

Appendix	B
SRPRS	20.121
File(s)	D02-18015 D03-18008

Leigh Ann Penner

From: Sasha Von Kursell
Sent: Friday, July 3, 2020 2:53 PM
To: Leigh Ann Penner
Subject: RE: *Request for Comments* - ZBA & Plan of Subdivision Re-Applications - Libang Developments Inc. - City File Nos#: D02-18015 and D03-18008 - PNHP Comments

Leigh Ann,

The Parks and Natural Heritage Planning Section have the following comments on the above noted Zoning and Plan of Subdivision Applications for your consideration and other comments on the submissions:

D02-18015 – Zoning By-Law Amendment

1. The Zoning By-Law amendment should include a 3m setback to the abutting properties on the southern edge to allow for a landscape buffer and tree preservation. An increased setback is necessary to preserve and protect large caliper native trees on the neighbouring properties and to provide the opportunity for a landscaped buffer to visually separate the development and provide privacy to the abutting landowners. As currently proposed, the zoning by-law amendment will destroy and injure trees that are outside the development and provide no opportunities for landscaping along this edge.
2. The park land area generated for this development does not create a viable park that can be programmed or contribute to the overall park system and we recommend that Council resolve to accept cash-in-lieu of parkland dedication at building permit issuance for this development application.

D03-18015 - Subdivision

3. It is our understanding that this is a "technical subdivision" and there will be no subdivision agreement. In this regard, we have no comments on the plan of subdivision application.

Other Comments

4. The arborist's report currently indicates that over 50 native and non-native will be destroyed to accommodate the applicant's development proposal. The Town will seek to restore the tree canopy within the development by securing tree planting and/or compensation for the loss of these trees through the development process.
5. The proposed development will impact trees that are either co-owned or on the neighbouring properties. Please note that the Town's review of this report does not authorize the applicant to injure or destroy a co-owned/boundary tree or tree on the neighbouring property without obtaining the consent of the neighbour tree owner or boundary tree co-owner. It is the applicant's responsibility to obtain necessary consent prior to undertaking any tree injury or destruction approved by the City.

To this point, the Forestry Act states that "every tree whose trunk is growing on the boundary between adjoining lands is the common property of the owners of the adjoining lands and every person who injures or destroys a tree growing on the boundary between adjoining lands without the consent of the landowners is guilty of an offence under the Act."

6. The trees shown for preservation and removal within the Carrville road allowance should be reviewed and approved by the region.
7. The location of the sediment and erosion control fencing should align with the minimum tree protection zones required to protect the trees on the abutting properties.
8. The submitted landscape plan is schematic in nature and does not provide any details. The applicant will need to submit detailed landscape plans to support their proposal. The plans should demonstrate that any proposed trees will have access to sufficient soil volume and the species are appropriate for the proposed locations. The landscape plan should include a detail that shows how a soil volume of 30m³ for each tree can be achieved.

9. The proposed retaining wall will obliterate and injure neighbouring trees and should be pulled back from the property line to accommodate a minimum protection zone for these trees.

Should you have any questions, or need to discuss this further, please contact me.

Sincerely,

Sasha von Kursell MURP, MCIP, RPP

Parks Planning & Policy Coordinator

Parks & Natural Heritage Planning

Planning & Regulatory Services

