




To: Planning Committee TO Planning June 5, 2007
Date: May 8, 2007

From: Jean Lamontagne RZ 06-333519
Director of Development File: 12-8060-20-8249

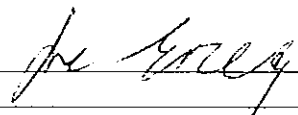
Re: Application by Parm Dhinjal for Rezoning at 11560 Williams Road
from Single-Family Housing District, Subdivision Area E (R1/E) to
Single-Family Housing District (R1-0.6)

Staff Recommendation

That Bylaw No. 8249 for the rezoning of 11560 Williams Road from "Single-Family Housing District, Subdivision Area E (R1-E)" to "Single-Family Housing District (R1-0.6)" be introduced and given first reading.


 Jean Lamontagne
 Director of Development

JL:sl
 Att.

FOR ORIGINATING DEPARTMENT USE ONLY
CONCURRENCE OF GENERAL MANAGER


Staff Report

Origin

Parm Dhinjal has applied to the City of Richmond for permission to rezone 11560 Williams Road (**Attachment 1**) from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District (R1-0.6) in order to create two (2) new single-family lots with vehicle access to an existing lane.

Findings of Fact

A Development Application Data Sheet providing details about the development proposal is attached (**Attachment 2**).

Surrounding Development

- To the North: Along the north side of Williams Road, older single-family dwellings on Single-Family Housing District, Subdivision Area E (R1/E) lots as well as some recently developed Single-Family Housing District, Subdivision Area K (R1/K) and Single-Family Housing District (R1-0.6) zoned lots.
- To the South: Older single-family dwellings on Single-Family Housing District, Subdivision Area E (R1/E) lots.
- To the East/West: Older single-family dwellings on Single-Family Housing District, Subdivision Area E (R1/E) lots with potential to rezone and subdivide into compact lots fronting Williams Road.

Related Policies & Studies

Lot Size Policy 5434

The subject property is located within the Single-Family Lot Size Policy No. 5434 (adopted by Council February 19, 1990/amended October 16, 2006 (**Attachment 3**)). This Policy permits subdivision of lots fronting Williams Road to Single-Family Housing District (R1-0.6) or Coach House District (R9) (minimum 9 m or 29.5 ft. wide) providing no direct accesses are created to the arterial roads. The current proposal would create two (2) lots, each approximately 10.06 m wide, with lane access.

Lane Establishment and Arterial Road Redevelopment Policies

The rezoning application complies with the City's Lane Establishment and Arterial Road Redevelopment Policies, as it is a single-family residential development proposal with access to an operational lane. A number of properties in the 10000 and 11000 block of Williams Road are currently in the process of redevelopment (to Single-Family Housing District (R1-0.6) or Coach House District (R9)). The majority of the lots in these two (2) blocks have similar development potential due to the existing lane system.

Staff Comments

Tree Preservation

A tree survey is submitted (**Attachment 4**) and three (3) bylaw sized trees are noted on site - one (1) large Sequoia tree in the front yard and a row of Cedar hedge along the rear property line where two (2) of the Cedars are bylaw-sized.

The Sequoia tree is quite substantial both in size and visual impact. Staff have received a number of inquires from the area residents regarding the preservation of this tree. An Arborist Report submitted by the applicant (**Attachment 5**) recommends removal of this Sequoia tree but Tree Preservation Staff concluded that possibility for retention exists. In order to preserve this Sequoia tree on site, a Tree Protection Zone must be established along the drip line of this tree, which is approximately 7.5 m from the east boundary of the property and approximately 8 m from the north boundary of the property. In addition, a Certified Arborist must be hired to monitor the demolition of the existing structures on site, pruning of the Sequoia tree, and construction of building foundation, retaining walls, and perimeter drainage immediately adjacent to the tree.

The applicant has agreed to retain this Sequoia tree on site. Tree protection fencing will be installed prior to final adoption of the zoning amendment bylaw or demolition of the existing dwelling on the subject property, whichever occurs first, and will remain in place until construction of the future dwellings on the site is complete. In addition, the applicant has agreed to enter into a Restrictive Covenant to ensure all structures on the future eastern lot will setback 8 m (26.25 ft.) from the front property line.

The applicant is proposing to remove the Cedar hedge to accommodate future driveways and garages. Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP) and according to the size of replacement tree requirement of the Tree Protection Bylaw No. 8057, four (4) replacement trees each at 6 cm calliper are required. Considering the effort to be made by the applicant to retain the Sequoia tree on site and the limited space available in the front yards for tree planting, staff recommend only two (2) replacement trees each at 6 cm calliper be required. In order to ensure that the front yards of the future lots will be enhanced, a landscape plan prepared by a registered landscape architect is required to be submitted prior to final adoption of the rezoning bylaw.

In order to ensure that the Sequoia tree will not be damaged during construction and the required replacement trees and front yard landscaping will be planted, a Landscaping Security of \$25,000 (\$20,000 for the survival of the Sequoia tree and \$5,000 for the front yard landscaping) is required. The City will retain 90% of the security until the proposed landscaping is planted on site. The City will retain the remaining 10% of the security for one year after inspection of the completed landscaping to ensure that the Sequoia tree and plant materials have survived.

Site Servicing

No servicing concerns with rezoning. At subdivision, the applicant will be required to pay Neighbourhood Improvement Charge (NIC) fees for future lane improvements. The applicant is also required to pay Development Cost Charges (DCCs), Greater Vancouver Sewerage Drainage DCCs, School Site Acquisition Charge, Address Assignment Fee and Servicing costs.

Vehicular Access

The Residential Lot (Vehicular) Access Regulation Bylaw No. 7222 will ensure no vehicle access is permitted to Williams Road.

Flood Management

In accordance with the Interim Flood Protection Management Strategy, registration of a Flood Indemnity Covenant on title is required prior to final adoption of the rezoning bylaw.

Analysis

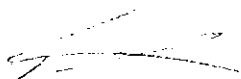
This is a relatively straightforward redevelopment proposal. All the relevant technical issues can be addressed and it is noted that the proposal conforms to Lot Size Policy 5434. The rezoning application also complies with the Lane Establishment and Arterial Road Redevelopment Policies, as it is a single-family residential development on an arterial road where an existing municipal lane is fully operational. The future lots will have vehicle access to the laneway with no access being permitted onto Williams Road.

Financial Impact or Economic Impact

None.

Conclusion

Staff have reviewed the technical merits of the application for rezoning of 11560 Williams Road. The rezoning application complies with all policies and land use designations contained within the Official Community Plan (OCP) and is consistent with the direction of redevelopment currently ongoing in the surrounding area. On this basis, staff support the application.



Edwin Lee
Planning Technician – Design
(Local 4121)

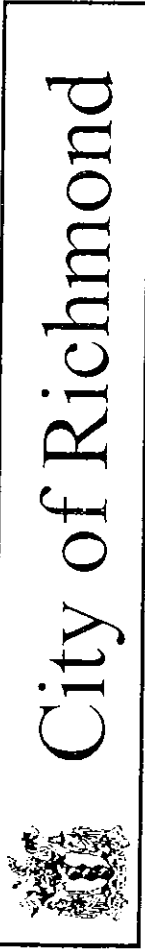
EL:sl

- Attachment 1: Location Map
- Attachment 2: Development Application Data Sheet
- Attachment 3: Lot Size Policy 5434
- Attachment 4: Tree Survey
- Attachment 5: Arborist Report

The following must be completed prior to final adoption of the rezoning bylaw:

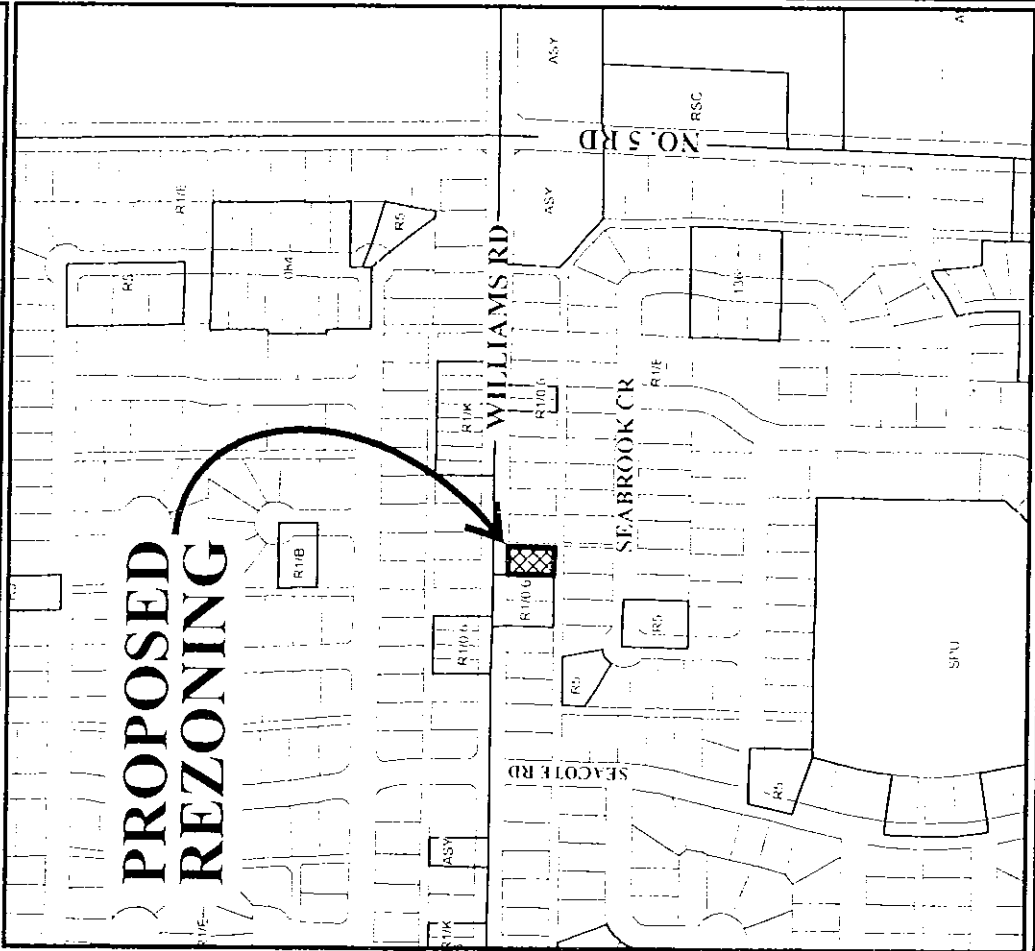
- Proof of a contract with a Registered Arborist to monitor the demolition of the existing structures on site, pruning of the Sequoia tree, and construction of building foundation, retaining walls, and perimeter drainage immediately adjacent to the preservation tree (Sequoia) on site;
- Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to final adoption of the rezoning bylaw or any construction activities, including building demolition, occurring onsite;

- Submission of a landscape plan prepared by a registered landscape architect to the satisfaction of the Director of Development. The landscape plan should include two (2) replacement trees at 6 cm calliper. If replacement trees cannot be accommodated, on-site cash-in-lieu (\$500 tree) for off-site planting is required;
- Submission of a Landscape Security in the amount of \$25,000 (\$20,000 for the survival of the Sequoia tree and \$5,000 for the front yard landscaping);
- Registration of a flood indemnity covenant on title; and
- Registration of a restrictive covenant to ensure all structures on the future eastern lot are setback 8 m (26.25 ft.) from the front property line to make certain that the existing Sequoia tree in the front yard will not be damaged.



