



To: Planning Committee

Date: September 24, 2019

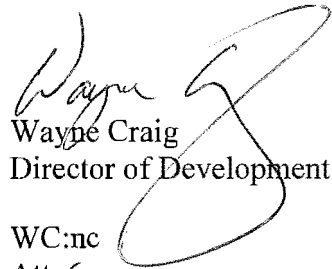
From: Wayne Craig
Director of Development

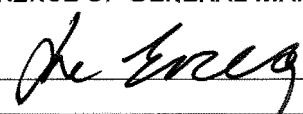
File: TU 19-855101

Re: **Application by Maple Hill School Inc. for a Temporary Commercial Use Permit at 2370 - 4000 No. 3 Road**

Staff Recommendation

1. That the application by Maple Hill School Inc. for a Temporary Commercial Use Permit for the property at 2370 - 4000 No. 3 Road to allow education (limited to an independent school offering grades 9 to 12) as a permitted use be considered until August 31, 2020; and
2. That this application be forwarded to the November 18, 2019 Public Hearing at 7:00 p.m. in the Council Chambers of Richmond City Hall.


 Wayne Craig
 Director of Development
 WC:nc
 Att. 6

REPORT CONCURRENCE
CONCURRENCE OF GENERAL MANAGER


Staff Report

Origin

Maple Hill School Inc. has applied to the City of Richmond for a Temporary Commercial Use Permit (TCUP) to allow “Education” as a temporary permitted use at 2370 - 4000 No. 3 Road on a site zoned “High Rise Office Commercial (ZC27) – Aberdeen Village (City Centre),” to permit an education facility on site (Attachment 1). Maple Hill School is an independent high school that offers courses for students in grades 9 to 12 and is fully accredited with the British Columbia Ministry of Education, which falls under Richmond Zoning Bylaw 8500’s definition of “Education.”

Background

Maple Hill School previously operated at 268-8131 Westminster Highway in conjunction with Maple Hill International Education, which offers language tutoring programs, which falls under the “Education, Commercial” use within the City’s Zoning Bylaw. Both “Education” and “Education, Commercial” uses were permitted at their previous location.

In February 2018, they received notice to vacate the premises at the end of the summer school program and subsequently entered into a lease at the subject site. When they submitted a business license application to allow the private school to operate from the site in July 2018, they were advised that the private school was not a permitted use on the site. In September 2018, Maple Hill School contacted the City about submitting a TCUP application as they had already made arrangements to begin the school year at the subject property. In February 2019, the school submitted a TCUP application to use the unit as a private school until August 31, 2020 to allow enough time the operators sufficient time to secure an appropriate location that permits the “Education” use.

If approved, the TCUP would be valid until August 31, 2020 from the date of issuance. An application for an extension of the Permit may be made. Only one extension is permitted per application.

Findings of Fact

A Development Application Data Sheet providing details about the proposal is provided as Attachment 2.

Surrounding Development

The subject site is located in the City Centre planning area. Development immediately surrounding the subject site is as follows:

To the North: Across Cambie Road, the Radisson Hotel on a property zoned “Hotel Commercial (ZC1) – Aberdeen Village (City Centre)”.

To the South: A low rise commercial plaza on a property zoned “Auto-Oriented Commercial (CA)”.

To the East: Aberdeen Centre on a property zoned “Residential Mixed Use Commercial (ZMU9) – Aberdeen Village (City Centre)”.

To the West: The Aberdeen Canada Line station and No. 3 Road. Across No. 3 Road, a gas station on a property zoned “Gas & Service Stations (CG1)” and “Auto-Oriented Commercial (CA)”.

Related Policies & Studies

Official Community Plan/Aberdeen Village

The Official Community Plan (OCP) land use designation for the subject site is “Commercial.” The Aberdeen Village (2031) Specific Land Use Map within the City Centre Area Plan designates the subject site as “Urban Centre T5 (35 m)”, which allows for medium-density, mid-rise land uses, including office, hotel, retail trade and services, restaurant, and entertainment. The OCP allows commercial educational uses (i.e. tutoring schools) but specifically discourages schools offering kindergarten to grade 12 (K-12) curriculums due to the fact that K-12 programs are aircraft noise sensitive uses.

