

Policy

Transit-Oriented Areas Rezoning Policy

Approved by Council June 30, 2024



Table of Contents

1	Background and Context	4
2	Intent	4
3	Relationship to Existing Area Plans	4
4	Relationship to Existing City-Wide Policies	5
5	Policies	5
5.1	Height and Density	5
5.2	Housing	6
5.3	Reconciliation	6
5.4	Commercial Uses	7
5.5	Heritage	7
5.6	Urban Forest and Ecology	8
5.7	Childcare, Institutional Uses and Cultural Facilities	9
5.8	Sustainable Large Developments	9
5.9	Community Amenities Charges (CACs)	9
5.10	Avoid Precluding Future Opportunities	9
6	Form of Development	10
7	Infrastructure	10
7.1	Sewer & Drainage	10
7.2	Potable Water	10
7.3	Green Rainwater Infrastructure (GRI)	11

7.4 Floodplain 11

7.5 Groundwater Management 11

7.6 Transportation & Public Space 11

8 Limitations..... 12

Appendix: List of Area Plans 14

1 BACKGROUND AND CONTEXT

In December 2023, the Province of British Columbia (BC) made amendments to the Local Government Act (LGA) and Vancouver Charter (VC) through Bill 47: *'Housing Statutes (Transit-Oriented Areas) Amendment Act, 2023'* to establish transit-supportive densities adjacent to transit stations. Transit-oriented areas (TOAs) have been designated within City of Vancouver boundaries through provincial regulations (Order in Council), and Council collectively designated those TOAs through the Transit-Oriented Areas Designation By-law.

2 INTENT

This policy guides rezoning applications that are being considered under the provincial regulations for Transit-Oriented Areas within lands in the City of Vancouver identified in the Transit-Oriented Areas Designation By-law. The policy applies until such time as a new area plan is complete, an existing area plan is amended to integrate TOA heights and densities, or until this policy has been repealed through a decision by Council.

The heights and densities enabled through the provincial legislation in some cases exceed what has been enabled through existing City of Vancouver land use policy, and an increase in population growth over and above what was anticipated is expected. Therefore, rezoning applications in TOAs are expected to build on already approved area plan goals and objectives where applicable, respond to existing and emerging neighbourhood conditions, and plan for infrastructure upgrades which all contribute towards building vibrant and resilient neighbourhoods.

3 RELATIONSHIP TO EXISTING AREA PLANS

This policy applies to rezoning applications that are being considered under the provincial regulations for Transit-Oriented Areas within lands in the City of Vancouver identified in the Transit-Oriented Areas Designation By-law.

- 3.1 Where a TOA is included within an existing area plan, the existing development options continue to apply. Where a rezoning application is submitted for one of those options provided in the existing area plan, the requirements of this rezoning policy do not apply and should not be referenced.
- 3.2 Where area plan policies enable less height and density than those enabled by the Provincial TOA regulations, additional height and density will be considered subject to this rezoning policy. Where this is the case, this policy provides additional guidance, which may differ from existing area plans (e.g., form of development and requirement for at-grade commercial uses).
- 3.3 For areas with active planning processes underway (but not yet approved on date of approval of this policy), additional heights and densities can be considered subject to this rezoning policy.

4 RELATIONSHIP TO EXISTING CITY-WIDE POLICIES

- 4.1 Proposals under this policy should adhere to all other relevant Council-approved policies, guidelines, and by-laws. Where conflicts exist relating to the prescribed height and density, this policy prevails.
- 4.2 Approved city-wide policies which allow modest increases in heights and densities should not be layered on top of the heights and densities in this rezoning policy, except for mass timber projects, which can be considered in accordance with the Mass Timber Policy for Rezoning and for which heights and densities may exceed those identified in this rezoning policy.

5 POLICIES

5.1 Height and Density

Rezoning applications will be considered based on the type of transit station and corresponding tier, as outlined in the two tables below. For Tier 1 sites, densities up to 5.50 FSR will be considered (an increase from the 5.00 FSR prescribed by the Province) to more accurately reflect achievable form of development. Since the specified FSRs and building heights may not directly correspond to one another, the limit is whichever is achieved first.

