

Draft Zoning Bylaw No. 1395

Committee of the Whole

Tuesday June 11, 2024

Draft Zoning Bylaw

- Preparation of a new zoning bylaw has been on-going since 2022;
- There are two other components to the review (Foreshore & Lake Zoning and Short-Term Rentals);
- In light of recent legislative changes, it was proposed that implementation of the new zoning bylaw occur prior to June 30, 2024.



Zoning Bylaw No. 1085

Zoning Bylaw No. 1085 regulates how land within different zones of the community can be used.



Foreshore & Lake Zoning Bylaw No. 1294

Foreshore & Lake Zoning Bylaw No. 1294 regulates what activities are permitted within the foreshore and adjacent areas of Osoyoos Lake that lie within the Town's boundaries.



Short-Term Rentals

Short-term rentals are currently not permitted in Osoyoos. The Town is considering the regulation of short-term rentals in the community.

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Important Timelines

- Dec. 2023 – SSMUH policy manual and site standards released.
- Jan. 2024 – HNR instructions provided to local governments.
- Feb. 2024 – Details announced for \$51 million funding allocation.
- June 30/24 – Bylaws to be updated to accommodate SSMUH reqmts.
- July 2024 – OCP/zoning update instructions provided to municipalities.
- Dec. 31/24 – Interim HNR must be completed.
- Dec. 31/25 – OCPs and zoning bylaws updated based on interim HNR.

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Previous Council Consideration

- 2023 Workshops (zoning, foreshore and vacation rentals).
- 2024 COTW direction on the following items:
 - SSMUH Implementation*
 - Cannabis sales as “retail” use
 - Foreshore Bylaw
 - Indoor agriculture (cannabis)
 - Child Care Facilities
 - Home occupation Regs
 - CD Zone Transition
 - B&B Regs
 - Parking (cash in lieu)
 - Service Station Zoning
 - Mobile Vendors
 - Residential Use in C1 Zone

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Previous Council Consideration

- SSMUH Implementation:
 - Consolidate R1, R2, R3, RSS, R5 & IRD Zone in to new RS1
 - Permitted densities in RS1 Zone of 3-4 units/parcel*
 - Revised building envelopes (i.e. setback, height, coverage)
 - Remove restriction on the size of a secondary suite
 - Revise on-site vehicle parking for low density residential

* SSMUH Implementation Extension request submitted to province (to 2028).

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Definitions (Section 4.0)

- Definitions have been reviewed and updated;
- Will assist with the understanding of terms used else in bylaw (i.e. permitted uses in zones and for General Regulations);
- Should improve the ability to enforce zoning regulations;

“arcade” means a business that contains arcade games and may provide snack items.



“indoor recreation” means a facility within an enclosed building intended for leisure activities where patrons are predominantly participants or spectators. Typical uses include amusement arcades, bingo halls, health and fitness centres ...

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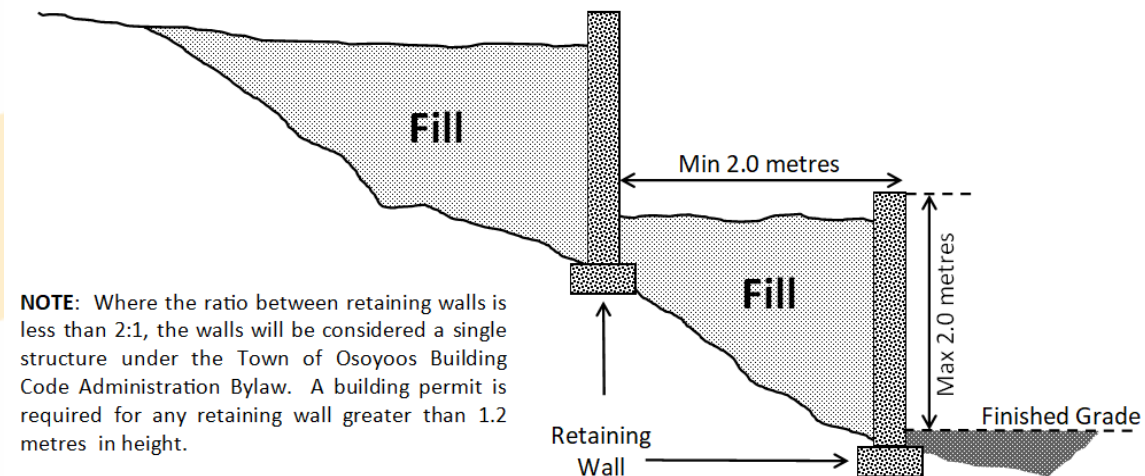
Occupancy of an RV During Construction

- An RV may be lived in during the construction of a new house on the same parcel, and for a period of two years, subject to:
 - a) it is incidental to the construction of a new house;
 - b) a valid building permit has been issued;
 - c) the RV meets zoning regulations for siting (setbacks); and
 - d) it is removed within thirty (30) days of an Occupancy Permit being issued for the new house.

