



City of
Richmond

Report to Development Permit Panel

To: Development Permit Panel

Date: April 16, 2019

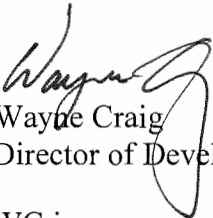
From: Wayne Craig
Director of Development

File: DP 17-778295

Re: **Application by Dagneault Planning Consultants Ltd. for a Development Permit at 7341 and 7351 No 5 Road**

Staff Recommendation

That an Environmentally Sensitive Area (ESA) Development Permit be issued at 7341 and 7351 No. 5 Road, in order to allow a subdivision application for a lot line adjustment.


Wayne Craig
Director of Development

WC:je
Att. 4

Staff Report

Origin

Dagneault Planning Consultants Ltd. has applied to the City of Richmond for an Environmentally Sensitive Area (ESA) Development Permit to re-shape the on-site ESA in association with a subdivision application for a lot line adjustment at 7341 and 7351 No. 5 (Attachment 1). As the site is currently designated as an ESA, a Development Permit is required prior to subdivision approval.

Each site currently contains a single family home and associated structures which will be demolished to permit construction of a new home on each parcel. No rezoning is needed as the proposed use is consistent with the 'Agriculture and Golf (AG1)' zone.

An application for non-farm use for the lot line adjustment had been forwarded by Council to the Agricultural Land Commission (ALC) in September 2016 (AG 16-732022). The ALC approved the non-farm use application in November 2016.

The Development Permit Panel previously recommended issuance of this Development Permit on April 25, 2018. Prior to completion by the applicant of the Development Permit Considerations, Council adopted amendments to the AG1 zone (December 18, 2018) which affected the applicant's proposed site plan, particularly the location of the septic field. The current application proposes a revised approach that is consistent with the current Zoning Bylaw regulations.

Development Information

Please refer to the attached Development Application Data Sheet (Attachment 2) for a comparison of the proposed development data with the relevant Bylaw requirements.

Background

Development surrounding the subject site is as follows:

- to the north, a single family home on a lot zoned 'Agriculture and Golf (AG1)' and partially designated as Environmentally Sensitive Area (ESA);
- to the east (across No. 5 Road), a single family home on a lot zoned 'Agriculture and Golf (AG1)' and partially designated as ESA, and a farm market on a parcel zoned 'Roadside Stand (CR)' and 'Agriculture and Golf (AG1)';
- immediately to the south, an unopened City-owned farm road zoned 'Agriculture and Golf (AG1)' and designated ESA. To the south of the farm road is a single family home on a lot zoned 'Agriculture and Golf (AG1)' and partially designated as Environmentally Sensitive Area ESA; and
- immediately to the west, an unopened City-owned road zoned 'Agriculture and Golf (AG1)' and designated ESA. To the west of the farm road is a parcel zoned 'Agriculture and Golf (AG1)' that is currently being farmed.

Staff Comments

The proposed scheme attached to this report has satisfactorily addressed the significant Environmentally Sensitive Area (ESA) issues and other staff comments identified as part of the review of the subject Development Permit application. In addition, it complies with the intent of the applicable sections of the Official Community Plan and is generally in compliance with the Agriculture and Golf (AG1) zones. No variances are being sought through this ESA Development Permit application.

Advisory Design Panel

As the scope of this Development Permit does not involve any building design components, the application has not been reviewed by the Advisory Design Panel.

Analysis***Site Planning***

7341 and 7351 No. 5 Road are adjacent, 'Agriculture and Golf (AG1)' zoned parcels that are 2,023 m² and 2,748 m², respectively. The applicant proposes to re-align the property boundary between the two addresses to create two equal sized parcels. The Farm Home Plate on each parcel would be 1,000 m² and would include a septic field and tank for each home.

Approximately half of each parcel is designated as Environmentally Sensitive Area (ESA), with the ESA located mostly at the rear of the parcels. A small portion of ESA extends along the southern property line of 7351 No. 5 Road. The ESA is part of a 16.5 ha contiguous ESA that extends over numerous other parcels (see Attachment 3)

To accommodate the Farm Home Plate on each site with septic fields within the Farm Home Plate, the applicant proposes to re-shape the ESA boundary to be situated entirely outside of the Farm Home Plate on each parcel. A detailed report completed by McTavish Resources (April 12, 2019) proposes that a total of 247.30 m² of ESA would be removed.

Proposed compensation would include establishing an additional 426.30 m² of new ESA behind the line of the Farm Home Plates for the two parcels. Net gain in total ESA over the two parcels would be 179 m². Additional compensation measures proposed include the removal of 850 m² of invasive species.

ESA Environmental Inventory

The City of Richmond identifies the ESA in this location as 'Freshwater Wetland'. The on-site ESA is part of a contiguous 16.5 ha ESA situated over several adjacent parcels, including an unopened City farm road.

An environmental inventory and assessment report was submitted by McTavish Resources and Management Consultants Ltd. (April 12, 2019). The environmental inventory, completed in 2016 and 2017 found no wet areas, and determined that the vegetation and habitat features do not reflect the City's description of a Freshwater Wetland ESA. Instead the biologist suggests that the area is more reflective of a broad-leaf upland forest designation.

