



**SUBDIVISION AND DEVELOPMENT  
APPEAL BOARD**

DATE: **Wednesday, June 16, 2021**  
TIME: **6:00 p.m.**  
PLACE: **Via Zoom Platform**  
FILE: **B02**

## **AGENDA**

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- 1. Adoption of Agenda**
- 2. Radius Notifications**
- 3. Appeals**

**a) 8 Genstar Annex. (Linear Park)**

The Appellant is appealing the conditional approval of the Subdivision Authority especially conditions 3, 4, 5, and 6 which requires a roadway that bisects the subject parcel intended for Linear Park.

- 4. Adjournment**

DENIED

CITY OF ST. ALBERT

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION SDAB#LEG00884-2021

**Re: Lot 8, Block 1, Plan 1524950 - known municipally as 8 Genstar Annex (Linear Park), St. Albert, AB.**

Regarding the conditional approval of the Subdivision Authority especially conditions 3, 4, 5, and 6 which requires a roadway that bisects the subject parcel intended for Linear Park.

The Appellant had no objection to the members of this Board hearing and deciding this Appeal.

Further, none of the Board members identified a conflict that would prevent them from hearing this Appeal.

**The Board considered the Subdivisions Authority's written report and heard from the representative of the Subdivision Authority who stated that:**

The Subdivision Authority was represented by Sajid Sifat. Mr. Sifat submitted the following materials that were reviewed by the Board:

- Submissions dated June 16, 2021; and
- PowerPoint Presentation.

The submissions stated as follows:

The applicant, Select Engineering Consultants Ltd., on behalf of the owner Genstar Titleco Ltd., is appealing the decision of the Subdivision Authority pertaining to the above noted subdivision application. The applicant's proposal is shown on Attachment 2, which did not include a through roadway connection bisecting the park parcel that is subject to subdivision. The conditionally approved plan of subdivision and associated conditions require a roadway to be built through the park parcel (referred to as the "Through Road"), as required by the Riverside Area Structure Plan (ASP). The proposed parcel is designated Park (P) in the Riverside Area Structure Plan Bylaw 1/2012, as amended by Bylaw 2/2020, and districted as Public Park (P) in the Land Use Bylaw 9/2005.

The approved plan of subdivision (Attachment 1) shows the location of the subject park parcel in relation to the adjacent high density sites. The Potential Future Roadway (known as the Through Road) bisecting the park will provide public road access and frontage for the high density sites. These high density sites could accommodate up to four six-storey wood frame buildings. Roadway connection, as conditioned in the subdivision approval

(Attachment 12), is required by and consistent with Council approved policies and guidelines such as the Municipal Development Plan, the Riverside Area Structure Plan, the Riverside Parks Master Plan Update, and the Complete Streets Guidelines.

As per Council approval of the Riverside ASP amendment, the required Through Road will provide a looped street design mitigating issues of access for the high density sites. The looped street design will;

- Provide safe and efficient traffic flow for the residents of the high density site.
- Enable safe traffic volumes on Raven Point and at the intersection of Rankin Drive and Raven Point (Attachment 7).
- Provide two points of access (to either Hogan Road or Raven Point) to improve emergency access for fire services, ambulances and police services.
- Provide access for other services such as garbage collection, postal and maintenance services.
- Provide on-street parking on the Through Road.
- Enable pedestrian connection from the low density housing through to the park and the western neighbourhood.

## **BACKGROUND**

Select Engineering Consultants Ltd. on behalf of the owner Genstar Titleco Ltd., submitted a subdivision application for a proposed park parcel (municipal reserve dedication) which was deemed complete on October 13, 2020. The proposed subdivision as shown on Attachment 2 did not include the Through Road connection bisecting the linear park parcel.

