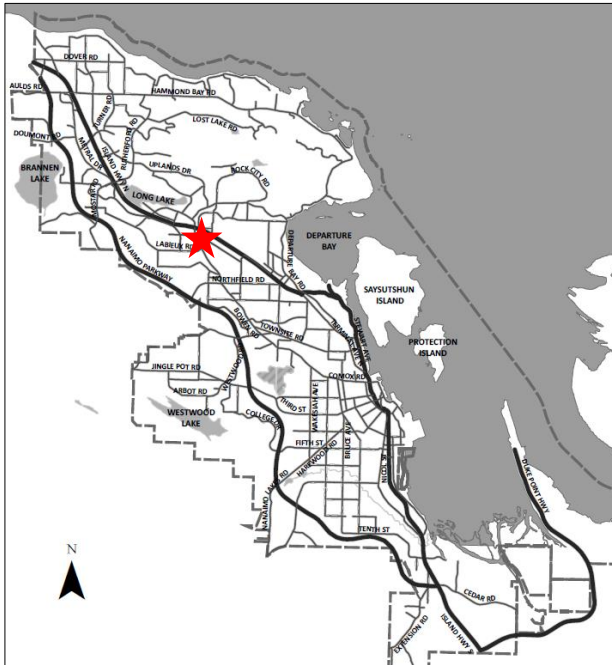


DATE OF MEETING | February 3, 2025

AUTHORED BY | KRISTINE MAYES, PLANNER, CURRENT PLANNING

**SUBJECT** | **DEVELOPMENT PERMIT APPLICATION NO. DP1369 – 2355 KENWORTH ROAD**



**Proposal:**

To allow overheight combined fence and retaining walls in an existing commercial development

**Zoning:**

COR3 – Community Corridor

**City Plan Land Use Designation:**

Mixed-Use Corridor

**Development Permit Areas:**

DPA8 – Form & Character

**Lot Area:**

0.775 ha



## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration a development permit application to amend DP1251 to allow overheight combined fences and retaining walls at 2355 Kenworth Road.

### **Recommendation**

That Council issue Development Permit No. DP1369 to allow overheight combined fences and retaining walls at 2355 Kenworth Road as outlined in the "Proposed Variances" section of the Staff Report dated 2025-FEB-03.

## **BACKGROUND**

A development permit application, DP1369, was received from Island West Coast Developments Inc. on behalf of Bowen Road Developments Ltd. Inc., to allow overheight combined fences and retaining walls in an existing commercial development within the side and rear yard setbacks at 2355 Kenworth Road.

Development Permit No. DP1251 was approved by Council on 2022-AUG-29 and permitted a 1,946m<sup>2</sup> automobile dealership (Hyundai). A building permit was issued and through construction, the fencing atop the retaining walls in the side and rear yard setbacks was determined to be overheight. The applicant has applied to amend the previously approved development permit to permit the two overheight combined fences and retaining walls as constructed.

### **Subject Property and Site Context**

The subject property is located in the Northfield neighbourhood near the intersection of Kenworth and Bowen Roads. The irregular shaped lot abuts Kenworth Road to the northeast and is relatively flat with a gentle slope down to the north and contains a recently constructed automobile dealership. Established commercial developments (including several automotive dealerships are located to the northeast across Kenworth Road), industrial developments, residential uses, and Beban Park predominantly characterize the surrounding area.

## **DISCUSSION**

### **Proposed Development**

The site development incorporated several cast-in-place concrete retaining walls to address grade changes to neighbouring properties. Two cast-in-place concrete retaining walls have been constructed within the side and rear yard setbacks, southwest and south of the automobile dealership building. These retaining walls function to create usable parking on the subject property and also incorporate landscaping. To facilitate the construction of the retaining walls, sections of fencing located on the adjacent properties, which complied with the Zoning Bylaw were removed and rebuilt on the top of the retaining walls. This resulted in overheight combined fences and retaining walls, necessitating a variance.

The site improvements are in substantial compliance with the approved form and character Development Permit; however, an amendment is required to vary the maximum allowable combined height of the fences and retaining walls.

### **Proposed Variance**

#### *Maximum Fence Height*

The maximum permitted height of a fence or retaining wall (or combined fence and retaining wall) in the COR3 zone within a side and rear yard setback is 1.8m. The existing combined fence and retaining wall heights within the side and rear yard setbacks ranges from 1.8m, up to 3.24m, a requested variance of up to 1.44m. The proposed variance will allow the constructed fencing atop the cast-in-place concrete retaining walls to remain. The cast-in-place retaining walls themselves do not exceed 1.8m in height and the fencing provides a physical barrier for vehicles on the adjacent industrial property. The fencing is comprised of black vinyl-coated chain link which complements the overall development. Staff support the requested variance. |

#### **SUMMARY POINTS**

- Development Permit application No. DP1369 proposes to amend DP1251 to allow two combined overheight fences and retaining walls.
- The combined fences and retaining walls are substantially compliant with the approved form and character Development Permit.
- Staff support the proposed variance.

#### **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Subject Property Map  
ATTACHMENT C: Site Plan  
ATTACHMENT D: Combined Fence and Retaining Wall Elevations  
ATTACHMENT E: Photo of Combined Fence and Retaining Wall |

#### **Submitted by:**

Lainya Rowett  
Manager, Current Planning |

#### **Concurrence by:**

Lisa Brinkman  
Acting Director, Planning & Development |