

Interim Rezoning Policy during the Preparation of the Downtown Eastside Local Area Planning Program

Application and Intent

There are a number of development concerns in the Downtown Eastside affecting the residents, particularly those who are vulnerable and dependant on welfare or low incomes. These concerns include the rapid rate of market residential development compared to the slow delivery of social housing, higher rents displacing residents from their homes and, transformation of the retail environment leading to socio-economic hardship.

The City and the Local Area Planning Process (LAPP) Committee do not want to make this situation worse during the planning process and want to protect valuable assets in the area, whilst taking advantage of local economic opportunities and beneficial development which will assist in achieving an enhanced rate of social housing development. Therefore, the purpose of this Interim Rezoning Policy is to govern consideration of rezoning enquiries and applications, and heritage revitalisation agreements received by the City of Vancouver during the DTES Local Area Planning Process (LAPP) in order to address these concerns.

This interim policy will apply for 18 months, commencing March 28, 2012.

The Terms of Reference for the DTES Local Area Planning Program Committee state that (<http://vancouver.ca/commsvcs/planning/dteslapp/pdf/DTESLAPTOR2011.pdf>)

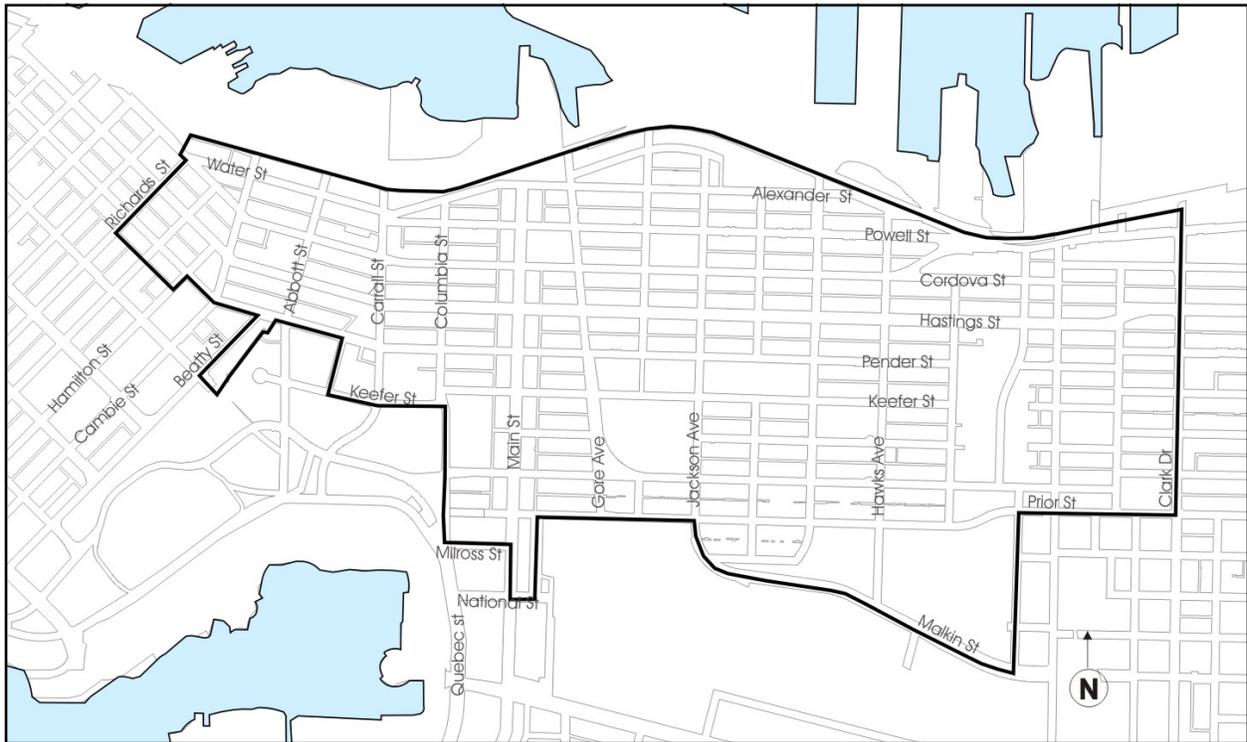
“the LAPP Committee will provide input to the Planning and Housing Staff as early as feasible in the enquiry and application process for development permits, rezoning proposals, Heritage Revitalization Agreements (HRAs) and new incentive programs for market development in the DTES, with a particular focus on the net impact of any such proposal on social housing and the relationship of market development units to existing and proposed housing units.”

