

Memorandum

Planning and Development Department

To:

David Weber

Date:

January 18, 2012

Director, City Clerk's Office

DP 10-538908

From:

Brian J. Jackson, MCIP

Director of Development

File:

Re:

Application by - Doug Massie, Architect for Development Permit at

8851 Heather Street

The attached Development Permit was given favourable consideration by the Development Permit Panel at their meetings held on July 13, 2011, November 30, 2011 and January 11, 2012.

It would now be appropriate to include this item on the agenda of the next Council meeting for their consideration.

& Brian J. Jackson, MCIP Director of Development

SB:blg Att.



Development Permit Panel Wednesday, July 13, 2011

in this case the minimum building setbacks exceed those in the OCP.

Correspondence

Bill Lai, 8238 Saba Road

Mr. Craig stated that Mr. Lai's concern regarding view and privacy issues had been addressed during the discussion.

Mr. S. Wang, #1001-8288 Saba Road (received July 11, 2011)

Mr. S. Wang, #1001-8288 Saba Road (received July 12, 2011)

Mr. Craig advised that Mr. Wang was in attendance, and that his concern regarding settling had been discussed.

Panel Discussion

There was agreement that the design elements, including the generous amenity space, the rooftop gardens, and the live work units, demonstrated that much thought had gone into the design of the propose development, and that there would be minimum impact on the adjacent residential torier, due to the distance between the two structures.

The Chair noted that staff would follow up on the settlement concern stated by Mr. Wang, and that all comments by speakers were a matter of record.

Pane Decision

I was moved and seconded

That a Development Permit be issued which would permit the construction of a 14-story tower with roof deck containing 77 apartment dwellings and 2 live/work units at 6331 and 6351 Cooney Road on a site zoned "High Rise Apartment (ZHR8) Brighouse Village".

CARRIED

3. Development Permit 10-538908

(File Ref. No.: DP 10-538908) (REDMS No. 3193121)

APPLICANT:

Doug Massie Architect of Chercover Massie & Associates Ltd.

PROPERTY LOCATION:

8851 Heather Street

INTENT OF PERMIT:

- Permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY); and
- 2. Vary the provisions of Zoning Bylaw 8500 to:
 - a) Reduce minimum interior side yard from 7.5 m to 1.2 m

- b) Reduce the minimum public road parking setback from 3 m to 1.5 m
- c) Permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).

Applicant's Comments

Doug Massie, Architect, Chercover Massie & Associates Architecture and Engineering, spoke on behalf of the applicant, and provided the following details regarding the proposed two-storey child care facility for approximately 60 children, located on Heather Street, across from Dolphin Park:

- the site is zoned for "assembly use", currently contains a vacant church building, and does not require a rezoning application;
- the proposed building measures approximately 492 square metres, on a site measuring 1,103 square metres;
- the proposed building includes child care rooms on the ground floor for the youngest children, and child care rooms on the second floor for children aged three to five years of age, with an outdoor children's play area in the rear yard that can accommodate 40 children at one time;
- a front surface parking area meets the bylaw requirements;
- the landscape plan includes generous landscaping on, and around, the site;
- the outdoor children's play area was designed by the landscape architect;
- the City's Advisory Design Panel reviewed the project on two separate occasions, and the building design was changed to make its appearance more 'friendly', by including such elements as a sloped roof, with gabled ends;
- building materials include brick and stucco, with a colour palette that includes appropriate colours such as sand, grey, white and brown;
- regarding adjacency, there are two new single-family subdivision developments, to
 the north and to the south of the subject site, fronting Heather Street, and across
 the street, to the east of the subject site is the City-owned Dolphin Park;
- the applicant has a licensing agreement with the City, to permit children in the care
 of the proposed child care centre to use Dolphin Park;
- the applicant recently became aware of concerns expressed by neighbours regarding the safety hazard presented by the ditch along Heather Street; and
- the applicant is seeking three variances.

Landscape Architect Mark Van Der Zalm drew the Panel's attention to the following details of the proposed landscaping scheme:

- the scheme reflects the attempt to combine sustainable site priorities and the creation of privacy for a play environment;
- the Heather Street edge buffer screens the surface parking area;

Development Permit Panel Wednesday, July 13, 2011

- a continuous Cedar hedge along the north and south edges of the surface parking area provides screening from the neighbours;
- the surface parking area features permeable pavers, as does the main entry plaza;
- canopy trees bordering the parking area will provide shade for parked vehicles;
- the children's play area in the rear yard is fully enclosed with a solid wood fence and lockable gates;
- the rear yard play environment is meant to be an "adventure" area that includes: (i)
 a small hill; (ii) a lawn space for play; (iii) an open play area featuring rubber
 paving; and (iv) a wooden deck;
- one existing Japanese maple tree will be retained by transplanting it on site, and two trees that are centrally located, but in poor condition, will be removed; and
- the overall scheme is one of lush, highly programmed landscaping.

Staff Comments

Mr. Craig reported that staff supports the application, and he commended that the applicant, and the design team, on working with staff and members of the Advisory Design Panel, to design a building that is residential in character.

With regard to the requested variances, Mr. Craig noted that:

- the request to reduce the minimum interior side yard is set back similar to variances requested for single-family homes;
- the requests to reduce the minimum public road parking setback and to permit small car parking spaces on the site with less than 31 parking spaces are not related to the proposed building, but to parking;
- if the request to reduce the minimum public road parking setback is granted it would reduce the landscape width along Heather Street, but sufficient room would remain to provide screening; and
- if the request to permit 54% small car parking spaces on the site was granted, it 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.

Panel Discussion

In response to a query regarding privacy for single-family homes to the north and south of the proposed building, Mr. Massie advised that the new houses on either side of the subject site are new, and they feature a minimum number of widows on the facades that face the rear yard of the proposed building, thereby ensuring that there would be minimal impact of activity in the building's rear yard on the neighbours.

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Mr. Massie added that: (i) the applicant would attempt to have the children in the youngest age category use the rear yard; (ii) there is no overlook issue because access to the second storey balcony is restricted; and (iii) there is minimum overlook from decks.

In response to a query regarding the site's grade, Mr. Massie stated that there will be no change in grade between the subject site and the two single-family lots to the north and south. The neighbouring Heather Street properties are at the flood plain level, and the proposed development meets the existing flood plain requirement.

Gallery Comments

Raj Johal, 8880 Heather Street, submitted (i) a letter, (ii) a petition and (iii) photographs (attached to these Minutes as Schedule 5) to the Panel, and spoke in opposition to the proposed building.

Mr. Johal made the following points:

- the presence of the child care building would increase traffic along Heather Street, between Dolphin Avenue and Francis Road, and the additional car trips per day by parents/guardians of the 60 children at the facility would add to congestion, and create safety concerns, for residents and their children;
- the traffic flow poses a safety concern, due to unknowns such as: (i) will cars be
 forced to back out of the building's site and onto Heather Street; (ii) will traffic
 along Heather Street be blocked; and (iii) is there to be a drop off lane;
- the deep ditch that fronts Heather Street at Dolphin Park limits the safety of twoway traffic, and the possibility exists for a car, or child, to fall into the ditch, as the children walk to Dolphin Park, a small park that would have problems if another additional 60 children played there;
- sidewalks are provided on only one half of the west side of Heather Street, and no sidewalks exist on the east side of the street, creating risks with children walking to the proposed building on the road; there is limited street lighting and this further increases danger, especially during winter months; and
- the petition is signed by persons who live in the quiet, single-family residential neighbourhood who believe that the addition of a childcare facility, one that appears to be a "monster home", would negatively impact the feel of the established neighbourhood.

In response to the Chair's request, Mr. Massie addressed Mr. Johal's comments:

- it is anticipated that parents/guardians will arrive at the child care building over a two hour period, between 7:00 and 9:00 a.m, and again from 4:00 to 6:00 p.m., some in car pools, and some on foot, so there should not be any traffic jams;
- the applicant has committed to providing as much parking direction as possible, in order to manage the parking issue, for safety reasons;
- the new streetlight on Heather Street will be retained, but relocated slightly; and

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 the building was specifically designed in order to equal the scale of other buildings in the area.

Mr. Massie added that St. Alban's Day Care, on St. Alban's Road, is a day care with greater enrolment than that proposed by the applicant, and that the parking count is approximately the same as that required by the applicant, and that St. Alban's cars must go into the driveway, and cannot park on the street.

Panel Discussion

The Chair stated that the Development Permit Panel addresses form and massing, but does not discuss zoning.

In response to the Chair's request for staff comments, Sonali Hingorani, Transportation Engineer and Mr. Craig advised the following:

- parking on site meets the bylaw requirement, and the parking design is intended to
 prevent vehicles from backing out onto Heather Street; the "sign in" policy of the
 child care centre requires parents to park, enter the building, and then exit
 properly, not idle in their vehicles;
- the City's transportation staff is aware of traffic speeding concerns in the area, and a traffic calming survey will be undertaken during the autumn of 2011; depending on the outcome of the survey, traffic calming measures may be implemented, but those are independent of the application for a development permit;
- the City's transportation department is comfortable with the size and characteristics of the parking area for the proposed development, and given the nature of the morning and afternoon peak period of delivery and pick up of children, there will be better disbursal of traffic than if the building was a preschool; and
- the adjacent roadway system has the capacity to accommodate additional traffic generated by the proposed building.

In response to queries from the Panel, Mr. Craig provided the following information:

- the City ultimately plans to construct a continuation of the sidewalk south of the subject site to Francis Road with future development, and recent rezoning of the property to the south of the proposed building allows the City to move forward with the option of addressing traffic safety concerns; and
- the cost of 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.

In response to further queries, Mr. Massie advised that:

- day care hours are from 7:00 a.m. to 6:00 p.m.; and
- garbage and recycling containers are the size of those used by residents, and are
 located in an enclosure at the south side of the building, where they would be
 collected once a week, probably on Saturday to avoid cars parked on site, by a
 private removal contractor.

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Mr. Johal stated that the St. Alban's child care centre could not be compared to the proposed child care centre under discussion, as the features of Heather Street are different from the features of St. Alban's Road.

Mr. Johal concluded his remarks by noting that: (i) it was unclear when sidewalks would be constructed on Heather Street; (ii) potential traffic calming measures would not address the fundamental safety problems he raised; (iii) even over a two hour period for child delivery and pick up, the presence of the ditch makes two cars travelling in two directions, over a two hour period on Heather Street a safety issue; and (iv) with a minimum of seven or eight on-site parking spaces used by child care centre staff he questioned what kind of parking would occur along the street.

Barbara Thomas-Bruzzese, 8700 Dolphin Court, advised that she lives behind the lot of the proposed building, and she expressed her surprise that an applicant was considering building a child care facility for up to 60 children on a street that featured a ditch, and stated her opinion that the idea was not in the best interest of children.

Ms. Thomas-Bruzzese submitted a letter to the Panel (attached to these Minutes as Schedule 6), and made the following remarks:

- the vacant church on the subject site was small, and was used for gatherings not unlike the nature and size of family gatherings, and the site is not an appropriate location for a two-storey child care facility, nor was it an appropriate size for a facility that planned three toddler groups on the ground floor, plus a group of three to five year olds on the second floor;
- she was shocked that the Dolphin Park playground was thought to be an alternative play area, and believed that it was the responsibility of the facility owners to provide a play area, and not use a City park that may not always be available for a large day care group;
- child care facilities range in quality, and children need space inside and outside a
 facility of this kind, and not an outside space that is a parking lot, where vehicles
 are required to back up on site in order to access the street;
- Heather Street's ditch runs the entire length of the street, a street that is adequate for one vehicle at a time, but not for two-way traffic; and
- it is appropriate for the applicant to find an alternative location that meets the Zoning bylaw.

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

In response to Ms. Thomas-Bruzzese's query regarding at what point will the application go to an agency responsible for child care facilities, Mr. Craig replied that the applicant has been in contact with Vancouver Coastal Health, the entity responsible for childcare licensing.

Mr. Massie further advised that the Community Care Facility Licensing office (CCFL) has been presented with the applicant's plans, including the applicant's development permit application, and the CCFL has had only one or two comments for the applicant.

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In response to the Chair's query regarding whether or not the CCFL has presented any roadblocks to the applicant, Mr. Massie advised that: (i) the CCFL had asked questions, but no roadblocks had been presented; and (ii) the interior space exceeds the CCFL requirement with an additional music room incorporated into the building's design.

Correspondence

Raj and Nina Johal, 8880 Heather Street (received July 12) (Schedule 4)

Mr. Johal, 8880 Heather Street (received July 13) (Schedule 5)

Barbara Thomas-Bruzzese, 8700 Dolphin Court (Schedule 6)

Panel Discussion

The Chair noted that: (i) many outstanding questions had been raised; (ii) although staff had invested a lot of thought into the parking, traffic, and safety issues, he wanted to see further consultation with the community before supporting the project.

There was general agreement that such issues 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.

It was noted that achieving agreement on the issues that were raised by the delegates would be challenging, but that the traffic flow, among other issues, had to be clarified. Another comment concerned the fact that City parks, including small ones like Dolphin Park, are available to everyone, including day cares.

In conclusion, the Panel agreed that good work had been done by the applicant, architect, landscape architect, and City staff, and that the project was worth additional work.

Panel Decision

It was moved and seconded

That Development Permit 10-538908 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.

CARRIED

- 4. New Business
- Date Of Next Meeting: Wednesday. July 21, 2011

To Development Permit Panel

Schedule 4 to the Minutes of the Development Permit Panel meeting held on Wednesday,

MayorandCouncillors July 13, 2009.

From:

Raj and Nina Johal [microwash@msn.com]

Sent:

July 12, 2011 11:06 AM

To:

MayorandCouncillors

Subject:

Community Members against DP 10-538908 regarding 60 person child daycare facility in

residential zone

Categories: 08-4105-20-2010538908 - 8851 Heather Street

Dear Evelina Halsey-Brandt- members from the 8000 block of Heather Street will be coming to tomorrow meeting at City Hall regading the permit application for a large child daycare at 8851 Heather. Membes of our community will be presenting a petition and photographs to oppose a large facility in our neighbor, that would add to an already crowed high density residential street. We would like to introduce Amar Johal of 8880 Heather who will be in attendance, amongst other members. We hope you consider the neighborhood's position on this matter, as we are dealing with a crowded narrow street, speeding drivers, and a large ditch at Dolphin park, which is directly across the street from the proposed project. We would also like the council to consider an environmental friendly pathway/sidewalk of some sort for covering this ditch, but to allow sunlight to pass through for fowl or fish that maybe in the ditch. Currently I can describe this ditch as a mosquito green water cess pool.

In conculsion, we would like council to further consider neighborhood liveability in our dense neighborhood, i.e. sidewalks, speed bumps, ditch filling, street lighting, more traffic control, and our own City Police Department to address city needs, etc... Thanks, Raj microwash@msn.com

Schedule 5 to the Minutes of the Development Permit Panel meeting held on Wednesday, July 13, 2009.

July 7, 2011

City of Richmond Planning Department DP 10-538908

We received the Notice of Application for a development permit (DP 10-538908) at 8851 Heather Street. After reviewing the notice, we the undersigned are opposed to this Development Permit for the following reasons:

- Increased traffic through this portion of Heather Street. Currently traffic
 races through the park zone and combined with morning/after school traffic from
 Debeck Elementary there are already safety concerns. The potential of an
 additional 120 car trips daily will significantly add to the congestion and safety
 concerns for children, pets and the residents of Heather Street.
- Traffic flow. With the additional 120 car trips per day, what is the proposed traffic flow? Will the ears be forced to back into Heather Street to exit the child care facility? Will there be a drop off lane? Will traffic along Heather Street be blocked? These all pose safety concerns for the residents of Heather Street.
- Ditches. Currently Delphin Park has a deep ditch along Heather Street. This
 results in a limited ability to have two-way traffic along that stretch. The
 increased traffic significantly increases the chance of a car or child falling into the
 ditch. What plans does the Developer, City or Parks Board have to mitigate this
 serious safety concern?
- Lighting & sidewalks. Currently the west side of Heather Street has sidewalks
 for less than ½ of the block, with no sidewalks on the east side of Heather. Given
 that there will be potential line-ups during drop off/pick up times; there is a risk
 that cars will park at a distance forcing children to walk onto the road. During the
 winter months, the issue is further exasperated due to the limited street lighting.
- Business vs. Residential. Our neighbourhood is a quiet single family residential neighbourhood. Adding a business in the middle of the neighbourhood would severely impact the make up and "feel" of our neighbourhood.

Given the above reason, we believe that this proposal seriously impacts the safety, well being and cohesiveness of our neighbourhood. Therefore we the residents of Heather Street are adamantly opposed to this development.

Name	Address	Signature
Amar Johal	8880 Haffer St.	
Selina Johof	8880 Heather 8t	Japal.
Mossym	5040 Bloodell Rd	Waller
Rey TNINA JOH	1/ 8888 Heathe	
Allee Chan	8871 Healther St	A STATE OF THE PROPERTY OF THE
DAVE & LILY HAY		Dave Hay + Lightey
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KNOK FAIRWOO	8640 DolpHinton	e7 5 6 6 6 6
Feng Qi	8660 polphin cit	7901
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I'M GEOGRESE	8700 Dasmid Carer	Jimansen a
Goodwin Chan	8740 Dolphin Court	Method
Celine Lu	1780 Delphi CT.	9455
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takashi Sati	8940 Heathert	565
WAI SHAW CITUR	8971 Heather st	Shill
CHARLIE GIN	8951 Heather SA	-63-
FORY TO	8871 Heather 3.	157
Conty Carly	8891 Wether 56,	[Nas
NEI-PONG MAD	9251 Dolphia Ave.	Appen
LABY FBY,	8820 Dolphin Cit.	X day Xen
JAK PUON	8720 Od phin Cot	
Ratha Kawag	8761 Polphen Cat	KARL
DANIEL LOU	8860 Dolphin Coupy	12011

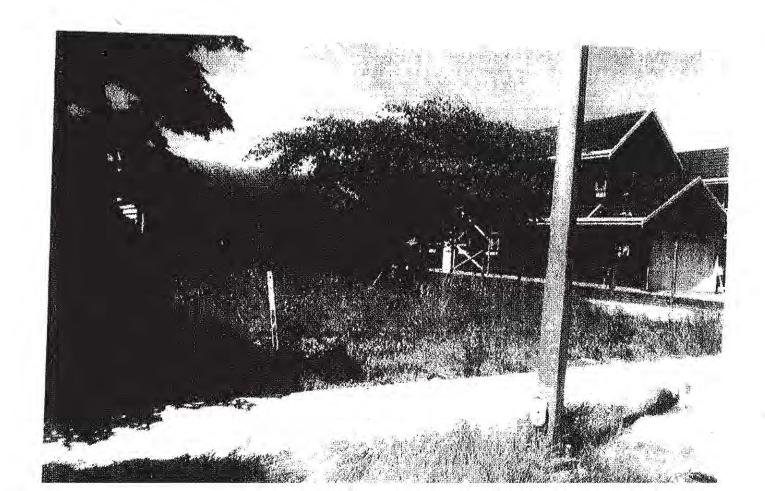


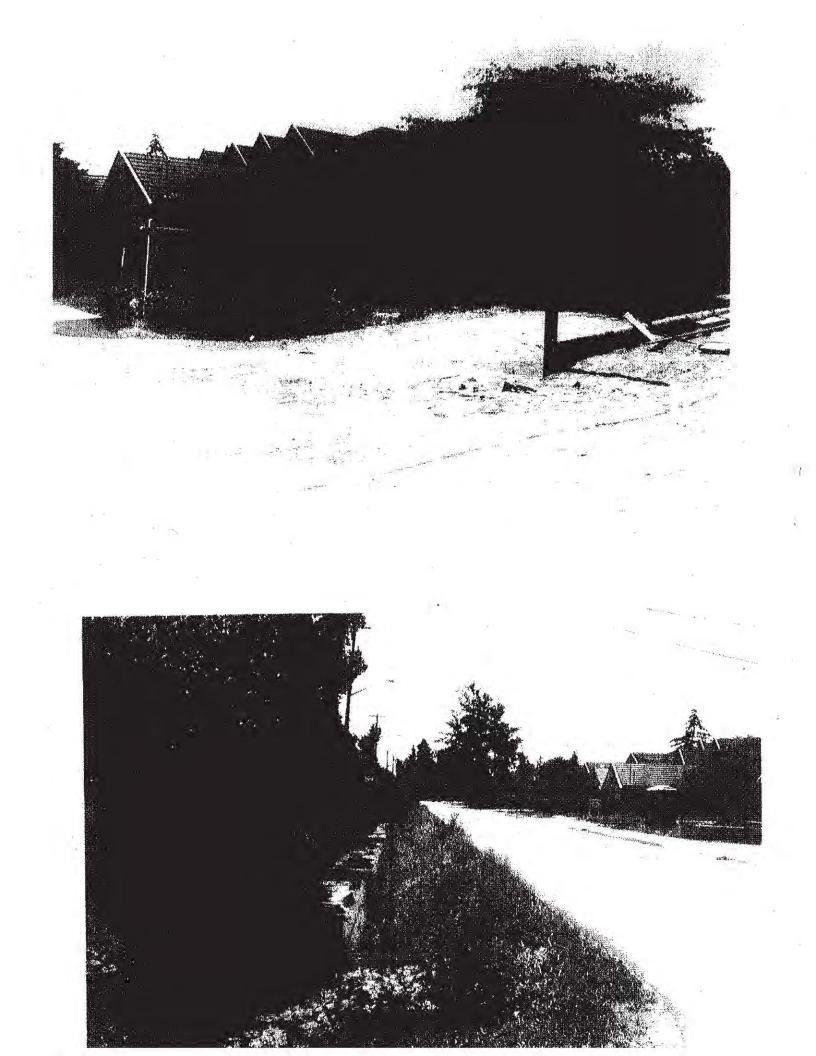


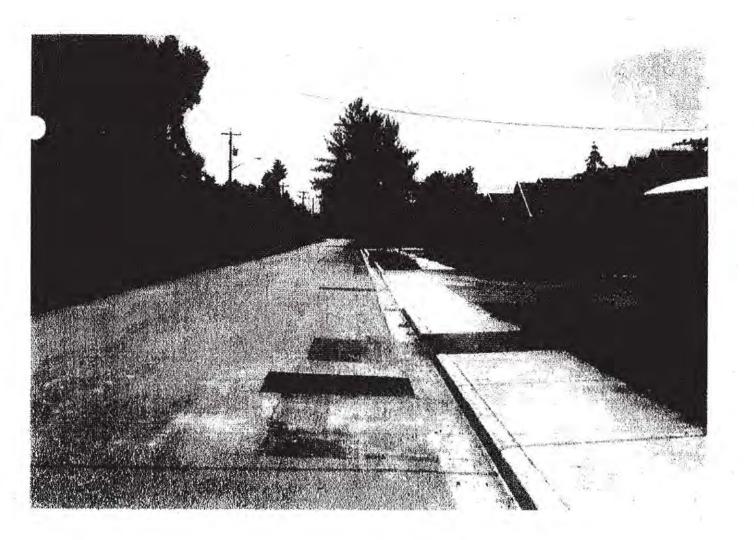






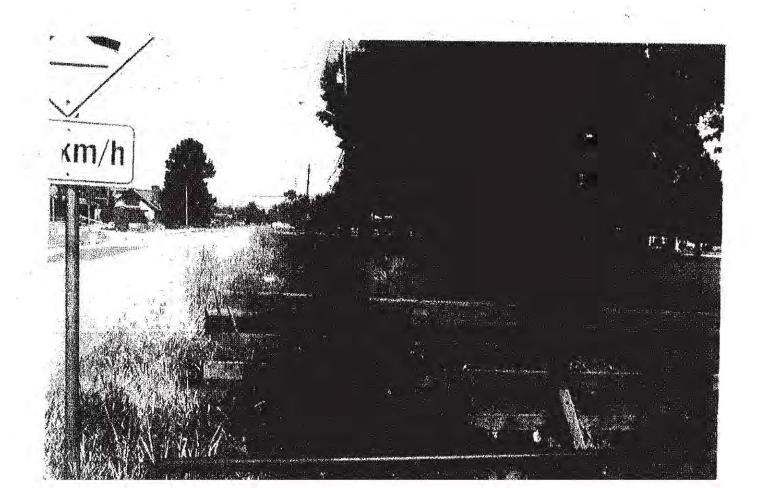














July 13, 2011

Schedule 6 to the Minutes of the Development Permit Panel meeting held on Wednesday, July 13, 2009.

Director, City Clerk's Office City of Richmond 6911 No. 3 Road Richmond BC V6Y 2C1

Re: Notice of Application for a Development Permit DP 10-538908

I strongly oppose the application to permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY) and to vary the provisions of Zoning Bylaw 8500 as specified in the notice for the following reasons:

- That site is not an appropriate size or location for a child care facility for 60 children.
- That site would present a safety hazard every day during drop-off and pick up since Heather Street is such a narrow street and it has a ditch along one side of the road
- To vary the provisions of Zoning Bylaw 8500 as requested in this application is contrary to the intent of bylaws that are put in place specifically to ensure an adequate level of safety and quality of environment for Richmond's children.

I suggest that the interested party seek a location that meets the Zoning bylaws and ensures the safety of the children, their families as well as others who will travel on the street that the child care facility is on.

Respectfully submitted

Barbara Thomas- Bruzzese,

8700 Dolphin Court Richmond BC V6Y 3J7





Development Permit Panel

Wednesday, November 30, 2011

Time:

3:30 p.m.

Place:

Council Chambers Richmond City Hall

Present:

Joe Erceg, Chair

Robert Gonzalez, General Manager, Engineering and Public Works

Dave Semple, General Manager, Parks and Recreation

The meeting was called to order at 3:30 p.m.

1. Minutes

It was moved and seconded

That the minutes of the meeting of the Development Permit Panel held on Wednesday, November 16, 2011, be adopted.

CARRIED

2. Development Permit 10-538908

(File Ref. No.: DP 10-538908) (REDMS No. 3360997)

APPLICANT:

Doug Massie, Architect of Chercover Massie & Associates

Ltd.

PROPERTY LOCATION:

8851 Heather Street

INTENT OF PERMIT:

- To permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY); and
- 2. To vary the provisions of Zoning Bylaw 8500 to:
 - a) reduce minimum interior side yard from 7.5 metres to 1.2 metres;
 - b) reduce the minimum public road parking setback from 3 metres to 1.5 metres;
 - c) permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).

Applicant's Comments

Doug Massie, Architect, Chercover Massie & Associates Architecture and Engineering, spoke on behalf of the applicant and provided the following details regarding the proposed two-storey child care facility, for approximately 60 children, located on Heather Street:

- the first time the proposed development was presented to the Development Permit Panel was on July 13, 2011, and November 30, 2011 is the second time the proposed development is being considered by the Development Permit Panel;
- the subject site previously featured a small church building, and the site's "assembly use" zoning permits a child care facility usage;
- off-street parking spaces are provided, and the playground is situated in the rear yard
 of the proposed facility;
- at an open house meeting hosted by the applicant, seven neighbourhood residents attended and the project was discussed;
- 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;
- the applicant (i) will know the identity of those who use on-site parking lot, and (ii) can control the on-site parking lot, so no problems are anticipated;
- the applicant has experience with three daycare centres in Richmond and put considerable study into daycare parking accumulation; the parking area configuration and vehicle traffic flow for the Heather Street facility will work well; and
- unlike drop offs and pick ups at preschools, where there is congestion due to all of
 the parents being there at the same time, typically, arrival and departure times 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.

Panel Discussion

Discussion ensued between the Panel and Mr. Massie and the following information was provided:

in response to a query regarding the proposed size of the child care facility, Mr.
Massie advised that the square footage of the proposed 2-storey building is roughly
consistent with the size of a single-family residence;

- in response to a query regarding details of the on-site parking spaces, Mr. Massie noted that the 15 parking spaces meet the bylaw requirements, with 9 parking spaces earmarked for the child care staff members; further, his experience with other child care facilities indicates that staff use public transit, or car pools, and that arrival times vary so that 15 spaces is likely to be more than enough;
- with regard to the open house meeting, attended by seven neighbourhood residents, concerns included: (i) Heather Street traffic issues; (ii) changes to the neighbourhood; (iii) the open ditch on the east side of the street; and (iv) privacy issues impacting adjacent neighbours;
- to address the issue of privacy, Mr. Massie advised that glazed panels were applied to the second floor balcony rail to provide sound proofing;
- the facility can accommodate a total of 36 toddlers (aged 1 to 3 years), and 24 children (aged 3 to 5 years);
- changes made to the landscape design since July, 2011 include: (i) an increase in the
 amount of a retained existing hedge; and (ii) hedge infill with a lattice and climbing
 plants, which will add privacy and some sound proofing;
- the size of the proposed building, upon completion, would roughly be the equivalent of the size of a residence on a Richmond single family lot of this size; and
- the area surrounding the outdoor play area is generously landscaped.

In response to queries from the Chair regarding landscaping, Mr. Rajinder Singh, Landscape Designer of Van Der Zalm and Associates Landscape Architecture firm, advised that:

- the surface parking area would be surrounded with six trees plus a cedar hedging, and a transition to a bioswale, to help with onsite water direction;
- low shrubbery would terrace down from the height of the cedar hedging, and then drop down to ground cover;
- as the trees mature, they would provide shade;
- 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
- along the front of the subject site a low fence, and low shrubs of equal height, is
 adjacent to the sidewalk, but the view for drivers is not obstructed by the fence or the
 shrubs.

The Chair directed a query regarding the north side of the proposed building to Mr. Massie, who responded that windows are a feature of that side of the structure, but they are not aligned with windows in the adjacent residence.

Staff Comments

Brian J. Jackson, Director of Development, advised that if this was a 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.

Mr. Jackson then referenced the Panel's decision of July 13, 2011 when it asked for a consultation with residents of the neighbourhood, and an examination of on-site parking and manoeuvring, as well as pedestrian and vehicle traffic on Heather Street. He stated that the subsequent report advises that parking is adequate, and the surface parking area allows for manoeuvring by vehicles.

Mr. Jackson concluded his remarks by advising that staff supports the application and the requested variances.

Gallery Comments

Raj Johal, 8880 Heather Street submitted (i) a copy of a letter dated July 7, 2011, (ii) a petition, and (iii) photographs (attached to these Minutes as Schedule 2) to the Panel and spoke in opposition to the proposed building.

Mr. Johal made the following points:

- the proposed building is too big, its presence would impact the liveability of neighbours, Heather Street is too narrow and should not be a two way street but should be a one way street, and neighbours want to see something other than a child care centre on the site;
- the ditch that fronts Heather Street presents a safety hazard and neighbours want it covered and a sidewalk installed; it is not appropriate for a City to have an open ditch beside Dolphin Park;
- the former church was used one day a week, but a child care centre is used five days a week, with two high activity periods each day, when children are dropped off and later picked up;
- the applicant's request for variances imposes on the neighbour to the south of the subject site;
- if the permit is approved, conditions should include no street parking at any time if two way traffic is allowed on Heather Street; and
- he did not attend the open house meeting, his brother, also a resident of the neighbourhood, attended and although his brother advised that he understood City Transportation staff would contact neighbours regarding traffic calming measures, no contact has been made.

Mr. Johal queried whether the City has different zoning for a child care centre than it does for a school.

In response to the query, Mr. Jackson advised that a licensed child care facility falls under Provincial legislation, and does not qualify as a school. He added that the applicant's proposal fits within the existing zoning on the subject site.

In response to the Chair's request that Transportation staff comment on the concern expressed, Donna Chan, Manager, Transportation Planning, provided the following advice:

- Transportation staff will conduct a survey in the neighbourhood in December, 2011, and will gather information regarding support for traffic calming, and if the idea is supported, traffic calming measures will be implemented in 2012;
- a speed survey conducted by Transportation staff in April, 2010 confirmed speeds on Heather Street exceeded the posted speed limit, and that traffic calming measures could remedy the situation;
- the applicant will complete the sidewalk along their Heather Street frontage to connect to the existing sidewalk on either side, and this will keep pedestrians off the street for this portion of Heather Street;
- on-street parking in front of the subject site is limited to one, or maybe two spaces, due to driveways and the presence of fire hydrants;
- there is sufficient space for two cars to pass on Heather Street, but where there are parked cars on the shoulder, room is limited; and
- Transportation staff does not see a need for additional "No Parking" signage along the Heather Street frontage, but it will be monitored.

In response to a query, Mr. Jackson advised that "No Stopping" signs will be added along the east side of Heather Street.

A resident of Dolphin Avenue addressed the Panel and spoke in opposition to the application. He expressed concern that his small children are endangered by the traffic conditions along Dolphin Avenue and Heather Street. He stated his belief that there should be one way streets in the neighbourhood. He concluded his remarks by saying that a child care facility that can accommodate 60 children is too big.

Correspondence

Yih-Shin Hsu and Shu-Chen Chen Hsu, 8875 Heather Street (Schedule 1)

Mr. Jackson 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 effect a noisy child care facility has on a quiet neighbourhood.

Raj Johal, 8880 Heather Street (Schedule 2)

Panel Discussion

With regard to the request to reduce the interior side yard, the Chair queried what the applicant would do to buffer the proposed building from neighbours' homes.

Landscape Designer Mr. Singh advised that:

- some lattice work could be added, some vines planted along the bottom, and as the vegetation grew, it would provide buffering; and
- there may be room for a type of evergreen that grows quite narrow to be added to the landscaping plan.

The Chair asked if similar landscaping elements could be added to the south side of the subject site where an open deck is planned, and Mr. Singh responded that the same elements could be added there, leaving openings for gates, a feature required for accessibility.

The Chair stated that he supports the application but that prior to the application going forward to a future Council meeting, he wanted the applicant to address the side yard on the landscaping plan, with a combination of structure, plantings, trees, and to ensure that the changes meet staff's satisfaction.

Panel Decision

It was moved and seconded

That a Development Permit be issued which would:

- 1. Permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY); and
- 2. Vary the provisions of Zoning Bylaw 8500 to:
 - a) reduce minimum interior side yard from 7.5 metres to 1.2 metres;
 - b) reduce the minimum public road parking setback from 3 metres to 1.5 metres;
 - c) permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).

CARRIED

3. Development Permit 10-557920

(File Ref. No.: DP 10-557920) (REDMS No. 3333749)

APPLICANT:

W.T. Leung Architects Inc.

PROPERTY LOCATION:

9099 Cook Road

INTENT OF PERMIT.

 Support the Transportation (Construction) Management Plan attached to this report; and To Dovelopment Permit Panel
Date: NOV: 30, 30/1
Item # 2 10:533908

Schedule 1 to the Minutes of the Development Permit Panel Meeting held on Wednesday, November 30, 2010.

Yih-Shin Hsu & Shu-Chen Chen Hsu 8875 Heather St. Richmond, B.C. November 29, 2011

Dear Sir and Madam,

My name is Yih-Shin Hsu and I am the resident of 8875 Heather Street Richmond. My family and I moved into this quiet and beautiful residential area in May 2011. We are slowly getting use to our new home and the surroundings but I was troubled when my neighbors told me about the possibility of a Child Care facility being build two houses down from us. I was unable to attend the previous council meeting in person but from what I heard from my son and neighbors; our general consensus was to oppose such facility from being built. My neighbors presented their concerns to the city coucils in the last meeting. I was given a copy of my neighbor's report and I agreed with each and every reason they have stated to oppose a two-storey child care facility from being install into our quiet neighborhood. I would like to emphasize that the width of Heather Street does not allow for smooth passing of two regular-size sedan vehicles. The deep ditches along the side of Heather Street would pose as a great danger for any pedestrian let along children. There are no sufficient parking spaces for the proposed facility. Lastly, the noise level of a busy child-care facility would inevitable affect the quiet tranquillity our neighborhood currently enjoy. A petition was signed by every household in our area to oppose the permit for child-care facility. I sincerely wish the coucils would take our neighborhood's concerns into account and respect our wishes to keep our residential neighborhood from a commercially-run child-care facility.

Sincerely,
Yih-Shin Hsu
Shu-Chen Chen Hsu



July 7, 2011

Schedule 2 to the Minutes of the Development Permit Panel Meeting held on Wednesday, November 30, 2010.

City of Richmond Planning Department DP 10-538908

We received the Notice of Application for a development permit (DP 10-538908) at 8851 Heather Street. After reviewing the notice, we the undersigned are opposed to this Development Permit for the following reasons:

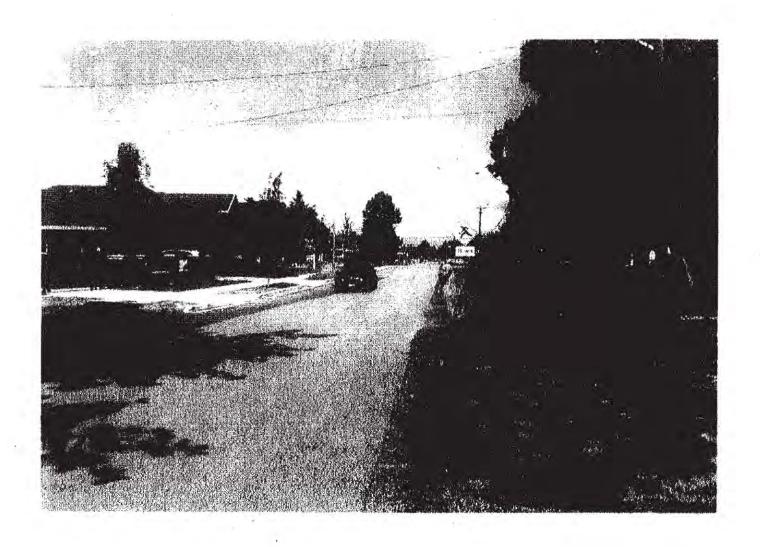
- Increased traffic through this portion of Heather Street. Currently traffic races through the park zone and combined with morning/after school traffic from Debeck Elementary there are already safety concerns. The potential of an additional 120 car trips daily will significantly add to the congestion and safety concerns for children, pets and the residents of Heather Street.
- Traffic flow. With the additional 120 car trips per day, what is the proposed traffic flow? Will the cars be forced to back into Heather Street to exit the child care facility? Will there be a drop off lane? Will traffic along Heather Street be blocked? These all pose safety concerns for the residents of Heather Street.
- Ditches. Currently Dolphin Park has a deep ditch along Heather Street. This
 results in a limited ability to have two-way traffic along that stretch. The
 increased traffic significantly increases the chance of a car or child falling into the
 ditch. What plans does the Developer, City or Parks Board have to mitigate this
 serious safety concern?
- Lighting & sidewalks. Currently the west side of Heather Street has sidewalks for less than ½ of the block, with no sidewalks on the east side of Heather. Given that there will be potential line-ups during drop off/pick up times; there is a risk that cars will park at a distance forcing children to walk onto the road. During the winter months, the issue is further exasperated due to the limited street lighting.
- Business vs. Residential. Our neighbourhood is a quiet single family residential neighbourhood. Adding a business in the middle of the neighbourhood would severely impact the make up and "feel" of our neighbourhood.

Given the above reason, we believe that this proposal seriously impacts the safety, well being and cohesiveness of our neighbourhood. Therefore we the residents of Heather Street are adamantly opposed to this development.

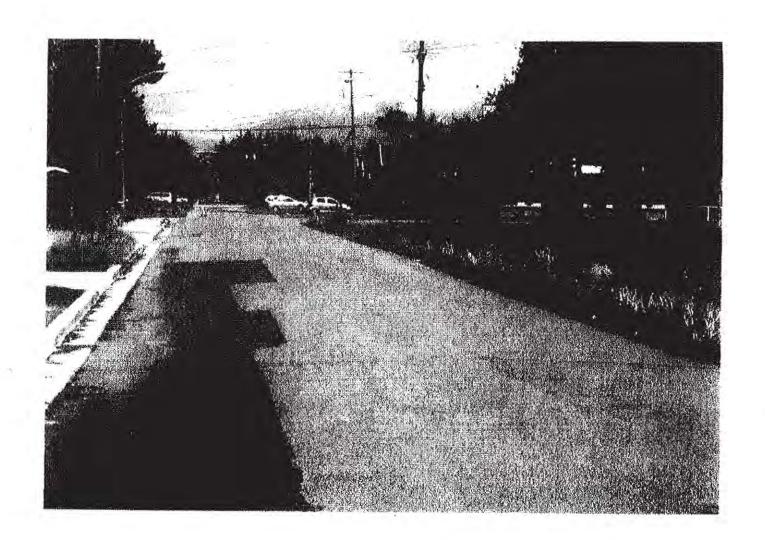


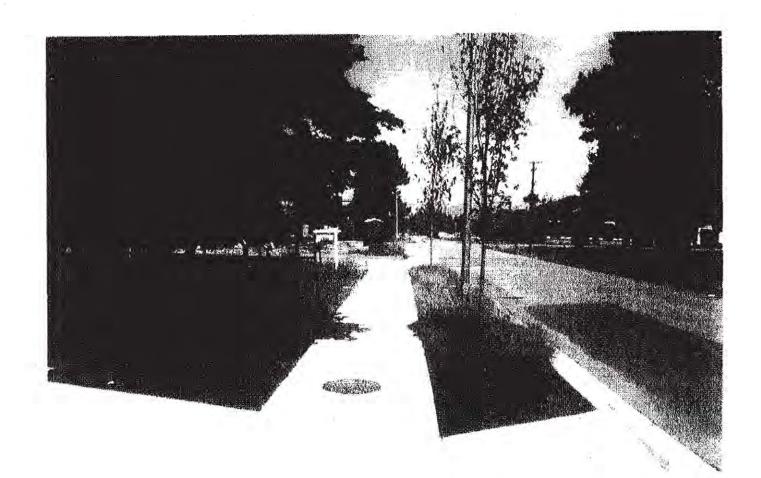
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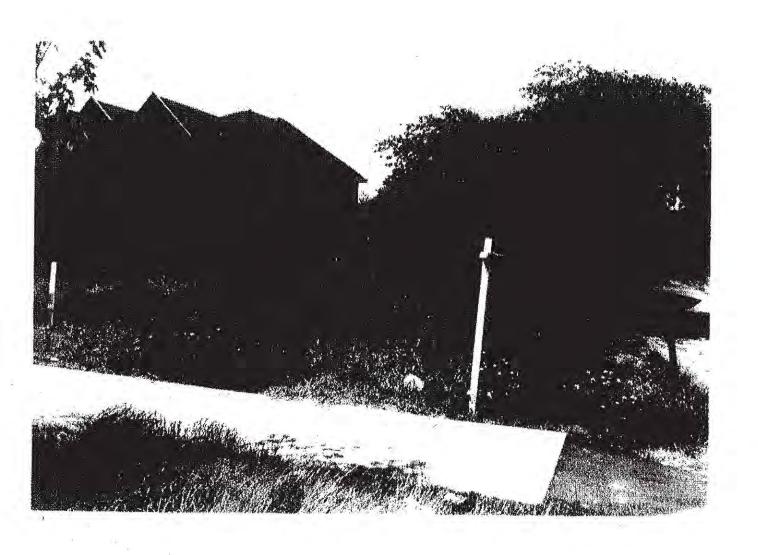
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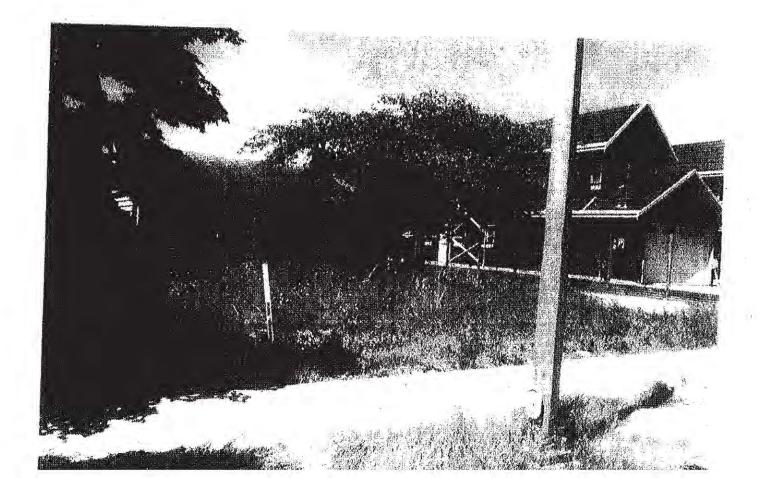




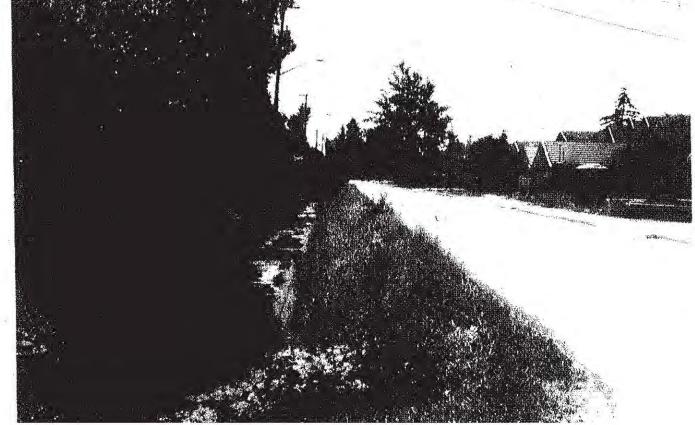






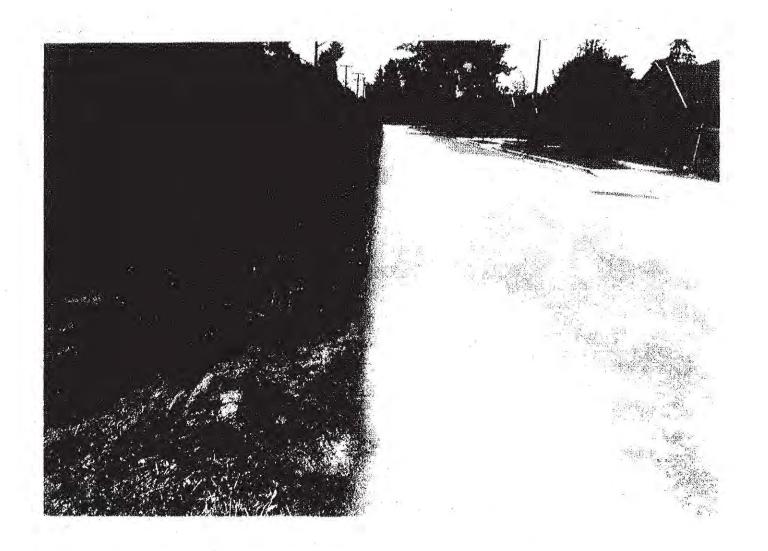


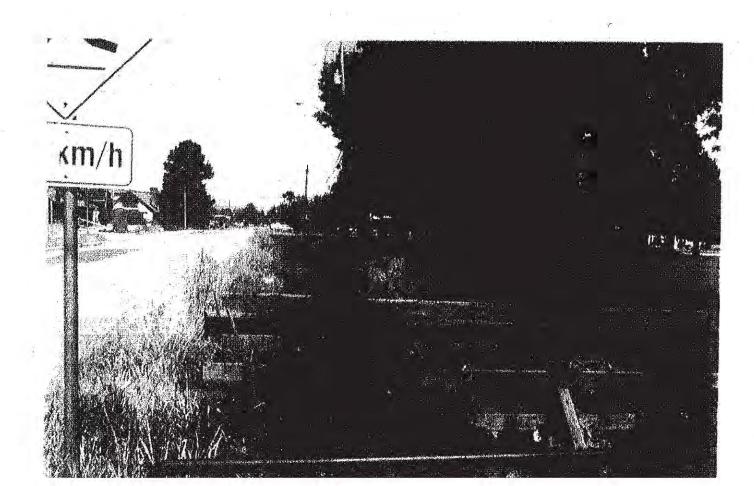














Development Permit Panel Wednesday, January 11, 2012

2. Vary the provisions of the Richmond Zawing Bylaw No. 8500 to permit a 0.5 m building projection by the inevertical height envelope.

CARRIED

3. Development Permit DP 10-538908

(File Ref. No.: DP 10-538908) (REDMS No. 3435263)

APPLICANT:

Doug Massie, Architect of Chercover Massie & Associates

Ltd.

PROPERTY LOCATION:

8851 Heather Street

INTENT OF PERMIT:

- Permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY); and
- 2. Vary the provisions of Richmond Zoning Bylaw 8500 to:
 - a) Reduce the minimum interior side yard from 7.5 m to 1.2 m;
 - b) Reduce the minimum public road parking setback from 3 m to 1.5 m; and
 - c) Permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).

Applicant's Comments

Doug Massie, Architect, Chercover Massie & Associates Architecture and Engineering, spoke on behalf of the owner, and advised that he wished to address points raised in letters from neighbours regarding the proposed two-storey building for a licensed child care facility for approximately 60 children, at 8851 Heather Street. Mr. Massie stated that:

- traffic, the lack of sidewalks and the ditch on Heather Street are items beyond the responsibility of the applicant, who has no way of responding to these matters;
- Chercover Massie & Associates has designed other daycare centres and none of them create traffic issues in their neighbourhoods;
- as a typical Richmond street, Heather Street can handle many more cars than it does at present;
- the applicant has submitted evidence to City planning staff that shows that the volume of cars created by the proposed child care facility has minimal impact on the traffic on Heather Street;
- the number of parking stalls proposed for the site is dictated by the City's zoning bylaw, and is designed to the standards of the bylaw, with the exception of the number of small car stalls, which is the reason behind the request for the variance;
- the proposed building has been designed to meet the B.C. Government standards for child care facilities;

- Community Care Facilities Licensing (CCFL), enforced by Vancouver Coastal Health, provides criteria for the design of child care centres, and the proposed design has been reviewed by the local CCFL office, and meets their criteria;
- the applicant did not create the floor areas, facilities, amenities and play areas criteria, but has, instead, met the criteria in order to obtain a license to provide child care in the proposed building;
- the City's Advisory Design Panel, as well as planning staff, reviewed, and supports, the design and size of the proposed building;
- the proposed child care operation is a business operation, with no subsidy or funding available from government, and, due to the demand for the service and the demand for quality care, suitable experienced staff must be engaged for the facility;
- operators of child care facilities do not get rich by providing this necessary service;
- regarding the exterior lighting for the proposed building, the light fixtures will be down lights, which will not have any light projecting past the property lines at 8851 Heather Street;
- regarding the issue of fire hazard, raised by a neighbour, no fire hazard is posed by
 this project; a fire sprinkler system and a fire alarm system will provide more fire
 protection to the proposed building than a typical residential home, and the
 proposed building is designed to meet the current B.C. Building Code, which
 requires adequate exit facilities;
- the building code's requirement to have fewer openings on side walls, adjacent to neighbouring houses, has been met in the design;
- there are no activities in a child care facility that will create a fire hazard, as only light meals are prepared on site, and children bring their own lunches from home;
- regarding the issue of the south side deck, raised by a neighbour, the purpose of the proposed deck is to provide an open area for quiet circle-type play, outdoor story reading, and instruction;
- the applicant's intention is that all active play will happen in the play area located to the rear of the building, or in Dolphin Park across the street;
- the deck features a five foot high guard rail that meets the height mandated by CCFL;
- the guard rail is a metal grill work, backed by frosted safety glass, to prevent overlook from the deck onto the neighbour's property; the glass guard will be heavier than a wood fence, and the weight of the rail barrier will increase the containment of noise from the deck;
- there are no windows on the upper floor which overlook the neighbour to the south because of: (i) the high rail on the deck; and (ii) the distance back from the property line; and

• there is a six foot high fence on the property line, and no window provides overlook from the proposed building to the neighbouring property.

Mr. Massie concluded that the applicant has attempted to provide solutions and to respond to the concerns raised by neighbours.

Rajinder Singh, Landscape Designer, Van Der Zalm and Associates Landscape Architecture firm, advised that:

- to address concerns raised by neighbours adjacent to the subject site a series of cedar hedges has been planted along the north property line, and a portion of the south property line will feature a cedar hedge;
- a trellis feature with evergreen vine planting will be placed on top of the fence for a portion of the south property line; and
- over time the cedar hedges would grow to surpass the height of the fence, and would provide noise mitigation.

Panel Discussion

Discussion ensued among Panel members, Mr. Massie and Mr Singh, and the following advise was provided:

- the proposed balcony guard ail has always been required to be a five foot fence, but since the project was discussed at the November 30, 2011 meeting of the Development Permit Panel, the fence's detailing has been addressed;
- to ensure that children stay on the property and will not venture onto Heather Street and be endangered by the roadside ditch, the applicant's intention is: to (i) totally contain the play area at the rear of the subject site; (ii) ensure that childen are under parents' care when they are at the front of the building; and (iii) there is no formal gate planned at the front of the subject site, but there will be gates located at the rear main play area, as well as at the top and bottom of the exterior stairs leading to the play deck area; and
- parents dropping off children would do so on weekdays only, not on weekends, and would do so by pulling their vehicles onto the site, parking in the parking stalls, escorting the children into the building, then exiting the site.

Staff Comments

Brian Jackson stated that staff takes the concerns raised by the neighbourhood, regarding traffic, parking, and safety issues, very seriously. He advised that if the proposed site had a single family development, it is possible that a larger building area would be allowed on the site.

Regarding the request for variances, Mr. Jackson noted that: (i) the requested 1.2 metre minimum interior side yard setback is identical to the minimum setback acceptable for a single family residence; (ii) the setback guidelines in the Assembly Zone apply to larger lots; and (iii) any assembly use on small lots requires a variance.

In response to a query from the Chair, Mr. Jackson advised that the applicant's request for a parking variance is to increase the number of small parking spaces on the site.

Panel Discussion

In response to the Chair's request, Donna Chan, Manager, Transportation Planning, provided an update regarding the consultation process undertaken by staff regarding traffic issues in the Heather Street neighbourhood.

Ms. Chan advised that in December 2011, Transportation staff sent a traffic survey to 19 homes in the neighbourhood asking whether residents were in favour of speed humps as a traffic calming measure.

To date eight surveys have been returned, and of those four are in favour of the traffic calming measure and four are opposed to the traffic calming measure. Survey respondents have until Friday, January 20, 2012 to submit responses.

Ms. Chan added that when the survey process is complete, Transportation staff will report on the outcome to Council at the Monday, January 23, 2012 Council meeting.

