



City of Richmond
Urban Development Division

**General Compliance
Request**

To: Development Permit Panel
From: Holger Burke
Acting Manager, Development Applications
Date: March 4, 2004
File: DP 02-221259
Re: **Application by Ah Ten Holdings Ltd. for a General Compliance ruling at
6300 Birch Street**

Manager's Recommendation

That the revised plans be considered to be in General Compliance with Development Permit DP 02-221259 for a 97-unit townhouse development at 6300 Birch Street that generally covers the following changes:

1. Add a metal picket fence to enclose the townhouse units backyard open spaces.
2. Relocate a concrete walkway from the subject site to the southern portion of the future Birch Park.

Holger Burke
Acting Manager, Development Applications

KE:blg
Att.

Staff Report

Origin

Ah Ten Holdings Ltd. (Cressey Development Corporation), has requested a General Compliance ruling on a 97-unit townhouse complex located at 6300 Birch Street.

A copy of proposed new plans (changes indicated with a bubble) are appended to this report. This is the first General Compliance request for the project.

Findings of Fact

For units along the north property line bordering the development site and City park, the following changes are requested:

- ❑ Relocate a concrete walkway from the subject site located along the property line dividing the subject site and future Birch Park. This concrete walkway will be incorporated into the southern portion of the park (please see attached sketch).
- ❑ Add a concrete pillar (with brick façade) and metal rail fence (approximately 4-5 ft. in height) to enclose those backyards abutting the park. A gate is also being incorporated along the pathway leading into the park from the development site.

For the majority of remaining units with a backyard open space throughout the project, the following changes are requested:

- ❑ Add a concrete pillar and metal rail fence (approximately 4-5 ft. in height) around backyard open spaces.

Analysis of General Compliance Criteria

Council adopted "General Compliance Guidelines" in December, 1998. Proposed revisions are generally consistent with criteria identified in the adopted General Compliance Guidelines. The following are specific guidelines staff have comments on. These are identified in ***bold italics***.

- ❑ Proposed exterior modifications must maintain or enhance the quality of development and must retain the basic form and character of the development. ***The addition of the concrete pillar and metal rail fence to better enclose the backyards of those units abutting the park and throughout the project maintains the character as the proposed changes are similar to typical fence detailing in the project. No changes are proposed to the buildings.***
- ❑ Approved open space and amenity areas should be maintained; proposed changes to landscaping detail should be minor in nature and of equivalent value to approved plans.
 - ❑ ***The applicant is requesting that the concrete walkway bordering the site and park be relocated and incorporated into the park as a long 'arc' shaped pathway along southern portions of the park. City Parks Department staff have been consulted and have no objection to the above mentioned changes.***

- ***Staff note that one (1) Willow tree slated for retention at the south end of the site was removed by the developer. Staff do not view this revision to be of equivalent value to approved plans. However, as the developer has already removed the Willow tree, two (2) replacement trees will be required and have been added to the plans. This is consistent with tree replacement guidelines outlined in the Development Permit Guidelines.***

Staff Comments

Parks Department

Parks Department staff recommended that because the applicant was relocating the walkway into the City park, all individual access points from private backyards to the park should be eliminated. The Parks Department also suggested the implementation of a controlled gate at the main south access pathway to the park from the development. ***The applicant has agreed to remove individual backyard accesses and implement a gate at the south access pathway leading from the development.***

There are some issues regarding the removal of nine (9) mature trees along Alberta Road, which were located on the City road right-of-way. Parks staff indicated that a permit was issued to remove the trees on City property that was subject to the following condition:

- Provide compensation for removing four (4) of the nine (9) trees (Parks staff identified four (4) trees requiring compensation). ***Engineering staff have indicated that compensation has been negotiated and agreed to by the developer. Compensation will be secured through the Servicing Agreement for the site. Parks staff commented that monetary compensation (based upon a 2:1 replacement ratio) is a minimal penalty when compared to the total actual value of trees being removed.***

Generally, Parks staff commented that they had significant issues regarding preparation of the site where no measures were taken to protect trees on city property by means of protective fencing to avoid fill on the roots and damage from machinery. The subsequent damage to the trees was a contributing factor in the degrading of tree health, which resulted in the request by the developer and eventual permit issued by Parks to remove the trees. Parks staff have received a complaint from a neighbourhood resident (please see attached letter) about tree removal along Alberta Road.

