

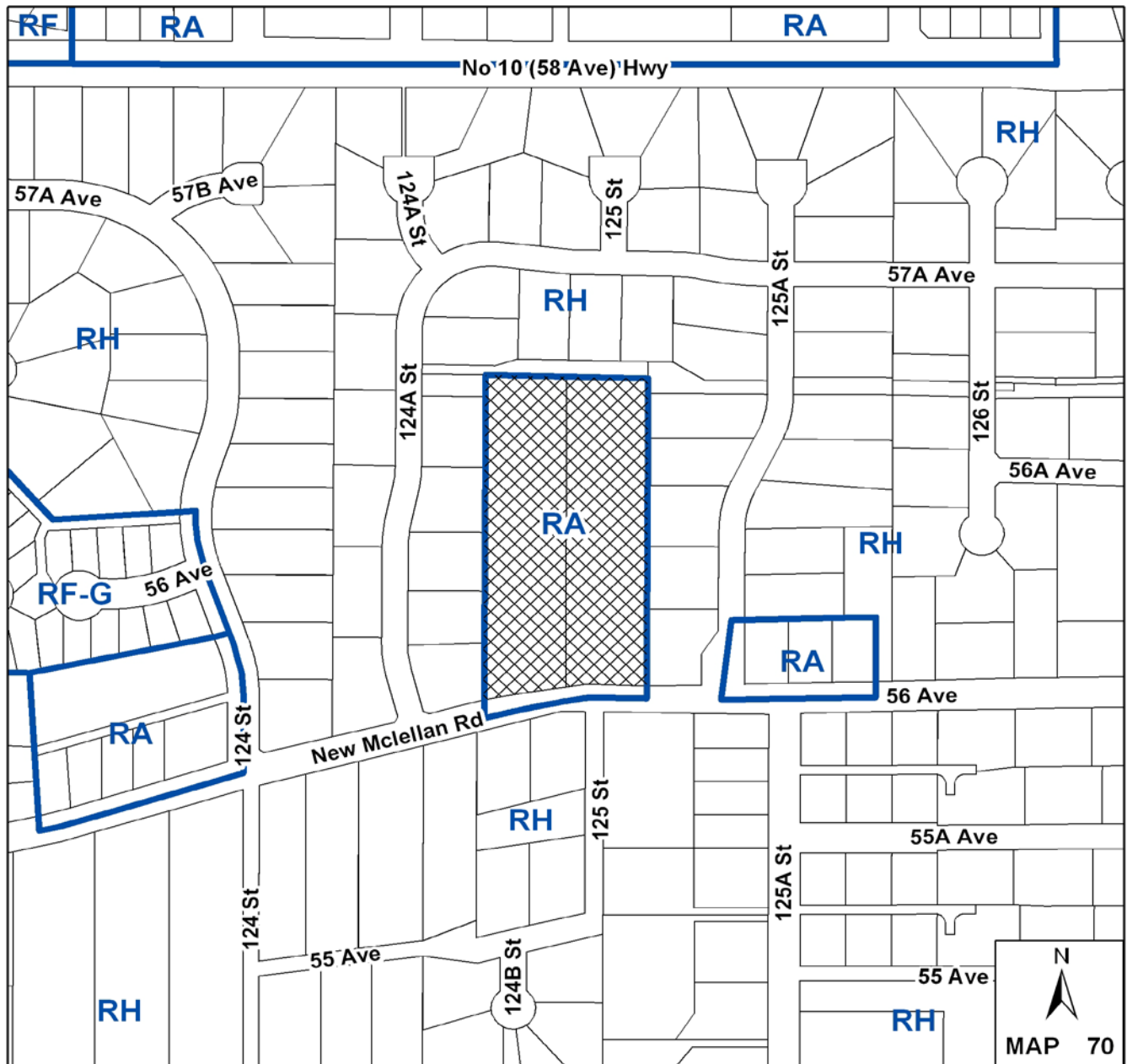
Proposal: Rezone from RA to RH to allow subdivision to create nine (9) half-acre lots and park.

