

ADMINISTRATIVE REPORT



TO: Board of Directors
FROM: B. Newell, Chief Administrative Officer
DATE: July 22, 2021
RE: Development Variance Permit Application — Electoral Area “I”

Administrative Recommendation:

THAT Development Variance Permit No. I2021.023-DVP to build a retaining wall in the rear setback at 445 Eastview Road in Electoral Area “I” be approved.

Purpose: To build a retaining wall in the rear setback. Folio: I-02461.000

Civic: 445 Eastview Road Legal: Lot 4, Block 2, Plan KAP9937, District Lot 280, SDYD

OCP: Small Holdings (SH) Zone: Residential Single Family Two (RS2)

Variance Request: to increase the maximum retaining wall height in a rear setback from 1.2 m to 1.4 m.

Proposed Development:

This application is seeking a variance in order to undertake the construction of a retaining wall to mitigate and prevent the effects of flooding on the existing dwelling.

Specifically, it is being proposed to increase the maximum height of the retaining wall within the rear parcel line setback from 1.2 metres to 1.4 metres.

In support of this request, the applicant has stated that “the property was significantly impacted by high flood waters from Nipit Lake and a retaining wall is needed to protect the existing home and land. Numerous engineering wall designs have been explored... and the proposed wall is the preferred engineering option.”

Site Context:

The subject property is approximately 1,270 m² in area and is situated on the east side of Eastview Road, abutting the southern shore of Nipit Lake. The property is currently developed to contain a single detached dwelling.

The surrounding pattern of development is characterised by similar residential development on RS2 parcels along the lakeshore.

Background:

The current boundaries of the subject property were created by a Plan of Subdivision deposited with the Land Titles Office in Kamloops on August 24, 1959, while available Regional District records indicate that building permits have previously been issued for the demolition of a deck foundation wall (2019) and for a deck foundation re-build (2020).

Under the Electoral Area “I” Official Community Plan (OCP) Bylaw No. 2683, 2016, the subject property is designated Small Holdings (SH) and is the subject of a Watercourse Development Permit (WDP) Area designation. A WDP was issued for the proposed retaining wall on January 8, 2020.

Under the Electoral Area “I” Zoning Bylaw No. 2457, 2008, the property is zoned Residential Single Family Two (RS2) which lists “single detached dwelling” as a permitted principal use. Section 7.30.4 (a) states that “in a required setback for front, side or rear parcel line no retaining wall shall exceed 1.2 metres in height.”

On June 21, 2019, a Stop Work Notice was placed on the subject property for a deck foundation rebuild without a building permit. 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.

Analysis:

Regulating the height of retaining wall through the use of zoning regulations is generally done to encourage such walls to be integrated into the terrain and respect the natural character of the site in order to achieve environmentally sound and liveable hillside neighbourhoods.

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 considering this proposal, Administration notes that the requested variance of an increase of 0.2 metres is considered minor in nature. Additionally, the subject property’s rear parcel line abuts the shoreline of Nipit Lake and the increased height of the retaining wall is unlikely to pose a negative impact on adjacent properties.

Administration also supports the variance as it will provide flood protection to the existing dwelling and will not be an impact on riparian values as a WDP has been issued for constructing the retaining wall.

For the reasons stated above, Administration supports the requested variance and is recommending approval.

Alternatives:

1. That the Board deny Development Variance Permit No. I2021.023-DVP.
2. That the Board defer consideration of the application and it be referred to the Electoral Area “I” Advisory Planning Commission.

Respectfully submitted

Nikita Kheterpal

Nikita Kheterpal, Planner I

Endorsed by:



C. Garrish, Planning Manager

Attachments:

No. 1 – Aerial Photo

No. 2 – Site Photo (Google Street view)

Attachment No. 1 – Aerial Photo



Attachment No. 2 – Site Photo (Google Street view)

