

Section 7 – Landscaping and Screening

7.1 Required Landscaping

- 7.1.1 The minimum level of **landscaping** required in each **zone** along all front, rear and **side yards** shall be determined from the **Minimum Landscape Buffer Treatment Levels Schedule (Table 7.1)** and **landscaping** details entitled Minimum Landscape Buffer in Section 7.6.
- 7.1.2 In cases where property is to be developed in phases, **landscaping** need only be provided on that portion of the property to be developed in each phase. **Landscaping** shall be required in subsequent phases on the remainder of the property at the time that these are developed.
- 7.1.3 Any designated **landscaping** area between the **property line** and the existing road curb or shoulder area will be completed concurrently with **landscaping** within **property lines** by the **development** to the standard of **landscaping** required for the property in conformance with the **Subdivision, Development, and Servicing Bylaw No. 7900**.

7.2 Landscaping Standards

- 7.2.1 All landscape areas and installations shall meet or exceed the British Columbia Nursery Trades Association Standards and be regularly maintained.
- 7.2.2 Required landscape buffers in Section 7.6 shall be continuous along the affected property boundaries, except that they may be interrupted only by walkways and driveways providing access to the property and running perpendicular to the property line.
- 7.2.3 All landscaped areas will be graded to meet the following criteria or as approved by the **Director of Planning & Development Services**:
- (a) Maximum 1:3 slope (33%) for lawn areas;
 - (b) Maximum 1:2 slope (50%) for shrub or ground cover area;
 - (c) Minimum 1:50 slope (2%) for cross slope for any landscape area;
 - (d) All **site** grading will direct overland drainage along or away from any landscape buffer to collection points **on-site** away from **buildings**;
 - (e) All areas in which the existing slope exceeds 30% are to be identified;
 - (f) All areas developed and **adjacent** lands impacted by **development** with slopes greater than 30% shall be rehabilitated using indigenous vegetation common to the **site**.
- 7.2.4 All **outdoor storage** areas shall have a dust-free surface.
- 7.2.5 All **construction on-site** must occur concurrently with erosion control measures to prevent the pollution, degradation, or siltation of natural areas and water courses. This includes the provision of temporary fencing prior to and during **construction**.
- 7.2.6 All required landscape buffer areas shall be watered by a fully automatic irrigation system. No run-off onto sidewalks, **streets**, or parking areas shall be permitted.

- 7.2.7 Notwithstanding Section 7.2.6, the following areas are exempt from having permanent fully automatic irrigation systems:
- (a) existing areas of undisturbed native vegetation which have been accepted as landscape buffer or **Riparian Management Area**; and
 - (b) landscape buffers which are established with drought resistant species to return the area to a natural condition.
- 7.2.8 Where the retention of native trees and ground cover is required or permitted, a letter from a registered professional landscape architect or registered professional forester shall be submitted, indicating the mitigation measures required during and after the **construction** to ensure the health of the vegetation.
- 7.2.9 New trees and shrubs shall follow a consistent lateral placement and be set back a minimum of 1.0 m from all underground utilities.
- 7.2.10 Urban plazas are permitted as a substitute for a **front yard** or **side yard street** landscape buffers according to the provisions of Section 7.4 and Section 7.6.

7.3 Refuse and Recycling Bins

- 7.3.1 When any **development** is proposed provisions for garbage storage, recycling and collection shall be provided on the same **site** as the **development**.
- 7.3.2 All **site** refuse and recycling bins in **zones** other than **agricultural zones**, including all other large receptacles used for the temporary storage of materials, require opaque screening from **adjacent lots** and **streets**.
- 7.3.3 All screening will be a minimum of 2.0 m in **height** to a maximum **height** that is equivalent to the **height** of the refuse or recycling bin.
- 7.3.4 All sides open to public view shall be screened by the additional planting of shrub and groundcover material at least 1.5 m in **height**.
- 7.3.5 Notwithstanding Sub-section 7.3.2, a refuse or recycling bin located within a property and screened from adjoining **lots** will not require any screening or landscape.
- 7.3.6 All refuse or recycling bins shall be located a minimum of 3.0 m from any **abutting** residential **zone** so as to not obstruct pedestrian or **vehicle** traffic.
- 7.3.7 An unobstructed access **lane** with a minimum width of 3.0 m and a minimum vertical **clearance** of 4.6 m shall be provided to provide access to a required garbage and recycling room or enclosure.

