



To: Richmond City Council
From: Joe Erceg, MCIP
Chair, Development Permit Panel

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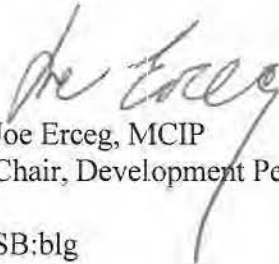
Re: **Development Permit Panel Meetings Held on November 30, 2011,
October 26, 2011, and July 13, 2011**

Panel Recommendation

That the recommendations of the Panel to authorize the issuance of:

- i) a Development Permit (DP 10-538908) for the property at 8851 Heather Street;
- ii) a Development Permit (DP 10-557920) for the property at 9099 Cook Road;
- iii) a Development Permit (DP 11-593370) for the property at PID 028-696-174 (Lot 9), PID 028-696-182 (Lot 10) and PID 028-696-191 (Lot 11); and
- iv) a Development Variance Permit (DV 11-586308) for the property at 8200 Claybrook Road

be endorsed, and the Permits so issued.



Joe Erceg, MCIP
Chair, Development Permit Panel

SB:blg

Panel Report

The Development Permit Panel considered the following item at its meetings held on November 30, 2011, October 26, 2011, and July 13, 2011.

DP 10-538908 – DOUG MASSIE, ARCHITECT – 8851 HEATHER STREET
(July 13, 2011 and November 30, 2011)

The Panel considered an application to permit the construction of a two-storey daycare building for approximately 60 children on a site zoned Assembly (ASY). Variances are included in the proposal for reduced side yard setbacks, reduced parking setback from a public road, and to allow 54% small car parking spaces (8 small car parking spaces of total 15 spaces).

At the July 13, 2011 Panel meeting, Architect, Doug Massie, Chercover Massie & Associates Architecture and Engineering, and Landscape Architect, Mark Van Der Zalm, provided a brief presentation, including the following:

- the youngest children are located on the ground floor, older children on the second floor;
- building materials include brick and stucco, and colours include sand, grey, white and brown;
- the landscape design combines sustainability, privacy, and a play area in the rear yard;
- the surface parking area has permeable pavers and screening with planting, trees and hedges;
- the children's play area in the rear yard is fully enclosed with a solid wood fence and lockable gates; it is meant to be an "adventure" area with: (i) a small hill; (ii) a lawn space for play; (iii) an open play area featuring rubber paving; and (iv) a wooden deck; and
- two (2) poor condition trees will be removed and one (1) existing Japanese Maple tree will be retained.

Staff supports the application, and requested variances, and advised:

- with input from staff and the Advisory Design Panel, the building is residential in character;
- the requested reduced interior side yard is similar to the side yard for single-family homes;
- the requests to reduce the minimum public road parking setback and to permit small car parking spaces are not related to the proposed building, but to parking;
- the reduced landscape width along Heather Street was sufficient to provide screening; and
- the allowance of small car parking spaces would: (i) ensure that on-site manoeuvrability is not compromised; and (ii) provide enough spaces on site to avoid queuing of cars or parking along Heather Street as parents/guardians dropped off, and picked up children.

Heather Street resident, Mr. Raj Johal addressed the Panel, submitted (i) a letter, (ii) a petition and (iii) photographs, and spoke in opposition to the proposal, including:

- a daycare would increase Heather Street traffic, congestion, and create safety concerns;
- the traffic flow poses a safety concerns such as: (i) will cars be forced to back out onto Heather Street; (ii) will Heather Street traffic be blocked; and (iii) is there a drop off lane;
- the deep ditch at Dolphin Park limits two-way traffic, and a car or child may fall in;
- Dolphin Park is a small park that would have problems if another 60 children played there;

- sidewalk is only provided half of the west side of Heather Street with limited street lighting;
- the quiet single-family neighbourhood would be negatively impacted by the childcare facility, which appears to be a “monster home”;
- the St. Alban’s daycare could not be compared to the proposal, as the features of Heather Street are different from the features of St. Alban’s Road; and
- potential traffic calming measures would not address the fundamental safety problems; and
- with seven (7) or eight (8) staff parking spaces, what kind of parking would occur along the street.

Dolphin Court neighbour Ms. Barbara Thomas-Bruzzese submitted a letter, and spoke in opposition to the proposal, including:

- it was not in the best interest of children to build a child care facility on a street with a ditch;
- the vacant church was small, was used in a way not unlike family gatherings, and the site is not appropriate for a two-storey child care facility for up to 60 children;
- the facility owners should not use a City park for a large day care group; and
- with the ditch, Heather Street is adequate for one vehicle, not for two-way traffic.

