

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2862, 2020

**A Bylaw to amend the Electoral Area “A”, “C”, “D”, “E”, “F”, and “I”
Official Community Plan Bylaws and Zoning Bylaws**

The REGIONAL BOARD of the Regional District of Okanagan-Similkameen in open meeting assembled, ENACTS as follows:

1. This Bylaw may be cited for all purposes as the “Regional District of Okanagan-Similkameen Okanagan Basin Lakes Zoning Amendment Bylaw No. 2862, 2020.”

Electoral Area “A”

2. The Electoral Area “A” Official Community Plan Bylaw No. 2450, 2008, is amended by:
 - i) adding a reference to “Okanagan Basin Lakes BL” under “Community Services and Administrative Designations” at Section 2.0 (Official Community Plan Map Designations).
 - ii) adding a new Section 13.5 (Basin Lakes) under Section 13.0 (Natural Environment & Conservation) to read as follows:

13.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

13.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Osoyoos Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

13.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, swimming platforms and moorage buoys.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 18.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:

- i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).
3. The land shown shaded yellow on the attached Schedule 'A-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, and the OCP Map, being Schedule 'B' of the Electoral Area "A" Official Community Plan Bylaw No. 2450, 2008, is amended accordingly.
4. The Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended by:
- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:
"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
 - ii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:
"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
 - iii) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:
"dock" means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;
 - iv) adding a new definition of "foreshore" under Section 4.0 (Definitions) to read as follows:
"foreshore" means that land lying between the highest water mark and the lowest water mark that is alternatively covered and exposed by water with the normal rise and fall of the level of the body of water;
 - v) adding a new definition of "group moorage facility" under Section 4.0 (Definitions) to read as follows:

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

vi) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

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

vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a moorage buoy or dock;

viii) adding a new definition of “moorage buoy” under Section 4.0 (Definitions) to read as follows:

“moorage buoy” means an aquatic structure consisting of a small floating object attached to an anchor or other fixed point located on the bed of a lake, structure used for the purpose of boat moorage, typically composed of rigid plastic foam or rigid molded plastic, and specifically manufactured for the intended use of boat moorage;

ix) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

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

x) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

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

xi) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

xii) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

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

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 A maximum of two (2) independent moorage buoys shall be allowed for each waterfront parcel.
- .9 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xiii) replacing Section 16.2.1(f) (Parks and Recreation Zone (PR)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

xiv) adding a new Section 16.4 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:

16.4 OKANAGAN BASIN LAKES ZONE (W1)

16.4.1 Permitted Uses:

Principal Uses:

a) water-based recreation;

Accessory Uses:

b) dock;

c) boat launch;

- d) boatlift;
- e) swimming platform; and
- f) moorage buoy.

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.4.3 Minimum Parcel Size:

- a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

5. The land shown shaded yellow on the attached Schedule 'A-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "A" Zoning Bylaw No. 2451, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "A" Zoning Bylaw No. 2451, 2008, is amended accordingly.

Electoral Area "C"

6. The Electoral Area “C” Official Community Plan Bylaw No. 2452, 2008, is amended by:
- i) adding a reference to “Okanagan Basin Lakes BL” under “Community Services and Administrative Designations” at Section 4.0 (Official Community Plan Map Designations).
 - ii) adding a new Section 16.5 (Basin Lakes) under Section 16 (Natural Environment & Conservation) to read as follows:

16.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule ‘B’ (Official Community Plan Map).

16.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Vaseux Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

16.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule ‘B’ (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, swimming platforms and moorage buoys.

- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
 - .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 21.3 of this Bylaw.
 - .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
 - .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
 - .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
 - .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).
7. The land shown shaded yellow on the attached Schedule 'C-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, and the OCP Map, being Schedule 'B' of the Electoral Area "C" Official Community Plan Bylaw No. 2452, 2008, is amended accordingly.
8. The Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended by:
- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:
"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
 - ii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:

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

iii) adding a new definition of “dock” under Section 4.0 (Definitions) to read as follows:

“dock” means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

iv) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

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

v) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

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

vi) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

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

vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a moorage buoy or dock;

viii) adding a new definition of “moorage buoy” under Section 4.0 (Definitions) to read as follows:

“moorage buoy” means an aquatic structure consisting of a small floating object attached to an anchor or other fixed point located on the bed of a lake, structure used for the purpose of boat moorage, typically composed of rigid plastic foam or rigid molded plastic, and specifically manufactured for the intended use of boat moorage;

- ix) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

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

- x) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

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

- xi) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

- xii) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

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

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 A maximum of two (2) independent moorage buoys shall be allowed for each waterfront parcel.

- .9 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xiii) replacing Section 16.2.1(f) (Parks and Recreation (PR) Zone) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

- f) public moorage;

xiv) adding a new Section 16.4 (Okanagan Basin Lakes (W1) Zone) under Section 16.0 (Administrative and Open Space) to read as follows:

16.4 OKANAGAN BASIN LAKES ZONE (W1)

16.4.1 Permitted Uses:

Principal Uses:

- a) water-based recreation;

Accessory Uses:

- b) dock;
c) boat launch;
d) boatlift;
e) swimming platform; and
f) moorage buoy.

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.4.3 Minimum Parcel Size:

- a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:

- i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
- ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

9. The land shown shaded yellow on the attached Schedule 'C-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "C" Zoning Bylaw No. 2453, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "C" Zoning Bylaw No. 2453, 2008, is amended accordingly.

Electoral Area "D"

10. The Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended by:

- i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 5.0 (Official Community Plan Map Designations).
- ii) adding a new Section 17.5 (Basin Lakes) under Section 17 (Natural Environment & Conservation) to read as follows:

17.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the

environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

17.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Vaseux Lake and Skaha Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- 2 Minimize the potential negative impacts of more intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

17.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, swimming platforms and moorage buoys.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 24.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;

- ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
- iii) compatibility with, and proximity to adjacent land uses; and
- iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).

11. The land shown shaded yellow on the attached Schedule 'D-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, and the OCP Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended accordingly.

12. The land shown shaded yellow on the attached Schedule 'D-2' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, and the OCP Map, being Schedule 'B' of the Electoral Area "D" Official Community Plan Bylaw No. 2603, 2013, is amended accordingly.

13. The Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended by:

xv) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

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

xvi) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:

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

xvii) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:

"dock" means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

xviii) adding a new definition of "foreshore" under Section 4.0 (Definitions) to read as follows:

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

xix) adding a new definition of "group moorage facility" under Section 4.0 (Definitions) to read as follows:

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

xx) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

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

xxi) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a moorage buoy or dock;

xxii) adding a new definition of “moorage buoy” under Section 4.0 (Definitions) to read as follows:

“moorage buoy” means an aquatic structure consisting of a small floating object attached to an anchor or other fixed point located on the bed of a lake, structure used for the purpose of boat moorage, typically composed of rigid plastic foam or rigid molded plastic, and specifically manufactured for the intended use of boat moorage;

xxiii) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

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

xxiv) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

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

xxv) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

xxvi) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

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

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 A maximum of two (2) independent moorage buoys shall be allowed for each waterfront parcel.
- .9 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xxvii) replacing Section 17.2.1(f) (Parks and Recreation Zone (PR)) under Section 17.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

xxviii) adding a new Section 17.4 (Okanagan Basin Lakes Zone (W1)) under Section 17.0 (Administrative and Open Space) to read as follows:

17.4 OKANAGAN BASIN LAKES ZONE (W1)

17.4.1 Permitted Uses:

Principal Uses:

a) water-based recreation;

Accessory Uses:

b) dock;

c) boat launch;

- d) boatlift;
- e) swimming platform; and
- f) moorage buoy.

17.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

17.4.3 Minimum Parcel Size:

- a) Not applicable

17.4.4 Minimum Parcel Width:

- a) Not applicable

17.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

17.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

17.4.7 Maximum Height:

- a) Not applicable

17.4.8 Maximum Parcel Coverage:

- a) Not applicable

14. The land shown shaded yellow on the attached Schedule 'D-3' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "D" Zoning Bylaw No. 2455, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended accordingly.

15. The land shown shaded yellow on the attached Schedule 'D-4' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "D" Zoning Bylaw No. 2455, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2455, 2008, is amended accordingly.

Electoral Area "E"

16. The Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended by:

- i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 4.0 (Official Community Plan Map Designations).
- ii) adding a new Section 18.5 (Basin Lakes) under Section 18.0 (Natural Environment & Conservation) to read as follows:

18.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

18.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Okanagan Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

18.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, swimming platforms and moorage buoys.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 23.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubes on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).

17. The land shown shaded yellow on the attached Schedule 'E-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, and the OCP Map, being Schedule 'B' of the Electoral Area "E" Official Community Plan Bylaw No. 2458, 2008, is amended accordingly.

18. The Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended by:

- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

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

- ii) adding a new definition of “boat launch” under Section 4.0 (Definitions) to read as follows:

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

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

“dock” means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

- iv) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

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

- v) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

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

- vi) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

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

- vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a moorage buoy or dock;

- viii) adding a new definition of “moorage buoy” under Section 4.0 (Definitions) to read as follows:

“moorage buoy” means an aquatic structure consisting of a small floating object attached to an anchor or other fixed point located on the bed of a lake, structure used for the purpose of boat moorage, typically composed of rigid plastic foam or rigid molded plastic, and specifically manufactured for the intended use of boat moorage;

- ix) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

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

- x) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

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

- xi) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

- xii) adding a new Section 7.28 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.28 Dock, Boatlift & Swimming Platform Regulations

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

- .1 No more than one (1) dock, one (1) boat launch, one (1) standalone boatlift or one (1) swimming platform is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.

- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 A maximum of two (2) independent moorage buoys shall be allowed for each waterfront parcel.
- .9 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xiii) replacing Section 16.3.1(f) (Parks and Recreation Zone (PR)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

- f) public moorage;

xiv) adding a new Section 16.4 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:

16.4 OKANAGAN BASIN LAKES ZONE (W1)

16.4.1 Permitted Uses:

Principal Uses:

- a) water-based recreation;

Accessory Uses:

- b) dock;
- c) boat launch;
- d) boatlift;
- e) swimming platform; and
- f) moorage buoy.

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.4.3 Minimum Parcel Size:

- a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered alongside parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

19. The land shown shaded yellow on the attached Schedule 'E-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "E" Zoning Bylaw No. 2459, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "E" Zoning Bylaw No. 2459, 2008, is amended accordingly.

Electoral Area "F"

20. The Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended by:

- i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 4.0 (Official Community Plan Designations).
- ii) adding a new Section 16.5 (Basin Lakes) under Section 16.0 (Natural Environment & Conservation) to read as follows:

16.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

16.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Okanagan Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

16.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, swimming platforms and moorage buoys.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 23.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:

- i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).
21. Schedule 'B' (Official Community Plan Map) of the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended by decreasing the extent of those land use designations that currently adjoin Okanagan Lake by 50.0 metres over the surface water, as measured from the high water mark.
22. The land shown shaded yellow on the attached Schedule 'F-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, and the OCP Map, being Schedule 'B' of the Electoral Area "F" Official Community Plan Bylaw No. 2790, 2018, is amended accordingly.
23. The Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by:
- i) deleting the definitions of "docks community" and "docks private" under Section 4.0 (Definitions).
 - ii) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:
"boat lift" means a structure supported from the bottom of the lake which facilitates the removal of a boat from the water, and may allow for a boat to be stored above the water;
 - iii) adding a new definition of "boat launch" under Section 4.0 (Definitions) to read as follows:
"boat launch" means a ramp into a lake that is intended to be used for the purpose of placing or removing a boat in the water;
 - iv) adding a new definition of "dock" under Section 4.0 (Definitions) to read as follows:
"dock" means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;
 - v) adding a new definition of "foreshore" under Section 4.0 (Definitions) to read as follows:

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

- vi) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

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

- vii) adding a new definition of “marina” under Section 4.0 (Definitions) to read as follows:

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

- viii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a moorage buoy or dock;

- ix) adding a new definition of “moorage buoy” under Section 4.0 (Definitions) to read as follows:

“moorage buoy” means an aquatic structure consisting of a small floating object attached to an anchor or other fixed point located on the bed of a lake, structure used for the purpose of boat moorage, typically composed of rigid plastic foam or rigid molded plastic, and specifically manufactured for the intended use of boat moorage;

- x) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

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

- xi) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

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

xii) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

xiii) Replacing Section 7.26 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) in its entirety with the following:

7.26 Dock, Boatlift & Swimming Platform Regulations

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

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.
- .8 A maximum of two (2) independent moorage buoys shall be allowed for each waterfront parcel.
- .9 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xiv) replacing Section 10.1.1(s) (Resource Area (RA) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:

s) *deleted*;

xv) replacing Section 10.2.1(l) (Agriculture Two (AG2) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:

l) *deleted*;

xvi) replacing Section 10.3.1(m) (Agriculture Three (AG2) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:

m) *deleted*;

xvii) replacing Section 10.5.1(i) (Small Holdings Two (SH2) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:

i) *deleted*;

xviii) replacing Section 10.7.1(f) (Small Holdings Four (SH4) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:

f) *deleted*;

xix) replacing Section 10.8.1(h) (Small Holdings Five (SH5) Zone – Permitted Uses) under Section 10.0 (Rural) in its entirety with the following:

h) *deleted*;

xx) replacing Section 11.1.1(d) (Residential Single Family One (RS1) Zone – Permitted Uses) under Section 11.0 (Low Density Residential) in its entirety with the following:

d) *deleted*;

xxi) replacing Section 11.2.1(d) (Residential Single Family Two (RS2) Zone – Permitted Uses) under Section 11.0 (Low Density Residential) in its entirety with the following:

d) *deleted*;

xxii) replacing Section 16.2.1(f) (Parks and Recreation (PR) Zone) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

xxiii) adding a new Section 16.4 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:

16.4 OKANAGAN BASIN LAKES ZONE (W1)

16.4.1 Permitted Uses:

Principal Uses:

a) water-based recreation;

Accessory Uses:

b) dock;

c) boat launch;

d) boatlift;

- e) swimming platform; and
- f) moorage buoy.

16.4.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

- a) Not applicable

16.4.3 Minimum Parcel Size:

- a) Not applicable

16.4.4 Minimum Parcel Width:

- a) Not applicable

16.4.5 Maximum Number of Dwelling Permitted Per Parcel:

- a) Not applicable

16.4.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.4.7 Maximum Height:

- a) Not applicable

16.4.8 Maximum Parcel Coverage:

- a) Not applicable

24. Schedule '2' (Zoning Map) of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended by decreasing the extent of those land use zonings that currently adjoin Okanagan Lake by 50.0 metres over the surface water, as measured from the high water mark.

25. The land shown shaded yellow on the attached Schedule 'F-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "F" Zoning Bylaw No.

2461, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "F" Zoning Bylaw No. 2461, 2008, is amended accordingly.

Electoral Area "I"

26. The Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, is amended by:

- i) adding a reference to "Okanagan Basin Lakes BL" under "Community Services and Administrative Designations" at Section 4.0 (Official Community Plan Designations).
- ii) adding a new Section 16.5 (Basin Lakes) under Section 16.0 (Natural Environment & Conservation) to read as follows:

16.5 Okanagan Basin Lakes

The Okanagan watershed, or basin, is a narrow strip that spans from Armstrong in the north to the US border in the south and includes six main lakes – Okanagan, Kalamalka, Wood, Skaha, Vaseux and Osoyoos – and surrounding mountains. Penticton, Summerland, Oliver and Osoyoos as well as the surrounding rural areas all lie within the Okanagan Basin.

Water in the Okanagan Basin has a variety of uses including irrigation for crops, as a domestic supply for residential use and in various industrial and recreational activities. Achieving a balance among the many uses associated with the basin lakes, and particularly between private use and public access, is an on-going challenge.

The Basin Lakes designation serves to maintain opportunities on the major lakes in the Valley for community and visitor use, while also seeking to protect the environmental qualities of the lakes and existing community infrastructure such as water intakes.

For a map of Basin Lakes areas in the Plan Area see Schedule 'B' (Official Community Plan Map).

16.5.1 Objectives

- .1 Maintain opportunities for responsible residential water-based recreation on Skaha Lake and Vaseux Lake, including small-scale docks and swimming platforms associated with adjacent residential use.
- .2 Minimize the potential negative impacts of intensive water-based uses, by ensuring that the RDOS Board has an opportunity to review and assess commercial, marina and group moorage, on a case-by-case basis.

16.5.2 Policies

The Regional Board:

- .1 Generally supports the use of waters designated Okanagan Basin Lakes (BL) identified in Schedule 'B' (Official Community Plan Map) for water-based recreation, docks, boat launches, boatlifts, swimming platforms and moorage buoys.
- .2 Supports docks and swimming platforms being located away from or designed to have minimal impact on riparian habitat, including shared docks and swimming platforms between neighbouring properties where appropriate.
- .3 Requires dock and swimming platform proposals affecting lands designated as Watercourse Development Permit (WDP) Area to obtain a development permit in accordance with the requirements of Section 23.3 of this Bylaw.
- .4 Encourages docks to be designed, including anchor points, in a way that will not disturb riparian areas, except at the immediate footprint.
- .5 Encourages docks and swimming platforms to be located away from or designed to avoid negative impacts on adjacent structures and uses, including other docks and swimming platforms, beach access points, parks, utilities, water intakes, and other similar uses.
- .6 Does not support non-moorage structures such as storage sheds, gazebos, raised decks or hot tubs on docks, swimming platforms, or marinas.
- .7 Will consider group moorage, marina and other commercial dock proposals on a case-by-case basis through a zoning amendment process, and may use the following criteria to assess an application:
 - i) location of any existing community infrastructure such as water intakes, sewer lines and underground cables;
 - ii) presence of environmental and riparian values, such as fish habitat, as identified by a habitat assessment;
 - iii) compatibility with, and proximity to adjacent land uses; and
 - iv) intensity of the use (e.g. number of berths or inclusion of non-moorage structures).

27. The land shown shaded yellow on the attached Schedule 'I-1' (which forms part of this Bylaw) is designated Basin Lake (BL) in the Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, and the OCP Map, being Schedule 'B' of the Electoral Area "I" Official Community Plan Bylaw No. 2683, 2016, is amended accordingly.

28. The Electoral Area "I" Zoning Bylaw No. 2457, 2008, is amended by:

- i) adding a new definition of "boat lift" under Section 4.0 (Definitions) to read as follows:

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

- ii) adding a new definition of “boat launch” under Section 4.0 (Definitions) to read as follows:

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

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

“dock” means an aquatic structure used for the purpose of mooring of boats and for providing pedestrian access to and from the moored boats. Dock does not include the moorage of float planes, group moorage facilities, strata moorage facilities, or marina facilities;

- iv) adding a new definition of “foreshore” under Section 4.0 (Definitions) to read as follows:

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

- v) adding a new definition of “group moorage facility” under Section 4.0 (Definitions) to read as follows:

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

- vi) replacing the definition of “marina” under Section 4.0 (Definitions) in its entirety with the following:

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

- vii) adding a new definition of “moorage” under Section 4.0 (Definitions) to read as follows:

“moorage” means the tying, fastening or securing of a boat or other watercraft to a moorage buoy or dock;

- viii) adding a new definition of “moorage buoy” under Section 4.0 (Definitions) to read as follows:

“moorage buoy” means an aquatic structure consisting of a small floating object attached to an anchor or other fixed point located on the bed of a lake, structure used for the purpose of boat moorage, typically composed of rigid plastic foam or

rigid molded plastic, and specifically manufactured for the intended use of boat moorage;

- ix) adding a new definition of “swimming platform” under Section 4.0 (Definitions) to read as follows:

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

- x) adding a new definition of “water-based recreation” under Section 4.0 (Definitions) to read as follows:

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

- xi) adding a reference to “Okanagan Basin Lakes Zone W1” under the “Administrative and Open Space Zones” sub-section of Section 5.1 (Zoning Districts) at Section 5.0 (Creation of Zones).

