

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2785, 2019**

**A Bylaw to amend the Electoral Areas "A", "C", "D", "E", "F" and "I"  
Regional District of Okanagan-Similkameen Official Community Plan Bylaws & Zoning Bylaws**

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 "Regional District of Okanagan-Similkameen Update of Secondary Suite & Accessory Dwelling Regulations Amendment Bylaw No. 2785, 2019."

Electoral Area "A"

2. The "Regional District of Okanagan-Similkameen, Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008" is amended by:

- i) adding a new Section 7.3.9 (Policies) under Section 7.0 (Rural Holdings) to read as follows:

.9 Supports secondary suites and accessory dwellings in the Large Holdings (LH) and Small Holdings (SH) designations, subject to accessory dwellings on parcels less than 1.0 ha in area being connected to a community sewer system.

Commented [CG1]: Speaks to allowing accessory dwellings in the SH Zones

3. The "Regional District of Okanagan-Similkameen, Electoral Area "A" Zoning Bylaw No. 2451, 2008" is amended by:

- i) replacing the definition of "accessory dwelling" at Section 4.0 (Definition) in its entirety with the following:

**"accessory dwelling"** means a dwelling unit which is permitted as an accessory use in conjunction with a principal use and is not located entirely within a single detached dwelling;

Commented [CG2]: Revised definition

- ii) replacing the definition of “amenity and open space area” at Section 4.0 (Definition) in its entirety with the following:

“amenity space” means a useable open space area, not including the front and side setback areas and parking areas which is for the recreational use of the residents of a dwelling unit, and may include balconies, patios, decks and landscaped areas;

**Commented [CG3]:** Revised definition, related to proposed requirement to ensure accessory dwellings are provided with a minimum amenity area.

- iii) replacing the definition of “gross floor area” at Section 4.0 (Definition) in its entirety with the following:

“floor area, gross” means the total floor area of a building on a parcel measured to the outer limit of the exterior walls of a building, but does not include:

- parking areas to a maximum floor area exclusion of 45 m<sup>2</sup>, unless such parking is a principal use in which case no exclusion shall be permitted.
- a swimming pool.
- unenclosed front entry porches, balconies, decks, patios, terraces, courtyards or stairways.
- Areas in a dwelling unit that are occupied by fixed mechanical or electrical equipment.
- crawl spaces.

**Commented [CG4]:** Updated definition – clearer exemptions, including change from uncovered decks to unenclosed decks.

- iv) replacing the definition of “secondary suite” at Section 4.0 (Definition) in its entirety with the following:

“secondary suite” means a second dwelling unit that is located entirely within a single detached dwelling and that is clearly accessory to the principal dwelling unit, with direct access to the open air without passage through any portion of the principal dwelling unit;

**Commented [CG5]:** Updated definition to ensure consistency across Electoral Areas.

- v) replacing Section 7.11 (Accessory Dwelling or Mobile) under Section 7.0 (General Regulations) in its entirety with the following:

#### **7.11 Accessory Dwellings**

The following regulations apply to accessory dwellings where permitted as a use in this Bylaw:

- .1 An accessory dwelling shall not be attached to a principal building containing one or more dwelling units.
- .2 No accessory dwelling shall have a floor area greater than 90.0 m<sup>2</sup>, unless otherwise specified.
- .3 An accessory dwelling cannot be subdivided under the *Strata Property Act*.

**Commented [J6]:** Proposed to make floor area allowance consistent across Electoral Areas by replacing current regulations allowing 70 m<sup>2</sup> and/or 140 m<sup>2</sup> with a standard reference to 90 m<sup>2</sup> (which is based on secondary suite allowance).

**Commented [J7]:** Existing regulation. No change.

.4 An accessory dwelling shall not be permitted on parcels less than 1.0 ha in area unless connected to a community sewer system.

**Commented [J8]:** Existing regulation. Only minor change to wording by moving exception for dwellings in Commercial and Industrial zones down to Section 8(iii)).

.5 An accessory dwelling shall have an amenity space for the residents of that dwelling of not less than 15.0 m<sup>2</sup>.

**Commented [J9]:** New provision to ensure an accessory dwelling is provided with a minimum amount of private space.

.6 A parking space for an accessory dwelling shall not be provided in tandem with parking spaces provided for any other use on a parcel.

**Commented [J10]:** New regulation being introduced to clarify the provision of vehicle parking spaces for an accessory dwelling unit (i.e. must be useable and not potentially blocked by residents of the principal dwelling unit).

.7 On a parcel greater than 4.0 ha in area, an accessory dwelling may be in the form of a mobile home;

**Commented [J11]:** New regulation. Previously existed under accessory uses of zones with a minimum parcel size for subdivision requirement of 4.0 ha.

.8 In the Commercial, Tourist Commercial and Industrial zones, an accessory dwelling:

- i) shall be located at the rear of a building on the ground floor, or above the first storey;
- ii) shall have a separate entrance from the exterior of the building and shall not share a common hallway with commercial, tourist commercial or industrial uses; and
- iii) despite section 7.11.4, may be permitted on a parcel less than 1.0 ha in area if no other dwelling unit is situated on the parcel.

**Commented [J12]:** Existing regulation with only change being related to introduction on new sub-section (iii), which previously existed under Section 4.

vi) replacing Section 7.12 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:

#### **7.12 Secondary Suites**

**Commented [J13]:** Will make secondary suite provisions consistent across Electoral Areas.

The following regulations apply to secondary suites where permitted as a use in this Bylaw:

.1 No more than one (1) secondary suite is permitted per single detached dwelling.

.2 The maximum floor area of a secondary suite shall not exceed 90.0 m<sup>2</sup>.

.3 Secondary suites are not permitted on parcels less than 1.0 ha in area unless connected to:

- i) the same on-site septic disposal system that serves the principal dwelling unit in the single detached dwelling; or
- ii) a community sewer system.

**Commented [CG14]:** New regulation, to be consistent with direction provided by OBWB

.4 A secondary suite shall have an amenity space for the residents of that suite of not less than 15.0 m<sup>2</sup>.

**Commented [J15]:** New regulation, see comments above under Accessory Dwelling Units related to similar regulation.

.5 A parking space for a secondary suite shall not be provided in tandem with parking spaces provided for any other use on a parcel.

**Commented [J16]:** New regulation, see comments above under Accessory Dwelling Units related to similar regulation.

.6 A secondary suite must share a common uninterrupted foundation and roof with the principal dwelling unit in the single detached dwelling and

for this purpose garages, carports and breezeways are deemed to interrupt a foundation or roof.

vii) replacing Section 7.13.1 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:

- .1 A building or structure, other than a building or structure containing one or more dwelling units, attached to a principal building is deemed to be a portion of the principal building if all of the following conditions are satisfied:
  - i) the building or structure shares a common wall with the principal building, where the common wall constitutes at least 50% of the vertical plane of the building or structure; and
  - ii) the building or structure shares, with the principal building, a common:
    - a) foundation; or
    - b) roof.

**Commented [CG17]:** Revised regulation. Redrafted to provided clearer direction when a structure can be considered part of a principal dwelling.

viii) replacing Section 7.13.2 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:

- .2 Notwithstanding s. 7.13.1, a carport attached to a principal building is deemed to be a portion of the principal building if the carport shares a common foundation and roof with the principal building.

**Commented [CG18]:** Proposed to delete regulation that requires a minimum separation of 1.0 metre between detached buildings and structures.

ix) replacing Section 7.13.3 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:

- .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities, balconies or decks, with the exception of an accessory building or structure in the RA, AG1, AG2 and LH1 Zones where one (1) shower is permitted, with a maximum floor area of 3.0 m<sup>2</sup>.

**Commented [CG19]:** Proposed revision would delete reference to "living space" as a prohibited use of an accessory structure, but include porch and deck (important consideration for when an accessory dwelling is not permitted in zoning).

x) amending the regulation for "Residential (Accessory Dwelling Unit)" under Table 9.2 (Off-Street Parking and Loading Requirements) at Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Residential (Accessory Dwelling)	1 space per dwelling unit	0
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**Commented [CG20]:** Replaces reference to "sleeping unit" with "dwelling unit"

xi) replacing Section 10.1.1(k) under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

- k) accessory dwelling, subject to Section 7.11;

**Commented [CG21]:** Amended reference to reflect inclusion of allowance for mobile homes as a form of accessory dwelling in the General Regulations.

xii) adding a new sub-section q) under Section 10.1.1 at Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent section:

q) secondary suite, subject to Section 7.12;

Commented [CG22]: Proposed new accessory use.

xiii) replacing Section 10.1.5 under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

**10.1.5 Maximum Number of Dwelling Units Permitted Per Parcel:**

- a) one (1) principal dwelling unit.
- b) the maximum 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.1.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.1.5(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.

Commented [CG23]: Proposed to be updated to allow secondary suites and reflect similar layout as used in the AG Zones.

Commented [CG24]: Revised note to reflect recent changes to the ALC Act.

xiv) replacing Section 10.2.1(g) under Section 10.2 (Agriculture One (AG1) Zone) in its entirety with the following:

g) accessory dwelling, subject to Section 7.11;

Commented [CG25]: Amended reference to reflect inclusion of allowance for mobile homes as a form of accessory dwelling in the General Regulations.

xv) replacing Section 10.2.5 under Section 10.2 (Agriculture One (AG1) Zone) in its entirety with the following:

**10.2.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.2.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.2.5(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.

- xvi) replacing Section 10.3.1(g) under Section 10.3 (Agriculture Two (AG2) Zone) in its entirety with the following:

- g) accessory dwelling, subject to Section 7.11.

- xvii) replacing Section 10.3.5 under Section 10.3 (Agriculture Two (AG2) Zone) in its entirety with the following:

**10.3.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

**Commented [CG26]:** Proposed to reflect changes to sub-section 10.2.1(g) above.

**Commented [CG27]:** Revised note to reflect recent changes to the ALC Act.

**Commented [CG28]:** Amended reference to reflect inclusion of allowance for mobile homes as a form of accessory dwelling in the General Regulations.

- c) Despite Section 10.3.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.3.5(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.

**Commented [CG29]:** Proposed to reflect changes to sub-section 10.3.1(g).

**Commented [CG30]:** Revised note to reflect recent changes to the ALC Act.

xviii) replacing Section 10.4.1(f) under Section 10.4 (Large Holdings One (LH1) Zone) in its entirety with the following:

- f) accessory dwelling, subject to Section 7.11;

**Commented [CG31]:** Amended reference to reflect inclusion of allowance for mobile homes as a form of accessory dwelling in the General Regulations.

xix) replacing Section 10.4.5 under Section 10.4 (Large Holdings One (LH1) Zone) in its entirety with the following:

**10.4.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.4.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.4.5(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.

**Commented [CG32]:** Proposed to reflect changes to sub-section 10.4.1(g).

**Commented [CG33]:** Revised note to reflect recent changes to the ALC Act.

xx) adding a new sub-section c) under Section 10.5.1 at Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent section:

- c) accessory dwelling, subject to Section 7.11; Commented [CG34]: New use
  
- xxi) replacing Section 10.5.5 under Section 10.5 (Small Holdings Two (SH2) Zone) in its entirety with the following:
  - 10.5.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
    - a) one (1) principal dwelling unit; and
    - b) one (1) secondary suite or one (1) accessory dwelling. Commented [CG35]: New density provision limiting accessory dwellings.
  
- xxii) adding a new sub-section c) under Section 10.6.1 at Section 10.6 (Small Holdings Three (SH3) Zone) to read as follows and re-numbering all subsequent section:
  - c) accessory dwelling, subject to Section 7.11; Commented [CG36]: New use
  
- xxiii) replacing Section 10.6.5 under Section 10.6 (Small Holdings Three (SH3) Zone) in its entirety with the following:
  - 10.6.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
    - a) one (1) principal dwelling unit; and
    - b) one (1) secondary suite or one (1) accessory dwelling. Commented [CG37]: New density provision limiting accessory dwellings.
  
- xxiv) adding a new sub-section c) under Section 10.7.1 at Section 10.7 (Small Holdings Four (SH4) Zone) to read as follows and re-numbering all subsequent section:
  - c) accessory dwelling, subject to Section 7.11; Commented [CG38]: New use
  
- xxv) replacing Section 10.7.5 under Section 10.7 (Small Holdings Four (SH4) Zone) in its entirety with the following:
  - 10.7.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
    - a) one (1) principal dwelling unit; and
    - b) one (1) secondary suite or one (1) accessory dwelling. Commented [CG39]: New density provision limiting accessory dwellings.
  
- xxvi) adding a new sub-section b) under Section 11.1.1 at Section 11.1 (Residential Single Family One (RS1) Zone) to read as follows and re-numbering all subsequent section:
  - b) accessory dwelling, subject to Section 7.11; Commented [CG40]: New use
  
- xxvii) replacing Section 11.1.5 under Section 11.1 (Residential Single Family One (RS1) Zone) in its entirety with the following:
  - 11.1.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
    - a) one (1) principal dwelling unit; and
    - b) one (1) secondary suite or one (1) accessory dwelling. Commented [CG41]: New density provision limiting accessory dwellings.



