

The Corporation of the City of Penticton

Bylaw No. 2025-09

A Bylaw to Amend Zoning Bylaw 2024-22

WHEREAS the Council of the City of Penticton has adopted a Zoning Bylaw pursuant the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend Zoning Bylaw No. 2024-22;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of the City of Penticton, in open meeting assembled, hereby ENACTS AS FOLLOWS:

1. **Title:**

This bylaw may be cited for all purposes as “Zoning Amendment Bylaw No. 2025-09”.

2. **Amendment:**

Zoning Bylaw No. 2024-22 is hereby amended as follows:

2.1 Delete definition of “Director of Development Services” and add as follows:

“General Manager of Development Services means the person designated to administer and enforce the provisions of this Bylaw.”

2.2 Replace the words “Director of Development Services” with the words ***“General Manager of Development Services”*** throughout the bylaw.

2.3 Replace the word “daycare” with the word ***“day care”*** throughout the bylaw.

2.4 Add to section 4.11 Drive-through Facilities as follows:

“.3: Drive-through facilities shall not be permitted in the C1, C5 and C6 ***zones***.”

2.5 Add to 10.4 RM2 – Low Density Multiple Housing Section 10.4.1 PERMITTED USES as follows:

“.9 Secondary suite (subject to accessory suites regulation 8.1)”

2.6 Add to 10.5 RM3 – Medium Density Multiple Housing Section 10.5.1 PERMITTED USES as follows:

“.9 Secondary suite (subject to accessory suites regulation 8.1)”

2.7 Remove the words “370m², regardless of zoning, or” from Section 8.2.3.1.

2.8 Remove Section 11.1.3.1 in its entirety from Section 11.1.3 OTHER REGULATIONS.

2.9 Replace the words “10.5 m” in Sections 9.3.2.4.a, 11.1.2.4, 11.2.2.4, 11.8.2.4 and 11.11.2.3 with “11.0 m and 3 ***storeys*** above ***approved grade***”.

2.10 Remove and replace the paragraph in Section 4.8.4 with:

"Notwithstanding Section 4.8.2 of this Bylaw, **metal storage containers** are permitted in the M1, M2, M3, C4, C6, C7, P1, P2, P3 and A zones under the following conditions:"

2.11 Remove and replace Section 4.8.4.4 with:

"On **lots** within the C4, C6, C7, P1, P2 and P3 **zones**, the maximum number of **metal storage containers** shall be two (2) containers per **lot** for the first 0.2 ha or less of **lot area** plus 2 additional containers for each 0.2 ha of additional **lot area, to a maximum** of 5 containers;"

2.12 Add to 1.6 Exclusions as follows:

"4 A temporary **building** or **structure** which is incidental to the building, maintenance, or alteration of a building or structure for which a building permit has been issued provided that they are removed within 30 days following final inspection of the **building** or **structure**."

2.13 Remove and Replace Section 8.2.5 Parking and Access Requirements with:

"8.2.5 Access

.1 At a minimum, a dedicated, unobstructed, hard surfaced path of 1.2 m in width must be provided, linking the carriage house to the street frontage on the property."

2.14 Remove Section 11.5.3.4 in its entirety from Section 11.5.3 OTHER REGULATIONS.

2.15 Remove Section 11.6.3.4 in its entirety from Section 11.6.3 OTHER REGULATIONS.

2.16 Add to 6.5 Parking Requirements Table 6.6 – Public Assembly and Organizations as follows:

Education Service	Elementary and Middle School: 2 per classroom Secondary School: 4 per classroom	1
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2.17 Remove and replace Table 4.2 – Transit-Oriented Areas Development Regulations as follows:

Table 4.2 – <i>Transit-Oriented Areas</i> Development Regulations		
Regulation	<i>Transit-Oriented Area: Area 1</i>	<i>Transit-Oriented Area: Area 2</i>
Minimum vehicle parking spaces	No vehicle parking spaces are required for dwelling units .	
Minimum accessible parking spaces	Accessible parking spaces shall be provided in accordance with Table 6.8 of this bylaw, based on the corresponding number of parking spaces on the lot .	
Maximum height	6 storeys above approved grade*	4 storeys above approved grade*
Maximum density	2.5 Floor Area Ratio (FAR)*	1.5 Floor Area Ratio (FAR)*
* If the lot is within a zone which permits greater height and/or density than noted in Table 4.2, then the greater height and/or density regulation applies.		

