

REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN

BYLAW NO. 2457.26, 2020

A Bylaw to amend the Electoral Area “I” Zoning Bylaw No. 2457, 2008

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 “Apex Mountain Commercial and Residential Zone Update Amendment Bylaw No. 2457.26, 2020.”
2. The Electoral Area “I” Zoning Bylaw No. 2457, 2008, is amended by:
 - i) adding a reference to “Low Density Residential Duplex Apex Zone” at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Low Density Residential Duplex Apex Zone	RD2
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 - ii) replacing the reference to “Medium Density Residential Zones” found at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) with the following:

Medium Density Residential Zones

Medium Density Residential One Zone	RM1
Medium Density Residential Apex Zone	RM2
 - iii) adding a new reference to “Village Centre Zones” at Section 5.1 (Zoning Districts) under Section 5.0 (Creation of Zones) to read as follows:

Village Centre Zones

Apex Mountain Village Zone	AMV
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 - iv) replacing Section 7.28.1 (Vacation Rentals) under Section 7.0 (General Regulations) in its entirety with the following:

- .1 no more than one (1) vacation rental use is permitted per principal dwelling unit.
- v) adding a new Section 11.5 (Low Density Residential Duplex Apex Zone) under Section 11.0 (Low Density Residential) to read as follows:

11.5 LOW DENSITY RESIDENTIAL DUPLEX APEX ZONE (RD2)

11.5.1 Permitted Uses:

Principal uses:

- a) duplex;
- b) single detached dwelling;
- c) vacation rental, subject to Section 7.28;

Secondary uses:

- d) bed and breakfast operation, subject to Section 7.19;
- e) home occupations, subject to Section 7.17;
- f) secondary suite, subject to Section 7.12; and
- g) accessory buildings and structures, subject to Section 7.13.

11.5.2 Site Specific Residential Duplex Apex (RD2s) Provisions:

- a) see Section 18.30Error! Reference source not found.

11.5.3 Minimum Parcel Size:

- a) 600 m², subject to servicing requirements;
- b) 300 m², for the purpose of subdivision of *duplexes* into their individual units, subject to servicing requirements.

11.5.4 Minimum Parcel Width:

- a) Not less than 25% of parcel depth.

11.5.5 Maximum Number of Dwellings Permitted Per Parcel:

- a) two (2) principal dwelling units, provided that both dwellings are located in one (1) residential building; and
- b) one (1) secondary suite in a single detached dwelling.

11.5.6 Minimum Setbacks:

- a) Principal buildings:
 - i) Front parcel line: 7.5 metres

- ii) Rear parcel line: 7.5 metres
- iii) Interior side parcel line: 3.0 metres
- iv) Exterior side parcel line: 4.5 metres
- b) Accessory buildings and structures:
 - i) Front parcel line: 7.5 metres
 - ii) Rear parcel line: 3.0 metres
 - iii) Interior side parcel line: 3.0 metres
 - iv) Exterior side parcel line: 4.5 metres

11.5.7 Maximum Height:

- a) No building and structure shall exceed a height of 10.0 metres;
- b) No accessory building or structure shall exceed a height of 5.5 metres.

11.5.8 Maximum Parcel Coverage:

- a) 45%

11.5.9 Minimum Building Width:

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

11.5.9 Conditions of Use:

- a) For parcels containing four (4) or more vehicle parking spaces, the following regulations shall apply:
 - i) an additional area equal to 25% of the required parking area shall be provided for snow storage on-site;
 - ii) areas required for snow storage shall not be counted towards vehicle parking requirements;
 - iii) snow storage area shall be located away from public roads and other areas so that motorist and pedestrian sight lines are not impacted.

- vi) replacing Section 12.2 (Mixed Use Apex Alpine (RMU) Zone) under Section 12.0 (Medium Density Residential) in its entirety with the following:

12.2 *deleted.*

- vii) replacing Section 12.3 (Residential Multiple Unit Three Zone) under Section 12.0 (Medium Density Residential (MR) in its entirety with the following:

12.3 MEDIUM DENSITY RESIDENTIAL APEX ZONE (RM2)

12.3.1 Permitted Uses:

Principal uses:

- a) apartment building;
- b) townhouse;
- c) vacation rental, subject to Section 7.28;

Secondary uses:

- d) home occupation, subject to Section **Error! Reference source not found.**; and
- e) accessory buildings and structures, subject to Section **Error! Reference source not found.**

12.3.2 Site Specific Medium Density Residential Apex (RM2s) Provisions:

- a) see Section **Error! Reference source not found.**

12.3.3 Minimum Parcel Size:

- a) 1,000 m², subject to servicing requirements.

12.3.4 Minimum Parcel Width:

- a) 30.0 metres

12.3.5 Maximum Density:

- a) 60 dwelling units per ha

12.3.6 Minimum Floor Area:

- a) 40.0 m² for dwelling units

12.3.7 Minimum Setbacks:

- a) Buildings and Structures:
 - i) Front parcel line: 6.0 metres
 - ii) Rear parcel line: 3.0 metres
 - iii) Interior side parcel line: 3.0 metres

- iv) Exterior side parcel line: 5.0 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line: 6.0 metres
 - ii) Rear parcel line: 3.0 metres
 - iii) Interior side parcel line: 3.0 metres
 - iv) Exterior side parcel line: 5.0 metres

12.3.8 Maximum Height:

- a) No building or structure shall exceed a height of 15.0 metres; or
- b) No accessory building or structure shall exceed a height of 5.0 metres.

12.3.9 Maximum Parcel Coverage:

- a) 50%

12.3.10 Amenity Space Requirements:

- a) The following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- b) not less than 25% of required amenity space is to be located at grade;
- c) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

12.3.11 Conditions of Use:

- a) For parcels containing four (4) or more vehicle parking spaces, the following regulations shall apply:
 - i) an additional area equal to 25% of the required parking area shall be provided for snow storage on-site;
 - ii) areas required for snow storage shall not be counted towards vehicle parking requirements;
 - iii) snow storage area shall be located away from public roads and other areas so that motorist and pedestrian sight lines are not impacted.

- viii) adding a new Section 13.0 (Town Centre) to read as follows and renumbering all subsequent sub-sections:

13.0 VILLAGE CENTRE

13.1 APEX MOUNTAIN VILLAGE ZONE (AMV)

13.1.1 Permitted Uses:

Principal uses:

- a) apartment building, subject to Section 13.1.10;
- b) community hall;
- c) cultural facilities;
- d) eating and drinking establishment;
- e) indoor recreational facilities;
- f) office;
- g) personal service establishment;
- h) retail store, general;
- i) tourist accommodation;
- j) townhouse;
- k) vacation rental, subject to Section 7.28;

Secondary uses:

- l) home occupation, subject to Section **Error! Reference source not found.**; and
- m) accessory buildings and structures, subject to Section **Error! Reference source not found.**

13.1.2 Site Specific Apex Mountain Village (AMVs) Provisions:

- a) see Section **Error! Reference source not found.**

13.1.3 Minimum Parcel Size:

- a) 1,000 m², subject to servicing requirements.

13.1.4 Minimum Parcel Width:

- a) Not less than 25% of the parcel depth.

13.1.5 Maximum Floor Area Ratio:

- a) 3.0

13.1.6 Minimum Setbacks:

- a) Buildings and Structures:
 - i) Front parcel line: 3.0 metres
 - ii) Rear parcel line: 3.0 metres
 - iii) Interior side parcel line: 3.0 metres
 - iv) Exterior side parcel line: 4.5 metres
- b) Accessory Buildings or Structures:
 - i) Front parcel line: 3.0 metres
 - ii) Rear parcel line: 1.5 metres
 - iii) Interior side parcel line: 1.5 metres
 - iv) Exterior side parcel line: 4.5 metres

13.1.7 Maximum Height:

- a) No building or structure shall exceed a height of 20.0 metres;
- b) No accessory building or structure shall exceed a height of 5.0 metres.

13.1.8 Maximum Parcel Coverage:

- a) 75%

13.1.9 Dwelling Unit Regulations:

- a) Dwelling units located in the same building as a commercial use shall have separate entrances from the exterior of the building and shall not share a common hallway with a commercial use.
- b) The following amenity space shall be provided for each dwelling unit:
 - i) studio suite: 7.5 m²
 - ii) one (1) bedroom: 15.0 m²
 - iii) two (2) or more bedrooms: 25.0 m²
- c) not less than 25% of required amenity space is to be located at grade;
- d) for the purpose of calculating the amenity space requirement, any indoor amenity space provided shall be counted as double its actual floor area and credited towards this requirement.

13.1.10 Conditions of Use:

- a) For parcels containing four (4) or more vehicle parking spaces, the following regulations shall apply:
 - i) an additional area equal to 25% of the required parking area shall be provided for snow storage on-site;
 - ii) areas required for snow storage shall not be counted towards vehicle parking requirements;
 - iii) snow storage area shall be located away from public roads and other areas so that motorist and pedestrian sight lines are not impacted.

- ix) replacing Section 18.9 (Site Specific Residential Apex Alpine (RS4s) Provisions) under Section 18.0 (Site Specific Designations) in its entirety with the following:

18.9 Site Specific Low Density Residential Apex (RS4s) Provisions:

 - .1 *deleted.*

- x) replacing Section 18.13 (Site Specific Mixed Use Apex Alpine (RMUs) Provisions) under Section 18.0 (Site Specific Designations) in its entirety with the following:

18.13 Site Specific Apex Mountain Village (AMVs) Provisions:

 - .1 *deleted.*
 - .2 *deleted.*
 - .3 *deleted.*

- xi) replacing Section 18.14 (Site Specific Multiple Family Three (RM3s) Provisions) under Section 18.0 (Site Specific Designations) to read as follows:

18.14 Site Specific Medium Density Residential Apex (RM2s) Provisions:

 - .1 in the case of land described as Lots 1 & 2, Plan KAS2465, District Lot 395S, SDYD (133 Whitetail Road, Apex), and shown shaded yellow on Figure 18.14.1:
 - a) despite Section 7.28.1, no more than four (4) vacation rental uses are permitted parcel.
 - b) despite Section 7.28.4, no more than 32 patrons, with an aggregate occupancy of eight (8) patrons per dwelling unit shall be accommodated.