The OCP allows TCUPs in areas designated “Industrial,” “Mixed Employment,” “Commercial,” “Neighbourhood Service Centre,” “Mixed Use,” “Limited Mixed Use,” and “Agricultural” (outside of the Agricultural Land Reserve, only), where deemed appropriate by Council and subject to conditions suitable to the proposed use and surrounding area.

Richmond Zoning Bylaw 8500

The subject site is zoned “High Rise Office Commercial (ZC27) – Aberdeen Village (City Centre),” which allows for a range of commercial uses. The proposed “Education” use is not permitted in these zones. The proposed use is on an interim basis while the school finds a new location with the appropriate zoning.

Aircraft Sensitive Noise Development (ASND) Policy

The subject site is located within “Area 1A – Restricted Area” of the Aircraft Noise Sensitive Development (ANSND) Policy, where new aircraft noise sensitive land uses are prohibited, including K-12 schools. This policy exists to prevent exposure to aircraft noise throughout the range of typical activities offered in K-12 schools, such as outdoor play.

While the proposed use is temporary, the school’s activities on the site will be exclusively indoors. The applicant has provided an acoustic report performed by a professional engineer, which indicates that the measured indoor sound levels meet the noise criteria set out in the OCP for “living, dining, and recreation rooms” (Attachment 3).

Local Government Act

The *Local Government Act* states that TCUPs are valid until the date the permit expires or three years after issuance, whichever is earlier, and that an application for one extension to the Permit may be made and issued. A new TCUP application is required after one extension, which would be subject to Council approval.

Public Consultation

Should the Planning Committee and Council endorse the staff recommendation, the application will be forwarded to a Public Hearing on November 18, 2019, where any area resident or interested party will have an opportunity to comment. Public notification for the Public Hearing will be provided as per the *Local Government Act*.

Analysis

The subject unit is located in the northwest corner of the second floor in Aberdeen Square (Attachment 4). It has been occupied by Maple Hill School and Maple Hill International Education since September 2018.

Maple Hill International Education applied for a business license at the current Aberdeen Square location in August 2018. A business licence was issued based on the information provided for “Education, Commercial,” which is a permitted use in the “High Rise Office Commercial (ZC27) – Aberdeen Village (City Centre)” zone. The applicant notes that Maple Hill International Education will continue to operate at Aberdeen Square.

Since the “Education” use is not permitted, the applicant is requesting a TCUP to allow the existing school to continue to operate while securing a new site. The applicant advises that they have been actively searching for a new location for the school and is committed to finding another facility by August 31, 2020. Negotiations are almost finalized with a potential location. As the “Education” use is not supported by the OCP policies or the zone, the attached TCUP would limit the proposed education use for this unit until August 31, 2020. The management company provided a letter indicating that they approve of this TCUP application (Attachment 5).

Outdoor Play Space and Physical Education

The applicant noted that the BC Ministry of Education does not have an outdoor play space requirement. Staff have confirmed that there is no such requirement in the Independent School Act. All BC students are required to take a Physical Education course in grades 9 and 10. As the school does not have play space or a gymnasium, the applicant has indicated that arrangements are made to conduct the school’s Physical Education requirements at an off-site location, to where the students walk, escorted by staff.

Parking

Parking and loading must be provided consistent with the requirements of Richmond Zoning Bylaw 8500. Vehicle parking for the “Education” use for secondary schools is required at a rate of 1 parking space per staff member, plus 1 parking space for every 10 students, which may be reduced by 15% based on the City Centre blended parking rates. Bicycle parking is required at a rate of 1 space for every 3 staff members for Class 1 and 3 spaces for every 10 students for Class 2. The school has 12 staff and 71 students, which would require 16 vehicle parking spaces and four Class 1 and 21 Class 2 bicycle parking spaces.

The applicant has verified that vehicle parking and Class 1 bicycle parking requirements are met. The applicant will have to verify that the Class 2 bicycle parking requirements are met prior to issuance of the TCUP.

Staff have no objection to the current on-site parking arrangement as the vehicle parking provided exceeds the amount required for the temporary use. Further, the applicant has provided a letter noting that their staff and students have had no bicycle parking complaints to date since they began operating in the unit (Attachment 6).

Financial Impact

None.

Conclusion

Maple Hill School Inc. had applied to the City of Richmond for a Temporary Commercial Use Permit to allow "Education" as a permitted use at 2370 - 4000 No. 3 Road, zoned "High Rise Office Commercial (ZC27) – Aberdeen Village (City Centre)," to permit an education facility (limited to an independent school offering grades 9 to 12) on site until August 31, 2020.

