
To: Mayor and Council
From: Paul Gipps, CAO
Meeting Date: August 19, 2025
Meeting Type: Regular Council Meeting

Prepared by: Jaidyn Williams, Planning Technician - Term
Department: Planning and Development

Title: Development Permit with Variance | DP001093 | 4111 Evans Road
Description: To allow the overall slope of a tiered wall system to exceed the maximum 1:1 slope permitted by Zoning Bylaw 561, 2007

RECOMMENDATION

THAT Development Permit with Variance DP001093 (Attachment A in the Report to Council dated August 19, 2025) for the property at 4111 Evans Rd, be approved.

EXECUTIVE SUMMARY

Site grading changes, required to accommodate the maximum roadway and turnaround grade, have resulted in a change to the previously approved retaining wall design and site layout. Therefore, the applicant proposes an amendment to the existing Development Permit and a variance for the development proposed at 4111 Evans Road.

The applicant has proposed a three-tiered retaining wall system with each tier of the system being 1.5m high and an overall height of 5.7m. The retaining wall system would have a slope of 1.4H:1V. The proposed retaining wall system would be constructed on the eastern portion of the subject property, adjacent to the Rail Trail Corridor.

The Zoning Bylaw requires the ratio of vertical rise to horizontal run of retaining walls to not exceed a 1:1 slope. The proposed slope of the retaining wall system is 1.4:1, and therefore, a Zoning Bylaw variance has been requested.

As the site layout has changed to accommodate more wall tiers than in the approved 2022 Development Permit (DP), an amendment to the Development Permit site plan is also necessary.

Staff support the proposed Development Permit amendment with Variance.

BACKGROUND

A development permit (DP2020-033-C), for the property located at 4111 Evans Road (Attachment B), was approved by Council for up to 38 units in August 2023; the permits were issued in December 2023.

Since that time, the applicant met with DLC staff regarding access permit and fire department criteria (see Attachment C – Rationale Letter). The discussions resulted in clarification on the requirements for fire department vehicles (ladder truck), staging area, driveway grades (per new 2022 Driveway Access Guidelines Policy) and consensus on moving forward with a modified hammerhead instead of a standard cul-de-sac bulb. A revised on-site drawing package was submitted to the District reflecting the hammerhead turnaround, revised road grades and additional retaining wall tiers.

The updated site plan (Attachment D) shows the revised development plan, including fewer units, updated internal road layout, and updated retaining wall locations.

Application Information			
Application Type	Development Permit with Variance	Application Date:	July 25, 2025
Applicant:	Paul Donaldson	Owner:	Cantiro Owl's Nest GP Ltd.
Application Description	Request a Development Permit with Variance to permit overall slope of a tiered wall system to exceed the maximum 1:1 slope required by the Zoning Bylaw.		
Variance(s)	❶ Indicates requested variance of a tiered retaining wall system from to maximum 1:1 slope to maximum 1.4:1 slope		

Property Information: General	
Folio/Roll #:	1807002
Legal Description	Lot A, Sections 11 and 14, Township 14, ODYD, Plan EPP103404
PID	031-188-371
Civic Address:	4111 Evans Rd

Property Information: Land Use		
OCP Designation:	Tourist Commercial / Agricultural	
Zoning Designation:	Tourist Commercial (C9) / Agriculture (A1) / Recreational Water Use (W1)	
Land Use Contract	No	
ALR:	No	
Parcel Size:	Uphill and foreshore combined: 2.32 ha (5.745 acres)	
Development Permit Areas:	Foreshore area only: Natural Environment	
Adjacent Land Summary:	Zoning:	Use:
<i>North:</i>	Agriculture (A1)	Agricultural (Residential) in ALR
<i>East:</i>	Public Park & Open Space (P1) & Recreational Water Use (W1)	Park- Rail Trail & Rec. Water Use
<i>South:</i>	Agriculture (A1)	Agricultural in ALR
<i>West:</i>	Agriculture (A1)	Agricultural in ALR

Property Information: Infrastructure and Development Engineering	
Road Network	Local
Driveway Access	Access permit on file
Water Supply:	Municipal (source: Kalamalka Lake)
Sewer:	Private, on-site
Drainage / Stormwater	Stormwater collection system (discharge into Kalamalka Lake via outfall)
Comments:	...

ANALYSIS

Zoning Bylaw 561, 2007 requires that walls must not exceed 1.5m in height and must be spaced to provide a horizontal separation equal to the height of the wall as a minimum and in no case shall a ratio of vertical rise to horizontal run exceed 1:1 (Attachment E – Retaining Wall Separation). On July 25, 2025, the applicant submitted an application to request a variance for the retaining wall system; two options were presented:

- Preferred: a 3-tiered retaining wall system comprising of three 1.5m high walls with a 1.5m horizontal separation between each wall. Overall height would be 5.7m and overall width would be 3.0m (Attachment F). Retaining wall variance would be necessary for slope (from 1:1 to 1.4: 1)
- Alternative: a 2-tiered retaining wall system comprising of two 2.4m high walls with a 3.3m horizontal separation between walls. Overall height would be 5.7m and overall width would be 3.3m (Attachment G). Retaining wall variance would be necessary for height (from max 1.5m to 2.4m).

The applicant confirmed that, based on the most recent site layout, the other retaining walls on site would not need variances.

As noted previously, during the detailed design of the site, the applicant evaluated the grades across the subject property and a concern regarding the retaining wall separation was identified. The proposed slope at 1.4:1 would be more than the maximum permitted at 1:1. To allow the development to proceed with the tiered retaining wall system along the eastern boundary of the subject property, a variance would be necessary.

It was recognized that the public view from the Rail Trail is an important factor, and the applicant proposed to soften the wall's appearance with a planting concept. The planting plan includes low-maintenance, drought-tolerant species. (Attachment H – Wall Examples with Soften Landscaping)

FINANCIAL IMPLICATIONS

- None Budget Previously Approved Other (see below)

COMMUNICATION

- This application was discussed with Engineering and Park staff.

ALTERNATE RESOLUTION OPTION(S)

1. THAT Development Permit with Variance DP001093, for the property at 4111 Evans Rd, not be approved.
2. THAT Development Permit with Variance DP001093, for the property at 4111 Evans Rd, be deferred pending receipt of additional information as identified by Council.

Respectfully Submitted,

Jaidyn Williams, Planning Technician

Jason Tran, Planner

Report Approval Details

Document Title:	Development Permit with Variance (DP001093) - 4111 Evans Rd.docx
Attachments:	<ul style="list-style-type: none"> - Attachment A - DP001093 - Draft Development Permit.pdf - Attachment B - DP001093 - Location Map and Orthophoto.pdf - Attachment C - DP001093 - Rationale.pdf - Attachment D - DP001093 - Site Plan.pdf - Attachment E - DP001093 - Retaining wall separation.pdf - Attachment F - DP001093 - Three-Tier Walls.pdf - Attachment G - DP001093 - Two-Tier Walls.pdf - Attachment H - DP001093 - Wall Examples with Landscaping.pdf
Final Approval Date:	Aug 28, 2025

This report and all of its attachments were approved and signed as outlined below:

Matthew Salmon, Infrastructure & Development Engineering Director - Aug 27, 2025 - 1:03 PM

Jeremy Frick, Director of Development Approvals - Aug 27, 2025 - 2:36 PM

Reyna Seabrook, Director of Corporate Services - Aug 27, 2025 - 8:11 PM

Paul Gipps, Chief Administrative Officer - Aug 28, 2025 - 7:34 AM

Makayla Ablitt, Manager of Corporate Administration - Aug 28, 2025 - 8:56 AM