The legal description of the subject site is for part of Plan 152 4950, Block 1, Lot 8, being Riverside Stage 30 subdivision, as shown on Attachment 1. The subdivision area is 0.62 hectares± of which 0.58 hectares± will be Municipal Reserve (MR) dedication for a park parcel and 0.036 hectares± for roadway as shown in the Riverside Area Structure Plan. The park will have 44.77 metres of frontage onto Rankin Drive, and include a trail that will provide a north-south active transportation corridor adjacent to future high density residential sites.

The Riverside Area Structure Plan (ASP) requires the Through Road intersecting the proposed park (Attachment 3), which reduces the park size to 0.58 hectares±. The portion of the MR dedication displaced as a result of the roadway will require a future amendment to the Riverside ASP to ensure there is no shortfall of MR dedication for the Riverside neighbourhood.

## **LEGISLATIVE FRAMEWORK**

### Municipal Development Plan (MDP) – Flourish: Bylaw 20/2020

The following MDP policies support the subdivision authority's decision for this conditional subdivision approval:

Section 8.2.9: “Require public roadway access to development, unless other arrangements that satisfy the City’s interest in permanent access to lands are provided”.

The roadway connection as required will provide permanent public road access and frontage for the high density sites.

Section 11.7.3: “Ensure neighbourhood design includes multiple opportunities for access and egress to facilitate safe and efficient evacuation.”

The roadway connection as required will complete a looped street network enabling two points of entry and exit into the high density sites for emergency services.

Section 11.7.4: “Facilitate safe and adequate emergency services access to Neighbourhoods through highly interconnected street networks and by considering emergency vehicle access during street design.”

Designed with emergency access in mind, the looped street will enable improved connectivity and provide multiple points of access for emergency vehicles.

Section 14.6.8: “Ensure new Neighbourhoods are designed and developed to be complete, inclusive, walkable, and well serviced by:

e) Designing street networks with high interconnectivity and direct connections to existing streets, thereby maximizing access and egress opportunities and network permeability for all modes of transportation and emergency vehicles;

f) Requiring satisfactory vehicle access to multi-unit residential and commercial development;”.

As noted above, several sections of the MDP – Flourish make reference to the design of road networks and achieving safe and efficient access for high density developments. Hence, these MDP polices demonstrate a high regard for public road network that is designed to enable and maximize connectivity, walkability, safe and efficient access for pedestrians, emergency and service vehicles, and traffic.

The required Through Roadway connection as part of the conditional subdivision approval has been reviewed and conforms to the applicable MDP polices.

#### Riverside Area Structure Plan Bylaw 1/2012 as amended

In accordance with the ASP, a Through-Roadway connection intersecting the park is required to support secondary access and traffic circulation for the adjacent high density sites.

Section 3.3.3: “High Density Residential - speaks to requiring an east-west local roadway connection to support secondary access and connectivity through the high density sites.”

The 18-metre wide local roadway connection required as a condition of the subdivision approval will provide connectivity and two points of access from the east and west, to and from, the high density sites.

Section 4.11 and 4.11.1 of the ASP under the 'Transportation' section, makes references to future roadway connections to improve connectivity and access to high density sites. This section also states that roadway and intersection design details to be determined at subdivision stage.

The subject conditional subdivision approval requires the roadway connection to be constructed at the time of development for the high density sites. The portion of the roadway bisecting the park, affects the shape and function of the park parcel. Hence, the conditional approval in the approved plan and associated conditions account for the roadway connection and design of the park parcel.

In addition to the policies stated above, the map figures, including future land use (Attachment 3) and transportation (Attachment 4), show the "potential future roadway" through the park site and adjacent high density sites. The roadway in question was part of the ASP amendment that was approved by Council on March 16, 2020.

As such, the Through Road is required as a condition of this subdivision in accordance with the ASP.

#### Land Use Bylaw 9/2005

The subject park parcel is districted Public Park (P) in the Land Use Bylaw 9/2005.

The adjacent high density residential sites are districted as High Density Residential (R4). The R4 District allows density ranges from 94-141 dwelling units per hectare (du/ha). However, the R4 District includes provisions for Site Density Bonus under section 8.34(8) that allows for densities greater than 141 du/ha, subject to stipulations stated in this section.

