

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.42, 2020

A Bylaw to amend the Electoral Area “D” Zoning Bylaw No. 2455, 2008

The REGIONAL BOARD of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

1. This Bylaw may be cited for all purposes as the “Electoral Area “D” Zoning Amendment Bylaw No. 2455.42, 2020.”
2. The “Electoral Area “D” Zoning Bylaw No. 2455, 2008” is amended by:
 - i) Replacing the “Low Density Residential Zones” part of Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) in its entirety with the following:

Low Density Residential Zones

Low Density Residential Two Zone	RS2
Low Density Residential Duplex Zone	RD1
Residential Manufactured Home Park Zone	RSM1

- ii) Replacing the “Comprehensive Development Zones” part of Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) in its entirety with the following:

Comprehensive Development Zones

Maple Street Comprehensive Development Zone	CD5
Eagle’s Rock Comprehensive Development Zone	CD9
Eastside Road Comprehensive Development Zone	CD10
XXXX Comprehensive Development Zone	CD11

- iii) replacing Section 7.15 (Cluster Development) under Section 7.0 (General Regulations) in its entirety with the following:

7.15 *deleted*

- iv) replacing Section 11.1 (Residential Single Family One (RS1) Zone) under Section 11.0 (Low Density Residential) in its entirety with the following:

11.1 *deleted*

- v) replacing Section 11.2 (Low Density Residential Two (RS2) Zone) under Section 11.0 (Low Density Residential) in its entirety with the following:

11.2 LOW DENSITY RESIDENTIAL TWO ZONE (RS2)

11.2.1 Permitted Uses:

Principal uses:

- a) single detached dwellings;

Secondary uses:

- b) accessory dwelling, subject to Section 7.11;
c) secondary suite, subject to Section 7.12;
d) home occupations, subject to Section 7.17;
e) bed and breakfast operation, subject to Section 7.19;
f) accessory buildings and structures, subject to Section 7.13.

11.2.2 Site Specific Low Density Residential Two (RS2s) Provisions:

- a) see Section 19.9.

11.2.3 Minimum Parcel Size:

- a) 500.0 m², subject to servicing requirements.

11.2.4 Minimum Parcel Width:

- a) Not less than 25% of the parcel depth

11.2.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principle dwelling per parcel; and
b) one (1) secondary suite or one (1) accessory dwelling per parcel.

11.2.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 1.0 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

11.2.7 Maximum Height:

- a) No principal building shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

11.2.8 Minimum Building Width:

- a) Dwelling Unit: 5.0 metres, as originally designed and constructed.

11.2.9 Maximum Parcel Coverage:

- a) 45%
- vi) replacing Section 13.1.1(i) (Okanagan Falls Town Centre (OFTC) Zone) under Section 13.0 (Town Centre) in its entirety with the following:
 - i) apartment building, subject to Section 13.1.10;
- vii) adding a new Section 13.1.1(n) (Okanagan Falls Town Centre (OFTC) Zone) under Section 13.0 (Town Centre) to read as follows and renumbering all subsequent sections:
 - n) townhouse, subject to Section 13.1.10;
- viii) replacing Section 14.2.1(d) (Okanagan Falls Town Centre Transition (C4) Zone) under Section 14.0 (Commercial) in its entirety with the following:
 - d) apartment building, subject to Section 14.2.5;

ix) replacing Section 14.2.1(i) (Okanagan Falls Town Centre Transition (C4) Zone) under Section 14.0 (Commercial) to read as follows and renumbering all subsequent sections:

i) townhouse, subject to Section 14.2.5;

x) replacing Section 14. 2.1(i) (Okanagan Falls Town Centre Transition (C4) Zone) under Section 14.0 (Commercial) in its entirety with the following:

14.2.5 Dwelling Unit Regulations

a) dwelling units shall be located above the first floor or at the rear of a building containing a principal commercial use.

xi) replacing Section 18.1 (Comprehensive Development (CD) Zone) under Section 18.0 (Comprehensive Development) in its entirety with the following:

18.1 *deleted*

xii) adding a new Section 18.3 (Eagle’s Rock Comprehensive Development (CD9) Zone) under Section 18.0 (Comprehensive Development) to read as follows:

18.3 EAGLE’S ROCK COMPREHENSIVE DEVELOPMENT (CD9) ZONE

18.3.1 Purpose

The purpose of the Eagle’s Rock Comprehensive Development Zone is to create site-specific land use regulations for the parcel located at 187 Racette Way, which is legally described as Lot 14, Plan KAP82660, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

18.3.2 Location

The property is situated on the east side of Racette Way near its intersection with Eastside Road.



Figure 18.3.2

18.3.3 Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on December 14, 2006, while available Regional District records indicate that buildings permits have not previously been issued for the property (as of 2020).

The property is within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but is not serviced by a community sewer system (as of 2020).

18.3.4 Permitted Uses:

Principal Uses:

- a) duplex;
- b) single detached dwelling;
- c) townhouse;

Accessory Uses:

- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory buildings and structures, subject to Section 7.13.

18.3.5 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 550.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

18.3.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

18.3.7 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principle dwelling per parcel for single detached dwellings;
- b) two (2) dwelling units per parcel for duplexes, provided that both dwellings are located in one (1) residential building; or
- c) despite Section 18.3.7(a) & (b), on parcels greater than 2.3 ha in area, the maximum number of principal dwelling units shall not exceed six (6).

18.3.8 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 1.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

18.3.9 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;

- b) No accessory building or structure shall exceed a height of 4.5 metres.

18.3.10 Maximum Parcel Coverage:

- a) 75% for townhouses;
- b) 45% for duplexes; or
- c) 35% for single detached dwellings.

