

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN**

**BYLAW NO. 2800.37, 2024**

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**A Bylaw to amend the South Okanagan Electoral Area Zoning Bylaw**

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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 “Okanagan Electoral Area Small-Scale Multi-Family Housing Implementation Zoning Amendment Bylaw No. 2800.37, 2024.”
2. The “Okanagan Valley Zoning Bylaw No. 2800, 2022,” is amended by:
  - i) replacing the definition of “duplex dwelling” under Section 4.0 (Definitions) in its entirety with the following:

“**duplex dwelling**” means a *building* containing two *principal dwelling units* with each unit having an independent exterior entrance, and may contain a *secondary suite* if permitted in the applicable zone;
  - ii) replacing the definition of “front parcel lines” under Section 4.0 (Definitions) in its entirety with the following:

“**front parcel line**” means any *parcel* line common to a parcel and one *highway* or strata road other than a *lane*, provided that, where a parcel is contiguous to the intersection of two or more *highways* or strata roads, the *front* parcel line is the shortest *parcel* line contiguous to one of the *highways* or strata roads. Where a parcel is bisected by a *highway*, both parcel lines abutting the *highway* are considered to be front *parcel* lines;
  - iii) replacing the definition of “recreational vehicle” under Section 4.0 (Definitions) in its entirety with the following:

“**recreational vehicle**” means a vehicle designed to be towed behind a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, fifth wheels, camper trailers, pick-up coaches, motorized campers, motorized homes, park model trailers and other similar vehicles, including vehicles

constructed to the Canadian Standards Association Z240 RV and Z241 Standards, which provide temporary recreational accommodation for the traveling public;

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

“**secondary suite**” means a second *dwelling unit* that is located entirely within a *single detached dwelling*, a *duplex dwelling* or a *townhouse* 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 the entry for “Low Density Residential Zones” under Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones) in its entirety with the following:

<b>Low Density Residential Zones</b>	
Low Density Residential One	RS1
Low Density Residential West Bench	RS2
Low Density Residential Manufactured Home Park	RSM1

- vi) replacing the entry for “Medium Density Residential Zones” under Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones) in its entirety with the following:

<b>Medium Density Residential Zones</b>	
Medium Density Residential One Zone	RM1

- vii) replacing Section 6.7.1(c) (Metal Storage Containers) under Section 6.0 (General Regulations) in its entirety with the following:

- c) Despite sub-section 6.7.1(a) and (b), *metal storage containers* are prohibited on parcels in the Low Density Residential West Bench (RS2) and Small Holdings West Bench (SH5) zones.

- viii) replacing Section 6.10.5 (Prohibited Uses of Land, Buildings and Structures) under Section 6.0 (General Regulations) in its entirety with the following:

- .5 The use of land for the purpose of a swimming pool in the West Bench Small Holdings (SH5) Zone and West Bench Low Density Residential (RS2) Zone is prohibited.

- ix) replacing Section 6.14.5 (Setback Exemptions) under Section 6.0 (General Regulations) in its entirety with the following:

- .5 *deleted.*

- x) replacing Section 7.2.5 (Accessory Dwellings) under Section 7.0 (Specific Use Regulations) in its entirety with the following:

- .5 *deleted.*

- xi) replacing Section 7.2 (Accessory Dwellings) under Section 7.0 (Specific Use Regulations) in its entirety with the following:

### **7.2 Accessory Dwellings**

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

- .1 An *accessory dwelling* shall not be permitted on *parcels* less than 1.0 ha in area unless connected to a community sewer system.
- .2 No *accessory dwelling* shall have a floor area greater than 125.0 m<sup>2</sup>, unless otherwise specified.
- .3 On a *parcel* greater than 1.0 ha in area, an *accessory dwelling* may be in the form of a *mobile home*;
- .4 A parking space for an *accessory dwelling* shall not be provided in tandem with parking spaces provided for any other use on a *parcel*.
- .5 An *accessory dwelling* cannot be subdivided under the *Strata Property Act*.
- .6 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 7.2.4, may be permitted on a *parcel* less than 1.0 ha in area that is not connected to a community sewer system, if no other *dwelling unit* is situated on the *parcel*.

- xii) replacing Section 7.9 (Secondary Suites) under Section 7.0 (Specific Use Regulations) in its entirety with the following:

### **7.9 Secondary Suites**

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

- .1 on *parcels* less than 1.0 ha in area, a *secondary suite* shall be connected to:
  - i) the same on-site septic disposal system that serves the *principal dwelling unit*; or
  - ii) a community sewer system.

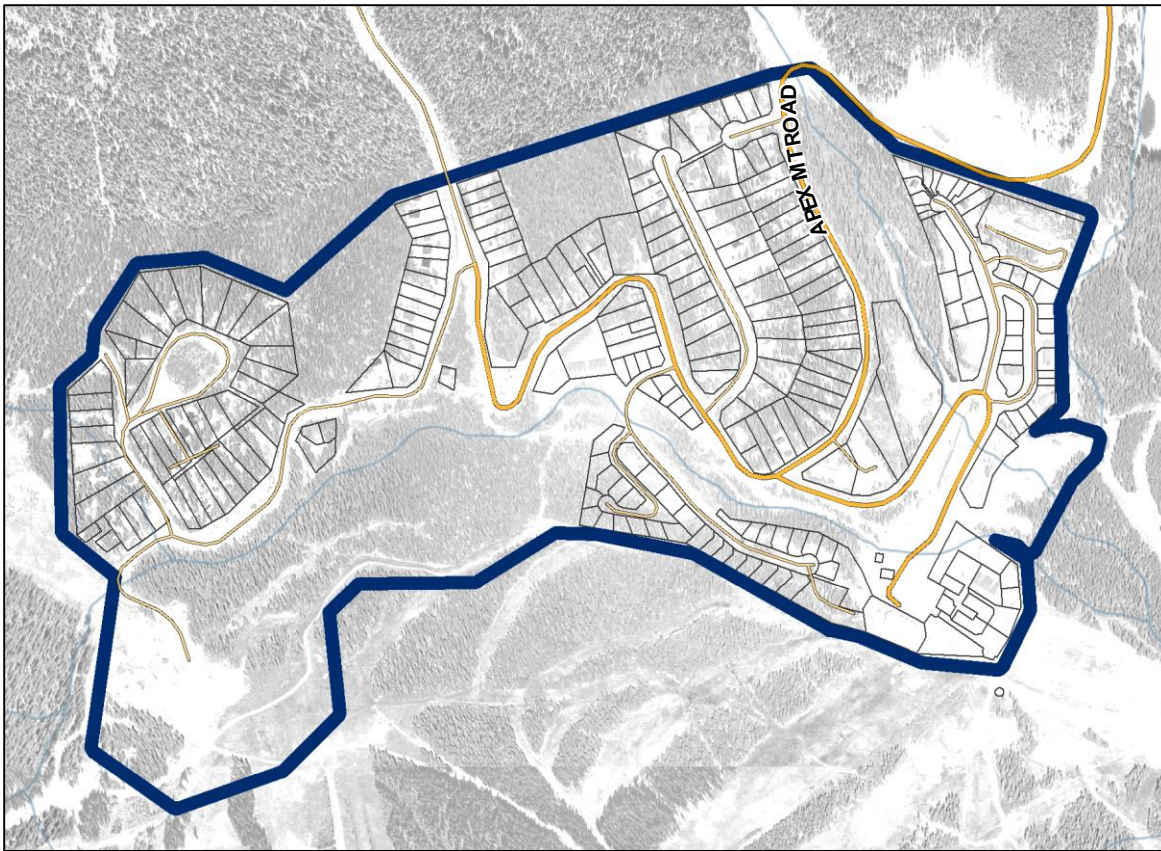
- .2 A parking space for a *secondary suite* shall not be provided in tandem with parking spaces provided for any other use on a *parcel*.
- .3 A *secondary suite* must share a common uninterrupted foundation and roof with the *principal dwelling unit* and for this purpose garages, *carports* and breezeways are deemed to interrupt a foundation or roof.

xiii) replacing Section 7.11 (Vacation Rentals) under Section 7.0 (Specific Use Regulations) in its entirety with the following:

**7.11 Vacation Rentals**

Despite Section 5.4 (Permitted Uses) of this bylaw, *vacation rental* is a permitted *principal use* on lands designated as Apex Mountain Resort Area on Figure 7.11, subject to compliance with the following regulations:

- .1 except in the case of an un-subdivided *apartment building*, no more than one (1) *dwelling unit* on a *parcel* may be used for *vacation rental*;
- .2 no more than ten (10) patrons, with an aggregate occupancy of two (2) patrons per bedroom shall be accommodated within a *dwelling unit* when such *dwelling unit* is being occupied as a *vacation rental*;
- .3 one (1) parking space shall be provided for each *sleeping unit* available within a *vacation rental* use; and
- .4 no exterior signage advertising a *vacation rental* use is permitted on a *parcel*.



