

# CITY OF KELOWNA

## BYLAW NO. 9364

### Text Amendment No. TA04-0009

#### A Bylaw to Amend the Existing Definition of Half Storey and the Provisions for Building Height with Regard to Walkout Basements

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

1. THAT **Section 2.3 General Definitions** be amended by:
  - (a) Adding the word "exterior" after the words "on at least two opposite" to the definition of **STOREY, HALF**;
  - (b) Deleting the following from the definition of **HEIGHT**:

"Section 6.6 provides that walk out **basements** oriented to the **rear yard** shall not be considered in determining **height** for single detached, duplex, or **semi-detached housing**."

and replacing it with the following:

"Section 6.6 describes restrictions for walkout basements."
2. AND THAT **Section 6.6 Height and Grade** be amended by deleting sub-section 6.6.2 in its entirety and replacing it with the following:

"6.6.2 Walkout **basements** oriented to the **rear yard** shall not be considered for the purpose of determining height for **single-detached, duplex** or **semi-detached** housing. Where **single-detached, duplex** or **semi-detached** housing has a walkout basement oriented to the rear yard, height shall be determined as follows: The maximum height of any building elevation facing a front yard or, flanking street is the lesser of 8.6m from grade or 2 storeys. The height for the lowest floor or walkout basements at the rear elevation can not exceed 3.6m measured from approved building grade to the top of the finished floor above the slab. In addition the total height of the rear building elevation cannot exceed the lesser of 3 storeys or 12.5m measure from approved building grade. Where access is required through, and is limited to a lane the yard abutting the lane may be considered the **front yard**."
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 7<sup>th</sup> day February, 2005.

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