

**THE CORPORATION OF THE DISTRICT OF PEACHLAND**

**BYLAW NUMBER 2422, 2024**

**A Bylaw to Amend Zoning Bylaw  
Number 2400, 2023**

---

WHEREAS the Council of the Corporation of the District of Peachland has adopted Zoning Bylaw Number 2400;

AND WHEREAS it is deemed necessary to amend Zoning Bylaw Number 2400;

NOW THEREFORE, the Council of the Corporation of the District of Peachland, in open meeting assembled, enacts the District of Peachland Zoning Bylaw Number 2400 be amended as follows:

1. THAT “Schedule A – Zoning Bylaw Text” be amended by:
  - a. Part 3, Section 3.1 “Definitions” is amended by deleting and replacing the definition of ‘Secondary Duplex’ in its entirety with the following text:

**“Dwelling, Duplex”** means a residential building containing two principal dwelling units divided by a vertical party-wall.
  - b. Part 3, Section 3.1 “Definitions” is amended by deleting and replacing the definition of ‘Dwelling, Secondary’ in its entirety with the following text:

**“Dwelling, Secondary”** means either a Secondary Suite, Garden Suite, or Residential Flex Unit on a lot.
  - c. Part 3, Section 3.1 “Definitions” is amended by deleting and replacing the definition of ‘Garden Suite’ in its entirety with the following text:

**“Garden Suite”** means a secondary dwelling contained within an accessory building other than a mobile home, located on a lot containing a principal dwelling..
  - d. Part 3, Section 3.1 “Definitions” is amended by deleting and replacing the definition of ‘Secondary Suite’ in its entirety with the following text:

**“Secondary Suite”** means one (1) or more habitable rooms within a single detached or one-half of a duplex dwelling, but used as a separate dwelling unit, with self-contained sleeping, living, cooking, and sanitary facilities, and direct access to the exterior without passing through any part of the principal dwelling unit.
  - e. Part 4, Section 4.1.2 Establishment of Zones is amended by replacing “Single Detached Residential” in Column 2, where it is adjacent to R1, with “Low Density Residential”
  - f. Part 4, Section 4.1.2 Establishment of Zones is amended by deleting the row containing “RC1” in Column 1 “Compact Lot Residential” in Column 2
  - g. Part 4, Section 4.1.2 Establishment of Zones is amended by deleting the row containing “R2” in Column 1 “Two Unit Residential” in Column 2

- h. Part 4, Section 4.1.2 Establishment of Zones is amended by replacing “Multi-Unit Residential” in Column 2, where it is adjacent to RM2, with “Multi-Unit Infill Residential”
- i. Part 5, Section 5.38 Garden Suite (Secondary Dwelling within a Detached Accessory Building) is deleted and replaced with the following:

“The following regulations shall apply in zones where a garden suite is a permitted use:

- .1 Only one (1) garden suite per principal dwelling unit is permitted on any lot. A lot in the A1 zone, is permitted both a secondary suite and garden suite only in accordance with the *Agricultural Land Commission Act*.
- .2 A building permit for a principal dwelling on a lot must be issued prior to the issuance of a building permit for a garden suite on the same lot.
- .3 A garden suite shall have a minimum floor area of 33 m<sup>2</sup> (355 ft<sup>2</sup>) and a maximum floor area of 110m<sup>2</sup> (1,184 ft<sup>2</sup>).
- .4 The height regulations for accessory buildings shall apply to garden suites unless otherwise specifically noted in a Zone.
- .5 Notwithstanding 5.38.5, where a garden suite has direct street or lane access and the secondary dwelling is to be located on the second storey above a one-storey garage, the maximum height of the building may be increased to 6.0 m (19.6 ft) as long as the elevation of the highest point of the garden suite does not exceed the highest point of the principal dwelling.
- .6 The setback requirements for accessory buildings in the zone in which the secondary dwelling is located apply to the siting of garden suites, except that all garden suites shall be setback a minimum of 3.0 m (9.8 ft) from a rear lot line.
- .7 The distance between a principal dwelling and a garden suite in any zone shall be a minimum of 3.0 m (9.8 ft).
- .8 An unobstructed and lit pathway at least 1.5 m (4.9 ft) wide shall be provided between the front lot line and the garden suite.
- .9 Garden suites shall only be permitted on lots connected to the municipal water and sanitary sewer system unless the lot is 1.0 ha (2.47 ac) or greater in area and an onsite sanitary sewer system has been installed in accordance with the Sewerage System Regulation under the *Public Health Act*.
- .10 In addition to the off-street parking spaces required for the principal dwelling unit, one off-street parking space is required for a garden suite. Where possible the additional parking space shall abut and use an existing driveway for access to the street. At least one parking space for the principal

dwelling and one parking space for the garden suite shall be located so as to provide direct vehicular access to the street without obstruction by a vehicle parked in another parking space. Tandem parking is permitted for the second space required for the principal dwelling.

