OKANAGAN VALLEY ZONING BYLAW

Okanagan Valley Zoning Bylaw No. 2800, 2022

This Bylaw has been consolidated for
Convenience only and includes all
Amendments to the text up to:
March 21, 2024

REGIONAL DISTRICT
RDOS
OKANAGAN·SIMILKAMEEN

Regional District of Okanagan-Similkameen
Okanagan Valley Zoning Bylaw No. 2800, 2022

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Regional District of Okanagan-Similkameen
Okanagan Valley Zoning Bylaw No. 2800, 2022

A Bylaw to divide part of the Regional District within
Electoral Areas "A", "C", "D", "E", "F" and "I" into zones and regulate within the zones:

1. the use of land, *buildings* and *structures*,
2. the density of the use of land, *buildings* and *structures*,
3. the siting, size and dimensions of:
   a) *buildings* and *structures*, and
   b) uses that are permitted on the land,
4. the shape, dimensions and area, including the establishment of maximum and minimum sizes of all *parcels* of land that may be created by subdivision,
5. the provision of off-street parking and loading spaces,
6. the provision of *screening* or landscaping,
7. floodplain regulations, and
8. other matters under provincial empowering enactments.

The Regional Board of the Regional District of Okanagan-Similkameen ENACTS as follows:

1.0 TITLE AND APPLICATION

1.1 Title

This Bylaw may be cited for all purposes as the "Regional District of Okanagan-Similkameen Okanagan Valley Zoning Bylaw No. 2800, 2022".

1.2 Application

This Bylaw applies to all lands, including the surface of water and all uses, *buildings* and *structures* located within that portion of Electoral Area "A", "C", "D", "E", "F" and "I" of the Regional District of Okanagan-Similkameen as shown by map reference on Schedule '2', which is attached to and forms part of this Bylaw. This Bylaw includes:

Schedule '1' – Okanagan Valley Zoning Text

Schedule '2' – Okanagan Valley Zoning Maps

Schedule '3' – Provincial Floodplain Maps

Schedule '4' – Radio Frequency Interference (RFI) Area

Schedule '5' – North Beach Estates Comprehensive Development Zone Map

Schedule '6' – Sunset Acres Comprehensive Development Zone Map

2.0 TRANSITION

The following Electoral Area zoning bylaws are repealed:

- Electoral Area "A" Zoning Bylaw No. 2451, 2008;
- Electoral Area "C" Zoning Bylaw No. 2453, 2008;
- Electoral Area "D" Zoning Bylaw No. 2455, 2008;
- Electoral Area "I" Zoning Bylaw No. 2457, 2008;
- Electoral Area "E" Zoning Bylaw No. 2459, 2008; and
- Electoral Area "F" Zoning Bylaw No. 2461, 2008.

READ A FIRST AND SECOND TIME on the 17th day of March, 2022.

PUBLIC HEARING held on the 7th day of April, 2022.

READ A THIRD TIME on the 7th day of April, 2022.

Approved by the Minister of Transportation and Infrastructure, this 11th day of April, 2022.

ADOPTED this 21st day of April, 2022.

_____ _____

Chair Corporate Officer

SCHEDULE '1'

Regional District of Okanagan-Similkameen

Okanagan Valley Zoning Bylaw No. 2800, 2022

3.0 ADMINISTRATION

3.1 Applicability

.1 Land or the surface of water must not be used, land shall not be subdivided and *buildings* or *structures* must not be constructed, altered, located or used except as specifically permitted in this Bylaw.

.2 All uses permitted by this Bylaw include, except as otherwise specifically stated, all uses reasonably accessory and exclusively devoted to the *principal uses*.

.3 *Parcels* shall be consolidated prior to issuance of building permit where the proposed *building* would otherwise straddle the *parcel* line.

3.2 Enforcement

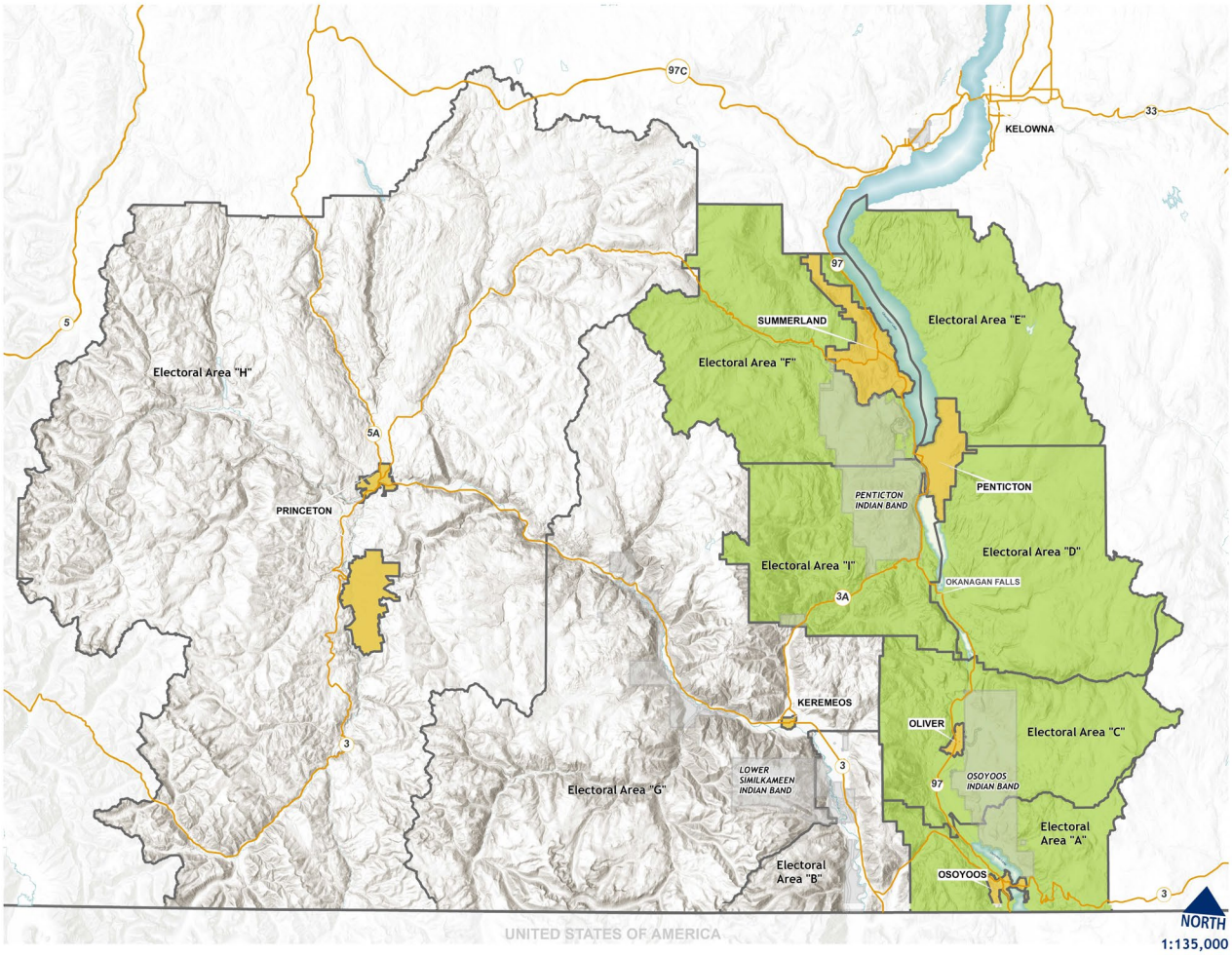
.1 The Chief Administrative Officer, or their delegate, is authorized at all reasonable times to enter on any property that is subject to regulation under this Bylaw, to ascertain whether the regulations, prohibitions or requirements under this Bylaw are being observed.

3.3 Prohibitions and Penalties

.1 A person shall not prevent or obstruct, or attempt to prevent or obstruct, a person, an officer or an employee authorised under section 3.2 from entering property to ascertain whether regulations, prohibitions or requirements of this Bylaw are being met or observed.

.2 Any person who violates a provision of this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding $10,000.00 and the costs of prosecution.

.3 Each day's continuance of an offence under this Bylaw constitutes a new and distinct offence.



Map 1 — Context Map

4.0 DEFINITIONS

In this Bylaw:

A

"accessory building or structure" means a detached *building* or *structure* located on the same *parcel* as the *principal building*, the use of which is subordinate, customarily incidental, and exclusively devoted to that of the *principal building*;

"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*;

"accessory use" means a use which is subordinate, customarily incidental, and exclusively devoted to a *principal use* in existence on the same *parcel*;

"affordable housing" means any housing where the annual cost of owning including taxes, condominium fees and mortgage, principal, and interest payments as amortized over 25 years with a 10% down payment, or gross rent, does not exceed 30% of the average annual individual income within the relevant Okanagan-Similkameen 'Subdivision' as defined by Census Canada;

"agriculture" means the use of land, *buildings* or *structures* for growing, harvesting, packing, storing and wholesaling of agricultural crops for the purposes of providing food, horticultural, medicinal or *farm products*, but excludes processing and *retail sales of farm products* and *cannabis production, indoor*. Agriculture includes *cannabis production, outdoor*, producing and rearing animals and *range grazing* of horses, cattle, sheep, and other *livestock*, *composting operation* and includes *apiculture* and *aquaculture*;

"agriculture, indoor" means the use of a *building* or *structure* for the growing, harvesting, cultivating, propagating, packing, storing and wholesaling of horticultural products, including but not limited to, vegetables, fruits, nuts and flowers, and *cannabis production, indoor*;

"agri-tourism" means a tourist activity, service or facility carried out as an *accessory use* on land that is classified as a farm under the *Assessment Act*;

"agri-tourism accommodation" means accommodation for rental to the traveling public on an operating farm or ranch, which is carried out as an accessory to the principal *farm use* of the *parcel*;

"airstrip" means an unpaved runway for the landing and takeoff of aircraft, but excludes facilities associated with an airport such as aircraft maintenance and repair, fuel sales, and storage hangers;

"alcohol production facility" means a brewery, cidery, distillery, meadery or *winery* that is licenced under the *Liquor Control and Licensing Act* to produce beer, cider, spirits, mead or wine;

"amenity and open space area" means a useable outdoor area or common indoor recreation 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* or *building*, and may include balconies, patios, decks, gardens, amenity rooms and lounges and landscaped recreation areas;

"animated sign" means a *sign* which includes action, motion, rotation, or flashing of all or any part of the *sign*;

"apartment building" means a *building* other than a *townhouse* containing three (3) or more *dwelling units*, each of which has its principal access from an entrance common to the dwellings;

"apiculture" means the keeping and raising in apiaries of honey bees for honey production, crop pollination, and bee stock production;

"aquaculture" means the growing and cultivation of aquatic plants, or fish, for commercial purposes, in any water environment or in human made containers of water, and includes the growing and cultivation of shellfish on, in or under the foreshore or in the water;

"art gallery" means a *building* or part of a *building* where works of art, such as paintings, sculpture, pottery, glass or weaving are displayed for public viewing, sale or both;

"asphalt plant" means the processing and *manufacturing* of road paving materials from raw material and petroleum products;

"assembly" means a *building* or land used for the gathering of persons for charitable, civic, cultural, educational, entertainment, philanthropic, political, recreational or religious purposes, and includes a *church* and community hall

"attic" means the space between the underside of the roof sheathing and the top of the ceiling joists or floor joists of the storey immediately below where the vertical clear *height* does not exceed 1.5 metres;

"awning sign" means a *sign* painted on, attached to, or constructed in or on the surface of an awning supported entirely from the exterior wall of a *building* and composed of non-rigid materials except for the supporting framework;

B

"bed and breakfast operation" means an occupation conducted within a *principal dwelling unit*, by the residents of the *dwelling unit*, which provides sleeping accommodations to the traveling public and may include the provision of meals for those persons using the sleeping accommodations;

"boat lift" means a *structure* supported from the bottom of a lake, which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;

"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;

"building" means any *structure* consisting of a roof supported by walls or columns used or intended to be used for sheltering, accommodating or enclosing people, animals, goods, chattels or equipment;

C

"campground" means a *parcel* of land occupied and maintained for temporary accommodation (maximum 30 days) of the traveling public in tents, *tourist cabins* or recreation vehicles which are licensed for the current year and have been brought to the site by the traveler. May include an *office* as part of the permitted use but excludes *hotels*, *manufactured homes*, *manufactured home parks*, *motels* or park model trailers;

"cannabis" means any plant of the genus cannabis; including:

a) any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not;

b) any substance or mixture of substances that contains or has on it any part of such a plant; and also includes

c) any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

"cannabis production, indoor" means the commercial production, cultivation, synthesis, harvesting, altering or propagating of *cannabis* inside a *structure*, as permitted by federal enactment, but excludes the growing of *cannabis* by an individual for their personal use and consumption, or *cannabis production, outdoor*;

"cannabis production, outdoor" means the commercial production, cultivation, synthesis, harvesting, altering or propagating of *cannabis* outside in a field, as permitted by federal enactment, but excludes the growing of *cannabis* by an individual for their personal use and consumption, or *cannabis production, indoor*;

"cannabis products" means plant material from *cannabis* and any products that include *cannabis* or *cannabis* derivatives, intended for human use or consumption;

"canopy sign" means a *sign* which is painted, attached or constructed on the surface of an unenclosed permanent roofed *structure*;

"carport" means a roofed *structure* to be used to shelter parked vehicles or equipment, which is not enclosed on at least two sides, one being the side fronting the driveway;

"child care centre" means a *building* or *structure* in which child care services are provided for more than eight (8) children in accordance *Child Care Licensing Regulation* under the *Community Care and Assisted Living Act*;

"church" means a *building* or *structure* used for religious worship or organized religious services and associated *accessory uses* which may include an auditorium, *child care centre* and one (1) *accessory dwelling*;

"civic facility" means a *building* or *structure* in which government services are provided to the public including but not limited to a government *office*, law court, health care centre or hospital, fire hall, library, ambulance or police station;

"commercial card-lock facility" means a premises used for the bulk storage and sale of petroleum products dispensed from pumps utilizing a card-lock or key-lock system, but excludes a *service station*;

"community care facility" means premises for the accommodation and care of persons who require continuing assistance due to age, medical infirmity or disability. A *community care facility* may or may not be licensed under the *Community Care and Assisted Living Act*;

"composting operation" means the entire area, *buildings*, and equipment used for the biological decomposition of organic materials, substances or objects under controlled circumstances in composting storage facilities and composting storage sites;

"concrete plant" means the processing, *manufacturing* and sale of concrete, and includes the accessory manufacture and sales of products made from concrete;

"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*;

"construction supply centre" means the *retail* sale or wholesale of *building* material, fixtures, or hardware, garden furniture, construction and home improvement equipment or supplies, animal feed, farm supplies, and includes a lumber yard, building supply outlet, home improvement centre, and the accessory rental of home construction, maintenance or repair equipment;

"convenience store" means a retail sales outlet for the sale of foodstuffs, periodicals, sundries, fresh fruit and vegetables, hygienic or cosmetic goods or plants to serve the residents of the surrounding community on a day to day basis, which may include a confectionery, delicatessen, meat market, bakery, automated banking machines and depots for postal services, and which has a maximum gross retail floor area including storage of 250 m^2;

"cooking facility" means facilities for the storage, preparation or cooking of food, and includes any room containing counters, cabinets, sinks, stoves, dishwashers and other appliances, plumbing, or wiring which, may be intended or used for the preparation or cooking of food, but excludes a *wet bar*;

"crawl space" means the space between the underside of the joists of the floor next above and the ground floor slab or ground surface where no slab exists, having a vertical clear *height* less than 1.5 metres;

"cultural facility" means a *building* or *structure* used for artistic performances and the display of art and cultural artefacts, including but not limited to *art gallery*, community theatre and museum;

D

"derelict vehicle" includes a vehicle, except a farm vehicle, that is not displaying a current licence, pursuant to Provincial regulations, and which is not enclosed within a garage or *carport*;

"designated flood" means a flood, which may occur in any given year, of such magnitude as to equal a flood having a 200-year recurrence interval, based on a frequency analysis of unregulated historic flood records or by regional analysis where there is inadequate *watercourse* flow data available;

"designated flood level" means an observed or calculated water level attained by a *designated flood*, which is used in the calculation of the flood construction level;

"development" means any activity carried out in the process of clearing or preparing a site or constructing or erecting *structures*;

"dock" means an aquatic *structure* used for the purpose of mooring boats and for providing pedestrian access to and from the moored boats, but excludes the *moorage* of float planes, a *group* moorage *facility*, a strata *moorage* facility or a *marina*;

"duplex dwelling" means a *building* containing two *principal dwelling units* with each unit having an independent exterior entrance, but excludes a *secondary suite*;

"dwelling unit" means one or more habitable rooms constituting one self-contained unit which has a separate entrance, and which contains washroom facilities, and not more than one set of *cooking facilities* (unless a *secondary suite* is permitted in the applicable zone), and which is designed to be used for living and sleeping purposes;

E

"eating and drinking establishment" means a *development* where prepared foods and beverages are offered for sale to the public for consumption within the premises or off the site and includes neighbourhood pubs, licensed restaurants, lounges, cafes, delicatessens, tea rooms, dining rooms, drive-in food services, refreshment stands and take-out restaurants but excludes *mobile vendor*;[1]

"educational facility" means the use of land, *buildings* or *structures* for education, instruction and training and may include administration *offices* and dormitories to house students. Typical examples include but are not limited to elementary, middle and secondary schools, storefront schools, community colleges, universities, technical and vocational schools;

"electronic changeable copy sign" means any *sign* on which copy can be displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light emitting diode displays, or any other similar electronic technology;

"equestrian centre" means the use of riding arenas, stables, training tracks and other *structures* that accommodate the activity of riding horses, and in which horses are sheltered and fed;

"exterior side parcel line" means any *parcel* line common to a *highway*, other than a *lane*, which is not a *front parcel line*;

F

[1] Amendment Bylaw No. 2800.02, 2022 – adopted August 18, 2022.

"family" means one or more persons related by marriage, blood, common law, adoption or foster parenthood, and not more than five (5) unrelated persons sharing one *dwelling unit* typical of a single-family unit or other similar basic social unit;

"farm building" means a *building* or part thereof which is associated with and located on land devoted to the practice of *agriculture*, and used for the housing of equipment or *livestock*, or the production, storage, processing, marketing and selling of agricultural and horticultural produce or feeds;

"farm operation" means a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*;

"farm products" means commodities or goods that are produced from a *farm use*;

"farm use" means an occupation or use of land for agricultural purposes, including farming of land, plants and animals and any other similar activity designated as farm use by Provincial regulation, and includes a *farm operation*;

"fascia sign" means a *sign* which is painted on or attached to and supported by an exterior wall or fascia of a *building* provided the face of the *sign* is parallel to the wall and does not project more than 0.3 metres beyond the wall surface;

"fence" means an artificially constructed barrier of any material or combination of materials erected to enclose or *screen* areas of land;

"finished grade" means the average finished ground level at the perimeter of a *building* or *structure*, excluding any localized mounds or depressions such as those for vehicle or pedestrian entrances;

"fleet service" means the use of a *parcel* for a fleet of vehicles for the delivery of people, goods or services, where such vehicles are not available for sale or long term lease. Typical uses include but are not limited to taxi services, bus lines, storage of a fleet of rental vehicles, and messenger and courier services, but excludes a *freight terminal*;

"floodplain" means an area of land, whether floodproofed or not, which is susceptible to flooding by a *watercourse*, lake or other body of water;

"floodplain setback" means the required minimum distance from the *natural boundary*, or other reference line of a *watercourse*, lake, or other body of water to any landfill or structural support required to elevate a floor system or pad above the flood construction level, so as to maintain a floodway and to allow for potential land erosion;

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

"foreshore" means land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;

"forestry" means the management of forests, including harvesting, silviculture, log storage and logging camps but excludes the processing of trees and wood products;

"freeboard" means a vertical distance added to a *designated flood level* used to establish a flood construction level;

"freestanding sign" means any *sign* wholly supported from the ground by a structural member or members, independently of and visibly separated from any *building* or other *structure* and permanently fixed to the ground;

"freight terminal" means premises used as an origin or destination point from which vehicles are dispatched for the delivery or pick-up of materials, goods and equipment and which may include warehouse space for the temporary storage of such materials, goods and equipment;

"front parcel line" means any *parcel* line common to a *parcel* and one *highway* other than a *lane*, provided that, where a *parcel* is contiguous to the intersection of two or more *highways*, the front *parcel* line is the shortest *parcel* line contiguous to one of the *highways*. Where a *parcel* is bisected by a *highway*, both *parcel* lines abutting the *highway* are considered to be *front parcel lines*;

"**funeral home"** means a *building* or part of a *building* wherein a licensed undertaker prepares human remains for interment and may include a chapel for funeral services (not including cremation);

G

"golf course" means a tract of land for playing golf, pitch and putt courses or driving ranges, including clubhouses, restaurants, pro shops and similar accessory facilities, including banquet facilities, necessary for golf purposes and which may include *buildings* necessary for the maintenance and administration of the golf course;

"gravel processing" means screening, sorting, crushing and storing of any earth material, but excludes subsequent *manufacturing* operations such as concrete and *asphalt plants*;

"greenhouse" means a *structure* covered with translucent material, and used for the purpose of growing plants, which is of sufficient size for persons to work within the *structure*;

"gross floor area" means the total floor area of a *building* measured to the outer limit of the exterior walls of a *building*, but excludes:

- parking areas to a maximum floor area exclusion of 45.0 m^2, 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; and
- *crawl spaces* or *attics*.[2]

"group moorage facility" means one or more multi-berth *docks* providing communal *moorage* to an adjacent *apartment building* or *townhouse development* or multi-*parcel residential development*, including a strata or shared interest *development*;

H

"habitable area" means, for the purpose of the flood construction level provisions of this Bylaw, any space or room within a *building* or *structure*, including a *manufactured home* or unit, which is used or is capable of being used for human occupancy or industrial, business or commercial use, or storage of goods, including equipment (and furnaces), which is susceptible to damage by floodwater;

"hanging sign" means a *sign* suspended under a canopy, awning, eaves or portico;

"height" means, when used in reference to a *building* or *structure* other than a *retaining wall*, the vertical distance from the *finished grade* to the highest point of the roof or *structure*;

"highway" includes a street, road, *lane*, bridge, viaduct or any other way open to public use other than a private right-of-way on private property;

"home industry" means an occupation or a commercial use that is accessory to the principal *residential* use of a *parcel* and may include *manufacturing*, processing, fabricating, assembling, distributing, testing, servicing, or repairing of goods or materials including vehicle repair, maintenance and auto body shops and other similar uses;

"home occupation" means an occupation or profession that is accessory to the principal *residential* use of a *parcel* and may include home *offices*; studios; home workshops, and other similar uses;

"hooked parcel" means a *parcel* of which one portion is physically separated from the other portion by a *highway* other than a Forest Service Road, or by another *parcel*;

"hotel" means a *building* containing commercial guest *sleeping units*, and a lobby area for guest registration and access to the *sleeping units*, which may contain *accessory uses* such as a restaurant, licensed drinking facilities, accessory *retail* sales, and meeting rooms;

I

"indoor recreation" means a facility within an enclosed *building* intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement

[2] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

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;

"institutional camp" means the use of land, *buildings* or *structures* to provide recreational, education, health, religious or spiritual programs, sleeping accommodation (e.g. dormitory) on a temporary and reserved basis and centralized facilities associated with such accommodation or programs, or for the provision of administration or dining. An institutional camp may include accessory *buildings*, *structures* or facilities incidental to the *principal use*, such as common washrooms, recreational facilities, dining facilities or *retail* sales;

"interior side parcel line" means a *parcel* line between two or more *parcels* other than the front, rear or *exterior side parcel line*;

"interpretive centre" means a *building* that provides interpretation of a place of interest related to the natural environment through a variety of media, such as video displays, information panels and exhibitions of material, and which may also include accessory facilities such as a refreshment stand or gift shop.

K

"kennel" means the care of five (5) or more dogs, cats or other domestic animals or pets whether such animals are kept commercially for board, propagation, training, sale or for personal and private enjoyment;

L

"lane" means a *highway* that provides a secondary access to one or more *parcels* and is less than 8.0 metres in width;

"livestock" means horses, cattle, sheep, swine, llamas, *ratites*, goats, farmed game and other similar animals;

M

"manufactured home" means a *mobile home* or *modular home* normally built in an enclosed factory environment in one or more sections, intended to be occupied in a place other than that of its manufacture, but excludes travel trailers, *recreational vehicles*, park model *recreational vehicles* or campers;

"manufactured home park" means any parcel of land, upon which three (3) or more *manufactured homes* or *single detached dwellings* are located on individual *manufactured home* sites that are occupied exclusively for *residential* purposes on a rental basis. Includes all *buildings* and *structures* used or intended to be used as part of such *manufactured home park*;

"manufactured home space" means an area of land for the installation of one *manufactured home* with permissible additions and situated within a *manufactured home park*;

"manufacturing" means fabricating, processing, assembling and finishing of goods or materials as well as the processing of produce, meat or beverages but excludes the use, processing or production of hazardous wastes;

"marina" means a commercial or government establishment or premise, containing multi-berth docking facility where more than two (2) boats or other vessels are berthed or stored, or where any number of watercraft are serviced, constructed or kept for sale or rent. Accessory facilities for the sale of marine fuels and lubricants, eating and drinking establishment, boating accessory retail sales and wastewater pumping facilities may also be provided;

"metal storage container" means a purpose-designed metal cargo container for holding of goods, which is intended to be placed on a ship, truck or railcar;[3]

"minimum parcel size" means the minimum area of a *parcel* of land that can be created by subdivision;

"mobile home" means a *manufactured home* which is certified as being constructed to the Canadian Standards Association Z240 Mobile Home Series Standard;

"mobile vendor" means a vehicle intended to be moved from location to location, for the purpose of offering for sale food or retail products;[4]

"modular home" means a *manufactured home* which is certified as being constructed to the Canadian Standards Association A277 Standard and is designed to be moved once onto a permanent, full perimeter foundation;

"moorage" means the tying, fastening or securing of a boat or other watercraft to a *dock*;

"motel" means a *building* or *buildings* containing housekeeping and/or not less than six (6) *sleeping units* each with an exterior entrance and designed to provide temporary accommodation for the travelling public;

"motorsports facility" means land, *buildings* or *structures* used for the purpose of racing automobiles, motorcycles, go-karts and other motorized vehicles, and includes driver training and vehicle testing, drag strip and other uses accessory to motorized vehicle racing;

"mural" means an artistic rendering or drawing painted or otherwise applied to a *building* face which is intended as a public display and does not include an advertising content, but does not include *fascia sign*;

N

[3] Amendment Bylaw No. 2895, 2020 – adopted July 7, 2022.
[4] Amendment Bylaw No. 2800.02, 2022 – adopted August 18, 2022.

"natural boundary" means the visible high watermark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks, in vegetation, as well as in the nature of the soil itself;

"natural resource extraction" means the quarrying, sorting, screening, removal and off-site sale of sand, gravel, earth or mineralized rock found on or under a site and includes quarries, gravel pits, *gravel processing* and stripping of topsoil but excludes subsequent *manufacturing* operations such as concrete and *asphalt plants*;

O

"off-farm products" means *farm products* that are not grown, reared, raised or produced on the farm from which they are being sold;

"office" means a business premises or *building*, designed, intended and used for the provision of professional, management, administrative, government, consulting, or financial services in an office setting including but not limited to the offices of: lawyers, accountants, travel agents, real estate and insurance firms, planners, non-government organizations, clerical agencies, Crown corporations, municipalities and provincial or federal governments;

"outdoor market" means a temporary use where groups of individual sellers offer new and used goods, crafts or produce for sale directly to the public;

"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*;

"outdoor storage" means the storage of equipment, goods, and materials in the open air where such storage of goods and materials does not involve the erection of permanent *structures*. Typical uses include but are not limited to vehicle or heavy equipment storage compounds; and the sale, rental and storage of metal shipping containers;

P

"panhandle" means any *parcel* with any of the *building* envelope situated directly behind another *parcel* so that its frontage is a relatively narrow strip of land which is an integral part of the *parcel*;

"parcel" means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the Bare Land Strata Regulations under the *Strata Property Act* or a legally recorded lease of license of occupation issued by the Province of British Columbia;

"parcel coverage" means the total horizontal area of *structures* measured to the outside of the exterior walls of the *buildings* and *structures* on a lot including the horizontal areas of attached decks and porches, expressed as a percentage of the lot area, and for a *structure* with no defined

exterior wall, measured to the drip line of the roof or, in the case of decks and porches, includes the horizontal flooring area;

"parcel depth" means the mean horizontal distance between the *front parcel line* and *rear parcel line* of any *parcel*;

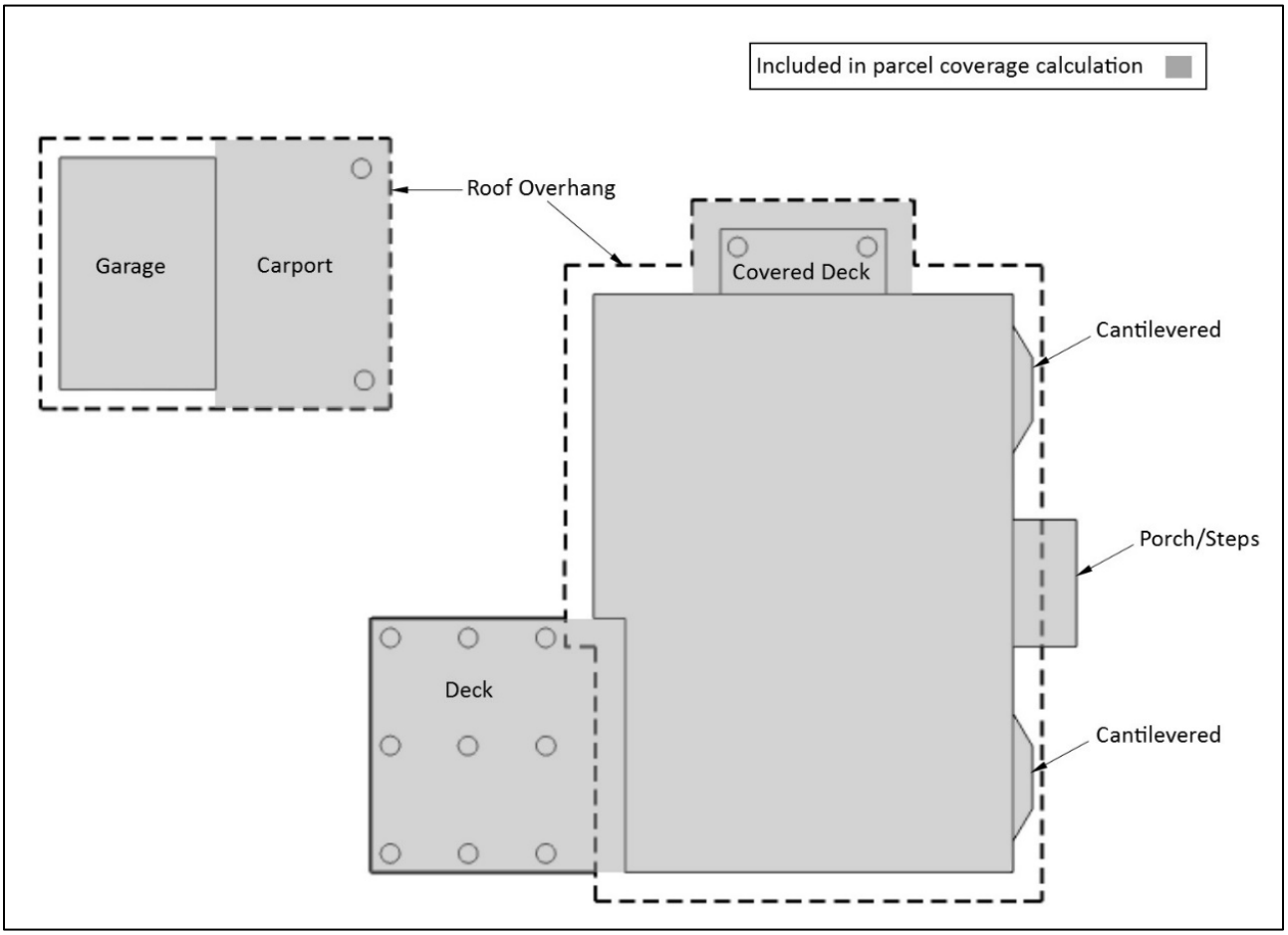


Figure 1 — Parcel Coverage Illustration

"parcel size" means the area of land within the boundaries of the lot but excludes an access strip associated with a *panhandle parcel*;

"parcel width" means the mean horizontal distance between the side *parcel* lines of any *parcel*;

"park" means any publicly-owned, held or beneficially owned outdoor land or facility specifically designed for passive or active recreation including tot-lots, playgrounds, walkways, trails, band shells, greenbelts, buffers, nature interpretation areas, or similar land uses, including all uses permitted in Provincial Parks, and all natural and constructed landscaping, facilities, playing fields, *buildings* and *structures* consistent with the general purpose of public park land;

"personal service establishment" means a commercial service intended to serve the health, grooming, financial, recreational, athletic activities or related well-being of an individual;

"poultry" means domestic fowl and pigeons including any bird in captivity but excludes *ratites*;

"principal building" means the *buildings* and *structures* intended for the *principal use* of a *parcel*, as listed under the principal permitted uses of the applicable zone;

"principal dwelling unit" means a principal *residential dwelling unit* that is not a *secondary suite* or *accessory dwelling*.

"principal use" means the main purpose for which a *parcel*, *building* or *structure* is used;

"processed farm products" means *farm products* that have been transformed by biological or other means such as fermentation, cooking, butchering, canning, smoking or drying to increase their market value and convenience to the consumer, but excludes hot and cold food items sold for on-site consumption;

R

"range grazing" means the feeding on grass or pasture of *livestock*;

"ratites" means a bird having small or rudimentary wings and no keel to the breastbone, includes ostriches, emus, and rheas;

"rear parcel line" means the boundary of a *parcel* which lies the most opposite to the *front parcel line* and, where the property has only three *parcel* lines, the rear of the *parcel* is the point where of the two side *parcel* lines meet;

"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, which provide temporary recreational accommodation for the traveling public;

"refuse disposal site" means an area of land for the disposal of municipal solid waste, as permitted under the *Environmental Management Act (British Columbia);*

"residential" means the occupancy or use of a *dwelling unit* for the permanent domicile of a person or persons; or the occasional or seasonal occupancy of a *dwelling unit* as a dwelling by an owner who has a permanent domicile elsewhere or by non-paying guests of such an owner, but excludes *vacation rental*;

"retail sales of farm products" means *retail* activity which is accessory to a *farm use* and which may include the sale of goods produced on that farm as permitted in a given zone and which includes *buildings* and *structures* necessary for the sale and storage;

"retail" means premises where the sale of goods to the final consumer, but excludes gasoline, heavy agricultural or industrial equipment, or any goods stored outside and *convenience store*;

"retaining wall" means a *structure* or series of interdependent *structures* greater than 1.2 metres in *height* constructed to hold back, stabilize or support an earthen bank;

S

"salvage operation" means a place where old articles, waste or discarded material including but not limited to rubber tires, metal, plastics, plastic containers, glass, papers, sacks, wire, ropes, rags, machinery, cans, any other scrap or salvage including more than two *derelict vehicles*, are stored or kept, for private or commercial purposes;

"screen" means a *fence*, wall or hedge used as an enclosure and a visual barrier about all or part of a *parcel*, broken only for driveways and walkways;

"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*;

"self-storage" means a self-contained *building* or group of *buildings* containing lockers available for rent for the storage of personal goods or a facility used exclusively to store bulk goods of a non-hazardous nature;

"service industry establishment" means a business premises or *building*, where non-personal goods and services are provided, including: the repair or assembly of electronic devices, vehicles, trucks, boats or other machinery (including painting); tire sales and repair; household cleaning and repair; metal and woodworking; plumbing and heating sales; storage and repair;

"service station" means premises used principally for the *retail* sale of motor fuels, lubricating oils, propane and motor vehicle accessories, *retail* sales by way of vending machines and the servicing of motor vehicles, but excludes other *retail* sales, wholesale sales, or motor vehicle structural body repairs and painting;

"setback" means the horizontal minimum permitted distance measured at right angles to a *parcel* line, between the *parcel* line and a *building* or *structure*, or, in the case of *floodplain* or a *watercourse*, distance measured from the *natural boundary*, top of bank or other reference identified elsewhere in this Bylaw;

"setback, front" as illustrated in Figure 2, means the minimum required *setback* area between the side *parcel* lines extending from the *front parcel line* to the nearest wall or supporting member of a *building* or *structure*;

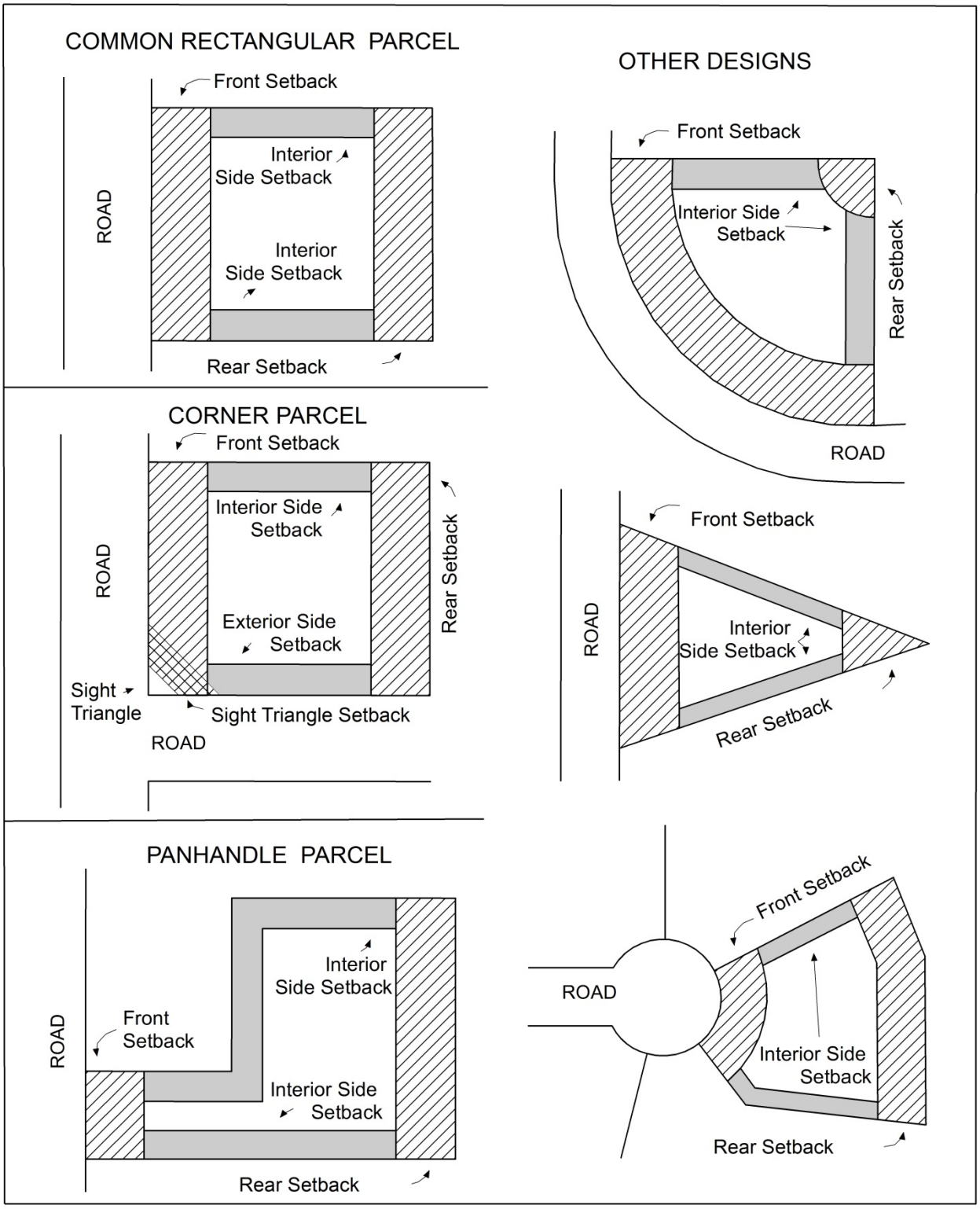


Figure 2 — Setback Areas

"setback, rear" as illustrated in Figure 2, means the area between the side *parcel* lines extending from the *rear parcel line* to the nearest wall or supporting member of a *building* or *structure*;

"setback, side" as illustrated in Figure 2, means the area of the *parcel* which extends from the front *setback* to the rear *setback*, between the side *parcel* line and the nearest wall or supporting member of a *building* or *structure*;

"sight triangle" means the area formed by intersecting *parcel* lines at a street corner and a line joining points on the *parcel* measured 4.5 metres from the point of intersection of the *parcel*;

"sign" means any object, device, display, *structure*, or part thereof, which is used to advertise, identify, display, direct or attract attention to an object, service, event or location by any means including words, letters, figures, design, symbols, fixtures, colours, illumination or projected images;

"single detached dwelling" means a detached *building* that contains one *dwelling unit* used for *residential* use by one *family* and may contain a *secondary suite* if permitted in the applicable zone, and includes a *modular home* but excludes a *mobile home*;

"sleeping unit" means one or more habitable rooms used or intended to be used for sleeping or sleeping and living purposes, but excludes *cooking facilities*;

"small livestock" means *poultry*, rabbit or other small animals similar in size and weight but excludes farmed fur bearing animals or roosters;

"solar energy device" means a device designed to collect, store and distribute solar energy;

"solid screen" means a solid *fence* or wall used as an enclosure and a total visual barrier about all or part of a *parcel* and includes gates on all access points made of materials comparable to the *fence* or wall;

"standard dykes" means dykes built to a minimum crest elevation equal to the flood construction level, which meet standards of design and construction approved by the Province and which are maintained by an ongoing entity such as a local government body;

"stockyard" means a *building* or enclosure with pens or sheds for housing, buying, selling and auctioning *livestock*;

"storage and warehouse" means the storage and distribution of goods, wares, merchandise, substances, articles or things, whether or not the storage is contained in separately occupied, secured storage areas or lockers;

"structure" means any construction fixed to, supported by or sunk into land or water, and includes swimming pools, *retaining walls* and *manufactured home spaces*, but excludes *fences* under 2.0 metres in *height*, landscaping, paving and signs unless otherwise noted in this bylaw;

"swimming platform" means a floating *structure* used for recreational activities, such as swimming, diving, and sun bathing, but excludes *moorage*;

T

"third party advertising sign" means a sign which directs attention to a business, commodity, service, or entertainment which is conducted, sold, or offered elsewhere than on the *parcel* on which the sign is located, including billboards;

"tourist accommodation" means a *building* or *buildings* providing temporary accommodation for the travelling public, such as *tourist cabins*, lodges, *motels*, *hotels*, inns, or hostels, which may include common public facilities, such as an *eating and drinking establishment*, gift shop; personal services, or spa; but shall excludes *vacation rental*, *recreational vehicles*, park model trailers or *mobile homes*;

"tourist cabin" means a detached *building* containing a maximum of one *sleeping unit* used exclusively for *tourist accommodation*, and may include washroom facilities;

"townhouse" means a *building* not more than three storeys high divided into three or more *dwelling units* located side by side under one roof with private entrances to each *dwelling unit* from the exterior of the *building* and with each *dwelling unit* sharing common walls;

U

"useable parcel area" means all the area of a *parcel* except areas that are:

a) the narrow strip of land that provide frontage for a *panhandle parcel*;

b) required as *building setbacks* from property lines;

c) required as *building setbacks* from *watercourses* or geotechnical hazards such as steep or unstable slopes; and

d) subject to a restrictive covenant that prohibits all use of the area subject to the covenant.

"utility use" means the use of land for the establishment of facilities and associated appurtenances for the provision of water, sewer, electrical, natural gas, communication, fire protection and transportation; but excludes oil or gas storage tanks; power sub-stations; sewage treatment plants; *offices*; or public storage or maintenance and works yards;

V

"vacation rental" means the use of a *residential dwelling unit* for the temporary commercial accommodation of paying guests for a period of less than one month, but excludes a *bed and breakfast operation*;

"vehicle sales and rentals" means premises used for the sale, lease or hire of new or used vehicles, which may include accessory incidental maintenance services, storage, fueling, washing and sales of parts but may not include automobile body repair. For the purposes of this definition a "vehicle"

includes automobiles, *recreational vehicles* (RV's), boats, all-terrain vehicles (ATV's), and motorcycles;

"veterinary establishment" means a use conducted for the care, treatment, or hospitalization of animals, birds and fish and may include grooming facilities and sales of accessory supplies, but excludes the keeping or boarding of animals not under care, treatment or hospitalisation;

W

"water-based recreation" means the use of water for *outdoor recreation* activities such as fishing, water skiing, boating, swimming, and diving;

"watercourse" includes any of the following: a watercourse, whether it usually contains water of not; a pond, lake, river, creek or brook, and; a ditch, spring or wetland that is connected by surface flow to a watercourse;

"wet bar" means an area within a *dwelling unit*, other than a *cooking facility*, used for the preparation of beverages. A wet bar includes one single sink, one compact refrigerator, freezer or ice maker and no more than 1.5 metres of counter and lower cabinet space, but excludes a natural gas or 220-volt connection in the same room as a wet bar;

"winery" means the use of land, *buildings* or *structures* involved in the manufacturing, packaging, storing and sales of grape and fruit-based wines, including a wine bar, food & beverage lounge and an *eating and drinking establishment*;[5] and

"wholesale business" means an establishment acting as agents or brokers and buying merchandise for, or selling merchandise to *retail* users, industrial users, commercial users, institutional users or wholesale users.

[5] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

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:

Resource Area Zones	
Resource Area	RA
Watershed Resource Area[vi]	WRA
Agriculture Zones	
Agriculture One	AG1
Agriculture Two	AG2
Agriculture Three	AG3
Large Holdings Zones	
Large Holdings One	LH1
Large Holdings Two	LH2
Small Holdings Zones	
Small Holdings One	SH1
Small Holdings Two	SH2
Small Holdings Three	SH3
Small Holdings Four	SH4
Small Holdings West Bench	SH5
Small Holdings Faulder[vii]	SH6
Low Density Residential Zones	
Low Density Residential One	RS1
Low Density Residential Two	RS2
Low Density Residential Three	RS3
Low Density Residential Apex	RS4
Low Density Residential West Bench	RS5
Low Density Residential Duplex	RD1
Low Density Residential Duplex Apex	RD2
Low Density Residential Manufactured Home Park	RSM1
Medium Density Residential Zones	
Medium Density Residential One Zone	RM1
Medium Density Residential One Zone	RM1
Town & Village Centre Zones	
Okanagan Falls Town Centre	OFTC
Naramata Village Centre	NVC
Apex Mountain Village	AMV
Twin Lakes Village	TLV
Commercial Zones	
General Commercial	C1
Highway Commercial	C2
Service Commercial	CS1
Tourist Commercial Zones	
Tourist Commercial	CT1
Campground Commercial	CT2
Golf Course Commercial	CT3
Marina Commercial	CT4
Penticton Speedway	CT5
Industrial Zones	
General Industrial	I1
Heavy Industrial	I2
Community Waste Management	I3
Administrative and Institutional Zones	
Administrative and Institutional	AI
Naramata Centre	NC
Radio Astronomy Research	RAR
Parks & Natural Environment Zones	
Parks and Recreation	PR
Conservation Area	CA
Okanagan Basin Lakes	W1

[vi] Amendment Bylaw No. 2800.18, 2023 – adopted June 15, 2023.
[vii] Amendment Bylaw No. 2800.18, 2023 – adopted June 15, 2023.

Comprehensive Development Zones	
North Beach Estates Comprehensive Development	CD1
Sunset Acres Comprehensive Development	CD2
Twin Lake Acres Comprehensive Development	CD4
Maple Street Comprehensive Development	CD5
Lombardy Bay Estates Comprehensive Development	CD7
Chutes End Comprehensive Development	CD8
Eagle's Rock Comprehensive Development	CD9
Eastside Road South Comprehensive Development	CD10
Eastside Road North Comprehensive Development	CD11

5.2 Definition of Zones

.1 The area of each zone is defined by Schedule '2'.

5.3 Interpretation

Except as expressly provided in this Bylaw, all headings, italicized clauses and other references forming part of this Bylaw must be construed as being inserted for convenience and reference only.

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 12.0 to 24.0 of this Bylaw; and

.2 uses not listed in respect of a particular zone are prohibited.

5.5 Conditions of Use

On a particular site in a specified zone created under this Bylaw, the maximum permitted *parcel coverage*, *height* and density and the minimum required *setbacks* are set out in respect of each specified zone in the provisions found in Sections 12.0 to 24.0 of this Bylaw.

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.

5.7 Comprehensive Development Zones

A Comprehensive Development (CD) Zone shall only be created where a proposed *development* is of a scale, character, or complexity requiring comprehensive planning and implementation that, in the opinion of the Regional District Board, is of a unique form or nature not contemplated or reasonably regulated by another zone.

6.0 GENERAL REGULATIONS

6.1 Cannabis Production

Where *agriculture* is permitted in a zone, *cannabis production, indoor* is permitted subject to the following regulations:

.1 the land is designated as Agricultural Land Reserve (ALR) and the use is as a designated *farm use* under Section 8 of the *Agricultural Land Reserve Use Regulation*.

.2 the *structure* 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 m^2.

6.2 Dock, Boatlift & Swimming Platform Regulations

Docks, *boat lifts* and *swimming platforms* may only be sited directly adjacent to a *parcel* zoned to permit *single detached dwelling*, and only subject to the following regulations:

.1 No more than one (1) *dock*, one (1) *boat launch*, or one (1) standalone *boat lift* is permitted per upland *parcel*.

.2 A maximum of one (1) standalone *swimming platform* is permitted per upland *parcel*.

.3 A *dock* shall not extend a distance greater than 42.0 metres from the *natural boundary* of the upland *parcel*.

.4 A *dock* walkway shall not exceed a width of 1.5 metres.

.5 despite sub-section .4, a *dock moorage* platform or other surface area shall not exceed a width of 3.0 metres.[viii]

.6 A *dock* shall be sited and designed so as not to impede pedestrian access along the *foreshore*. Without limiting the foregoing, if a *dock* platform is raised by more than 0.3 metres above any point on the public *foreshore*, steps must be provided on both sides of the *dock* to permit public access along the *foreshore*, and this access must not be blocked by a *fence* or other means.

.7 A maximum of four (4) boat *moorage* areas are allowed for any *dock* at any given time.

.8 The maximum surface area of a *swimming platform* shall not exceed 10.0 m^2.

.9 An L or T shaped dock structure is permitted if the length of the structure which is parallel to the shoreline does not exceed the lesser of:

[viii] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

a) 10.0 metres; or

b) one half the width of frontage of the upland lot.[ix]

6.3 Dominion Radio Astrophysical Observatory Radio Frequency Interference Area

.1 The lands shown shaded on Schedule '4' are designated as a "Radio Frequency Interference Area".

6.4 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* to the rear of a front *setback* and 1.2 metres in *height* in the front *setback* except:

a) in the Resource Area, Agriculture, Large Holdings and Small Holdings zones all *fences* may be up to 1.8 metres in *height*, and in the Industrial zones all *fences* may be up to 2.4 metres in *height*;[x]

b) in Commercial zones abutting or across a *highway* from the AG1, AG2 & AG3 zones all *fences* may be up to 2.0 metres in *height*;

c) 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 1.8 metres in *height*, as measured from the *finished grade* of the abutting higher *parcel*;

d) deer *fences* shall not be limited in *height*, provided such *fences* are constructed of material that permits visibility, such as wire mesh or wire strand, but excluding chain link;[xi] and

e) *fences* for ball *parks* and tennis courts shall not be limited in *height*, provided such *fences* are constructed of materials that permit visibility, such as wire mesh.

.2 The use of barbed wire for fencing is prohibited within all Residential and Commercial zones as well as the AI Zone.

.3 The use of razor wire for fencing is prohibited within all zones.

6.5 Height Exemptions

.1 No part of a *building* or *structure* shall extend beyond a *height* limit required by this Bylaw except the following minor projections on *buildings*:

a) antennas, belfries, chimney stacks, church spires, clearance markers, elevator shafts, flagpoles, monuments, rooftop mechanical equipment, ventilation machinery and water tanks.

[ix] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.
[x] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.
[xi] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

b) roof mounted *solar energy devices* to a maximum of 1.0 meter above the maximum *height* allowed for the *building or structure* on which it is installed.

6.6 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 limited 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 m^2 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 7.6 (Home Industry) of Section 7.7 (Home Occupation) 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 meters 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.

6.7 Metal Storage Containers[xii]

.1 The use of *metal storage containers* as accessory buildings or structures is permitted in accordance with the following criteria:

[xii] Amendment Bylaw No. 2895, 2020 – adopted July 7, 2022.

a) in the Resource Area, Agriculture, Large Holdings and Industrial zones *metal storage containers* may only be stacked vertically to a maximum of two (2) containers and subject to the prior issuance of a building permit.

b) in the Low Density Residential and Small Holdings zones only one (1) *metal storage container* may be used as an accessory building or structure on a parcel, and only if:

i) the *metal storage container* is not sited between a *principal building* and:

.1 the front parcel line; and

.2 in a Low Density Residential zone, an exterior side parcel line.

c) Despite sub-section 6.7.1(a) and (b), *metal storage containers* are prohibited on parcels in the Low Density Residential West Bench (RS5) and Small Holdings West Bench (SH5) zones.[xiii]

d) Despite sub-section 6.7.1 (a), (b), and (c), one (1) *metal storage container* may be used for temporary storage:

i) during construction in any zone, provided that a valid building permit has been issued authorizing construction of a building or structure. The *metal storage container* must be removed upon completion of the construction, and for this purpose construction is deemed to be complete on the earlier of the date on which an occupancy permit for the construction is issued, or the building or structure is used or occupied; or

ii) for a period not exceeding 30 days for the purpose of loading or unloading goods related to a relocation of a residential or commercial use.

6.8 Mobile Vendor[xiv]

.1 A *mobile vendor* is permitted as an accessory building or structure in the Agriculture, Town & Village Centre, Commercial, Tourist Commercial, Industrial and Parks and Recreation (PR) zones.

.2 despite Section 6.8.1, for parcels situated within the Agricultural Land Reserve (ALR), a "mobile vendor" is permitted only to the extent that a "non-farm use" approval from the Agricultural Land Commission (ALC) has been granted.

6.9 Occupancy of an Existing Dwelling During Construction of a New Dwelling

.1 Despite a zoning regulation allowing only one *single detached dwelling* on a *parcel*, the Regional District may issue a building permit for a new *single detached dwelling* on the same *parcel* as an existing occupied *single detached dwelling* if the Owner first:

a) provides a "Decommissioning Plan" that provides details on how the existing *single detached dwelling* shall be demolished, removed or converted to a permitted non-*residential accessory use*;

[xiii] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.
[xiv] Amendment Bylaw No. 2800.02, 2022 – adopted August 18, 2022.

b) deposits security of $25,000.00 with the Regional District in the form of cash or an irrevocable letter of credit (the "Security");

c) agrees to carry out the Decommissioning Plan at the owner's expense, within 30 days of occupancy of the new *single detached dwelling*; and

d) authorizes the Regional District or any person authorized by the Regional District to enter on the land and carry out the Decommissioning Plan at the owner's cost if the owner fails to do so within 30 days of occupancy of the new *single detached dwelling*¸ to use the Security for this purpose, and to recover any additional amount from the owner as a debt.

6.10 Prohibited Uses of Land, Buildings and Structures

.1 The use of land in contravention of the terms or conditions of a Temporary Use Permit that has been issued under Section 493 of the *Local Government Act* is prohibited.

.2 The *residential* use of a tent or a *recreational vehicle* is prohibited in all zones.

.3 The wrecking, salvage or storage of more than two *derelict vehicles* or the use of land as a *salvage operation* is prohibited in all zones except the General Industrial (I1) and Heavy Industrial (I2) zones.

.4 The use of land for a track to be utilised by motorised vehicles is prohibited in all zones except the Penticton Speedway (CT5) Zone.

.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 (RS5) Zone is prohibited.[xv]

6.11 Recreational Vehicles

.1 Only *recreational vehicles*, to a maximum of one (1), belonging to the owner or occupier of a principal *single detached dwelling* on a *parcel* may be stored or parked on the same *parcel*. Stored *recreational vehicles* shall not be connected to a sewage disposal system, water system or power source.

.2 Despite Section 6.11.1, in the Resource Area, Agriculture, Large Holdings and Small Holdings zones, one (1) *recreational vehicle* belonging to a guest or visitor of the owner or occupier of the principal *single detached dwelling* may be located on the same *parcel* containing the principal *single detached dwelling* provided that:

a) the *recreational vehicle* shall only be used for the temporary accommodation of the guest or visitor;

b) the temporary accommodation shall not exceed a total of ninety (90) days in any one (1) calendar year; and

c) the period of the temporary accommodation occurs between May 1st and September 30th.

[xv] Amendment Bylaw No. 2461.21, 2022 – adopted May 19, 2022.

.3 Despite Section 6.11.1, a *recreational vehicle* may be maintained and occupied on a *parcel* during the construction of a new *single detached dwelling* on the same *parcel*, subject to the following:

a) it is incidental to the construction of a principal *residential building*;

b) the *building* or *structure* must have a valid building permit;

c) it meets the siting regulations of the zone in which it is located; and

d) it is removed within thirty (30) days of the completion of the construction of the principal *residential building*.

6.12 Residential Density Calculation

In zones where a maximum number of *residential* units per hectare is permitted, the density shall be determined as follows:

(permitted density ÷ 10,000) x *parcel* area = permitted number of units

The value of this product shall be rounded down to the nearest whole number of units.

6.13 Retaining Walls

1. the *height* of a *retaining wall* shall be determined by measurement from the lowest *finished grade* at the base of the *retaining wall* to the top of any part of the *retaining wall*.

2. the minimum horizontal distance between individual *retaining walls* on the same *parcel*, as measured from the outer face of each *retaining wall*, must not be less than the *height* of the lowest *retaining wall*.

3. *retaining walls* constructed closer than the *height* of the lowest *retaining wall* will collectively be considered a single *retaining wall* for the purposes of determining the *height* of a *retaining wall*.

4. no *retaining wall* shall exceed 2.0 metres in *height* except:

   a) in a required *setback* for a *front parcel line*, *side parcel line* or *rear parcel line* no *retaining wall* shall exceed 1.2 metres in *height*; and

   b) on a corner site contiguous to a *highway* intersection, no *retaining wall* is permitted within a distance of 4.5 metres from the corner of the site at the intersection of the streets.

5. despite sub-section 6.13.4(a), a *retaining wall* in a required *setback* for a *front parcel line*, *side parcel line* or *rear parcel line* may be 2.0 metres in *height* where the *finished grade* of the subject *parcel* at the base of the *retaining wall* is lower than the *finished grade* of the abutting *parcel* or *highway*.

6. despite sub-section 6.13.4(b), a *retaining wall* is permitted within 4.5 metres of a corner site contiguous to a *highway* intersection where the *finished grade* of the subject *parcel* at the base of the *retaining wall* is lower than the *finished grade* of the

abutting *highway*, and provided no part of the *retaining wall* extends above the *finished grade* of the abutting *highway*.

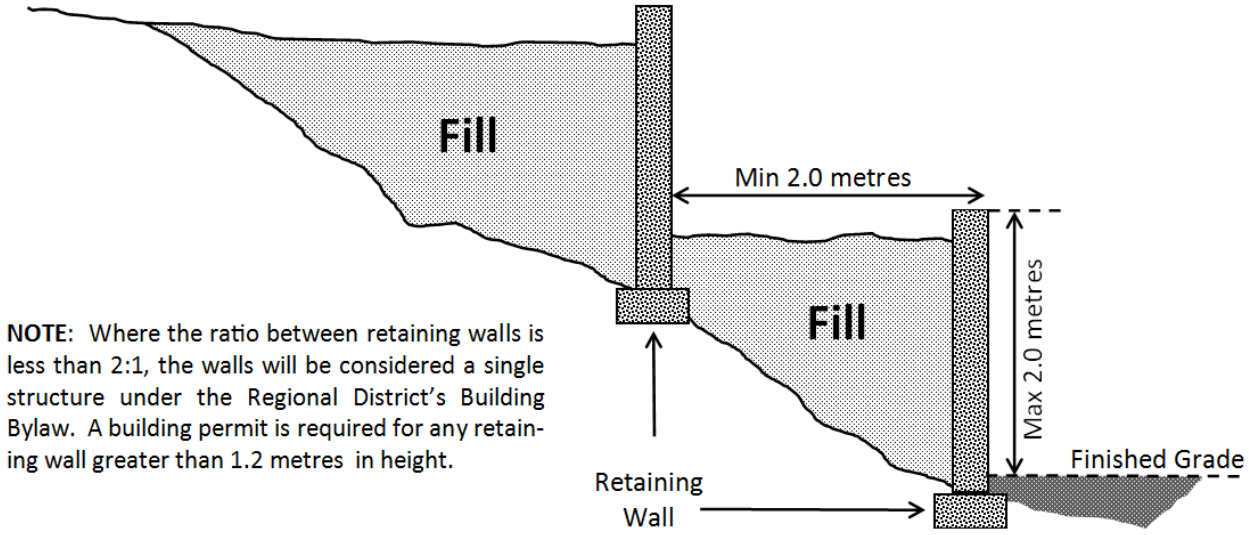


Figure 3 - Retaining Wall Illustration

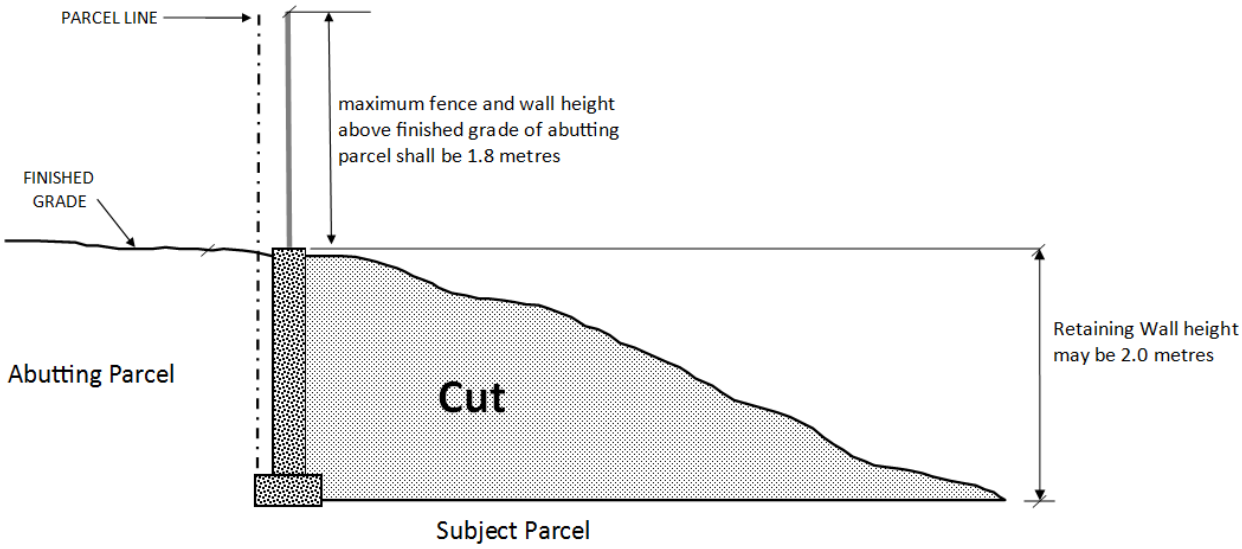


Figure 4 - Retaining Wall in a Setback Illustration

6.14 Setback Exemptions

.1 No part of any *building* or *structure* shall project into a *setback* required by this Bylaw except the following minor projections on *buildings*:

a) Gutters, eaves, sunshades, cornices, belt courses and sills may project into required *setbacks* to a maximum of 0.6 metres measured horizontally;

b) Unenclosed access ramps for physically disabled persons may project fully into required *setbacks*;

c) In the Low Density Residential zones the following features may project into the required *setbacks*:

i) chimneys, bay windows or other architectural projections which do not comprise more than 25% of the total length of a wall and do not project more than 0.6 metres measured horizontally; and

ii) unenclosed stairwells, balconies, porches, uncovered decks or canopies, may project no more than:

.1 front *setback*: 1.5 metres, measured horizontally

.2 rear *setback*: 2.0 metres, measured horizontally

iii) roof mounted *solar energy devices* to a maximum of 1.0 meter above the maximum *height* allowed for the *building or structure* on which it is installed.

d) In no case shall a projection cross a *parcel* line.