#### Riverside Parks Master Plan Update (2021)

The Riverside Parks Master Plan Update, dated January 2021, designates the subject park parcel as an 'Urban Square'. This park design incorporates the roadway intersecting the park parcel as shown in both its Land Use map and the Urban Square Concept Plan (Attachment 5).

Hence, any implications on park programming and amenity provision from the road crossing through the park has been considered.

## Complete Streets

Complete Streets Guidelines dated 2018, sets design standards for roads in the City of St. Albert. The subject roadway connection through the park parcel is designated as 'Local Residential' within the road classification system.

As per section 5.11 of Complete Streets, local roads are designed to provide direct access from the front of residential developments. Local roads are designed to 18 metres of width for the road right-of-way, which includes single lane two-way traffic (like Raven Point) is 1000 vehicle trips per day. The Guidelines identify pedestrian safety as it relates to intersection design such as the use of flashing lights and visible striping for crosswalks to make intersections safer. These design principles will inform the design of the local roadway connection through the park parcel.

## **CONDITIONS APPEALED BY APPELLANT**

On the letter dated May 19, 2021, the Appellant identified four conditions that they have issues with regarding the conditional approval of Riverside Stage 30 (see Attachment 10).

The conditions are:

### Condition #3

That Off-Site Levies for the through roadway connection intersecting the proposed linear park to serve the high density sites are imposed upon the land subject to this subdivision. The applicable off-site levies will be those referenced in the Off-Site Levies Bylaw in effect on the date the Developer signs the Development Agreement referenced in Condition #2 and will be due to the City on the date that the Development Agreement is signed.

### Condition #4

That a revised plan of subdivision be submitted at time of endorsement showing the following items: an 18-metre-wide local road with an area of 0.036 hectares intersecting the 0.62 hectares MR parcel (net 0.58 Ha MR parcel subtracting the area dedicated to the road).

### Condition #5

That a roadway connection must be built intersecting the linear park as shown on the approved Riverside ASP and as shown on the plan of subdivision referenced in Attachment 2 (Attachment 1 in this report), to provide for through-road connection at the time of subdivision for the high density site(s).

### Condition #6

That the 0.036 hectare portion of the linear park being displaced as a result of the roadway connection intersecting the linear park is required to be designated as a road right-of-way as part of the plan of subdivision at time of endorsement.

The Appellant's letter identified a disagreement against the requirement for the roadway connection prior to the ASP amendment being approved for the Riverside Area Structure Plan. The landowner and applicant claim that the roadway through the high density residential (R4) sites, located south of Rankin Drive is not substantiated by a Transportation Impact Assessment (TIA) in support of this roadway. They wanted to proceed with the ASP amendment approved, and felt that labelling the roadway as "potential future roadway" would streamline the ASP approval process so they could proceed with the development in this construction year.

Council specifically considered this element of the neighbourhood design and approved the ASP amendment as per administration's recommendation. Council considered the developer's request but determined that the needs of the community were of greater benefit.

## **CITY'S RESPONSE TO THE APPELLANT'S APPEAL**

### **Subdivision Design**

The proposed plan of subdivision for a park submitted by the applicant did not include the Through Road intersecting the park, as required in the Riverside ASP (Attachment 2).

A roadway connection is required to support the development of the adjacent high density sites. The Through Road affects the shape of the park parcel. Hence, conditions # 3, 4, 5, and 6 were included to require the roadway through the park in accordance with the applicable policy framework.

### **Density and Traffic Generation**

The Transportation Impact Assessment (TIA) dated May 2, 2020, provided by the applicant, as part of their 2020 Riverside ASP amendment, used a density of 120 du/ha for the high density sites to project population growth. However, the Riverside ASP and High Density Residential (R4) District of the Land Use Bylaw, enabled high density sites to be developed to a maximum density of 141 du/ha or higher with site density bonus. As proposed by the developer, there are two High Density Residential (R4) sites south of Rankin Drive and adjacent to the park (Attachment 2). The total developable site area for the R4 site west of the park is 2.25 hectares and the site east of the park is 2.48 hectares (Attachment 6). As requested by the City of St. Albert, the Through Road reduces the site areas to 2.06 hectares and 2.32 hectares respectively (Attachment 7). Based on maximum density and TIA trip generation (5.44 trips/unit/day) – the site to the east will generate 1780 trips/day and the site to the west will generate 1580 trips/day (Attachment 6). The addition of the roadway enables these sites to be further subdivided with the added road frontage high density.

### **Local Road Network and Traffic Volumes**

The two R4 combined sites would generate approximately 3,360 vehicle trips per day, based on an average of 5.44 trip/units/day (as per the TIA). The site to the east will generate 1780 trips per day onto Raven Point which exceeds the maximum designed capacity of less than 1000 trips per day for a local road. The site to the west of the park

can generate 1580 trips per day onto Hogan Road which being a “neighbourhood road” can accommodate capacities greater than a “local residential road”. Within the City of St. Albert, and based upon the Transportation Association of Canada’s (TAC) design guide, a local residential road design will accommodate up to 1000 vehicle trips per day. Without the Through Road connection, the traffic generated for the site to the east exceeds the design capacity of the local residential road (Raven Point) as a single point of entry and exit. Based upon past operational situations within the City of St. Albert, local residential road volumes that exceed the 1000 vehicle trips per day, result in increased mitigation for traffic calming and conflict management.

Council approved the Riverside ASP amendment in 2020 and anticipated this level of trip generation; hence, required a future local residential road to be built to serve as access and connection for the high density sites (the Through Road).

The looped roadway connection will provide two points of access to the high density development (Attachment 7) – from Raven Point and Hogan Road. The Through Road will be designed to a standard 18-metres of width that enables 2-way traffic flow and will facilitate on-street parking that reduces spillover parking onto other parts of the neighbourhood.

#### Traffic Flow

Without the Through Road connection, the volume of traffic flowing through the Rankin Drive and Raven Point intersection will have a negative impact on the medium density residential development to the east of the intersection and the low density residential developments to the east of the intersection (Attachment 8). It is anticipated that the traffic backing up during peak hours may cause possible conflicts to a driveway access for the low density residential developments on Raven Point.

Without the Through Road connection, the volume of traffic routed through Raven Point will cause congestion at the intersection of Rankin Drive and Raven Point, especially for vehicles turning left onto Rankin Drive. The only other alternative to turning left is to turn right onto Rankin Drive and loop around Riverside Drive, McKenney Avenue, Rose Gate and to Rankin Drive causing unnecessary traffic to be re-routed through the neighbourhood (Attachment 8).

#### Access

Access to the site, as proposed by the applicant leads to several Administration concerns. The access advantage of the Through Road is that it reduces the impact and reliance of the single point of access into the neighbourhood (Attachment 9). The cul-de-sac design, as proposed by the applicant, will be serviced by one intersection off Raven Point, as opposed to having access through to Hogan Road. Access, as proposed by the applicant, will be impacted during peak times due to traffic volume. Ensuring the roadway connection will provide better emergency access for fire and police services, and access to other services such as garbage collection, postal and maintenance services.



Administration has concerns with the applicant's proposed cul-de-sac design due to the five point access conflict caused by this design (Attachment 9). The Through Road will eliminate the five-point access conflict at the cul-de-sac (the cul-de-sac is in proximity to two laneway entrances, 2 entrances to R4 sites located behind the medium density sites and the local roadway leading to the cul-de-sac). The access to the high density sites and the laneways that could otherwise be points of vehicle conflict.