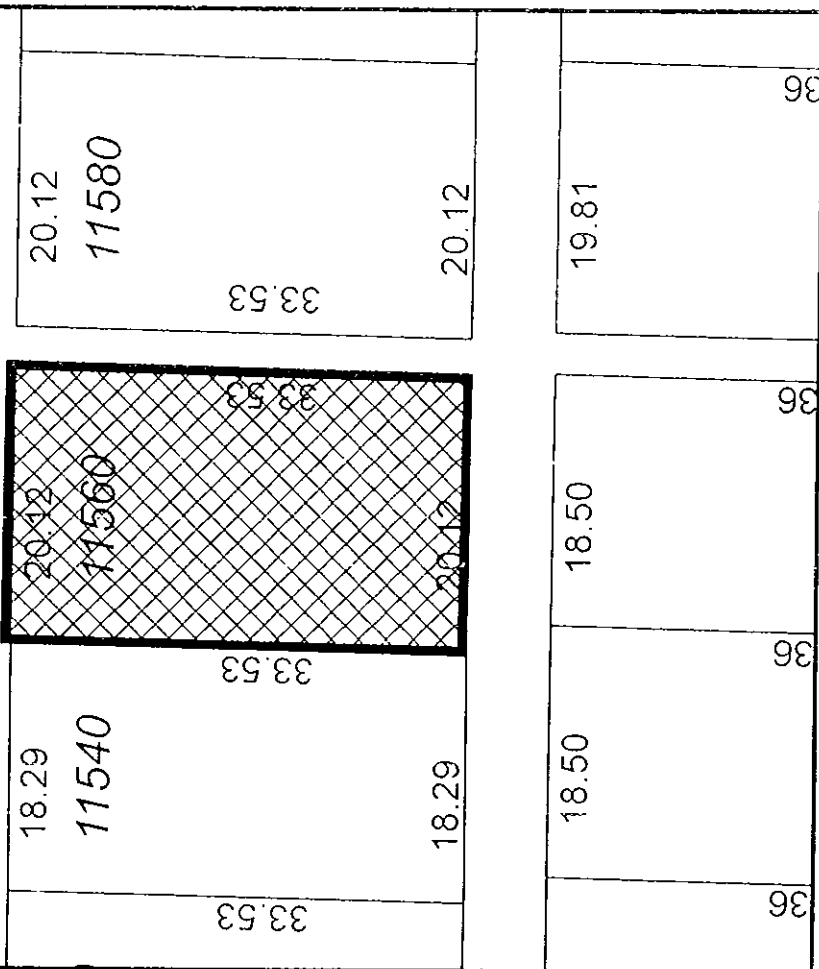
City of Richmond

PROPOSED REZONING



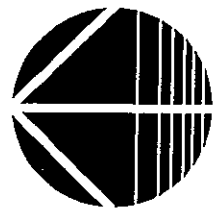
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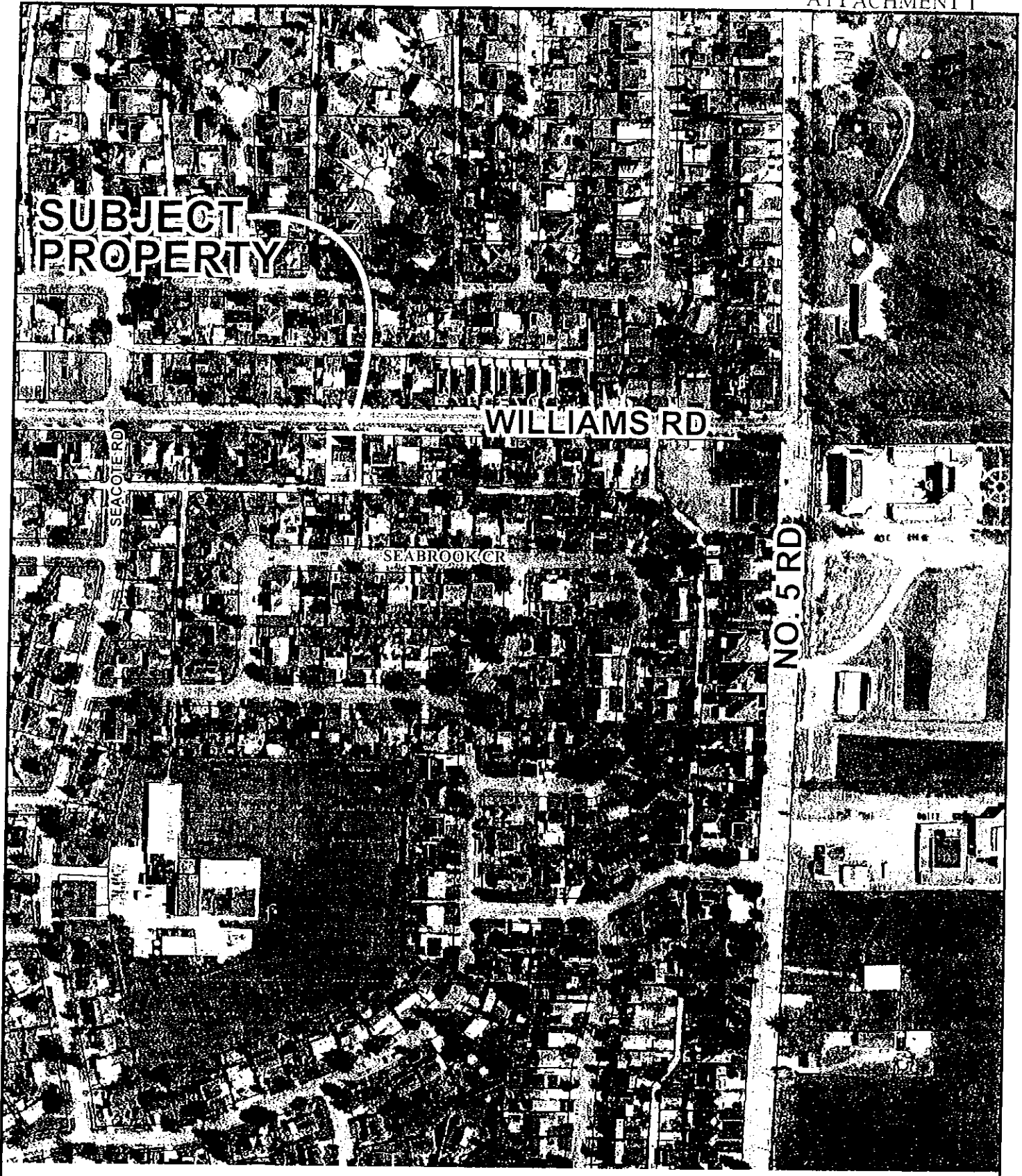
WILLIAMS RD