#### Electoral Area "C"

4. The "Regional District of Okanagan-Similkameen, Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008" is amended by:
- i) adding a new Section 10.3.9 (Policies) under Section 10.0 (Rural Holdings) to read as follows:
    - .9 Supports secondary suites and accessory dwellings in the Large Holdings (LH) and Small Holdings (SH) designations, subject to accessory dwellings on parcels less than 1.0 ha in area being connected to a community sewer system.
5. The "Regional District of Okanagan-Similkameen, Electoral Area "C" Zoning Bylaw No. 2453, 2008" is amended by:
- i) replacing the definition of "accessory dwelling" at Section 4.0 (Definition) in its entirety with the following:

**"accessory dwelling"** means a dwelling unit which is permitted as an accessory use in conjunction with a principal use and is not located entirely within a single detached dwelling;
  - ii) replacing the definition of "amenity and open space area" at Section 4.0 (Definition) in its entirety with the following:

**"amenity space"** means a useable open space area, not including the front and side setback areas and parking areas which is for the recreational use of the residents of a dwelling unit, and may include balconies, patios, decks and landscaped areas;
  - iii) replacing the definition of "gross floor area" at Section 4.0 (Definition) in its entirety with the following:

**"floor area, gross"** means the total floor area of a building on a parcel measured to the outer limit of the exterior walls of a building, but does not include:

    - parking areas to a maximum floor area exclusion of 45 m<sup>2</sup>, unless such parking is a principal use in which case no exclusion shall be permitted.
    - a swimming pool.
    - unenclosed front entry porches, balconies, decks, patios, terraces, courtyards or stairways.
    - areas in a dwelling unit that are occupied by fixed mechanical or electrical equipment.
    - crawl spaces.
  - iv) replacing the definition of "secondary suite" at Section 4.0 (Definition) in its entirety with the following:

**“secondary suite”** means a second dwelling unit that is located entirely within a single detached dwelling and that is clearly accessory to the principal dwelling unit, with direct access to the open air without passage through any portion of the principal dwelling unit;

- v) replacing Section 7.11 (Accessory Dwelling or Mobile) under Section 7.0 (General Regulations) in its entirety with the following:

**7.11 Accessory Dwellings**

The following regulations apply to accessory dwellings where permitted as a use in this Bylaw:

- .1 An accessory dwelling shall not be attached to a principal building containing one or more dwelling units.
- .2 No accessory dwelling shall have a floor area greater than 90.0 m<sup>2</sup>, unless otherwise specified.
- .3 An accessory dwelling cannot be subdivided under the *Strata Property Act*.
- .4 An accessory dwelling shall not be permitted on parcels less than 1.0 ha in area unless connected to a community sewer system.
- .5 An accessory dwelling shall have an amenity space for the residents of that dwelling of not less than 15.0 m<sup>2</sup>.
- .6 A parking space for an accessory dwelling shall not be provided in tandem with parking spaces provided for any other use on a parcel.
- .7 On a parcel greater than 4.0 ha in area, an accessory dwelling may be in the form of a mobile home;
- .8 In the Commercial, Tourist Commercial and Industrial zones, an accessory dwelling:
  - i) shall be located at the rear of a building on the ground floor, or above the first storey;
  - ii) shall have a separate entrance from the exterior of the building and shall not share a common hallway with commercial, tourist commercial or industrial uses; and
  - iii) despite section 7.11.4, may be permitted on a parcel less than 1.0 ha in area if no other dwelling unit is situated on the parcel.

- vi) replacing Section 7.12 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:

**7.12 Secondary Suites**

The following regulations apply to secondary suites where permitted as a use in this Bylaw:

- .1 No more than one (1) secondary suite is permitted per single detached dwelling.
  - .2 The maximum floor area of a secondary suite shall not exceed 90.0 m<sup>2</sup>.
  - .3 Secondary suites are not permitted on parcels less than 1.0 ha in area unless connected to:
    - a) the same on-site septic disposal system that serves the principal dwelling unit in the single detached dwelling; or
    - b) a community sewer system.
  - .4 A secondary suite shall have an amenity space for the residents of that suite of not less than 15.0 m<sup>2</sup>.
  - .5 A parking space for a secondary suite shall not be provided in tandem with parking spaces provided for any other use on a parcel.
  - .6 A secondary suite must share a common uninterrupted foundation and roof with the principal dwelling unit in the single detached dwelling and for this purpose garages, carports and breezeways are deemed to interrupt a foundation or roof.
- vii) replacing Section 7.13.1 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .1 A building or structure, other than a building or structure containing one or more dwelling units, attached to a principal building is deemed to be a portion of the principal building if all of the following conditions are satisfied:
    - i) the building or structure shares a common wall with the principal building, where the common wall constitutes at least 50% of the vertical plane of the building or structure; and
    - ii) the building or structure shares, with the principal building, a common:
      1. foundation; or
      2. roof.
- viii) replacing Section 7.13.2 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .2 Notwithstanding s. 7.13.1, a carport attached to a principal building is deemed to be a portion of the principal building if the carport shares a common foundation and roof with the principal building.

ix) replacing Section 7.13.3 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:

.3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities, balconies or decks, with the exception of an accessory building or structure in the RA, AG1, AG2 and LH1 Zones where one (1) shower is permitted, with a maximum floor area of 3.0 m<sup>2</sup>

x) amending the regulation for “Residential (Accessory Dwelling Unit)” under Table 9.2 (Off-Street Parking and Loading Requirements) at Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Residential (Accessory Dwelling)	1 space per dwelling unit	0
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xi) replacing Section 10.1.1(l) under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

l) accessory dwelling, subject to Section 7.11;

xii) adding a new sub-section r) under Section 10.1.1 at Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent section:

r) secondary suite, subject to Section 7.12;

xiii) replacing Section 10.1.5 under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

**10.1.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.1.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary

suites or accessory dwellings permitted per parcel under Section 10.1.5(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.

- d) despite Sections 10.1.5(b), for parcels situated within the “Radio Frequency Interference Area” as shown on Schedule ‘3’ to this bylaw, the maximum number of all secondary suites, accessory dwellings or mobile homes shall not exceed one (1).
- xiv) replacing Section 10.2.1(e) under Section 10.2 (Agriculture One (AG1) Zone) in its entirety with the following:
  - e) accessory dwelling, subject to Section 7.11;
- xv) replacing Section 10.2.5 under Section 10.2 (Agriculture One (AG1) Zone) in its entirety with the following:

**10.2.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.2.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.2.5(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.

- d) despite Sections 10.2.5(b), for parcels situated within the “Radio Frequency Interference Area” as shown on Schedule ‘3’ to this bylaw, the maximum number of all secondary suites, accessory dwellings or mobile homes shall not exceed one (1).
- xvi) replacing Section 10.3.1(e) under Section 10.3 (Agriculture Two (AG2) Zone) in its entirety with the following:
  - e) accessory dwelling, subject to Section 7.11;
- xvii) replacing Section 10.3.5 under Section 10.3 (Agriculture Two (AG2) Zone) in its entirety with the following:

**10.3.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.3.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.3.5(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.
- d) despite Sections 10.3.5(b), for parcels situated within the “Radio Frequency Interference Area” as shown on Schedule ‘3’ to this bylaw, the maximum number of all secondary suites, accessory dwellings or mobile homes shall not exceed one (1).
- xviii) replacing Section 10.4.1(e) under Section 10.4 (Large Holdings One (LH1) Zone) in its entirety with the following:

- e) accessory dwelling, subject to Section 7.11;
- xix) replacing Section 10.4.5 under Section 10.4 (Large Holdings (LH1) Zone) in its entirety with the following:

**10.4.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.4.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.4.5(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.
- d) despite Sections 10.4.5(b), for parcels situated within the “Radio Frequency Interference Area” as shown on Schedule ‘3’ to this bylaw, the maximum number of all secondary suites, accessory dwellings or mobile homes shall not exceed one (1).
- xx) adding a new sub-section c) under Section 10.5.1 at Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent section:
  - c) accessory dwelling, subject to Section 7.11;

- xxi) replacing Section 10.5.5 under Section 10.5 (Small Holdings Two (SH2) Zone) in its entirety with the following:

**10.5.5 Maximum Number of Dwelling Units Permitted Per Parcel:**

- a) one (1) principal dwelling unit; and

- b) one (1) secondary suite or one (1) accessory dwelling.
- xxii) adding a new sub-section c) under Section 10.6.1 at Section 10.6 (Small Holdings Three (SH3) Zone) to read as follows and re-numbering all subsequent section:
- c) accessory dwelling, subject to Section 7.11;
- xxiii) replacing Section 10.6.5 under Section 10.6 (Small Holdings Three (SH3) Zone) in its entirety with the following:
- 10.6.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxiv) adding a new sub-section c) under Section 10.7.1 at Section 10.7 (Small Holdings Four (SH4) Zone) to read as follows and re-numbering all subsequent section:
- c) accessory dwelling, subject to Section 7.11;
- xxv) replacing Section 10.7.5 under Section 10.7 (Small Holdings Four (SH4) Zone) in its entirety with the following:
- 10.7.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxvi) adding a new sub-section b) under Section 10.8.1 at Section 10.8 (Small Holdings Five (SH5) Zone) to read as follows and re-numbering all subsequent section:
- b) accessory dwelling, subject to Section 7.11;
- xxvii) replacing Section 10.8.5 under Section 10.8 (Small Holdings Five (SH5) Zone) in its entirety with the following:
- 10.8.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxviii) adding a new sub-section b) under Section 11.1.1 at Section 11.1 (Residential Single Family One (RS1) Zone) to read as follows and re-numbering all subsequent section:
- b) accessory dwelling, subject to Section 7.11;
- xxix) replacing Section 11.1.5 under Section 11.1 (Residential Single Family One (RS1) Zone) in its entirety with the following:



**11.1.5 Maximum Number of Dwelling Units Permitted Per Parcel:**

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite or one (1) accessory dwelling.

xxx) adding a new sub-section b) under Section 11.2.1 at Section 11.2 (Residential Single Family Two (RS2) Zone) to read as follows and re-numbering all subsequent section:

- b) accessory dwelling, subject to Section 7.11;

xxxi) replacing Section 11.2.5 under Section 11.2 (Residential Single Family Two (RS2) Zone) in its entirety with the following:

**11.2.5 Maximum Number of Dwelling Units Permitted Per Parcel:**

- c) one (1) principal dwelling unit; and
- d) one (1) secondary suite or one (1) accessory dwelling.

**Electoral Area “D”**

6. The “Regional District of Okanagan-Similkameen, Electoral Area “I” Official Community Plan Bylaw No. 2683, 2016” is amended by:

i) adding a new Section 10.4.3 (Policies – Large Holdings) under Section 10.0 (Rural Holdings) to read as follows and re-numbering all subsequent sections:

.3 Supports a maximum density of one (1) principal residential dwelling unit per parcel and one (1) secondary suite or one (1) accessory dwelling in the Upper Carmi area.

ii) adding a new Section 10.4.4 (Policies – Large Holdings) under Section 10.0 (Rural Holdings) to read as follows and re-numbering all subsequent sections:

.4 Does not support the subdivision of lots in the Upper Carmi area until such time that detailed plans and studies conclude that lots smaller than 4.0 ha can be satisfactorily accommodated given the servicing constraints in the area and the high ecosystem values, and until the Regional Growth Strategy is amended to reflect future growth in this area.

iii) adding a new Section 10.5.4 (Policies – Small Holdings) under Section 10.0 (Rural Holdings) to read as follows:

.4 Supports secondary suites and accessory dwellings, subject to accessory dwellings on parcels less than 1.0 ha in area being connected to a community sewer system.

**Commented [CG42]:** Re-introduction of a policy statement previously removed from OCP Bylaw when designation of Upper Carmi was changed from Small Holdings (SH) to Large Holdings (LH). With introduction of “accessory dwellings” as a permitted accessory use in Upper Carmi, it is seen to be important to re-state concerns about further subdivision in this area in event property owners seek to subdivide parcels to give “accessory dwelling” own title.

**Commented [CG43]:** Speaks to allowing accessory dwellings in the SH Zones

7. The “Regional District of Okanagan-Similkameen, Electoral Area “D” Zoning Bylaw No. 2455, 2008” is amended by:

i) replacing the definition of “accessory dwelling” at Section 4.0 (Definition) in its entirety with the following:

**“accessory dwelling”** means a dwelling unit which is permitted as an accessory use in conjunction with a principal use and is not located entirely within a single detached dwelling;

- ii) replacing the definition of “amenity area” at Section 4.0 (Definition) in its entirety with the following:

**“amenity space”** means a useable open space area, not including the front and side setback areas and parking areas which is for the recreational use of the residents of a dwelling unit, and may include balconies, patios, decks and landscaped areas;

- iii) replacing the definition of “gross floor area” at Section 4.0 (Definition) in its entirety with the following:

**“floor area, gross”** means the total floor area of a building on a parcel measured to the outer limit of the exterior walls of a building, but does not include:

- parking areas to a maximum floor area exclusion of 45 m<sup>2</sup>, unless such parking is a principal use in which case no exclusion shall be permitted.
- a swimming pool.
- unenclosed front entry porches, balconies, decks, patios, terraces, courtyards or stairways.
- areas in a dwelling unit that are occupied by fixed mechanical or electrical equipment.
- crawl spaces.