The proposed use at the subject property is acceptable to staff on the basis that it is temporary in nature and does not negatively impact current business operations in Aberdeen Square.

Staff recommend that the attached Temporary Commercial Use Permit be issued to the applicant to allow "Education" at 2370 - 4000 No. 3 Road until August 31, 2020.



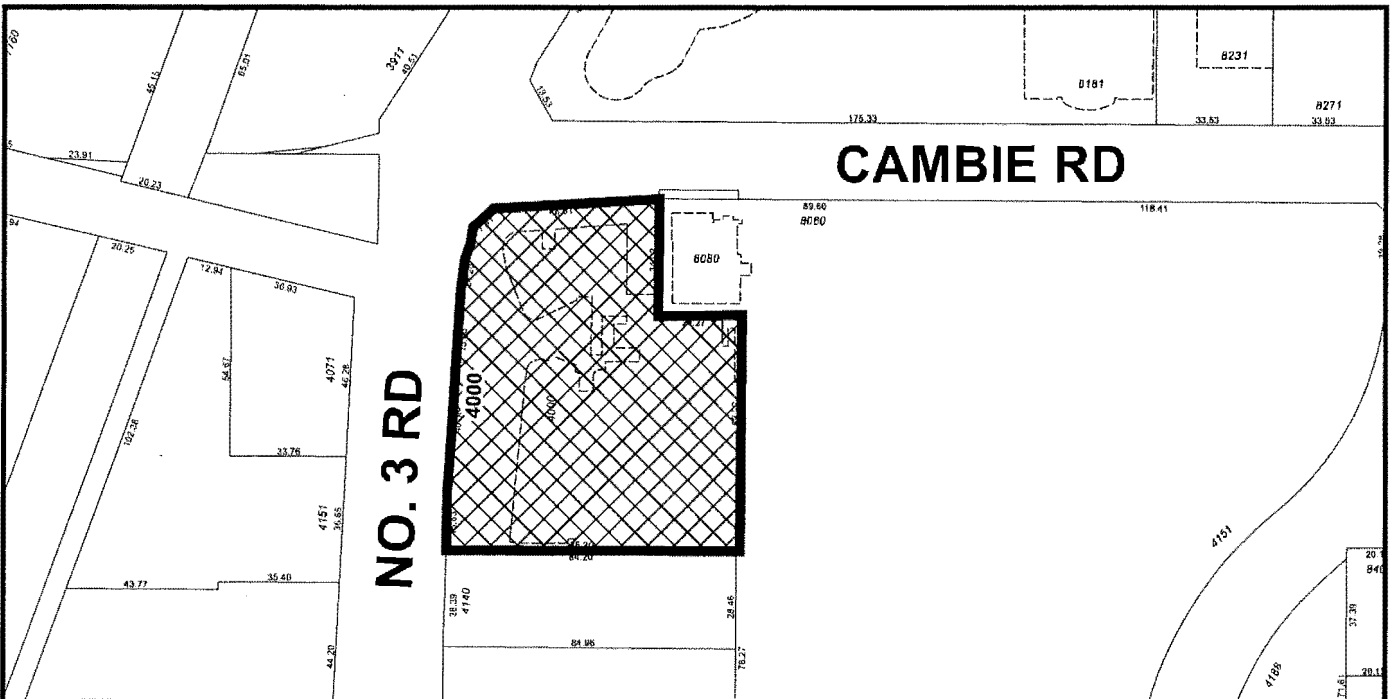
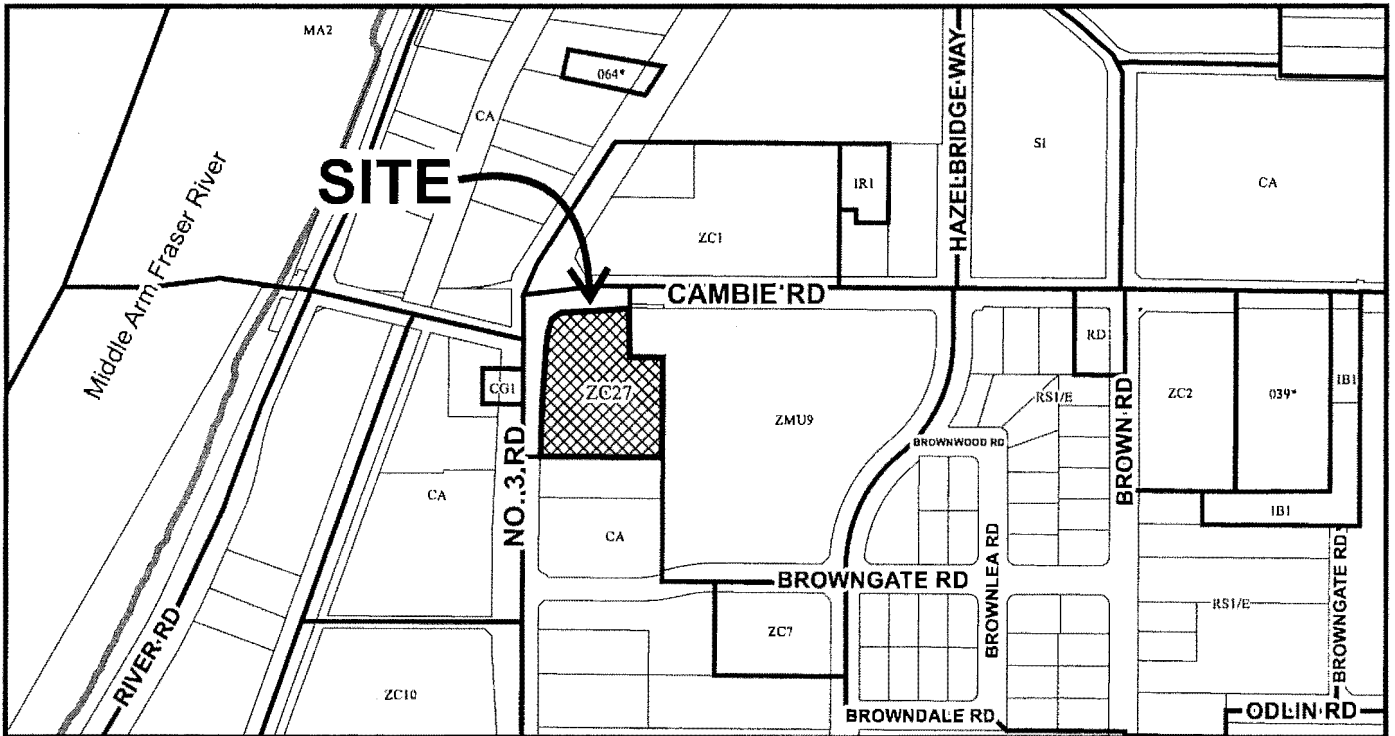
Natalie Cho
Planning Technician

