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The Corporation of the City of Penticton

Zoning Bylaw

No. 2024-22

Consolidated for convenience only

Amended by:	On:
2024-05	July 16, 2024
2024-25	July 16, 2024
2024-26	August 6, 2024
2024-27	August 6, 2024
2024-31	October 1, 2024
2024-32	October 1, 2024
2024-34	October 1, 2024
2024-35	October 15, 2024
2024-37	November 19, 2024
2024-38	December 17, 2024
2024-44	January 14, 2025
2023-14	January 28, 2025
2025-04	April 22, 2025
2025-05	April 22, 2025
2025-07	May 13, 2025
2025-08	May 27, 2025
2025-09	June 24, 2025
2025-18	July 15, 2025
2025-23	September 16, 2025
2025-24	September 16, 2025
2025-27	October 7, 2025
2025-33	October 21, 2025
2025-32	December 16, 2025
2025-34	February 3, 2026
2026-06	February 3, 2026
2026-09	February 17, 2026
2026-08	March 17, 2026
2026-16	March 17, 2026
2026-04	April 7, 2026
2026-22	June 23, 2026
2026-21	July 14, 2026
2026-24	July 14, 2026
2026-32	September 29, 2026
2026-35	October 20, 2026

This is a consolidated bylaw prepared by the Corporation of the City of Penticton for convenience only. The city does not warrant that the information contained in this consolidation is current. It is the responsibility of the person using this consolidation to ensure that it accurately reflects current bylaw provisions.

The Corporation of the City of Penticton

Bylaw No. 2024-22

A Bylaw to establish zones and regulate within the zones

WHEREAS Section 479 of the *Local Government Act* provides that a local government may adopt a Zoning Bylaw;

AND WHEREAS the Municipal Council is desirous of replacing the City of Penticton Zoning Bylaw No. 2023-08;

AND WHEREAS this bylaw has been considered in conjunction with The City of Penticton Official Community Plan Bylaw No. 2019-08;

NOW THEREFORE the Municipal Council of The Corporation 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 Bylaw No. 2024-22".

2. **Application**

The following schedules attached hereto are hereby made part of this bylaw and adopted as the Zoning Bylaw for the City of Penticton:

.1 Schedule A (Zoning Bylaw Text)

.2 Schedule B (Zoning Bylaw Map)

.3 Schedule C (Penticton Plaza Transit-Oriented Area Map)

.4 Schedule D (Peachtree Square Transit-Oriented Area Map)

.5 Schedule E (Cherry Lane Mall Transit-Oriented Area Map)

3. **Consultation**

This bylaw has been referred to the Ministry of Transportation prior to adoption.

4. **Repeal**

City of Penticton "Zoning Bylaw No. 2023-08" and the amendments thereto are hereby repealed upon the adoption of this Bylaw.

READ A FIRST time this	21	day of	May, 2024
A PUBLIC HEARING was held this	3	day of	June, 2024
READ A SECOND time this	4	day of	June, 2024
READ A THIRD time this	4	day of	June, 2024
RECEIVED the approval of the Ministry of Transportation on the	6	day of	June, 2024
ADOPTED this	18	day of	June, 2024

Notice of intention to proceed with this bylaw was published on the 24th day of May, 2024 and the 31st day of May, 2024 in an online news source and the newspaper, pursuant to Section 94.2 of the *Community Charter*.

Approved pursuant to section 52(3)(a) of the *Transportation Act*
this 6th day of June, 2024

Robert Bitte
for Minister of Transportation & Infrastructure

"Julius Bloomfield"

Julius Bloomfield, Mayor

"Angie Collison"

Angie Collison, Corporate Officer

Schedule A – Zoning Bylaw Text

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Chapter 1 – General Administration

1.1 Short Title

This Bylaw may be cited as the Zoning Bylaw.

1.2 Purpose

The purpose of this Bylaw is to provide a clear and efficient system of land use regulation for the orderly, economic, beneficial, equitable and environmentally sensitive use, development, and redevelopment of the ***City*** of Penticton having regard for the provisions of the ***City*** of Penticton's ***Official Community Plan.***

1.3 Severability

A declaration by a court of competent jurisdiction that a chapter, clause or provision of this Bylaw, including anything shown on Schedules to the Bylaw is invalid, shall not affect the validity of the Bylaw or any part of the Bylaw other than the chapter, clause or provision, or part of the Schedule declared to be invalid.

1.4 Compliance with Other Legislation

1.4.1 Other Municipal Bylaws, Provincial and Federal Statutes and Regulations

In addition to this Bylaw, a person is responsible for ascertaining and complying with the requirements of all other applicable municipal bylaws, or Provincial or Federal statutes and regulations.

1.4.2 Official Community Plan and Development Permits

The provisions of the development permit system included within the ***Official Community Plan*** apply in addition to the regulations in this Bylaw.

1.5 Applying Zoning Regulations

1.5.1 Administrators of Zoning Bylaw

The ***General Manager of Development Services***, Building Officials, Bylaw Enforcement Officers, and Planning Department staff shall administer this Bylaw.

1.5.2 Areas Subject to the Bylaw, Existing Uses and Variance Orders

Except for legal non-conforming uses or developments approved by a Development Variance Permit or a Board of Variance order, or another agreement or permit as authorized by the *Local Government Act*, or other provincial legislation and subject to Section 528 of the *Local Government Act*, the ***use***, ***buildings*** and ***structures*** in each ***zone***

or area shall be in accordance with the ***uses*** listed in the ***zone*** and in accordance with all the appropriate regulations and requirements of this Bylaw.

1.6 Exclusions

This Bylaw does not apply to the following:

1.6.1 ***Mobile vending units***, subject to compliance with all ***City*** regulations and bylaws, shall be permitted on all ***City*** owned land. ***Mobile vending units*** are permitted on privately owned land in commercial ***zones***.

1.6.2 A ***building*** or ***structure*** for a ***residential sales centre*** for the sales of units of a ***building*** under construction or ***lots*** for sale in a subdivision shall be permitted in all ***zones*** for as long as it is necessary for the construction and sales in progress to be completed.

1.6.3 The ***use*** of non-residential ***zones*** for activities such as amusement ***carnivals***, religious gatherings, and music festivals for less than 7 days in any six-month period, provided approval has been issued under the City's Business Licence and Permit requirements.

1.6.4 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***.
(Bylaw No. 2025-09)

1.7 Development Applications in Process

1.7.1 A completed application for a building permit, Development Permit or Development Variance Permit that is received prior to the effective date of this Bylaw shall be processed in accordance with the regulations of ***City*** of Penticton's Zoning Bylaw No. 2023-08, as amended. Such applications will have one year from the effective date of this Bylaw to be issued and after which time they must comply with this Bylaw.

1.8 Enforcement

1.8.1 The ***General Manager of Development Services***, Building Officials and Bylaw Enforcement Officers and Planning Department staff are authorized to enforce the provisions of this Bylaw.

1.8.2 No person shall interfere with or obstruct the entry of a Bylaw Enforcement Officer or any authorized ***City*** representative onto any land or into any ***building*** to which entry is made or attempted pursuant to the provisions of this Bylaw.

1.9 Prohibitions

1.9.1 No person shall contravene, cause, suffer, or permit a contravention of this Bylaw.

1.9.2 No person shall commence or undertake a ***use*** that is not permitted by this Bylaw.

1.9.3 No person shall construct, make an addition to, or alter a ***building*** or ***structure***, which is not permitted by this Bylaw.

1.9.4 No person shall modify any description, specifications, or plans that were the basis for the issuance of any permit by the ***General Manager of Development Services*** or by a Building Inspector.

1.9.5 No person shall authorize or do any construction that is at variance with the description, specifications or plans that were the basis for the issuance of a building permit if such variance contravenes this Bylaw.

1.10 Penalties

1.10.1 Every person who violates a provision of this Bylaw commits an offence and is liable on summary conviction to a penalty not exceeding Ten Thousand Dollars ($10,000.00) and the costs of prosecution. Each day a violation of the provisions of this Bylaw exists or is permitted to exist shall constitute a separate offence.

Chapter 2 - Interpretation

2.1 Interpretation of Words and Terms

2.1.1 Words used in the present tense include the other tenses and derivative forms; words used in the singular include the plural and vice versa.

2.1.2 The words "shall" and "is" require mandatory compliance except where a variance has been granted pursuant to the *Local Government Act*.

2.1.3 The phrase "used for" includes "arranged for", "designed for", "maintained for", or "occupied for".

2.1.4 Words, phrases, and terms neither defined in Chapter 3 – Definitions of this Bylaw nor in the *Local Government Act* or other provincial statutes shall be given their usual and customary meaning.

2.1.5 Where a regulation involves two (2) or more conditions, provisions, or events connected by the conjunction:

.1 "and" means all the connected items shall apply in combination;

.2 "or" indicates that the connected items may apply singly or in combination; and

.3 "either-or" indicates the items shall apply singly but not in combination.

2.1.6 Where a term or phrase is shown in bold type, it is subject to interpretation using the definitions contained within Chapter 3 – Definitions of this Bylaw.

2.2 Illustrations

2.2.1 Examples and illustrations are for the purposes of clarification and convenience. Where there is a direct conflict between an illustration and the text of this bylaw, the text shall prevail.

2.3 References to Legislation

2.3.1 Any enactments referred to herein are a reference to an enactment of British Columbia law and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of the ***Council*** of the ***City*** of Penticton, as amended, revised, consolidated or replaced from time to time.

2.4 Zone Boundaries

The ***zone*** boundaries on the Zoning Map shall be interpreted as follows:

2.4.1 Where a ***zone*** boundary follows a ***street***, ***lane***, railway, pipeline, power line, utility right-of-way, or easement, it follows the centreline, unless otherwise clearly indicated on the Zoning Map.

2.4.2 Where a ***zone*** boundary is shown as approximately following the ***City*** boundary, it follows the ***City*** boundary.

2.4.3 Where a ***zone*** boundary is shown as approximately following the edge, shoreline, or high water mark of a river, lake, or other water body, it follows that line.

2.4.4 Where a ***zone*** boundary is shown as approximately following a ***property line***, it follows the ***property line***.

2.4.5 Where a ***zone*** boundary is shown as approximately following a topographic contour line or a top-of-bank line, it follows that line.

2.4.6 Where a ***zone*** boundary is shown as being generally parallel to or as an extension of any of the features listed above, it shall be so.

2.5 Street Closings

2.5.1 When any ***street*** or ***lane*** is closed or the dedication has been removed in accordance with Section 40 of the *Community Charter*, the roadway lands have the same zoning as the ***abutting*** land. When ***abutting*** lands are governed by different ***zones***, the centre of roadway is the ***zone*** boundary unless the ***zone*** boundary is shown clearly following the edge of the roadway.

2.6 Schedules

2.6.1 The Schedules attached to this Bylaw form part of this Bylaw.

2.7 Lots Containing More than One Zone

2.7.1 Where a ***lot*** is divided into more than one ***zone***, each zoned portion of the ***lot*** shall be considered as a separate ***lot*** for the purpose of determining ***zone*** provisions.

2.7.2 For the purpose of determining ***interior side yard setbacks*** for each zoned portion of the lot, the ***zone*** boundary separating ***uses*** on the same legal ***lot*** shall be considered to be the ***interior side yard*** line for the ***abutting uses***.

Chapter 3 - Definitions

3.1 Undefined Uses

3.1.1 The following guidelines shall be applied in interpreting the ***use*** definitions:

.1 Typical ***uses*** listed in the definitions as examples are not intended to be exclusive or restrictive; and

.2 Where a specific ***use*** does not conform to the wording of any ***use*** definition or generally conforms to the wording of two (2) or more definitions, the ***use*** is deemed to conform to and is included in that ***use*** which is most similar in functional purpose or physical characteristics.

3.2 Definitions

A

ABUT or ***ABUTTING*** means immediately contiguous to, or physically touching, and when used with respect to ***lots***, means two (2) ***lots*** that share a common ***property line***.

ACCESSORY BUILDING or ***STRUCTURE*** means a ***building*** or ***structure***, normally ancillary to, incidental, subordinate to and dedicated exclusively to, and located on the same ***lot*** as, the principal ***building*** or ***structure***.

ACCESSORY SUITE means a self-contained ***dwelling unit*** located within a ***dwelling unit*** or an ***accessory building***.

ACCESSORY USE means a ***use*** which is normally ancillary to, incidental to subordinate to, dedicated exclusively to and located on the same ***lot*** as the ***permitted use***. Parking may be an ***accessory use*** when it serves the ***permitted use***. An ***accessory use*** is permitted at the same time or after the permitted principal use is established on a parcel.

ADJACENT means land that ***abuts*** and is contiguous to a ***lot***, and also includes land that would be contiguous if not for a ***street***, ***lane***, ***walkway***, stream, utility ***lot***, underground pipeline, power line, drainage ditch, ***watercourse***, or similar feature.

AGRICULTURAL FARM HELP DWELLING means any ***dwelling unit*** on an agricultural zoned property that is used to house necessary full-time permanent or seasonal farm workers employed on the same site as the agricultural operation only. This may include but is not limited to ***single detached dwellings***, ***manufactured homes***, or bunkhouses.

AGRICULTURAL STRUCTURE means a ***building*** or ***structure*** used for agriculture or ***intensive impact agriculture***, and may include irrigation works.

AGRICULTURAL USE means the primary production of ***farm*** products such as dairy products, poultry products, cattle, hogs, sheep or other animals, wheat or other grains, and vegetables, orchards, vineyards or other field crops, and any other activity designated as ***farm use*** by the *Agricultural Land Commission Act,* and its regulations, and farm operations as defined in the *Farm Practices Protection (Right to Farm) Act*. This ***use*** may include the processing and marketing of on-farm products and those off-farm products permitted by the Agricultural Land Commission (ALC) as well as a ***winery***.

AGRI-TOURISM ACCOMMODATION means the provision of short term sleeping accommodations for tourists, on a property classified as ***farm*** under the *Assessment Act*, up to a maximum of 10 ***sleeping units***. Typical uses include but are not limited to ***farm*** inns and seasonal ***farm*** cabins.

AIRPORT means any area designed, prepared, equipped or set aside for the arrival, departure, movement or servicing of aircraft, and includes any associated ***buildings***, installations, ***open space***, and equipment in connection therewith. This includes ancillary services including but not limited to gift shops, car rentals, ***restaurants*** and ***personal service establishment uses***. It may include temporary residential ***uses*** for emergency personnel.

AMENITY SPACE, INDOOR means a common area located within a building, which is developed for the recreational ***use*** of the residents. Typical ***uses*** include, but are not limited to, children's play area, games room, swimming pool, indoor gym or hobby room.

AMENITY SPACE, OUTDOOR means a useable ***open space*** area (common or individual) which is developed for the recreational ***use*** of the residents of a residential ***dwelling unit***, and may include ***balconies***, ***patios***, ***decks*** and level landscaped recreation areas. ***Amenity space, outdoor*** does not include parking areas, required access paths or ***walkways***, and xeriscaping.

ANIMAL CLINIC means those premises where domestic pets, animals and birds are treated inside a ***building*** and kept for medical or surgical purposes and are directly or indirectly under the care of a veterinarian, but does not include an ***animal shelter***.

ANIMAL KENNELS AND STABLE means premises used for the buying, selling, breeding or overnight boarding of animals including individual dogs, cats, horses, and other domesticated animals but excluding livestock other than horses.

ANIMAL SHELTER means a ***lot*** and/or ***building*** or part thereof, used for the temporary care of lost, abandoned or neglected animals.

APARTMENT means a residential ***building*** consisting of three (3) or more ***dwelling units*** on a ***lot***, where each ***dwelling unit*** has its principal access from a common entrance or hallway. Ground level ***dwelling units*** may have the principal access from a common entrance or hallway or may have direct ground level access to the outside.

APPROVED GRADE (see ***GRADE, APPROVED***)

ARTISAN CRAFTS means the production and retail sale of crafts. Typical ***uses*** include but are not limited to pottery, wood crafts, metal crafts, textile crafts, glass crafts, custom stone crafts or native crafts; this may also include art, audio visual or a photographic studio.

ASSEMBLY means a ***building*** wherein people assemble for public, non-profit, fraternal, ***business***, private group or religious purposes. Typical ***uses*** include but are not limited to conference and convention facilities, social clubs, non-profit organizations and churches. ***Uses*** may include rooms for eating, drinking and general ***assembly*** and may hold a Liquor Primary License.

AWNING means a retractable or non-retractable covering of non-rigid materials such as canvas or similar fabric projecting from the exterior wall of a ***building***.

B

BACHELOR DWELLING UNIT means a ***dwelling unit*** in which the sleeping and living areas are combined and which is not capable of containing a separate bedroom or bedrooms.

BAKERY means any ***building*** or ***structure*** or part of a ***building*** or ***structure*** where bread, biscuits, ice cream cones, cakes, pies, buns, or any other ***bakery*** product of which flour or meal is the principal ingredient, are manufactured for sale and/or consumption on or off premises.

BALCONY means an unenclosed platform, attached to and projecting from the face of a ***building*** with or without a supporting ***structure*** above the ***first storey***, normally surrounded by a railing and used as an outdoor porch or sun-deck with access only from within the ***building***.

BARELAND STRATA LOT (see ***LOT, BARELAND STRATA***)

BASEMENT means a ***storey*** or ***storeys*** of a ***building*** located below the ***first storey***, that is 1.8 m or greater in ***height***, but shall not include a ***cellar***.

BED AND BREAKFAST HOME means the ***use*** of a residence in which temporary overnight accommodation and breakfast is provided to tourists.

BED AND BREAKFAST INN means the ***use*** of a ***building*** containing ***dwelling units*** within which not more than 10 ***sleeping units*** may be rented for the temporary accommodation of the travelling public and where the room rate may include meals served on the premises.

BICYCLE PARKING, CLASS 1 means bicycle parking spaces that are provided for residents, students, or employees of a ***permitted use***. It is intended for the long-term secure parking of bicycles and includes bicycle lockers, compounds or rooms specifically provided and equipped for bicycle storage, considerations for electric bicycle charging, and individual ***garages*** or ***carports*** for each ***dwelling unit***.

BICYCLE PARKING, CLASS 2 means bicycle parking spaces that are provided for patrons or visitors of a ***permitted use***. It is intended for the short-term parking of bicycles and includes racks, lockers, or other structurally sound devices designed to secure one (1) or more bicycles in an orderly fashion located at ***street*** level or ***grade***.

BOARDER means a non-family member who is a lodger, roomer, or person who pays for and takes regular lodging, with or without meals.

BOARDING HOUSE means a ***building*** in which the ***owner*** or manager supplies accommodation and/or ***sleeping unit*** accommodation for remuneration. It may or may not include meal service. It includes lodges for senior citizens but does not include hotels, motels, temporary shelter services, ***congregate housing***, or ***bed and breakfast homes***.

BOULEVARD AREA means the area between the edge of an asphalt ***street*** and a ***property line***.

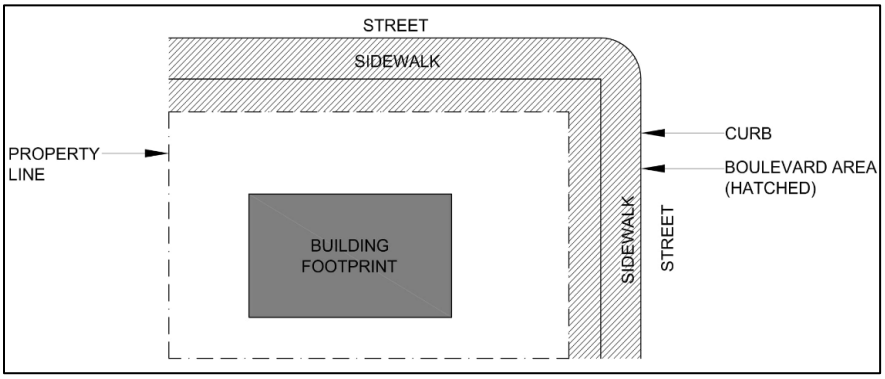

Figure 1 - Boulevard Definition

BUILDING means a temporary or permanent ***structure*** having a roof supported by columns or walls for the shelter or enclosure of persons, animals, materials, chattels and/or equipment.

BUILDING AND GARDEN SUPPLY 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 may include ***accessory*** rental of home construction, maintenance or repair equipment.

BUILDING ENVELOPE means that area of the ***lot*** that may be used for the footprint of a possible ***building*** or ***structure*** after ***yard*** requirements have been accounted for. The ***building envelope*** may be further restricted by other regulations such as ***lot coverage*** or ***amenity space*** requirements.

BUILDING FACE OR FACADE means that portion of any exterior elevation of a ***building*** exposed to public view extending from the ***building grade*** to the soffit or the top of the ***parapet wall*** and the entire length of the ***building*** elevation.

BUILDING FOOTPRINT means the area of a ***lot*** that is surrounded by the exterior walls of a ***building*** and in the absence of walls the area under the horizontal projection of a roof extending more than 0.6 m from the outside of the exterior wall, ***deck*** or ***balcony*** over 0.6 m in ***height***.

BUILDING FRONTAGE means the measurement of the length of a ***building*** wall, which directly faces a ***street***.

BUILDING GRADE (see ***GRADE, BUILDING***)

BUSINESS means an establishment for carrying on a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal, or other service for gain or profit. This includes a ***home occupation***.

BUSINESS SUPPORT SERVICE means a ***use*** providing support services to a ***business***. Typical ***uses*** include but are not limited to minor equipment for printing, duplicating, binding or photographic

processing, ***office*** maintenance or custodial services, ***office*** security, ***office*** equipment sales, and rentals, testing laboratories, locksmiths, sign shops and other similar ***uses***.

C

CALL CENTRE means a ***building*** or a portion of a ***building*** in which workers provide support services to offsite customers primarily via telephone interactions. Services to customers are not typically available on a walk-in or over-the-counter basis. ***Call centres*** are distinct from ***office*** uses on the bases of multiple-shift operations.

CALIPER means the trunk diameter of a tree measured at a point 300 mm above the top of the root ball.

CAMPGROUND means land which has been planned and improved for the seasonal short term ***use*** of holiday trailers, motor homes, tents, campers and similar ***recreational vehicles,*** for a period not to exceed 240 days in one (1) year, and is not used as year round storage or accommodation for residential ***use***. Typical ***uses*** include but are not limited to ***tourist*** trailer parks, campsites, and tenting grounds.

CANNABIS PRODUCTION FACILITY means a federally licensed facility through the *Cannabis Act*, as amended from time to time, where cannabis products are grown, processed and packaged.

CANNABIS RETAIL STORE means a business selling cannabis products through a storefront with a cannabis retail store license issued from the BC Liquor and Cannabis Regulation Branch.

CANOPY means a covering of rigid material or a marquee which projects from the wall of a ***building***. It does not include an ***awning***, projecting roof, roof eaves, or enclosed ***structure***.

CANTILEVERED BALCONY means a ***balcony*** that protrudes from the face of the ***building*** without any visible supports other than the fixing to the face of the ***building***. The weight and imposed loads are supporting by cantilevering the structure off the wall.

CARRIAGE HOUSE means an ***accessory dwelling unit*** located on a residential ***lot***. A ***carriage house*** may be a purpose-built ***structure***, or a renovated ***garage*** or ***accessory building***.

CARNIVALS means a temporary ***use*** providing a variety of shows, games and amusement rides in which the patrons take part, for a period of less than 30 days.

CARPORT means a roofed ***structure*** with less than 60% of the perimeter enclosed, used by the building occupants to shelter parked ***vehicles***. It can be either free standing or attached to the ***principal building***, but cannot be enclosed on the front.

CELLAR means that portion of a ***building*** between two (2) or more floor levels that is completely underground. A ***cellar*** does not include a walkout ***basement***.

CEMETERY means those areas of land that are set aside for the burial of human remains.

CITY means the ***City*** of Penticton.

CLEARANCE means the unobstructed vertical distance between the ***building grade*** or finished floor and the underside of a ***canopy***, ***awning***, ceiling, or ***structure***.

CLUSTER HOUSING means a grouping of three or more attached or detached ***dwelling units*** on a single parcel. (Bylaw No. 2026-21)

COMMERCIAL SCHOOL means a specialty school facility used for training, instruction, and certification in a specific trade, skill, or service for the financial gain of the individual or company owning the school. Typical ***uses*** include but are not limited to secretarial, ***business***, hairdressing, automotive and construction trades, dancing, art, martial arts or music schools.

COMMUNITY GARDEN means the ***use*** of land for cultivating or growing plants. The garden must be operated by a registered organization such as a community association, strata corporation or non-profit group.

CONCRETE MIXING PLANT means the processing, manufacturing, recycling, and sales of concrete and/or the accessory manufacturing and sales of products made from concrete.

CONGREGATE HOUSING means a residential development in the form of multiple ***sleeping*** or ***dwelling units*** where residents are provided with common living facilities, meal preparation, laundry services and room cleaning. ***Congregate housing*** may also include other services such as personal services, transportation for routine medical appointments and counselling for the residents of the facility.

CONSERVATION means a use providing for the preservation of natural resources.

CONTRACTOR SERVICES, AGRICULTURAL means development used for the provision of off-site agricultural services, such as vineyard maintenance, ***farm*** labour, agricultural earthworks and includes the storage and warehousing of materials and equipment used for agricultural purposes.

CONTRACTOR SERVICES, GENERAL means development used for the provision of ***building*** and road construction services including ***landscaping***, concrete, electrical, excavation, drilling, heating and plumbing or similar services of a construction nature, which require on-site ***storage and warehouse*** space. Any sales, display, ***office*** or technical support service areas shall only be permitted as an ***accessory use***.

CONTRACTOR SERVICES, LIMITED means development used for the provision of electrical, plumbing, heating, painting and similar contractor services and the accessory sale of goods normally associated with the contractor services where all materials are kept within an enclosed ***building***, and there are no accessory manufacturing activities.

CONVENIENCE STORE means the retail sale of those goods required by area residents or employees on a day-to-day basis, from ***business*** premises which do not exceed 250 m^2 in ***gross floor area***. Typical ***uses*** include but are not limited to small food stores selling confectionery, tobacco, groceries, beverages, pharmaceutical and personal care items, printed matter, or the rental of videos. This ***use*** does not include the sale of alcoholic beverages.

COOKING EQUIPMENT means equipment, devices or appliances that can be utilized to prepare a meal and includes but is not limited to a gas or electric range or stove, countertop cooking unit, hot plate, wall oven, microwave oven, convection oven, toaster oven, electric frying pan, electric wok, pressure cooker, crock pot, or any other such culinary facility or any combination of such culinary facilities.

CO-OPERATIVE VEHICLE means an automobile, van, or pick-up truck, owned and operated by an organization that permits scheduled, temporary ***use*** of the ***vehicle*** by its members.

CORNER LOT (see ***LOT, CORNER***)

CORNER VISIBILITY TRIANGLE means the triangular space formed by the ***street*** lines of a ***corner lot*** and a line drawn from a point in one (1) ***street*** line to a point in the other ***street*** line, each such point being 4.5 m from the point of intersection of the ***street*** lines (measured along the ***street*** lines).

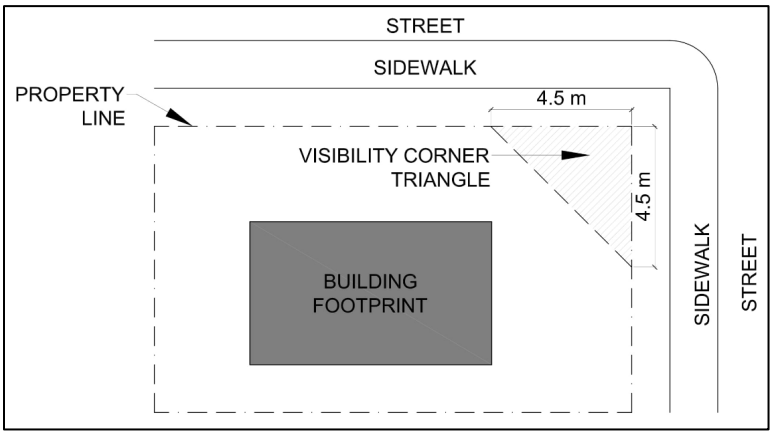

Figure 2 - Corner Visibility Triangle Definition

COUNCIL means the Municipal ***Council*** of the ***City*** of Penticton.

CRAFT BREWERY/DISTILLERY means a ***building*** used for production of alcoholic beverages including beer, ale, cider, wine or spirits, with a maximum ***gross floor area*** of 1,000 m^2. The use must also include a retail and/or restaurant component, of at least 25% of the total ***gross floor area*** of the ***craft brewery/distillery***.

CRAWL SPACE means the space between the underside of the joists of the floor above and the ground floor slab or ground surface where no slab exists, having a vertical clear ***height*** of less than 1.8 metres (5.9 feet).

CSA means Canadian Standards Association.

CUSTOM INDOOR MANUFACTURING means development used for small-scale on-site indoor production of goods by hand, manufacturing primarily involving the ***use*** of hand tools. Typical ***uses*** include but are not limited to jewellery, toy and musical instrument manufacturing, specialty food products, gunsmiths, and pottery and sculpture studios. Any sales, display, or ***office*** space shall only be permitted as an ***accessory use***.

D

DAY CARE CENTRE, MAJOR means a premise that is licensed and regulated by the *Community Care and Assisted Living Act: Child Care Licensing Regulation*, which provides care for more than eight (8) children, for not more than thirteen (13) hours per day.

DAY CARE CENTRE, MINOR means a premise that is licensed and regulated by the *Community Care and Assisted Living Act: Child Care Licensing Regulation*, which provides care for not more than eight (8) children, for not more than thirteen (13) hours per day.

DECK means a ***structure*** more than 0.6 m above ***grade*** without a roof or walls, except for visual partitions and railings.

DENSITY means a measure of the intensity of a ***building*** or ***buildings*** to the area of the site, including the number of units on a site measured in units/area, or ***floor area ratio (FAR)***, as the case may be.

(Bylaw No. 2025-09)

DOUBLE FRONTING LOT (see ***LOT, DOUBLE FRONTING)***

DUPLEX means a ***building*** designed exclusively to accommodate two (2) ***households*** living independently in separate ***dwelling units*** above, below, beside each other or back-to-back to each other.

DUPLEX, BACK-TO-BACK means a ***duplex*** dwelling that is configured such that one unit faces the front of the ***lot*** and the other faces the back of the ***lot***. Both units share a common back wall.

DUPLEX, SIDE-BY-SIDE means a ***duplex*** dwelling that shares a common side wall.

DUPLEX, STACKED means a ***duplex*** dwelling that is configured such that one unit is on top of the other.

(Bylaw No. 2026-21)

DWELLING UNIT means accommodation providing interconnected, free flowing space including bedroom(s), washroom and a ***kitchen*** intended for domestic ***use***, and used or intended to be used permanently for a ***household***. A ***dwelling unit*** includes only one (1) room containing ***cooking equipment***, and which, due to its design, plumbing, equipment, and furnishings, may be used primarily as a ***kitchen***. A ***dwelling unit*** may include a maximum of one (1) ***wet bar***, in addition to one (1) ***kitchen***.

E

EDUCATION SERVICE means a ***use*** that involves public ***assembly*** for education, training or instruction purposes, and includes the administration ***offices*** and maintenance/storage facilities required for the daily operation of the facility on the same site or within the same school district. Typical ***uses*** include but are not limited to public schools; private elementary and secondary schools; community colleges; universities; and technical and vocational schools, and their administrative ***offices***.

ELECTRIC VEHICLE ENERGY MANAGEMENT SYSTEM means a system used to control electric vehicle supply equipment loads through the process of connecting, disconnecting, increasing, or

reducing electric power to the loads and consisting of any of the following: a monitor(s), communications equipment, a controller(s), a timer(s), and other applicable device(s).

EMERGENCY SHELTER means a ***boarding home*** operated by non-profit society or government agency which provides temporary emergency accommodation, meals and support services for individuals who are in a housing crisis.

ENERGIZED OUTLET means a point connected to a source of voltage in an electrical wiring installation at which current is taken and can be connected to supply utilization equipment. An outlet includes a covered termination box, NEMA 14-50R receptacle, or NEMA 6-50R receptacle. Additional termination means may be approved by the ***General Manager of Development Services***.

EXTENDED CARE RESIDENCE means a facility providing room, board, and limited medical treatment for the elderly and infirm including accessory staff residences. Typical ***uses*** include but are not limited to nursing homes with health care for dependent residents.

EXTERIOR SIDE YARD (see ***YARD, EXTERIOR SIDE***)

F

FARM means an area of land classified as a "farm" under the *Assessment Act*, and may be comprised of one (1) or several contiguous or non-contiguous ***lots*** owned or operated for the principal purpose of a ***farm business***.

FARM GARDEN STAND means an ***accessory building*** or ***structure*** used for retailing agricultural products produced on the ***farm***.

FARM RETAIL SALES means on-farm retail sale to the public of products grown or raised on a ***farm***, and may include the sale of non-farm products in a portion of the retail sales area that does not exceed 50% of the total ***farm retail sales*** area.

FARM RETAIL SALES AREA means the floor area or dedicated outside area on which the ***farm retail sales*** are taking place and includes areas used for retail purposes indoors and outdoors. It does not include parking, driveways, ***office*** space, washrooms or areas for processing or product storage.

FENCE means a ***structure*** used as an enclosure or for ***screening*** purposes, but excludes ***retaining walls***, gates, pergolas, and trellises.

FINANCIAL SERVICE means the provision of financial and investment services by a bank, trust company, investment dealer, credit union, mortgage broker, insurance company or related ***business***. Insurance companies that cater to a specific sector of the commercial or industrial ***business*** community and do not offer personal, financial, investment or insurance services to the general public are not included in this definition.

