

Policy

West End Rezoning Policy

Approved by Council November 20, 2013

Last amended September 24, 2024

Note: Applications received between November 24, 2020 and December 31, 2022 will continue to be processed under the time-limited version of this policy.



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1 APPLICATION AND INTENT

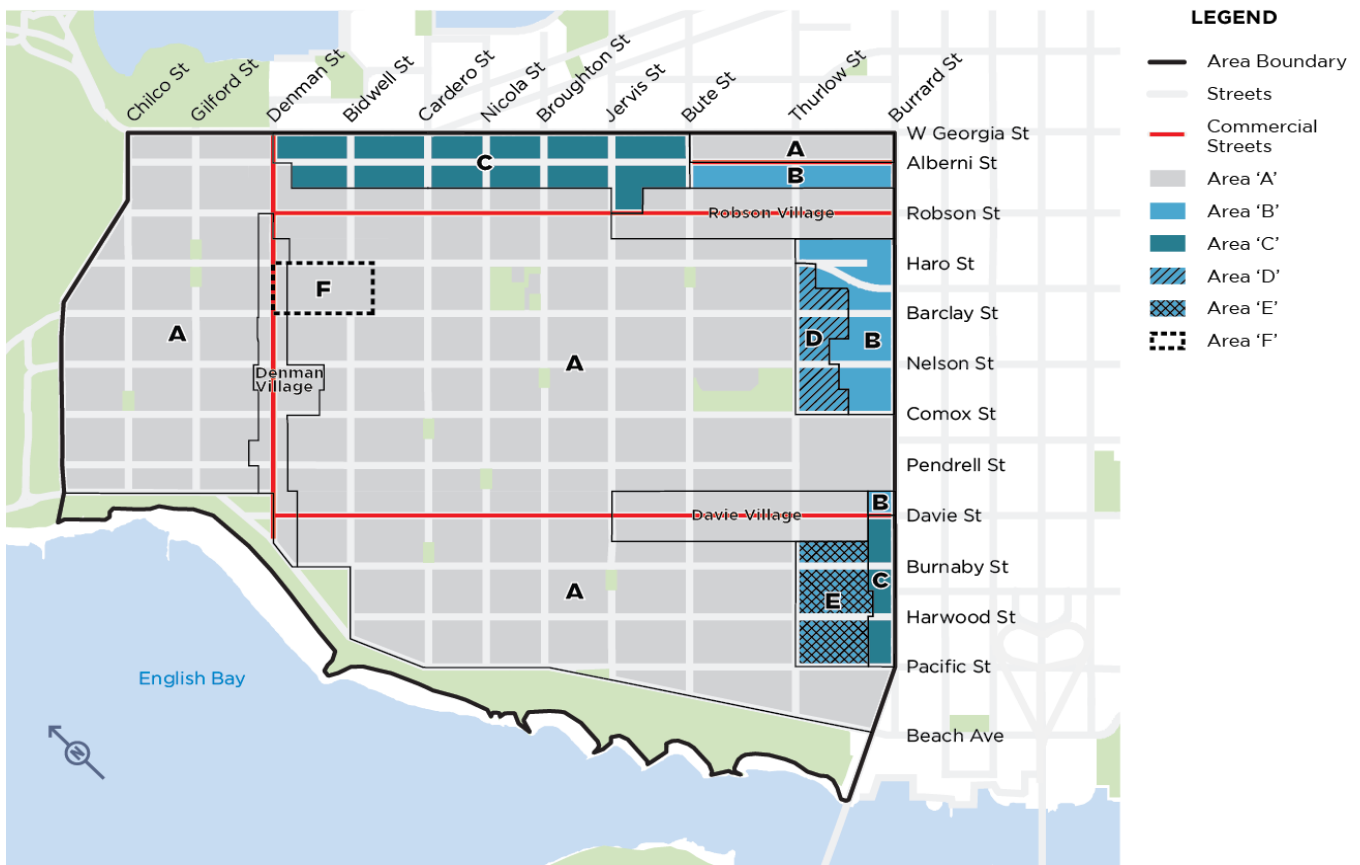
The intent of this rezoning policy is to provide guidance for the intensification of the West End to address long-term demand for job space, new housing opportunities and provision of public amenities.