**FIGURE 7.11 – APEX MOUNTAIN RESORT AREA**

- xiv) replacing the required number of off-street vehicle parking spaces for a duplex dwelling at Table 11.2 (Required Off-Street Vehicle Parking Spaces) under Section 11.0 (Vehicle Parking and Loading Regulations) with the following; “1 per dwelling unit”.
- xv) replacing the required number of off-street vehicle parking spaces for a single detached dwelling at Table 11.2 (Required Off-Street Vehicle Parking Spaces) under Section 11.0 (Vehicle Parking and Loading Regulations) with the following; “1 per dwelling unit”.
- xvi) adding a new Section 11.5 (Off-Street Vehicle Parking Exceptions) under Section 11.0 (Vehicle Parking and Loading Regulations) to read as follows and renumbering all subsequent sections:

**11.5 Off-Street Vehicle Parking Exceptions**

- .1 The following off-street parking exceptions apply to lands situated within the Apex Mountain Resort Area, as shown on Figure 7.10:
  - a) Despite Table 11.2 (Required Off-Street Vehicle Parking Spaces), the minimum number of off-street vehicle parking and loading spaces for

the following uses on a *parcel*, shall be calculated in accordance with the following table:

USE	REQUIRED NUMBER OF SPACES
<b>RESIDENTIAL</b>	
<i>duplex dwelling</i>	2 per <i>dwelling unit</i>
<i>single detached dwelling</i>	2 per <i>dwelling unit</i>

- b) For *parcels* containing four (4) or more outdoor vehicle parking spaces, the following regulations shall apply:
  - i) an additional area equal to 25% of the required parking area shall be provided for snow storage on-site;
  - ii) areas required for snow storage shall not be counted towards vehicle parking requirements;
  - iii) snow storage area shall be located away from public roads and other areas so that motorist and pedestrian sight lines are not impacted.

xvii) replacing Section 12.1.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 12.1 (Resource Area (RA) Zone) in its entirety with the following:

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

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

PARCEL AREA	MAXIMUM NUMBER OF ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125.0 m <sup>2</sup>
8.0 ha to 11.9 ha	2	250.0 m <sup>2</sup>
12.0 ha to 15.9 ha	3	375.0 m <sup>2</sup>
Greater than 16.0 ha	4	500.0 m <sup>2</sup>

- d) despite Sections 12.1.4(b) & (c), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Sections 12.1.4(b) & (c) 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*.

- e) despite Sections 0(b), (c) & (d), for *parcels* situated within the “Radio Frequency Interference Area” as shown on Schedule ‘4’ to this bylaw, the maximum number of all *secondary suites, accessory dwellings or mobile homes* shall not exceed one (1).

xviii) replacing Section 13.1.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 13.1 (Agriculture One (AG1) Zone) in its entirety with the following:

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

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

PARCEL AREA	MAXIMUM NUMBER OF ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125.0 m <sup>2</sup>
8.0 ha to 11.9 ha	2	250.0 m <sup>2</sup>
12.0 ha to 15.9 ha	3	375.0 m <sup>2</sup>
Greater than 16.0 ha	4	500.0 m <sup>2</sup>

- d) despite Sections 13.1.4(b) & (c), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites or accessory dwellings* permitted per *parcel* under Sections 13.1.4(b) & (c) 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*.
- e) despite Sections 0(b), (c) & (d), for *parcels* situated within the “Radio Frequency Interference Area” as shown on Schedule ‘4’ to this bylaw, the maximum number of all *secondary suites, accessory dwellings or mobile homes* shall not exceed one (1).

xix) replacing Section 13.1.8(b)(iii) (Agriculture One Site Specific (AG1s) Regulations) in its entirety with the following:

- iii) *deleted*.

xx) replacing Section 13.2.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 13.2 (Agriculture Two (AG2) Zone) in its entirety with the following:

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

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

<b>PARCEL AREA</b>	<b>MAXIMUM NUMBER OF ACCESSORY DWELLINGS</b>	<b>MAXIMUM GROSS FLOOR AREA OF ALL ACCESSORY DWELLINGS PER PARCEL</b>
Less than 8.0 ha	1	125.0 m <sup>2</sup>
8.0 ha to 11.9 ha	2	250.0 m <sup>2</sup>
12.0 ha to 15.9 ha	3	375.0 m <sup>2</sup>
Greater than 16.0 ha	4	500.0 m <sup>2</sup>

- d) despite Sections 13.2.4(b) & (c), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Sections 13.2.4(b) & (c) 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*.
- e) despite Sections 0(b), (c) & (d), for *parcels* situated within the “Radio Frequency Interference Area” as shown on Schedule ‘4’ to this bylaw, the maximum number of all *secondary suites*, *accessory dwellings* or *mobile homes* shall not exceed one (1).

xxi) replacing Section 13.3.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 13.3 (Agriculture Three (AG3) Zone) in its entirety with the following:

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

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



PARCEL AREA	MAXIMUM NUMBER OF ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125.0 m <sup>2</sup>
8.0 ha to 11.9 ha	2	250.0 m <sup>2</sup>
12.0 ha to 15.9 ha	3	375.0 m <sup>2</sup>
Greater than 16.0 ha	4	500.0 m <sup>2</sup>

- d) despite Sections 13.3.4(b) & (c), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Sections 13.3.4(b) & (c) 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*.
- e) despite Sections 0(b), (c) & (d), for *parcels* situated within the “Radio Frequency Interference Area” as shown on Schedule ‘4’ to this bylaw, the maximum number of all *secondary suites*, *accessory dwellings* or *mobile homes* shall not exceed one (1).

xxii) replacing Section 14.1.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 14.1 (Large Holdings One (LH1) Zone) in its entirety with the following:

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

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

PARCEL AREA	MAXIMUM NUMBER OF ACCESSORY DWELLINGS	MAXIMUM GROSS FLOOR AREA OF ALL ACCESSORY DWELLINGS PER PARCEL
Less than 8.0 ha	1	125.0 m <sup>2</sup>
8.0 ha to 11.9 ha	2	250.0 m <sup>2</sup>
12.0 ha to 15.9 ha	3	375.0 m <sup>2</sup>
Greater than 16.0 ha	4	500.0 m <sup>2</sup>

- d) despite Sections 14.1.4(b) & (c), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Sections 14.1.4(b) & (c) 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*.

- e) despite Sections 0(b), (c) & (d), for *parcels* situated within the “Radio Frequency Interference Area” as shown on Schedule ‘4’ to this bylaw, the maximum number of all *secondary suites*, *accessory dwellings* or *mobile homes* shall not exceed one (1).

xxiii) replacing Section 14.1.8(a)(i) (Large Holdings One Site Specific (LH1s) Regulations) in its entirety with the following:

- i) *deleted*.

xxiv) replacing Section 14.2.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 14.2 (Large Holdings Two (LH2) Zone) in its entirety with the following:

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

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

<i>PARCEL AREA</i>	<i>MAXIMUM NUMBER OF ACCESSORY DWELLINGS</i>	<i>MAXIMUM GROSS FLOOR AREA OF ALL ACCESSORY DWELLINGS PER PARCEL</i>
Less than 8.0 ha	1	125.0 m <sup>2</sup>
8.0 ha to 11.9 ha	2	250.0 m <sup>2</sup>
12.0 ha to 15.9 ha	3	375.0 m <sup>2</sup>
Greater than 16.0 ha	4	500.0 m <sup>2</sup>

- d) despite Sections 14.2.4(b) & (c), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Sections 14.2.4(b) & (c) 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*.
- e) despite Sections 0(b), (c) & (d), for *parcels* situated within the “Radio Frequency Interference Area” as shown on Schedule ‘4’ to this bylaw, the maximum number of all *secondary suites*, *accessory dwellings* or *mobile homes* shall not exceed one (1).

xxv) replacing Section 15.1.6 (Maximum Height) under Section 15.1 (Small Holdings One (SH1) Zone) in its entirety with the following:

**15.1.6 Maximum Height:**

- a) No *building or structure* shall exceed a *height* of 11.0 metres;
- b) No *accessory building or structure* shall exceed a *height* of 4.5 metres; and
- c) Despite sub-section 15.1.6(b), an *accessory dwelling* shall not exceed a height of 8.0 metres.

xxvi) replacing Section 15.1.8 (Minimum Building Width) under Section 15.1 (Small Holdings One (SH1) Zone) in its entirety with the following:

