DIVISION SEVEN - RESIDENTIAL ZONES

701 Residential Single Family Zone (R.1)

1. Permitted Uses of Land, Buildings, and Structures

Subject to the provisions of Divisions Three and Four of this bylaw, the following uses and no others shall be permitted in the *Residential Single Family Zone (R.1):*

a. Accessory residential buildings including domestic garages, free standing carports, covered swimming pools, residential storage buildings, greenhouses, gazebos, etc.
b. Boarding house use subject to the provisions of Section 701.10.a. of this bylaw
c. Community care facilities (if they are permitted to be carried out pursuant to the provisions of the *Community Care and Assisted Living Act* notwithstanding zoning bylaw requirements to the contrary) subject to the provisions of Section 402 of this bylaw
d. Home occupation use subject to the provisions of Section 403 of this bylaw
e. Public parks and playgrounds
f. Restricted agricultural use subject to the provisions of Sections 401.2. and 701.10.b. of this bylaw
g. Single family dwellings

2. Buildings Per Lot

The number of buildings allowed per lot shall be not more than:

a. one (1) single family dwelling; and

b. one (1) domestic garage or free standing carport or covered swimming pool and one (1) other accessory residential building; or two (2) accessory residential buildings other than garages, carports or covered pools.

3. Floor Area

a. The floor area for a single family dwelling shall be not less than 85 square metres (914.9 square feet) on one (1) floor, except that the floor area on one (1) floor may be reduced to 60 square metres (645.8 square feet) where there are two (2) floor levels exclusive of the basement floor.

b. The gross floor area for accessory residential buildings shall be not greater than 80.3 square metres (864.37 square feet) having a horizontal dimension of not more than 11 metres (36.09 feet) for domestic garages and free standing carports; 80.3 square metres (864.37 square feet) having a horizontal dimension of not more than 12.2 metres (40.06 feet) for covered swimming pools; and be not larger than 15 square metres (161.5 square feet) for all other accessory residential buildings and structures.

701 4. Height of Buildings and Structures

a. The height of residential dwellings shall not exceed the lesser of 9 metres (29.53 feet) or two (2) storeys except where the average natural slope of the lot exceeds five percent (5%), in which case the height of residential dwellings on the downhill side of a road shall not exceed a height of 5 metres (16.40 feet) above the centre line of the road immediately adjacent to the center of the front of the residence and residential dwellings located on the uphill side of the road shall not exceed a height of 5 metres (16.40 feet) above the mid point of the rear property line on which the residence is located. In no case shall the height of residential dwellings exceed a height of 11 metres (36.09 feet) on lots that exceed five percent (5%) average natural slope; and

b. The height of garages and free standing carports shall not exceed 5 metres (16.40 feet) above the driveway at the entrance to the garage or carport. All other accessory buildings shall be constructed with a maximum height of 5 metres (16.40 feet).

5. Lot Area

Lots that are proposed to be subdivided within this zone shall have an area of not less than 560 square metres (6028 square feet) where the lot is serviced by community sewer and community water and not less than 1 hectare (2.471 acres) where the lot is serviced with an on-site septic tank effluent disposal system.

There shall be no minimum lot area required for lots created for public parks and playgrounds.

Where a lot is a panhandle lot, that access strip or panhandle shall not be calculated as part of the minimum lot area.

6. Lot Coverage

Lot coverage shall be not greater than thirty five percent (35%) of the lot area for all buildings and structures.

7. Lot Frontage

Where serviced with community water and community sewer systems, lots that are proposed to be subdivided within this zone shall have a lot frontage of not less than:

a. for interior lots, the greater of one-tenth of the perimeter of the proposed lot or 18 metres (59.06 feet); and

b. for corner lots, the greater of one-tenth of the perimeter of the proposed lot or 21 metres (68.90 feet); and

701 7. c. for lots located at the turnabout area of cul-de-sacs, not less than 9 metres (29.53 feet) provided that the average lot frontage throughout a depth of 30 metres (98.42 feet) measured along a perpendicular line commencing at the centre of the property on the frontage street complies with the required minimum lot frontages cited in 7.a. and 7.b. above; and

d. for lots located on the outside curve of a road having a radius of not more than 120 metres (393.70 feet), the lot frontages cited in 7.a. and 7.b. above may be reduced by not more than 3 metres (9.842 feet) provided that the average lot frontage throughout a depth of 30 metres (98.42 feet) measured along a perpendicular line on the centre of the property on the frontage street complies with the required minimum lot frontages cited in 7.a. and 7.b. above.

Where serviced with on-site septic tank effluent disposal systems, lots that are proposed to be subdivided within this zone shall have a lot frontage of not less than one-tenth of the perimeter of the lot.

There shall be no minimum lot frontage required for lots created for public parks and playgrounds.

8. Off-Street Parking

Two (2) off-street parking spaces shall be provided and maintained in accordance with the provisions of Schedule B of this bylaw.

9. Setbacks

a. Exterior Side Yard

Where applicable, exterior side yards free of all buildings and structures shall be provided with a depth of not less than 5 metres (16.40 feet) **except where a greater setback is required pursuant to the provisions of Section 406 of this bylaw**.

b. Front Yard

Except where a greater setback is required pursuant to the provisions of Section 406 of this bylaw, a front yard free of all buildings and structures shall be provided with a depth of not less than:

i. 7.5 metres (24.61 feet) except that;

ii. garages or carports may be setback not less than 4.5 metres (14.76 feet) from the front lot line on lots exceeding twenty percent (20%) average natural slope.