FIRST STOREY (see ***STOREY, FIRST***)

FLANKING STREET (see ***STREET, FLANKING***)

FLEX UNIT means a purpose built designated area within a multiple residential ***dwelling unit*** that may be used as either a small-scale commercial space, an additional ***dwelling unit*** or incorporated into the larger ***dwelling unit***.

FLEET SERVICE means a collection 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 ambulance services, taxi services, bus lines, storage of a fleet of rental ***vehicles***, and messenger and courier services. This does not include moving or cartage firms involving trucks or buses with a gross ***vehicle*** weight of more than 3,000 kg.

FLOOR AREA, CARRIAGE HOUSE (CHFA) means the total floor area in a ***carriage house***, measured from the outside face of the exterior wall. ***CHFA*** does not include ***decks***, ***balconies*** and covered ***patios*** or ***garages*** and other enclosed or open parking areas.

FLOOR AREA, GROSS (***GFA***) means the total floor area of all ***storeys*** of all ***buildings*** or ***structures*** with a clear ceiling ***height*** of 1.8 m or more, measured from the outside face of the exterior walls. This does not include ***balconies***, ***decks*** or ***patios***.

FLOOR AREA, NET (***NFA***) means the total usable floor area in a ***building*** and ***accessory building***, measured from the outside face of the exterior walls. ***NFA*** does not include the following sub-areas:

.1 ***Garages***, other enclosed or open parking areas
.2 ***balconies***, ***decks*** and ***patios***
.3 Garbage or loading rooms
.4 Floor area devoted exclusively to mechanical or electrical equipment
.5 ***Basements***
.6 Lofts
.7 Stairwells and elevator shafts
.8 ***Amenity space, indoor,*** up to the maximum 20% permitted as required amenity space
.9 Common hallways and corridors (Bylaw No. 2026-21)

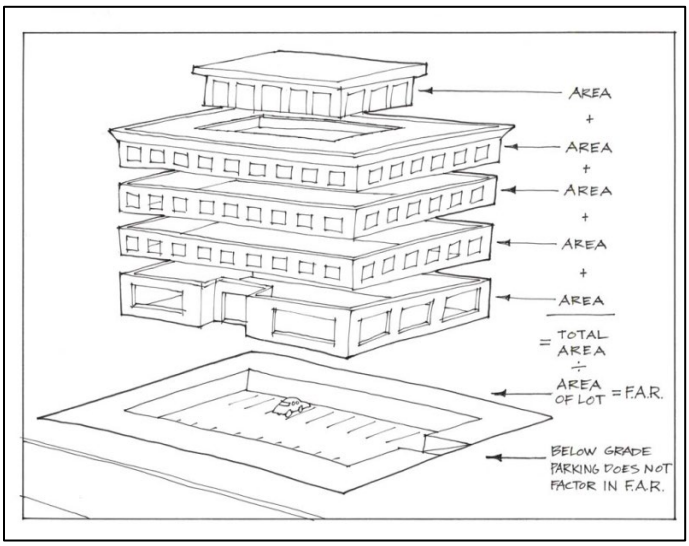

Figure 3 - Floor Area Ratio (FAR) Definition

FLOOR AREA RATIO (***FAR***) means the numerical value of the ***floor area, net (NFA)*** divided by the area of the ***lot***. ***Floor area ratio*** may be referred to as "***FAR***" in this Bylaw.

FORESTRY means extraction, storage, sorting and grading of primary forest materials. This use does not include ***natural resource processing***.

FOUNDRY means a factory that produces metal castings.

FRONT LOT LINE (see ***LOT LINE, FRONT***)

FRONT YARD (see ***YARD, FRONT***)

FUNERAL SERVICE means premises used for the care and preparation of human remains for interment or cremation. The ***use funeral service*** may also include holding of bereavement rites and ceremonies and associated retail sales of funeral products as ***accessory uses***.

G

GARAGE means an ***accessory building*** or part of a ***principal building*** designed and used for the shelter or storage of ***vehicles*** and includes a ***carport***. For the purpose of calculating ***yard setbacks*** and ***lot coverage*** requirements, an attached ***garage*** is deemed to be part of the ***principal building***.

GARDEN CENTRE means a location used primarily for the raising, storage and sale of produce, bedding, ornamental plants and related materials such as tools, soil, and fertilizers intended for ***use*** by ***household*** customers.

GENERAL CONTRACTOR SERVICES (see ***CONTRACTOR SERVICES, GENERAL***)

GENERAL INDUSTRIAL (see ***INDUSTRIAL, GENERAL***)

General Manager of Development Services means the person designated to administer and enforce the provisions of this Bylaw. (Bylaw No. 2025-09)

GOVERNMENT SERVICE means a location for Crown Corporation, municipal, provincial or federal governments to provide services directly to the public that is primarily conducted indoors. This includes exhibition and convention facilities, protective and emergency services by fire protection, police, ambulance, or other such services as a base of operations, courthouse, city hall, government ***offices*** and ***public libraries and cultural exhibits***, museums, community services, and similar public ***government services***.

GRADE, APPROVED means the ground surface elevation level after man-made re-grading in accordance with an engineered site grading plan approved by the ***City***. For determination of ***building heights***, ***approved grade*** shall mean the average level across the lowest side of the building, except that ***localized depressions*** need not be considered in the determination of average levels of grade.

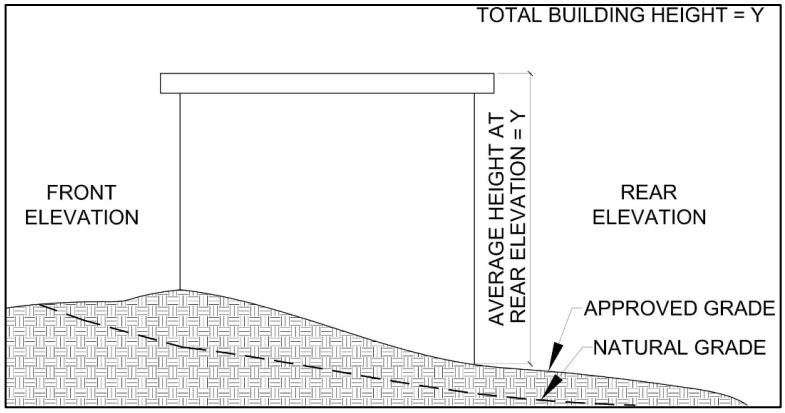

Figure 4 - Grade Definitions

GRADE, BUILDING means the lowest of the average levels of finished ground adjoining each exterior wall of a ***building***, excluding ***localized depressions*** need not be considered in the determination of average levels of grade.

GRADE, NATURAL means the elevation of the ground surface in its state before man made alteration.

GROCERY STORE means a retail outlet with a ***floor area, net (NFA)*** of at least 929 m^2 (10,000 sq. ft.), including storage space, primarily retailing in a general line of foods, including canned, dry and frozen foods, fresh fruit and vegetables, fresh and prepared meats, fish and poultry, dairy products, baked products, snack foods, non-liquor beverages and general ***household*** products and pharmaceuticals. This ***use*** can include retail liquor sales with a store-within-a-store model as licensed by the BC Liquor and Cannabis Regulation Branch (LCRB) or the sale of 100% BC wine, with a wine-on-the-shelf model, as licensed by the LCRB, but not both in the same location.

GROSS FLOOR AREA (see ***FLOOR AREA, GROSS (GFA)***)

H

HARD-SURFACING means a durable ground surface, constructed of cast-in-place concrete, brick, or concrete unit pavers, turfstone, stone, asphalt, or similar material but excluding gravel and clay.

HEALTH SERVICE means the provision of physical or mental ***health services*** on an out-patient basis. Services may be of a preventative, diagnostic, treatment, therapeutic, rehabilitative, or counselling nature. Typical ***uses*** include but are not limited to medical and dental ***offices***, chiropractors, massage therapists, acupuncture clinics, health clinics, and counselling services.

HEAVY INDUSTRIAL (see ***INDUSTRIAL, HEAVY***)

HEIGHT means, with respect to a ***building***, the maximum vertical distance between ***natural grade*** or ***approved grade*** and the highest point of the ***structure*** of a non-sloping roof, or the mid-point between the intersection point of the ***building*** wall and roof ***structure*** and ridge of a sloping roof excluding dormers.

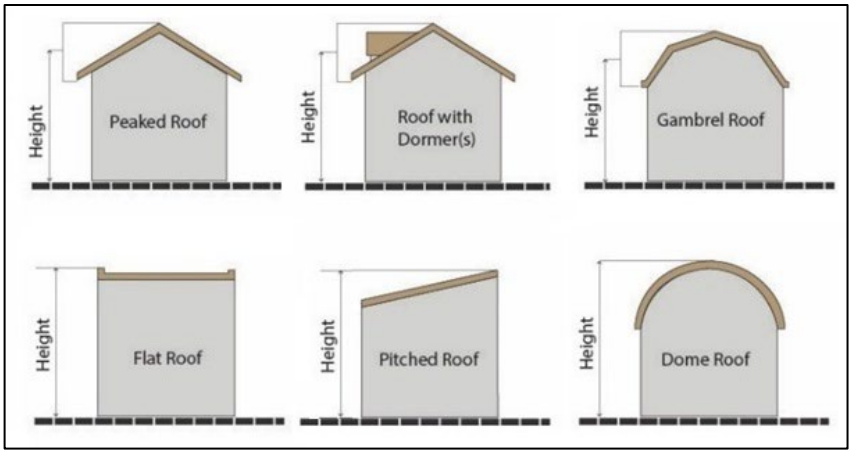

Figure 5 - Height Definition

HIGH TECHNOLOGY SERVICE means an ***office use*** for aeronautics, biochemistry, computer ***assembly***, computer design, communications, data processing, electronics, precision engineering, health care research, internet services, robotics, software development, telecommunications, web development, and related industries and including accessory customer support services.

HOME OCCUPATION means an occupation or profession carried out as an ***accessory use*** incidental to the residential ***use*** of a ***dwelling unit***.

HOSPITAL AND PATIENT CARE SERVICE means a facility providing room, board, and surgical or other medical treatment for the sick and injured including out-patient services and accessory staff residences. Typical ***uses*** include but are not limited to hospitals, mental care health facilities, and rehabilitation and recovery facilities.

HOUSEHOLD means:

.1 a person;

.2 two (2) or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one (1) ***dwelling unit*** as a single ***household*** using common ***cooking facilities***; or

.3 a group of not more than five (5) persons, including ***boarders***, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one (1) ***dwelling unit*** as a single ***household*** using common ***cooking facilities***.

In addition to the above, this may include one (1) housekeeper or nanny.

HOUSEHOLD REPAIR SERVICE means the repair of goods, equipment and small appliances normally found within the home. Typical ***uses*** include but are not limited to radio, television, computer and appliance repair, furniture refinishing, drapery shops, and upholstery shops.

I

INDOOR AMUSEMENT, ENTERTAINMENT AND RECREATION means facilities within an enclosed ***building*** intended for leisure activities where patrons are predominantly participants or spectators. Typical ***uses*** include but are not limited to amusement arcades, bingo halls, health and fitness centres, athletic facilities and ice rinks, billiard and pool halls, swimming pools, bowling alleys, motion picture theatres, concert or music halls and casinos. Such ***permitted uses*** may be licensed by the BC Liquor and Cannabis Regulation Branch (LCRB) to sell alcoholic beverages as an ***accessory use***.

INDOOR ANIMAL DAY CARE AND GROOMING means an establishment intended to provide care and grooming for domesticated animals excluding livestock, during the day or evening but not overnight, to a maximum limit of ten (10) animals at any given time.

INDUSTRIAL, GENERAL means the ***use*** of land principally for one (1) or more of the following:

.1 recycling used goods and materials,

.2 manufacturing or assembling of semi-finished or finished goods, products or equipment,

.3 preparation of printed and film materials,

.4 storing, cleaning, servicing, renting, repairing or testing of materials, goods and equipment normally associated with industrial, ***business*** or ***household use***,

.5 terminals for the storage or transhipping of materials, goods and equipment,

.6 the towing and compounding of ***vehicles*** (not including salvage) and storage of tow trucks,

.7 distribution and sale of materials, bulk goods and equipment to institutions, industrial, ***farm*** or commercial ***businesses*** for their direct ***use*** or to ***retail stores*** or other uses for resale to individual customers, or

.8 training in general industrial operations, trades, occupational first aid, emergency response or industrial health and safety.

This ***use*** does not include gravel crushers or asphalt plants.

INDUSTRIAL, HEAVY means processing, manufacturing, fabricating or assembling semi-finished or finished goods, products or equipment from raw materials, or storing, cleaning, servicing, repairing or testing materials, goods and equipment normally associated with industrial or ***business use***. This ***use*** typically has area, intensity and land ***use*** impacts with greater magnitude and significance than ***industrial, general***. Typical ***uses*** include sawmills, wood processing, manufacturing of manufactured homes, ***vehicles*** or heavy equipment.

IRREGULAR LOT (see ***LOT, IRREGULAR***)

INTENSIVE IMPACT AGRICULTURE means the ***use*** of a livestock confinement area, feedlots, ***buildings*** or ***structures*** for:

.1 the confinement of poultry, livestock or fur bearing animals, or

.2 the production of mushrooms in combination with a compost facility or a managed organic matter ***use***.

INTERIOR LOT (see ***LOT, INTERIOR***)

INTERIOR SIDE YARD (see ***YARD, INTERIOR SIDE***)

J

K

KITCHEN means facilities for the preparation or cooking of food, and includes any room containing ***cooking equipment***, counters, plumbing, or wiring, which, may be intended or used for the preparation, or cooking of food.

L

LANDSCAPE BUFFER means a landscaped or natural area intended to visibly separate and ***screen*** one (1) ***use*** from another. This also refers to the ***use*** of vegetation and other ***screening*** or separation methods to separate non-farming and agricultural land ***uses***.

LANDSCAPING means changing, modifying or enhancing the visual appearance of a site including reshaping the earth, planting lawns, shrubs, trees or preserving the original natural vegetation, adding walkways, ***fences***, ***patios*** and other ornamental features for the purpose of beautifying or ***screening*** the appearance of a ***lot,*** or returning it to an original environmental condition.

LANE means a highway under the *Local Government Act* of more than 3.0 m but not greater than 8.0 m in width.

LEVEL 2 CHARGING means electric vehicle charging at 208 V or 240 V through supply utilization equipment that meets the definition of Level 2 by the standard "SAE Electric Vehicle and Plug in Hybrid Electric Vehicle Conductive Charge Coupler", J1772, as amended from time to time.

LIMITED CONTRACTOR SERVICES (see ***CONTRACTOR SERVICES, LIMITED***)

LIQUOR PRIMARY LICENSED PREMISE means a location where alcoholic beverages are offered for sale to the public for consumption on the premises. Typical ***uses*** include but are not limited to beverage rooms, neighbourhood pubs, cocktail lounge, cabarets and nightclubs. The ***use*** must hold a Liquor Primary License with the BC Liquor and Cannabis Regulation Branch (LCRB).

LIVE-WORK UNIT means a purpose-built or purpose-renovated space that combines a permitted commercial ***use*** with a ***dwelling unit.***

LOADING SPACE means an on-site space reserved for temporary parking for the purpose of loading or unloading goods and materials.

LOCALIZED DEPRESSION means a depression below the ***approved grade***, created for the purpose of providing a vehicle or pedestrian entrance to a ***building*** or for the provision of a window well.

LOT means a parcel of land, including Crown Land, which is legally defined either by registered plan or legal description.

LOT AREA means the total horizontal area within the ***lot line***s of a ***lot***.

LOT, ***BARELAND STRATA*** means the smallest unit of land defined on a horizontal plane according to a bareland strata plan under the provisions of regulations pursuant to the *Strata Property Act*.

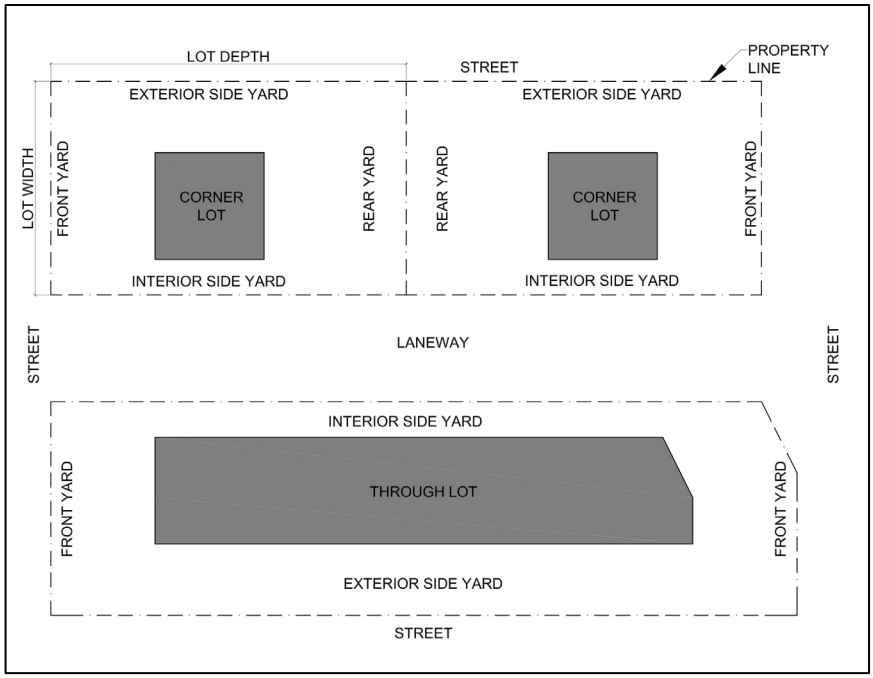

Figure 6 - Lot Definition

LOT, CORNER means a ***lot*** situated at the intersection of two (2) or more ***streets***.

LOT COVERAGE means the percentage of the total horizontal area of a ***lot*** or ***lots*** that may be built upon with ***buildings***, ***accessory buildings*** or ***structures***, including ***carports***; covered ***patios*** larger than 23 m^2; and ***decks*** over 0.6 m in height. ***Lot coverage*** excludes uncovered steps, cornices, porticos, pergolas, ***cantilevered balconies*** and similar projections permitted in accordance with Table 4.1 of this Bylaw.

LOT, DOUBLE FRONTING (or ***THROUGH***) means a ***lot*** which ***abuts*** two (2) ***streets*** which are parallel or nearly parallel to the ***lot***. This does not include a ***lot*** with a second frontage on a rear ***lane***.

LOT, ***INTERIOR*** means a ***lot*** other than a ***corner lot***.

LOT, ***IRREGULAR*** means a ***lot*** that does not fall into one of the other ***lot*** definitions.

LOT, PANHANDLE means a ***lot***, which has its primary legal access from a ***street*** through a narrow strip of land, which is an integral part of the ***lot***. This narrow strip is referred to as the panhandle. The panhandle portion of the ***lot*** is not included in the calculation of minimum ***lot*** size.

LOT, ***STRATA*** means a ***lot*** shown on a strata plan according to the *Strata Property Act*.

LOT LINE means the legally defined boundary of any ***lot*** or ***property line***.

LOT LINE, ***FRONT*** means the ***street*** frontage onto which the primary façade or ***front yard*** of the ***building*** faces. In the case of ***through lots***, or ***double fronting lots***, two ***front lot lines*** are possible.

LOT LINE, ***REAR*** means either the ***lot line*** opposite to, and most distant from, the ***front lot line***, or, where there is no such ***property line***, the point of intersection of any ***property lines*** other than a ***front lot line*** which is furthest from and opposite the ***front lot line***.

LOT LINE, ***SIDE*** means any ***lot*** boundary line, which is not a ***front*** or ***rear lot line***.

LOT WIDTH means:

.1 where a ***lot*** has parallel ***side lot lines***, the distance between the ***side lot lines*** at the ***front yard setback*** line;

.2 where a ***lot*** is an ***irregular lot***, the average between the horizontal distance between the ***side lot lines*** at the ***rear*** and the ***front yard setback lines***;

.3 where a ***lot*** is a ***panhandle lot***, the average distance between the ***rear setback lines*** and from the top of the panhandle where the panhandle meets the larger portion of the ***lot***, not including the panhandle itself.

M

MAJOR DAY CARE CENTRE (see ***DAY CARE CENTRE, MAJOR***)

MAJOR HOME OCCUPATION means the ***use*** of a ***dwelling unit*** or ***accessory building*** for a ***business*** by a resident who resides at that ***dwelling unit***. The ***business*** must be secondary to the residential ***use*** of the ***building*** and shall not change the residential character of the ***dwelling unit*** or ***accessory building***.

MARINA means a commercial or government establishment or premise, containing docking or mooring facilities where boats and other water vessels and their accessories are berthed, stored, serviced, repaired, constructed or kept for sale or for rent.

METAL STORAGE CONTAINER means a shipping or cargo container, being a prefabricated metal container or box specifically constructed for the transportation of goods by rail, ship or ***transport truck***.

MINOR DAY CARE CENTRE (see ***DAY CARE CENTRE, MINOR***)

MINOR HOME OCCUPATION means the ***use*** of a ***dwelling unit*** or ***secondary suite*** for a **business** by a resident who resides at that ***dwelling unit***. The ***business*** must be secondary to the residential ***use*** of the ***building*** and no aspects of ***business*** operations shall be detectable from outside the property.

MOBILE CATERING FOOD SERVICE means the delivery and sale of food to the public using a fleet of ***vehicles***.

MANUFACTURED HOME means a single or multiple section ***single detached dwelling unit*** built to ***CSA*** Z240 MH Standards for residential occupancy and may be transported on wheels.

MANUFACTURED HOME PARK means a ***lot*** for the placement of two (2) or more ***manufactured homes***. This does not include the situation where an additional agricultural ***dwelling unit*** is located on a ***lot*** where the principal ***dwelling unit*** is a ***manufactured home***.

MANUFACTURED HOME SPACE means an area of land for the installation of one (1) ***manufactured home*** situated within a ***manufactured home park***.

MOBILE VENDING UNIT means a self-contained mobile unit not exceeding 20 m^2 in ground coverage, intended to be moved from location to location, for the purpose of offering for sale food or retail products.

MODULAR HOUSING means a factory-built ***dwelling unit*** built to ***CSA*** 277 Standards that is transportable and designed to be used by itself or to be incorporated with similar units at a ***building*** site into a modular ***structure*** and intended for year-round habitation. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees, and other prefabricated sub-elements, which are to be incorporated into a ***structure*** at the site.

MOTOR VEHICLE AND EQUIPMENT REPAIR SHOP means the servicing and mechanical repair of automobiles, motorcycles, boats, snowmobiles, and similar ***vehicles*** and small equipment or the sale, installation, or servicing of related accessories and parts. This includes but is not limited to transmission shops, muffler shops, small engine repairs, tire shops, auto glass shops, and upholstery shops and excludes ***vehicle body repair and paint shop***.

MOTOR VEHICLE AND EQUIPMENT SERVICES, INDUSTRIAL AND AGRICULTURE means the sale, rental, service, or repair of heavy ***vehicles***, machinery or mechanical equipment typically used in ***building***, roadway, pipeline, oil field and mining construction, manufacturing, assembling and processing operations and agricultural production. This does not include automobiles and recreation vehicle sales/rentals.

MOTOR VEHICLE BODY REPAIR AND PAINT SHOP means those premises where automobiles, trucks, and other ***vehicles*** undergo body repair and painting.

MOTOR VEHICLE SALES AND RENTAL means the retail sale or rental of new or used automobiles, boats, motorcycles, snowmobiles and light trucks and similar ***vehicles*** and small equipment, together with incidental maintenance services, storage, fuelling, washing, and sales of parts. It includes automobile dealerships but does not include dealerships for the sale or rental of ***vehicles*** with a gross ***vehicle*** weight of more than 4100 kg or the sale of motorhomes with a gross ***vehicle*** weight rating of more than 5500 kg or a length of more than 6.7 m.

MOTOR VEHICLE SERVICE STATIONS means the routine washing, servicing or repair of ***vehicles*** within a ***building*** containing not more than three (3) service bays, and for the sale of gasoline, petroleum products, and a limited range of auto parts and accessories. ***Accessory uses*** may include ***restaurants***, single-bay ***vehicle*** wash, and ***convenience stores***.

MULTIPLE HOUSING means housing that contains three (3) or more ***dwelling units***, excluding ***accessory suites***, and may include ***townhouses*** and ***apartments***.

MUNICIPAL SOLID WASTE FACILITY means a facility designed, constructed and operated for the collection, processing, transferring or disposal of the solid waste stream or components thereof, including but not limited to, transfer stations, material recycling facilities, composting facilities and disposal facilities.

N

NATURAL BOUNDARY means the visible high water mark, as established by a BC Land Surveyor, 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 the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself. In the case of Okanagan Lake, the ***natural boundary*** shall correspond to an elevation of 342.18 m G.S.C. (1122.63 if). In the case of Skaha Lake, the ***natural boundary*** shall correspond to an elevation of 337.76 m G.S.C. (1108.13 if).

NATURAL GRADE (see ***GRADE, NATURAL***)

NATURAL RESOURCE PROCESSING means the quarrying, extraction, removal and off-site sale of sand, gravel, earth or mineralised rock found on or under the ***lot***. Typical ***uses*** include but are not limited to quarries, gravel pits, and stripping of topsoil. This does not include processing of raw materials transported to the site.

NET FLOOR AREA (see ***FLOOR AREA, NET*** (***NFA***))

NON-MARKET HOUSING means a ***dwelling unit*** that is subject to a legal agreement securing affordability and provides either rental housing that is owned and operated by a non-profit organization or government agency, or housing that is owned and operated by a non-profit housing cooperative. (Bylaw No. 2026-21)

O

OFFICE means a ***building*** primarily used for conducting the affairs of ***business***, including the provision of administrative, ***business***, clerical and secretarial agencies, consulting, financial, ***government services***, ***health services***, ***high technology services***, insurance, legal, management, professional, and real estate services. This ***use*** excludes ***businesses*** providing the servicing and repair of goods, the sale of goods to the customer on the site, the manufacture or handling of a product, and retail ***uses***.

OFFICIAL COMMUNITY PLAN (***OCP***) means the Penticton ***Official Community Plan***, as amended from time to time.

ON-SITE BEER/WINE MAKING means an establishment that provides goods, facilities or services to persons producing or manufacturing, wine, beer or cider in the establishment for their own consumption or consumption at no charge by others.

OPEN SPACE means that portion of a ***lot*** not occupied by parking or ***vehicle*** areas or ***buildings*** that is accessible and suitable for gardens, ***landscaping***, and recreational ***use*** by ***building*** tenants or residents.

OUTDOOR AMUSEMENT, ENTERTAINMENT and ***RECREATION*** means facilities which are available to the public at large for sports and active recreation conducted outdoors. Typical ***uses*** include but are not limited to golf courses, ball fields, and riding stables.

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. This may consist of vendors that include liquor sales and/or tasting within an outdoor market in accordance with the requirements of the BC Liquor and Cannabis Regulation Branch (LCRB).

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*** or the material alteration of the existing state of the land. Typical ***uses*** include but are not limited to ***vehicle*** or heavy equipment storage compounds.

OWNER means the person(s) or organization listed as the titleholder on a property's legal certificate of title.

P

PANHANDLE LOT (see ***LOT, PANHANDLE***)

PARAPET or ***PARAPET WALL*** means that portion of a perimeter ***building*** wall that rises above the roof.

PARENT PARCEL means the original parcel of land that was or is proposed to be the subject of a plan of subdivision.

PARKING LOT means a ***lot*** or part of a ***lot*** or a ***building*** available to be used for the temporary parking of more than one (1) ***vehicle***.

PARKING LOT, PUBLIC means providing vehicular parking which is intended for public ***use*** and not primarily intended for the ***use*** of residents, employees, or clients of a particular ***permitted use*** and may include the collection of a fee.

PARKING SPACE means an off-***street*** space of the size and dimensions to park one (1) ***vehicle*** in conformance with the parking provisions of this Bylaw, exclusive of driveways, aisles, ramps, or obstructions.

PARKING STRUCTURE means a ***structure*** designed for the parking of motor ***vehicles*** in tiers or floors, which may be constructed above, below or at ***building grade***, available to be used for the temporary parking of more than one (1) ***vehicle*** by residents, customers, employees and the public at large.

PARKING, TANDEM means two (2) ***parking spaces***, one (1) behind the other, with a common or shared point of access to a manoeuvring aisle, ***lane*** or ***street***.

PARTY WALL means a wall jointly owned and jointly used by two (2) parties under easement agreement or by right in law, and erected at or upon a line separating two (2) ***lots*** each of which is, or is capable of being, a separate real estate entity.

PASSIVE RECREATION means a ***use*** providing for non-motorized recreational activity including trails, environmentally sensitive areas, forest reserve, green belts, conservation areas and natural areas. It may include ***accessory uses*** and ***buildings*** that are consistent with passive recreational activities. Typical uses include walking, canoeing, biking and wildlife observation.

PATIO means any solid ***structure*** at ***building grade*** meant for support of people or materials outdoors and less than 0.6 m in ***height***.

PERMITTED USE means the main or primary ***use*** of land, ***buildings*** or ***structures*** that is provided for in the list of ***permitted uses*** in the ***zones*** of this Bylaw.

PERSONAL SERVICE ESTABLISHMENT means a ***use***, which provides personal services to an individual, which are related to the care and appearance of the body or the cleaning and repair of personal effects. Typical ***uses*** include but are not limited to barber shops, hairdressers, manicurists, tailors, dress makers, shoe repair shops, tanning, photography studios, dry cleaners or laundries, dry cleaner pick-up depots, tanning beds, and similar ***uses***, but does not include ***health services***, laundromats or body rub business.

PRINCIPAL BUILDING means the main ***building*** or ***structure*** on a ***lot*** that accommodates a ***permitted use.***

PROPERTY LINE means a legal boundary of a ***lot***.

PUBLIC LIBRARIES AND CULTURAL EXHIBITS means the collection of literary, artistic, musical and similar reference materials in the form of books, manuscripts, recordings and films for public ***use***; or the collection, preservation and public exhibition of works or objects of historical, scientific or artistic value. Typical ***uses*** include but are not limited to libraries, museums, and art galleries.

PUBLIC PARK means any publically accessible land designated specifically for passive or active recreation.

PUBLIC PARKING LOT (see ***PARKING LOT, PUBLIC***)

Q

R

REAR LOT LINE (see ***LOT LINE, REAR***)

REAR YARD (see ***YARD, REAR***)

RECREATION EQUIPMENT SALE, SERVICE AND RENTALS means the retail sale or rental of new or used bicycles, motorcycles, snowmobiles, tent trailers, boats, travel trailers or similar light recreational equipment, together with maintenance services, storage, and sales of parts. It does not include dealerships for the sale of motorhomes with a gross ***vehicle*** weight rating of more than 5500 kg or a length of more than 6.7 m.

RECREATIONAL VEHICLE means a transportable conveyance intended as a temporary accommodation for travel, vacation, or recreational ***use*** and includes travel trailers, motorized homes, slide-in campers, chassis-mounted campers, boats, all-terrain ***vehicles***, snowmobiles and tent trailers but not including ***manufactured homes***.

RECYCLING DROP-OFF means a designated ***building*** or ***structure*** used for the collection and temporary storage of recyclable materials that can be transferred to a permanent recycling facility or operation. Recyclable materials include, but are not limited to, cardboard, plastics, paper, metal, bottles and similar household goods or return for a deposit items. (Bylaw No. 2026-21)

RESIDENTIAL SALES CENTRE means a temporary ***building*** or ***structure*** used for a limited period of time for the purpose of marketing residential land or ***buildings***.

RESORT RESIDENTIAL means a ***multiple housing building***:

.1 in which every unit is occupied as a residential ***dwelling unit***,

.2 for the temporary accommodation of the travelling public under a rental pool scheme operated by a strata corporation, or

.3 approved through a strata plan and owned by any person or family member under a time share ***use*** plan or time share ownership plan as defined in the *Real Estate Act* of British Columbia.

RESTAURANT means a location where prepared food and beverages are offered for sale to the public.

RETAIL STORE means premises where goods, merchandise and other materials are offered for retail sale to the general public. It may include limited on-site storage or limited seasonal outdoor sales to support the retail operation, and may also include the manufacturing of products to be sold on site, provided the ***gross floor area*** used for manufacturing does not exceed 25% of the ***gross floor area*** of the ***retail stores***. Typical ***uses*** include but are not limited to: food, hardware, pharmaceutical, retail liquor sales, clothing, pawnshops, thrift store, auctioneer establishments and sporting goods stores, but does not include ***grocery stores***.

RETAINING WALL means a ***structure*** constructed to hold back, stabilize or support an earthen bank.

RURAL HOME OCCUPATION means the ***use*** of a ***dwelling unit*** or ***accessory building*** for a ***business*** by a resident who resides at that ***dwelling unit***. The ***business*** must be secondary to the residential ***use*** of the ***building*** and shall not change the residential character of the ***dwelling unit*** or ***accessory building***.

S

SCREENING or ***SCREEN*** means a fence, ***building***, ***structure*** or other device, which provides a visual barrier sufficient to conceal parking areas, garbage collection areas and storage areas.

SECONDARY SUITE means a self-contained, ***accessory dwelling unit*** located within a ***dwelling unit*** which has one (1) or more habitable rooms (used or intended for ***use*** a residence by one (1) or more persons living as a ***household***), with self-contained sleeping, living, cooking, and sanitary facilities, and direct access to the open air, without passing through any part of the ***principal building***. (Bylaw No. 2026-21)

SECURITY/OPERATOR DWELLING UNIT means a portion of a ***building*** or detached ***building*** used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker or operator of a commercial or industrial establishment, or for the on-duty security personnel at a storage facility when permitted in a ***zone***.