#### On-Street Parking

With the addition of the two-access points to the eastern high density sites, this road network design will allow for the inclusion of public parking along the Through Road. Not only will this improve on-street parking adjacent to the high density site, the Through Road will enable better utilization of on-street public parking along Raven Point (see Attachment 7). Based upon Administration's past operational experience, conflicts over street parking between low density and high density housing is not uncommon. By the Through Road, Administration is of the opinion that this will reduce parking demand on the Raven Point in front of the street-oriented townhouses.

#### Pedestrian Connections

By designing the local road linking the high density site, it will enable additional pedestrian connections from the local neighbourhoods to the park and improve the linkages between the east and west neighbourhoods (Attachment 7). The Through Road will provide direct pedestrian access between the western and eastern neighbourhoods, improving the walkability of Riverside, by increasing the number of connections available for the active transportation community to use. Without the public local road, pedestrian access between the high density sites would be restricted, as these would be private properties (Attachment 6). The advantage of this design is that it would enable another connection to the park's trail system.

#### Timing of Road Construction

As per Condition #5, the Through Road connection is not required to be built prior to endorsement for the park parcel. This conditional approval (Attachment 11) accounts for the roadway connection as it affects the design of the park parcel. Condition #5 states that the required roadway connection must be built at the time of endorsement of the high density sites.

It is critical to plan, design and build the road at the time of the development of the high density sites as the road is needed to support the high density development. The City's experience has been that there is substantial social/financial cost to retrofit neighborhoods to build new roads or close existing roads. Costs aside, there are physical or practical limitations to building roads that are not planned.

### **SUMMARY**

Based on the justification for the required Through Road connection provided in this report, City Administration is of the opinion that this roadway mitigates many potential problems that could be caused by the applicant's proposed subdivision. Without the

Through Road, the City of St. Albert will be responsible to mitigate the long-term negative consequences of the subdivision design proposed by the applicant.

The City requests that the appeal be denied in its entirety and that the conditions being appealed be maintained as written. Without these conditions, this subdivision application means that the “potential future roadway” as shown in the Riverside Area Structure Plan, will not be developed when the high density residential sites are developed. City Administration strongly believe that the four conditions being appealed support the need for the potential future roadway.

**The Board heard from the Appellant who stated that:**

The Appellant was represented by Blayden Dibben from Select Engineering Consultants Ltd, and Janelle Willis from Bunt and Associates. In addition to the oral submissions at the hearing, the Board reviewed the following materials provided by the Appellant in support of the Appeal, the Appellant provided the following materials that were reviewed by the Board:

- The Appeal Submission from Blaydon Dibben;
- PowerPoint presentation from Blaydon Dibben; and
- Submissions from Janelle Willis.

Mr. Dibben’s submissions are summarized below.

Appeal Submissions

In the appeal submissions, the reasons for appeal were stated as follows:

- The conditions impose a roadway on the plan that has been deemed unnecessary by the supporting Traffic Impact Assessment (TIA).
- This roadway imposes undue cost to the developer and ongoing maintenance and replacement cost to the St. Albert taxpayer.
- The road also introduces an unnecessary crossing for the liner park, impacting safety for pedestrians and cyclists.
- Adding the road replaces high-density residential land, reducing overall density, tax base, and revenue.
- The roadway duplicates the traffic flow accommodated by the collector road (Rankin Drive) to the north.

PowerPoint Presentation

The PowerPoint presentation from the Appellant highlighted the following:

- The ASP from 2016 and 2020 were compared. The amendment to the ASP in 2020 included a potential future road, which is part of the conditions that the Appellant is appealing.

- The wording of the provisions in the ASP that related to the “potential future road” and that the reference to the “potential future road” was not necessarily a certainty or requirement.
- Referenced the TIA, indicating that:
  - there are no concerns with the operation of vehicle traffic from the High Density (HDR) sites accessing Rankin Drive from Raven Point. The intersection functions at a high level of service.
  - Raven Point is an enhanced local road with 2 lanes of traffic and parking on both sides.
  - Emergency Access is required to the cul-de-sac, with several options for consideration.
  - Adding the road would duplicate the traffic pattern of Rankin Drive.

