

## Section 13 – Urban Residential Zones

### 13.1 RU1 – Large Lot Housing RU1c – Large Lot Housing with Carriage House RU1h – Large Lot Housing (Hillside Area) RU1hc – Large Lot Housing (Hillside Area) with Carriage House

#### 13.1.1 Purpose

The purpose is to provide a **zone** for **single detached housing**, and compatible **secondary uses**, on larger serviced urban lots.

#### 13.1.2 Principal Uses

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

- (a) **agriculture, urban**
- (b) **community garden**
- (b) **single dwelling housing**

#### 13.1.3 Secondary Uses

The **secondary uses** in this **zone** for a lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house (RU1c and RU1hc only)**
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **secondary suites**
- (h) **short term rental accommodation** subject to Section 9.17 of this bylaw

The **secondary uses** in this **zone** for a lot located with the Core Area, as defined on Map 5.1 in the City's Official Community Plan are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house**
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **secondary suites**
- (h) **short term rental accommodation** subject to Section 9.17 of this bylaw

#### 13.1.4 Buildings and Structures Permitted

- (a) one **single detached house** (which may contain a **secondary suite**);
- (b) permitted **accessory buildings** or **structures**

- (c) one **carriage house** (RU1c and RU1hc subzone required for any lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan)
- (d) only one secondary dwelling unit is permitted (e.g. secondary suite or carriage house)

### 13.1.5 Subdivision Regulations

- (a) The minimum **lot width** is 16.5 m, except it can be 15.0 m where there is access to a rear **lane**. It is 17.0 m for a **corner lot** or where it would create **lots** less than 50% of the width of an **abutting RU1 lot**.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 550 m<sup>2</sup>.

### 13.1.6 Development Regulations

- (a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%.
- (b) The maximum **height** for principal **buildings** is:
  - i. 9.5 m or 2 ½ **storeys** whichever is the lesser; or
  - ii. 2 ½ storeys in the RU1h zone and where any vertical wall element facing a **front, flanking street** or **rear yard** (including **walkout basements**) is the lesser of 6.5 m or 2 **storeys**, above which the **building** shall be stepped back at least 1.2 m.
- (c) In RU1 and RU1c zones, the minimum **front yard** is 4.5m except it is 6.0m from a garage or **carport** having vehicular entry from the front. In RU1h zones the minimum **front yard** is 3.0m except it is 6.0m measured from the back of curb or a sidewalk whichever is closest, to a garage or **carport** having vehicular entry from the front. In a **hillside area**, where access is required through, and is limited to, a **lane**, the yard abutting the **lane** may be considered the **front yard**. **Walkout basements** are not exempt from the **height** regulations of Section 6.6 in this situation.
- (d) The minimum **side yard** is 2.0 metres for a 1 or 1 ½ **storey** portion of a **building** and 2.3 metres for a 2 or 2 ½ **storey** portion of a **building**, except that it is 4.5 metres (other than in RU1h zones) from a **flanking street** or when required by subparagraph 13.1.6 (e). From a **flanking street** the setback to a garage or carport which is accessed from that street is 6.0m. Where there is no lane abutting the site, one side yard must be a least 3.0m for vehicular access, unless there is an attached garage or carport which is an integral part of the dwelling. In RU1h zones the minimum setback from a flanking street for a garage or carport with vehicular entry from the front shall be the lesser of 3.0 metres to property line or 6.0 metres measured from the back of curb or a sidewalk.
- (e) The minimum **rear yard** is 7.5 m. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m.

- (f) [deleted]
- (g) For RU1h zones, all decks, supporting posts or columns shall not exceed the lesser of 4.5m or 1 **storey in height**, such measurements to include the height of any support structure or **retaining wall**. Height will be measured from the grade at the base of the deck, post, or column to the highest point of the deck, exclusive of railings.

### 13.1.7 Other Regulations

- (a) There shall be no more than one single detached house per **lot**.
- (b) A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of the parent **zone** and is required for any lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan. .
- (c) [deleted]
- (d) Where a **development** has access to a **lane**, vehicular access to the **development** is only permitted from the **lane**, except for **developments in hillside areas** where the topography would require the slope of such access to exceed 15%.
- (e) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development, yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (f) An "h" notation shown on Schedule "A" as part of the identified zone classification indicates that the zoned area may be developed in accordance with Hillside Street Standards contained in the Subdivision, and Development Services Bylaw.
- (g) For RU1h zones adjacent to a provincial highway, the minimum building setback shall be 4.5m.
- (h) [deleted]

**13.2 RU2 – Medium Lot Housing**  
**RU2c –Medium Lot Housing with Carriage House**  
**RU2h –Medium Lot Housing (Hillside Area)**  
**RU2hc–Medium Lot Housing (Hillside Area) with Carriage House**

**13.2.1 Purpose**

The purpose is to provide a **zone** for **single detached housing**, and compatible **secondary uses**, on medium sized serviced urban **lots**.

**13.2.2 Principal Uses**

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

- (a) **agriculture, urban**
- (b) **community garden**
- (b) **single dwelling housing**

**13.2.3 Secondary Uses**

The **secondary uses** in this **zone** for a lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house (RU2c and RU2hc only)**
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **secondary suites**
- (h) **short term rental accommodation** subject to Section 9.17 of this bylaw

The **secondary uses** in this **zone** for lot located within the Core Area, as defined on Map 5.1 in the City's Official Community Plan are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house**
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **secondary suites**
- (h) **short term rental accommodation** subject to Section 9.17 of this bylaw

**13.2.4 Buildings and Structures Permitted**

- (a) one **single detached house** (which may contain a **secondary suite**);
- (b) permitted **accessory buildings** or **structures**
- (c) one **carriage house** (RU2c and RU2hc subzone required for any lot located outside the Core Area, as defined on Map 5.1 in the City's Official Community Plan)
- (d) only one secondary dwelling unit is permitted (e.g. secondary suite or carriage house)

### 13.2.5 Subdivision Regulations

- (a) The minimum **lot width** is 13.0 m, except that it can be 12.0 m when there is access to a rear **lane**. It is 15.0 m for a **corner lot**.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 400 m<sup>2</sup>.

### 13.2.6 Development Regulations

- (a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%.
- (b) The maximum **height** for principal **buildings** is:
  - i. 9.5 m or 2 ½ **storeys** whichever is the lesser; or
  - ii. 2 ½ **storeys** in the RU2h zone and where any vertical wall element facing a **front, flanking street** or **rear yard** (including **walkout basements**) is the lesser of 6.5 m or 2 **storeys**, above which the **building** shall be stepped back at least 1.2 m.
- (c) In RU2 and RU2c zones, the minimum front yard is 4.5 metres except that it is 6.0 metres from a garage or carport having vehicular entry from the front. In RU2h and RU2hc zones, the minimum front yard is 3.0 metres, except it is 6.0 metres measured from the back of the curb or sidewalk, whichever is closest, to a garage or carport having vehicular entry at the front. In a **hillside area**, where access is required through, and is limited to, a **lane**, the yard abutting the **lane** may be considered the **front yard**. **Walkout basements** are not exempt from the **height** regulations of Section 6.6 in this situation.
- (d) The minimum **side yard** is 1.5 m for a 1 or 1½ **storey** portion of a **building** and 1.8 m for a 2 or 2 ½ **storey** portion of a **building**, except it is 4.5 from a **flanking street**, unless there is vehicular access to a garage or carport where it shall be 6.0m. In RU2h and RU2hsc zones the minimum setback from a flanking street for a garage or carport with vehicular entry from the front shall be the lesser of 3.0 metres to property line or 6.0 metres measured from the back of curb or a sidewalk. In RU2, RU2c, RU2h and RU2hc zones where there is no lane abutting the site, one side yard must be a least 3.0m for vehicular access, unless there is an attached garage or carport which is an integral part of the dwelling.
- (e) The minimum **rear yard** is 6.0 m for a 1 or 1 ½ **storey** portion of a **building** and 7.5 m for a 2 or 2 ½ **storey** portion of a **building**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m.
- (f) For RU2h and RU2hc zones, all decks, supporting posts or columns shall not exceed the lesser of 4.5m or 1 **storey** in **height**, such measurements to include the **height** of any support structure or **retaining wall**.

### 13.2.7 Other Regulations

- (a) There shall be no more than one single detached house per **lot**.

- (b) Where a **development** has access to a **lane**, vehicular access to the **development** is only permitted from the **lane**, except for **developments** in **hillside areas** where the topography would require the slope of such access to exceed 15%.
- (c) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (d) A “c” notation shown on Schedule “A” as part of the identified **zone** classification indicates that a **secondary use** in the form of a **carriage house** is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A “c” zoning classification on a property shall be established by rezoning the subject property to the “c” version of the parent **zone** and is required for any lot located outside the Core Area, as defined on Map 5.1 in the City’s Official Community Plan..
- (e) [deleted]
- (f) An “h” notation shown on Schedule “A” as part of the identified zone classification indicates that the zoned area may be developed in accordance with Hillside Standards contained in the Subdivision, and Development Services Bylaw.
- (g) [deleted]
- (h) [deleted]

### 13.3 RU<sub>3</sub> – Small Lot Housing RU<sub>3h</sub> – Small Lot Housing (Hillside Area)

#### 13.3.1 Purpose

The purpose is to provide a **zone** for **single detached housing**, and compatible **secondary uses**, on smaller serviced urban **lots**.

#### 13.3.2 Principal Uses

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

- (a) **agriculture, urban**
- (b) **community garden**
- (b) **single dwelling housing**

#### 13.3.3 Secondary Uses

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

- (a) **child care centre, minor**
- (b) **bed and breakfast**
- (c) **group homes, minor**
- (d) **home based businesses, minor**
- (e) **secondary suite**
- (f) **short term rental accommodation** subject to Section 9.17 of this bylaw

#### 13.3.4 Buildings and Structures Permitted

- (a) one **single detached house** (which may contain a secondary suite).
- (b) Permitted **accessory buildings** or **structures**.

#### 13.3.5 Subdivision Regulations

- (a) The minimum lot width is 8.5 m, except it is 10.0 m for a **corner lot**.
- (b) The minimum lot depth is 30.0 m.
- (c) The minimum **lot area** is 290 m<sup>2</sup>.

#### 13.3.6 Development Regulations

- (a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%.
- (b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**, except it is 4.5 m for **accessory buildings or structures**. For the RU<sub>3h</sub> zone the maximum **height** of any vertical wall element facing a **yard, front, side or rear** (including walkout basements) is the lesser of 6.5 m or 2 **storeys**, above which the **building** must be stepped back at least 1.2 m.
- (c) The minimum **front yard** is 3.5 m.

- (d) The minimum **side yard** is 1.2 m for a 1, 1½, or 2 **storey** portion of a **building** and 1.5 m for a 2½ **storey** portion of a building, except it is 2.5 m from a **flanking street** or when required by Section 13.3.5(g).
- (e) For any allowable projection into the 1.2 meter side yard setback, no unprotected opening(s) are permitted in the projection and the projection must be constructed with a minimum 45 minute fire resistance rating.
- (f) The maximum projection is limited to 0.6 meters including the roof of the projection.
- (g) Notwithstanding Section 13.3.5(e), one **side yard**, not flanking a **street**, may be reduced to 0.0 m provided there is a 2.4 m clear easement registered against the **abutting lot** (except for permitted overhanging eaves and **accessory buildings** located at least 4.5 m from the rear of the principal **building**). There shall be no windows or doors on the side of the **dwelling** without the **side yard**.
- (h) The minimum **rear yard** is 6.0 m for a 1 or 1½ **storey** portion of a **building** and 7.5 m for a 2 or 2½ **storey** portion of a **building**, but it is 1.5 m for **accessory buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5m.
- (i) For the RU3h zone, all **decks**, supporting posts or columns shall not exceed the lesser of 4.5 m or 1 **storey** in **height**, such measurements to include the **height** of any support **structure** or **retaining wall**.

### 13.3.7 Other Regulations

- (a) There shall be no more than one single detached house per **lot**.
- (b) Development must have vehicular access to a rear side lane. Vehicles may only access a lot from a fronting street when the lot meets the subdivision regulations for the RU2 – Medium Lot Housing zone.
- (c) One garage or **carport**, or the location for one, shall be provided on the **lot**.
- (d) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (e) An “h” notation shown on Schedule “A” as part of the identified zone classification indicates that the zoned area may be developed in accordance with Hillside Standards contained in the Subdivision, Development and Servicing Bylaw.



- (f) A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a secondary **dwelling** unit is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of the parent **zone**.
- (g) [deleted]
- (h) [deleted]
- (i) [deleted]
- (j) [deleted]

## 13.4 RU<sub>4</sub> – Low Density Cluster Housing RU<sub>4h</sub> – Low Density Cluster Housing (Hillside Area)

### 13.4.1 Purpose

The purpose is to provide a **zone** for comprehensively planned clusters of single detached and **semi-detached housing**, in a strata format with **urban services**, in order to preserve topography, natural features, **open space**, or environmentally sensitive features.