- xii) adding a new Section 7.31 (Dock and Boatlift Regulations) under Section 7.0 (General Regulations) to read as follows:

7.31 Dock, Boatlift & Swimming Platform Regulations

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

- .1 No more than one (1) dock, one (1) boat launch, or one (1) standalone boatlift is permitted per upland parcel.
- .2 A maximum of one (1) standalone swimming platform is permitted per upland parcel.
- .3 A dock shall not extend a distance greater than 42.0 metres from the natural boundary of the upland parcel.
- .4 A dock walkway shall not exceed a width of 1.5 metres.
- .5 A dock moorage platform shall not exceed a width of 3.0 metres.
- .6 A dock shall be sited and designed so as not to impede pedestrian access along the foreshore. Without limiting the foregoing, if a dock platform is raised by more than 0.3 metres above any point on the public foreshore, steps must be provided on both sides of the dock to permit public access along the foreshore, and this access must not be blocked by fences or other means.
- .7 A maximum of four (4) boat moorage areas are allowed for any dock at any given time.

- .8 A maximum of two (2) independent moorage buoys shall be allowed for each waterfront parcel.
- .9 The maximum surface area of a swimming platform shall not exceed 10.0 m².

xiii) replacing Section 16.2.1(f) (Parks and Recreation Zone (PR)) under Section 16.0 (Administrative and Open Space) in its entirety with the following:

f) public moorage;

xiv) adding a new Section 16.5 (Okanagan Basin Lakes Zone (W1)) under Section 16.0 (Administrative and Open Space) to read as follows:

16.5 OKANAGAN BASIN LAKES ZONE (W1)

16.5.1 Permitted Uses:

Principal Uses:

a) water-based recreation;

Accessory Uses:

b) dock;

c) boat launch;

d) boatlift;

e) swimming platform; and

f) moorage buoy.

16.5.2 Site Specific Okanagan Basin Lakes (W1s) Regulations:

a) Not applicable

16.5.3 Minimum Parcel Size:

a) Not applicable

16.5.4 Minimum Parcel Width:

a) Not applicable

16.5.5 Maximum Number of Dwelling Permitted Per Parcel:

a) Not applicable

16.5.6 Minimum Setbacks:

- a) A dock or swimming platform shall be setback:
 - i) 5.0 metres from the side parcel line boundaries of a parcel adjoining the foreshore of the lake, as projected onto the foreshore and water; or
 - ii) 0.0 metres when a dock is shared between two adjacent parcels and centered along side parcel line boundary, as projected onto the foreshore and water.

16.5.7 Maximum Height:

- a) Not applicable

16.5.8 Maximum Parcel Coverage:

- a) Not applicable

29. The land shown shaded yellow on the attached Schedule '1-2' (which forms part of this Bylaw) is zoned Okanagan Basin Lakes (W1) in the Electoral Area "I" Zoning Bylaw No. 2457, 2008, and the Zoning Map, being Schedule '2' of the Electoral Area "I" Zoning Bylaw No. 2457, 2008, is amended accordingly.

DRAFT

READ A FIRST AND SECOND TIME this ____ day of _____, 2020.

PUBLIC HEARING held on this ____ day of _____, 2020.

READ A THIRD TIME this ____ day of _____, 2020.

I hereby certify the foregoing to be a true and correct copy of the “Regional District of Okanagan-Similkameen Okanagan Basin Lakes Zoning Amendment Bylaw No. 2862, 2020” as read a Third time by the Regional Board on this ____ day of _____, 2020.

Dated at Penticton, BC this ____ day of _____, 2020.

Corporate Officer

Approved pursuant to Section 52(3) of the *Transportation Act* this ____ day of _____, 2020.

For the Minister of Transportation & Infrastructure

ADOPTED this ____ day of _____, 2020.

Board Chair

Corporate Officer

Regional District of Okanagan-Similkameen

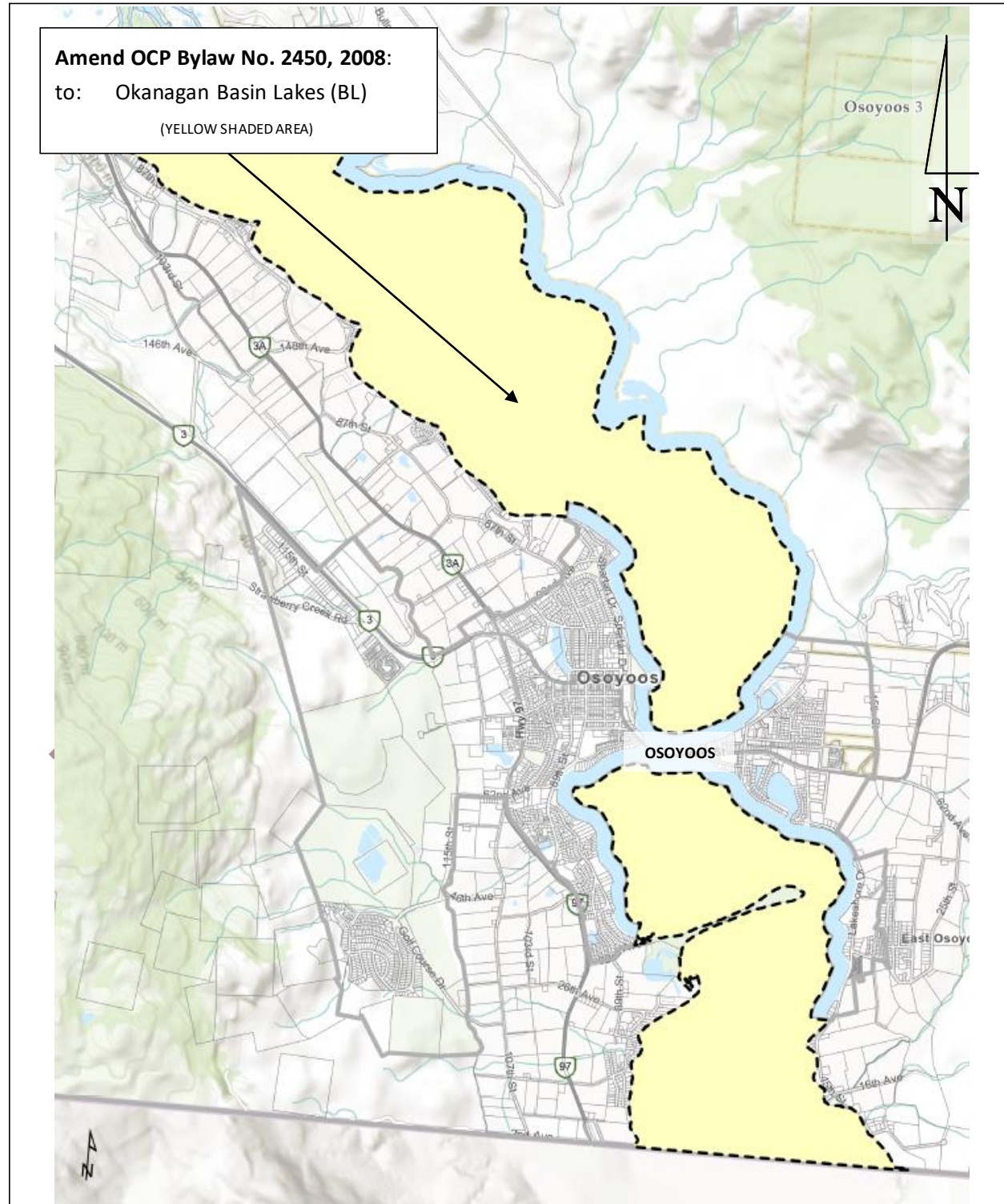
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'A-1'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 37 of 50