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.

SETBACK means the horizontal distance separating a ***building***, ***structure*** or ***use*** from a specified location.

SHOPPING CENTRE means one (1) or more ***buildings*** containing a minimum ***gross floor area*** of 1000 m^2 and containing a group of ***retail stores*** and other ***businesses***, which share common services, parking, and other facilities on one (1) or more ***lots***.

SHORT TERM RENTAL means the rental of all or a portion of a ***dwelling unit*** to the vacationing public for a period of 90 days or less to a maximum of eight (8) guests. (Bylaw No. 2026-04)

SHORT TERM RENTAL, HIGH OCCUPANT means a ***short term rental*** in which more than eight (8) persons are accommodated. (Bylaw No. 2026-04)

SIDE LOT LINE (see ***LOT LINE, SIDE***)

SIDE YARD (see ***YARD, SIDE***)

SINGLE DETACHED DWELLING means housing that contains one (1) single ***household*** in a ***dwelling unit***. This ***use*** includes ***modular housing*** that conforms to the ***CSA*** A277 Standards, but does not include a ***manufactured home*** conforming to ***CSA*** Z240 MH Standards.

SLEEPING UNIT means a habitable room not equipped with a ***kitchen***, providing accommodation for guests.

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.

STOREY means the habitable volume between the floors of a ***building*** or between its floor and ceiling, that is 1.8 m or greater.

STOREY, ***FIRST*** means the uppermost ***storey*** having its floor level not more than 1.2 m above ***building grade***.

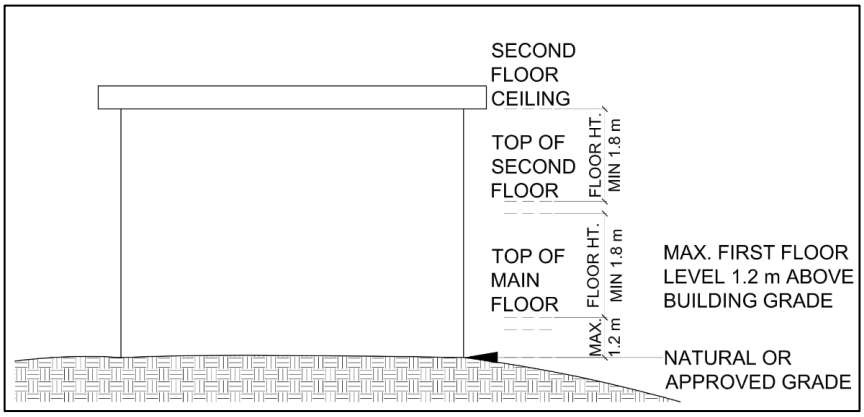

Figure 7 - Storey Definition

STRATA LOT (see ***LOT, STRATA***)

STREET means a highway as defined under the *Local Government Act* over 8.0 m in width, which affords the principal access to ***abutting*** properties.

STREET, FLANKING means a ***street***, which ***abuts*** a ***side lot line***.

STRUCTURE means a construction of any kind whether fixed to or supported by or sunk into land or water including towers, flagpoles, swimming pools, docks, signs and tanks, and excludes areas of ***hard surfacing***.

T

TANDEM PARKING (see ***PARKING, TANDEM***)

THROUGH LOT (see ***LOT, DOUBLE FRONTING***)

TOWNHOUSE means a ***building*** containing three (3) or more ***dwelling units*** that share common ***party walls***, floors or ceilings with ***adjacent dwelling units***, with each ***dwelling unit*** having a separate exterior entrance.

TOURIST ACCOMMODATION means a ***building*** or part thereof, which provides a management ***office*** and sleeping accommodation for tourists, and may include public facilities such as banquet, beverage, conference, meeting and convention rooms and recreation facilities.

TRANSIT-ORIENTED AREA means an area within a 400m radius of a prescribed bus exchange and are intended to be higher-density, mixed-use neighbourhoods. The Province may prescribe specific ***transit-oriented areas*** and applicable development regulations on ***lots*** partially or fully within them. ***Transit-oriented areas*** are delineated on Schedule C, Schedule D, and Schedule E of this bylaw and are split in two categories: "Area 1" includes ***lots*** less than 200m from a prescribed bus exchange, and "Area 2" includes ***lots*** between 200m and 400m from a prescribed bus exchange.

TRANSPORT TRUCK AND MOTORHOME SALES AND RENTALS means the sale or rental of new or used transport trucks, motor homes, ***manufactured homes***, and automobiles together with maintenance services and the sale of parts and accessories. Typical ***uses*** include but are not limited to truck dealerships, ***recreation vehicle*** sales, and ***manufactured home*** and motor home dealerships.

U

URBAN AGRICULTURE means the cultivation of a portion of a parcel for the production of food including fruits, vegetables, nuts and herbs for human consumption. Cultivation can be done by the property ***owner*** or off-site resident, provided the ***owner*** has given her/his permission. Production activities should not be noxious or an unreasonable nuisance to surrounding properties.

URBAN AREA BOUNDARY means the boundary separating an agricultural ***zone*** from those lands designated in the ***City's Official Community Plan*** and/or zoned in the ***City's*** Zoning Bylaw for non-agricultural ***uses***.

USE means the purposes for which land, a ***building*** or a ***structure*** is arranged or intended, or for which either land, a ***building***, or a ***structure*** is, or may be, occupied and maintained.

UTILITY SERVICES means development for utility infrastructure purposes that provides for the essential utility servicing of the ***City*** with water, sanitary sewer, storm sewer, electrical, natural gas, cable TV, internet, fiber optics, telephone and/or similar utilities where such utilities are established by the ***City***, by another government body or by a company operating under the *Public Utilities Act*. This ***use*** does not include storage yards.

V

VEHICLE means any motor ***vehicle*** as defined in the *Motor Vehicle Act*.

W

WALKWAY means a ***street*** intended to carry pedestrian and non-motorized traffic only, except that a ***walkway*** may be designed to accommodate mobility scooters and/or afford emergency ***vehicle use***.

WALL FACE means any portion of a vertical wall that is uninterrupted by a horizontal break of less than 1.2 m.

WATERCOURSE means any natural depression, as established by a BC Land Surveyor, with visible banks, which contains water at some time, and includes any lake, river, stream, creek, spring, ravine, swamp, gulch, coulee, wetland, or surface source of water, whether containing fish or not, including intermittent streams, and drainage works which contain fish.

WET BAR means a small facility that is used exclusively to prepare beverages and other items that do not require cooking. Exhaust fans, 220-volt wiring, natural gas rough in and permanent cooking

facilities of any type are not permitted. The provision of wet bars in no way permits an additional ***dwelling unit*** to be established.

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.

WINERY and ***CIDERY*** means a ***farm winery***, estate ***winery***, urban ***winery***, or a ***cidery*** that is licensed under the BC Liquor and Cannabis Regulation Branch (LCRB). It may include processing, storage, retail sales, tours, wine tasting, and may include a ***restaurant***.

WRECKING YARD means any land or ***building*** used for the collection, demolition, dismantlement, storage, salvage, recycling or sale of waste materials including scrap metal, ***vehicles***, machinery, and other discarded materials.

X

Y

YARD means an area created by a ***setback***.

YARD, ***EXTERIOR SIDE*** means a ***side yard*** immediately adjoining a ***street***.

YARD, ***FRONT*** means the area between ***side lot lines*** extending from the ***front lot line*** to the nearest above finished grade wall or supporting member of a ***building*** or ***structure*** other than a ***retaining wall***.

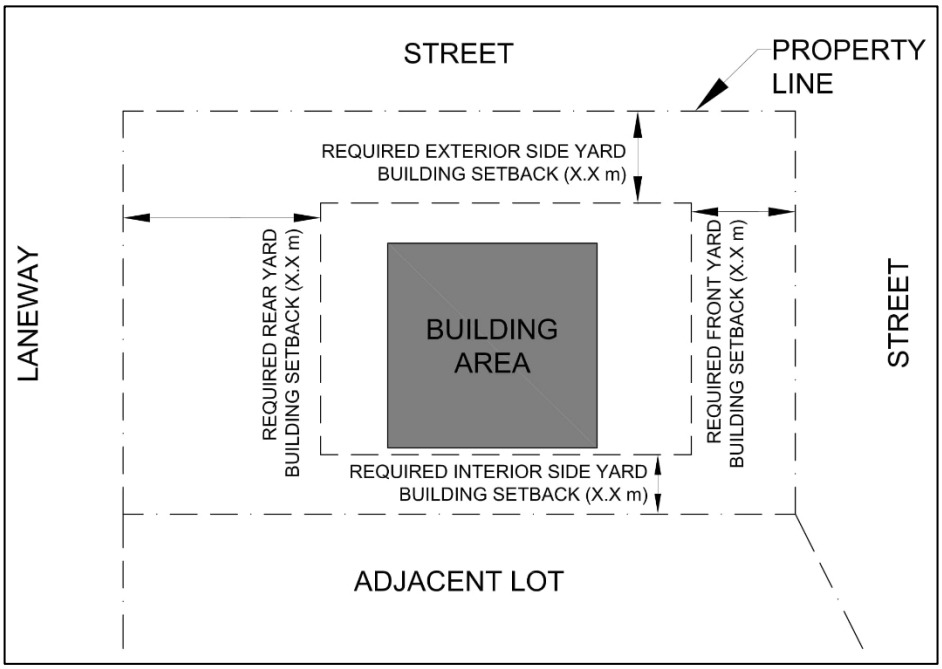

Figure 8 - Yard Definitions

YARD, ***INTERIOR SIDE*** means a ***side yard*** other than an ***exterior side yard***.

YARD, ***REAR*** means the area between the ***side lot lines*** extending from the ***rear lot line*** to the nearest above finished grade wall or supporting member of a ***building*** or ***structure*** other than a ***retaining wall***.

YARD, ***SIDE*** means that part of the ***lot***, which extends from a ***front yard*** to the ***rear yard*** between the ***side lot line*** and the nearest above finished grade wall or supporting member of a ***building*** or ***structure***.

Z

ZONE means the areas into which the ***City*** is divided in accordance with the maps attached as Schedule 'A' of this Bylaw and for which specific regulations are outlined herein for each area.

Chapter 4 – General Development Regulations

4.1 Applicability of General Development Regulations

Except as otherwise specified in this Bylaw, the following regulations apply to all ***zones*** established in this Bylaw.

4.2 Accessory Buildings, Structures, Garages and Carports

All ***accessory buildings***, ***structures***, ***garages*** and ***carports*** are subject to the following regulations:

4.2.1 An ***accessory building*** or structure shall not be used as a ***dwelling unit***, unless permitted in accordance with Section 8.2 of this Bylaw.

4.2.2 An ***accessory building*** or structure shall not be situated on a ***lot*** unless the principal building, to which it is accessory, has already been constructed or will be constructed simultaneously.

.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. (Bylaw No. 2025-09)

4.2.3 Notwithstanding any ***yard*** requirements of this bylaw, any ***accessory building*** or ***structure*** shall be situated behind the front face of the ***principal building***. (Bylaw No. 2026-21)

.1 Notwithstanding Section 4.2.3 for ***accessory buildings*** and ***structures*** located within the A – Agriculture zone, may be situated in front of the front face of the ***principal dwelling.*** (Bylaw No. 2026-21)

4.2.4 Notwithstanding any yard requirements of this bylaw, ***accessory buildings*** or ***structures*** with a building footprint of 10.0 m2 or less, may be erected anywhere on a lot, provided that it is situated behind the front face of the ***principal building***. (Bylaw No. 2026-21)

4.2.5 The following are permitted anywhere on a ***lot***:

.2 ***fences***, in accordance with Section 5.4 of this Bylaw,

.3 ***retaining walls***, in accordance Section 5.4 of this Bylaw,

.4 trellises, pergolas,

.5 children's play equipment,

.6 utilities,

.7 mailboxes, or

.8 farm garden stands (Bylaw No. 2026-21)

4.2.6 All ***structures*** connected by foundation, roofline or roof ***structure*** (including but not limited to pergolas or trellises) to the ***principal building*** are deemed to be a portion of the ***principal building***.

4.2.7 Where a ***garage*** or ***carport*** has driveway access from the ***front yard*** or ***exterior side yard*** to the ***street***, the minimum required distance from the ***garage*** or ***carport*** to the back of the curb or sidewalk shall be 6.0 m.

4.2.8 Where a driveway gate exceeds 1.2 m in height, the minimum required distance from the driveway gate to the back of the curb or sidewalk shall be 6.0 m.

4.3 Corner Visibility Triangle

4.3.1 No hedge, planting, tree, ***fence***, sign, or other ***structure*** shall be erected, placed, or maintained within the ***corner visibility triangle*** to a ***height*** greater than 1.2 m.

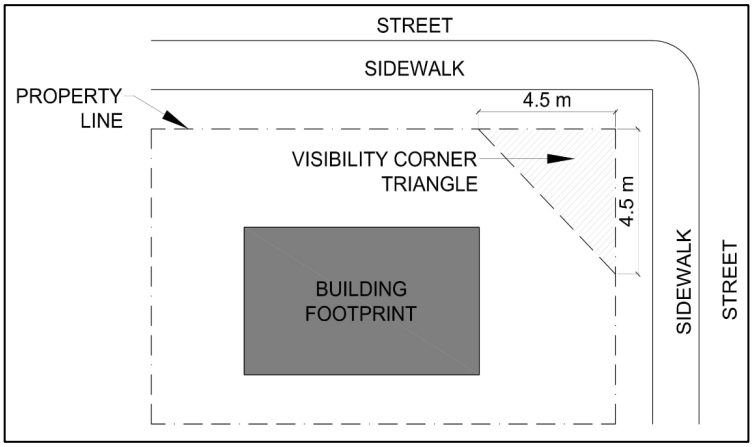

Figure 9 - Corner Visibility Triangle Diagram

4.3.2 Notwithstanding the ***corner visibility triangle*** requirements listed in Section 4.3.1 of this Bylaw, the ***corner visbility triangle*** may be reduced to the area created by the actual ***setback*** of the ***building*** or ***structure***.

4.4 Height and Grade

4.4.1 The following ***structures*** shall not exceed twice the maximum allowable ***height*** permitted by the zone: chimneystacks, aerials, antennae, water towers, wind machines, monuments, observation and transmission towers, steeples, solar thermal collectors or flagpoles.

4.4.2 Any mechanical or structural appurtenance such as elevator housings, roof stairway entrances, ventilating equipment and skylights, constituting not more than ten percent (10%) of the total roof area of a ***building***, may exceed the ***height*** limitations specified for each ***zone*** provided that the appurtenance is screened from view.

4.4.3 ***Localized depressions*** are not included in the calculation of ***height*** and are subject to the following requirements:

.1 A ***localized depression*** for a pedestrian entrance shall not exceed 40% of the corresponding wall length or 7 m^2 measured in plan view.

.2 A ***localized depression*** for a window well shall not extend more than 0.9 m from the ***building*** wall face and not exceed 25% of the corresponding ***wall face*** length in total, for one or more light wells.

4.5 Airport Regulations

4.5.1 Notwithstanding Section 4.4 of this Bylaw, in no case shall the ***height*** of any ***building***, ***structure*** or appurtenance, including temporary assemblies for construction purposes, such as cranes, exceed the Horizontal Surface elevation as described in the federal *Penticton Airport Zoning Regulations, C.R.C., c. 101* as amended, unless approved to do so by the appropriate federal authorities.

4.6 Highway Setbacks and Future Road Right-of-Way

4.6.1 A ***setback*** from a highway shall be measured from the ***lot*** boundary ***abutting*** to that highway, provided that where a highway is designated as a Collector or Arterial in the ***City*** of Penticton ***Official Community Plan*** Bylaw, as amended from time to time, the ***setback*** shall be measured from where the boundary of the Collector or Arterial would meet the ***lot*** if that highway was constructed.

4.6.2 No ***buildings*** or ***structures*** shall be constructed on land that is located within an existing or future right-of-way of any Collector or Arterial highway as designated within the ***City*** of Penticton ***Official Community Plan*** Bylaw.

4.6.3 Notwithstanding the minimum ***lot area*** and ***width*** requirements of this bylaw, the Subdivision Approving Officer may approve:

.3 A road dedication, required by the ***City***, where the dedication:

.a reduces the area or ***width*** of the ***lot*** to less than the required minimum ***lot area***, or

.b reduces the area or ***width*** of an existing undersized ***lot***.

4.6.4 In calculating the **floor area ratio (FAR)** or **lot coverage** for a development, the area of the parcel to be dedicated to the City for road purposes shall be included for the purpose of calculating the permitted ***density*** or ***lot coverage*** on that parcel. (Bylaw No. 2026-21)

4.6.5 In calculating the ***setbacks*** for a development, the area of the parcel to be dedicated to the City for road purposes shall be included for the purpose of calculating the minimum ***setback*** requirement on that parcel, provided the highway is not designated as a Collector or Arterial in the City of Penticton Official Community Plan Bylaw, as amended from time to time. (Bylaw No. 2026-21)

4.7 Swimming Pools and Hot Tubs

All ***lots*** with exterior swimming pools or hot tubs are subject to the following regulations:

4.7.1 Swimming pools and hot tubs shall not be located in a required ***front yard***.

4.7.2 Above ground swimming pools and hot tubs shall meet the siting requirements of ***accessory buildings***.

4.7.3 At grade swimming pools shall be located at a minimum of 1.0 m from ***side*** and ***rear property lines*** and 3.0 m from any ***street***.

4.8 Temporary Uses and Buildings

Any ***lots*** with temporary ***uses*** and/or ***buildings*** are subject to the following regulations:

4.8.1 Fabric Covered Metal Frame Buildings

The ***use*** of fabric-covered metal frame ***buildings*** over 10 m^2, is limited to ***industrial, agricultural,*** and ***institutional uses***.

4.8.2 Tents, Recreational Vehicles and Similar Structures

.1 A temporary ***use*** located partially or totally in a tent, trailer, ***manufactured home***, motor home or ***building*** or ***structure*** not permanently fixed to the site is prohibited, except for temporary ***uses*** accessory to a permitted ***campground***, industrial ***use*** or public ***use***.

.2 Notwithstanding section 4.8.2.1 of this bylaw, occupancy of a recreational vehicle in a residential or rural ***zone*** is permitted for no more than 10 days in one period of 30 consecutive days.

4.8.3 Outdoor Temporary Uses

Where a ***use*** is permitted in a zone, the ***use*** may, on a temporary basis, be carried on outdoors and may occupy required ***parking spaces***.

4.8.4 Metal Storage Containers

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: (Bylaw No. 2025-09)

.1 ***Metal storage containers*** may only be stacked one (1) on top of the other in the M1, M2, and M3 ***zones***, to a maximum of two (2) containers high.

.2 ***Metal storage containers*** shall be sited according to the siting regulations for ***buildings*** in the ***zones*** listed. In the C4, C6, and C7 ***zones***, ***metal storage containers*** shall not be located between the ***principal building*** and any ***street*** frontage, except a ***lane***.

.3 ***Metal storage containers*** shall not be located on a required ***parking space***, on parking drive aisles, within driveway accesses or on fire ***lanes***;

.4 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 hr of additional ***lot area, to a maximum*** of 5 containers; (Bylaw No. 2025-09)

.5 On lots within the A ***zone***, the maximum number of ***metal storage containers*** shall be one (1) container per ***lot***.

.6 Notwithstanding Section 4.8.4.2 of this Bylaw, a ***metal storage container*** may be used as temporary storage for a permitted seasonal ***garden centre*** and may be located between the ***principal building*** and the ***street***;

.7 ***Metal storage containers*** shall only be used to store materials or products that are incidental to the operation of the ***business*** or facility located on the ***lot***; and

.8 Notwithstanding Sections 4.8.4.2 to 4.8.4.7 of this Bylaw, a ***metal storage container*** may be used as temporary storage during construction in any ***zone*** provided that a valid ***building*** permit has been issued authorizing the construction. The ***metal storage container*** must be removed upon completion of the construction.

4.9 Yards and Projections

All developments are subject to the following regulations:

4.9.1 Certain types of architectural features are permitted to project from a ***building*** or a ***structure*** in a required ***yard*** in accordance with Table 4.1.

Table 4.1 – Permitted Projections

Feature	Maximum Projection in to Required Yards
Chimney, chimney box and fireplace box	0.6 m in any ***yard***
Eaves, eave-troughs and gutters	0.6 m ***interior side yard*** 1.5 m ***front yard*** 1.5 m ***exterior yard*** 3.0 m ***rear yard*** *except ***accessory buildings*** or ***structures***, including ***carriage houses***, which shall be 0.6m in any ***yard***
Ornamental elements such as sills, belt courses, cornices, ***parapets*** and pilasters	0.6 m in any ***yard***
Canopies and ***awnings***	0.6 m ***interior side yard*** 1.5 m ***front yard*** 1.5 m ***exterior yard*** 3.0 m ***rear yard*** *except ***accessory buildings*** or ***structures***, including ***carriage houses***, which shall be 0 m in any ***yard***
Fire escapes, open stairways, landings, steps, ramps and patios	1.5 m ***front yard*** 1.5 m ***exterior yard*** 3.0 m ***rear yard*** If features is less than 0.6 m from grade then not subject to regulations

	*except ***accessory buildings*** or ***structures***, including ***carriage houses***, which shall be 0 m in any ***yard*** Wheelchair ramps have no limit
Covered or uncovered ***balcony***, porch, ***deck***, platform and veranda	1.5 m ***front yard*** 1.5 m ***exterior yard*** 3.0 m ***rear yard*** *except ***accessory buildings*** or ***structures***, including ***carriage houses***, which shall be 0 m in any ***yard***
Any cantilevered, architectural projection that constitutes less than 25% of the wall face to which the projection is attached	0.6 m in any ***yard***
Window wells below ***approved grade*** and not more than 3.0m in length	0.9 m in any ***yard***

4.9.2 In ***zones*** allowing more than two (2) ***dwelling units***, projections, utilities, underground parking and similar ***structures*** constructed entirely beneath the surface of the ground can encroach into required ***yards***, provided such underground encroachments do not result in a grade inconsistent with ***abutting*** properties, and the encroachments are covered by sufficient soil depth or surface treatment to foster ***landscaping***.

4.9.3 A concrete exterior staircase to access a ***basement*** area below grade may project into any ***setback*** area.

4.9.4 Notwithstanding buffer or landscape requirements, ***patio*** seating for ***restaurants*** may encroach into any ***yard setbacks*** in the CT1 ('Tourist Commercial') ***zone***.

4.10 Refuse and Recycling Bins

All ***multiple housing***, commercial or industrial ***permitted uses*** shall provide refuse and recycling bins subject to the following regulations:

4.10.1 When any ***multiple housing*** residential, commercial or industrial ***permitted use*** is proposed, provisions for garbage storage, recycling and collection shall be made for these facilities on the same site as the ***permitted use***.

4.10.2 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***. (Bylaw No. 2025-09)

4.10.3 ***Screening*** required in Section 4.10 of this Bylaw shall consist of ***landscaping*** and/or ***fencing*** that is a minimum of 1.2 m in ***height*** to a maximum ***height*** of 2.0 m.

4.10.4 Refuse or recycling bins, rooms or enclosures designed for ***vehicle*** access shall be located to provide unobstructed access with a minimum width of 3.0 m and a minimum vertical ***clearance*** of 4.6 m.

4.10.5 Any refuse and recycling areas co-existing with any parking or loading area:

.1 Shall be clearly delineated as separate and in addition to required ***parking*** and ***loading spaces***, and

.2 Shall not be located in any public Right-of-Way.

4.11 Drive-through Facilities

4.11.1 Where drive-through facilities are installed, there shall be adequate queuing ***lanes*** provided on the property to accommodate six (6) ***vehicles*** between the ***property line*** and the ordering station. These queuing spaces shall be exclusive of any other ***parking space*** and aisle requirements contained in this Bylaw.

4.11.2 The drive-through facilities shall not be visible from the ***street***. If the drive-through facilities are visible from the ***street*** or neighbouring properties, ***landscape screening*** or ***fencing***, a minimum of 1.2 m in ***height***, shall be required.

4.11.3 Drive-through facilities shall not be permitted in the C1, C5 and C6 ***zones***. (Bylaw No. 2025-09)

4.12 Uses Permitted in All Zones

4.12.1 The following uses shall be a permitted use in all zones:

.1 ***Public parks*** shall be a permitted use in all zones

.2 ***Utility services*** shall be a permitted use in all zones.

.3 ***Urban agriculture*** shall be permitted in all zones.

.4 Cultural exhibits shall be permitted in all zones.

.5 ***Day care centre, minor*** shall be permitted in all zones.

4.13 Agricultural Land Reserve

4.13.1 Notwithstanding any other provisions of this Bylaw, all lands within the Agricultural Land Reserve (ALR) are subject to the Agricultural Land Commission Act (ALCA), the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (the Regulation), as amended from time to time, and any Orders of the Agricultural Land Commission (ALC). The ALCA and Regulations generally prohibit or restrict non-farm ***use*** and subdivision of ALR lands, unless permitted or exempted.

4.14 Streamside Protection

4.14.1 Development must not occur within 30.0 m of a ***watercourse*** boundary or a distance determined by a Qualified Environmental Professional (QEP), whichever is less, in accordance with the *Riparian Area Protection Act*, *Riparian Area Protection Regulation*, and the Development Permit Area requirements identified within the ***City*** of Penticton's Official Community Plan Bylaw, as amended from time to time.

4.15 Energy Efficient Buildings

4.15.1 Achieving a low-energy, high-efficiency ***building*** through high quality thermal envelope design and better insulation will result in thicker wall and roof insulation than a typical building, which may affect floor area, ***lot coverage***, ***setbacks*** and ***height***. For the purposes of creating a more efficient ***building*** the following may be applied, at the discretion of the ***General Manager of Development Services*** or delegate:

.1 Floor area calculation: calculation of ***gross floor area*** and ***net floor area*** may exclude exterior wall thickness in excess of 0.165m up to a maximum exclusion of 0.305m provided that the wall thickness is utilized for the provision of insulating material and/or protection against wind, water and vapour.

.2 ***Lot coverage*** calculation: calculation of ***lot coverage*** may exclude exterior wall thickness in excess of 0.165m up to a maximum exclusion of 0.305m provided that the wall thickness is utilized for the provision of insulating material and/or protection against wind, water and vapour.

.3 ***Setbacks***: where the exterior wall thickness is in excess of 0.165m, provided that the wall thickness is utilized for the provision of insulating materials and/or protection against wind, water and vapour, the minimum distance to an abutting lot line as permitted elsewhere in this Bylaw may be reduced by 0.25m.

.4 ***Height***: the ***height*** of ***buildings*** and ***structures*** permitted elsewhere in this Bylaw may be exceeded for roof thickness in excess of 0.3m provided that the excluded roof thickness is required to achieve compliance with the BC Energy Step Code Passive House energy standard or other enhanced energy performance standard.

4.16 Transit-Oriented Areas

4.16.1 ***Transit-oriented areas*** are delineated on Schedule C, Schedule D and Schedule E of this bylaw.

4.16.2 In lieu of the applicable regulations elsewhere in this bylaw, the regulations in Table 4.2 apply to all residential and mixed-use developments with at least 50% residential ***gross floor area*** within ***transit-oriented areas***.

Table 4.2 – *Transit-Oriented Areas* Development Regulations

Regulation	***Transit-Oriented Area***: Area 1	***Transit-Oriented Area***: Area 2
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.

(Bylaw No. 2025-09)

Chapter 5 – Landscaping and Screening

5.1 General Landscaping Requirements

The minimum ***landscaping*** requirements shall be in accordance with the following regulations:

5.1.1 For the purposes of Chapter 5 of this Bylaw, all areas without ***buildings***, ***structures***, driveways, approved parking or garbage and recycling collection areas or natural areas, shall be deemed to be ***landscape*** areas.

5.1.2 ***Boulevard areas*** are deemed to be part of the ***landscape*** area of a property.

5.1.3 (Bylaw No. 2025-09)

5.1.4 (Bylaw No. 2025-09)

5.1.5 Irrigation systems may encroach onto ***City*** owned ***boulevard areas***.

5.1.6 (Bylaw No. 2025-09)

5.1.7 (Bylaw No. 2026-21)

5.2 Landscape Buffers Separating Uses

5.2.1 All ***landscape buffers*** shall be provided in accordance with the regulations outlined in Table 5.1 and shall consist of:

.1 One (1) tree for every 10.0 linear meters of required buffer area, including ***walkway***s and driveways. Deciduous trees shall be a minimum ***caliper*** of 60 mm and a minimum clear stem height of 1.5 m. Coniferous trees shall be a minimum 2.5 m in height, and

.2 One (1) shrub for every linear meter of required buffer area, including ***walkway***s and driveways. The shrubs shall be a minimum No. 2 pot shrub.

5.2.2 Required ***landscape buffers*** shall be continuous along the affected property boundaries, interrupted only by ***walkways*** and driveways providing access to the property.

5.2.3 All required ***landscape buffer*** areas shall be watered by a fully automatic, underground, irrigation system.

Table 5.1 – Required Landscape Buffers

Standard	Residential – 5 or more *dwelling units*	Commercial	Industrial

		(excluding C5 zone)	
Minimum width of ***landscape buffer abutting*** a R4-L or R4-S ***zone***	3.0 m	3.0 m	3.0 m
Minimum visual screen ***height abutting*** a residential ***zone***	1.2 m	1.2 m	1.8 m
Minimum width of ***landscape buffer*** along highway, excluding lanes	3.0 m	3.0 m	N/A

(Bylaw No. 2025-09)

(Bylaw No. 2026-21)

5.2.4 Notwithstanding the ***landscape buffer*** requirements listed in Table 5.1, buffer widths may be reduced to the width of the actual ***setback*** of the ***building*** or ***structure*** if the actual ***setback*** of any ***building*** or ***structure*** is less than the buffer specified in Table 5.1.

5.2.5 (Bylaw No. 2025-09)

5.2.6 (Bylaw No. 2025-09)

5.2.7 (Bylaw No. 2025-09)

5.3 Tree Requirement and Protection

5.3.1 Trees are required to be planted for all new residential development in accordance with the following regulations:

.1 For new developments in the R4-L or R4-S ***zones***, a minimum one (1) tree per ***dwelling unit***, not including ***secondary suites***, is required to be planted on the property, with a minimum of one (1) tree being located in the ***front yard***. (Bylaw No. 2026-21)

.2 Tree species must be selected from the official document "Approved and Suggested Trees in the City of Penticton" prepared by the City of Penticton Parks Department, as amended from time to time.

5.3.2 Trees required in accordance with Section 5.3.1 of this Bylaw are required to be either a deciduous tree with a minimum ***caliper*** of 60 mm and a clear stem height of 1.5 m or a coniferous tree with a minimum height of 2.5 m.

5.4 Fences and Retaining Walls

5.4.1 Fencing

.1 Subject to the ***corner visibility triangle*** regulations in Section 4.3 of this Bylaw, the following ***height*** limitations shall apply to ***fences***, decorative (non-retaining) walls in all ***zones***: (Bylaw No. 2025-09)

.a 1.2 m;

.b 1.8 m if situated behind the ***front yard setback***;

.c 1.8 m if situated within the ***interior, exterior,*** and ***rear yard setback;***

.d 2.4 m if situated ***adjacent*** to a controlled access highway; and

.e 2.4 m if in an agricultural or industrial ***zone***.

.2 Barbed wire and electric fencing is prohibited in all ***zones*** except for A, M1 M2 and M3.

.3 Razor wire is prohibited in all ***zones***.

.4 (Bylaw No. 2025-09)

.5 (Bylaw No. 2025-05)

5.4.2 Retaining walls

.1 ***Retaining walls*** that are located within any required ***yards*** must not exceed a ***height*** of 1.2 m above ***approved grade***.

.2 ***Retaining walls*** that are located outside of any required ***yards*** must not exceed a ***height*** of 2.4 m above ***approved grade***.

.3 ***Retaining walls*** approved as a condition of subdivision may exceed the maximum ***heights*** specified within Sections 5.4.2.1 and 5.4.2.2 of this Bylaw.

.4 Multiple parallel ***retaining walls*** must be spaced to provide at least a 1.2 m horizontal separation between them, as shown in Figure 10.

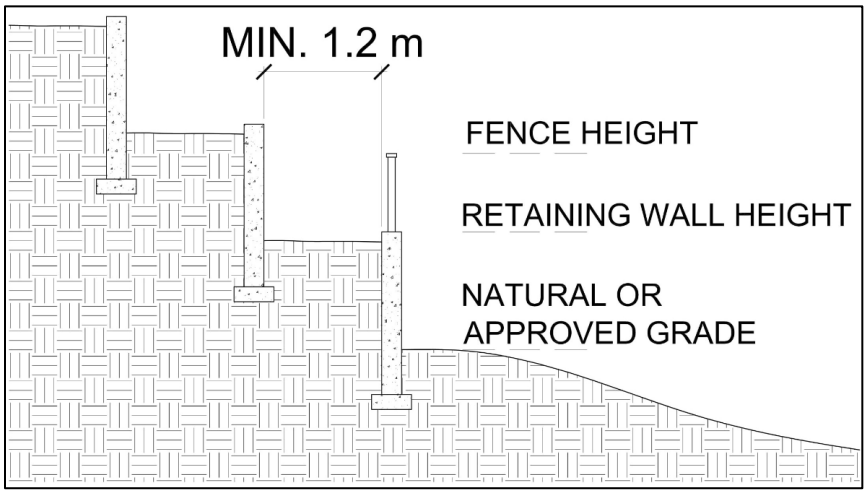

Figure 10 – Multiple Retaining Walls

.5 Notwithstanding Section 5.4.2.1 of this Bylaw, in the case of a retaining wall constructed on a property zoned M1, M2 or M3, the retaining wall must not exceed a ***height*** of 2.4 m above ***approved grade***.

