

# Report to Council



**Date:** May 25<sup>th</sup>, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application** TA19-0009

**Subject:** Zoning Bylaw No. 8000 Text Amendment – Fencing and Retaining Walls

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## **1.0 Recommendation:**

THAT Zoning Bylaw Text Amendment Application No. TA19-0009 to amend City of Kelowna Zoning Bylaw No. 8000 as indicated in Schedule A and outlined in the Report from the Development Planning Department dated May 25<sup>th</sup>, 2020 be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

## **2.0 Purpose:**

To amend Zoning Bylaw regulations for retaining walls and slopes in Section 7 - Landscape and Screening of Zoning Bylaw No. 8000.

## **3.0 Development Planning:**

Staff propose the amendments to the Zoning Bylaw to implement new regulations for retaining walls and slopes in Kelowna. The regulations aim to increase the integrity of retaining walls and slopes, increase safety of retaining soil and to achieve the expected design life of the retaining structure. The regulations will apply to all property types including agricultural, comprehensive development zones, residential, commercial, industrial, public and institutional and hospital district zones.

Staff have consulted the Urban Development Institute (UDI) the proposed new regulations for retaining walls and slopes for collaboration and feedback. UDI were supportive of the amendments in the interest of increasing safety.

#### **4.0 Current Development Policies:**

##### **4.1 Kelowna Official Community Plan (OCP)**

#### **Urban Design Development Permit Guidelines**

**Hillside Guidelines<sup>1</sup> Promote development that respects the terrain, vegetation, drainage courses and constraints related to the hillside environment of the site;**

- Incorporate landscaping that is natural and blends in with any existing vegetation minimizing large areas of formal landscaping;
- Preserve existing plant materials of significant size or relocate within the site;
- Incorporate landscaping that enhances building design and architectural elements;
- Revegetate any unavoidable cut and fill slopes along ridgelines with natural landscaping;
- Minimize the impact of development by screening structures through effective use of landscaping materials;
- Incorporate retaining walls utilizing native building materials (i.e., earth berms, rock forms, or stone) to minimize the visual impacts of cuts;
- Minimize fence and retaining wall height and length. Stepped or terraced walls with landscaping are encouraged for areas where steep cuts are required.

##### **4.2 Hillside Development Guidelines<sup>2</sup>**

#### **Grading/Retaining Objectives;**

- Site grading and retaining walls respect existing terrain; that is, large cuts/fills are not used to create 'build-able lots' or flat yards. Driveway grades follow the natural terrain, large single level building platforms are avoided, final lot grades mimic the natural slope and slopes are promptly re-vegetated
- Lot grading/disturbance should occur at the stage of development where it best accommodates existing terrain and vegetation around the perimeter of the building envelope
- Road, driveway, retaining wall and fence layout and design conforms to the natural terrain, where possible
- Significant natural scenic features, such as gullies, rock outcrops and knolls are at a minimum retained and preferably enhanced
- Manufactured grades mimic natural slopes

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<sup>1</sup> City of Kelowna Official Community Plan, D (Urban Design Development Permit Areas).

<sup>2</sup> City of Kelowna Development Services, Hillside Development Guidelines

- Site and lot grading do not compromise visual objectives
- Retaining structures integrate well with the onsite architectural character and natural environment
- Visual dominance as a result of development is reduced by sensitive grading.

#### Grading/Retaining Design Guidelines

- Consider grade difference on opposite sides of the street; opposing slab elevations should be set at a higher grade than the natural slope
- Manufactured slopes can be placed behind buildings
- Avoid retaining walls within the front yard
- Retaining walls can be used to reduce slope disturbance, rather than modify natural terrain- lot sizes should increase as the natural slope increases
- Use single loaded streets or split lanes and narrow roads to avoid scenic features and reduce grading
- Avoid side-casting fill excess material along road frontages and attempt to balance earthworks where impacts to hillside objectives are not compromised
- Boulevards and driveways can be graded from the curb to match existing terrain
- Consider terraced building foundations, where the bottom slab elevation matches existing terrain, multiple lots with shared access/driveways, detached garages, pan handle lots, etc.
- Extreme grades may necessitate detached garages
- Position driveways to minimize lot grading requirements and reduce the impact on adjoining properties
- Combine service connections, utilities and utility cuts in a single trench, where necessary
- Consider alternate road-ends.

#### **Financial/Budgetary Considerations: N/A**

**Report prepared by:** Sergio Sartori, Development Technician

**Reviewed by:** Dean Strachan, Subdivision, Suburban and Rural Planning Manager

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

#### **Attachments:**

Schedule A – Section 7.5.– Landscaping and Screening – Fencing and Retaining Walls Proposed  
Text Amendments