The on-site ESA was reported to be a fallow blueberry field that had been inactive for approximately 30 years and has become overgrown with a mix of native and non-native tree and shrub species. The majority of the tree cover is mature birch trees with lodgepole pine. The shrub layer is dominated by domesticated blueberry and a mix of native species including hardhack, salal, mountain ash and red elderberry, with the occasional fern. Invasive and pioneer species, including Himalayan blackberry, dominate the majority of the eastern edge of the ESA and are found throughout the ESA in lesser quantities. Other invasive species, including lamium and creeping buttercup, are present across the interface of the ESA and the residential yard.

Wildlife habitat may include birds, raptors and small animals, and eight bird species were identified during the inventory. The report concludes that the vegetation does not represent significant wildlife habitat values.

Tree Inventory

The tree inventory, completed by McTavish Resources and Management Consultants (April 11, 2016, updated April 12, 2019), determined that there are 48 bylaw-sized trees on the site.

The majority of the trees are within the ESA and include a mix of paper birch and European birch in advanced age and experiencing health decline as a result of bronze birch borer and fungal disease. Additional tree species within the ESA include 3 shore pines (#505, #508, #537), 1 oak (#518), 1 cherry tree (#1000) and 1 willow tree (#1617).

The remaining on-site trees (within the Farm Home Plate) include:

- 1 shore pine which has died and fallen since the inventory was completed (#533);
- 1 Norway spruce in fair condition (#534);
- 1 poplar in fair condition (#535);
- 1 cherry tree in poor condition (#536);
- 4 undersized hazelnut trees; and
- 1 undersized Douglas fir in excellent condition.

The City's Tree Preservation Coordinator has reviewed the arborist report and has the following comments:

- the majority of the trees located in the ESA are in fair condition. These trees should be retained and protected where ever possible. Dead trees beyond the Farm Home Plate and within striking distance should be assessed by a certified Arborist for 'wildlife modification' as even these types of tree contribute to the ecological value of an identified ESA;
- no trees are proposed to be removed from the Farm Home Plate at this time. Any future removals require a Tree Removal Permit and are to be compensated at a ratio of 2:1; and,
- tree protection fencing must be installed prior to demolition or construction and stay in place until completion of works.

Proposed Environmentally Sensitive Area Compensation (Plans 1, 2 and 3)

To accommodate the future development of the lots, applicant proposes to remove 247.30 m² of (Environmentally Sensitive Area) ESA. In compensation for losses to the ESA, the proposed landscape restoration plan (Plans 1, 2 and 3) includes:

- removal of Himalayan blackberry and other invasive plant species, concentrated within approximately 850 m² of the site; and
- designation, protection and enhancement of 426.30 m² of new ESA with native plant species, including planting 6 trees and 410 shrubs and plants.

The proposal represents a net gain in habitat area and function by augmenting the area of second-growth birch forest with a new densely planted, contiguous natural area to be protected as ESA. The newly designated and planted ESA would increase overall native plant density and diversity, while retaining connectivity with the contiguous ESA and the Ecological Network. The enhancements will result in positive benefits to wildlife habitat, hydrological function, carbon storage and air quality.

To ensure that the proposed enhancements have the best chance of survival and that invasive species are controlled, monitoring and annual reporting by a Qualified Environmental Professional will occur for three years following completion of the landscape restoration plan.

Development Permit Considerations include bonding for the landscape restoration costs and success monitoring, installation of temporary tree and ESA protective fencing, and the registration of legal agreements to ensure protection and retention of the modified ESA (Attachment 4).

Engineering Comments

A Servicing Agreement will not be required for this development. Utility connections and frontage improvements will be addressed at the time of Building Permit, including completing new water and stormwater connections. Registration of a new Statutory Right of Way for the existing stormwater inspection chamber is a consideration of the Development Permit.

Financial Impact

The application results in an insignificant Operational Budget Impact (OBI) for off-site City infrastructure (such as road works, waterworks, storm sewers, sanitary sewers, street lights, street trees and traffic signals).

Conclusion

The applicant proposes to remove a total of 247.30 m² from the Environmentally Sensitive Area (ESA) as part of a subdivision application for a lot line adjustment. Compensation is proposed through a combination of additional ESA designation on-site, planting of 426.30 m² of newly established ESA area with native trees, shrubs and plants, and removal of 850 m² of invasive

plant species. As the proposed landscape restoration plan would result in a net gain in ESA area and function, staff recommend that the Development Permit be endorsed, and issuance by Council be recommended.



