

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2455.38, 2021

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

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

1. This Bylaw may be cited for all purposes as the “Electoral Area “D” Okanagan Falls Town Centre Update Zoning Amendment Bylaw No. 2455.38, 2021.”
2. The Electoral Area “D” Zoning Bylaw No. 2455, 2008, is amended by:
 - i) replacing Section 14.2 (Okanagan Falls Town Centre Transition Zone) under Section 14.0 (Commercial) in its entirety with the following:

14.2 HIGHWAY COMMERCIAL ZONE (C4)

14.2.1 Permitted Uses:

Principal uses:

- a) brewery, cidery, distillery, meadery or winery;
- b) eating and drinking establishments;
- c) indoor recreation;
- d) apartment building, subject to Section 14.2.5;
- e) offices;
- f) outdoor market;
- g) personal service establishment;
- h) retail stores, general;
- i) townhouse, subject to Section 14.2.5;
- j) tourist accommodation;

Secondary uses:

- k) dwelling units;

- l) bed and breakfast operation, subject to Section 7.19;
- m) home occupations, subject to Section 7.17; and
- n) accessory buildings and structures, subject to Section 7.13.

14.2.2 Site Specific Highway Commercial Zone (C4s) Provisions:

- a) see Section 19.15

14.2.3 Minimum Parcel Size:

- a) 1000 m², subject to servicing requirements.

14.2.4 Minimum Parcel Width:

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

14.2.5 Dwelling Unit Regulations:

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

14.2.6 Minimum Setbacks:

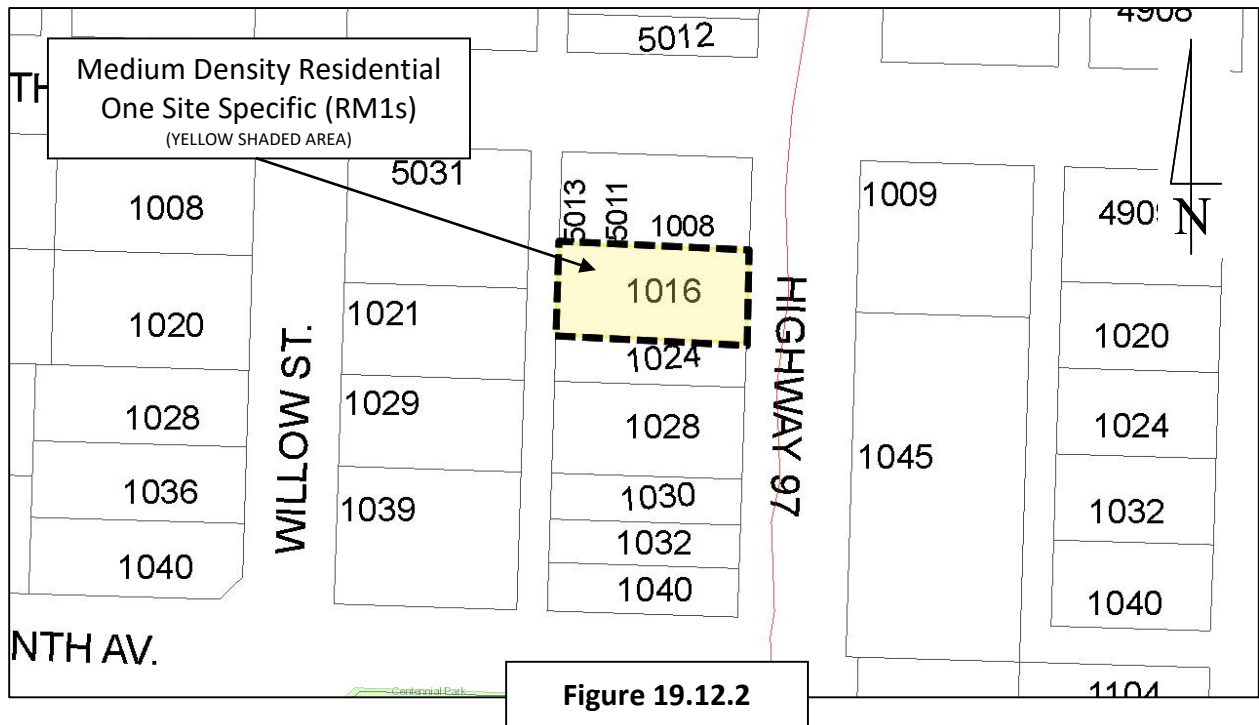
- a) Buildings and Structures:
 - i) Front parcel line: 3.0 metres
 - ii) Rear parcel line: 0.0 metres
 - iii) Interior side parcel line: 0.0 metres
 - iv) Exterior side parcel line: 3.0 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 3.0 metres
 - ii) Rear parcel line: 0.0 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 3.0 metres

14.2.7 Maximum Height:

- a) No building or structure shall exceed a height of 12.0 metres;
- b) No accessory building or structure shall exceed a height of 4.5 metres.

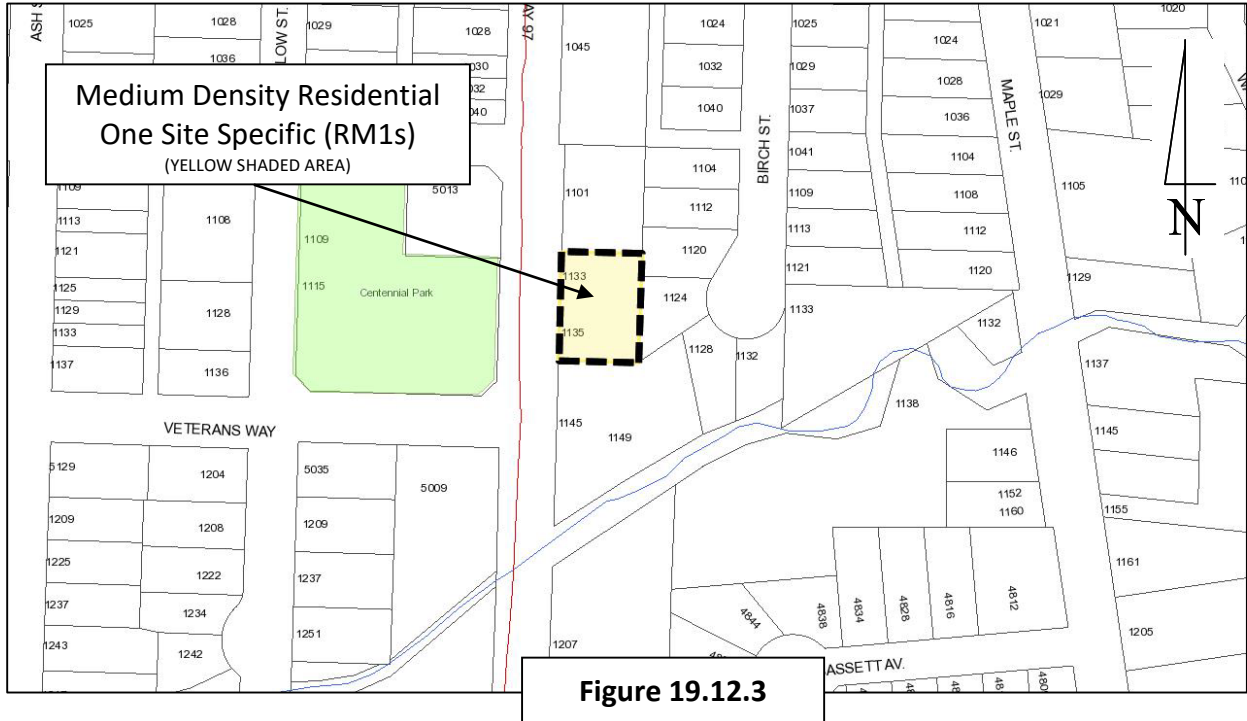
14.2.8 Maximum Parcel Coverage:

- a) 80%
- ii) adding a new Section 19.12.2 (Site Specific Medium Density Residential One) under Section 19.0 (Site Specific Designations) to read as follows:
 - .2 In the case of land described as Parcel A, Block 10, Plan KAP1280, District Lot 374, SDYD, Portion KD20684 (1016 Main Street), and shown shaded yellow on Figure 19.12.2:
 - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:
 - a) eating and drinking establishments;
 - b) offices;
 - c) personal service establishment; and
 - d) retail stores, general.