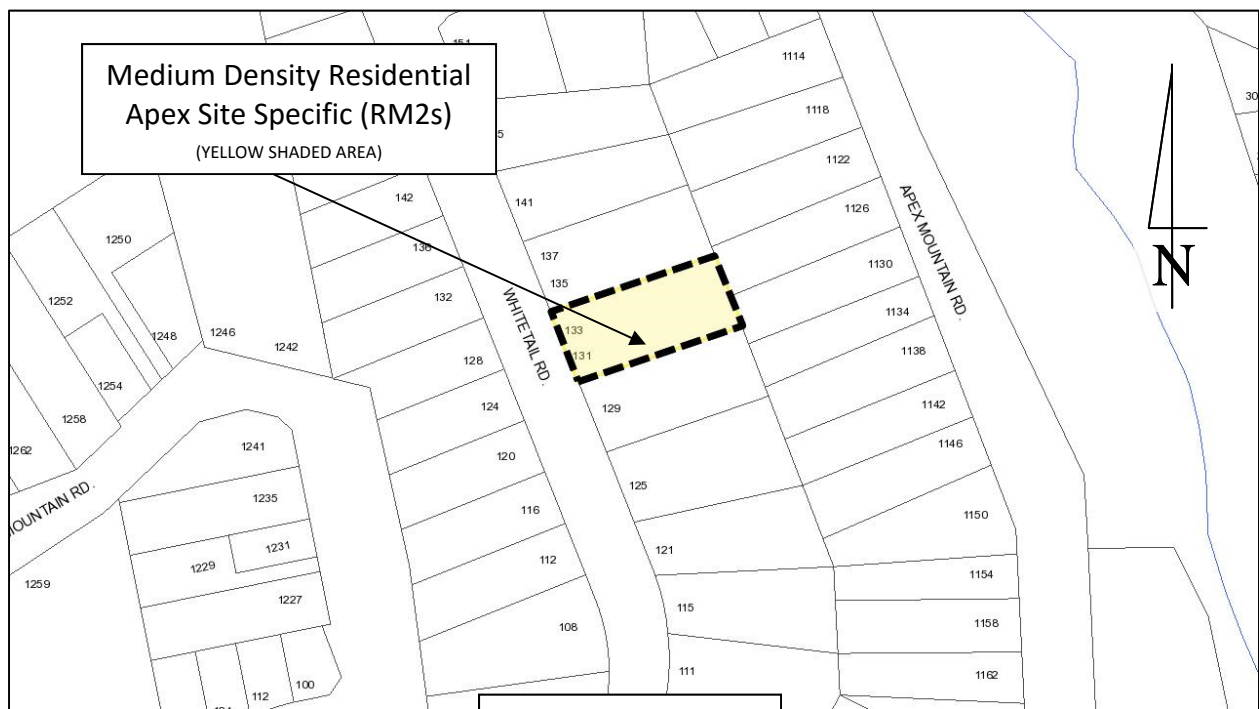


Figure 18.14.1

- xii) adding a new Section 18.30 (Site Specific Residential Apex Alpine Duplex (RD2s) Provisions) under Section 18.0 (Site Specific Designations) to read as follows:

18.30 Site Specific Low Density Residential Duplex Apex (RD2s) Provisions:

.1 *blank*

- 3. The Zoning Map, being Schedule '2' of the Electoral Area "D" Zoning Bylaw No. 2457, 2008, is amended by:
 - i) changing the land use designation of the land shown shaded yellow on Schedule 'A', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Apex Mountain Village (AMU).
 - ii) changing the land use designation of the land shown shaded yellow on Schedule 'B', which forms part of this Bylaw, from Residential Multiple Unit Three (RM3) to Medium Density Residential Apex (RM2).
 - iii) changing the land use designation of the land shown shaded yellow on Schedule 'C', which forms part of this Bylaw, from Residential Multiple Unit Three (RM3) to Low Density Residential Duplex Apex (RD2).
 - iv) changing the land use designation of the land shown shaded yellow on Schedule 'D', which forms part of this Bylaw, from Residential Multiple Unit Three (RM3) to Medium Density Residential Apex (RM2).

- v) changing the land use designation of an approximately 12.5 ha area of land shown shaded yellow on Schedule 'E', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).
- vi) changing the land use designation of the land described as Lot 2, Plan KAP78308, District Lot 395S, SDYD, and Lots A & B, Plan KAP92902, District Lot 395S, SDYD, and shown shaded yellow on Schedule 'F', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Duplex Apex (RD2).
- vii) changing the land use designation of the land shown shaded yellow on Schedule 'G', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).
- viii) changing the land use designation of the land shown shaded yellow on Schedule 'H', which forms part of this Bylaw, from Residential Apex Alpine Site Specific (RS4s) to Low Density Residential Duplex Apex (RD2).
- ix) changing the land use designation of the land shown shaded yellow on Schedule 'I', which forms part of this Bylaw, from Apex Medium Density Residential (RM3) to Low Density Residential Duplex Apex (RD2).
- x) changing the land use designation of the land shown shaded yellow on Schedule 'J', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).
- xi) changing the land use designation of an approximately 4.2 ha area of land shown shaded yellow on Schedule 'K', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Resource Area (RA).
- xii) changing the land use designation of the land shaded blue on Schedule 'L', which forms part of this Bylaw, from Mixed Use Apex Alpine Site Specific (RMUs) to Low Density Residential Duplex Apex (RD2).
- xiii) changing the land use designation of the land shown shaded yellow on Schedule 'L', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Duplex Apex (RD2).
- xiv) changing the land use designation of the land shown shaded yellow on Schedule 'M', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).
- xv) changing the land use designation of the land shown shaded yellow on Schedule 'N', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).
- xvi) changing the land use designation of the land shown shaded blue on Schedule 'N', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Low Density Residential Duplex Apex (RD2).

- xvii) changing the land use designation of the land shown shaded purple on Schedule 'N', which forms part of this Bylaw, from Mixed Use Apex Alpine Site Specific (RMUs) to Low Density Residential Duplex Apex (RD2).
- xviii) changing the land use designation of the land shown shaded yellow on Schedule 'O', which forms part of this Bylaw, from Mixed Use Apex Alpine (RMU) to Medium Density Residential Apex (RM2).
- xix) changing the land use designation of the land shown shaded yellow on Schedule 'P', which forms part of this Bylaw, from Residential Apex Alpine Site Specific (RS4s) to Low Density Residential Duplex Apex (RD2).
- xx) changing the land use designation of the land shown shaded blue on Schedule 'P', which forms part of this Bylaw, from Residential Multiple Family Site Specific (RM3s) to Medium Density Residential Apex Site Specific (RM2s).

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

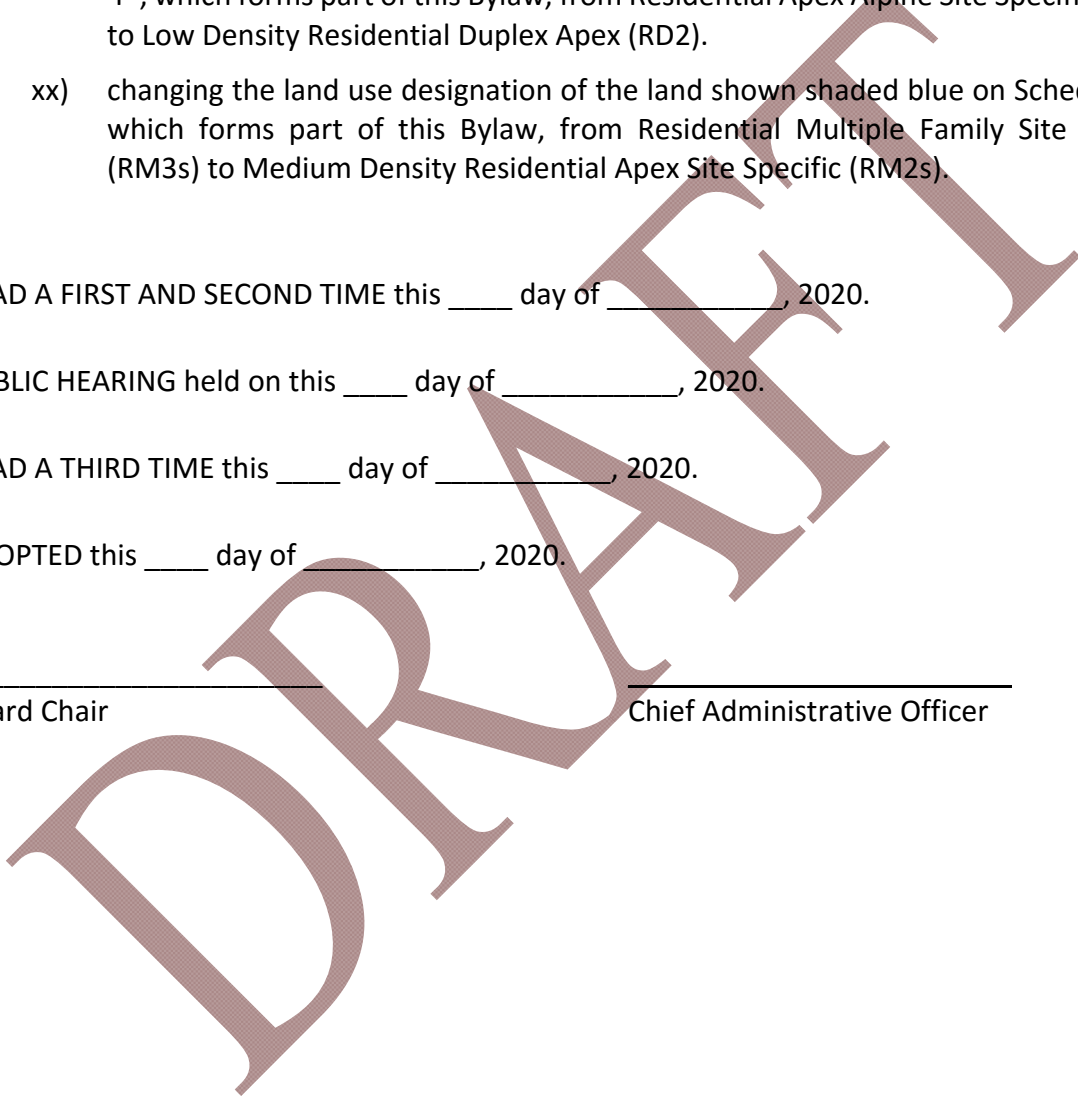
PUBLIC HEARING held on this ____ day of _____, 2020.

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

ADOPTED this ____ day of _____, 2020.

