Buildings and Structures* should provide for maximum solar gain (e.g. be oriented to have the long sides and

window orientation facing north-south. If orientation is not possible due to landscape or topographical constraints, efforts to orient the building to provide optimal solar gain for that area is instead required

- (b) No parking, loading or garbage collection facilities shall be permitted in any required yard abutting a public highway.
- (c) Parking facilities, which includes garages, and carports shall be located in the underground, or in enclosed surface parking facilities. No open-air surface parking lots are permitted.

15.9.5.8 Landscaping Regulations

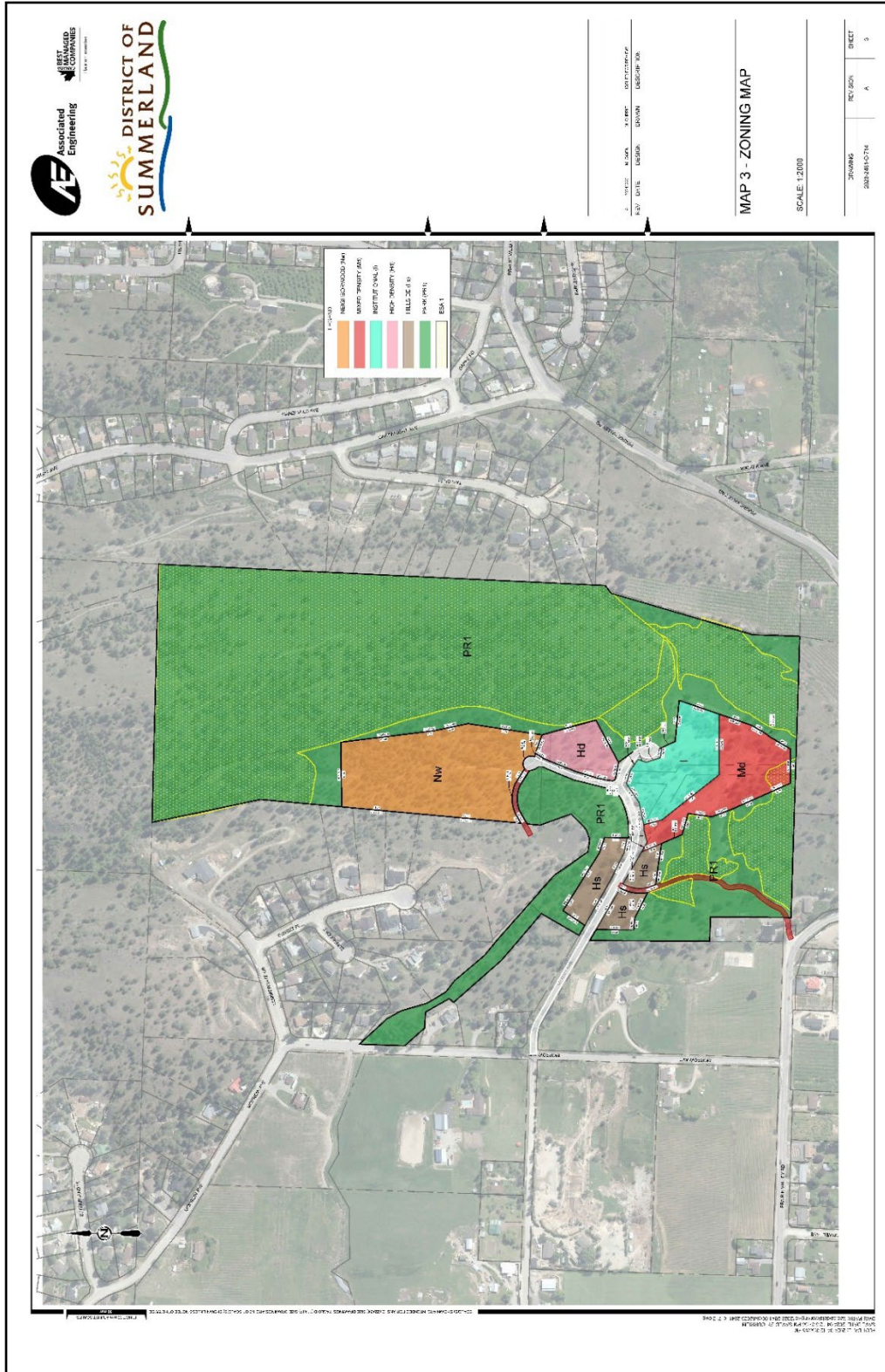
- (a) Maximize retention of existing landscape and minimize the extents of physical construction and development. The natural landscape should be retained and serve to define landscape character within the overall site design
- (b) Landscaping for the purposes of post-construction restoration and enhancement shall adhere to the recommendations included in *Eco-Village Concept Plan landscape guidelines*.
- (c) Maximize permeability and onsite management of stormwater through a combination of retained or replanted native/climate zone-appropriate vegetation, building materials, and site appropriate green infrastructure (i.e. vegetated swales, vegetated stormwater features, permeable paving etc).
- (d) Maximize tree retention. A tree retention plan, completed by a professional arborist, is to be provided that outlines which trees are to be protected, maintenance and a proposed monitoring program to ensure protection of the retained tree canopy.
- (e) All landscape installations shall meet or exceed the current edition of the *British Columbia Landscape Standard* published by the British Columbia Society of Landscape Architects and the British Columbia Landscape and Nursery Association

15.10.5 Other Regulations

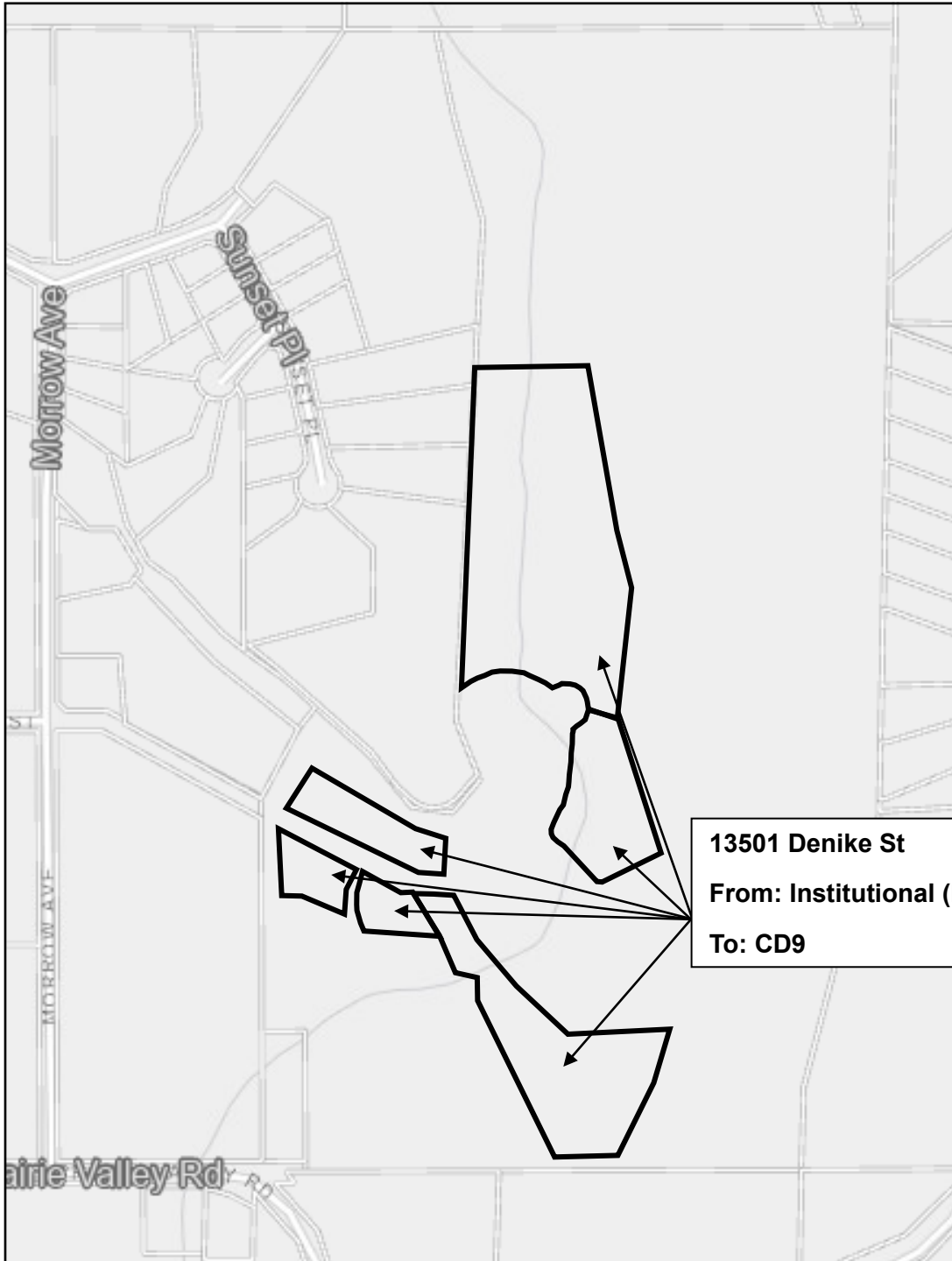
- (a) No parking, loading or garbage collection facilities shall be permitted in any required yard abutting a public highway.
- (b) All *Apartment* buildings shall be certified under one of the LEED green building rating systems, or through a green building rating system requiring review by independent, impartial, third party certifying bodies.

