

## 10.1 RU1 Residential Urban Infill Zone

## RU1

### 10.1.1 Purpose

To provide a zone to accommodate the Development of *Single Detached Housing, Multi-Unit Housing, and Duplex Housing* on compact, narrow urban Lots having *Full Urban Services*, preferably with access to a rear lane. Lands must be designated as Low Density Residential under the District's Official Community Plan.

### 10.1.2 Principal Uses

The following *Uses* and no other *Uses* shall be the permitted *Principal Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Manufactured Housing - Type 1;*
- (b) *Single Detached Housing;*
- (c) *Multi-Unit Housing; and*
- (d) *Duplex Housing*

### 10.1.3 Accessory Uses

The following *Uses* and no other *Uses* shall be the permitted *Accessory Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Accessory Buildings and Structures;*
- (b) *Carriage House*, subject to [Section 7.4](#);
- (c) *Child Care Centre, Minor*, subject to [Section 7.7](#);
- (d) *Group Home, Minor*, subject to [Section 7.8](#);
- (e) *Home Occupation - Type 1 or 2*, subject to [Section 7.6](#);
- (f) *Secondary Suite*, subject to [Section 7.3](#);
- (g) *Short-Term Rental*, subject to [Section 7.2](#).

### 10.1.4 Subdivision Regulations

- (a) Minimum *Lot Area* 260 m<sup>2</sup>
- (b) Minimum *Lot Width*
  - (i) With lane access 7.5 m
  - (ii) Without lane access 11.0 m
- (c) Minimum *Lot Depth*
  - (i) With lane access 30.0 m

(ii) Without lane access 20.0 m

(d) Notwithstanding Section 10.1.4(c), the *Lot Depth* may be reduced to 20.0 m for the purposes of subdividing *Corner Lots*.

#### 10.1.5 Development Regulations

- |   |                    |
|---|--------------------|
| (a) Maximum <i>Lot Coverage</i>                       | 50 percent         |
| (b) Maximum Residential Density                       | 4 <i>Dwellings</i> |
| (c) Maximum <i>Single Detached Housing Floor Area</i> | 200 m <sup>2</sup> |

#### 10.1.6 Siting Regulations

##### (a) Principal *Buildings and Structures*:

- |  |   |
|--|---|
| (i) Minimum <i>Front Setback</i>             | 3.0 m                                   |
| (ii) Minimum <i>Rear Setback</i>             | 3.0 m                                   |
| (iii) Minimum <i>Side Setback (Interior)</i> | 1.2 m (see vi)                          |
| (iv) Minimum <i>Side Setback (Exterior)</i>  | 3.0 m                                   |
| (v) Maximum <i>Height</i>                    | The lesser of 11.0m or 3 <i>Storeys</i> |

(vi) Notwithstanding Section 10.1.6(a) (iii), a *Lot* having no direct vehicular access to the *Rear Yard* without an attached garage or *Carport* shall maintain one *Side Yard Setback* of at least 3.0m. In the case of a side-by-side duplex or multi-unit housing subdivided for the purpose of creating individual ownership, the *Interior Side Setback* between the *Dwelling* units shall not be required provided the *Property Line* follows the centre line of the common party wall.

(vii) Notwithstanding Section 10.1.6 (a) (i), (iv) and (ii), where a garage door is facing a *Street* the minimum *Setback* shall be 6.0 m. In the case of garage door facing a rear lane, the *Setback* required shall be 1.5 m or greater than 6.0 m.

