

**PROPERTY DESCRIPTION:**

Civic address: **162 saliken dr penticton BC V2A8V6**

Legal Description (e.g. Lot, Plan No. and District Lot):

**Lot 13, DL 2170, SDYD, Plan 23178 except plan KAP56852**

Current land use:

**LH1 residential**

Surrounding land uses:

**LH1 residential**

**REQUESTED VARIANCE(S):**

List all requested variances to the regulations in bylaws of the Regional District. Each variance should be marked on the applicable drawings. A variance cannot be considered where use or density would be affected.

Zoning Bylaw: **2773**

Section No.:

Current regulation: **Max height of retaining wall 2m**

Proposed variance: **To increase the maximum retaining wall height to walls A,B &C from 2m to 10' & 9' (see attached diagrams)**

Section No.:

Current regulation:

Proposed variance:

**DEVELOPMENT INFORMATION:**

Please provide a general description of the proposed development:  
(e.g. "to allow for an addition over an existing garage")

**Walls A&B will begin at 10' next to the foundation, and rapidly decrease in height as they extend outward. Wall C will be a total height of 9' exposed continuously from beginning to end. See attached for further detail.**

**SUPPORTING RATIONALE:**

When considering a variance request, Regional District staff will *generally* assess the proposal against the following criteria:

- *is the proposed variance consistent with the general purpose and intent of the zone?*
- *is the proposed variance addressing a physical or legal constraint associated with the site (e.g., unusual parcel shape, topographical feature, statutory right-of-way, etc.)?*
- *is strict compliance with the zoning regulation unreasonable or un-necessary?*
- *will the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood?*

A request to change a zoning regulation should only be considered as a last resort to a design challenge.

Please explain how the requested variance(s) meet the assessment criteria listed above:

**A - as the driveway slopes down toward the garage slab, the exposed face of wall “A” will be less than or equal to 10 feet in exposed face. The exposed height will decrease rapidly as the wall approaches the roadside, ending at 4’ exposed at the end of the 40’ length wall. The home is set close to design as per Attachment (21-094 P.2 Sections) which keeps overall building height under the allowed maximum. This effort to “lower the building” will be appreciated in the design of wall “C”**

**B - To control road water, and create a safe separation, we are requesting to pour wall “B” with an exposed face height of 10 feet or less at the intersection of the house foundation. The height will decrease at a rapid rate as it approaches the roadside to 1’ exposed at end of the wall which is 30’ in length (note: diagram as wall is not straight out it is turned).**

**C - To control erosion, and create a reasonable and safe entrance, we would like the option of a wall along the property line with an exposed height of 9’**

**Note: in efforts to comply with height restrictions, and find an overall balance of final elevations, we feel these walls are a reasonable request.**