For Jeanette Elmore
Planner 2

JE:cas

Attachments:

Attachment 1: Location Map

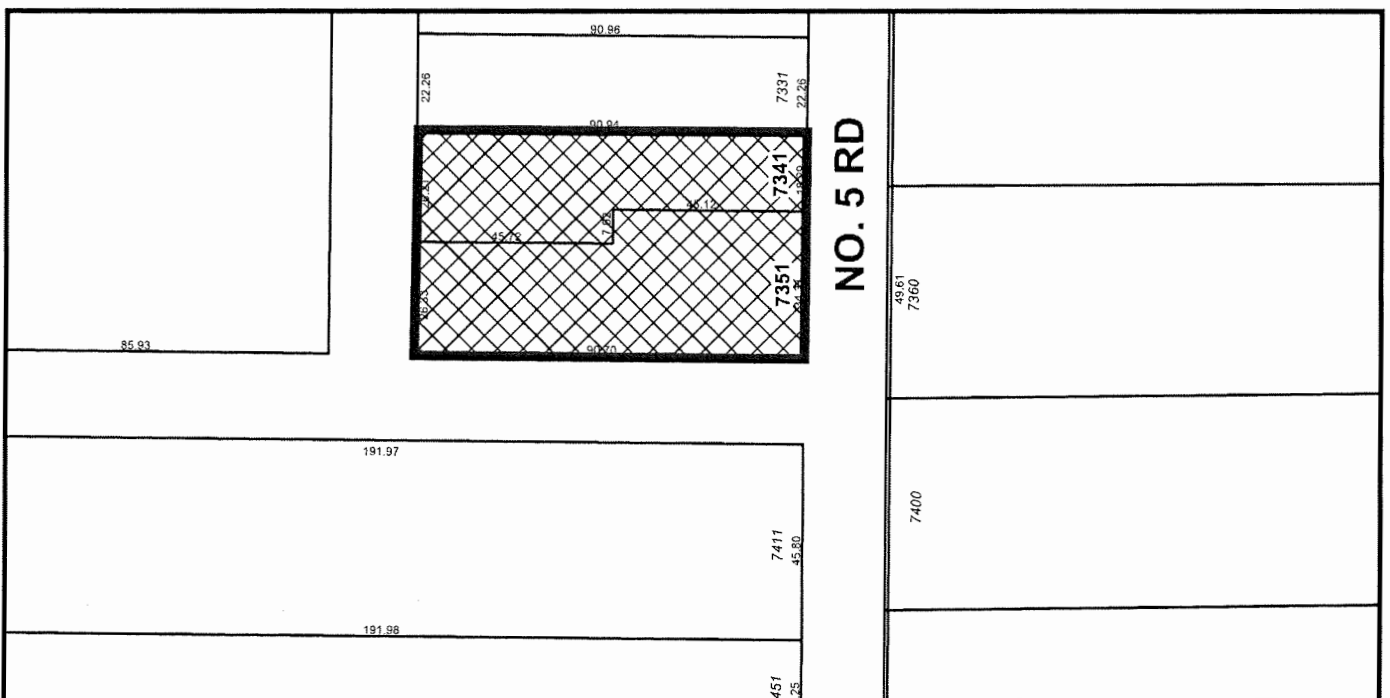
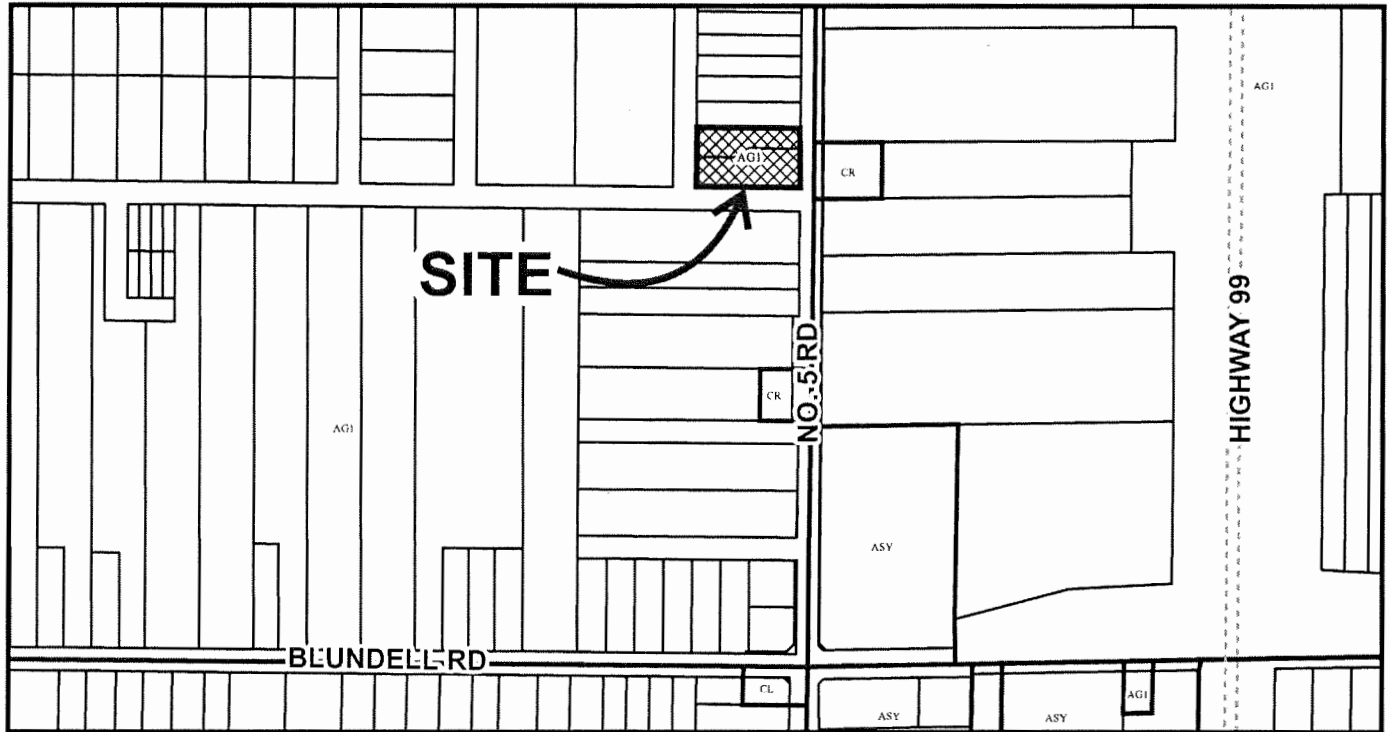
Attachment 2: Data Sheet

