

# Policy

## Downtown Eastside Rezoning Policy

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## Background and Context

The **Downtown Eastside Plan**, approved by City Council in 2014, provides a vision, policies, and strategies for the neighbourhood that focuses on ways to improve the lives of low-income Downtown Eastside (DTES) residents and community members. The DTES planning area is comprised of seven distinct sub-areas: Chinatown, Gastown, Industrial Area, Oppenheimer District, Strathcona, Thornton Park, and Victory Square.

The plan strives to ensure that the uniqueness of the DTES is recognised, and special tools and approaches are created to achieve a healthy neighbourhood for all, including this rezoning policy. The plan also endeavours to maintain the existing neighbourhood character and revitalize the area without displacement of residents.

## Downtown Eastside Neighbourhood Development Principles

Planning in the DTES strives to ensure that:

- The diverse, mixed-income neighbourhoods maintain their distinct character and roles;
- The area remains mixed-use, allowing residential, commercial, industrial, civic, and institutional uses, as well as parks and open space;
- Building height (including historic height) and scale remain generally low-to mid-rise, with new development informed by the unique heritage character;
- Ongoing community involvement in planning of the area is supported;
- Housing and amenities are prioritized in new development; and
- Growth is directed to suitable locations to enhance the area overall.

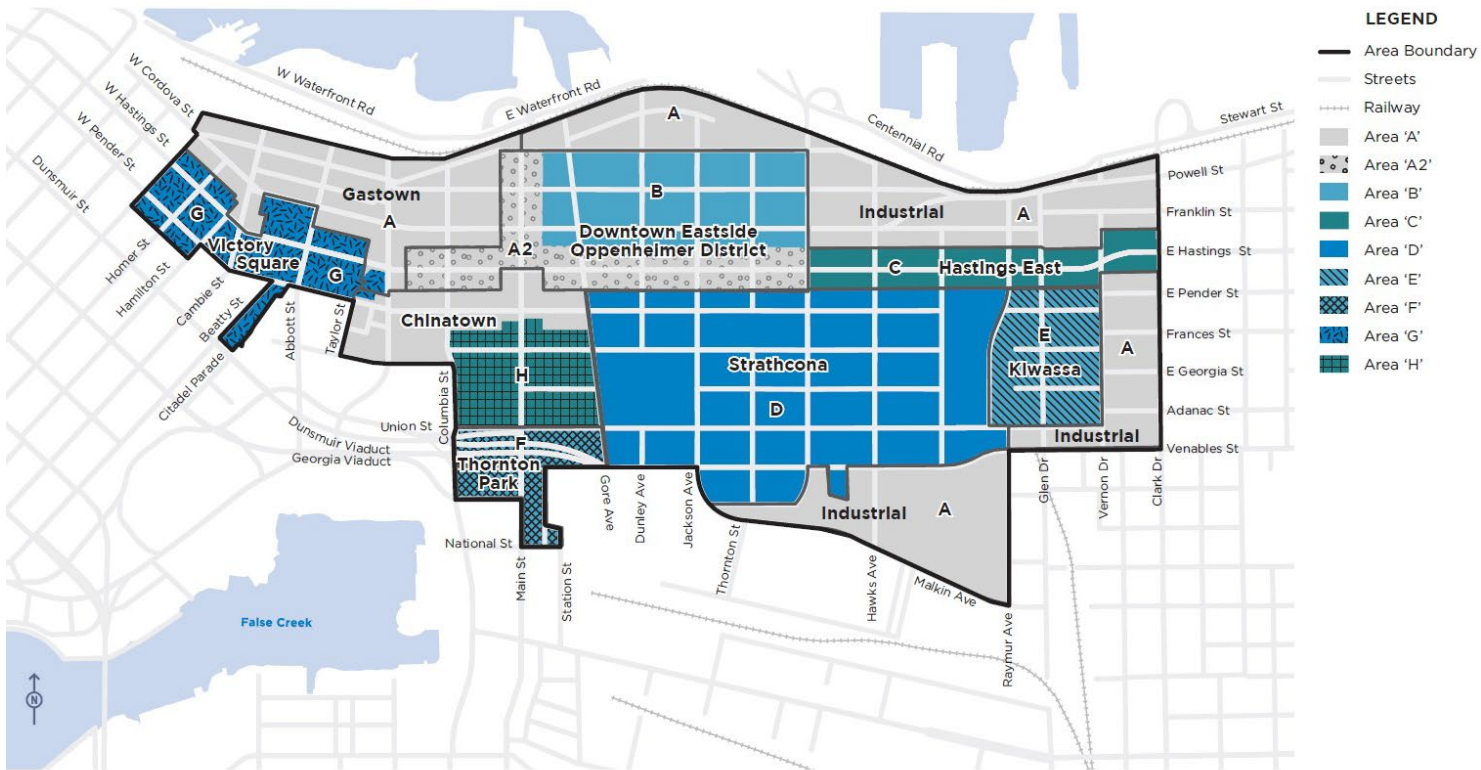
These DTES neighbourhood development principles support the city-wide principle of achieving a green, environmentally sustainable urban pattern.