18.3.11 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

18.3.12 Conditions of Use:

- a) the minimum land area on which a townhouse use may be undertaken shall be 1,000.0 m².
- b) a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit.

xiii) adding a new Section 18.4 (Eastside Road Comprehensive Development (CD10) Zone) under Section 18.0 (Comprehensive Development) to read as follows:

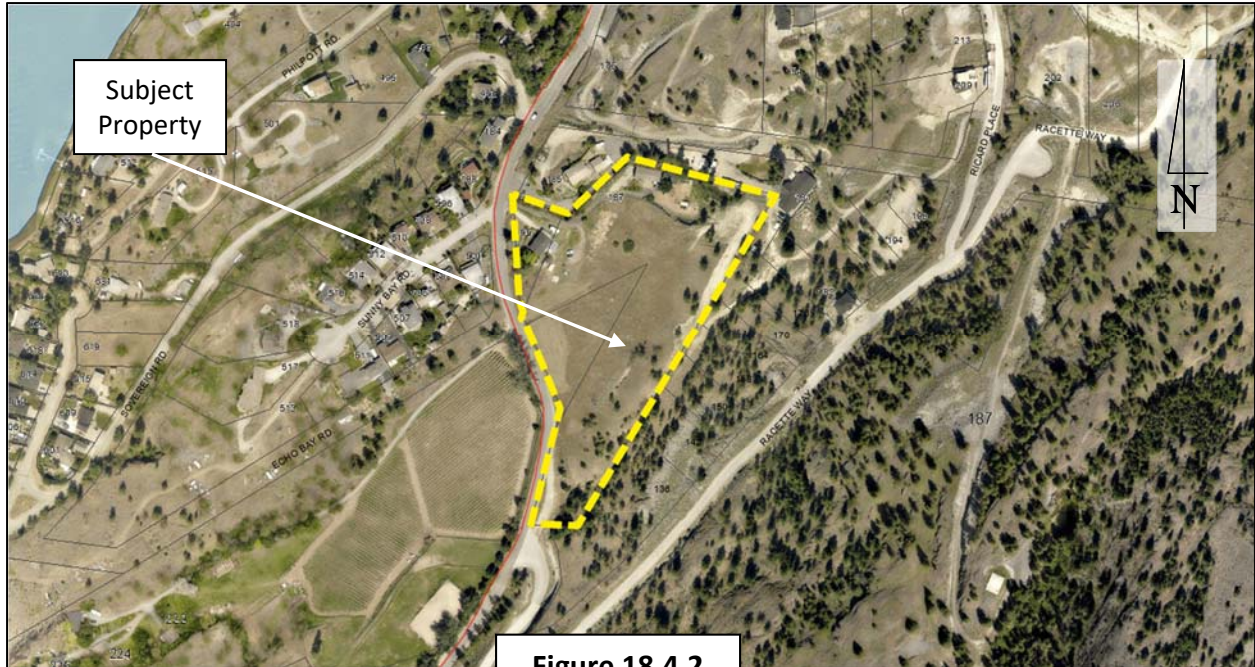
18.4 EASTSIDE ROAD COMPREHENSIVE DEVELOPMENT (CD10) ZONE

18.4.1 Purpose

The purpose of the Eastside Road Comprehensive Development Zone is to create site-specific land use regulations for the parcels located at 187 & 195 Eastside Road, which are legally described as Parcel A, Plan KAP1434, Sublot 14, District Lot 2710, SDYD; Lot 11, Plan KAP1434, District Lot 2710, SDYD; and Lot 1, Plan KAP19321, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

18.4.2 Location

The parcels are situated on the east side of Eastside Road adjacent its intersection with Echo Bay Road (an unmade road).



18.4.3 Background:

The subject property was originally created by a plan of subdivision deposited with the Land Titles Office in Kamloops on December 31, 1914, and further subdivided in subsequent decades resulting in the current parcels.

Available Regional District records indicate that a buildings permit was previously issued for an addition to a dwelling in 1988, and that the property has historically been used as a farm.

The parcels are within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but are not serviced by a community sewer system (as of 2020).

18.4.4 Permitted Uses:

Principal Uses:

- a) agriculture;
- b) apartment building;
- c) duplex;
- d) single detached dwelling;
- e) townhouse;

Accessory Uses:

- f) bed and breakfast operation, subject to Section 7.19;
- g) home occupation, subject to Section 7.17;
- h) secondary suite, subject to Section 7.12;
- i) brewery, cidery, distillery, meadery or winery, subject to Section 7.24, and on the same parcel as an agriculture use; and
- j) accessory buildings and structures, subject to Section 7.13.

18.4.5 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 450.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

18.4.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

18.4.7 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principle dwelling per parcel for single detached dwellings;
- b) two (2) dwelling units per parcel for duplexes, provided that both dwellings are located in one (1) residential building; or
- c) 25 dwellings per hectare for apartment buildings and townhouses, subject to servicing requirements.

18.4.8 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres

- ii) Rear parcel line: 1.5 metres
- iii) Interior side parcel line: 1.5 metres
- iv) Exterior side parcel line: 4.5 metres

18.4.9 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

18.4.10 Maximum Parcel Coverage:

- a) 75% for apartment buildings and townhouses;
- b) 45% for duplexes; or
- c) 35% for single detached dwellings.

18.4.11 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

18.4.12 Amenity Space Requirements:

- a) the following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- b) not less than 25% of required amenity space is to be located at grade;
- c) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

18.4.13 Conditions of Use:

- a) the minimum land area on which an apartment building or townhouse use may be undertaken shall be 1,000.0 m².

xiv) adding a new Section 18.5 (Comprehensive Development (CD11) Zone) under Section 18.0 (Comprehensive Development) to read as follows:

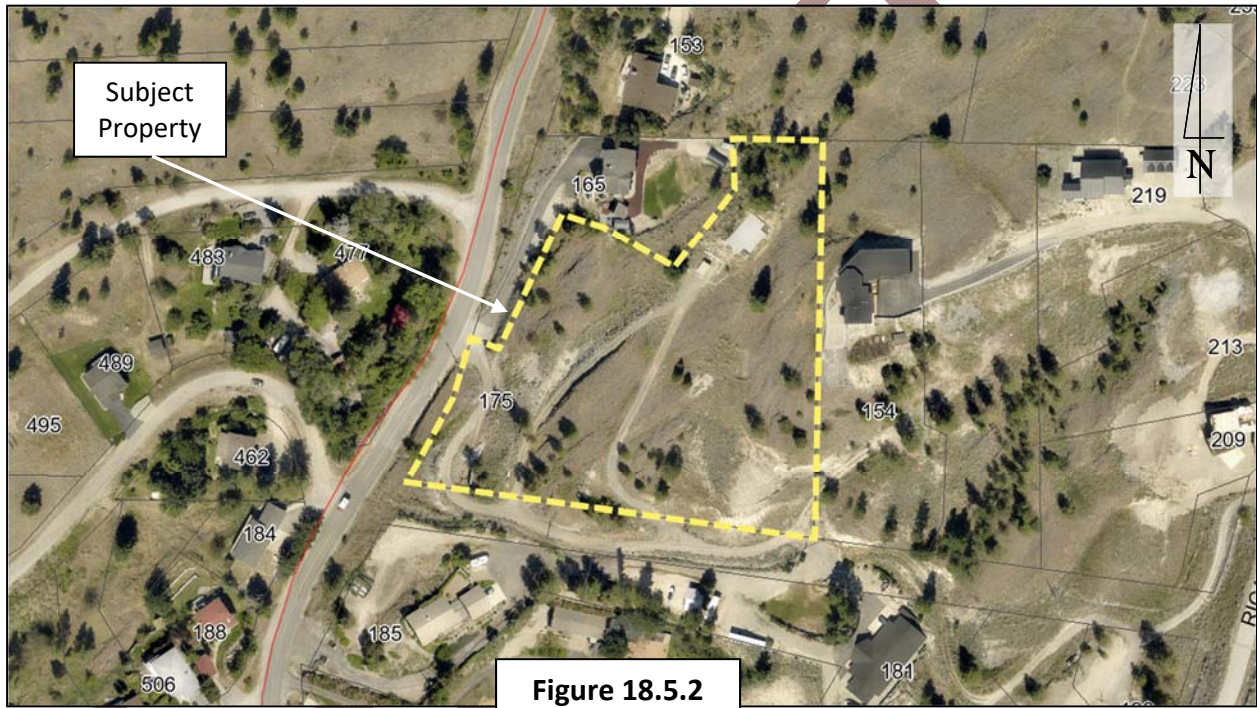
18.5 EASTSIDE ROAD COMPREHENSIVE DEVELOPMENT (CD11) ZONE

18.5.1 Purpose

The purpose of the Eastside Road Comprehensive Development Zone is to create site-specific land use regulations for the parcel located at 175 Eastside Road, which is legally described as Plan KAP90314, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

18.5.2 Location

The property is situated on the east side of Eastside Road near its intersection with Philpott Road.



18.5.3 Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on January 29, 2010, while available Regional District records indicate that buildings permits have not previously been issued for the property (as of 2020).

The property is within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but is not serviced by a community sewer system (as of 2020).

18.5.4 Permitted Uses:

Principal Uses:

- a) duplex;
- b) single detached dwelling;
- c) townhouse;

Accessory Uses:

- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupation, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory buildings and structures, subject to Section 7.13.

18.5.5 Minimum Parcel Size for Subdivision:

- a) 225.0 m² for the purpose of subdividing a duplex under the *Strata Property Act*, when connected to a community sewer and water system;
- b) 500.0 m², when connected to a community sewer and water system;
- c) 0.5 ha, when connected to community sewer system and serviced by well; or
- d) 1.0 ha, when serviced by well and approved septic system.

18.5.6 Minimum Parcel Width for Subdivision:

- a) Not less than 25% of parcel depth

18.5.7 Maximum Density:

- a) 18 dwellings/ha, subject to servicing requirements.

18.5.8 Minimum Setbacks:

- a) Buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 7.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 1.5 metres

- iii) Interior side parcel line: 1.5 metres
- iv) Exterior side parcel line: 4.5 metres

18.5.9 Maximum Height:

- a) No building or structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

18.5.10 Maximum Parcel Coverage:

- a) 75% for townhouses;
- b) 45% for duplexes; or
- c) 35% for single detached dwellings.

18.5.11 Minimum Building Width:

- a) Principal Dwelling Unit: 5.0 metres, as originally designed and constructed.

18.5.12 Conditions of Use:

- a) the minimum land area on which a townhouse use may be undertaken shall be 1,000.0 m².
- b) a minimum area of 10.0 m² of amenity space shall be provided per dwelling unit.

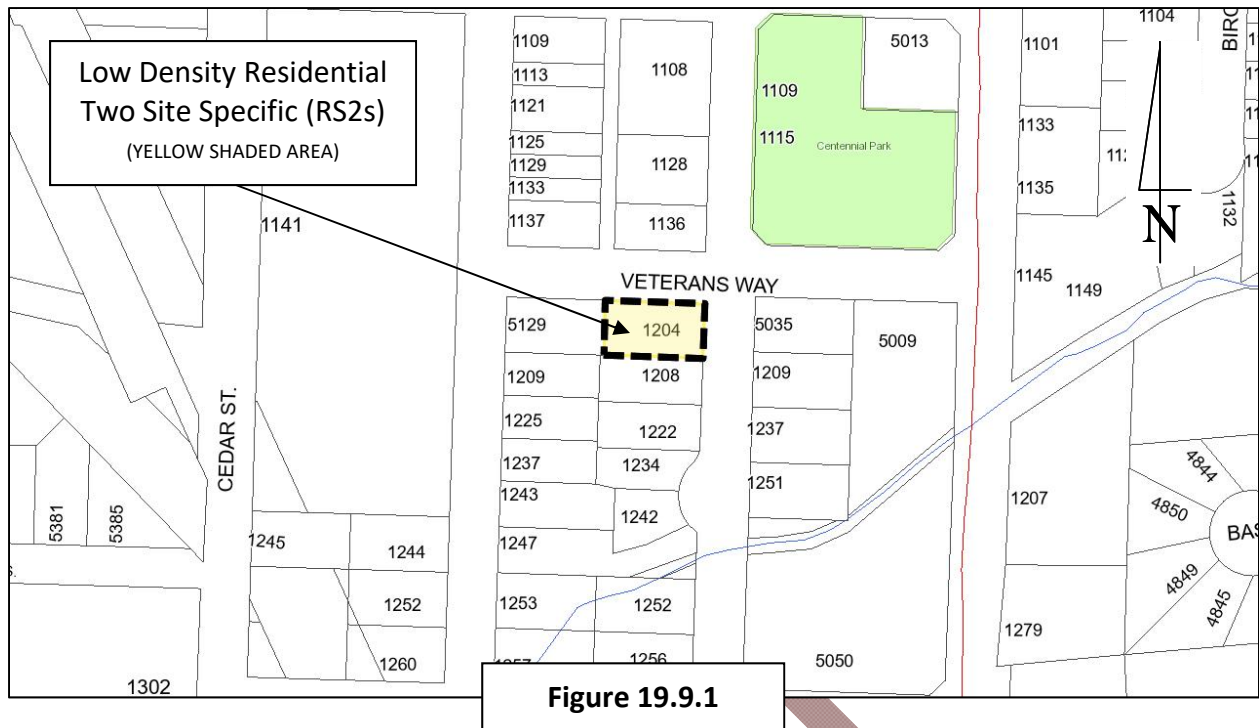
- xv) replacing Section 19.8 (Site Specific Residential Single Family One (RS1s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.8 *deleted*