##### (b) *Accessory Buildings and Structures*

- |                                  |      |
|----------------------------------|------|
| (i) Minimum <i>Front Setback</i> | 3.0m |
|----------------------------------|------|

- (ii) Minimum *Rear Setback* 1.5m (see vii)
- (iii) Minimum *Side Setback (Interior)* 1.5m (see vi)
- (iv) Minimum *Side Setback (Exterior)* 3.0m (see vii)
- (v) Maximum *Height* The lesser of 7.5m or 2 *Storeys*
- (vi) Notwithstanding Section 10.1.6(b) (iii), a *Lot* having no direct vehicular access to the *Rear Yard* without an attached garage or *Carport* shall maintain one *Side Yard Setback* of at least 3.0m.
- (vii) Notwithstanding Section 10.1.6 (b) (ii) and (iv), where a garage door is facing a *Street* the minimum *Setback* shall be 6.0 m. In the case of garage door facing a rear lane, the *Setback* required shall be 1.5 m or greater than 6.0 m.

#### 10.1.7 Other Regulations

- (a) In addition to the regulations listed above, other regulations may apply. These include [Section 4: General Regulations](#), [Section 5: Landscaping and Screening Regulations](#), [Section 6: Parking and Loading Regulations](#), and [Section 7: Specific Use Regulations](#).

#### 10.1.8 Site Specific Provisions

- (a) In the case of land located at 12210 Lakeshore Drive, legally described as Lot 27 Block 55, District Lot 455 Osoyoos Division Yale District Plan 157 and Lot 28 Block 55, District Lot 455 Osoyoos Division Yale District Plan 157, the following provisions shall apply:
  - a. Notwithstanding Section 10.1.4(b), the Minimum Lot Area – Duplex Housing shall be 524 m<sup>2</sup>.
  - b. Notwithstanding Section 10.1.4(d) the Minimum Lot Width – Duplex Housing shall be 15.2 m.
  - c. Where a Lot is created for individual ownership of side-by-side *Duplex Dwelling* units, the new Lots so created shall contain not less than one half (1/2) the minimum *Lot Width* or *Lot Area* required for *Duplex Housing*.
  - d. Notwithstanding Section 10.1.5(b), the *Maximum Floor Area Ratio* shall be 0.93.
  - e. Notwithstanding Section 10.1.6(a)(v), the *Maximum Height*

shall be 11.05 m and 3 storeys.

- f. *Duplex Housing Suite* shall be permitted as an *Accessory Use*, subject the same regulations as if it were a *Secondary Suite* under Section 7.3.1.

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## 10.2 RU2 Residential Urban Zone

## RU2

### 10.2.1 Purpose

To provide a zone to accommodate the Development of *Single Detached Housing, Multi-Unit Housing, and Duplex Housing* on urban Lots having *Full Urban Services*. Lands must be designated as Low Density Residential under the District's Official Community Plan.

### 10.2.2 Principal Uses

The following *Uses* and no other *Uses* shall be the permitted *Principal Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Manufactured Housing - Type 1;*
- (b) *Single Detached Housing;*
- (c) *Multi-Unit Housing; and*
- (d) *Duplex Housing*

### 10.2.3 Accessory Uses

The following *Uses* and no other *Uses* shall be the permitted *Accessory Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Accessory Buildings and Structures;*
- (b) *Carriage House, subject to [Section 7.4](#);*
- (c) *Child Care Centre, Minor, subject to [Section 7.7](#);*
- (d) *Group Home, Minor, subject to [Section 7.8](#);*
- (e) *Home Occupation - Type 1 or 2, subject to [Section 7.6](#);*
- (f) *Secondary Suite, subject to [Section 7.3](#);*
- (g) *Short-Term Rental, subject to [Section 7.2](#).*

### 10.2.4 Subdivision Regulations

- (a) Minimum *Lot Area* 460 m<sup>2</sup>
- (b) Minimum *Lot Width* 12.0 m
- (c) Minimum *Lot Depth* 30.0 m
- (d) Notwithstanding Section 10.2.4(c), the *Lot Depth* may be reduced to 20.0 m for the purposes of subdividing *Corner Lots*.
- (e) Pursuant to Section 10.2.4 (a) and (b), where a *Lot* is to be subdivided for

the purpose of creating individual ownership of side-by-side *Duplex Dwelling or Multi-Unit Housing* units, the new *Lots* so created shall contain not less than one half (1/2) the minimum required *Lot Area* and minimum required *Lot Width*.