### 13.4.2 Principal Uses

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

- (a) **agriculture, urban**
- (b) **community garden**
- (c) **single dwelling housing**
- (d) **two dwelling housing**

### 13.4.3 Secondary Uses

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

- (a) **child care centre, minor**
- (b) **group homes, minor**
- (c) **home based businesses, minor**
- (d) **secondary suite**
- (e) **short term rental accommodation** subject to Section 9.17 of this bylaw

### 13.4.4 Buildings and Permitted Structures

- (a) one **single detached house** (which may contain a secondary suite)
- (b) **semi-detached housing**
- (c) permitted **accessory buildings and structures**

### 13.4.5 Subdivision Regulations

- (a) The minimum **site** width is 40.0 m.
- (b) The minimum **site** depth is 30.0 m.
- (c) The minimum **site** area is 6000 m<sup>2</sup>.

### 13.4.6 Development Regulations

- (a) The maximum **density** is 17 **dwellings/ha**.
- (b) The maximum **site coverage** is 35%, provided that the maximum **site coverage** of **buildings**, driveways, and parking areas is 45%.
- (c) The maximum **height** is the lesser of 9.5 m or 2½ **storeys**, except it is 4.5 m for accessory **buildings** and for accessory **structures**.
- (d) The minimum **site front yard** is 4.5 m. In RU<sub>4h</sub> zones the minimum **front yard** is 3.0m except it is 6.0m measured from the back of curb or a sidewalk whichever is closest, to a garage or **carport** having vehicular entry from the front.

- (e) The minimum **side yard** is 3.0 metres, except that it is 4.5 metres from a **flanking street**. In RU<sub>4</sub>h zones the minimum setback from a flanking street shall be 3.0 m, except that it is 6.0 m measured from the back of curb or a sidewalk, whichever is closest to a garage or **carport** having vehicular entry from the front.
- (f) The minimum **site rear yard** is 6.0 m. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m.
- (g) For RU<sub>4</sub>h zones, the maximum **height** of any vertical wall element facing a front, flanking or rear yard (including walkout basements) is the lesser of 6.5m or 2 **storeys**, above which the **building** must be stepped back at least 1.2m.
- (h) For RU<sub>4</sub>h zones, all decks, supporting posts or columns shall not exceed the lesser of 4.5m or 1 **storey** in **height**, such measurements to include the height of any support structure or **retaining wall**.

#### 13.4.7 Other Regulations

- (a) There shall be no more than one accessory **building** or **structure** per **dwelling**.
- (b) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development, yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (c) An "h" notation shown on Schedule "A" as part of the identified zone classification indicates that the zoned area may be developed in accordance with Hillside Street Standards contained in the Subdivision, and Development Services Bylaw.

## 13.5 RU5 – Bareland Strata Housing

### 13.5.1 Purpose

The purpose is to provide a **zone** for bareland strata **use** on serviced urban **lots**.

### 13.5.2 Principal Uses

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

- (a) **agriculture, urban**
- (b) **community garden**
- (b) **single dwelling housing**

### 13.5.3 Secondary Uses

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

- (a) **child care centre, minor**
- (b) **group homes, minor**
- (c) **home-based businesses, major**
- (d) **home based businesses, minor**
- (e) **secondary suite**
- (f) **short term rental accommodation** subject to Section 9.17 of this bylaw

### 13.5.4 Buildings and Permitted Structures

- a) one **single detached house** (which may contain a secondary suite)
- b) **semi-detached housing**
- c) permitted **accessory buildings** and **structures**

### 13.5.5 Subdivision Regulations

- (a) The minimum **site width** is 40.0 m.
- (b) The minimum **site area** is 1.0 ha.
- (c) The minimum **lot width** for a **bareland strata lot** is 12.0 m.
- (d) The minimum **lot depth** for a **bareland strata lot** is 25.0 m.
- (e) The minimum area for a **bareland strata lot** is 325 m<sup>2</sup>.

### 13.5.6 Development Regulations

- (a) The maximum **height** is the lesser of 9.5 m or 2½ **storeys**, except it is 4.5 m for accessory **buildings** and for accessory **structures**.
- (b) **bareland strata lot site coverage** by principal and **accessory buildings or structures** shall not exceed 50%.
- (c) The minimum **site front yard** is 4.5 m.
- (d) The minimum **site flanking side yard** is 3.0 m.
- (e) The minimum **site rear yard** is 6.0 m. Where the **site width** exceeds the **site depth**, the minimum **rear yard** is 4.5 m.
- (e) The sum of both **side yards** on a **bareland strata lot**, where there is no **semi-detached housing**, shall be 3.0 metres except where a **bareland strata lot** abuts an internal roadway, the setback shall be a minimum of 3.0 metres from the **flanking** roadway and the sum of both **side yards** shall not be less than 4.5 metres. A garage or **carport** shall be no less than 6.0

metres from a curb or sidewalk. Where there is **semi-detached housing**, no more than one **dwelling unit** is permitted per bareland strata lot. A 0.0 metre side yard is permitted on either side of the property line over which the building sits in order to accommodate this housing type, when the other side yard on each bareland strata lot is a minimum of 3.0 metres

- (g) The minimum bareland strata **rear yard** for an internal **lot** is 4.5 m for a one **storey building** and 6.0 m for **development** above the **first storey**, but may be reduced to 3.0 m where the **rear yard** abuts common property **used** for recreational or **open space** purposes, or public **open space**.

#### 13.5.7 Other Regulations

- (a) There shall be not more than one **minor care centre** permitted per **strata lot**.
- (b) One principal residential **building** shall be permitted per **bareland strata lot**.
- (c) There shall be no more than one accessory **building** per principal residential **dwelling** per **lot** with a minimum **rear yard** of 1.5 metres.
- (d) Other than required **yard** areas, a minimum of 10% of the **site** shall be **open space**.
- (e) An accessory **building** continuing recreational amenities for the **use** of all residents shall conform to the setback requirements for the principal **buildings**.
- (f) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.

## **13.6 RU6 – Two Dwelling Housing**

### **RU6b – Two Dwelling Housing with Boarding or Lodging House**

#### **13.6.1 Purpose**

The purpose is to provide a **zone** for development of a maximum of two **dwelling** units per lot.

#### **13.6.2 Permitted Uses**

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

- (a) **agriculture, urban**
- (b) **community garden**
- (c) **single dwelling housing**
- (d) **two dwelling housing** subject to Section 13.6.5 (d) of this bylaw

#### **13.6.3 Secondary Uses**

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

- (a) **bed and breakfast homes**
- (b) **boarding or lodging houses (RU6b only)**
- (c) **child care centre, minor**
- (d) **carriage house**
- (e) **group homes, minor**
- (f) **home based businesses, major**
- (g) **home based businesses, minor**
- (h) **secondary suite**
- (i) **short term rental accommodation** subject to Section 9.17 of this bylaw

#### **13.6.4 Buildings and Structures Permitted**

- (a) **one single detached house** which may contain a **secondary suite**
- (b) **duplex housing**
- (c) **semi-detached housing**
- (d) **two single detached houses** which may not contain **secondary suites**
- (e) permitted **accessory buildings or structures**
- (f) one **carriage house**
- (g) Only one secondary dwelling unit is permitted (e.g. secondary suite or carriage house)

#### **13.6.5 Subdivision Regulations**

- (a) The minimum **lot width** is 18.0 m except it is 20.0 m for a corner lot.
- (b) [Deleted]
- (c) The minimum lot depth is 30.0 m.

- (d) The minimum lot area is 400 m<sup>2</sup> for single detached housing, but 440 m<sup>2</sup> for a corner lot. It is 700 m<sup>2</sup> for a site, but 800 m<sup>2</sup> for a corner site, with semi-detached or duplex housing.
  - i. Where a lot with a developed semi-detached housing development is being subdivided along a party wall, the minimum lot areas is 400 m<sup>2</sup>, but 440 m<sup>2</sup> for a corner lot.

### 13.6.6 Development Regulations

- (a) The maximum site coverage is 40% and together with driveways and parking areas, shall not exceed 50%.
- (b) [deleted]
- (c) The maximum height for principal buildings is the lesser of 9.5m or 2 ½ storeys.
- (d) [deleted]
- (e) [deleted]
- (f) The minimum site front yard is 4.5 m, except it is 6.0 from a garage or carport.
- (g) The minimum site side yard is 2.0 m for a 1 or 1½ storey portion of a building and 2.3 m for a 2 storey portion of a building, except it is 4.5 m from a flanking street.
  - i. Where there is a garage accessed from the flanking street, it is 6.0m.
  - ii. Where there is no lane abutting the site, one side yard must be a least 3.0m for vehicular access, unless there is an attached garage or carport which is an integral part of the dwelling.
  - iii. **Side yards** are not required for **semi-detached housing** on a **lot line** that has a **party wall**.
- (h) The minimum site rear yard is 7.5 m, except it is 1.5 m for accessory buildings. Where the lot width exceeds the lot depth, the minimum rear yard is 4.5 m provided that one side yard shall have a minimum width of 4.5 m.

Semi-detached and duplex housing shall provide a minimum area of 30 m<sup>2</sup> of private open space per dwelling and group homes, minor and boarding or lodging houses shall provide a minimum area of 7.5 m<sup>2</sup> of private open space per bedroom in addition to the principal dwelling. This may be in required side or rear yards provided the minimum dimension of the space is 4.5 m.

- (i) A site may be developed with a maximum of two single detached housing units where all the requirements for duplex housing have been met. The two single detached housing units must be separated by a minimum distance of 4.5 metres.

### 13.6.7 Small Lot Semi-Detached Housing Development Regulations

On Lot 16, District Lot 138, ODYD Plan 3707, the Small Lot Semi-Detached Housing Development Regulations apply.

- (a) The maximum site coverage is 50% and together with driveways and parking areas, shall not exceed 60%.
- (b) The maximum **height** is the lesser of 8.3 m or 2 storeys.
- (c) The minimum **front yard** setback is 3.0 m.
- (d) The minimum **side yard** setback is 1.5 m.
- (e) The minimum **rear yard** setback is 7.5 m.

### 13.6.8 Other Regulations

- (a) A "b" notation shown on Schedule "A" as part of the identified zone classification indicates that a secondary use in the form of a Boarding or Lodging House is permitted on the properties so designated, subject to meeting the conditions of use of the zone.
- (b) [delete]
- (c) All semi-detached and duplex housing shall be designed so there is driveway access for each dwelling.
- (d) Bed and breakfast homes and minor group homes are only permitted in single detached housing.
- (e) Where the site has access to a lane, vehicular access to the site is only permitted from the lane.
- (f) Boarding or lodging houses are only permitted in single detached housing and are limited to a maximum of 10 residents.
- (g) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9.



## 13.17 RU7 – Infill Housing

### 13.17.1 Purpose

The purpose is to provide a **zone** for infill development of a maximum of four dwelling units on selected properties with lane access in the central city.

### 13.17.2 Permitted Uses

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

- (a) **agriculture, urban**
- (b) **community garden**
- (c) **single dwelling housing**
- (d) **two dwelling housing**
- (e) **three dwelling housing**
- (f) **four dwelling housing**

### 13.17.3 Secondary Uses

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

- (a) **child care centre, minor**
- (b) **group homes, minor** (only in circumstances described in Section 13.17.8(a))
- (c) **home based businesses, minor**
- (d) **home based businesses, major** (only in circumstances described in Section 13.17.8(b))
- (e) **secondary suite** (only in circumstances described in Section 13.17.8(c))
- (f) **short term rental accommodation** subject to Section 9.17 of this bylaw

### 13.17.4 Buildings and Structures Permitted

- (a) **single detached house**
- (b) **duplex housing**
- (c) **semi-detached housing**
- (d) **three-plex housing**
- (e) **four-plex housing**
- (f) permitted **accessory buildings or structures**

NOTE: A maximum of four dwelling units is permitted, as allowed by Section 13.17.7 Density Regulations.

### 13.17.5 Subdivision Regulations

- (a) The minimum **lot width** is 7.5 m, except it is 9.5 m for a corner lot.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum lot area is 277.5 m<sup>2</sup>, except it is 350 m<sup>2</sup> for a corner lot.

### 13.17.6 Development Regulations

- (a) The maximum site coverage is 55% provided that the maximum site coverage of buildings, driveways, and parking areas is 60%. This may be increased by 5% (to a maximum of 65%) for permeable drive surfaces and parking.
- (b) The maximum **floor area ratio** is 0.8. For the purpose of calculating **floor area ratio** in the RU7 **zone**, detached garage floor area and **accessory building and structure** floor area shall be excluded from the **net floor area**.
- (c) The maximum height for residential buildings is the lesser of 8.0m or 2 storeys.
- (d) The maximum height for accessory buildings or structures is 4.8m.
- (e) The minimum site front yard is 4.0 m.
- (f) The minimum site side yard is 1.2 m except it is 3.0 m from a flanking street. For lots 17.0m or wider, the minimum site side yard is increased to 2.0 m.
  - i. **Side yards** are not required for **semi-detached housing** on a **lot line** that has a **party wall**.
- (g) The minimum site rear yard is 0.9 m.
- (h) Detached dwelling units must be separated by a minimum distance of 2.0 m.

