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## MEMORANDUM

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**TO:** CHIEF ADMINISTRATIVE OFFICER  
**FROM:** BRIGID REYNOLDS, CONSULTING TOWN PLANNER  
**SUBJECT:** DP2025-06 – 62 GORDON RD  
**MEETING DATE:** JULY 22, 2025  
**SUBJECT PROPERTY:** LOT 17, SECTION 6, RENFREW DISTRICT, PLAN 6253

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### **Purpose**

The purpose of this application is to approve a development permit for the removal and replacement of a retaining structure within the Watercourse & Streamside Protection Development Permit Area (DPA 1) adjacent to the Cowichan River and within the Natural Hazard Development Permit Area (DPA 2) for flood hazard.

### **Background**

The subject property is located on an 700m<sup>2</sup> (7534 ft<sup>2</sup>) level parcel located at 62 Gordon Rd, adjacent to the Cowichan River. The property is zoned Traditional Urban (R3). The OCP designates the property as within DPA 1 due to its proximity to the river and within DPA 2 for the flood hazard.

The property has an existing residence that was built more than 40 years ago. Most of the property is within the 30 m Riparian Assessment Area and DPA. The existing retaining wall was constructed at the top of the bank of the river and is in a state of decay because of erosion of its footing, sloughing of the bank that is destabilizing the foundation at the southeast corner of the home. The owners would like to replace the retaining wall to protect the property from erosion.

There is also a level deck adjacent to the house, and a gangway to access the dock that is located below the natural boundary.

The existing retaining wall extends the width of the backyard, over 24m and is constructed as a pre-fabricated poured-in-place concrete wall approximately 20cm thick and approximately 1.2 to 1.6m in height (from its foundation).

Per the Water Sustainability Act (WSA) Section 11, notification & approval is required for this project to remove the old, failing retaining wall and replace it with a new lock block wall, approximately the same height. This work involves excavating a trench for the foundation of the new wall, removing minimal amounts of riparian vegetation required for the trench; and installing gravel foundation and Verti-block retaining wall on the river bank.

This type of project requires that the work be undertaken between August 1 and September 15, which is determined by the Province and the Department of Federal Fisheries and Oceans (DFO) to be the 'least risk' instream work window for fish.

Reports submitted in support of this application include:

- Environmental Assessment for Retaining Wall Reconstruction, prepared by Aquaparian Environmental Consulting, dated February 15, 2023
- Provincial Approval Letter – Changes in and About a Stream, dated September 28, 2023.
- Geotechnical Memorandum, prepared by Ryzuk Geotechnical, dated June 11, 2025 including
- Site Plan and Verti-Block Retaining Wall Section, prepared by Ryzuk Geotechnical, dated January 24, 2023
- Planting plan, prepared by Melissa Baron Landscape Design, dated July 2025

### **Zoning Bylaw**

Zoning Bylaw Section 4.3.13 Flood elevations, establishes flood construction levels (FCL) for habitable buildings. These elevations do not apply in this instance because construction is for a retaining wall and not habitable space. For reference, the flood construction levels as shown on the Province of BC Floodplain Mapping Village of Lake Cowichan, drawing no. 84-33-4A, dated July 1984 is 166.7 m geodetic.

Zoning Bylaw Section 5.6.4 does not permit floats.

### **Watercourse Protection DPA**

The purpose of the Watercourse Protection DPA is to protect watercourses and their riparian areas, and the adjacent upland areas and to provide recommendations to minimize negative impacts to the riparian area and where possible enhance the area.

According to the report prepared by Aquaparian, the design will not negatively impact fish habitat and will only result in short-term impacts to shoreline dominated by invasive plants. Native vegetation is expected to re-establish itself within one year.

The report contains recommendations for the following:

- General environmental protection measures
- Spill prevention & waste management
- Spill management plan and spill reporting procedures
- Sediment control
- Concrete management
- Vegetation Clearing management
- Fish and fish habitat
- Wildlife impact management

Conditions of approval of this DP require these recommendations to be adhered to.

Section 11, Approval for this work was granted by the Province on September 23, 2023, and the required works must be completed in the 2024 or 2025 fisheries window.

