

CITY OF KAMLOOPS

BY-LAW NO. 5-1-2427

A BY-LAW TO AMEND THE ZONING BY-LAW  
OF THE CITY OF KAMLOOPS

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The Municipal Council of the City of Kamloops, in open meeting assembled, enacts as follows:


1. This by-law may be cited as "Zoning By-law Amendment By-law No. 5-1-2427, 2008".
2. By-law No. 5-1-2001, as amended, is hereby further amended as follows:
  - a) Division Fifty-Four, CD (Comprehensive Development), Section 5406, as amended, is hereby further amended by adding CD-5 (West Highlands Comprehensive Development Zone Five), shown as Schedule "B" attached to and to and forming part of Zoning By-law No. 5-1-2001.

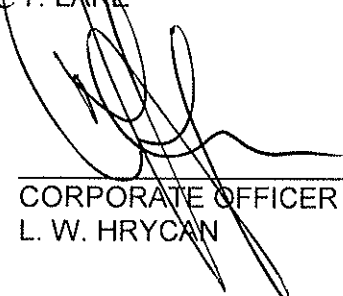
READ A FIRST TIME the 18th day of November, 2008.

READ A SECOND TIME the 18th day of November, 2008.

READ A THIRD TIME the 18th day of November, 2008.

ADOPTED this 18th day of November, 2008.

  
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MAYOR  
T. LAKE  
*for*

  
\_\_\_\_\_  
CORPORATE OFFICER  
L. W. HRYCAN

**Schedule "B"****CD-5 - West Highlands Comprehensive Development Zone Five**

1. Within the CD-5 zone, the lands shall be developed in general accordance with the plans of the Comprehensive Development Project as approved and incorporated as shown on Attachment "A".
2. In accordance with the Official Community Plan, all commercial, emergency, and protective services and multiple family residential areas are designated as Development Permit Areas. Fee simple single family residential areas are excluded from Development Permit requirements.
3. Regulations for the CD-5 zone not listed herein will revert to and comply with the City of Kamloops Zoning By-law regulations.

**DEFINITIONS**

For the purposes of the CD-5 zone, the following definitions apply.

**COMMERCIAL CONVENIENCE CENTRE** means a small-scale shopping centre consisting of a building, a group of buildings, or a portion of a residential building located on one lot having a shared access and communal parking totally provided on site and having a total floor area not greater than 900 m<sup>2</sup>. Uses are limited to:

- cold beer and wine store
- daycare facility, commercial
- drug store
- health services
- neighbourhood pub
- neighbourhood convenience store
- office, to a maximum floor area of 100 m<sup>2</sup>
- personal service
- private club
- restaurant
- recreation facility (indoor)
- veterinary clinic excluding outdoor kennels

**COMPREHENSIVE RESIDENTIAL** means a development of single and two family dwellings in a bare land strata subdivision.

**CONGREGATE HOUSING** means housing consisting of a building or group of buildings located on one lot and in the form of multiple sleeping units where residents may or may not be provided with common living facilities, meal preparation, laundry services and room cleaning. Congregate housing may also include other services such as transportation for routine medical appointments and counselling. The following types of facilities would fall under the definition of congregare housing:

- a) Community Care Facility, Residential.
- b) Extended and Intermediate Care Facility.
- c) Senior Citizens Housing in a multiple family residential development.
- d) Senior Citizen Housing, Light Care.

**Schedule "B"****CD-5 - West Highlands Comprehensive Development Zone Five**

**DAYCARE FACILITY, COMMERCIAL** means a facility located in a commercial convenience centre and which provides care to either children or adults for a maximum of 13 hours per day, which shall be licensed in accordance with the *Community Care Facility Act*. Occupancy shall be limited to 45 persons, excluding staff members.

**DAYCARE FACILITY, RESIDENTIAL** means a facility providing care to either children or adults for a maximum of 11 hours per day, which shall be licensed in accordance with the *Community Care Facility Act*. Occupancy shall be limited to 10 persons, excluding staff members in the case of out-of-school care centres and 8 persons, excluding staff members, for all other daycares. In no case shall daycare facilities, residential be located within low or medium density multiple family housing.

**EMERGENCY AND PROTECTIVE SERVICES** means a public facility used by fire protection, police, ambulance, or other such services as a base of operations.

**HEALTH SERVICES** means development used for the provision of physical or mental health services on an outpatient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical uses include medical and dental offices, chiropractors, massage therapists, acupuncture clinics, health clinics, and counselling services.

**LOW DENSITY MULTIPLE FAMILY HOUSING** means low-rise ground oriented residential housing on a single lot. Such housing includes, row housing, townhouses, and semi-detached housing in a conventional strata subdivision and single family housing in a bare land strata subdivision.

**MEDIUM DENSITY MULTIPLE FAMILY HOUSING** means low-rise walk-up apartment style residential housing on a single lot with a maximum of four storeys. Such housing includes apartments, mixed use commercial/apartments, congregate housing, and stacked row housing.

**SECONDARY SUITE** means a second dwelling unit having a total floor area of not more than 90 m<sup>2</sup> in area and having a floor space less than 40 per cent of the habitable floor space of the principal building. A secondary suite may be located within a single family residential unit principal dwelling or a permitted accessory building. In no case shall secondary suites be permitted on consecutive lots, corner lots, and lots fronting a cul-de-sac bulb.

**PURPOSE**

The purpose of the CD-5 zone is to provide a zone for the development of a variety of residential uses, neighbourhood commercial uses, emergency and protective services all integrated into a combination of comprehensive bare land strata, conventional strata, and fee simple residential neighbourhoods.

**Schedule "B"****CD-5 - West Highlands Comprehensive Development Zone Five**

The CD-5 zone is divided into five subzones. Attachment "A" shows the location of the CD-5 zone and the subzones within. Each subzone in the CD-5 zone may have different regulations and uses.

REGULATIONS

In the CD-5 zone, no building or structure shall be constructed, located, altered, and no plan of subdivision approved which contravenes the regulations set out below.

<u>COLUMN 1</u>	<u>COLUMN 2</u>
<u>Maximum building height</u>	
Single family residential	9 m from mid point of the roof or two storeys from the mid point of the lot
Single family residential with secondary suite	9 m from mid point of the roof or two storeys from the mid point of the lot
Low density multiple family	9 m from mid point of the roof or two storeys from the mid point of the lot
Stand alone commercial	9 m from mid point of the roof or two storeys from the mid point of the lot
<u>Maximum lot coverage</u>	
Single family residential	40% including accessory buildings
Single family residential with secondary suite	40% including accessory buildings
Low density multiple family	40%
- For lots bordering onto park	50%
Medium density multiple family	40%
- For lots bordering onto park	50%
<u>Minimum front yard setbacks</u>	
Single family residential	4.5 m
- Garages	6 m
Single family residential with secondary suite	4.5 m
- Garages	6 m
Mixed use commercial/multiple family	3 m
<u>Minimum side yard setbacks</u>	
Low density multiple family	3 m
- Lots bordering onto park/open space	1.5 m

**Schedule "B"**

**CD-5 - West Highlands Comprehensive Development Zone Five**

<u>COLUMN 1</u>	<u>COLUMN 2</u>
Medium density multiple family	4.5 m
- Lots bordering onto park/open space	2.25 m
<u>Minimum rear yard setbacks</u>	
Low density multiple family	7.5 m
- Lots bordering onto park/open space	3.75 m
Medium density multiple family	7.5 m
- Lots bordering onto park/open space	3.75 m

<u>Type of Use</u>	Minimum-Maximum Densities
Total number of dwelling units permitted	850-1,325
a) Single Detached Housing with secondary suites will be equivalent to two dwelling units.	
b) Congregate Housing units with or without cooking facilities will be equivalent to one dwelling unit.	
Total number of dwelling units permitted in Subzone "A"	230-325
Units will consist of a mixture of Single family residential, Comprehensive residential, Low density multiple family, or Medium density multiple family (A minimum of 60 low-density/medium density, multi-family units will be provided)	
Total number of dwelling units permitted in Subzone "B"	530-820
Units will consist of a mixture of Single family residential, Comprehensive residential, low-density multiple family, or Medium density multiple family	
Total number of dwelling units permitted in Subzone "C"	20-35
Total number of dwelling units permitted in Subzone "D"	30-60*
Total number of dwelling units permitted in Subzone "E"	40-85*
Combined total commercial gross floor area	450 m <sup>2</sup> - 900 m <sup>2</sup>
Secondary suites permitted in single family residential	5 % - 40 %

\*Minimum numbers in Subzone D and E may be reduced by five units should a commercial component occur.