- iii) adding a new Section 19.12.3 (Site Specific Medium Density Residential One) under Section 19.0 (Site Specific Designations) to read as follows:
 - .3 In the case of land described as Plan KAS1099, District Lot 374, SDYD (1135 Highway 97), and shown shaded yellow on Figure 19.12.3:
 - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:

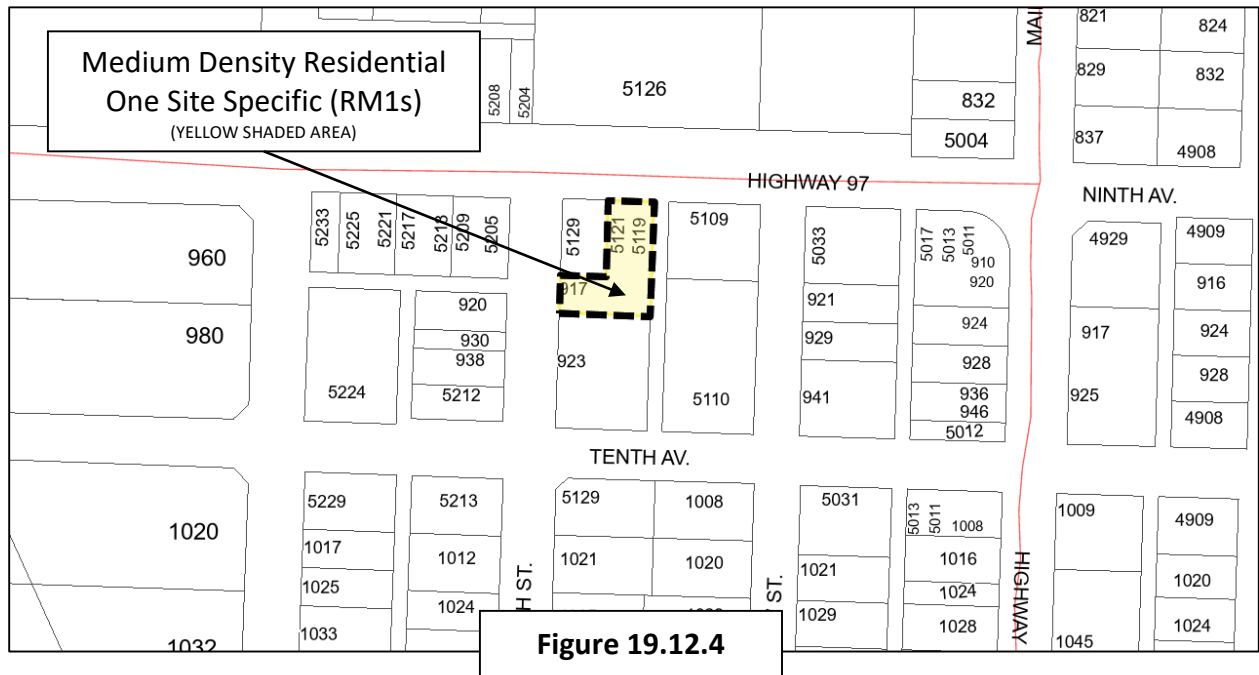
- a) eating and drinking establishments;
- b) offices;
- c) personal services establishment; and
- d) retail stores, general



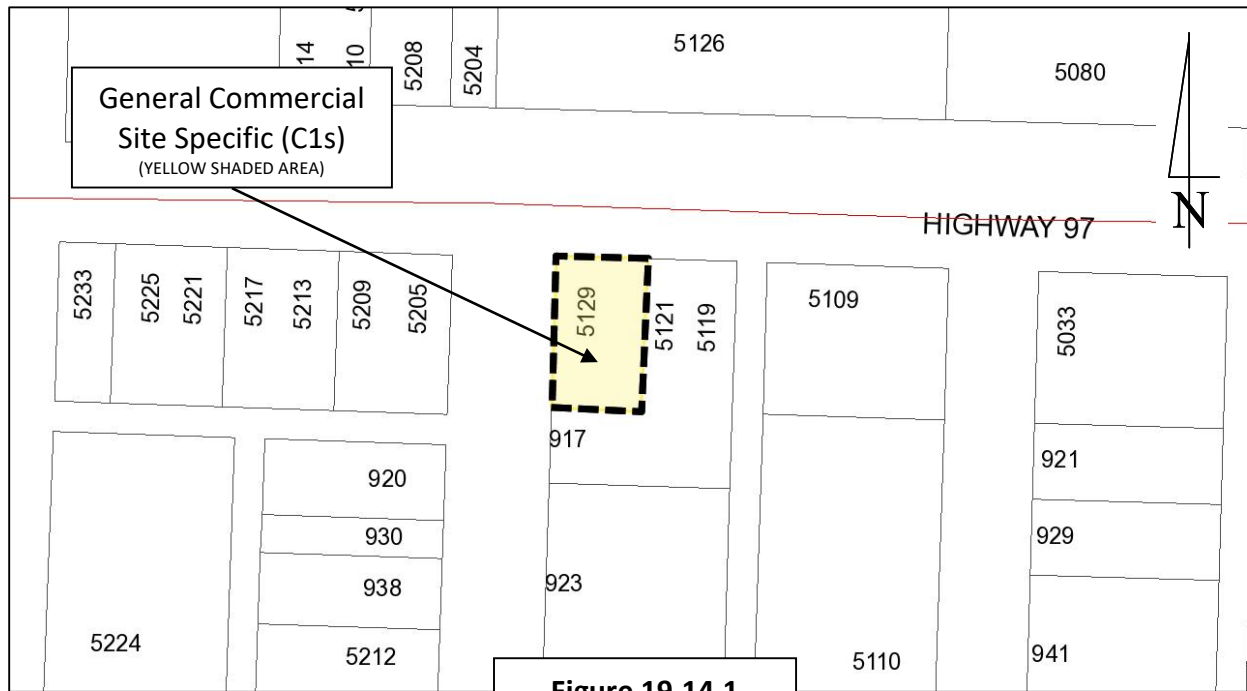
iv) adding a new Section 19.12.4 (Site Specific Medium Density Residential One) under Section 19.0 (Site Specific Designations) to read as follows:

.4 In the case of land described as Lot A, Plan KAP52004, District Lot 374, SDYD (917 Ash Street) and shown shaded yellow on Figure 19.12.5:

- ii) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:
 - a) eating and drinking establishments;
 - b) offices;
 - c) personal services establishment; and
 - d) retail stores, general.



- v) replacing Section 19.14.1 (Site Specific General Commercial Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:
 - .1 In the case of land described as Lot 1, Plan KAP3828, District Lot 374, SDYD (5129 9th Avenue), and shown shaded yellow on Figure 19.14.1:
 - i) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 14.1.1:
 - a) service industry establishment, excluding household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair.



- vi) replacing Section 19.15 (Site Specific Okanagan Falls Town Centre Provisions) under Section 19.0 (Site Specific Designations) in its entirety with the following:

19.15 Site Specific Highway Commercial (C4s) Provisions:

- .1 Not applicable.

- 3. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by changing land use designation of the land:
 - i) shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to General Commercial (C1).
 - ii) described as Lot 1, Plan KAP3828, District Lot 374, SDYD (5129 9th Avenue) and shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition Site Specific (C4s) to General Commercial Site Specific (C1s).
 - iii) described as Lot A, Plan KAP42658, District Lot 374, SDYD (1101 Highway 97) and shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to General Commercial (C1).
 - iv) described as Lot 16, Block 10, Plan KAP1280, District Lot 374, SDYD (1024 Main Street;) and Parcel Z, Block 10, Plan KAP1280, District Lot 374, SDYD (1028 Main Street); and Lots 11-13, Block 10, Plan KAP1280, District Lot 374, SDYD (1030, 1032 & 1040 Main Street) and shown as shaded yellow on Schedule 'D', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Highway Commercial (C4).

