
CITY OF KELOWNA

MEMORANDUM

Date: February 18th, 2003
File No.: DVP03-0008

To: City Manager

From: Planning & Development Services Department

Subject:

APPLICATION NO. DVP03-0008 OWNER: Brad Garth

LOCATION: 739 South Crest Drive APPLICANT: Brad Garth

PURPOSE: VARY THE HEIGHT OF A RETAINING WALL FROM 1.2M PERMITTED TO 2.4M EXISTING

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council not authorise the issuance of Development Variance Permit No. DVP03-0008 for Lot 51, DL. 1688s, SDYD, Plan KAP68647, located on South Crest Drive, Kelowna, B.C.:

2.0 SUMMARY

The applicants are seeking to vary the maximum permitted height for a retaining wall from 1.2m permitted to 2.4m for a newly constructed retaining wall that exceeds the provisions of Zoning Bylaw No.8000.

3.0 BACKGROUND

3.1 The Proposal

The applicant has constructed a retaining wall on the lane of the property that exceeds the provisions of zoning Bylaw No. 8000. The applicants are seeking to vary the maximum height for a retaining wall from 1.2 permitted to 2.4m existing. The subject property fronts onto South Crest Drive however takes access from a lane that runs down the west side of the property and circles around the rear to provide access for lots to the east (4 lots) and west (3 lots) on South Crest.

The existing retaining wall ranges from 1.2m to 2.4m in height throughout its length and is constructed of concrete block that slopes inward at an angle of approximately 12°. The applicant's neighbor located at 735 South Crest Drive has submitted a letter of support for the proposed variance.

The application compares to the requirements the City of Kelowna Bylaw No. 8000 for RU1 – Large Lot Housing zones as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m ²)	893m ²	550m ²
Lot Width	18m	16.5m
Lot Depth	52m	30.0m
Retaining Wall	2.4m (existing)❶	1.2m

❶Note: The applicant is seeking to vary the maximum permitted height for a retaining wall.

Site Context

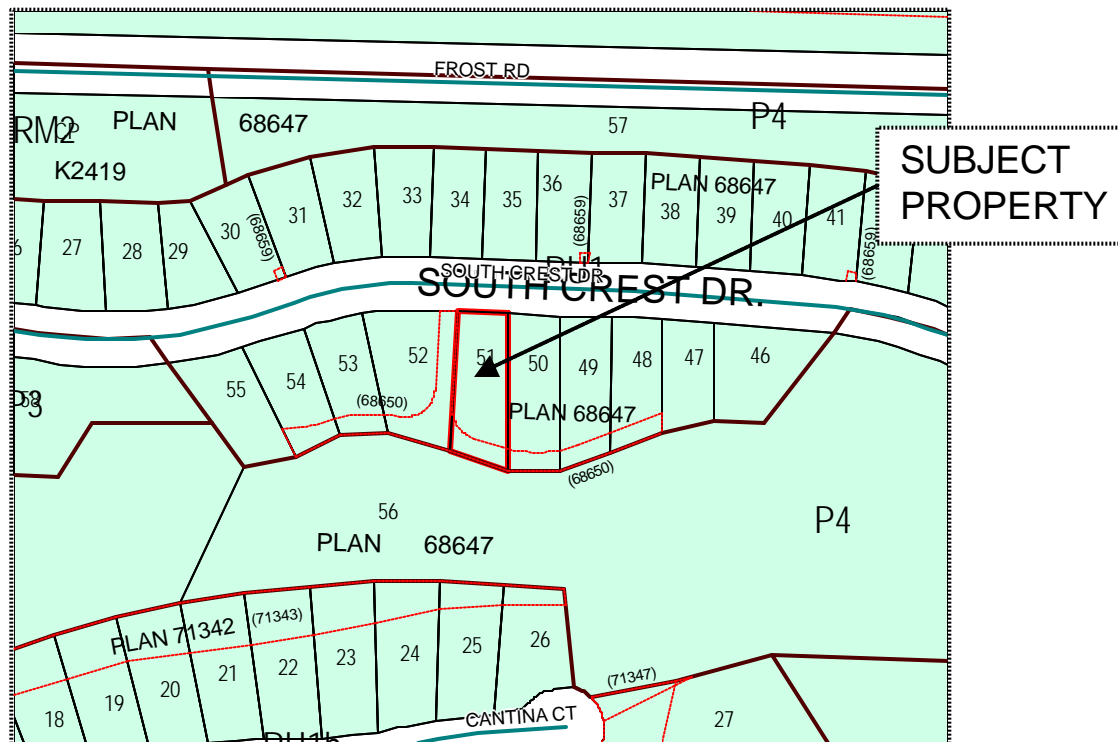
The subject property is located on the south side of South Crest Drive east of South Ridge Drive.

Adjacent zoning and existing land uses are to the:

- North - RU1 – Large Lot Housing – Single Family Dwelling
- East - RU1 – Large Lot Housing – Single Family Dwelling
- South - P4 – Utilities
- West - RU1 – Large Lot Housing – Single Family Dwelling

Site Map

Subject Property: 739 South Crest Drive



4.0 TECHNICAL COMMENTS

4.1 Inspection Services Department

- A permit is required.
- An engineer's design is required as the wall is over 4'.

4.2 Works and Utilities

There are no bylaws provisions for sight lines in private accesses, though we would prefer a better sight line.

5.0 PLANNING COMMENTS

The Planning and Development Services Department has concerns with the existing over-height retaining wall. There is concern that the wall may impede visibility and thereby create an unsafe situation for automobile, bicycle and pedestrian traffic. Development of the South Crest Drive area was to be in conformance with alternative hillside development standards. The intent was to minimize the effects of development on the natural environment of this hillside area. Effects to be minimized include cuts and fills, tree cutting, re-grading and the visual impact in general. With regard to the development of the subject property, these effects do not appear to have been minimized. Consideration should be given to how the negative impacts could be reversed and to how the safety of those walking on the grassed areas of the property at the top of the retaining wall could be improved. The Planning and Development Services Department recommends terracing the retaining wall to reduce the drop-off and thereby minimizing potential safety hazards on-site and improving the sight lines in the laneway.

6.0 ALTERNATE RECOMMENDATION

THAT Council authorise the issuance of Development Variance Permit No. DVP03-0008 for Lot 51, DL. 1688s, SDYD, Plan KAP68647, located on South Crest Drive, Kelowna, B.C.:

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 7.5 Fencing and Retaining Walls

Vary the maximum height for a retaining wall from 1.2m permitted to 2.4m existing

Andrew Bruce
Current Planning Manager

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

RWS
Attach.

FACT SHEET

- | | |
|---|---|
| 15. APPLICATION NO.: | DVP03-0008 |
| 15. APPLICATION TYPE: | Development Variance Permit |
| 3. OWNER: | Brad Garth |
| . ADDRESS | 739 South Crest Drive |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1W 4W7 |
| 4. APPLICANT/CONTACT PERSON: | Brad Garth |
| . ADDRESS | 739 South Crest Drive |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1W 4W7 |
| . TELEPHONE/FAX NO.: | 764-8370 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | February 04, 2003 |
| Date Application Complete: | February 04, 2003 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to APC: | N/A |
| Staff Report to Council: | March 18, 2002 |
| 15. LEGAL DESCRIPTION: | Lot 51, DL. 1688s, SDYD, Plan KAP68647 |
| 15. SITE LOCATION: | The subject property is located on the south side of South Crest Drive east of South Ridge Drive. |
| 15. CIVIC ADDRESS: | 739 South Crest Drive |
| 15. AREA OF SUBJECT PROPERTY: | 893m ² |
| 15. EXISTING ZONE CATEGORY: | RU1 |
| 15. TYPE OF DEVELOPMENT PERMIT AREA: | N/A |
| 15. PURPOSE OF THE APPLICATION: | Vary maximum permitted height of retaining wall. |
| 15. MIN. OF TRANS./HIGHWAYS FILES NO.: | N/A |
| NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

ATTACHMENTS

(not attached to the electronic version of the report)

- Subject Property Map
- Site Plan Showing Proposed Variance
- Engineers Design