.2 Freestanding clothes line poles, antennas, masts, utility poles, flagpoles, open roof pergolas and children's play equipment are permitted anywhere on a *parcel*.

.3 An unenclosed swimming pool constructed at *finished grade* (not above ground) shall be subject only to the following *setback* regulations:

a) not be located in a *front parcel line setback* area;

b) located a minimum 1.0 metre to a rear or *interior side parcel line*; and

c) located a minimum of 3.0 metres from an *exterior side parcel line*.

.4 In Electoral Areas "D", "E", "F" & "I", a ground mounted solar energy system less than 1.2 metres in height may be sited on a parcel less than 0.25 ha in area and within a prescribed parcel line setback area.

.5 Except for *setbacks* that may be more stringent for strata subdivisions provided elsewhere in this Bylaw, *buildings* and *structures* located within a bare land strata subdivision must be located no closer than:

a) front strata lot line: 4.5 metres

b) rear strata lot line: 1.5 metres

c) interior side strata lot line: 1.5 metres

d) internal roadway: 4.5 metres

.6 Despite any other provisions of this Bylaw, all *structures* shall be set back from the international boundary between Canada and the United States in accordance with the *International Boundary Commission Act* (Canada).

6.15 Solar Energy Systems

.1 In Electoral Areas "D", "E", "F" & "I", a solar energy system is permitted on a parcel less than 0.25 ha in area provided that:

a) the device is attached to either a principal or accessory building or structure, and does not extend beyond the outermost edge of the roof;

b) it is in the form of a ground mounted system and does not exceed a height of 1.2 meters; and

c) despite sub-section b), in an Industrial or Administrative and Institutional zone, a ground mounted system may be sited in accordance with the applicable maximum height and minimum parcel line setback requirements for accessory buildings and structures.

6.16 Uses Permitted in Every Zone

The following uses are permitted in every zone and are not subject to any minimum *parcel* area requirements 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 area*;

.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 in care, 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.

6.17 Visibility at Intersections

.1 In all zones, no *fence*, landscaping, *retaining wall*, or other obstruction shall be erected or permitted at a *height* greater than 1.0 metre above the established elevation of the centre point of intersecting *highways* within a sight triangle, at or within a distance of 4.5 metres from the corner of the *parcel* at the intersection of the *highway*.

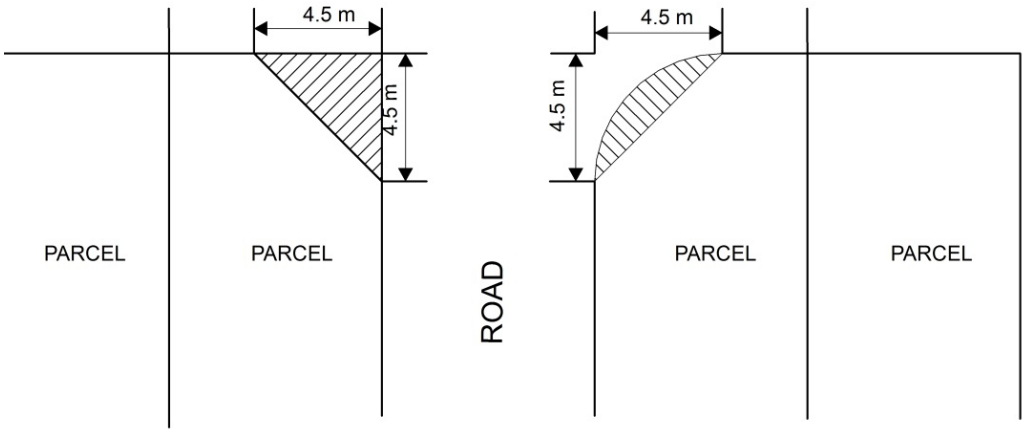


Figure 6 – Sight Triangle

7.0 SPECIFIC USE REGULATIONS

7.1 Accessory Buildings and Structures

.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% or 5.0 metres, whichever is lesser, of the vertical and adjacent plane of the *principal building*; and

ii) the *building* or *structure* shares, with the *principal building*, a common:

a) foundation; or

b) roof.

.2 Notwithstanding s. 7.1.1, 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*.

.3 No *accessory building or structure* shall contain showers and bathtubs, bedrooms, sleeping facilities, balconies, decks or wet bars with the exception of an *accessory building or structure* in the Resource Area, Agriculture and Large Holdings Zones in which case one (1) shower is permitted, with a maximum floor area of 3.0 m^2.

.4 The maximum number of bathrooms permitted in an *accessory building or structure* shall be one (1) and shall not exceed a maximum floor area of 3.0 m^2, with the exception of an *accessory building or structure* in the Resource Area, Agriculture and Large Holdings Zones where the maximum floor area of a bathroom may be 6.0 m^2.

.5 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 m^2 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* 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 125.0 m^2, 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 and open space area* for the residents of that *dwelling unit* of not less than 15.0 m^2.

.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 1.0 ha in area, an *accessory dwelling* may be in the form of a *mobile home*;[xvi]

.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 7.2.4, 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*.

7.3 Agri-Tourism Accommodation

The following regulations apply to *agri-tourism accommodation* where permitted as a use in this Bylaw:

.1 *Agri-tourism accommodation* is permitted only on a *parcel* if all or part of the *parcel* is classified as a "farm" under the *Assessment Act*.

.2 *Agri-tourism accommodation* shall be for short term use by a person up to a maximum stay of 30 consecutive days with 30 days in between any subsequent stay.

.3 The number of *agri-tourism accommodation sleeping units* permitted *parcel* shall be as follows:

PARCEL AREA	MAXIMUM NUMBER *AGRI-TOURISM ACCOMMODATION SLEEPING UNITS*
Less than 4.0 ha	0
4.0 ha to 8.0 ha	5
Greater than 8.0 ha	10

.4 All *agri-tourism accommodation sleeping units* on a *parcel* shall be contained within a single *building*.

.5 No *agri-tourism accommodation sleeping unit* shall have an area of greater than 30.0 m^2. A washroom is not included as part of the area of the *agri-tourism accommodation sleeping unit*.

[xvi] Amendment Bylaw No. 2800.29, 2023 – adopted September 7, 2023.

.6 An *agri-tourism accommodation* use must not include *cooking facilities*, meeting rooms, conference facilities, event space or space for food and alcohol service.

.7 One (1) parking space per *agri-tourism accommodation sleeping unit* is required in addition to parking required for the principal *single detached dwelling*.

7.4 Bed and Breakfast Operations

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*; and

.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 and residing in the *principal dwelling unit* during a patron's stay.

7.5 Campgrounds[xvii]

.1 a *campground* use shall be connected to a community sewer system and community water system;

.2 the minimum area on which a *campground* use may be undertaken shall be 2.0 ha;

.3 the maximum number of campground units per hectare shall not exceed 75;

.4 not more than 25% of all campground units within a *campground* shall be used for the placement of *tourist cabins*;

.5 a *tourist cabin* may not have a *gross floor area* exceeding 30.0 m^2 including additions such as covered patios and covered or uncovered decks; and

.6 a second roadway access from a public highway, separated by at least 50.0 metres from the first access shall be provided to each *campground* use containing greater than fifty (50) camping spaces.

7.6 Home Industry

[xvii] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.

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 m^2.

.3 A *home industry* shall only 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*, along with up to two (2) non-resident employees.

.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* or outdoor;

f) animal or agriculture products processing;

g) the production of animal feeds; and

h) the salvage, repair or assembly of electronic devices, motor vehicles, boats, or other machinery as a commercial venture on lands situated within the "Radio Frequency Interference Area" as shown on Schedule '4' to this bylaw.

7.7 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 40% of the floor area of a *principal dwelling unit* to a maximum of 50.0 m^2.

2. A *home occupation* shall be carried out within the *principal dwelling unit*, or in an *accessory building or structure* 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 4,600 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*.[xviii]

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 *cannabis production, outdoor*;

e) the salvage or repair of motor vehicles, boats, or other machinery;

f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity; and

g) the salvage, repair or assembly of electronic devices on lands situated within the "Radio Frequency Interference Area" as shown on Schedule '4' to this bylaw.

7.8 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, except for a *kennel* located in an Industrial zone;

.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.

7.9 Retail Sales of Farm Products

.1 Where *retail sales of farm products* is permitted in a zone, the *retail* sales area for *farm products* shall not exceed 300.0 m^2.

[xviii] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

.2 For the purpose of calculating the area used for *retail* sales in a *building* or *structure*, the following shall be included:

a) aisles and other areas of circulation;

b) shelf and display space;

c) counter space for packaging and taking payment;

d) any area used for the service and consumption of hot and cold food items; and

Any *office* area, wholesale storage area, processing facility or parking area or driveway, whether used for *retail* sale or not, shall be excluded.

7.10 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 125.0 m^2.

.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.

.4 A *secondary suite* shall have an *amenity and open space area* for the residents of that suite of not less than 15.0 m^2.

.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.

7.11 Vacation Rentals

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

.1 no more than one (1) *vacation rental* use is permitted per *parcel*;

.2 a *vacation rental* use is to be located within a *dwelling unit*, and where a *parcel* contains an approved *secondary suite* or *accessory dwelling unit*, either one of these *dwelling units* may be used for the purpose of a *vacation rental* use;

.3 the use of *recreational vehicles* or camping on a *parcel* or any use of an *accessory building or structure* for *vacation rental* occupancy is prohibited;

.4 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*;

.5 one (1) parking space shall be provided for each *sleeping unit* available within a *vacation rental* use;

.6 no exterior signage advertising a *vacation rental* use is permitted on a *parcel*;

.7 *dwelling units* used for the purposes of a *vacation rental* use shall comply with minimum standards for health and safety under relevant provincial legislation.

8.0 SUBDIVISION REGULATIONS

8.1 Minimum Parcel Size Exceptions for Subdivision

.1 *Minimum parcel size* for subdivision requirements of this Bylaw do not apply to:

a) the consolidation of existing *parcels* or the addition of closed streets to an existing *parcel*;

b) the alteration of lot lines between two or more *parcels* where:

i) no additional *parcels* are created upon completion of the alteration;

ii) the altered lot line does not infringe on the required *setbacks* for an existing *building* or *structure* located on a *parcel*;

iii) the alteration does not reduce the site area of the *parcels* involved to a size less than that of the smallest *parcel* that existed prior to the alteration.

c) a subdivision approved by the Agricultural Land Commission under its homesite severance policy.

d) *building* strata lots authorised pursuant to the *Strata Property Act*.

.2 No existing *parcel* that meets the present *minimum parcel size* requirements of this Bylaw must, upon completion of a *parcel* line alteration, have a *parcel size* less than that required within the respective zone.

.3 If a provision in this Bylaw establishes a minimum parcel size of less than 1.0 ha for a new parcel to be created by subdivision, that minimum parcel size only applies to a new parcel that will be connected to community water and sewer systems.

.4 Despite any other *parcel size* regulation in this bylaw, when a *parcel* is situated within the "Radio Frequency Interference Area" as shown on Schedule '4' to this bylaw, the *minimum parcel size* for subdivision shall be 60.0 ha.

8.2 Minimum Parcel Size Requirements for Bare Land Strata Subdivisions

.1 The minimum average *parcel size* is equal to the *minimum parcel size* for the designated zoning.

8.3 Minimum Useable Parcel Area

.1 The minimum *useable parcel area* of each *parcel* shall be 200.0 m^2.

8.4 Panhandle Parcels

.1 When a *parcel* is to be in the form of a *panhandle*, the access strip or *panhandle* shall not be included in the calculation of the area of the *parcel* for the purpose of determining compliance with a minimum *parcel* area requirement of this bylaw.

.2 Despite the minimum *parcel width* provisions for subdivision of this Bylaw, a *panhandle* lot may be created provided that the minimum *parcel width* of the *panhandle* is 8.0 metres and the maximum width shall not exceed 20.0 metres.

.3 When a *parcel* is to be in the form of a *panhandle*, the minimum *parcel width* requirement shall be calculated for the width of the *parcel* fronting on the extension of the *panhandle*.

.4 No more than two (2) *panhandle parcels* may be created where the *panhandles* abut each other.

8.5 Hooked Parcels

.1 A *hooked parcel* may be created where each portion:

a) satisfies the minimum *parcel* area requirements of the applicable zone; and

b) is separated by a distance not exceeding 30.0 metres.

9.0 SIGNAGE REGULATIONS

9.1 Prohibited Signage

.1 The following types of signage are not permitted on any *parcel*, *structure* or body of water:

a) *animated sign*;

b) *electronic changeable copy sign*;

c) illuminated *sign*;

d) inflatable *sign*;

e) roof top *sign*;

f) *third party advertising sign*; and

g) *signs* on or in Okanagan Lake, Skaha Lake, Vaseux Lake and Osoyoos Lake.

9.2 Commercial, Industrial and Administrative & Institutional Signage

.1 The following regulations apply to all *signs* advertising a commercial, industrial or administrative and institutional use located on a *parcel*:

a) a maximum of two (2) *signs* per *parcel* of the following *sign* types are permitted:

i) one (1) *fascia sign*, subject to the following regulations:

.1 the maximum *sign* area shall not exceed 25.0 m^2; and

.2 the *sign* shall only be located on the wall of the *building* containing the business premises to which the *sign* refers.

ii) one (1) *freestanding sign*, subject to the following regulations:

.1 the maximum *sign* area shall not exceed 5.0 m^2;

.2 the maximum *height* of a *freestanding sign* shall not exceed 6.5 metres; and

.3 no part of any *sign* shall be located within 1.0 metre of a *parcel* line.

b) despite Section 9.1.1, a *sign* may be illuminated from an internal source.

9.3 Agricultural Signage

.1 The following regulations apply to all *signs* advertising the sale of agricultural produce, *livestock* or product grown, raised or produced on the farm:

a) a maximum of two (2) *signs* per *parcel* of the following *sign* types are permitted:

i) one (1) *fascia sign*, subject to the following regulations:

.1 the maximum *sign* area shall not exceed 5.0 m^2; and

.2 the *sign* shall only be located on the wall of the *building* containing the business premises to which the *sign* refers.

ii) one (1) *freestanding sign*, subject to the following regulations:

.1 the maximum *sign* area shall not exceed 5.0 m^2;

.2 the maximum *height* of a *freestanding sign* shall not exceed 4.5 metres; and

.3 no part of any *sign* shall be located within 1.0 metre of a *parcel* line.

9.4 Residential Signage

.1 The following regulations apply to all *signs* advertising a *bed and breakfast operation*, *home industry*, *home occupation* or *vacation rental* use:

a) the maximum number of *signs* shall not exceed one (1) per *parcel*;

b) only *fascia signs* are permitted; and

c) the maximum *sign* area shall not exceed 0.5 m^2.

9.5 Signage Exemptions

.1 The following types of *signs* are exempt from the requirements contained in Section 9.2 through to Section 9.4 of this bylaw:[19]

a) all signage within a provincial *highway* right-of-way approved by the Ministry of Transportation and Infrastructure (MoTI) under its "Service & Attraction Sign Program";

b) all signage to promote or advertise a political party or candidate from the date of an election call to five (5) days after election day;

c) a *mural*;

d) real estate *signs* advertising the sale or rental of a *parcel*, a *building* or a unit within a *building* located on a *parcel* on which the *sign* is located, subject to:

i) a maximum of one (1) *sign* per *parcel*, *building* or unit being sold or leased;

ii) a maximum *sign* area not exceeding 3.0 m^2;

iii) a maximum *sign height* not exceeding 3.0 metres; and

iv) removal of the *signs* within two weeks after the *parcel* or *building* to which the *sign* is related is sold, leased or otherwise taken off the market.

[19] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

10.0 FLOODPLAIN REGULATIONS

10.1 Floodplain Designation and Flood Construction Level

.1 The following land is designated as a *floodplain*:

a) the area shown as the 200 year *floodplain* for the Okanagan River and the Okanagan River Channel on the floodplain maps attached as Schedule '3' to this Bylaw;

b) any land not shown on the provincial floodplain maps that is less than 3.0 metres above the *natural boundary* of the Okanagan River and the Okanagan River Channel;

c) any land that is less than 1.5 metres above the *natural boundary* of any other *watercourse*.

.2 The flood construction level for land designated as a *floodplain* in section 10.1.1 is:

a) the 200 year flood levels shown on the provincial floodplain maps for the *floodplain* designated in section 10.1.1(a);

b) 3.0 metres above the *natural boundary* for the *floodplain* designated in section 10.1.1(b);

c) 1.5 metres above the *natural boundary* for the *floodplain* designated in section 10.1.1(c);

d) Okanagan Lake: 343.66 m Geodetic Survey of Canada (GSC) datum;

e) Skaha Lake: 339.24 metres GSC datum;

f) Vaseux Lake: 329.49 metres GSC datum; and

g) Osoyoos Lake: 280.70 metres GSC datum.

10.2 Siting Buildings and Structures in Floodplains

Despite any other provisions of this Bylaw, no *building* or *structure* shall be located within:

.1 7.5 metres of the landside toe of the dyke, or 30.0 metres of the *natural boundary* of the Okanagan River, whichever is greater;

.2 30.0 metres of the *natural boundary* of Vaseux, Naramata, Robinson and Chute Creeks;

.3 7.5 metres of the *natural boundary* of any lake, pond or marsh, or the top of bank where the bank is within 7.5 metres of the *natural boundary* of any lake, pond or marsh; and

.4 15.0 metres of the *natural boundary* of any other *watercourse*.

10.3 Measurement of Flood Construction Level

.1 the flood construction level for a building or structure under 10.1.2(c) is determined by reference to the elevation of the point at which the *natural boundary* of the relevant *watercourse* is closest to any part of the building or structure.

10.4 Floodplain Management Regulations

.1 No person shall place any structural support for a *habitable area* or fill required to support a *habitable area* on land within a *floodplain setback* area under Section 10.2;

.2 No person shall construct, reconstruct, move or extend a floor system or pad which supports a *habitable area*, such that the underside of the wooden floor system or the top of the pad or the ground surface on which it is located, is lower than the flood construction levels specified in Section 10.1 except as provided in Sections 10.4.3 and 10.4.4;

.3 Despite Section 10.4.2, the following *floodplain* management regulations apply:

a) For *Dwelling Units* in the Agricultural Land Reserve:

A *dwelling unit* on a parcel that is 8.0 hectares or greater in area and located within the Agricultural Land Reserve (ALR) shall be located with the underside of any wooden floor system, or the top of the pad of any *habitable area*, or in the case of a *manufactured home* the top of the pad or the ground surface on which it is located, no lower than:

i) 1.0 metre above the natural ground elevation taken at any point on the perimeter of the *building*; or

ii) the flood construction levels specified in Section 10.1, whichever is the lesser.

b) For Closed-Sided *Livestock Buildings*:

Closed-sided *livestock buildings* that are not behind *standard dykes* shall be located with the underside of any wooden floor system, or the top of the pad of any *habitable area*, or the ground surface on which it is located, no lower than:

i) 1.0 metre above the natural ground elevation, taken at any point on the perimeter of the *building*; or

ii) the flood construction levels specified in Section 10.1, whichever is lesser.

c) For Industrial *Buildings*:

Industrial *buildings*, other than the main electrical power system, must be located with the underside of any wooden floor system or the top of any pad of any *habitable area* or the ground surface on which it is located not lower than the flood construction levels specified in Section 10.1 minus *freeboard*. Main electrical switchgear shall not be lower than the flood construction level.

.4 The *floodplain* management regulations specified in Section 10.4.3 may be achieved by structural elevation of the *habitable area*, or by placing adequately compacted fill on which any *habitable area* is to be constructed or located, or by a combination of both structural elevation and fill.

.5 Where fill is used to meet the *floodplain* management regulations specified in Sections 10.4.2 and 10.4.3, the face of the fill slope must be adequately protected against erosion from flood flows, wave action, ice and other debris hazards.

.6 The following *developments* and uses are excluded from the requirements of the *floodplain* management regulations specified in Sections 10.4.2 and 10.4.3:

a) renovations, except structural, to existing *buildings* or *structures* that do not involve additions thereto;

b) that portion of a *building* or *structure* to be used as a *carport* or garage;

c) *farm buildings* other than *dwelling units* and closed-sided *livestock* housing;

d) closed-sided *livestock* housing behind *standard dykes*;

e) on-loading and off-loading facilities associated with water-oriented industries and portable sawmills.

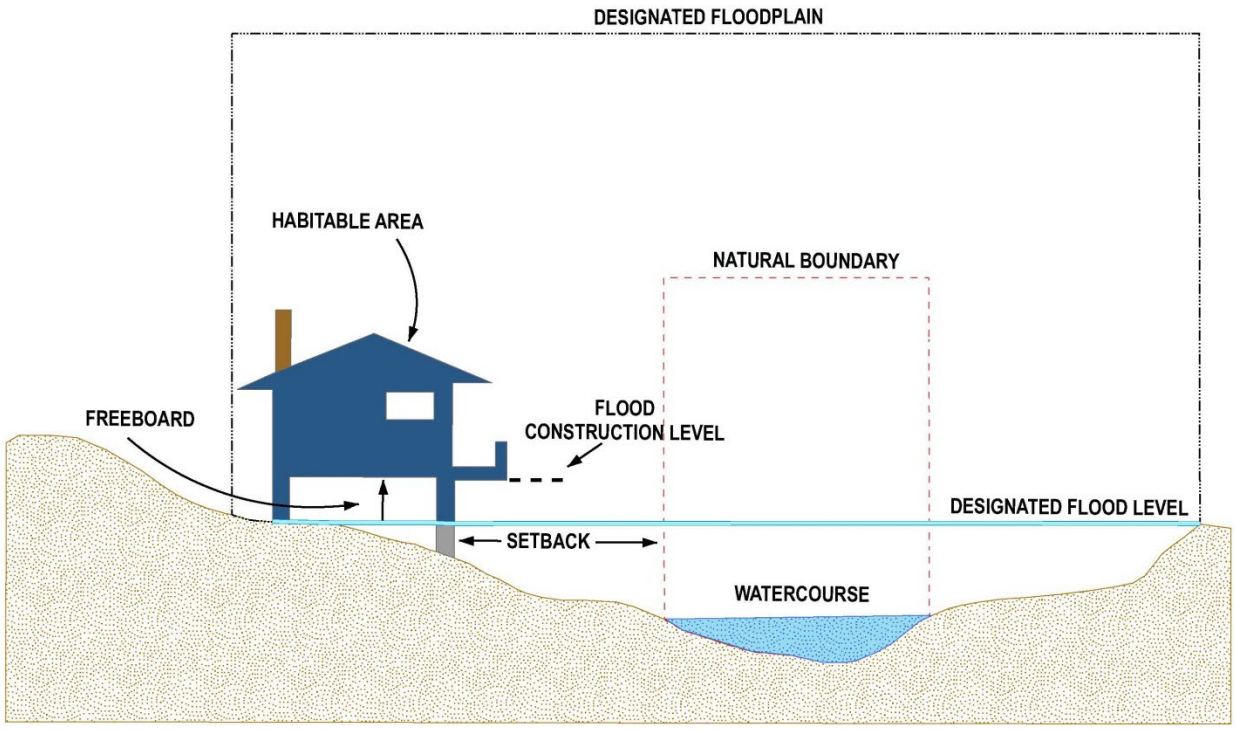


Figure 6 – Floodplain Illustration

11.0 VEHICLE PARKING & LOADING REGULATIONS

11.1 Basic Provisions

.1 Section 11.0 of this bylaw applies only to *highways* not subject to provincially controlled access regulations.

.2 Space for the off-street parking and loading of motor vehicles in respect of a class of a *building* or use under this Bylaw must be provided and maintained in accordance with the regulations of this Section.

.3 In any Residential zone or the Small Holdings Five (SH5) Zone, no vehicle or equipment having a gross vehicle weight in excess of 3,900kg shall be parked or stored on a *parcel* unless stored such that the vehicle or equipment is entirely enclosed within a *building*, except a *recreational vehicle* belonging to the owner or occupier of the *principal dwelling unit* on a *parcel*.

11.2 Calculation of Off-Street Vehicle Parking Spaces

.1 The number of off-street parking and loading spaces for motor vehicles required for any use is calculated according to Table 11.2 of this Bylaw.

.2 In reference to a *building* or use permitted under this Bylaw which is not specifically referred to in Table 11.2, the number of off-street parking and loading spaces is calculated on the basis of the requirements for a similar class of *building* or use that is listed in Table 11.2.

.3 Where the calculation of the required off-street parking or loading space results in a fraction, one parking space must be provided in respect of the fraction.

.4 Where more than one *building* or use is located on a *parcel*, the required number of off-street parking spaces shall be the sum of the requirements for each use, unless otherwise expressly provided for in this Bylaw.

.5 Where more than one standard may apply to a use, the standard requiring the greatest number of parking spaces shall be used.

Table 11.2: Required Off-Street Vehicle Parking Spaces

USE	REQUIRED NUMBER OF SPACES
RESIDENTIAL	
accessory dwelling	1 per *dwelling unit*
bed and breakfast operation	1 per *sleeping unit*
duplex dwelling	2 per *dwelling unit*
manufactured home park	1 per *manufactured home*; and 1 per 5 *manufactured homes* for visitors
apartment building or *townhouse*	1.75 per *dwelling unit*

USE	REQUIRED NUMBER OF SPACES
secondary suite	1 per *dwelling unit*[xx]
single detached dwelling	2 per *dwelling unit*
COMMERCIAL	
alcohol production facility	1 per 30 m^2 of *gross floor area* of customer service area
campground	1 per camping space
eating and drinking establishment	1 per 4 seats; or 1 per 10 m^2 of customer service floor area, whichever is greater
golf course	2 per golf hole
indoor recreation	1 per 50.0 m^2 of *gross floor area*
outdoor recreation	25 per playing field
office	1 per 30.0 m^2 of *gross floor area*
personal service establishment	1 per 30.0 m^2 of *gross floor area*
retail	1 per 30.0 m^2 of *gross floor area*
service station	1 per 30.0 m^2 of *gross floor area*
tourist accommodation	1 per *sleeping unit*
vehicle sales and rentals	1 per 70 m^2 of sales floor area; and 1 per service bay
veterinary establishment	1 per 30.0 m^2 of *gross floor area*
other commercial uses	1 per 40.0 m^2 of *gross floor area*
INDUSTRIAL	
manufacturing	1 per 200.0 m^2 of *gross floor area*
outdoor storage and *self-storage*	5 per business[xxi]
storage and warehouse	1 per 200.0 m^2 of *gross floor area*
other industrial uses	1 per 200.0 m^2 of *gross floor area*
RURAL	
agri-tourism	4 per business
agri-tourism accommodation	1 per accommodation unit
packing, processing and storage of *farm products*	1 per 200.0 m^2 of *gross floor area*
retail sales of farm products	1 per 30.0 m^2 of *gross floor area*
MARINE	
boat launch	10 per ramp

[xx] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.
[xxi] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

USE	REQUIRED NUMBER OF SPACES
marina	1 per 5.0 slips, berths or stalls; and 1 per employee
ADMINISTRATIVE & INSTITUTIONAL	
community care facility	1 per 2 persons licenced occupancy
assembly	1 per 5 seats or 1 per 20 m^2 of assembly area, whichever is greater
cultural facility	1 per 40.0 m^2 of *gross floor area*
educational facility	elementary school: 2 per classroom
	middle school: 2 per classroom
	secondary school: 3 per classroom
health care centres and hospitals	1 per 4 beds
other administrative and institutional uses	1 per 30.0 m^2 of *gross floor area*

11.3 Design Standards for Off-Street Vehicle Parking and Loading Areas

.1 Dimensions for off-street parking and loading spaces shall satisfy the size requirements in Table 11.3 (Dimensions of Parking and Loading Spaces).

Table 11.3: Dimensions of Parking and Loading Spaces

TYPE OF PARKING SPACE	MINIMUM DIMENSIONS		
	Width	**Length**	***Height***
Standard Parking Space	2.7 m	6.0 m	2.2 m
Parallel Parking Space	2.7 m	7.0 m	2.2 m
Boat Launch Parking Space	3.0 m	9.0 m	2.2 m
Parking Space for Persons with Disabilities	3.7 m	6.0 m	2.75 m
Loading Space	3.0 m	9.0 m	4.0 m

.2 Where one or both sides of a parking space abut a wall or other barrier more than 0.15 metres high, an additional 0.3 metres width shall be provided to each abutting parking space on the side(s) adjacent to such a barrier.

.3 An off-street parking area shall be constructed to permit unobstructed access to and egress from each space at all times, except tandem spaces, as permitted at Section 11.3.6.

.4 Vehicle access to all parking spaces shall be provided by means of unobstructed manoeuvring aisles, each having widths not less than:

i) 7.3 metres, where parking spaces are located at 90 degrees to the manoeuvring aisle providing access to the space;

ii) 5.2 metres, where parking spaces are located at 60 degrees to the manoeuvring aisle providing access to the space; or

iii) 3.7 metres, where the parking spaces are located at 45 degrees or less to the manoeuvring aisle providing access to the space.

.5 Where parking spaces are located at 60 degrees, or less to the maneuvering aisle, only one-way traffic is permitted in the maneuvering aisle.

.6 Parking spaces for a *single detached dwelling* and a *home occupation* may be arranged in tandem such that one space is located behind the other space with a common or shared point of access to a *highway*.

.7 All parking areas containing more than five (5) parking spaces shall be provided with adequate curbs, or wheel stops in order to retain all vehicles within the parking areas and to ensure that *fences*, *retaining walls*, landscaping and pedestrian paths as well as any *buildings* or *structures* are protected.

.8 All parking areas with five (5) or more parking spaces in a Medium Density Residential Zone, Administrative and Institutional Zone, Commercial Zone or a Town Centre and Village Zone shall be surfaced with a permanent hard surface of asphalt; concrete; permeable or porous pavement, such as open-jointed pavers, turf or gravel grids or porous concrete or asphalt; interlocking paving stones, or similar hard surface treatment so as to provide a surface that is durable and dust free for the purpose intended.

11.4 Location of Off-Street Parking and Loading Spaces

.1 Off-street parking and loading spaces shall be located on the same *parcel* as the *building* or use they serve.

12.0 RESOURCE AREA ZONES

12.1 RESOURCE AREA (RA) ZONE

12.1.1 Permitted Uses:

Principal Uses:

a) *airstrip*;

b) *agriculture*;

c) cemetery;

d) *educational facility*;

e) *equestrian centre*;

f) *forestry*;

g) *natural resource extraction*;

h) *outdoor recreation*;

i) *single detached dwelling* or *mobile home*;

j) *veterinary establishment*;

Accessory Uses:

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

l) *accessory dwelling*, subject to Section 7.2;

m) *bed and breakfast operation*, subject to Section 7.4;

n) *home industry*, subject to Section 7.6;

o) *home occupation*, subject to Section 7.7;

p) *kennel*, subject to Section 7.8;

q) packing, processing and storage of *farm products*;

r) *retail sales of farm products*, subject to Section 7.9; and

s) *secondary suite*, subject to Section 7.10.

12.1.2 Minimum Parcel Size for Subdivision:

a) 20.0 ha, subject to Section 8.0.

12.1.3 Minimum Parcel Width for Subdivision:

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

12.1.4 Maximum Number of Dwellings 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	125.0 m^2
8.0 ha to 11.9 ha	2	250.0 m^2
12.0 ha to 15.9 ha	3	375.0 m^2
Greater than 16.0 ha	4	500.0 m^2

c) despite Section 12.1.4(b), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Section 12.1.4(b) in excess of one (1) *secondary suite* or *accessory dwelling* per *parcel* are permitted only to the extent that a "non-adhering residential use" approval from the Agricultural Land Commission (ALC) has been granted for such *secondary suites* or *accessory dwellings*.

d) despite Sections 12.1.4(b)&(c), 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).

12.1.5 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* 7.5 metres

iv) *Exterior side parcel line* 7.5 metres

b) Despite Section 12.1.5(a), *livestock* shelters, *equestrian centres*, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

i) *Front parcel line* 15.0 metres

ii) *Rear parcel line* 15.0 metres

iii) *Interior side parcel line* 15.0 metres

iv) *Exterior side parcel line* 15.0 metres

c) Despite Section 12.1.5(a), incinerators or *composting operation*:

i) *Front parcel line* 30.0 metres

ii) *Rear parcel line* 30.0 metres

iii) *Interior side parcel line* 30.0 metres

iv) *Exterior side parcel line* 30.0 metres

d) Despite Section 12.1.5(a), *gravel processing*:

i) *Front parcel line* 50.0 metres

ii) *Rear parcel line* 50.0 metres

iii) *Interior side parcel line* 50.0 metres

iv) *Exterior side parcel line* 50.0 metres

12.1.6 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 10.0 metres.

12.1.7 Maximum Parcel Coverage:

a) 35% for *parcels* less than 2,500 m^2 in area;

b) 20% for *parcels* greater than 2,500 m^2 and less than 2.0 ha in area; and

c) for *parcels* greater than 2.0 ha in area:

i) 5%; and

ii) 75% for a *greenhouse*.

12.1.8 Resource Area Site Specific (RAs) Regulations:

a) **Electoral Area "A"**

i) In the case of land described as Section 3, Township 65, SDYD, Portion SE ¼, Except Part Lying north and west of Highway shown on Plan H415, and shown shaded yellow on Figure 12.1.8(a)(i):

.1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:

a) *concrete plant*.

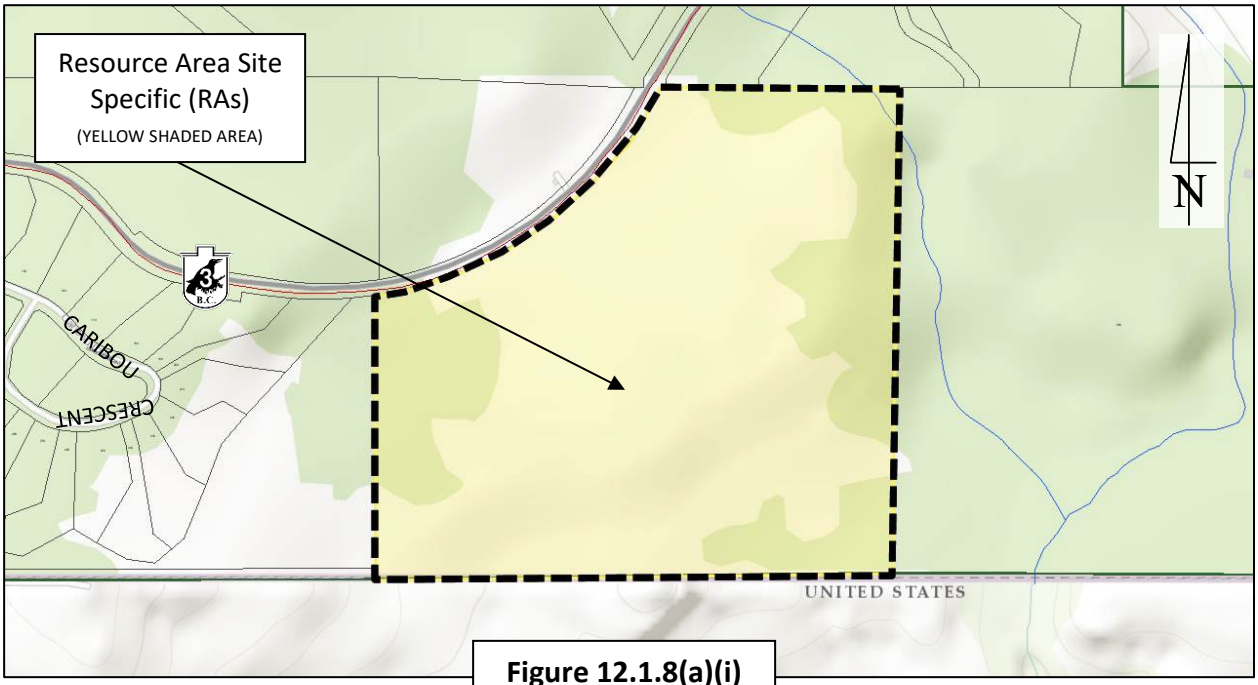


Figure 12.1.8(a)(i)

b) **Electoral Area "C"**

i) in the case of land described as Lot 1, Plan KAP62023, District Lot 2450S, SDYD (398 Sportsmens Bowl Road), and Lot 3, Plan KAP4041, District Lot 2450S, SDYD, Portion Lot 727 (352 Sportsmens Bowl Road), and shown shaded yellow on Figure 12.1.8(b):

.1 the following *principal use* and no other shall be permitted on the land:

a) *outdoor recreation*, which includes a rifle range.

.2 the following *accessory use* and no other shall be permitted on the land:

a) *accessory building or structure*, subject to Section 7.1.; and

b) one (1) *accessory dwelling*, subject to Section 7.2.

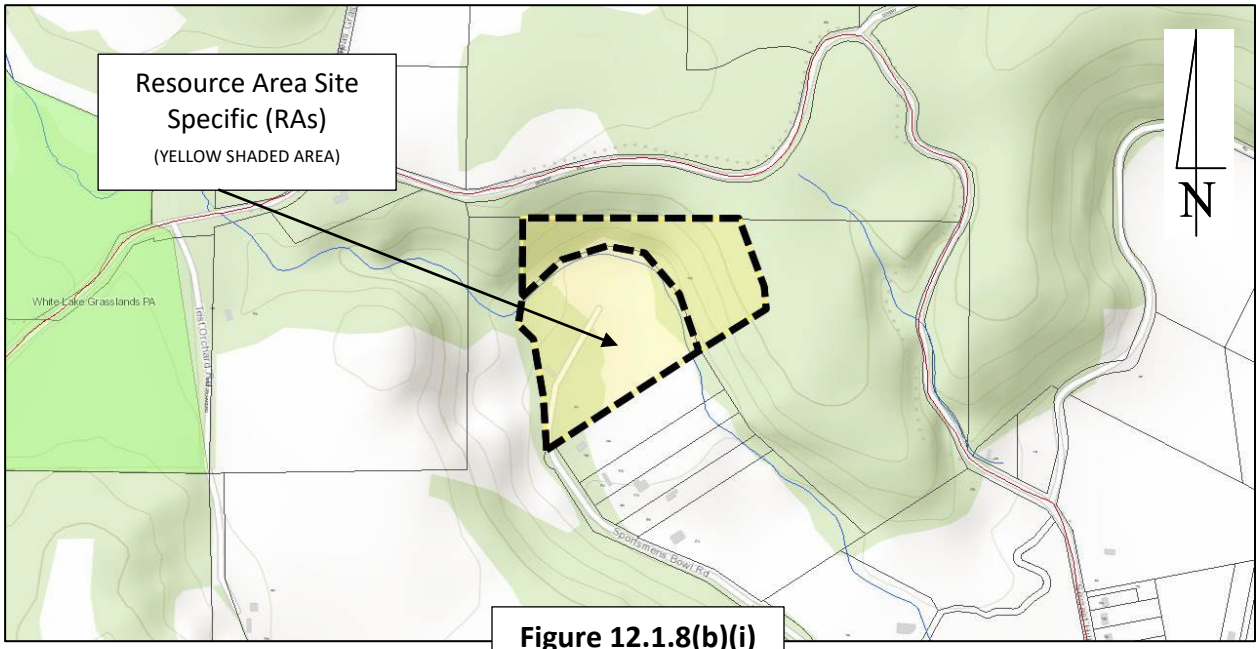


Figure 12.1.8(b)(i)

c) **Electoral Area "D"**

i) Not applicable

d) **Electoral Area "E"**

i) in the case of the land described as Plan KAP1190, Sublot 19, District Lot 2711, SDYD, Except Plan KAP69950 (3960 Cottonwood Lane) and shown shaded yellow on Figure 12.1.8(d)(i):

.1 the following *accessory uses* shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:

a) *alcohol production facility*, including sales, subject to Section 7.8; and

b) *tourist cabin*.

.2 despite the requirements of Section 7.24.1(d), the *gross floor area* of all *buildings* associated with the processing of *farm products* shall not exceed 480.0 m^2.

.3 the maximum floor area of a *tourist cabin* shall not exceed 70.0 m^2.

.4 the maximum number of *tourist cabins* shall not exceed ten (10).

.5 the maximum *height* of a *tourist cabin* shall not exceed 5.0 metres.

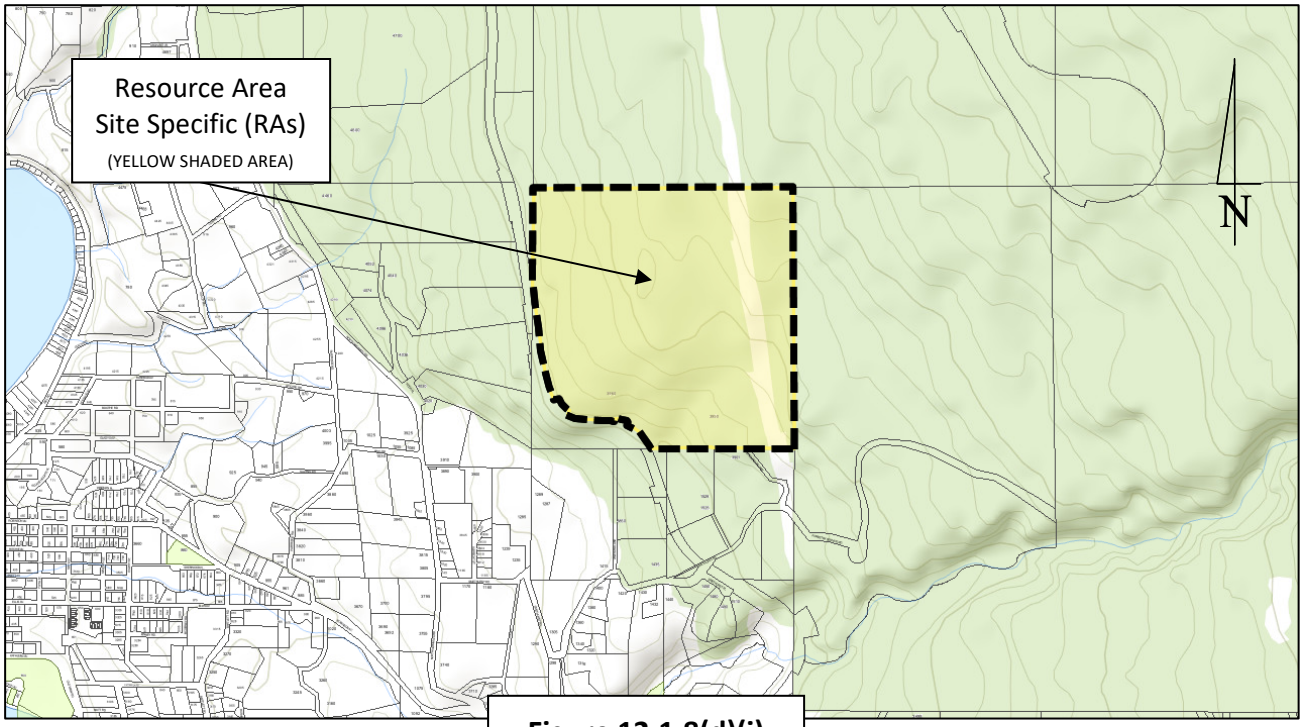


Figure 12.1.8(d)(i)

ii) in the case of an approximately 16.4 ha part of the land described as Lot 4, Plan EPP60812, District Lot 2711 & 3474, SDYD, (3440 Arawana Road) and shown shaded yellow and hatched black on Figure 12.1.8(d)(ii):

.1 the following *principal uses* shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:

a) public service and utility *buildings*, including a sewage treatment plant;

b) *campground*, subject to Section 7.5.[xxii]

iii) in the case of an approximately 30.0 ha part of the land described as Lot 4, Plan EPP60812, District Lot 2711 & 3474, SDYD, (3440 Arawana Road) and Lot 5, Plan EPP60812, District Lot 3474, SDYD; and Lot A, Plan KAP59640, District Lot 3474, SDYD (3690 Arawana Forestry Road) shown shaded yellow on Figure 12.1.8(d)(ii):

.1 the following *principal uses* shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:

a) *campground*, subject to Section 7.5.[xxiii]

[xxii] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.
[xxiii] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.

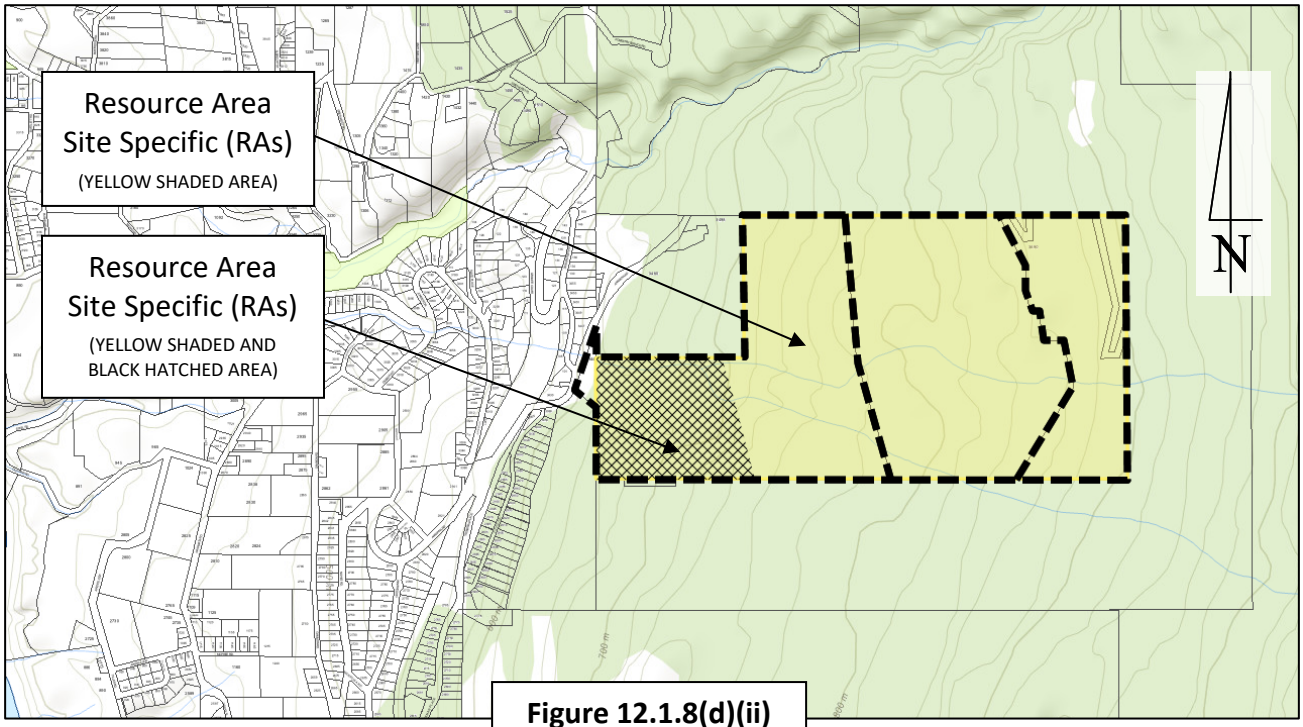


Figure 12.1.8(d)(ii)

iv) In the case of land described as Sublot 8, District Lot 2711, SDYD, Plan KAP1190, and shown shaded yellow on Figure 12.1.8(d)(iii):[xxiv]

.1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:

a) *composting operation.*

.2 the following *accessory use* shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:

a) public maintenance and works yard.

[xxiv] Amendment Bylaw No. 2800.24, 2023 – adopted December 07, 2023.

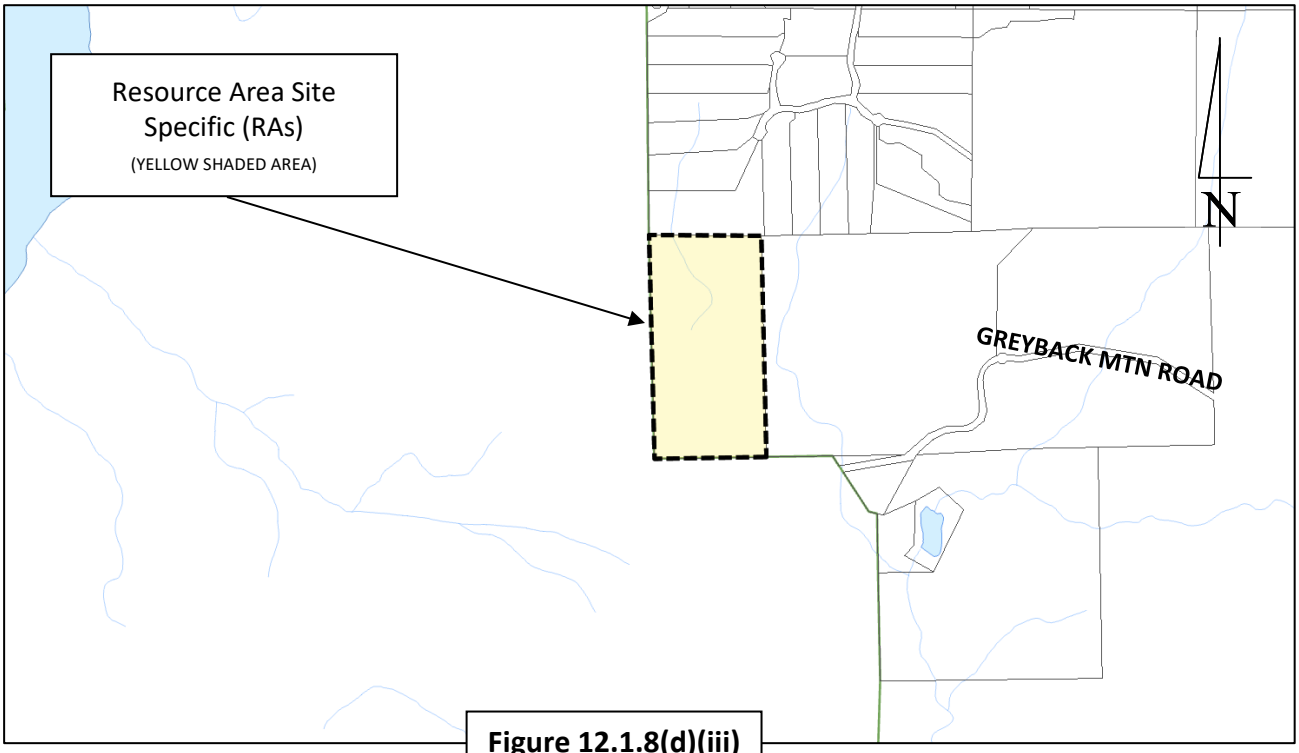


Figure 12.1.8(d)(iii)

e) **Electoral Area "F"**

i) *deleted*.[xxv]

ii) in the case of land described as Lot A, Plan KAP40762, District Lots 702 & 5136, ODYD (3610 Pine Hills Road), and shown hatched on Figure 12.1.8(e)(ii):

.1 the following principle use shall be permitted on the land in addition to the permitted uses listed in Section 12.1.1:

a) *golf course*.

[xxv] Amendment Bylaw No. 2800.18, 2023 – adopted June 15, 2023.

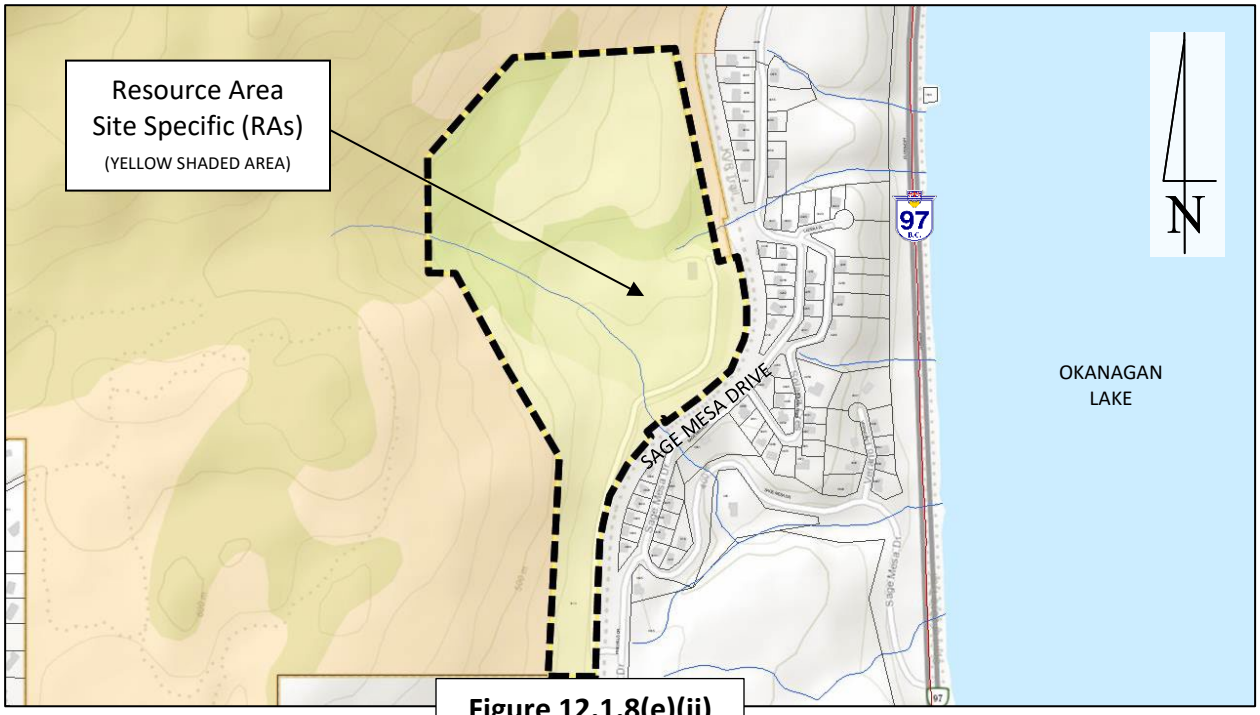


Figure 12.1.8(e)(ii)

f) **Electoral Area "I"**

i) Not applicable.

12.2 WATERSHED RESOURCE AREA (WRA) ZONE[xxvi]

12.2.1 Permitted Uses:

Principal Uses:

a) *agriculture*;

b) *conservation area*;

c) *outdoor recreation*;

Accessory Uses:

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

12.2.2 Minimum Parcel Size for Subdivision:

a) 120.0 ha

12.2.3 Minimum Parcel Width for Subdivision:

a) Not applicable

12.2.4 Maximum Number of Dwellings Permitted Per Parcel:

a) Not applicable

12.2.5 Minimum Setbacks:

a) Not applicable

12.2.6 Maximum Height:

a) Not applicable

12.2.7 Maximum Parcel Coverage:

a) Not applicable

12.2.8 Resource Area Site Specific (RAs) Regulations:

a) **Electoral Area "A"**

i) Not applicable

b) **Electoral Area "C"**

i) Not applicable

[xxvi] Amendment Bylaw No. 2800.18, 2023 – adopted June 15, 2023.

c) **Electoral Area "D"**

i) Not applicable

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) in the case of an approximately 16.5 ha part of the land described as District Lot 3777, ODYD, and shown shaded yellow on Figure 12.2.8(e)(i):

.1 the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 12.2.1:

a) *institutional camp.*

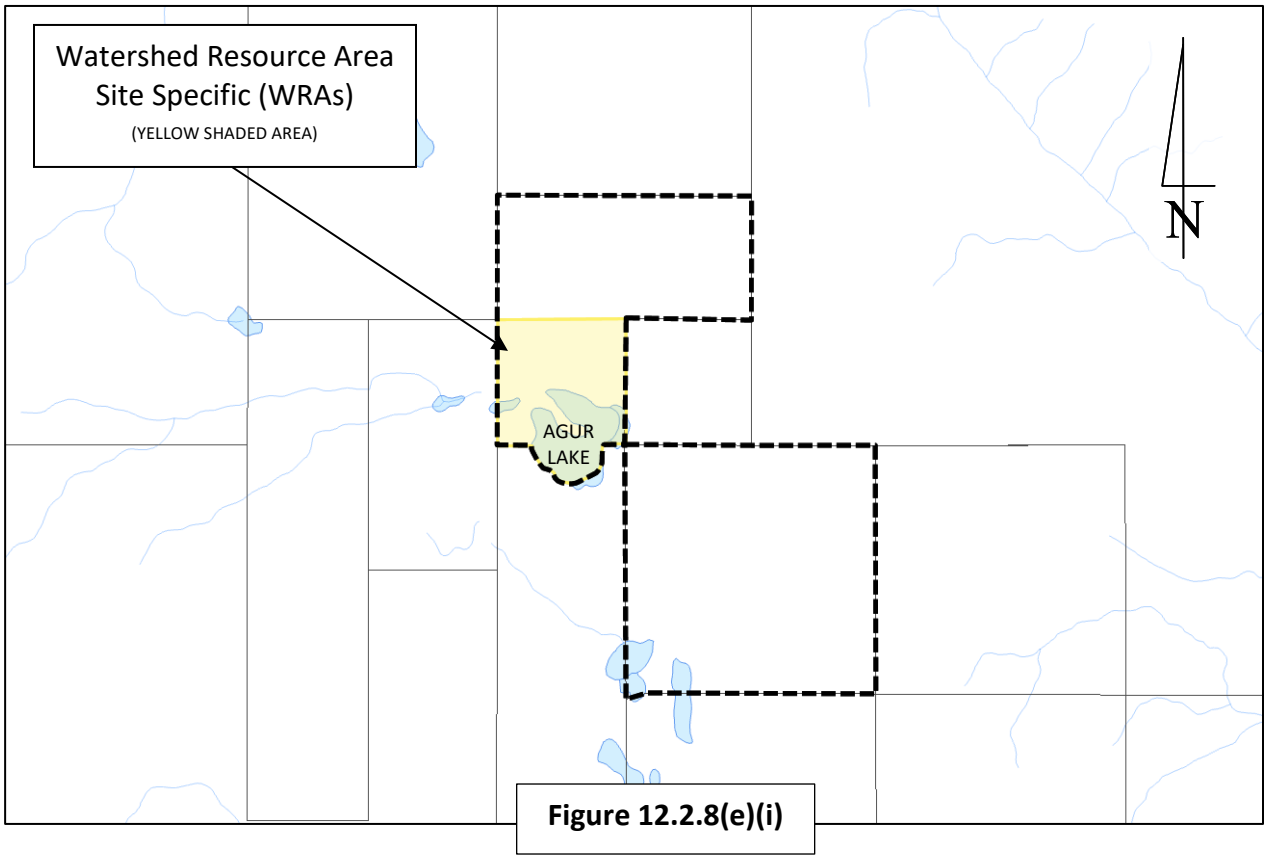


Figure 12.2.8(e)(i)

ii) in the case of the land described as District Lot 3961, ODYD, and shown shaded yellow on Figure 12.2.8(e)(ii):

.1 the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 12.2.1:

a) *institutional camp.*

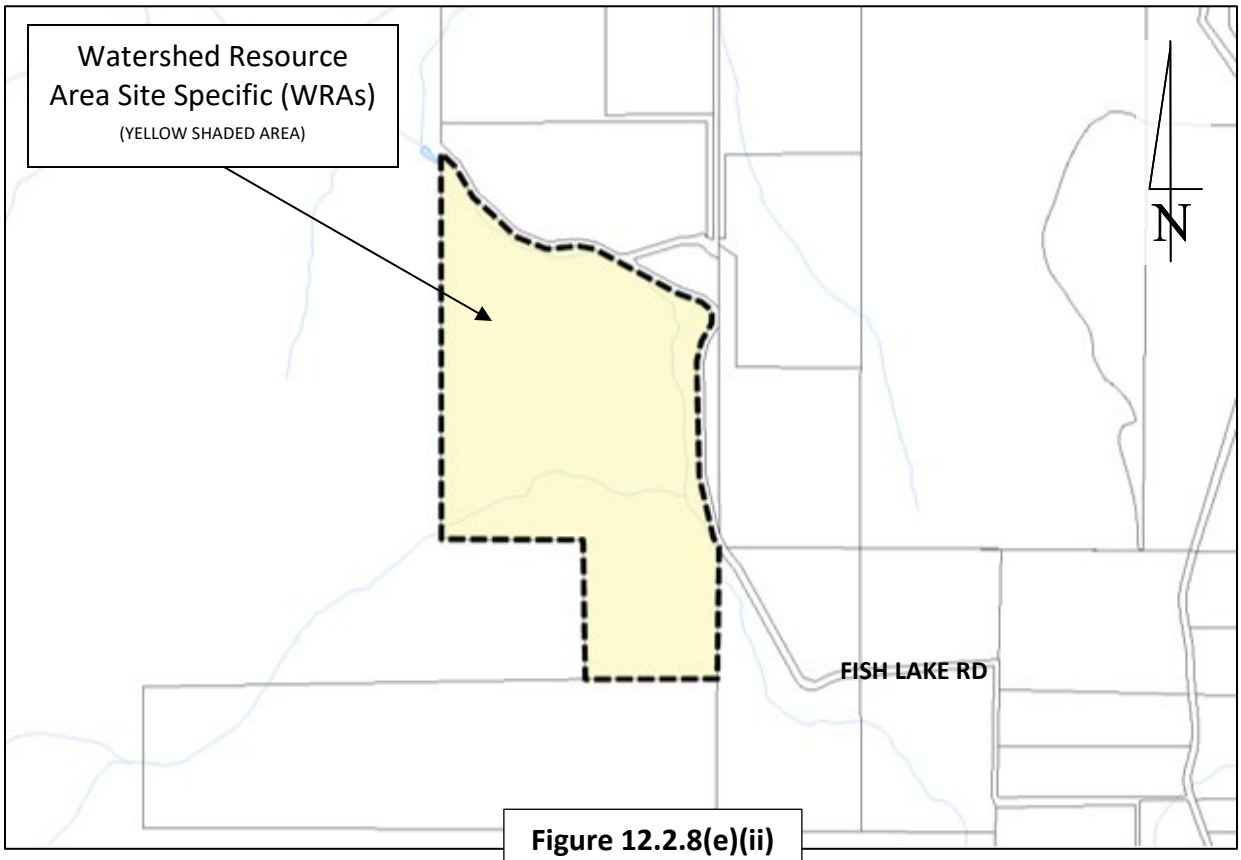


Figure 12.2.8(e)(ii)

f) **Electoral Area "I"**

i) Not applicable

13.0 AGRICULTURE ZONES

13.1 AGRICULTURE ONE (AG1) ZONE

13.1.1 Permitted Uses:

Principal Uses:

a) *agriculture*;

b) *alcohol production facility*, subject to Section 7.9;

c) *equestrian centre*;

d) packing, processing, and storage of *farm products*;

e) *single detached dwelling* or *mobile home*;

Accessory Uses:

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

g) *accessory dwelling* or *mobile home*, subject to Section 7.2;

h) *agri-tourism accommodation*, subject to Section 7.3;

i) *bed and breakfast operation*, subject to Section 7.4;

j) *home industry*, subject to Section 7.6;

k) *home occupation*, subject to Section 7.7;

l) *kennel*, subject to Section 7.8;

m) *retail sales of farm products*, subject to Section 7.9;

n) *secondary suite*, subject to Section 7.10; and

o) *veterinary establishment*.

