



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: April 15, 2021
RE: Development Variance Permit Application — Electoral Area “I”

Administrative Recommendation:

THAT Development Variance Permit No. I2020.013-DVP be approved

Purpose: To allow for an over-height retaining wall

Owners: Darrell Helfrich Agent: n/a Folio: I-01484.510

Civic: 126 Sumac Avenue Legal: Lot B, Plan 40421, District Lot 105s, SDYD

OCP: Low Density Residential (LR) Zone: Residential Single Family Two (RS2)

Variance Request: to increase the maximum height for a retaining wall from 2.0 metres to 3.66 metres

Proposed Development:

This application is seeking a variance to the retaining wall height regulations that applies to the subject property to facilitate a driveway to a garage addition.

Specifically, it is being proposed to increase the maximum height for a retaining wall from 2.0 metres to 3.66 metres.

In support of this request, the applicant has stated that “this wall is required to allow access to a garage that was approved by the RDOS...it is the least intrusive option for the site.”

Site Context:

The subject property is approximately 1,755 m² in area and is situated on the west side of Sumac Avenue. The property is currently developed to a single detached dwelling. The surrounding pattern of development is characterised by residential.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on November 29, 1988, while available Regional District records indicate that a building permit for an addition to garage (2018) have previously been issued for this property.

A building permit was submitted for the subject retaining wall in August 2020, after the Building Inspector advised the owner of its requirement during a site visit.

Under the Electoral Area “I” Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is currently designated Low Density Residential (LR).

Under the Electoral Area “I” Zoning Bylaw No.2457, 2008, the property is currently zoned Residential Single Family Two (RS2) which permits, among other uses, accessory building and structures.

The proposal is within 4.5 metres of a reoad reserve, and the Ministry of Transportation and Infrastructure issued a permit (Permit No. 2021-01625) on March 24, 2021 for the proposed retaining wall. BC Assessment has classified the property as “Residential” (Class 01).

Public Process:

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted until the commencement of the regular Board meeting. Any comments will be on the agenda as separate item.

At its meeting of February 17, 2021, the Electoral Area “I” Advisory Planning Commission (APC) resolved to recommend to the RDOS Board that the subject application be approved.

Analysis:

In considering this proposal, Administration notes that the proposed retaining wall is stepped to align with the slope of the abutting parcel and reduces in height as it approaches the street.

The lowest portion of this retaining wall is abutting the street and gains elevation as it follows the sloped driveway upwards towards the garage.

Due to the grade change at the base, the retaining wall is disadvantaged by height calculations measuring from the lowest grade to the top of the structure.

In this instance, the retaining wall is less imposing on the streetscape, as the face of the retaining wall is less than 2.0 metres or less for the majority of the wall. Further, it is perpendicular to the street so there is no large wall facing the street and no impact to sightlines.

Since 2013, the Regional District has attempted to mitigate the impact of residential development on hillsides in other Electoral Areas through the use of development permit area guidelines and, since January of 2018, the use of retaining wall regulations in all Okanagan Valley Electoral Areas.

These regulations have sought to encourage retaining walls be integrated into the terrain and respect the natural character of the site in order to achieve environmentally sound and liveable hillside neighbourhoods.

Further, retaining walls should be aesthetically well integrated into a hillside to enhance the desirability and marketability of hillside developments, allowing flexibility and innovation in design while recognizing the importance of preserving natural features and hillside character.

Conversely, Administration recognises that this site was previously developed to include a single detached dwelling with garage and a driveway that did not require a retaining wall. As such, an additional driveway is not strictly necessary for reasonable enjoyment of the parcel and may be construed as over-development.

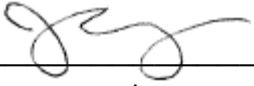
However, Administration contends that the bulk of the retaining wall is keeping with the intent of the regulation and facilitates reasonable access to a permitted garage.

For these reasons, Administration supports the requested variances and is recommending approval.

Alternative:

1. That the Board deny Development Variance Permit No. I2020.013-DVP.

Respectfully submitted



JoAnn Peachey

Endorsed by:



C. Garrish, Planning Manager

Attachments: No. 1 – Applicant’s Retaining Wall Photo

Attachment No. 1 – Applicant's Retaining Wall Photo

