

SUMMARY AND RECOMMENDATION

2. REZONING: 124 Dunlevy Avenue (Roddan Lodge)

Summary: To rezone 124 Dunlevy Avenue from DEOD (Downtown Eastside Oppenheimer) District to CD-1 (Comprehensive Development) District to permit the development of an 11-storey mixed-use building with a social service centre at grade (Evelyne Saller Centre), and 213 social housing units above. A height of 34.14 metres (112 feet) and a floor space ratio (FSR) of 5.98 are proposed.

Applicant: DYS Architecture

Referral: This item was referred to Public Hearing at the Regular Council Meeting of September 19, 2017.

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 DYS Architecture, on behalf of the City of Vancouver Public Housing Corporation ("VPHC"), to rezone 124 Dunlevy Avenue [*Lots 1 to 6, Block 41, District Lot 196, Plan 196; PIDs 015-589-277, 015-589-285, 015-589-293, 015-589-307, 015-589-315, and 015-589-331, respectively*] from DEOD (Downtown Eastside Oppenheimer) District to CD-1 (Comprehensive Development) District to increase the floor space ratio from 4.50 to 5.98 and height from 22.80 m (75 ft.) to 34.14 m (112 ft.), to allow for the construction of an 11-storey mixed-use building with social service use at grade (Evelyne Saller Centre) and residential use above, containing 213 social housing units, generally as presented in Appendix A of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 124 Dunlevy Avenue (Roddan Lodge)", be approved subject to the following conditions:

CONDITIONS OF APPROVAL OF FORM OF DEVELOPMENT

- (a) That the proposed form of development be approved by Council in principle, generally as prepared by DYS Architecture and stamped "Received City Planning Department, April 28, 2017" 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 to the following:

Urban Design

1. Design development to improve the livability of the micro dwelling units

as follows:

- (i) increase clear ceiling height, where possible; and,
- (ii) provide private outdoor space in the form of balconies or Juliette balconies.

Note to Applicant: A minimum of 2.59 m (8.5 ft.) clear ceiling height should be provided at Levels 10 and 11. An increase in the overall building height of 0.30 m (1 ft.) to 34.14 m (112 ft.) is supported to facilitate provision of this increased ceiling height at Levels 10 and 11. For micro-units located at Levels 7, 8 and 9 and below common roof decks, further exploration is encouraged to improve ceiling height where possible, noting constraints related to roof deck assembly and accessibility. Juliette balconies should be provided at micro-units and incorporated into the architectural design. Consider provision of access to the east roof deck at Level 2 for adjacent units.

- 2. Design development to reinforce and reflect the historical neighborhood character.

Note to Applicant: New development may employ a more contemporary architectural design and reflect the established pattern and character of the built form in the Downtown Eastside neighbourhood. It is noted that the architectural design may be simplified, and rely less on color and more on composition, materials and details, to provide a contextual fit.

- 3. Design development to the ground floor to ensure pedestrian interest and engagement, as well as comfort, at both the street and lane.

Note to Applicant: This may be accomplished through further consideration of the programming of the ground floor, as well as the architectural and lane-edge treatment. See Landscape Condition 8.

- 4. Provision of high quality and durable exterior finishes consistent with the rezoning application.

Note to Applicant: The intent is to maintain the proposed material quality in all aspects, including appearance, durability, and performance.

- 5. Design development to include a children's play area in the outdoor amenity area that can accommodate a range of children's play activities, for children of various ages.

Note to applicant: Consider opportunities to locate the play area in the Level 2 outdoor amenity area, if feasible. Play equipment is not required, nor encouraged for the children's play areas, but a soft surface play area and a variety of creative landscape/play features (such as balancing logs and boulders, opportunities for sand play or a small and tangible water stream or feature, creative motor-skills developing features etc.) which provide a myriad of creative play opportunities for a range of ages is encouraged.

Crime Prevention Through Environmental Design (CPTED)

6. 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.

