

Bylaw 24-2020 map and text amendment to Sherwood Hills Estates Area Structure Plan Bylaw 73-2003 (Ward 6)

Applicant: Lorenzo Donini
Owner: Lorenzo Donini, Tamara Chubb and Christopher Guenette
Legal Description: Lot 61, Block 2, Plan 0720146; NE 24-52-23-W4
Location: West of Highway 21 and South of Wye Road

Report Purpose

To provide information to Council to make a decision on first, second and third reading of a bylaw that proposes to remove an existing transition overlay from the Sherwood Hills Estates Area Structure Plan (ASP) Bylaw 73-2003 to enable subdivision of the subject property Lot 61, Block 2, Plan 0720146.

Recommendations

1. THAT Bylaw 24-2020, a bylaw that proposes to remove an existing transition overlay from the Sherwood Hills Estates Area Structure Plan by:
 - deleting the 'Residential Interface' overlay on Figures 3.1 and 3.2
 - deleting Section 3.1.3
 - amending Section 3.1.8

be given first reading.

2. THAT Bylaw 24-2020 be given second reading.
3. THAT Bylaw 24-2020 be considered for third reading.
4. THAT Bylaw 24-2020 be given third reading.

Our Prioritized Strategic Goals

Goal 1 - Build strong communities to support the diverse needs of residents
Goal 7 - Provide opportunities for public engagement and communication

Report

The purpose of the proposed amendment to the Sherwood Hills Estates ASP is to enable the consideration of subdivision of Lot 61, Block 2, Plan 0720146 to create one additional lot.

Subdivision of Lot 61 is restricted by the current policies and figures contained within Sections 3.0 and 3.1 of the ASP. Sections 3.1.3 and 3.1.8 of the ASP currently require a residential interface zone at the southeast corner of the plan area as shown on Figures 3.1 and 3.2 of the ASP, which applies to the subject lot. This residential interface zone requires the subject property to be of a similar size as the existing country residential lots to the south. Also, as part of the residential interface zone, a conservation easement is required to be registered along the southeast corner of the plan area to ensure conservation of existing trees and vegetation.

Bylaw 24-2020 proposes to remove the lot-size provision but maintain a residential buffer by keeping the conservation easement requirement. In this regard, Section 3.1.3 and the residential interface zone shown on Figures 3.1 and 3.2 are proposed to be deleted.

The proposed bylaw also amends Section 3.1.8 by deleting the sentences that reference Section 3.1.3 and the lot-size requirement of the residential interface and replace them with the following:

Lots in the southeast corner of the plan area that are not separated from abutting country residential properties with municipal reserve shall have a conservation easement registered against their Certificate of Title. The purpose of the conservation easement will be to ensure conservation of the existing trees and vegetation that provide a visual separation from the abutting country residential properties along the southeast corner of the plan area.

At the time of initial subdivision that created Lot 61, a conservation easement was executed and registered on the title in-line with the policy intent of the ASP. The existing conservation easement will continue to apply to the subject lot as well as any newly created lot resulting from a potential subdivision that the proposed amendment would enable. The conservation easement continues to act as a suitable buffer from the existing country residential lots to the south and is comparable to the municipal reserve buffer currently existing along the remainder of the ASP's south boundary.

There are currently 94 existing lots within the Sherwood Hills Estates development, including Lot 61, that are identified within the ASP as Cluster Country Residential. The approved ASP enables consideration for a total of 95 Cluster Country Residential lots. Should Bylaw 24-2020 be adopted, the subject lot is the only undeveloped property that could achieve further subdivision within the Cluster Country Residential area of the ASP. Therefore, the amendment would enable the density allowances currently within the ASP to be able to be achieved.

Through the application process, letter notification was provided to all landowners within 200 meters of the amendment area to inform them of the proposal. As a result of the notification process, one landowner abutting the property immediately south and the landowner abutting the property immediately west were the only landowners that provided comments. The landowner to the south had no concerns with the proposal and administration answered the questions of clarification provided by the landowner to the west.

Administration supports the proposed amendment since it:

1. is consistent with the policies of the Country Residential Policy Area of the Municipal Development Plan and the High Density Area of the Country Residential Area Concept Plan;
2. enables the full density currently outlined within the ASP to be achieved;
3. continues to provide a suitable buffer to the abutting properties; and
4. received no concerns as a result of public notification.

Council and Committee History

September 5, 2017	Council adopted Municipal Development Plan 20-2017
May 22, 2012	Council adopted Country Residential Area Concept Plan 58-2011
July 2, 2003	Council adopted Sherwood Hills Estates ASP Bylaw 73-2003

Other Impacts

Policy: Statutory Plan Procedure

Legislative/Legal: The *Municipal Government Act* provides that Council may, by bylaw, amend an ASP.

Interdepartmental: The proposed ASP amendment has been circulated to internal departments and external agencies. No objections were received.

Master Plan/Framework: The area subject to the amendment is currently designated within the County Residential Policy Area of the Municipal Development Plan and the High Density Area of the Country Residential Area Concept Plan.

Communication Plan

Newspaper advertisement, letters to applicant and adjacent landowners, website.

Enclosures

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|---|-----------------------------------|
| 1 | Bylaw 24-2020 |
| 2 | Rural location map |
| 3 | Location map |
| 4 | Air photo |
| 5 | Existing ASP sections 3.0 and 3.1 |
| 6 | Notification map |