

Report to Development Permit Panel

Planning and Development Department

To: Development Permit Panel

Date: October 15, 2013

From: Wayne Craig

File: DP 13-637525

Director of Development

Re: Application by Lysander Holdings Ltd. for a Development Permit at

3600 Lysander Lane

Staff Recommendation

That a Development Permit be issued 3600 Lysander Lane which would address anticipated Environmentally Sensitive Area impacts along the Fraser River foreshore arising from a proposed subdivision of the subject property.

Wayne Craig

Director of Development

WC.dcb

Attachments: 6

Staff Report

Origin

Lysander Holdings Ltd. has applied to the City of Richmond for permission to subdivide 3600 Lysander Lane on Sea Island - a property with a designated Environmentally Sensitive Area (ESA) located along the east side of the site along the Fraser River foreshore. As per Richmond Official Community Plan Bylaw No. 9000, where a request to subdivide a property involves an ESA, a Development Permit is required to address potential environmental impacts.

Development Information

Lysander Holdings Ltd. proposes to subdivide the property at 3600 Lysander Lane into two lots one of approximately 20,555 m² in area containing an existing office building (former CP Air building) and one of approximately 9,390 m² in area that it plans to sell to a non-profit foundation seeking to develop a new Pacific Autism Family Centre (PAFC).

The PAFC proponents have raised approximately \$28 million dollars in private and government funding toward the objective of creating a 5,723 m² multi-purpose free standing facility that "offers state-of-the-art assessment, therapy, respite care, education and support services and programs for children, youth and adults with Autism Spectrum Disorder (ASD) and their families throughout British Columbia" (PAFC Project Overview March 2013). The PAFC concept was presented by a delegation to General Purposes Committee on June 3, 2013.

As a land use the proposed PAFC has been classified as a "minor health service" which permitted under the site's existing "Auto-Oriented Commercial (ZC10) – Airport and Aberdeen Village" zoning.

For informational purposes, a Development Application Data Sheet is provided in **Attachment 1** comparing the proposed PAFC development data with the relevant Bylaw requirements. This data sheet should be considered preliminary in nature as the project design is still being refined by the Architects. The data sheet will be updated and resubmitted with the actual PAFC development permit application (DP 13-645579). A preliminary subdivision plan is provided in Attachment 2.

Post subdivision, parcel sizes, proposed floor area ratios, site coverage and building heights for both the existing building and the proposed Autism Centre will conform to the site's current ZC10 zoning schedule. Consequently, a rezoning will not be required to accommodate either the existing or the proposed use.

As owners of the land, Lysander Holdings Ltd. and their agents have submitted both an ESA Development Permit application (DP 13-637525) and a Subdivision application (SD 13-634340) and will be addressing all the development related issues associated with those applications (e.g. ESA impacts and compensation requirements, diking, utility and other off-site works, etc). A separate Development Permit (DP 13-645579) has been submitted by NSDA Architects on behalf of the PAFC proponents that will address site planning and design issues associated with

the new facility. This report addresses only the first of these applications, the ESA Development Permit application.

Background

Development surrounding the subject site is as follows:

- To the north, Delta Vancouver Airport Hotel on a 3.04 ha. Site zoned Auto-Oriented Commercial (CA);
- To the east, Fraser River middle arm;
- To the south, Boeing Avenue and the 4.94 ha. BC Institute of Technology Sea Island aerospace campus (zoned Education (ZIS6 BCIT at Airport) and;
- To the west, Cessna Drive, Russ Baker Way then the Burkeville residential area (typically large lot single family residential zoned "Single Detached" (RS1/E)).

The subject property lies between Cessna Drive and the middle arm of the Fraser River and between Lysander Lane to the north and an unopened portion of Boeing Avenue to the south. The proposed subdivision will divide the existing lot in an east-west direction along the southern edge of Hudson Avenue from Cessna Drive to the property line fronting the Fraser River. The proposed subdivision layout is provided in **Attachment 2**.

The subject site currently contains an office building and two parking lots. The southern-most parking lot will be the location for the proposed Pacific Autism Family Centre (PAFC).

Attachment 3 provides an aerial image with the existing office building and the proposed PAFC development superimposed over the subject site.

In addition to addressing all the necessary water, storm and sanitary utility connections as part of the site's subdivision requirements the development will also be responsible for registration on title of dike right-of-away and dike construction along the entire eastern and southern property lines. PAFC proponent's have elected to fill much of their lot to bring the main floor of the new facility up to 4.7m matching the level of the proposed dike in front of their building. Site preparation and dike construction are the two primary activities that will impact the site's environmental features.