Note to Applicant: Building features proposed in response to this condition should be noted on the plans and elevations. Consider use of a legend or key to features on the drawings.

Sustainability

7. All new buildings in the development will meet the requirements of the preceding *Green Buildings Policy for Rezoning* (as amended up to January 14, 2016), including a minimum of 63 points (LEED® Gold rating), with 1 point for water efficiency and stormwater management and a 22% reduction in energy cost as compared to ASHRAE 90.1 2010, along with registration and application for certification of the project.

Note to Applicant: A Sustainable Design Strategy must be submitted as part of the Development Permit that articulates which credits the applicant will be pursuing and how their building application, as submitted, incorporates strategies, features or technologies that will help achieve these credits. The strategy, along with the LEED checklist, must be incorporated into the drawing submission. A letter from a LEED Accredited Professional or Administrator must confirm that the proposed strategy aligns with the applicable goals of the rezoning policy. Proof of registration of the CaGBC must be provided with the application and the project registration number incorporated into the drawings. Application for Certification will be required at a subsequent stage.

8. In lieu of the requirements in Condition (b) 7, the applicant may choose to meet the requirements of the *Green Buildings Policy for Rezoning* (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 Buildings are summarized at <http://guidelines.vancouver.ca/G015.pdf>.

Note to Applicant: The applicant will be required to demonstrate that the development is on track to achieve the above requirements at each stage of permit. For more detail on the above requirements and what must be submitted at each stage, refer to the most recent bulletin *Green Buildings Policy for Rezoning - Process and Requirements* (amended April 28, 2017 or later).

Landscape

9. Design development to improve the lane interface by the addition of more substantial landscape buffer, consisting of an additional shrub bed to replace paving where possible and addition of a trellis with climbing vines as part of the metal picket fence/gate structure. The addition of down lighting should also be provided, for safety and improved interface.

Note to Applicant: The lane edge planting should be protected from vehicles by a 20 cm (8 in.) high curb.

10. Design development to improve sustainability and expand programming to include edible plants, in addition to urban agriculture.

Note to Applicant: Edible plants can be used as ornamentals as part of the landscape design. Shared gardening areas should reference and be designed to adhere to Council's *Urban Agriculture Guidelines for the Private Realm* and should provide maximum solar exposure, universal accessibility and provided with amenities such as, raised beds, water for irrigation, potting bench, tool storage and composting.

11. Provision of a Letter of Consent from the east adjacent property owner for the proposed removal of the shared tree at the north-east corner of the site.

Note to Applicant: If the property owner does not give consent for the tree removal, then an Arborist Report and Letter of Assurance for supervision will be required, ensuring the safe retention of the shared tree. Retaining this tree may affect the form of development.

12. Design development to ensure locations of hydro kiosk in areas screened by soft landscape as much as possible, if not provided in an internal mechanical room. Any other emergency generators, transformers or gas meters to be located, integrated, and fully screened in a manner which minimizes their impact on the architectural expression and the building's open space and public realm.

13. Design development to the programming of shared landscaped decks at Levels 2, 8 9 and 10, to allow each deck to have a distinct character or theme, each promoting social interaction.

Note to Applicant: Consider expansion of programming to the roof at Level 6 as well, if feasible.

14. At the development permit submission stage:

- (i) A full Landscape Plan for the proposed landscape to be submitted. The Landscape Plan should illustrate proposed plant materials (with common and botanical names, plant sizes and quantities), paving, walls, railings, light fixtures, site grading and other landscape features. Plant material should be listed in a

Plant List that is clearly keyed to the Landscape Plan. The Landscape Plan should be a minimum 1:100 or 1/8" scale.

- (ii) Section details at a minimum scale of 1/4"=1'-0" scale to illustrate typical proposed landscape elements including planters on structures, benches, fences, gates, arbours and trellises, and other features. Planter section details must confirm depth of proposed planting on structures is deep enough to accommodate rootballs of proposed trees well into the future.
- (iii) Sections (1/4"=1' or 1:50) illustrating the buildings to public realm interface facing the street, confirming a delineated private to public transition of spaces.

Note to applicant: The section should include the building façade, as well as any steps, retaining walls, guardrails, fences and planters. The location of the underground parking slab should be included in the section.

- (iv) Design development to locate, integrate and fully screen lane edge gas meters and parking garage vents in a manner which minimizes their impact on the architectural expression and the project's open space and public realm.
- (v) Trellis and vines to be provided over the underground garage access ramp.
- (vi) New proposed street trees should be coordinated with the Park Board and Engineering and noted "Final species, quantity and spacing to the approval of City Engineer and Park Board". Contact Eileen Curran (604-871-6131) of Engineering Streets Division regarding street tree spacing and quantity. Contact Cabot Lyford (604-257-8587) of Park Board regarding tree species.
- (vii) A high-efficiency automatic irrigation system to be provided for all planters on structures and minimum of hose bibs to be provided for landscape on grade;
- (viii) A Landscape Lighting Plan to be provided for security purposes.

Note to applicant: Lighting details can be added to the landscape drawings; all existing light poles should be shown.

Engineering

- 15. Compliance with the *Parking and Loading Design Supplement* to the satisfaction of the General Manager of Engineering Services as follows:
 - (i) Provision of section drawings showing elevations, vertical clearances, and security gates for the main ramp and the Class B loading area.

Note to Applicant: label the minimum clearance for loading and the parking level on the drawings, including overhead gate and mechanical projections.

- (ii) Provision of design elevations on both sides of the parking ramp and at all breakpoints, both sides of the loading and carshare at the lane, throughout the parking level and at all entrances.

Note to Applicant: The slope and length of the ramp sections must be shown both sides of the ramp on the submitted drawings.

- (iii) Provision of minimum 3.7 m (12 ft.) ramp width for one way vehicle flow.
- (iv) Ramps which have a 15% slope and are exposed to the weather must be heated.
- (v) Provision of a signal/ warning system for the single ramp.

Note to Applicant: a qualified transportation engineer must provide details on the system and locations of all lights, signs and detection devices on the plans. The signal system to be designed for vehicles and cyclists and to consider timing to allow cyclists walking their bikes up the 15% slope vehicle ramp.

- (vi) Provision of a letter of commitment from the property manager that acknowledges acceptance that the larger residential elevator can also be used by cyclists to reach the outside if they are unable to use the vehicle ramp for bicycle access and egress.
- (vii) Modify column placement to comply with the requirements of the Engineering Parking and Loading Design Supplement.
- (viii) Note to Applicant: A column 0.6 m (2 ft.) in length must be set back 0.6 m (2 ft.) from either the opening to or the end of the parking space. A column 0.9 m (3 ft.) long may be set back 0.3 m (1 ft.).
- (ix) Provide additional parking stall width for stalls adjacent to walls or stalls with columns set back more than 1.2 m (4 ft. from the end of the stall. Provide a minimum 0.3m (1 ft.) setback from the drive aisle for all columns.
- (x) Provide a 6.6 m (21.7 ft.) maneuvering aisle width or provide 2.6 m (8.5 ft.) stall widths.
- (xi) Reduce the grade on the drive aisles at RL3 and RL4 to 5% or less.
- (xii) Provision of a double loading bay throat for the Class B loading bay.

Note to Applicant: the double load throat will allow the Class B vehicle to enter and exit the loading bay from Dunlevy Avenue.

- (xiii) Provision of minimum 1.5 m (4.9 ft.) at rear of the Class B loading bay for loading operation.

Note to Applicant: The additional space at the rear of the Class B loading bay will allow for independent stair free loading for the van stall (Class A loading bay) when the Class B loading is occupied.

- (xiv) Provision of an updated plan showing the access route from the Class A bicycle spaces located at grade and on P1 parking levels to reach the outside.

Note to Applicant: The route must be 'stairs free' and confirm the use of the parking ramp or elevator, if required.

- (xv) Explore opportunities to reduce the number of vertical Class A bicycle spaces proposed and to reallocate to horizontal stalls.
- (xvi) Remove the wheel ramp shown on the SW staircase from P1 parking level to the lane.

Note to Applicant: Engineering does not support the use of a wheel ramps for bicycle access.

- (xvii) Provide automatic door openers on the doors providing access to the bicycle rooms.

- 16. Provision of construction details to determine ability to meet municipal design standards for shotcrete removal (Street Restoration Manual section 02596 and Encroachment By-law (#4243) section 3A) and access around existing and future utilities adjacent your site.

Note to Applicant: Detailed confirmations of these commitments will be sought at the building permit stage with final design achievements certified and confirmed with survey and photographic evidence of removals and protection of adjacent utilities prior to building occupancy. Provision of written acknowledgement of this condition is required. Please contact Engineering Services for details.

- 17. The owner or representative is advised to contact Engineering to acquire the project's permissible street use. Prepare a mitigation plan to minimize street use during excavation & construction (i.e. consideration to the building design or sourcing adjacent private property to construct from) and be aware that a minimum 60 days lead time for any major crane erection / removal or slab pour that requires additional street use beyond the already identified project street use permissions.
- 18. A review of the existing street tree locations and scale/size of tree 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.

19. Provision of required Class B bicycle parking to be on private property.

Note to Applicant: that this may best be achieved by the use of inverted "U" style bike racks installed parallel to the building.

20. Provision of a canopy application for any canopy/awning encroaching over public property. Note canopies are to be fully demountable and drained to the buildings internal drainage systems and should consider the final sidewalk location and widths such that the drip line is achieving maximum weather protection for the sidewalk users.
21. Rezoned property must include a storm water management plan that controls site flows such that pre and post project flows are equal for the 1 in 5 return period storm.
22. At the time of occupancy, the applicant is to commit to providing parking usage statistics such as occupancy counts throughout the day, number of parking passes sold and/or distributed, for vehicle parking and bicycle parking by staff and residents after one full year of operation of the new building.

Housing Policy and Projects

23. Design development to move all Roddan Lodge replacement unit storage lockers on parking level 1 to be in close proximity to the elevators.

Note to Applicant: This would allow for the consolidation of the Roddan Lodge replacement unit lockers with stair-free access and in closer proximity to the elevator.

24. Provision of a final Tenant Relocation Report to be submitted prior to issuance of the occupancy permit which outlines the names of tenants; indicates the outcome of their search for alternate accommodation; summarizes the total monetary value given to each tenant (moving costs, rent, any other compensation); and includes a summary of all communication provided to the tenants.

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

Engineering

1. Consolidation of Lots 1 to 6, Block 41, DL 196, Plan 196 to create a single parcel.
2. Provision of a Services Agreement to detail the on 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 new curb return and curb ramps, at the south east corner of Dunlevy Avenue and Alexander Street.
 - (ii) Provision of a commercial concrete lane crossing at the lane south of Alexander Street on the east side of Dunlevy Avenue including new curb returns and ramps on both sides of the lane.
 - (iii) Provision of 1.53 m (5'-0") sod front boulevard and a minimum 2.14 m (7'-0") CIP light broom finish sidewalk with saw cut joints on Dunlevy Avenue and Alexander Street adjacent the site in keeping with area standards.
 - (iv) Provision of upgraded street lighting on all site frontages to current standards including a review of the existing lighting to determine its adequacy and a lighting design as required.
 - (v) 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.
 - (vi) 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, 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.
 - (vii) For building fixtures, install Energy Star rated appliances (e.g. clothes washers) and meet the January 1, 2018 Vancouver building code plumbing fixture rates or upgrade the downstream sanitary main from Hawkes Ave to the Metro Vancouver tie in from a 250 mm to a 375 mm.

3. 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 not limited to System Vista, Vista switchgear, pad mounted transformers, LPT and kiosks (including non-BC Hydro kiosks) 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 B.C. Hydro 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.