#### 10.2.5 Development Regulations

- |     |                             |                    |
|-----|-----------------------------|--------------------|
| (a) | Maximum <i>Lot Coverage</i> | 40 percent         |
| (b) | Maximum Residential Density | 4 <i>Dwellings</i> |

#### 10.2.6 Siting Regulations

##### (a) Principal *Buildings and Structures*:

- |       |  |   |
|-------|--|---|
| (i)   | Minimum <i>Front Setback</i>   | 3.0 m                                   |
| (ii)  | Minimum <i>Rear Setback</i>  | 3.0 m (see vii)                         |
| (iii) | Minimum <i>Side Setback (Interior)</i>   | 1.5 m (see vi)                          |
| (iv)  | Minimum <i>Side Setback (Exterior)</i>   | 3.0 m (see vii)                         |
| (v)   | Maximum <i>Height</i>  | The lesser of 11.0m or 3 <i>Storeys</i> |
| (vi)  | Notwithstanding Section 10.2.6(a) (iii), a <i>Lot</i> having no direct vehicular access to the <i>Rear Yard</i> without an attached garage or <i>Carpport</i> shall maintain one <i>Side Yard Setback</i> of at least 3.0m. In the case of a side-by-side duplex or multi-unit housing subdivided for the purpose of creating individual ownership, the <i>Interior Side Setback</i> between the <i>Dwelling</i> units shall not be required provided the <i>Property Line</i> follows the centre line of the common party wall. |   |
| (vii) | Notwithstanding Section 10.2.6 (a) (iv) and (ii), where a garage door is facing a <i>Street</i> the minimum <i>Setback</i> shall be 6.0 m. In the case of garage door facing a rear lane, the <i>Setback</i> required shall be 1.5 m or greater than 6.0 m.  |   |

##### (b) *Accessory Buildings and Structures*

- |       |  |               |
|-------|--|---------------|
| (i)   | Minimum <i>Front Setback</i>           | 3.0m          |
| (ii)  | Minimum <i>Rear Setback</i>            | 1.5m          |
| (iii) | Minimum <i>Side Setback (Interior)</i> | 1.5m (see vi) |
| (iv)  | Minimum <i>Side Setback (Exterior)</i> | 3.0m          |

- (v) *Maximum Height* The lesser of 7.5m or 2 *Storeys (see vii)*
- (vi) Notwithstanding Section 10.2.6(b) (iii), a *Lot* having no direct vehicular access to the *Rear Yard* without an attached garage or *Carport* shall maintain one *Side Yard Setback* of at least 3.0m.
- (vii) Notwithstanding Section 10.2.6 (b) (ii) and (iv), where a garage door is facing a *Street* the minimum *Setback* shall be 6.0 m. In the case of garage door facing a rear lane, the *Setback* required shall be 1.5 m or greater than 6.0 m.

#### 10.2.7 Other Regulations

- (a) In addition to the regulations listed above, other regulations may apply. These include [Section 4: General Regulations](#), [Section 5: Landscaping and Screening Regulations](#), [Section 6: Parking and Loading Regulations](#), and [Section 7: Specific Use Regulations](#).

#### 10.2.8 Site Specific Provisions

- (a) In the case of land located at 8108 Purves Road, legally described as Lot 4 District Lot 473 and 1348 Osoyoos District KAP24877, the following provisions shall apply:
  - g. Notwithstanding Section 10.2.4 (b) the Minimum Lot Area – Duplex Housing will be 640 m<sup>2</sup>.
  - h. Notwithstanding Section 10.2.4(d) the Minimum Lot Width – Duplex Housing will be 11.8 m.
- (b) In the case of land located at 11612 Victoria Road South, legally described as Lot 1, District Lot 474, Osoyoos Division Yale District Plan 2679, the following provisions shall apply:
  - a. Notwithstanding Section 10.2.4(b), the Minimum Lot Area – Duplex Housing shall be 383.0 m<sup>2</sup>.
  - b. Notwithstanding Section 10.2.4(d) the Minimum Lot Width – Duplex Housing shall be 10.6 m.
  - c. Notwithstanding Section 10.2.6(a)(ii) the Minimum Rear Setback shall be 6.0 m.

