
CITY OF KELOWNA

MEMORANDUM

Date: May 25, 2004

File No.: DVP04-0052

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. DVP04-0052 **OWNER:** Progressive Construction Ltd.

LOCATION: 407 Woodpark Ct. **APPLICANT:** Protech Consultants Ltd.

PURPOSE: TO VARY THE HEIGHT OF A RETAINING WALL FROM 1.2M
PERMITTED TO A MAXIMUM OF 7.5M PROPOSED

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP04-0052; Lot 30, Section 31, Township 26, ODYD Plan KAP58729, located on Woodpark Court, Kelowna, B.C.;

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

Section 7: Subsection 7.5 – Fencing and Retaining Walls: 7.5.8:

Vary the height for retaining walls (as measured from grade) from 1.2m permitted to a maximum of 7.5m proposed (See Schedule "A")

AND THAT the applicant be required to plant climbing vines or other suitable landscaping at the base of the retaining structure in order to buffer the height of the retaining wall;

2.0 SUMMARY

The applicant is seeking a development variance permit for the construction of an over-height retaining wall on the subject property.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located at the south end of a cul-de-sac on Woodpark Court. The existing grade of the property slopes steeply down to the south-east. In order to create a reasonable building envelope on the subject property the applicant is proposing to building up the grade at the rear of the property by using a lock-block type retaining wall and fill. The proposed lock-block style retaining wall will range in height from 1.4m to 7.5m. The retaining wall would abut a City owned property that forms part of Knox Mountain Park.

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
Lot Size(m ²)	792m ²	550m ²
Lot Width(m)	18m (approx.)	16.5m
Lot Depth(m)	36.5m	30.0
Retaining Wall Height	7.5m ❶	1.2m

❶Note: The applicant is seeking to vary the height retaining wall height from 1.2m permitted to a maximum of 7.5m proposed.

Site Context

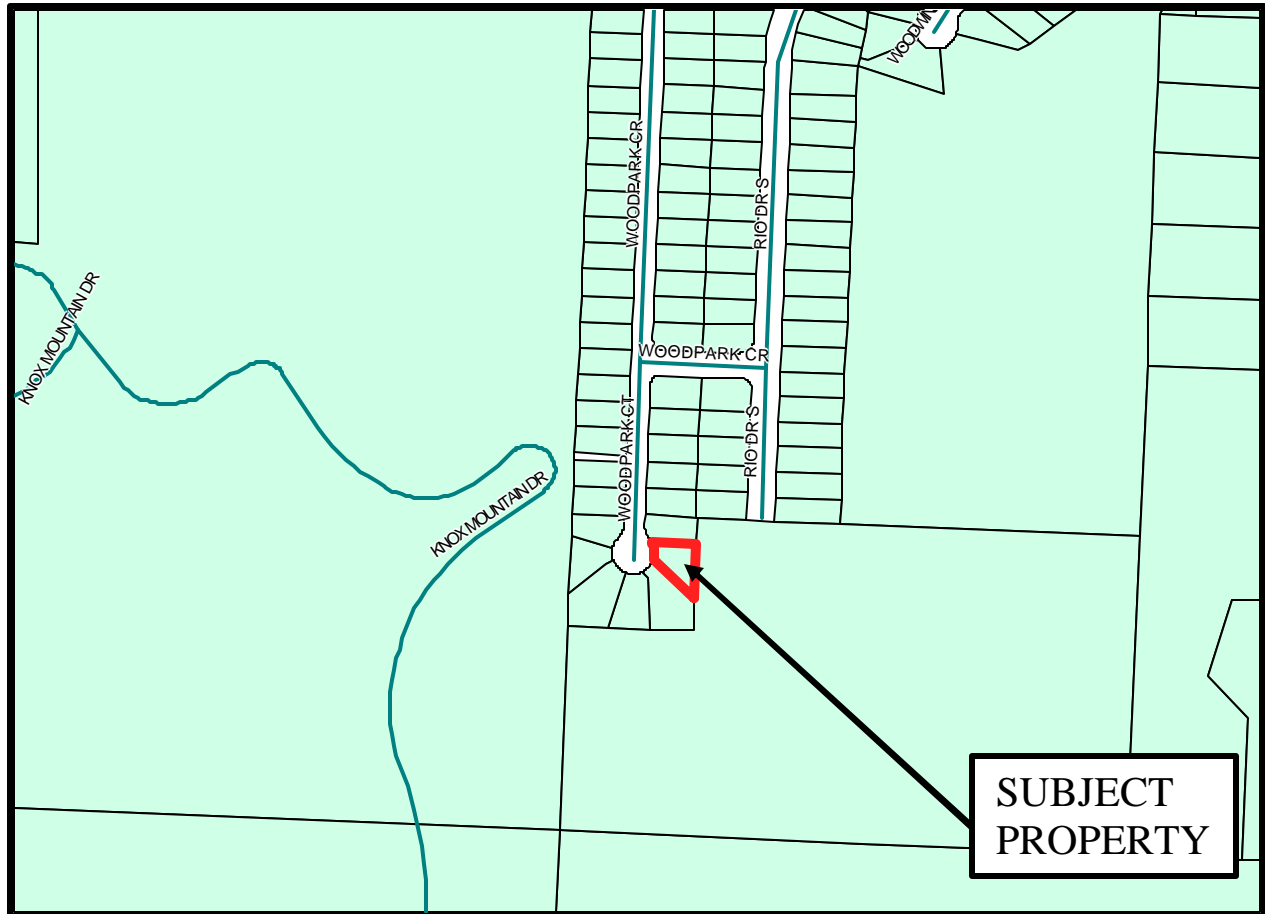
The subject property is located on the south-east end of Woodpark Crescent as the end of the cul-de-sac.

Adjacent zoning and existing land uses are to the:

- North - RU1 – Large Lot Housing – Single Family Dwelling
- East - P3 – Parks and Open Space – Knox Mountain Park
- South - RU1 – Large Lot Housing – Single Family Dwelling
- West - RU1 – Large Lot Housing – Single Family Dwelling

Site Map

Subject Property: 407 Woodpark Ct.



4.0 TECHNICAL COMMENTS

This application has been circulated to various internal departments and external agencies and the following comments were received:

4.1 Works and Utilities Department

The proposed towering retaining wall does not compromise W & U as long as it is not encroaching onto the existing utilities right of way at the north east corner of the property.

The structure should upon completion, be certified that the construction is in accordance with the proposed design as detailed by Interior Testing Service dated Nov 6/03

4.2 Inspection Services

Inspection Services has no concerns with the proposed development variance permit as long as the required geotechnical information is submitted with a building permit application prior to construction of the proposed retaining wall.

4.3 Parks Manager

Parks has no concerns providing that the retaining wall does not encroach onto City property.

5.0 PLANNING AND CORPORATE SERVICES COMMENTS

While staff were originally concerned with the height of the proposed retaining wall it is acknowledged that a large retaining structure is necessary to create a building envelope on this property. Staff have no concerns provided that the wall does not encroach onto City property and provided that the wall is terraced wherever possible to help reduce the appearance of height and bulk.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

RM/AB/rs
Attach.

FACT SHEET

15. APPLICATION NO.:	DVP04-0052
15. APPLICATION TYPE:	Development Variance Permit
3. OWNER:	Progressive Construction Ltd.
· ADDRESS	5591 No.3 Road
· CITY	Richmond, BC
· POSTAL CODE	V6X 2C7
4. APPLICANT/CONTACT PERSON:	Protech Consultants Ltd.
· ADDRESS	200-1449 St. Paul Street
· CITY	Kelowna, BC
· POSTAL CODE	V1Y 2E4
· TELEPHONE/FAX NO.:	860-1771
5. APPLICATION PROGRESS:	
Date of Application:	May 07, 2004
Date Application Complete:	May 07, 2004
Servicing Agreement Forwarded to Applicant:	N/A
Servicing Agreement Concluded:	N/A
Staff Report to APC:	N/A
Staff Report to Council:	June 15, 2003
15. LEGAL DESCRIPTION:	Lot 30, Section 31, Township 26, ODYD Plan KAP58729
15. SITE LOCATION:	The subject property is located on the south-east end of Woodpark Crescent as the end of the cul-de-sac.
15. CIVIC ADDRESS:	407 Woodpark Court
15. AREA OF SUBJECT PROPERTY:	792m ²
15. EXISTING ZONE CATEGORY:	RU1 – Large Lot Housing
15. TYPE OF DEVELOPMENT PERMIT AREA:	N/A
15. PURPOSE OF THE APPLICATION:	TO VARY THE HEIGHT OF A RETAINING WALL FROM 1.2M PERMITTED TO A MAXIMUM OF 7.5M PROPOSED
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
- Retaining Wall Sections