

SUMMARY AND RECOMMENDATION

2. REZONING: 5805 Wales Street and Heritage Designation of the Avalon Dairy Farmhouse

Summary: To rezone 5805 Wales Street from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit a three-storey residential development comprised of 54 townhouses, eight of which include lock-off units, and to rehabilitate and designate the Avalon Dairy farmhouse as protected heritage property. The proposed floor space ratio (FSR) is 1.20 and height is 13.4 m (44 ft.).

Applicant: Robert Ciccozzi Architecture Inc.

Referral: This item was referred to Public Hearing at the Regular Council Meeting of June 10, 2014.

Recommended Approval: By the General Manager of Planning and Development Services, subject to the following conditions as proposed for adoption by resolution of Council:

- A. THAT the application, by Robert Ciccozzi Architecture Inc. on behalf of Avalonna Homes Ltd., to rezone 5805 Wales Street [*PID: 005-025-567; Lot K, Block 8, District Lot 721, Plan 17155*] from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 0.70 to 1.20 and the height from 10.7 m (35 ft.) to 13.4 m (44 ft.) to permit a three-storey residential development comprised of 54 townhouses, eight of which include lock-off units, and to restore and rehabilitate the heritage "A" listed Avalon Dairy farmhouse, generally as presented in Appendix A of the Policy Report dated April 16, 2014, entitled "CD-1 Rezoning: 5805 Wales Street and Heritage Designation of the Avalon Dairy Farmhouse", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by Robert Ciccozzi Architecture Inc., on behalf of Avalonna Homes Ltd., and stamped "Received City Planning Department, March 11, 2014", provided that the General Manger of Planning and Development Services may allow minor alterations to this form of development when approving the detailed scheme of development as outlined in (b) below.
- (b) That, prior to approval by Council of the form of development, the applicant shall obtain approval of a development application by the General Manager of Planning and Development Services, who shall have particular regard to the following:

Urban Design

1. Design development to provide an elevator from the underground parking to grade.

Note to Applicant: This will provide an accessible path of travel from the below grade parking to grade. Consideration should be given to

locate this sensibly, integrated with building massing, with some provision of related weather protection.

2. Provision of setbacks from the property line to buildings and distance between buildings across the courtyards to remain consistent with the rezoning application submission unless stated in subsequent rezoning conditions.

Note to Applicant: The proposed building setbacks submitted and shown on drawing A1.0 can be considered as minimum setbacks but could be increased if warranted by the design development process.

3. Provision of high quality and durable exterior finishes proposed in this rezoning submission will be carried forward and remain through the to the development permit process.

Crime Prevention Through Environmental (CPTED)

4. Design development to respond to CPTED principles, having particular regards for:
 - (i) theft in the underground parking;
 - (ii) residential break and enter;
 - (iii) mail theft; and
 - (iv) mischief in alcoves and vandalism, such as graffiti.

Sustainability

5. Identification on the plans and elevations of the built elements contributing to the building's sustainability performance in achieving Gold certification under BuiltGreen™ BC and a minimum score of Energuide 82.

Note to Applicant: Provide a BuiltGreen™ BC scorecard confirming that the project will achieve Gold level and a minimum score of Energuide 82. Both the scorecard and description should be incorporated into the drawing set and significant BuiltGreen™ BC features detailed on the plans.

Landscape Review

6. Design development to protect healthy on-site and off-site trees (as per the survey provided) located outside building footprints wherever possible and with arborist consultation.

Note to Applicant: Further building modifications may be required to resolve conflict and ensure safety of retained City trees located close to Buildings 3 and 4, as noted in the arborist report.

7. Design development to provide universally accessible connections for pedestrians and people using wheelchairs, to all common open space areas throughout the site.
8. Design development of the landscaping within the public realm interface at the main community garden pedestrian entry and the public

Avalon Greenway to provide a high-quality, welcoming public realm and offer open views to the Heritage farmhouse.

9. Design development for underground parking structures to be designed to provide maximum plant- growing depth (exceed BCLNA Landscape Standard) for landscaped planters over slab condition.

Note to Applicant: Public and private trees should be planted at grade, wherever possible, and not placed in above grade planters to achieve soil depth. Variations in the slab may be required in combination with appropriate growing medium. Wherever possible, in the horizontal plane, soils should be contiguous to maximize soil volumes. To accommodate trees in planters near property lines, angle, notch or depress the underground parking slab to maximize planter depth (1 m across and 1.2 m downward).

10. Provision of high efficiency irrigation for all planted areas and hose bibs for all patios and common areas greater than 100 square feet, with notation.
11. Provision of a special public sidewalk paving detail over retained City trees located alongside the Greenway to the satisfaction of the City Engineer.

Note to Applicant: Refer to page 3 of the arborist report submitted by Froggers Creek Consultants, dated March 13, 2014.

12. At time of development permit application:

- (i) Provision of a fully detailed Landscape Plan illustrating proposed plant material by common and botanical name, size and quantity of all existing/ proposed plant material.

Note to Applicant: Plant material should be clearly illustrated on the Landscape Plan and keyed to the Plant List. The landscape plan should include all exterior hard and soft surface elements (site furniture, gates, fences, surfaces, screens, walls), the public realm treatment (to the curb) and all existing or proposed street trees, adjoining landscaping/ grades and public utilities such as lamp posts, hydro poles, fire hydrants.

- (ii) Provision of a Tree Management Plan.

Note to Applicant: Provide a tree plan that is separate from the landscape plan and consistent with the survey and arborist report. The scaled plan should be accurate and clearly illustrate all trees to be removed and retained, including off-site trees and dimensioned tree protection barriers. An arborist report addendum will be necessary to further describe in greater detail, tree protection measures for protected trees located close to proposed excavation. Tree replacements can be shown on the proposed phased landscape planting plans.

- (iii) Provision of large-scale landscape sections at ¼"-0" or better, to illustrate the relationship between at-grade landscaped planters

over slab condition, townhouse entries at the street and within the common courtyard, the lane interface, and special feature common areas.

Note to Applicant: The sections should include the building edge, landscape form, planter materials, tree stem, canopy and root ball, and labelled with dimensions.

- (iv) Provision of new street trees, where applicable, to be provided adjacent to the development site, to be shown on the development permit plans and confirmed prior to the issuance of the building permit.

Note to Applicant: Contact Eileen Curran, Streets Engineering (604.871.6131) to confirm tree planting locations and Park Board (604.257.8587) for tree species selection and planting requirements. Provide a notation on the plan as follows, "Final spacing, quantity and tree species to the satisfaction of the General Manager of Engineering Services. New trees must be of good standard, minimum 6cm caliper, and installed with approved root barriers, tree guards and appropriate soil. Root barriers shall be 8 feet long and 18 inches in. Planting depth of root ball must be below sidewalk grade. Call Park Board for inspection after tree planting completion".

- (v) Provision of large-scale architectural details at 1/2"=1'-0" or better, to illustrate proposed landscape elements including planters, paving, benches, fences/ gates, arbours and trellises.

Note to Applicant: Planter details must confirm depth of proposed planting on structures.

- (vi) Provision of an updated and detailed comprehensive ISA Certified Arborist report to outline special measures for retained trees located in close proximity to excavation, in accordance with Section 4, Protection of Trees by-law.
- (vii) Submission of written confirmation from Park Board regarding decisions for the retention/protection or removal of existing streets noted in the arborist report submitted by Froggers Creek Consultants, dated March 13, 2014.

Urban Agriculture

- 13. Design development to the raised bed community garden plots to ensure that *Community Gardens Accessibility Guidelines* are met including heights of garden boxes, suitable surface material, etc. to ensure people of all abilities are able to conveniently use the garden plots.

Note to Applicant: For more information please see:
<http://vancouver.ca/files/cov/Community-Gardens-Accessibility-Guidelines-2011.pdf>

- 14. Garden plots must meet the *Urban Agricultural Guidelines for the Private Realm*. This includes a requirement for 30% of the residential

units to have access to garden plots; provision of adequate and accessible water hook-up; and the incorporation of small-scale composting for the garden site.

Note to Applicant: For more information please see:
<http://vancouver.ca/people-programs/urban-agriculture-guidelines.aspx>

15. Consideration for providing a small community gathering/picnic area and a potting/work bench.

Engineering

16. Confirmation that the firefighting needs can be met from Wales Street. Should 43rd Avenue be necessary for firefighting access then a complementary access design is to be developed that incorporates the various uses intended for 43rd Avenue to the satisfaction of the General Manager of Engineering Services in consultation with the Fire Department and the Chief Building Official.
17. Sewers are to connect to Wales Street. Please note this storm drain connects directly to Still Creek, care must be taken at all stages of development to ensure none of the sanitary waste is discharged to the storm system.
18. Provision of information signage on the site about the Avalon Greenway and the history of the Avalon Dairy farm to the satisfaction of the Director of Planning in consultation with the General Manager of Engineering Services.
19. Design development to integrate the existing public art entitled '*til the cows come home*' into the greenway design.
20. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services. The following items are required to meet provisions of the Parking By-law and the Parking and Loading Design Supplement:
 - (i) Provision of an improved plan showing the column locations within the parking level and design elevations on both sides of the ramp at all breakpoints and within the parking areas to be able to calculate slopes and cross-falls.
 - (ii) Provision of a section drawing showing elevations, vertical clearances, and security gates for the main parkade ramp.
 - (iii) Provision of a 0.6 m (2 ft.) setback for the 2 ft. long parking columns from the end of the stall to improve maneuvering.
 - (iv) Remove the chamfer on the outside corner of the ramp to provide two-way traffic flow.
 - (v) Show, on the landscape and site plans, all of the existing vehicle entry and exit access points to the adjacent VSB nursery site.

