

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

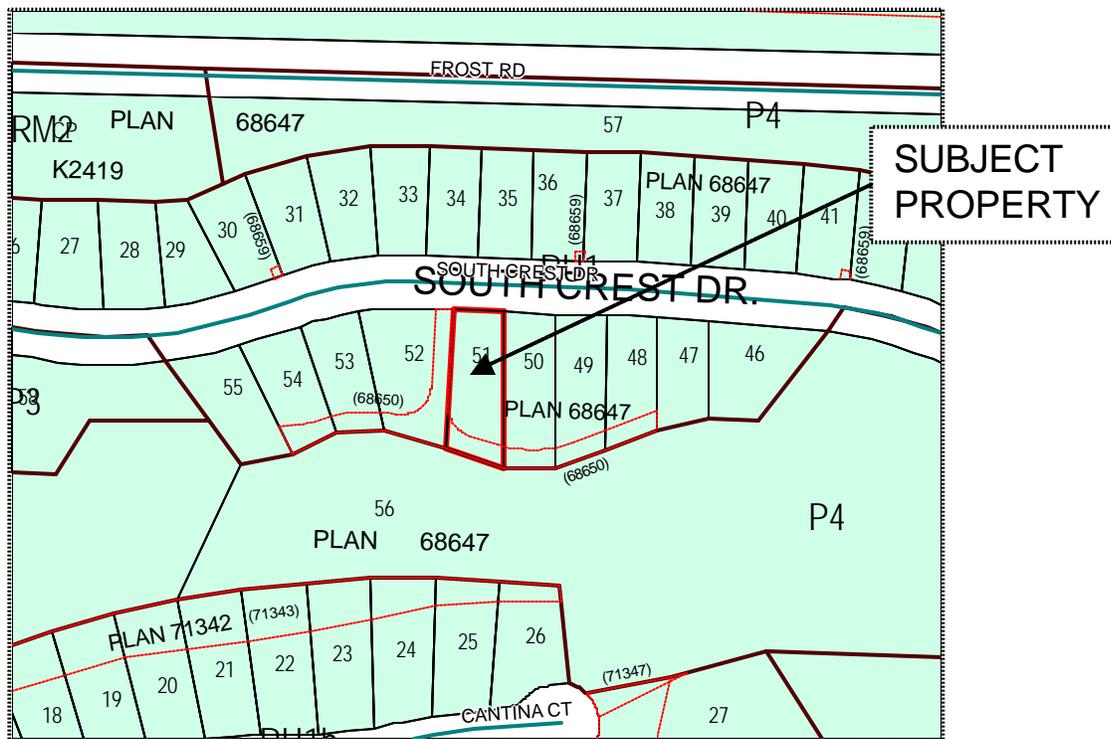
The subject property is located on the south side of South Crest Drive east of South Ridge Drive.

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:** 893m²
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