**15.1.8 deleted.**

xxvii) replacing Section 15.1.9(d)(i) (Small Holdings One Site Specific (SH1s) Regulations) in its entirety with the following:

- i) *deleted.*

xxviii) replacing Section 15.2.6 (Maximum Height) under Section 15.2 (Small Holdings Two (SH2) Zone) in its entirety with the following:

- a) No *building or structure* shall exceed a *height* of 11.0 metres.

xxix) replacing Section 15.2.8 (Minimum Building Width) under Section 15.2 (Small Holdings Two (SH2) Zone) in its entirety with the following:

**15.2.8 deleted.**

xxx) replacing Section 15.3.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 15.3 (Small Holdings Three (SH3) Zone) in its entirety with the following:

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

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

xxxi) replacing Section 15.3.6 (Maximum Height) under Section 15.3 (Small Holdings Three (SH3) Zone) in its entirety with the following:

- a) No *building or structure* shall exceed a *height* of 11.0 metres.

xxxii) replacing Section 15.3.8 (Minimum Building Width) under Section 15.3 (Small Holdings Three (SH3) Zone) in its entirety with the following:

**15.3.8 deleted.**

xxxiii) replacing Section 15.3.9(c)(i)(2) (Small Holdings Three Site Specific (SH3s) Regulations) in its entirety with the following:

.2 *deleted.*

xxxiv) replacing Section 15.4.4 (Maximum Number of Dwellings Permitted Per Parcel) under Section 15.4 (Small Holdings Four (SH4) Zone) in its entirety with the following:

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

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

xxxv) replacing Section 15.4.6 (Maximum Height) under Section 15.4 (Small Holdings Four (SH4) Zone) in its entirety with the following:

- a) No *building or structure* shall exceed a *height* of 11.0 metres.

xxxvi) replacing Section 15.4.8 (Minimum Building Width) under Section 15.4 (Small Holdings Four (SH4) Zone) in its entirety with the following:

**15.4.8 deleted.**

xxxvii) replacing Section 15.4.9(e)(ii) (Small Holdings Four Site Specific (SH4s) Regulations) in its entirety with the following:

- ii) *deleted.*

xxxviii) replacing Section 16.0 (Low Density Residential Zones) in its entirety with the following:

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## **16.0 LOW DENSITY RESIDENTIAL ZONES**

### **16.1 LOW DENSITY RESIDENTIAL ONE (RS1) ZONE**

#### **16.1.1 Permitted Uses:**

Principal Uses:

- a) *duplex dwelling*, subject to Section 16.1.8;
- b) *single detached dwelling*;

Accessory Uses:

- c) *accessory building or structure*, subject to Section 7.1;

- d) *accessory dwelling*, subject to Section 7.2;
- e) *bed and breakfast operation*, subject to Section 7.4;
- f) *home occupation*, subject to Section 7.6; and
- g) *secondary suite*, subject to Section 7.9.

**16.1.2 Minimum Parcel Size for Subdivision:**

- a) 225.0 m<sup>2</sup> for the purpose of subdivision of *duplex dwellings* under the *Strata Property Act*, subject to Section 8.0; or
- b) 500.0 m<sup>2</sup>, subject to Section 8.0.

**16.1.3 Minimum Parcel Width for Subdivision:**

- a) Not less than 25% of the *parcel depth*, subject to Section 8.0.

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

- a) the total maximum number of principal and accessory dwelling units on a parcel is two (2); and
- b) the maximum number of *single detached dwellings* on a parcel is one (1).

**16.1.5 Minimum Setbacks:**

- a) *Buildings and structures:*
  - i) *Front parcel line* 6.0 metres
  - ii) *Rear parcel line* 6.0 metres
  - iii) *Interior side parcel line* 1.2 metres
  - iv) *Exterior side parcel line* 3.0 metres
- b) *Accessory building or structure:*
  - i) *Front parcel line* 6.0 metres
  - ii) *Rear parcel line* 1.0 metres
  - iii) *Interior side parcel line* 1.2 metres
  - iv) *Exterior side parcel line* 3.0 metres
- c) Despite Section 16.1.5(a)(iii), in the case of a side-by-side duplex being subdivided for the purposes of creating individual ownership, an interior side parcel line setback between dwelling units shall not be required, provided the property line follows the centre line of the common property wall.

- d) Despite Section 16.1.5(a) & (b), the minimum interior side parcel line setback for principal and accessory structures within the Apex Mountain Resort Area, as shown on Figure 7.10, shall be 3.0 metres.

**16.1.6 Maximum Height:**

- a) No *building or structure* shall exceed a *height* of 11.0 metres;
- b) No *accessory building or structure* shall exceed a *height* of 4.5 metres;
- c) Despite sub-section 16.1.6(b), an *accessory dwelling* shall not exceed a height of 8.0 metres.

**16.1.7 Maximum Parcel Coverage:**

- a) 50% for parcels less than 500 m<sup>2</sup> in area;
- b) 40% for parcels between 500 m<sup>2</sup> and 1,000 m<sup>2</sup> in area; and
- c) 35% for parcels greater than 1,000 m<sup>2</sup> in area.

**16.1.8 Conditions of Use:**

- a) a *duplex dwelling* shall be connected to a *community sewer system* and *community water system*.

**16.1.9 Low Density Residential One Site Specific (RS1s) Regulations:**

a) **Electoral Area “A”**

- i) in the case of the land described as Lot 3, Plan EPP87173, District Lot 2450S, SDYD (10210 81<sup>st</sup> Street), and shown shaded yellow on Figure 16.1.9(a)(ii):

.1 despite Section 16.3.5, the minimum *setbacks* for *buildings* and *structures* shall be as follows:

- i) *Rear parcel line* (southern *parcel line*)      2.0 metres
- ii) *Interior side parcel line*, except eastern *parcel line*      1.5 metres
- iii) All other *parcel lines*      7.5 metres

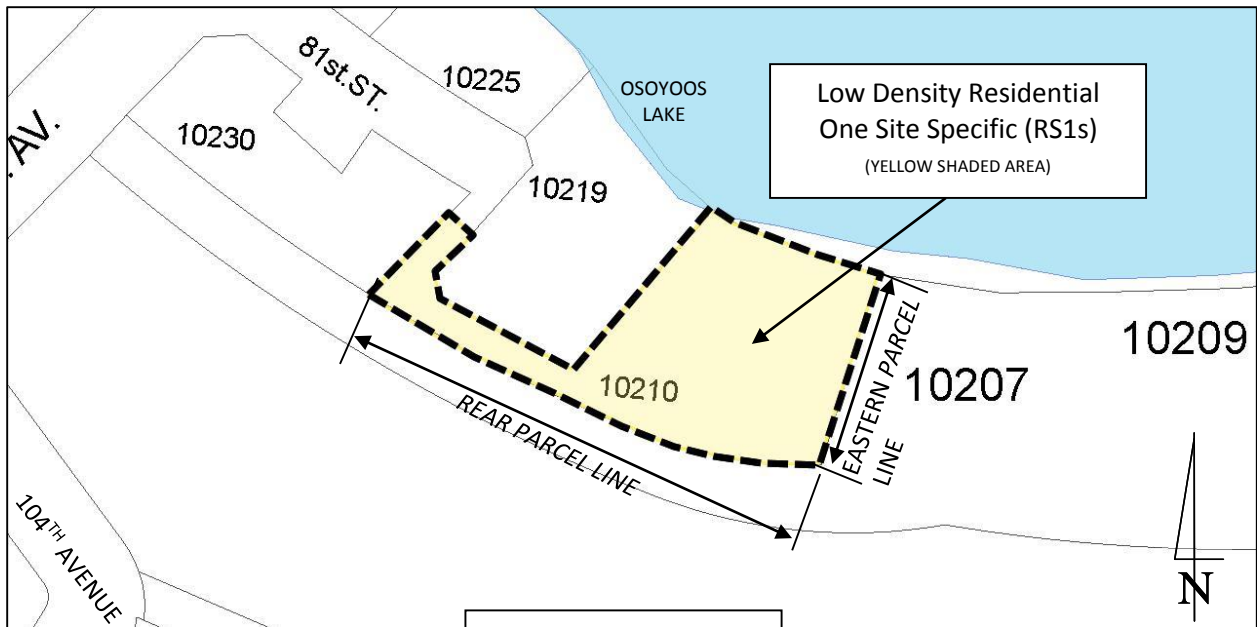


Figure 16.1.9(a)(ii)

b) Electoral Area "C"

- i) in the case of land shown shaded yellow on Figure 16.1.9(b)(i):
  - .1 the following *principal use* shall be permitted in addition to the permitted uses listed in Section 16.2.1:
    - a) *manufactured home*.

