



City of Richmond
Planning and Development Department

Report to Committee

To Council - Nov 26, 2007
TO Planning Committee - Nov 29, 2007

To: Planning Committee

Date: October 31, 2007

From: Cecilia Achiam
Acting Director of Development

RZ 07-379913

Re: Application by Chun Wah Lau for Rezoning at 9651 No. 1 Road from
Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family
Housing District (R1/-0.6)

File: 12-8060-20-8303

Staff Recommendation

That Bylaw No. 8303, for the rezoning of 9651 No. 1 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.

Cecilia Achiam, MCIP, BCSLA
Acting Director of Development

CA:blg
Att.

| |
|--|
| FOR ORIGINATING DEPARTMENT USE ONLY |
| CONCURRENCE OF GENERAL MANAGER |
| |

Staff Report

Origin

Chun Wah Lau has applied to the City of Richmond for permission to rezone 9651 No. 1 Road (**Attachment 1**) from Single-Family Housing District, Subdivision Area E (R1/E) to Single-Family Housing District (R1-0.6), in order to permit development of two (2) single-family lots with vehicle access from an existing rear lane.

Findings of Fact

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

Surrounding Development

To the North: Two (2) single-family dwellings on properties zoned Single-Family Housing District, Subdivision Area K (R1/K) and a number of single-family dwellings on properties zoned Single-Family Housing District (R1-0.6) beyond;

To the East: Across No. 1 Road, single-family dwellings on properties zoned Land Use Contract (LUC52);

To the South: A single-family dwelling on property zoned Single-Family Housing District, Subdivision Area E (R1/E) and two (2) single-family dwellings on properties zoned Single-Family Housing District (R1-0.6) beyond; and

To the West: Lane with single-family dwelling on properties zoned Single-Family Housing District, Subdivision Area E (R1/E) beyond.

Related Policies & Studies

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 within this block have already been redeveloped under these Policies, and properties to the south of the subject site have similar development potential due to the existing lane system.

Staff Comments

Tree Preservation and Landscaping

A Tree Survey submitted by the applicant indicates the location of 12 bylaw-sized trees, in which six (6) of them are located on the adjacent property to the south (**Attachment 3**). A Certified Arborist's report has been submitted by the applicant in support of the application (**Attachment 4**). The Report recommends removal of all trees on site.

The City's Tree Preservation Coordinator has reviewed and concurred with the Arborist's recommendations for removal of all bylaw-sized trees on site on the basis of tree condition or conflict with proposed development plans. Staff consider the two (2) bylaw sized trees along the front property line on-site trees, since they are located beyond the City's retaining wall which is built along the property line.

Based on the 2:1 tree replacement ratio goal stated in the Official Community Plan (OCP), and the size requirements for replacement trees in the Tree Protection Bylaw No. 8057, 12 replacement trees with the following minimum calliper sizes are required:

- Six (6) trees of 9 cm;
- Two (2) trees of 8 cm; and
- Four (4) trees of 6 cm.

Due to the configurations of the future lots and building footprints, it is expected that only eight (8) trees (6 trees at 9 cm calliper and 2 trees at 8 cm calliper) can be planted on the two (2) future lots. The applicant has agreed to provide a voluntary contribution of \$2,000 to the City's Tree Compensation Fund in-lieu of planting the remaining four (4) replacement trees.

As a condition of rezoning, the applicant must submit a final Landscape Plan, prepared by a registered landscape architect, for the two (2) future lots and a landscaping security based on 100% of the cost estimates provided by the landscape architect. The landscape plan should comply with the guidelines of the Official Community Plan's Arterial Road Redevelopment Policy, and should include eight (8) replacement trees (a mix of coniferous and deciduous). If replacement trees cannot not be accommodated on-site, cash-in-lieu (\$500/tree) for off-site planting would be required.

The Arborist Report also recommends removal of six (6) bylaw-sized trees located on the adjacent property to the south (9671 No. 1 Road). Consent letters from the property owner of 9671 No. 1 Road are on file. A separate Tree Cutting Permit and 2:1 replacement are required for the removal of these trees prior to final adoption of the rezoning bylaw.

Site Servicing and Vehicle Access

No Servicing concerns. Vehicular access to the site at future development stage is not permitted to or from No. 1 Road as per Bylaw No. 7222.

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.

Subdivision

At future subdivision stage, the developer will also be required to pay Development Cost Charges (City and GVS&DD), NIC charge (for lane improvements), School Site Acquisition Charge, Address Assignment Fee, and Servicing costs.

Analysis

All the relevant technical issues can be addressed. 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 No. 1 Road.

Financial Impact or Economic Impact

None.

Conclusion

The rezoning application complies with all the land use designations contained within the Official Community Plan (OCP). In addition, it complies with the Lane Establishment and Arterial Road Redevelopment Policies, since this is a single-family residential development on an arterial road where an existing municipal lane is fully operational. On this basis, staff recommend that the proposed development be approved.



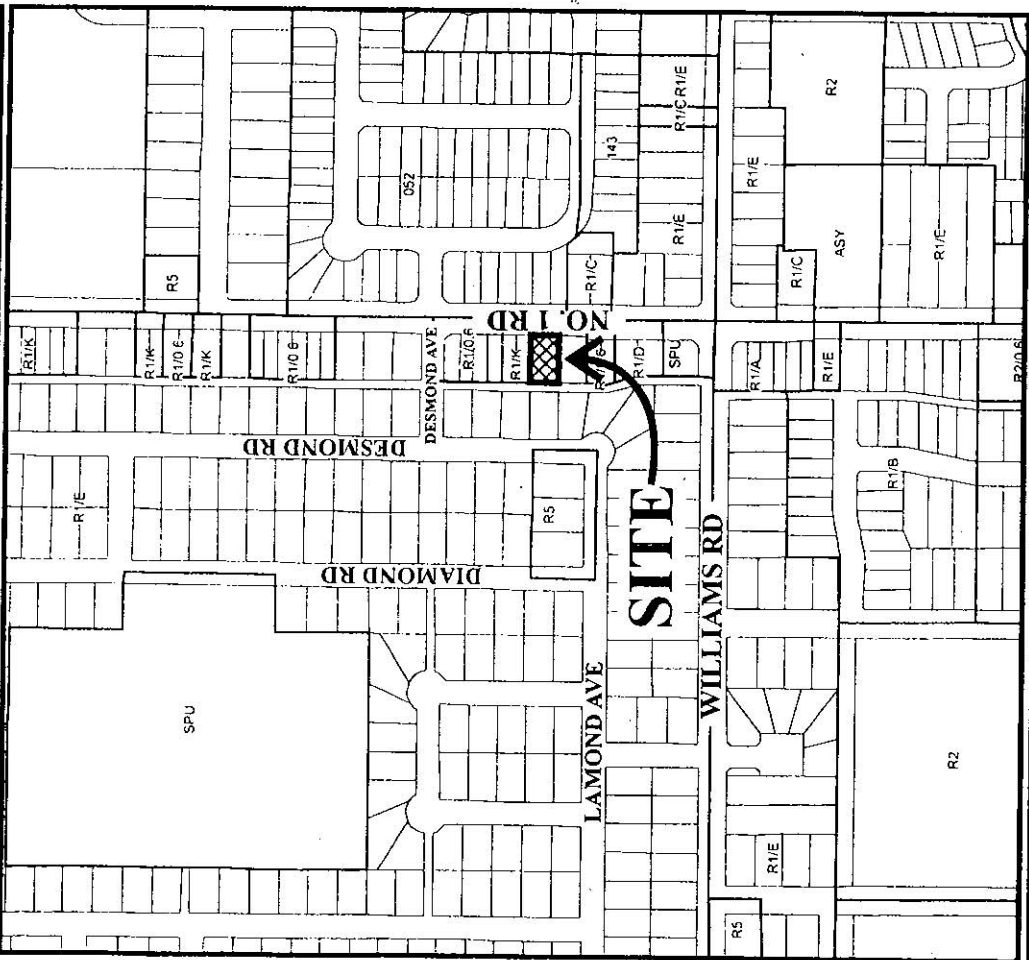
Edwin Lee
Planning Technician – Design
(Local 4121)

EL:blg

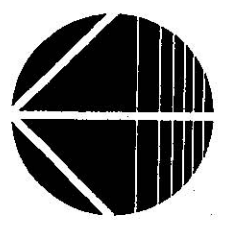
- Attachment 1: Location Map/Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Tree Survey
- Attachment 4: Arborist Report

The following are to be dealt with prior to final adoption:

1. City acceptance of the developer's offer to voluntarily contribute \$2,000 to the City's Tree Compensation Fund in-lieu of planting four (4) replacement trees;
2. Submission of a Landscape Plan, prepared by a Registered Landscape Architect, to the satisfaction of the Direction of Development, and deposit of a Landscaping Security based on 100% of the cost estimate provided by the landscape architect. The landscape plan should comply with the guidelines of the Official Community Plan's Arterial Road Redevelopment Policy, and should include eight (8) replacement trees (6 trees at 9 cm calliper and 2 trees at 8 cm calliper in a mix of coniferous and deciduous). If replacement trees could not be accommodated on-site, cash-in-lieu (\$500/tree) for off-site planting would be required;
3. Issuance of a separate Tree Cutting Permit, including the submission of an application and associated compensations, for the removal of six (6) trees along the north property line of 9671 No. 1 Road; and
4. Registration of a flood indemnity covenant on title.

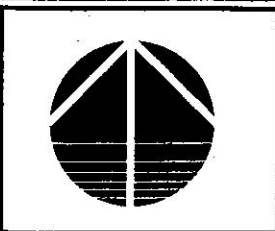


| | | | | | | | | | |
|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| 15.97 | 16.97 | 12.19 | 12.19 | 12.19 | 12.19 | 12.19 | 12.19 | 12.19 | 12.19 |
| 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 |
| 29.87 | 31.46 | 33.51 | 20.12 | 20.12 | 20.12 | 20.12 | 20.12 | 20.12 | 20.12 |
| 9699 | 9691 | 9671 | 9651 | 9633 | 9631 | 9619 | 9619 | 9619 | 9619 |
| 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 |
| 13.78 | 22.02 | 20.12 | 20.12 | 20.12 | 20.12 | 20.12 | 20.12 | 20.12 | 20.12 |
| 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| 29.87 | 31.46 | 33.51 | 33.51 | 33.51 | 33.51 | 33.51 | 33.51 | 33.51 | 33.51 |
| 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 |
| 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 | 10.06 |
| 15.97 | 16.97 | 12.19 | 12.19 | 12.19 | 12.19 | 12.19 | 12.19 | 12.19 | 12.19 |



RZ 07-379913

Original Date: 08/01/07
 Revision Date:
 Note: Dimensions are in METRES



RZ 07-379913

Original Date: 08/01/07

Amended Date:

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 07-379913 **Attachment 2**

Address: 9651 No. 1 Road

Applicant: Chun Wah Lau

Planning Area(s): N/A

| | Existing | Proposed |
|-----------------------------------|---|--|
| Owner: | Chun Wah Lau, Hoy Lau, Li Hing Lee | To be determined |
| Site Size (m²): | 674 m ² (7,255 ft ²) | Approx. 337 m ² (3,628 ft ²) each |
| Land Uses: | One (1) two-family dwelling | Two (2) single-family residential dwellings |
| OCP Designation: | Generalized Land Use Map – Neighbourhood Residential | No change |
| Area Plan Designation: | None | No change |
| 702 Policy Designation: | None | No change |
| Zoning: | Single-Family Housing District, Subdivision Area E (R1/E) | Single-Family Housing District (R1-0.6) |
| Number of Units: | 1 | 2 |

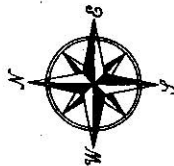
| On Future Subdivided Lots | Bylaw Requirement | Proposed | Variance |
|-----------------------------------|--------------------|--------------------|----------------|
| Floor Area Ratio: | Max. 0.6 | Max. 0.6 | none permitted |
| Lot Coverage – Building: | Max. 50% | Max. 50% | none |
| Lot Size (min. dimensions): | 270 m ² | 337 m ² | none |
| Setback – Front & Rear Yards (m): | Min. 6 m | Min. 6 m | none |
| Setback – Side Yard: | Min. 1.2 m | Min. 1.2 m | none |
| Setback – Flanking Side Yard: | Min. 3 m | Min. 3 m | none |
| Height (m): | 2.5 storeys | 2.5 storeys | none |