7.4 Urban Plazas

- 7.4.1 Urban plazas, when permitted pursuant to subsection 7.4, must be solely for pedestrian use and must be accessible to the public from both the street and from the development. Landscape buffering in urban plaza areas should be designed according to Table 7.1 of this bylaw.
- 7.4.2 The minimum plaza **street frontage** is 7.5 m.
- 7.4.3 The minimum plaza depth is 4.0 m.
- 7.4.4 For any urban plazas in lieu of a landscape buffer, the following are minimum requirements:

- (a) all hard surface areas shall use a decorative paving surface;
- (b) a minimum of two benches for public seating shall be provided;
- (c) a minimum of 3 trees, with a minimum 65 mm **caliper** and rootball of 900 mm, shall be provided; and
- (d) pedestrian and decorative lighting must be provided.

7.5 Fencing and Retaining Walls

- 7.5.1 Screen **fences** shall be consistent with the quality of **building** design and materials of the principal **building**.
- 7.5.2 Screening **fences** shall be opaque double-sided **construction**. Where screen **fences** are allowed or required by this Bylaw, they shall be of an opaque or a combination of opaque and lattice design.
- 7.5.3 No **fence** constructed at the **natural grade** in rural residential or **residential zones** shall exceed 2.0 m in **height**, except where **abutting** an agricultural or commercial **zone**, the maximum **height** is 2.4 m. Where fences are constructed adjacent to the Front Lot Line or a Flanking Street, the maximum fence height shall be 1.06 m

No metal **fence** shall allow the ends of **fence pickets** or **finials** to extend above a horizontal rail (see diagram 7.3).

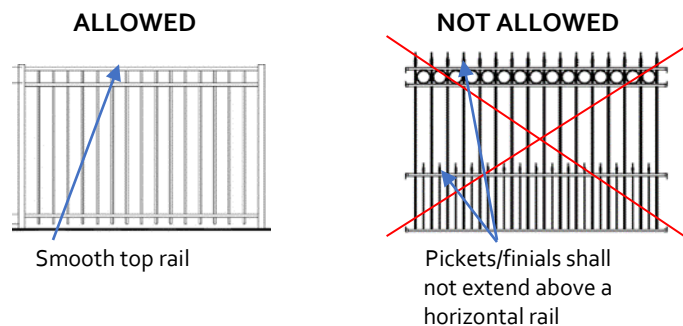


DIAGRAM 7.3

- 7.5.4 No **fence** in a Commercial, Public and Institutional or Industrial **zone** shall exceed 2.4 m.
- 7.5.5 Industrial **zones** are to have an opaque 2.4 m high **fence** around all storage yards, along all **property lines abutting** non-industrial **zones** and around **wrecking yards** that are visible from a **street abutting** the property.
- 7.5.6 No barbed wire fencing shall be allowed in any rural residential, urban residential, or **institutional zones** except:
- (a) in RR1 and RR2 **zones** for **use** in livestock enclosures; and
 - (b) in the P1 **zone** where the **site** is used for detention and correctional services.
- 7.5.7 No razor wire fences shall be allowed in any zone except where associated with penitentiaries, jails or places of incarceration.
- 7.5.8 No **fencing** shall be permitted at or below the high water mark (geodetic elevation of 343 m) of Okanagan Lake.

- 7.5.9 Retaining walls on all **lots**, except those required as a condition of **subdivision** approval, must not exceed a **height** of 1.2m measured from **natural grade** on the lower side, and must be constructed so that any **retaining walls** are spaced to provide a 1.2m horizontal separation between tiers. The maximum number of tiers is two with a maximum total **height** of 2.4m. Any multi-tier structure more than 2 tiers must be designed and constructed under the direction of a qualified professional engineer.
- 7.5.10 Notwithstanding Section 7.5.7 [now, 7.5.9], a **retaining wall** may be higher than 1.2 m, measured from grade, where the **natural grade** of the subject property is lower than the **abutting** property (see Diagram 7.1).
- 7.5.11 In the case of a **retaining wall** constructed in accordance with Section 7.5.7,[now 7.5.9] the combined **height** of a **fence** on top of a **retaining wall** at the **property line** or within 1.2 m of the **property line** shall not exceed 2.0 m, measured from **natural grade** at the **abutting** higher property (see Diagram 7.2).
- 7.5.12 Notwithstanding Section 7.5.9,[now 7.5.10] where an affected property remains at **natural grade** and the subject property constructs a **retaining wall** and a **fence** within 1.2 m of the **property line** (see Diagram 7.2), the maximum **height** for a **fence** on the affected property shall be no greater than 1.8 m above the height of the **retaining wall** or 3.0 m, whichever is less.
- 7.5.13 In the case of a **retaining wall** constructed in accordance with Section 7.5.8, the maximum **height** of a **fence**, or portion of **retaining wall** extending above the **natural grade** of the **abutting** higher property, or combination thereof, shall be 2.0 m, measured from the **natural grade** of the **abutting** higher property (see Diagram 7.1).
- 7.5.14 A modified slope which has a finished slope greater than 1:2 (50%) and an elevation change greater than 1.2m must be installed under the direction of a qualified professional engineer.
- 7.5.15 An exposed natural rock surface on a lot that has the potential for materials to displace causing a hazardous condition, must be reviewed by a qualified professional engineer with the appropriate and measures undertaken as prescribed by the engineer.
- 7.5.16 As per the Engineers and Geoscientists BC's Quality Management Guidelines all **retaining walls** including but not limited to, gravity, piling, cantilever, anchored, mechanically stabilized earth (MSE), and geosynthetic reinforced soil (GRS) walls when over 3.0m high or deemed high risk are included in the requirement to have documented independent reviews conducted by a qualified professional, as retaining walls fulfill the important structural function of safely retaining soil.