- xvi) replacing Section 19.9 (Site Specific Low Density Residential Two (RS2s) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.9 Site Specific Low Density Residential Two (RS2s) Provisions:

- .1 in the case of the land described as Lot 14, Plan 1280, Block 5, District Lot 374, SDYD (1204 Willow Street), and shown shaded yellow on Figure 19.9.1:
 - i) the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 11.2.1:
 - a) “veterinary establishment”.



xvii) replacing Section 19.30 (Site Specific Comprehensive Development (CDs) Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.30 *deleted*

3. The Official Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing the land use designation of:
 - i) the land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Comprehensive Development Site Specific (CDs) to Low Density Residential Two (RS2).
 - ii) the land shown shaded purple on Schedule 'A', which forms part of this Bylaw, from Comprehensive Development (CD) to Low Density Residential Two (RS2).
 - iii) land shown shaded purple on Schedule 'B', which forms part of this Bylaw, from Comprehensive Development (CD) to Small Holdings Four (SH4).
 - iv) the land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Comprehensive Development (CD) to Small Holdings Five (SH5).
 - v) an approximately 2.3 ha area of the land shown shaded green on Schedule 'C', which forms part of this Bylaw, from Comprehensive Development Site Specific (CDs) to Eagle's Rock Comprehensive Development (CD9).

- vi) the land described as Parcel A, Plan KAP1434, Sublot 14, District Lot 2710, SDYD; Lot 11, Plan KAP1434, District Lot 2710, SDYD; and Lot 1, Plan KAP19321, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Comprehensive Development Site Specific (CD) to Eastside Road Comprehensive Development (CD10).
- vii) the land described as Plan KAP90314, District Lot 2710, SDYD (175 Eastside Road) and shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Comprehensive Development Site Specific (CD) to Eastside Road Comprehensive Development (CD11).
- viii) an approximately 8,000 m² area part of the land described as Lot 1, Plan KAP35151, Sublot 38, District Lot 2710, SDYD, and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Comprehensive Development (CD) to Resource Area (RA).
- ix) the land described as Lot 14, Plan 1280, Block 5, District Lot 374, SDYD (1204 Willow Street) and shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Two Site Specific (RS2s).
- x) the land described as Lot 5, Plan 9324, District Lot 337, SDYD (716 Mosley Place) and shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to Low Density Residential Two (RS2).
- xi) all parcels zoned Residential Single Family One (RS1) to Low Density Residential Two (RS2).

DRAFT

READ A FIRST AND SECOND TIME this ____ day of _____, 2020.

PUBLIC HEARING held on this ____ day of _____, 2020.

READ A THIRD TIME this ____ day of _____, 2020.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "D" Zoning Amendment Bylaw No. 2455.42, 2020" as read a Third time by the Regional Board on this ____ day of _____, 2020.

Dated at Penticton, BC this ____ day of _____, 2020.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2020.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2020.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

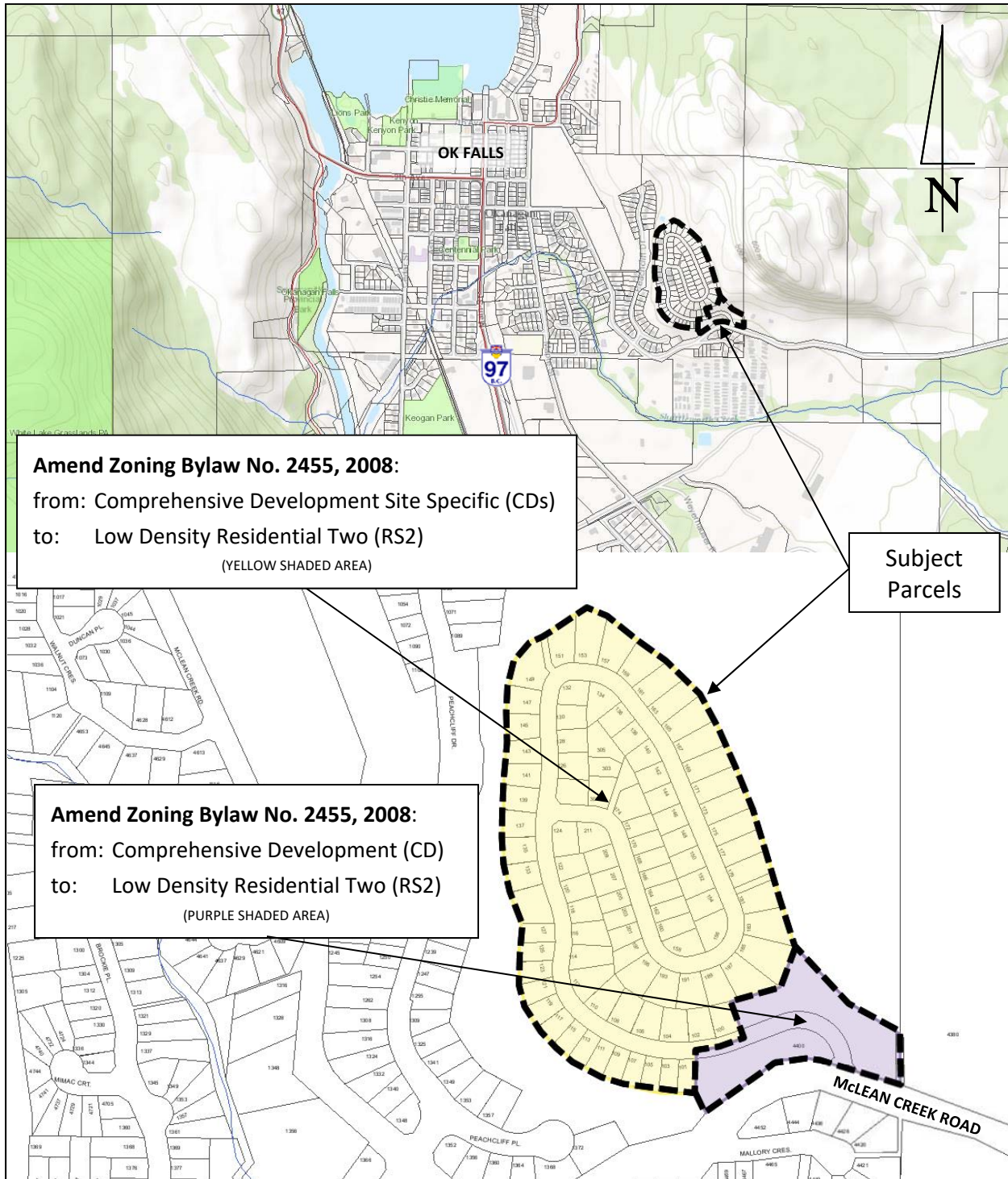
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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'A'



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(D2020.004-ZONE)
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Regional District of Okanagan-Similkameen

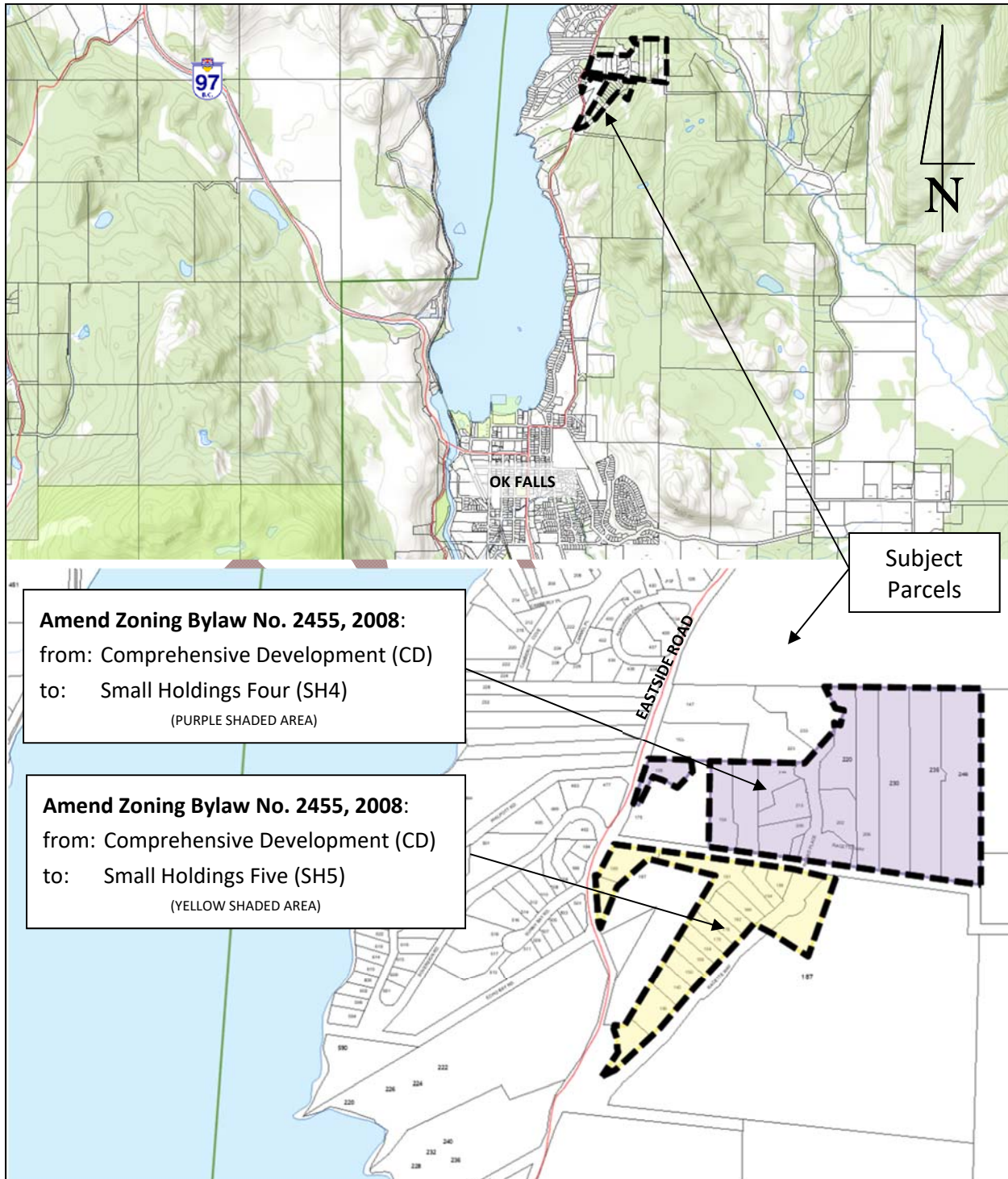
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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'B'



Amendment Bylaw No. 2455.42, 2020
(D2020.004-ZONE)