**Schedule "B"****CD-5 - West Highlands Comprehensive Development Zone Five**OFF-STREET PARKING

In the CD-5 zone the following parking regulations will apply:

<u>TYPE OF USE</u>	<u>MINIMUM REQUIREMENT</u>
Low density multiple family	2 spaces per dwelling unit
Medium density multiple family	1.5 spaces per dwelling unit up to 2 bedrooms per unit. An additional 0.5 space per unit shall be provided for units in excess of two bedrooms
Congregate Care Housing	
a) Community Care Facility, Residential	1 space per two patient beds
b) Extended and Intermediate Care Facility	1 space per three patient beds
c) Senior Citizens Housing	2 spaces per dwelling unit
d) Senior Citizen Housing, Light Care	0.5 spaces per dwelling unit
Commercial Convenience	3 spaces per 100 m <sup>2</sup> gross leasable area
Mixed Use Residential/Commercial	
a) Residential component	1.5 spaces per dwelling unit up to two bedrooms per unit. An additional 0.5 space per unit shall be provided for units in excess of two bedrooms
b) Commercial component	3 spaces per 100 m <sup>2</sup> gross leasable area

LANDSCAPING, AMENITY AREA, SCREENING AND FENCING

In the CD-5 zone, landscaping, screening and fencing shall comply with Division Fifty-Three of the City of Kamloops Zoning By-law with the exception of:

1. Screening and/or fencing along the north side of the Copperhead Drive extension is to comply as follows:
  - a) Be 2 m in height except that maximum fence height shall be 1 m in a front yard setback that abuts any side street.
  - b) No gates or access to Copperhead Drive.

**Schedule "B"****CD-5 - West Highlands Comprehensive Development Zone Five**

2. Retaining walls will be permitted in the CD-5 zone with the following guidelines:
  - a) All walls must comply with the overall site grading of the subdivision and any such proposed walls must not change or alter the grades which may affect adjacent lots.
  - b) All walls higher than 1.2 m must be gabion rock or architecturally segmented block. No poured concrete or flat concrete block walls are permitted.
  - c) Walls bordering any open space or park must be gabion rock.
3. Landscaping and amenity areas for low or medium density multiple family sites abutting areas zoned P-1 (Park) or OS (Open Space) can be reduced up to 10 per cent based on an amount equal to the percentage increase in lot coverage. For example, 5 per cent increase in building lot coverage equals a 5 per cent reduction in landscaped open space.

**SUBZONE PURPOSE AND PERMITTED USES****CD-5 - Subzone "A"****PURPOSE**

The purpose of the CD-5 Subzone "A" is to provide for the development of a variety of residential integrated into a combination of strata and fee simple residential neighbourhoods. Residential daycares will be permitted.

**CD-5 - Subzone "B"****PURPOSE**

The purpose of the CD-5 Subzone "B" is to provide for the development of a variety of residential uses integrated into a combination of strata and fee simple residential neighbourhoods. Permitted uses for the cross hatched area as shown on Attachment "A" will be limited to comprehensive residential with a two storey height restriction.

**CD-5 - Subzone "C"****PURPOSE**

The purpose of the CD-5 Subzone "C" is to provide a zone for the development of a mixed use neighbourhood commercial/multiple family residential development.

**Schedule "B"**

**CD-5 - West Highlands Comprehensive Development Zone Five**

**CD-5 - Subzone "D"**

PURPOSE

The purpose of the CD-5 Subzone "D" is to provide a zone for the development of a mixed use neighbourhood commercial/multiple family residential development and a municipal fire station.

**CD-5 - Subzone "E"**

PURPOSE

The purpose of the CD-5 Subzone "E" is to provide a zone for the development of a mixed use neighbourhood commercial/multiple family residential development.



## Schedule "B"

## CD-5 - West Highlands Comprehensive Development Zone Five

## CD - 5 SUBZONE

PERMITTED USES CHART

Uses	Subzone A	Subzone B	Subzone C	Sub -Zone D	Subzone E
Church		✓			
Commercial Convenience Centre			✓*	✓	✓
Comprehensive Residential	✓	✓			✓
Congregate Housing	✓	✓		✓	
Daycare Facility, Residential	✓				
Daycare Facility, Commercial			✓	✓	✓
Emergency and Protective Services				✓	✓
Guest Suite	✓	✓	✓	✓	✓
Low Density Multiple Family	✓	✓	✓		✓
Medium Density Multiple Family	✓	✓		✓	✓
Single Family with or without suites	✓	✓			

\*Excluding Cold Beer and Wine Store and Neighbourhood Pub