Attachment 3: ESA Context Plan

Attachment 4: Development Permit Considerations



City of
Richmond



DP 17-778295

Original Date: 07/24/17

Revision Date: 04/23/19

Note: Dimensions are in METRES



DP 17-778295

Attachment 2

Address: 7341 & 7351 No. 5 Road

Applicant: Dagneault Planning Consultants

Owner: Kuljit Bapla and Gurjit Bapla

Planning Area(s): East Richmond

	Existing	Proposed
Site Area:	7341 No. 5 Road = 2,023 m ² 7351 No. 5 Road = 2,748 m ²	7341 No. 5 Road = 2,390 m ² 7351 No. 5 Road = 2,387 m ²
Land Uses:	Single family residential	No change
OCP Designation:	Agriculture	No change
Zoning:	Agriculture and Golf (AG1)	No change
Number of Units:	7341 No. 5 Road: 1 unit 7351 No. 5 Road: 1 unit	No change

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.6	Max. 0.6	none permitted
Floor Area:	Max. 400 m ²	Max. 400 m ²	none
Lot Coverage:	Max. 60% of max. floor area	Max. 60% of max. floor area	none
Setback – Front Yard:	Min. 6.0 m	Min. 6.0 m	none
Setback – Side Yard (one side):	Min. 1.2 m	Min. 1.2 m	none
Setback – Side Yard (other side):	Min. 4.0 m	Min. 4.0 m	none
Setback – Rear Yard:	Min. 10 m	Min. 10 m	none
Farm Home Plate	Max. 1,000 m ²	Max. 1,000 m ²	none
Farm Home Plate Front Setback:	Max. 75 m	Max. 75 m	none
Road Setback for Home	Max. 50 m	Max. 50 m	none
Height (m):	Max. 2 storeys or 9 m	Max. 2 storeys or 9 m	none
Lot Size:	N/A	7341 No. 5 Road = 2,390 m ² 7351 No. 5 Road = 2,387 m ²	none
Total off-street Spaces:	Min. 2	Min. 2	none

City of Richmond Interactive Map



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



Development Permit Considerations

Development Applications Department
6911 No. 3 Road, Richmond, BC V6Y 2C1

Address: 7341 & 7351 No.5 Road

File No.: DP 17-778295

Prior to approval of the Development Permit, the developer is required to complete the following:

1. Receipt of a Letter of Credit for landscaping in the amount of \$17,710.00 based on the cost estimate provided in the Synthesized Environmentally Sensitive Area Report (McTavish Resource & Management Consultants Ltd, April 12, 2019).
2. Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any on-site works conducted within the tree protection zone of the trees to be retained.
3. Submission of a Contract entered into between the applicant and a Qualified Environmental Professional to monitor and provide annual reporting to the City on the ESA for three years following City approval of substantial completion.
4. Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
5. Installation of appropriate Environmentally Sensitive Area (ESA) protection fencing and silt control fencing at the boundary of the ESA as proposed by the Development Permit, per the Appendix IV. Tree Retention Plan, Arborist Report 7341 and 7351 No 5 Road, Richmond (dated April 12, 2019) prior to any construction activities, including building demolition, occurring on-site.
6. The granting of a 1.5 m by 1.5 m wide statutory right-of-way at the northeast corner of the development site for the existing inspection chamber STIC45655 being retained.
7. Registration of a flood plain covenant on title identifying a minimum habitable elevation of 2.9 m GSC.
8. Registration of a legal agreement on title to identify the modified ESA and to ensure that landscaping is retained and planted as identified within the Environmentally Sensitive Area Assessment (McTavish Resource & Management Consultants Ltd, April 12, 2019), and will not be abandoned or removed.
9. Registration of a legal agreement on title to allow City access to the property in case the works identified within the Environmentally Sensitive Area Assessment (McTavish Resource & Management Consultants Ltd, April 12, 2019) are not completed, maintained or monitored as proposed.

Prior to Building Permit Issuance, the developer must complete the following requirements*:

1. Submission of a Construction Parking and Traffic Management Plan to the Transportation Department. Management Plan shall include location for parking for services, deliveries, workers, loading, application for any lane closures, and proper construction traffic controls as per Traffic Control Manual for works on Roadways (by Ministry of Transportation) and MMCD Traffic Regulation Section 01570.
2. Complete works to be done at the developer's sole cost via City Work Order:
 - *Water Works:*
 - Using the OCP Model, there is 407.0 L/s of water available at a 20 psi residual at the No 5 Road frontage. Based on your proposed development, the site requires a minimum fire flow of 95 L/s.
 - The Developer is required to submit Fire Underwriter Survey (FUS) or International Organization for Standardization (ISO) fire flow calculations to confirm development has adequate fire flow for onsite fire protection. Calculations must be signed and sealed by a Professional Engineer and be based on Building Permit stage building designs.
 - At Developer's cost, the City is to:
 - Cut and cap the existing water service connections serving the development site, and remove water meters.
 - Install two new water service connections, complete with meters and meter boxes, one for each new lot.