.6 Notwithstanding Section 5.4.2.1 of this Bylaw, a retaining wall may be higher than 1.2 m, measured from ***approved grade***, where the ***natural grade*** of the subject property is lower than the ***abutting*** property, to a maximum of 2.4 m, as shown in Figure 11.

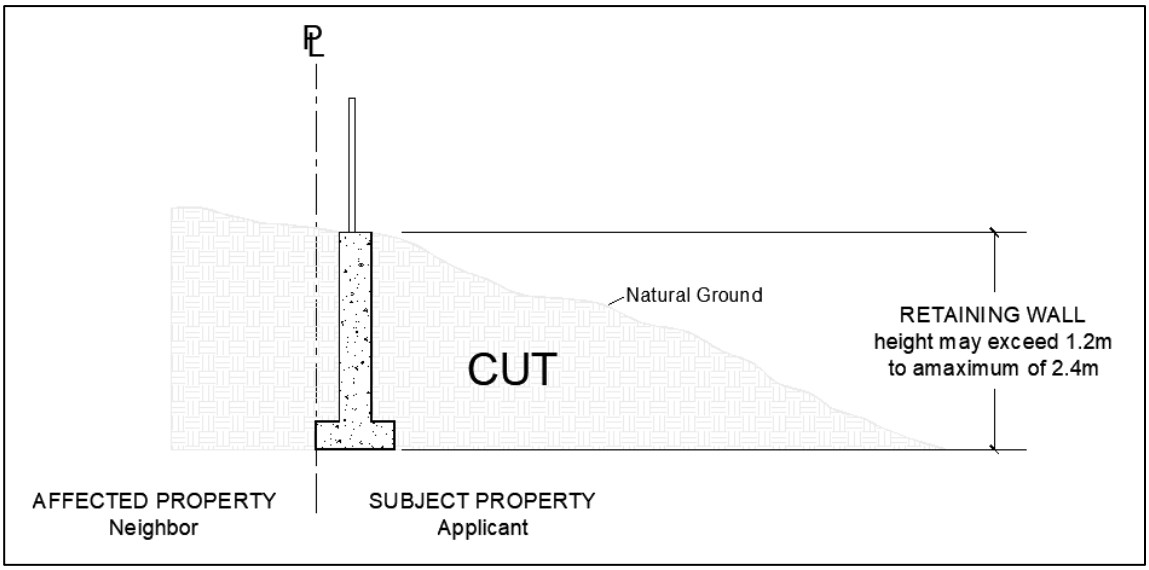

Figure 11 – Height of Retaining Walls

5.4.3 Fences on retaining walls

.1 In the case where a ***fence*** is built on top of a ***retaining wall***, the ***height*** of the ***fence*** and the ***height*** of the ***retaining wall*** shall be measured separately according to their respective regulations.

Chapter 6 – Parking and Loading

6.1 Off-Street Vehicle Parking

6.1.1 General Requirements

.1 ***Parking spaces*** shall be provided in accordance with the Table 6.6 and shall be located on the same ***lot*** as the ***use*** serviced by the parking.

.2 Where the calculation of the required number of ***parking spaces*** yields a fractional number, the required number of spaces shall be rounded down to the nearest whole number.

.3 Where Table 6.6 does not clearly define requirements for a particular ***permitted use***, the single ***use*** or combination of ***uses*** most representative of the proposed ***permitted use*** shall be used to determine the parking requirements.

.4 Where a proposal consists of a mix of ***uses***, the total number of spaces shall be the sum of the space requirements for each ***use*** as calculated using Table 6.6.

.5 Visitor parking locations are to be clearly marked as "VISITOR PARKING".

.6 In any residential or ***multiple housing zone***, no ***vehicle*** or equipment having a gross ***vehicle*** weight in excess of 5600 kg shall be parked or stored on the property unless stored such that the ***vehicle*** or equipment is entirely enclosed within a ***building***.

.7 In residential or ***multiple housing zones***, no more than one (1) ***recreational vehicle*** may be parked per ***dwelling unit***. Additional ***recreational vehicles*** may be parked or stored on the property such that the ***vehicle*** is entirely enclosed within a ***building.***

.8 When any new development is commenced or when any existing development is enlarged or ***use*** changed, for properties having or proposing direct access to Highway 97, ***vehicle*** parking and ***loading spaces*** shall be provided and maintained by the property owner in accordance with the Ministry of Transportation & Infrastructure standards.

6.1.2 Parking Reductions

.1 **Bicycle Parking**

.a Where five (5) additional ***Class 1*** or ***Class 2 bicycle parking spaces*** are provided on site, the ***vehicle parking space*** requirement can be reduced by a maximum of one (1) ***parking space***.

.b Section 6.1.2.1.a of this Bylaw may only be applied where the proposed development requires ***Class 1*** or ***Class 2 bicycle parking spaces***, in accordance with Section 6.4 of this Bylaw.

.2 **Cash-in-Lieu**

.a Cash-in-lieu may only be provided for the following zones, in accordance with Table 6.1:

.i Multi-family residential: RM2, RM3, RM4 and RM5,

.ii Commercial: C1, C2, C3, C4, C7, C8 and C9,

.iii Industrial: M1, M2 and M3, or

.iv Bicycle parking: C5 and C6.

.b A property ***owner*** may provide the ***City*** a sum of money equal to the number of ***parking spaces*** not provided, multiplied by the applicable cash-in-lieu amount, as identified in Table 6.1. The sum of money will be deposited into the Off-Street Parking Reserve and Alternative Transportation Infrastructure Reserve at the rate of 75% to the Off Street Parking Reserve and 25% to the Alternative Transportation Infrastructure Reserve.

.c In the case of the RM2 and RM3 zones, the cash-in-lieu provision shall not lower the total number of ***parking spaces*** to below one (1) ***parking space*** per ***dwelling unit***.

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

(Bylaw No. 2025-09)

6.1.3 Shared Parking Provisions

.1 Shared ***use*** of off-***street parking spaces*** is permitted under the following conditions:

.a Notwithstanding Section 6.1.1.4 of this Bylaw, shared off-***street*** parking areas for two (2) or more ***uses*** in a ***building*** or on a parcel may be permitted when the maximum parking demand of such ***uses*** occurs at different periods of the day.

6.1.4 Off-site Parking

.1 Notwithstanding Section 6.1.1.1 of this Bylaw, for some or all of the required off-***street parking spaces*** for residential ***uses*** within the C5 and C6, and any non-residential ***zone***, the required parking may be provided on another ***lot*** or property, provided the required ***parking spaces*** are no further than 150 m measured along a public pathway or sidewalk route from the nearest point of the parking to the nearest point of the site of the ***permitted use*** served by the parking.

.2 Where off-***street*** parking is located on a site separate from the ***permitted use***:

.a The ***owner*** of the separate site of the off-***street parking lot*** shall covenant with the ***City***, by agreement, that the remote lands required for off-***street*** parking and access thereto shall be so used as long as required by this Bylaw, and

.b The remote parking shall be developed to the same standard as on-site parking.

6.1.5 Parking Space Dimensions

All off-***street parking spaces*** shall conform to the following provisions:

.1 ***Parking spaces*** shall be developed in accordance with Tables 6.2 and 6.3, and Figures 12 and 13:

Table 6.2 – Standard Car Parking Dimensions

Stall Angle	Standard Stall Width (m)	Accessible Stall Width (m)	Stall Length(m)	Drive Isle (m) (one-way)	Drive Isle (m) (two-way)
90°	2.7	3.7	5.8	6.0	7.0
60°	2.7	3.7	6.4	5.5	6.6
45°	2.7	3.7	6.0	4.0	6.6
30°	2.7	3.7	5.25	3.6	6.6
Parallel	2.7	-	7.0	-	-

.2 Where a ***parking space*** adjoins a ***fence***, wall or other ***structure*** of greater than 0.3 m in ***height***, the width of the ***parking space*** shall be increased by 0.3 m to enable the convenient opening of ***vehicle*** doors.

.3 Where a ***parking space*** is located parallel with a ***property line***, the width of the ***parking space*** shall be increased by 0.5 m to enable the convenient opening of ***vehicle*** doors.

.4 Notwithstanding Table 6.6, up to 25% of off-***street parking spaces*** may be designed as small car ***parking spaces*** in accordance with Table 6.3. For properties where there is not a minimum ***vehicle parking space*** requirement, up to 100% of the ***vehicle parking spaces*** provided may be designed as small car ***parking spaces***. Such spaces shall be clearly marked with "small car". (Bylaw No. 2026-21)

.5 ***Parking spaces*** shall have a vertical ***clearance*** of at least 2.0 m.

Table 6.3 – Small Car Parking Dimensions

Stall Angle	Small Car Width (m)	Stall Length (m)	Drive Isle (m) (one-way)	Drive Isle (m) (two-way)
90°	2.5	5.6	6.0	7.0

60º	2.5	5.1	5.5	6.6
45º	2.5	4.8	4.0	6.6
30º	2.5	4.2	3.6	6.6

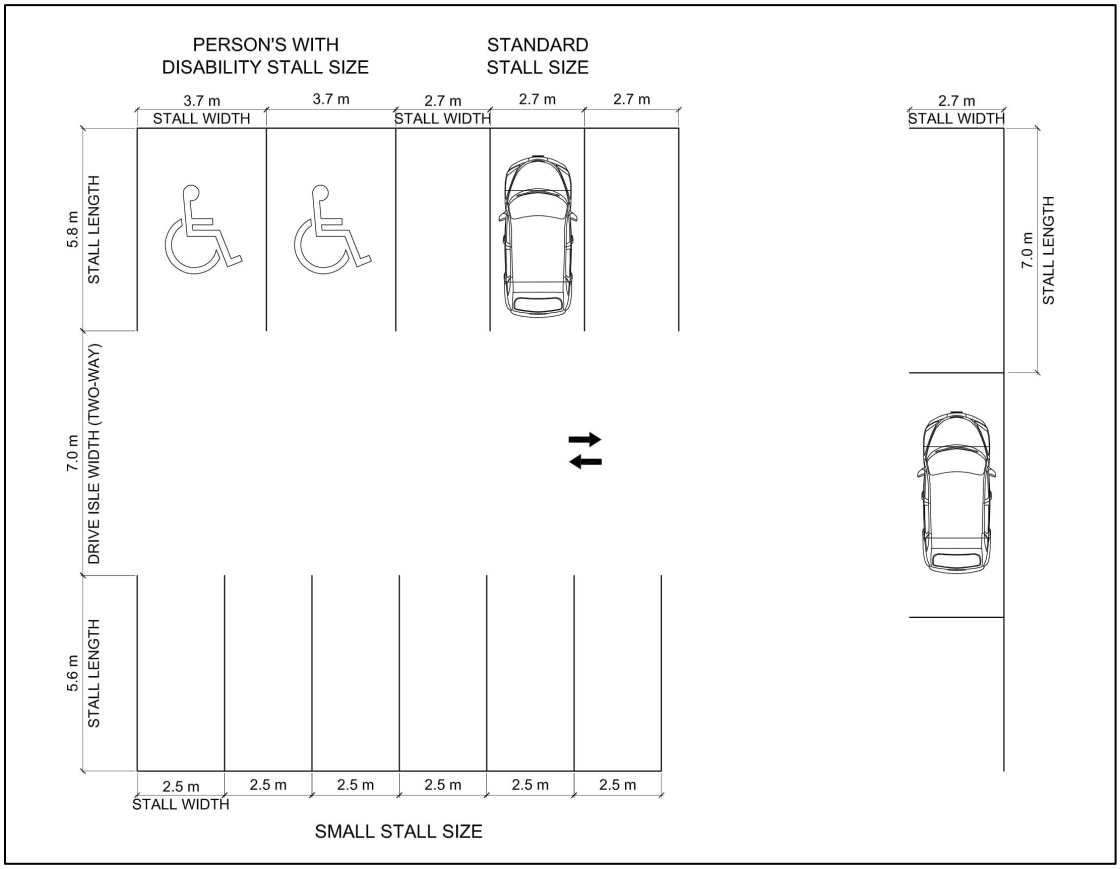

Figure 12 - Stall Size

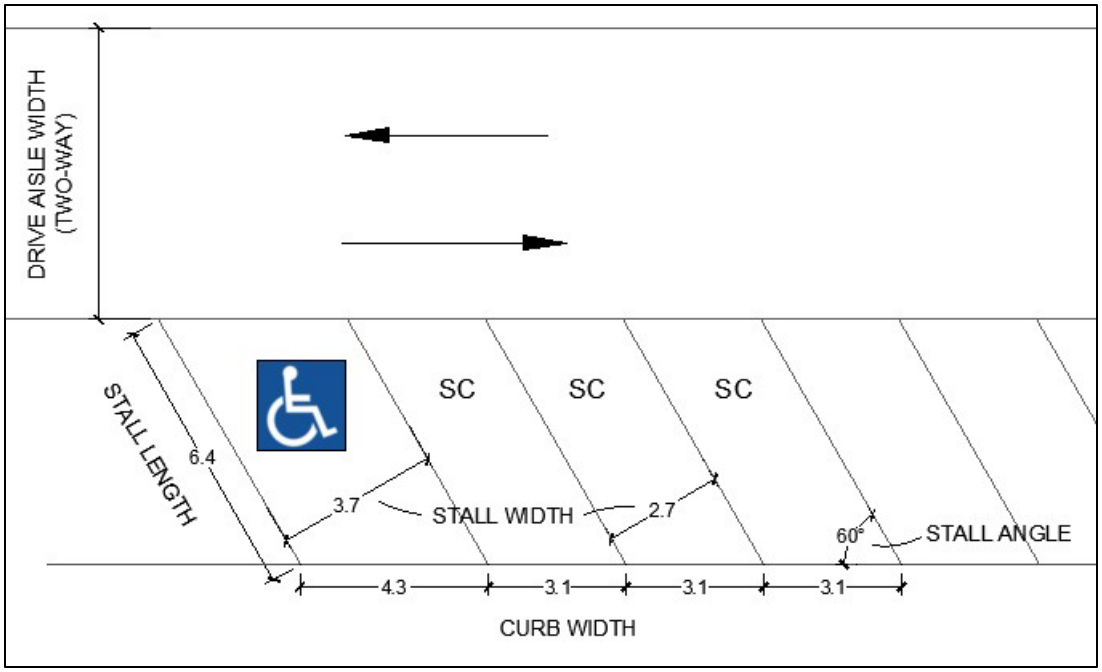

Figure 13 - Stall Size

6.1.6 Tandem Parking

.1 Required ***parking spaces*** may only be configured as ***tandem parking*** for ***single detached dwellings.***

.2 ***Secondary suites, carriage houses, and multiple housing*** developments, including ***duplex*** housing, ***cluster housing***, ***townhouses,*** and ***apartment*** buildings:

.a Any ***parking spaces*** that are provided in excess of the requirement per ***dwelling unit*** may be configured as ***tandem parking***.

.3 Required visitor ***parking spaces*** shall not be configured as ***tandem parking***.

6.2 Off-Street Loading Spaces

All developments requiring a loading ***zone*** shall be subject to the following regulations:

6.2.1 Number of Spaces for Single and Shared Uses

.1 Where a proposal is for new ***building***, or enlargement of existing ***building***, off-***street loading spaces*** shall be provided by the property ***owner*** in accordance with the requirements of this Bylaw.

.2 The number of off-***street loading spaces***, required for each ***use*** is specified in Table 6.6.

.3 The ***loading space*** requirements for more than one (1) ***use*** on a single ***lot*** or for a ***building*** containing more than one (1) ***use***, shall be the sum total of the ***loading space*** requirements for each of the component uses.

6.2.2 Size and Access

.1 ***Loading spaces*** shall be of adequate size and accessibility to accommodate the ***vehicles*** expected to load and unload, but in no case shall a ***loading space*** be less than 28 m^2 in area, less than 3.0 m in width, or have less than 4.0 m in overhead ***clearance***.

.2 Access to any ***loading spaces*** shall be provided on the ***lot*** or from a ***lane abutting*** the ***lot***, and arranged such that no backing or turning movement of ***vehicles*** going to or from the ***lot*** causes interference with traffic on the ***abutting streets*** or ***lanes***.

6.3 Development Standards for Parking and Loading Areas

All off-street ***parking spaces*** shall be subject to the following regulations:

6.3.1 Every off-***street*** parking or loading area containing five (5) or more ***parking spaces***:

.1 Shall clearly delineate individual ***parking spaces***, ***loading spaces***, accessible spaces, manoeuvring aisles, entrances, and exits with pavement markings, signs, and/or other physical means.

.2 Shall direct surface drainage to approved planting areas or an approved on-site drainage system or to the public storm system in accordance with the Subdivision and Development Bylaw.

.3 Shall, except in the case of agricultural zones, ***public parks*** and ***open space use***, consist of a durable, dust-free hard surface of concrete, asphalt, grasscrete, or similar material.

.4 Shall locate concrete wheel stops where ***parking spaces abut*** sidewalks, ***buildings***, ***streets*** or landscaped areas.

.5 Shall be constructed with surface grades not exceeding 6%.

6.3.2 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 m^2 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. (Bylaw No. 2025-09)

6.3.3 Every off-***street*** parking or loading area which is illuminated shall have all lighting positioned towards the ground and in such a manner that light falling onto ***abutting*** properties is minimized.

6.4 Off-Street Bicycle Parking

6.4.1 Bicycle Parking Requirements

The number of bicycle parking spaces required for uses shall be calculated in accordance with the standards set out in Table 6.4 below.

Table 6.4 – Bicycle Parking Requirements

Use	Class 1	Class 2
Office	1 per 150 m^2 ***NFA***	1 per 400 m^2 ***NFA***
Restaurant and ***Liquor Primary Licensed Premise***	1 per 400 m^2 ***NFA***	1 per 100 m^2 ***NFA***
Grocery Store	1 per 200 m^2 ***NFA***	1 per 200 m^2 ***NFA***
Retail	Minimum of 5, plus 1 per 200 m^2 ***NFA***, to a maximum requirement of 25	Minimum of 5, plus 1 per 200 m^2 ***NFA***, to a maximum requirement of 30
Any commercial ***uses*** not otherwise listed	1 per 300 m^2 ***NFA***, to a maximum requirement of 25	1 per 300 m^2 ***NFA***, to a maximum requirement of 30
Public ***Assembly*** and Organizations	Minimum 4	Minimum 4
Residential ***Uses*** (***Multiple Housing***)	0.5 per ***dwelling unit***	0.1 per ***dwelling unit***

6.4.2 General Requirements

.1 Where a proposal is for a new ***building***, or an increase in floor area of an existing ***building*** off-***street*** bicycle ***parking spaces*** shall be provided for the total ***building*** in accordance with Table 6.4.

.2 Where calculation of the total number of bicycle ***parking spaces*** yields a fractional number, the required number of spaces shall be rounded to the nearest whole number.

.3 Where more than one calculation of bicycle ***parking space*** requirements is specified for a land ***use***, the greater requirement shall be applied.

.4 Where Table 6.4 does not clearly define requirements for a particular ***permitted use*** the single ***use*** or combination of ***uses*** most representative of the proposed ***permitted use*** shall be used to determine the parking requirement.

6.4.3 Development Standards for Bicycle Parking

.1 ***Bicycle Parking, Class 1*** shall be located in bicycle lockers, compounds or rooms with lockable doors specifically provided and equipped for bicycle storage.

.2 ***Bicycle Parking, Class 2*** shall consist of bicycle parking racks constructed of theft-resistant material, shall be securely anchored to the floor, ***building***, or ground, supporting the bicycle frame above the centre of gravity, and enabling the bicycle frame and front or rear wheel to be locked; and

.3 Bicycle racks shall be located in a convenient, well-lit location that is easily located and accessible by visitors and subject to casual surveillance by occupants of the ***building*** served by the bicycle rack.

.4 Bicycle parking spaces shall be located on a hard surface.

.5 For multiple housing developments, where a dwelling unit is designed with and has access to its own garage space, no Class 1 bicycle parking shall be required for that dwelling unit.

6.4.4 (Bylaw No. 2025-09)

6.5 Parking Requirements

The number of ***parking spaces*** required for ***uses*** shall be calculated in accordance with the standards set out below (i.e. 1 per ***dwelling unit*** means 1 ***parking space*** per ***dwelling unit***):

Table 6.6 – Parking Requirements		
Use	**Minimum Parking Space Requirement**	**Loading Space Requirement**
Agricultural		
Agri-Tourism	4 per ***business***	0
Alcohol Production Facility	1 per 30 m^2 ***NFA*** of retail sales/tasting area	0
Commercial		
Any ***use*** in the C5 and C6 zone	No parking or loading required	
Any commercial ***uses*** not otherwise listed	1 per 50 m^2 ***NFA***	0
Major and ***Rural Home Residential Occupation***	1 per business	0
Health Service	1 per 30 m^2 ***NFA***	0
Marina	1 per 2 boat slips	0
Office	1 per 30 m^2 ***NFA***	0
Personal Service Establishment	1 per 30 m^2 ***NFA***	0
Restaurant	1 per 50 m^2 ***NFA***	1
Grocery Store	1 per 30 m^2 NFA	1
Tourist Accommodation	1 per sleeping room	1
Convention Facility	1 per 50 m^2 ***NFA***	1
Industrial		
General Industrial Uses or Uses on Industrial Zoned Property	1 per 200 m^2 ***NFA***	0
Self Storage and Storage and Warehouse	Minimum 5	0

Public Assembly and Organizations		
Assembly	1 per 50 m^2 ***NFA***	0
Day Care Centre, Minor or Major	1 per 50 m^2 ***NFA***	0
Extended Care Residence	1 per 4 beds	0
Hospital and Patient Care Service	1 per 4 beds	1
Education Service (Bylaw No. 2025-09)	Elementary and Middle School: 2 per classroom Secondary School: 4 per classroom	1
Residential Uses		
Dwelling Unit in C5 or C6 ***zone*** ***Dwelling Unit*** in RM5 ***zone*** with frontage on Ellis Street	0 per ***dwelling unit***	0
Dwelling Unit in a commercial building (excluding C5 or C6 zones)	1 per ***dwelling unit***	0
Apartment, Townhouse, Cluster Housing	1 per ***dwelling unit*** plus 0.2 spaces/unit for visitors	0
Duplex, Live-Work unit	1 per ***dwelling unit***	0
Bed and Breakfast Home	1 per bedroom to a maximum of 3 plus 1 for the required corresponding ***dwelling unit***	0
Boarding House	1 per 2 sleeping rooms plus 2 for the required corresponding principal ***dwelling unit***	0
Congregate Housing	1 per staff dwelling plus 1 per 5 bed spaces	0
Manufactured Home Park	1 per ***manufactured home*** space	0
Secondary Suite or Carriage House	0 per ***accessory suite***	0

Security / Operator Dwelling	1 per ***dwelling unit***	0
Single Detached Dwelling	1	0
Residential Sales Centre	2 per centre	0
Short Term Rental, High Occupant	1 per licensed bedroom, up to a maximum requirement of 4 parking spaces	0
Non-Market Housing	0.5 per dwelling unit	0

(Bylaw No. 2026-21)

6.6 Electric Vehicle (EV) Ready Charging Requirements

6.6.1 ***Energized Outlets*** provided pursuant to this section shall be clearly labelled for their intended future use as electric vehicle charging locations.

6.6.2 The minimum number of required ***Energized Outlets*** for ***Level 2 Charging*** parking spaces is set out in Table 6.7:

Table 6.7 *Level 2 Charging* Parking Requirements	
Use/Zone	**Number of *Level 2 Charging* Spaces to be Included**
Single Detached Dwelling, ***Carriage House,*** ***Duplex,*** ***Cluster Housing,*** ***Multiple Housing*** and ***Dwelling Units*** in Commercial Zones	1 per ***dwelling unit***
Commercial, Industrial, Public and Institutional ***zones***	Minimum 2, plus 1 for every 5 ***parking spaces*** over 10 ***parking spaces***

6.6.3 Despite Section 6.6.2, no ***Energized Outlet*** for ***Level 2 Charging*** is required when constructing a new ***dwelling unit*** within an existing ***building***.

6.6.4 Where one or more accessible ***parking spaces*** are required by this bylaw, a minimum 50% of the accessible ***parking spaces*** shall feature ***Energized Outlets*** for ***Level 2 Charging*** or higher.

6.6.5 The ***General Manager of Development Services*** may specify requirements for technical matters, including but not limited to metering and performance standards for ***Electric Vehicle Energy Management Systems.***

6.7 Accessible Parking Requirements

6.7.1 The number of accessible ***parking spaces*** required for ***uses*** shall be calculated in accordance with Table 6.8, and are considered as part of the required number of ***parking spaces***.

6.7.2 Every subsequent owner or occupier of the property shall maintain the required accessible parking spaces.

6.7.3 Accessible parking spaces shall be as level as practicable, as near as practicable to the building entrance(s) and designed to service those with mobility challenges, including curb ramps.

6.7.4 Every accessible parking space shall be clearly identified with signage.

6.7.5 Accessible parking requirements shall not be eligible for any parking reductions.

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

(Bylaw No. 2025-09)

Chapter 7 - Specific Use Regulations

7.1 Applicability of Specific Use Regulations

7.1.1 The specific ***use*** regulations shall apply to all ***zones*** unless otherwise exempted in this Chapter.

7.1.2 Where these regulations may be in conflict with any ***zone*** regulations or general regulations, these specific ***use*** regulations shall take precedence.

7.2 Bed and Breakfast Home

All ***bed and breakfast homes*** shall be subject to the following regulations:

7.2.1 A ***bed and breakfast home***, where permitted in a zone shall only be operated as an ***accessory use*** within a ***single detached dwelling***, with a maximum 4 ***sleeping units*** with accommodation for a maximum of two (2) guests per ***sleeping unit***.

7.2.2 A ***bed and breakfast home*** shall not change the residential character or external appearance of the ***dwelling*** involved.

7.2.3 The licensed operator of a ***bed and breakfast home*** must reside in the ***dwelling*** in which the bed and breakfast operation is located.

7.2.4 A ***bed and breakfast home*** that has only one (1) ***sleeping unit*** for accommodating guests shall be considered as a ***minor home occupation***.

7.3 Minor Home Occupation

A ***minor home occupation*** shall be subject to the following regulations:

7.3.1 A ***minor home occupation***, where permitted in a zone, shall only be an ***accessory use***.

7.3.2 ***A minor home occupation*** may only be conducted within a principal ***dwelling unit***, ***secondary suite, Carriage House***, or accessory building.

7.3.3 No exterior storage or operation of equipment shall be permitted in conjunction with a ***minor home occupation***.

7.3.4 No variation from the residential character and appearance of land or ***buildings*** shall be permitted.

7.3.5 No nuisance from noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the ***minor home occupation*** and, at all times, the privacy and enjoyment of ***adjacent dwelling***s shall be preserved and the amenities of the neighbourhood shall not be adversely affected.

7.3.6 A ***minor home occupation*** shall not generate more than one (1) client visit to the site from which the ***business*** is being operated on any given day. Additionally, no more than one (1) commercial ***vehicle*** visit per day is permitted. The permitted commercial ***vehicle*** visit must be between the hours of 8:00 a.m. and 6:00 p.m.

7.3.7 This ***use*** does not include the repair or painting of ***vehicles***, trailers or boats, tow-truck operations, manufacturing and industrial ***uses***, social escort services, cabinet making, welding or machine shops, ***major care centre***, meat cutting, commercial animal breeding, parking or storage of industrial or construction equipment or materials.

7.3.8 No person other than residents of the property on which the ***minor home occupation*** is being carried out shall be engaged in the ***minor home occupation***.

7.3.9 The total area of a ***minor home occupation*** shall not exceed 25% of the floor area of the ***dwelling*** up to a maximum area of 20 m^2.

7.3.10 General retail sales or display of products not produced on the premises shall not be permitted in a ***minor home occupation***, except for products incidental to the service, agricultural products, mail order sales, telephone or internet sales, goods which the customer does not enter the premises to inspect or pick up.

7.3.11 A ***minor home occupation*** sign is permitted according to the provisions of the ***City*** Sign Bylaw, as amended from time to time.

7.4 Major Home Occupation

A ***major home occupation*** shall be subject to the regulations of ***minor home occupations*** above, except the following shall apply:

7.4.1 The doors to the ***accessory building*** or ***structure*** in which the ***business*** is located must be closed when the ***business*** is being conducted.

7.4.2 A ***major home occupation*** shall not exceed 25% of the floor area of the ***dwelling unit***, and in no case shall the combined area of the residence used for the ***business*** and an ***accessory building*** used for the ***business*** exceed 50 m^2.

7.4.3 One employee who is not a resident of the primary ***dwelling unit*** where the ***major home occupation*** is located may work at that location

7.4.4 A ***major home occupation*** shall not generate more than two (2) client visits at any given time

7.4.5 No more than one major home occupation is permitted per property.

7.5 Rural Home Occupation

A ***rural home occupation*** shall be subject to the regulations of ***major home occupation*** above, except the following shall apply:

7.5.1 Two (2) employees who are not residents of the principal residence may work at that location.

7.5.2 A ***rural home occupation*** shall not occupy more than 25% of the floor area of the ***dwelling unit***, and in no case shall the combined area of the ***principal residence*** used for the ***business*** and the ***accessory building*** or ***structure*** used for the ***business*** exceed 100 m^2 of floor area.

7.5.3 If there is more than one (1) ***dwelling*** on a ***lot***, there may be a ***rural home occupation use*** in each ***dwelling unit*** provided the total number of clients, employees or floor area permitted for the combined ***home occupations*** does not exceed the limits outlined in Section 7.5 of this Bylaw.

7.5.4 A ***rural home occupation*** shall not generate more than six (6) client visits at any given time.

7.6 Short Term Rentals

7.6.1 Ownership

.1 A ***short term rental*** shall not be operated without a valid business license issued by the City of Penticton.

.2 A residential ***dwelling unit*** subject to Section 7.6 of this Bylaw shall only be rented out by the principal resident of the property in question.

7.6.2 Development Regulations

.1 No structural alteration or addition to a ***dwelling unit*** to facilitate a ***short term rental*** shall be undertaken that alters the existing residential character and form of the dwelling.

.2 A minor ***home occupation*** sign is permitted according to the provisions of the City Sign Bylaw, as amended from time to time. (Bylaw No. 2026-04)

.3 In the case of a property containing a ***single detached dwelling*** with an approved ***secondary suite*** or approved ***carriage house,*** only one dwelling may be used for the purpose of a ***short term rental***.

7.6.3 Operation of Short Term Rental

.1 The ***owner*** shall ensure that renters do not create any form of nuisance for surrounding residents, including, but not limited to noise, light or traffic that is disruptive to the surrounding residents' quiet enjoyment of their property.

.2 A maximum of two (2) persons per bedroom is permitted per ***short term rental dwelling unit*** up to eight (8) guests. (Bylaw No. 2026-04)

7.6.4 Parking Requirements

.1 ***Vehicle*** parking for high occupancy ***short term rentals*** shall be provided in accordance with Chapter 6, and shall meet the following regulations:

.a The property ***owner*** shall ensure that renters park all ***vehicles*** within the allocated parking areas on the property.

7.7 Urban Hens

The keeping of urban hens shall be subject to the following regulations:

7.7.1 Urban hens are restricted to properties with one ***single detached dwelling***.

7.8 Live Work Units

7.8.1 Live work units may only mix a residential dwelling ***use*** with a commercial ***use*** listed as a ***permitted use*** within the zone that the unit is located

7.8.2 Notwithstanding 7.8.1, the storage or use of toxic, flammable or otherwise harmful materials that would be prohibited in a residential ***dwelling unit*** under the BC Fire Code or BC ***Building*** Code, is prohibited in a live work unit.

7.8.3 For live work units located at ground level, the commercial component shall make up at least one third (1/3) of the ***building frontage***

7.8.4 The business operated in a **live-work unit** must be owned and operated by a person living in the dwelling unit portion of the **live work unit**.

7.8.5 In accordance with Section 55 of the *Community Charter*, the Chief Building Inspector may require certification from a professional Engineer or Architect that a proposed live-work unit and the building in which the live-work unit is to be located, complies with the BC Building Code and Fire Code.

Chapter 8 - Accessory Suites Regulations

8.1 Secondary Suite (Bylaw No. 2026-21)

All ***dwelling*** units with a ***secondary suite*** shall be subject to the following regulations:

8.1.1 Limitation of Suites

.1 No more than one (1) ***secondary suite*** shall be permitted within a ***dwelling*** unit. (Bylaw No. 2026-21)

8.1.2 Sewer Service

.1 No ***secondary suite*** will be allowed without connection to a community sewer system unless the ***lot*** area is at least 830 m^2 and meets the requirements of the sewage system regulation under the *Public Health Act*. (Bylaw No. 2026-21)

8.1.3 Strata Titles

.1 A ***secondary suite*** may not be sited or located on a separate titled parcel from the principal residence or be created as a ***strata lot*** within the ***dwelling*** unit. (Bylaw No. 2026-21)

8.1.4 Amenity Space

.1 A minimum of 5 m^2 of ***amenity space, outdoor*** shall be provided individually for the ***secondary suite***. (Bylaw No. 2026-21)

8.2 Carriage Houses

8.2.1 Limitation of Carriage Houses

.1 In the A, FG, and RC ***zones*** only one (1) ***carriage house*** shall be permitted per property and shall not be allowed in conjunction with a ***secondary suite*** in a principal dwelling**.**

.2 A ***carriage house*** shall not be situated on a ***lot*** unless the principal dwelling, to which it is accessory, has already been constructed or will be constructed simultaneously.

