
MEETING TYPE: Regular Council Meeting
MEETING DATE: February 21, 2023
AUTHOR: Steven Gubbels, Manager of Development
DEPARTMENT: Engineering and Environmental Services
ITEM TITLE: DVP2021-029 Summit Phase Lakestone
DESCRIPTION: Variance to requirement for a paved road surface on an emergency access road.

QUESTION

Does Council wish to vary the Subdivision and Development Servicing Bylaw 1121, 2020, road surface standard for the proposed emergency access of the Summit Phase of the Lakestone development?

OPTIONS

- A. THAT Development Variance Permit DVP2021-029 for property located at Beacon Hill Drive, legally described as Block B Sections 3, 4 and 9 Township 20 ODYD Plan 521 Except Part on Plan EPP86639; Block A Section 9 Township 20 ODYD Plan 521 Except Part on Plan EPP86639 Roll 2116.000, 2117.000, for an unpaved emergency access and subject to the District's maintenance standards be approved, AND THAT staff be directed to enter a standard agreement with the owner including taking security to ensure maintenance and paving can be completed to the District's satisfaction.
- B. THAT Development Variance Permit DVP2021-029 for property located at Beacon Hill Drive, legally described as Block B Sections 3, 4 and 9 Township 20 ODYD Plan 521 Except Part on Plan EPP86639; Block A Section 9 Township 20 ODYD Plan 521 Except Part on Plan EPP86639 Roll 2116.000, 2117.000 for an unpaved emergency access be denied.
- C. THAT Development Variance Permit DVP2021-029 for property located at Beacon Hill Drive, legally described as: Block B Sections 3, 4 and 9 Township 20 ODYD Plan 521 Except Part on Plan EPP86639; Block A Section 9 Township 20 ODYD Plan 521 Except Part on Plan EPP86639 Roll 2116.000, 2117.000 for an unpaved emergency access be deferred pending receipt of additional information as identified by Council.

EXECUTIVE SUMMARY

The proposed Summit Phase is to create 57 urban residential lots along an extension of Beacon Hill Drive.

The Subdivision and Development Servicing (SDDS) Bylaw 1121, 2020 requires a paved emergency access route for culs-de-sac's greater than 200 metres. The emergency access route must be within 50 metres of the terminus of the cul-de-sac and must provide connection to another public highway. The owner is seeking to vary the emergency access road treatment from a paved surface to a gravel surface. The proposed variance is acceptable to the District Engineer subject to the Owner entering an agreement capturing the maintenance requirements and liability responsibilities for the duration of this proposed condition. If approved by Council, the District Engineer will dictate the terms of the agreement and execute the agreement with the Owner prior to any works commencing. The design and construction of the emergency access route will be subject to final review and approval of detailed design submitted at later development stages under the SDDS Bylaw.

BACKGROUND/HISTORY

The Summit Phase of the of the Lakestone development has been considered by Council at several previous meetings:

- April 6, 2021 – DP2020-028C for land clearing and preliminary grading of the Summit Phase was referred back to staff to compile additional information. [MINUTES, COUNCIL REPORT PG 1-31 OF AGENDA](#)
- June 1, 2021 – DP2020-028C presented to Council again with DVP2020-019 with variances to retaining wall height and several road geometry variances to the SDDS Bylaw. Initial motions failed, a motion to refer applications back to Staff carried. [MINUTES, COUNCIL REPORT PG 37-74 OF AGENDA](#)
- August 24, 2021 – DP2020-028C and DVP2020-019 presented to Council again, motion carried that the applications be processed in accordance with SDDS Bylaw Figure B-2. [MINUTES, COUNCIL REPORT](#)
- November 16, 2021 – DP2020-028C and DVP2020-019, with the addition of an item to vary the SDDS maximum cul-de-sac length from 300 to 2,130m, moved and carried by Council. [MINUTES, COUNCIL REPORT](#)

PROPERTY INFORMATION			
Civic Address:	Extension of Beacon Hill Drive [Lakestone Summit Phase]		
Roll Number:	2116.000; 2117.000		
Legal Description:	012-274-551 BLOCK B SECTION 3, 4 AND 9 TOWNSHIP 20 ODYD PLAN 521 EXCEPT PART ON PLAN EPP86639 PID: 012-275-417 BLOCK A SECTION 9 TOWNSHIP 20 ODYD PLAN 521 EXCEPT PART ON PLAN EPP86639		
Applicant:	Macdonald Lakeshore Properties Ltd	Owner(s):	Macdonald Lakeshore Properties Ltd
OCP Designation:	Urban Residential (Guided by Lakestone Master Plan)		
Existing Zoning Designation:	DC-3 Direct Control (Lakestone) Zone		
Proposed Zoning:	N/A		
Land Use Contract:	No		
ALR:	No		
Parcel Size:	255.13 Acres of vacant land		
DP Area(s):	Hillside; GHG Reduction & Resource Conservation; Stability, Erosion & Drainage Hazard; Natural Environment; and Wildland Fire Hazard		
Water Supply:	Undeveloped		
Sewer:	Undeveloped		
Site Context:	Zoning: DC3 – Direct Control (Lakestone)	Use: Vacant	
<i>North:</i>	RU1 – Single Family Housing	Vacant	
<i>East:</i>	DC3 - Direct Control 3 (Lakestone) RR1 – Rural Residential	Residential Vacant	
<i>South:</i>	DC3 - Direct Control 3 (Lakestone)	Vacant	
<i>West:</i>	RU1 – Single Family Housing RM-2 Low Density Row Housing RR1 - Rural Residential 1 DC3- Direct Control 3 (Lakestone)	Residential Vacant	

MAP 1: LOCATION MAP WITH ORTHOPHOTO

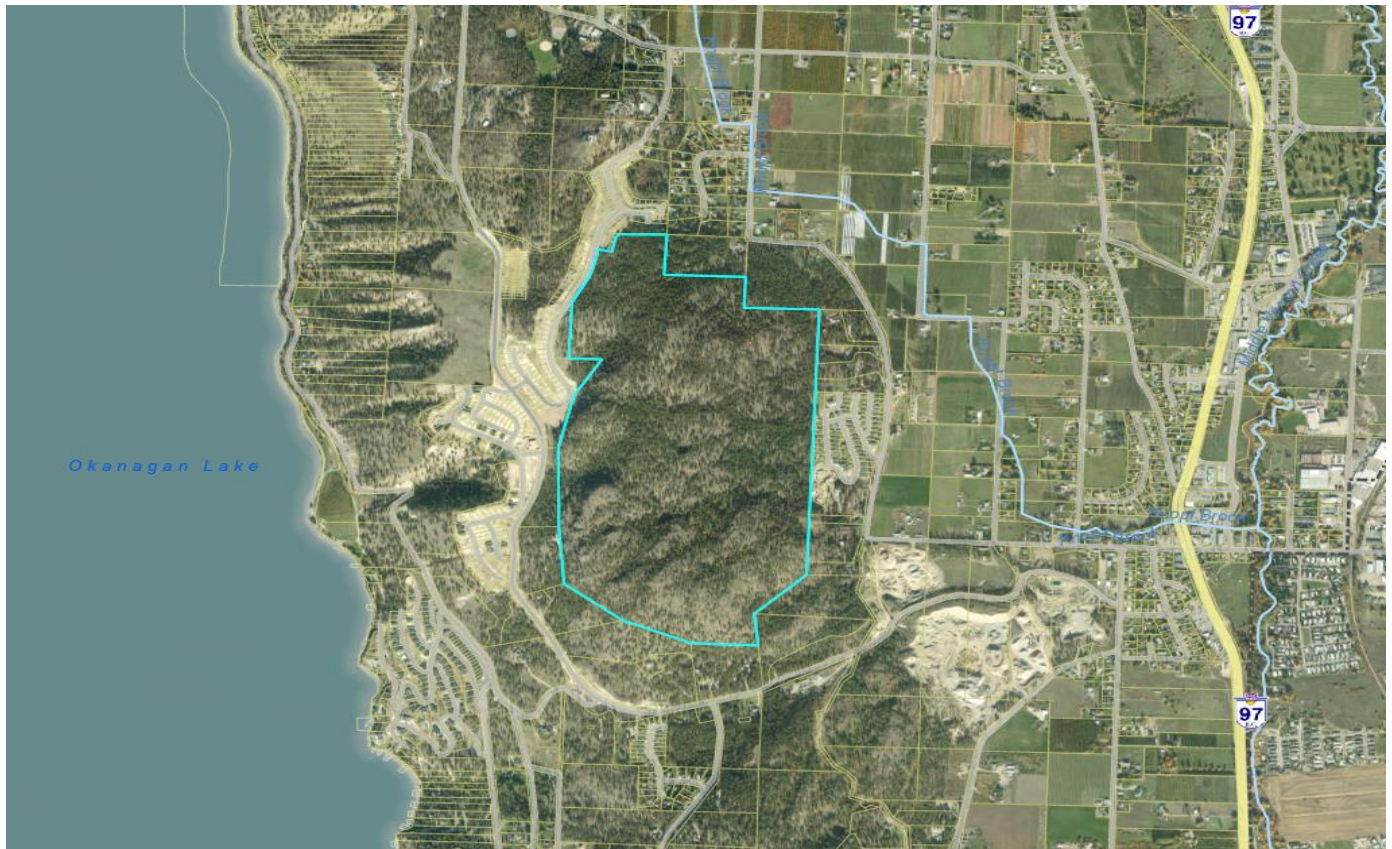
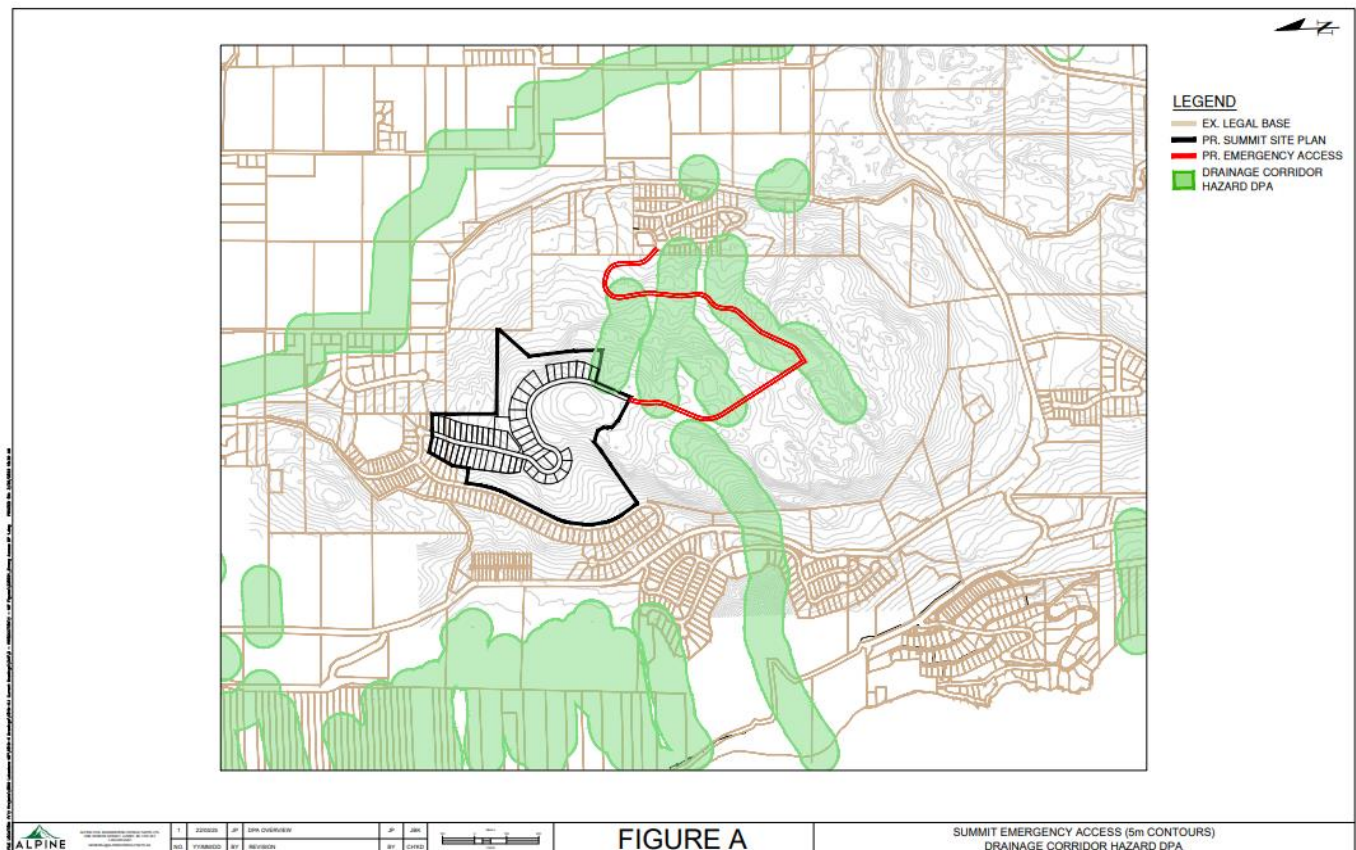


FIGURE 1: PROPOSED EMERGENCY ACCESS (SHOWN IN RED):



DISCUSSION/ANALYSIS

The variance being presented for Council's deliberation is the surface treatment for the emergency access, and not the access route itself as this is reviewed and approved under the SDDS Bylaw process by the District Engineer. The information on the route is presented for context only.

Since the emergency access must be within 50 metres of the end of the cul-de-sac, there are very few options for establishing a suitable route that will meet SDDS Bylaw requirements. The proposed 1.5 km. long access route, as shown on Figure 1, transverses the future development area of Lakestone and except for a very minor deviation is entirely within the future area of disturbance.

The emergency access starts at the end of Beacon Hill Drive at the southerly end of the Summit Phase of the development. It terminates at a parcel of undeveloped District-owned parkland on Santina Road in the Sage Glen neighbourhood. This route keeps the emergency access within the private lands of the Lakestone development.