Original Date: 05/18/06
 Revision Date: 05/14/07
 Note: Dimensions are in METERS

RZ 06-333519





RZ 06-333519

Original Date: 05/18/06

Amended Date: 05/14/07

Note: Dimensions are in METRES



City of Richmond

6911 No. 3 Road
 Richmond, BC V6Y 2C1
 www.richmond.ca
 604-276-4000

**Development Application
 Data Sheet**

RZ 06-333519 **Attachment 2**

Address: 11560 Williams Road

Applicant: Parm Dhinjal

	Existing	Proposed
Owner:	Jessie Jaswant Kaur Dhanday & Kalbinder Singh Dhanday	To be determined
Site Size (m ²):	675 m ² (7,266 ft ²)	337.5 m ² (3,633 ft ²) each
Land Uses:	Single-Family Residential Dwelling	2 Single-Family Residential Lots
OCP Designation:	Low Density Residential	No Change
702 Policy Designation:	R1-0.6 or R9	No Change
Zoning:	Single-Family Housing District, Subdivision Area E (R1/E)	Single-Family Housing District (R1-0.6)
Number of Units:	1 single-family detached	2 single-family detached

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.60	Max. 0.60	none permitted
Lot Coverage – Building:	Max. 50%	Max. 50%	none
Lot Size (min. dimensions):	270 m ²	337.5 m ²	none
Setback – Front Yard (m):	6 m Min.	6 m Min.	none
Setback – Side & Rear Yards (m):	Min. 1.2 m	Min. 1.2 m	none
Height (m):	2.5 storeys	2.5 storeys	none

Other: Tree replacement compensation required for removal of bylaw-sized trees.



City of Richmond

Policy Manual

Page 1 of 2

POLICY

POLICY 5434

File Ref:

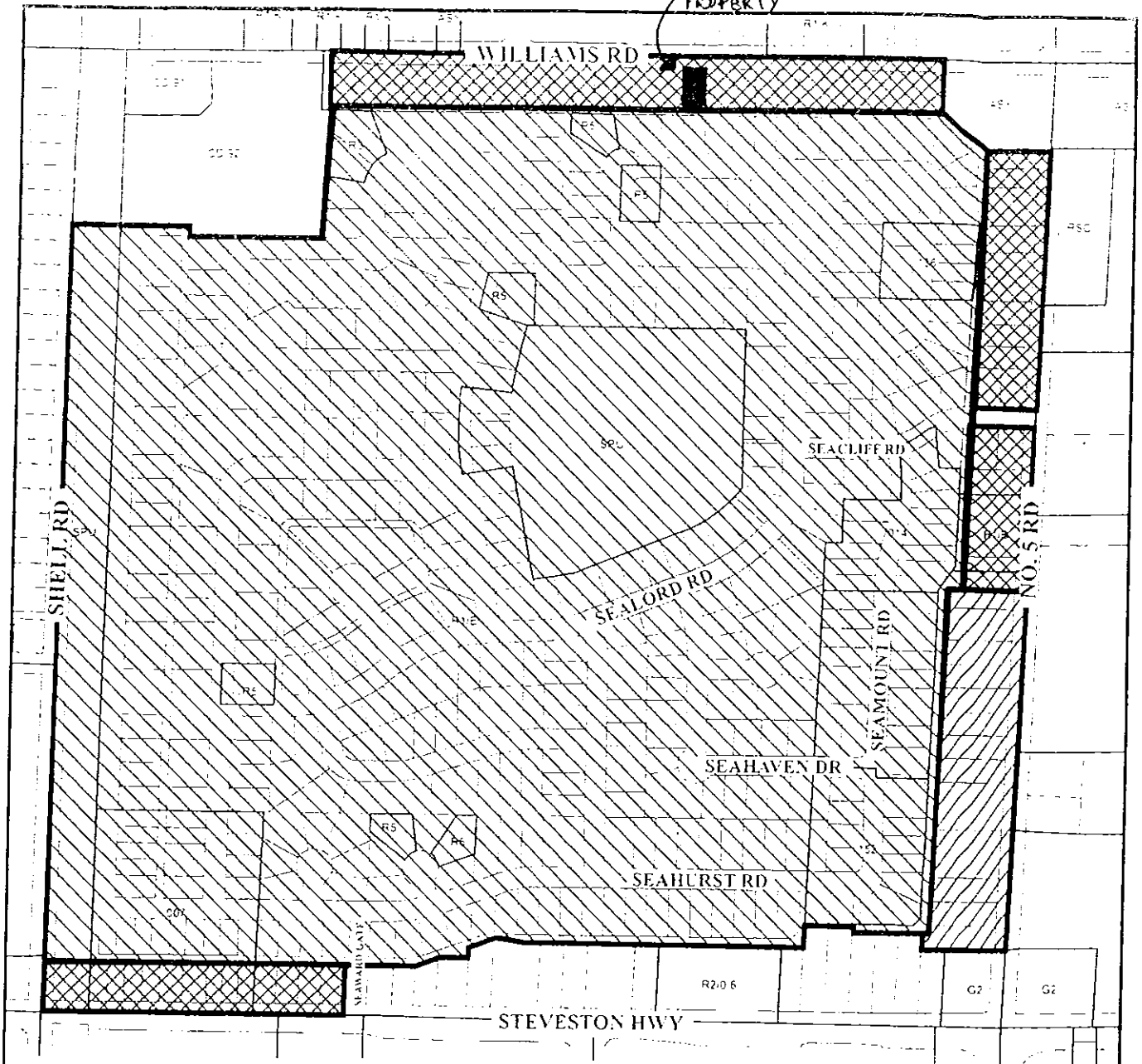
SINGLE-FAMILY LOT SIZE POLICY IN QUARTER-SECTION 36-4-6

POLICY 5434:

The following policy establishes lot sizes in a portion of Section 36-4-6, within the area bounded by Steveston Highway, Shell Road, No. 5 Road, and Williams Road:

1. That properties within the area bounded by Shell Road, Williams Road, No. 5 Road, and Steveston Highway, in a portion of Section 36-4-6, be permitted to subdivide in accordance with the provisions of Single-Family Housing District (R1/E), with the exception that:
 - a) Properties fronting on Williams Road from Shell Road to No. 5 Road, properties fronting on Steveston Highway from Seaward Gate to Shell Road, and properties fronting on No. 5 Road from Williams Road to approximately 135 m south of Seacliff Road to rezone and subdivide in accordance with the provisions of Single-Family Housing District (R1-0.6) or Coach House District (R/9) provided that vehicle accesses are to the existing rear laneway only. Multiple-family residential development shall not be permitted in these areas.
 - b) Properties fronting on No. 5 Road from Steveston Highway to approximately 135 m south of Seacliff Road be permitted to subdivide in accordance with the provisions of Single-Family Housing District, Subdivision Area B (R1/B) provided that vehicle accesses are to the existing rear laneway only.
2. This policy, as shown on the accompanying plan, is to be used to determine the disposition of future rezoning applications in this area, for a period of not less than five years, unless changed by the amending procedures contained in the Zoning and Development Bylaw.