Recommendation: Approval to Proceed

Location: 12479 and 12507 New McLellan Road **Zoning:** RA

OCP Designation: Suburban

LAP Designation: Suburban **Owner:** Jasman Holdings Ltd.
 Res (1 acre)



PROJECT TIMELINE

Completed Application Submission Date: December 6, 2006
Planning Report Date: February 26, 2007

PROPOSAL

The applicant is proposing:

- a rezoning from RA to RH

in order to allow subdivision to create nine (9) half-acre lots and park.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Half-Acre Residential Zone (RH)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council instruct staff to resolve the following issues prior to final adoption:
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) input from the Ministry of Transportation;
 - (d) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (e) registration of a Section 219 Restrictive Covenant to prohibit driveways for new dwellings from New McLellan Road, ensure relocation of the existing driveway for the existing dwelling being retained on proposed Lot 9, and increase the setback to McLellan Road for new dwellings on Lots 1 and 9 from 7.5 metres (25 ft.) to 10 metres (30 ft.);
 - (f) the applicant addresses the shortfall in tree replacement; and
 - (g) registration of Section 219 Restrictive Covenants for the protection throughout the proposed lots and submission of financial securities for retained trees, in accordance with the final Tree Preservation Plan to the satisfaction of the City Landscape Architect.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix IV).

Parks: No concerns. A 5% open space dedication is required to complete the existing Linear Greenway/Park to the north of the subject site. A 4 metre (13 ft.) wide paved walkway is also required as part of this development. Appendix V).

School District:

School Impacts:**Projected number of students from this development:**

Elementary students = 3 students
 Secondary students = 1 student
 Total new students = 4 students

School Catchment Area/Current Enrollment/School Capacity:

Colebrook Elementary School = 237 enrolled/340 capacity
 Panorama Ridge Secondary School = 880 enrolled/1,100 capacity

Projected number of students from development approvals in the last 12 months (not including subject project) in the subject school catchment areas:

Elementary students = 4 students
 Secondary students = 7 students
 Total new students = 11 students

Approved Capacity Projects and Future Space Considerations

The Colebrook Elementary catchment has been moved from Tamawanis Secondary to the new Panorama Ridge to eliminate overcrowding at Tamawanis Secondary. The proposed development is not expected to have an impact on these projections.

(Appendix VI)

Ministry of Transportation:

No concerns (Appendix VII).

SITE CHARACTERISTICS

- **Existing Land Use** Two (2) single family dwellings on large acreage properties. Some significant trees within the two properties. lots with existing dwellings.
- **East, West and North:** Single family residential dwellings, zoned RH, designated Suburban in the OCP and Residential Suburban (1 Acre) in the West Panorama Ridge LAP. Linear park running from 124A Street to the Hydro right-of-way east of 128 Street.
- **South:** Across 56 Avenue, single family residential dwellings on half-acre lots, zoned RH, designated Suburban in the OCP and Residential Suburban (1 Acre) in the West Panorama Ridge LAP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Suburban. Complies.

West Panorama Ridge LAP Designation: Suburban Residential 1 Acre. Needs amendment to Suburban Residential ½ Acre.

JUSTIFICATION FOR PLAN AMENDMENT

- The subject site is located at 12479 and 12507 New McLellan Road. The subject site is designated Suburban in the OCP and "Suburban Residential (1 acre)" in the West Panorama Ridge Local Area Plan (LAP). The applicant proposes to rezone the subject properties from One-Acre Residential (RA) to Half-Acre Residential (RH) to subdivide into nine (9) lots plus park dedication. The site is 2.1 ha (5.2 acres) in area. The proposal requires an amendment to the LAP to redesignate the land to "Suburban Residential (0.5 acre)".
- The subject properties are some of the few remaining RA zoned properties in the area, and are fully surrounded by RH zoned, half-acre lots. The proposal is appropriate in order to develop the site in a manner in keeping with the surrounding area. The LAP redesignation can be supported on this basis.