2.18 Remove and replace Table 6.8 – Accessible Parking Requirements as follows:

Table 6.8 Accessible Parking Requirements	
Total Number of Parking Spaces Provided	Number of Accessible Spaces to be Included
0 – 9	0
10 – 20	1
21 – 50	2
51 – 100	3
Over 101	3 + 2% of total spaces over 100 spaces

2.19 Remove and replace Section 6.3.2 as follows:

“Every outdoor off-*street* parking or *loading space* accommodating ten (10) or more *spaces* shall incorporate *landscaping* within the parking area calculated on the basis of 2.0 m² of landscaped island area per *parking* and *loading space*, except for the M1, M2 and M3 zones. This shall be landscaped in accordance with Chapter 5.”

2.20 Remove and replace Table 6.1 – Cash in Lieu as follows:

Table 6.1 – Cash in Lieu			
Existing floor area converted to residential dwelling unit	New commercial, industrial and/or high density residential floor area	Class 1 bicycle parking space for commercial uses	Class 2 bicycle parking space for the C5 and C6 zones
\$13,000	\$13,000	\$1,000	\$500

2.21 Remove Section 6.4.4 Bicycle Parking Space Dimensions in its entirety.

2.22 Remove and replace Table 5.1 – Required Landscape Buffers as follows:

Table 5.1 – Required Landscape Buffers			
Standard	Residential – 5 or more dwelling units	Commercial (excluding C5 zone)	Industrial
Minimum width of <i>landscape buffer abutting</i> a residential <i>zone</i>	3.0 m	3.0 m	3.0 m
Minimum visual screen <i>height abutting</i> a residential <i>zone</i>	1.2 m	1.2 m	1.8 m
Minimum width of <i>landscape buffer</i> along highway, excluding lanes	3.0 m	3.0 m	N/A

2.23 Remove Sections 5.2.6 and 5.2.7 in their entirety from Section 5.2 Landscape Buffers Separating Uses.

- 2.24 Remove the words “and hedges” from Section 5.4.1.1.
- 2.25 Add to section 4.2.2 as follows:
- “.1 Notwithstanding the **fence** and **screen** height requirements listed in Section 5.4 of this Bylaw, the fence or screening of rooftop mechanical or structural appearance may exceed the **height** limitations of the purpose of Section 4.4.2.”
- 2.26 Remove and replace Section 4.10.2 as follows:
- “All site refuse, recycling bins, and containers in **zones** other than agricultural **zones**, including all other large receptables used for the temporary storage of materials, shall require **fencing** and/or **landscaping** to conceal from view from **adjacent lots** and **streets**.”
- 2.27 Remove Sections 5.1.3, 5.1.4 and 5.1.6 from Section 5.1 General Landscaping Requirements.
- 2.28 Remove Section 5.2.5 from Section 5.2 Landscape Buffers Separating Uses.
- 2.29 Remove Sections 5.4.1.4 and 5.4.1.5 from Section 5.4 Fences and Retaining Walls.
- 2.30 Delete Schedule ‘B’ and replace with the following Schedule:
- “Schedule ‘B’ (Zoning Bylaw Map)”
- 2.31 Schedule ‘B’ attached hereto forms part of this bylaw.

READ A FIRST time this	27	day of	May, 2025
A PUBLIC HEARING was held this	10	day of	June, 2025
READ A SECOND time this	10	day of	June, 2025
READ A THIRD time this	10	day of	June, 2025
RECEIVED the approval of the Ministry of Transportation & Transit on the		day of	, 2025
ADOPTED this		day of	, 2025

Notice of intention to proceed with this bylaw was published on the __ day of ____, 2025 and the __ day of ____, 2025 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Julius Bloomfield, Mayor

Angie Collison, Corporate Officer

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this _____ day of _____, 2025

for Minister of Transportation & Transit