

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2781.03, 2025

A Bylaw to amend the Electoral Area “G” Zoning Bylaw No. 2781, 2017

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 “G” Parks & Environment Zoning Amendment Bylaw No. 2781.03, 2025.”

2. The “Electoral Area “G” Zoning Bylaw No. 2781, 2017” is amended by:

- i) adding a definition of “conservation area” under Section 4.0 (Definitions) to read as follows:

“conservation area” means land that is preserved and protected in a natural state, and may be owned by an individual, the Province including ecological reserves or protected areas, the Canadian Wildlife Service, The Nature Trust, The Land Conservancy, Regional District of Okanagan-Similkameen, the public or other not for profit organizations interested in conservation for the prime purpose of conserving natural habitat. Typical examples include but are not limited to land protected in a natural state for the purpose of conserving plant life and providing sanctuary, habitat and breeding grounds for wildlife or fish, but *excludes indoor recreation and outdoor recreation*;

- ii) adding a definition of “indoor recreation” under Section 4.0 (Definitions) to read as follows:

“indoor recreation” means a facility within an enclosed building intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, theatres and concert or music halls;

- iii) adding a definition of “outdoor recreation” under Section 4.0 (Definitions) to read as follows:

“outdoor recreation” means a facility used and equipped for the conduct of outdoor sports, leisure and entertainment activities, instructional courses and equipment rentals and may require amenities such as showers and storage, but excludes equestrian centres and golf course;

- iv) replacing section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) in its entirety with the following:

5.0 CREATION OF ZONES

5.1 Zoning Districts

For the purposes of this Bylaw, the area of the Regional District subject to this Bylaw is hereby divided into zoning districts with the following zone designations and their abbreviations. The headings below create categories of zones and represent all the zones under that heading:

Large Holdings Zones

Large Holdings One	LH1
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Small Holdings Zones

Small Holdings Three	SH3
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Parks and Natural Environment Zones

Parks and Recreation	PR
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Conservation Area	CA
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- v) replacing sub-section 5.4 (Permitted Uses) under Section 5.0 (Creation of Zones) in its entirety with the following:

5.4 Permitted Uses:

In respect of each zone created under Section 5.1 of this Bylaw:

- .1 the only uses permitted are those listed in respect of each zone under the heading “Permitted Uses” in Sections 10.0 to 12.0 of this Bylaw;
- .2 uses not listed in respect of a particular zone are prohibited.

- vi) adding a new Section 5.6 (Parcels Divided by a Zone Boundary) under Section 5.0 (Creation of Zones) to read as follows:

5.6 Parcels Divided by Zone Boundary

Where a *parcel* is included in more than one zone, the zone boundary as shown on the map accompanying and forming part of this Bylaw shall be deemed to be a *parcel* boundary for the purposes of determining applicable uses, *parcel size*, densities and/or regulations other than *building setbacks* contained in this Bylaw.

vii) replacing Section 6.0 (General Regulations) in its entirety with the following:

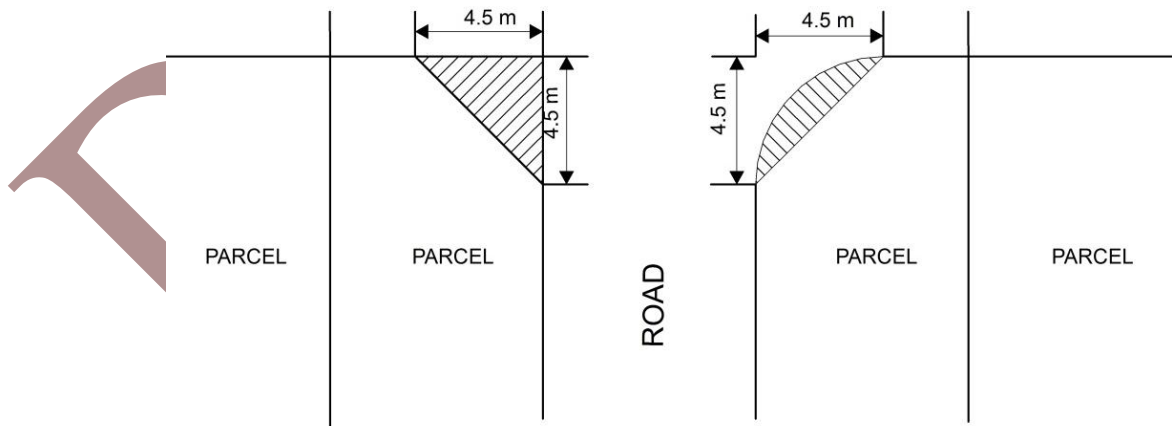
6.0 GENERAL REGULATIONS

6.1 Fence Heights

The *height* of a *fence* shall be determined by measurement from the ground level, at the place on which the *fence* is to be located, to the top of the *fence*.

