



**City of Richmond**  
Planning and Development Department

**Report to Committee**

**To:** Planning Committee **Date:** March 23, 2009  
**From:** Gavin Woo, P.Eng **File:** 08-4040-05-01  
Acting Director, Building Approvals  
**Re:** **Review of the City's Rezoning and/or Development Permit Process as it Relates to the Retention and Replacement of Trees**

**Staff Recommendation**

1. That the Review of the City's Rezoning and/or Development Permit Process as it relates to the retention and replacement of trees (dated March 23, 2009, from the Director of Building Approvals) be received for information; and
2. That Council endorse the permitting of tree removal on development sites to occur after a Rezoning Bylaw is granted third reading, subject to the criteria defined in this report, to accommodate site pre-loading and/or ground improvement work.

Gavin Woo, P.Eng  
Acting Director, Building Approvals

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Parks, Recreation & Culture.....		Y <input checked="" type="checkbox"/> N <input type="checkbox"/>				
<b>REVIEWED BY TAG</b>		YES	NO	<b>REVIEWED BY CAO</b>	YES	NO
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## **Staff Report**

### **Origin**

At the February 5, 2008 Planning Committee, staff were requested to “*submit a report with regard to removed trees and replacement trees on development sites that outlines: (1) the quantity and kinds of trees that replace removed trees; and (2) the range of the sizes of replacement trees*”.

In September 2008, staff reviewed the single-family building permit application process in order to maximize opportunities for tree retention and create a more efficient streamlined process. As a result of the review, a separate development and non-development tree permit application process was initiated. In addition, a more consolidated approach was developed with the intake of tree and building permit applications related to new construction. These initiatives will ensure more consistent and complete application submissions, resulting in a more efficient streamlined process for applications with development-related tree permits.

At a previous Planning Committee, staff were requested to “*review the City’s Rezoning and /or Development Permit process as it relates to the retention of trees on redevelopment properties*”.

This report responds to those referrals.

### **Background**

This report is provided in response to the Planning Committee’s request for staff to review the current Rezoning / Development Permit process as it relates to tree retention and replacement, while also responding to requests from the development community for a more flexible rezoning process that addresses Richmond’s unique soil conditions, specifically geotechnical pre-loading and/or ground improvement requirements.

### **Analysis**

#### Review of Replacement Tree Policy for Development Sites and the use of Coniferous trees

A review of development permits approved in 2008 found the quantity of replacement trees exceeds the number of trees removed by a ratio of 3:1. The proposed species mix of replacement trees is approximately 25% conifers and 75% deciduous trees. The range in size for the majority of replacement trees is between 5–8cm caliper, with 6cm caliper being considered the optimal size for both ease of transport and maximum survival rate after planting. In certain instances, staff do seek larger caliper replacements or “specimen trees” where adequate planting area and soil depth permit.

While staff always seek to maximize the number of conifer trees to achieve a balance in the coniferous to deciduous ratio, limitations on meeting this objective are inherent due to the significantly larger spreads of most coniferous tree species at maturity and the relatively limited availability of fastigiated conifer species. Conifers are typically integrated in high visibility locations such as amenity areas, along arterial roads and used as visual buffers between sites.

The 2:1 replacement tree ratio outlined in section 9.2.3(e) of the Official Community Plan will continue to be followed as a goal to ensure the number of replacement trees exceeds the number of trees removed in association with new development.

Staff will continue to review development permit landscape plans with a focus on achieving a balanced mix of conifer and deciduous replacement trees appropriate in size and quantity to the scale of the proposed development site, taking into account liveability issues such as: natural light infiltration; pedestrian movement; way-finding; Crime Prevention Through Environmental Design (CPTED) principles; and the development of programmed open space.

#### Review of the Single Family Building Permit Application Process as it relates to Tree Retention

Currently, the single-family building permit process allows applicants to apply for development-related tree permits, building permits and demolition permits as stand-alone permit submissions (applied for at different times with different submission criteria). In early 2009, staff will be initiating a more coordinated approach to single-family building permit application intake and issuance by consolidating, where appropriate, the intake of building permit architectural drawings, development-related tree permit applications and related demolition applications into a single submission package. This coordinated intake will allow staff to review “complete” submissions as all the same required documentation, such as a legal survey or a site plan, is often relevant to all the applications.

A coordinated intake will also address some of the constructive feedback staff has received from the single-family homebuilders with respect to the timely issuance of related demolition, tree and building permits.