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

R207-319913

**TREE SURVEY AND PROPOSED SUBDIVISION PLAN OF LOT 21 BLOCK 9
SECTION 27 BLOCK 4 NORTH RANGE 7 WEST
NEW WESTMINSTER DISTRICT PLAN 19428**

9651 NO. 1 ROAD,
RICHMOND, B.C.
P.I.D. 004-058-178



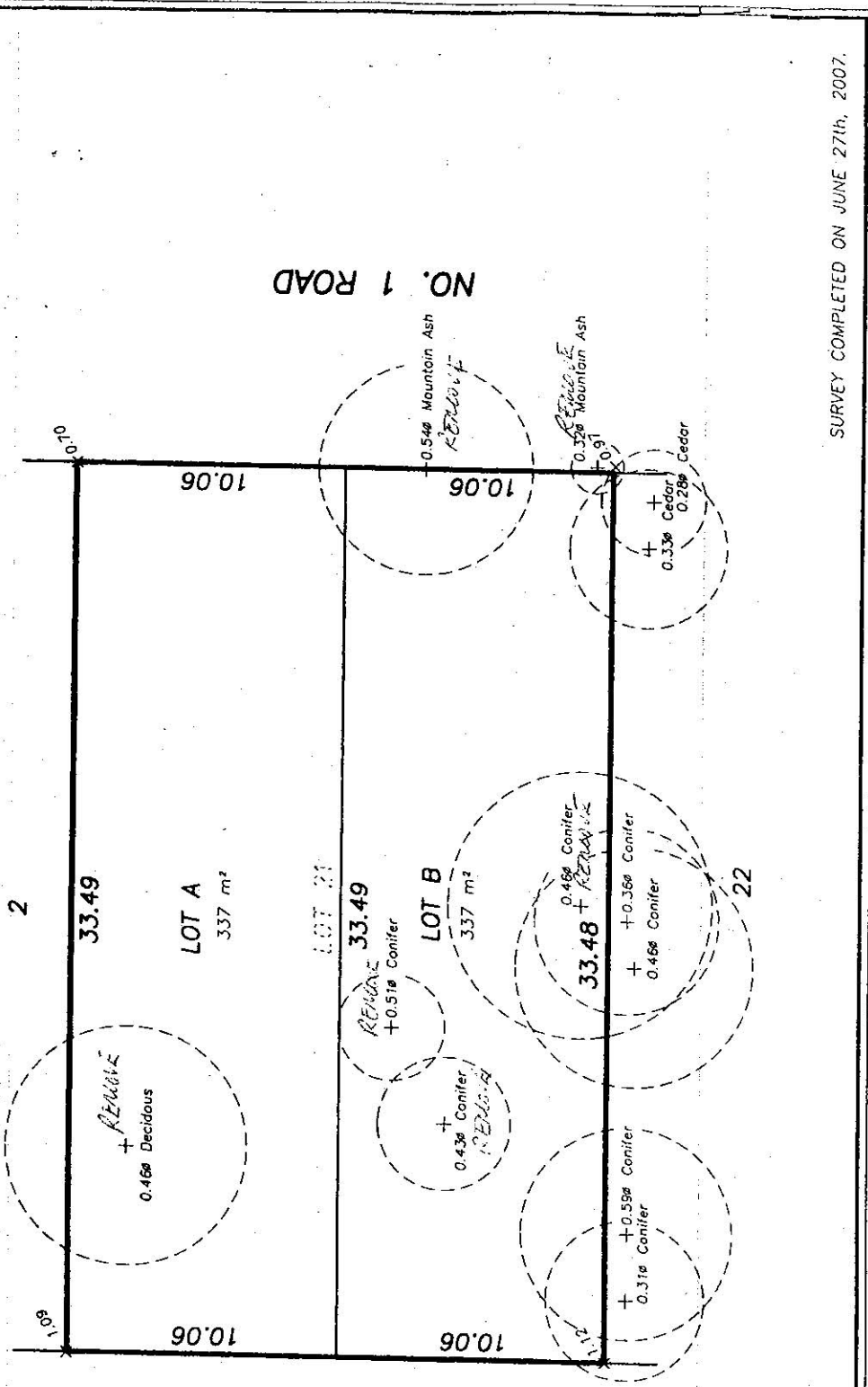
37

LANE

SCALE: 1:200



ALL DISTANCES ARE IN METRES AND DECIMALS
THEREOF UNLESS OTHERWISE INDICATED



Copyright
 C. Tam and Associates
 Canada and B.C. Land Surveyor
 15 - 8833 Odlin Crescent
 Richmond, B.C. V6X 3Z7
 telephone: 214-8928
 fax: 214-8929
 e-mail: jctam@telus.net
 ob No. 3281
 B-100 P85-86
 drawn By: BA

WG No. 3281-TREE

SURVEY COMPLETED ON JUNE 27th, 2007.

BC PLANT HEALTH CARE INC.

5560 – 96th Street
Delta, B.C. V4K 3N3
Canada

Phone 604- 591-9010
Fax 604- 591-2972

24 Hour Emergency Pager
604-643-0706

Email info@bcplanthealthcare.com
Website: www.bcplanthealthcare.com

September 5, 2007

Ben & Eliza Lau
9651 No. 1 Road
Richmond B.C. V7E 1R8
Tel: 604-275-2835
Cel: 604-612-2066

RE: Tree Inventory and Assessment for Proposed Site Development at 9651 No. 1 Road

A site visit took place on August 29, 2007 to visually assess and locate the trees on 9651 #1 Road in Richmond prior to the proposed development.

There are a total of six trees located on this site (their details are listed in the attached excel spreadsheet). In accordance to the proposed sited drawing, two are found directly within the proposed building envelopes and should be removed and replaced. The remaining found are also candidates for removal and replacement because of their defects, previous poor pruning (topped) and/or are in planted poor locations.

There are six trees located along the south neighbours property line:

- A, B, and E: (3) Lawson cypress – between 8-10m in height, in good health.
- C: (1) Hemlock – 10m in height, in fair health.
- D: (1) Deodora cedar – 13m in height, in fair health.
- F: (1) Cedar – 7m in height, in good health.