8.2.2 Strata Titles

.1 A ***carriage house*** shall not be sited or located on a separate titled parcel from the principal residence or be created as a strata lot.

8.2.3 Development Regulations

.1	Minimum ***lot area***:	1 ha for ***lots*** without connection to a municipal sewer system. (Bylaw No. 2025-09)

.2	Maximum ***building footprint*** for rural zones: .a FG (Forestry/Grazing) .b A (Agriculture) .c RC (Country Residential)	150 m^2, or 15% of the ***lot area***, whichever is less.
.3	(Bylaw No. 2026-21)	(Bylaw No. 2026-21)
.4	Maximum ***height*** for rural zones: .a FG (Forestry/Grazing) .b A (Agriculture) .c RC (Country Residential)	7.0 m and two ***storeys***.
.5	Maximum ***height*** for urban residential zones: .a R4-L (Small-Scale Multi-Unit Residential: Large Lot) .b R4-S (Small-Scale Multi-Unit Residential: Small Lot)	.i Where a ***carriage house*** is accessed from a ***lane*** or is located on a ***double fronting lot***, maximum height is 7.0 m and two ***storeys***. .ii Where no ***lane*** exists, the maximum height is 5.0 m and one ***storey***.
.6	***Setbacks***	The ***setbacks*** for a ***carriage house*** shall meet the ***setback*** provisions for a principal ***dwelling*** for the zone in which the subject property is located, except the ***rear yard setback*** shall be 1.5 m in all ***zones***.
.7	Siting in rural zones: .a FG (Forestry/Grazing) .b A (Agriculture) .c RC (Country Residential)	A ***carriage house*** may be located anywhere on the parcel, subject to ***setback*** requirements.
.8	Siting in urban residential zones: .a R4-L (Small-Scale Multi-Unit Residential: Large Lot) .b R4-S (Small-Scale Multi-Unit Residential: Small Lot)	A carriage house shall be located no closer to the front lot line than the principal ***dwelling***.
.9	Minimum ***amenity space, outdoor***	A minimum of 5 m^2 of ***amenity space, outdoor*** shall be provided for the ***carriage house***. (Bylaw No. 2026-21)
.10	Overlook in urban residential zones: .a R4-L (Small-Scale Multi-Unit Residential: Large Lot) .b R4-S (Small-Scale Multi-Unit Residential: Small Lot)	A ***carriage house*** shall not include any ***decks***, ***balconies***, or roof top patios.

.11	Maximum ***Carriage House Floor Area*** for rural zones: .a FG (Forestry/Grazing) .b A (Agriculture) .c RC (Country Residential)	150 m^2
.12	Maximum ***Carriage House Floor Area*** for urban residential zones: .a R4-L (Small-Scale Multi-Unit Residential: Large Lot) .b R4-S (Small-Scale Multi-Unit Residential: Small Lot)	135 m^2
.13	Privacy	In the case of a carriage house having windows on a side yard within 1.5 m of another property, all windows on that building face must be opaque.

8.2.4 Conversion of Pre-Existing Buildings

.1 Notwithstanding Section 8.2.3.6 of this Bylaw, in the case of a pre-existing, legally constructed ***accessory building*** being converted into a carriage house, the ***setbacks*** shall be the existing ***setbacks***.

.2 Any additions or alterations to the ***building*** shall comply with the setbacks as listed in Section 8.2.3.6 of this Bylaw.

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.
(Bylaw No. 2025-09)

8.2.6 (Bylaw No. 2026-21)

8.3 (Bylaw No. 2026-21)

8.4 Flex Units

8.4.1 Limitation of Suites

.1 ***Flex units*** are limited to a maximum floor area of 40% of the total ***net floor area*** of the principal residence, up to a maximum of 150m^2.

8.4.2 Strata Title

.1 A ***flex unit*** may not be sited or located on a separate titled parcel from the principal unit or be created as a strata lot within the principal unit.

8.4.3 Notwithstanding Section 4.9 of this Bylaw, stairs, ***balconies*** and architectural projections that do not constitute greater than 25% of the face of the front elevation, may project 2.5 m into the required ***front yard*** or ***exterior side yard***.

8.5 Security Operator Dwelling Units

8.5.1 A ***security/operator dwelling unit*** shall not exceed a ***gross floor area*** of 100 m^2.

Chapter 9 – Rural Zones

9.1 FG - Forestry and Grazing

PURPOSE

The purpose of this ***zone*** is to provide for ***forestry*** and grazing areas.

9.1.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***agricultural farm help dwelling***
.3 ***agricultural use***
.4 ***animal clinic***
.5 ***animal kennels and stable***
.6 ***carriage house*** (subject to accessory suites regulation 8.2)
.7 ***forestry***
.8 ***municipal solid waste facility***
.9 ***one single detached dwelling***
.10 ***rural home occupation*** (subject to specific use regulation 7.5)
.11 ***secondary suite*** (subject to accessory suites regulation 8.1)
.12 ***short term rental*** (subject to specific use regulation 7.6)

9.1.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	N/A
.2	Minimum ***lot area***:	16 ha
Development Regulations:		
.3	Maximum ***lot coverage***:	10%
.4	Maximum ***height***:	
	.a ***principal building***	12.0 m
	.b ***accessory building*** or ***structure***	13.5 m
.5	Minimum ***front yard***:	10.0 m
.6	Minimum ***side yard***:	
	.a ***interior side yard***	4.5 m
	.b ***exterior side yard***	4.5 m
.7	Minimum ***rear yard***:	9.0 m

9.1.3 OTHER REGULATIONS

.1 Where a parcel is zoned FG and is less than 0.4 ha in area, the ***lot coverage***, ***setbacks*** and ***height*** requirements of the RC ***zone*** shall apply in place of those contained in Section 9.1.2 of this Bylaw.

.2 Necessary ***agricultural farm help dwellings*** are limited to one (1) unit on a property of at least 2 ha or more.

9.1.4 SITE SPECIFIC PROVISIONS

.1 In the case of Lot 1, District Lots 190 and 2710, Similkameen Division Yale District Plan KAP74449, Except Plans EPP88237, EPP106349 and EPP106355, located at 3228 Evergreen Drive, two single family residences and a 20 room ***tourist accommodation*** resort with a maximum floor area of 1850m^2 shall be permitted.

9.2 A – Agriculture

PURPOSE

The purpose of this ***zone*** is to provide for appropriate development within rural areas and to allow ***agricultural uses*** as well as other complementary ***uses*** suitable in an agricultural setting, while protecting these ***uses*** from intrusion of ***uses*** not compatible with ***farm*** operations.

9.2.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***agricultural use***
.3 ***agricultural farm help dwelling***
.4 ***animal kennels and stable***
.5 ***bed and breakfast home*** (subject to specific use regulation 7.2)
.6 ***cannabis production facility***
.7 ***carriage house*** (subject to accessory suites regulation 8.2)
.8 ***forestry***
.9 ***indoor animal day care and grooming***
.10 ***rural home occupation*** (subject to specific use regulation 7.5)
.11 ***secondary suite*** (subject to accessory suites regulation 8.1)
.12 ***one single detached dwelling***
.13 ***short term rental*** (subject to specific use regulation 7.6)

9.2.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	20% of ***lot*** depth
.2	Minimum ***lot area***:	2.0 ha
Development Regulations:		
.3	Maximum ***lot coverage***:	
	.a residential ***buildings***	10%
	.b including ***agricultural structures***	35%
	.c including agricultural greenhouses with closed wastewater and storm water management, and re-circulating irrigation systems	75%
.4	Maximum ***height***:	
	.a ***principal building***	12.0 m
	.b ***accessory building***	13.0 m
	.c ***agricultural structure***	16.0 m
.5	Minimum ***front yard***:	9.0 m
.6	Minimum ***interior side yard***:	4.5 m
.7	Minimum ***exterior side yard***:	9.0 m
.8	Minimum ***rear yard***:	9.0 m

.9 Maximum combined ***building footprint*** of all residential ***accessory buildings***: 200 m^2

9.2.3 MINIMUM SEPARATION DISTANCES

.1 Minimum distance between ***agricultural structures*** and ***uses*** and a natural ***watercourse*** boundary, domestic water supply or well, on or off site, shall be 15.0 m, unless required otherwise below***:***

	Separation Distances	***Urban Area Boundary***	Natural Watercourse	***Property Line***
.a	Intensive impact agriculture	60.0 m	30.0 m	30.0 m
.b	All farm structures using exhaust fans	N/A	15.0 m	15.0 m
.c	On-farm composting	30.0 m	30.0 m	30.0 m
.d	Agricultural waste storage	30.0 m	30.0 m	30.0 m
.e	Tree, vine, field and forage crops	7.5 m	15.0 m	N/A
.f	Apiculture	15.0 m	15.0 m	N/A
.g	Chemical storage structure	15.0 m	15.0 m	N/A
.h	Field storage	N/A	30.0 m	N/A

9.2.4 MAXIMUM GROSS FLOOR AREAS FOR SPECIFIC USES

.1 The following uses are subject to maximum gross floor areas:

.a ***farm garden stand***: 150 m^2

.b ***farm retail sales*** area: 300 m^2

.c ***winery*** and ***cidery*** the area devoted to food and beverage service shall not exceed: 125 m^2 indoors, and 125 m^2 outdoors

9.2.5 OTHER REGULATIONS

.1 Necessary ***agricultural farm help dwellings*** are limited to one (1) unit on a property of at least 2 ha or more.

.2 Temporary ***dwelling unit***: A second ***dwelling unit***, in addition to the existing ***single detached dwelling unit***, may be constructed on the same ***lot***, subject to the following:

.a The parcel must have a minimum area of 0.4ha;

.b The ***owner*** of the ***lot*** must first grant and register a restrictive covenant to the ***City*** stating that the original (existing) ***single detached dwelling*** must be demolished and removed, made uninhabitable or moved from the ***lot***.

.3 ***Recreational Vehicle*** Storage: Only ***recreational vehicles*** belonging to the ***owner*** or occupier of the principal ***single detached dwelling unit*** on a ***lot*** may be stored on the same ***lot***.

.4 Where a lot legally exists at the time of adoption of this Zoning Bylaw and is zoned A and is less than 0.4 ha in area, the lot coverage, setbacks and height requirements of the RC zone shall apply in place of A zone.

.5 Where a parcel is situated within an Agricultural Land Reserve (ALR) and a subdivision has been approved by the Agricultural Land Commission which does not increase the number of land registry parcels for the land concerned, the parcel is exempt from the minimum ***lot area*** requirement.

.6 Where a ***lot*** is situated within an Agricultural Land Reserve (ALR) and a subdivision has been approved by the Agricultural Land Commission, creating no more than one (1) additional ***lot*** in the ALR, both parcels are exempt from the minimum ***lot area*** requirement.

.7 For properties identified within the Transitional Neighbourhood Overlay on Schedule B (Zoning Bylaw Map), land may be developed in accordance with the regulations of the R4-S (Small-Scale Multi-Unit Residential: Small Lot) zone or A (Agriculture) zone. Mixing or combining regulations, uses, or standards from both zones on the same parcel is prohibited. (Bylaw No. 2026-08)

9.2.6 SITE SPECIFIC PROVISIONS

In addition to the ***permitted uses*** above:

.1 In the case of Lot 1, Plan 29729, DL 190, LD 54, SDYD, located at 4560 Valleyview Road, a ***farm*** inn, being a self-contained ***building*** with a maximum of 4 sleeping rooms, intended to provide temporary accommodation to the travelling public, shall be permitted.

.2 In the case of Lot 1, DL 369, Plan 22517, located at 1379 Riddle Road, a vacation cottage, being a self-contained ***building*** with a maximum size of 82 m^2 that is intended for short-term ***short term rental*** by the travelling public, shall be permitted.

.3 In the case of Lot 104A, DL 199, 205, 672, Plan 307, except Plan B487, Pcl B on Plan A 203, located at 1175 Chapman Road, ***tourist accommodation***, being the ***use*** of a ***single detached dwelling*** for the accommodation of the travelling public in a maximum of 4 suites, without cooking equipment, where the room rate includes breakfast served on the premises, shall be permitted.

.4 In the case of a portion of the remainder of DL 196 except plans B6706, M9351, 3980, 6394, 8025, 8529, 9167, 11805, 14079, 14454 and 20784, located at 4650 Lakeside Road as shown as the hatched area in the drawing below, a ***public parking lot*** shall

be permitted and where the parking area is not required to be hard surfaced, lighted nor drained.

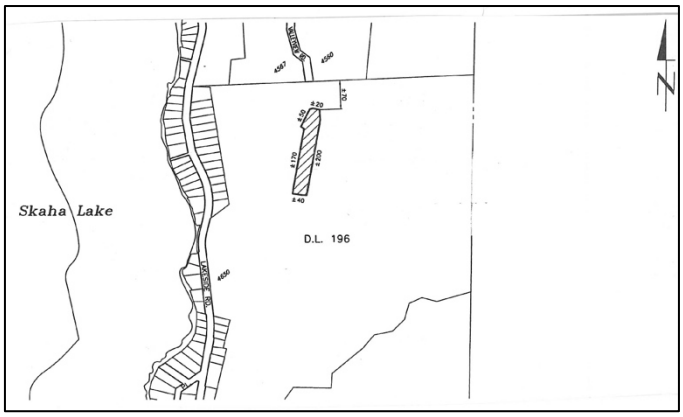

Figure 14 - Location of Public Parking Lot at 4650 Lakeside Road

.5 In the case of Lot 148, District Lot 187, SDYD, Plan 450 located at 1056 Corbishley Avenue, ***agri-tourism accommodation*** on a ***farm***, shall be permitted.

.6 In the case of Lot 128, District Lot 204, SDYD, Plan 450 located at 1291 Corbishley Avenue, ***agri-tourism accommodation*** on a ***farm***, shall be permitted.

.7 In the case of Lot 3, District Lot 187, SDYD, Plan 23377, located at 468 Lower Bench Road, an additional ***short term rental*** suite, shall be permitted.

.8 In the case of Lot 6, District Lot 155, SDYD, Plan 306, Except Plan 21731 located at 398 Upper Bench Rd. South, ***Contractor Services, General***, shall be permitted subject to the following conditions:

.a That the non-farm use be limited to a landscaping business; and

.b That the storage of heavy machinery be limited to not more than 5% of the property and be screened from view from Upper Bench Rd. and neighbouring properties.

(Please also refer to site specific provision 9.2.6.13)

.9 In the case of Parcel B (DD28224F), Plan B1152 of Block C DL204, Similkameen Division Yale District, Plan 305 Except Part on Plan 35371, located at 948 Naramata Road, a ***Craft Brewery/Distillery***, shall be permitted.

.10 In the case of Lot 3, District Lot 187, Similkameen Division Yale District, Plan 23377, located at 468 Lower Bench Road, a 20 suite hotel and operator dwelling unit shall be permitted and, notwithstanding section 9.2.2 Subdivision and Development Regulations, a maximum parcel coverage of 35% for all buildings is permitted.

.11 In the case of Lot 206, DL587, SDYD, Plan 466, located at 3550 Valleyview Road, ***agri-tourism accommodation*** shall be permitted.

.12 In the case of Lot B, DL187, SDYD, Plan 38091, located at 856 Carder Road, agri-tourism accommodation, with a maximum of six (6) ***sleeping units***, shall be permitted.

.13 In the case of Lot 6, District Lot 155 Similkameen Division Yale District Plan 306 Except Plan 21731, located at 398 Upper Bench Road South, a ***carriage house*** and ***a bed and breakfast home*** shall be permitted. (Please also refer to site specific provision 9.2.6.8)

.14 In the case of Lot 2 District Lot 587 Similkameen Division Yale District Plan 15877 Except Plans 20013 and 20826, located at 3810 Valleyview Road, ***agri-tourism accommodation*** is a permitted use with a maximum of three (3) ***sleeping units***.

.15 In the case of ***Lot*** 4 District ***Lot*** 204 Similkameen Division Yale District Plan 16456, located at 510 Naramata Road, one ***agri-tourism accommodation*** in a ***carriage house*** shall be permitted. (Bylaw No. 2026-22)

9.3 RC – Country Residential Housing

PURPOSE

The purpose is to provide a zone for low-***density*** single detached housing on large rural ***lots***.

9.3.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***agricultural use***
.3 ***bed and breakfast home*** (subject to specific use regulation 7.2)
.4 ***carriage house*** (subject to accessory suites regulation 8.2)
.5 ***major home occupation*** (subject to specific use regulation 7.4)
.6 ***minor home occupation*** (subject to specific use regulation 7.3)
.7 ***one single detached dwelling***
.8 ***rural home occupation*** (subject to specific use regulation 7.5)
.9 ***secondary suite*** (subject to accessory suites regulation 8.1)
.10 ***short term rental*** (subject to specific use regulation 7.6)

9.3.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	45 m
.2	Minimum ***lot area***:	0.4 ha
Development Regulations:		
.3	Maximum ***lot coverage***:	15%
.4	Maximum ***height***:	
	.a ***principal building***	11.0 m and 3 ***storeys*** above ***approved grade*** (Bylaw No. 2025-09)
	.b ***accessory building*** or ***structure***	5.0 m
.5	Minimum ***front yard***:	9.0 m
.6	Minimum ***side yard***:	
	.a ***interior side yard***	4.0 m
	.b ***exterior side yard***	6.0 m
.7	Minimum ***rear yard***:	6.0 m
.8	Maximum combined ***building footprint*** of all residential ***accessory buildings***:	200 m^2

9.3.3 SITE SPECIFIC PROVISIONS

In addition to the ***permitted uses*** above:

.1 In the case of Lots 1 – 10, Plan KAS2711, located at 112 Penrose Court and **Lot** 1 KAP 73860:

.a Instead of the ***uses*** and regulations listed within the RC zone, the following ***uses*** are permitted and the following regulations apply:

.i ***single detached dwelling***

.ii ***major home occupation*** (subject to specific use regulation 7.4)
.iii ***accessory use, building*** or ***structure***

.b ***SUBDIVISION AND DEVELOPMENT REGULATIONS***

.i	Minimum ***lot width***:	45 m
.ii	Minimum ***lot area***:	0.4 ha
.iii	Maximum ***lot*** coverage:	15%
.iv	Maximum ***height***:	
	i. ***principal building***	10.5 m
	ii. ***accessory building*** or ***structure***	5.0 m
.v	***Parent parcel*** requirements:	
	i. mini***mum front yard***	10.0 m
	ii. ***mini***mum ***side yard***	
	a. ***interior side yard***	4.0 m
	b. ***exterior side yard***	6.0 m
	iii. ***minimum rear yard***	7.5 m

.2 In the case of Sub Lot 10 District Lot 2711 Similkameen Division Yale District Plan 1190, located at 1530 Reservoir Road, notwithstanding section 9.3.2.5, the minimum front yard shall be 4.5m.

Chapter 10 – Urban Residential Zones

10.1 R4-L – Small-Scale Multi-Unit Residential: Large Lot

PURPOSE

The purpose is to provide a ***zone*** for small-scale, multi-unit residential developments including ***single detached dwellings, secondary suites, carriage houses, duplexes, townhouses*** and small ***apartments*** allowing up to 4 units on larger-sized urban serviced ***lots***.

10.1.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***carriage house*** (subject to accessory suites regulation 8.2)
.4 ***congregate housing***
.5 ***one or more back-to-back duplexes, side-by-side duplexes, or stacked duplexes***
.6 (Bylaw No. 2026-21)
.7 ***major home occupation*** (subject to specific use regulation 7.4)
.8 ***minor home occupation*** (subject to specific use regulation 7.3)
.9 ***one or more single detached dwellings***
.10 ***secondary suite*** (subject to accessory suites regulation 8.1)
.11 ***short term rental*** (subject to specific use regulation 7.6)
.12 ***townhouse***

10.1.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	
	.a *standard lot*	16 m
	.b ***corner lot***	18 m
.2	Minimum ***lot area***:	560 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	40%
.4	Maximum ***density***:	4 ***dwelling units***
.5	Maximum ***height***:	
	.a ***principal building***	11.0 m and 3 ***storeys*** above ***approved grade***
	.b ***accessory building*** or ***structure***	4.5 m
.6	Minimum ***front yard*** (subject to general development regulation 4.2.6):	4.5 m
	.a except ***lots*** fronting Lakeshore Drive West:	9.0 m

.7	Minimum interior ***side yard***:	
	.a ***principal building***	1.5 m
	.b ***accessory building or structure***	1.2 m
.8	Minimum exterior ***side yard***:	
	.a ***principal building***	3.0 m
	.b ***accessory building or structure***	1.2 m
.9	Minimum ***rear yard***:	
	.a ***principal building***	6.0 m
	.b ***accessory building*** or ***structure***	1.5 m
.10	Maximum combined ***building footprint*** of all ***accessory buildings***:	75 m^2

10.1.3 Other Regulations

.1 Where a rear ***lane*** is provided, vehicular access must be from the rear ***lane***.

.2 A clear, unobstructed, hard-surfaced, and maintained pedestrian access at least 1.2 m in width, must be provided from the front of the ***lot*** to the main entry of each ***dwelling unit***.

.3 A ***major home occupation*** shall only be permitted within a ***single detached dwelling*** or ***accessory building*** and on ***lots*** containing no more than two ***dwelling units***.

10.1.4 Amenity Space

.1 ***Amenity space*** shall be provided at the rate of 10 m^2 for each ***dwelling unit***. (Bylaw No. 2026-21)

.2 25% of required ***amenity space*** must be provided at the ground floor level.

.3 A maximum of 20% of the required ***amenity space*** may be provided as ***amenity space, indoor.***

10.1.5 Site Specific Provisions

In addition to the ***permitted uses*** above:

.1 A ***bed and breakfast home*** shall be permitted on the following ***lots***:

.a Lot 2, Plan 26294, located at 185 Middle Bench Road South;
.b Lot 1, Plan 31303, located at 2510 Dartmouth Drive;
.c Lot 1, District Lot 116 SDYD Plan 19512 Except Plan 29643, located at 168 Kirkpatrick Avenue;
.d (Bylaw No. 2025-32)

.2 In the case of Lot 10 DP 196 SDYD Plan 25110, located at 4596 Lakeside Road, the keeping of not more than 3 horses, shall be permitted.

.3 (Bylaw No. 2025-32)

.4 In the case of Lot 1, District Lot 189 Similkameen Division Yale District, Plan 18867, located at 96 Yorkton Avenue, a ***day care centre, major***, shall be permitted and hours of operation are restricted to 6:00 a.m. – 7:00 p.m.

.5 In the case of Lot 2, District Lot 115, SDYD, Plan 14604, located at 1786 Fairford Drive, a ***carriage house*** with vehicular access from a ***street*** is permitted in conjunction with a ***secondary suite*** in the principal ***dwelling***.

.6 (Bylaw No. 2025-32)

10.2 R4-S – Small-Scale Multi-Unit Residential: Small Lot

PURPOSE

The purpose is to provide a ***zone*** for small-scale, multi-unit residential developments including ***single detached dwellings, secondary suites, carriage houses, duplexes, townhouses*** and small ***apartments*** allowing up to 4 units on smaller-sized urban serviced ***lots***.

10.2.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***carriage house*** (subject to accessory suites regulation 8.2)
.4 ***congregate housing***
.5 ***one or more back-to back duplexes, side-by-side duplexes, or stacked duplexes***
.6 (Bylaw No. 2026-21)
.7 ***major home occupation*** (subject to specific use regulation 7.4)
.8 ***minor home occupation*** (subject to specific use regulation 7.3)
.9 ***one or more single detached dwellings***
.10 ***secondary suite*** (subject to accessory suites regulation 8.1)
.11 ***short term rental*** (subject to specific use regulation 7.6)
.12 ***townhouse***

10.2.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	
	.a standard lot	9.1 m
	.b ***corner lot***	10.5 m
.2	Minimum ***lot area***:	280 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	50%
.4	Maximum ***density***:	4 ***dwelling units***
.5	Maximum ***height***:	
	.a ***principal building***	11.0 m and 3 ***storeys*** above ***approved grade***
	.b ***accessory building*** or ***structure***	4.5 m
.6	Minimum ***front yard*** (subject to general development regulation 4.2.6):	4.5 m
.7	Minimum interior ***side yard***:	
	.a ***principal building***	1.5 m
	.b ***accessory building or structure***	1.2 m
.8	Minimum exterior ***side yard***:	
	.a ***principal building***	3.0 m
	.b ***accessory building or structure***	1.2 m
.9	Minimum ***rear yard***:	

.a	***principal building***	6.0 m
.b	***accessory building*** or ***structure***	1.5 m
.10	Maximum combined ***building footprint*** of all ***accessory buildings***:	75 m^2

10.2.3 Other Regulations

.1 Where a rear ***lane*** is provided, vehicular access must be from the rear ***lane***.

.2 A clear, unobstructed, hard-surfaced, and maintained pedestrian access, at least 1.2m in width, must be provided from the front of the ***lot*** to the main entry of each ***dwelling unit***.

.3 A ***major home occupation*** shall only be permitted within a ***single detached dwelling*** or ***accessory building*** and on ***lots*** containing no more than two ***dwelling units***.

10.2.4 Amenity Space

.1 ***Amenity space*** shall be provided at the rate of 10 m^2 for each ***dwelling unit***. (Bylaw No. 2026-21)

.2 25% of required ***amenity space*** must be provided at the ground floor level.

.3 A maximum of 20% of the required ***amenity space*** may be provided as ***amenity space, indoor***.

10.2.5 Site Specific Provisions

In addition to the ***permitted uses*** above:

.1 A ***bed and breakfast home*** shall be permitted on the following ***lots***:

.e (Bylaw No. 2025-32)

.f Lot 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 35081, located at 434 Lakeshore Drive West.

.g Lot B District Lot 2710 Similkameen Division Yale District Plan EPP109914, located at 1112 Syer Road. (Bylaw No. 2024-44)

.2 In the case of Lot B, District Lot 115, Similkameen Division Yale District, Plan KAP49954, located at 187 Wyles Crescent, a ***day car centre, major*** up to 25 children, shall be permitted, with hours of operation restricted to 7:00 a.m. to 6:00 p.m.

.3 (Bylaw No. 2025-32)

.4 In the case of Lot 3, District Lot 4 Similkameen Division Yale (Formerly Yale-Lytton) Plan 2580, located at 264 Wade Avenue West, an ***office***, shall be permitted.

.5 (Bylaw No. 2025-32)

.6 (Bylaw No. 2025-32)

.7 In the case of ***Lot*** 3 District ***Lot*** 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) Plan 2580 except Plan EPP49012, located at 264 Wade Avenue West, a community care facility for 10 persons in care shall be permitted. (Bylaw No. 2026-32)

10.3 RM1 – Bareland Strata Housing

PURPOSE

The purpose is to provide a ***zone*** for residential single-family bareland strata developments on urban services.

10.3.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 (Bylaw No. 2026-21)
.3 ***minor home occupation*** (subject to specific use regulation 7.3)
.4 ***one or more duplexes***
.5 ***one or more single-family dwellings***
.6 ***secondary suite*** (subject to accessory suites regulation 8.1)
.7 ***short term rental*** (subject to specific use regulation 7.6)
.8 ***townhouse***

10.3.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***parent parcel*** width:	40 m
.2	Minimum ***parent parcel*** area:	6000 m^2
Development Regulations:		
.3	Maximum ***parent parcel density***:	40 ***dwellings***/ha
.4	***Parent parcel*** requirements:	
.a	Minimum ***front yard***	4.5 m
.b	Minimum ***side yard***	
.i	***interior side yard***	4.5 m
.ii	***exterior side yard***	4.5 m
.c	Minimum ***rear yard***	4.5 m
.5	Maximum ***strata lot coverage***:	50% (Bylaw No. 2026-21)
.a	(Bylaw No. 2026-21)	(Bylaw No. 2026-21)
.b	(Bylaw No. 2026-21)	(Bylaw No. 2026-21)
.6	Maximum ***height***:	
.a	***principal building***	8.5 m
.b	***accessory building*** or ***structure***	5.0 m

10.3.3 SITE SPECIFIC PROVISIONS

.1 In the case of Lot 2, District Lots 2710 and 3821S, Similkameen Division Yale District, Plan 26850, located at 1760 Carmi Avenue, ***townhouses*** are not permitted.

.2 In the case of Lot A District Lot 2710 Similkameen Division Yale District Plan EPP108577, located at 2990 Partridge Drive (formerly known as 2990, 2995 and 3000 Partridge Drive), duplexes and townhouses shall not be permitted, and the maximum building height for principal buildings shall be 10.5m.

.3 In the case of Lot B District Lot 2710 Similkameen Division Yale District Plan 43260 Except Plans KAP72732 and EP74771 and Lot A District Lot 2710 Similkameen Division Yale District Plan KAP70035, located at 850 Wiltse Boulevard and 160 Crow Place, townhouses and duplexes shall not be permitted, and the maximum building height for principal buildings shall be 10.5m.

10.4 RM2 – Low Density Multiple Housing

PURPOSE

The purpose is to provide a ***zone*** for low ***density multiple housing*** up to three (3) ***storeys*** above grade on urban services.

10.4.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***cluster housing***
.4 ***congregate housing***
.5 ***day care centre, major***
.6 ***minor home occupation*** (subject to specific use regulation 7.3)
.7 ***short term rental*** (subject to specific use regulation 7.6)
.8 ***townhouse***
.9 ***secondary suite*** (subject to accessory suites regulation 8.1) (Bylaw No. 2025-09)

10.4.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	
	.a standard ***lot***	18 m
	.b ***corner lot***	19.5 m
.2	Minimum ***lot area***:	540 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	50% (Bylaw No. 2026-21)
.4	Maximum ***density***:	1.0 ***FAR*** (Bylaw No. 2026-21)
.5	Maximum ***height***:	
	.a ***principal building***	12 m
	.b ***accessory building*** or ***structure***	4.5 m
.6	Minimum ***front yard*** (subject to general development regulations 4.2.6)**:**	3.0 m
	.a except ***lots*** fronting Lakeshore Drive West:	9.0 m
.7	Minimum ***interior side yard***:	
	.a ***principal building***	1.5 m (Bylaw No. 2026-21)
	.i (Bylaw No. 2026-21)	(Bylaw No. 2026-21)
	.b ***accessory building*** or ***structure***	1.2 m
.8	Minimum ***exterior side yard***	
	.a ***principal building***	4.5 m
	.b ***accessory building*** or ***structure***	1.2 m

.9	Minimum ***rear yard***	6.0 m

10.4.3 OTHER REGULATIONS

.1 In cases where a ***dwelling unit*** faces the back of the ***lot***, a clear, unobstructed and maintained access from the front of the property to the back unit at least 1.2 m in width, must be provided.

.2 For properties identified within the Transitional Neighbourhood Overlay on Schedule B (Zoning Bylaw Map), land may be developed in accordance with the regulations of the R4-S (Small-Scale Multi-Unit Residential: Small Lot) zone or RM2 (Low Density Multiple Housing) zone. Mixing or combining regulations, uses, or standards from both zones on the same parcel is prohibited. (Bylaw No. 2026-08)

10.4.4 AMENITY SPACE

.1 ***Amenity space*** shall be provided at the rate of 10 m^2 for each ***dwelling unit***. (Bylaw No. 2026-21)

.2 25% of the required ***amenity space*** must be provided at the ground floor level.

.3 A maximum of 20% of the total required ***amenity space*** may be provided as ***amenity space, indoor***.

10.4.5 SITE SPECIFIC PROVISIONS

.1 In the case of Lot 2, District Lot 116, Similkameen Division Yale District, Plan 9696, located at 2922 Wilson Street, the maximum density shall be 0.92 ***FAR***.

.2 In the case of Lot 1, District Lot 4, Group 7, Similkameen Division Yale District, Plan 2689, located at 476 Lakeshore Drive West, the maximum density shall be 0.85 ***FAR***.

.3 In the case of Lot 24, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan 932, located at 337 Hastings Avenue, the following regulations shall apply:

.a Minimum ***lot width*** of 14.6m;

.b Maximum Density, ***Floor Area Ratio (FAR)*** of 0.90;

.c Maximum ***Lot Coverage*** of 48%;

.d Maximum ***Building Height*** of 7.0m;

.e Minimum ***Interior Side Yard*** of 1.6m; and

.f Waive the requirement for one (1) visitor ***parking space***.

.4 In the case of Lot 1 District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 2444, located at 452 Lakeshore Drive West, a maximum of four (4) ***dwelling units*** are permitted.

.5 In the case of Lot 3 District Lots 202 and 249 Similkameen Division Yale District Plan 3350, located at 533 Forestbrook Drive, a maximum of four (4) ***dwelling units*** shall be permitted.

.6 In the case of Lot B District Lot 2710 Similkameen Division Yale District Plan 43260 Except Plans KAP72732 and EP74771 and Lot A District Lot 2710 Similkameen Division Yale District Plan KAP70035, located at 850 Wiltse Boulevard and 160 Crow Place (adjacent to Hawthorn Drive cul-de-sac), apartments shall not be permitted, and principal building height is limited to three (3) storeys.