SUBJECT
PROPERTY



Subdivision permitted as per **R1/E** (18 m wide lots)



Subdivision permitted as per **R1-0.6 or R/9**
(access to lane only) (No Multiple-family residential development
is permitted.)



Subdivision permitted as per **R1/B**



Policy 5434 Section 36-4-6

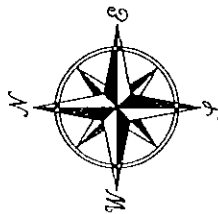
Adopted Date: 02/19/1990

Amended Date: 11/18/1991
10/16/2006

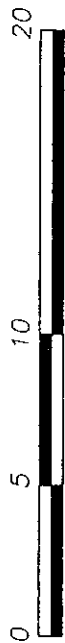
**PLAN OF TREE SURVEY OF LOT 47 SECTION 36 BLOCK 4 NORTH
RANGE 6 WEST NEW WESTMINSTER DISTRICT PLAN 28788**

#11560 WILLIAMS ROAD
RICHMOND, B.C.
P.I.D. 004-326-440

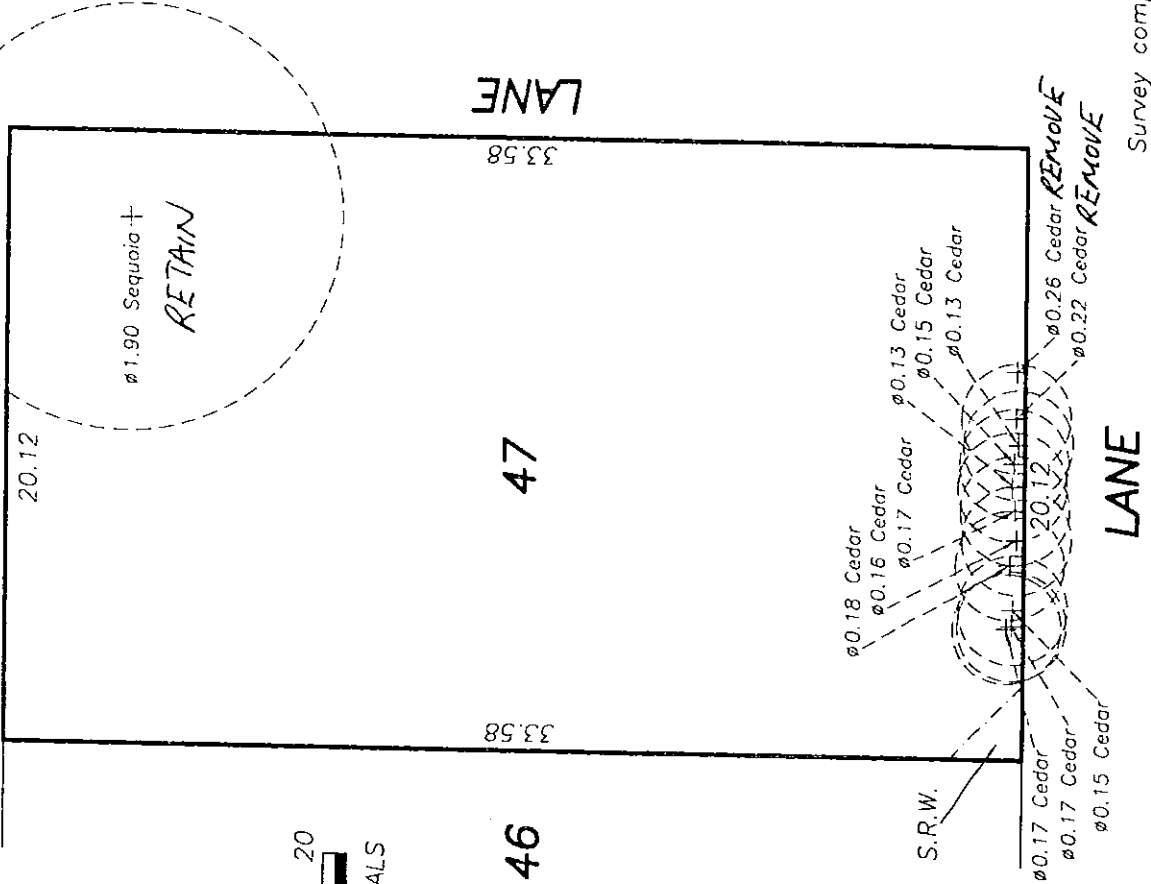
WILLIAMS ROAD



SCALE: 1:250



ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



© Copyright

J. C. Tam and Associates
Canada and B.C. Land Surveyor
115 - 8833 Odlin Crescent
Richmond, B.C. V6X 3Z7
Telephone: 214-8928
Fax: 214-8929
E-mail: jctam@telus.net
Job No. 2996
FB-75 P116
Drawn By: GB

DWG No. 2996-TREE

Survey completed on April 20th, 2006.

MOUNTAIN MAPLE GARDEN & TREE SERVICE
 7065 NICHOLSON ROAD
 DELTA, BC V4E 1Z9
 PHONE: 604 - 488 - 4455

November 14, 2006

RE: Arborist Report for 11560 Williams Rd, Richmond, BC

Arborist Notes: This site was inspected on November 14, 2006. The condition of one tree was assessed.

Sequoiadendron giganteum (Sequoia)

Height: 60ft

Spread: 35 ft

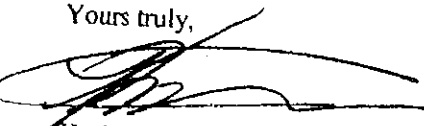
Age: Mature

Location on property: North of house, in the front yard.