Regional District of Okanagan-Similkameen

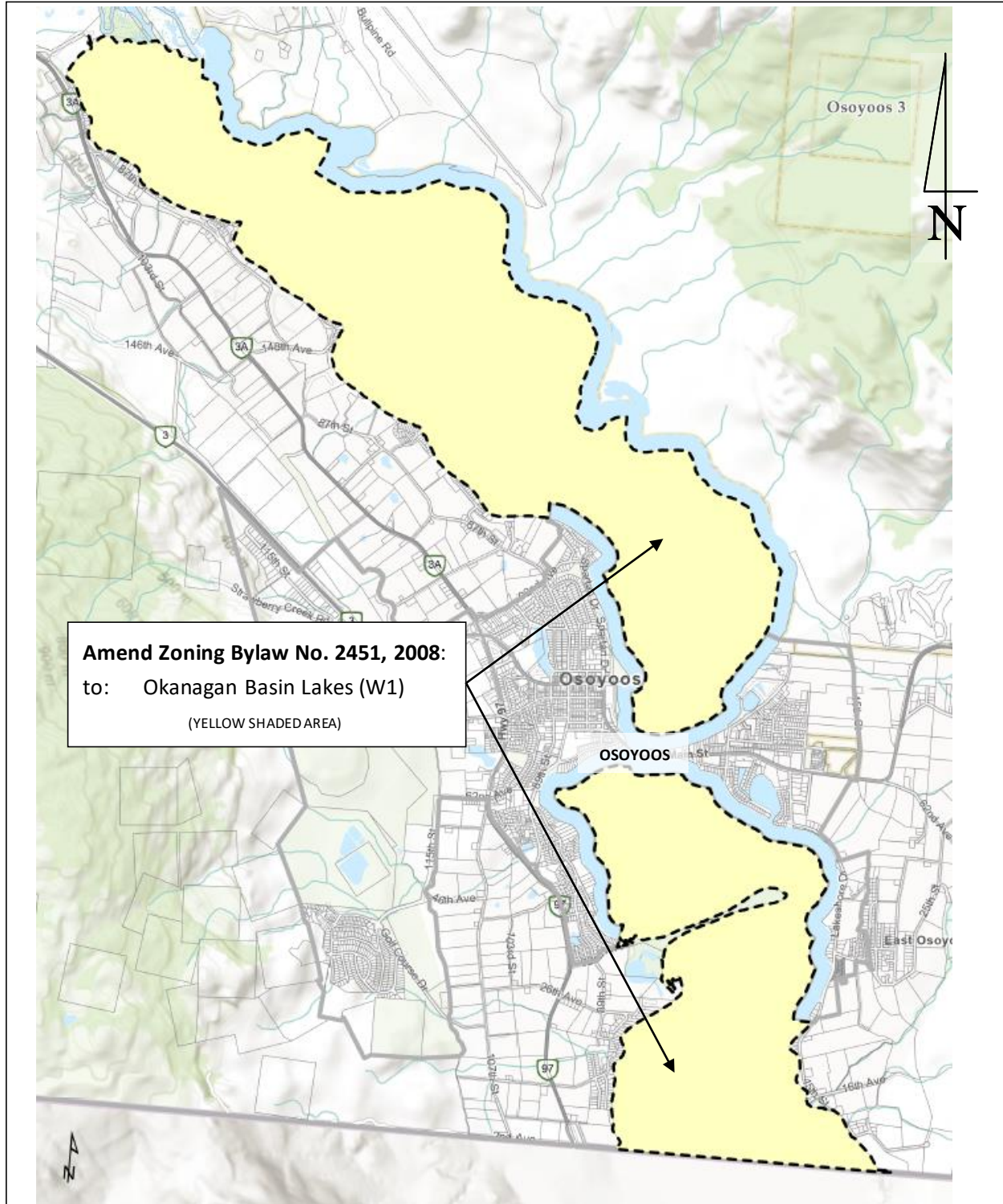
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'A-2'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 38 of 50

Regional District of Okanagan-Similkameen

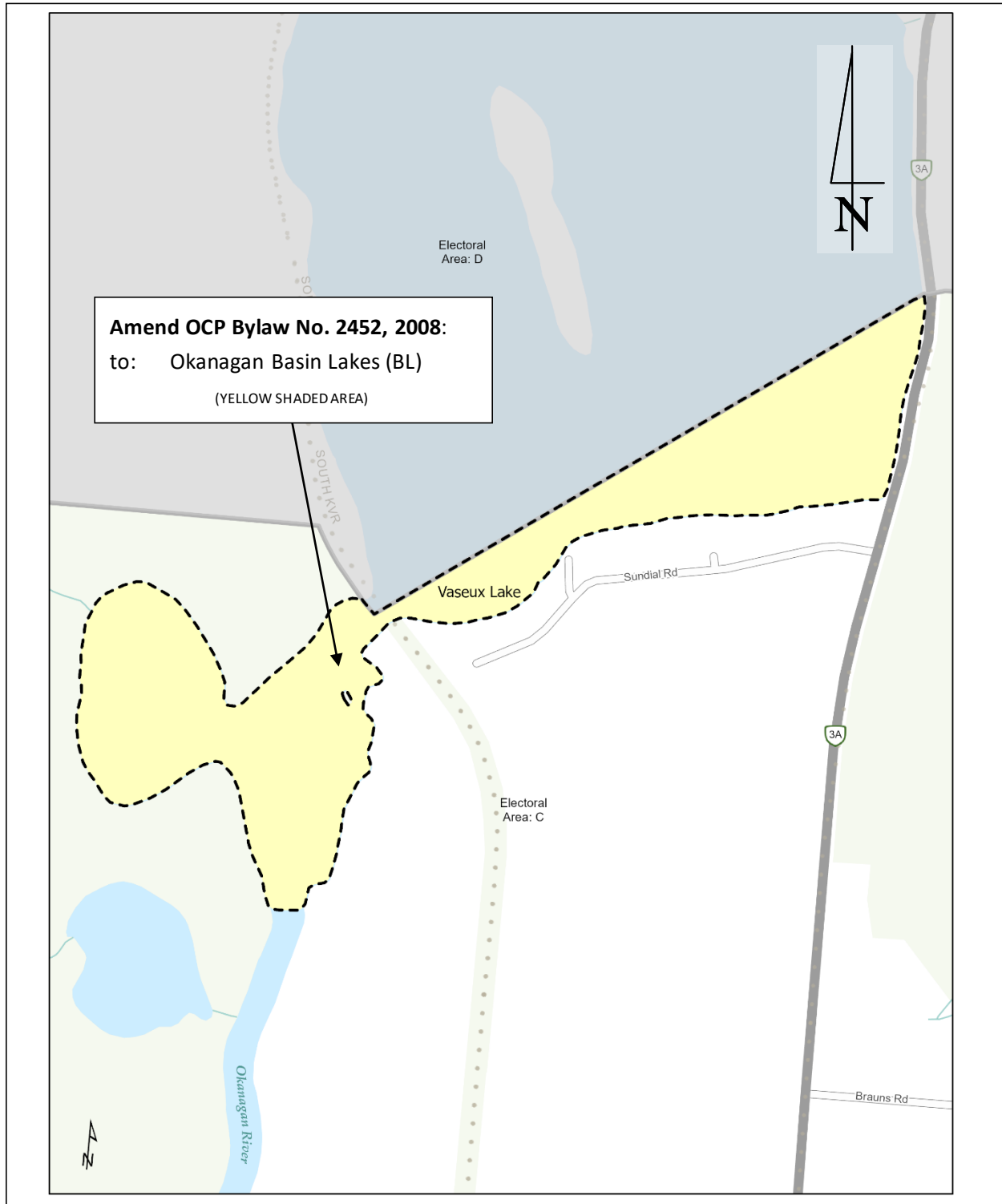
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'C-1'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 39 of 50

Regional District of Okanagan-Similkameen

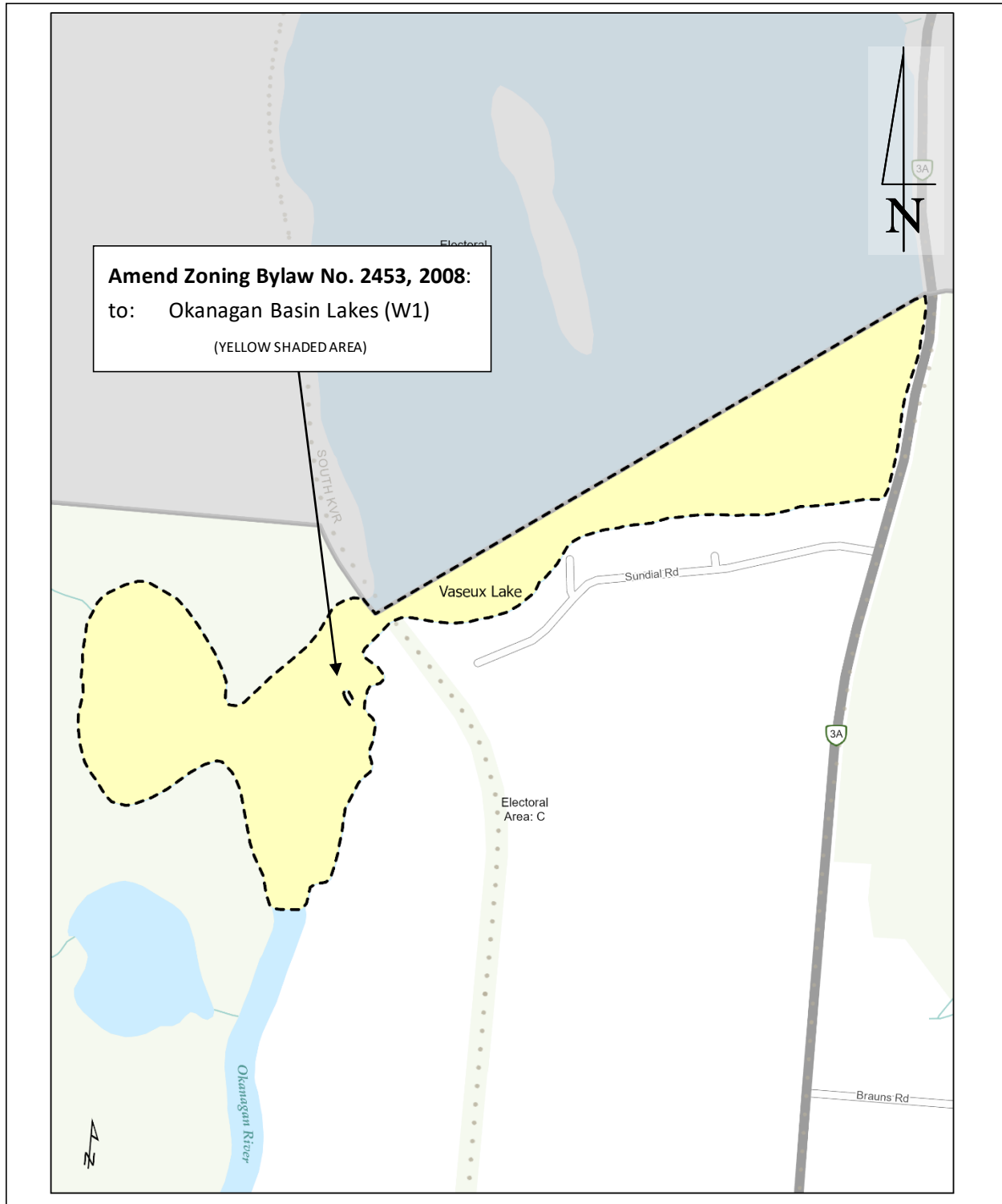
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'C-2'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 40 of 50