Initial: _____

- *Storm Sewer Works:*
 - At Developer's cost, the City is to:
 - Cut and cap, at inspection chamber, the existing storm service connection serving the development site at the northeast corner. Inspection chamber STIC45655 to be retained to serve 7331 No 5 Road.
 - Cut and cap, at main, the two southern service connections serving the development site and remove inspection chambers.
 - Install a new storm service connection at the adjoining property line of the newly subdivided lots, complete with inspection chamber and dual service leads.
 - *Frontage Improvements:*
 - The Developer is required to coordinate with BC Hydro, Telus and other private communication service providers:
 - To locate all above ground utility cabinets and kiosks required to service the proposed development within the development site.
 - Before relocating/modifying any of the existing power poles and/or guy wires within the property frontages.
 - *General Items:*
 - The Developer is required to enter into, if required, additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering, including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
3. Obtain a Building Permit (BP) for any construction hoarding. If construction hoarding is required to temporarily occupy a public street, the air space above a public street, or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For additional information, contact the Building Approvals Department at 604-276-4285.

Note:

- * This requires a separate application.
- Where the Director of Development deems appropriate, the preceding agreements are to be drawn not only as personal covenants of the property owner but also as covenants pursuant to Section 219 of the Land Title Act.

All agreements to be registered in the Land Title Office shall have priority over all such liens, charges and encumbrances as is considered advisable by the Director of Development. All agreements to be registered in the Land Title Office shall, unless the Director of Development determines otherwise, be fully registered in the Land Title Office prior to enactment of the appropriate bylaw.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable/rent charges, letters of credit and withholding permits, as deemed necessary or advisable by the Director of Development. All agreements shall be in a form and content satisfactory to the Director of Development.
- Additional legal agreements, as determined via the subject development's Servicing Agreement(s) and/or Development Permit(s), and/or Building Permit(s) to the satisfaction of the Director of Engineering may be required including, but not limited to, site investigation, testing, monitoring, site preparation, de-watering, drilling, underpinning, anchoring, shoring, piling, pre-loading, ground densification or other activities that may result in settlement, displacement, subsidence, damage or nuisance to City and private utility infrastructure.
- Applicants for all City Permits are required to comply at all times with the conditions of the Provincial *Wildlife Act* and Federal *Migratory Birds Convention Act*, which contains prohibitions on the removal or disturbance of both birds and their nests. Issuance of Municipal permits does not give an individual authority to contravene these legislations. The City of Richmond recommends that where significant trees or vegetation exists on site, the services of a Qualified Environmental Professional (QEP) be secured to perform a survey and ensure that development activities are in compliance with all relevant legislation.

Signed

Date



City of Richmond

Development Permit

No. DP 17-778295

To the Holder: Dagneault Planning Consultants Ltd.
Property Address: 7341 and 7351 No. 5 Road
Address: 220 – 8171 Cook Road
Richmond, BC V6Y 3T8

1. This Development Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
3. Subject to Section 692 of the Local Government Act, R.S.B.C.: buildings and structures; off-street parking and loading facilities; roads and parking areas; and landscaping and screening shall be constructed generally in accordance with Plans #1, #2 and #3 attached hereto.
4. Sanitary sewers, water, drainage, highways, street lighting, underground wiring, and sidewalks, shall be provided as required.
5. As a condition of the issuance of this Permit, the City is holding the security in the amount of \$17,719.00 to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Holder if the security is returned. The condition of the posting of the security is that should the Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the City may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Holder. Should the Holder carry out the development permitted by this permit within the time set out herein, the security shall be returned to the Holder. The City may retain the security for up to one year after inspection of the completed landscaping in order to ensure that plant material has survived.
6. If the Holder does not commence the construction permitted by this Permit within 24 months of the date of this Permit, this Permit shall lapse and the security shall be returned in full.

Development Permit
No. DP 17-778295

To the Holder: Dagneault Planning Consultants Ltd.

Property Address: 7341 and 7351 No. 5 Road

Address: 220 – 8171 Cook Road
Richmond, BC V6Y 3T8

7. The land described herein shall be developed generally in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

This Permit is not a Building Permit.