4. Provision of a Shared Vehicle Agreement with the City to secure the provision, operation and maintenance of 2 Shared Vehicle(s) and the provision and maintenance of 2 Shared Vehicle Parking Space(s) for use exclusively by such Shared Vehicle(s), with such parking spaces to be in addition to the minimum parking spaces required by the Parking Bylaw, on terms and conditions satisfactory to the General Manager of Engineering Services and the Director of Legal Services, including the following:
 - (i) Provide 2 Shared Vehicle(s) to the development for a minimum period of 3 years;
 - (ii) Enter into an agreement with a Shared Vehicle Organization satisfactory to the General Manager of Engineering Services to secure the operation and maintenance of the Shared Vehicle(s);
 - (iii) Provide and maintain the Shared Vehicle Parking Space(s) for use exclusively by such shared vehicles;
 - (iv) Make arrangements to allow members of the Shared Vehicle Organization access to the Shared Vehicle Parking Space(s);
 - (v) Provide security in the form of a Letter of Credit for \$50,000 per Shared Vehicle; and
 - (vi) Registration of the Shared Vehicle Agreement against the title to the development, with such priority as the Director of Legal Services may require and including a covenant under section 219 of the Land Title Act of British Columbia, a statutory right of way, or other instrument satisfactory to the Director of Legal Services, securing these conditions.
 - (vii) Provision of a letter of commitment from a car share company indicating their willingness to supply car share vehicles on the

site at building occupancy.

Note to Applicant: Shared vehicle spaces are required to be a minimum width of 2.9m.

5. Provision of a shared use agreement to the satisfaction of the GMES for shared use of the Class B loading space between the Social Service Centre and the Residential uses and label the space as 'Shared Loading'.

Note to Applicant: The shared use agreement should specify allocated time periods for shared use by the Residential vs. Social Service Centre.

Housing

6. Make arrangements to the satisfaction of the Director of Legal Services and the General Manager of Community Services to enter into a Housing Agreement for 60 years or the life of the building, whichever is greater, which will contain the following terms and conditions:
 - (i) A no separate sales covenant;
 - (ii) A no stratification covenant;
 - (iii) A provision that none of such units will be rented for less than one month at a time;
 - (iv) A requirement that a minimum of 140 units (66%) be rented for no more than the shelter component of Income Assistance;
 - (v) A requirement that all units comply with the definition of "social housing" in the applicable City development cost levy by-law; and
 - (vi) A requirement that VPHC comply with the terms of the Tenant Relocation Plan outlined in Appendix D of this report, including right of first refusal; and
 - (vii) Such other terms and conditions as the General Manager of Community Services and the Director of Legal Services may in their sole discretion require.

Note to Applicant: this condition will be secured by a Housing Agreement to be entered into by the City by by-law enacted pursuant to section 565.2 of the Vancouver Charter.

Environmental Contamination

7. 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 the 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 provided to the City.

Note: 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 registered 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 sites 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-laws.

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 application to amend Schedule A of the Sign By-law to establish regulations for this CD-1, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 124 Dunlevy Avenue", be approved.
- C. THAT, subject to enactment of the CD-1 By-law, the Director of Legal Services be instructed to bring forward for Council approval the amendment to the Noise Control By-law for Council approval, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 124 Dunlevy Avenue".
- 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 Parking By-law for Council approval, generally as set out in Appendix C of the Policy Report dated September 5, 2017, entitled "CD-1 Rezoning: 124 Dunlevy Avenue".
- E. THAT, if Council approves in principle this rezoning and the Housing Agreement described in Appendix B of the Policy Report dated September 5, 2017, entitled "CD-1

Rezoning: 124 Dunlevy Avenue", the Director of Legal Services be instructed to prepare the necessary Housing Agreement By-law for enactment prior to enactment of the CD-1 By-law contemplated by this report, subject to such terms and conditions as may be required at the discretion of the Director of Legal Services and the General Manager of Community Services.

F. THAT A through E 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 by-law 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 - 124 Dunlevy Avenue (Roddan Lodge)]