



To: Richmond City Council

Date: December 1, 2023

From: Cecilia Achiam
Chair, Development Permit Panel

File: DP 20-890821
DP 18-829236

**Re: Development Permit Panel Meeting Held on December 14, 2022 and
November 29, 2023**

Staff Recommendation

1. That the recommendation of the Panel to authorize the approval of:
 - a) changes to the design of the Development Permit (DP 20-890821) issued for the properties located at 5500, 5502, 5506 and 5508 Williams Road (formerly 5500 Williams Road); and
 - b) changes to the design of the Development Permit (DP 18-829236) issued for the properties located at 7580 No. 1 Road (formerly 7464, 7480, 7500, 7520, 7540, 7560/7580 and 7600 No. 1 Road);

be endorsed and the changes be deemed in General Compliance with the Permits.

Cecilia Achiam
Chair, Development Permit Panel
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Panel Report

The Development Permit Panel considered the following items at its meeting held on December 14, 2022 and November 29, 2023.

GENERAL COMPLIANCE TO DP 20-890821 – SYSTEMOS DEVELOPMENT LTD. (PARAMJIT KAHLON) – 5500, 5502, 5506 AND 5508 WILLIAMS ROAD (FORMERLY 5500 WILLIAMS ROAD)
(December 14, 2022)

The Panel considered a General Compliance Development Permit (DP) application to permit changes to the proposed Tree Management Plan and Landscape Plan to be in General Compliance with the approved Development Permit (DP 20-890821).

The applicant's architect, Rosa Salcido, Architect, Vivid Green Architecture Inc., and landscape architect, Denitsa Dimitrova, of PMG Landscape Architects, provided a brief visual presentation highlighting:

- The original Tree Management Plan associated with the previously approved DP 20-890821 indicated that three trees located at the southwest corner and along the south side of Lot A were to be removed.
- During demolition of the detached garage, a plum tree (tag #593) located in the west side yard of Lot A and identified for retention in the original Tree Management Plan was accidentally damaged and subsequently removed.
- The applicant is proposing that the removed plum tree be replaced with a Quercus Robur Crimson Spire tree and planted slightly farther away from the building.
- The applicant is proposing that the replacement tree be slightly moved in order to provide more space for the growth of the replacement tree at maturity.
- A 10 cm caliper Quercos Robur Crimson Spire tree is proposed to be planted in lieu of the removed plum tree.
- The size of the other replacement trees for the entire site as provided in the original landscape plan will be increased from 6 cm to 8 cm caliper.

Staff noted that (i) the upsizing of replacement trees that were part of the original Development Permit would provide further compensation for the removal of the plum tree and provide immediate impact at the time of development, and (ii) the \$10,000 Tree Survival Security provided at the time of the original Development Permit will be forfeited and turned into a cash in lieu contribution to the City's Tree Compensation Fund.

In reply to queries from the Panel, Staff confirmed that (i) an arborist was required for the project and was to be on-site during any construction activities within the tree protection zones, (ii) for the damage and removal of the plum tree, the applicant would be forfeiting \$10,000 out of the \$45,000 security for all of the trees to be retained, (iii) to ensure long-term survivability of trees to be planted on-site, the Tree Survival Security will not be released until such time that the trees have been installed and inspected, (iv) there is a 10 percent holdback to ensure that trees survive for a minimum of one year, and (v) the maintenance period could be extended from one year to two years or more should there be concerns relating to the survivability of the trees.

In reply to a query from the Panel the applicant's Arborist, Terry Thrale, of Woodridge Tree Consulting Arborists Ltd., acknowledged that they were not informed about the demolition on the day that the plum tree identified for retention was accidentally damaged and were therefore not present on-site on that day to oversee construction activities within the tree protection zones.

In reply to further queries from the Panel, Ms. Dimitrova and Mr. Thrale noted that (i) there is insufficient space on-site for additional tree planting (ii) the type and size of replacement trees were suggested in consultation with the City, (iii) a replacement tree with a bigger caliper would generally have a lesser chance of success in terms of survivability, (iv) there are proposed measures to ensure the survivability of the replacement trees, including but not limited to appropriate timing for planting of trees, installation of tree barriers and provision for irrigation, (v) when mature, the replacement tree (i.e., Quercus Robur Crimson Spire) which is an oak tree, would be taller than the replaced tree (i.e., plum tree), and (vi) generally, replacement trees are installed after the buildings have been constructed.

In order to ensure the long-term survivability of trees to be planted on-site, staff were directed to (i) require the project arborist to be present on-site during planting of trees, (ii) require the project arborist to conduct regular site inspections to monitor the condition of the trees and provide progress reports for a period of two years or more, and (iii) include a condition that the maintenance security will not be released until the end of monitoring period following planting.

In reply to the Panel's direction, Staff noted that the arborist contract would be revised to reflect the Panel's direction.

Subsequent to the Panel Meeting staff secured an updated arborist contract and revised the Landscape Security agreement registered on Title to reflect a minimum 2 year monitoring period for all on-site landscaping.

GENERAL COMPLIANCE TO DP 18- 829236 – 1132865 BC LTD. – 7580 NO. 1 ROAD
(FORMERLY 7464, 7480, 7500, 7520, 7540, 7560/7580 AND 7600 NO. 1 ROAD
(November 29, 2023)

The Panel considered a General Compliance Development Permit (DP) application to permit changes to the proposed Tree Management Plan and Landscape Plan to be in General Compliance with the approved Development Permit (DP18-829236).

The applicants Landscape Architect, Denitsa Dimitrova, of PMG Landscape Architects, and project arborist, Glenn Murray, of Froggers Creek Tree Consultants, provided a brief visual presentation highlighting:

- Two large Dawyck Beech trees are proposed to be planted as replacement trees for the removal of the existing Sycamore Maple tree that was identified for retention. The two replacement trees are to provide privacy and screening from the neighbouring development to the south of the subject site.
- The newly-constructed cast-in-place concrete retaining walls along the south property line will be retained.

- The open lawn area for Unit 9 will be increased as a result of the removal of the subject tree and existing grade will be raised to match the surrounding area.
- The subject tree was in a steady state of decline for the last 15 years as noted in the history of the Google Maps street view of the area.
- The project arborist was present on-site during all construction activities near the subject tree to ensure the protection of the tree.
- A portion of the roots of the subject tree were observed to be dead when an on-site excavation for the retaining wall along the edge of the tree protection zone was conducted in September 2022.
- The subject tree then continued to decline and in September 2023 the project arborist recommended the removal of the tree as it was in an irreversible state of decline.
- The decline of the tree was likely due to natural causes, including the heat dome that occurred in 2021 that impacted a significant number of trees in the area and not as a result of on-site construction activities.

Staff noted that (i) staff agree with the arborist's comments regarding their best efforts to protect the tree that was identified for retention, and (ii) staff support the removal of the tree subject to the installation of replacement trees as identified in the staff report.

In reply to queries from the Panel, Staff noted that (i) staff has received written confirmation from the neighbouring property owner regarding their agreement to the removal of the tree, (ii) the replacement trees are of appropriate sizes and species that would provide immediate visual impact to the streetscape and were selected to ensure their long-term survivability after transplanting.

The Panel expressed support for the proposal, noting that (i) the health of the subject tree was found to be in a steady state of decline, (ii) the applicant had undertaken the required measures to protect the subject tree that was identified for retention, (iii) it was determined that the decline of the tree was not due to the demolition and preloading activities in the subject site, and (iv) two replacement trees are proposed.