Regional District of Okanagan-Similkameen

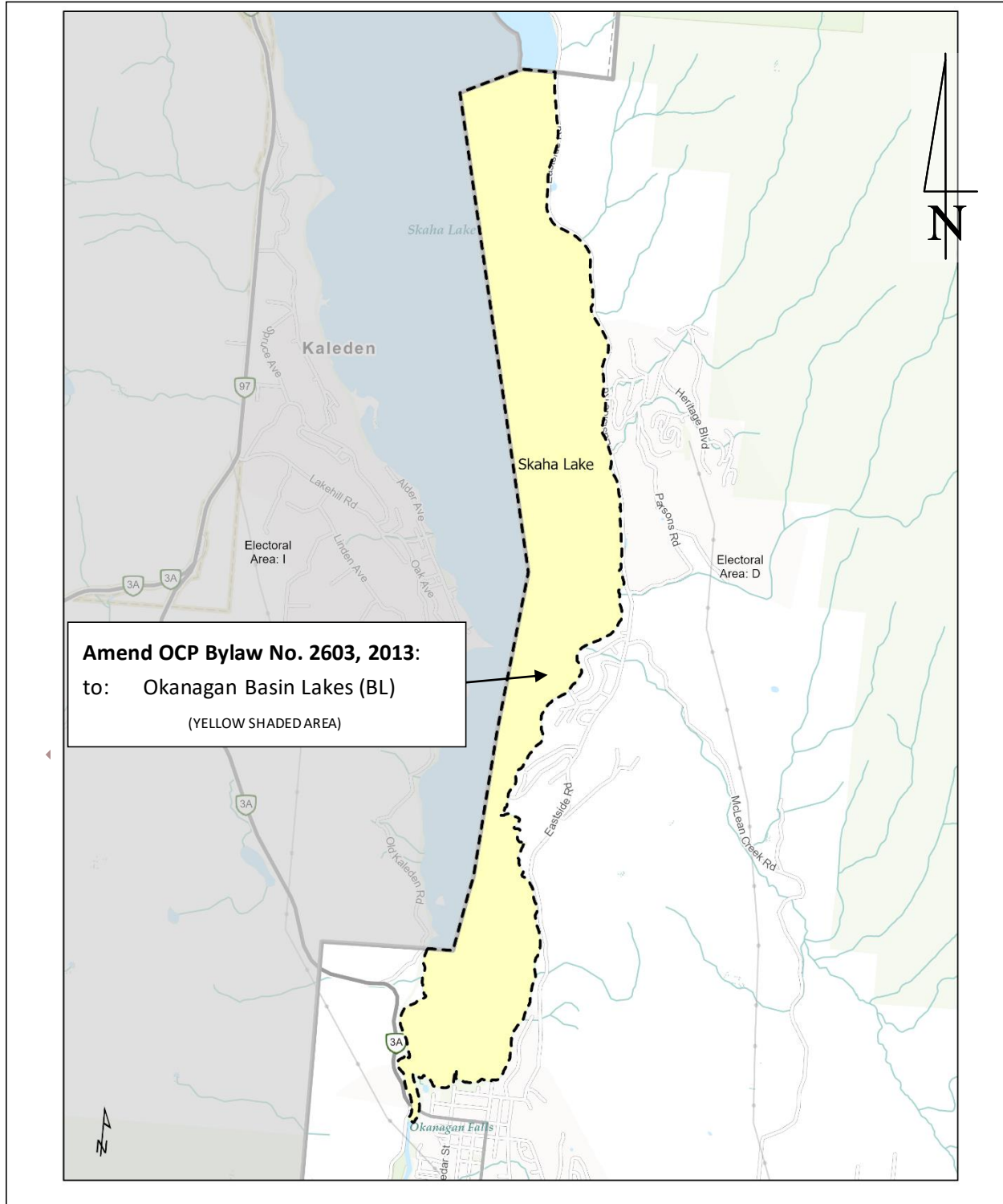
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'D-1'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

Regional District of Okanagan-Similkameen

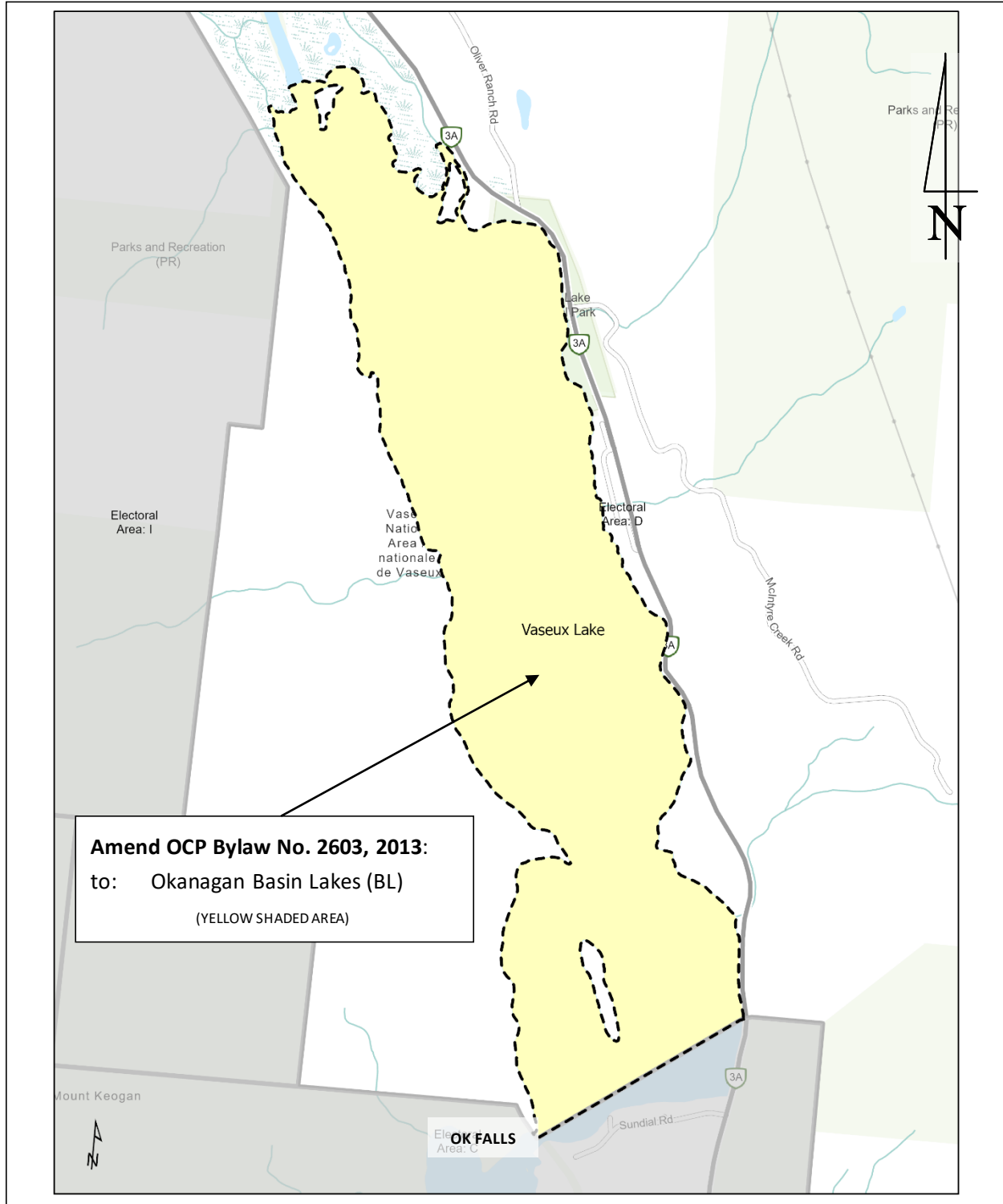
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'D-2'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 42 of 50

Regional District of Okanagan-Similkameen

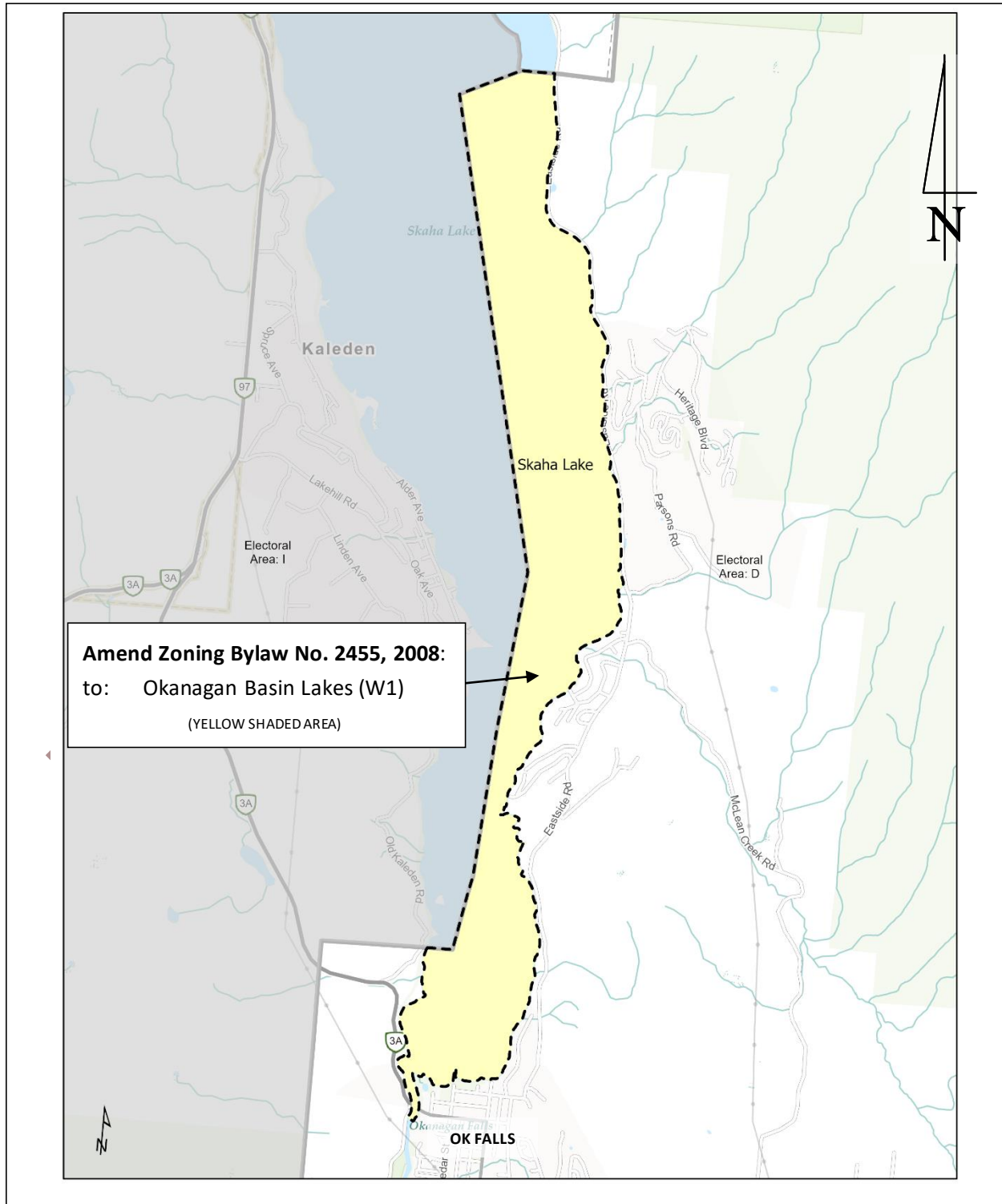
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'D-3'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 43 of 50