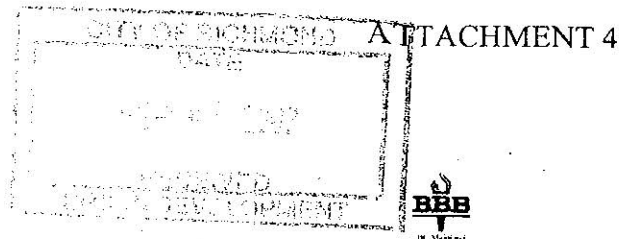
Trees A, B, C, and D may have greater than 30% of their critical root zone damaged during the development which can jeopardize the health and structure of these trees. This would lead to a high risk potential.

The option to proceed if the removal and replacement of these trees with the neighbours consent or change the proposed building design to allow a protection barrier be installed at a minimum of 2m from the trunk of the trees.

Trees E and F can be retained by installing a protective barrier 2.5m from the base of the trees. This will minimize the impacted to the trees health.

Tree Protection Barrier

- a. A protection barrier shall be
 - i) Installed around any tree or groups of trees being retained before any work commences, and remain in place until the construction is completed.
 - ii) Installed at a distance of 12 times the tree trunk diameter or beyond the tree drip line, whichever is greater, and at least 1.2 metres in height;



R2 07-379912

Ben Lau

9651 No. 1 Road

September 5, 2007

Page 2

- iii) The protection barrier must be constructed of either snow fencing securely fastened to a (minimum) 2" x 4" wood frame with cross braces, plywood nailed to 2" x 4" wood stakes, or another form of substantial barrier to the satisfaction of the Director of Permits and Licenses (or the City Engineer on street allowances);
- iv) Approved by the Permits Department before any work commences;
- b. No work or storage of materials is permitted within the zone(s) except in accordance with plans and procedures authorized by a Tree Permit.
- c. Trees inside the protection zone must be adequately cared for throughout the construction process, (i.e., they must be watered sufficiently, particularly if the tree's root systems have been disturbed by excavation.)

Thank you for giving me the opportunity to quote on this project. Should you have any questions or concerns, please do not hesitate to call me.

