CITY OF KELOWNA

BYLAW NO. 11369
TA15-0008 – Miscellaneous Housekeeping Zoning Bylaw No. 8000 Text Amendments

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT **Section 2 – Interpretation, 2.3 General Definitions** , **CARRIAGE HOUSE** be deleted that reads:

   CARRIAGE HOUSE means an additional dwelling unit located within a building that is subordinate to the principal dwelling unit and is a single real estate entity.

   And replaced with:

   CARRIAGE HOUSE means a **dwelling** unit located within a **building** that is subordinate to the principal **building** on the **lot** and is not an **accessory building or structure**. It shall be a **use** secondary only to the **principal use** of **single dwelling housing**.

2. AND THAT **Section 6 – General Development Regulations, 6.5 Accessory Development** be deleted in its entirety and replaced with a new **6.5 Accessory Development** as attached to and forming part of this bylaw;

3. AND THAT **Section 9 – Specific Use Regulations, 9.5 Secondary Suite and Carriage House, 9.5b Carriage House Regulations** be deleted in its entirety and replaced with a new **9.5b Carriage House Regulations** as attached to and forming part of this bylaw;

4. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.4 Buildings and Structures Permitted** sub-paragraph (d) be deleted in its entirety that reads:

   "(d) carriage house (permitted only on properties that have a 'c' designated sub-zone)"

   and replace with a new **11.1.4 Buildings and Structures Permitted** sub-paragraph (d) that reads:

   "(d) one **carriage house** (A1c only)"

5. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.6 Buildings and Structures Permitted** sub-paragraph (a) be deleted in its entirety that reads:

   "a) The maximum **site coverage** is 10% for residential **development** (inclusive of **agri-tourist accommodation**), and it is 35% for **agricultural structures** except it may be increased to 75% for greenhouses with closed wastewater and storm water management systems.

   Site coverage of accessory **buildings** or **structures** and **carriage houses** shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m2 or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m2 only if the carriage house is limited to one (1) storey in height and is less than75% of the total floor area of the principal building."

and replace with a new **11.1.4 Buildings and Structures Permitted** sub-paragraph (a) that reads:

"(a) The maximum **site coverage** is 10% for residential **development** (inclusive of **agri-tourist accommodation**), and it is 35% for **agricultural structures** except it may be increased to 75% for **greenhouses and plant nurseries** with closed wastewater and storm water management systems."

6. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

   "(b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**, except it is 16.0m for **agricultural structures** and 6.0m for **accessory buildings** or **carriage house**."

   and replace with a new **11.1.6 Development Regulations** sub-paragraph (b) that reads:

   "(b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**, except it is 16.0 m for **agricultural structures** and it is 6.0 m for **accessory buildings or structures**."

7. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

   "(e) The minimum **rear yard** is 10.0 m, except it is 3.0 m for **accessory buildings** and a **carriage house**. A **carriage house** must be located no closer than 4.5 m to the principal **dwelling** and no further than 10m from the principal **dwelling**."

   and replace with a new **11.1.6 Development Regulations** sub-paragraph (e) that reads:

   "(e) The minimum **rear yard** is 10.0 m, except it is 3.0 m for **accessory buildings or structures**."

8. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.7 Other Regulations** sub-paragraph (g) be deleted in its entirety that reads:

   "(g) A carriage house must not be closer than 3.0m to an existing principal building."

9. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.7 Other Regulations** sub-paragraph (i) be deleted in its entirety that reads:

   "(i) A **mobile home** may be considered a **carriage house** only in an A1c – Agricultural 1 with Carriage House zone."

10. AND THAT **Section 12 – Rural Residential Zones, 12.1 RR1 – Rural Residential 1 zone, 12.1.4 Building and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

    "(c) **carriage house** (permitted only on properties that have a 'c' designated sub-zone)"

    and replace with a new **12.1.4 Building and Structures Permitted** sub-paragraph (c) that reads:

    "(c) one **carriage house** (RR1c only)"

11. AND THAT **Section 12 – Rural Residential Zones, 12.1 RR1 – Rural Residential 1 zone, 12.1.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

    "(a) The maximum **site coverage** is 10%, except that it is 50% for **greenhouses and plant nurseries**.

