

**The Corporation of the City of Penticton**

**Bylaw No. 2026-19**

*A Bylaw to Amend Official Community Plan Bylaw No. 2019-08*

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WHEREAS the Council of the City of Penticton has adopted an Official Community Plan Bylaw pursuant to the *Local Government Act*;

AND WHEREAS the Council of the City of Penticton wishes to amend "Official Community Bylaw No. 2019-08";

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 "Official Community Plan Amendment Bylaw No. 2026-19."

2. **Amendment:**

"Official Community Plan Bylaw No. 2019-08" is hereby amended as follows:

- 2.1 Repeal Page 3-47 titled "Land Use Designations" and replace with attached Page 3-47.
- 2.2 Repeal Page 5-96 of Section 5.2 titled "General Development Permit Area" and replace with attached Page 5-96.
- 2.3 Repeal Page 5-100 of Section 5.3 titled "Multifamily Residential Development Permit Area" and replace with attached Page 5-100.
- 2.4 Repeal Pages 5-117 and 5-118 of Section 5.8 titled "Environmental Development Permit Area" and replace with attached Page 5-117 and 5-118.
- 2.5 Repeal and replace "Map 1: Future Land Use" with the updated map included as Schedule 'A' of this bylaw.
- 2.1 Pages 3-47, 5-96, 5-100, 5-117, 5-118 and Schedule 'A' attached hereto form part of this bylaw.

READ A FIRST time this	day of	, 2026
A PUBLIC HEARING was held this	day of	, 2026
READ A SECOND time this	day of	, 2026
READ A THIRD time this	day of	, 2026

ADOPTED this

day of

, 2026

Notice of intention to proceed with this bylaw was published on the \_\_\_ day of \_\_\_\_\_, 2026 and the \_\_\_ day of \_\_\_\_\_, 2026 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

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Julius Bloomfield, Mayor

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Angie Collison, Corporate Officer



## Land Use Designations

Land Use	Description	Building Type(s)	Uses	Height / Density
<b>Rural Residential</b> 	Rural areas with single-detached houses on large lots with modified services (e.g., septic systems and/or wells)	<ul style="list-style-type: none"> <li>Single detached houses with secondary suites or carriage houses</li> <li>Bareland stratas</li> </ul>	<ul style="list-style-type: none"> <li>Residential</li> <li>Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>1 to 2 units per lot</li> <li>1 hectare minimum lot size</li> <li>0.4 hectare minimum lot size may be considered if connected to the municipal treated water system</li> <li>Generally up to 3 storeys</li> </ul>
<b>Site-Specific Rural Residential Policy Statements:</b> 3228 Evergreen Drive (Wiltse South Block): limited to a maximum of 2 single-family residences in the Rural Residential area. 1530 Reservoir Road: Allow a minimum lot size of 0.4 hectares, when connected to the municipal treated water system (Bylaw No. 2023-26)				
<b>Low Density Residential</b> 	Lower-density residential areas with new housing types compatible with single-detached houses in character and scale but providing more units per lot	<ul style="list-style-type: none"> <li>Single detached houses with or without secondary suites and/or carriage houses</li> <li>Duplexes with or without suites and/or carriage houses</li> <li>Cluster housing</li> <li>Townhouses</li> <li>Bareland stratas</li> <li>Small-scale neighbourhood commercial building (e.g., corner store, coffee shop, childcare)</li> <li>Low-rise apartment buildings</li> </ul>	<ul style="list-style-type: none"> <li>Residential</li> <li>Limited retail/service</li> </ul>	<ul style="list-style-type: none"> <li>1 to 4 units per lot</li> <li>Up to 6 units subject to contextual design and adherence to DP guidelines Additional units may be considered where lot consolidation occurs (e.g. consolidation of two lots could support twice as many units per lot)</li> <li>Generally up to 3 storeys</li> <li><i>increased height and density permitted in transit-oriented areas</i></li> </ul>
<b>Site-Specific Detached Residential Policy Statement:</b> 375 Smythe Drive: a maximum of 27 detached single-family houses are permitted on this site. Houses may include secondary suites but not carriage houses.				
<b>High Density Residential</b> 	Higher-density multifamily residential neighbourhoods consisting of townhouses and apartments in higher-amenity areas	<ul style="list-style-type: none"> <li>Cluster housing</li> <li>Townhouses</li> <li>Low-rise and mid-rise apartment buildings</li> <li>Small-scale neighbourhood commercial building (e.g., corner store, coffee shop, childcare)</li> </ul>	<ul style="list-style-type: none"> <li>Residential</li> <li>Limited retail/service</li> </ul>	<ul style="list-style-type: none"> <li>Up to 6 storeys</li> </ul>
<b>Site-Specific High Density Residential Policy Statement:</b> 556 to 736 Lakeshore Drive West: Development up to a maximum of four storeys can be considered subject to assessment of urban design impacts on Lakeshore Drive and the waterfront, Lakawanna Park and neighbouring properties on Churchill Avenue.				