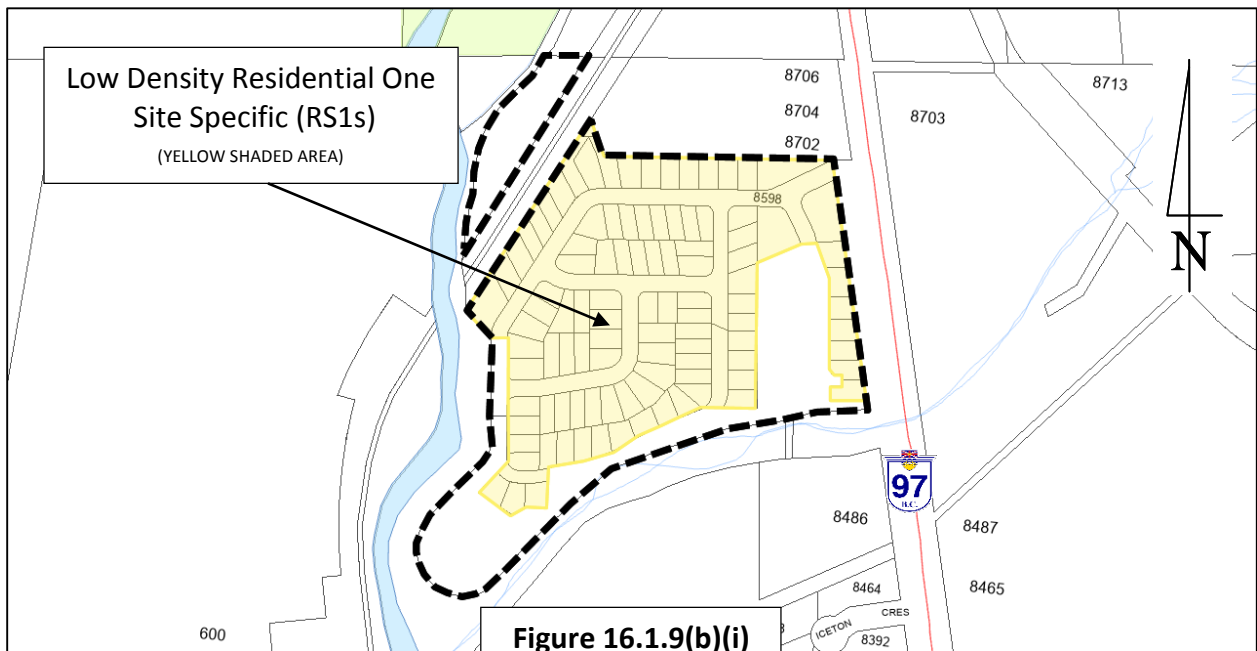
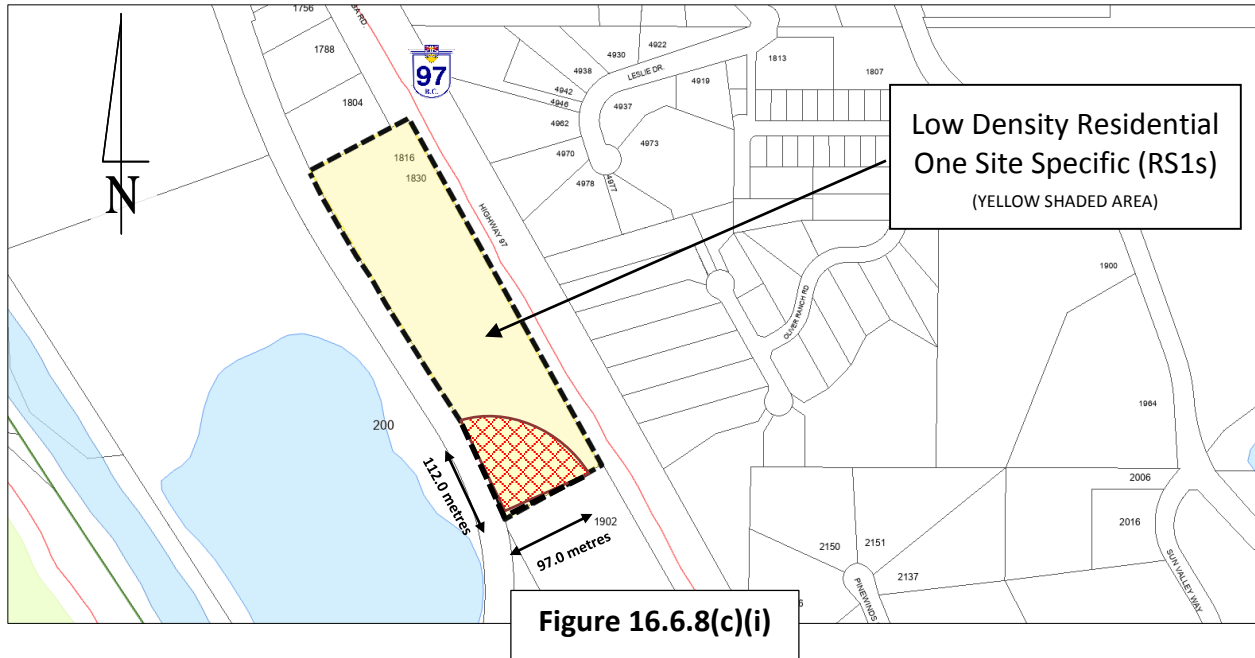


Figure 16.1.9(b)(i)

c) Electoral Area "D"

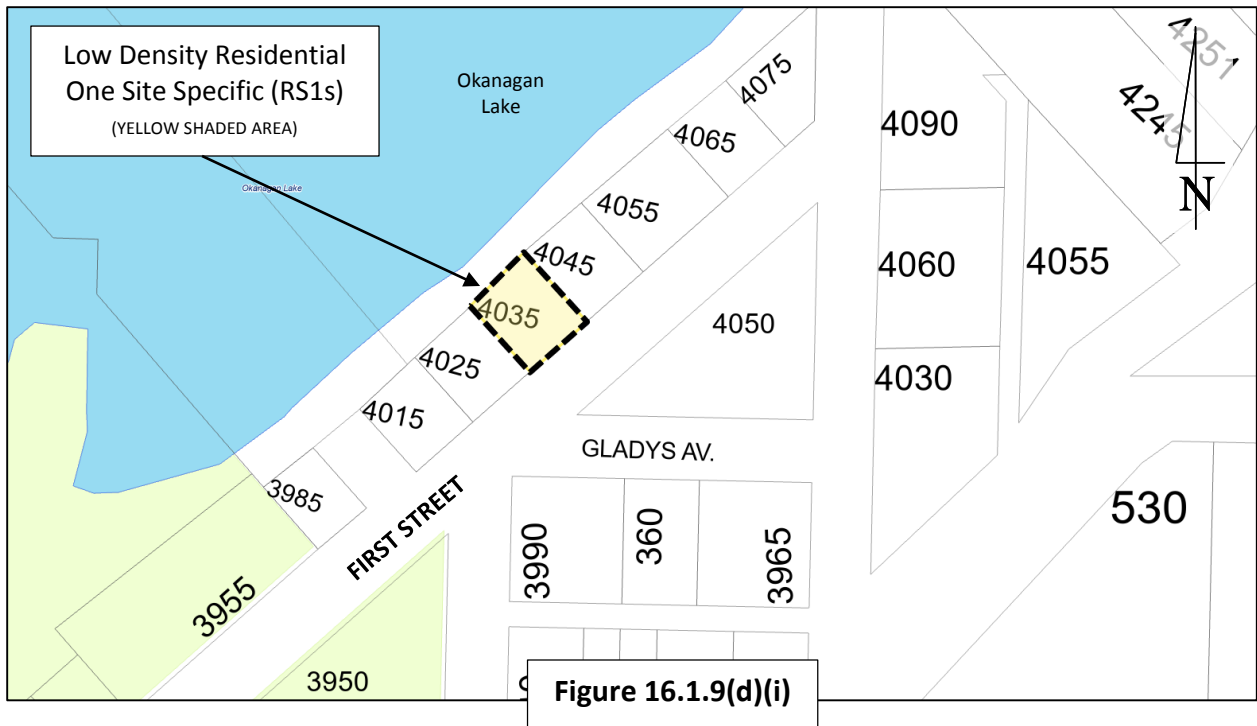
- i) in the case of lands described as Lot 1, Plan KAP87398, District Lot 10, SDYD (1830 Alba Road), and shown shaded yellow on Figure 16.1.8(a):
  - .1 despite Section 16.6.4, the *development of a single detached dwelling or duplex dwelling* in the area shown hatched in red on Figure 16.1.8(a) is prohibited.



