

Implementation of Transit-Oriented Areas (Bill 47)

Standing Committee on City Finance and Services

June 26, 2024

1. Recommendations
2. Background & Context
3. Bill 47 Implementation
 - a) Provincial TOA Requirements
 - b) TOA Rezoning Policy
 - c) Consequential Policy Amendments
 - d) Next Steps

THAT Council approve:

- A. Transit-Oriented Areas (TOA) Designation By-law (Appendix A)
- B. TOA Rezoning Policy (Appendix B)
- C. Consequential amendments to various area plans and city policies (Appendix C)
- D. Proposed amendments to the Grandview-Woodland Community Plan to remove the Pace of Change Policy and replace with an enhanced Tenant Relocation and Protection policy, and enable additional height and density on select sites (Appendix D)
- E. Amendments to the Community Amenity Contributions Policy for Rezoning to expand commercial linkage target city-wide and to provide a CAC exemption for below-market rental projects that comply with the Transit-Oriented Areas Rezoning Policy (Appendix E)

THAT Council direct staff to:

- F. Initiate a coordinated utilities review with regional and local partners to better understand impacts of the provincial TOA legislation on shared infrastructure, and map out any associated infrastructure upgrades

Updated Recommendations for Inclusionary Social Housing Option

- **Significant discussion** regarding 30% inclusionary social housing requirement since report released
- Very **limited time to comply with legislation** and **significant policy complexity** – adjusting course

Updated Recommendations

- Adjust the inclusionary social housing option under the TOA Rezoning Policy to require 20% of net residential floor area (instead of 30%) (Appendix B)
- Adjusted amendments to the CAC Policy for Rezoning to not include an exemption for inclusionary social housing under the TOA Rezoning Policy (Appendix E)

Changes to Recommendations B and E explained in the staff memo dated June 25, 2024

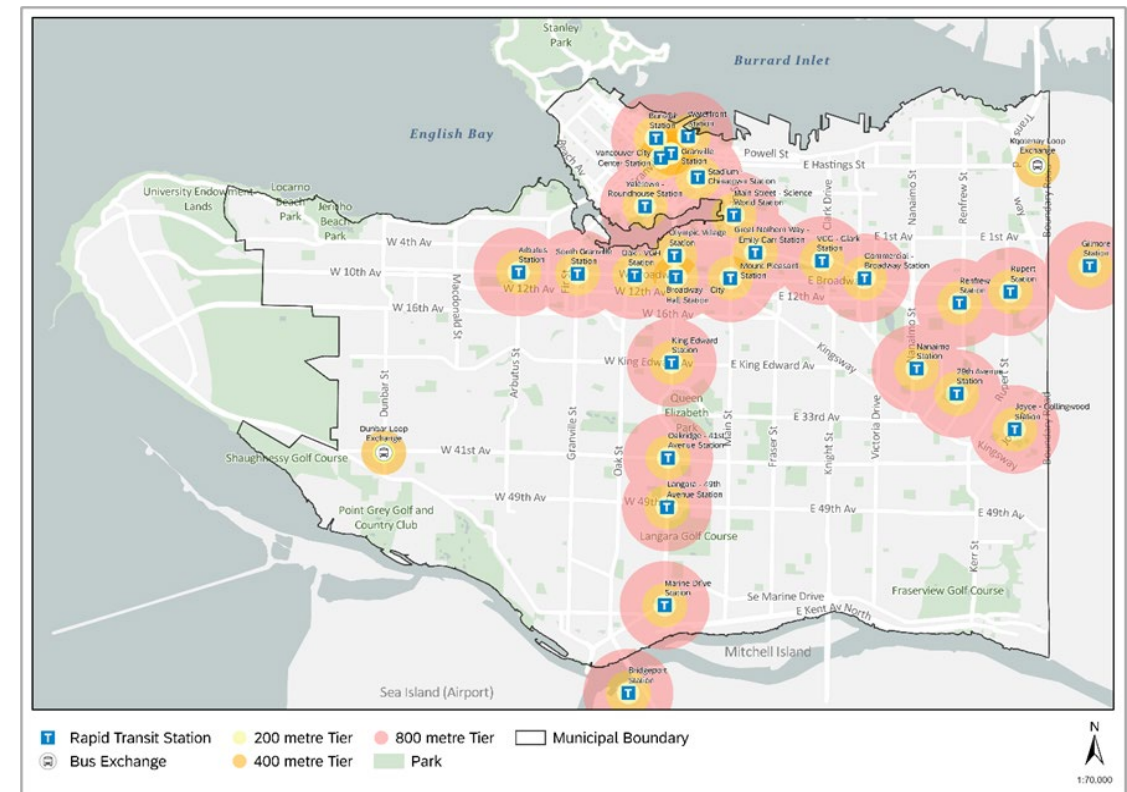
Background & Context

Provincial Legislation Overview

Bill	Title	Description
43	Housing Supply Act	<p>Effect: Requires municipalities to designate Transit-Oriented Areas and allow minimum heights and densities around rapid transit</p> <p>Intent: Increase housing supply, create more diverse housing choices, and over time, contribute to more affordable housing across BC</p> <p>Implementation Timeline: Charter changes & Regulations effective: December 7, 2023</p> <p>Deadline for TOA compliance: June 30, 2024</p>
44	Housing Statutes (Residential Development) Amendment Act	
46	Housing Statutes (Development Financing) Amendment Act	
47	Housing Statutes (Transit-Oriented Areas) Amendment Act	
16	Housing Statutes Amendment Act	
18	Vancouver Charter Amendment Act	

Vancouver Plan Context

- TOA legislation is aligned with the Vancouver Plan Land Use Strategy; identifies Rapid Transit Areas
- Shifting new housing towards the “right supply” to address a diversity of incomes and building forms



Transit-Oriented Areas (TOAs)

- One of the key implementation initiatives of Vancouver Plan
- TOA requirements already being incorporated into the Rupert and Renfrew Station Area Plan process
- Updates to the Broadway Plan anticipated in Fall 2024



Refreshed 10-Year Housing Targets

- Incorporate Provincial Housing Target Order (2023) and boost delivery of diverse housing options
- 83,000 new homes over 10 years
 - Focus on purpose-built rental (35,500 units)
 - 40% family-size units
 - 10,000 social, supportive & co-op units