13.1.2 Minimum Parcel Size for Subdivision:

a) 4.0 ha, subject to Section 8.0.

13.1.3 Minimum Parcel Width for Subdivision:

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

13.1.4 Maximum Number of Dwellings 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	125.0 m^2
8.0 ha to 11.9 ha	2	250.0 m^2
12.0 ha to 15.9 ha	3	375.0 m^2
Greater than 16.0 ha	4	500.0 m^2

c) despite Section 13.1.4(b), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Section 13.1.4(b) in excess of one (1) *secondary suite* or *accessory dwelling* per *parcel* are permitted only to the extent that a "non-adhering residential use" approval from the Agricultural Land Commission (ALC) has been granted for such *secondary suites* or *accessory dwellings*.

d) despite Sections 13.1.4(b)&(c), 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).

13.1.5 Minimum Setbacks:

a) *Buildings* and *structures* on *parcels* 2,500 m^2 or greater:

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*	7.5 metres

b) *Buildings* or *structures* on *parcels* less than 2,500 m^2:

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

c) *Accessory building or structure* on *parcels* less than 2,500 m^2:

i)	*Front parcel line*	7.5 metres
ii)	*Rear parcel line*	1.0 metres
iii)	*Interior side parcel line*	1.0 metres
iv)	*Exterior side parcel line*	4.5 metres

d) Despite Section 14.1.5(a), *livestock* shelters, *equestrian centres*, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

i)	*Front parcel line*	15.0 metres

ii) *Rear parcel line* 15.0 metres

iii) *Interior side parcel line* 15.0 metres

iv) *Exterior side parcel line* 15.0 metres

e) Despite Section 14.1.5(a), incinerator or *composting facilities*:

i) *Front parcel line* 30.0 metres

ii) *Rear parcel line* 30.0 metres

iii) *Interior side parcel line* 30.0 metres

iv) *Exterior side parcel line* 30.0 metres

13.1.6 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 10.0 metres;

b) despite Section 13.1.6(a), on *parcels* less than 2,500 m^2 in area, no *accessory building or structure* shall exceed a *height* of 4.5 metres.

13.1.7 Maximum Parcel Coverage:

a) 35% for *parcels* less than 2,500 m^2 in area;

b) 20% for *parcels* between 2,500 m^2 and 2.0 ha in area;

c) for *parcels* greater than 2.0 ha in area:

i) 10%; and

ii) 75% for a *greenhouse*.

13.1.8 Agriculture One Site Specific (AG1s) Regulations:

a) **Electoral Area "A"**

i) in the case of land described as Lot A, Plan KAP92472, District Lot 223, SDYD (2257 82nd Avenue), and shaded yellow on Figure 13.1.8(a)(i):

.1 despite section 13.1.2(a), the *minimum parcel size* shall be 3.7 ha.

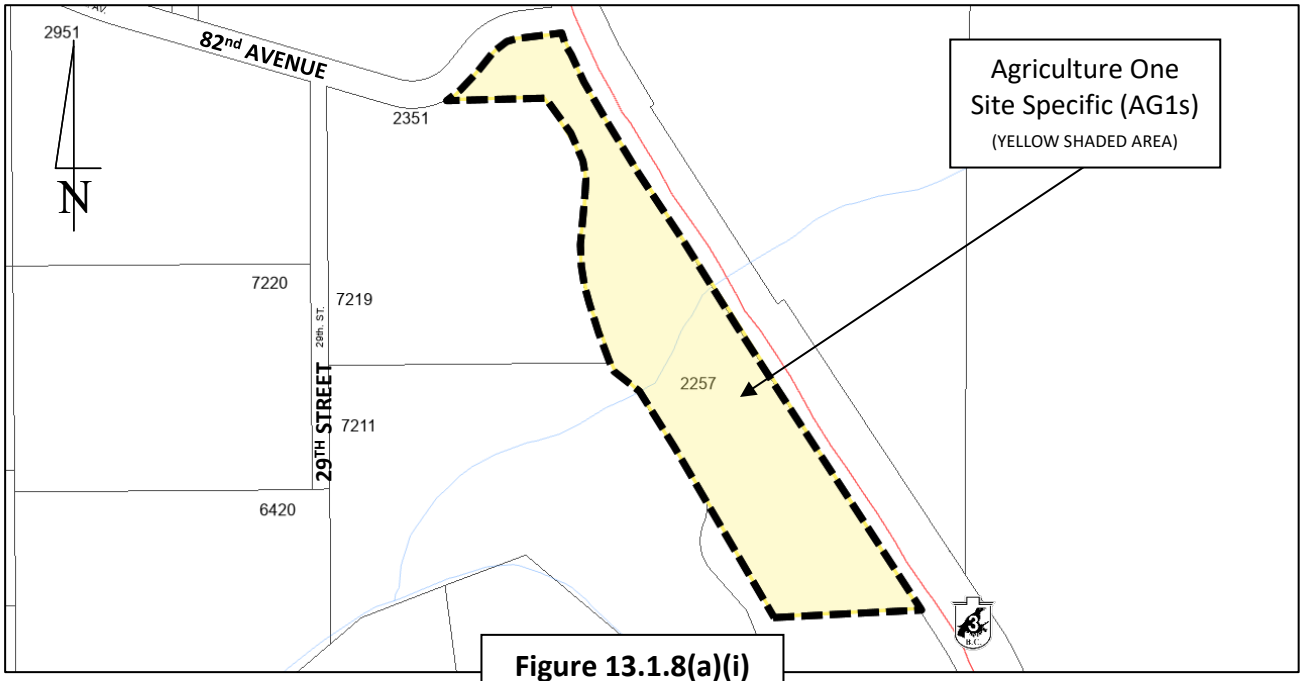


Figure 13.1.8(a)(i)

ii) in the case of land described as Lot 1, Plan KAP59513, District Lot 2450S, SDYD (8223 148th Avenue), and shown shaded yellow on Figure 13.1.8(a)(ii):[xxvii]

.1 despite Section 7.3.3, the maximum number of agri-tourism accommodation sleeping units permitted is ten (10).

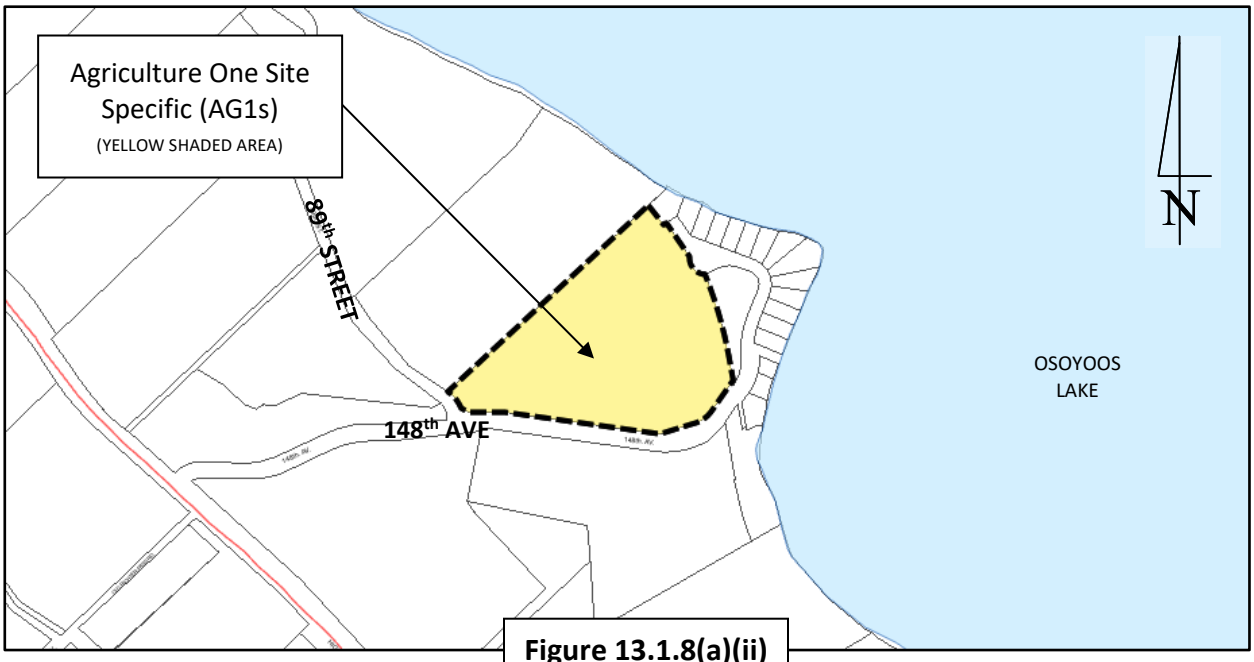


Figure 13.1.8(a)(ii)

[xxvii] Amendment Bylaw No. 2800.07, 2022 – adopted January 5, 2023.

b) **Electoral Area "C"**

i) in the case of land described as Lot A, Plan KAP91732, District Lot 2450S, SDYD (561 Road 3), and shown shaded yellow on Figure 13.1.8(b)(i):

.1 the following accessory use shall be permitted on the land in addition to the permitted uses listed in Section 13.1.1:

a) *recreational vehicle* park, to a maximum of 12 recreational vehicle sites.

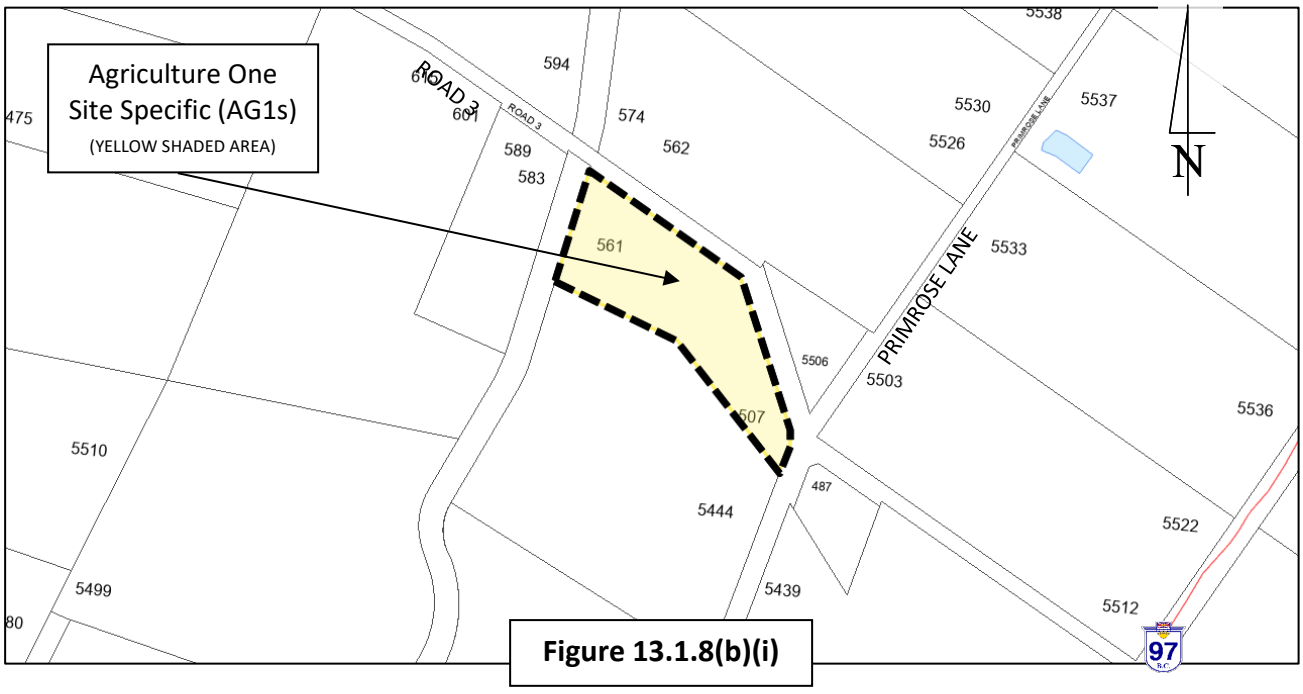


Figure 13.1.8(b)(i)

ii) in the case of land described as Lot 2, District Lot 2450S, SDYD, Plan KAP30096, Except Plan 37902 (4120 Black Sage Road), and shown shaded yellow on Figure 13.1.8(b)(ii):[xxviii]

.1 despite Section 13.1.4(b), the maximum permitted floor area for an accessory dwelling is 271 m^2.

[xxviii] Amendment Bylaw No. 2800.15, 2022 – adopted September 1, 2022.

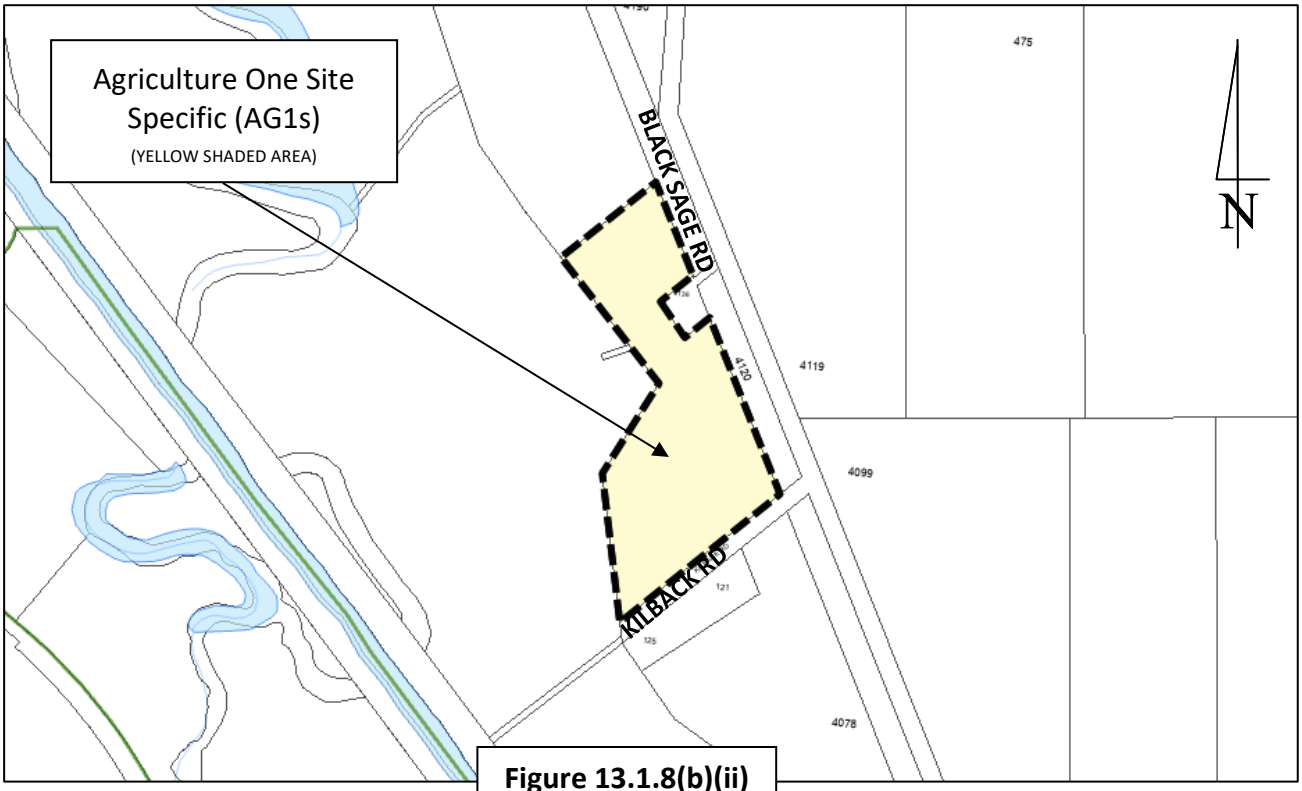


Figure 13.1.8(b)(ii)

iii) In the case of land described as Lot 1, District Lot 2450S, SDYD, Plan 12996, and shown shaded yellow on Figure 13.1.8(b)(iii): [xxix]

.1 despite Section 7.2.7, an *accessory dwelling* in the form of a *mobile home* is permitted as an accessory use.

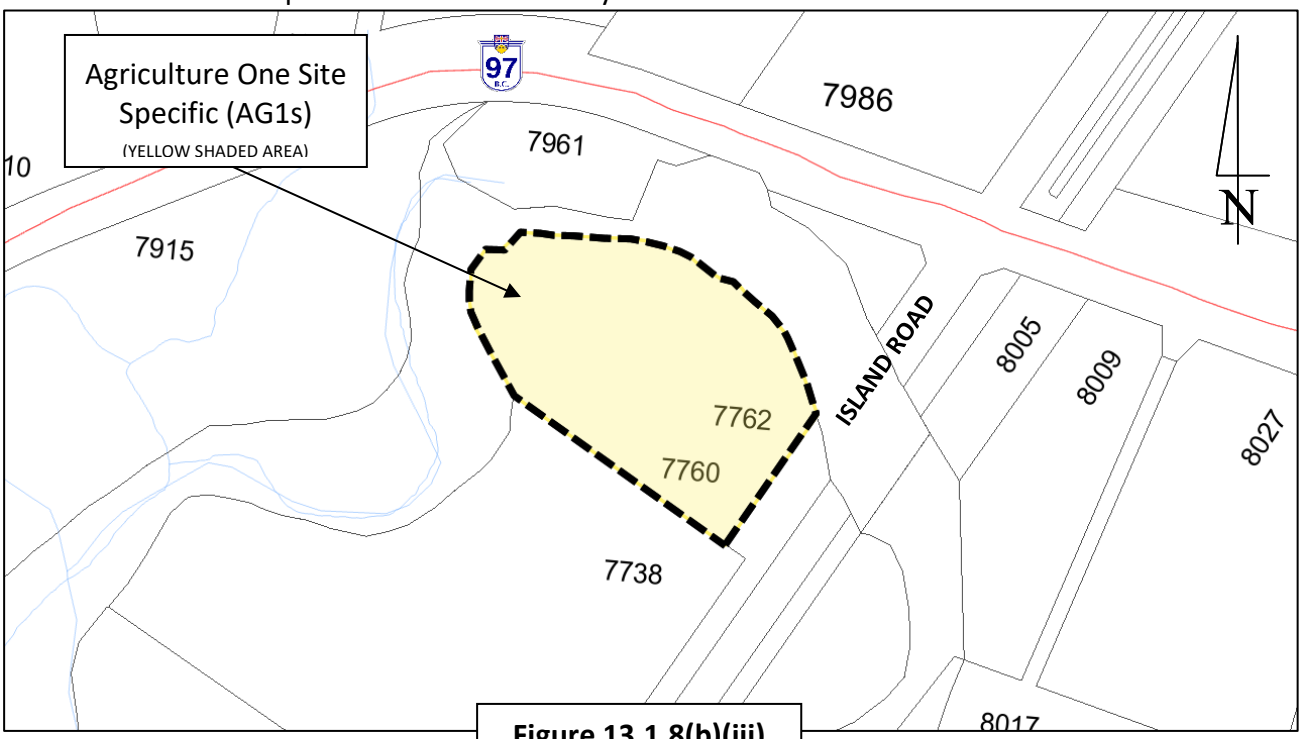


Figure 13.1.8(b)(iii)

[xxix] Amendment Bylaw No. 2800.21, 2023 – adopted February 2, 2023.

iv) In the case of land described as Lot 2, District Lot 2450S, SDYD, Plan 19063, and shown shaded yellow on Figure 13.1.8(b)(iv): [xxx]

.1 the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 13.1.1:

a) "eating and drinking establishment".

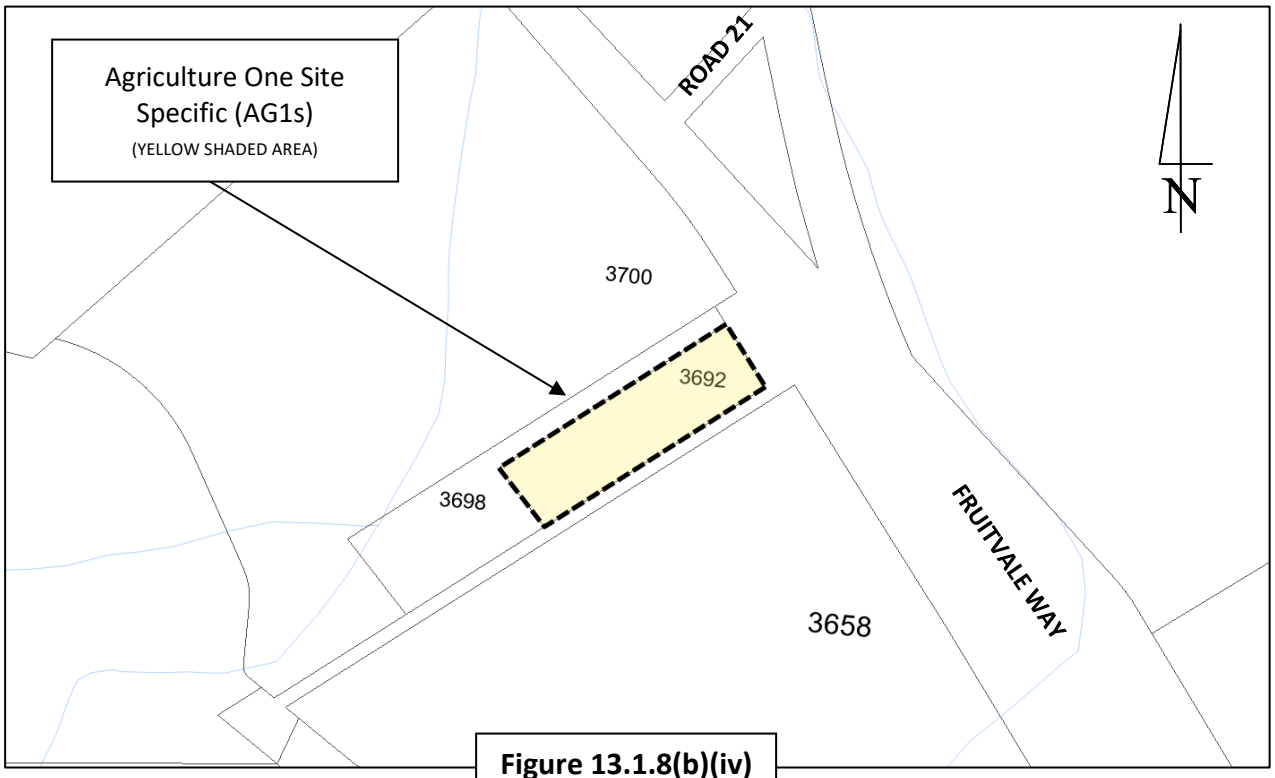


Figure 13.1.8(b)(iv)

c) **Electoral Area "D"**

i) Not applicable

d) **Electoral Area "E"**

i) in the case of land described as Plan KAP1364B, District Lot 286, SDYD, Except Plan 29967 A11020 (4865 North Naramata Road), and shown shaded yellow on Figure 13.1.8(d)(i):

.1 despite Section 13.1.4(b) the maximum floor area of an *accessory dwelling* shall not exceed 210.0 m^2.

[xxx] Amendment Bylaw No. 2800.28, 2023 – adopted August 3, 2023.

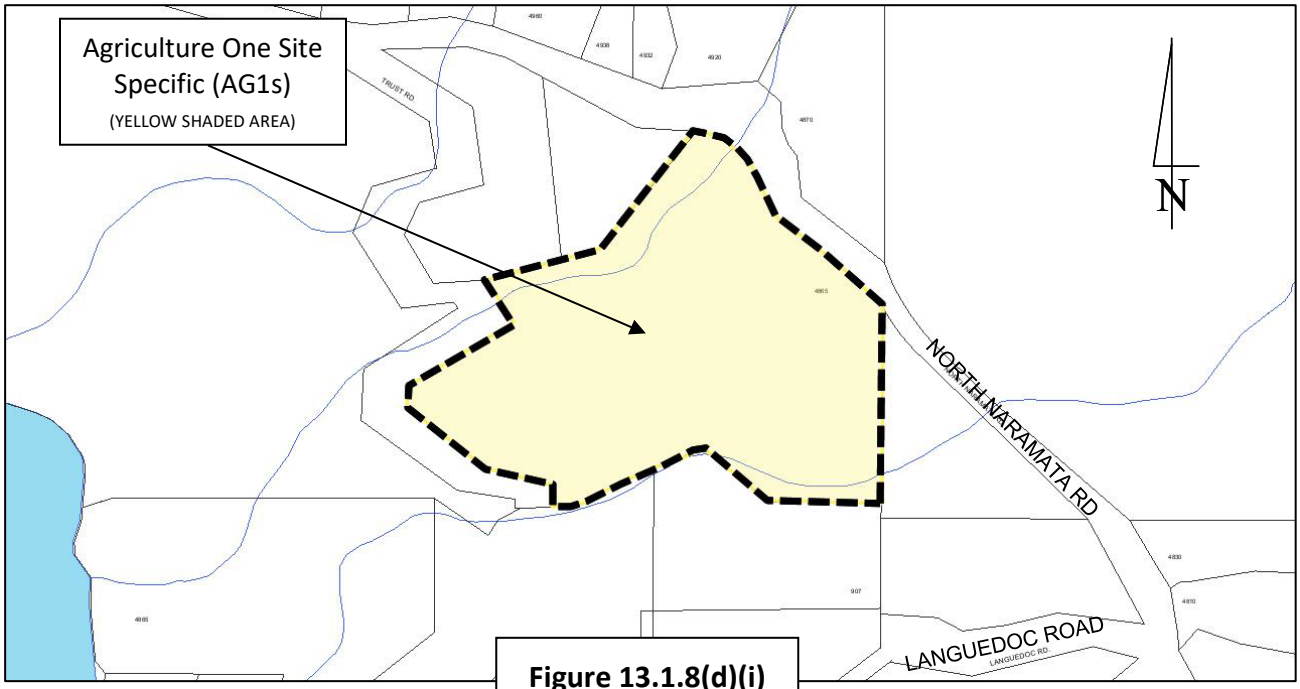


Figure 13.1.8(d)(i)

ii) in the case of land described as Lot 21, District Lot 206, SDYD, Plan 576 Except Plan H17800 (2255 Naramata Road), and shown shaded yellow on Figure 13.1.8(d)(ii):

.1 despite Section 13.1.4(b) the maximum floor area of an *accessory dwelling* shall not exceed 184.0 m^2.

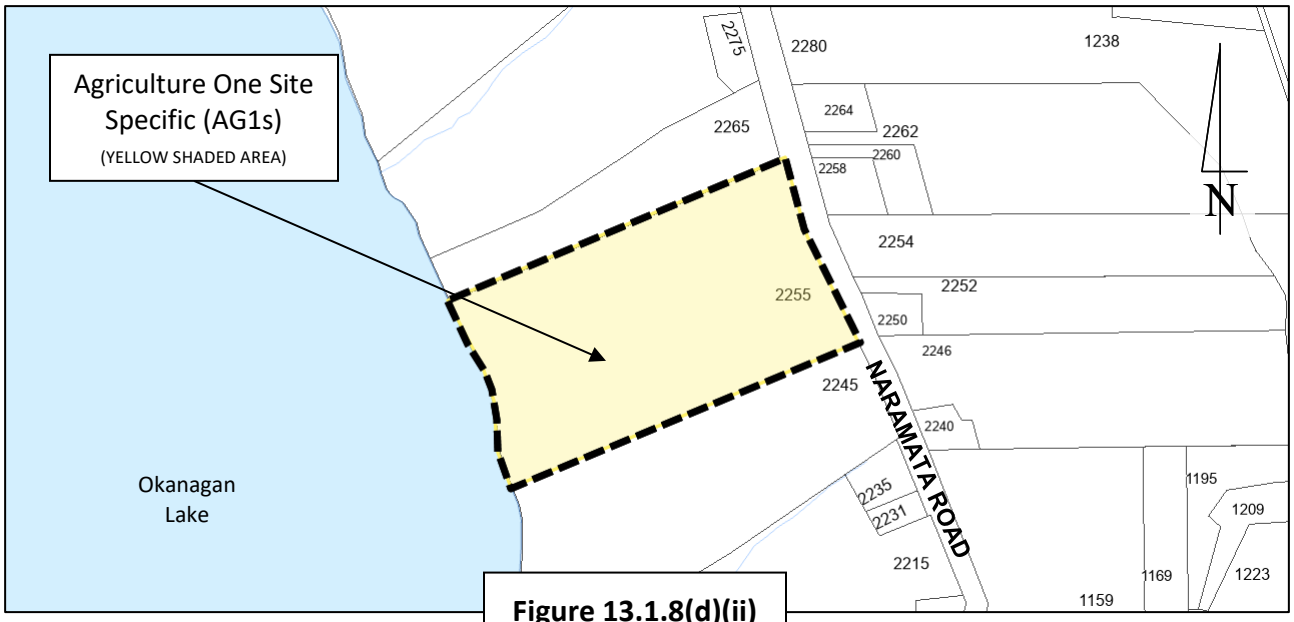


Figure 13.1.8(d)(ii)

iii) in the case of land described as Lot A, Plan KAP52428, District Lot 209, SDYD (891 Old Main Road), and shown shaded yellow on Figure 13.1.8(d)(iv):

.1 despite Section 13.1.1(g), Section 13.1.1(o), and Section 13.1.4(b), an *accessory dwelling*, *mobile home*, or *secondary suite* shall not be permitted on the land.

iv) in the case of lands described as Lot B, Plan KAP52428, District Lot 209, SDYD (945 Old Main Road), and shown shaded purple on Figure 13.1.8(d)(iv):

.1 despite Section 10.2.1(g) and Section 13.1.4(b), one (1) *accessory dwelling* may have a floor area not greater than 140.0 m^2.

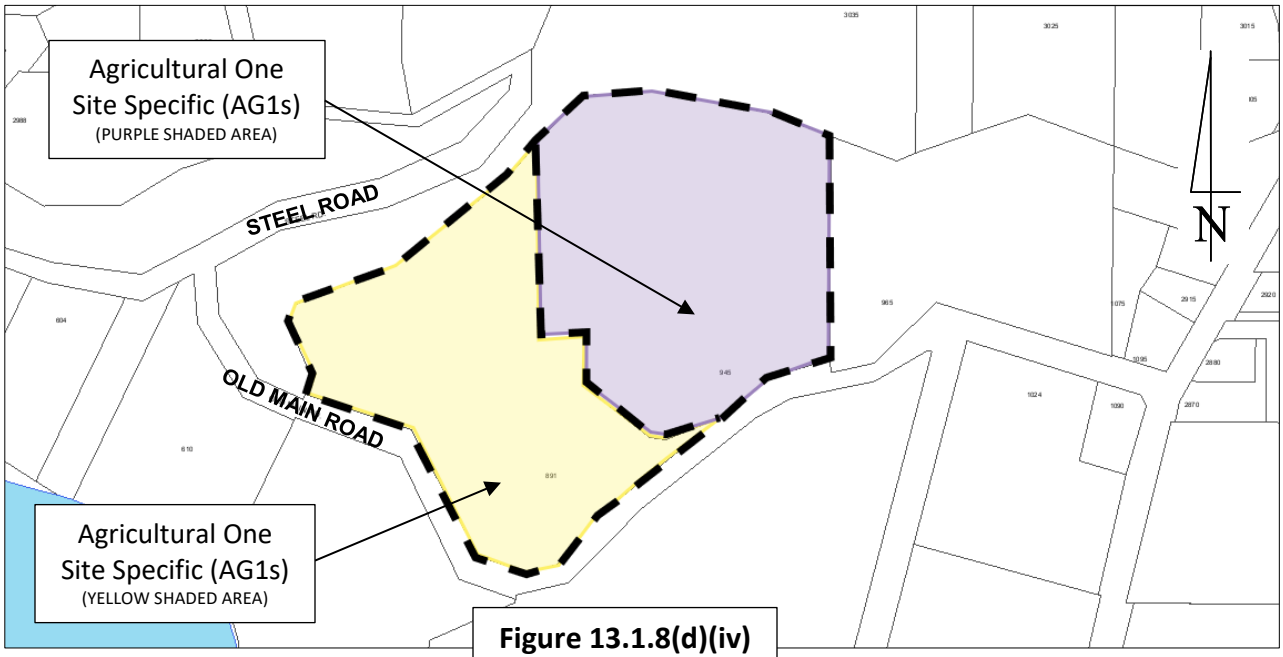


Figure 13.1.8(d)(iv)

v) in the case of land described as Lot A, , Plan 42748, District Lots 209 and 210, SDYD (950 Lower Debeck Road), and shown shaded yellow on Figure 13.1.8(d)(v):[xxxi]

.1 Despite Section 7.3.3, the maximum number of agri-tourism accommodation sleeping units permitted is six (6).

[xxxi] Amendment Bylaw No. 2800.09, 2022 – adopted June 16, 2022.

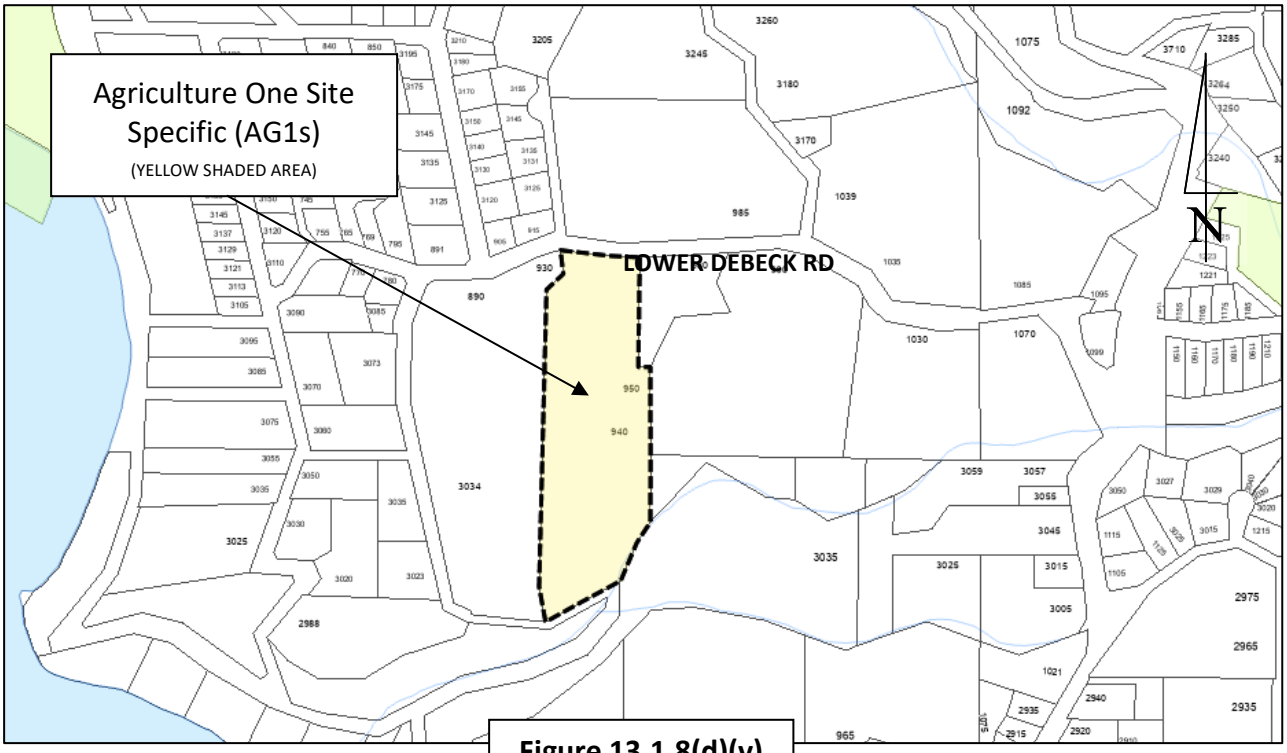


Figure 13.1.8(d)(v)

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) in the case of land described as Lot 1, Plan EPP87092, District Lot 105S, SDYD (313 Linden Avenue), Lot B, Plan KAP67465, District Lot 104S, SDYD (315 Linden Avenue) and Lot 2, Plan EPP87092, District Lot 105S, SDYD (317 Linden Avenue) and shown shaded yellow on Figure 13.1.8(f)(i):

.1 the following *principal uses* shall be permitted on the land in addition to the permitted uses listed in Section 13.1.1:

a) *eating and drinking establishment*;

b) banquet facilities; and

c) botanical garden, which is defined as meaning the use of land or *buildings* and *structures* for the display of a wide range of botanical plants. Visitor services may include tours, educational displays, art exhibitions, or outdoor events (e.g. weddings).

.2 the *gross floor area* of an *eating and drinking establishment* and banquet facility shall not exceed 538.6m^2, of which 135.0 m^2 may be in the form of an outdoor seating area.

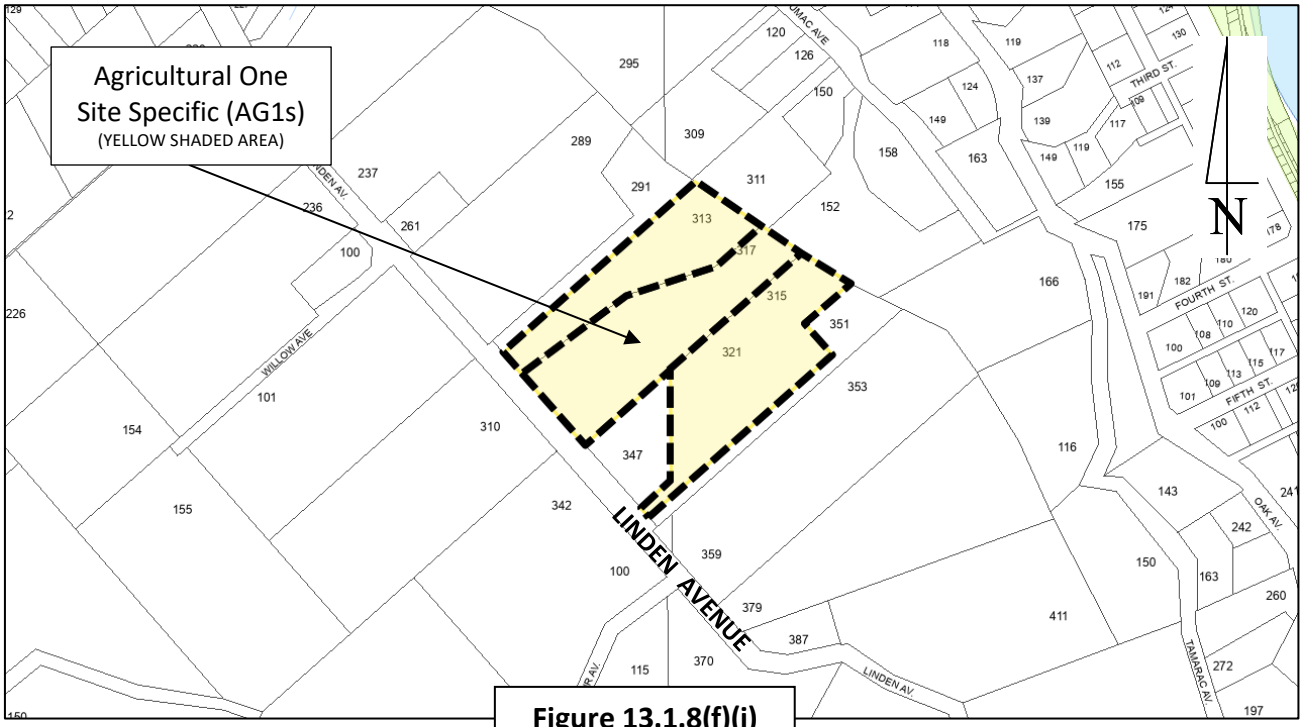


Figure 13.1.8(f)(i)

13.2 AGRICULTURE TWO (AG2) ZONE

13.2.1 Permitted Uses:

Principal Uses:

a) *agriculture*;

b) *alcohol production facility*, subject to Section 7.9;

c) *equestrian centre*;

d) packing, processing, and storage of *farm products*;

e) *single detached dwelling* or *mobile home*;

Accessory Uses:

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

g) *accessory dwelling* or *mobile home*, subject to Section 7.2;

h) *agri-tourism accommodation*, subject to Section 7.3;

i) *bed and breakfast operation*, subject to Section 7.4;

j) *home industry*, subject to Section 7.6;

k) *home occupation*, subject to Section 7.7;

l) *kennel*, subject to Section 7.8;

m) *retail sales of farm products*, subject to Section 7.9;

n) *secondary suite*, subject to Section 7.10; and

o) *veterinary establishment*;

13.2.2 Minimum Parcel Size for Subdivision:

a) 10.0 ha, subject to Section 8.0.

13.2.3 Minimum Parcel Width for Subdivision:

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

13.2.4 Maximum Number of Dwellings 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	125.0 m^2
8.0 ha to 11.9 ha	2	250.0 m^2
12.0 ha to 15.9 ha	3	375.0 m^2
Greater than 16.0 ha	4	500.0 m^2

c) despite Section 13.1.4(b), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Section 13.1.4(b) in excess of one (1) *secondary suite* or *accessory dwelling* per *parcel* are permitted only to the extent that a "non-adhering residential use" approval from the Agricultural Land Commission (ALC) has been granted for such *secondary suites* or *accessory dwellings*.

d) despite Sections 13.2.4(b)&(c), 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).

13.2.5 Minimum Setbacks:

a) *Buildings* and *structures* on *parcels* 2,500 m^2 or greater:

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*	7.5 metres

b) *Buildings* or *structures* on *parcels* less than 2,500 m^2:

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

c) *Accessory building or structure* on *parcels* less than 2,500 m^2:

i)	*Front parcel line*	7.5 metres
ii)	*Rear parcel line*	1.0 metres
iii)	*Interior side parcel line*	1.0 metres
iv)	*Exterior side parcel line*	4.5 metres

d) Despite Section 13.2.5(a), *livestock* shelters, *equestrian centres*, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

i)	*Front parcel line*	15.0 metres

ii) *Rear parcel line* 15.0 metres

iii) *Interior side parcel line* 15.0 metres

iv) *Exterior side parcel line* 15.0 metres

e) Despite Section 13.2.5(a), incinerator or *composting operation*:

i) *Front parcel line* 30.0 metres

ii) *Rear parcel line* 30.0 metres

iii) *Interior side parcel line* 30.0 metres

iv) *Exterior side parcel line* 30.0 metres

13.2.6 Maximum Height:

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

c) despite sub-section 13.2.6(a), on *parcels* less than 2,500 m^2 in area, no *accessory building or structure* shall exceed a *height* of 4.5 metres.

13.2.7 Maximum Parcel Coverage:

a) 35% for *parcels* less than 2,500 m^2 in area;

b) 20% for *parcels* between 2,500 m^2 and 2.0 ha in area;

c) for *parcels* greater than 2.0 ha in area:

i) 10%; and

ii) 75% for a *greenhouse*.

13.2.8 Agriculture Two Site Specific (AG2s) Regulations:

a) **Electoral Area "A"**

i) in the case of an approximately 47.0 ha area of land on the *parcel* described as Block AB, District Lot 2450S, SDYD (14580 Un-named Road), and shown shaded yellow on Figure 13.2.8(a):

.1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 13.2.1:

a) *interpretive centre*.

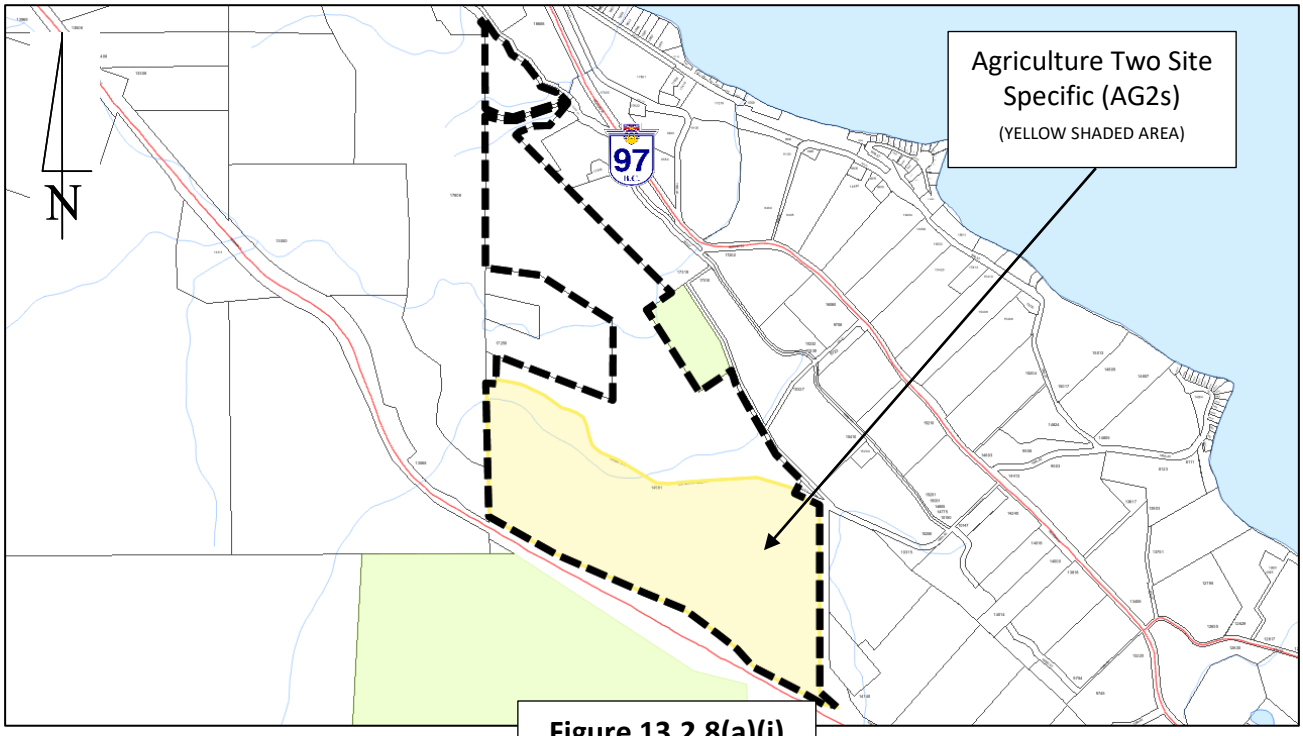


Figure 13.2.8(a)(i)

b) **Electoral Area "C"**

i) in the case of the land legally described as Lot B, Plan KAP87895, District Lot 2450s, SDYD (537 Tinhorn Creek Road), and shown shaded yellow on Figure 13.2.8(b)(i):

.1 the following *accessory use* shall be permitted on the land in addition to the permitted uses listed in Section 13.2.1:

a) "special events", which is defined as meaning occasional outdoor commercial entertainment that may include seating up to a maximum of 400 persons.

.2 despite Section 7.9, the *retail sales of farm products* shall not exceed 400.0 m^2.

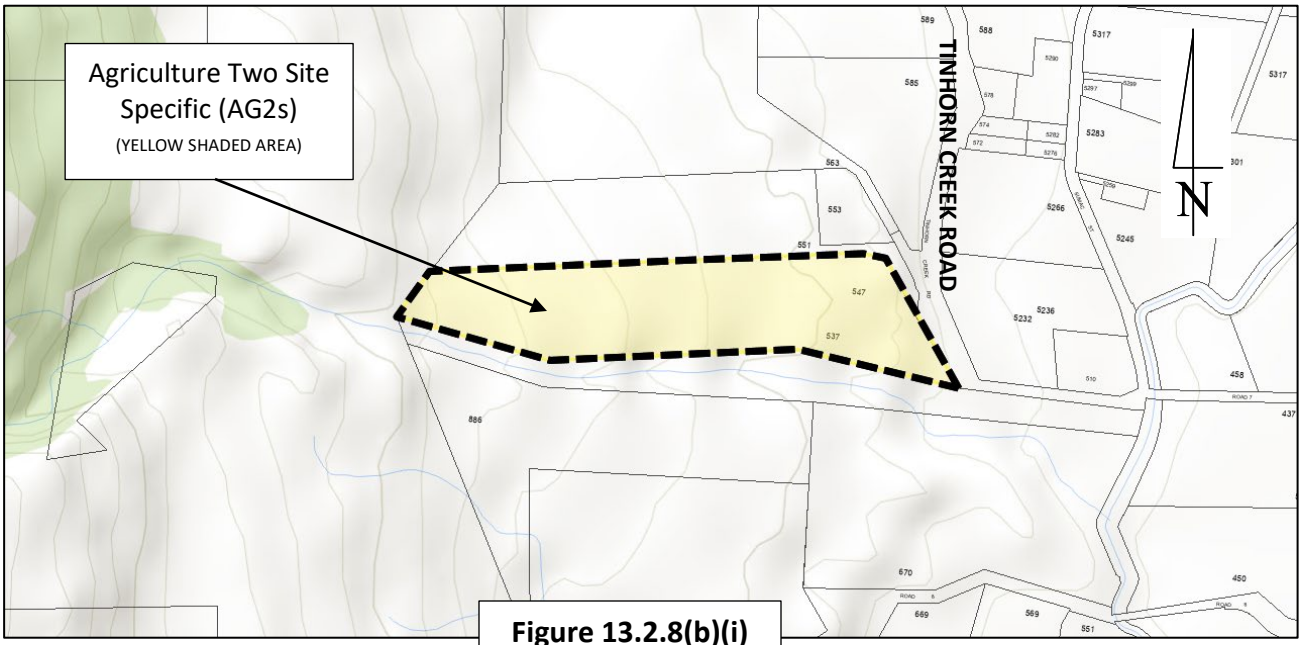


Figure 13.2.8(b)(i)

ii) in the case of approximately 5.2 ha of Crown land, including the land described as Block A, Plan KAP1729, District Lot 2450S, SDYD (500 Secrest Hill Road), and a portion of surrounding Crown land, and shown shaded yellow on Figure 13.2.8(b)(ii):

.1 the following *principal uses* shall be permitted on the land in addition to the permitted uses listed in Section 13.2.1:

a) *campground*, subject to Section 7.5.[xxxii]

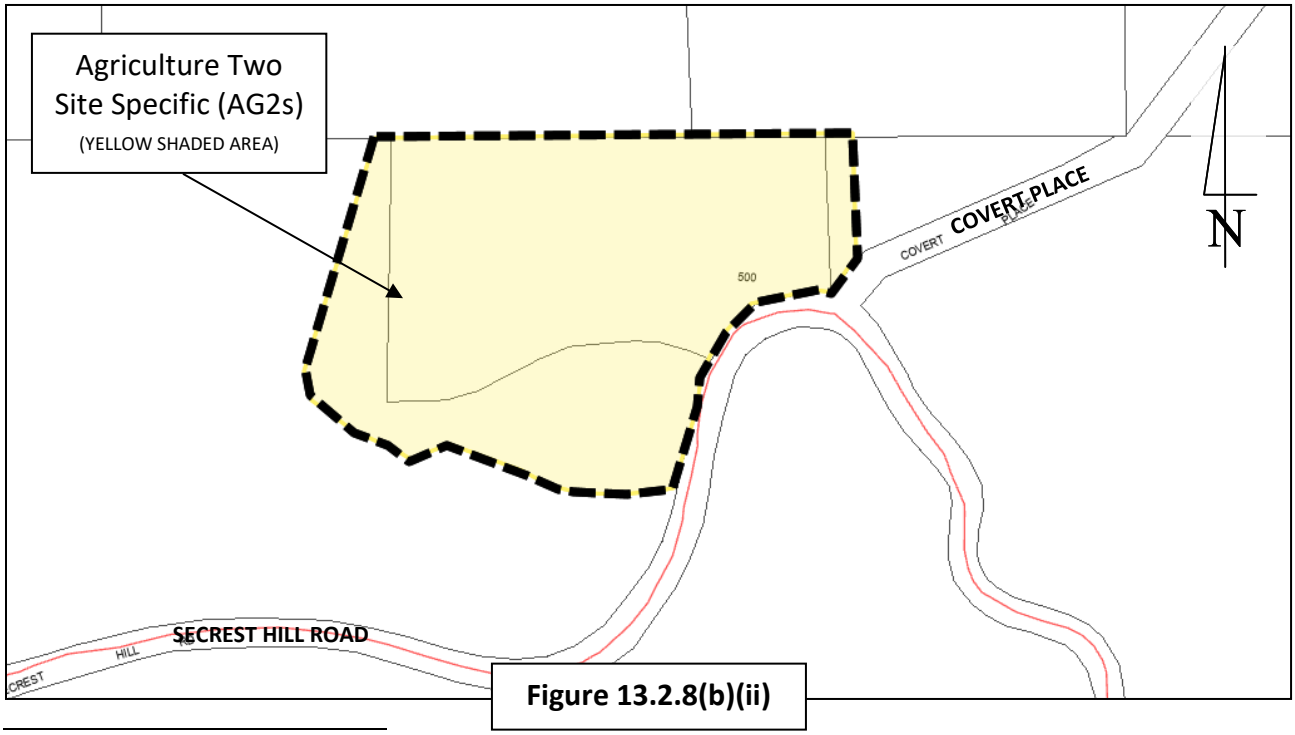


Figure 13.2.8(b)(ii)

[xxxii] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.

c) **Electoral Area "D"**

i) Not applicable

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) in the case of land described as part of Lot A, Plan KAP85241, District Lot 2537, ODYD (659 Highway 97), and shown shaded yellow on Figure 13.2.8(e)(i):

.1 despite Section 7.3.3, the maximum number of *agri-tourism accommodation* units shall not exceed twenty (20).

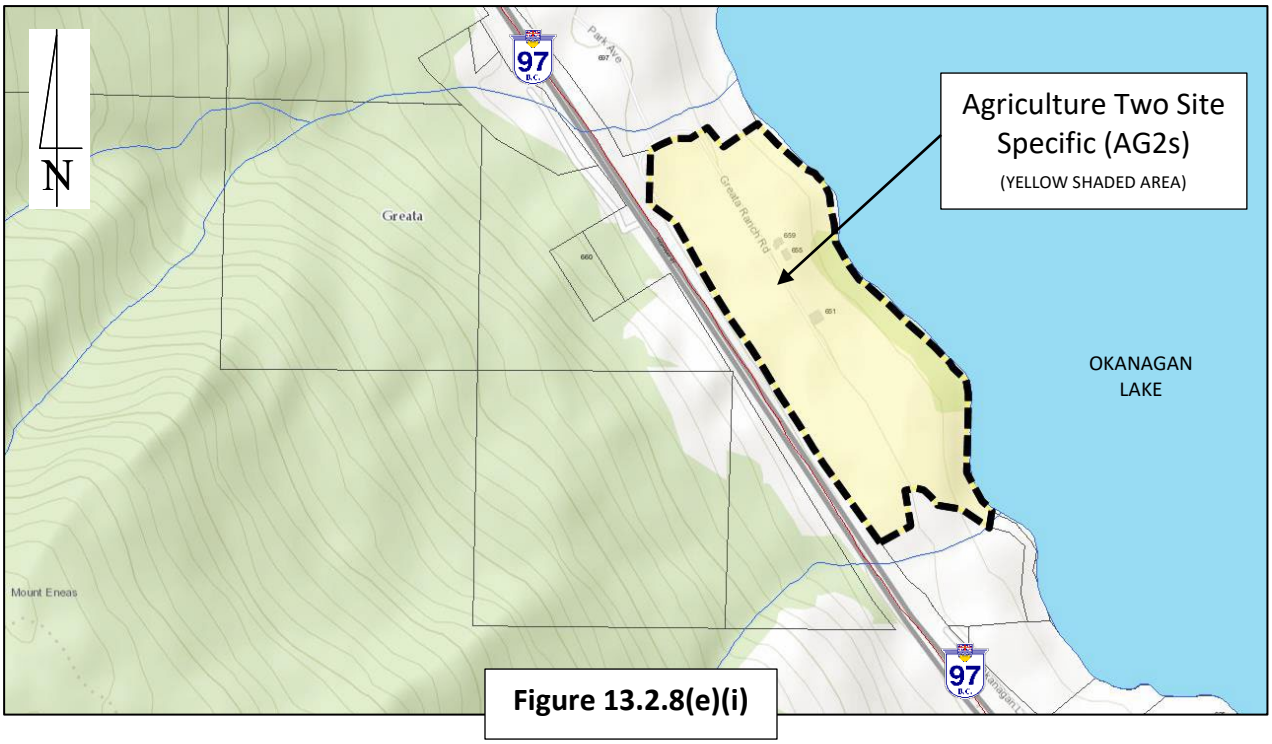


Figure 13.2.8(e)(i)

f) **Electoral Area "I"**

i) Not applicable

13.3 AGRICULTURE THREE (AG3) ZONE

13.3.1 Permitted Uses:

Principal Uses:

a) *agriculture*;

b) *alcohol production facility*, subject to Section 7.9;

c) *equestrian centre*;

d) packing, processing, and storage of farm and *off-farm products*;

e) *single detached dwelling* or *mobile home*;

Accessory Uses:

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

g) *accessory dwelling* or *mobile home*, subject to Section 7.2;

h) *agri-tourism accommodation*, subject to Section 7.3;

i) *bed and breakfast operation*, subject to Section 7.4;

j) *home industry*, subject to Section 7.6;

k) *home occupation*, subject to Section 7.7;

l) *kennel*, subject to Section 7.8;

m) *retail sales of farm products*, subject to Section 7.9;

n) *secondary suite*, subject to Section 7.10; and

o) veterinary establishment

13.3.2 Minimum Parcel Size for Subdivision:

a) 20.0 ha, subject to Section 8.0

13.3.3 Minimum Parcel Width for Subdivision:

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

13.3.4 Maximum Number of Dwellings Permitted Per Parcel:

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

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

PARCEL AREA	MAXIMUM NUMBER OF *SECONDARY SUITES* OR *ACCESSORY DWELLINGS*	MAXIMUM *GROSS FLOOR AREA* OF ALL *SECONDARY SUITES* AND *ACCESSORY DWELLINGS* PER *PARCEL*
Less than 8.0 ha	1	125.0 m^2
8.0 ha to 11.9 ha	2	250.0 m^2
12.0 ha to 15.9 ha	3	375.0 m^2
Greater than 16.0 ha	4	500.0 m^2

c) despite Section 13.3.4(b), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Section 13.3.4(b) in excess of one (1) *secondary suite* or *accessory dwelling* per *parcel* are permitted only to the extent that a "non-adhering residential use" approval from the Agricultural Land Commission (ALC) has been granted for such *secondary suites* or *accessory dwellings*.

d) despite Sections 13.3.4(b)&(c), 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).

13.3.5 Minimum Setbacks:

a) *Buildings* and *structures* on *parcels* 2,500 m^2 or greater:

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*	7.5 metres

b) *Buildings* or *structures* on *parcels* less than 2,500 m^2:

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

c) *Accessory building or structure* on *parcels* less than 2,500 m^2:

i)	*Front parcel line*	7.5 metres
ii)	*Rear parcel line*	1.0 metres
iii)	*Interior side parcel line*	1.0 metres
iv)	*Exterior side parcel line*	4.5 metres

d) Despite Section 13.3.5(a), *livestock* shelters, *equestrian centres*, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

i)	*Front parcel line*	15.0 metres

ii) *Rear parcel line* 15.0 metres

iii) *Interior side parcel line* 15.0 metres

iv) *Exterior side parcel line* 15.0 metres

e) Despite Section 13.3.5(a), incinerator or *composting operation*:

i) *Front parcel line* 30.0 metres

ii) *Rear parcel line* 30.0 metres

iii) *Interior side parcel line* 30.0 metres

iv) *Exterior side parcel line* 30.0 metres

13.3.6 Maximum Height:

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

b) despite Section 13.3.6(a), on *parcels* less than 2,500 m^2 in area, no *accessory building or structure* shall exceed a *height* of 4.5 metres

13.3.7 Maximum Parcel Coverage:

a) 35% for *parcels* less than 2,500 m^2 in area;

b) 20% for *parcels* between 2,500 m^2 and 2.0 ha in area;

c) for *parcels* greater than 2.0 ha in area:

i) 10%; and

ii) 75% for a *greenhouse*.

13.3.8 Agriculture Three Site Specific (AG3s) 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 Lot 1, Plan KAP90957, District Lot 10 & 338S, SDYD (1752 Alba Road) and shown shaded yellow on Figure 13.3.8(c)(i):

.1 despite Section 4.0 (Definitions), a *principal dwelling unit* shall mean one or more habitable rooms constituting one self-contained unit which has a separate entrance, and which contains washroom facilities, and not more than two sets of *cooking facilities* (unless a *secondary suite* is permitted in

the applicable zone), and which is designed to be used for living and sleeping purposes.