- (c) All *Townhouse* buildings shall meet the minimum requirements of the BC Building Code to meet **Step Level 4** of the Energy Step Code, as well as **Step Level 4** of the Zero Carbon Standard.
- (d) All *Buildings* and *Structures* are required to have rooftop *Solar Energy Devices* installed that cover 60% of all solar-exposed roof *Structures*. Please see Section 7.11.3 for specific use regulations for *Solar Energy Devices*.
- (e) A minimum area of 5.0m² of indoor common amenity space shall be provided per dwelling unit.
- (f) A minimum area of 10.0 m² of outdoor common amenity space shall be provided per dwelling unit.
- (g) No more than 48 Dwelling units may be located in an *Apartment Building*
- (h) Parking facilities, which includes garages, and carports shall be located in the underground, enclosed surface parking facilities, or recessed from the side of the dwelling unit. No open-air surface parking lots are permitted.
- (i) In addition to the regulations listed above, other regulations may apply. These include [Section 4: General Regulations](#), [Section 5: Landscaping and Screening Regulations](#), [Section 6: Parking and Loading Regulations](#), and [Section 7: Specific Use Regulations](#).

SCHEDULE 'A' – COMPREHENSIVE DEVELOPMENT- 9 ZONE MAP

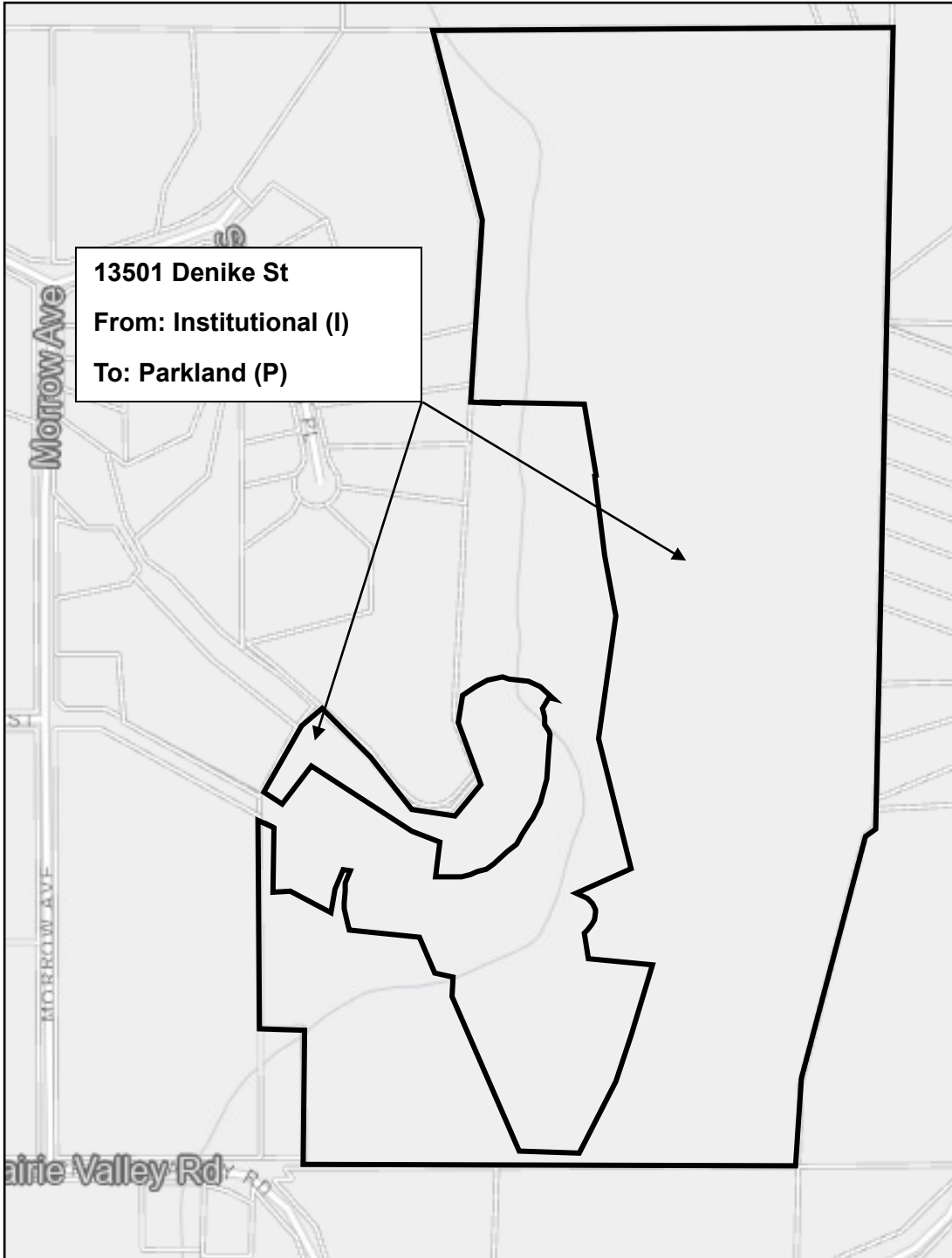


SCHEDULE 'B' TO BYLAW 2024-026



13501 Denike St
From: Institutional (I)
To: CD9

SCHEDULE 'C' TO BYLAW 2024-026



SCHEDULE 'D' TO BYLAW 2024-026