d) **Electoral Area “E”**

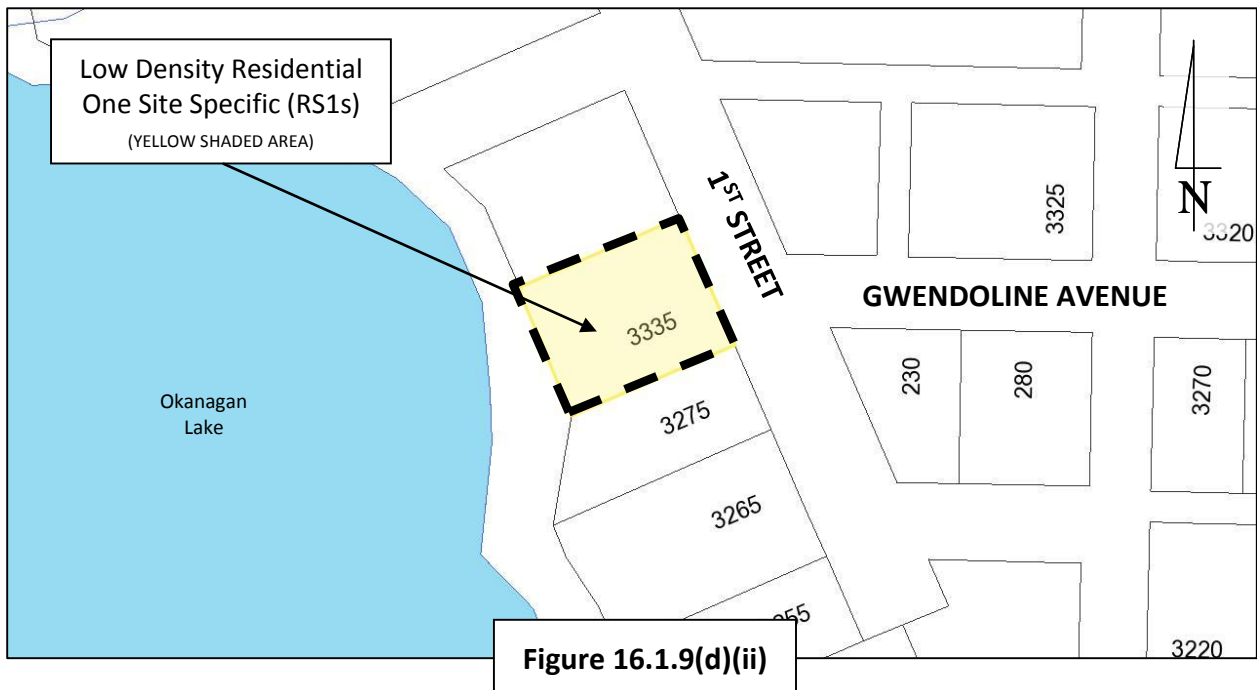
- i) in the case of land described as Lots 30 & 31, Plan KAP3352, District Lot 210, SDYD (4035 First Street), and shown shaded yellow on Figure 16.1.9(d)(i):
  - .1 the following *principal uses* shall be permitted on the land in addition to the permitted uses listed in Section 16.1.1:
    - a) *storage building*, which is defined as meaning a *structure* used or intended to be used for sheltering items such as beach toys, life preserves, kayaks, chairs, benches, lounges and tables.
  - .2 the *gross floor area* of a *storage building* occurring on the land shall not exceed 20.0 m<sup>2</sup>.
  - .3 despite Section 16.1.6, the maximum *building height* of a *storage building* on the land shall not exceed 3.5 metres.





ii) in the case of land described as Lots 4-6, Plan KAP1145, District Lot 210, SDYD, (3335 1<sup>st</sup> Street, Naramata) and shown shaded yellow on Figure 16.1.9(d)(ii):

- .1 despite Section 16.1.5(a)(i), the minimum *front parcel line setback* for a *building or structure* shall be 4.0 metres.



- iii) in the case of land shown shaded yellow on Figure 16.1.9(d)(iii):
  - .1 despite Section 16.3.5(a)(i), the minimum *front parcel line setback* for a *principal building* shall be 4.5 metres.
  - .2 despite Section 16.3.5(a)(ii), the minimum *rear parcel line setback* for a *principal building* shall be 10.5 metres.
  - .3 despite Section 16.3.5(b)(i), the minimum *front parcel line setback* for an *accessory building or structure* shall be 4.5 metres.
  - .4 despite Section 16.3.5(b)(ii), the minimum *rear parcel line setback* for an *accessory building or structure* shall be 10.5 metres.

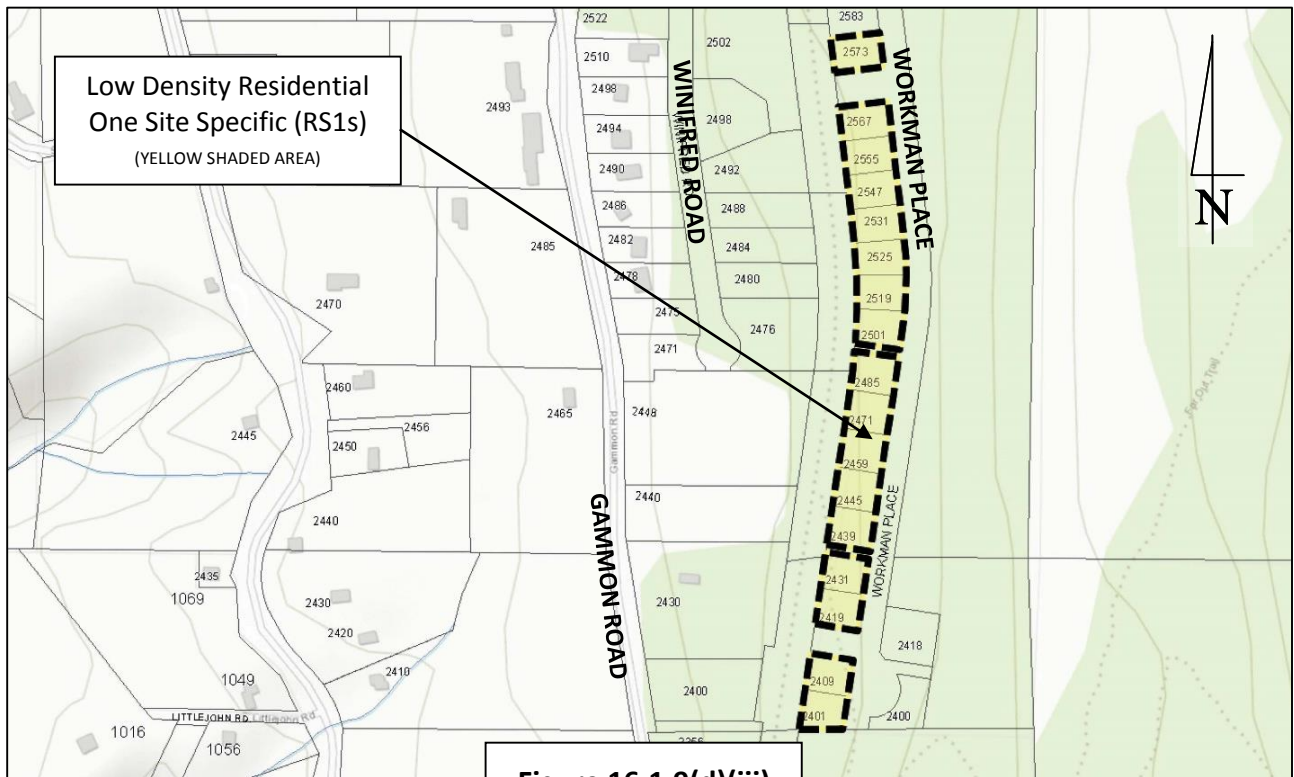


Figure 16.1.9(d)(iii)

