

CITY OF KELOWNA

BYLAW NO. 8711

Text Amendment No. TA01-010 – Addition of the RU1h zone

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 City of Kelowna Zoning Bylaw No. 8000 be amended as follows:

(a) Amending the **Table of Contents** by:

- (i) Deleting the line 13.1 of **Section 13: Urban Residential Zones** and replacing it with the following:

"RU1 – Large Lot Housing	RU1-1
RU1s – Large Lot Housing with Secondary Suite	RU1s-1
RU1h – Large Lot Housing (Hillside Area)	RU1h-1"

(b) Amending **Section 1 – General Administration** by:

- (i) Deleting the line RU1 under the heading **Urban Residential Zones** in paragraph 1.3.1 of **Subsection 1.3 Zoning Map** and replacing it with the following:

"RU1/RU1s/RU1h – Large Lot Housing/Large Lot Housing with Secondary Suite/Large Lot Housing (Hillside Area)"

- (ii) Replacing paragraph 1.3.4 of **Subsection 1.3 Zoning Map** with the following:

"1.3.4 Schedule "A" may contain zone sub-classes as denoted by the following:

- (a) An "s" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a secondary use in the form of a **secondary suite** is permitted on the properties so designated, subject to meeting the conditions of use of the **zone**. An "s" zoning classification on a property shall be established by rezoning the subject property to the "s" version of the parent **zone**.
- (b) An "h" notation shown on Schedule "A" as part of the identified **zone** classification indicates that alternative development regulations will be applied in **Hillside Areas**. An "h" zoning classification on a property shall be established by rezoning the subject property to the "h" version of the parent **zone**."

(c) Amending **Section 2 – Interpretation** by:

- (i) Adding the following definition in the appropriate location:

"**HILLSIDE AREA** means land in its natural state having a slope angle of 10% and greater for a height of 6 metres or more."

- (d) Amending **Section 13 – Urban Residential Zones** by:
- (i) Amending **Subsection 13.1 RU1 – Large Lot Housing/RU1s Large Lot Housing with Secondary Suite** as follows:
- (A) By replacing the title with the following:
- "13.1 RU1 – Large Lot Housing
RU1s – Large Lot Housing with Secondary Suite
RU1h – Large Lot Housing (Hillside Area)"**
- (B) By replacing paragraphs (c) and (d) of **Subsection 13.1.5 Development Regulations** with the following:
- “(c) In RU1 and RU1s zones, the minimum **front yard** is 4.5m. except it is 6.0m from a garage or **carport** having vehicular entry from the front. In RU1h zones the minimum **front yard** is 3.0m except it is 6.0m measured from the back of curb or a sidewalk whichever is closest, to a garage or **carport** having vehicular entry from the front.
- (d) The minimum **side yard** is 2.0m for a 1 or 1½ **storey** portion of a **building** and 2.3m for a 2 or 2½ **storey** portion of a **building**, except that it is 4.5m from a **flanking street** or when required by Section 13.1.5(e). In RU1h zones the minimum setback from a **flanking street** shall be 3.0m, except that it is 6.0m measured from the back of curb or a sidewalk, whichever is closed, to a garage or **carport** having vehicular entry from the **flanking street**.”
- (C) By adding paragraphs (f) and (g) to **Subsection 13.1.5 Development Regulations** as follows:
- “(f) For RU1h zones, the maximum **height** of any vertical wall element facing a front, flanking or rear yard (including walkout basements) is the lesser of 6.5m or 2 **storeys**, above which the **building** must be stepped back at least 1.2m.
- (g) For RU1h zones, all decks, supporting posts or columns shall not exceed the lesser of 4.5m or 1 **storey** in **height**, such measurements to include the height of any support structure or **retaining wall**.”
- (D) By adding paragraph (f) to **Subsection 13.1.6 Other Regulations** as follows:
- “(f) An “h” notation shown on Schedule “A” as part of the identified zone classification indicates that the zoned area may be developed in accordance with Hillside Street Standards contained in the Subdivision, and Development Services Bylaw.”

2. 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

Considered at a Public Hearing on the

Approved under The Highways Act this

(Approving Officer - Ministry of Transportation & Highways)

Read a second and third time and by adopted by the Municipal Council this

Mayor

City Clerk