New 3-Year Action Plan

- **50+ Actions** to advance an equitable housing system
- Key actions to implement Vancouver Plan, adapt to new Provincial requirements and deliver on new 10-year targets
- **Implementation of TOAs is a key 2024 action**



Core Objectives

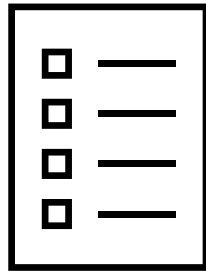
- Shift towards the right supply
- Address speculation
- Protect and grow rental stock
- Support marginalized residents

Bill 47 Implementation

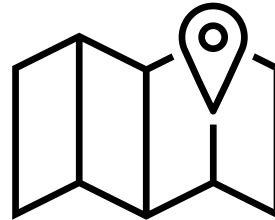
Priorities

- **Comply with Provincial legislation** by June 30, 2024 deadline
- **Provide clear guidance** to applicants, staff, and the community
- **Enable near-term housing opportunities** near to transit infrastructure
- **Support shift to the right supply of housing** by focusing on rental
- **Manage unintended consequences** and **limit speculative land value increases**

Future area planning, inclusionary housing and density bonus by-law work and review of City's financing growth tools will further refine requirements



TOA Bylaw
One bylaw for all
29 TOAs



TOA Maps
27 stations
+ 2 bus exchanges

*Show all
Tiers/Catchments*



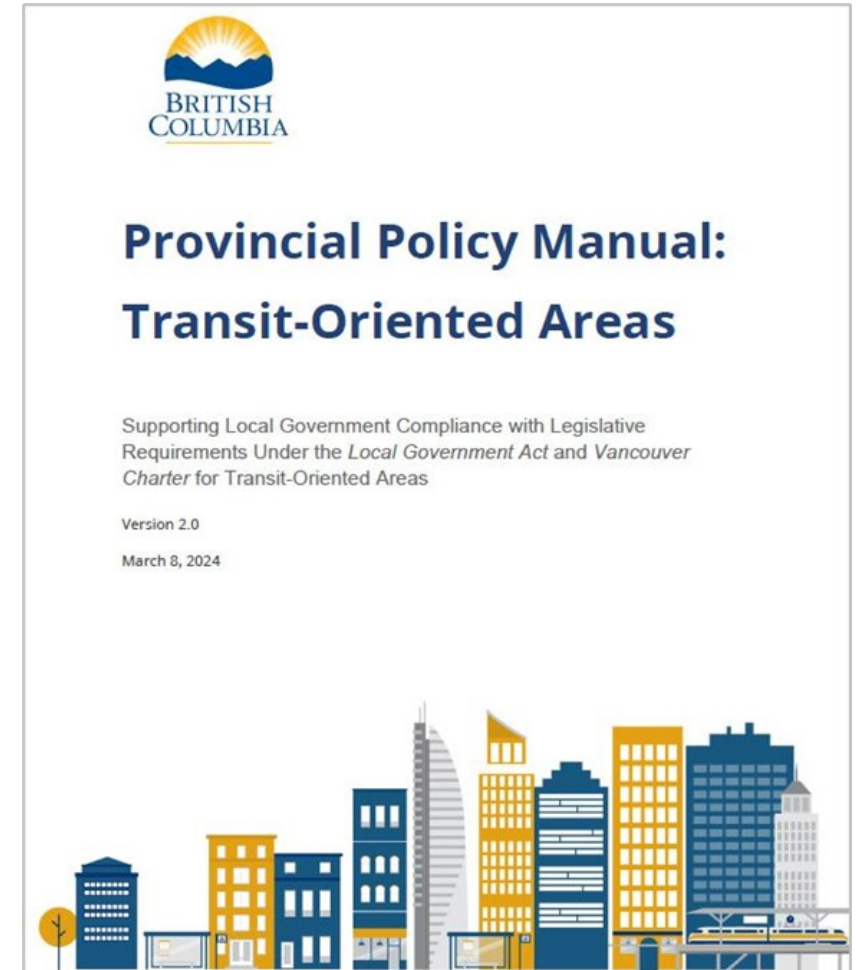
**Parking By-law
Amendments**
Remove parking
minimums

*Led by Engineering staff
(separate report -
June 26)*

PROVINCIAL REQUIREMENT (by June 30, 2024)

Considerations & Suggestions (Not Included in Statute or Regulations)

- Published in December 2023 (minor updates in March and May 2024)
- Provides some guidance on intent of the requirements, exemptions, implementation, etc.
- **Part 1:** Detailed overview of legislative and regulatory changes
- **Part 2:** Guidance on implementing legislation and regulations



Provincial TOA Requirements

Minimum Allowable Density Framework

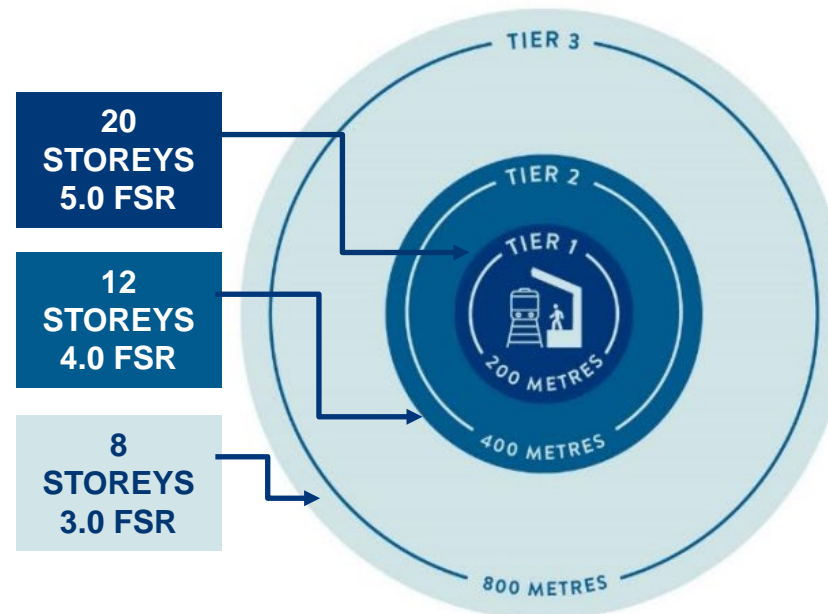
Local government may not **prohibit** or **restrict** a rezoning proposal based on the density or height if what is proposed is **less than or equal** to the prescribed minimums in TOA regulation

Can regulate other aspects of a development (architectural expression, form of development, etc.) to ensure any new development or additions are compatible and appropriate to the unique historical or cultural context of the district.