- v) described as Plan KAP3787, District Lot 374, SDYD, Parcel A, Portion KV78711 (1045 Highway 97) and shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Tourist Commercial One (CT1).
- vi) described as Lots 8-12, Block 9, Plan KAP4, District Lot 374, SDYD (923 Ash Street) and Lots 13-17, Block 9, Plan KAP4, District Lot 374, SDYD (5110 10th Avenue), and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One (RM1).
- vii) described as Plan KAP5823, District Lot 374, SDYD, Parcel A, Portion (KD776), Okanagan Falls Townsite (917 Highway 97), and shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One (RM1).
- viii) described as Lot 20, Block 10, Plan KAP1280, District Lot 374, SDYD (1008 10th Avenue), and shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One (RM1).
- ix) described as Lots 1-18, Plan KAS1099, District Lot 374, SDYD, (1133 & 1135 Main Street) and shown shaded yellow on Schedule 'I', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One Site Specific (RM1s).
- x) described as Lot 1, Plan KAP23248, District Lot 374, SDYD, Okanagan Falls Townsite (5099 Veterans Way) and shown shaded yellow on Schedule 'J', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Administrative and Institutional (AI).
- xi) described as Lot 9, Plan KAP34520, District Lot 374, SDYD (1145 Highway 97) and shown shaded yellow on Schedule 'K', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Administrative and Institutional (AI).
- xii) described as Parcel A, Block 10, Plan KAP1280, District Lot 374, SDYD, Portion KD20684 (1016 Highway 97) and shown shaded yellow on Schedule 'L', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One Site Specific (RM1s).
- xiii) described as Lot A, Plan KAP52004, District Lot 374, SDYD (917 Ash Street) and shown shaded yellow on Schedule 'M', which forms part of this Bylaw, from Okanagan Falls Town Centre Transition (C4) to Medium Density Residential One Site Specific (RM1s).

READ A FIRST AND SECOND TIME this 3rd day of June, 2021.

PUBLIC HEARING HELD this 8th day of July, 2021.

READ A THIRD TIME this 8th day of July, 2021.

Approved pursuant to Section 52(3) of the *Transportation Act* this 13th day of July, 2021.

ADOPTED this ____ day of _____, 2021.

Board Chair

Chief Administrative Officer

Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

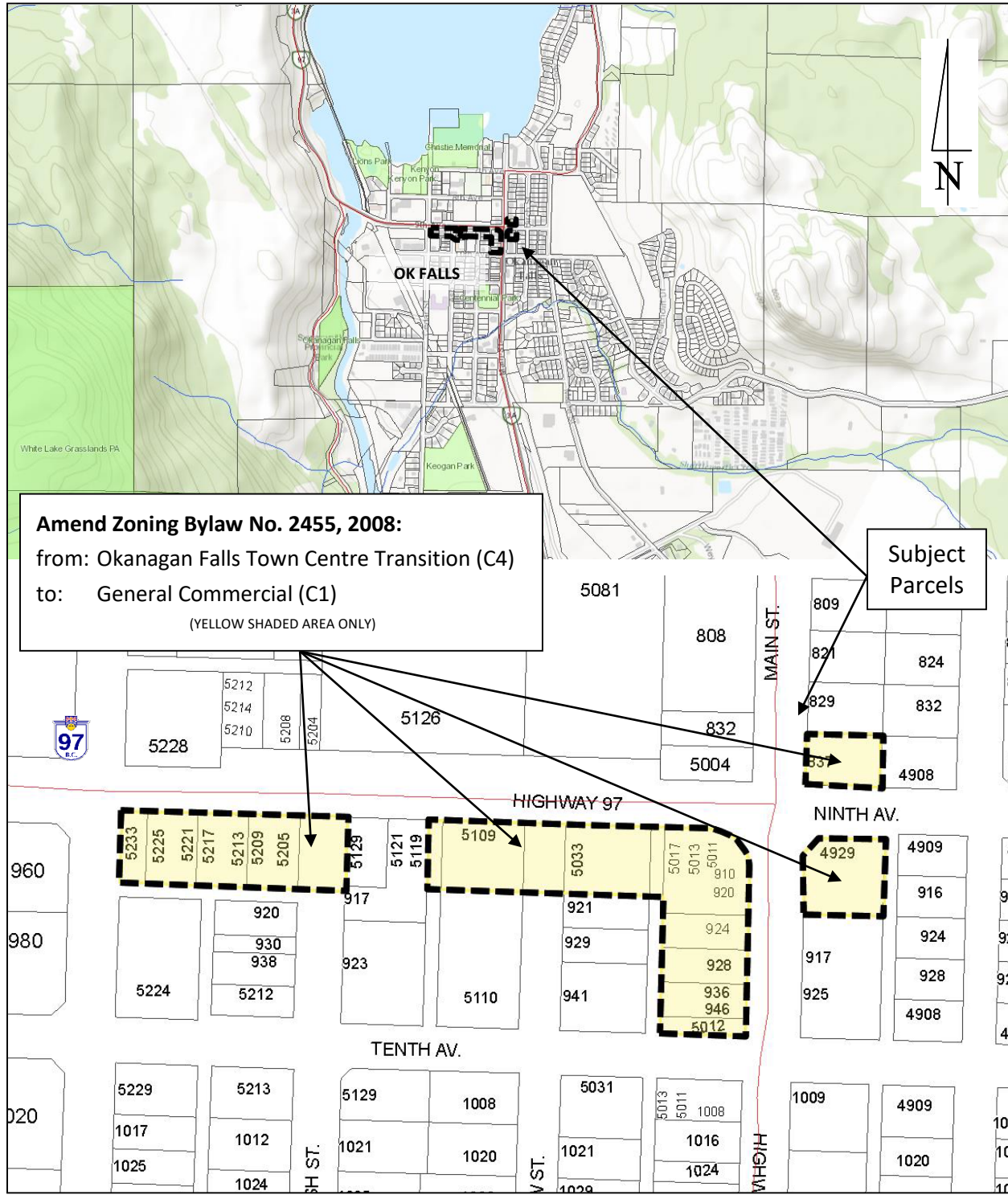
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Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'A'



Regional District of Okanagan-Similkameen

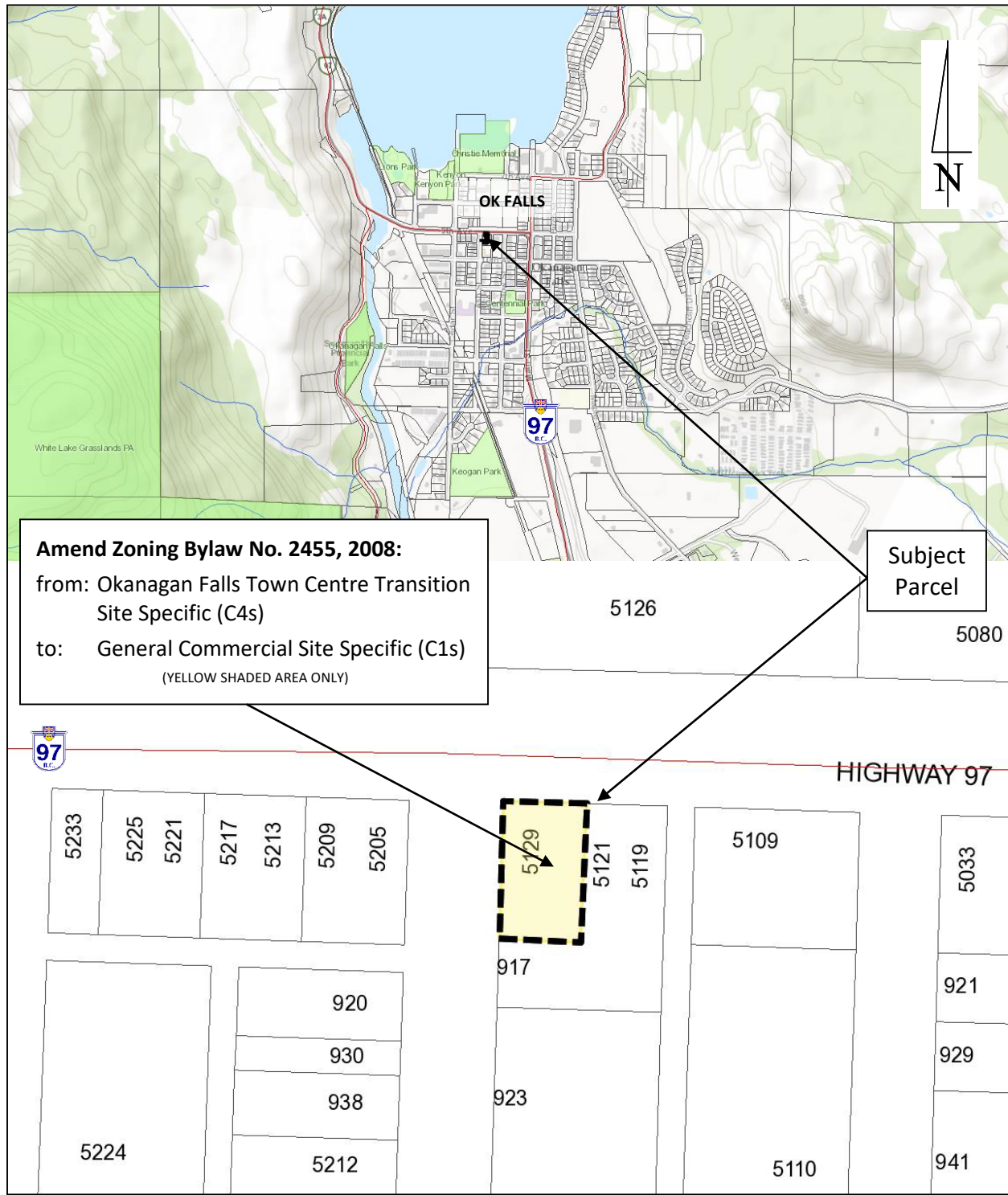
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Schedule 'B'



Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

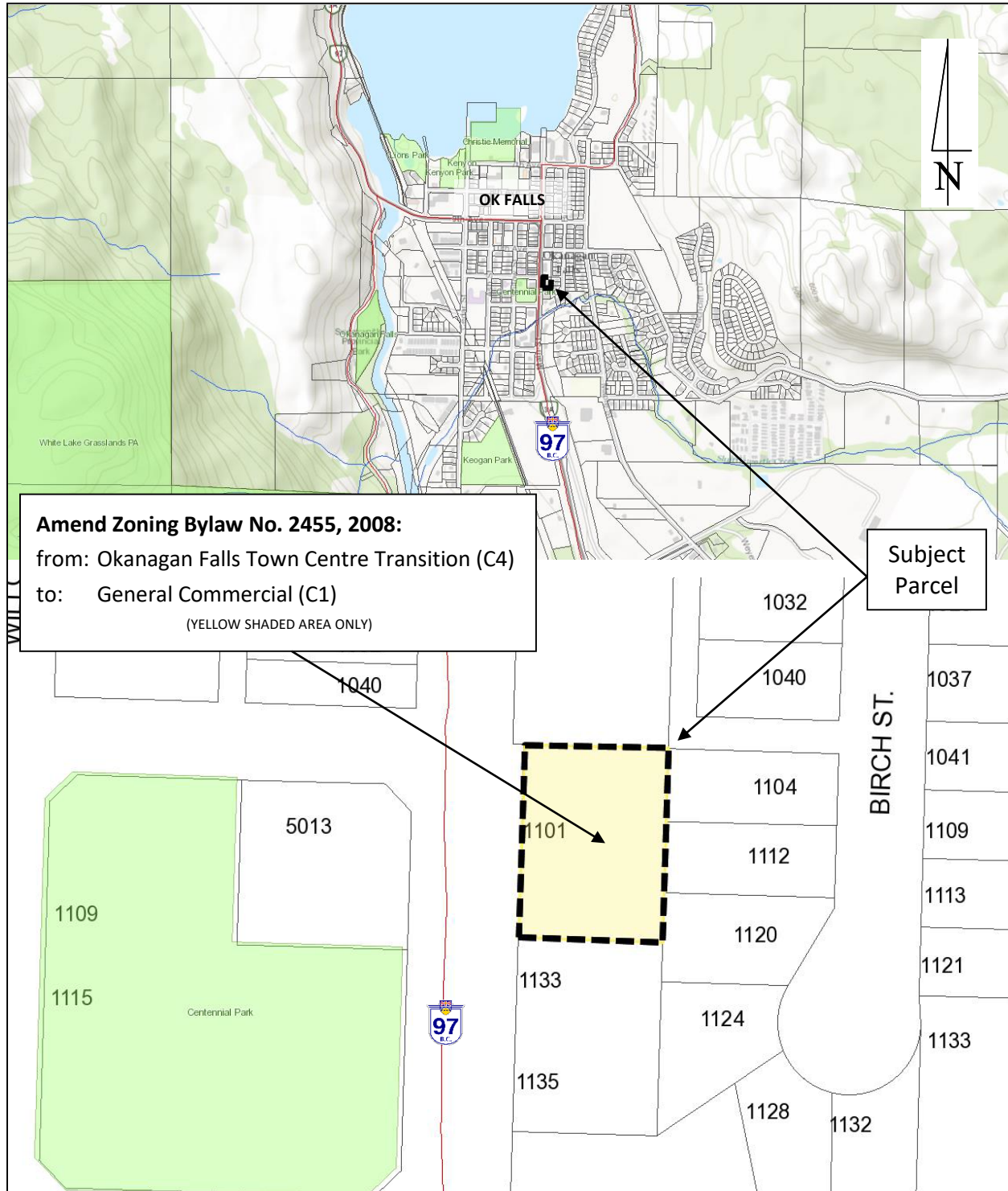
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Schedule 'C'



Amendment Bylaw No. 2455.38, 2021

(D2018.089-ZONE)

Regional District of Okanagan-Similkameen

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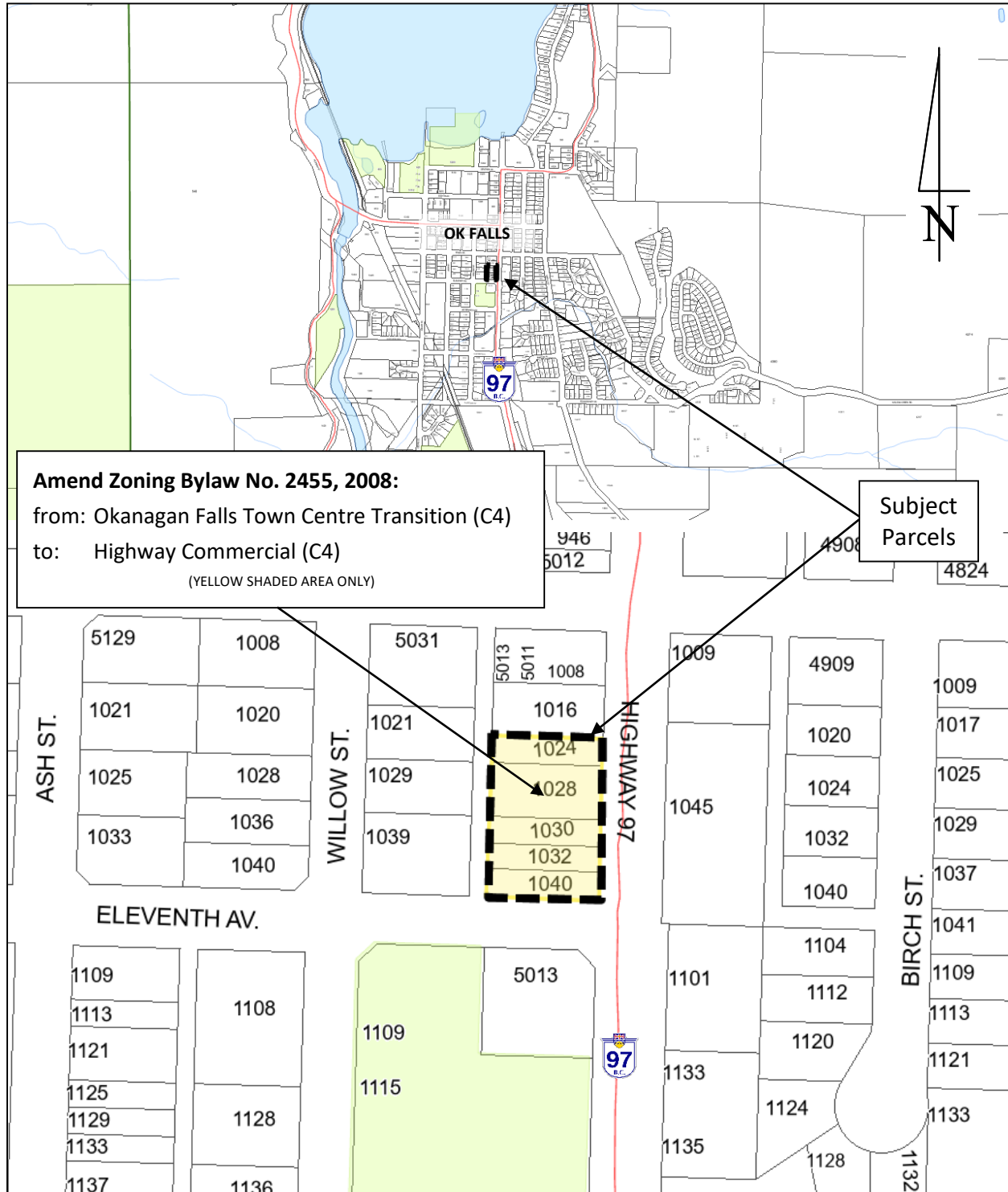
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Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'D'



Amendment Bylaw No. 2455.38, 2021

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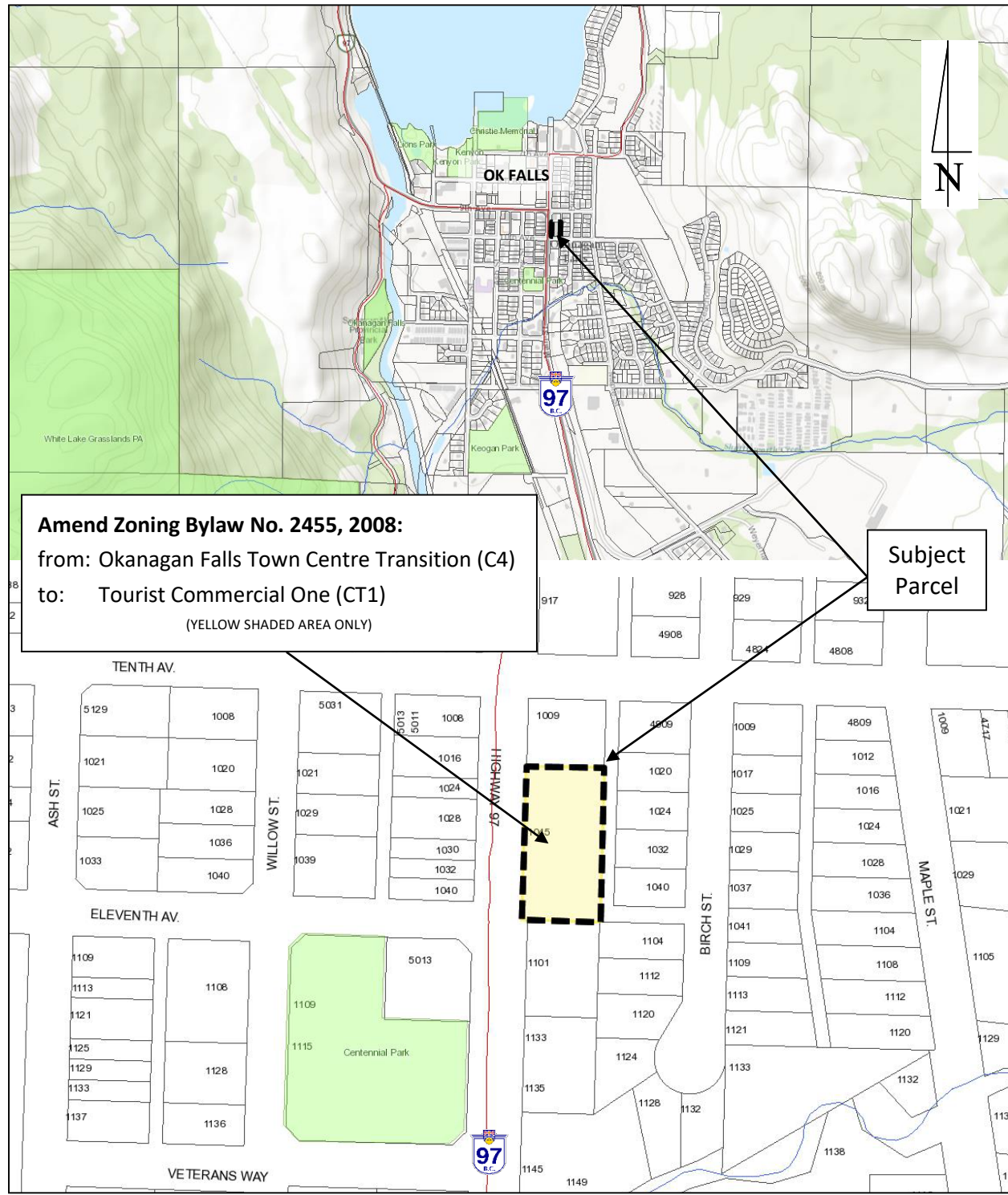
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Schedule 'E'



Regional District of Okanagan-Similkameen

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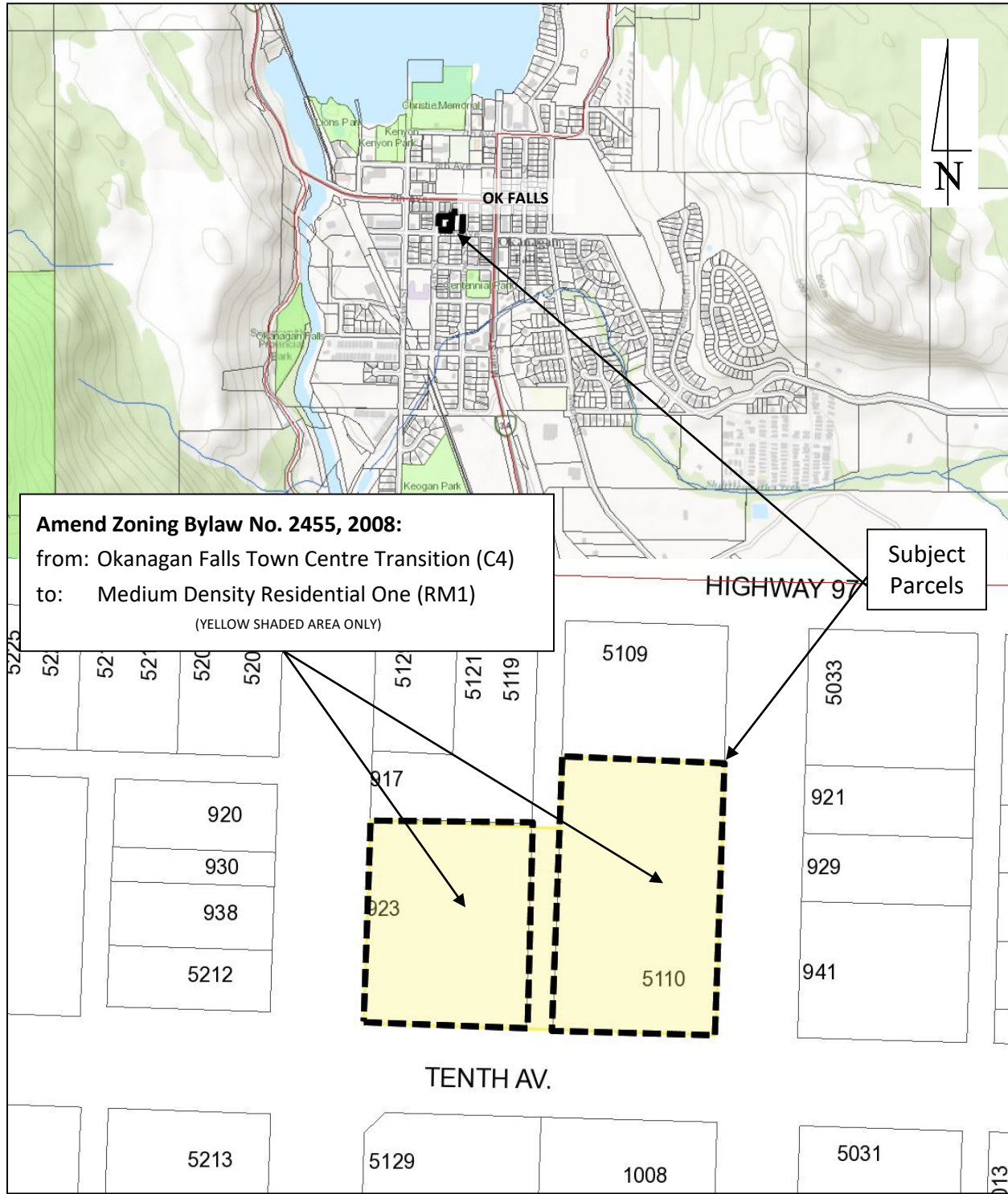
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Schedule 'F'