Public correspondence was received regarding the application.

The Chair advised that the project meets the Assembly zoning designation of the subject site.

In response Panel queries, Mr. Massie advised:

- the new neighbouring houses feature few side widows, ensuring minimal impact;
- there is no overlook issue with limited balcony access, and minimal overlook from the deck;
- there will be no change in grade to the north and south lots, which are both higher;
- the new streetlight on Heather Street will be retained, but relocated slightly;
- the building was specifically designed to equal the scale of other buildings in the area;
- the daycare, on St. Alban’s Road, has more children, similar parking, and no street parking;
- day care hours are from 7:00 a.m. to 6:00 p.m.;
- the garbage and recycling enclosure is at the south side of the building, with weekly private collection, probably on Saturday to avoid cars parked on site; and
- the Vancouver Coastal Health Community Care Facility Licensing office (CCFL) has reviewed the applicant’s plans, has had only one or two comments for the applicant, and the interior space exceeds the CCFL requirement and incorporates a music room.

In response, staff advised:

- parking on-site meets the bylaw requirement, the parking design is intended to prevent vehicles from backing out onto the street; parents are required to park and enter the building;
- Transportation staff is aware of the traffic speeding concern, and a traffic calming survey will occur during 2011; and measures may be implemented depending on the outcome;
- Transportation staff is comfortable with the size and characteristics of the parking area;

- the adjacent roadway system has the capacity to accommodate the additional traffic;
- the City ultimately plans for a continuous sidewalk to Francis Road with future development, and new sidewalk was constructed through recent rezoning of the property to the south; and
- extending the sidewalk on the east side of the street adjacent to Dolphin Park would need to be included in the list of annual capital projects.

Discussion ensued among the Panel members, including the following:

- many questions had been raised; and although staff had investigated the parking, traffic, and safety issues, further consultation with the community was warranted;
- issues such as: (i) the adequacy of the parking plan; (ii) the issue of vehicles having to back in/back out; and (iii) accessing Dolphin Park across the road, would benefit from the project being referred back to staff for further examination;
- City parks, including small ones, are available to everyone, including day cares; and
- good work had been done by the applicant, architect, landscape architect, and City staff, and that the project was worth additional work.

The Panel decided that the Development Permit application be referred back to staff for further:

- (a) consultation with residents of the neighbourhood; and
- (b) examination of on-site parking/manoeuvring and pedestrian and vehicle traffic on Heather Street.

At the November 30, 2011 Panel meeting, Architect Doug Massie, Chercover Massie & Associates Architecture and Engineering, provided a brief presentation, including the following:

- the applicant hosted an Open House meeting, which seven (7) neighbourhood residents attended;
- the zoning is intended for larger sites and will not accommodate a building; the request to vary the interior side yard is to enable the site to accommodate a building;
- the request to reduce the minimum public road parking setback is to provide the required parking spaces and to accommodate screening landscape elements to be neighbour-friendly;
- from experience with three (3) daycares in Richmond and parking accumulation; the parking area configuration and vehicle traffic flow for the Heather Street facility will work well; and
- unlike preschools, where there is congestion, typically arrival and departure for a child care facility are spread over a two-hour period, such as 7:00 a.m. and 9:00 a.m. for drop off, and 3:00 p.m. to 5:00 p.m. for pick up, so the number of cars should not create a major problem.

Staff supports the application and the requested variances, and advised that:

- if this was single-family development, a larger floor area would be allowed on the subject site, and that the site provides the potential for two residences, each of them large;
- the applicant had addressed Panel's request for consultation with neighbourhood;
- in response to Panel's request for an examination of on-site parking and manoeuvring, as well as pedestrian and vehicle traffic on Heather Street, the subsequent staff report advises that parking is adequate, and the surface parking area allows for manoeuvring by vehicles.

Heather Street resident, Mr. Raj Johal, addressed the Panel, submitted a copy of a letter dated July 7, 2011 including a petition and photographs, and spoke in opposition to the proposal, including:

- the building is too big and would impact the liveability of neighbourhood;
- Heather Street is too narrow and should be a one way street or no street parking at any time;
- the former church was used one day a week, but a child care centre is used five days a week;
- the ditch is a safety hazard, not appropriate at a park, and neighbours want it covered; and
- the applicant's request for variances imposes on the neighbour to the south of the subject site.

A resident of Dolphin Avenue addressed the Panel and spoke in opposition to the application, due to traffic concern along Dolphin Avenue and Heather Street, a request for one-way streets in the neighbourhood, and that a child care facility for 60 children is too big.

Public correspondence was received regarding the application. Staff noted that the correspondents expressed concern regarding: (i) the narrowness of Heather Street; (ii) the danger of the ditch along Heather Street; (iii) insufficient parking spaces for the proposed facility; and (iv) the affect of a noisy child care facility of a quiet neighbourhood.

In response to Panel queries, Mr. Massie and Mr. Rajinder Singh, Landscape Designer of Van Der Zalm and Associates Landscape Architecture firm provided the following information:

- the 15 parking spaces meet the bylaw requirements; his experience is that staff use public transit, or car pool, and arrival times vary, so that 15 spaces is likely more than enough;
- at the Open House meeting, neighbourhood residents were concerned about: (i) Heather Street traffic issues; (ii) changes to the neighbourhood; (iii) the open ditch; and (iv) privacy issues;
- to address privacy, glazed panels were added to the balcony rail to provide sound proofing;
- the facility accommodates 36 toddlers (1 to 3 years old), and 24 children (3 to 5 years old);
- the landscape design changes include: (i) increased amount of a retained hedge; and (ii) hedge infill with a lattice and climbing plants, adding privacy and some sound proofing;
- the size of the proposed building would be roughly the same as a single-family home;
- there are north facing windows, but they are not aligned with the neighbours windows;
- the surface parking area would be surrounded with six (6) shade trees, hedges, shrubs and a bioswale to help with on-site water detention;
- on the north side of the proposed building a gravel base was proposed with no access, and on the south side of the proposed building, no landscaping elements are proposed; and
- lattice with vine planting could be added to the fence to provide buffering in the reduced side yards; there may be room for a narrow Evergreen; and the south side yard would need openings for gates and accessibility.

In response to the concerns expressed, Transportation and Planning staff advised:

- a licensed child care facility falls under Provincial legislation, does not qualify as a school, and the proposal fits within the existing zoning;

- Transportation staff will conduct a survey in the neighbourhood in December, 2011, and if supported by the neighbourhood, traffic calming measures will be implemented in 2012;
- a speed survey conducted in April, 2010, confirmed that speeds on Heather Street exceeded the posted speed limit, and that traffic calming measures could remedy the situation;
- the applicant will complete their fronting sidewalk, to connect to the existing sidewalk;
- on-street parking in front of the subject site is limited due to driveways and fire hydrants;
- there is sufficient space for two (2) cars to pass on Heather Street, but where there are parked cars on the shoulder, room is limited; and
- “No Stopping” signs will be added along the east side of Heather Street. Transportation staff will monitor the need for additional signage along the Heather Street frontage.

The Chair stated that he supports the application, but that prior to the application going forward to a future Council meeting, the applicant should address the side yards, with a combination of structure, plantings, vertical elements, and ensure that the changes meet staff’s satisfaction.

Subsequent to the Panel meeting, the applicant revised the landscape design to include a combination of narrow hedge planting, trellis structures and vine planting to provide screening in the north and south side yards.

The Panel recommends that the Permit be issued.

DP 10-557920 – W.T. LEUNG ARCHITECTS INC. – 9099 COOK ROAD
(November 30, 2011)

The Panel considered an application to support a transportation (construction) management plan and to permit the construction of approximately 142 dwelling units in a 16-storey high-rise residential building, a six-storey residential building, and 11 two-storey townhouses, with an enclosed parking structure on a site zoned High Rise Apartment (ZHR9) – North McLennan (City Centre). No variances are included in the proposal.

Architect, Mr. Tam, W.T. Leung Architects Inc., and Landscape Architect, Gerry Eckford, Principal, Eckford Tyacke and Associates, provided brief presentations, including:

- a narrow southern profile provided views for existing residents and minimized shadowing;
- light coloured materials are proposed for the middle of the high and mid-rise towers. Accent colours on the bottom of the balcony stacks provides visual interest for pedestrians;
- a greenway is planned along the east edge for pedestrian and bicycle network connections;
- the proposed development meets all on-site bylaw parking requirements;
- 20% of the proposed bicycle spaces are dedicated to co-op bikes, and 25% of parking spaces will have electrical outlets for charging vehicles;
- to address concerns expressed by residents at the Public Hearing, the Transportation Management Plan includes off-site parking and shuttle for construction personnel;
- construction loading will occur on-site, so that surrounding streets are not adversely affected;
- the outdoor amenity space is located on the fourth floor, and includes a garden system, two (2) children’s play areas with rubberized surface, and a water feature;

- the indoor amenity area has a green roof, and is south facing with sunshades;
- other sustainability features include coatings on windows, low flow plumbing fixtures, an irrigation system, and extensive soft landscaping features that reduce storm run-off;
- 11 convertible units include blocking in washrooms for future grab bars, wider door frames, lever handles for faucets, and a large turning radius for wheelchairs;
- seven (7) affordable housing units includes four (4) two-storey townhouses suitable for families;
- four (4) existing trees are being retained, including two (2) large existing trees at both the north east and north west corners providing significant screening at those two (2) points, the relocation of two (2) trees into the greenway corridor.

