

Overview of Proposed Official Community Plan and Zoning Bylaw Amendments

Proposed Official Community Plan Amendment

The proposed amendment to the Official Community Plan is to add a new section that will provide objectives and policies specific to the management of lands that are subject to slumping and slope instability. The policies will provide for reasonable development in the defined area while maintaining the integrity of the riverbank. Policies will identify that the tool for implementation will be an overlay zoning district that will contain additional development standards required for development in the identified area.

Proposed Zoning Bylaw Amendment

The Proposed amendment to the Zoning Bylaw will provide for a new Section 14.6, The Riverbank Slope Overlay Zoning District. The Riverbank Overlay District will provide for the following:

1. Definitions for the overlay district that include:
 - a. Factor of Safety - The degree of slope stability is measured using a Factor of Safety (FOS). FOS is the ratio of forces resisting land sliding to the forces causing land sliding. A slope is considered unstable when it has a FOS less than 1.0. The FOS that a slope is classified can vary depending on the ground conditions of the slope, land use and previous instability. A FOS of 1.5 is considered acceptable for a permanent structure constructed on or close to a slope.
 - b. Major development to include:
 - i. any new structure containing livable space;
 - ii. an addition to a structure with a gross floor area that is greater than 10 square metres; or
 - iii. any site grading or site work that changes the profile or grade of a site.
 - c. Minor development to include:
 - i. demolition of any structure;
 - ii. detached accessory building containing no livable space;
 - iii. an addition to a structure containing livable space with a gross floor area of 10 square metre or less; or,
 - iv. raised patio and decks.
 - d. Site grading - the process of adjusting the slope or elevation of the soil on a site.
 - e. Swimming pool - an artificially created basin, lined with concrete, fibreglass, vinyl or similar material, intended to contain water for the use of persons for swimming, diving, wading or other similar activity.

2. Development Restrictions:

- a. The Riverbank Slope Overlay District will be divided into two zones of development as shown on the Riverbank Slope Zone Boundaries Map No. 1.
- b. Clarify that unless stated otherwise in this District, the permitted and discretionary uses, development standards, and all other requirements in the zoning district for which the site is designated shall apply in Zone 1 and Zone 2.
- c. Note that in ground swimming pools are prohibited in Riverbank Slope Overlay District:

3. Application Requirements:

Development permit applications within the Riverbank Slope Overlay District shall be accompanied by the following:

- a. For areas identified as Zone 1 on the Riverbank Slope Zone Boundaries Map No. 1:
 - I. All major development shall be accompanied by a geotechnical report demonstrating a FOS of 1.5 for the proposed development.
 - II. All minor development shall be accompanied by a letter from a geotechnical engineer indicating proposed development will have a minimal risk to slope stability or a geotechnical report demonstrating a FOS of 1.3 for the proposed development.
- b. For areas identified as Zone 2 on the Riverbank Slope Zone Boundaries Map No. 1:
 - I. All major development shall be accompanied by a geotechnical report demonstrating a FOS of 1.5 for the lot of the proposed development.
 - II. All minor development shall be accompanied by a letter from a geotechnical engineer indicating proposed development will have a minimal risk to slope stability or a geotechnical report demonstrating a FOS of 1.3 for the proposed development.
 - III. Notwithstanding the above, site grading as well as the construction of detached accessory buildings and raised patios or decks with a gross floor area of 10 square metre or less do not require a letter from a geotechnical engineer outlining impact of the proposed development or a geotechnical report.
- c. At the discretion of the Development Officer, a geotechnical report may be requested demonstrating the appropriate FOS for the proposed development or a letter from a geotechnical engineer indicating proposed development will have a minimal risk to slope stability.

4. Geotechnical Report Requirements:

- a. Geotechnical reports shall assess all information necessary to evaluate the proposed development and shall include all pertinent hydrological, geological, and other natural or built conditions on a site, any proposed measures to avoid or mitigate hazards related to slumping, subsidence, landslides erosion or any other instability and any other information as required.

- b. Required geotechnical reports or letters shall be prepared by a professional engineer with the appropriate specialization licensed to practice in the Province of Saskatchewan, and shall demonstrate to the satisfaction of the Development Officer that the proposed development may be safely accommodated on the site as required.
- c. The Development Officer may request a peer review of any geotechnical report submitted for application.

5. Terms and Conditions of Approval

- a. The Development Officer may impose conditions of approval having considered the required geotechnical report or letter, the proposed use and the uniqueness of the Site. Conditions of approval may require:
 - i. the provision of a real property report during preliminary construction showing the location of the structure or development;
 - ii. the owner meeting recommendations of any applicable report;
 - iii. maintenance of slope stability;
 - iv. ongoing monitoring programs and related access;
 - v. storm water, drainage and erosion control measures;
 - vi. that any development be designed and constructed using materials, processes and/or techniques that will minimize slope risks or instability;
 - vii. that the owner and any current or future owner of the site enter into an indemnity agreement with the City respecting environmental risks, including but not limited to slope stability;
 - viii. the provision of a post construction certificate or report from a relevant professional confirming that the development has been located and constructed in accordance with any Site plan or report accepted by the Development Officer.
- b. No development shall have a net negative impact on the slope stability on the site in which the development is located, or on other privately or publically owned land within the vicinity.
- c. Applications for redevelopment of, or additions to, structures identified within an existing geotechnical investigation shall demonstrate, to the satisfaction of the Development Officer that the additional development can be accommodated within the scope of the original investigation.
- d. The City may note requirement of geotechnical reports on its development and building records or certificates and may disclose any conditions identified within the approval of the development.
- e. Where the provisions of the Riverbank Slope Overlay District are in conflict with the regulations of the zoning district applicable to a site, the provisions of the Riverbank Slope Overlay District shall take precedence.