



Staff Report to Sustainable Development Advisory Committee

DATE: Monday, October 16, 2023

DEPARTMENT: Land Development

APPLICATION NO.: DVP23-0008

SUBJECT: 2181 Bear Mountain Parkway Development Variance Permit Application

PURPOSE:

Ron Coutre has applied for a Development Variance Permit to permit a new municipal road to end in a two-point turn around rather than a cul-de-sac as part of a subdivision to create 11 duplex lots and one multifamily lot at 2181 Bear Mountain Parkway. The proposed new road would end at the multifamily site and won't provide access to lands beyond in the future.

BACKGROUND:

The subject property is within the CD12 (Comprehensive Development 12 – South Skirt Mountain) Area III (Mixed-Use Multi-Family Residential). Land clearing and lot preparation occurred under Development Permit DP20-0037.

Table 1: Site Data

Applicant	Ron Coutre
Owner	Southpoint Partners Ltd.
Civic Address	2181 Bear Mountain Parkway
Legal Description	LOT 3 Section 114 Esquimalt District Plan VIP87674 Except Plan EPP128598
Size of Property	18,839 m ² or 5.95 acres
DP Areas	Riparian, Wildlife Habitat and Biodiversity, Steep Slopes, and Interface Fire Hazard Development Permit Areas
Zoning Designation	Comprehensive Development – South Skirt Mountain
OCP Designation	Hillside or Shoreline

In April 2022, a subdivision application for 11 duplex lots and 1 multifamily lot was received that showed a new road terminating in a two-point turn. In May 2022, a Statement of Conditions (SOC) was issued that required the proposed new road, Slate Ridge, to terminate in a cul-de-sac to conform to Bylaw 1000

- Schedule 4 (Road Design and Construction). The applicant has now applied for a Development Variance Permit to amend that condition to allow the two-point turn around instead.

SITE AND SURROUNDING AREA

The subject property shown below in **Figure 1 – Area Map** is located northeast of Bear Mountain Parkway and west of Marble Place within Phase 5 of the Southpoint development. The property slopes steadily to the northwest. Site clearing and grading works for the subdivision are underway in accordance with the issued Development Permits. The site is surrounded by a mix of residential and commercial land uses.



Figure 1- Area Map

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	CD12 (Comprehensive Development 12 - South Skirt Mountain)	Vacant land - Future development sites

<i>East</i>	CD12 (Comprehensive Development 12 - South Skirt Mountain)	Duplexes
<i>South</i>	CD12 (Comprehensive Development 12 - South Skirt Mountain)	Mixed Use and Commercial
<i>West</i>	CD12 (Comprehensive Development 12 - South Skirt Mountain)	Mixed-Use Multi-Family Residential

COMMENTARY:

The subdivision plan proposes to dedicate a new municipal road with a two-point turnaround. The Subdivision and Development Servicing Bylaw 1000 Schedule 4 (Road Design and Construction) allows the Fire Chief to accept local roads and access lanes that end without a turn around such as a cul-de-sac if they are less than 45m in length without a variance; however, the proposed road is approximately 150m. Bylaw 1000 also allows the City Engineer to accept a road that terminates with a temporary two-point turn in lieu of a cul-de-sac if the road is to be extended to access lands beyond in the future; in this instance the proposed road will not be extended in the future. As such, the proposed new road requires a variance to Bylaw 1000 Schedule 4 (Road Design and Construction) before it can be constructed and dedicated in the manner proposed.

Through the subdivision site servicing review process, the applicant’s Civil Engineer coordinated with the City Engineer and the Fire Chief to confirm that a two point turn sufficient for emergency access located within the proposed townhouse site and secured by a statutory right-of-way (SRW) could be accepted provided that a Development Variance Permit was granted. A two-point turnaround for residential use is proposed to be located within dedicated road. The proposed emergency access and two-point turn are shown below in **Figure 2 – Development Layout**.

