

BY-LAW NO. _____

**A By-law to amend
Zoning and Development By-law No. 3575
regarding amendments related to the
Rental Housing Stock Official Development Plan By-law No. 9488**

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, Council:

- (a) strikes out the definition of “Rate of Change”; and
- (b) strikes out the definition of “Rental Housing Unit” and substitutes:

“Rental Housing Unit, for the purposes of section 3.3.6 of this by-law, and for the purposes of section 3.3.1 of the RM-2, RM-3, RM-3A, RM-4 and RM-4N, District Schedules, section 3.3.4 of the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, and section 3.3.2 of the RM-6, and FM-1 District Schedules, 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;”.

3. Council strikes out section 3.3.6 and substitutes:

“3.3.6 Despite anything to the contrary in this by-law, the Director of Planning or the Development Permit Board must not issue a development permit for:

- (a) a multiple dwelling with three or more dwelling units in the RM-2, RM-3, RM-3A, RM-4 and RM-4N, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, RM-6, or FM -1 districts;
- (b) a multiple conversion dwelling with three or more dwelling units in the RM-2, RM-3, RM-3A, RM-4 and RM-4N, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, or FM -1 districts; or

- (c) an infill multiple dwelling with three or more dwelling units in the RM-4 and RM-4N, RM-5, RM-5A, RM-5B, RM-5C and RM-5D, or FM -1 districts,

unless the development permit is subject to conditions that comply with the requirements of the applicable districts schedule or district schedule.”.

4. In the RM-2, RM-3, and RM-3A District Schedules, Council:

- (a) in section 2.2.DW, strikes out “Multiple Dwelling consisting of five or fewer dwelling units.”;

- (b) in section 3.2.DW:

- (i) strikes out the bullet point that begins with the words “Multiple Conversion Dwelling” and substitutes:

“

- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:

- (a) before making a decision, the Development Permit Board shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and

- (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,

in accordance with section 3.3.1 of this Schedule.”; and

- (ii) strikes out the bullet point that begins with the words “Multiple Dwelling” and substitutes:

“

- Multiple Dwelling, in accordance with section 3.3.1 of this Schedule.”; and

- (c) adds a new section 3.3 as follows:

“3.3 Conditions of Use

3.3.1 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

- (a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations 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) enter into a housing agreement, satisfactory to Council, 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) ensure that 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,

or

- (b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it 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) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with

dwelling units on the site or in the same zoning district, 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) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.”.

5. In the RM-4 and RM-4N Districts Schedule, Council:

- (a) in section 2.2.DW, strikes out “Multiple Dwelling consisting of five or fewer dwelling units.”; and

- (b) in section 3.2.DW:

- (i) adds the words “, in accordance with section 3.3.1 of this Schedule” after “Infill”;
- (ii) strikes out the bullet point that begins with the words “Multiple Conversion Dwelling” and substitutes:

“

- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:

- (a) before making a decision, the Development Permit Board shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and

- (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,

in accordance with section 3.3.1 of this Schedule.”; and

- (iii) strikes out the bullet point that begins with the words “Multiple Dwelling” and substitutes:

“

- Multiple Dwelling, in accordance with section 3.3.1 of this Schedule.”; and

- (c) adds a new section 3.3 as follows:

“3.3 Conditions of Use

3.3.1 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Infill Multiple Dwellings, Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

- (a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations 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) enter into a housing agreement, satisfactory to Council, 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) ensure that 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,

or

(b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it 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) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, 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) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy."

6. In the RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule, Council:

(a) in section 2.2.DW, adds the words "consisting of two dwelling units" after "Multiple Conversion Dwelling"; and

(b) in section 3.2.1.DW:

(i) adds the words ", in accordance with section 3.3.4 of this Schedule" after "Infill";

(ii) strikes out "Infill Multiple Dwelling, in accordance with section 5 of this schedule.";

(iii) adds the following in correct alphabetical order:

"

- Multiple Conversion Dwelling, in accordance with section 3.3.4 of this Schedule."

- (iv) strikes out “Multiple Dwelling, in accordance with section 5 of this schedule.”;
- (v) strikes out “Multiple Dwelling, consisting of five or fewer dwelling units.”; and

- (vi) strikes out the bullet point that begins with the words “Multiple Dwelling” and substitutes:
 - “
 - Multiple Dwelling, in accordance with section 3.3.4 of this Schedule.”; and

(c) adds a new section 3.3.4 as follows:

“3.3.4 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Infill Multiple Dwellings, or Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

- (a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations 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) enter into a housing agreement, satisfactory to Council, 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) ensure that 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,

or

(b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it 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) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, 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) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.”

7. In the RM-6 District Schedule, Council:

(a) in section 2.2.DW, strikes out the following:

“2.2.DW [Dwelling]

- Multiple Dwelling consisting of five or fewer dwelling units.”;

- (b) in section 3.2.DW, strikes out the bullet point that begins with the words “Multiple Dwelling” and substitutes:

“

- Multiple Dwelling, in accordance with section 3.3.2 of this Schedule.”;

and

- (c) adds a new section 3.3.2 as follows:

“3.3.2 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Multiple Dwellings must:

- (a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations 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) enter into a housing agreement, satisfactory to Council, 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) ensure that 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,

or

(b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it 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) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, 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) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.”

8. In the FM-1 District Schedule, Council:

- (a) in section 2.2.DW, strikes out “Multiple Dwelling consisting of five or fewer dwelling units.”;
- (b) in section 3.2.DW;
 - (i) adds the words “, in accordance with section 3.3.2 of this Schedule.” After “Infill”;
 - (ii) strikes out the bullet point that begins with the words “Multiple Conversion Dwelling” and substitutes:

“

- Multiple Conversion Dwelling, resulting from the conversion of a building existing as of June 18, 1956, provided that:

- (a) before making a decision, the Development Permit Board shall consider the quality and livability of the resulting units, the suitability of the building for conversion in terms of age and size, and the effect of the conversion on adjacent properties and the character of the area; and
- (b) building additions resulting in a total floor space ratio greater than 0.6 shall be in keeping with the character of the building,

in accordance with section 3.3.2 of this Schedule.”; and

- (iii) strikes out the bullet point that begins with the words “Multiple Dwelling” and substitutes:

“

- Multiple Dwelling, in accordance with section 3.3.2 of this Schedule.”; and

- (c) adds a new section 3.3.2 as follows:

“3.3.2 Unless its development does not require the demolition or change of use or occupancy of one or more rental housing units, registered owners of Infill Multiple Dwellings, or Multiple Conversion Dwellings consisting of three or more dwelling units, or Multiple Dwellings, must:

- (a) if it is new development that requires demolition of one or more buildings on that site, or if it is an existing development that requires major alterations 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) enter into a housing agreement, satisfactory to Council, 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) ensure that 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,

or

- (b) if it is an existing development requiring renovations resulting in a change of use or occupancy of a rental housing unit on that site, but it 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) secure, to the satisfaction of the Director Planning, one for one replacement of existing rental housing units with dwelling units on the site or in the same zoning district, 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) provide a Tenant Relocation Plan in keeping with the city's Tenant Relocation and Protection Policy, if applicable;

and, in this section, all references to the demolition or change of use or occupancy of one or more rental housing units are to include then existing rental housing units and rental housing units that, during the three years preceding the date of application for a development permit, a person has demolished or in respect of which has changed the use or occupancy.”

9. 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.

10. 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