

**Date:** Tuesday, March 25, 2025

**To:** Elizabeth Tracy, Chief Administrative Officer

**From:** Cameron Chalmers, RPP, MCIP, Consulting Planner

**Subject:** Development Variance Permit No. 134 – Parkside Development Road Standards

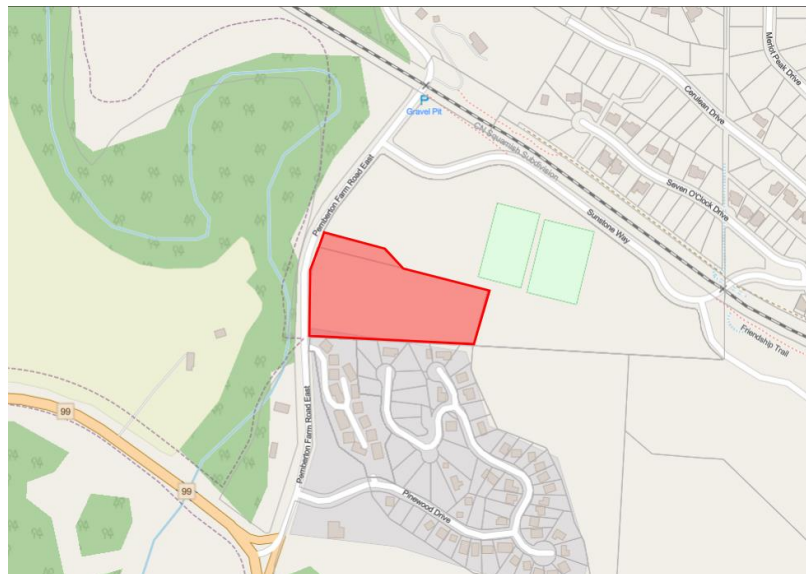
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## **PURPOSE**

The purpose of this report is for Council to consider authorizing issuance of Development Variance Permit No. 134, attached as **Appendix A**, to vary the Village's Subdivision and Development Control Bylaw No. 677, 2011 with respect to road standards for the proposed Parkside development at 7362 Pemberton Farm Road East. If approved, DVP No. 134 will permit a reduction in Village road dimensions to facilitate the subdivision and development of 32 residential lots recently zoned for multiplex development.

## **BACKGROUND**

On October 22, 2024, Council adopted an official community plan (OCP) amendment and rezoning bylaw to facilitate the development of 7362 Pemberton Farm Road East as a residential development. The lands were rezoned Comprehensive Development Zone 9 (CD-9) which includes specific regulations and considerations to permit the creation of 32 lots for a mix of housing types including duplex, triplex, and houseplex development. The zoning also permits the development of local commercial development and mixed use buildings on proposed lot 33, a portion of the site nearest Sabre Way.



Following adoption of the bylaws, the applicants began the subdivision approval process and more detailed design for the works and services necessary to support the development of the

land. Variances to the Village’s bylaw standards for local roads will be required to develop the lands as sought in the rezoning application. At staff’s encouragement, the proponents applied for this development variance permit and for subdivision approval to create the parent lots contemplated in the zoning. Staff consider the DVP to be an important consideration early in the subdivision process as the proposed lot layout will require a variance to Village road standards. Should Council approve the DVP application, the approving officer will complete and issue a tentative approval letter (TAL) for the subdivision process.

The proponents have submitted detailed engineering in support of the subdivision and variance applications which has been reviewed concurrently with the DVP application.

## **DISCUSSION & COMMENTS**

### ***Application Description***

The DVP application is primarily to narrow road standards from those described in the Subdivision and Development Control Bylaw to facilitate hillside development on a topographically challenging site. The DVP contemplates four different road conditions shown on the drawing below.



### ***1. Sabre Way Variances***

Sabre Way will be the primary entrance to the development from Pemberton Farm Road East. The road will provide access to Den Duyf Park and future facilities. Sabre Way is an existing road allowance vested to the Village but has been included in the DVP as constructing the road will be an obligation of the applicant.

The variance proposed for Sabre Way is to reduce the width of the asphalt from 9.5 metres to 6.8 metres in accordance to Schedule E of the attached DVP.