.7 In the case of ***Lot*** A, District ***Lot*** 3 Group 7 SDY (Formerly Yale-Lytton) District Plan KAP74500, except Plan KAP89094, located at 1050 Churchill Avenue, a ***bed and breakfast home***, shall be permitted. (Bylaw No. 2025-32)

.8 In the case of ***Lot*** A, District ***Lot*** 3, SDYD, Plan KAP74500, located at 1050 Churchill Avenue, an ***Emergency Shelter***, shall be permitted. (Bylaw No. 2025-32)

.9 In the case of ***Lot*** 1, District ***Lot*** 4, Group 7, SDY (Formerly Yale-Lytton) District, Plan 26701, located at 396 Lakeshore Drive West, a ***bed and breakfast home***, shall be permitted. (Bylaw No. 2025-32)

.10 In the case of ***Lot*** 6, District ***Lot*** 202, Similkameen Division Yale District, Plan 804, located at 633 Winnipeg Street, ***congregate housing***, subject to conformance with the *Community Care and Assisted Living Act* for a maximum of 12 residents, excluding staff, shall be permitted. (Bylaw No. 2025-32)

.11 In the case of ***Lot*** 10, Block 32, District ***Lot*** 202, SDYD, Plan 269, located at 125 Eckhardt Avenue East, ***assembly*** and ***office*** uses, shall be permitted. (Bylaw No. 2025-32)

.12 In the case of Strata Plans EPS5000, EPS4999, EPS5614 and EPS5613, located at 765 Ontario Street, 769 Ontario Street, 777 Ontario Street, and 781 Ontario Street, two ***dwelling units***, with vehicular access from the street shall be permitted. (Bylaw No. 2025-32)

.13 In the case of ***Lot*** 2 District ***Lot*** 2 Group 7 Similkameen Division Yale District (Formerly Yale-Lytton) District Plan 3520, located at 680 Westminster Avenue West, the maximum ***density*** shall be 0.94 ***FAR***. (Bylaw No. 2026-06)

10.5 RM3 – Medium Density Multiple Housing

PURPOSE

The purpose of this ***zone*** is to provide a zone for **medium density multiple housing** up to six (6) **storeys** above grade on urban services.

10.5.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***congregate housing***
.4 ***day care centre, major***
.5 ***extended care residence***
.6 ***minor home occupation*** (subject to specific use regulation 7.3)
.7 ***short term rental*** (subject to specific use regulation 7.6)
.8 ***townhouse***
.9 ***secondary suite*** (subject to accessory suites regulation 8.1) (Bylaw No. 2025-09)

10.5.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	25 m
.2	Minimum ***lot area***:	1400 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	50%
.4	Maximum ***density***:	1.6 ***FAR***
.5	Maximum ***height***:	
	.a ***principal building***	24 m
	.b ***accessory building*** or ***structure***	4.5 m
.6	Minimum ***front yard*** (subject to general development regulation 4.2.6)**:**	3.0 m
	.a except ***lots*** fronting Lakeshore Drive West:	9.0 m
.7	Minimum ***interior side yard***:	4.5m
.8	Minimum ***exterior side yard***:	4.5 m
.9	Minimum ***rear yard***:	6.0 m

10.5.3 AMENITY SPACE

.1 ***Amenity space*** shall be provided at the rate of 10 m^2 for each ***dwelling unit***. (Bylaw No. 2026-21)

.2 25% of the required ***amenity space*** must be provided at the ground floor level.

.3 A maximum of 20% of the total required ***amenity space*** may be provided as ***amenity space, indoor***.

10.5.4 OTHER REGULATIONS

.1 A maximum of 60% of the ***lot*** shall be covered with ***hard surfacing***, including ***buildings***, ***structures***, parking areas, driveways, ***walkways***, ***patios*** and similar construction.

10.5.5 SITE SPECIFIC PROVISIONS

.1 In the case of Lot A, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District, Plan KAP77551, located at 453 Winnipeg Street, ***office***, shall be permitted.

.2 In the case of Lot E, District Lot 4, Group 7, Similkameen (Formerly Yale Lytton) Division Yale District, Plan 502, Except Plan B4474, located at 232 Wade Avenue, parking shall be permitted.

.3 In the case of consolidated Lot C District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3072, located at 914 Churchill Avenue, Lot 5 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 929, located at 920 Churchill Avenue, and Lot 6 District Lot 3 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 929, located at 926 Churchill Avenue, the maximum density shall be 1.98 FAR.

.4 (Bylaw No. 2025-23)

.5 In the case of ***Lot*** 2 District ***Lot*** 116 Similkameen Division Yale District Plan EPP70049, located at 235 Yorkton Avenue, the maximum density shall be 1.7 FAR, and accessory ***restaurant***, ***office*** and ***retail store*** uses shall be permitted with a maximum combined ***gross floor area*** of $375m^2$. (Bylaw No. 2025-07)

.6 In the case of ***Lot*** A District ***Lot*** 366 Similkameen Division Yale District Plan EPP144340, located at 995 Eckhardt Avenue West, an increase to the ***Floor Area Ratio (FAR)*** from 1.6 to 1.73 is permitted. (Bylaw No. 2026-09)

.7 In the case of ***Lot*** 2 District ***Lot*** 336 Similkameen Division Yale District Plan 7531, located at 251 Comox Street, the maximum ***density*** shall be 1.7 ***FAR***. In the case of ***Lot*** 2 District ***Lot*** 366 Similkameen Division Yale District Plan 7247, located at 997 Westminster Avenue West, and ***Lot*** 1 District ***Lot*** 366 Similkameen Division Yale District Plan 7247, located at 998 Burnaby Avenue, a private ***parking lot*** shall be permitted. (Bylaw No. 2026-16)

10.6 RM4 – High Density Multiple Housing

PURPOSE

The purpose is to provide a ***zone*** for high-***density*** mid-rise ***apartments*** up to eight (8) ***storeys*** above grade on urban services.

10.6.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***congregate housing***
.4 ***day care centre, major***
.5 ***extended care residence***
.6 ***minor home occupation*** (subject to specific use regulation 8.4)
.7 ***short term rental*** (subject to specific use regulation 7.6)

10.6.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	30 m
.2	Minimum ***lot area***:	2000 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	75%
.4	Maximum ***density***:	2.0 ***FAR***
.5	Maximum ***height***:	
	.a ***principal building***	27 m
.6	Minimum ***front yard***:	3.0 m
	.a except ***lots*** fronting Lakeshore Drive West:	9.0 m
.7	Minimum ***interior side yard***:	4.5m
.8	Minimum ***exterior side yard***:	6.0 m
.9	Minimum ***rear yard***:	6.0 m

10.6.3 AMENITY SPACE

.1 ***Amenity space*** shall be provided at the rate of 10 m^2 for each ***dwelling unit***. (Bylaw No. 2026-21)

.2 A maximum of 20% of the total required ***amenity space*** may be provided as ***amenity space, indoor***.

10.6.4 OTHER REGULATIONS

.1 ***Townhouse*** units within an ***apartment*** use may be permitted on the first floor along a ***street*** frontage.

.2 A maximum of 85% of the ***lot*** shall be covered with ***hard surfacing***, including ***buildings***, ***structures***, parking areas, driveways, ***walkways***, ***patios*** and similar construction.

10.6.5 SITE SPECIFIC PROVISIONS

Instead of the ***uses*** and regulations listed above:

.1 In the case of Strata Plan KAS2716, located at 100 Lakeshore Drive West, 160 Lakeshore Drive West, and 75 Martin Street, the following regulations apply:

SUBDIVISION AND DEVELOPMENT REGULATIONS

.a	Maximum ***height***:	
	.i ***principal building***	46.0m
.b	Minimum ***front yard***:	6.0 m
.c	Minimum ***rear yard***:	9.0 m

.2 In the case of Strata Plan KAS3830, located at 2113 Atkinson Street and 2125 Atkinson Street, the following regulations apply:

.a	Maximum ***height***:	
	.i ***principal building***	30.5 m
	.ii ***accessory building*** or ***structure***	5 m
.b	***Street setbacks***:	
	principal building	
	.i Atkinson Street	7.6 m
	.ii Warren Avenue	7.6 m
	accessory building	
	.i Atkinson Street	4.2 m
	.ii Warren Avenue	6.1 m
.c	***Yard setbacks***:	
	principal building	
	.i west ***side yard***	7.6 m
	.ii south ***side yard***	7.6 m
	accessory building	
	.i west ***side yard***	5.0 m
	.ii south ***side yard***	5.0 m
.d	Notwithstanding Chapter 6, off street parking requirements are as follows::	
	.i ***bachelor dwelling unit***	1.0 per unit
	.ii 1 *bedroom* ***dwelling unit***	1.5 per unit
	.iii 2 *bedroom* ***dwelling unit***	1.5 per unit
	.iv 3 *bedroom* ***dwelling unit*** and greater	2.0 per unit
	.v Up to 25% of total required ***parking spaces*** may be designated for small car ***use***	
.e	An ***accessory building*** containing common facilities for private ***use*** by residents shall conform to the ***setback*** requirements identified in Section 10.11.5.2.b and 10.11.5.2.c of this Bylaw.	

10.7 RM5 – Urban Residential

PURPOSE

The purpose is to provide a ***zone*** for ***medium*** to ***high density multiple housing*** with lock-off ***flex units*** accommodating small scale commercial space or additional ***dwelling units***, up to four (4) ***storeys*** above grade on urban services around the periphery of the downtown.

10.7.1 PERMITTED USES

The ***permitted uses*** in this zone are:

.1 ***accessory use, building or structure***
.2 ***apartment***
.3 ***duplex***
.4 ***dwelling unit***
.5 ***flex unit*** (subject to accessory suites regulation 8.4)
.6 ***minor home occupation*** (subject to specific use regulation 7.3)
.7 ***short term rental*** (subject to specific use regulation 7.6)
.8 ***townhouse***

Only the following commercial ***uses*** are permitted in a ***flex-unit*:**

.9 ***artisan craft***
.10 ***office***
.11 ***personal service establishment***

10.7.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	10 m
.2	Minimum ***lot area***:	275 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	100%
.4	Maximum ***density***:	2.0 ***FAR***
.5	Maximum ***height***:	15 m
.6	Minimum ***front yard***	2.5 m
.7	Minimum ***interior side yard***:	0.0 m
.8	Minimum ***exterior side yard***:	2.5 m
.9	Minimum ***rear yard***:	0.0 m

10.7.3 OTHER REGULATIONS

.1 Where a ***lane*** is provided, vehicular access must be from the ***lane***.

.2 ***Flex units*** are limited to a maximum ***floor area*** of 40% of the total ***net floor area*** of the principal ***dwelling***, up to a maximum of 150 m^2 and may not be separately titled from the principal ***dwelling*** or be strata titled separately from the principal ***dwelling***.

.3 Notwithstanding Section 10.12.2.6 and 10.12.2.8 of this Bylaw, stairs, ***balconies*** and architectural projections that do not constitute greater than 25% of the ***building***

face of the front elevation, may project a maximum of 2.5 m into the required ***front yard*** or ***exterior side yard***.

10.8 RSM – Manufactured Home Park Housing

PURPOSE

The purpose is to provide a ***zone*** for ***manufactured homes*** on individual ***manufactured home spaces*** within a ***manufactured home park***.

10.8.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***minor home occupation*** (subject to specific use regulation 7.3)
.3 ***manufactured home park***
.4 ***manufactured home*** for the ***owner*** or caretaker
.5 ***one single detached dwelling***
.6 ***short term rental*** (subject to specific use regulation 7.6)

10.8.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***manufactured home park lot width***:	50.0 m
.2	Minimum ***manufactured home park lot*** depth:	50.0 m
.3	Minimum ***manufactured home park lot area***:	2.0 ha
.4	Minimum ***manufactured home space*** area	280 m^2
.5	Minimum ***manufactured home space*** width	11.0 m
Development Regulations:		
.6	Maximum ***density***:	25 ***dwelling***s / ha
.7	Maximum ***manufactured home park lot coverage***:	45%
.8	Maximum ***height***:	
	.a ***principal building***	lesser of 6.0 m or 1 ***storey***
	.b ***accessory building*** or ***structure***	4.5 m
.9	Minimum ***setbacks*** for ***manufactured home park***:	6.0 m
	.a ***front yard***	6.0 m
	.b ***interior side yard***	6.0 m
	.c ***exterior side yard***	6.0 m
	.d ***rear yard***	
.10	Minimum ***manufactured home space interior side yard***	1.5 m and 3.0 m
.11	Minimum ***manufactured home space exterior side yard***	3.5 m
.12	Maximum ***lot coverage*** for ***manufactured home space***	45%

10.8.3 OTHER REGULATIONS

.1 Each ***manufactured home space*** shall be permitted a maximum of one (1) detached storage shed or ***accessory building*** or ***structure***, subject to the following:

.a Maximum ***building footprint*** of 10 m^2,

.b Maximum ***height*** of 2.5 m,

.c Located to the rear of the ***manufactured home*** on the ***manufactured home space***,

.d Be located no closer than 1.5 m of the boundary of the ***manufactured home space***, and

.e Be located no closer than 1.2 m from the ***manufactured home***.

10.8.4 LANDSCAPING BUFFER

.1 A ***landscape buffer*** shall be provided around the boundary of a ***manufactured home park*** in accordance with the ***landscape buffer*** standards identified in Section 5.2 of this Bylaw.

.2 In a required buffer area, the following shall apply:

.a No recreation, ***amenity*** or service areas shall be located,

.b No ***building*** or ***structures*** shall be located, and

.c No garbage disposal areas or other use shall be located.

10.8.5 AMENITY SPACE REQUIREMENTS

.1 ***Amenity space*** shall be provided in the amount of 900.0 m^2 for every 25 ***manufactured home spaces*** provided.

.2 ***Amenity space, indoor*** and ***amenity space, outdoor*** may be used to provide the total required ***amenity space***.

Chapter 11 – Commercial Zones

11.1 C1 –Commercial Transition

PURPOSE

This ***zone*** provides for limited, small scale, commercial development in mostly residential areas.

11.1.1 PERMITTED USES

The ***permitted uses*** in this zone are:

.1 ***accessory use, building*** *or* ***structure***
.2 ***artisan crafts***
.3 ***bed and breakfast home*** (subject to specific use regulation 8.2)
.4 ***boarding house***
.5 ***convenience store***
.6 ***day care centre, major***
.7 ***one duplex***
.8 ***health service***
.9 ***high technology service***
.10 ***live-work unit*** (subject to specific use regulation 7.8)
.11 ***minor home occupation*** (subject to specific use regulation 7.3)
.12 ***major home occupation*** (subject to specific use regulation 8.4)
.13 ***office***
.14 ***personal service establishment***
.15 ***one single detached dwelling***
.16 ***restaurant***
.17 ***short term rental*** (subject to specific use regulation 7.6)

11.1.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	13.0 m
.2	Minimum ***lot area***:	550 m²
Development Regulations:		
.3	Maximum ***lot coverage***:	40%
.4	Maximum ***height***:	11.0 m and 3 ***storeys*** above ***approved grade*** (Bylaw No. 2025-09)
.5	Minimum ***front yard***:	3.0 m
.6	Minimum ***interior side yard***:	1.5 m
.7	Minimum ***exterior side yard***:	4.5 m
.8	Minimum ***rear yard***:	6.0 m

11.1.3 OTHER REGULATIONS

.1 (Bylaw No. 2025-09)

.2 The commercial component of the ***live-work unit*** must have an area of at least 40% of the ***dwelling unit***.

.3 For properties identified within the Transitional Neighbourhood Overlay on Schedule B (Zoning Bylaw Map), land may be developed in accordance with the regulations of the R4-S (Small-Scale Multi-Unit Residential: Small Lot) zone or C1 (Commercial Transition) zone. Mixing or combining regulations, uses, or standards from both zones on the same parcel is prohibited. (Bylaw No. 2026-08)

11.1.4 SITE SPECIFIC PROVISIONS

In addition to the ***uses*** listed above:

.1 In the case of ***Lot*** A District Lots 4 and 202 Group 7 Similkamaeen Division Yale District (Formerly Yale-Lytton) Plan EPP138406, located at 689 Winnipeg Street,

a. a ***bakery*** shall be a permitted use.

b. A ***restaurant*** shall not exceed a maximum gross floor area of 650m2.

c. Minimum 4 parking spaces for commercial uses.

d. The ***rear yard*** setback for an ***accessory structure*** shall be 0.0m.

(Bylaw No. 2024-38)

11.2 C2 – Neighbourhood Commercial

PURPOSE

This ***zone*** provides for a limited range of neighbourhood convenience services.

11.2.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** *or* ***structure***
.2 ***artisan crafts***
.3 ***convenience store***
.4 ***day care centre, major***
.5 ***dwelling unit***
.6 ***minor home occupation*** (subject to specific use regulation 8.4)
.7 ***personal service establishment***
.8 ***restaurant***
.9 ***short term rental*** (subject to specific use regulation 7.6)

11.2.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	15.0 m
.2	Minimum ***lot area***:	550 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	40%
.4	Maximum ***height***:	11.0 m and 3 ***storeys*** above ***approved grade*** (Bylaw No. 2025-09)
.5	Minimum ***front yard***:	3.0 m
.6	Minimum ***interior side yard***:	2.4 m
.7	Minimum ***exterior side yard***:	3.0 m
.8	Minimum ***rear yard***:	3.5 m
	.a except where the ***lot abuts*** a ***residential zone***	6.0 m

11.2.3 OTHER REGULATIONS

.1 Commercial ***uses*** shall not exceed a maximum ***gross floor area*** of 125 m^2**.**

.2 A maximum of one (1) ***dwelling unit*** within a commercial ***building*** with a separate entrance to the outside shall be permitted.

11.3 C3 – Mixed Use Commercial

PURPOSE

This ***zone*** provides areas for a mix of medium-***density*** residential, ***office*** and limited retail or personal service commercial ***uses*** within a ***building***.

11.3.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** *or* ***structure***
.2 ***artisan crafts***
.3 ***assembly***
.4 ***business support service***
.5 ***commercial school***
.6 ***congregate housing***
.7 ***day care centre, major***
.8 ***dwelling unit***
.9 ***funeral service***
.10 ***grocery store***
.11 ***health service***
.12 ***high technology service***
.13 ***indoor animal day care and grooming***
.14 ***indoor recreation***
.15 ***live work unit*** (subject to specific use regulation 7.8)
.16 ***minor home occupation*** (subject to specific use regulation 8.4)
.17 ***office***
.18 ***personal service establishment***
.19 ***restaurant***
.20 ***retail store***
.21 ***short term rental*** (subject to specific use regulation 7.6)
.22 ***recycling drop-off*** (Bylaw No. 2026-21)
.23 ***government service***, including ***outdoor storage***, works yard (Bylaw No. 2026-21)

11.3.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	18.0 m
.2	Minimum ***lot area***:	1000 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	50%
.4	Maximum ***density***:	2.0 ***FAR***
.5	Maximum ***height***:	18 m
.6	Minimum ***front yard***:	3.0 m
.7	Minimum ***interior side yard***:	4.5 m
.8	Minimum ***exterior side yard***:	4.5 m

.9 Minimum ***rear yard***: 6.0 m

11.3.3 OTHER REGULATIONS

.1 A minimum area of 10.0 m^2 of ***amenity space*** shall be provided per ***dwelling unit***.

.2 A maximum of 20% of the total required ***amenity space*** may be provided as ***amenity space, indoor***.

.3 A ***dwelling unit*** must be within the same ***building*** of a permitted commercial ***use***.

.4 For properties identified within the Transitional Neighbourhood Overlay on Schedule B (Zoning Bylaw Map), land may be developed in accordance with the regulations of the R4-S (Small-Scale Multi-Unit Residential: Small Lot) zone or C3 (Mixed Use Commercial) zone. Mixing or combining regulations, uses, or standards from both zones on the same parcel is prohibited. (Bylaw No. 2026-08)

11.3.4 SITE SPECIFIC PROVISIONS

In addition to the ***uses*** listed above:

.2 In the case of ***Lot*** 4, DL. 3, Group 7, SDYD, Plan 8666 except Plan KAP 71490, located at 1070 Lakeshore Drive West, ***recreation equipment sales/rentals*** including motor scooters not exceeding engine displacement of 50cc and other motorized ***vehicles,*** and a ***bed and breakfast inn*** within a ***building*** with more than one ***dwelling unit,*** shall be permitted.

.3 In the case of Lot 1, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan EPP82665, located at 697 Wade Avenue West, "public parking" and "***storage and warehousing*** " shall be permitted uses.

11.4 C4 –General Commercial

PURPOSE

This ***zone*** provides for ***shopping centres,*** large format retail, and strip commercial ***uses***.

11.4.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***animal clinic***
.3 ***artisan crafts***
.4 ***assembly***
.5 ***bakery***
.6 ***business support service***
.7 ***cannabis retail store***
.8 ***commercial school***
.9 ***day care centre, major***
.10 ***dwelling units***
.11 ***financial service***
.12 ***funeral service***
.13 ***government service***
.14 ***grocery store***
.15 ***health service***
.16 ***high technology service***
.17 ***household repair service***
.18 ***indoor amusement, entertainment and recreation***
.19 ***indoor animal day care and grooming***
.20 ***liquor primary licensed premise***
.21 ***minor home occupation*** (subject to specific use regulation 7.3)
.22 ***office***
.23 ***on-site beer/wine making***
.24 ***outdoor markets***
.25 ***personal service establishment***
.26 ***public parking lot***
.27 ***restaurant***
.28 ***retail store***
.29 ***tourist accommodation***
.30 ***short term rental*** (subject to specific use regulation 7.6)
.31 ***recycling drop-off*** (Bylaw No. 2026-21)

11.4.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:

.1	Minimum ***lot width***:	18.0 m
.2	Minimum ***lot area***:	1000 m^2

Development Regulations:

.3	Maximum ***lot coverage***:	50%
.4	Maximum ***density***:	1.0 ***FAR***
.5	Maximum ***height***:	13 m
.6	Minimum ***front yard***:	3.0 m
.7	Minimum ***interior side yard***:	0 m and 4.5 m
	.a except when a lot ***abuts***, or is ***adjacent*** to, a residential or institutional ***zone***	6.0 m
.8	Minimum ***exterior side yard***:	4.5 m
.9	Minimum ***rear yard***:	3.0 m
	.a except when ***lot abuts,*** or is ***adjacent*** to, a residential or institutional ***zone*** or ***abuts*** a ***lane*** that is ***adjacent*** to a residential or institutional ***zone***	6.0 m

11.4.3 Other Regulations

.1 ***Dwelling units*** shall be restricted to second or higher ***storeys.***

.2 When outdoor seating is provided as part of a ***restaurant***, the seating area is exempt from the ***front*** and ***side yard*** requirements, provided that the area contains no permanent roofs and is surrounded by a perimeter fence, wall or hedge a minimum of 1.0 m and a maximum of 1.3 m in ***height***.

.3 Temporary ***uses*** including but not limited to ***vehicle*** and light equipment sales, ***carnivals***, retail sales within a tent, and similar ***uses*** are permitted for not more than ten (10) consecutive days in any in any six month period.

.4 ***Outdoor markets*** and similar ***uses*** are permitted not more than 4 days per month.

.5 A minimum of 5.0 m^2 of ***amenity space*** shall be provided per ***dwelling unit***.

.6 A maximum of 20% of the total required ***amenity space*** may be provided as ***amenity space, indoor***.

11.4.4 Site Specific Provisions

In addition to the ***uses*** permitted above:

.1 In the case of Strata ***Lot*** 1, DL 366, Plan KAS 1711 located at 1027 Westminster Ave. West, a residential ***use*** shall be permitted on the main floor.

.2 On ***Lot*** 1, District Lot 115 and 116, Similkameen Division Yale District, Plan 53757, located at 2111 Main Street, ***motor vehicle and equipment repair shop*** shall be permitted.

.3 In the case of ***Lot*** C District ***Lot*** 251 Similkameen Division Yale District Plan KAP80315, located at 2210 Main Street, and ***Lot*** 1 District Lot 251 Similkameen Division Yale District Plan EPP84085, located at 98 Warren Avenue East, ***dwelling units*** on the first ***storey*** shall be permitted. (Bylaw No. 2024-27)

.4 In the case of ***Lot*** C District ***Lot*** 251 Similkameen Division Yale District Plan KAP80315, located at 2210 Main Street, and ***Lot*** 1 District Lot 251 Similkameen

Division Yale District Plan EPP84085, located at 98 Warren Avenue East, a maximum ***height*** of 20 m shall be permitted. (Bylaw No. 2024-27)

11.5 C5 – Urban Centre Commercial

PURPOSE

This ***zone*** provides for development of the financial, retail, entertainment, governmental and cultural core of the ***City*** by way of high-***density*** commercial and residential ***uses***.

11.5.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***animal clinic***
.3 ***artisan crafts***
.4 ***assembly***
.5 ***auctions***
.6 ***bakery***
.7 ***bed and breakfast home*** (subject to specific use regulation 7.2)
.8 ***business support service***
.9 ***cannabis retail store***
.10 ***commercial school***
.11 ***community garden***
.12 ***convenience store***
.13 ***craft brewery/distillery***
.14 ***cultural exhibits***
.15 ***custom indoor manufacturing***
.16 ***day care centre, major***
.17 ***dwelling units***
.18 ***financial service***
.19 ***funeral service***
.20 ***government service***
.21 ***grocery store***
.22 ***health service***
.23 ***high technology service***
.24 ***household repair service***
.25 ***indoor amusement, entertainment and recreation***
.26 ***indoor animal day care and grooming***
.27 ***liquor primary licensed premise***
.28 ***minor home occupation*** (subject to specific use regulation 7.3)
.29 ***office***
.30 ***on-site beer/wine making***
.31 ***outdoor market***
.32 ***personal service establishment***
.33 ***public parking lot***
.34 ***restaurant***
.35 ***retail store***
.36 ***short term rental*** (subject to specific use regulation 7.6)

.37 ***tourist accommodation***

11.5.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	9.0 m
.2	Minimum ***lot area***:	275 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	100%
.4	Maximum ***density***:	6.0 ***FAR***
.5	Maximum ***height***:	36.6 m
	.a except Main ***Street*** – 100 Block up to and including 300 Block; and	15 m
	.b Front ***Street***	15 m
.6	Minimum ***front yard***:	0 m
.7	Minimum ***interior side yard***:	0 m
.8	Minimum ***exterior side yard***:	0 m
.9	Minimum ***rear yard***:	0 m

11.5.3 OTHER REGULATIONS

.1 ***Dwelling units*** are restricted to second or higher ***storeys***.

.2 Notwithstanding Section 4.9 of this Bylaw, decorative ***building*** features such as cornices, ***balconies***, secured planters and wall and window trim may project up to 0.4 m from the ***building***, provided that the projection has a ***clearance*** above grade of at least 2.8 m from a public ***street*** and 4.5 m from a public ***lane***.

.3 Notwithstanding Section 4.9 of this Bylaw, canopies and **awnings** may project up to 1.5 m from a ***building***, provided that the projection has a ***clearance*** of 2.8 m from the established ***building grade*** of a sidewalk and 4.5 m above a public ***lane.***

.4 (Bylaw No. 2025-09)

11.5.4 SITE SPECIFIC PROVISIONS

In addition to the ***uses*** permitted above:

.1 In the case of ***Lots*** 1-11, Block A, District ***Lot*** 4, Group 7,and on ***Lot*** A, Plan KAP49367, SDYD, Plan 373, located at 333 Martin Street, above the ground floor and on the ground floor in the areas designated on Schedules A and B to Bylaw 2003-67, ***congregate housing***, shall be permitted.

.2 In the case of ***Lot*** B, Plan 36574, located at 56 Forbes Street (Veterans Way), any portion of a ***building*** located 3.0m above grade and ***abutting*** the north ***property line*** shall have a ***setback*** of 6.0 m.

.3 In the case of ***Lot*** 1, Plan KAP 56198, located at 123 Nanaimo Avenue East, an ***emergency shelter***, shall be permitted.

.4 In the case ***Lots*** A and B, District Lots 202 and 4, Group 7, Similkameen Division Yale District, Plan EPP106220, located at 260 Martin Street and 270 Martin Street, ***craft brewery/distillery***, shall be permitted.

.5 In the case ***Lot*** 1, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan EPP63826, located at 361 Martin Street, ***winery***, shall be permitted.

.6 In the case of ***Lot*** 1, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan EPP57755, located at 285 Nanaimo Ave W, residential ***uses*** shall be permitted on the first floor.

.7 In the case of ***Lot*** 5, Block 19, District Lot 202, Similkameen Division Yale District Plan 269, located at 532/536 Main Street, ***dwelling units*** on the ***first storey*** behind commercial spaces shall be permitted.

.8 In the case of ***Lots*** 1 and 2, DL 4, Group 7, SDYD (Formerly Yale Lytton), Plan EPP99696, located at 249 Westminster Avenue West and 285 Westminster Avenue West, a ***craft brewery/distillery*** and cidery shall be permitted.

.9 In the case of ***Lot*** 9, Block 15, DL 202, SDYD, Plan 269, located at 456 Main Street, one dwelling unit on the ***first storey*** behind the commercial space shall be permitted.

.10 In the case of ***Lot*** A District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District plan KAP49367, located at 352 Winnipeg Street, the use '***self-storage*** ' shall be permitted, limited to a maximum ***gross floor area*** of 505 m^2.

.11 In the case of ***Lot*** B District Lot 4 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 574, located at 461 Martin Street, a maximum of two ***dwelling units*** on the ***first storey*** shall be permitted.

11.6 C6 – Urban Peripheral Commercial

PURPOSE

This ***zone*** provides for mix of residential, commercial, ***office*** and retail or personal service commercial ***uses*** within a ***building*** located in the periphery of the downtown core.

11.6.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***animal clinic***
.3 ***artisan crafts***
.4 ***assembly***
.5 ***bakery***
.6 ***business support service***
.7 ***call centre***
.8 ***cannabis retail store***
.9 ***commercial school***
.10 ***contractor service, limited***
.11 ***craft brewery/distillery***
.12 ***custom indoor manufacturing***
.13 ***day care centre, major***
.14 ***dwelling unit***
.15 ***financial service***
.16 ***funeral service***
.17 ***government service***, including ***outdoor storage***, works yards
.18 ***grocery store***
.19 ***health service***
.20 ***high technology service***
.21 ***home and on-site beer and/or wine making and supply centre***
.22 ***household repair service***
.23 ***indoor amusement, entertainment and recreation***
.24 ***indoor animal day care and grooming***
.25 ***live work unit*** (subject to specific use regulation 7.8)
.26 ***motor vehicle and equipment repair shop***
.27 ***office***
.28 ***personal service establishment***
.29 ***restaurant***
.30 ***retail store***
.31 ***short term rental*** (subject to specific use regulation 7.6)
.32 ***wholesale business***

11.6.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:

.1 Minimum ***lot width***: 20.0 m

.2	Minimum ***lot area***:	650 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	100%
.4	Maximum ***height:***	21 m
.5	Minimum ***front yard***:	0.0 m
.6	Minimum ***interior side yard:***	0.0 m
	.a except when ***abutting*** a residential, public or institutional ***zone***	3.0m
.7	Minimum ***exterior side yard:***	0.0 m
.8	Minimum ***rear yard***:	
	.a except when ***abutting*** a ***residential, public*** or ***institutional zone***	0.0 m 6.0 m

11.6.3 OTHER REGULATIONS

.1 ***Dwelling units*** are restricted to second or higher ***storeys***.

.2 Notwithstanding Section 4.9 of this Bylaw, decorative ***building*** features such as cornices, ***balconies***, secured planters and wall and window trim may project up to 0.4 m from the ***building***, provided that the projection has a ***clearance*** above grade of at least 2.8 m from a public ***street*** and 4.5 m from a public ***lane***.

.3 Notwithstanding Section 4.9 of this Bylaw, canopies and **awnings** may project up to 1.5 m from a ***building***, provided that the projection has a ***clearance*** of 2.8 m from the established ***building grade*** of a sidewalk and 4.5 m above a public ***lane.***

.4 (Bylaw No. 2025-09)

11.6.4 SITE SPECIFIC PROVISIONS

.1 In the case of ***Lot*** 1, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District, Plan EPP44206, located at 380 Westminster Avenue West, dwelling units on the **first storey**, shall be permitted.

.2 In the case of ***Lot*** 14, District Lot 4, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 871, located at 230 Brunswick Street, indoor millwork, shall be permitted.

11.7 C7 – Service Commercial

PURPOSE

This ***zone*** provides for certain auto-oriented commercial ***uses***, commercial ***uses*** requiring large ***building*** floor space for non-retail purposes and a lesser area for sales, light industrial service industries, and accessory ***office uses***. Auto-related ***uses*** involving ***vehicle*** servicing and sales with outside storage and parking are permitted in this ***zone***.

11.7.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***animal clinic***
.3 ***artisan crafts***
.4 ***assembly***
.5 ***bakery***
.6 ***building and garden supply***
.7 ***business support service***
.8 ***call centre***
.9 ***commercial school***
.10 ***contractor service, general***
.11 ***contractor service, limited***
.12 ***craft brewery/distillery***
.13 ***custom indoor manufacturing***
.14 ***day care centre, major***
.15 ***fleet service***
.16 ***funeral service***
.17 ***garden centre***
.18 ***government service***, including ***outdoor storage***, works yard
.19 ***grocery store***
.20 ***health service***
.21 ***high technology service***
.22 ***household repair service***
.23 ***indoor amusement, entertainment and recreation***
.24 ***indoor animal day care and grooming***
.25 ***live work unit*** (subject to specific use regulation 7.8)
.26 ***motor vehicle and equipment repair shop***
.27 ***motor vehicle body repair and paint shop***
.28 ***motor vehicle sales and rentals***
.29 ***office***
.30 ***personal service establishment***
.31 ***recreation equipment sales, service and rentals***
.32 ***restaurant***
.33 ***retail store***
.34 ***one security/operator dwelling unit*** (subject to accessory suites regulation 8.5)

.35 ***self-storage***
.36 ***storage and warehouse***
.37 ***transport truck and motorhome sales, service, and rentals***
.38 ***wholesale business***
.39 ***recycling drop-off*** (Bylaw No. 2026-21)

11.7.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	20.0 m
.2	Minimum ***lot area***:	650 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	50%
.4	Maximum ***height:***	12 m
.5	Minimum ***front yard***:	4.5 m
.6	Minimum ***interior side yard:***	0.0m and 4.5m
	.a except when ***abutting*** a ***residential, public or institutional zone***	6.0m
.7	Minimum ***exterior side yard***	4.5 m
.8	Minimum ***rear yard***:	0.0 m
	.a except when ***abutting*** a ***residential, public*** or ***institutional zone***	7.5 m

11.7.3 OTHER REGULATIONS

.1 In the case of ***transport truck and motorhome sales, service, and rental***, overnight RV parking shall be considered an ***accessory use*** up to a maximum of 3 nights.

