



THE CORPORATION OF THE VILLAGE OF FRUITVALE BYLAW 896, 2018

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

WHEREAS it is deemed expedient and necessary to amend the "Village of Fruitvale Zoning Bylaw 846, 2013", (hereinafter referred to as Bylaw 846);

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

1. THAT Section **14 Urban Housing Zones** of Bylaw 846 be amended by the addition of section 14.7 RM2D – Medium Density Housing/Duplex Mountain Side as follows:

14.7 RM2D – Medium Density Housing/Duplex Mountain Side

PURPOSE:

The purpose is to provide a zone primarily for duplexes, medium density apartments and compatible secondary uses on serviced urban lots at Mountain Side.

Principal Uses:

- a) apartment housing
- b) duplexes
- c) boarding and lodging houses
- d) congregate housing
- e) four dwelling housing
- f) group home, major
- g) multiple dwelling housing

Secondary Uses:

- a) care centres, major
- b) home occupation
- c) utility services, minor impact

Buildings and Structures Permitted:

- a) apartment housing
- b) duplex Housing
- c) fourplex housing

- d) row housing
- e) stacked row housing
- f) accessory buildings and structures

Subdivision Regulations:

- a) WIDTH:
The minimum lot width is 15.0 m.
- b) DEPTH:
The minimum lot depth is 30.0 m.
- c) AREA:
The minimum lot area is 550 m².

DEVELOPMENT REGULATIONS

- a) FLOOR AREA RATIO:
The maximum floor area ratio is 1.0, except it is up to 1.3 where the developer has provided an amenity in compliance with the density bonusing provisions contained in Section 7.15. Where parking spaces are provided totally beneath habitable space of a principal building or beneath useable common amenity areas providing that in all cases, the parking spaces are screened from view, an amount may be added to the floor area ratio equal to 0.2 multiplied by the ratio of such parking spaces to the total required parking spaces, but in no case shall this amount exceed 0.2. Where a Housing Agreement is provided pursuant to the provisions of Section 7.9, an amount of 0.1 may be added to the floor area ratio.
- b) SITE COVERAGE:
The maximum site coverage is 40%, provided that the maximum site coverage of buildings, driveways, and parking areas is 60%.
- c) HEIGHT:
The maximum height is the lesser of 10 m or 3 storeys, except it is 4.5 m for accessory buildings and structures. This height is increased to the lesser of 12.5 m or 4 storeys where the developer has provided an amenity in compliance with the density bonusing provisions contained in Section 7.15.
- d) FRONT YARD:
The minimum site front yard is 4.5 m.

e) SIDE YARD:

The minimum site side yard is 4.5m for a portion of a building not over 3 storeys, and 5 m from a flanking street.

i.) The Minimum side yard for a Duplex is 1.8 m and 3 m from a flanking street.

f) REAR YARD:

The minimum site rear yard is 4.5 m. It is 2 m for accessory buildings.

g) SETBACK FOR ACCESSORY BUILDINGS:

The setback requirements for an accessory building containing recreational amenities for the use of all residents shall conform to the setback requirements for principal buildings.

OTHER REGULATIONS:

a) PRIVATE OPEN SPACE:

A minimum area of 7.5 m² of private open space shall be provided per bachelor dwelling, congregate housing bedroom or group home bedroom, 15.0 m² of private open space shall be provided per 1 bedroom dwelling, and 25.0 m² of private open space shall be provided per dwelling with more than 1 bedroom.

b) BUILDING FRONTAGE:

No continuous building frontage shall exceed 40.0 m for a 3 or 4 storey building, or 65.0 m for a 2-storey building. If the frontage is interrupted by an open courtyard equivalent in depth and width to the building height, the maximum continuous 3-storey building frontage may be 80.0 m provided that no building section exceeds 40.0 m. The building must be designed so the portion adjacent to neighbouring development is no more than ½ storey higher.

ADDITIONAL REGULATIONS:

1. 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, 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.

a) DEVELOPMENT PERMIT REQUIREMENTS:

Development Permit Guidelines contained in the Village of Fruitvale Official Community Plan are applicable to this zone.

2. THAT this Bylaw shall be cited for all purposes as "Village of Fruitvale Zoning Bylaw 846, 2013 Amendment Bylaw 896, 2018" and affects the land as highlighted in the Schedule A (map) that forms part of this bylaw.

READ a first time this 6th day of November, 2018.

READ a second time this 6th day of November, 2018.

PUBLIC NOTICE given as required by Section 892 of the *Local Government Act* the 27th and 29th days of November, 2018.

PUBLIC HEARING held as required by Section 890 of the *Local Government Act* the 3rd day of December, 2018.

READ a third time this 3rd day of December, 2015.

RECONSIDERED, FINALLY PASSED AND ADOPTED this ____ day of December, 2018.

Mayor

Chief Administrative Officer

CERTIFIED a true copy of Bylaw 896 cited as "Village of Fruitvale Zoning Bylaw 846, 2013 Amendment Bylaw 896, 2018".

DATED this 3rd day of December, 2018.

Chief Administrative Officer

Schedule A of Zoning Amendment Bylaw 896 2018
RM2D – Medium Density Housing/Duplex Mountain Side