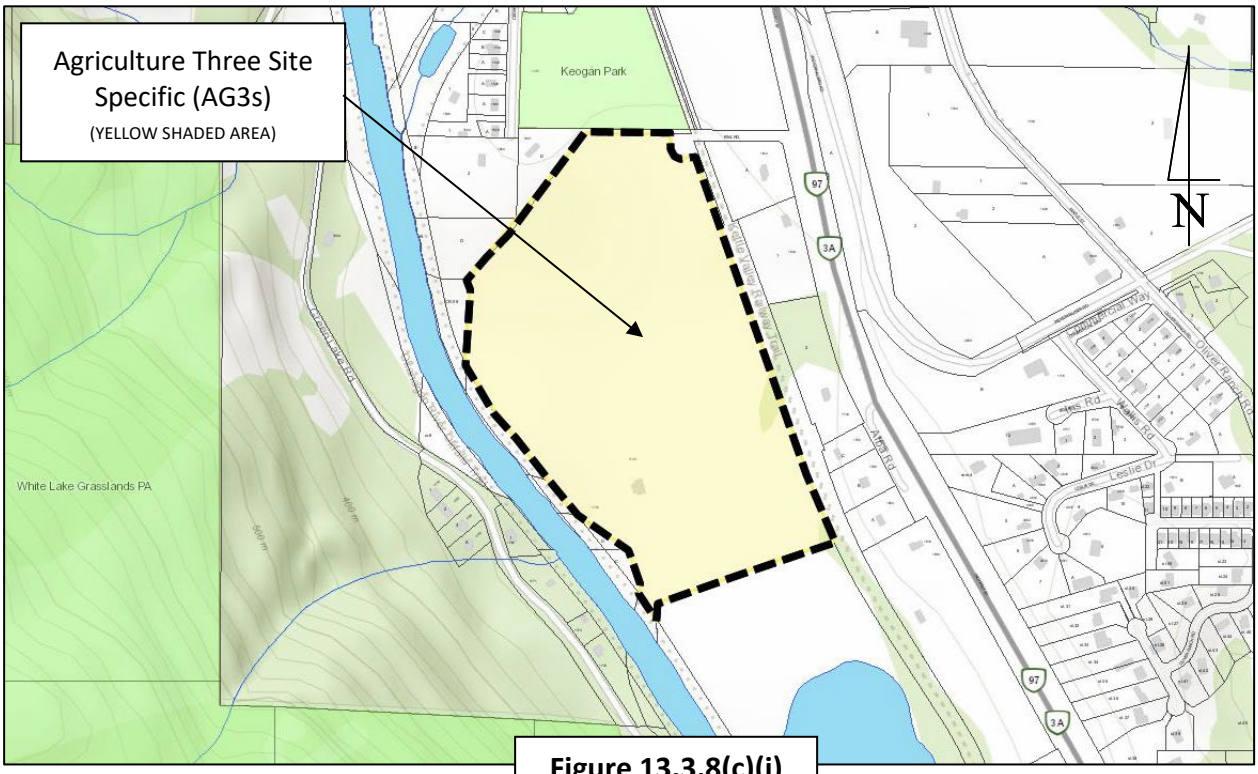


Figure 13.3.8(c)(i)

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) in the case of land described as the South ½ of District Lot 3762, ODYD (48 Savanna Road), and shown shaded yellow on Figure 13.3.8(e)(i):

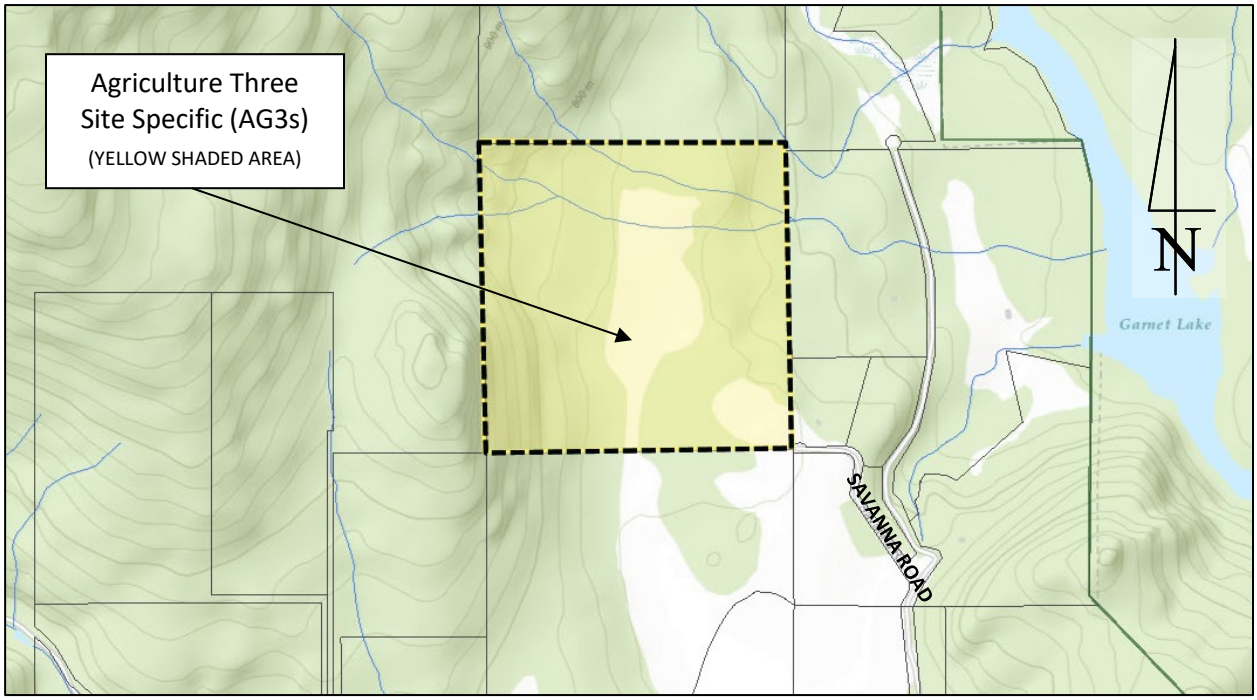
.3 despite Section 13.3.4, one (1) accessory dwelling with a maximum *gross floor area* of 910.0 m^2 is permitted provided that:

a) the *structure* is built on a temporary foundation;

b) the use of the structure is restricted to individuals who carry out agricultural work for a *farm operation* on a seasonal basis;

c) the maximum number *sleeping units* provided within the *structure* shall not exceed 41;

d) the structure may include shared cooking, sanitary and living spaces.



f) **Electoral Area "I"**

i) Not applicable

14.0 LARGE HOLDINGS ZONES

14.1 LARGE HOLDINGS ONE (LH1) ZONE

14.1.1 Permitted Uses:

Principal Uses:

a) *agriculture*;

b) *equestrian centre*;

c) *single detached dwelling* or *mobile home*;

d) *veterinary establishment*;

Accessory Uses:

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

f) *accessory dwelling* or *mobile home*, subject to Section 7.2;

g) *bed and breakfast operation*, subject to Section 7.4;

h) *home industry*, subject to Section 7.6;

i) *home occupation*, subject to Section 7.7;

j) *kennel*, subject to Section 7.8;

k) packing, processing and storage of *farm products*;

l) *retail sales of farm products*, subject to Section 7.9; and

m) *secondary suite*, subject to Section 7.10.

14.1.2 Minimum Parcel Size for Subdivision:

a) 4.0 ha, subject to Section 8.0.

14.1.3 Minimum Parcel Width for Subdivision:

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

14.1.4 Maximum Number of Dwellings Permitted Per Parcel:

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

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

PARCEL AREA	MAXIMUM NUMBER OF *SECONDARY SUITES* OR *ACCESSORY DWELLINGS*	MAXIMUM *GROSS FLOOR AREA* OF ALL *SECONDARY SUITES* AND *ACCESSORY DWELLINGS* PER *PARCEL*
Less than 8.0 ha	1	125.0 m^2
8.0 ha to 11.9 ha	2	250.0 m^2
12.0 ha to 15.9 ha	3	375.0 m^2
Greater than 16.0 ha	4	500.0 m^2

c) despite Section 14.1.4(b), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Section 14.1.4(b) in excess of one (1) *secondary suite* or *accessory dwelling* per *parcel* are permitted only to the extent that a "non-adhering residential use" approval from the Agricultural Land Commission (ALC) has been granted for such *secondary suites* or *accessory dwellings*.

d) despite Sections 14.1.4(b)&(c), 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).

14.1.5 Minimum Setbacks:

a) *Buildings* and *structures* on *parcels* 2,500 m^2 or greater:

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*	7.5 metres

b) *Buildings* or *structures* on *parcels* less than 2,500 m^2:

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

c) *Accessory building or structure* on *parcels* less than 2,500 m^2:

i)	*Front parcel line*	7.5 metres
ii)	*Rear parcel line*	1.0 metres
iii)	*Interior side parcel line*	1.0 metres
iv)	*Exterior side parcel line*	4.5 metres

d) Despite Section 14.1.5(a), *livestock* shelters, *equestrian centres*, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

i)	*Front parcel line*	15.0 metres

ii) *Rear parcel line* 15.0 metres

iii) *Interior side parcel line* 15.0 metres

iv) *Exterior side parcel line* 15.0 metres

e) Despite Section 14.1.5(a), incinerator or *composting operation*:

i) *Front parcel line* 30.0 metres

ii) *Rear parcel line* 30.0 metres

iii) *Interior side parcel line* 30.0 metres

iv) *Exterior side parcel line* 30.0 metres

14.1.6 Maximum Height:

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

b) despite Section 14.1.6(a), on *parcels* less than 2,500 m^2 in area, no *accessory building or structure* shall exceed a *height* of 4.5 metres.

14.1.7 Maximum Parcel Coverage:

a) 35% for *parcels* less than 2,500 m^2 in area;

b) 20% for *parcels* between 2,500 m^2 and 2.0 ha in area;

c) for *parcels* greater than 2.0 ha in area:

i) 10%; and

ii) 75% for a *greenhouse*.

14.1.8 Large Holdings One Site Specific (LH1s) Regulations:

a) **Electoral Area "A"**

i) in the case of land shown shaded yellow on Figures 14.1.8(a)(i), 14.1.8(a)(ii) and 14.1.8(a)(iii):

.2 the following *principal uses* and no others shall be permitted on the land:

a) *agriculture*; and

b) *single detached dwelling*;

.3 the following *accessory uses* and no others shall be permitted on the land:

a) *home occupation*, subject to Section 7.17;

b) *bed and breakfast operation*, subject to Section 7.19;

c) *secondary suite*, subject to Section 7.12; and

d) *accessory building or structure*, subject to Section 7.13.

.4 despite Section 10.4.5(a), the maximum number of *principal dwelling units* and *accessory dwellings* permitted per *parcel* shall be one (1) *principal dwelling unit* and no *accessory dwellings*.

.5 despite Section 7.23.1, on any *parcel* 4.0 ha or less in area the total number of *livestock* must not exceed five (5).

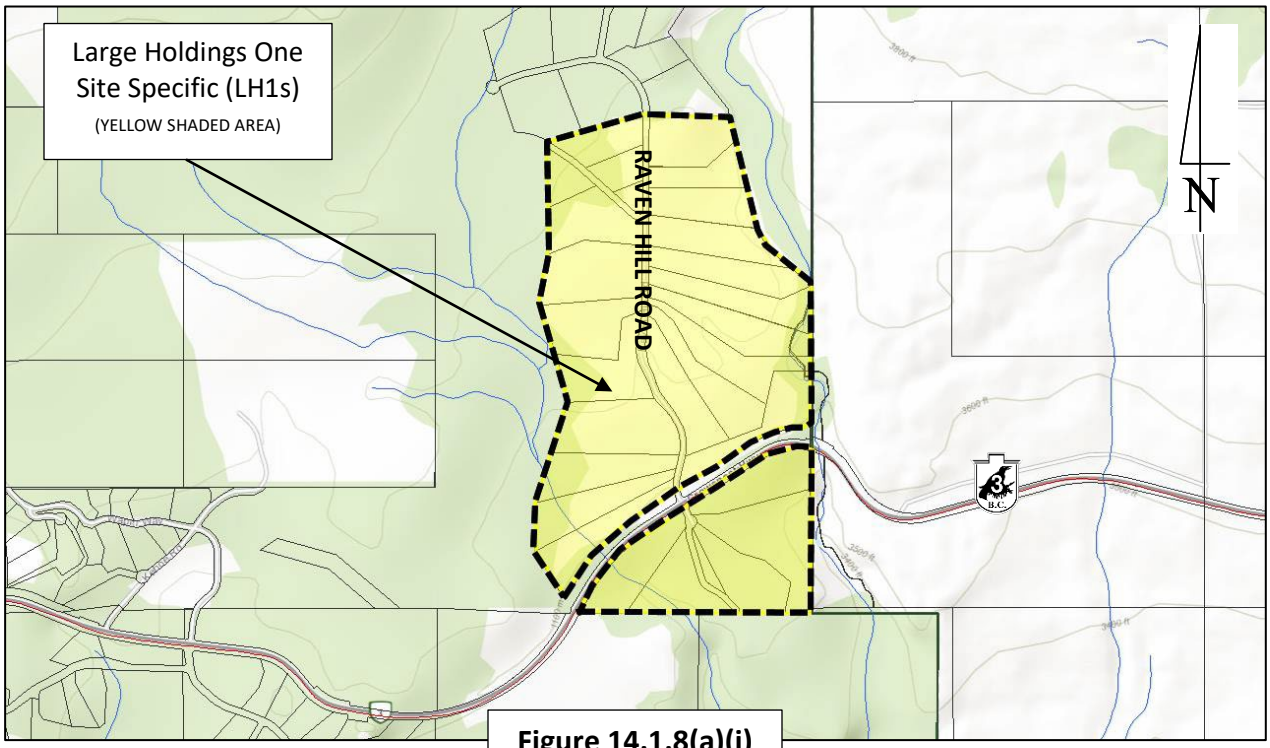


Figure 14.1.8(a)(i)

b) **Electoral Area "C"**

i) Not applicable

c) **Electoral Area "D"**

i) in the case of land shown shaded yellow on Figure 14.1.8(c)(i):

.1 despite Section 10.4.1, *kennel*s are not a permitted use.

.2 despite Section 10.4.8, the maximum *parcel coverage* for a *greenhouse* shall be 10%.

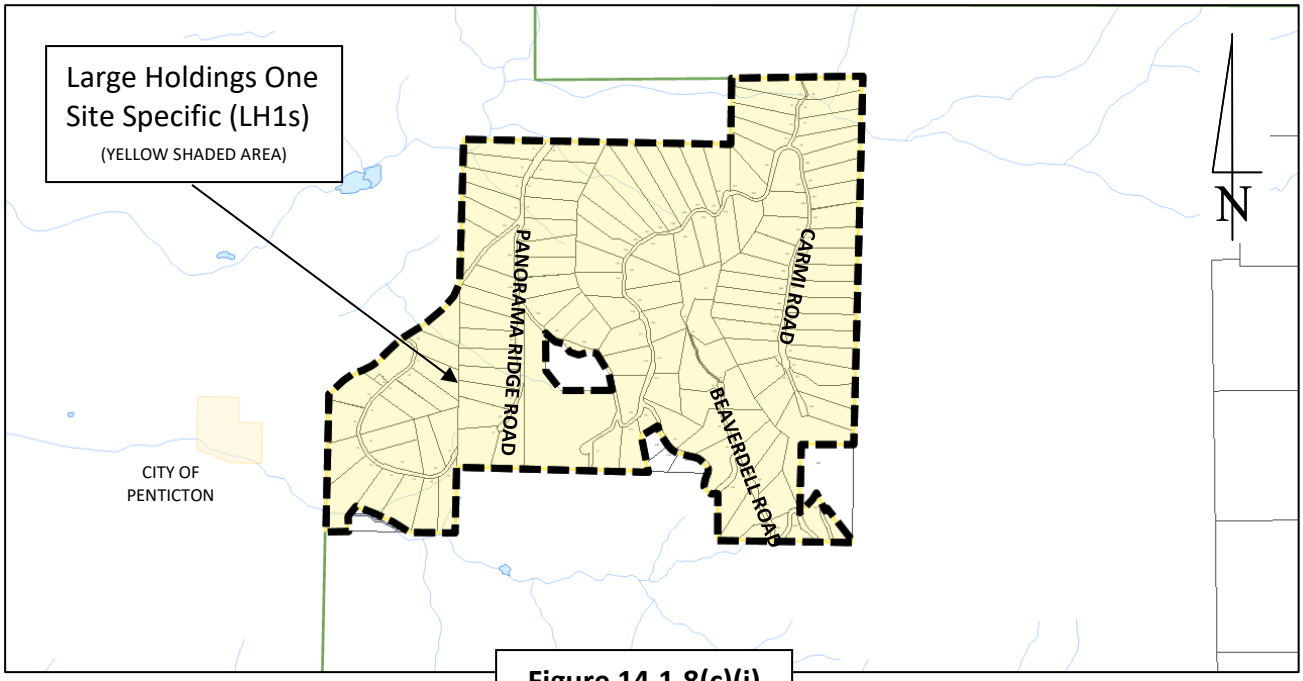


Figure 14.1.8(c)(i)

ii) in the case of land described as Lot B, Plan KAP72393, District Lot 2710, SDYD (2027 Carmi Road), and shown shaded yellow on Figure 14.1.8(c)(ii):

.1 the following *accessory use* shall be permitted on the land in addition to the permitted uses listed in Section 10.4.1:

a) *kennel*, which for the purpose of this sub-section, despite the definition in section 4.0, means the care of no more than fifteen (15) dogs, cats or other domestic animals or pets whether such animals are kept commercially for board, propagation, training, sale or for personal and private enjoyment.

.2 despite Section 10.4.6, the minimum *setback* for *buildings*, *structures* and areas utilized in association with a *kennel* from all *parcel* lines shall be 30.0 metres.

.3 the *gross floor area* of a *building* or *structure* used in association with a *kennel* shall not exceed 90.0 m^2.

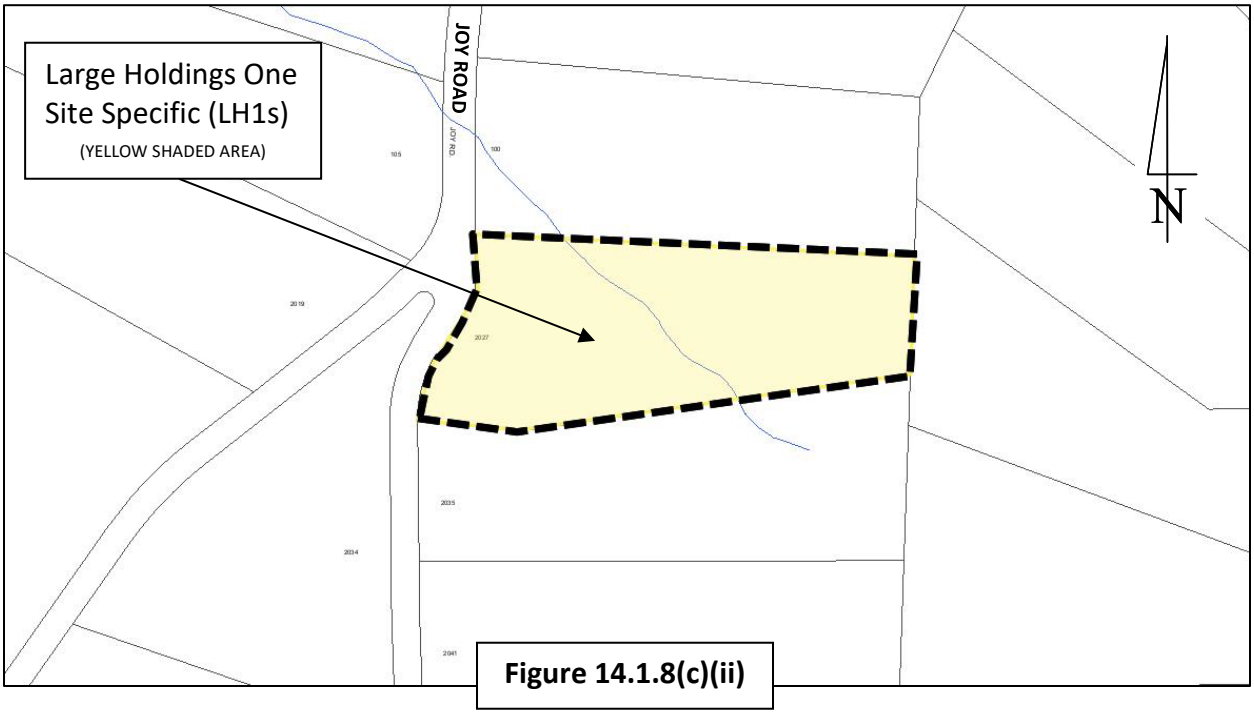


Figure 14.1.8(c)(ii)

d) **Electoral Area "E"**

i) in the case of land described as Lot 2, Plan KAP86176, District Lot 2551, SDYD (1278 Spiller Road), and shown hatched on Figure 14.1.8(d)(i):

.1 the following *accessory use* shall be permitted on the land in addition to the permitted uses listed in Section 10.3.1:

a) *vacation rental*, subject to the following regulations:

i) the maximum number of *dwelling units* that may be used for a *vacation rental* use shall not exceed three (3); and

ii) no more than six (6) patrons shall be accommodated within each *dwelling unit* used for a *vacation rental* use.

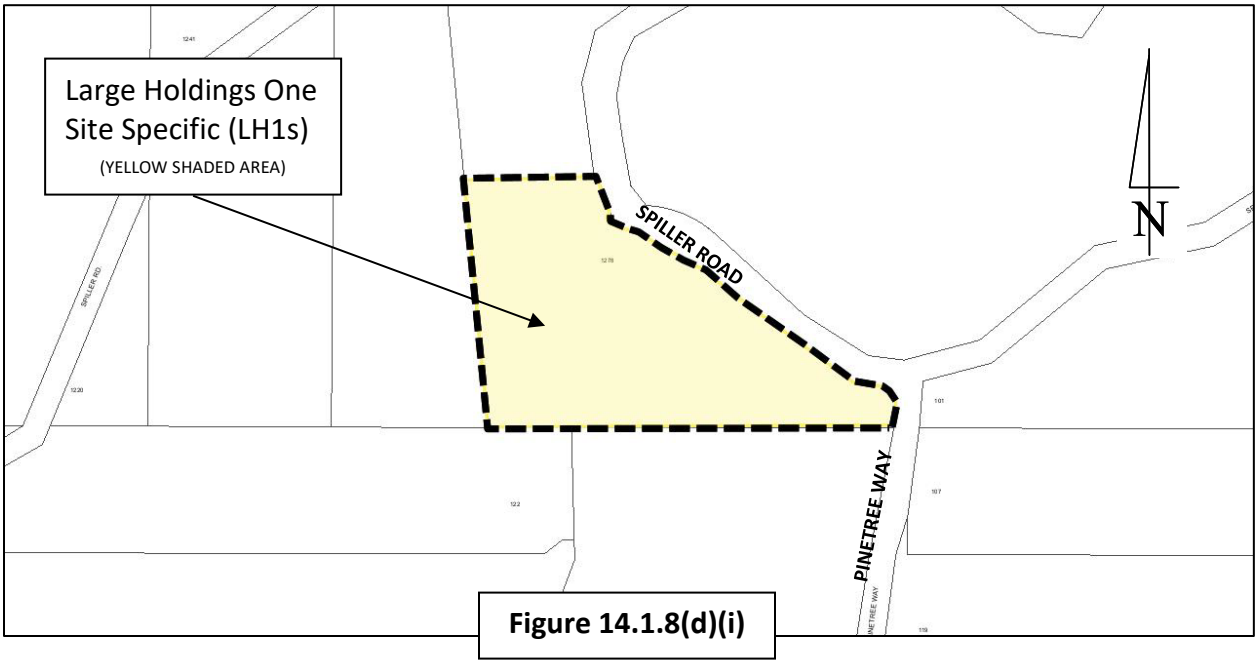


Figure 14.1.8(d)(i)

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

14.2 LARGE HOLDINGS TWO (LH2) ZONE

14.2.1 Permitted Uses:

Principal Uses:

a) *agriculture*;

b) *equestrian centre*;

c) *forestry*;

d) *single detached dwelling* or *mobile home*;

e) *veterinary establishment*;

Accessory Uses:

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

g) *accessory dwelling* or *mobile home*, subject to Section 7.2;

h) *bed and breakfast operation*, subject to Section 7.4;

i) *home industry*, subject to Section 7.6;

j) *home occupation*, subject to Section 7.7;

k) *kennel*, subject to Section 7.8;

l) packing, processing and storage of *farm products*;

m) *retail sales of farm products*, subject to Section 7.9; and

n) *secondary suite*, subject to Section 7.10.

14.2.2 Minimum Parcel Size for Subdivision:

a) 8.0 ha, subject to Section 8.0.

14.2.3 Minimum Parcel Width for Subdivision:

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

14.2.4 Maximum Number of Dwellings Permitted Per Parcel:

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

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

PARCEL AREA	MAXIMUM NUMBER OF *SECONDARY SUITES* OR *ACCESSORY DWELLINGS*	MAXIMUM *GROSS FLOOR AREA* OF ALL *SECONDARY SUITES* AND *ACCESSORY DWELLINGS* PER *PARCEL*
Less than 8.0 ha	1	125.0 m^2
8.0 ha to 11.9 ha	2	250.0 m^2
12.0 ha to 15.9 ha	3	375.0 m^2
Greater than 16.0 ha	4	500.0 m^2

c) despite Section 14.2.4(b), for *parcels* situated within the Agricultural Land Reserve (ALR), the maximum number of *secondary suites* or *accessory dwellings* permitted per *parcel* under Section 14.2.4(b) in excess of one (1) *secondary suite* or *accessory dwelling* per *parcel* are permitted only to the extent that a "non-adhering residential use" approval from the Agricultural Land Commission (ALC) has been granted for such *secondary suites* or *accessory dwellings*.

d) despite Sections 14.2.4(b)&(c), 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).

14.2.5 Minimum Setbacks:

a) *Buildings* and *structures* on *parcels* 2,500 m^2 or greater:

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*	7.5 metres

b) Despite Section 14.2.5(a), *livestock* shelters, *equestrian centres*, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

i)	*Front parcel line*	15.0 metres
ii)	*Rear parcel line*	15.0 metres
iii)	*Interior side parcel line*	15.0 metres
iv)	*Exterior side parcel line*	15.0 metres

c) Despite Section 14.2.5(a), incinerator or *composting operation*:

i)	*Front parcel line*	30.0 metres
ii)	*Rear parcel line*	30.0 metres
iii)	*Interior side parcel line*	30.0 metres
iv)	*Exterior side parcel line*	30.0 metres

14.2.6 Maximum Height:

e) No *building* or *structure* shall exceed a *height* of 10.0 metres;

f) despite Section 14.2.6(a), on *parcels* less than 2,500 m^2 in area, no *accessory building or structure* shall exceed a *height* of 4.5 metres.

14.2.7 Maximum Parcel Coverage:

a) 35% for *parcels* less than 2,500 m^2 in area;

b) 20% for *parcels* between 2,500 m^2 and 2.0 ha in area;

c) for *parcels* greater than 2.0 ha in area:

i) 10%; and

ii) 75% for a *greenhouse*.

14.2.8 Large Holdings Two Site Specific (LH2s) 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) in the case of land described as District Lot 30S, SDYD, Except Plan B4130 A1266 21048 27512 KAP75356 (1609 Green Lake Road), and shown shaded yellow on Figure 14.2.8(f)(i):[xxxiii]

.1 despite section 14.2.2(a), the minimum parcel size for subdivision shall be 7.1 ha.

[xxxiii] Amendment Bylaw No. 2800.07, 2022 – adopted January 5, 2023.

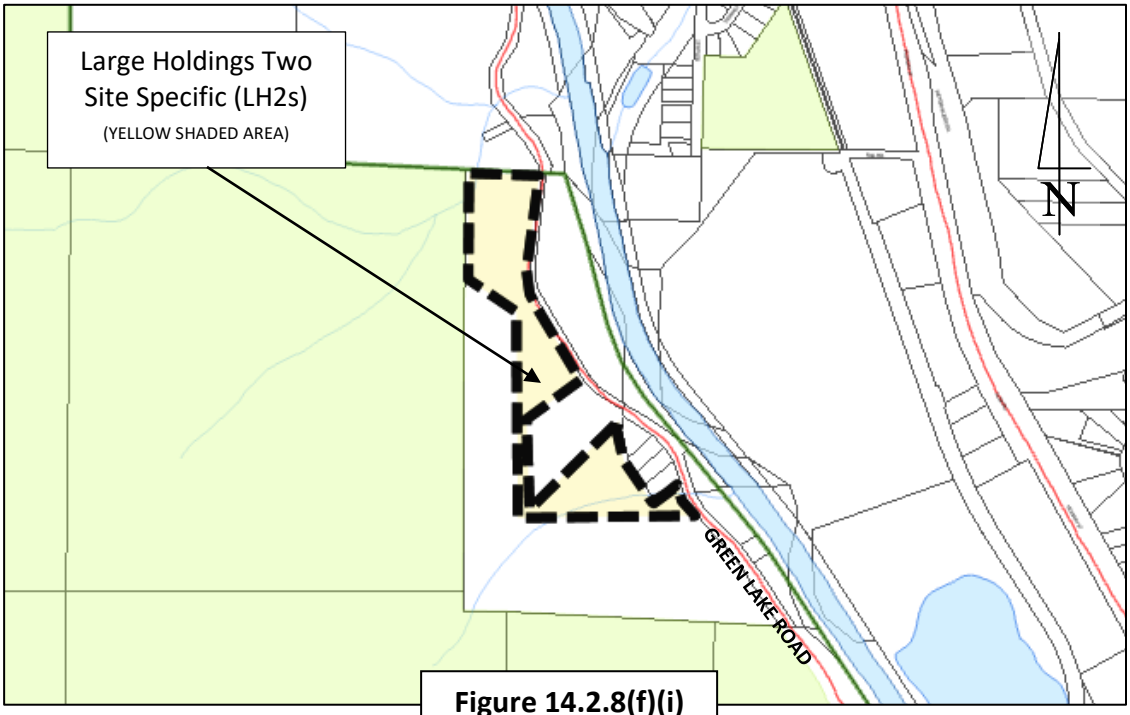


Figure 14.2.8(f)(i)

15.0 SMALL HOLDINGS ZONES

15.1 SMALL HOLDINGS ONE (SH1) ZONE

15.1.1 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

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

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

d) *bed and breakfast operation*, subject to Section 7.4;

e) *home occupation*, subject to Section 7.7; and

f) *secondary suite*, subject to Section 7.10.

15.1.2 Minimum Parcel Size for Subdivision:

b) 0.25 ha, subject to Section 8.0.

15.1.3 Minimum Parcel Width for Subdivision:

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

15.1.4 Maximum Number of Dwellings Permitted Per Parcel:

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

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

15.1.5 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*	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*	1.5 metres
iii)	*Interior side parcel line*	1.5 metres

iv) *Exterior side parcel line* 4.5 metres

15.1.6 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.

15.1.7 Maximum Parcel Coverage:

a) 35%

15.1.8 Minimum Building Width:

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

15.1.9 Small Holdings One Site Specific (SH1s) 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 shown shaded yellow on Figure 15.1.9(c)(i):

.1 despite Section 7.23, the keeping of *livestock*, *small livestock* and honeybees is prohibited.

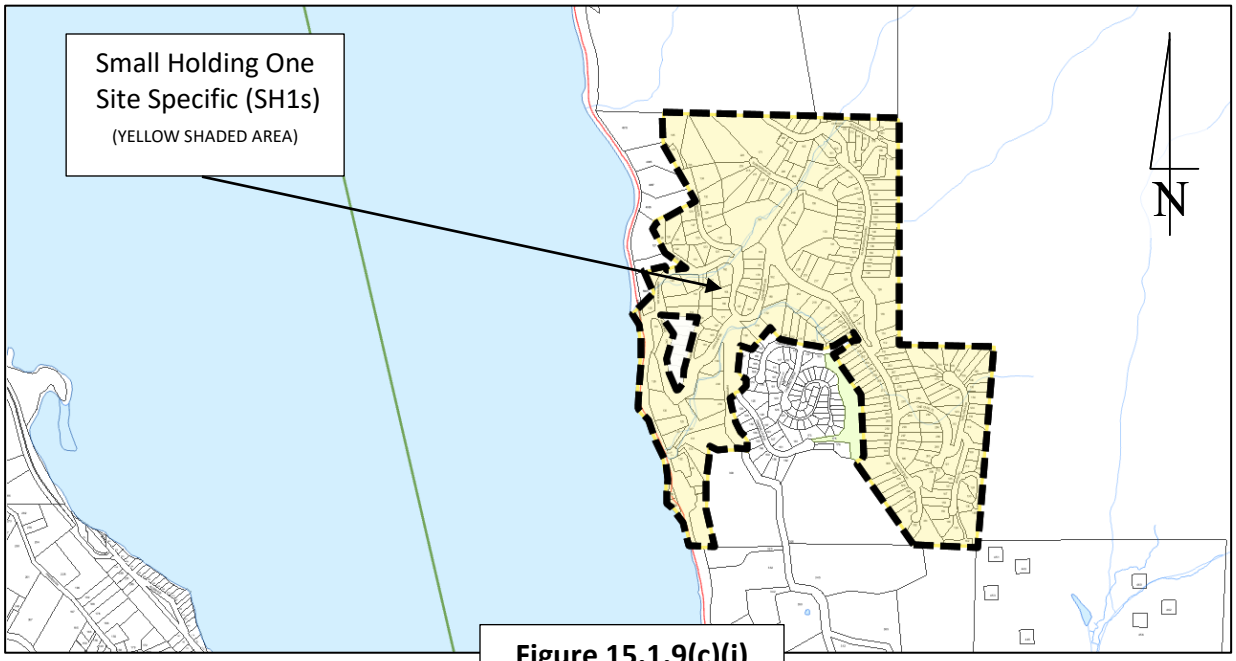


Figure 15.1.9(c)(i)

d) **Electoral Area "E"**

i) in the case of the land described as Lot 3, Plan EPP60812, District Lot 3474, SDYD (3498 Arawana Forestry Road) and shown shaded yellow on Figure 15.1.9(d)(i):

.1 despite Section 15.1.6(b), no *accessory building or structure* shall exceed a *height* of 7.5 metres.

.2 the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 15.1.1:

a) *agriculture*.

.3 the total number of *parcels* shall not exceed forty-one (41); and

.4 despite Section 15.1.2, the *minimum parcel size* for subdivision shall be:

a) 2,000 m^2, subject to servicing requirements; and

b) despite sub-section a), not more than eight (8) *parcels* may have a *minimum parcel size* between 1,500 m^2 and 2,000 m^2, subject to servicing requirements.

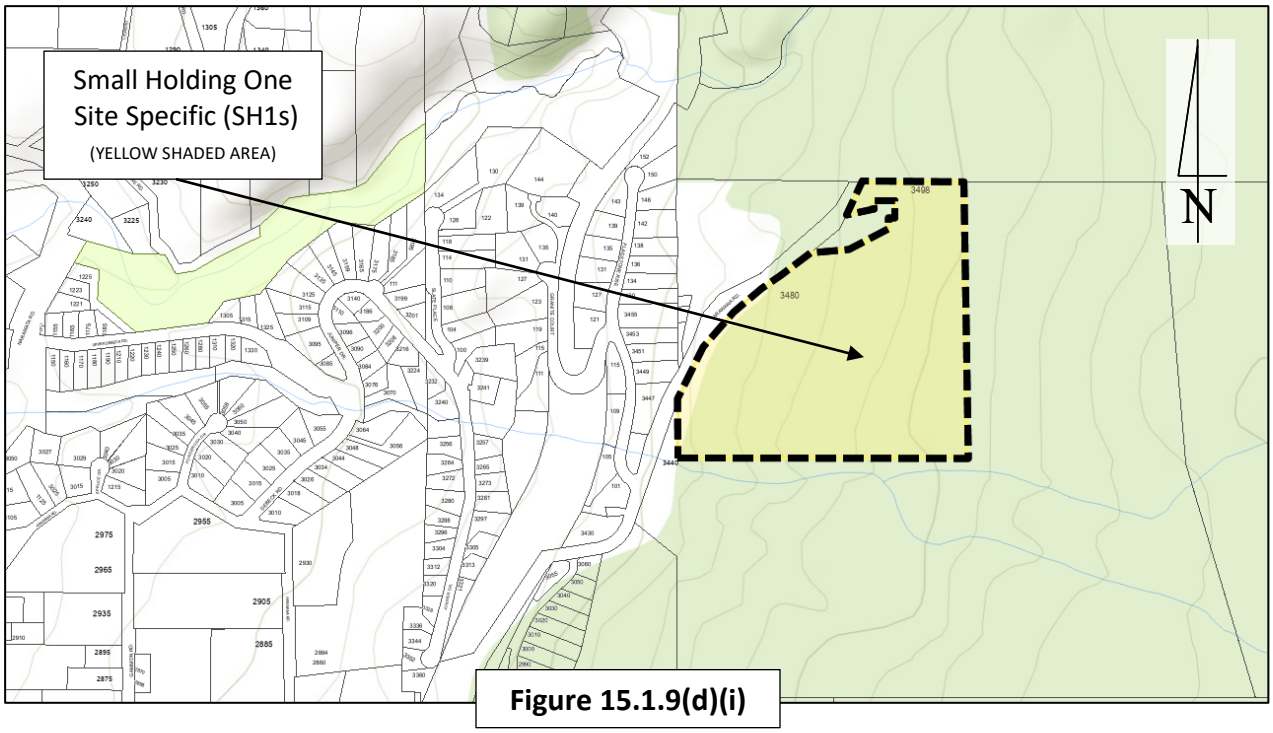


Figure 15.1.9(d)(i)

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

15.2 SMALL HOLDINGS TWO (SH2) ZONE

15.2.1 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

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

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

d) *agriculture*;

e) *bed and breakfast operation*, subject to Section 7.4;

f) *home occupation*, subject to Section 7.7; and

g) *secondary suite*, subject to Section 7.10.

15.2.2 Minimum Parcel Size for Subdivision:

a) 0.5 ha, subject to Section 8.0.

15.2.3 Minimum Parcel Width for Subdivision:

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

15.2.4 Maximum Number of Dwellings Permitted Per Parcel:

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

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

15.2.5 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) *Accessory building or structure*:

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

c) Despite Section 15.2.5(a) and (b), *livestock* shelters, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

i)	*Front parcel line*	15.0 metres
ii)	*Rear parcel line*	15.0 metres
iii)	*Interior side parcel line*	15.0 metres
iv)	*Exterior side parcel line*	15.0 metres

d) Despite Section 15.2.5(a) and (b), incinerator or *composting operation*:

i)	*Front parcel line*	30.0 metres
ii)	*Rear parcel line*	30.0 metres
iii)	*Interior side parcel line*	30.0 metres
iv)	*Exterior side parcel line*	30.0 metres

15.2.6 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 10.0 metres.

15.2.7 Maximum Parcel Coverage:

a) 25%

15.2.8 Minimum Building Width:

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

15.2.9 Small Holdings Two Site Specific (SH2s) Regulations:

a) **Electoral Area "A"**

i) Not applicable

b) **Electoral Area "C"**

i) in the case of land described as Lot 4, Plan 11959, District Lot 28s, SDYD (8703 Highway 97), and shown shaded yellow on figure 15.2.1(b)(i):

.1 the following *accessory use* shall be permitted on that part of the land located north of Vaseux Creek, and in addition to the permitted uses listed in Section 15.2.1:

a) *retail*, not to exceed 200.0 m^2 in *gross floor area*.

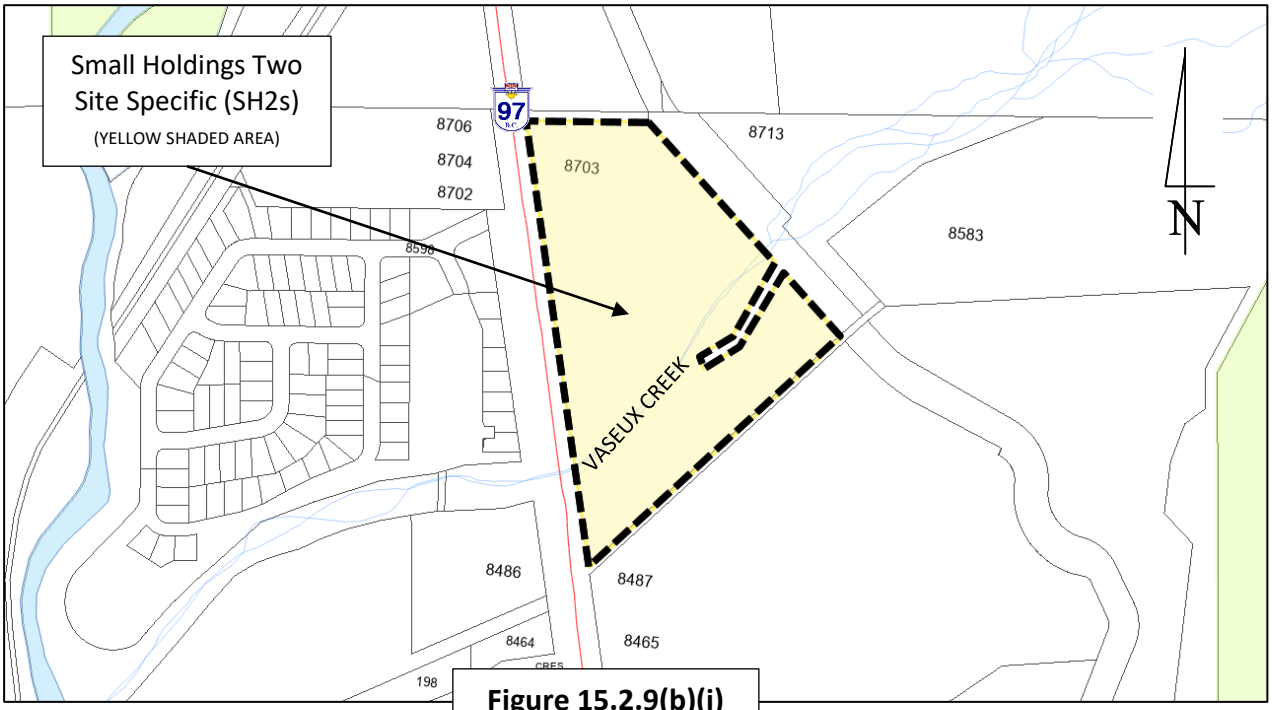


Figure 15.2.9(b)(i)

ii) in the case of land described as Lot 1, Plan KAP79573, District Lot 918s, SDYD, and shown shaded yellow on Figure 15.2.9(b)(ii):

1. despite Section 15.2.3, the *minimum parcel size* for subdivision shall be 0.4 ha when connected to a community sewer system and serviced by well.

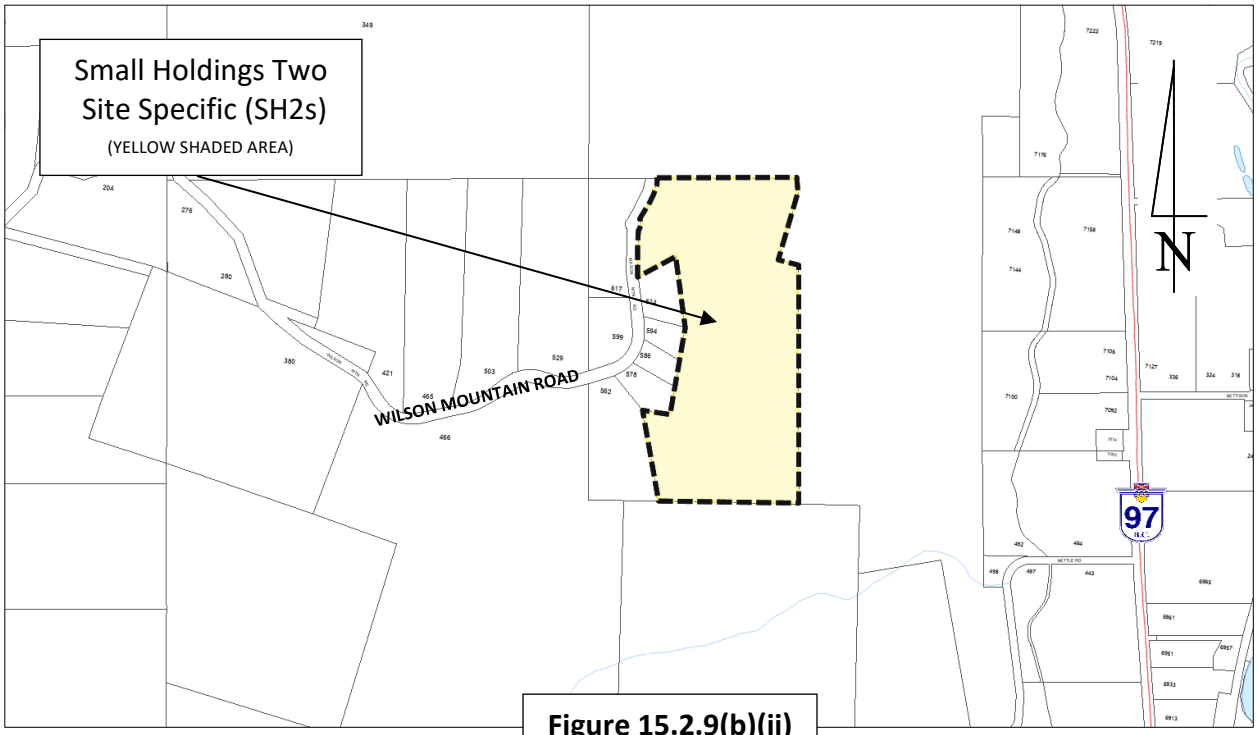


Figure 15.2.9(b)(ii)

c) **Electoral Area "D"**

i) Not applicable

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) in the case of land described as Lot 3, Plan KAP51211, District Lot 2893, ODYD (8132 Princeton-Summerland Road), and shown hatched on Figure 15.2.9(e)(i):

.1 the following *accessory uses* shall be permitted on the land in addition to the permitted uses listed in Section 15.2.1:

a) *eating and drinking establishment*; and

b) *convenience store*.

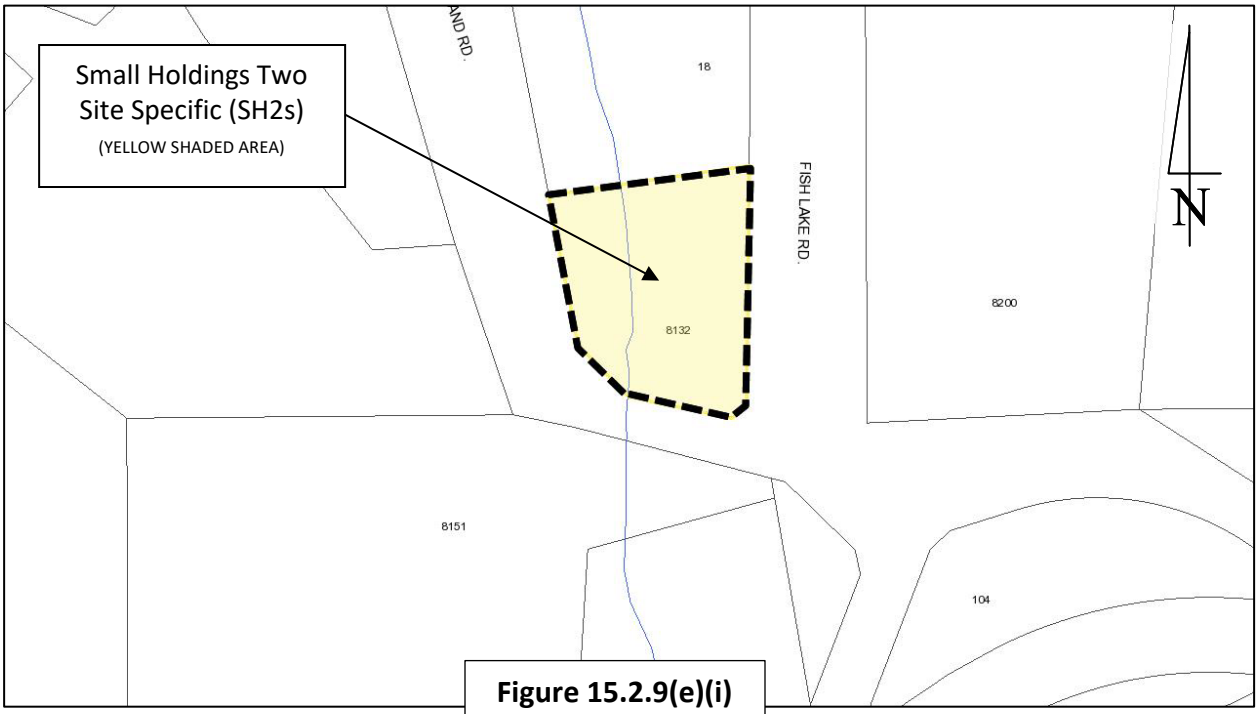


Figure 15.2.9(e)(i)

f) **Electoral Area "I"**

i) Not applicable

15.3 SMALL HOLDINGS THREE (SH3) ZONE

15.3.1 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

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

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

d) *agriculture*;

e) *bed and breakfast operation*, subject to Section 7.4;

f) *home occupation*, subject to Section 7.7; and

g) *secondary suite*, subject to Section 7.10.

15.3.2 Minimum Parcel Size for Subdivision:

a) 1.0 ha, subject to Section 8.0.

15.3.3 Minimum Parcel Width for Subdivision:

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

15.3.4 Maximum Number of Dwellings Permitted Per Parcel:

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

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

15.3.5 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) *Accessory building or structure*:

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

c) Despite Section 15.3.5(a) and (b), *livestock* shelters, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

i)	*Front parcel line*	15.0 metres
ii)	*Rear parcel line*	15.0 metres
iii)	*Interior side parcel line*	15.0 metres
iv)	*Exterior side parcel line*	15.0 metres

d) Despite Section 15.3.5(a) and (b), incinerator or *composting operation*:

i)	*Front parcel line*	30.0 metres
ii)	*Rear parcel line*	30.0 metres
iii)	*Interior side parcel line*	30.0 metres
iv)	*Exterior side parcel line*	30.0 metres

15.3.6 Maximum Height:

a) No *building*, *accessory building or structure* shall exceed a *height* of 10.0 metres.

15.3.7 Maximum Parcel Coverage:

a) 20%

15.3.8 Minimum Building Width:

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

15.3.9 Small Holdings Three Site Specific (SH3s) Regulations:

a) **Electoral Area "A"**

i) Not applicable

b) **Electoral Area "C"**

i) in the case of the land described as Lot 57, Plan KAP23124, District Lot 26, SDYD, (589 Johnson Crescent), and shown shaded yellow on Figure 15.3.9(b)(i):

.1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 15.3.1:

a) *equestrian centre*.

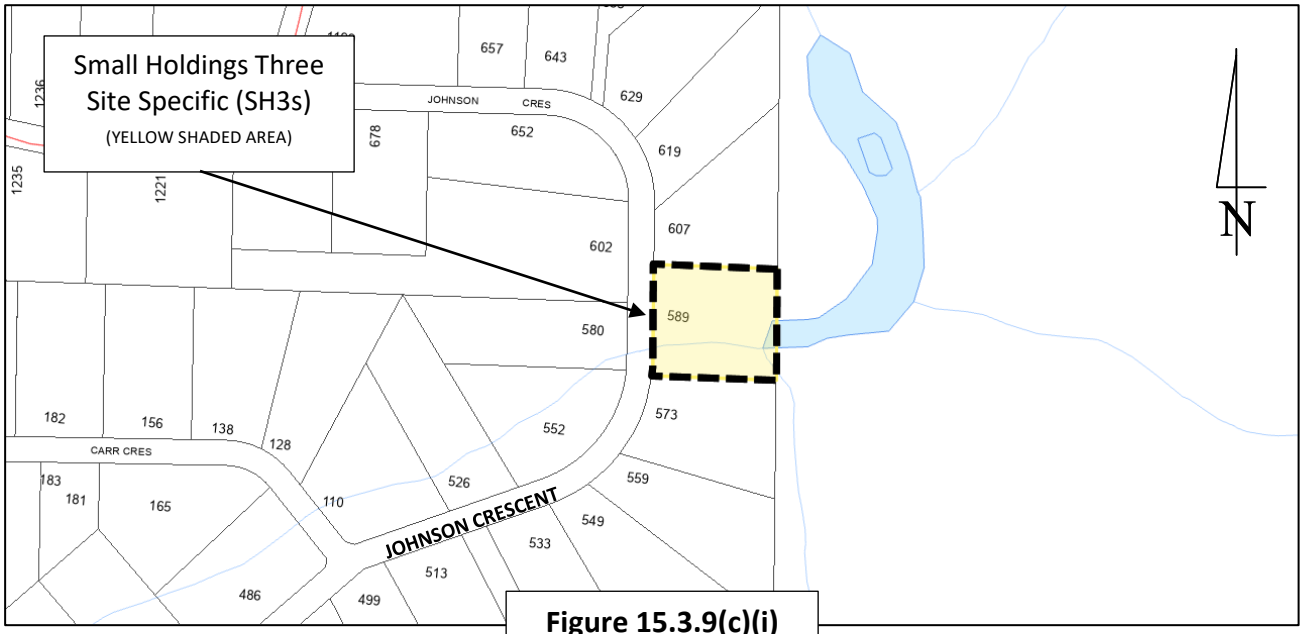


Figure 15.3.9(c)(i)

c) **Electoral Area "D"**

i) in the case of the land described as Lot 3, Plan KAP3404, District Lot 195S, SDYD, Except Plan PCL21 and Except Plan A1266 (1419 Green Lake Road), and shown shaded yellow on Figure 15.3.9(c)(i):

.1 the following *accessory use* shall be permitted on the land in addition to the permitted uses listed in Section 15.3.1:

b) *home industry*, subject to Section 7.5.

.2 despite Section 15.3.4, the maximum number of dwellings permitted per *parcel* shall be:

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

b) one (1) *accessory dwelling* or *mobile home*.

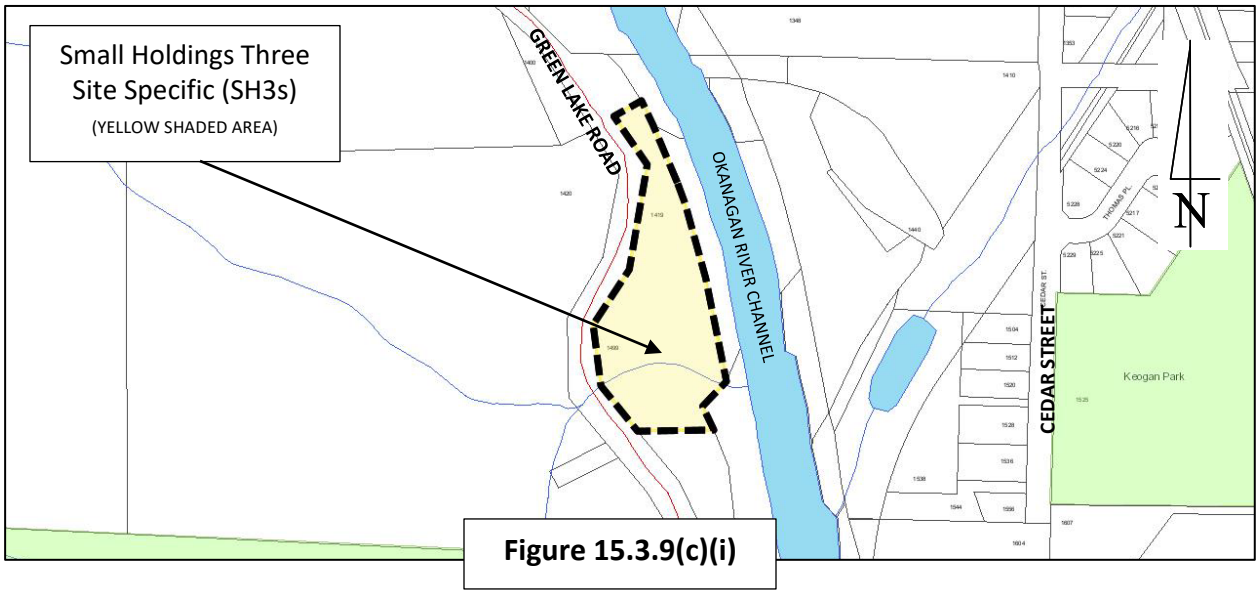


Figure 15.3.9(c)(i)

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

15.4 SMALL HOLDINGS FOUR (SH4) ZONE

15.4.1 Permitted Uses:

Permitted Uses:

a) *single detached dwelling*;

Accessory Uses:

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

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

d) *agriculture*;

e) *bed and breakfast operation*, subject to Section 7.4;

f) *home industry*, subject to Section 7.6;

g) *home occupation*, subject to Section 7.7; and

h) *secondary suite*, subject to Section 7.10.

15.4.2 Minimum Parcel Size for Subdivision:

a) 2.0 ha, subject to Section 8.0.

15.4.3 Minimum Parcel Width for Subdivision:

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

15.4.4 Maximum Number of Dwellings Permitted Per Parcel:

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

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

15.4.5 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) *Accessory building or structure*:

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

c) Despite Section 15.4.5(a) and (b), *livestock* shelters, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

i) *Front parcel line* 15.0 metres

ii) *Rear parcel line* 15.0 metres

iii) *Interior side parcel line* 15.0 metres

iv) *Exterior side parcel line* 15.0 metres

d) Despite Section 15.4.5(a) and (b), incinerator or *composting operation*:

i) *Front parcel line* 30.0 metres

ii) *Rear parcel line* 30.0 metres

iii) *Interior side parcel line* 30.0 metres

iv) *Exterior side parcel line* 30.0 metres

15.4.6 Maximum Height:

a) No *building*, *accessory building or structure* shall exceed a *height* of 10.0 metres.

15.4.7 Maximum Parcel Coverage:

a) 15%

15.4.8 Minimum Building Width:

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

15.4.9 Small Holdings Four Site Specific (SH4s) 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 Lot 1, Plan KAP7681, District Lot 10, SDYD, Except Plan H950 (1902 Highway 97), and shown shaded yellow on Figure 15.4.9(c)(i):

.1 the following *accessory use* shall be permitted on the land in addition to the permitted uses listed in Section 10.6.1:

a) *retail*, not to exceed 250.0 m^2 in *gross floor area*.

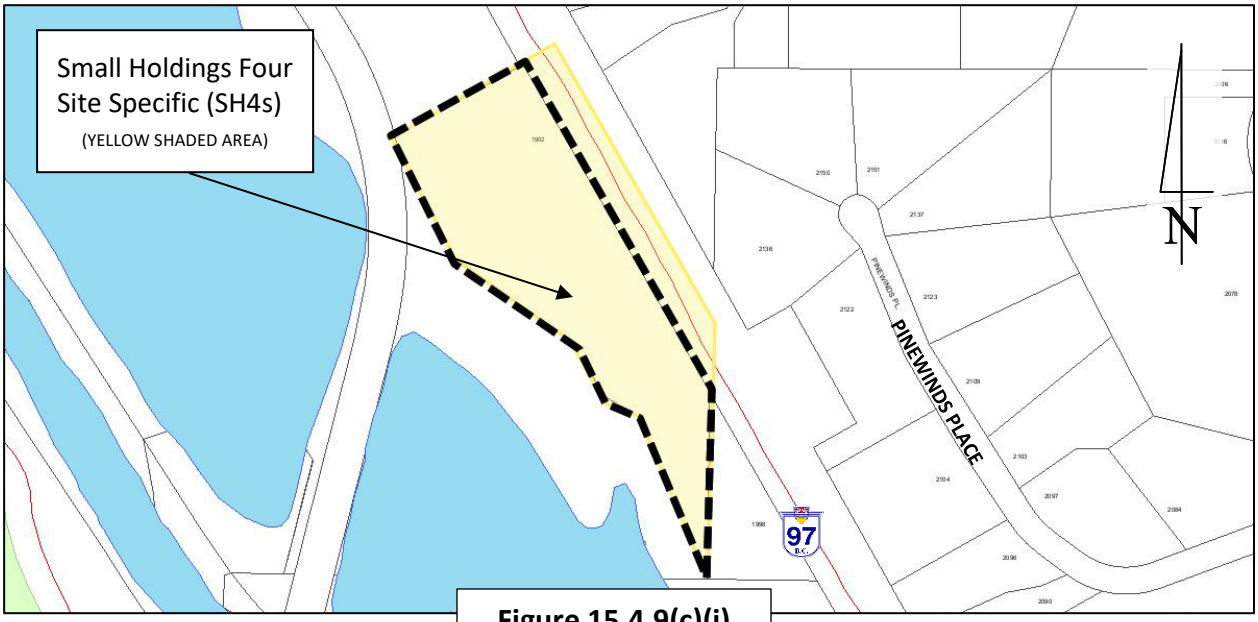


Figure 15.4.9(c)(i)

d) **Electoral Area "E"**

i) in the case of land described as Lot 1, Plan 12443, District Lots 103s and 2711, SDYD (1362 Greyback Mountain Road), and shown shaded yellow on Figure 15.4.9(d)(i):

.1 a *home industry* use may include an *alcohol production facility*; and

.2 despite Section 7.5.2, the *gross floor area* of *home industry*, including tasting, *retail* sales and outdoor patio areas shall not exceed 270.0 m^2.

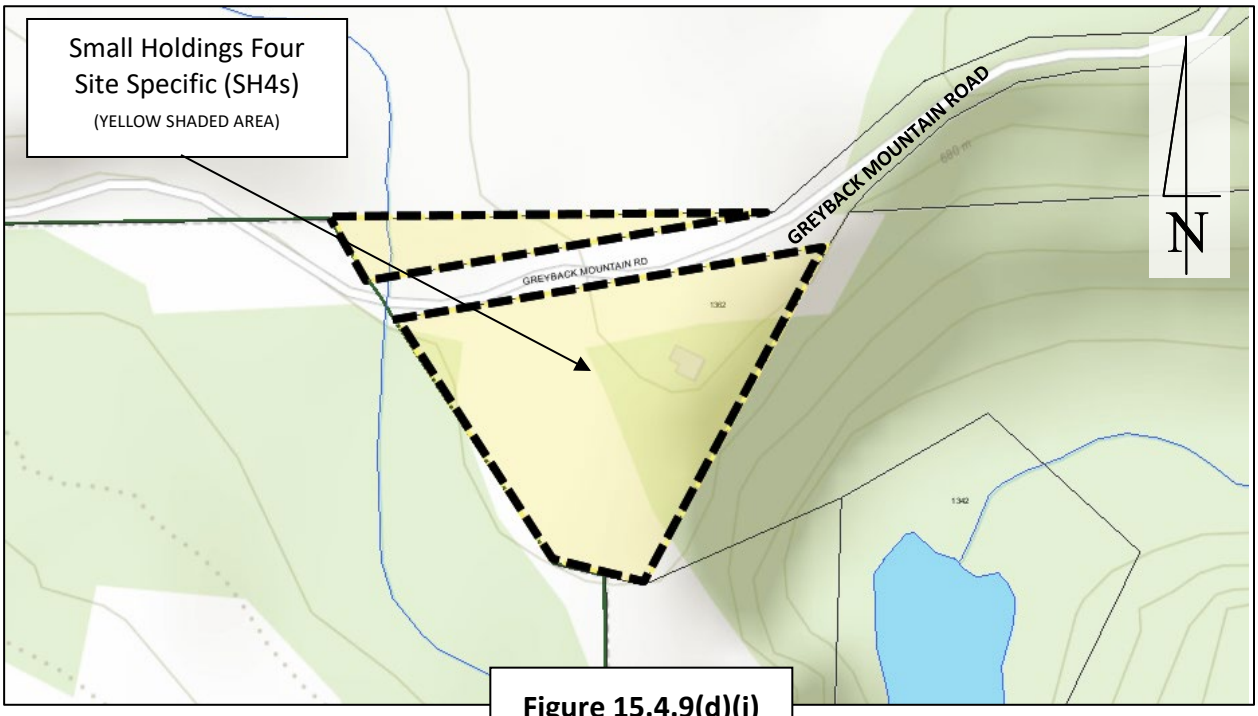


Figure 15.4.9(d)(i)

e) **Electoral Area "F"**

i) in the case of land described as Lot 8, Plan KAP647, District Lot 2888, ODYD, Except Plan A67 (15 Deans Road), and shown shaded yellow on Figure 15.4.9(e)(i):

a) despite Section 15.4.2, the *minimum parcel size* shall be 1.47 ha.