Development Applications Department

The applicant is requesting revisions in response to the design of Birch Park, which is in the final stages of review by Parks Department staff. Development of the park is to be phased. Phase 1 coincides with townhouse construction and involves park development on City property, which includes the southern segment adjacent to the townhouse units. As a result, the east-west linkage providing access through the park to the internal roadways and townhouses will be maintained.

In order to provide a better sense of enclosure and privacy for units with backyard spaces, a concrete pillar and metal rail fence is being added in conjunction with the existing cedar hedge, which was formerly the only landscaping enclosing the backyards.

Analysis


Neither Parks Department staff nor Development Applications staff object to relocating the east-west walkway, as current park design allows for implementation of an equivalent walkway across the park site. Relocating this walkway has increased backyard open spaces for those dwelling units to the immediate south of the park.

Implementation of a concrete pillar and metal rail fence to enclose the backyards is reasonable given that the design and height (approximately 4-5 ft.) is similar to fence detailing throughout the entire project.

Although a majority of changes to the units interfacing with Birch Park and the addition of fencing are supported, the removal of trees on City owned property have prompted negative comments from Parks staff and neighbourhood residents. On the whole, staff are of the opinion that more responsibility for tree protection and retention needs to be taken by Cressey Development Corporation. As a compensation package for tree removal has been arranged through the Servicing Agreement for the site, staff are willing to bring forward the General Compliance request.

Conclusions

Staff support the General Compliance request.



Kevin Eng
Planning Technician – Design
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KE:blg

Att: C. Carlile, D. Semple, G. Barstow, J. Erceg, T. DeCrom

Re: Destruction of trees on City of Richmond owned property

As you are aware, Cressey Development Corporation is currently in the process of constructing a condominium project at 6300 Birch Street (Alberta, Ferndale, Birch). Prior to the commencement of that construction, there were seven healthy trees, sitting on City owned land, whose diameters ranged in size from 16" to 36".

I've lived on Alberta Road for 14 years and, those mature trees, which stood across the road from my property, were healthy and in reasonably good shape up until CDC started their project. Fact is, Parks took measures to ensure that those trees were preserved by having protection zone fencing placed around the two stands.

Today, those mature trees were taken down by a CDC contractor under a permit issued by the City. I spoke with Ted DeCrom to inquire as to why they were removed. He shared my frustration with respect to their removal and offered the opinion that a lack of respect for City property was at the root as to why those trees were damaged.

I was further informed by Mr. DeCrom, that in these situations, one contractor will often lay blame on another for the damage done. Ultimately, it is CDC who must be held accountable for the demise of those trees, which I understand would cost thousands of dollars to replace. I was further informed that the City, and CDC, have agreed to a "two for one" with respect to tree replacement.

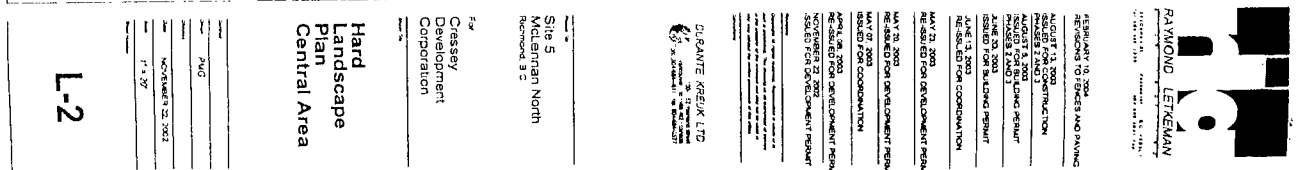
It will be impossible to replace the value of those mature trees even on a two for one basis. What must happen, in my considered opinion is, that CDC must reimburse the City in value equal to the value of the loss suffered, otherwise the problem will continue to arise in other Richmond neighbourhoods.

Yours truly



Fred Carron

9820- Alberta Road
Richmond B.C., V6Y 1T6
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L-2

Hard
Landscape
Plan
Central Area

Site 5
McLennan North
Richmond, BC

Cressey
Development
Corporation

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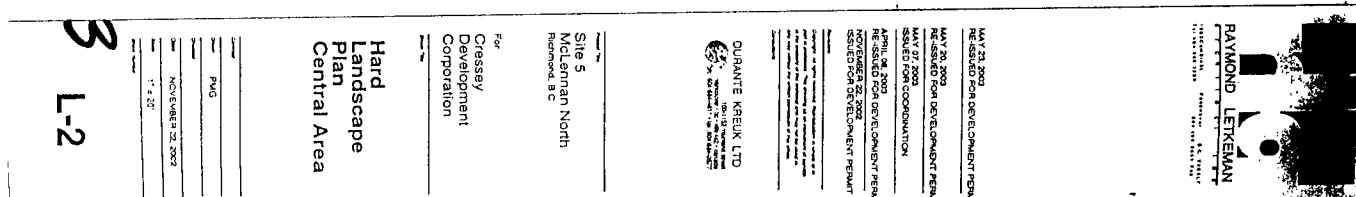
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RAYMOND LETKEMAN
1001 Cambridge St. Waukegan, Ill. 60085
Tel. 848-3333 400-455-1511 Fax



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Site 5
McLennan North
Removal, B C

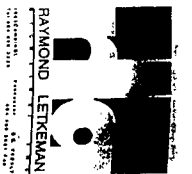
For
Crassay
Development
Corporation

Hard
Landscape
Plan
Central Area

DURANTE KREUK LTD
150-152 TOWNSEND STREET
WILMINGTON, DE. 19890-2400
TEL: 610-666-1111 • FAX: 610-666-0577

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RAYMOND LETKEMAN
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MAY 23, 2003
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DURANTE KREUK LTD.
100-10, Avenue of the
Futures
Suite 100
Calgary, Alberta T2C 1A1
Tel: (403) 243-1111
Fax: (403) 243-1112

