



City of Vancouver *Land Use and Development Policies and Guidelines*

Planning, Urban Design and Sustainability Department

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REZONING POLICY FOR THE DOWNTOWN EASTSIDE

Adopted by City Council on March 15, 2014

Amended November 15, 2017, July 10, 2018, December 18, 2018 and December 10, 2019

1 Application and Intent

The intent of this policy is to provide guidance on rezonings in the Downtown Eastside (DTES) planning area related to implementation of development directions and policies contained in the **Downtown Eastside Local Area Plan** (the DTES Plan – available online at the following location: <http://vancouver.ca/dtesplan>).

Specific policies on heights, densities, urban design, and housing requirements for potential developments that may result from this policy are described in Chapter 7 – Built Form and Chapter 9 - Housing of the DTES Plan.

In addition to the provisions that follow, development proposals under this policy shall adhere to the existing, applicable Council-approved plans, policies and guidelines for each site. Further, the provisions in this rezoning policy do not preclude additional requirements that will be determined during the enquiry or rezoning process.

This rezoning policy applies to the DTES Planning Area, as outlined in Map 1 on the following page.

2 Definitions

For the purpose of this document:

“DTES” refers to the Downtown Eastside Local Area as shown in Map 1.

“Market Residential” means residential housing that is in strata-titled ownership.

“Non-residential” means any land use permitted in Official Development Plans, District Schedules, and policy documents, except residential and parking.

“Public Benefits Strategy” refers to Chapter 17, Public Benefits Strategy, of the Downtown Eastside Local Area Plan, which includes Social Housing and identifies other public benefits.

“Secured Market Rental Housing” means a development or part of a development, used only as market rental housing, which has a covenant or housing agreement registered against title restricting its use to market rental housing, for the longer of sixty years or the life of the building, or for such other term as agreed on by the City and the owner.

“Site” means a contiguous, developable piece of land.

“Social Housing” means rental housing:

- (a) in which at least 30% of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current **Housing Income Limits** table published by the British Columbia Housing Management Commission, or equivalent publication;
- (b) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and
- (c) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the City a section 219 covenant, housing agreement, or other security for the housing commitments required by the City, registered against the freehold or leasehold title, with such priority of registration as the city may require;

except that in the HA-2 district, the area of the FC-1 District located north of National Avenue, the Downtown Eastside Oppenheimer District and the area of the Downtown District denoted as C-2 on Map 1 of the Downtown Official Development Plan, RM and RT zones in Strathcona, M-1 zone in Hastings, I-2 zone in Kiwassa, social housing means rental housing:

- (d) in which at least one third of the dwelling units are occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance;
- (e) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the City, the Province of British Columbia, or Canada; and
- (f) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the City a section 219 covenant, housing agreement, or other security for the housing commitments required by the City, registered against the freehold or leasehold title, with such priority of registration as the City may require.

3 Early Review Process and Social Impact Management

Prior to submitting a written rezoning enquiry for any site in the DTES, applicants shall meet with City staff early in their concept development process. The purpose of this meeting is to review the development concept, ensure proper contextual influences are considered, identify

potential community impacts and benefits that might arise from the proposal, and clarify the strategies needed to meet housing, social, economic and urban design objectives, including massing, character and impact on public and private views.

The processing of rezoning applications that may result from this policy will include the typical review by City advisory bodies, including but not limited to the Urban Design Panel, Vancouver Heritage Commission, and other relevant committees. Depending on the nature of the proposal, additional special review may be required, and could include: presentation of proposals at the enquiry stage to the public and advisory bodies, joint committee workshops, inclusion of guest panel members on committees, etc.

As the Downtown Eastside is home to many vulnerable and low-income people, the DTES Local Area Plan aims to manage change in the neighbourhood, minimize potential negative impacts of new development, and maximize benefits for all people. To inform the City's review of all major developments in the DTES, including rezonings, a set of Social Impact Objectives and a Social Impact Management Framework have been established for the neighbourhood (see Chapter 1 - Introduction and Chapter 18 - Implementation of the DTES Local Area Plan for more information).

4 Rezoning Policies

- 4.1 In Area 'A', of Map 1, rezoning applications will not be considered for market residential development or for increasing the heights and densities from what current zoning permits.
- 4.2 In the portion of Area 'A2' zoned Downtown Eastside Oppenheimer District – Sub-area 1, rezoning applications will not be considered for market residential development or for increasing the height from what current zoning permits. Rezoning applications for increasing the density from what current zoning permits may be considered on a case-by-case basis where:
 - (a) All of the residential use is for social housing; or,
 - (b) the zoning requirements for social and secured market rental housing for additional density above 1.0 FSR are met; and,
 - (c) the site is deemed appropriate for the proposed additional density from what current zoning permits based on site context and urban design performance including review of the height, bulk and location of the building and its effect on the site, surrounding buildings and streets, existing views and general amenity of the area, as well as the livability of the proposed residential units.
- 4.3 In Area 'B', of Map 1, rezoning applications will be considered for increasing the height and density from what current zoning permits in cases where all of the residential use is for social housing.
- 4.4 In Area 'C', of Map 1, rezoning applications will be considered for mixed-use development where between 20-30% of residential units are secured as on-site social housing. At the discretion of the Chief Housing Officer, alternative approaches to delivering the required social housing units may be considered.
- 4.5 In Area 'D', of Map 1, rezoning applications for residential development will be considered for increasing the heights and densities from what current zoning permits subject to one of the following conditions being met:
 - (a) where the site is an existing social housing site and the amount of social housing is being increased;
 - (b) where the site is fronting on Gore Avenue and all of the residential use is for social housing or secured market rental housing.

- 4.6 In Area ‘E’, of Map 1, only on existing industrial zoned sites, rezoning applications will be considered for mixed-use development where 20% of residential units are secured as on-site social housing. At the discretion of the Chief Housing Officer, alternative approaches to delivering the required social housing units may be considered.
- 4.7 In Area ‘F’, of Map 1, rezoning applications will be considered for increasing the density from what current zoning permits where applications expand existing and create new social housing.
- 4.8 In Area ‘G’, of Map 1, rezoning applications will be considered in accordance with the **Victory Square Policy Plan** (<http://vancouver.ca/files/cov/Victory-Square-Policy-Plan-2005.pdf>). Two higher building sites are located within this area and can be considered in accordance with the provisions set out in Chapter 7 of the DTES Plan.
- 4.9 In Area ‘H’, of Map 1, The Rezoning Policy for Chinatown South (HA-1A) is no longer in effect.

5 Minor Amendments to Allowable Uses

Rezoning applications may be considered in all areas for minor amendments to the uses permitted in existing zoning by-laws, provided that the amendments do not relate to height or density increases beyond what is outlined in the DTES Plan and do not contravene relevant Council-approved policies and guidelines.

6 Livability Impacts

Some areas in the DTES are close to areas with active industrial use, rail corridors and yards, or areas with a high concentration of late-night businesses such as bars and restaurants with or without patios. As a result, rezoning applications for residential use adjacent to these areas should include measures to mitigate anticipated noise and other related impacts on the new residents from the existing uses. Technical analyses, such as acoustic, thermal comfort, and rail proximity studies, will be required for sites adjacent to these existing uses. These studies shall be used to inform impact mitigation strategies (i.e. informing new residents of potential noise impacts through disclosure statements) for the proposed development.

7 Public Benefits through Rezoning

Appropriate public benefits shall be provided by developments rezoned through this policy, typically in the form of Community Amenity Contributions (CACs), on-site social housing, or transferable heritage density. Public benefits will be negotiated on a case-by-case basis as part of a rezoning application, according to the Council-adopted policy **Community Amenity Contributions - Through Rezonings**, available online at: <http://former.vancouver.ca/commsvcs/guidelines/C025.pdf>

See Chapter 17 – Public Benefits Strategy in the DTES Plan for details on the identified public benefits for the area.