Table 1: SkyTrain Stations

Tier	Catchment Area (distance from station)	Height	Density
Tier 1	< 200 m	Up to 20 storeys	Up to 5.50 FSR
Tier 2	200-400 m	Up to 12 storeys	Up to 4.00 FSR
Tier 3	400-800 m	Up to 8 storeys	Up to 3.00 FSR*

Table 2: Bus Exchanges

Tier	Catchment Area (distance from station)	Height	Density
Tier 4	< 200 m	Up to 12 storeys	Up to 4.00 FSR
Tier 5	200-400 m	Up to 8 storeys	Up to 3.00 FSR*

** A maximum density of 3.40 FSR will be considered for mixed-use arterial sites providing continuous at-grade commercial use, provided all other requirements of this policy are met.*

5.2 Housing

- 5.2.1 For residential projects, applications under this policy will be required to meet one of the following tenure and affordability requirements:
- (a) 100% of the residential floor area is secured rental with a minimum 20% of the net residential area provided as below-market rental. Starting rents and rents at turnover for below-market rental units should be at a minimum 20% discount from CMHC city-wide average rents, except for 100% residential projects in Tiers 3 and 5 where a minimum 10% discount from CMHC city-wide average rent will apply; or
 - (b) A minimum of 20% of the net residential floor area is provided as social housing, delivered turnkey to the City on terms that are satisfactory to the City, noting that a greater proportion may be required on sites with existing rental housing subject to one-for-one replacement requirements under the Rental Housing Stock Official Development Plan (RHS ODP).
- 5.2.2 Notwithstanding 5.2.1 above, applications to rezone to an RR district (RR-1, RR-2A, RR-2B, RR-2C, RR-3A or RR-3B) may be considered in any tier. For sites that are irregular in shape, size, context or other attributes, a CD-1 rezoning may be considered for proposals at equivalent height and density and with the same affordability requirements as would otherwise apply under the relevant RR district.
- 5.2.3 In circumstances where an existing area plan policy requires a higher proportion of inclusionary social housing, those requirements will supersede the proportions required in (a) (e.g., Downtown Eastside Plan policy for Victory Square).
- 5.2.4 100% social housing projects and 100% non-profit, government or government agency owned seniors housing and community care facilities may be considered at heights and densities exceeding those identified in Tables 1 and 2 on a case-by-case basis.
- 5.2.5 The Rental Housing Stock Official Development Plan, which governs rental replacement requirements across the City, continues to apply.
- 5.2.6 Enhanced tenant relocation and protection requirements, as per Section 12.1 of the Broadway Plan, will apply for all applications that are being considered under this policy. Refer to the Tenant Relocation and Protection Policy – *Process and Requirements* bulletin for more information.

5.3 Reconciliation

Rezoning applications may also be considered for residential and 100% commercial projects which meet the needs of the Musqueam Indian Band, Squamish Nation, and Tsleil-Waututh Nation, and urban Indigenous peoples to advance the City's UN Declaration on the Rights of Indigenous Peoples (UNDRIP) commitments and Reconciliation goals. These projects may exceed the heights and/or densities in Tables 1 and 2 above and will be considered on a case-by-case basis.

5.4 Commercial Uses

- 5.4.1 Proposals for 100% commercial use projects, including hotels, may be considered in Tier 1, up to the maximum heights and/or densities outlined in Table 1 above.
- 5.4.2 Where the existing zoning (e.g., C-2) or an existing area plan policy requires commercial uses (e.g., at-grade commercial, second floor office space, or a specific FSR for commercial space), this will also be required for proposals being considered under this policy.
- 5.4.3 Notwithstanding area plan policy, at-grade commercial use will be required on arterial sites within 800 m of King Edward Station for all projects applying under this rezoning policy.
- 5.4.4 Where no area plan exists, commercial uses at grade (minimum of 0.35 FSR), will be reviewed on a case-by-case basis, though generally expected on all arterial sites as follows:
- (a) SkyTrain Station: Tiers 1 and 2; and
 - (b) Bus Exchange: Tier 4 in the Dunbar Loop, and along East Hastings Street in Tier 4 of the Kootenay Loop.
- 5.4.5 Choice of use (residential or commercial) may be permitted at grade on any sites not identified in 5.4.4 above, including on local streets, to allow opportunities for small-scale, local-serving retail/commercial space.
- 5.4.6 Any existing amount of commercial space on a site should be replaced, achieving no net loss of retail/service space through redevelopment.
- 5.4.7 If a site has existing commercial tenants, applicants are encouraged to share Commercial Tenant Assistance Program (CTAP) resource guides with them to support their relocation decision-making, prior to submitting a rezoning application.

5.5 Heritage

- 5.5.1 Heights and densities identified in Table 1 and 2 above may not be achieved within the Chinatown and Gastown Historic Areas and National Historic Districts, Yaletown Historic Area, First Shaughnessy District / Heritage Conservation Area, and on properties designated as heritage with a Heritage Revitalization Agreement. Pursuant to the provincial TOA Manual, Council may impose conditions of development that seek to retain a form of development and urban design which is compatible and appropriate to the unique historical and cultural context of those districts, which may result in projects not achieving the prescribed heights and densities under this policy. Existing Council adopted policies, regulations and guidelines will continue to guide development in these locations.

- 5.5.2 Applications should preserve significant character streetscapes where they are identified in area plans or existing guidelines (e.g., Grandview-Woodland Community Plan, Strathcona/Kiwassa RT-3 Guidelines). Where site conditions allow, encourage retention through infill or additions to existing buildings as outlined in plan policy. Heights and densities enabled by the Provincial regulations may not be achievable on all sites, owing to lot size, existing development, and other urban design considerations.
- 5.5.3 In addition to the Historic Areas and National Historic Districts noted above and pursuant to Council adopted area plans and policies, identified districts and streetscapes which have historically been major community focal areas offering vibrant commercial and cultural uses and services for residents may not achieve the heights and/or densities outlined in Tables 1 and 2, subject to a form of development review. This may include the character and scale of critically important retail areas, such as Main Street, South Granville, Cambie Village, Dunbar, 4th Avenue Village and Commercial Drive.
- 5.5.4 Consider up to 10% additional density (FSR) for rezoning proposals which retain, conserve, and designate a heritage building on the Vancouver Heritage Register (VHR), in a manner consistent with Standards and Guidelines for the Conservation of Historic Places in Canada and the City's Heritage Policies, subject to architectural and urban design excellence.

5.6 Urban Forest and Ecology

- 5.6.1 Applications should maximize tree retention, design to accommodate new trees, and large specimen replacement trees to support a healthy urban forest canopy and reduce urban heat island effects, improve biodiversity and the local micro-climate, and support targets identified in Vancouver's Urban Forest Strategy. Depending on site-specific conditions, applications may need to accommodate wider boulevard dedications to ensure adequate soil volume or planting space to achieve canopy cover goals, particularly in low equity areas. Refer to the Park Board's Urban Forest Gap map for guidance on priority areas for tree retention and planting.
- 5.6.2 Tree planting on slab should be avoided on City property or within building setbacks. When this is not possible, planting should maximize soil depth and volume to exceed the Canadian Society of Landscape Architects (CSLA) Canadian Landscape Standard and in keeping with City of Vancouver Engineering Design Manual.
- 5.6.3 Underground structures should be avoided within building setbacks. This will aim to protect existing trees where possible, and the space may also be used for green rainwater infrastructure strategies, soil retention and increased planting space.
- 5.6.4 Green roof technologies should be incorporated into designs to enhance open space, reduce stormwater volume, and mitigate heat island effect. Refer to the City's Roof-Mounted Energy Technologies and Green Roofs bulletin or similar for further details.

5.7 Childcare, Institutional Uses and Cultural Facilities

- 5.7.1 Applications should minimize the loss of institutional uses, childcare and cultural facilities in TOAs, as defined in the Zoning and Development By-law and the Vancouver Development Cost Levy By-law respectively. It is generally expected for these uses to be replaced in any redevelopment and will be assessed on a case-by-case basis.
- 5.7.2 Development proposals that are being considered under this policy will be assessed for childcare feasibility. If the site is found to be suitable, the developer may be asked to secure space for childcare within the development, with an FSR exemption for the childcare space. In addition, staff will seek to leverage senior government funding for these types of projects.

5.8 Sustainable Large Developments

- 5.8.1 For applications where the Rezoning Policy for Sustainable Large Developments applies, explore integration of childcare facilities and/or park space where opportunities allow. For park space, the preference is for a new 'terra-firma' park, free of underground and aboveground encumbrances.

5.9 Community Amenities Charges (CACs)

- 5.9.1 For sites providing the specified amount of below-market rental housing at heights and densities enabled under this policy, the CAC is the affordable housing. No cash CAC contribution or proforma review will be required.
- 5.9.2 All other projects should follow the City's financing growth policies (e.g., Community Amenity Contributions, Development Cost Levies) as may be amended from time to time.

5.10 Avoid Precluding Future Opportunities

- 5.10.1 In some cases, applications may not be supported where future opportunity for development on an adjacent site would be unreasonably precluded.
- 5.10.2 Applicants of proposals within 400 m from the SkyTrain Station or 200 m from a Bus Exchange (i.e., in Tiers 1, 2 and 4) will be expected to provide a block study that demonstrates that the proposed development does not prevent adjacent sites from being reasonably developed. To ensure that adjacent sites are not 'locked in', applicants should demonstrate that remaining adjoining lots on the block can be reasonably developed with a minimum four-storey, multi-family development on a minimum frontage of 15.2 m (50 ft.). The study should also consider site-specific conditions (including tree retention, sidewalk/boulevard dedications, building setbacks) and project economics.

6 FORM OF DEVELOPMENT

- 6.1 The minimum frontage required for all tower sites (12 storeys and above) is 45.7 m (150 ft.), except for corner sites where the minimum frontage is 40.2 m (132 ft.).
- 6.2 Where existing plans include form of development guidelines for comparable building typologies, those guidelines continue to apply.
- 6.3 Where TOA Tiers 1, 2 and 4 are not located within an existing area plan, refer to the *Broadway Plan* for built form guidelines, or city-wide design guidelines if approved by Council.
- 6.4 For low-rise (i.e., six storeys and under) applications, refer to the Residential Rental Districts Schedules Design Guidelines or other applicable city-wide policies.

7 INFRASTRUCTURE

7.1 Sewer & Drainage

- 7.1.1 Upgrades to the City system 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 in some TOAs have been identified as potentially requiring neighbourhood-serving upgrades and/or additional on-site rainwater management requirements, with development conditions that may impact project viability. Key TOAs include (but not limited to): 29th Avenue Station, Commercial-Broadway Station, Dunbar Loop Exchange, and Nanaimo Station.
- 7.1.2 Regional upgrades may be identified at time of rezoning application and will need to be coordinated between the City and regional and local partners.
- 7.1.3 In addition to any on-site rainwater management requirements applicable under the Vancouver Building By-law, flow control requirements may be applied where sewer capacity constraints exist.

7.2 Potable Water

- 7.2.1 Available water supply from the City's water system may not be capable of handling anticipated growth in all TOAs without significant upgrades. Sites will need to provide adequate water service to meet domestic and fire flow demands of the project as a condition of building occupancy. Some areas will need major water system upgrades or modifications to enable the anticipated growth. Key TOAs include (but not limited to): 29th Avenue Station, Nanaimo Station, Renfrew Station, and Rupert Station.
- 7.2.2 The adequacy of the Metro Vancouver (GVWD) water supply is unknown and will need to be reviewed in the future.

7.3 Green Rainwater Infrastructure (GRI)

- 7.3.1 To meet targets in the Rain City Strategy and Liquid Waste Management Plan, Green Rainwater Infrastructure (GRI) will be implemented in the right-of-way frontage. Based on geotechnical recommendation, applicants may be required to provide underground parking setbacks from their property line(s) to ensure an adequate offset from right-of-way infiltration areas. It is also recommended for the parkade to be notched at the site perimeter to support tree retention and growth.

7.4 Floodplain

- 7.4.1 In the designated floodplain, as specified in the Flood Plain Standards and Requirements and the Vancouver Building By-law, flood mitigation infrastructure upgrades may be required to support future population and employment growth and will be confirmed and/or implemented through the rezoning process.
- 7.4.2 Projects should apply a risk-based approach to planning and evaluating the form of development and flood management infrastructure for a 100-year timeline, with an understanding of interdependency and cascading impacts of development on existing neighbourhoods. The criticality of the development and/or infrastructure investment, e.g., critical infrastructure rating, and cost of maintenance should also be integrated into planning and evaluation.

7.5 Groundwater Management

- 7.5.1 Projects should limit excavation into the floodplain or high groundwater areas (e.g., in proximity to Still Creek). Traditional underground parking in these areas may not be feasible without additional waterproofing or groundwater management planning to avoid draining of groundwater into the sewer system.

7.6 Transportation & Public Space

- 7.6.1 In areas with existing community plans, transportation and public space upgrades will generally align with those already identified in the plans. In addition, new upgrades may be identified on a case-by-case basis through the rezoning process to support greater than anticipated population and job growth, and specific site design needs.
- 7.6.2 In areas without community plans, provision of street and intersection improvements adjacent and in proximity to the development site may be required as a condition of rezoning.
- 7.6.3 Provision of street and intersection improvements (and appropriate transitions) adjacent and in proximity to the development site may be required as a condition of rezoning. Conditions may include, but are not limited to, elements such as:

- (a) Additional space (dedications and/or statutory rights-of-way) to support transportation infrastructure such as turn bays, protected intersections, or plazas;
- (b) Adjacent improvements such as sidewalks, boulevards, curbs, gutters, laneway upgrades, protected bike lanes, trees or street furniture;
- (c) New/upgraded traffic signals, street lighting, and lane lighting;
- (d) Traffic calming measures; and
- (e) Shared mobility stations (public bike share, e-scooter share, etc.).

7.6.4 Generally, sites should aim to limit off-street parking as much as practicable and promote sustainable modes of transportation, in alignment with City objectives. Transportation Demand Management (TDM) practices will evolve over time, and properties are encouraged to use innovative measures above and beyond the regulated requirements to reduce motor vehicle dependence and increase sustainable transportation choices.

7.6.5 Projects adjacent to TransLink infrastructure (elevated guideways, tunnels, stations, bus loops, bridges, etc.) or encumbered by a TransLink statutory right-of-way agreement must be designed to respect TransLink's infrastructure, operations and property rights and will be required to seek consent from TransLink prior to starting construction through TransLink's Adjacent and Integrated Development (AID) program.

8 LIMITATIONS

The provincial TOA regulation outlines that provincial heights and densities apply to any parcel within a TOA on which existing zoning permits residential land uses, except for land zoned to permit residential use that is ancillary or secondary to industrial or agricultural uses. In the case of a split-zoned site, the primary use will be considered as the use with the greatest permitted floor space.

Notwithstanding the above, existing Council-adopted area plans and policies encouraging or requiring uses that may differ from existing zoning will continue to be the preferred use for any rezoning applications under this policy. In this regard, lands that may be included in the TOA regulations will still be required to provide non-residential uses, as contemplated in those applicable plans and policies.

In addition, there are several scenarios where municipal by-law requirements and Federal or Provincial statutes are applicable, the provisions of which supersede or have a limiting effect on heights and densities specified by the Province. For example:

- Where municipal by-laws are superseded by federal or provincial statutes (Agricultural Land Reserve, Airport Zoning Regulations under Aeronautics Act, federal Crown land);
- Floodplains, hazard areas, riparian areas, and other environmentally sensitive areas; and

- Heritage buildings and sites that are subject to heritage designation, heritage revitalization agreements, heritage conservation areas, or restoration covenants.

Refer to the provincial TOA Manual and regulations for more information. Note that the provincial TOA Manual and/or regulations may be further amended by the Province, resulting in revised exemptions and potential updates to this policy.

APPENDIX: LIST OF AREA PLANS

Existing Area Plans

- Broadway Plan
- Cambie Corridor Plan
- Downtown Eastside Plan
- False Creek Flats Plan
- Grandview-Woodland Community Plan
- Joyce-Collingwood Station Area Precinct Plan
- Marpole Community Plan
- Norquay Village Neighbourhood Centre Plan
- Northeast False Creek Plan
- Southlands Plan
- West End Community Plan
- Southeast False Creek Official Development Plan
- Downtown Official Development Plan
- Others as may be adopted or amended by Council from time to time