- .1 No *fence* shall exceed 1.8 metres in *height* except:
 - a) on a corner site contiguous to a *highway* intersection, no *fence*, hedge or other vegetation is permitted at a greater *height* than 1.0 metre above the established elevation of the centre point of intersecting *highways*, at or within a distance of 4.5 metres from the corner of the site at the intersection of the streets;

Figure 6.1 – Site Triangle



- b) in the case of a *fence* constructed on top of a retaining wall, the combined height of the *fence* and the retaining wall at the parcel line or within 1.2 metres of the parcel line shall not exceed 2.0 metres in *height*, as measured from the lowest finished ground level at the bottom of the retaining wall to the top of any part of the fence; and

- c) deer fences shall not be limited in *height*, provided such fences are constructed of material that permits visibility, such as wire mesh.
- d) The use of razor wire for fencing is prohibited within all zones.

6.2 Keeping of Livestock and Honeybees

In this Bylaw, where “single detached dwelling” is a permitted use the following regulations apply:

- .1 the number of *livestock*, *small livestock* and honeybee hives permitted per *parcel* shall be as follows:

PARCEL AREA	MAXIMUM NUMBER OF LIVESTOCK	MAXIMUM NUMBER OF SMALL LIVESTOCK	MAXIMUM NUMBER OF HONEYBEE HIVES
Less than 625 m ²	0	0	0
625 m ² to 2,500 m ²	0	5	2
2,500 m ² to 0.4 ha	0	25	Not applicable
0.4 ha to 1.0 ha	2	50	Not applicable
1.0 ha to 1.5 ha	3	75	Not applicable
1.5 ha to 2.0 ha	4	100	Not applicable

- .2 On *parcels* 2,500 m² or greater in area, keeping of honeybees shall be unlimited, and on *parcels* 2.0 ha or greater in area, keeping of *livestock* and *small livestock* shall be unlimited.
- .3 Products derived from the keeping of *livestock* and honeybees may be sold in accordance with Section 7.4 (Home Industry) or Section 7.5 (Home Occupations) of this bylaw, in addition to any applicable provincial regulations.
- .4 Honeybee hives must be located in accordance with the following:
 - a) to the rear of the *principal dwelling unit*; and
 - b) 7.5 metres from any parcel line, unless the underside of the hive is situated:
 - i) greater than 2.5 metres above the adjacent ground level, in which case the *setback* from any parcel line shall be 2.0 metres; or
 - ii) less than 2.5 metres above the adjacent ground level, in which case the setback from any parcel line shall be 2.0 metres provided the beehive is situated behind a solid *fence* or hedge more than 2.0 metres in height running

parallel to any property line and extending at least 6.0 metres beyond the hive in both directions.

6.3 Recreational Vehicles

- .1 Only *recreational vehicles* belonging to the owner or occupier of the principal *single detached dwelling* unit on a *parcel* may be stored on the same *parcel*.
- .2 Despite Section 6.3.1, one (1) *recreational vehicle* belonging to a guest or visitor may be located on the same *parcel* containing a permitted *single detached dwelling*. Such *recreational vehicles* shall only be used for the temporary accommodation of the guest or visitor for a period not exceeding a total of ninety (90) days in any one (1) calendar year.

6.4 Prohibited Uses of Land, Buildings and Structures

- .1 The use of a tent or *recreational vehicle* as a permanent residence is prohibited.
- .2 Unless otherwise specifically permitted in this Bylaw, no parcel must be used for the wrecking, salvage or storage of more than two derelict vehicles or as a salvage operation. "Derelict vehicle" includes any vehicle, except a farm vehicle, that is not displaying a current license, pursuant to Provincial regulations, and which is not enclosed within a garage or carport.
- .3 "cannabis production, indoor", except as expressly permitted elsewhere in this Bylaw, or as a designated farm use under Section 8 of the *Agricultural Land Reserve Use Regulation*, on lands designated as Agricultural Land Reserve.