Framework does not apply to **exempt lands, including industrial lands**



RAPID TRANSIT



BUS EXCHANGE

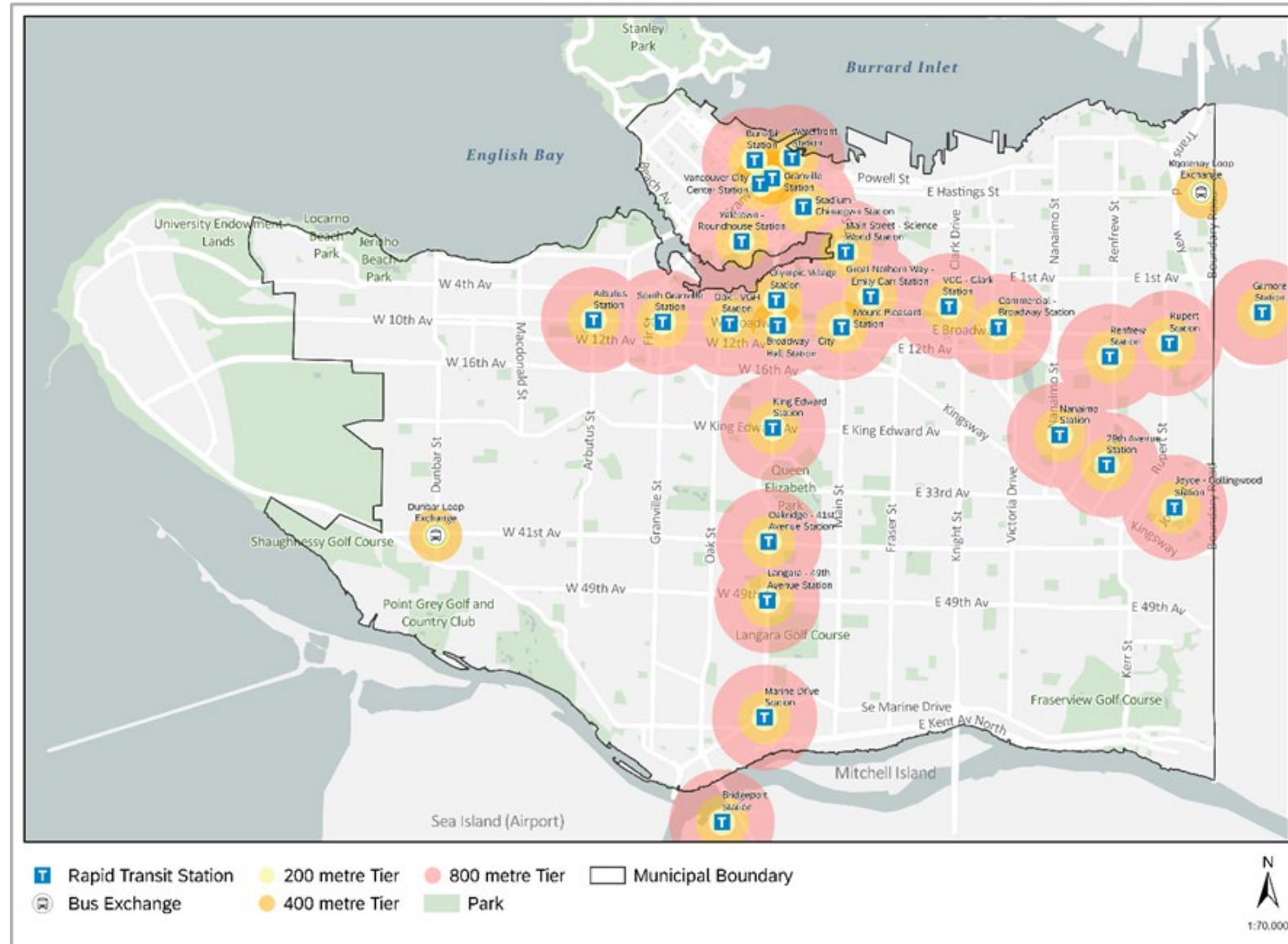


Provincial TOA Requirements

How many TOAs are in Vancouver?

