

## ADMINISTRATIVE REPORT



**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** January 20, 2022

**RE:** Development Variance Permit Application — Electoral Area “E” (E2021.058-DVP)

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### **Administrative Recommendation:**

**THAT Development Variance Permit No. E2021.058-DVP, to allow for the construction of a single detached dwelling at 2865 Outlook Way, be approved.**

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Legal: Plan EPS4038, District Lot 2711, SDYD      Folio: E-06834.131

OCP: Low Density Residential (LR)      Zone: Residential Single Family Three (RS3)

Variance Requests: to increase the maximum retaining wall height from 1.2 metres to 3.0 metres.

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### **Proposed Development:**

This application is seeking a variance to the retaining wall height regulations that apply to the subject property in order to undertake the construction of a single detached dwelling-

Specifically, it is being proposed to increase the maximum retaining wall height from 1.2 metres to 3.0 metres in the interior side setback area.

In support of this request, the applicant has stated that “We need to retain the fill on the neighbouring properties. On the north side the wall needs to be approximately 10’ tall to achieve this. Only about 12” of this be 10’ feet, then slopes down.”

### **Site Context:**

The subject property is approximately 980 m<sup>2</sup> in area and is situated on the west side of Outlook Way. The property is currently undeveloped.

The surrounding pattern of development is characterised by similar undeveloped residential lots.

### **Background:**

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on July 29, 2017, while available Regional District records indicate that a building permit has been issued for a single detached dwelling.

Under the Electoral Area “E” Official Community Plan (OCP) Bylaw No. 2458, 2008, the subject property is currently designated Low Density Residential (LR), while a small western portion is the subject of an Environmentally Sensitive Development Permit (ESDP) Area designation.

Under the Electoral Area “E” Zoning Bylaw No. 2459, 2008, the property is currently zoned Residential Single Family Three (RS3) which allows for a single detached dwelling.

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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, in accordance with Section 2.10 of Schedule ‘4’ of the Regional District’s Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on January 13, 2022. All comments received are included as a separate item on the Board’s Agenda.

**Analysis:**

The request for an overheight retaining wall within the setback area appears reasonable as it will maximize the buildable area available. Since 2013, the Regional District has attempted to mitigate the impact of residential development on hillsides in other electoral areas through 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.

For these reasons, the use of large concrete block retaining walls in residential areas that create a negative visual impact are discouraged, whereas, surface treatments that harmonize the natural texture and colours are encouraged.

In this instance, the overheight retaining wall is proposed to be sited on the interior portion of the property and built at a *maximum* height of 3.0 metres only in certain sections whereas the bulk of the wall does not vary considerably from the regulation in the bylaw. Although the neighbouring lots are mostly vacant presently, there is no negative impact anticipated on them or on the streetscape.

**Alternatives:**

1. That the Board deny Development Variance Permit No. E2021.058-DVP.

**Respectfully submitted**

*Nikita Kheterpal*

Nikita Kheterpal, Planner I

**Endorsed by:**



C. Garrish, Planning Manager

**Attachments:**

- No. 1 – Aerial Imagery
- No. 2 – Site Photo facing west (Nov. 2021)
- No. 3 – Site Photo facing northwest (Nov. 2021)

Attachment No. 1 – Aerial Photo



FIG NO. E2021.058 DVI



Attachment No. 2 – Site Photo facing west (November 2021)





Attachment No. 3 – Site Photo facing northwest (November 2021)