For the purposes of "cannabis production, indoor", a structure that has a base consisting entirely of soil is a structure that shall not have concrete construction, hardsurfacing or similar impermeable forms of construction sunk into, at or below the natural elevation of a site, except:

- a) a building or structure supported by a system of columns or posts, where:
 - i) each supporting column or post has a minimum radius of 3.0 metres to the next adjacent column or post; and
 - ii) the maximum footprint area for each concrete footing associated with each column or post is 0.5 m².

6.5 Setback Exemptions

Subject to *setbacks* that may be more stringent provided elsewhere in this Bylaw, the following regulations apply to projections on *buildings*:

- .1 Gutters, eaves, sunshades, cornices, belt courses and sills may project into required setbacks to a maximum of 0.6 metres measured horizontally;
- .2 Unenclosed access ramps for physically disabled persons may project fully into required *setbacks*;
- .3 In no case shall a projection cross a parcel line.

6.6 Uses Permitted in Every Zone

The following uses are permitted in every zone and are not subject to the minimum parcel area of any zone:

- .1 Government controlled, held or sanctioned *parks*, playfields and playgrounds open to the public,
- .2 *utility uses*,
- .3 roads and *lanes*,
- .4 *conservation areas*,
- .5 fire halls, police stations, ambulance service uses, and similar emergency services,
- .6 facilities permitted by provincial enactment for:
 - a) day care for no more than eight (8) persons, or
 - b) residence for no more than ten (10) persons, not more than six (6) of whom are persons in care.
- .7 Provincial, municipal, and regional improvement district works for flood control.

viii) adding a new Section 7.0 (Specific Use Regulations) to read as follows and renumbering all subsequent sections:

7.0 SPECIFIC USE REGULATIONS

7.1 Accessory Buildings and Structures

- .1 All *buildings* or *structures* attached to a *principal building* are deemed to be a portion of the *principal building* if they share a

common roof and a common wall for a minimum length of 25% of the total perimeter dimensions of the *structure*.

- .2 No *accessory building or structure* shall be situated on a *parcel* unless:
 - a) a *principal building* has already been erected on the same lot;
 - b) a *principal building* will be erected simultaneously with the *accessory building or structure* on the same lot; or
 - c) the *accessory building or structure* does not exceed 10.0 m² in area, one storey in building *height*, and is limited to one (1) per parcel.

7.2 Accessory Dwellings

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

- .1 An accessory dwelling cannot be subdivided under the *Strata Property Act*.
- .2 Accessory dwellings or *mobile homes* shall not be permitted on *parcels* less than 1.0 ha in area unless connected to a community sanitary sewer system.

7.3 Bed and Breakfast Operation

A *bed and breakfast operation* is permitted where listed as a permitted use, provided that:

- .1 it is located within one *principal dwelling unit* on the *parcel*;
- .2 no more than eight (8) patrons shall be accommodated within the *dwelling unit*;
- .3 no more than four (4) bedrooms shall be used for the *bed and breakfast operation*;
- .4 no *cooking facilities* shall be provided for within the bedrooms intended for the *bed and breakfast operation*;
- .5 no patron shall stay at the *bed and breakfast operation* for more than thirty (30) consecutive days with 30 days in between any subsequent stay;
- .6 no retail sales other than the sale of goods produced on the *parcel* are permitted;

- .7 no commercial vehicle, exceeding 1 tonne in weight, associated with or used in the conduct of the *bed and breakfast operation* shall be parked or otherwise located outside an unenclosed *building*;
- .8 only persons residing in the *principal dwelling unit* may carry on the *bed and breakfast operation* on the *parcel* occupied by the *principal dwelling unit*, and must be present on the property during a patron's stay; and
- .9 the *bed and breakfast operation* shall not generate traffic congestion or parking demands within the District and shall not produce a public offence or nuisance of any kind.

7.4 Home Industry

The following regulations apply to *home industry* uses where permitted as a use in this Bylaw:

- .1 No *home industry* shall be permitted on a parcel less than 2.0 hectares in size.
- .2 The maximum floor area utilized for a home industry, including the indoor or outdoor storage of materials, commodities or finished products associated with the *home industry* shall not exceed 200.0 m².
- .3 A *home industry* shall be conducted within an enclosed *building* or *structure*.
- .4 No retail sales of products other than the sale of goods produced, grown or assembled on the *parcel* shall be permitted.
- .5 Only persons residing in the *principal dwelling unit* may carry on the home industry located on the *parcel*, and up to two (2) non-resident employees may be on the *parcel*.
- .6 A *home industry* shall not be located on a *parcel* unless a *principal dwelling unit* already exists or is being constructed simultaneously, on the same *parcel*.
- .7 One (1) vehicle parking space per each non-resident employee of a *home industry* use is required in addition to those required for the *principal dwelling unit*.
- .8 A *home industry* shall not involve:
 - a) wrecking, salvage or storage of *derelict vehicles* and equipment;

- b) salvage or storage of used building or domestic products and similar discarded materials;
- c) manufacture of concrete products;
- d) bulk fuel or chemical storage or refining depots;
- e) *cannabis production, indoor and outdoor*;
- f) animal or *agriculture* products processing; and
- g) the production of animal feeds.

7.5 Home Occupation

The following regulations apply to *home occupation* uses where permitted as a use in this Bylaw:

- .1 A *home occupation* shall not occupy more than 50% of the floor area of a *principal dwelling unit* or *accessory building* to a maximum of 50.0 m².
- .2 A *home occupation* shall be carried out within the *principal dwelling unit*, or in an *accessory building* where permitted in the particular zone, with no external storage of materials, containers or finished products.
- .3 No retail sales shall be permitted in a *home occupation*, except for:
 - a) goods produced or made on the premises;
 - b) telephone or internet sales or sales where the customer does not enter the premises;
 - c) mail order sales;
 - d) direct distributors where customers do not enter the premises; and
 - e) sale of products directly related to the home occupation.
- .4 No vehicle exceeding 1,000 kg in vehicle weight and associated with or used in the conduct of a *home occupation* shall be parked or otherwise located outside of an unenclosed *building*.
- .5 Only persons residing in the *principal dwelling unit* may carry on the *home occupation* located on the parcel occupied by the *principal dwelling unit*.
- .6 One (1) vehicle parking space is required in addition to those required for the principal *single detached dwelling*.
- .7 A *home occupation* shall not involve:

- a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;
- b) the outdoor storage of materials, vehicles and equipment associated with a contractor, trade or mobile service;
- c) the boarding, breeding and keeping of animals;
- d) *cannabis production, indoor and outdoor*;
- e) the salvage or repair of motor vehicles, boats, or other machinery as a commercial venture; and
- f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.

7.6 Kennel Facilities

A *kennel* is permitted where listed as a permitted use, provided that:

- .1 No *kennel* shall be permitted on a *parcel* less than 4.0 hectares in size; and
- .2 All *buildings, structures* and areas utilized in association with a *kennel* shall be sited a minimum of 30.0 metres from all parcel lines.

7.7 Secondary Suites

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

- .1 *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*; or,
 - b) 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* in the *single detached dwelling* and for this purpose garages, carports and breezeways are deemed to interrupt a foundation or roof.

- ix) renaming Section 10.0 from “Zones” to “Large Holdings Zones” and renumbering all subsequent sub-sections.

- x) deleting sub-section 10.2 (Small Holdings Three Zone (SH3)) in its entirety;
- xi) adding a new Section 11.0 (Small Holdings Zones) to read as follows:

11.0 SMALL HOLDINGS ZONES

11.1 SMALL HOLDINGS THREE (SH3) ZONE

11.1.1 Permitted Uses:

Principal Uses:

- a) *agriculture;*
- b) *single detached dwelling;*

Accessory Uses:

- c) *accessory buildings and structures*, subject to Section 7.1;
- d) *bed and breakfast operation*, subject to Section 7.3;
- e) *home occupations*, subject to Section 7.5;
- f) *secondary suites*, subject to Section 7.7.