NC:cas

- Attachment 1: Location Map and Aerial Photo
- Attachment 2: Development Application Data Sheet
- Attachment 3: Measured Indoor Sound Level Results
- Attachment 4: Site Plan
- Attachment 5: Letter from the Management Company
- Attachment 6: Letter from the Applicant



City of Richmond



TU 19-855101
 (Unit 2370)

PH 9

Original Date: 03/11/19

Revision Date:

Note: Dimensions are in METRES



City of Richmond



TU 19-855101
(Unit 2370)
PH 10

Original Date: 03/11/19

Revision Date:

Note: Dimensions are in METRES



TU 19-855101

Attachment 2

Address: 2370 - 4000 No. 3 Road

Applicant: Maple Hill School Inc.

Planning Area(s): City Centre – Aberdeen Village

	Existing	Proposed
Owner:	KT East Properties Ltd.	No change
Unit Size (m²):	579.6 m ²	No change
Land Uses:	Education, Commercial	Education
OCP Designation:	Commercial	No change
CCAP Designation:	Urban Centre T5	No change
Zoning:	Residential Mixed Use Commercial (ZMU9) – Aberdeen Village (City Centre) High Rise Office Commercial (ZC27) – Aberdeen Village (City Centre)	No change

On Development Site	Bylaw Requirement	Proposed	Variance
On-site Vehicle Parking:	16	16	None
On-site Bicycle Parking:	Min. 4 Class 1 Min. 21 Class 2	Min. 4 Class 1 Min. 21 Class 2	None

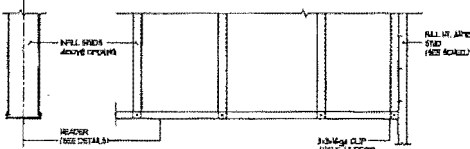
TABLE 1: MEASURED INDOOR SOUND LEVEL RESULTS