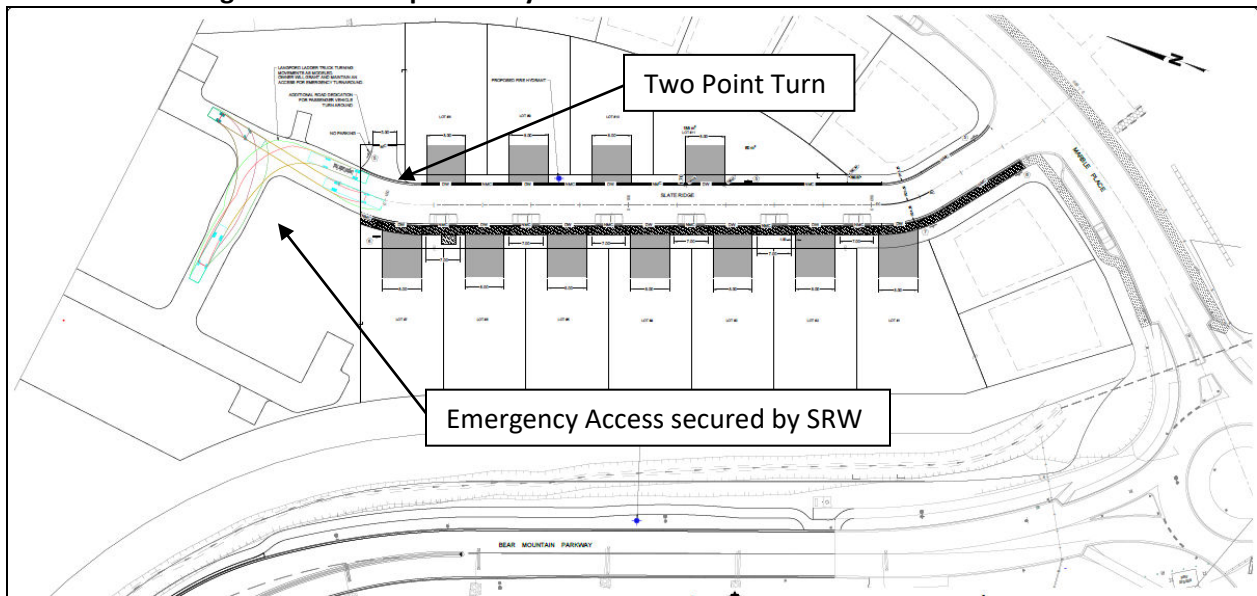


Figure 2- Development Layout

An application for Development Variance Permit was received in July 2023. The proposed layout shows that six offsite parking stalls will be provided which meets Bylaw 1000's requirement of one on-street parking stall for every two lots. The multifamily site must provide their required parking onsite.

The City has not received a Development Permit application for the multifamily development which means that the layout is subject to change. As such, a statutory right-of-way and temporary turnaround should be provided prior subdivision registration. This can be achieved through the subdivision site servicing design approval process and be required as a condition of subdivision registration if the variance is granted.

If the Committee is satisfied that this proposal is sufficient to waive the requirement for a cul-de-sac in this location, they may wish to recommend to Council proceed with consideration of the variance.

If the Committee is not supportive of this request, they could ask the applicant to re-design their subdivision to meet bylaw requirements.

FINANCIAL IMPLICATIONS:

All costs associated with this variance will be at the cost of the developer.

LEGAL IMPLICATIONS:

A statutory right-of-way will be registered in favor of the City of Langford at the time of subdivision registration to allow a public turn around on private property.

OPTIONS:

Option 1

THAT the Sustainable Development Advisory Committee recommend:

That Council direct staff to provide notice that Council will consider issuing a Development Variance Permit to vary Schedule 4 of Subdivision and Development Servicing Bylaw No. 1000 to allow a permanent two-point turnaround in lieu of a cul-de-sac at 2181 Bear Mountain Parkway, subject to:

- i. That the two-point turnaround is constructed and secured to the satisfaction of the Fire Chief, prior to subdivision approval.

OR Option 2

THAT the Sustainable Development Advisory Committee recommend:

That Council does not proceed with further consideration of this application for a Development Variance Permit to vary Schedule 4 of Subdivision and Development Servicing Bylaw No. 1000 to allow a permanent two-point turnaround in lieu of a cul-de-sac at 2181 Bear Mountain Parkway.