Site coverage of accessory **buildings** or **structures** and **carriage house** shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m^2 or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m^2 only if the carriage house is limited to one (1) storey in height and is less than75% of the total floor area of the principal building."

and replace with a new **12.1.6 Development Regulations** sub-paragraph (a) that reads:

"(a) The maximum **site coverage** is 10%, except that it is 50% for **greenhouses and plant nurseries**."

12. AND THAT **Section 12 – Rural Residential Zones, 12.1 RR1 – Rural Residential 1 zone ,12.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) The maximum **height** is the lesser of 9.5m or 2 ½ storeys, except it is 6.0m for accessory buildings, carriage house, and accessory structures."

and replace with a new **12.1.6 Development Regulations** sub-paragraph (a) that reads:

"(b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**."

13. AND THAT **Section 12 – Rural Residential Zones, 12.1 RR1 – Rural Residential 1 zone ,12.1.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) The minimum **rear yard** is 10.0 m, except it is 3.0 m for accessory **buildings**."

and replace with a new **12.1.6 Development Regulations** sub-paragraph (a) that reads:

"(e) The minimum **rear yard** is 10.0 m."

14. AND THAT **Section 11 – Agricultural Zones, 11.1 A1 – Agriculture 1 Zone, 11.1.7 Other Regulations** sub-paragraph (f) be deleted in its entirety that reads:

"(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 paren**t zone**."

and replace with a new **11.1.7 Other Regulations** sub-paragraph (f) that reads:

"(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 **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 paren**t zone**."

15. AND THAT **Section 12 – Rural Residential Zones, 12.1 RR1 – Rural Residential 1 zone, 12.1.7 Other Regulations** sub-paragraph (g) be deleted in its entirety that reads:

"(g) A **carriage house** must not be closer than 3.0m to an existing principal building."

16. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.4 Building and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

"(c) **carriage house** (permitted only on properties that have a 'c' designated sub-zone)"

and replace with a new **12.2.4 Building and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

"(c) one **carriage house** (RR2c only)'

17. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

"(a) The maximum **site coverage** is 20%, except that it is 50% for **greenhouses and plant nurseries**.

Site coverage of accessory **buildings** or **structures** and **carriage house** shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m^2 or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m^2 only if the carriage house is limited to one (1) storey in height and is less than75% of the total floor area of the principal building."

and replace with a new **12.2.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

"(a) The maximum **site coverage** is 20%, except that it is 50% for **greenhouses and plant nurseries**."

18. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) The maximum **height** for principal buildings is the lesser of 9.5m or 2 ½ storeys. The maximum **height** for **accessory buildings** / structures is 4.5m. The maximum **height** for **carriage houses** is 4.8m."

and replace with a new **12.2.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**."

19. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) 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 paren**t zone**."

and replace with a new **12.2.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) 12.2.7 Other Regulations (g) 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 paren**t zone**."

20. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:

    "(f) The minimum **rear yard** is 9.0 m, except it is 3.0 m for accessory **buildings**."

    and replace with a new **12.2.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:

    "(f) The minimum **rear yard** is 9.0 m."

21. AND THAT **Section 12 – Rural Residential Zones, 12.2 RR2 – Rural Residential 2 zone, 12.2.7 Other Regulations** sub-paragraph (f) be deleted in its entirety that reads:

    "(f) A **carriage house** must not be closer than 3.0m to an existing principal building."

22. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.3 Secondary Uses** sub-paragraph (c) be deleted in its entirety that reads:

    (c) **carriage homes** (RR3c only)

    and replace with a new **12.3.3 Secondary Uses** sub-paragraph (f) be deleted in its entirety that reads:

    (c) **carriage house** (RR3c only)

23. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

    "(c) **carriage house** (permitted only on properties that have a 'c' designated sub-zone)"

    and replace with a new **12.3.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

    "(c) one **carriage house** (RR3c only)"

24. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

    "(a) The maximum **site coverage** is 30%.
    Site coverage of accessory **buildings** or **structures** and **carriage house** shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m^2 or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m^2 only if the carriage house is limited to one (1) storey in height and is less than75% of the total floor area of the principal building.'

    and replace with a new **, 12.3.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

    "(a) The maximum **site coverage** is 30%."

25. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

"(b) The maximum height for principal buildings is the lesser of 9.5m or 2 ½ storeys. The maximum height for accessory buildings / structures is 4.5m. The maximum height for carriage houses is 4.8m."

and replace with a new **, 12.3.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**."

26. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) The minimum **rear yard** is 7.5 m, except it is 1.5 m for accessory **buildings**. Where the **lot width** exceeds the **lot dept**h, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m."

and replace with a new **, 12.3.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) The minimu**m 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."

27. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.7 Other Regulations** sub-paragraph (c) be deleted in its entirety that reads:

"(c) 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 paren**t zone**."

and replace with a new **, 12.3.7 Other Regulations** sub-paragraph (c) be deleted in its entirety that reads:

"(c) 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 paren**t zone**."

28. AND THAT **Section 12 – Rural Residential Zones, 12.3 RR3 – Rural Residential 2 zone, 12.3.7 Other Regulations** sub-paragraph (d) be deleted in its entirety that reads:

"(d) A **carriage house** must not be closer than 3.0m to an existing principal building."

29. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.3 Secondary Uses** sub-paragraph (c) be deleted in its entirety that reads:

"(c) **carriage homes** (RU1c only)"

and replace with a new **, 13.1.3 Secondary Uses** sub-paragraph (c) be deleted in its entirety that reads:

"(c) **carriage house** (RU1c and RU1hc only)"

30. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

"(c) **carriage house** (permitted only on properties that have a 'c' designated sub-zone)"

and replace with a new **, 13.1.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

"(c) one **carriage house** (RU1c and RU1hc only)"

31. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

"a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%.

For all accessory buildings or structures and carriage houses:

- The maximum combined lot coverage of all accessory **buildings** or **structures** and **carriage houses** shall not exceed 14%.
- The maximum combined area of all accessory **buildings** / **structures** and **carriage houses** (e.g. footprint size) shall not exceed 90 m^2.
- The maximum net floor area of a carriage house shall not exceed 90 m^2.
- The maximum net floor area of all carriage houses (including 1 storey carriage houses) shall not exceed 75% of the total net floor area of the principal dwelling.
- If a development contains a carriage house and if the height of all the accessory buildings / structures, and carriage house are limited to one (1) storey then the following bonus applies:
  - The maximum combined lot coverate of all accessory **buildings** / **structures** and **carriage houses** may be increased to a maximum of 20%
  - The maximum combined area of all accessory **buildings** / **structures** and **carriage houses** (e.g. footprint size) may be increased to a maximum of 130 m^2 subject to:
    - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m^2.
    - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50 m^2."

and replace with a new **, 13.1.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

"(a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%."

32. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) The maximum height for principal **buildings** shall be:

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; and
iii. 4.5 m for **accessory buildings or structures**."

and replace with a new **, 13.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(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."

33. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) The minimum **rear yard** is 7.5 m, except it is 1.5 m for accessory **buildings**. Where the **lot width** exceeds the **lot dept**h, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m."

and replace with a new **, 13.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(e) The minimu**m 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."

34. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:

"(f) For RU1h zones, the maximum **height** of 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** must be stepped back at least 1.2m."

35. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.7 Other Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(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 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 paren**t zone**."

and replace with a new **, 13.1.7 Other Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(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 paren**t zone**."

36. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing Zones, 13.1.7 Other Regulations** sub-paragraph (c) be deleted in its entirety that reads:

"(c) A **carriage house** must not be closer than 3.0m to an existing principal building."

and replace with a new **, 13.1.7 Other Regulations** sub-paragraph (c) be deleted in its entirety that reads:

37. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

"(c) **carriage house** (permitted only on properties that have a 'c' designated sub-zone)"

and replace with a new **, 13.2.4 Buildings and Structures Permitted** sub-paragraph (c) be deleted in its entirety that reads:

"(c) one **carriage house** (RU2c and RU2hc only)"

38. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.6 Development Regulations** sub-paragraph (a) be deleted in its entirety that reads:

"(a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%.

For all accessory buildings or structures and carriage houses:

- The maximum combined lot coverage of all accessory **buildings** or **structures** and **carriage houses** shall not exceed 14%.
- The maximum combined area of all accessory **buildings** / **structures** and **carriage houses** (e.g. footprint size) shall not exceed 90 m^2.
- The maximum net floor area of a carriage house shall not exceed 90 m^2.
- The maximum net floor area of all carriage houses (including 1 storey carriage houses) shall not exceed 75% of the total net floor area of the principal dwelling.
- If a development contains a carriage house and if the height of all the accessory buildings / structures, and carriage house are limited to one (1) storey then the following bonus applies:
  - The maximum combined lot coverate of all accessory **buildings** / **structures** and **carriage houses** may be increased to a maximum of 20%
  - The maximum combined area of all accessory **buildings** / **structures** and **carriage houses** (e.g. footprint size) may be increased to a maximum of 130 m^2 subject to:
    - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m^2.
    - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50 m^2."

and replace with a new **, 13.2.6 Development Regulations** sub-paragraph (c) be deleted in its entirety that reads:

"(a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%."

39. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) The maximum height for principal **buildings** shall be:

- 9.5 m or 2 ½ **storeys** whichever is the lesser; or
- 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; and

  4.5 m for **accessory buildings or structures**."

and replace with a new **, 13.2.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(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."

40. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(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**, 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."

and replace with a new **, 13.2.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(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."

41. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.7 Other Regulations** sub-paragraph (d) be deleted in its entirety that reads:

"(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 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 paren**t zone**."

and replace with a new **, 13.2.6 Other Regulations** sub-paragraph (d) be deleted in its entirety that reads:

"(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 paren**t zone**."

42. AND THAT **Section 13 – Urban Residential Zones, 13.2 RU2 – Medium Lot Housing Zones, 13.2.7 Other Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) A **carriage house** must not be closer than 3.0m to an existing principal building."

43. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.4 Buildings and Structures Permitted** sub-paragraph (f) be deleted in its entirety that reads:

"(f) **carriage house"**

and replace with a new **, 13.6.4 Buildings and Structures Permitted** sub-paragraph (f) be deleted in its entirety that reads:

"(f) one **carriage house"**

44. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) For all accessory buildings or structures and carriage houses:

- The maximum combined lot coverage of all accessory **buildings** or **structures** and **carriage houses** shall not exceed 14%.
- The maximum combined area of all accessory **buildings** / **structures** and **carriage houses** (e.g. footprint size) shall not exceed 90 m^2.
- The maximum net floor area of a carriage house shall not exceed 90 m^2.
- The maximum net floor area of all carriage houses (including 1 storey carriage houses) shall not exceed 75% of the total net floor area of the principal dwelling.
- If a development contains a carriage house and if the height of all the accessory buildings / structures, and carriage house are limited to one (1) storey then the following bonus applies:
  - The maximum combined lot coverate of all accessory **buildings** / **structures** and **carriage houses** may be increased to a maximum of 20%
  - The maximum combined area of all accessory **buildings** / **structures** and **carriage houses** (e.g. footprint size) may be increased to a maximum of 130 m^2 subject to:
    - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m^2.
    - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50 m^2."

45. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.6 Development Regulations** sub-paragraph (d) be deleted in its entirety that reads:

"(d) The maximum height for accessory buildings / structures is 4.5m."

46. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(e) The maximum height for carriage houses is 4.8 m."

47. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.6 Development Regulations** sub-paragraph (h) be deleted in its entirety that reads:

"(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."

and replace with a new **, 13.6.6 Development Regulations** sub-paragraph (h) be deleted in its entirety that reads:

"(h) 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."

48. AND THAT **Section 13 – Urban Residential Zones, 13.6 RU6 – Two Dwelling Housing Zones, 13.6.7 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

"(b) A carriage house must not be closer than 3.0m to an existing principal building."