Board Chair

Chief Administrative Officer



Regional District of Okanagan-Similkameen

101 Martin St, Penticton, BC, V2A-5J9

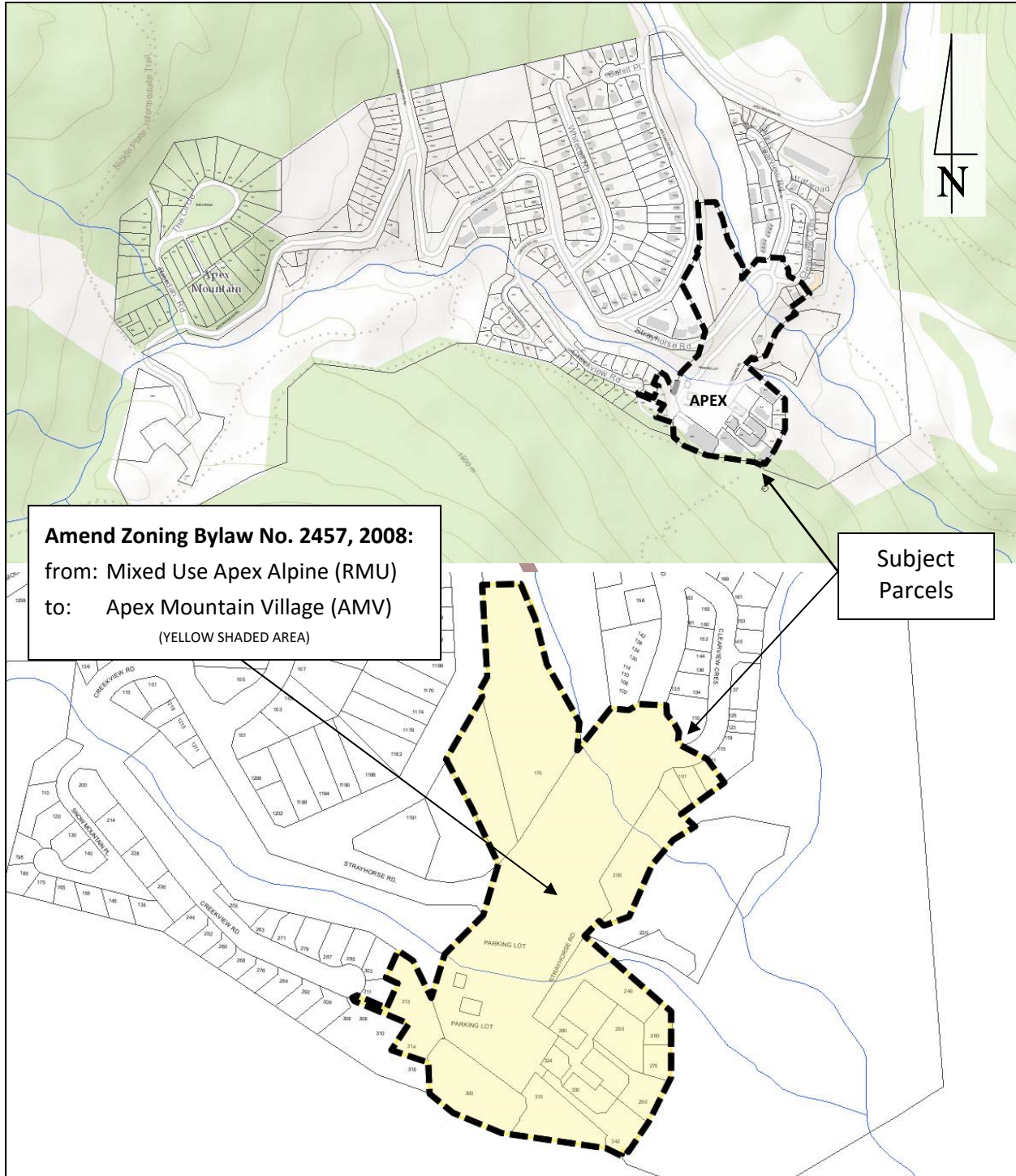
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Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'A'



Regional District of Okanagan-Similkameen

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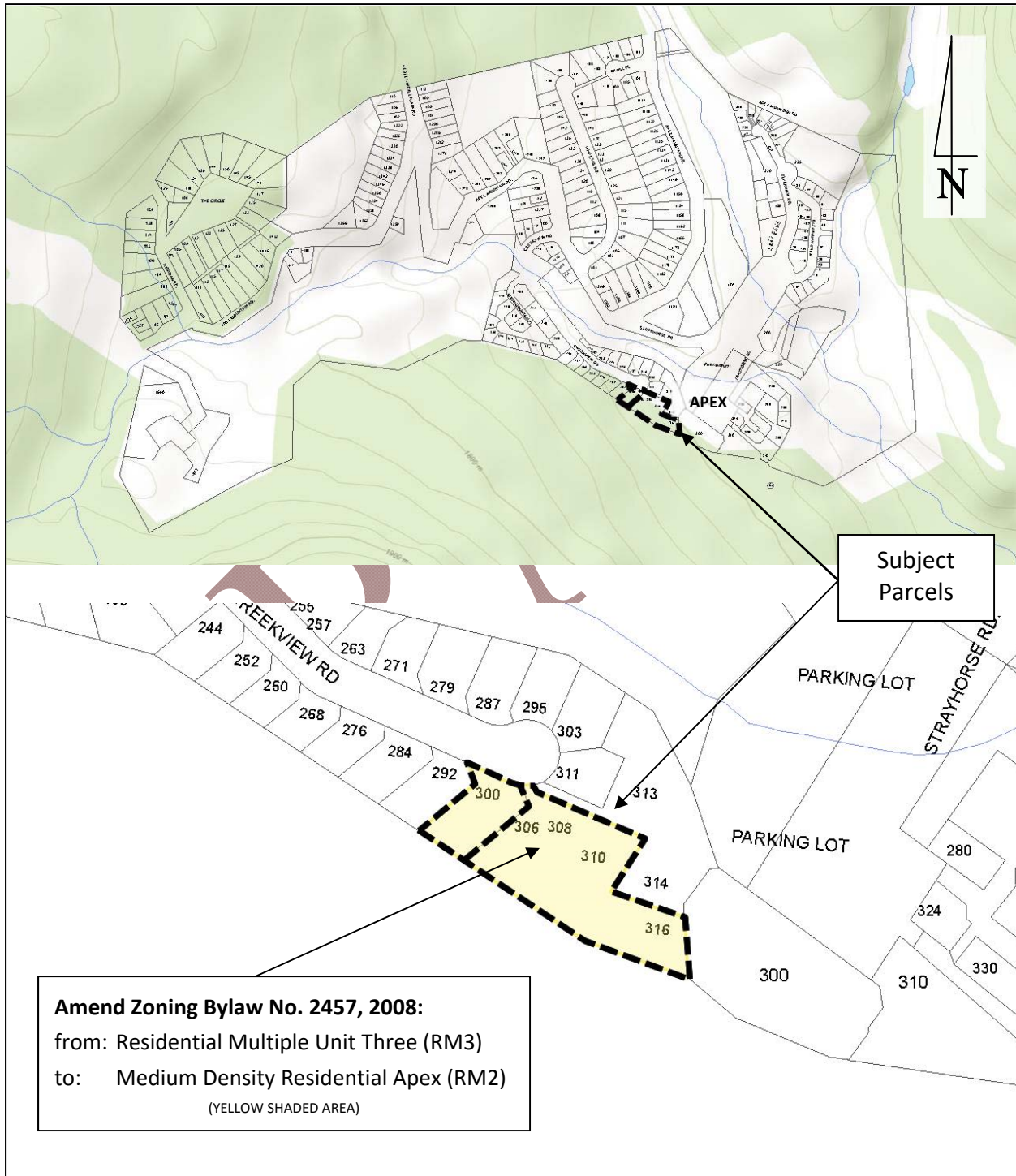
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Schedule 'B'



Regional District of Okanagan-Similkameen

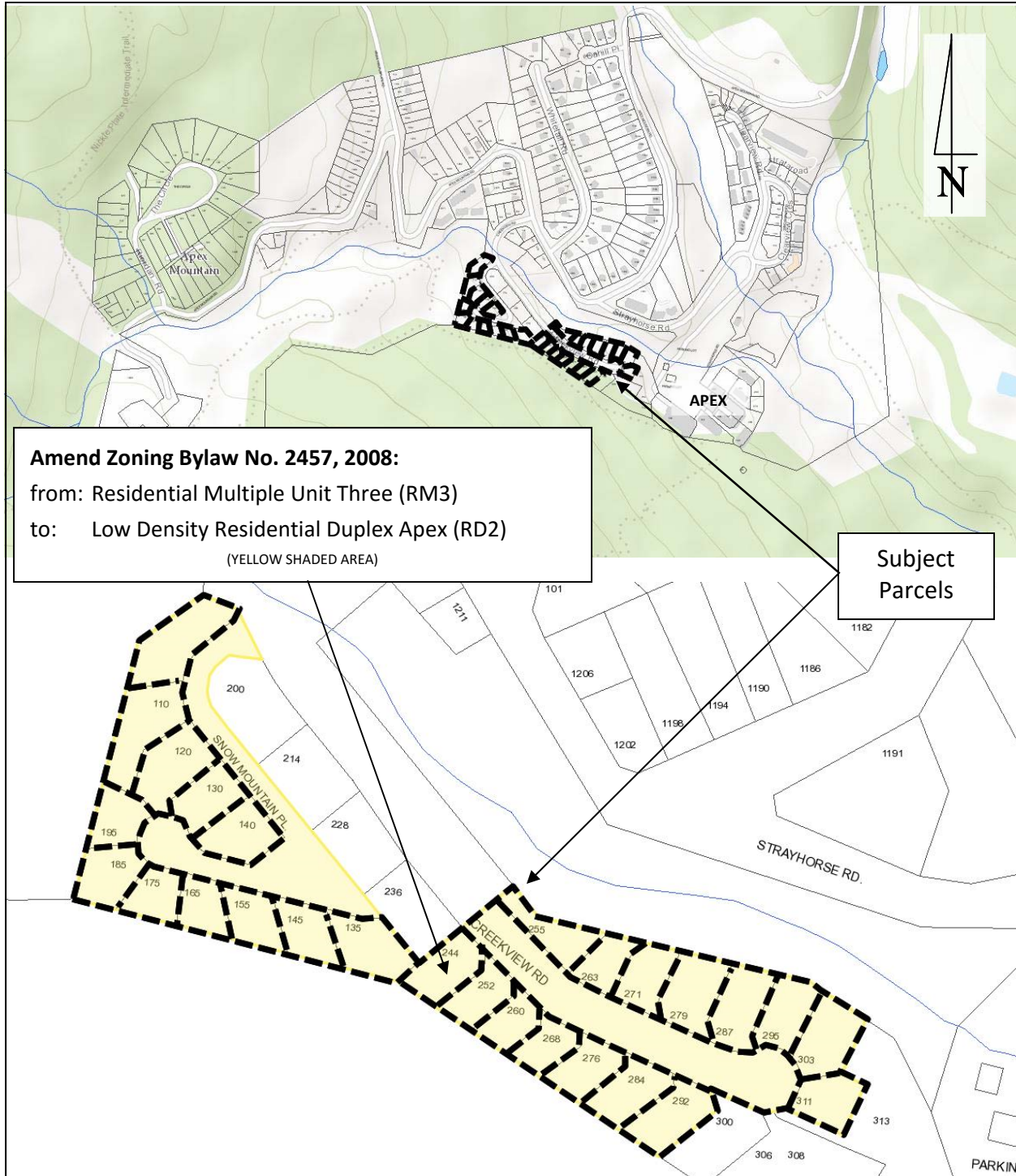
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Schedule 'C'