The section of yard facing the river includes a poured concrete sidewalk that is cracking. A wooden deck connected or keyed into the retaining wall, leads to a wooden gangway and wood dock/float on the river. The wood deck is positioned in the middle of the retaining wall.

The applicant has confirmed that the concrete sidewalk, wooden deck, wooden gangway and dock will be removed. The dock and ramp are not permitted and will be removed.

The applicant has also submitted a planting plan including an estimated budget of \$2,550.00 to complete the plantings. The landscape bond shall be provided as security for the plantings.

### **Natural Hazard DPA**

The purpose of the Natural Hazard DPA is to mitigate the potential risk associated with flooding for this property as it's located in the Cowichan River floodplain. The applicant has provided detailed information prepared by a geotechnical engineer for the construction of the retaining wall for erosion protection. The removal of the existing wall and its replacement will be undertaken under the supervision of the geotechnical engineer on record.

The replacement retaining wall will provide the property with improved erosion protection.

### **Public Notification**

Development Approval Procedures and Notification Bylaw No. 1109-2024 and the Local Government Act Section 499 require notice a minimum of 10 days prior to Council's consideration of the request. The notice was mailed out on July 10, 2025 and at the time of preparing the staff report no comments have been received.

### **Options**

- 1) Approve the development permit for this application.
- 2) Approve the development permit with additional requirements.
- 3) Deny the development permit for this application.

## Recommendation

The contract planner recommends approving DP2025-06 for the property located at 62 Gordon Road, legally described as Lot 17, Section 6, Renfrew District, Plan 6253 as follows:

1. All development shall be in accordance with
  - a. the Environmental Assessment for Retaining Wall Reconstruction, prepared by Aquaparian Environmental Consulting, dated February 15, 2023
  - b. Provincial Approval Letter – Changes in and About a Stream, dated September 28, 2023.
  - c. Geotechnical Memorandum, prepared by Ryzuk Geotechnical, dated June 11, 2025,
  - d. Site Plan and Verti-Block Retaining Wall Section, prepared by Ryzuk Geotechnical, dated January 24, 2023
  - e. Planting plan, prepared by Melissa Baron Landscape Design, dated July 2025, and landscape bond
2. Removal and replacement of the retaining wall shall be undertaken under the supervision of the environmental and geotechnical professionals.
3. Prior to issuing the development permit, the applicant shall submit the landscape bond, in the amount of \$2,550.00 to be held as security for the plantings.

Signed:

*Brigid Reynolds*

Brigid Reynolds RPP MCIP  
Contract Planner

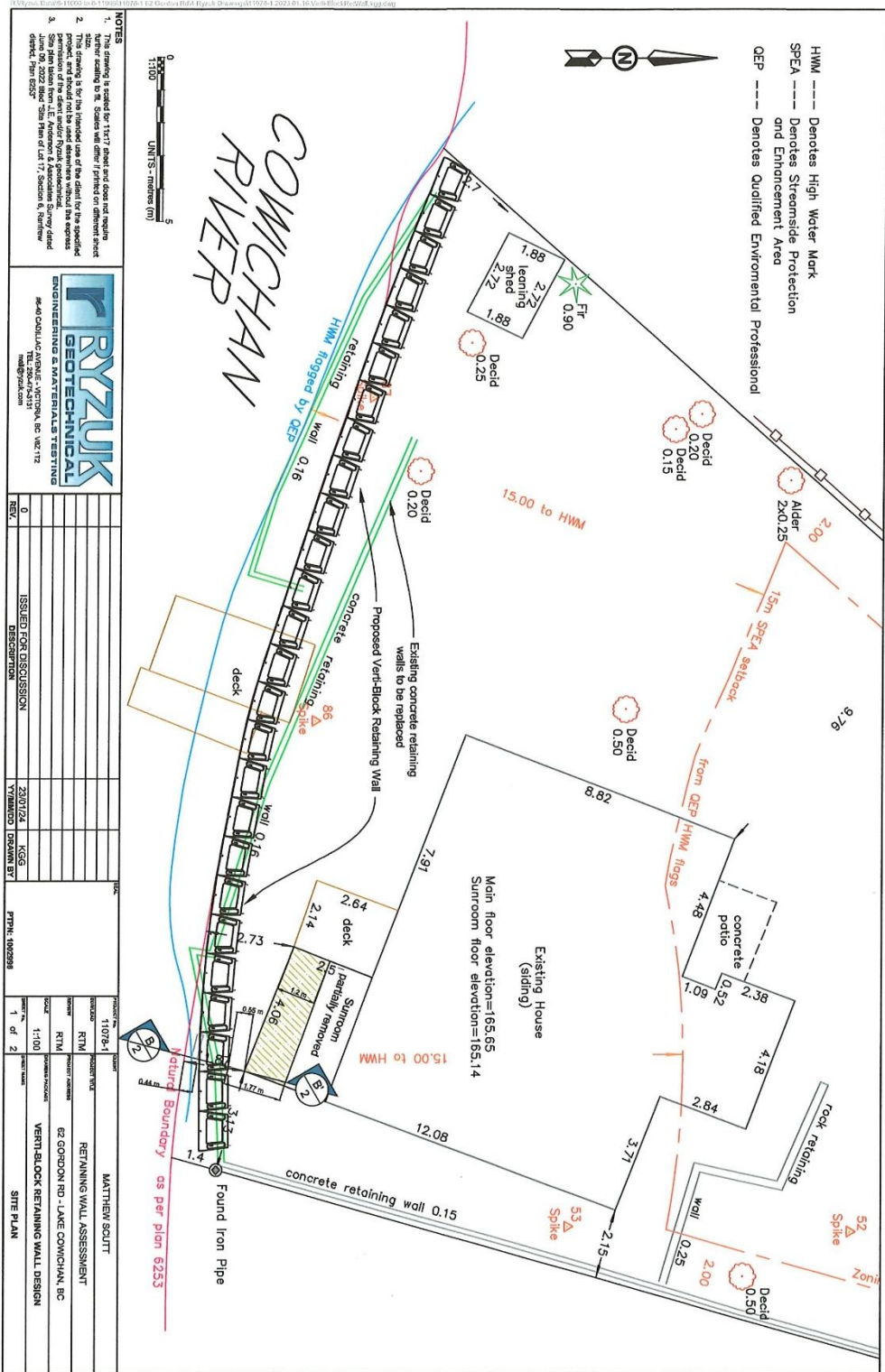
Concurrence:

*John Thomas*

John Thomas  
Chief Administrative Officer

# ATTACHMENT 1

## Site Plan



NO.	DESCRIPTION	DATE	BY	CHECKED
1	ISSUED FOR DISCUSSION	20/07/24	UGS	
2	REVISED			
3	REVISED			
4	REVISED			
5	REVISED			
6	REVISED			
7	REVISED			
8	REVISED			
9	REVISED			
10	REVISED			

PROJECT NO.	11078-1	PROJECT TITLE	RETAINING WALL ASSESSMENT
CLIENT	RTM	PROJECT ADDRESS	62 GORDON RD - LAKE COMICHAN, BC
DATE	11/00	PROJECT TYPE	VERTICAL BLOCK RETAINING WALL DESIGN
SCALE	1:100	PROJECT STATUS	SITE PLAN
DESIGNER	RTM	DATE	
CHECKER	RTM	DATE	
APPROVER	RTM	DATE	

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 CLIENT: RTM  
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 PROJECT TYPE: VERTICAL BLOCK RETAINING WALL DESIGN  
 SCALE: 1:100  
 DESIGNER: RTM  
 CHECKER: RTM  
 APPROVER: RTM

## Attachment 2

[Environmental Assessment for Retaining Wall Reconstruction](#), prepared by Aquaparian  
Environmental Consulting, dated February 15, 2023

### **Attachment 3**

[Provincial Approval Letter](#) – Changes in and About a Stream, dated September 28, 2023.

#### **Attachment 4**

[Geotechnical Memorandum](#), prepared by Ryzuk Geotechnical, dated June 11, 2025 including Site Plan and Verti-Block Retaining Wall Section, prepared by Ryzuk Geotechnical, dated January 24, 2023

## **Appendix 5**

[Planting plan](#), prepared by Melissa Baron Landscape Design, dated July 2025  
Landscape Budget, prepared by the applicant