Yours truly,

BC PLANT HEALTH CARE INC.

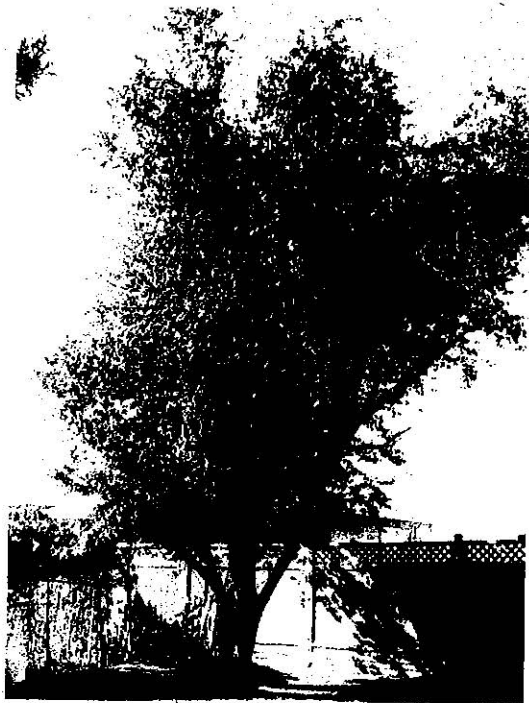


Aaron Wurts

I.S.A. Certified Arborist - #PN-2792-AT

I.S.A. Certified Tree Risk Assessor #0056

Attachment: Pictures, Spreadsheet, Site Plan



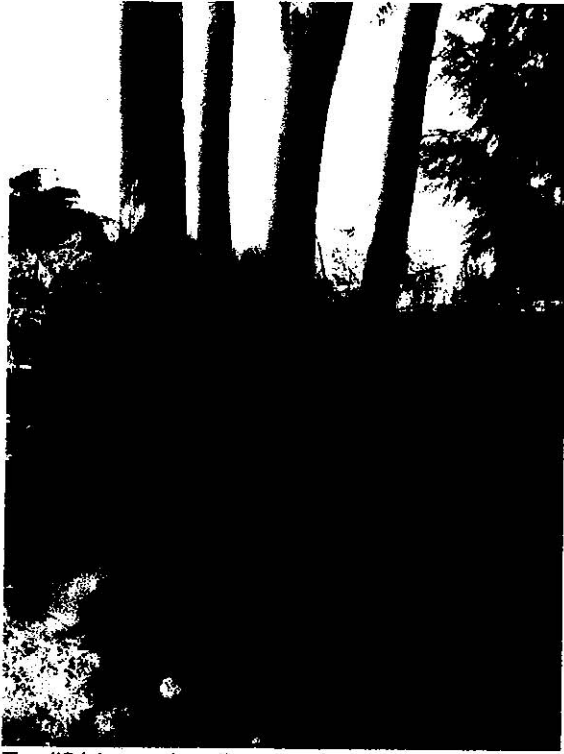
Tag#210-moderate crown die back