Regional District of Okanagan-Similkameen

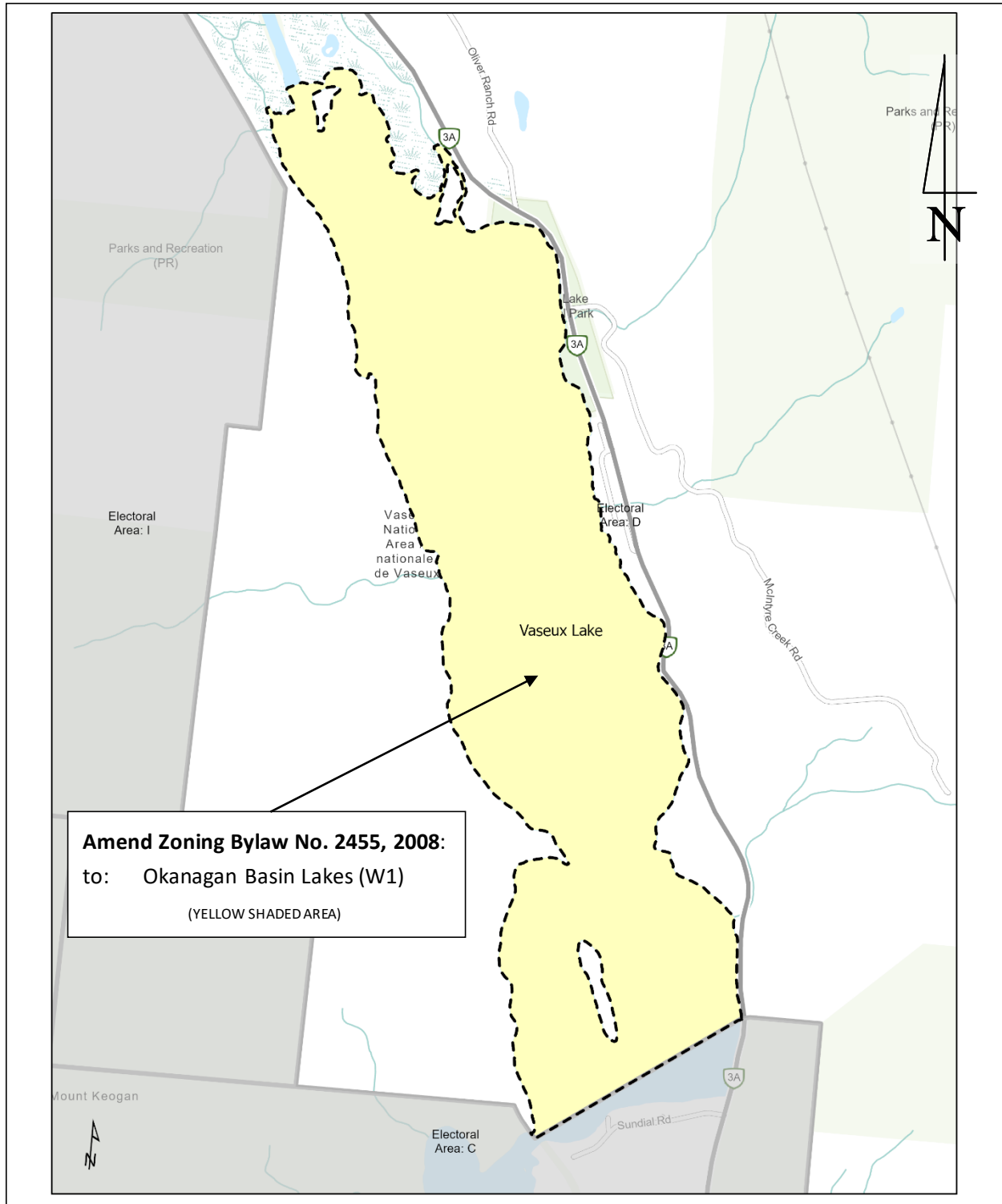
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'D-4'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 44 of 50

Regional District of Okanagan-Similkameen

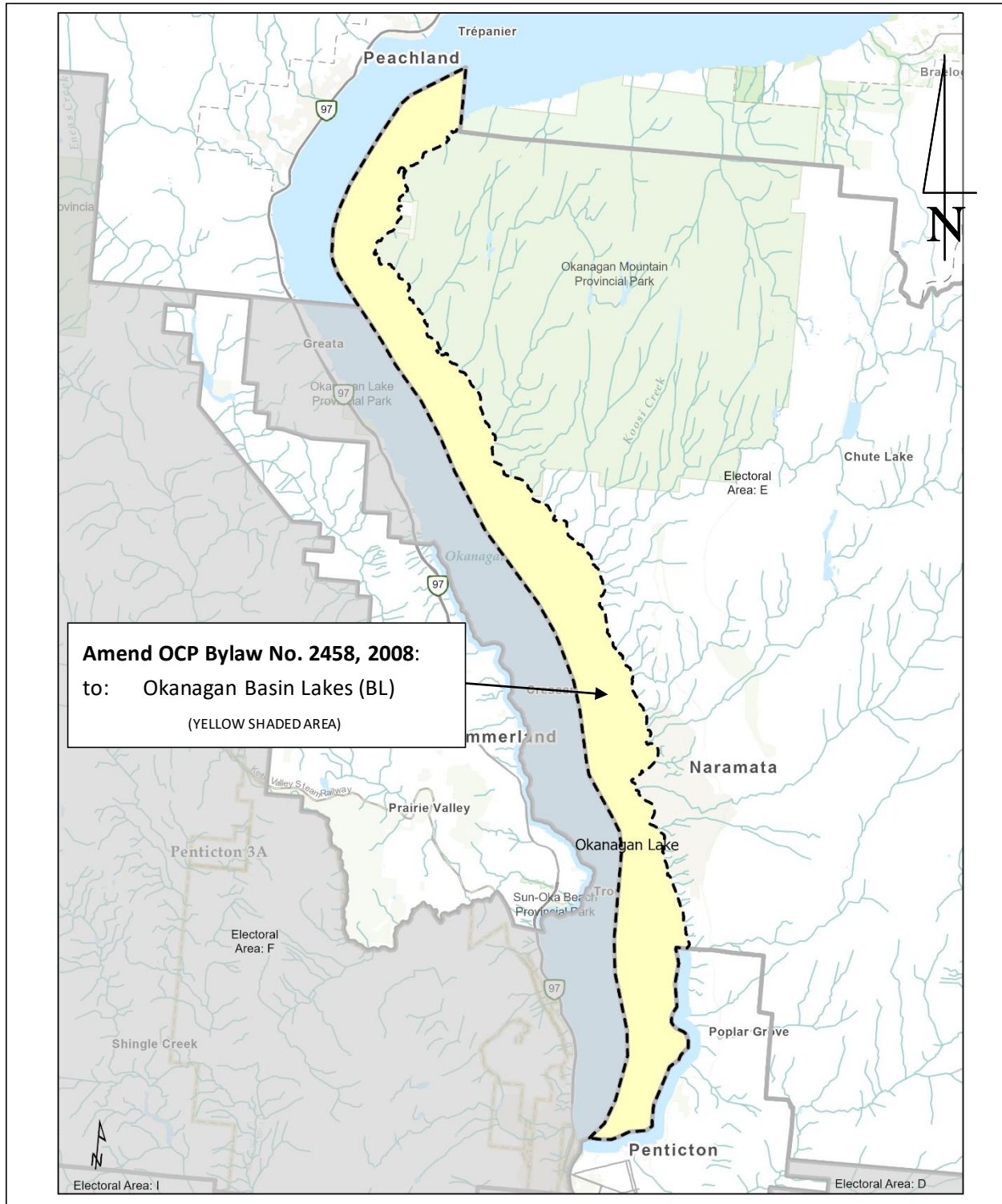
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'E-1'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 45 of 50