Measurement Date (24 hour period)	Measured Sound Pressure Level L_{eq} (24) (dBA)	Applicable Criteria due to road/rail noise L_{eq} (24) (dBA)	Applicable Criteria due to aircraft noise L_{eq} (24) (dBA)	Compliance with noise criteria?
Location 1				
July 12, 2019	35	40	37	Yes
July 13, 2019	35	40	37	Yes
July 14, 2019	34	40	37	Yes
July 15, 2019	37	40	37	Yes
Location 2				
July 12, 2019	30	40	37	Yes
July 13, 2019	30	40	37	Yes
July 14, 2019	29	40	37	Yes
July 15, 2019	31	40	37	Yes
Location 3				
July 12, 2019	36 ⁽¹⁾	40	37	-
July 13, 2019	37 ⁽¹⁾	40	37	-
July 14, 2019	36 ⁽²⁾	40	37	-
July 15, 2019	36 ⁽²⁾	40	37	-

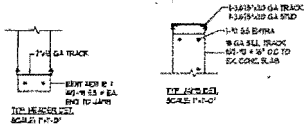
Notes:

- (1) Measurement data from the HVAC equipment was excluded from the $L_{eq}(24)$ calculation between 1000 and 2000 hours. .
(2) Measurement data from the HVAC equipment was excluded from the $L_{eq}(24)$ calculation between 1000 and 1900 hours.

As previously mentioned, HVAC noise was dominant at Location 3. Figure 6 shows a sample two hour time history on July 13, 2019 during which the HVAC system shut off. In general, the noise environment was dominated by road traffic, with intermittent aircraft and train pass-bys.



TYP. HEADER DETAIL
SCALE: 1/4"=1'-0"



TYP. HEADER DETAIL
SCALE: 1/4"=1'-0"

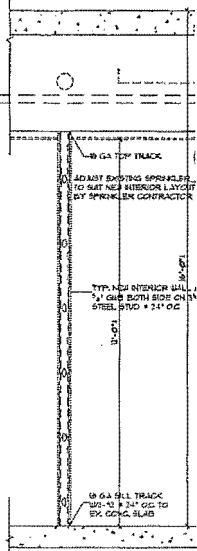
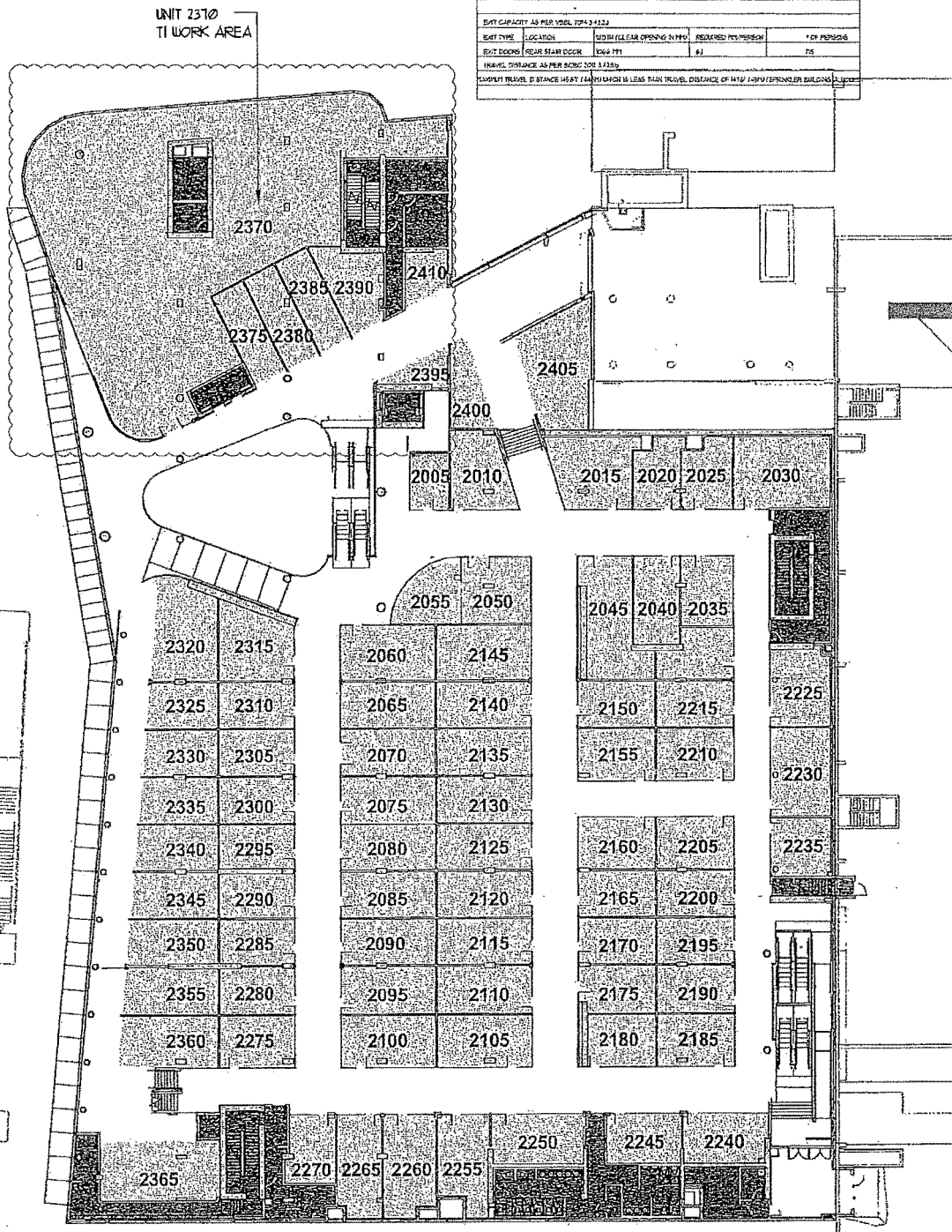
PROPOSED OCCUPANT LOADS AS PER ROOMS (OR TABLE A171)