## 10.3 RU3 Residential Sub-Urban Zone

## RU3

### 10.3.1 Purpose

To provide a zone to accommodate the Development of *Single Detached Housing*, and *Duplex Housing* on urban *Lots* having *Full Urban Services* and located within, or for existing established neighbourhoods located outside of, the *Urban Containment Boundary*. Lands must be designated as Low Density Residential under the District's Official Community Plan.

### 10.3.2 Principal Uses

The following *Uses* and no other *Uses* shall be the permitted *Principal Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Manufactured Housing - Type 1*;
- (b) *Single Detached Housing*; and
- (c) *Duplex Housing*

### 10.3.3 Accessory Uses

The following *Uses* and no other *Uses* shall be the permitted *Accessory Uses* in this zone subject to all applicable regulations of this Bylaw:

- (a) *Accessory Buildings and Structures*;
- (b) *Carriage House*, subject to [Section 7.4](#);
- (c) *Child Care Centre, Minor*, subject to [Section 7.7](#);
- (d) *Group Home, Minor*, subject to [Section 7.8](#);
- (e) *Home Occupation - Type 1 or 2*, subject to [Section 7.6](#);
- (f) *Secondary Suite*, subject to [Section 7.3](#);
- (g) *Short-Term Rental*, subject to [Section 7.2](#).

### 10.3.4 Subdivision Regulations

- (a) Minimum *Lot Area* 800 m<sup>2</sup>
- (b) Minimum *Lot Width* 18.0 m
- (c) Minimum *Lot Depth* 30.0 m
- (d) Pursuant to Section 10.3.4 (a) and (b), where a *Lot* is to be subdivided for the purpose of creating individual ownership of side-by-side *Duplex Dwelling units*, the new *Lots* so created shall contain not less than one half



(1/2) the minimum required *Lot Area* and minimum required *Lot Width* for *Duplex Housing*.

### 10.3.5 Development Regulations

- |     |                                 |  |
|-----|---------------------------------|--|
| (a) | Maximum <i>Lot Coverage</i>     | 40 percent   |
| (b) | Maximum <i>Floor Area Ratio</i> | 0.8  |
| (c) | Maximum Residential Density     | 4 <i>Dwelling</i> units within <i>Urban Containment Boundary</i><br>3 <i>Dwelling</i> units outside of <i>Urban Containment Boundary</i> |

### 10.3.6 Siting Regulations

(a) Principal *Buildings* and *Structures*:

- |       |  |  |
|-------|--|--|
| (i)   | Minimum <i>Front Setback</i>   | 6.0 m                                  |
| (ii)  | Minimum <i>Rear Setback</i>  | 6.0 m (see vii)                        |
| (iii) | Minimum <i>Side Setback (Interior)</i>   | 1.5 m (see vi)                         |
| (iv)  | Minimum <i>Side Setback (Exterior)</i>   | 4.5 m (see vii)                        |
| (v)   | Maximum <i>Height</i>  | The lesser of 9.5m or 2 <i>Storeys</i> |
| (vi)  | Notwithstanding Section 10.2.6(a) (iii), a <i>Lot</i> having no direct vehicular access to the <i>Rear Yard</i> without an attached garage or <i>Carpport</i> shall maintain one <i>Side Yard Setback</i> of at least 3.0m. In the case of a side-by-side duplex units subdivided for the purpose of creating individual ownership, the <i>Interior Side Setback</i> between the <i>Dwelling</i> units shall not be required provided the <i>Property Line</i> follows the centre line of the common party wall. |  |
| (vii) | Notwithstanding Section 10.2.6 (a) (iv) and (ii), where a garage door is facing a <i>Street</i> the minimum <i>Setback</i> shall be 6.0 m. In the case of garage door facing a rear lane, the <i>Setback</i> required shall be 1.5 m or greater than 6.0 m.  |  |

