

CITY OF KELOWNA

BYLAW NO. 10169

Text Amendment No. TA09-0001

City of Kelowna – Housekeeping Text Amendments

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 2 – Interpretation** sub-section **2.3 General Definitions** be amended by deleting the following definitions for **CARE CENTRE, MINOR, DWELLING** and **LOT LINE, FRONT – URBAN AND RURAL RESIDENTIAL** and replacing it with the following new definitions:

“**LOT LINE, FRONT – URBAN AND RURAL RESIDENTIAL** means, in the case of an **interior lot**, a **lot line** separating the lot from the street; or in the case of a **corner lot**, a line separating the narrowest **street frontage** of the **lot** from the **street** not including a corner rounding or corner cut; in the case of a **lot** extending between two parallel streets, the **front lot line** shall be determined by the average **front yard setback** on that block; or for a lot configuration that is not otherwise described in this definition, a **lot line, front** as approved by the Director of Land Use Management.” and

“**CARE CENTRE, MINOR** means an establishment licensed as required under the *Community Care Facilities Act* intended to provide care, educational services, and supervision for children or adults during the day or evening, and may include limited overnight accommodation to accommodate shift workers. This **use** includes drop-in centers and group day care centers for up to 8 patrons, and up to 10 children for the provision of care, before and after school hours and during school holidays, for children attending school, and pre-schools for up to 15 children. A **care centre, minor** operating lawfully within a **dwelling** may establish one additional kitchen provided that it must be removed should the **care centre, minor** use cease.” and

“**DWELLING** means accommodation providing interconnected, free flowing space including **bedroom(s)**, washrooms, and a **kitchen** intended for domestic **use**, and used or intended to be used permanently or semi-permanently for a **household**. A **dwelling** includes only one room which, due to its design, plumbing, equipment, and furnishings, may be used primarily as a **kitchen**, except where otherwise permitted in the bylaw. One **wet bar** is permitted within a dwelling. This **use** does not include a room in a **hotel** or a **motel**.”

2. AND THAT **Section 2 – Interpretation** sub-section **2.3 General Definitions** be amended by adding a new definition “**WET BAR**” as follows:

“**WET BAR** means a small facility that is used exclusively to prepare beverages or other items that do not require cooking. Exhaust fans, 220-volt wiring, natural gas rough-in and permanent cooking facilities of any type are not permitted. The provision of **wet bars** in no way permits an additional **dwelling** to be established.”

3. AND THAT **Section 7 – Landscaping and Screening** , Subsection **7.5 Fencing and Retaining Walls** diagram be replaced with a new diagram, listed as Attachment “B” as attached to and forming part of this bylaw ;
4. AND THAT **Section 13 – Urban Residential Zones, 13.1 RU1 – Large Lot Housing, RU1s – Large Lot Housing with Secondary Suite, RU1h – Large Lot Housing (Hillside Area)**, Sub-Section **13.1.6 Development Regulations**, paragraph (b) be deleted and replaced with the following:
 - “(b) The maximum **height** is the lesser of 9.5m or 2 ½ **storeys**, except it is 4.5m for **accessory buildings** an **accessory structures**. For the RU1h zone the maximum **height** is 2 ½ storeys and 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.”;
5. 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 6th day of April 2009.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of City of Kelowna on the

Mayor

City Clerk

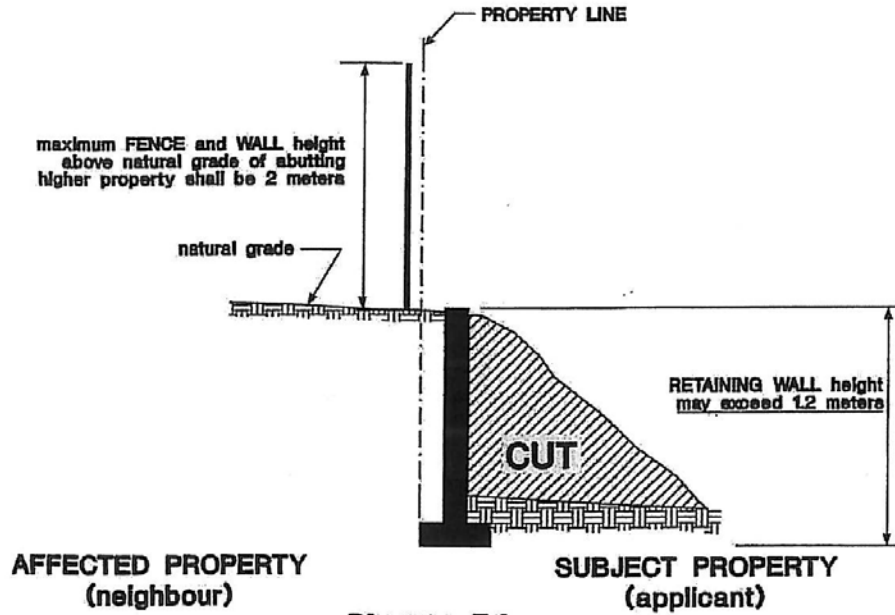


Diagram 7.1

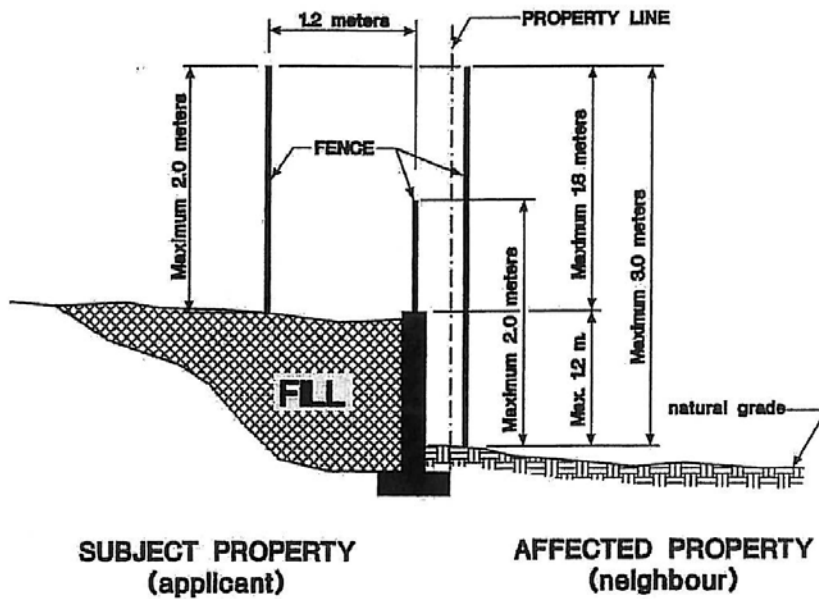


Diagram 7.2

Attachment "C"

NOTE: DIAGRAMS ARE FOR ILLUSTRATIVE PURPOSES ONLY