- (vi) Clarification of the garbage and recycling provisions and confirmation of pickup operations that do not rely upon public property for storage of garbage bins for an extended period of time.
- (vii) Deletion of the proposed bio-swale on 43rd Avenue due to maintenance concerns.
- (viii) Removal of the proposed hedge on public property.
- (ix) Removal of the trees, landscape and garden plots along the south edge of the 43rd Avenue.
- (x) Removal of the proposed pre-cast concrete pavers on public property.
- (xi) Revision of the bollard layout to reduce the number and better define the areas.
- (xii) Modify the design of the main access to the site from the driveway portion of 43rd Avenue to include vehicle access and a turnaround function for vehicles. The current design offers no way to turn around and access Wales Street safely.

Housing Policy

- 21. That the proposed unit mix including 11 two-bedroom units and 17 three-bedroom units be included in the Development Permit drawings

Note to Applicant: Any changes in unit mix from the proposed rezoning application shall be to the satisfaction of the Chief Housing Officer.

CONDITIONS OF BY-LAW ENACTMENT

- (c) That, prior to enactment of the CD-1 By-law, the registered owner shall on terms and conditions satisfactory to the Director of Legal Services and to the General Manager of Planning and Development Services, the General Manager of Engineering Services and the Approving Office, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering

- 1. Provision of a statutory right of way to accommodate a Public Bike Share (PBS) Station. The PBS Station includes the following design and siting criteria:
 - (i) Size: At minimum, the smallest sized station at 16 m x 4 m must be accommodated. The physical station with docked bicycles is 2 m wide and has a required bicycle maneuvering zone of 2 m for a total width of 4 m. The 2 m maneuvering space may be shared with pedestrian space.

- (ii) Location: The station must be located on private property while still clearly visible to the public with 24/7 public access and allowing easy access to the street.
 - (iii) Surface treatment: A hard surface is required with no utility access points within 150mm. Acceptable surfaces include CIP concrete (saw cut or broom finished), asphalt and pavers. Other firm, paved materials are subject to approval.
 - (iv) Grades: The surface must be leveled with a maximum cross slope of 3% and have a consistent grade (i.e. no grade transitions) along the length with a maximum slope of 5%. At minimum, spot elevations at the four corners of the station must be provided.
 - (v) Sun exposure: No vertical obstructions to maximize sun exposure, as station operates on solar power. Ideally the station should receive 5 hours of direct sunlight a day.
2. Provision of a statutory right of way on the site (near the south edge) to accommodate a public sidewalk should the greenway design not be able to accommodate an on-street sidewalk.

Note to Applicant: The intention is to preserve the grove of existing trees located near the south edge of the site.

3. Provision of a Services Agreement to detail the on-site and off-site works and services necessary or incidental to the servicing of the site (collectively called the "services") such that they are designed, constructed and installed at no cost to the City and all necessary street dedications and rights of way for the services are provided. No development permit for the site will be issued until the security for the services are provided.
- (i) Provision of adequate water service to meet the fire flow demands of the project. The current application lacks the details to determine if water main upgrading is required. Please supply project details including projected fire flow demands as determined by the applicants' mechanical consultant to determine if water system upgrading is required. Should upgrading be necessary then arrangements to the satisfaction of the General Manager of Engineering Services and the Director of Legal Services will be required to secure payment for the upgrading. The developer is responsible for 100% of any water system upgrading that may be required.
 - (ii) Provision of improvements to 43rd Avenue between the cul-de-sac and Wales Street to provide improved pedestrian and cycling connections, including improvements to the Avalon Neighbourhood Greenway. Work is to include new bicycle facilities, sidewalks, greenways lighting, landscaping, pavement, curbing and other improvements as may be required.

Note to Applicant: All greenways improvements are to be designed to the satisfaction of the General Manager of

Engineering Services and in a manner that meets maintenance standards set by the City.

- (iii) Provision of an improved access road (widening and/or repaving) to the Vancouver School Board (VSB) property at 5905 Wales Street to the south should the final greenway design on 43rd Avenue require it.

Note to Applicant: A letter of confirmation from the VSB is required stating that the proposed changes to 43rd Avenue, from Wales Street to the existing cul-de-sac, do not restrict access to their site.