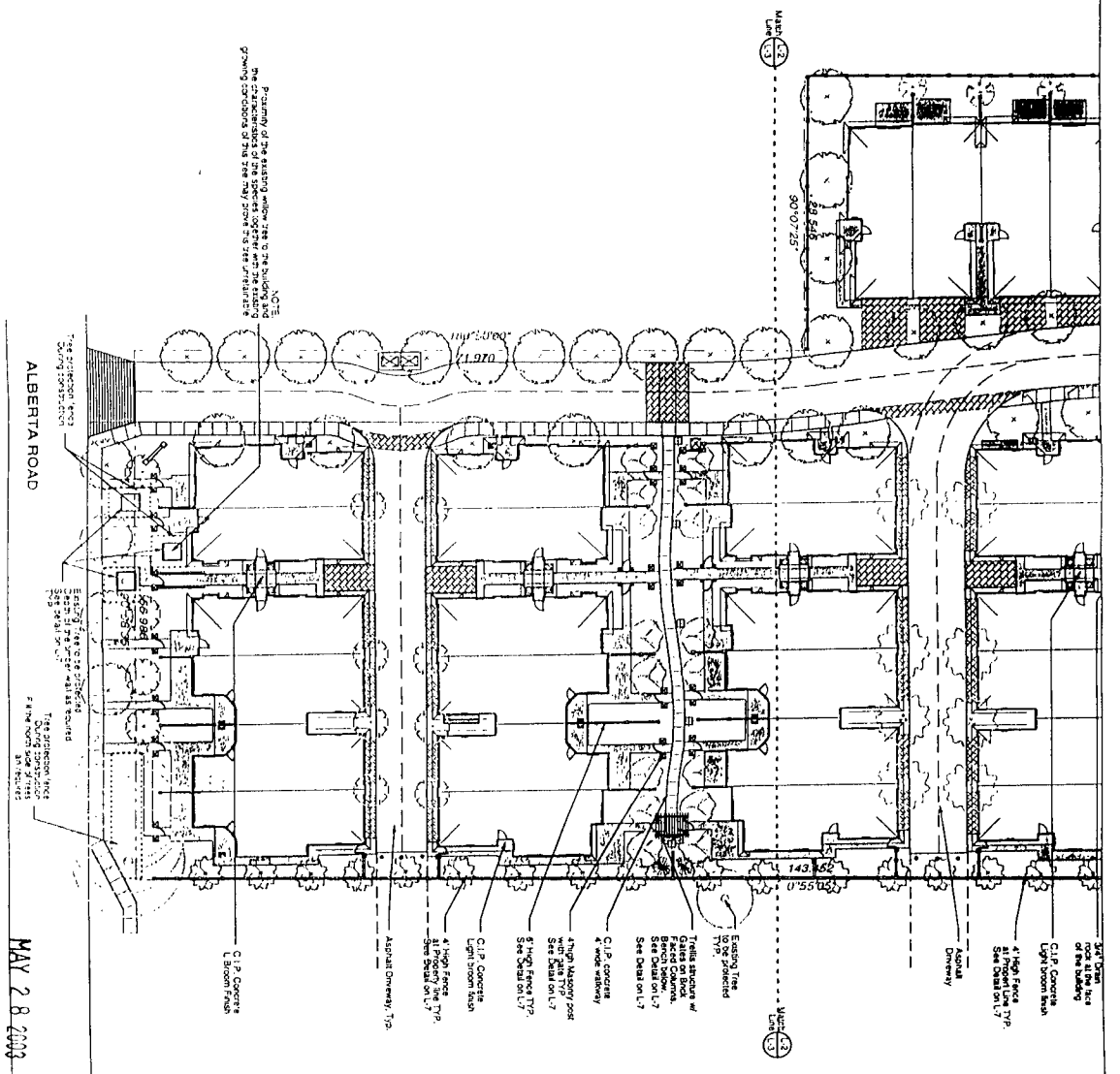
Site 5
McLennan North
Richmond, B.C.

For
Cressey
Development
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Hard
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South Area

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LEGEND

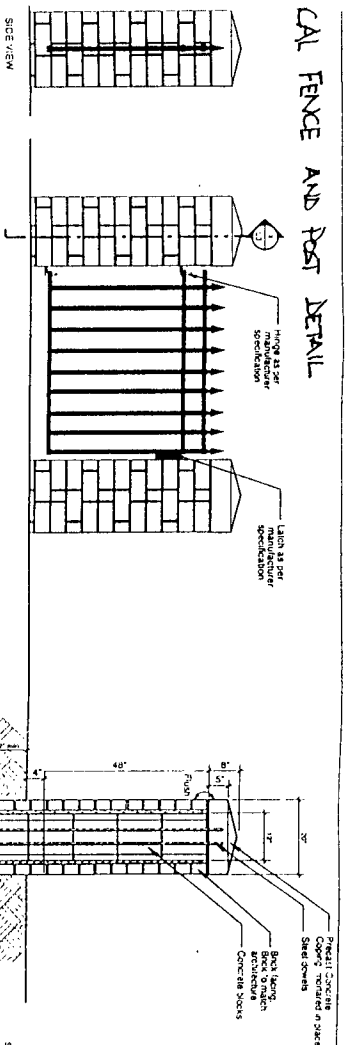
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DATE: MAY 28, 2003