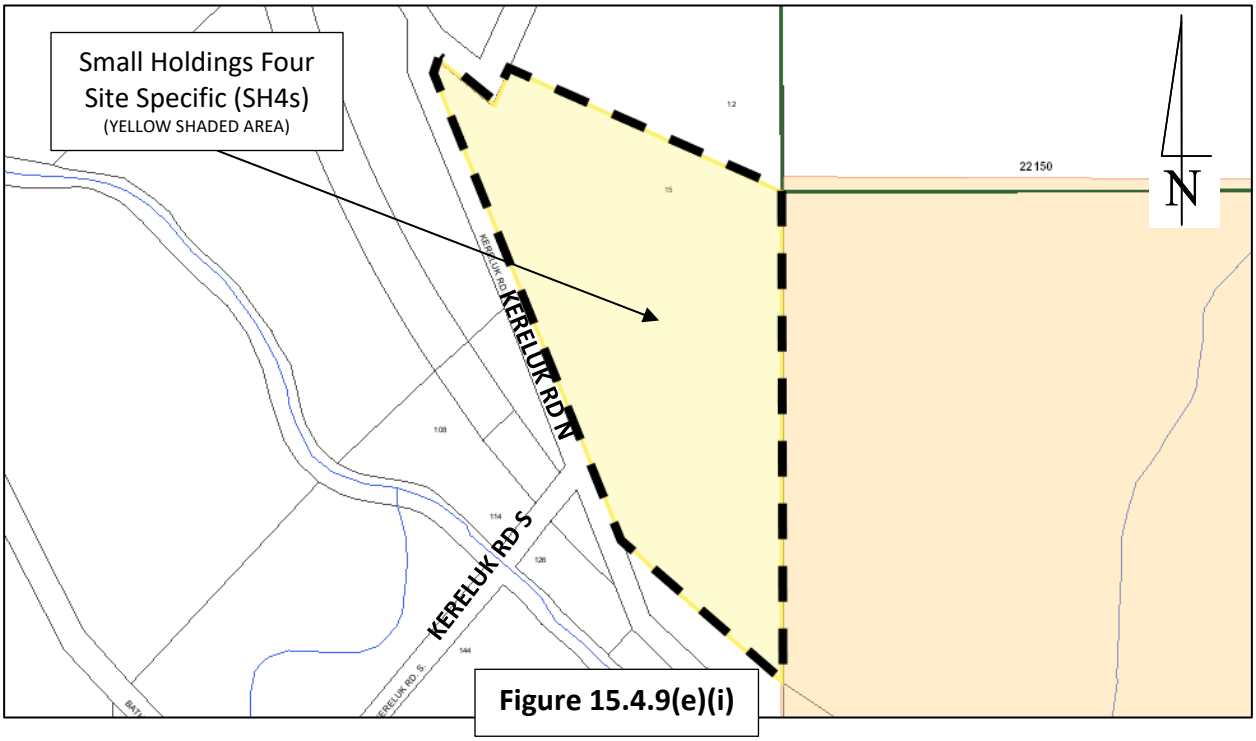


Figure 15.4.9(e)(i)

ii) in the case of an approximately 3.3 ha part of the land described as Lot 10, Plan 27332, District Lot 2893, ODYD, Except Plan KAP51912 (8025 Princeton-Summerland Road), and shown shaded yellow on Figure 15.4.9(e)(ii):

.1 despite Section 7.5.2, the maximum floor area utilized for a *home industry*, including the indoor and *outdoor storage* of materials, commodities or finished products associated with the *home industry* shall not exceed 300.0 m^2.

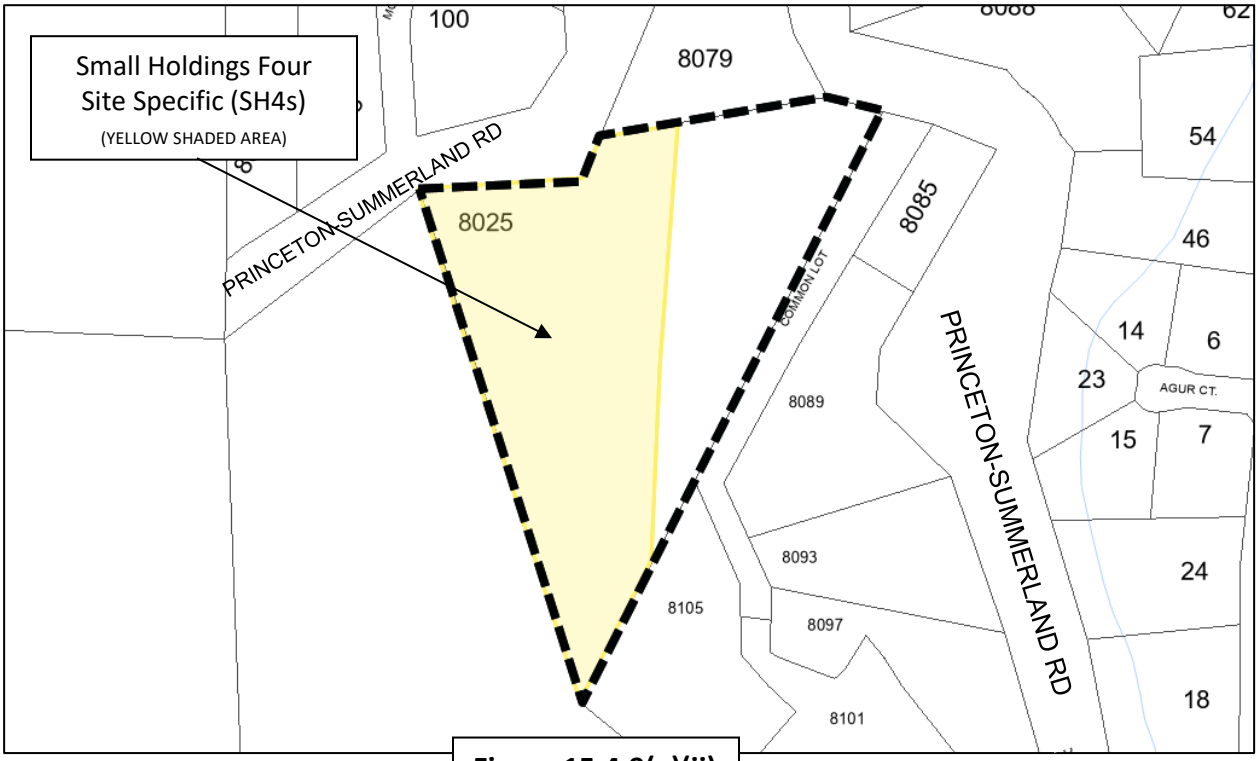


Figure 15.4.9(e)(ii)

f) **Electoral Area "I"**

i) Not applicable

15.5 SMALL HOLDINGS WEST BENCH (SH5) ZONE

15.5.1 Permitted Uses:

Permitted Uses:

a) *single detached dwelling*;

Accessory Uses:

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

c) *agriculture*;

d) *bed and breakfast operation*, subject to Section 7.4; and

e) *home occupation*, subject to Section 7.7.

15.5.2 Minimum Parcel Size for Subdivision:[xxxiv]

a) 2.0 ha, unless the proposed densification is serviced by a community sewer and stormwater management system, and subject to Section 8.0.

15.5.3 Minimum Parcel Width for Subdivision:

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

15.5.4 Maximum Number of Dwellings Permitted Per Parcel:

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

15.5.5 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*	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 15.5.5(a) and (b), *livestock* shelters, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

[xxxiv] Amendment Bylaw No. 2461.21, 2022 – adopted May 19, 2022.

i) *Front parcel line* 15.0 metres

ii) *Rear parcel line* 15.0 metres

iii) *Interior side parcel line* 15.0 metres

iv) *Exterior side parcel line* 15.0 metres

d) Despite Section 15.5.5(a) and (b), incinerator or *composting operation*:

i) *Front parcel line* 30.0 metres

ii) *Rear parcel line* 30.0 metres

iii) *Interior side parcel line* 30.0 metres

iv) *Exterior side parcel line* 30.0 metres

15.5.6 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.

15.5.7 Maximum Parcel Coverage:

a) 30%

15.5.8 Minimum Building Width:

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

15.5.9 Small Holdings West Bench Site Specific (SH5s) Regulations:

a) 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 shaded yellow on Figure 15.5.9(a), the following provisions shall apply:

i) the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 15.5.1:

.1 *alcohol production facility*;

ii) the maximum floor area of a *alcohol production facility* shall not exceed 55.0 m^2.

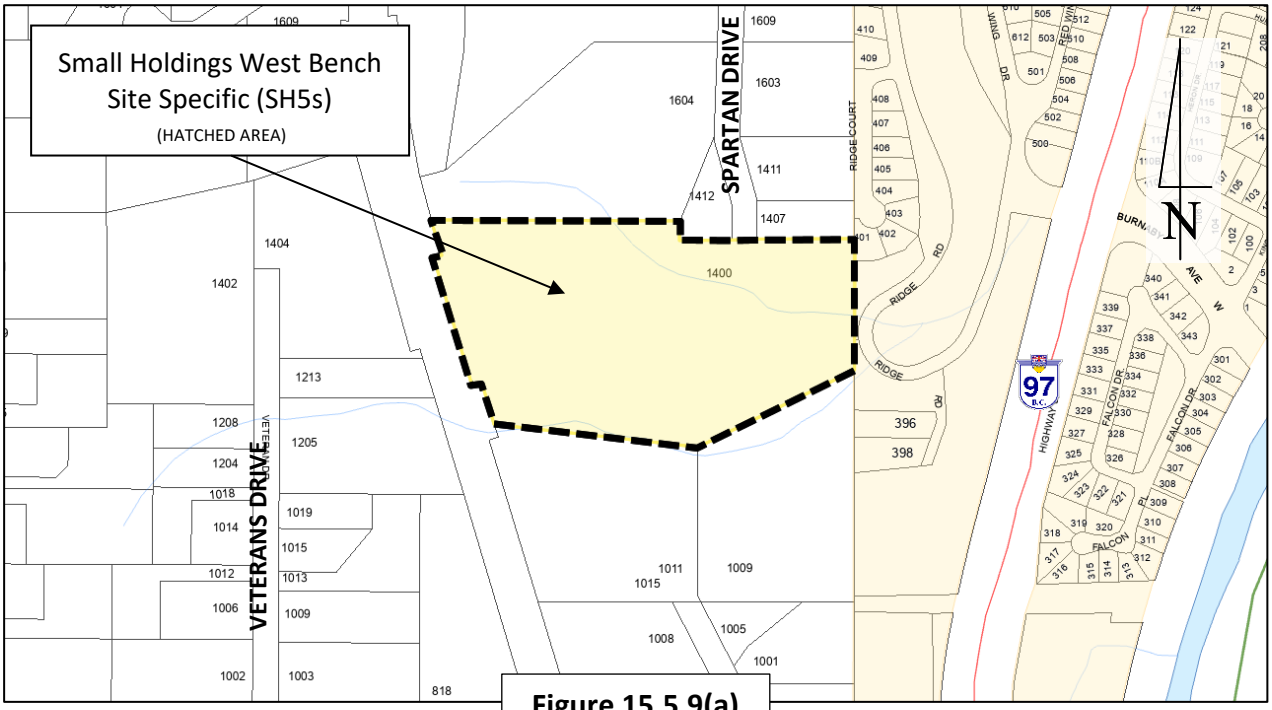


Figure 15.5.9(a)

15.6 SMALL HOLDINGS FAULDER (SH6) ZONE[xxxv]

15.6.1 Permitted Uses:

Permitted Uses:

a) *single detached dwelling*;

Accessory Uses:

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

c) *bed and breakfast operation*, subject to Section 7.4; and

d) *home occupation*, subject to Section 7.7.

15.6.2 Minimum Parcel Size for Subdivision:

a) 5.0 ha

15.6.3 Minimum Parcel Width for Subdivision:

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

15.6.4 Maximum Number of Dwellings Permitted Per Parcel:

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

15.6.5 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) *Accessory building or structure*:

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

15.6.6 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 10.0 metres;

[xxxv] Amendment Bylaw No. 2800.18, 2023 – adopted June 15, 2023.

15.6.7 Maximum Parcel Coverage:

a) 20%

15.6.8 Minimum Building Width:

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

15.6.9 Small Holdings Faulder Site Specific (SH6s) Regulations:

a) in the case an approximately 3.3 ha part of the land described as Lot 10, Plan 27332, District Lot 2893, ODYD, Except Plan KAP51912 (8025 Princeton-Summerland Road), and shown shaded yellow on Figure 15.6.9(a):

i) despite Section 7.5.2, the maximum floor area utilized for a home industry, including the indoor and outdoor storage of materials, commodities or finished products associated with the home industry shall not exceed 300.0 m^2.

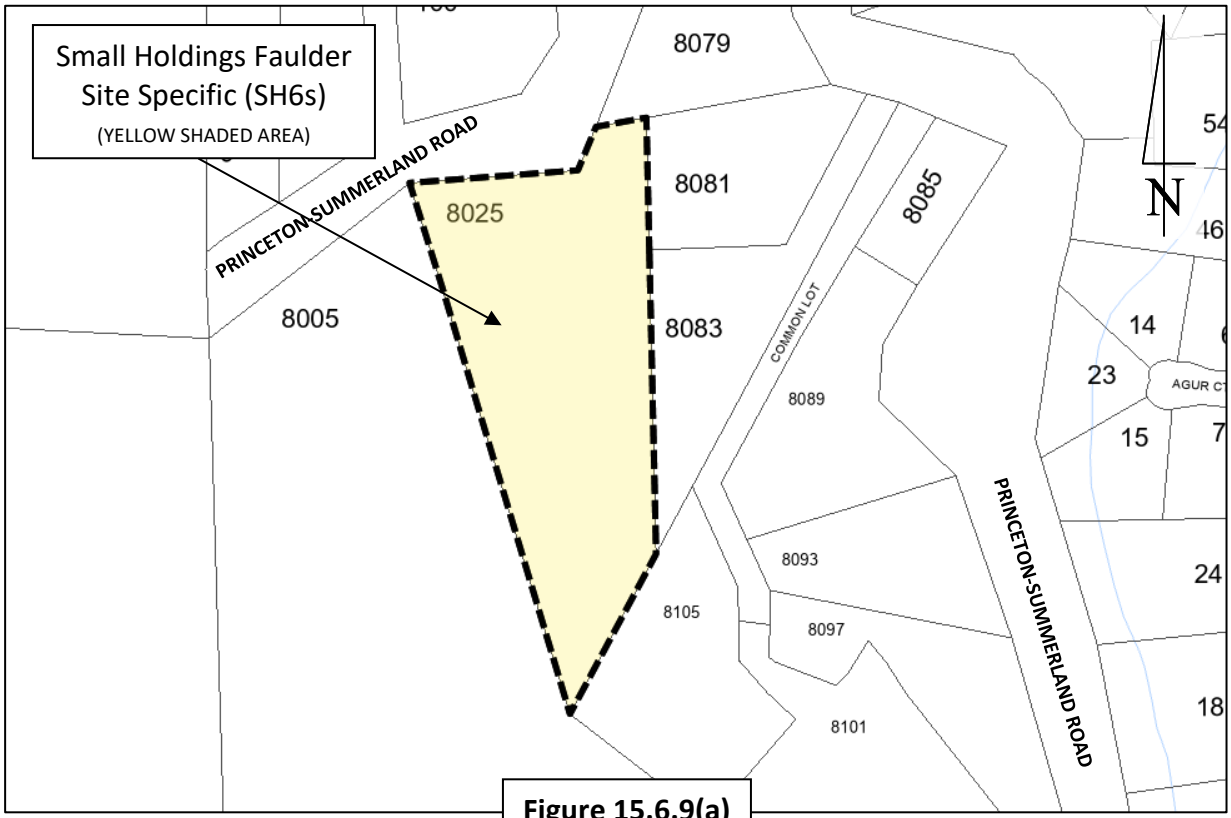


Figure 15.6.9(a)

b) in the case of land described as Lot 3, Plan KAP51211, District Lot 2893, ODYD (8132 Princeton-Summerland Road), and shown hatched on Figure 15.6.9(b):

i) the following accessory uses shall be permitted on the land in addition to the permitted uses listed in Section 15.6.1:

a) *eating and drinking establishment*; and

b) *convenience store*.

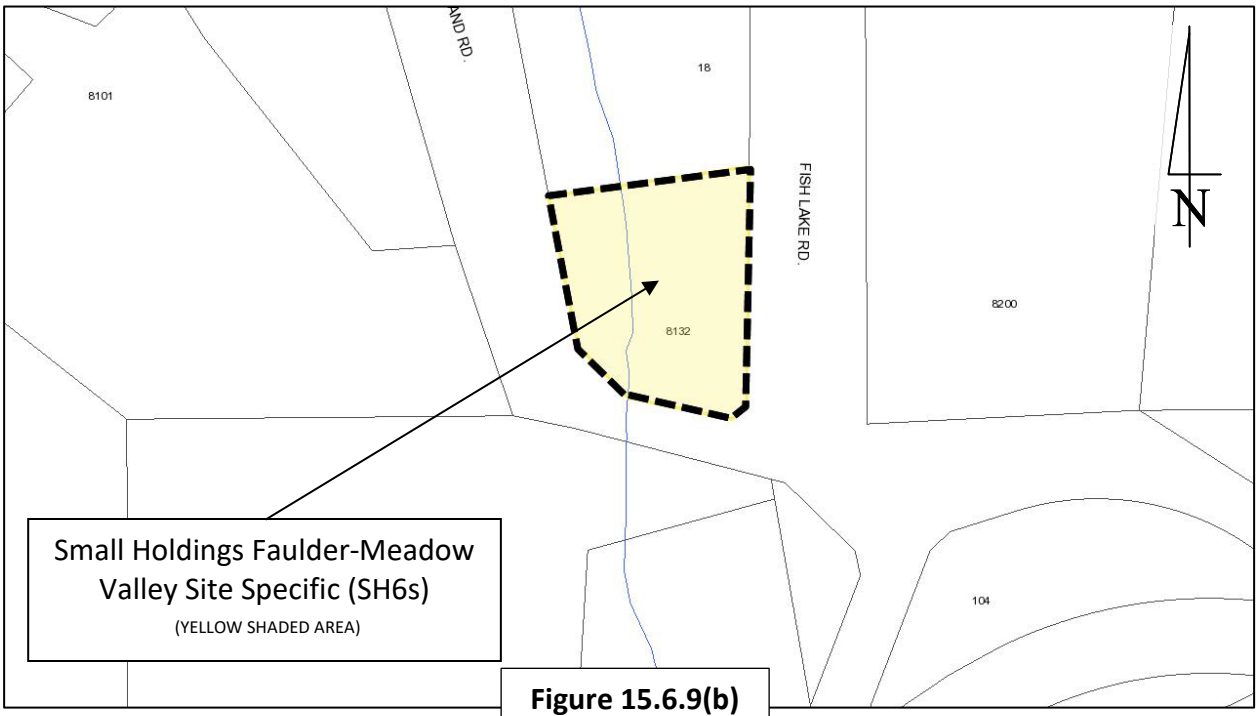


Figure 15.6.9(b)

16.0 LOW DENSITY RESIDENTIAL ZONES

16.1 LOW DENSITY RESIDENTIAL ONE (RS1) ZONE

16.1.1 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

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

c) *bed and breakfast operation*, subject to Section 7.4; and

d) *home occupation*, subject to Section 7.7.

16.1.2 Minimum Parcel Size for Subdivision:

a) 350.0 m^2, 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 Dwellings Permitted Per Parcel:

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

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*	1.5 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*	1.0 metres
iv)	*Exterior side parcel line*	4.5 metres

16.1.6 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.

16.1.7 Maximum Parcel Coverage:

a) 50%

16.1.8 Minimum Building Width:

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

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

a) **Electoral Area "A"**

i) Not applicable

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 16.1.1:

a) *manufactured home*, subject to Section 16.8.10.[xxxvi]

.2 despite Section 16.1.8, there shall be no minimum *building* width.

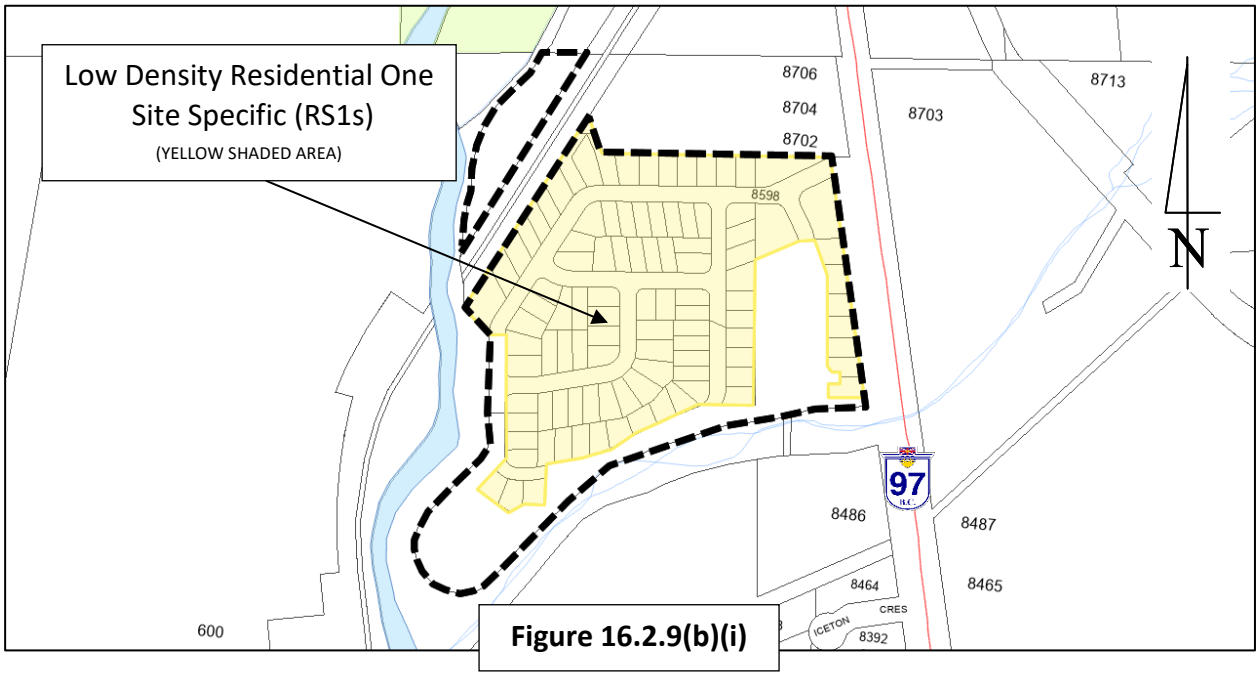


Figure 16.2.9(b)(i)

c) **Electoral Area "D"**

[xxxvi] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.

i) Not applicable

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

16.2 LOW DENSITY RESIDENTIAL TWO (RS2) ZONE

16.2.1 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

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

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

d) *bed and breakfast operation*, subject to Section 7.4;

e) *home occupation*, subject to Section 7.7; and

f) *secondary suite*, subject to Section 7.10.

16.2.2 Minimum Parcel Size for Subdivision:

a) 500.0 m^2, subject to Section 8.0.

16.2.3 Minimum Parcel Width for Subdivision:

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

16.2.4 Maximum Number of Dwellings Permitted Per Parcel:

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

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

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*	1.0 metres
iv)	*Exterior side parcel line*	4.5 metres

16.2.6 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.

16.2.7 Maximum Parcel Coverage:

a) 40%

16.2.8 Minimum Building Width:

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

16.2.9 Low Density Residential Two Site Specific (RS2s) 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 Lot 14, Plan 1280, Block 5, District Lot 374, SDYD (1204 Willow Street), and shown shaded yellow on Figure 16.2.9(c)(i):

.1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 16.2.1:

a) *veterinary establishment*.

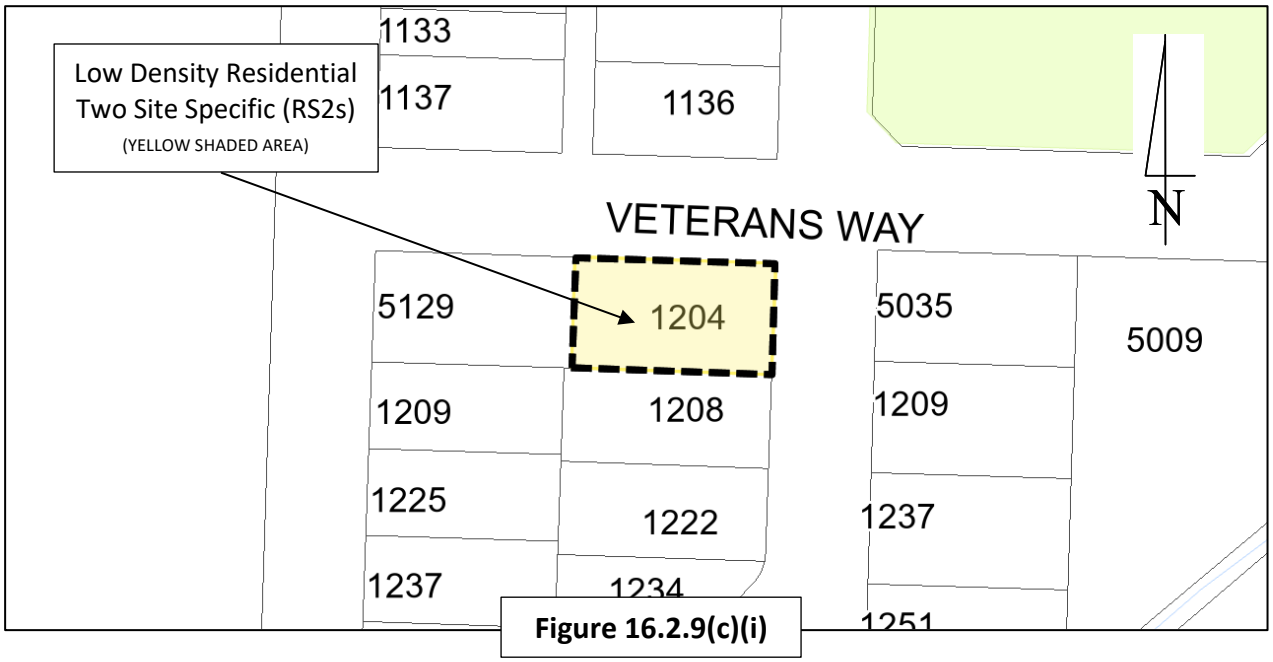


Figure 16.2.9(c)(i)

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 16.2.9(d)(i):

.1 the following *principal uses* shall be permitted on the land in addition to the permitted uses listed in Section 16.2.1:

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^2.

.3 despite Section 16.2.6, the maximum *building height* of a *storage building* on the land shall not exceed 3.5 metres.

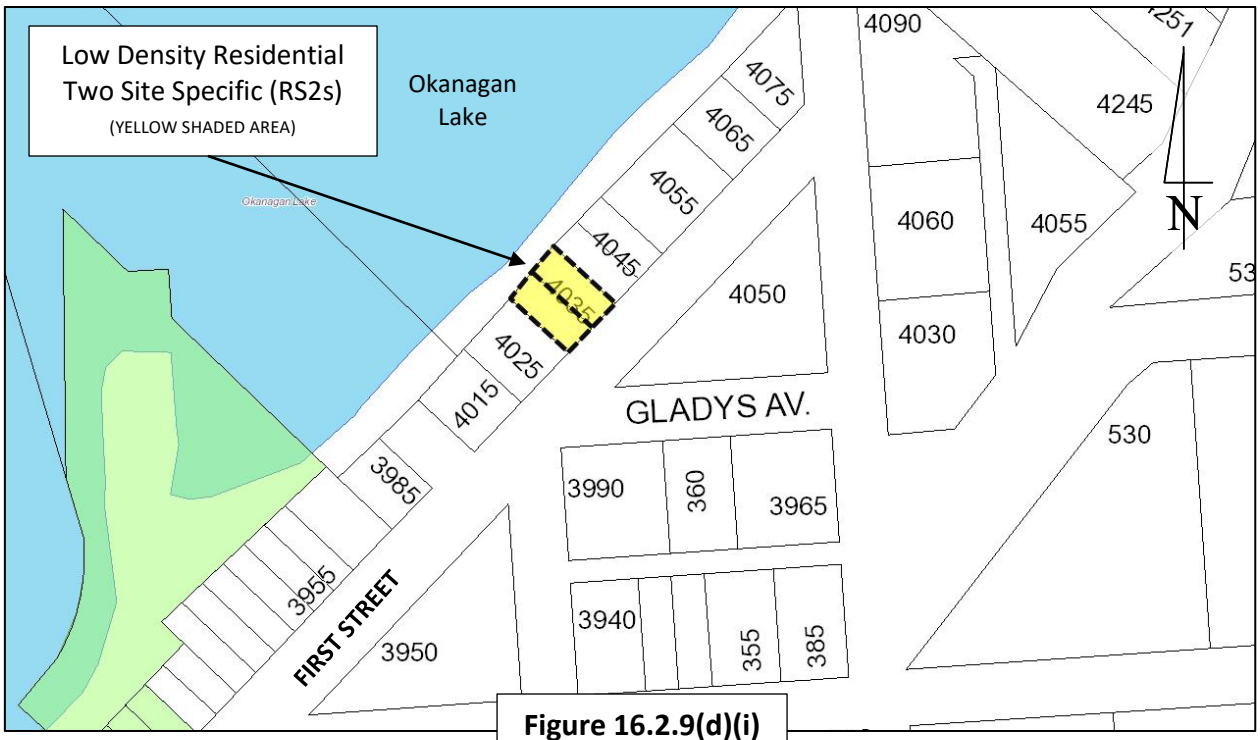


Figure 16.2.9(d)(i)

ii) in the case of land described as Lots 4-6, Plan KAP1145, District Lot 210, SDYD, (3335 1st Street, Naramata) and shown shaded yellow on Figure 16.2.9(d)(ii):

.1 despite Section 16.2.5(a)(i), the minimum *front parcel line setback* for a *building* or *structure* shall be 4.0 metres.

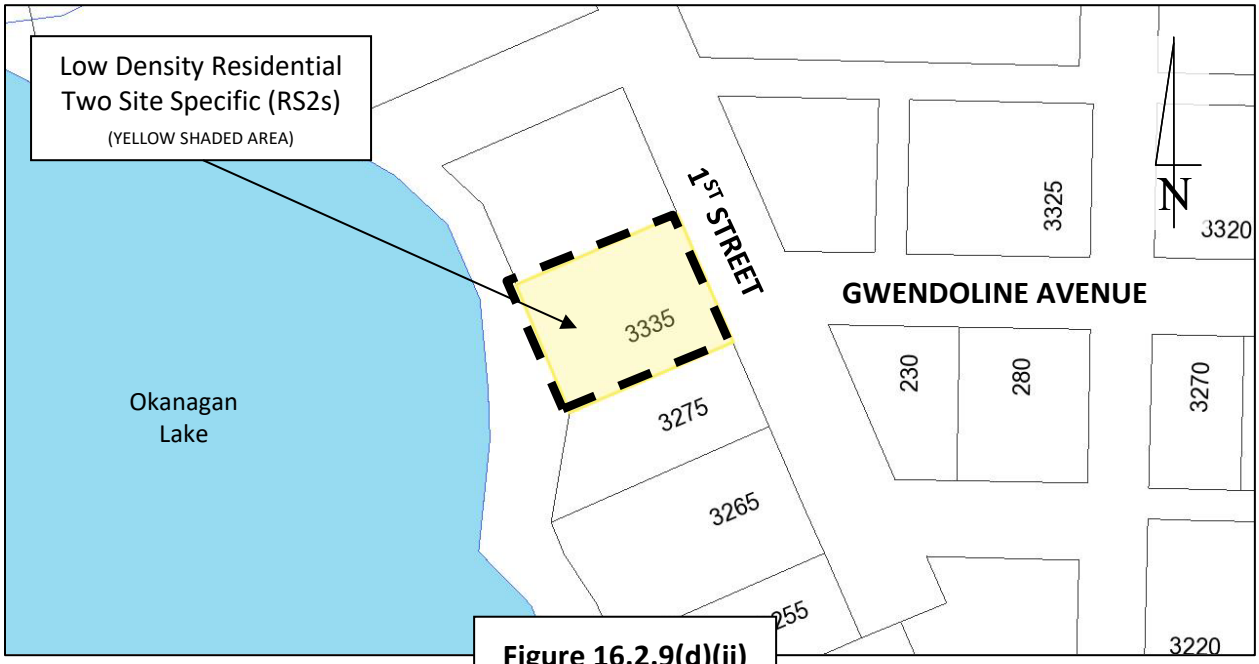


Figure 16.2.9(d)(ii)

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

16.3 LOW DENSITY RESIDENTIAL THREE (RS3) ZONE

16.3.1 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

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

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

d) *bed and breakfast operation*, subject to Section 7.4;

e) *home occupation*, subject to Section 7.7; and

f) *secondary suite*, subject to Section 7.10.

16.3.2 Minimum Parcel Size for Subdivision:

a) 1,000.0 m^2, subject to Section 8.0.

16.3.3 Minimum Parcel Width for Subdivision:

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

16.3.4 Maximum Number of Dwellings Permitted Per Parcel:

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

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

16.3.5 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*	1.0 metres
iv)	*Exterior side parcel line*	4.5 metres

16.3.6 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.

16.3.7 Maximum Parcel Coverage:

a) 35%

16.3.8 Minimum Building Width:

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

16.3.9 Low Density Residential Three Site Specific (RS3s) Regulations:

a) **Electoral Area "A"**

i) in the case of land described as Lot 6, Plan KAP32220, District Lot 2450S, SDYD (8312 98th Avenue), and shown shaded yellow on Figure 16.3.9(a)(i):

.1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 16.3.1:

a) *mobile home*.

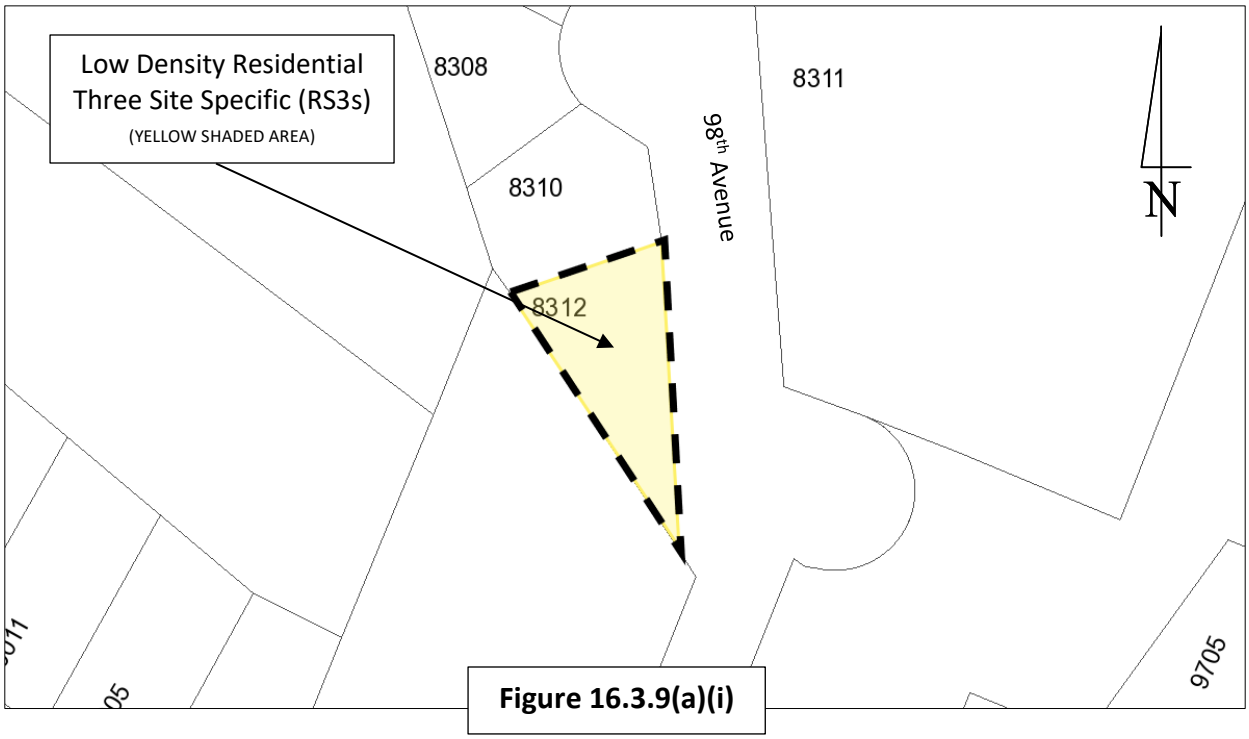


Figure 16.3.9(a)(i)

ii) in the case of the land described as Lot 3, Plan EPP87173, District Lot 2450S, SDYD (10210 81st Street), and shown shaded yellow on Figure 16.3.9(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

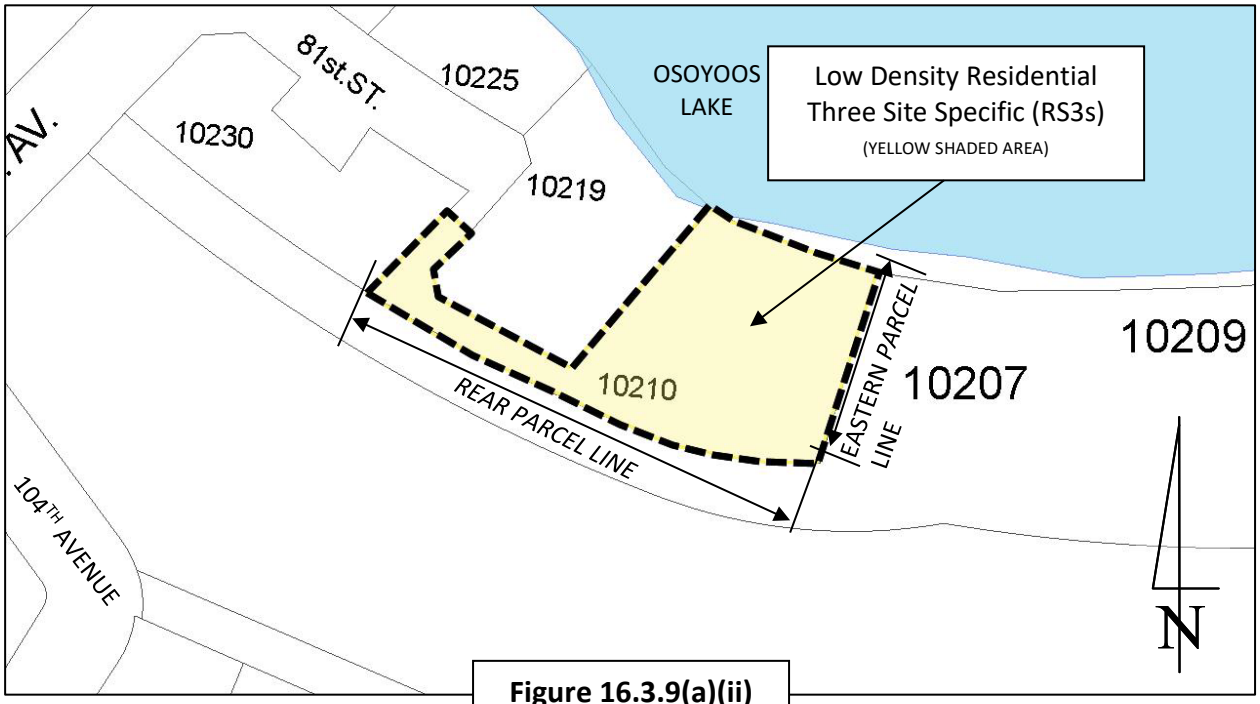


Figure 16.3.9(a)(ii)

b) **Electoral Area "C"**

i) Not applicable

c) **Electoral Area "D"**

i) Not applicable

d) **Electoral Area "E"**

i) in the case of land shown shaded yellow on Figure 16.3.9(d)(i):

.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.

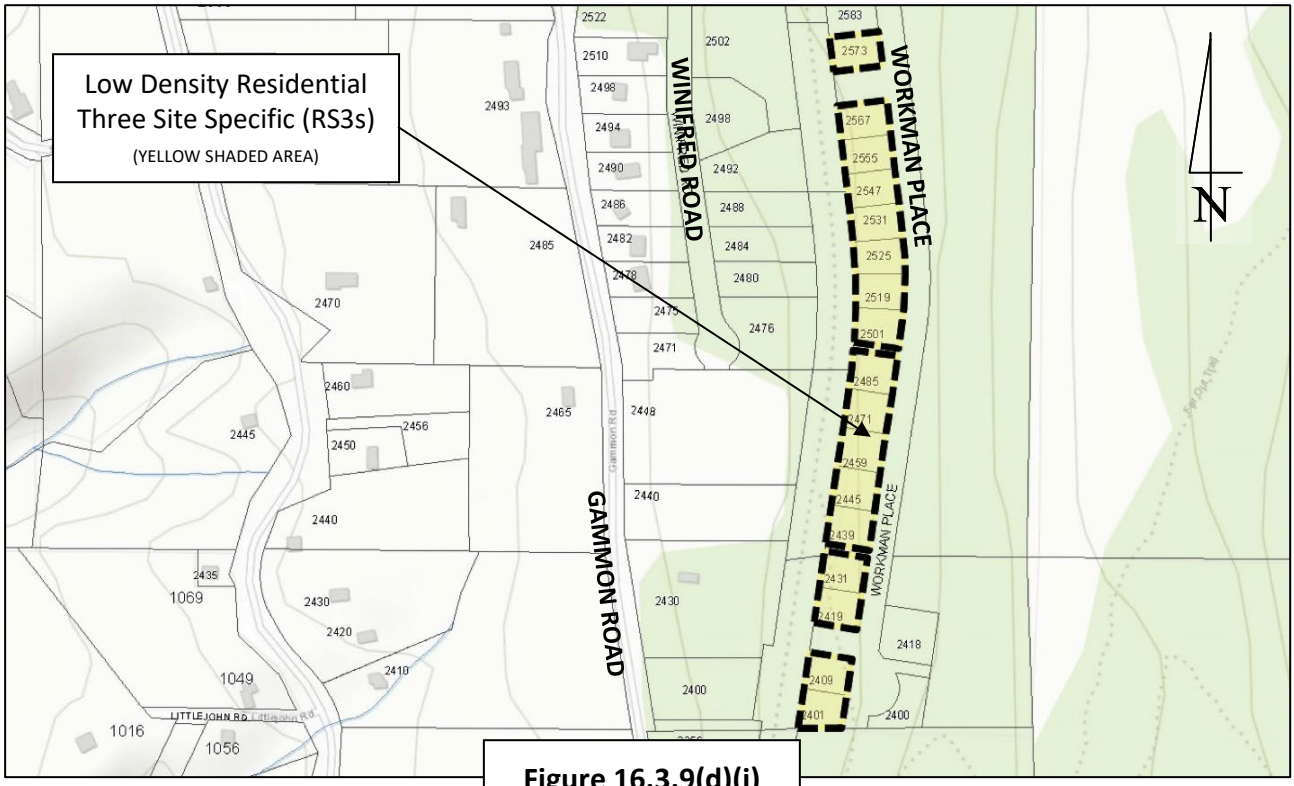


Figure 16.3.9(d)(i)

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.

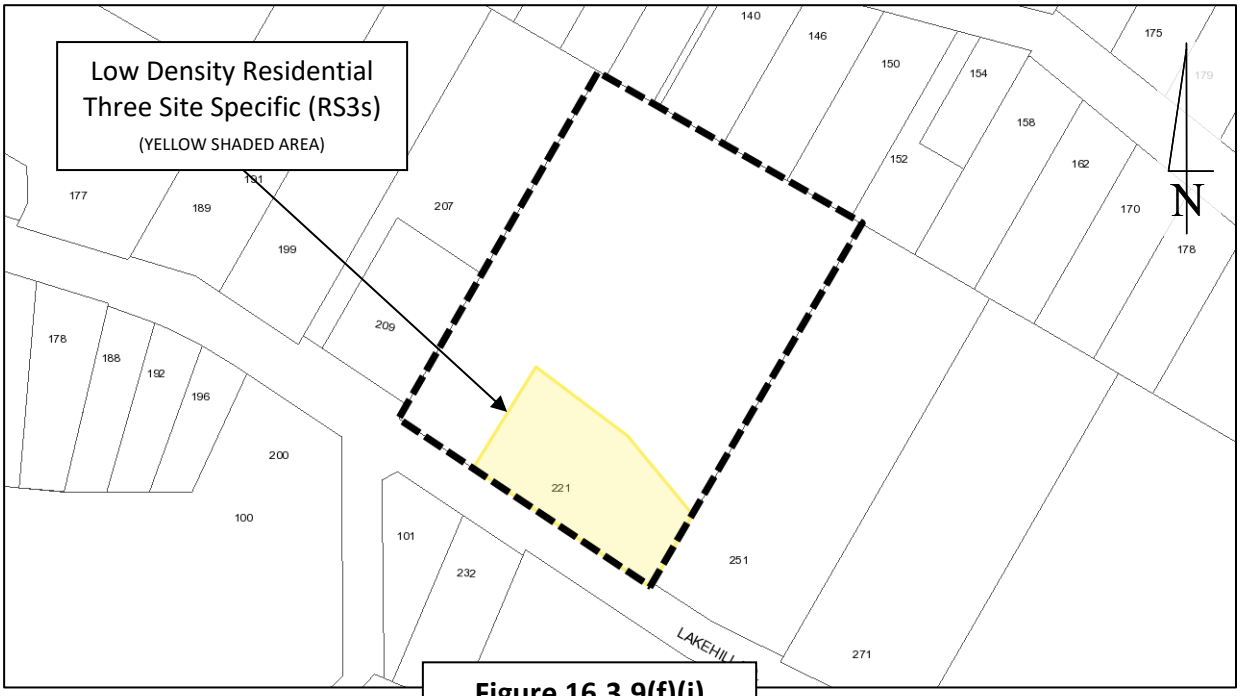


Figure 16.3.9(f)(i)

16.4 LOW DENSITY RESIDENTIAL APEX (RS4) ZONE

16.4.1 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

b) *vacation rental*, subject to Section 7.11;

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 7.7; and

g) *secondary suite*, subject to Section 7.10.

16.4.2 Minimum Parcel Size for Subdivision:

a) 1,000.0 m^2, subject to Section 8.0.

16.4.3 Minimum Parcel Width for Subdivision:

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

16.4.4 Maximum Number of Dwellings Permitted Per Parcel:

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

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

16.4.5 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*	3.0 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

16.4.6 Maximum Height:

a) No *building* shall exceed a *height* of 10.0 metres;

b) No *accessory building or structure* shall exceed a *height* of 5.5 metres.

16.4.7 Maximum Parcel Coverage:

a) 45%

16.4.8 Minimum Building Width:

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

16.4.9 Low Density Residential Apex Site Specific (RS4s) Regulations:

a) Not applicable.

16.5 LOW DENSITY RESIDENTIAL WEST BENCH (RS5) ZONE

16.5.1 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

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

c) *bed and breakfast operation*, subject to Section 7.4; and

d) *home occupation*, subject to Section 7.7.

16.5.2 Minimum Parcel Size for Subdivision:[xxxvii]

a) 2.0 ha, unless the proposed densification is serviced by a community sewer and stormwater management system, and subject to Section 8.0.

16.5.3 Minimum Parcel Width for Subdivision:

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

16.5.4 Maximum Number of Dwellings Permitted Per Parcel:

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

16.5.5 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

16.5.6 Maximum Height:

a) No *building* shall exceed a *height* of 10.0 metres;

[xxxvii] Amendment Bylaw No. 2461.21, 2022 – adopted May 19, 2022.

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

16.5.7 Maximum Parcel Coverage:

a) 30%

16.5.8 Minimum Building Width:

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

16.5.9 Low Density Residential West Bench Site Specific (RS5s) Regulations:

a) Not applicable.

16.6 LOW DENSITY RESIDENTIAL DUPLEX (RD1) ZONE

16.6.1 Permitted Uses:

Principal Uses:

a) *duplex dwelling*;

b) *single detached dwelling*;

Accessory Uses:

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

d) *home occupation*, subject to Section 7.7.

16.6.2 Minimum Parcel Size for Subdivision:

a) 225.0 m^2 for the purpose of subdivision of *duplex dwellings* under the *Strata Property Act*, subject to Section 8.0; or

b) 500.0 m^2, subject to Section 8.0.

16.6.3 Minimum Parcel Width for Subdivision:

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

16.6.4 Maximum Number of Dwellings Permitted Per Parcel:

a) two (2) *dwelling units*, provided that both *dwelling units* are located in one (1) *residential building*.

16.6.5 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*	1.0 metres
iv)	*Exterior side parcel line*	4.5 metres

c) Despite Section 16.6.5(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.[xxxviii]

16.6.6 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.

16.6.7 Maximum Parcel Coverage:

a) 45%

16.6.8 Low Density Residential Duplex Site Specific (RD1s) Regulations:

a) **Electoral Area "A"**

i) Not applicable

b) **Electoral Area "C"**

i) Not applicable

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 16.6.8(c)(i):

.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 16.6.8(c)(i) is prohibited.

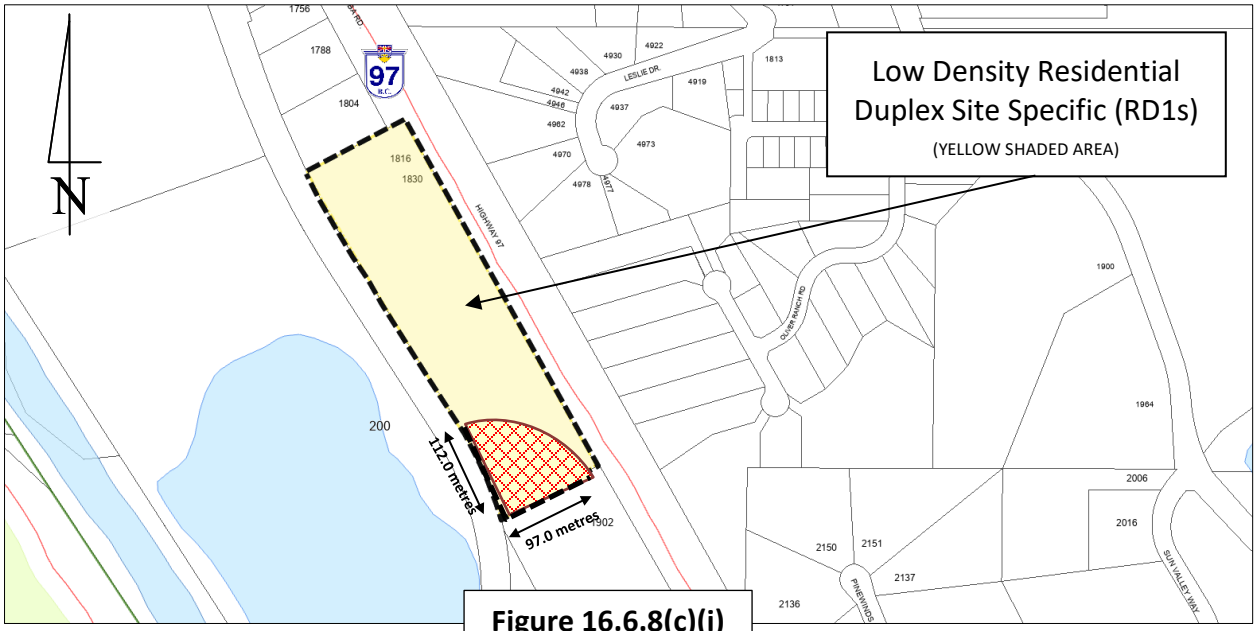


Figure 16.6.8(c)(i)

[xxxviii] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

16.7 LOW DENSITY RESIDENTIAL APEX DUPLEX (RD2) ZONE

16.7.1 Permitted Uses:

Principal Uses:

a) *duplex dwelling*;

b) *single detached dwelling*;

c) *vacation rental*, subject to Section 7.11;

Accessory Uses:

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

e) *bed and breakfast operation*, subject to Section 7.4;

f) *home occupation*, subject to Section 7.7; and

g) *secondary suite*, subject to Section 7.10.

16.7.2 Minimum Parcel Size for Subdivision:

a) 225.0 m^2 for the purpose of subdivision of a *duplex dwelling* under the *Strata Property Act*, subject to Section 8.0;[xxxix] or

b) 600.0 m^2, subject to Section 8.0.

16.7.3 Minimum Parcel Width for Subdivision:

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

16.7.4 Maximum Number of Dwellings Permitted Per Parcel:

a) two (2) *dwelling units*, provided that both *dwelling units* are located in one (1) *residential building*; or

b) one (1) *secondary suite* in a *single detached dwelling*.

16.7.5 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*	3.0 metres
iv)	*Exterior side parcel line*	4.5 metres

b) *Accessory building or structure*:

i)	*Front parcel line*	7.5 metres

[xxxix] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

ii) *Rear parcel line* 3.0 metres

iii) *Interior side parcel line* 3.0 metres

iv) *Exterior side parcel line* 4.5 metres

c) Despite Section 16.7.5(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.[xl]

16.7.6 Maximum Height:

a) No *building* shall exceed a *height* of 10.0 metres;

b) No *accessory building or structure* shall exceed a *height* of 5.5 metres.

16.7.7 Maximum Parcel Coverage:

a) 45%

16.7.8 Minimum Building Width:

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

16.7.9 Conditions of Use:

a) 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.

16.7.10 Site Specific Low Density Residential Apex Duplex (RD2s) Regulations:

a) in the case of land described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD (131-133 Whitetail Road, Apex), and shown shaded yellow on Figure 16.7.10(a):

i) despite Section 4.0 (Definitions), a *secondary suite* may be located within a *duplex dwelling*, provided that it otherwise complies with the definition of *secondary suite*.

[xl] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

ii) despite Section 7.10.4, no more than 16 patrons, with an aggregate occupancy of eight (8) patrons per *dwelling unit* (principal and *secondary suite*) shall be accommodated per strata *parcel*.

iii) despite Section 11.5.5 (Maximum Number of Dwellings Permitted Per Parcel), the maximum number of *dwelling units* permitted shall be two (2) *principal dwelling units* and 2 *secondary suites*, provided all *dwelling units* are located in one (1) *residential building*.

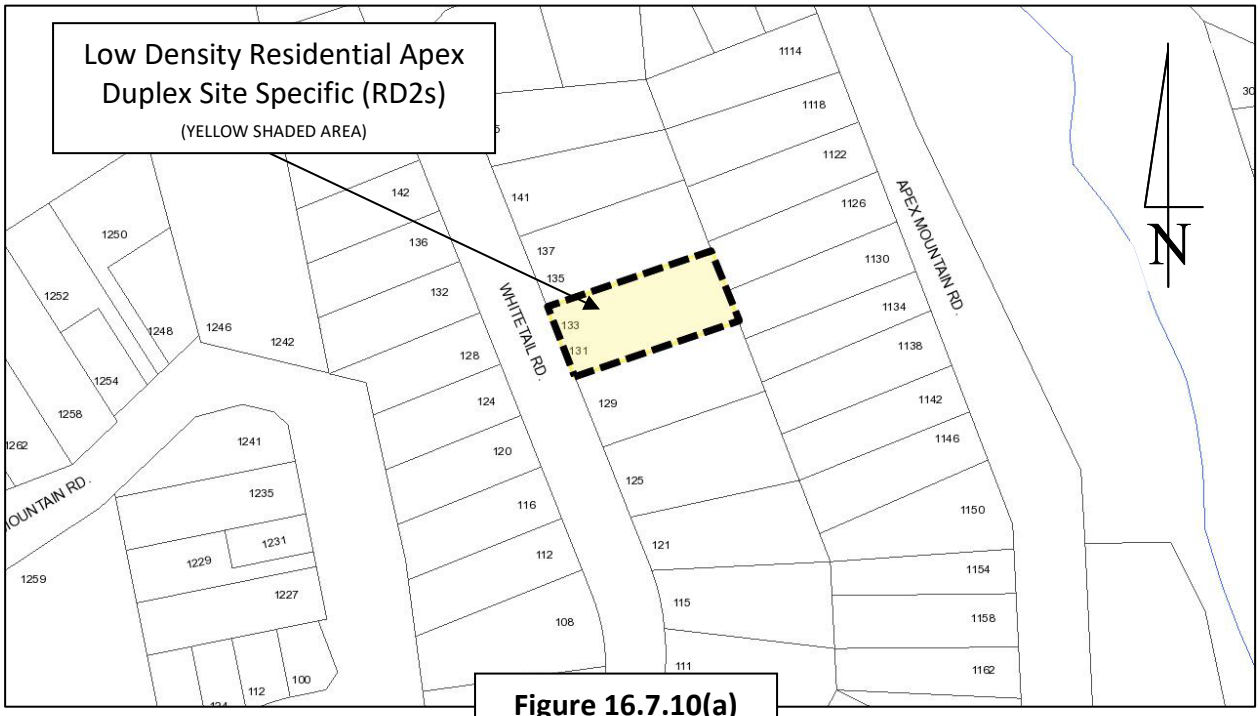


Figure 16.7.10(a)

b) in the case of land described as Strata Lot 8, Plan KAS3172, District Lot 395S, SDYD (165 Snow Mountain Place), and as shown shaded yellow on Figure 16.7.10(b):

i) despite Section 16.7.2, the *minimum parcel size* for the purpose of subdividing a *duplex dwelling* under the *Strata Property Act* shall be 236.0 m^2, subject to servicing requirements.

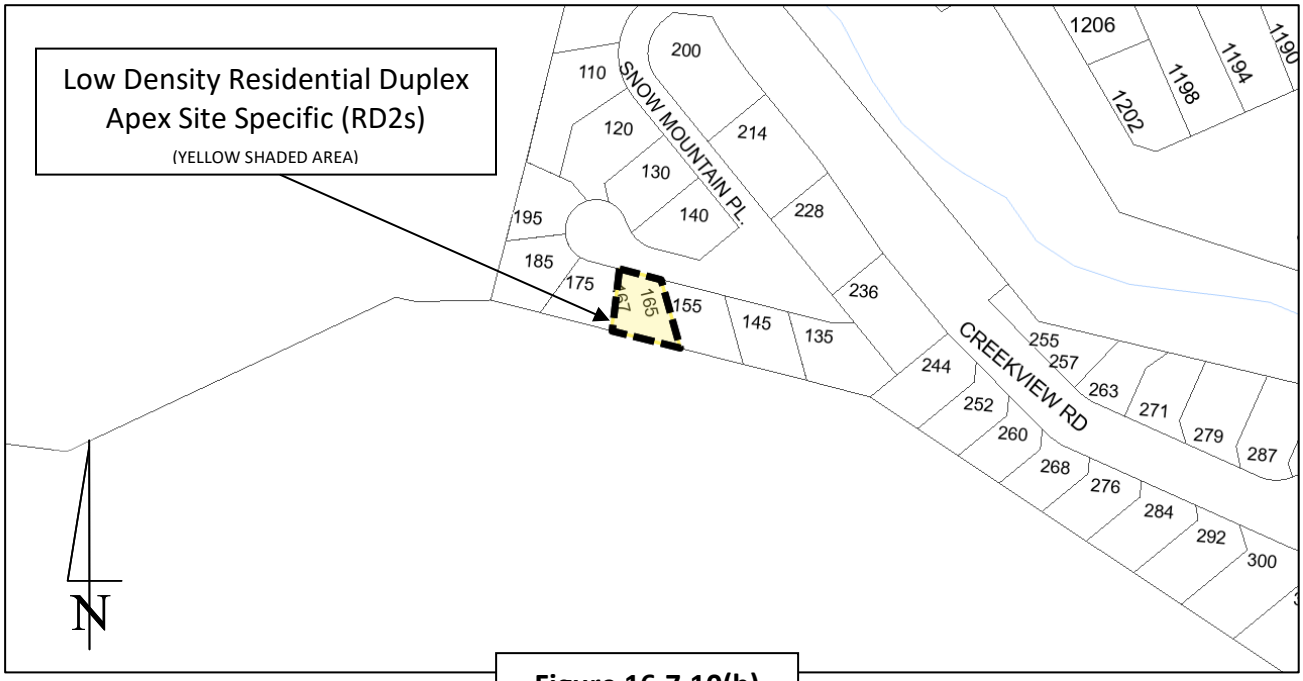


Figure 16.7.10(b)

c) in the case of land described as Lot 12, Plan KAP65691, District Lot 395S, SDYD (134/135 Clearview Crescent), and as shown shaded in yellow on Figure 16.7.10(c):

i) despite Section 4.0 (Definitions), a *secondary suite* may be located within a *duplex dwelling*.

ii) despite Section 16.7.4, the maximum number of dwellings permitted per parcel shall be:

1. two (2) *principal dwelling units*, and one (1) *secondary suite* within each *principal dwelling unit*, provided that the *dwelling units* are located in one (1) residential building.

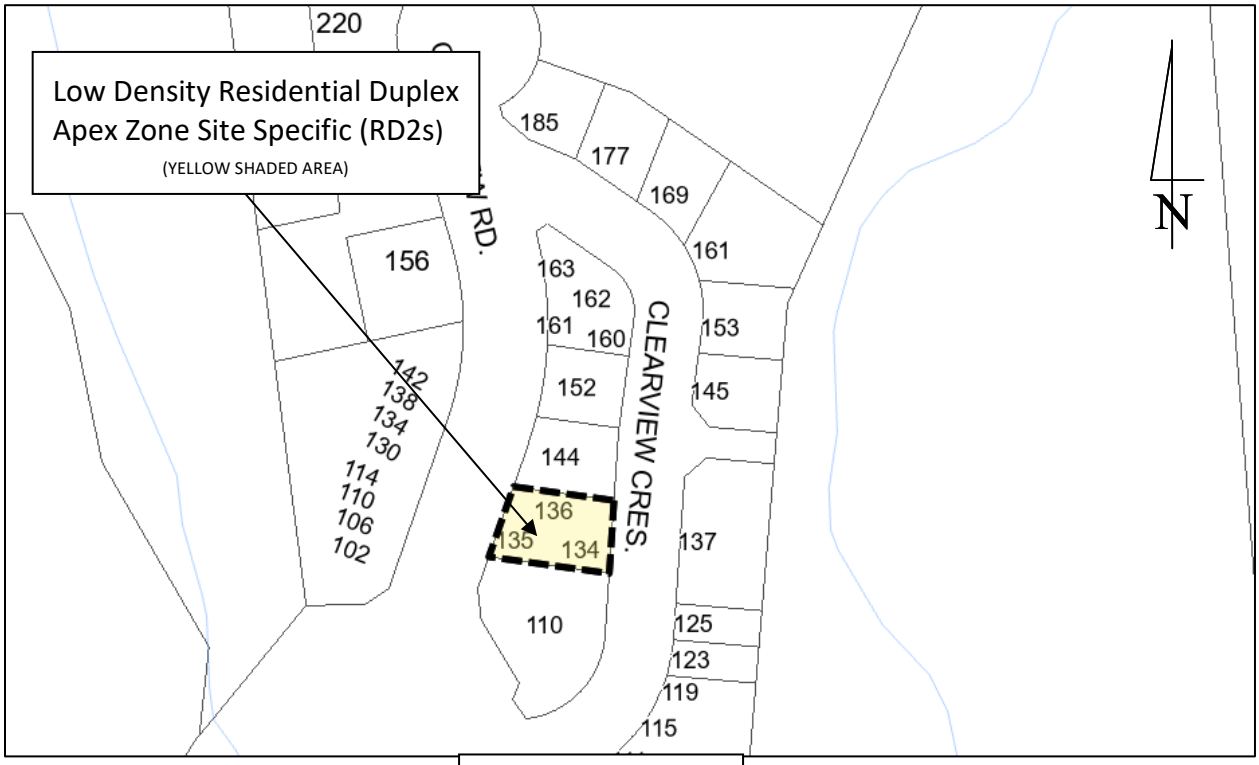


Figure 16.7.10(c)

16.8 LOW DENSITY RESIDENTIAL MANUFACTURED HOME PARK (RSM1) ZONE

16.8.1 Permitted Uses:

Principal Uses:

a) *manufactured home park*;

b) *manufactured home*;

c) *modular home*;

Accessory Uses:

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

e) *home occupation*, subject to Section 7.7;

f) *retail*, subject to Section 16.8.11; and

g) *single detached dwelling*.