AUTHORIZING RESOLUTION NO.
OF

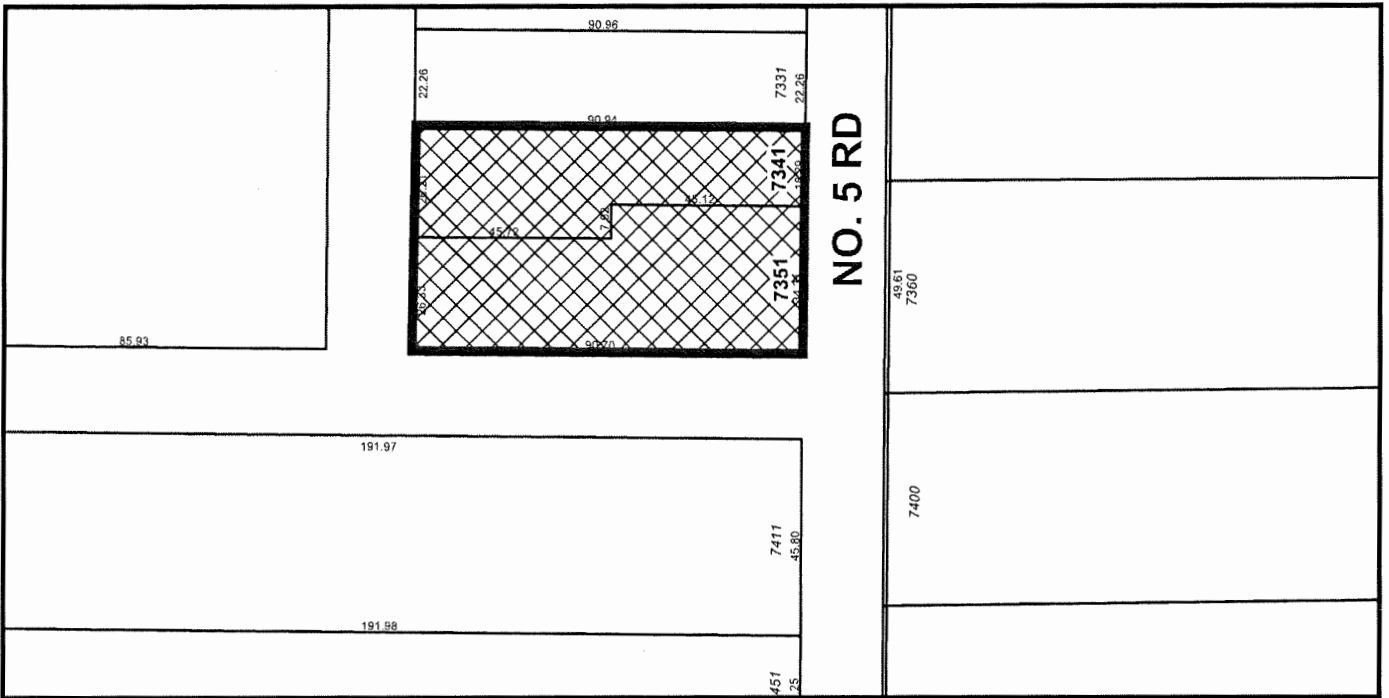
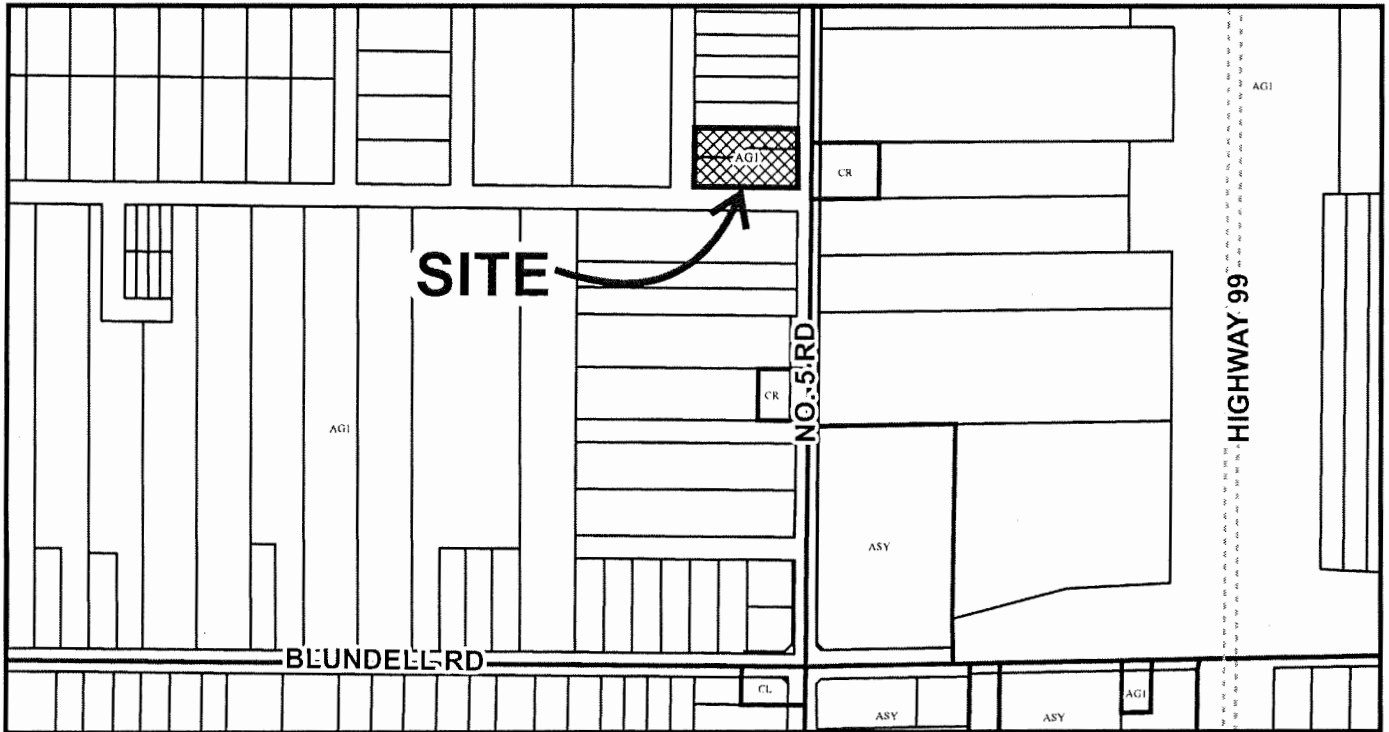
ISSUED BY THE COUNCIL THE DAY