### 13.17.7 Density Regulations

Residential density shall be based on the width of the lot.

- (a) For lots narrower than 13.5 m in width, up to two dwellings are permitted.
- (b) For lots from 13.5 m to 15.0 m wide, up to three dwellings are permitted.
- (c) For lots greater than 15.0 m wide, up to four dwellings are permitted.

### 13.17.8 Other Regulations

- (a) Minor group homes are only permitted in **single dwelling housing**.
- (b) **Home based businesses, major** are only permitted where two or fewer dwellings exist on the parcel.
- (c) A **secondary suite** is only permitted in a single-detached house, where a maximum of one **secondary suite** is permitted per parcel.
- (d) Where a **site** has access to a **lane**, vehicular access is only permitted from the **lane**. Otherwise, vehicular access may be taken from the **front yard**, or where a property

has two **street frontages**, access shall be taken from the **street frontage** which is not the **front yard**.

- (e) A minimum 1.1m wide lit pathway must be provided between the front lot line and the entrance of each dwelling unit.
- (f) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9.

## 13.7 RM1 – Four Dwelling Housing

### 13.7.1 Purpose

The purpose is to provide a **zone** for the **development** of a maximum of four **dwelling** units in the form of **single detached, semi-detached, duplex, three-plex or four-plex housing** on **urban services**.

### 13.7.2 Principal Uses

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

- (a) **community garden**
- (b) **single dwelling housing**
- (c) **two dwelling housing**
- (d) **three dwelling housing**
- (e) **four dwelling housing**

### 13.7.3 Secondary Uses

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

- (a) **agriculture, urban**
- (b) **carriage house**
- (c) **child care centre, minor**
- (d) **home based businesses, minor**
- (e) **secondary suite**
- (f) **short term rental accommodation** subject to Section 9.17 of this bylaw

### 13.7.4 Buildings and Structures Permitted

- (a) **one carriage house**
- (b) **duplex housing**
- (c) **four-plex housing**
- (d) **three-plex housing**
- (e) **semi-detached housing**
- (f) **single detached house** (which may contain a secondary suite)
- (g) **permitted accessory buildings and structures**

### 13.7.5 Subdivision Regulations

- (a) The minimum **site** width is 20.0 m, except it is 22.0 m for a **corner lot**.
- (b) The minimum **site** depth is 30.0 m.
- (c) The minimum **site** area is 700 m<sup>2</sup>, except it is 800 m<sup>2</sup> for a **corner lot**.

### 13.7.6 Development Regulations

- (a) The maximum **site coverage** is 40%, except the maximum **site coverage** of **buildings, driveways, and parking areas** is 50%.
- (b) The maximum **floor area ratio** is 0.6.
- (c) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**
- (d) The minimum **site front yard** is 4.5 m, except it is 6.0 m for a garage or **carport**.

- (e) The minimum **site side yard** is 2.0 m for a 1 or 1½ **storey** portion of a **building** or an accessory **building** or **structure** and 2.5 m for a 2 or 2½ **storey** portion of a **building**, except it is 4.5 m from a **flanking street** unless there is a garage accessed from the **flanking street**, it is 6.0 m. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **site side yard** shall be at least 3.0 m.
- (f) The minimum **rear yard** is 6.0 m for a 1 or 1½ **storey** portion of a **building** and 7.5 m for a 2 or 2½ **storey** portion of a **building**..

#### 13.7.7 Other Regulations

- (a) A minimum area of 25 m<sup>2</sup> of **private open space** shall be provided per **dwelling**.
- (b) Where **lane** access is provided, vehicular access will not be permitted from the fronting **street**.
- (c) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.

**13.8 RM2 – Low Density Row Housing  
RM2h – Low Density Row Housing (Hillside Area)  
RM2r – Low Density Row Housing (Residential Rental Tenure Only)**

**13.8.1 Purpose**

The purpose is to provide a **zone** for low **density row housing** on **urban services** on **infill sites**.

**13.8.2 Principal Uses**

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

- (a) **community garden**
- (b) **four dwelling housing**
- (c) **single dwelling housing**
- (d) **three dwelling housing**
- (e) **two dwelling housing**
- (f) **multiple dwelling housing**

**13.8.3 Secondary Uses**

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

- (a) **agriculture, urban**
- (b) **child care centre, minor**
- (c) **home based businesses, minor**
- (d) **multi-residential Shared Gardens**
- (e) **short term rental accommodation** subject to Section 9.17 of this bylaw

**13.8.4 Buildings and Structures Permitted**

- (a) **duplex housing**
- (b) **row housing**
- (c) **semi-detached housing**
- (d) permitted **accessory buildings** and **structures**

**13.8.5 Subdivision Regulations**

- (a) The minimum **site** width is 30.0 m.
- (b) The minimum **site** depth is 30.0 m.
- (c) The minimum **site** area is 1000 m<sup>2</sup>.
- (d) A **row-house** development in this zone may be subdivided into lots smaller than the Subdivision Regulations listed above in **13.8.5** (a), (b) and (c) provided that:
  - i) a **Party Wall** Agreement is registered on title; and
  - ii) the Subdivision occurs in accordance with Preliminary Layout Review Letter issued by the City of Kelowna; and
  - iii) the site is comprehensively developed under a single development permit.

### 13.8.6 Development Regulations

- (a) The maximum site **floor area ratio** is 0.65.

Where at least 50% of **parking spaces** are provided totally under habitable areas, common amenity areas or in garages/carports, the site **floor area ratio** may be increased by 0.05.

The site floor area ratio may be increased by a further 0.1 for a development constructed in an Urban Centre (as defined by Kelowna's Official Community Plan).

- (b) The maximum **site coverage** is 50% provided that the maximum **site coverage** of **buildings**, driveways, and parking areas is 55%. This may be increased by 5% (to a maximum of 60%) for **permeable drive surfaces and parking**.

- (c) The maximum **height** is the lesser of 9.5m or 2 ½ **storeys**, except it is 4.5m for accessory **buildings** and **structures**. For RM2h zones the maximum **height** of any vertical wall element facing a front, side or rear yard (including walkout basements) is the lesser of 6.5m or 2 **storeys**, above which the **building** must be stepped back at least 1.2m.

- (d) The minimum **site front yard** is 1.5m for ground-oriented housing with a front door facing the street. In any other circumstance, the site front yard is 4.5m or 6.0m for a garage or carport.

In RM2h zones, the minimum **site front yard** is 3.0m from a **flanking street** except it is 6.0m measured from the back of curb or a sidewalk, whichever is closest, to a garage or **carport** having vehicular entry from the front.

- (e) The minimum **site side yard** is 4.0m. From a **flanking street** the side yard setback is 4.5m except it may be reduced to 1.5m for ground-oriented housing with a front door facing that street (front doors may face either the fronting or flanking street). The site side yard to a garage or carport is 6.0m.

In RM2h zones, the minimum **site side yard** from a **flanking street** shall be 3.0m except it is 6.0m measured from the back of curb or sidewalk, whichever is closest, to a garage or **carport** having vehicular entry from the front.

Side yard setbacks are not required on a lot line that has a **party wall**.

- (f) The minimum **site rear yard** is 6.0 m for a 1 or 1½ **storey** portion of a **building** and 7.5 m for a 2 or 2½ **storey** portion of a **building**, except it is 1.5 m for accessory **buildings**.

- (g) No principal **building** shall be closer than 3.0 m to another principal **building**.

- (h) For RM2h zones, all decks, supporting posts or columns shall not exceed the lesser of 4.5m or 1 **storey** in **height**, such measurements to include the **height** of any support structure or **retaining wall**.

- (i) For **multiple dwelling housing**, **congregate housing**, **group home**, **major** or **supportive housing**, major developments up to 1.0m of required **rear yard landscaping** buffer may be transferred to a **multi-residential shared garden** on the same parcel.

- (j) For **multiple dwelling housing**, **congregate housing** or **group home**, major developments 10% of the **private open space** requirement per unit may be transferred to a **multi-residential shared garden** located on the same parcel.

### 13.8.7 Other Regulations

- (a) No more than 6 **dwelling**s may be located in a building in the RM2h zone.
- (b) A minimum area of 25 m<sup>2</sup> of **private open space** shall be provided per **dwelling**.
- (c) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (d) An “h” notation shown on Schedule “A” as part of the identified zone classification indicates that the zoned area may be developed in accordance with Hillside Standards contained in the Subdivision, and Development Services Bylaw.
- (e) In the RM2h zones adjacent to a provincial highway, the minimum building setback shall be 4.5m.
- (f) Where the **development** has access to a rear **lane**, vehicular access to the **development** is only permitted from the rear **lane**, except in **hillside areas** where the topography would require the slope of such access to exceed 15%.
- (g) In the RM2r zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure**.



## 13.9 **RM3 – Low Density Multiple Housing** **RM3r - Low Density Multiple Housing (Residential Rental Tenure Only)**

### 13.9.1 **Purpose**

The purpose is to provide a **zone** for low **density multiple housing** on **urban services**.

### 13.9.2 **Principal Uses**

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

- (a) **boarding or lodging houses**
- (b) **community garden**
- (c) **congregate housing**
- (d) **group home, major**
- (e) **multiple dwelling housing**
- (f) **supportive housing**

### 13.9.3 **Secondary Uses**

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

- (a) **agriculture, urban**
- (b) **child care centre, major**
- (d) **community recreation services**
- (e) **home based businesses, minor**
- (f) **multi-residential shared gardens**
- (g) **short term rental accommodation** subject to Section 9.17 of this bylaw

### 13.9.4 **Buildings and Structures Permitted**

- (a) **apartment housing**
- (b) **row housing**
- (c) **semi-detached housing**
- (d) **stacked row housing**
- (e) permitted **accessory buildings and structures**

### 13.9.5 **Subdivision Regulations**

- (a) The minimum **lot width** is 30.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 900 m<sup>2</sup>.
- (d) A development in this zone may be subdivided into lots smaller than the subdivision regulations listed above provided that:
  - i) a **Party Wall** Agreement is registered on title; and
  - ii) the Subdivision occurs in accordance with Preliminary Layout Review Letter issued by the City of Kelowna; and
  - iii) the site is comprehensively developed under a single development permit.

### 13.9.6 Development Regulations

- (a) The maximum **floor area ratio** is 0.75.

Where at least 75% **parking spaces** are provided totally beneath habitable space of a principal **building**, beneath useable common amenity areas, or in a garage/carport providing that in all cases, the **parking spaces** are screened from public view, the floor area ratio may be increased by 0.05.

The floor area ratio may be increased by a further 0.1 for a development constructed in an Urban Centre (as defined by Kelowna's Official Community Plan).

- (b) The maximum **building site coverage** is 40% but may be increased to a maximum of 50% if **private open space** for each unit can be provided on a deck, patio, balcony or rooftop deck which exceeds the bylaw requirement by 10%.

The maximum **site coverage** of **buildings**, driveways, and parking areas is 60%. This may be increased by 5% (to a maximum of 65%) for **permeable drive surfaces and parking**.

- (c) The maximum **height** is the lesser of 10m or 3 **storeys**, except it is 4.5 m for accessory **buildings** and **structures**.

Any portion of a building within 7.5m of an abutting **lot** with a Single/Two Unit, Resource Protection Area, or Hillside Residential designation in the City's Official Community Plan must not be greater than 9.5m or 2 ½ **storeys** in height.

- (d) The minimum **site front yard** is 1.5m for ground-oriented housing with a front door facing the street. In any other circumstance, the site front yard is 4.5m or 6.0m for a garage or carport.

- (e) The minimum **site side yard** is 4.0m. From a **flanking street** it is 4.5m except it may be reduced to 1.5m from a **flanking street** for ground-oriented housing with a front door facing that street. The **site side yard** to a garage or carport is 6.0m. The minimum site side yard from a public lane is 1.2m.

Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **site side yard** shall be at least 3.0m.

Notwithstanding 13.9.6(g), side yards are not required on a lot line that has a **party wall**.

- (f) The minimum **site rear yard** is 7.5 m, except that it may be reduced to 3.0m from a public lane.

The **site rear yard** is 4.5 m for common recreation **buildings**, and 1.5 m for other accessory **buildings**.

- (g) No principal **building** shall be closer than 3.0 m to another principal **building**.

- (h) For **multiple dwelling housing, congregate housing, group home, major or supportive housing**, major developments up to 1.0m of required **rear yard landscaping** buffer may be transferred to a **multi-residential shared garden** on the same parcel.

- (i) For **multiple dwelling housing, congregate housing or group home, major** developments 10% of the **private open space** requirement per unit may be transferred to a **multi-residential shared garden** located on the same parcel.

### 13.9.7 Other Regulations

- (a) No more than one **major care centre** is permitted per **site**.
- (b) An accessory **building** containing recreational amenities for the **use** of all residents shall conform to the setback requirements for principal **buildings**.
- (c) A minimum area of 7.5 m<sup>2</sup> of **private open space** shall be provided per **bachelor dwelling, congregate housing bedroom** or **group home bedroom**, 15.0 m<sup>2</sup> of **private open space** shall be provided per **1 bedroom dwelling**, and 25.0 m<sup>2</sup> of **private open space** shall be provided per **dwelling** with more than **1 bedroom**.
- (d) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development, yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (e) In the RM<sub>3r</sub> zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure**.

