

# CITY OF KELOWNA

## BYLAW NO. 11369

### TA15-0008 – Miscellaneous Housekeeping Zoning Bylaw No. 8000 Text Amendments

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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 m<sup>2</sup> 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<sup>2</sup> only if the carriage house is limited to one (1) storey in height and is less than 75% 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<sup>2</sup> 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<sup>2</sup> only if the carriage house is limited to one (1) storey in height and is less than 75% 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 parent **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 parent **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<sup>2</sup> 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<sup>2</sup> only if the carriage house is limited to one (1) storey in height and is less than 75% 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 parent **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 parent **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<sup>2</sup> 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<sup>2</sup> only if the carriage house is limited to one (1) storey in height and is less than 75% 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 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 , **12.3.6 Development Regulations** sub-paragraph (e) be deleted in its entirety that reads:

"(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."

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 parent **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 parent **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<sup>2</sup>.
- The maximum net floor area of a carriage house shall not exceed 90 m<sup>2</sup>.
- 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 coverage 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<sup>2</sup> subject to:
    - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m<sup>2</sup>.
    - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50 m<sup>2</sup>.”

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 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 , **13.1.6 Development Regulations** sub-paragraph (b) be deleted in its entirety that reads:

“(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.”

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 parent **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 parent **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<sup>2</sup>.
- The maximum net floor area of a carriage house shall not exceed 90 m<sup>2</sup>.
- 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 coverage 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<sup>2</sup> subject to:
    - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m<sup>2</sup>.
    - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50 m<sup>2</sup>.”

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 parent **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 parent **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<sup>2</sup>.
- The maximum net floor area of a carriage house shall not exceed 90 m<sup>2</sup>.
- 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 coverage 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<sup>2</sup> subject to:
    - The maximum area (e.g. footprint size) of a carriage house shall not exceed 100 m<sup>2</sup>.
    - The maximum area (e.g. footprint size) of all accessory buildings / structures (including garages) shall not exceed 50 m<sup>2</sup>.”

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 Services, 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 24<sup>th</sup> day of April, 2017.

Amended at first reading by the Municipal Council this 14<sup>th</sup> day of August, 2017.

Considered at a Public Hearing on the 16<sup>th</sup> day of May, 2017.

Read a second and third time by the Municipal Council this 12<sup>th</sup> day of September, 2017.

Approved under the Transportation Act this 20<sup>th</sup> November, 2017.

Blaine Garrison  
(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) Notwithstanding 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) Notwithstanding Section 6.5.2(a), one half bathroom with a toilet and sink is permitted to a maximum area of 3 m<sup>2</sup>. 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<sup>2</sup>.
- (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<sup>2</sup> 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<sup>2</sup>, 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<sup>2</sup>. 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<sup>2</sup> and the maximum footprint is 100 m<sup>2</sup> for a **carriage house** and the maximum footprint is 50 m<sup>2</sup> 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<sup>2</sup>.
- (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<sup>2</sup> for a **carriage house** and the maximum footprint is 50 m<sup>2</sup> 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 m<sup>2</sup> for a single storey carriage house, or 90 m<sup>2</sup> 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<sup>2</sup>, except it is 100 m<sup>2</sup> if a **carriage house** is limited to one **storey**.
- (b) The maximum **net floor area** is the lesser of 90 m<sup>2</sup> 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<sup>2</sup> 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.