

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2498.16, 2021

A Bylaw to amend the Electoral Area “H” Zoning Bylaw No. 2498, 2012

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 “H” Zoning Amendment Bylaw No. 2498.16, 2021.”
2. The Electoral Area “H” Zoning Bylaw No. 2498, 2012, is amended by:
 - i) adding the following definition of “scientific research facilities” under Section 4.0 (Definitions):

“scientific research facilities” means buildings or structures used for scientific research, investigation, testing or experimentation, but does not include facilities for the manufacturing or retail sale of products;
 - ii) replacing sub-section 7.10.2 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:
 - .2 The maximum floor area of a secondary suite shall not exceed 125 m².
 - iii) replacing sub-section 7.12.3 under Section 7.12 (Accessory Buildings and Structures) in its entirety with:
 - .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities or other living facilities, with the exception of an accessory building or structure in the RA, AG3 and LH Zones where one (1) shower is permitted.
 - iv) replacing sub-section 11.1.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.1 (Resource Area Zone (RA)) in its entirety with the following:

11.1.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwellings permitted per parcel to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- c) Despite Section 11.1.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.1.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.
- v) replacing sub-section 11.1.8(d)(2) (Site Specific Resource Area (RA) Regulations) under Section 11.0 (Rural) in its entirety with the following:
 - .2 two (2) seasonal cabins, which may have a floor area not greater than 150 m².
 - vi) adding a new sub-section 11.1.1(h) (Permitted Uses - Resource Area Zone) under Section 11.0 (Rural) to read as follows and renumbering all subsequent sub-sections:
 - h) scientific research facilities;
 - vii) replacing sub-section 11.3.4(c) (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.3 (Agriculture Three (AG3) Zone) in its entirety with the following:
 - c) Despite Section 11.3.4 (b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.3.4 (b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

viii) replacing sub-section 11.4.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.4 (Large Holdings One Zone (LH1)) in its entirety with the following:

11.4.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwellings permitted per parcel to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²
Greater than 16.0 ha	4	500 m ²

- c) Despite Section 11.4.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.4.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

ix) replacing sub-section 11.5.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 11.5 (Large Holdings Two Zone (LH2)) in its entirety with the following:

11.5.4 Maximum Number of Dwellings Permitted Per Parcel:

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwellings permitted per parcel to a maximum of one (1) secondary suite permitted per parcel, and the total gross floor area of all secondary suites and accessory dwellings permitted per parcel shall not exceed the following:

PARCEL AREA	MAXIMUM NUMBER OF SECONDARY SUITES OR ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL SECONDARY SUITES AND ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125 m ²
8.0 ha to 11.9 ha	2	250 m ²
12.0 ha to 15.9 ha	3	375 m ²

Greater than 16.0 ha	4	500 m ²
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- c) Despite Section 11.5.4(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 11.5.4(b) in excess of one (1) secondary suite or accessory dwelling per parcel are permitted only to the extent that a “non-adhering residential use” approval from the Agricultural Land Commission (ALC) has been granted for such secondary suites or accessory dwellings.

READ A FIRST AND SECOND TIME this ____ day of _____, 2021.

PUBLIC HEARING held on this ____ day of _____, 2021.

READ A THIRD TIME this ____ day of _____, 2021.

I hereby certify the foregoing to be a true and correct copy of the "Electoral Area "H" Zoning Amendment Bylaw No. 2498.16, 2021" as read a Third time by the Regional Board on this ____ day of ____, 2021.

Dated at Penticton, BC this __ day of ____, 2021.

Corporate Officer

Approved pursuant to Section 52(3) of the Transportation Act this ____ day of _____, 2021.

For the Minister of Transportation & Infrastructure

ADOPTED this __ day of ____, 2021.

Board Chair
