

ADMINISTRATIVE REPORT



TO: Advisory Planning Commission
FROM: J. Zaffino, Chief Administrative Officer
DATE: November 4, 2024
RE: Development Variance Permit Application — Electoral Area “I”

Purpose: To allow for the construction of a retaining wall above the maximum permitted height.

Civic: 485 Pineview Drive Legal: Lot 5, Plan 19506, District Lot 103S, SDYD

Folio: I01638.020 Zone: Low Density Residential Three (RS3)

Variance: To increase the maximum permitted height for a retaining wall from 2m to 3.5m.

Requests:

Proposed Development:

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

Specifically, it is being proposed to that a 3.5m tall retaining wall be constructed on the subject property.

In support of this request, the applicant has stated that “Request for variance on wall height to place existing old rock retaining wall.”

Site Context:

The subject property is approximately 1338m² in area and is situated on the east side of Pineview Drive, within the Town of Kaleden. The property is understood to contain one (1) singled detached dwelling.

The surrounding pattern of development is generally characterised by residential and agricultural developments.

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 6, 1969, while available Regional District records indicate that a demolition permit of an A-frame cabin (2017), and a building permit for single family dwelling (2019).

Official Community Plan

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

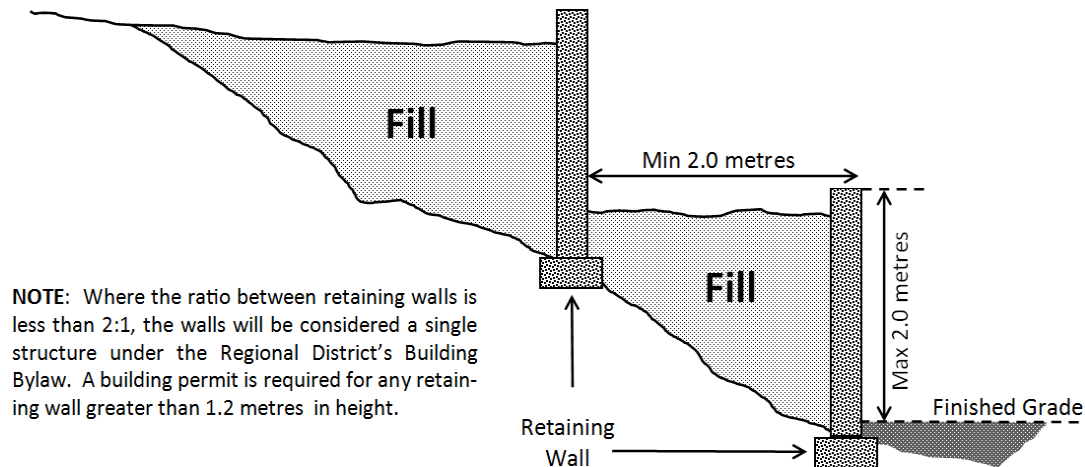
Zoning Bylaw

Under the Okanagan Valley Zoning Bylaw No. 2800, 2022, the property is currently zoned Low Density Residential Three (RS3) which lists single detached dwelling as a permitted principal use.

The Zoning Bylaw establishes a maximum height of 2.0 metres for retaining walls, measured from the lowest finished grade to the highest point of the wall.

Further, where multiple retaining walls are constructed, the zoning bylaw requires a minimum horizontal distance between the walls that is no less than height of the lowest retaining wall.

Retaining walls constructed closer than this horizontal distance are considered to be a single structure, measured from the finished grade of the lowest wall to the highest point of the highest wall.



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

Board Consideration:

At its meeting of October 17, 2024, the Regional District Board moved to defer the Development Variance Permit application to the Area "I" Advisory Planning Commission (APC) for a recommendation.

Analysis:

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 recognizes that many properties in Kaleden face topographical constraints due to historic hillside development patterns.

Further, the applicant cited topographic constraints in support of the previous variance request, stating that the retaining wall is proposed in order to create a useable backyard and that there is not enough space to build a stepped wall.

Regarding visual impacts, the proposed retaining wall is located near the footprint of the dwelling unit, which is setback approximately 19.5 metres from Pineview Drive and also includes an elevation from the constructed road (see Attachment No. 2). Accordingly, the proposed wall is unlikely to impact the aesthetics of the hillside or the streetscape.

Alternative

Conversely, when a non-conforming structure such as an over-height retaining wall requires replacement due to potential failure, the development of a replacement structure is generally considered the time at which to seek bylaw compliance.

Other options are seen to be available to the applicant, such as an alternative design in which the use of back-filling or multiple stepped walls is used to reduce the overall height and more aesthetically integrate the retaining wall into the hillside. However, it is also recognized that this may require modification to the existing driveway and access to the site.