DELIVERED THIS DAY OF

MAYOR



City of Richmond

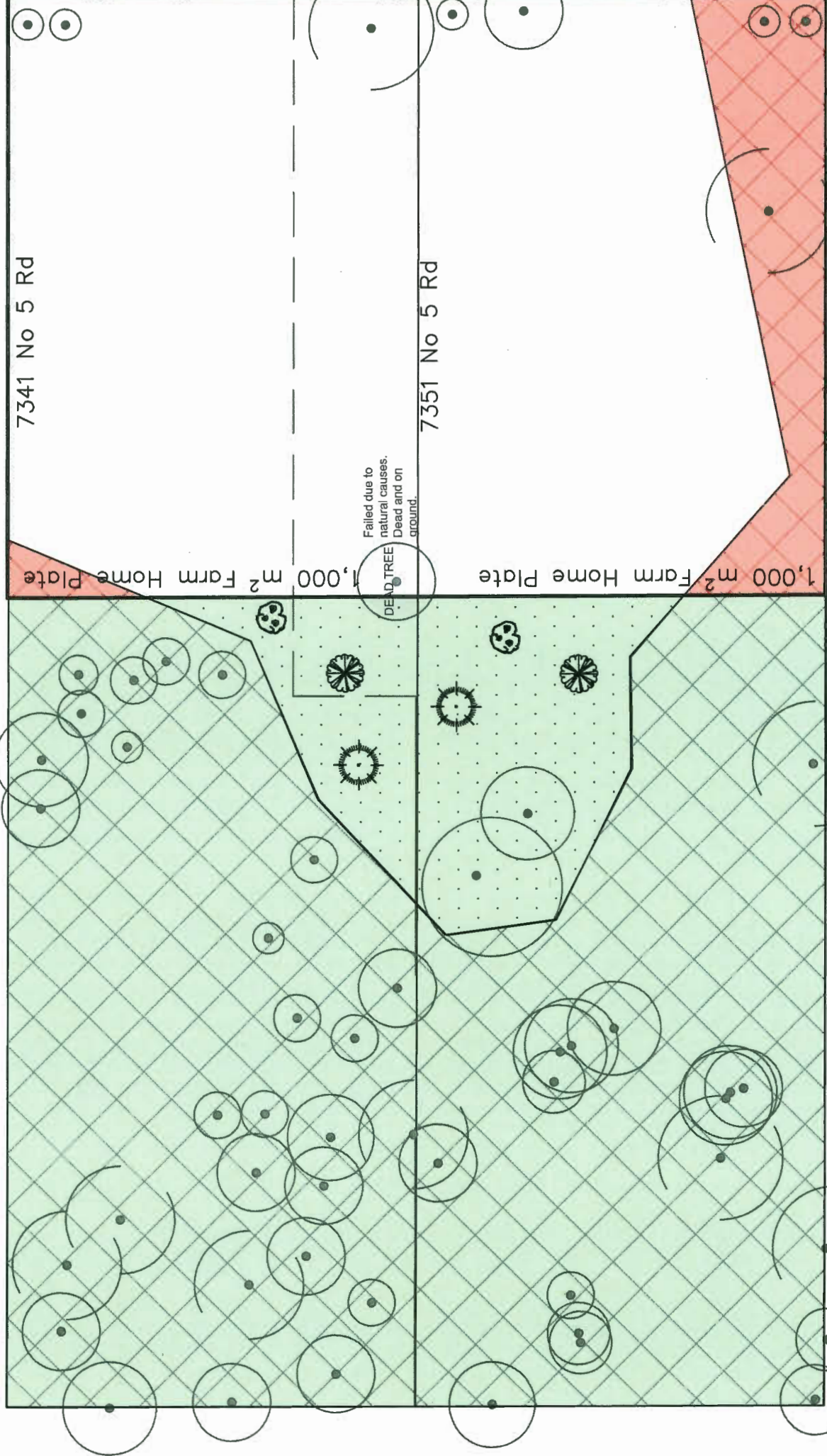


DP 17-778295 SCHEDULE "A"

Original Date: 07/24/17
Revision Date: 04/23/19
Note: Dimensions are in METRES

APR 16 2019

Proposed ESA boundary to be flagged prior to demolition and construction by QEP to prevent encroachment.