Accordingly, the City will make available all formal rezoning applications to the LAPP Committee for timely comment before those applications proceed to Council for discussion and decision. Furthermore the City staff will bring forward to the LAPP Committee any information (anonymized) in regard to proposals at the informal enquiry stage for discussion and input. This is in addition to the enhanced notification process to DTES community organisations that the City of Vancouver currently exercises for rezoning applications. Input from the community and the LAPP Committee will be summarised by City staff to protect people's identities.

In exceptional circumstances where rezoning applications are considered by the City, applicants may be asked to discuss their proposals with the LAPP Committee and to undertake additional community consultation during the enquiry and rezoning process. The purpose is for applicants to show how their application aligns with the principles of the Local Area Planning process, with particular attention to the provision of suitable community benefits that improve the lives of low income residents in the DTES.

Any rezoning applications that proceed to Council will include an up-to-date accounting of the status of any and all applications under active consideration in the DTES. This allows Council to better understand the pace of development taking place.

This interim rezoning policy applies to the Downtown Eastside Local Area Planning boundary, as identified in Map 1 below, and is intended to be used in conjunction with district zoning schedules and other applicable policies and guidelines.



Map 1. Area boundary for this Interim Rezoning Policy.

Interim Rezoning Policy Statements

Rezoning applications will only be considered if one or more of the following policy statements are met through a proposal:

Policy 1

Any active rezoning applications that have been registered and received a written response prior to the establishment of the LAPP Committee on February 15, 2012 will be considered on their own merit and not subject to this Interim Rezoning Policy. It is understood that staff may recommend approval, refusal or deferral of these applications, having taken into consideration the comments of the LAPP Committee and broader community input. Any applications that have been inactive for more than 12 months as of the adoption of this rezoning policy will remain on hold for the duration of this interim rezoning policy.

Policy 2

Rezoning applications that provide benefits for the community (particularly focusing on the low-income residents) by keeping, expanding, or re-using existing public or non-profit institutional, cultural, recreational, utility, or public authority uses will be considered (for

example: libraries, parks, swimming pools, community facilities and halls, etc.). If applications involve market residential, then Policy 3 below will apply.

Policy 3

Rezoning applications will be considered for projects that provide social and supportive housing, but only if those applications ensure that at least 60% of the total residential units are provided for social housing and those units are owned or operated by government or a non-profit housing provider approved by Council.

Policy 4

Rezoning applications will be considered for small and minor amendments to existing zoning by-laws that are not related to height or density increases (for example and including adding a new use to the list of allowable uses in an area or increasing the amount of office space permitted in an industrial area, etc.) or changes to residential uses (excluding additional market residential).

Policy 5

Rezoning applications involving heritage retention and heritage revitalisation agreements will be considered. If a project of this nature conflicts with other Council Policy (e.g. Single-Room Accommodation By-law vs. Heritage Retention Policy), staff will consult the LAPP Committee and then report to Council for direction on how to proceed.

Policy 6

Regardless of the policy statements above, rezoning applications for Victory Square and Chinatown South will be considered under the conditions set out in the following Council-approved plans or policies are already in place (refer to Map 2 below):