Legislation identifies **29 Transit-Oriented Areas (TOAs)** impacting Vancouver

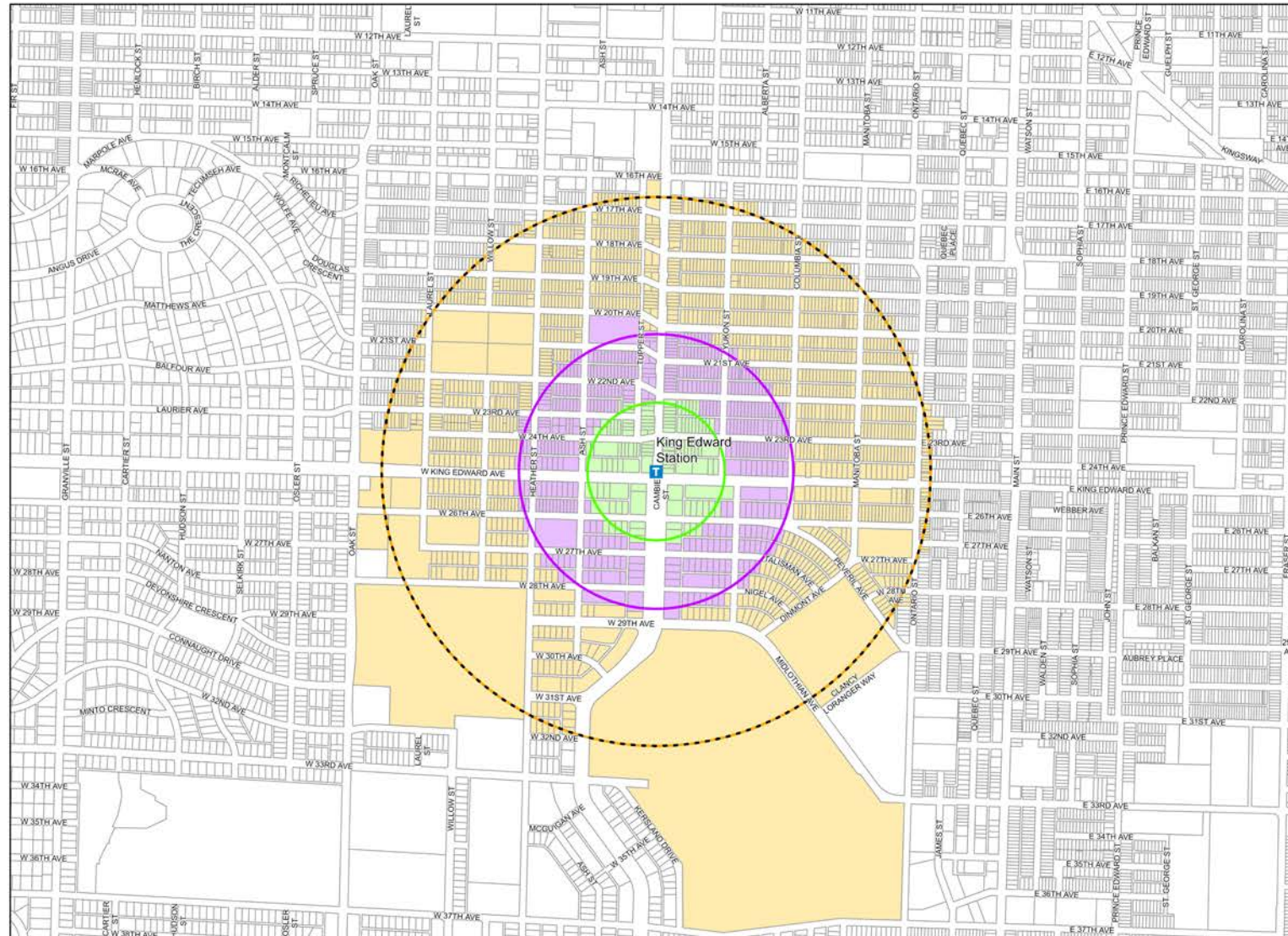
- **27 in Vancouver**
 - 25 Rapid Transit Stations
 - 2 Bus Exchanges
- **2 in adjacent municipalities** (Burnaby and Richmond)
 - *Local governments are responsible for designating the portion of the TOA that is within their jurisdiction*
- **26% of total identified TOAs** across the province
- **Approx. 3,390 hectares**
- **Approx. 27,000 parcels** (approx. 27% of all parcels in city)



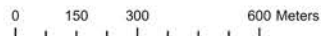
Transit-Oriented Area - King Edward Station

- Passenger Rail Station
- Parcel
- 200 metre Tier
- 400 metre Tier
- 800 metre Tier
- 200 metre Tier Parcel
- 400 metre Tier Parcel
- 800 metre Tier Parcel
- Transit-Oriented Area

If the boundary of a Transit-Oriented Area bisects a parcel of land, the parcel of land is deemed to be wholly within the Transit-Oriented Area. For parcels in overlapping Transit-Oriented Areas, the tier with the highest permissible height and density applies.



1:11,000



TOA Exemptions & Limitations

TOA legislation does not apply to industrially or agriculturally zoned lands

Province, City and Metro policy recognizes importance of industrial land

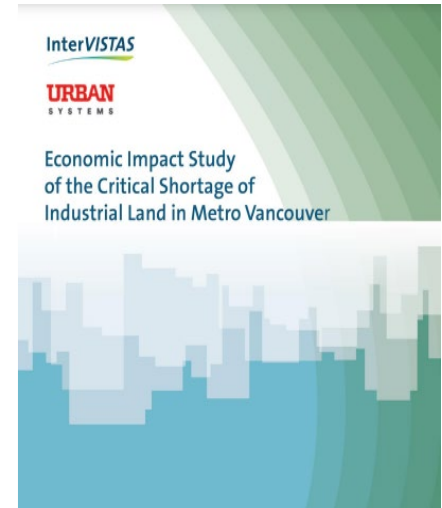
There is a major shortage of industrial space in City and region

- ~2.3% vacancy rate
- Significant rent escalation
- Impacts on economic growth
- Housing is permitted on 90% of land in city

Limitations

Certain municipal bylaw requirements and Federal/Provincial statutes supersede/limit TOA Framework:

- Agricultural Land Reserve (ALR)
- Airport Zoning Regulations under Aeronautics Act, Federal Crown land
- Flood plains, hazard areas, riparian areas and other environmentally sensitive areas
- Heritage objects and sites that are subject to heritage designation, heritage revitalization agreements, etc.



TOA Implementation: Rezoning Process

- No requirement to pro-actively zone to the minimum allowable densities established in the regulations
- **Only density and height requirements are imposed by the new framework** – City continues to have the authority to regulate land use, and other site standards
- Framework does not change other existing aspects of municipal rezoning processes (submission requirements, staff reporting, bylaw introduction and readings, etc.) and authorities (rental tenure, engineering conditions, etc.)
- Due to the complexity and scale of many transit-oriented developments, applicants are required to follow the City's **standard rezoning process**



Rezoning Policy recommended to enable and guide opportunities for new housing in TOAs

- Council must consider TOA Manual
- **High complexity and scale of TOA projects** will still require rezoning process
- Manual provides some guidance, but high-level

TOA Rezoning Policy

- **Addresses conflicts** between provincial and city land use policies
- Sets out requirements/expectations across all 29 TOAs
- **Clarifies relationship** to existing community plans and identifies additional development options to align with provincial legislation (elements of community plans still apply)
- **Streamlines** reviews and provides clarity to applicants and staff
- Supports 3-3-3-1 Permit Approval Framework

Policy

Transit-Oriented Areas Rezoning Policy

Approved by Council [Month Day, Year]

TOAs Overlapping with Area Plans

- Existing development options in area plans **continue to apply**.
- Where Provincial regulations permit heights and densities in excess of existing area plans, **additional height and density will be considered** subject to the TOA Rezoning Policy.