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

Development proposals under this policy will adhere to policies and guidelines contained in the *West End Community Plan, West End RM-5, RM-5A, RM-5B, RM-5C and RM-5D Guidelines, DD (except Downtown South) C-5, C-6, HA-1 and HA-2 Character Area Descriptions, Higher Buildings Policy*, and in other relevant Council-approved policies, guidelines and by-laws.

This rezoning policy applies across the West End Local Area bounded by English Bay, Stanley Park, Burrard Street and West Georgia Street, as outlined in Map 1 below:

Map 1: West End Rezoning Policy Areas



Note: Some areas may be subject to the Transit-Oriented Areas Designation By-law and the Transit-Oriented Areas Rezoning Policy.

2 DEFINITIONS

For the purpose of this document:

“Social Housing” means social housing as defined in Vancouver Development Cost Levy By law 9755 and in Area Specific Development Cost Levy By-law 9418, except that the words “, for the purpose of section 523D(10)(d) of the Vancouver Charter,” shall not form part of this definition.

“Public Benefits Strategy” refers to Chapter 17, Public Benefits Strategy, of the West End Community Plan, which includes Social Housing and identifies other public benefits.

“Heritage Building” means a building listed on the Vancouver Heritage Register, or could qualify for listing on the Vancouver Heritage Register.

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

“Non-residential” means any land use permitted in the Downtown Official Development Plan (DODP) or RM-5, RM-5A, RM-5B, RM-5C, RM-5D, C-5, C-5A and C-6 District Schedules, except residential and parking.

“Floor Plate” means the total floor area of a single level of a building, excluding podium levels (including elevator cores, storage, stairs, enclosed balconies, etc., but excluding open balconies).

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

“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.

3 REZONING FOR RESIDENTIAL DEVELOPMENT

Note: Some areas may be subject to the Transit-Oriented Areas Designation By-law and the Transit-Oriented Areas Rezoning Policy.

3.1 Rezoning for Market Residential Development

In Area 'A' of Map 1, rezoning applications will not be considered where the permitted density for market residential is increased from what is permitted in the zoning.

3.2 Rezoning for Non-market Residential Development

In Area 'A' of Map 1, excluding sites within the Central Business District (along West Georgia Street, east of Bute Street), rezoning applications will be considered for increases in density in cases where 100% of the residential is social housing.

3.3 In Areas 'B', 'C', 'D', and 'E' of Map 1, rezoning applications will be considered for increasing the permitted density, from what current zoning permits, for market residential where:

- (a) Sites have a minimum frontage of 39.6 m (130 ft.) (development proposals with frontages of less than 39.6 metres (130 ft.) can be considered at the discretion of the Director of Planning, where these proposals include contributions to the Public Benefits Strategy, including secured market rental or social housing); and
- (b) In Areas 'B' and 'C' of Map 1, applications contribute community benefits as defined in the West End Community Plan Public Benefits Strategy, where applications meet the requirements of relevant Council-approved policies, guidelines, and by-laws, and respond to urban design considerations, including not exceeding a typical tower floor plate of:
 - (i) 696.8 m² (7,500 sq. ft.) in Area 'B',
 - (ii) 603.9 m² (6,500 sq. ft.) in Area 'C' for sites east of Cardero Street, and
 - (iii) 511.0 m² (5,500 sq. ft.) in Area 'C' for sites west of Cardero Street and south of Davie Street; and
- (c) In Areas 'D' and 'E', applications include at least 20% of the total floor area as social housing, or replace existing market rental units one-for-one with social housing units, whichever results in the greater number of units, and where applications meet the requirements of relevant Council-approved policies, guidelines, and bylaws and respond to urban design considerations, including not exceeding a typical tower floor plate of:

- (i) 696.8 m² (7,500 sq. ft) in Area 'D', and
- (ii) 511.0 m² (5,500 sq. ft) in Area 'E'; and

or

- (d) In Areas 'D' and 'E', an option to provide cash-in-lieu of the social housing requirement outlined in 3.3(c) may be considered. The cash-in-lieu payment should reflect the costs the City of Vancouver may incur to deliver such social housing off-site and prioritized within the West End Community Planning Areas, including land and construction, and will be determined on a case-by-case basis through the rezoning process.
- (e) In Areas 'D' and 'E', rezoning applications will be considered that include 100% of residential floor area as secured rental housing with a minimum of 20% of the total floor area as below-market rental housing, or replace existing market rental units one-for-one with below-market rental units, whichever results in the greater number of below-market units, and where the below-market units meet the requirements of section 5 of this policy.

