



**THE CORPORATION OF THE VILLAGE OF FRUITVALE
BYLAW 869, 2016**

A Bylaw to Amend the Village of Fruitvale
Zoning Bylaw 846, 2013

WHEREAS it is deemed expedient to amend the "Village of Fruitvale Zoning Bylaw 846, 2013";

NOW THEREFORE the Council of the Corporation of the Village of Fruitvale, in open meeting assembled, enacts as follows:

1. THAT Schedule A attached to and forming a part of this Bylaw be inserted in Village of Fruitvale Zoning Bylaw 846, 2013 as "SECTION 14 -- URBAN HOUSING ZONES, Subsection 14.6 RD1 – Village Centre Downtown Residential Housing" as an additional land use zone;
2. THAT Zoning Bylaw 846, 2013 Section 1 -- TABLE OF CONTENTS be amended to include said Section 14, Subsection 14.6 RD1 – Village Centre Downtown Residential Housing and page numbers adjusted as necessary;
3. THAT the following properties be zoned RD1 – Village Centre Downtown Residential Housing:
PID 016-037-189 Lot 6 Block C Plan NEP785C District Lot 1236 Kootenay Land District
PID 007-401-582 Lot 7 Block C Plan NEP785C District Lot 1236 Kootenay Land District
PID 007-401-604 Lot 8 Block C Plan NEP785C District Lot 1236 Kootenay Land District
PID 012-303-101 Lot 17 Block C Plan NEP785C District Lot 1236 Kootenay Land District
PID 012-967-262 Lot 18 Block C Plan NEP785C District Lot 1236 Kootenay Land District
PID 008-539-693 Lot 19 Block C Plan NEP785C District Lot 1236 Kootenay Land District
4. THAT Zoning Bylaw 846, 2013 Schedule A – Zoning Map be replaced by Schedule B – Zoning Map attached to and forming a part of this Bylaw.
5. THAT this Bylaw shall be cited for all purposes as "Village of Fruitvale Zoning Bylaw 846, 2013 Amendment Bylaw 869, 2016".

READ a first time this 7th day of March, 2016.

READ a second time this 7th day of March, 2016.

PUBLIC NOTICE given as required by Section 892 of the *Local Government Act* the 9th and 16th days of March, 2016.

PUBLIC HEARING held as required by Section 890 of the *Local Government Act* the --- day of March, 2016.

READ a third time this --- day of March, 2016.

RECONSIDERED, FINALLY PASSED AND ADOPTED this --- day of March, 2016.

Mayor

Chief Administrative Officer

CERTIFIED a true copy of Bylaw 869 cited as "Village of Fruitvale Zoning Bylaw 846, 2013 Amendment Bylaw 869, 2016".

DATED this --- day of March, 2016.

Chief Administrative Officer

14.6. RD1 – Village Centre Downtown Residential Housing

14.6.1. Purpose:

The purpose is to provide a zone in the urban Village Centre area for low density residential use in the form of small units consisting of largely affordable and rental housing and compatible secondary uses, in close proximity to services, amenities and public transportation.

14.6.2. Principal Uses:

- a) semi-detached housing
- b) two dwelling housing
- c) multiple dwelling housing
- d) four dwelling housing
- e) row housing

14.6.3. Secondary Uses:

- a) care centres, minor
- b) group home, minor
- c) home occupation

14.6.4. Buildings and Structures Permitted:

- a) duplex housing
- b) semi-detached housing
- c) fourplex housing
- d) multiple dwelling housing
- e) row housing
- f) accessory buildings or structures
- g) amenity building

14.6.5. Subdivision Regulations:

- a) WIDTH:

The minimum lot width is 13.0 m for semi-detached or two dwelling housing; 30.0 m for multiple dwelling or row housing.

b) DEPTH:

The minimum lot depth is 30.0 m.

14.6.6. Development Regulations:

a) FLOOR AREA RATIO:

The maximum floor area ratio is 0.5, except it is 0.55 with a housing agreement pursuant to the provisions of Section 7.9 or where the developer has provided an amenity in compliance with the density bonusing provisions contained in Section 7.15. Where screened parking spaces are provided totally under habitable or common amenity areas, the floor area ratio may be increased by 0.08 multiplied by the ratio of such parking spaces to the total required up to a maximum of 0.08.

b) SITE COVERAGE:

The maximum site coverage for duplex or semi-detached is 50%, provided that the maximum site coverage of buildings, driveways and parking areas is not more than 60%.

The maximum site coverage for multiple dwelling or row housing is 60%, provided that the maximum site coverage of buildings, driveways and parking areas is not more than 70%.

c) HEIGHT:

The maximum height is the lesser of 9.5 m or 2 ½ storeys, except it is 4.5 m for accessory buildings and structures.

d) FRONT YARD:

The minimum site front yard is 4.5 m, except it is 6.0 m to a garage door or carport entrance. The minimum site front yard for accessory buildings or structures is 6.5 m.

e) SIDE YARD:

The minimum site side yard is 3.0 m, except it is 4.5 m from a flanking street unless there is a garage accessed from the flanking street, then it is 6.0 m. Side yards are not required on a lot line that has a party wall.

f) REAR YARD:

The minimum site rear yard is 6.0 m, except it is 1.5 m for accessory buildings.

g) No principal building shall be closer than 3.0 m to another principal building.

14.6.7. Other Regulations:

a) DWELLINGS:

No more than 6 dwellings may be located in a building.

b) PRIVATE OPEN SPACE:

A minimum area of 20 m² of private open space shall be provided per dwelling.

c) ADDITIONAL REGULATIONS:

In addition to the regulations listed above, other regulations may apply. These include the general development regulations of Section 7 (accessory development, yards, projections into yards, lighting, setbacks, etc.), the landscaping and fencing provisions of Section 8, the parking and loading regulations of Section 9, and the specific use regulations of Section 10.

d) DEVELOPMENT PERMIT REQUIREMENTS:

Development Permit Guidelines contained in the Village of Fruitvale Official Community Plan are applicable to this zone for multiple dwelling or row housing uses.