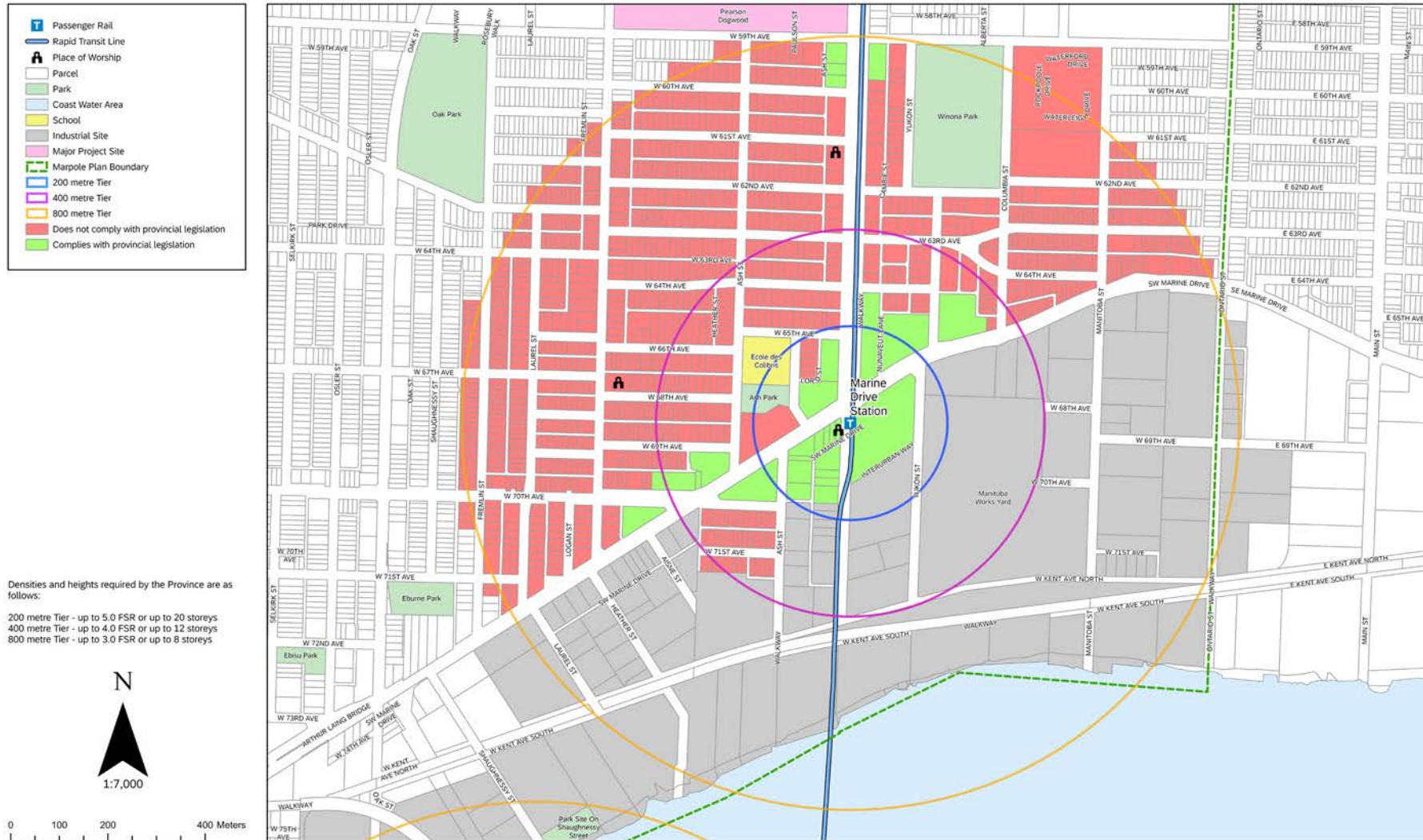
Layering with City-Wide Policies

- Proposals under TOA Rezoning Policy should adhere to all other relevant council-approved policies, guidelines, and by-laws.
- No layering with approved city-wide policies, except Mass Timber Policy for Rezonings.



Area Plans vs Provincial Legislation - Density Analysis

Transit-Oriented Areas - Marine Drive Station - Density Analysis



Housing

- **Affordable housing required** to reach TOA heights and densities
 - **20%* Turn-Key Social Housing**; or
 - **100% Rental with 20% Below-Market Rental**
- **Low-rise market and below-market rental options** in all tiers to expand diversity/viability of housing options; streamlined rezonings to rental (RR) zones
- Additional height/density for projects advancing **reconciliation** or **100% government / non-profit owned social housing**
- Enhanced **tenant protections required** (Broadway Plan-style)

**updated recommendation as of June 25, 2024*



Updated Inclusionary Social Housing Option (June 25, 2024)

- **Significant discussion** regarding 30% inclusionary social housing requirement since report released
- Very **limited time to comply with legislation** and **significant policy complexity** – adjusting course

Updated Recommendations

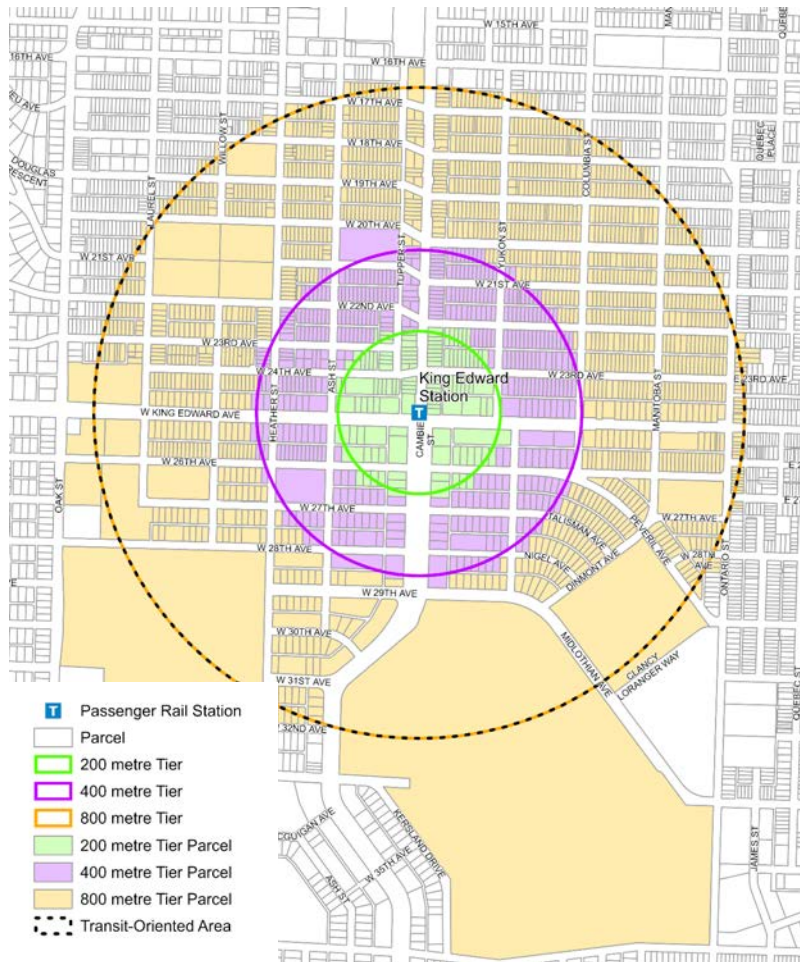
- Adjust the inclusionary social housing option under the TOA Rezoning Policy to require 20% of net residential floor area (instead of 30%) (Appendix B)
- Adjusted amendments to the CAC Policy for Rezoning to not include an exemption for inclusionary social housing under the TOA Rezoning Policy (Appendix E)