Summary

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

Administrative Recommendation:

THAT Development Variance Permit No. 2024,026-DVP, to allow for the construction of a retaining wall beyond the maximum building height at 485 Pineview Drive, be approved.

Options:

1. THAT the APC recommends to the RDOS Board that the subject development application be approved.
2. THAT the APC recommends to the RDOS Board that the subject development application be approved with the following conditions:
 - i) *TBD*
3. That the APC recommends to the RDOS Board that the proposed development application be denied.

Respectfully submitted

Jerritt Cloney

Jerritt Cloney, Planner I

Endorsed by:

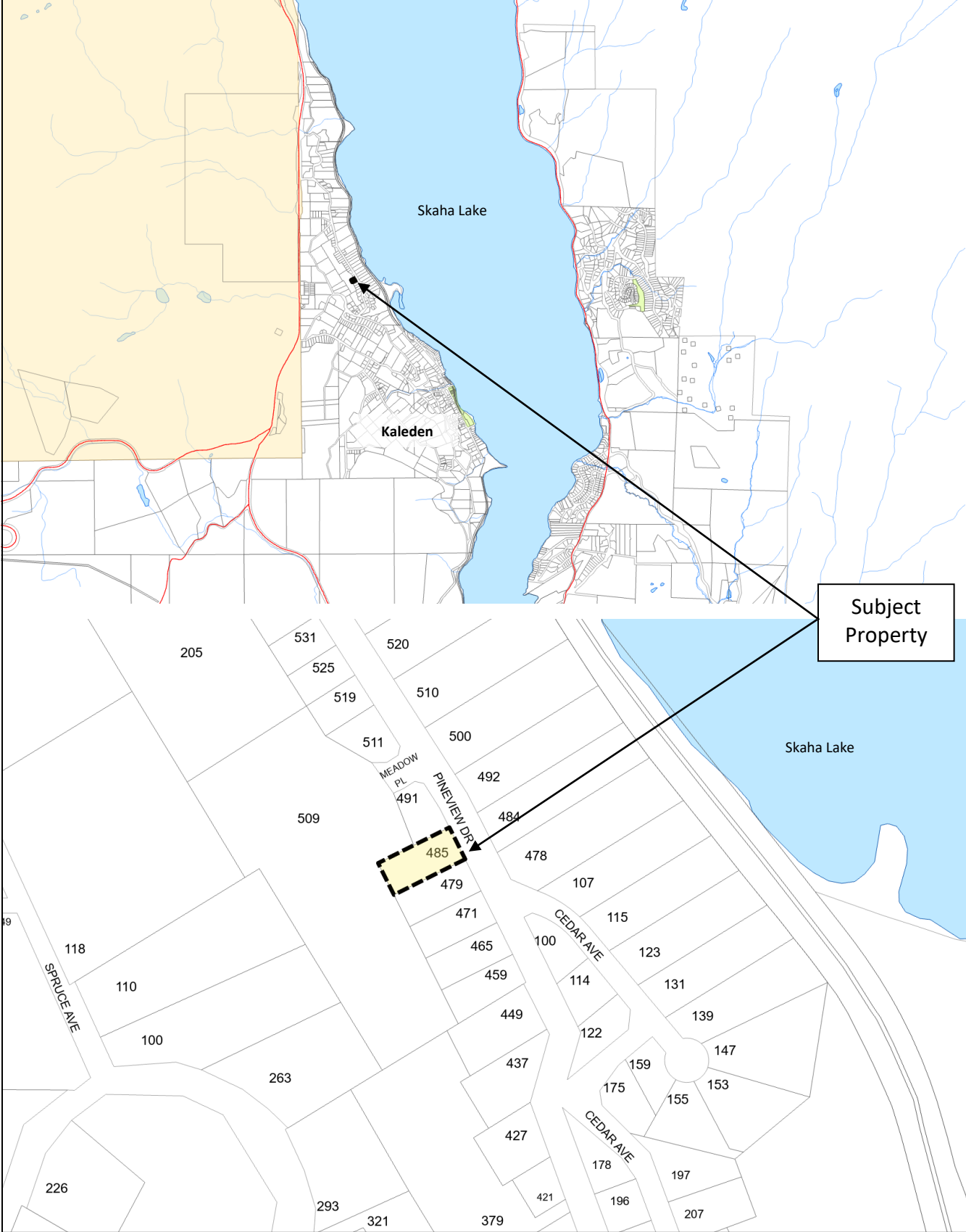


C. Garrish, Senior Manager of Planning

Attachments:

- No. 1 – Context Maps
- No. 2 – Applicant’s Site Plan
- No. 3 – Building Elevation View
- No. 4 – Site PhotoAttachment

No. 1 – Context Maps



Subject Property

Attachment No. 2 – Applicant’s Site Plan



Approximate location of Tiered Allan Block Retaining Wall.
2 feet is closest point of retaining wall to the north property line.