Staff advised that the development application includes a Transportation (Construction) Management Plan, including an off-site parking lot for trade and construction workers.

- The applicant has responded to a number of issues that were raised by area residents at the July 26, 2011 Public Hearing. Mr. Brian Jackson stated that the area had always been intended for high rise residential projects, and that the applicant had worked, through the rezoning and development permit processes, to minimize (i) shadowing effects on adjacent towers, and (ii) the effect on views enjoyed by current residents of other towers.
- Mr. Jackson noted that another concern was related to the impact of the proposed development on traffic patterns, and parking in the area, and he noted that the Transportation (Construction) Management Plan submitted by the applicant is the most detailed, and non-intrusive one, staff has seen.
- Mr. Jackson concluded his remarks by stating that staff is in support of the application.

Ms. Naomi Desormeau addressed the Panel, including:

- concern that traffic would increase as a result of the construction;
- was happy about a shuttle service for workers and off-site parking lot, but queried how compliance would be policed;
- whether residents would receive copies of the Transportation Management Plan.

Mr. Chiu Cheung addressed the Panel, and spoke in opposition to the proposal, including:

- the proposed development was too big, with too many people and cars;
- there was congestion with the existing daycare at the corner of Cook and Garden City Roads;
- Cook Road is now the only entry road for this area. Alberta Road should be re-opened; and
- a 27-signature petition was submitted.

Public correspondence was received regarding the application. Concerns included:

- high density in the neighbourhood results in not enough parking spaces;
- building height;
- number of trees to be removed;
- buildings in the neighbourhood are built in close proximity to one another;
- traffic in the Cook Road/Katsura Street area; and

- disappointment at Second and Third Readings at the July 26, 2011 Public Hearing.

In response to Panel queries, Mr. Tam and Mr Eckford advised:

- two (2) healthy existing trees would be relocated into the greenway;
- the outdoor amenity space design is based on the artist Claude Monet's water-themed works;
- the podium level pond is shallow, features filtered water and a bench;
- the children's play area includes chalk boards so children can be "mini-Monets", and an undulating surface with a tunnel effect; the focus is on creative, social play;
- recycling bins were stored inside and collected from the loading area, which is screened with landscaping; and
- only construction equipment loading and off-loading activities will be conducted on-site, with all trade and construction workers being shuttled to the site, from an off-site parking lot.

In response to Panel queries, staff advised:

- the proposed development meets bylaw requirements;
- parking space electrical outlets cost approximately \$3,500 each;
- the idea to shuttle trades and construction workers to the site, from an off-site parking lot, is a unique idea. The site office would be elevated above the Garden City Road sidewalk, to lessen the impact to pedestrians in that area;
- the City's traffic bylaw limits the length of time vehicles that can park on the street, and that area residents who suspect construction workers' cars are parked on the street can call the City's Bylaw Enforcement staff, or call the non-emergency RCMP number;
- the Construction Supervisor's telephone number is listed in the Transportation Plan;
- the City can stop the Building Permit if the City discovers that details of the Transportation (Construction) Management Plan are being violated;
- the applicant has proposed more transportation management methods than are required, and these elements will (i) improve walkability in the area, and (ii) encourage alternate modes of transportation for area residents;
- the crosswalk at Cook Road is able to handle the volume of traffic;
- sections of the area roads will be completed as a result of this proposed development; and
- at the July 26, 2011 Public Hearing, Council requested a thorough transportation review. In response, as a result of staff and applicant review, the subject Transportation (Construction) Management Plan was completed.

The value of the Transportation (Construction) Management Plan was noted, and the Chair commented that the neighbourhood in question was cited in the Official Community Plan (OCP) as an area for growth. The Panel commented that the project was well executed, towers arrangement minimized impact on neighbouring towers, and that parking is well utilized in the area, but is not problematic.

The applicant was requested to make neighbours aware of the Transportation (Construction) Management Plan, and advised that City staff does follow up on calls from residents.