## Functional Use of Landscapes

- G30. Habitat: designs should provide for and/or enhance habitat value (e.g., birds, pollinators, etc.) through the use of selected plant material (food & nutrients) and/or structural/grading improvements (e.g., hibernacula, pools, etc.).
- G31. Where appropriate (and in consideration of FireSmart principles and native ecosystems), screen walls and/or landscape buffers (e.g., berms, shrub beds, hedges and/or trees) should be used to manage transitions and/or conflict between incompatible uses (e.g., industrial uses and/or parking).
- G32. Buffer design should complement neighbourhood character and landscape setting (refer to “Materials Selection – Hardscapes and Softscapes”).
- G33. Where landscaped island area is required in the Zoning Bylaw it should be installed with the following considerations (see Figure 5-7):

- Planting between internal collectors (not used for direct access to parking stalls) and aisles that provide direct access to parking stalls;
- Planting at the end of aisles;
- Planting between blocks of parking spaces; and,
- Planting around utility kiosks and waste/recycling areas.

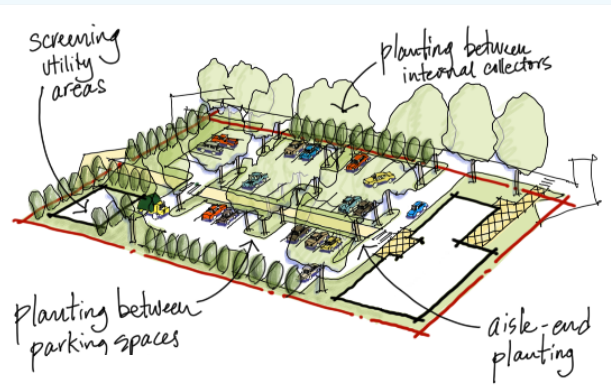


Figure 5-7: G33

- G34. Transitions between the public (e.g., street, sidewalk), semi-public (e.g., walkways, ramp, stair), semi-private (e.g., stoop, balcony) and private (e.g., entry) realms should be clearly defined to enhance both the privacy of residences and the pedestrian experience, and may include:
- Landscape terracing (e.g., grading, retaining);
  - Structures (e.g., fences, pergolas, trellises),
  - Planting (e.g., low hedges) and/or
  - Changes in surfacing materials.

## Materials Selection – Softscapes & Hardscapes

### G35. Softscapes

- Plant materials (size) and planting densities should be designed to meet and exceed the British Columbia Landscape and Nursery Association (BCLNA) Standards;
- Landscape designs should consider opportunities for seasonal interest (e.g., colourful foliage and/or flowering at various times of the year).
- Structural diversity in plant palette composition – including combinations of groundcovers, shrubs of various heights and trees – is encouraged.
- Landscape design should consider aesthetic qualities, plant suitability and soil volumes to ensure “right plant, right place” and to maximize growth to maturity of plants and trees.
- Plant selection should emphasize local/native plants and/or similarly hardy/well-adapted plants to Penticton’s desert climate.
- Invasive species should not be used.
- Synthetic turf may be considered where it supports functional outdoor space design.



This Development Permit Area includes the following objectives:

1. Ensure social spaces and support for active living (through provision of amenity spaces and indoor-outdoor relationships)
2. Avoid shadow/shading impacts to public parks and priority pedestrian realm
3. Encourage high quality materials and design.

### 5.3.3 Area

The Multifamily Residential Development Permit Area applies to all multifamily development within the city for properties currently zoned for multifamily residential (R4 and RM zones) and containing multifamily residential uses. This includes duplexes, multiplexes, cluster housing, rowhouses, townhouses and apartments. For certainty, this does not include single detached dwellings, secondary suites or carriage houses.

### 5.3.4 Exemptions

A Development Permit will not be required for the exemptions as indicated in [Section 5.1.2 EXEMPTIONS](#), plus:

- external renovations that do not affect the form and character of the building or site (to be determined by the Development Services Department)
- subdivisions where no buildings are being proposed

## 5.3.5 Multifamily Residential Guidelines

### Site Planning

#### *Designing in Context*

- MF1. A portion of the building face should relate to the front and rear yard setbacks of existing neighbouring buildings (see Figure 5-10). However, the front setback should be no greater than 6.0m so that dwelling units engage with the street.

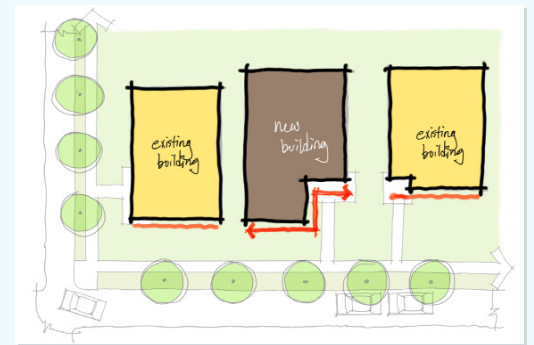


Figure 5-10: MF1

#### *Framing Space*

- MF2. All multifamily developments should incorporate amenity spaces that address the needs of all age groups likely to reside within the development.
- MF3. In an effort to promote community and social sustainability, multifamily developments should exhibit a preference for courtyard forms with views into them from units (see Figure 5-11).
- MF4. Amenity spaces should incorporate vegetation for the purposes of active and passive recreation and/or visual interest.