## **13.10 RM4 – Transitional Low Density Housing RM4r – Transitional Low Density Housing (Residential Rental Tenure Only)**

### **13.10.1 Purpose**

The purpose is to provide a **zone** primarily for low rise low **density apartment housing** with **urban services** as a transition between low and medium **density development**.

### **13.10.2 Principal Uses**

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

- (a) **boarding or lodging houses**
- (b) **community garden**
- (c) **congregate housing**
- (d) **group home, major**
- (e) **mico suite housing**
- (f) **multiple dwelling housing**
- (g) **religious assemblies** (where in existence prior to July 1<sup>st</sup>, 1998)
- (h) **supportive housing**

### **13.10.3 Secondary Uses**

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

- (a) **agriculture, urban**
- (b) **child care centre, major**
- (c) **community recreation services**
- (d) **home based businesses, minor**
- (e) **multi-residential shared gardens**
- (f) **short term rental accommodation** subject to Section 9.17 of this bylaw

### **13.10.4 Buildings and Structures Permitted**

- (a) **apartment housing**
- (b) **row housing**
- (c) **stacked row housing**
- (d) **permitted accessory buildings and structures**

### **13.10.5 Subdivision Regulations**

- (a) The minimum **lot width** is 30.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 900 m<sup>2</sup>.

### **13.10.6 Development Regulations**

- (a) The maximum floor area ratio is 0.65. Where parking spaces are provided totally beneath habitable space of a principal building, beneath useable common amenity areas or in a garage or carport providing that in all cases, the parking spaces are screened from view, an amount may be added to the floor area ratio equal to 0.2 multiplied by the ratio of such parking spaces to the total required parking spaces, but in no case shall this amount exceed 0.20."

The floor area ratio may be increased by a further 0.3 for a development constructed in an Urban Centre (as defined by Kelowna's Official Community Plan).

- (b) The maximum **site coverage** is 50%, provided that the maximum **site coverage** of **buildings**, driveways, and parking areas is 60%.
- (c) The maximum **height** is the lesser of 13.0 m or 3 **storeys**, except it is 4.5 m for accessory **buildings** and **structures**.
- (d) The minimum **site front yard** is 6.0 m, except it is 4.5 m for any portion 2 **storeys** or less.
- (e) The minimum **site side yard** is 2.3 m for a **building** not over two **storeys** or an accessory **building** or **structure** and 4.5 m for any part of a **building** over 2 **storeys**, except it is 4.5 m from a **flanking street**.
- (g) The minimum **site rear yard** is 7.5 m for a **building** not over two **storeys** or an accessory **building** or **structure** and 9.0 m for any part of a **building** over 2 **storeys**, except it is 1.5 m for accessory **buildings**.
- (h) No principal **building** shall be closer than 3.0 m to another principal **building**.
- (i) For **multiple dwelling housing, congregate housing, group home, major or supportive housing, major** developments up to 1.0m of required **rear yard landscaping** buffer may be transferred to a **multi-residential shared garden** on the same parcel.
- (j) For **multiple dwelling housing, congregate housing or group home, major** developments 10% of the **private open space** requirement per unit may be transferred to a **multi-residential shared garden** located on the same parcel."

#### 13.10.7 Other Regulations

- (a) A minimum area of 7.5 m<sup>2</sup> of **private open space** shall be provided per **bachelor dwelling, congregate housing bedroom or group home bedroom**, 15.0 m<sup>2</sup> of **private open space** shall be provided per 1 **bedroom dwelling**, and 25.0 m<sup>2</sup> of **private open space** shall be provided per **dwelling** with more than 1 **bedroom**.
- (b) No continuous **building frontage** shall exceed 40.0 m for a 3 **storey building**, nor 65.0 m for a 2 **storey building**. If the **frontage** is interrupted by an open courtyard equivalent in depth and width to the **building height**, the maximum continuous 3 **storey building frontage** may be 80.0 m provided that no **building** section exceeds 40.0 m.
- (c) Religious assemblies must conform to the requirements of the P2 **zone**.
- (d) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development, yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (e) In the RM<sub>4r</sub> zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure**.

## 13.11 RM5 – Medium Density Multiple Housing RM5r - Medium Density Multiple Housing (Residential Rental Tenure Only)

### 13.11.1 Purpose

The purpose is to provide a **zone** primarily for medium **density** apartments.

### 13.11.2 Principal Uses

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

- a) **boarding and lodging houses**
- b) **community garden**
- c) **congregate housing**
- d) **group home, major**
- e) **micro suite housing**
- f) **multiple dwelling housing**
- g) **supportive housing**

### 13.11.3 Secondary Uses

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

- a) **agriculture, urban**
- b) **child care centre, major**
- c) **community recreation services**
- d) **home based businesses, minor**
- e) **multi-residential shared gardens**
- f) **short term rental accommodation** subject to Section 9.17 of this bylaw

### 13.11.4 Buildings and Structures Permitted

- (a) **apartment housing**
- (b) **stacked row housing**
- (c) **permitted accessory buildings and structures**

### 13.11.5 Subdivision Regulations

- (a) The minimum **lot width** is 30.0 m.
- (b) The minimum **lot depth** is 35.0 m.
- (c) The minimum **lot area** is 1400 m<sup>2</sup>.

### 13.11.6 Development Regulations

- (a) The maximum **floor area ratio** is 1.1

Where the required **parking spaces** (excluding visitor stalls) are provided totally beneath habitable space of a principal **building** or beneath **useable** common amenity areas providing that in all cases, the **parking spaces** are screened from view, the **floor area ratio** may be increased by the percentage of required parking provided under the building to a maximum net floor area for the zone of 1.2.

The floor area ratio may be increased by a further 0.2 for a development constructed in an Urban Centre (as defined by Kelowna's Official Community Plan).

- (b) The maximum **site coverage** is 40%.

This may be increased to 50% if the developer can achieve additional **private open space** (a minimum of 20% on top of the bylaw requirement) within the footprint of the building.

The maximum **site coverage** of **buildings**, driveways, and parking areas is 65%. This may be increased by 5% (to a maximum of 70%) for **permeable drive surfaces and parking**.

- (c) The maximum **height** is the lesser of 18.0 m or 4.5 **storeys**, except it is 4.5 m for accessory **buildings** and **structures**.

- (d) The minimum **site front yard** is 6.0 m.

The **site front yard** for ground-oriented housing with a front door facing the street may be reduced to 1.5m for portions of a **building** not over 2½ **storeys** developed. Where the **site front yard** has been reduced below 6.0m for ground-oriented housing any portion of a **building** in excess of 2½ **storeys** must meet the 6.0m **site front yard**.

- (e) The minimum **site side yard** is 4.5m for a portion of a **building** not over 2½ **storeys**, and 7.0m for portions of a **building** in excess of 2½ **storeys**. The site side yard to a **flanking street** is 6.0 m but may be reduced to 1.5m for ground-oriented housing with a front door facing the street. Where the **site side yard** has been reduced below 6.0m for ground-oriented housing any portion of a **building** in excess of 2½ **storeys** must meet the 6.0m **site side yard**.

- (f) The minimum **site rear yard** is 9.0 m, except it is 7.0 m where there is a rear **lane**. For portions of a parkade with **lane** access which do not project more than 2.0m above natural grade, the **site rear yard** is 1.5m.

The **site rear yard** is 6.0 m for accessory **buildings**. The site rear yard for carport structures is 1.5m.

- h) For **multiple dwelling housing, congregate housing, group home, major or supportive housing, major** developments up to 1.0m of required **rear yard landscaping** buffer may be transferred to a **multi-residential shared garden** on the same parcel.

- i) For **multiple dwelling housing, congregate housing or group home, major** developments 10% of the **private open space** requirement per unit may be transferred to a **multi-residential shared garden** located on the same parcel.

#### 13.11.7 Other Regulations

- (a) A minimum area of 7.5 m<sup>2</sup> of **private open space** shall be provided per **bachelor dwelling, congregate housing bedroom or group home bedroom**, 15.0 m<sup>2</sup> of **private open space** shall be provided per 1 **bedroom dwelling**, and 25.0 m<sup>2</sup> of **private open space** shall be provided per **dwelling** with more than 1 **bedroom**.
- (b) A continuous **building frontage** shall not exceed 100 metres in length, and must be designed with appropriate architectural breaks or relief where the length of the building exceeds 37 metres.
- (c) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development, yards**, projections into **yards**, lighting, stream protection, etc.), the

**landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.

- (d) In the RM5r zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure**.



## 13.12 RM6 – High Rise Apartment Housing RM6r – High Rise Apartment Housing (Residential Rental Tenure Only)

### 13.12.1 Purpose

The purpose is to provide a **zone** for high **density** high rise apartments.

### 13.12.2 Principal Uses

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

- (a) **community garden**
- (b) **congregate housing**
- (c) **group home, major**
- (d) **micro suite housing**
- (e) **multiple dwelling housing**
- (g) **supportive housing**

### 13.12.3 Secondary Uses

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

- (a) **agriculture, urban**
- (b) **child care centre, major**
- (c) **community recreation services**
- (d) **home based businesses, minor**
- (e) **household repair services**
- (f) **multi-residential shared gardens**
- (g) **participant recreation services, indoor**
- (h) **personal service establishments**
- (i) **retail stores, convenience**
- (j) **short term rental accommodation** subject to Section 9.17 of this bylaw

### 13.12.4 Buildings and Structures Permitted

- (a) **apartment housing**
- (b) **stacked row housing**
- (c) **permitted accessory buildings and structures**

### 13.12.5 Subdivision Regulations

- (a) The minimum **lot width** is 30.0 m.
- (b) The minimum **lot depth** is 35.0 m.
- (c) The minimum **lot area** is 1700 m<sup>2</sup>.

### 13.12.6 Development Regulations

- (a) The maximum **floor area ratio** is 1.5, except that it may be increased by 0.1 for each additional 10% increment of **open space** above 50% of **open space**. Where **parking spaces** are provided totally beneath habitable space of a principal **building** or beneath **useable** common amenity areas providing that in all cases, the **parking spaces** are screened from view, an amount may be added to the **floor area ratio** equal to 0.2 multiplied by the ratio of such **parking spaces** to the total required **parking spaces**, but in no case shall this amount exceed 0.2. In no case shall the **floor area ratio** exceed 2.0.

- (b) The maximum **site coverage** for principal **buildings**, accessory **structures**, and parking areas and driveways is 50%.
- (c) The maximum **height** is the lesser of 55.0 m or 16.0 **storeys**, except that it shall be 4.5 m for accessory **buildings** and **structures**.
- (d) The minimum **site front yard** is 6.0 m.
- (e) The minimum **site side yard** is 4.5 m, except it is 6.0 m from a **flanking street**.
- (f) The minimum **site rear yard** is 9.0 m, except it is 6.0 m for accessory **buildings**.
- (g) For **multiple dwelling housing, congregate housing, group home, major or supportive housing, major** developments up to 1.0m of required **rear yard landscaping** buffer may be transferred to a **multi-residential shared garden** on the same parcel.
- (h) For **multiple dwelling housing, congregate housing** or **group home, major** developments 10% of the **private open space** requirement per unit may be transferred to a **multi-residential shared garden** located on the same parcel.