This Sequoia has a DBH of 195cm. This tree has some girdling roots near the trunk flare. No other defects have been noted. Apparently the grade of the property is to change as a result of development, and is required to be higher than the existing grade. Any grade change greater than a few inches can have a negative impact on longterm health. If the removal of this tree is not permitted, then I would recommend the condition of the tree be reviewed a year subsequent to grade change.

This report is based on a visual assessment, from the ground only. This report provides no undertakings regarding the future condition or behavior of the trees reviewed in it. Tree hazards and conditions do change overtime, and the evaluation period for this report is valid for the day on which it was performed only. No responsibility is assumed for any legal matters as a result of this report. The consultant shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of additional fees for such services. Loss or alteration of any part of this report invalidates the entire report. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without verbal or written consent of the consultant. No part of this report shall be conveyed by anyone to the public by any means without prior written consent of the consultant.

Yours truly,


 Kerin Matthews
 ISA Certified Arborist #PN-5648A
 ISA Certified Tree Risk Assessor #0123

MOUNTAIN MAPLE GARDEN & TREE SERVICE
 7065 NICHOLSON ROAD
 DELTA, BC V4E 1Z9
 PHONE: 604-488-4455

January 5, 2007

RE: Arborist Report for 11560 Williams Rd, Richmond, BC

Arborist Notes: This site was initially inspected on November 14, 2006. The condition of one tree was assessed. This report has been amended from its original version, as I was unclear as to the extent of the proposed development.

Sequoiadendron giganteum (Sequola)

Height: 60ft

Spread: 35 ft

Age: Mature

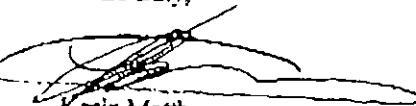
DBH: 195cm

Location on property: North of house, in the front yard.

This tree has some girdling roots near the trunk flare. No other defects have been noted. Apparently the grade of the property is to change as a result of development, and is required to be substantially higher than the existing grade. Any grade change could smother the roots and cause the onset of root rot. The root system would also be compromised as a result of excavation. The stability of a tree this size would be vastly effected by the removal of any of its roots, making it susceptible to windthrow. Removal should be considered to avoid causing a risk to this property and the home to the east. Aggressive replanting should be enforced to recover the loss of canopy.

This report is based on a visual assessment, from the ground only. No core or tissue samples were taken, no root crown excavations were performed. This report provides no undertakings regarding the future condition or behavior of the trees reviewed in it. Tree hazards and conditions do change overtime, and the evaluation period for this report is valid for the day on which it was performed only. No responsibility is assumed for any legal matters as a result of this report. The consultant shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of additional fees for such services. Loss or alteration of any part of this report invalidates the entire report. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without verbal or written consent of the consultant. No part of this report shall be conveyed by anyone to the public by any means without prior written consent of the consultant.

Yours truly,



Karin Matthews

ISA Certified Arborist #PN-5648A

ISA Certified Tree Risk Assessor #0123

Lee, Edwin

From: Kerin [kerin@telus.net]
 Sent: Saturday, 13 January 2007 9:20 AM
 To: Lee, Edwin
 Cc: info@parmdhinjal.com
 Subject: 11560 Williams Rd (RZ 06-333519)
 Follow Up Flag: Follow up
 Flag Status: Red

MOUNTAIN MAPLE GARDEN & TREE SERVICE

7065 NICHOLSON ROAD

DELTA, BC V4E 1Z9

PHONE: 604 - 488 - 4455

Dear Mr. Lee,

Further to your email to Parm dated January 10, 2007, this serves to provide my recommendation regarding tree protection measures for the large sequoia.

Should this tree be considered for preservation I would suggest that the south and west sides of the root zone be protected by a **minimum of 12 feet** from the base of the trunk, providing that no excavation of the roots are to occur on the north and east sides of the tree. If this tree is preserved the canopy *will* require thinning by 15-20% to allow the wind to pass freely.

Typically these trees have extensive root systems, and for very good reason. In view of all the trees that have blown over in recent wind storms, I am somewhat reluctant to suggest that any roots be excavated on a tree this size, or that any grade change be permitted around the base of the tree. By allowing either could increase the risk for potential failure. I hereby relinquish any responsibility regarding the retention of this tree.

This report is based on a visual assessment, from the ground only. No core or tissue samples were taken, no root crown excavations were performed. This report provides no undertakings regarding the future condition or behavior of the trees reviewed in it. Tree hazards and conditions do change overtime, and the evaluation period for this report is valid for the day on which it was performed only. No responsibility is assumed for any legal matters as a result of this report. The consultant shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payment of additional fees for such services. Loss or alteration of any part of this report invalidates the entire report. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without verbal or written consent of the consultant. No part of this report shall be conveyed by anyone to the public by any means without prior written consent of the consultant.

Trusting this is the information you require. Should you have any further questions, concerns or comments, please do not hesitate to contact me.

Yours truly,

Kerin Matthews

ISA Certified Arborist #PN-5648A

MOUNTAIN MAPLE GARDEN & TREE SERVICE
 7065 NICHOLSON ROAD
 DELTA, BC V4E 1Z9
 PHONE: 604 - 488 - 4455

March 28, 2007

To Whom It May Concern:

RE: 11560 Williams Road, Richmond, BC

Under section 6.5 of the Tree Protection Bylaw, my client, Mr. Parm Dhinjal, wishes to apply for Reconsideration regarding the decision made by Mr. Edwin Lee - *Planning Technician - Design*. There is a large Sequoia on this property, and the removal of this specimen has been denied. Please find attached copies of previous correspondence for your perusal. Six photographs have also been included as part of this correspondence.

Mr. Dhinjal purchased the property and wishes to subdivide and construct two homes. The Sequoia will need to be removed in order to maximize land use and to provide homes of interest to prospective buyers. The location of this tree makes it nearly impossible to proceed with his intended plan. Based on the plan for a single family home with attached garage at the rear, the home would need to be set back 20ft from the City sidewalk. However, the south side of the stem is 20ft back from the north property line which is adjacent to the City sidewalk along Williams Road. To build a much smaller home, or a home without a garage will have very little value in todays market.

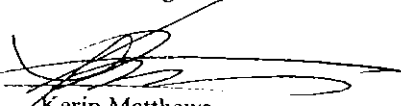
It should be noted again that this tree does show a fungal conk on the exterior of the stem indicative of internal decay. Decay that may extend as much as 3m above and below a fruting body. We are also uncertain as to any damage that may have occurred to the rootsystem when the asphalt pathway was installed adjacent to the east side of the tree.