- iv) replacing the definition of “floor area ratio” at Section 4.0 (Definition) in its entirety with the following:

**“floor area ratio”** means the figure obtained when the gross floor area of all the buildings on a parcel is divided by the area of the parcel;

- v) replacing the definition of “secondary suite” at Section 4.0 (Definition) in its entirety with the following:

**“secondary suite”** means a second dwelling unit that is located entirely within a single detached dwelling and that is clearly accessory to the principal dwelling unit, with direct access to the open air without passage through any portion of the principal dwelling unit;

- vi) replacing Section 7.11 (Accessory Dwelling or Mobile) under Section 7.0 (General Regulations) in its entirety with the following:

#### **7.11 Accessory Dwellings**

The following regulations apply to accessory dwellings where permitted as a use in this Bylaw:

- .1 An accessory dwelling shall not be attached to a principal building containing one or more dwelling units
  - .2 No accessory dwelling shall have a floor area greater than 90.0 m<sup>2</sup>, unless otherwise specified.
  - .3 An accessory dwelling cannot be subdivided under the *Strata Property Act*.
  - .4 An accessory dwelling shall not be permitted on parcels less than 1.0 ha in area unless connected to a community sewer system.
  - .5 An accessory dwelling shall have an amenity space for the residents of that dwelling of not less than 15.0 m<sup>2</sup>.
  - .6 A parking space for an accessory dwelling shall not be provided in tandem with parking spaces provided for any other use on a parcel.
  - .7 On a parcel greater than 4.0 ha in area, an accessory dwelling may be in the form of a mobile home;
  - .8 In the Commercial, Tourist Commercial and Industrial zones, an accessory dwelling:
    - i) shall be located at the rear of a building on the ground floor, or above the first storey;
    - ii) shall have a separate entrance from the exterior of the building and shall not share a common hallway with commercial, tourist commercial or industrial uses; and
    - iii) despite section 7.11.4, may be permitted on a parcel less than 1.0 ha in area if no other dwelling unit is situated on the parcel.
- vii) replacing Section 7.12 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:

#### **7.12 Secondary Suites**

The following regulations apply to secondary suites where permitted as a use in this Bylaw:

- .1 No more than one (1) secondary suite is permitted per single detached dwelling.
- .2 The maximum floor area of a secondary suite shall not exceed 90.0 m<sup>2</sup>.
- .3 Secondary suites are not permitted on parcels less than 1.0 ha in area unless connected to:

- a) the same on-site septic disposal system that serves the principal dwelling unit in the single detached dwelling; or
  - b) a community sewer system.
- .4 A secondary suite shall have an amenity space for the residents of that suite of not less than 15.0 m<sup>2</sup>.
- .5 A parking space for a secondary suite shall not be provided in tandem with parking spaces provided for any other use on a parcel.
- .6 A secondary suite must share a common uninterrupted foundation and roof with the principal dwelling unit in the single detached dwelling and for this purpose garages, carports and breezeways are deemed to interrupt a foundation or roof.
- viii) replacing Section 7.13.1 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .1 A building or structure, other than a building or structure containing one or more dwelling units, attached to a principal building is deemed to be a portion of the principal building if all of the following conditions are satisfied:
    - i) the building or structure shares a common wall with the principal building, where the common wall constitutes at least 50% of the vertical plane of the building or structure; and
    - ii) the building or structure shares, with the principal building, a common:
      - 1. foundation; or
      - 2. roof.
- ix) replacing Section 7.13.2 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .2 Notwithstanding s. 7.13.1, a carport attached to a principal building is deemed to be a portion of the principal building if the carport shares a common foundation and roof with the principal building.
- x) replacing Section 7.13.3 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities, balconies or decks, with the exception of an accessory building or structure in the RA, AG1, AG2 and LH1 Zones where one (1) shower is permitted, with a maximum floor area of 3.0 m<sup>2</sup>.

- xi) amending the regulation for “Residential (Accessory Dwelling Unit)” under Table 9.2 (Off-Street Parking and Loading Requirements) at Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Residential (Accessory Dwelling)	1 space per dwelling unit	0
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- xii) replacing Section 10.1.1(m) under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

m) accessory dwelling, subject to Section 7.11;

- xiii) replacing Section 10.1.5 under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

**10.1.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.1.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.1.5(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.

- xiv) replacing Section 10.2.1(h) under Section 10.2 (Agriculture One (AG1) Zone) in its entirety with the following:

h) accessory dwelling, subject to Section 7.11;

- xv) replacing Section 10.2.5 under Section 10.2 (Agriculture One (AG1) Zone) in its entirety with the following:

**10.2.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.2.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.2.5(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.

- xvi) replacing Section 10.3.1(g) under Section 10.3 (Agriculture Three (AG3) Zone) in its entirety with the following:

- g) accessory dwelling, subject to Section 7.11;

- xvii) replacing Section 10.3.5 under Section 10.3 (Agriculture Three (AG3) Zone) in its entirety with the following:

**10.3.5 Maximum Number of Dwelling Units 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
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Less than 8.0 ha	1	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.3.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.3.5(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.
- xviii) replacing Section 10.4.1(f) under Section 10.4 (Large Holdings One (LH1) Zone) in its entirety with the following:
- f) accessory dwelling, subject to Section 7.11;
- xix) replacing Section 10.4.5 under Section 10.4 (Large Holdings One (LH1) Zone) in its entirety with the following:

**10.4.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.4.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.4.5(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.

xx) replacing Section 10.5.1(f) under Section 10.5 (Large Holdings Two (LH2) Zone) in its entirety with the following:

f) accessory dwelling, subject to Section 7.11;

xxi) replacing Section 10.5.5 under Section 10.5 (Large Holdings Two (LH2) Zone) in its entirety with the following:

**10.5.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.5.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.5.5(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.

xxii) adding a new sub-section c) under Section 10.7.1 at Section 10.7 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent section:

c) accessory dwelling, subject to Section 7.11;

xxiii) replacing Section 10.7.5 under Section 10.7 (Small Holdings Two (SH2) Zone) in its entirety with the following:

**10.7.5 Maximum Number of Dwelling Units Permitted Per Parcel:**



- a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxiv) adding a new sub-section c) under Section 10.8.1 at Section 10.8 (Small Holdings Three (SH3) Zone) to read as follows and re-numbering all subsequent section:
- c) accessory dwelling, subject to Section 7.11;
- xxv) replacing Section 10.8.5 under Section 10.8 (Small Holdings Three (SH3) Zone) in its entirety with the following:
- 10.8.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxvi) adding a new sub-section c) under Section 10.9.1 at Section 10.9 (Small Holdings Four (SH4) Zone) to read as follows and re-numbering all subsequent section:
- c) accessory dwelling, subject to Section 7.11;
- xxvii) replacing Section 10.9.5 under Section 10.9 (Small Holdings Four (SH4) Zone) in its entirety with the following:
- 10.9.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxviii) adding a new sub-section e) under Section 10.10.1 at Section 10.10 (Small Holdings Five (SH5) Zone) to read as follows and re-numbering all subsequent section:
- e) accessory dwelling, subject to Section 7.11;
- xxix) replacing Section 10.10.5 under Section 10.10 (Small Holdings Five (SH5) Zone) in its entirety with the following:
- 10.10.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxx) adding a new sub-section b) under Section 11.1.1 at Section 11.1 (Residential Single Family One (RS1) Zone) to read as follows and re-numbering all subsequent section:
- b) accessory dwelling, subject to Section 7.11;

xxxi) replacing Section 11.1.5 under Section 11.1 (Residential Single Family One (RS1) Zone) in its entirety with the following:

**11.1.5 Maximum Number of Dwelling Units Permitted Per Parcel:**

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite or one (1) accessory dwelling.

xxxii) adding a new sub-section b) under Section 11.2.1 at Section 11.2 (Residential Single Family Two (RS2) Zone) to read as follows and re-numbering all subsequent section:

- b) accessory dwelling, subject to Section 7.11;

xxxiii) replacing Section 11.2.5 under Section 11.2 (Residential Single Family Two (RS2) Zone) in its entirety with the following:

**11.2.5 Maximum Number of Dwelling Units Permitted Per Parcel:**

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite or one (1) accessory dwelling.

xxxiv) replacing Section 19.4.3 (Site Specific Large Holdings One (LH1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

- .3 in the case of land shown shaded yellow on Figure 19.4.3:
  - i) despite Section 10.4.1, “kennels” are not a permitted use.
  - ii) despite Section 10.4.8, the maximum parcel coverage for a greenhouse use shall not exceed 10%.

xxxv) replacing Section 19.4.4 (Site Specific Large Holdings One (LH1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

- .4 *deleted.*

Electoral Area “E”

8. The “Regional District of Okanagan-Similkameen, Electoral Area “E” Official Community Plan Bylaw No. 2458, 2008” is amended by:

- i) adding a new Section 10.5.4 (Policies – Small Holdings) under Section 10.0 (Rural Holdings) to read as follows:

- .4 Supports secondary suites and accessory dwellings, subject to accessory dwellings on parcels less than 1.0 ha in area being connected to a community sewer system.

9. The “Regional District of Okanagan-Similkameen, Electoral Area “E” Zoning Bylaw No. 2459, 2008” is amended by:

- i) replacing the definition of “accessory dwelling” at Section 4.0 (Definition) in its entirety with the following:

“**accessory dwelling**” means a dwelling unit which is permitted as an accessory use in conjunction with a principal use and is not located entirely within a single detached dwelling;

- ii) replacing the definition of “amenity and open space area” at Section 4.0 (Definition) in its entirety with the following:

“**amenity space**” means a useable open space area, not including the front and side setback areas and parking areas which is for the recreational use of the residents of a dwelling unit, and may include balconies, patios, decks and landscaped areas;

- iii) replacing the definition of “gross floor area” at Section 4.0 (Definition) in its entirety with the following:

“**floor area, gross**” means the total floor area of a building on a parcel measured to the outer limit of the exterior walls of a building, but does not include:

- parking areas to a maximum floor area exclusion of 45 m<sup>2</sup>, unless such parking is a principal use in which case no exclusion shall be permitted.
- a swimming pool.
- unenclosed front entry porches, balconies, decks, patios, terraces, courtyards or stairways.
- areas in a dwelling unit that are occupied by fixed mechanical or electrical equipment.
- crawl spaces.

- iv) adding a new definition of “floor area ratio” at Section 4.0 (Definition) to read as follows:

“**floor area ratio**” means the figure obtained when the gross floor area of all the buildings on a parcel is divided by the area of the parcel;

- v) replacing the definition of “secondary suite” at Section 4.0 (Definition) in its entirety with the following:

“**secondary suite**” means a second dwelling unit that is located entirely within a single detached dwelling and that is clearly accessory to the principal dwelling unit, with direct access to the open air without passage through any portion of the principal dwelling unit;

- vi) replacing Section 7.11 (Accessory Dwelling or Mobile) under Section 7.0 (General Regulations) in its entirety with the following:

### 7.11 Accessory Dwellings

The following regulations apply to accessory dwellings where permitted as a use in this Bylaw:

- .1 An accessory dwelling shall not be attached to a principal building containing one or more dwelling units.
  - .2 No accessory dwelling shall have a floor area greater than 90.0 m<sup>2</sup>, unless otherwise specified.
  - .3 An accessory dwelling cannot be subdivided under the *Strata Property Act*.
  - .4 An accessory dwelling shall not be permitted on parcels less than 1.0 ha in area unless connected to a community sewer system.
  - .5 An accessory dwelling shall have an amenity space for the residents of that dwelling of not less than 15.0 m<sup>2</sup>.
  - .6 A parking space for an accessory dwelling shall not be provided in tandem with parking spaces provided for any other use on a parcel.
  - .7 On a parcel greater than 4.0 ha in area, an accessory dwelling may be in the form of a mobile home;
  - .8 In the Commercial, Tourist Commercial and Industrial zones, an accessory dwelling:
    - i) shall be located at the rear of a building on the ground floor, or above the first storey;
    - ii) shall have a separate entrance from the exterior of the building and shall not share a common hallway with commercial, tourist commercial or industrial uses; and
    - iii) despite section 7.11.4, may be permitted on a parcel less than 1.0 ha in area if no other dwelling unit is situated on the parcel.
- vii) replacing Section 7.12 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:

### 7.12 Secondary Suites

The following regulations apply to secondary suites where permitted as a use in this Bylaw:

- .1 No more than one (1) secondary suite is permitted per single detached dwelling.
- .2 The maximum floor area of a secondary suite shall not exceed 90.0 m<sup>2</sup>.
- .3 Secondary suites are not permitted on parcels less than 1.0 ha in area unless connected to:

- a) the same on-site septic disposal system that serves the principal dwelling unit in the single detached dwelling; or
  - b) a community sewer system.
- .4 A secondary suite shall have an amenity space for the residents of that suite of not less than 15.0 m<sup>2</sup>.
- .5 A parking space for a secondary suite shall not be provided in tandem with parking spaces provided for any other use on a parcel.
- .6 A secondary suite must share a common uninterrupted foundation and roof with the principal dwelling unit in the single detached dwelling and for this purpose garages, carports and breezeways are deemed to interrupt a foundation or roof.
- viii) replacing Section 7.13.1 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .1 A building or structure, other than a building or structure containing one or more dwelling units, attached to a principal building is deemed to be a portion of the principal building if all of the following conditions are satisfied:
    - i) the building or structure shares a common wall with the principal building, where the common wall constitutes at least 50% of the vertical plane of the building or structure; and
    - ii) the building or structure shares, with the principal building, a common:
      - 1. foundation; or
      - 2. roof.
- ix) replacing Section 7.13.2 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .2 Notwithstanding s. 7.13.1, a carport attached to a principal building is deemed to be a portion of the principal building if the carport shares a common foundation and roof with the principal building.
- x) replacing Section 7.13.3 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities, balconies or decks, with the exception of an accessory building or structure in the RA, AG1, AG2 and LH1 Zones where one (1) shower is permitted, with a maximum floor area of 3.0 m<sup>2</sup>.