11.1.2 Minimum Parcel Size:

- a) 1.0 ha

11.1.3 Minimum Parcel Width:

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

11.1.4 Maximum Number of Dwellings Permitted Per Parcel:

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

11.1.5 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* 4.5 metres
 - iv) *Exterior side parcel line* 4.5 metres
- b) *Accessory buildings and structures:*

- | | |
|---------------------------------------|------------|
| i) <i>Front parcel line</i> | 7.5 metres |
| ii) <i>Rear parcel line</i> | 4.5 metres |
| iii) <i>Interior side parcel line</i> | 4.5 metres |
| iv) <i>Exterior side parcel line</i> | 4.5 metres |

11.1.6 Maximum Height:

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

11.1.7 Maximum Parcel Coverage:

- a) 20%

11.1.8 Minimum Building Width:

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

11.1.9 Site Specific Small Holdings Three (SH3s) Regulations:

- a) Not applicable

xii) adding a new Section 12.0 (Parks and Natural Environment Zones) to read as follows:

12.0 PARKS & NATURAL ENVIRONMENT ZONES

12.1 PARKS AND RECREATION (PR) ZONE

12.1.1 Permitted Uses:

Principal Uses:

- a) *park*;
- b) *outdoor recreation*;
- c) *cemetery*;

Accessory Uses:

- d) *accessory building or structure*, subject to Section 7.1;
- e) *accessory dwelling*, subject to Section 7.2;
- f) *carnivals, circuses and fairs*;
- g) *community facilities*;
- h) *interpretation centre*;
- i) *public moorage*; and

j) *indoor recreation.*

12.1.2 Minimum Parcel Size:

a) Not applicable

12.1.3 Minimum Parcel Width:

a) Not applicable

12.1.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling.*

12.1.5 Minimum Setbacks:

a) *Buildings and structures:*

- | | |
|---------------------------------------|------------|
| i) <i>Front parcel line</i> | 7.5 metres |
| ii) <i>Rear parcel line</i> | 7.5 metres |
| iii) <i>Interior side parcel line</i> | 4.5 metres |
| iv) <i>Exterior side parcel line</i> | 4.5 metres |

b) *Accessory building or structure:*

- | | |
|---------------------------------------|------------|
| i) <i>Front parcel line</i> | 7.5 metres |
| ii) <i>Rear parcel line</i> | 7.5 metres |
| iii) <i>Interior side parcel line</i> | 4.5 metres |
| iv) <i>Exterior side parcel line</i> | 4.5 metres |

12.1.6 Maximum Height:

a) No *building or structure* shall exceed a *height* of 15.0 metres.

12.1.7 Maximum Parcel Coverage:

a) 25%

12.1.8 Parks and Recreation Site Specific (PRs) Regulations:

a) Not applicable

12.2 CONSERVATION AREA (CA) ZONE

12.2.1 Permitted Uses:

Principal Uses:

a) *conservation area*;

Accessory Uses:

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

c) *accessory dwelling*, subject to Section 7.2; and

d) *interpretation centre*.

12.2.2 Minimum Parcel Size for Subdivision:

a) Not applicable

12.2.3 Minimum Parcel Width for Subdivision:

a) Not applicable

12.2.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

12.2.5 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* 4.5 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* 7.5 metres

iii) *Interior side parcel line* 4.5 metres

iv) *Exterior side parcel line* 4.5 metres

12.2.6 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.

12.2.7 Maximum Parcel Coverage:

a) 5%

12.2.8 Conservation Area Site Specific (CAs) Regulations:

a) Not applicable

3. The Official Zoning Map, being Schedule '2' of the "Electoral Area "G" Zoning Bylaw No. 2781, 2017", is replaced in its entirety with the Schedule '2' (Official Zoning Map) contained at Schedule 'A' to this bylaw.

DRAFT

READ A FIRST AND SECOND TIME this ____ day of _____, 2025.

PUBLIC HEARING held on this ____ day of _____, 2025.

READ A THIRD TIME this ____ day of _____, 2025.

I hereby certify the foregoing to be a true and correct copy of the “Electoral Area “G” Parks & Environment Zoning Amendment Bylaw No. 2781.03, 2025”, as read a Third time by the Regional Board on this ____ day of _____, 2025.

Dated at Penticton, BC this ____ day of _____, 2025.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2025.

For the Minister of Transportation & Transit

ADOPTED this ____ day of _____, 2025.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

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Amendment Bylaw No. 2781.03, 2025

File No. G2025.013-ZONE

Schedule 'A'

[Schedule '2' (Zoning Map)]

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