Regional District of Okanagan-Similkameen

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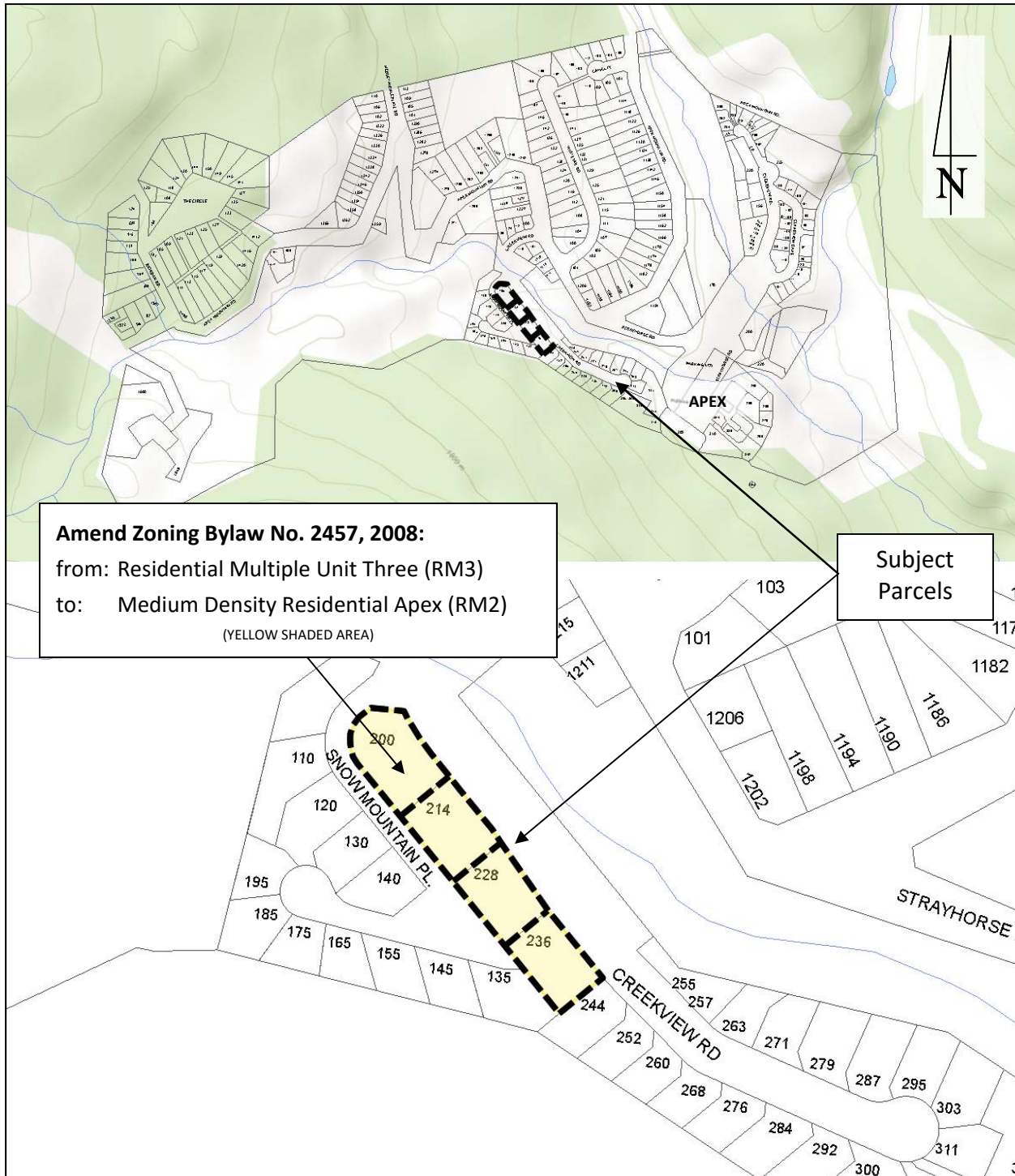
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Amendment Bylaw No. 2457.26, 2019

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Schedule 'D'



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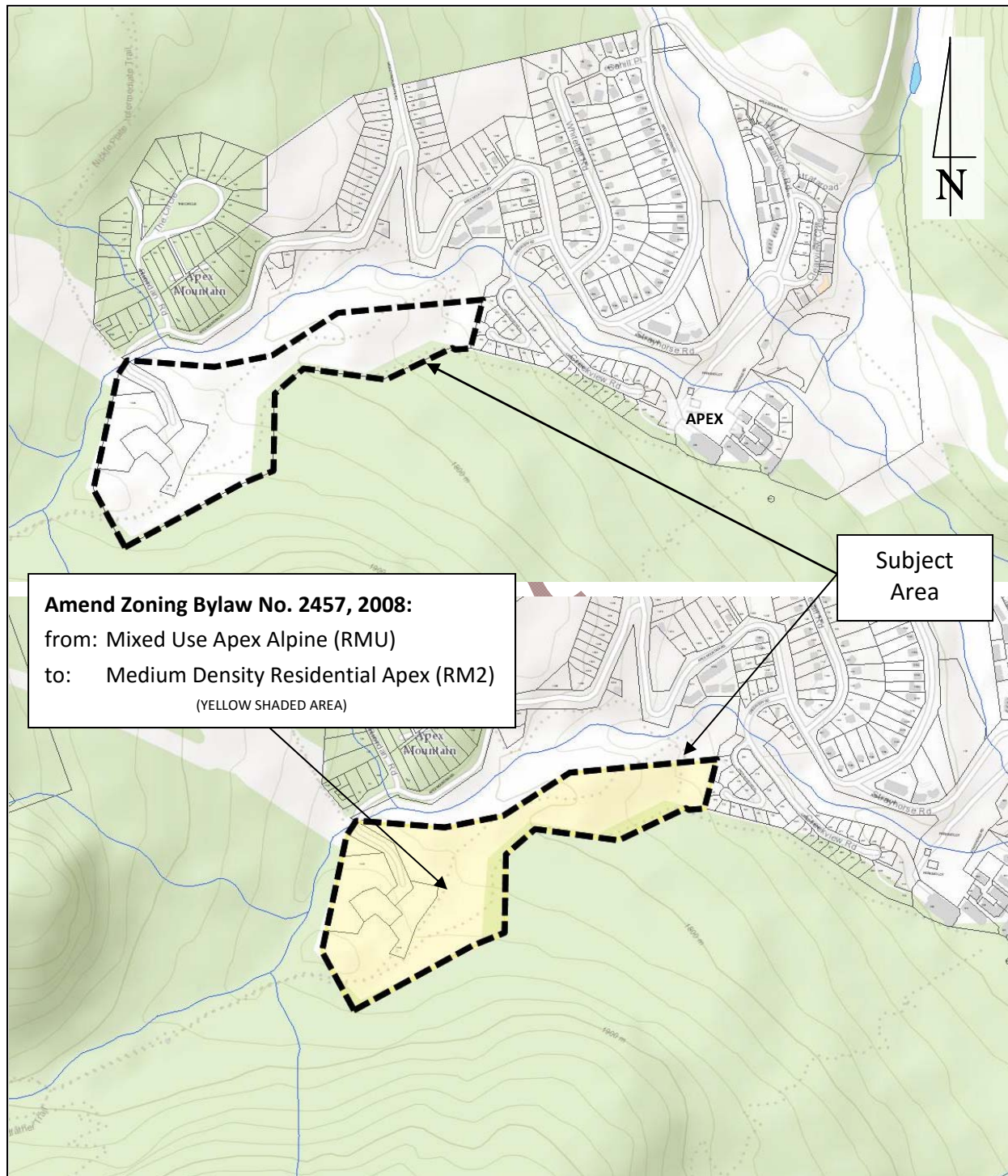
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Schedule 'E'