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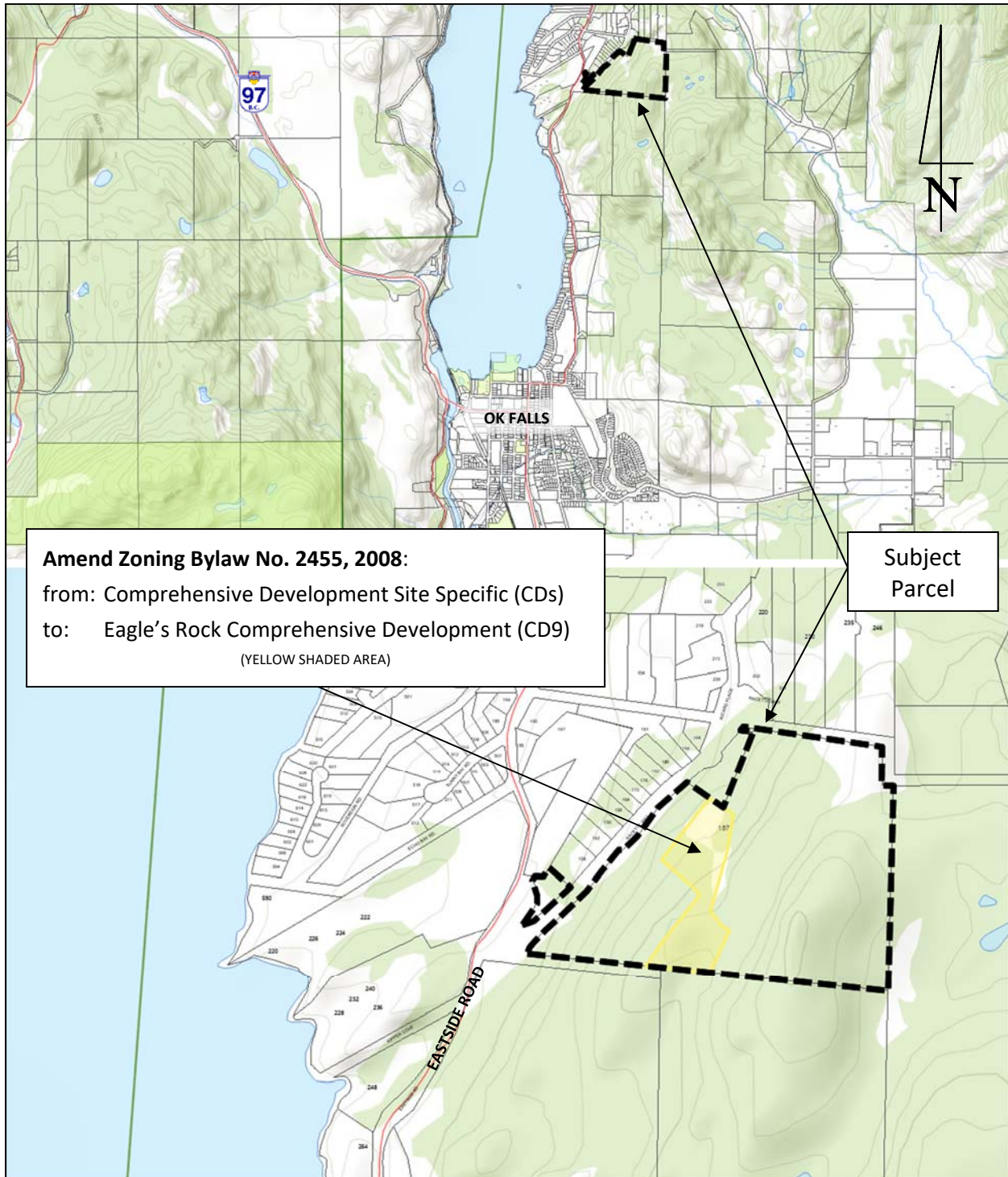
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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'C'



Amendment Bylaw No. 2455.42, 2020
(D2020.004-ZONE)

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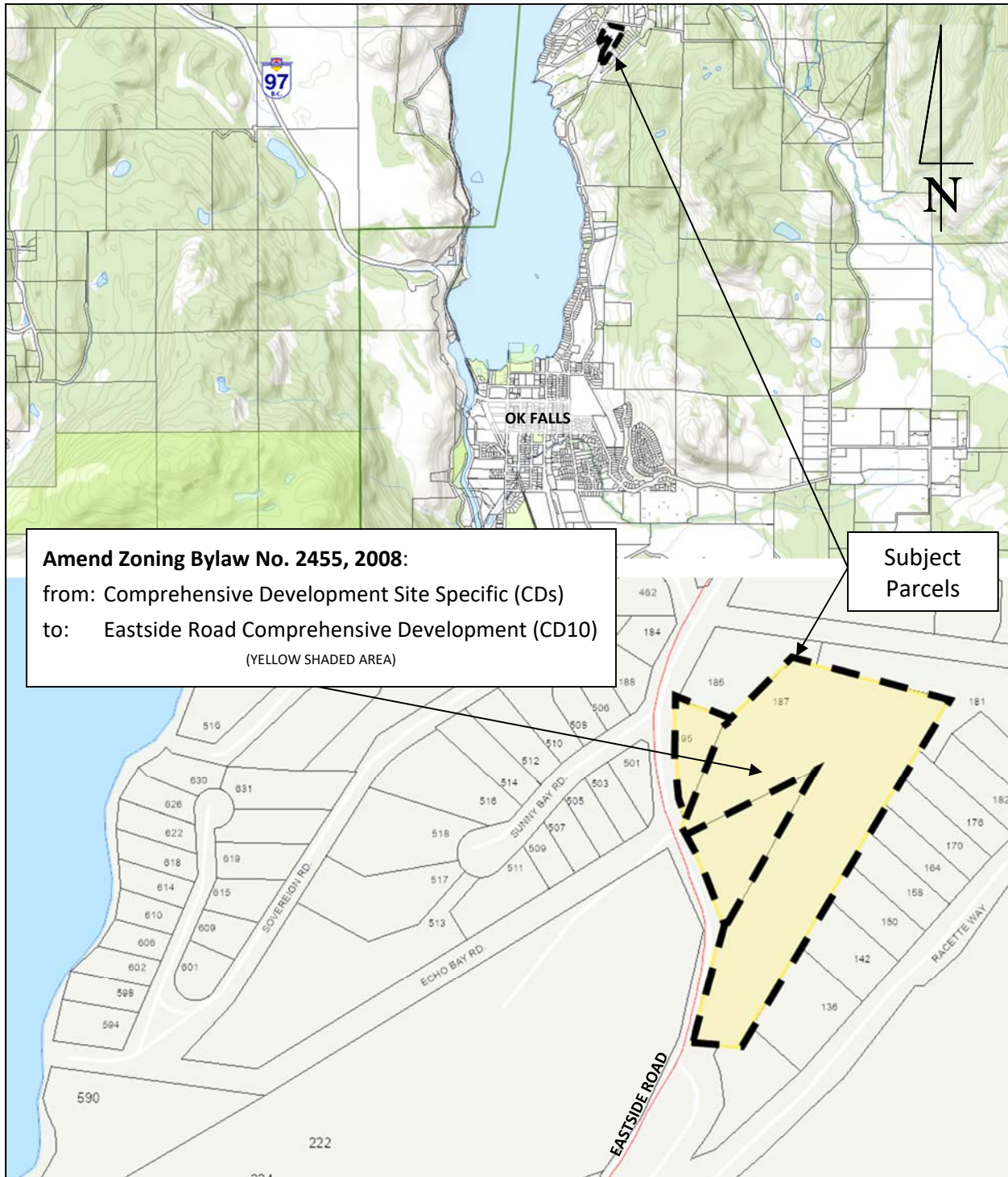
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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'D'