Regional District of Okanagan-Similkameen

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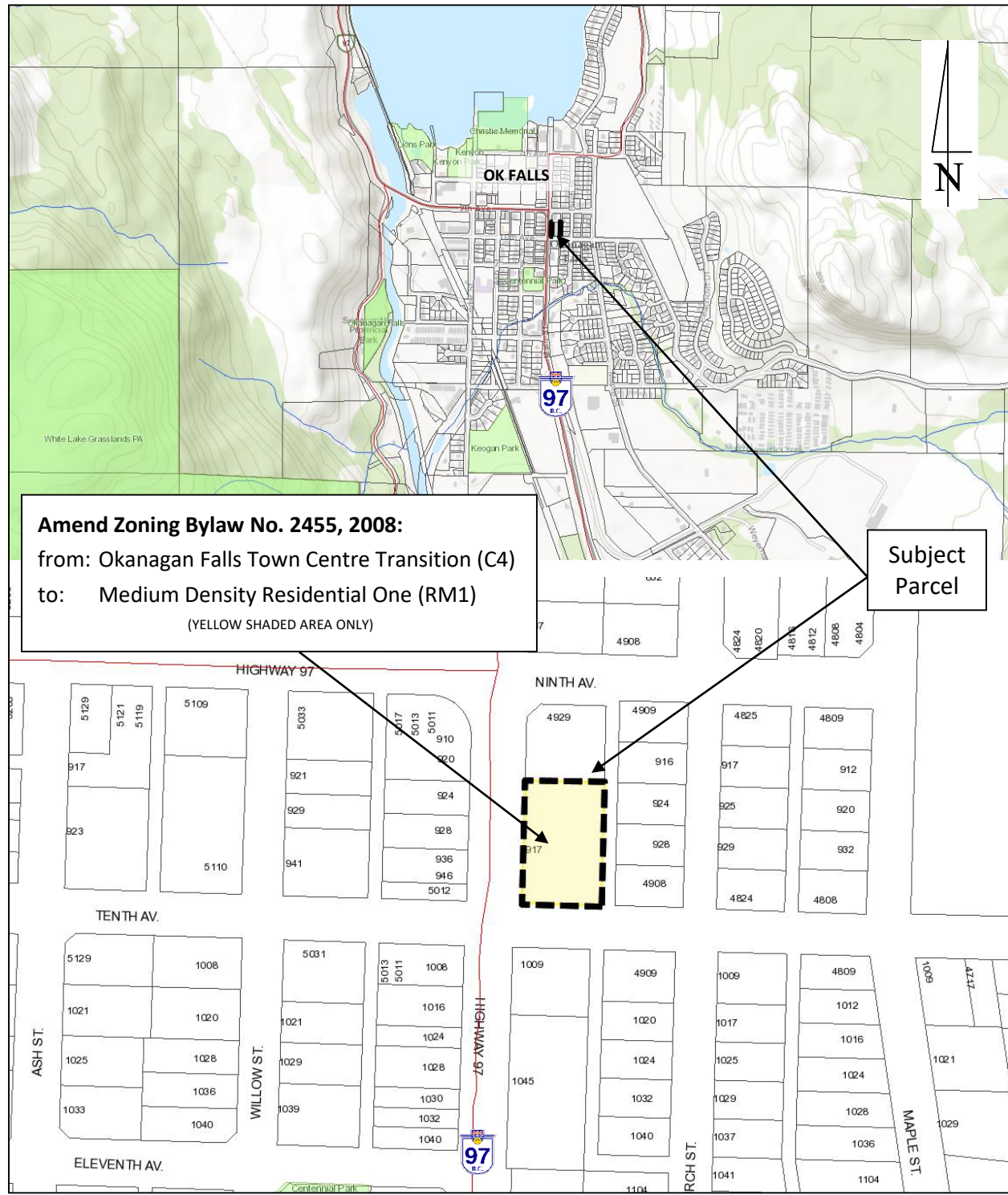
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Project No: D2018.089-ZONE

Schedule 'G'



Regional District of Okanagan-Similkameen

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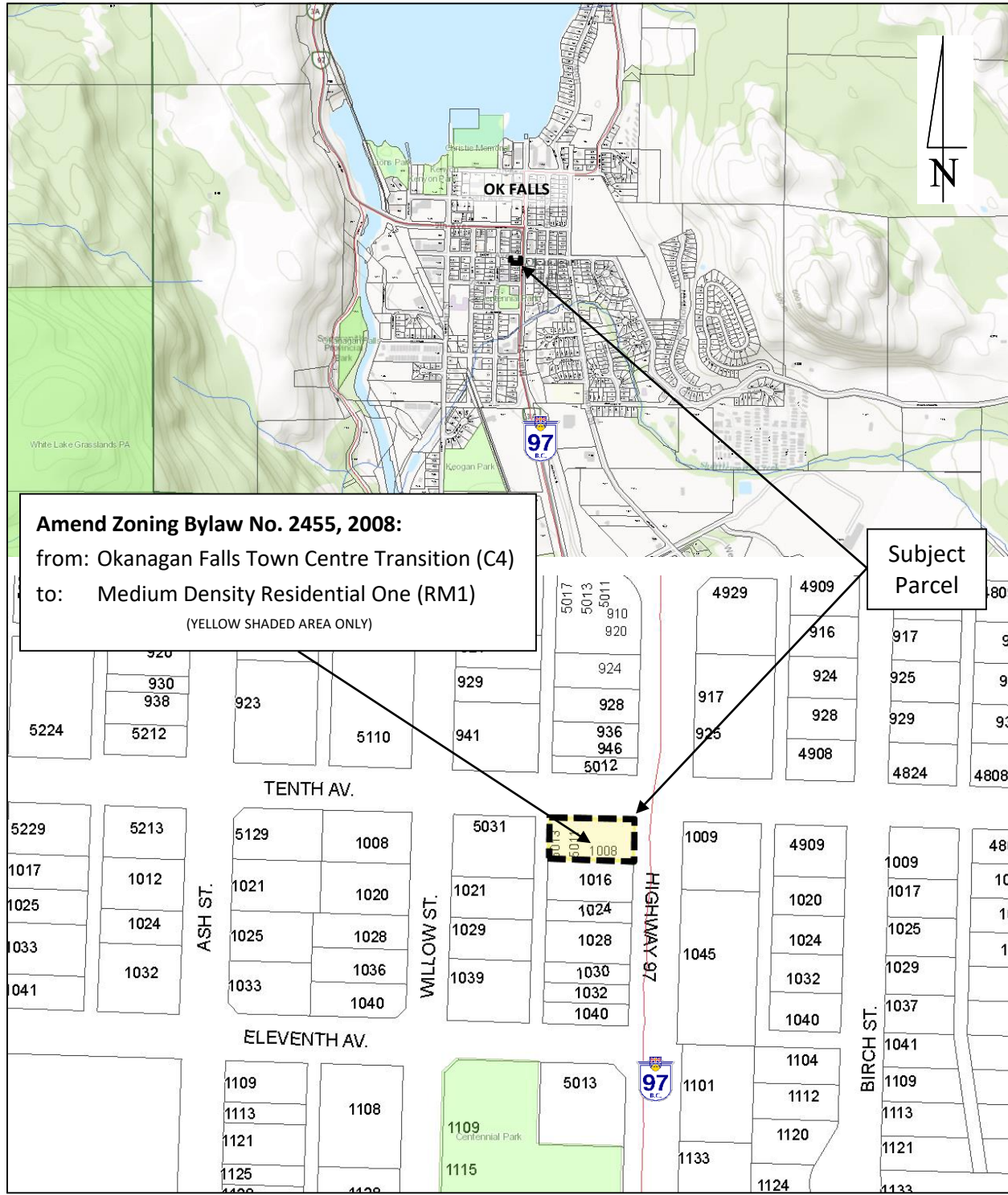
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Schedule 'H'