Mr. Dibben also indicated that the additional roadway would result in upfront costs to the developer, short-term and long-term maintenance costs to taxpayers and an opportunity cost of approximately 48 housing units through loss of 1 acre of residential land.

In summary, the Appellant submitted that:

- Crosses linear park, introducing potential vehicle/pedestrian conflicts.
- TIA indicates a high level of service without the roadway making it nonessential.
- Costly to build and maintain.
- Inefficient use of land resources, reducing density.

The report from Ms. Willis responded to the City’s position on each point and provided the Traffic Impact Assessment (TIA). For brevity, Ms. Willis’ responses are included:

#### Local Road Network and Traffic Volumes

##### *Response*

At a density of 141 du/ha, the 2.48ha site would include 350 du as opposed to the 298 du included in the March 2020 TIA, which is a difference of 52 du. At 5.44 daily trips per du, this equates to a difference of 283 daily trips. As per the TIA, Raven Point was projected to carry 2,125 vpd, which would increase to about 2,410 vpd with an increase of 52 du.

As per the TIA, it was recommended that Raven Point be developed to accommodate two travel lanes and two parking lanes to accommodate this level of traffic. Two travel lanes and two parking lanes is in line with a neighbourhood (collector) roadway that can accommodate up to 8,000 vpd based on the TAC Geometric Design Guide. Even with the increase in density, the daily volumes are projected to be significantly below the 8,000 vpd threshold and can be accommodated by the proposed Raven Point cross-section.

## Traffic Flow

### *Response*

The TIA does not show congestion at Rankin Drive/Raven Point during the AM or PM peak hours. As per the TIA, the intersection is projected to operate at an overall LOS A (average delay <10s) with movements along Raven Point experiencing LOS B (average delay 10-15s) during peak hours. Volume to capacity ratios are very low (<0.20) indicating there is significant spare capacity at the intersection. An intersection is considered at capacity when volume to capacity ratios approach 1.0. The longest queues noted at the intersection were projected to be in the order of 5m along Raven Point, which is equivalent to less than one vehicle.

The additional 52 units are projected to generate an additional 19 two-way trips (5 in/14 out) in the AM peak hour and 23 two-way trips (14 in/9 out) in the PM peak hour. As shown in Table 1, the Rankin Drive/Raven Point intersection can accommodate the additional traffic generated by an additional 52 du. Levels of service continue to be projected at LOS B or better, with volume to capacity ratios continuing to be estimated below 0.20. Spare capacity continues to be available if the site developer applies for a density bonus.

The above noted operational assessments do not indicate congestion at the Rankin Drive/Raven Point intersection during peak hours. At LOS B, left turning vehicles are not likely to re-route through the neighbourhood as that would take more time than waiting the average 10-15 seconds to turn left.

## Access

### *Response*

The single point of access is for up to 420 du, not an entire neighbourhood. It is noted that Ville Giroux is an approved neighbourhood planned to accommodate 746 du plus commercial with one point of access/egress to the entire neighbourhood.

As previously stated, the Rankin Drive/Raven Point intersection is not anticipated to experience operational issues due to peak hour traffic volumes. Three secondary emergency access options have been proposed, which do not require the construction of an 18.0m Through Road.

Without the Through Road, trips associated with the HDR sites are generally split about 48%/52% between Hogan Road and Raven Point, respectively. Based on the distribution of trips on the network, it is anticipated that the majority of traffic is destined to/originating from Ray Gibbon Drive to the west. If a Through Road is constructed, with direct access to the HDR sites, it is anticipated that a portion of trips associated with the eastern HDR sites will use Hogan Road to/from the west as opposed to Raven Point. However, trips associated with the western HDR site are less likely to travel to/from Raven Point. Therefore, the addition of a Through Road puts more pressure on the Rankin Drive/Hogan

Road intersection than is currently proposed at the Rankin Drive/Raven Point intersection. Instead of the HDR trips being split 48%/52%, the Through Road could result in a 70%/30% allocation of HDR trips to Hogan Road and Raven Point, respectively. Although capacity and operational concerns at the Rankin Drive/Raven Point intersection have not been identified by Bunt, the City should have similar concerns regarding intersection operations at the Rankin Drive/Hogan Road intersection as both intersections will include a single lane on each approach accommodating all movements.