- xi) amending the regulation for “Residential (Accessory Dwelling Unit)” under Table 9.2 (Off-Street Parking and Loading Requirements) at Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Residential (Accessory Dwelling)	1 space per dwelling unit	0
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- xii) replacing Section 10.1.1(j) under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

j) accessory dwelling, subject to Section 7.11;

- xiii) replacing Section 10.1.5 under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

**10.1.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.1.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.1.5(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.

- xiv) replacing Section 10.2.1(g) under Section 10.2 (Agriculture One (AG1) Zone) in its entirety with the following:

g) accessory dwelling, subject to Section 7.11;

- xv) replacing Section 10.2.5 under Section 10.2 (Agriculture One (AG1) Zone) in its entirety with the following:

**10.2.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.2.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.2.5(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.
- xvi) replacing Section 10.3.1(g) under Section 10.3 (Large Holdings One (LH1) Zone) in its entirety with the following:
- g) accessory dwelling, subject to Section 7.11;
- xvii) replacing Section 10.3.5 under Section 10.3 (Large Holdings One (LH1) Zone) in its entirety with the following:

**10.3.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>

12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.3.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.3.5(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.
- xviii) adding a new sub-section c) under Section 10.5.1 at Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent section:
- c) accessory dwelling, subject to Section 7.11;
- xix) replacing Section 10.5.5 under Section 10.5 (Small Holdings Two (SH2) Zone) in its entirety with the following:
- 10.5.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite or one (1) accessory dwelling.
- xx) adding a new sub-section c) under Section 10.6.1 at Section 10.6 (Small Holdings Three (SH3) Zone) to read as follows and re-numbering all subsequent section:
- c) accessory dwelling, subject to Section 7.11;
- xxi) replacing Section 10.6.5 under Section 10.6 (Small Holdings Three (SH3) Zone) in its entirety with the following:
- 10.6.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite or one (1) accessory dwelling.
- xxii) adding a new sub-section c) under Section 10.7.1 at Section 10.7 (Small Holdings Four (SH4) Zone) to read as follows and re-numbering all subsequent section:
- c) accessory dwelling, subject to Section 7.11;
- xxiii) replacing Section 10.7.5 under Section 10.7 (Small Holdings Four (SH4) Zone) in its entirety with the following:
- 10.7.5 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and



- b) one (1) secondary suite or one (1) accessory dwelling.
- xxiv) adding a new sub-section c) under Section 10.8.1 at Section 10.8 (Small Holdings Five (SH5) Zone) to read as follows and re-numbering all subsequent section:
  - c) accessory dwelling, subject to Section 7.11;
- xxv) replacing Section 10.8.5 under Section 10.8 (Small Holdings Five (SH5) Zone) in its entirety with the following:
 

**10.8.5 Maximum Number of Dwelling Units Permitted Per Parcel:**

  - a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxvi) adding a new sub-section b) under Section 11.1.1 at Section 11.1 (Residential Single Family One (RS1) Zone) to read as follows and re-numbering all subsequent section:
  - b) accessory dwelling, subject to Section 7.11;
- xxvii) replacing Section 11.1.5 under Section 11.1 (Residential Single Family One (RS1) Zone) in its entirety with the following:
 

**11.1.5 Maximum Number of Dwelling Units Permitted Per Parcel:**

  - a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.

Electoral Area “F”

10. The “Regional District of Okanagan-Similkameen, Electoral Area “F” Official Community Plan Bylaw No. 2790, 2018” is amended by:
- i) replacing Section 7.2.1.5 (Policies – Greater West Bench) under Section 7.0 (Local Area Policies) in its entirety with the following:
    - .5 Subject to an updated technical assessment of geotechnical hazards in the greater West Bench / Sage Mesa area, may consider permitting secondary suites or accessory dwellings.
  - ii) adding a new Section 10.5.4 (Policies – Small Holdings) under Section 10.0 (Rural Holdings) to read as follows:
    - .4 Supports secondary suites and accessory dwellings, subject to accessory dwellings on parcels less than 1.0 ha in area being connected to a community sewer system.
  - iii) adding a new Section 10.5.5 (Policies – Small Holdings) under Section 10.0 (Rural Holdings) to read as follows:

**Commented [CG44]:** Updated reference. Proposes to replace current reference to “carriage houses”.

.5 Subject to an updated technical assessment of geotechnical hazards in the greater West Bench / Sage Mesa area, may consider permitting secondary suites or accessory dwellings in the zone(s) applied to this area.

**Commented [CG45]:** New Policy statement. Proposed to ensure consistency with similar policy statement currently found in the LR designation (as most of West Bench is currently zoned SH5).

iv) replacing Section 11.3.5 (Policies - General Residential) under Section 11.0 (Residential) in its entirety with the following:

.5 Subject to an updated technical assessment of geotechnical hazards in the greater West Bench / Sage Mesa area, may consider permitting secondary suites or accessory dwellings in the Small Holdings (SH) and Low Density Residential (LR) zone(s) that apply to this area.

**Commented [CG46]:** Updated reference. Proposes to replace current reference to "carriage houses".

v) replacing Section 11.4.5 (Policies - Low Density Residential) under Section 11.0 (Residential) in its entirety with the following:

.5 Subject to an updated technical assessment of geotechnical hazards in the greater West Bench / Sage Mesa area, may consider permitting secondary suites or accessory dwellings in the zone(s) applied to this area.

**Commented [CG47]:** Updated reference. Proposes to replace current reference to "carriage houses".

11. The Official Community Plan Bylaw Map, being Schedule 'B' of the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended by:

(i) changing land use designation on the land described as District Lot 4907, ODYD, and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Resource Area (RA) to Administrative, Cultural and Institutional (AI).

12. The "Regional District of Okanagan-Similkameen, Electoral Area "F" Zoning Bylaw No. 2461, 2008" is amended by:

i) replacing the definition of "accessory dwelling" at Section 4.0 (Definition) in its entirety with the following:

**"accessory dwelling"** means a dwelling unit which is permitted as an accessory use in conjunction with a principal use and is not located entirely within a single detached dwelling;

ii) adding a definition of "amenity space" at Section 4.0 (Definition) to read as follows:

**"amenity space"** means a useable open space area, not including the front and side setback areas and parking areas which is for the recreational use of the residents of a dwelling unit, and may include balconies, patios, decks and landscaped areas;

iii) replacing the definition of "gross floor area" at Section 4.0 (Definition) in its entirety with the following:

**"floor area, gross"** means the total floor area of a building on a parcel measured to the outer limit of the exterior walls of a building, but does not include:

- parking areas to a maximum floor area exclusion of 45 m<sup>2</sup>, unless such parking is a principal use in which case no exclusion shall be permitted.
  - a swimming pool.
  - unenclosed front entry porches, balconies, decks, patios, terraces, courtyards or stairways.
  - areas in a dwelling unit that are occupied by fixed mechanical or electrical equipment.
  - crawl spaces.
- iv) adding a new definition of “floor area ratio” at Section 4.0 (Definition) to read as follows:
- “**floor area ratio**” means the figure obtained when the gross floor area of all the buildings on a parcel is divided by the area of the parcel;
- v) adding a new definition of “secondary suite” at Section 4.0 (Definition) to read as follows:
- “**secondary suite**” means a second dwelling unit that is located entirely within a single detached dwelling and that is clearly accessory to the principal dwelling unit, with direct access to the open air without passage through any portion of the principal dwelling unit;
- vi) adding a new reference to “West Bench Small Holdings Zone SH6” under “Rural Zones” at Section 5.1 (Zoning District).
- vii) adding a new reference to “West Bench Low Density Residential Zone RS6” under “Low Density Residential Zones” at Section 5.1 (Zoning District).
- viii) replacing Section 7.11 (Accessory Dwelling or Mobile) under Section 7.0 (General Regulations) in its entirety with the following:

#### **7.11 Accessory Dwellings**

The following regulations apply to accessory dwellings where permitted as a use in this Bylaw:

- .1 An accessory dwelling shall not be attached to a principal building containing one or more dwelling units.
- .2 No accessory dwelling shall have a floor area greater than 90.0 m<sup>2</sup>, unless otherwise specified.
- .3 An accessory dwelling cannot be subdivided under the *Strata Property Act*.

- .4 An accessory dwelling shall not be permitted on parcels less than 1.0 ha in area unless connected to a community sewer system.
  - .5 An accessory dwelling shall have an amenity space for the residents of that dwelling of not less than 15.0 m<sup>2</sup>.
  - .6 A parking space for an accessory dwelling shall not be provided in tandem with parking spaces provided for any other use on a parcel.
  - .7 On a parcel greater than 4.0 ha in area, an accessory dwelling may be in the form of a mobile home;
  - .8 In the Commercial, Tourist Commercial and Industrial zones, an accessory dwelling:
    - i) shall be located at the rear of a building on the ground floor, or above the first storey;
    - ii) shall have a separate entrance from the exterior of the building and shall not share a common hallway with commercial, tourist commercial or industrial uses; and
    - iii) despite section 7.11.4, may be permitted on a parcel less than 1.0 ha in area if no other dwelling unit is situated on the parcel.
- ix) replacing Section 7.12 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:

#### **7.12 Secondary Suites**

The following regulations apply to secondary suites where permitted as a use in this Bylaw:

- .1 No more than one (1) secondary suite is permitted per single detached dwelling.
- .2 The maximum floor area of a secondary suite shall not exceed 90.0 m<sup>2</sup>.
- .3 Secondary suites are not permitted on parcels less than 1.0 ha in area unless connected to:
  - a) the same on-site septic disposal system that serves the principal dwelling unit in the single detached dwelling; or
  - b) a community sewer system.
- .4 A secondary suite shall have an amenity space for the residents of that suite of not less than 15.0 m<sup>2</sup>.
- .5 A parking space for a secondary suite shall not be provided in tandem with parking spaces provided for any other use on a parcel.
- .6 A secondary suite must share a common uninterrupted foundation and roof with the principal dwelling unit in the single detached dwelling and

for this purpose garages, carports and breezeways are deemed to interrupt a foundation or roof.

- x) replacing Section 7.13.1 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
  - .1 A building or structure, other than a building or structure containing one or more dwelling units, attached to a principal building is deemed to be a portion of the principal building if all of the following conditions are satisfied:
    - i) the building or structure shares a common wall with the principal building, where the common wall constitutes at least 50% of the vertical plane of the building or structure; and
    - ii) the building or structure shares, with the principal building, a common:
      - 1. foundation; or
      - 2. roof.
- xi) replacing Section 7.13.2 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
  - .2 Notwithstanding s. 7.13.1, a carport attached to a principal building is deemed to be a portion of the principal building if the carport shares a common foundation and roof with the principal building.
- xii) replacing Section 7.13.3 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
  - .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities, balconies or decks, with the exception of an accessory building or structure in the RA, AG1, AG2 and LH1 Zones where one (1) shower is permitted, with a maximum floor area of 3.0 m<sup>2</sup>.
- xiii) amending the regulation for “Residential (Accessory Dwelling Unit)” under Table 9.2 (Off-Street Parking and Loading Requirements) at Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Residential (Accessory Dwelling)	1 space per dwelling unit	0
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- xiv) replacing Section 10.1.1(q) under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:
  - q) accessory dwelling, subject to Section 7.11;
- xv) adding a new sub-section x) under Section 10.1.1 at Section 10.1 (Resource Area (RA) Zone) to read as follows and re-numbering all subsequent section:

- x) secondary suite, subject to Section 7.12;
- xvi) replacing Section 10.1.5 under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

**10.1.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.1.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.1.5(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.