ROOM NO.	ROOM NAME	TYPE OF USE	SQ. FT. PER PERSON	AREA (SQ. FT.)	OCCUP. CALC. REQ'D	PREPARED
ROOM 1	CLASS ROOM-1	UN	204	2247	11	11
ROOM 2	CLASS ROOM-2	UN	204	1847	9	9
ROOM 3	CLASS ROOM-3	UN	204	1847	9	9
ROOM 4	CLASS ROOM-4	UN	204	1847	9	9
ROOM 5	CLASS ROOM-5	UN	204	1847	9	9
ROOM 6	CLASS ROOM-6	UN	204	1847	9	9
ROOM 7	CLASS ROOM-7	UN	204	1847	9	9
ROOM 8	CONSULTING OFFICE-1	CO	70	141	2	2
ROOM 9	CONSULTING OFFICE-2	CO	70	141	2	2
ROOM 10	CONSULTING OFFICE-3	CO	70	141	2	2
ROOM 11	CONSULTING OFFICE-4	CO	70	141	2	2
ROOM 12	MEETING ROOM-1	ME	30	121	4	4
	OPEN READING AREA A	OR	20	121	6	6
	RECEPTION	RE	100	121	1	1
					TOTAL	86

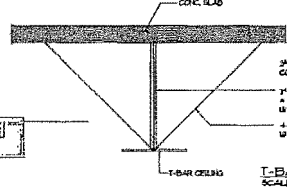
CONCRETE DECK WITH 4" MIN. THICKNESS
OVER 1" MIN. THICKNESS

EXIT TYPE	LOCATION	MIN. CLEAR OPENING IN FEET	REDUCED PENETRATION	# OF PERSONS
EXIT DOORS	NEAR STAIR DOOR	44" MIN	0.1	75

TRAVEL DISTANCE AS PER ROOMS (OR TABLE A171)
ELEVATOR TRAVEL DISTANCE (ELEVATOR) IS LESS THAN TRAVEL DISTANCE OF 140' FOR PERMITTED BUILDING HEIGHT



TYP. NEW INTERIOR WALL
1/2\"/>



CONC. SLAB
1\"/>



Strata, Residential & Commercial Property Management
604.685.3227 | www.awmalliance.com

September 24, 2019

Maple Hill School
Attn: Eric Di Nozzi (Principal)
#2370-4000 No. 3 Road,
Richmond BC V6X 0J8

Dear Sir;

RE: Maple Hill School- Approval (Aberdeen Centre, Aberdeen Square, Aberdeen Residences EPS1069)

We are writing as the agents for Strata EPS1069.