.2 For properties identified within the Transitional Neighbourhood Overlay on Schedule B (Zoning Bylaw Map), land may be developed in accordance with the regulations of the R4-S (Small-Scale Multi-Unit Residential: Small Lot) zone or C7 (Mixed Use Commercial) zone. Mixing or combining regulations, uses, or standards from both zones on the same parcel is prohibited. (Bylaw No. 2026-08)

11.7.4 SITE SPECIFIC PROVISIONS

In addition to the ***permitted uses*** above:

.1 In the case of ***Lot*** 10 DL 1997S, Plan KAS 1732, located at 126-197 Warren Avenue East, a hair salon, shall be permitted.

.2 ***Tourist accommodation*** shall be permitted on the following properties:

.a ***Lots*** 1-16, Plan KAS 1384, District Lot 366, Similkameen Division Yale District, located at 998 Creston Avenue;

.b ***Lot*** 1, Plan KAP3443, District Lot 250, Similkameen Division Yale District, Except Plan KAP596641, located at 1485 Main Street;

.c ***Lot*** 8, Plan KAP4762, Similkameen Division Yale District, located at 1706 Main Street;

.d ***Lot*** 7, Plan KAP4762, District Lot 1997S, Similkameen Division Yale District, located at 1742 Main Street;

.e ***Lot*** 1, Plan KAP70710, District Lot 116, Similkameen Division Yale District, located at 2406 Skaha Lake Road;

.f ***Lot*** A, Plan KAP13370, District Lot 116, Similkameen Division Yale District, located at 2387 Skaha Lake Road;

.g ***Lot*** 6, Plan KAP10827, District Lot 116, Similkameen Division Yale District, Except Plan 13370, located at 2307 Skaha Lake Road;

.h ***Lot*** 1, Plan 5472, District Lot 250, Similkameen Division Yale District, Except Plans 39932 and KAS59641, located at 1473 Main Street.

.3 In the case of ***Lot*** A, District Lots 1997S and 3237S, Similkameen Division Yale District, Plan EPP75769, located at 1706 Main Street, the following uses shall be permitted: ***dwelling units***, ***congregate housing***, transitional housing and ***emergency shelter***.

.4 In the case of ***Lot*** 2, District Lot 2, Group 7, Similkameen Division Yale (Formerly Yale-Lytton) District Plan EPP82665, located at 645 Wade Avenue West, ***public parking lot*** and ***storage and warehousing*** shall be permitted uses.

.5 In the case of ***Lot*** 15, DL 5, Group 7, Similkameen Division Yale (Formerly Yale Lytton) District Plan 28077, located at 1652 Fairview Road, ***cannabis retail store*** shall be permitted.

11.8 C8 – Vehicle Service Station

PURPOSE

This ***zone*** provides for ***motor vehicle service stations***, auto gas bars and similar compatible ***uses***.

11.8.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***motor vehicle service station***
.3 ***recycling drop-off*** (Bylaw No. 2026-21)

11.8.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	30 m
.2	Minimum ***lot area***:	1000 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	35%
.4	Maximum ***height:***	11.0 m and 3 ***storeys*** above ***approved grade*** (Bylaw No. 2025-09)
.5	Minimum ***front yard***:	4.5 m
.6	Minimum ***interior side yard***:	4.5 m
.7	Minimum ***exterior side yard***	4.5 m
.8	Minimum ***rear yard***:	4.5 m
	.a except when ***abutting***, or ***adjacent*** to, a ***residential*** or ***institutional zone*** or ***abutting*** a ***lane*** that ***abuts*** a ***residential*** or ***institutional zone***	6.0 m

11.9 C9 - Marina Way Commercial

PURPOSE

This ***zone*** provides for residential and commercial ***use*** development on the Okanagan Lake waterfront for lands bounded by Vancouver Street, Marina Way and Abbott Street.

11.9.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***minor home occupation*** (subject to specific use regulation 7.3)
.4 ***short term rental*** (subject to specific use regulation 7.6)
.5 ***townhouse***

In addition to the above, along Marina Way, and at 200 Marina Way, the following ***uses*** are permitted on the first and second floor:

.6 ***accessory use, building*** or ***structure***
.7 ***artisan crafts***
.8 ***business support service***
.9 ***commercial school***
.10 ***custom indoor manufacturing***
.11 ***dwelling unit***
.12 ***health service***
.13 ***high technology service***
.14 ***indoor amusement, entertainment and recreation***
.15 ***live-work unit*** (subject to specific use regulation 7.8)
.16 ***office***
.17 ***outdoor market***
.18 ***personal service establishment***
.19 ***restaurant***
.20 ***retail store***

11.9.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	30 m
.2	Minimum ***lot area***:	550 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	60%
.4	Maximum ***density***	1.75 ***FAR***
.5	Maximum ***height***:	24 m
.6	Minimum ***front yard***:	
	.a Marina Way	1.0 m
	.b Vancouver Avenue	4.0 m

.7 Minimum ***side yard***
Marina Way
.a ***interior side yard***: 0 m
.b ***exterior side yard***: 2.0 m

.8 Minimum ***side yard***
Vancouver Avenue
.a ***interior side yard***: 2.0 m
.b ***exterior side yard***: 2.0 m

.9 Minimum ***rear yard***: 0 m

11.9.3 Other Regulations

.1 A minimum area of 5.0 m^2 of ***amenity space*** shall be provided per ***dwelling unit***.

.2 A maximum of 20% of the total required ***amenity space*** may be provided as ***amenity space, indoor***.

.3 ***A custom indoor manufacturing*** and ***artisan crafts*** shall have a minimum 10% floor space dedicated to ***retail*** and/or display area in the front portion of the ***business.***

.4 For properties identified within the Transitional Neighbourhood Overlay on Schedule B (Zoning Bylaw Map), land may be developed in accordance with the regulations of the R4-S (Small-Scale Multi-Unit Residential: Small Lot) zone or C9 (Marina Way Commercial) zone. Mixing or combining regulations, uses, or standards from both zones on the same parcel is prohibited. (Bylaw No. 2026-08)

11.9.4 Site Specific Provisions

.1 In the case of Proposed ***Lots*** 2, 3 and 4 located at 203, 225 and 247 Vancouver Avenue, single detached housing is a permitted use as identified on Schedule 'B' of Bylaw No. 2018-49.

.2 In the case of Strata ***Lot*** 1, Strata ***Lot*** 2, and Strata ***Lot*** 4 District Lot 202 Similkameen Division Yale District Strata Plan KAS2971 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, located at 250 Marina Way, ***Live Work Unit*** regulation Section 7.8.4 does not apply and the ***business*** operator at the location may be different than the person living in the ***dwelling unit*** portion of the ***live work unit***. (Bylaw No. 2024-26)

11.10 CT1 – Tourist Commercial

PURPOSE

This ***zone*** provides for commercial visitor accommodation, entertainment and services.

11.10.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***day care centre, major***
.3 ***indoor amusement, entertainment and recreation***
.4 ***liquor primary licensed premise***
.5 ***outdoor amusement, entertainment and recreation***
.6 ***outdoor market***
.7 ***personal service establishment***
.8 ***recreation equipment sales, service and rentals***
.9 ***restaurant***
.10 ***retail store***
.11 ***security/operator dwelling unit*** (subject to accessory suites regulation 8.5)
.12 ***tourist accommodation***

11.10.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width*** :	20.0 m
.2	Minimum ***lot area:***	930 m^2
Development Regulations:		
.3	Maximum ***density:***	1.2 ***FAR***
.4	Maximum ***lot coverage:***	40%
.5	Maximum ***height:***	12.0 m
.6	Minimum ***front yard:***	3.0 m
.7	Minimum ***interior side yard:***	0 m and 4.5 m
.8	Minimum ***exterior side yard***	4.5 m
.9	Minimum ***rear yard:***	4.5 m
	.a except when ***abutting*** a ***residential*** or ***institutional zone***	6.0 m

11.10.3 OTHER REGULATIONS

.1 The ***gross floor area*** for a ***personal service establishment*** or for a ***retail store*** shall not exceed 100 m^2.

.2 ***Recreation and equipment sales, service and rentals*** shall be limited to bicycles, watercraft, sports equipment and motor scooters not exceeding a fifty-(50) cc engine.

.3 No more than one (1) ***security/operator dwelling unit*** is permitted on a site with a maximum ***gross floor area*** of 100 m^2.

.4 For properties identified within the Transitional Neighbourhood Overlay on Schedule B (Zoning Bylaw Map), land may be developed in accordance with the regulations of the R4-S (Small-Scale Multi-Unit Residential: Small Lot) zone or CT1 (Tourist Commercial) zone. Mixing or combining regulations, uses, or standards from both zones on the same parcel is prohibited. (Bylaw No. 2026-08)

11.10.4 Site specific Provisions

In addition to the ***uses*** and regulations above:

.1 In the case of ***Lot*** A, KAP 63701, known as 21 Lakeshore Drive West, the following regulations shall apply:

.a	Maximum ***height***:	24m
.b	Minimum ***front yard***:	6.0 m
.c	Minimum ***side yard***:	
	i. ***interior side yard***	6.0 m
	ii. ***exterior side yard***	6.0 m
.d	Minimum ***rear yard***:	9.0 m
.e	Minimum ***building*** separation from internal ***streets***, surface ***parking spaces*** or ***walkways***	3.0 m
.f	Maximum casino games	
	i. Slot machines	300
	ii. Gaming tables	30

.2 In the case of ***Lots*** 8 and 9, District Lot 366, Plan 5419, located at 970 and 976 Vernon Ave.; Lot 8, District Lot 366, SDYD, Plan 3413 located at 954 Vernon Ave.; Lot A, District Lot 366, SDYD, Plan KAP84491 located at 950 Westminster Ave. W.; and Lot B, District Lot 366, SDYD, Plan KAP84491 located at 903 Vernon Ave.;

.a Hotel use

.b A use for the temporary accommodation of the travelling public under a rental pool scheme operated by a strata corporation; and/or in a strata plan by any person or family member under a time share use plan or time share ownership plan as defined in the Real Estate Act.

.c Residential use – up to 50% of the hotel floor area occupied by hotel rooms.

.d Eating and drinking establishments, indoor entertainment, recreation and amusement.

.e Retail trade and personal services to a maximum of 100m^2 in floor area.

.f Recreational equipment rentals including motor scooters not exceeding 55cc engine displacement, but excluding other motorized vehicles.

.g Conference facilities, including meeting rooms and kitchen facilities.

.h Professional offices, not to exceed 10% of the building in which they are located not to exceed 900m^2 (9,690 sq. ft.).

.i Notwithstanding the Subdivision and Development Regulations in Section 11.10.2, the following regulations apply to these properties:

.i Maximum Lot Coverage: 40%

.ii Maximum Floor Area Ratio: 1.75

.iii Minimum Parcel Size: 0.4ha

.iv Maximum Height: 40m (subject to Penticton Airport Zoning Regulations.

.j Notwithstanding the Parking Requirements in Section 7.6, the following regulations apply to these properties:

USES	REQUIRED PARKING SPACES	REQUIRED LOADING SPACES
Hotels	0.66 spaces per room	1

11.11 CT2 – Campground Commercial

PURPOSE

This ***zone*** provides for ***campground*** accommodation and ***accessory uses***.

11.11.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***campground***
.3 ***convenience store***
.4 ***indoor amusement, entertainment and recreation***
.5 ***recreation equipment sales, service and rentals***
.6 ***security/operator dwelling unit*** (subject to accessory suites regulation 8.5)

11.11.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	30.0 m
.2	Minimum ***lot area***:	0.4 ha
Development Regulations:		
.3	Maximum ***height***:	11.0 m and 3 ***storeys*** above ***approved grade*** (Bylaw No. 2025-09)
.4	Minimum ***front yard***:	6.0 m
.5	Minimum ***interior side yard***:	4.5 m
	.a except when ***abutting*** a ***residential*** or ***institutional zone***	6.0 m
.6	Minimum ***exterior side yard***:	4.5 m
.7	Minimum ***rear yard***:	4.5 m
	.a except when ***abutting*** a ***residential*** or ***institutional zone***	6.0 m

11.11.3 OTHER REGULATIONS

.1 ***Campgrounds*** are subject to the regulations of the ***City's*** Campsite and Tourist Accommodation Bylaw.

.2 ***Indoor amusement entertainment and recreation*** is limited to an ***accessory use*** for ***campground*** guests.

.3 ***Recreation equipment sales, service and rentals*** are limited to bicycles, watercraft, sports equipment and motor scooters not exceeding a fifty-(50) cc engine.

.4 ***Convenience store*** shall be limited to 100 m^2 ***gross floor area***.

11.12 CT3 – Hotel Resort

PURPOSE

This ***zone*** provides for high-***density*** hotel and resort development.

11.12.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***indoor amusement, entertainment and recreation***
.3 ***liquor primary licensed premise***
.4 ***personal service establishment***
.5 ***recreation equipment sales, service and rentals***
.6 ***resort residential***
.7 ***retail store***
.8 ***restaurant***
.9 ***short term rental*** (subject to specific use regulation 7.6)
.10 ***tourist accommodation***

11.12.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	50 m
.2	Minimum ***lot area***:	0.4 ha
Development Regulations:		
.3	Maximum ***lot coverage***:	50%
.4	Maximum ***density***:	1.2 ***FAR***
.5	Maximum ***height***:	18 m
.6	Minimum ***front yard***:	3.0 m
.7	Minimum ***interior side yard***:	6.0 m
.8	Minimum ***exterior side yard***:	6.0 m
.9	Minimum ***rear yard***:	9.0 m
.10	Minimum ***building*** separation from internal ***streets***, surface ***parking spaces*** or ***walkways***	2.0 m, or 3.0 m ***adjacent*** ground floor habitable room windows unless such ***streets*** or ***walkways*** are giving private exclusive access to those ***dwelling units***
.11	Notwithstanding Chapter 6, off street parking requirements are as follows:	
	.a Studio	0.75 spaces
	.b 1 or 2 bedroom ***sleeping unit***	0.75 spaces
	.c bedroom unit with lock-off unit	1.3 spaces
	.d 3 or more bedroom ***sleeping unit***	2 .0 spaces

11.12.3 OTHER REGULATIONS

.1 ***Resort residential building*** must include a minimum of 450 m^2 of resort ***amenity*** facilities, including outdoor pools, indoor games, recreation, fitness and health rooms, pools and spas, guest lounges, meeting rooms and similar amenities.

.2 In addition to the General Regulations Chapter of this Bylaw dealing with projections, utilities, underground parking and similar ***structures*** constructed entirely beneath the surface of the ground may encroach into required yards provided such underground encroachments do not result in a grade inconsistent with ***abutting*** properties and the encroachments are covered by sufficient soil depth or surface treatment to foster ***landscaping***.

.3 Within 60 m of the front ***lot line abutting*** Skaha Lake Road, the following ***uses*** shall be permitted: ***restaurant***, ***liquor primary licensed premise***, ***retail store, personal service establishment, indoor entertainment, recreation and amusement***, professional ***office***, ***dwelling units*** above the first floor and under the same roof of the ***building*** within which the ***permitted use*** is carried out, provided that a separate entrance from ground level is provided.

.4 ***Recreation equipment sales, service and rentals*** shall be limited to bicycles, watercraft, sports equipment and motor scooters not exceeding to fifty-(50) cc capacity.

.5 ***Personal service establishments*** and ***retail store uses*** shall be limited to 100 m^2 of ***gross floor area***.

Chapter 12 – Industrial Zones

12.1 M1 –General Industrial

PURPOSE

This ***zone*** provides for mix of general and light industrial ***uses***.

12.1.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***animal clinic***
.3 ***animal shelter***
.4 ***artisan crafts***
.5 ***building and garden supply***
.6 ***business support service***
.7 ***call centre***
.8 ***cannabis production facility***
.9 ***contractor service, general***
.10 ***contractor service, limited***
.11 ***fleet service***
.12 ***funeral service***
.13 ***garden centre***
.14 ***general industrial use***
.15 ***government service*** including ***outdoor storage***
.16 ***high technology service***
.17 ***household repair service***
.18 ***indoor animal day care and grooming***
.19 ***mobile catering food service***
.20 ***motor vehicle body repair and paint shop***
.21 ***motor vehicle and equipment repair shops***
.22 ***motor vehicle and equipment services, industrial and agriculture***
.23 ***motor vehicle sales and rental***
.24 ***outdoor storage***, excluding ***wrecking yard***
.25 ***restaurant***
.26 ***one security/operator dwelling unit*** (subject to accessory suites regulation 8.5)
.27 ***self- storage***
.28 ***storage and warehouse***
.29 ***utility service, major***
.30 ***wholesale business***
.31 ***recycling drop-off*** (Bylaw No. 2026-21)

12.1.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:

.1	Minimum ***lot width***:	20.0 m
.2	Minimum ***lot area***:	1000 m^2
Development Regulations:		
.3	Maximum ***height***:	15 m
.4	Minimum ***front yard***:	6.0 m
.5	Minimum ***interior side yard***:	0 m and 3.5 m
	.a when ***abutting*** a ***residential, commercial, public*** or ***institutional zone***	6.0 m
	.b when ***abutting*** a ***lane***	3.0 m
.6	Minimum ***exterior side yard***:	4.5 m
.7	Minimum ***rear yard***:	0 m
	.a when ***abutting*** a ***residential, commercial, public*** or ***institutional zone***	7.5 m

12.1.3 OTHER REGULATIONS

.1 (Bylaw No. 2026-21)

.2 The floor area devoted to ***accessory uses*** shall not exceed 25% of the ***gross floor area*** of a building.

.3 A ***security/operator dwelling unit*** shall not exceed a ***gross floor area*** of 100 m^2.

.4 A ***restaurant*** shall be limited to 100 m^2 ***gross floor area.***

.5 In the case of a business servicing or repairing ***recreational vehicles***, overnight parking of RVs shall be considered an ***accessory use***.

.6 A **funeral service** shall be limited to 250m^2 ***gross floor area***.

12.1.4 SITE SPECIFIC PROVISIONS

.1 In the case of ***Lot*** 2, Plan 6155 located at 201 Okanagan Avenue East a Fitness centre and food take out delivery shall be a ***permitted use***.

.2 In the case of ***Lot*** A, DL 3821S, SDYD, Plan KAP51916, located at 1363 Commercial Way an ***indoor amusement, entertainment and recreation*** facility in a ***building*** with a minimum floor area of 230 m^2.

.3 In the case of ***Lot*** 1, District Lot 251 Similkameen Division Yale District Plan 12353, located at 2250 Camrose Street, the use of the premises by a non-profit society:

.a Providing family service operations to include life skills training (may include cooking, budgeting, first aid), employment skills training, and work experience facilitation; and

.b Operating a second hand store which primarily sells donated used merchandise; and

.c Operating a food bank for the purposes of storing and distributing food products for non-profit and charitable purposes; and

.d Operating administrative offices shall be permitted.

.4 In the case of Lot 1 District Lots 250, 2710, 3429S and 3821S Similkameen Division Yale District Plan 37288, located at 1641 Dartmouth Road, indoor recreation with a maximum building footprint of 1,300m2 (14,000 square feet) shall be permitted.

.5 In the case of ***Lot*** A District ***Lot*** 251, Similkameen Division Yale District Plan 27421 except Plan KAP70297, located at 2324 Government Street, ***indoor recreation*** use shall be permitted within one unit (shown as Building 3 in Figure 1 below) having a maximum building footprint of 335m^2." (Bylaw No. 2025-08)

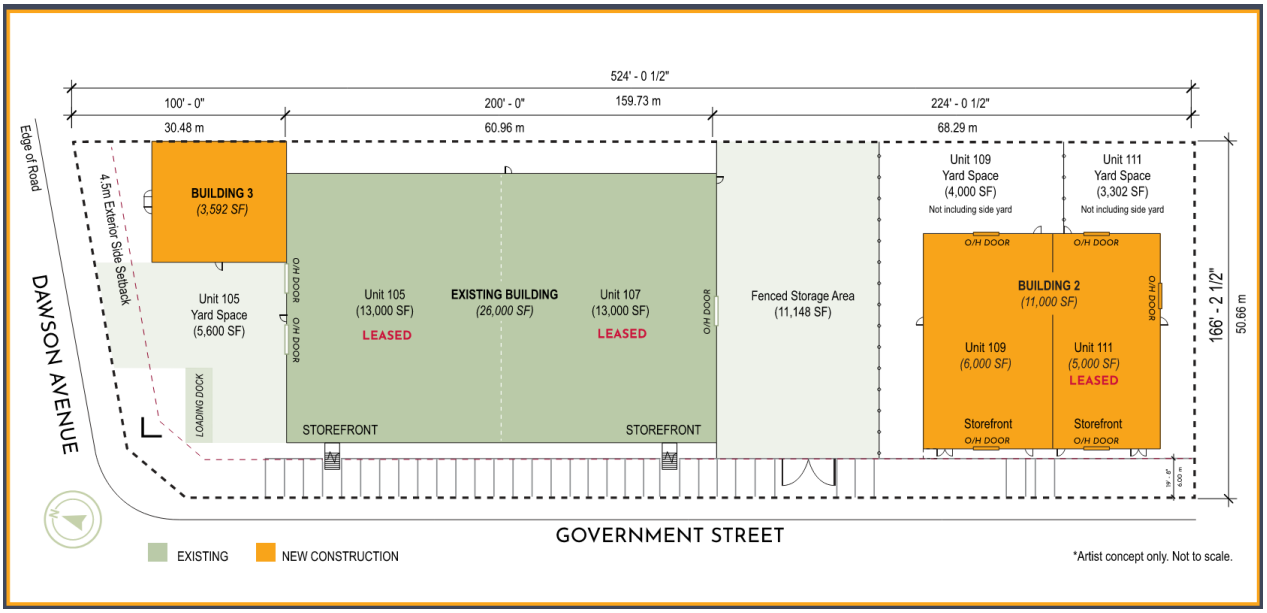

Figure 1: Site Plan (2324 Government

12.2 M2 – Heavy Industrial

PURPOSE

This ***zone*** provides for general and heavy industrial ***uses*** that are incompatible with non-industrial ***uses***.

12.2.1 PERMITTED USES

The ***permitted uses*** in this ***zon***e are:

.1 all ***uses*** permitted in the M1 ***zone***
.2 ***accessory use, building*** or ***structure***
.3 ***concrete mixing plant***
.4 ***foundry***
.5 ***industrial, heavy***
.6 ***recycling drop-off*** (Bylaw No. 2026-21)

12.2.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	30.0 m
.2	Minimum ***lot area***:	2000 m^2
Development Regulations:		
.3	Maximum ***height***:	15 m
.4	Minimum ***front yard***:	6.0 m
.5	Minimum ***interior side yard***:	6.0 m
.6	Minimum ***exterior side yard***:	4.5 m
.7	Minimum ***rear yard***:	6.0 m
	.a when ***abutting*** a ***residential, commercial, public*** or ***institutional zone***	10.0 m

12.2.3 OTHER REGULATIONS

.1 All ***uses*** in the M1 ***zone*** that are permitted in the M2 ***zone*** shall be subject to the regulations contained within the M1 ***zone***.

.2 (Bylaw No. 2026-21)

.3 (Bylaw No. 2026-21)

12.2.4 SITE SPECIFIC PROVISIONS

In addition to the regulations listed above:

.1 In the case of Plan M-489, SDYD located at 4001 Skaha Lake Road, the following regulations apply:

.a ***PERMITTED USES***

.1 ***airport***
.2 ***tourist accommodation***
.3 ***accessory use, building*** or ***structure***

.b ***SUBDIVISION AND DEVELOPMENT REGULATIONS***

.1	Minimum ***lot width***:	20 m
.2	Minimum ***lot area***:	1000 m^2
.3	Maximum ***height***:	50.0 m
.4	Minimum ***front yard***:	6.0 m
.5	Minimum ***interior side yard***:	4.5m
.6	Minimum ***exterior side yard***:	6.0 m
.7	Minimum ***rear yard***:	7.5 m

12.3 M3 –Wrecking Yard

PURPOSE

This ***zone*** provides for outdoor wrecking and salvage storage activities.

12.3.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 all ***uses*** permitted in the M1 ***zone***

.2 (Bylaw No. 2026-21)

.3 ***wrecking yard***

12.3.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	30.0 m
.2	Minimum ***lot area***:	2000 m^2
Development Regulations:		
.3	Maximum ***height***:	15 m
.4	Minimum ***front yard***:	6.0 m
.5	Minimum ***interior side yard***:	6.0 m
.6	Minimum ***exterior side yard***:	4.5 m
.7	Minimum ***rear yard***:	6.0 m
	.a when ***abutting*** a ***residential, commercial, public*** or ***institutional zone***	10.0 m

12.3.3 OTHER REGULATIONS

.1 All ***uses*** in the M1 ***zone*** that are permitted in the M3 ***zone*** shall be subject to the regulations contained within the M1 ***zone***.

.2 An ***accessory use, building*** or ***structure*** may include an indoor display, ***office***, technical training, and retail sale of products salvaged on the site.

.3 The floor area devoted to ***accessory uses*** shall not exceed 25% of the ***gross floor area*** of the industrial ***use***.

Chapter 13 – Public Assembly and Recreation Zones

13.1 P1 –Public Assembly

PURPOSE

This ***zone*** provides for governmental and institutional ***uses*** including, educational, health and recreational ***uses***, and civic or cultural gatherings.

13.1.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***assembly***
.3 ***carnival***
.4 ***cemetery***
.5 ***commercial school***
.6 ***congregate housing***
.7 ***day care centre, major***
.8 ***education service***
.9 ***government service***
.10 ***hospital and patient care service***
.11 ***indoor amusement***, ***entertainment and recreation***
.12 ***office***
.13 ***outdoor amusement, entertainment and recreation***
.14 ***outdoor market***
.15 ***public parking lot***
.16 ***restaurant***
.17 ***retail store***
.18 ***security/operator dwelling unit*** (subject to accessory suites regulation 8.5)

13.1.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	15.0 m
.2	Minimum ***lot area***:	560 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	40%
.4	Maximum ***density***:	1.2 ***FAR***
.5	Maximum ***height***:	12 m
.6	Minimum ***front yard***:	6.0 m
.7	Minimum ***interior side yard***:	4.5 m
.8	Minimum ***exterior side yard***:	6.0 m
.9	Minimum ***rear yard***:	7.5 m

13.1.3 SITE SPECIFIC PROVISIONS

.1 In the case of ***Lot*** A, District Lots 1997S, 3237S and 3429S, Similkameen Division Yale District, Plan KAP62140, located at 550 Carmi Avenue, the maximum ***height*** of a ***principal building*** is 45 m.

.2 In the case of Parcel A District Lots 1 and 2 Group 7 Yale Lytton District Plan 841 Except Plans 7745 and 17680, located at 1080 Railway Street, student housing shall be permitted with a parking requirement of 1 per 5 beds. (Bylaw No. 2024-35)

.3 In the case of Parcel A District ***Lots*** 1 and 2 Group 7 Yale Lytton District Plan 841 Except Plans 7745 and 17680, located at 1080 Railway Street, temporary accommodation for the travelling public may be permitted in a student housing use. (Bylaw No. 2026-35)

13.1.4 OTHER REGULATIONS

.1 For properties identified within the Transitional Neighbourhood Overlay on Schedule B (Zoning Bylaw Map), land may be developed in accordance with the regulations of the R4-S (Small-Scale Multi-Unit Residential: Small Lot) zone or P1 (Public Assembly) zone. Mixing or combining regulations, uses, or standards from both zones on the same parcel is prohibited. (Bylaw No. 2026-08)

13.2 P2 – Parks and Recreation

PURPOSE

This ***zone*** provides for parks, recreation and ***open space***.

13.2.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***carnival***
.3 ***community garden***
.4 ***government service***
.5 ***indoor amusement, entertainment and recreation***
.6 ***marina***
.7 ***outdoor amusement, entertainment and recreation***
.8 ***outdoor market***
.9 ***public parking lot***
.10 ***restaurant***

13.2.2 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	15.0 m
.2	Minimum ***lot area***:	560 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	40%
.4	Maximum ***height***:	16 m
.5	Minimum ***front yard***:	6.0 m
.6	Minimum ***interior side yard***:	4.5 m
.7	Minimum ***exterior side yard***:	6.0 m
.8	Minimum ***rear yard***:	7.5 m

13.2.3 OTHER REGULATIONS

.1 A ***security/operator dwelling unit*** shall not exceed a ***gross floor area*** of 100 m^2.

.2 A ***restaurant*** shall be limited to 100 m^2 ***gross floor area.***

13.2.4 SITE SPECIFIC PROVISIONS

.1 In the case of ***Lot*** A District Lots 202, 249 and 250 Similkameen Division Yale District, Plan EPP111114, located at 470 Edmonton Avenue, '***day care centre, major*** ', shall be permitted.

13.3 P3– Major Utilities

PURPOSE

This ***zone*** provides for the establishment of private and public utilities.

13.3.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***outdoor storage***
.3 ***utility service, major***

13.3.2 DEVELOPMENT REGULATIONS

.1	Maximum ***height***:	15.0 m
	There is no maximum ***height*** for mechanical ***structures***	
.2	Minimum ***front***, ***side*** and ***rear yards***:	6.0 m

13.3.3 OTHER REGULATIONS

.1 In the case where ***utility service, major*** is ***abutting*** or ***adjacent*** to a residential ***zone***, ***landscaping*** shall be required in accordance with the ***landscape buffer*** specification outlined in Section 5.2 of this Bylaw.

13.4 P4– Environmental Reserve

PURPOSE

This ***zone*** provides for the protection and conservation of natural areas.

13.4.1 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***conservation***
.3 ***passive recreation***

Chapter 14 - Comprehensive Development

14.1 CD1 – Repealed

14.2 CD2 – Comprehensive Development (270 Riverside Drive)

14.2.1 PURPOSE

This ***zone*** provides for the comprehensive design of a residential development on Lot A, District Lot 366, SDYD, PL KAP91771 located at 270 Riverside Dr., (Formerly Lot 2 District Lot 366 Similkameen Division Yale District Plan 9991 Except Plan 15522 and Lot 1 District Lot 366 Similkameen Division Yale District Plan 15522 (270 Riverside Dr. & 271 Wylie St) that is consistent with the intent of Official Community Plan Bylaw 2002-20.

14.2.2 PERMITTED USES

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***campground*** with maximum 30 campsites
.4 commercial ***uses*** as part of a ***live-work unit***,
.5 ***convenience store*** in conjunction with a ***campground*** or ***motel use***
.6 ***live-work unit***
.7 ***mobile vending unit***
.8 ***motel*** with a maximum of 19 units and one dwelling unit for a caretaker
.9 seniors' boarding home
.10 ***short term rental*** (subject to specific use regulation 7.6)
.11 ***townhouse***
.12 ***resort residential*** (Bylaw No. 2025-04)

14.2.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	60.0 m
.2	Minimum ***lot area***:	9000 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	65%
.4	Maximum ***density***:	2.0 FAR
.5	Maximum ***height***:	44 m and 15 stories
.6	Minimum ***front yard*** (Riverside Drive):	4.5 m
.7	Minimum ***interior side yard***:	2.5 m
.8	Minimum ***exterior side yard***:	2.5 m
.9	Minimum ***rear yard*** (Wylie Street):	2.5 m

14.2.4 LIMITATIONS FOR LIVE WORK STUDIOS

.1 A ***live work unit*** shall contain a minimum of 23 square meters (250 square feet) of permitted commercial space to a maximum of 28 square meters (300 square feet).

.2 Permitted commercial space must occupy the entire front portion of the bottom floor of the strata unit with an entrance facing riverside drive.

.3 A permitted commercial use in a ***live-work unit*** shall not generate any commercial vehicle trips.

.4 A permitted commercial use in a ***live-work unit*** shall have a valid business license.

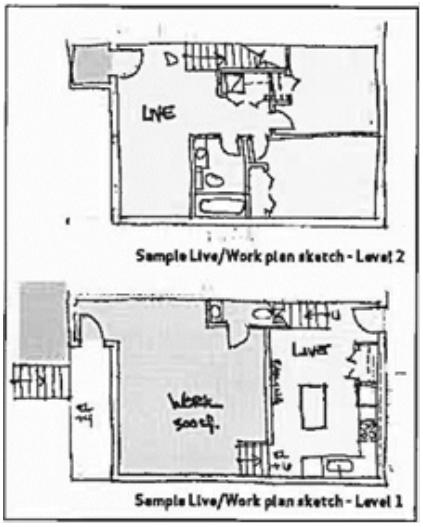

Figure 15 - Live Work CD2

.5 A permitted commercial use in a ***live-work unit*** shall not involve the use of power tools, amplified sound equipment, or manufacturing equipment, including industrial photography, photo processing, or painting equipment.

.6 A permitted commercial ***use*** in a ***live-work unit*** shall not produce any nuisance from noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance.

.7 Notwithstanding the permitted commercial uses under Section 14.2.4 of this Bylaw, the storage or use of toxic, flammable or otherwise harmful materials, in manner or quantity that would otherwise be prohibited in a residential dwelling under the BC Fire Code, is prohibited in a live-work studio.

.8 No on-site parking shall be provided for a commercial use in a ***live-work unit***.

.9 No person other than residents of the ***live-work unit*** shall be engaged in a permitted commercial use. However, there is no limit to the number of employees who work off site of the ***live-work unit***.

14.2.5 OTHER REGULATIONS

.1 Commercial ***uses*** as part of a ***live-work unit*** are subject to the limitations of use under Subsection 14.2.4 and no more than 28 square meters (300 square feet) in floor area, including:

.a ***office*** uses

.b studio for and artist, artisan, sculptor, photographer, or musician.

.c retail sale and display of items produced on the premises

.d mail, telephone, or internet sales of goods produced off-site, provided goods are not stored on the premises and the customer does not enter the premises to inspect or pick up the goods purchased

.2 ***Live-work unit*** shall only front Riverside Drive.

.3 Notwithstanding Section 4.9 of this Bylaw, unenclosed stairwells, balconies, porches, canopies and similar architectural projections may project up to 2.0 m into all ***yards***.

.4 The maximum density specified in Section 14.2.3.4 of this Bylaw may be increased to a maximum floor area of 2.5 if the owner provides the following:

.a A cash payment in the amount of $200,000,

.b Dedication of a statutory right of way over the lands lying to the south of the property to the City for the purpose of public open space as shown on the attached specifications,

.c Construction of the improvements within the dedicated open space shown on attached specifications.

.5 Amenities contributions described in Section 14.2.5.4 shall be deliverable upon application for a building permit authorizing construction of any part of the development.

14.3 CD3 – Comprehensive Development (2784 Skaha Lake Road)

14.3.1 PURPOSE

This ***zone*** provides areas for a mix of residential and compatible commercial ***uses*** within the same building on key sites along Skaha Lake Road.

14.3.2 PERMITTED USES

The ***permitted*** uses in this ***zone*** are:

.1 care centre
.2 commercial and professional ***business offices***
.3 ***commercial school***
.4 ***day care centres***, kindergartens, nurseries and community care facilities
.5 dry cleaning
.6 eating and drinking establishment
.7 health and fitness facilities
.8 high tech services (#2001-29)
.9 household repair
.10 ***personal service establishment***
.11 residential dwellings in conjunction with the above uses provided a separate entrance to the dwelling units from ground level is maintained
.12 ***retail store*** and service
.13 senior citizens' boarding homes
.14 thrift store
.15 ***utility services***

14.3.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum lot width:	30.0 m
.2	Minimum ***lot area***:	1500 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	70%
.4	Maximum ***density***	2.0 ***FAR***, subject to the Density Bonus provisions below
.5	Maximum ***height:***	46.0 m
.6	Minimum ***front yard***:	3.0 m
.7	Minimum ***interior side yard***:	4.5 m
.8	Minimum ***exterior side yard***:	4.5 m
.9	Minimum ***rear yard***:	4.5 m
.10	Parking Requirements	
	.a Commercial	1 per 28 m^2
	.b Residential	
	.i Bachelor	1.0 spaces per unit
	.ii 1 Bedroom	1.25 spaces per unit
	.iii 2 or more Bedrooms	1.5 spaces per unit

14.3.4 PROJECTIONS INTO YARD SETBACKS

.1 Notwithstanding Section 4.9 of this Bylaw:

.a Entrance canopies or awnings may project no more than 2.5 m into a front setback or an exterior side yard or no closer than 1.5 m to a side lot line.

.b Balconies may project no more than 2.0m into the minimum setbacks and may be partially or totally enclosed where the enclosure consists of clear glazing

14.3.5 DENSITY BONUS

.1 The maximum density specified in Section 14.3.3.4 of this Bylaw may be increased, to a maximum floor area ratio of 2.5 where the owner voluntarily provides a cash payment of $15.00 for every .09 m^2 (1 square foot) of bonus density to the City of Penticton to be placed in a reserve fund for affordable and special needs housing or public amenities off the site. This payment is due at the time of issuance of any building permit authorizing the construction of a building whose construction results in the FAR exceeding 2.0 by any amount, and to the extent that the building permit authorizes construction exceeding that density.

14.3.6 OTHER REGULATIONS

.1 A minimum area of 6.0 m^2 of ***amenity space*** shall be provided per bachelor dwelling or group home bedroom, 10.0 m^2 of ***amenity space*** shall be provided per 1 bedroom dwelling, and 15.0 m^2 of ***amenity space*** shall be provided per dwelling with more than 1 bedroom.

.2 A mixed use building incorporating residential and other uses shall provide functional commercial space on the first floor which must occupy a minimum of 90% of all Skaha Road ***street*** frontages. Access driveways or other portions of the street frontage not used as building will not be considered for the purpose of this calculation.

14.3.7 SITE SPECIFIC PROVISIONS

.1 In the case of Lot 1, District Lot 116, SDYD, Plan 30067 known as 2964 Skaha Lake Rd. town house units are permitted at grade level along Wilson St. frontage with a minimum setback of 3.5m. In the case of Lots 2 and 3 Plan 21548 and Lot A Plan 27251, District Lot 116 known respectively as 2784 Skaha Lake Road, 2824 Skaha Lake Road, and 2730 Skaha Lake Road including consolidations thereof, the follow additional regulations shall apply:

.a Frontages along public streets must be screened by active commercial or retail uses with a minimum height of two storeys and a 3.0 m step back for any uses above the active frontage. An "active frontage" includes commercial, retail or residential units with glazing covering at least 50 percent of the street-fronting facade and at least one entrance every 20 m;

.b All passive uses at or above grade must be fully screened by an active frontage with a minimum depth of 8.0 m. A "passive use" includes parking,

service and utility spaces of a building or areas without regular human occupation;

.c Where a building permit application is made for phased development, the Density Bonus specified in Section 14.3.5 of this Bylaw shall be based on Table 14.1. The Area 1, 2 and 3 boundaries are shown on Figure 16 below.

Figure 14.1 – CD3 Density		
Land Area	**Base FAR**	**Bonus FAR**
Total @ 12,710m^2	2.0	2.5
Land Area 1 @ 4236 m2	2.0	2.5
Land Area 2 @ 4236 m2	2.0	2.5
Land Area 3 @ 4236 m2	2.0	2.5

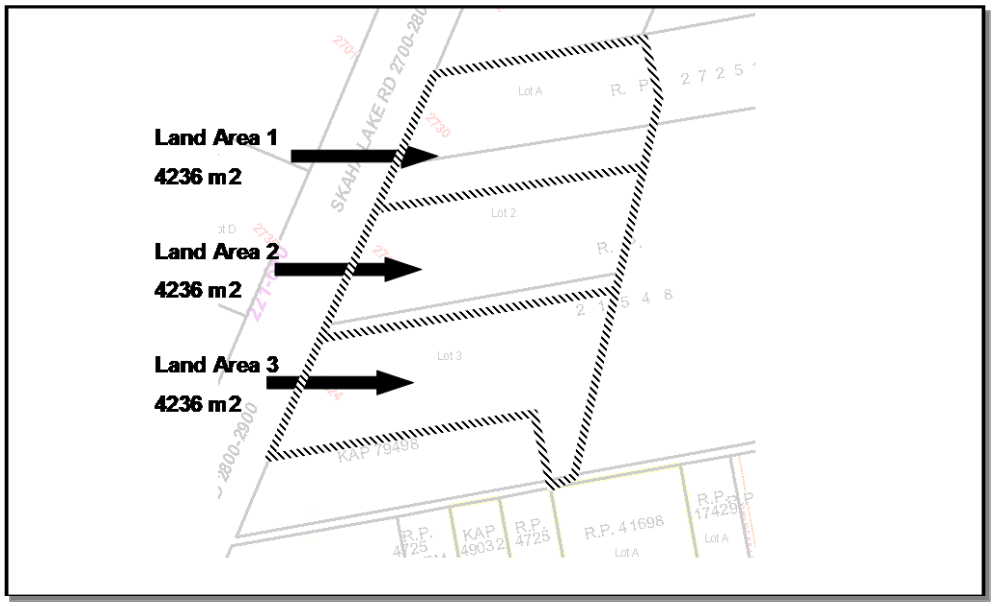

Figure 16 - Phasing and Density Bonus - 2784 Skaha Lake Road

14.4 CD4 – Repealed

14.5 CD5 – Comprehensive Development (3388 Skaha Lake Road)

14.5.1 PURPOSE

This ***zone*** provides for the comprehensive development of three (3) residential towers with ground floor garden ***apartments***, on *Lot B, District Lot 116, Similkameen Division Yale District, Plan EPP43254*, located at 3388 Skaha Lake Road.

14.5.2 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***congregate housing***
.4 ***day care centre, major***
.5 ***extended care residence***
.6 ***minor home occupation*** (subject to specific use regulation 7.3)
.7 ***short term rental*** (subject to specific use regulation 7.6)

14.5.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot area***:	4000 m^2
Development Regulations:		
.2	Maximum ***lot coverage***:	60%
.3	Maximum ***density***: (without density bonus)	2.0 ***FAR***
.4	Minimum ***height*** of residential tower:	20.0 m and 6 storeys
.5	Maximum ***height***:	45 m and 14 storeys
.6	Minimum ***front yard***:	4.5 m
.7	Minimum ***side yard:***	0.0 m
.8	Minimum ***rear yard***:	3.0 m

14.5.4 OTHER REGULATIONS

.1 Notwithstanding Section 6.5 of this Bylaw, in the case of the ***use apartment vehicle parking*** shall be provided at the following rate:

.a 1 space per dwelling unit,

.b 5 guest spaces per residential building.

.2 ***Amenity space*** shall be provided at the following rate:

.a 5.0 m^2 per unit.

14.5.5 DENSITY BONUS

.1 Notwithstanding Section 14.5.3.3 of this Bylaw, the maximum ***density*** on this property may be increased to 3.05 ***FAR***, with a contribution of $15.00 per square meter for any ***density*** above 2.0 FAR, to be deposited into a fund to support housing affordability in the City of Penticton.

.2 The density bonus will be applied at the time of building permit issuance for each individual tower, with 1/3 of the total density of the project allocated to each tower.

14.6 CD6 – Comprehensive Development (962 Churchill Avenue)

14.6.1 PURPOSE

This ***zone*** provides for the comprehensive development of a residential site for *Lot 1, DL 3, SDYD (Formerly Yale Lytton), Plan 24763*, located at 962 Churchill Avenue.

14.6.2 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***minor home occupation*** (subject to specific use regulation 7.3)
.4 ***short term rental*** (subject to specific use regulation 7.6)

14.6.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	21.0 m
.2	Minimum ***lot area***:	700 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	55%
.4	Maximum ***density***:	1.9 ***FAR***
.5	Maximum ***height***:	
	.a ***principal building***	19.0 m
	.b ***accessory building*** or ***structure***	4.5 m
.6	Minimum ***front yard***:	3.0 m
.7	Minimum ***interior side yard:***	
	.a ***principal building***	2.5 m
	.b ***accessory building*** or ***structure***	1.5 m
.8	Minimum ***rear yard***:	
	.a ***principal building***	6.0 m
	.b ***accessory building or structure***	1.5 m

14.6.4 AMENITY SPACE

.1 ***Amenity space*** shall be provided at the rate of 20.0 m^2 for each ***dwelling unit***.

14.6.5 OTHER REGULATIONS

.1 In addition to the projections permitted in Table 4.1 of this Bylaw, the maximum projection into a required side yard for a deck is 0.2 m.

.2 The minimum width of a landscape buffer ***abutting*** a residential zone shall be 2.0 m.

14.7 CD7 – Comprehensive Development (154 Brunswick Street)

14.7.1 PURPOSE

This ***zone*** provides for the comprehensive development of a residential site for *Lot 1, DL 4, SDYD (Formerly Yale Lytton), Plan KAP49946*, located at 154 Brunswick Street.

14.7.2 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***minor home occupation*** (subject to specific use regulation 7.3)
.4 ***office***
.5 ***short term rental*** (subject to specific use regulation 7.6)

14.7.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:		
.1	Minimum ***lot width***:	31.0 m
.2	Minimum ***lot area***:	1,700 m^2
Development Regulations:		
.3	Maximum ***lot coverage***:	65%
.4	Maximum ***density***:	2.0 ***FAR***
.5	Maximum ***height***:	
	.a ***principal building***	23.0 m
	.b ***accessory building*** or ***structure***	4.5 m
.6	Minimum ***front yard***:	3.0 m
.7	Minimum ***interior side yard:***	
	.a ***principal building***	4.5 m
	.b ***accessory building*** or ***structure***	1.5 m
.8	Minimum ***rear yard***:	
	.a ***principal building***	4.5 m
	.b ***accessory building*** or ***structure***	1.5 m

14.7.4 AMENITY SPACE

.1 ***Amenity space*** shall be provided at the rate of 20.0 m^2 for each ***dwelling unit***.

14.7.5 OTHER REGULATIONS

.1 A landscaping buffer to be provided along property lines ***abutting*** a residential zone and highway shall not apply.

.2 An ***office*** shall not exceed a maximum ***gross floor area*** of 100 m^2.

14.7.6 ALLOWABLE PROJECTIONS

.1 In addition to the projections permitted in Table 4.1 of this Bylaw, the following projections apply:

Table 14.2 – CD7 Projections	
Feature	**Maximum projection in to Require Yards**
Roof features including roof projection, eaves, eave-troughs and gutters	1.7 m ***interior side yard*** 0.5 m ***front yard***
Open stairways, landings, steps	1.2 m ***interior side yard***, provided that 1.5 m is still maintained between the feature and the property line 1.5 m ***front yard***
Covered or uncovered ***balcony***, porch, and ***deck***	1.6 m ***interior side yard (northern)*** 0.8 m ***interior side yard (southern)***

14.7.7 PARKING REGULATIONS

.1 Off-street ***vehicle parking*** shall comply with the standards and regulations established in Chapter 6 of this Bylaw.

.2 Notwithstanding Section 14.7.7.1, up to 44% of the required off-street ***parking*** spaces may be designed as small car ***parking spaces***, in accordance with Table 6.3 of this Bylaw. Such spaces shall be clearly marked with "small car".

.3 Cash-in-lieu: in lieu of providing the required number of off-***street vehicular parking spaces***, the property ***owner*** may provide the City with a sum of money equal to the number of ***parking spaces*** not provided multiplied by the applicable cash-in-lieu amount as identified in Table 6.1 of this Bylaw. The sum of money will be deposited in the Off-Street Parking Reserve and Alternative Transportation Infrastructure Reserve at the rate of 75% to the Off-Street Parking Reserve and 25% to the Alternative Transportation Infrastructure Reserve.

14.8 CD8 – Comprehensive Development (795 Westminster Ave W)

14.8.1 PURPOSE

This ***zone*** provides for the comprehensive development of a medium-density, 3 storey, mixed-use development site for *Lot 1 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979*, located at 713 Westminster Ave W, *Lot 2 District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale Lytton) District Plan 3979*, located at 737 Westminster Ave W, and *Parcel A (KK20280) District Lot 2 Group 7 Similkameen Division Yale (Formerly Yale-Lytton) District Plan 3979,* located at 795 Westminster Ave W.

14.8.2 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***apartment***
.3 ***artisan crafts***
.4 ***bakery***
.5 ***business support service***
.6 ***cannabis retail store***
.7 ***craft brewery/distillery***
.8 ***day care centre, major***
.9 ***dwelling unit***
.10 ***financial service***
.11 ***flex unit***
.12 ***health service***
.13 ***indoor animal day care and grooming***
.14 ***indoor amusement, entertainment and recreation***
.15 ***liquor primary licensed premise***
.16 ***live work unit*** (subject to specific use regulation 7.8)
.17 ***minor home occupation*** (subject to specific use regulation 7.3)
.18 ***office***
.19 ***on-site beer/wine making***
.20 ***personal service establishment***
.21 ***recreation equipment sale, service and rentals***
.22 ***restaurant***
.23 ***retail store***
.24 ***short term rental*** (subject to specific use regulation 7.6)
.25 ***townhouse***

14.8.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

.1	Minimum ***lot width***:	90.0 m
.2	Minimum ***lot area***:	3,200 m^2

.3	Maximum ***lot coverage***:	56%
.4	Maximum ***density***:	1.1 ***FAR***
.5	Maximum ***height***:	13.0 m
.6	Minimum ***front yard***:	1.5 m
.7	Minimum ***interior side yard:***	3.0 m
.8	Minimum ***exterior side yard***	1.5 m
.9	Minimum ***rear yard***:	2.5 m

14.8.4 AMENITY SPACE

.1 ***Amenity space*** shall be provided at the rate of 10.0 m^2 for each ***dwelling unit***.

.2 All ***amenity space*** may be provided above ***approved grade.***

14.8.5 OTHER REGULATIONS

.1 Commercial ***uses*** shall be limited to the ***first storey*** of the ***buildings***.

.2 In addition to the regulations in Section 7.8, ***live work units*** shall be limited to the first two ***storeys*** of the ***buildings***.

14.8.6 PARKING REGULATIONS

.1 Notwithstanding Table 6.6, the minimum number of ***parking spaces*** for ***uses*** shall be as follows:

a. Minimum 44 ***parking spaces*** for ***dwelling units*** and ***live-work units***;

b. Minimum 4 ***parking spaces*** for visitor parking; and

c. Minimum 3 ***parking spaces*** for commercial ***uses***.

14.9 CD9 – Comprehensive Development (1704 Government Street)

(Bylaw No. 2024-05)

14.9.1 PURPOSE

This ***zone*** provides for the comprehensive development of a high density, mixed use development site on *Lot A, District Lot 3429S, SIMILKAMEEN DIVISION YALE DISTRICT, PLAN 23195 EXCEPT PLAN 37288*, located at 1704 Government Street.

14.9.2 PERMITTED USES

The ***permitted uses*** in this ***zone*** are:

.1 ***accessory use, building*** or ***structure***
.2 ***animal clinic***
.3 ***apartment***
.4 ***artisan crafts***
.5 ***assembly***
.6 ***bakery***
.7 ***business support service***
.8 ***cannabis retail store***
.9 ***commercial school***
.10 ***convenience store***
.11 ***craft brewery/distillery***
.12 ***congregate housing***
.13 ***day care centre, major***
.14 ***day care centre, minor***
.15 ***dwelling unit***
.16 ***extended care residence***
.17 ***financial service***
.18 ***flex unit*** **(**subject to accessory suite regulation 8.4)
.19 ***general industrial use*** (subject to the regulations in Section 14.9.5)
.20 ***grocery store***
.21 ***health service***
.22 ***high technology service***
.23 ***hospital and patient care service***
.24 ***household repair service***
.25 ***indoor amusement, entertainment and recreation***
.26 ***indoor animal day care and grooming***
.27 ***liquor primary licensed premise***
.28 ***live work unit*** (subject to specific use regulation 7.8)
.29 ***minor home occupation*** (subject to specific use regulation 7.3)
.30 ***office***
.31 ***outdoor market***
.32 ***personal service establishment***
.33 ***public park***
   a. community garden
   b. outdoor amusement, entertainment and recreation

c. outdoor market

.34 ***recreation equipment sale, service and rentals***

.35 ***resort residential*** (subject to the regulations in Section 14.9.5)

.36 ***restaurant***

.37 ***retail store***

.38 ***tourist accommodation*** (subject to the regulations in Section 14.9.5)

.39 *short term rental* (subject to specific use regulation 7.6)

14.9.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

.1 Minimum ***lot width***: 25.0 m

.2 Minimum ***lot area***: 2,200.0 m^2

.3 Maximum ***lot coverage***: 65%

.4 Maximum ***density***: 3.4 ***FAR*** (subject to the regulations in Section 14.9.8)

.5 Maximum ***height***:
Sub Area A: 29.0 m (8 ***storeys*** above ***approved grade***)
Sub Area B: 29.0 m (8 ***storeys*** above ***approved grade***)
Sub Area C: 43.0 m (12 ***storeys*** above ***approved grade***)
Sub Area D: 24.0 m (6 ***storeys*** above ***approved grade***)

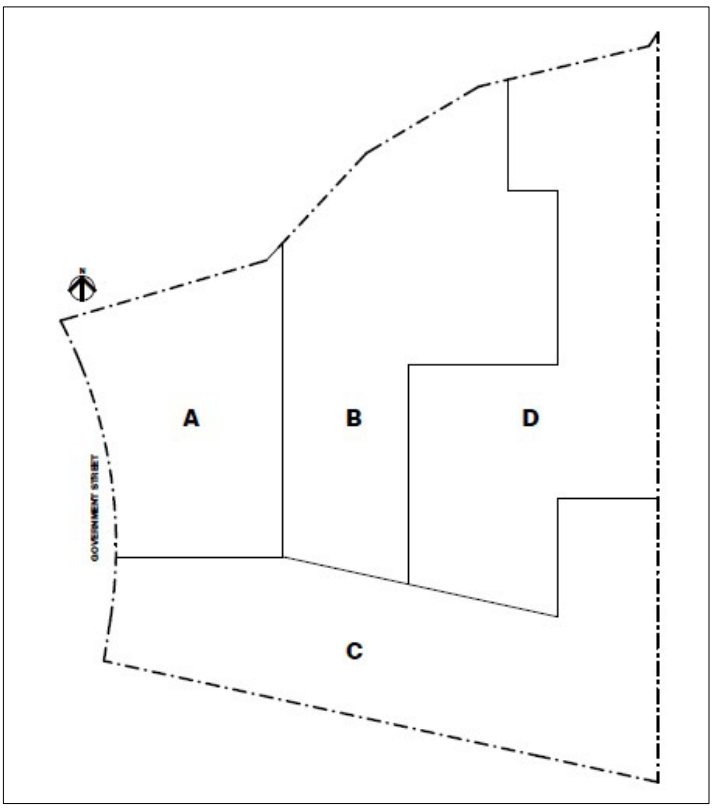

Figure 17 - Maximum Height Sub Areas – 1704 Government Street

.6 Minimum ***front yard***: 3.0 m

a. Except when a commercial use ***abuts*** an interior ***street***: 0.0 m

.7 Minimum ***interior side yard***: 1.5 m

.8 Minimum ***exterior side yard:*** 1.5 m

a. Except when a commercial use ***abuts*** an interior ***street***: 0.0 m

.9 Minimum ***rear yard***: 4.0 m

a. Except when ***abutting*** an industrial ***zone***: 6.0 m

14.9.4 AMENITY SPACE

.1 ***Amenity space*** shall be provided at the rate of 5.0 m^2 for each ***dwelling unit.***

14.9.5 OTHER REGULATIONS

.1 Any ***buildings*** or ***structures*** exceeding 413 metres above sea level shall require approval by Interior Health and the City of Penticton in order to ensure no conflicts with the Penticton Regional Hospital helipad approach.

.2 A minimum area of 2,046 m^2 shall be provided for ***public park use***.

.3 ***General industrial*** uses shall not exceed 8,175 m^2 ***gross floor area***.

.4 ***General industrial*** uses shall be limited to indoor use only or screened from view where abutting a public street or residential use.

.5 ***Tourist accommodation*** uses on the site shall not exceed 53,220 m^2.

.6 ***Resort residential*** uses on the site shall not exceed 49% total residential ***gross floor area***.

.7 Commercial uses (excluding ***tourist accommodation***) will be limited to the following maximum ***gross floor area*** in each phase as follows:

Table 14.3 – Maximum Commercial Area by Phase

Phase	Maximum Commercial *Gross Floor Area* (m^2)
1	7,776
2	0
3	0
4	1,157
5	0
6	705
7	1,400

14.9.6 ALLOWABLE PROJECTIONS

.1 In addition to the projections permitted in Table 4.9 of this Bylaw, the following projections are permitted:

Table 14.4 – CD9 Projections

Feature	Maximum Projection into Required Yards
Covered or uncovered balcony, porch and deck	2.0 m ***front yard***
Fire escapes, open stairways, landings, steps, ramps, and patios	3.0 m ***front yard***

14.9.7 PARKING REGULATIONS

.1 Notwithstanding Table 6.6 of this Bylaw, residential vehicle parking requirements are as follows:

Table 14.5 – CD9 Parking Regulations	
Use	**Parking Ratio**
Strata Residential	
- Studio	0.5 stalls per ***dwelling unit***
- 1 Bed	1 stall per ***dwelling unit***
- 2 Bed	1 stall per ***dwelling unit***
- 3 Bed	1.25 stalls per ***dwelling unit***
- ***Flex Unit***	0.0 stalls per ***dwelling unit***
- Visitor	0.1 stalls per ***dwelling unit*** (excluding ***flex units***)
Rental Residential	
- Studio	0.5 stalls per ***dwelling unit***
- 1 Bed	0.5 stalls per ***dwelling unit***
- 2 Bed	1 stalls per ***dwelling unit***
- 3 Bed	1 stalls per ***dwelling unit***
- ***Flex Unit***	0.0 stalls per ***dwelling unit***
- Visitor	0.1 stalls per ***dwelling unit*** (excluding ***flex units***)

.2 Cash-in-lieu: in lieu of providing the required number of off-street vehicular ***parking spaces***, the property owner may provide the City with a sum of money equal to the number of ***parking spaces*** not provided multiplied by the applicable cash-in-lieu amount as identified in Table 6.1 of this Bylaw. The sum of money will be deposited in the Off-Street Parking Reserve and Alternative Transportation Infrastructure Reserve at the rate of 75% to the Off-Street Parking Reserve and 25% to the Alternative Transportation Infrastructure Reserve.

.3 Notwithstanding Table 6.4 of this Bylaw, residential bicycle parking requirements are as follows:

Table 14.6 – CD9 Bicycle Parking Regulations		
Use	**Class 1**	**Class 2**
Residential	0.75 per ***dwelling unit***	No additional requirement

.4 A bicycle maintenance facility shall be provided in each residential building in a designated, secure area within the building with sufficient work space and provision of maintenance tools, wash station, and power outlet.

14.9.8 DENSITY BONUS

.1 Notwithstanding section 14.9.3.4 of this Bylaw, the maximum ***density*** may be increased to 6.4 ***FAR*** provided that a minimum 25% of all ***dwelling units*** gained through the bonus ***density*** within the ***building(s)*** benefitting from the bonus ***density*** are provided as affordable ***dwelling units***.

.2 The affordable ***dwelling units*** secured through the ***density*** bonus provision outlined in Section 14.9.8.1 shall meet the Canada Mortgage and Housing Corporation (CMHC) definitions of affordable housing, as amended from time to time, and shall be secured through a housing agreement under section 483 of the *Local Government Act*, as amended from time to time. The housing agreement shall be registered on title of the affected ***lot(s)*** prior to building permit issuance for the ***building(s)*** benefitting from the bonus ***density***.

(Bylaw No. 2024-05)

.10 CD10 – Comprehensive Development (955 Timmins Street)

(Bylaw No. 2024-37)

14.10.1 Purpose

This ***zone*** provides for the comprehensive development of a mixed-use development site with commercial, recreational and residential uses for *Lot A District Lots 1, 2 and 4 Group 7 Similkameen Division Yale (Yale-Lytton) District Plan EPP124254,* located at 955 Timmins Street.

14.10.2 Permitted uses

The ***permitted uses*** in this ***zone*** are:

.6 ***accessory use, building*** or ***structure***
.7 ***apartment***
.8 ***artisan crafts***
.9 ***bakery***
.10 ***business support service***
.11 ***commercial school***
.12 ***day care centre, major***
.13 ***dwelling unit***
.14 ***health and fitness facilities***
.15 ***health service***
.16 ***indoor amusement, entertainment and recreation***
.17 ***liquor primary licensed premise***
.18 ***minor home occupation*** (subject to specific use regulation 7.3)
.19 ***mobile vending unit***
.20 ***office***
.21 ***outdoor market***
.22 ***outdoor amusement, entertainment and recreation*** (subject to Section 14.10.6.2)
.23 ***personal service establishment***
.24 ***recreation equipment sale, service and rentals***
.25 ***resort residential***
.26 ***restaurant***
.27 ***retail store***
.28 ***short term rental*** (subject to the specific use regulations in 7.6)
.29 ***tourist accommodation***

14.10.3 Subdivision and Development Regulations

.9 Minimum ***lot width***: 22 m^2

.10 Minimum ***lot area***: 2700 m^2

.11 Maximum ***lot coverage***: 65%

.12 Maximum ***density***: 0.7 FAR

.13 Maximum ***height***: 18 m

.14 Minimum ***front yard***: 4.5 m

.15 Minimum ***interior side yard:*** *4.0 m*

.16 Minimum ***rear yard***: 10 *m*

14.10.4 AMENITY SPACE

.2 ***Amenity space*** shall be provided at the rate of 5.0 m^2 for each ***dwelling unit***.

.3 All ***amenity space*** may be provided above ***approved grade.***

14.10.5 OTHER REGULATIONS

.1 LANDSCAPE BUFFER

.1 Notwithstanding Chapter 5, the landscaping and buffering shall be as follows:

.a 200 m^2 of landscaping must be provided in the parking areas

.b 3.0 m in height landscape buffer and fencing must be provided for ***outdoor amusement, entertainment and recreation*** uses abutting residential, recreational, institutional or commercial zones.

.2 PERMITTED USES

.1 ***outdoor amusement, entertainment and recreation*** hours of operation are restricted to 8:00am – 8:00pm.

.2 ***outdoor amusement, entertainment and recreation*** must be located 40 m from a residential zoned property, except in cases where adequate sound mitigation is provided to minimize the negative impacts on nearby properties in which case the standard building setbacks shall apply.

14.10.6 PARKING REGULATIONS

.2 Notwithstanding Table 6.6, the minimum number of ***parking spaces*** for ***uses*** shall be as follows:

Table 14.7 - Parking Requirements

Use/Type	Parking Space Requirement
Residential	0.5 stalls per ***dwelling unit*** 0.06 visitor stalls per ***dwelling unit***
Commercial	1 stall per 60 m^2 of ***NFA***
Accessible (subject to Table 6.2)	3 + 2% of total spaces over 100 spaces

Small Car (subject to Table 6.3)	35% of ***off-street parking spaces*** may be designed as small car ***parking spaces.***

.2 Notwithstanding Table 14.7, where a use is permitted in a zone, the use may, on a temporary basis, be carried on out-doors and may occupy required parking spaces between May to October.

(Bylaw No. 2024-37)

14.11 CD11 – Comprehensive Development (10 Galt Avenue)

(Bylaw No. 2025-27)

14.11.1 PURPOSE

This ***zone*** provides for the comprehensive development of an up to 6-storey, medium density, multiple housing development for *Lot 1 District Lot 116 Similkameen Division Yale District Plan 2027 except Plans M13339 and EPP139744*, located at 10 Galt Avenue.

14.11.2 PERMITTED USES

The ***permitted uses*** in the ***zone*** are:

.1 ***accessory use***, ***building*** or ***structure***
.2 ***apartment***
.3 ***congregate housing***
.4 ***day care centre, major***
.5 ***extended care residence***
.6 ***minor home occupation*** (subject to specific use regulation 7.3)
.7 ***short term rental*** (subject to specific use regulation 7.6)
.8 ***townhouse***
.9 ***office***

14.11.3 SUBDIVISION AND DEVELOPMENT REGULATIONS

Subdivision Regulations:

.1	Minimum ***lot width***:	25.0 m
.2	Minimum ***lot area***:	1400 m^2
	Development Regulations:	
.3	Maximum ***lot coverage***:	73%
.4	Maximum ***density***:	3.0 FAR
.5	Maximum ***height***:	
	.a ***principal building***	24 m
	.b ***accessory building*** or ***structure***	4.5 m
.6	Minimum ***front yard*** (subject to general development regulation 4.2.6):	0.4 m
.7	Minimum ***interior side yard*** (west):	3.0 m
.8	Minimum ***interior side yard*** (south):	0.5 m
.9	Minimum ***exterior side yard***:	4.5 m
.10	Minimum ***rear yard***:	6.0 m

14.11.4 AMENITY SPACE

.1 ***Amenity space*** shall be provided at the rate of 20.0 m^2 for each ***dwelling unit***.

.2 25% of the required ***amenity space*** must be provided at the ground floor level.

.3 A maximum of 20% of the total required ***amenity space*** may be provided as ***amenity space, indoor***.

14.11.5 OTHER REGULATIONS

.1 A maximum of 80% of the ***lot*** shall be covered with ***hard surfacing***, including ***buildings***, ***structures***, parking areas, driveways, ***walkways***, ***patios*** and similar construction.

.2 Notwithstanding s.4.9 of this Bylaw, ***balconies*** may project up to 0.4 m from property line along Galt Avenue, provided that the projection has a ***clearance*** above grade of at least 2.8 m from a public ***street***.

.3 Notwithstanding s.5.2 of this Bylaw, ***landscape buffers*** shall not be required.

.4 Notwithstanding Table 6.6 of this Bylaw, the minimum number of parking spaces for uses shall be as follows:

Use	**Minimum Parking Space Requirement**
Apartment, Townhouse	0.5 per ***dwelling unit*** plus 0.2 spaces/unit for visitors
Office	No parking required

.5 Notwithstanding Table 6.7 of this Bylaw, the number of ***Level 2 Charging*** spaces to be included is 0.5 per ***dwelling unit***.

.6 Residential uses must account for at least half of the ***gross floor area*** of all buildings and other structures.

(Bylaw No. 2025-27)