(b) *Accessory Buildings* and *Structures*

- |     |                              |      |
|-----|------------------------------|------|
| (i) | Minimum <i>Front Setback</i> | 6.0m |
|-----|------------------------------|------|

- (ii) Minimum *Rear Setback* 1.5m (see vii)
- (iii) Minimum *Side Setback (Interior)* 1.5m (see vi)
- (iv) Minimum *Side Setback (Exterior)* 4.5m (see vii)
- (v) Maximum *Height* The lesser of 4.5m or 1 Storey
- (vi) Notwithstanding Section 10.3.6(b) (iii), a *Lot* having no direct vehicular access to the *Rear Yard* without an attached garage or *Carport* shall maintain one *Side Yard Setback* of at least 3.0m.
- (vii) Notwithstanding Section 10.3.6 (b) (ii) and (iv), where a garage door is facing a *Street* the minimum *Setback* shall be 6.0 m. In the case of garage door facing a rear lane, the *Setback* required shall be 1.5 m or greater than 6.0 m.
- (viii) Notwithstanding Section 10.3.6 (b) (ii), the minimum *Rear Setback* shall be 6.0 m when the *Front Property Line Abuts* the high water mark of a lake

#### 10.3.7 Other Regulations

- (a) Only two (2) principal *Dwellings* will be permitted per *Lot* provided that both *Dwellings* are located in one (1) residential *Building*.
- (b) *Accessory Buildings* or *Structures* will be limited to a maximum of 90m<sup>2</sup> or 25% of the allowable *Lot* coverage, whichever is greater.
- (c) In addition to the regulations listed above, other regulations may apply. These include [Section 4: General Regulations](#), [Section 5: Landscaping and Screening Regulations](#), [Section 6: Parking and Loading Regulations](#), and [Section 7: Specific Use Regulations](#).

#### 10.3.8 Site Specific Provisions:

- (a) In the case of land at 919 Wharf Street, legally described as Lot 4, District Lot 488, Osoyoos Division Yale District, Plan 2647 the following provisions shall apply<sup>1</sup>:

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<sup>1</sup> Amendment Bylaw No. 2019-014 (April 23, 2019)

- a. Notwithstanding Section 10.1.7 (a), two (2) principal *Single Detached Housing Dwellings* will be permitted on lots greater than 4000 m<sup>2</sup>.
  - b. Where the lot has two (2) principal *Single Detached Housing Dwellings*, *Carriage Houses* will not be permitted.
- (b) In the case of a portion the land at 5010 Croil Avenue, legally described as Lot B, District Lot 488, Osoyoos Division Yale District, Plan 14446; shown on figure 10.1.9.1 labeled “Proposed Lot 2”, the following provisions shall apply<sup>2</sup>:
- a. Notwithstanding Section 10.1.6(a) “Siting Regulations: Principal Buildings and Structures” the structure labeled “deck” shown on figure 10.1.8.1 may be sited 4.63 metres from the rear property line.
- (c) In the case of a portion the land at 5010 Croil Avenue, legally described as Lot B, District Lot 488, Osoyoos Division Yale District, Plan 14446; shown on figure 10.1.9.2 labeled “Proposed Lot 3”, the following provisions shall apply:
- a. Notwithstanding Section 10.1.6(a)(iv) and 10.1.6 (b)(iv) the Minimum Side Setback (Exterior) is 1.5 metres.