## Intent

The intent of this policy is to provide guidance on rezonings in the DTES planning area related to implementation of development directions and policies contained in the DTES Plan (available online at [vancouver.ca/dtesplan](http://vancouver.ca/dtesplan)).

This rezoning policy applies to the DTES planning area, as outlined in Map A on the following page.

**Map A: Downtown Eastside Planning Areas**



## Definitions

For the purpose of this document:

“DTES” refers to the Downtown Eastside planning area as shown in Map A.

“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 Plan, which includes Social Housing and identifies other public benefits

“Secured Market Rental Housing” means the same as the definition in the Zoning & Development By-law.

“Site” means the same as the definition in the Zoning & Development By-law.

“Social Housing” means the same as the definition in the Zoning & Development By-law.

# Policies

## 1 General Policy Considerations

### 1.1 Applicable Policies

- (a) 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.
- (b) 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.

### 1.2 Early Review Process

- (a) 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.
- (b) 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 such as the Chinatown Historic Area Planning Committee and Gastown Historic Area Planning Committee. 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.

### 1.3 Social Impact Management

- (a) 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 Plan for more information). As the Downtown Eastside is home to many vulnerable and low-income people, the DTES Plan aims to manage change in the neighbourhood, minimise potential negative impacts of new development, and maximise benefits for all people.
- (b) All new development permits and rezoning applications in this area are required to complete the Neighbourhood Fit Evaluation at the time of their application, and are also required to have enhanced community notification. In some cases, a pre-application community open house will be required. The evaluation form and **Neighbourhood Fit Considerations** will be made available to the community to complete as part of the consultation process. Of special note is the Community-based Development Area, comprised of the Downtown Eastside Oppenheimer District and portions of the Hastings corridor. This area has the highest concentration of community assets for low-income and vulnerable people and is of particular importance to the DTES community.

## 2 Rezoning Policies

### 2.1 Gastown, Industrial Area

In Area 'A', of Map A, rezoning applications will not be considered for market residential development or for increasing the heights and densities from what current zoning permits.

### 2.2 Downtown Eastside Oppenheimer District – Sub-area 1

In the portion of Area 'A2', of Map A, 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.

### 2.3 Downtown Eastside Oppenheimer District – Sub-area 2, 3, & 4

In Area 'B', of Map A, rezoning applications will be considered for increasing the height and density from what current zoning permits on a case-by-case basis where:

- (a) all of the residential use is for social housing; and
- (b) 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, including parks, playgrounds, and plazas, as well as the livability of the proposed residential units.

### 2.4 Hastings East

In Area 'C', of Map A, 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.

## 2.5 Strathcona

In Area 'D', of Map A, 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.

## 2.6 Kiwassa

In Area 'E', of Map A, 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.

## 2.7 Thornton Park

In Area 'F', of

Map A, rezoning applications will be considered for increasing the height and density from what current zoning permits on a case-by-case basis where:

- (a) applications expand existing and/or create new social housing; and
- (b) 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, including parks, playgrounds, and plazas, as well as the livability of the proposed residential units.

## 2.8 Victory Square

In Area 'G', of Map A, rezoning applications will be considered in accordance with the Victory Square Policy Plan. Two higher building sites are located within this area and can be considered in accordance with the provisions set out in Chapter 7 - Built Form of the DTES Plan.

## 2.9 Chinatown

In Area 'H', of Map A, the Rezoning Policy for Chinatown South (HA-1A) is no longer in effect.

# 3 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.

## 4 Livability Impacts

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, and are necessary as 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.

## 5 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 for Rezoning](#).

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