Environmental Assessment

Under the 2041 Official Community Plan both intertidal areas (i.e. areas 30m outside the high water mark boundary) and shoreline areas (i.e. areas 30 m landward from the high water mark) have been designated as Environmentally Sensitive Areas (ESA). The ESA designation at the subject site encroaches into 3600 Lysander along the interface with the Fraser River.

Given the proximity to the Fraser River and the expectation of environmental impacts arising due to both the site fill activity and dike construction mentioned above, a detailed site assessment was undertaken by Envirowest Consultants Inc. as the project's Qualified Environmental Professional (QEP). Envirowest's assessment report was review by the City's Environmental Review Panel on July 17, 2013. Attachment 4 shows the QEP's assessment of the extent of the

intertidal and shoreline areas along the subject property. Attachment 5 provides the QEP's assessment of the environmental features found at the site.

The QEP's assessment (report dated July 8, 2013) indicates that a riparian deciduous woodland abuts and encroaches into much of the PAFC site along both its eastern and southern boundaries. The woodland's canopy species include black cottonwood, red alder and pacific willow. At the interface of the woodland with the upland parking lot Himalayan blackberry and Japanese knotweed, both invasive species, are prevalent in the woodland's understorey. Intertidal marsh and mudflat front the woodland area along the Fraser River and at a branch channel that partially encroaches into Boeing Avenue.

Based on the preliminary dike designs prepared by Delcan Engineering, the QEP has stated that the woodland will be impacted by the proposed filling and dike works. Specifically, the QEP notes in his October 3, 2013 report:

- The removal of 10 ESA (Poplar, Red Alder and Paper Birch) trees with a dbh greater than 200mm will occur;
- The removal of 12 ornamental (Austrian Pines and Shirofugen cherry) trees primarily from the upland portion of the existing office building's lot;
- The removal of approximately 750 m² of riparian woodland under-storey;
- The removal of approximately 500 m² of ornamental areas; and
- Creation of an exposed edge between the dike and the remaining riparian woodland.

Note that additional tree removals from the PAFC site are also anticipated through site preparation works. These impacts will be addressed separately under that project's development permit application (DP 13-645579).

Compensation and Enhancement Recommendations

To compensate for the anticipated impacts of the dike construction and site preparation, the Envirowest report proposes woodland plantings riverward of the new dike fronting part of the PAFC site and beyond the end of Hudson Avenue. Areas of Himalayan blackberry and Japanese knotweed are to be removed and replaced with native shrubs. The objective of the planting scheme will be to create additional woodland with a direct connection to the shoreline, effectively replacing and restoring the ecological integrity of the affected woodland.

Specifically, the proposed landscape plan will result in:

- 54 native trees planted in the shoreline area east of the dikes;
- 12 replacement ornamental trees planted in the upland area around the existing office building (replacements will be of the same species as those removed);
- Installation of 40 beaked bazelnut shrubs along the interface of the woodland and the dike to deter/prevent non-native plant species from taking hold; and,
- The installation of approximately 1,150 m² of shrubs, ferns and ground cover corresponding to the area of understorey impacted.

Overall, the tree planting program portion of the landscaping plan will result in a 3 for 1 replacement. By area the overall replacement is approximately 1:1 with a modest increase in the native area and a reduction in the ornamental area. The removal of invasive species and replacement with native shrubs and ground cover responds directly to the need to reduce the attractiveness as a food source for birds given the proximity to YVR flight paths.

The full landscaping plan is provided in Attachment 6. A landscaping security in the amount of \$39,242.87 (including a 10% contingency) is a requirement of this Development Permit approval. The landscaping program also includes a 3 year maintenance program whereby the proponents will be responsible for ensuring the survival of the planted materials. Staff have included a clause on the DP Permit Landscaping Plan indicating that final tree planting locations are to be confirmed and approved by City Engineering staff, to ensure there are no conflicts with the planting locations and dike integrity.

In arriving at the compensation/enhancement plan, Envirowest consulted with both the Vancouver Airport Authority (YVR) and the Federal Department of Fisheries and Oceans (DFO). Specifically avoided in the plant species selection are any plants that provide significant food sources for birds due to the proximity to YVR flight paths. The proponent has submitted the landscape plan to DFO for review and signoff. The proponent has agreed to submit a letter of commitment to address, at their cost, any concerns raised by DFO and to ensure that the net replacement will meet the minimum requirements as set out in the Envirowest landscaping plan (letter on file dated October 8, 2013 – Attachment 6). Additional replacement planting will be a requirement of the next development permit review for the building design and site layout.