The Parks Department indicates that the parkland's use as the temporary terminus of the emergency access is acceptable as neighbourhood park development is requisite on further parkland dedication from the adjacent future phase of Lakestone for expansion of the site to meet desired criteria for park size and configuration. At that time, the terminus of the emergency access can be rerouted to new roadways and neighbourhood park development can proceed. Budgets for detailed design and construction have been established through the 5-year capital plan.

There has been consultation with the Fire Department to ensure the emergency access road concept is acceptable at this stage, and there will be further consultation through the detailed design and construction phases to ensure all Fire Departments requirements are met.

If the variance is approved, the owner will be responsible for the ongoing maintenance of this road to the District's existing maintenance specification for a gravel road. The District will also expect the Owner to execute an agreement and provide security with the District ensuring that:

- The District can perform road maintenance at the owner's expense if the owner fails to do so as per the maintenance specifications. The specifications will make part of the agreement.
- The District can pave the road should the road remain in use past the agreed maximum time stated in the agreement.

As part of the review of this variance proposal the District sought a legal opinion on the risk to the District of having an emergency access road on private property, with the maintenance responsibility lying with the private owner. The opinion states that the risk to the District is low if the maintenance requirements and responsibilities requirements are captured in a formal agreement.

The proposed emergency access route passes through lands that are subject to a Natural Environment Development Permit and a Drainage Hazard Development Permit. Both Development Permits are technical in nature and are ready for final approval by District staff. The Owner has worked with Staff to provide reporting that demonstrates how the Development Permit conditions of the site can be met.

The Owner anticipates that the temporary road will be needed for a maximum of 6 years and will be made unnecessary with the connections provided by the future Lakestone road network. At this time there are no future roads planned along the same alignment as the temporary emergency access road, meaning that it is unlikely that this will be part of any permanent alignment.

Once Council has given direction on this variance, these will be the next steps for the development of the Summit phase:

- At the District Engineer's discretion, enter into a maintenance agreement for the access road with the Owner to the District's satisfaction.
- Issuance of the above noted DPs by the Director of Planning and Development.
- Issuance of a Preliminary Layout Review (PLR) letter by the Approving Officer to provide direction to the owner on the requirements and steps for subdivision registration.
- The issuance of a Certificate to Commence Construction under the SDDS Bylaw for works and services infrastructure is required prior to commencing any development related construction activity.
- Once works and services infrastructure works are completed and approved, the lots can be registered Building Permits can be issued for structures on the lots.

APPLICABLE LEGISLATION AND POLICIES

Subdivision and Development Servicing Bylaw 1121, 2020.

IMPACT ON INFRASTRUCTURE OR MUNICIPAL SERVICES

Minimal impact expected as the road is on private property, and the owner will be responsible for operations and maintenance requirements with District staff monitoring for compliance.

IMPACT ON STAFF CAPACITY AND FINANCIAL RESOURCES

Anticipated to be minor. Regular staff time and resources have been used to process the application. A significant amount of staff time has been spent on the application. Should this file be deferred back to staff, it may impact processing times on other files.

CONSULTATION AND COMMUNICATION

Public notifications followed the requirements for a DVP as listed in Table 1 of the Development Approvals Procedure Bylaw 1133, 2021.

ANALYSIS OF OPTIONS FOR CONSIDERATION

OPTION A: Approval would allow the owner to proceed to the next steps in the development process of the Summit Phase of the Lakestone development, with conditions, stipulated by the District for the continual maintenance of the access route to ensure it is fit for purpose.

OPTION B: Denial may result in a reconsideration of their overall phasing, design and approach to the development or it may simply result in a decision to pave the emergency access.

OPTION C: Deferral pending receipt of additional information as identified by Council would return the applications to staff to continue working with the owner to address identified concerns.

Respectfully Submitted,
Steven Gubbels, Manager of Development

Collaborators: *(each individual collaborator to add name and date reviewed)*

Name	Date Reviewed
Rob Richardson, Lakestone Project Manager (Consultant)	Up until 2022-12-31
Brent Penner, Director of Protective Services	2023-02-09
Steve Petryshyn, Landscape Design Technician-Parks, Recreation and Culture	2023-02-09

Report Approval Details

Document Title:	Lakestone Summit Phase - Variance to Emergency Egress Surfacing Requirement.docx
Attachments:	
Final Approval Date:	Feb 14, 2023

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

Matthew Salmon, Director of Engineering and Environmental Services - Feb 9, 2023 - 3:27 PM

Jared Kassel, Director of Planning & Development - Feb 10, 2023 - 12:17 PM

Reyna Seabrook, Director of Corporate Services - Feb 10, 2023 - 2:34 PM

Tanya Garost, Chief Administrative Officer - Feb 14, 2023 - 3:39 PM