Considerations

- Would improve viability of the inclusionary social housing option
- Viability still expected to be locationally dependent
- Necessitates pro forma review and CAC negotiation

TOA Rezoning Policy Housing Options

King Edward Station Example



Tier 1 - 200m
Up to 20 storeys / 5.5 FSR

- Rental w/ 20% BMR
- Strata w/ 20%* Social

Tier 2 - 400m
Up to 12 storeys / 4.0 FSR

- Rental w/ 20% BMR
- Strata w/ 20%* Social

Tier 3 - 800m
Up to 8 storeys / 3.0 FSR

- Rental w/ 20% BMR
- Strata w/ 20%* Social

Low-Rise Options in All Tiers

6 storey (RR-2C/RR-3B)	5 storey (RR-2B)	4 Storey (RR-3A)
<ul style="list-style-type: none"> • 2.7 FSR Residential • 3.5 FSR Mixed-use • Rental w/ 20% BMR 	<ul style="list-style-type: none"> • 2.4 FSR • Rental • Residential 	<ul style="list-style-type: none"> • 2.5 FSR • Market rental • Mixed-use

Additional height/density considered for 100% social housing and projects that advanced reconciliation

Ground-floor commercial expected in some areas (varies by tier and TOA), otherwise optional

**updated recommendation as of June 25, 2024*

Commercial Uses

- **100% commercial** developments (including hotel) permitted within Tier 1 (200 m from rapid transit)
- Where existing area plan requires commercial or existing zoning is commercial (e.g. C-2), at-grade commercial will be required.
- Where no area plan exists, **at-grade retail expected on arterials** (400 m from rapid transit and 200 m from bus exchanges)
- Require commercial uses **800 m from King Edward Station on arterials**
- **Choice-of-use** (residential or commercial) at-grade for any **Tier** where commercial is not already required.



TOA Rezoning Policy Overview

Form of Development

- Sets **tower frontage minimums** (150 ft.)
- Expectations in area plans vs where no policy exists
- Low-rise forms (6-storeys and under) should refer to Rental Districts (RR) Design Guidelines

Heritage, Character Streetscapes and Retail Street

- **Manage through form of development**, to be compatible with unique historical and cultural context
 - Heritage districts (e.g. Chinatown, Yaletown, Gastown)
 - Heritage streetscapes per area plans or City policies (e.g. Grandview-Woodland)
 - Retail streets, most identified in existing community plans (e.g. Commercial Dr., Cambie Village, 4th Avenue etc.)
- 10% FSR bonus if applicant **retains, conserves, and designates a heritage building** on the Vancouver Heritage Register (VHR)



Childcare, Institutional and Cultural Facilities

- **Expect replacement** of institutional uses, childcare and cultural facilities in any redevelopment in TOAs (assessed on a case-by-case basis)
- **Assess site for childcare feasibility/suitability**; developer to be asked to secure space and City to seek leveraging senior government funding
- **Explore integration** of childcare facilities and/or park space on large sites

Financial Viability and CACs

- Rental projects with a below-market rental component to be CAC exempt; strata/social housing projects will require a proforma review*
 - **Inclusionary housing** helps to manage land speculation and escalating property values
- Amendments to CAC policy to expand **commercial linkage target** city-wide for 100% leasehold commercial strata projects