Amendment Bylaw No. 2455.42, 2020
(D2020.004-ZONE)

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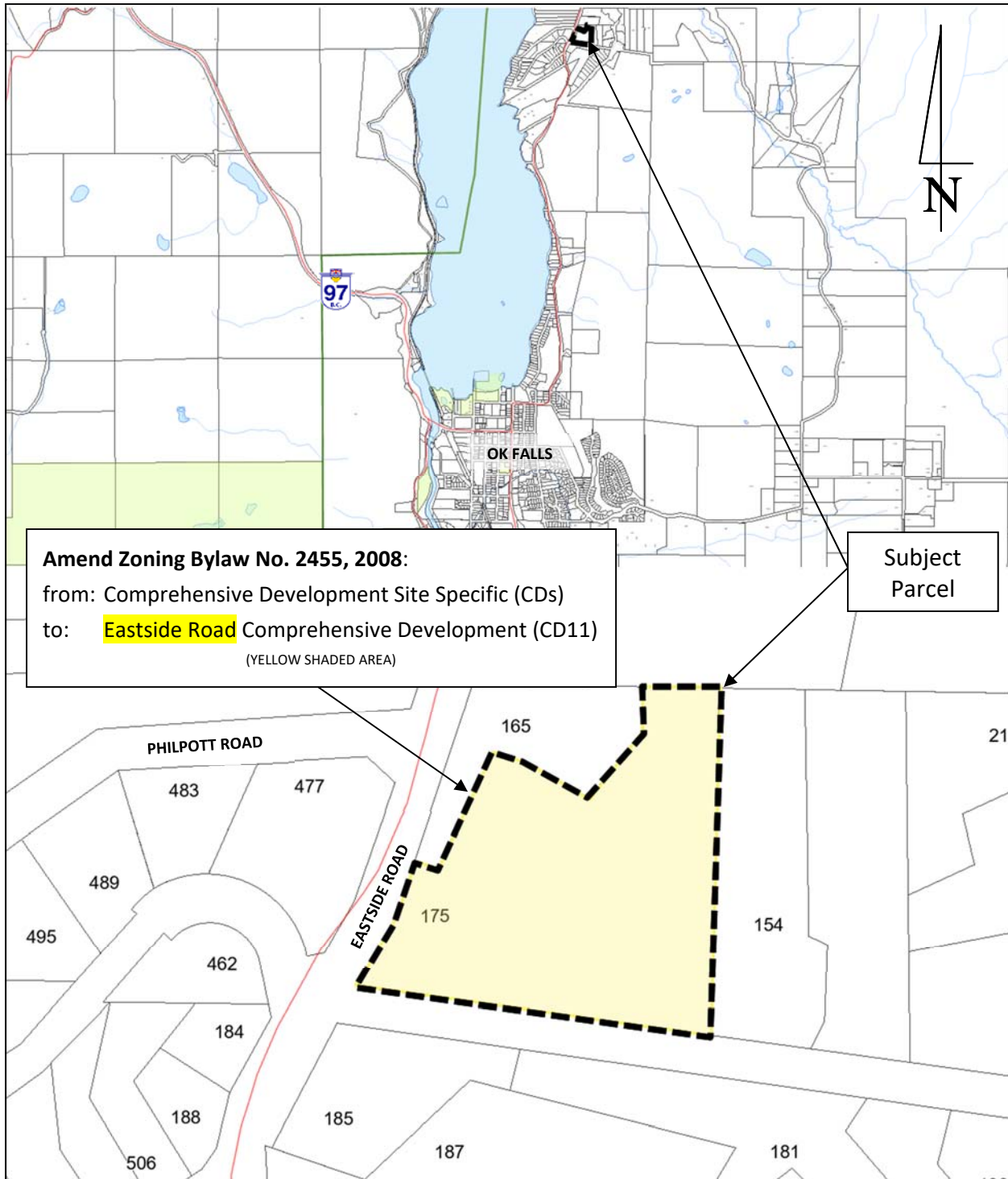
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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'E'



Amendment Bylaw No. 2455.42, 2020
(D2020.004-ZONE)