Regional District of Okanagan-Similkameen

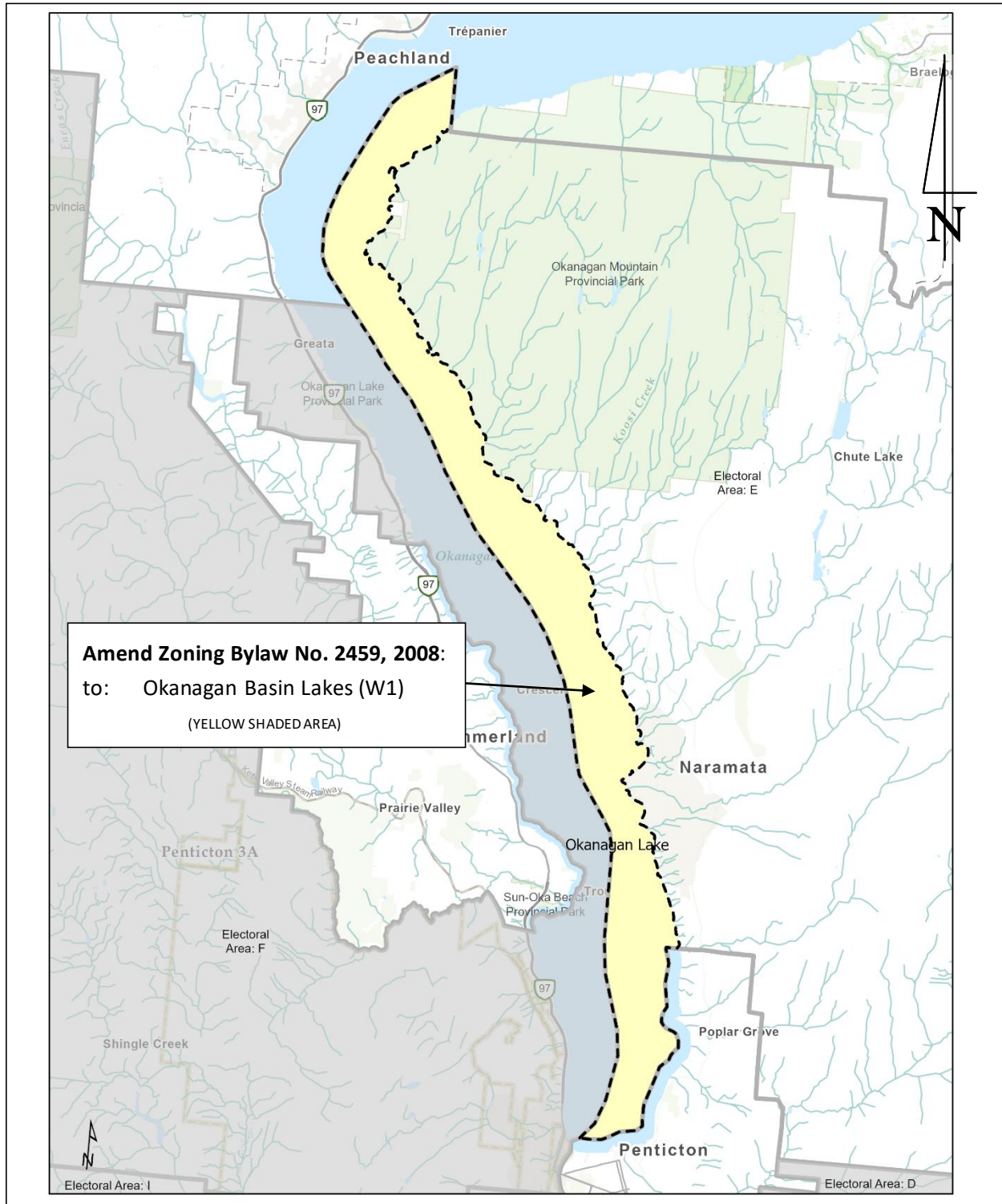
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'E-2'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 46 of 50

Regional District of Okanagan-Similkameen

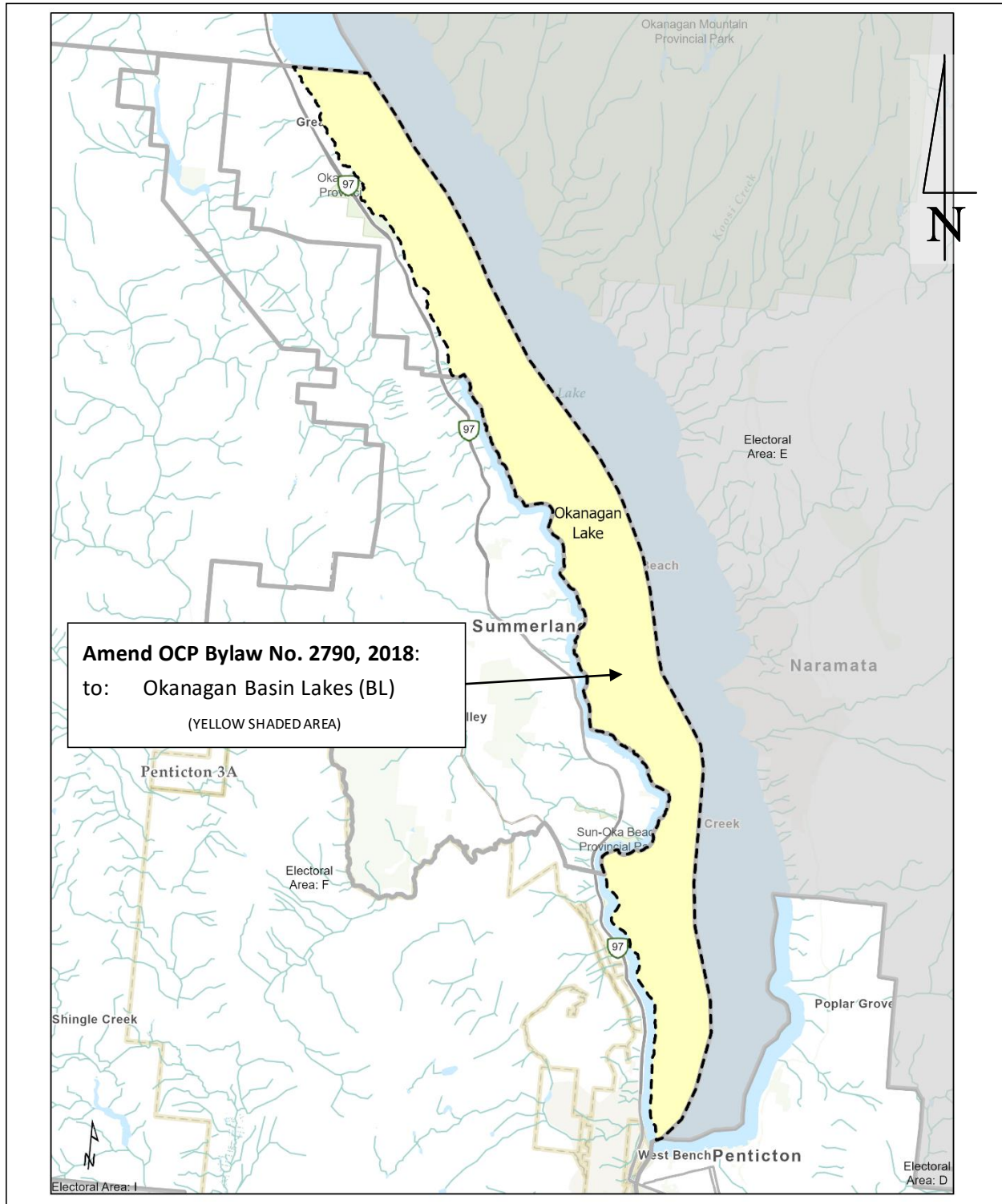
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'F-1'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 47 of 50

Regional District of Okanagan-Similkameen

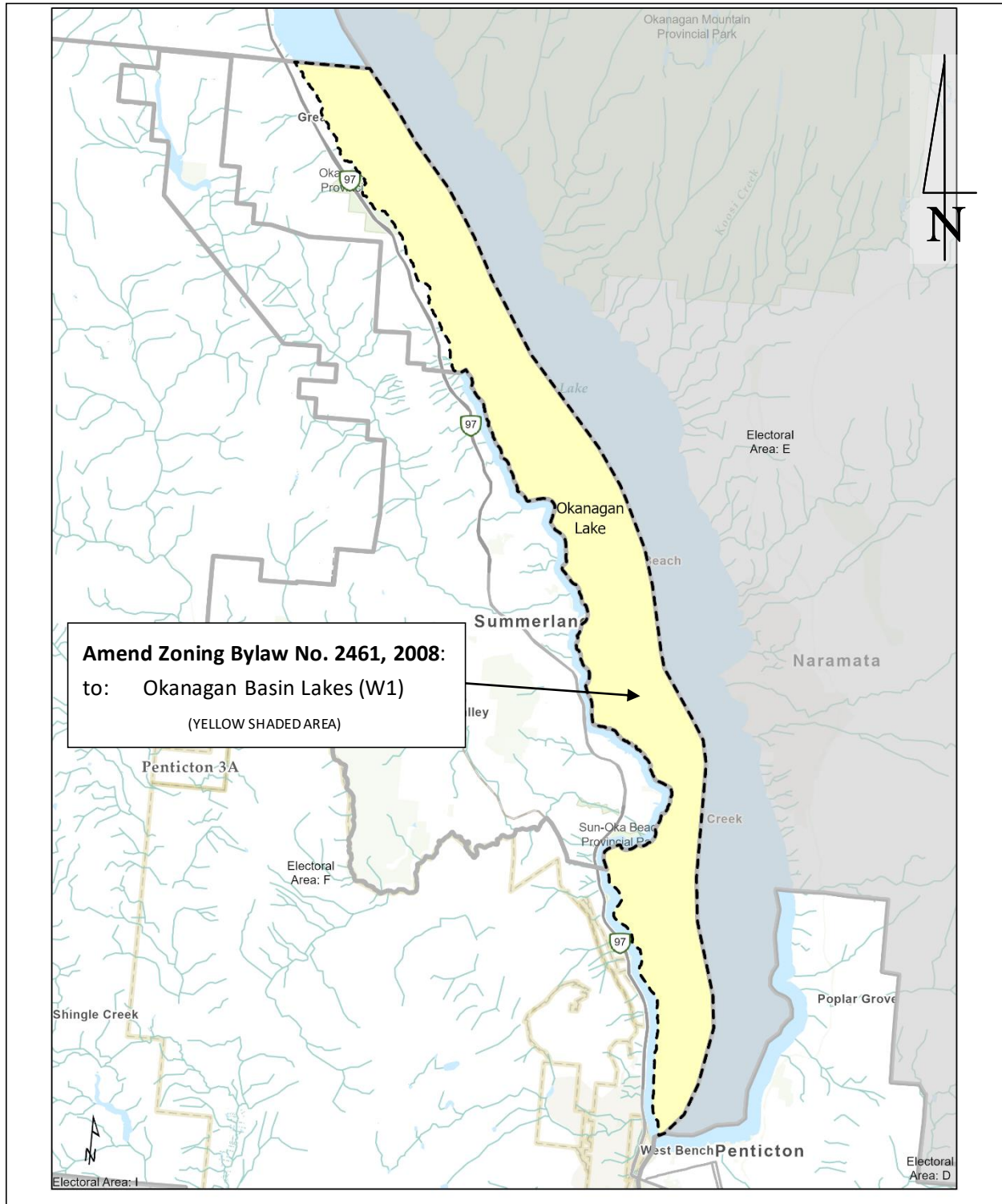
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'F-2'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 48 of 50