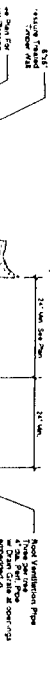
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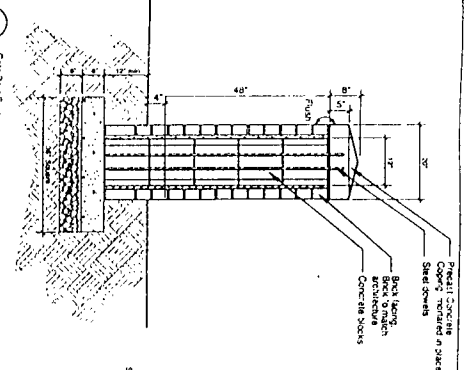
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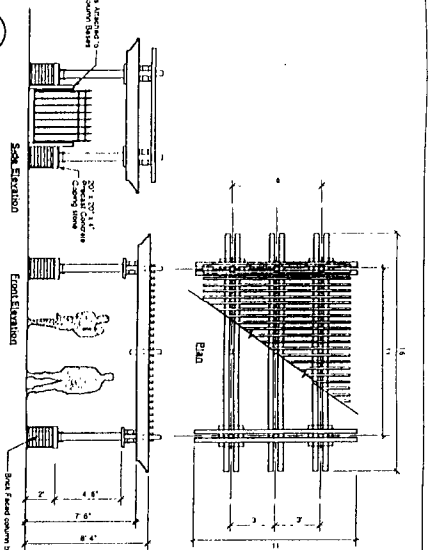
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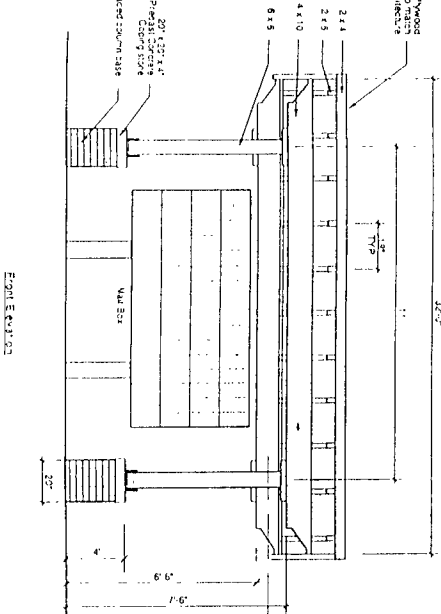
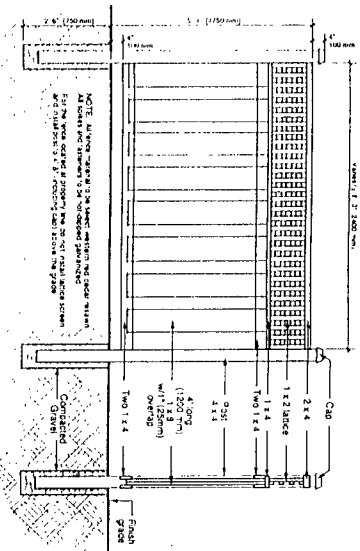
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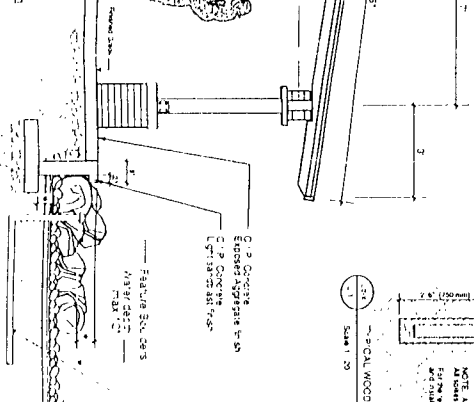
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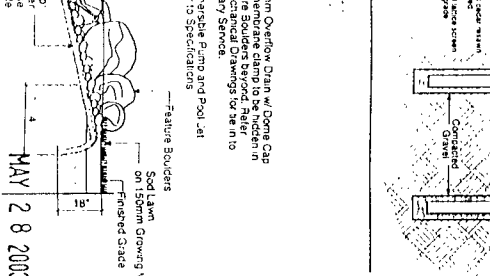
WOOD FENCE PRIVACY SCREEN



Side Elevation



Pool Section Building



Doc 221259

MAY 28 2003

8

L-7

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1000 10th Avenue
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Site 5
McLennan North
Riverfront, A.C.

Landscapes
Details

DATE	2003
BY	RAY
REVISION	2003
DATE	2003
BY	RAY