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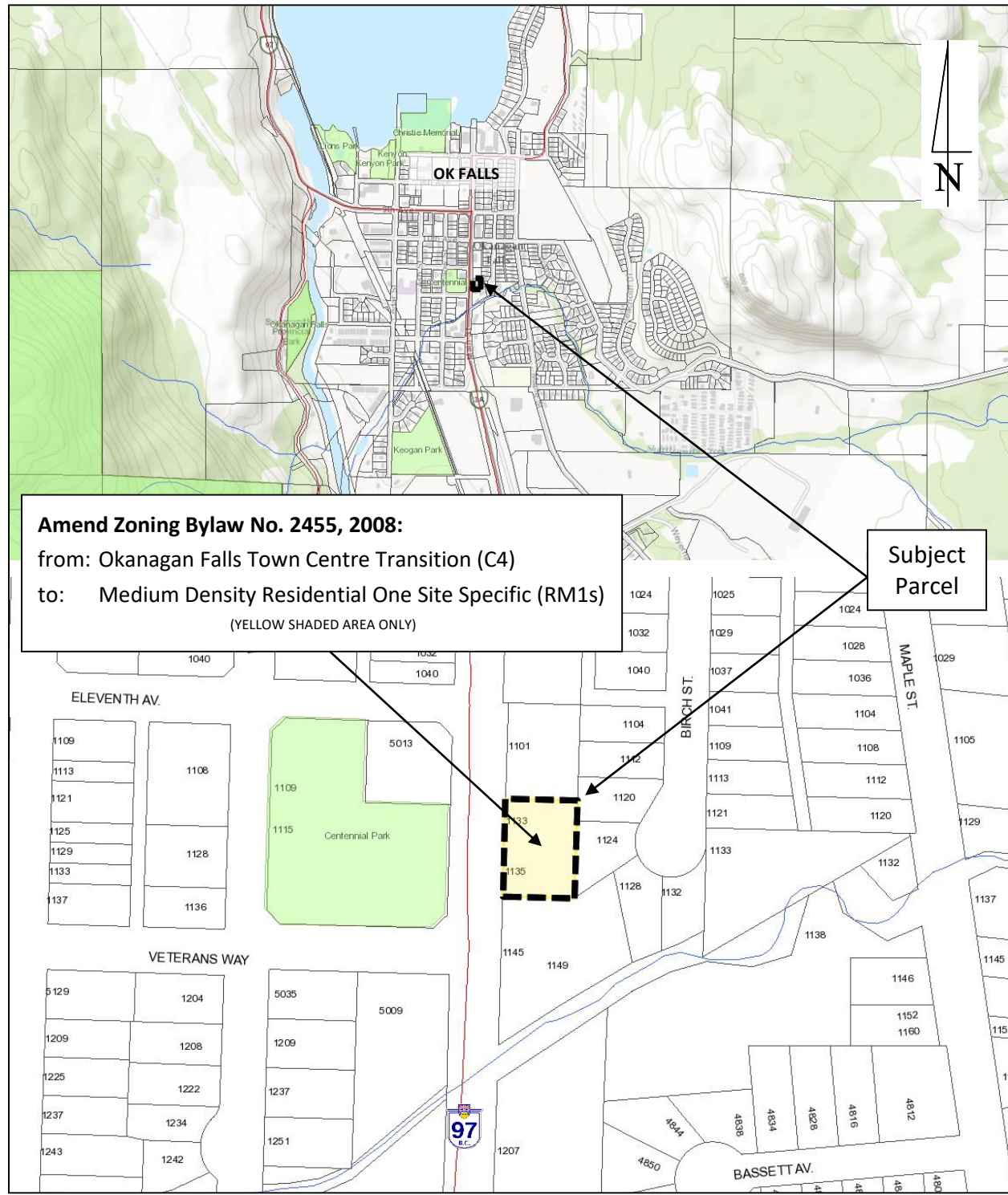
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Schedule 'I'



Regional District of Okanagan-Similkameen

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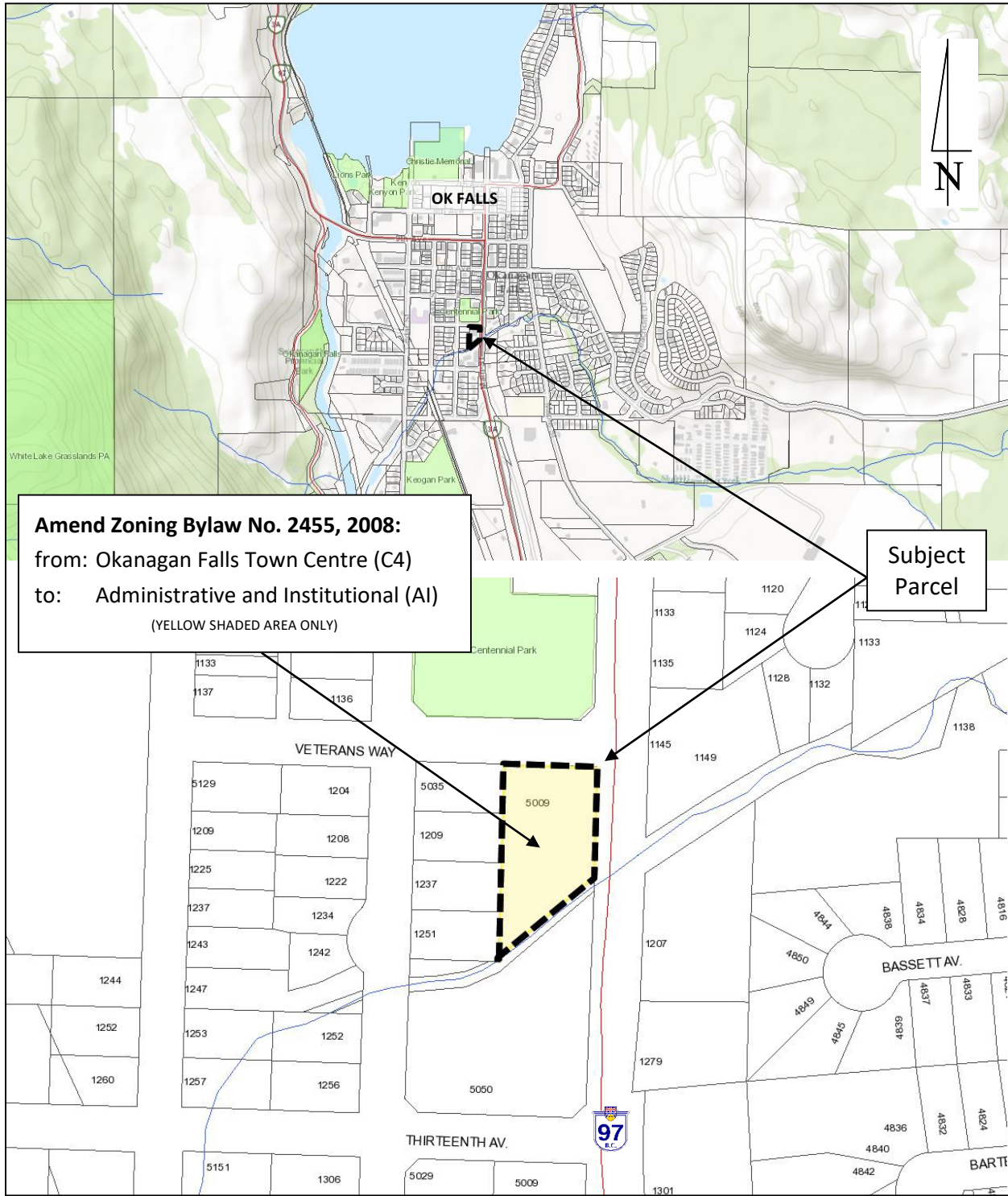
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Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'J'