Maple Hill School is a tenant at Aberdeen Square.

We confirm that the Strata Council approves the Maple Hill School temporary application.

Thank you

A handwritten signature in black ink, appearing to be 'Tyler Johnson', with a long horizontal flourish extending to the right.

Tyler Johnson
Vice President IC&I
AWM – Alliance Real Estate Group Ltd.

Principal Letter 校长信

September 9 , 2019

To Natalie Cho:

Maple Hill School was asked to discuss the situation concerning bicycle parking for its students. Since operating at the location of #2370 - 4000 No. 3 Road in Richmond, Maple Hill School has received no complaints from students or staff about bicycle parking. Currently, we do not have any students who bike to school even though there are plenty of Class 2 spots outside the main entrance to 4000 No. 3 Road.

We currently have two staff members who will often bike to work and they have had no issues with the bike storage that we keep in the school for staff and student use. The staff members who keep their bikes at school choose to do so as they worry about thefts if they were to park their bicycles outside.

Sincerely,



Eric Di Nozzi
Principal
Maple Hill School

Tel: (1) 604-285-9665
E-mail: eric.dinozzi@maplehilledu.com
Website: www.maplehilledu.com
Address: #2370 - 4000 No. 3 Rd
Richmond B.C. Canada V6X 0J8



**MAPLE
HILL
SCHOOL**



No. TU 19-855101

To the Holder: MAPLE HILL SCHOOL INC.

Property Address: 2370 - 4000 NO. 3 ROAD

Address: C/O ERIC DI NOZZI
 MAPLE HILL SCHOOL INC.
 2370 - 4000 NO. 3 ROAD
 RICHMOND, BC V6X 0J1

1. This Temporary Commercial Use 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 Temporary Commercial Use Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and to the portion of the building shown cross-hatched on the attached Schedule "B".
3. The subject property may be used for the following temporary commercial use:
 Education (limited to an independent school offering grades 9 to 12)
4. This Permit is valid until August 31, 2020 from the date of issuance.