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Retaining Walls

- Proposed regulations would limit the height of wall to 2.0 metres and encouraging “stepping” of subsequent walls.
- In a parcel line setback area, max. wall height would be 1.2 metres in order to avoid impact on adjacent property.
- Proposed regs are consistent with other local government approaches in Okanagan.
- Over-height walls subject to DVP.



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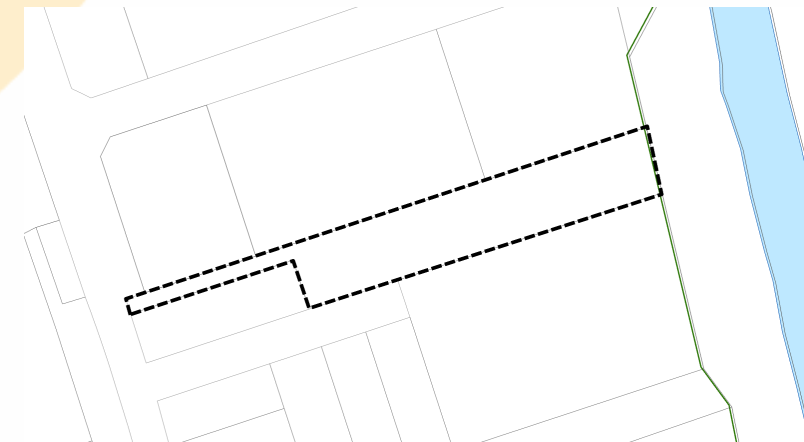
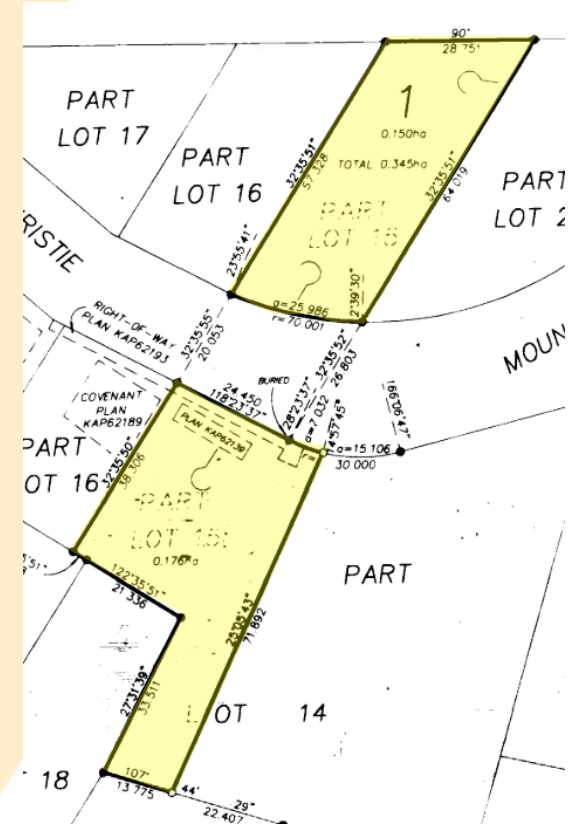
Waterfront Facilities

- Proposes to introduce regulations for docks, boat lifts and swimming platforms (NOTE: these are currently contained in the Foreshore and Lake Zoning Bylaw).
- Examples of proposed regulations include:
 - max. surface area of 24.0 m² and 3 berths (docks) – no change
 - max. distance of 42 metres (group moorage) – change from 30 m
 - one (1) swimming platform per upland parcel – clearer guidance

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Subdivision Regulations

- Proposed to prohibit creation of “hooked” parcels
- Proposed to limit the size of a “panhandle” access as follows:
 - minimum width of 8.0 metres;
 - maximum length of 20 metres;
 - not count towards parcel area; and
 - max. of two (2) abutting panhandles.



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Floodplain Regulations

- Proposes to improving consistency with provincial legislation (e.g. s. 528 of the *Local Government Act*).
- Removing 25% floor area exemption related to adoption of current zoning bylaw (not seen to be consistent with provincial requirements).
- Introducing provincial floodplain mapping – interim provision.*



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OFF-STREET PARKING

Use of Building or Lot

AMENDMENT
BYLAW 1085.90

Minimum Number of Off-Street Parking Spaces Required for new development including new buildings, renovations or additions with a construction amount of more than \$250,000, or a subdivision.