DEVELOPMENT CONSIDERATIONS

- There are large single family dwellings on both properties. The dwelling at 12479 New McLellan Road is to be demolished with this proposal, while the dwelling at 12507 will be retained on proposed Lot 9.
- Nine (9) RH lots are proposed with access off of 125 Street. The parent parcels are currently accessed directly off of New McLellan Road. 125 Street is to be built through to a cul-de-sac providing access to the proposed lots as part of the subject development.

- The proposed Lots range from 1,672.0 m² (17,997.3 ft²) to 2,036.0 m² (21,916.0 ft²) in area. The proposed lots comply with the requirements of the RH Zone.

Proposed Subdivision Layout and Lot Restrictions

- The proposed RH lots are consistent with the existing RH lots in the surrounding area. The new lots provide an appropriate interface with the adjacent properties to the east and west. Proposed Lots 1 and 9, fronting New McLellan Drive, will maintain the "estate" character of New McLellan Drive through specific design requirements, driveway and setback restrictions, and tree preservation, as discussed below.
- Proposed Lot 3 is 1,672.0 m² (17,997.3 ft²), making it 90% of the minimum lot area required prescribed in the RH zone. The reduction in this lot size is intended to create larger "estate"-like lots fronting New McLellan Road and allow for greater tree retention on the northern lots while maintaining appropriate road and walkway locations.

Linear Park and Walkway

- There is an existing Linear Park to the north of the parent parcels. The Linear Park runs from 124A Street to the Hydro Right of Way. The Parks Division agrees with the proposed layout, including Park and walkway dedication.
- The applicant is proposing to dedicate 1,043 m² (11,227 ft²) of open space, 5% of the parent parcel area, to complete the Linear Park.
- In addition to the open space dedication, Parks requires a 4 metre (13 ft.) walkway, built and asphalt paved to standard with the installation of a chain link fence on either side. For security and CPTED reasons, the alignment of the walkway has to be such that the end of the walkway is visible from the cul-de-sac.
- The existing Linear Park is primarily free of vegetation and trees. There are nine (9) trees and a hedge of the proposed dedication. All 9 trees and the hedge will be retained as part of this application and will create better edge conditions for the trees to be retained on proposed Lots 4 and 5.

Proposed Building Scheme

- The applicant has retained Mike Tynan as the Design Consultant. The Design Consultant conducted a character study of the surrounding homes and based on the findings of the study, proposed a set of building design guidelines (Appendix IV).
- The character of the new homes will be consistent with the emerging built form of the neighbourhood similar to other Building Schemes in the area (namely, Development Application No. 7902-0052-00 to the south), as discussed in the Building Design Guidelines Summary.
- The surrounding homes are 30-50 years old and do not meet modern development standards. The existing structures are small Bungalows that either do not meet minimum floor area requirements or have box-like massing.

- The design of the new homes will be "Traditional", "Neo-Traditional", "Neo-Heritage", "Craftsman-Heritage", or "classical Heritage". The entrance element will be limited in height to 1-1 ½ storeys.
- Exterior building materials include stucco, cedar, hardiplank, brick and stone (no vinyl). The minimum roof pitch is 8:12, with permitted roof materials being cedar shingles, shake profile concrete roof tiles, and 40-year quality shake profile asphalt shingles with ridge cap (on minimum roof slope of 10:12).
- As noted above, proposed Lots 1 and 9 will have an "estate"-like character in terms of an increased 10 m setback from New McLellan Road (also to be registered as a No-Build Restrictive Covenant on the lots) and the dwellings will orient towards New McLellan with driveway access off of 125 Street.
- Basement-entry homes and secondary suites will not be permitted in this development.
- A Building Scheme will be registered on the title of each new lot in order to ensure that the homes are compatible with the character of the existing neighbourhood.

