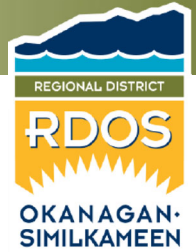


ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: J. Zaffino, Chief Administrative Officer
DATE: February 8, 2024
RE: Development Variance Permit Application — Electoral Area “D” (D2023.041-DVP)

Administrative Recommendation:

THAT Development Variance Permit No. D2023.041-DVP, to allow for the construction of three retaining walls at 162 Saliken Drive, be approved.

Legal: Lot 13, Plan KAP23178, District Lot 2710, SDYD Folio: D-06752.220

OCP: Large Holdings (LR) Zone: Large Holdings One Site Specific (LH1s)

Variance to increase the maximum height of two retaining walls from 2.0 metres to 3.46 metres; and

Requests: to increase the maximum height of a retaining wall from 1.2 metres to 2.74 metres.

Proposed Development:

This application is seeking a variance to the maximum retaining wall height that applies to the subject property in order to undertake the construction of three retaining walls.

Specifically, it is being proposed to increase the maximum height of two retaining walls from 2.0 metres to 3.46 metres and one retaining wall from 1.2 metres to 2.74 metres.

In support of this request, the applicant has stated that “the walls will result in a more sympathetic design and one that helps to control erosion and water drainage.”

Site Context:

The subject property is approximately 5.3 ha in area and is situated on the south side of Saliken Drive, approximately 330 metres east from the boundary with the City of Penticton. The property is understood to be vacant, with the exception of the beginnings of the construction of a new single detached dwelling.

The surrounding pattern of development is generally characterised by similar residential development, and Parks and Recreation to the south of the property.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on October 17, 1972, while available Regional District records indicate that building permits for a single family dwelling (2021) and a single family dwelling (2015) have previously been issued for this property.

Under the Electoral Area “D” Official Community Plan (OCP) Bylaw No. 2603, 2013, the subject property is currently designated Large Holdings (LH), and is the subject of a Watercourse

Development Permit (WDP), Environmentally Sensitive Development Permit (ESDP) Area and Hillside Development Permit (HDP) Area designations.

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Large Holdings One Site Specific (LH1s) which permits a maximum height of 2.0 metres for retaining walls in a setback.

The property is not within the Agricultural Land Reserve (ALR) and BC Assessment has classified the property as “Residential” (Class 01).

Regional Board Consideration:

At its meeting of August 20, 2015, the Board approved Development Variance Permit No. D2015.081-DVP, which reduced the front parcel line setback for a principal dwelling from 7.5 metres to 2.96 metres. This permit was not acted upon and subsequently lapsed.

At its meeting of March 4, 2021, the Board approved Development Variance Permit No. D2020.019-DVP, which reduced the front parcel line setback for a principal dwelling from 7.5 metres to 3.0 metres and further reduced the interior side parcel line setback from 4.5 metres to 3.0 metres.

An ESDP (2017 & 2023) and HDP (2015) have previously been approved for this property by Administration under delegated authority.

At its meeting of December 21, 2023 the RDOS Board resolved to send the application to be reviewed by the Electoral Area “D” Advisory Planning Commission (APC).

Public Process:

In accordance with Section 2.4 of Schedule 4 (Application for a Development Variance Permit) of the Regional District’s Development Procedures Bylaw No. 2500, 2011, adjacent residents and property owners were notified of this DVP application on October 26, 2023, and provided 15 working days to submit comments electronically or in-person to the Regional District.

As of November 17, 2023, being 15 working days from the date of notification, approximately two (2) representations have been received electronically or by submission at the Regional District office.

At its meeting of January 8, 2024, the Electoral Area “D” 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 Zoning Bylaw’s use of regulations to govern the placement of retaining walls are generally 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, Administration notes that construction of a retaining wall is consistent with the purpose and intent of the LH1s zone, which permits retaining walls. Moreover the retaining wall's purpose is to support the principal residential use of the property.

The single detached dwelling is located at a lower elevation than Saliken Drive. The proposed 3.46 metre walls are intended to allow for the drive way to be a more reasonable grade to access the single detached dwelling.

Alternative:

Conversely, Administration recognises that, the proposed 2.74 metre wall will be placed along an interior side parcel line and, while the nearest dwelling on the neighbouring parcel is more than 100 metres from the proposed wall, it *could* have an aesthetic impact.

Summary:

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

Alternatives:

1. That Development Variance Permit No. D2023.041-DVP be denied.

Respectfully submitted

Colin Martin

Colin Martin, Planning Technician

Endorsed by:



C. Garrish, Senior Manager of Planning

Attachments: No. 1 – Aerial Photo

No. 2 – Site Photo (Google Streetview)

Attachment No. 1 – Aerial Photo



Attachment No. 2 – Site Photo (Google Streetview)