RESIDENTIAL

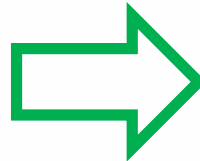
Single Family Dwelling	2 per dwelling unit
Two Family Dwelling	2 per dwelling unit
Multi-Family Dwelling	
non core area as defined in Figure 2.	1.75 per dwelling unit
core area as defined in Figure 2.	1 per dwelling unit
Secondary Dwelling	1 per dwelling unit
Bed and Breakfast	1 per bedroom
Home Occupation	see Section 4.6

COMMERCIAL

Auto Sales	1 per 55 m ² of sales floor area
Banquet & Catering Facility	1 per 30 m ² of gross floor area
Bed & Breakfast	1 per sleeping unit
Bowling Alley	3 per alley
Building Supply	1 per 20 m ² of retail floor area
associated storage lot	1 per 200 m ²
Campgrounds	1 per campsite, plus .15 spaces per campsite for visitors
Car Wash	2 per wash bay
Convenience Store	1 per 30 m ² of gross floor area
Craft Brewery/ Distillery	1 per 40 m ² of gross floor area
Financial Institution	1 per 30 m ² of gross floor area
Funeral Home	1 per 4 seats
Gas Bar	1 per 30 m ² of gross floor area
Gasoline Service Station	4 per service bay
Golf Course	4 per hole
Golf Driving Range	1 per tee
Health & Fitness Centre	1 per 20 m ² of gross floor area
Hotels	1 per each guest room plus 1 per 4 seats in l, cocktail & dining area
Laundromat	1 per 2 washing machines
Laundry & Dry Cleaning	1 per 70 m ² of gross floor area
Licensed Establishment	1 per 4 seats
Marina	1 per 2 boat spaces
Motels	1 per sleeping unit, plus 1 per 4 seats in l, cocktail and dining area
Nursery & Garden Supply	1 per 10 m ² of gross floor area of retail sales building
Offices – Medical & Dental	1 per 30 m ² of gross floor area
Offices-Business & Professional	1 per 30 m ² of gross floor area
Roadside Stand	1 per 10 m ² of gross floor area

AMENDMENT
BYLAW 1085.125

AMENDMENT
BYLAW 1085.90



USE	REQUIRED NUMBER OF SPACES
RESIDENTIAL	
<i>accessory dwelling</i>	1 per dwelling unit
<i>bed and breakfast operation</i>	1 per sleeping unit
<i>duplex dwelling</i>	1 per dwelling unit
<i>manufactured home park</i>	1 per manufactured home; and 1 per 5 manufactured homes for visitors
<i>apartment building or townhouse</i>	1.5 per dwelling unit
<i>secondary suite</i>	1 per dwelling unit
<i>single detached dwelling</i>	1 per dwelling unit
COMMERCIAL	
<i>alcohol production facility</i>	1 per 30 m ² of gross floor area of customer service area
<i>campground</i>	1 per camping space
<i>eating and drinking establishment</i>	1 per 4 seats; or 1 per 10 m ² of customer service floor area, whichever is greater
<i>golf course</i>	2 per golf hole
<i>indoor recreation</i>	1 per 50.0 m ² of gross floor area
<i>outdoor recreation</i>	25 per playing field
<i>office</i>	1 per 30.0 m ² of gross floor area
<i>personal service establishment</i>	1 per 30.0 m ² of gross floor area
<i>retail</i>	1 per 30.0 m ² of gross floor area
<i>service station</i>	1 per 30.0 m ² of gross floor area
<i>tourist accommodation</i>	1 per sleeping unit
<i>vehicle sales and rentals</i>	1 per 70 m ² of sales floor area; and 1 per service bay
<i>veterinary establishment</i>	1 per 30.0 m ² of gross floor area
<i>other commercial uses</i>	1 per 40.0 m ² of gross floor area
INDUSTRIAL	
<i>manufacturing</i>	1 per 200.0 m ² of gross floor area
<i>outdoor storage and self-storage</i>	5 per business
<i>storage and warehouse</i>	1 per 200.0 m ² of gross floor area
<i>other industrial uses</i>	1 per 200.0 m ² of gross floor area

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Vacation Rentals

- Short-Term Rental Accommodations (“vacation rentals”) are permitted in the CR, CD5, CD6, CD7, CD9 & CD11 Zones.
- Proposed to transition these to a new CT4 Zone in which “resort residential building” is permitted and allows for STRs.
- The Town’s “Vacation Rental Review” is being completed as a separate project from the new Zoning Bylaw.
- It is anticipated that further amendments to the OCP & Zoning Bylaws *may* be required as a result of this Project.

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Zone Review / Consolidation

- Residential Zones consolidation; SSMUH Implementation.
- Proposed to consolidate Industrial Zones into a new I1 Zone.
- Proposed to re-classify Airport Zone as Institutional from Commercial.
- Proposed to apply two (2) zones to Osoyoos Lake; Osoyoos Lake (W1) Zone and Marina Commercial (CT3) Zone.
- Proposed to transition existing CD Zones into other, established zones (e.g. RM1).

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Next Steps

- Agency Referrals;
- Public Notification (e.g. newspaper ads, email news, etc.).
- Posting of Materials (e.g. Town website).
- Online Public Information Meeting.
- In-person meetings by appointment (at Town office).
- Council Consideration (July 16th meeting).



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Questions?