City of Kelowna

Zoning Bylaw No. 8000

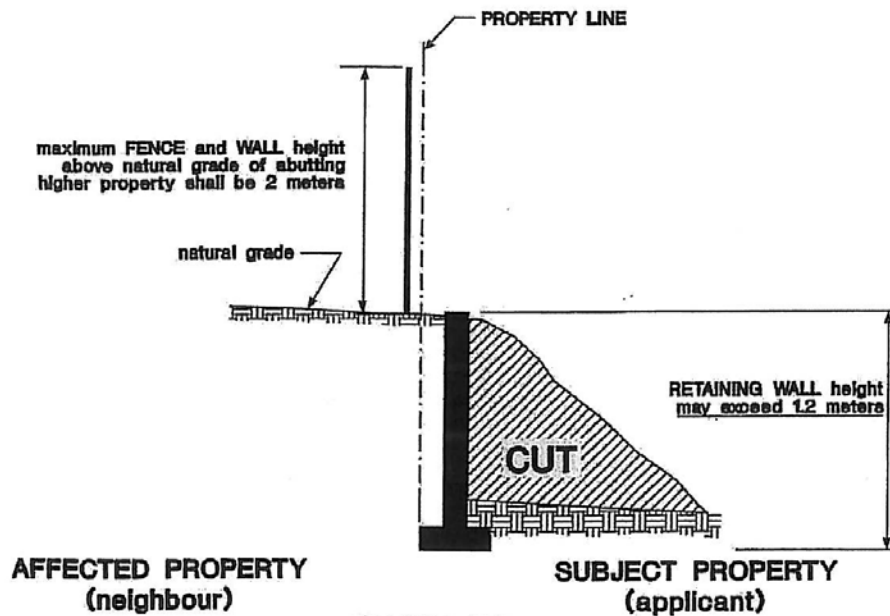


Diagram 7.1

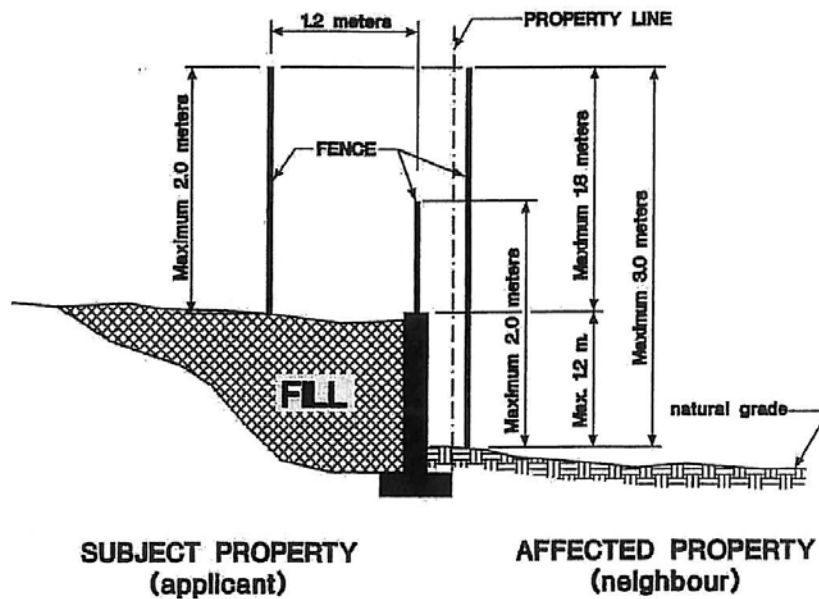


Diagram 7.2

Attachment "C"