Regional District of Okanagan-Similkameen

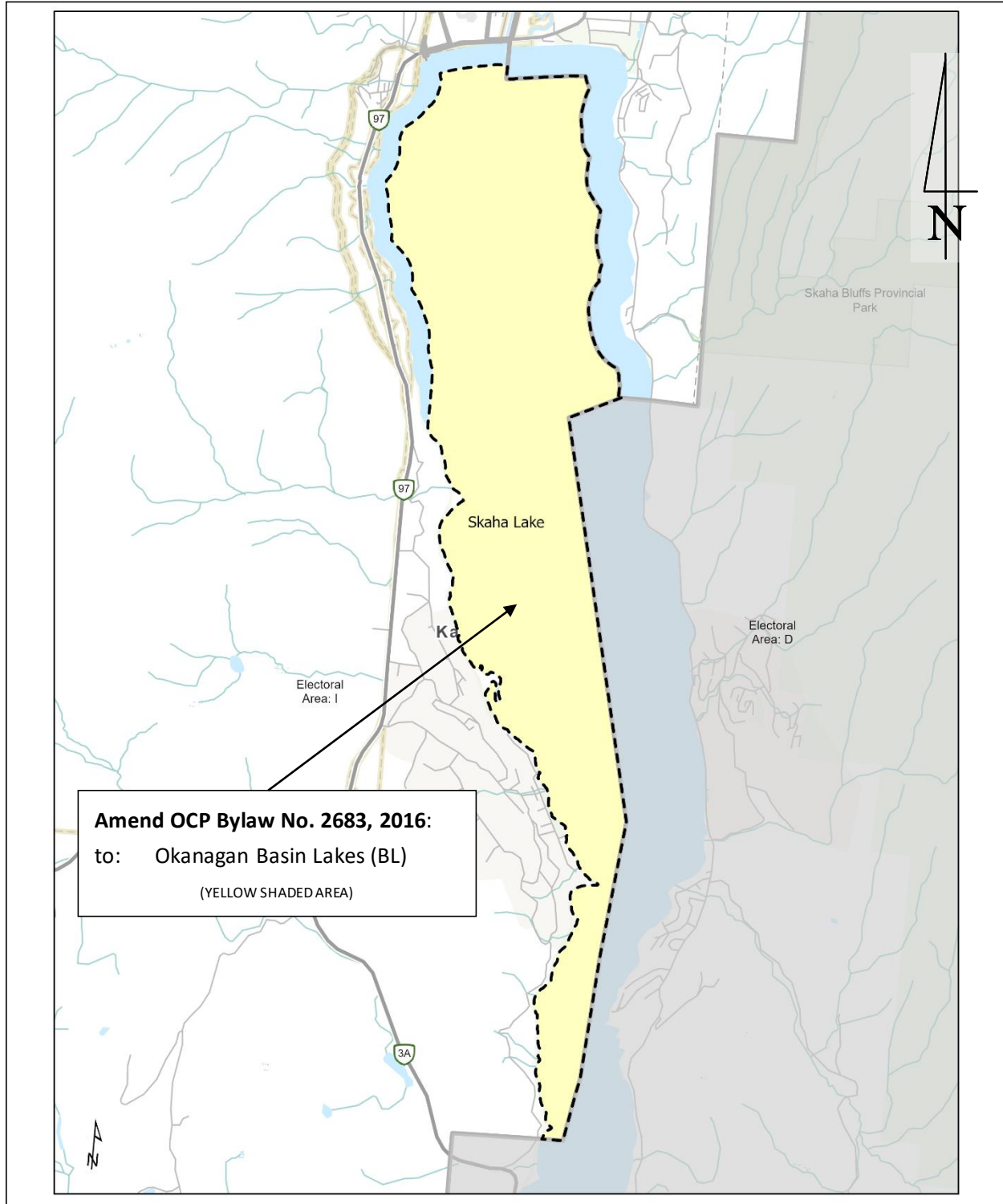
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule 'I-1'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 49 of 50

Regional District of Okanagan-Similkameen

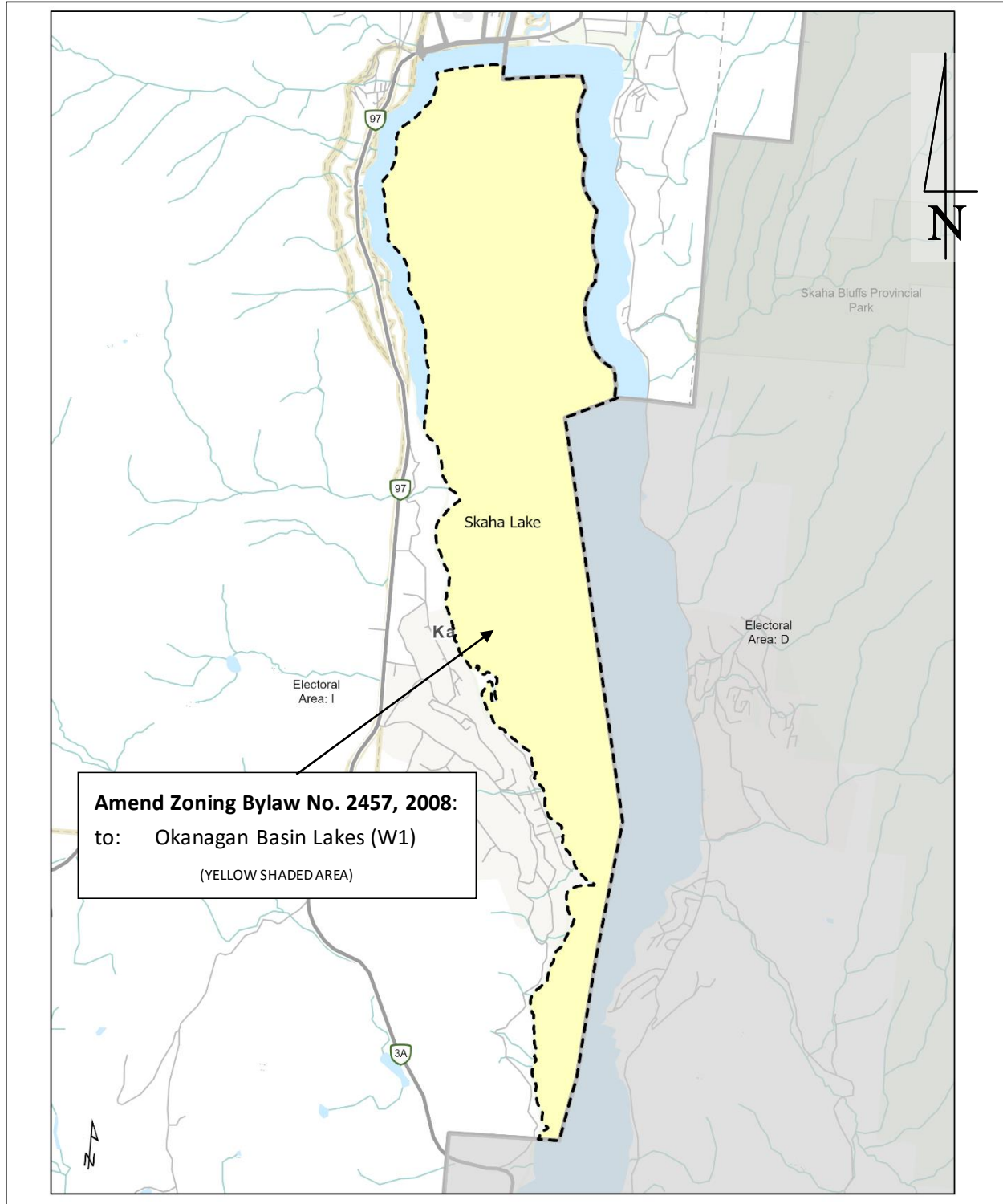
101 Martin St, Penticton, BC, V2A-5J9
Tel: 250-492-0237 Email: info@rdos.bc.ca



Amendment Bylaw No. 2682, 2020

File No. X2020.009-ZONE

Schedule '1-2'



Amendment Bylaw No. 2862, 2020
(X2020.009-ZONE)

DRAFT VERSION — 2020-07-10

Page 50 of 50