

CITY OF KELOWNA

BYLAW NO. 9306

Text Amendment No. TA04-0008 – To add RU4h – Low Density Cluster Housing (Hillside) and RU6h – Two Dwelling Housing (Hillside)

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

1. THAT the line entitled 13.4 of **Section 13: Urban Residential Zones** of the **Table of Contents** be deleted and replaced with:

“RU4 Low Density Cluster Housing	RU4-1
RU4h Low Density Cluster Housing (Hillside Area)	RU4h-1”

2. AND THAT the line entitled RU4 under the heading **Section 13 – Urban Residential Zones** of subsection **1.3 Zoning Map** of **Section 1 – General Administration** be deleted and replaced with:

“RU4/RU4h Low Density Cluster Housing/ Low Density Cluster Housing (Hillside Area) ”

3. AND THAT the line entitled 13.6 of **Section 13: Urban Residential Zones** of the **Table of Contents** be deleted and replaced with:

“RU6 Two Dwelling Housing	RU6-1
RU6b Two Dwelling Housing with Boarding or Lodging House	RU6b-1
RU6h Two Dwelling Housing (Hillside Area)	RU6h-1”

4. AND THAT the line entitled RU6/RU6b under the heading **Section 13 – Urban Residential Zones** of subsection **1.3 Zoning Map** of **Section 1 – General Administration** be deleted and replaced with:

“RU6/RU6b/RU6h Two Dwelling Housing/Two Dwelling Housing with Boarding or Lodging House/Two Dwelling Housing (Hillside Area)”

5. AND THAT **Section 13 – Urban Residential Zones** be amended by deleting the last sentence in paragraph **13.1.6(d)** in **Subsection 13.1.6 Development Regulations** and replacing the sentence with the following:

“In RU1h zones the minimum setback from a flanking street shall be 3.0 metres, except that it is 6.0 metres measured from the back of curb or a sidewalk, whichever is closest to a garage or carport having vehicular entry from the front.”

6. AND THAT **Section 13.4 – RU4 – Low Density Cluster Housing** be amended by the following:
 - (i) Adding below the first line of the title the following:
“RU4h – Low Density Cluster Housing (Hillside Area)”;
7. AND THAT section **13.4.6 – Development Regulations** be amended as follows:
 - (i) Adding to paragraph **13.4.6 – Development Regulations**, sub-paragraph 13.4.6 (d) the following:

“In RU4h 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.”;
 - (ii) Adding to paragraph **13.4.6 – Development Regulations**, sub-paragraph 13.4.6 (e) the following:

“In RU4h zones the minimum setback from a flanking street shall be 3.0 m, except that it is 6.0 m measured from the back of curb or a sidewalk, whichever is closest to a garage or **carport** having vehicular entry from the front.”;
 - (iii) Adding to paragraph **13.4.6 – Development Regulations**, a new sub-paragraph 13.4.6 (g) as follows:

“(g) For RU4h 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.”;
 - (iv) Adding to paragraph **13.4.6 – Development Regulations**, a new sub-paragraph 13.4.6 (h) as follows:

“(h) For RU4h 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**.”
8. AND THAT **Section 13.4.7 – Other Regulations** be amended by adding a new sub-paragraph 13.4.7 (c) as follows:

“(c) 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.”
9. AND THAT **Section 13.6 – RU6 – Two Dwelling Housing/RU6b – Two Dwelling Housing with Boarding or Lodging House** be amended by the following:
 - (i) Adding below the first line of the title the following:
“RU6h – Two Dwelling Housing (Hillside Area)”;

10. AND THAT Section **13.6.6 – Development Regulations** be amended as follows:
- (i) Adding to paragraph **13.6.6 – Development Regulations**, sub-paragraph 13.6.6 (c) the following:

“In RU6h 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.”;
 - (ii) Adding to paragraph **13.6.6 – Development Regulations**, sub-paragraph 13.6.6 (d) the following:

“In RU6h 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 closest to a garage or **carport** having vehicular entry from the front.”;
 - (iii) Adding to paragraph **13.4.6 – Development Regulations**, a new sub-paragraph 13.4.6 (h) as follows:

“(h) For RU6h 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.”;
 - (iv) Adding to paragraph **13.4.6 – Development Regulations**, a new sub-paragraph 13.4.6 (i) as follows:

“(i) For RU6h 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**.”
11. AND THAT Section **13.6.7 – Development Regulations** be amended by adding a new subparagraph (i) as follows:
- “(i) 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.”
12. 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 27th day of September, 2004.

Considered at a Public Hearing on the day of , 2004.

Read a second and third time by the Municipal Council this day of , 2004.

Approved under The Highways Act this day of , 2004.

(Approving Officer - Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this day of , 2004.

Mayor

City Clerk