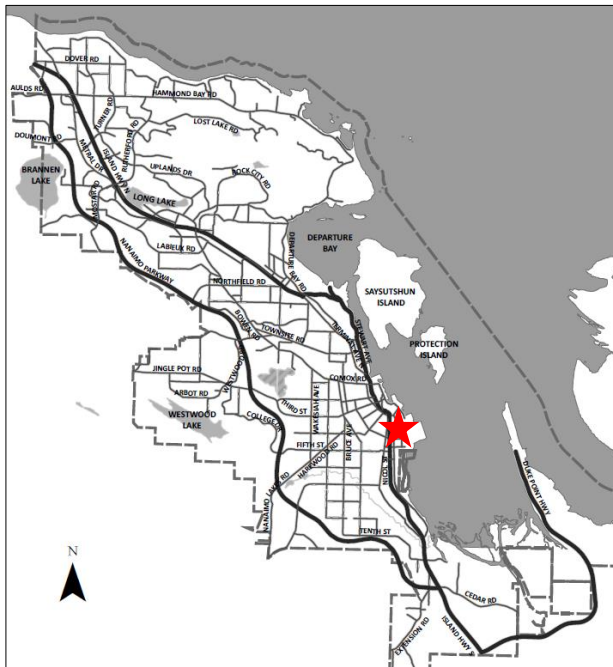


DATE OF MEETING | May 26, 2025

AUTHORED BY | KRISTINE MAYES, PLANNER, CURRENT PLANNING

**SUBJECT** | **DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP476 –  
110 FRY STREET**



## Proposal:

Variance to allow an overheight combined retaining wall and fence

## Zoning:

COR3 – Community Corridor

## City Plan Land Use Designation:

Neighbourhood

## Lot Area:

1,065m<sup>2</sup>

**DVP**



## **OVERVIEW**

### **Purpose of Report**

To present for Council's consideration a development variance permit application for a proposed overheight combined retaining wall and fence at 110 Fry Street. |

### **Recommendation**

That Council issue Development Variance Permit No. DVP476 for an overheight combined retaining wall and fence at 110 Fry Street with the variances as outlined in the "Proposed Variances" section of the Staff Report titled "Development Variance Permit Application No. DVP476 - 110 Fry Street", dated 2025-MAY-26. |

## **BACKGROUND**

A development variance permit application, DVP476, was received from Anderson Greenplan Ltd., on behalf of W2 Enterprises Ltd., to permit an overheight combined retaining wall and fence at 110 Fry Street.

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

The subject property is located on the west side of Fry Street, south of Finlayson Street in the South End Neighborhood. The property is vacant with a localized 4m high slope along the south lot line. The lot is utilized as a loading and parking area for the adjacent existing non-conforming wholesale use at 106 Fry Street. Established light industrial and commercial developments, single-residential dwellings, and multiple-family dwellings predominantly characterize the surrounding area.

Two Development Variance Permits were previously issued on the subject property for an overheight combined retaining wall and fence from 1.8m to 6.5m in height in the rear yard setback:

- DVP307, issued on 2017-APR-24 for 110 Fry Street; and,
- DVP343, issued on 2018-MAR-19 for 114 Fry Street (which has since been consolidated into 110 Fry Street).

The applicant is now seeking a variance to extend the existing wall and fence. In order to proceed with the proposed development, a development variance permit, and a subsequent building permit are required.

Statutory Notification has taken place prior to Council's consideration of the variances. |

## **DISCUSSION**

### **Proposed Development**

The applicant is proposing to remove the existing vegetation (blackberries), excavate the site, and install a combined retaining wall and fence along the south side lot line to level the lot to improve the staff parking area for the existing use occurring at 106 Fry Street. The retaining wall will be comprised of cast-in-place concrete with wood fencing on top to match the existing

retaining wall and fence at the rear of the site. The portion of fence within the front yard setback will be black vinyl coated chain-link to provide sight lines for vehicles navigating off the site.

## Proposed Variances

### *Fence Height*

The maximum permitted height of a retaining wall or fence (or combined retaining wall and fence) in the COR3 zone within a side yard setback is 1.8m and 1.2m within a front yard setback.

- The proposed height of the retaining wall and fence in the (south) side yard setback varies up to 5.55m, a requested variance of 3.75m.
- As the proposed retaining wall and fence will be constructed to the front lot line, the portion of the retaining wall and fence for the first 3m into the subject property will require a separate variance for that portion of the structure. The proposed height of the retaining wall within the front setback is 2.53m, a requested variance of 1.33m.

Staff support the requested variance as the wall will be constructed with materials complementary to the existing rear retaining wall, and the applicant is proposing a transparent fence atop the portion of the retaining wall within the front yard setback which is adjacent to the road to support visibility. Additionally, the retaining wall will not be visible looking northward up Fry Street as the existing slope is to remain on the adjacent property at 118/120 Fry Street; and the retaining wall and fence will also screened from view by the existing building looking southward. As such, no negative impacts are anticipated.

### **SUMMARY POINTS**

- Development Variance Permit Application No. DVP476 is for an overheight combined retaining wall and fence.
- Variances are requested to increase the maximum combined height for a retaining wall and fence from 1.2m up to 2.53m within the front yard setback, and from 1.8m up to 5.55m within the south side yard setback.
- Staff support the proposed variances.

### **ATTACHMENTS**

ATTACHMENT A: Permit Terms and Conditions  
ATTACHMENT B: Subject Property Map  
ATTACHMENT C: Site Survey  
ATTACHMENT D: Retaining Wall/Fence Elevations  
ATTACHMENT E: Site Photos

### **Submitted by:**

Lainya Rowett  
Manager, Current Planning

### **Concurrence by:**

Jeremy Holm  
Director, Planning & Development