#### 13.12.7 Other Regulations

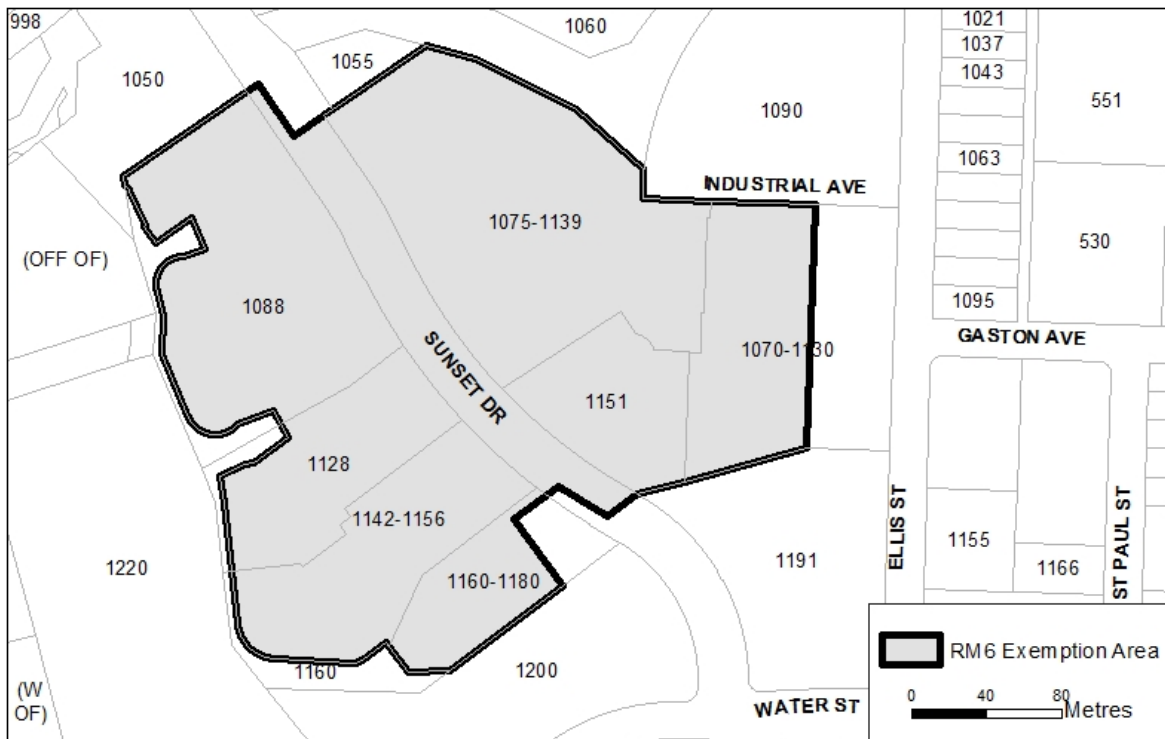
- (a) Convenience retail services, **household repair services**, and **personal service establishments** are limited to a total maximum floor area of 235.0 m<sup>2</sup> and only permitted when developed as an integral component of a principal **building**. These **uses** will not be permitted above the **first storey**.
- (b) Indoor participant recreation services are only permitted when developed as an integral component of a principal **building**.
- (c) A minimum area of 7.0 m<sup>2</sup> of **private open space** shall be provided per **bachelor dwelling, congregate housing bedroom** or **group home bedroom**, 12.0 m<sup>2</sup> of **private open space** shall be provided per 1 **bedroom dwelling**, and 18.0 m<sup>2</sup> of **private open space** shall be provided per **dwelling** with more than 1 **bedroom**.
- (d) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development, yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (e) In the RM6r zones, any **Multiple Dwelling Housing** unit shall be restricted to a **Residential Rental Tenure**.

**13.12.8 Site Specific Uses and Regulations**

**Uses** and regulations apply to the RM6 – High Rise Apartment Housing **zone** on a site-specific basis as follows:

	<i>Legal Description</i>	<i>Civic Address</i>	<i>Regulation</i>
1.	See Map A	1070-1130 Ellis Street 1075-1139 Sunset Drive 1088 Sunset Drive 1128 Sunset Drive 1142-1156 Sunset Drive 1151 Sunset Drive 1160 Sunset Drive	Notwithstanding section 9.17.1, the operator of <b>short-term rental accommodation</b> does not need to be a resident who resides for more than 240 days of the year at that <b>dwelling</b> unit.
2	Strata Lot 1, District Lot 138, ODYD, Strata Plan EPS3699, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V;  Strata Lot 2, District Lot 138, ODYD, Strata Plan EPS3699, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata lot as Shown on Form V	1675 Ethel Street  1685 Ethel Street	Notwithstanding section 13.12.3 Secondary Uses, these properties are permitted to have Offices, Health Services (major & minor), and Retail stores (General)

Map A: Properties Zoned RM6 where Site Specific Use Regulation No. 1 Applies



### 13.13 RM7 – Mobile Home Park

#### 13.13.1 Purpose

The purpose is to provide a **zone** for **mobile homes** on individual **mobile homes** spaces in a **mobile home park** setting.

#### 13.13.2 Principal Uses

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

- (a) **community garden**
- (b) **mobile home park**

#### 13.13.3 Secondary Uses

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

- (a) **agriculture, urban**
- (b) **child care centre, minor**
- (c) **group homes, minor**
- (d) **home based businesses, minor**
- (e) **multi-residential shared gardens**
- (f) **offices**

#### 13.13.4 Buildings and Structures Permitted

- (a) **mobile homes**
- (b) **modular homes**
- (c) **permitted accessory buildings and structures**

#### 13.13.5 Subdivision Regulations

- (a) The minimum **site** width is 50.0 m.
- (b) The minimum **site** depth is 50.0 m.
- (c) The minimum **site** area is 2.0 ha.

#### 13.13.6 Development Regulations

- (a) The maximum **density** is 20 **dwellings/ha**.
- (b) The maximum **height** is the lessor of 7.6 m or 1 **storey**.
- (c) The minimum **site front yard** is 6.0 m.
- (d) The minimum **site side yard** is 4.5 m.
- (e) The minimum **site rear yard** is 6.0 m.

#### 13.13.7 Other Regulations

- (a) Each **mobile home** shall be provided with an individual **mobile home space**, with internal road access, of not less than 325.0 m<sup>2</sup>, with a minimum width of 12.0 m and a minimum depth of 25.0 m.
- (b) No **mobile home** shall be located closer than 3.0 m to the back curb of an internal roadway or parking area, no closer than 6.0 m to another **mobile home** unless permitted by fire protection regulations, but in no case closer than 1.5 m to the edge of the **mobile home space**.

- (c) **Offices** are limited to one office for the management and operation of the **mobile home park**.
- (d) Minor care centres are restricted to one per **mobile home park site**.
- (e) A minimum of 5% of the **site** area shall be **private open space**.
- (e) One accessory **building**, compatible in finishing materials, is permitted to a maximum area of 10.0 m<sup>2</sup> and a maximum **height** of 2.5 m.
- (f) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development, yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, the specific **use** regulations of Section 9, and the **Mobile Home Parks** Bylaw No. 5453-83.

## 13.14 RH1 – Hillside Large Lot Residential

### 13.14.1 Purpose

To provide a zone for single detached housing on large-sized, serviced hillside lots with the express goal of minimizing the impacts of development on the natural environment and visual character of Kelowna.

### 13.14.2 Definitions

Despite conflicting definitions found elsewhere in this bylaw, the following definitions shall apply for the purposes of interpreting the regulations of this zone:

*HEIGHT* means, with respect to a building, the maximum vertical distance above a straight line drawn between the average of the front of the approved Building Envelope Covenant and the average of the rear of the approved Building Enveloped Covenant measured to the highest point of the **structure** of a non-sloping roof, or the mid-point between the eaveline and the ridge of a sloping roof, excluding those **structures** identified in Section 6.6.1 of this bylaw.

### 13.14.3 Principal Uses

- (a) **community garden**
- (b) **single dwelling housing**

### 13.14.4 Secondary Uses

- (c) **bed and breakfast homes**
- (d) **child care centre, minor**
- (e) **group homes, minor**
- (f) **home based businesses, major**
- (g) **home based businesses, minor**
- (h) **secondary suite**
- (i) **short term rental accommodation** subject to Section 9.17 of this bylaw

### 13.14.5 Buildings and Structures Permitted

- (a) one **single detached house** (which may contain a **secondary suite**)
- (b) permitted **accessory buildings** and **structures**

### 13.14.6 Subdivision Regulations

- (a) For lots on the upslope side of a road, the average **lot width** is 18.0m, but the minimum **lot width** is 16.0m. For lots on the downslope side of a road, the average **lot width** is 21.0m, but the minimum **lot width** is 18.0m. For the purpose of determining average **lot width**, include those lots zoned or to be zoned RH1 and RH2 for that portion of a subdivision approved in a Preliminary Layout Review of Subdivision by the Subdivision Approving Officer.
- (b) The minimum **lot depth** is 20.0m.
- (c) The minimum **lot size** for a subdivision is 600m<sup>2</sup>.

**13.14.7 Development Regulations**

- (a) The maximum **site coverage** is 33% and together with the areas of driveways and parking shall not exceed 40%. If no building elevation exceeds a *height* of 2 **storeys**, the maximum **site coverage** shall be 40% and together with the areas of driveways and parking shall not exceed 50%.
- (b) The minimum setback for a **front yard** or flanking street is 3.0 m except that it is 6.0 m measured from the back of curb or sidewalk, whichever is closest, to a garage or **carport** having vehicular entry from the front of the garage.
- (c) Required **side yards** shall be calculated using one of the following two methods:
1. Where no vertical wall element exceeds the lesser of 7.5m or 2 **storeys** in *height* at any point, except as provided for in Sections 13.14.8(b) and (c), the minimum **side yard** is 1.5 m and the sum of both **side yards** shall not be less than 4.0 m. In all other cases, the minimum **side yard** is 2.0 m and the sum of both **side yards** shall not be less than 5.0 m. At time of subdivision and building envelope covenant determination, adjacent lots shall coordinate their **side yard** setbacks to form larger areas of naturally-graded open space, to achieve preservation of a natural feature, and/or to achieve preservation of views.
  2. Where no vertical wall element exceeds 7.5m or 2 **storeys** in *height* at any point, except as provided for in Sections 13.14.8(b) and (c), the minimum **side yard** is 1.5m when a naturalized corridor with a width equal to 5% of the total road frontage for that phase of subdivision is protected or dedicated at the time of subdivision. In all other cases, the minimum **side yard** is 2.0m when a naturalized corridor with a width equal to 5% of the total road frontage for that phase of subdivision is protected or dedicated at the time of subdivision.
- (d) The minimum rear yard is 7.5 m except that it is 1.5 m for **accessory buildings**. Where the **lot width** exceeds the lot depth the minimum rear yard is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m.
- (e) For panhandle lots, notwithstanding section 13.14.7(b), the required **front yard** setback shall be applied from a straight line drawn at a 90 degree angle from the point of intersection of the body of the lot with the panhandle. See Diagram 13.1.

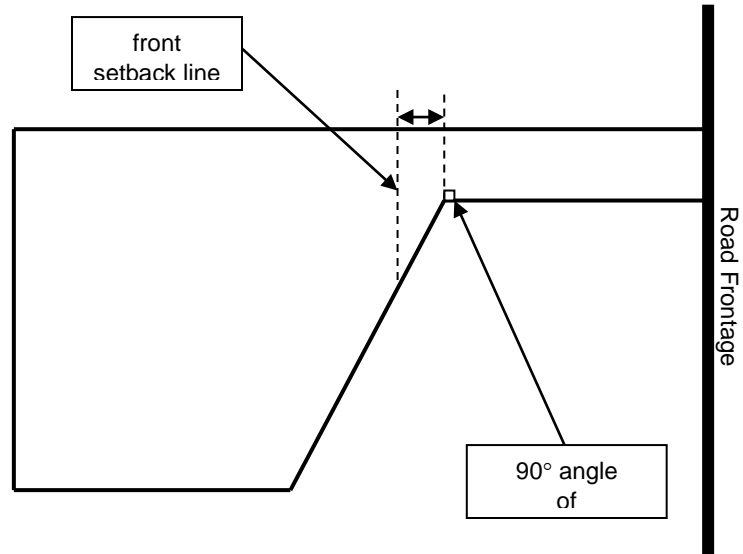
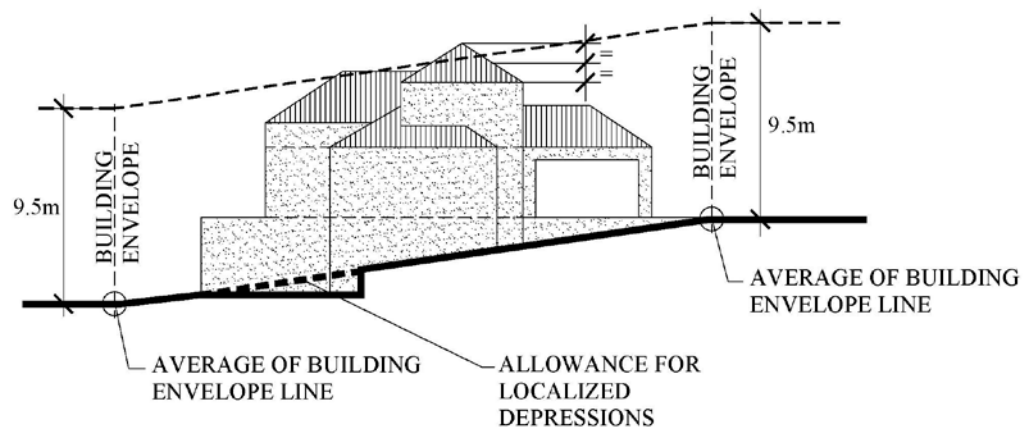