As noted earlier, the environmental assessment provided by the QEP is based on the preliminary dike design prepared by Delcan Engineering. The final dike design will be refined and approved as part of a Servicing Agreement for the dike and other on and off-site works. In the event that adjustments are required to the dike design that result in additional environmental impacts, these impacts will be addressed through additional compensation under the Servicing Agreement.

Other Considerations

Trails and Dike Rights-of-Way

The alignment for the proposed dike across the subject site was influenced by several factors. Notably:

- 1. Foreshore areas adjacent to the property are primarily red coded habitat and the external environmental agencies typically prefer to avoid impacts to these areas;
- 2. In 2008, the Provincial Government advised that purchasing of foreshore parcels adjacent to the subject property for diking purposes would not be easily pursued due to the complexity of the First Nations issues;
- 3. Both Lysander Holdings Ltd. (the land owner) and the PAFC proponent's indicated a preference to keep the dike alignment within the property thereby reducing the number of external agencies involved in the review and allowing them address rigid financing/grant timelines for their project; and,
- 4. The proposed dike follows an existing right-of-way across the site (see below).

The subdivision plan (Attachment 2) shows two existing right-of-ways (ROW) across the subject property:

- 1. BCP 22414 is a 10.0 m wide ROW acquired for dike and public passage purposes;
- 2. BCP 22415 is a 2.0 m wide ROW for public passage purposes.

Through the subdivision, the first ROW (BCP 22414) will be widened to 17 m to accommodate construction of a 4.7 m high dike and future dike expansion up to 5.5 m in height if required by the province. A new 10 m wide ROW extension will be added along the southern property line adjacent to Boeing Avenue to bring the dike back to Cessna Drive. This will allow the potential of connecting the new dike to the existing dike on the BCIT site at 3800 Cessna Drive which terminates at the southern side of Boeing Avenue adjacent to Cessna Drive. The proponent will not be required to construct the dike across Boeing Avenue. City staff are currently working with YVR Airport staff on solutions for connecting the two sections of dike across Boeing Avenue.

The second existing ROW (BCP 22415) is proposed to be discharged through the subdivision since the new dike will also include provisions for a trail with public passage.

The northern end of the new dike trail will terminate at Lysander Lane. Staff envision the end of Lysander Lane eventually becoming a staging area. In the future, staff will continue toward extending the trail connection northward along the waterfront as opportunities arise.

Frontage Works on Cessna Drive

Frontage improvements (i.e. a sidewalk and treed boulevard) for the entire frontage with Cessna Drive between Lysander Lane and Boeing Avenue will also be required through the subdivision. The Cessna Drive frontage is within YVR's jurisdiction rather than the City of Richmond's jurisdiction however YVR staff have been working closely with City staff and have indicated that they are open to the proposed frontage works. The proponent will be required to make an application to YVR Engineering for review and approval. Staff have been advised that a new bus stop is to be installed at the north-east corner of Lysander Lane and Cessna Drive so the proposed frontage sidewalk will provide a clear pedestrian connection from the Autism Centre and the bus stop.

Site Profile

During the course of the project review, staff were advised that the site's historic uses may have resulted in reportable site contamination present on site. Lysander Holdings Ltd. has submitted a Certificate of Compliance (CoC) from the Ministry of Environment indicating that the site can be developed. Proponents for the PAFC have also had a site contamination assessment undertaken and have advised that no issues of concern were identified under that review. No further action is required by the City with regard to compliance with the Provincial Environmental Management Act.

Rezoning and Public Hearing Results

As the proposed use conforms to the "Auto-Oriented Commercial (ZC10) – Airport and Aberdeen Village" zoning neither a Rezoning or a Public Hearing are required for this project.

Staff Comments

The proposed environmental compensation scheme attached to this report has satisfactorily addressed the Environmentally Sensitive Area protection objectives of the OCP 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 the "Auto-Oriented Commercial (ZC10) – Airport and Aberdeen Village".

Conclusions

An extensive review of the anticipated environmental impacts within the Environmentally Sensitive Area at 3600 Lysander Lane has been prepared by Envirowest Consultants Inc. as the project's Qualified Environmental Professional (QEP). Although the impacts were found to be unavoidable an appropriate compensation and enhancement plan has been prepared that will offset the expected losses. Staff are recommending support for this Development Permit application and the submitted planting plan.

David Brownlee

Planner 2

DCB:cas

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

- Receipt of a Letter-of-Credit for landscaping in the amount of \$39,242.87 (inclusive of a 10% contingency)
- Submission of a letter of commitment from the land owner affirming that all requirements of DFO will be met at their cost and that the net landscaping replacement will meet the minimum requirements as set out in the Environment landscaping plan (letter on file dated October 8, 2013 see Attachment 6).
- Installation of appropriate tree protection fencing around all trees to be retained as part of the development prior
 to any construction activities, including building demolition, occurring on-site.

