

BY-LAW NO. _____

**A By-law to amend the Official Development Plan By-law No. 9488
regarding amendments to further protect rental housing stock, and housekeeping updates**

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

1. This By-law amends the indicated provisions of the Rental Housing Stock By-law Official Development Plan By-law No. 9488.
2. Council renames the Official Development Plan Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts as the Rental Housing Stock Official Development Plan, and deletes “Official Development Plan Regarding Areas of Real Property in Certain RM, FM, and CD-1 Zoning Districts” from the title page and from above Section 1 “Interpretation” and replaces it with “Rental Housing Stock Official Development Plan”.
3. Council deletes “Schedule A” from the title page.
4. Council deletes “2.1 CityPlan policy about rental housing” in the Table of Contents and replaces it with “2.1 Housing Vancouver Strategy and Housing Vancouver 3 Year Action Plan”.
5. Council deletes the definition of “rate of change” from section 1.1.
6. Council deletes the definition of “rental housing unit” from section 1.1 and replaces it with the following:

“rental housing unit” means a dwelling unit, housekeeping unit, or sleeping unit on a site that a tenant rents, or has rented, for the purpose of living accommodation but does not include a unit rented by a not for profit housing cooperative to a member of the cooperative, a unit in a community care facility or group residence, a unit in a hotel, or units in a strata-titled building where the majority of the units were within the last three years individually owned and:

- (a) for which a petition has been filed with the Supreme Court of BC to dissolve the strata corporation; or
- (b) for which all the strata lots within the corporation are now under single ownership.”

7. Council deletes section 2.1 and replaces it with the following:

“Housing Vancouver Strategy and Housing Vancouver 3 Year Action Plan

2.1 On November 27, 2017, Council adopted the Housing Vancouver Strategy and the Housing Vancouver 3 Year Action Plan, which includes specific direction to continue “protecting affordability and ensuring one-for-one replacement of rental housing”.”.

8. Council deletes section 2.2 and replaces it with the following:

“Concerns about rental housing

2.2 Council has concerns about preserving the existing rental housing stock because it continues to be some of the most affordable and secure rental housing in the city, compared to the relatively high rents of newly-constructed rental housing. In Vancouver, the existing stock of low-rise, wood-frame market rental buildings, largely constructed before 1980, makes up over 80 per cent of the city’s purpose-built rental housing stock and has rents that are nearly 30 per cent lower than newly-constructed rental housing. Located in the zoning districts, which are some of the city’s most desirable neighborhoods, this stock has come under redevelopment pressure in recent years, driven by housing price growth and development opportunities. The key to preserving this affordability requires policies and programs that aim to protect and renew the city’s rental stock.”.

9. Council deletes section 2.4 and replaces it with the following:

“Rental Housing Policy

2.4 Council’s policy regarding real property in the zoning districts is that development on any site consisting of three or more dwelling units that requires the demolition or change of use or occupancy of a rental housing unit on that site, or would have required such demolition or change of use or occupancy had a person, during the three years preceding the date of application for a development permit, not demolished one or more rental housing units or changed their use or occupancy, is not permissible unless:

- (a) for new development that requires demolition of one or more buildings on that site, or for an existing development that requires major alterations or additions resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:
 - (i) a housing agreement, satisfactory to Council, is entered into that secures:
 - A. one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, or one for one replacement with another type of affordable housing if permitted under an applicable community plan, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council’s intention to maximize the replacement of such rental units; and

- B. a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable, and
- (ii) at least 35% of the total number of dwelling units include two or more bedrooms, except where the Director of Planning considers that such requirement would deter or prevent:
 - A. the conservation of a protected heritage property or a building on, or eligible for addition to, the Vancouver Heritage Register;
 - B. the renovation of a building where there are physical constraints due to light, access, and the form and structural elements of the existing building;
 - C. development of low-rise and midrise buildings on mid-block or unique sites with significant design challenges in meeting the requirement; or
 - D. development of projects on sites or in areas identified in Council-approved plans or policies as targeted to single and couple households,

and

- (b) for an existing development that requires renovations resulting in a change of use or occupancy of a rental housing unit on that site, but does not require major alterations or additions resulting in a change to the unit mix of the building(s) and the reconfiguration of a majority of the existing dwelling units, housekeeping units, or sleeping units:
 - (i) one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district is secured to the satisfaction of the Director of Planning, except that in cases where the existing rental housing units are sleeping or housekeeping units, the Director of Planning may permit less than one for one replacement, having regard for the Council's intention to maximize the replacement of such rental units; and
 - (ii) a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy is provided, if applicable."

10. Council deletes section 2.5 and replaces it with the following:

"Affordable housing and special needs housing policies

2.5 Council's existing policies respecting affordable housing and special needs housing are to continue to apply to real property in the zoning districts. Such policies include, among others: Housing Vancouver Strategy 2018 – 2027, West End Community Plan (2013), Downtown Eastside Community Plan (2014), Marpole Plan (2014), Grandview-Woodlands Community Plan (2016), Cambie Corridor Plan (2018), Moderate Income Rental Housing Pilot Program (2017), Family Room Housing Mix in Apartments Rezoning Policy (2016), and the Tenant Relocation and Protection Policy (2015)."

11. 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.

12. This By-law is to come into force and take effect on September 1, 2018.

ENACTED by Council this day of , 2018

Mayor

City Clerk

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