Diagram 13.1: Front yard setback on panhandle lots



## 13.14.8 Building Form and Massing

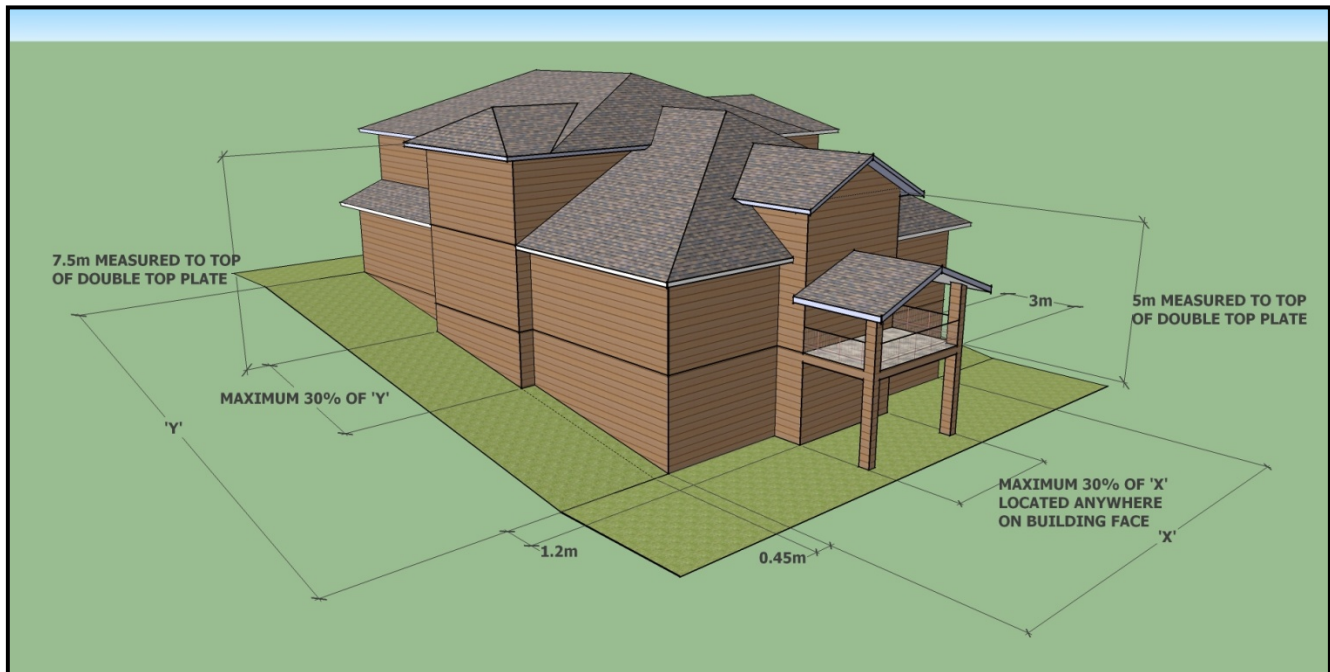
- (a) The maximum *height* is 9.5m, except it is 4.5m for **accessory buildings** and **structures**.



See Diagram 13.2.

**Diagram 13.2: 9.5m Maximum Height As Measured From Straight Line Between Building Envelope Points**

- (b) The maximum *height* of any vertical wall element facing a **front yard**, rear yard or flanking street (including walkout basements) is the lesser of 7.5 m or 2 **storeys** above which the building must be stepped back a minimum of 2.1 m. A maximum of 30% of the length of the building elevation may exceed 7.5 m in *height*, provided that a deck and roof **structure** projecting a minimum of 3.0 m from the face of the wall breaks up the wall face such that no wall face directly above the deck and roof **structure** exceeds 5.0 m in *height*. See Diagram 13.3.
- (c) Where any vertical wall element facing a **side yard** exceeds the lesser of 7.5m or 2 **storeys** in *height*, that portion of the **side yard** elevation above the first **storey** must be stepped back an additional 1.2 m, as measured from the outside wall of the floor below. Dormers or enclosed stairways may project into this step back by 1.2 m provided that the sum of their lengths does not exceed 30% of the length of the elevation of that **storey**. These projections are not permitted within 1.2m of the front or rear building elevations. See Diagram 13.3.



**Diagram 13.3: Downslope and Sideyard Building Articulation**

- (d) All decks (including the supporting posts or columns) shall not exceed 4.5 m or 1 storey in *height* inclusive of any support **structure** or **retaining wall** (within a horizontal distance of 1.2 m) and shall be limited to 60% of the width of the applicable building face. *Height* will be measured from the grade at the base of the deck, post, or column to the highest point of the deck, exclusive of railings.
- (c) No horizontal wall face may exceed 7.5 m in length after which the wall face must be staggered or offset by a minimum of 0.45 m in a **side yard**, and by 1.2 m in a **front yard**, **rear yard**, or **flanking street**. See Diagram 13.3.
- (e) **Accessory buildings** and **structures** shall not exceed 4.5 m in *height*.

#### 13.14.9 Other Regulations

- (a) A **secondary suite** may only be located within a single detached **dwelling**.
- (b) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9.
- (c) No vehicular parking or storage is permitted in a **side yard** setback between a permitted principal **dwelling** and the adjacent property line.

## 13.15 RH2 – Hillside Two Dwelling Housing

### 13.15.1 Purpose

To provide a zone for a maximum of two **dwelling** units on large-sized, serviced hillside lots with the express goal of minimizing the impacts of development on the natural environment and visual character of Kelowna.

### 13.15.2 Definitions

Despite conflicting definitions found elsewhere in this bylaw, the following definitions shall apply for the purposes of interpreting the regulations of this zone:

*HEIGHT* means, with respect to a building, the maximum vertical distance above a straight line drawn between the average of the front of the approved Building Envelope Covenant and the average of the rear of the approved Building Enveloped Covenant measured to the highest point of the **structure** of a non-sloping roof, or the mid-point between the eaveline and the ridge of a sloping roof, excluding those **structures** identified in Section 6.6.1 of this bylaw.

### 13.15.3 Principal Uses

- (a) **community garden**
- (b) **single dwelling housing**
- (c) **two dwelling housing**

### 13.15.4 Secondary Uses

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **group homes, minor**
- (d) **home based businesses, major**
- (e) **home based businesses, minor**
- (f) **secondary suites**
- (g) **short term rental accommodation** subject to Section 9.17 of this bylaw

### 13.15.5 Buildings and Structures Permitted

- (a) one **single detached house** (which may contain a secondary suite)
- (b) **duplex housing**
- (c) **semi-detached housing**
- (d) two **single detached houses**
- (e) permitted **accessory buildings and structures**

### 13.15.6 Subdivision Regulations

- (a) The minimum **lot width** is 25.0 m. It is 27.0 m for a corner lot. Where a lot contains only one **single detached house**, the minimum **lot width** is 21.0 m.
- (b) The minimum **lot depth** is 20.0 m.
- (c) The minimum **lot area** is 1100 m<sup>2</sup>. Where a lot contains only one **single detached house**, the minimum **lot area** is 600m<sup>2</sup>.

## 13.15.7 Development Regulations

- (a) The maximum **site coverage** is 33% and together with the areas of driveways and parking shall not exceed 40%. If the building *Height* at no point exceeds 2 **storeys**, the maximum **site coverage** shall be 40% and together with the areas of driveways and parking shall not exceed 50%
- (b) The minimum setback for a **front yard** or flanking street is 3.0 m except that it is 6.0 m measured from the back of curb or sidewalk, whichever is closest, to a garage or **carport** having vehicular entry from the front of the garage.
- (c) Required **side yards** shall be calculated using one of the following two methods:
1. Where no vertical wall element exceeds the lesser of 7.5m or 2 **storeys** in *height* at any point, except as provided for in Sections 13.15.8(b) and (c), the minimum **side yard** is 1.5 m and the sum of both **side yards** shall not be less than 4.0 m. In all other cases, the minimum **side yard** is 2.0 m and the sum of both **side yards** shall not be less than 5.0 m. At time of subdivision and building envelope covenant determination, adjacent lots shall coordinate their **side yard** setbacks to form larger areas of naturally-graded open space, to achieve preservation of a natural feature, and/or to achieve preservation of views.
  2. Where no vertical wall element exceeds the lesser of 7.5m or 2 **storeys** in *height* at any point, except as provided for in Sections 13.15.8(b) and (c), the minimum **side yard** is 1.5m when a naturalized corridor with a width equal to 5% of the total road frontage for that phase of subdivision is protected or dedicated at the time of subdivision. In all other cases, the minimum **side yard** is 2.0m when a naturalized corridor with a width equal to 5% of the total road frontage for that phase of subdivision is protected or dedicated at the time of subdivision.
- (d) The minimum rear yard is 7.5 m except that it is 1.5 m for **accessory buildings**. Where the **lot width** exceeds the lot depth the minimum rear yard is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m.
- (e) For panhandle lots, notwithstanding section 13.15.7(b), the required **front yard** setback shall be applied from a straight line drawn at a 90 degree angle from the point of interesection of the body of the lot with the panhandle. See Diagram 13.4.

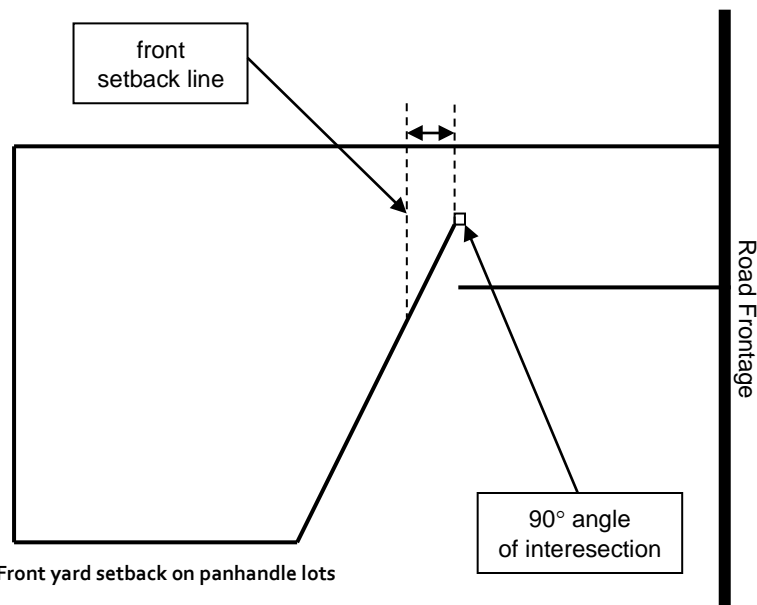
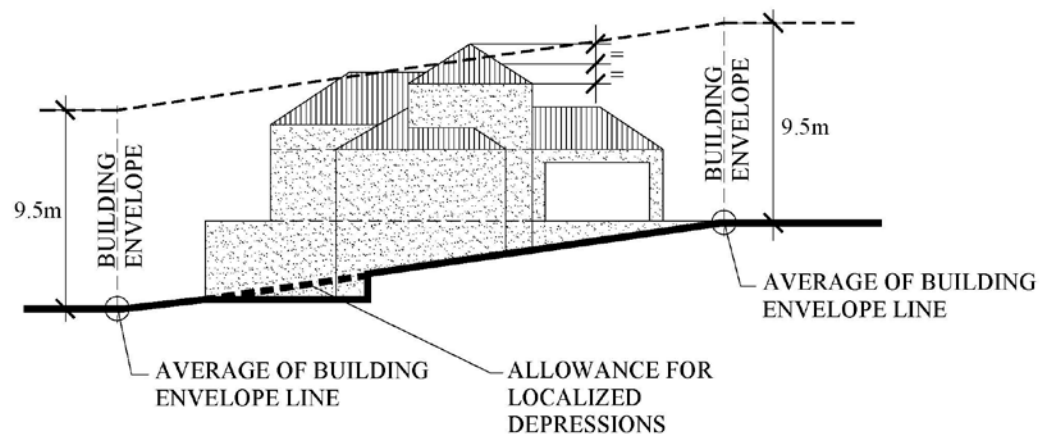


Diagram 13.4: Front yard setback on panhandle lots

- (f) Semi-detached and duplex housing shall provide a minimum area of 30 m<sup>2</sup> of **private open space** per **dwelling** and group homes, minor shall provide a minimum area of 7.5 m<sup>2</sup> of **private open space** per bedroom in addition to the principal **dwelling**. This may be in required side or rear yards provided the minimum dimension of the space is 4.5 m.
- (g) A site may be developed with a maximum of two single detached housing units. The two single detached housing units must be separated by a minimum distance of 4.5 m.

### 13.15.8 Building Form and Massing

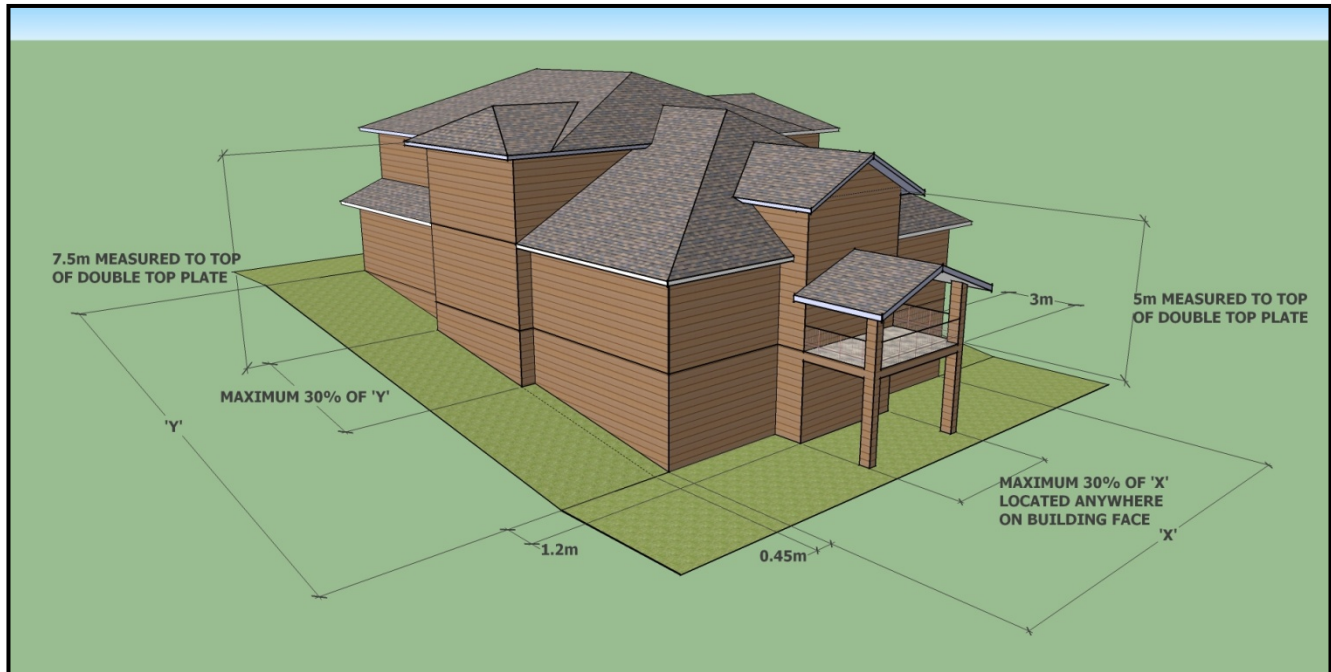
- (a) The maximum *height* is 9.5m, except it is 4.5m for **accessory buildings** and **structures**.



See Diagram 13.5.

**Diagram 13.5: 9.5m Maximum Height As Measured From Straight Line Between Building Envelope Points**

- (b) The maximum *height* of any vertical wall element facing a **front yard**, rear yard or flanking street (including walkout basements), is the lesser of 7.5 m or 2 **storeys** above which the building must be stepped back a minimum of 2.1 m. A maximum of 30% of the length of the building elevation may exceed 7.5 m in *height*, provided that a deck and roof **structure** projecting a minimum of 3.0 m from the face of the wall breaks up the wall face such that no wall face directly above or below the deck and roof **structure** exceeds 5.0 m in *height*. See Diagram 13.6.
- (c) Where any vertical wall element facing a **side yard** exceeds the lesser of 7.5m or 2 **storeys** in *height*, that portion of the **side yard** elevation above the first **storey** must be stepped back an additional 1.5 m, as measured from the outside wall of the floor below. Dormers or enclosed stairways may project into this step back by 1.5 m provided that the sum of their lengths does not exceed 30% of the length of the elevation of that **storey**. These projections are not permitted within 1.5m of the front or rear building elevations. See Diagram 13.6.



**Diagram 13.6: Downslope and Sideyard Building Articulation**

- (d) All decks (including the supporting posts or columns) shall not exceed 4.5 m or 1 storey in *height* inclusive of any support **structure** or **retaining wall** (within a horizontal distance of 1.2 m) and shall be limited to 60% the width of the applicable building face. Height will be measured from the grade at the base of the deck, post, or column to the highest point of the deck, exclusive of railings.
- (e) No horizontal wall face may exceed 7.5 m in length after which the wall face must be staggered or offset by a minimum of 0.45 m in a **side yard**, and by 1.2 m in a **front yard**, **rear yard**, or **flanking street**. See Diagram 13.6.
- (f) **Accessory buildings** and **structures** shall not exceed 4.5 m in *height*.

### 13.15.9 Other Regulations

- (a) In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 6 (accessory development, yards, projections into yards, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9.
- (b) No vehicular parking is permitted in a **side yard** setback between a permitted principal **dwelling** and the adjacent property line.
- (c) All semi-detached and duplex housing shall be designed so there is driveway access for each **dwelling**.

## 13.16 RH<sub>3</sub> – Hillside Cluster Housing

### 13.16.1 Purpose

To provide a **zone** for comprehensively planned clusters of residential dwelling units with urban services. The goal is to minimize the impacts of development on the natural environment, topography, open space, and visual hillside character of Kelowna. Site-wide density including areas of voluntary dedication and protection is to be generally consistent with the **Single / Two Unit Residential** - Hillside Official Community Plan future land use designation; however, the form and character of development may include **multiple dwelling housing** units.

### 13.16.2 Definitions

Despite conflicting definitions found elsewhere in this bylaw, the following definitions shall apply for the purposes of interpreting the regulations of this zone:

*HEIGHT* means, with respect to a building, the maximum vertical distance above a straight line drawn between the average of the front of the approved Building Envelope Covenant and the average of the rear of the approved Building Enveloped Covenant measured to the highest point of the **structure** of a non-sloping roof, or the mid-point between the eaveline and the ridge of a sloping roof, excluding those **structures** identified in Section 6.6.1 of this bylaw.

### 13.16.3 Principal Uses

- (a) **community garden**
- (b) **single dwelling housing**
- (c) **two dwelling housing**
- (d) **three dwelling housing**
- (e) **four dwelling housing**
- (f) **multiple dwelling housing**

### 13.16.4 Secondary Uses

- (a) **home based businesses, minor**
- (b) **child care centre, minor**
- (c) **group homes, minor**
- (d) **multi-residential shared gardens**
- (e) **secondary suites**
- (f) **short term rental accommodation** subject to Section 9.17 of this bylaw

### 13.16.5 Buildings and Structures Permitted

- (a) **single detached house** (which may contain a secondary suite)
- (b) **semi-detached housing**
- (c) **duplex housing**
- (d) **three-plex housing**
- (e) **four-plex housing**
- (f) **row housing**
- (g) **stacked row housing**
- (h) permitted **accessory buildings and structures**

**13.16.6 Subdivision Regulations**

- (a) For strata **development** containing **three dwelling housing, four dwelling housing, or multiple dwelling housing**:
  - i) The minimum **site width** is 30.0 m.
  - ii) The minimum **site depth** is 30.0 m.
  - iii) The minimum **site area** is 5000 m<sup>2</sup>.
- (b) For strata **development** containing **single dwelling housing or two dwelling housing** the Subdivision Regulations of either the RU<sub>2</sub> – Medium Lot Housing, RU<sub>3</sub> – Small Lot Housing or RU<sub>5</sub> – Bareland Strata Housing zones shall be applied, as determined by the Director of Land Use Management, except as follows:
  - i) The minimum **site area** is 5000m<sup>2</sup>.
- (c) For fee simple **development**, the Subdivision Regulations of either the RU<sub>2</sub> – Medium Lot Housing or RU<sub>3</sub> – Small Lot Housing zones shall be applied, as determined by the Director of Land Use Management, except as follows:
  - i) The minimum **site area** is 5000m<sup>2</sup>.

**13.16.7 Development Regulations**

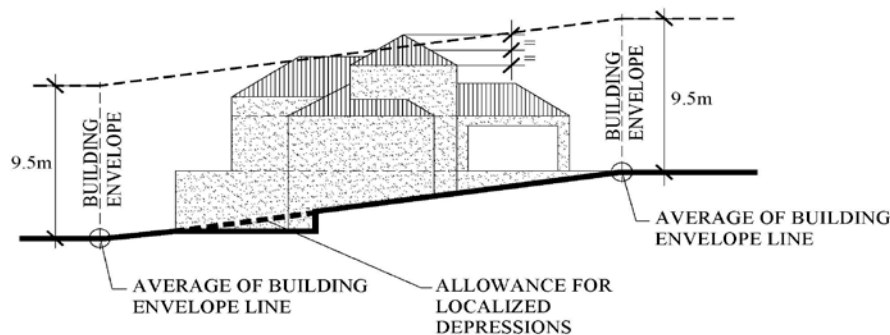
- (a) On a fee simple lot or a **bareland strata lot** containing **single dwelling housing or two dwelling housing**, the development regulations of the RU<sub>2</sub> – Medium Lot Housing, RU<sub>3</sub> – Small Lot Housing or RU<sub>5</sub> – Bareland Strata Housing shall be applied, as determined by the Director of Land Use Management, except as follows:
  - i) For **bareland strata** development, the minimum **bareland strata lot** setback for a **front yard** or flanking street shall be measured from the back of curb or sidewalk, whichever is closest, to a garage or **carport** having vehicular entry from the front.
- (b) On a **lot** containing three or more attached **dwelling** units:
  - i) The maximum density is 22 **dwelling per hectare**. Maximum density may be calculated using the original site area, but is dependent on the protection of environmentally sensitive features, hazardous condition areas (including slopes greater than 30%), and visually significant features. It may be possible that the maximum density may not be achievable on the resulting developable areas.
  - ii) The maximum **building site coverage** is 40%, provided that the maximum **site coverage** of **buildings**, driveways, and parking areas is 50%.
  - iii) No building or **structure** is permitted within 4.5m of a property line or protected area, except for required **front yards**.



- iv) The minimum site **front yard** is 3.0 m except that it is 6.0 m measured from the back of curb or sidewalk, whichever is closest, to a garage or **carport** having vehicular entry from the front.
- v) **Dwellings** or groups of **dwellings** must be separated by a minimum of 4.5 m. Vehicle parking or storage is not permitted in this area.
- (c) For **multiple dwelling housing, congregate housing, group home, major or supportive housing, major developments** up to 1.0m of required **rear yard landscaping** buffer may be transferred to a **multi-residential shared garden** on the same parcel.
- (d) For **multiple dwelling housing, congregate housing or group home, major developments** 10% of the **private open space** requirement per unit may be transferred to a **multi-residential shared garden** located on the same parcel.

### 13.16.8 Building Form and Massing

- (a) The maximum *height* is 9.5m, except it is 4.5m for **accessory buildings and structures**.

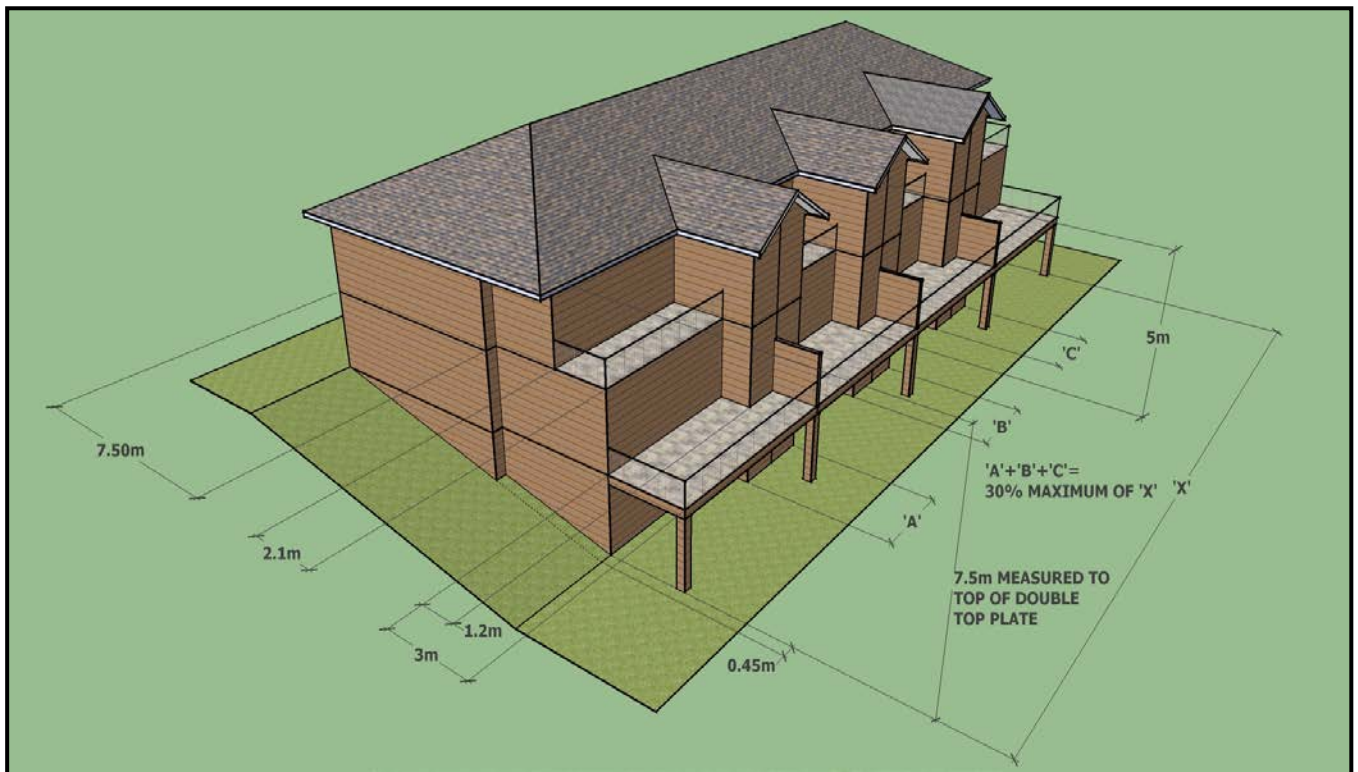


See Diagram 13.7.