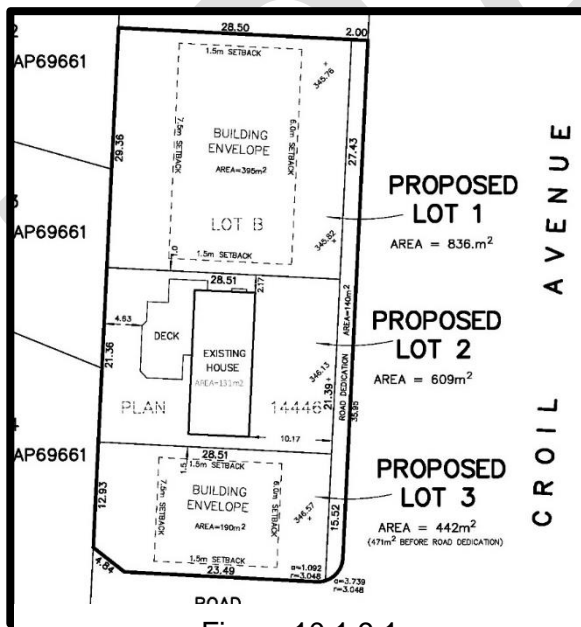


Figure 10.1.9.1

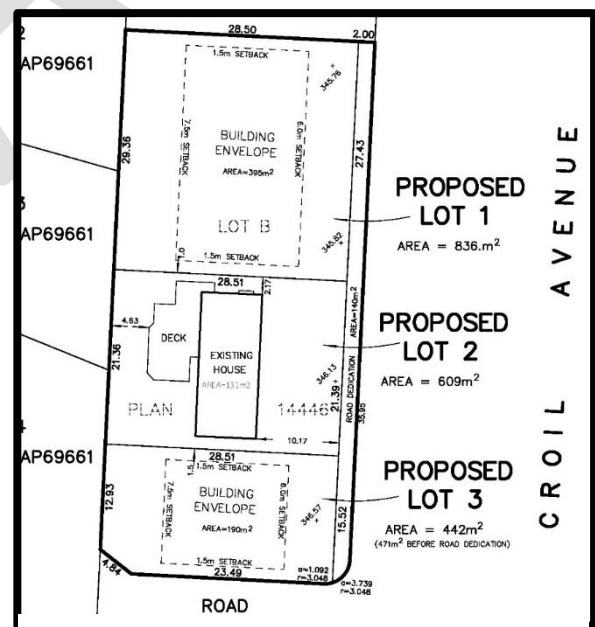


Figure 10.1.9.2

<sup>2</sup> Amendment Bylaw No. 2019-026 (September 27, 2021)

- (d) In the case of land located at 19223 Lakeshore Drive North, legally described as Lot B District Lot 673 and 1348 Osoyoos District Plan KAP75272, the following provisions shall apply:
- a. Notwithstanding Section 10.1.7(a) up to three (3) principal *Single Detached Housing Dwellings* will be permitted.
  - b. Notwithstanding Section 10.1.5(a) the *Maximum Lot Coverage* will be 30 percent.
  - c. Notwithstanding Section 10.1.5(b) the *Maximum Floor Area Ratio* will be 0.35.
  - d. Notwithstanding Section 10.1.6(a)(iii) the *Minimum Side Setback (Interior)* will be 1.15 m.
  - e. Where the lot has three (3) principal *Single Detached Housing Dwellings, Carriage Houses* and/or *Secondary Suites* will not be permitted.
- (e) In the case of land located at 19265 Lakeshore Drive, legally described as Lot 11 District Lot 673 Osoyoos Division Yale District Plan KAP33284, and 19267 Lakeshore Drive, legally described as Lot 10 District Lot 673 Osoyoos Division Yale District Plan KAP33284 the following provisions shall apply:
- a. Notwithstanding Section 10.1.4(a) the *Minimum Lot Area* will be 364.5 m<sup>2</sup>.
  - b. Notwithstanding Section 10.1.4(b) the *Minimum Lot Width* will be 11.18 m.
  - c. Notwithstanding Section 10.1.6(a)(ii) and 10.1.6(viii) the *Minimum Rear Setback* will be 4.16 m.