701 9. c. Rear Yard

A rear yard free of buildings and structures shall be provided with a depth of not less than:

i. 7.5 metres (24.61 feet) for single family dwellings; and

ii. 2 metres (6.562 feet) for accessory residential buildings and structures.

d. Side Yards

Side yards free of all buildings and structures shall be provided with a width of not less than 2 metres (6.562 feet).

e. ~~Water Bodies~~

~~Flood Construction Levels and Floodplain Setbacks of buildings and structures must conform with the provisions of Schedule H of this bylaw.~~

Water Bodies

Flood Construction Levels and Floodplain Setbacks of buildings and structures and Riparian Assessment Area setbacks for all development must conform with the provisions of Schedule H of this bylaw.
(B/L 2141/07)

10. Other Requirements

a. Boarding House Use

A boarding house use shall be contained wholly within the dwelling unit and shall comply with the following regulations:

i. A boarding house use shall not be permitted to be carried out within a dwelling unit larger than 425 square metres (4575 square feet) in living area; and

ii. Shall not be permitted on lots smaller than 1 ha (2.471 acres) where the lot is serviced with on-site septic tank effluent disposal systems; and

iii. Shall not contain more than five (5) sleeping units; and

iv. Meals shall not be prepared within the sleeping or rental units; and

v. There shall be no indication, from the outside, that the dwelling unit is being used for boarding house purposes; and

701 10. a. vi. Notwithstanding the provisions of this bylaw relating to off-street parking requirements, a boarding house use shall not be carried on within a dwelling unit unless off-street parking spaces are provided on the lot on which the dwelling unit is located, sufficient to meet the following requirements:

a. The number of off-street parking spaces that would be required for such dwelling unit under the off-street parking requirements of this bylaw applicable to a dwelling unit if no boarding house use was carried on within the dwelling unit; plus

b. one (1) additional off-street parking space for each bedroom within the dwelling unit used or reserved for the boarding house use; and

vii. Not more than one (1) motor vehicle shall be parked within any off-street parking space provided in conjunction with a boarding house use, and no motor vehicles shall be parked on the lot on which the boarding house use is carried on, unless such motor vehicle is parked within an off-street parking space provided in conjunction with such use.

viii. The owner of the boarding house use must obtain the following:

a. an access permit from the *Ministry of Transportation*; and

b. an on-site septic tank effluent disposal permit from the *Interior Health Authority*, to provide for the discharge of effluent from any combined residential/boarding house use of the subject property where the site is not serviced by a community sewer system. If the subject property is serviced by a community sewer system then the owner must obtain the permission of the authority having jurisdiction to discharge effluent from the combined residential/boarding house use of the land to the sewer system; and

c. where applicable, the permission of any applicable domestic water purveyor to draw water from their respective community water system in order to supply additional water to the boarding house facility; and

d. obtain the permission of the *Building Inspector* and the *Fire Prevention Officer* for the *Regional District* for the proposed boarding house facility.

701 10. b. Restricted Agricultural Use

A Restricted Agricultural use shall not be permitted on lots smaller than 1 hectare (2.471 acres) and all buildings and structures used for restricted agricultural use shall be provided with setbacks in accordance with the provisions of Section 701.9.e. and Schedule G (agricultural use) of this bylaw.

c. Unenclosed parking and storage

No person at any time shall park or store any commercial vehicle, truck, bus, self-propelled camper, travel trailer, tow truck (or parts of any of the above) or any equipment or building material per dwelling unit in a residential zone, except:

i. one (1) truck or commercial vehicle not exceeding 6,350 kg G.V.W. (14,000 pounds G.V.W.) rated capacity; and/or

ii. one (1) self-propelled camper or travel trailer provided that the overall length does not exceed 10 metres (32.81 feet); and/or

iii. trucks or equipment required for construction, repair, servicing, or maintenance of the premises when parking during normal working hours; and/or

iv. one (1) boat or vessel not exceeding a length of 10 metres (32.81 feet); and/or

v. building materials when the owner, lessee, or occupier of the premises is in possession of a valid building permit, provided that the materials stored are in connection with the construction or development of the building situated on the same property as which the material is stored pursuant to the building permit.

d. ***Notwithstanding the permitted uses listed under Section 701(1) and subject to the commercial requirements of Schedule B - Off-Street Parking and Schedule F - Screening and Landscaping of this bylaw, Dog Accommodation and a Dog Day-Care Facility shall be permitted on that property legally described as Lot 5, Section 23, Township 8, ODYD, Plan 2728, Except Plans 16975, 21405, 28462 and H433 and located at 7432 Pleasant Valley Road, Electoral Area 'B'.***

Dog Accommodation and Dog Day-care means a use providing for the daytime and overnight boarding of dogs. During the daytime dogs may roam outdoors within the property, without being confined to kennels. Dogs will be enclosed within a confined area of the property during the night time. The boarding of dogs is permitted in concentrations of 89 dogs or less per hectare (36 dogs per acre). (B/L 2546/12)