Lot Grading

- In-ground basements are proposed on all lots, based on lot grading and tree preservation information provided by the applicant. Basements will be achieved with minimal cut or fill. The information has been reviewed by staff and found to be generally acceptable.

Tree Preservation

- Randy Greenizan prepared the Arborist Report and Tree Preservation/Tree Replacement Plans. The City's Landscape Architect has reviewed the report and plans.
- Several layouts have been explored with the intention of enhancing tree retention. The trees on the subject site are clustered in specific areas. Namely, the northwestern corner of the site and where the proposed location of the road and walkway. Outside of the clusters, the site is fairly open and un-treed.
- The Arborist Report indicates that there are one hundred and eighteen (118) protected trees on the subject site, eight (8) of the protected trees have been declared hazardous due to natural causes (Appendix VII). Ninety (90) protected trees will be removed and thirty-six (36) replacement trees are to be planted.
- Out of 118 trees identified =

Trees to be Retained (total = 19 trees)

- 18 retained;
- 1 retained on neighbouring property

Trees to be Removed (total = 99 trees)

- 8 hazardous due to natural causes;
- 20 deciduous (alder, birch, fruit);

- 27 within proposed road and walkway;
 - 31 (including 28 in the cedar hedge, Tag #297) affected by road construction, land clearing;
 - 5 removed, roots in building envelope; and
 - 8 removed, located in building envelope
- Out of the ninety-nine (99) trees to be removed, only thirteen (13) are to be removed for building purposes. The remaining eighty-six (86) trees are either hazardous, deciduous or affected by the proposed road or walkway.
 - Nine (9) trees and an existing hedge will be retained on the open space dedicated to the City as part of this application. The trees and the hedge will be retained.
 - Tree #319 is a 100 cm Specimen Grade quality, open grown Spruce on proposed Lot 6. The City will collect a \$5,000 security for retention of tree #319 and register a Restrictive Covenant to identify the building envelope for Lot 6 to ensure tree retention.
 - Additional landscaping will be installed on proposed Lot 1, along the south property line fronting New McLellan Road, to replace the existing cedar hedge that will be removed for installation of 125 Street. The additional landscaping will also work to enhance the "estate" quality of proposed Lot 1.
 - The applicant has volunteered to upsize the required thirty-six (36) replacement trees and provide a monetary contribution to the Green City Fund in the amount of \$48,600.00 to address the short fall of replacement trees.

Engineering Servicing

- The Engineering Department has identifies a downstream drainage concern related to required upgrades of Eugene Creek.
- Works to resolve this drainage constraint, which is identified in the West Newton/Highway No. 10 NCP, are tentatively scheduled to be functional by no later than Summer 2007, subject to, but not limited to, the following:
 - Completion of right-of-way acquisitions, which are underway;
 - Completion of final design. DFO, MOE and FREMP will be requested to review and to provide their approvals/permits;
 - Approval from Council for the remainder of capital funding in the 2006 budget (partial funding was approved in the 2005 budget); and
 - Construction progress/constraints related to soil placement and consolidation.
- Staff have advised the applicant of this constraint and that detailed servicing of the site cannot proceed until these issues are resolved. Each development application may proceed through to Third Reading as applicable; however, a Servicing Agreement will not be issued to the Developer until the constraint has been mitigated via the above works.

PRE-NOTIFICATION

Pre-notification letters were sent on September 11, 2006, and staff received the following comments from neighbours and the West Panorama Ridge Ratepayers' Association:

- Concern regarding tree retention within the development site.

(The tree preservation and replacement plans prepared by the applicant's arborist have been reviewed by the City Landscape Architect. Adjustments to the lot layout and road alignment have been made to maximize tree retention, including the retention of a specimen tree. 36 replacement trees will also be planted. Nine (9) trees and an existing hedge within the Dedicated Parkland area will also be retained.