- xvii) replacing Section 10.2.1(i) under Section 10.2 (Agriculture Two (AG2) Zone) in its entirety with the following:

- i) accessory dwelling, subject to Section 7.11;

- xviii) replacing Section 10.2.5 under Section 10.2 (Agriculture Two (AG2) Zone) in its entirety with the following:

**10.2.5 Maximum Number of Dwelling Units Permitted Per Parcel:**

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwelling 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 dwelling 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.2.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.2.5(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.
- xix) replacing Section 10.3.1(j) under Section 10.3 (Agriculture Three (AG3) Zone) in its entirety with the following:
  - j) accessory dwelling, subject to Section 7.11;
- xx) replacing Section 10.3.5 under Section 10.3 (Agriculture Three (AG3) Zone) in its entirety with the following:

**10.3.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.3.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.3.5(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.
- xxi) adding a new sub-section Section 10.4.1(l) under Section 10.4 (Large Holdings One (LH1) Zone) to read as follows and re-numbering all subsequent sections:
    - l) accessory dwelling, subject to Section 7.11;
  - xxii) replacing Section 10.4.5 under Section 10.4 (Large Holdings One (LH1) Zone) in its entirety with the following:

**10.4.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.4.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.4.5(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.
- xxiii) adding a new sub-section g) under Section 10.5.1 at Section 10.5 (Small Holdings Two (SH2) Zone) to read as follows and re-numbering all subsequent sections:



- g) accessory dwelling, subject to Section 7.11;
- xxiv) replacing Section 10.5.6 under Section 10.5 (Small Holdings Two (SH2) Zone) in its entirety with the following:
- 10.5.6 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxv) adding a new sub-section c) under Section 10.6.1 at Section 10.6 (Small Holdings Three (SH3) Zone) to read as follows and re-numbering all subsequent sections:
- c) accessory dwelling, subject to Section 7.11;
- xxvi) replacing Section 10.6.6 under Section 10.6 (Small Holdings Three (SH3) Zone) in its entirety with the following:
- 10.6.6 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxvii) adding a new sub-section c) under Section 10.7.1 at Section 10.7 (Small Holdings Four (SH4) Zone) to read as follows and re-numbering all subsequent sections:
- c) accessory dwelling, subject to Section 7.11;
- xxviii) adding a new sub-section g) under Section 10.7.1 at Section 10.7 (Small Holdings Four (SH4) Zone) to read as follows and re-numbering all subsequent sections:
- g) secondary suite, subject to Section 7.12;
- xxix) replacing Section 10.7.6 under Section 10.7 (Small Holdings Four (SH4) Zone) in its entirety with the following:
- 10.7.6 Maximum Number of Dwelling Units Permitted Per Parcel:**
- a) one (1) principal dwelling unit; and
  - b) one (1) secondary suite or one (1) accessory dwelling.
- xxx) adding a new sub-section d) under Section 10.8.1 at Section 10.8 (Small Holdings Five (SH5) Zone) to read as follows and re-numbering all subsequent sections:
- d) accessory dwelling, subject to Section 7.11;
- xxxii) adding a new sub-section g) under Section 10.8.1 at Section 10.8 (Small Holdings Five (SH5) Zone) to read as follows and re-numbering all subsequent sections:

g) secondary suite, subject to Section 7.12;

xxxii) replacing Section 10.8.6 under Section 10.8 (Small Holdings Five (SH5) Zone) in its entirety with the following:

**10.8.6 Maximum Number of Dwelling Units Permitted Per Parcel:**

- a) one (1) principal dwelling unit; and
- b) one (1) secondary suite or one (1) accessory dwelling.

xxxiii) adding a new Section 10.9 (West Bench Small Holdings (SH6) Zone) under Section 10.0 (Rural Zones) to read as follows:

**10.9 West Bench Small Holdings Zone (SH6)**

**10.9.1 Permitted Uses:**

Principal Uses:

- a) single detached dwelling;

Accessory Uses:

- b) agriculture, subject to Section 7.23 and 7.24;
- c) bed and breakfast operation, subject to Section 7.19;
- d) home occupation, subject to Section 7.17; and
- e) accessory buildings and structures, subject to Section 7.13.

**10.9.2 Site Specific West Bench Small Holdings (SH6s) Provisions:**

- a) see Section 17.23

**10.9.3 Minimum Parcel Size:**

- a) 0.25 ha, when connected to a community sewer and water system;
- b) 0.5 ha, when connected to community sewer system and serviced by well; or
- c) 1.0 ha, when serviced by well and approved septic system.

**10.9.4 Minimum Parcel Width:**

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

**10.9.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) principal dwelling unit.

**Commented [CG48]:** New Zone being introduced to address geotechnical concerns on the West Bench and to ensure that the introduction of secondary suites and accessory dwellings does not occur in the West Best.

**10.9.6 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: 4.5 metres
  - iv) Exterior side parcel line: 4.5 metres
- b) Accessory Buildings and Structures, subject to Section 7.22:
  - i) Front parcel line: 9.0 metres
  - ii) Rear parcel line: 3.0 metres
  - iii) Interior side parcel line: 1.5 metres
  - iv) Exterior side parcel line: 4.5 metres
- c) Despite Section 10.9.7(a) and (b), livestock shelters, generator sheds, boilers or walls with fans, and on-farm Soil-less medium production facilities:
  - i) Front parcel line: 15.0 metres
  - ii) Rear parcel line: 15.0 metres
  - iii) Exterior side parcel line: 15.0 metres
  - iv) Interior side parcel line: 15.0 metres
- d) Despite Section 10.9.7(a) and (b), incinerator or compost facility:
  - i) Front parcel line: 30.0 metres
  - ii) Rear parcel line: 30.0 metres
  - iii) Exterior side parcel line: 30.0 metres
  - iv) Interior side parcel line: 30.0 metres

**10.9.7 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.

**10.9.8 Maximum Parcel Coverage:**

- a) 30%

**10.9.9 Minimum Building Width:**

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

xxxiv) adding a new Section 11.3 (West Bench Low Density Residential (RS6) Zone) under Section 11.0 (Low Density Residential Zones) to read as follows:

**11.3 West Bench Low Density Residential Zone (RS6)**

**11.3.1 Permitted Uses:**

Principal Uses:

- a) single detached dwelling;

Accessory Uses:

- b) bed and breakfast operation, subject to Section 7.19;
- c) home occupation, subject to Section 7.17; and
- d) accessory buildings and structures, subject to Section 7.13.

**11.3.2 Site Specific West Bench Low Density Residential (RS6s) Provisions:**

- a) see Section 17.24

**11.3.3 Minimum Parcel Size:**

- a) 500 m<sup>2</sup>, when connected to a community sewer and water system;
- b) 0.5 ha, when connected to community sewer system and serviced by well; or
- c) 1.0 ha, when serviced by well and approved septic system.

**11.3.4 Minimum Parcel Width:**

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

**11.3.5 Maximum Number of Dwellings Permitted Per Parcel:**

- a) one (1) principal dwelling unit.

**11.3.6 Minimum Setbacks:**

- a) Buildings and structures:
  - i) Front parcel line: 7.5 metres
  - ii) Rear parcel line: 7.5 metres

**Commented [CG49]:** New Zone being introduced to address geotechnical concerns on the West Bench and to ensure that the introduction of secondary suites and accessory dwellings does not occur in the West Best.

- iii) Interior side parcel line: 1.5 metres
- iv) Exterior side parcel line: 4.5 metres
- b) Accessory Buildings and Structures, subject to Section 7.22:
  - 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

**11.3.6 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.

**11.3.8 Maximum Parcel Coverage:**

- a) 30%

**11.3.9 Minimum Building Width:**

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

xxxv) replacing Section 17.8.1 (Site Specific Small Holdings Five (SH5s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

.1 *deleted.*

xxxvi) replacing Section 17.9.1 (Site Specific Residential Single Family One (RS1s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

.1 *deleted.*

xxxvii) replacing Section 17.10.1 (Site Specific Residential Single Family Two (RS2s) Provisions) under Section 17.0 (Site Specific Designations) in its entirety with the following:

.1 *deleted.*

xxxviii) adding a new Section 17.23 (Site Specific West Bench Small Holdings (SH6s) Provisions) under Section 17.0 (Site Specific Designations) to read as follows:

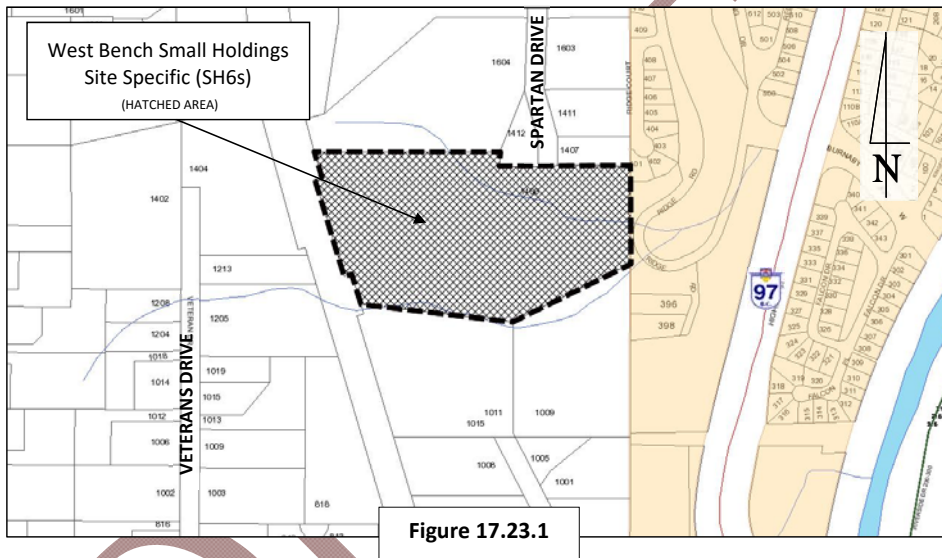
**17.23 Site Specific West Bench Small Holdings (SH6s) Provisions:**

.1 in the case of land shown described as Lot 146, Plan KAP8166, District Lot 5076, ODYD, Except Plan 21461 KAP64111, except part north of Lot 1 & E of road all on Plan 21461 (1400 Spartan Drive) and shown hatched on Figure 17.23.1, the following provisions shall apply:

a) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 10.9.1:

i) “winery”.

b) the maximum floor area of a “winery” shall not exceed 55.0 m<sup>2</sup>



xxxix) adding a new Section 17.24 (Site Specific West Bench Low Density Residential (RS6s) Provisions) under Section 17.0 (Site Specific Designations) to read as follows:

**17.24 Site Specific West Bench Low Density Residential (RS6s) Provisions:**

.1 in the case of the land described as Lot 17, District Lot 2497, ODYD, Plan 13181 (3861 Solana Crescent), and shown shaded yellow on Figure 17.24.1;

i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 11.1.1:

a) “residential building”, which is defined as meaning a structure used or intended to be used for sheltering vehicles, boats, equipment and storage of household goods.

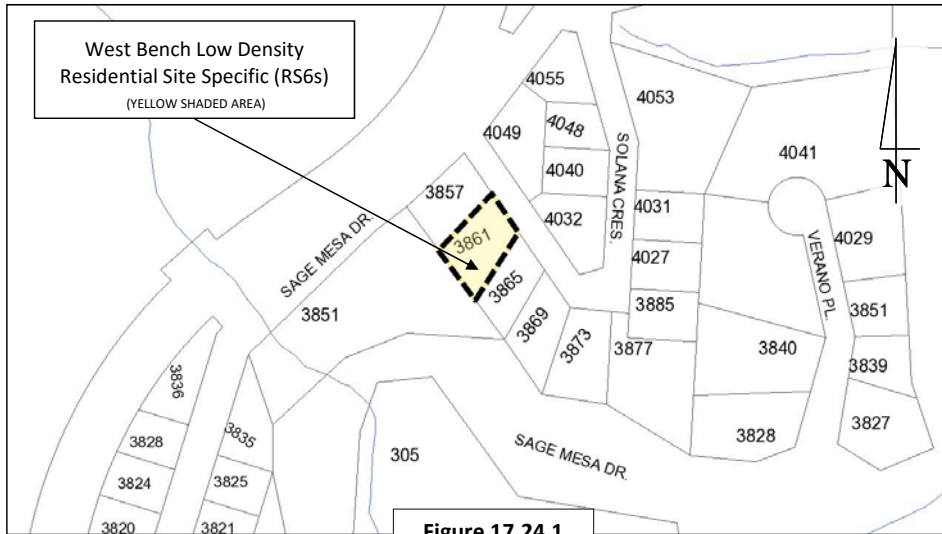


Figure 17.24.1

13. The Official Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:
- (i) changing land use designation of the land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Small Holdings Four (SH4) to West Bench Small Holdings (SH6).
  - (ii) changing land use designation of the land shown shaded blue on Schedule 'A', which forms part of this Bylaw, from Small Holdings Five (SH5) to West Bench Small Holdings (SH6).
  - (iii) changing land use designation of the land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Residential Single Family Two (RS2) to West Bench Low Density Residential (RS6).
  - (iv) changing land use designation of the land shown shaded blue on Schedule 'B', which forms part of this Bylaw, from Residential Single Family Two Site Specific (RS2s) to West Bench Low Density Residential (RS6).
  - (v) changing land use designation on an approximately 1.45 ha part of the land described as District Lot 4907, ODYD, and shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Small Holdings Four (SH4) to Administrative, Cultural and Institutional (AI).
  - (vi) changing land use designation of the land shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Small Holdings Five (SH5) to West Bench Small Holdings (SH6).