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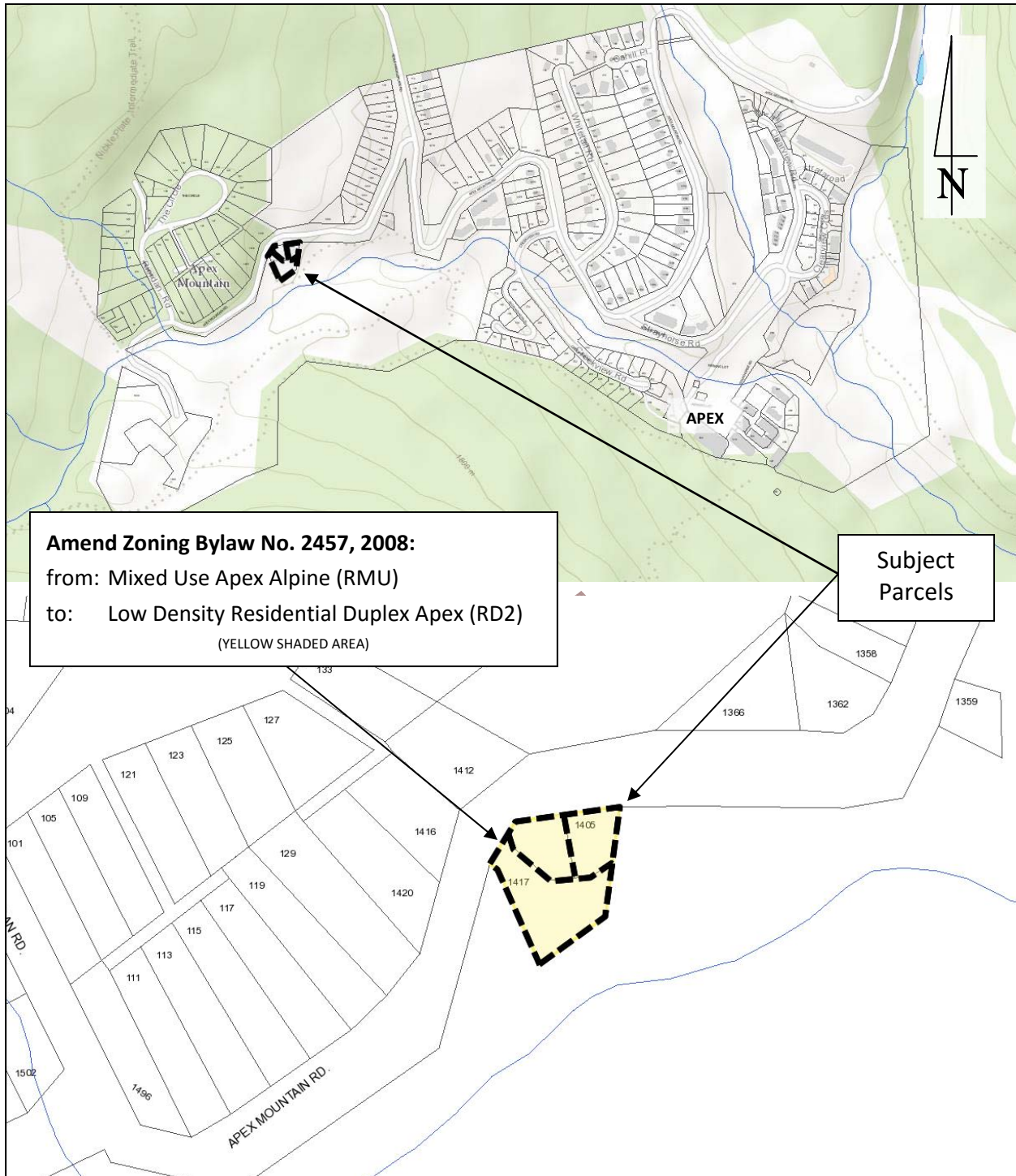
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Schedule 'F'



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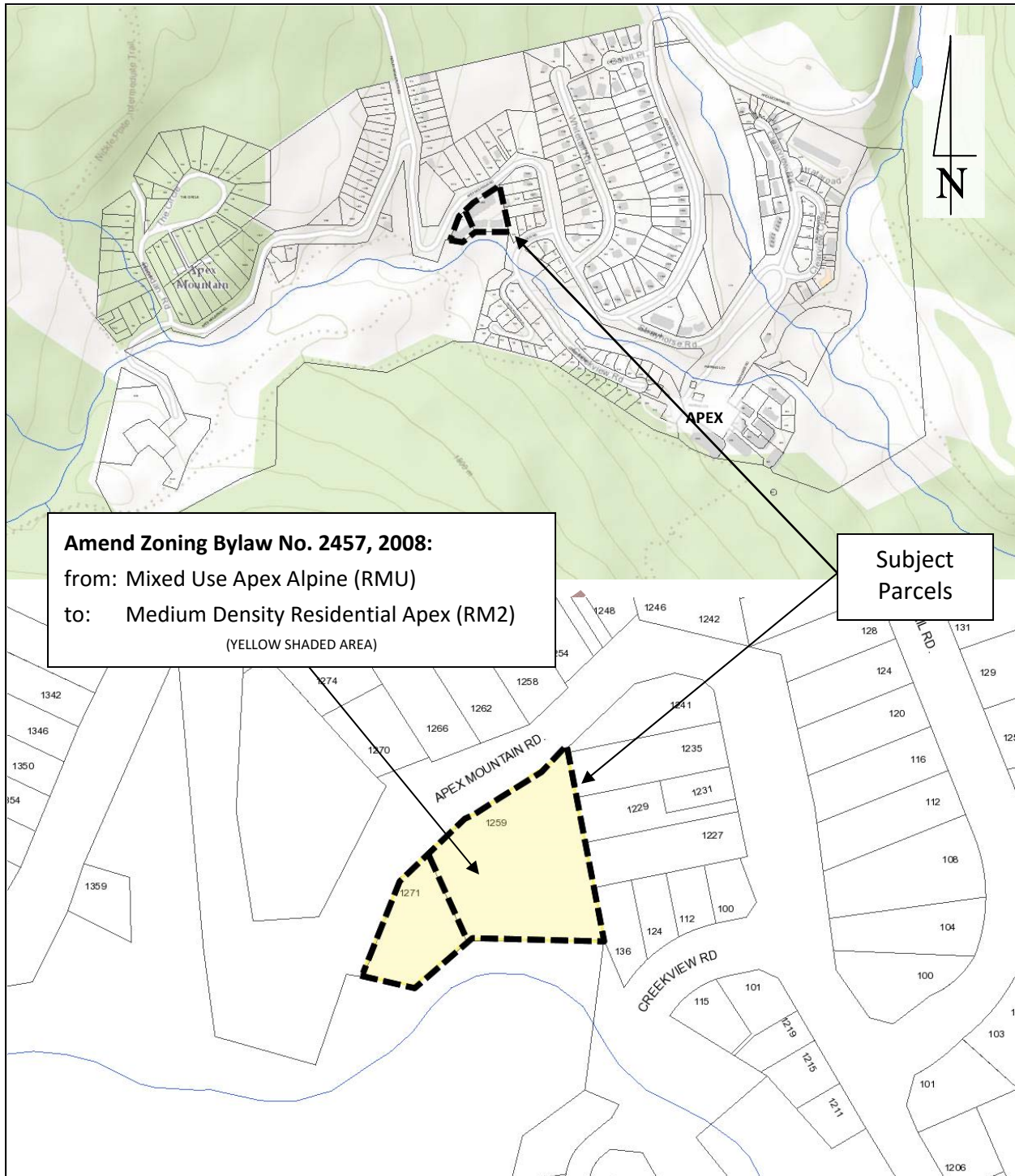
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Schedule 'G'



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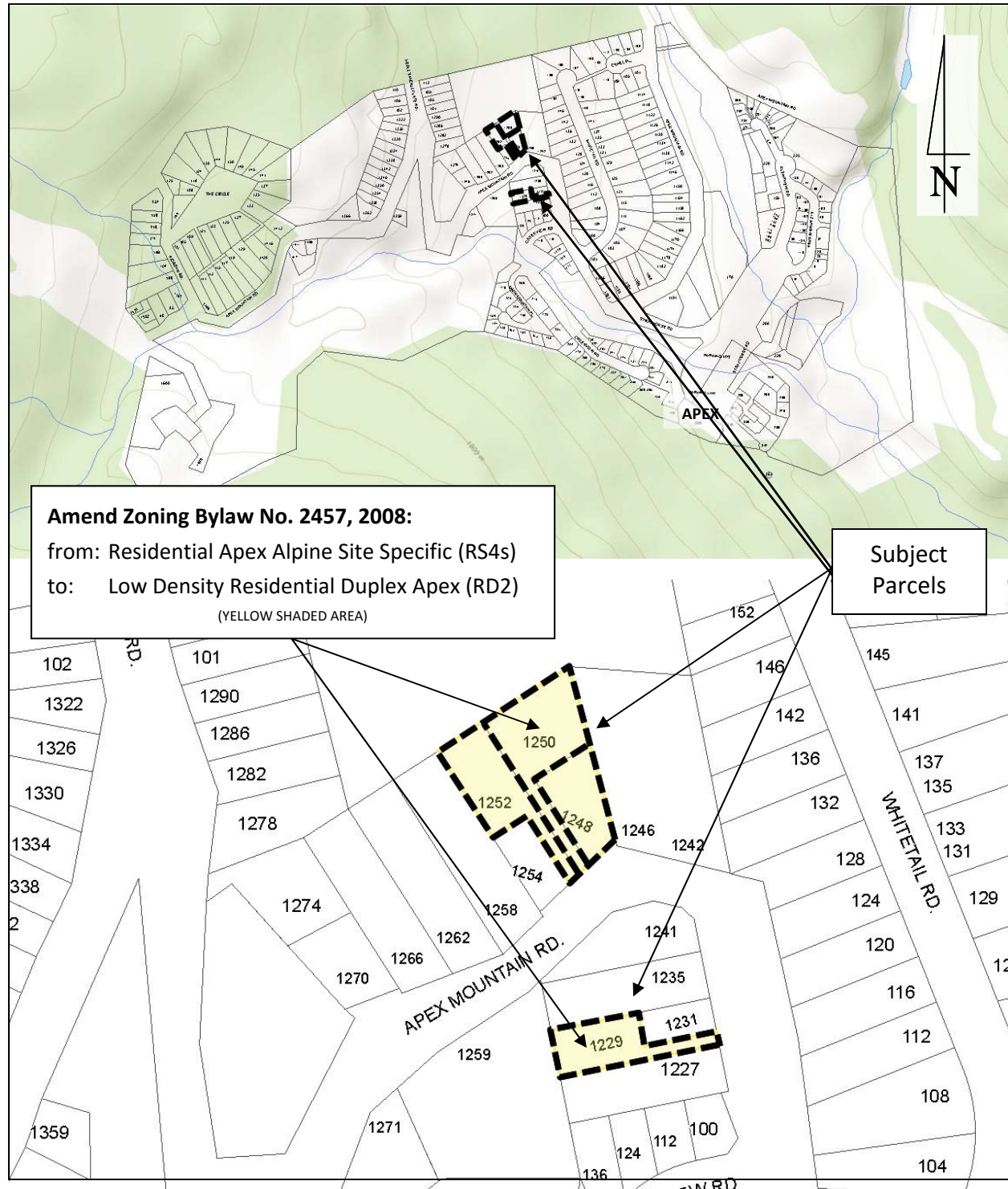
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Project No: D2018.059-ZONE

Schedule 'H'