Moderate increases in floor area may be considered, to a maximum of 20% beyond what is enabled by the West End Community Plan. Proposals will be evaluated on an application- and site-specific basis to maintain the overall objectives of the West End Community Plan in terms of liveability, high quality urban design and public realm.

- (f) The portion of any new residential building which exceeds 18.3 m (60 ft.) in height should be spaced at least 24.3 m (80 ft.) from any other residential building exceeding 18.3 m (60 ft.) in height.

3.4 Heritage Building on the Site of the Proposed Rezoning

Rezoning applications may be considered that include one or more heritage buildings, where there is a significant public interest in preservation of the heritage:

- (a) Where an application includes protection (through heritage designation and/or a heritage revitalization agreement) and rehabilitation of a heritage building;
- (b) Where the maximum density considered is the amount needed to cover the heritage rehabilitation costs and where the proposed form of development is deemed acceptable in urban design terms; and
- (c) In all areas excluding Davie, Denman and Robson Villages (see Map 1).

4 REZONING POLICIES REGARDING MINOR AMENDMENTS, LARGE SITES, AND LIVEABILITY

4.1 Minor Amendments

Rezoning applications will 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 (for example: to permit a local cafe as part of a neighbourhood house, community centre, library, etc.).

4.2 Community Centre and School Site (Area 'F')

Rezoning applications in Area 'F' will be considered where providing public benefits as defined in the West End Community Plan Public Benefits Strategy and shall include all of the lands identified within Area 'F' as part of a comprehensive land use study.

4.3 Liveability Impacts

Many areas within the West End are close to areas with a high concentration of late-night businesses such as bars, dance clubs and restaurants, with or without patios. Therefore, rezonings that permit residential that are adjacent to these areas should include measures to mitigate anticipated noise levels. Acoustic and thermal comfort studies will be required for developments adjacent to areas with late-night businesses to ensure noise impacts are mitigated. Residents should be notified of these noise impacts (e.g. Information in Disclosure Statements).

5 BELOW-MARKET RENTAL HOUSING REQUIREMENTS

The following requirements apply to rezoning applications for 100% secured rental housing with a minimum of 20% below-market rental housing:

- (a) Average starting rents for below-market rental units will not exceed a percentage less than the Canada Mortgage Housing Corporation (CMHC) average market rents by unit type for the area, subject to agreement by the City, and:
 - (i) A target of 30% of the below-market rental units should have starting rents that are 50% below the CMHC average rents, subject to financial viability; and
 - (ii) The overall average starting rents for the below-market rental units must be at least 20% below the CMHC average rents; and
 - (iii) Proposals will be subject to a proforma review and financial analysis, and the required proportion of below-market rental units and/or their depth of affordability may be increased depending on the results; and
- (b) Following initial occupancy, rent increases for below-market rental units will be limited to those authorized by the Residential Tenancy Act. Upon a change in tenancy, the rent may be re-indexed to the current CMHC average market rent by unit type by less the same percentage discount rate as was secured at the time of rezoning approval; and
- (c) The unit type mix of below-market rental units should generally match that of the market rental units in the project, and should include at least 35% family-size units with 2 or more bedrooms. Delivery of 10% of units with 3 or more bedrooms is encouraged where possible; and
- (d) Tenure, affordability and operational requirements will be secured for the longer of 60 years or the life of the building, through a Housing Agreement, Section 219 Covenant and any other mechanism deemed necessary by the City.

Applicants should refer to the Rental Incentive Programs Bulletin for requirements related to the operation of below-market rental housing units and tenant eligibility.