I understand that the removal of such a large specimen will have a visual impact. Please consider the fact that this species of tree is exceptionally fast growing, with growth rings typically 1" or wider, and height growth up to 2ft per year is not uncommon.

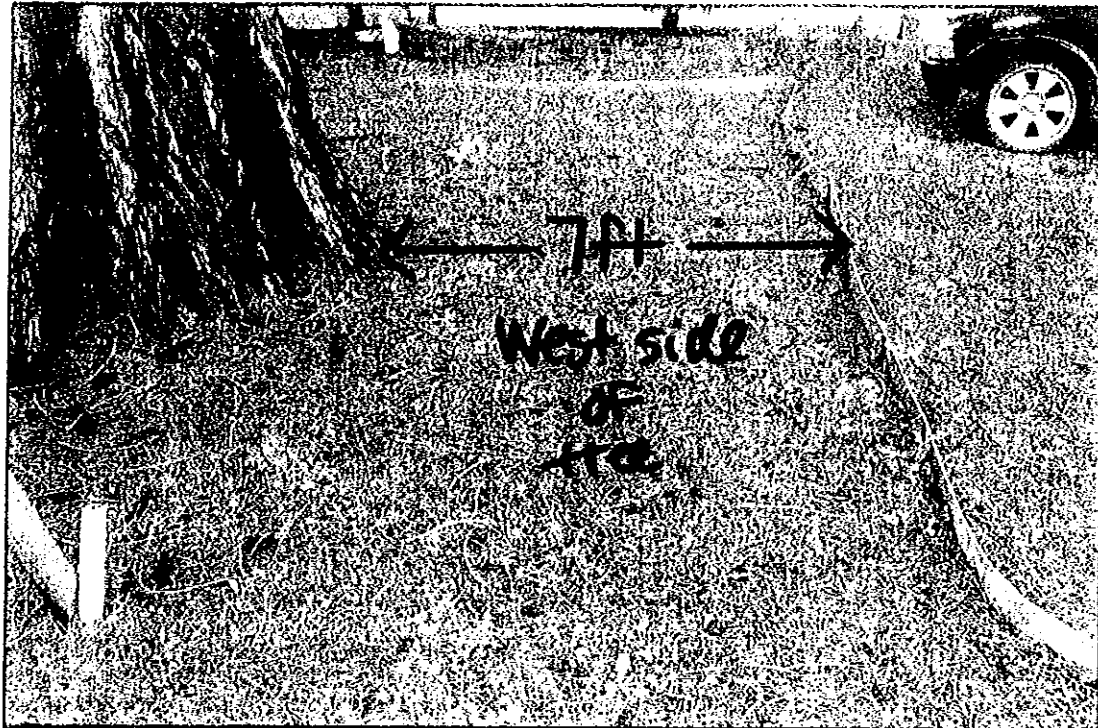
Mr. Dhinjal is willing to replant with a sizable replacement tree of the same species, upon completion of the developement. This will allow the new planting to be properly situated within the landscape and would be able to grow into its environment. Mr. Dhinjal is also willing to provide a cash contribution to the Tree Compensation Fund.

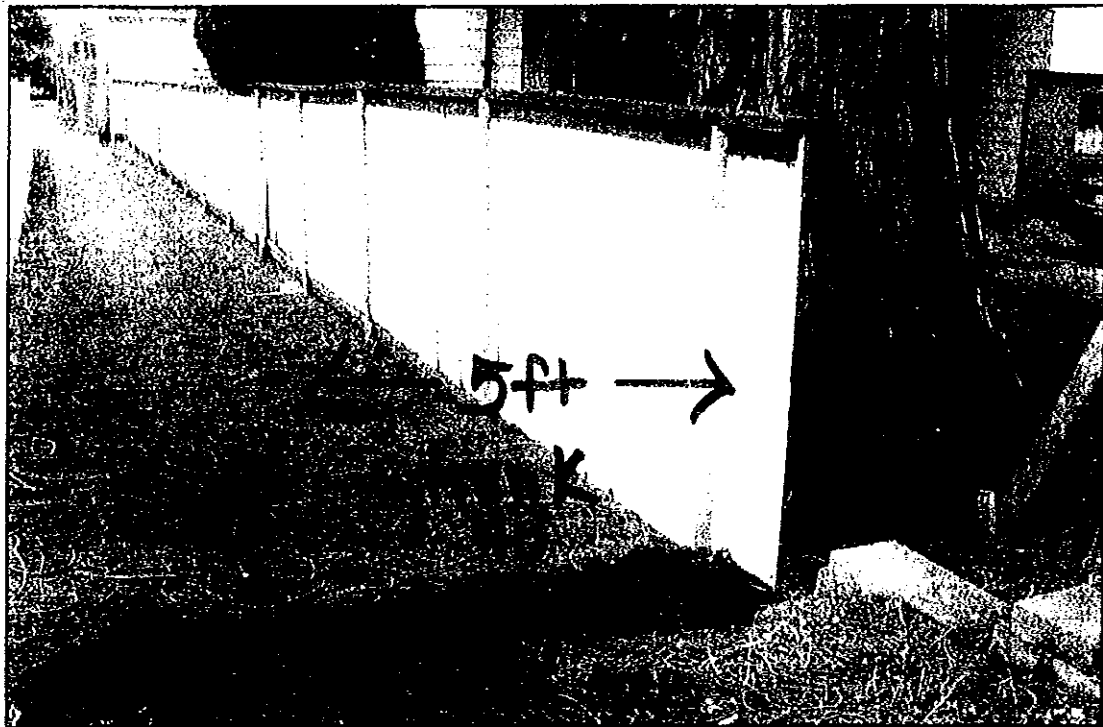
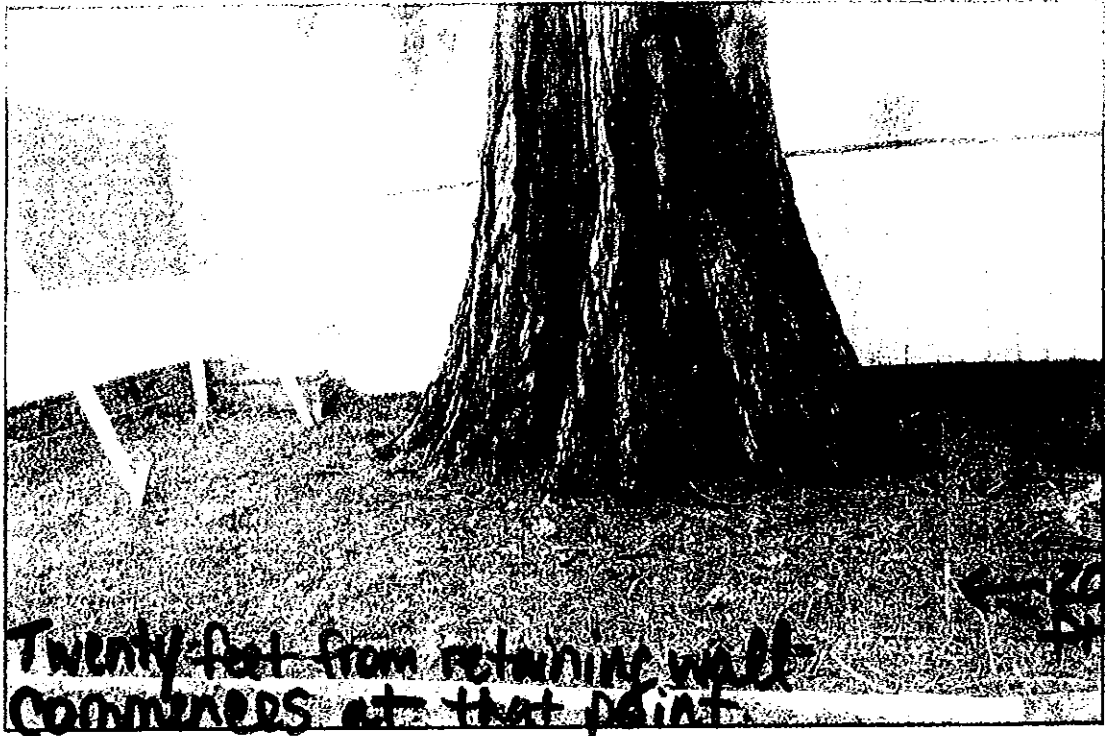
On a side note, I was initially amazed by the amount of development proposals along Williams Road. Having since entered a number of properties in the area and I am appauled by the conditions of some of the homes and properties. The devolpement process is certainly allowing for a vast improvement in the overall appearance of the area, and this is clearly as a result of developers like Mr. Dhinjal.