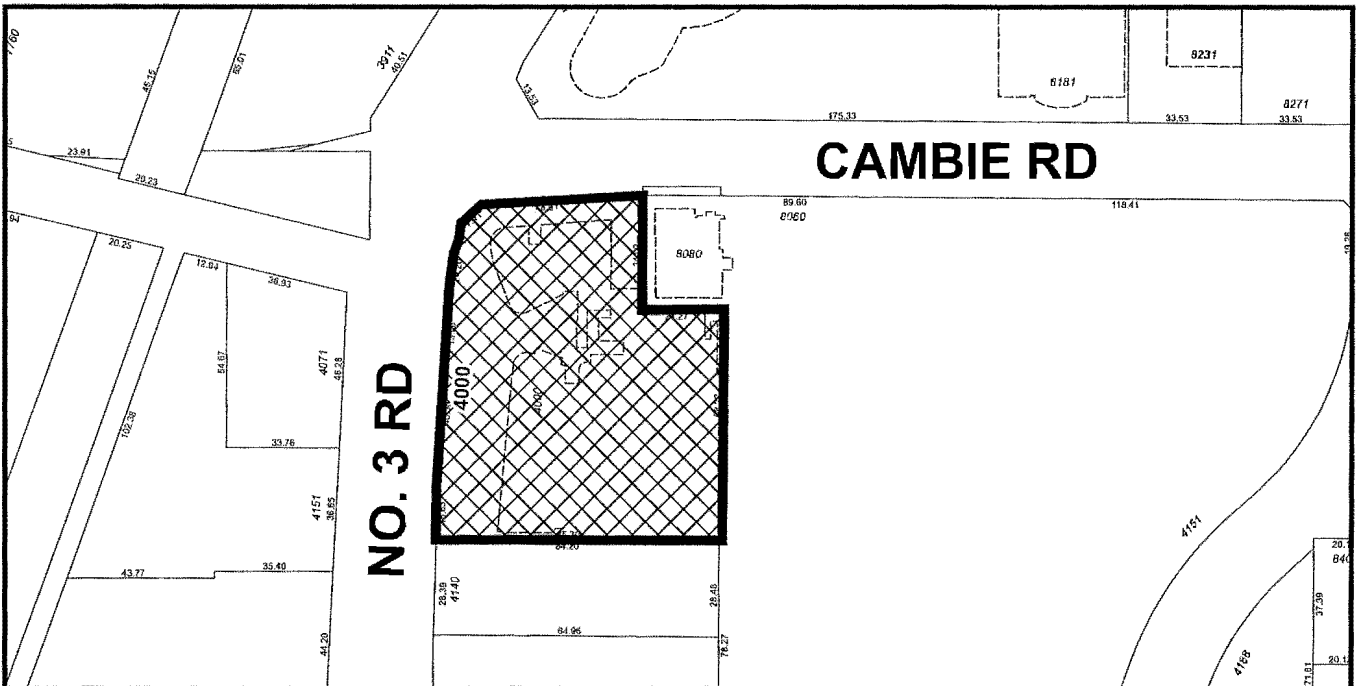
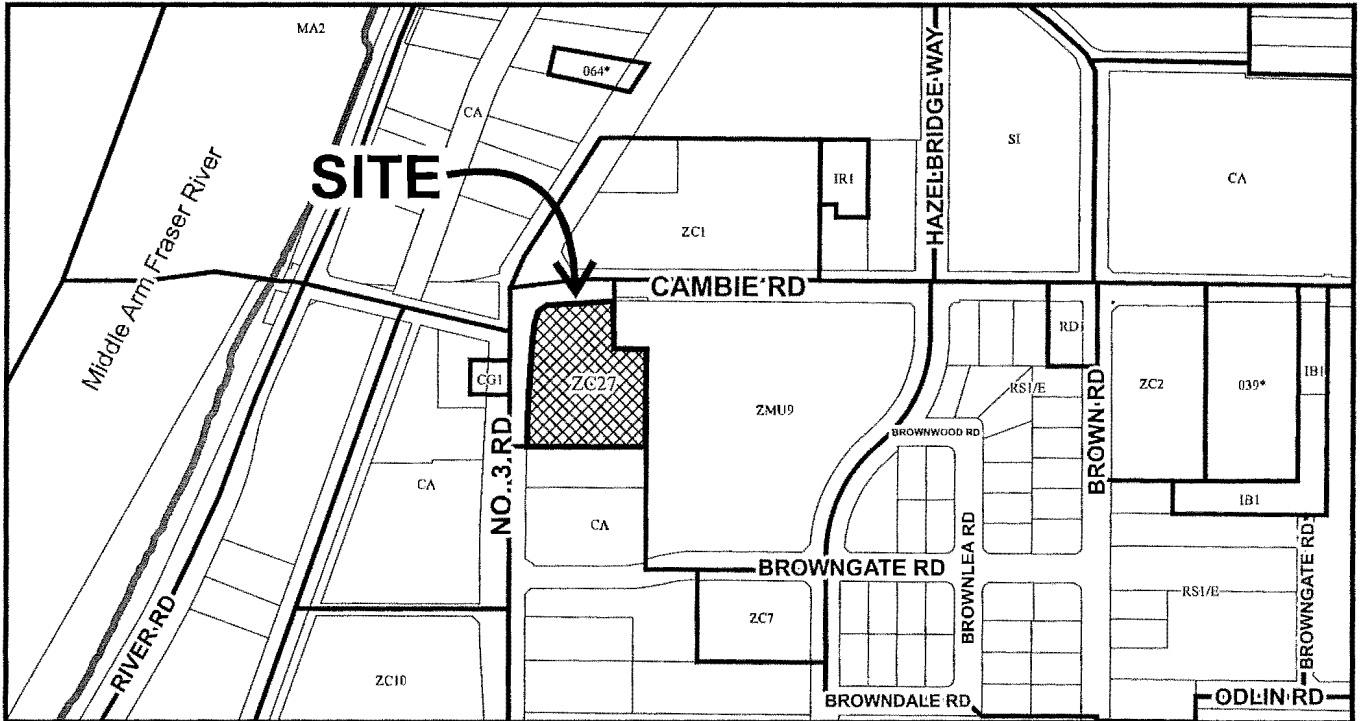
AUTHORIZING RESOLUTION NO.
DAY OF , .

ISSUED BY THE COUNCIL THE

DELIVERED THIS DAY OF , .

MAYOR

CORPORATE OFFICER



TU 19-855101
(Unit 2370)

PH - 17

Original Date: 03/11/19

Revision Date:

Note: Dimensions are in METRES