Amendment Bylaw No. 2457.26, 2019
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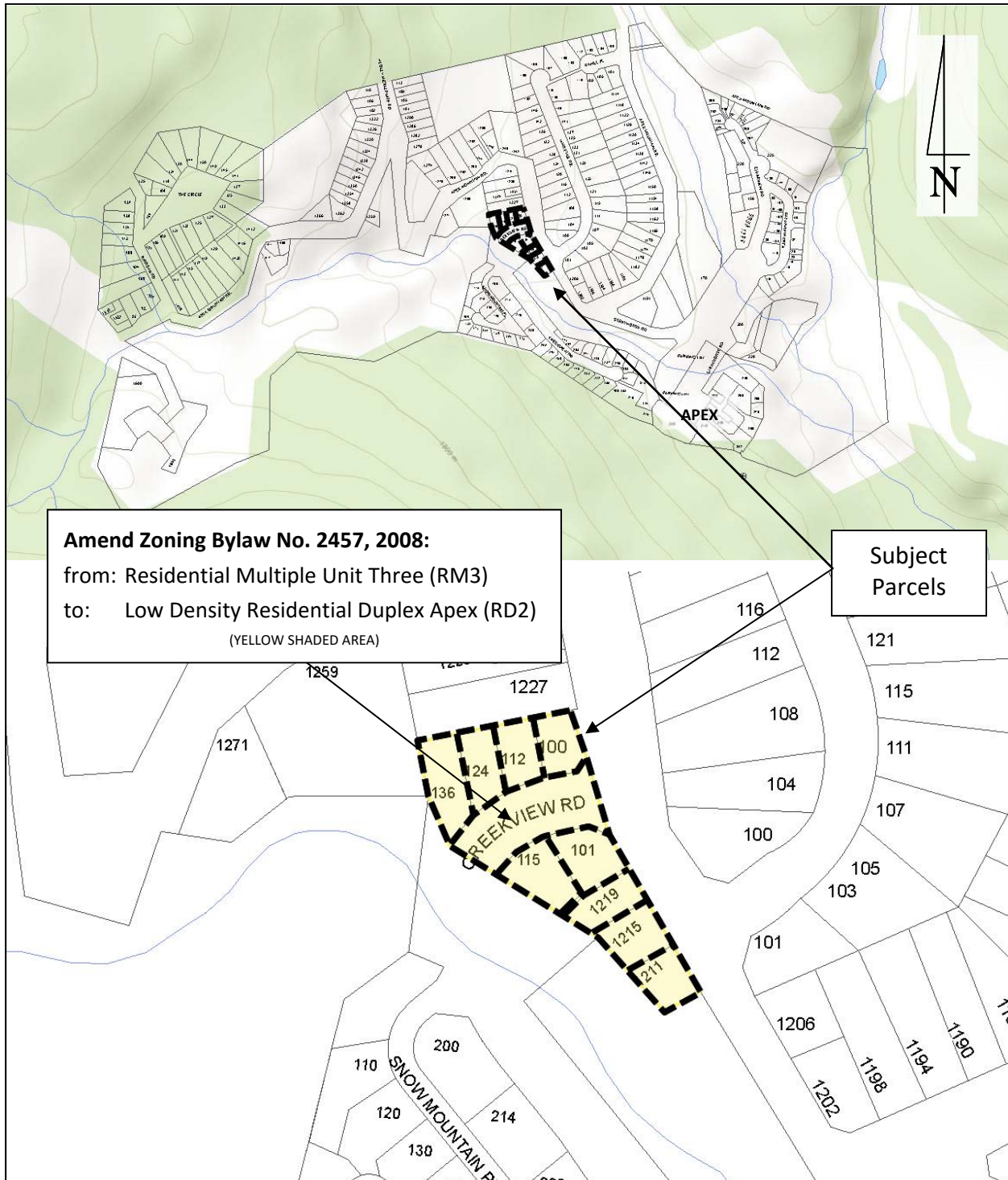
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Amendment Bylaw No. 2457.26, 2019

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Schedule 'I'



Amendment Bylaw No. 2457.26, 2019
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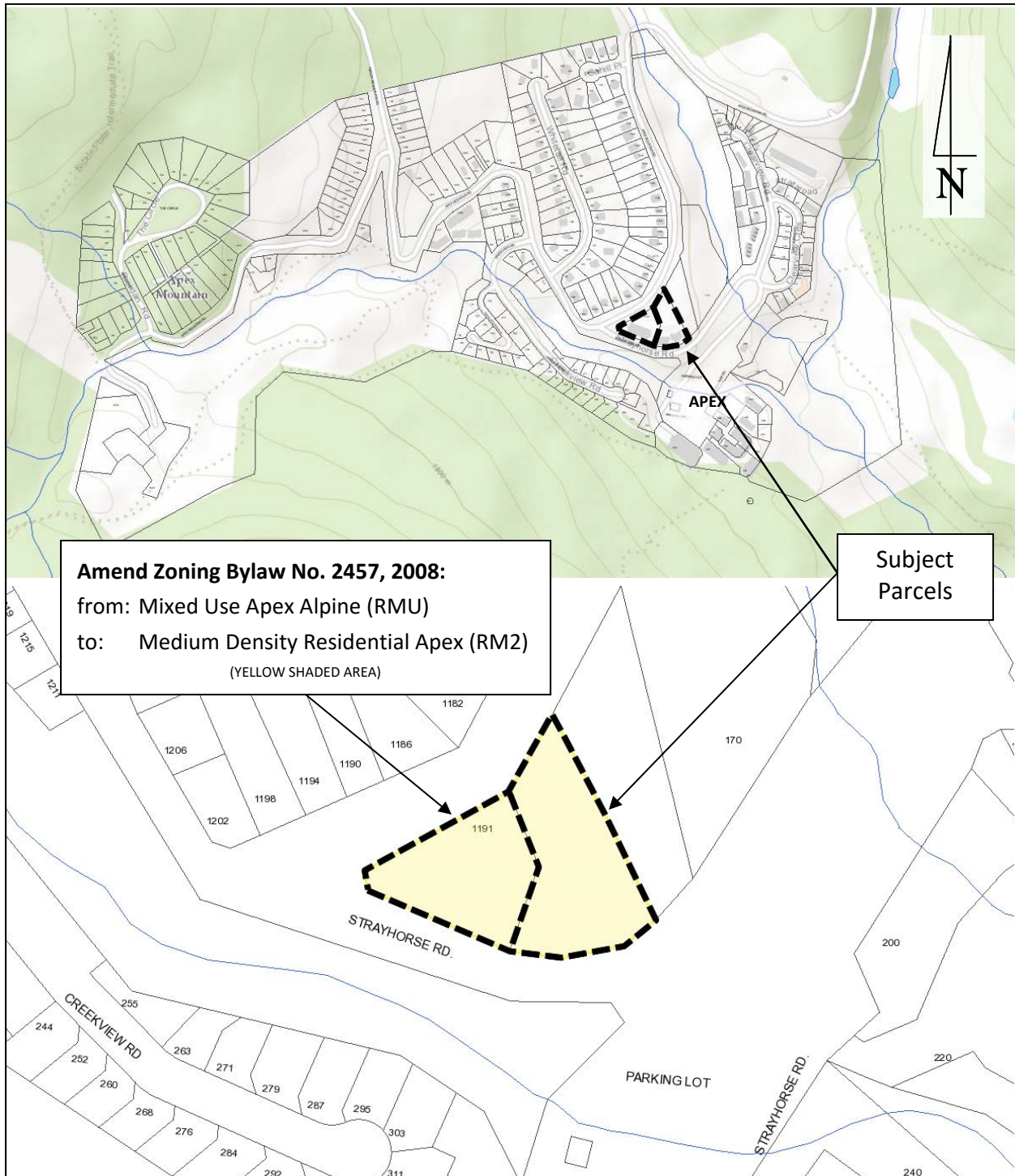
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Schedule 'J'



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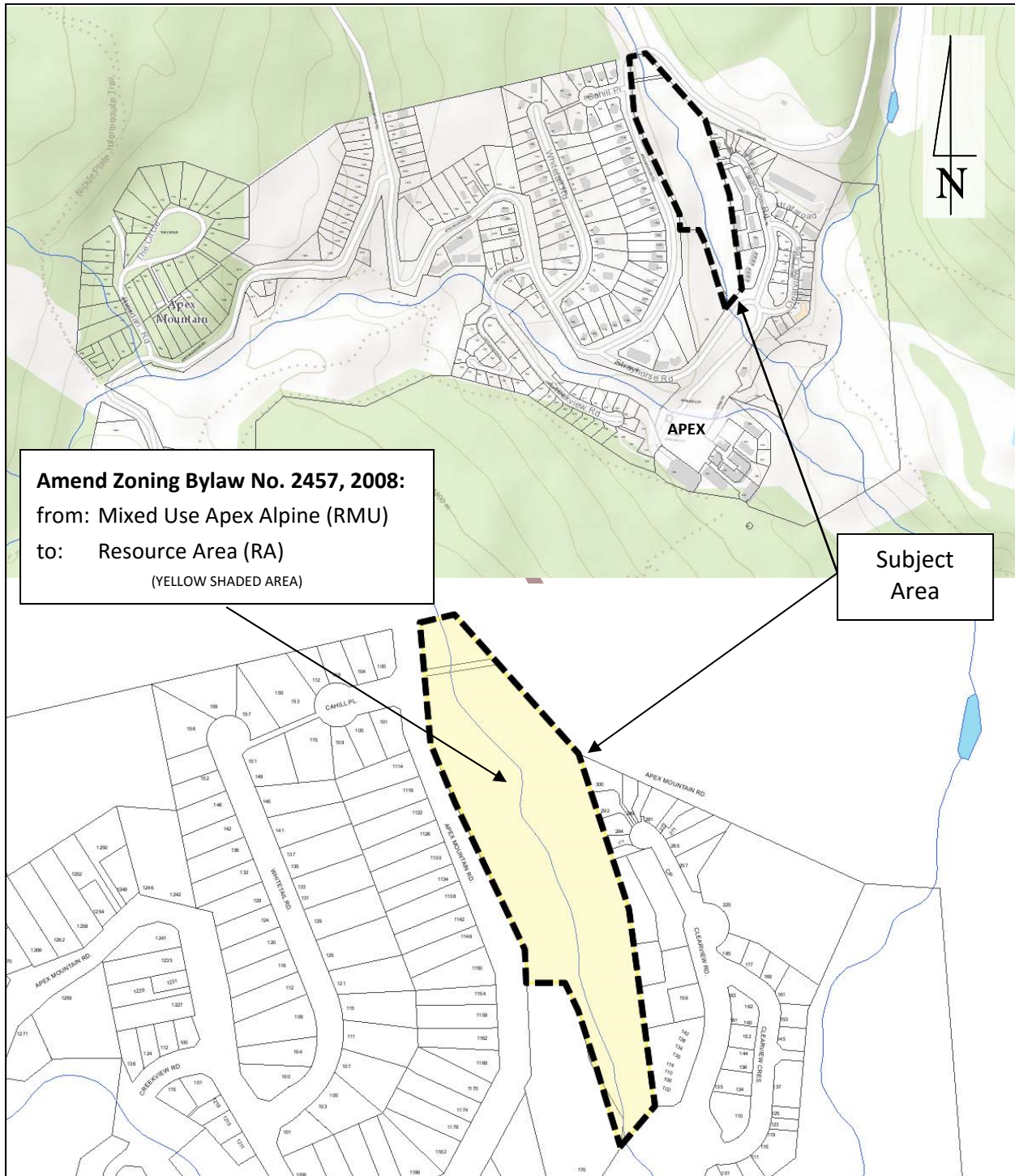
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Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'K'