16.8.2 Minimum Parcel Size for Subdivision:

a) 1.0 ha for *manufactured home park*, subject to Section 8.0; and

b) 350.0 m^2 for each *manufactured home space*, subject to Section 8.0.

16.8.3 Minimum Parcel Width for Subdivision:

a) 35.0 metres for *manufactured home park*, subject to Section 8.0; 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.

16.8.4 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*.

16.8.5 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 16.8.5(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 16.8.5(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

16.8.6 Amenity and Open Space Area:

a) The following *amenity and open space areas* shall be provided for each *dwelling unit*:

i) a contiguous area of not less than 40.0 m^2;

ii) to be located immediately adjacent to and be accessible from a habitable room (common space) of the *dwelling unit*;

iii) shall not include any required storage area, driveway, off-street parking area or *building setback* area except the rear *setback* area; and

iv) must be marked on the site plan submitted with the Building Permit application for the *development* of a *dwelling unit* on the *parcel*.

16.8.7 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.

16.8.8 Maximum Manufactured Home Space Coverage:

a) 45%

16.8.9 Minimum Building Width:

a) Not applicable

16.8.10 Manufactured Home Park Roadway Standards:[xli]

[xli] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.

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.

16.8.11 General Regulations:

a) a *manufactured home park* use shall be connected to a community sewer system and community water system.[xlii]

b) a *retail* use shall not exceed a *gross floor area* of 250.0 m^2.

16.8.12 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

[xlii] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.

17.0 MEDIUM DENSITY RESIDENTIAL ZONES

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 7.1; and

e) *home occupation*, subject to Section 7.7.

17.1.2 Minimum Parcel Size for Subdivision:

a) 1,000.0 m^2, subject to Section 8.0.

17.1.3 Minimum Parcel Width for Subdivision:

a) 30.0 metres, subject to Section 8.0.

17.1.4 Maximum Density:

a) 60.0 *dwelling units* per hectare

17.1.5 Minimum Floor Area:

a) 25.0 m^2 for *dwelling units*

17.1.6 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*	3.0 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* 1.0 metres

iv) *Exterior side parcel line* 4.5 metres

c) Despite 17.1.6(a) and (b) internal *parcel* lines for a strata subdivision are subject to Section 6.14.

17.1.7 Maximum Height:

a) No *building* shall exceed a *height* of 12.0 metres;

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

17.1.8 Maximum Parcel Coverage:

a) 50%

17.1.9 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^2

ii) one (1) bedroom: 15.0 m^2

iii) two (2) or more bedrooms: 25.0 m^2

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.

17.1.10 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*.

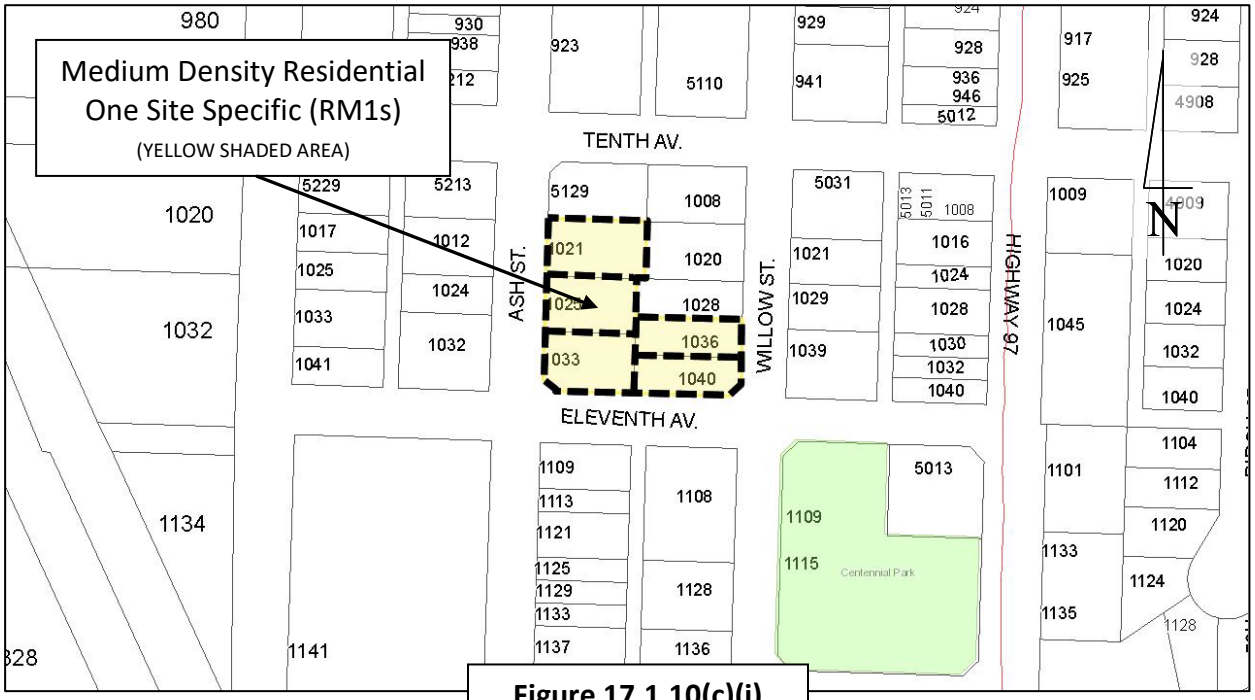


Figure 17.1.10(c)(i)

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*.

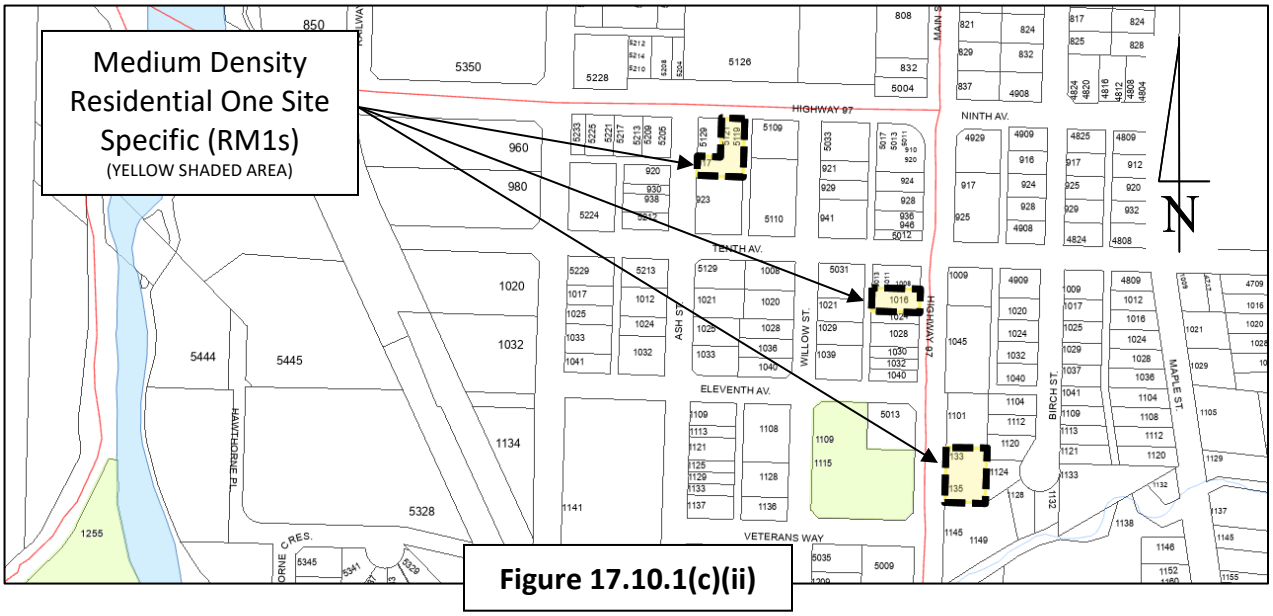


Figure 17.10.1(c)(ii)

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.

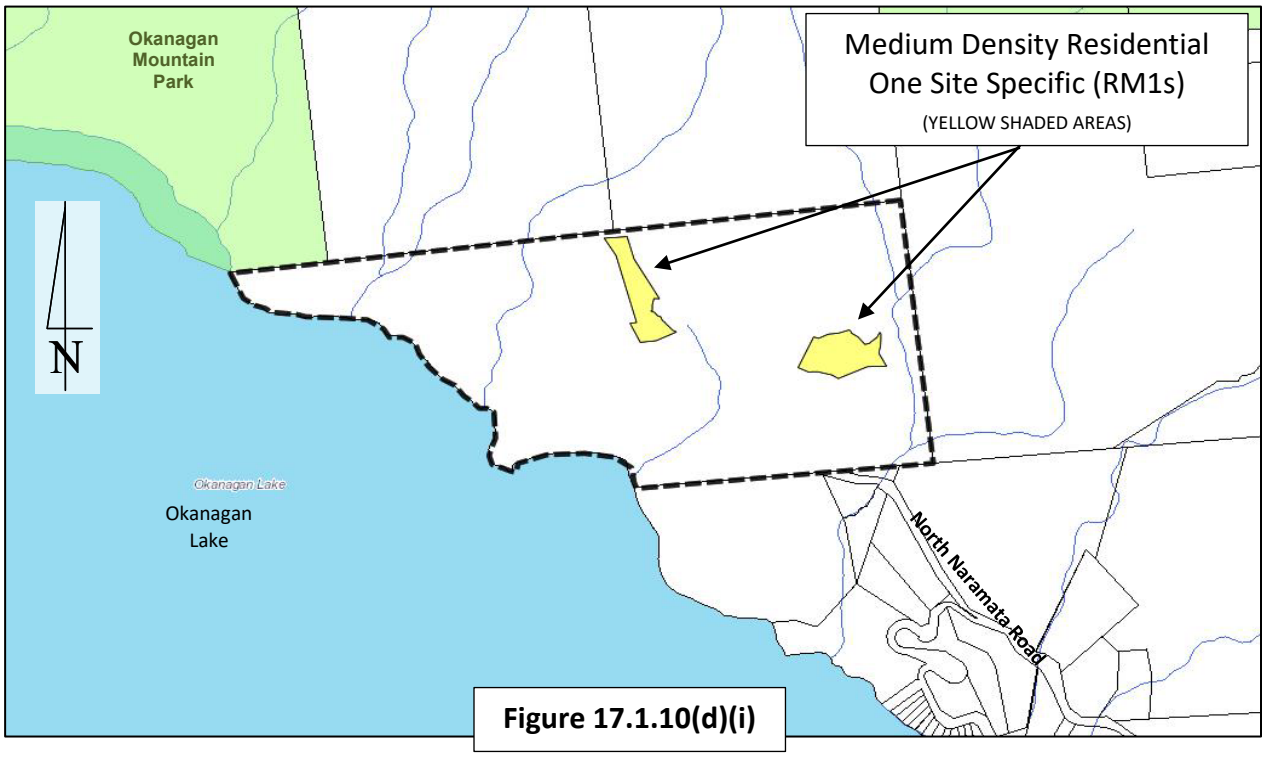


Figure 17.1.10(d)(i)

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

17.2 MEDIUM DENSITY RESIDENTIAL APEX (RM2) ZONE

17.2.1 Permitted Uses:

Principal Uses:

a) *apartment building*;

b) *townhouse*;

c) *vacation rental*, subject to Section 7.11;

Accessory Uses:

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

e) *home occupation*, subject to Section 7.7.

17.2.2 Minimum Parcel Size for Subdivision:

a) 1,000.0 m^2, subject to Section 8.0.

17.2.3 Minimum Parcel Width for Subdivision:

a) 30.0 metres, subject to Section 8.0.

17.2.4 Maximum Density:

a) 60.0 *dwelling units* per hectare

17.2.5 Minimum Floor Area:

a) 25.0 m^2 for *dwelling units*

17.2.6 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*	5.0 metres

b) *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*	5.0 metres

c) Despite Section 17.2.6(a) and (b), internal *parcel* lines for a strata subdivision are subject to Section 6.14.

17.2.7 Maximum Height:

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

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

17.2.8 Maximum Parcel Coverage:

a) 50%

17.2.9 Amenity and Open Space Area Requirements:

a) The following *amenity and open space area* shall be provided for each *dwelling unit*:

i) studio suite: 7.5 m^2

ii) one (1) bedroom: 15.0 m^2

iii) two (2) or more bedrooms: 25.0 m^2

b) not less than 25% of required *amenity and open space area* is to be located at grade;

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.

17.2.10 Conditions of Use:

a) 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.

17.2.11 Medium Density Residential Apex Site Specific (RM2s) Regulations:

a) Not applicable

18.0 VILLAGE & TOWN CENTRE ZONES

18.1 OKANAGAN FALLS TOWN CENTRE (OFTC) ZONE

18.1.1 Permitted Uses:

Principal Uses:

a) *alcohol production facility*;

b) *apartment building*, subject to Section 18.1.10;

c) *assembly*;

d) *child care centre*;

e) *civic facility*;

f) *cultural facility*;

g) *eating and drinking establishment*;

h) *educational facility*;

i) *indoor recreation*;

j) *office*;

k) *outdoor market*;

l) *personal service establishment*;

m) *retail*;

n) *tourist accommodation*;

o) *townhouse*, subject to Section 18.1.10;

Accessory Uses:

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

q) *bed and breakfast operation*, subject to Section 7.4; and

r) *home occupation*, subject to Section 7.7.

18.1.2 Minimum Parcel Size for Subdivision:

a) 1,000.0 m^2, subject to Section 8.0.

18.1.3 Minimum Parcel Width for Subdivision:

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

18.1.4 Maximum Density:

a) 150 *dwelling units* per hectare

18.1.5 Minimum Density:

a) 40 *dwelling units* per hectare

18.1.6 Maximum Floor Area Ratio:

a) Not applicable

18.1.7 Minimum Setbacks:

a) *Buildings* and *structures*:

i)	*Front parcel line*	0.0 metres
ii)	*Rear parcel line*	0.0 metres
iii)	*Interior side parcel line*	0.0 metres
iv)	*Exterior side parcel line*	0.0 metres
v)	for a *parcel* line adjacent Highway 97	4.5 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*	1.5 metres
iv)	*Exterior side parcel line*	3.0 metres
v)	for a *parcel* line adjacent Highway 97	4.5 metres

NOTE: the Ministry of Transportation and Infrastructure (MoTI) requires that any *building* or other *structure* be a minimum of 4.5 metres from a *parcel* line to a provincial road right-of-way. Obtaining approval from MoTI to place a *building* or other *structure* within 4.5 metres of a provincial road right-of-way is the responsibility of a property owner.

18.1.8 Maximum Height:

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

18.1.9 Maximum Parcel Coverage:

a) 80%

18.1.10 Dwelling Unit Regulations:

a) *dwelling units* located in the same *building* as a commercial use shall have separate entrances from the exterior of the *building* and shall not share a common hallway with a commercial use.

b) a minimum area of 10.0 m^2 of *amenity and open space area* shall be provided per *dwelling unit*.

18.1.11 Okanagan Falls Town Centre Site Specific (OFTCs) Regulations:

a) in the case of land described as Lot 1, Plan 12558, District Lot 374, SDYD (5081 8th Avenue), and shown shaded yellow on Figure 18.1.11(a):

i) despite Section 18.1.7(a)(v), the minimum *setback* for a *parcel* line adjacent to Highway 97 shall be 0.0 metres.

ii) despite Section 11.2.1 (Table 11.2), the required number of parking spaces for an *apartment building* or *townhouse* use shall be 1.0 space per *dwelling unit*.

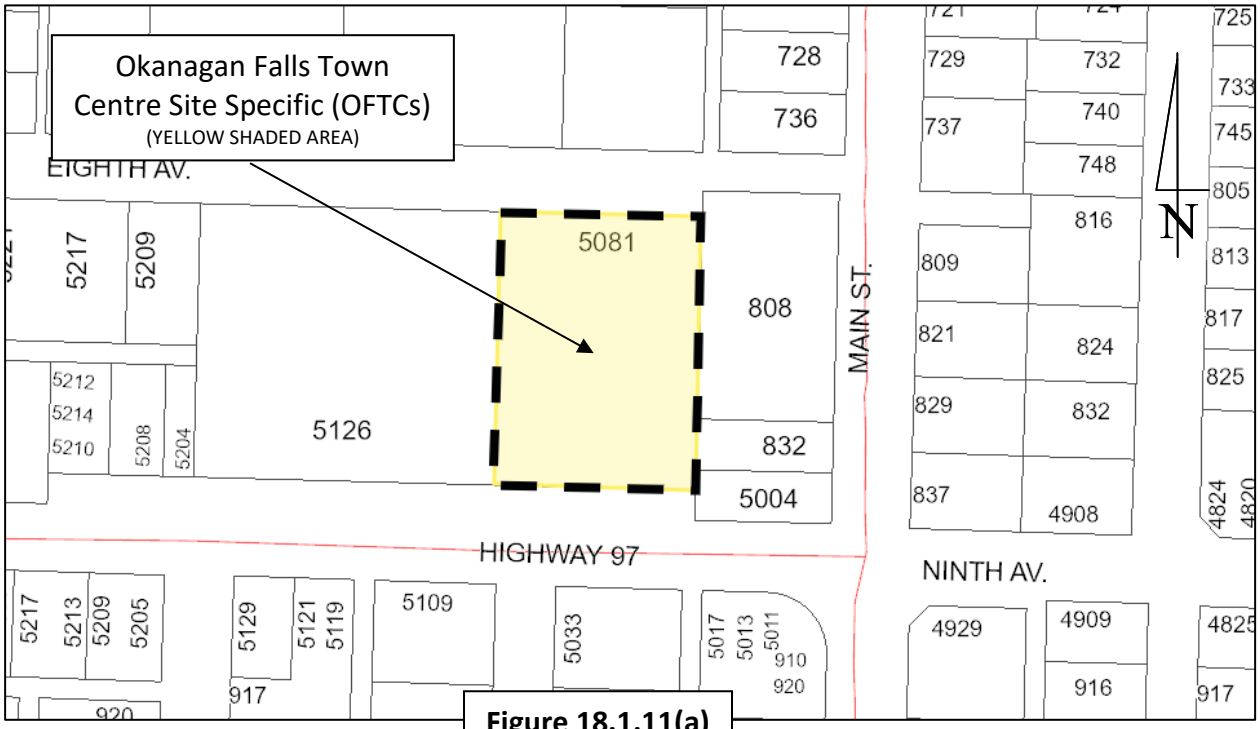


Figure 18.1.11(a)

b) in the case of lands described as Strata Lots 1-15, Plan KAS2687, District Lot 2883S, SDYD (850 Railway Lane), and shown shaded yellow on Figure 18.1.11(b):

i) despite Section 18.1.5, the maximum density shall be 159 *dwelling units* per hectare.

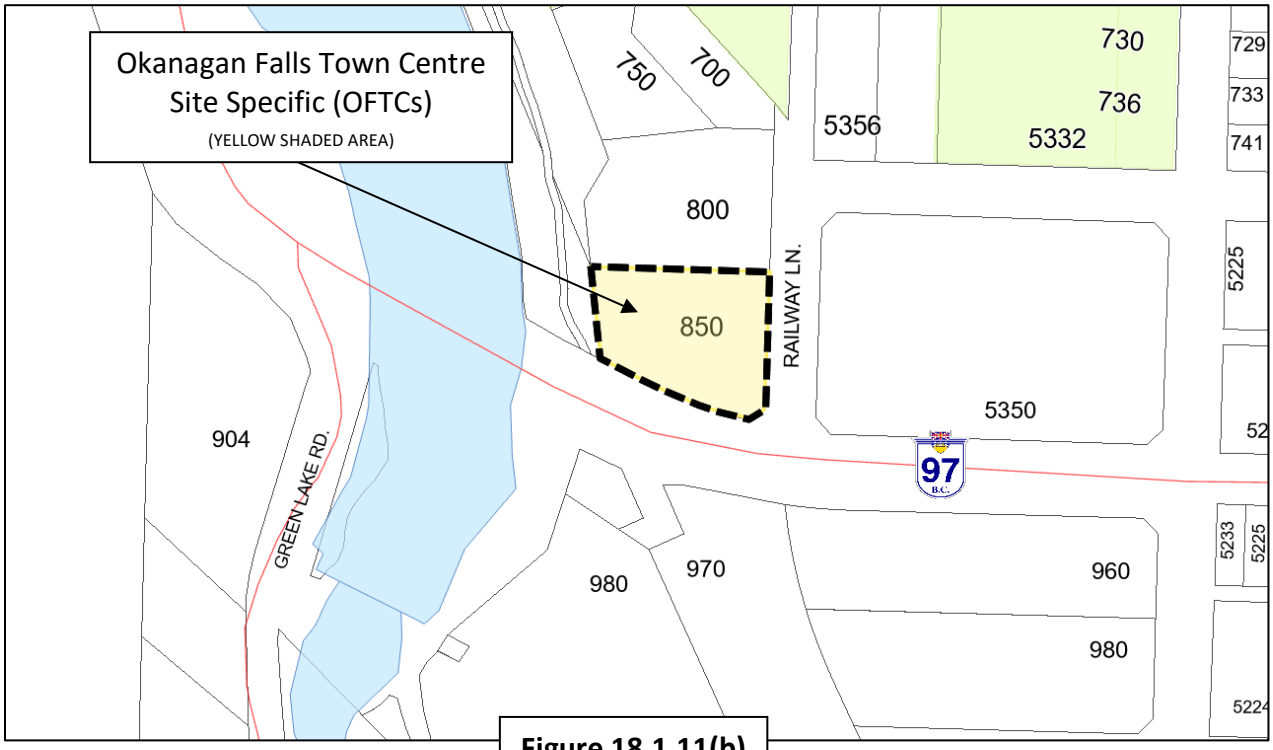


Figure 18.1.11(b)

18.2 NARAMATA VILLAGE CENTRE (NVC) ZONE

18.2.1 Permitted Uses:

Principal Uses:

a) *alcohol production facility*;

b) *apartment building*, subject to Section 18.2.10;

c) *assembly*;

d) *child care centre*;

e) *civic facility*;

f) *cultural facility*;

g) *eating and drinking establishment*;

h) *educational facility*;

i) *indoor recreation*;

j) *office*;

k) *outdoor market*;

l) *personal service establishment*;

m) *retail*;

n) *tourist accommodation*;

o) *townhouse*, Subject to Section 18.2.10;

Accessory Uses:

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

q) *accessory dwelling*, subject to Section 7.2;

r) *bed and breakfast operation*, subject to Section 7.4; and

s) *home occupation*, subject to Section 7.7.

18.2.2 Minimum Parcel Size for Subdivision:

a) 500.0 m^2, subject to Section 8.0.

18.2.3 Minimum Parcel Width for Subdivision:

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

18.2.4 Maximum Density:

a) Not applicable

18.2.5 Minimum Density:

a) Not applicable

18.2.6 Maximum Floor Area Ratio:

a) Not applicable

18.2.7 Minimum Setbacks:

a) *Buildings* and *structures*:

i)	*Front parcel line*	0.0 metres
ii)	*Rear parcel line*	
1.	when adjacent a *lane*	6.0 metres
2.	when adjacent a *lane*	0.0 metres
iii)	*Interior side parcel line*	0.0 metres
iv)	*Exterior side parcel line*	
1.	when adjacent a *lane*	6.0 metres
2.	when adjacent a *lane*	0.0 metres

NOTE: the Ministry of Transportation and Infrastructure (MoTI) requires that any *building* or other *structure* be a minimum of 4.5 metres from a *parcel* line to a provincial road right-of-way. Obtaining approval from MoTI to place a *building* or other *structure* within 4.5 metres of a provincial road right-of-way is the responsibility of a property owner.

18.2.8 Maximum Height:

a) No *building* shall exceed a *height* of 12.0 metres.

18.2.9 Maximum Parcel Coverage:

a) 80%

18.2.10 Dwelling Unit Regulations:

a) *dwelling units* located in the same *building* as a commercial use shall have separate entrances from the exterior of the *building* and shall not share a common hallway with a commercial use

b) a minimum area of 10.0 m^2 of *amenity and open space area* shall be provided per *dwelling unit*.

c) *accessory dwellings* are limited to a maximum of one (1) per *parcel*, but excluding *apartment building* and *townhouse* uses.

18.2.11 Naramata Village Centre Site Specific (NVCs) Regulations:

a) in the case of land described as Lots 9-10, Plan KAP519, Block 4, District Lot 210, SDYD (310 Robinson Avenue), and shown shaded yellow on Figure 18.2.11(a):

i) the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 18.2.1:

a) *single detached dwelling*.

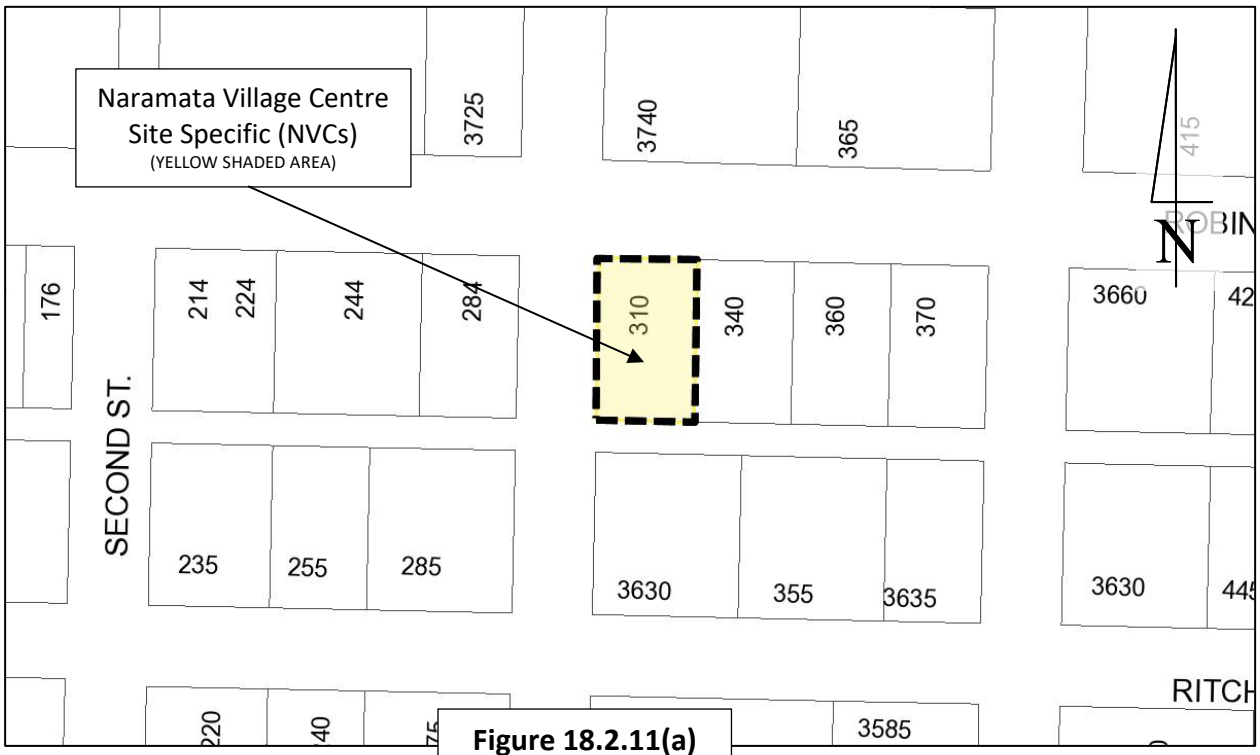


Figure 18.2.11(a)

18.3 APEX MOUNTAIN VILLAGE (AMV) ZONE

18.3.1 Permitted Uses:

Principal Uses:

a) *apartment building*, subject to Sections 18.3.10 and 18.3.11;

b) community hall;

c) *cultural facility*;

d) *eating and drinking establishment*;

e) *indoor recreation*;

f) *office*;

g) *personal service establishment*;

h) *retail*;

i) *tourist accommodation*;

j) *townhouse*, subject to Sections 18.3.10 and 18.3.11;

k) *vacation rental*, subject to Section 7.11;

Accessory Uses:

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

m) *home occupation*, subject to Section 7.7.

18.3.2 Minimum Parcel Size for Subdivision:

a) 1,000.0 m^2, subject to Section 8.0.

18.3.3 Minimum Parcel Width for Subdivision:

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

18.3.4 Maximum Density:

a) Not applicable

18.3.5 Minimum Density:

a) Not applicable

18.3.6 Maximum Floor Area Ratio:

a) 3.0

18.3.7 Minimum Setbacks:

a) *Buildings* and *structures*:

i)	*Front parcel line*	3.0 metres
ii)	*Rear parcel line*	3.0 metres
iii)	*Interior side parcel line*	3.0 metres
iv)	*Exterior side parcel line*	4.5 metres

b) *Accessory building or structure*:

i)	*Front parcel line*	3.0 metres
ii)	*Rear* parcel line	1.5 metres
iii)	*Interior side parcel line*	1.5 metres
iv)	*Exterior side parcel line*	4.5 metres

18.3.8 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 20.0 metres.

18.3.9 Maximum Parcel Coverage:

a) 75%

18.3.10 Dwelling Unit Regulations:

a) *Dwelling units* located in the same *building* as a commercial use shall have separate entrances from the exterior of the *building* and shall not share a common hallway with a commercial use.

b) The following *amenity and open space area* shall be provided for each *dwelling unit*:

i)	studio suite:	7.5 m^2
ii)	one (1) bedroom:	15.0 m^2
iii)	two (2) or more bedrooms:	25.0 m^2

c) Not less than 25% of required *amenity and open space area* is to be located at grade;

d) 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.

18.3.11 Conditions of Use:

a) 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.

18.3.12 Apex Mountain Village Site Specific (AMVs) Regulations:

a) Not applicable

18.4 TWIN LAKES VILLAGE (TLV) ZONE

18.4.1 Permitted Uses:

Principal Uses:

a) *apartment building*, subject to Section 18.4.10;

b) *campground*, subject to Section 7.5;[xliii]

c) community hall;

d) *duplex dwelling*;

e) *eating and drinking establishment*;

f) *indoor recreation*;

g) *office*;

h) *personal service establishment*;

i) *retail*;

j) *tourist accommodation*;

k) *townhouse*, subject to Section 18.4.10;

l) *vacation rental*, subject to Section 7.11;

Accessory Uses:

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

n) *home occupation*, subject to Section 7.7.

18.4.2 Minimum Parcel Size for Subdivision:

a) 225.0 m^2 for the purpose of subdivision of *duplex dwellings* under the *Strata Property Act*, subject to Section 8.0; or

b) 500.0 m^2, subject to Section 8.0.

18.4.3 Minimum Parcel Width for Subdivision:

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

18.4.4 Maximum Density:

a) 60 *dwelling units* per ha for *apartment buildings* and *townhouses*, subject to servicing requirements; and

b) two (2) *dwelling units* per *parcel* for a *duplex dwelling*, provided that both *dwelling units* are located in one (1) *residential building*.

[xliii] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.

18.4.5 Minimum Density:

a) Not applicable

18.4.6 Maximum Floor Area Ratio:

a) Not applicable

18.4.7 Minimum Setbacks:

a) *Buildings* and *structures*:

i)	*Front parcel line*	4.5 metres
ii)	*Rear parcel line*	3.0 metres
iii)	*Interior side parcel line*	3.0 metres
iv)	*Exterior side parcel line*	4.5 metres

b) *Accessory building or structure*:

i)	*Front parcel line*	4.5 metres
ii)	*Rear parcel line*	1.5 metres
iii)	*Interior side parcel line*	1.5 metres
iv)	*Exterior side parcel line*	4.5 metres

18.4.8 Maximum Height:

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

d) No *accessory building or structure* shall exceed a *height* of 5.0 metres.

18.4.9 Maximum Parcel Coverage:

a) 75% for an *apartment building* or *townhouse*;

b) 45% for a *duplex dwelling*.

18.4.10 Conditions of Use:

a) the minimum land area on which an *apartment building* or *townhouse* use may be undertaken shall be 1,000.0 m^2.

b) *dwelling units* located in the same *building* as a commercial use shall have separate entrances from the exterior of the *building* and shall not share a common hallway with a commercial use.

c) a minimum area of 10.0 m^2 of *amenity and open space area* shall be provided per *dwelling unit*.

d) *deleted*;[xliv] and

e) *deleted*. [xlv]

18.4.11 Twin Lakes Village Site Specific (TLVs) Regulations:

a) Not applicable

[xliv] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.
[xlv] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.

19.0 COMMERCIAL ZONES

19.1 GENERAL COMMERCIAL (C1) ZONE

19.1.1 Permitted Uses:

Principal Uses:

a) *alcohol production facility*;

b) *eating and drinking establishment*;

c) *indoor recreation*;

d) *office*;

e) *outdoor market*;

f) *personal service establishment*;

g) *retail*;

h) vehicle sales and rental;

Accessory Uses:

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

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

k) car wash.

19.1.2 Minimum Parcel Size for Subdivision:

a) 1,000.0 m^2, subject to Section 8.0.

19.1.3 Minimum Parcel Width for Subdivision:

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

19.1.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

19.1.5 Maximum Floor Area Ratio:

a) Not applicable

19.1.6 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

19.1.7 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 10.0 metres.

19.1.8 Maximum Parcel Coverage:

a) 50%

19.1.9 General Commercial Site Specific (C1s) Regulations:

a) **Electoral Area "A"**

i) in the case of land described as Lot 1, Plan KAP16590, District Lot 2450S, SDYD, Portion Lot 568 (9901 62nd Avenue), and shown shaded yellow on Figure 19.1.9(a)(i):

.1 the following principal and *accessory uses* and no others shall be permitted on the land:

a) warehouse, not to exceed 250.0 m^2 in *gross floor area*.

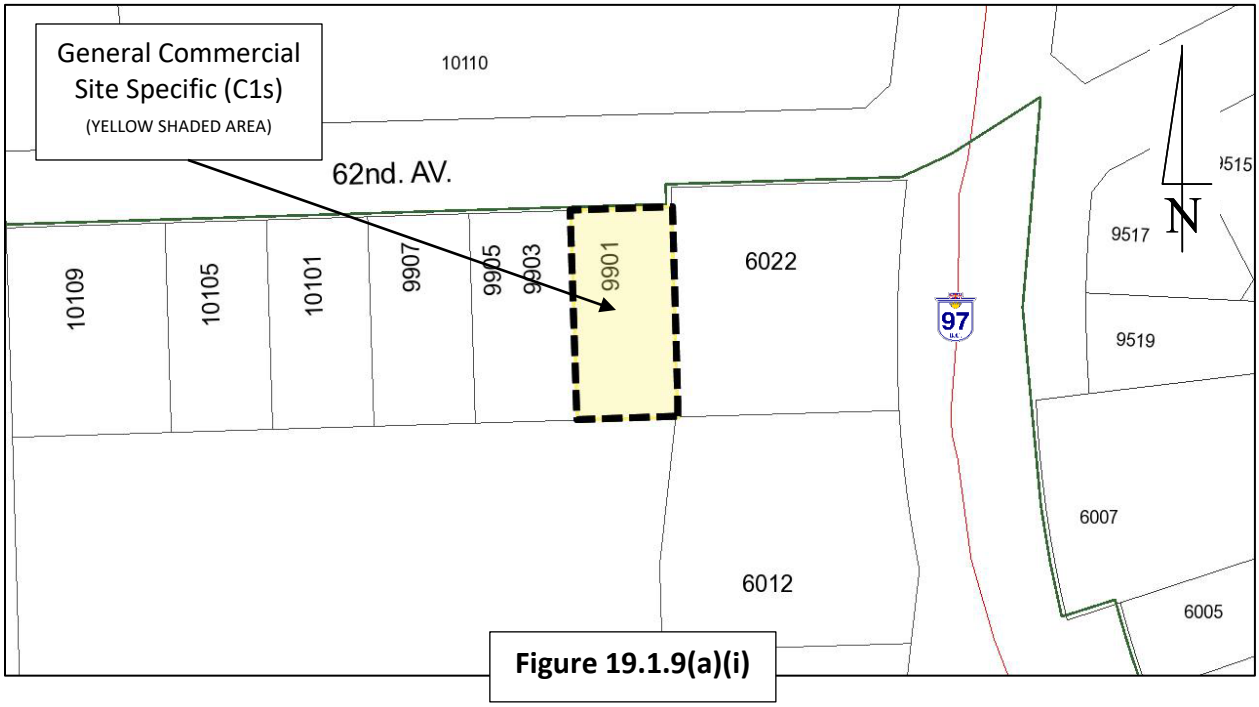


Figure 19.1.9(a)(i)

ii) in the case of land described as Lot 1, Plan EPP87823, District Lot 2709, SDYD (118 Peregrine Road) shown shaded yellow on Figure 19.1.9(a)(ii):

.1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 19.1.1:

a) community hall.

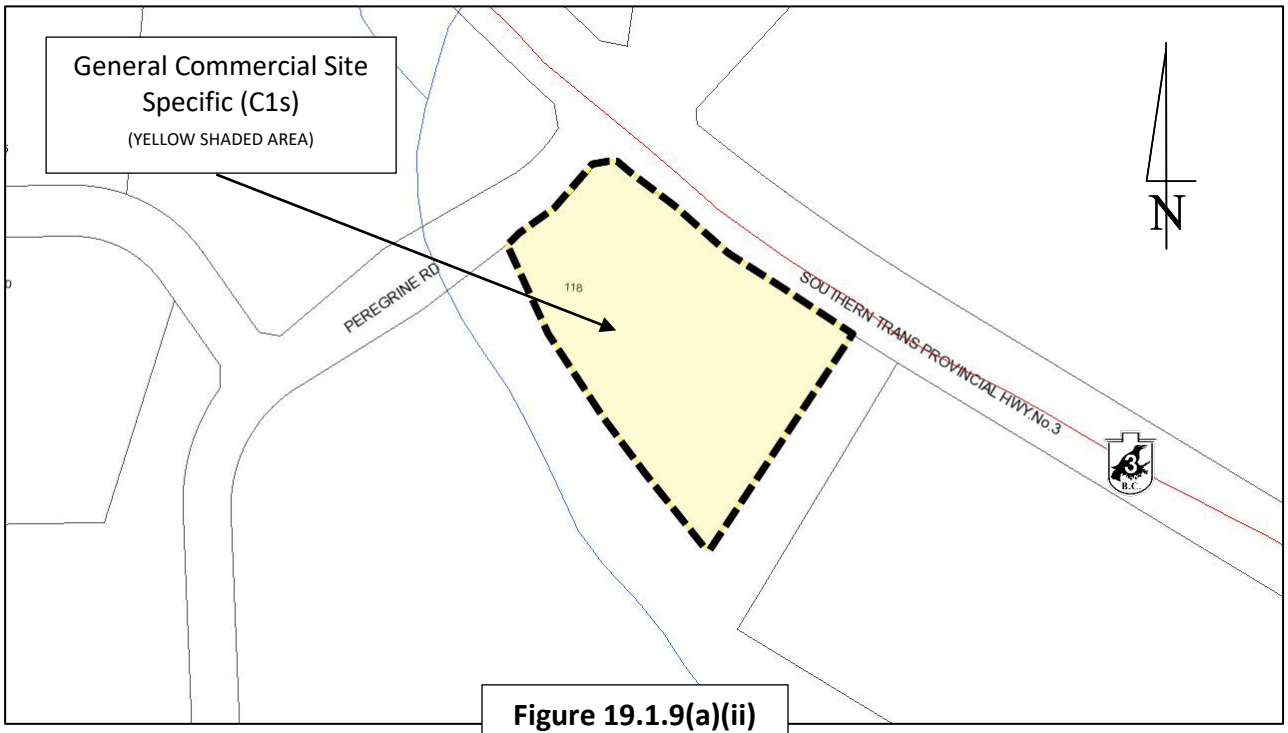


Figure 19.1.9(a)(ii)

b) **Electoral Area "C"**

i) in the case of the land described as Lots 4 & 5, Plan 11959, District Lot 28s, SDYD (8332 & 8360 Gallagher Lake Frontage Road), and shown shaded yellow on Figure 19.1.9(b)(i):

.1 the following *accessory use* shall be permitted on the land in addition to the permitted uses listed in Section 19.1.1:

a) *duplex dwelling*; and

b) *self-storage*.

.2 despite Section 19.2.4, the maximum number of *dwelling units* permitted per *parcel* shall be two (2) *dwelling units*, provided that both *dwelling units* are located in one (1) *residential building*.

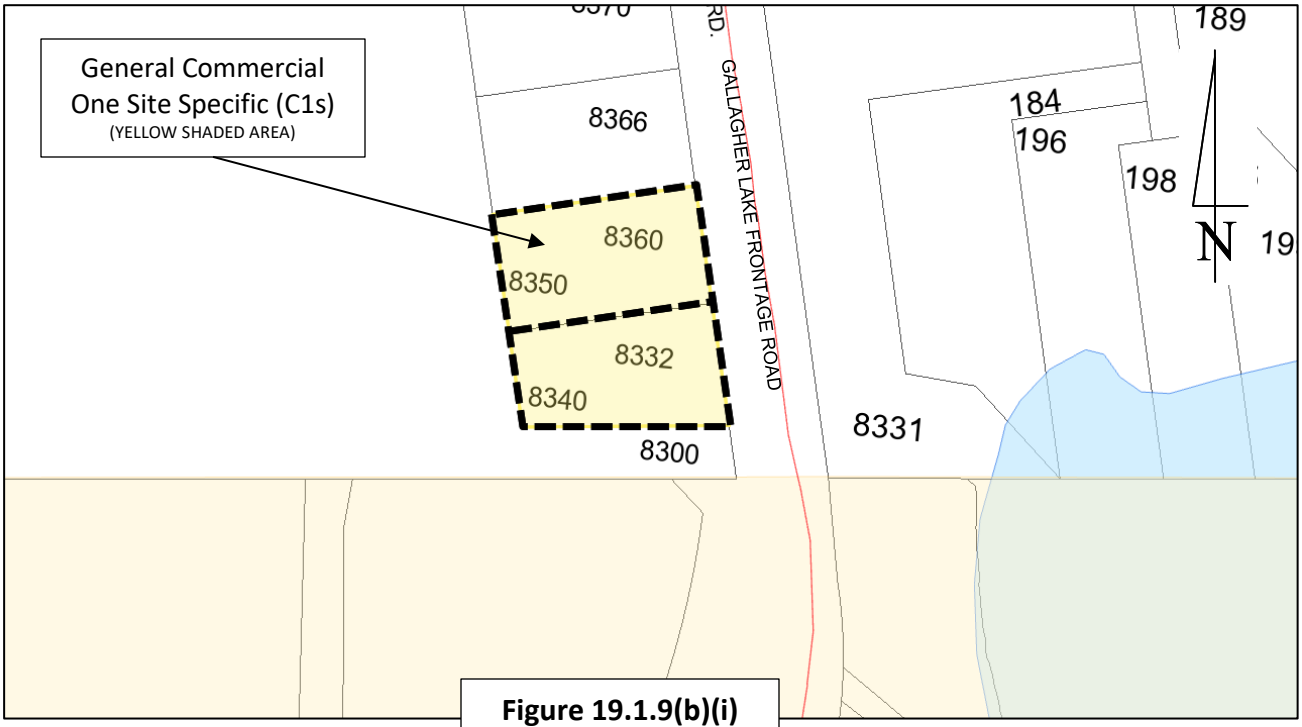


Figure 19.1.9(b)(i)

c) **Electoral Area "D"**

i) in the case of land described as Lot 1, Plan KAP3828, District Lot 374, SDYD (5129 9th Avenue), and shown shaded yellow on Figure 19.1.9(c)(i):

.1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 19.1.1:

a) *service industry establishment*, excluding household cleaning and repair; metal and woodworking; and plumbing and heating sales; storage and repair.

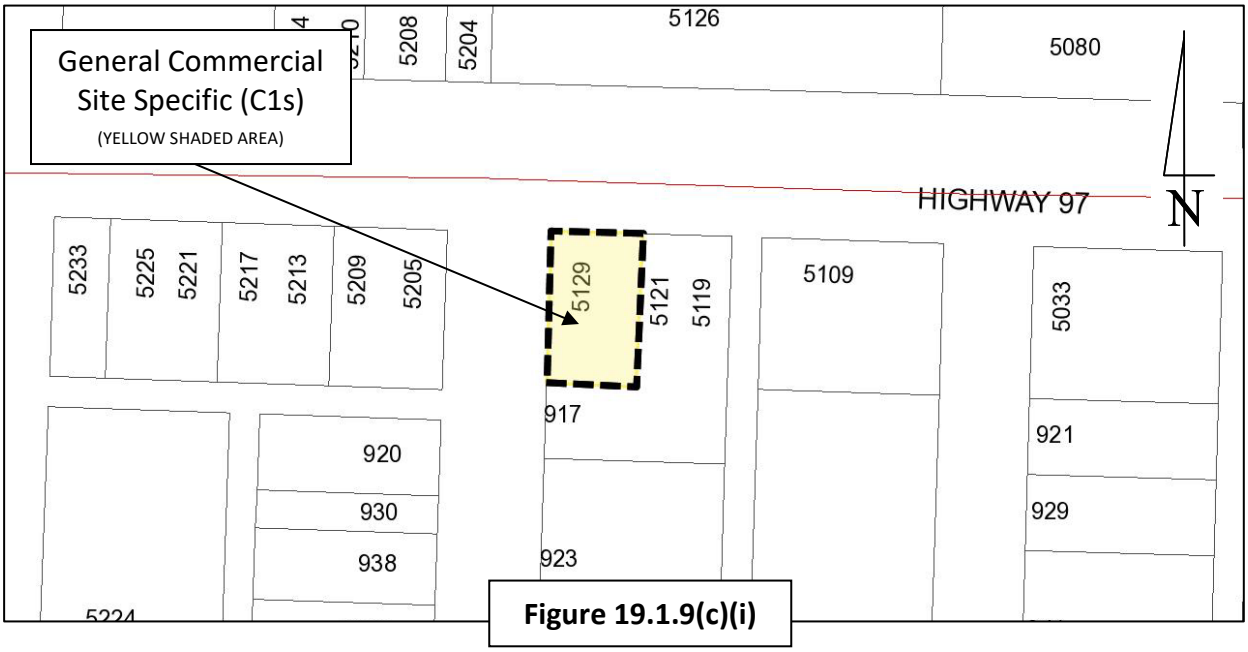


Figure 19.1.9(c)(i)

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) in the case of land described as Lot 1, Plan KAP14266, District Lot 5076, ODYD (2002 West Bench Drive), and shown shaded yellow on Figure 19.1.9(e)(i):

.1 the following *principal uses* and no others shall be permitted on the land:

a) *eating and drinking establishment*;

b) *office*;

c) *personal service establishment*;

d) *convenience store*.

.2 the following *accessory uses* and no others shall be permitted on the land:

a) one (1) *accessory dwelling*, subject to Section 7.11; and

b) *accessory building or structure*, subject to Section 7.13.

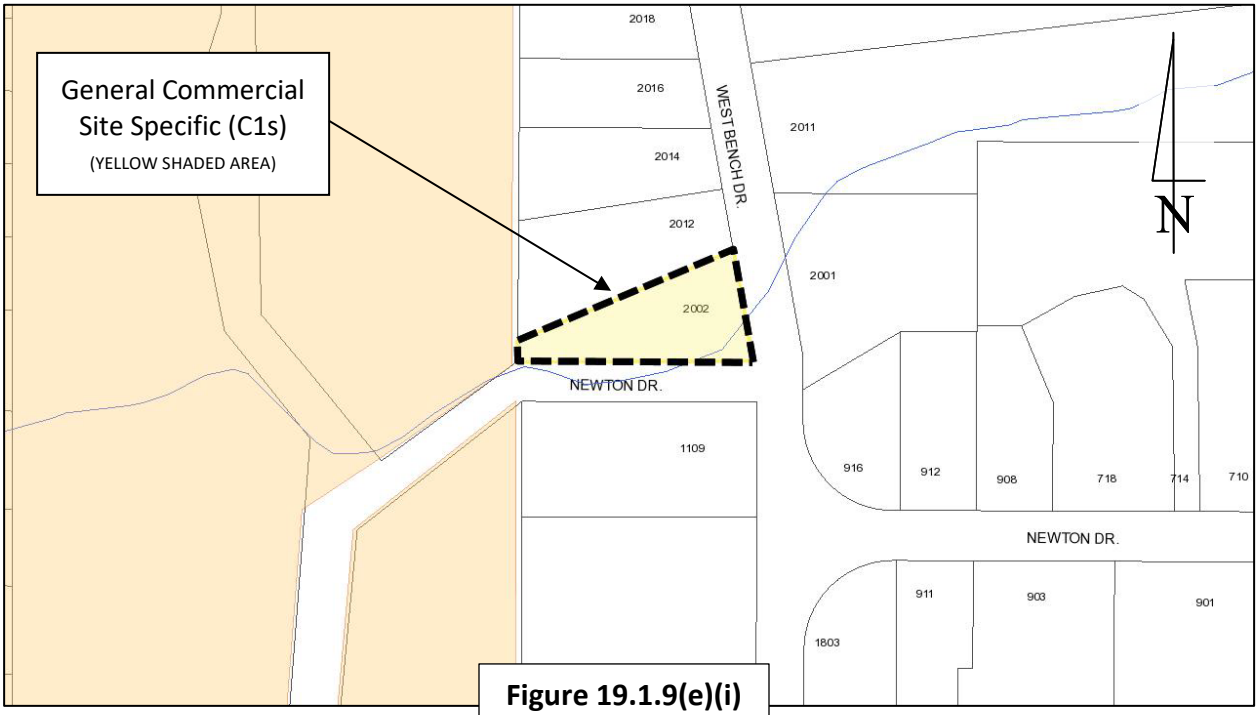


Figure 19.1.9(e)(i)

f) **Electoral Area "I"**

i) Not applicable

19.2 HIGHWAY COMMERCIAL (C2) ZONE

19.2.1 Permitted Uses:

Principal Uses:

a) *alcohol production facility*;

b) *apartment building*, subject to Section 19.2.10

c) *eating and drinking establishment*;

d) *indoor recreation*;

e) *office*;

f) *outdoor market*;

g) *personal service establishment*;

h) *retail*;

i) *tourist accommodation*;

j) *townhouse*, subject to Section 19.2.10;

Accessory Uses:

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

l) *bed and breakfast operation*, subject to Section 7.4;

m) *dwelling units*, subject to Section 19.2.10; and

n) *home occupation*, subject to Section 7.7.

19.2.2 Minimum Parcel Size for Subdivision:

a) 1,000.0 m^2, subject to Section 8.0.

19.2.3 Minimum Parcel Width for Subdivision:

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

19.2.4 Maximum Density:

a) 60 *dwelling units* per ha

19.2.5 Minimum Density:

a) 40 *dwelling units* per ha

19.2.6 Maximum Floor Area Ratio:

a) Not applicable

19.2.7 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) Fuel distribution pumps, storage tanks or devices situated above ground:

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

NOTE: the Ministry of Transportation and Infrastructure (MoTI) requires that any *building* or other *structure* be a minimum of 4.5 metres from a *parcel* line to a provincial road right-of-way. Obtaining approval from MoTI to place a *building* or other *structure* within 4.5 metres of a provincial road right-of-way is the responsibility of a property owner.

19.2.8 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.

19.2.9 Maximum Parcel Coverage:

a) 80%

19.2.10 Dwelling Unit Regulations:

a) *dwelling units* located in the same *building* as a commercial use shall have separate entrances from the exterior of the *building* and shall not share a common hallway with a commercial use.

b) a minimum area of 10.0 m^2 of *amenity and open space area* shall be provided per *dwelling unit*.

c) *accessory dwellings* are limited to a maximum of one (1) per *parcel*, but excluding *apartment building* and *townhouse* uses.

19.2.11 Highway Commercial Site Specific (C2s) 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

19.3 SERVICE COMMERCIAL (CS1) ZONE

19.3.1 Permitted Uses:

Principal Uses:

a) car wash;

b) *retail*;

c) *service industry establishment*;

d) *service station*;

e) *vehicle sales and rentals*;

Accessory Uses:

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

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

h) *eating and drinking establishment*.

19.3.2 Minimum Parcel Size for Subdivision:

a) 1,000 m^2, subject to Section 8.0.

19.3.3 Minimum Parcel Width for Subdivision:

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

19.3.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

19.3.5 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*	3.0 metres
iv)	*Exterior side parcel line*	4.5 metres

b) Fuel distribution pumps, storage tanks or devices situated above ground:

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

19.3.6 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 7.5 metres;

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

19.3.7 Maximum Parcel Coverage:

a) 35%

19.3.8 Service Commercial Site Specific (CS1s) Regulations:

g) **Electoral Area "A"**

ii) Not applicable

h) **Electoral Area "C"**

ii) Not applicable

i) **Electoral Area "D"**

i) in the case of the land described as Lot A, Plan 21205, District Lot 10, SDYD (1612 Highway 97), and shown shaded yellow on Figure 19.3.8(c)(i):

.1 the following *principal uses* and no others shall be permitted on the land:

a) contractor's *office*;

b) *service industry establishment*;

c) *single detached dwelling*.

.2 the following secondary uses and no others shall be permitted on the land:

a) *agriculture*; and

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

.3 Despite Section 19.3.5(a), the minimum *rear parcel line setback* for an *accessory building or structure* in association with *agriculture* shall be 1.5 metres.

.4 Despite Section 9.0, *signs* permitted are limited to two per *parcel* and must not exceed a total *sign* area of 8.0 m^2 nor a *height* of 3.0 metres.

.5 Despite, Section 9.0, illuminated *signs* are not permitted.

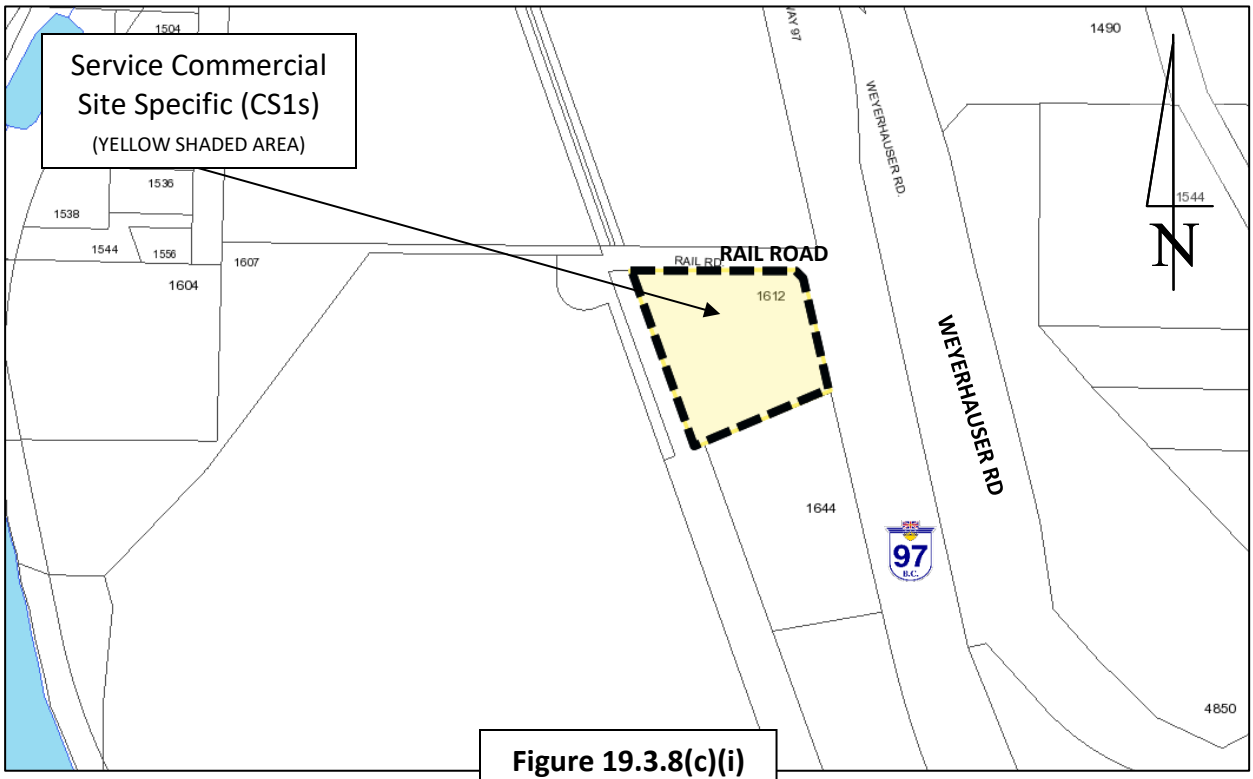


Figure 19.3.8(c)(i)

j) **Electoral Area "E"**

i) Not applicable

k) **Electoral Area "F"**

i) Not applicable

l) **Electoral Area "I"**

i) Not applicable

20.0 TOURIST COMMERCIAL ZONES

20.1 TOURIST COMMERCIAL (CT1) ZONE

20.1.1 Permitted Uses:

Principal Uses:

a) *eating and drinking establishment*;

b) *indoor recreation*;

c) *outdoor recreation*;

d) *tourist accommodation*;

Accessory Uses:

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

f) *accessory dwelling*, subject to Section 7.2;

g) *office*;

h) *personal service establishment*, not to exceed 200.0 m^2 in *gross floor area*; and

i) *retail*, not to exceed 250.0 m^2 in *gross floor area*.

20.1.2 Minimum Parcel Size for Subdivision:

a) 1,000.0 m^2, subject to Section 8.0.

20.1.3 Minimum Parcel Width for Subdivision:

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

20.1.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

20.1.5 Maximum Floor Area Ratio:

a) Not applicable

20.1.6 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 building or structure*:

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

20.1.7 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.

20.1.8 Maximum Parcel Coverage:

a) 35%

20.1.9 Tourist Commercial Site Specific (CT1s) Regulations:

a) **Electoral Area "A"**

i) in the case of land described as Lot 2, Plan KAP7911, District Lot 2450S, SDYD (9506 6th Avenue), and shown shaded yellow on Figure 20.1.9(a)(i):

.1 the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 20.1.1:

a) *single detached dwelling*.

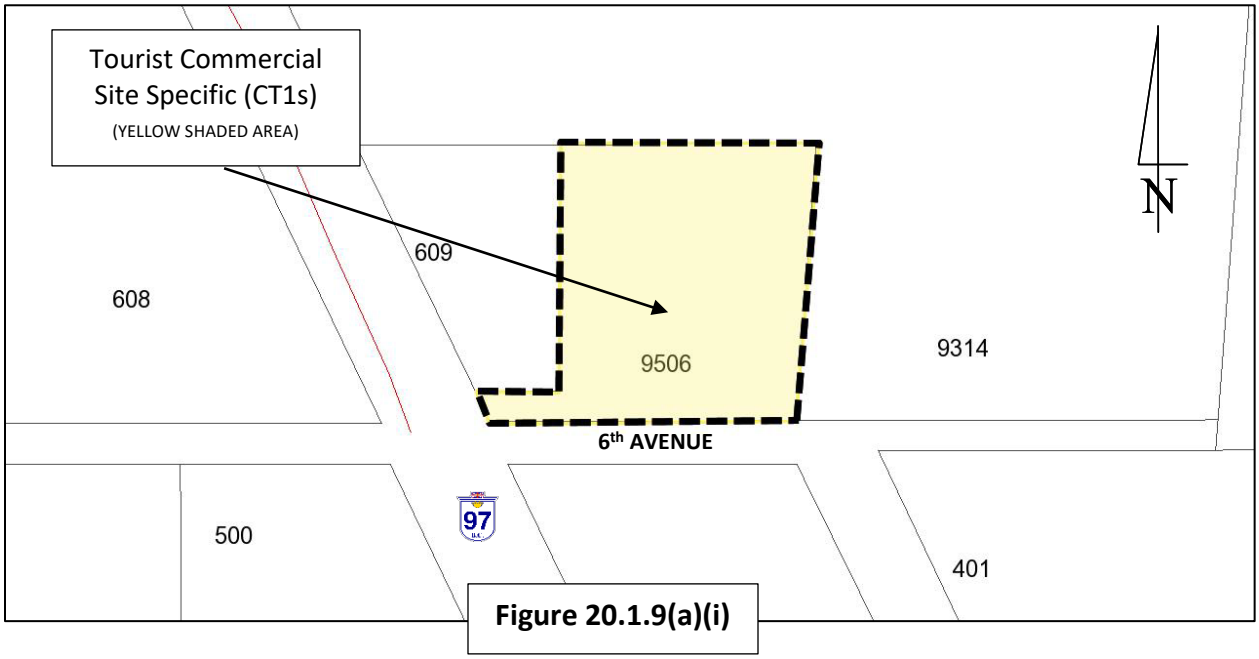


Figure 20.1.9(a)(i)

b) **Electoral Area "C"**

i) in the case of part of the land described as Lot 1, Plan KAP10731, District Lot 2450S, SDYD, Except Plan KAP11492 and KAP16769 (5457 Highway 97), and shown shaded yellow on Figure 20.1.9(b)(i):

.1 the following *accessory use* shall be permitted in addition to the permitted uses listed in Section 20.1.1:

a) *campground*, accessory to a *motel* use and subject to Section 7.5.[xlvi]

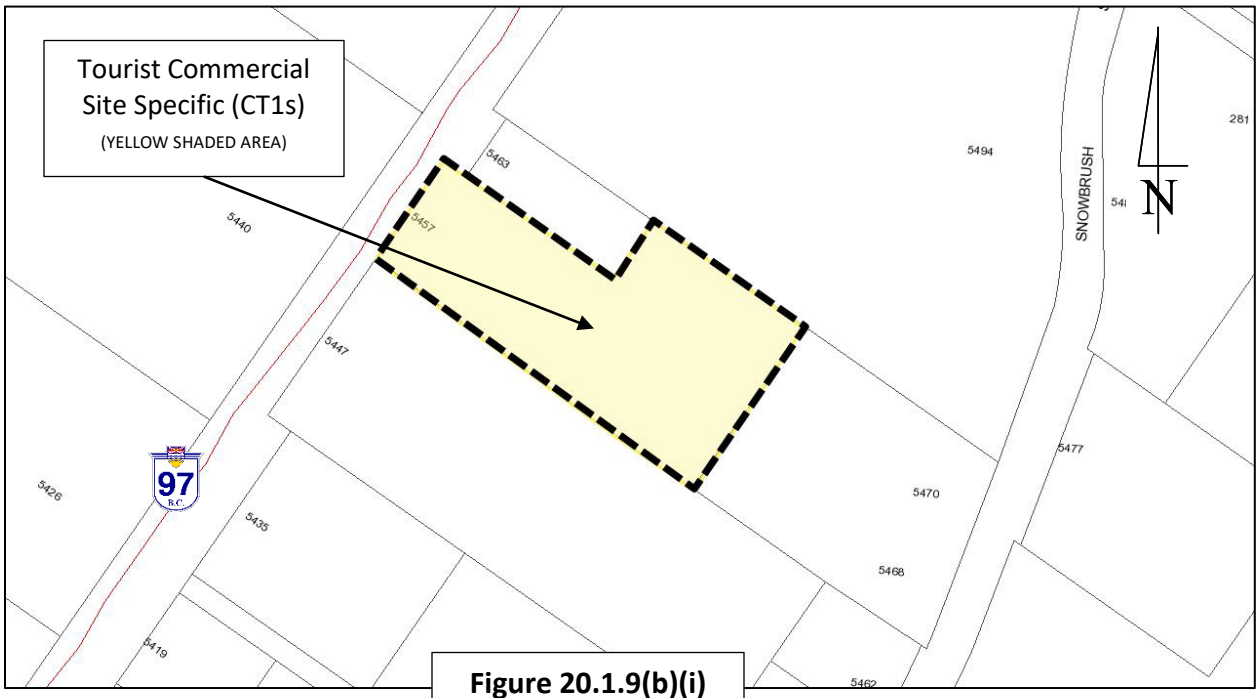


Figure 20.1.9(b)(i)

ii) In the case of part of the land described as Lot 1, Plan KAP68288, District Lot 2450S, SDYD (5650 Highway 97), and shown shaded yellow on Figure 20.1.9(b)(ii):

.1 the following *accessory use* shall be permitted in addition to the permitted uses listed in Section 20.1.1:

a) *campground*, accessory to a *motel* use and subject to Section 7.5.[xlvii].