- .11 A home-based business shall only be permitted to operate in a garden suite if the home-based business of the garden suite resident is a Type I (Minor Home Based Business).
- .12 A garden suite located on a lot designated within the Agricultural Land Reserve (ALR) may be in the form of a mobile home.”

j. Part 5, Section 5.42 “Secondary Suites (Secondary Dwelling within a Principal Dwelling)” is deleted and replaced with the following:

“The following regulations shall apply in zones where a secondary suite is a permitted use:

- .1 A secondary suite shall be entirely contained within a principal dwelling.
- .2 A lot in the A1 zone is permitted both a secondary suite and garden suite only in accordance with the *Agricultural Land Commission Act*.
- .3 A secondary suite shall have a minimum floor area of 33 m<sup>2</sup> (355 ft<sup>2</sup>) and a maximum floor area of 110 m<sup>2</sup> (1184 ft<sup>2</sup>) or 40% of the habitable floor space of the principal dwelling in which the secondary dwelling is located, whichever is less.
- .4 A secondary suite is only permitted within single-detached or duplex dwellings. A maximum of one secondary suite is permitted within each principal dwelling unit which is a single-detached unit or one half of a duplex, pursuant to the BC Building Code and this Bylaw.
- .5 All secondary suites shall be connected to the municipal water and sanitary sewer system unless an onsite sanitary sewer system has been installed in accordance with the Sewerage System Regulation under the *Public Health Act*. An owner may only construct a secondary suite on a lot with on-site septic disposal if both the principal dwelling and the secondary suite are connected to the same on-site septic disposal system, and the owner provides the District with written confirmation from a Registered Onsite Wastewater Practitioner that the existing sewage system has the septic disposal capacity in accordance with the Sewerage System Regulation requirements for both dwellings.
- .6 In addition to the off-street parking spaces required for the principal dwelling unit, one off-street parking space is required for the secondary suite. Where possible the additional parking space shall abut and use an existing driveway for access to the street. At least one parking space for the principal dwelling and one parking space for the secondary suite shall be located so

as to provide direct vehicular access to the street without obstruction by a vehicle parked in another parking space. Tandem parking is permitted for the second space required for the principal dwelling.

.7 A home-based business shall only be permitted to operate in a secondary suite if the home-based business is Type I (Minor Home Based Business)."

- k. Part 5, Table 5.4 (Zone Specific Regulations for Shipping Containers" is amended by deleting all reference to RC1 and R2.
- l. Part 6, Table 6.3 "Automobile Parking and Loading Column" 1 under Residential where it states "Multiple Unit Residential, (3 or more dwellings in a single building), Residential Flex unit" is deleted and replaced with "Multiple Unit Residential and Townhouse (3 or more dwellings in a single building), Residential Flex unit"
- m. Part 7, Zone Specific Regulations Table is amended by replacing "Single Detached Residential" in the left column with "Low Density Residential" where it is adjacent to "R1" in the right column.
- n. Part 7, Zone Specific Regulations Table is amended by deleting the row containing "Compact Lot Residential" in the left column and "RC1" in the right column.
- o. Part 7, Zone Specific Regulations Table is amended by deleting the row containing "Two Unit Residential" in the left column and "R2" in the right column.
- p. Part 7, Zone Specific Regulations Table is amended by replacing "Multi-Unit Residential" in the left column with "Multi-Unit Infill Residential" where it is adjacent to "RM2" in the right column.
- q. Part 7, Section 7.3.3 "Lot Area" is deleted and replaced with the following:

.3 The minimum lot area is:

With municipal sewer	0.4055 ha (1.0 ac)
Without municipal sewer	1.0 ha (2.5 ac)

- r. Part 7.5 "R1 Zone – Single Detached Residential" is deleted in its entirety and replaced with Schedule 'A' attached to and forming part of this bylaw.
  - s. Part 7.6 "RC1 Zone – Compact Lot Residential" is deleted in its entirety.
  - t. Part 7.7 "R2 Zone – Two Unit Residential" is deleted in its entirety.
  - u. Part 7.9, "RM2 Zone – Multi-Unit Residential" is deleted in its entirety and replaced Schedule 'B' attached to and forming part of this bylaw.
2. THAT "Schedule B – Zoning Map" be amended by:
- a. By changing the Zoning of R2 zoned parcels to R1 as shown in Schedule 'C' attached to and forming part of this bylaw,

- b. By changing the Zoning of RR1 zoned parcels to R1 as shown in Schedule 'D' attached to and forming part of this bylaw,
  - c. By changing the Zoning of RR2 zoned parcels to R1 as shown in Schedule 'E' attached to and forming part of this bylaw,
  - d. By changing the Zoning of R1 zoned parcels to RM2 as shown in Schedule 'F' attached to and forming part of this bylaw,
  - e. By changing the Zoning of RC1 zoned parcels to RM2 as shown in Schedule 'G' attached to and forming part of this bylaw,
  - f. And by depicting these changes on "District of Peachland Zoning Bylaw No. 2400 Schedule B" (District of Peachland Official Zoning Map)."
3. District of Peachland Zoning Bylaw No. 2400 is further amended by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the Table of Contents as well as corresponding numbering and order of the sections of the bylaw.
  4. This Bylaw may be cited as "Zoning Bylaw No. 2400, Amendment Bylaw No. 2422;"
  5. This Bylaw shall take effect upon its adoption by the Council of the Corporation of the District of Peachland.

READ A FIRST TIME, this 11<sup>th</sup> day of June, 2024.

READ A SECOND TIME, this 11<sup>th</sup> day of June, 2024.

READ A THIRD TIME, this 11<sup>th</sup> day of June, 2024.

ADOPTED, this        day of        , 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

Dated at Peachland, BC  
This        day of        , 2024