

10.3 RU3 Residential Sub-Urban Zone

RU3²²³

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 m²
- (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

²²³ Amendment Bylaw No. 2024-011 (June 11, 2024)

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

10.3.5 Development Regulations

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

10.3.6 Siting Regulations

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

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| (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>Carport</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*

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| (i) | Minimum <i>Front Setback</i> | 6.0m |
| (ii) | Minimum <i>Rear Setback</i> | 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) No greater than two (2) principal *Dwellings* may be permitted per *Lot* provided that both principal *Dwellings* must be located in one (1) residential *Building*.
- (b) *Accessory Buildings* or *Structures* will be limited to a maximum of 90m² 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 apply²²⁴:
 - a. Notwithstanding Section 10.1.7 (a), two (2) principal *Single Detached Housing Dwellings* will be permitted on lots greater than 4000 m².
 - b. Where the lot has two (2) principal *Single Detached Housing Dwellings*, *Carriage Houses* will not be permitted.

²²⁴ Amendment Bylaw No. 2019-014 (April 23, 2019)

(b) 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 apply²²⁵:

- 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.

1. 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 apply²²⁶:

- a. Notwithstanding Section 10.1.4(a) the Minimum Lot Area will be 364.5 m².
- 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.

²²⁵ Amendment Bylaw No. 2020-029 (Adopted January 11, 2021)

²²⁶ Amendment Bylaw No. 2022-006 (February 14, 2022).