49. AND THAT **Section 13 – Urban Residential Zones, 13.7 RM1 – Four Dwelling Housing Zones, 13.7.4 Buildings and Structures Permitted** sub-paragraph (a) be deleted in its entirety that reads:

    "(a) **carriage house"**

    and replace with a new **, 13.6.6 Development Regulations** sub-paragraph (h) be deleted in its entirety that reads:

    "(a) one **carriage house"**

50. AND THAT **Section 13 – Urban Residential Zones, 13.7 RM1 – Four Dwelling Housing Zones, 13.7.6 Development Regulations** sub-paragraph (c) be deleted in its entirety that reads:

    "(c) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys,** except it is 4.5 m for accessory **buildings** and **structures**."

    and replace with a new **, 13.7.6 Development Regulations** sub-paragraph (c) be deleted in its entirety that reads:

    "(c) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**."

51. AND THAT **Section 13 – Urban Residential Zones, 13.7 RM1 – Four Dwelling Housing Zones, 13.7.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:

    "(f) The minimum **site 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**, except it is 1.5 m for accessory **buildings**."

    and replace with a new **, 13.7.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:

    "(f) 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**."

52. AND THAT **Section 17 – Health District Zones, 17.2 HD2 – Hospital and Health Support Serivces, 17.2.5 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

    "17.2.5.2 (b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys,** except it is 4.5m for **accessory buildings** (which may contain a **carriage house**.)"

    and replace with a new **, 13.7.6 Development Regulations** sub-paragraph (f) be deleted in its entirety that reads:

    "17.2.5.2 (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**."

53. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 24th day of April, 2017.

Amended at first reading by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

_____

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

_____

Mayor

_____

City Clerk

6.5 Accessory Development

6.5.1 General Regulations

(a) No person shall erect or permit to be erected a satellite dish, radio or television mast in a residential **zone** that is:

i. Located in a required **front** or **side yard** or projects over any **lot line**; and

ii. Higher than the **height** permitted for any **accessory structure** in that **zone** unless the property owner or tenant holds a current Amateur Radio License issued by Industry Canada.

6.5.2 Accessory Buildings in Non-Residential Zones

(a) An **accessory building or structure** in any non-residential **zone** is subject to the **development** regulations for that **zone**.

(b) Not withstanding Section 6.5.2(a), an **accessory building or structure** on a **lot** in a non-residential **zone** which abuts a **lot** in a residential **zone** shall not be less than 1.5 m from the boundary of the **lot** in a residential **zone**.

(c) Not withstanding Section 6.5.2(a), one half bathroom with a toilet and sink is permitted to a maximum area of 3 m^2. Bedrooms and / or full bathrooms are not permitted within an **accessory building or structure**, except one full bathroom is permitted in an **accessory building or structure** used exclusively as a pool house.

6.5.3 Accessory Buildings in Residential Zones

(a) In urban residential **zones**, the maximum **site coverage** for accessory buildings is the lesser of 14% or a footprint 90 m^2.

(b) In rural residential **zones**, the maximum **site coverage** for accessory buildings is 14%, except that it is 10% in the RR1 **zone**.

(c) The maximum **height** is 4.8 m, except it is 6.0 m in the RR1 **zone**.

(d) The minimum **front yard** is 9.0 m, except in the RR1, RR2 and RR3 zones the minimum **front yard** is 12.0 m. For **double fronting lots**, the minimum **front yard** shall be in accordance with the regulations for a principal **building** in that **zone**.

(e) The minimum **side yard** is 1.5 m, except:

i. for an **accessory building or structure** on an **interior lot line** and with a **gross floor area** of less than 10 m^2 and a **height** of less than 2.0 m there is no minimum **side yard**; and

ii. for mechanical equipment on an **interior lot line** the minimum **side yard** is 1.2 m, except it is 0.2 m in the RU2 and RU3 **zones**.

(f) The minimum **rear yard** is 1.5 m, except where there is a rear **lane** the minimum **rear yard** is 0.9 m, and in the RR1 and RR2 **zones** the minimum **rear yard** is 3.0 m.

(g) The minimum distance to the principal **dwelling** is 3.0 m, except if the **gross floor area** of the **accessory building** is less than 20 m^2, the minimum distance is 1.0 m.

(h) One half bathroom with a toilet and sink is permitted to a maximum area of 3 m^2. Bedrooms and / or full bathrooms are not permitted, except one full bathroom is permitted in an **accessory building or structure** used exclusively as a pool house.