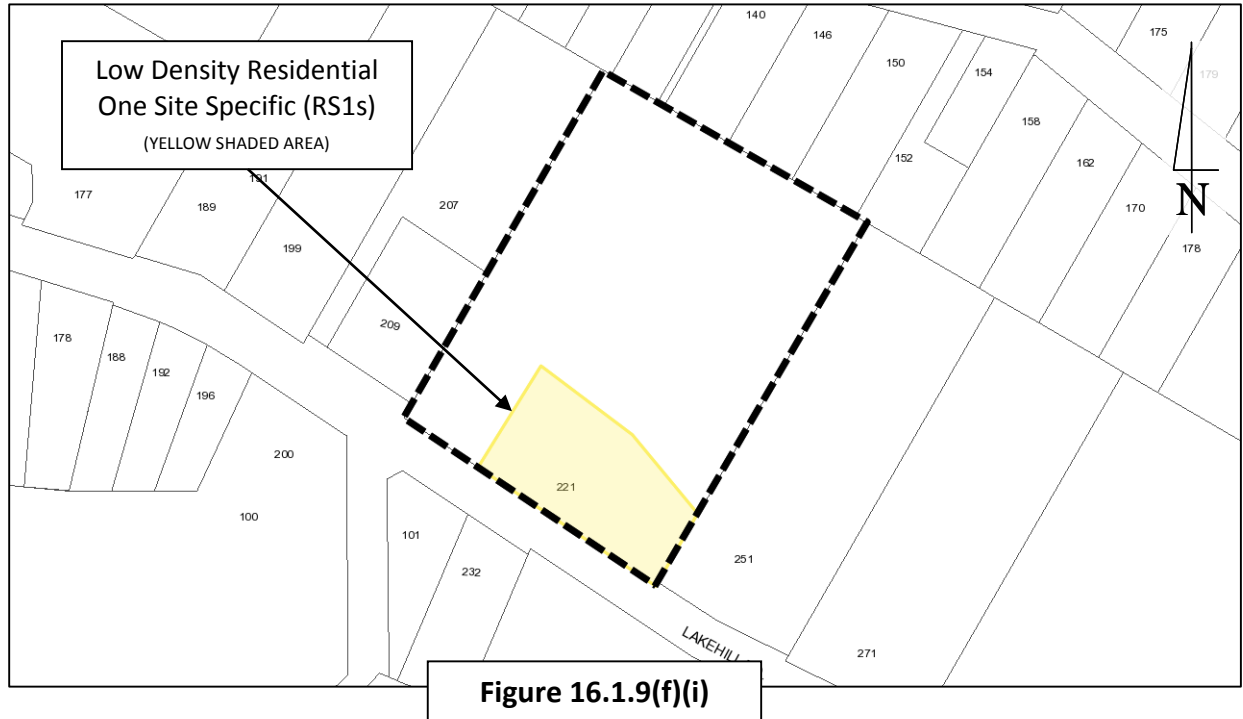
e) **Electoral Area “F”**

- i) Not applicable

f) **Electoral Area “I”**

- i) in the case of land described as Lot 96, Plan KAP719, District Lot 104S, SDYD (221 Lakehill Road), and shown shaded yellow on Figure 16.3.9(f)(i);

- .1 the following *accessory uses* shall be permitted on the land in addition to the permitted uses listed in Section 16.3.1:
  - a) *home industry*, subject to Section 7.5.
- .2 despite Section 7.5.1, a *home industry* shall be permitted on a *parcel* less than 2.0 ha in size.



## 16.2 LOW DENSITY RESIDENTIAL WEST BENCH (RS2) ZONE

### 16.2.1 Permitted Uses:

#### Principal Uses:

- a) *single detached dwelling*;

#### Accessory Uses:

- b) *accessory building or structure*, subject to Section **Error! Reference source not found.**;
- c) *bed and breakfast operation*, subject to Section **Error! Reference source not found.**; and
- d) *home occupation*, subject to Section **Error! Reference source not found.**.

### 16.2.2 Minimum Parcel Size for Subdivision:

- a) 2.0 ha, subject to Section **Error! Reference source not found.**

**16.2.3 Minimum Parcel Width for Subdivision:**

- a) Not less than 25% of the *parcel depth*, subject to Section **Error! Reference source not found.**

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

- a) one (1) *principal dwelling unit*.

**16.2.5 Minimum Setbacks:**

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

**16.2.6 Maximum Height:**

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

**16.2.7 Maximum Parcel Coverage:**

- a) 30%

**16.2.8 Low Density Residential West Bench Site Specific (RS2s) Regulations:**

- a) Not applicable.

**16.3 MANUFACTURED HOME PARK (RSM1) ZONE**

**16.3.1 Permitted Uses:**

*Principal Uses:*

- a) *manufactured home park*;
- b) *manufactured home*;
- c) *modular home*;

Accessory Uses:

- d) *accessory building or structure*, subject to Section **Error! Reference source not found.**;
- e) *home occupation*, subject to Section **Error! Reference source not found.**;
- f) *retail*, subject to Section 16.3.8; and
- g) *single detached dwelling*.

**16.3.2 Minimum Parcel Size for Subdivision:**

- a) 1.0 ha for *manufactured home park*, subject to Section **Error! Reference source not found.**

**16.3.3 Minimum Parcel Width for Subdivision:**

- a) 35.0 metres for *manufactured home park*, subject to Section **Error! Reference source not found.**; within which:
  - i) a minimum of 12.0 metres shall be provided for each *manufactured home space* abutting an internal road; and
  - ii) a minimum of 6.0 metres shall be provided for each *manufactured home space* abutting a cul-de-sac.

**16.3.4 Maximum Number of Dwellings Permitted Per Manufactured Home Space:**

- a) one (1) *manufactured home* per *manufactured home space*; and
- b) one (1) *single detached dwelling* permitted per *manufactured home park*.

**16.3.5 Minimum Setbacks:**

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

- b) *Setbacks* within each *manufactured home space* boundary for *buildings and structures* (subject to Section 16.3.5(a)):
  - i) Front boundary line 3.0 metres
  - ii) Rear boundary line 1.5 metres
  - iii) Interior boundary line 1.5 metres
  - iv) Exterior boundary line 3.0 metres
- c) *Setbacks* within each *manufactured home space* boundary for an *accessory building or structure* (subject to Section 16.3.5(a)):
  - i) Front boundary line 4.5 metres
  - ii) Rear boundary line 1.0 metres
  - iii) Interior boundary line 1.0 metres
  - iv) Exterior boundary line 3.0 metres

**16.3.6 Maximum Height:**

- a) No *building or structure* shall exceed a *height* of 7.0 metres;
- b) No *accessory building or structure* shall exceed a *height* of 4.5 metres.

**16.3.7 Maximum Manufactured Home Space Coverage:**

- a) 45%

**16.3.8 General Regulations:**

- a) a *manufactured home park* use shall be connected to a community sewer system and community water system.
- b) the minimum parcel area required to undertake a *manufactured home park* use is 1.0 ha.
- c) the minimum size of each *manufactured home space* within a *manufactured home park* shall not be less than 350.0 m<sup>2</sup>.
- d) a *retail* use shall not exceed a *gross floor area* of 250.0 m<sup>2</sup>.

**16.3.9 Manufactured Home Park Roadway Standards**

- a) a second access from a public highway, separated by at least 50.0 metres from the first access shall be provided to each *manufactured home park* use containing greater than fifty (50) *manufactured home spaces*.

- b) a roadway that provides access from a highway to a manufactured home space or to a common facility such as a storage area or vehicle parking area in a manufactured home park shall be designed, constructed and maintained in accordance with the following standards:
  - i) a maximum grade of 10%;
  - ii) a maximum length of 150 metres when terminating in a cul-de-sac or dead-end;
  - iii) a minimum paved width of 7.0 metres and a minimum cleared width of 15.0 metres; and
  - iv) a minimum vehicle turning radius of 15.0 metres at any cul-de-sac or dead-end.

**16.3.10 Low Density Residential Manufactured Home Park Site Specific (RSM1s) Regulations:**

- a) **Electoral Area “A”**
  - i) Not applicable
- b) **Electoral Area “C”**
  - i) Not applicable
- c) **Electoral Area “D”**
  - i) Not applicable
- d) **Electoral Area “E”**
  - i) Not applicable
- e) **Electoral Area “F”**
  - i) Not applicable
- f) **Electoral Area “I”**
  - i) Not applicable

xxxix) replacing Section 17.0 (Medium Density Residential Zones) in its entirety with the following:

## **17.0 MEDIUM DENSITY RESIDENTIAL ZONES**

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## 17.1 MEDIUM DENSITY RESIDENTIAL ONE (RM1) ZONE

### 17.1.1 Permitted Uses:

#### Principal Uses:

- a) *apartment building;*
- b) *community care facility;*
- c) *townhouse;*

#### Accessory Uses:

- d) *accessory building or structure*, subject to Section **Error! Reference source not found.**; and
- e) *home occupation*, subject to Section **Error! Reference source not found.**.

### 17.1.2 Minimum Parcel Size for Subdivision:

- a) 1,000.0 m<sup>2</sup>, subject to Section **Error! Reference source not found.**.

### 17.1.3 Minimum Parcel Width for Subdivision:

- a) 30.0 metres, subject to Section **Error! Reference source not found.**.