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

- The applicant is required to 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.
- If 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).
- If applicable, payment of latecomer agreement charges associated with eligible latecomer works.



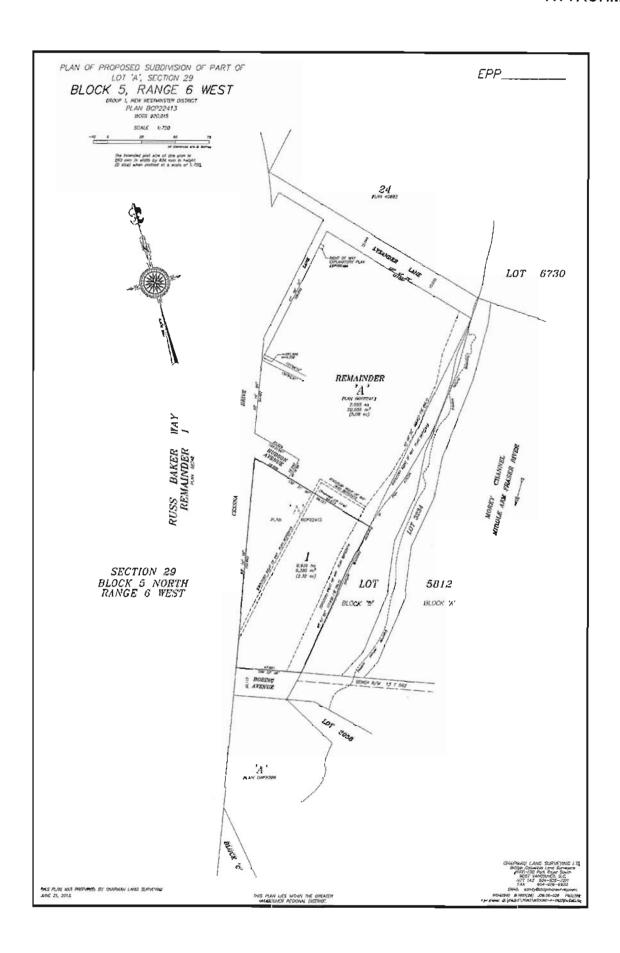
Development Application Data Sheet

Development Applications Division

DP 13-637525	Attachment 1
Address: 3600 Lysander Lane	
Applicant: Lysander Holdings Ltd.	Owner: <u>Lysander</u> Holdings Ltd.
Planning Area(s): Sea Island	
Floor Area Gross: _5,692.17 m ² (61,270 ft ²)	

	Existing	Proposed
Site Area:	Approx. 29,945 m ²	Existing Building site: 20,555 m ² Autism site: 9,390 m ²
Land Uses:	Commercial / Office	No change for existing building. PAFC will be a Health service, minor use
OCP Designation:	Commercial	Same
Zoning:	Auto Oriented Commercial (ZC10) – Airport and Aberdeen Village	Same

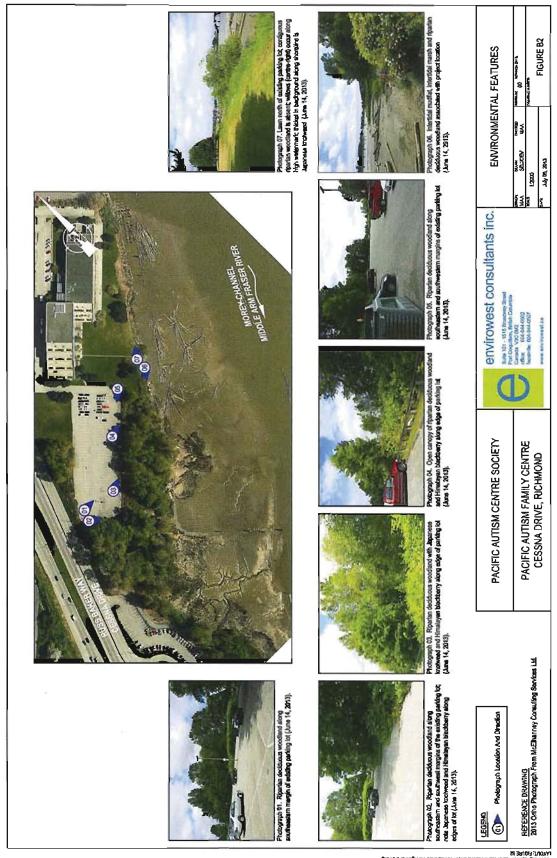
	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	0.85	Office site: 0.52 Autism site: 0.60	none permitted
Lot Coverage:	Max. 55%	Office site: 18.5% Autism site: 30.8%	None
Setback West lot line:	Min. 7.0 m	Office site: > 7.0 m Autism site: 7.0 m	None
Height (m):	Max. 20.0 m	Office site; 19.28 m Autism site: 17.5 m	None
Lot Size:	No minimums	Office site: 20,555 m ² Autism site: 9,322 m ²	None
Off-street Parking Spaces Regular/Commercial:	Office site: 275 (at 3 spaces/100m²) Autism site: To be determined	Office site: 280 Autism site: To be determined	None