Subject Property:
485 Pineview Drive

485 Pineview Dr

Pineview Dr



GROUND FX
TECHNICAL INC.

PO Box 22042
RPO Pentticon Plaza
Pentticon, BC V2A 8L1

Project No.:
GFX- 1177

Address:
485 Pineview Drive,
Kaleden, BC

Date:
July 3, 2024

Design	AL	2024 07 03
Drawn	KT/AL	2024 07 03
Check	AL	2024 07 29

Revisions:



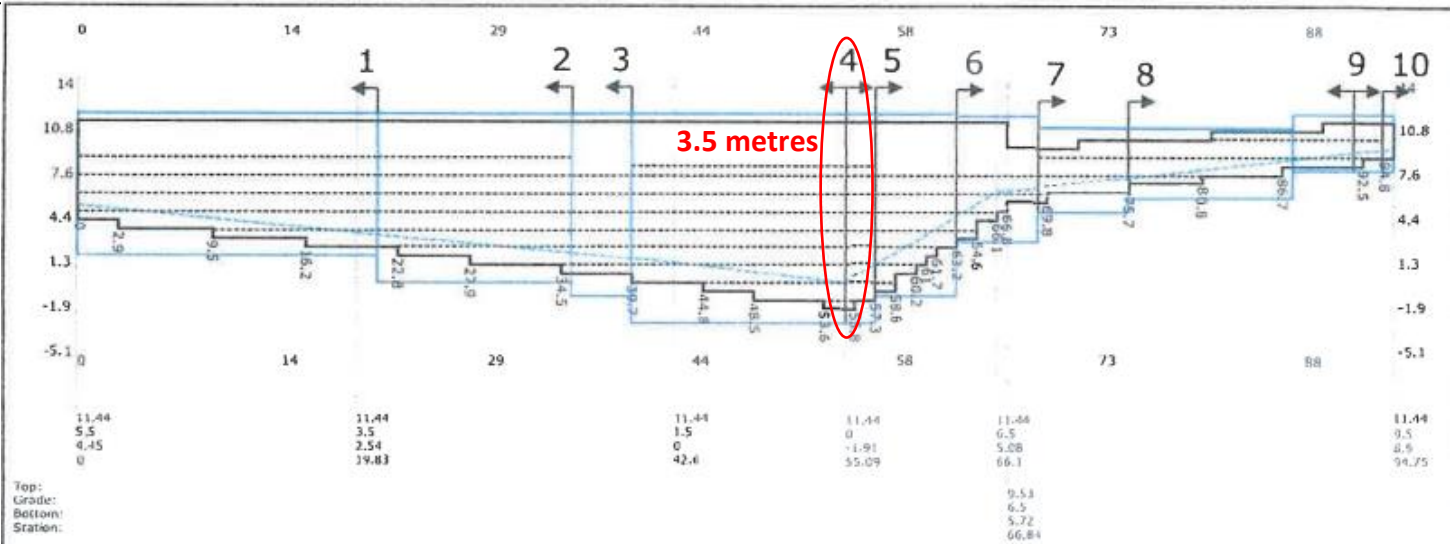
Note: Each of the numbered sections in the provided Site Plan corresponds to the numbered perspective view provided in Schedule “C”.

Section locations are approximate.

Base Plan: Google Earth - Imagery from 2022

Site Plan with Approximate Tiered Allan Block Retaining Wall Locations.

Attachment No. 3 – Building Elevation View



Elevation View

Section	1	2	3	4	5	6	7	8	9	10
Top	11.44	11.44	11.44	11.44	11.44	11.44	9.53	10.17	11.44	11.44
Grade	3.37	2.15	1.12	0	1.3	4.77	6.74	7.45	9.18	9.42
Bottom	2.54	0.64	0	-1.91	-0.64	3.18	5.72	6.99	8.26	8.9
Sta. Cut	21.3	35.26	39.66	55.09	57.29	63.17	69.04	75.65	91.81	94.02
Sta. End	21.3	35.26	39.66	57.29	63.17	69.04	75.65	87.41	94.02	94.75



FOR LOCATIONS OF SECTIONS ONLY
Preliminary - Not for Construction

Project Name: Tiered Allan Block Wall
Location: 485 Pineview Drive, Kaleden, BC
Wall Number:
Project Number: GFX 1177
Designer: Amber LeComte, P.Eng.
Date: June 10, 2024

Page #: 11

Attachment No. 4 – Site Photo (Google Streetview)