**updated recommendation as of June 25, 2024*



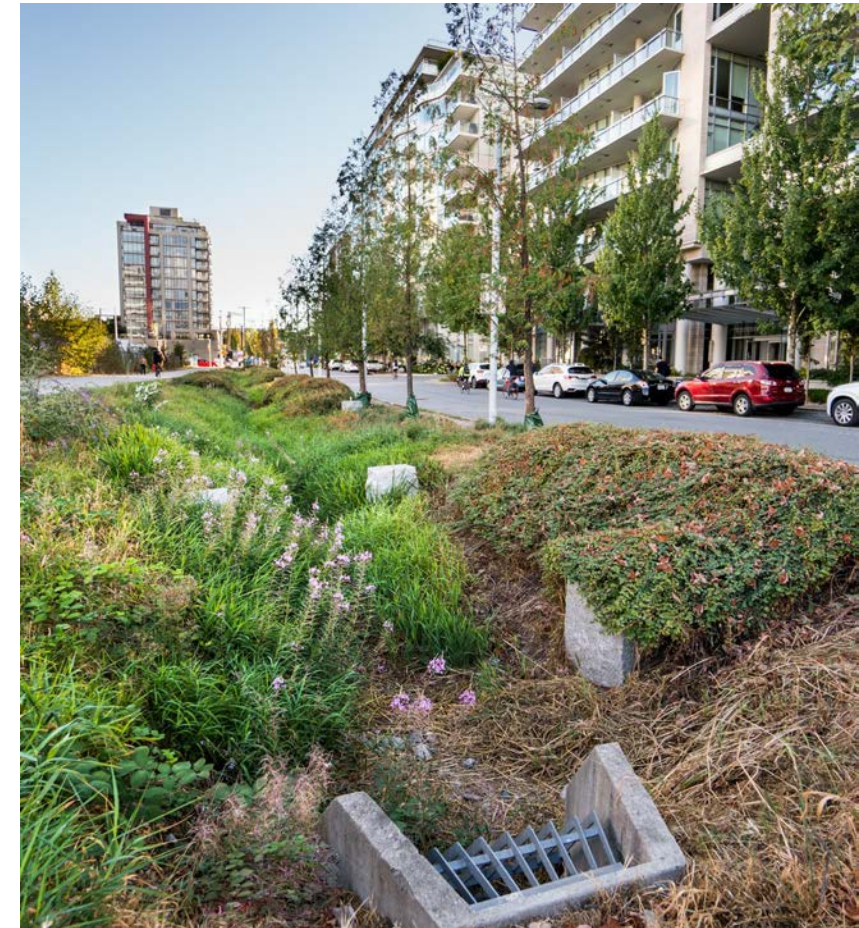
Urban Forest and Ecology

Policies ensure that projects:

- align with Urban Forest Strategy
- **address equity gaps** identified in Park Board strategies
- support green rainwater infrastructure (GRI)
- improve **biodiversity** through planting

Infrastructure

- Potential neighbourhood-serving upgrades and/or additional on-site **rainwater management** requirements in key TOAs (e.g. Nanaimo, 29th Avenue)
- **Coordination** required with regional and local partners on infrastructure
- GRI, floodplain, groundwater content, transportation and public space improvements



Community and Area-Specific Plans

Text amendment to:

- Insert reference on key land use map
- Reflect that TOA Rezoning Policy may permit more height and density than existing plans

City-Wide Policies

Text amendments to:

- Exclude Below-Market Rental Housing Policy for Rezoning from TOAs
- Permit layering of Mass Timber Policy for Rezoning with TOA Rezoning Policy

Secured Rental Policy (SRP)

Text amendments to:

- Align with opportunities under TOA Policy
- Update eligibility map
- Residential Rental District Design Guidelines to reflect changes

Grandview-Woodland Plan

Rescind Pace of Change policy

- Require Broadway Plan Tenant Relocation and Protection Policy for Rezoning in RM
- Enable Tier 1 options in RM-zoned areas in the Commercial-Broadway Station Precinct

Grandview-Woodland: Pace of Change Policy Updates

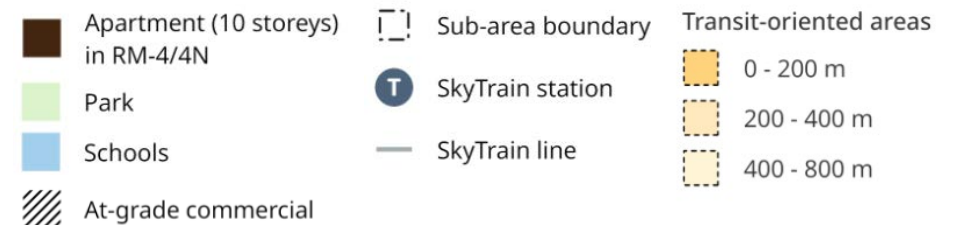
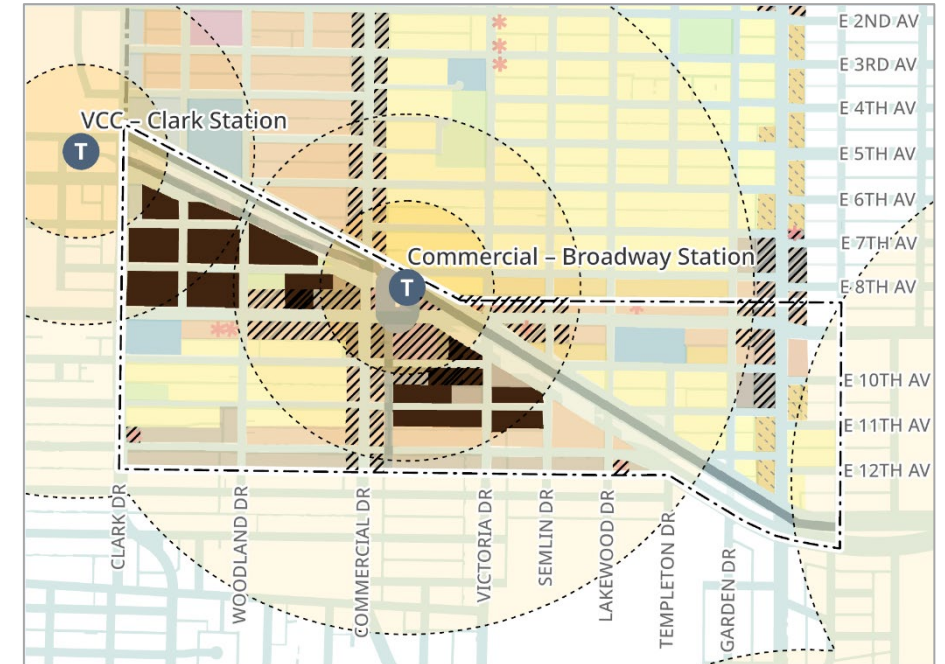
Pace of Change (POC) policy considerations