New York of Children Commission C







October 08, 2013

Ms. Emilie Walker PC Urban 1465 555 Burrard Street Vancouver, BC V7X 1M9

Dear Ms. Walker,

RE: PACIFIC AUTISM FAMILY CENTRE – CESSNA DRIVE, RICHMOND ENVIRONMENTAL OFFSET TO LOSS OF TREES

Please refer to my previous letter to you (October 03, 2013) regarding the referenced subject. Further, please refer to the City of Richmond's letter (October 04, 2013) regarding the same subject.

The locations of trees impacted by the design footprint of the proposed dyke are depicted by Drawing No. 1611-03-04 (attached). A summary list of lost trees, according to species, is presented by the drawing. The areal extent of trees impacted is 1250 (750 square metres native, 500 square metres ornamental). The drawing also presents the location of thickets of Himalayan blackberry (Rubus discolor) and Japanese knotweed (Polygonum cuspidatum), beyond the design footprint of the proposed dyke and landward development, that will be removed as part of the landscape prescription for the site.

The landscape prescription for the site is presented by Drawing Nos. 1611-03-02 and -03. A summary list of plantings, according to species and stock, is presented by the drawing. Maintenance is also prescribed. The locations of non-native plant removal are replanted with native shrubs and trees. The areal extent of plantings is 1150 square metres (800 square metres native; 350 square metres ornamental).

The removal of trees will occur during fall-winter 2013-14. Plantings will occur upon completion of dyke construction.

Ornamental trees, specifically the pine (*Pirus nigra*) and cherry (*Prunus serrulata*), are replaced on a 1 tree lost to 1 tree planted ratio. The landscape plan and the replacement ratio utilized maintain fidelity with the landscape architecture of the affected area.

Overall, the tree replacement ratio utilized by the landscape plan is 3 to 1. The native tree plantings are accompanied by native shrub plantings.

www.envirowest.ca

Ms. Endlie Walker

PC Urban

Pacific Autism Family Centre - Environmental Offset to Loss of Trees

October 08, 2013

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Thank you for your attention. Should you require further attention, please contact me at 604-944-0502 or adams@envirowest.ca

Yours truly,

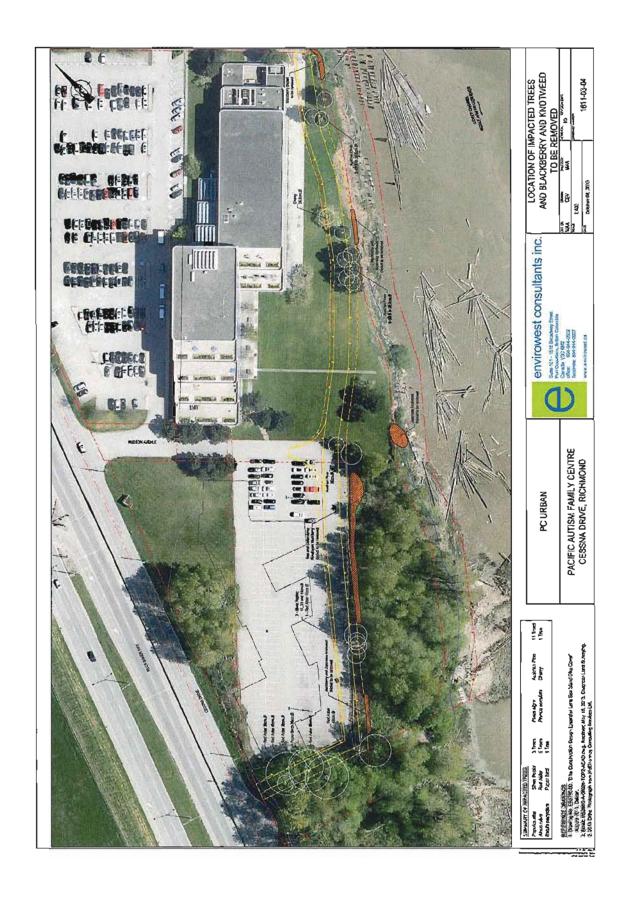
ENVIROWEST CONSULTANTS INC.

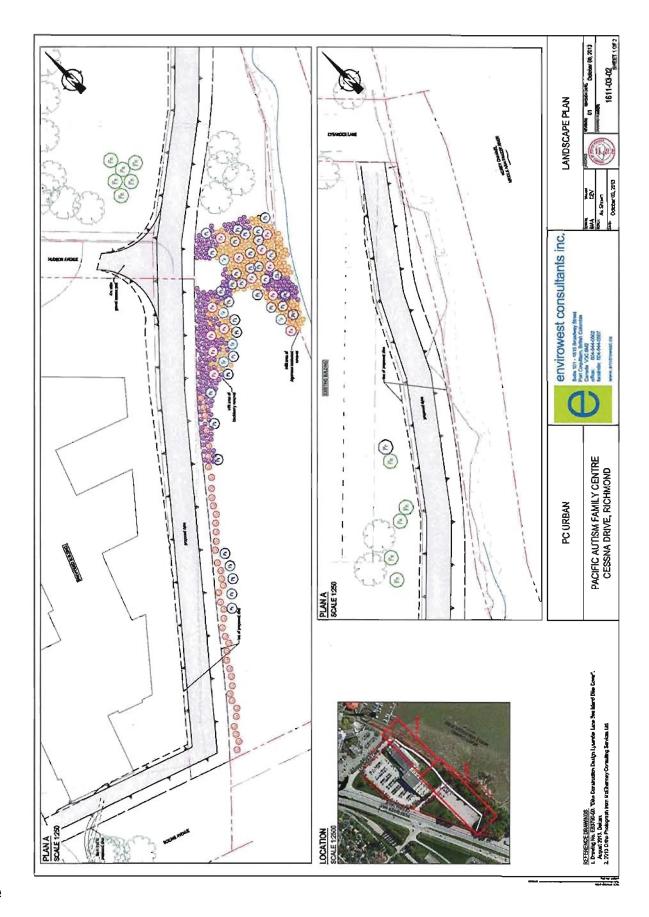
Mark A. Adams, R.P.Bio.

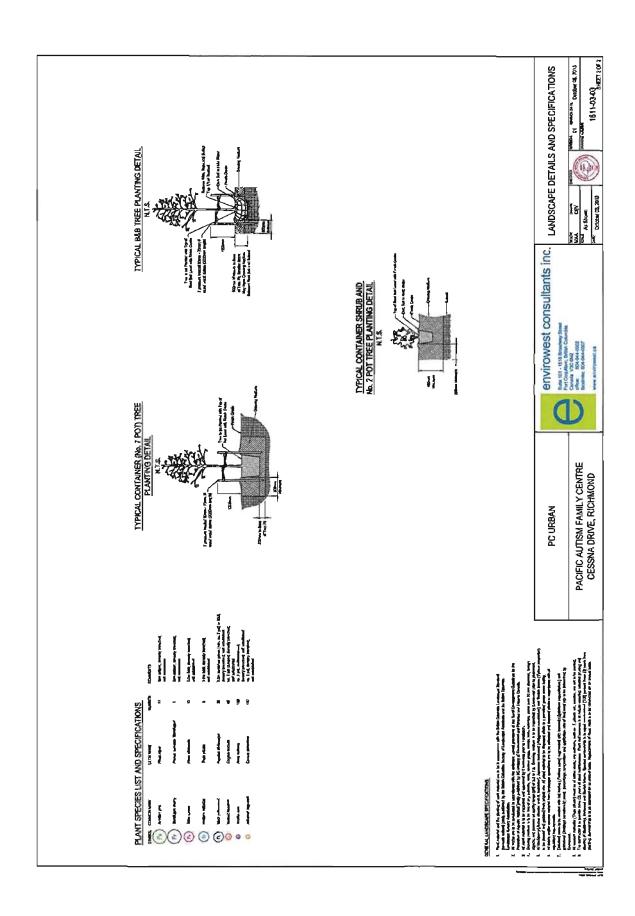
Senior Project Manager/Biologist

MAA

attachments









Development Permit

No. DP 13-637525

To the Holder:

Lysander Holdings Ltd.

Property Address:

3600 Lysander Lane

Address:

c/o Robert Spencer

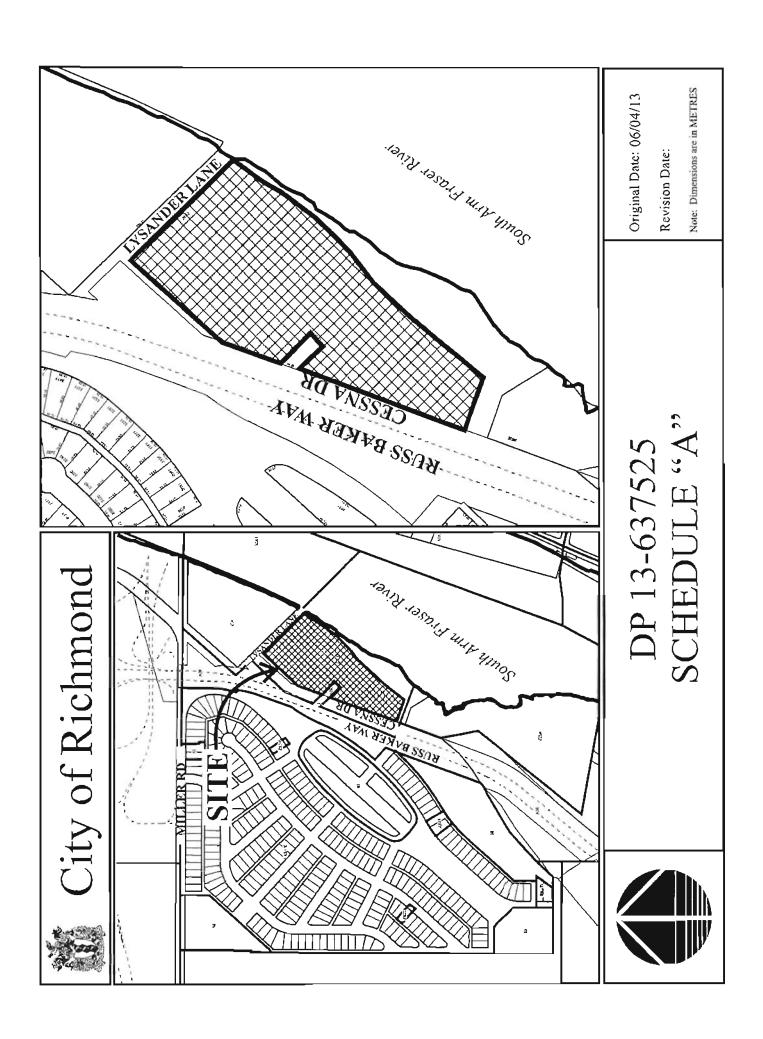
1465 - 555 Burrard Street Vancouver, BC V7X 1M9

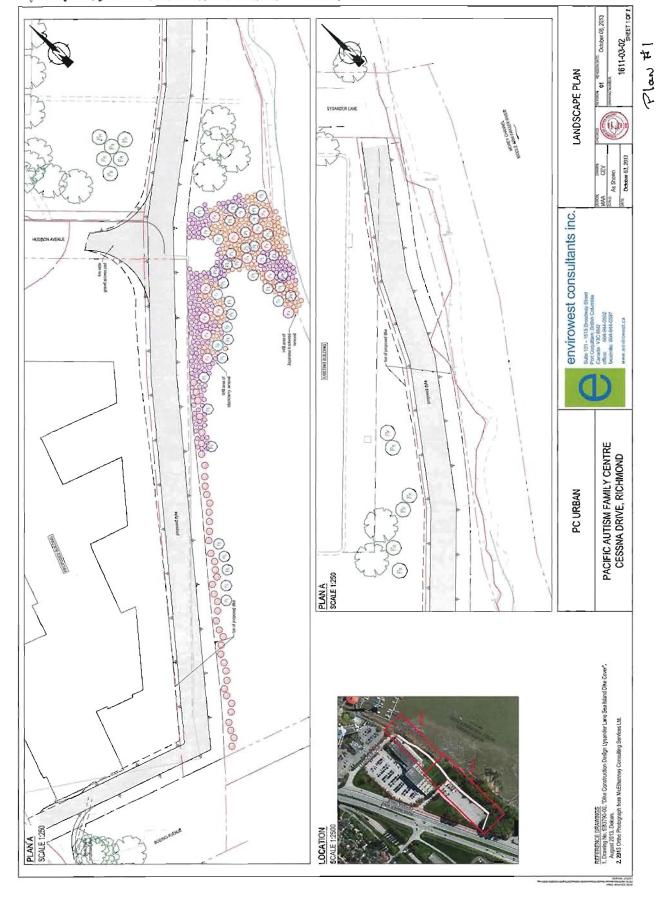
- 1. This Development Permit is issued subject to compliance with all of the Bylaws of the City applicable thereto, except as specifically varied or supplemented by this Permit.
- 2. This Development Permit applies to and only to those lands shown cross-hatched on the attached Schedule "A" and any and all buildings, structures and other development thereon.
- 3. 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 #3 attached hereto.
- 4. Sanitary sewers, water, drainage, highways, street lighting, underground wiring, and sidewalks, shall be provided as required.
- 5. As a condition of the issuance of this Permit, the City is holding the security in the amount of \$39,242.87 (inclusive of a 10% contingency). 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 three years after inspection of the completed landscaping in order to ensure that plant material has survived.
- 6. 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.