NOTE: DIAGRAMS ARE FOR ILLUSTRATIVE PURPOSES ONLY

7.6 Minimum Landscape Buffers

7.6.1 Landscape buffers, of a design as shown on the **Minimum Landscape Buffer Treatment Drawings (Levels 2 through 5)**, the **front yard**, **side yards**, and **rear yard** depending upon the **zone** as indicated by **Table 7.1 - Minimum Landscape Buffer Treatment Level Schedule**, are as follows:

- (a) **Level 1:** no specific guidelines for the design of the landscape buffer;
- (b) **Level 2:** a minimum 3.0 m landscape buffer is required to separate **uses** from **adjacent** properties;
- (c) **Level 3:** a minimum 3.0 m landscape buffer is required to separate **uses** from **adjacent** properties. The buffer will consist of a vegetative buffer and may include a continuous barrier;
- (d) **Level 4:** a minimum 3.0 m landscape buffer is required to separate **uses** from **adjacent** properties. The buffer will consist of coniferous tree species or native vegetation to provide a continuous opaque screen for parking areas;
- (e) **Level 5:** a landscape buffer is required for all land **abutting ALR** land where non-farm **uses** exist. The minimum buffer shall be 3.0m wide and include an opaque barrier immediately adjacent to the boundary(s) abutting the **ALR** on the urban side of the property. This standard may be replaced or modified as a result of conditions of a decision by the **Agricultural Land Commission**. The buffer area shall be in addition to the required setback for Rural and Urban Residential zones; and
- (f) **Level 6:** a minimum 3.0 m landscape buffer is required along all **lot lines abutting** a Future Land Use designation of Transportation Corridor (TC) in the **Official Community Plan**.

The minimum landscape buffer will include trees which are to be planted every 10.0 m on center within the landscape buffer area. Without limiting Section 7.5.5, any fencing within the minimum landscape buffer must be a black chain link fence, or other materials approved by the Divisional Director of Planning and Development Services, with a maximum height of 2.0 m and with a minimum of one pedestrian access gate along the **lot line** abutting the TC designation. The fence is to be located at least 0.15 m from the **lot line** abutting the TC designation. The pedestrian gate will be a minimum 1.6 m wide and may be lockable and controlled by the subject property owner.

Only where the bylaw requires a continuous opaque barrier may the chain link fence be substituted for the opaque barrier and a minimum of one pedestrian access gate is required within an opaque barrier.

Lands within the Agricultural Land Reserve and lots zoned P₃ – Parks and Open Space are exempt from Level 6 requirements

7.6.2 Trees shall be spaced, on average, to the dimensions specified in the approved drawings. Deciduous trees shall have a minimum **caliper** of 60 mm with a minimum clearstem **height** of 1.5 m. Conifers shall be a minimum of 2.5 m high. Irrigated No. 2 pot shrubs are to be placed at a maximum spacing of 1.0 m on centre with 10 cm ground cover at a maximum spacing of 450 mm.

7.6.3 Trees or shrubs higher than 600 mm shall not be located in the visual triangle indicated on the drawings.

- 7.6.4 Where a visual screen is required it may consist of either vegetation or decorative **fence** or wall. The minimum **height** of the screen is 1.2 m for Level 3 (at maturity for vegetation, planted at a minimum of 1.0 m high on an maximum spacing of 900 mm), 1.5 m for Level 4, and 1.8 m for Level 5.
- 7.6.5 Notwithstanding paragraph 7.6.1, buffer widths between a building or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering.
- 7.6.6 Where a **side yard** Landscape Buffer Treatment is required and an opaque barrier is included in the Landscape Buffer Treatment Design, the opaque barrier may be located at the **property line**.
- 7.6.7 Landscape Buffer Treatments for school sites may be amended from the standards indicated in **Table 7.1 – Minimum Landscape Buffer Treatment Levels Schedule**. Where changes to the standards are proposed, supporting documentation from a registered landscape architect must be provided that confirms that the following objectives have been met:
- (i) That sufficient screening to **adjacent** residential properties has been achieved;
 - (ii) That adequate **landscaping** has been provided to provide shade for **buildings** and play areas;
 - (iii) Driveway entrances and parking areas have been appropriately landscaped for optimization of screening and vehicular site lines; and,
 - (iv) **Landscaping** around active play areas ensures safety to children on the school grounds.
- Where perimeter **landscaping** cannot be provided due to any of the above noted objectives, the School District will be required to provide or upgrade boulevard trees on all **abutting** roads.
- 7.6.8 Notwithstanding any other provisions in this Bylaw, where **Riparian Management Area** are required along stream corridors in accordance with the **Official Community Plan**, the land and vegetation shall remain undisturbed. In the case of **Riparian Management Area** along Okanagan Lake, land is to remain in its natural condition or be landscaped in a manner that either enhances conditions for **fish** and wildlife or maintains conditions equivalent to those that would have existed had no **development** occurred. Retaining walls along the Okanagan Lake waterfront are permitted under the terms of a **development** permit where required to protect lakefront property.
- 7.6.9 In addition to the minimum landscape buffer treatment levels above:
- (a) all lands adjacent to Highways 33 and 97, except those in agricultural zones and within Urban Centres, are required to have Level 4 landscape buffer treatment unless superseded by development permit guidelines;
 - (b) all industrial zone properties shall have a Level 3 buffer zone when adjacent to non-industrial zone properties;
 - (c) CD zones shall specify the buffer treatment levels for the CD site;
 - (d) all non-accessory surface parking lots in an urban centre shall have a level 2 buffer zone;
 - (e) required landscape islands in parking areas shall have the same level of landscaping as a Level 2 buffer zone; and Level 5 buffer zone; and
 - (f) on corner lots, front yard landscape buffers shall apply to all street frontages;
or
 - (g) for development in industrial zones with parking located in front of the building, Level 4 buffers shall apply for the front yard, and in the case of a corner lot, for the front yard and the flanking side yard.
- 7.6.10 Notwithstanding Section 7.6.1, all landscape areas should reflect the character and intent of the **Official Community Plan**.