- (vii) changing land use designation of the land shown shaded blue on Schedule 'E', which forms part of this Bylaw, from Small Holdings Five Site Specific (SH5s) to West Bench Small Holdings (SH6).
- (viii) changing land use designation of the land shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Residential Single Family One (RS1) to West Bench Low Density Residential (RS6).
- (ix) changing land use designation of the land shown shaded blue on Schedule 'F', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to West Bench Low Density Residential Site Specific (RS6s).
- (x) changing land use designation of the land shown shaded blue on Schedule 'G', which forms part of this Bylaw, from Residential Single Family One Site Specific (RS1s) to West Bench Low Density Residential Site Specific (RS6s).
- (xi) changing land use designation of an approximately 0.46 ha area of land shown shaded purple on Schedule 'H', which forms part of this Bylaw, from Large Holdings One (LH1) to West Bench Low Density Residential (RS6).
- (xii) changing land use designation of an approximately 1.54 ha area of land shown shaded green on Schedule 'H', which forms part of this Bylaw, from Small Holdings Four (SH4) to West Bench Low Density Residential (RS6).
- (xiii) changing land use designation of an approximately 3.0 ha area of land shown shaded blue on Schedule 'H', which forms part of this Bylaw, from Small Holdings Three (SH3) to West Bench Low Density Residential (RS6).
- (xiv) changing land use designation of an approximately 3.9 ha area of land shown shaded orange on Schedule 'H', which forms part of this Bylaw, from Residential Single Family Two (RS2) to Large Holdings One (LH1).
- (xv) changing land use designation of an approximately 19.0 ha area of land shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Residential Single Family Two (RS2) to West Bench Low Density Residential (RS6).

#### Electoral Area "I"

14. The "Regional District of Okanagan-Similkameen, Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016" is amended by:
  - i) adding a new Section 10.5.4 (Policies – Small Holdings) under Section 10.0 (Rural Holdings) to read as follows:
    - .4 Supports secondary suites and accessory dwelling, subject to accessory dwellings on parcels less than 1.0 ha in area being connected to a community sewer system.
15. The "Regional District of Okanagan-Similkameen, Electoral Area "I" Zoning Bylaw No. 2457, 2008" is amended by:



- i) replacing the definition of “accessory dwelling” at Section 4.0 (Definition) in its entirety with the following:

“**accessory dwelling**” means a dwelling unit which is permitted as an accessory use in conjunction with a principal use and is not located entirely within a single detached dwelling;

- ii) replacing the definition of “amenity area” at Section 4.0 (Definition) in its entirety with the following:

“**amenity space**” means a useable open space area, not including the front and side setback areas and parking areas which is for the recreational use of the residents of a dwelling unit, and may include balconies, patios, decks and landscaped areas;

- iii) replacing the definition of “gross floor area” at Section 4.0 (Definition) in its entirety with the following:

“**floor area, gross**” means the total floor area of a building on a parcel measured to the outer limit of the exterior walls of a building, but does not include:

- parking areas to a maximum floor area exclusion of 45 m<sup>2</sup>, unless such parking is a principal use in which case no exclusion shall be permitted.
- a swimming pool.
- unenclosed front entry porches, balconies, decks, patios, terraces, courtyards or stairways.
- areas in a dwelling unit that are occupied by fixed mechanical or electrical equipment.
- crawl spaces.

- iv) replacing the definition of “secondary suite” at Section 4.0 (Definition) in its entirety with the following:

“**secondary suite**” means a second dwelling unit that is located entirely within a single detached dwelling and that is clearly accessory to the principal dwelling unit, with direct access to the open air without passage through any portion of the principal dwelling unit;

- v) replacing Section 7.11 (Accessory Dwelling or Mobile Home) under Section 7.0 (General Regulations) in its entirety with the following:

**7.11 Accessory Dwellings**

The following regulations apply to accessory dwellings where permitted as a use in this Bylaw:

- .1 An accessory dwelling shall not be attached to a principal building containing one or more dwelling units.

- .2 No accessory dwelling shall have a floor area greater than 90.0 m<sup>2</sup>, unless otherwise specified.
  - .3 An accessory dwelling cannot be subdivided under the *Strata Property Act*.
  - .4 An accessory dwelling shall not be permitted on parcels less than 1.0 ha in area unless connected to a community sewer system.
  - .5 An accessory dwelling shall have an amenity space for the residents of that dwelling of not less than 15.0 m<sup>2</sup>.
  - .6 A parking space for an accessory dwelling shall not be provided in tandem with parking spaces provided for any other use on a parcel.
  - .7 On a parcel greater than 4.0 ha in area, an accessory dwelling may be in the form of a mobile home;
  - .8 In the Commercial, Tourist Commercial and Industrial zones, an accessory dwelling:
    - i) shall be located at the rear of a building on the ground floor, or above the first storey;
    - ii) shall have a separate entrance from the exterior of the building and shall not share a common hallway with commercial, tourist commercial or industrial uses; and
    - iii) despite section 7.11.4, may be permitted on a parcel less than 1.0 ha in area if no other dwelling unit is situated on the parcel.
- vi) replacing Section 7.12 (Secondary Suites) under Section 7.0 (General Regulations) in its entirety with the following:

#### **7.12 Secondary Suites**

The following regulations apply to secondary suites where permitted as a use in this Bylaw:

- .1 No more than one (1) secondary suite is permitted per single detached dwelling.
- .2 The maximum floor area of a secondary suite shall not exceed 90.0 m<sup>2</sup>.
- .3 Secondary suites are not permitted on parcels less than 1.0 ha in area unless connected to:
  - a) the same on-site septic disposal system that serves the principal dwelling unit in the single detached dwelling; or
  - b) a community sewer system.
- .4 A secondary suite shall have an amenity space for the residents of that suite of not less than 15.0 m<sup>2</sup>.

- .5 A parking space for a secondary suite shall not be provided in tandem with parking spaces provided for any other use on a parcel.
  - .6 A secondary suite must share a common uninterrupted foundation and roof with the principal dwelling unit in the single detached dwelling and for this purpose garages, carports and breezeways are deemed to interrupt a foundation or roof.
- vii) replacing Section 7.13.1 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .1 A building or structure, other than a building or structure containing one or more dwelling units, attached to a principal building is deemed to be a portion of the principal building if all of the following conditions are satisfied:
    - i) the building or structure shares a common wall with the principal building, where the common wall constitutes at least 50% of the vertical plane of the building or structure; and
    - ii) the building or structure shares, with the principal building, a common:
      - 1. foundation; or
      - 2. roof.
- viii) replacing Section 7.13.2 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .2 Notwithstanding s. 7.13.1, a carport attached to a principal building is deemed to be a portion of the principal building if the carport shares a common foundation and roof with the principal building.
- ix) replacing Section 7.13.3 under Section 7.13 (Accessory Buildings and Structures) at Section 7.0 (General Regulations) in its entirety with the following:
- .3 No accessory building or structure shall contain showers and bathtubs, bedrooms, sleeping facilities, balconies or decks, with the exception of an accessory building or structure in the RA, AG1, AG2 and LH1 Zones where one (1) shower is permitted, with a maximum floor area of 3.0 m<sup>2</sup>.
- x) amending the regulation for “Residential (Accessory Dwelling Unit)” under Table 9.2 (Off-Street Parking and Loading Requirements) at Section 9.0 (Off-Street Parking, Loading Requirements) to read as follows:

Residential (Accessory Dwelling)	1 space per dwelling unit	0
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- xi) replacing Section 10.1.1(n) under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

n) accessory dwelling, subject to Section 7.11;

xii) replacing Section 10.1.5 under Section 10.1 (Resource Area (RA) Zone) in its entirety with the following:

**10.1.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) despite Section 10.1.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.1.5(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.
- d) despite Sections 10.1.5(b), for parcels situated within the “Radio Frequency Interference Area” as shown on Schedule ‘3’ to this bylaw, the maximum number of all secondary suites, accessory dwellings or mobile homes shall not exceed one (1).

xiii) replacing Section 10.2.1(g) under Section 10.2 (Agriculture One (AG1) Zone) in its entirety with the following:

g) accessory dwelling, subject to Section 7.11;

xiv) replacing Section 10.2.5 under Section 10.2 (Agriculture One (AG1) Zone) in its entirety with the following:

**10.2.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.2.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.2.5(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.
- d) despite Sections 10.2.5(b), for parcels situated within the “Radio Frequency Interference Area” as shown on Schedule ‘3’ to this bylaw, the maximum number of all secondary suites, accessory dwellings or mobile homes shall not exceed one (1).
- xv) replacing Section 10.3.1(g) under Section 10.3 (Agriculture One (AG1) Zone) in its entirety with the following:
  - g) accessory dwelling, subject to Section 7.11;
- xvi) replacing Section 10.3.5 under Section 10.3 (Agriculture One (AG1) Zone) in its entirety with the following:

**10.3.5 Maximum Number of Dwelling Units Permitted Per Parcel:**

- a) one (1) principal dwelling unit.
- b) the number of secondary suites or accessory dwellings 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>

Greater than 16.0 ha	4	360 m <sup>2</sup>
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- c) Despite Section 10.3.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.3.5(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.
  - d) despite Sections 10.3.5(b), for parcels situated within the “Radio Frequency Interference Area” as shown on Schedule ‘3’ to this bylaw, the maximum number of all secondary suites, accessory dwellings or mobile homes shall not exceed one (1).
- xvii) replacing Section 10.4.1(i) under Section 10.4 (Large Holdings One (LH1) Zone) in its entirety with the following:
- i) accessory dwelling, subject to Section 7.11;
- xviii) replacing Section 10.4.5 under Section 10.4 (Large Holdings One (LH1) Zone) in its entirety with the following:

**10.4.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) Despite Section 10.4.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.4.5(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.

- d) despite Sections 10.4.5(b), for parcels situated within the “Radio Frequency Interference Area” as shown on Schedule ‘3’ to this bylaw, the maximum number of all secondary suites, accessory dwellings or mobile homes shall not exceed one (1).
- xix) replacing Section 10.5.1(g) under Section 10.5 (Large Holdings Two (LH2) Zone) in its entirety with the following:
  - g) accessory dwelling, subject to Section 7.11;
- xx) replacing Section 10.5.5 under Section 10.5 (Large Holdings Two (LH2) Zone) in its entirety with the following:

**10.5.5 Maximum Number of Dwelling Units 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	90 m <sup>2</sup>
8.0 ha to 11.9 ha	2	180 m <sup>2</sup>
12.0 ha to 15.9 ha	3	270 m <sup>2</sup>
Greater than 16.0 ha	4	360 m <sup>2</sup>

- c) despite Section 10.5.5(b), for parcels situated within the Agricultural Land Reserve (ALR), the maximum number of secondary suites or accessory dwellings permitted per parcel under Section 10.5.5(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.
- d) despite Sections 10.5.5(b), for parcels situated within the “Radio Frequency Interference Area” as shown on Schedule ‘3’ to this bylaw, the maximum number of all secondary suites, accessory dwellings or mobile homes shall not exceed one (1).
- xxi) adding a new Section 10.6.1(c) under Section 10.6 (Small Holdings Two Zone) to read as follows and renumbering all subsequent sub-sections:
  - c) accessory dwelling, subjection to Section 7.11;

- xxii) replacing Section 10.6.5(b) under Section 10.6 (Small Holdings Two Zone) in its entirety with the following:
- b) one (1) accessory dwelling or secondary suite.
- xxiii) adding a new Section 10.7.1(c) under Section 10.7 (Small Holdings Three Zone) to read as follows and renumbering all subsequent sub-sections:
- c) accessory dwelling, subsection to Section 7.11;
- xxiv) replacing Section 10.7.5(b) under Section 10.7 (Small Holdings Three Zone) in its entirety with the following:
- b) one (1) accessory dwelling or secondary suite.
- xxv) adding a new Section 10.8.1(c) under Section 10.8 (Small Holdings Four Zone) to read as follows and renumbering all subsequent sub-sections:
- c) accessory dwelling, subsection to Section 7.11;
- xxvi) replacing Section 10.8.5(b) under Section 10.8 (Small Holdings Four Zone) in its entirety with the following:
- b) one (1) accessory dwelling or secondary suite.
- xxvii) adding a new Section 11.1.1.(b) under Section 11.1 (Residential Single Family One Zone) to read as follows and renumbering all subsequent sub-sections:
- b) accessory dwelling, subsection to Section 7.11;
- xxviii) replacing Section 11.1.5(b) under Section 11.1 (Residential Single Family One Zone) in its entirety with the following:
- b) one (1) accessory dwelling or secondary suite.
- xxix) adding a new Section 11.2.1.(b) under Section 11.2 (Residential Single Family Two Zone) to read as follows and renumbering all subsequent sub-sections:
- b) accessory dwelling, subsection to Section 7.11;
- xxx) replacing Section 11.2.5(b) under Section 11.2 (Residential Single Family Two Zone) in its entirety with the following:
- b) one (1) accessory dwelling or secondary suite.
- xxxi) adding a new Section 11.3.1.(c) under Section 11.3 (Residential Apex Alpine Zone) to read as follows and renumbering all subsequent sub-sections:
- c) accessory dwelling, subsection to Section 7.11;



xxxii) replacing Section 11.3.5(b) under Section 11.3 (Residential Apex Alpine Zone) in its entirety with the following:

b) one (1) accessory dwelling or secondary suite.

READ A FIRST AND SECOND TIME this \_\_\_\_ day of \_\_\_\_\_, 2019.

PUBLIC HEARING held on this \_\_\_\_ day of \_\_\_\_\_, 2019.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2019.

I hereby certify the foregoing to be a true and correct copy of the " Regional District of Okanagan-Similkameen Update of Secondary Suite & Accessory Dwelling Regulations Amendment Bylaw No. 2785, 2019" as read a Third time by the Regional Board on this \_\_\_\_ day of \_\_\_\_, 2019.

Dated at Penticton, BC this \_\_ day of \_\_\_\_, 2019.

\_\_\_\_\_  
Corporate Officer

Approved pursuant to Section 52(3) of the Transportation Act this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
For the Minister of Transportation & Infrastructure

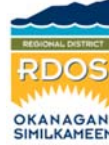
ADOPTED this \_\_ day of \_\_\_\_, 2019.

\_\_\_\_\_  
Board Chair

\_\_\_\_\_  
Corporate Officer

# Regional District of Okanagan-Similkameen

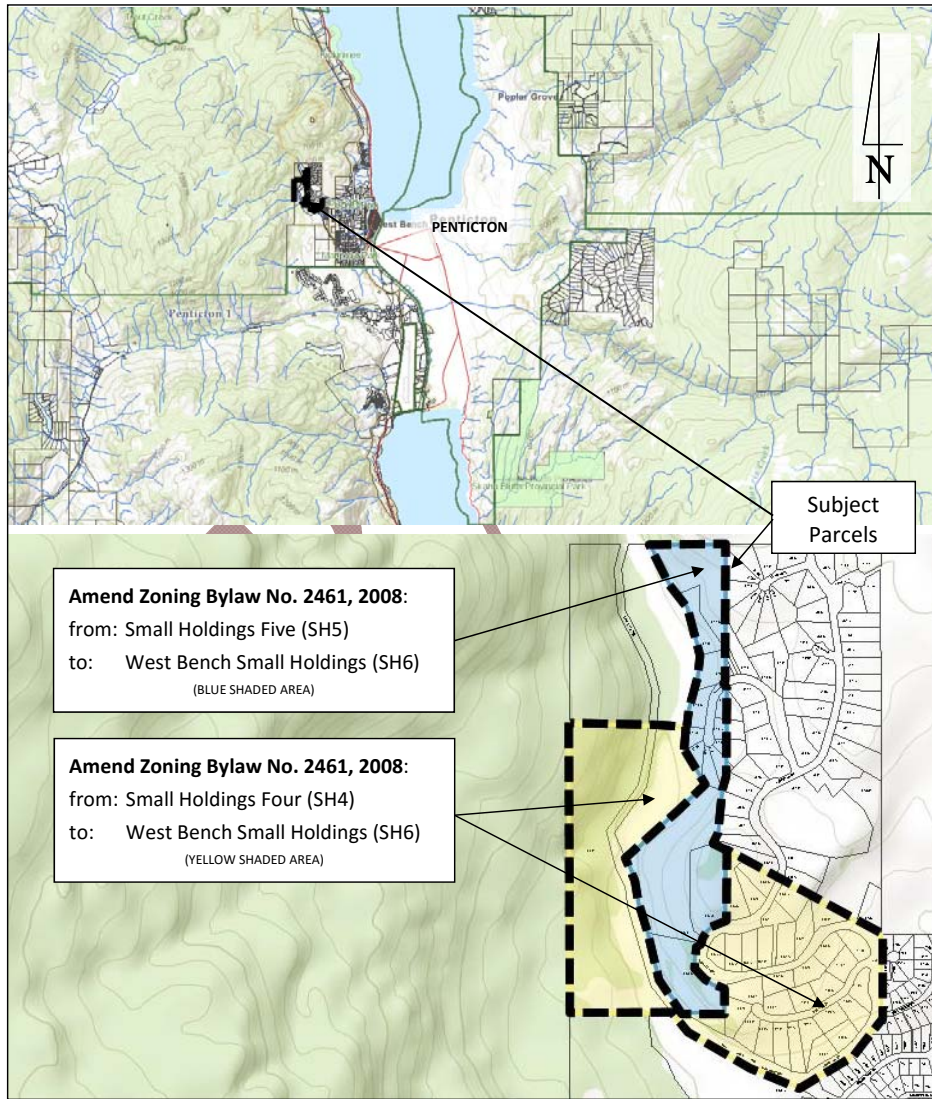
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2785, 2019

Project No: X2019.008-ZONE

## Schedule 'A'



Update of Secondary Suite & Accessory Dwelling Regulations Amendment Bylaw No. 2785, 2019

Project No. X2019.008-ZONE

**DRAFT VERSION – 2019-12-04**

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# Regional District of Okanagan-Similkameen

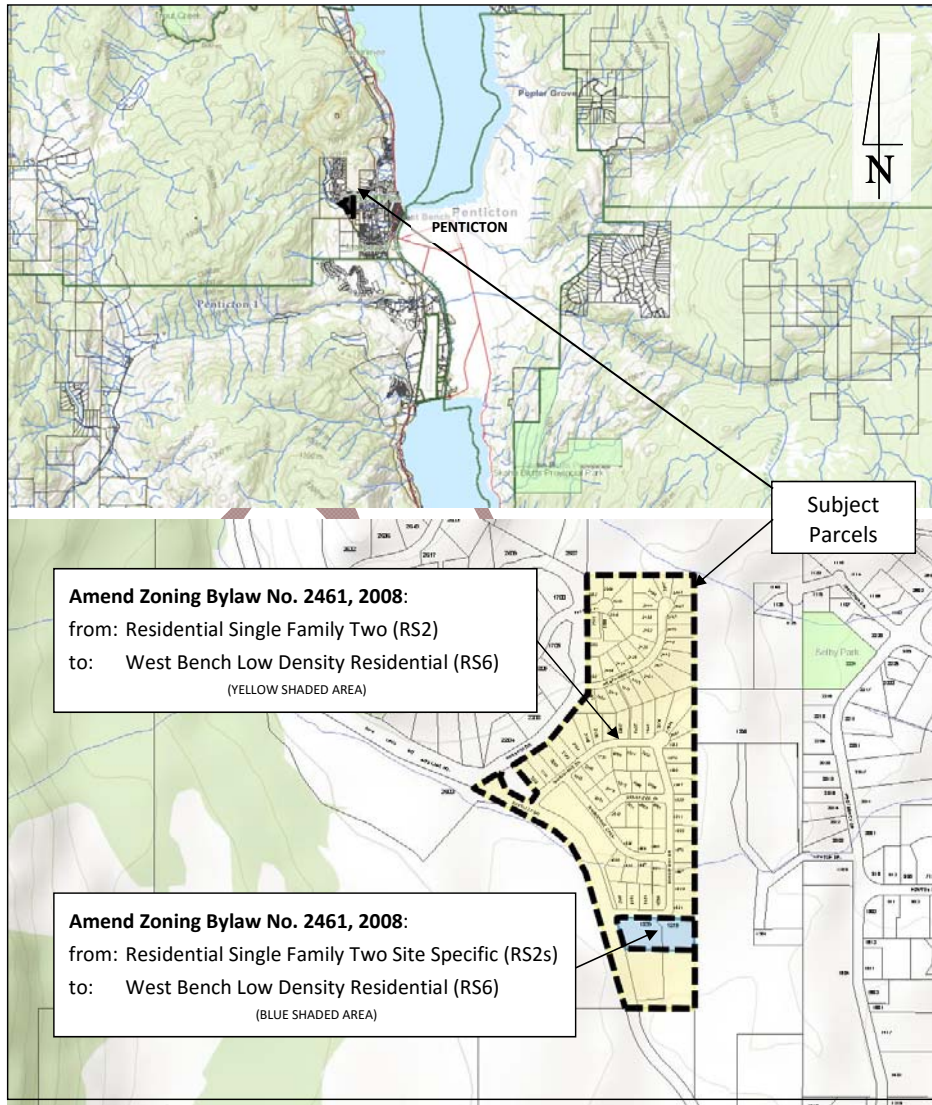
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2785, 2019

Project No: X2019.008-ZONE

## Schedule 'B'



Update of Secondary Suite & Accessory Dwelling Regulations Amendment Bylaw No. 2785, 2019

Project No. X2019.008-ZONE

**DRAFT VERSION – 2019-12-04**

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# Regional District of Okanagan-Similkameen

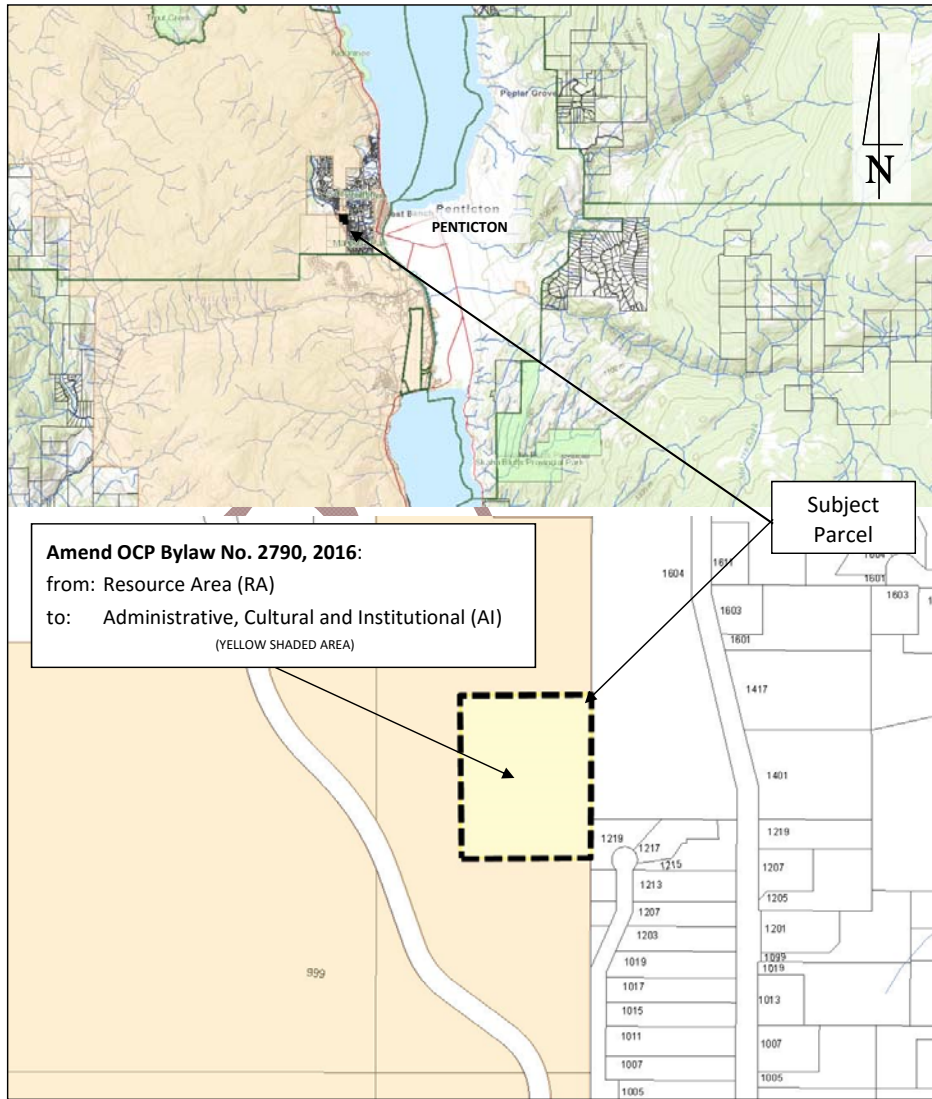
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2785, 2019

Project No: X2019.008-ZONE

## Schedule 'C'



Update of Secondary Suite & Accessory Dwelling Regulations Amendment Bylaw No. 2785, 2019

Project No. X2019.008-ZONE

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# Regional District of Okanagan-Similkameen