**Diagram 13.7: 9.5m Maximum Height As Measured From Straight Line Between Building Envelope Points**

- (b) The maximum *height* of any vertical wall element facing a **front yard, rear yard** or flanking street (including walkout basements) is the lesser of 7.5 m or 2 **storeys** above which the building must be stepped back a minimum of 2.1 m. A maximum of 30% of the length of the building elevation may exceed 7.5 m in *height* to a maximum of 9.5m, provided that a deck and roof **structure** projecting a minimum of 3.0 m from the face of the wall breaks up the wall face. No wall face directly above the deck and roof **structure** may exceed 5.0m in *height*. See Diagram 13.8.

Diagram 13.8: Downslope Building Articulation



- (c) All decks (including the supporting posts or columns) shall not exceed 4.5 m or 1 storey in *height* inclusive of any support **structure** or **retaining wall** (within a horizontal distance of 1.2 m). *Height* will be measured from the grade at the base of the deck, post, or column to the highest point of the deck, exclusive of railings.
- (d) No horizontal wall face may exceed 7.5 m in length after which the wall face must be staggered or offset by a minimum of 0.45 m in a **side yard**, and by 1.2 m in a **front yard**, **rear yard**, or **flanking street**. See Diagram 13.8.
- (e) **Accessory buildings** and **structures** shall not exceed 4.5 m in *height*.
- (f) A maximum of 6 ground oriented **dwelling** units per building is permitted.

**13.16.9 Other Regulations**

- (a) No vehicle parking or storage is permitted in required **side yards**.
- (b) **Accessory buildings** and **structures** shall be set back 1.5m from any bareland strata **lot line**, and shall be a minimum of 4.5m from any principal residential building.
- (c) An **accessory building** containing recreational amenities for the use of all residents shall conform to the setback requirements for principal buildings.
- (d) A minimum area of 7.5 m<sup>2</sup> of **private open space** shall be provided per **bachelor dwelling** or **group home bedroom**, 15.0 m<sup>2</sup> of **private open space** shall be provided per 1 bedroom **dwelling**, and 25.0 m<sup>2</sup> of **private open space** shall be provided per **dwelling** with more than 1 bedroom.
- (e) For bareland strata development, in addition to required yard areas and **private open space** requirements, a minimum of 10% of the site shall be **open space**.
- (f) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory development, yards, projections into yards, lighting, stream protection, etc.), the landscaping and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific use regulations of Section 9.

**Section 13 – Urban Residential Zones amended as follows:**

Section 13 – Urban Residential Zones Title – BL10277

**Section 13.1 RU1 – Large Lot Housing/RU1s – Large Lot Housing with Secondary Suite/RU1h – Large Lot Housing (Hillside Area) – BL8711, BL10686, BL11141**

Sub-Section 13.1.2 Principal Uses – BL9120; BL11096

Sub-Section 13.1.3 Secondary Uses – BL8367, BL8881, BL9120, BL9953, BL10300, BL10686, BL10804, BL11369, BL11766, BL12263

Sub-Section 13.1.4 Building and Structures Permitted – BL9120, BL10277, BL10686, BL10986, BL11369, BL12263

Sub-Section 13.1.6 Development Regulations – BL8367, BL8528, BL8711, BL8888, BL9120, BL9306, BL9530, BL10169, BL10986, BL11369

Sub-Section 13.1.7 Other Regulations – BL8711, BL8881, BL9120, BL9953, BL10036, BL10686, BL10986, BL11141, BL11369, BL12263

**Section 13.2 RU2 – Large Lot Housing/RU2s – Large Lot Housing with Secondary Suite/RU2h – Large Lot Housing (Hillside Area)/RU2hs – Medium Lot Housing (Hillside Area) with Secondary Suite – BL8333, BL8792, BL10686; BL11096**

Sub-Section 13.2.2 Principal Uses – BL9120

Sub-Section 13.2.3 Secondary Uses – BL8333, BL8367, BL8792, BL8881, BL9120, BL9860, BL9953, BL10300, BL10686, BL10804, BL11766, BL12263

Sub-Section 13.2.4 Building and Structures Permitted – BL9120, BL10686, BL10986, BL11369, BL12263

Sub-Section 13.2.6 Development Regulations – BL8333, BL8367, BL8528, BL8792, BL8888, BL9251, BL9120, BL9251, BL9530, BL10686, BL10986, BL11141, BL11369

Sub-Section 13.2.7 Other Regulations – BL8333, BL8792, BL8881, BL9120, BL9953, BL10036, BL10686, BL10986, BL11141, BL11369, BL12263

**Section 13.3 RU3 – Small Lot Housing/RU3hs – Small Lot Housing (Hillside Area) with Secondary Suite- BL9055, BL10352, BL10686**

Sub-Section 13.3.2 Principal Uses – BL9120; BL11096

Sub-Section 13.3.3 Secondary Uses – BL9055, BL9120, BL9953, BL10300, BL10686, BL10804, BL11766

Sub-Section 13.3.4 Building and Structures Permitted – BL9120, BL10686, BL10986

Sub-Section 13.3.5 Subdivision Regulations – BL10352

Sub-Section 13.3.6 Development Regulations – BL8367, BL8528, BL9055, BL10352, BL10686

Sub-Section 13.3.7 Other Regulations – BL9055, BL9120, BL9953, BL10036, BL10686, BL11001

**Section 13.4 – RU4 – Low Density Cluster Housing/RU4h – Low Density Cluster Housing (Hillside Area) – BL9306**

Sub-Section 13.4.2 Principal Uses – BL9120; BL11096

Sub-Section 13.4.3 Secondary Uses – BL10300, BL10804, BL11263, BL11766

Sub-Section 13.4.4 Building and Structures Permitted – BL9120, BL11263

Sub-Section 13.4.6 Development Regulations – BL9120, BL9306, BL10899

Sub-Section 13.4.7 Other Regulations – BL9306

**Section 13.5 – RU5 – Bareland Strata Housing**

Sub-Section 13.5.2 Principal Uses – BL9120; BL11096

Sub-Section 13.5.3 Secondary Uses – BL10300, BL10804, BL11263, BL11766

Sub-Section 13.5.4 Building and Structures Permitted – BL9120, BL11263

Sub-Section 13.5.6 Development Regulations – BL8528, BL8654, BL9120, BL11141

Sub-Section 13.5.7 Other Regulations – BL10590

**Section 13.6 – RU6 – Two Dwelling Housing/RU6b – Two Dwelling Housing with Boarding or Lodging House/RU6h – Two Dwelling Housing (Hillside Area) – BL8419, BL11192**

Sub-Section 13.6.1 Purpose – BL8654, BL9120

Sub-Section 13.6.2 Principal Uses – BL9120; BL11096, BL12165

Sub-Section 13.6.3 Secondary Uses – BL8419, BL10300, BL10804, BL11766

Sub-Section 13.6.4 Building and Structures Permitted – BL9120, BL10686, BL10986, BL11369, BL12165

Sub-Section 13.6.5 Subdivision Regulations – BL12165

Sub-Section 13.6.6 Development Regulations – BL8367, BL8419, BL8528, BL8654, BL8888, BL9120, BL9306, BL10986, BL11369

Sub-Section 13.6.7 Small Lot Semidetached Housing Development Regulations: BL10986

Sub-Section 13.6.8 Other Regulations – BL8419, 9120, BL9306, BL9953, BL10686, BL10986, BL11141, BL11369

**Section 13 – Urban Residential Zones amended as follows: Con't****Section 13.7 – RM1 – Four Dwelling Housing – BL9120**

Sub-Section 13.7.1 Purpose – BL8654

Sub-Section 13.7.2 Principal Uses – BL8654, BL9120; BL11096

Sub-Section 13.7.3 Secondary Uses - BL10804, BL11141, BL11766

Sub-Section 13.4.3 Secondary Uses – BL10300

Sub-Section 13.7.4 Buildings and Structures Permitted – BL9120, BL1141

Sub-Section 13.7.6 Development Regulations – BL8367, BL11369

**Section 13.8 – RM2 – Low Density Row Housing/RM2h – Low Density Row Housing (Hillside Area) – BL8746, BL11988**

Sub-Section 13.8.2 Principal Uses – BL8654, BL9120; BL11096, BL11141

Sub-Section 13.8.3 Secondary Uses – BL8654, BL10300, BL10804; BL11096, BL11766

Sub-Section 13.8.4 Buildings and Structures Permitted – BL9120, BL1141

Sub-Section 13.8.5 Subdivision Regulations- BL10816

Sub-Section 13.8.6 Development Regulations – BL8367, BL8746, BL10816; BL11096

Sub-Section 13.8.7 Other Regulations – BL8746, BL10816, BL11988

**Section 13.9 – RM3 – Low Density Multiple Housing – BL11988**

Sub-Section 13.9.2 Principal Uses – BL8528, BL9120, BL9766; BL11096

Sub-Section 13.9.3 Secondary Uses – BL8654, BL9292, BL10300, BL10804; BL11096, BL11766

Sub-Section 13.9.4 Buildings and Structures Permitted – BL9120

Sub-Section 13.9.5 Subdivision Regulations – BL8528, BL10816

Sub-Section 13.9.6 Development Regulations – BL8367, BL10816; BL11096

Sub-Section 13.9.7 Other Regulations – BL8528, BL11988

**Section 13.10 – RM4 – Low Density Multiple Housing – BL11988**

Sub-Section 13.10.2 Principal Uses – BL8528, BL9120, BL9766; BL11096; BL11131

Sub-Section 13.10.3 Secondary Uses – BL8654, BL8528, BL9292, BL10300, BL10804; BL11096, BL11766

Sub-Section 13.10.4 Buildings and Structures Permitted – BL9120

Sub-Section 13.10.6-Development Regulations - BL11096, BL11163

Sub-Section 13.10.7 Other Regulations – BL8367, BL8528, BL11988

**Section 13.11 – RM5 – Medium Density Multiple Housing – BL11988**

Sub-Section 13.11.2 Principal Uses – BL9120, BL9766; BL11096; BL11131

Sub-Section 13.11.3 Secondary Uses – BL8654, BL9292, BL10300, BL10804 ; BL11096, BL11766

Sub-Section 13.11.4 Buildings and Structures Permitted – BL9120

Sub-Section 13.11.6 Development Regulations – BL8367, BL10816; BL11096

Sub-Section 13.11.7 Other Regulations – BL8528, BL10816, BL11988

**Section 13.12 – RM6 – High Rise Apartment Housing – BL11988**

Sub-Section 13.12.2 Principal Uses – BL9120, BL9766 ; BL11096; BL11131

Sub-Section 13.12.3 Secondary Uses – BL8654, BL9292, BL10300, BL10784, BL10804 ; BL11096, BL11766

Sub-Section 13.12.4 Buildings and Structures Permitted – BL9120

Sub-Section 13.12.6 Development Regulations – BL8528, BL10816 ; BL11096

Sub-Section 13.12.7 Other Regulations – BL8528, BL10784, BL11988

Sub-Section 13.12.8 Site Specific Uses and Regulations - BL11766, BL11818

**Section 13.13 – RM7 – Mobile Home Park**

Sub-Section 13.13.2 Principal Uses – BL9120; BL11096

Sub-Section 13.13.3 Secondary Uses –BL10300, BL10804

Sub-Section 13.13.4 Buildings and Structures Permitted – BL9120

Sub-Section 13.13.6 Development Regulations – BL8367

Sub-Section 13.13.7 Other Regulations – BL8367

**Section 13 – Urban Residential Zones amended as follows: Con't****13.14 RH<sub>1</sub> – Hillside Large Lot Residential****RH<sub>1s</sub> – Hillside Large Lot Residential with Secondary Suite BL10670, BL11141**

Sub-Section 13.14.2 Principal Uses – BL11096

Sub-Section 13.14.4 Secondary Uses – BL11141; BL11440, BL11766

Sub-Section 13.14.5 Buildings and Structures Permitted – BL11141

**13.15 RH<sub>2</sub> – Hillside Two Dwelling Housing BL10670**

Sub-Section 13.15.2 Principal Uses – BL11096

Sub-Section 13.15.4 Secondary Uses – BL11440, BL11766

**13.16 RH<sub>3</sub> – Hillside Cluster Housing BL10670**

Sub-Section 13.16.2 Principal Uses – BL11096

Sub-Section 13.16.4 Secondary Uses – BL11263, BL11440, BL11766

Sub-Section 13.16.5 Buildings and Structures Permitted – BL11263

**13.17 RU<sub>7</sub> – Infill Housing BL11313, renamed sections BL11440**

Sub-Section 13.17.2 Principal Uses – BL11096

Sub-Section 13.17.3 Secondary Uses - BL11766, BL12186

Sub-Section 13.17.4 Buildings and Structures Permitted – BL11491, BL12186

Sub-Section 13.17.5 Subdivision Regulations – BL11491

Sub-Section 13.17.6 Development Regulations – BL11491, BL12186

Sub-Section 13.17.7 Density Regulations – BL11491

Sub-Section 13.17.8 Other Regulations – BL11492, BL12186