## *2. Road A Variances*

Road A will be the principal road through the development providing access to most of the residential development. It is proposed as a cul-de-sac road, will not connect to any adjacent properties or future development, and will service only the residential lots proposed in the subdivision.

Road A has been aligned to meet municipal standards for road grades as it ascends but will require retention and alternate alignments will not satisfy grading requirements.

The variances proposed for Road A are as follows:

- Minimum right-of-way width from 18 to 12 metres
- Minimum asphalt width from 8.5 to 6.6 metres
- Minimum sidewalk width from 1.5m to 1.0m for upper portion
- Maximum cul-de-sac length from 150 metres to 315 metres

## *3. Lane 1 Variances*

Lane 1 is a very short access road intended to provide access to up to 4 lots from Road A as shown on the drawing above. Lane 1 will provide legal and physical access to the lots and will form part of the public road system.

The Lane 1 variances request a reduction in the minimum right-of-way from the 18m standard to 10m, and a reduction in asphalt width from 8.5 to 6.6 metres

## *4. Lane 2 Variances*

Lane 2 is a similar condition to lane 1, providing access to two lots. It will require variances from the minimum right-of-way width from 18 to 7.5 metres, with a reduction in minimum asphalt width from 8.5 to 5 metres.

### **Staff Assessment**

Staff note the variances proposed in DVP 134 have undergone a thorough review process by the applicant's engineer and Village staff. Given the topography of the site and the intended housing density proposed, the proposed variances will be necessary to achieve the development proposed. The variances are substantial but conform with the intent of the Hillside Development to minimize the extent of cut and fill required to develop on sloping sites.

Staff also note that the variances proposed in DVP 134 are permissive only, should the DVP receive approval. Each of the variances will vary a maximum or a minimum standard and the project may therefore be designed as far as the varied standard. However, the approving the variances does not indicate approval of the detailed design, or in any way assure that the variances described in the permit are guaranteed. Through the final design and engineering process, the detailed design review will prevail, and not all the variances may be achieved to their maximum extent. That process is ongoing as part of the subdivision application review.

As the proposal will facilitate the creation of alternate housing forms in Pemberton and given the progress of the subdivision and development review to date, staff are prepared to support the variances outlined in the attached DVP No. 134.

### **COMMUNICATIONS**

Notice of Council's intent to authorize issuance of DVP No. 134 was sent to adjacent property owners in accordance with the Local Government Act and the Village's Development Procedures Bylaw.

### **LEGAL CONSIDERATIONS**

There are no legal considerations arising from Council's consideration of the application.

### **BUDGET & STAFFING**

The application was accompanied by the applicable fees in accordance with Village bylaws. Further, the consulting, legal, and other costs incurred will be subject to cost recovery.

### **INTERDEPARTMENTAL IMPACT**

Operations and other relevant departments have been consulted in the review of the application.

### **COMMUNITY CLIMATE ACTION PLAN**

This application has no impact on the Community Climate Action Plan strategies.

### **STRATEGIC PRIORITIES**

The application aligns with the strategic priority to *plan and manage growth* by supporting a diversity of housing development that meets with housing needs to create a community where residents thrive.

### **IMPACT ON THE REGION**

The application has no regional impacts.

### **ALTERNATIVE OPTIONS**

Alternative options for consideration are as follows:

**Option One:** Council authorizes issuance of Development Permit No. 134 at 7362 Pemberton Farm Road East and the adjacent municipal road allowance identified as Sabre Way to vary the road standards of Subdivision and Development Control Bylaw No. 677, 2011 as outlined in the Permit.

**Option Two:** That Council refers the application for Development Permit No. 134 at 7362 Pemberton Farm Road East back to staff to address the following considerations:

- {To be inserted by Council}

### **RECOMMENDATIONS**

**THAT** Council authorizes issuance of Development Permit No. 134 at 7362 Pemberton Farm Road East and the adjacent municipal road allowance identified as Sabre Way to vary the road standards of Subdivision and Development Control Bylaw No. 677, 2011 as outlined in the Permit.

### **ATTACHMENTS:**

**Appendix A:** Development Permit No. 134 (Parkside Road Standards)

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Manager approval:	Scott McRae, Manager of Development Services
CAO approval:	Elizabeth Tracy, Chief Administrative Officer