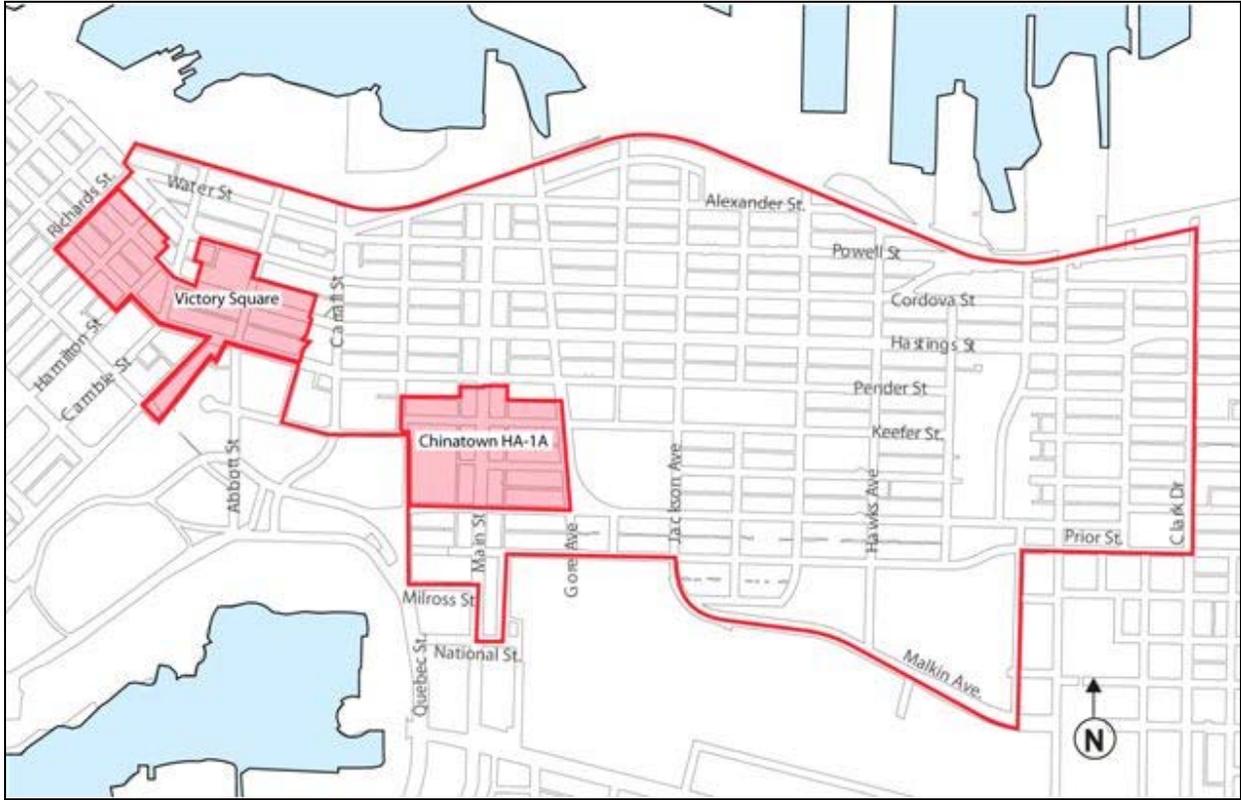
- Victory Square Policy Plan
<http://vancouver.ca/commsvcs/guidelines/V002.pdf>
- Rezoning Policy for Chinatown South (HA-1A)
<http://vancouver.ca/commsvcs/guidelines/G017.pdf>

Policy 7

Rezoning applications that do not meet the terms of this Interim Rezoning Policy will be considered under exceptional circumstances only if they:

- substantially advance objectives of city-wide policies, including the Vancouver Economic Strategy, Greenest City Action Plan, etc.,
- do not constitute a significant increase in the rate of market development: and,
- align with the principles of the Local Area Planning process, (as defined in the LAPP Committee Terms of Reference) in providing appropriate community benefits and improving the lives of low income residents.

Before an application is accepted under this policy, staff will obtain input from the public and the LAPP Committee for these proposals and then submit a report to Council for direction.



Map 2. Location of Council-approved policies and plans where rezoning applications will be considered.