Although the traffic volumes are higher on the proposed cul-de-sac than a typical low density residential cul-de-sac, the number of conflict points could be higher with single-family driveways located all along the cul-de-sac as illustrated in Exhibit 2. Instead of 5 conflict points, the cul-de-sac in Exhibit 2 shows 12 conflict points.

While the alley connections to the cul-de-sac are conflict points, they are projected to carry very low traffic volumes. At the cul-de-sac, each alley is projected to accommodate less than 5 two-way vehicle trips during peak hours, and although the alley/cul-de-sac intersection includes conflict points, the potential for vehicle interactions at this location is very low.

As the HDR sites have not been designed, the access configuration to the cul-de-sac is unknown. There is the potential for Site A and Site B to share one access point to the cul-de-sac to reduce the number of potential conflict points.

### On-Street Parking

#### *Response*

All developments are required to meet Bylaw for on-site parking minimums. Therefore, as the developer is required to provide on-site parking for all land uses, the construction of a public Through Road to provide additional public parking should not be required.

On-street parking is a City asset that is provided over and above Bylaw and is available for all public use, unless parking restrictions are implemented. Residents do not own the street, and on-street parking for low or high density housing is not a guarantee. On-street parking is a privilege, not a right.

### Pedestrian Connections

#### *Response*

The east and west portions of the plan area are accessible to pedestrians via sidewalks along both sides of Rankin Drive and the trail system located along the north edge of the Environmental Reserve. While the Through Road would provide an additional pedestrian connection between Hogan Road and Raven Point, it does not provide a continuous connection. Once pedestrians get to Raven Point or Hogan Road, they will need to go north to Rankin Drive or south to the trail system to traverse the neighbourhood.

**The Board also considered/reviewed the following:**

The Board received one letter in support of the Appeal from Ryan and Kayla Groten. That letter was in support of the Appeal.

The Groten's email included the following points:

- They supported the appeal.
- The addition of the road to the ASP was a mistake.
- It is unnecessary and unsafe to put a road through the middle of the park.
- The road would not alleviate congestion.
- The addition of the road would have considerable impact on the park.

Mr. Groten's submissions at the Appeal echoed and reiterated those set out in the letter that he submitted.

There were no further submissions for or against the Appeal.

**The Board finds the following:**

The Appeal deals with four specific conditions imposed by the Subdivision Authority in providing the conditional subdivision approval for Riverside Stage 30 – Linear Park. They are:

3. That Off-Site Levies for the through roadway connection intersecting the proposed linear park to serve the high density sites are imposed upon the land subject to this subdivision. The applicable off-site levies will be those referenced in the Off-Site Levies Bylaw in effect on the date the Developer signs the Development Agreement referenced in Condition #2 and will be due to the City on the date that the Development Agreement is signed.
4. That a revised plan of subdivision be submitted at time of endorsement showing the following items: an 18-metre-wide local road with an area of 0.036 hectares intersecting the 0.62 hectares MR parcel (net 0.58 Ha MR parcel subtracting the area dedicated to the road).
5. That a roadway connection must be built intersecting the linear park as shown on the approved Riverside ASP and as shown on the plan of subdivision referenced in Attachment 2 (Attachment 1 in this report), to provide for through-road connection at the time of subdivision for the high density site(s).
6. That the 0.036 hectare portion of the linear park being displaced as a result of the roadway connection intersecting the linear park is required to be designated as a road right-of-way as part of the plan of subdivision at time of endorsement.

