

BY-LAW NO. _____

A By-law to amend Downtown
Official Development Plan By-law No. 4912

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

1. This By-law amends the indicated provisions of the Downtown Official Development Plan By-law.
2. In the part of the By-law entitled "Definitions":
 - (a) Council strikes out the definitions of "Low cost housing" and "Social housing" and substitutes:

" "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 of the life of the building, or for such other term as may be agreed upon by the city and the owner."

"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. Council strikes out "low cost housing" wherever it appears and substitutes "social housing" and Council strikes out the words "low cost or" wherever they appear.

4. In Section 1 - Land Use, Council:

- (a) renumbers paragraphs "2A", "2B" and "3" as paragraphs "3", "4" and "6"; and
- (b) after renumbered paragraph "4" adds:

"5. In the area denoted by the letter 'C2' on Map 1, the following uses may be permitted:

- (a) Micro dwelling, subject to section 11.26 of the Zoning and Development By-law." ; and
- (c) after renumbered paragraph "6", numbers each subsequent paragraph in numerical order as paragraphs "7", "8", "9", "10", "11", "12", "13", "14" "15" and "16".

5. Council strikes out section 4(b) of Section 3 - Density and substitutes:

- "(b) in the area denoted by the letter 'C2' on Map 1, if social housing comprises more than two-thirds of the floor space ratio or if secured market rental housing comprises all of the residential units, on a site with a maximum frontage of 23m, the Development Permit Board may permit an increase in density to a maximum floor space ratio of 6.00 if the Development Permit Board first considers:
 - (i) the intent of this official development plan,

- (ii) the height, bulk and location of the building and its effect on the site, surrounding buildings and streets, existing views and general amenity of the area,
- (iii) the liveability of the proposed residential units,
- (iv) the retail continuity requirements in Section 2, and
- (v) all applicable Council policies and guidelines."

6. In the part of the By-law entitled "Section 4 - Height, in Table 1:

- (a) in the column entitled "Basic maximum height" in Area 1, Council strikes out "21.3" and substitutes "22.9"; and
- (b) Council strikes out the words in the column entitled "Increased maximum height" in Area 1, and substitutes:

"If social housing comprises more than two-thirds of the floor space ratio on a site, or if secured market rental housing comprises all of the residential units, the Development Permit Board, after considering all applicable Council policies and guidelines, may increase the height to a maximum of 32.0 m."

7. 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 this By-law.

8. 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