

BY-LAW NO. _____

A By-law to amend Zoning and Development By-law No. 3575
regarding micro dwelling units and Downtown Eastside Local Area Plan

THE COUNCIL OF THE CITY OF VANCOUVER, in public meeting, enacts as follows:

1. This By-law amends or adds to the indicated provisions of the Zoning and Development By-law.
2. In section 2:
 - (a) under **Dwelling Uses**, Council adds, in alphabetical order:

“ **Micro dwelling**”, which means a self contained residential unit which measures no less than 23.2 m² and no more than 29.7 m² .”;
 - (b) Council strikes out the definition of “Social housing” and substitutes:

“**Social Housing**, means rental housing:

 - (a) in which at least 30% of the dwelling units are occupied by households with incomes below housing income limits, as set out in the current “Housing Income Limits” table published by the British Columbia Housing Management Commission, or equivalent publication;
 - (b) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the city, the Province of British Columbia, or Canada; and
 - (c) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the city a section 219 covenant, housing agreement, or other security for the housing commitments required by the city, registered against the freehold or leasehold title, with such priority of registration as the city may require;

except that in the HA-2 district; in the area of the FC-1 district located north of National Avenue; in the area of the M-1, I-2, RT-3 and RM-3A districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive; in the Downtown-Eastside Oppenheimer district; and in the area of the Downtown district denoted as C2 on Map 1 of the Downtown Official Development Plan; social housing means rental housing:

- (d) in which at least one third of the dwelling units are occupied by persons eligible for either Income Assistance or a combination of basic Old Age Security pension and Guaranteed Income Supplement and are rented at rates no higher than the shelter component of Income Assistance;
- (e) which is owned by a non-profit corporation, by a non-profit co-operative association, or by or on behalf of the city, the Province of British Columbia, or Canada; and
- (f) in respect of which the registered owner or ground lessee of the freehold or leasehold title to the land on which the housing is situate has granted to the city a section 219 covenant, housing agreement, or other security for the housing commitments required by the city, registered against the freehold or leasehold title, with such priority of registration as the city may require."

3. In section 10.21 Dwelling Units:

- (a) at the beginning of subsection 10.21.2, Council strikes out "The" and substitutes "Subject to the provisions of section 10.21.7, the"; and
- (b) at the end of section 10.21, Council adds:

"10.21.7 The minimum requirements regarding floor area in section 10.21.2 do not apply to the conversion or demolition of a room designated under the Single Room Accommodation By-law, if the conversion or demolition adds bathroom and cooking facilities to the designated room."

4. In section 11, at the end, Council adds:

"11.26 **Micro dwelling**

11.26.1 A micro dwelling must be part of a development which has a covenant or housing agreement registered against title restricting its use to secured market rental housing or social housing, for the longer of 60 years or the life of the building.

11.26.2 The floor area of a micro dwelling must be at least 29.7 m², except that the Director of Planning or the Development Permit Board may relax the permitted floor area of a micro dwelling to a minimum of 23.2 m² if:

- (a) the Director of Planning or the Development Permit Board first considers all applicable Council policies and guidelines; and
- (b) the micro dwelling is part of a development which has a covenant or housing agreement registered against title

restricting its use to secured market rental housing or social housing, for the longer of 60 years or the life of the building.

11.26.3 A micro dwelling is only permitted in:

- (a) the area of the FC-1 District north of National Avenue;
- (b) the area of the RT-3 and RM-3A districts located north of Venables Street, Malkin Avenue and Prior Street, south of Hastings Street, east of Gore Avenue and west of Clark Drive;
- (c) the HA-1 and HA-1A districts;
- (d) the HA-2 district;
- (e) the Downtown-Eastside Oppenheimer district; and
- (f) the area of the Downtown district denoted as C2 on Map 1 of the Downtown Official Development Plan.

11.26.4 No more than one person shall occupy a micro dwelling.”

5. In the HA-1 and HA-1A Districts Schedule, in Section 3.2.DW, Council adds, in the appropriate alphabetical order:

“● Micro dwelling, subject to the provisions of section 11.26 of this By-law”

6. In the HA-2 District Schedule, in Section 3.2.DW, Council adds, in the appropriate alphabetical order:

“● Micro dwelling, subject to the provisions of section 11.26 of this By-law”

7. In the FC-1 District Schedule, in Section 3.2.DW, Council adds, in the appropriate alphabetical order:

“● Micro dwelling, subject to the provisions of section 11.26 of this By-law”

8. In the RT-3 District Schedule, in Section 3.2.DW, Council adds, in the appropriate alphabetical order:

“● Micro dwelling, subject to the provisions of section 11.26 of this By-law”

9. In the RM-3A District Schedule, in Section 3.2.DW, Council adds, in the appropriate alphabetical order:

“● Micro dwelling, subject to the provisions of section 11.26 of this By-law”

10. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of the By-law.

11. This By-law is to come into force and take effect on the date of its enactment.

ENACTED by Council this

day of

, 2014

Mayor

City Clerk

DRAFT