The Panel recommends that the Permit be issued.

DP 11-593370 – OVAL 8 HOLDINGS LTD. – PID 028-696-174 (LOT 9),
PID 028-696-182 (LOT 10), AND PID 028-696-191 (LOT 11)
(November 30, 2011)

The Panel considered an application to permit pre-construction site preparation works in ASPAC's Village Green development which includes an area designated Environmentally Sensitive Area (ESA).

Environmental Scientist, Mr. Keven Goodearle, Pottinger Gaherty Environmental Consultants Ltd., provided a brief presentation, including:

- three (3) separate ESAs have been identified on the site, with this application addressing ESA-1, an area that includes a Riparian Management area identified by the Department of Fisheries and Oceans;
- the proposed phased approach ensures that impacts to the environment, including trees, will occur at different times; there are to be four (4) phases over a five year span, from 2011 to 2016;
- the application is for pre-construction site preparation works, such as site clearing and preloading, and future development permit applications will address actual lot development;
- an extensive waterfront park is ultimately proposed with the planting of a significant number of trees, and an extensive habitat restoration;
- a detailed habitat survey identified five general types of habitats with significant plant population, although there has been degradation through historic land use;
- ESA compensation includes a planted landscape area of approximately 1,832 m², plus tree replacement at a ratio of 3 for 1 including one (1) specimen tree for each removal;
- the compensation planting will include approximately 30 m² of enhancement along Gilbert Road when Gilbert Road is widened; and
- after work on Gilbert Road is complete, the east bank will be restored.

Staff supported the application and noted:

- rigour that went into the application indicated staff's commitment to Council to present a level of detail necessary when there is a development proposed where ESAs exist;
- Letters of Credit are required for this application to ensure the applicant follows through with stated plans regarding trees of significance; and
- the Panel would see the same level of rigour for future applications to the east of the Oval.

No public correspondence was received regarding the application.

In response to Panel queries, Mr. Goodearle, and arborist, Norman Hol, of Arbortech Consulting Ltd. advised:

- approximately 24 of the trees are in poor condition are earmarked for a timber recovery program through milling for benches for street furniture or art pieces;

- the removal of some trees attributed to the Samuel Brighthouse family includes provision for reusing them, and enculturating new replacement trees from them;
- River Road would be closed in 2013, when a temporary road would be installed;
- a 30 m² site along the east property line would be impacted, and that other areas would be determined as part of both dike and waterfront design improvements along the Fraser River frontage;
- encroachment into an ESA required a Development Permit, but that a holistic approach is being taken despite the application responding to ESA-1.

In response to Panel queries, Staff advised:

- the forthcoming Parks Plan would indicate environmental compensation, and the present application outlines financial compensation;
- the coming four or five months are a critical time in the development of the ASPAC site east of the Olympic Oval, and that preloading, and dewatering on the site must be undertaken soon, thereby necessitating the application before the Panel;
- the rezoning proposal was presented to both the Advisory Committee on the Environment, and the Heritage Commission; and
- to meet some environmental regulations on the parcel of land to the west of the subject site, the development will use these lands after they are cleared.

The Panel recommends that the Permit be issued.

DV 11-586308 – RASHPAL WALIA – 8200 CLAYBROOK ROAD
(October 26, 2011)

The Panel considered an application to vary the provisions of Richmond Zoning Bylaw 8500 for a reduced exterior side yard setback on a site zoned Single Detached (RS1/E).

Applicant Rashpal Walia advised that a single-family dwelling was originally designed to front Cobden Road, but when he learned that the City's Parks Department desires to incorporate this road end into Grauer Park, the design plans were changed to front onto Claybrook Road. The requested reduced side yard was in keeping with setbacks for other homes in the neighbourhood.

In response to the Chair's query, Mr. Walia stated that he would provide the requested landscaping plan for both the front and the side yards.

Staff advised that staff supports the Development Variance Permit application and provided the following information:

- the driveway access to the proposed dwelling is from Claybrook Road, turning Cobden Road into a vehicle free road end;
- the applicant thought the reduced side yard setback was reasonable to transform the existing roadway into a pedestrian entry to the neighbourhood park;
- a typo in the Staff Report, on the Data Sheet and the Permit, would be rectified to reflect the 1.2 m variance, instead of the incorrectly stated 2.0 m variance.

No public correspondence was received regarding the application.

Subsequent to the meeting, the applicant provided a landscaping plan for both the front and the side yards, which is acceptable to staff.

The Panel recommends that the Permit be issued.