Amendment Bylaw No. 2457.26, 2019
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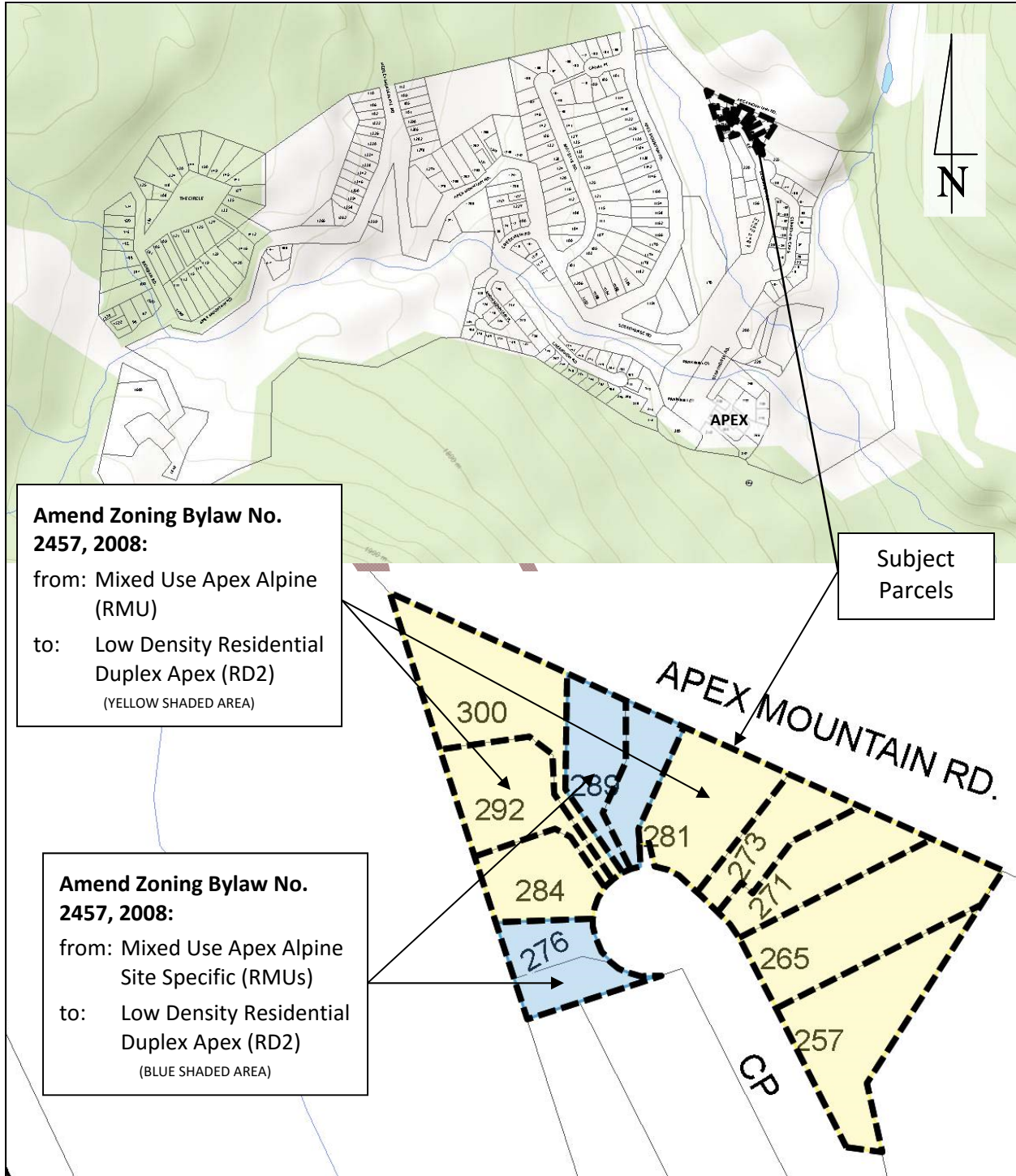
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Schedule 'L'



Regional District of Okanagan-Similkameen

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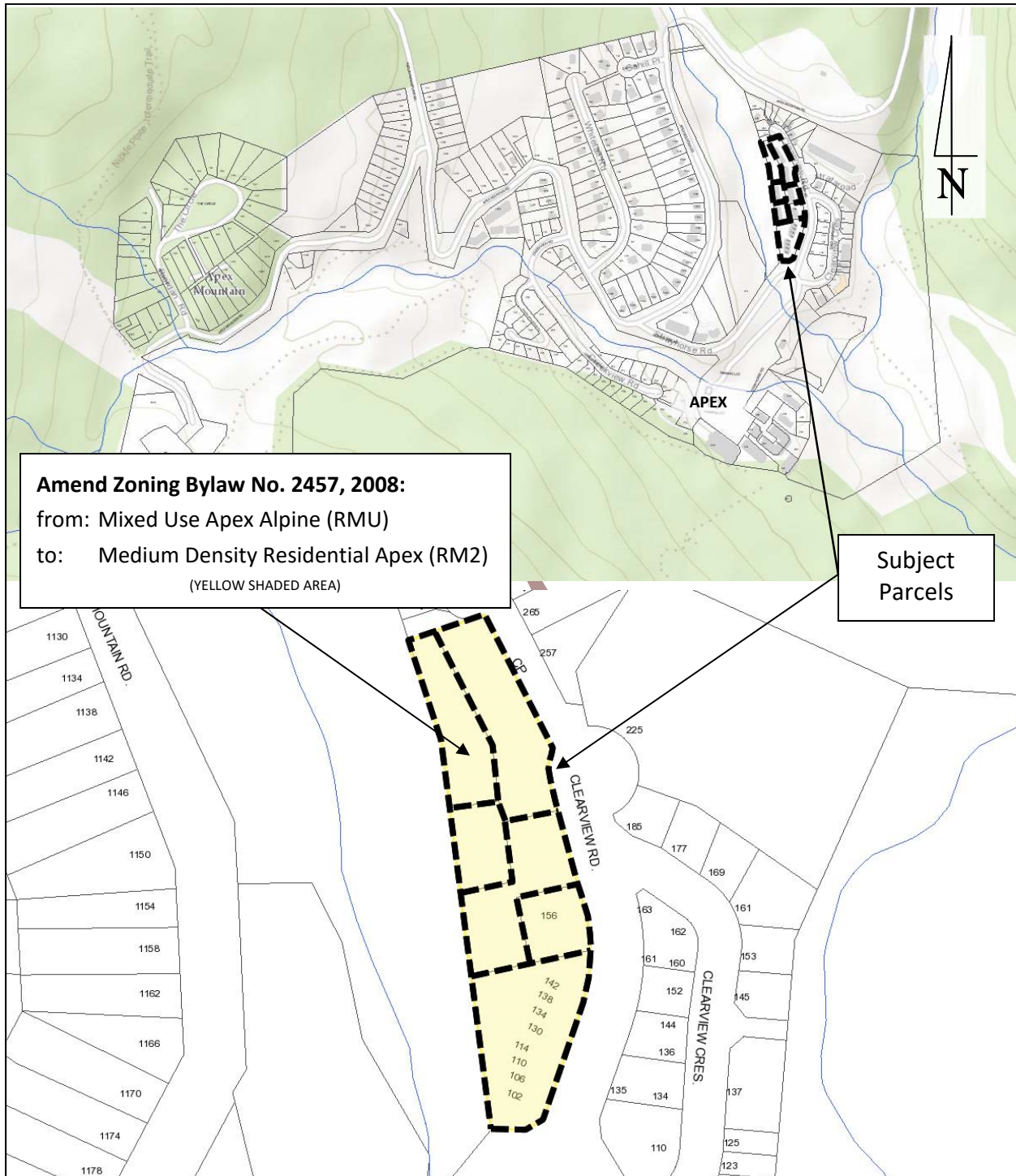
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Schedule 'M'



