

## Point Trotter Off-Site Improvements – Access Bylaw for 8919 68 Street SE

### **RECOMMENDATIONS:**

That the Infrastructure and Planning Committee recommends that Council:

1. Give three readings to the proposed Bylaw to close the two existing accesses for 8919 68 Street SE directly on to 68 Street SE. See Attachment 1.
2. Direct Administration to construct an alternative access for 8919 68 Street SE on to 90 Avenue SE. See Attachment 4, Figure 2.

### **RECOMMENDATION OF THE INFRASTRUCTURE AND PLANNING COMMITTEE, 2022 JUNE 10:**

That Council:

1. Give three readings to **Proposed Bylaw 5C2022** to close the two existing accesses for 8919 68 Street SE directly on to 68 Street SE. See Attachment 1.
2. Direct Administration to construct an alternative access for 8919 68 Street SE on to 90 Avenue SE. See Attachment 4, Figure 2.

### **Opposition to Recommendation:**

Against: Councillor Spencer

### **HIGHLIGHTS**

- Real Estate & Development Services (RE&DS) as the land developer for the Point Trotter industrial development project is required to upgrade 68 Street SE from a rural 2-lane road to an urbanized 4-lane arterial from 108 Avenue SE to Glenmore Trail SE in accordance with the approved Subdivision (SB2010-0467). See Attachment 2, Figure 1.
- The upgrade has resulted in two existing accesses for 8919 68 Street SE directly on to 68 Street SE as no longer being acceptable.
- A Bylaw is required to close the two existing accesses directly on to 68 Street SE and replace them with new accesses on to 86 Avenue SE and 90 Avenue SE. The 86 Avenue SE access has already been completed. See Attachment 3, Figure 1.
- Strategic Alignment to Council's Citizen Priorities: A city that moves

### **DISCUSSION**

- As part of the off-site development obligations as per Subdivision by Plan (SB2010-0467), RE&DS is required to upgrade 68 Street SE from a rural 2-lane road to an urbanized 4-lane arterial from 108 Avenue SE to Glenmore Trail. See Attachment 2, Figure 2
- Westcan Recyclers Ltd (Westcan) operates a metal recycling business located at 8919 68 Street SE, on the west side of 68 Street SE between 90 Avenue SE and 86 Avenue SE and has two existing accesses directly on to 68 Street SE.
- Alternative accesses have been designed and approved by Morrison Hershfield Ltd for the Westcan property. These accesses provide all-directional access on to 68 Street SE

### **Point Trotter Off-Site Improvements - Access Bylaw for 8919 68 Street SE**

---

via the adjacent roads (86 Avenue SE and 90 Avenue SE). See Attachment 3. The alternative access designs were shared with Westcan through written correspondence, and they have been provided the opportunity to provide comments on the proposed design. Their comments have been taken into consideration.

- A Bylaw is now required pursuant to section 28 of the Highways Development and Protection Act, S.A. 2004, c. H-8.5 (the “Act”) to legally close the existing accesses directly on to 68 Street SE. They will not be physically closed until construction of the two new accesses on to 86th Avenue SE and 90th Avenue SE has been completed. The Bylaw as written comes into force on the day it is passed. We expect the new accesses to be completed prior to this, however if they are not completed, a temporary access permit under the Controlled Streets Bylaw will be issued to permit the use of the legally closed accesses until such time as the new accesses are completed.

### **STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)**

- Public Engagement was undertaken
  - Public Communication or Engagement was not required
  - Public/Stakeholders were informed
  - Stakeholder dialogue/relations were undertaken
- 1) Directly impacted property owners were informed of the project impacts and changes to 68 Street SE via mailed letters and in-person meetings.
  - 2) Discussions with the owner of 8919 68 Street SE began in 2020 leading to a variety of options proposed by both parties. Discussions continued with the owner and in August 2021 the owner commenced an action against The City and brought an application for injunctive relief. In response to this application, a Court Order was granted which required The City to provide the owner with a proposed design for alternative accesses to the owner’s property and gave the owner the opportunity to review and comment on The City’s proposed design. The Court Order further provides that if The City and the owner are unable to resolve any concerns identified by the owner regarding The City’s proposed design, they are to jointly retain an independent engineer to review and provide comments on The City’s proposed design. At the time of writing this report, The City and the owner have retained an independent third-party engineer to review and provide comments on the proposed design.
  - 3) The owner of 8919 68 Street SE has been aware of the planned and upcoming urbanization of 68 Street SE since the time of their Development Permit in 1996. The permit noted that the access on to 68 Street SE from 8919 – 68 Street SE may be restricted to right-in, right-out only.

### **IMPLICATIONS**

#### **Social**

## **Point Trotter Off-Site Improvements - Access Bylaw for 8919 68 Street SE**

---

Not applicable

### **Environmental**

Not applicable

### **Economic**

The upgrades to 68 Street SE from a rural 2-lane road to an urbanized 4-lane road are required to enable the growth of the industrial sector and the property tax that comes along with increased development. Significant new investments in the industrial developments along the 68 Street SE corridor have been realized and, with these new industrial developments and as required by the Special Clauses Agreement (DA2010-0099) and subdivision approval (SB2010-0467), upgrades to 68 Street SE are required. As part of upgrading 68 Street SE, the accesses for 8919 – 68 Street SE directly onto 68 Street SE should be closed to be replaced by accesses on to 86 Avenue SE and 90 Avenue SE.

### **Service and Financial Implications**

No anticipated financial impact

### **RISK**

Section 28 of the Act allows The City to remove any direct physical means of access between a controlled street and the land adjacent to the controlled street by Bylaw. 68 Street SE is designated as a controlled street. The City and the owner of 8919 68 Street SE have been unable to reach an agreement on revising the access points to and from their land. As such, The City has designed alternative accesses that meet all City required road design specifications. The City is required to obtain a Bylaw pursuant to the Act to remove the accesses for 8919 – 68 Street SE directly on to 68 Street SE.

### **ATTACHMENTS**

1. **Proposed Bylaw 5C2022**
2. Figure 1 – Subdivision Plan for Point Trotter Phase 1 and Figure 2 - New Road Design for 68 Street SE
3. Site Plan – Existing and New Access Points
4. New Access Designs for 86 Avenue SE and 90 Avenue SE
5. Presentation
6. **Public Submissions**

**Infrastructure Services Report to  
Infrastructure and Planning Committee  
2022 June 10**

**ISC: UNRESTRICTED  
IP2022-0145  
Page 4 of 4**

**Point Trotter Off-Site Improvements - Access Bylaw for 8919 68 Street SE**

---

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Michael Thompson, General Manager	Infrastructure Services	Approve
Campbell Berry, Director	Infrastructure Services (Real Estate and Development Services)	Approve
Chris Arthurs, General Manager	People, Innovation and Collaboration Services	Inform