Downtown Eastside Interim Development Management Guidelines

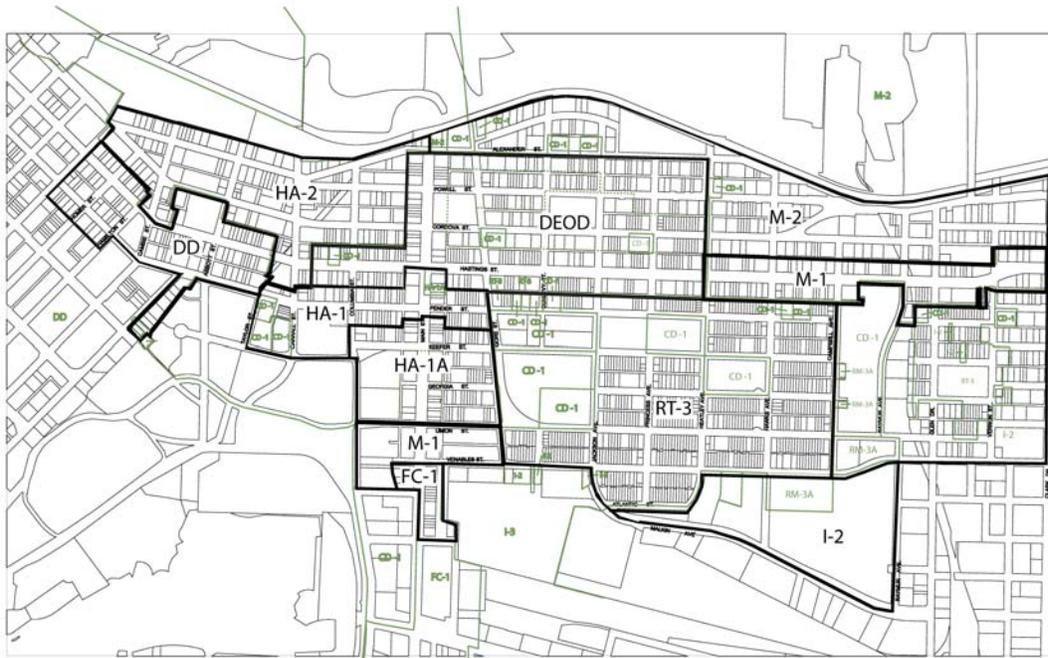
Application and Intent

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The combination and interrelation of the Interim Rezoning Policy and these Development Management Guidelines will provide staff, the LAPP Committee and other stakeholders the mechanisms needed to consider opportunities and risks for development in the community. Specifically, the policies will allow time to assess what might be required to achieve the long-term housing objectives and implement the DTES Housing Plan.

The Development Management Guidelines also provide a mechanism to manage liquor licensing applications and Active Storefront Grant applications within for the DTES to ensure they do not accelerate the pace of development and to provide sufficient time for the LAPP to review this policy area and program.

The Development Management Guidelines apply for a period of 18 months from the date of Council approval, commencing March 28, 2012.



Guideline 1. Applications for New Liquor Licenses (Liquor Primary)

In 1990 Council approved a moratorium on liquor primary licenses in the DTES and this guideline affirms this moratorium until a comprehensive review can be completed. While the Local Area Planning Program is underway, and prior to the completion of the DTES Liquor

Policy Review, staff do not support the addition of any new liquor licenses, additional seats for existing licenses, or movement of existing seats within the Downtown Eastside.

In order to support existing businesses, staff will consider, on a case by case basis, applications for the licensing of hotel lounges, proposals to change hours of operation and additions of patios. To meet the City's objective to support the creation and operation of live performance venues, staff will consider, on a case by case basis, applications for event based liquor licenses to support live performance.

Guideline 2. Applications for Capital Grants from the Active Storefronts Program

The DTES Capital Fund has an Active Storefronts Program to improve storefronts, the public realm and tenant vacant businesses. Recently, this program has supported the revitalization of businesses in various sub areas of the neighbourhood, including Hastings Corridor and Chinatown. This program will be reviewed as part of the LAPP and will continue during the course of the Local Area Planning Program to offer grants to those applicants that meet the existing program criteria AND can demonstrate an economic and social benefit for the local, low-income community.

Guideline 3. Applications for Heritage Façade Grants Program

In recognition of the rich heritage assets in the DTES and the significance of the historic site designations in Gastown and Chinatown, staff will continue to consider applications for grants related to heritage façade projects.