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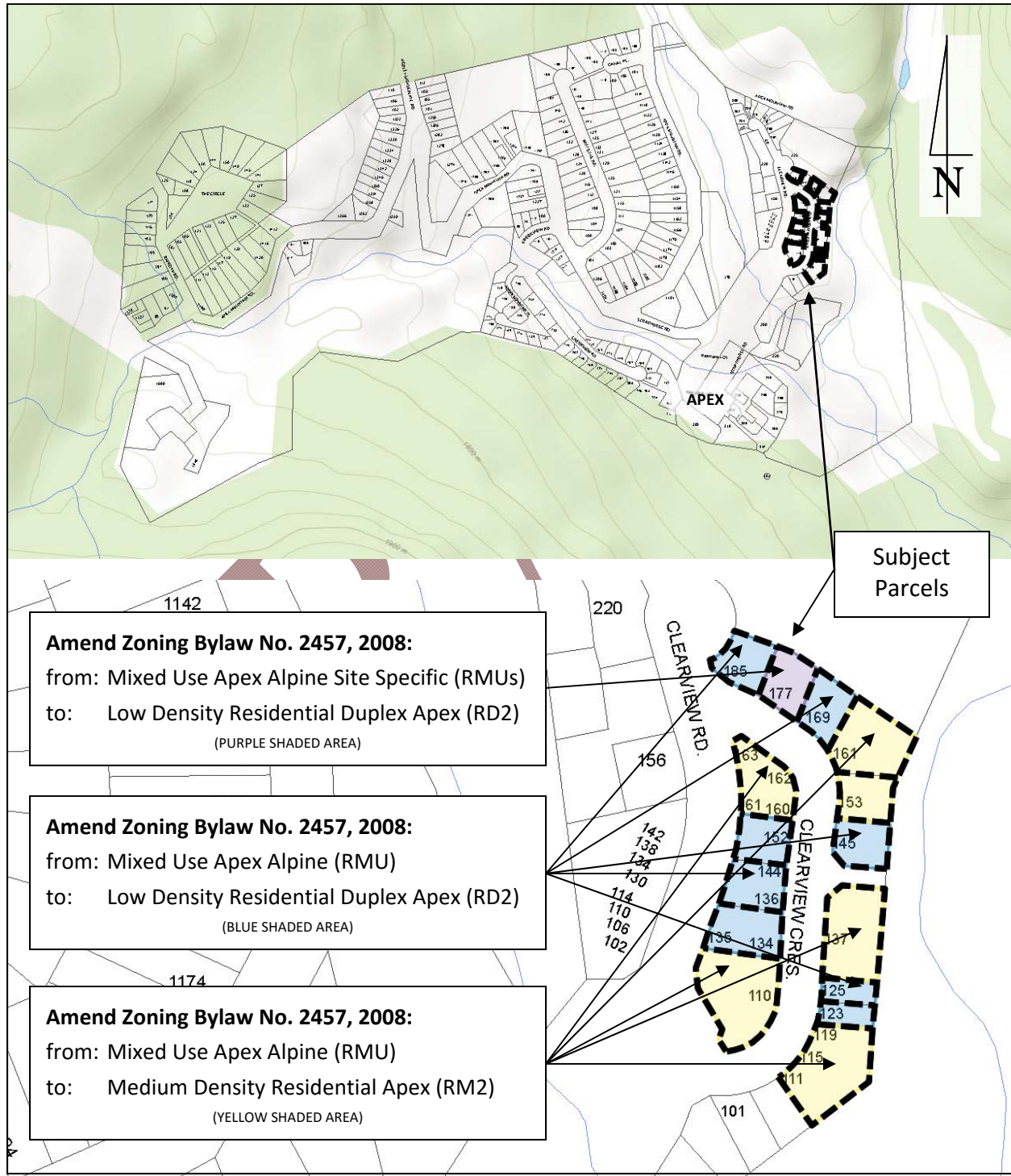
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Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'N'



Regional District of Okanagan-Similkameen

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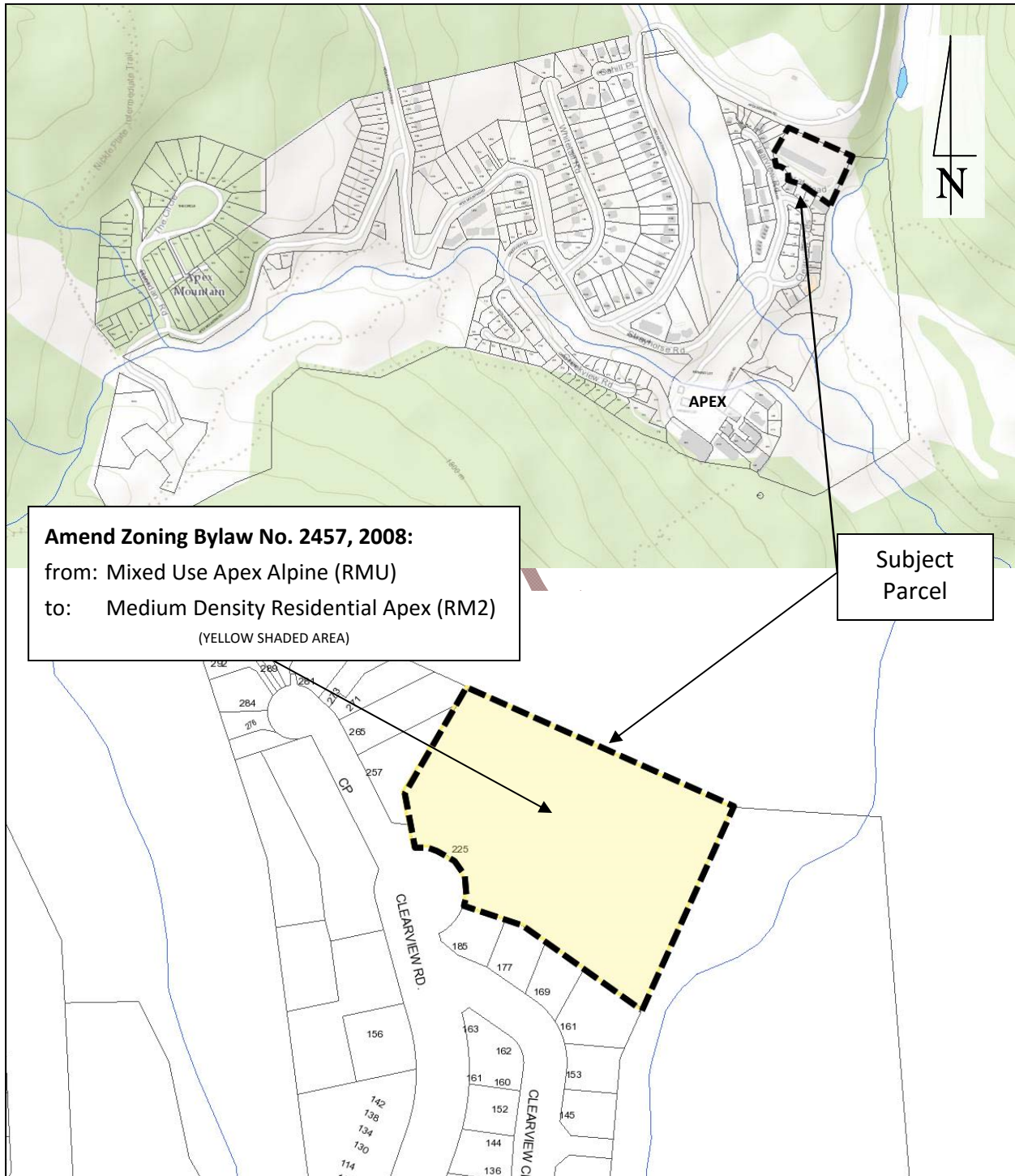
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Amendment Bylaw No. 2457.26, 2019

Project No: D2018.059-ZONE

Schedule 'O'



Amendment Bylaw No. 2457.26, 2019
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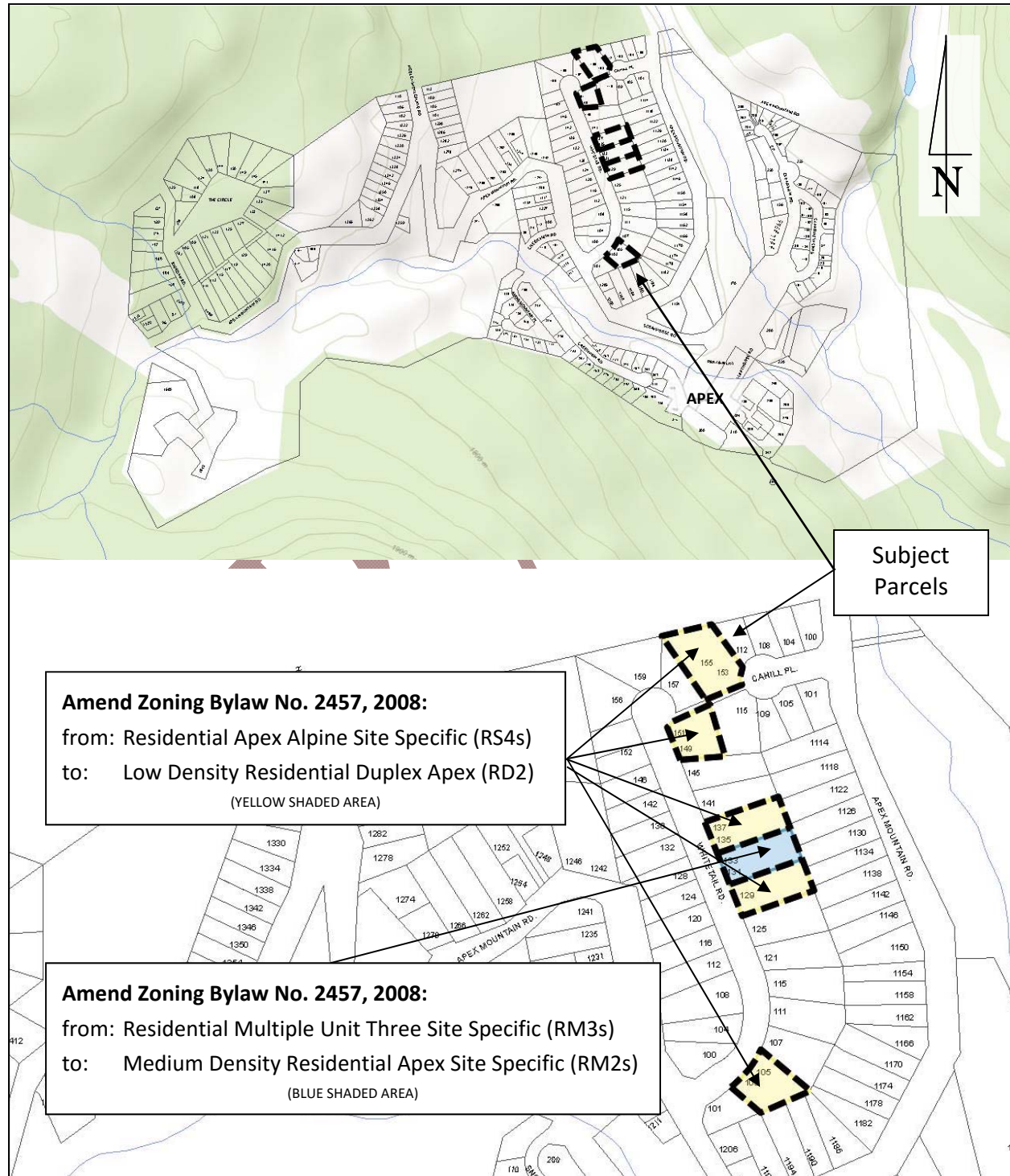
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Amendment Bylaw No. 2788, 2019

Project No: X2017.106-ZONE

Schedule 'P'



Amendment Bylaw No. 2457.26, 2019

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