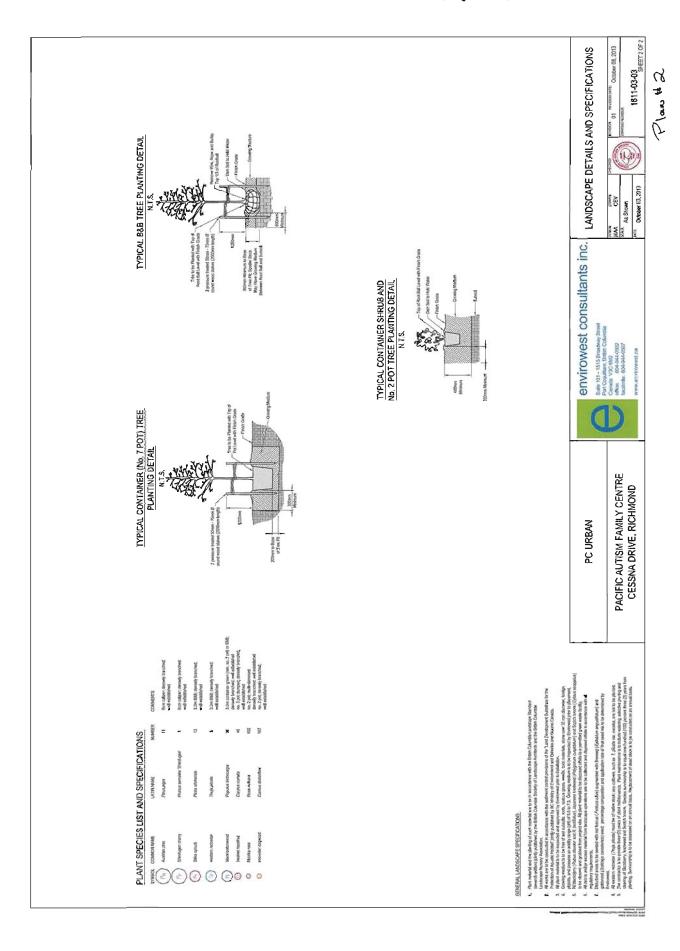
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Ado	Address: c/o Robert Spencer 1465 – 555 Burrard Street Vancouver, BC V7X 1M9					
7.		erein shall be developed generally in accordance with the terms and sions of this Permit and any plans and specifications attached to this orm a part hereof.				
	This Permit is not a Build	ding Permit.				
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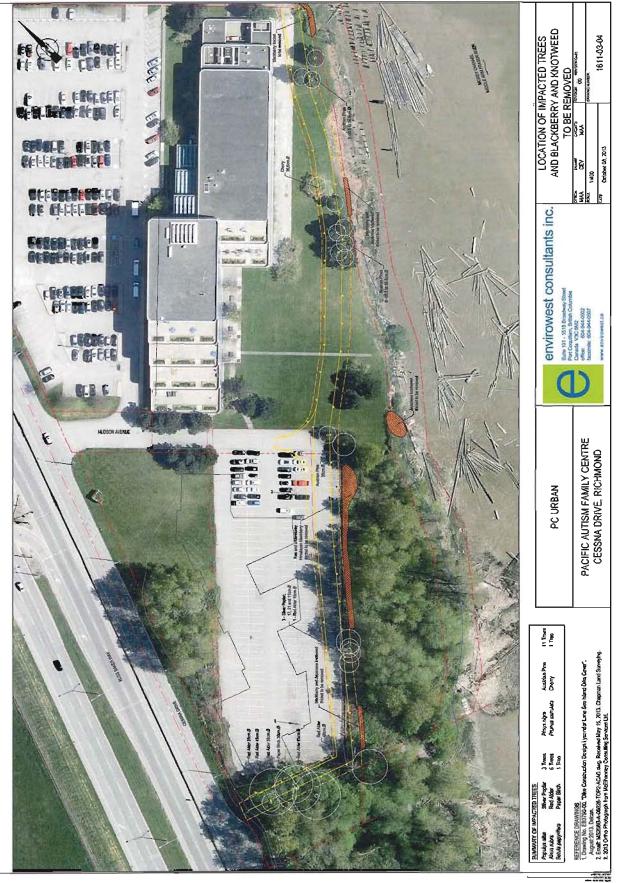
Lysander Holdings Ltd.

To the Holder:









Plan #3