

# CITY OF KELOWNA

## BYLAW NO. 9251

### Text Amendment No. TA04-0003 – Clarification of Wording for Maximum Height and Front Yard Setback Requirements

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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 13 – Urban Residential Zones** be amended by:
  - (i) Adding to paragraph **13.1.6(b)** in **Subsection 13.1.6 Development Regulations** after the words "**accessory structures**" as follows:

"For the RU1h zone the maximum **height** of any vertical wall element facing a front, **flanking street** 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."
  - (ii) Adding to paragraph **13.1.6(c)** in **Subsection 13.1.6 Development Regulations** after the words at the end of the paragraph "entry from the front" as follows:

" In a **hillside area**, where access is required through, and is limited to, a **lane**, the yard abutting the **lane** may be considered the **front yard**. **Walkout basements** are not exempt from the **height** regulations of Section 6.6 in this situation."
  - (iii) Adding the word "**street**" after the word "**flanking**" in paragraph **13.1.6(f)** in **Subsection 13.1.6 Development Regulations**.
2. AND THAT **Section 13– Urban Residential Zones** be further amended by:
  - (i) Replacing the word "side" after the words "element facing a front," with the words "**flanking street**" in paragraph **13.2.6(b)** in **Subsection 13.2 Development Regulations**.
  - (ii) Replacing the sentences "Where access is required through, and is limited to, a lane, the yard abutting the lane may be considered the **front yard**. **Walkout basements** are not permitted in this situation." with the sentences "In a **hillside area**, where access is required through, and is limited to, a **lane**, the yard abutting the **lane** may be considered the **front yard**. **Walkout basements** are not exempt from the **height** regulations of Section 6.6 in this situation." in paragraph **13.2.6(c)** in **Subsection 13.2.6 Development Regulations**.
3. 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 15<sup>th</sup> day of June, 2004.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under The Highways Act this

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(Approving Officer - Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk