

# Policy

## Downtown Rezoning Policy

Central Business District (CBD), CBD Shoulder, Downtown South and Granville Street  
Entertainment District

Approved by Council June 16, 2009

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# **1 INTENT**

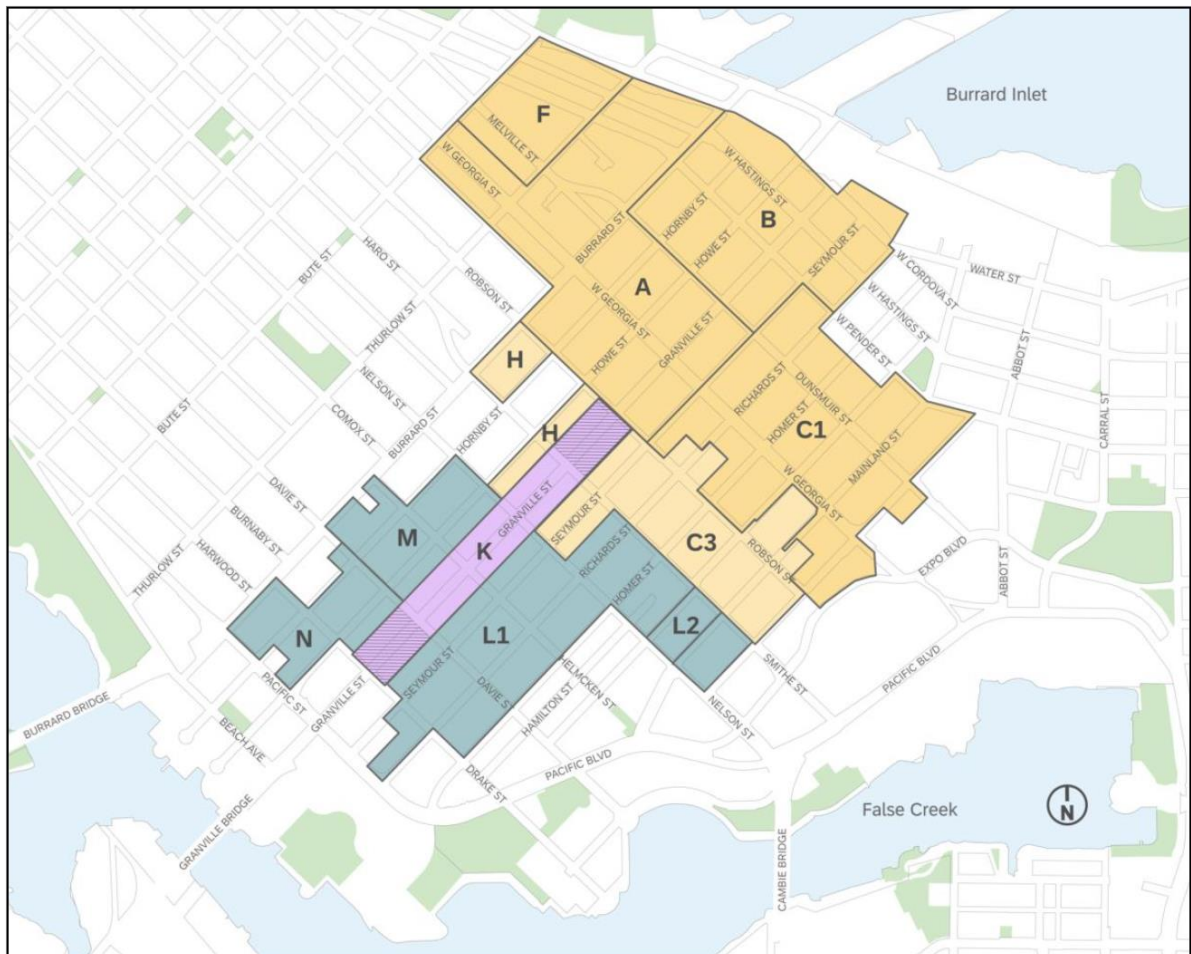
The intent of this rezoning policy is to provide guidance for the intensification of the Downtown to address long-term demand for job space, entertainment activities, new housing opportunities and provision of public amenities. These areas are fundamental to meeting the future demand for job space.

The rezoning policy requires that new development be focused in specific areas identified for change through the Downtown and it stipulates the conditions by which new development may be considered to achieve public objectives.

Rezoning applications under this policy will adhere to policies and guidelines contained in the Downtown Official Development Plan (DODP), Single Room Accommodation (SRA) By-law, Granville Street Plan, Downtown South Guidelines, Public Views Guidelines, Higher Buildings Policy, and in other relevant Council-approved policies, guidelines and by-laws.

This rezoning policy applies across the Downtown area, as outlined in Map A below

**Map A: Downtown Rezoning Policy Areas**



- CBD
- CBD Shoulder
- Downtown South
- Granville Entertainment District
- Transition Areas

## 2 DEFINITIONS

For the purposes of this document:

- (a) “Heritage property” means a building listed on the Vancouver Heritage Register, or could qualify for listing on the Vancouver Heritage Register.
- (b) “SRA” means single residential accommodation as designated in the Single Room Accommodation By-Law No. 8733.
- (c) “Site” or “Development Site” means a contiguous, developable piece of land.
- (d) “Non-residential” means any land use permitted in the Downtown ODP except residential and parking.
- (e) “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 60 years or the life of the building, or for such other term as may be agreed upon by the City and the owner.
- (f) “Market Residential” means residential housing that is in strata-titled ownership.
- (g) “CBD” means Central Business District and is illustrated as areas A, B, C1 and F in the map above.
- (h) “CBD Shoulder” is illustrated as areas C3 and H in the map above.
- (i) “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 60 years or the life of the building, or for such other term as may be agreed upon by the City and the owner.
- (j) “Market Residential” means residential housing that is in strata-titled ownership.

### 3 INTERIM REZONING POLICY

#### 3.1 Interim Policy for Large, Multi-use Development Sites

- 3.1.1 Until May 1, 2028, section 3.1.2 replaces section 4.3.2 of this policy with regards to rezoning proposals for large, multi-use development sites in the CBD. A full and complete rezoning application that is compliant with this policy must be submitted and accepted by staff on or before this date.
- 3.1.2 Rezonings that include market residential along with substantial non-residential use on large sites may be considered in the CBD, subject to ODP amendments as required, under the following conditions:
- (a) All private rezoning applications are subject to the Community Amenity Contributions Policy for Rezonings for the provision of public benefits such as affordable housing and childcare and others, with a preference for public benefits that are delivered in-kind (on site).
  - (b) Proposals including market residential must conform to liveability requirements in section 7 as well as the following requirements.

**Table 1: Interim Rezoning Site Requirements**

<b>DODP Area</b>	<b>Site Area</b>	<b>Non-Residential Floor Area</b>
Area A	site area must be 1,672 m <sup>2</sup> (18,000 sq. ft.) or larger with a minimum frontage of 45.7 m (150 ft.); or a corner site that achieves acceptable urban design performance	9.00 FSR
Area B		
Area C1		7.00 FSR
Area F	no minimum site size	9.00 FSR

- (c) Despite the minimum non-residential floor area specified in 3.1.2(b), no net loss of existing non-residential floor area will be considered.
- (d) The site is contiguous and does not span roads or lanes. Site assembly may occur across an existing lane where Council authority has been granted to close, stop up and convey the lane based on Engineering's review and recommendation of suitable alternatives.
- (e) The minimum amount of non-residential space prescribed in 3.1.2(b) is achieved before consideration of any market residential from density bonusing or heritage transfer.

- (f) For very large sites, generally assumed to be greater than 6,503 m<sup>2</sup> (70,000 sq. ft.) or greater, the Director of Planning has the discretion to reduce the minimum required non-residential density provided that no net loss of non-residential space is proposed.
- (g) The non-residential space(s) must be positioned in the ideal office / commercial location on the site, including consideration of providing frontage on key commercial arterials such as Georgia Street and access to rapid transit stations.
- (h) The non-residential uses of the development must be fully developed concurrently or prior to the residential uses.
- (i) The city-wide Heritage Policies shall be applied when considering a proposal which includes a heritage property.
- (j) The Single Room Accommodation (SRA) By-law shall be applied when considering a proposal which includes a building that is listed in Schedule A of the SRA By-law.

## **4 REZONING POLICIES: CBD AND CBD SHOULDER**

### **4.1 Rezoning for Non-Residential Development**

Rezonings for non-residential development may be considered throughout the CBD and CBD Shoulder.

### **4.2 Rezoning for Development with Market Residential in the CBD Shoulder (Areas C3 and H)**

Rezonings that include market residential development may be considered in the CBD shoulder provided that a minimum of 2.00 FSR non-residential density is achieved.

### **4.3 Rezoning for Development with Market Residential in the CBD (Areas A, B, C1, and F)**

Rezonings for development that includes market residential should not be considered throughout the CBD, other than as described in sections 4.3.1 and 4.3.2.

#### **4.3.1 Heritage Property or SRA on the site of the Proposed Rezoning**

Rezoning proposals that include heritage properties or SRAs present a situation where a significant public interest may be lost if an economically feasible package cannot be created in a timely way. That is, the heritage properties may be lost, or the objective of maintaining or replacing low income single units can not be met.

- (a) Where a proposal includes protection (through heritage designation and/or a heritage revitalization agreement) and rehabilitation of a heritage properties; retention and upgrading of SRA; or replacement of SRA, market residential may be considered.



- (b) Ideally, the objective would be to achieve:
  - (i) As a non-residential minimum, a floor space ratio equal to the maximum applicable from the DODP; and
  - (ii) As a market residential maximum, the amount needed (above the non-residential return) to cover the heritage or SRA cost.
- (c) However, noting that the market may not support some types or amounts of non-residential in a timely manner, or the returns may not be sufficient to compensate for the heritage or SRA, less non-residential and more residential than the ideal may be considered.
- (d) In all cases, the overall amount of density on the site would be governed by the proposed built form being judged acceptable in urban design terms.
- (e) It is usually advantageous for the site to be larger than that occupied by the heritage or SRA building itself. However, the larger the site, the more the exercise of flexibility in 4.3.1(c) could result in use of non-residential capacity ("job space") for residential. Therefore, where it is determined that the entire land assembly should not be considered for 4.3.1(c), or in the case of very large assemblies, a portion of the site should be governed by section 4.1.

#### **4.3.2 Large, Multi-use Development Sites**

Rezoning that include market residential along with substantial non-residential use on large sites may be considered in the CBD, subject to ODP amendments as required, under the following conditions:

- (a) All private rezoning applications are subject to the Community Amenity Contributions Policy for Rezoning for the provision of public benefits such as affordable housing and childcare and others, with a preference for public benefits that are delivered in-kind (on site).
- (b) The site is large enough to accommodate the anticipated non-residential density in a stand-alone building separate from residential uses. Sites capable of achieving this condition are generally assumed to be greater than 4,645 m<sup>2</sup> (50,000 sq. ft.) in area.
- (c) The site is contiguous and does not span roads or lanes. Site assembly may occur across an existing lane where Council authority has been granted to close, stop up and convey the lane based on Engineering's review and recommendation of suitable alternatives.
- (d) An amount of non-residential space equal to the maximum applicable from the DODP is achieved before consideration of any market residential from density bonusing or heritage transfer.
- (e) The non-residential building(s) must be positioned in the ideal office/commercial location on the site, including consideration of providing frontage on key commercial arterials such as Georgia Street and access to rapid transit stations.

- (f) The non-residential uses of the development must be fully developed concurrently or prior to the residential uses.

## **5 REZONING POLICIES: DOWNTOWN SOUTH (AREAS L1, L2, M, AND N)**

Rezoning that includes market residential development may be considered in the Downtown South (Sub-areas L1, L2, M, and N).

## **6 REZONING POLICIES: GRANVILLE STREET ENTERTAINMENT DISTRICT (AREA K)**

### **6.1 Noise Impacts**

- 6.1.1 Rezoning for non-residential development may be considered throughout the Granville Street Entertainment District.
- 6.1.2 The existing amount of cultural space on site should be maintained within rezoning applications, achieving no net loss of cultural space through redevelopment.
- 6.1.3 Rezoning applications should integrate cultural spaces, such as live performance space, in hotels, restaurants, bars, and other commercial or retail spaces.
- 6.1.4 The Entertainment Core (900-1100 blocks of Granville Street between Smithe Street and Davie Street) excludes new residential uses. Existing residential sites in the Entertainment Core, including SRA designated buildings, may only be redeveloped for retail, entertainment, commercial hotel or other cultural uses (existing residential buildings may remain). For SRA's that are proposed for redevelopment or conversion, each rezoning application will be evaluated based on alignment with the Granville Street Plan objectives and the need to protect existing tenants. Through an SRA Permit, projects will be required to replace the rooms off-site or provide a cash contribution to support SRA replacement.
- 6.1.5 To minimize pre-emptive closure of SROs, applications for rezoning will be considered for SROs that have a minimum of 80% of rooms occupied at time of application. Exceptions will be considered in cases where rooms are uninhabitable or were already vacant prior to the Granville Street Plan's approval.

## **6.2 Rezoning for Mixed-use Development with Secured Market Rental Housing in the Transition Areas**

- 6.2.1 Rezoning for mixed-use projects with a secured market rental housing component along with substantial non-residential use may be considered in the Transition Areas (see Map A), subject to the following:
- (a) Sites have a minimum frontage of 38.1 m (125 ft.) for corner sites and 45.7 m (150 ft.) for mid-block sites. Applications with lesser frontages can be considered at the discretion of the Director of Planning, where these applications meet the following criteria:
    - (i) The application must satisfy the Granville Street Special Design District Guidelines; and
    - (ii) Demonstrate that it reasonably mitigates development limitations on adjacent properties.
  - (b) Rezoning should include a cultural facility and/or an expanded and improved facility that contributes community benefits as defined in the Granville Street Plan Public Benefits Priorities. In determining the permitted floor area or density that may be authorized, the Director of Planning shall consider:
    - (i) the construction cost of the facility;
    - (ii) any costs to the developer of continued maintenance required for the facility;
    - (iii) the rental value of the increased floor area; and
    - (iv) the value of any authorized relaxation of other restrictions. If appropriate, such facilities shall be preserved in the public domain by way of a Community Use Agreement or another registered agreement and operated by the City or its delegates.
    - (v) The existing amount of cultural space on site should be maintained, achieving no net loss of cultural space through redevelopment.
  - (c) Rezoning should include an amount of non-residential space equal to the maximum applicable from the DODP (3.00 FSR).
  - (d) Rezoning should include a viable and substantive hotel component (a minimum of approximately 3.00 FSR or 200 rooms) in addition to the amount of non-residential space equal to the maximum applicable from the DODP.
  - (e) For existing market rental housing sites, rezoning should deliver of one-for-one replacement of all existing rental housing units with self-contained dwelling units on site

- (f) Tenant relocation and protection requirements will apply per the Tenant Relocation and Protection Policy (2019) to rezoning applications that involve redevelopment of existing rental housing.
- (g) Other applicable City Housing policies may apply. Requirements for (larger units/diverse units) family housing units will apply per the Family Room: Housing Mix Policy for Rezoning Projects.

## **6.3 Rezoning with an existing SRA in the Transition Areas**

6.3.1 Where a rezoning application includes replacement of an SRA, a secured market rental housing component may be considered under the following conditions:

- (a) That an application should include an amount of non-residential space equal to the maximum applicable from the DODP (3.00 FSR).
  - (i) However, noting that the market may not support some types or amounts of non-residential in a timely manner, or the returns may not be sufficient to compensate for the SRA replacement, less non-residential and more residential than the ideal may be considered.
- (b) Any existing amount of cultural space on site should be maintained, achieving no net loss of cultural space through redevelopment.
- (c) Applications that include an SRA designated property will be subject to requirements outlined in the SRA By-Law.
- (d) Applications that include an SRA designated property will only be considered for buildings that have a minimum of 80% of the rooms occupied at time of application. Exceptions may be considered in cases where rooms were already vacant prior to the Plan's approval.
- (e) For existing sites with an SRA designated property, the rezoning application must deliver self-contained social housing units, on a one-for-one basis.
  - (i) Explore dedicating social housing units for artists with associated production space in suitable locations, subject to tenant relocation assistance and compensation requirements per the SRA By-law.
- (f) The maximum density of the secured market rental housing will be determined as the amount needed (above the non-residential return) to cover the SRA replacement.
- (g) Tenant relocation and protection requirements will apply per the SRA By-law to projects which involve redevelopment of existing SRA designated buildings.

## **OTHER POLICY REQUIREMENTS**

### **7 HEIGHTS**

Building heights for rezonings should not exceed public view limits (except in accordance with the Higher Buildings Policy).

### **8 DENSITY**

Overall density for rezonings will be determined by urban design performance.

### **9 RETAIL USE CONTINUITY**

Continuous active retail, retail-commercial or service uses shall be required on the ground floor of street frontages, as designated in the Downtown Official Development Plan (DODP).

### **10 TRANSFERS OF HERITAGE DENSITIES**

All heritage density transferred into and within the CBD must be as non-residential uses, with the exception of large, multi-use development sites as defined in sections 3.1.2 and 4.3.2.

Heritage density transferred into the CBD Shoulder may be non-residential or residential use provided that a minimum of 2.00 FSR non-residential density is achieved.

### **11 LIVE/WORK**

In the case of proposals for General Office Live/Work or other types of live/work, all the space – whether for live or work functions – will be subject to the limitations placed on market residential uses by this Rezoning Policy and the DODP.

### **12 LIVEABILITY IMPACTS**

#### **12.1 Noise Impacts**

Various areas within the CBD are close to downtown entertainment districts or other locations that may have off-site noise impacts (e.g. outdoor restaurants/lounges, bars, etc.). Therefore, rezonings that permit residential in the CBD should include measures to mitigate anticipated noise levels. Consideration should be given to notify initial and future residents of these noise impacts (e.g. covenants on title and other measures).

#### **12.2 Tower Separation**

12.2.1 Tower placement should demonstrate a minimum separation between existing towers and potential future towers within the block and adjacent blocks as follows:

- (a) Residential-Residential: 24.4 m (80 ft.).

(b) Residential-Hotel: 18.3 m (60 ft.).

(c) Residential-Commercial (except hotel): 18.3 m (60 ft.).

- 12.2.2 Residential portion of towers proposed under this policy in the CBD must be situated such that the required separation under 12.2.1(c) is provided within the subject site, allowing for maximization of commercial density on surrounding sites.

## **13 INFRASTRUCTURE**

Upgrades may be required to support future population and employment growth and will be confirmed and/or implemented concurrently with, and/or through the rezoning process. Developments may potentially be required to deliver neighbourhood-serving upgrades and/or additional management requirements, with development conditions that may impact project viability. Upgrades may be identified at time of rezoning application and will need to be coordinated between the City and regional and local partners. These upgrades include, but are not limited to, sewer and drainage, potable water, green rainwater infrastructure, groundwater management, transportation & public space and third-party utilities.