Tag#211-weak unions, previously topped



Tag#212 & 211-previously topped at 5m, poor specimens



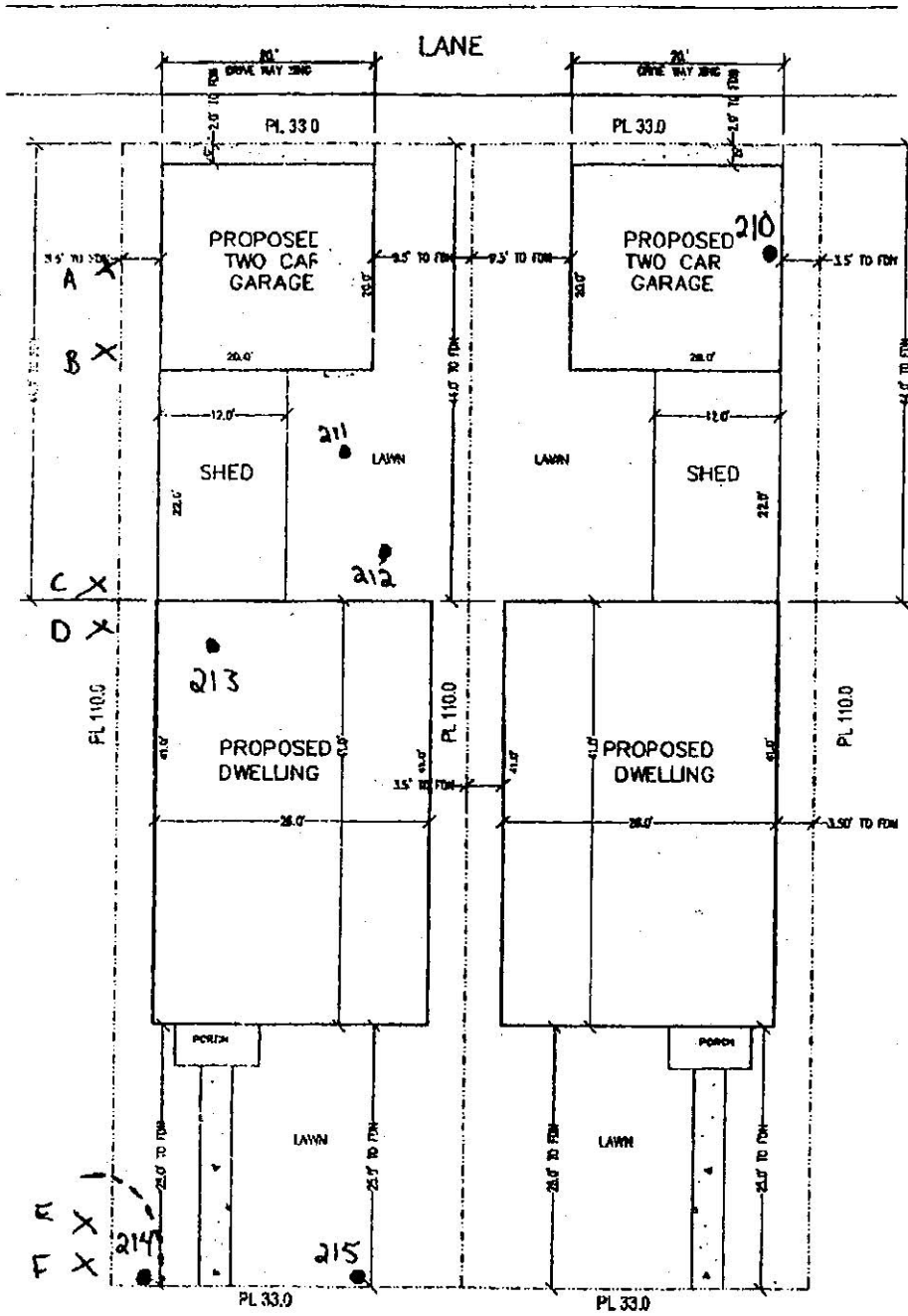
Tag#214-poor location, previously topped



Tag#215-poor location, major decay(below)



Tag#215-poor location, major decay



CIVIC ADDRESS
 9651 NO 1 ROAD
 RICHMOND, B.C.



SITE PLAN
 SCALE: 1/8" = 1'

