

CITY OF KELOWNA

BYLAW NO. 8792

Text Amendment No. 01-015 – Addition of the RU2h – Medium Lot Housing (Hillside Area) and RU2hs – Medium Lot Housing (Hillside Area) with Secondary Suite 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) THAT line entitled 13.2 of **Section 13: Urban Residential Zones** of the **Table of Contents** be deleted and replaced with the following:

"RU2 Medium Lot Housing	RU2-1
RU2s Medium Lot Housing with Secondary Suite	RU2s-1
RU2h Medium Lot Housing (Hillside Area)	RU2h-1
RU2hs Medium Lot Housing (Hillside Area) with Secondary Suite	RU2h/s-1

- (b) AND THAT the line entitled RU2 under the heading **Urban Residential Zones** of **Subsection 1.3 Zoning Map** of **Section 1 – General Administration** be deleted and replaced with the following:

"RU2/RU2s/RU2h/RU2hs – Medium Lot Housing/Medium Lot Housing with Secondary Suite/Medium Lot Housing (Hillside Area)/Medium Lot Housing (Hillside Area) with Secondary Suite"

- (c) AND THAT **Section 13.2 RU2 – Medium Lot Housing 1/RU2s – Medium Lot Housing with Secondary Suite** zone be amended as follows:

- (i) By replacing the title with the following:

**"13.2 RU2 – Medium Lot Housing
RU2s – Medium Lot Housing with Secondary Suite
RU2h – Medium Lot Housing (Hillside Area)
RU2hs – Medium Lot Housing (Hillside Area) with Secondary Suite"**

- (ii) By replacing paragraph (f) of **Subsection 13.2.3 Secondary Uses** with the following:

"(f) **secondary suite** (RU2s and RU2hs only)"

- (iii) By replacing paragraphs (b), (c) and (d) of **Subsection 13.2.5 Development Regulations** with the following:

"(b) The maximum **height** is the lessor of 9.5m or 2 ½ **storeys**, except it is 4.5m for accessory **buildings** and accessory **structures** and a maximum of 6.0 m for an accessory **building** containing a **secondary suite**. For RU2h and RM2hs zones the maximum **height** of any vertical wall element facing a front, side or rear yard

(including walkout basements) is the lessor of 6.5m or 2 **storeys**, above which the **building** must be stepped back at least 1.2m.

- (c) The minimum **front yard** is 4.5m. except it is 6.0m for a garage or **carport** having vehicular entry from the front. In RU2h and RU2hs 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.
 - (e) The minimum **side yard** is 1.5 m for a 1 or 1½ **storey** portion of a **building** and 1.8 m for a 2 or 2 ½ **storey** portion of a **building**, except it is 4.5 from a **flanking street** or when required by Section 13.2.5(3), unless there is a garage it shall be 6.0m. In RU2h and RU2hs zones, the minimum **side yard** shall be 3.0m except it is 6.0m measured from the back of curb or sidewalk, whichever is closest, to a garage or **carport** having vehicular entry from the front. Where there is no direct vehicular access to the **rear yard** or to an attached garage or **carport**, one **side yard** shall be at least 3.0m.”
- (iii) By adding paragraph (f) to **Subsection 13.2.5 Development Regulations** as follows:
- “(f) For RU2h and RU2hs 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**.”
- (iv) By adding the following paragraphs to **Subsection 13.2.6 Other Regulations**:
- "(f) 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 parent **zone**.
 - (g) A **secondary suite**, in accordance with Section 9.5, may only be located within a single detached **dwelling** or an accessory **building** to a single detached **dwelling** which is no closer than 5.0 m to the principal **building**.
 - (h) 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 Standards contained in the Subdivision, and Development Services Bylaw.
 - (i) In the RU2h and RU2hs zones adjacent to a provincial highway, the minimum building setback shall be 4.5m.

Bylaw No. 8792 – Page 3.

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 22nd day of January, 2002.

Considered at a Public Hearing on the 5th day of February, 2002.

Read a second and third time by the Municipal Council this 11th day of February, 2002.

Approved under The Highways Act this 31st day of January, 2002.

R.M. CLIFFORD

(Approving Officer - Ministry of Transportation & Highways)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk