

CITY OF KELOWNA
BYLAW NO. 11970
TA19-0004 – Section 7 Landscaping & Screening

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 as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening, 7.1 Required Landscaping, 7.1.1** be deleted and replaced with:

"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;"
2. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening, 7.1 Required Landscaping, Landscaping Standards 7.2.2** be deleted and replaced with:

"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;"
3. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening, 7.2 Landscaping Standards, 7.2.10** be deleted and replaced with:

"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;"
4. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening, 7.5 Fencing and Retaining Walls, 7.5.3** be deleted and replaced with:

"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;
5. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening, 7.6 Minimum Landscape Buffers, 7.6.1(b)** be deleted and replaced with:

"**Level 2:** a minimum 3.0 m landscape buffer is required to separate **uses** from **adjacent** properties;"
6. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening, 7.6 Minimum Landscape Buffers, 7.6.1(c)** be deleted and replaced with:

"**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;"
7. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening, 7.6 Minimum Landscape Buffers, 7.6.1(d)** be deleted and replaced with:

"**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; and;"

8. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening, 7.6 Minimum Landscape Buffers, 7.6.1(f)** be added as follows:

“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;”

9. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening, Table 7.1 – Minimum Landscape Buffer Treatment Levels Schedule** be amended, by adding in its appropriate location the following column heading:

Location	Front or Flanking Yard	Rear Yard	Side Yard	Urban Plaza Permitted (see 7.4)

10. AND THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening, Table 7.1 – Minimum Landscape Buffer Treatment Levels Schedule** be amended, by adding in its appropriate location the following text:

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			

11. AND FURTHER THAT City of Kelowna Zoning Bylaw No. 8000, **Section 7 – Landscaping and Screening** be amended, by deleting **Diagram 7.3, 7.4, 7.5 and 7.6**.

12. 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 27th day of January, 2020.

Considered at a Public Hearing on the 25th day of February, 2020.

Read a second and third time by the Municipal Council this 25th day of February, 2020.

Approved under the Transportation Act this 27th day of February, 2020.

Audrie Henry
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk