



Development Permit Panel

Wednesday, January 11, 2012

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, December 14, 2011, be adopted.

CARRIED

2. Development Permit 10-545704

(File Ref. No.: DP 10-545704) (REDMS No. 3420906)

APPLICANT: Chen Design Studio

PROPERTY LOCATION: 7900 Bennett Road

INTENT OF PERMIT:

1. Permit the construction of two (2) back-to-back duplexes at 7900 Bennett Road on a site zoned "Infill Residential (RI2)"; and
2. Vary the provisions of the Richmond Zoning Bylaw No. 8500 to permit a 0.5 m building projection beyond the vertical height envelope.

Applicant's Comments

Xi Chen, Designer, Chen Design Studio, advised that since the July 27, 2011 meeting of the Development Permit Panel, during which the Panel reviewed the proposed two back-to-back duplexes at 7900 Bennett Road, the following revisions to the development had been made:

- the garages have been: (i) detached from the principal building to create more amenity space; and (ii) shifted to improve access;
- a lattice fence had been developed to make the amenity space more open and more useable by residents; and
- revisions have been made to the landscaping scheme by making more planting area available.

In response to the Chair's question, the applicant confirmed that the garages are now detached, not attached to residential units, so that each residential unit now had a rear yard space.

Staff Comments

Brian J. Jackson, Director of Development, stated that when the project was first presented to the Panel, rear residential units had no private amenity space, but that the applicant has addressed this issue, and now each rear unit includes a private amenity space. In addition, there is a small communal space, featuring a sandbox play element, to be shared by four units. Also, permeable paving for the outdoor access driveways enhances the appearance of the development.

In response to the Chair's query regarding vehicles turning in the lane, Mr. Jackson confirmed that the turning template is large enough for drivers to make turns.

Correspondence

Rob Bodnar and Norma Miller, 215 Creekside Drive, Salt Spring Island

Mr. Jackson advised that the correspondents were in favour of the proposed development, and expressed their desire that the City upgrade sidewalks on Bennett Road.

Gallery Comments

None.

Panel Discussion

The Panel expressed appreciation to the applicant for the changes made to the design scheme.

Panel Decision

It was moved and seconded

That a Development Permit be issued which would:

1. *Permit the construction of two (2) back-to-back duplexes at 7900 Bennett Road on a site zoned "Infill Residential (RI2)"; and*

2. *Vary the provisions of the Richmond Zoning Bylaw No. 8500 to permit a 0.5 m building projection beyond the vertical height envelope.*

CARRIED

3. Development Permit DP 10-538908

(File Ref. No.: DP 10-538908) (REDMS No. 3435283)

APPLICANT: Doug Massie, Architect of Chercover Massie & Associates Ltd.

PROPERTY LOCATION: 8851 Heather Street

INTENT OF PERMIT:

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).

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;

Development Permit Panel
Wednesday, January 11, 2012

- 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

Development Permit Panel
Wednesday, January 11, 2012

- 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 children 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.

Development Permit Panel
Wednesday, January 11, 2012

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.

Development Permit Panel
Wednesday, January 11, 2012

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.

Development Permit Panel
Wednesday, January 11, 2012

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:

**Development Permit Panel
Wednesday, January 11, 2012**

- 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

5. Date Of Next Meeting: Wednesday, January 25, 2012

Development Permit Panel
Wednesday, January 11, 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

Schedule 1 to the Minutes of the
Development Permit Panel
Meeting of Wednesday, January
11, 2012.

January 11, 2012

Terry Brunette
Planner 2
City of Richmond
Planning and Development Department

To Development Permit Panel
Date: <u>JAN. 11, 2012</u>
Item # <u>2</u>
Re: <u>10-545704</u>

Terry:

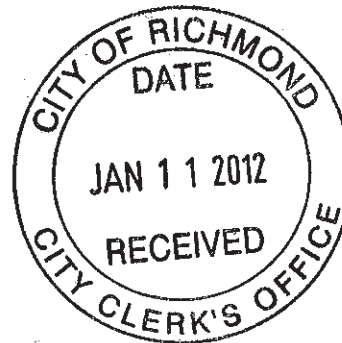
RE: DP 10-545704 - Revised application in response to DPP referral by Chen Design Studio for a development permit at 7900 Bennett Road

We are pleased that 7900 Bennett Road is slated for redevelopment. Our concerns lie in the areas of parking and pedestrian traffic.

We have owned properties on this block since 1999 (7800 and 7926). One of the attractions for us was the vision articulated in the 1995 Acheson Bennett Sub-Area Plan. Specifically, we were drawn to a future that included sidewalks and on-street parking. By our count, 33 of the 37 lots on the south side of Bennett are built (or being redeveloped) since the 1995 Plan. Unfortunately, since 1999, no sidewalks have been added. And, as density has increased, residents on Bennett and Acheson are increasingly likely to park on the city-owned front lawns of newly-developed duplexes—with little or no consequences from the City.

The development proposed for 7900 Bennett Road may well attract residents with parking needs that exceed the space being made available (appears to be 12 bedrooms and only six parking spots). If the City is committed to its vision for this neighbourhood, then please follow the sub-area plan through by realizing the transportation objective. If that isn't possible at this time, we urge the City to enforce the parking bylaws already in place, as we often have complaints from our tenants. Both actions will help preserve the character of this neighbourhood.

Thank you,
Rob Bodnar & Norma Miller
215 Creekside Drive
Salt Spring Island
V8K 2E4



January 11, 2012

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.

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 one-way 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 mowed 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 neglected.
- 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.

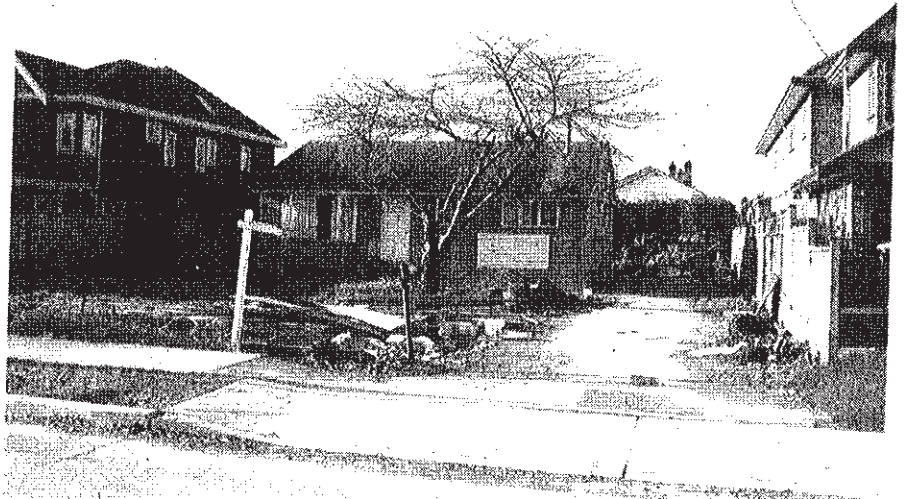
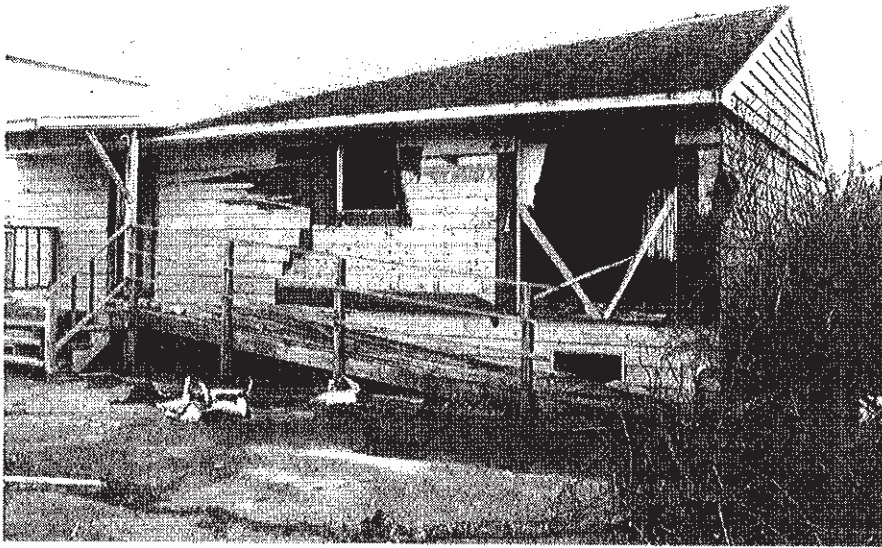
6. **Community Benefits** I would like to refer to the Staff Report that was attached to the Report to the Development Permit Panel from Brian J. Jackson, MCIP, Director of Development, dated June 16, 2011. In the section on Community Benefits, it is clear that the number of children proposed for the 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.

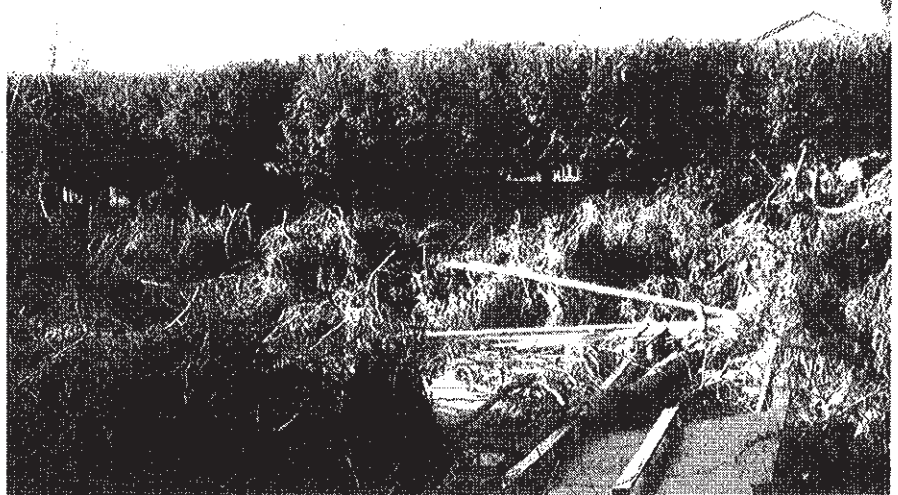
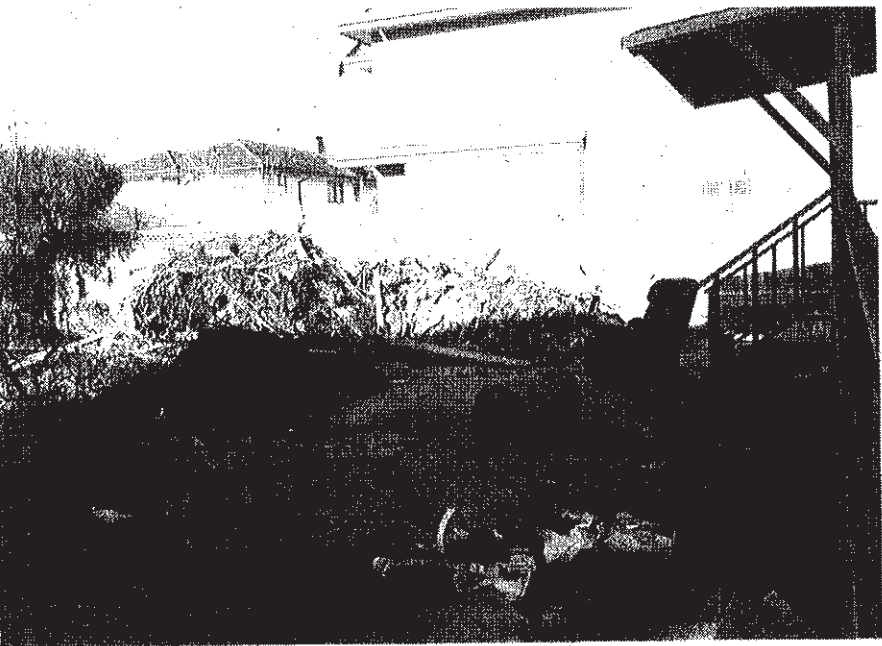
7. **Dolphin Park** I would like to clarify again that to the east, across Heather Street from 8851 Heather Street, is Dolphin Park, not Heather Park as has been referred to on more than one occasion during this permit application. In the Staff Report that I referred to earlier, on the first page, in 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.

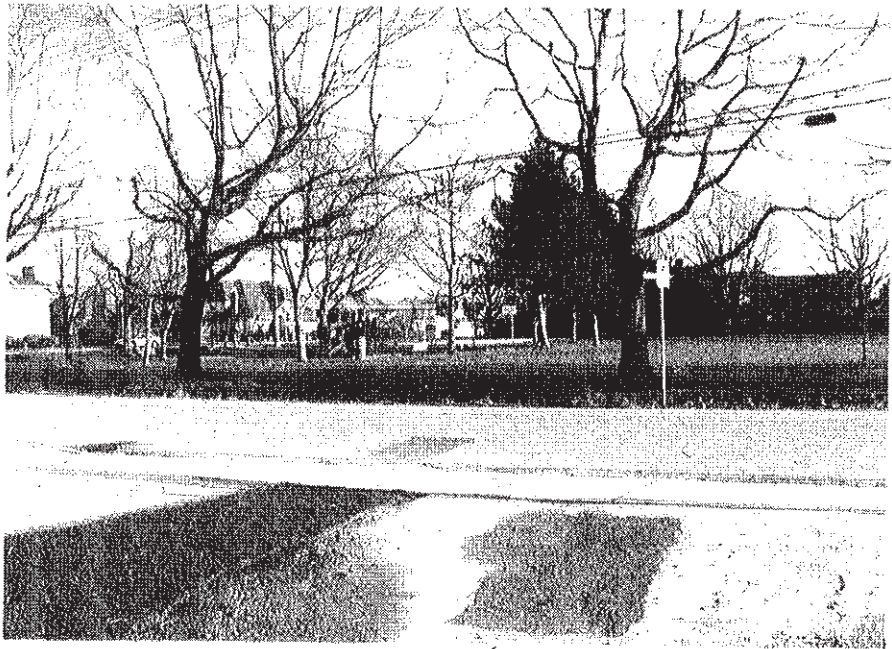
8. **Noise** According to the staff report, “the proposal includes only 67% of the outdoor play area requirement for 60 children” and the “outdoor children’s play area is provided in the rear yard 212.9m2 (just on the other side of our fence) and on the second floor deck (69.25 m2). According to the 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 Panel
Date: JAN. 11, 2012
Item # 3
Re: DP 10-538908

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; hsuhsen@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



01/04/2012

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

To Development Permit Panel	
Date:	JAN. 11, 2012
Item #:	3
Re:	DP 10-538908

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.

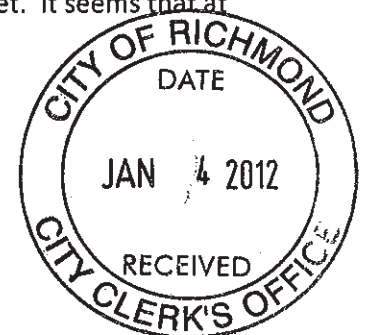
The south end of Heather Street has deep ditches on the east side with no parking and limited lighting and sidewalks on the west side. The only "solutions" the City has come up with is to add DO NOT STOP signs in front of the ditch and ask for our input on speed bumps to slow traffic down. I ask the 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 **immediately** 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

To Development Permit Panel	
Date:	<u>JAN. 11, 2012</u>
Item #:	<u>3</u>
Re:	<u>10-538908</u>

From: alice chan [alicechan8899@gmail.com]
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

