

# RZ001065

## ZONING AMENDMENT BYLAW – LANDSCAPE FEATURES AND RETAINING WALLS

Council Presentation  
October 20, 2020

**RESORT MUNICIPALITY OF WHISTLER**

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# Purpose

- To present “Zoning Amendment Bylaw (Retaining Walls) No. 2033, 2020” for consideration of first and second readings.
  - Proposed amendment to the General Regulations of *Zoning and Parking Bylaw No. 303, 2015* (the Zoning Bylaw) with respect to landscape features and retaining walls.
  - Intended to streamline the permitting process at Municipal Hall by reducing the number of variance applications, while continuing to uphold our resort community character.
- To request that Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (Retaining Walls) No. 2033, 2020”.

# Discussion – Background

- Historically, Zoning Bylaw did not regulate retaining wall siting or height.
  - Lead to some circumstances where owners built high retaining walls that were inconsistent with neighbourhood character.
- Oct. 2010: Amendment inserted “retaining walls” to Part 5.7.1 (d), introducing regulations for retaining walls in building setback areas.
  - Landscape Features (including retaining walls):
    - Must not exceed 0.6 metres in height;
    - Must be set back 1 metre from any side parcel line; and
    - Must be set back 2 metres from any front or rear parcel line.
- Zoning Bylaw groups retaining walls with other landscape features which are currently only allowed in building setback areas under certain conditions.

# Discussion – Evaluation of the Existing Bylaw

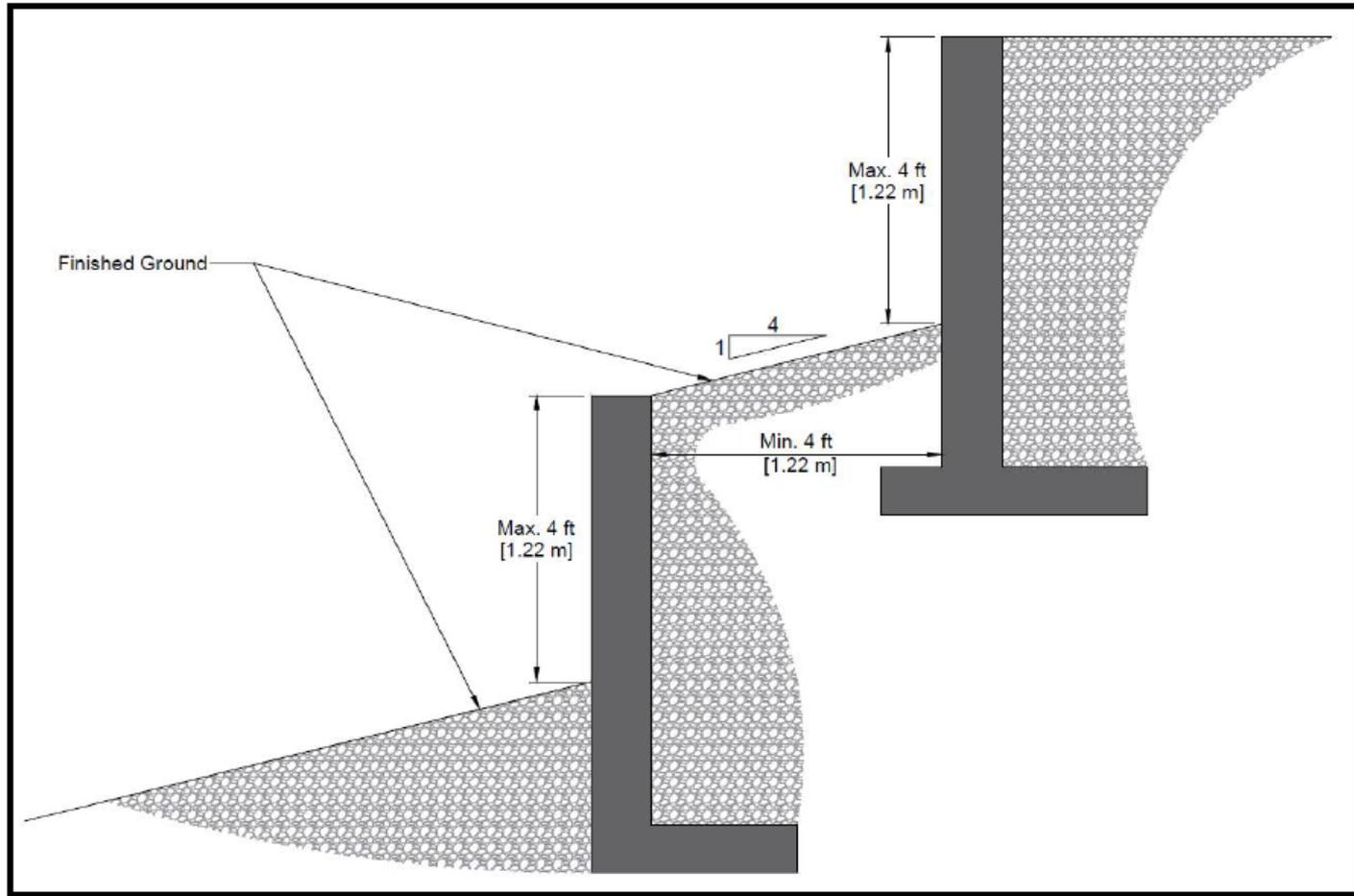
- Staff consider these regulations too restrictive.
- Whistler is a mountain community, with considerable topography and resulting building challenges.
- Problems that have been identified include:
  - 0.6 metres maximum height for retaining walls and landscape features is too low to be effective in our mountainous terrain.
  - Restricting retaining walls from extending to shared property lines does not allow adjacent property owners to connect their lots together across a continuous slope.

