
MEETING TYPE AND DATE: REGULAR COUNCIL MEETING – NOVEMBER 2, 2021
AUTHOR: TAMERA CAMERON, PLANNER
SUBJECT: **DP2019-023-C (3118 REIMCHE ROAD) – DEVELOPMENT PERMIT
EXTENSION REQUEST**

ESSENTIAL QUESTION:

Does Council support granting a three-month extension to a Development Permit (DP2019-023-C) for 3118 Reimche Road (approved by Council on April 20, 2021) to allow the applicant until February 2, 2022 to meet the Development Permit conditions?

OPTIONS:

- A. THAT** the request for a three-month extension (until February 2, 2022) to Development Permit DP2019-23-C for 3118 Reimche Road, legally described as Lot 1, District Lot 169, ODYD, Plan 10040, be granted.
- B. THAT** the request for a three-month extension to Development Permit DP2019-23-C for 3118 Reimche Road, legally described as Lot 1, District Lot 169, ODYD, Plan 10040, be denied, the file be closed, and the applicant be advised to reapply for a new Development Permit.

EXECUTIVE SUMMARY:

The applicants for this long-term care facility project made a request for a three-month extension to their Development Permit for 3118 Reimche Road to allow them until February 2, 2022 to meet the Development Permit conditions. An extension would allow the applicants more time to receive the forthcoming decision from the ALC regarding an extension to their ALR exclusion deadline. Staff do not have any concerns with extending the time period as requested. No unintended consequences are anticipated should Council grant this extension.

BACKGROUND/HISTORY:

Council approved DP2019-023-C at the April 20, 2021, Regular Council Meeting. Before the Development Permit is issued, the owners must meet certain conditions including providing a \$141,756 performance security deposit for landscaping. They must also provide the Pedestrian Improvement Levy of \$75/residential unit per the covenant requirements (CA2328010). Under Lake Country's Development Approval Procedures Bylaw, applicants have five months to meet the pre-requisite conditions of the DP, as follows:

Section 14.2(c) states:

Once a DP has been approved by Council or, where applicable, by the CAO, Director or Approving Officer, the Applicant has five (5) months to complete any prerequisite conditions. Upon written application by the Applicant, Council may extend the five (5) month period once for up to three (3) months. If no application for extension is received, the file will be closed and the permit will not be issued.

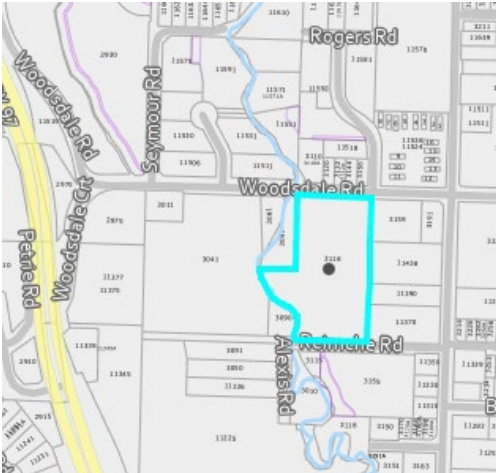
The applicants are applying for a 3-month extension request, which would allow them until February 2, 2022, to meet these Development Permit conditions, should Council grant the request. See the attached Development Permit Extension Request Letter for the applicant's rationale.

The property is within the ALR but was issued an ALR Exclusion on April 9, 2010, with the following conditions:

1. The submission of confirmation of a bylaw amendment for the Property indicating a residential density of 30 units/ha.
2. The submission of a strata plan showing a residential density of 30 units/ha.
3. The exclusion must be completed within three (3) years from the date of this decision.

The applicants have met the first condition and have already received two extensions from the ALC to allow them time to meet the second condition, which requires them to obtain a Development Permit and a Building Permit. The applicants had until June 21, 2021, to meet the ALC's deadline; however, they were not able to prepare their Building Permit submission in time. The applicants have applied to the ALC to either extend the deadline or to consider the approved Development Permit to meet the final condition for exclusion (the decision is forthcoming).