Table 7.1 – Minimum Landscape Buffer Treatment Levels Schedule				
Location	Front or Flanking Yard	Rear Yard	Side Yard	Urban Plaza Permitted (see 7.4)
All lots abutting a Future Land Use designation of Transportation Corridor (TC)	6			
All properties abutting Agricultural Land Commission	5			
Agricultural Zones				
A1, A1s	1	1	1	No
Rural Residential Zones				
RR1, RR2, RR3	1	1	1	No
RR1c, RR2c, RR3c	1	1	1	
Urban Residential Zones				
RU1, RU1c, RU2, RU2c, RU3	1	1	1	No
RU4, RU5, RU6	1	3	3	No
RM1, RM2, RM3, RM4, RU6b	2	3	3	No
RM5, RM6, RM7, CD22 Sub Areas C, D, E, F, G, H, CD24 Sub-Area B	2	3	3	Yes
RU1h, RU2h	1	3	3	No
RU2hc	1	2	2	No
Commercial Zones				
C1, C2, C3, C4, C5, C6, C7, C8, C9, C2rls, C3lp, C3rls, C3lp/rls, C4lp, C4rls, C4lp/rls, C6lp, C6rls, C6lp/rls, C7lp, C7rls, C7lp/rls, C8lp, C9lp, C9rls, C9lp/rls, C10, C10lp, C10rls, C10lp/rls, HD2, CD22 Sub Areas A&B, CD24 Sub-Area A, CD25	2	3	3	Yes
Industrial Zones				
I1, I2, I3, I4, I6	2	3	3	Yes
I5	3	3	3	No
Health District Zones				
Abbott St, Pandosy St and Royal Ave – Level 2 ; Christleton Laneway – Level 3				
HD1	2	3	3	
HD2 – properties with a lot area of 900m ² or more	2	3	2.0m (see Section 17.2.7)	
HD2 – properties with a lot area of less than 900m ²	2	2	2.0m (see Section 17.3.5)	
HD3	2	3	3	

Public and Institutional Zones				
P1, P2, P5, P1lp, P5lp, CD22 Sub Area I	2	3	3	Yes
P3, P3lp	2	2	2	No
P4	3	3	3	No
W1, W2	N/A	N/A	N/A	N/A
Comprehensive Development Zones				
CD Comprehensive	as specified	as specified	as specified	as specified

Section 7 – Landscaping and Screening amended as follows:

Sub-Section 7.1 Required Landscaping – BL8419, BL10796, BL11970

Sub-Section 7.2 Landscaping Standards – BL9120, BL11970

Sub-Section 7.4 Urban Plazas – BL9120

Sub-Section 7.5 Fencing and Retaining Walls – BL8367, BL8528, BL9120, BL9530, BL10235, BL10590, BL11140, BL11970, BL12030, BL12027

Sub-Section 7.6 Minimum Landscape Buffers – BL8367, BL8528, BL8760, BL9120, BL10590, BL10997, BL11140, BL11440, BL11970

Table 7.1 – Minimum Landscape Buffer Treatment Levels Schedule – BL9120, BL10169 (drawing) , BL10423, BL10434, BL10541, BL10462, BL10796, BL10812, BL10981, BL10997, BL10998, BL11970

Table 7.3, 7.4, 7.5 and 7.6 deleted by BL11970