9 Specific Use Regulations

9.5 Secondary Suite and Carriage House

9.5b Carriage House Regulations

9.5b.1 Development Regulations in Residential, Health District and Comprehensive Development Zones

(a) In urban residential, health district and comprehensive development **zones**, where all **accessory buildings** or **carriage houses** are one **storey** in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 20% or 130 m^2 and the maximum footprint is 100 m^2 for a **carriage house** and the maximum footprint is 50 m^2 for all **accessory buildings or structures**.

(b) In urban residential, health district and comprehensive development **zones**, where any carriage houses or accessory structures are greater than one storey in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 14% or 90 m^2.

(c) In rural residential **zones**, where all **accessory buildings** or **carriage houses** are one **storey** in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is the lesser of 20% and the maximum footprint is 100 m^2 for a **carriage house** and the maximum footprint is 50 m^2 for all **accessory buildings or structures**.

(d) In rural residential **zones**, where any carriage houses or accessory structures are greater than one storey in height, the maximum combined **site coverage** of a **carriage house** and all **accessory buildings or structures** is 14%.

(e) The maximum **net floor area** is the lesser of 100 m2 for a single storey carriage house, or 90 m^2 for a carriage house greater than 1 storey, to a maximum of 75% of the **net floor area** of the principal **dwelling**.

(f) The maximum upper storey floor area is 75% of the carriage house footprint area..

(g) The maximum **height** is the lesser of 4.8 m or the **height** of the principal **dwelling**, as measured to the midpoint, except it is the lesser of 6.0 m or the **height** of the principal **dwelling**, as measured to the midpoint in the RR1 **zone**.

(h) The minimum **front yard** is 9.0 m, except in the RR1c, RR2c and RR3c zones the minimum **front yard** is 12.0 m. For **double fronting lots**, the minimum **front yard** shall be in accordance with the regulations for a principal **building** in that **zone**.

(i) The minimum **side yard** is 1.5 m.

(j) The minimum **rear yard** is 1.5 m, except where there is a rear **lane** the minimum **rear yard** is 0.9 m, and in the RR1c and RR2c **zones** the minimum **rear yard** is 3.0 m.

(k) The minimum distance to a principal **dwelling** is 3.0 m.

9.5b.2 Development Regulations in Agricultural Zones

(a) The maximum **site coverage** is 90 m^2, except it is 100 m^2 if a **carriage house** is limited to one **storey**.

(b) The maximum **net floor area** is the lesser of 90 m^2 or 75% of the **net floor area** of the principal **dwelling**.

(c) The maximum **height** is 6.0 m.

(d) The minimum **front yard** is 12.0 m except for **double fronting lots**. For **double fronting lots**, a **carriage house** shall be sited in accordance with the regulations for a **single detached house** in that zone.

(e) The minimum **side yard** is 3.0 m, except it is 4.0 m from a **flanking street**.

(f) The minimum **rear yard** is 3.0 m.

(g) The minimum distance to a principal **dwelling** is 4.5 m and the maximum distance is 10.0 m.

9.5b.3 Other Regulations

(a) A **carriage house** shall be connected to a community sanitary sewer unless the **lot** is at least 1.0 ha and meets the requirements of the **City** and the Medical Health Officer for septic disposal capacity.

(b) A **carriage house** shall not be stratified.

(c) In **residential zones**, a **carriage house** shall not be permitted on the same **lot** as a **boarding and lodging house**, a **bed and breakfast home** or a **group home**.

(d) A minimum of 30 m^2 of **private open space** shall be provided per **dwelling** unit. The **private open space** shall have a direct connection to a **carriage house** entrance and be defined from other **private open space** with the use of **landscaping**.

(e) A lit pathway shall be provided between the **front lot line** and a **carriage house** entrance, except it is not required in agricultural **zones** or **rural residential zones**

(f) A pathway shall be provided between the on-site **carriage house parking space** and a **carriage house** entrance.

(g) A **mobile home** may be considered a **carriage house** only in agricultural **zones** where a **carriage house** is permitted.

(h) In addition to the regulations listed in this Section, other regulations may apply. These include the general **development** regulations of Section 6, the **landscaping**

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