[xlvi] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.
[xlvii] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.

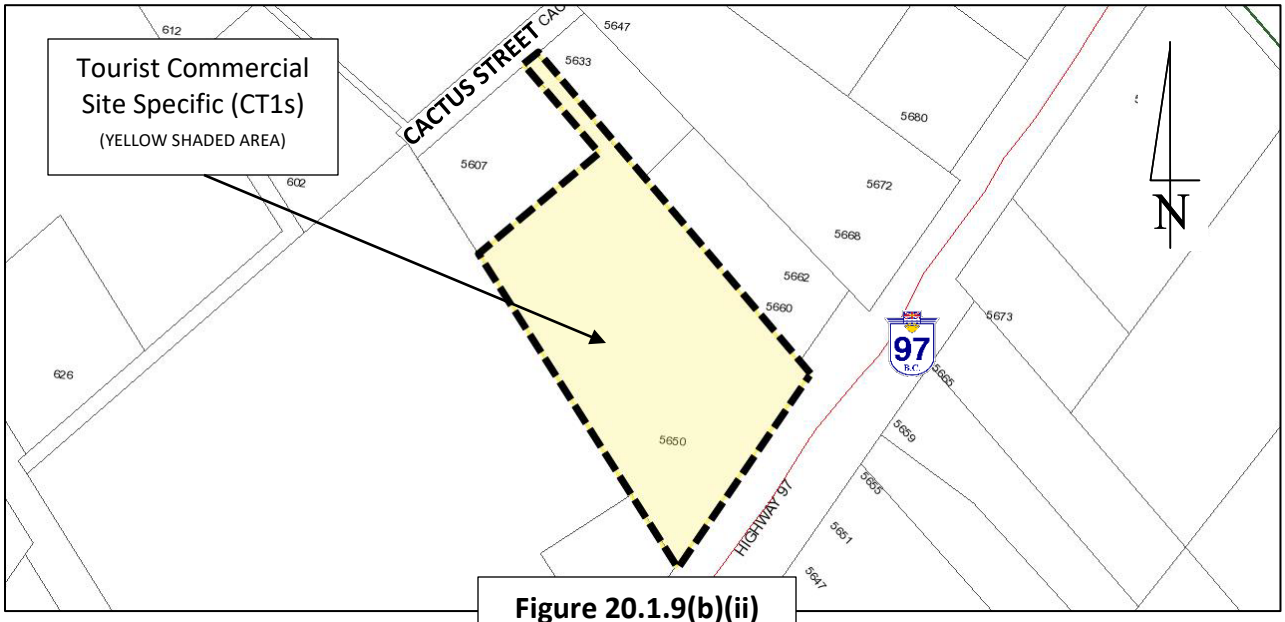


Figure 20.1.9(b)(ii)

c) **Electoral Area "D"**

i) in the case of an approximately 0.6 ha area of the land described as Lot 1, Plan KAP35151, Sublot 38, District Lot 2710, SDYD (4899 Eastside Road), and shown shaded yellow on Figure 20.1.9(c)(i):

.1 despite Section 20.1.4, the maximum number of *accessory dwellings* shall be two(2).

.2 despite Section 7.2.2, no *accessory dwelling* shall have a floor area greater than 180.0 m^2.

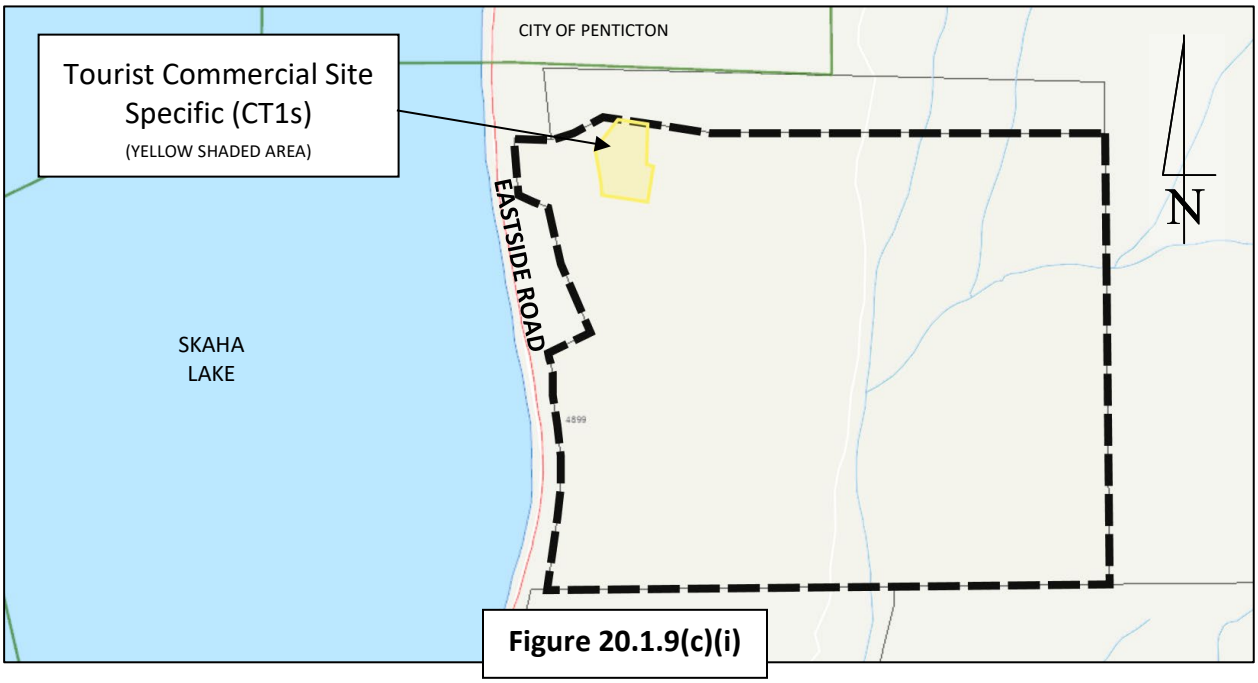


Figure 20.1.9(c)(i)

d) **Electoral Area "E"**

i) in the case of land described at 9540 & 9550 Chute Lake Road (Chute Lake Lodge); and shown shaded yellow on Figure 20.1.9(d)(i):[xlviii]

.1 the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 20.1.1:

a) *campground*.

.2 despite section 20.1.4, up to thirty (30) tourist cabins are permitted;

.3 despite Section 4.0, a "tourist cabin" may include "cooking facilities" in addition to one sleeping unit and washroom facilities.

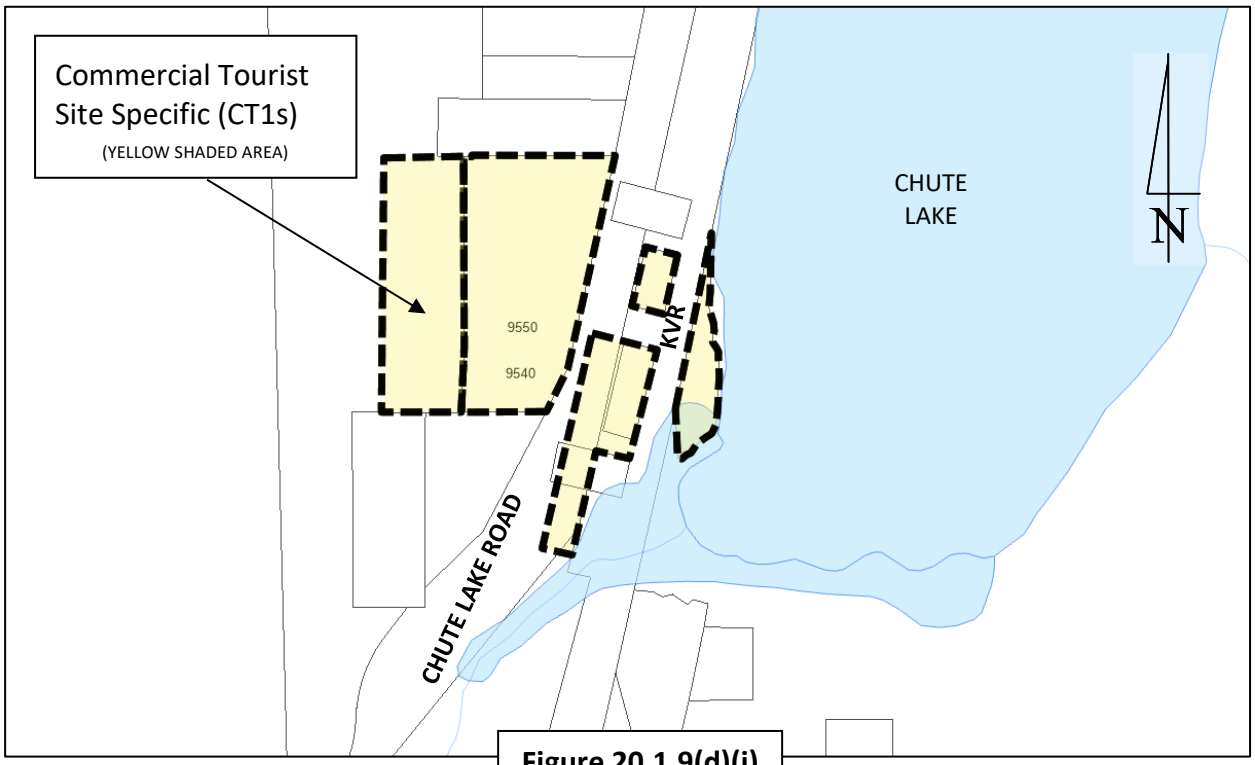


Figure 20.1.9(d)(i)

e) **Electoral Area "F"**

i) in the case of land described as Lot A, Plan EPP5204, District Lot 2695, ODYD (365 Callan Road), and shown shaded yellow on Figure 20.1.9(e)(i):

.1 the following *accessory use* shall be permitted on the land in addition to the permitted uses listed in Section 20.1.1:

a) *single detached dwelling*.

.2 the maximum number of *tourist accommodation* units permitted per *parcel* shall not exceed 10.

.3 despite Section 20.1.2, the *minimum parcel size* for subdivision shall be 2.0 ha.

[xlviii] Amendment Bylaw No. 2800.05, 2022 – adopted June 2, 2022.

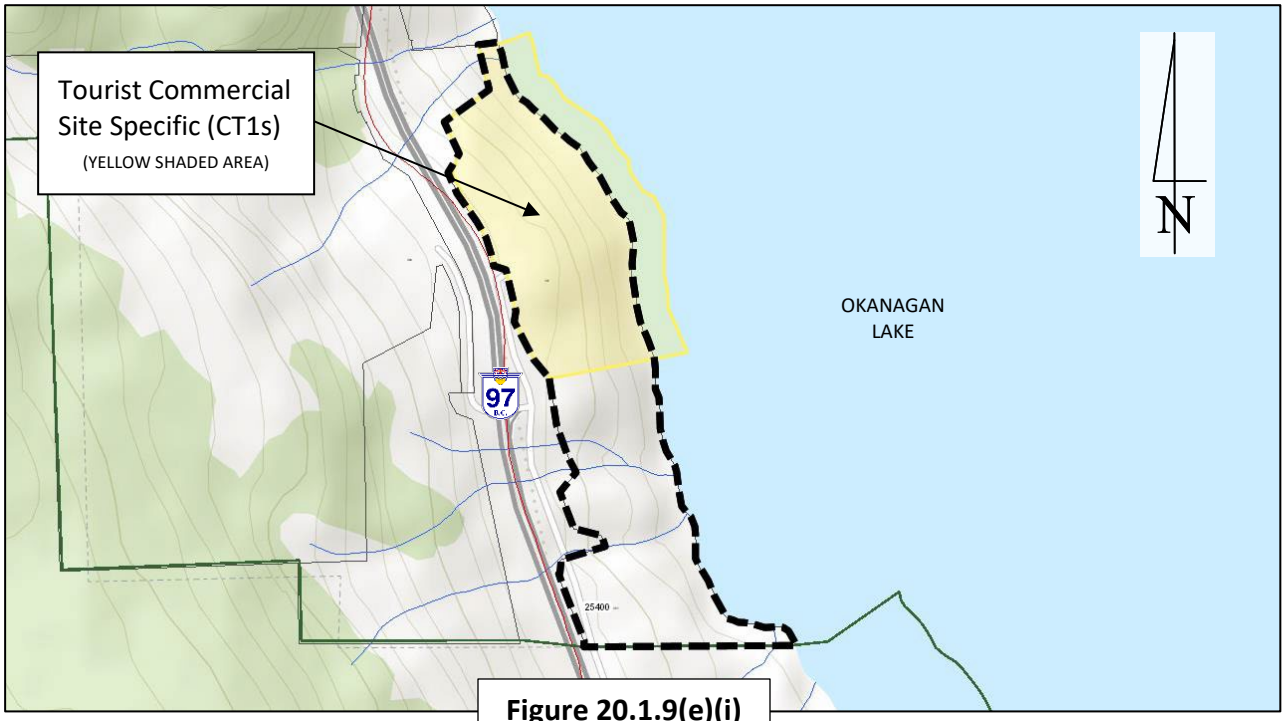


Figure 20.1.9(e)(i)

f) **Electoral Area "I"**

i) Not applicable

20.2 CAMPGOUND COMMERCIAL (CT2) ZONE

20.2.1 Permitted Uses:

Principal Uses:

a) *campground*;

Accessory Uses:

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

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

d) *eating and drinking establishment*;

e) *indoor recreation*; and

f) *retail*, not to exceed 250.0 m^2 in *gross floor area*.

20.2.2 Minimum Parcel Size for Subdivision:

a) 2.0 ha, subject to Section 8.0.

20.2.3 Minimum Parcel Width for Subdivision:

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

20.2.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

20.2.5 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

20.2.6 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 10.0 metres;

b) despite Section 20.2.6(a), a *tourist cabin* may not exceed a *height* of 5.0 metres.

20.2.7 Maximum Parcel Coverage:

a) 20%

20.2.8 d*eleted*.[xlix]

20.2.9 Campground Commercial Site Specific (CT2s) 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) in the case of land described as District 5127, Except Plan 36630, KAP75352, ODYD, Lot A, Plan KAP83581, District Lot 2536, ODYD, Lot 1, Plan KAP83579, District Lot 2536, ODYD and Lots 10-11, Plan KAP621, District Lot 2536, ODYD (619-625 Highway 97), and shown shaded yellow on Figure 20.1.9(e)(i):

.1 the following *accessory use* shall be permitted on the land in addition to the permitted *accessory uses* listed at Section 20.2.1:

a) *motel*;

.2 the maximum *floor area ratio* for a *motel* shall not exceed 0.5.

[xlix] Amendment Bylaw No. 3061, 2024 – adopted March 21, 2024.

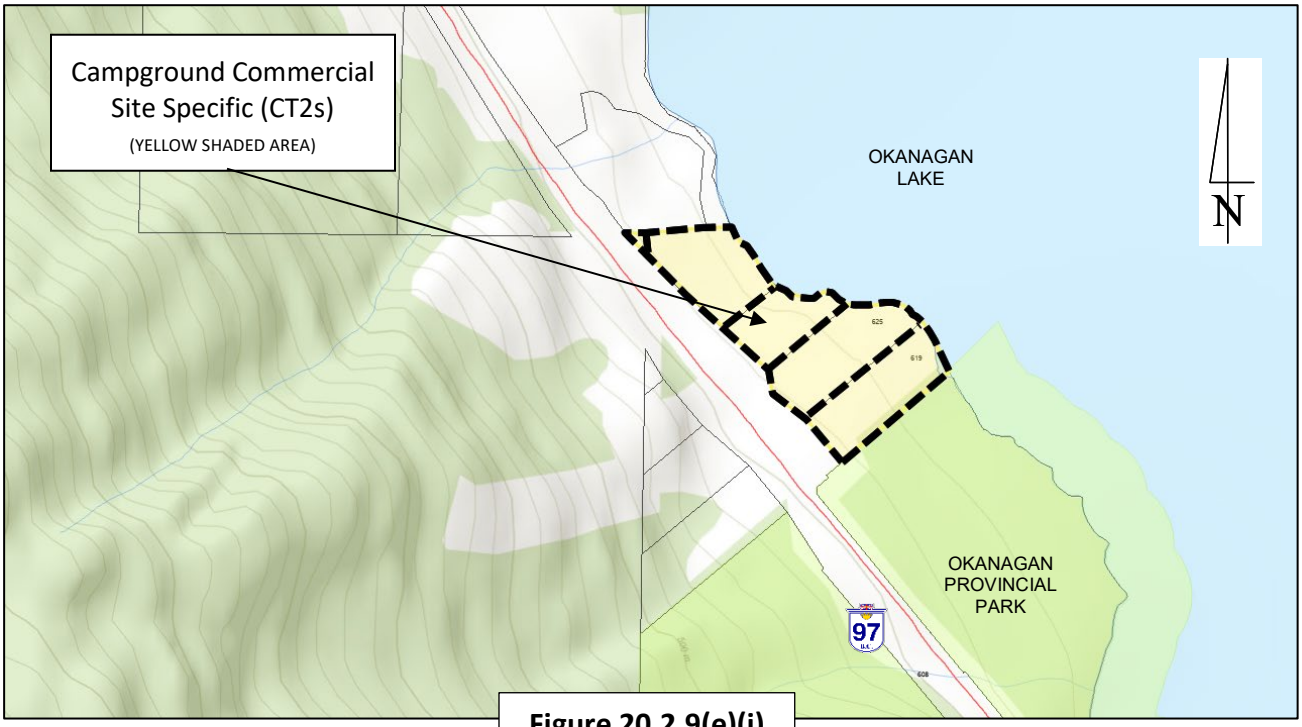


Figure 20.2.9(e)(i)

f) **Electoral Area "I"**

i) Not applicable

20.3 GOLF COURSE COMMERCIAL (CT3) ZONE

20.3.1 Permitted Uses:

Principal Uses:

a) *golf course*;

Accessory Uses:

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

c) *accessory dwelling*, subject to Section 7.2.

20.3.2 Minimum Parcel Size for Subdivision:

a) 20.0 ha, subject to Section 8.0.

20.3.3 Minimum Parcel Width for Subdivision:

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

20.3.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

20.3.5 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

20.3.6 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 10.0 metres.

20.3.7 Maximum Parcel Coverage:

a) 5%

20.3.8 Golf Course Commercial Site Specific (CT3s) 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) in the case of land described as Lot A, Plan KAP45722, ODYD, District Lot 5076 5087 (3215 Pine Hills Drive), and shown shaded yellow on Figure 20.3.8(e)(i):

.1 the following *accessory use* shall be permitted on the land in addition to the permitted *accessory uses* listed at Section 20.3.1:

a) *tourist accommodation*, subject to the following regulations:

i) the maximum number of *sleeping units* permitted per *parcel* shall be 10.

ii) all *sleeping units* shall be contained under the same roof.

iii) no *sleeping unit* shall have an area of greater than 30.0 m^2.

iv) no *cooking facilities* shall be provided for within individual *sleeping units*.

v) one (1) parking space per *sleeping unit* is required.

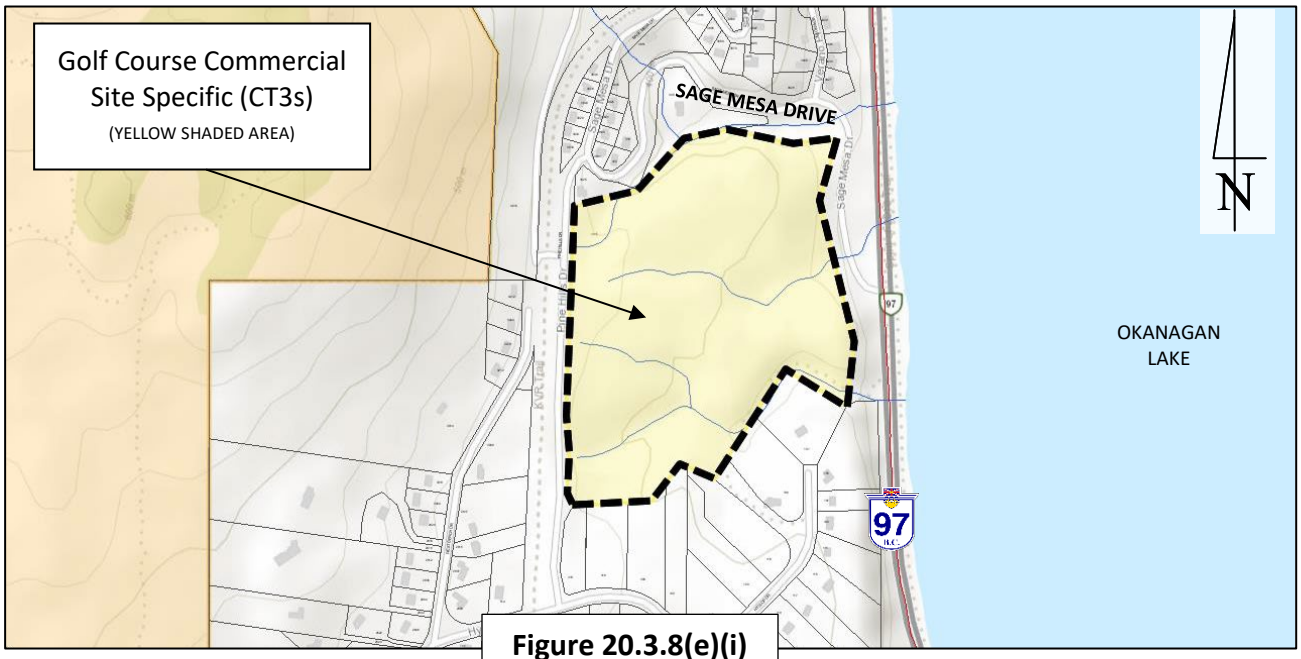


Figure 20.3.8(e)(i)

f) **Electoral Area "I"**

i) Not applicable

20.4 MARINA COMMERCIAL (CT4) ZONE

20.4.1 Permitted Uses:

Principal Uses:

a) *marina*;

Accessory Uses:

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

c) *accessory dwelling*, subject to Section 7.2.

20.4.2 Minimum Parcel Size for Subdivision:

a) 1.0 ha, subject to Section 8.0.

20.4.3 Minimum Parcel Width for Subdivision:

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

20.4.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

20.4.5 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

20.4.6 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 10.0 metres; and

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

20.4.7 Maximum Parcel Coverage:

a) 30%

20.4.8 Marina Commercial Site Specific (CT4s) 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

20.5 PENTICTON SPEEDWAY (CT5) ZONE[I]

20.5.1 Permitted Uses:

Principal Uses:

a) *motorsports facility*;

Accessory Uses:

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

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

d) *eating and drinking establishment*;

e) *equestrian centre*;

f) *indoor recreation*;

g) *outdoor recreation*; and

h) *retail*, not to exceed 200.0 m^2 *gross floor area*.

20.5.2 Minimum Parcel Size for Subdivision:

a) 5.0 ha, subject to Section 8.0.

20.5.3 Minimum Parcel Width for Subdivision:

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

20.5.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

20.5.5 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*	3.0 metres
iv)	*Exterior side parcel line*	4.5 metres

20.5.6 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 12.0 metres.

20.5.7 Maximum Parcel Coverage:

a) 35%

20.5.8 Penticton Speedway Site Specific (CT5s) Regulations:

[I] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

a) Not applicable

21.0 INDUSTRIAL ZONES

21.1 GENERAL INDUSTRIAL (I1) ZONE

21.1.1 Permitted Uses:

Principal Uses:

a) *agriculture, indoor*;

b) *construction supply centre*;

c) *fleet service*;

d) *manufacturing*;

e) *outdoor storage*;

f) packing, processing and storage of *farm products*;

g) *salvage operation*;

h) *self-storage*;

i) *service industry establishment*;

j) *storage and warehouse*;

k) *vehicle sales and rentals*;

l) *veterinary establishment*;

m) *wholesale business*;

Accessory Uses:

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

o) *accessory dwelling*, subject to Section 7.2;

p) *office*; and

q) *retail*.

21.1.2 Minimum Parcel Size for Subdivision:

a) 0.1 ha, subject to Section 8.0.

21.1.3 Minimum Parcel Width for Subdivision:

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

21.1.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

21.1.5 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 building or structure*:

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

21.1.6 Maximum Building Height:

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

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

21.1.7 Maximum Parcel Coverage:

a) 60%

21.1.8 General Industrial Site Specific (I1s) Regulations:

a) **Electoral Area "A"**

i) in the case of an approximately 0.5 ha part of the land described as Lots A & B, Plan KAP2155, District Lot 2450S, SDYD, and shown shaded yellow on Figure 21.1.8(a)(i):

.1 the following *principal uses* and no others shall be permitted on the land:

a) *service industry establishment*;

.2 the following *accessory uses* and no others shall be permitted on the land:

a) *retail*; and

b) *office*.

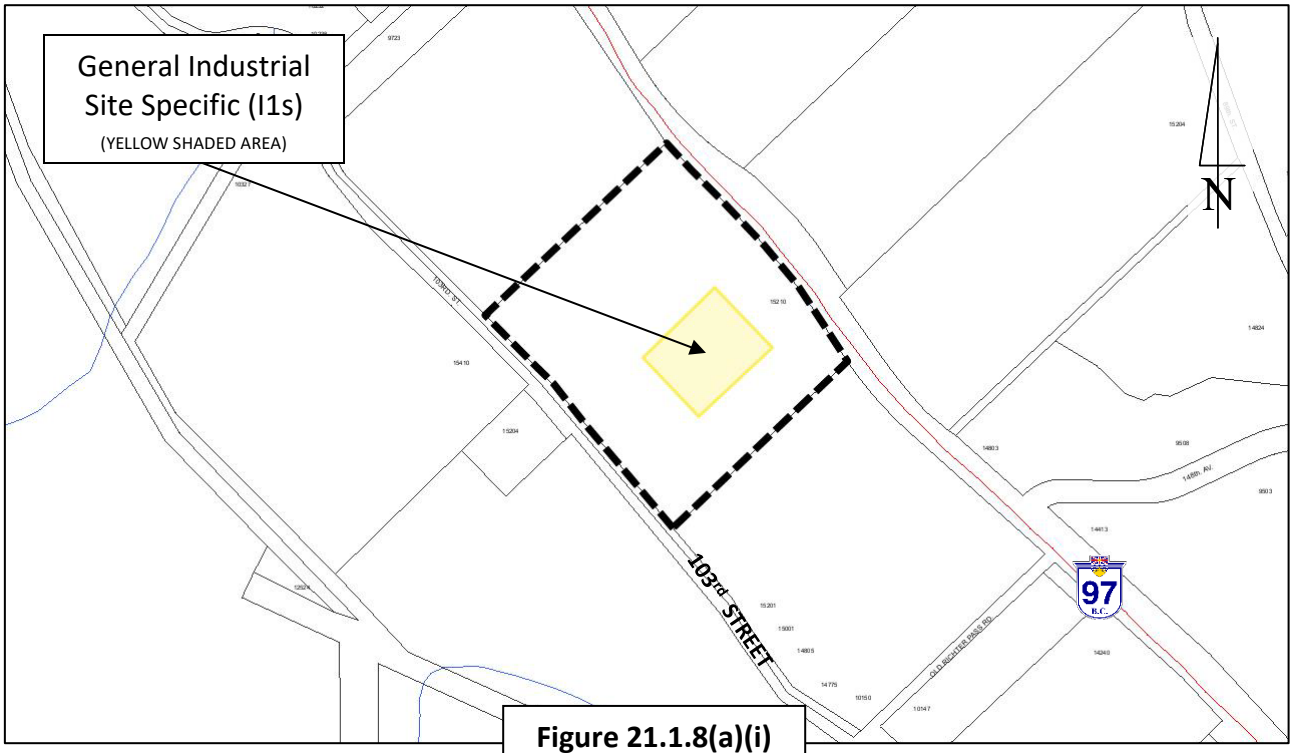


Figure 21.1.8(a)(i)

ii) In the case of an approximately 0.8 ha part of the land described as Plan KAP5896B, District Lot 2450S, SDYD, Parcel A, Portion Lot 600 Plan 1950, and shown shaded yellow on Figure 21.1.8(a)(ii):

.1 the following *principal uses* and no others shall be permitted on the land:

a) *alcohol production facility;*

b) *manufacturing*;

c) *outdoor storage*;

d) packing, processing and storage of *farm products*; and

e) *service industry establishment*.

.2 the following *accessory uses* and no others shall be permitted on the land:

a) *retail*; and

b) *office*.

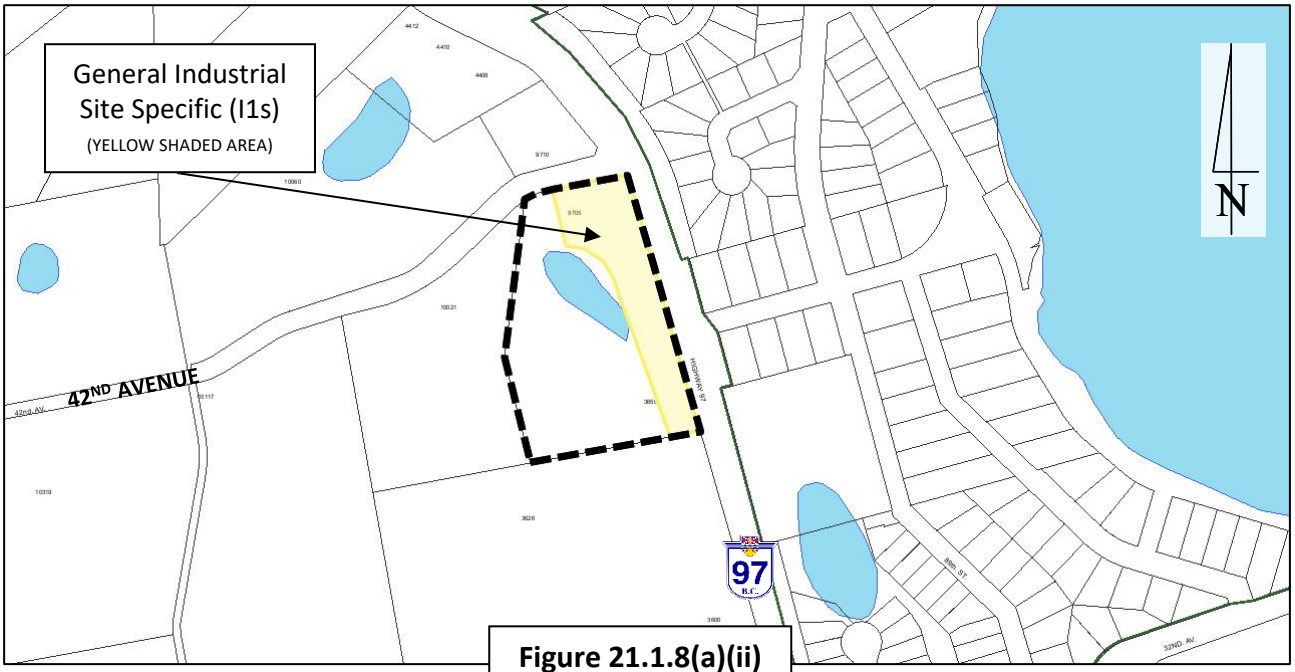


Figure 21.1.8(a)(ii)

b) **Electoral Area "C"**

i) in the case of an approximately 1.4 ha part of the land described as Lot 323, Plan KAP1862, District Lot 2450S, SDYD (5481 Sawmill Road), and shown shaded yellow on Figure 21.1.8(b)(i):

.1 the following *principal uses* and no others shall be permitted on the land:

a) *salvage operation*.

.2 the following *accessory uses* and no others shall be permitted on the land:

a) *accessory building or structure*, subject to Section 7.1.

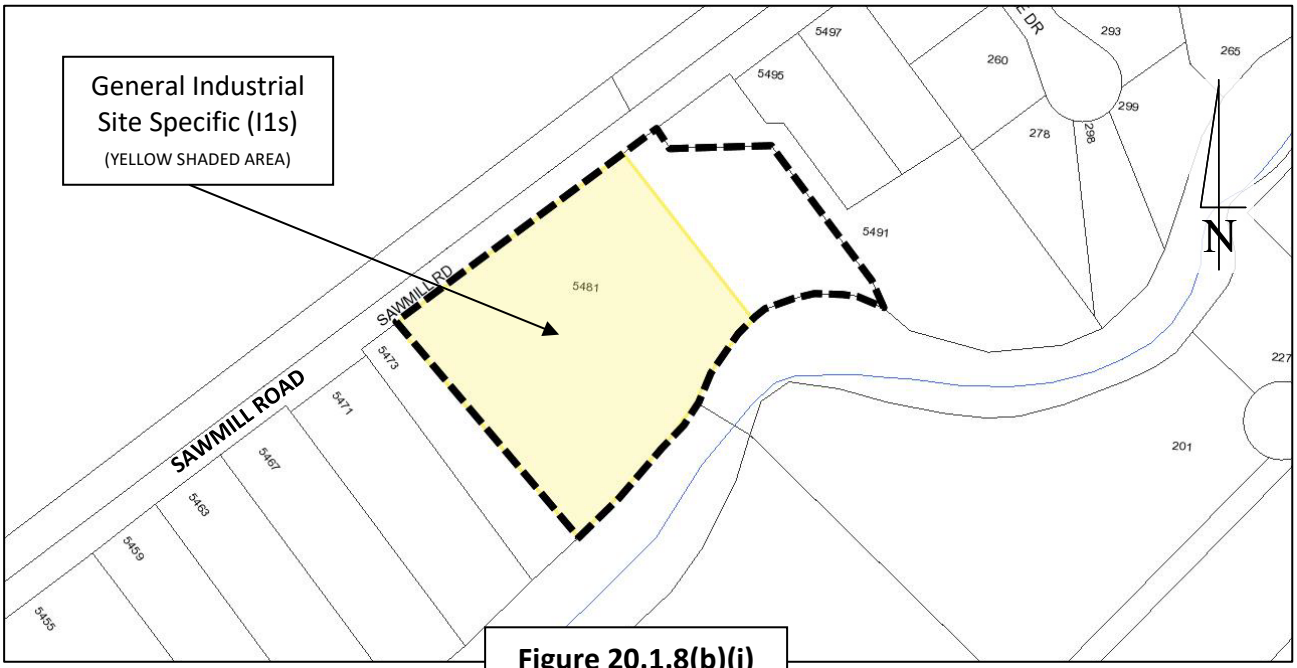


Figure 20.1.8(b)(i)

c) **Electoral Area "D"**

i) in the case of land shown shaded yellow on Figure 21.1.8(c)(i):

.1 the following *accessory uses* shall be permitted on the land in addition to the permitted use listed in Section 21.1.1:

a) *bed and breakfast operation*, subject to Section 7.4;

b) *home occupation*, subject to Section 7.7; and

c) *single detached dwelling*.

.2 despite Section 21.1.4, the maximum number of *dwelling units* shall be one (1) *accessory dwelling* or one (1) *single detached dwelling*.

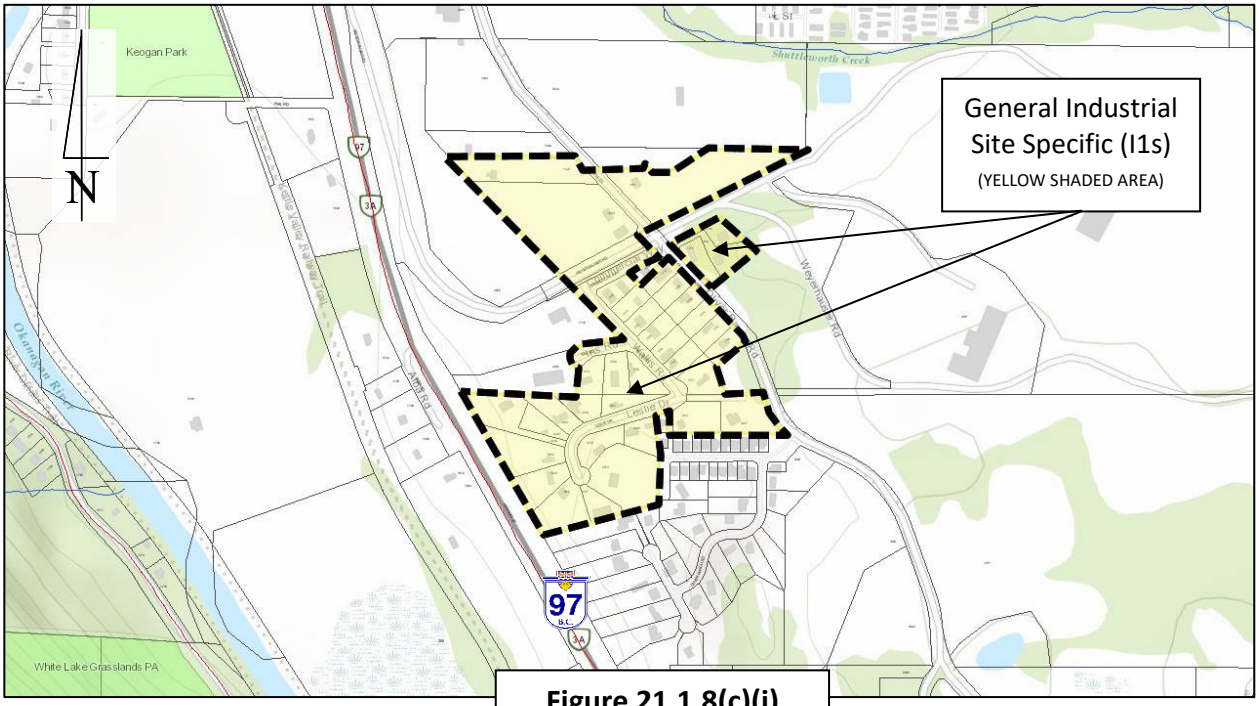


Figure 21.1.8(c)(i)

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

21.2 HEAVY INDUSTRIAL (I2) ZONE

21.2.1 Permitted Uses:

Principal Uses:

a) *agriculture, indoor*;

b) *commercial card-lock facility*;

c) *concrete plant*;

d) power sub-stations, including generating plants;

e) *gravel processing*;

f) *manufacturing*;

g) public maintenance and works yards;

h) *salvage operation*;

i) sewage treatment plant;

j) *stockyard* and abattoirs;

Accessory Uses:

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

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

m) *office*.

21.2.2 Minimum Parcel Size for Subdivision:

a) 2,000 m^2, subject to Section 8.0.

21.2.3 Minimum Parcel Width for Subdivision:

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

21.2.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

21.2.5 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*	4.5 metres
iii)	*Interior side parcel line*	4.5 metres
iv)	*Exterior side parcel line*	4.5 metres

21.2.6 Maximum Building Height:

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

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

21.2.7 Maximum Parcel Coverage:

a) 60%

21.2.8 Heavy Industrial Site Specific (I2s) Regulations:

a) **Electoral Area "A"**

i) Not applicable

b) **Electoral Area "C"**

i) in the case of an approximately 1.0 ha part of land described as Lots 1 & 2, Plan 17428, District Lot 2450s, Portion Lot 717, SDYD (227 & 233 Thorp Road), and shown shaded yellow on Figure 21.2.8(b)(i):

.1 the following *principal uses* and no others shall be permitted on the land:

a) *concrete plant*, including portable *concrete plants*.

.2 despite Section 21.2.5, *buildings* and *structures* shall be *setback* 5.0 metres from all *parcel* lines.

.3 despite Section 21.2.6, no *building* or *structure* shall exceed a *height* of 10.0 metres.

.4 despite Section 21.2.7, maximum *parcel coverage* shall be 20%.

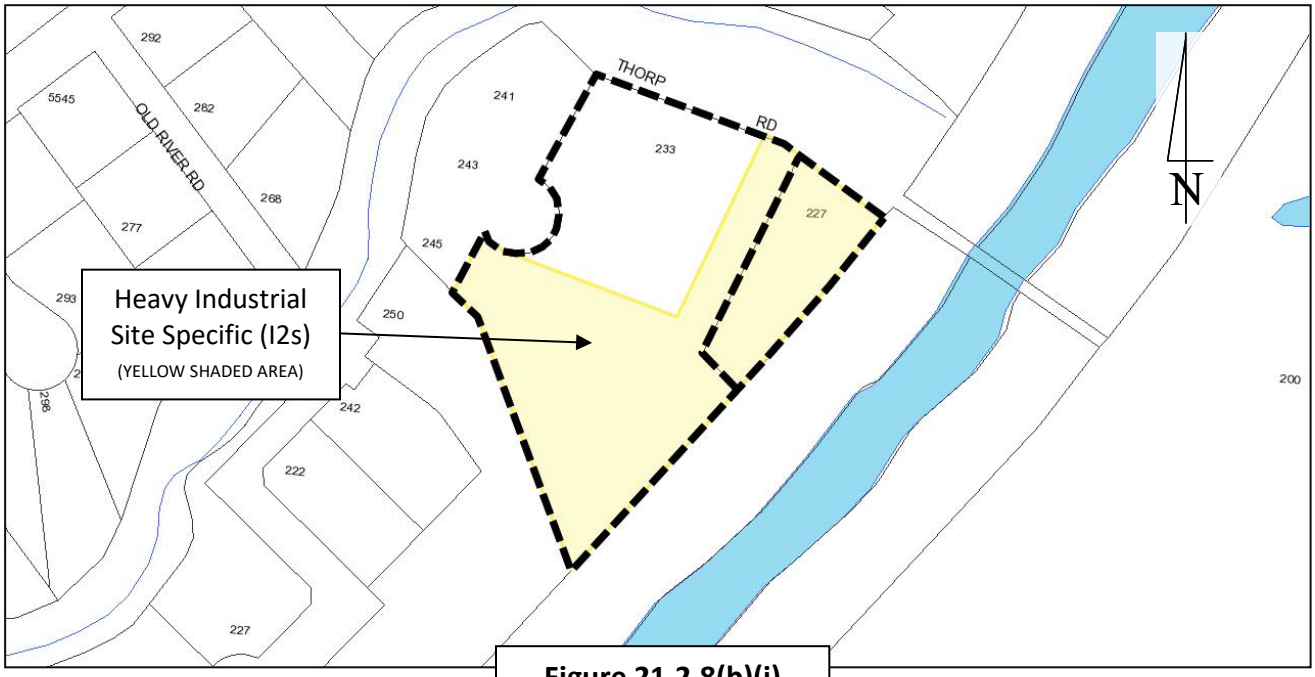


Figure 21.2.8(b)(i)

c) **Electoral Area "D"**

i) in the case of land described as Parcel A, Plan KAP27045, District Lot 3147S 2883S, SDYD (5328 Hawthorne Crescent, Okanagan Falls) and shown shaded on Figure 21.2.8(c)(i):

.1 despite Section 21.2.2, the *minimum parcel size* for subdivision shall be 2.0 ha.

.2 despite Section 21.2.5, the minimum *setbacks* for all *buildings* and *structures* shall be:

a)	*Front parcel line*	7.5 metres
b)	*Rear parcel line*	30.0 metres
c)	*Interior side parcel line*	20.0 metres
d)	*Exterior side parcel line*	20.0 metres

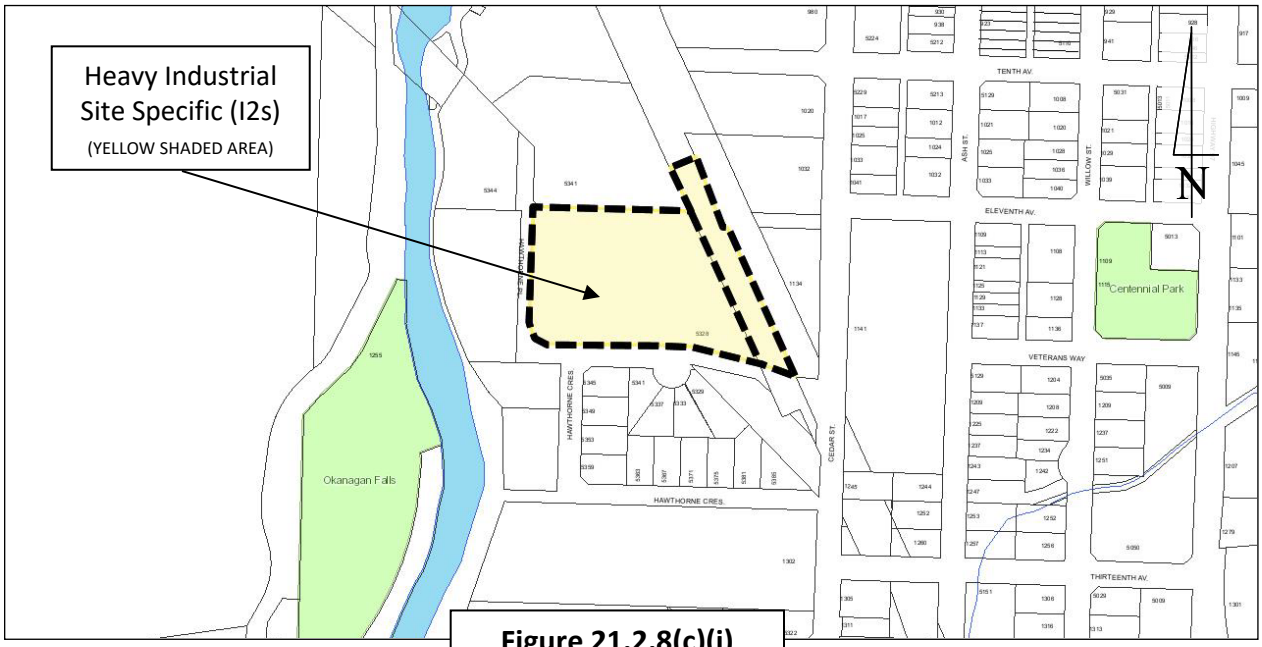


Figure 21.2.8(c)(i)

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

21.3 COMMUNITY WASTE MANAGEMENT (I3) ZONE

21.3.1 Permitted Uses:

Principal Uses:

a) *refuse disposal site*;

b) *composting operation*;

Accessory Uses:

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

21.3.2 Minimum Parcel Size for Subdivision:

a) 10.0 ha, subject to Section 8.0.

21.3.3 Minimum Parcel Width for Subdivision:

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

21.3.4 Maximum Number of Dwellings Permitted Per Parcel:

a) Not applicable

21.3.5 Minimum Setbacks:

a) *Buildings* and *structures*:

i)	*Front parcel line*	30.0 metres
ii)	*Rear parcel line*	30.0 metres
iii)	*Interior side parcel line*	30.0 metres
iv)	*Exterior side parcel line*	30.0 metres

b) *Accessory building or structure*:

i)	*Front parcel line*	30.0 metres
ii)	*Rear parcel line*	30.0 metres
iii)	*Interior side parcel line*	30.0 metres
iv)	*Exterior side parcel line*	30.0 metres

c) despite Section 21.3.5(a) and (b), the distance between the external boundary of a *composting operation* and the *natural boundary* of a *watercourse* such as a river, stream, marsh, or estuary must not be less than 100.0 metres.

21.3.6 Maximum Building Height:

a) No *principal building* shall exceed a *height* of 15.0 metres

21.3.7 Maximum Parcel Coverage:

a) 25%

21.3.8 Community Waste Management Site Specific (I3s) 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

22.0 ADMINISTRATIVE & INSTITUTIONAL ZONES

22.1 ADMINISTRATIVE AND INSTITUTIONAL (AI) ZONE

22.1.1 Permitted Uses:

Principal Uses:

a) *assembly*;

b) cemetery;

c) *child care centre*;

d) *civic facility*;

e) *community care facility*;

f) *cultural facility*;

g) *educational facility*;

h) *funeral home*;

Accessory Uses:

i) *accessory building or structure*, subject to Section 7.1.

22.1.2 Minimum Parcel Size for Subdivision:

a) 500.0 m^2, subject to Section 8.0.

22.1.3 Minimum Parcel Width for Subdivision:

a) 30.0 metres

22.1.4 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

22.1.5 Maximum Height:

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

22.1.6 Maximum Parcel Coverage:

a) 40%

22.1.7 Administrative and Institutional Site Specific (AIs) Regulations:

a) **Electoral Area "A"**

i) Not applicable

b) **Electoral Area "C"**

i) in the case of land described as Lot 2, Plan KAP35036, District Lot 2450S, SDYD (8127 River Road), and shown shaded yellow on Figure 22.1.7(b)(i):

.2 the following *principal uses* and no others shall be permitted on the land:

a) *church*;

b) *educational facility* for a maximum of 65 students; and

c) *single detached dwelling*.

.3 the following *accessory uses* and no others shall be permitted on the land:

a) *agriculture*;

b) *home occupation*, subject to Section 7.6; and

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

.4 despite Section 21.1.2, the *minimum parcel size* shall be 2.0 ha.

.5 the maximum number of *dwelling units* permitted per *parcel* shall be one (1) *principal dwelling unit*.

.6 despite Section 11.2 (Off-Street Parking and Loading), 40 off-street parking stall shall be provided on the site for a *church* use.

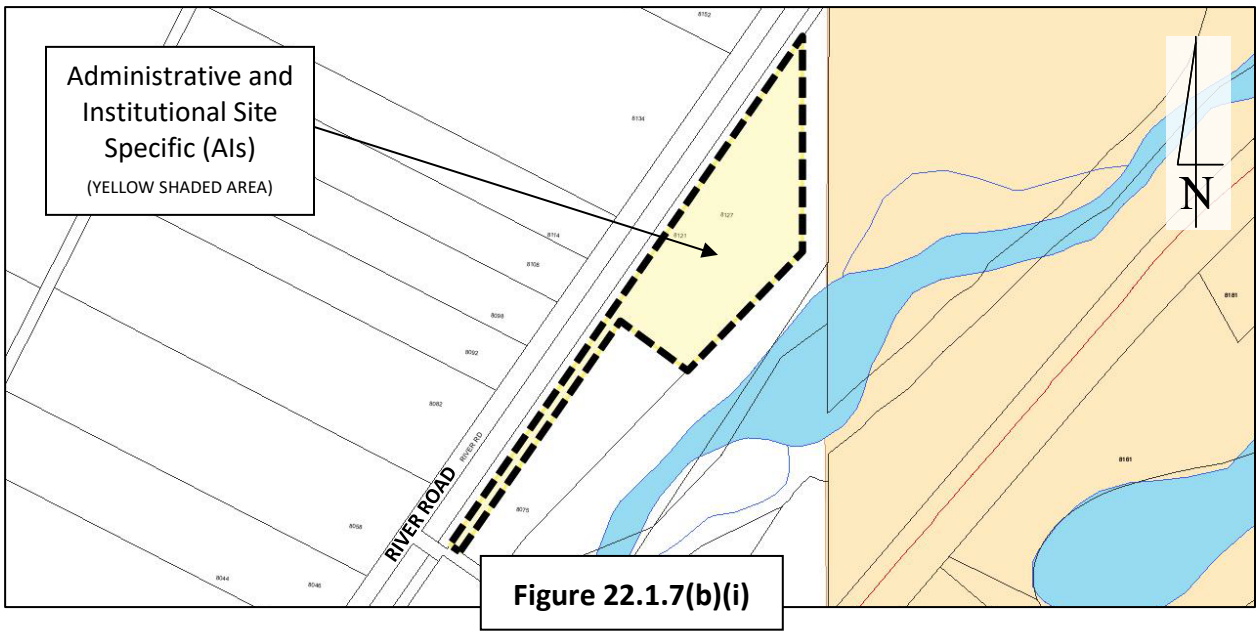


Figure 22.1.7(b)(i)

c) **Electoral Area "D"**

i) Not applicable

d) **Electoral Area "E"**

i) in the case of land described as Lot 1, Plan KAP89589, District Lot 266, SDYD (1099 Lower Debeck Road), and shown shaded yellow on Figure 22.1.7(d)(i)

.1 the following *principal use* shall be permitted on the land in addition to the permitted use listed in Section 22.1.1:

a) power sub-station.

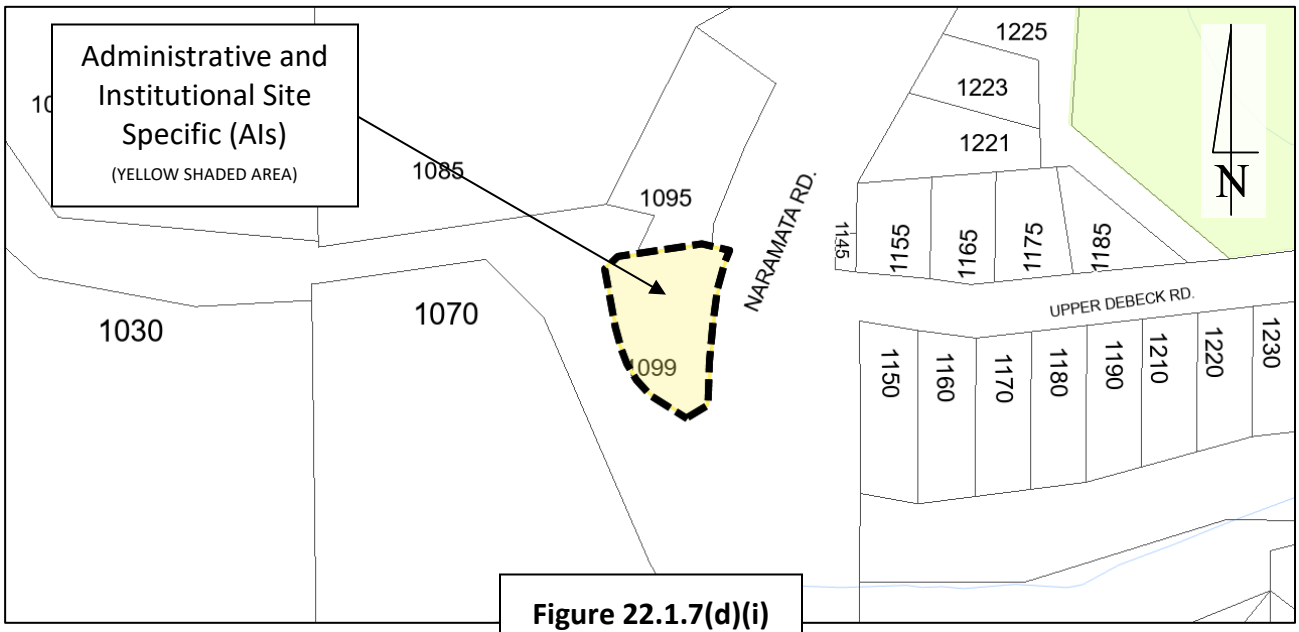


Figure 22.1.7(d)(i)

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

22.2 NARAMATA CENTRE (NC) ZONE

22.2.1 Permitted Uses:

Principal Uses:

a) *church*;

b) *institutional camp*;

c) *educational facility*;

Accessory Uses:

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

e) *accessory dwelling*, subject to Section 7.2.

22.2.2 Minimum Parcel Size for Subdivision:

a) 1,000.0 m^2, subject to Section 8.0.

22.2.3 Minimum Parcel Width for Subdivision:

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

22.2.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

22.2.5 Maximum Density for Campgrounds:

a) 75 campground spaces per hectare

22.2.6 Maximum Density for Dormitories:

a) 70 *sleeping units* per hectare

22.2.7 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

22.2.8 Maximum Height:

a) No *building* or *structure* shall exceed a *height* of 10.0 metres

22.2.9 Maximum Parcel Coverage:

a) 40%

22.2.10 Naramata Centre Site Specific (NCs) Regulations:

a) Not applicable

22.3 RADIO ASTRONOMY RESEARCH (RAR) ZONE

22.3.1 Permitted Uses:

Principal Uses:

a) *agriculture*;

b) radio astrophysical observatory;

Accessory Uses:

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

d) *single detached dwelling*.

22.3.2 Minimum Parcel Size for Subdivision:

a) 60.0 ha, subject to Section 8.0.

22.3.3 Minimum Parcel Width for Subdivision:

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

22.3.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *dwelling unit*.

22.3.5 Minimum Setbacks:

a)	*Buildings* and *structures*:	
i)	*Front parcel line*	15.0 metres
ii)	*Rear parcel line*	15.0 metres
iii)	*Interior side parcel line*	15.0 metres
iv)	*Exterior side parcel line*	15.0 metres
b)	*Accessory building or structure*:	
i)	*Front parcel line*	15.0 metres
ii)	*Rear parcel line*	15.0 metres
iii)	*Interior side parcel line*	15.0 metres
iv)	*Exterior side parcel line*	15.0 metres

22.3.6 Maximum Height:

a) Not applicable

22.3.7 Maximum Parcel Coverage:

a) Not applicable

22.3.8 Radio Astronomy Research Site Specific (RARs) Regulations:

a) Not applicable

23.0 PARKS & NATURAL ENVIRONMENT ZONES

23.1 PARKS AND RECREATION (PR) ZONE

23.1.1 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*.

23.1.2 Minimum Parcel Size:

a) Not applicable

23.1.3 Minimum Parcel Width:

a) Not applicable

23.1.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

23.1.5 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 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

23.1.6 Maximum Height:

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

23.1.7 Maximum Parcel Coverage:

a) 25%

23.1.8 Parks and Recreation Site Specific (PRs) 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

23.2 CONSERVATION AREA (CA) ZONE

23.2.1 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.

23.2.2 Minimum Parcel Size for Subdivision:

a) Not applicable

23.2.3 Minimum Parcel Width for Subdivision:

a) Not applicable

23.2.4 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) *accessory dwelling*.

23.2.5 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

23.2.6 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.

23.2.7 Maximum Parcel Coverage:

a) 5%

23.2.8 Conservation Area Site Specific (CAs) Regulations:

a) **Electoral Area "A"**

i) Not applicable

b) **Electoral Area "C"**

i) Not applicable

c) **Electoral Area "D"**

i) in the case of the land shown shaded yellow on Figure 23.2.8(c)(i):

.1 the following *principal uses* shall be permitted on the land in addition to the permitted uses listed in Section 23.2.1:

i) *agriculture*.

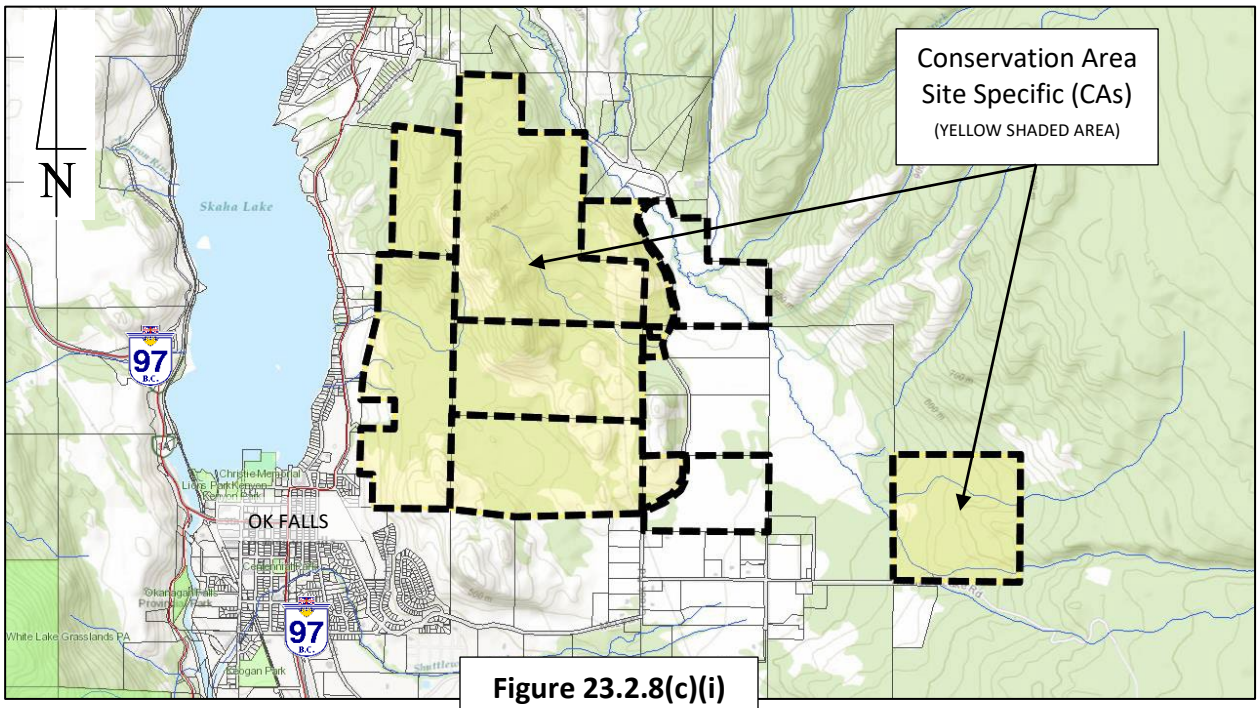


Figure 23.2.8(c)(i)

ii) in the case of the land described as District Lot 31S, SDYD, Except Plan A11286; and Plan KAP1189, District Lot 2710, SDYD, Subsidy Lot 7, Except Plan A11286, and shown shaded yellow on Figure 23.2.8(c)(ii):

.1 the following *principal uses* shall be permitted on the land in addition to the permitted uses listed in Section 23.2.1:

a) *agriculture*; and

b) one (1) *single detached dwelling* or one (1) *mobile home*.