# Recommended Amendments – Retaining Walls

- Amend Part 5.7 of the General Regulations to:
  - Break out retaining walls from other landscape features;
  - Increase maximum height of retaining walls in setback areas from 0.6 metres to 1.22 metres;
  - Allow multiple terraced walls to be constructed in a setback area to support soft landscaping between walls;
    - Must have a minimum of 1.22 metres horizontal distance between terraced retaining walls within the same setback area; and
    - Must not exceed 1:4 slope of finished ground between terraced retaining walls within the same setback area.
  - Allow zero setbacks for side and rear yards to enable adjacent property owners to connect their retaining wall systems; and
  - Maintain the 2 metre setback from parcel lines that abut a road, to allow for storage of snow plowed from the road surface and reduce impacts on the existing streetscape.

# Recommended Bylaw Amendment Illustrated

Zoning Amendment Bylaw (Retaining Walls) No. 2033, 2020  
Figure 5-C: Retaining Walls



# Recommended Bylaw Amendment Illustrated



# Recommended Amendments – Landscape Features

- Amend Part 5.7 of the General Regulations to:
  - Increase the maximum allowable height of all landscape features in building setback areas from 0.6 metres to 1 metre.
  - Maintain the existing required setbacks of 1 metre from any side parcel line and 2 metres from any front or rear parcel line.

# Policy Considerations

## *Official Community Plan Bylaw No. 2199, 2018*

- The recommended bylaw amendments are consistent with the goals, objectives and policies included within the OCP.
- Landscape features, including retaining walls, may require a Development Permit under Chapter 13.

# Policy Considerations

## *Building and Plumbing Regulation Bylaw No. 1617, 2002*

- The recommended maximum retaining wall height of 1.22 metres is aligned with the BC Building Code which requires engagement of a professional engineer for walls exceeding 1.22 metres, and as recommended by the Municipal Insurance Association of British Columbia.
- The recommended maximum retaining wall height of 1.22 metres is aligned with the forthcoming Building Bylaw.

# Advisory Design Panel

- ADP reviewed and supported a previous version of the draft bylaw in 2013.
  - At that time, the proposed maximum retaining wall height was 1.5 metres.
- Some members expressed reservations regarding zero setbacks for retaining walls on side and rear parcel lines.
- Staff considers that zero setbacks are necessary to enable neighbouring properties to connect their retaining wall systems.
  - Zero setbacks will allow for terracing of adjacent properties in cross-slope situations.
- ADP passed the following resolution:
  - ***“That the Advisory Design Panel supports the draft zoning amendment bylaw.”***

# Community Engagement and Consultation

- The proposed zoning amendment bylaw is subject to Public Hearing requirements.
- Staff will carry out the Public Hearing and associated notifications should Council authorize staff to schedule the Public Hearing.

# Recommendation

**That** Council consider giving first and second readings to “Zoning Amendment Bylaw (Retaining Walls) No. 2033, 2020”; and

**That** Council authorize staff to schedule a Public Hearing for “Zoning Amendment Bylaw (Retaining Walls) No. 2033, 2020”, and to advertise for same in the local newspaper.