In addition to a more coordinated submission process, staff have separated development and non-development tree permits by way of different application forms that address their inherently unique submission criteria. Development-related tree permit submissions now include a legal survey illustrating all existing trees, a proposed site plan locating all existing trees on private and City property, the illustration of tree protection barriers and proposed replacement trees. Non-development tree permit applications only require a GIS property image for identifying the tree(s) proposed for removal. The two application processes will allow application streamlining, more accurate and efficient decision-making and capturing statistical data unique to each type of permit.

#### Review of Rezoning & Development Permit Process as it relates to Trees Approved for Removal

The current practice on Rezoning and/or Development Permit-related tree removal is that tree removal permissions are granted at the time of either 4th reading of the rezoning or final Development Permit approval by Council. This approach was initiated as a measure to ensure City Council and the public had an opportunity to provide feedback on the impacts that development-related rezoning would have on existing trees, as well as to provide staff the opportunity to explore all possible tree retention options within each rezoning proposal. The current process was also developed as a precautionary measure to address the several instances where irresponsible developers removed trees prematurely. Staff now feel the issue of pre-

mature tree removal is no longer the problem it once was as demonstrated by the development communities earnest approach to meeting tree preservation objectives.

Currently, a tree permit is not required to cut or remove a tree where a development permit and/or rezoning has been approved which addresses the removal of the tree(s) as per Tree Protection By-law section 3.2.1 "Exemptions". The proposed administrative change to allow tree removal after 3<sup>rd</sup> reading (and the public hearing) would require the property owner to now obtain a tree removal permit. This change to allow greater flexibility within the rezoning process would create another option, in addition to the current approach, with respect to the timing of tree removal approvals being granted.

The City of Vancouver applies a similar "flexible" approach to tree removal permissions within their rezoning process but has yet to identify specific assurances and conditions that first must be met.

The proposed administrative change to allow tree removal after 3<sup>rd</sup> reading also responds to requests from representatives of the Richmond home builders and the Urban Development Institute (UDI), seeking greater flexibility within Richmond's current rezoning process to accommodate the average three to six month pre-loading compaction and /or ground improvement requirements for certain forms of development. Staff received positive feedback from building industry representatives with respect to the proposed recommendations.

To address both the concerns of the development community and to adhere to Council's tree preservation goals, staff have identified specific criteria or conditions that must be satisfied before the City will allow tree removal after a successful public hearing:

- City acceptance of an Arborist report identifying trees to be removed and retained;
- City acceptance of a proposed development site plan;
- Applicant to provide a tree retention/removal plan and legal survey to be attached to the staff report. This plan must include location of trees being removed, retained and related tree protection zone locations;
- Submission of a conceptual landscape plan acceptable to staff, demonstrating 2:1 replacement unless alternative cash-in-lieu is proposed; and
- Applicant has applied for a Development Permit (if applicable).

If an applicant satisfies the above referenced criteria and the proposed rezoning bylaw is granted third reading, tree removal would be subject to:

- Applicant applying for and obtaining a tree removal permit; and
- Applicant to provide a tree replacement security to ensure replacement planting at a 2:1 ratio as per the Official Community Plan (OCP). The City will apply this security to the development permit landscape security at Development Permit approval; and that all required tree protection barriers have been installed and inspected.

If the applicant is not prepared to meet the above criteria, tree removal/pre-loading would be delayed to past 4<sup>th</sup> reading and/or approval of the development permit.

The implications of the proposed administrative change in the rezoning process to permit tree removal to occur on development sites after a rezoning bylaw is granted third reading have been identified as:

Pros

- A more flexible rezoning process that addresses Richmond's unique soil conditions, allowing applicants greater control over development timelines, scheduling and carrying costs associated with geotechnical pre-loading requirements; and
- A progressive process initiative by the City in response to the development industry's concerns by streamlining the rezoning process to address the cost issues associated with pre-loading.

Cons

- The potential for development sites to sit with pre-load material (as opposed to trees) for an extended period if a developer chooses not to proceed to Development Permit and construction after third reading; and
- Public concern that once trees are approved for removal, the perception that the project has been given final approval as presented.

**Financial Impact**

None.

**Conclusion**

Staff recommends the implementation of the changes outlined in this report designed to make the rezoning, development and building permit process more flexible and efficient in responding to tree-related issues on development sites.



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