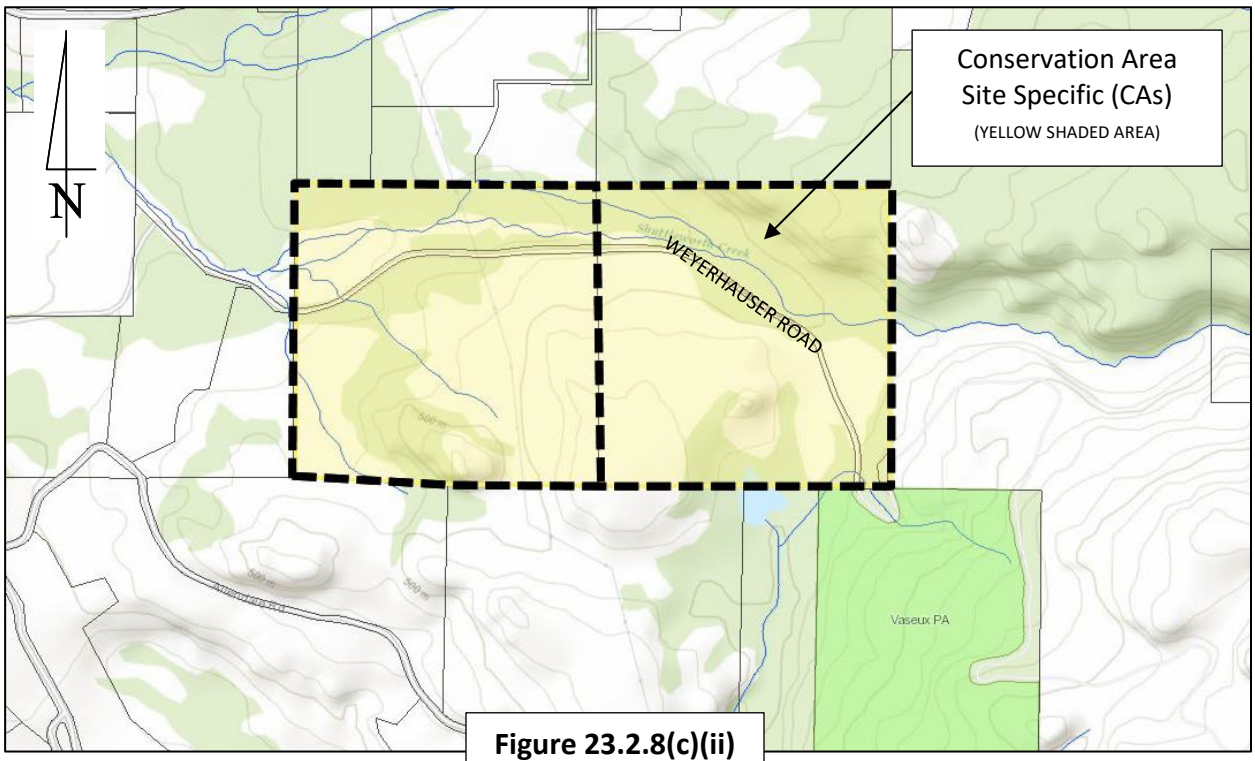


Figure 23.2.8(c)(ii)

d) **Electoral Area "E"**

i) Not applicable

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

23.3 OKANAGAN BASIN LAKES (W1) ZONE

23.3.1 Permitted Uses:

Principal Uses:

a) *water-based recreation*;

Accessory Uses:

b) *dock*;

c) *boat launch*;

d) *boat lift*; and

e) *swimming platform*.

23.3.2 Minimum Parcel Size for Subdivision:

a) Not applicable

23.3.3 Minimum Parcel Width for Subdivision:

a) Not applicable

23.3.4 Maximum Number of Dwellings Permitted Per Parcel:

a) Not applicable

23.3.5 Minimum Setbacks:

a) A *dock* or *swimming platform* shall be *setback*:

i) 5.0 metres from the side *parcel* line boundaries of a *parcel* adjoining the *foreshore* of the lake, as projected onto the *foreshore* and water; or

ii) 0.0 metres when a *dock* is shared between two adjacent *parcels* and centered along side *parcel* line boundary, as projected onto the *foreshore* and water

23.3.6 Maximum Height:

a) Not applicable

23.3.7 Maximum Parcel Coverage:

a) Not applicable

23.3.8 Okanagan Basin Lakes Site Specific (W1s) 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) the following principal use shall be permitted on the land in addition to the permitted uses listed in Section 23.3.1:[li]

.1 *marina*, but excluding accessory facilities for the sale of marine fuels and lubricants, eating and drinking establishment, boating accessory retail sales and wastewater pumping facilities.

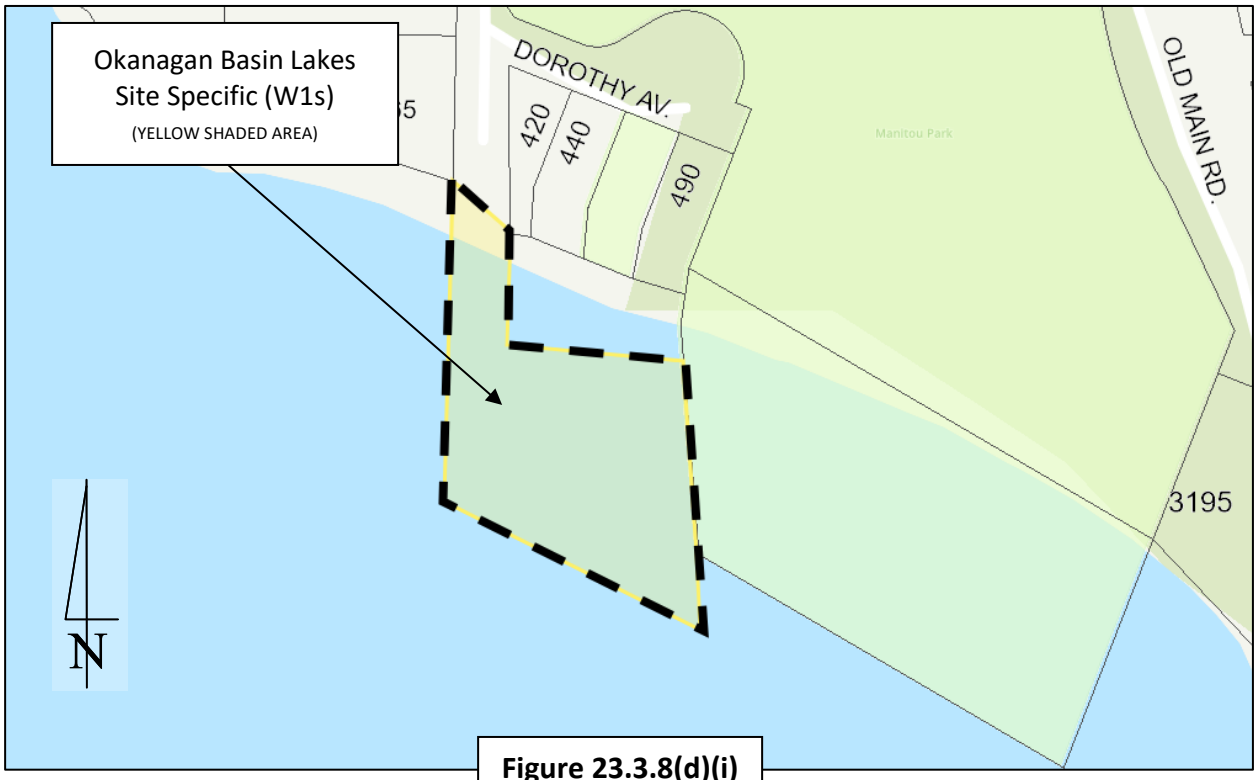


Figure 23.3.8(d)(i)

e) **Electoral Area "F"**

i) Not applicable

f) **Electoral Area "I"**

i) Not applicable

[li] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

24.0 COMPREHENSIVE DEVELOPMENT

24.1 NORTH BEACH ESTATES COMPREHENSIVE DEVELOPMENT (CD1) ZONE

24.1.1 Purpose:

The purpose of the North Beach Estates Comprehensive Development Zone (CD1) is to create comprehensive, site-specific land use regulations for the parcel — hereinafter referred to as "North Beach Estates" — located at 506 North Beach Road (legally described as District Lot 2694, Osoyoos Division, Yale District, except: Plans 11635 and 13218 and 14500; That Part Which Lies to the West of the Most Westerly Boundary of the Highway as shown on Plan H578; and Plans H578, B3611 and KAP75221) in order to reconcile the historical lawful non-conforming land use pattern on the lands with the regulations of the Zoning Bylaw and the policies of the Official Community Plan Bylaw.

24.1.2 Location:

The property is situated between the east side of Highway 97 and the west side of Okanagan Lake, adjacent to the Okanagan Lake Provincial Park.

Figure 24.1.2

24.1.3 North Beach Estates Share Lots:

A plan that identifies the North Beach Estates "share lots", is included at Schedule '5' to this Bylaw, and forms part of this Bylaw.

24.1.4 Background:

In 1964, North Beach Estates Limited (Incorporation # BC0060201) acquired the North Beach Estates Lands and facilitated the residential development of the lands. By virtue of ownership in the corporation, each shareholder was granted exclusive use of a defined portion of the lands and was permitted under the Articles of Association one single detached dwelling and one guest cabin.

Situated on a narrow strip of land between the shore of Okanagan Lake to the east and the toe of a steep bluff to the west, these dwellings share a number of unique locational challenges, including, but not limited to, geotechnical, roadway, riparian, and servicing.

In 1972, Regional District Zoning Bylaw No. 68, 1969, became applicable to the lands, rendering the dwellings on the property lawful non-conforming and severely restricting their long-term sustainability. This CD Zone recognizes the historical lawful non-conforming use of the lands and restricts further development of the site beyond the lawful non-conforming density.

24.1.5 Definitions

In this CD zone:
"common property" means that portion of the *parcel* identified as "COMMON PROPERTY" on Schedule '5' of this bylaw;

"exterior side share lot line" means the boundary between a share lot and common property other than front, rear and interior side share lot lines;

"front share lot line" means the westernmost boundary of the share lots identified on Schedule '5' of this bylaw;

"rear share lot line" means the easternmost boundary of the share lots as identified in Schedule '5' of this bylaw;

"share lots" means the surveyed portions of a *parcel* reserved for the exclusive use and enjoyment of a shareholder in a corporation that owns the *parcel*;

"share lot coverage" means the combined area covered by all *buildings* and *structures* on a share lot, expressed as a percentage of the total share lot area;

"interior side share lot line" means the boundary between two or more share lots other than a front, rear or exterior share lot line;

24.1.6 Permitted Uses:

Principal Uses:

a) *single detached dwelling* or *manufactured home*;

b) service facilities and uses in connection with one or more share lots

Accessory Uses:

c) *accessory building or structure*, subject to Section 7.1, except there is no limit to the number permitted on each share lot;

d) *home occupation*, subject to Section 7.7, and where no customers visit the site.

24.1.7 Minimum Parcel Size for Subdivision:

a) 12.0 ha, subject to Section 8.0.

24.1.8 Maximum Parcel Density and Share Lot Density:

a) 23 share lots per *parcel*, as shown on Schedule '5' to this bylaw;

b) one (1) *single detached dwelling* or *manufactured home* per share lot.

24.1.9 Minimum Setbacks:

a) *Buildings* and *Structures* on a Share Lot:

i)	Front share lot line:	6.0 metres
ii)	Rear share lot line:	0.0 metres
iii)	Interior side share lot line:	1.2 metres
iv)	Exterior side share lot line:	1.2 metres

b) *Buildings* and *Structures* on Common Property:

i)	Front share lot line:	10.0 metres
ii)	Rear share lot line:	10.0 metres
iii)	Interior side share lot line:	10.0 metres
iv)	Exterior side share lot line:	10.0 metres

24.1.10 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 5.0 metres.

24.1.11 Maximum Share Lot Coverage:

b) 50%

24.2 SUNSET ACRES COMPREHENSIVE DEVELOPMENT (CD2) ZONE

24.2.1 Purpose

The purpose of the Sunset Acres Comprehensive Development Zone is to create comprehensive, site-specific land use regulations for the parcel located at 7005 Indian Rock Road, which is legally described as Lot A, Plan KAP58846, District Lot 391, 3986S & 4018S, SDYD (PID: 023-765-640), and hereinafter referred to as the "Sunset Acres", in order to reconcile the historical land use pattern on the lands with the regulations of the Zoning Bylaw.

24.2.2 Location

The property is situated approximately 9.4 km north of the Naramata town centre near the intersection of Indian Rock Road and North Naramata Road and is bounded by Okanagan Lake to the west.

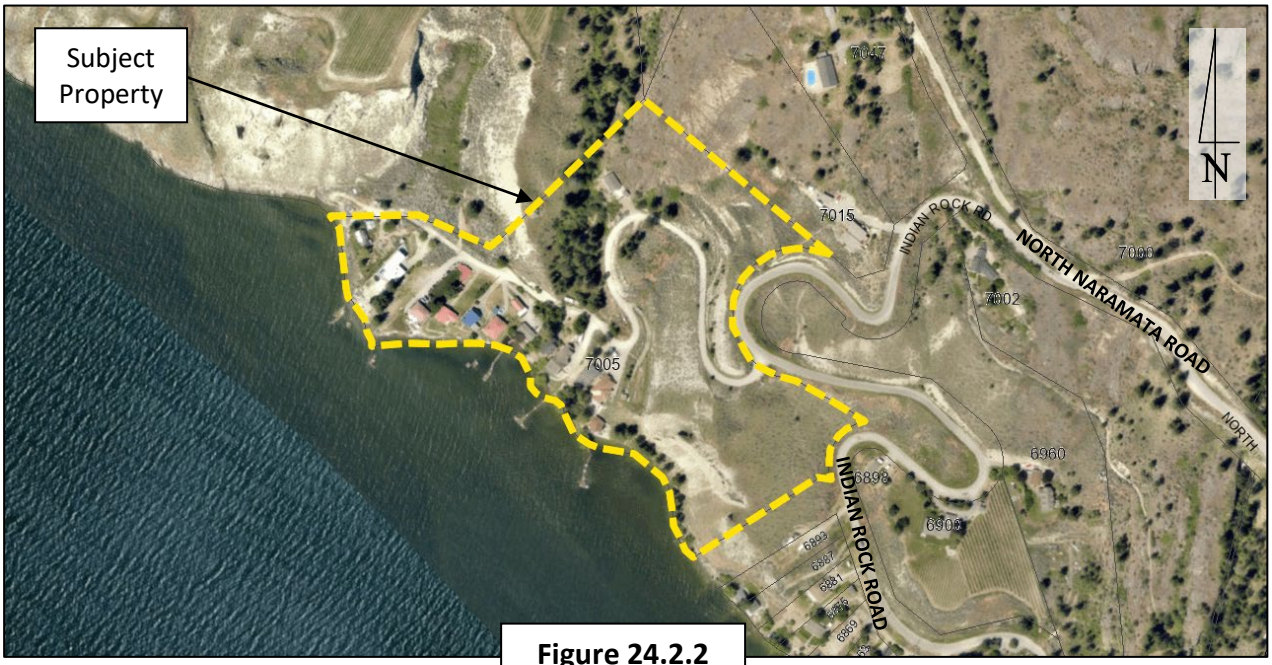


Figure 24.2.2

24.2.3 Parcel and Share Lot Plan

A plan that identifies the Sunset Acres "share lots" is included at Schedule '6' to this Bylaw, and forms part of this Bylaw.

24.2.4 Background:

The tourist commercial zoning of the subject property dates to the introduction of the first Zoning Bylaw (No. 122) for Electoral Area "E" in 1973, the purpose of which was "to accommodate those uses which provide tourist or short-term accommodation and associated services in areas with unique scenic or locational qualities."

Available Regional District records indicate that a geotechnical assessment of the property was completed in 1995 in order to support the development of the subject property for additional "recreational buildings" and the a number of building permits for *single detached dwellings* were subsequently issued between 1997 and 2017.

24.2.5 Definitions

In this CD zone:

"common property" means that portion of the *parcel* identified as "ROAD" on Schedule '6' to this Bylaw;

"exterior side share lot line" means the boundary between a share lot and a *highway*;

"front share lot line" means the boundary of a share lot to "common property";

"interior side share lot line" means the boundary between two or more share lots other than a front, rear or exterior share lot line;

"rear share lot line" means the boundary of a share lot which lies most opposite to the front share lot line;

"share lots" means the 17 surveyed portions of the *parcel* reserved for the exclusive use and enjoyment of a shareholder in the corporation, and shown on Schedule '6' to this bylaw;

"share lot coverage" means the combined area covered by all *buildings* and *structures* on a share lot, expressed as a percentage of the total share lot area;

24.2.6 Permitted Uses for Share Lots:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

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

c) *bed and breakfast operation*, subject to Section 7.4;

d) *home occupation*, subject to Section 7.7; and

e) *secondary suite*, subject to Section 7.10.

24.2.7 Permitted Uses for Common Property:

a) service facilities and uses in connection with one or more share lots.

24.2.8 Minimum Parcel Size for Subdivision:

a) 6.0 ha, subject to Section 8.0.

24.2.9 Maximum Parcel Density and Share Lot Density:

a) 17 share lots per *parcel*, as shown on Schedule '6' to this bylaw;

b) one (1) *single detached dwelling* per share lot; and

c) one (1) *secondary suite* per share lot.

24.2.10 Maximum Share Lot Coverage:

a) 35%

24.2.11 Minimum Setbacks:

a) *Buildings* and *Structures* on a Share Lot:

i)	Front share lot line:	1.0 metres
ii)	Rear share lot line:	1.0 metres
iii)	Interior side share lot line:	1.0 metres
iv)	Exterior side share lot line:	4.5 metres

b) *Buildings* and *Structures* on Common Property:

i)	Front share lot line:	1.0 metre
ii)	Rear share lot line:	1.0 metre
iii)	Interior side share lot line:	1.0 metre
iv)	Exterior side share lot line:	4.5 metres

24.2.12 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 5.0 metres.

24.2.13 Minimum Building Width:

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

24.3 TWIN LAKE ACRES COMPREHENSIVE DEVELOPMENT (CD4) ZONE

24.3.1 Purpose

The purpose of the Twin Lake Acres Comprehensive Development Zone is to create comprehensive, site-specific land use regulations for the parcel located at 160 Twin Lakes Road, which is legally described as Lot 20, Plan KAP17461, District Lot 2169, Section 36, Township 89, SDYD, in order to reconcile the historical land use pattern on the lands with the regulations of the Zoning Bylaw.

24.3.2 Location

The property is situated at Twin Lakes with a frontage to the northern shore of Twin Lakes.[lii]

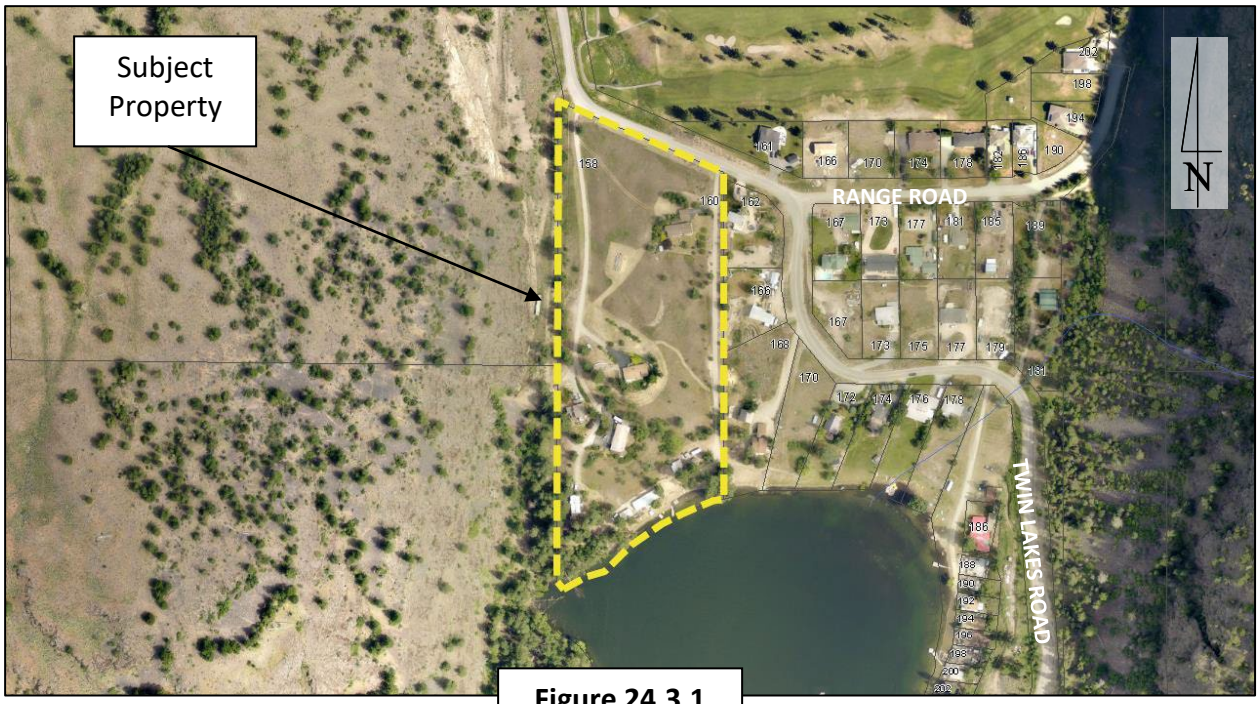


Figure 24.3.1

24.3.3 Background

At its meeting of May 30, 1974, the Regional District Board adopted Amendment Bylaw No. 206, which authorised Land Use Contract (LUC) No. LU-9-D, the purpose of which was to facilitate the development of the "Twin Lakes Guest Ranch & Resort Limited" (being an "all season resort").

The LUC permitted the development of seven (7) accessory "single family dwellings and mobile homes" on the subject property, subject to their use being related to the Resort (i.e. "dude ranch and stables").

[lii] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

The first building permit for the development of a dwelling unit (mobile home) on the property was issued on May 14, 1975, with subsequent permits for the remaining dwelling units issued throughout the 1970s and 1980s.

In 2018, the Regional District initiated the "Early Termination" of LUC No. LU-9-D. Due to the "share-lot" nature of development at 160 Twin Lakes Road, and the cessation of the resort use at some previous point, a comprehensive development zone formalising the residential use of the property was created to replace the LUC.

This zone limits density to that which was previously permitted under the LUC (i.e. 7 dwelling units, and no accessory dwellings or secondary suites) due to the "share-lot" nature of the property. Similarly, the zone does not contemplate subdivision due to the absence of a community sewer system at Twin Lakes as well as the property being in the Agricultural Land Reserve (ALR).

24.3.4 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

b) *agriculture*;

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

d) *bed and breakfast operation*, subject to Section 7.4;

e) *home occupation*, subject to Section 7.7; and

24.3.5 Minimum Parcel Size for Subdivision:

a) 4.0 ha

24.3.6 Minimum Parcel Width for Subdivision:

a) Not less than 25% of *parcel depth*

24.3.7 Maximum Number of Dwellings Permitted Per Parcel:

a) seven (7) *principal dwelling units*.

24.3.8 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* 1.5 metres

iii) *Interior side parcel line* 1.5 metres

iv) *Exterior side parcel line* 4.5 metres

c) Despite Section 24.3.8(a) and (b), livestock shelters, *equestrian centres*, generator sheds, boilers or walls with fans, *greenhouses* and *cannabis production, indoor*:

i) *Front parcel line* 15.0 metres

ii) *Rear parcel line* 15.0 metres

iii) *Interior side parcel line* 15.0 metres

iv) *Exterior side parcel line* 15.0 metres

d) Despite Section 24.3.8(a) and (b), incinerator or *composting operation*:

i) *Front parcel line* 30.0 metres

ii) *Rear parcel line* 30.0 metres

iii) *Interior side parcel line* 30.0 metres

iv) *Exterior side parcel line* 30.0 metres

24.3.9 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.

24.3.10 Maximum Parcel Coverage:

a) 35%

24.3.11 Minimum Building Width:

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

24.4 MAPLE STREET COMPREHENSIVE DEVELOPMENT (CD5) ZONE

24.4.1 Purpose:

The purpose of the Maple Street Comprehensive Development Zone is to create comprehensive, site-specific land use regulations for the parcel located at 1138 Maple Street, Okanagan Falls, which is legally described as Lot 8, Plan KAP34520, District Lot 374, SDYD, Except Plan 35861, 35862 and 38924, in order to reconcile the historical land use pattern on the lands with the regulations of the Zoning Bylaw.

24.4.2 Location:

The property is situated on the east side of Maple Street in Okanagan Falls and is bounded by Shuttleworth Creek along its northern boundary.

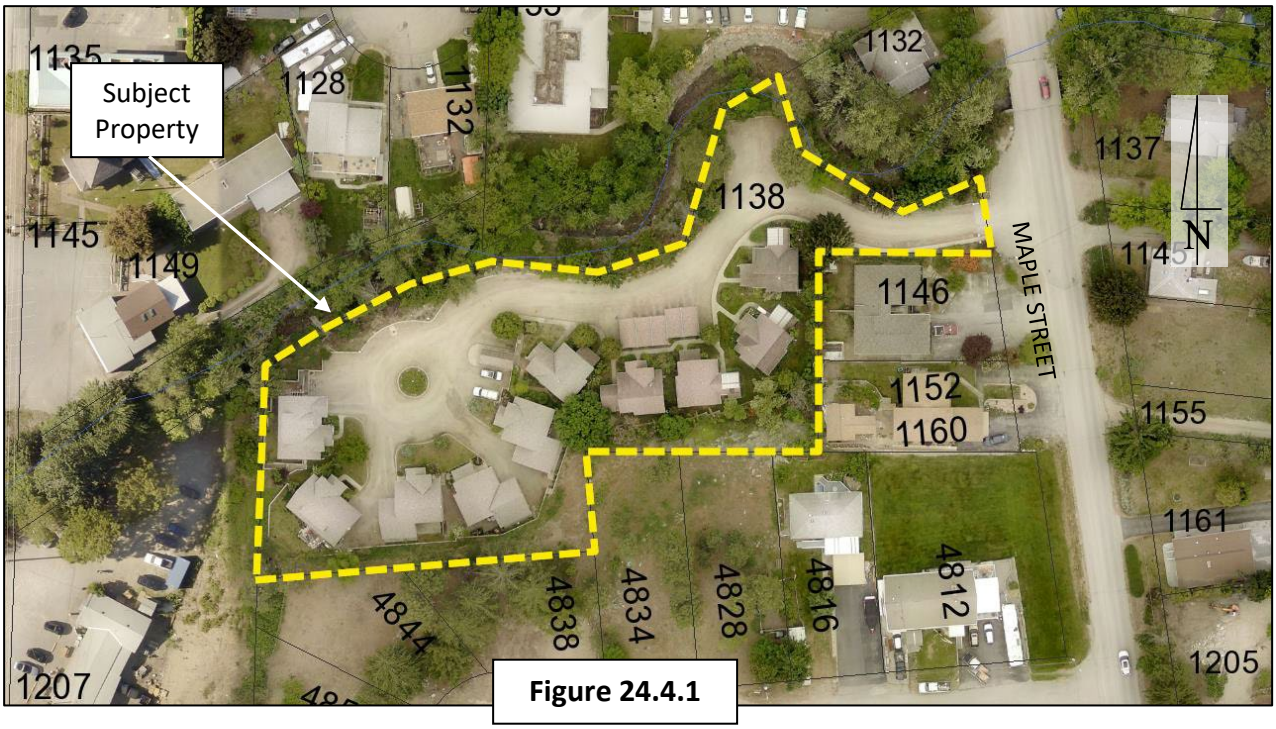


Figure 24.4.1

24.4.3 Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on January 20, 1984, while available Regional District records indicate buildings permits were subsequently issued for a "fourplex" (1985), a *single detached dwelling* (1987) and five *single detached dwellings* (1993).

24.4.4 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

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

b) *bed and breakfast operation*, subject to Section 7.4;

c) *home occupation*, subject to Section 7.7; and

d) *secondary suite*, subject to Section 7.10.

24.4.5 Minimum Parcel Size for Subdivision:

a) 0.5 ha

24.4.6 Minimum Parcel Width for Subdivision:

a) Not less than 25% of *parcel depth*

24.4.7 Maximum Number of Dwellings Permitted Per Parcel:

a) 10 *principal dwelling units*; and

b) one (1) *secondary suite* per *principal dwelling unit*.[liii]

24.4.8 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*	1.5 metres
iii)	*Interior side parcel line*	1.5 metres
iv)	*Exterior side parcel line*	4.5 metres

24.4.9 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.

24.4.10 Maximum Parcel Coverage:

a) 35%

24.4.11 Minimum Building Width:

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

[liii] Amendment Bylaw No. 2800.25, 2023 – adopted May 4, 2023.

24.5 LOMBARDY BAY ESTATES COMPREHENSIVE DEVELOPMENT (CD7) ZONE

24.5.1 Purpose:

The purpose of the Lombardy Bay Estates Comprehensive Development Zone is to create comprehensive, site-specific land use regulations for the parcel located at 461 North Beach Road, which is legally described as Lot 14, Plan KAP11635, District Lot 2694, ODYD, Except Plan 12498, in order to reconcile the historical land use pattern on the lands with the regulations of the Zoning Bylaw.

24.5.2 Location:

The property is bounded by North Beach Road to the west and Okanagan Lake to the east approximately 2.0 km north of the boundary between Electoral Area "F" and the District of Summerland.

Figure 24.5.1

24.5.3 Background:

At its meeting of September 18, 1975, the Regional District Board adopted Amendment Bylaw No. 223, which authorised Land Use Contract No. LU-1-F, the purpose of which was to facilitate the development of four additional dwellings on sites at Lombardy Bay Estates that had been created in 1968, and no longer complied with the zoning introduced to the area in 1971. The LUC permitted the development of nine (9) total dwelling units on the property.

In 2019, the Regional District initiated the "Early Termination" of LUC No. LU-1-F. Due to the "share-lot" nature of development at 461 North Beach Road, a comprehensive development zone was created to replace the LUC.

This zone limits density to that which was previously permitted under the LUC (i.e. 9 dwelling units, and no accessory dwellings or secondary suites) due to the "share-lot" nature of the property. Similarly, the zone does not contemplate subdivision due to the absence of a community sewer system at Lombardy Bay Estates.

24.5.4 Permitted Uses:

Principal Uses:

a) *single detached dwelling*;

Accessory Uses:

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

c) *bed and breakfast operation*, subject to Section 7.4;

d) *home occupation*, subject to Section 7.7; and

24.5.5 Minimum Parcel Size for Subdivision:

a) 1.5 ha

24.5.6 Minimum Parcel Width for Subdivision:

a) Not less than 25% of *parcel depth*

24.5.7 Maximum Number of Dwellings Permitted Per Parcel:

a) nine (9) *principal dwelling units*.

24.5.8 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*	7.5 metres
iii)	*Interior side parcel line*	1.5 metres

iv) *Exterior side parcel line* 4.5 metres

24.5.9 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.

24.5.10 Maximum Parcel Coverage:

a) 35%

24.5.11 Minimum Building Width:

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

24.6 CHUTES END COMPREHENSIVE DEVELOPMENT (CD8) ZONE

24.6.1 Purpose:

The purpose of the Chutes End Comprehensive Development Zone is to create a transitionary zone that will allow for the subsequent development of an approximately 12.5 ha area of predominantly vacant Crown land to a range of residents densities and dwelling types. This area comprises an incomplete phase in the development of the Apex Mountain Ski Resort.

24.6.2 Location:

The subject area comprises the Upper Parking Lot and related maintenance buildings and extends eastwards to Creekview Road. The area is bounded by Keremeos Creek to the north and existing ski runs associated with Apex Mountain to the south.

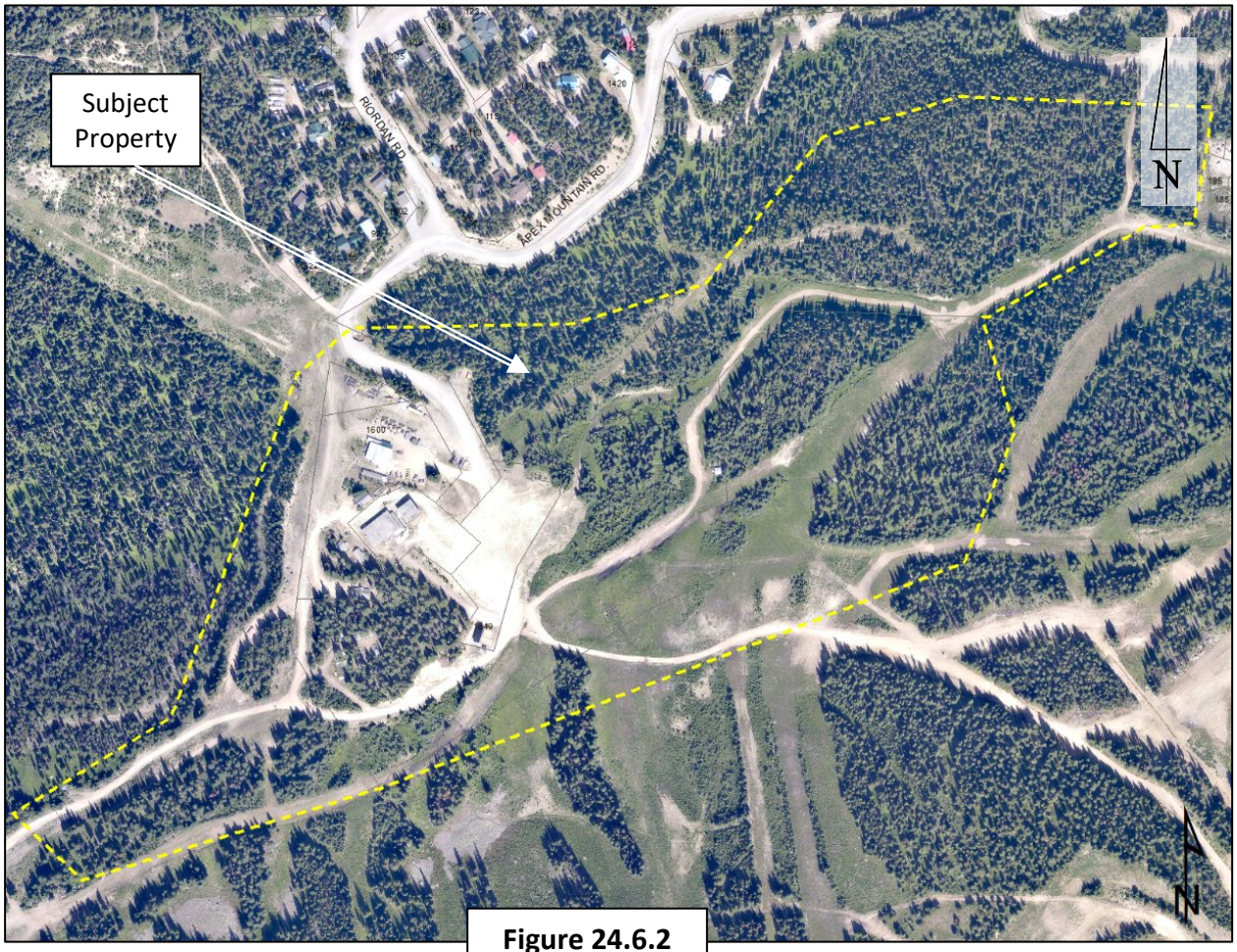


Figure 24.6.2

24.6.3 Background:

The Apex Alpine Resort Area Master Plan (1981) envisioned "seven phases of development" at Apex Mountain, five (5) of which had been completed by November of 1981.

The Plan called “for the ultimate development of 126 single family units, 411 condominium and 100 hotel units as well as 36, 281 square feet of commercial floor space. Apex Alpine also intends to construct 45 employee accommodation units with a total of 106 beds.”

Phase 7 of the Master Plan was to have been completed between 1983-85 and included, amongst other things, “60 residential strata lots” as well as “roads and services” to “Chutes End”, which is shown as comprising an approximately 2.0 ha (5.0 acre) area to be developed to “condo” (i.e. townhomes) units (see Figure 17.2.2).

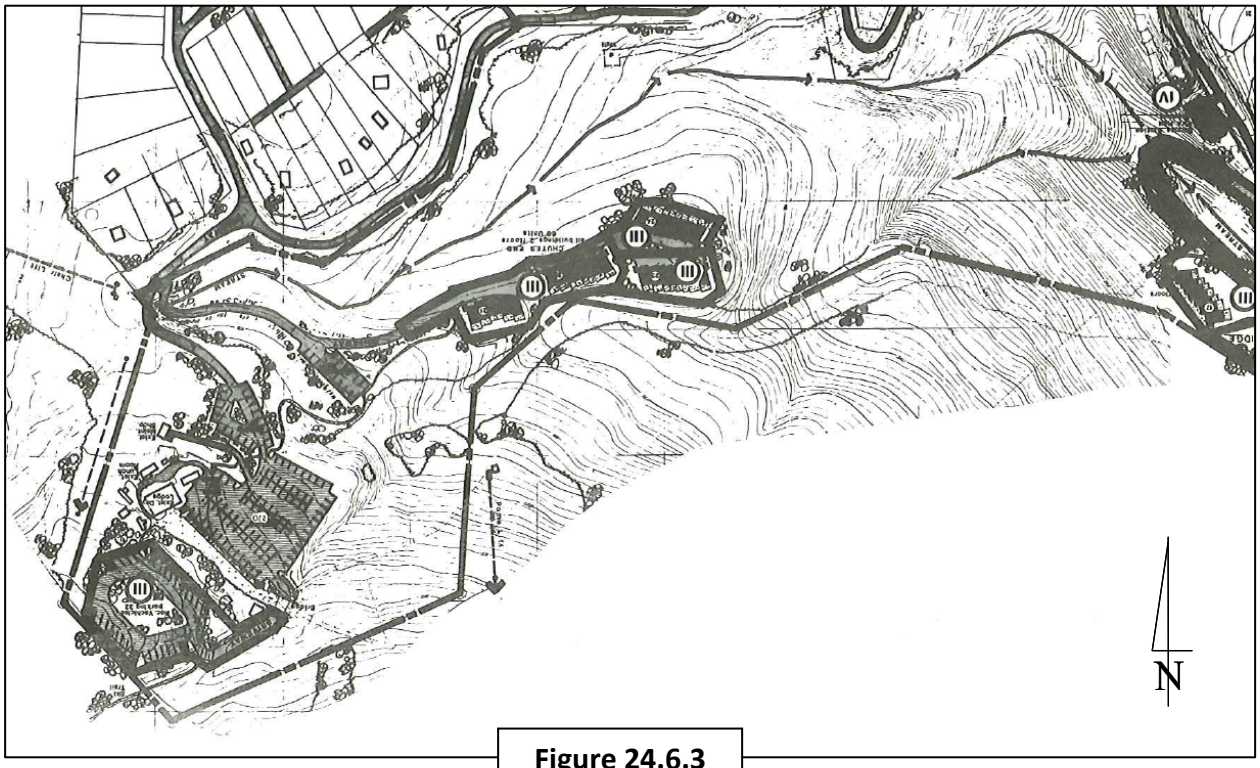


Figure 24.6.3

24.6.4 Permitted Uses:

Principal Uses:

a) *apartment building*, subject to Section 24.6.13;

b) *duplex dwelling*;

c) *single detached dwelling*;

d) *townhouse*, subject to Section 24.6.13;

e) *vacation rental*, subject to Section 7.11;

Accessory Uses:

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

g) *bed and breakfast operation*, subject to Section 7.4;

h) *home occupation*, subject to Section 7.7; and

i) *secondary suite*, subject to Section 7.10.

24.6.5 Minimum Parcel Size for Subdivision:

1. 300.0 m^2 for the purpose of subdivision of a *duplex dwelling* under the *Strata Property Act*, subject to Section 8.0; or
2. 600.0 m^2, subject to Section 8.0.

24.6.6 Minimum Parcel Width for Subdivision:

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

24.6.7 Maximum Number of Dwellings Permitted Per Parcel:

a) for an *apartment building* or *townhouse*: the maximum density shall not exceed 60 *dwelling units* per hectare;

b) for *duplex dwellings*: two (2) *dwelling units* per *parcel*, provided that both *dwelling units* are located in one (1) *residential building*; or

c) for *single detached dwellings*: one (1) *principle dwelling unit* per *parcel* and one (1) secondary permitted per *parcel*.

24.6.8 Minimum Setbacks:

a) *Buildings* and *structures*:

	DWELLING UNIT TYPE		
	single detached dwelling	*duplex dwelling*	*apartment building* or *townhouse*
i) *Front parcel line*	7.5 metres	7.5 metres	7.5 metres
ii) *Rear parcel line*	7.5 metres	7.5 metres	4.5 metres
iii) *Interior side parcel line*	3.0 metres	3.0 metres	3.0 metres
iv) *Exterior side parcel line*	4.5 metres	4.5 metres	4.5 metres

b) *Accessory building or structure*:

i) *Front parcel line*	7.5 metres
ii) *Rear parcel line*	1.5 metres
iii) *Interior side parcel line*	1.5 metres
iv) *Exterior side parcel line*	4.5 metres

24.6.9 Maximum Height:

a) No *apartment building* or *townhouse* shall exceed a *height* of 15.0 metres;

b) No *single detached dwelling* or *duplex dwelling* shall exceed a *height* of 10.0 metres;

c) No *accessory building or structure* shall exceed a *height* of 4.5 metres.

24.6.10 Maximum Parcel Coverage:

a) 50% for an *apartment building*, *townhouse* and *accessory building or structure*;

b) 45% for a *duplex dwelling* and *accessory building or structure*; or

c) 35% for a *single detached dwelling* and *accessory building or structure*.

24.6.11 Minimum Building Width:

a) Detached *Dwelling Unit*: 5.0 metres, as originally designed and constructed.

24.6.12 Amenity and Open Space Area Requirements:

a) The following *amenity and open space area* shall be provided for each *dwelling unit*:

i) studio suite: 7.5 m^2

ii) one (1) bedroom: 15.0 m^2

iii) two (2) or more bedrooms: 25.0 m^2

b) not less than 25% of required *amenity and open space area* is to be located at grade;

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.

24.6.13 Conditions of Use:

a) the minimum land area required for the *development* of an *apartment building* or *townhouse* is 1,000.0 m^2.

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.

24.6.14 Chutes End Comprehensive Development Site Specific (CD8s) Regulations:

a) in the case of an approximately 2.0 ha area of land shown shaded yellow on Figure 24.6.14(a):

i) the following *principal use* shall be permitted on the land in addition to the permitted uses listed in Section 24.6.1:

.1 *tourist accommodation*.

ii) the minimum *parcel* line *setbacks* for a *building* or *structure* to be used for *tourist accommodation* purposes shall be in accordance with those for an *apartment building* at Section 24.6.8.

iii) despite Section 24.6.9, the maximum *height* for a *building* or *structure* to be used for *tourist accommodation* purposes shall not exceed 20.0 metres.

iv) despite Section 24.6.10, the maximum *parcel coverage* for a *building* or *structure* to be used for *tourist accommodation* purposes shall not exceed 75%.

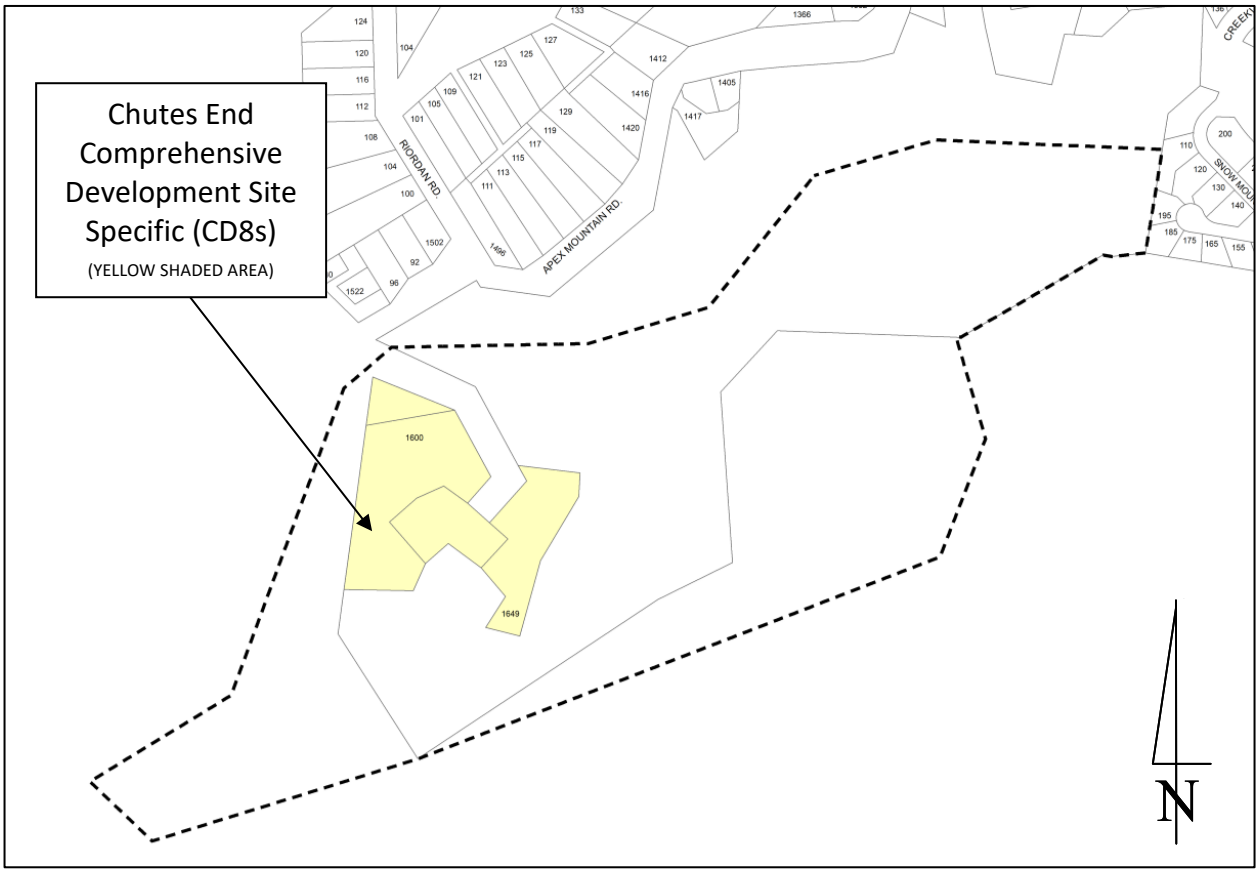


Figure 24.6.14(a)

24.7 EAGLE'S ROCK COMPREHENSIVE DEVELOPMENT (CD9) ZONE

24.7.1 Purpose:

The purpose of the Eagle's Rock Comprehensive Development Zone is to create site-specific land use regulations for an approximately 2.4 ha part of the parcel located at 187 Racette Way, which is legally described as Lot 14, Plan KAP82660, District Lot 2710, SDYD, and shown shaded yellow on Figure 24.7.2 in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

24.7.2 Location:

The property is situated on the east side of Racette Way near its intersection with Eastside Road.

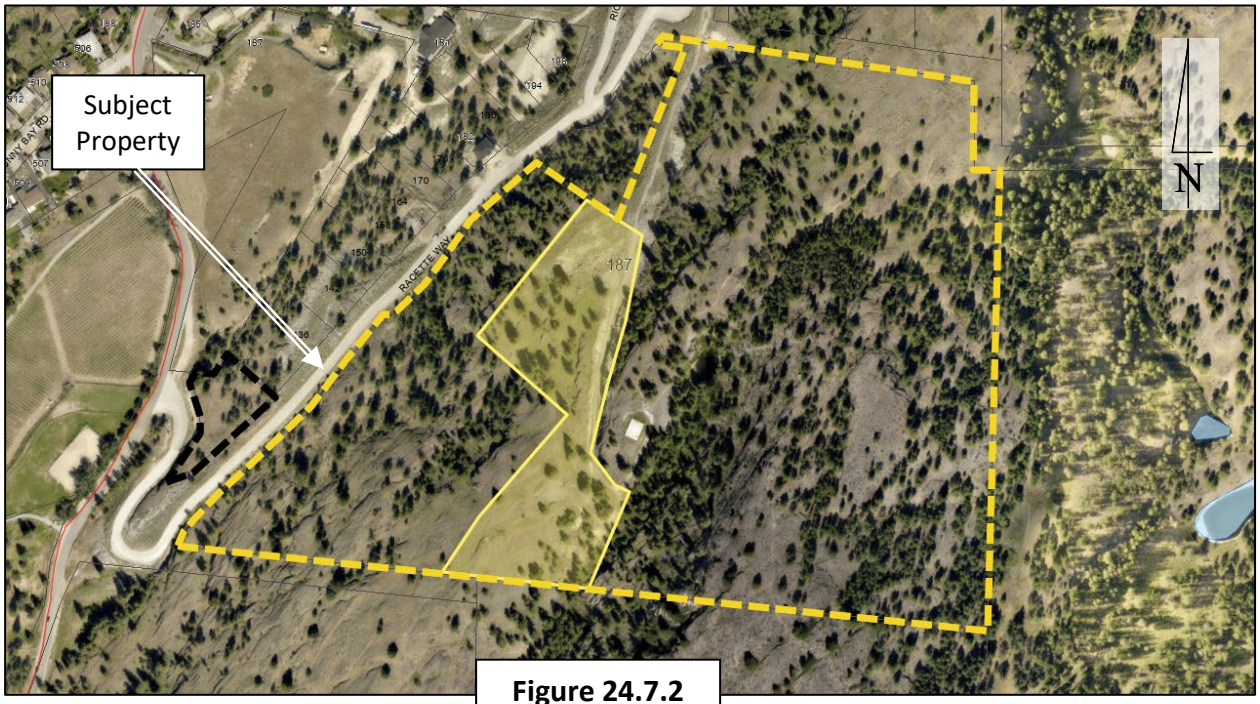


Figure 24.7.2

24.7.3 Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on December 14, 2006, while available Regional District records indicate that buildings permits have no previously been issued for the property (as of 2020).

The property is within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but is not serviced by a community sewer system (as of 2020).

24.7.4 Permitted Uses:

Principal Uses:

a) *duplex dwelling*;

b) *single detached dwelling*;

c) *townhouse*;

Accessory Uses:

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

e) *bed and breakfast operation*, subject to Section 7.4;

f) *home occupation*, subject to Section 7.7; and

g) *secondary suite*, subject to Section 7.10.

24.7.5 Minimum Parcel Size for Subdivision:

a) 225.0 m^2 for the purpose of subdivision of a *duplex dwelling* under the *Strata Property Act*, subject to Section 8.0; or

b) 500.0 m^2, subject to Section 8.0.

24.7.6 Minimum Parcel Width for Subdivision:

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

24.7.7 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) principle dwelling per *parcel* for a *single detached dwelling*;

b) two (2) *dwelling units* per *parcel* for a *duplex dwelling*, provided that both *dwelling units* are located in one (1) *residential building*; or

c) despite Section 24.6.7(a) & (b), on *parcels* greater than 2.3 ha in area, the maximum number of *principal dwelling units* shall not exceed six (6).

24.7.8 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*	1.5 metres

iii)	*Interior side parcel line*	1.5 metres
iv)	*Exterior side parcel line*	4.5 metres

24.7.9 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.

24.7.10 Maximum Parcel Coverage:

a) 75% for a *townhouse*;

b) 45% for a *duplex dwelling*; or

c) 35% for a *single detached dwelling*.

24.7.11 Minimum Building Width:

a) Detached *Dwelling Unit*: 5.0 metres, as originally designed and constructed.

24.7.12 Conditions of Use:

a) the minimum land area required for the *development* of a *townhouse* is 1,000.0 m^2.

b) a minimum area of 10.0 m^2 of *amenity and open space area* shall be provided per *dwelling unit*.

24.8 EASTSIDE ROAD SOUTH COMPREHENSIVE DEVELOPMENT (CD10) ZONE

24.8.1 Purpose:

The purpose of the Eastside Road South Comprehensive Development Zone is to create site-specific land use regulations for the parcels located at 187 & 195 Eastside Road, which are legally described as Parcel A, Plan KAP1434, Sublot 14, District Lot 2710, SDYD; Lot 11, Plan KAP1434, District Lot 2710, SDYD; and Lot 1, Plan KAP19321, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

24.8.2 Location:

The parcels are situated on the east side of Eastside Road adjacent its intersection with Echo Bay Road (an unmade road).

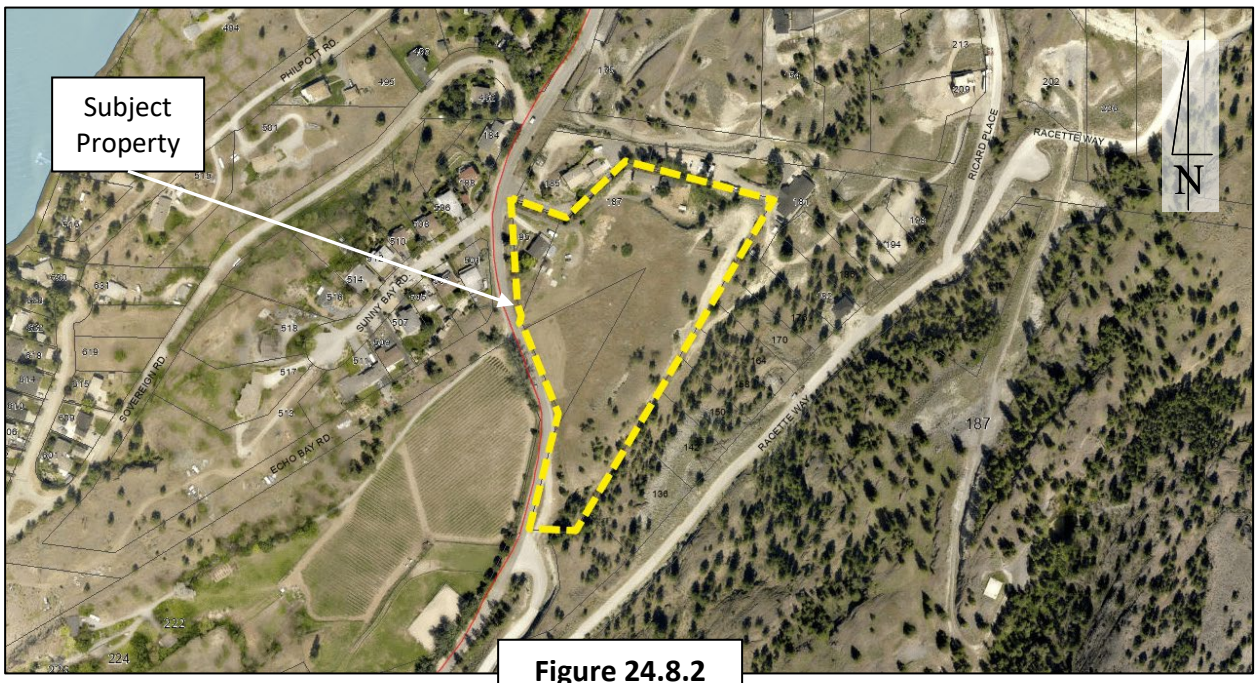


Figure 24.8.2

24.8.3 Background:

The subject property was originally created by a plan of subdivision deposited with the Land Titles Office in Kamloops on December 31, 1914, and further subdivided in subsequent decades resulting in the current parcels.

Available Regional District records indicate that a buildings permit was previously issued for an addition to a dwelling in 1988, and that the property has historically been used as a farm.

The parcels are within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but are not serviced by a community sewer system (as of 2020).

24.8.4 Permitted Uses:

Principal Uses:

a) agriculture;

b) *apartment building*;

c) *duplex dwelling*;

d) *single detached dwelling*;

e) *townhouse*;

Accessory Uses:

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

g) *alcohol production facility*, subject to Section 7.9, and on the same *parcel* as an agriculture use;

h) *bed and breakfast operation*, subject to Section 7.4;

i) *home occupation*, subject to Section 7.7; and

j) *secondary suite*, subject to Section 7.10.

24.8.5 Minimum Parcel Size for Subdivision:

a) 225.0 m^2 for the purpose of subdivision of a *duplex dwelling* under the *Strata Property Act*, subject to Section 8.0; or

b) 450.0 m^2, subject to Section 8.0.

24.8.6 Minimum Parcel Width for Subdivision:

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

24.8.7 Maximum Number of Dwellings Permitted Per Parcel:

a) one (1) principle *dwelling unit* per *parcel* for a *single detached dwelling*;

b) two (2) *dwelling units* per *parcel* for a *duplex dwelling*, provided that both *dwelling units* are located in one (1) *residential building*; or

c) 25 *dwelling units* per hectare for an *apartment building* or *townhouse*, subject to servicing requirements.

24.8.8 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*	1.5 metres
iii)	*Interior side parcel line*	1.5 metres
iv)	*Exterior side parcel line*	4.5 metres

24.8.9 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.

24.8.10 Maximum Parcel Coverage:

a) 75% for a *townhouse*;

b) 45% for a *duplex dwelling*; or

c) 35% for a *single detached dwelling*.

24.8.11 Minimum Building Width:

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

24.8.12 Amenity and Open Space Area Requirements:

a) the following *amenity and open space area* shall be provided for each *dwelling unit*:

i)	studio suite:	7.5 m^2
ii)	one (1) bedroom:	15.0 m^2
iii)	two (2) or more bedrooms:	25.0 m^2

b) not less than 25% of required *amenity and open space area* is to be located at grade;

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.

24.8.13 Conditions of Use:

a) the minimum land area required for the *development* of an *apartment building* or *townhouse* is 1,000.0 m^2.

24.9 EASTSIDE ROAD NORTH COMPREHENSIVE DEVELOPMENT (CD11) ZONE

24.9.1 Purpose:

The purpose of the Eastside Road North Comprehensive Development Zone is to create site-specific land use regulations for the parcel located at 175 Eastside Road, which is legally described as Plan KAP90314, District Lot 2710, SDYD, in order to allow for the development of the land in accordance with a comprehensive development zoning first applied to the property in 1998.

24.9.2 Location:

The property is situated on the east side of Eastside Road near its intersection with Philpott Road.

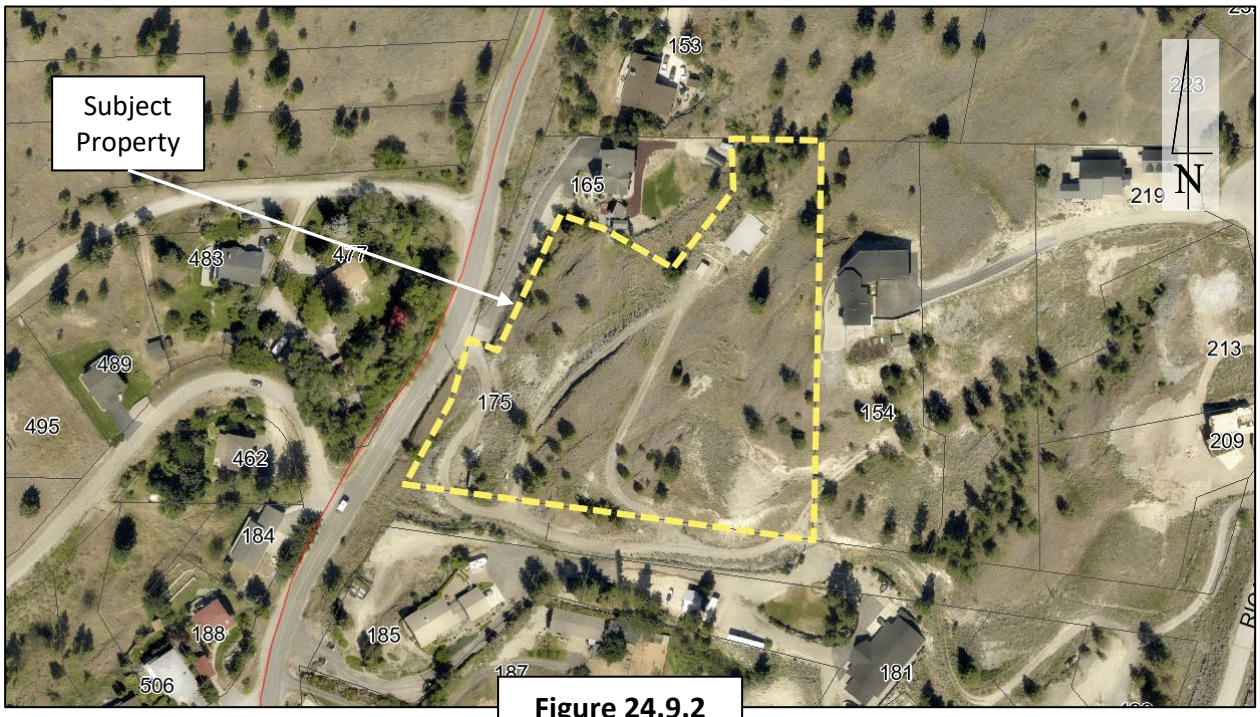


Figure 24.9.2

24.9.3 Background:

The subject property was created by a plan of subdivision deposited with the Land Titles Office in Kamloops on January 29, 2010, while available Regional District records indicate that buildings permits have no previously been issued for the property (as of 2020).

The property is within the Skaha Estate Rural Growth Area under the South Okanagan Regional Growth Strategy Bylaw, but is not serviced by a community sewer system (as of 2020).

24.9.4 Permitted Uses:

Principal Uses:

a) *duplex dwelling*;

b) *single detached dwelling*;

c) *townhouse*;

<u>*Accessory Uses*</u>:

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

e) *bed and breakfast operation*, subject to Section 7.4;

f) *home occupation*, subject to Section 7.7; and

g) *secondary suite*, subject to Section 7.10.

24.9.5 Minimum Parcel Size for Subdivision:

a) 225.0 m^2 for the purpose of subdivision of a *duplex dwelling* under the *Strata Property Act*, subject to Section 8.0; or

b) 500.0 m^2, subject to Section 8.0.

24.9.6 Minimum Parcel Width for Subdivision:

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

24.9.7 Maximum Density:

a) 18 dwelling units per hectare, subject to servicing requirements.

24.9.8 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*	1.5 metres
iii)	*Interior side parcel line*	1.5 metres
iv)	*Exterior side parcel line*	4.5 metres

24.9.9 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.

24.9.10 Maximum Parcel Coverage:

a) 75% for a *townhouse*;

b) 45% for a *duplex dwelling*; or

c) 35% for a *single detached dwelling*.

24.9.11 Minimum Building Width:

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

24.9.12 Conditions of Use:

c) the minimum land area required for the *development* of an *apartment building* or *townhouse* is 1,000.0 m^2.

d) a minimum area of 10.0 m^2 of *amenity and open space area* shall be provided per *dwelling unit*.

~ end of Schedule '1' ~