A reduction in the total lot yield, to create eight (8) lots instead of nine (9), could potentially result in the retention of four (4) additional trees. The applicant has indicated that they have exceeded the replacement requirements to address the loss and maintain the proposed lot yield. Out of ninety-one (91) non-hazardous trees to be removed, only thirteen (13) trees are being removed as a result of building envelopes. The remaining seventy-eight (78) are either deciduous, located within the proposed road and walkway or will be affected by construction of the proposed road and walkway.)

- Concern regarding increased in traffic and speeding on 56 Avenue.

(Seven (7) new lots are being proposed under the subject application. Both driveways off of New McLellan Drive will be eliminated with the dedication and construction of 125 Street. The increase in neighbourhood traffic volume is expected to be minimal. The inquirer has been advised that the Engineering Department can be contacted for more information with regards to traffic calming programs.)

- Concern regarding maintenance of the "estate" character of New McLellan Road.

(The applicant has undertaken a number of measures to ensure Proposed Lots 1 and 9, fronting New McLellan Road, are "estate"-like in character. The layout has been adjusted, including a 10% reduction in the size of proposed Lot 3, so the lots fronting New McLellan Road will exceed the minimum lot size requirements for the RH zone. The applicant has also agreed to register a No-Build Restrictive Covenant on the southern 10 m of both lots to ensure that a greater setback will be maintained and install additional landscaping on Proposed Lot 1 to replace the existing hedge that will be removed with road works. The Registered Building Scheme sets Design Guidelines to ensure that dwellings built on the lots will work to architecturally enhance the estate quality of New McLellan Road. In addition to the specific design requirements, the Building Scheme also requires that the dwellings orient towards New McLellan Road and driveway access from New McLellan Road is prohibited. The driveway access for the existing dwelling being retained will be required to be relocated to 125 Street.)

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Contour Map
Appendix III.	Proposed Subdivision Layout
Appendix IV.	Engineering Summary
Appendix V.	Parks Comments
Appendix VI.	School District Comments
Appendix VII.	Ministry of Transportation Comments
Appendix VIII.	Building Design Guidelines Summary
Appendix IX.	Summary of Tree Survey and Tree Preservation
Appendix X.	West Panorama Ridge Local Area Plan

INFORMATION AVAILABLE ON FILE

- Survey Plan, 3 copies
- Detailed Engineering Comments dated January 10, 2007.
- Building Scheme.
- Arborist Report dated December 5, 2006.
- Tree Preservation and Replacement Plan dated December 5, 2006.
- Soil Contamination Review Questionnaire prepared by Mike Helle dated April 24, 2006.

How Yin Leung
Acting General Manager
Planning and Development

JL/kms

v:\wp-docs\planning\plncom06\12221223.jl.doc
KMS 12/22/06 1:42 PM

SUBDIVISION DATA SHEET

Proposed Zoning: RH

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	5.24 ac
Hectares	2.12 ha
NUMBER OF LOTS	
Existing	2
Proposed	9 + park
SIZE OF LOTS	
Range of lot widths (metres)	30.0 m - 43.3 m
Range of lot areas (square metres)	1,672 m ² - 2,000 m ²
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	4.25 uph 1.72 upa
Lots/Hectare & Lots/Acre (Net)	4.46 uph 1.81 upa
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	19.8%
PARKLAND	
Area (square metres)	1,043 m ²
% of Gross Site	5 %
Required	
PARKLAND	
5% dedication	YES
TREE SURVEY/ASSESSMENT	
	YES
MODEL BUILDING SCHEME	
	YES
HERITAGE SITE Retention	
	NO
BOUNDARY HEALTH Approval	
	NO
DEV. VARIANCE PERMIT required	
	NO

CONTOUR MAP FOR SUBJECT SITE