In response to a query from the Panel, Ms. Chan advised that parking is permitted on Heather Street, but that there is very little opportunity to park there due to: (i) "No Parking" signs on the east side of the street, where the open ditch is located; (ii) driveways; (iii) fire hydrants; and (iv) required clearance from intersections.

Ms. Chan added that even with parked cars on Heather Street, it is possible for cars going in opposite directions to pass, if they alternate.

Gallery Comments

Raj Johal, 8880 Heather Street, spoke in opposition to the proposed building. He stated that he wants to see "No Stopping" signs in front of the subject site in order to avoid having to make calls to the City Bylaw office when parents park on the road, and not in the parking spaces provided on the site.

Mr. Johal referenced the City's zoning bylaw and commented that the proposed building is a commercial building, and that the setback requirements in the bylaw that apply to a school or a pre-school should apply to the proposed child care facility. He added that a compromise between the requested 1.2 metre interior side yard setback, versus the current 7.5 metre setback, would be to settle on a 3 metre setback.

As a result of Mr. Johal's request for signage, a brief discussion ensued between the Panel and Ms. Chan regarding signage to discourage parents from parking on the street. As a result of the discussion Ms. Chan advised that staff would look into the idea of "No Stopping" signage on Heather Street

Barbara Thomas-Bruzzese, 8700 Dolphin Court, submitted correspondence and photographs (attached to these Minutes as Schedule 2). She stated that she was strongly opposed to the application to construct a two-storey building for a licensed child care facility.

Ms. Thomas-Bruzzese, 8700 Dolphin Court, outlined her concerns, and drew attention to: (i) the size of the site is not large enough for the proposed development; (ii) the size of the proposed building is approximately twice the size of the largest homes on the street; (iii) the location of the site is at a narrow part of Heather Street with a ditch on the east side with limited room to park on the shoulder of the street; (iv) the residential character of the neighbourhood, and how the new owners of the subject site have neglected their yard for more than six months and the former building on the site has been stripped; (v) the number of people that would occupy the premises on a daily basis; (vi) the number of children proposed for the facility is in excess of the number of child care spaces needed in the Broadmoor Area as outlined in the City's 2009-2016 Richmond Child Care Needs Assessment and Strategy; (vii) Dolphin Park has been referred to erroneously as Heather Park; and (viii) noise concerns.

Mrs. Thomas-Bruzzese requested that the Panel reject the proposed development.

Donald Lee advised that he spoke on behalf of Alice Chan, 8871 Heather Street who was absent, but who had submitted two letters opposing the proposed development (attached to these Minutes as Schedule 3 and Schedule 5).

Mr. Lee listed the following concerns as outlined in Ms. Chan's correspondence: (i) road safety; (ii) signage being ineffective in governing people stopping in the area; (iii) the proposed development's narrow parking lot, necessitating drivers having to back out of the site and blocking traffic; (iv) noise, from children and honking cars from the child care facility, disrupting the peace and quiet in neighbour's backyards; (v) the upper floor balcony facing bedrooms at 8871 Heather Street; and (vi) the demand for a child care facility in the area is low.

Lorne Soo, 8875 Heather Street, advised that he agreed with the concerns from other speakers, especially with regard to increased traffic on Heather Street, that could total up to 120 cars per day. He was opposed to the proposed development, and expressed puzzlement that the application could have made progress, in light of the neighbours' concerns.

Christine Tu, 8899 Heather Street, spoke in opposition to the proposed development. She stated that: (i) the street was too narrow to accommodate added traffic and should be widened; (ii) there should be sidewalks along both sides of Heather Street; (iii) the open ditch presents a problem; (iv) the area is not safe for children; (v) people coming to the child care facility will park in front of homes; (vi) neighbours who leave for work, and their children who leave for school, will experience delays as a result of child care parents arriving between 7 and 9 a.m.; and (vii) she wants the neighbourhood to remain quiet and accessible.

Lisa Chan, 8871 Heather Street, spoke in opposition to the proposed development, and stated that: (i) the planned upper floor balcony facing her home was evidence that there was inadequate outdoor play space on the site; (ii) noise would be a problem for neighbours; (iii) the rainy, cloudy and cool nature of Lower Mainland weather was a problem; and (iv) the ditch, as well as the potential for black ice on the road during winter, were problems. The building was too small for the children.

Linda Chen, 8591 Heather Street, spoke in opposition to the proposed development. She noted that: (i) teaching staff would take up most of the parking spaces on site; and (ii) if there is a staff person for every six children, that would amount to 10 teachers.

Mr. Massie advised that: (i) the City's bylaw requires that nine parking spaces be provided for the child care facility teachers; (ii) there would be 12 teachers on staff; and (iii) that number of teachers, and the number of parking space, meets the City's and the CCFL's requirements.

A resident at 8931 Heather Street drew the Panel's attention to a petition dated July 7, 2011 (on file in the City Clerk's Office) signed by Heather Street residents in opposition to the proposed development. He then queried why there was inadequate signage on the subject site.

Mr. Jackson advised that the applicant erected a sign on the subject site that provided information regarding the development permit application. He added that the site did not have a rezoning application sign because the size was already zoned for "assembly use", and for this application, no rezoning was necessary.

Mr. Miao, 8933 Heather Street, spoke in opposition to the proposed development and stated that his concerns were related to: (i) noise; (ii) traffic issues; and (iii) parking issues. He requested that the Panel reject the development permit application.

Dave Hay, 8691 Heather Street, spoke in opposition to the proposed development and stated his concern with the lack of parking. He also noted that the on site parking spaces were inefficient, as drivers would be forced to drive in, and then back out. He stated that the ditch should be filled in and paved over. He then questioned how high the cedar hedge would grow in the side yards.

Mr. Singh noted that the smaller size type of cedar species that was selected would grow well, with pruning maintenance, in a confined space.

Mr. Chen, 8591 Heather Street, spoke in opposition to the proposed development. He was concerned that the shoulders of Heather Street turn soft in the rain, and when cars try to pass on the street, and have to use the softened shoulder to do so, there is a risk cars and their drivers can fall into the ditch.

A brief discussion ensued between the Panel and Ms. Chan regarding the nature of traffic on Heather Street. Ms. Chan noted that it is a low volume road. If there is a car parked on the side of the road, it is typical that one car proceeding down the road will continue, while a car coming in the opposite direction will pause.

Jim Bruzzese, 8700 Dolphin Court, spoke in opposition to the proposed development. He: (i) asked about noise mitigation at the rear of the subject site; (ii) what would happen if his fence, the one that separates the rear of the subject site from his Dolphin Court property, is damaged; and (iii) noted that just because the nature of Heather Street provides little opportunity to park, that does not mean that people will not do so, and may let their cars idle, then return to their running cars after having taken their children to the care facility.

As a result of Mr. Bruzzese's remarks, and Mrs. Thomas-Bruzzese's photographs, discussion ensued between the Panel, Mr. Massie, and Mr. Singh.

Mr. Singh advised that the design for the rear yard of the proposed child care facility included: (i) a play surface featuring soft material that would absorb sound; (ii) a grassed play area; and (iii) new ground cover planting along the current hedge.

In response to a query from the Chair, Mr. Singh stated that: (i) the portion of the hedge above the line of the Thomas-Bruzzese fence would remain; (ii) the lower portion of the hedge has been trimmed; and (iii) a variety of ground cover elements would be added along the base of the hedge.

The Chair noted that the photographs indicated that recent pruning had exposed some gaps in the hedge, and he suggested that the applicant not prune any further, and instead select some landscaping elements to fill in the gaps.

With regard to the issue of signage on the site, Mr. Massie advised that the sign that had initially been erected had gone missing, and that since its disappearance, a second sign had been erected on the site. The Chair commented that the temporary disappearance of the sign did not invalidate the process.

Correspondence

Barbara Thomas-Bruzzese, 8700 Dolphin Court (Schedule 2)

Alice Chan, 8871 Heather Street (Schedule 3)

Amar Johal, 8880 Heather Street (Schedule 4)

Alice Chan, 8871 Heather Street (Schedule 5)

Panel Discussion

The Chair acknowledged that the project was a contentious one, but advised that the mandate of the Development Permit Panel is to examine building form and character, not zoning issues. He noted that a child care facility is a permitted use on the site, and that if the requested variances were rejected, the applicant could still apply for and pursue a child care facility for the site.

The Chair further stated that the applicant had taken steps to mitigate the impact of the proposed facility.

The Panel expressed support for the idea to have "No Stopping" signage on Heather Street in order to discourage parents of children from dropping off their children anywhere other than on the subject site. In addition, the Panel advised that no further pruning of the existing hedges take place.

The Panel further noted that: (i) communication with neighbours was important; (ii) the applicant should address the sensitivity of the neighbourhood; (iii) City transportation staff would be engaged in the traffic issues; and (iv) the applicant should immediately clean up the subject site.

As a result of the discussion, the following conditions were to be added to the motion:

- the applicant clean up the site before the Development Permit proceed to a meeting of City Council;
- that the City transportation staff review and confirm that the suggested "No Stopping" signage can be installed on Heather Street before the Development Permit proceed to a meeting of City Council; and
- that the City's traffic survey results in the Heather Street neighbourhood be available to Council.

Panel Decision

It was moved and seconded

That a Development Permit be issued which would:

- 1. Permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY); and
- 2. Vary the provisions of Richmond Zoning Bylaw 8500 to:
 - a) Reduce the minimum interior side yard from 7.5 m to 1.2 m;
 - b) Reduce the minimum public road parking setback from 3 m to 1.5 m; and
 - c) Permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces);

after such time as the following conditions have been met:

That:

- (1) the applicant clean up the site before the Development Permit proceed to a meeting of City Council;
- (2) the City transportation staff review and confirm that the suggested "No Stopping" signage can be installed on Heather Street before the Development Permit proceed to a meeting of City Council; and
- (3) the City's traffic survey results in the Heather Street neighbourhood be made available to Council.

CARRIED

4. New Business

Date Of Next Meeting: Wednesday, January 25, 2012

6. Adjournment

It was moved and seconded

That the meeting be adjourned at 5:10 p.m.

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the Development Permit Panel of the Council of the City of Richmond held on Wednesday, January 11, 2012.

Joe Erceg Chair Sheila Johnston Committee Clerk January 11, 2012

Director, City Clerk's Office City of Richmond 6911 No. 3 Road Richmond, BC V6Y 2C1 Schedule 2 to the Minutes of the Development Permit Panel Meeting of Wednesday, January 11, 2012.

Re: Notice of Application for a Development Permit DP 10-538908

I strongly oppose the application to permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY) and to vary the provisions of Zoning Bylaw 8500 as specified in the notice.

I have lived at 8700 Dolphin Court with my family for over 10 years. Our property is one of the properties directly adjacent to the back yard of 8851 Heather Street. We moved here specifically because it was a quiet residential neighbourhood of single-family homes. We have very much enjoyed living here – gardening or having a morning coffee in the back yard to the sounds of song birds, the wind in the trees and small planes overhead. I have often remarked to my husband that it is so wonderful that it is so quiet in our neighbourhood. It is something that I really value. If this application for a development permit is approved, it will significantly change the character of our neighbourhood as well as the serenity in our yard in particular.

Along with our neighbours, we made presentations to the Richmond Development Permit Panel at their meeting on July 13th 2011. Pictures were distributed by one of our neighbours so that the Development Permit Panel could actually see how narrow Heather Street is and how completely inappropriate it would be to increase the traffic in this area as a result of the construction of a business that would result in a significant increase in traffic at peak times of the day.

Along with our neighbours, we submitted a petition outlining our opposition to this development permit for the following reasons:

- Increased traffic through this portion of Heather Street
- Traffic flow
- Ditches
- · Lighting and sidewalks
- Business vs residential

Our cover letter concluded "We believe that this proposal seriously impacts the safety, well-being and cohesiveness of our neighbourhood."

We participated in discussions at an Open House on September 8th hosted by the Vancouver Star Daycare and Doug Massie, Architect, Chercover Massie & Associates Ltd and we, as well as our neighbours, expressed our concerns about this proposal.

It seems that nobody is listening.

I understand that there is a proposal to install speed bumps on Heather Street as a solution to our concerns about traffic safety. I am convinced that this is not a solution at all. In fact, it will only make matters worse because if speed bumps are installed on Heather Street, it will only be a matter of time before a vehicle ends up in the ditch resulting in significant injuries or death.

My husband and I, along with our neighbours, are fully aware that this proposal does not fit well into our single-family neighbourhood. Although we very much appreciate the opportunity to address this Panel, it is very frustrating that we have not been heard to date.

I ask you to reject this proposed development for the following reasons:

- 1. Size of the site. It is very clear to me that this site is not an appropriate size for a child care facility for 60 children. In fact, it is clear to the developer and property owner also that this property is not an appropriate size for the building they propose because they are asking to vary the provisions of the Zoning Bylaw 8500 so that they can reduce the minimum interior side yard from 7.5 to 1.2 metres and reduce the minimum public road parking setback from 3 metres to 1.5 metres. They are also asking for a variance regarding the parking because they know that the property is not large enough to accommodate the parking that they should be providing. It is also not large enough to provide the typical oneway drive-through that schools and large childcare facilities have to ensure the safety of the children when they are being dropped-off and picked-up. In addition, they know that the property is not large enough to meet their playground requirement so they intend to count on the use of Dolphin Park, a small park with an exceptionally small playground, across the street. Adding so many additional children to the playground will affect the families in the neighbourhood who use this playground on a regular basis. Another strategy the child care provider suggested was that she just keeps the children inside. Neither of these suggestions meet an acceptable standard for quality childcare.
- 2. Size of the building. In order to accommodate a childcare business for so many children, they propose a building that is approximately twice the size of the largest homes that currently exist on the street. What would be more appropriate for consistent development of the neighbourhood would be to subdivide the property and put up two large houses on that site. That would be a plan that would maintain the character of the neighbourhood.
- 3. Location. This part of Heather Street is exceptionally narrow and has a ditch on the east side of it so when there is a need for two-way traffic, there is very little clearance. There is also very little room on the shoulder of the street for the parking that would inevitably be required during drop-off and pick-up for the childcare business. A strategy to widen Heather Street to accommodate the

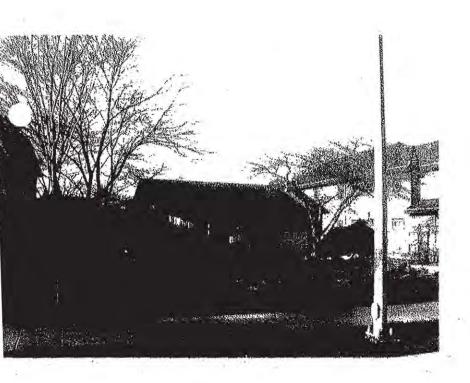
additional traffic and the additional parking spaces that will be required is also not likely because of the ditch and the adjacent park.

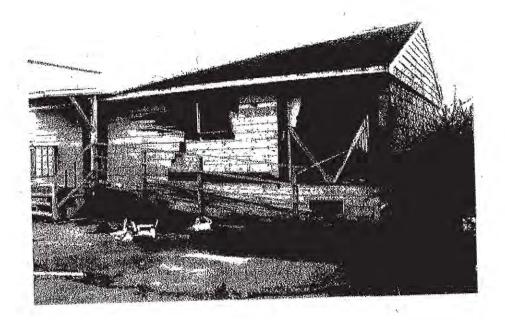
- 4. Character of the neighbourhood. According to the Official Community Plan for Richmond, "Broadmoor has many stable well-kept residential neighbourhoods and is well served by local parks, schools and services." We want to keep it that way. It seems to me that this childcare business is forcing itself into our quiet residential neighbourhood simply because the site is zoned Assembly (ASY) and they counted on this being an easy route to setting up their business. The previous church group that gathered occasionally at the small house (not a typical church building) on that property fit in nicely with the neighbourhood. The building looked like a typical house. Although there could be several people there at one time, it was not unlike any of the neighbours having a group of family or friends over for a BBQ. The sounds of people talking and laughing were no more dominant than other conversations in the neighbourhood. Their yard was maintained similar to the properties in the neighbourhood, for example, the lawn was moved on a regular basis. The 15 foot cedar trees that grow just on the other side of our fence at the back of our yard, were trimmed on a regular basis. On the other hand, the new owners have neglected their yard for more than 6 months. The lawn is no longer mowed on a regular basis and has grown to 3 feet tall. Prior to the meeting on July 13th, they removed the lower branches of the row of trees on the other side of our 6 foot fence to just above the fence so this has diminished our privacy since you can now see between the trees above our fence where the branches have been removed. In addition this has diminished the effectiveness of the natural sound barrier that the tall row of trees provided. To make matters even worse, the new owners have just left the large branches in the yard where they have since turned orange in colour and this has contributed to their property being an eye-sore in the neighbourhood for several months. Many of us go for walks throughout the neighbourhood and admire the well-manicured yards and colourful flowers that are typical in our neighbourhood. Residents take pride in the appearance of their yards. The property at 8851 Heather Street is an extreme exception. The building itself was essentially stripped months ago and has since been abandoned. The yard is completely nealected.
- 5. Number of people The number of people they propose to occupy the premises on a daily basis is excessive for our neighbourhood. To have 60 children, in addition to the staff, as well as parents coming and going, defines this as an institution. It is clearly not another house in a residential neighbourhood. If the owner was proposing a family daycare in a house of similar size to the houses in the neighbourhood, I am confident that this would be well received. There is clearly no objection to children in the neighbourhood nor to a childcare facility. However what they are proposing is to dominate the neighbourhood with an oversized institution in an undersized yard that is overpopulated according to the neighbourhood standards. This is completely inappropriate for the neighbourhood and unwelcomed.

- 6. Community Benefits I would like to refer to the Staff Report that was attached to the Report to the Development Permit Panel from Brian J. Jackson, MCIP, Director of Development, dated June 16, 2011. In the section on Community Benefits, it is clear that the number of children proposed for the business at 8851 Heather Street far exceeds the number of child care needs for toddler and 3–5 year olds in the Broadmoor area. As identified in the 2009-2016 Richmond Child Care Needs Assessment and Strategy, the estimated additional child care spaces needed by December 1, 2016 in the Broadmoor area are 23 spaces for 18 months to 2 years old and 9 spaces for 3-5 year olds. It is extremely objectionable that we should be subjected to a 60 child institution in our neighbourhood when the anticipated needs of the entire Broadmoor area are met by less than half the number of children proposed.
- 7. Dolphin Park I would like to clarify again that to the east, across Heather Street from 8851 Heather Street, is Dolphin Park, not Heather Park as has been referred to on more than one occasion during this permit application. In the Staff Report that I referred to earlier, on the first page, in the section titled "Background", it again refers to the park as "the city-owned Heather neighbourhood park, which contains a children's playground, zoned School & Institution Use (SI)". My husband and I went to Heather Park and discovered that it had a much more substantial playground for children than Dolphin Park. I would respectfully ask that this be looked into so that there is no misrepresentation of the facts when you consider this permit application. In addition, I request that Vancouver Coastal Health also be informed that in fact it is Dolphin Park, not Heather Park that is across the street.
- 8. Noise According to the staff report, "the proposal includes only 67% of the outdoor play area requirement for 60 children" and the "outdoor children's play area is provided in the rear yard 212.9m2 (just on the other side of our fence) and on the second floor deck (69.25 m2). According to the Staff Report dated October 7th, 2011, up to 24 children at a time will be scheduled to be in the outside play area on site at a given time and the applicant is proposing to schedule the use of the outdoor play area to meet the daily outdoor play needs of each of the four child care rooms. This will have a significant negative impact on our quiet neighbourhood on a daily basis.

Thank you for the opportunity to express my strong objections to having an institution forced on our quiet residential neighbourhood. I ask you to reject this application.

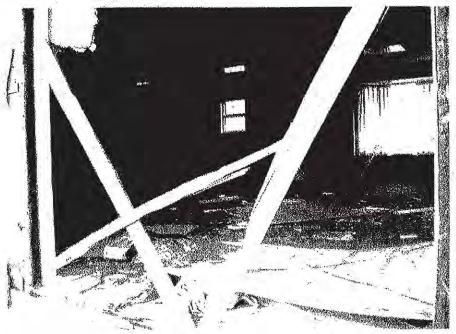
Barbara Thomas-Bruzzese 8700 Dolphin Court, Richmond BC

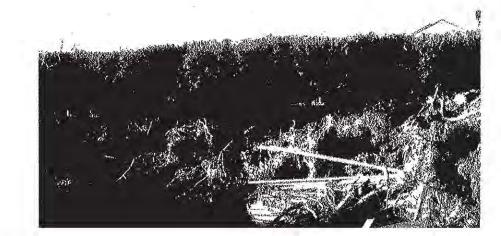




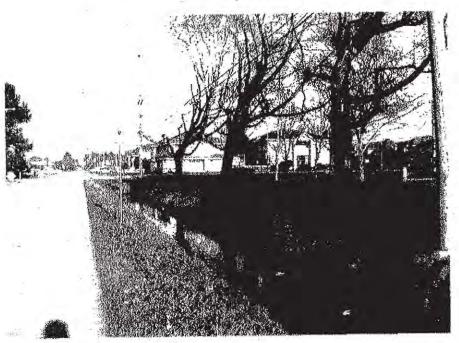


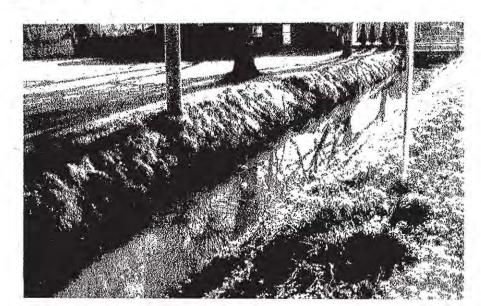












Schedule 3 to the Minutes of the Development Permit Panel Meeting of Wednesday, January 11, 2012.

To Development Permit Potent Date: JAN. 11, 201 Item # 3 Re: PP 10 - 538 91

Johnson, Gail

From:

alice chan [alicechan8899@gmail.com]

Sent:

January 3, 2012 10:53 PM

To:

Johnson, Gail

Cc:

Chak Au; Raj and Nina Johal; Amar Johal; chen; hsuhosen@gmail.com

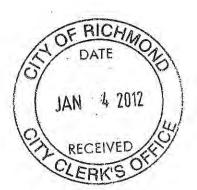
Subject: 8851 Heather Street

Hello Gail,

My name is Alice Chan and I reside at 8871 Heather Street. At this point in time you may be aware that 8851 Heather Street's development has received much appeal from its neighbourhood, part of which I have participated in; However, I would like to address a few points that have caught my attention as well as others in the block. Firstly, the size of structure proposed on the lot of 8851 would be much too small to house sixty children, and would potentially pose a fire hazard in certain circumstances as well as natural hazards in the event of any disaster. In addition, the lot would be also much too small to allow 30 parked cars, not to mention the already narrow road width, facing a deep ditch on the other side. Secondly, the design of the structure does not match the surrounding houses in the neighbourhood and suggests a large balcony on the upper floor, facing the bedroom windows of 8871 (my home). With the significant amount of increased noise coming from the childcare institution alone, the children playing on the balcony would render my home entirely emasculated of the privacy we had. No other house in the neighbourhood contains such a large balcony on the upper floor, there should be no reason for this structure to possess such a large balcony that not only would not be entirely safe for children, but bothersome for the surrounding environment.

I hope you will take our thoughts into consideration.

Regards, Alice



Schedule 4 to the Minutes of the Development Permit Panel Meeting of Wednesday, January 11, 2012.

City of Richmond 6911 No. 3 Road Richmond, BC V6Y 2C1 Canada

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To: Council Members and Richmond Development Permit Panel

Re: 8851 Heather Street - Development Permit 10-538908 (REDMS NO. 3360997)

Unfortunately I am unable to attend this hearing due to work related commitments.

The above proposed development is for a 60 child daycare center on Heather Street. I have attended two public "hearings" (one at City Hall and the second sponsored by the Architect/Owner). Each time, I presented a petition from citizens in the neighbourhood concerned with the safety, congestion, location, size and appropriateness of a 60 child daycare center on a narrow street. To date the fundamental issues around safety of residents, potential attendees and neighbourhood congestion have not been adequately addressed.

The south end of Heather Street has deep ditches on the east side with no parking and limited lighting and sidewalks on the west side. The only "solutions" the City has come up with is to add DO NOT STOP signs in front of the ditch and ask for our input on speed bumps to slow traffic down. I ask the Planning department how do these "solutions" solve the safety or congestion issues for us.

A 60 child daycare will generate 120 car trips per day in one short block. Although this may not seem a lot to you....it is considerable when you view the current traffic on our street and the fact that it will take place in two 2 hour windows (am & pm). The previous users were a church that had functions mostly on Sundays. This new development would change the entire make-up of the street.

Parking will also be a major issue given the limited allocated parking spots for the day care, staff parking needs, deliveries and parent drop off processing etc. This has the potential of causing traffic jams on a small narrow street that has limited parking. What are the City's plans to address this issue and what 3rd party independent studies have been conducted to ensure traffic flow is maintained. I suggest that the City view the congestion on Bakerview Street in the evenings where this owner has a much smaller yet similar operation. Magnify that 3 fold and coupled with no parking, no sidewalks, limited lighting, a narrow street and deep ditches and you have the making of a serious problem.

It has been most disheartening that the City feels compelled to force this development without fully considering the ramifications to those who would be most impacted on this street. It seems that at every turn the City has refused to listen to the affected citizens:

- Inaction on safety and congestion concerns.
- Issue around large ditch, lighting, sidewalks still unaddressed.
- Notification of hearings/input to select homes only

- Size of daycare. A 60 child day care is more a school than a day care center. Especially if the owners plan on having after school care which will only add to the congestion etc.
- Changing zoning to accommodate a developers business case.

To be clear, the neighbourhood supports the need for daycare centers. But only when it is done right....not a:

- · 60 child day care
- · Narrow street with poor lighting and deep ditches
- · Etc

We ask the City to please reconsider this development and address the several issues above before moving forward. We also ask that the Developer/Owner <u>immediately</u> erect a sign on the property advising of a potential 60 child day care. We ask given that there are 2 new homes right next door for sale and it would be the only right thing to do to ensure potential buyers are aware of this development.

Thank you for your consideration in this matter.

Sincerely,

Amar Johal 8880 Heather Street Richmond, BC

Johnson, Gail

From:

Amar Johal [amarjohal@shaw.ca]

Sent:

January 3, 2012 4:57 PM

To:

Johnson, Gail

Subject:

8851 Heather Street Development Permit 10-538908 (REDMS NO. 3360997)

Attachments: 8851 Heather Street.docx

Hi Gail, Sara Badyl had suggested we send you our concerns regarding the above as we will not be able to attend the hearing.

Please see the attached.

Schedule 5 to the Minutes of the Development Permit Panel Meeting of Wednesday, January 11, 2012.

Johnson, Gail

alice chan [alicechan8899@gmail.com]

From: Sent:

January 6, 2012 11:16 PM

To:

Johnson, Gail

Cc:

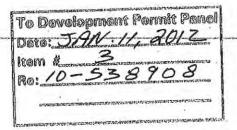
Chak Au; Raj and Nina Johal; Amar Johal; chen

Subject: 8851 Heather Street

Hello Gail,

Sorry I have to write you a letter again, the reason is I'm having nightmares every night just thinking about the childcare being possibly built beside my house. Having to think about the balcony on the side of the building especially bothers me because it invades my family and my own privacy as it allows a clear view of my family's daily activities and every actions. The possible establishment of the child care is already a major interference to my family's life and our neighborhood, but having the balcony on the side peering into my house makes me even more agitated, uneasy and upset. Therefore, I would like you to know that the child care issue is already greatly impacting my life right now, thus I do not want to imagine how inconvenient and horrible it will be if it is established.

Thank you for your attention! Alice Chan







Report to Development Permit Panel

Planning and Development Department

To: DPP ntng. JAN.11/2012

Date:

December 21, 2011

File:

DP 10-538908

From:

To:

Brian J. Jackson, MCIP

Development Permit Panel

Director of Development

Re:

Application by Doug Massie, Architect of Chercover Massie & Associates Ltd.

for a Development Permit at 8851 Heather Street

Staff Recommendation

That a Development Permit be issued which would:

- 1. Permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY); and
- 2. Vary the provisions of Richmond Zoning Bylaw 8500 to:
 - a) Reduce the minimum interior side yard from 7.5 m to 1.2 m;
 - b) Reduce the minimum public road parking setback from 3 m to 1.5 m; and
 - c) Permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).

Brian Mackson, MCIP Director of Development

BJJ:sb Att.

Staff Report

Origin

Doug Massie, Architect of Chercover Massie & Associates Ltd. has applied to the City of Richmond for permission to develop a two-storey building with a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY). Variances are included in the proposal to: reduce the interior side yard, reduce the Heather Street public road parking setback, and permit small car parking spaces.

Development Permit Panel's recommendation that the subject Development Permit be issued was considered by Council on December 19, 2011. At the meeting, Council carried the resolution that the Development Permit be referred back to the Development Permit Panel.

This staff report addresses the Council referral and responds to the concerns expressed by residents. The report considered by the Development Permit Panel on November 30, 2011 is attached for reference (Attachment AA). Subsequent to the Development Permit Panel meeting on November 30, 2011, public correspondence was received and is attached (Attachment BB).

Staff Comments

At the Council meeting on December 19, 2011, there was a brief discussion about concerns expressed by residents on Heather Street related to the form and character of the proposal, traffic in the area, and consultation. Regarding to the items discussed:

- Neighbourhood resident concerns regarding the form and character of the proposed child care facility were considered and addressed;
- a traffic calming measures survey has recently been mailed to Heather Street residents; and
- in September, the applicant hosted an Open House Meeting with neighbourhood residents.

Analysis

Neighbourhood Resident Concerns

- Neighbourhood resident concerns regarding the form and character of the proposed child care facility were considered at the Development Permit Panel meetings held on July 13, 2011 and November 30, 2011.
- As noted in the staff reports, the applicant made revisions to their proposal to improve fit into the neighbourhood and the interfaces to the surrounding single-family lots. These changes were made both during the Development Permit process, and also a result of concerns expressed at the July 13, 2011 Development Permit Panel meeting.
- Public correspondence was submitted to the City after the November 30, 2011 Development Permit Panel meeting by Mr. Raj Johal, who also attended the November 30, 2011 meeting (Attachment BB). Many concerns were considered at the Development Permit Panel meetings held on July 13, 2011 and November 30, 2011, including the concerns expressed in the letter (reduced setbacks, traffic volume, Heather Street width, parking, sidewalks, open ditch and lighting). Some additional land use, density and operations concerns were expressed, but are outside the scope of a Development Permit. The petition attached to the letter was considered at the July 13, 2011 Development Permit Panel meeting.

Traffic Concerns

• The "Proposed Traffic Calming Measures on Heather Street Survey" dated December 20, 2011 was mailed to residents and owners of the properties in the 8700 to 8900 block of

Heather Street. The survey includes a request for responses by Friday, January 20, 2011. Transportation staff will compile and analyse the results of the survey and if there is support, the proposed speed humps will be installed as part of the City's 2012 paving season.

Community Consultation

- As a result of concerns expressed by neighbourhood residents at the July 13, 2011
 Development Permit Panel meeting, and as noted in the staff report dated October 7, 2011,
 the applicant hosted an Open House Meeting on September 8, 2011 to consult with residents
 of the neighbourhood.
- As noted in the staff report dated October 7, 2011, in response to the resident concerns, the applicant made changes to the design to improve privacy for the adjacent neighbours.

Conclusions

Council's referral has been addressed. Throughout the application process the applicant has made changes that improve the neighbourhood fit and privacy for the neighbouring properties. Staff have examined pedestrian and vehicle traffic on Heather Street and are in the process of conducting a traffic calming survey regarding speed hump construction along Heather Street. This information should be available by the end of January 2012.

The proposal for a child care facility supports the community by helping to address the toddler and 3-5 year old child care needs for the Broadmoor and City Centre planning areas. The existing Assembly zoned lot is well situated for a child care facility with a neighbourhood park across the street. Staff recommends support of this Development Permit application.

Sava Badyal
Sara Badyal, M. Arch, MCIP

Planner 1 SB:rg

Attachment AA Development Permit Panel Report considered on November 30, 2011 (with

attachments, including report considered on July 13, 2011)

Attachment BB Public Correspondence received from Mr. R Johal dated December 4, 2011

The following are to be met prior to forwarding this application to Council for approval:

· Registration of a flood plain indemnity covenant.

- Submission of a contract entered into between the applicant and a Certified Arborist for supervision on any onsite works conducted within the tree protection zone of the maple tree to be retained.
- Installation of appropriate tree protection fencing around the maple tree to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
- Receipt of a Letter-of-Credit for landscaping in the amount of \$42,822.00.

Prior to future Building Permit issuance, the developer is required to complete the following:

- Incorporation of accessibility features shown in Development Permit drawings.
- Driveway and boulevard restoration works to be done at the developer's sole cost via City Work Order.
- Obtain a Building Permit for any construction hoarding associated with the proposed development. If
 construction hoarding is required to temporarily occupy a street, or any part thereof, or occupy the air space
 above a street or any part thereof, additional City approvals and associated fees may be required.
- Submission of a construction traffic and parking management plan to the satisfaction of the City's Transportation Division (http://www.richmond.ca/services/ttp/special.htm).



City of Richmond Planning and Development Department

Report to **Development Permit Panel**

To:

Development Permit Panel

Date:

October 7, 2011

From:

Brian J. Jackson, MCIP

File:

DP 10-538908

Director of Development

Re:

Application by Doug Massie, Architect of Chercover Massie & Associates Ltd.

for a Development Permit at 8851 Heather Street

Staff Recommendation

That a Development Permit be issued which would

- 1. Permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY); and
- 2. Vary the provisions of Zoning Bylaw 8500 to:
 - a) Reduce minimum interior side yard from 7.5 m to 1.2 m;
 - b) Reduce the minimum public road parking setback from 3 m to 1.5 m;
 - c) Permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).

Brian J. Jackson, MCIP Director of Development

SB:blg Att.

Staff Report

Origin

Doug Massie, Architect of Chercover Massie & Associates Ltd. has applied to the City of Richmond for permission to develop a two-storey building with a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY). Variances are included in the proposal to: reduce the interior side yard, reduce the Heather Street public road parking setback, and permit small car parking spaces.

The application was presented to the Development Permit Panel on July 13, 2011. At the meeting, the Panel moved and seconded:

"That Development Permit 10-538908 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."

This staff report addresses the Panel referral and responds to the concerns expressed by residents. The report considered by the Panel on July 13, 2011 is attached for reference (Attachment A).

Staff Comments

In response to the Development Permit Panel referral:

- The applicant hosted an Open House Meeting to consult with residents of the neighbourhood;
- The applicant has made changes to the design to improve privacy for the adjacent neighbours;
- On-site parking/manoeuvring and pedestrian and vehicle traffic on Heather Street was examined; and
- Transportation staff will be conducting a traffic calming survey this fall, and if there is support from the residents, work will commence in the summer of 2012 on the construction of speed humps along Heather Street. Resident support would require at least 66% of survey respondents to be in favour and at least 30% of surveyed households to submit a response.

The proposed building footprint and parking layout remain the same and there are no changes to the variances proposed.

Analysis

Community Consultation

- The applicant hosted a neighbourhood Open House Meeting from 7:00 pm to 8:00 pm on Thursday September 8, 2011 at Family Place, which is located at 8660 Ash Street, a block away from the development site.
- On August 19, 2011, invitations were hand delivered to 53 homes in close proximity to the subject site, including homes along Heather Street from Francis Road to Dolphin Avenue, and the homes along Dolphin Court (Attachment B).

- At the Open House Meeting, approximately seven (7) neighbourhood residents attended and expressed concerns regarding:
 - > Number of children;
 - Size of building;
 - > Adequacy of on-site outdoor play area;
 - > Privacy from overlook and noise potential for the adjacent neighbours;
 - > Adequacy of on-site parking; and
 - > Pedestrian and vehicle traffic on Heather Street vehicle speeding, narrow street width, significant drainage ditch, street lighting, and lack of sidewalk.

Number of Children

- As noted in the Staff Report, Vancouver Coastal Health childcare facility licensing staff have reviewed the application and have confirmed that they have no concerns with the proposal.
- The proposal has been designed with appropriate indoor and outdoor area for 60 children to meet Provincial childcare licensing requirements and the operational needs of the applicant. The children will be accommodated in 4 classrooms; 3 rooms of 12 children under 3 years old, and 1 room of 24 children aged 3 to 5 years old.
- The applicant advises that the proposed number of children is needed to enable the
 construction of a new building and to accommodate the mix of childcare spaces for both
 older and younger children.

Size of Building

- The size of the building complies with the 0.5 floor area ratio (FAR) density permitted under the existing Assembly (ASY) zoning.
- The applicant has reviewed opportunities to reduce the size of the building. The proposed building size is needed to accommodate 60 children, and 60 day care spaces are needed for the daycare to be economically viable.

Adequacy of On-site Outdoor Play Area

- As noted in the Staff Report, the licensing authority, Vancouver Coastal Health, has reviewed
 the size, location, and proposed scheduled use of the play area. Vancouver Coastal Health
 childcare licensing staff has advised that they have no concerns with the proposal.
- The outdoor children's play area has been designed for active children's play, with durable
 materials, a small lawn hill and lawn areas, raised wooden deck stage element, rubber paved
 tricycle track, rubber paved open areas, sand boxes, outdoor sink, and portable water and
 sand boxes.
- The outdoor amenity space in the backyard has been designed to accommodate 24 children. The applicant will set up a schedule for use of the backyard outdoor play area, with no more than one (1) classroom outside at a time (12 to 24 children). The goal of the applicant is for each child to have access to the play area for 60 minutes every day, weather permitting. This exceeds the licensing requirement of 30 minutes per day.

Privacy From Overlook & Noise Potential for the Adjacent Neighbours

 Privacy was provided for the adjacent single-family home under construction to the north at 8831 Heather Street with: 1.8 m height solid wood privacy fencing under construction along the shared property line at grade, and retention of the existing hedge along the north edge of the back yard. In addition, a second floor staircase window has been deleted as it was found to be roughly aligned with a second floor bedroom window.

- Privacy was provided for the adjacent single-family home to the south at 8871 Heather Street with: existing 1.8 m height solid wood privacy fencing along the shared property line at grade, and an increased 4.2 m setback at the second floor level. In addition, the applicant has increased the amount of existing hedge that will be retained along the south edge of the back yard and has added solid frosted glass panels to the 1.5 m height guardrail along the south edge of the second floor balcony.
- Privacy was provided for the adjacent single-family homes to the rear at 8680 and 8700 Dolphin Crescent with: existing 1.8 m height solid wood privacy fencing along the shared property line at grade, and a 7.5 m setback. In addition, the applicant has increased the amount of hedge that will be retained, to include all of the existing hedge along the west edge of the back yard and the addition of screening to fill in open areas above the fence line.
- The landscaping design has been revised to increase the amount of retained existing hedging, with additional shade tolerant planting underneath the hedging.
- As noted above, although the daycare is designed for 60 children, the outdoor amenity area is
 designed for 24 children. Children will be fully supervised in the outdoor amenity area, with
 a schedule of no more than one (1) class outside at a time (12 to 24 children).

Adequacy of Onsite Parking

- As noted in the Staff Report, the number of off-street parking spaces for parents and staff (15 spaces) complies with the Zoning Bylaw requirements. Variances are requested to permit eight (8) small car parking spaces and to provide a 1.5 m parking setback from Heather Street when the zoning bylaw requires 3 m.
- Staff have further investigated the parking accumulation during the morning drop-off and afternoon pick-up periods based on typical arrival and duration patterns of daycares and found that the 6 parking spaces assigned for the parents will be adequate to meet the parking demand during the drop-off and pick-up times. Typically, drop-off and pick-up occur over a 2½-hour window. The proposed provision of parent parking minimizes the potential for vehicles backing out from the site onto Heather Street or parking to spill over onto Heather Street.

Pedestrian and Vehicle Traffic on Heather Street

- Vehicle speeding A speed study conducted in April, 2010 indicated average speeds on
 Heather Street exceeded the 30km/hr posted speed. Therefore, traffic calming measures in
 the form of speed humps will be installed on Heather Street, subject to consultation with
 local residents. As noted above, Transportation staff will be conducting a traffic calming
 survey this fall.
- Street width Heather Street is a local road and is designed accordingly for low traffic volume. There is sidewalk, curb and gutter only on the west side of the roadway from Dolphin Avenue to 8875 Heather Street. The remaining southern portion of the Street to Francis Road does not have curb and gutter or sidewalk. Staff have verified the cross section of Heather Street as having a 7.0m pavement width adjacent to the subject site in addition to the City boulevard and sidewalk, which is adequate for two-way traffic. Currently, parking is limited along the east side of the street adjacent to the park because of the ditch. Therefore, "No Stopping" signs will be added along the east side of Heather Street adjacent to the park to restrict parking and maintain the full width of the roadway. A traffic study undertaken in April, 2010 on Heather Street observed current vehicle volumes as 450 vehicles per day, which is much less than the typical daily volume of 1,000 vehicles that local streets are designed to accommodate. Staff have also reviewed the size of the proposed

- development and the additional traffic volume generated. This review found the traffic volumes from the proposed daycare is limited in duration and can be accommodated by the roadway geometry.
- Significant drainage ditch—there is a significant drainage ditch along Heather Street, adjacent to the neighbourhood park and directly across the street from the subject site. Parks and Engineering staff have confirmed that the City has no plans to cover the existing ditch. As noted above, parking is currently constrained alongside the ditch due to the narrow shoulder. To address the impact of the ditch, "No Stopping" signs will be added along the east side of Heather Street adjacent to the park to restrict parking and maintain the full width of the roadway. When daycare staff takes their class for a fieldtrip to the neighbourhood park, they would walk as a supervised group along the existing sidewalk in front of the subject site northward to Dolphin Avenue, cross Heather Street at the intersection, and enter the park from the existing Dolphin Avenue sidewalk.
- Street lighting There are six (6) street lights along Heather Street between Dolphin Avenue and Francis Road: four (4) lights installed on BC Hydro wood poles and two (2) 2 City-owned street lights, including a City-owned street light recently installed in front of the subject site. The City has placed a light on every available BC Hydro power pole within that section of roadway. Any future roadway lighting would be installed through property redevelopment where frontage improvements are required. The residents could also initiate a Local Area Service Program (LASP) to install roadway lights. This program would be funded by the property owners making the request.
- Lack of sidewalk There is existing sidewalk north of the subject site to Dolphin Avenue, out to the Garden City bus stops and in to Debeck Elementary School. Residents in the neighbourhood are concerned that there is no sidewalk south of the subject site from 8875 Heather Street out to Francis Road. The sidewalk construction on the west side of Heather Street from Dolphin Avenue to 8875 Heather Street was secured as part of single-family redevelopment. A walkway extension to Francis Road on either the west or east side of Heather Street will be considered in the 2012 annual Neighbourhood Traffic Safety program. Actual timing of implementation will be based on staff's review of priorities of other competing traffic safety projects in early 2012.

On-site Parking/Manoeuvring

- Transportation staff is supportive of the proposal. Transportation staff have reviewed the layout of the proposed surface parking area and are satisfied that there is sufficient space for staff and parent vehicles to manoeuvre onsite.
- The parking spaces adjacent to the front property line will be reserved with signage for staff.
 Staff are expected to be familiar with the parking area layout and manoeuvring associated with these parking spaces, which are less easy to manoeuvre into and out of than the other parking spaces.
- The applicant has advised that private on-site garbage and recycling collection will be scheduled for Saturday, when the daycare is closed and within the hours permitted through the City's Noise Bylaw. Scheduling the collection for Saturday ensures that there will be no conflict between collection and parking. The surface parking area is large enough to accommodate on-site manoeuvring of the collection truck.

Conclusions

The Development Permit Panel's referral has been addressed. The applicant hosted an Open House Meeting to consult with residents in of the neighbourhood and satisfactorily addressed concerns raised. The applicant has made changes that improve privacy for the neighbouring properties. Staff have examined pedestrian and vehicle traffic on Heather Street and will be conducting a traffic calming survey this fall regarding speed hump construction along Heather Street.

The proposal for a childcare facility supports the community by helping to address the toddler and 3-5 year old childcare needs for the Broadmoor and City Centre planning areas. The existing Assembly zoned lot is well situated for a childcare facility with a neighbourhood park across the street. Staff recommends support of this Development Permit Application.

Sara Badyal

Sara Badyal, M. Arch, MCIP Planner 2 (Urban Design) (604-276-4282)

SB:blg

Attachment A: Development Permit Panel Report considered on July 13, 2011 (including

attachments)

Attachment B: Neighbourhood Meeting Invitation Distribution Area Map

The following are to be met prior to forwarding this application to Council for approval:

Registration of a flood plain indemnity covenant;

- 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 maple tree to be retained. The Contract should
 include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and
 a provision for the Arborist to submit a post-construction assessment report to the City for review.
- Installation of appropriate tree protection fencing around the maple tree to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.
- Receipt of a Letter-of-Credit for landscaping in the amount of \$42,822.00.

Prior to future Building Permit issuance, the developer is required to complete the following:

Incorporation of accessibility features shown in Development Pormit drawings.

- Driveway relocation and boulevard restoration works to be done at the developer's sole cost via City Work
 Order.
- Obtain a Building Permit for any construction hoarding associated with the proposed development. If
 construction hoarding is required to temporarily occupy a street, or any part thereof, or occupy the air space
 above a street or any part thereof, additional City approvals and associated fees may be required as part of the
 Building Permit. For further information on the Building Permit, please contact Building Approvals Division
 at 604-276-4285.
- Submission of a construction traffic and parking management plan to the satisfaction of the City's Transportation Division (http://www.richmond.ca/services/ttp/special.htm).



City of Richmond Planning and Development Department

Report to Development Permit Panel

To:

Development Permit Panel

Date:

June 16, 2011

From:

Brian J. Jackson, MCIP

File:

DP 10-538908

Director of Development

riie:

Re:

Application by Doug Massie Architect of Chercover Massle & Associates Ltd.

for a Development Permit at 8851 Heather Street

Staff Recommendation

That a Development Permit be issued which would

- 1. Permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY); and
- 2. Vary the provisions of Zoning Bylaw 8500 to:
- a) Reduce minimum interior side yard from 7.5 m to 1,2 m
- b) Reduce the minimum public road parking setback from 3 m to 1.5 m
- c) Permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).

Brian J. Jackson, MCIP Director of Development

BJJ:sb Att.

Staff Report

Origin

Doug Massie Architect of Chercover Massie & Associates Ltd. has applied to the City of Richmond for permission to develop a two-storey building with a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY). Variances are included in the proposal to: reduce the interior side yard, reduce the Heather Street public road parking setback, and permit small car parking spaces.

There is no associated rezoning application. The site currently contains a small vacant one-storey church building.

A Scrvicing Agreement is not required as no upgrades have been identified and the subject property frontage was recently improved through the rezoning and subdivision of the adjacent lands to the south at 8871 and 8875 Heather Street (RZ 07-374314 & SA 08-425332). The limited driveway relocation and boulevard restoration works for the subject development will be completed at the owners cost by work order through the future Building Permit process.

Development Information

Please refer to attached Development Application Data Sheet (Attachment 1) for a comparison of the proposed development data with the relevant Bylaw requirements.

Background

Development surrounding the subject Ash Street Sub-Area (Broadmoor Area) site is as follows:

- to the north and south sides of the subject site, fronting onto Heather Street, are recently rezoned and subdivided single-family lots (RZ 07-380065 and RZ 07-374314) zoned "Single Detached (RS1/K)";
- to the west, the subject site backs onto single-family lots fronting onto Dolphin Court zoned "Single Detached (RS1/B)"; and
- to the east, across Heather Street, is the city-owned Heather neighbourhood park, which contains a children's playground, zoned "School & Institutional Use (SI)".

Public Input

No public input has been received regarding the subject application.

Vancouver Coastal Health

Child Care facilities operate under the jurisdiction of the Provincial Government. In Richmond, child care licensing is the responsibility of Vancouver Coastal Health. Accordingly, the application was referred to Vancouver Coastal Health child care facility licensing for review.

The proposal includes 67% of the outdoor play area requirement for 60 children, or enough for 40 children as per the BC Child Care licensing regulations (7 m2 per child). Outdoor children's play area is provided in the rear yard (212.9 m2) and on the second floor deck (69.25 m2). The applicant is proposing to schedule the use of the outdoor play area to meet the daily outdoor play needs of each of the four (4) child care rooms.

Vancouver Coastal Health child care facility licensing staff review applications on a case by case basis and have confirmed that they have no concerns with the subject proposal which would accommodate half of the children in the outdoor play area at any given time.

Staff Comments

The proposed scheme attached to this report has satisfactorily addressed the significant urban design 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 Zoning Bylaw 8500 except for the zoning variances noted below.

Zoning Compliance/Variances (staff comments in bold)

The applicant requests to vary the provisions of Richmond Zoning Bylaw 8500 to:

1) Reduce the minimum interior side yard from 7.5 m to 1.2 m

(Staff supports the proposed variance as this provides for an appropriately sized building for child care use and matches the minimum interior side yard setback requirement of the adjacent single family lots to the north and south. To comply with the minimum 7.5 m side yard setback to the south and to the north of this small lot would result in a 7.3 m wide building, which is not usable for the proposed child care use. The existing small church building is also not usable for the proposed child care use, due to BC Building Code requirements, Vancouver Coastal Health licensing requirements, and City parking requirements. It is worth noting that the small existing church building on the site was originally constructed as a single family dwelling and does not comply with the current Assembly zoning setback requirements.)

Reduce the minimum public road parking setback from 3 m to 1.5 m

(Staff supports the proposed variance as it results in a site plan layout that accommodates the required parking onsite and a landscape buffer to screen the parking area from Heather Street. Although the 1.5 m landscape buffer along Heather Street is narrower than the required 3 m, it is wide enough to accommodate the proposed hedge and tree planting. The variance does not negatively impact the adjacent neighbours.)

 Permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).

(Staff supports the proposed variance as it results in a site plan layout that accommodates the required parking onsite with an appropriate drive aisle width and wider landscape buffer to the adjacent single-family lots to the north and south. The provision of small car spaces is acceptable to staff as the users are expected to be familiar with the parking area layout and manoeuvring associated with the small car spaces. The variance does not negatively impact the adjacent neighbours.)

Advisory Design Panel Comments

The Advisory Design Panel was supportive of the project conditional to the applicant taking their comments into consideration, and design development to the column expression and use of pavers in the driveway. In response, the streetscape elevation and driveway have been improved. An annotated copy of the relevant excerpt from the Advisory Design Panel Minutes from January 19, 2011 is attached for reference (Attachment 2). The design response from the

applicant has been included immediately following the specific Design Panel comments and is identified in 'bold italics'.

Analysis

Conditions of Adjacency

- The proposed development includes an appropriate interface to Heather Street, enhanced with a pedestrian-oriented front entry, pedestrian walkway, landscape buffer to screen the front parking area, and permeable pavers across the vehicle entry driveway to mark the edge of the public pedestrian realm and to define the edge of the onsite surface parking area.
- The proposed development includes an appropriate interface to the surrounding single-family-lots with existing solid wood privacy fencing, areas of landscaping and areas of cedar hedging where possible, and in particular along the sides of the parking area and at the corners of the outdoor play area.

Urban Design and Site Planning

- The proposed child care facility is well situated on the subject existing Assembly zoned lot across the street from the Heather neighbourhood park.
- The proposed site layout includes a two-storey building designed with residential character, set back behind a front surface parking area, and protecting a secure outdoor children's play area in the rear yard.
- A pedestrian walkway is provided, connecting to the Heather Street sidewalk and separated from the vehicle access driveway, also connecting to Heather Street,
- The Heather streetscape has been improved with recently constructed frontage improvements including a new grass boulevard with street trees behind a curb and gutter and a new sidewalk at the property line. The Heather streetscape edge is further defined with proposed landscape buffers with hedge and flowering tree planting, a line of permeable pavers at the driveway entry, and a pedestrian walkway connecting with the sidewalk.
- The number of off-street parking spaces for parents and staff (15 spaces) complies with the Zoning Bylaw requirements including accessible parking (1 space). Variances are requested to permit 8 small car parking spaces and to provide a 1.5 m parking setback from Heather Street.
- Bicycle storage complies with the Zoning Bylaw requirements and is located in the south side yard. Bicycle storage includes 4 class I vertical storage lockers and a rack for four (4) bicycles, both located in the covered area under the deck.
- A covered garbage and recycling enclosure is provided on the south side of the building.
 Garbage and recycling will be collected by a private contractor. To avoid conflict with parking, the applicant has advised that onsite collection will be scheduled for Saturday, when the daycare is closed and within the hours permitted through the City's noise bylaw.

Architectural Form and Character,

- The proposed two-storey building has been designed with a residential character to better fit the approved institutional use into the predominantly single-family neighbourhood. The residential character is expressed with a single pedestrian oriented covered front entry, building articulation to break up the streetscape façade, the incorporation of uncovered second floor decks, durable brick base, stucco siding, smaller areas of glazing, and roof massing with pitched roofs, gable ends and asphalt shingles.
- The simple colour palette includes sand coloured stucco, grey brick, white windows, white trim, dark brown aluminium guard railing, and two-tone brown asphalt shingles.

 The project's accessibility features include: interior floor plans that accommodate wheelchair manoeuvring throughout, wider interior doors, an accessible washroom, and a vertical lift.

Tree Management

- There are three (3) existing trees on the lot and there were previously two (2) existing trees
 on the adjacent property to the north with canopies and root zones entering into the subject
 property. The two (2) neighbouring trees were recently removed as a part of the
 redevelopment of the neighbouring property with a new single-family home.
- One (1) existing Japanese maple tree will be transplanted and retained in the southeast corner of the property, adjacent to the Heather Street sidewalk. To protect the health and retention viability of the existing maple tree, the owner's arborist has recommended transplanting the tree to the higher proposed elevation in close to the same location. In the current location and lower grade, the existing tree is impacted by the new retaining wall of the adjacent raised neighbouring lot, the neighbour's storm sewer connection, and new City sidewalk. A contract with an arborist to ensure successful transplanting and retention of the maple tree is a requirement of the Development Permit.
- Two (2) existing fruit trees are proposed for removal. The centrally located trees are
 considered to be in poor condition by the City's Tree Preservation Official.
- Four (4) new trees will be planted, providing a 2:1 replacement ratio for the removal of
 existing trees.