9651 NO 1 ROAD

SUBDIVISION PLAN FOR 9651 NO 1 ROAD

| Tree ID | Common Name | Botanical Name | Tree Health | Height | DBH | ECrown% | Lean | Lean Type | Defect | Type 1 | UngrASP Severity 1 | Defect 2 | Type 2 | UngrASP Severity 2 | Hazard Rating | Utility | Significant | Form | Command | Notes | |
|---------|-------------|---------------------------------|-------------|--------|-----------|---------|------|-----------|---------------|-----------------------------|--------------------|-----------|-----------------------------|--------------------|---------------|---------|-------------|--------|---------|---|---|
| 210 | Plum | <i>Prunus cerasifera</i> | Fair | 8 | 48 | >50% | 6 | Natural | Scaffolds Top | Dead | Moderate | Scaffolds | Deadwood | Minor | 0 | N | | Remove | Remove | #NAME? | |
| 211 | Cypress | <i>Chamaecyparis lawsoniana</i> | Good | 7 | 20 16 19 | >50% | 0 | | Trunk | Multiple/Weak Attachment | Major | Trunk | Codominants/Forks | Minor | 0 | N | | Remove | Remove | -previously topped -poor specimen -remove and replace | |
| 212 | Cypress | <i>Chamaecyparis lawsoniana</i> | Good | 7 | 17 16 21 | >50% | 0 | | Trunk | Multiple/Weak Attachment | Moderate | Trunk | Codominants/Forks | Minor | 0 | N | | Remove | Remove | -previously topped -poor specimen -remove and replace | |
| 213 | Hazel | <i>Corylus americana</i> | Good | 5 | 8.5 6 7 4 | >50% | 12 | Natural | Trunk | Multiple/Weak Attachment | Minor | None | n/a | | 0 | N | | Remove | Remove | -pruned from existing house, unbalanced canopy -within building envelope -remove and replace | |
| 214 | Mt Ash | <i>Sorbus aucuparia</i> | Fair | 6 | 12 10 9 | 40-49% | 8 | Natural | Trunk | Multiple/Weak Attachment | Minor | Trunk | Decay | Moderate | 0 | Medium | N | | Remove | Remove | - previously topped -poor location, under wires & against retaining wall -remove and replace |
| 215 | Mt Ash | <i>Sorbus aucuparia</i> | Fair | 8 | 27 5 8 | >50% | 15 | Natural | Trunk | Decay | Major | Trunk | Multiple/Weak Attachment | Moderate | 0 | Medium | N | | Remove | Remove | -poor location, leaning on wires & against retaining wall -remove and replace |

Hazard Rating Table -

| Failure potential | Size of part | Target rating |
|-------------------|----------------|----------------------|
| 1 (low) | 1 (< 15 cm) | 1 (occasional use) |
| 2 (medium) | 2 (15 - 45 cm) | 2 (intermittent use) |
| 3 (high) | 3 (46-75 cm) | 3 (frequent use) |
| 4 (severe) | 4 (>75 cm) | 4 (constant use) |

Limitations of this Assessment

It is BC Plant Health Care Inc.'s policy to attach the following clause regarding limitations. We do this to ensure that developers or owners are clearly aware of what is technically and professionally realistic in retaining trees.

The assessment of the trees presented in this report has been made using accepted arboricultural techniques. These include a visual examination of the above-ground parts of each tree for structural defects, scars, external indications of decay such as fungal fruiting bodies, evidence of insect attack, discoloured foliage, the condition of any visible root structures, the degree and direction of lean (if any), the general condition of the tree(s) and the surrounding site, and the proximity of property and people. Except where specifically noted in the report, none of the trees examined were dissected, cored, probed, or climbed, and detailed root crown examinations involving excavation were not undertaken.

Notwithstanding the recommendations and conclusions made in this report, it must be raised that trees are living organisms, and their health and vigour constantly change over time. They are not immune to changes in site conditions, or seasonal variations in the weather conditions.

While reasonable efforts have been made to ensure that the trees recommended for retention are healthy, no guarantees are offered, or implied, that these trees, or any parts of them, will remain standing. It is both professionally and practically impossible to predict with absolute certainty the behavior of any single tree or group of trees or their component parts in all circumstances. Inevitably, a standing tree will always pose some risk. Most trees have the potential for failure in the event of adverse weather conditions, and this risk can only be eliminated if the tree is removed.

Although every effort has been made to ensure that this assessment is reasonably accurate, the trees should be re-assessed periodically. The assessment presented in this report is valid at the time of inspection.



**Richmond Zoning and Development Bylaw 5300
Amendment Bylaw 8303 (RZ 07-379913)
9651 NO. 1 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. 004-058-178

Lot 21 Block 9 Section 27 Block 4 North Range 7 West New Westminster District Plan 19428

- 2. This Bylaw may be cited as **“Richmond Zoning and Development Bylaw 5300, Amendment Bylaw 8303”**.

FIRST READING

NOV 26 2007

A PUBLIC HEARING WAS HELD ON

SECOND READING

THIRD READING

OTHER REQUIREMENTS SATISFIED

ADOPTED

| |
|-----------------------------------|
| CITY OF RICHMOND |
| APPROVED by |
| <i>[Signature]</i> |
| APPROVED by Director or Solicitor |
| <i>[Signature]</i> |

MAYOR

CORPORATE OFFICER