

SUMMARY AND RECOMMENDATION

4. REZONING AND HERITAGE DESIGNATION: 6 West 17th Avenue (Turner Dairy)

Summary: To rezone 6 West 17th Avenue (Turner Dairy) from RS-7 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District to permit the adaptive reuse of the existing three-storey building, including heritage restoration and designation and 13 market residential units. A height of 10.7 metres (35 feet) and a floor space ratio (FSR) of 1.56 are proposed.

Applicant: ASIR Studio

Referral: This item was referred to Public Hearing at the Regular Council Meeting of January 30, 2018.

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

- A. THAT the application by ASIR Studio on behalf of Durabil Holdings Ltd., the registered owner, to rezone 6 West 17th Avenue [*Lots 12 and 13, Block 524, District Lot 526, Plan 2354; PIDs: 014-202-387 and 014-202-425 respectively*] from RS-7 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to increase the floor space ratio (FSR) from 0.75 to 1.56 FSR to permit the conversion, rehabilitation and protection of the existing dairy building, the hanging roof truss of the stables building and infill residential development containing a total of 13 dwelling units, generally as presented in Appendix A of the Policy Report dated January 16, 2018, entitled "CD-1 Rezoning and Heritage Designation: 6 West 17th Avenue (Turner Dairy)", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF THE FORM OF DEVELOPMENT

- (a) That the prepared form of development be approved by Council in principle, generally as prepared by ASIR Studio on behalf of Turner Dairy Developments, and labeled "Received April 19, 2017 Rezoning - PDS", provided that the Director of Planning 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 Director of Planning, who shall have particular regard for the following:

Urban Design

1. Design development to reduce the apparent height of the townhouse

building at the lane.

Note to Applicant: A 6 ft. setback should be provided at the south elevation, in addition to the proposed spacing between the units at the third storey.

2. Design development to improve the interface with the public realm along West 17th Avenue.

Note to Applicant: Reduce height of the gates at the courtyard entry to no more than 3 ft. to ensure a visually permeable connection between the private and public realm. The breezeway may be secured and gated, noting that the enclosure at the street edge should be highly transparent.

3. Design development to the breezeway to improve daylighting of the space.

Note to Applicant: The breezeway should be an open space with no significant obstructions. Delete the deck and stair projections into the breezeway, and provide entry to Unit 13 at the ground floor. Entry canopies may be provided for each unit.

4. Design development to provide improved daylighting of units facing the breezeway, while also considering privacy and overlook.

Note to Applicant: Provide additional windows adjacent the breezeway where possible, including at the private light wells. The design of the windows, including sill height, screening or translucent glazing, should be considered to reduce overlook issues.

5. Design development to reduce potential overlook impact from the roof deck to the adjacent site to the west.

Note to Applicant: Provide landscape screening at the western edge of the roof deck at Unit 5.

6. Design development to the west setback and path to improve compatibility with the adjacent site.

Note to Applicant: A substantial landscape border should be provided as a buffer to the adjacent front yard. The height of the west fence and gate should not exceed 3.5 ft.

7. Design development to improve the visibility of the entries to the ground-oriented units.

Note to Applicant: This can be achieved by adding canopies, as well as feature glazing or cladding and lighting.

8. Design development to provide private and common outdoor space, including a children's play area, consistent with the expectations of the *High-Density Housing for Families with Children Guidelines*.

Note to Applicant: The courtyard is noted as communal and should incorporate children's play space. Play equipment is not required, but a soft surface play area and a variety of landscape/play features which provide creative play opportunities for a range of ages is encouraged. Each unit should also have private outdoor space of a size commensurate with the type of unit, as determined by the number of bedrooms.

9. Design development to provide high-quality and durable exterior finishes consistent with the rezoning application.

Note to Applicant: The intent is to maintain the proposed quality in all aspects, including but not limited to appearance, durability, and performance. Milled siding, including the original siding, should be used where possible.