### 17.1.4 Maximum Density:

- a) 75.0 *dwelling units* per hectare

### 17.1.5 Minimum Setbacks:

#### a) *Buildings and structures:*

- i) *Front parcel line* 6.0 metres
- ii) *Rear parcel line* 3.0 metres
- iii) *Interior side parcel line* 3.0 metres
- iv) *Exterior side parcel line* 3.0 metres

#### a) *Accessory building or structure:*

- i) *Front parcel line* 6.0 metres
- ii) *Rear parcel line* 3.0 metres
- iii) *Interior side parcel line* 3.0 metres
- iv) *Exterior side parcel line* 3.0 metres



**17.1.6 Maximum Height:**

- a) No *building* shall exceed a *height* of 15.0 metres;
- b) No *accessory building or structure* shall exceed a *height* of 5.0 metres.

**17.1.7 Maximum Parcel Coverage:**

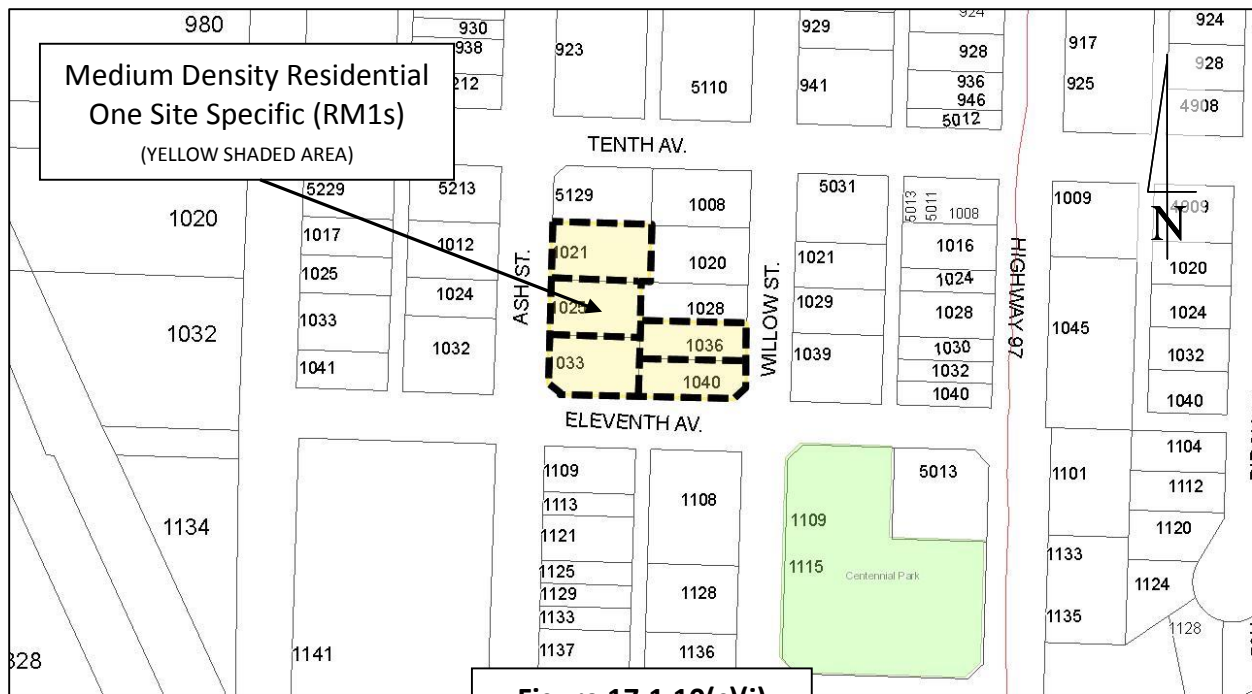
- a) 50%

**17.1.8 Amenity and Open Space Area Requirements:**

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

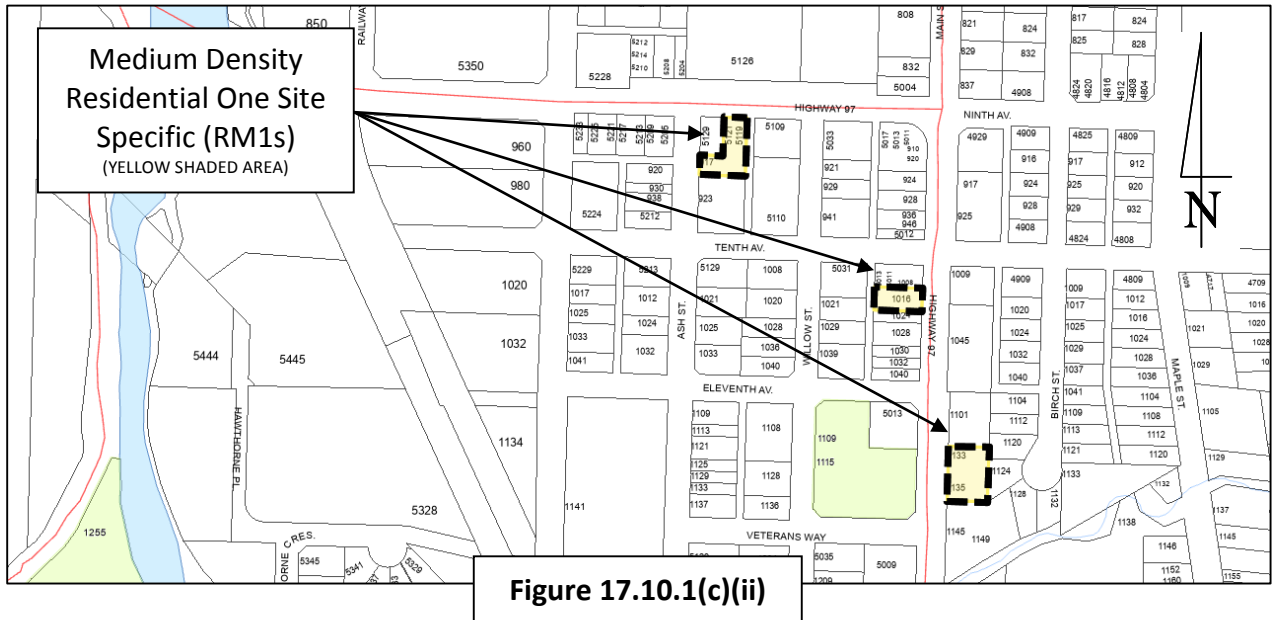
**17.1.9 Medium Density Residential One Site Specific (RM1s) Regulations:**

- a) **Electoral Area “A”**
  - i) Not applicable
- b) **Electoral Area “C”**
  - i) Not applicable
- c) **Electoral Area “D”**
  - i) in the case of land described as Lots 2-6, Plan KAP20086, District Lot 374, SDYD (1021, 1025 & 1033 Ash Street and 1036 & 1040 Willow Street), and shown shaded yellow on Figure 17.1.10(c)(i):
    - .1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed at Section 17.1.1:
      - a) *single detached dwelling*.



**Figure 17.1.10(c)(i)**

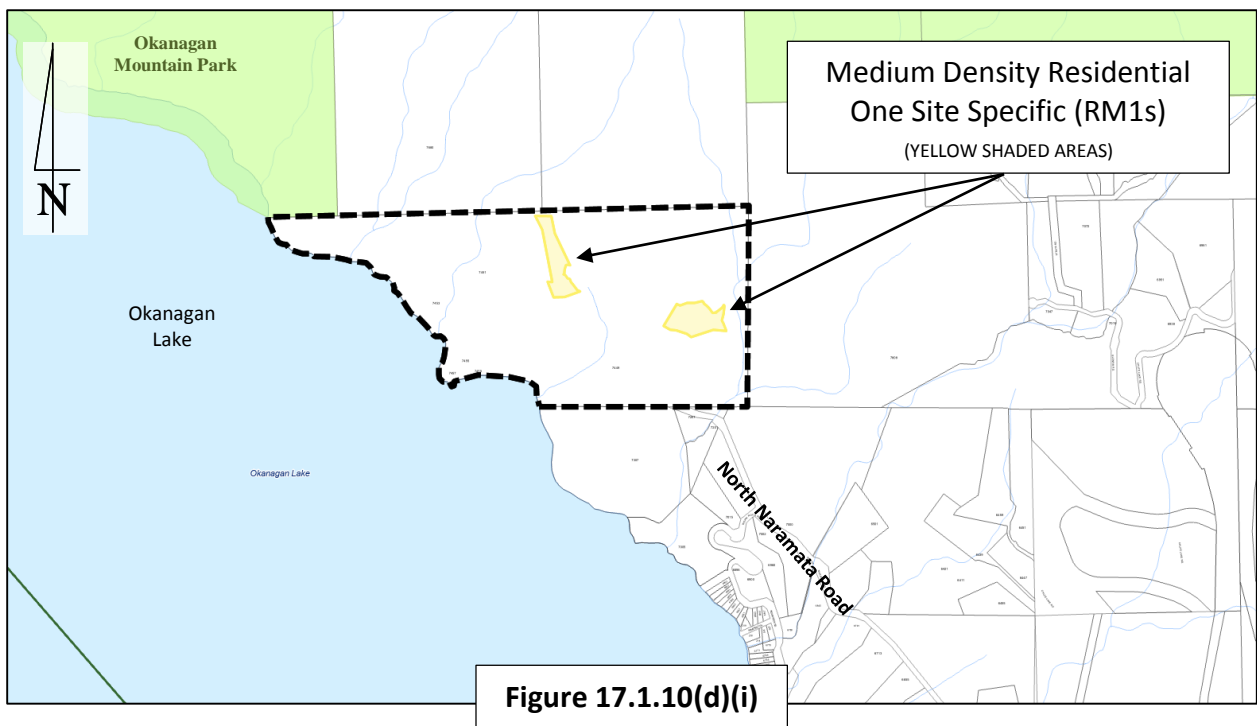
- ii) In the case of land described as Parcel A, Block 10, Plan KAP1280, District Lot 374, SDYD, Portion KD20684 (1016 Main Street), Plan KAS1099, District Lot 374, SDYD (1135 Highway 97) and Lot A, Plan KAP52004, District Lot 374, SDYD (917 Ash Street) and shown shaded yellow on Figure 17.1.10(c)(ii):
  - .1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 17.1.1:
    - a) *eating and drinking establishment*;
    - b) *office*;
    - c) *personal service establishment*; and
    - d) *retail*.



d) Electoral Area "E"

i) in the case of land described as District Lot 86s, SDYD (7451 North Naramata Road), and shown shaded yellow on Figure 17.1.10(d)(i):

- .1 despite Section 17.1.4, the maximum density shall be 20 dwelling units per hectare.



- e) **Electoral Area “F”**
    - i) Not applicable
  - f) **Electoral Area “I”**
    - i) Not applicable
- xi) replacing Section 24.5.11 (Minimum Building Width) under Section 24.5 (Lombardy Bay Estates Comprehensive Development (CD7) Zone) in its entirety with the following:
  - 24.5.11 *deleted.***
- xli) replacing Section 24.6.4(e) (Permitted Uses) under Section 24.6 (Chute’s End Comprehensive Development (CD8) Zone) in its entirety with the following:
  - e) *deleted.*
- xlii) replacing Section 24.7.7(a) (Maximum Number of Dwellings Permitted Per Parcel) under Section 24.7 (Eagle’s Rock Comprehensive Development (CD9) Zone) in its entirety with the following:
  - a) one (1) principal dwelling and one (1) secondary suite; or
- xliii) replacing Section 24.8.7(a) (Maximum Number of Dwellings Permitted Per Parcel) under Section 24.8 (Eastside Road South Comprehensive Development (CD10) Zone) in its entirety with the following:
  - a) one (1) principal dwelling and one (1) secondary suite; or
- xliv) replacing Section 24.9.7(a) (Maximum Number of Dwellings Permitted Per Parcel) under Section 24.9 (Eastside Road North Comprehensive Development (CD11) Zone) in its entirety with the following:
  - a) one (1) principal dwelling and one (1) secondary suite; or
- 3. The Official Zoning Map, being Schedule ‘2’ of the “Okanagan Valley Zoning Bylaw No. 2800, 2022”, is amended by changing the land use designation of:
  - i) all parcels zoned Low Density Residential Two (RS2) to Low Density Residential One (RS1);
  - ii) all parcels zoned Low Density Residential Three (RS3) to Low Density Residential One (RS1);
  - iii) all parcels zoned Low Density Residential Apex (RS4) to Low Density Residential One (RS1);

- iv) all parcels zoned Low Density Residential Duplex (RD1) to Low Density Residential One (RS1);
- v) all parcels zoned Low Density Residential Duplex Apex (RD2) to Low Density Residential One (RS1);
- vi) all parcels zoned Low Density Residential West Bench (RS5) to Low Density Residential West Bench (RS2);
- vii) the land described as Lot 14, Plan 1280, Block 5, District Lot 374, SDYD (1204 Willow Street) from Low Density Residential Two Site Specific (RS2s) to Low Density Residential One (RS1);
- viii) the land described as Lots 30 & 31, Plan KAP3352, District Lot 210, SDYD (4035 First Street) from Low Density Residential Two Site Specific (RS2s) to Low Density Residential One Site Specific (RS1s);
- ix) the land described as Lots 4-6, Plan KAP1145, District Lot 210, SDYD, (3335 1st Street, Naramata) from Low Density Residential Two Site Specific (RS2s) to Low Density Residential One Site Specific (RS1s);
- x) the land described as Lot 6, Plan KAP32220, District Lot 2450S, SDYD (8312 98th Avenue) Low Density Residential Three Site Specific (RS3s) to Low Density Residential One (RS1);
- xi) the land described as Lot 3, Plan EPP87173, District Lot 2450S, SDYD (10210 81<sup>st</sup> Street) from Low Density Residential Three Site Specific (RS3s) to Low Density Residential One Site Specific (RS1s);
- xii) the land described as Lots 2-18, Plan EPP1589, District Lot 207, SDYD (Workman Place) from Low Density Residential Three Site Specific (RS3s) to Low Density Residential One Site Specific (RS1s);
- xiii) the land described as Lot 96, Plan KAP719, District Lot 104S, SDYD (221 Lakehill Road) from Low Density Residential Three Site Specific (RS3s) to Low Density Residential One Site Specific (RS1s);
- xiv) the land described as Lot 1, Plan KAP87398, District Lot 10, SDYD (1830 Alba Road) from Low Density Residential Duplex Site Specific (RD1s) to Low Density Residential One Site Specific (RS1s);
- xv) the land described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD (131-133 Whitetail Road, Apex) from Low Density Residential Duplex Apex Site Specific (RD2s) to Low Density Residential One (RS1);
- xvi) the land described as Strata Lots 12 & 13, Plan KAS3172, District Lot 395S, SDYD (165 & 167 Snow Mountain Place) from Low Density Residential Duplex Apex Site Specific (RD2s) to Low Density Residential One (RS1);
- xvii) the land described as Lot 12, Plan KAP65691, District Lot 395S, SDYD (134/135 Clearview Crescent) from Low Density Residential Duplex Apex Site Specific (RD2s) to Low Density Residential One (RS1);

- xviii) the land described as Lot 48D, Plan 1729, District Lot 2450S, SDYD, from Agriculture One (AG1) to Parks and Recreation (PR);
- xix) the land described as Lot 1, District Lot 2450S, SDYD, Plan 12996 (7762 Island Road) from Agriculture One Site Specific (AG1s) to Agriculture One (AG1);
- xx) the land described Lots 1-7 & 10-17, Plan KAP77363, District Lot 2709, SDYD (Raven Hill Road) from Large Holdings One Site Specific (LH1s) to Large Holdings One (LH1);
- xxi) the land described Lots A-D, Plan KAP79113, District Lot 2709, SDYD (Raven Hill Road) from Large Holdings One Site Specific (LH1s) to Large Holdings One (LH1);
- xxii) the land described Lot A, Plan KAP85567, District Lot 2709, SDYD (Raven Hill Road) from Large Holdings One Site Specific (LH1s) to Large Holdings One (LH1); and
- xxiii) the land described as Lots1-41, Plan EPP125898, District Lot 3474, SDYD (Arawana Forestry Road) from Small Holdings One Site Specific (SH1s) to Small Holdings One (SH1).

READ A FIRST AND SECOND TIME this 13<sup>th</sup> day of June, 2024.

PUBLIC HEARING not held in accordance with s. 464(4) of the *Local Government Act*.

READ A THIRD TIME this \_\_\_\_ day of \_\_\_\_\_, 2024.

I hereby certify the foregoing to be a true and correct copy of the “Small-Scale Multi-Family Housing Compliance Zoning Amendment Bylaw No. 2800.37, 2024”, as read a Third time by the Regional Board on this \_\_\_\_ day of \_\_\_\_\_, 2024.

Dated at Penticton, BC this \_\_\_\_ day of \_\_\_\_\_, 2024.

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

Approved pursuant to Section 52(3) of the *Transportation Act* this \_\_\_\_ day of \_\_\_\_\_, 2024.

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

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2024.

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

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