Figure 5-11: MF3



The Environmental Development Permit Area is designated to protect important sensitive ecosystems and biological diversity including valuable habitat for species at risk and other wildlife. This Development Permit Area designation provides an important mechanism for Penticton to support compliance with Migratory Birds Convention Act, Species at Risk Act, Wildlife Act and other relevant Provincial and Federal policy and legislation applicable to development activities on private land.

There are two categories within the Environmental Development Permit Area:

*Environmental Protection Areas* are applied on known very high-sensitivity areas to retain bio-diversity, support wildlife movement corridors, and protect the natural environment from disturbance or degradation including tree cutting, dumping and uncontrolled access. These areas include oxbows, wildlife corridors and ravines, the Esplanade and silt bluffs, and the Skaha Bluffs.

*Environmental Assessment Areas* are applied to potentially environmentally-sensitive areas to ensure that environmental values are considered in development planning.

The Development Permit Area includes the following objectives:

1. To protect ecosystem services, biological diversity, wildlife and important wildlife habitats, features and functions throughout the Environmental Development Permit Area.
2. To minimize disturbance to Environmental Development Permit Areas and to ensure that development within these areas proceeds according to specified guidelines.
3. To maintain ecosystem connectivity within connectivity corridor areas and to ensure that development within these areas proceeds according to the specified guidelines
4. To plan land development and new subdivisions carefully in a manner that identifies and protects sensitive ecosystems and species, consistent with applicable guidelines.

### 5.8.3 Area

All lands in the identified Environmental Development Permit Area as shown on **Map 6: Environmental Development Permit Area**.

### 5.8.4 Exemptions

1. The repair, maintenance of and improvements to all existing public structures, facilities, open spaces, trails, roads, and utilities which is meant to include but not limited to: sanitary sewer, storm sewer, water, natural gas, cable, hydro-electric, telephone.
2. In the Environmental Protection Area, acceptance by the City of Penticton of a report prepared by a Qualified Environmental Professional that there is no natural environment associated with the development or adjacent areas described on the Environmental Development Permit Map due to previously approved development.
3. In the Environmental Assessment Area, acceptance by the City of Penticton that there is no natural environment associated with the development or adjacent areas described on the Environmental Development Permit Map due to previously approved development. A report prepared by a Qualified Environmental Professional may be required where additional information is necessary to determine whether this exemption applies.



4. The removal of hazardous and invasive trees and other species, and a report prepared by a registered professional in BC or an ISA Certified Arborist who is qualified as a Wildlife/Danger Tree Assessor has been submitted; and this report concludes that the tree(s) proposed for removal is (are) hazardous and recommends their removal.
5. The proposed works are site restoration, ecological enhancement, general parks maintenance and works in accordance with established best management practices and Provincial approvals, as required, under purview of the City of Penticton Parks Department and directed by advice from a Qualified Environmental Professional.
6. The activity involves the environmentally-sensitive removal of trees and shrubs designated as hazardous by a Professional Forester registered in BC in accordance with provincial FireSmart standards as outlined in a site-specific wildfire hazard report, with provisions in place to ensure that tree removal is carried out in accordance with the report recommendations.
7. A subdivision involving a boundary adjustment where no new lots are being created and each remaining lot provides, outside of any environmental protection/assessment areas, a building envelope of sufficient area to permit the construction of a standard sized building within the setback established by the Zoning Bylaw.
8. For land development without construction where the development is occurring solely for the restoration of an environmental feature or the hand removal of an invasive species. A restoration plan prepared by a Qualified Environmental Professional must be presented to the City of Penticton prior to development.
9. Where development consists of the farm use of existing active agricultural areas, not involving the construction of buildings for farm or non-farm use over 10 square metres in floor area, or not altering natural areas for farm or non-farm uses.
10. All Environmental Protection and Environmental Assessment Areas applicable to the development have been included in a registered covenant as assessed by a Qualified Environmental Professional
11. There is change of use or alteration of an approved existing building or structure in which the building or structure "footprint" is not altered or increased or addition to buildings and structures that are less than 10m<sup>2</sup> in area (Environmental Assessment Area only).

## 5.8.5 Environmental Guidelines

### *General*

- E1. Issuance of an Environmental Development Permit requires the submission of an environmental assessment report authored by a Qualified Environmental Professional (QEP) that is a Registered Professional Biologist in British Columbia or a team that includes a Registered Professional Biologist in British Columbia (RPBio).
- E2. The submitted environmental assessment report should be prepared in accordance with the City of Penticton's Terms of Reference for Environmental Reports.
- E3. Construction of underground service utilities may be considered provided that disturbance to the natural environment is minimal, and restoration and enhancement of disturbed areas is undertaken upon completion of construction and is addressed in the environmental assessment report and implemented under the guidance of a Qualified Environmental Professional.
- E4. Construction standards for trail development may be varied to minimize impacts on the environment.