10. Design development to retain the existing historic elevator in the courtyard as an architectural feature.
11. The proposed unit mix, including 2 one-bedroom units (15%), 5 two-bedroom units (38%), 5 three-bedroom units (38%) and 1 four-bedroom unit (8%), is to be included in the Development Permit drawings.

Note to Applicant: Any changes in the unit mix from the rezoning application may only be varied under the discretion of the Director of Planning or Development Permit Board provided that it does not go lower than 25% two-bedroom and 10% three-bedroom units.

12. Submission of a bird-friendly strategy for the design of the building is encouraged in the application for a development permit.

Note to Applicant: Refer to the Bird-Friendly Design Guidelines for examples of built features that may be applicable. For more information, see the guidelines at <http://former.vancouver.ca/commsvcs/guidelines/B021.pdf>.

Crime Prevention through Environmental Design (CPTED)

13. Design development to respond to CPTED principles, having particular regard 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.

Landscape Design

14. Resolution of the conflict between the proposal and the three trees on the neighbouring site, labelled as #7, 8 and 9 on the arborist tree plan.

Note to Applicant: The arborist report states the trees are not in good structural condition and could become unstable with the proposed foundation demolition work. To facilitate the project, removal of the trees would be supported subject to the provision of written neighbour consent letter(s) to accompany the tree removal/replacement application. In the event that a letter of consent cannot be obtained from the adjacent owner, design development and further arborist consultation will need to demonstrate retention of the trees.

15. Design development to locate site utilities and vents onto private property and integrated discreetly into the building, avoiding landscaped and common areas.
16. Provision of a detailed landscape plan illustrating soft and hard landscape treatment.

Note to Applicant: Plant material should be clearly illustrated on the landscape plan and keyed to a standard 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 landscape/grades and public utilities such as lamp posts, hydro poles and fire hydrants.

17. Provision of a tree 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 any necessary tree protection barriers. Tree replacements can be shown on the proposed landscape planting plans.

18. Illustration of any measures that support integrated rainwater management that may include absorbent landscapes, soil volumes and detention technology.

Note to Applicant: A brief written rationale should be provided to describe the approach to rainwater management.

19. Provision of large scale, dimensioned landscape sections (typical) through planted areas.

Note to Applicant: The sections should include the planter materials, tree stem, canopy and root ball, including the slab-patio-planter relationship, the lane interface, common areas and upper patios.

20. Provision of high-efficiency irrigation for all planted areas and individual hose bibs for all private patios of 9.3 sq. m (100 sq. ft.) or larger.

Note to Applicant: Provide a separate partial irrigation plan (one sheet size only) that illustrates symbols for hose bib and stub out locations. There should be accompanying written notes on the same plan and/or

landscape plan describing the intent and/or standards of irrigation.

Sustainability

21. Provision of a deconstruction plan for demolition of existing buildings on site to divert at least 75% of demolition waste (excluding materials banned from disposal) from the landfill.

Note to Applicant: The deconstruction plan should be provided at the time of development permit application. The plan must be specific about materials that are being diverted. A template plan is available for reference.

22. Confirmation that the application is on track to meeting the *Green Buildings Policy for Rezonings* including a minimum of LEED® Gold rating, with a minimum of 63 points in the LEED® rating system, 1 point each for water efficiency and stormwater management, and a minimum of 6 points under Optimize Energy Performance.

Note to Applicant: Provide a LEED® checklist and sustainable design strategy outlining how the proposed points will be achieved, a letter of confirmation from an accredited professional confirming that the building has been designed to meet these goals, and a receipt including registration number from the CaGBC. The checklist, registration number and strategy should be incorporated into the drawing set. Application for certification of the project will also be required under the policy. Changes to the existing building should be considered with respect to improved energy performance and recycled materials and be included in the heritage conservation plan and documentation.

23. In lieu of the requirements outlined in Condition 22, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezonings* (amended February 7, 2017), including all requirements for Near Zero Emissions Buildings (i.e. Passive House certified or alternate near zero emissions standard approved by the Director of Sustainability), or Low Emissions Green Buildings. The requirements for Low Emissions Green Building are summarized at: <http://guidelines.vancouver.ca/G015.pdf>.

Engineering

24. Clarification is required as to whether the frame for the second floor horizontal window for units 11, 12 and 13 is proposed to encroach into the lane. There should be no encroachment over the property line.

Note to Applicant: Pages A2.2 and A3.0 in the drawing booklet indicate the potential encroachment over the property line.

25. Show City building grades on the site plan and provide additional design grades at all entries along the property lines.
26. Clarification of proposed grades for all existing entries intended to remain. It appears that existing entries will not be able to meet building

grades and may require steps or ramping to meet adjacent sidewalks and City building grades. Clarification of grades is required.

27. Adjustment or relocation of the proposed connector sidewalk on 17th Avenue to avoid conflict with existing street trees to the west of the site.
28. Provision of any gas service to connect directly to the building without any portion of the service connection above grade within the road right-of-way. Confirmation that the existing gas service on Ontario Street is to be relocated or set back behind the property line.
29. A review of the existing street tree locations, scale and size of trees to determine if the proposed building location will have a negative impact on retention of the trees and a review to determine a construction methodology that will ensure the protection of the trees and tree canopies during the construction period and post-occupancy.
30. Compliance with the Parking and Loading Design Supplement to the satisfaction of the General Manager of Engineering Services as follows:

- (i) Provide a signed letter from the BC Safety Authority which supports the provision of the vehicle elevator/lift device.
- (ii) Design development to improve maneuvering into and out of the car elevator.

Note to Applicant: A widened car elevator may be required.

- (iii) Provision of a review of the parking design by a qualified transportation consultant.

Note to Applicant: This review must analyze vehicle turning movements into and out of the car elevator and show the vehicle turning movements on the submitted plans.

31. Confirmation that disability parking is required for the project and, if so, the following conditions apply:
 - (i) Provision of minimum vertical clearance for the car elevator and the underground parking.

Note to Applicant: Updated section drawings are required showing elevations and the vertical clearances labelled on the drawings. 2.3 m of vertical clearance is required for access and maneuvering to disability parking.
 - (ii) Design development to improve access to and from the Class A bicycle parking.

Note to Applicant: Class A bicycle parking at grade is preferred over the use of the car elevator.

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, the General Manager of Planning, Urban Design and Sustainability, the General Manager of Engineering Services and the Approving Officer, as necessary, and at the sole cost and expense of the owner/developer, make arrangements for the following:

Engineering Services

1. Consolidation of Lots 12 and 13, Block 524, District Lot 526, Plan 2354 to create a single parcel.
2. Release of Indemnity Agreement 3357M (commercial crossings) prior to building occupancy.

Note to Applicant: Arrangements are to be secured prior to zoning enactment, with release to occur prior to issuance of an occupancy permit for the site. Provision of a letter of commitment will satisfactorily address this condition.

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 a standard concrete lane crossing on the west side of Ontario Street at the lane south of 17th Avenue.
 - (ii) Provision of speed humps in the lane south of 17th Avenue between Ontario and Manitoba Streets. The number and location of speed humps is to be determined by the General Manager of Engineering Services.
 - (iii) Provision of new 1.83 m (6 ft.) CIP light broom finish concrete sidewalk with saw cut joints adjacent the site on Ontario Street.
 - (iv) Removal of the existing boulevard crossing on Ontario Street and provision of full height curb, gutter and sidewalk in its place.
 - (v) Upgraded street lighting adjacent the site frontages to current standards including review of the existing lighting to determine its adequacy and a lighting design as required.
 - (vi) Should the existing sidewalks on 17th Avenue adjacent the site be significantly damaged during construction activities then the sidewalk is to be replaced to current City standards consisting of a minimum of 1.8 m wide concrete walks or a width directed by the General Manager of Engineering Services with a light broom

finish and saw cut joints. Replacement is to be determined at the sole discretion of the General Manager of Engineering Services.

- (vii) Provision of adequate water service to meet 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, sprinkler demand, hydrant load, and domestic water demands to determine if water main 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.
 - (viii) Provision of adequate sewer (storm and sanitary) service to meet the demands of the project. The current application lacks the details to determine if sewer main upgrading is required. Please supply project details including floor area, projected fixture counts and other details as required by the City Engineer to determine if sewer 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 sewer system upgrading that may be required.
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 System Vista, Vista switchgear, pad mounted transformers, LPT 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. In addition, 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.

Note to Applicant: Please ensure that in your consultation with BC Hydro that an area has been defined within the development footprint to accommodate such electrical plant. Please confirm that this space has been allocated and agreement between both parties has been met.

Heritage

5. That the owner enters into a Heritage Restoration Covenant (which will include a Section 219 Covenant, Statutory Right of Way and Equitable Charge) for the rehabilitation and conservation of the Turner Dairy at 6 West 17th Avenue (the heritage building) to the satisfaction of the Director of Planning and the Director of Legal Services, and that the agreement is registered on title to the lands in the Land Title Office to

the satisfaction of the Director of Legal Services.

Note to Applicant:

Please contact James Boldt in the Heritage Group at james.boldt@vancouver.ca regarding the Heritage Restoration Covenant.

The Heritage Designation By-law generally as set out in Appendix C of the Policy Report dated January 16, 2018, entitled "CD-1 Rezoning and Heritage Designation: 6 West 17th Avenue (Turner Dairy)", would, if approved, designate the exterior of the heritage building and the interior hanging roof truss system as protected heritage property prior to enactment of the CD-1 By-law.

The Applicant is to ensure that the consolidation of the lots occurs only after the Heritage Designation By-law is enacted and notice of the designation is put on title.

Environmental Contamination

6. If applicable:
 - (i) Submit a site profile to Environmental Services (Environmental Protection);
 - (ii) As required by the Manager of Environmental Services 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 Services 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 Services, 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 this site constructed pursuant to this rezoning until separate Certificates of Compliance satisfactory to the City for the on-site and off-site contamination, issued by the Ministry of Environment, have been issued to the City.

Community Amenity Contribution

7. Pay to the City a Community Amenity Contribution of \$568,000 which the applicant has offered to the City. Payment is to be made prior to enactment of the CD-1 By-law, at no cost to the City, and on terms and conditions satisfactory to the Director of Legal Services. The \$568,000 is to be allocated as follows:

- (i) \$284,000 towards the Affordable Housing Reserve to increase the City's affordable housing supply in and around the Cambie Corridor Planning area.
- (ii) \$227,200 toward childcare and community facilities in and around the Cambie Corridor Planning area.
- (iii) \$56,800 to the Heritage Conservation Reserve to enable heritage conservation in the City of Vancouver.

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 registerable charges pursuant to 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 and at no cost to the City.

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 Council add to the Vancouver Heritage Register in the 'C' evaluation category, the existing building known as the Turner Dairy (the "heritage building") at 6 West 17th Avenue [*Lots 12 and 13, Block 524, District Lot 526, Plan 2354; PIDs: 014-202-387 and 014-202-425 respectively*].
- C. THAT the heritage designation of the heritage building's exterior and the interior hanging roof truss system at 6 West 17th Avenue [*Lots 12 and 13, Block 524, District Lot 526, Plan 2354; PIDs: 014-202-387 and 014-202-425 respectively*] as protected heritage property, generally as set out in Appendix C of the Policy Report dated January 16, 2018, entitled "CD-1 Rezoning and Heritage Designation: 6 West 17th Avenue (Turner Dairy)", be approved.
- D. THAT, subject to the 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 January 16, 2018, entitled "CD-1 Rezoning and Heritage Designation: 6 West 17th Avenue (Turner Dairy)".
- E. THAT A to 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 and the expenditures of funds or incurring of costs is at the sole risk of the person making the expenditures or incurring the costs;

- (ii) THAT any approval that may be granted following the Public Hearing shall not obligate the City to enact a by-law rezoning the property, and any costs incurred in fulfilling the 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 & HD - 6 West 17th Avenue (Turner Dairy)]