

CITY OF KELOWNA

BYLAW NO. 10352

Text Amendment No. TA10-0006 – Urban Residential Zones City of Kelowna

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 Section **Section 13.3 – RU3 Small Lot Housing/RU3hs – Small Lot Housing (Hillside Area) with Secondary Suite** be amended by deleting in its entirety and replacing with the following:

**“Section 13.3 RU3 – Small Lot Housing/
RU3s – Small Lot Housing with Secondary Suite/
RU3h – Small Lot Housing (Hillside Area)/
RU3hs – Small Lot Housing (Hillside Area) with Secondary Suite”**

2. AND THAT **Section 13.3 – RU3 - Small Lot Housing**, sub-section **13.3.5 Subdivision Regualtions** be amended by deleting all the subsections in its entirety and replace it with the following:

- “(a) The minimum lot width is 8.5 m, except it is 10.0 m for a **corner lot**.
(b) The minimum lot depth is 30.0 m.
(c) The minimum **lot area** is 290 m².”

3. AND THAT **Section 13.3 – RU3 - Small Lot Housing**, sub-section **13.3.6 Development Regualtions** be amended by deleting all the subsections in its entirety and replace it with the following:

- “(a) The maximum **site coverage** is 40% and together with driveways and parking areas, shall not exceed 50%.
- (b) The maximum **height** is the lesser of 9.5 m or 2 ½ **storeys**, except it is 4.5 m for **accessory buildings or structures**. For the RU3hs zone the maximum **height** of any vertical wall element facing a **yard, front, side or rear** (including walkout basements) is the lesser of 6.5 m or 2 **storeys**, above which the **building** must be stepped back at least 1.2 m.
- (c) The minimum **front yard** is 3.5 m.
- (d) The minimum **side yard** is 1.2 m for a 1, 1½, or 2 **storey** portion of a **building** and 1.5 m for a 2½ **storey** portion of a building, except it is 2.5 m from a **flanking street** or when required by Section 13.3.5(g).
- (e) For any allowable projection into the 1.2 meter side yard setback, no unprotected opening(s) are permitted in the projection and the projection must be constructed with a minimum 45 minute fire resistance rating.

- (f) The maximum projection is limited to 0.6 meters including the roof of the projection.
 - (g) Notwithstanding Section 13.3.5(e), one **side yard**, not flanking a **street**, may be reduced to 0.0 m provided there is a 2.4 m clear easement registered against the **abutting lot** (except for permitted overhanging eaves and **accessory buildings** located at least 4.5 m from the rear of the principal **building**). There shall be no windows or doors on the side of the **dwelling** without the **side yard**.
 - (h) The minimum **rear yard** is 6.0 m for a 1 or 1½ **storey** portion of a **building** and 7.5 m for a 2 or 2½ **storey** portion of a **building**, but it is 1.5 m for **accessory buildings**. Where the **lot width** exceeds the **lot depth**, the minimum **rear yard** is 4.5 m provided that one **side yard** shall have a minimum width of 4.5 m.
 - (i) For the RU3hs zone, all **decks**, supporting posts or columns shall not exceed the lesser of 4.5 m or 1 **storey** in **height**, such measurements to include the **height** of any support **structure** or **retaining wall**.
4. 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 7th day of June, 2010.

Considered at a Public Hearing on the 29th day of June, 2010.

Read a second and third time by the Municipal Council this 29th day of June, 2010.

Approved under the Transportation Act this 17th day of August, 2010.

Lynda Lochhead
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of City of Kelowna on the

Mayor

City Clerk