Amendment Bylaw No. 2455.38, 2021

(D2018.089-ZONE)

Regional District of Okanagan-Similkameen

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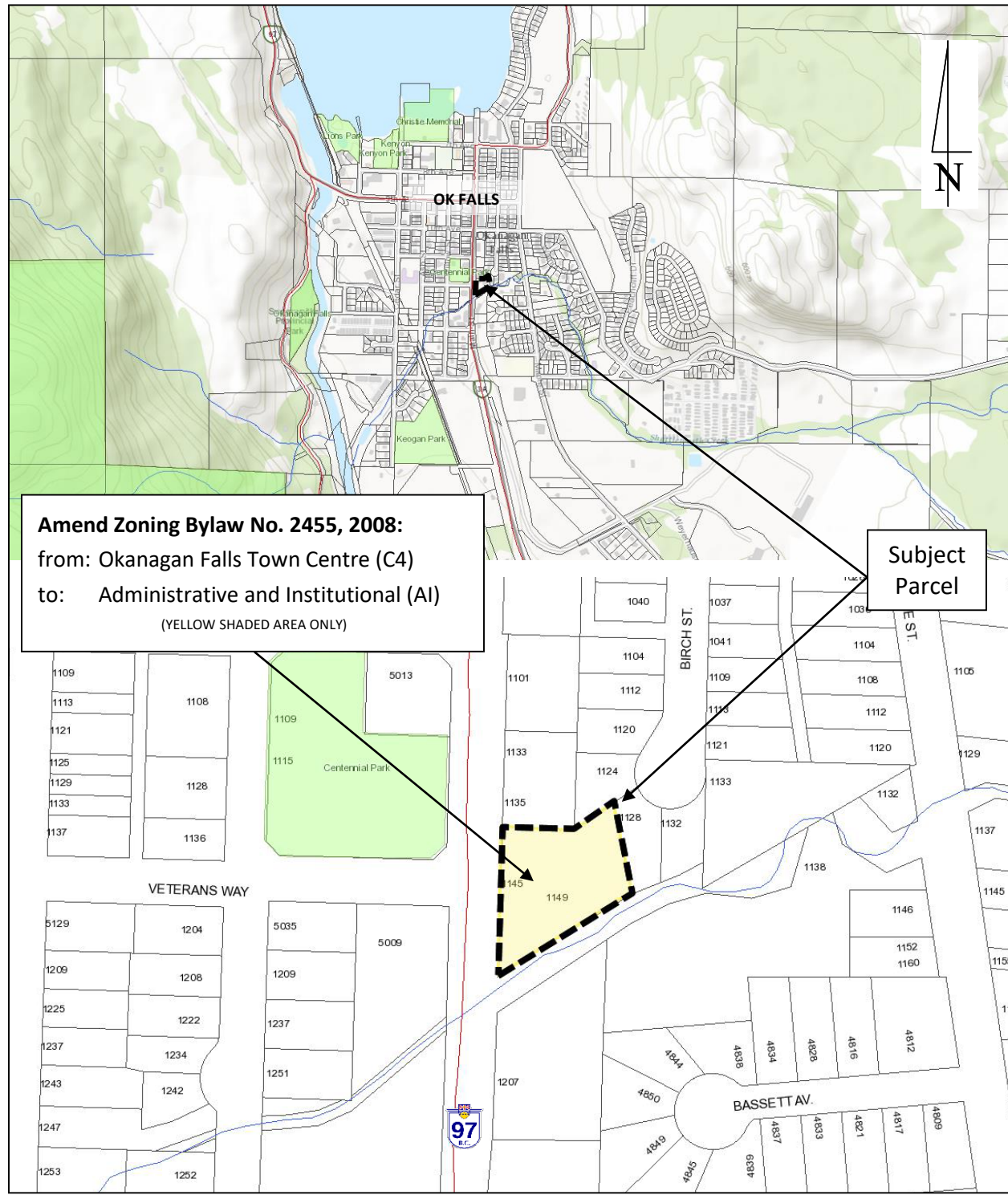
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Amendment Bylaw No. 2455.38, 2021

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Schedule 'K'



Amendment Bylaw No. 2455.38, 2021

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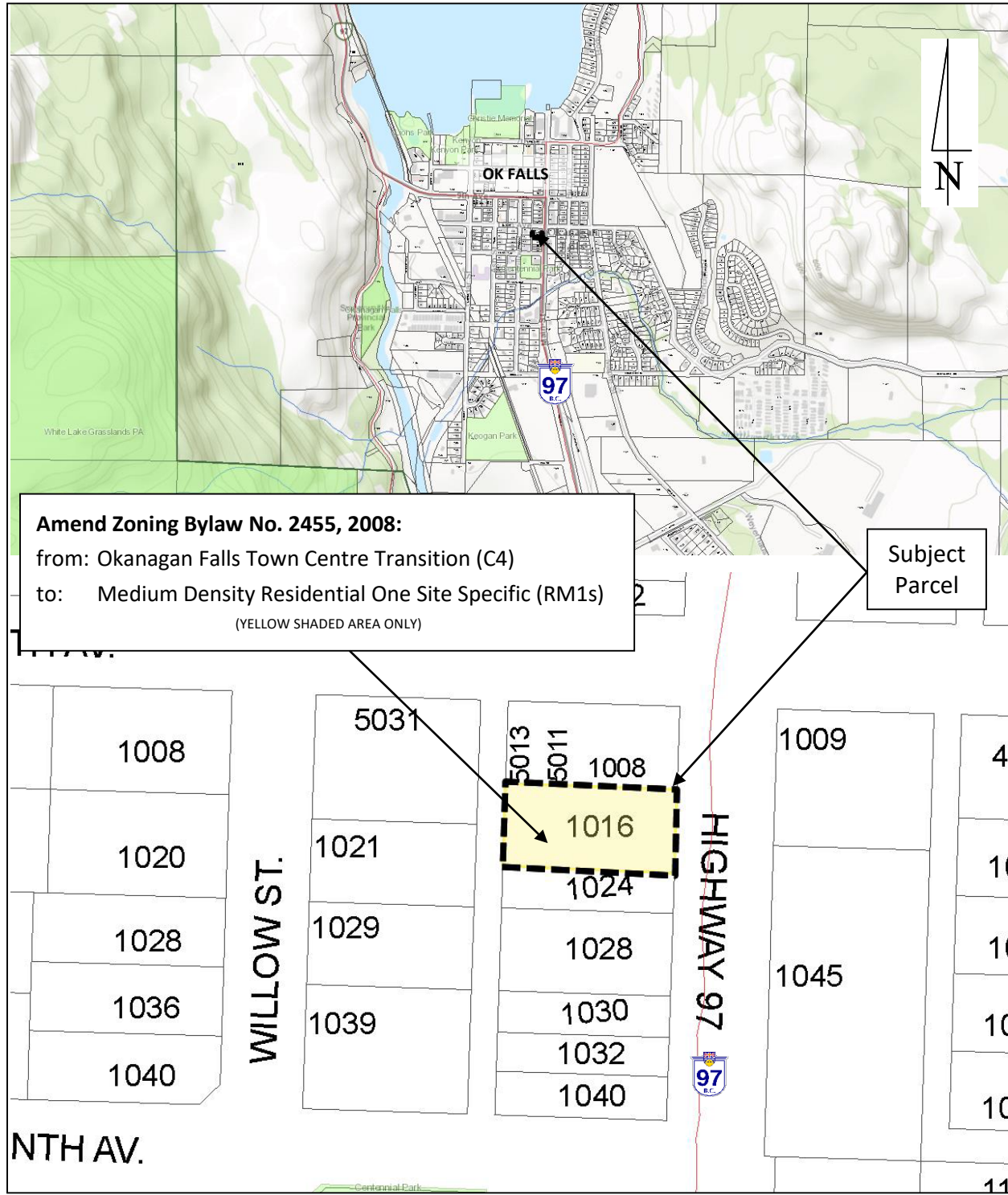
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Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'L'



Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2455.38, 2021

Project No: D2018.089-ZONE

Schedule 'M'