Essentially these four conditions require that a road be constructed between that would bisect the three high density sites as well as the linear park. The Appellant appeals these conditions because it submits, for the reasons summarized about from its written and oral submissions, that the roadway is not needed, and will result in costs to the developer and the City.

Both parties had extensive written and oral submissions in support of their respective positions. The submissions included references to the ASP from 2016 and the amended ASP from 2020 passed by City Council. This reference was important because the amended plan included reference to the potential future road, whereas the 2016 version did not. City Council obviously determined that the road was necessary for it to be included in the ASP. The inclusion of the “potential future road” in the 2020 ASP as opposed to it not being in the 2016 ASP was of importance to the Board.

As identified by the Subdivision Authority, the requirement for the through road is consistent with the MDP Flourish, the Riverside ASP, Land Use Bylaw 9/2005, and the Riverside Parks Master Plan Update. When balancing the legislative objectives for the inclusion of the through road, they outweigh any effects its inclusion will have on the park, which will be bi-sected and the high density development. The benefit of having the through road will outweigh those effects.

When it comes to the main points raised by the Subdivision Authority, and the responses from the Appellant, the Board considered each one in coming to its decision.

#### Local Road Network and Traffic Volumes

The looped roadway connection of the through road will provide two points of access to the high density development from Raven Point and Hogan Road.

The Board was cognizant of the fact that through road will also facilitate on-street parking that reduces spillover parking onto other parts of the neighbourhood.

#### Traffic Flow

The Board was satisfied with the Subdivision Authority’s position that without the through road, the volume of traffic, specifically on Rankin Drive and Raven Point intersection will have a negative impact on the medium density residential development to the east.

The connection provided by the through road would alleviate that congestion and provide alternatives for the traffic flow, thereby alleviating the potential congestion points.

#### Access

This was a major factor in the Board’s decision. The ability of emergency vehicles to access the high density sites. There was some suggestion that an existing ATCO access

road to the south of the site could provide access for emergency vehicles. However, the only way in which this can be properly done is with the through road.

### On-Street Parking

The Board was also concerned with there being sufficient parking for the residents of the high density sites. Although there will be planned parking for the residents along with visitors the Board was concerned about the effect of parking on the adjacent properties. The parking on the through road would alleviate these concerns.

### Pedestrian Connections

The Board was satisfied, that although the through road would bisect the linear park, it would also increase area connections, by providing greater connection points on the through road which will provide greater access to the linear park. Those additional connection points will be of benefit to a greater portion of the local residents and provide them access to the connecting White Spruce Park.

When these factors are taken into account and are considered in light of the inclusion of the through road in the 2020 ASP, the Board is of the view that the appeal must be denied.

### Denied:

The Subdivision and Development Appeal Board of the City of St. Albert hereby denies the Appeal of the conditional approval of the Subdivision Authority especially conditions 3, 4, 5 and 6 which requires a roadway that bisects the subject parcel intended for a linear park for Riverside State 30.

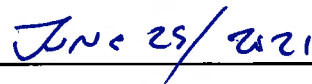
The Board makes its decision for the following reasons:

1. The Board concludes that (in accordance with section 687(3)(d) of the *Municipal Government Act*) the subdivision will unduly interfere with the amenities of the neighbourhood, and/or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land because:
  - a. Conditions sought to be appealed are consistent with the MDP, ASP and the Land Use Bylaw as referenced. Section 680(2) of the MGA requires SDAB to have regard for statutory plans, including the approved Riverside ASP which requires the Through Roadway intersecting the park parcel.
  - b. The inclusion of the through road is necessary for the factors asserted by the Subdivision Authority, including access for emergency vehicles; and
  - c. The through road is contemplated by the 2020 ASP.



The Applicant is responsible for complying with all applicable federal, provincial and municipal enactment and any other applicable law and for obtaining all applicable permits, licenses and approvals. Building permits must be obtained from the Building Inspector who can be contacted at 780-459-1655.

  
\_\_\_\_\_  
Chair

  
\_\_\_\_\_  
Date