- (iv) Provision of improved drainage on 43rd Avenue. There is currently no storm sewer on 43rd Avenue adjacent the site. If street improvements require collection and drainage of storm water, then a storm spur may be required to provide drainage of 43rd Avenue.

- (v) Provision of improvements to Wales Street, along the site frontage. The improvements are to include:

- a. new concrete sidewalks (minimum width 1.8 m),
- b. a grass front boulevard (minimum 1.2 m),
- c. concrete curb and gutter,
- d. curb bulges at both legs of 43rd Avenue,
- e. street trees, and
- f. street and pedestrian lighting improvements and pavement to the centre-line of the street including all utility relocations, drainage improvements, and adjustments to accommodate the street design.

- (vi) Removal of the existing wood utility pole on Wales Street. The applicant is asked to make arrangements for removal of this existing wood pole fronting the site on Wales Street and to provide confirmation from the affected utility companies that removal is possible.

- (vii) Provision of speed humps in the lanes adjacent the site, subject to neighborhood review.

- 4. Provision of all utility services to be underground from the closest existing suitable service point. All electrical services to the site must be primary with all electrical plant, which include but are not limited to, junction boxes, switchgear, pad mounted transformers and kiosks (including non BC Hydro Kiosks) are to be located on private property with no reliance on public property for placement of these features. There will be no reliance on secondary voltage from the existing overhead electrical network on the street right-of-way. Any alterations to the existing overhead/underground utility network to accommodate this development will require approval by the Utilities Management Branch. The applicant may be required to show details of how the site will be provided with all services being underground.

Heritage

5. Enter into a legal agreement for the restoration, rehabilitation and long-term maintenance of the heritage building at 5805 Wales Street. The agreement is to be completed and registered in the Land Titles Offices (LTO) to the satisfaction of the Director of Planning and the Director of Legal Services prior to the enactment of the CD-1 By-law.

Note to Applicant: The agreement must be signed by the owner, and any party with a registered interest on title. The purpose of the agreement is to secure the protection of the heritage building during and after construction and its rehabilitation in a timely manner, to allow for the City to place a commemorative plaque on the site or farmhouse, and for related matters. Please contact the heritage planner to receive a copy of the draft agreement for review.

Soils

6. If applicable:
 - (i) Submit a site profile to the Environmental Planning, Real Estate and Facilities Management (Environmental Contamination Team);
 - (ii) As required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, do all things and/or enter into such agreements deemed necessary to fulfill the requirements of Section 571(B) of the Vancouver Charter; and
 - (iii) If required by the Manager of Environmental Planning and the Director of Legal Services in their discretion, enter into a remediation agreement for the remediation of the site and any contaminants which have migrated from the site on terms and conditions satisfactory to the Manager of Environmental Protection, the General Manager of Engineering Services and Director of Legal Services, including a Section 219 Covenant that there will be no occupancy of any buildings or improvements on the site constructed pursuant to this rezoning until a Certificate of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, has been provided to the City.

Note to Applicant: Where the Director of Legal Services deems appropriate, the preceding agreements are to be drawn, not only as personal covenants of the property owners, but also as Covenants pursuant to Section 219 of the Land Title Act.

The preceding agreements are to be registered in the appropriate Land Title Office, with priority over such other liens, charges and encumbrances affecting the subject site as is considered advisable by the Director of Legal Services, and otherwise to the satisfaction of the Director of Legal Services prior to enactment of the by-law.

The preceding agreements shall provide security to the City including indemnities, warranties, equitable charges, letters of credit and withholding of

permits, as deemed necessary by and in a form satisfactory to the Director of Legal Services. The timing of all required payments, if any, shall be determined by the appropriate City official having responsibility for each particular agreement, who may consult other City officials and City Council.

- B. THAT the heritage designation as a protected heritage property of the Avalon Dairy farmhouse at 5805 Wales Street, which is listed in the "A" evaluation category of the Vancouver Heritage Register, be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Parking By-law, generally as set out in Appendix C of the Policy Report dated April 16, 2014, entitled "CD-1 Rezoning: 5805 Wales Street and Heritage Designation of the Avalon Dairy Farmhouse".
- D. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward the amendment to the Subdivision By-law, generally as set out in Appendix C of the Policy Report dated April 16, 2014, entitled "CD-1 Rezoning: 5805 Wales Street and Heritage Designation of the Avalon Dairy Farmhouse".
- E. THAT Recommendations A through D be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a bylaw rezoning the property, and any costs incurred in fulfilling requirements imposed as a condition of rezoning are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Officer, shall not in any way be limited or directed in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

[RZ - 5805 Wales Street and Heritage Designation of the Avalon Dairy Farmhouse]