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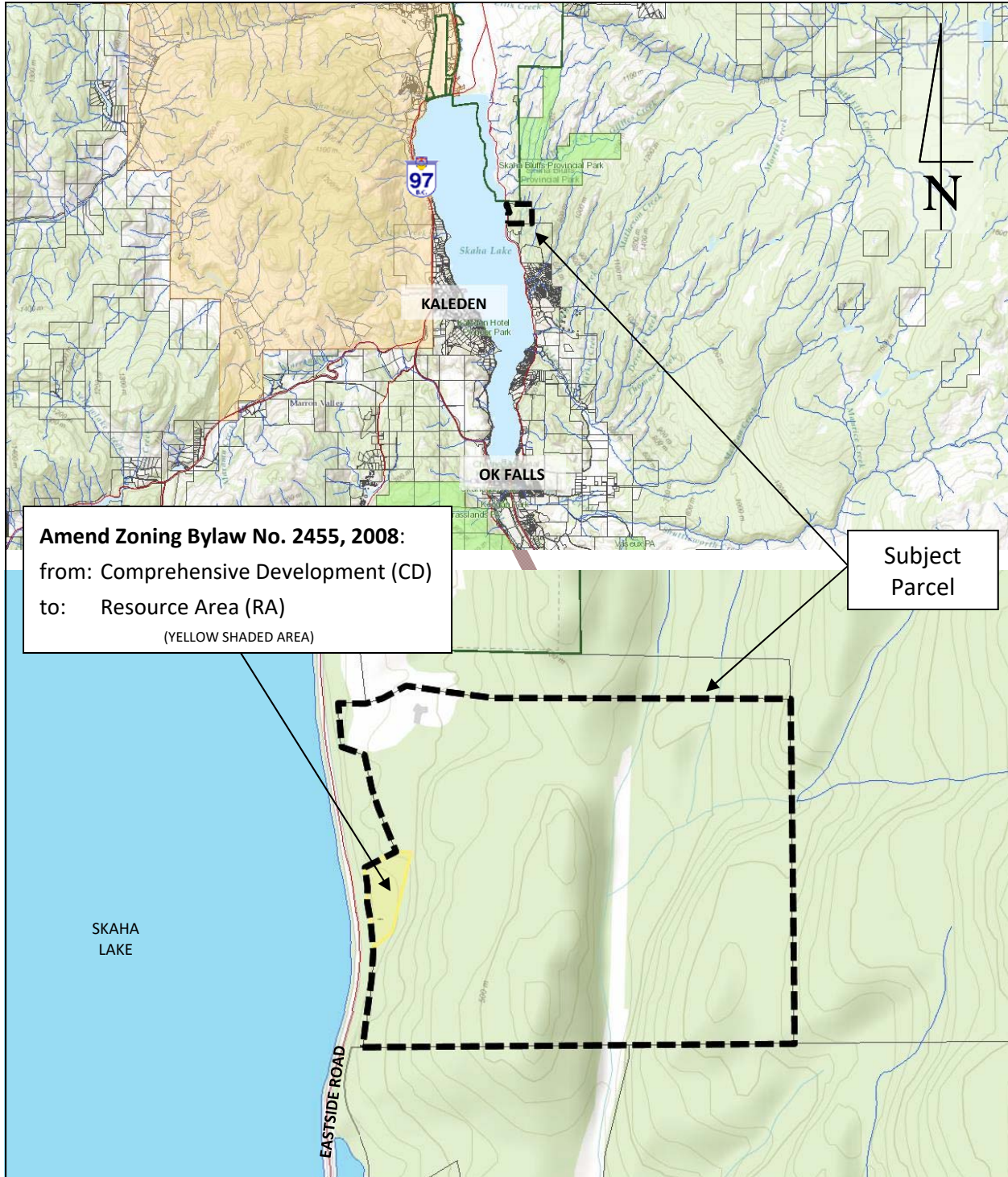
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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'F'



Amendment Bylaw No. 2455.42, 2020
(D2020.004-ZONE)

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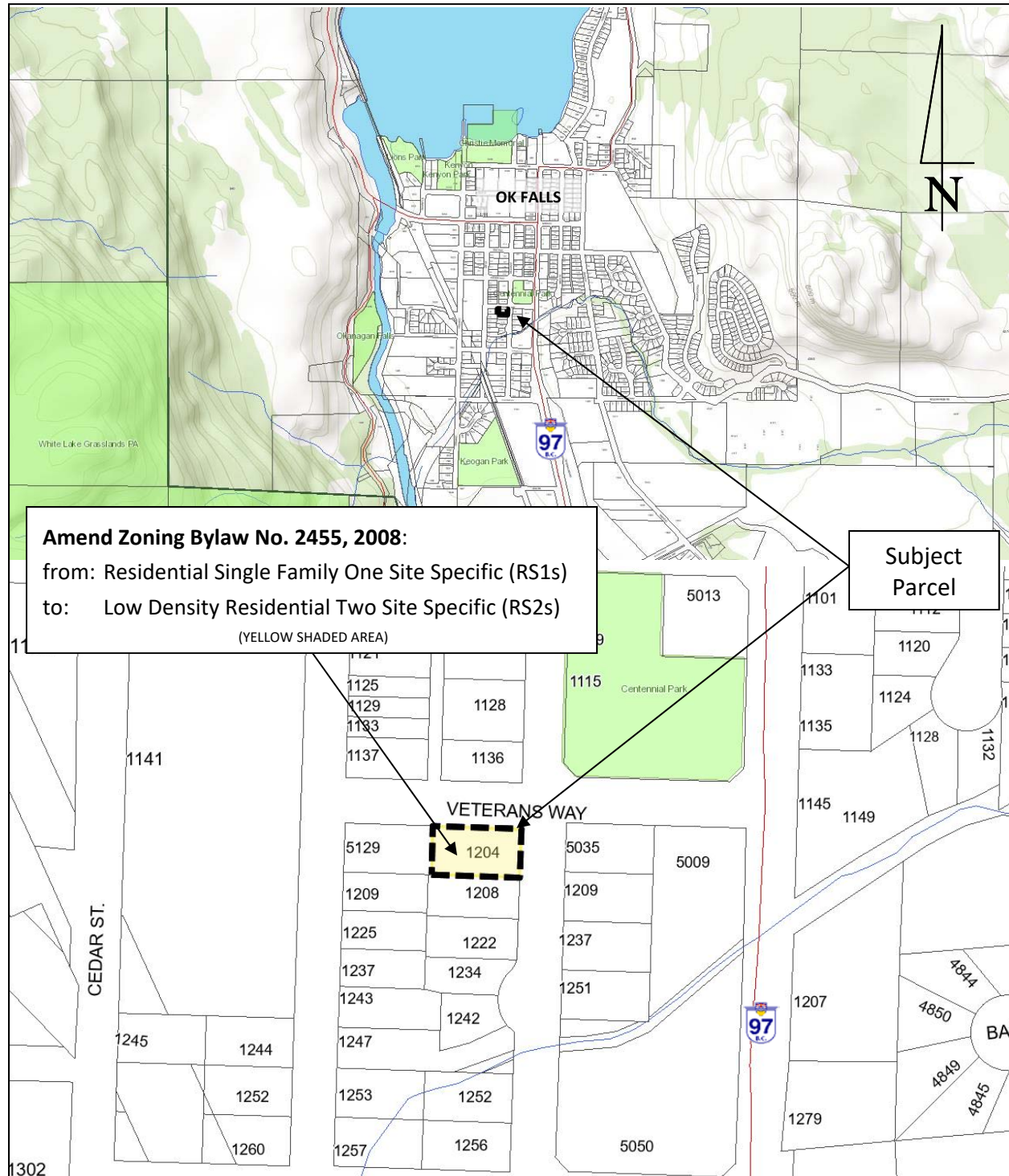
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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'G'



Amendment Bylaw No. 2455.42, 2020
(D2020.004-ZONE)

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Amendment Bylaw No. 2455.42, 2020

File No. D2020.004-ZONE

Schedule 'H'