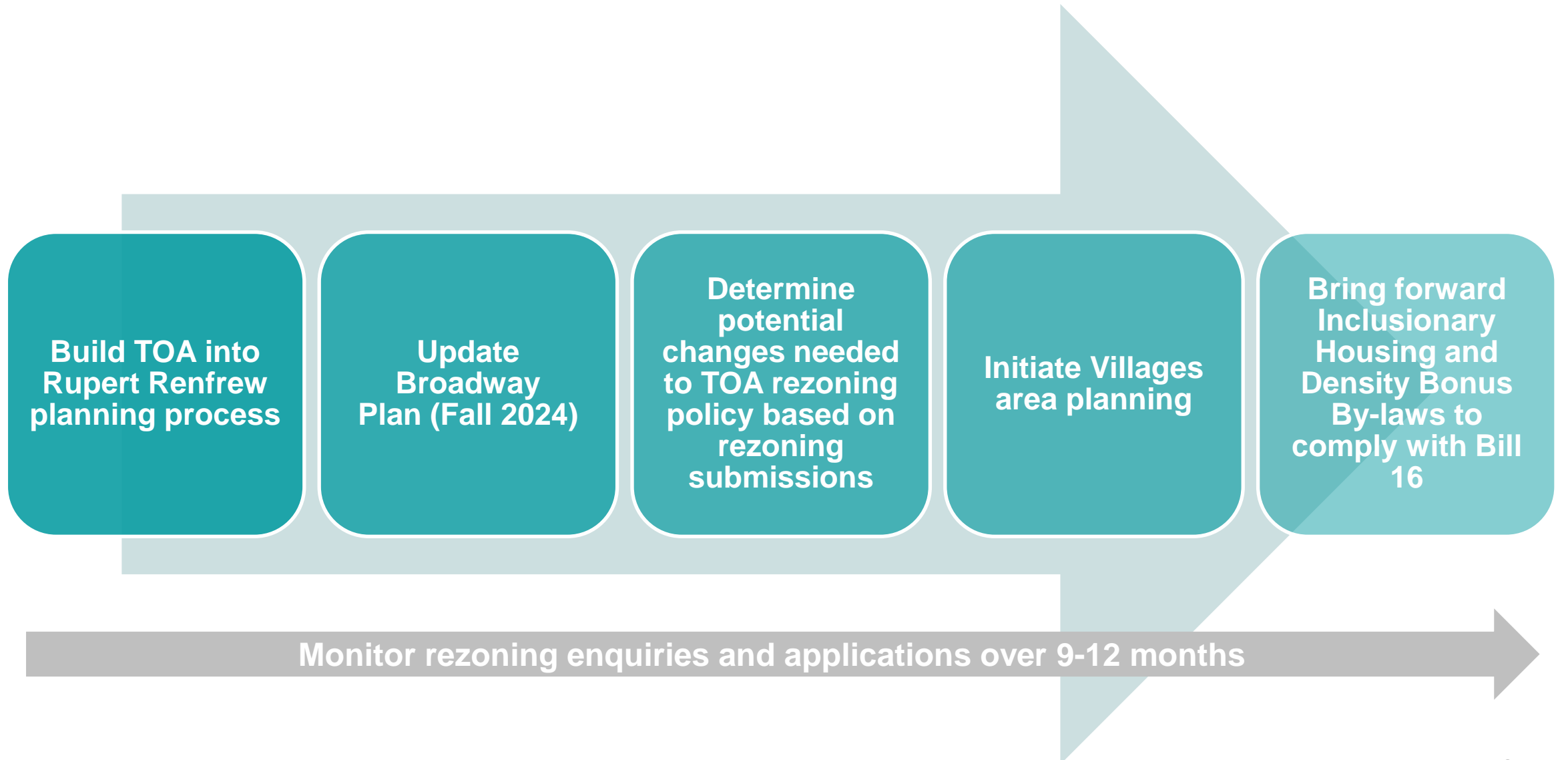
- Legislation does not provide clear exemption for managing pace of change in TOAs
- POC does not enable additional rezoning applications in RM zones, limit of 5 rezonings/150 rental units has been reached
- 10-storeys currently enabled on select sites near station, 12-storeys for market rental projects with 20% BMR

Recommendations:

- Remove Pace of Change policy from Grandview-Woodland Plan
- Require enhanced tenant protections (Broadway Plan policy) for any new applications in RM zones to mitigate impacts on renters
- Expand Tier 1 heights and densities to Tier 2 (up to 400 m away from station) on select blocks (see map)

RM Zoned Areas Where 20 Storey / 5.5 FSR Option Would Apply in Grandview-Woodland





Implement 29 TOAs across the City

- TOA By-Law required to comply with Provincial legislation by June 30, 2024 deadline
- Rezoning policy proposed to streamline rezoning enquiries/applications
- Inclusionary housing requirements support shift to the "right supply" of housing to meet Housing Target Order, and provide the only tool available to address speculation and escalating land values
- Consequential amendments resolve provincial and City policy conflicts
- Regulatory complexity minimized in line with 3-3-3-1 Framework
- Future area planning and upcoming review of City's financing growth tools will further refine requirements

Next Steps Pending Approval

- By-law enactment on June 26
- Rezoning policy comes into effect on June 30
- Staff training & roll-out of materials and tools to support implementation (Summer 2024)

THAT Council approve:

- A. Transit-Oriented Areas (TOA) Designation By-law (Appendix A)
- B. TOA Rezoning Policy (Appendix B)
- C. Consequential amendments to various area plans and city policies (Appendix C)
- D. Proposed amendments to the Grandview-Woodland Community Plan to remove the Pace of Change Policy and replace with an enhanced Tenant Relocation and Protection policy, and enable additional height and density on select sites (Appendix D)
- E. Amendments to the Community Amenity Contributions Policy for Rezonings to expand commercial linkage target city-wide and to provide a CAC exemption for below-market rental projects that comply with the Transit-Oriented Areas Rezoning Policy (Appendix E)

THAT Council direct staff to:

- F. Initiate a coordinated utilities review with regional and local partners to better understand impacts of the provincial TOA legislation on shared infrastructure, and map out any associated infrastructure upgrades

Recommendations B and E, revised as of June 25, 2024:

- B. THAT, after enactment of the proposed Transit-Oriented Areas Designation By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council the Transit-Oriented Areas (TOA) Rezoning Policy to establish the conditions under which new rezoning enquiries and applications will be considered under new provincial legislation, generally as presented in Appendix B, **with a change to paragraph 5.2.1 (b) of the TOA Rezoning Policy to require a minimum of 20% of the net residential floor area be provided as social housing and an amendment to 5.9.1 to require a pro forma review for proposals providing 20% of net residential floor area as social housing.**

- E. THAT, after enactment of the proposed Transit-Oriented By-law, the General Manager of Planning, Urban Design and Sustainability be instructed to bring forward for approval by Council the proposed amendments to the Community Amenity Contributions Policy for Rezonings, generally as set out in Appendix E, to expand the commercial linkage target city-wide and to provide a CAC exemption for inclusionary housing projects that comply with the TOA Rezoning Policy, **with a change to modify the CAC exemption in 8.2(f) and to make other related changes throughout to only specify an exemption for rezonings for 100% market rental with a minimum 20% of the net residential area provided as below-market rental.**

Thank you!