Legend

- Current ESA
- Proposed ESA
- ESA encroachment
- ESA compensation
- Tree for retention
- Tree for removal
- Trees for Planting**
- 2-m shore pine
- 2-m Sitka spruce
- #5 pot black hawthorn

Planting Materials

- 110 x #1 pot hardhack (*Spiraea douglasii*)
- 100 x #1 pot snowberry (*Symphoricarpos albus*)
- 100 x #1 pot salmonberry (*Rubus spectabilis*)
- 100 x #1 pot salal (*Gaultheria shallon*)
- 2 x 2-m shore pine (*Pinus contorta*)
- 2 x 2-m pot Sitka spruce (*Picea sitchensis*)
- 2 x #5 pot black hawthorn (*Crataegus douglasii*)

Planting Methods

1. Planting to occur in ESA Compensation area.
2. Planting density is one shrub per square metre.
3. Plant shrubs randomly in groupings of 2-3 per species.
4. Plant shrubs in rectangular-grid pattern.
5. Plant trees as depicted.

MCTAVISH
 RESOURCE & MANAGEMENT
 CONSULTANTS LTD.

Version: 4

Date: 2019-04-12

Revisions: 2019-04-02 (TM);
 2019-04-12 (TM)

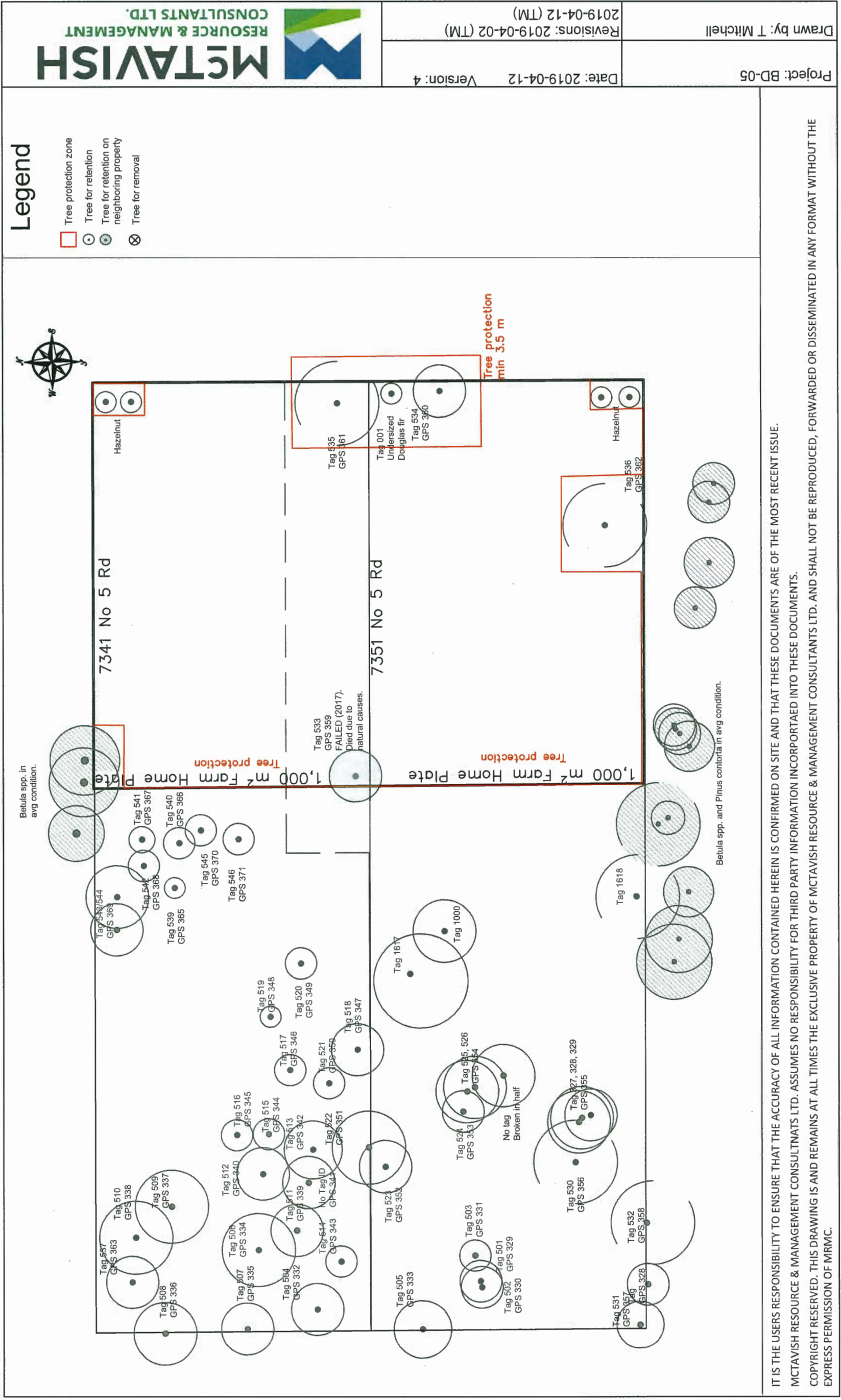
Project: AC-04
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Plan 1

DP 17-778295

APR 16 2019



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Project: BD-05
 Date: 2019-04-12
 Version: 4
 Revisions: 2019-04-02 (TM)
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Plan 2

DP 17-778295



Figure 13 GPS locations of invasive Himalayan blackberry (January 2016)



Figure 14 Approximate blackberry coverage (December 2017)

Plan 3

DP 17-778295 