SUBMITTED BY: James Oliver, Senior Land Development Technologist

Concurrence: Chris Aubrey, Fire Chief

Concurrence: Donna Petrie, Senior Manager of Business Development and Events

Concurrence: Yari Nielsen, Director of Parks, Recreation and Facilities

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Katelyn Balzer, P.Eng., Director of Engineering and Public Works

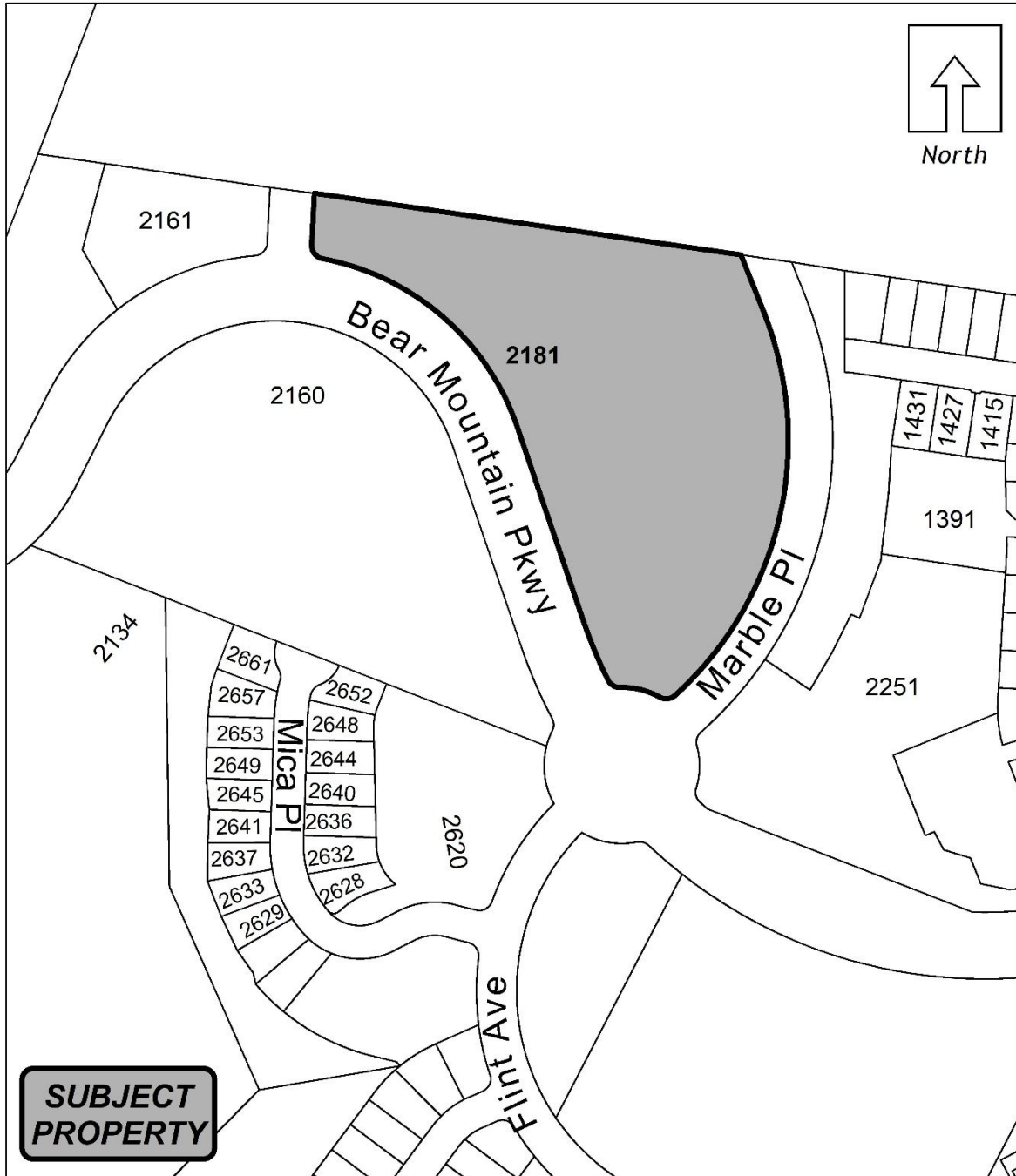
Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Deputy Director of Corporate Services

Concurrence: Braden Hutchins, Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

DEVELOPMENT VARIANCE PERMIT
(DVP23-0008)
2181 Bear Mountain Pkwy



Document Name: DVP23-0008_Site_Map

Scale: N.T.S.

Last Revised: 2023-09-07