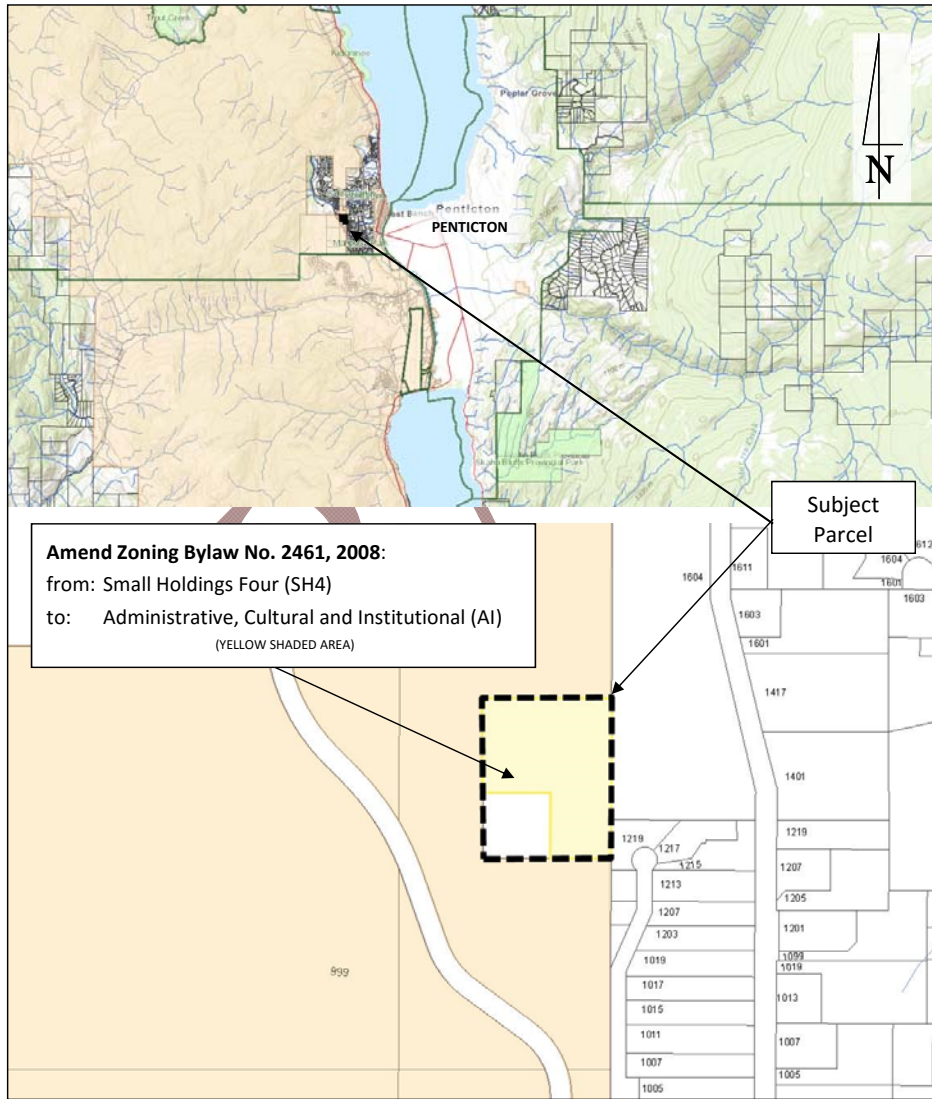
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2785, 2019

Project No: X2019.008-ZONE

## Schedule 'D'



Update of Secondary Suite & Accessory Dwelling Regulations Amendment Bylaw No. 2785, 2019

Project No. X2019.008-ZONE

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# Regional District of Okanagan-Similkameen

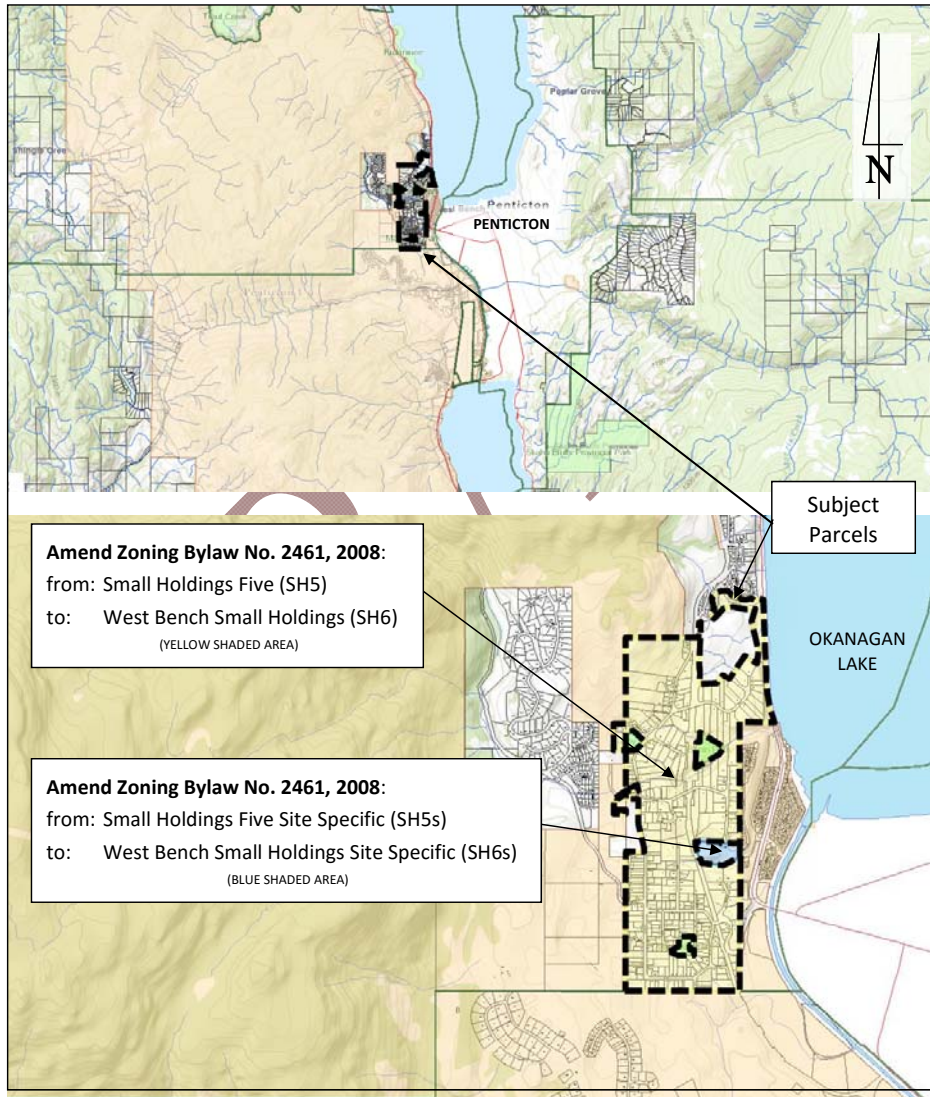
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2785, 2019

Project No: X2019.008-ZONE

## Schedule 'E'



Update of Secondary Suite & Accessory Dwelling Regulations Amendment Bylaw No. 2785, 2019

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# Regional District of Okanagan-Similkameen

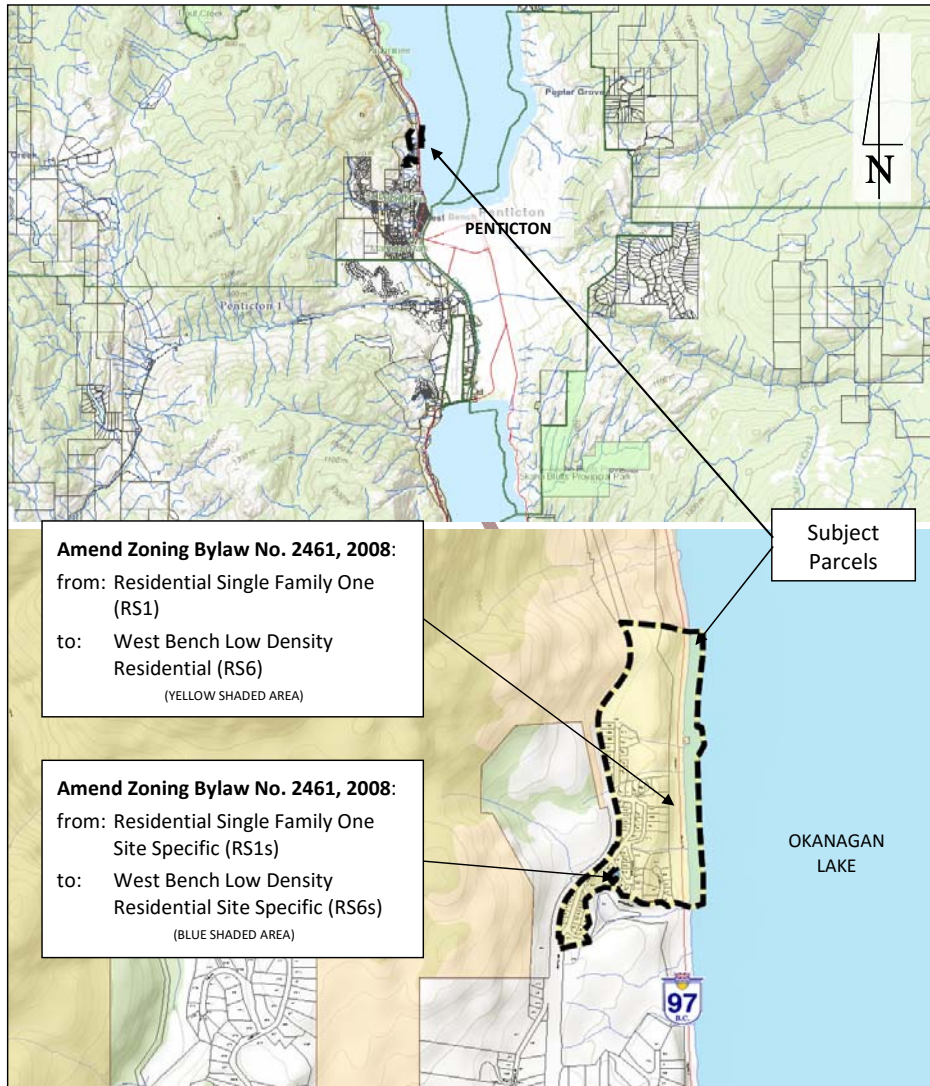
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2785, 2019

Project No: X2019.008-ZONE

Schedule 'F'



Update of Secondary Suite & Accessory Dwelling Regulations Amendment Bylaw No. 2785, 2019

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# Regional District of Okanagan-Similkameen

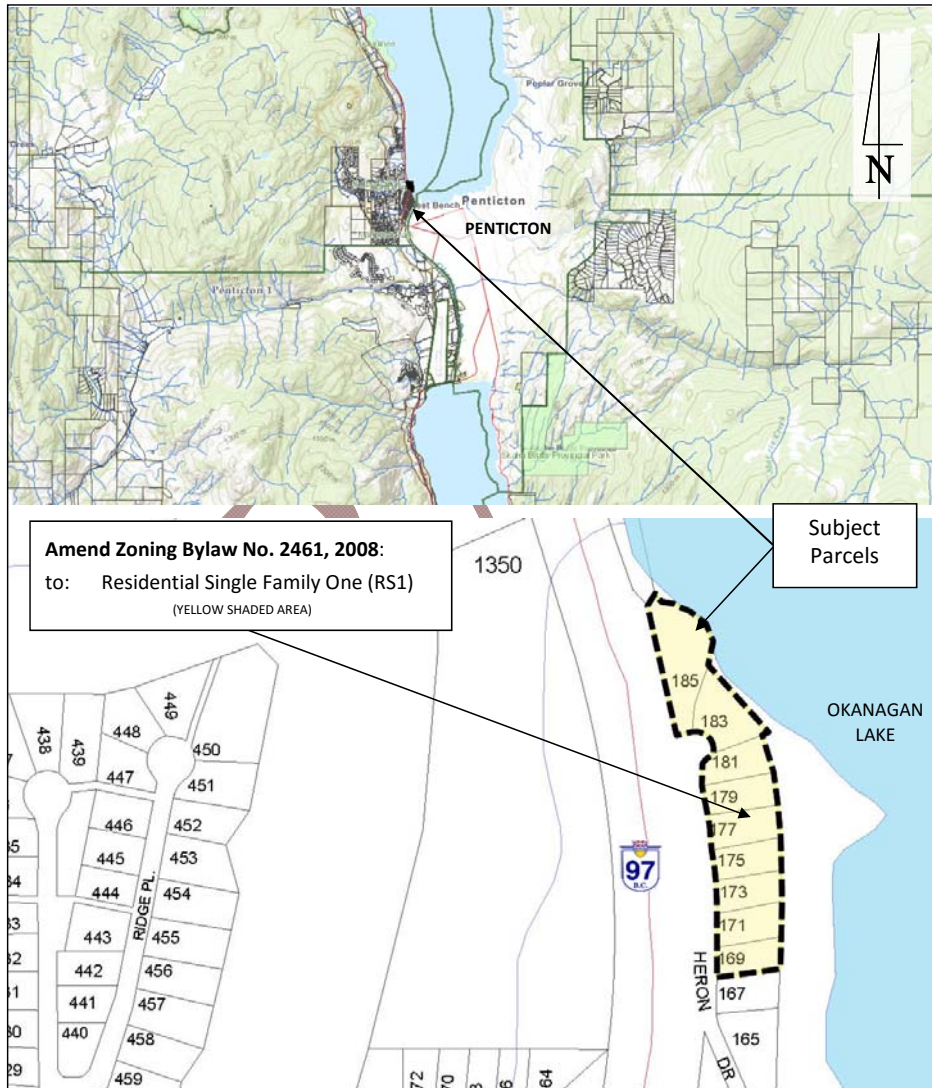
101 Martin St, Penticton, BC, V2A-5J9  
Telephone: 250-492-0237 Email: [info@rdos.bc.ca](mailto:info@rdos.bc.ca)



Amendment Bylaw No. 2785, 2019

Project No: X2019.008-ZONE

## Schedule 'G'



Update of Secondary Suite & Accessory Dwelling Regulations Amendment Bylaw No. 2785, 2019

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# Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2785, 2019

Project No: X2019.008-ZONE

## Schedule 'H'