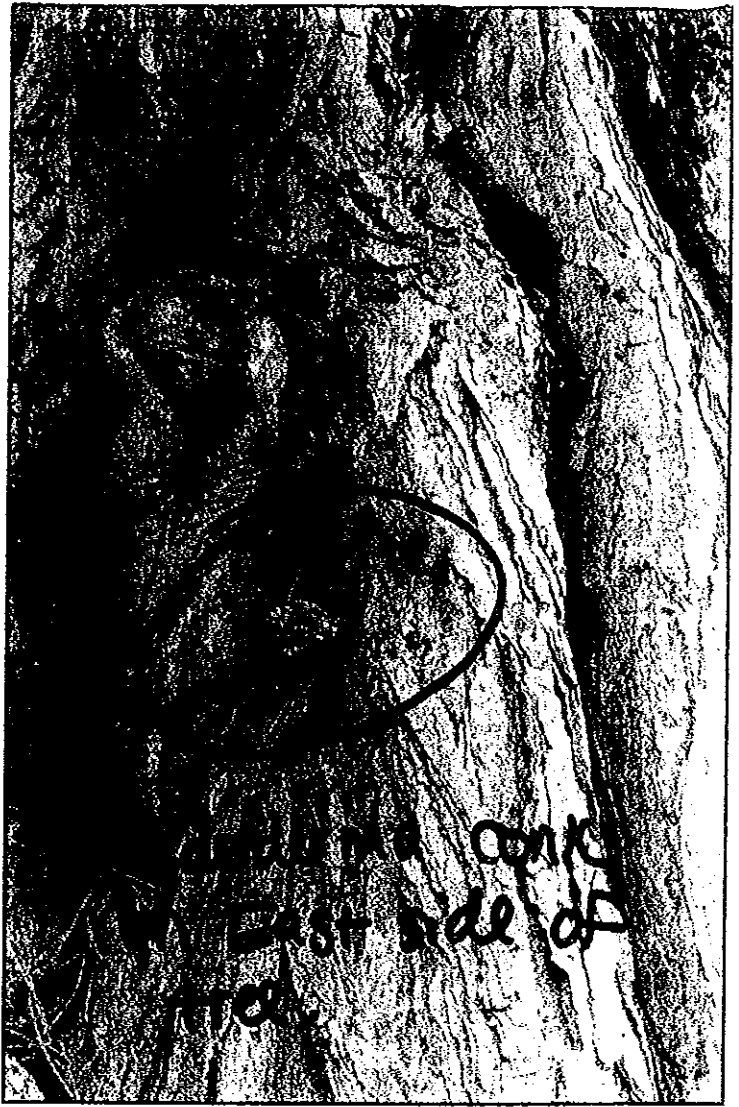
Kindest Regards,



Kerin Matthews
 ISA Certified Arborist #PN-5648A
 ISA Certified Tree Risk Assessor #0123
 Wildlife/Danger Tree Assessor #P498









Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8249 (RZ 06-333519)
11560 WILLIAMS ROAD

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

- 1. The Zoning Map of the City of Richmond, which accompanies and forms part of Richmond Zoning and Development Bylaw 5300, is amended by repealing the existing zoning designation of the following area and by designating it SINGLE-FAMILY HOUSING DISTRICT (R1-0.6).

P.I.D. 004-326-440

Lot 47 Section 36 Block 4 North Range 6 West New Westminster District Plan 28788

- 2. This Bylaw may be cited as "Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8249".

FIRST READING

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

Series of horizontal lines for recording readings and requirements.

CITY OF RICHMOND APPROVED by [Signature] APPROVED by Director or Solicitor [Signature]

MAYOR

CORPORATE OFFICER