

DATE OF MEETING May 30, 2022

AUTHORED BY SADIE ROBINSON, PLANNER, CURRENT PLANNING

SUBJECT **DEVELOPMENT PERMIT APPLICATION NO. DP1219
– 2498 ROSSTOWN ROAD**

OVERVIEW

Purpose of Report

To present for Council’s consideration, a development permit application to permit the proposed site works, servicing, and restoration within the watercourse leave strip in conjunction with a subdivision.

Recommendation

That Council issue Development Permit No. DP1219 at 2498 Rosstown Road to reduce the minimum required watercourse leave strip from 7.5m to 0m in order to allow the proposed site works, servicing, and restoration within the watercourse leave strip area.

BACKGROUND

A development permit application, DP1219, was received from Williamson & Associates Professional Surveyors on behalf of the property owner to vary the watercourse leave strip to permit site works, servicing and restoration within the watercourse leave strip in order to facilitate a subdivision (SUB01416) at 2498 Rosstown Road.

Subject Property and Site Context

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|--------------------------------------|---|
| <i>Zoning</i> | R1 – Single Dwelling Residential |
| <i>Location</i> | The subject property is located on the north side of Rosstown Road, east of the intersection of Rosstown Road and Sparrow Lane. |
| <i>Total Area</i> | 7,692m ² |
| <i>Official Community Plan (OCP)</i> | Map 1 – Future Land Use Plans – Neighbourhood; Map 3 – Development Permit Area No. 1 – Watercourses |

The subject property is a large lot with one single residential dwelling, one mobile home, and an outbuilding located on the property. The mobile home and outbuilding will be removed and the existing dwelling will be retained on proposed Lot 3. There are single residential dwellings on the properties immediately surrounding the subject property, with a number of Duplex Residential (R4) zoned lots on the south side of Rosstown Road.

The property has a deep valley (approximately 4m) with an unnamed stream that crosses the northeast corner of the subject property, from Quill Drive to the neighbouring properties to the east, and eventually to Rosstown Road. The stream runs relatively parallel to an existing sanitary sewer utility corridor.

The Qualified Environmental Professional (QEP) determined the stream is non-fish bearing and is functionally a drainage course as it is not considered to be a stream under the Riparian Areas Protection Regulation or the Water Sustainability Act; as such, no provincial or federal approval is required for the proposed works. The drainage course is a result of stormwater flowing over the property from the road and properties along Quill Drive, Porcupine Hill Trail, and Brian's Way. Downstream of the property, the drainage course continues to flow southeast until it is conveyed in a pipe for approximately 200m between Rosstown Road and a stream feeding a large wetland within Northfield Nature Park, south of Mountain Vista Drive. The drainage course currently provides limited functional habitat value.

DISCUSSION

Proposed Development

The applicant is proposing a 13 lot subdivision (SUB01416) with site works and servicing required within the watercourse leave strip to create the new lots, as well as habitat enhancement measures to address the guidelines of the City's Watercourses Development Permit Area (DPA1).

The applicant proposes to pipe the drainage course for approximately 60m and daylight into a pond at the downstream end for stormwater detention and wildlife habitat. Enhanced habitat and greenspace will be provided around the wetland area, which is within a proposed park to be connected to Sparrow Lane and Quill Drive by public trails.

In the area of the existing drainage course, within the 7.5m leave strip, the following works are proposed: tree removal; site grading and lot servicing; the creation of new lots, development of trail and park areas including a stormwater pond, fencing and signage; and, implementation of the QEP recommended Enhancement Plan to create beneficial wildlife habitat. Overall, the goal of the proposal is to achieve stormwater objectives in support of the proposed subdivision, while enhancing habitat for aquatic and terrestrial wildlife within the areas proposed to be designated as greenspace.

The existing site conditions (Attachment D) shows the existing DPA1 area includes a drainage course with 433m² of aquatic habitat. The drainage course leave strip includes approximately 35 individual trees and many young red alder trees.

The intent of the Development Permit Area guidelines is to restore and enhance watercourses and riparian areas so they can provide biologically diverse corridors for wildlife movement and for the protection of natural features. The QEP proposes an enhancement plan which includes:

- removal of invasive plants from existing vegetated areas that will remain intact;
- incorporating functional aquatic and wildlife habitat features into a wetland area;
- restoration, including planting native trees and plant species, and riparian planting, within parkland greenspace and Lots 8 and 9;
- 1.2m high protection fencing will be built as a condition of subdivision approval around the perimeter of the proposed park and trail areas to minimize future disturbance of the proposed wetland area; and,
- a public trail through the subdivision and along the west edge of the park.

Collectively, approximately 63 trees and 1,903 shrubs/plants will be planted (864m²) within the proposed Treatment Areas as referenced within the Detailed Planting Plan (Attachment G). The

treatment areas can be seen on the proposed Subdivision Plan (Attachment E). Maintenance and monitoring are proposed to ensure the long term success of the restoration planting and invasive plant control. The QEP recommendations and bonding for three years will be secured as a condition of Development Permit to ensure the QEP's recommendations are followed and the planting is completed and maintained.

PROPOSED VARIANCES

Minimum Watercourse Leave Strip

The minimum required watercourse leave strip is 7.5m from the top of bank of the watercourse. The applicant proposes to reduce the minimum required watercourse leave strip from 7.5m to 0m in order to allow the necessary works to facilitate the proposed subdivision and proposes enhancement measures to fulfill the DPA guidelines.

Given the proposed lot layout for subdivision and wetland configuration, all principal dwellings will meet or exceed a minimum of 7.5m from the proposed wetland. Varying the watercourse setback will allow storm water objectives to be achieved for the development, while enhancing habitat for aquatic and terrestrial wildlife within the areas proposed to be designated as greenspace.

The QEP determined the drainage course is non-fish bearing, is not considered to be a stream under the Riparian Areas Protection Regulation or the Water Sustainability Act, and the proposed development results in no ecological loss.

A drainage course with limited habitat value is proposed to be replaced with a wetland area and wildlife corridor providing enhanced functional habitat value for aquatic and terrestrial wildlife over time. Staff support the variance and proposed restoration and enhancement.

SUMMARY POINTS

- The applicant proposes to reduce the minimum required watercourse leave strip from 7.5m to 0m in order to allow the necessary works to facilitate the proposed subdivision and proposes enhancement measures to fulfill the DPA guidelines.
- The QEP determined the drainage course is non-fish bearing, and is not considered to be a stream under the Riparian Areas Protection Regulation or the Water Sustainability Act.
- A drainage course with limited habitat value is proposed to be replaced with a wetland area and wildlife corridor providing enhanced functional habitat value for aquatic and terrestrial wildlife over time.
- Staff support the variance and proposed restoration and enhancement.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Map
ATTACHMENT C: Location Plan
ATTACHMENT D: Existing Site Conditions
ATTACHMENT E: Proposed Subdivision Plan
ATTACHMENT F: Executive Summary
ATTACHMENT G: Detailed Planting Plan
ATTACHMENT H: Aerial Photo

Submitted by:

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