Landscape Design and Open Space Design

- Outdoor children's play area is provided at the rear of the property with visual surveillance
 and access from the interior child care spaces. The play area is secured with lockable gates
 and existing perimeter solid wood privacy fencing. As noted above, the size and location of
 the play area have been reviewed as part of the application review and are acceptable to
 Vancouver Coastal Health child care licensing staff.
- The outdoor children's play area has been designed for active children's play, with durable
 materials, a small lawn hill and lawn areas, raised wooden deck stage element, rubber paved
 tricycle track, rubber paved open areas, sand boxes, outdoor sink, and portable water and
 sand boxes.
- Soft landscaping is provided in the rear yard, including existing perimeter coniferous hedging, tree planting, lawn areas, flowering low hedging and vines, and an edible garden area with blueberry and strawberry plants.
- The streetscape landscape buffer includes a retained transplanted existing Japanese maple tree, two (2) new flowering cherry trees, flowering shrubs, perennials, and groundcover.
- The landscape plan for the front of the property includes an open surface parking area, landscape buffer along the Heather Street edge providing screening of the surface parking area, a paved pedestrian walkway connecting to the Heather sidewalk, and continuous cedar hedging along the north and south edges of the surface parking area to provide screening to the adjacent neighbours.
- The surface parking area includes special treatment with areas of permeable pavers to improve the visual impact and also to increase the permeability of the parking area. The variety of surface materials breaks down the visual impact of the large paved surface and the pattern provides a visual containment or boundary for the parking area. A wide band of permeable pavers is proposed around the perimeter of the surface parking area: across the driveway at the entry to the site, in front of the main entry and in the parking spaces on the north and south sides. Asphalt is proposed in the central turning area of the parking area.

In addition to the existing 1.8 m height solid wood privacy fencing along the north, south and
west edges of the site, lockable access gates will be provided in the side yards.

Crime Prevention Through Environmental Design

The proposed design does not present CPTED concerns. The proposal includes:

- · secured outdoor children's play areas with natural surveillance from the child care facility;
- · clearly defined boundaries between the property, public and private spaces; and
- a front parking area with a high degree of natural surveillance both from the child care facility and also the public road.

Sustainability

The proposed infill redevelopment proposal will include the following sustainability measures:

- Location within 220 m of transit service provided along Garden City Road
- · Bicycle storage lockers and racks
- Increased site permeability. Existing church asphalt parking area will be removed and the
 site will be redeveloped with a site design with 45% permeability through permeable pavers
 in the new front surface parking area, gravel cover in the passive north side yard, and live
 landscaping area.
- EnergyStar windows and appliances
- Increased insulation thermal resistance performance (the insulation rating will be increased from commercial to higher performance residential rating)
- · Energy efficient heating and hot water systems
- · Water efficient plumbing fixtures and fittings

Floodplain Management

- The proposal complies with Flood Plain Designation and Protection Bylaw No. 8204. The
 Bylaw requires a minimum flood construction level at 0.3 m above the highest crown of the
 adjacent public road.
- Registration of a flood indemnity covenant is a requirement of the Development Permit.

Servicing Capacity

 The applicant has submitted an engineering capacity analysis for the water, sanitary, and storm infrastructure. No upgrades are required.

Community Benefits

• The proposal addresses the child care needs for toddler and 3-5 years in the Broadmoor planning area and also contributes toward the needs in the City Centre planning area as identified in the 2009-2016 Richmond Child Care Needs Assessment and Strategy. The report identifies the estimated additional child care spaces needed by December 1, 2016 broken down by planning area and the different categories of child care needed. Toddler and 3-5 year child care proposed and needs in the Broadmoor and City Centre planning areas are summarized in the table below:

Estimated Child Care Space

·	Proposed	Broadmoor Need	City Centre Need
Group (18 months - 2 years)	36	23	63
Group (3-5 years)	24	9	99 .

• Located in the northeast corner of the Broadmoor planning area, within 650 m of the City Centre planning area, the subject site is well positioned to meet the child care needs of both the Broadmoor and City Centre planning areas. For this reason, by providing more than the needed toddler and 3-5 child care spaces for the Broadmoor planning area, this facility will help address the larger need in the City Centre planning area.

Conclusions

The applicant has satisfactorily addressed staff and the Advisory Design Panel's comments regarding conditions of adjacency, site planning and urban design, architectural form and character, and landscape design during the Development Permit review process. The proposal for a child care facility supports the community by helping to address the toddler and 3-5 years child care needs for the Broadmoor and City Centre planning areas. The existing Assembly zoned lot is well situated for a child care facility with a neighbourhood park across the street. Staff recommends support of this Development Permit Application.

Sava Badyal.

Sara Badyal, M. Arch, MCIP

Planner 2 (Urban Design)

SB:rg

The following are to be mot prior to forwarding this application to Council for approval:

Registration of a flood plain indemnity covenant;

- Submission of a Contract entered into between the applicant and a Certified Arborist for supervision of any onsite works conducted within the tree protection zone of the maple tree to be retained. The Contract should
 include the scope of work to be undertaken, including: the proposed number of site monitoring inspections, and
 a provision for the Arborist to submit a post-construction assessment report to the City for review.
- Installation of appropriate tree protection fencing around the maple tree to be retained as part of the development prior to any construction activities, including building demolition, occurring on-site.

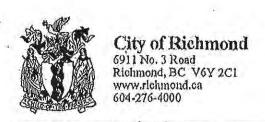
Receipt of a Lotter-of-Credit for landscaping in the amount of \$42,822.00.

Prior to future Building Permit issuance, the developer is required to complete the following:

Incorporation of accessibility features shown in Development Permit drawings.

- Driveway relocation and boulevard restoration works to be done at the developer's sole cost via City Work Order.
- Obtain a Building Permit for any construction hearding associated with the proposed development. If construction hearding is required to temporarily occupy a street, or any part thereof, or occupy the air space above a street or any part thereof, additional City approvals and associated fees may be required as part of the Building Permit. For further information on the Building Permit, please contact Building Approvals Division at 604-276-4285.

Submission of a construction traffic and parking management plan to the satisfaction of the City's Transportation Division (http://www.richmond.ca/services/ttp/special_htm).



Development Application Data Sheet

Development Applications Division

DP 10-538908

Attachment 1

Address:

8851 Heather Street

Doug Massle Architect of Chercover Massle &

Applicant: Associates Ltd.

Owner: Vancouver Star Education Ltd.

Planning Area(s): Ash Street Sub-Area (Broadmoor Area)

	Existing	Proposed
Site Area:	1,013 m²	No change
Land Uses:	Religious Assembly	Child Care
OCP Designation:	. 'Community Institutional	Complies - Child Care
Area Plan Designation:	Public, Institutional & Open Space	Complies - Child Care
Zoning:	Assembly (ASY)	No change
Number of Units:	1	1 .

	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.5	0.49 (492.84 m ²)	None permitted
Lot Coverage:	Max. 35%	27%	None
Setback Front Yard:	Min. 6 m	21.5 m	None
Setback – Interior Side Yard:	Min. 7.6 m	1,2 m	6,3 m setback reduction
Setback – Rear Yard:	Min. 7.5 m	7.5 m	None
Parking Setback: Public Road General	Min. 3 m Min. 1,5 m	1.5 m 1.5 m to 2.8 m	1.5 m reduction to Heather Street parking setback
Height (m):	Max. 12 m	10.7 m	None
Off-street Parking Spaces: Staff Parent Accessible Total	9 6 (1) 15	9 · 6 (1) · 15	None
Small Car Parking Spaces	Not permitted	. 64% (8 spaces)	8 small car parking spaces

Annotated Excerpt from the Minutes from The Design Panel Meeting

Wednesday, January 19, 2011 - 4:00 p.m.

[applicant design response is identified in 'bold italics']

3. DP 10-538908 - CHILD CARE FACILITY
ARCHITECT: Douglas Massic, Chercover Massic & Associates Ltd.
PROPERTY LOCATION: 8851 Heather Street

Panel Discussion

Comments from the Panel were as follows:

- substantial changes have been made to the project in response to Panel's comments; wider space at the back of the building; richer treatment of surfaces both at the front and back of the building; appreciate decorative and permeable pavers at the parking stalls; playful attitude towards the lane is a great idea; bollards are a nice idea;
- decorative approach for screens that are proposed in front of the building might be more
 appropriate at the back where the children go out more often; move would be less intrusive to
 the architectural elevation Screens removed;
- rubberized curb would be a more appropriate approach than timber edge along the curve— Vertical timber rounds are proposed to address curves;
- consider carrying the unit paving across the entrance area to provide a sense of entry -Incorporated;
- consider planting a row of trees along both side yards of the parking area; trees will provide
 cooling to the parking area during summer Tree planting incorporated on both sides;
- playful area at the back of the building; concern on the smallness of the sandbox and lawn
 areas; consider larger and more useful areas such as planting or exploring area Outdoor
 activity areas sized and designed in consultation with licensing;
- consider opportunities for infiltration in the gravel side yards; consider introducing swales –
 Gravel bed is permeable;
- provision for planting at the second level deck is a good idea; consider providing more
 opportunities for children activities Open deck design allows for flexible use;
- ensure that scale of seating in the play area is appropriate for children Seating will be specified by daycare operator;
- · appreciate the design solution provided by the applicant;
- consider introducing elements to identify the building as a day care facility; signage at the
 entry roof portico can provide identification Signage will be provided through separate
 sign permit;
- consider redesigning the two windows above the main entry portico to add a daycare character to the building; use of colour and/or introduction of play elements will introduce a sense of whimsy appropriate for a day care;
- consider child safety in determining height of guard rails Confirmed;

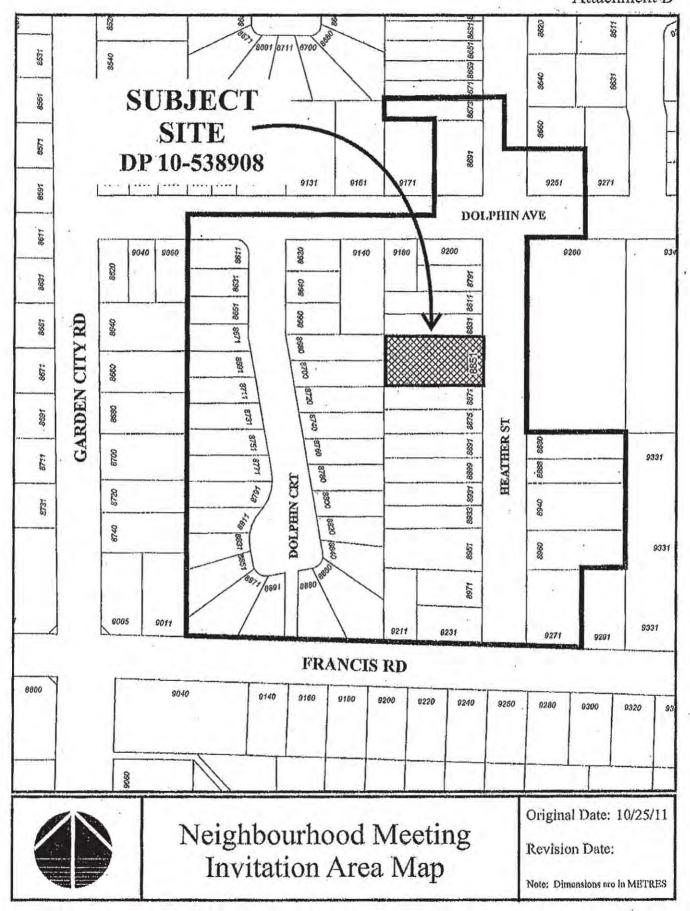
- consider vertical posts on the side of the building to provide opportunity for a tent/covered space to create more play opportunitles for children during the rainy season — Not incorporated due to guard rail post structural limits and building envelope concerns;
- building more improved than when it was last presented to the Panel;
- project has been vastly improved with the addition of sloped roof forms and gable ended design;
- · wraparound deck helps reduce the bulk of the building when viewed from the street;
- entry is more identifiable; removal of heavy horizontal banding has made the building look more residential in character which is a better fit;
- columns holding the deck are extremely thin and fragile; columns need to be more robust and should match the thickness of the deck - Columns in side yard removed to improve view from streetscape and to increase pedestrian and bicycle manoeuvring area;
- · commend the applicant for responses to comments in the previous meeting;
- appreciate the changes and efforts made by the applicant to make the facility fit into the neighbourhood; building is much more friendly to the neighbourhood;
- relocating deck from the back of the building to the south is a good gesture; gracious interface with the neighbour at the south side;
- front of the building is still a bit harsh as it is a wholly paved parking lot Parking urea appearance improved with permeable pavers and tree planting at edge;
- location of the deck on the south side of the building is good; however, might give rise to
 noise issues with the neighbour to the south; consider railing (or other) treatment to mitigate
 noise concern;
- concern on shape of the toddler rooms; narrow and deep; not ideal;
- appreciate the changes made by the applicant; a big improvement compared to the previous presentation; and
- consider introducing something at the street level to help identify the project as a daycare
 facility, e.g. signage, fencing, or other types of identifiers As noted above, signage will be
 incorporated through separate sign permit.

Panel Decision

It was moved and seconded

That DP 10-538908 move forward to the Development Permit Panel subject to the applicant taking into consideration the Panel's discussion points and making the following improvements to the project design:

- design development to the columns under the decks to make them more robust and substantial — Columns removed from front and south side elevations. Columns in rear yard are maintained, but not visible from streetscape; and
- design development to carry the unit paving across the driveway to define the entry Incorporated.



Attachment BB Public Correspondence

December 4th, 2011

To: Cllr. McNulty and all members of the Clty Council

From: Raj S. Johal, CFE

<u>www.acfe.com</u>

8888 Heather Street, Richmond, BC V6Y2R8

Email: Microwash@msn.com

Reference: Development Permit 10-538908 (REDMS NO. 3360997) - Child care (60 students) @ 8851 Heather Street, Richmond, BC

Dear Councilors- We the members of the Heather Street community oppose the size of the proposed Child Care facility. We believe the applicant has misrepresented their true intentions, when in fact that they are proposing an actual pre-school. The property is currently zoned Assembly and we realize that Assembly zoning allows for Child Care and Education as permitted uses. But, they are trying to put a large commercial building, next to a single family home, and reducing the side yard and frontage setbacks. The property currently has a single family house on it.

The property was a religious facility, where the congregation visited their facilities once a week. Under the proposed plan, the child care facility will be operating 5 days a week, where parents will be coming and going twice a day, an increase of 120 vehicle trips at a minimum, on a very narrow street, which barely allows two vehicles to maneuver currently. We ask you to visit Heather Street and see for yourselves.

Here are the issues:

Assembly zoning does not allow the reduction of the interior side yard to be reduced to 1.2 meters from 7.5 meters. Why- Section 13.3.6. Subsection 2- states: The minimum interior side yard is 1.2 m for single detached housing, and 7.5 m for all other buildings.

Analysis: Permit Commissioners have made an error, as this proposed facility is not a single detached housing, but a school, put in under the guise of a daycare, projected to be approximately 5000 square foot structure. They will be employing 3 teachers. This building would be adjacent to a single family home less than 3000 square feet, on the south side. Therefore, the minimum setback is 7.5 meters, not 1.2 meters. In addition, the frontage should be 6.0 meters at a minimum, not 1.5 meters from the public roadway. See attached photos.

Issue 2- If it were zoned a School zone- the interior side yard setback is a minimum of 3.0 meters, section 13.2.6., and subsection 2. In addition, Section 13.2.6., subsection 3 states- Education and university education buildings shall not be closer than 7.5 meters to a property in a residential zone.

Conclusion- We the citizens of Heather Street, look towards your leadership and vision. We want neighborhood livability to your priority and revisit density in neighborhoods. The City is allowing more housing to be built, without roadway improvements, sidewalks, or traffic calming. At least it sometimes

appears that way. Most of us are pro-business, but this is just really too large a structure for our neighborhood. If you disagree in whole or in part, we asked that the ditch be filled in across the street from the facility, in front of the park, its way too dangerous. Place conditions on the applicant-Operating hours, days of operation, no operation on weekends, except for office work, cleaning, etc.., no vehicle cueing outside the facility on the public road, this is a very narrow road, place signs in front the facility, no parking or stopping at any time. No one is allowed to live in the facility, and that the applicant cannot exceed 60 students. In addition, all exterior lighting is shielded, so that there is no glare permitted on surrounding single family homes. The city will monitor these conditions through their By Law Department.

Sincerely

Raj S. Johal, CFE

Attachments- City Codes, Photos, Petition

13.3 Assembly (ASY)

13.3.1 Purpose

The zone provides for religious assembly, education and other limited community uses.

13.3.2 Permitted Uses

- · child care
- education
- private club
- · religious assembly

13.3.3 Secondary Uses

- interment facility
- dormitory
- · housing, single detached
- · residential security/operator unit

13.3.4 Permitted Density

- 1. The maximum density is one single detached housing dwelling unit per lot.
- The maximum floor area ratio is 0.50.

13.3.5 Permitted Lot Coverage

The maximum lot coverage is 35% for buildings.

13.3.6 Yards & Setbacks

- 1. The minimum front yard and exterior side yard is 6.0 m.
- The minimum interior side yard is 1.2 m for single detached housing and 7.5 m for all other buildings.
- The minimum rear yard is 6.0 m for single detached housing and 7.5 m for all other buildings.

13.3.7 Permitted Heights

The maximum height for buildings and accessory structures is 12.0 m.

13.3.8 Subdivision Provisions/Minimum Lot Size

There are no minimum lot width, lot depth or lot area requirements.

13.3.9 Landscaping & Screening

- Landscaping and screening shall be provided according to the provisions of Section 6.0.
- The location of landscape elements shall provide site lines from windows and doors to walkways and parking areas on the property.
- Screening for loading, storage, refuse and recycling shall avoid creating areas on the site with no natural surveillance.

13.3.10 On-Site Parking and Loading

 On-site vehicle and bicycle parking and loading shall be provided according to the standards set out in Section 7.0.

13.3.11 Other Regulations

 In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply.

13.2 School & Institutional Use (SI)

13.2.1 Purpose

This zone provides for a range of educational, recreational, park and community oriented uses.

13.2.2 Permitted Uses

- child care
- education
- · education, university
- · emergency service
- entertainment, spectator
- exhibition & convention facilities
- · government service
- · library and exhibit
- park
- recreation, indoor
- · recreation, outdoor
- stadium
- · utility, major
- · utility, minor

13.2.4 Permitted Density

There is no maximum floor area ratio.

13.2.5 Permitted Lot Coverage

There is no maximum lot coverage.

13.2.6 Yards & Setbacks

- The minimum front yard and exterior side yard is 6.0 m.
- 2. The minimum interior side yard and rear yard is 3.0 m.
- Education and university education buildings shall not be closer than 7.5 m to a property in a residential zone.

13.2.7 Permitted Heights

- The maximum height is 12.0 m within 10.0 m of a residential zone.
- There is no other maximum height.

13.2.8 Subdivision Provisions/Minimum Lot Size

There are no minimum lot width, lot depth or lot area requirements.

13.2.3 Secondary Uses

- religious assembly
- residential security/operator unit

13.2.9 Landscaping & Screening

- 1. Landscaping and screening shall be provided according to the provisions in Section 6.0.
- The location of landscape elements shall provide site lines from windows and doors to walkways and parking areas on the property.
- Screening for loading, storage, refuse and recycling shall avoid creating areas on the site with no natural surveillance.

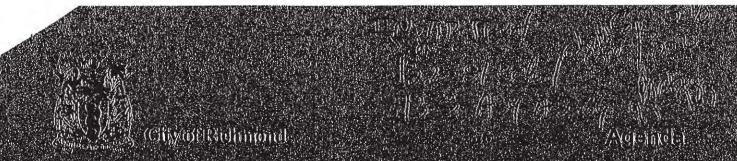
13.2.10 On-Site Parking and Loading

 On-site vehicle and bicycle parking and loading shall be provided according to the standards set out in Section 7.0.

13.2.11 Other Regulations

- Religious assembly is limited to:
 - a) only one religious assembly on one property; and
 - 300 seats and a gross floor area of 700.0 m².
- in addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply.

Name	Address	Signature
Amar Johal	8880 Hathe St.	All .
Selina Johof	8888 Heather 8t	and.
Mbalson	5040 Blundell Rd	Willer,
Ray +NINA Jol	And 8888 Heathe	ST REHOINI
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Goodwin Chan	8740 Dolphin Court	Sing .
Celine Lee	8780 Delphi ct.	المحادث المحاد
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WAI SHAW CHINK	8971 Heather St	5/1
CHARLIE GIN	8951 Heather 84.	
TODY TO	8999 Heather St.	15070
Apollis Carly	8891 Wether 56,	Sien
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Lydy LAY	8820 Dolphin Cot.	X gidy Von
JACK YOON	8720 Dolphin (1)	1
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DANIEL LO	8643 Heather St	poly



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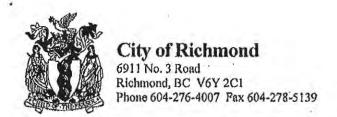
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City of Richmond Planning Department DP 10-538908

We received the Notice of Application for a development permit (DP 10-538908) at 8851 Heather Street. After reviewing the notice, we the undersigned are opposed to this Development Permit for the following reasons:

- Increased traffic through this portion of Heather Street. Currently traffic races through the park zone and combined with morning/after school traffic from Debeck Elementary there are already safety concerns. The potential of an additional 120 car trips daily will significantly add to the congestion and safety concerns for children, pets and the residents of Heather Street.
- Traffic flow. With the additional 120 car trips per day, what is the proposed traffic flow? Will the cars be forced to back into Heather Street to exit the child care facility? Will there be a drop off lane? Will traffic along Heather Street be blocked? These all pose safety concerns for the residents of Heather Street.
- Ditches. Currently Dolphin Park has a deep ditch along Heather Street. This results in a limited ability to have two- way traffic along that stretch. The increased traffic significantly increases the chance of a car or child falling into the ditch. What plans does the Developer, City or Parks Board have to mitigate this serious safety concern?
- Lighting & sidewalks. Currently the west side of Heather Street has sidewalks for less than ½ of the block, with no sidewalks on the east side of Heather. Given that there will be potential line-ups during drop off/pick up times; there is a risk that cars will park at a distance forcing children to walk onto the road. During the winter months, the issue is further exasperated due to the limited street lighting.
- Business vs. Residential. Our neighbourhood is a quiet single family residential neighbourhood. Adding a business in the middle of the neighbourhood would severely impact the make up and "feel" of our neighbourhood.

Given the above reason, we believe that this proposal seriously impacts the safety, well being and cohesiveness of our neighbourhood. Therefore we the residents of Heather Street are adamantly opposed to this development.



Notice of Application For a Development Permit DP 10-538908

Applicant:

Doug Massie Architect of Chercover Massie & Associates Ltd.

Property Location:

8851 Heather Street

Intent of Permit:

- 1. To permit the construction of a two-storey building for a licensed child care facility for approximately 60 children at 8851 Heather Street on a site zoned Assembly (ASY); and
- 2. To vary the provisions of Zoning Bylaw 8500 to:
 - a) Reduce minimum interior side yard from 7.5 m to 1.2 m
 - b) Reduce the minimum public road parking setback from 3 m to 1.5 m
 - c) Permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).

The Richmond Development Permit Panel will meet to consider oral and written submissions on the proposed development noted above, on:

Date:

July 13, 2011

Time:

3:30 p.m.

Place:

Council Chambers, Richmond City Hall

If you are unable to attend the Development Permit Panel meeting, you may mail or otherwise deliver to the Director, City Clerk's Office, at the above address, a written submission, which will be entered into the meeting record if it is received prior to or at the meeting on the above date.

How to obtain information:

- By Phone: To review supporting staff reports, please contact the Planning & Development Department at (604-276-4395)
- On the City Website: Staff reports on the matter(s) identified above are available on the City website at http://www.richmond.ca/cityhall/council/agendas/dpp/2009.htm
- At City Hall: Staff reports are available for inspection at the first floor, City hall, between 8:15 a.m. and 5:00 p.m., Monday through Friday, except statutory holidays, between June 30, 2011 and the date of the Development Permit Panel Meeting.

David Weber
Director, City Clerk's Office

DW: rms



Notice of Application For a Development Permit DP 10-538908

6911 No. 3 Road, Richmond, BC 'V6Y 2C1 Phone 604-276-4007 Fax 604-278-5139

Applicant:

Doug Massie, Architect of Chercover Massie & Associates Ltd.

Property Location:

8851 Heather Street

Intent of Permit:

To permit the construction of a two-storey building for a licensed child care facility for approximately 60 children on a site zoned Assembly (ASY); and

To vary the provisions of Zoning Bylaw 8500 to: .

- a) Reduce minimum interior side yard from 7.5 m to 1.2 m;
- Reduce the minimum public road parking setback from 3 m to 1.5 m;
- c) Permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).

The Richmond Development Permit Panel will meet to consider oral and written submissions on the proposed development noted above, on:

Date:

November 30, 2011

Time:

3:30 p.m.

Place:

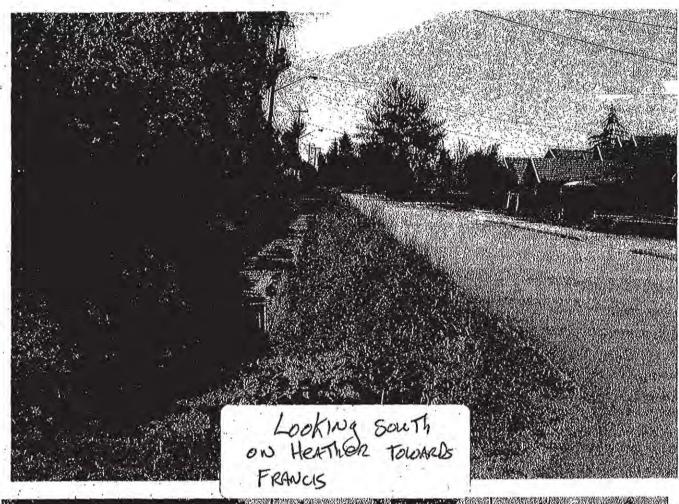
Council Chambers, Richmond City Hall

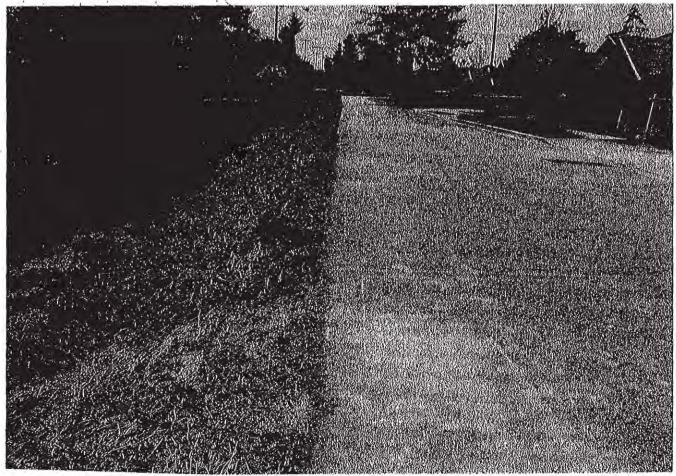
If you are unable to attend the Development Permit Panel meeting, you may mail or otherwise deliver to the Director, City Clerk's Office, at the above address, a written submission, which will be entered into the meeting record if it is received prior to or at the meeting on the above date.

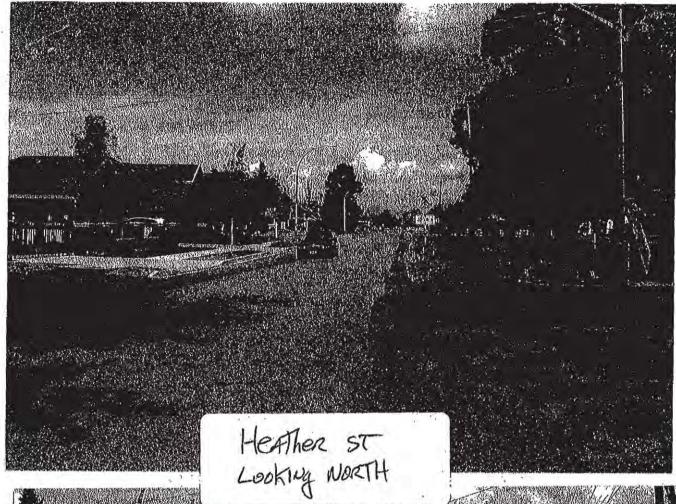
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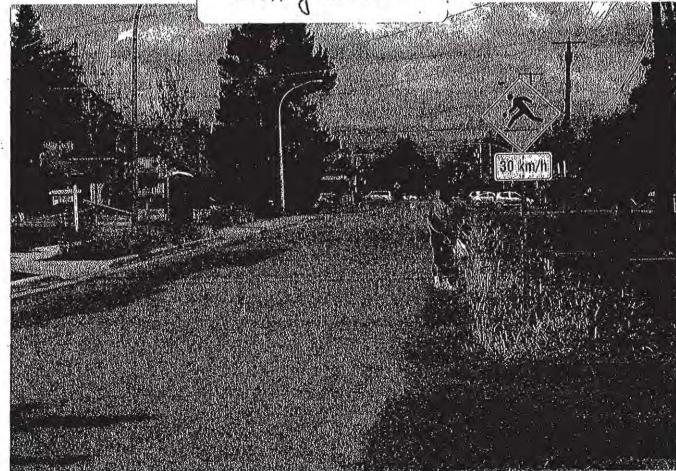
- By Phone: To review supporting staff reports, please contact <u>Sara Badyal, Planning & Development Department</u> at (604-276-4282)
- On the City Website: Staff reports on the matter(s) identified above are available on the City website at http://www.richmond.ca/cityhall/council/agendas/dpp/2011.htm
- At City Hall: Staff reports are available for inspection at the first floor, City hall, between 8:15 a.m. and 5:00 p.m., Monday through Friday, except statutory holidays, between November 18, 2011 and the date of the Development Permit Panel Meeting.

David Weber Director, City Clerk's Office

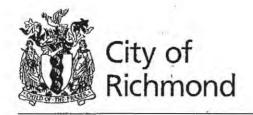








Proposed site 1 "Child care" WEST SIDE OF HEATHER LOOKING SOUTH



Development Permit

No. DP 10-538908

To the Holder:

DOUG MASSIE

Property Address:

8851 HEATHER STREET

Address:

C/O MASSIE CHERCOVER & ASSOCIATES LTD.

603 - 1200 WEST 73 AVENUE VANCOUVER, BC V6P 6G5

- 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. The "Richmond Zoning Bylaw 8500" is hereby varied to:
 - a) Reduce the minimum interior side yard setback from 7.5 m to 1.2 m;
 - b) Reduce the minimum public road parking setback from 3 m to 1.5 m; and
 - c) Permit 54% small car parking spaces on a site with less than 31 parking spaces (8 small car parking spaces of total 15 spaces).
- 4. 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 to #8 attached hereto.
- 5. Sanitary sewers, water, drainage, highways, street lighting, underground wiring, and sidewalks, shall be provided as required.
- 6. As a condition of the issuance of this Permit, the City is holding the security in the amount of \$42,822. 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.
- 7. 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 10-538908

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DOUG MASSIE

8851 HEATHER STREET

C/O MASSIE CHERCOVER & ASSOCIATES LTD.

603 - 1200 WEST 73 AVENUE VANCOUVER, BC V6P 6G5

8. 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.

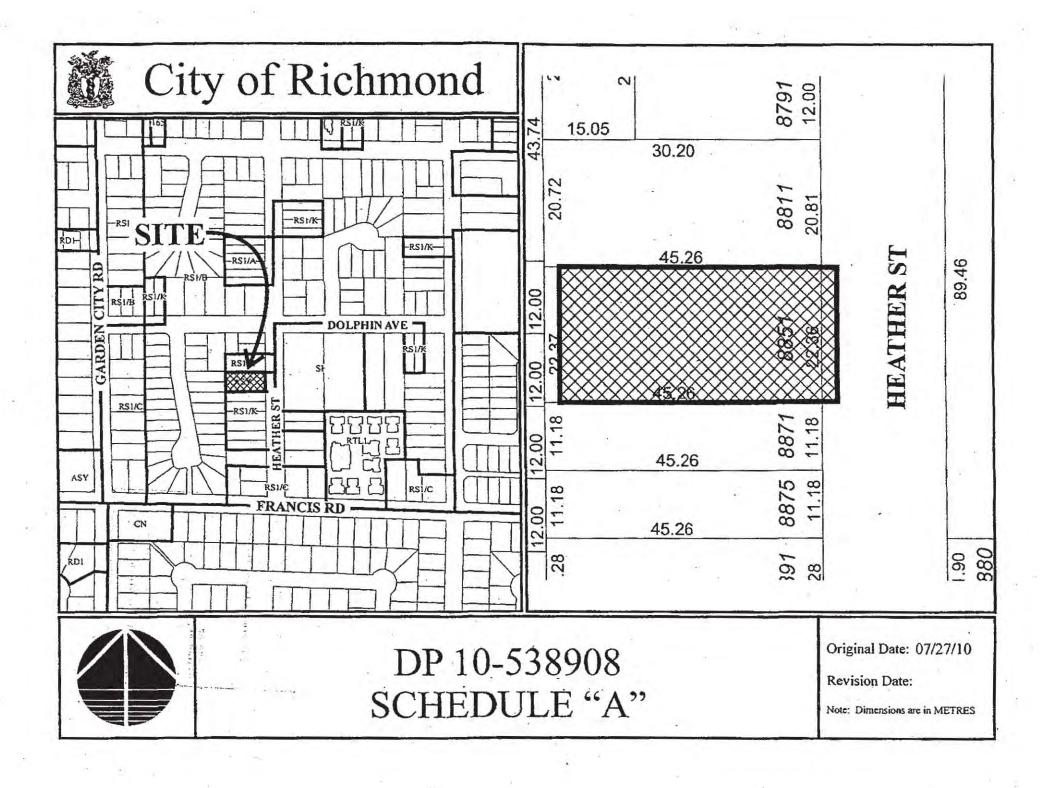
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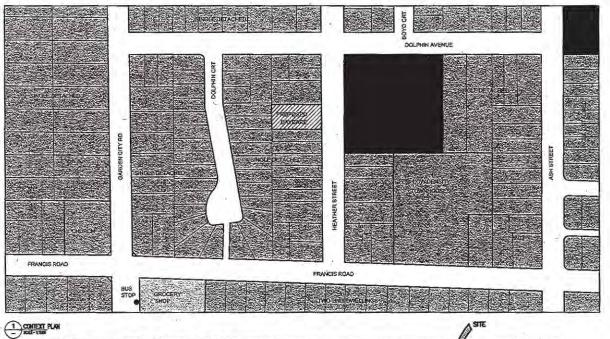
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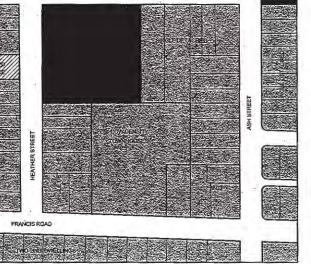
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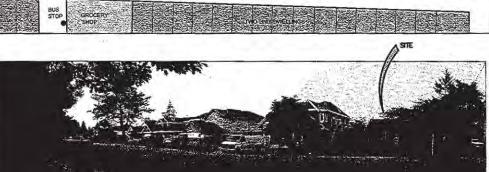
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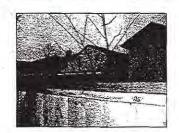
















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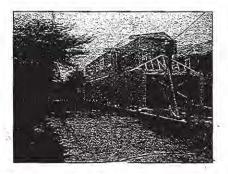
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Variances:

- 1.2 m minimum side yard setback
- 1.5 m minimum public road parking setback
 54% maximum small car parking (8 small car parking spaces of total 15 spaces)

Notes:

- Accessibility features for wheelchair manoeuvring: vertical lift, accessible washroom, wider interior doors and hallways.
- Sustainability features: 253 sq.m. permeable paving, 45% site permeability, higher performance residential rated insulation standard
- Off-site driveway relocation works via separate required Work Order.
- Separate permits required for signage.





DAYCARE BEST HEATHER STREET, RICHMOND, BC



Oct 7 2011 DP 10-538908

A0 DATE: FEB.2011

CONTEXT PLAN