Application Type	Development Permit		
File Number:	DP2019-023-C		
Roll Number:	11585000		
Proponent:	New Town Architecture and Engineering Inc.	Owner(s):	1141253 BC Ltd.
Legal Description:	Lot 1 District Lot 169 ODYD Plan 10040		
PID	009-625-402		
Civic Address:	3118 Reimche Road		
OCP Designation:	High Density Residential (the portion of the property subject to this application) Mixed Use Commercial		
Zoning Designation:	RM4 – Low Density Multiple Housing C1 – Town Centre Commercial P1 – Public Park and Open Space		
Land Use Contract	No		
ALR:	Yes (ALR Exclusion granted with conditions)		
Parcel Size:	2.08 hectares (5.15 acres)		
DP Area(s):	Multiple-Unit, Stability, Erosion and Drainage Hazard, Natural Environment, and Greenhouse Gas Reduction and Resource Conservation		
Water Supply:	Municipal		
Sewer:	Municipal		
Site Summary:		Zoning:	Use:
	<i>North:</i>	RU1 – Single Family Housing	Residential
	<i>East:</i>	C2 – Neighbourhood Commercial P2 – Administration, Public Service and Assembly RM2 – Low Density Row Housing	Commercial Administration, Public Service and Assembly Residential
	<i>South:</i>	RU1 – Single Family Housing RM2 – Low Density Row Housing	Residential
	<i>West:</i>	RU1 – Single Family Dwelling RM5 – Medium Density Multiple Housing	Residential Vacant

Map 1: Location Map**Map 2: Orthophoto****DISCUSSION/ANAYLSIS:**

The Development Approval Procedures Bylaw allows for Council to approve a one-time three-month extension if the applicant cannot complete the prerequisites required by Council within five months of the Council decision.

As a reminder to Council, as a condition of the original Zoning Bylaw amendment, two covenants (CA2328012 and CA2328010) were registered on title that restrict development until the following is provided:

- Dedication of a minimum of 3,000m² of parkland;
- 10m of road dedication along the eastern portion of the site (through the Development Permit, Council allowed this to be provided as a 6m public trail on the west side of the site); and,
- Pedestrian improvement levy of \$75.00 per residential unit is paid to the District to be used for the purpose of purchasing, constructing, and installing pedestrian crossing signalization and the associated works at the intersection of Bottom Wood Lake Road and Wooddale Road.

Subdivision for the purposes of road dedication (for the public trail) and park dedication can only occur once the ALR exclusion has been completed and exclusion can only occur once the owner has met the existing ALR exclusion conditions, which includes the issuance of a Development Permit and a Building Permit. Should Council deny the extension request, the applicants will be required to submit a new Development Permit application. Given the ALR exclusion conditions, requiring the applicants to apply for a new Development Permit would significantly slow down the ALR exclusion process (and further delay the acquisition of the park and trail dedication) and require additional staff time. Staff do not have any concerns with extending the time period as requested.

ANALYSIS OF OPTIONS FOR CONSIDERATION:

OPTION A: If Council approves the extension of the Development Permit, the owners will have until February 2nd, 2022, to complete the conditions of their permit.

OPTION B: If Council denies the Development Permit extension, the file will be closed, and the Development Permit will not be issued. The owners will have to make a new Development Permit application should they wish to proceed with the proposed development. This would require additional staff time and may complicate the ALR exclusion process with the ALC. It would also further delay the acquisition of the park and trail dedication.

Respectfully Submitted,

Tamera Cameron
PLANNER
PLANNING AND DEVELOPMENT DEPARTMENT

This report has been prepared in consultation with the following departments:

CONCURRENCES	
DEPARTMENT	NAME
Chief Administrative Officer	Tanya Garost
Acting Director of Planning & Development	Gary Penway
Manager of Planning	Corine (Cory) Gain

ATTACHMENTS:

A: Extension Request Letter from Applicant